

1879-015 Chumsey Causes: Joseph F. H. Jordan, adm, Alexander M. Eley & Mills L. Watkins VS

Isle of Wight County

Martin O. Johnson, Joseph Jett Johnson & Mary Lee Johnson, by & c

Other surnames: Nelms,
Clements, Stringfield,
Holland, Underwood,
Mason, Kitchen, Roberts

Joseph & W. Johnson & Co.

21 } Bill & Co. & Co.

Johnson & Co.

July. Ct. 1875. Doctated
by consent to De. by
consent for deeds of
exchange & other deeds.

April & October 75. &
April & October 75
Credited.

April 1877. Depts of deeds
confd. & De. to make deeds
to S. W. Harris heirs.
"

Oct. Ct. 1879. Final
Deed

Bay 18

from the said Joseph & W. Johnson, and that they may have such other
and further relief on the premises as the nature of the case shall require or
they may deem meet, And your orders will be obeyed

Geo. C. Johnson

Seal of High County Court

This 10th day of February 1875 before me F. H. Johnson Sheriff of Marshall
County Joseph & Johnson and Mary Lee Johnson personally appeared before
me a Deputy Clerk of the County aforesaid, and made oath that all the allega-
tions in the foregoing bill, stated as coming within his own knowledge he knows
to be true, and all others resting upon the knowledge or information of others
he believes to be true Given under my hand this 10th day of February 1875

G. H. Hart, Deputy for

W. B. Young, Clerk of Court,

Remains your orator respectfully to ask the grant, relying on
his memory, of the said and described one tract as containing thirty and
the other as containing twelve acres.

That your orator ^{at Mr. Watkins} A. M. Ely ~~is~~ ^{is} seized of a tract of land situated in the
said county about ten furlongs from Windsor containing 298 acres at the
last, which he is desirous of exchanging for the aforesaid tracts of land
and five hundred dollars. That your orator Joseph F. Johnson thinks the
said exchange will be highly advantageous to the said ward, that he is willing
to pay the five hundred dollars which the said ^{at Mr. Watkins} A. M. Ely asks, ~~provided~~ ^{provided}
a good deed can be made to the said Land, Mason and John F. Johnson
that the price paid by them for the said land is twenty dollars an acre or
that the lands of the said ward are not valuable for agricultural
purposes being too small in quantity, and derive all the value they have from
their proximity to Windsor. There is no dwelling upon them and no other improve-
ment except a kitchen, a small barn, &c. &c. That the tract owned by the
said ^{at Mr. Watkins} A. M. Ely has on it a good dwelling, and all necessary out houses, usu-
ally found on a farm, and your orator Joseph F. Johnson believes that the
~~difference~~ ^{at Mr. Watkins} difference in the value of this land and the said infants lands
is much more than the \$500 which the said ^{at Mr. Watkins} Ely is willing to take.

In order consideration whereof and forasmuch as your orator has no
agency in the premises nor in a court of equity, where matters of this sort
are properly and only cognizable your orator prays that the said Ward
by some one appointed ~~warden~~ ^{warden} and him to demand their interest
of Johnson, Joseph F. Johnson, Mary F. Johnson he made ^{at Mr. Watkins} for the said lands
to the said, ~~that a guardian~~ ^{that a guardian} be appointed and be required to consider
the same, that a ~~commissioner~~ ^{commissioner} be appointed and be required to consider
of the said lands to be made, and will appoint a commissioner to meet
with your orator ^{at Mr. Watkins} A. M. Ely in a proper deed of exchange and will confirm to
the said John F. Johnson and Land, Mason a good bill for the debt bought by them

To the Honorable George W. Judge of the Circuit Court of the County of High
County

That your orator Joseph F. Johnson guardian of
Martha O. Johnson, Joseph J. Johnson and Mary Lee Johnson, and Alexan-
der M. ^{and M. L. Watkins} Ely, that on the 1st day of March 1872 your orator Joseph F. Johnson
in his own right
was seized of a tract of land situate in the County of High of High near
Hudson known as the Thomas Saunders tract, and ~~land~~ of another tract
which he bought of James Eckles and which lies near the first named tract.
That being seized ^{and his son Christian Johnson} he conveyed the said land to one Richard Clements
by deed bearing date on the 11th day of March 1872 a copy of which deed together
with the certificate of recording thereof is herewith filed (marked A) and
prayed to be taken as part of this bill. That on the 13th day of January 1873
the said Richard Clements by deed bearing date on that day a copy of which
together with the certificate of recording thereof is marked B. is herewith filed
and prayed to be taken as part of this bill, conveyed the said tract of land to the
said Martha O. Johnson Joseph J. Johnson and Mary Lee Johnson who are all abso-
lute owners of your orator Joseph F. Johnson and his heirs at law.

That while your orator Joseph F. Johnson was seized of the said land and be-
fore he sold the same to the said Richard Clements he had sold one acre
thereof to one John Stringfield and two acres thereof to one Landy Mason
one acre to Milled Watkins one to James Holland and one to Joseph W. Her-
wood. That when he conveyed the said land to Richard Clements
your orator Joseph F. Johnson was under the impression that he was only
conveying what had been previously sold as aforesaid but has since found
that his deeds to John Stringfield and Landy Mason are subsequent in
date to that to the said Richard Clements, that in the deed conveying the
said land to your orator, the tract is described as containing fifty acres
more or less and the other eight acres or more or less being the said to Richard

Johnson & Clay.

(4.)

Johnson's infants

Cause of infants,
febr 8th - July 1878.

To the Hon^{ble} Sec^y of the Circuit Court of the
District of Columbia

The answer of Martha D. Johnson Joseph
Johnson and Mary Lee Johnson by A. P. Young Surgeon and
advised appointed to all of the complaint except the 5th Johnson their
guarantee and McClellan in this court exhibited against them

These defendants pay answer thereto or to some
thereof as they are advised it is material or necessary for them
to answer, answering say that they are infants under the
age of twenty one years, and submit their interests in the
premises to the protection of this honorable court, And having
answered may hence be dismissed with their costs in their
behalf most unanimously resolved

A. P. Young genl. &c
) Clerk

Johnson gen. talr.

Martha O. Johnson
Sols.

11
So Poly. Rel. 1845.
Attorney and prof.

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting :

WE COMMAND YOU TO SUMMON

*Martha O. Johnson, Joseph J.
Johnson and Mary L. Johnson*

to appear at the Clerk's Office of the Circuit Court of Isle of Wight County, at Rules to be holden for
the said Court, on the first Monday in *February* next to answer *the Bill*

*in chancery of Joseph F. Johnson guardian
of Martha O. Johnson, Joseph J. Johnson and Mary L.
Johnson, and Alexander M. Ely & Mills L. Watkins*

~~of a plea of~~ _____ for \$ _____, Damages \$ _____

. And have *its*

then there this writ. Witness N. P. YOUNG, Clerk of our said Court, at the Court House, the *29th*

day of *Jan.*

1875, in the *99th* year of the Commonwealth.

N. P. Young Clerk

Jos. F. H. Johnson Esq^r

vs. } Depositions &c

Johnson & Co

The deposition of Wm W Kitchen and F C Roberts taken before
me a Commissioner in Chancery of the Circuit Court of the aforesaid county
on the 1st day of January 1878 to be read in evidence in a suit in Chancery
depending in said court between Joseph P H Johnson, and Wm Ely guardian of
Marta J Joseph and Mary Lee Johnson and Wm Ely plaintiffs and Martha W Johnson
Joseph Johnson and Mary Lee Johnson infants by A P Perry their guardian Defendants

Wm W Kitchen having been duly sworn deposes and says that
that he is acquainted with the lands belonging to the children of Joseph P H
Johnson the defendants in this suit, as well as with the land of Wm Ely
which he proposes to give in exchange for said infants' land, and that that
the use of the land he highly recommends to the children of the said
land for it contains excellent improvements and is a family plot not
comparable land for a farm and is only second to the land of the said
Joseph Johnson and Mary Lee Johnson in value. He further deposes that
that the land of the said Wm Ely is worth about \$1200 - the land of the said
land is of a good quality of soil and is well improved. He further deposes that
the land of the said Wm Ely is worth about \$1200 - the land of the said
land is of a good quality of soil and is well improved. He further deposes that
the land of the said Wm Ely is worth about \$1200 - the land of the said

Dixon W Kitchen

F C Roberts having been duly sworn deposes and says that he is
well acquainted with the said lands and has seen the same in person with
Wm W Kitchen and fully agrees with him in his valuation of the same. He
further deposes that the said exchange and the same is a fair and
just one for the children of the said Joseph P H Johnson and Mary Lee Johnson

F C Roberts

Sworn to and subscribed before me a Commissioner in Chancery of the Cir-
cuit Court of the aforesaid county this day and your first of said date,

R E Boepple Comm^r

Johnson Cedar

MS

Johnson Cedar

Report of Commissioner G R
Johnson under Secrecy of July
Term 1875-

To the Circuit Court of Sale of Thylt County
Pursuant to a decree of the said court rendered on the day of
February 1875 in a suit in chancery depending therein between Joseph
F H Johnson qdr of Martha & Johnson to them plaintiffs, And Martha &
Johnson and others defendants the undersigned who was appointed by
said decree appointed a Special Commissioner to reside with A M Ely
and M D Watkins in making a proper deed of exchange of the lands
of the said Martha & Johnson Joseph & Johnson and Mary Lee Johnson for
the land of the said A M Ely and M D Watkins in the proceedings men-
tioned, and to make good and sufficient deeds to John Stringfield and
Sandy Mason respectively for the land purchased by them of the said
Joseph F H Johnson, reports to court that he has united with the said A M Ely
and M D Watkins in a proper deed of exchange of the lands aforesaid, and
has executed a good and sufficient deed to John Stringfield for the
land purchased by him of the said Joseph F H Johnson, that he has not
made the deed to Sandy Mason as directed by said decree because the said
Sandy Mason died before the said deed was prepared. Your Commissioner
therefore suggests that he be directed to execute a deed for the said land
to Linda Mason, John A Mason Edwin Mason Catharine Mason Sarah
Mason and Cora M Mason who are as your Commissioner is informed
are his children and only heirs at law.

Given under my hand as special Commissioner of said court this
31st Day of March 1877

Charles Watkins

Johnson 400

25

Johnson 400

Comr. Johnson 400
under care of Wm. 1877

The undersigned commissioner appointed by
the ^{decree of, the} Circuit Court of Isle of Wight County
rendered at the April term 1877 in the suit in
chancery depending therein under the style of
Johnson Guardian vs Johnson & also reports
to court that in obedience to said decree he has
executed and delivered to Linda Mason John
W. Mason Eveline Mason Catharine Mason
Sarah Mason and Cora M. Mason a good
and sufficient deed with special warranty for
the land in said proceedings mentioned purchased
by Sandy Mason their father from the said
Joseph H. Johnson

Wm. Robinson

Johnson, John Fals

21

Johnson Fals

Rough Record

To be continued.

Feb. Term

1875

Gen. 1860

Johnson (29)

In the County Court of Sale of High Court, Feb. 1878

Joseph B. Johnson, Geo. W. Johnson, Joseph B. Johnson, Mary Johnson, both Plaintiffs

vs

Martha O. Johnson, both Defendants by W. M. Johnson, Attorney at Law

by consent of parties
This cause came on this day to be heard, on the bill and exhibits filed
the answer of the said defendants by W. M. Johnson, Attorney at Law
and general appearance thereto, and upon the examination of witnesses
and was read by counsel. On consideration whereof the court doth
adjudge order & decree that the lands of the said Martha O. Johnson, Joseph
B. Johnson and Mary Johnson be exchanged for the land of the said J. B. Johnson
and W. M. Johnson proposed in these proceedings, and that George Reddick
who is hereby appointed a special commissioner for that purpose do execute with
the said J. B. Johnson making a proper deed of exchange of the said lands
and the court doth further order that George Reddick who is hereby appointed
a special commissioner for that purpose do make good and sufficient deeds to John Strong
and George Mason respectively for the land purchased by them of the said
Joseph B. Johnson in these proceedings mentioned and make report of his pro-
ceedings hereunder to court.

Johnson Ldwr

Or

Johnson Falls

Brough Pierce

April Term 1877

To be entered -

Geo T B Ld.

Entered 22

Johnson, Edw

as
Johnson & Co

This cause came on this day to be again heard on the papers formerly read, and on the report of Commissioner G. R. Robinson under decree herein of February Term 1878, and was argued by counsel. On consideration whereof the court doth confirm said report to which no exceptions are filed, and it being suggested to the court that Sandy Mason has departed this life leaving as his only heirs at law Linda Mason John W. Mason Edwin Mason Catherine Mason Sarah Mason and Cora M. Mason The court doth also hold that so much of said decree as directs Commissioner G. Robinson to make a deed to said Sandy Mason ~~by the same is hereby~~ ^{that} recorded, and that the said G. Robinson for the land purchased by him from the said Joseph R. Johnson in these proceedings mentioned be and the same is hereby rescinded, and that the said George Robinson is hereby appointed a commissioner for that purpose do make a good and sufficient deed for the said land to the said Linda Mason, John W. Mason Edwin Mason Catherine Mason Sarah Mason and Cora M. Mason and make report to court of his proceedings under this decree.

Johnson Guardian

W-8

Johnson & Alo

Deer

October Term 1879

To be entered

Johnson.

Entered 56

X R

Johnson guardian

Plaintiffs

vs

Johnson & al

Defendants

This cause came on this day to be again heard on the papers formerly read and on the report of commissioner Atkinson under discussion of April term of 1877 and was argued by counsel

On consideration whereof the court ^{doth} confirm said report to which no exceptions are filed and it appearing that there is nothing further to be done herein it is ordered that this cause be removed from the docket

State of Virginia
Sale of High Court to Wil.
H. of H. Marney and J. C. Roberts - owners of the
Lease of the County of Loudoun do certify that

John H. Johnson wife

To Deed of
Bargain Sale.

Rich^d Clements

August 1st 1872, Rec^d
admitted to record upon
annexed Certificate,
Teste C. H. Hart, C. C.

Recorded Deed Book
No. 41. page 354.

State of Virginia

Isle of Wight County to Wit:

We S. M. Murray and B. C. Roberts Justices of the Peace of the County aforesaid do certify that Joseph H. H. Johnson whose name is signed to the writing of aforesaid bearing date 11th day of March 1872. has acknowledged the same before us in our said County. And we do further certify that Christiana Johnson the wife of the aforesaid Joseph H. H. Johnson whose name is also signed to the writing of aforesaid bearing date 11th day of March 1872. personally appeared before us in the County of aforesaid and being examined by us privately and apart from her husband and having the writing fully explained to her, she the said Christiana Johnson acknowledged the said writing to be her act, and declared that she had willingly executed the same and does not wish to retract it. Given under our hands this 30th day of July 1872.

S. M. Murray
B. C. Roberts

Virginia.

In the Clerk's Office of the County Court of Isle of Wight County. the 4th day of August. 1872. This Deed from Joseph H. H. Johnson wife to Richard Clements was received and admitted to record upon the annexed Certificate of the acknowledgement of said Joseph H. H. Johnson & the private examination and acknowledgement of Christiana Johnson wife of the said Joseph H. H. Johnson to be

then acts, before S. M. Murray & B. C. Roberts Justices of the Peace for the County and State aforesaid, And I certify that the requisite United States Internal Revenue Stamps of One dollar and fifty Cents are affixed hereto & cancelled.

Teste
L. H. Hart, D.C.
for N. D. Young clk,

Joseph F. H. Johnson Esq^r

vs. } In Chancery

Johnson vs.

Copy of Decd from Joseph
F. H. Johnson wife to Richd.
Clements,

Exhibit "A"

E. W. Murray and B. G. Roberts Justices of the peace
for the County and State aforesaid, (We) certify that
the requisite United States Internal Revenue Stamps of
one dollar and fifty cents are affixed hereto, and
Cancelled,

Teste, J. H. Hart, Clerk

W. P. Young, Clerk!

(Copy-Teste,

W. P. Young, Clerk!

State of Virginia.
County of Wright & County, } Do wit:

We, J. M. Murray and D. C. Roberts Justices of the peace
of the County aforesaid, do certify that Joseph H.
Johnson whose name is signed to the writing aforesaid
bearing date 11th day of March 1872, has acknowledged
the same before us, in our said County, and we so further
certify that Christiana Johnson the wife of the aforesaid
Joseph H. Johnson whose name is also signed to the
writing aforesaid bearing date 11th day of March 1872,
personally appeared before us in the County aforesaid
and being examined by us privily and apart from her
husband, and having the writing fully explained to her,
she the said Christiana Johnson acknowledged the said
writing to be her act, and declared that she had willingly
executed the same, and does not wish to retract it,
Given under our hands this 30th day of July 1872,

J. M. Murray, J.P.
D. C. Roberts, J.P.

Virginia.

In the Clerk's Office of the County Court of the County
of Wright & County, the first day of August, 1872, this Deed
from Joseph H. Johnson and wife to Richard Clements
was received, and admitted to record upon the annexed
certificate of the acknowledgement of said Joseph
H. Johnson, and the privy examination and ac-
knowledgement of Christiana Johnson wife of the
said Joseph H. Johnson to be their acts, before

This Deed made this 11th day of March 1872
Between Joseph F. H. Johnson and Christiana
his wife of the County of Cleaveland Co. on the
first part and Richard Clements of the second part and
County of the aforesaid, for and in consideration of the
sum of fifteen hundred dollars paid by the party
of the second part, the said Joseph F. H. Johnson Christiana
and his wife of the first part doth grant bargain and
sell to the said Richard Clements of the second part a
certain piece or parcel of land known as the Thomas
Samuels land containing 20 acres, more or less, and
bounded as follows: On the East by the road running
from Windsor to the Courthouse; on the North by the land
of Thomas M. Samuels; On the South and west by the Nor-
folk & Petersburg Rail Road, and one tract of land that
the said Joseph F. H. Johnson bought of James E. Nelson con-
taining 1.2 acres, more or less, and bounded as follows,
On the west by the land of J. W. Chapman; on the East
by the land of J. K. Roberts; On the North by the land of Jere-
miah Day; On the west by the road leading from Windsor
to the Courthouse; also Crop Corn, and fodder, House-
Hold, Kitchen furniture, farming utensils, horses,
cart and wheels. Doth grant with special warranty
unto the said Richard Clements unto his heirs and
assigns forever, Given under our hands and seals
the 11th day of March 1872,

Joseph F. H. Johnson *Geo*
Christiana Johnson *Geo*

Rich Clements

to Seed

For Dr. St. John and
his

Jan. 15th 1862.
Outf. to Sadler's
to record.

Recorded Seedbook
N^o 42, page 472.

Day ——— 1. 50

Redf. for 1. 25

Seed \$ 2. 75
J. P. Young att

by the Land of M^r H. Watkins on the North and by the
the Land of M^r Samuels on the South by the Land
of Josiah Unanue Wood John Stringfellow Miles L.
Watkins one Tract containing 12 acres more or less
and bounded as follows on the east by the Land
of H. C. Roberts on the North by the Land of Josiah
Gay on the West by the road leading from Winason
to Isle of Wight Court house on the South by the Land
of William S. Chapman house hold and Kitchen
furniture horse cart and wheels farming utensils
cop corn and food the said Joseph H. C. Johnson
and Christiana his wife is to have the care of
this property thair life time for thair supports
of thair selves and thair heirs and at the death of
the said Joseph H. C. Johnson Christiana his wife
then the said heirs take charge of all the aforesaid
property to have and to hold the same thair heirs
or assigns for ever

Given under my hand and Seal this the 13
day of January 1873

Richard Clements

State of Virginia
County of Isle of Wight to wit
I Benge C. Roberts a Justice of the peace
for the County aforesaid in the State
of Virginia do certify that Richard Clements
Wholes Merchant is signed to the writing here
to annexed bearing date on the 13 day of
January 1873 has acknowledged the same before
me in my County aforesaid
Given under my hand this the 13 day of
January 1873

Benge C. Roberts J.P.

In the Clerk's office of the county court
of Isle of Wight County the 15th day of
January 1873. This deed from Richard
Clements to the children of J. H. H.
Johnson was admitted to record upon
the annexed certificate of W. L.
Roberts Justice of the peace.

Done

A. S. Young bell

This indenture made this the 13 day of January
1873 between Richard Clements of the County of
Isle of Wight and State of Virginia of the one
part and the Lawful heirs of Joseph F. H. Johnson
Christiana his wife viz Martha C. Johnson Joseph
Lucas Johnson Mary Lee Johnson of the County of
Isle of Wight State of Virginia Witnesses that the
said Richard Clements as well for and in
consideration of the natural love and affection
which he the said Richard Clements hath and
beareth unto the said heirs of Joseph F. H. Johnson
Christiana his wife viz Martha C. Johnson Joseph
Lucas Johnson Mary Lee Johnson as also for the
better maintenance support and livelihood of
them the said heirs of Joseph F. H. Johnson Christiana
his wife viz Martha C. Johnson Joseph Lucas Johnson
Mary Lee Johnson hath given granted and confirmed
and by these presents doth give grant and confirm
unto the said heirs of Joseph F. H. Johnson Christiana
his wife viz Martha C. Johnson Joseph Lucas Johnson
Mary Lee Johnson and their heirs or assigns for
ever the following property to wit all the property
that I Richard of the said Joseph F. H. Johnson
Christiana his wife containing one Tract of Land
of 90 acres and hereinafter as follows on the east

Jos. H. Johnson Esq^r &c

vs Subj:

Johnson vs.
Copy of Deed from Rich^d
Clements to the children
of Jos. H. Johnson,

Exhibit "B"

of January 1873.

Benja: L. Roberts J.P.

In, the Clerk's office of the County Court of
Leof Wight County, the 15th day of January
1873, This Deed from Richard Clements to the
Children of Joseph F. H. Johnson was admitted
to record, upon the annexed Certificate of
B. L. Roberts Justice of the peace,

Teste, N. P. Young, Clk.

Attest

N. P. Young, Clk.

John Stringfield, niece L. Watkins. one tract con-
taining 12 acres, more or less, and bounded as
follows: on the west by the land of H. C. Roberts,
On the North by the land of Jeremiah Gay, on the
West by the road leading from Windsor to Isle
& Wright Court house: on the South by the land
of William S. Chapman, household and kitchen
furniture, horse cart and wheels farming
implements, crop corn and fodder, the said Joseph F.
H. Johnson and Christiana his wife is to have the
Love of this property their life time for their
support, of themselves and their heirs, and at the
death of the said Joseph F. H. Johnson, Christiana
his wife, then the said heirs take charge of all
the aforesaid property to have and to hold the same
their heirs or assigns forever, Given under
my hand and seal, this the 13th day of January
1873,
Richard Clements, Seal

State of Virginia. }
County of Isle of Wright } To wit:
I, Benja. C. Roberts a Justice of the Peace for the
County aforesaid in the State of Virginia, do certify
that Richard Clements whose name is signed
to the writing hereto annexed, bearing date on
the 13th day of January 1873, has acknowledged
the same before me in my County aforesaid,
Given under my hand this the 13th day

This Indenture made this the 13th day of Janu-
ary 1873. between Richard Clements of the County
of Isle of Wight and State of Virginia, of the one part
and the lawful heirs of Joseph F. H. Johnson, Chri-
stiana his wife. Viz: Martha O. Johnson, Joseph
Juett Johnson, Mary Lee Johnson of the County
of Isle of Wight, State of Virginia, Witnesses; that the
said Richard Clements as well for and in consid-
eration of the natural love and affection which
he the said Richard Clements hath and beareth
unto the said heirs of Joseph F. H. Johnson, Chri-
stiana his wife. Viz: Martha O. Johnson
Joseph Juett Johnson, Mary Lee Johnson as
also for the better maintenance, Support and
livelyhood of them the said heirs of Joseph F. H.
Johnson, Chri-
stiana his wife, (Viz: Martha O.
Johnson, Joseph Juett Johnson, Mary Lee
Johnson hath given granted and confirmed
and by these presents doth give, grant and con-
firm unto the said heirs of Joseph F. H. John-
son, Chri-
stiana his wife, Viz: Martha O. Johnson
Joseph Juett Johnson, Mary Lee Johnson and their
heirs or assigns forever, the following property
to wit: all the property that I bought of the said
Joseph F. H. Johnson, Chri-
stiana his wife containing
on a tract of land of 90 acres, and bounded as
follows on the East by the land of M. H. Watkins
on the North and West, the land, Thomas M. Saunders
on the South by the lands of Josiah Underwood