1828-032 Chancery Causes: Elizabeth Jones, widow of Thomas Jones vs Jacob Jones

Isle of Wight County

Elizabeth Jones

J. J. Bibb

Jones

October 1st. 1827

Bill filed

Jany 10th 28

Answer filed

To the County Court of Bledsoe to sit in Chancery sitting, humbly complaining shew unto your worships your orator Elizabeth Jones of the County of Bledsoe and State aforesaid, that one Thomas Jones died in this County about the 3d day of July 1820, having first made and published his last will & testament which has been admitted to the records of Bledsoe County, a copy of which your orator makes & is ready to be considered as a part of this bill. By the said will he devises his real estate of his son Jacob Jones, & your orator claims dower in the same having never relinquished the same, & she is kept out of it by the said Jacob who objects to the allotment according to law and she is without remedy except by the aid of this Court. In tender consideration whereof she prays that the said Jacob Jones may be made a defendant & be compelled to answer this bill and that your worships will decree to her dower in the real estate of which her late husband died seized & that commissioners may be appointed to allot & set apart to her her dower in the premises & that the same may be confirmed by the Court & your orator will ever pray &c

Attorney for

in this behalf expended &c.
Smith for the } Jacob + Jones
Defendant } mark
State of Upshur county, to wit:
Personally appeared before me Watson
P. Jordan a justice of the peace for the county afore-
said Jacob Jones and made oath that the state-
ments and allegations contained in the foregoing
answer so far as they depend on his own know-
ledge are true, and so far as they depend on the
knowledge of others he believes them to be
true. Given under my hand this 5th day of
November 1827
W. P. Jordan JP

Jones } Answer
vs.
Jones

The answer of Jacob Jones to a bill exhibited against him in the worshipful court of Isle of Wight county, by Elizabeth Jones Plaintiff. —— This respondent now and at all times hereafter saving and reserving to himself all benefit of exceptions which might be taken to the allegations of the bill of the Plaintiff, for answer thereto saith that it is true as stated in the bill he objects to any allotment of dower to the Plaintiff in the land real estate possessed by him and devised to him by his deceased father Thomas Jones on condition that he should support and take care of the Plaintiff during her natural life as will appear by a copy of the will filed in the case. This respondent has fulfilled the said condition, having supported the Plaintiff in the manner in which she was accustomed to live during her husbands life time. This respondent for further answer saith that the said Thomas Jones deceased was a man of very small property, and that the support bequeathed to the Plaintiff was much more than an equivalent for any dower or other interest which she might be entitled to in her husbands lands or other property; and this respondent avers that it was given to her in lieu of her dower; and having thus answered he prays to be hence dismissed with his reasonable costs in

Elizabeth Jones

vs. Spa. in bby

Jacob Jones

Atkinson atto. for
Plaintiff

Entered Sept. 26. 1829

Filed Sept. 26. 1829

The Commonwealth of Virginia to the Sheriff of Isle of Wight County greeting: We command you that you summon Jacob Jones to appear before the Justices of our County Court at the Court house on the first Monday in October next to answer a bill in Chancery exhibited against him by Elizabeth Jones

And have then there this writ. Witness Nathaniel Young Clerk of our said Court at the courthouse the 10th day of September 1827 in the 52d Year of the Commonwealth

Nath. Young

At a court held for the County of Isle of Wight ~~this~~ 3d day of July 1826 The foregoing Will was proved in Court by the oaths of Peter. Jones and Thomas B Hardy two of the Witnesses and ordered to be recorded

A Copy Teste. Nath.l Young Cl

A Copy of
Ths Jones Bill for
Ex Atkinson Esqr.

exhibit A

In the Name of God amen. I Thomas Jones of the County of Isle of Wight- being sick and weak in body but of sound mind and disposing memory for which I thank God and calling to mind the uncertainty of human life, and being desirous to dispose of all such worldly estate as it has pleased God to bless me with — Imt. I desire that all the perishable part of my estate (which is not herein after given away) be immediately sold after my decease, and out of the money arising from such sale, all my just debts & funeral expences be paid, the balance be equally devided between my two sons Allen Jones and Jacob Jones to them and their heirs forever — 2d. I give unto my son Jacob Jones all my land and plantation whereon I now live to him and his heirs forever upon the condition he is to support and take care of my wife Elizabeth Jones, during her natural life, if my son Jacob Jones should die, not leaving any heir lawfully begotten of his body then and in that case, give the above land to Thomas Jones my Grand son to him and his heirs forever, I also give my son Jacob Jones (Sorrell mare, Bed & furniture & (Bed, to him this heirs forever — 3d. I give unto, my son Allen Jones my horse (called) Activity, one cow & Calf, to him and his heirs forever — And lastly I do nominate and appoint my Sons Allen Jones & Jacob Jones executors of this my last Will and Testament hereby revoking all other former Wills or testaments by me heretofore made — In Witness whereof I have hereunto set my hand and affixed my seal this 25th day of April One thousand eight hundred and twenty six.

Signed Sealed Published & declared as and for the last Will & Testament of the above named Thos. Jones In presence of us Peter Jones, Thos. H. Hardy, Edwin S. Jones

Thos. his + Jones mark (Seal)