1909-058
Nansemond Co (Suffolk) Chancery Causes: James E. Jones et al vs A. McF. Jones et al

Beale

James E Jones Vals
Vs } In Chancery
A Wm H Jones Vals

Costs

Clerk	$4.47	
Shff	1.00	Howell
Day	1.50	
Atty	15.00	
	$21.97	

E. E. HOLLAND,
ATTORNEY AT LAW.
Commonwealth's Attorney for Nansemond County.

SUFFOLK, VA.,

March10th, 1891

To A.P.Gomer, Clerk of Cir cuit Court of Nansemond County,

Jas.E.Jones and Garrie E.Beale

vs -In Chancery-

A.McF.Jones, Pattie S.Jones, widow of F.M.Jones, deceased, Alvah H.Jones, Martha E.Jones, and Francis M.Jones, the last three infants under the age of twenty one years.

Issue summons in chancery to March (3rd Monday) Rules, 1891.

E. E. Holland
p. q.

Memorandum
J E Jones and
Carrie Burke
vs
A M Cobb Bros

Chy

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON A McF Jones, Pattie S Jones widow of F M Jones deceased Sloah A Jones Martha E Jones and Francis M Jones the last three infants under the age of twenty One Years.

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 March 1891, to answer a Bill in Chancery, exhibited against them in the said Court by Jas. E Jones and Carrie E Beale

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this 11th day of March 1891, in the 115th year of the Commonwealth.

Teste:

A P Gomer Clerk.

Executed this the 16th day of March 1891.
By delivering a true copy of the within Summons
To each of the within named A M C. H. Jones
And Pillie S. Jones Widow.

M. W. Howell S.C.

E E Holland pq

Jas E Jones & Carrie E Beale
Vs
In Chancery
A M C Jones et als

1891
March Rules
Third Monday

Process Book
No 2 Page 49

Circuit Court

All Available Text Successfully Captured

the dollar endorsed as on Plaint by said deed.
Said Commissioner divided it Lot 1 according to
Combined Survey & said Plaint as to quantity
and condition &c.
Said Commissioner also set out that Jas. E. Jones,
Jane E. Beall and A. M. C. H. Jones desired and
elected to have their shares laid off together
instead of having a separate allotment thereof
as authorized by said decree and on account
of a relation & said Lands lying conveniently
Said Commissioner & said parties together desiring
it so. To all Concerned
Said Commissioner then assigned and made
partition of said Land as follows
To Jas. E. Jones, Jane E. Beall and A. M. C. H. Jones,
for electing to have their shares laid off
together, all that part of the Lands of Robert
A. S. Jones died seized and possessed, bounded
and described as follows. Beginning at a stone
on East & road near Upper Store standing in
Pine Run and runs Eastwardly along the pair
road to the Branch road to the
mouth of the Lane & the late H. H. Jones & Old Dwelling
plantation along said Lane to a corner on
Wells Jones and H. H. Jones & runs on a
Line between them Around the Bogett pond
to a corner in the Old Road fence

Runs along the line of the land assigned
the heirs of H. H. Jones & the Grist station near
Upper Store Containing 5.9 acres.
Valuation said shares at $425. Each
To the heirs at Law of H. H. Jones, deceased,
Alvan & Jones Martha E. Jones and James M.
Jones, to wit as the Surveyor did the part
of the lands lying between the Branch and
South Lane roads, known as the Jos. L. Jones
land containing 7 1/2 acres. The East boundary
of said Allotted lying on road side & Branch
and South Lane road Containing 3 acres
and a half Beginning on Credit of Rudy Brown
thence along road to Sam Evans and adjoining
near to Grist Store. Thence to a persian on the old
line for the Road. Corner Thence along the
Road Corner to Beginning, containing 3 70 acres
Total of land of H. H. Jones, 11 1/2 acres
Value $425.

Respectfully submitted -
Jno. H. Barnes.
Robt Rawls
J. H. Robertson
Comm'rs

Commissioners Report-
Division of Lands of
A. H. Jones dec

1891 September 30th.
Filed
A.P.G.
clerk

~~Lawrence & Son, R. C. Hall and such other creditors of F.M. Jones, deceased, &c~~ Jas E. Jones & Garnie E. Beale —

vs-In Chancery

A. McF. Jones and others.

This cause came on this day to be heard on the bill taken for confessedas to the adult defendants, the answer of the infant defendants by their guardian ad litem, John B. Pinner and of the said guardian ad litem, with replications thereto and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that Dr. Thos H. Barnes, Robert Bawles, Jas L. Vaughan, J. C. Robertson and Reuben W. Hurell.

who are hereby appointed Commissioners for the purpose, any three or more of whom, may act, having first been duly sworn, do proceed to lay off and divide the real estate of which Adolphus H. Jones died seized and possessed, in the bill mentioned into four equal parts, having regard to quantity and quality, and assign one of said four partsto each of the heirs of said Adolphus H. Jones, deceased, namely, to Jas. E. Jones, one fourth part, to A. McF. Jones one fourth part, to Garric E. Beale one fourth part, and to the heirs of F. M. Jones, deceased the other one fourth part. But if said Commissioners should find it impracticable to divide said land among the aforesaid parties, or should be of opinion that the interests of said parties would be more promoted by a sale of said real estate, in such case they are requiredto report the facts upon which their opinion is based to Court, and also what ib their opinionis the fee-simple value of the whole of the real estate of which Adolphus H. Jones died seized and possessedand in either case they are required to report their proceedings under this order to Court.

Jones
W. J. Deane —
Juries

April 10th/1891
Dole entered
CMK

Entered See Chancery
order Book No. 2. page 310

Copied for E.H.K

In the Circuit Court of Nansemond County-
James E.Jones and others
vs-In Chancery
A.McF.Jones and others-

This cause came on this day to be again heard on the papers formerly , and on the report of Thos.H.Barnes, Robt.Rawles, J.W.Robertson and Neverson Howell, four of the Commissioners appointed by decree entered herein, to make partition of the lands of A.H.Jones, deceased in the bill and proceedings mentioned, among the children and heirs at law of said A.H.Jones, deceased, filed on the 30th day of September, 1891, to which report there is no exception and was argued by Counsel: On consideration whereof , itappearing to the Court, from the report of the said Commissioners aforesaid, that they assigned, to James E. ~~Beale~~ Jones, Garrie E.Beale, and A.McF.Jones, three of the children of said A.H.Jones, deceased, they the said James E.Jones , Garrie E.Beale and A.McF.Jones, electing to have their shares laid off together, and partition of the lands being made most conveniently in that way, the following :

All that part of the lands of which said A.H.Jones, died seized and possessed, in Nansemond, County, Virginia, bounded and described as follows: Beginningat a point in centre of road near Tyler' s shop, marked by an iron pinand chopped trees, thence along the road known as the Wyanoke road by the residence of the late A.H.Jones, deceased to the Daughtrey path, thence along said path to acorner on Mills Jernigan and W.H.Jones, thence in a line of chopped trees toward the Boyett field toa corner in the old Hunter line, and thence along the line of the land assigned to the heirs of F.M.Jones, deceased, to the first station near Tylers shop, and containing Three hundred and nine acres (309).

To the heirs at law of F.M.Jones deceased. Alvah H.Jones, Martha E. Jones, and Frances M.Jones, the following. All that part of the lands of A.H.Jones, deceased, in Nansemond County, Virginia, in the bill and proceedings mentionedlying between the South-Quay and Wyanoke roads

knownas the Jos.J.Lawrence tracts and containing forty eight acres. The tract of land purchased of Jas.Dillard lying on the West sid e of the Wyanoke and South Quay County roads and containing thirty acres- and a tract of land beginning in the centre of theReedy Branchand thence along the County road to an iron pin and chopped trees near Tylers shop-thence to a poplar in the old line in the Reedy Branchand thence along the Reedy Branch back to the beginning and containing Seventy acres-All of said tracts of land so assigned containing One hundred and forty eight acres and being the balance of the lands of which A.H.Jones,died seized and possessed in Nansemond County-

The Court doth in all respects ratify ,approve and confirm said report and doth order ,adjudge and decree that the division and partition of the said real estate in the bill and proceedings mentioned as herein made shall be held forever stable, firm, effectual and binding.

And this cause is continued &c.

Jones and others

vs-In Chancery

Jones and others

October 13 1891-To be entered

C M H

Entered in Chancery Order Book 202. fr 409

The answer of John B. Pinner, guardian ad litem to the infant defendants Alvah H. Jones, Martha E. Jones and Francis M. Jones, and the answer of said infant defendants Alvah H. Jones, Martha E. Jones, and Francis M. Jones, by John B. Pinner, their guardian ad litem, to the bill in equity exhibited against the said Alvah H. Jones, Martha E. Jones Francis. M. Jones and others in the Circuit Court of Nansemond County by Jas. E. Jones and others.

For answer to said bill the said guardian ad litem answers and says that he does not know whether the interests of said infant defendants would be promoted by a partition or sale of said property as prayed for in the bill or not; and the said infant defendants, by their guardian ad litem, answer and say that being infants of tender years they know nothing of the matters mentioned in the bill, and commit the protection of their interest to the Court. And now having answered they pary &c

John B. Pinner

Guardian ad litem to the said Alvah H. Jones, Martha E. Jones and Francis M. Jones, and the said Alvah H. Jones, Martha E. Jones and Francis M. Jones, by John B. Pinner, their guardian ad litem

Virginia, Nansemond County, towit:

This day personally appeared before me, the undersigned, a notary public for the said County, John B. Pinner, guardian ad litem to Alvah H. Jones, Martha E. Jones and Francis M. Jones, and made oath that he believes the several statements made in the foregoing answer to be true. Given under my hand this the 7th day of April 1891

E. E. Hilliard. N. P.

To the Hon C.W.Hill, Judge of the Circuit Court for the County of Nansemond:

Garrie E.Beale and Jas,E,Jones, Plaintiffs

vs -In Chancery-

A.McF.Jones, Pattie S.Jones, widow of F.M.Jones deceased, Alvah H.Jones, Martha E.Jones and Francis M.Jones, the last three infants under the age of twenty one years-Defendants

Complaining, showeth unto the Court, your complainants, Garrie E.Beale and Jas E.Jones, that your complainants father Adolphus H.Jones was in his life time seized and possessed of the following real estate:

A tract of land in Nansemond County, Virginia , containing Five hundred acres, more orless, and adjoining the lands of J.W.Lawrence, R.J.Johnson, R.C.Hall and others.

Another tract of land in said County and State, containing foty two acres, more or less and known as the J.J.Lawrence tract of land.

Another tract of land in said County and State, containing thirty acres, more or less and known as the Dillard tract .

And another tract of land in said County and State, containing sixteen acres and known as the Parker tract.

That being so seized and possessed of said real estate, sometime in the year 18-the said Adolphus H.Jones, departed this life intestate, leaving your complainants, and F.M.Jones, and A.McF.Jones, his only children and heirs at law.

That the said F.M.Jones has since departed this life leaving a widow, Pattie S.Jones, and Alvah H.Jones, Martha E.Jones and Francis M.Jones, his only children and heirs at law.The said

Alvah H. Jones, Martha E. Jones and Francis M. Jones are infants under the age of twenty one years.

And your complainants farther state that the said real estate is, as they verily believe, susceptible of partition among the parties entitled thereto; but if it be not then your complainants desire the same to be sold, and the proceeds of sale divided among the adult and infant parties, according to their respective rights; the shares of the infants to be held as directed by the statute in such case made and provided. Should the property be not divisible in kind your complainants state and believe that the interests of those who are entitled to said real estate, or its proceeds, will be promoted by a sale of the whole of said real estate, or by an allotment of a part and a sale of the residue.

In tender consideration whereof and for as much as your complainants are remediless save in a court of equity where matters of this kind are properly cognizable, your complainants pray that said A. McF. Jones, Pattie S. Jones, widow of F.M. Jones deceased, Alvah H. Jones, Martha E. Jones, and Francis M. Jones, the last three of whom are infants under the age of twenty one years, may be made parties defendant to this bill and required to answer the same (answers under oath waived); that a proper guardian ad litem may be assigned the infant defendants to defend their interests in this suit, who shall also answer the bill; that if necessary dower may be assigned to said Pattie S. Jones, widow of F.M. Jones, deceased, in the interest of her husband F.M. Jones, deceased in said land, or its equivalent in money paid to her in lieu thereof; that

proper process issue; that the said real estate may be divided between the several parties entitled thereto, and your complainants portions thereof allotted to them, 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 divided among the parties entitled thereto; that all proper orders and decrees be made and enquiries directed, and that all such other, further and general relief may be afforded your complainants as the nature of their case may require or to equity shall seem meet. And your complainants will ever pray &c.

Carrie E. Beach
Jas E. Jones,
By E. E. Hoeland,
Counsel

E. E. Holland, for [illegible]

Jas. E. Jones et als

vs. { Jn. Chancery

A. M. T. Jones et als

Circuit Ct. Nansemond Co.

J. B. Pruden
Commissioner

E. E. HOLLAND,
ATTORNEY AT LAW,
SUFFOLK, VA.

Everett Waddey Co., Stationers and Printers, Richmond, Va.

James E Jones &als
vs } In Chancery.
A McF Jones &als

1891 March 11th. Process issued returnable to March Rules third Monday (16th)

" " 16th. Process returned executed on all adult defendants. Bill filed. Jno B Pinner appointed Gar ad litem for Minor Children. Decree nisi vs defts.

" Apl 6 Decree nisi against defendant confirmed and cause set for hearing.

Jas E Jones Vols
Vs In Chancery

A M & F Jones
Chancery Notes.

Costs
Clerk 4.47
Jay 1.50
Shff 1.00
atty 15.00
$21.97

E. E. Nolland p.q

James E Jones & others

Vs. In Chancery

A M. E. Jones & others

1909

July 16th

Final Decree