

1878-002
Nansemond Co. (Suffolk)

Chancery Causes: John F. Pinner vs AnnEliza Wells et al

Costs

Clk L
Atto: ~~W. H.~~

\$10.00
16 50
50

Print
Comm (W. H.)

5.10
\$32.00

CHANCERY SUMMONS.

The Commonwealth of Virginia,

To the SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON *Ann Eliza Wells, and*
W. H. Wells and Martha Ann Wells (the last two infants)

to appear at the Clerk's Office of the *Circuit* Court of Nansemond County, at the Rules to be
held for the said Court, on the first Monday in *September* next, to answer a
Bill in Chancery, exhibited against *Them*
in the said Court by *John F. Pinner,*

and have then and there this Summons. Witness, *Peter B. Prentiss*
~~WILLIS E. COHODIN~~, Clerk of our said Court, at
his office, this *26th* day of *August* 1876, in the *101st*
year of the Commonwealth.

Teste:

Peter B. Prentiss Clerk of the Court.

Killy Lane, 3.7

John F. Penner

Sum^s in Chy:

Ann Eliza Wells, and
W^m Wells and Martha Ann
Wells (the last two infants)

To Sept. Rules, 1876.

1st Sept 1876 Executive and a copy delivered to Ann
Eliza Wells

F. M. Davis for
J. J. Feltzham

Know all Men by these Presents,

That we, *John R. Kilby and*

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA, in the just and full sum of

Two Hundred

Dollars, to the payment

whereof, well and truly to be made to the said Commonwealth, we bind ourselves, and each of us, our, and each of our heirs, executors and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this *6th* day of *October*

in the year one thousand eight hundred and *Seventy-seven*, and in the *102nd* year of the Commonwealth.

And we hereby waive our Homestead exemption, as to this obligation.

The Condition of this Obligation is such, That if the above bound

John R. Kilby

was, by a decree of
who ~~has~~ *this day qualified before* the *Circuit* Court of Nansemond County, *pronounced*
on the 10th day of April, 1877, in the Chancery Cause of John F.
Pinner, Plaintiff, against Ann Eliza Wall, & al. Defendants, appointed
a Commissioner to make sale of certain Real Estate in said Cause
described, shall faithfully discharge his duties as such Commissioner
under said decree, and all other orders or decrees that he may be required to execute
in said Cause
~~shall faithfully discharge the duties of his said trust, then the above obligation to be void, or else to remain in~~
full force and virtue.

Executed in }
presence of }
the Court. }

John R. Kilby

Wilbur J. Kilby

{ Seal. }

{ Seal. }

{ Seal. }

{ Seal. }

{ Seal. }

John R. Kilby, Comr

To { Bond

Commonwealth

1877
Octo: 6th Executed & Filed

Virginia:

At Rules in the Clerk's Office of the
Circuit Court of Hansemond County.
on Monday, the 4th day of September,
1876.

John F. Pinner. Plaintiff.
Against { In Chancery
Ann Eliza Wells, and W. H. Wells
and Martha Ann Elizabeth Wells (the
last two infants). Defendants.

On the motion of the Plaintiffs, by Counsel,
Peter B. Prentiss is appointed guardian ad litem
to defend the infant defendants in this suit; and
it is ordered, that the said guardian be notified of
his appointment, by serving upon him, a copy of this
order.

Wesle
Peter B. Prentiss, Clerk.

1876. September the 4th. I hereby acknowledge service of
the foregoing order, and that I have received a copy thereof.

Peter B. Prentiss.

guardian ad litem

John F. Penner

Mrs Eliza Wells Hale

Order appointing god. at Salem
to infant depts.

1877 Oct. 8th. We, the undersigned, to whom
the taxed costs in the chancery cause
of Jno. F. Primer against Ann Eliza
Wells & others, are due, do hereby
relinquish and give the same for the
benefit of said Ann Eliza Wells in
payment of the claim of said Primer
against her, and do hereby authorize
~~said~~ John R. Kilby Comr. to pay the
same as above specified.

Peter B. Prentiss, Clerk Sec.	\$10.00
John R. Kilby Hon, attys. for	
John F. Primer, Plaintiff	\$16.50
Wilbur J. Kilby, Comr.	5.00

At a Circuit Court held for Hantsdonal County,
the 10th day of April, 1877.

John F. Pinner Plaintiff

Against & In Chancery
Ann Eliza Wells and W. H. Wells and
Martha Ann Elizabeth Wells, the last
two infants). Defendants.

This cause came on this day to be again heard on the
papers formerly read and on the report of Wilbur J. Kelly,
commissioner, made pursuant to the decree made
herein at the October Term of this Court, 1876, to which
report there is no exception, and was argued by coun-
sel: On consideration whereof the Court doth ad-
judge, order and decree that the said report be con-
firmed, and that John R. Kelly, (who is hereby ap-
pointed Special Commissioner for that purpose)
proceed to sell at private sale if in his judgment best
for the parties, or at auction before the Court house
door of Hantsdonal County the Lot of Land referred
to in the proceedings, and on which the plaintiff has
a Lien as retained in his Deed to the Defendants
or such part thereof as may be necessary, to satisfy the
plaintiffs demand and the costs of this suit; having
first given notice of such sale by advertisement at
the Court-house door of the county of Hantsdonal
and other public places near the premises for at least
ten days before such sale; The said sale to be
made on a credit of six months, with interest
from day of sale (except a sum sufficient to pay

the costs of suit and expenses of sale, which the said John R. Kelly will require in cash and pay to those entitled, taking from the purchaser of said Land bond with good security and return the title till the further order of this Court, and make report to Court. But the said John R. Kelly is required before he shall sell the said Land under this decree to execute before the Clerk of this Court in his office, a Bond in the penalty of \$200. payable to the Commonwealth of Virginia, and conditioned faithfully to execute this decree, and all other orders or decrees that he may be required to execute in this cause.

A copy,
Teste,

Peter B. Prentiss. Clerk

Cts
clerk \$10.00
att. \$16.50
sh 5.00
Comm. 5.00
\$32.00

Pinner
as Copy of Decree
Wells & al

To J. S. Compton \$50
J. S. Compton
J. S. Compton
J. S. Compton

To the Circuit Court of Hansemond County,
Virginia.

In pursuance of a decree of said Court pronounced at the April Term thereof in the year 1877 in a cause in Chancery in said Court depending between John F. Primer, Plaintiff, and Ann Eliza Wells and others, Defendants, a copy of said decree being herewith annexed: The undersigned, appointed Special Commissioner for the purposes named in said decree, respectfully reports to Court that, deeming it best in his judgment for the parties to said cause and with their ^{and as allowed by said decree} consent he has sold privately ~~for cash~~ a part of the piece or parcel of real estate in Hansemond County, Virginia, near the Eastern boundary of the Town of Suffolk, which by deed dated the 15th day of November 1871 and recorded in the Clerk's Office of said County on the 13th day of December 1871, was conveyed by John F. Primer and wife to said Ann Eliza Wells for and during her natural life with remainder in fee-simple to her two children Wm H. and Martha Ann E. Wells, and which is described and referred to in the proceedings in said ^{the proceeds of the sale of} cause; the part thereof sold being sufficient to satisfy the said Plaintiff's demand; that your Commissioner sold only the Eastern part of said real estate and sold that part in two separate lots ^{on the 8 day of October 1877} on a credit of six months as follows:

To James H. Nelson for \$40. one lot commencing at the Southwest corner of the lot of Lamb Lepp on the County road leading from Suffolk to Norfolk and running Northwardly 140 feet to the line of the ~~Norfolk~~ Atlantic, Mississippi and Ohio Railroad, thence Westwardly ^{along said Railroad line} ~~in a line~~ far enough to make the lot sold as aforesaid 45 feet wide according to a line

parallel with said County road ~~and~~ from a point in the line of said Crofs 90 feet from said County road; thence Southwardly parallel with the line of said Crofs to said County road, and thence ^{Eastwardly} along said County road ^{45 feet} to the Beginning. And to Nancy Austin for \$40, as and for her sole and separate estate, a lot commencing at the Southwest corner of the lot aforesaid sold to said James H. Nelson, on said County road, and running Southwardly along said Nelson's western line to said Railroad ^{along said Railroad line} ~~thence Westwardly~~ ^{far enough to make the lot sold as aforesaid to said Austin 45 feet wide according to a line} from a point in said Nelson's western line 90 feet from said County road and parallel with said County road to said Ann Eliza Wells' line or land, thence Southwardly ^{and from said Railroad line} 90 feet parallel with said Nelson's western line to said County road, and thence Eastwardly along said County road ^{45 feet} to the Beginning.

That said Nancy Austin, preferring to pay said sum of \$40 in cash. your Commissioners received the same, and paid the same to said John F. Primer in part of his claim against said Defendants, reported to be due by Court. Wilbur F. Kilby in pursuance of a decree of October Term 1876 of said Court in said cause. as will appear by the statements hereafter made below.

That said James H. Nelson executed his Bond for said sum of \$40, the purchase-money due by him as aforesaid, dated the 8th. day of October 1877 and payable six months after date with interest from date, and that he has since paid the same to your Commissioners, who has also paid the same to said John F. Primer in full of his claim aforesaid as the statements following will shew:

1877 Oct. 8 By amt. of purchase-money received
of Nancy Austin for lot sold
to her as aforesaid.
Do paid John F. Primmer, Plaintiff
in part of his claim. per rect.

\$ 40 00

40.00

1878 June 8 By amt. of James H. Nelson's Bond
named above.
" Int. from 8 Oct. 1877 to 8
June 1878 — 8m.

\$ 40 00

1 60

\$ 41.60

Do paid John F. Primmer, Plaintiff in
full of his claim per rect.

\$ 41 60

Your Commissioner further reports to Court that
as appears above. he has paid no part of the
costs of said suit out of the proceeds of the
sale of said lots as aforesaid, because the
parties to whom the same was due and pay-
able. have relinquished the same, that the
prop proceeds of said sale might be paid
in full of said Jno. F. Primmer's claim for
the benefit of said Ann Eliza Wells and
her children, as will appear by the writing
annexed signed by said parties.

Your Commissioner further reports to Court
that said Nancy Austin and James H. Nelson
are entitled to deeds for the respective lots
purchased by them as aforesaid.

Respectfully submitted this 5th. day of July 1878

John R. Kilby. Commr.

The following is a statement (with interest added) of the the claim referred to in the foregoing Report as due by said Defendant, Ann Eliza Wells, to said John F. Primer and reported by Cour. Wilbur J. Kilby, in his Report made in said cause in pursuance of a decree of said Court pronounced at the October Term thereof in the year 1876, and paid by Cour. John R. Kilby as set forth above:

To amt. of said claim as per said Report	\$ 78.75
" Interest on \$62.50 part thereof to 8 Oct. 1877.	<u>1 85</u>
	\$ 80 60
By amt. paid by Cour. Juv. R. Kilby, per rect.	<u>40 00</u>
	\$ 40.60
To Int. to 8 May 1878	<u>1 00</u>
	41 60
By amt. paid by Cour. John R. Kilby, per rect.	<u>41 60</u>

1877 Oct. 8, Received of John R. Kilby Cour. forty dollars charged as paid to me in the foregoing Report and Statement in part of my claim aforesaid against Ann Eliza Wells.
\$40.

John R. Kilby, atty. for
Jno. F. Primer

1878 June 8th, Received of John R. Kilby Cour. forty one and ⁶⁰/₁₀₀ dollars in full of my claim above
\$41. ⁶⁰/₁₀₀

John R. Kilby, ^{attor.} for
Jno. F. Primer

Primer } chy.
vs }
Wells & als.

Commissioner's Report
of sale, collections &
payments.
5 July 1878.

1878. July 5th. Filed.
clk

At a Circuit Court continued and held for Mansfield
County, the 12th day of October, 1876.

John F. Pinners Plaintiff.

against & In Chancery

Ann Eliza Wells, and W. H. Wells
and Martha Ann Elizabeth Wells (the
last two, infants) Defendants.

This Cause came on this day to be heard on the Complainant's
Bill and Exhibits filed therewith, and on the answer of the infant
Defendants, by their guardian ad litem, with replication
thereto, and was argued by Counsel. On consideration whereof
the Court doth adjudge, order and decree, that a Commissioner
of this Court, take and state: First - An account
of the Plaintiff's demand - Second - An account of the
fee-simple and annual value of the land referred to in the
proceedings, and make report to Court with any matter specially
stated, deemed pertinent by himself, or that any of the parties
may require to be so stated.

A Copy:

Teste,

Peter B. Prentiss, Clerk

John F. Penner

v^o & Copy Deed

Ann Eliza Wells Sal

value \$ 350 ~~420~~

rent \$ 60

Commissioner's Office,

SUFFOLK, NANSEMOND COUNTY, Va.

18th. February 1877

To John F. Primer, Plaintiff

and Ann Eliza Wells, and W. H. Wells and ~~Plaintiffs~~
Martha Ann Elizabeth Wells, the last two being
infants under twenty-one years of age by their
guardian ad litem, Peter B. Prentiss — Defendants.

You are hereby notified that I have fixed upon the 19th day of March
next, to take and settle, at my office, the following accounts, to-wit:

1. An Account of the claim or demand of
said Plaintiff, John F. Primer, against
said Ann Eliza Wells,
2. An Account of the fee-simple and annual
values of the real estate or land of said
Ann Eliza Wells, as described in the Bill
in the chancery cause, to which parties are
plaintiff and defendants as above —

required to be taken by the decree of Nansemond County Circuit Court, rendered on the 12th
day of October 1876 in a suit in Chancery depending in said Court, in which you
are parties, plaintiffs and defendants; at which time and place you are required to attend.

Given under my hand as Commissioner in Chancery of the said Court, the day and year first
aforesaid.

Wilbur J. Kelly
Commissioner

1877 Feby. 18th. I hereby acknowledge service of the
within notice for Martha Ann Elizabeth, and W. H.
Wells, the infants named therein.

Peter B. Prentiss,
agent and return of said infants

1877 Feby. 18th. I hereby acknowledge service of the
within notice for John F. Primer and Ann Eliza
Wells named therein.

John R. Kelly atty

Commissioner's Office
Suffolk, Hansemond County, Va.,
19th. March 1877.

To the Circuit Court of Hansemond
County, Virginia:

In pursuance of a decree of
said Circuit Court of Hansemond County,
Virginia, pronounced at the October Term
thereof in the year 1876 in a cause in Chan-
cery in said Court depending between John
F. Primer, as Plaintiff, and Ann Eliza
Wells and W. H. Wells and Martha Ann
Elizabeth Wells, the last two being infants
under twenty-one years of age, as Defendants,
a copy of said decree being herewith an-
nexed; the Undersigned, Commissioner in
Chancery of said Court, having given no-
tice to the parties, as the papers herewith
returned will shew, and having taken
and stated the several accounts required
by said decree to be taken and stated,
herewith respectfully submits the result
of the proceedings, this 19th. day of March
1877, in the premises as follows:

(over)

Account No. 1

An Account of the claim or demand, of
the said Plaintiff, John F. Primer —

A debt due to said John F. Primer by the said Ann Eliza Wells, as per Bond secured by him on real estate. See Exhibit "A" filed in said cause. to wit \$	62	50
Interest from 15th. November 1872 to 15th. March 1877 — 4 years 4 months,	16	25
Total =	\$ 78	75

Account No. 2.

Your Commissioner reports that the fee-
simple value of the real estate, or land, of
said Ann Eliza Wells, referred to and de-
scribed in the Bill in said cause, is \$350,
and that its annual value is \$60.

Respectfully submitted
Wilbur J. Kilby
Commissioner.

Commissioner's fee \$5.

John F. Primer
vs. } In Chancery
Ann Eliza Wells &als

Commissioner's Report
of
Debt &c
No. 1.

Filed 21st March, 1877
C.H.

at a private sale if in his judgment best
for the parties, or

Pinner

11

Wells Sal.

This cause came on this day to be again
heard on the papers formerly read, on the report
of William J. Kilby, Commissioner made pursuant
to the decree made herein at the October Term of
this Court in ~~October~~ 1876 - to which report there is
no exception, and was argued by Counsel on
consideration whereof the Court doth adjudge and
decree that, ^{the said report be confirmed & that} John O. Kilby, who is hereby appointed
special Commissioner for that purpose, ^{his judgment} proceed to sell ~~the~~
at auction, ^{before the Court house of Transjuno County, or at private sale} the Lot of Land referred to in the proceeding
in which the plaintiff has a Lien as retained in his
deed to the defendants, or such part thereof as may be
necessary, to satisfy the plaintiff's demand & the costs of
this suit, having first given notice of such sale by
advertisement at the Court house door of ~~the~~ County of
Transjuno and other public places ^{near the premises,} for at least ten
days, before such sale; the said sale to be made on
a credit of ^{six} ~~three~~ months, with interest from day of sale
(except a sum sufficient to pay the costs of suit & expenses,
of sale which the said ~~Comm~~ John O. Kilby will receive
in cash & pay to them entitled), taking from the purchaser
of said Land Bond with good security to retain the title
till the further order of this Court - and make report to
Court.

But the said John O. Kilby, is required before he
shall sell the said Land under this decree, ^{to} execute before

the clerk of this Court, in his office, a Bond in the
penalty of \$200 payable to the Commonwealth of
Virginia, & conditioned faithfully to execute this
deed, and all other orders or decrees that may
be may be required to execute in this cause

Pinner

W

Wells, dec

1877

Alice Court

decedent for sale

to be entered

Geo. H. Scott.

Enrolled O.B. No. 1-1-331

Pinner

7

Wills &c

This cause came on this day to be
~~again~~ heard on the Complainant's Bill &
Exhibits filed therewith, & on the answer of the
Inferior respondents by their grand am ad
titum, with replication thereto & was argued by
Counsel. On consideration whereof the Court
Doth adjudge & decree that a Com^r. of this Court
take & state 1st an account of the plaintiff's Demand.
2^d an account of the fee simple (and annual
value of the Land referred to in the proceedings
and make report to Court with any matter specially
stated deemed pertinent by himself or that
any ~~any~~ of the parties may require to be so
stated.

Pinna

or

Wells

1876

Oct. 21

Deer

to be entered.

Geo. B. Low.

Entered O.B. No. 1 - p. 327

Primer

vs

Wells

This cause came on this day to be again heard on the papers formerly ^{read} therein and on the Report of Commissioner John R. Kelly, being a Report of ^{sale of land and of} collection and payments of money, made in pursuance of a decree of this Court pronounced at the April Term thereof in the year 1877 in this cause, and was argued by counsel.

On consideration whereof the Court doth confirm the said Report and the sale of ^{the} land ^{and the payments of money}, as therein specified, to which ^{Report} no exception has been filed and doth adjudge order and decree that said Special Commissioner John R. Kelly make to Nancy Austin and James H. Nelson ^{separate} deeds with special warranty in the usual form conveying to the ^{as her sole and separate estate} former the lot or parcel of land purchased by her and to said James H. Nelson the lot or parcel of land purchased by him under proceedings had in this cause according to the

Rumer

vs. } Chy.

Wells

Household County
Exhibit 10th Court

October Term 1878

Final Decree

To be entered

Geo. B. Lord.

Enclosed O. B. No. 1.

p. 401

metes and bounds and dimensions
respectively as set forth in said
Report of the sale thereof made by said
Commissioner, John R. Kilby.

~~And nothing more remaining to be done~~
And the Court doth further adjudge, order
and decree that the proceedings had in this cause be
and the same are hereby declared to be final and
binding between the parties; and nothing more
remaining to be done in this cause, the Court doth
further order that the same be removed from
the docket.

John F. Penner

Plaintiff

vs { In Chancery
Ann Eliza Wells and W. H. Wells
and Martha Ann Elizabeth Wells (the
last two infants)

Defendants

The joint and separate answer of W. H. Wells and
Martha Ann Elizabeth Wells, infants, by Peter B. Prentiss,
their guardian ad litem, to a Bill in Chancery exhibited
in the Circuit Court of Harseman County, by John F.
Penner against Ann Eliza Wells and others.

These Respondents say, that so far as they know, the
statements in said Bill are true, but, being under twenty-one
years of age and ignorant of their rights in the
premises, they submit the same to the Court & pray that no
order or decree may be made in the said cause to their
prejudice or injury.

and having answered -

(Signed)

Peter B. Prentiss.

Gdms ad Litem

John F. Pinner

"
v

Ann Eliza Wells Sal:

Answer of infant defendants,
by Geo. A. Cram

\$ 62 ⁵⁰/₁₀₀

Twelve months after date I promise
to pay John F. Pinner or Order, the sum of
Sixty-two dollars and fifty cents ~~Dollars~~, for value received,
for the payment of which I bind myself, heirs, executors and assigns.
Witness my hand and seal this 15th day of November 1871

Witness
Peter B. Prentiss

Ann Eliza ^{her} Wells
mark



(828)

Bond	\$ 62.50
Int. to 8 Oct. 1877	18 10
Paid 8 Oct. 1877	\$ 80.60
	40.00
	\$ 40.60
Int to 8 May 1878	1 00
	41.60
Paid 8 May 1878	
	41 60

Mrs Eliza Wells

To \$ Bond \$62.⁵⁰

John F. Penner

Dec 15th Nov. 1872

& secured by lien on
real Estate.

" E "

This Deed made this 15th. day of November A.D. 1871
between John F. Pinner and Margaret P. his wife of
the one part- and Ann Eliza Wells of the other
part, both parties of the Town of Suffolk County-
of Henricemond and State of Virginia; Witnesseth
that the said John F. Pinner and Margaret P. his
wife. in consideration of the sum of one hun-
dred and twenty-five Dollars do grant with
general warranty. unto the said Ann Eliza
Wells on the terms and conditions hereinafter
mentioned, all that small piece or parcel or lot
of land situated lying and being in the
County aforesaid and described as follows,
Beginning at a point on the land of said
John F. Pinner, lying on the North side of
the County road leading from Suffolk to Nor-
folk, then North, and within one (1) foot West of
a well inside of the field, one Hundred and
forty (140) feet to the line of the Canal of the
Norfolk and Petersburg Rail Road. Then run-
ning along the line of said Rail-Road West
Two hundred and forty-seven feet (247) feet
to said County road. Then running East
along said County road Two Hundred and
twenty seven ⁽²²⁷⁾ feet to the beginning: which said
land now herein sold, is to be held, used
and enjoyed by the said Ann Eliza Wells,
for and during the term of natural life,
with the remainder in fee simple to her

two children William H. and Mentha Ann Elizabeth Wells, provided however that if either ~~one~~ of said children should die without issue lawfully begotten of their bodies, then the portion or share of such deceased child, shall pass and descend in fee simple to the surviving child, his or her heirs and assigns forever. The said John F. Pinner covenants that he has the right to convey the said land to the grantee that he has done no act to encumber the said land that the grantees shall have quiet possession of the said land free from all encumbrances, and that they the said John F. Pinner and Margaret P. his wife parties of the first-part will execute such further assurances of the said land as may be requisite, and whereas the sum of Sixty-two Dollars and fifty cents \$62.50 One half of the purchase money for said land remains due and unpaid and which is evidenced by a bond bearing even date with this deed and payable twelve months after date, it is hereby agreed to by and between the parties hereto that the said John F. Pinner shall by virtue hereof retain a lien upon the said land to secure the payment of said bond with interest from the 15th day of December 1872

Witness the following signatures & seals.

John F. Pinner (Seal)
Margaret P. Pinner (Seal)
Ann Elizabeth Wells (Seal)
Mentha

State of Virginia
County of Hansemond } to wit:

I, Peter B. Prentiss, Notary Public for county of Hansemond in the State of Virginia, do certify that Margaret P. Primer, the wife of John F. Primer, whose name is signed to the writing hereto annexed bearing date on the 15th: day of November 1871 personally appeared before me in my county aforesaid, and being examined by me privily and apart from her husband, and having the writing aforesaid fully explained to her, she the said Margaret P. Primer acknowledged the said writing to be her act & declared that she had willingly executed the same and does not wish to retract the same.

Given under my hand and seal this 15th: day of November 1871.

Peter B. Prentiss
Notary Public.

State of Virginia
County of Hansemond } to wit:

I, Peter B. Prentiss, a Notary Public for the county aforesaid in the state of Virginia, do certify that John F. Primer and Ann Eliza Wells whose names are signed to the writing hereto annexed, bearing date on the 15th: day of November 1871 acknowledged the same before me in my county aforesaid.

Given under my hand this 15th: day of November 1871.

Peter B. Prentiss Notary Public.

In the Clerk's Office of Newsumond County - Decem-
ber 13/4: 1871

This Deed of Bargain & Sale dated the 15th day of
November 1871 with the certificates of Peter B. Prentiss
a Notary Public in and for the county aforesaid
was presented & thereupon admitted to record.

Teste. W. E. Cochran —

A copy,

Teste,

Peter B. Prentiss. Clerk

and

John F. Pinner & wife

To & Copy Deed

Ann Eliza Wells. &

" A "

Mr. J. Penner

M

Ann Eliza Wells, n

2 Ex., with Bice

To the Hon. Geo. Blaw, Circuit Court Judge
for the County of Nansemond, Virginia

Complaining, shew unto the Court
Your Complainant, John J. Pinnes,

Your Complainant respectfully represents
to the Court and says, That on the 15th day of
November 1871, he sold & by deed, duly
executed by himself ^{conveyed} to Ann Eliza Wells
for the sum of \$125, the following real estate
to wit: a small parcel of Land near the
Eastern boundary of the Town of Suffolk, Be-
ginning at a point on the Land of said John
J. Pinnes, lying on the North side of the
County road leading from Suffolk to
Norfolk, then North, and within one (1)
foot west of a well inside of the field,
one hundred & forty (140) feet to the line land
of the Norfolk & Petersburg Rail road, then run-
ning along the line of said Rail road west
two hundred & forty seven (247) feet to said
County road, then running East. along
said County road two hundred and twenty
seven (227) feet to the beginning, which
said Land now herein sold is to be held
used (and enjoyed by the said Ann Eliza
Wells, for and during the term of her
natural life with the remainders in fee
simple to her two (2) children, Williamth

and Martha Ann Elizabeth Wells, joined
however, that if either of said children
should die without issue lawfully be-
gotten of their bodies, then the portion or share
of such deceased child, shall pass & descend
in fee simple to the surviving child, his
or her heirs and assigns forever.

and it is further declared in said
Deed that 'whereas the sum of sixty two
dollars and fifty cents (\$62.50) one half
of the purchase money for said land remains
due and unpaid, and which is evidenced by a
bond bearing even date with this Deed (and
payable twelve months after date, it is hereby
agreed to by and between the parties hereto
that the said John H. Pinney shall by virtue
hereof retain a Lien upon the said land
to secure the payment of said Bond with
Interest from the 15th day of ^{November} ~~December~~ 1872'

a duly certified copy of said Deed is
filed herewith as part of this Bill marked
'A', and said Bond is also filed
herewith as part of this Bill marked 'B'.

Your Complainant says that the
sum of \$62.50 aforesaid is all Interest due
thereon and unpaid & that the said
Ann Eliza Wells is Insolvent, and that
it is necessary that the said Land or

a part of it should be sold to pay the same.

In consideration whereof and as
this Court has jurisdiction to grant all
adequate Relief, & the said Your Complainant
prays that Ann Eliza Wells, William H. Wells,
& Martha Ann Elizabeth Wells (the last two being
under twenty one years of age) may be made
defendants hereto, and be required to answer
the allegations herein, that the said Land or
such part as may be necessary may be sold
to pay the Debt aforesaid, and that such other
and further decree may be made Relief
granted, consistent with equity, and
Your Complainant will ever pray &c.

John H. Pinney

by John P. Kelly Atty

Kelly P. &

John J. Pinnes

n. } Bice

Ann Eliza Wells Tal.

Cir. et. Nam^d

John F. Turner

25th of Chy. Notes

Mrs. Eliza Wells Sal.

1876. Aug: 26th. Sum in Chy: paid to Sept: Rules, 1876

" Sept: 4th. Bill Sept: filed - Conditional Decree
v. admet deft.

" " " Peter B. Prentiss, att'd gdn: at litem to expand
deft: wth filed their answer to which there
was a genl: reply: & cause set for hearing.
wth to them.

" Oct: 2nd. Conditional Decree confirmed & cause
set for hearing.

" " 12th. Decree for accus:

1877. March 21st. Report filed

" April 10th. Decree for sale

" Octo: 6th. Causes: Bond executed filed

" " 15th: Continued

1878. Apl: 15th. Continued

" July 5th. Report of sale, collections & payments, filed

Chy. Notes