1885-15 Southampton County - Chancery Griggard, W. J. & als Vs Smith, Joseph D.

"To settle Widows Dower"
Partition &c Sec -

Richardson, Virginia
Griggard, Franklin D.

Williams, William S +
Williams, Mary A. his wife

Grizzard
vs
Coley decree

Grizzard

1868. Jany G-Ch

Southampton. January Court 1863

Franklin Grizzard, an infant &c. Pltff
against
Martha W. Grizzard &c. Defts } In Chancery

This day this Cause came on again to be heard, on the papers formerly read, and was argued by Counsel, on Consideration whereof, this Court (being satisfied that the real Estate of which William Grizzard died seized is worth less than $300- to the share,) doth adjudge, order and decree that James H. Mangum, who is hereby appointed a Special Commissioner for the purpose, proceed, after giving due Notice, to sell the said real estate at Public auction, on a credit of one and two years, taking bonds with good security, and that he pay over the said bonds, in equal parts one fifth to Mo. R. Richardson in right of his wife Virginia A. one fifth to Rosa Grizzard, and that he return the other three fifths to this Court for the benefit of three infant defendants.

But this decree shall be suspended until the said Jas. H. Mangum execute bond with security in the Clerk's Office of this Court in the penalty of $1000- conditioned faithfully to perform the duties herein assigned him.

A Copy
Test. L. K. Edwards bb

A Copy
Test. J. B. Prince C. C.

Grizzard

vs } Clerk of the Circuit Court of Salt Lake County

Grizzard

Southampton. August Term 1863.

Franklin Grizzard &c. Pltffs
against
Martha H. Grizzard &c. Defts } In Chancery

This day, this cause came on again to be heard on the papers formerly read, and was argued by Counsel, on consideration whereof the Court doth adjudge order & decree, that the order made in this cause, at the January Term 1863, be amended so as to direct the Commissioner to sell the said land for Cash, and to pay to the aduch parties their respective shares, and that he invest the shares of the infant parties in interest bearing State or Confederate Stock. And make report to Court.

A Copy
Test. L.R. Edwards C.C.

Clerk's Cost
$7.50

A Copy
Test. J.B. Prince C.C.

In Obedience to the above decree, I did, after advertising as directed, I did sell at public auction, on the premises, on the 26th day of August 1863 - the farm mentioned in said decree, when William Prince became the purchaser at twenty four hundred dollars - ($2400) $2400.00

Comrs Commissions

On	$300 - at 5 per Cent	$15.00	
"	2100 - " 2 "	42.00	
	Decree	20.00	
	Auctioneer	20.00	
	Clerks fee	7.50	$104.60
	Divido by 6 ——		$2295.60
	Each Legatees Share this amt -		$459.10

And have paid over to Jno. R. Richardson in right of his wife Clementine, one fifth, and to A. Herzog, one fifth in right of his wife Rosa. and have retained three fifths in my hands for the three young est Children. waiting the future order of the Court.

All of which is most respectfully submitted.

Jas. A. Maugum Comr.

A Copy

Test. J. B. Prince C.C.

Southampton County Court—

Franklin Grizzard — Dft
vs
Martha Grizzard &c Dft

This day this cause came on again to be heard, on the papers formerly read & on the report of Commissioner Mangum made pursuant to the decree of August Term 1863, and was argued by Counsel, On Consideration whereof the Court doth adjudge, order and decree that Commissioner Mangum execute a deed for the land in the proceedings mentioned with special warranty to William Prince, and report to Court, in order to a final decree.

A Copy
Teste. J. B. Prince C.C.

Grizzard vs
Smith et al
Order

To be entered
Nov. 7. 1883.

Geo. Bloom.

Grizzard's & others

v.

Joseph D. Smith.

On the motion of the defendant leave is given him to file his demurrer & answer to the complainants' bill within sixty days from this date and the cause is continued generally.

Grizzard
Capias dismissed
& Cont. Report

Grizzard

1863. April C. Ct

Southampton County Court. December Term 1862.

Franklin Grizzard, an infant of tender years, suing by Jno. R. Chambliss, his next friend. Pltff

against

Martha W. Grizzard, in her own right and as administratrix of William Grizzard Richardson & Virginia his wife, William T. D. Rosa B. & Mary Ann Grizzard by L. R. Edwards, their next friend. Defts.

In Chancery

This day this cause came on to be heard, on the bill and answer, by consent, and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that Jas. E. Peters, Robt. Rowland, Wm. Prince, Wm. H. Drewry and Oliver M. Sykes, who are hereby appointed Special Commissioners for that purpose with authority for any three of them to act, proceed to allot to the widow, Martha W. Grizzard, one third part in value of all the real estate & Slaves of which William Grizzard died seized. And that they also allot to Jno. Richardson, in right of his wife Virginia, and to Rosa B. Grizzard one fifth each of the remainder of said real Estate and Slaves.

A Copy

Test. L. R. Edwards C. C.

A Copy

Test. J. D. Prince C. C.

In Obedience to the above decree, we James E. Peters, Robert Rowland, William Prince and Oliver M. Sykes, Commissioners, accompanied by Thomas B Worrell, Surveyor, proceeded to allot to the widow of William Grizzard, dower in the land of her deceased husband as directed. We allotted to the widow 267 acres, including the buildings as follows, beginning at a point in the road west of the gate, thence N 16¾ E 332½ poles, first to a cedar not far from the road, thence to a sweet Gum in a branch north of the orchard, thence a straight line to a post Oak, in Jos. A. Drumb's line - thence J. A. Drumb's line to the Three Creeks, up said Creek to the lands of the heirs of Jord Harris, thence on Harris' line to the road, thence to the beginning. Which we consider ⅓ of the value of all real Estate of which William Grizzard died possessed.

Respectfully Submitted

James E. Peters

Wm Prince

Robt Rowland

Oliver M. Sykes

Commissioners

A Copy

Teste. J. B. Prince C. C.

Grizzard

Copy of
Com^rs bond

Grizzard

Know all men by these presents, That we James H. Mangum & R. F. Dillard, are held firmly bound unto the Commonwealth of Virginia, in the just and full sum of one thousand dollars, current money of Virginia, to the payment whereof well and truly to be made, we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents, Sealed with our seals, and Dated this 20th day of April 18th D 1863.

The Condition of the above obligation is such, that if the above bound James H Mangum, as Commissioner appointed by the County Court of Southampton, at January Court 1863. in the suit of Grizzard &c vs Grizzard &c, shall faithfully discharge the duties of his said Office or trust, according to law, then the above obligation to be void or else to remain in full force and virtue.

Signed, sealed and delivered in the presence of

Jas. H. Mangum (Seal)
R. F. Dillard (Seal)

A Copy Teste. J. D. Pruden C.C.

Statement of
Costs

Grizzard J.P.
vs } Taxed Costs.
Smith -

Clk's Costs. Spa. 20. Copy. 10 return, 35 atty. 10 filing papers, 25
Paid 2 Rules. 1.00 Notice, 36 Copy, 36 filing answer
J.B.Pce 25 Exhibits $3.50, taxing costs, 40 - $6.87
1.00
Shff -
Law J.P. Jgt 16.50
$24.37

J.B. Pence.
C.C.

86 ~~114~~

Gaylord Forbes

v. Demurrer & Answer.

Smith.

1884. Jany 22
Filed.
R.B.C.C

The Demurrer and Answer of Joseph D. Smith to a bill of complaint exhibited against him in the Circuit Court of Southampton County by Virginia A. Richardson, Franklin S. Grizzard and others:

Demurrer:

The defendant says that the bill is not sufficient in law.

Answer:

This respondent reserving to himself the benefit of all just exceptions to the said bill, for answer thereto, or to so much thereof as he is advised that it is material he should answer, answers and says:

That he knows nothing whatever of the value of the late Wm. Grizzard's estate, nor does he know whether it has been lost by the misfortunes of war, or the gross neglect of his personal representatives - and even if the unfortunate state of affairs set out in the complainants' bill be true, which this respondent does not admit, he is advised that in no way can he be held responsible for the same either at law or in equity.

That it is true that the widow

of William Grizzard renounced his will in due form, and claimed her legal share of his real and personal estate according to law.

That during the years 1862 and 1863 by virtue of decrees pronounced in a chancery cause then pending in the County Court of Southampton County, to which the complainants were all parties, the land in the bill described (that is the complainants' interests therein) was legally sold at public auction. That at the said sale William Prince became the purchaser, that he paid all the purchase money due therefor to James S. Vaughan Special Commissioner, duly authorised by the said Court to receive the same, ~~and~~ that the said sale was confirmed by the said Court, and by virtue of a decree entered in the said cause, the said land was conveyed to the said Prince by deed in due form of law.

That the said Prince held undisputed title and possession of the said land for over sixteen years, i.e. from August 1863 to November 1879.

That several years ago the said William Prince sold the said real estate to this respondent for the price of $1792 ×

the said Prince and wife conveyed the same to ~~#~~ this respondent by deed dated the 19 day of November 1879 and duly recorded. A copy of the said deed marked "Exhibit No. 1" is herewith filed, and asked to be read as a part of this answer. That at the time of the said purchase by this respondent he had no suspicion that the heirs of William Grizzard claimed any title thereto or interest therein, and inasmuch as at that time they had all long since attained the age of twenty-one years, he had no reason to suspect that any such claim existed or would ever be asserted. This respondent under these circumstances became an innocent purchaser for value, has made the said farm his home, and has held undisputed possession of the said premises for the past four years, during which time, acting under the belief that his title was indisputable, this respondent has made valuable permanent improvements thereon.

This respondent answering further alleges that the County Court of Southampton County had full jurisdiction and authority to pronounce the decrees and enter the orders directing the sale and conveyance

of the said real estate, and that the said proceedings were instituted and conducted in due form of law in accordance with the Statutes in such cases made and provided.-

This respondent further alleges that it has been more than twenty years since the land was sold and more than seven years since the youngest child of William Grigard became twenty-one years of age; so that even if the complainants ever had any right to assail the said proceedings by reason of any alleged irregularities they have long since lost such right, by their own gross laches and neglect.-

That the said decrees having been pronounced by a Court of competent jurisdiction in a cause to which the complainants were all parties cannot be treated as a nullity, and cannot be collaterally assailed at any time; that the said suit having been a suit for partition, the decree of sale is absolutely binding upon all of the said parties infants as well as adults, and the said infants were not entitled to show cause against the same after attaining the age of twenty-one years.-

That even if the infants interested in the

said land were entitled to a day in Court to show cause against the said decrees, they were only entitled to do so within six months after attaining the age of twenty-one years, and inasmuch as more than seven years have elapsed since the youngest of them attained his majority, they have all slept upon their alleged rights for so long a time as to be absolutely barred from assailing the said decrees by any ways or means whatsoever.

This Respondent further alleges that the said sale to his vendor William Prince having been made more than six months after the date of the decree directing the said sale, in no event can his title to the said land be affected even though the said decree shall be hereafter reversed or set aside.

And having fully answered the complainants' bill this Respondent prays to be hence dismissed with his reasonable costs in this behalf expended, and he will ever pray &c.

Robt Prentis p.d.

J. D. Smith

State of Virginia,
County of ~~Hanover~~ Southampton to wit:

This day Joseph D. Smith personally appeared before me and made oath that the statements contained in the annexed answer so far as made of his own knowledge are true, and so far as made from knowledge or information derived from others, he believes them to be true. Given under my hand this 21 day of Jany 1884.

J. B. Prince C. C

I. William Grizzard of the County of Southampton, in the State of Virginia, do make this my last Will & Testament in the manner following, to wit:

1st. I wish my wife to keep my estate together for the purpose of raising & educating my children, she to manage in such way as she thinks best for the interest of our children, & in the event of her marriage again, then I wish her to have only one third part of my estate, in addition to my woman Louisa & her future increase, the said woman & increase not to be estimated - allowing her her thirds.

3rd I wish the sum of Eight hundred dollars expended in the education of my son, Franklin.

4th I wish the sum of twelve hundred dollars expended in educating my son, William T.D. Grizzard

5th I give to my daughter Virginia H. Richardson, the sum of five hundred dollars, the said sum to be paid her either at the death or marriage of my wife.

6th I give to my daughter Rosa B. the sum of four hundred dollars, to be paid at the same time mentioned in the preceding clause.

7th To my daughter Mary Ann four hundred dollars to be paid at the time in Item 5th.
8th I wish my Executor hereinafter named to sell the tract of land I own in the County of Sussex, to the best advantage, either publicly or privately & to devote the proceeds of sale to the payt. of tract of land of which I purchased of the Estate of Jno Harris.
At the death of my wife, I wish the whole of my property to be equally divided between my children, the legacies to my children, given in this Will, to be first paid.
Lastly - I nominate L. W. Mason Executor to this, my last Will, with the request that he will act.
In witness of all which I hereunto set my hand & seal this 27th day of June Eighteen hundred & sixty.

William Grizzard (Seal)

Witness:-
Saml. Drewry
John W. Grizzard

At a Court held for the County of Southampton on the 15th day of September 1862.
This last Will and Testament of William Grizzard dec'd was proved by the oath of John W. Grizzard, one of the subscribing witnesses thereto & Samuel Drewry, the other subscribing witness thereto being dead, the said John W. Grizzard testified that the said Saml. Drewry signed the said Will-

as a witness in his presence & in the presence of the testator, & at his request & that he is well acquainted with the handwriting of the said Saml. Drewry & verily believes that the name of the said Saml. Drewry thereto subscribed is in the proper handwriting of said Saml. Drewry & thereupon the said Will is ordered to be recorded. And L. H. Mason, the Executor therein named, having refused to take upon himself the burthen of the execution thereof. On the motion of Martha W. Grizzard, who made oath & together with John Richardson and William P. Harris, her securities, who justified on oath as to their sufficiency entered into & acknowledged a bond in the penalty of thirty thousand dollars, conditioned according ~~according~~ to law. Certificate is granted her for obtaining a probat of the said Will in due form.

A Copy

Test:- L.R. Edwards C.C.

A Copy

Test. J.B. Prince C.C.

Price & wife
Copy of
Jo } Deed 305

Amicus

"Exhibit No. 1"
with Answer of
Jos. D. Smith
ads.
Grizzard et al

Clerks fee. 60¢

State of Virginia
County of Southampton to Wit:
This Deed made this 19th day of November 1879. between William Prince and Amanda G. Prince his wife of the first part and Joseph D. Smith of the second part. all of the County of Southampton and State of Virginia. Witnesseth: That William Prince and Amanda G. his wife, of the first part, for and in Consideration of the sum of Seventeen hundred and ninety two dollars - the receipt of which we hereby acknowledge, we doth grant, bargain and sell to the said Joseph D. Smith, a certain tract or parcel of land - lying in the County of Southampton Known as the Peto place, containing six hundred acres. be the same more or less. and adjoining the lands of William Prince P. S. Thomas, Mrs S. E. Harris and others - In Witness Whereof, we hereunto set our hand and affix our seals this 19th day of November A.D. 1879 -

William Prince (Seal)
Amanda Prince (Seal)

Virginia
County of Southampton to wit:
We, R. F Barham and Geo M. Hughes

Justices of the peace of the County and State aforesaid, do certify that Amanda G Prince, the wife of William Prince, whose names are signed to the within writing bearing date Nov 19th 1879, personally appeared before us in the County aforesaid and being examined by us privily and apart from her husband - and having the writing aforesaid fully explained to her - she the said Amanda G. Prince, acknowledges the said writing to be her act and deed - and declares that she has willingly executed the same and does not wish to retract it - Given under our hands this 19th day of Nov AD 1879.

R. F Barham J.P.
G. M. Hughes J.P.

Southampton Co to wit:
I. R. F Barham a Justice of the peace of the County aforesaid, do certify that William Prince of the said County whose name is signed to the within writing bearing date Nov 19th 1879 - personally appeared ~~before me~~ and acknowledged the same before me in my County aforesaid. Given under my hand this 19th day of Nov AD 1879.

R. F. Barham J.P.

Southampton County - In the Clerks
Office - Dec 15th 1879 - This Deed of
bargain and sale from William
Parker and wife to Joseph D. Smith
was this day received, and together
with the certificates annexed ad-
mitted to record.

Teste. L. R. Edwards C.C.

A Copy Teste. J. D. Pruden C.C.

Richardson & others

vs Summons

Smith

1883 September Rules

Executed Aug 24th 1898 by leaving a copy of this Summons with the wife of Jos. D. Smith and explaining its purport to her the said Smith not being found at his usual place of abode.

J. W. Williams Dpt
for W. W. Briggs Shff

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County—Greeting:

WE COMMAND YOU TO SUMMON Joseph D. Smith

to appear at the Clerk's Office of our Circuit Court of Southampton county, at the Rules to be holden for the said Court on the first Monday in September next, to answer a bill in Chancery exhibited against him in our said Court by Virginia A. Richardson, Franklin P. Grizzard Wm S. Williams and Mary A. Williams his wife and Wm J. D. Grizzard

And this he shall in no wise omit; and have then there this writ.

WITNESS, J. B. PRINCE, Clerk of our said Court, this 24th day of August, 1883, in the 108th year of the Commonwealth.

Teste. J. B. Prince c.c.

Grizzards
vs } Copy of Bill
& Answer

Grizzards

1862. Dec Q. Ch

Fee $3.00 Chgd to
D. P. Grizzard & Wm L. Wallace

To the worshipful County Court of Southampton

— In Chancery. —

Humbly Complaining sheweth unto your worships your Complainant Franklin Grizzard, an infant of tender years, by Jno R. Chambliss his next friend, that a short time since, his father, William Grizzard died, after making his last will and Testament, which was duly admitted to probate of the Sept. Term 1862, of the County Court of Southampton, a Copy of which is herewith filed marked (A) and prayed to be taken as a part of this bill, and that Martha W. Grizzard his widow, qualified as administratrix with the will annexed, - that his father died seized of Considerable real Estate and Slaves, which are not required for the payment of debts, and that he left his widow as aforesaid and the following children, his heirs and distributees to wit: William T. D. Grizzard, Rosa B. Grizzard Virginia Grizzard, who intermarried with Mary Ann Grizzard and your Complainant, all infants except the said Virginia - That the said widow has renounced the provisions made for her by the said will, and has elected to take such part of the Estate as she is entitled to by law. and that it would be to the

advantage of all parties that the dower in the real Estate & her part of the slaves should be at once allotted to her, and the balance of said property divided among those entitled. In tender consideration of all which, and in as much as your Complainant is without remedy, in the premises, except in a Court of Equity, to the end, therefore that justice may be done, he prays that Martha W. Grizzard in her own right and as the Administratrix aforesaid, William T.D. Rosa B. & Mary Ann Grizzard, Richardson & Virginia his wife - may be made Defts to this bill and answer the allegations thereof, that some fit and proper person may be appointed Guardian Ad litem, to the infants defendants - And that one third in value of the said land & slaves may be allotted to the said widow, to be held during her life.

The answers of Martha W. Grizzard, in her own right & as administratrix of William Grizzard - Richardson & Virginia his wife, to the afore bill of Complaint these Defts, saving & reserving &c. for answer to the said bill - say that they have no objections to granting the prayer of the bill, and pray hence to be dismissed &c.

C. & M. for Defts.

The answer of the infant defendants, William T. D. Rosa B. and Mary Ann Grizzard, by L. R. Edwards their Guardian ad litem. to the above bill of Complainants Bill &c. saving & reserving &c. for answer to the said bill, say that they have no objection to granting the prayer of the bill, and pray hence to be dismissed &c.

C. & M. for Defts.

Gigyards

Bill
" Collins

Smith

To The Honorable George B Lowe judge of
The circuit court of Southampton in
chancery sitting

Humbly complaining your Orator
Virginia A Richardson, Franklin S Gizzard
William S Williams and Mary A Williams
his wife and W. T. D. Gizzard shew unto
your Honor That in The year 1862
William Gizzard of Southampton County
departed This life having first made
his last will and testament a copy of
which is herewith filed marked A and
prayed to be taken as a part of This bill
and leaving his widow Martha W
Gizzard and The following children to
wit Virginia A married to John R
Richardson who is dead leaving her
a widow, Rosa D who married to
Hargrove and both of whom are long
since dead, Mary A. married to Wm
S Williams and W. T. D. Gizzard and
Franklin Gizzard his legatees and
devisees and That his widow Martha
W Gizzard qualified as his administratrix
with The will annexed,

Your Orator shew further That
The widow renounced The provisions

made for him by the will and was endowed
in the land and negro out third part of
the personalty, Your Orator shows
further that their father left a large
number of slaves a tract of land
in Lupes County and one containing
430 acres lying in Southampton
and that the widow Martha Jiggard
acting under a power in the will
sold the Lupes land and was
endowed wholly in the land lying
in Southampton

Your Orators show further that
by the said will their father directed
his estate to be kept together during the
life or widowhood of his wife for the
purpose of raising and educating his
children they all then being small or under
age, and at the death of his wife
he directed his estate to be equally
divided among his children first
paying the legacies therein named
and which were a charge on the
whole estate real and personal Viz
To Franklin Jiggard $800 for education
To W. L. D. Jiggard $1200 for his education
To Martha Virginia A Richardson
$500 to be paid on the death or

marriage of his widow To Rosa B. Griggard $400 to be paid at the same time with that bequeathed to Virginia E. Richardson to Mary Ann $400 to be paid at the same time, Your Orator shew further and state that the widow of William Griggard and their mother is also living and remained

Your Orator shew further that at the December 1862 County court of Southampton a bill was filed by Franklin Griggard an infant against the widow and the other children for the allotment of dower and the division of the residue of the land among the parties that this bill was not sworn to by the next friend and that answers were filed by the widow and Richardson and wife and the answer of the three infants defendants W. T. D. Rosa B. and Mary A Griggard by E. R. Edwards their guardian ad litem and that the said answer was neither signed or sworn to by the guardian though it was for the sale of infants lands whose shares were over $300

That at the same term to wit Decm 1862 an order was entered to allot the widow down in the tract lying in Southampton containing 430 acres and the commissioners appointed allotted her as shown in the plat 217 acres in the said tract of 430 acres she having previously sold the Lupus land That at the same Court 1863 an amended decree was entered ordering commissioner Mangum to sell the said tract of land on time and divide the purchase money among the children At the August Term 1863 another decree was entered directing commissioner Mangum to sell the land for cash ~~for each~~ and pay to the adult parties their respective shares and invest the shares of the infants in interest bearing State or confederate Stock, Commissioner Mangum reports the sale of the land on the 26th of August 1863 to Wm Pinner for $2400 ~~& the~~ the payment of two shares of $1.5 & 100 each to D Richardson & wife and Hargrove and wife and his holding the other two shares for the further order of the court

and Thompson the court ordered him to make a deed to Wm Pinner with special warranty and this This cause in county court of Southampton ends after setting aside the will of Wm Piggard All of which will more fully appear by a copy of the papers in the said cause herewith filed marked B and prayed to be taken as a part of this bill

Your Orator sheweth and states further that Commissioner Maugum made a deed to William Pinner and that Wm Pinner has sold the said tract of 430 acres to Joseph D Smith who now holds the same and your Orator finding this whole proceeding of the county court as a nullity except the allotting of dower to the widow now bring this suit for partition of the said land among them on the holding of the same under the terms of the will jointly during the life or widowhood of the widow for their maintenance and sale at her death and payment of the legacies charged thereon as this court may

think right Your Orator state further that the widow has long since sold him down and the whole tract is now held by Joseph D Smith

Your Orators state further that this whole transaction occured during the war that at the time aforesaid Mr Richardson was informed that the youngest of the children (W. T. D. Giggard has but recently come to age being just 28 years old in July that his father left a fine estate and money $1200 for his education that the whole estate was lost by the war and mismanagement and he was not taught even to read and write and has but recently been informed of his rights

Your Orators state further that this is neither a bill of review or a suit to show cause why the proceeding in the chancery suit in the county court should not be reversed but an original bill for the partition of the 430 acres of land or the holding the same together during the life or widowhood of Martha W Giggard and then the payment to the children as and division as to the court may

* Mary claiming the other half of this land

own right Your Orators charge and
aver that this land could not under
any circumstances be sold during the
life or widowhood of their mother as
it was expressly directed it should be kept
together for the purpose of raising and
educating them and on her death or
marriage then the payment of the
special legacies charged thereon and
then an equal division among the
children one of whom this intestate and
children by Rose B Berry of *

Your Orators are aware that it is
a hardship that Mr Pinner purchasing
under a decree of the court should
lose his land but it is still greater
hardship that their land should be
taken from them and sold in the
midst of a shinplaster currency when
land was the only stable property and
sold too for cash in a worthless currency
it sold in August 1863 for $2400 when
the currency was 20 for one &
really Mr Pinner paid but $120 for a
tract of land for which their father
paid $2100 in 1859 and which
were now bring $4500 They are willing
to refund to Mr Pinner this $120 and

Grizzard's v.

Order of
v. Dismissal

Smith.
Nov Term 1885
Wm Cuthbert
Geo. Blow.

dismissed
Nov. Term 1885

Grizzards and others

v.

Joseph L. D. Smith.

This cause is dismissed

agreed.