

1897-011
Nansemond Co (Suffolk) Chancery Causes: Edward M. Ironmonger vs James E King & wife

Richardson

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *James E King and*
Wanda
Diana W King his wife

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 *May* *(5th)* next, to answer
a Bill in Chancery, exhibited against *them*
in the said Court by *Edward M Ironmeyer*

and have then and there this summons.

A. P. Gomes
Witness, *PETER B. PRENTIS*, Clerk of our said Court, at his office, this *19th* day of
April 1890, in the 114th year of the Commonwealth.

Teste:

A. P. Gomes Clerk.

Executed this the 2nd day of May 1890. by
Serving a true copy of this process on the within
named James E. King and ^{Diana} Diana W. King.
Each.

Wm. Howell
Shff-

Edward M. Cummings
J. S. S. Chancery
James E. King and
Diana W. King

LAW OFFICES OF
 WHITEHURST & HUGHES,
 Lowenberg Building, 78 Main Street,
 SECOND FLOOR.

F. M. WHITEHURST
 FLOYD HUGHES

Norfolk, Va April 17. 1890

Edward M. Droumouger

In Chancery

James E. King and Diana W
 King his wife

The Clerk of the Circuit Court of the County
 of Mansfield will issue process to May rules next
 in above suit

Whitehurst & Hughes by

To the Clerk of the Circuit
 Court of Mansfield
 County, Va.

Dear Sir,

Please issue summons in above
 case as order above directs, send bill to us for
 the writ tax and we will forward by check, which
 we would do now, but do not know to whom
 We enclose Bill in said case which please
 file at May rules of said Court next
 and oblige

Yours truly

Whitehurst & Hughes

Re Wape 18th

Norfolk, Va. Dec. 3. 1890.

Dear Sir:

We have unexpectedly been delayed in settling the Chancery Cause of Ironmonger & King overife - I have unfortunately misplaced your Statement of costs - The whole matter will be settled on Friday - So will you kindly send us by return mail your Statement of Court costs, including our taxed attorney's fee of \$15.00, it being a Chancery Cause - Your last Statement fixed it at \$5.00 - Will you kindly make the correction -

You would also greatly oblige us by returning us our brief in the Case of Norfleet & The Town of Suffolk &c - We left it with Judge Lewis, the arbitrator, who, we learn, sent it with the papers in the Cause to you - Yours very truly Whitehurst & Hughes.

Norfolk, Va July 22. 1890.

To The Clerk of the Supreme Court
Suffolk Va.

Dear Sir:

Will you
kindly tax the costs in the Chancery Suit
of E. M. Ironmenger vs Jas. E. King et al.,
recently instituted by us. - Only the bill has
been filed and process served. - No
answers have been made. - The suit
has been arranged and when the Court
costs are paid, we will desist at
once.

Include of course the Sheriff's Cost and
our taxed attorney's fee -

Kindly please have a statement by return
mail if possible and advise

Yours very truly
Whitehurst & Hughes

Edward Ironmonger
vs In Chancery
Jas E King & others

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

Edward Summenger
vs In Chancery
Jas E King & others

To be entered April
16th 1897

Robert R. Prentiss

Entered in
Chancery
on 3 Page 81

In the Circuit Court for the County
of Mansfield.

To his Honor, C. W. Hill, Judge of said Court.
Humbly Complaining sheweth unto your Honor
your orator Edward M. Ironmonger as follows:

Edward Ironmonger, the father of your orator, was
in his lifetime seized and possessed of certain real
estate lying in the County of Mansfield, consisting
of a farm or tract of land of twenty acres more
or less on Chuckatuck Creek, adjoining the lands of
James E. King and the Moore estate, and in the same
on which Mary Richardson the mother of your
orator resided up to the date of her decease in
August 1888; And being so thereof seized and
possessed, sometime in the year 1849 or 1850 the said
Edward departed this life intestate, leaving your
orator and Viana W. Ironmonger his only
children and heirs at law, and Mary Ironmonger
his widow. The said widow afterwards inter-
married with one Richardson and has since
died, to wit: in 1888. The said Viana W. Ironmonger
afterwards intermarried with one James E. King who
is still living and her husband.

Your orator and the said Viana W. King
are each entitled to one moiety or half of
said tract of land; and your orator states that he
is entitled to partition of said real estate and that the
same can not be conveniently made in kind, and that the
interests of the parties interested will be promoted by a
sale of the entire subject. And if said real estate be
not susceptible of partition in kind, your orator desires
the same to be sold and the proceeds distributed amongst

the parties, in proportion to their respective interests therein

In tender consideration whereof, and forasmuch as your orator is remediless in the premises, save by the aid of a Court of Equity, where matters of the kind are alone and properly cognizable, your orator prays that the said James E. King and Diana W. King his wife be made parties defendant to this bill and required to answer the same, but an answer under oath is hereby waived; that the said real estate be divided between the parties aforementioned entitled thereto, and your orator's portion thereof allotted to him; and in case the said real estate be indivisible in kind, that the same may be exposed to sale, and the proceeds thereof be distributed among the parties entitled thereto; that proper costs may issue; and that such other further and general relief may be afforded your orator as the nature of his case may require or to equity shall seem meet. And your orator will ever pray &c.

The attorneys prosecuting this bill ask the Court that a reasonable fee be allowed them for their services in conducting the same

Whitehead & Hughes b.g.

Em Roumager

or The Clerk

James E Kingston

Billed

Wm H. King

Costs

clerk = 3.22

Sheriff 1.00

atty 15.00

Writ Day 1.50 ~~1.50~~

\$20.72

E M Ironmonger Complainant

vs } In Chancery

James E King et ux & als. Defendants

1890. Apr 19th. Process issued returnable to
May Rules 1st Monday
Bill filed.

" May. 5th. Process returned. Executed on all
Defendants. and Bill filed.

Decree nisi against defendants.

" " 19th. Decree nisi against defendants
Confirmed and Cause set for
hearing.

E M Ironmonger
 vs } In Chancery
 Jas E King Esq. Solicitor

Costs	
Summons	25-
2 Copies	26
Receipt	18
Attorney	10
Docketing	18
Rule	50
Entering plea	85
Filing bill	15-
2nd Rule	50
Jury Costs	20
Filing answer	25-
Tax	$\frac{20}{3} \frac{2}{3}$
Shff -	15-0
Ally -	100
	25-0
	$\frac{2}{4} \frac{1}{2}$
Copy Costs	20

Chancery Notes