

1879-06

Southampton County Chancery - Doughtie, Virginia vs Doughtie, V. & Chas.  
Thomas

Sum for sale of land for  
support of children

Knight, M. J.  
(Guardian)

Doughtie, Charles Thos.

Doughtie's Gow  
N1 3 Bill r  
3 Exhibits  
Doughtie & others

1877 April Rules

Insewell p. 9

To the Hon Geo Blow, Judge of the Circuit  
Court of Southampton County  
In Chancery

Thumbly complaining sheweth me  
to your Honor, M. J. Knight, as fol-  
lows, that at the term of  
the County Court of Southampton your  
Complainant qualified as guardian of  
Virginia Doughtie, <sup>a minor</sup> aged 7 years, and  
at the same time, of Charles Thos.  
Doughtie another minor aged 5 years  
That by virtue of his qualification  
the said guardian has possessed him-  
self of all the personal Estate of said  
minors which does not amount to  
the sum of \$5.00, That under the will  
of Thos D Knight, their grandfather  
the said minors are entitled in re-  
version to the lands now held by  
Susan Knight as dower, as will  
be more fully seen by reference  
to said will, a certified copy of  
which is herewith filed marked "A" and  
prayed to be taken as a part of this bill.  
That the said minors are of very tender  
age - and not capable of supporting  
themselves, That the interest of said minors  
in said land yields no annual revenue

nor ~~in~~ its present shape can it  
be made to do so. That in the opinion of  
your Complainant, the said interest would  
sell for enough to support the said minors  
until they arrive at an age when they  
can support themselves, Your Complainant  
therefore here Charges that it would be of  
decided interest to the said minors, that  
their interest in said land should be  
sold, in which he is Corroborated  
by the testimony of witnesses herewith  
filed - In Consideration of all  
which, and inasmuch as your  
Complainant has no remedy, ex-  
cept in a Court of Equity, where matters  
of this kind are peculiarly Cognizable  
to the end therefore that justice may  
be done, Your Complainant prays  
that Virginia Doughtie & Chas<sup>r</sup> Thos Doughtie  
both minors, be made parties  
defendant to this bill & compelled to answer  
its allegations, That some fit and prop-  
er person be assigned guardian ad  
litem to represent and protect the  
interest of said minors, That your  
Honor will grant an order direct-  
ing the sale of ~~the~~ interest of said  
minors in said land, if in your  
opinion you should deem it nec-

essary to do. And that your Honor  
will grant all such other further  
general & special relief as the na-  
ture of this case may require or to Equi-  
ty may seem meet. And as in duty  
bound your Complainant will ever  
prayer. May it please the Court

J. N. Sebell p. y

The Joint & Several answer of  
~~William~~ Doughtie & Charles Tho-  
Doughtie, both minors, by W. W. Briggs  
their Guardian ad litem to a bill of  
Complaint exhibited against them in  
the Circuit Court of Southampton Co, by  
W. J. Knight their Guardian.

These respondents saving & reserving  
re for answer to the said bill say, that  
they are infants of tender ages, and  
know nothing of the facts alleged in  
said bill, and being such they sub-  
mit their interest to the protection  
of this Court & having answered they  
pray hence to be dismissed.

W. W. Briggs.

Exon ad litem  
Sebell p. d

Thomas D. Knight's  
Will

Doughtie's Son  
is { Exhibit at  
Doughtie

A Copy

(See 420)

I, Thomas I. Knight of the County of Southampton and State of Virginia, do hereby make & Ordain this my last will and Testament, revoking all former Wills by me made, in manner and form following, Viz;

1<sup>st</sup> I wish my Executor, to be hereafter named, as soon after my death as may seem to him proper and best for my Estate, to sell the whole of my perishable Estate and out of the proceeds arising therefrom pay all my debts and funeral expenses.

2<sup>d</sup> I leave to my wife Susan Knight the whole of my Estate of every kind, both real and personal, after the payment of my debts, during her Natural life, for the Support of herself and my Children so long as they may remain with her.

3<sup>d</sup> At the death of my wife Susan Knight, I give to my Daughter Susanna Knight, the House in which I lived with all the Out Houses and Forty acres of Land attached thereto, to be laid or cut off by two or three Neighbors, so as to leave it all in One body, and to improve the balance of the Tract as little as possible, which I give to her and her Heirs forever.

4<sup>th</sup> At the death of my wife Susan Knight, I wish and my will is, that all of my landed Estate, not heretofore given away, may be sold at public auction, and the proceeds arising therefrom I give to my Children Lewis I. Knight, Francis I. Knight, Daniel I. Knight, Charles Knight, Benjamin Knight, Alexander Knight, Mark Knight, Susanna Knight, Mary Knight, Cherry Ann Knight, and Roda Jane Knight to be equally divided between them all, to them and their Heirs forever.

Witness my hand & foot I, do hereby constitute & appoint Ben E. Pope Executor to this my last will & Testament.  
In Witness whereof I, have hereunto set my hand

and affixed my Seal this 2<sup>nd</sup> day of February 1855.

Thomas I. Knight (Seal)

Signed, Sealed and acknowledged,

in the presence of

Ben C. Pope,

William R. Morris,

Geo C Pope,

at a Court held for the County of Southampton, the 16<sup>th</sup> day  
of July 1855. This last will and Testament of Thomas I. Knight,  
decd. was this day proved by the Oaths of Benjamin C. Pope,  
+ Geo. C. Pope, two of the Subscribing witnesses thereto and there-  
upon Ordered to be recorded And Benjamin C. Pope the  
Executor therein named this day appeared in Court and  
refused to take upon himself the liability of the execution  
thereof.

Sister,

L R Edwards & Co

A Copy  
Sister,

James K. Tyler, & Co

Doughtie's Son }  
vs } In Chancery  
Doughtie }

The Depositions of C. M. Pope, Ben. F. Knight, Alex. Knight & others taken before me James R. Tyler a Commissioner in Chancery for the Circuit Court of Southampton County, on the 28<sup>th</sup> day of April 1879, in Jerusalem Va. to be read in Behalf of M. J. Knight Son of Doughtie's orphans in the Chancery suit of Doughtie's Son vs Doughtie, Present. W. W. Briggs Son ad litem, J. A. Sebrille atty—

M. J. Knight being duly sworn deposes & says as follows.

Question How old are you & where do you reside?

Ans: I am 31 years old and live at Berkens depot. Southampton County—

Ques: Do you know the parties to this suit

Ans: I am the Guardian of the Defendants— Charles Thomas, and Virginia Doughtie— and know them well—

Ques: Have these orphans any property and if so: ~~of~~ what kind ~~it consist~~.

Ans- They have no personal property of any kind, but they have an interest in a piece of land, of 40 acres, with dwelling & necessary out buildings, after the death of Mrs. Susan N. Knight, the widow of Thos N Knight dec'd. and ~~an equal~~ <sup>1/2</sup> interest in a piece of land containing about 111 acres, after the death of said Susan N Knight - The above land was left them under the will of Thos N Knight dec'd -

Ques: What do you think <sup>is</sup> the value of their interest in said Real Estate.

Ans: I think it would sell for about \$400<sup>00</sup> at public auction -

Ques: ~~What are~~ the ages of the Defendants, Charles Thomas and Virginia Doughtie - ?

Ans- Virginia is about 8 years of age and Charles is 6 years old -

& further this deponent says not -

W. J. Knight x

Ben F. Knight being duly sworn  
deposes and says as follows.

Ques: How old are you & where do you  
reside?

Ans. I am 41 years old, and live  
within 5 miles of Jerusalem -

Ques Do you know the parties to this  
suit

Ans. I know them well. The children  
are orphans of my sister <sup>Susanna</sup> ~~Diaphia~~ died.

Ques: Do you think it to the interest of  
these Defendants, that this land  
should be sold?

Ans. I do - inasmuch as they have  
no other means of support, nor  
income of any kind.

Ques: What would their interest in  
this land sell for at Public Sale

Ans. about \$400 -

Ques: How old are the Defendants -  
Ans Virginia is 8 and Charlie 6 years  
old. I have heard the depositions  
of M. J. Knight read and agree  
with him as to their interest in  
said Estate -

Of further this deponent can't say -  
Ben F. Knight

Nathan M. Pope being duly sworn  
deposes & says as follows.

I am 36 years old and live near  
the real Estate mentioned in the  
bill - and agree with Mr. M. J.  
Knight in his depositions as to the  
value of the interests of the Douph-  
ty children in said real estate.

I know the children well, and  
am certain they have no other  
means of support, and think  
a sale of said interests would  
be to their advantage & further  
this deponent saith not -

Nathan M. Pope

Alexander Knight being duly  
sworn, deposes & says as follows.

I am 39 years old, live in  
Southampton County & am an un-  
cle of the Defendants. I have heard  
the depositions of Ben F. Knight  
Nathan M. Pope & M. J. Knight read  
& concur with them in their  
testimony & further this Depo-  
nent saith not.

Alexander Knight

Daughter's Son  
as. 2 Depositions  
Daughter

1879. April 28<sup>th</sup> Ret.  
~~~~~

State of Virginia,  
County of Southampton J. C. wit.

I, James K. Tyler, One of the  
Commissioners in Chancery for the Circuit Court of Southampton  
County, do hereby Certify that the foregoing Depositions  
were duly Sworn to & Subscribed before me at the  
time & place mentioned herein. Given Under my  
hand this 28<sup>th</sup> day of April 1879.

James K. Tyler,  
Commissioner.

Commissioner's fee for  
taking Depositions  
\$2.00 Charged to Plffs.

Doughtie's son

vs

Decree

Doughtie & C

This day this cause  
came on to be heard on the bill  
of Complainants, <sup>& Exhibits filed,</sup> The answers of the  
infant Defendants, Virginia & Charles  
Thomas Doughtie, by W. W. Briggs their  
son ad litem, with general replica-  
tion thereto, & the depositions of B. F. Knight  
M. J. Knight, A. M. Pope, & Alex. Knight,  
and was argued by Counsel. On  
<sup>and it appearing to the Court that it is to the interest of the</sup>  
consideration whereof the Court  
<sup>infants that the land should be sold for their support,</sup>  
doth adjudge order and decree  
that J. N. Sebrell who is hereby  
appointed Comr. for that purpose  
sell the following Real Estate  
after duly advertising the same  
to wit: Their interest in 40 acres of  
land situated in Southampton Co.,  
and also their interest in 111 acres  
of land in said County (which is  
1/9) upon the following terms to wit:  
1/3 cash, the balance one or  
two years, purchaser to give  
bonds with approved security  
bearing interest from day of sale  
& title retained till the whole of pur-  
chase money is paid - But the  
Court is not to proceed to set an

der this Decree, until he has executed  
a bond in the Clerk's Office  
of this County, conditioned to  
faithfully execute this and any  
other decree to be rendered in  
this Cause,

and said Com<sup>rs</sup> shall report  
his proceedings to Court

Daughters for  
W. B. Moore  
Daughter to

May Term 1879

To be entered

Douglas & Son  
to } Sumo City  
Daughters  
1879 April Rules

Executed March 18-1879 by  
delivering a copy of the  
within to M. J. Knight acting  
Guardian for Virginia and  
Charles Howard Douglas (Minors)  
Hewitt Garrison  
for M. W. Briggs S. H.

# The Commonwealth of Virginia.

To the Sheriff of Southampton County: Greeting.

We command you to summon *Virginia Doughtie and Charles*  
*Thos Doughtie minors*

to appear at the Clerks Office of our *Quorum* Court for South-  
ampton County, at the Rules to be holden for the said Court on the first  
Monday, on *April next* to answer, a bill in chancery  
exhibited against them in our said Court by *M. J. Knight* of  
*Virginia Doughtie & Charles Thos Doughtie*

and have then there this Writ: Witness, Littleton R. Edwards, Clerk of  
our said Court, at the Court House this *11<sup>th</sup>* day of *March* 187*9*  
in the *103<sup>d</sup>* year of the Commonwealth.

*L. R. Edwards*

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Daughters' Gov

to } Stat. Rules

Daughters

1879 Nov Dismissed

C

In Southampton Circuit Court.

M. J. Knight Guardian of Virginia Doughtie and Chas. Tho. Doughtie Plff  
against  
Virginia Doughtie & Chas. Tho. Doughtie Defendants.

1879 March 14<sup>th</sup> Summons issued return to April Rules

" April R - " returned executed on M. J. Knight acting for Virginia &  
Chas. Tho. Knight. Bill filed. W. W. Briggs assigned Guardian  
ad litem to Plffs - Answer of Plffs by Geo. add litem Geo. Rep

" May " Cause set for hearing &c

Daughter for  
of 3 deer  
Doughtie

Nov. Tenn 1879

He entered

Geo. Blod.

1879 Nov Dumiford

Doughtie, for  
D. } Decece  
Doughtie }

On motion of the plaintiff this  
suit is dismissed from the docket  
at his cost