1887-008
Nansemond Co. (Suffolk) Chancery Causes: Barbara Wright vs Robert Jordan et al

Jones

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Robert Jordan and Abram I Jones, Constable,

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 August. *next to answer a Bill in Chancery, exhibited against* them *in the said Court by* Barbara Wright, widow of Joshua Wright, deceased.

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this 30th *day of* July *1886, in the* 111th *year of the Commonwealth.*

Teste: Peter B. Prentis. *Clerk.*

Memo: The within named The Defendants Robert Jordon and Abram T Jones Constable their Agents Attorneys and all other Parties, are hereby restrained and prohibited from interfering in any way with the growing Crops or any other property of Joshua Wright & Simmons found upon the Premises lately occupied by him, and belonging to Robert Jordan until the further order of the Circuit Court of Nansemond County Virginia

Teste: Peter B. Prentis. Clerk

Wright Ad.
Barbara Wright, widow
& Joshua Wright, decd vs
Robert Jordan and Abram
T. Jones, Constable
Nansemond Circuit Court
August Rules, 1886

Wright Ad.
Barbara Wright, widow
& Joshua Wright, decd vs
Robert Jordan and Abram
T. Jones, Constable
Nansemond Circuit Court
August Rules, 1886

Memo: Writen Summons, together with the endorsement hereon has been executed by delivering to each of the parties defendant in City the same.

John B. Vaughan D.C. for
John L. Fulghum, Sheriff

Upon the Complainant, Barbara Wright, or some one for her, entering into and acknowledging a bond with good security, in the Clerks Office of the Circuit Court of Nansemond County before the Clerk of said Court, in a penalty of One hundred & fifty Dollars, conditioned to pay all Costs and Damages which shall be awarded against her, in case the injunction herein mentioned shall be dissolved, an injunction is granted in pursuance of the prayer of the Complainants bill, to restrain & prohibit the said Robert Jordan, Abram J. Jones Constable, their Agents, attorneys and all other parties, from any interference with the growing crops or any other property of Joshua Wright Dec'd found upon the premises lately occupied by him and belonging to Robert Jordan, until the further order of the Court.

Wilbur J. Kilby,
County Court Judge
for Nansemond County
30 July 1886

To the Clerk of the Circuit
Court of Nansemond County

William Mann,
Stationer,
Philadelphia.

Know all men by these presents that we, Neverson Phillips, Matthew Hale and John H. Wright, are held and firmly bound unto Robert Jordan and Abram J. Jones, Constable, in the sum of One hundred and fifty (150) dollars, to the payment whereof well and truly to be made to them, the said Robert Jordan and Abram J. Jones, Constable, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents. The obligors here in hereby waive all benefit of the Homestead Exemption, as to the obligation of this bond, and also the waiver any claim, right or privilege to discharge any liability accruing under this bond in any currency, funds, counter claims or offsets other than legal tender currency of the United States.
Sealed with our seals, and dated this 30th day of July, A.D. 1885, and in the 111th. Year of the Commonwealth.

The Condition of the Above Obligation is such, that whereas, Barbara Wright, widow of Joshua Wright, deceased in her Bill in Chancery against the said Robert Jordan and Abram J. Jones, Constable, addressed to the Honorable George Blow, Judge of the Circuit Court of Nansemond County, Virginia has obtained from the Honorable Wilbur J. Kelly, Judge of the County Court of Nansemond County, Virginia, an injunction to restrain and prohibit the said Robert Jordan and Abram J. Jones, Constable, their Agents, Attorneys and all other parties from any interference with the growing crops, or any other property of Joshua Wright, deceased, found upon the premises lately occupied by him and belonging to said Robert Jordan, until the further order of the said Circuit Court. And whereas it is provided in the order of the said Judge, granting the said injunction, that the Complainant in said Bill, is not to have the benefit thereof, until the Complainant, or some one for her, enter into and acknowledge a bond with good security, in the Clerk's Office of the said Circuit Court, in the penalty of One hundred and fifty ($150) dollars, conditioned to pay all such costs and damages, which shall be awarded against her, in case the said injunction shall be dissolved. Now therefore, if the said Barbara Wright, widow of Joshua Wright deceased, shall pay all such costs as may be awarded against her, and all damages, which may be sustained, in case the said injunction shall be dissolved. Then this obligation to be void, otherwise to remain in full force and virtue.

Executed and acknowledged in the presence of us
W. Peter B. Prentis, Clerk of the Circuit Court of Nansemond County
Peter B. Prentis, Clerk

his
Neverson X Phillips (Seal)
mark
Matthew X Hale (Seal)
mark
John H. Wright X (Seal)

Barbara Wright, widow &
Joshua Wright, dec'd
vs
E. Ingen Bard

Robert Jordan and Abram
J. Jones, ~~deceased~~ Constable

1886
July 30th Executed and
filed

Barbara Wright widow of Joshua Wright, deceased. —

vs.

Robert Jordan and Abram T. Jones, Constable. —

This cause is dismissed agreed ~~to~~ and the injunction heretofore awarded in this cause is dissolved with the understanding that the defendant Robert Jordan shall pay the fees due to the Clerk and Sheriff. —

Barbara Wright

vs

Robt Jordan & al

Final decree

Consent to this decree
Ira M. Wright P.C.
So do I
Robt. N. Hunter pd

Entered 15th August 1887
C M Hill

Entered Chancery Order
Book No: 2 p. 182

Barbara Wright widow &c

vs

Robert Jordan and Abram T. Jones Constable. -

The Answer of Robert Jordan to a Bill of complaint exhibited against himself and another in the Circuit Court of Jamesmond County by Barbara Wright widow of Joshua Wright deceased:

This respondent reserving to himself the benefit of all just exceptions to the said Bill, for answer to so much thereof as he is advised it is material for him to answer, answering says:

It is true that Joshua Wright deceased lived upon the land of this respondent at the time of his death. -

This respondent utterly denies that he or Abram T. Jones Constable did on the 29. day of July 188[illegible] come upon the premises occupied by the complainant and by force and against the protest of the complainant in ~~violation~~ violation of legal right take and carry away any

hogs and other property.- This however is the foundation of the distorted allegations found in the complainants bill.- Joshua Wright rented this respondents land for the year 1885, and obtained from him large advances for which he is still indebted.- At the date of his death besides a large sum for advances during 1885 the said Joshua Wright owed this respondent $150. for rent for 1885.- After his death no responsible person was in possession of his assets and having good reason to believe that the property would be removed from the premises and concealed so as to evade the payment of the decedents debts, he ~~took out~~ procured a Distress Warrant from one John Moore Justice of the Peace for Nansemond County, in due form of law ~~this~~ for $150. rent due for 1885. this warrant was delivered to Abram J. Jones, Constable of Nansemond County, who levied the same only upon property liable to levy, amounting in value to not more than $30.+ ~~This property is now held~~

The transactions for the year 1885 were so unsatisfactory that it was mutually

agreed between this respondent and the said Wright that they would cultivate the said land on shares for the year 1886 upon the following terms:- This respondent was to furnish the seed, guano, barrels and boxes, all the crops were to be delivered to this respondent, shipped in his name and proceeds ~~to~~ received by this respondent.- After paying for the seed, guano, barrels and boxes, the net proceeds were to be divided, three fourths to belong to the said Wright and one fourth to belong to this respondent* and this respondent was to retain out of the said Wright's share the amount due to him by said Wright for 1885.- The said Wright shipped a part of his crops in respondents name in accordance with said agreement for which respondent received $179.98 and respondent has ~~paid~~ furnished guano, seed, barrels and boxes amounting to $195.99, as will be seen from the itemized statement herewith filed marked Exhibit No. 1, which respondent prays may be read as a part of this answer.- The said Wright in violation of his contract shipped a part of his

*Except as to the peanut crop.- As to that this respondent was to do all the work and to furnish the seed, and to receive in addition to one fourth of the crop, one half of the residue of said crop, the other half of said residue to belong to said Joshua Wright.-

crops in his own name ~~for~~ and collected the proceeds of sale, for which he has never accounted to ~~you~~ this respondent. -

This respondent claims the right under the said agreement to take possession of the crops now ~~in the ground~~ ungathered and to finish the cultivation thereof and to apply the proceeds in accordance with the contract above set, having due regard to all the rights of the complainant as to any surplus that may remain. -

Therefore respondent denies every material allegation of the said bill and insists that the interlocutory injunction awarded in this cause is founded upon false suggestions and should be dissolved without delay. - That the remedy of the complainant was completed at law and hence the said bill of complaint should be at once dismissed. -

And having fully answered prays to be hence dismissed with his reasonable costs in this behalf expended, - and he will ever pray &c. - Robt Jordan

Joshua Wright 1886

Dr

Feb 2nd	To Two Tons Guano @ 61.00/100	122.00
	To 5 Bags Plaster @ 90	4.50
	To 12 Lbs of Paris Green @ 22	2.64
May 27	Payed for picking Peas	15.05
	To picking Peas	2.25
	To 88 half Bbl Boxes @ 10	8.80
	To day labor	.75
	To 3 Bu of May Peas @ 5.10/100	15.00
	To 100 Empty Bbls @ 25	25.00
		$195.99

Joshua Wright Cr 1886

May the 20	by check	$26.24
May 22nd	" "	8.28
June 29th	"	30.06
" 24	"	26.04
" 14	"	18.00
" 12	"	25.92
" 17	"	31.95
July 2	"	12.84
June 14	"	.69
		$179.98

Settled

State of Virginia
County of Nansemond to wit:

This day Robert Jordan personally appeared before me and made oath that the statements contained in the foregoing bill are true to the best of his knowledge, information and belief. —

Given under my hand this 3. Day of Septr. 1886. —

Robt. L. Travis
Comm'r. in Chancery. —

Answer of
Robert Jordan
to Bill of
Barbara Wright

1886. Sept. 6th. Filed
CM.

To Hon Geo Blow, Judge of the Circuit Court of Nansemond County.

The complaint of Barbara Wright, widow of Joshua Wright Dec'd, respectfully represents and shows unto the Court that some time about the 17th of July 1886, the said Joshua Wright, died intestate, leaving no children, and so far as your complainant is advised and believes no other heirs or distributees of his Estate, save your complainant. That previous to his death the said Joshua Wright was living on the land of Robert Jordan, in Nansemond County, but under what arrangements for rent or how much of the rent due has been paid your complainant can not definitely say, except that the rent for the present year 1886, was to be paid in Kind, and that of the crops thus far shipped during the current year, the said Rs. Jordan has received his due proportion. But the said Robert Jordan claims that said Joshua Wright is indebted to him on some other account, of which your complainant knows nothing, and since the death of said Joshua he has greatly annoyed your complainant by repeated demands for payment of his alleged claim, although advised that as yet there has been no administration upon the Estate of said Joshua Wright.

and that until letters of administration are granted, Your Complainant could do nothing towards the payment of any debts due by the deceased. But not Content to await settlement in due Course of law, the said Robert Jordan, in Company with one Abram T. Jones a Constable of the County of Nansemond, did, on the 29th day of July instant, come upon the premises now occupied by Your Complainant, and by force, and against the protest of Your Complainant, and, as she is advised and believes, in absolute violation of every legal right, did seize, take and carry away some hogs and other property found upon said premises and belonging to the Estate of said Joshua Wright deceased. Your Complainant is an aged woman and unable to protect herself against such trespass, and is without remedy in the premises, save by the aid of a Court of Equity; and as the said Robert Jordan has Expressed his intention to take charge of the crops on said land and cultivate them on his own account, and has also declared his intention to take enough of the property found upon said premises to satisfy his alleged demand, not only in violation of the rights of Your Complainant, but also of all other Creditors of the said Joshua

Wright, Your Complainant prays that an Injunction may be awarded her, restraining the said Robert Jordan, Abram T. Jones Constable their Agents, Attorneys and all other parties from any interference with the growing crops on the said premises, or any other property found thereon, and that she may have such other relief in premises, as the nature of the case requires or to Equity may seem meet. And She will ever pray &c.

Barbara Wright
By Counsel.

On this 29th day of July 1886, personally came before me Barbara Wright whose complaint is above written & made oath that the Statements therein are true to the best of her Knowledge & belief.

Given under my hand this 29th July 1886.

Jno. H. Wright N.P.

Wright P.J.

Barbara Wright widow
of Joshua Wright deceased

vs Ej Bill &c

Robert Jordan and
Abram J. Jones, Constable

Nansemond Cir. Ct.