

1933-203

Nansemond County (Suffolk)

Chancery Causes: Nannie Underwood Johnson 235
+ c

vs

Daniel Wrench + c by

* All old chancery cases dismissed in this year

Beale, Meador, Reed, Harrell,
Crump, Jackson, Hatton

VIRGINIA

VIRGINIA: IN THE CLERK'S OFFICE
OF THE CIRCUIT COURT OF NANSE-
MOND COUNTY ON THE 23rd DAY OF
MARCH, 1929.

Nannie Underwood Johnson, et als.
vs.
(In Chancery)

Complainants
Defendants

Dancil Wrench, et als.

The object of this suit is to have the court decree a partition of that part of the hereinafter described real estate of which the late Henry Underwood died seised and possessed. The land referred to being described as follows:

"All that tract, piece or parcel of land situated, lying and being in the County of Nansemond, in the State of Virginia, bounded and described as follows: Containing ten acres, more or less, bounded on the East by the main road leading from Chuckatuck to Suffolk; on the South by the land of Mordecai Towns; on the West by the lands of Henry Branch; and on the North by the lands of Arnold Ricks . . . being known as the Henry Underwood land together with all and singular the appurtenances belonging to the same," said tract being duly of record in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, in Deed Book 44 at page 161. The said Henry Underwood, deceased, having died seised and possessed of Seven and three-fourths acres, more or less, of said tract.

And affidavit having been made that Dancil Wrench, Charlie Beasley Wrench, Emanuel Wrench, John Wrench, Cardinal Wrench, Stella Wrench, John Wrench, Jr., and Emmerson Wrench are not residents of the State of Virginia, they are hereby required to appear within ten days after due publication hereof and do what may be necessary to protect their interest.

Teste: Paul J. Powell, Clerk.

By Olivia Whitehurst, D. C.
W. W. Foreman, p. q.

I, P. B. Young, Editor of THE JOURNAL AND GUIDE,
a weekly paper published in the City of Norfolk, County of Norfolk, State of
Virginia, do hereby certify that the above named advertisement, viz:

Johnson, et als vs Wrench, et als.

has appeared four consecutive issues in said paper as follows:

March 30th, April 6th, 13th & 20th.

Given under my hand this the 23rd day of May

day of 1929

Signed:

P. B. Young

Editor

VIRGINIA.

CIRCUIT COURT OF THE COUNTY OF NANSEMOND.

Nannie Underwood Johnson, W.T.Wrench,
Hettie Wrench Hatton, Henri Wrench Beale
and Garland Wrench Complaiantsⁿ

vs. In Chancery. Commissioner's Report, with Depositions.

Dancil Wrench, Charlie Beasley Wrench,
Emanuel Wrench, John Wrench, Cardinal
Wrench, Stella Wrench, John Wrench, jun-
ior and Emmerson Wrench (the two last
named parties being infants under the age
of Twenty-one years Defendants.

To the Honorable,

The Circuit Court of the County of Nansemond, Virginia:

Your commissioner, the undersigned, to whom this matter was re-
ferred by a decree of reference of this honorable court, duly made and en-
tered in this cause on the 4th day of June now instant, respectfully re-
ports to this court, as follows:

This cause was set for hearing before your commissioner on the 13th
day of June now instant at 2.30 o'clock in the afternoon thereof, at his
office, 105 East Washington Street in the city of Suffolk, Virginia, at
which time and place he was attended by W. W. Foreman of counsel with the
complainants and John H. Fulcher, who was duly appointed guardian ad litem
of the said two infant defendants, by an order duly made and entered in
this cause on the 8th day of April last past, and that thereupon the deposi-
tions of W.T.French, M.W.Crumpler and Ira D. Johnson were duly taken by
your commissioner and reduced to writing by him, and before the completion
of the deposition of the last named witness the said hearing was adjourned
by your commissioner to the 18th day of June aforesaid, when he was again
attended by the said counsel for the complainants and the said guardian ad
litem, and the deposition of the said Ira D. Johnson was completed; and
your commissioner further reports that after the completion of each wit-
ness's deposition, the same was duly signed by him or her in the immedi-
ate presence of your commissioner; and your commissioner further reports
that the depositions so taken by him are annexed to this his report and
are returned by him as a part hereof.

And your commissioner further reports that all necessary parties are

are properly before this court.

And your commissioner further reports that Henry Underwood, deceased, died intestate, in the month of December 1904; and that all of his heirs at law and distributees are parties to this suit either as complainants or defendants, and are properly before this court.

And your commissioner further reports that Henry Underwood died seised of the premises described in the complainants' bill of complaint to which reference is made for a description; that there are no enforceable liens against the premises in question either against Henry Underwood or his heirs at law; that there are no taxes, delinquent or otherwise, due the County of Nansemond, the Commonwealth or the United States⁵ of America.

And your commissioner further reports that he finds the owners of said premises and their respective interests therein to be as follows:

Nannie Underwood Johnson, an undivided one-half part thereof;
William T. Wrench, an undivided one-tenth^{one-tenth} part thereof;
Emanuel Wrench, an undivided one-tenth^{one-tenth} part thereof;
Hettie Wrench Hatton, an undivided one-tenth^{one-tenth} part thereof;
John (B) Wrench, an undivided one-twenty-fourth part thereof, and
Emmerson Wrench, an undivided one-twenty-fourth part thereof, both
of these two last shares being subject to the dower estate of Stella Wrench therein, she being the widow of John Wrench, son of Emma Wrench, a daughter of Henry Underwood;
Charles Beasley Wrench, an undivided one-twenty-fourth part thereof;
Garland Wrench, an undivided one-twenty-fourth part thereof;
John Leslie Wrench, an undivided one-forty-eighth part thereof;
Dancil Wrench, an undivided one-forty-eighth part thereof;
Cardinal Wrench, an undivided one-forty-eighth part thereof; and
Henry Wrench Beale, an undivided one-forty-eighth part thereof.

And your commissioner further reports that partition cannot conveniently be made in kind of said real estate to advantage, and should this court not approve the recommendation of the next paragraph of this report, that then a sale of of the property and a distribution of the net proceeds of such sale according to the respective rights of the tenants in common will best promote the interests of those entitled thereto.

And your commissioner further reports that he has received in writing from Nannie Underwood Johnson an offer to accept all of said real estate, and pay therefor the sum of six hundred dollars, which offer in writing is annexed to this report and made a part thereof, and it being one hundred dollars in excess of the fee simple value of the land as testified to, your commissioner reports that he believes and is ~~of~~ⁱⁿ of the opinion that it

it will be for the manifest interest of all of the parties that the said offer be accepted and approved by this court.

And your commissioner reports that after a ~~see~~ search of the records of the office of the clerk of this court he finds no ^{creditors} lien~~s~~/entitled to be paid out of the proceeds of said premises.

And your commissioner further reports that the fee simple value of said property is five hundred dollars, and its annual rental value is not exceeding fifty dollars.

And your commissioner further reports that Nannie Underwood Johnson has paid all of the taxes on the premises since the decease of her father, Henry Underwood; ^{except as herein after stated} that she has produced before your commissioner ten certain tax receipts, which are marked respectively Exhibit A-1 to A-10, and are annexed to this report and made a part thereof; that there should be allowed to her in the partition of the proceeds of said premises, one half of the amounts of taxes paid by her, but the items of penalties should be disallowed, as the co-tenants should not be penalized for delays in such payments; that it has been testified before your commissioner that said Nannie Underwood Johnson had paid all of the taxes since her father's demise, with the exception of two or three years paid by Della (or Stella) Wrench, and a search of the land books in the office of the clerk of this court by your commissioner for the years 1904, 1905, 1906, 1907, 1908~~7~~, 1909, 1910, 1911, 1912, 1915, 1916, 1917, 1919, 1921 and 1922 (years for which no tax bills have been found) reveals a total of taxes paid as follows: State \$7.97, County \$22.58, Roads ~~\$15~~ \$.45, Free Schools ~~\$24~~ \$.24, and District \$4.40, making a total of \$35.64, and the taxes paid for which bill are shown, of \$32.40, or a grand total~~off~~ of \$68.04; that to account for the years that Nannie Underwood Johnson did not pay the taxes, complainants by counsel have moved your commissioner to arbitrarily strike out the taxes for the years 1916, 1917 and 1919, making a total of \$8.40, which would leave a balance of \$59.64, paid by her, and she being liable for one half of said taxes, it would leave to her of \$29.82, to be refunded to her from the shares of her co-tenants according to their respective interests in the premises, and that the sum of \$8.40 be adjudged to be paid to Stella Wrench, unless she shall appear before the special commissioner making distribution and prove that a

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lesser sum is rightfully due to her, in which event the difference should be awarded to the said Nannie Underwood Johnson.

And your commissioner further reports that he deems the sum of fifty dollars a reasonable counsel fee to be awarded to counsel for the complainants for their services in the conduct of this suit.

And your commissioner further reports that he knows of no further matter pertinent, except that the usual fee of five dollars should be decreed to John H. Fulcher for his services as guardian ad litem for the infant defendants in this cause.

Respectfully submitted this 21st day of June A.D. 1929.

John H. Palmer

Commissioner in Chancery.

Commissioner's fees:	\$ 30.00
Counsel:	50.00
Guardian ad litem	5.00

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WILLIAM T. WRENCH, a witness produced on behalf of the complainants being duly sworn according to law, on his oath deposes and says:

By John H. Fulcher:

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

A. William T. Wrench, 55 years of age, 162 Pine Street, Suffolk, Virginia, Janitor of Farmers Bank of Nansemond.

Q. What relation are you to Henry Underwood, deceased?

A. He was my grandfather.

Q. When did he die?

A. In December 1904.

Q. How many children did he leave?

A. He left one child.

Q. What is the name of ~~Hannie Johnson~~ that child?

A. Nannie Underwood Johnson, one of the complainants in this suit.

Q. Did he have any other children?

A. Yes, sir; Emma Wrench and Sarah Marshall.

Q. Where are they?

A. They are dead.

Q. When did they die?

A. Emma Wrench died, November 1904, and Sarah Marshall died, in 1894. I do not know the month.

Q. Did Sarah Marshall leave any children?

A. No, sir.

Q. Did her husband survive her?

A. No, sir; he died before she did.

Q. Did Emma Wrench leave any children?

A. She left ^{five} ~~four~~ sons and one daughter, named, William T. Wrench, Emanuel Wrench, John Wrench, Henry Wrench and Charlie Wrench, and Hattie Wrench Hatton.

Q. Are all of those children now alive?

A. No, sir; Henry and John are now dead; Charlie is also dead.

Q. When did Henry die?

A. In August 1898.

Q. Did he leave any children?

A. Yes, sir; he left four, named John Leslie Wrench, Dencil Wrench, Cardinal Wrench and Henri Wrench now Beale.

Q. Is Henry's wife alive?

- A. Yes, sir; her name is Bettie Wrench.
- Q. When did John, your brother, die?
- A. February
In ~~March~~/1916.
- Q. Did he leave a wife and children, if so, state their names?
- A. His wife is Stella Wrench, and his children are John (B) Wrench, junior, and Emerson Wrench; both of these children are minors, aged respectively nineteen and fifteen years of age.
- Q. When did your brother Charlie die?
- A. In February 1922.
- Q. Did he leave a wife and children, if so, state their names?
- A. His wife is dead, she having died before her husband; his children's names are, Charles Beasley Wrench and Garland Wrench. They are both over the age of twenty-one years.
- Q. Did ~~you~~^{your grand-} father leave a will or not?
- A. He did not leave a will.
- Q. What property did your grandfather die seised and possessed of?
- A. He owned seven and three quarter acres of land, the subject matter of this suit.
- Q. Do you think that your interest and that of your co-parceners will be promoted by a sale of the premises and the proceeds divided among you?
- A. Yes, sir.
- Q. Will any one or more of the parties interest take the property and pay to the others such sums as they may be entitled to?
- A. I don't think so.
- Q. In your opinion is the land divisible in kind among the parties in interest?
- A. I don't think so.
- Q. Do you know who has paid the taxes on this property?
- A. Yes, sir; Mrs. Nannie Johnson.

And further this deponent saith not.

William J Wrench

M. W. Crumpler, a witness produced on behalf of the complainants, being duly sworn according to law, on his oath deposes and says:

By John H. Fulcher:

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

A. M. W. Crumpler, 66 years, reside at East Chuckatuck, and am a merchant.

Q. Mr. Crumpler, you are familiar with real estate values in Chuckatuck, are you ~~not~~ not?

A. I would say, yes.

Q. Do you know where the Underwood property is located?

A. Yes.

Q. Have you looked it over recently?

A. I have not been over the property lately, but I know it; I am familiar with it however.

Q. What is the fee simple value of the property?

A. I think it is worth about seventy-five dollars per acre; or, for the whole tract, ~~almost ten thousand dollars~~ five hundred dollars.

Q. What would it rent for per year?

A. Not to exceed fifty dollars per year.

Q. Are there any buildings on the property.

A. No, sir; there are no buildings.

Q. Is all the land cleared?

A. Yes, it is all cleared.

And further this deponent saith not.

M W Crumpler

IRA D. JOHNSON, a witness produced on behalf of the complainants being duly sworn according to law, on her oath deposes and says:

By John H. Fulcher:

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

A. Ira D. Johnson; 50 years; Chuckatuck, Virginia; housekeeper.

Q. What relation are you to Henry Underwood, deceased?

A. Granddaughter.

Q. You are the daughter of whom?

A. Nannie Underwood Johnson, one of the complainants in this suit.

Q. Do you know who has paid the taxes on the property, the subject matter of this suit?

A. My mother has paid most of them.

Q. She has the receipts for these taxes?

A. Yes, sir.

The witness states that the tax bills receipted will be produced to the Commissioner.

Q. Do you know the address of Bettie Wrench, the widow of Henry?

A. I do not know at present, but can find it when I get home; she lives on some street in the city of New York, in the State of New York.

Q. Do you know the age of Bettie Wrench?

A. She is fifty-two or three, I am not sure now, which.

At this time an adjournment was taken to Tuesday, the 18th day of June at 2.30 o'clock in the afternoon, at the office of the Commissioner.



Commissioner in Chancery.

Pursuant to adjournment the hearing in this matter was resumed on this 18th day of June A.D. 1929.

Present: John H. Fulcher of counsel and guardian ad litem of the infant defendants.

Ira D. Johnson recalled:

By John H. Fulcher:

Q. Have you looked up the tax bills paid by your mother for the property in this suit?

A. I have.

- Q. Will you produce them please?
- A. I have here bills for ~~the~~ years 1913, 1914, 1918, 1920, 1923, 1924, 1925, 1926, 1927, and 1928.
- Q. Do these receipts show all of the taxes paid by your mother?
- A. They do not, but they are all of the receipts that I can find at this time; she has paid all of the taxes except for two ~~years~~ or three years, which were paid by Dellah Wrench. Dellah Wrench is the widow of John Wrench.
- Q. Do you know which years she paid?
- A. No, sir; I do now really know which they were.
- Q. Do you know whether any party to this suit is willing to take the property in question in this suit and is willing to pay to the other parties in interest their shares in same as they shall appear?
- A. I think my mother will take it on those terms, but I wish to have several days for her to fully consider the matter. She to inform the Commissioner on or before Saturday, the 22d of this month.

The tax bills are introduced in evidence, and are marked Exhibits A-1, 2, 3, 4, 5, 6, 7, 8, 9, 10.

And further this de^oponent saith not.

Ira D. Johnson.

TELEPHONES:
OFFICE, 305
RESIDENCE, 802-J

MAIL ADDRESS:
P. O. BOX 315

OFFICE OF
JOHN H. PALMER,
ATTORNEY AT LAW,
105 EAST WASHINGTON ST.

SUFFOLK, VIRGINIA.

P4 Box 72.

June 19, '29

Mr John H Palmer,

Dear Sir: I have decided
to take the plot of land in
question for the amt of (\$600.00)
six hundred dollars.

I am respt yours
Hammie Johnson
Per Ira D. Johnson

LOWER CHUCKATUCK DISTRICT

M Henry Underwood EstNo. 5987

To C. R. FULGHAM, Treasurer of Nansemond County, Va.

FOR YEAR 1913

REAL ESTATE

Acres 7 Val. \$ 200Personal { Schedule B, Val. \$
Property { Schedule C, Val. \$

State Capitation Tax

Credit

PAID

MAR 7 - 1914

191

STATE TAXES

35c on \$100, Support
Government,
Schools & Pensions

COUNTY LEVIES

Co. Levy	.40	On the \$100
Co. School Tax	.25	
Dis. School Tax	.20	
Road Tax	.15	
TOTAL	1.00	

TOTAL TAXES

70	200	270
----	-----	-----

1 50

Total Tax \$ 270

5 PER CENT. PENALTY \$ 14

Total Tax and Penalty \$ 284

Treasurer

Underwood

vs.

Wrench

Exhibit A-1

June 16/1929

John W. Palmer

Conv.

EXHIBIT

LOWER CHUCKATUCK DISTRICT

M Henry Hunderwood Est. No. 6235

To C. R. FULGHAM, Treasurer of Nansemond County, Va.

FOR YEAR 1914

REAL ESTATE

Acres 7 Val. \$ 200

Personal { Schedule B, Val. \$

Property { Schedule C, Val. \$

State Capitation Tax

Credit \$

\$

\$

PAID 1915 MAY 21 191

STATE TAXES

35c on \$100, Support
Government,
Schools & Pensions70

COUNTY LEVIES

Co. Levy	.40	On the \$100
Co. School Tax	.25	
Dis. School Tax	.20	
Road Tax	.15	
TOTAL	\$1.00	

200

TOTAL TAXES

27050Total Tax \$ 2705 PER CENT. PENALTY \$ 14Total Tax and Penalty \$ 284C. R. Fulgham

Treasurer

Underwood

Branch
Exhibit A-2
June 18/1929
J. W. & Palmer
Comm.

22

1

284 ✓

142 ✓

158 ✓

584

2 284
142

500
142
348

M Henry Underwood Est
 To C. R. FULGHAM, Treasurer of Nansemond County, Va., Dr.

No. 6723

LOWER CHUCKATUCK DIST. 1918 Taxes and Levies			COUNTY AND DISTRICT LEVIES					TOTAL
SUBJECTS OF TAXATION	Valuation	Rate of State Tax Per \$100	Amount of State Tax	Real Estate and Tangible Property	Intangible Property Classes 1, 2, 5 and 6			
				Co. Purposes - .50 Co. Schools - .25 Dist. Schools - .30 Dist. Roads - .20 TOTAL - \$1.25	Dist. Roads - 30 TOTAL - - 30			
Real Estate.....	7 Acres 200	\$.18	36	250			2 86	
	Acres	.18						
Personal Property—Tangible (Sched. B)		.18						
Personal Property—Intangible (Classes 1 and 5)		.73						
Personal Property—Intangible (Class 2)		.78						
Personal Property—Intangible (Class 6)		.35						
Personal Property—Intangible (Class 4) Money		.20						
Income		1%						
Capitation Tax			1 50				2 86	
TOTAL								
Credit	\$						14	
	\$						3 00	
	\$							
Paid	191							
			Five Per Cent. Penalty					
			TOTAL					
Received payment:			Treasurer					

Received payment: _____ Treasurer

Underwood

vs.

Wrench

Exhibit A-3

June 18, 1929

John W. Palmer
Counr

LOCAL RATES - REAL ESTATE AND TANGIBLE PROPERTY

County and District

County Levy \$.60
 County School Levy 35
 District School Levy 40
 District Road Levy 20

Total \$ 1.55

No. 6775

Local Rates on Intangibles (Classes 6, 1, 5, 3 and 2) for Roads, 30c. on \$100			Valuation	Rate of State Tax on \$100	State Tax	Rate of Local Levies on \$100	Local Levies	Total Tax and Levies
Real Estate.....	2 Acres	\$ 200		.25	\$ 50	1 55	\$ 310	\$ 360
Real Estate.....	Acres			.25		1 55		
Real Estate.....	Acres			.25		1 55		
Real Estate.....	Acres			.25		1 55		
Tangible Property.....				.25		1 55		
Class 4 (Money).....				.20		NO NE	NO NE	
Class 6 (Bonds of Counties, Cities and Towns of this State).....				.35		30		
Class 1 (Bonds, Notes and other evidences of debt)..... Value \$				.80		30		
Class 5 (Shares of Stock)..... Value \$				.80		30		
Class 3 (Fiduciary).....				.80		30		
Class 2 (Capital).....				.85		30		
Income.....				{ 1% up to \$3,000; 2% on excess ...NONE...	NO NE	NO NE	NO NE	
State Poll (or Capitation) Tax.....					1 50	NO NE		
CREDITS			Total Taxes and Levies.....					
Date	Account	Amount						
Jan 11		1925	Received payment:					
			Five per cent. Penalty.....					
			Total Taxes, Levies and Penalty.....					

Treasurer.

M. Henry Underwood TAXES AND LEVIES, 1920

LOWER CHUCKATUCK DISTRICT

Lapd.....Page.....Line.....

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

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

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

C. R. Fulgham
 Treasurer.

Underwood

vs.

Wrench

Exhibit A-4

June 18/1929

John W. Palmer
Clerk

3.28
25-6

11.34

67.50
11.84

55.66

M Henry Underwood Esq

LOWER CHUCKATUCK DISTRICT

Land.....Page 27 Lino. 25

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

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

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

No. 10063

County Levy.....	\$.50
County School Levy.....	.70
District School Levy.....	.05
District Road Levy.....	.30
Total.....	\$ 1.55

Local Rates on Intangibles (Class 1).....for Roads, 20 cents on \$100 (Classes 5, 2)....for Roads, 30 cents on \$100	Valuation	Rate of State Tax on \$100	State Tax	Rate of Local Levies on \$100	Local Levies	Total Tax and Levies
Real Estate..... 8 Acres \$ 180-	\$.25	\$.45	\$ 1 55	\$ 3 79	\$ 3 24	
Real Estate..... Acres	.25		1 55			
Real Estate..... Acres	.25		1 55			
Tangible Property.....	.25		1 55			
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

Total Taxes and Levies.....	\$				\$			\$		
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Date	Account	Amount
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Five Per Cent. Penalty.

Received payment:

Total Taxes, Levies and Penalty..

Treasurer.

Underwood

25.07

no.

French

Exhibit A-5

June 18/1929

John W. Palmer
Const

M. Henry Underwood, Est. TAXES A

TAXES AND LEVIES, 1924

LOWER CHUCKATUCK DISTRICT

Land.....Page 17 Line 15

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

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

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

No. 1119

LOCAL RATES—REAL ESTATE AND TANGIBLE PROPERTY

County and District

County Levy.....	\$.55
County School Levy.....	.80
District School Levy.....	.05
District Road Levy.....	.30
Parish or Poor Levy.....	.05
Total.....	\$ 1.75

Total.....	\$ 1.75
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Local Rates on Intangibles
(Class 1) for Roads, 20 cents on \$100
(Classes 5, 2)...for Roads, 30 cents on \$100

Valuation

Rate of
State Tax
on \$100

State Tax

Rate of
Local Levies
on \$100

Local Levies

**Total
Tax and
Levies**

Description		Acres	Value \$	Assessment \$	Rate	Amount \$	Other \$	Total \$
Real Estate.....	8 Acres	180-	.25	45	1 75	3 15	3 60	
Real Estate.....	Acres		.25		1 75			
Real Estate.....	Acres		.25		1 75			
Tangible Property.....			.25		1 75			
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

Total Taxes and Levies.....	\$	\$	\$ 2 00
-----------------------------	----------	----------	---------------

Five Per Cent. Penalty.....		8
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Received payment:

Total Taxes, Levies and Penalty . . \$ 5.00

Treasurer.

Underwood

vs.

Orzech

Exhibit A-6

June 18/1929

John H. Palmer
comr

M

TAXES AND LEVIES, 1925

LOWER CHUCKATUCK DISTRICT

Land.....Page 52 Line 15

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

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

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

No. 11159Local Rates on Intangibles
Class 1.....for Roads, 20 cents on \$100
Classes 5, 2.....for Roads, 30 cents on \$100

Valuation

Rate of
State Tax
on \$100

State Tax

Rate of
Local Levies
on \$100

Local Levies

Total
Tax and
LeviesReal Estate.....8 Acres \$ 180

\$.25

\$

45

\$ 1 85

\$ 3 33\$ 5 78

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

Total Taxes and Levies.....\$

\$

\$ 3 78

Date

Account

Amount

Received payment:

Five Per Cent. Penalty.....

Total Taxes, Levies and
Penalty.....\$ 3.97

Treasurer

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

April 17/1926

@ R Fulgham

Underwood

ra

Branch

Exhibit A-7

June 18/1929

John W. Palmer
Comm

M.

TAXES AND LEVIES, 1926

LOWER CHUCKATUCK DISTRICT

Land Page 66 Line 35

Personal Property... Page Line

Income..... Page Line

To J. P. DALTON, Treasurer of NANSEMOND COUNTY, VIRGINIA, Dr.

No. 11049

LOCAL RATES--REAL ESTATE AND TANGIBLE PROPERTY

County and District

County Levy \$.65
 County School Levy 90
 District School Levy 05
 District Road Levy 30
 Parish or Poor Levy 05
 Total \$ 1.95

	Valuation	Rate of State Tax on \$100	State Tax	Rate of Local Levies on \$100	Local Levies	Total Tax and Levies
Real Estate..... 8 Acres \$ 160-		\$.25	\$ 40	\$ 1 95	\$ 3 12	\$ 3 52
Real Estate..... Acres		.25		1 95		
Real Estate..... Acres		.25		1 95		
Tangible Property.....		.25		1 95		
Class 1 (Bonds, Notes and other evidences of debt)..... Value \$		.50		NO NE	NO NE	
Class 2 (Capital).....		1.00		NO NE	NO NE	
Class 4 (Money).....		.20		NO NE	NO NE	
Class 5 (Shares of Stock) Value \$		.50		NO NE	NO NE	
Class 6 (Bonds of Counties, Cities and Towns of this State).....		.35		NO NE	NO NE	
Income { 14% on first \$3,000 24% on next \$2,000 3% on balance }				NO NE	NO NE	
Merchandise.....		NONE	NO NE			
Banks.....		NONE	NO NE			
State Poll (or Capitation) Tax			1 50	NO NE		
CREDITS		Total Taxes and Levies	\$		\$	\$ 3 52
Date 1919 1927	Account	Amount	Received payment:	Five Per Cent. Penalty.....	Total Taxes, Levies and Penalty.....	\$ 3 70
MAY 18 1927						
						Treasurer.

Underwood

vs.

Branch

Exhibit A-8

June 18/1929

John W. Palmer
Conir

M. *Henry Underwood, Est.*

TAXES AND LEVIES, 1927

LOWER CHUCKATUCK DISTRICT

Land.....Page *63* Line *35*

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

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

To J. P. DALTON, Treasurer of NANSEMOND COUNTY, VIRGINIA, Dr.

No. *10879*

LOCAL RATES—REAL ESTATE AND TANGIBLE PROPERTY

County and District

County Levy.....\$.65
County School Levy......95
District Road Levy......30
Total.....\$ 1.90

	Valuation	Rate of State Tax on \$100	State Tax		Rate of Local Levies on \$100	Local Levies		Total Tax and Levies
Real Estate..... <i>8</i> Acres \$ <i>160</i>		..NONE..	NO	NE..	\$ 1 90	\$ <i>3</i> 04	\$ <i>3</i> 04	
Real Estate..... Acres		..NONE..	NO	NE..	1 90			
Real Estate..... Acres		..NONE..	NO	NE..	1 90			
Tangible Property.....		..NONE..	NO	NE..	1 90			
Class 1 (Bonds, Notes and other evidences of debt).....Value \$		.50			NO NE	NO NE		
Class 2 (Capital).....		.85			NO NE	NO NE		
Class 4 (Money).....		.20			NO NE	NO NE		
Class 5 (Shares of Stock) Value \$		.50			NO NE	NO NE		
Class 6 (Bonds of Counties, Cities and Towns of this State).....		.35			NO NE	NO NE		
Income { 1% on first \$3,000 2% on next \$2,000 3% on balance }					NO NE	NO NE		
Merchandise.....		..NONE..	NO	NE..				
Banks.....		..NONE..	NO	NE..				
State Poll (or Capitation).....			<i>1</i>	<i>50</i>	NO NE			
CREDITS		Total Taxes and Levies.....	\$			\$	\$ <i>3</i> 04	

Date	Account	Amount
		\$ <i>3.04</i>

Received payment:

Five Per Cent. Penalty.....

Total Taxes, Levies and Penalty.....

J. W. Antonian, Depy

Treasurer.

Underwood

vs.

Wrench

Exhibit A-9

June 18/1929

Dolm & Palmer

Comm

COMMONWEALTH OF VIRGINIA STATE TAXES AND LOCAL LEVIES 1928

M *Harry Underwood, Esq.*

LOWER CHUCKATUCK DISTRICT
Land.....Page *186* Line *20*
Personal Property...Page.....Line.....
Income.....Page.....Line.....

To J. P. DALTON, Treasurer of NANSEMOND COUNTY, VIRGINIA, Dr.

No. **10822**

LOCAL RATES—REAL ESTATE AND TANGIBLE PROPERTY

County and District

County Levy.....\$.45
County School Levy.....1.00
Interest and Sinking Fund (School)......25
District Road Levy......30
Total.....\$ 2.00

SUBJECTS OF TAXATION			VALUE	STATE RATE ON \$100	STATE TAXES	LOCAL RATE ON \$100	LOCAL LEVIES	TOTAL STATE TAXES AND LOCAL LEVIES
FOR STATE TAXATION ONLY:								
State Capitation Tax.....					\$ ~~1.50~~	NONE	NONE	\$ ~~1.50~~
Bonds, Notes, and Other Evidences of Debt.....	\$			.50		NONE	NONE	
Money.....				.20		NONE	NONE	
Shares of Stock.....				.50		NONE	NONE	
Bonds of Counties, Cities, Towns and Districts.....				.35		NONE	NONE	
Moneyed Capital in Competition with National Banks.....				1.10		NONE	NONE	
Capital Not Otherwise Taxed.....				.85		NONE	NONE	
Income: 14% on first \$3,000; 24% on next \$2,000; 3% on excess over \$5,000.....						NONE	NONE	
FOR LOCAL TAXATION ONLY:								
Tangible Personal Property.....				NONE	NONE	\$ 2.00		
Machinery and Tools.....				NONE	NONE	2.00		
Merchants' Capital (Schools).....				NONE	NONE	1.25		
Real Estate..... <i>8</i> Acres <i>160</i>				NONE	NONE	2.00	<i>3 20</i>	<i>3 20</i>
Real Estate..... Acres				NONE	NONE	2.00		
Real Estate..... Acres				NONE	NONE	2.00		
Real Estate..... Acres				NONE	NONE	2.00		
CREDITS								
TOTAL STATE TAXES.....					\$ ~~7~~	TOTAL LOCAL LEVIES.....	\$ <i>3 20</i>	\$ <i>3 20</i>
Date	Account	Amount	5% Penalty December 6, 1928.....					
		\$	Total Taxes, Levies and Penalty.....					
			5% Penalty June 16, 1929.....					
			Total Taxes, Levies and Penalties to June 16, 1929.....					
			6% Interest from June 16, 1929, to date of payment.....					
			Total Taxes, Levies, Penalties and Interest.....					

Received Payment:

Date..... *J. P. Dalton*.....Treasurer

MAY 20 1929

16
3 36

Underwood

v

Wrench

Exhibit A-10

June 18/49 29

John W. Palmer

Com'r

CIRCUIT COURT OF THE COUNTY OF
NANSEMOND.

Nannie Underwood Johnson,
et als.

Complainants,

vs.

Dancil Wrench, et als.

Defendants.

In Chancery.

On Bill for Partition.

Commissioner's Report,
Depositions, Exhibits,

-and-

Offer of Purchase, etc.

W. W. Foreman,

Atty. p. q.

Filed 4/22/27
Chas J Powell
clerk

Know all Men by these Presents, That we

W. W. Foreman and New York Indemnity Company

are held and firmly bound unto the Commonwealth of Virginia in the sum of

One Thousand - - - - - Dollars

to the payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents, hereby waiving the benefit of our Homestead Exemptions as to this obligation.

Sealed with our seals, and dated this 27th day of June,

one thousand nine hundred and twenty-nine.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound

W. W. Foreman

shall faithfully discharge his duties as Special Commissioner, under decree of the

Circuit Court of the County of Nansemond

pronounced on the 26th day of June, 1929; in the suit

therein depending under the name and style of Nannie Underwood Johnson, et als

vs

Dancil Wrench, et als

and shall account for and pay over, as the Court may direct, all money that may come into

his hands as such Commissioner.

then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in
the presence of

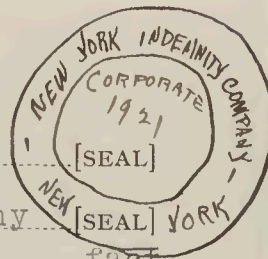
Olivera Whitehurst

Paul J. Powell

W. W. Foreman

New York Indemnity Company

By Herman A. Jones, Atty. in fact



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

This day W. W. Foreman and New York Indemnity Company by Herman A. Jones, Atty. in fact as

surety on the above bond, made oath before me, Olivera Whitehurst, Deputy Clerk

of the Circuit Court of the County of Nansemond

that the estate, after the payment of all the just debts and those for which

they are bound as security for others and expect to have to pay

worth the sum of One Thousand Dollars.

Given under my hand, this 27th day of June, 1929.

Olivera Whitehurst, Deputy, Clerk.

A true copy.

Teste:

Paul J. Powell, Clerk.
Olivera Whitehurst, D.C.

Form No. 309

Arthur Foreman &
New York Indemnity Co.

to } SPECIAL
COMMISSIONER'S BOND

Commonwealth

Know all men by these presents, that _____

_____, of the
City of _____, in the State of Virginia, have made, consti-
tuted, and appointed, and by these presents do make, constitute, and ap-
point W. W. Foreman, attorney-at-law, of Norfolk, Virginia _____ true and
lawful attorney, for and in _____ name, place, and stead to

and to do, execute, and perform all and every other act or acts, thing
or things, in law needful and necessary to be done in the premises, as
fully and amply to all intents and purposes as _____ might or could do
if acting personally. And _____ hereby ratify and confirm all lawful
acts done by _____ said attorney in virtue hereof. And _____ further
agree to allow said attorney _____ per cent. of all
money he may recover for _____ in this matter whether by action, suit,
compromise or otherwise.

This power being coupled with an interest, it is irrevocable.

Witness the following signature _____ and seal _____ this the _____ day of
_____, 193____.

(SEAL)

(SEAL)

(SEAL)

(SEAL)

(SEAL)

Virginia
City of Norfolk, to-wit:

I, _____, a Notary Public in and for the
City of Norfolk, in the State of Virginia, do certify that _____

_____ whose
name _____ signed to the writing above, bearing date on the _____
day of _____ ha _____ acknowledged the same before me in my
City aforesaid.

Given under my hand this _____ day of _____, 193_____.

My commission expires on the _____ day of _____, 193_____.

Notary Public

Know all men by these presents, that _____

_____ of the
City of _____, in the State of Virginia, have made, consti-
tuted, and appointed, and by these presents do make, constitute, and ap-
point W. W. Foreman, attorney-at-law, of Norfolk, Virginia _____ true and
lawful attorney, for and in _____ name, place, and stead to

and to do, execute, and perform all and every other act or acts, thing
or things, in law needful and necessary to be done in the premises, as
fully and amply to all intents and purposes as _____ might or could do
if acting personally. And _____ hereby ratify and confirm all lawful
acts done by _____ said attorney in virtue hereof. And _____ further
agree to allow said attorney _____ per cent. of all
money he may recover for _____ in this matter whether by action, suit,
compromise or otherwise.

This power being coupled with an interest, it is irrevocable.

Witness the following signature _____ and seal _____ this the _____ day of
_____, 193____.

_____. (SEAL)
_____. (SEAL)
_____. (SEAL)
_____. (SEAL)
_____. (SEAL)

Virginia
City of Norfolk, to-wit:

I, _____, a Notary Public in and for the
City of Norfolk, in the State of Virginia, do certify that _____

_____ whose
name _____ signed to the writing above, bearing date on the _____
day of _____ he _____ acknowledged the same before me in my
City aforesaid.

Given under my hand this _____ day of _____, 193____.

My commission expires on the _____ day of _____, 193____.

Notary Public

VIRGINIA:
IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Nannie Underwood Johnson, et als. Complainants.

Vs.

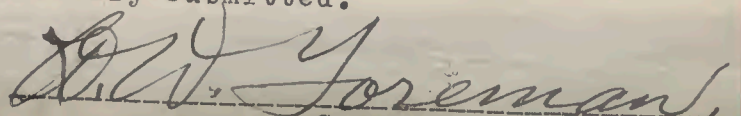
Dancil Wrench, et als. Defendants.

REPORT OF SPECIAL COMMISSIONER
TO THE HONORABLE JAMES L. MCLEMORE, JUDGE OF SAID COURT.

I, the undersigned Special Commissioner, respectfully reports unto your honor that by virtue of a decree of the Circuit Court of Nansemond County, Virginia, in the chancery cause of Nannie Underwood Johnson, et als. Vs. Dancil Wrench, et als., entered on the 26th day of June, 1929, I, the said Special Commissioner, offered and exposed for sale, by private negotiation, the real estate mentioned and described in the bill and proceedings in this cause, on the 27th day of June, 1929, at which sale Nannie Underwood Johnson became the purchaser thereof, she being the highest bidder, for the sum of Six Hundred (\$600.00) Dollars. That at said sale the said purchaser deposited the sum of Seventy-five (\$75.00) Dollars, as an evidence of her good faith, and agreed to pay the balance of said purchase price, less her equity in said real estate, she being the owner of a one-half ($\frac{1}{2}$) undivided interest in same, upon delivery of a good and sufficient deed conveying the other one-half ($\frac{1}{2}$) undivided interest in said real estate to her, provided title to same is found to be good and merchantable.

I further report that I believe the said real estate brought a fair price at said sale, considering the present condition of the real estate market in this section, and, the price, terms and conditions upon which the said real estate was sold being satisfactory and agreeable to all parties to this suit, I respectfully recommend that the said sale be confirmed, and your said Special Commissioner directed to prepare and deliver a deed for same to the said purchaser.

All of which is respectfully submitted.


Special Commissioner.

VIRGINIA:
IN THE CIRCUIT COURT OF
NANSEMOND COUNTY.

Nannie Underwood Johnson, et
als.

VS.

Dancil Wrench, et als.

SPECIAL COMMISSIONER'S
REPORT

1929 July 6. Filed
J.L.M.

VIRGINIA:
IN THE CIRCUIT COURT OF NASEMOND COUNTY.

Nannie Underwood Johnson, W. T. Wrench, Hattie
Wrench, Hatton, Henri Wrench Beale and Garland
Wrench, ...Complainants.

VS. (IN CHANCERY)

Dancil Wrench, Charlie Beasley Wrench, Emanuel
Wrench, John Wrench, Cardinal Wrench, Stella
Wrench, John Wrench, Jr., and Emmerson Wrench,
the two last named parties being infants under
the age of twenty-one years and over the age of
fourteen years, to-wit: Nineteen years, and Fif-
teen years, old, respectively. Defendants.

DECREE OF REFERENCE

This cause, in which the absent and non-resident defendants have been proceeded against in the mode prescribed by law for non-resident defendants, came on this day to be heard upon complainants' bill of complaint, the answers of the infant defendants, John Wrench, Jr., and Emmerson Wrench by their guardian ad litem and the answer of John H. Fulcher, guardian ad litem for said infant defents, and general replication thereto, the adult defendants having failed to appear and plead, answer or demur the bill of complaint is taken for confessed as to them, and was argued by counsel.

Upon consideration whereof, the Court doth adjudge, order and decree that this cause be, and the same is hereby, referred to one of the Commissioners in Chancery of this court who is hereby directed to inquire into and report to the Court as follows:

(1) Whether all necessary parties are properly before the Court;

(2) Whether Henry Underwood, deceased, died intestate, and if so, whether or not all of his heirs at law and distributees are parties to this suit and properly before the Court;

(3) Whether an administrator or administratrix has been appointed and qualified on the estate of the said decedent, and if so,

~~the transactions and accounts of said administrator or administratrix;~~

(4) If there be an administrator or administratrix, whether he or she has accounted to the heirs of the said Henry Underwood, deceased, for their interest and share in whatever property that has come in to his or her hands belonging to the estate of the said decedent;

³
~~(4)~~ All ^{real} property, ~~real, personal and mixed~~, of which the said Henry Underwood, deceased, died seised and possessed, or to which he was entitled, with the interest of any other party, or parties in same, with the liens, if any thereon, and their priorities and dignity, together with all taxes, delinquent or otherwise, due the County of Nansemond, Virginia, the State of Virginia, and the United States of America;

~~(4)~~ All just debts owing by the estate of the said Henry Underwood, deceased, with the liens of record against same, if any, ^{amount} together with the name of each creditor and the ~~name~~ of each debt;

⁴
~~(4)~~ Who the owners are of the real estate mentioned and described in the bill of complaint filed in this cause, and the interest of each owner if there be more than one;

⁵
~~(4)~~ Whether partition can be conveniently made in kind of the said real estate to advantage, and if not, whether a sale of it and a distribution of the net proceeds of such sale according to the respective rights of those entitled thereto will promote the interests of the owners of the said real estate;

⁶
~~(4)~~ Whether any party or parties to this suit will accept all of said real estate, and pay therefor to the other party or parties such sum of money as their interest therein may entitle them to;

⁷
~~(4)~~ Whether there are ^{lien} creditors of any deceased person who was a tenant in common, joint-tenant, or coparcener in said real estate entitled to have the proceeds from such deceased person's

part, if any, applied according to the rights of any such creditor, if any, and if there be any such creditors, the nature, amount, and priorities of their claims;

⁸
~~(11)~~ The fee simple and annual value of the real estate mentioned and described in the bill of complaint filed in this cause;

²
~~(12)~~ Any matters not specially stated herein, but deemed by the Commissioner himself to be pertinent or required by any party hereto, or their attorney, to be stated;

All of which said inquiries the Commissioner shall make, after having first given notice of the time and place thereof to all parties hereto, or their counsel, and report the same to the Court.

VIRGINIA:
IN THE CIRCUIT COURT OF NANSE-
MOND COUNTY.

Nannje Underwood Johnson, et als.

Vs. (In Chancery)

Dancil Wrench, et als.

DECREE OF REFERENCE

Enter this 4. day of

June, 1929.

J. M. Moore
Judge.

~~W. W. FOREMAN
ATTY. AT LAW
ATTUCKS BUILDING
NORFOLK, VIRGINIA~~

VIRGINIA:
IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Nannie Underwood Johnson, W. T. Wrench, Hattie
Wrench Hatton, Henri Wrench Beale and Garland
Wrench, ...;..... Complainants.

VS.

Dancil Wrench, Charlie Beasley Wrench, Emanuel
Wrench, John Wrench, Cardinal Wrench, Stella
Wrench, John Wrench, Jr., and Emmerson Wrench,
the two last named parties being infants under
the age of twenty-one years and over the age of
fourteen years, to-wit: Nineteen years, and Fif-
teen years old, respectively. Defendants.

MEMORANDUM

The Clerk of the Circuit Court of Nansemond County, Virgin-
ia is hereby requested to issue process in the above styled cause
returnable to the next rules of said court.

The last known address of all the above named defendants,
except Dancil Wrench and Charlie Beasley Wrench, is New York City,
New York. The last known address of the said Dancil Wrench and
Charlie Beasley Wrench is Philadelphia, Pennsylvania.

Nannie Underwood Johnson
Complainant.

By: *J. W. Foreman*
Counsel.

Counsel.

VIRGINIA:
IN THE CIRCUIT COURT OF NANSE
MOND COUNTY.

Nannie Underwood Johnson, etals

Vs.

Dancil Wrench, et als.

MEMORANDUM

\$10.00 Dep.

W. W. Foreman, p. q.

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Nannie Underwood Johnson, et als. Complainants.

Vs.

(IN CHANCERY)

Dancil Wrench, et als.

Defendants.

ORDER

Upon motion of John H. Fulcher, guardian ad litem,
assigned to defend the interests of John Wrench, Jr. and
Emmerson Wrench, infants under the age of twenty-one years
and over the age of fourteen years, leave is hereby granted
the said guardian ad litem ^{to file} his answer and the answer of the
said infants by him, and the same are accordingly filed.

VIRGINIA:

IN THE CIRCUIT COURT OF
NANSEMOND COUNTY.

Nannie Underwood Johnson
et als.

Vs.

Dancil Wrench, et als.

ORDER

Enter this 18 day
of April, 1929.

J. L. W. Moore
Judge.

Chancery Order Book
No. 6 Page 241

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Nannie Underwood Johnson, et alsComplainants

Vs.

Dancil Wrench, et als.

Defendants.

ORDER

It appearing to the Court that John Wrench, Jr., and Emmer-
son Wrench, two of the defendants named in the above styled suit
are infants, on motion of W. W. Foreman, attorney, the Court doth
appoint John H. Fulcher, a discreet and competent attorney at law
as guardian ad litem to defend the interfest of said infant defend-
ants.

VIRGINIA:

IN THE CIRCUIT COURT OF
NANSEMOND COUNTY.

NANNIE UNDERWOOD JOHNSON,
et als.
VS.

DANCIL WRENCH, ET ALS.

ORDER

Enter this 8th day of
April, 1929.

J. L. McNamee.
Judge.

Chanc. Order Book
No. 6 Page 241

VIRGINIA:

IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF NANSEMOND COUNTY
ON THE 23 DAY OF MARCH, 1929.

Nannie Underwood Johnson, et als.

Complainants.

VS.

(In Chancery)

Dancil Wrench, et als.

Defendants.

The object of this suit is to have the court decree a partition of that part of the hereinafter described real estate of which the late Henry Underwood died seised and possessed. The land referred to being described as follows:

"All that tract, piece or parcel of land situated, lying and being in the County of Nansemond, in the State of Virginia, bounded and described as follows: Containing ten acres, more or less, bounded on the East by the main road leading from Chuckatuck to Suffolk; on the South by the land of Mordecai Towns; on the West by the lands of Henry Branch; and on the North North by the lands of Arnold Ricks....being known as the Henry Underwood land, together with all and singular the appurtenances belonging to the same", said tract being duly of record in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, in Deed Book 44 at page 161. The said Henry Underwood, deceased, having died seised and possessed of Seven and three-fourths acres, more or less, of said tract.

And affidavit having been made that Dancil Wrench, Charlie Beasley Wrench, Emanuel Wrench, John Wrench, Cardinal Wrench, Stella Wrench, John Wrench, Jr., and Emmerson Wrench are not residents of the State of Virginia, they are hereby required to appear within ten days ~~from~~ after due publication hereof and do what may be necessary to protect their interest.

Teste:

Paul J. Powell Clerk.
By: Alvin Whitcomb D. C.

Order of
Publication

VIRGINIA:
IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Nannie Underwood Johnson, W. T. Wrench, Hattie Wrench Hatton, Henri Wrench Beale and Garland Wrench, ... Complainants.
Vs.

Dancil Wrench, Charlie Beasley Wrench, Emanuel Wrench, John Wrench, Cardinal Wrench, Stella Wrench, John Wrench, Jr., and Emmerson Wrench, ... (IN CHANCERY.)
the two last named parties being infants under the age of twenty-one years and over the age of fourteen years, to-wit: Nineteen years, and Fifteen years old, respectively, ... Defendants.

I, Stella Pierce, a Notary Public, in and for the City of Suffolk, Virginia, do certify that personally appeared before me John H. Fulcher and made oath that in a certain suit pending in the Circuit Court of Nansemond County, Virginia, wherein Nannie Underwood Johnson, et als. are complainants and Dancil Wrench, et als. are defendants, that the said Dancil Wrench and Charlie Beasley Wrench, Emanuel Wrench, John Wrench, Cardinal Wrench, Stella Wrench, John Wrench, Jr., and Emmerson Wrench are not residents of the State of Virginia, the last known residence of the said Dancil Wrench and Charlie Beasley Wrench as well as their last known post office address being Philadelphia, Pennsylvania, and the last known residence and last known post office address of all the other defendants herein named being, New York City, New York.

Given under my hand this 19th day of March, 1929.
My Commission expires 17th day of Dec, 1929.

Stella Pierce
Notary Public.

APPLICATION FOR AN ORDER OF PUBLICATION

Application is hereby made for an order of publication in the suit styled Nannie Underwood Johnson, et als. vs. Dancil Wrench, et als. the object of which is to have partition made of "All that tract, piece or parcel of land situated, lying and being in the County of Nansemond, in the State of Virginia, bounded and described as follows: Containing Ten acres, more or less, bounded on the East by the Main Road leading from Chuckatuck to Suffolk; on the South by the land of Mordicai Towns; on the West by the lands of Henry Branch; and on the North by the lands of Arnold Ricks.....and the appurtenances thereto belonging, being known as the "Henry Underwood Land", or that portion of which said land the late Henry Underwood died seised and possessed.

Nannie Underwood Johnson
by W. T. Foreman, Jr., Counsel

CERTIFICATE OF PUBLICATION

VIRGINIA:
IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF NANSEMOND COUNTY ON
THE 19 DAY OF MARCH, 1929.

I hereby certify that I have this day posted at the front door of the Court House, a copy of the order of publication, entered in the above styled suit, such posting being on or before the next succeeding Rule Day after said order was entered, and I on this day mailed a copy of said publication, duly certified, to each of the said defendants at the last known post office address stated in the foregoing affidavit.

Teste: Paul J. Powell Clerk.

By: Alicia Whitburn D. C.

"Record"

VIRGINIA:
IN THE CIRCUIT COURT OF NANSE
MOND COUNTY.

Nannie Underwood Johnson, etals

Vs.

Dancil Wrench, et als.

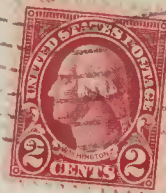
APPLICATION FOR ORDER OF
PUBLICATION AND CERTIFICATE
OF PUBLICATION

W. W. Foreman, p. q.

PAUL J. POWELL

GEORGE E. BUNTING

CLERK OF CIRCUIT COURT OF
NANSEMOND COUNTY
SUFFOLK, VA.



John Wrench, Jr.,
Philadelphia, Pa.



VIRGINIA:

IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF NANSEMOND COUNTY
ON THE 23 DAY OF MARCH, 1929.

Nannie Underwood Johnson, et als.

Complainants.

v

vs

(In Chancery)

Dancil Wrench, et als.

Defendants.

The object of this suit is to have the court decree a partition of that part of the hereinafter described real estate of which the late Henry Underwood died seised and possessed.

The land referred to being described as follows:

"All that tract, piece or parcel of land situated, lying and being in the County of Nansemond, in the State of Virginia, bounded and described as follows: Containing ten acres, more or less, bounded on the East by the main road leading from Chuckatuck to Suffolk; on the South by the land of Mordecai Towns; on the West by the lands of Henry Branch; and on the North by the lands of Arnold Ricks...being known as the Henry Underwood land, together with all and singular the appurtenances belonging to the same", said tract being duly of record in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, in Deed Book 44 at page 161. The said Henry Underwood, deceased, having died seised and possessed of Seven and three-fourths acres, more or less, of said tract.

And affidavit having been made that Dancil Wrench, Charlie Beasley Wrench, Emanuel Wrench, John Wrench, Cardinal Wrench, Stella Wrench, John Wrench, Jr., and Emmerson W_rench are not residents of the State of Virginia, they are hereby required to appear within ten days after due publication hereof and do what may be necessary to protect their interest.

Teste:

Paul J. Powell Clerk.

By:

Alvin Whitcomb D. C.

W. W. Foreman, p. q.

PAUL J. POWELL
GEORGE E. BUNTING

CLERK OF CIRCUIT COURT OF

NANSEMOND COUNTY

SUFFOLK, VA.



Stella Wrench,

Philadelphia, Pa.

RETURN
TO WRITER
UNCLAIMED



NOT IN DROSCH

PHILA. PA.
MAR 25 1923

VIRGINIA:
IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF NANSEMOND COUNTY
ON THE 23 DAY OF MARCH, 1929.

Nannie Underwood Johnson, et als. Complainants.

VS. (In Chancery)

Dancil Wrench, et als. Defendants.

The object of this suit is to have the court decree a partition of that part of the hereinafter described real estate of which the late Henry Underwood died seised and possessed. The land referred to being described as follows:

"All that tract, piece or parcel of land situated, lying and being in the County of Nansemond, in the State of Virginia, bounded and described as follows: Containing ten acres, more or less, bounded on the East by the main road leading from Chuckatuck to Suffolk; on the South by the land of Mordecai Towns; on the West by the lands of Henry Branch; and on the North North by the lands of Arnold Ricks....being known as the Henry Underwood land, together with all and singular the appurtenances belonging to the same", said tract being duly of record in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, in Deed Book 44 at page 161. The said Henry Underwood, deceased, having died seised and possessed of Seven and three-fourths acres, more or less, of said tract.

And affidavit having been made that Dancil Wrench, Charlie Beasley Wrench, Emanuel Wrench, John Wrench, Cardinal Wrench, Stella Wrench, John Wrench, Jr., and Emerson Wrench are not residents of the State of Virginia, they are hereby required to appear within ten days from after due publication hereof and do what may be necessary to protect their interest.

Tests:

Paul J. Paswell Clerk.

By: Alveng Whitcomb D. C.

KK W. W. Foreman, p. q.

GEORGE E. BUNTING

SUFFOLK COUNTY
SUFFOLK, VA.



John Wrench,

Philadelphia, Pa.



VIRGINIA;
IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF HANSEMOND COUNTY
ON THE 22 DAY OF MARCH, 1929.

Nannie Underwood Johnson, et als. Complainants.
vs. (In Chancery)
Dancil Wrench, et als. Defendants.

The object of this suit is to have the court decree a partition of that part of the hereinafter described real estate of which the late Henry Underwood died seised and possessed. The land referred to being described as follows:

"All that tract, piece or parcel of land situated, lying and being in the County of Hansemond, in the State of Virginia, bounded and described as follows: Containing ten acres, more or less, bounded on the East by the main road leading from Chuohatuck to Suffolk; on the South by the land of Mordecai Towns; on the West by the lands of Henry Branch; and on the North North by the lands of Arnold Ricks....being known as the Henry Underwood land, together with all and singular the appurtenances belonging to the same", said tract being duly of record in the Clerk's Office of the Circuit Court of Hansemond County, Virginia, in Deed Book 44 at page 161. The said Henry Underwood, deceased, having died seised and possessed of Seven and three-fourths acres, more or less, of said tract.

And affidavit having been made that Dancil Wrench, Charlie Beasley Wrench, Emanuel Wrench, John Wrench, Cardinal Wrench, Stella Wrench, John Wrench, Jr., and Emerson Wrench are not residents of the State of Virginia, they are hereby required to appear within ten days from after due publication hereof and do what may be necessary to protect their interest.

Teste:

Paul J. Paswell Clerk.
By: Alvin Whitehurst D. C.

XX W. W. Foreman, D. C.

L. J. POWELL

GEORGE E. BUNTING

CLERK OF CIRCUIT COURT OF
HANSEMONO COUNTY
SUFFOLK, VA.



Emmerson Wrench,
Philadelphia, Pa.

Not in Order

RETURN
TO WRITER
UNCLAIMED



VIRGINIA:
IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF NANSEMOND COUNTY
ON THE 23 DAY OF MARCH, 1929.

Nammie Underwood Johnson, et als.

Complainants.

v

vs

(In Chancery)

Dancil Wrench, et als.

Defendants.

The object of this suit is to have the court decree a partition of that part of the hereinafter described real estate of which the late Henry Underwood died seised and possessed.

The land referred to being described as follows:

"All that tract, piece or parcel of land situated, lying and being in the County of Nansemond, in the State of Virginia, bounded and described as follows: Containing ten acres, more or less, bounded on the East by the main road leading from Chuckatuck to Suffolk; on the South by the land of Mordecai Towns; on the West by the lands of Henry Branch; and on the North by the lands of Arnold Ricks...being known as the Henry Underwood land, together with all and singular the appurtenances belonging to the same", said tract being duly of record in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, in Deed Book 44 at page 161. The said Henry Underwood, deceased, having died seised and possessed of Seven and three-fourths acres, more or less, of said tract.

And affidavit having been made that Dancil Wrench, Charlie Beasley Wrench, Emanuel Wrench, John Wrench, Cardinal Wrench, Stella Wrench, John Wrench, Jr., and Emmerson Wrench are not residents of the State of Virginia, they are hereby required to appear within ten days after due publication hereof and do what may be necessary to protect their interest.

Teste:

Paul J. Pawell Clerk.

By:

Oliver Whitehurst D. C.

W. W. Foreman, p. q.

PAUL J. POWELL

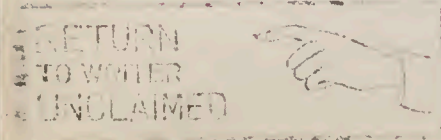
~~GEORGE E. SELLING~~

CLERK OF CIRCUIT COURT OF
NANSEMOND COUNTY
SUFFOLK, VA.



Cardinal Wrench,

Philadelphia, Pa.



VIRGINIA;
IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF NANSEMOND COUNTY
ON THE 22 DAY OF MARCH, 1929.

Nannie Underwood Johnson, et als. Complainants.
VS. (In Chancery)
Dancil Wrench, et als. Defendants.

The object of this suit is to have the court decree a partition of that part of the hereinafter described real estate of which the late Henry Underwood died seised and possessed. The land referred to being described as follows:

"All that tract, piece or parcel of land situated, lying and being in the County of Nansemond, in the State of Virginia, bounded and described as follows: Containing ten acres, more or less, bounded on the East by the main road leading from Chuckatuck to Suffolk; on the South by the land of Mordecai Towns; on the West by the lands of Henry Branch; and on the North North by the lands of Arnold Ricks....being known as the Henry Underwood land, together with all and singular the appurtenances belonging to the same", said tract being duly of record in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, in Deed Book 44 at page 161. The said Henry Underwood, deceased, having died seised and possessed of seven and three-fourths acres, more or less, of said tract.

And affidavit having been made that Dancil Wrench, Charlie Beasley Wrench, Emanuel Wrench, John Wrench, Cardinal Wrench, Stella Wrench, John Wrench, Jr., and Emerson Wrench are not residents of the State of Virginia, they are hereby required to appear within ten days from after due publication hereof and do what may be necessary to protect their interest.

Teste:

Paul J. Powell Clerk.

By: Oliver Whitcomb D. C.

AUL J. POWELL

GEORGE E. BUNTING

CLERK OF CIRCUIT COURT OF
NANSEMOND COUNTY
SUFFOLK, VA.



Emanuel Wrench,
Philadelphia, Pa.

TURN
WRITER
CLAIMED



USE IN ENVELOPES
PAID BY
RECEIVER

VIRGINIA:

IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF HANSEMOND COUNTY
ON THE 28 DAY OF MARCH, 1929.

Hannie Underwood Johnson, et als.

Complainants

Vs.

(In Chancery)

Dancil French, et als.

Defendants

The object of this suit is to have the court decree a partition ~~and~~ of that part of the hereinafter described real estate of which the late Henry Underwood died seized and possessed. The land referred to being described as follows:

"All that tract, piece or parcel of land situated, lying and being in the County of Hansemond, in the State of Virginia, bounded and described as follows: Containing ten acres, more or less, bounded on the East by the main road leading from Chuckatuck to Suffolk; on the South by the land of Mordca Towns; on the West by the lands of Henry Branch; and on the North by the lands of Arnold Ricks.... being known as the Henry Underwood land together with all and singular the appurtenances belonging to the same", and said tract being duly of record in the Clerk's Office of the Circuit Court of Hansemond County, Virginia, in Deed Book 44 at page 161. The said Henry Underwood, deceased, having died seized and possessed of Seven and three-fourths acres, more or less, of said tract.

And affidavit having been made that Dancil French, Charlie Beasley French, Emanuel French, John French, Cardinal French, Stella French, John French, Jr., and Emerson French are not residents of the State of Virginia, they are hereby required to appear within ten days after due publication hereof and do what may be necessary to protect their interest.

Teste:

Paul J. Powell Clerk.

By: Alvin H. Whitehurst D. C.

W. W. Foreman, P. Q.

PAUL J. POWELL

GEORGE E. BUNTING

CLERK OF CIRCUIT COURT OF
NANSEMOND COUNTY
SUFFOLK, VA.



9

Dancil Wrench,

New York City.

RETURNED TO SENDER
MAR 30 1929
DO NOT POST AGAIN IN THIS
ENVELOPE

Name in directory
Delivery delayed
In complete address

Delivery delayed
Not in directory
In complete address
SEARCHER NO. 33
City Hall Station, N.Y.P.O.



ADD
YOUR
TO
STREET
NUM

VIRGINIA:

IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF NANSEMOND COUNTY
ON THE 23 DAY OF MARCH, 1929.

Nannie Underwood Johnson, et als.

Complainants.

VS.

(In Chancery)

Dancil Wrench, et als.

Defendants.

The object of this suit is to have court decree a partition of that part of the hereinafter described real estate of which the late Henry Underwood died seised and possessed. The land referred to being described as follows:

"All that tract, piece or parcel of land situated, ~~in~~ lying and being in the County of Nansemond, in the State of Virginia, bounded and described as follows: Containing ten acres, more or less, bounded on the East by the main road leading from Chauckatuck to Suffolk; on the South by the land of Mordecai Towns; on the West by the lands of Henry Branch; and on the North by the lands of Arnold Ricks....being known as the Henry Underwood land together with all and singular the appurtenances belonging to same", said tract being duly of record in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, in Deed Book 44 at page 161. The said Henry Underwood, deceased, having died seised and possessed of Seven and three-fourths acres, more or less, of said tract.

And affidavit having been made that Dancil Wrench, Charlie Beasley Wrench, Emanuel Wrench, John Wrench, Cardinal Wrench, Stella Wrench, John Wrench, Jr., and Emmerson Wrench are not residents of the State of Virginia, they are hereby required to appear within ten days after due publication hereof and do what may be necessary to protect their interest.

Teste:

Paul J. Powell Clerk.

By: Oliver Whitcomb D. S.

W. W. Foreman, p. q.

PAUL J. POWELL

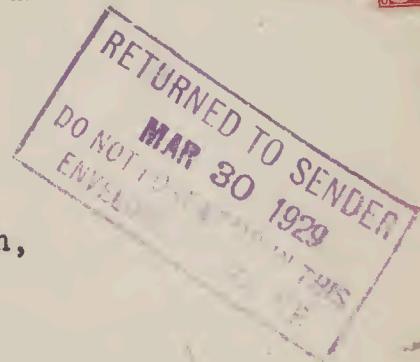
GEORGE E. BUNTING

CLERK OF CIRCUIT COURT OF
NANSEMOND COUNTY
SUFFOLK, VA.



3
Charlie Beasley Wrench,
New York City.

Not in directory Delivery delayed
In complete address
SEARCHER NO. 33
City Hall Station, N.Y.P.O.





ADD
YOUR P
TO
STREET
NUM

VIRGINIA:

IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF HANSEMOND COUNTY
ON THE 23rd DAY OF MARCH, 1929.

Hannie Underwood Johnson, et als.

Complainants

Vs.

(In Chancery)

Dancil Wrench, et als.

Defendants

The object of this suit is to have the court decree a partition ~~and~~ of that part of the hereinafter described real estate of which the late Henry Underwood died seised and possessed. The land referred to being described as follows:

"All that tract, piece or parcel of land situated, lying and being in the County of Hansemond, in the State of Virginia, bounded and described as follows: Containing ten acres, more or less, bounded on the East by the main road leading from Chuckatuck to Suffolk; on the South by the land of Mordecai Towns; on the West by the lands of Henry Branch; and on the North by the lands of Arnold Ricks.... being known as the Henry Underwood land together with all and singular the appurtenances belonging to the same", and said tract being duly of record in the Clerk's Office of the Circuit Court of Hansemond County, Virginia, in Deed Book 44 at page 161. The said Henry Underwood, deceased, having died seised and possessed of Seven and three-fourths acres, more or less, of said tract.

And affidavit having been made that Dancil Wrench, Charlie Beasley Wrench, Emanuel Wrench, John Wrench, Cardinal Wrench, Stella Wrench, John Wrench, Jr., and Emerson Wrench are not residents of the State of Virginia, they are hereby required to appear within ten days after due publication hereof and do what may be necessary to protect their interest.

Teste:

Paul J. Fawcett Clerk.

By: Oliver Whitehurst D. C.

W. W. Foreman, P. q.

VIRGINIA:
IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Nannie Underwood Johnson, W. T. Wrench, Hattie
Wrench Hatton, Henri Wrench Beale and Garland
Wrench, ...Complainants.

VS.

(IN CHANCERY)

Dancil Wrench, Charlie Beasley Wrench, Emanuel
Wrench, John Wrench, Cardinal Wrench, Stella
Wrench, John Wrench, Jr., and Emmerson Wrench,
the two last named parties being infants under
the age of twenty-one years and over the age of
fourteen years, to-wit: Nineteen years, and Fif-
teen years, old, respectively. Defendants.

DECREE CONFIRMING REPORT OF COMMISSIONER IN CHANCERY
AND ORDERING SALE OF PROPERTY, ETC.

This cause, by consent of the Guardian ad Litem for the in-
fant defendants and of all of the ^{other parties} ~~residents and defendants~~, by their
counsel, endorsed hereon, and in which the non-resident defendants
have been proceeded against by due publication as required by the
statutes for such case made and provided, came on this day to be
again heard upon the papers formerly read and upon the report of
Commissioner in Chancery, John H. Palmer, filed on the 22 day
of June, 1929, to which no exception is taken, the aforesaid guar-
dian ad litem and counsel for all ~~residents and defendants~~ other parties
having waived the ten days for exceptions, and upon the depositions
of witnesses taken before said Commissioner in Chancery, and the
exhibits filed therewith and returned along with said report, and
was argued by counsel.

Upon consideration whereof, it is adjudged, ordered and de-
creed that the said report of Commissioner Palmer be, and the same
is, hereby confirmed.

And it is further adjudged, ordered and decreed that W. W.
Foreman, who is hereby appointed Special Commissioner for the pur-
pose, shall forthwith offer for sale to the highest bidder, either
at public auction or by private sale on such day and at such hour
as he may deem wisest and best, and if sold publicly said sale to
be in front of the National Bank of Suffolk, Suffolk, Virginia af-
ter advertising for ten days by judiciously distributed hand-bills,

upon the terms of, all cash, the following described real estate,
to-wit:

Seven and three-fourths ($7\frac{3}{4}$) acres, more or less, of "All that tract, piece or parcel of land situated, lying and being in the County of Nansemond, in the State of Virginia, bounded and described as follows: Containing Ten (10) acres, more or less, bounded on the East by the main road leading from Chuckatuck to Suffolk; on the South by the land of Mordecai Towns; on the West by the lands of Henry Branch; and on the North by the lands of Arnold Ricks; all of the above tract being a part of the lands owned by Mrs. S. J. H. Meador from her mother, Mrs. Janette M. Godwin, and being known as the Henry Underwood land, together with all and singular the appurtenances belonging to the same". It being the same land that was conveyed to the said Henry Underwood, now deceased, by George W. Butts, Administrator of the Estate of Mrs. S. F. H. Meador, deceased, by his deed dated 11th day of November, 1889, and duly recorded in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, in Deed Book 44 at page 161. The said Henry Underwood, deceased, having died seised and possessed of Seven and Three-Fourths ($7\frac{3}{4}$) acres, more or less, of said tract because of the following conveyances having been made by him prior to his death: One (1) acre to Roberta Johnson by deed dated December 5th, 1899, and duly of record in the said Clerk's Office in deed book 44 at page 286; One-fourth ($\frac{1}{4}$) acre to Mary R. Reed, Mary C. Harrell, Nancy Crump, India Jackson and Minnie Johnson, Trustees of Salem Tent Lodge No. 61 by deed dated April 24th, 1901, and duly recorded in the said Clerk's Office in Deed Book 44 at page 485; and One (1) acre to John B. Wrench by deed dated June 10th, 1902, and duly of record in the said Clerk's Office in Deed Book 54 at page 669; reference to all of which said deeds is hereby made for a more particular and accurate description of the extent, metes and bounds of the tract of land intended to be conveyed by direction and authority of this decree.

Before the said Special Commissioner shall proceed to sell the said real estate as hereinabove ordered, he shall first enter into a bond in the sum of One Thousand
(\$1000) Dollars, with surety to be approved by the Clerk of this Court, conditioned upon the faithful performance of his duties as such Special Commissioner.

And the said Special Commissioner shall report his proceedings to this Court, likewise reporting to this Court for confirmation any sale made by him of the aforesaid real estate. And the further hearing of this cause is reserved.

VIRGINIA:
IN THE CIRCUIT COURT OF NANSE
MOND COUNTY.

Nannie Underwood Johnson, et als

Vs.

Dancil Wrench, et als.

We consent to this de-
cree: W.W. Foreman, Coun-
sel for all adult parties.

John H. Fulcher
Guardian ad litem
for the infant defendants
John Wrench Jr. & Emma Wrench

/ DECREE

Enter this 26 day of June,
1929.

J. L. Moore
Judge.

XXXXXXXXXXXX
XXXXXX
XXXXXXXXXXXX
XXXXXXXXXXXX

Channing Owen Book
No. 6 Page 257

VI PG INTA :

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Nannie Underwood Johnson, et als, Complainants

Vs. :: IN CHANCERY.

Dancil Wrench, et als, Defendants.

INFANTS ANSWER BY GUARDIAN AD LITEM.

The joint and seperate answers of John Wrench, Jr., and Emmerson Wrench, infants, under the age of twenty-one years, but over the age of 14 years, to-wit:

Nineteen years, and fifteen years old, respectively, by John H. Fulcher, their guardian ad litem, appointed to defend them in this suit, to a bill of complaint filed against them, et als., in the Circuit Court of Nansemond County, Virginia, by Nannie Underwood Johnson, et als., complainants.

These defendants reserving to themselves the benefit of all just exceptions to the said bill of complaint, for answer thereon, or so much thereof as they are advised that it is material they should answer, by their guardian ad litem, answer and say:

That they are infants of tender years, to-wit: Nineteen years old and fifteen years old, respectively, and by reason of their infancy, are incapable of understanding, or of taking care of their rights and interest herein; and that they therefore commend themselves, and their interest and rights to the protection of the Court, and pray that no decree or order may be entered that would tend to their prejudice.

And, now having fully answered the complainants bill of complaint, these defendants pray to be hence dismissed with their reasonable cost by them in this behalf expended.

John Wrench, Jr.

Emmerson Wrench

By:

John H. Fulcher.

Guardian ad litem. ~~for John Wrench~~
~~Emmerson Wrench~~

State of Virginia,

City of Suffolk, to-wit:

John Wrench, Jr. and Emmerson Wrench, by their guardian, ad litem, John H. Fulcher, being duly sworn, say that the facts and allegations therein contained are true, except so far as they are therein stated to be on information, and that in so far as they are therein stated to be upon information, he believes them to be true.

Taken, sworn to and subscribed before me, Estelle Pearce, a notary public in and for the State and city aforesaid, this 13th day of April, 1929.

My Commission expires on the 17 day of Dec,
1929.

Estelle Pearce
Notary Public.

Virginia:

In The Circuit Court of
Nansemond County.

Nannie Underwood Johnson, et
als.

Vs.

Dancil Wrench, et als.

1929 April 18. *filed J. H. M.*

Answer.

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Nannie Underwood Johnson, et als., Complainants

Vs.

:: IN CHANCERY.

Dancil Wrench, et als.,

Defendants.

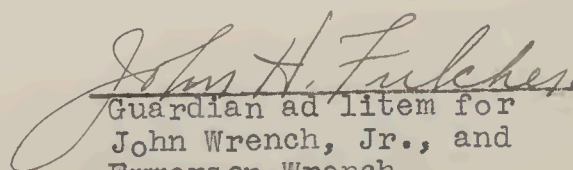
ANSWER OF GUARDIAN AD LITEM.

The joint and seperate answer of John H. Fulcher, guardian ad litem, appointed to defend John Wrench, Jr., and Emmerson Wrench, infants under the age of twenty-one years, and over the age of fourteen years, respectively, to-wit: Nineteen years and fifteen years old, respectively, to a bill of complaint filed against them, et als., in the Circuit Court of Nansemond County, Virginia, by Nannie Underwood Johnson, et als., complainants.

This defendant reserving to himself the benefit of all just exceptions to the said bill of complaint, for answer thereto, answers and says:

That he is the guardian ad litem, appointed to defend John Wrench, Jr., and Emmerson Wrench, infant defendants in this suit; that he knows nothing as to the truth or falsity in the statement of the said bill of complaint; and that he prays full protection of the Court, for his wards, the said infant defendants.

And now, having fully answered the complainants bill of complaint, your defendant prays to be hence dismissed with his reasonable cost by him in this behalf expended.


Guardian ad litem for
John Wrench, Jr., and
Emmerson Wrench.

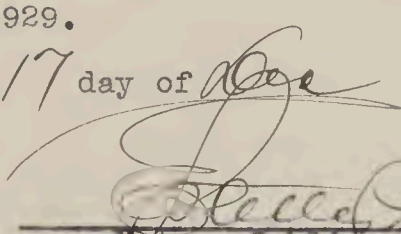
State of Virginia,

City of Suffolk, to-wit:

John H. Fulcher, guardian ad litem, named in the foregoing answer of John Wrench, Jr., and Emmerson Wrench, being duly sworn, says that the facts and allegations therein contained are true, except so far as they are therein stated to be on information, and that so far as they are therein stated to be upon information, they believe them to be true.

Taken, sworn to, and subscribed before me,
Estelle Pearce, a notary public of and for the State and City aforesaid, this / 3rd day of April, 1929.

My commission expires on the 17 day of May 1929.


Notary Public.

Virginia:

In The Circuit Court of
Nansemond County.

Nannie Underwood Johnson,
et als.

Vs. 1

Daniel Wrench, et als.

1929 April 18. filed
JH

ANSWER

VIRGINIA:
IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Nannie Underwood Johnson, et als. -----Complainants.

Vs. (Chancery)

Dancil Wrench, et als. -----Defendants.

To The Honorable James L. McLemore, Judge of said Court.

Your complainants, Nannie Underwood Johnson, W. T. Wrench, Hattie Wrench Hattpn, Henri Wrench Beale, and Garland Wrench, humbly complaining, sheweth unto the Court the following case:

That they are daughter, grand-son, grand-daughter, great grand-daughter and great grand-son, respectively, of Henry Underwood, deceased;

That the said Henry Underwood, deceased, was, in his lifetime, seised and possessed of certain real estate situated in the County of Nansemond, in the State of Virginia, bounded and described as follows:

"All that tract, piece or parcel of land situated, lying and being in the County of Nansemond, in the State of Virginia, bounded and described as follows: Containing Ten (10) acres, more or less, bounded on the East by the main road leading from Chuckatuck to Suffolk; on the South by the land of Mordecai Towns; on the West by the lands of Henry Branch; and on the North by the lands of Arnold Ricks; all of the above tract being a part of the lands owned by Mrs. S. J. H. Meador from her mother, Mrs. Janette M. Godwin, and being known as the Henry Underwood land, together with all and singular the appurtenances belonging to the same". It being the same land that was conveyed to the said Henry Underwood, now deceased, by George W. Butts, Administrator of the Estate of Mrs. S. F. H. Meador, deceased, by his deed dated 11th day of November, 1889, and duly recorded in the Clerks Office of the Circuit Court of Nansemond County, Virginia, in Deed Book 44 at page 161. The said Henry Underwood, deceased, having died seised and possessed of Seven and three-fourths acres, more or less, of said tract because of the following conveyances having been made by him prior to his death: One (1) ~~xxx~~ acre to Roberta Johnson by deed dated December 5th, 1899, and duly of record in the said Clerk's Office in Deed Book 44 at page 286; One-fourth acre to Mary R. Reed, Mary C. Harrell, Nancy Crump, India Jackson, and Minnie Johnson, Trustees of Salem Tent Lodge No. 61 by deed dated April 24th, 1901,

2

and duly of record in the said Clerk's Office in Deed Book 44 at page 485; and One (1) acre to John B. Wrench, by deed dated June 10th, 1902, and duly of record in the said Clerk's Office in Deed Book 54 at page 669; reference to all of which said deeds is hereby made for a more particular and accurate description of the extent, metes and bounds, of the tract of land intended to be partitioned by this suit.

That while being so seised and possessed, the said Henry Underwood departed this life, sometime during the month of October, in the year of our Lord, 1904, intestate, and left surviving him, as his sole and only heirs, Nannie Underwood Johnson, ^{and} Emma Underwood Wrench, his daughters; ~~John Wrench, Dancil Wrench, and Cardinal Wrench, his great grand sons; and Henri Wrench Beale, a great grand daughter;~~

That sometime during the month of November, in the year of our Lord, 1904, the said Emma Underwood Wrench, died, intestate, and left surviving her as her sole and only heirs, W. T. Wrench, Emanuel Wrench, Hattie Wrench Hatton, John Wrench and Charlie Wrench, her sons, daughter, and sons, respectively, and John Wrench, Dancil Wrench, Cardinal Wrench, and Henri Wrench Beale, her grandsons, and grand-daughter, respectively;

That on the 28th day of February, in the year of our Lord, 1916, the said John Wrench, died, intestate, and left surviving him as his sole and only heirs, Stella Wrench, his widow; John Wrench, Jr., and Emmerson Wrench, his infant sons, who are now of the ages, 19, and 15 years old, respectively;

That sometime during the month of February, in the year of our Lord, 1922, the said Charlie Wrench died, intestate, and left surviving him as his sole and only heirs, his two sons, Charlie Beasley Wrench and Garland Wrench;

That by reason of the above stated facts the surviving par-

jointly,
ties, herein named, own, by inheritance, all of the above mentioned and described real estate of which the aforesaid Henry Underwood, deceased, didd seised and possessed, and are entitled to have partition made of the same; and

That the said real estate is not, as they believe, susceptible to partition in kind among the parties entitled thereto, and that your said complainants believe, and here state, that the interests of all of those who are entitled to share in the said real estate, or its proceeds, will be promoted by a sale of the whole of said tract;

IN TENDER CONSIDERATION WHEREOF, and for as much as your complainants are without remedy in the premises, save in a Court of Equity where matters of this kind are cognizable, they pray that the said Dancil Wrench, Charlie Beasley Wrench, Emanuel Wrench, John Wrench, Cardinal Wrench, Stella Wrench, John Wrench, Jr., and Emerson Wrench, the two last ^{named} parties being infants under the age of twenty-one years and over the age of fourteen years, to-wit: nineteen years, and fifteen years old, respectively, (said infants being now beyond the limits of the Commonwealth of Virginia) may be made parties defendant to this bill of complaint and required to answer the same, the aforesaid infants, John Wrench, Jr., and Emerson Wrench, under oath by their guardian ad litem, but none of the adult defendants are required to answer under oath (oath being hereby expressly waived as to them); that a guardian ad litem be appointed for the said infant defendants to defend their interest in this suit; that proper process be issued; that partition may be decreed and made of the aforesaid real estate to the parties entitled thereto according to their respective rights; that if the said real

estate cannot be conveniently partitioned in kind that the same may be sold and the net proceeds therefrom may be divided between the parties entitled thereto according to their respective rights and equities; that a reasonable fee be allowed counsel for your complainants for his services in conducting this suit; that all proper orders and decrees be made, accounts taken, and inquiries directed, and that your complainants may have all such other, further, and general relief in the premises as the nature of their case may require and to Equity may seem meet;

And your complainants will ever pray, etc.

Nannie Underwood Johnson,

W. J. Wrench

Hattie Wrench Hutton

Henri Wrench Beale

Garland Wrench

Complainants.

By: W. W. Foreman,
Counsel

VIRGINIA:
IN THE CIRCUIT COURT OF NANSE-
MOND COUNTY

Nannie Underwood Johnson, et als

Vs. (In Chancery)

Dancil Wrench, et als.

Filed 4-10-27
Paul J. Powell
clerk

BILL OF COMPLAINT

W. W. FOREMAN
ATTY - AT - LAW
ATTUCKS BUILDING
NORFOLK, VIRGINIA