1888-010
Nansemond Co. (Suffolk) Chancery Causes: John F. Pinner vs Alexander Ayers & Willie Clarence Ayers, infants

Gwynn, Holland, Luke

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Alexander Myers and Willie Clarence Myers, 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 February next, to answer a Bill in Chancery, exhibited against them in the said Court by John F. Rivers,

and have then and there this summons.

Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this 18th day of January 1888, in the 112th year of the Commonwealth.

Teste:

Peter B. Prentis Clerk.

Copy for
Willis Clarence Ayers

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Alexander Ayers and Willie Clarence Ayers, 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 February next, to answer a Bill in Chancery, exhibited against them, in the said Court by John F. Penner,

and have then and there this summons.

Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this 18th day of January 1888, in the 112th year of the Commonwealth.

Teste:

Peter B. Prentis, Clerk.

Copy for,
Alexander Ayers

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Alexander Ayers and Willie Clarence Ayers, 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 February next, to answer a Bill in Chancery, exhibited against them in the said Court by John F. Powers,

and have then and there this summons.

Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this 18th day of January 1888, in the 112th year of the Commonwealth.

Teste:

Peter B. Prentis Clerk.

Pinnion p. q

John F. Pinnion

vs } Summons in Chy:

Alexander Ayers and
Willia Clarence Ayers
infants &c.

February Rules, 1888

Bro: & Ro Page
Att'ys for Co:

At Rules held in the Clerk's Office of the Circuit Court for the County of Nansemond on the 6 day of February 1888.

John F.Pinner Complainant

vs. In Chancery.

Alexander Ayers and
Willie Clarence Ayers
being infants under
the age of twenty-one years. Defendants.

On the motion of complainant by counsel Peter B.Prentis is assigned Guardian ad litem to the infant defendants Alexander Ayers and Willie Clarence Ayers to defend them in this suit

Teste:

Peter B. Prentis Clerk

John F. Pinner } In Chy.
vs.
Alexander Ayers &
Willie Clarence Ayers Infants

Order appointing
guardian ad litem
to infant defendants.

Everett Waddey,
Stationer and Printer,
Richmond, Va. } Form No. 400.

Commissioner's Office,

Suffolk Va. 4 September 1888

To

John F. Turner Complainant

v.

Alexander Ayers, and Willie Clarence Ayers infants and Peter B Prentis, Guardian ad litem for the said infants. - Defendants.

You are hereby notified that I have fixed upon the 18th day of September 1888 next if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle and enquire at my office, ~~the account~~ of Whether the land in said cause mentioned and described can be conveniently divided among the parties thereto entitled in any of the modes prescribed by law, and if the same cannot be conveniently divided in any of the modes prescribed by law whether the interests of those entitled to the said property or its proceeds will be promoted by a sale of the whole property or allotment of part and sale of the residue and distribution of the proceeds of sale according to the respective rights of those entitled to the said land, -

required to be taken by a decree of the Circuit Court of the County of Nansemond rendered on the 10th day of April 1888, in a suit in chancery depending in said court, between the above named parties

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.

W. B. Prentis Commissioner

We acknowledge legal and sufficient service of the within notice. —

John F. Pinner
by John B. Pinner
Atty.

Peter B. Prentis. Gdn: and Cstee

John F Pinner

vs. } COMMISSIONER'S NOTICE.

Alex Cyrus Jr

18 Sept 1888

The depositions of Richard H. Holland and G. W. Lisle, taken before Robert R. Prentis Commissioner in Chancery of the Circuit Court of Nansemond County, on the 18th day of September 1888, at his office in Suffolk, Va, to be read as evidence in the chancery cause of John B. Pinner against Alexander Ayers and others now pending in the Circuit Court of Nansemond County. -

Present: Jno. B. Pinner, Counsel for Complainant -

Richard H. Holland being first duly sworn, in answer to questions deposes and says. -

1. Q. What is your age, where do you reside, what is your occupation and do you know the parties to this suit?

A. I am 50 years old, I live in Nansemond County near Suffolk, I am a farmer and I know the parties to this suit. -

2. Q. Are you familiar with the tract of land in the bill described, if so state whether or not it can be conveniently

divided in kind with your reasons for your opinion?

A. I am familiar with the tract of land referred to. I have known it all my life. I was born near the line, and have lived near for the most of my life. I think that it is possible to divide it in kind in two parts so as to give to each share a piece of land of equal value.

3. Q. Would the interests of the infants be promoted by a sale of the whole tract and a division of the money, or by a division in kind?

A. I think it will be best for the infants to divide the land in kind. I think it will bring more money if sold separately.

Further this deponent saith not.

Richard his + mark A. Holland.

G. W. Luke being first duly sworn in answer to questions, deposes and says.

1. Q. State your age, residence, occupation and

do you know the parties to this suit?

A. I am ~~35~~ years old, live in Sunsemond County ~~&~~ the land described in the Bill, am a farmer and I know the parties to this suit.-

2. Q. Are you familiar with the said tract of land, if so, state whether or not it can be conveniently divided in kind, with your reasons for your opinion.-

A. I am familiar with the land. I was raised close by the land and have known it all my life.- I think that it can be conveniently divided in kind in two parts so as to give to each share a tract of ~~it~~ equal value. I think so because of the shape, character and size of the tract.-

3. Q. Would the interests of the infants be promoted by a sale of the whole tract and division of the money?

A. I think that their part of the land

will be worth more than their share of ~~it~~ the money, and that therefore it will be best for them to divide it in kind.-

Further this deponent saith not.-

G.W. Luke

State of Virginia,
County of Nansemond, to wit:

I Rob. R. Prentis, a Commissioner in Chancery of the Circuit Court of Nansemond County do certify that the forgoing depositions of Richard H. Holland and G.W. Luke were taken, sworn to, and subscribed before me ~~on~~ this day at the place named in the caption hereto.-

Given under my hand this 18th. day of September 1888.-

Rob. R. Prentis
Commissioner in Chancery.

Commissioner's Office
Suffolk Va. 18 September 1888

John T. Pinner
v.
Alexander Ayers and others. -

To the Circuit Court of Nansemond County:

Your Commissioner (the complainant and the defendants by Peter B. Prentis their Guardian ad litem, having acknowledged legal and sufficient notice of the time and place ~~of~~ of executing the decree pronounced in the above entitled cause on the 10th. day of April 1888) proceeded at his office on ~~this~~ the 18th day of September 1888 (the day named in the said notice) to perform the duties required of him by said decree. -

In making the enquiries therein directed he took the depositions of Richard H. Holland and G. W. Luke. - These depositions and the aforesaid notice are herewith returned. -

From the evidence thus furnished to your Commissioner,

he now reports,

1. That the land in the bill described can be conveniently divided into two shares of equal value.—
2. That the interests of those entitled to the said property will not be promoted by a sale of the whole property and division of the proceeds of sale.—

Respectfully submitted,

Rob. R. Prentis,
Commissioner in Chancery

Fee for Notices, Depositions and Report $10.—

John T. Palmer

U. S. Comm'rs

Report

Alex. Ayers & others

Dated 18. Sept 1888.

1888. Sept. 18th. Filed clk.

State of Virginia
County of Nansemond } To-wit:-

I John B Pinner, a Notary Public for the County aforesaid in the State of Virginia do certify that S. A Baker Jacob Lawshe and Jas H. Johnson Commissioners appointed by the Circuit Court of Nansemond County by decree entered in the cause in chancery of John F. Pinner vs. Alexander Ayers and Willie Clarence Ayers infants on the 12 day of October 1888 to make partition of the lands of which Wm. Ayers died seized and possessed between the said John F. Pinner complainant and the said Alexander Ayers and Willie Clarence Ayers infants defendants in said cause This day personally appeared before me and made oath that they would discharge the duties imposed upon them by said decree impartially and to the best of their judgment.

Given under my hand this 3d day of December 1888.

John B. Pinner
Notary Public.

To Hon C. W. Hill
Judge of the Circuit-Court of Nansemond County, Virginia.

Your Commissioners appointed by decree of the Circuit-Court of Nansemond County made and entered on the 12th day of October 1888 in the chancery cause of John F. Pinner vs. Alexander Ayers and Willie Clarence Ayers infants to make partition between the said parties complainant and defendants in said cause of the land therein named of which Wm Ayers died seized and possessed would respectfully report to the Court that on the 3d day of December they entered upon the said land and after first being duly sworn proceeded to discharge the duties imposed upon them by said decree.

Your Commissioners divided the said land into two equal portions and fixed the line of division between said portions to begin at a marked pine tree in a small run or branch on the "Pitch Kettle" road about Three Hundred and Fifty paces from the South-east corner of said land and thence to run Northwardly across said land to the land

of Reynold Bros in a Straight course so as to divide the said land into two equal portions and assigned unto John F. Pinner the complainant in said cause that portion East of said line, it being bounded on the West by the said line, on the North by the land of Reynold Bros, Isaiah Robinson Wm Henry Eley, ~~xxxx~~ and others that land known as the "Joyner Land" on the East by that land known as the "Joyner Land" the land of B. F. Baker's Estate, the land of Joe. Measles and others and on the South by the "Pitch Kettle" Road and assigned unto the said Alexander Ayers and Willie Clarence Ayers infants defendants in said cause that portion West of the said line it being bounded on the East by the said line, on the North and West by the land of Reynold Bros and on the South by the "Pitch Kettle" Road

Respectfully Submitted.

S A Baker
Jacob Lawshe
Jas W. his X mark Johnson
} Commissioners

Witness as to Jas W. Johnsons signature
R. L. Brewer

John F. Painter
vs.
Alexander Ayers et al
Willie Clarence Ayers

In Ch'y.

Commissioners' Report

Report filed Dec 11th 1888.

Peter B. Preuss clerk.

In the Circuit Court of Nansemond County, Virginia.

April 1888 Term.

John F.Pinner Complainant.

vs. In Chancery.

Alexander Ayers and

Willie Clarence Ayers, infants. Defendants.

This cause came on this day to be heard upon the Bill of the complainant and the exhibits therewith filed and on the answer of the defendants infants by their Guardian ad Litem Peter B.Prentis and the answer of the said Guardian ad Litem with general replications thereto and was argued by counsel,

On consideration whereof the Court doth order, judge and decree that the papers in this cause be referred to one of the Commissioners of this Court, who is hereby directed to ascertain and report to Court, whether the land in said cause mentioned and described can be conveniently divided among the parties thereto entitled in any of the modes prescribed by law, and if the same cannot be conveniently divided in any of the modes prescribed by law whether the interests of those entitled to the said property or its proceeds will be promoted by a sale of the whole property or allotment of part and sale of the residue and distribution of the proceeds of sale according to the respective rights of those entitled to the said land, which several enquiries the said Commissioner will make and report to

to the Court with any matters specially stated deemed pertinent by himself or required by any party to be specially stated,

And it is further ordered that this cause may be submitted to the judge of this Court in vacation for decision or decree to be made therein in vacation.

John F. Pinner
vs.
Alexander Ayers &
Willie Clarence Ayers infants
} In Chy

Decree

To be entered
April 10 1888
C. Mack

18 Sept.

Entered Chy Order Book
No 2. P 191

In The Circuit Court of Nansemond County, Va.
October Term 1888

John F. Pinner
vs.
Alexander Ayers and
Willie Clarence Ayers infants
} In Chancery.

This cause came on this day to be heard upon the papers formerly read; the report of Robert R. Prentis Commissioner and was argued by by counsel,

On consideration whereof the court doth judge order and decree that James H. Johnson, Jacob Laroche Wm Rogers, S. A. Baker and Wiley Redd who are hereby appointed commissioners for the purpose any three of whom may act having been first duly sworn do proceed to lay off and divide the real estate of which Wm Ayers died seized and possessed, in the bill mentioned in two equal parts, having regard to quality and quantity and assign one of said two parts to Alexander Ayers and Willie Clarence Ayers infants The defendants in this cause and the other of said parts to John F Pinner the complainant in this cause,

But if the said commissioners should find it impracticable to divide said land among

the aforesaid parties or should be of opinion that the interest of the said parties would be more promoted by a sale of the same, in such case they are required to report the facts upon which their opinion is based, to the court, and also what in their opinion, is the fee simple value of the whole of the real estate of which said Wm. Ayers died seized and possessed mentioned in this cause: and in either case they are required to report their proceedings under this order to the Court.

John St Pinner } In Chy.

vs.

Alexander Ayers
Willie Clarona Ayers

Decree

To be entered
Oct 12 1888

Entd Chy D.B. No 2
P. 227

In The Circuit Court of Nansemond County Virginia ——— In Vacation.

John F. Pinner
vs.
Alexander Ayers and
Willie Clarence Ayers,
infants. } In Chancery.

This cause came on this day to be again heard upon the papers formerly read and upon the Report of S. A Baker, Jacob Lawshe and Jas W. Johnson Three of the Commissioners appointed by decree entered herein on the 12th day of October 1888 to make partition and division between John F. Pinner complainant and Alexander Ayers and Willie Clarence Ayers infants defendants of the real estate in the bill and proceedings mentioned filed on the 11th day of December 1888 to which Report there is no exception and was argued by counsel. On consideration whereof it appearing to the Court from the Report of the Commissioners as aforesaid that they divided the said land into two equal portions and fixed the line of

division between said portions to begin at a marked pine Tree in a small run or branch on the "Pitch Kettle" road about Three Hundred and Fifty paces from the South-east corner of said land and thence to run North-wardly across said land to the land of Reynold Bros in a Straight course so as to divide the said land into two equal portions and assigned unto John F. Pinner the complainant in said cause that portion East of said line it being bounded on the West by the said line, on the North by the land of Reynold Bros, Isaiah Robinson, Wm Henry Eley, that land known as the "Joyner Land" and others, on the East by that land known as the "Joyner Land", the land of B. F. Baker's Estate, the land of Joe Measles and others and on the South by the "Pitch Kettle" Road and assigned unto the said Alexander Ayers and Willie Clarence Ayers infants the defendants in said cause that portion West of the said line, it being bounded on the East by the said line, on the North and West by the land of Reynold Bros and on the South by the "Pitch Kettle" Road

The Court doth in all respects ratify approve and confirm said report and doth order, adjudge and decree that the said partition and assignment of said land, as herein made shall be held forever firm stable effectual and binding. And it is ordered that the costs of this suit be proportionally borne by the parties thereto.

There being nothing further to dispose of in this cause it is ordered that the same be stricken from the docket.

C Hostic

John F. Pinner
vs.
Alexander Ayers et
Willie Clarence Ayers
} In Chy.

Decree

To be entered
Dec. 18th 1888.
Final Decree.

Entered Chancery Order
Book No: 2 p. 239.

In the Circuit Court of Nansemond County, Virginia.

John F.Pinner — Complainant

vs.

In Chancery.

Alexander Ayers and
Willie Clarence Ayers
being infants under
the age of twenty-one
years — Defendants.

The joint and several answers of Peter B.Prentis, assigned to defend the infant defendants Alexander Ayers and Willie Clarence Ayers in this suit and of the said infants by their said Guardian ad Litem to the bill of complaint exhibited against them in the Circuit Court for the County of Nansemond by John F.Pinner.

The respondents reserving to themselves the benefit of all just exceptions to the said bill for answer thereto, the said infants by their said Guardian ad Litem and said Guardian ad Litem in his proper person say That the matters stated in said bill in so far as they are informed are true and that the land mentioned in said bill cannot be conveniently divided in kind among the parties in interest and that the interest of all parties will be promoted by a sale of the said land and a distribution of the proceeds of the sale among the parties according to their respective rights but being by reason of their infancy and tender years incapable of understanding or taking care of their rights and

interests, the said infants commit themselves and their rights and interests to the protection of the Court and pray that no decree be pronounced to their prejudice. And now having fully answered these respondents pray to be hence dismissed with their reasonable costs in this behalf expended.

And they will ever pray &c.

Peter B. Prentis.

Guard. ad litem

State of Virginia
County of Nansemond } To wit

This day personally appeared before me John B Pinner a Notary Public in and for said County Peter B Prentis Guardian ad litem and made oath that the several statements made in the above answer are true to the best of his knowledge and belief.

Given under my hand this 6 day of February 1888

John B. Pinner
Notary Public

John F. Pinner
vs
Alexander Ayers
and Willie Florence Ayers Infts

In Chy

Answer of infant defendants and guardian ad litem.

This Deed, made the 22 nd day of June in the year of our Lord one thousand eight hundred and eighty two (1882) between James W. Ayres and Emma C. his wife, of the City of Norfolk and State of Virginia, of the one part, and John F. Pinner of the Town of Suffolk and State aforesaid of the other part.

Witnesseth: That in consideration of the sum of One hundred and fifty (150) dollars, the said James W. Ayres and Emma C. his wife, do grant with general warranty, unto the said John F. Pinner and to his heirs and assigns forever the following real estate to wit: All the undivided right, title interest and estate of every character whatever which the said Grantors or either of them have or hold, being one half (1/2) in the lands of William Ayres lately deceased, wheresoever located in the County of Nansemond and State aforesaid - said lands being now subject to the Dower right or interest of Mrs Sarah B. Ayres, the Widow of said William Ayres, who was the father of the said James W. Ayres (The burial Grounds in the said lands being hereby reserved) together with all and singular the appurtenances belonging to the same. And the said James W. Ayres covenants that he has the right to convey the said land to the said grantee; that the said grantee shall have quiet possession of the said land; that he has done no act to encumber the said land; and that he will execute such further assurances of the said land as may be requisite.

Witness the following signatures and seals:

Witness

J. R. Borland

James W. Ayres (Seal)

Emma her X C. Ayres (Seal)
mark

State of Virginia
City of Norfolk } To wit

I, J. R. Borland a Notary Public in and for the City afore-

said, in the State of Virginia, do certify that Emma C. Ayres, the wife of James W. Ayres, whose names are signed to the writing above, bearing date the 22 day of June 1882 personally appeand before me in the City aforesaid, and being duly examined by me seperily and apart from her husband, and having the writing aforesaid fully explained to her, she the said Emma C. Ayres, acknowledged the said writing to be her act, and declared that she had willingly executed the same and does not wish to retract it.

Given under my hand this 22 day of June eighteen hundred and eighty two.

J. R. Borland

Notary Public.

Virginia }
County of Nansemond } To wit:

I, Peter B. Prentis a Commissioner in Chancery of the Circuit Court, in and for the said County, in the State of Virginia, do certify that James W. Ayres whose names is signed to the writing above, bearing date the 22 nd day of June 1882, has acknowledged the same before me in the County aforesaid

Given under my hand this 23rd day of June 1882

Peter B. Prentis

Commr in Chy

In the Clerk's office of Nansemond County Court, the 23rd day of June, 1882

This Deed was ~~received~~, duly certified, and thereupon admitted to record.

Teste:

Peter B. Prentis Clerk.

a Copy

Teste

Charles A. Causey Jr D.C.

X mor

James Ayers & wife

To E Coker & Dees

John F. Pinner

"EXHIBIT B"

L 8 ?

This deed, made this ninth day of April, in the year one thousand eight hundred and sixty-seven, between Wm. Gwynn and Martha C. Gwynn his wife, and Nancy Gwynn, the mother of said Wm. Gwynn, of the first part, and Wm Airs of the second part, all the parties residing in the County of Nansemond and State of Virginia. witnesseth: that for and in consideration of the just and full sum of Two hundred and fifteen dollars (thus $215.00) the said Wm Gwynn and Martha C. Gwynn his wife, and Nancy Gwynn the mother of the said wm Gwynn do grant, bargain and sell unto the said Wm airs, his heirs and assigns the following tract or parcel of land. to wit: a tract or parcel of land, lying and being in the little upper parish of the county of Nansemond and State of Virginia, about three miles from the Town of Suffolk, and adjoining the lands of the said Wm. Airs upon the south east side the lands of Ahab Holland, on the South east side also running to a branch North east: on the north side by a branch, between the land here sold, and the land of Daniel Duke, and the land of Eley Copeland on the North west side: and joining the land called to Coleman tract at the south corner containing forty two acres. And the said Wm. Gwynn and Martha C. Gwynn his wife and Nancy Gwynn the mother of said Wm. Gwynn the said grantors, hereby releases and grants all their right title and interest in and to the said tract of land, unto the said Wm. Airs, his heirs and assigns, forever. Witness the signatures and seals, of the grantors as aforesaid, the day and year aforesaid.

Witness

Josiah his X mark Murphrey

Thos. Parker

her
Nancy X mark Gwynn (Seal)

his
William X mark Gwynn (Seal)

her
Martha C. mark Gwynn (Seal)

In the Clerk's office of Nansemond County Court, the 13th: day of April 1867. This Deed was acknowledged by William Gwynn and proved by the oaths of Josiah Murphrey and Thomas Parker, subscribing witnesses, as to Nancy Gwynn: and the same court having been examined by me in my office, privily and apart from her husband, and having the deed aforesaid fully explained to her, acknowledged the same to be her act, declared that she had willingly executed the same, and did not wish to retract it, and thereupon admitted to record. (The requisite Stamps of 50c having been affixed and cancelled.)

Teste:

Peter B. Prentis. Clerk.

A Copy

Teste:

Charles N. Causey Jr. D.C.

Wm. Gwinn wife Del
To Copy of Deed
Wm. Ann

"EXHIBIT A"

In the Circuit Court of the County of Nansemond County

Virginia
xxxx

Forty-two (42) acres of
That the said Wm Ayers became possessed of said land by purchase from Wm.Gwynn and Nancy his wife as will appear by a deed of conveyance dated the 9 day of April 1867 and duly recorded as will appear by a copy of said deed herewith filed ,made a part of this bill and marked "Exhibit A"
That the remainder of said land constitutes what is known as the "Home tract" of said Wm.Ayers and your complainant alleges as true that the said land was the estate of the said Wm.Ayers but that the title papers have been lost or destroyed and the record thereof most probably burned in the fire which destroyed the Clerk's office in the County of Nansemond in the month of February in the year 1866
That said Wm Ayers was possessed of said last named tract of land for at least thirty years prior to his decease living thereon and cultivating the same and paying taxes thereon,
That your complainant by reason of said circumstances is unable to file as part of his bill copies of the title deeds of said Wm. Ayers to the said "Home tract" nor under the statements made does he think it necessary as said statements alleged as true will not be controverted nor can be and he alleges their sufficiency to establish the title to the said tract,
That the said Wm.Ayers died leaving as his heirs at law two children Eliza Ann Ayers and Jas. W.Ayers to whom the said land in this cause mentioned descended subject to the right of dower therein of Sarah B.Ayers the wife of Wm.

Ayers,

That the said Sarah B.Ayers departed this life in the month of December 1887,

That the daughter of Wm.Ayers Eliza Ann Ayers departed this life some time in the year 1879 or '80 leaving two children the defendants in this cause Alexander Ayers and Willie Clarence Ayers the offspring of an unwise love whom the law names bastards.

That your complainant became possesed of a one half undivided interest in said land by purchase from Jas W.Ayers and Emma C. his wife by deed of conveyance dated the 22 day of June 1882 and duly recorded as will appear by a copy of said deed herewith filed made a part of this bill and marked "Exhibit B",

That the said land in this cause mentioned is subject to partition and division among the said parties thereto entitled according to their respective rights and interests and should be divided accordingly or sold and the proceeds of the sale divided among the parties,

In consideration whereof your complainant being without remedy save in a Court of Equity where such matters are properly cognizable prays that the said Alexander Ayers and Willie Clarence Ayers be required to answer the allegations of this bill by their Guardian ad Litem to be appointed to defend them in this suit they being infants under the age of twenty-one years, the said Alexander Ayers being thirteen years and the said Willie Clarence Ayers nine years old that the said tract of land may be divided among the parties entitled thereto in any one of the modes prescribed by law

and if partition thereof cannot be conveniently made between the parties and if the interest of the parties entitled thereto will be promoted by a sale thereof that the said land be sold and the proceeds of such sale be distributed according to the rights of those entitled and that all proper orders and decrees may be made and inquiries be directed in the premises and all such further and general relief granted your complainant as the nature of his case may require or equity may seem fit,

And your complainant will ever pray etc.

John B. Pinner Esq.

John B. Pinner
vs.
Alexander Ayers
& Willie Clayton Ayers infants

Bill

John D. Penner

vs } Chy: Notes

Alexander Ayers and Willie Clarence Ayers, infants.

1888 - Jany: 18th: Summons in Chy: issued to Feby: Rules, 1888.

" Feby: 6th: Bill to be filed — Peter B. Prentiss, appointed guard: ad litem to defts: who filed their answer — guard: replies: & Cause set for hearing on mo: of Plff's Counsel.

" April 10th: Decree of reference to one of the Masters of this Court, as to whether the land can be conveniently divided &c

" Sept 18th: Report filed

" Octr: 12th Decree for sale and

" Decr 11th Report filed

" " 18th Decree confirming Report & striking Cause from the Docket

Chy: Notes

Pinney P. J.

Chancery Papers.

John F. Pinney

vs.

Alexander Ayers and

Willie Clarence Ayers
infants

In Vacation
1885
December 18th
Final Decree.

Pinney Cir Ct