

1894-046
Nansemond Co. (Suffolk)

Chancery Causes: Eastern Lunatic Asylum vs Admrof William A. Jones et al

Harrell

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY - GREETING :

YOU ARE HEREBY COMMANDED TO SUMMON *John F. Hursey, Administrator*
of the estate of William Arthur Jones deceased; and the said John F. Hursey
as attorney in fact. for the heirs at law of said Wm A Jones, John
H Wright, who was the Committee of said Wm A Jones in his lifetime
Whitcomb Jones, Cherry Jones, Stanley Jones, William H Jones and
Ann Harrell (Child and heir of Annie Harrell)

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 1883 (this month)* next to answer a
Bill in Chancery, exhibited against *them*
in the said Court by *The Eastern Lunatic Asylum*

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said
Court, at his office, this *3rd* day of *March* 188*3*, in the *10th*
year of the Commonwealth.

Teste :

Peter B. Prentis Clerk.

Executed & copies of the within delivered to each of the
within named defendants

J. L. Faulkner S. M.

Randolph L. Conway, Jr.
The Eastern Lunatic Asylum

to { New York City

William Arthur Jones,
New York, Cal.

To March 1883

Pro B. No. 1. page
Cir. Co.

^{Xm-}
Whitman Jones Sal.
To { Copy Pow. Att.
John F. Murray

Know all men by these presents, that we Whitnell
Jones, Cherry Jones, Nancy Jones, Annie Harrell and
Jm^l Jones of Nanssmond Co have made, constituted
and appointed and do hereby make, constitute and
appoint. Jno T. Murray of Suffolk. Va, our true
sufficient and lawful attorney for us and in our
names, to bargain, sell, grant, release and convey,
to such person or persons and for such sum or sums
of money, or other consideration or considerations
as our said attorney shall deem most for our advan-
tage and profit: either publicly or privately, or for cash
or on credit, all those parcels of land or any part
thereof, situate, lying and being in Nanssmond County,
State of Virginia, near Holy Neck Church, belonging
to the estate of Jm^l Arthur Jones our deceased brother,
and upon such sale or sales, convenient and proper
deeds, with ^{such} covenant or covenants general or special
warranty, as to our said attorney shall seem expedient.
in due form of law as our deed or deeds, to make, seal,
deliver and acknowledge, and for us and in our
names to accept and receive all and every sum or
sums of money, or other consideration or considerations
whatsoever, which shall be coming to us on account
of the said sale or sales, and upon the receipt thereof,
suitable acquittance or acquittances, in our names
and stead, to make seal and deliver and generally,
giving to our said attorney, full power and authority
touching the premises, to do, execute, proceed and finish

in all things in as ample a manner as we might do
if personally present; hereby ratifying and confirming
all lawful acts done by our said attorney by virtue
hereof.

In testimony whereof, we, the said ^{James} Whitmol Jones
^{Wm. H. Jones} Nancy Jones Annie Harrell & ~~Wm. H. Jones~~ have set
our hands ^{and seals} this first day of June in the year, one
thousand eight hundred and seventy eight.

Witness

J. T. Peale

Wiley Ross

O. T. Smith

L. W. Causey.

^{this} Whitmol Jones Seal

^{her} Nancy Jones Seal

^{her} Cherry Jones Seal

^{her} Annie Harrell Seal

^{mark} W. H. Jones Seal

Be it further known, that we Whitmol Jones, Cherry
Jones, Nancy Jones, Annie Harrell & Wm. H. Jones of
Stammond Co. for divers good causes and considerations
we hereunto specially moving, have made, ordained,
constituted and appointed, and by these presents do
make, ordain, constitute and appoint, and in our
place and stead full and depu'te Jno T. Surrency
of Suffolk Virginia our true and lawful attorney,
for us and in our names and for our use, to rent,
or lease, until sales can be made, to ask, demand,
levy recover and receive the rent or leases of all those
messuages or tenements and premises situate in
Stammond County State of Virginia, near Holy
Week Church, belonging to the estate of Wm. Arthur

Jones, our deceased brother and also of and from
all other tenants or occupiers thereof respectfully
all sum or sums of money now in arrears for
rent, or lease, or hereafter to grow due for rent,
or lease, for the ^{same} respective premises, and on receipt
thereof or any part thereof, good and sufficient receipts
and acquittances in the law for us, and in our names,
or in his own name as our attorney, to make and
give for the same, as the case shall require and
on refusal or non payment thereof, or of any part
thereof, to commence and prosecute one or more actions
or actions, or to make one or more distress or distresses
for rent or lease, and to proceed therein as he think best
and take all other lawful ways and means to compel
the payment thereof, that he shall judge expedient. And
generally, for us and in our name, and to and for the
uses and purposes aforesaid, to do and perform all
and whatsoever other acts, matters, and things, which shall
be requisite and necessary in the premises, as fully
and amply to all intents and purposes, as if we
were present and did the same, and we ^{do} hereby
ratify and confirm whatsoever the said Jno T. Starnes
our attorney, shall lawfully do, or cause to be done
thereon by virtue thereof.

In testimony whereof, we the said
Whitford Jones, Henry Jones, Nancy Jones, Ann
Harrell & W. H. Jones have set our hand and
seal, this first day of June in the year

One thousand eight hundred and seventy eight

Witness	Whitmel ^{his} Jones	(Sd)
Miley Reed.	Cherry ^{her} + Jones	(Sd)
O P Smith	Nancy ^{her} + Jones	(Sd)
J S Peelle	Amie ^{her} + Harrell	(Sd)
	W H Jones	(Sd)

State of Virginia }
 Hansemond County } To wit

I L W Causey a Notary Public in and for the said County,
 in the State of Virginia, do certify that Amie Harrell and
 W H Jones, whose names are signed to the writings annexed
 bearing date, respectively, the 1st day of June 1878.
 have acknowledged the same, before me, in the County
 aforesaid

Given under my hand, this 4th day of September, 1878.
 L W Causey
 Notary Public

In the Clerk's Office of Hansemond County Court, the 4th
 day of September, 1878.

This Power of Attorney was proved by the oaths of J S Peelle
 and O P Smith, two of the subscribing witnesses, as to Whitmel
 Jones Nancy Jones and Cherry Jones, and with the certificate
 annexed, admitted to record.

Teste

Peter B Prentiss Clerk

A Copy: Teste:

Peter B. Prentiss, Clerk

The Eastern Lunatic Asylum

Plff

vs J. Incher

Nuney, Wright & al.

Defls

This cause came on this day to be heard on the Bill of the Complainant taken for confessed as to the defendants, on whom process had been duly served, they still failing to appear and plead, answer and demur thereto, on the exhibits filed therewith, and was argued by counsel.

On consideration whereof the Court doth adjudge, order and decree that one of the Commissioners of this Court, do take, state and report to Court the following accounts

1st. An Account of John H. Wright who was the committee of Wm: Arthur Jones in his life time, showing the amount of money received by the said Wright as committee and how he has disbursed the same.

2nd. An Account of the transactions of John J. Nuney as Administrator of the estate of said Wm: Arthur Jones dec'd, showing what money he may have received and what disposition he has made of it; as Administrator aforesaid

3d. An Account of the lands of which
Wm: Arthur Jones died seized and possessed,
what disposition has been made of the
same, and if disposed of, to whom, for
what amount, who has received the
money and how, and to whom, dis-
bursed

4th: An Account of the transactions of
John J. Nunnery as the Attorney in fact
for the heirs of Wm: Arthur Jones de-
ceased.

And the Commissioner taking the above
accounts shall report for the further in-
formation of the Court any matter deem-
ed pertinent by himself or which any
of the parties may require to be so
stated.

Entered O.B. No 1 page 603

Entered O.B. No 1 page 603

E. H. Clayton

Nunnery, bought vol

1883

April Term '83

Rough draft

To be entered

Yeastman

Copied

At a monthly Court Contonuee. and held for
the County of Sansumond; at the Court House, in
the Town of Suffolk on Monday the 27th day
of May. 1878

On the motion of John T. Burney, who made oath
as the law directs and entered into a Bond in the
penalty of Five Hundred Dollars, Conditioned according
to law, with Whitson Jones as his surety therein, who
justified on oath as to his sufficiency, and which
said Bond being acknowledged by the obligors therein is
ordered to be recorded, Letters of Administration on the
Estate of William A. Jones, deceased in due form are
granted him.

A Copy

Teste:

Peter B. Prentiss Clerk

John J. Runney -
admiral of the Navy
deed -
- Copy order of qualification -

"B"

At a County Court begun and held for the
County of Nausemond, on Monday the 12th day
of March, 1877

The Court doth appoint John H. Wright,
Committee of William Arthur Jones, adjudged
a lunatic: And thereupon the said John
H. Wright made oath as the law directs
and entered into a bond in the penalty of
One thousand dollars, Conditioned accord-
ing to law with Claude W. Wright and
R. S. Elam, his sureties therein, who jus-
tified on oath as to their sufficiency
and which said bond being acknowl-
edged by the obligors therein, is ordered to
be recorded

A copy,
Teste,

Peter B. Prentiss, Clerk.

E. L. Asylum
+ Ford: affly Cumulus
Honey, Wright

"a"

The Eastern Lunatic Asylum

vs

William Arthur Jones, ^{Admr} & others

It appearing ~~to the Court~~ that
there has been no order or
proceeding for five years
in this cause it is ordered
that it be struck from
the docket with leave to re-instate
within one year from this date

The Eastern Lunatic
Asylum
vs
W. C. Moore

Dismissal under
5 Year Rule

April 13th 1894

John entered
C. M. B.

Entered in Chancery
Order Book
No. 2 Page 559.

In the Circuit Court of Hansemond County
In Chancery
The Eastern Lunatic Asylum Pltff.
vs

John T. Hursey, Administrator of the
Estate of William Arthur Jones deceased,
John H. Wright who was the Committee
of Said W^m A. Jones in his lifetime,
Whitnel Jones, Cherry Jones, Nancy
Jones, William H. Jones, Daniel
and Defts.

To the Honorable George Blow, Judge of
Said Court:

Humbly complaining, sheweth
unto your honor, your complainant, the
said, The Eastern Lunatic Asylum, (an
institution for the insane of this State,
located in the City of Williamsburg, Virginia,
the following case:—

That some time in the month of
1877, William Arthur Jones, then a resident
of the County of Hansemond, was adjudged
a lunatic, and soon thereafter was taken by
the Sheriff of Hansemond County to the
said, The Eastern Lunatic Asylum, and
was received as an inmate therein by the
proper authorities of said Asylum, and

there remained until his death, which occurred on the 26th day of April, 1878.

That said W^m A. Jones, at the time he was adjudged a lunatic was unmarried, with no family dependent upon him, and was possessed of considerable chattel property and a large leased estate, said land amounting according to the books of the Commissioners of the Revenue for district No. 1 - to the value of \$

That on the 12th day of March, 1877, John H. Wright, a resident of the town of Suffolk, Hansemond County, Virginia was by the County Court for said County appointed the Committee of said W^m A. Jones and on the said 12th day of March, 1877, the said John H. Wright duly qualified as such committee with Claude W. Wright and R. S. Egan as his sureties, as will appear by a copy of the order of appointment and qualification herewith filed marked 'A' and is prayed to be taken as a part of this bill: that pursuant to the powers conferred on the said Wright by the County Court aforesaid he proceeded to sell the personal estate of the said William Arthur Jones and real

ized a considerable sum of money therefor and as your Complainant believes, and therefore alleges, still retains the said sum of money so obtained in his possession.

That on the 27th day of May, 1878, John T. Murrey, a resident of the Town of Suffolk in the County of Nantucket, qualified as the Administrator of the Estate of said William A. Jones, but as your Complainant is informed the said Administrator received very little, if anything at all, the personal estate having been previously sold by the aforesaid John A. Wright, the Committee - a copy of the qualification of said Murrey as administrator of said Jones' Estate being herewith filed marked "B"

That on the 1st day of June, 1878, the heirs and distributees of the estate of said Wm A. Jones, to wit: Whitmel Jones, Cherry Jones, Nancy Jones, William H. Jones and Annie Harrell executed a power of Attorney to John T. Murrey to execute deeds to any person, or persons who might desire to purchase all or any part of the lands of which said William A. Jones died seized and possessed.

⊗ this amount has been paid out
to and among the heirs of said Wm.
A. Jones to the heirs and assigns of
your complainant, conforming to law

and the said Hurney under the powers
conferred on him by the aforesaid par-
ties executed deeds of conveyance to cer-
tain parties, for the lands of the said Wm.
A. Jones. to wit: To John Obeney, 81 acres,
more or less, for \$300.⁰⁰ to James E.
Hare, 125 acres, more or less for \$400.⁰⁰
to D. B. Jones, 104 acres, more or less for \$600.⁰⁰
to Obeney Jones, 69 acres, more or less for \$300.⁰⁰
to Wm. H. Jones, 75 acres, more or less for \$375.⁰⁰
to Martha A. Fauch, 18 acres, more or less for \$100.⁰⁰
aggregating 472 acres for \$2075.⁰⁰, and that
That the amount due to said, The Eastern
Somatic Asylum on the 26th day of April
1878, amounted to \$311.85, with interest
thereon from that day, a copy of said
Account being herewith filed marked
"L".

In Tender Consideration whereof, and
inasmuch as your Complainant is
remediless in the premises, save by the
aid of a Court of equity where matters
of this kind are properly cognizable and
relievable. To the end therefore that
justice may be done in the premises
your Complainant prays that John
T. Hurney administrator of the estate of
said William A. Jones, John H. Wright

who was the Committee of said W^m A. Jones
and Whitmel Jones, Cherry Jones, Nancy Jones
William H. Jones

may be made parties defendant, to this
bill and required to answer the same
on their several and respective oaths
according to the best of their knowledge,
remembrance, information and be-
lief, and that as fully as if the same
were here repeated, and they severally
particularly interrogated thereto.

That an Account may be taken of
the transactions of said John H. Wright
as Committee of W^m A. Jones. setting forth
fully and minutely the amounts of money
received by him for the sale of the
personal property of said Jones and
what sum, if any, he received from the
real estate of said Jones as rent, or in
any manner whatever.

That an Account of the transactions
of John T. Hurney, as Administrator of
the estate of said Jones, may be also
taken showing what amount, if any, he
received as such.

That an Account may be taken of the
amounts received by said John T. Hurney
as Attorney in fact for the heirs at law of

Said W^m A. Jones, deceased, showing the amount of money received by him for the real estate sold and to whom the proceeds were distributed.

And in the event that it should appear that there are assets sufficient in the hands of the aforesaid Wright, as Committee, or of John T. Hursey, as administrator, to pay off and discharge the debt due to your complainant, together with the proper costs and charges of these proceedings your complainant prays that the same be decreed to be paid to it or to the duly authorized attorney - and if not sufficient assets in their hands that then and in that case the various heirs and distributees of the said W^m A. Jones be assessed pro rata to make up the residue.

And that ^{the} Commissioner taking the foregoing accounts shall report for the further information of the Court, any matter deemed pertinent by himself or which any of the parties hereto may require to be so stated.

And your complainant prays that proper process may issue and that such other further and general relief

as the nature of the case may require
or to equity shall seem meet may be
granted.

And your Complainant will ever
pray &c

The Eastern Lunatic Asylum
by C. H. Lawrence of Counsel &c

Revised
Course

Eastern Lunatic Asylum

is of Chancery paper

Mining, Wright & Co

The Eastern Lunatic Asylum

vs Chy: Notes

William Arthur James' Admtr: Cal:

1883. March 3rd: Sum. in Chy: issued to March Rules, 1883.

" " 5th: Bill & 2 Exhibits filed - Decree Nisi vs def 15

" April 2nd: Decree Nisi Confmd & cause set for
hearing on mo. & Plff's Counsel

Chy: Notes