1887-012
Nansemond Co. (Suffolk) Chancery Causes: James D. Taylor & wife vs Jeremiah Jones et al

Matthews

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Jeremiah Jones, John W. Jones and Annie L. Jones, Defendants

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 March *next to answer a Bill in Chancery, exhibited against them in the said Court by* James O. Taylor and Ella T. his wife (formerly Ella T. Jones) Plaintiffs.

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this 26th *day of* February *1886, in the* 110th *year of the Commonwealth.*

Teste: Peter B. Prentis *Clerk.*

Subpoena Issued

Writ of Right

James D. Taylor and
Ella J. his wife (formerly
Ella J. Jones)

vs } Summons

Jeremiah Jones, John W.
Jones and Annie L. Jones

To March Rule 5, 1886.

Pro: 13. No: 1
Cir: Co:

Executed March 1st 1886 by
the delivery to each of the within named defendants
a true copy hereof

Jeremiah Jones, defendant
John 13, Vaughan Sheriff for
John L. Vaughan Sheriff

Taylor & wife
vs
Jones & others
} In Chancery

This cause came on this day to be heard upon the complainants bill taken for confessed as to the defendants, on whom process has been duly served, and they failing to appear and plead, answer or demur thereto, and was argued by Counsel:

On consideration whereof the Court doth adjudge, order and decree, that E. J. Driver, E. D. Hargroves, Jno H. Ames, Jno A. Moore, and Jas. Magruder, who are hereby appointed Commissioners for that purpose, any three or more of whom may act, after being duly sworn to discharge their duties as such Commissioners, do go upon the land in the bill and proceedings mentioned, and having first agreed as to quality and quantity, do proceed to divide the same into four parts of equal value, and assign one of said parts to Jeremiah Jones, one to Jno H. Jones, one to Annie L. Jones, and one to Ella the wife of James D Taylor, and if necessary. The said Commissioners are authorized to Employ a Competent Surveyor to aid them, and they will make report to Court.

98

Taylor & wife

vs } In Chancery

Jones & others -

Decree.

To be entered

Geo. T. Glover.

April 12th 1806.

Recorded Order Book
No 2 page 70

James D. Taylor
vs } In Chancery.
Jeremiah Jones et als

This cause came on this day, and upon motion of the Plaintiff by his Counsel, the same is removed from the Docket

James D. Taylor

vs } In Chancery –

Jeremiah Jones et al

Oct – 15th – 1887

Decree. removing

cause from Docket –

To be Entered.

C Mott

Entered Chancery Order

Book No 2 page 164

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

Complaining shoes unto Your Honor, Your Orators, James D Taylor and Ella I. his wife, formly Ella I. Jones, that Virginia Jones, the mother of the said Ella I. Taylor (formly Jones) some time since departed this life, intestate, leaving a considerable Real and Personal Estate, and the following children as her sole heirs and distributees - to wit Jeremiah Jones, John W. Jones, Nettie Jones, Annie L. Jones, and Ella I. Jones; the said Nettie Jones departed this life some time in the Year 1885, intestate and without issue. That after the death of their mother, the said Virginia Jones, all the children remained at the family homestead, save Your Oratrix, Ella I. who married one Matthews, who afterwards died, when she returned to the family homestead and afterwards married Your Orator James D. Taylor. The said Jeremiah Jones and John W. Jones took charge of all the personal property and cultivated the farm left by their mother, their Sisters mean time attending to the Domestic affairs of the family. That the Real Estate left by their mother consists of a valuable farm in said County, containing One hundred and seventy acres more or less, for the

rents and profits of which, there has been no accounting, since the death of said Virginia Jones. And Your Orators further allege that some debts are by the said Virginia Jones, are still unpaid though there was ample personal Estate left by her to pay the same, and Your orators desire that all of said debts should be paid and the remainder of the Estate left by her be distributed among those of her heirs entitled thereto. All of the said parties are of age, but some oppose any division of the Estate, and the said Jeremiah Jones and John W. Jones decline to render any account of the personal property or of the rents of the Real Estate since they have had charge of the same.

And as Your Orators are without remedy in the premises, save by the aid of a Court of Equity where matters of the kind are alone and properly cognizable and relievable, Your Orators pray that the said Jeremiah Jones, Jno W. Jones and Annie L. Jones may be made parties defendant to this bill and required to answer the same fully and particularly, and that one of the Commissioners of this Court may be required to take, state and report to Court the following accounts: 1st An account of all debts due and unpaid by said Virginia Jones or her Estate. 2d An account of the personal Estate left by

said Virginia Jones and what disposition has been made of the same. 3rd An account showing what Real Estate was left by said Virginia Jones, and who has occupied the same since her death, with the annual value thereof, and whether the occupants have paid any and what rents therefor, and to whom, and whether said Real Estate is susceptible of partition in kind among the parties entitled thereto, and that Your Honor will cause a partition of the Estate, personal and Real, of the said decedent, among the parties according to their several and respective interests, (or a sale of the Real Estate if not divisible in kind) and will grant unto Your Orators such other and further remedy and relief as is consistent with Equity and their case may require.

And Your Orators will ever pray &c.

Jno. N. Wright atty for Complainants,

Nansemond County to wit:

This day, James D. Taylor one of the Complainants in the above Bill made oath that the statements therein contained are true to the best of his Knowledge, information and belief.

Given under my hand this 27th day of Feb 1886.

Jno. N. Wright, N.P.

Wright P. 9

Jas. D. Taylor ~~Pltffs~~

v. } In Chancery

Jeremiah Jones & als. Defts

Bill.

Exhibit 26
Nov. 5-

James D. Taylor &
vs
Jeremiah James &c

1886. Feb. 16th: Summons issued &c

" March 1st: Bill filed & Order nisi &c

" In Chambers

" Apl. 5th: Decree nisi confirmed & cause
set for hearing on sec. day
Pltffs Counsel