

1926-003
Nansemond Co (Suffolk) Chancery Causes: Mamie Johnson & Frances Green vs John Henry Johnson et al

McClenny, Jones, Smith, Baker, Dickson, Arthur, Spiers, Freeman, Dixon

U

*

25	00	✓
16	00	✓
10	00	✓
7	56	✓
31	58	✓
10	40	✓
5	00	✓
99	50	✓
79	15	✓
120	83	✓
✓62	54	✓
✓50	00	✓
✓62	54	✓
✓20	83	✓
✓17	00	✓
✓57	11	✓
✓20	83	✓
✓10	36	✓
✓89	50	✓
✓3	47	✓
✓10	36	✓
✓10	36	✓
✓3	47	✓
✓3	47	✓

775.00

763.20

11.80

6.21

4.21

72686*

3634

763.20

500.00

150.00

350.00

~~21.30~~ 000

3.45

57.01

06.59

04.11

09.5

07.91

~~00.00~~

00.00

00.91

00.00

10.00
November 18th, 1925.

Received of John K. Hutton, Special Commissioner in the
chancery cause of Mamie Johnson and Frances Green vs. John
in
Henry Johnson, et als, now pending/the Circuit Court of
Hansford County, Virginia, the sum of \$ 35 40 Dollars,
for Wittor, Ship, Cell & Oenke's Co's

G. B. Hutton, Cash

November 18th, 1925.

Received of John K. Hutton, Special Commissioner in the
chancery cause of Mamie Johnson and Frances Green vs. John
Henry Johnson, et als, now pending/ⁱⁿthe Circuit Court of
Nansemond County, Virginia, the sum of \$25⁰⁰ Dollars,
for Commissioner in Chancery's fee

Bradford Kelby
Comm. in Chancery

November 18th, 1925.

Received of John K. Hutton, Special Commissioner in
the chancery cause of Mamie Johnson and Frances Green vs. John
Henry Johnson, et als, now pending in the Circuit Court of
Nansemond County, Virginia, the sum of \$ 16 $\frac{00}{100}$ DOLLARS
for Order of Publication

Suffolk News Co. Inc
by mahe jackson

Telephone 33

P. O. Box 674

The Artcraft Press

R. CLYDE GURLEY, Prop.

"REAL GOOD PRINTING"

139 S. Main Street

Suffolk, Virginia

[Dated] Feb. 16, 1926

Sold To *Saunders & Nutton, Attorneys*

Johnson vs. Johnson

¹⁹²⁵⁻
Sept. 29. 100 Sale Bills

\$6.50

*Paid Feb. 16, 1926
The Artcraft Press
R. C. Gurley*

Received

Nov. 8th

1925

from J. K. Hutton

Ten and no/100

Dollars

Paid - Special Commissioners Bond - Johnson vs Johnson

\$ 10⁰⁰

Suffolk Insurance Corp
By A. L. Davidson

November 20, 1925.

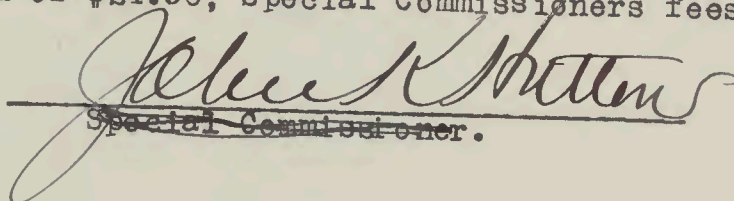
Received of John H. Hutton, Special Commissioner in the
chancery suit of Mamie Johnson and Frances Green, complainants,
vs. John Henry Johnson, et als, now pending in the Circuit Court
of Hansemond County, Virginia, the sum of \$ 5⁰⁰ Dollars.

For Attorney's fee -

John H. Hutton

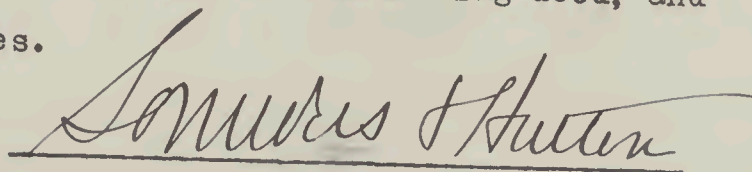
November 20th, 1925

Received of John K. Hutton, Special Commissioner in the
chancery suit of Mamie Johnson and Frances Green vs. John Henry
Johnson, et als, now pending in the Circuit Court of Nansemond
County, Virginia, the sum of \$24.50, Special Commissioners fees.


~~Special Commissioner.~~

November 20th, 1925.

Received of John K. Hutton, Special Commissioner in the
chancery suit of Mamie Johnson nd Frances Green vs. John Henry
Johnson, et als, now pending in the Circuit Court of Nansemond
County, Virginia, the sum of (1) \$10.00 for writing deed, and
(2) \$40.00 attorney's fees.


John K. Hutton

Rec'd of J. W. K. Stetter Special
Agent in Marine Johnson et al
v. John Henry Johnson et al Judgment
in Circuit Court of Wisconsin Co
the sum of \$ (57.00) of which an entry entered
in proceeds paid land, including 4.20 Taxes
paid & me.

J. W. K. Stetter

National Bank of Suffolk
Suffolk, Va..

192

BANKERS SUPPLY CO OHIO

PLEASE LIST EACH CHECK SEPARATELY

		DOLLARS	CENTS
CURRENCY			
GOLD			
SILVER			
CHECKS	Name of Paying Bank		
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.			
TOTAL			

ALWAYS BRING YOUR BANK BOOK WITH YOU

		0
1904	3	03
1919	3	46
1920	2	50
1920	2	85
1921	4	49
1922	4	95
1922	4	24
1921	5	46

3 1 5 8.

MR. *Jos. H. Hutton, Sps. Com.*
TO G. E. BUNTING, CLERK CIRCUIT COURT
OF NANSEMOND COUNTY
SUFFOLK, VA.,

192

TAX, \$

TRANSFER, \$

FEE, \$

REVENUE STAMPS

RECORDING

DEED FROM

TO

*Arb. tax on Jackson Johnson, Est. for
1904-1919, 1920, 1921 & 1922*

Paid

Jan. 20,

1923 -

G. E. Bunting

Clerk

By *Jos. H. Hutton, Sps. Com.*, D. C.

\$ 31.58

TAXES AND LEVIES, 1925

WHALEYVILLE DISTRICT

M. J. V. Arthur

Land.....Page 15 Line 13

Personal Property...Page.....Line.....

Income.....Page.....Line.....

To C. R. FULGHAM, Treasurer of NANSEMOND COUNTY, VIRGINIA, Dr.

No. **3541**

LOCAL RATES—REAL ESTATE AND TANGIBLE PROPERTY
County and District

County Levy.....\$.65
County School Levy......80
District School Levy......05
District Road Levy......30
Parish or Poor Levy......05
Total.....\$ 1.85

Local Rates on Intangibles		Valuation	Rate of State Tax on \$100	State Tax		Rate of Local Levies on \$100		Local Levies		Total Tax and Levies	
Class 1.....for Roads, 20 cents on \$100	Classes 5, 2.....for Roads, 30 cents on \$100										
Real Estate.....	31 Acres	\$ 360	\$.25	\$ 90		1	85	\$ 666		\$ 756	
Real Estate.....	Acres		.25			1	85				
Real Estate.....	Acres		.25			1	85				
Tangible Property.....			.25			1	85				
Class 4 (Money).....			.20			NO	NE	NO	NE		
Class 6 (Bonds of Counties, Cities and Towns of this State).....			.35			NO	NE	NO	NE		
Class 1 (Bonds, Notes and other evidences of debt).....	Value \$		.35				20				
Class 5 (Shares of Stock) Value \$			.80				30				
Class 2 (Capital).....			.85				30				
Income.....			{ 1% up to \$3,000; 2% on excess }			NO	NE	NO	NE		
Merchandise.....			NONE	NO	NE						
Banks.....			NONE	NO	NE						
State Poll (or Capitation) Tax.....				1	50	NO	NE				

CREDITS		
Date	Account	Amount
NOV 20 1925		\$ 25

Total Taxes and Levies.....\$.....\$.....\$ 756

Received payment:

Five Per Cent. Penalty.....
Total Taxes, Levies and Penalty.....\$

Treasurer

CUSTOMERS DRAFT.



NATIONAL BANK OF SUFFOLK

68-124
5

SUFFOLK, VA.

January 9, 1926

Let sight-

Sam Johnson

PAY TO THE ORDER OF

\$ 89.50

Eighty-nine

50/100

DOLLARS

VALUE RECEIVED AND CHARGE TO ACCOUNT OF

TO

Samuel Street Attorney

Suffolk, Va

his
Samt Johnson
man

War 111 Johnson

^{his} Tom Johnson.

His wife ^{and} ^{son} ^{and} ^{daughter}

^{his} Carl Ruck's

^{and} ^{son} ^{and} ^{daughter} ^{and} ^{son} ^{and} ^{daughter}

68-151
MEMORANDUM
PAY TO THE ORDER OF
ANY BANK OR BANKER

Received of John K. Hutton, Special Commissioner,
in the chancery suit pending in the Circuit Court of Nanse-
mond County under the style of Mamie Johnson at al ~~v~~ersus
John Henry Johnson and others the sum of eighty-nine and
50/100 Dollars my share of the proceeds of the sale of the
land in said suit.

Witness: *W. H. Moore*

x *John K. Hutton*
my
W. H. Moore

November _____, 1925.

Received of John K. Hutton, Special Commissioner in the
chancery suit of Mamie Johnson and Frances Green, complainants,
vs. John Henry Johnson, et als, now pending in the Circuit Court
of Nansemond County, Virginia, the sum of \$ 89⁵¹ ~~Dollars~~.

For _____

Francis Green

November _____, 1925.

Received of John K. Hutton, Special Commissioner in the
chancery suit of Mamie Johnson and Frances Green, complainants,
vs. John Henry Johnson, et al., now pending in the Circuit Court
of Nansemond County, Virginia, the sum of \$ 89 ⁵¹ ~~Dollars~~.

For _____.

Edna McElerny

December 21st, 1925.

Received of John K. Hutton, Special Commissioner in the
chancery suit of Mamie Johnson and Frances Green, complainants,
vs. John Henry Johnson, et als, now pending in the Circuit Court
of Nansemond County, Virginia, the sum of \$89.51 Dollars.

For my interest in above case.

Pauline Johnson

November _____, 1925.

Received of John K. Hutton, Special Commissioner in the
chancery suit of Mamie Johnson and Frances Green, complainants,
vs. John Berry Johnson, et als, now pending in the Circuit Court
of Nansemond County, Virginia, the sum of \$ 29⁸³ ~~dollars~~.

For _____.

Fay Jones

November _____, 1925.

Received of John K. Hutton, Special Commissioner in the
chancery suit of Mamie Johnson and Frances Green, complainants,
vs. John Henry Johnson, et als, now pending in the Circuit Court of
Nansemond County, Virginia, the sum of \$ 29⁸³ ~~Dollars~~.

For _____.

Mamie Johnson.

November_____, 1925.

Received of John K. Hutton, Special Commissioner in the
chancery suit of Mamie Johnson and Frances Green, complainants,
vs. John Henry Johnson, et als, now pending in the Circuit Court
of Nansemond County, Virginia, the sum of \$ 29⁸³ ~~Dollars.~~

For_____.

Sandy Johnson

RECEIVED OF JOHN K. HUTTON, SPECIAL COMMISSIONER IN THE CHANCERY
SUIT STYLED MAMIE JOHNSON ET AL V. JOHN HENRY JOHNSON ET ALS,
THE SUM OF SEVENTEEN DOLLARS, THAT BEING THE AMOUNT OF MY DOWER
INTEREST IN THE LAND SOLD IN THESE PROCEEDINGS, I BEING THE
WIDOW OF LUM JOHNSON, DECEASED, WHO WAS THE SON OF JACK JOHN-
SON. MY HUSBAND DIED MORE THAN FIVE YEARS AGO AND AFTER THE
DEAT OF HIS FATEER, JACK JOHNSON. MY HUSBAND LEFT NO CHILDREN.

Witness:
Evelyn J. Palmer.

^{her}
Lucy x Johnson
mark

April 13th, 1926.

Received of John E. Hutton, Special Commissioner in the
suit of Mamie Johnson and Frances Green vs. John Henry Johnson, and
others, now depending in the Circuit Court of Hansemond County,
Virginia, the sum of THIRTY-SIX DOLLARS AND FIFTY-NINE CENTS
(\$36.59), that being the amount of the judgment, principal and
cost in my favor against John Henry Johnson.

~~John E. Hutton~~
J. C. Halladay

SAUNDERS & HUTTON

Attorneys at Law

Suffolk, Va.

Receipts -
Johnson to Johnson

Aug 16, 1921

11

IN THE CLERK'S OFFICE OF THE
CIRCUIT COURT OF NANSE-
MOND COUNTY, VIRGINIA, IN
VACATION, ON THE 12TH DAY
OF NOVEMBER, 1924:

Mamie Johnson and Frances Green,
complainants.

IN CHANCERY

vs.

John Henry Johnson, Lucy Johnson,
Tom Johnson, Edna McClenny, Paul-
ine Johnson, Fay Jones and Sandy
Lee Johnson, Defendants.

The object of this suit is to have
partition of the real estate situated in
the county of Nansemond, Virginia,
of which Jackson Johnson died seised
and possessed, briefly described as
follows:

First: All that certatin tract of
land situated in Cypress Magisterial
District, Nansemond County, Vir-
ginia, which was conveyed to Jack
Johnson by Mary W. Smith and James
E. Smith by deed dated January 10,
1872, and recorded in the Clerk's Of-
fice of the Circuit Court of Nanse-
mond County in Deed Book number
7, page 117, and described as follows:
A certain piece or parcel of land lying
and situated in Nansemond County,
Virginia, adjoining the lands of Henry
Smith, Miles Smith, Thomas A. How-
ell ad others, containing six (6) acres,
more or less.

Second: All that certain tract of
land situated in Cypress Magisterial
District, Nansemond County, Virginia,
which was conveyed to Jackson John-
son by R. W. Baker and Sarah Ida
Baker, his wife, by deed, dated Jan-
uary 17, 1890, and recorded in the
Clerk's Office of the Circuit Court of
Nansemond County in Deed Book 23,
page 244, and described as follows:
A certain tract of land situated in
Cypress Magisterial District, Nanse-
mond County, Virginia, on the north
side of Somerton Swamp and bounded
by the lands of James Horton on the
south, and on the west and north by
the lands of Frank Parker, and on the
east by the lands of Robert W. Baker,
and containing twenty-five (25) acres
more or less, being the lands as con-
veyed by E. R. Smith and wife and
Robert W. Baker by deed bearing
date January 1, 1884, and duly re-
corded in Nansemond County Court
in Deed Book Number 14, Page 553.

It appearing by affidavit that the
defendant, John Hanry Johnson is a
non-resident of this state, it is there-
fore ordered that the said John Hen-
ry Johnson appear within ten days
after due publication of this notice
and do what is necessary to protect
his interest.

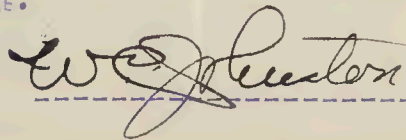
G. E. BUNTING, Clerk.

Saunders & Hutton, p. q.

Nov. 14-21-28, Dec 5

Suffolk, Va., Jan. 22, 1925

This is to certify that the attached order of publication in the suit of Blanche Johnson and Frances Green vs. John Henry Johnson et als. was published once a week for four successive weeks in The Suffolk News, beginning Nov. 14, 1924.

A handwritten signature in cursive script, appearing to read "W. G. Hunter". The signature is written over a horizontal dashed line.

Editor.

M Saunders and Hutton, Att'ys.

IN THE CLERK'S OFFICE OF THE
CIRCUIT COURT OF NANSE-
MOND COUNTY, VIRGINIA, IN
VACATION, ON THE 12TH DAY
OF NOVEMBER, 1924:

Mamie Johnson and Frances Green,
complainants.

IN CHANCERY

vs.

John Henry Johnson, Lucy Johnson,
Tom Johnson, Edna McClenney, Paul-
ine Johnson, Fay Jones and Sandy
Lee Johnson, Defendants.

The object of this suit is to have
partition of the real estate situated in
the county of Nansemond, Virginia,
of which Jackson Johnson died seised
and possessed, briefly described as
follows:

First: All that certain tract of
land situated in Cypress Magisterial
District, Nansemond County, Vir-
ginia, which was conveyed to Jack
Johnson by Mary W. Smith and James
E. Smith by deed dated January 10,
1872, and recorded in the Clerk's Of-
fice of the Circuit Court of Nanse-
mond County in Deed Book number
7, page 117, and described as follows:
A certain piece or parcel of land lying
and situated in Nansemond County,
Virginia, adjoining the lands of Henry
Smith, Miles Smith, Thomas A. How-
ell and others, containing six (6) acres,
more or less.

Second: All that certain tract of
land situated in Cypress Magisterial
District, Nansemond County, Virginia,
which was conveyed to Jackson John-
son by R. W. Baker and Sarah Ida
Baker, his wife, by deed, dated Jan-
uary 17, 1890, and recorded in the
Clerk's Office of the Circuit Court of
Nansemond County in Deed Book 23,
page 244, and described as follows:
A certain tract of land situated in
Cypress Magisterial District, Nanse-
mond County, Virginia, on the north
side of Somerton Swamp and bounded
by the lands of James Horton on the
south, and on the west and north by
the lands of Frank Parker, and on the
east by the lands of Robert W. Baker,
and containing twenty-five (25) acres
more or less, being the lands as con-
veyed by E. R. Smith and wife and
Robert W. Baker by deed bearing
date January 1, 1884, and duly re-
corded in Nansemond County Court
in Deed Book Number 14, Page 553.

It appearing by affidavit that the
defendant, John Henry Johnson is a
non-resident of this state, it is there-
fore ordered that the said John Hen-
ry Johnson appear within ten days
after due publication of this notice
and do what is necessary to protect
his interest.

G. E. BUNTING, Clerk.

Saunders & Hutton, p. q.

Nov. 14-21-28, Dec 5

NEWS COMPANY

CORPORATED

*payments of \$2 ea \$
of per week 16 00*

that the attached order of
suit of Mamie Johnson and
John H. Johnson, Lucy
on, Edna McClenney, Pauline
, and Sandy Lee Johnson,
Suffolk News for four
beginning Nov. 14th and
1924.

W. E. Johnston
Editor.

Oct. 21st, 1925

n, Att'ys.

SUFFOLK NEWS COMPANY

INCORPORATED

Insertions of 8" ea \$
@ 50¢ per inch 16.00

This is to certify that the attached order of publication in the suit of Mamie Johnson and Frances Green against John H. Johnson, Lucy Johnson, Tom Johnson, Edna McCleddy, Pauline Johnson, Fay Jones, and Sandy Lee Johnson, published in the Suffolk News for four successive weeks, beginning Nov. 14th and ending Dec. 5th, 1924.

W. J. Johnston
Editor.

IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF HANSEMOND COUNTY,
VIRGINIA, IN VACATION, ON THE 12th DAY OF NOVEMBER, 1924:

Mamie Johnson and Frances Green.....Complainants.

Vs. IN CHANCERY

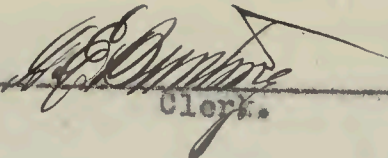
John Henry Johnson, Lucy Johnson,
Tom Johnson, Edna McClenny, Pauline
Johnson, Fay Jones and Sandy Lee Johnson.....Defendants.

The object of this suit is to have partition of the real estate situated in the County of Hansemond, Virginia, of which Jackson Johnson died seised and possessed, briefly described as follows:

FIRST: All that certain tract of land situated in Cypress Magisterial District, Hansemond County, Virginia, which was conveyed to Jack Johnson by Mary W. Smith and James E. Smith by deed dated January 10th, 1872, and recorded in the Clerk's Office of the Circuit Court of Hansemond County in Deed Book number 7, page 117 and described as follows: A certain piece or parcel of land lying and situated in Hansemond County, Virginia, adjoining the lands of Henry Smith, Miles Smith, Thomas A. Howell and others, containing six (6) acres, more or less.

SECOND: All that certain tract of land situated in Cypress Magisterial District, Hansemond County, Virginia, which was conveyed to Jackson Johnson by R. W. Baker and Sarah Ida Baker, his wife, by deed dated January 17th, 1890, and recorded in the Clerk's Office of the Circuit Court of Hansemond County, in Deed Book 23, page 244, and described as follows: A certain tract of land situated in Cypress Magisterial District, Hansemond County, Virginia, on the north side of Somerton Swamp and bounded by the lands of James Horton, on the South, ^{on the} West and North by the lands of Frank Parker, and on the East by the lands of Robert W. Baker, and containing twenty-five (25) acres, more or less, being the land as conveyed by E. R. Smith and wife and Robert W. Baker by deed bearing date January 1st, 1884, and duly recorded in Hansemond County Court in Deed Book Number 14, page 553.

It appearing by affidavit that the defendant, John Henry Johnson is a non-resident of this State, it is therefore ordered that the said John Henry Johnson appear within ten days after due publication of this notice and do what is necessary to protect his interest.


Clerk.

Samuel T. Hutton, Jr.

Mamie Johnson and Frances
Green,
Complainants,

Vs. ORDER OF PUBLICATION

John Henry Johnson, et als,
Defendants.

Enter the ____ day of _____,
1924.

Entered in Chancery Order

Book _____, page _____.

GEORGE E. BUNTING
CLERK OF CIRCUIT COURT OF
NANSEMOND COUNTY
SUFFOLK, VA.

REASON FOR
NON DELIVERY
CHECKED
NO. 100
LEFT NO. 100
POST OFFICE IN STATE NAMED

John Henry Johnson
Kittrell,

NOV 10
4
10



IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA:

Mamie Johnson and Frances Green.....Complainants

Vs.

IN CHANCERY

John Henry Johnson, Lucy Johnson,
Tom Johnson, Edna McClenny, Pauline
Johnson, Fay Jones and Sandy Lee Johnson.....Defendants.

STATE OF VIRGINIA,

City of Suffolk, to-wit:

This day personally appeared before me, Evelyn Palmer, a
Notary Public for the city aforesaid in the State of Virginia, in
my said city, Mamie Johnson, one of the above named complainants,
who after being duly sworn, made oath before me that John Henry
Johnson, one of the defendants in the above styled cause, is a non-
resident of the State of Virginia, and that his last known post-
office address was as follows: Kittrell, North Carolina.

Given under my hand this the 13th day of October, 1924.

Evelyn Palmer
Notary Public.

Mamie Johnson and Frances
Green,
Complainants.

Vs. AFFIDAVIT

John Henry Johnson, et als,
Defendants.

IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF NANSEMOND COUNTY,
VIRGINIA, IN VACATION, ON THE 12th DAY OF NOVEMBER, 1924:

Mamie Johnson and Frances Green.....Complainants.

Vs. IN CHANCERY

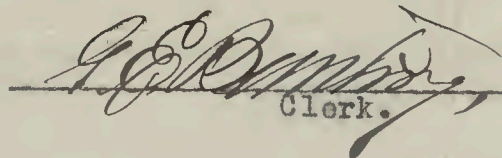
John Henry Johnson, Lucy Johnson,
Tom Johnson, Edna McClenny, Pauline
Johnson, Fay Jones and Sandy Lee Johnson.....Defendants.

The object of this suit is to have partition of the real estate situated in the County of Nansemond, Virginia, of which Jackson Johnson died seised and possessed, briefly described as follows:

FIRST: All that certain tract of land situated in Cypress Magisterial District, Nansemond County, Virginia, which was conveyed to Jack Johnson by Mary W. Smith and James E. Smith by deed dated January 10th, 1872, and recorded in the Clerk's Office of the Circuit Court of Nansemond County in Deed Book number 7, page 117 and described as follows: A certain piece or parcel of land lying and situated in Nansemond County, Virginia, adjoining the lands of Henry Smith, Miles Smith, Thomas A. Howell and others, containing six (6) acres, more or less.

SECOND: All that certain tract of land situated in Cypress Magisterial District, Nansemond County, Virginia, which was conveyed to Jackson Johnson by R. W. Baker and Sarah Ida Baker, his wife, by deed dated January 17th, 1890, and recorded in the Clerk's Office of the Circuit Court of Nansemond County in Deed Book 23, page 244, and described as follows: A certain tract of land situated in Cypress Magisterial District, Nansemond County, Virginia, on the north side of Somerton Swamp and bounded by the lands of James Horton, on the South, and ^{on the} West and North by the lands of Frank Parker, and on the East by the lands of Robert W. Baker, and containing twenty-five (25) acres, more or less, being the lands as conveyed by E. R. Smith and wife and Robert W. Baker by deed bearing date January 1st, 1884, and duly recorded in Nansemond County Court in Deed Book Number 14, page 553.

It appearing by affidavit that the defendant, John Henry Johnson is a non-resident of this State, it is therefore ordered that the said John Henry Johnson appear with ten days after due publication of this notice and do what is necessary to protect his interest.


Clerk.

Mamie Johnson and Frances
Green,

Complainants,

Vs. ORDER OF PUBLICATION

John Henry Johnson, et als,
Defendants.

Enter the _____ day of _____,
1924.

Entered in Chancery Order

Book _____, page _____.

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Nansemond.

Mamie Johnson et al. Pltff.)
vs.) In Chancery
John Henry Johnson et als Dft)

I hereby certify that on the 13th day of November 1924

I posted a copy of the order of publication entered herein, at the front door of the Courthouse of the County of Nansemond; that being on or before the next succeeding rule day after said order was entered, and I further certify that I have mailed to John Henry Johnson, Kittrell, N.C. a copy of said order of publication.

Given under my hand this 13th day of November, 1924

, Clerk,
By _____, Deputy Clerk.

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

Mamie Johnson and Frances Green.....Complainants.

Vs.

IN CHANCERY

John Henry Johnson, Lucy Johnson,
Tom Johnson, Edna McClenny, Pauline
Johnson, Fay Jones and Sandy Lee Johnson.....Defendants.

Please issue summons returnable to Second November Rules,

1924.

Saunders & Hutton
p. q.

1. Lucy Johnson (Dorchester, Henric Co. va ✓)
Tom " Drewryville, Southampton Co. ✓
Edna McClenny 156 18th St New York News va ✓
2. Pauline Johnson Whaleyville, va ✓
Fay Jones 34 Hobson St (Dorchester) pto va ✓
Sandy Lee Johnson 1201 Effingham St. pto va ✓

Mamie Johnson and Frances
Green, . Complainants,

Vs. IN CHANCERY

John Henry Johnson, et als,
Defendants.

CHANCERY SUMMONS

The Commonwealth of Virginia.

TO THE SHERIFF OF NANSEMOND COUNTY--GREETING:

You are Hereby Commanded to Summon John Henry Johnson, Lucy Johnson, Tom Johnson, Edna McClenny, Pauline Johnson, Fay Jones and Sandy Lee Johnson

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the Third Monday in November 1924, to answer a Bill in Chancery, exhibited against them in the said Court by Mamie Johnson and Frances Green

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this 13th day of November, 1924, in the 134th year of the Commonwealth.

A Copy--Teste:

Clerk

Teste

Clerk

Executed on the 14 day of
Nov. 1924

In witness whereof Pauline
Johnson in presence
E.B. Rawles
Sheriff of Nansemond County

Executed on the 17 day of
Nov. 1924

In witness whereof Lucy
Johnson in presence
E.B. Rawles
Sheriff of Nansemond County

Original

Samuel Hutton p. q.

Mamie Johnson et al

vs. } In Chancery

John Henry Johnson et als

1924

Nov. Rules

Third Monday.

NANSEMOND COUNTY COURT,

Process Book, No. 4

Page _____

Shufford \$1.00

Executed this _____ day of _____, 191 _____ by delivering a true copy of the with-
in process to _____
in person, in the County of Nansemond, State of Virginia.

Sheriff

CHANCERY SUMMONS

The Commonwealth of Virginia.

Sergeant of the City of Newport News
TO THE ~~SHERIFF OF NANSEMOND COUNTY~~---GREETING:

You are Hereby Commanded to Summon... John Henry Johnson, Luck Johnson,
Tom Johnson, Edna McClenny, Pauline Johnson, Fay Jones and Sandy Lee Johnson

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
for the said Court, on the Third Monday in November 1924, to answer a

Bill in Chancery, exhibited against them

in the said Court by Mamie Johnson and Frances Green

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this 13th day of
November, 1924, in the 134th year of the Commonwealth.

A Copy Teste:

Clerk

Teste:

Clerk

Executed this day of, 191 .. by delivering a true copy of the with-

in process to

in person, in the County of Nansemond, State of Virginia.

Sheriff

Original

Sunderst Hutton p. q.

Mamie Johnson et al

vs. } In Chancery

John Henry Johnson et als

1914

November Rules

Third Monday.

NANSEMOND COUNTY COURT,

Process Book, No.

Page

\$4.50 fee 50¢ paid

Not finding *Edna McElerny* at her usual place of abode. nor any other person as shown by search serve the within summons. I execute the same on this the 14th day of November 1914 by leaving a true copy thereof posted at the front door of the several place of abode of the said *Edna McElerny*.

*H. L. Lewis City Sergeant
City of Newport News Virginia*

CHANCERY SUMMONS

The Commonwealth of Virginia.

TO THE SHERIFF OF ^{Southampton} ~~NANSEMOND~~ COUNTY---GREETING:

You are Hereby Commanded to Summon ~~John Henry Johnson,~~
~~Luey Johnson, Tom Johnson, Edana McClenny, Pauline Johnson, Fay Jones, and~~
~~Sandy Lee Johnson~~

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
for the said Court, on the First Monday in June 1925, to answer a
Bill in Chancery, exhibited against them
in the said Court by Mamie Johnson and Frances Green

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this 20th day of April, 1925, in the 139 year of the Commonwealth.

A Copy---Teste:

~~Clerk~~

Taste:

Clerk

Executed this _____ day of _____, 191 _____ by delivering a true copy of the with-
in process to _____

in person, in the County of Nansemond, State of Virginia.

Sheriff

Original

Saunders & Hutton p. q.

Mamie Johnson et al

vs. } In Chancery

John Henry Johnson et al

1925

June Rules

First Monday.

NANSEMOND COUNTY COURT,

Process Book, No. 3

Page _____

Not finding the within named, Tom Johnson, at his usual place of
abode, I executed same in Southampton County Virginia, by delivering a
true copy, hereof to Hattie Johnson whom I found there, she being a member
of his family over the age of 16 Yrs. and explained its purport to her
this 19th. day of May 1925.

C. A. Bell Sheriff of Southampton
County Virginia.

BY C. A. Bell D. S.

The Commonwealth of Virginia.

as at another time we have commended you

You are Hereby Commanded, to Summon

You are hereby Commanded to Summon John Jones, Lucy Johnson, Tom Johnson, Edna
McClintock, Caroline Johnson, Ray Jones &
Sandra Lee

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
for the said Court, on the First Monday in Oct 1938 to answer a

Bill in Chancery, exhibited against Thoms

in the said Court by Gracie Johnson & Dancer Green

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this 17th day of

Witness: G. E. Bunting, Clerk of our said Court, at his office, this _____
June, 1924, in the 18 year of the Commonwealth.

~~A Copy--Teste:~~

Clerk

Teste:

Clerk

Executed this _____ day of _____, 191____, by delivering a true copy of the with-

in process to _____

January 31, 1925

True Return to the Court

Loa Butt

Sheriff

in person, in the County of Nansemond, State of Virginia.

Original return

Samuelson & Hutton p. q.

Francis Johnson et al

vs. } In Chancery

John Henry Johnson et al

1925-

Dec. Rules

First Monday.

NANSEMOND COUNTY COURT,

Process Book, No. 3

Page _____

CHANCERY SUMMONS

The Commonwealth of Virginia.

Southampton County
TO THE SHERIFF OF NANSEMOND COUNTY---GREETING:

as often heretofore we have commanded you

You are Hereby Commanded/to Summon ~~John Henry Johnson,~~
Lucy Johnson, Tom Johnson, Edna McClenny, Pauline Johnson, Fay Jones, and
Sandy Lee Johnson

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
for the said Court, on the Third Monday in April 1925, to answer a

Bill in Chancery, exhibited against ~~them~~

in the said Court by Mamie Johnson and Frances Green

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this 2nd day of
February, 1925, in the 149 year of the Commonwealth

A Copy---Teste:

Clerk

Teste

Clerk

Original Return

Paumer & Hutton p. q.

James Johnson et al

vs. } In Chancery

John Henry Johnson et al

1925

April Rules

April Monday.

NANSEMOND COUNTY COURT,

Process Book, No.

Page

Executed this _____ day of _____, 191____ by delivering a true copy of the with-
in process to _____
_____ April 15, 1925
_____ True Return for James
_____ Lee Rice
_____ Sheriff

CHANCERY SUMMONS

The Commonwealth of Virginia.

Sergeant of the City of Portsmouth
TO THE SHERIFF OF NANSEMOND COUNTY---GREETING:

You are Hereby Commanded to Summon John Henry Johnson, Lucy Johnson,
Tom Johnson, Edna McClenny, Pauline Johnson, Fay Jones and Sandy Lee Johnson

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
for the said Court, on the Third Monday in November, 1924, to answer a

Bill in Chancery, exhibited against them

in the said Court by Mamie Johnson and Frances Green

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this 12th day of
November, 1924, in the 139th year of the Commonwealth.

A Copy Teste:

Clerk

Teste:

Clerk

Executed this 15th day of Nov.
1924 in the City of Portsmouth, Va. by
delivering a copy of the within Summons
to Gray Jones

----- in person.

W. E. Brown City Serg't.

by J. E. Talbot Deputy Serg't.

Not finding Sandy Lee Johnson
at his usual place of abode I executed
this 15th day of Nov. 1924 in the
City of Portsmouth, Va. by delivering a
copy of the within Summons to
his Aunt whom I found
there, a member of his family and over
the age of sixteen years explaining to
her its purport.

W. E. Brown City Serg't.

by J. E. Talbot Deputy Serg't.

Saunders & Sutton p. q.

Harry Johnson et al

vs. } In Chancery

John Harry Johnson et al

1924

Nov. Rules

Wed Monday.

NANSEMOND COUNTY COURT,

Process Book, No.

Page

J. E. Talbot

See Return on back.

Executed this 15th day of November, 1924 by delivering a true copy of the with-
in process to Gray Jones in person
in the City of Portsmouth Va.
W. E. Brown City Serg't.
by J. E. Talbot Deputy Serg't.
in person, in the County of Nansemond, State of Virginia.

Sheriff

Know All Men by These Presents, That we, *John H. Hutton*
and Indemnity Insurance Company of
North America

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of *Eight Hundred* Dollars to the payment whereof, well and truly to be made to the Commonwealth of Virginia, we bind ourselves, our heirs; executors, and administrators, jointly and severally, firmly by these presents.

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

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

In Testimony Whereof, the said *John H. Hutton* has hereto set his hand and seal, and the said *Indemnity Insurance Company of North America* has caused its corporate name to be hereto signed and its corporate seal to be hereto affixed, this *24th* day of *Sept.* in the year of our Lord one thousand nine hundred and *1925*, and in the *100* year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound *John H. Hutton* who by a decree of the Circuit Court of *Nansemond County*, entered on the *24th* day of *Sept.*, 1925, in the Chancery cause pending in said Court, between *Mamie Johnson* et al vs *John Henry Johnson* et al, appointed a Special Commissioner to see the land in the vice and proceeding mentioned and who has this day qualified before the Clerk of said Court as such Special Commissioner, shall faithfully discharge the duties of his said office post or trust, then the above obligation to be void or else to remain in full force and virtue

John H. Hutton (Seal)
Indemnity Ins. Co. of (Seal)
North American (Seal)
by W. B. Hutton (Seal)
Attorney-in-fact (Seal)

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Nansemond, on the *24th* day of *Sept.*, 1925.

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

Teste:

J. G. Bandy Clerk

To }

The Commonwealth

See Official Bond
Book No. 3, Page 140.



Mamie Johnson and Frances Green.....Complainants

v.

John Henry Johnson, Lucy Johnson, Tom
Johnson, Edna McClenny, Pauline John-
son, Fay Jones and Sandy Lee Johnson.....Defendants

On motion of T. V. Arthur, by counsel, it is ordered that said T. V. Arthur be made a party to this cause and allowed to file his answer herein; and this cause, in which the complainants appear to have proceeded against the non-resident defendant, John Henry Johnson, in the mode prescribed by law and in which process was duly served upon the defendants, Lucy Johnson, Edna McClenny and Pauline Johnson, came on this day to be heard on the bill taken for confessed and set for hearing as to said John Henry Johnson, Lucy Johnson, Edna McClenny and Pauline Johnson, they still failing to appear and plead, answer or demur, and on the answers of Tom Johnson, Fay Jones, Sandy Lee Johnson, and T. V. Arthur with general replication thereto by the complainants 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 cannot 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 cannot 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 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.

Mamie Johnson et al.

v. Decree of reference.

John Henry Johnson et als.

Enter the 25 day of June,
1925.

Jan L. McInnere

150

Entered in Chancery Order

Book No. 5, Page 549

Mamie Johnson and Frances Green.....Complainants
vs. DECREE

John Henry Johnson.....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, this day filed, to which report there is no exception, and was argued by counsel.

On consideration whereof, it appearing from said report that the said special commissioner, after advertising the time, place and terms of sale as required by the decree entered herein on the 26th day of September, 1925, offered the land mentioned in the bill, and hereinafter described, for sale at public auction in front of the National Bank of Suffolk, Suffolk, on the 17th day of October, 1925, at which sale said property was struck off to J. H. Vaughan, he being the highest bidder, for the sum of SEVEN HUNDRED AND SEVENTY-FIVE (\$775.00) DOLLARS, and it further appearing that said price represents the fair value of the said property, and that confirmation of the said sale is recommended by the said special commissioner, the court doth approve and confirm said report and the sale therein mentioned, and doth adjudge, order and decree that the said special commissioner, upon payment to him of the said sum of SEVEN HUNDRED AND SEVENTY-FIVE (\$775.00) DOLLARS, shall convey unto the said J. H. Vaughan, with special warranty, the aforesaid land, described as follows:

(1) "All that certain tract of land situated in Cypress Magisterial District, Hansemond County, Virginia, which was conveyed to Jack Johnson by Mary W. Smith and James E. Smith by deed dated January 10th, 1872, and recorded in the Clerk's Office of the Circuit Court of Hansemond County, in Deed Book number 7, page 117, and described as follows: A certain piece or parcel of land lying and situated in Hansemond County, Virginia, adjoining the lands of Henry Smith, Miles Smith, Thomas A. Howell and others, containing six (6) acres, more or less."

(2) "All that certain tract of land situated in Cypress Magisterial District, Hansemond County, Virginia, which was conveyed to Jackson Johnson by R. W. Baker and Sarah Ida Baker, his wife, by deed dated January 17th, 1890, and recorded in the Clerk's Office of the Circuit Court of Hansemond County, Virginia, in Deed Book 23, page 244, and described as follows: A certain

Mamie Johnson and Frances Green.....Complainants
vs. DECREE

John Henry Johnson 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, this day filed, to which report there is no exception,
and was argued by counsel.

On consideration whereof, it appearing from said report
that the said special commissioner

tract of land situated in Cypress Magisterial District, Nansemond County, Virginia, on the North side of Somerton Swamp and bounded by the lands of James Horton, on the South and West and North by the lands of Frank Parker, and on the East by the lands of Robert W. Baker, and containing twenty-five (25) acres, more or less, being the land as conveyed by E. R. Smith and wife and Robert W. Baker, by deed bearing date January 1st, 1884, and duly recorded in Nansemond County Court, in Deed Book number 14, page 553."

It is further ordered that after payment of the cost of this suit, including a fee of \$ 40⁰⁰ to Saunders and Hutton, Attorneys, who instituted the same, the said special commissioner disburse the remainder of the proceeds of the said sale in accordance with the report of ^{warden} Bradford Kilby, Commissioner in Chancery, filed in this cause.

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

Virginia.
In the Circuit Court of the
County of Hanover.

Mamie Johnson & Frances
Green, Complainants,

vs. Alenee

John Henry Johnson,
et al., Defendants -

Enter the 14th day
of October 1926

Entered in Chancery
Under Book _____,
Page _____.

Mamie Johnson and Frances Green.....Complainants

Vs.

IN CHANCERY

REPORT

John Henry Johnson, et als.....Defendants

TO THE HONORABLE CIRCUIT COURT OF NANSEMOND COUNTY:

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

That pursuant to the decree entered herein on the 26th
day of October, 1925, your commissioner, upon payment
to him of the sum of SEVEN HUNDRED AND SEVENTY-FIVE (\$775.00)
DOLLARS, the purchase price of the property sold in these proceed-
ings, conveyed said property to J. H. Vaughan, the purchaser thereof,
and after payment of the cost of the suit, disbursed the remainder
in his hands in accordance with the report of Bradford Kilby, Com-
missioner in Chancery, and herewith exhibits vouchers for his said
disbursements.

That the cost paid by your Commissioner is as follows:

George E. Bunting, Clerk.....	\$ 35.40
Bradford Kilby, Commissioner in Chancery.....	25.00
Suffolk News Co., Order of Publica- tion.....	16.00
Artcraft Press (Handbills).....	4.75
Suffolk Insurance Corporation (Bond).. <td>10.00</td>	10.00
J. Walter Hosier (Auctioneer).....	5.00
John K. Hutton, Commissions as Special Commissioner.....	24.50
Saunders & Hutton, writing deed.....	10.00
Saunders & Hutton, Attorneys fees.....	40.00

That taxes were paid as follows:

Clerk of the Circuit Court of Nansemond County, delinquent taxes for years 1904, 1919, 1921 and 1922.....	\$ 31.58
T. V. Arthur for taxes for 1924.....	4.20
Taxes for 1923 (paid by one of the heirs).....	6.99
C. R. Fulgham, for 1925 taxes.....	7.56

That the amount remaining, to-wit, FIVE HUNDRED AND
FIFTY-FOUR DOLLARS AND TWO CENTS (\$554.02) was paid to the heirs at
law of Jack Johnson and to other parties entitled, as follows:

To Tom Johnson, son of Jack Johnson,
one-seventh.....\$ 79.14

To Tom Johnson, one-sixth of the
share of his brother, Lum Johnson, deceased,
after payment of the widow's
dower interest..... 10.36

To Frances Green, daughter of Jack
Johnson, one-seventh..... 79.15

To Frances Green, one-sixth of
the share of said Lum Johnson..... 10.36

To Edna McClenny, daughter of Jack
Johnson, one-seventh..... 79.15

To Edna McClenny, one-sixth of
the share of said Lum Johnson..... 10.36

To Pauline Johnson, daughter of Jack
Johnson, one-seventh..... 79.15

To Pauline Johnson, one-sixth of
the share of said Lum Johnson..... 10.36

To Fay Jones, daughter of Frank Johnson, deceased,
who was son of Jack Johnson, one-third
of her father's one-seventh interest..... 26.38

To Fay Jones, one-third of her father's
one-sixth of Lum Johnson's share of \$10.35... 3.45

To Mamie Johnson, sister of Fay Jones, one-
third of one-seventh as aforesaid..... 26.38

To Mamie Johnson, one-third of \$10.35..... 3.45

To Sandy Lee Johnson, brother of Fay Jones and
Mamie Johnson, one-third of one-seventh as
aforesaid..... 26.38

To Sandy Lee Johnson, one-third of \$10.35..... 3.45

To Lucy Johnson, the widow of Lum Johnson,
deceased, who was a son of Jack John-
son, her dower in Lum Johnson's interest
commuted at the age of 50 years..... 17.00

To J. C. Holladay, judgment against
John Henry Johnson, who is a son of Jack
Johnson, principal, interest and costs..... 36.59

To T. V. Arthur, purchaser of the interest
of John Henry Johnson subject to said
judgment..... 52.91

Respectfully submitted,

John K. Sullivan
Special Commissioner.

VIRGINIA:
IN THE CIRCUIT COURT OF NAN-
SEMOND COUNTY:

Mamie Johnson and Frances
Green,

Complai nants,

Vs.

REPORT

John Henry Johnson, et als,
Defendants.

1926 Seph. 24. filed
JHm

Mamie Johnson and Frances Green.....Complainants

vs.

DECREE

John Henry Johnson...*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, this day filed, to which report there is no exception, and was argued by counsel.

On consideration whereof, it appearing from said report that the said special commissioner, after advertising the time, place and terms of sale as required by the decree entered herein on the 26th day of September, 1925, offered the land mentioned in the bill, and hereinafter described, for sale at public auction in front of the National Bank of Suffolk, Suffolk, ^{Virginia} on the 17th day of October, 1925, at which sale said property was struck off to J. H. Vaughan, he being the highest bidder, for the sum of SEVEN HUNDRED AND SEVENTY-FIVE (\$775.00) DOLLARS, and it further appearing that said price represents the fair value of the said property, and that confirmation of the said sale is recommended by the said special commissioner, the court doth approve and confirm said report and the sale therein mentioned, and doth adjudge, order and decree that the said special commissioner, upon payment to him of the said sum of SEVEN HUNDRED AND SEVENTY-FIVE (\$775.00) DOLLARS, shall convey unto the said J. H. Vaughan, with special warranty, the aforesaid land, described as follows:

(1) "All that certain tract of land situated in Cypress Magisterial District, Nansemond County, Virginia, which was conveyed to Jack Johnson by Mary W. Smith and James E. Smith by deed dated January 10th, 1872, and recorded in the Clerk's Office of the Circuit Court of Nansemond County, in Deed Book number 7, page 117, and described as follows: A certain piece or parcel of land lying and situated in Nansemond County, Virginia, adjoining the lands of Henry Smith, Miles Smith, Thomas A. Howell and others, containing six (6) acres, more or less."

(2) "All that certain tract of land situated in Cypress Magisterial District, Nansemond County, Virginia, which was conveyed to Jackson Johnson by R. W. Baker and Sarah Ida Baker, his wife, by deed dated January 17th, 1890, and recorded in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, in Deed Book 23, page 244, and described as follows: A certain

tract of land situated in Cypress Magisterial District, Nansemond County, Virginia, on the North side of Somerton Swamp and bounded by the lands of James Horton, on the South and West and North by the lands of Frank Parker, and on the East by the lands of Robert W. Baker, and containing twenty-five (25) acres, more or less, being the land as conveyed by E. R. Smith and wife and Robert W. Baker, by deed bearing date January 1st, 1884, and duly recorded in Nansemond County Court, in Deed Book number 14, page 553."

It is further ordered that after payment of the cost of this suit, including a fee of \$45.⁰⁰ to Saunders and Hutton, Attorneys, who instituted the same, the said special commissioner disburse the remainder of the proceeds of the said sale in accordance with the report of Bradford Kilby, Commissioner in Chancery, filed in this cause.

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

VIRGINIA:
IN THE CIRCUIT COURT OF
NANSEMOND COUNTY:

#####

Mamie Johnson and Frances Green,
Complainants.

Vs. DECREE,

John Henry Johnson, et als,
Defendants.

Enter the 26, day of.

October, 1925.

Jas. L. M. Moore

Entered in Chancery Order

Book # 3-, Page 567.

Mamie Johnson and Frances Green.....Complainants.

vs.

Report of Special Commissioner

John Henry Johnson, et als.....Defendants.

TO THE HONORABLE CIRCUIT COURT OF NANSEMOND COUNTY,

VIRGINIA:

The undersigned special commissioner, John K. Hutton,
respectfully reports:

That on the 17th day of October, 1925, at twelve o'clock
M. said special commissioner offered for sale at public auction in
front of the National Bank of Suffolk, Suffolk, Virginia, after ad-
vertising the time, place and terms of sale as required by the
decree entered in this cause on the 26th day of September, 1925,
at which sale the said property was struck off to J. H. Vaughan,
he being the highest bidder, for the sum of SEVEN HUNDRED AND SEVENTY-
FIVE (\$775.00) DOLLARS. Said special commissioner further reports
that in his opinion, the aforesaid sum of SEVEN HUNDRED AND SEVENTY-
FIVE (\$775.00) DOLLARS represents the fair value of the said land,
and that the sale should be confirmed. Said special commissioner
is advised that the purchaser desires to pay cash for the said land.

Respectfully submitted,

John K. Hutton
Special Commissioner

*Sent:
October 24, 1925*

Mamie Johnson and Frances
Green,
Complainants.

Vs.

John Henry Johnson, et als,
Defendants.

REPORT OF SPECIAL COM-
MISSIONER.

1925. Octo 26. filed.
J.L.M.

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY:

Mamie Johnson and Frances Green.....Complainants.

vs.

DECREE

John Henry Johnson and others.....Defendants.

This cause came on this day to be again heard on the papers formerly read, and on the report of Bradford Kilby, Commissioner in Chancery, filed in the Clerk's Office of this court on the 7th day of September, 1925, to which report there is no exception, and was argued by counsel.

On consideration whereof, the Court doth approve and confirm said report; and it appearing from said report that the real estate described in the bill cannot 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 cannot be an allotment of part and a 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, the Court 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 sale for fifteen days by posting notices of the same in numerous public places in the County of Nansemond and in 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 said bill upon the following terms, to-wit: one-half cash and the residue upon a credit installment of twelve months, with interest from the date of the sale, the deferred payment to be evidenced by the purchaser's note payable to the order of the Court in this cause and the title of 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 \$800, and conditioned for the faithful discharge of his duties hereunder and under any future decrees that may be entered herein.

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

Mamie Johnson and Frances
Green,
Complainants.

Vs. DECREE

JohnHenry Johnson and others,
Defendants.

Enter the 26 day of
September, 1925.

J. L. W. Moore
pg. 5-8

1254

Entered in Chancery Order Book
_____, page _____.

To Mamie Johnson and Frances Green

and

John Henry Johnson, Lucy Johnson, Tom Johnson, Edna McClenny,
Pauline Johnson, Fay Jones and Sandy Lee Johnson.

You are hereby notified that on the 15th. day of July 1925 at the office of Saunders and Hutton in the City of Suffolk, Virginia, 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, settled and reported to Court in pursuance of the decree of the Circuit Court of Nansemond County, Virginia, rendered on the 25th. day of June 1925 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 interests 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 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 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.

Given under my hand as Commissioner in Chancery of said Court this 1st. day of July 1925.

Bradford Kilby
Commissioner. in Chancery.

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

Executed on the 9th day of
July 1925 within the county of
Kendall, by delivering a
true copy of the within document
in writing to *Lucy Johnson*

E. B. Rawler
Sheriff of Kendall County

*Maui Johnson
Frances Johnson
Sam Johnson
Eva Wickens
For Jones
Sons & Co. Johnson and T. W. Gentry
by Rawlers & them
their attorneys*

Executed on the 9th day of
July 1925 within the county of
Kendall, by delivering a
true copy of the within document
in writing to *Pauline
Johnson* in person
E. B. Rawler
Sheriff of Kendall County

Virginia,

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

Mamie Johnson et al. Complainants.	)	
	)	
v.	)	In Chancery.
	)	
John Henry Johnson et als. Defendants.)	)	

Commissioner's Office,

Suffolk, Va. August 15, 1925.

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 25th. day of June 1925 in the suit in chancery pending in said court between Mamie Johnson et al. Complainants, and John Henry Johnson et als, Defendants, the undersigned, Bradford Kilby, one of the Commissioners in Chancery of said Court respectfully reports as follows:

That on the 1st day of July 1925, your commissioner gave notice to the parties to the said suit that he would proceed on the 15th. day of July 1925, 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 said notice was accepted by some of said parties that it was served on others, as will appear by the endorsements of said notices herewith returned.

That on the 15th. day of July 1925, at the time and place aforesaid your commissioner took the depositions of T. L. Spiers, John T. Freeman, T. V. Arthur, Frances Green and Pauline Johnson, touching said inquiries which depositions are herewith returned.

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. The parties are numerous and the land is small, there being only 31 acres in both pieces.

(2)

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

(3)

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

(4)

The fee-simple value of the said land is about \$400. and the annual value about \$12. to \$15.

(5)

The following delinquent taxes are found of record in Nansemond County Circuit Court Clerk's office, as liens against said land.

For the year 1904 on both the 6 acre and the 25 acre tract, amount \$2.03 with penalty and interest to date to be added. The land was sold for these delinquent taxes to A.L. Harrell and by him assigned to John Henry Johnson on April 4, 1906.

For the year 1919 on the 25 acre tract, amount \$2.17, with penalty and interest to be added to date. Said land was sold to the Commonwealth for these taxes.

For the year 1920:

On the 25 acre tract \$1.75 and on the 6 acre tract, \$1.05, (shown 1.20) with penalty and interest to date to be added.

For the year 1921:

On the 25 acre tract \$3.80 and on the 6 acre tract \$3.04, (3.19) with penalty and interest to date to be added.

For the year 1922:

On the 25 acre tract \$3.60 and on the 6 acre tract \$2.88, (3.02) with penalty and interest to date to be added.

For the year 1923:

The taxes on said land were paid by one of the heirs of Jackson Johnson, but your commissioner has not been able to ascertain which one of the heirs this was. The amount was \$6.99. paid Aug. 16, 1924.

For the year 1924:

The taxes on said land were paid by T. V. Arthur who had bought the interest of John Henry Johnson in said land. This was \$4.20.

For the year 1925:

No taxes have been paid.

JUDGMENTS.

The following judgments are found of record in the Circuit Court Clerk's office of Nansemond County, Va. against parties who have or had an interest in this said land:

(1) A judgment against J.H. Johnson (This is John Henry Johnson, col. J.C. Holladay), in favor of J. C. Holladay for the sum of \$16. with interest from July 2, 1906 till paid, on an instrument waiving the homestead exemption and \$1.95 costs. This judgment was rendered on April 10, 1909 and docketed Jan. 19, 1912. in Judgment Docket No. 3 at page 179.

*J. C. Holladay
shown*

(2) A Judgment against Tom Johnson in favor of the Holland Supply Corporation for the sum of \$36. with interest thereon from Jan. 27, 1923 and \$3.75 costs. This judgment was rendered on Jan. 27, 1923 and docketed on Feb. 2, 1923 in Judgment Docket No. 4 at page 187.

*Tom Johnson
shown
not same*

DEEDS OF TRUST.

The only deed of trust found against this land is one made by Jackson Johnson to Mark W. Smith, Trustee for James Horton, to secure the sum of \$64.80, evidenced by a bond dated Jan. 17, 1890 and payable 12 mos. after date. This deed of trust is dated Jan. 17, 1890, and recorded on the same date in Deed of Trust Book No. 23 at page 245, in the Clerk's office of the Circuit Court of Nansemond County, Va. This lien is now barred by the Statute of Limitations.

not photo

It is to be noted that John Henry Johnson and Julia, his wife, by their deed dated Aug. 18, 1923 and recorded in Deed-book No. 102 at page 298 in the Clerk's office of the Circuit Court of Nansemond County, Va. conveyed his undivided interest in said land to T. V. Arthur. This conveyance however is subject to the lien of said judgment against John Henry Johnson in favor of J. C. Holladay herein above noted.

(6)

All proper parties in interest are before the Court.

(7)

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

Respectfully submitted this 15th. day of August 1925.

Bradford Kilby

Commissioner in Chancery.

Comr's fee:

\$ 25.00.

7000

1900
1919
1920
1921
1922
1923
1924
1925

EXAMINED BY MR. SAUNDERS.

T. L. Spiers, a witness for the complainant, being duly sworn, deposes and says:

Q. Please state your name, age, residence and occupation and if you are acquainted with the land which is the subject of this suit.

A. Name, T. L. Spiers; age, 44; residence, Suffolk, Virginia; occupation, farmer, and I am acquainted with the land.

Q. How many acres of this land are there?

A. About thirty or twenty-five acres.

Q. What, in your opinion, is the fee simple and annual value of this land?

A. I reckon the house would rent for Twelve or Fifteen Dollars a year. The house is about rotted down.

Q. Is the land now being cultivated?

A. No.

Q. Is it in shape to be rented out?

A. No, sir. Its fee simple value is \$375.00, possibly \$400.00.

Q. Could the land be conveniently divided in kind or would it be to the best interest of all the heirs to sell the land and divide the money?

A. I should say to sell it and divide the money. I do not think it can be conveniently divided in kind. The reason it cannot be divided in kind is that the land is so shaped that it would give each one too small a piece to be of any value.

And further this deponent saith not.

John T. Freeman, a witness for the complainant, being duly sworn, deposes and says:

Q. Please state your name, age, residence and occupation and if you are acquainted with the land which is the subject of this suit.

A. Name, John T. Freeman; age, 47; residence, Suffolk, Virginia; occupation, contractor, and I am acquainted with the land in this suit.

Q. What, in your opinion, is the fee simple and annual value of this land?

A. There is nothing on the property to derive any revenue from except a little house which I judge would rent for \$12.00 or \$15.00 a year.

Q. Is that in good condition?

A. No, sir. Not in very good condition. Its fee simple value is from \$350.00 to \$425.00, anywheres in there.

In your opinion could the land be conveniently divided in kind, or would it be to the best interest of the parties to sell the land and divide the money?

A. It looks to me like it would be to the best interest of the parties to sell the land and divide the money, or one of the heirs buy it. There is not enough land there to give each one a large enough piece to derive any benefit from. The shape of the land is such that it could not easily be divided in kind so that each piece would be worth anything.

Q. Do you know the acreage of this tract?

A. There is between twnty-five and thirty acres.

And further this deponent saith not.

T. V. Arthur, a witness for the complainant, being duly sworn, deposes and says:

Q. Please state your name, age, residence and occupation and if you are familiar with the land that is the subject of this suit.

A. T. V. Arthur; age, 51; residence, Nansemond County, Virginia; occupation, farmer. I am acquainted with the land in this suit and own a one-sixth (1/6) undivided interest, which I purchased from John Henry Johnson, one of the heirs, as will be shown by the records in Nansemond County Clerk's Office.

Q. What, in your opinion, is a fair valuation of the land?

A. Four Hundred (\$400.00) Dollars.

Q. What would you say it would rent for?

A. Twleve (\$12.00) Dollars a year.

Q. What condition is it in?

A. Very bad.

Q. Is it now being rented?

A. Why, I don't think any rent is being paid for it. Some of the relatives are living there.

Q. In what condition is the house?

A. Very bad.

Q. What size is the house?

A. Fourteen (14) feet by sixteen (16) feet.

Q. Could this land be conveniently divided in kind, or would it be to the best interest of all parties to sell the land and divide the money?

A. It could not be conveniently divided on account of its shape. It would be best to sell it and divide the money.

Q. Do you know any of the heirs that are willing to take it and pay off the other heirs?

A. Yes. Pauline Johnson is willing to take it and pay off the other heirs. That is what she says.
do not

Q. I/understand you to be one of the heirs in this estate, and will ask you to state whose interest you own in the estate.

A. I own John Henry Johnson's. I have a deed for it.

Q. John Henry Johnson was one of the children of Jack Johnson and heir at law of this estate. Was he not?

A. Yes, sir.

And further this deponent saith not.

EXAMINED BY THE COMMISSIONER.

Frances Green, one of the complainants in this suit, being duly sworn, deposes and says:

Q. Please state your name, age, residence and occupation and what interest, if any, you have in this suit.

A. Name, Frances Green; age, 45; residence , Portsmouth, Virginia; occupation, housewife. I am one of the heirs in this suit.

Q. I will call now to you the names of the parties to this suit; Mamie Johnson, Frances Green, John Henry Johnson, Lucy Johnson, Tom Johnson, Edna McClenney, Pauline Johnson, Fay Jones and Sandy Lee Johnson. Are all of these interested in the land?

A. Yes, sir.

Q. Is anybody else interested in it beside them?

A. No sir.

Q. Who owned this land? To whom did it belong?

A. Jack Johnson.

Q. Was he your father?

A. Yes, sir.

Q. Was Jacob Johnson your father?

A. No, sir. Jack Johnson was my father.

Q. What relation is Mamie Johnson? Daughter?

A. No, sir. She is the grandchild of Jack Johnson and daughter of Frank Johnson, son of Jack Johnson.

Q. Tell me what kin is Frances Green to Jack Johnson?

A. I am his daughter.

Q. What kin is John Henry Johnson?

A. His son.

Q. What kin is Lucy Johnson?

A. She is the widow of Lum Johnson, deceased.

Q. Has she got any children?

A. No, sir. She aint got no children.

A

Q. Who is Tom Johnson?

A. My brother, son of Jack Johnson.

Q. Who is Edna McClenney?

A. My sister's daughter. Edna McClenney is the grandchild of Jack Johnson and daughter of Alice Dixon, a daughter of Jack Johnson.

Q. Is Alice Dixon dead?

A. Yes, sir.

Q. Is Edna's husband living?

A. Yes, sir.

Q. Who is Pauline Johnson?

A. My sister, daughter of Jack Johnson.

Q. Who is Fay Jones.

A. She is a grandchild of Jack Johnson, and daughter of Frank Johnson.

Q. Who is Sandy Lee Johnson?

A. He is the grand^{son}~~daughter~~ of Jack Johnson and ^{son}~~daughter~~ of Frank Johnson.

Q. Are any of these folks that I called of here under age?

A. No, sir.

Q. Every one over twenty-one?

A. Yes, sir.

Q. Will anyone of this family take this land and pay the others for their shares?

A. Pauline wants to do it. That is what she told me.

Q. Do you want it?

A. No, sir.

And further this deponent saith not.

Witness:

Evelyn V. Palmer -

Francis ^{Rev} ~~Mark~~ Green,

Pauline Johnson, one of the parties to this suit, being duly sworn, deposes and says:

Q. Please state your name, age, residence and occupation.

A. Name, Pauline Johnson; age, 30; residence, Suffolk, Virginia, and occupation, domestic.

Q. I will call the name of all the parties to this suit: Mamie Johnson, Frances Green, John Henry Johnson, Lucy Johnson, Tom Johnson, Edna McClenney, Fay Jones and Sandy Lee Johnson. Are they all the parties that are interest in this land?

A. Yes sir.

Q. They are all the children and grandchildren of Jack Johnson, and there are no others?

A. Yes, sir.

And further this deponent saith not.

Virginia:
In the Circuit Court for the
County of Nansemond.

Mamie Johnson et al.

v. O) In Chancery.

John Henry Johnson et als.

Commissioner's Report.

Report of Bradford Kilby,
Commissioner in Chancery,
under decree of June 25,
1925.

Filed *Sept* 7, 1925.

Bradford Kilby
Clerk.

BRADFORD KILBY
ATTORNEY AT LAW
SUFFOLK, VA.

Mamie Johnson and Frances Green... ..Complainants

Vs.

IN CHANCERY

DECREE

John Henry Johnson, 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, this day filed, to which report there in no exception, and was argued by counsel.

On consideration whereof, it appearing from said report and the vouchers therewith exhibited that pursuant to the decree entered herein on the 26th day of October, 1925, your commissioner, upon the payment to him of the sum of SEVEN HUNDRED AND SEVENTY-FIVE (\$775.00) DOLLARS, the purchase price of the property sold in these proceedings, conveyed the said property to J. H. Vaughan, the purchaser thereof, and after payment of the costs of the suit disbursed the remainder in his hands in accordance with the report of Bradford Kilby, Commissioner in Chancery, and it appearing that the cost paid by the said special commissioner is as follows:

George E. Bunting, Clerk.....	\$ 35.40
Bradford Kilby, Commissioner in Chancery.....	25.00
Suffolk News Co/, Order of Publica- tion.....	16.00
Artcraft Press (Handbills).....	4.75
Suffolk Insurance Corporation (Bond)....	10.00
J. Walter Hosier (Auctioneer).....	5.00
John K. Hutton, Commissions as Special Commissioner.....	24.50
Saunders & Hutton, writing deed.....	10.00
Saunders & Hutton, Attorneys fee.....	40.00

That taxes were paid as follows:

Clerk of the Circuit Court of Nansemond County, delinquent taxes for years 1904, 1919, 1921 and 1922.....	\$ 31.58
T. V. Arthur for taxes for 1924.....	4.20
Taxes for 1923 (paid by one of the heirs).....	6.99
C. R. Fulgham, for 1925 taxes.....	7.56

That the amount remaining, to-wit, FIVE HUNDRED AND FIFTY-FOUR DOLLARS AND TWO CENTS (\$554.02) was paid to the heirs at law of Jack Johnson and to other parties entitled, as follows:

To Tom Johnson, son of Jack Johnson,
 one-seventh.....\$ 79.14
 Tom Johnson, one-sixth of the
 share of his brother, Lum Johnson, deceased,
 after payment of the widow's
 dower interest..... 10.36
 Frances Green, daughter of Jack
 Johnson, one-seventh..... 79.15
 Frances Green, one-sixth of
 the share of said Lum Johnson..... 10.36
 Edna McClenny, daughter of Jack
 Johnson, one-seventh..... 79.15
 Edna McClenny, one-sixth of
 the share of said Lum Johnson..... 10.36
 Pauline Johnson, daughter of Jack
 Johnson, one-seventh..... 79.15
 Pauline Johnson, one-sixth of
 the share of said Lum Johnson..... 10.36

To Fay Jones, daughter of Frank Johnson,
 deceased, who was son of Jack Johnson,
 one-third of her father's one-seventh
 interest..... 26.38
 Fay Jones, one-third of her father's
 one-sixth of Lum Johnson's share or one-third
 of \$10.35..... 3.45
 Mamie Johnson, sister of Fay Jones, one-
 third of one-seventh as aforesaid..... 26.38
 Mamie Johnson, one-third of \$10.35..... 3.45
 Sandy Lee Johnson, brother of Fay Jones and
 Mamie Johnson, one-third of one-seventh as
 aforesaid..... 26.38
 Sandy Lee Johnson, one-third of \$10.35..... 3.45

To Lucy Johnson, the widow of Lum Johnson,
 deceased, who was a son of Jack John-
 son, her dower in Lum Johnson's interest
 commuted at the age of 50 years..... 17.00

J. C. Holladay, judgment against
 John Henry Johnson, who is a son of Jack
 Johnson, principal, interest and costs..... 36.59

T. V. Arthur, purchaser of the interest
 of John Henry Johnson subject to said
 judgment..... 52.91

The Court doth approve and confirm said report.

And there remaining nothing further to be done in this
 cause, the same is ordered stricken from the docket.

VIRGINIA:

IN THE CIRCUIT COURT OF
NANSEMOND COUNTY:

Mamie Johnson and Frances
Green,

Complainants,

Vs. DECREE

John Henry Johnson, et als
Defendants.

Enter the 24 day of
Sept, 1926.

Jas. M. L. Moore

Entered in Chancery Order
Book 6, Page 37 ..

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA:

Mamie Johnson and Frances Green.....Complainants.

v.

John Henry Johnson, Lucy Johnson, Tom
Johnson, Edna McClenry, Pauline Johnson,
Fay Jones, and Sandy Lee Johnson.....Defendants.

The separate answer of T. V. Arthur to a bill of complaint filed against him and others in the Circuit Court of Nansemond County by Mamie Johnson and Frances Green, Complainants.

These respondents reserving to themselves the benefit of all just exceptions to the said bill of complaint, for answer thereto, or to so much thereof as he is advised it is material he should answer, answers and says that he is the owner of an undivided interest in the land described in said bill having acquired by purchase the interest of John Henry Johnson, which interest was conveyed to this respondent by said John Henry Johnson by deed dated August 16th, 1923, executed by said Johnson and his wife and duly recorded in the Clerk's Office of the Circuit Court of Nansemond County in Deed Book No. 102, at page 298, ^{a copy of which is herewith filed} and that he desires that said land be sold in these proceedings and the proceeds divided among those entitled to share therein.

And now having fully answered the complainants' bill, this respondent prays to be hence dismissed with his reasonable costs by him in this behalf expended.

James H. Arthur
Counsel

T. V. Arthur, Respondent
Examined

Mamie Johnson et al.

v Answer

John Henry Johnson et al

1925. June 25. filed
JHm

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA:

Mamie Johnson and Frances Green.....Complainants.

v.

John Henry Johnson, Lucy Johnson, Tom
Johnson, Edna McClenny, Pauline John-
son, Fay Jones, and Sandy Lee Johnson.....Defendants.

The joint and separate answer of Tom Johnson, Fay Jones,
and Sandy Lee Johnson to a bill of complaint filed against them
and others in the Circuit Court of Nansemond County by Mamie
Johnson and Frances Green, Complainants.

These respondents reserving to themselves the benefit of
all just exceptions to the said bill of complaint, for answer
thereto, or to so much thereof as they are advised it is material
they should answer, answer and say that they are heirs at law of
Jacob Johnson, deceased, and that they have no objections to the
sale of the land described in the said bill and the division
of the proceeds among the parties entitled to share therein.

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

Tom Johnson
Fay Jones
Sandy Lee Johnson
Respondents, & Counsel

James B. Hutton
Counsel

Mamie Johnson et al.

v.

John Henry Johnson et als

Joint and Separate answer
of Tom Johnson, Fay Jones
and Sandy Lee Johnson

1925 June 25. filed
J.M.

Mamie Johnson and Frances Green.....Complainants

Vs. IN CHANCERY BILL

John Henry Johnson, Lucy Johnson,
Tom Johnson, Edna McClenny, Pauline
Johnson, Fay Jones and Sandy Lee Johnson.....Defendants.

TO THE HONORABLE CIRCUIT COURT OF NANSEMOND COUNTY:

Your complainants, Mamie Johnson and Frances Green, respectfully represent:

(1) That Jack Johnson died about twenty-five years ago seised and possessed of certain real estate lying in Nansemond County, Virginia, described as follows:

(1) All that certain tract of land situated in Cypress Magisterial District, Nansemond County, Virginia, which was conveyed to Jack Johnson by Mary W. Smith and James E. Smith by deed dated January 10th, 1872, and recorded in the Clerk's Office of the Circuit Court of Nansemond County, in Deed Book number 7, page 117, and described as follows: A certain piece or parcel of land lying and situated in Nansemond County, Virginia, adjoining the lands of Henry Smith, Miles Smith, Thomas A. Howell and others, containing six (6) acres, more or less.

(2) All that certain tract of land situated in Cypress Magisterial District, Nansemond County, Virginia, which was conveyed to Jackson Johnson by R. W. Baker and Sarah Ida Baker, his wife, by deed dated January 17th, 1890, and recorded in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, in Deed Book 23, page 244, and described as follows: A certain tract of land situated in Cypress Magisterial District, Nansemond County, Virginia, on the north side of Somerton Swamp and bounded by the lands of James Horton, on the South and West and North by the lands of Frank Parker, and on the East by the lands of Robert W. Baker, and containing twenty-five (25) acres, more or less, being the land as conveyed by E. R. Smith and wife and Robert W. Baker by deed bearing date January 1st, 1884, and duly recorded in Nansemond County Court in Deed Book Number 14, page 553.

(2) That the heirs at law of said Jack Johnson are as follows:
Fay Jones, Mamie Johnson, Sandy Lee Johnson, John Henry Johnson, Tom Johnson, Frances Green, Edna McClenny and Pauline Johnson. The said Fay Jones, Mamie Johnson and Sandy Lee Johnson are the children of Frank Johnson, who is now dead, and the grandchildren of said

Jack Johnson. The said John Henry Johnson, Tom Johnson and Frances Green and Pauline Johnson are children of the said Jack Johnson. The said Edna McClenny is the daughter of Alice Dickson, who is now dead, and the grandchild of said Jack Johnson. Lucy Johnson, one of the parties to this suit, is the widow of Lum Johnson, who was a son of the said Jack Johnson.

(3) That the said real estate is, as they believe, susceptible of partition 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 to the said real estate, or its proceeds, will be promoted by a sale of the whole of the same, 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 John Henry Johnson, Lucy Johnson, Tom Johnson, Edna McClenny, Pauline Johnson, Fay Jones and Sandy Lee Johnson may be made parties defendant to this bill and required, but not on their oaths, to answer the same, the oaths being hereby waived; that proper process issue; that the said estate be divided between the parties entitled thereto, or else, if it cannot be so divided, that it may be sold and the proceeds divided among the parties according to their respective rights; 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.

Mamie Johnson

Frances Green

Samuel S. Hume
Counsel.

Mamie Johnson and Frances
Green,
Complainants.

Vs. BILL

John Henry Johnson, et als,
Defendants.

Feb 2 Nov. 17, 1924

Y. G. Montgomery
Clerk

SAUNDERS & HUTTON
Attorneys at Law
Suffolk, Va.

Deposit \$10.00

Nov. 13, 1924

Daunders & Hutton, T.G.

Francis Johnson et al

16

John Henry Johnson et al

1926

Final Deed