1905-019
Nansemond Co (Suffolk) Chancery Causes: Mary Roney vs Sam Roney et al

Ricks, Moss, Baker, Barnes, Boone, Wright, Lassiter, Holloway, Williams, King

Mary Roney,.....Complainant/
vs.
Sam Roney and others,.....Defendants.

$13.13.

Received of S. E. Everett, Special Commissioner, in the above styled suit thirteen and 13/100 dollars, that being one third the share of Mary Ricks, who married William Scherby, and who died without children.

Lewis H. Ricks

Mary Roney,..... .....Complainants.
vs.
Sam Roney and others,..... .....Defendants.

$13.13.

Received of S. E. Everett, Special Commissioner in the above styled suit, thirteen and 13/100 dollars, that being one third of the share which was due Mary Ricks, who married Wm. H. Scherby, and who died without child or children.

William H. Ricks

Mary Roney,..... .....Complainant.
vs.
Sam Roney and others,.....Defendants.

$13.13.

Received of S. E. Everett, Special Commissioner, in the above styled suit, thirteen and 13/100 dollars, that being one third of share which was due Mary Ricks, who married William H. Scherby and who died without child or children.

Joseph P. Ricks

J. Lefferts Conard,
Counsellor at Law.

Solicitor for Mercer County,
144 East State St.

Trenton, N. J. May 29th-1905.

S.E.Everett, Esq.,

To J. Lefferts Conard Jr.

To drawing and executing affidavit In Re Hicks-Scruby---------$3.50

Rec'd payment.

J. L. Conard Jr.

Mary Roney and others,.....Complainants.
vs.
Sam Roney and others,.....Defendants.

$39.39 5/7.

Received of S. H. Everett, Special Commissioner in the above styled suit, thirty-nine and 39 5/7 hundredths dollars, my share in the proceeds of sale after decuting the expenses of sale, etc., of the land sold in the above styled suit.

Joseph Baker

Mary Roney and others,.....Complainants.
vs.
Sam Roney and others,.....Defendants.

$39.39 5/5

Received of S. E. Everett, Special Commissioner in the above styled suit, thirty-nine and 39 5/5 dollars, my share of the proceeds of sale after deducting the expenses of sale, etc., of the land sold in the above styled suit.

Gertrude Moss

Mary Roney and others,.....Complainants.
vs.
Sam Roney and others,.....Defendants.

$39.39 5/7.

Received of S. E. Everett, Special Commissioner, in the above styled suit, thirty-nine and 39 5/7 hundredths dollars, my share in the proceeds of sale after deducting the expenses of sale, etc., of the land sold in the above styled suit.

Mariah Baker

Mary Roney and others,.....Complainants.
vs.
Sam Roney and others,.....Defendents.

$39.39 5/7.

Received of S. E. Everett, Special Commissioner in the above styled suit, thirty-nine and 39 5/7 hundredths dollars, my share in the proceeds of sale after decuting the expenses of sale, etc., of the land sold in the above styled suit.

John Baker

39.39
3
118.17

Mary Roney and others,..... .....Complainants.

vs.

Sam Roney and others,.....Defendants.

$39.39 5/7.

Received of S. E. Everett, Special Commissioner, in the above styled suit, thirty-nine and 29 5/7 hundredths dollars, my share in the proceeds of sale after deducting the expenses of sale, etc., of the land sold in the above styled suit.

Joseph Rickl

May I9, I905.

Mary Roney and others..... .....Complainants.

vs.

Sam Roney and others,.....Defendants.

$39.39 5/7.

Received of S. E. Everett, Special Commissioner in the above styled suit, thirty-nine and 39 5/7 hundredths, my share of the proceeds of the sale of the land in the above styled suit.

Lewis H. Ricks

May 31, 1905.

Mr Everett your letter rec'd and its contents noted I am sure I must ask you to say that my Brother ~~and~~ had that money what I have I am down with my sister Thear I would like to have you send me a statement and ~~and~~ also I have sign the receipt I Expect to make a

trip down South this Summer Yours

Emily Lewis & Ricks

Mary Roney and others,.....Complainants.
vs.
Sam Roney and others,.....Defendants.

$39.39 5/7.

Received of S. E. Everett, Special Commissioner, in the above styled suit, thirty-nine and 39 5/7 hundredths dollars, my s are in the proceeds of sale after deducting the expenses of sale, etc., of the land sold in the above styled suit.

W. H. Ricks

May 18-1905

Mary Roney and others,..... .....Complainants,

vs.

Sam Roney and others,..... .....Defendants.

$472.76 2/5

Received of S. E. Everett, Special Commissioner in the above styled suit, four hundred and seventy-two and 76 2/5 /I00 dollars, may share of the proceeds of sale after deducting the expenses of sale.

April 29, I905.

Mary Roney

Witness
Ruth Marshall

Mary Roney

$54.66

Mr. Lewis Barnes Esq, Dr.

1904 To S. T. ELLIS, Treasurer of Nansemond County, Virginia.

No.	STATE TAXES. State Tax Support Gov. 20c. on $100. R. E. and P. P. Schedule B.	State Tax Sup. Gov. 25c. on $100. P. P. Sched. C	State School Tax, 10c. on $100. R. E. & P. P. Sched. B. & C	State Tax, for Pensions 5c. on $100. R. E. & P. P. Schedule B.	County Levy, 20c. on $100	County Road Tax, 15c, on $100.	County School Tax, 5c. on $100.	District School Tax. 5c. on $100	Parish Levy, 8c. on $100.	TOTAL TAX.
Real Estate, acres 43½ valued $ 280	$6		28	14	$6	42	14	14	22	246
Personal Property, schedule B. val. $										
Personal Property, schedule C. val. $										
Value $										
Poll-Tax for State and County										
Total										246
5 per cent. penalty										13
Total										259

Received payment 25 day of Apr 1905 S. T. Ellis Treasurer.

Roney and others
vs
Roney and others

$5.00 Received of S. E. Ewart Spec Comm. five dollars fee for selling land in the above styled suit

April 20-1905. J. Wallace Lewis Clerk

S. E. EVERETT,
ATTORNEY AT LAW,
ROOMS 1 AND 2 BREWER BUILDING.
BOTH PHONES.

SUFFOLK, VA.,

Mary Rooney, et als.

Vs.

Sam Rooney.

$10.00 Received of S. E. Everett special commisioner in the above styled suit ten dollars in full payment of fee for bond of said commissioner in said suit.

April 25th, 1905.

Recvd Payment
April 25th 1905
Woodward & Eason,
per L.

ESTABLISHED 1873.

Suffolk, Va., April 21 1905

M. S. E. Everett

To SUFFOLK HERALD, Dr.

NEWSPAPER AND JOB PRINTING ESTABLISHMENT.

NO. 9 WASHINGTON SQUARE.

TERMS OF THIS BILL. NET CASH.

Sept	9	4 1/2 in. Notice Mary Roney vs Sam Roney et als	4	50	
July	24	Pub. 4 times Notice " " "	8	00	
			12	50	

Paid April 25/05
Suffolk Herald
15

1905 April 21st. Received of S. E. Everett Comr. Twenty dollars for two reports filed in the chancery suit of Roney Gals. vs. Ricks Gals. pending in the Circuit Court of Transylvania County, payment of said twenty dollars having been marked paid also on said reports.

$20.00

Wilbur J. Kilby.
Comr. in Chancery.

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Mary Roney & E Everett h/q

1905 — To R. R. SMITH, Clerk Circuit Court of Nansemond County, Dr.

June 3rd	~~Tax and~~ Clerk Fees in ~~suit~~ Chancery Suit against Sam Roney & others	$ 8.90

June 24/05 Paid J M Lawrence DC Clerk.

Mr. S. E. Everett, Conn. Rooney, Pt. Dr. Rooney

1905

To S. T. ELLIS, Treasurer of Nansemond County, Virginia.

No. 1399	STATE TAXES. State Tax Support Gov. 20c. on $100. R. E. and P. P. Schedule B.	State Tax Sup. Gov. 25c. on $100. P. P. Sched. C	State School Tax. 10c. on $100. R. E. & P. P. Sched. B. & C	State Tax, for Pensions 5c. on $100. R. E. & P. P. Schedule B.	County Levy, 20c. on $100	County Road Tax, 15c. on $100.	County School Tax, 15c. on $100.	District School Tax. 15c. on $100	Parish Levy, 8c. on $100.	TOTAL TAX.
Real Estate, acres ____ valued $ ____										
Personal Property, schedule B. val. $ ____										
Personal Property, schedule C. val. $ 900		2 25	90		1 80	1 35	1 35	1 35	72	9 72
Value ____ $ ____										
Poll-Tax for State and County ____										~~1 50~~
Total ____										9 72
5 per cent. penalty ____										
Total ____										

Received payment 10th *day of* Nov *1905*

W. A. King Dep'y *Treasurer.*

VIRGINIA—In the Circuit Court of Nansemond county, Virginia: In vacation on the 13th day of August, 1904.

Mary Roney.....Plaintiff

vs.

Sam Roney, Willie Ricks, Lewis Ricks, Joe Ricks, Mamie Ricks, Gertrude Moss, Mariah Baker, Joe Baker and Richard Moss.....Defendants

IN CHANCERY.

The object of this suit is to have partitioned a certain tract of land located in Nansemond county, Virginia, adjoining the lands of R. D. Wright, Willie Lassiter, George Holloway and Darsou Holloway, it being the same tract of land of which Lewis Barnes died, seized and possessed, and affidavit having been made and filed that due diligence has been made by Mary Roney to ascertain the whereabouts and in what county or corporation the said defendants are or reside, and that the said defendants, Sam Roney, Willie Ricks, Lewis Ricks, Joe Ricks, Mamie Ricks, Gertrude Moss, Richard Moss, Mariah Baker and Joe Baker, are not residents of this State, it is ordered that the said defendants appear within fifteen days after the due publication of this notice in the Clerk's office of Nansemond county and do what may be necessary to protect their interests and it is ordered that a copy of this notice be published in the Suffolk Herald, a newspaper published in the town of Suffolk, Virginia, once a week for four successive weeks and that it shall be published and posted according to law.

A. P. GOMER, D. C.

S. E. EVERETT, p. q.

A copy—Teste:

A. P. GOMER, D. C.

aul9 4t

Office of The Herald.

Suffolk, Va., Octo 28 1904

I hereby certify that the order of which the annexed is a copy has been published in THE SUFFOLK HERALD in the manner prescribed by law--once a week for four successive weeks.

Beginning on 19th day Aug, 1904

W. J. Kendrick

Editor Herald.

VIRGINIA—In the Circuit Court of Nansemond county, in vacation, on the 2d day of February, 1905.

Mary Roney, R. D. Wright, W. A. Lassiter, Charles Holloway, Dawson Holloway, Ella Williams and Mary Eliza Butler ..... Plaintiffs

In chancery.

vs.

Amended and supplemented bill.

Sam Roney, husband of Mary Roney, Willie Ricks, Lewis Ricks, Joe Ricks, Mamie Ricks, children of Sarah and Merritt Ricks, deceased, Gertrude Moss and Richard Moss, her husband, Joe Baker, John Baker and Mariah Baker, the children of Annie Baker and John Baker, deceased, William Boone, Dol Boone, Joe Boone, Paul Boone, Vithia Boone, Lucy Boone and Rosa Boone, children of Caroline and William Boone, deceased, Charles Barnes, child of Lawrence Barnes and Mary Barnes, deceased, all of whom are non-residents, and other children of Caroline Boone and William Boone, and Lawrence Barnes and Mary Barnes, who are unknown, and other unknown heirs of Caroline Boone and William Boone, and Lawrence Barnes and Mary Barnes—Defendants.

The object of this suit is to amend and supplement the bill filed by Mary Roney in said Court for a partition of the Lewis Barnes' tract of land adjoining the lands of R. D. Wright, Willie Lassiter and others, in which suit the above named heirs of Caroline Boone and William Boone, and Lawrence Barnes and Mary Barnes were not made parties, she, Mary Roney, claiming to have purchased the interests of Lawrence Barnes and Mary Barnes and Caroline Boone and William Boone, deceased, but the deed having been destroyed by fire when the house on said Lewis Barnes' tract of land was burned; it is the purpose of this suit to establish said lost deed executed by Caroline and William Boone and Lawrence and Mary Barnes, and to establish the rights, if any, of the heirs of Caroline and William Boone, and Lawrence Barnes and Mary Barnes. The land having been sold in said suit and the deed not being executed on account of the uncertainty of Mary Roney's title to said property, and affidavit having been made and filed that Sam Roney, Willie Ricks, Lewis Ricks, Joe Ricks, Mamie Ricks, Gertrude Moss, Richard Moss, Joe Baker, John Baker, Mariah Baker, William Boone, Dol Boone, Joe Boone, Paul Boone, Vithia Boone, Lucy Boone, Rosa Boone and Charles Barnes are non-residents, and that the other heirs of Caroline Boone and William Boone are unknown; it is ordered that the non-residents and unknown defendants appear within fifteen days after due publication of this notice in the Clerk's office of Nansemond county, and do what may be necessary to protect their interests, and it is ordered that a copy of this notice be published in the Suffolk Herald, a newspaper published in the town of Suffolk, Virginia, once a week for four successive weeks and it shall be published and posted according to law.

A. P. GOMER, D. C.

S. E. EVERETT, p. q.

A Copy—Teste:

A. P. GOMER, D. C.

I, A. P. Gomer, Deputy Clerk, of the Circuit Court of Nansemond County, do certify that the above order of publication was posted at the front door of the Court House of Nansemond County on the 3rd day of February, 1905, that being Saturday before the succeeding rule day after this order was entered.

A. P. Gomer D. C.

Office of The Herald.

Suffolk, Va., March 23 1905

I hereby certify that the order of which the annexed is a copy has been published in THE SUFFOLK HERALD in the manner prescribed by law==once a week for four successive weeks, beginning February 3, 1905 and ending Feby. 24, 1905.

W. J. Kendrick.

Editor Herald.

TO THE CLERK OF THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

Mary Roney,.....Plaintiff.

vs. In Chancery.

Sam Roney, Willie Ricks, Lewis Ricks,
Joe Ricks, Mamie Ricks, Gertrude Moss,
Richard Moss, Mariah Baker and Joe Baker,.....Defendants.

Issue summons to Second Rules (Third Monday)in August, I904.

S. E. Everett

p. q.

VIRGINIA,
To-wit;
Nansemond County.

I, S. E. Everett, hereby make affidavit that due diligence has been used by Mary Roney to ascertain the whereabouts and in what County or Corporation the said defendants, Sam Roney, Willie Ricks, Lewis Ricks, Joe Ricks, Mamie Ricks, Moss Gertrude, Richard Moss, Mariah Baker and Joe Baker, are or reside without effect; that they, the saiddefendants, are not residents of this State.

Given under my hand this 13th day of August, I904.

S E Everett

Sworn to and subscribed to before me this 13th day of August, I904.

A P Gomey D.C

Mary Rooney

vs.

Sam Rooney. Dolthes

VIRGINIA-In the Circuit Court of Nansemond County, Virginia,
In vacation on the 13th day of August, I904.

Mary Roney,.....Plaintiff.

vs.

Sam Roney, Willie Ricks, Lewis Ricks,
Joe Ricks, Mamie Ricks, Gertrude Moss, Mariah
Baker and Joe Baker, and Richard Moss,.....Defendants.

IN CHANCERY.

The object of this suit is to have partitioned a certain tract of land located in Nansemond County, Virginia, adjoining the lands of R. D. Wright, Willie Lassiter, George Holloway and Darson Holloway, it being the same tract of land of which Lewis Baker died, seized and possessed, and affidavit having been made and filed that due diligence has been made by Mary Roney to ascertain the whereabouts and in what County or Corporation the said defendants are or reside, and that the said defendants, Sam Roney, Willie Ricks, Lewis Ricks Joe Ricks, Mamie Ricks, Gertrude Moss, Richard Moss, Mariah Baker and Joe Baker, are not residents of this State, it is ordered that the said defendants appear within fifteen days after the due publication of this notice in the Clerk's Office of Nansemond County and do what may be necessary to protect their interests and it is ordered that a copy of this notice be published in the Suffolk Herald, a newspaper published in the town of Suffolk, Virginia, once a week for four successive weeks and that it shall be published and posted according to law.

S E Everett p.q.

A. L. Gomey D. C.

Order of Publication

VIRGINIA-In the Circuit Court of Nansemond County, Virginia, In vacation of the 13th day of August, 1904.

Mary Roney,..... .....Plaintiff.

vs.

Sam Roney, Willie Ricks, Lewis Ricks, Joe Ricks, Mamie Ricks, Gertrude Moss, Mariah Baker, Joe Baker and Richard Moss,..... .....Defendant.

IN CHANCERY.

The object of this suit is to have partitioned a certain tract of land located in Nansemond County, Virginia, adjoining the lands of R. D. Wright, Willie Lassiter, George Holloway and Darson Holloway, it being the same tract of land of which Lewis Barnes died, seized and possessed, and affidavit having been made and filed that due diligence has been made by Mary Roney to ascertain the whereabouts and in what County or Corporation the said defendants are or reside, and that the said defendants, Sam Roney, Willie Ricks, Lewis Ricks, Joe Ricks, Mamie Ricks, Gertrude Moss, Richard Moss, Mariah Baker, and Joe Baker, are not residents of this State, it is ordered that the said defendants appear within fifteen days after the due publication of this notice in the Clerk's Office of Nansemond County and do what may be necessary to protect their interests and it is ordered that a copy of this notice be published in the Suffolk Herald, a newspaper published in the town of Suffolk, Virginia, once a week for four successive weeks and that it shall be published and posted according to law.

A. D. Gomey D.C

S. E. Everett, p. q.

A Copy Teste: A. D. Gomey D.C

This is to Certify that ~~the above~~ a Copy of the above order was posted in front of the Court-house door of Nansemond County on the 13th day of August 1904. It being Saturday before the Second rule day in August, that being the next succeeding rule day after this order was entered.

A. D. Gomey D.C

FORM B.—22

Post Office Department,

OFFICIAL BUSINESS.

A penalty of $300 is fixed by law for using this card for other than Official Business.

WASHINGTON, D.C.
DEC 14
5 30 PM
1904

SUFFOLK
DEC 15
VA.

Mr. S E. Everett

Buffalo

Suffolk Va

RETURN THIS NOTICE IN AN ENVELOPE, PREPAYING POSTAGE.

5—2598

REQUEST FOR BETTER ADDRESS.

Washington, D. C.

Post Office, ...

There is a letter in this Office, bearing your business card and supposed to be from you, addressed to .....

Willie, Joe, Lewis Thomas Ricks

As the address contains no street and number, and the party is unknown to us, we are unable to deliver the letter, and have placed it in the General Delivery subject to call. If you can supply a better address, please fill the blanks at the bottom of this card and return it to this office, giving street and number, or occupation or title, or some clue that will help the letter carriers to find the party.

☞ The delivery of mail to transient parties would be greatly facilitated if marked "Transient."

JOHN A MERRITT, *Postmaster.*

The above-mentioned letter is intended for .....

....., *No.* ..... *street.*

Occupation or title: .....

5—2598 PLEASE RETURN THIS NOTICE WITH YOUR REPLY.

To the Clerk of the Circuit Court of Nansemond County.

Mary Roney, R. D. Wright, W. A. Lassiter,
Charles Holloway, Dawson Holloway, Ella
Williams and Mary Eliza Butler,.....Plaintiffs.

In Chancery.

vs.

Amended and supplemented bill.

Sam Roney, husband of Mary Roney, Willie Ricks,
Lewis Ricks, Joe Ricks, Mamie Ricks, children
of Sarah and Merrit Ricks, deceased,
Gertrude Moss and Richard Moss, her husband,
Joe Baker, John Baker and Mariah Baker, the
children of Annie and John Baker, deceased,
William Boone, Dol Boone, Joe Boone, Paul
Boone, Vithia Boone, Lucy Boone and Rosa Boone,
children of Caroline and William Boone, de-
ceased, Charles Barnes, child of Lawrence
Barnes and Mary Barnes, deceased, all of
whom are non-residents, and other children
of Caroline Boone and William Boone, and Lawrence
Barnes and Mary Barnes, who are unknown, and
other unknown heirs of Caroline Boone and William
Boone, and Lawrence Barnes and Mary Barnes.....Defendants.

Please issue summons to First Monday Rules in February,
I905.

H. E. Lawrence p. q.

Say $1,50

VIRGINIA,
To-wit:
Nansemond County.

I, S. E. Everett, hereby make affidavit that due diligence has been used by Mary Roney to ascertain the whereabouts and in what county or corporation the said defendants, Sam Roney, Willie Ricks, Lewis Ricks, Joe Ricks, Mamie Ricks, Gertrude Moss, Richard Moss, Joe Baker, John Baker, Mariah Baker, William Boone, Dol Boone, Joe Boone, Paul Boone, Vithia Boone, Lucy Boone, Rosa Boone and Charles Barnes, are or reside without effect, and that the said defendants are non-residents of this state; and that the other heirs of Caroline Boone and William Boone and Lawrence Barnes and Mary Barnes are unknown.

Given under my hand this 2nd day of February, 1905.

S. E. Everett

Sworn to and subscribed to before me this 2nd day of February, 1905.

A. P. Rooney D.C.

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Sam Roney Willie Ricks Lewis Ricks Joe Ricks Mamie Ricks Gertrude Moss Richard Moss Mariah Baker and Joe Baker

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 Third Monday in August 1904, to answer a Bill in Chancery, exhibited against them in the said Court by Mary Roney

and have then and there this summons.

Witness, ~~A. P. COMER,~~ R R Smith Clerk of our said Court, at his office, this 13th day of August, 1904, in the 129th year of the Commonwealth.

A copy—Teste:
C A P Comer D C, CLERK.

Teste:
C A P Comer D C, CLERK.

D E Everett p. q.

A Copy for
Willie Ricks

vs. | *In Chancery.*

1904

August *Rules.*

Third *Monday.*

Nansemond Circuit Court

Process Book No. 21

Page

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Sam Roney Willie Ricks Lewis Ricks Joe Ricks Mamie Ricks Gertrude Moss Richard Moss Mariah Baker and Joe Baker

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 Third Monday in August 1904, to answer a Bill in Chancery, exhibited against them in the said Court by Mary Roney

and have then and there this summons.

Witness, ~~A. P. GOMER,~~ R K Smith Clerk of our said Court, at his office, this 13th day of August, 1904, in the 129th year of the Commonwealth.

A copy—Teste: L. L. Gomer, D.C. CLERK.

Teste: L. L. Gomer D.C., CLERK.

S E Everett *p. q.*

A Copy for
Gertrude Moss

vs. | *In Chancery.*

1904

August *Rules.*

Third *Monday.*

Nansemond Circuit Court

Process Book No. 21

*Page*_____

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Sam Roney, Willie Ricks, Lewis Ricks, Joe Ricks, Mamie Ricks, Gertrude Moss, Richard Moss, Mariah Baker and Joe Baker

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 Third Monday in August 1904, to answer a Bill in Chancery, exhibited against them in the said Court by Mary Roney

and have then and there this summons.

Witness, ~~A. P. GOMER~~ R. C. Smith, Clerk of our said Court, at his office, this 13th day of August, 1904, in the 129th year of the Commonwealth.

A copy—Teste:

C. A. P. Gomer, D.C., CLERK.

Teste:

C. A. P. Gomer, D.C., CLERK.

D E Everett p. q.

A Copy for
Richard Moss

vs. | *In Chancery.*

1904

August *Rules.*

Third *Monday.*

Nansemond Circuit Court

Process Book No. 21

Page

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Sam Roney Willie Ricks Lewis Ricks Joe Ricks Mamie Ricks Gertrude Moss Richard Moss Mariah Baker and Joe Baker

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 Third Monday in August 1904, to answer a Bill in Chancery, exhibited against them in the said Court by Mary Roney

and have then and there this summons.

Witness, ~~A. P. GOMER,~~ R R Smith Clerk of our said Court, at his office, this 13th day of August, 1904, in the 129th year of the Commonwealth.

A copy—Teste: A P Gomer, D.C. CLERK.

Teste: A P Gomer, D.C. CLERK.

S E Everett *p. q.*

A Copy for
Joe Ricks

vs. | *In Chancery.*

1904

August *Rules.*

Third *Monday.*

Nansemond Circuit Court

Process Book No. 21

Page

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Sary Roney husband of Mary Roney, Willie Ricks Lewis Ricks Joe Ricks Mamie Ricks Children of Sarah and Merrit Ricks deceased Gertrude ~~and~~ Moss and Richard Moss her husband Joe Baker, John Baker and Mariah Baker the Children of Annie and John Baker deceased William Boone Joe Boone Joe Boone Paul Boone Vithia Boone Suey Boone and Rosa Boone Children of Leawline ~~Barnes~~ and William Boone deceased Charles Barnes Child of Laurence Barnes and Mary Barnes deceased all of whom are non-resedents and other Children of Leawline Boone and William Boone and Laurence Barnes and Mary Barnes who are unknown and other unknown heirs of Leawline Boone and William Boone and Laurince Barnes and Mary Barnes

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 1905 to answer amended or Supplemental an ~~&~~ Bill in Chancery, exhibited against them in the said Court by Mary Roney R D Wright W A Lassiter Charles Holloway Dawson Holloway Ella Williams and Mary Eliza Butler

and have then and there this summons.

Witness, R. R. SMITH, Clerk of our said Court, at his office, this 2nd day of February, 1905, in the 129th year of the Commonwealth.

A copy— Teste:

_____, CLERK.

Teste: A. G. Gomer D.C., CLERK.

S. E. Everett p. q.

Mary Roney
and others

vs. | In Chancery.

Sam Roney
and others

1905

February Rules.

First Monday.

Nansemond Circuit Court

Process Book No. 2

Page 263.

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Sam Roney, Willie Ricks, Lewis Ricks Joe Ricks Mamie Ricks Gertrude Moss Richard Moss Mariah Baker and Joe Baker

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 Third Monday in August 1904, to answer a Bill in Chancery, exhibited against them in the said Court by Mary Roney

and have then and there this summons.

Witness, ~~A. P. GOMER~~ R R Smith, Clerk of our said Court, at his office, this 13th day of August, 1904, in the 129th year of the Commonwealth.

A copy—Teste:

_____, CLERK.

Teste: A. P. Gomer D.C., CLERK.

S E Everett p. q.

Mary Roney

vs. | In Chancery.

Sam Roney and others

1904

August Rules.

Third Monday.

Nansemond Circuit Court

Process Book No. 21

Page

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Sam Roney, Willie Ricks, Lewis Ricks, Joe Ricks, Mamie Ricks, Gertrude Moss, Richard Moss, Mariah Baker and Joe Baker

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 Third Monday in August 1904, to answer a Bill in Chancery, exhibited against ~~August 1904~~ them in the said Court by Mary Roney

and have then and there this summons.

Witness, R.R. Smith ~~A. P. GOMER~~, Clerk of our said Court, at his office, this 13th day of August, 1904, in the 129th year of the Commonwealth.

A copy—Teste:
A. P. Gomer D.C., CLERK.

Teste:
A. P. Gomer D.C., CLERK.

J E Everett p. q.

A Copy for
Mamie Ricks

vs. | *In Chancery.*

1904

August *Rules.*

Third *Monday.*

Nansemond Circuit Court

Process Book No. 21

Page

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Sam Roney Willie Ricks Lewis Ricks Joe Ricks Mamie Ricks Gertrude Moss Richard Moss Mariah Baker and Joe Baker

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 Third Monday in August 1904, to answer a Bill in Chancery, exhibited against them in the said Court by Mary Roney

and have then and there this summons.

Witness, ~~A. P. GOMER,~~ R P Smith Clerk of our said Court, at his office, this 13th day of August, 1904, in the 129th year of the Commonwealth.

A copy—Teste:
A P Gomer D. C. CLERK.

Teste:
A P Gomer D. C. CLERK.

S E Everett p. q.

A Copy for
Sam Roney

vs. | *In Chancery.*

1904

August *Rules.*

Third *Monday.*

Nansemond Circuit Court

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*Page*_____

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A copy—Teste:
A P Gomer D. C., CLERK.

Teste:
A P Gomer D., CLERK.

L E Everett p. q.

A Copy for
Joe Baker

vs. | *In Chancery.*

1904

August *Rules.*

Thurd *Monday.*

Nansemond Circuit Court.

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and have then and there this summons.

Witness, ~~A. P. GOMER~~ R R Smith, Clerk of our said Court, at his office, this 13th day of August, 1904, in the 129th year of the Commonwealth.

A copy—Teste: A P Gomer D C, CLERK.

Teste: A P Gomer D C, CLERK.

S E Everett p. q.

A Copy for
Mariah Baker

vs. | *In Chancery.*

1904

August *Rules.*

Thurd *Monday.*

Nansemond Circuit Court

Process Book No. 21

Page

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Sam Roney Willie Ricks Lewis Ricks Joe Ricks Mamie Ricks Gertrude Moss, Richard Moss Mariah Baker and Joe Baker

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 Third Monday in August 1904, to answer a Bill in Chancery, exhibited against them in the said Court by Mary Roney

and have then and there this summons.

Witness, ~~A. P. GOMER~~ R R Smith, Clerk of our said Court, at his office, this 13th day of August, 1904, in the 129th year of the Commonwealth.

A copy—Teste:
A P Gomer, CLERK.

Teste:
A P Gomer D.C., CLERK.

S E Everett p. q.

A Copy for
Lewis Ricks

vs. | *In Chancery.*

1904

August *Rules.*

Thurs *Monday.*

Nansemond Circuit Court

Process Book No. 21

Page

Know All Men by These Presents, That we S E Everett and The United States Fidelity and Guaranty Company

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of One Thousand DOLLARS,

to the payment whereof, well and truly to be made to the Commonwealth of Virginia, we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents.

And we waive the benefit of our exemption as to this obligation, and also waive any claim or right to discharge any liability to the Commonwealth arising under this bond, or by virtue of the office, post or trust herein mentioned, with coupons detached from bonds of said State.

~~Sealed with our seals, and dated this day of in the year of our Lord one thousand nine hundred and , and in the year of the Commonwealth.~~

In Testimony Whereof, the said S E Everett has hereto set his hand and seal, and the said The United States Fidelity and Guaranty Company has caused its corporate name to be hereto signed, and its corporate seal to be hereto affixed, by Richard L Woodward its duly authorized attorney in fact this 8th day of December in the year of our Lord, one thousand nine hundred and four, and in the 129th year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That ~~if the above bound~~ whereas by a decree pronounced in Vacation on the 3rd day of December 1904 by Hon. Robert R Prentis Judge of the Circuit Court for the County of Nansemond in the Chancery cause pending in said Court between Mary Roney Complainant and Sam Roney and others defendants, it was decreed that said S E Everett Special Commissioner proceed to sell the real estate Mentioned and described in said cause upon the terms set forth in said decree. Now therefore if the said S E Everett shall faithfully discharge the duties of his office post or trust as Special Commissioner aforesaid and his duties under said decree and any other decree that he may be required to execute in said cause then the above obligation is to be void: otherwise to remain in full force and virtue.

S E Everett SEAL

The United States Fidelity and Guaranty Co. by Richard L Woodward its Attorney in fact Seal SEAL SEAL SEAL SEAL

VIRGINIA:

In the Clerk's Office of the Circuit Court of Nansemond County, on the 8th day of December, 1904:

The above bond was executed and acknowledged before me by the obligors to the same (~~the securit justifying~~), and ordered to be recorded.

Teste:

A Copy Teste: A P Gomey D.C

A P Gomey Deputy

S E Everett

To { Special Comr.
Bond

The Commonwealth.

1904

December 8th

Recorded in Official
Bond Book No 1 Page
396. Circuit Court—

A Copy.

Deputy

I, AZRA P. GOMER, Clerk of the Circuit Court of Nansemond County, Virginia, do certify that the bond required of S E Everett as Special Commissioner under the ~~decree~~ of said Court made on the 3rd day of December 1904, in the Chancery cause pending in said court between Mary Roney, complainant, and Sam Roney and others, defendants, has been executed with security deemed sufficient by me.

Given under my hand this 10th day of December 1904.

A P Gomer D.C., Clerk.

Commissioner's Office
Suffolk, Va. 5th. April 1905.

Mary Roney and others, Complainants.

vs. } In Chancery.

Sam Roney, Willie Ricks and others, Defendants.

To Honorable Robert R. Prentis, Judge of the Circuit Court for the County of Nansemond.

In pursuance of the decree of the Circuit Court for the County of Nansemond, pronounced on the ~~29th~~ 29th. day of ~~April~~ March 1905, in the Chancery cause pending in said court between Mary Roney and others, Complainants, and Sam Roney, Willie Ricks and others, Defendants, the undersigned, Wilbur J. Kilby, one of the Commissioners in Chancery of said Court, respectfully reports as follows:

That on the 30th. day of March 1905, after the papers in said cause had been placed in his hands and he had been requested by Counsel for the Complainants to execute said decree, your Commissioner gave notice to said Counsel and Gertrude Moss, Richard Moss (sometimes called R. P. Moss), Charles Barnes, (sometimes called Charlie Barnes), and Mary Barnes, made parties defendants to the amended and supplemental bill in said suit or cause and said Mary Roney, and Lewis Barnes, John Barnes, and Ed. Barnes, the three last named having been made parties to said bill under the designation of parties unknown, that he would proceed on the 5th. day of April 1905 at his office in Suffolk, Virginia, to make the several inquiries required by said decree to be made by one of the Commissioners of said court.

That service of said notice was duly accepted by the parties named, as will appear by the endorsations on the notice herewith returned.

That said notice was not served upon any of the other parties to said amended and supplemental bill because they could not be found; an Order of Publication having been duly published and posted in the manner prescribed by law, as to them as non-residents or

parties unknown and they still failing to appear and protect their interests.

That on the 5th. day of April 1905,to aid him in making said inquiries,your Commissioner took the depositions of said Gertrude Moss and Mary Barnes with reference to the said inquiries,which depositions are herewith returned.

That it appears from the evidence thus furnished that the real estate,mentioned in the papers in said cause, belonged to Lewis Barnes;that he died leaving seven children, namely; Mary Barnes, who married Sam Roney,Caroline Barnes, who married William Boone, Sarah Barnes, who married Merritt Ricks,Zilphy Anna Barnes, (called in said papers simply Annie Barnes), who married John Baker,Lawrence Barnes,Joe Barnes and David Barnes, who became ~~and~~ seised and possessed of said real estate upon the death of their father,said Lewis Barnes; that said Joe Barnes and David Barnes died after their father,leaving no children; that the interest of said Joe Barnes and David Barnes,to-wit, two-sevenths interest in said real estate went in fee-simple to their brother, said Lawrence Barnes, and their sisters, said Mary, Caroline,Sarah and Zilphy Anna, thus making said Mary Roney,Lawrence Barnes,Caroline Boone,Sarah Ricks and Zilphy Anna Baker the owners each of a one-fifth undivided interest in said real estate; that said Lawrence Barnes and Caroline Boone afterwards sold their two-fifths interest to said Mary Roney,thus making her the owner of three-fifths interest in said real estate; that said Sarah Ricks died leaving her one-fifth interest to pass to her children, Willie Ricks,Lewis Ricks,Joe Ricks,and Mamie Ricks,thus making the four last-named the owners each of a one-twentieth interest in said real estate; that said Zilphy Anna Baker died leaving her one-fifth interest to pass to her four children,John Baker,Joe Baker,Mariah Baker and Gertrude Moss,wife of Richard Moss,thus making the four last-named also the owners each of a one-twentieth interest in said real estate.

That it follows from the foregoing facts that the proceeds of the sale of said real estate should be distributed among the present owners as follows:

To Mary Roney 3/5

To Willie Ricks	I/20
To Lewis Ricks	I/20
To Joe Ricks	I/20
To Mamie Ricks	I/20
To John Baker	I/20
To Joe Baker	I/20
To Mariah Baker	I/20
To Gertrude Moss	I/20

That your Commissioner has not been able to obtain any evidence, other than that mentioned above, as to whether said Mary Roney purchased the interests of said Caroline Boone and Lawrence Barnes in said real estate, and as to whether the deeds conveying such interests to said Mary Roney were executed and delivered and subsequently lost, or destroyed.

That the foregoing statement that said Mary Roney purchased said two-fifths interest in said real estate is based exclusively upon the record in said cause and upon said evidence.

Given under my hand this 5th. day of April 1905.

Wilbur J. Kilby
Commissioner in Chancery.

Commissioner's fee $10.
Paid 21 April 1905.
Wilbur J. Kilby, Comr.

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 400

Commissioner's Office,

To Mary Roney, R. D. Wright, W. A. Lassiter, Charles Holloway, Dawson Holloway, Ella Williams and Mary Eliza Butler, Complainants,

and Sam Roney, husband of Mary Roney, Willie Ricks, Lewis Ricks, Joe Ricks, Mamie Ricks children of Sarah and Merit, deceased, Gertrude Moss and Richard Moss, her husband, Joe Baker, John Baker and Mariah Baker, the children of Annie Baker, and John Baker deceased, William Boone, Dol. Boone, Joe Boone, Paul Boone, Vithia Boone, Lucy Boone, and Rosa Boone children of Caroline and William Boone, deceased, Charles Barnes, child of Lawrence Barnes and Mary Barnes deceased, all of whom are non-residents, and other children of Caroline Boone and William Boone and Lawrence Barnes and Mary Barnes, who are unknown, and other unknown heirs of Caroline Boone and William Boone and Lawrence Barnes and Mary Barnes, Defendants.

You are hereby notified that on the 5th day of April 1905, at my office, in Suffolk, Va., (at which time and place you are required to attend), I shall ~~take, state and settle the~~ make the following inquiries ~~accounts~~ which are to be ~~taken, stated and settled~~ made and reported to Court in pursuance of the decree of the Circuit Court of Nansemond County, Va., rendered the 29th day of March, 1905, in the suit in chancery pending in said Court to which you are parties plaintiffs and defendants, to-wit:

1. Whether Mary Roney purchased the interests of Caroline Boone and Lawrence Barnes and whether the deed conveying the same to her was executed and delivered and subsequently lost or destroyed.

2. How the proceeds of sale should be divided among the heirs of Lewis Barnes.

Given under my hand, as Commissioner in Chancery of said Court, the 30th day of March, 1905.

Wilbur J. Kilby
Commissioner in Chancery.

Sufficient and legal service of this notice is hereby accepted by us.

W. C. Everett Counsel for the Complainants.

Gertrude Moss
R. P. Moss
Charlie Barnes
Lewis Barnes
Mary Barnes
her
Mary X Barnes
mark
his
John X Barnes
mark
his
Ed. X Barnes
mark

Witness as to Mary Barnes, John Barnes, and Ed. Barnes:
Bradford Kilby.

Form No. 400.

COMMISSIONER'S NOTICE.

vs.

Mary Roney and others, Complainants

vs. } In Chancery.

Sam Roney, Willie Ricks and others, Defendants.

The depositions of Gertrude Moss and Mary Barnes taken before Wilbur J. Kilby, Commissioner in Chancery of the Circuit Court for the County of Nansemond, at his office in Suffolk, Virginia, on the 5th. day of April 1905, to be read as evidence in behalf of the Complainants in the Chancery suit pending in said court between Mary Roney and others, Complainants, and Sam Roney, Willie Ricks, and others, Defendants.

Present: S. E. Everett, Counsel for Complainants.
No counsel for defendants.

Gertrude Moss, being duly sworn, deposes and says as follows:

Q. What is your name, age, residence and occupation?

A. Gertrude Moss, thirty-eight, Berkley, Virginia, and I am a housekeeper.

Q. Are you one of the heirs of Lewis Barnes?

A. Yes sir. Lewis Barnes was my grandfather, my mother's father. My mother was named Zilphy Anna Barnes, sometimes called Annie Barnes, and she married James Baker.

Q. So your mother's name was Annie?

A. Yes sir.

Q. You married Richard Moss?

A. Yes sir.

Q. Then Mariah, Joe and John Baker were your brothers and sister ?

A. Yes sir.

Q. Are they all of the living heirs of Annie Baker, your mother?

A. Yes sir.

Q. Gertrude this has been proven before but you are put on the stand now to testify as to a lost deed. Mary Roney claims to have purchased the interest of Caroline Boone and her husband and Lawrence Barnes and his wife in this tract of land that you have an interest in. She claims that the deed was executed before the Clerk here and that the deed was afterwards destroyed by fire . Do you know anything about this lost deed?

A. I was not present.

Q. Then do you know anything about such a deed by admissions of these parties or otherwise?

A. I heard Lawrence Barnes say that he had executed a deed to convey the interest of ~~he~~ himself and his wife to Mary Roney.

Q. Do you know anything definite about the destruction of said deed and as to whther it is lost or not?

A. No sir.

Q. Have you heard it was lost?

A. Yes sir.

Q. Did you hear as to how it got lost?

A. By fire.

Q. How by fire?

A. By fire destroying the building on this farm.

Q. You know that the house was burned up?

A. Yes sir.

Q. Do you know why the deed was never put on record?

A. No sir.

James Baker married Zilphy Anna Barnes after Lewis Barnes died. Zilphy Anna Barnes is now dead. When she died she left only four children, namely; Joe, John, Mariah and Gertrude.

Q. Do you know whether Sarah Ricks and her husband are dead or not?

A. I know that Sarah Ricks is dead, but I do not know about her husband.

I have heard that he was dead. Sarah Ricks died after her father Lewis Barnes. She married Merritt Ricks before her father, Lewis Barnes, died.

Q. I have in the bill the names of the children she left as follows: Joe, Mamie, Willie, and Lewis. Are they properly named ?

A. Yes sir. She left those children and no others. Another child of Lewis Barnes was David Ba-rnes and he died without marrying. He died after his father.

Q. I have in the bill that Joe Barnes is dead, did he die before your grandfather, Lewis Barnes, or not?

A. He died afterwards. He had no children. He married Martha Everett and they both died since Lewis Barnes died.

Q. Was Lawrence Barnes your uncle and the son of Lewis Barnes?

A. Yes sir.

Q. Did Lawrence Barnes marry Mary Barnes, who is here to-day?

A. Yes sir.

Q. Did Lawrence Barnes die after his father?

A. Yes sir.

Q. Did he sell out his interest in the above tract of land?

A. Yes sir.

Q. To whom?

A. To Mary Roney.

Q. You have always understood that Lawrence Barnes sold his interest in said land to Mary Roney, who was a daughter of Lewis Barnes?

A. Yes sir.

Q. You had an aunt named Caroline?

A. Yes sir.

Q. Who did she marry?

A. William Boone.

Q. Is she dead?

A. Yes sir. She died after Lewis Barnes.

Q. Is her husband dead?

A. I don't know, but I have heard so.

Q. Do you know that Caroline Boone and William Boone sold their interest to Mary Roney?

A. I understood that she did.

Q. You have never seen the deed?

A. No sir.

Q. Don't know whether it was recorded?

A. No sir.

Q. You understood that it was destroyed by fire when the house was burned?

A. Yes sir.

And further this deponent saith not.

Gertrude Mars

Mary Barnes, being duly sworn, deposes and says as follows:

Q. What is your name, age, residence and occupation?

A. Mary Barnes, about sixty-five, I was born in 1840, Portsmouth, Virginia, and housekeeper.

Q. Do you live in Portsmouth?

A. Yes sir.

Q. Are you the widow of Lawrence Barnes?

A. Yes sir.

Q. Was he the son of Lewis Barnes?

A. Yes sir.

Q. Mary Roney has brought a suit to have divided a certain tract of land belonging to Lewis Barnes and she claims in said suit or in her bill that your husband, you, Caroline Boone and William Boone executed a deed and conveyed their interests to her in the Lewis Barnes tract of land.
Do you know whether said deed was executed or not?

A. Yes sir. It was executed.

Q: Do you know what Mary Roney did with the deed?

A. It got burned up.

Q. In your father's house on this place?

A. Yes sir My husband's father.

Q. Then you do not claim any interest in this land whatever?

A. Yes sir., I claim no interest. As I said before we sold to her

Mary Roney and gave her a deed.

Q. How did you know that this matter was up at this time?

A. From my son.

Q. Did you get a message from any body to come here to-day and protect your interest if you had any?

A. Yes sir. Mr. Everett,(you), sent me word.

Q. And you sent me word by your son that you did not claim anything and you came here to-day by request to assist Mary Roney in proving this lost deed and that is why you are here?

A. Yes sir.

Q. Were all the brothers and sisters of Mary Roney dead at the time you and your husband and Caroline Boone and William Boone gave this deed to her?

A. Yes sir. Mary was the only one left.

And further this deponent saith not.

Witness:
Wilbur J. Kilby, Comr.

her
Mary x Barnes
mark

Virginia,

County of Nansemond, to-wit:

I,Wilbur J. Kilby, Commissioner in Chancery of the Circuit Court for the County of Nansemond,in the State of Virginia,do here by certify that the foregoing depositions of Gertrude Moss and Mary Barnes were duly taken,sworn to,and subscribed before me at the time and place and for the purpose mentioned in the caption thereto.

Given under my hand this 5th. day of April 1905.

Wilbur J. Kilby

Commissioner in Chancery.

Rovey Eals.

vs. } In Chy.

Rovey Eals.

Report of Comr.
under decree of 29th.
March 1905.

1905 April 6th. Filed
A.D. Gomey D.C

DEPOSITED WITH THE

FARMERS BANK OF NANSEMOND

By

S.E.Everett, Comm'r., in suit of
Mary Roney vs Sam Roney and others.
March 11, 1905. 1905

	Dollars.	Cents.
Currency,	$980	00
Gold,		
Silver,		
Checks and Drafts,		

(Entered Separately.)

Nine hundred and eighty Dollars.

M H Jones Jr Cas

TO ROBERT R. PRENTIS, JUDGE OF THE CIRCUIT COURT OF NANSEMOND COUNTY.

Mary Roney and others,..... .....Plaintiffs.

vs.

Sam Roney and others,.....Defendants.

Your commissioner, S. E. Everett, makes the following report: That he advertised the land mentioned in the bill for sale by post bills posted in public places in the County and Suffolk and the said land was sold in front of the Postoffice, in Suffolk, Nansemond County, Virginia, on the 29th day of December, 1904, to C. W. Powell, he being the highest bidder at said sale. Mr. Powell prefers paying cash and has placed the money in your commissioner's hands which has been placed in the Farmers Bank of Nansemond, of Suffolk, Virginia, to the credit of S. E. Everett, Commissioner in the above styled case, a certificate of the deposit is herewith filed.

Respectfully

S. E. Everett
Special Commissioner

Mary Roney and others,

vs.

Sam Roney and others.

REPORT.

1905 March 15th
Filed A.P.G

Mary Roney and others.....Complainants.

vs.

Sam Roney and others,.....Defendants.

To the Honorable Robert R. Prentis, Judge of Circuit Court of Nansemond County:

G R E E T I N G :

Your undersigned Commissioner makes unto your Honor the following report: That on the 29th day of December, 1904, said land was sold to C. W. Powell for the sum of nine hundred and eighty dollars, $980.00

Paid to the Clerk,	8.95	
Writ tax,	I.50	
Commissioner in Chancery,	20.00	
Attorney's fee,	I5.00	
		45.45
Counsel's fee,		75.00
Suffolk Herald for advertisement,		I2.50
Commissions on $980.00,		28.60
Writing deed,		5.00
Woddward & Elam for bond,		I0.00
Reserved for taxes on $900.		7.92
Auctioneer,		5.00
County tax,		2.59
Balance to be divided among the heirs ,		787.94
	$980.00	$980.00

Balance to be divided among the heirs in accordance with the report of the Commissioner in this case on the 6th day of April, I905, as follows:

To Mary Roney 3/5,	472.76 2/7
To Wliile Ricks, I/20,	39.39 5/7
To Lewis Ricks I/20,	39.39 5/7
To Joe Ricks I/20,	39.39 5/7
To Mamie Ricks I/20, (Divided)	39.39 5/7
To John Baker I/20,	39.39 5/7
To Mariah Baker I/20,	39.39 5/7
To Gertrude Moss I/20,	39.39 5/7
To Joseph Baker 1/20	39.39 5/7
	$787.94

787 37/88

Your commissioner further states that Mamie Ricks died since the institution of this suit and that your commissioner has had her husband, William H. Sherby, make affidavit that she is dead and that he was her husband and that she died without issue. Your commissioner further states that he has paid the share of Mamie Ricks to her three brothers, Willie Ricks, Lewis Ricks and Joe Ricks, their receipts being filed with this report.

Your commissioner also wishes to state that there is an error in this report of five cents in this way: that when the Clerk gave his bill of costs he made it $8.95. Your commissioner further states that he settled with the parties to this suit accordingly but afterwards when he went to pay the court costs it was found that an error of five cents had been made.

Respectfully submitted,

S. E. Everett.
Special Commissioner

$792 reserved for taxes was insufficient, but the same has been paid by your Commissioner in full.

S. E. Everett
Special Commissioner

Mary Roney,

vs. In Chancery.

Sam Roney and others.

Report of Commissioner.

Mary Roney and others,.....Complainants.

vs.

Sam Roney and others,..... .....Defendants.

By consent of the resident parties to the above styled suit it is hereby agreed that the chancery suit now pending in the Circuit Court of Nansemond County wherein Mary Roney and others are plaintiffs and Sam Roney and others are defendants, shall be made a vacation cause and the same shall be submitted to the Judge for such decisions and decrees therein in vacation as may be made in term.

Wilbur J. Kilby witness as to Mary Barnes, John Barnes and Ed. Barnes

Mary (her) x mark Barnes

John Lee (his) x mark Barnes

Ed Lee (his) x mark Barnes

Estelle Barnes

Lewis Barnes

Gertrude Moss

R. C. Moss

Rooney et als
vs
Rooney et als

Consent for a
Vacation Canse

Mary Roney and others,.....Plaintiffs.

vs.

Sam Roney and others,.....Defendants.

By consent of the resident parties to this suit it is hereby agreed that the chancery suit now pending in the Circuit Court of this County wherein Mary Roney and others are plaintiffs, and Sam Roney and others are defendants shall be made a vacation cause and that the same be submitted to the Judge for such decisions and decrees therein as may be made in term.

March 25, 1905.

Mary Roney,
R. D. Wright,
W. A. Lassiter,
Dawson Holloway,
Charles Hollway,
Ella Williams,
Mary Eliza Butler,

By R. E. Evans

their attorney.

Ronney
vs
Ronney

Comment for Vacation
Cause

Mary Roney .....Plaintiff.

vs.

Sam Roney and others,.....Defendants.

By consent of the resident party to this suit it is hereby agreed that the chancery suit now pending in the Circuit Court of Nansemond County wherein Mary Roney is plaintiff and Sam Roney and others are defendants, shall be made a vacation cause and that the same shall be submitted to the Judge for such decisions and decrees therein in vacation as may be made in term.

Dec 3 - 1904.

Mary Roney by
S. E. Everett Her Atty

Mary Roney,

vs. Consent for Vacation
cause.

Sam Roeny and others.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY

IN VACATION ON THE 20th DAY OF APRIL, I905.

Mary Roney and others,.....Complainants.

versus. In Chancery.

Sam Roney and others,.. .....Defendants.

This cause came on this day by consent to be heard on the original amended and supplemented bill and on the answers of Gertrude Moss, R. P. Moss, her husband, Mary Barnes, wife of Lawrence Barnes, John Barnes, Charlie Barnes, Lewis Barnes, and Ed Barnes, the only heirs of Lawrence Barnes, and on the report of Wilbur J. Kilby, Commissioner in Chancery, filed in the Clerk's Office of said Court on the 6th. day of April, I905, to which there is no exception, and was argued by Counsel.

On consideration whereof, the Court doth approve and confirm the said report and doth further adjudge, order and decree that the said Commissioner S. E. Everett, after deducting from the nine hundred and eighty dollars the expenses of sale, including his commissions and a fee of $75.00 for the attorney who instituted this suit, shall distribute among the parties their respective shares of the remainder of the nine hundred and eighty dollars according to the report of the Commissioner filed the 6th day of April, I905, which report says: "That the proceeds of the sale of said real estate should be distributed among the present owners as follows: To Mary Roney three fifths, to Willie Ricks one twentieth, to Lewis Ricks one twentieth, to John Ricks one twentieth, to Mamie Ricks one twentieth, to Joe Baker one twentieth, to John Baker one twentieth, to Mariah Baker one twentieth and to Gertrude Moss one twentieth."

And the Court doth further adjudge, order and decree that the said Commissioner, S. E. Everett, shall convey by good and sufficient deed with special warranty unto the

said C. W. Powell the property purchased by him at the sale made on the 29th day of December, 1904, described in said bill and proceedings as follows, to-wit:
All that certain tract of land situated in Nansemond County, Virginia, and bounded by the lands of W. A. Lassiter, Rosser D. Wright, Charles Holloway, Dawson Holloway, Ella C. Williams, Mary Eliza Butler and others.

This cause came on by consent of the complainants heretofore entered of record and also by the consent of the defendants, Gertrude Moss, R. P. Moss, Mary Barnes, Lewis Barnes, John Barnes, Charlie Barnes and Ed Barnes, and it is ordered that this cause be submitted to the Judge of this Court for such decisions and decrees therein in vacation as might be made in term, all of which is hereby certified to the Clerk of this Court to be entered in the Chancery Order Book.

Robt. E. Curtis

Mary Roney and others,

vs. In Chancery.

Sam Roney and others.

Decree directing distribution of money and execution of deed.

Enter April 20, 1905.

W. Hall R. Harris

Entered in Chancery
Order Book No. 3,
page 644.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, IN VACATION ON THE 29th DAY OF MARCH, 1905.

Mary Roney and others,.....Complainants.

vs.

Sam Roney and others,.....Defendants.

This cause, in which the complainants have proceeded against the said defendants in the manner prescribed by law as to absent defendants, and they still failing to appear and plead, answer or demur, came on this day by the consent of the parties, complainants, ~~and defendants~~, to be heard on the amended and supplemented bill, and on the report of the Commissioner, S. E. Everett, showing that the purchaser, C. W. Powell, has paid in full the entire purchase price, nine hundred and eighty dollars, for said land in the bill and proceedings mentioned and that the said sum has been deposited in the Farmers Bank of Nansemond, Suffolk, Virginia, to the credit of the Court in this case; and was argued by counsel.

On consideration whereof, the Court doth adjudge, order and decree that the said report be confirmed and that the papers in this cause be referred to one of the Commissioners of this Court, who is required to inquire into and report to Court:

(I)

Whether Mary Roney purchased the interests of Caroline Boone and Lawrence Barnes and whether the deed conveying the same to her was executed and delivered, and subsequently lost or destroyed, and

(2)

How the proceeds of sale should be divided among the heirs of Lewis Barnes. All of which is hereby certified to the Court to be entered in the chancery order Book.

Robert R. Rennis

Mary Roney and others,

vs.

Sam Roney and others.

Enter March 29, 1905.

Robt. E. Lewis

Entered in Chancery Order
Book No. 21, page 643.

VIRGINIA- In the Circuit Court of Nansemond County, in vacation on the 29th. day of March, 1905.

Mary Roney, R. D. Wright, W. A. Lassiter, Charles Holloway, Dawson Holloway, Ella Williams and Mary Eliza Butler,.....Complaiants.

vs. In Chancery. Amended and supplemented bill.

Sam Roney, husband of Mary Roney, Willie Ricks, Lewis Ricks, Joe Ricks, Mamie Ricks, children of Sarah and Marrit Ricks, deceased, Gertrude Moss and Richard Moss, her husband, Joe Baker, John Baker and Mariah Baker, the children of Annie Baker and John Baker, deceased, William Boone, Dol Boone, Joe Boone, Paul Boone, Vithia Boone, Lucy Boone and Rosa Boone, children of Caroline Boone and William Boone, deceased, Charles Barnes, child of Lawrence Barnes and Mary Barnes, deceased, all of whom are non-residents, and other children of Caroline Boone and William Boone, and Lawrence Barnes and Mary Barnes, who are unknown, and other unknown heirs of Caroline Boone and William Boone, and Lawrence Barnes and Mary Barnes,.....Defendants.

By consent of Mary Roney, R. D. Wright, W. A. Lassiter, Charles Holloway, Dawson Holloway, Ella Williams and Mary Eliza Butler, plaintiffs, by counsel and it appearing that the plaintiffs have proceeded against the defendants, Sam Roney, Willie Ricks, Lewis Ricks, Joe Ricks, Mamie Ricks, children of Sarah and Merrit Ricks, deceased, Gertrude Moss and Richard Moss, Joe Baker, John Baker, Mariah Baker, the children of Annie Baker and John Baker, deceased, William Boone, Dol Boone, Joe Boone, Paul Boone, Vithia Boone, Lucy Boone and Rosa Boone, children of Caroline and William Boone, deceased, Charles Barnes, child of

Lawrence Barnes and Mary Barnes, deceased, all of whom are non-residents, and other children of Caroline Boone and William Boone, and Lawrence Barnes and Mary Barnes, who are unknown, and other unknown heirs of Caroline Boone and William Boone, and Lawrence Barnes and Mary Barnes, in the manner prescribed by law as to absent defendants, and they still failing to appear and plead, answer or demur it is ordered that this cause be submitted to the Judge of this Court for such decisions and decrees therein in vacation as might be made in term, all of which is hereby certified to the Clerk of the Circuit Court of Nansemond County.

Robert R. Brooks

To the Clerk of the Circuit
Court of Nansemond County.

Ramey
vs
Ramey
Vacation case

Entd March 29, 1905
Robert E. Lewis
Re

Entered in Chancery
Order Book No 3
Page 642 Circuit
Court.

CIRCUIT COURT OF NANSEMOND COUNTY IN VACATION ON THE 3rd. DAY OF DECEMBER, 1904.

Mary Roney,.....Plaintiff.

vs.

Sam Roney and others, ...Defendants.

By consent of Mary Roney, plaintiff, by counsel and it appearing that the plaintiff has proceeded against the defendants, Sam Roney, Willie Ricks, Lewis Ricks, Joe Ricks, Mamie Ricks, Gertrude Moss, Richard Moss, Mariah Baker and Joe Baker, in the manner prescribed by law as to absent defendants, and they still failing to appear and plead, answer or demur, it is ordered that this case be submitted to the Judge of this Court for such decisions and decrees therein in vacation as may be made in term, all of which is hereby certified to the Clerk of the Circuit Court of Nansemond County.

Robert R. Prentis

To the Clerk of the
Circuit Court of
Nansemond County.

Mary Roney

vs. In Chancery.

Sam Roney and others.

Enter Dec. 3, 1904.

Robert W. Davis

Entered in Chancery Order

Book No. 3 page 622.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY IN VACATION
ON THE 31d. DAY OF DECEMBER, I904.

Mary Roney,..... .....Plaintiff.

vs. In Chancery.

Sam Roney and others,.....Defendants.

This cause came on this day again to be heard by the consent of the parties, plaintiff and defendants, this day entered of record as provided by statute, on the papers formerly read and on the report of W. J. Kilby, Commissioner in Chancery, to which report filed in the Clerk's Office of this Court on the I5th. day of November, I904, there is no exception and on the examination of witnesses returned with the said report, and was argued by counsel.

On consideration whereof, the Court doth approve and confirm the said report and doth adjudge, order and decree that S. E. Everett, who is hereby appointed Special Commissioner for the purpose, do, after having advertised the time, place and terms of sale and by posting two or more notices in public places in said County, proceed to sell before the postoffice door in Suffolk, In Nansemond County, Virginia, the said land in the bill and proceedings mentioned upon the following terms, to-wit: One half cash and one half payable in six months from the day of sale with interest from the day of sale, the title to the property retained until the purchase money is paid in full and a conveyance directed by the Court, or if the purchaser or purchasers elect to do so he or they may pay the whole of the purchase money in cash.

The said Commissioner, S. E. Everett, is directed to make a report of his proceedings to Court also taking the purchaser's bond for the credit installment payable in six months after date carrying interest from the day

of sale and to return the bond taken for the credit installment with this report to Court, but the said S. E. Everett shall not proceed to act under this decree until he shall enter into bond with sufficient security in the Clerk's Office of this Court, payable to the Commonwealth of Virginia in the amount of one thousand dollars and conditioned on the faithful discharge of his duties hereunder and under any further decree in this cause.

Robert R. Prentis

To the Clerk of the
Circuit Court of Nansemond
County.

Mary Roney,

vs.

Sam Roney and others.

Enter Dec. 3, 1904.

Robert R. Reeves

Entered in Chancery Order
Book No. 3, page 622.

Mary Roney,.....Plaintiff.

In Chancery.

Sam Roney, Willie Ricks, Lewis Ricks,
Joe Ricks, Mamie Ricks, Gertrude Moss,
Mariah Baker, Joe Baker and Richard Moss,.....Defendants.

This cause, in which the complainant has proceeded against the said defendants in the manner prescribed by law ~~against~~ as to absent defendants, and they still failing to appear and plead, answer or demur, came on this day to be heard on the bill taken for confessed and was argued by counsel:

On consideration whereof, the Court doth adjudge, order and decree that the papers in this cause be referred to one of the Commissioners of this Court, who is directed to inquire into and report to Court:

I

Whether the real estate in the bill mentioned can be conveniently divided in kind between the several parties entitled to share therein.

2

If the same can not be conveniently divided in kind, whether any party will take the entire property and pay therefor to the other parties such sums of money as their interests therein may entitle them to.

3

If the same can not be conveniently divided in kind and if no party will take the entire property and pay the others for their shares whether the interests of those who are entitled to the property or its proceeds will be promoted by a sale of the entire property or by the allotment of part and sale of the residue.

4

Whether there are any liens for delinquent taxes or otherwise.

Which several inquiries the said Commissioner shall make and to the Court report together with any matter specially stated deemed pertinent by himself or required by any party to be so stated.

3

Mary Roney,
vs. In Chancery.
Sam Roney and others.

Enter Octo. 31, I904.

~~Robert Mantis~~
S.M.B.

Entered in Chancery Order
Book No. 3, page 611.

situated in Shenkadock Magisterial District in Hanover County and State of Virginia
containing forty acres, more or less, (sometimes said to contain forty three and one-third acres), and bounded on the North by the land of
(formerly the land of William H. Ladd); on the East by a branch which separated the land hereby conveyed from the land of
(formerly the land of Wayne Murphy); on the South by Leigh Murphy's Mill Stream which mill race belongs to ; and on the West by the land of
(formerly the land of Sylvester K. Ashburn), and being the land of which Lewis Keene died seised and possessed and which was sold and conveyed to him by said Wayne

(over)

Murphy by deed dated the 6th day of October 1867 and recorded on the 8th day on page 330-31 in deed book No. 1 in the clerks office of Dansemond County Court, together with and singular the appurtenances belonging to the same

State of New Jersey
ss
County of Mercer

William H. Scruby, being duly sworn according to law on his oath deposes and says that he is a resident of the City of Trenton, County of Mercer and State of New Jersey; that, in her lifetime, he was married to Mary Dicks, now deceased; that there were no children born of said marriage; that his wife's residence prior to her marriage with deponent was in Suffolk, Virginia.

Sworn and subscribed this 29th day of May, A.D., 1905, before me

William H. Scruby

L. A. Bowers
Notary Public

Commissioner's Office
Suffolk,Va. 15th. Nov. 1904

Mary Roney Complainant.

vs. } In Chancery.

Sam Roney,Willie Ricks and others, Defendants.

To Honorable Robert R. Prentis,Judge of the Circuit Court for the County of Nansemond;

In pursuance of the decree of the Circuit Court for the County of Nansemond pronounced on the 31st. day of October 1904 in the Chancery cause pending in said court between Mary Roney Complainant,and Sam Roney,Willie Ricks and others,defendants, the undersigned,Wilbur J. Kilby,one of the Commissioners in Chancery of said court,respectfully reports as follows:

That on the 10th. day of November 1904,after the papers in said cause had been placed in his hands and he had been requested by counsel for the complainant to execute said decree,your commissioner gave notice to said complainant that he would proceed, on the 15th. day of November 1904, at his office, in Suffolk ,Virginia, to make the several inquiries required by said decree to be made by one of the commissioners of said court.

That service of said notice was duly accepted by the said Mary Roney, as will appear by the endorsation on the notice herewith returned.

That ~~service~~ service of said notice was not made upon any of the said defendants because,all of said defendants being non-residents,an Order of Publication was duly published and posted as to them at the institution of said cause,according to law,and they still being non-residents of said state.

That, on the 15th. day of November 1904,to aid him in making said inquiries,your commissioner took the depositions of Rosser D. Wright,W.A.King,and said Mary Roney with reference to the questions presented,which depositions are herewith returned.

That from the evidence thus furnished and information otherwise obtained, your commissioner is enabled to report as follows:

I. That the real estate, mentioned in the bill in said cause and described in said depositions, cannot be conveniently divided in kind between the several parties entitled to share therein; such parties being those mentioned in said bill and depositions, and the inconvenience of a division of said real estate in kind between them being fully set out in said depositions.

2. That none of said parties is willing to take said real estate and pay the other parties anything for their interests therein, such other parties being financially unable to purchase such interests.

3. That the interests of all parties in said real estate would be best promoted by a sale of such real estate and the distribution of the proceeds of the sale among them according to their respective rights.

4. That there are no liens upon said real estate for delinquent taxes, but taxes thereon are unpaid for the year 1904.

5. That your commissioner does not know of any pertinent matter, nor has any of the parties stated any such matter, to be reported.

Given under my hand this 15th. day of November 1904.

Wilbur J. Kilby

Commissioner in Chancery

Commissioner's Fee $10.00
Paid 21 April 1905.
Wilbur J. Kilby, Comr.

Mary Roney, Complainant.

vs. } In Chancery.

Sam Roney, Willie Ricks and others, Defendants.

The depositions of Rosser D. Wright, W.A. King, and Mary Roney, taken before Wilbur J. Kilby, Commissioner in Chancery of the Circuit Court for the County of Nansemond, at his office in Suffolk, Virginia, on the 15th. day of November 1904, to be read as evidence in behalf of the complainant in the Chancery Suit pending in said court between Mary Roney, Complainant and Sam Roney Willie Ricks and others, Defendants

Present, S.E. Everett, Counsel for Complainant

No Counsel for Defendants

R. D. Wright, being duly sworn, deposes and says:

Q. What is your name, age, residence and occupation and do you know the parties to this suit?

A. Rosser D. Wright, twenty-three years old, Suffolk, Virginia, I keep a restaurant and I know the parties to this suit.

Q. Are you acquainted with the parcel of land that belonged to Lewis Barnes situated in Chuckatuck district, Nansemond County, said to contain forty-three and one half acres, if so please state what you know about it.

A. I know where the land is situated. I have not been over it for several years, suppose something about four or five. It is situated as stated above. I was born and reared on the farm which I now own adjoining it.

Q. It appears Lewis Barnes has been dead for many years and that the said parcel of land now belongs to his deseendants and that there are nine of such descendants. Please state whether the land can be conveniently divided in kind between these nine parties.

A. I should not think so to an advantage to the parties interested. In the first place it is a small parcel of farming land and the condition of the land is very poor. I have never been over the wooded land. I think part of it is low land. There are one or two houses on it but they are worthless. To cut it up into small lots, as would have to be done, each party would get nothing more than a small lot of land that would not be of much value to any one.

Q. Do you know where the heirs are?

A. No sir. They are not there. None of the parties live on the land. Mary Roney, plaintiff, daughter of Lewis Barnes, is in this section.

Q. Do you know whether any of the parties are willing to take the entire parcel of land and pay the others for their interest therein?

A. No I do not.

Q. Can you state whether the interests of the several parties will be promoted by a sale of the land and distribution of the proceeds among them according to their shares?

A. I should think it would promote their interest to sell it. I don't know what it rents for, but in my judgment by the time it was divided up it would not amount to much. It would be to the best interest of all concerned to have it sold and the money divided among the heirs. The land is bounded by the lands of myself, William A. Lassiter and others and is situated about a mile from Murphy's Mill.

And further this deponent saith not.

R. D. Wright.

W. A. King, being duly sworn, deposes and says:

Q. What is your name, age, residence and occupation and do you know the land owned by Lewis Barnes?

A. W. A. King, fifty-one years old, Suffolk, Virginia, Deputy Treasurer of Nansemond County, and I know the land owned by Lewis Barnes. It is located in Chuckatuck Magisterial District, Nansemond County, about three miles from Suffolk, on the rear of the farm of William A. Lassiter and adjoining the land of R. D. Wright and others. According to the land-books of this County it contains forty-three and one half acres and valued at two hundred and eighty dollars including buildings. The buildings being valued at eighty dollars.

Q. It appears that the said parcel of land now belongs to the descendants of Lewis Barnes and that there are nine of them. Can you state whether or not the land can be conveniently divided between these several parties?

A. I don't think it could be on account of the large number of heirs and the small number of acres. I don't think it could be divided to their advantage. It would be almost valueless if cut up into four or five small lots.

Q. Do you know whether any of the parties are willing to take the entire property and pay the others for their interest?

A. No sir.

Q. Do you think it would promote the interest of all parties

to sell the land and divide the money?

A. I should think it would be better to sell it and divide the money . The cost of surveying it if cut up would be a great deal. There are no delinquent taxes on the land. Those for I904, however, are yet unpaid.

And further this deponent saith not. W. A. King

Mary Roney being duly sworn deposes and says:

Q. What is your name, age,residence and occupation?

A. Mary Roney, fofty-four, Suffolk, Virginia, nurse. I have been living here about eight years.

Q. Did you know Lewis Barnes and if so are you related to him?

A. Yes. He is my father.

Q. Is he now living?

A. He has been dead about twenty-four years.

Q. Did he leave any will?

A. No sir.

Q. Please state whether he owned any land and where it is situated?

A. It is situated near Murphy's Mill and adjoins the lands of William A. Lassiter, Rosser D. Wright, Hugh H. Williams and others.

Q. How many acres of the land?

A. Forty-two, more or less.

Q. Please state if you can who are the parties that now own said land?

A. I, the only living child of Lewis Barnes, am one, then there are the four Ricks children of my sister Sarah who married Merrit Ricks and then there are three children of my sister Annie Baker who married John Baker. One of these three children, Gertrude, married Richard Moss. These are the only parties that I know of that have any interest in the land as descendants of Lewis Barnes.

Q. Please state whether the said land can be conveniently divided among the parties mentioned?

A. I suppose it can be divided but not conveniently on account of the large number of heirs and the small number of acres.

Q. Do you know whether any of these parties would be willing to take the land and pay the other parties for their interests in it?

A. None of the parties would be willing to do that. As far as I know they are not able to do it

Q. Would it be best for all parties to sell the land and divide the money among them?

A. I think it would be best to sell the land and divide the money between the parties. I think it would promote their interest.

Q. Can you describe the land?

A. There are about fifteen acres of arrable land, about ten acres of wooded land and the balance of it consists of marshy and bottom land and not fit for cultivation.

Q. What sort of houses on the land?

A. They are right good to put feed in. They have been built a long time and are now old and dilapidated but good enough for people to live in. The stables and barn are built of logs. The house that my father built was burned down.

Q. You bought the interest of your sister Caroline Boone and your brother Jos. Barnes, did you not?

A. Yes sir.

Q. When you purchased their interest were all of your brothers and sisters except you three dead?

A. Yes sir.

And further your deponent saith now. mary rolce

Virginia,

County of Nansemond,to-wit:

I, Wilbur J. Kilby,Commissioner in Chancery,of the Circuit Court for the County of Nansemond,in the State of Virginia, do hereby certify that the foregoing depositions of Rosser D. Wright,W.A.King and Mary Roney were duly taken,sworn to,and subscribed before me at the time and place and for the purpose mentioned in the caption thereto.

Given under my hand this 15th. day of November 1904.

Wilbur J. Kilby

Commissioner in Chancery.

Everett Waddey Co.,
Stationers and Printers,
Richmond, Va. } Form No. 400

Commissioner's Office, Suffolk, Va.

To Mary Roney Complainant

and Sam Roney , Willie Ricks, Lewis Ricks, Joe Ricks, Mamie Ricks, Gertrude Moss, Richard Moss, Mariah Baker, and Joe Baker, Defendants.

You are hereby notified that on the 15th. day of November 1904, at my office, in Suffolk, Va., (at which time and place you are required to attend), I shall ~~take, state and settle~~ make the following ~~accounts~~ inquiries which are to be ~~taken, stated and settled~~ made and reported to Court in pursuance of the decree of the Circuit Court of Nansemond County, Va., rendered the 31st. day of October, 1904, in the suit in chancery pending in said Court to which you are parties, plaintiff and defendants, to-wit:

I. Whether the real estate in the bill mentioned can be conveniently divided in kind between the several parties entitled to share therein.

2. If the same can not be conveniently divided in kind, whether any party will take the entire property and pay therefor to the other parties such sums of money as their interests therein may entitle them to.

3. If the same can not be conveniently divided in kind and if no party will take the entire property and pay the others for their shares, whether the interests of those who are entitled to the property or its proceeds will be promoted by a sale of the of the entire property or by the allotment of part and sale of the residue.

4. Whether there are any liens thereon for delinquent taxes or otherwise.

5. Any matter specially stated deemed pertinent by myself or required by any party to be so stated.

Given under my hand, as Commissioner in Chancery of said Court, the 10th. day of November, 1904.

Wilbur J. Kilby
Commissioner in Chancery.

Service of this notice is hereby accepted by the undersigned this 10th. day of November 1904.

Mary Rollins

Form No. 400.

COMMISSIONER'S NOTICE.

vs.

Roney

vs. } In Chy.

Roney & als.

Report of Comr.
under decree of
31st. Octo. 1904

1904 Nov 15th Filed
A R Gomez D.C.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Mary Roney,.....Plaintiff.

vs. In Chancery.

Sam Roney and others,.....Defendants.

This cause came on again to be heard on the papers formerly read and on the report of S. E. Everett, special commissioner, which report shows that the proceeds of the sale of said property have been properly distributed and that Mamie Ricks having died without issue since the institution of this suit that her share has been paid equally among her three brothers, Willie, Joe and Lewis Ricks, to which report there is no exception, and was argued by counsel.

On consideration whereof, the court doth approve and confirm said report and nothing further remaining to be done in this cause the court doth adjudge, order and decree that the same be stricken from the docket.

Mary Roney,

vs. In Chancery.

Sam Roney and others/

Enter Nov. 10, 1905.

Robert R. Willis

Entered in Chancery
Order Book No. 4,
page 17.

Mary Roney and others,.....Plaintiffs.

vs.

Sam Roney and others,.....Defendants.

The answer of Gertrude Moss and Richard C. Moss, her husband, to a bill in equity exhibited against Sam Roney and others in the Circuit Court of Nansemond County by Mary Roney and others.

Your defendants state that they reside in Norfolk and wish to be made parties to this suit; that your defendant, Gertrude Moss, is the daughter of Annie Baker and that she is entitled to a fourth interest of her mother's interest in Lewis Barnes estate.

Your defendant, Gertrude Moss, has been advised that Mary Roney lost her deed which was executed by Lawrence Barnes, Mary Barnes, his wife, Caroline Boone and William Boone, her husband; that she never saw the deed but she has heard her uncle Lawrence Barnes say that he had no interest in the farm and that he sold to Mary Roney and acknowledged and delivered a deed for his interest along with Caroline Boone, and husband.

Your defendants ask that their interest be paid them and that their interest may be protected.

Your defendants further state that they understand that the property has been sold for $980.00 and they are satisfied with the sale of the same.

And your defendants will forever pray, etc.,

Gertrude Moss

R. C. Moss

VIRGINIA,

Nansemond County.

This day personally appeared before me, the undersigned Bradford Kilby Notary Public, the above signed parties and made oath that the statements made in the above are true.

Given under my hand this 5th day of April 5, 1905.

Bradford Kilby.

Notary Public.

Mary Roney and others,..... ..... Plaintiffs.

vs.

Sam Roney and others,.....Defendants.

The answer of Mary Barnes, ~~wife~~ widow of Lawrence Barnes, Charles Barnes, Lewis Barnes, John Barnes, Ed Barnes, children of Lawrence Barnes, to the bill of complaint exhibited against Charles Barnes and others in the Circuit Court of Nansemond County by Mary Roney and others. Your defendants state that they have seen the style of the above suit in the Suffolk Herald, in which it states that one of the objects of said suit is to prove a lost deed of Lawrence Barnes and Mary Barnes, and Caroline Boone and William Boone, which deed was to convey the interests of Lawrence Barnes and wife and Caroline Boone and husband in a certain tract of land known as the "Lewis Barnes" tract of land to Mary Roney.

Your defendant Mary Barnes is the ~~wife~~ widow of Lawrence Barnes but is not made a party to this suit. She states that she and her husband, Lawrence Barnes, al ong with Caroline Boone and her husband, William Boone, executed a deed conveying their interests in the Lewis Barnes' land to Mary Roney.

Your defendant John Barnes also remembers that said deed was made but he could not say that he ever saw the deed, however, he is fully satisfied from what he has heard his father say that such was done.

The other defendants, Charles, Ed, Lewis Barnes are younger and they state that they have never heard their father say anything one way of the other about selling this land, but never heard him make any claim as to any right he had in the same. We are all satisfied that our father and mother have no interest in the said tract of land and we

feel it due Aunt Mary Roney to file a paper in said suit to this effect. Your defendants are all over twenty years of age.

We pray that no costs may be charged against your defendants and we will ever pray, etc.

her
Mary X Barnes
mark

his
John X Barnes
mark

Witness as to all parties.
Bradford Kilby.

Lewis Barnes

his
Ed. X Barnes
mark

VIRGINIA,

County of Nansemond To-wit:

This day personally appeared before me the undersigned Bradford Kilby, Notary Public, ~~aforesaid~~ the above signed parties and made oath that the statements made in the foregoing answer are true.

Given under my hand this 5th day of April, I905.

Bradford Kilby
Notary Public.

VIRGINIA- In the Circuit Court of Nansemond County, in vacation on the 2nd day of Feby, 1905.

Mary Roney, R. D. Wright, W. A. Lassiter, Charles Holloway, Dawson Holloway, Ella Williams and Mary Eliza Butler,..... .....Plaintiffs.

In Chancery.

vs.

Amended and supplemented bill.

Sam Roney, husband of Mary Roney, Willie Ricks, Lewis Ricks, Joe Ricks, Memie Ricks, children of Sarah and Merrit Ricks, deceased, Gertrude Moss and Richard Moss, her husband, Joe Baker, John Baker and Mariah Baker, the children of Annie Baker and John Baker, deceased, William Boone, Dol Boone, Joe Boone, Paul Boone, Vithia Boone, Lucy Boone and Rosa Boone, children of Caroline and William Boone, deceased, Charles Barnes, child of Lawrence Barnes and Mary Barnes, deceased, all of whom are non-residents, and other children of Caroline Boone and William Boone, and Lawrence Barnes and Mary Barnes, who are unknown, and other unknown heirs of Caroline Boone and William Boone, and Lawrence Barnes and Mary Barnes,.....Defendants.

The object of this suit is to amend and supplement the bill filed by Mary Roney in said Court for a partition of the Lewis Barnes' tract of land adjoining the lands of R. D. Wright, Willie Lassiter and others, in which suit the above named heirs of Caroline Boone and William Boone, and Lawrence Barnes and Mary Barnes were not made parties, she, Mary Roney, claiming to have purchased the interests of Lawrence Barnes and Mary Barnes and Caroline Boone and William Boone, deceased, but the deed having been destroyed by fire when the house on said Lewis Barnes' tract of land was burned; it is the purpose of this suit to establish said lost deed executed by Caroline and William Boone and Lawrence and Mary Barnes, and to establish the rights, if any, of the heirs of Caroline and William Boone, and Lawrence Barnes and Mary Barnes. The land having been sold in said suit and the deed not being executed on account of the uncertainty of Mary Roney's title to said property, and affidavit having been made and filed that Sam Roney, Willie Ricks, Lewis Ricks,

Joe Ricks, Mamie Ricks, Gertrude Moss, Richard Moss, Joe Baker, John Baker, Mariah Baker, William Boone, Dol Boone, Joe Boone, Paul Boone, Vithia Boone, Lucy Boone, Rosa Boone, and Charles Barnes are non-residents, and that the other heirs of Caroline Boone and William Boone are unknown; it is ordered that the non-residents and unknown defendants appear, within fifteen days after due publication of this notice in the Clerk's Office of Nansemond County, and do what may be necessary to protect their interests, and it is ordered that a copy of this notice be published in the Suffolk Herald, a newspaper published in the town of Suffolk, Virginia, once a week for four successive weeks and it shall be published and posted according to law.

A. P. Gomer D.C.

S. E. Everett, p. q.

Published. February 3rd, 1905.

VIRGINIA- In the Circuit Court of Nansemond County.

TO THE HONORABLE ROBERT R. PRENTIS, JUDGE OF CIRCUIT COURT OF NANSEMOND COUNTY:

Mary Roney and others,.....Complainants.

vs. Amended and supplemented bill.

Sam Roney and others,.....Defendants.

The amended bill of your complainant, Mary Roney, respectfully represents that she heretofore exhibited in this Court her original bill of complaint against Sam Roney and others, which was as follows:

"Your complainant, Mary Roney, complaining represents to your Honor the following case: That your complainant is the daughter of Lewis Barnes, who died several years ago, leaving a tract of land situated in Nansemond County, Virginia, and bounded by the lands of Willie Lassiter, Rosser D. Wright and others. Your complainant further states that Lewis Barnes, father of your complainant, died leaving the following heirs:
Mary Roney, who karried Sam Roney, Lawrence Barnes, who married Mary, Joe Barnes, who married Martha, Caroline Boone, who married William Boone, Sarah Ricks, who married Merritt Ricks, Annie Baker, who married John Baker and David Barnes. All of the brothers and sisters of your complainant are dead and their husbands and wives.
Joe Barnes, Martha Barnes, his wife, and David Barnes died shortly after the death of their father, Lewis Barnes. David Barnes had never married. Joe Barnes and Martha Barnes died without children. Your complainant purchased the interest of Caroline Boone and Lawrence Barnes after the death of David Barnes, and Joe Barnes and his wife.
Sarah Ricks, Merritt Ricks, ~~Joe Ricks and Mamie Ricks~~. her husband, died leaving four children, namely Willie Ricks, Lewis Ricks, Joe Ricks and Mamie Ricks.
Annie Baker, sister of your complainant, and John Baker, her husband, died leaving three children, namely, Gertrude Moss, who married Richard Moss, Mariah Baker and Joe Baker.
With this bill is filed a statement and diagram giving clearly the interest of each ehir, as to how they died, etc.

And your orator further states, that the said real estate is, as she believes, susceptible of partition among the parties thereto; but if it be not, then your complainant desires the same to be sold, and the proceeds divided among the heirs, according to their respective rights; should the property not be divisible in kind, your complainant believes, and here states, that the interests of those who are entitled to the said real estate, or its proceeds, will be promoted by a sale of the whole of said real estate, or by an allotment of part and sale of the residue.

In tender consideration whereof, and forasmuch as your complainant is remediless in the premises save by the aid of a Court of equity, where matters of this kind are alone and properly cognizable, your complainant prays that the

said Sam Roney, Willie Ricks, Lewis Ricks, Joe Ricks, Mamie Ricks, Gertrude Moss, Mariah Baker, Joe Baker, and Richard Moss may be made parties defendant to this bill, and required on their oaths to answer the same; that proper process issue; that the said real estate be divided between the several parties entitled thereto, and your complainant's portion thereof be alloted to her, and in case the said real estate cannot be partitioned and divided in kind, that the same be exposed to sale, and the proceeds of such sale be divided among the parties entitled thereto; that all proper orders and decrees may be made and proper enquiries be directed, and that all such other, farther and general relief may be afforded your complainant as the nature of her case may require or to equity shall seem meet.
And your complainant will ever pray, etc.
Signed. Mary Roney. "

It appears in the original bill that your complainant claims the interest of Caroline Boone and Lawrence Barnes, but thedeed or deeds conveying their interest to your complainant were never recorded for the reason that your complainant expected to buy other interests and your complainant kept the said deed in the house on the premises and the house was destroyed by fire at which time the said deed was also destroyed. After your complainant purchased the certain interests from Caroline Boone and Lawrence Barnes as named in the original bill she had the farm divided and she took in possession the interests purchased by her although your complainant had entered no suit for the partition of said land. There has never been any question raised as to your complainant's title to the said land. The interests of your complainant and others are clearly stated in the original bill. The persons in possession of the co-terminous parcel are named as plaintiffs in the amended bill along with your complainant as follows:

R. D. Wright, W. A. Lassiter, Dawson Holloway, Charles Hollaway, Ella Williams and Mary Eliza Butler.

Your complainants further state that there is no disputed line between the owners of the Lewis Barnes tract of land and the adjoining owners. The lines are well established. And although your complainant, Mary Roney,

laid off her interest as one of the heirs and the interest that she purchased of Caroline Boone and Lawrence Barnes there was no partition suit and she only owned her undivided interest in the tract of land.

In tender consideration whereof and for as much as your complainant is remediless in the premises save by the aid of a Court of equity where matters of this kind are alone and properly cognizable your complainant prays that the following parties may be made parties defendant: Sam Roney, Willie Ricks, Lewis Ricks, Joe Ricks, Mamie Ricks, Gertrude Moss, Richard Moss, Joe Baker, John Baker, Mariah Baker, William Boone, Dol Boone, Joe Boone, Paul Boone, Vithia Boone, Lucy Boone, Rosa Boone, Charles Barnes, and other children of Caroline Boone and William Boone, Lawrence Barnes and Mary Barnes, who are unknown, and all other unknown heirs of Caroline Boone and William Boone, Lawrence Barnes and Mary Barnes, and Lewis Barnes; that all proper process issue and that the said lost deed be set up and the rights of your complainant, Mary Roney, established as well as the rights of all parties interested; that all proper orders and decrees may be made and proper inquiries be directed; and that all such other, farther and general relief may be afforded your complainants, Mary Roney, R. D. Wright, W. A. Lassiter, Charles Holloway, Dawson Holloway, Ella Williams and Mary Eliza Butler, as the nature of their case may require or to equity shallseem meet,

And your complainants will ever pray, etc.

L. E. Everett Atty
for Plaintiffs

Mary Rowe et als
vs Columbia Mill

Jesse Rowe et ux
et als.

S. E. EVERETT,
ATTORNEY AT LAW,
SUFFOLK, VA.

TO THE HONORABLE ROBERT R. PYENTIS, JUDGE OF THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

2nd August Rules, 1904.

Your complainant Mary Roney, complaining represents to your Honor the following case: That your complainant is the daughter of Lewis Barnes, who died several years ago, leaving a tract of land situated in Nansemond County, Virginia, and bounded by the lands of Willie Lassiter, Rosser D. Wright and others. Your complainant further states that Lewis Barnes, father of your complainant, died leaving the following heirs:

Mary Roney, who married Sam Roney, Lawrence Barnes, who married Mary, Joe Barnes, who married Martha, Caroline Boone, who married William Boone, Sarah Ricks, who married Merritt Ricks, Annie Baker, who married John Baker and David Barnes. All of the brothers and sisters of your complainant are dead and their husbands and wives.

Joe Barnes, Martha Barnes, his wife, and David Barnes died shortly after the death of their father, Lewis Barnes. David Barnes had nver married. Joe Barmes and Martha Barnes died without children. Your complainant puychased the interest of Caroline Boone and Lawrence Barnes after the death of David Barnes, and Joe Barnes and his wife. Sarah Ricks, Merritt Ricks, her husband, died leaving four children, namely, Willie Ricks, Lewis Ricks, Joe Ricks, and Mamie Ricks.

Annie Baker, sister of your complainant, and john Baker, her hasband died leaving three children, name,y, Gertrude Moss, who married Richard Moss, Mariah Baker and Joe Baker.

With this bill is filed a statement and diagram giving clearly the interest of each heir, as to how they dies, etc.

And your orator further states, that the said real estate is, as she believes, susceptible of partition among the parties thereto; but if it be not, then your complainant desires the same to be sold, and the proceeds divided among the heirs, according to their respective rights; Should the property not be divisible in kind, your

complainant believes, and here states, that the interests of those who are entitled to the said real estate, or its proceeds, will be promoted by a sale of the whole of said real estate, or by an allotment of part and sale of the residue.

In tender consideration whereof, and forasmuch as your complainant is remediless in the premises save by the aid of a court of equity, where matters of this kind are alone and properly cognizable, your complainant prays that the said Sam Roney, Willie Ricks, Lewis Ricks, Joe Ricks, Mamie Ricks, Gertrude Moss, Mariah Baker, Joe Baker, add Richard Moss may be made parties defendant to this bill, and required on their oaths to answer the same; that proper process issue; that the said real estate be divided between the several parties entitled thereto, and your complainant's portion thereof be alloted to her, and in case the said real estate cannot be partitioned and divided in kind, that the same be exposed to sale, and the proceeds of such sale be divided among the parties entitle thereto; that all proper orders and decrees may be made, and proper enquiries be di ected, and that all such other, farther and general relief may be afforded your complainant as the nature of his case may require, or to equity shall seem meet. And your complainant will ever pray, etc.

E. Brewer P.Q. Mark Roney

STATEMENT.

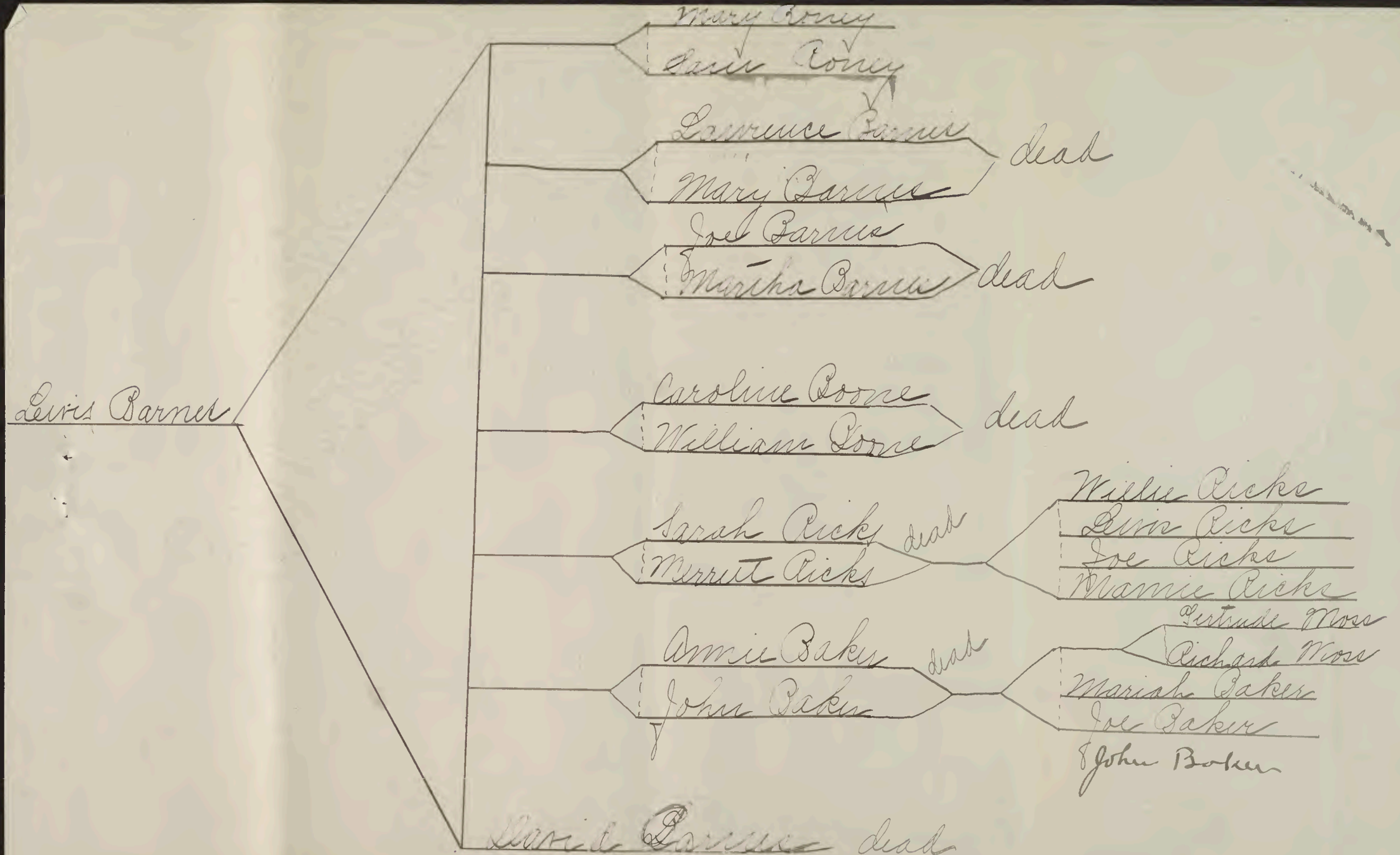
Lewis Barnes died leaving seven children, namely Mary Roney, Joe Barnes, Lawrence Barnes, Caroline Boone, Saran Ricks, Annie Baker and David Barnes.

Soon after the death of Lewis Barnes, their father, David Barnes and Joe Barnes and his wife died leaving no childred, and their 2/7ths interest to be equally divided between the five remaining heirs, that 2/7 divided by 5 which is 2/35. Each one would have I/7 and 2/35 which is seven thirty-fifths. Mary Roney, the plaintiff, would then own 7/35 and she then bought interests of Caroline Boone and Lawrence Barnes, each owning 7/35 int., she would then have 7/35 and 7/35 and 7/35 which is 2I/35.

Leaving I4/35 to be divided between the children of Annie Baker and Sarah Ricks.

Sarah Ricks having four children each one would get 7/I40 int.

Annie Baker having three children each one would get 7/I05 int.


Levis Barnes
Mary Coney
Lawrence Barnes
dead
Mary Barnes
Joel Barnes
Martha Barnes
dead
Caroline Boone
William Boone
dead
Willie Ricks
Levin Ricks
Joe Ricks
Mamie Ricks
Sarah Ricks
dead
Merrit Ricks
Gertrude Moss
Richard Moss
Annie Baker
dead
John Baker
Mariah Baker
Joe Baker
& John Baker
Daniel Barnes
dead

Mary Roney
Vs
Sam Roney et ches
Bill.

S. E. EVERETT,
ATTORNEY AT LAW,
SUFFOLK, VA.

Mary Roney
vs } In Chancery
Sam Roney & others

1904 Aug 13th Process issued returnable
to August Rules 3rd Monday.

" " " Order of Publication

" " 15. Bill filed.

" Sept 1st. Set for hearing on order
of publication

Chancery Notes