

1921-003
Nansemond Co (Suffolk) Chancery Causes: Ella C. Luke, widow et al vs Hike D. Luke et al

Covington

TO THE HONORABLE JAMES L. McLMORE, JUDGE OF THE CIRCUIT
COURT OF NANSEMOND COUNTY:

Ella C. Luke et als.....Complainants
vs. REPORT OF COMMISSIONER
Mike D. Luke et als.....Defendants

Your Commissioner in the above-styled cause,
S. E. Everett, submits to your Honor the following case:

In accordance with a decree entered in this cause
on the 6th day of September, 1921, the National Bank of
Suffolk, Suffolk, Virginia, cancelled a certificate of the
said bank, filed in this cause, dated the 22nd day of June,
1920, for the sum of \$672.91, which amounted, with interest,
up to the present, to the sum of \$703.81, and placed the
same to the personal account of Girlie E. Luke Martz in the
said bank, and the said bank filed a credit receipt for the
said sum of \$703.81 along with the cancelled certificate of
the said bank in this cause.

There remaining nothing further to be done in this
cause, your said Commissioner, S. E. Everett, asks that the
same be stricken from the docket.

Respectfully submitted,


Special Commissioner.

Ella C. Luke et als

vs. FINAL REPORT

Hiko D. Luke et als.

1921 Sept 6. filed.
J.Lm

See certificate and credit
memorandum filed with report
dated 2nd day of July, 1920.

TO THE HONORABLE JAMES L. MCLEMORE, JUDGE OF THE CIRCUIT COURT, WARREN COUNTY:

Ella C. Luke, et als.....Complainants
vs. Report of Commissioner
Mike D. Luke, et als.....Defendants

Your Commissioner, in the above-styled cause, S. E. Everett, submits to your Honor the following report:

That on the second day of July, 1920, your Commissioner filed a final report in accordance with a decree entered prior to said report and deposited in the National Bank of Suffolk, Suffolk, Virginia, to the credit of the Court in this cause, \$672.91, the amount that Girlie E. Luke, infant in said cause was entitled to. The certificate of the National Bank of Suffolk was filed with said report.

That since said report was filed the said Girlie E. Luke has become twenty-one (21) years of age, to-wit, on the 25th day of August, 1921, *and that the said Girlie E. Luke is married* and now desires that the said amount deposited in the National Bank of Suffolk to the credit of the Court as her share, be paid to her.

Your Commissioner has required Girlie E. Luke, *Marty* to sign this report with your Commissioner as evidence of the fact that she is twenty-one years of age and desires to have the said amount paid over to her.

Your Commissioner asks that an order be entered directing the bank to withdraw the said certificate from the said papers and cancel the same and transfer the amount due the said Girlie E. Luke *Marty* to her personal account in said bank.

Respectfully submitted:

[Signature]
Special Commissioner.

Girlie E. Luke Marty

STATE OF VIRGINIA,
CITY OF SUFFOLK, To-wit:

Personally appeared before me, the undersigned
Notary Public, Hite D. Luke, and made oath that he is the
brother of Girlie E. Luke Martz, and that the said Girlie
E. Luke Martz was twenty-one (21) ~~years~~ of age on the
25th day of August, 1921.

Given under ~~my~~ hand this 31st day of August, 1921.

Hite D. Luke

Subscribed and sworn to before me this 31st day of August,
1921.

Sue W. Riddick
Notary Public.

My commission expires on the 10th day of March, 1925.

Ella C. Luke et als

vs. Report of
Commissioner

Hike D. Luke et als

1921. Sept 6. filed
J.L.M.

CREDIT

Mrs. Girlie E. Luke Martz

We are to-day crediting your account with **\$705. 81**
amount received from S.E. Everett, Special Com-
missioner in suit entitled Ella C. Luke et als
vs. Hike D. Luke, et als. - See order of court
entered 9-6-21

The National Bank of Suffolk,

Date 9-8-21 1921

LEVEY, IND'PLS.

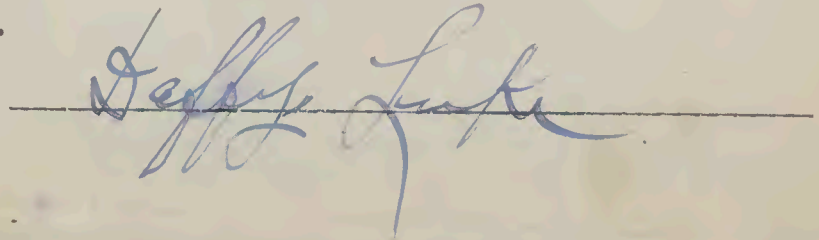
Ella C.Luke, et als. Complainants

vs

Hike D.Luke, et als. Defendants

\$672.91

Received of S.E.Everett, Special Commissioner in the above
styled suit the sum of Six Hundred and Seventy-two and 91/100 Dollars
for my share in the above suit.



Buffy Luke

Wlla C.Luke, et als. Complainants

vs

Mike D.Luke, et als. Defendants

\$672.91

Received of S.W. Liverett, Special Commissioner, in the above
styled suit, the sum of Six Hundred and Seventy-two and 91/100 Dollars
for my share in the above suit.

Mike D. Luke

Willa C. Luke, et als. Complainants

vs

Mike B. Luke, et als. Defendants

\$672.91

Received of S. W. Verett, Special Commissioner in the above styled
suit, the sum of Six Hundred and Seventy-two and 91/100 Dollars
for my share in the above suit.

x Annie W. Covington

Ella C. Luke, et als. Complainants

vs

Hike D. Luke, et als. Defendants

\$672.91

Received of S. W. Liverett, Special Commissioner, in the above
styled suit, the sum of Six Hundred and Seventy-two and 91/100 Dollars
for my share in the above suit.

Prinston R Luke

Puston & Luke

Ella C. Luke, et als. Complainants

vs

Hike D. Luke, et als. Defendants

\$672.91

Received of S.E. Everett, Special Commissioner, in the above
styled suit, the sum of Six Hundred and Seventy-two and 91/100 Dollars
for my share in the above suit.

Travis I. Luke

Henry S. Parker

Ella C. Luke, et als. Complainants
vs.

Hike D.Luke, et als. Defendants

\$804.00

Received of S.E.Everett, Special Commissioner in the above styled
suit the sum of Eight Hundred and Four and 00/00 Dollars,
for commuted dower in the above suit.

Ella C Luke

Ella C. Lute

National Bank of Suffolk,
Suffolk, Virginia.

June 22, 1920

Ella C. Luke, et als. Complainants
vs

Hike D. Luke, et als. Defendants

S.E. Everett, Special Commissioner, has deposited to the credit of the Circuit Court of Nansemond County in the above entitled cause, the sum of Six Hundred and Seventy two and 91/100 Dollars, the share of Girlie E. Luke, infant, in the above entitled suit, on interest from the 22nd day of June, 1920, subject to the order of the Court.

\$672.91

A. E. Hargrave, asst. Cash.

Cashier of the National Bank of Suffolk

Ella C.Luke, et als., ... Complainants
vs.

Hike D.Luke, et als., ... Defendants

TO THE HONORABLE JAMES L.MCLEMORE, JUDGE OF THE CIRCUIT COURT:

Your Commissioner, S.E.Everett, appointed by Your Honor in
the above entitled cause on the 20th day of January, 1920, to execute
a deed and convey the property mentioned in the bill and proceedings
in this cause, respectfully submits the following report:

Executed deed, and delivered the same to Hike D.Luke,

and received from him the purchase price, \$5,250.00

Disbursements and vouchers to cover as follows:

Clerk of the Court, \$25.00

Commissioners-- no charge.

Bond of Special Commissioner, 24.00

Commissions of Special Commissioner, 114.00

Writing deed, 10.00

Stamp on deed, 5.50

Fee allowed by Court, 200.00

Total expenses, 378.50

Balance on hand \$4,841.50

Divided said balance among the heirs entitled

thereto, as follows, after deducting widow's dower,

Ella C.Luke, commuted dower, 804.00
\$4,037.50

Preston D.Luke, 1/6 interest, \$672.91

Travis T.Luke, 1/6 interest, 672.91

Daffy B.Luke, 1/6 interest, 672.91

Hike D.Luke Luke, 1/6 interest 672.91

Annie O.Covington, 1/6 interest, 672.93

Girlye E.Luke, 1/6 interest, 672.93

To balance account, \$4,037.50

The share of the infant, Girlye E.Luke, deposited in the
National Bank of Suffolk, Suffolk, Virginia, and voucher filed herewith.

There remaining nothing further to be done in the matter,
Your Commissioner asks that the interests of the infant be allowed
to remain in Bank to the credit of the Court in this cause until fur-
ther orders of the said Court, and that the said Commissioner be
relieved of his bond.

Respectfully submitted,

H. Lawrence
Spec. Commr.

Ella C. Luke, et als
Final
vs. Report of Com'r
Hike D. Luke, et als.

Filed this 2 day of

July, 1920.
JLM

Ella C.Luke, et als., ...Complainants

vs

Hike D.Luke, et als. Defendants

This cause came on this day to be heard on the papers formerly read, and on the report of S.E.Everett, Special Commissioner, this day filed, to which report there is no exception, and was argued by counsel.

On consideration whereof it appearing to the Court from said report of said Commissioner, with the vouchers filed therein, that the said Commissioner has made proper disbursements of the funds in this cause, and that the said Commissioner filed the voucher of the National Bank of the City of Suffolk, showing that the said Commissioner placed to the credit of the Court in this cause, at interest, the share of the infant, Girlie E.Luke in this cause, amounting to Six Hundred and Seventy-two and 91/100 (\$672.91) Dollars, the Court doth adjudge, order and decree that the said report be confirmed, and that the said cause be removed from the docket, but with leave on the part of any party interested to have said cause reinstated on the docket when the necessity therefor arises

Ella C. Luke, et als

vs DECREE

Hike D. Luke, et als.

26
Enter this 2nd day of

July, 1920

H. L. Moore

Entered in Chancery

Order Book, No. 31

Page No. 2751

Ella C.Luke, et als. Complainants
vs

Hike D.Luke, et als. , ...Defendants

This cause came on this day to be heard on the papers formerly read and on the report of S.E.Everett, Special Commissioner, filed this 20th day of March, 1920, to which report there is no exception, and was argued by Counsel.

On consideration whereof, it appearing to the Court from said report of said Commissioner with the vouchers filed therein, that the said Commissioner paid the costs of these proceedings as directed in the decree entered in this cause the 20th day of January, 1920, and has on hand to the credit of the Court in this cause Four Thousand, Eight Hundred and Forty-one and fifty-one hundredths (\$4,841.50) Dollars to be distributed among the parties entitled thereto, the Court doth adjudge, order and decree that the said report be confirmed, and that the said Special Commissioner, S.E. Everett, is hereby authorized and directed to pay to the adults the amounts to which they are entitled in this cause, and deposit at interest in one of the banks of the City of Suffolk, the share of the infant, Girlie E.Luke, ^{subject to the future order of the Court in this cause} and file vouchers for his transactions with his report to the Court.

Ella C. Luke, et als.

vs Decree

Hike D. Luke, et als.

Enter this 10 day of

June, 1920

Gas. L. W. Moore

Entered in Chancery

Order Book, No. 6

Page, No. 271

0.0

Wlla C.Luke, et als. Complainants

vs.

Mike D.Luke et als. Defendants

\$ 25.00

Received of S.E. Verett, Special Commissioner in the above styled
suit, the sum of _____ DOLLARS

for cts.

L. E. Ambing Clerk

Ella C. Luke, et als. Complainants
vs.

Hike D. Luke, et als. Defendants

N^o

Received of S.E. Everett, Special Commissioner in the
above styled suit the sum of Twenty Four \$24.00 —
Dollars, for Bond as Special Commissioner
West Miller

Ella C. Luke, et als. Complainants
vs.

Hike D. Luke et als. Defendants

\$ 114⁰⁰

Received of S. E. Everett, Special Commissioner in the above styled
suit, the sum of One Hundred and fourteen DOLLARS

for costs of Spec Court

S. E. Everett

11
Ella C. Luke, et als. Complainants
vs.

Hike D. Luke et als. Defendants

\$ 10⁰⁰
 100

Received of S. E. Everett, Special Commissioner in the above styled
suit, the sum of Ten DOLLARS
for Writing Fee

Heaven

Wlla C.Luke, et als. Complainants

vs.

Hike D.Luke, et als. Defendants

\$ 5.50
1.00

Received of S.E.Everett, Special Commissioner in the

above styled suit the sum of Five + 50

Dollars, for Expenses and

S.E. Everett

Ella C. Luke, et als. Complainants
vs.

Mike D. Luke, et als. Defendants

20000

Received of S.E. Everett, Special Commissioner in the
above styled suit the sum of Two Hundred

Dollars, for fee allowed by Court

S.E. Everett

Ella C.Luke, et als.. Complainants
vs

Hike D.Luke, et als., ... Defendants

TO THE HONORABLE JAMES L. McLEMORE, JUDGE OF THE CIRCUIT
COURT OF THE COUNTY OF NANSEMOND.

Your Commissioner, S.E.Everett, appointed by Your Honor in
the above entitled cause on the 20th day of January, 1920, to
execute a deed and convey the property mentioned in the bill and
proceedings in this cause, respectfully submits the following
report:

Executed deed, and delivered the same to Hike D.Luke,
and received from him the purchase price, \$5,250.00

Your said Commissioner paid the costs
of these proceedings as directed by the
decree entered in this cause the 20th day of
January, 1920, as follows:

Clerk of the Court,	\$25.00	
Commissioners,---No charge.		
Bond of Special Commissioner,	24.00	
Commissions of Special Commissioner,	114.00	
Writing deed,	10.00	
Stamps on deed	5.50	
Fee allowed by Court,	200.00	
Total expenses,		378.50
Balance on hand, to the credit of the Court		\$4,841.50
To be distributed as follows:		
Ella C.Luke, Commuted dower	\$804.00	
Preston D.Luke, 1/6 interest,	672.91	
Travis T.Luke, 1/6 interest,	672.91	
Daffy B.Luke, 1/6 interest,	672.91	
Hike D.Luke, 1/6 interest	672.91	
Annie O.Covington, 1/6 interest,	672.91	
Girlie E.Luke, , 1/6 interest	672.93	
		\$4,841.50

Your Commissioner asks that the share of the infant, Girlie E. Luke, Six Hundred and Seventy two and 93/100 (\$672.91) Dollars, be deposited in one of the Banks of the City of Suffolk, at interest, to the credit of the Court in this cause, and that your Said Commissioner be released from further bond.

Respectfully submitted,

H. E. Everett
Solicitor General.

Ella C. Luke, et als
vs Report of Com'r
Hike D. Luke, et als.

Filed this 20th day of
March, 1920/

H. E. Martin
Clk

Ella C.Luke, et als., ... Complainants
vs

Hike D.Luke, et als., ... Defendants

This cause came on this day again to be heard upon the papers formerly read, and on the report of H.T.Taylor, W.T.Smith and John B. Archer, three of the Commissioners appointed by the decree entered herein on the 27th day of December, 1919, ^{which report was filed on the 10th day of January 1920} to which report there is no exception, and was argued by counsel.

On consideration whereof, and it appearing to the Court from the said report of the said Commissioners, that Ella C.Luke, widow of R.D.Luke, is sixty years old, and desires that her dower interest be commuted instead of being assigned as directed in said decree entered the 27th day of December, 1919, and that the said Commissioners do not think it practicable to divide the land among the heirs entitled thereto, and that the said Hike D.Luke, one of the heirs and parties to the suit agrees to take the whole for the sum of Five Thousand, Two Hundred and Fifty (\$5,250.00) Dollars, which the said Commissioners believe to be a good price for said property, it is adjudged, ordered and decreed that the said report be confirmed, and that S.E.Everett who is hereby appointed Special Commissioner for the purpose, do make and execute a good and sufficient deed of conveyance, conveying the fee simple interest in the said property to the said Hike D.Luke for the said sum of Five Thousand, Two Hundred and Fifty (\$5,250.00) Dollars, with covenant of Special Warranty, which said property is described as follows:

All that tract, piece or parcel of land situate, lying and being in Chuckatuck Magisterial District, Nansemond County, Virginia, containing sixty (60) acres, more or less, being all the land or farm lying on the North side of the Norfolk and Western Railroad, and bounded as follows: on the North by the lands of Junius T. Johnson; on the East by the lands of Robert Archer, and on the West by the lands of John C. Wright, together with all and sundry, the appurtenances belonging to the same.

The said Commissioner, after deducting the adjudged Court costs

in these proceedings, and a fee of \$200- for counsel for instituting and conducting this suit, is directed to deposit the remainder in one of the Banks of the City of Suffolk to the credit of the Court in this cause, and to report his proceedings hereunder to the Court, and return therewith the certificate of said deposit and vouchers for the disbursements of said costs; and the said Special Commissioner, S.E.Everett, shall have no power to execute 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 penalty of \$6000. conditioned upon the faithful discharge of his duties hereunder or of any further decrees to be entered herein.

Ella C. Luke, et als

vs. Confirming Report

Hike D. Luke, et als

Enter this 24 day of

January, 1920

Jas. L. Moore

Entered in Chancery

Order Book, No 5-

Page No. 246

Ella C.Luke, et als, ...Complainants

Vs

Hike D.Luke, et als Defendants

TO THE HONORABLE JAMES L.MCLEMORE, JUDGE OF THE CIRCUIT COURT
OF NANSEMOND COUNTY.

The undersigned Commissioners appointed by the decree entered on the 27 th day of December, 1919, in the above cause, on the 30th day of December, after being duly sworn, proceeded to execute the duties thereby enjoined upon them by said decree.

Your Commissioners are thoroughly familiar with the land, and after consultation, feel convinced that it would be impossible to divide this land among the heirs to any advantage. There are but sixty acres of land, and six heirs among whom to divide said land, after having set aside the share of the widow. Your Commissioners are therefore convinced that, in order to realize anything from this estate, it would be better to sell it in whole, and not in part.

Your Commissioners are advised that the main reason for selling is the fact that the entire family are away from this land, and unable to properly collect rents, look after, or secure tenants, or keep the farm in a good condition. Your Commissioners are further advised that one of the heirs, Hike D.Luke, has offered to purchase the shares of the other heirs, paying for the property the sum of Five Thousand, Two Hundred and Fifty (\$5,250.00) Dollars. Your Commissioners are satisfied that this is a good and fair price for the land, and that it will be to the interests of all concerned to allow the sale of this land to the said H.D.Luke for the said sum of Five Thousand, Two Hundred and Fifty(\$5,250.00) Dollars. Ella C.Luke, widow, sixty years old, desires her dower interest commuted.

Respectfully submitted,

H. J. Taylor
W. J. Smith
Geo. B. Blum

Ella C. Luke, et als
vs. Com'rs Report.
Hike D. Luke, et als.

Filed this 10th day
of January, 1920.

W. B. R. R.

Ella C.Luke,widow of R.D.Luke, Preston D.Luke,
Annie O.Covington and M.A.Covington,her husband,
Travis T.Luke and Daffy B.Luke,. Complainants
vs Decree.

Hike D.Luke, and Mattie O.Luke,his wife,and
Girlye E.Luke,the last named being an infant
under the age of twenty-one years,. Defendants

This day came Ella C.Luke, Preston D.Luke, Annie O Covington,
M.A.Covington, her husband, Travis T.Luke and Daffy B.Luke, Complain-
ants, and by leave of Court filed their bill, and, on motion, W.S.
Holland, a discreet and competent attorney at law was assigned as
guardian ad litem of the infant, Girlye E.Luke, to defend her inter-
ests in this suit, and thereupon the said guardian ad litem filed
the answer of the said infant defendant, and his answer to the said
bill of complaint, and the answer of the adult defendants, to which
several answers the complainants ^{replied} ~~responded~~ generally, and thereupon
by consent of all parties by counsel, this case was docketed and set
for hearing and by like consent came on this day to be heard on the
bill of complaints and the several answers of defendants to said bill
as set out above, and general replication of the complainants to sev-
eral answers and was argued by counsel:

On consideration whereof, the Court doth adjudge, order and
decree that J.T.Pierce, J.H.Powell, Paul J.Powell, H.T.Taylor, John
B.Archer and W.T.Smith, who are hereby appointed Commissioners for
the purpose, any three or more of whom may act, having been first duly
sworn, do proceed to lay off and divide the real estate of which R.D.
Luke died seized and possessed, (after having laid off and set aside
the widow's dower) into six equal parts,having regard to quality and
quantity,and assign one of the said six parts to each of the children
and heirs at law of the said R.D.Luke,deceased,namely, Preston D.Luke,
Annie O.Covington, Travis T.Luke, Daffy B.Luke, Hike D.Luke, and
Girlye E.Luke. But if the said Commissioners should find it

impracticable to divide said land among the aforesaid parties, or should be of opinion that the interests of the said parties would be more promoted by a sale of the same, in such case, they are required to report the facts upon which their opinion is based, to the Court, and also what, in their opinion, is the fee simple value of the whole of the real estate of which R.D.Luke died seized and possessed, and in either case, they are required to report their proceedings under this order to the Court.

Ella C. Like, et als

vs Appointing Com'ts

Enter this 27 day of

December, 1919

for S. McInnis

We consent:

W. S. Halland
Guardian ad litem for
Gladie E. Luke

McInnis
for all parties
except defendant.

Entered in Chancery

Order Book, No. 51

Page No. 242

IN THE CIRCUIT COURT OF THE COUNTY OF HANSEMAN, VIRGINIA:

Ella E. Luke et als.....Complainants

vs. ORDER

Hike D. Luke et als.....Defendants

This cause came on this day to be heard on the papers formerly read and on the report of S. E. Everett, Special Commissioner, which report is signed by Girlie E. Luke Martz and filed as of this date, to which report there is no exception and was argued by counsel.

On consideration whereof it is adjudged, ordered and decreed that this cause be reinstated and docketed, and it further appearing to the Court, from the said report of the said Commissioner, ^{that} there is now in the National Bank of Suffolk, Suffolk, Virginia, to the credit of the Court in this cause, the sum of \$672.91 with interest from the 22nd day of June, 1920, which sum is the share of Girlie E. Luke, who is now, by marriage, Girlie E. Luke Martz, and that the said Girlie E. Luke Martz was twenty-one (21) years of age on the 25th day of August, 1921, and desires that the said funds be placed to her personal account in said bank, the Court doth adjudge, order and decree that the said bank cancel the certificate filed in this cause, dated the 22nd day of June, 1920, for the sum of \$672.91 and place to the personal account of Girlie E. Luke Martz, in the said bank, the said funds and file a voucher showing the said transfer, along with the cancelled certificate, with S. E. Everett, Special Commissioner in this cause, and the said S. E. Everett, Special Commissioner, is required to make report to this Court under this order.

Y
Ella C. Lake et als

vs. ORDER

Mike D. Lake et als

Enter 6 day of Sept., 1921.

J. L. McInore

Entered September 6, 1921,

Chancery Order Book,

No. 55, Page 356.

IN THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND, VIRGINIA:

Ella C. Luke et als.....Complainants

vs. FINAL DECREE

Hike D. Luke et als.....Defendants

This cause came on this day to be heard on the papers formerly read and on the report of S. E. Everett, Special Commissioner, this day filed, to which report there is no exception and was argued by counsel.

On consideration whereof it appearing to the Court that, in accordance with a decree, entered in this cause on the 6th day of September, 1921, that the National Bank of Suffolk, Suffolk, Virginia, cancelled a certificate of the said bank for the sum of \$672.91, dated the 22nd day of June, 1920, in this cause, and placed the said sum, which amounted to \$703.81, including interest, to the personal account of Girlie E. Luke Martz, and filed in this cause a credit certificate of the said bank for the said sum of \$703.81 along with a cancelled certificate for the said sum of \$672.91, the Court doth confirm said report and there remaining nothing further to be done in this cause, the Court doth adjudge, order and decree that the same be stricken from the docket.

2/
Ella C. Luke et als
vs. FINAL DECREE
Hike D. Luke et als

Final Decree

Enter September 6, 1921.

J. M. Linsick

Entered September 6, 1921,

Chancery Order Book

No. 5, Page 356

IN THE CIRCUIT COURT OF NANSEMOND COUNTY

Ella C.Luke, et als., ...Complainants
vs. Answer

Hike D.Luke, et als., ... Defendants.

The answer of Girlie E.Luke, an infant under the age of twenty-one years, by W.S.Holland, her guardian ad litem appointed to defend her in this suit, and the answer of W.S.Holland, guardian ad litem of the said Girlie E Luke, to a bill of complaint filed against the said Girlie E.Luke and others, in the Circuit Court of Nansemond County, by Ella C.Luke, et als., Complainants.

The respondents, reserving to themselves the befit of all just exceptions to the said bill of complaint, for answer thereto, or such thereof as the said Girlie E.Luke is advised that it is material she should answer by her said guardian ad litem, answers and say:

That the said Girlie E.Luke is an infant of tender years, and by reason of her infancy is incapable of understanding or of taking care of her rights and interests therein; and that she, therefore, commends herself and her rights and interests to the protection of the Court, a and prays that no decree may be entered that will tend to her prejudice.

And now, having fully answered the complainants' bill, these respondents pray hence to be dismissed with their reasonable costs, by them in their behalf expended, and they will pray, etc.

W.S. Holland

Guardian ad litem for Girlie E.Luke,

and, Girlie E. Luke

by W.S.Holland, Guardian ad litem

H. S. Brown

Counsel.

STATE OF VIRGINIA

Nansemond County, to-wit:

W.S.Holland, Guardian ad litem for Girlie E.Luke, the respondent named in the foregoing answer, being duly sworn, says that the facts and allegations therein contained are true, except so far as they are therein stated to be on information, and that so far as they are therein stated to be upon information he believes them to be true.

W. S. Holland

Guardian ad litem for Girlie E.
Luke.

Taken, sworn and subscribe before me, May E Bullock
a Notary Public of and for the County and State aforesaid, in my City
aforesaid, this 2nd day of December 1919

May E Bullock

Notary Public

My term of office expires the 18th day of October

1923

Ella C. Luke, et als

vs Answer guardian
ad litem.

Hike D. Luke, et als

1919 Dec. 27. filed *LM*

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

Ella C.Luke, et als., ...Complainants.
vs Answer
Hike D.Luke, et als., ... Defendants.

The answer of Hike D.Luke, and Mattie O.Luke, his wife, to
a bill in equity exhibited against them and others, in the Circuit
Court of the County of Nansemond, by Ella C.Luke and others.

These respondents, saving and reserving, etc., say that they
are fully familiar with the allegations of the bill, and are fully
familiar with the reasons why the suit should be instituted at this
time. All of the family are away from the farm, and the tenants are
not satisfactory, and as a general rule, the family pays collection
fees in order to save the rent. These respondents fully agree in
the sale of the property.

Your respondents ask Your Honor to grant the prayer of the
bill, allowing the land to be sold as prayed for in the bill.

And now, having fully answered, they pray hence to be dis-
missed with their costs, etc.

H. E. L. Luke
Attorney

Hike D. Luke
Mattie O. Luke

Ella C. Luke, et als.

vs Answer

Hike D. Luke, et als.

1919 Dec. 27 filed
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Ella C.Luke,widow of R.D.Luke, Preston D.Luke,
Annie O.Covington, and M.A.Covington,her
husband, Travis T.LUke and Daffy B.Luke,. Complainants,
vs. In Chanceery.

Hike D.Luke, and Mattie O.Luke, his wife,and
Girlye E.Luke,the last named being an infant
under the age of twenty-one years, ... Defendants.

TO THE HONORABLE CIRCUIT COURT OF THE COUNTY OF NANSEMOND.

Your complainants, Ella C.Luke, widow of R.D.Luke, Preston D.
Luke, Annie O.Covington and M.A.Covington, her husband, respectfully
represent:

1. R.D.Luke died November 6, 1912, leaving no will, and
leaving as his real estate,the following described property,of
which he was seized and possessed at the time of his death:

All that tract,piece or parcel of land, situate,lying and
being in Chuckatuck Magisterial District, Nansemond County, afore-
said, containing sixty (60) acres, more or less, being all the land
or farm lying on the North side of the Norfolk and Western Railroad
and bounded as follows; on the North by the lands of Junius J.
Johnson; on the East by the lands of Robert Archer,and on the west
by the lands of John C.Wright, together withall and sundry the
appurtenances belonging to the same.

The following are the children and only heirs at law of R.D.
Luke: Preston D.Luke, Annie O.Covington, Travis T.Luke, Daffy B.
Luke, Hike D.Luke, Girlye E.Luke, the last named being an infant
under the age of twenty-one years; and Ella C.Luke the widow of
R.D.Luke.

The said real estate is, as they believe, susceptible of par-
tition among the parties entitled thereto; but should the property
not be divisible in kind, complainants believe and here state, that
the interests of those who are entitled ~~in~~ the said real estate,or
its proceeds, will be promoted by a sale of the said real estate,
or by an allotment of part and the sale of the residue/

In consideration whereof, and forasmuch as your complainants are
remediless in the premises, save by the aid of a court of equity,
they pray that the said Hike D. Luke and Mattie O. Luke his wife,
and Girlie E. Luke be made parties defendant to this bill, and the
said infant be required to answer the same by her guardian ad litem;
that a proper guardian ad litem be appointed in this cause for the
said infant, who shall answer this bill; that proper process issue;
that the said estate be divided among the parties entitled thereto,
or else, if it cannot be so divided, that it may be sold and the
proceeds divided among the adult and infant parties according to
their respective rights, the share of the infant to be held as
directed by statute for such cases made and provided; that all pro-
per orders and decrees may be made, accounts taken, and inquiries
directed; and that your complainants may have all such further and
other and general relief in the premises as the nature of their
case may require, or to equity shall seem meet.

Elle B. Luke

Preston P. Luke

Annie O. Lovington

W. A. Lovington

Travis B. Luke

Duffy B. Luke

H. B. Green
Counsel.

Ella C. Luke, et als.

vs BILL

Hike D. Luke, et als.

Filed this 27 day of Dec

1919 JLM

1921