

1895-007
Nansemond Co. (Suffolk)

Chancery Causes: Jason Cutchin vs Jenkins & Cutchin

Cutchins, Jenkins & Cutchins]

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *W H Jenkins and*
J Frank Butchins late Partners in
business under the name and style of
Jenkins & Butchins and J Frank
Butchins

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 *3rd* Monday in *March 1892*, to answer
a Bill in Chancery, exhibited against
them in the said Court by *Jason*
Butchins.

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this *10th* day of
March 1892, in the 11th year of the Commonwealth.

Teste:

A P Gomer Clerk.

A Copy for
W. Jenkins

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

*W H Jenkins and
J Frank Leitchins late partners in
business under the name and style
of Jenkins & Leitchins and J Frank
Leitchins*

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 *3rd* Monday in *March 1892*, to answer

a Bill in Chancery, exhibited against

Leitchins

them

in the said Court by

Jason

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this *10th* day of

March 189*2*, in the *116th* year of the Commonwealth.

Teste:

A. P. Gomer

Clerk.

Executive this the 19th day of March 1892 by
delivering a true copy of the within process
to J. Frank Leitch in person with Jenkins cannot be
found in any County

Atty Genl's Office
on 18th April 1892

W. S. Holland Jy
Jason Leitch
W. J. In Chancery
Jenkins & Leitch &
J. Frank Leitch

1892
March Rules
3rd Monday

Process Book No 2
Page 63.
Circuit Court

CHANCERY SUMMONS.

The Commonwealth of Virginia,

Southampton
TO THE SHERIFF OF ~~NANSEMOND~~ COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

*W. H. Jenkins and
J. Frank Cutchins late partners in business
under the name and style of Jenkins & Cutchins
and J. Frank Cutchins.*

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 *3rd* — Monday in *March 1892* —, to answer

a — Bill in Chancery, exhibited against

them in the said Court by *Jason*

Cutchins

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this *10th* day of
March — 1892, in the 116th year of the Commonwealth.

Teste:

A. P. Gomer

Clerk.

U.S. Hall and pg.

Jason Leitchius
vs } In Chancery
Jenkins & Leitchius

1892

March Rule

Third Monday

Excluded by Act
across by within
to H. H. C. C. C. C.

Thos H. Oliver

Gen. table

March 22nd 1892

Process Book R

No 2. Page 65

Circuit Court
H. H. C. C. C.

H. H. Smith, Clerk.

Nansemond County

Clerk's Office.

To the Clerk of the Court, Suffolk, Va., 189...

Jason Cutchins

vs.

W. H. Jenkins and J. Frank Cutchins
late partners in business under
the name and style of Jenkins &
Cutchins, and J. Frank Cutchins
summon in chancery to 2 March
Rules 1892

W. S. Hallam & Co.

For paid by W. S. Hallam

\$1.50

Cutchins

28

Jenkins Hutchins

Jason Butcher

vs

~~Butcher~~ Jenkins Hutchins

ON motion of the plain-
tiff it is ordered that this cause be
dismissed from the docket with-
out prejudice

Jason Cuthin

75

Cuthin & Jenkins

Deer

Easter

To be entered

Robert H. Huntis

April 11, 1895.

Entered in Chancery
Order Book No. 2.
Page 629.

In the Circuit Court of Nansemond County.

Jason Cutchin

plaintiff.

vs.

W.H.Jenkins and J.Frank Cutchin late partners in business under
the name and style of Jenkins & Cutchin and J.Frank Cutchin,

defendants.

The above named Jason Cutchin your orator represents that at the Oct. term 1891 of this court he obtained a judgment for \$426.15 with interest thereon from Feb'y 22nd 1883 till paid and \$7.90 costs against Jenkins and Cutchin which was docketed in the Clerk's Office Oct. 19th 1891 as will more fully appear by a certified abstract from the records herewith filed as an exhibit marked "A" and prayed to be read as a part of this bill of complaint, on which said judgments a writ of fieri facias was issued and returned no property found as will appear by reference to another certified copy of the record marked "B" and herewith filed as an exhibit and prayed to be read as a part of this bill.

Your orator says that there are no assets at all ^{of said firm} as he is informed and believes, but he says the said J.Frank Cutchin is possessed of a one third interest in a certain tract of land lying, being and situate in Nansemond County not far from South Quay Church containing 86 acres more or less of which Mrs. Mildred Cutchin, the mother of said J.Frank Cutchin died, seized and possessed and he says that said Mrs. Mildred Cutchin died intestate leaving three children of which said J.Frank Cutchin is one as her only heirs and he is advised, believes and here charges that said J.Frank Cutchin is now possessed of an interest or a fee in another tract of land in Nansemond County, the exact value ^{and nature} of which interest your orator does not know.

Your orator is advised, believes and here charges that said J. Frank Cutchin is possessed of other property and he is advised he has a lien by ^{virtue} value of said judgment on all the real estate of said J. Frank Cutchin.

And for as much as your orator is remediless save in this honorable court where such matters are alone and properly cognizable he prays that said W. H. Jenkins, and J. Frank Cutchin late partners in trade under the name and style of Jenkins & Cutchin and J. Frank Cutchin be made parties defendants to this bill and required to answer the same, an answer on oath is hereby waived as provided by statute, that it be judicially ascertained whether or not there are any copartnership assets belonging to said firm, that executions be ordered issued for the taking^g the individual assets of the said parties, that said interest in said land be sold and the proceeds of sale be applied to the satisfaction of said judgment and the costs of this suit, that all such other, further and general relief may be afforded your orator as the nature of his case may require and to equity and good conscience may seem meet. And he will ever pray &c.

W. S. Halland P. 21

W. S. Halland

Jason Butchers

25.

Jenkins & Cutchins
and another

Bill of Complaint

Jason Hutchins
vs } In Chancery
Jenkins Hutchins & others

1892. March. 10th. Process issued returnable
March Rules third Monday

" " 21st. Process Returned executed on
all the defendants. Bill filed
and decree nisi vs them.

" April 7th. Decree nisi confirmed and
cause set for hearing.

Butchins
W^h In Chancery
Jenkins & Butchins
Chancery Notes.

W.S. Holland pg.

Jason Butchins
vs } In Chancery

Jenkins & Butchins
Pls.

1895
April 11th.

Dismissed from
Docket-

Nansemond
Circuit Court.

Costs
Clerk 3.69
Shff Nausa .50
" Southampton .50
Attorney 15.00
Tax 1.50
\$ 21.19