1922-003
Nansemond Co (Suffolk) Chancery Causes: Lee J Jordan & wife vs Martha J. Jordan et al

Faulk, Boone, Barrett, Hofler, Hoffler

Jordan 40
140
25-
Jordan 1.55-
.60
4.00
70
1.50
45-
25-
100
75-
100 Cash
25- Grad Rec
25 Am. Oil
25- A. Book

1460
150

1610

41
13
123
41
533

20/600
60
0

(30

31

80
5-
100

Cash

FOLIO 1479 TERMS---CASH

Suffolk, Virginia 192

M Jno. K. Shelton, Special Com
Jordan & Jordan

TO **WEST & WITHERS,** DR.

Fire, Life, Marine, Accident, Health, Employers' Liability and Steam Boiler Insurance and Surety Bonds

P. O. BOX 103
10M 12-15-20

OFFICE No. 522 MAIN STREET

PHONE No. 10

DATE	POLICY No.	COMPANY	PROPERTY INSURED	AMOUNT	PREMIUM
1921					
Feb 4	1845994	F & D	Bond	6000	25 00
			Paid Sept 24/21		
			West & Withers		

SAUNDERS AND HUTTON
Suffolk, Virginia

68-124

NATIONAL BANK OF SUFFOLK

SUFFOLK, VA. Apr 16 19 21 No.

PAY TO THE ORDER OF Geo. P. Canning & Son $ 7 98/100 DOLLARS

PAID APR 21

FOR Survey of Josiah

Saunders & Hutton
E. Johns Hutton

Jno P. Cowling

September 24, 1921.

Received of John K. Hutton, Special Commissioner, in the chancery cause of Lee J. Jordan v. Martha J. Jordan and others, the sum of Ten Dollars Writing Deed

James H Hutton

September 24, 1921.

Received of John K. Hutton, Special Commissioner, in the chancery cause of Lee J. Jordan v. Martha J. Jordan and others, the sum of Fifty Dollars for Commissioner in Chancery

Bradford Kirby
Comr. in Chancery.

September 23, 1921.

Receivedof John K. Hutton, Special Commissioner, in the chancery cause of Lee J. Jordan v. Martha J. Jordan and others, the sum of TWELVE AND 50/100 ($12.50) DOLLARS, auctioneer's fee for the sale of the Jordan farm.

J. Lee E. Hacker
Andy.

Agents For

Royal Typewriters, Burroughs Adding Machines, Loose Leaf Ledgers, Blank Books & Office Supplies.

—Telephone 657—

C. R. Wallace & Company

Printers—Stationers—Engravers

Suffolk, - Virginia

No. 4244

Job No. 2354

Date 7/10 1921

Sold to Saunders v Hutton

Quantity	Size	DESCRIPTION	PRICE	Amount	Total
100		Hand Bills			9 00

Rec'd payment of Jolley & Shearin Co. Carrier
Rec'd payment of Jno. J. Jones — Chas. V. Newsom, J. Howard Chals Mis 23rd
Sept 1921

September 24, 1921.

Received of John K. Hutton, Special Commissioner, in the chancery cause of Lee J. Jordan v. Martha J. Jordan and others, the sum of Thirty one & 10/100 Dollars Cash

Clerk

G. E. Bunting Clerk

September 24, 1921.

Received of John K. Hutton, Special Commissioner, in the chancery cause of Lee J. Jordan v. Martha J. Jordan and others, the sum of one hundred Dollars for account by Clerk-

Saunders Shelton

September 24, 1921.

Received of John K. Hutton, Special Commissioner, in the chancery cause of Lee J. Jordan v. Martha J. Jordan and others, the sum of Eight Dollars Commissions Special Commissioner.

John K. Hutton

SAUNDERS & HUTTON
Attorneys at Law
Suffolk, Va.

January 20, 1921

Ryan v. Ryan
Pleadings

Received of John K.Hutton, Special Commissioner $22.94 for delinquent tax on James Jordan's estate

G.E.Smith, Clerk

June 30,1922

Saunders & Hutton, p. q.

Copy of Costs
Taxed in the Suit of:

Ada J. Jordan

vs.

Martha J. Jordan et als.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA

Writ Tax		1 50
Clerk		14 60
Sheriff (By consent)		
Attorney		15 00
Commissioner		31 10
Printer, for Order of Publication, etc.		
Deposit Sept. 23, 1920	$10 00	
Amt. due Clerk	$6 10	

Date of Judgment or Final Decree 191

Paid 191

Clerk

Boots

DEPOSITED IN

NATIONAL BANK OF SUFFOLK,

By _____

Suffolk, Va. _____ *19*__

SEE THAT ALL CHECKS AND DRAFTS ARE ENDORSED

	Dollars	Cents
CURRENCY		
SILVER		
GOLD		
CHECKS AS FOLLOWS (PLEASE LIST EACH CHECK SEPARATELY)		

It is expressly understood and agreed between the National Bank of Suffolk and the depositor using this ticket that all items payable out of this city, whether entered as cash or not, are received merely to be transmitted for collection; that the said bank is authorized to select agents, who shall be the agents of the depositor, to collect the same; and that the said bank shall in no event be responsible to the depositor for the insolvency, or for any negligence, acts, or misconduct of such agents.

EVERETT WADDEY CO. RICHMOND, VA.

Frank Jordan Esh.

Del Fox of 1919 10.14

Fox of 1920 10.40

20.54

Frank E. Jordan, deceased
Martha J. Jordan, widow
Lee J. Jordan son
Lydia Seams Jordan " 's wife
Virtley Jordan Faulk daughter
Geo. T. Faulk, " husband
(dead) Ann Mariah Boone daughter
Jesse Boone " husband
Selma Boone, grand-daughter
John Boone " " 's husband
Ernest L. Boone, infant.

19. 48
Sept. 1. 1887
Sept. 17. 1887

Rev. Frank E. Jordan
to
W. N. Camp
$1.00 per 1000ft. 100.000. ft. of Pine lember
general warranty
On tract of land lying in N. Co. Va. bounded & described by the lands of Wm. J. Council, Noah Harrell, & Holy Neck County Road.
5 yrs. to cut & remove the timber hereby conveyed, said term to ~~begin~~ commence from the time said party of second part begins to manufacture said timber into wood & lumber,

3. 173.

S. E. Everett, assignee of the Adm. of Z. T. Holland
v.
Jesse Boone
$24.00 with int. from 15 of Feb. 1908 till paid & $1.95 costs. on instrument waiving homestead
Rendered Jan. 26. 1911
Docketed June 9. 1911
J. F. DeBerry J.P.

3. 203 Dixie Guano Co

v.

Jessie Boone
$25.70 with int. from Dec 1. 1913 till paid
+ $2.75 costs.
Rendered May 30, 1914
Docketed Dec. 29. 1914
L. W. Williams J.P.

4. 23 Piedmont-Mt-Airy Guano Co.

v.

Jessie Boone
$50. with int from 1 Dec. 1914 till paid +
$3.25 costs. Homestead waived.
Rendered Nov. 25. 1916
Docketed Nov. 9. 1917

Frank Jordan estate.

Taxes delinquent for 1919
50 acres, Russell & Barrett 6.50
12 " self & Barrett .65
$7.15

2.53

Z. T. Holland

v.

Jesse Boon

Executed 21 July 1893

I can find nothing to satisfy the within judgment Fno part thereof Nov. 13, 1893

Wm. E. Whitfield, Constable

2.197

E. L. Fox Co.

v.

Jesse Boon

Return on Feb. 27, 1902

2.215

W. R. Frazier

v

Jesse Boon

Return no property

March 19, 1903.

2.53 Z. T. Holland

vs

Jesse Boon

$43.55 with int from 29th. July 1893 till paid + $1.25 costs.

Rendered July 29. 1893

Docketed Nov. 13, 1893

Robt. C. Daughtry, J.P.

=

2.197 E. L. Folk

vs.

Jesse Boon

$24.05 with int from 1st. Dec. 1900 till paid + $1.00 costs.

Rendered Dec. 14. 1901

Docketed March 3. 1902

A. S. Eley J.P.

=

2.215 W. R. Frazier

v.

Jessie Boon

$6.46 with int. from 20th March 1902 till paid + $1.41 costs.

Rendered March 20, 1902

Docketed March 19. 1903

J. B. Harrell J.P.

June 20, 1922.

$40.38

Received of John K. Hutton, Special Commissioner in the chancery suit styled Lee J. Jordan v. Martha Jordan and others, the sum of FORTY and 38/100 ($40.38) DOLLARS, that being the amount of judgment, interest and cost reported in these proceedings by the Commissioner in Chancery.

Dixie Grocer Co. Inc
By its atty- W. S. Holland

October 5, 1921.

Received of John K. Hutton. Special Commissioner in the chancery suit of Mee J. Jordan v. Martha J. Jordan and others, the sum of Two Hundred Thirteen and 20/100 ($213.20) Dollars, that being my curtesy interest in the proceeds of the sale of the land after payment of certain judgment liens.

(Jesse Boone)

Jesse Boone

Received of John K. Hutton, Special Commissioner in the chancery suit styled Lee J. Jordan v. Martha Jordan and others the sum of FIFTY-FOUR and 93/100 ($54.93) DOLLARS, that being the amount of judgment, interest and cost reported in these proceedings by the Commissioner in chancery.

E. L. Tate Co

E. Saunders & Allen

Its attorneys

Received of John K. Hutton, Special Commissioner in the chancery suit styled Lee J. Jordan v. Martha Jordan and others the sum of FIFTEEN and 32/100 ($15.32) DOLLARS, that being the amount of judgment, interest and cost reported in these proceedings by the Commissioner in chancery.

W. R. Frazier

E. Lawrence Hutton
His Attorneys

Received of John K Hutton, Special Commr.
in the Chancery Suit of Lee J. Jones v. Martha
J. Jones and others the sum of Forty-five and
39/100 Dollars ($45.39), that being
amount of my judgment v. Jessie Boone
including principal, interest & cost.
Oct 28, 1921

J. Jones, assignee
of Edison & Z. F. Holland

DEPOSITED IN

National Bank of Suffolk

SUFFOLK, VA.

By.....

.....*192*....

PLEASE LIST EACH CHECK SEPARATELY

	DOLLARS	CENTS
CURRENCY		
GOLD		
SILVER		
CHECKS: Name of Paying Bank		
Total		

The Depositor using this ticket hereby agrees that all items payable outside of Suffolk, Va., shall be forwarded by this bank as agent for the depositor at the depositor's risk; that this bank shall not be responsible for negligence, default or failure of sub-agents, nor for losses in the mails; that this bank shall have the right to charge back to the depositor's account any item for which actual payment is not received; that items may be sent direct to the bank on which drawn without waiving any of the above conditions, and that items on Suffolk, Va., are credited subject to actual payment through the next day's clearings; *that checks on this bank not good at close of business on day deposited may be charged back to the depositor's account.*

Always bring your Bank Book with you.

Received of John K. Hutton, Special Commissioner in the Chancery suit of Lee J. Jordan v. Martha J. Jordan and others, pending in the Circuit Court of Nansemond County, this 21st day of September, 1921, the sum of FIVE HUNDRED NINE and 60/100 ($509.60) DOLLARS, it being payment in full of my dower interest in the proceeds of the farm sold in these proceedings.

her
Martha J. Jordan
mark

Witness:
Ray Lavins
Mack Barrett

Received of John K. Hutton, Special Commissioner in the Chandery suit styled Lee J. Jordan v. Martha Jordan and others, the sum of EIGHT HUNDRED SEVEN and 09/100 ($807.09) DOLLARS, that being my share of the proceeds of the sale of the land in said suit.

Lee J. Jordan

E Lourdes Wheeler

his attorneys

Received of John K. Hutton, Special Commissioner in the chancery suit styled Lee J. Jordan v. Martha Jordan and others, the sum of EIGHT HUNDRED SEVEN and 09/100 ($807.09 DOLLARS, that being my share of the proceeds of the sale of the land in said suit.

Witness John Lauck

E. Saunders & Shuler

her attorneys

Received of John K. Hutton, Special Commissioner in the chancery suit of Lee J. Jordan and others against Martha J. Jordan and others the sum of two hundred and sixty-nine Dollars and three cents ($269.03), that being my share of the respective estates of Mollie Essie Jordan and Augustus Jordan, my share of the interests of these two aggregating the above sum of money, the estates above referred to consisting of undivided interests in the land sold in these proceedings.

Witness J.K. Hutton

Martha J. Jordan
her
mark

October 25th, 1921.

Received of John K. Hutton, Special Commissioner in the chancery suit of Lee J. Jordan v. Martha Jordan and others the sum of $182.18 that being my entire interest in the funds derived from the sale of the real estate in this suit.

Selmar Boone

Received of John K. Hutton, Special Commissioner, in the chancery suit of Lee J. Jordan and others against Martha J. Jordan and others the sum of One hundred and eighty-two Dollars and eighteen cents, that being my share of the proceeds of the sale of the land sold in these proceedings.

his
Ernest x Boone
mark.

Witness:

George T. Faulk

John K. Hutton

Received of John K. Hutton, Special Commissioner in the chancery suit styled Lee J. Jordan v. Martha Jordan and others the sum of $73.50 that being the amount of judgment, interest and cost reported in these proceedings by the Commissioner in Chancery.

Piedmont Mt Airy Finance Co
By Gerald G Lawrence Mgr

TO GEORGE E. BUNTING, ESQUIRE, CLERK OF THE CIRCUIT COURT OF NANSEMOND COUNTY.

Lee J. Jordan and Lydia Seams Jordan, his wife.....Complainant

vs. IN CHANCERY

Martha J. Jordan, Virtley Jordan Faulk,
George T. Faulk, her husband, Jesse Boone,
Selma Boone, John Boone, her husband, and
Ernest L. Boone, the last named being an
infant under the age of twenty-one years.....Defendant.

Please issue summons to FIRST OCTOBER RULES, 1920.

Sowers & Hutcheson p. q.

Lee J. Jordan et al.....Complainants

v. REPORT OF SPECIAL COMMISSIONER.

Martha J. Jordan et als.....Defendants.

TO THE HONORABLE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA:

The undersigned, John K. Hutton, Special Commissioner, respectfully submits the following report of his proceedings under the decree entered in this cause on the 29th day of September, 1921.

In accordance with said decree and as shown by vouchers herewith exhibited, your said Commissioner disbursed the sum of THIRTY-TWO HUNDRED TWENTY and 42/100 ($3220.42) DOLLARS, that being the remainder in his hands for distribution after the payment of the cost of this suit.

Respectfully submitted,

John K Hutton,
Special Commissioner

July 22, 1922

Lee J. Jordan et al

v. Report of Spec. Com.

Martha J. Jordan et al.

1922 July 13th filed.

Lee J. Jordan et al.....Complainants

DECREE

Martha J. Jordan et als.....Defendants.

This cause came on this day to be again heard on the papers formerly read and on the report of John K. Hutton, Special Commissioner, filed on the 24th day of September, 1921, to which report there is no exception, and was argued by counsel.

On consideration whereof, it appearing from said report and vouchers therewith exhibited that the cost of this suit has been paid as follows:

G. E. Bunting, Clerk	$ 31.10
John P. Cowling, map	7.98
C. R. Wallace, handbills	9.00
J. Walter Hosier, Auctioneer	12.50
Writing deed	10.00
Bradford Kilby, Commissioner in Chancery	50.00
Commissions of Special Commissioner	80.00
Attorney's fee allowed by court	100.00
Stamps on deed	4.00
Premium on bond	25.00
	$329.58

and the court doth approve and confirm said report; and it appearing to the court that the remainder of the funds in the hands of the said Special Commissioner, namely, the sum of THIRTY-TWO HUNDRED AND TWENTY and 42/100 ($3220.42) DOLLARS should be disbursed as follows:

Amount in hands of Special Commissioner for disbursement			$3220.42
Delinquent taxes:	1919	$10.14	
	1920	10.40	$ 20.54
Dower interest of widow, Martha J. Jordan, commuted at the age of 42 years			509.60
			530.14

Amount to be distributed among the heirs at law		$2690.28
1. Mollie Essie Jordan	$ 538.05	
2. Ann Mariah Boone	538.05	
3. Augustus Jordan	538.06	
4. Lee J. Jordan	538.06	
5. Virtley Jordan Faulk	538.06	
	$2690.28	$2690.28

Distribution of share of Mollie Essie Jordan, deceased---Amount		$ 538.05
1. Ann Mariah Boone	$ 107.61	
2. Augustus Jordan	107.61	
3. Lee J. Jordan	107.61	
4. Virtley Jordan Faulk	107.61	
5. Martha J. Jordan, widow	107.61	
	$ 538.05	$ 538.05

Distribution of share of Ann Mariah Boone, deceased-----Amount		$ 538.05
Amount received from Estate Mollie Essie Jordan		107.61
		$ 645.66
Jessie Boone - curtesy right commuted at age of 45 years	$ 442.72	
Selma Boone	101.47	
Ernest Boone	101.47	
	$ 645.66	$ 645.66

Distribution of share of Augustus Jordan, deceased, amount		$ 538.06
		107.61
		$ 645.67
1. Lee J. Jordan	$ 161.42	
2. Virtley Jordan Faulk	161.42	
3. Martha J. Jordan, widow	161.42	
4. Selma Boone	80.70	
5. Ernest Boone	80.71	
	$ 645.67	$ 645.67

Summary of distribution among the parties entitled in thie suit---Amount $2690.28

1. Lee J. Jordan	$538.06	
	107.61	
Amount from State Augustus Jordan dec'd	161.42	$807.09 ✓
2. Virtley Jordan Faulk	$538.06	
	107.61	
	161.42	807.09 ✓
3. Martha J. Jordan, widow	$107.61	
	161.42	269.03 ✓
4. Jessie Boone, curtesy	442.72	442.72 +
5. Selma Boone	101.47	
	80.70	182.17 ✓
6. Ernest Boone	101.47	
	80.71	182.18 ✓
		$2690.28 $2690.28

Distribution of curtesy interest of Jessie Boone----Amount $ 442.72

Judgment in favor Piedmont Mt. Airy Guano Company	$ 50.00	
Interest from December 1, 1914,	20.25	
Cost	3.25	$73.50 ✓
Judgment in favor Dixie Guano Company	25.70	
Interest from December 1, 1913,	11.93	
Cost	2.75	40.38 ✓
Judgment in favor of S. E. Everett, Assignee of administrator of Z. T. Holland	24.00	
Interest from February 15, 1908,	19.44	
Cost	1.95	45.39 ✓
Judgment in favor of W. R. Frazier	6.46	
Interest from March 20, 1902,	7.41	
Cost	1.45	15.32 ✓
Judgment in favor of E. L. Folk	24.05	
Interest from December 1, 1900,	29.88	
Cost	1.00	54.93 ✓ $229.52
Jessie Boone		$213.20 ✓

And it also appearing to the court that Ernest Boone, the infant defendant in this suit, who is eighteen years of age, is entitled to the sum of One Hundred Eighty-Two and 18/100 ($182.18) Dollars of the funds in the hands of the Special Commissioner in this suit, and is of sufficient age and descretion to use said amount judiciously, the Court doth adjudge, order and decree that the said Special Commissioner dispose of the remainder of the funds in his hands in accordance with the statement above set out, paying the amount belonging to the said Ernest Boone directly to him.

And the said Special Commissioner shall report his proceedings hereunder to the Court.

Lee J. Jordan et als

v. DECREE

Martha J. Jordan et als.

Enter the 29th day of

September, 1920.

Jas L McLemore

Entered in Chancery
Order Book S, page
387

Jan 14

Lee J. Jordan et al.....Complainants

REPORT OF SPECIAL COMMISSIONER

Martha J. Jordan et als.....Defendants.

TO THE HONORABLE CIRCUIT COURT OF NANSEMOND COUNTY, VIRginia:

The undersigned Special Commissioner, John K. Hutton, respectfully submits the following report:

In accordance with the decree entered in this cause on the 10th day of June, 1921, your Commissioner, upon payment to him of the sum of THIRTY-FIVE HUNDRED AND FIFTY ($3550.00) DOLLARS, the purchase price of the land sold in these proceedings, by Lee J. Jordan and Virtley Jordan Faulk, the purchasers thereof, conveyed the said land to the said Lee J. Jordan and Virtley Jordan Faulk, with Special Warranty of title, whereupon your Commissioner proceeded to pay the cost of the suit, taking vouchers therefor, as follows:

G. E. Bunting, Clerk	$ 31.10
John P. Cowling, map	7.98
C. R. Wallace, handbills	9.00
J. Walter Hosier, Auctioneer	12.50
Writing deed	10.00
Bradford Kilby, Commissioner in Chancery	50.00
Commissions of Special Commissioner	80.00
Attorney's fee allowed by court	100.00
Stamps on deed	4.00
Premium on bond	25.00
	$329.58

After payment of the cost as above stated, there remains in the hands of your Commissioner for disbursement $3220.42, which sum should be disbursed in accordance with the report of Bradford Kilby, Commissioner in Chancery, as follows:

Amount in hands of Special Commissioner for disbursement			$3220.42
Delinquent taxes: 1919	$10.14		
1920	10.40	$ 20.54	
Dower interest of widow, Martha J. Jordan, commuted at the age of 62 years		509.60	530.14
Amount to be distributed among the heirs at law			$2690.28
1. Mollie Essie Jordan		$ 538.05	
2. Ann Mariah Boone		538.05	
3. Augustus Jordan		538.06	
4. Lee J. Jordan		538.06	
5. Virtley Jordan Faulk		538.06	
		$2690.28	$2690.28
Distribution of share of Mollie Essie Jordan, deceased----Amount			$ 538.05
1. Ann Mariah Boone		$ 107.61	
2. Augustus Jordan		107.61	
3. Lee J. Jordan		107.61	
4. Virtley Jordan Faulk		107.61	
5. Martha J. Jordan, widow		107.61	
		$ 538.05	$ 538.05
Distribution of share of Ann Mariah Boone, deceased----Amount			$ 538.05 107.61 $ 645.66
Jessie Boone - curtesy right commuted at age of 45 years		$ 442.72	
Selma Boone		101.47	
Ernest Boone		101.47	
		$ 645.66	$645.66
Distribution of share of Augustus Jordan, deceased, Amount			$538.06 107.61 $645.67
1. Lee J. Jordan		$ 161.42	
2. Virtley Jordan Faulk		161.42	
3. Martha J. Jordan, widow		161.42	

4. Selma Boone		$ 80.70	
5. Ernest Boone		80.71	
		$645.67	$645.67

Summary of distribution among the parties entitled in this suit---Amount $2690.28

1. Lee J. Jordan	$538.06		
	107.61		
	161.42	$807.09	
2. Virtley Jordan Faulk	$538.06		
	107.61		
	161.42	807.09	
3. Martha J. Jordan, widow	$107.61		
	161.42	269.03	
4. Jessie Boone, curtesy	442.72	442.72	
5. Selma Boone	101.47		
	80.70	182.17	
6. Ernest Boone	101.47		
	80.71	182.18	
		$2690.28	$2690.28

Distribution of curtesy interest of Jessie Boone ---Amount $ 442.72

Judgment in favor Piedmont Mt. Airy Guano Company	$ 50.00		
Interest from December 1, 1914,	20.25		
Cost	3.25	$ 73.50	
Judgment in favor Dixie Guano Company	25.10		
Interest from December 1, 1913,	11.93		
Cost	2.75	40.38	
Judgment in favor of S. E. Everett, Assignee of administrator of Z. T. Holland	24.00		
Interest from February 15, 1908,	19.44		
Cost	1.95	45.39	
Judgment in favor of W. R. Frazier	6.46		
Interest from March 20, 1902,	7.41		
Cost	1.45	15.32	
Judgment in favor of E. L. Folk	24.05		
Interest from December 1, 1900,	29.88		
Cost	1.00	54.93	229,52
			$ 213.20

Jessie Boone.

Your commissioner reports that Ernest Boone is eighteen years of age.

Respectfully submitted,

Special Commissioner.

Lee J. Jordan et als

v.

Martha J. Jordan et als

Report of Special Commissioner

1921 Sept 29. filed.
J.L.M.

Lee J. Jordan et al.....Complainants

vs. DECREE

Martha J. Jordan et als.....Defendants.

This cause came on this day to be again heard on the papers formerly read and on the report of John K. Hutton, Special Commissioner, filed on the 10th day of June, 1921, to which report there is no exception and was argued by counsel.

On consideration whereof and by the consent of all the parties to this suit, the court doth confirm said report and doth adjudge, order and decree that upon payment to the said John K. Hutton, Special Commissioner, of the sum of Thirty-Five Hundred and Fifty ($3550.00) Dollars by Lee J. Jordan and Virtley Jordan Faulk, the purchasers of the land hereinafter described at the sale reported by the said Commissioner in his report, filed on the 10th day of June, 1921, the said Special Commissioner convey with Special Warranty to the said Lee J. Jordan and Virtley Jordan Faulk, the following tract of land, to-wit:

All that certain tract of land of which Frank E. Jordan died seized and possessed, containing sixty-two (62) acres, more or less, situated in Holy Neck Magisterial District, on the South Quay Road, about four miles from Holland, and bounded on the North by the land of Mack Barrett, on the East by the County Road, on the South by the land of Charles Faulk, and on the West by the land of William I. Councill (or that which was his); the said land being the same land that was conveyed to the said Frank E. Jordan by deed duly recorded in the Clerk's Office of the Circuit Court of Nansemond Dounty in Deed Book No. 3, page 528 and also by deed from William L. Faulk and wife dated November 30, 1885, together with appurtenances thereto and improvements thereon.

There is, however, expressly reserved and excepted from this conveyance that portion of the above described land now used

as a family cemetery, beginning at a point two hundred and fifty-five (255) feet from the County Road and running North three degrees East, twelve and six tenths feet to a stake on the East side of the twelve foot road now leading from the Councill land to the old Wyanoke Road, thence at right angles to said road East sixty-five feet, thence South three degrees West, one hundred and twenty feet, thence West sixty-five feet to the point of beginning, and also the right to use for ingress and egress to and from said cemetery plot for the purpose of its use and maintenance as a family cemetery that certain way leading from said cemetery plot to the said old Wyanoke Road, being twelve feet wide and two hundred and fifty-five feet long, and adjoining the twelve foot road leading from the said Councill land to the said public road on the West side. the said cemetery plot and the said way taken together containing one-fourth of an acre, more or less.

And it is further ordered that the said Special Commissioner pay the costs of this suit, including a fee of $100.00 to Saunders and Hutton, the attorneys instituting the same. And the said Special Commissioner shall make report of his proceedings hereunder to the court.

Lee J. Jordan et al

v. DECREE

Martha J. Jordan et als.

Enter the 10th day of

June, 1921.

Jas L McSmoore

#5- Fg. 344

Entered in Chancery Order
Book _____, page ____.

We consent:
Martha J Jordan, Virtley Jordan Faulk,
George T. Faulk, John Boone, Selma
Boone and John Boone
by Saunders & Hutton, their Atty's.

Ernest L. Boone, infant,
by William S Hollands
Guardian ad litem for infant

Lee J. Jordan et al.....Complainants.

v. REPORT OF SPECIAL COMMISSIONER.

Martha J. Jordan et als.....Defendants.

TO THE HONORABLE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA:

The undersigned, John K. Hutton, Special Commissioner, duly appointed by the decree entered in this cause on the 28th day of January, 1921, for the purpose of selling the real estate described in the bill duly filed in this cause, submits the following report.

Your Commissioner, in accordance with said decree, executed a bond in the sum of Six Thousand Dollars, and thereupon, proceeded to advertise the time, place and terms of sale of the real estate described in said bill for fifteen days by posting notices of said sale in numerous public places in Nansemond County and the City of Suffolk, Virginia, and did proceed to sell the same at public auction on the 19th day of February, 1921, at twelve o'clock M., in front of the National Bank of Suffolk, Suffolk, Virginia, at which sale the said land was struck off to Lee J. Jordan and Virtley Jordan Faulk, they being the highest bidders, for the sum of Thirty-Five Hundred and Fifty Dollars.

Your Commissioner reports that the said sale was well advertised and well attended, and, considering the general conditions existing in Nansemond County and the country at large at this time, the property could hardly be expected to bring a greater price than that obtained at said sale. Your Commissioner, therefore, recommends that the sale be confirmed, and William S. Holland, Guardian ad Litem for infant defendant, joins your petitioner in the prayer for confirmation of said sale as is evidenced by his signature at the end of this report.

Your petitioner is advised that the purchasers desire to

pay the purchase money in cash.

Respectfully submitted,

Special Commissioner

Wm. S. Holland

Guardian ad Litem for Infant
Defendant.

Lee J. Jordan et al

v. REPORT OF SPEC. COM'R.

Martha J. Jordan et als.

1921 June 10th filed.
J.L.M.

SAUNDERS & HUTTON
Attorneys at Law
Suffolk, Va.

Lee J. Jordan et als.....Complainants

vs. DECREE

Martha J. Jordan et als.....Defendants.

This cause came on this day to be again heard on the papers formerly read and on the report of Bradford Wilby, Commissioner in Chancery, filed on the 18th day of January, 1921, and it appearing from said report that the real estate described in the bill can not be conveniently divided in kind among the parties entitled to the same; that no party in interest will take the entire property and pay to the others such sums as their interest will entitle them to receive; that there can not be an allotment of part and sale of the residue, but that it will be to the interest of all parties that the said real estate be sold and the proceeds divided;

On consideration whereof and by consent of parties, the court doth approve and confirm the said report and doth adjudge, order and decree that the said real estate be sold, and for that purpose doth appoint John K. Hutton as special commissioner, who, after advertising the time, place and terms of said sale for fifteen days by posting notices of the sale in numerous public places in the County of Nansemond and the City of Suffolk, shall proceed to sell at public auction, in front of the National Bank of Suffolk, Suffolk, Virginia, the land mentioned in the bill filed in this cause save and except that portion of the said land now used as a family cemetery consisting of approximately one fourth of an acre, with the right of ingress and egress to and from the same for the purpose of its use and maintenance as a family cemetery, upon the following terms, to-wit: one-~~half~~ third cash and the residue upon ~~the~~ credit of twelve months, with interest from the date of sale, the deferred payments to be evidenced by the purchaser's note payable to the order of the court in this cause, and the title to the property to be retained until the whole purchase money is paid, and a conveyance directed by the court, or the purchaser

may pay the whole purchase money in cash.

The said special commissioner, however, shall not proceed to act under this decree until he shall enter into bond with sufficient surety in the Clerk's Office of this court, payable to the Commonwealth of Virginia, in the penalty of Six Thousand Dollars, and conditioned for the faithful discharge of his duties hereunder, and under any future decree that may be herein entered.

The said special commissioner shall report his proceedings hereunder to the court.

Lee J. Jordan et al

v. DECREE

Martha J. Jordan et als.

Enter the 28th day of
January, 1921.

~~XXXXXXXXXXXXXXXXXXXXXXXX~~ 14th

~~XXXXXXXXXXXXXXXXXXXXXXXX~~ March 1921.

~~XXXXXXXXXXXXXXXXXXXXXXXX~~

Jas L McLemore.

Entered in Chancery
Order Book 5,
page 321.

We consent:
Saunders & Heflin, attorneys
for all the adult parties

Wm. S. Holland
Guardian ad litem for
the infant defendants.

Lee J. Jordan and Lydia Seams Jordan.....Complainants.

vs. DECREE

Martha J. Jordan, Virtley Jordan Faulk, George T. Faulk, her husband, Jesse Boone, Selma Boone, John Boone, her husband, and Ernest L. Boone, the last named being an infant under the age of twenty-one years.....Defendants.

This day came Lee J. Jordan and Lydia Seams Jordan, his wife, and by leave of court filed their bill; and on their motion, William S. Holland, a discreet and competent attorney at law, is assigned as guardian ad litem to the infant, Ernest L. Boone, to defend his interest in this suit; and thereupon the said guardian ad litem filed the answer of the infant defendant and his own answer to the bill of complaint; and the said Martha J. Jordan, Virtley Jordan Faulk, George T. Faulk, her husband, Jesse Boone, Selma Boone, and John Boone, her husband, the adult defendants, filed their answers to the said bill; to which several answers the complainants replied generally; and thereupon by consent of all parties, by counsel, this cause is set for hearing and docketed; and by like consent came on this day to be heard on the bill of complaint, the several answers of the defendants to said bill as above set out, and the general replication of the complainants to every one of said answers, and was argued by counsel.

On consideration whereof, the court doth adjudge, order and decree that this cause be referred to one of the commissioners of this court, who is directed to enquire and report to the court as follows:

(1) Whether the real property 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 in-

terest therein may entitle them to.

(3) And, 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 interest of those who are entitled to the said 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) The fee simple and annual value of said land.

(5) Whether or not there are any delinquent taxes or other liens against the said land.

(6) Whether all the proper parties in interest are before the court.

(7) And any other matter deemed pertinent by the Commissioner or required to be stated by any party in interest.

By consent in writing of all parties to this suit, by counsel, it is further ordered, adjudged and decreed that this cause be submitted to the Judge of this Court for such decrees therein in vacation as might be made in term.

Lee J. Jordan et als.

vs. DECREE

Martha J. Jordan et als.

Enter the 13. day of
Nov., 1920.

Jas L. McSmoot

Entered in Chancery Order Book ___, page ___

We consent:
Martha J. Jordan
Virtley Jordan Faulk
George T. Faulk
Jesse Boone
Selma Boone
John Boone
by Saunders & Sutton, their attorneys
Ernest L. Boone
By William S. Holland
Guardian ad litem.

5- Fy, 309.

To Lee J. Jordan and Lydia Seams Jordan

and

Martha J. Jordan, Virtley Jordan Faulk, and George T. Faulk, her husband, Jesse Boone, Selma Boone, and John Boone, her husband, and Ernest L. Boone, the last named being an infant under the age of 21 years, and William S. Holland, Guardian ad Litem for said infant defendant.

You are hereby notified that on the 30th. day of November 1920 at the office of Saunders and Hutton in the City of Suffolk, Va. between the hours of 10 A.M. and 5 P.M., at which time and place you are required to attend, I shall take, state and settle the following accounts which are to be taken, stated and settled and reported to court in pursuance of the decree of the Circuit Court of Nansemond County, Va. rendered the 13th. day of November 1920 in the suit in chancery pending in said court to which you are parties plaintiff and defendant, to-wit:

(1) Whether the real property 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 interest therein may entitle them to.

(3) And 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 said 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) The fee-simple and annual value of said land.

(5) Whether of not there are any delinquent taxes or other liens against the said land.

(6) Whether all proper parties in interest are before the Court.

(7) Any other matter deemed pertinent by the Commissioner or required to be stated by any party in interest.

Given under my hand this 20th. day of November 1920 as Commissioner in Chancery of said Court.

Bradford Kilby

Commissioner in Chancery.

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

William S. Holland Trustee ad litem of Ernest L. Boone.

John L. Kennedy Attorney for all the adverse parties.

State of Virginia,

Circuit Court for the County of Nansemond, to-wit:

Lee J. Jordan et al.)
)
v.) In Chancery.
)
Martha J. Jordan et als.)

Commissioner's Office,

Suffolk, Va. November 30th. 1920.

To Honorable James L. McLemore, 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 13th. day of November 1920 in the suit in chancery pending in said court between Lee J. Jordan et al., Complainants and Martha J. Jordan et als, Defendants, the undersigned Bradford Kilby, one of the Commissioners in Chancery for said Court, respectfully reports as follows:

That on the 20th. day of November 1920, your commissioner gave notice to the said parties to said suit that he would proceed on the 30th. day of November 1920, at the office of Saunders and Hutton in the City of Suffolk, Virginia, between the hours of 10 A.M. and 5 P. M. to make the several inquiries required by said decree to be made by one of the Commissioners in Chancery of said Court.

That sufficient and legal service of the said notice was duly accepted by all of said parties to said suit as will appear by the endorsations on said notice herewith returned.

That on said 30th. day of November 1920 between the hours of 10 A.M. and 5 P.M. at the office of Saunders and Hutton in the City of Suffolk, Virginia, your commissioner took the depositions of A.H. Hofler, J.F. Faulk, Mack Barrett, and Lee J. Jordan touching said inquiries which depositions are herewith returned as part of this report.

That from the testimony of said witnesses and from information otherwise obtained, your commissioner reports as follows:

(1)

The real property in the bill mentioned can not be conveniently divided in kind between the several parties entitled to share therein.

(2)

No party will take the entire property and pay to the other parties such sums of money as their interests therein may entitle them to.

(3)

The interests of those who are entitled to said property or its proceeds will be promoted by a sale of the entire property rather than by an allotment of part and sale of the residue.

(4)

The fee-simple value of the said land is about $5.000. The annual value if about $250.

(5)

The following liens **are found against the said real** estate in the bill mentioned in this cause:

Delinquent taxes for 1919	$10.14
Delinquent taxes for 1920	$10.40
Total delinquent taxes.	$20.54

In deed-book No.19 at page 48 in Nansemond County Circuit Court Clerk's office is found a certain timber contract between Rev.Frank E.Jordan and W. N. Camp. It is dated Sept.1,1887 and recorded on Sept. 17,1887,and in it,the Rev.Frank E.Jordan conveys 100.000.feet of pine timber at $1.per 1000 feet,with general warranty,unto said W.N.Camp, said timber being situated on a tract of land lying in Nansemond County,Va. bounded by the lands of Wm.J.Council,Noah Harrell and Holy Neck County Road. The grantee has 5 years to cut and remove the timber "said term to commence from the time said party of the second part begins to manufacture said timber into wood or lumber."

The following judgments are found of record:

(1)

In Judgment Docket No.2 at page 53 in Nansemond County Circuit Court Clerk's office is found a judgment against Jesse Boon in favor of Z.T.Holland for the sum of $43.55 with interest from July 29,1893 till paid and $1.25 costs. Said judgment was rendered on July 29,1893 and docketed November 13,1893,and recovered before Robert C.Daughtrey,J.P.

(2)

In Judgment Docket No.2 at page 197 in Nansemond County Circuit Court Clerk's office is found a judgment against Jesse Boon in favor of E.L.Folk for the sum of $24.05 with interest from December 1, 1900 till paid and $1. costs. Said judgment was rendered December 14,1901 and docketed March 3,1902 and was recovered before A.S.Eley, J.P.

(3)

In Judgment Docket No.2 at page 215 in Nansemond County Circuit Court Clerk's office is found a judgment against Jessie Boon in favor of W.R.Frazier for the sum of $6.46 with interest from March 20, 1902 till paid and $1.45 costs. Said judgment was rendered March 20, 1902 and docketed March 19,1903 and was recovered before J.B.Harrell J.P.

(4)

In Judgment Docket No.3 at page 173 in Nansemond County Circuit Court Clerk's office is found a judgment against Jesse Boone in favor of S.E.Everett,Assignee of the Administrator of Z.T.Holland,for the sum of $24. with interest from February 15,1908 till paid and $1.95 costs,on instrument waiving homestead. Said Judgment was rendered January 26,1911 and docketed June 9,1911 and was recovered before J.F.DeBerry,J.P.

(5)

In Judgment Docket No.3 at page 203 in Nansemond County Circuit Court Clerk's office is found a judgment against Jessie Boone in favor of the Dixie Guano Co. for the sum of $25.70 with interest from Dec.1,1913 till paid and $2.75 costs. Said judgment was rendered on May 30,1914 and docketed December 29,1914,and was recovered before L.W.Williams J.P.

(6)

In Judgment Docket No.4 at page 23 in Nansemond County Circuit Court Clerk's office is found a judgment against Jessie Boone in favor of the Piedmont-Mt.Airy Guano Co. for the sum of $50.with interest from December 1,1914 till paid and $3.25 costs,on instrument waiving homestead. Said Judgment was recovered on November 25,1916 and docketed on November 9,1917.

(6)

All proper parties in interest are before the Court in this cause.

(7)

Your commissioner deems it pertinent to state that William S. Holland,Guardian ad Litem for the infant defendant ,Ernest L.Boone, was present during the taking of the depositions returned with this report.

Your commissioner deems it pertinent to report that the widow,of Frank E.Jordan,Martha J.Jordan,desires her dower interest to be commuted. She is 62 years of age. See her answer filed in this cause.

Your commissioner deems it further pertinent to report that the parties to this suit wish to reserve from sale their family burying ground,consisting of one-quarter of an acre,more or less,located on on the land in the bill mentioned,together with the right of ingress and egress to and from said burying ground.

Your commissioner deems it pertinent to say that from the testimony of Lee J.Jordan and A.H.Hofler it appears that any lien which may have been against the said land in the bill mentioned by reason of the timber contract between Rev.Frank E.Jordan and W.N.Camp,herein above referred to,and recorded in Deed-book No.19, page 48 in Nansemond County Circuit Court Clerk's office,Va. has been removed by the execution of said contract and the termination thereof. The timber has been cut and hauled away according to the testimony of A.H.Hofler who personally helped to haul it to the skidway.

There is no other matter deemed pertinent by your commissioner or required to be stated by any party in interest.

Respectfully submitted this 30th.day of November 1920.

Bradford Kilby

Commissioner in Chancery.

Comr's fee: $50.

Lee J. Jordan, being first duly sworn, deposes as follows:

Q. State your name, age, residence and occupation.

A. Lee J. Hordan, 34, Nansemond County, Virginia, pullman porter.

Q. Are you the son of Frank E. Jordan?

A. Yes, sir.

Q. You are one of the complainants in this suit, are you not?

A. Yes, sir.

Q. When did your father die?

A. In 1902.

Q. State the names of the children left by your father.

A. Ann Mariah Boone, Virtley Jordan Faulk, Frank Augustus Jordan, Lee Jasper Jordan, Mollie Essie Jordan.

Q. Have any of these parties named by you departed this life since the death of your father?

A. Yes, sir.

Q. Name them.

A. Mollie Essie, Ann Mariah Boone and Frank Augustus.

Q. Were any of these parties married?

A. Ann Mariah.

Q. Is her husband still living?

A. Yes, sir.

Q. What is his name.

A. Jesse.

Q. How old is he?

A. About forty five years of age.

Q. Did Ann Mariah Boone leave any children and if so name them.

A. Selma Boone and Ernest Boone.

Q. Is Selma Boone married, and if so, who is her husband?

A. John Boone.

Q. How old is Ernest I. Boone?

A. Seventeen.

Q. What is your wife's name?

A. Lydia Seams Jordan.

Q. Did your father leave any real estate at his death and if so how much?

A. Sixty-two acres of land, more or less, in Nansemond County Virginia.

Q. What do you think this land is worth?

A. Well, I judge it is worth about $5,000.00.

Q. What would it rent for?

A. $250.00 or $300.00.

Q. The parties to this suit all desire that the land be sold and the proceeds divided among them according to their respective rights, do they not?

A. Yes, sir, except my mothers wants to retain her dower right.

Q. Do you think this land can be conveniently divided in kind among the parties entitled to share therein?

A. No, sir.

Q. State whether any party will take the entire property and pay therefor to the other parties such sums of money as their interest therein may entitle them to.

A. No, sir.

Q. Do you think that the interest of those entitled to share in the estate will be promoted by a sale of the whole and the proceeds divided or by an allotment of part and sale of the residue?

A. I think it would be better to sell it as a whole.

Q. How old is your mother?

A. I think she is sixty-two years of age.

Q. You have stated in the bill filed in this suit that all the parties in interest in this suit desire that the family grave yard be reserved from sale or partition. Is that the situation.

A. Yes, sir.

Q. How much land does this plot known as the family burial ground

consist of?

A. About one quarter of an acre.

And further this deponent saith not.

Lee J. Jordan.

Mac Barrett, being duly sworn, deposes as follows:

Q. State your name, age, residence and occupation.

A. Mac Barrett, 46, Nansemond County, Virginia, farmer.

Q. Are you acquainted with the real estate of which Frank Jordan, the father of Lee J. Jordan, who has just testified, left at his death?

A. Yes, sir, I own the adjoining farm.

Q. What do you think the land is worth on the present market?

A. About $4500.00 or $5000.00.

Q. It would be worth very much less if it were sold subject to the widow's dower, would it not?

A. Yes, sir.

Q. What would the place rent for?

A. Well, about $250.00 or may be $300.00, depending on the time.

Q. The following named persons are named parties to this suit: Lee J. Jordan and Lydia Seams Jordan, his wife, Martha J. Jordan, Virtley Jordan Faulk and George T. Faulk, her husband, Jesse Boone, Selma Boone and John Boone her husband, and Ernest I. Boone. State whether or not these parties named are the living heirs of Frank Jordan.

A. Yes, sir.

Q. State whether or not this land can be conveniently divided in kind among the parties entitled thereto?

A. No, I don't think it can - not for every one of them to have a piece of land and all of it to be equally divided and come out to the road like it ought to be.

Q. Do you think if that farm were divided among the parties to this suit in kind that each share would be worth very much less in proportion?

A. Yes, sir, right much so.

Q. Do you know whether any of the parties will take this land and pay to the others what they are entitled to?

A. No, sir, I don't think they would.

Q. Would the interest of the parties be promoted to allot a part of the land and sell the residue and divide the proceeds thereof among them or sell the whole?

A. No, if they were going to sell, it would be to the best interest to sell it all.

And further this deponent saith not.

Thad L. Barrett

A. H. Hofler, being duly sworn, deposes as follows:

Q. State your name, age, residence and occupation.

A. A. H. Hofler, 55, Nansemond County, Virginia, farmer.

Q. How far do you live from the land in question?

A. The road separates us. I live right in front of the farm.

Q. Are you well acquainted with the farm?

A. Yes, sir.

Q. What is the value of the farm

A. Well, in the present condition somewhere around $5000.00.

Q. What would it rent for?

A. Somewhere about $250.00.

Q. Do you think that the farm can be conveniently divided in kind among the parties?

A. No, sir. I think it would be more valuable to sell it right like it is.

Q. State whether or not the interest of the parties entitled to share in the land or the proceeds thereof would be promoted by a sale of the whole or by allotment of part and sale of the residue.

A. I think it would be promoted or better off by the whole.

And further this deponent saith not.

A. H. Hofler

J. F. Faulk, being duly sworn, deposes as follows:

Q. State your name, age, residence and occupation.

A. J. F. Faulk, 56, Nansemond County, Virginia, farmer.

Q. How far do you live from the land in question in this suit.

A. About a quarter of a mile.

Q. What in your opinion is the value of the farm?

A. Between four and five thousand dollars.

Q. What is its rental value.

A. I don't know hardly - not much more than two or two hundred and fifty dollars.

Q. Do you think that the farm can be conveniently divided among all the parties?

A. No, sir.

Q. State whether or not the interest of those who are entitled will be promoted by a sale of the whole or by an allotment of part and sale of the residue.

A. It would be better for them to sell the whole.

And further this deponent saith not.

J F Faulk

A. H. Hofler, being recalled, deposes as follows:

Q. Do you know anything about the sale of certain timber to W, N. Camp by Rev. Frank Jordan in the year 1887?

A. Yes, I know it was cut.

Q. Did you have anything to do with cutting this timber?

A. I helped haul it to the skidway.

Q. Who were you working for?

A. Mr. Tom Wilson.

Q. Do you know who Mr. Tom Wilson was cutting this timber for?

A. For the Gay Manufacturing Co.

Q. The timber contract that I referred to involves the sale of one hundred thousand feet of pine timber from the land in question in this suit to W. N. Camp. Please state whether W. N. Camp was at that time connected with the Gay Manufacturing Company?

A. Yes, I am certain that W. N. Camp was one of the main men in this company and Mr. Wilson was working for him.

Q. Do you remember when this cutting was done?

A. I can't say exactly. It was several years before Frank Jordan's death and I understand he died in 1902.

And further this deponent saith not.

A. H. Hofler

Lee J. Jordan, who has already testified in this suit, being recalled for further examination deposes as follows:

Q. It appears that there is a certain timber contract recorded in Deed Book 19 at page 48, in the Clerk's Office of the Circuit Court of Nansemond County, by which Rev. Frank E. Jordan sold to W. N. Camp one hundred thousand feet of pine timber at $1.00 per thousand, which timber was located on the land to be partitioned in this suit, the said contract bearing date of September 1, 1887, and recorded September 17, 1887, and it also appears from said contract that the grantee therein was allowed in which to cut and remove the timber five years from the time said grantee shall begin to manufacture the said timber into wood and lumber. Please state what you know about this transaction.

A. I was too young to know when the contract was made, but I can remember very well when the timber was cut and it is generally understood in our family that the timber my father sold Mr. Camp was cut and removed years ago. I was a child when it was cut, but I remember it very well.

And further this deponent saith not.

Lee Jordan

Commissioner's Report.

Lee J. Jordan et al.

v. In Chancery.

Martha J. Jordan et als.

Report of Bradford Kilby,
Commissioner in Chancery
under decree of November 13,
1920.

Filed Jan. 18,
1921.
G. B. Bembry
Clk

BRADFORD KILBY
Attorney at Law
SUFFOLK, VIRGINIA.

Baltimore Office Supply Company, Baltimore, Md.

Lee J. Jordan et al.....Complainant

v. DECREE

Martha J. Jordan.et.als.....Defendant

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

On consideration whereof, it appearing from said report and vouchers therewith exhibited that the said Special Commissioner, in accordance with the decree entered in this cause on the 29th day of September, 1921, properly disbursed the sum of Thirty-two Hundred Twenty and 42/100 ($3220.42) Dollars, the remainder in his hands for distribution after the payment of the cost of this suit, the court doth approve and confirm said report, and there remaining nothing further to be done in this cause doth adjudge, order and decree that the same be stricken from the docket.

Lee J. Jordan et al

v. DECREE

Martha J. Jordan et al

Enter the 13th day of

July, 1922.

Jas. L. McWhorter

Entered in Chancery
Order Book 31,
Page 332

Lee J. Jordan and Lydia Seams Jordan, His wife.....Complainants.

vs. ANSWER.

Martha J. Jordan, Virtley Jordan Faulk,
George T. Faulk, her husband, Jesse Boone,
Selma Boone, John Boone, her husband, and
Ernest L. Boone, the last named being an
infant under the age of twenty-one years.....Defendants.

The answer of Ernest L. Boone, an infant under the age of twenty-one years, by William S. Holland (a discreet and competent attorney at law) his guardian ad litem, assigned to defend him in this suit, and the answer of the said William S. Holland, guardian ad litem of the said infant defendant, to a bill of complaint exhibited against the said infant and others by Lee J. Jordan and Lydia Seams Jordan, his wife, in the Circuit Court of the County of Nansemond.

For answer to the said bill the said infant defendant by his said guardian ad litem answers and says that being of tender years, he does not know what his true interest is in relation to the subject-matter of the said bill, nor does he know whether the statements therein contained are true or not. He confides the protection of his interest therein to the care of the court. And the said guardian ad litem of the said infant defendant for answer to the said bill answers and says that he knows nothing as to the truth or falsity of the statements in the bill contained. He prays full protection for the infant defendant. And now, having fully answered, this defendant prays to be hence dismissed, with his reasonable costs by him in this behalf expended.

By William S. Holland
Guardian ad litem

Ernest L. Boone

By William S. Holland Guardian ad Litem of the said infant..

Lee J. Jordan and Lydia
Seams Jordan. his wife

v. ANSWER OF GUARDIAN
AD LITEM.

Martha J. Jordan, Virtley
Jordan Faulk, George T.
Faulk, her husband, Jesse
Boone, Selma Boone, John
Boone, her husband, and
Ernest L. Boone, the last
named being an infant under
the age of twenty-one years.

Filed
1920, Nov 13th
JHm

Lee J. Jordan and Lydia Seams Jordan, his wife.....Complainants

vs. ANSWER.

Martha J. Jordan, Virtley Jordan Faulk,
George T. Faulk, her husband, Jesse Boone,
Selma Boone, Jone Boone, her husband, and
Ernest L. Boone, the last named being an
infant under the age of twenty-one years.....Defendants.

The answer of Jesse Boone to a bill in equity exhibited against him and others in the Circuit Court of the County of Nansemond by Lee J. Jordan and Lydia Seams Jordan, his wife.

This respondent saving and reserving to himself the benefit of all just exceptions to the said bill of complaint, for answer to the said bill says that he is the husband of Ann Maria Boone, who died since the death of Frank E. Jordan, who was the father of said Ann Maria Boone, and who died seized and possessed of the land described in said bill; that this respondent, as the husband of said Ann Maria Boone, is entitled to a curtesy right in said property; that this respondent desires that the land be sold and the proceeds divided among the parties entitled thereto. this respondent's interest being paid to him out of the proceeds according to the statute in such cases made and provided.

And now having fully answered, he prays to be hence dismissed with his reasonable costs by him in this behalf expended.

Jesse Boone
Respondent.

by Smurro & Hutcheson
his attorneys

Answer of
Jesse Boone

Filed
19th November 1921.
J.L.M.

Lee J. Jordan and Lydia Seams Jordan.....Complainants

vs. ANSWER

Martha J. Jordan, Virtley Jordan Faulk,
George T. Faulk, her husband, Jesse Boone,
Selma Boone, John Boone, her husband, and
Ernest I. Boone, the last named being an
infant under the age of twenty-one years.....Defendants.

The joint and separate answers of Virtley Jordan Faulk and George T. Faulk, her husband, to a bill in equity exhibited against them and others in the Circuit Court of the County of Nansemond by Lee J. Jordan and Lydia Seams Jordan, his wife.

These respondents saving and reserving to themselves the benefit of all just exceptions to the said bill of complaint, for answer to the said bill say that they believe the real estate described in the bill in this cause should be sold and the proceeds divided among the parties entitled to share therein; that they do not believe that the land is susceptible to division in kind; that it is satisfactory to them that the widow's dower be commuted and paid in cash out of the proceeds of sale.

And now having fully answered, they pray to be hence dismissed with their reasonable costs by them in this behalf expended.

Virtley Jordan Faulk
George T Faulk
Respondents,
by Somers & Somers
their attorneys.

Answer of

Virtley Jordan Lauch
and
George T. Lauch

Filed
1920, Nov 13th
JLm

Lee J. Jordan and Lydia Seams Jordan, his wife.....Complainants.

vs. ANSWER.

Martha J. Jordan, Virtley Jordan Faulk,
George T. Faulk, her husband, Jesse Boone,
Selma Boone, John Boone, her husband, and
Ernest L. Boone, the last named being an
infant under the age of twenty-one years.

The joint and separate answers of Selma Boone and John Boone, her husband, to a bill in equity exhibited against them and others in the Circuit Court of the County of Nansemond by Lee J. Jordan and Lydia Seams Jordan, his wife.

These respondents saving and reserving to themselves the benefit of all just exceptions to the said bill of complaint, for answer to the said bill say that they believe the real estate described in the bill in this cause should be sold and the proceeds divided among the parties entitled to share therein; that they do not believe that the land is susceptible to division in kind; that it is satisfactory to them that the widow's dower be commuted and paid in cash out of the proceeds of sale.

And now having fully answered, they pray to be hence dismissed with their reasonable costs by them in this behalf expended.

Selma Boone
John Boone
Respondents.
by Saunders & Hudgins
their Attorneys

Answer of

Selma Boone

and

John Boone

Filed

1920, November 13th

J.L.M.

Lee J. Jordan and Lydia Seams Jordan.....Complainants

vs. ANSWER

Martha J. Jordan, Virtley Jordan Faulk,
George T. Faulk, her husband, Jesse Boone,
Selma Boone, John Boone, her husband, and
Ernest L. Boone, the last named being an
infant under the age of twenty-one years.....Defendants.

The answer of Martha J. Jordan to a bill in equity exhibited against her and others in the Circuit Court of the County of Nansemond by Lee J. Jordan and Lydia Seams Jordan, his wife.

This respondent saving and reserving to herself the benefit of all just exceptions to the said bill of complaint, for answer to the said bill says that she is the widow of Frank E. Jordan, who is alleged in the bill of complaint to have died seized and possessed of certain real estate in Nansemond County; that the parties in interest are properly set out in said bill and their relationship to the deceased properly described; that this respondent does not believe that the land is susceptible to division in kind and believes it to the best interest of all the parties that the land be sold and the proceeds divided among those entitled; that this respondent is willing and desires that said land be sold free of her dower right and that such dower be commuted and paid in money out of the proceeds received from the sale of said land.

And now having fully answered, she prays to be hence dismissed with her reasonable costs by her in this behalf expended.

Martha J. Jordan
Respondent.

by Counsel
Her attorneys

Answer of Martha
J. Jordan

Filed
1920, Nov 13th
J.A.M.

Lee J. Jordan and Lydia Seams Jordan, his wife.....Complainants.

vs. BILL.

Martha J. Jordan, Virtley Jordan Faulk,
George T. Faulk, her husband, Jesse Boone,
Selma Boone, John Boone, her husband, and
Ernest L. Boone, the last named being an
infant under the age of twenty-one years.....Defendants.

TO THE HONORABLE CIRCUIT COURT OF NANSEMOND COUNTY:

Your complainants, Lee J. Jordan and Lydia Seams Jordan, his wife, respectfully represent:

1. That Frank E. Jordan, the father of Lee J. Jordan, one of your complainants, was in his life time seized and possessed of certain real estate situated in Nansemond County, Virginia, and described as follows: All that certain tract of land containing sixty-two acres, more or less, situated in Holy Neck Magisterial District, on the South Quay Road, about four miles from Holland, and bounded on the North by the land of Mack Barrett, on the East by the County Road, on the South by the land of Charles Faulk, and on the West by the land of William I. Council (or that which was his); the said land being the same land that was conveyed to the said Frank E. Jordan by deed duly recorded in the Clerk's Office of the Circuit Court of Nansemond County in Deed Book No. 3, page 528, and also by deed from William L. Faulk and wife dated November 30, 1885, and duly recorded in said Clerk's Office in Deed Book 15, page 540.

2. That the said Frank E. Jordan, while so seized and possessed of said land, departed this life in 1902, leaving as his widow, Martha J. Jordan, and the following children: Virtley Jordan Faulk, whose husband is George T. Faulk, Lee J. Jordan, whose wife is Lydia Seams Jordan, and Ann Mariah Boone, whose husband is Jesse Boone.

3. That since the death of the said Frank E. Jordan, Ann Mariah Boone departed this life leaving her husband, the said

Jesse Boone, and her children Selma Boone, whose husband is John Boone, and Ernest L. Boone, an infant, who is seventeen years of age.

4. That the real estate is, as your complainants believe, susceptible of partition among the parties entitled thereto, but should the property not be divisible in kind, your complainants believe and here state that the interest of those who are entitled to the said real estate, or its proceeds, will be promoted by the sale of the whole or by an allotment of part and sale of the residue.

5. Your complainants desire that the heirs at law of the said Frank E. Jordan remain as coparcenars of the family burial ground, if this may properly be done, and your complainants are informed that all the parties to this suit desire the same thing.

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 Martha J. Jordan, Virtley Jordan Faulk, George T. Faulk, her husband, Jesse Boone, Selma Boone, John Boone, her husband, and Ernest L. Boone be made parties defendants to this bill, and required, but not on their oaths, to answer the same, the oaths being hereby waived, the said adults in their own proper person and the infant by a guardian ad litem, that a proper guardian ad litem be appointed in this cause for the said infants, who shall also answer this bill; that proper process issue, that the estate be divided among the parties entitled thereto, or else, if it can not be so divided, that it may be sold and the proceeds 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 for such cases made and provided, that all proper 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.

Saunders & Sutton
Counsel.

Lee J. Jordan
Lydia Seams Jordan
Complainants

By Saunders & Sutton
Counsel

Lee J. Jordan et als

v. Bill

Martha J. Jordan et als

Filed
1920 Nov 13th
J.L.M.

SAUNDERS & HUTTON
Attorneys at Law
Suffolk, Va.

Unit Toy 1,50
Clark 14,60
Alg 15,00
$31,10

Saml Jones Tilden Exr

Exr J. Jordan

dec'd

vs

Lu Chauncey

Swanton J. Jordan

Defts.

Brief of Case

Rec'd 1881

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