1893 - 21 Southampton County Chancery - Crumpler, Laura A. vs Daughtrey, W. H. et als.

Sale of real estate & divide proceeds.

Vaughan, Cecil C.
Gay, J. P. adm. of
Crumpler, Jos. G.
Crumpler, Bettie V.
" , Lizzie
" , Nellie
1/7 ea'ts

Circuit Ch. Southampton County

In Chancery

Laura A. Crumpler

vs Bill

W. H. Daughtrey et als

To Hon. Geo Blow. Judge of Southampton County Circuit Court.

Lana A. Crumpler - Complainant.

vs.

W. H. Daughtrey, Cecil C. Vaughan, J. P. Gay, Administrator of Joseph G. Crumpler, Bettie V. Crumpler, widow of Joseph G. Crumpler dec'd, Lizzie Crumpler and Nellie Crumpler, the last two infants under the age of twenty one years.

- In Chancery -

Your complaining showeth unto Court, your complainant Lana A. Crumpler, that your complainants' father, Joseph G. Crumpler sometime during the year 188 . departed this life intestate, leaving a widow, Bettie V. Crumpler, and your complainant Lana A. Crumpler, Lizzie Crumpler and Nellie Crumpler, his only children and heirs at law. The said Lizzie Crumpler and Nellie Crumpler are infants under the age of twenty one years.

Your complainant further states that J. P. Gay has since the death of your complainants' father, Joseph G. Crumpler, been selected and has qualified as his Administrator, as will appear by a copy of the order of appointment and certificate of the qualification herewith filed, marked Exhibit "No 1" and asked to be read as a part of this bill.

Your complainant further states that in the year 1869, and during the life time of your complainants' father, Joseph G. Crumpler, W. H. Daughtrey Cecil C. Vaughan, and your complainants' father, the said Joseph G. Crumpler, purchased of Jno R. Killy

assignee in Bankruptcy of Jno B. Jenkins
& certain tracks of land in Southampton
County, Virginia - as follows:
1st The Mill pond and mill site and the franchise
and rights and all its appurtenances, including
two acres at the North end of the mill dam and
twenty acres at the South end of the dam, all
situated on the West side of Holloway River in
the County of Southampton and adjoining the "Everitt"
track herein after named -
Secondly, The "Everitt" track containing 793 acres,
twenty of which are cut off as aforesaid, situated
in said Southampton County and described as
follows: Beginning at high water mark on mill
pond, a corner for Jeremiah O. Johnson near a
small white oak, thence his line S. 78 E. 11 poles to a
red oak, thence S. 88 E. 13 poles to a pine & hickory; thence
N. 76° E. 14½ poles to an oak stump; thence N. 76° E 95 poles
to a hickory a corner for said Johnson. thence
N. 36° E. 48 poles to a pine, thence S. 39 E. 18 poles to a sweet
gum, thence S. 59° E 17 poles to a dead oak, thence S. 67° E. 13
to a sweet gum, thence S. 74° E. 42 poles to a post oak,
thence S. 68° E. 8 poles to a maple. thence S. 46° E. 30 poles
to Jeremiah O. Johnsons Corner, near a path in Cobb's line,
thence along Cobb's line N. 27½° E. 16½ poles to a sweet gum
a corner, thence N. 46° E 128½ poles to a maple & landing
in a branch a corner for James M. Cutler, thence his

line down the run of the branch of the river, thence
up the edge of the river to the Creek, thence up the
creek and mill run to an Island, thence around the
Island on the edge of the low grounds to a pine 2 poles
below the said dam, thence parallel with the dam a-
cross the flood gate hole about 8 poles to a small red
oak, thence across the end of the dam to the mill pond,
thence along the dam and on high water mark of the
mill pond to the mill seat, thence along the dam and
up the mill pond on high water mark to the beginning.
containing 793 acres, including the Island lying between
the two mill dams, and two Islands near the old mill
seat, and exclusive of the low grounds, which on part
of which were not surveyed, but which are all sold and
conveyed hereby, and all privileges, appurtenances and
franchises belonging to said lands and mills, and that
while seized and possessed of the lands aforesaid, as
aforesaid, your complainants father, Joseph G. Crump-
ler departed this life intestate.

Your complainant further shews that before and
since the death of your Complainants father, Joseph
G. Crumpler, the said lands were and have been
under the management, and supervision of W.H. Daugh-
trey, one of the parties interested: that prior to the
death of said Joseph G. Crumpler, your complainants fa-
ther, the said W.H. Daughtrey, with the consent of all
parties interested, sold certain parts or parcels of the
aforesaid land, that the purchasers have paid the pur-

chase money therefor, on a large part thereof and have received no deeds therefor: and that since your complainants father's death, the said W. H. Daughtrey has also sold, at good prices, certain other parts or parcels of said land: that the purchasers have paid the purchase price therefor on a large part thereof: that the said W. H. Daughtrey has paid that part of the purchase money which your complainants father would have been entitled had he been living, to J. P. Gay, your father's Administrator: and these parties have no deeds for the land purchased as aforesaid. no one being authorized since your father's death to make a deed therefor, or deeds, for the interest of your complainants' father therein. conveying deeds.

Your complainants further shows that the said real Estate is, as she believes, susceptible of partition among the parties thereto, or at least the residue of said real Estate after deducting the parts already sold: but if said residue of said real Estate be not, then your complainant desires the same to be sold, and the proceeds divided among the adult and infant parties, according to their respective rights; the shares of the infants to be held as directed by the Statute in such cases made and provided. Should the property not be divisible in kind, Your complainant believes and here shows, that the interests of those who are entitled to the residue of said real estate, or its proceeds, will be promoted by a sale of the whole of the residue of said real estate, or by an allotment of a part and sale of the residue on tender con-

sideration whereof, and forasmuch as your Complainant is remediless in the premises save by the aid of a court of equity where matters of this kind are alone and properly cognizable Your Complainant prays that the said W. H. Daughtry, Cecil C. Vaughan, J. P. Gay, Administrator of Joseph G. Crumpler dec'd, Bettie V. Crumpler, widow of Joseph G. Crumpler dec'd, Lizzie Crumpler and Nettie Crumpler, may be made par. Defendants to this bill and required on their oaths to answer the same; that a proper Guardian ad litem be assigned the infant defendants to defend their interests in the same who shall answer the same: that the said Bettie V. Crumpler, widow as aforesaid be required to state in her answer whether she desires her dower assigned in kind or a Commutation thereof: that an account be taken of the land sold before the death of your Complainants father, Joseph G. Crumpler, for which the purchasers have received no deeds, the purchasers the purchase money, already paid or still due, ~~the amounts thereof~~ to whom paid, and especially what amounts of such purchase money has been received by, or paid to J. P. Gay, Administrator of Joseph G. Crumpler: that an account be taken of the land sold since the death of your Complainants father, Joseph G. Crumpler, the purchasers, the purchase money, what amounts have been paid and what still due, to whom paid, and especially what amount has been paid by and received by J. P. Gay, Administrator of Joseph G Crumpler dec'd - that the sales made as aforesaid be

confirmed and a Commissioner be appointed to make good and sufficient deeds to the purchasers upon satisfactory proof of the payment of the full purchase moneys; that proper process issue; that the said real estate be divided between the parties entitled thereto, and your Complainants parties aforesaid to her, and in case the said real estate cannot be partitioned and divided in kind, that the same be exposed to sale, and the proceeds of such sale be divided among the parties entitled thereto; that all proper orders and decrees may be made and proper inquiries be directed, and that all such other, further and general relief may be afforded your Complainants as the nature of his case may require, or to Equity shall seem meet. And your Complainants will ever pray &c.

E. E. Hall and, S. Gr.

The Joint and several answer of Lizzie and Nettie Crumpler by L. B. Prince their Guardian ad litem to a bill of complaint exhibited against them selves others in the Circuit Court of Frenchcampton by Laura A. Crumpler.

These respondents saving reserving &c. For answer to said bill say. That they are infants, and know nothing of the facts as set forth in said bill, and being such, they submit their rights to the

protection of this Court. And having answered, they pray hence to be dismissed &c.

L B Parker Gdn ad litem

(1) (1)

Southampton Circuit Court: May Term 1886.

Laura A. Crumpler. Plaintiff } In
vs Chancery.
W. N. Daughtrey + als: Defts. }

This cause came on this day to be heard upon the bill of the complainant taken for confessed as to the adult defendants, the answer of the infants defendants by J.B. Prince their Guardian ad litem, and of said J.B. Prince Guardian ad litem to said infant defendants general replication thereto ~~and was~~ exhibits filed and was argued by counsel. On consideration whereof the Court doth order, adjudge and decree that the papers in this cause be referred to one of the Commissioners of this Court, who is directed to enquire into and report to Court:

1st, Whether the real Estate in the bill mentioned can be conveniently divided in kind between the parties entitled thereto—

2nd If it cannot be conveniently divided in kind, whether any party will take the entire property and pay therefor to the other parties such a sum of money as their interest will entitle them to.

3rd And if the same cannot be conveniently divided in kind, and if no party will take the entire property and pay the others for their shares. Whether the interest of those

who are entitled to said property or its proceeds, will be promoted by a sale of the entire property, or by allotment of part & sale of residue

4th What parts or parcels of said land were sold before the death of Jos. G. Crumpler died - for which the purchasers have waived no deeds, the names of the purchasers, amounts of the purchase money, what is paid & what still due, to whom paid, and especially what amounts of such purchase money has been paid to J. P. Gay Admr of Joseph G. Crumpler dec'd -

5th What parts or parcels of said land have been sold since the death of said Jos. G. Crumpler, the names of the purchasers, the amounts of the purchase money, what is paid and what is still due, to whom paid, and especially what amount of such purchase money has been paid to J. P. Gay Admr of Jos. G. Crumpler dec'd.

6th An Account of all debts outstanding against Jos G. Crumpler dec'd or his Estate. Which several reports, the said Commissioner is directed to make and to the Court report together with any matter ~~deemed~~ specially stated, deemed pertinent by himself, or required by any party to be so stated.

And upon suggestion to the Court, that

Lizzie Crumpler, one of the parties defendant to this bill, has, since the institution of this suit, intermarried with one H. H. Dabney, it is ordered, they consenting thereto, that this cause hereafter be prosecuted in their name as well as those of the other defendants.

A Copy.

Test. J. B. Sinco C.C.

Crumpler

Notice

Daughtrey. et. als.

1886. July 23d.

Executed July
21st 1886.

R H Barnes Deputy
for J L Barham Shff

Commissioner's Office,

Jerusalem, Va. July 8" 1886

To W. H. Daughtry, C. C. Vaughan, J. P. Gay, Admr of Jos. G. Crumpler, dec'd. Bettie V. Crumpler, and W. H. Dabney & Lizzie Dabney his wife and Nellie Crumpler, an infant.

You are hereby notified that I have fixed upon the 23" day of July next, if fair, if not, the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts, to wit: 1st If the real Estate in this bill mentioned, can be conveniently divided in kind among the parties entitled thereto; 2nd If not: if any party interested will take the entire subject matter, paying a reasonable price therefor. 3rd Or, will the interest of those concerned be promoted by a sale of the entire subject, or by ~~sale of~~ allotment of part & sale of residue. 4th What part or parcel of said land were sold during the lifetime of J. G. Crumpler - Amount of purchase money, to whom paid &c. - for which purchasers have received no deed. 5. What part or parcel have been sold since death of J. G. Crumpler - name of purchaser - amount of purchase, to whom paid - amount still due & what amount has been paid to J. P. Gay Admr &c. 6th An account of outstanding debts against the Estate of J. G. Crumpler dec'd - &c &c &c, and sundry other matters required to be taken by a decree of Southampton Circuit Court rendered at the May term, 1886, in a suit in Chancery depending in said Court, in which you are parties, plaintiffs and defendants; at which time and place you are required to attend.

Given under my hand, as Commissioner in Chancery of the said Court, the day and year first aforesaid.

B. F. McLemore

Commissioner.

To the Sheriff of Southampton County to Execute.



Commissioner's Office,

Jerusalem, June 18" 1886

TO THE CREDITORS OF THE ESTATE OF

Joseph G. Crumpler dec'd

AND ALL OTHERS CONCERNED.

You are hereby notified, that, by a decree of the Circuit *Court of Southampton County, I have appointed the* 23" *day of* July *next, at my Office, for receiving proof of all the debts, or demands, against the said decedent, or his estate; at which time and place you are required to attend.*

Given under my hand, as Commissioner in Chancery, the day and year first aforesaid.

B. F. McLemore *Commissioner.*

BELL'S POTOMAC PRESS, ALEXANDRIA, VA.

Crumpler

vs

Lewis Spia

Daughtrey, et. als

1886. July 23rd

Executed July

21st 1886

R H Barrett Dep Sh

for J L Barham Sh'ff

1 1

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County—Greeting:

WE COMMAND YOU TO SUMMON W. H. Daughtrey - C. C. Vaughan and J. P. Gay

to appear before B. F. McLEMORE, a Commissioner in Chancery for the Circuit Court of Southampton county, at his office, in Jerusalem, Va., on the 23" day of July 1886, to testify and the truth to speak on behalf of

Laura V. Crumpler & others

in a certain chancery suit in our said court depending and undetermined between

Laura V. Crumpler

Plaintiff

and

W. H. Daughtrey et. als:

Defendant s

and this they shall in no wise omit under penalty of law. And have then there this writ.

Witness, B. F. McLEMORE, Commissioner of our said Court, at his said office, this 8" day of July 1886, in the 111" year of the Commonwealth.

Teste: B. F. McLemore

An Account showing what parts or parcels of the tract of land held jointly by W. H. Daughtrey, C. C. Vaughan and Jos. G. Crumpler were sold during the lifetime of said Crumpler the names of the purchasers - the amount of the purchase price - the amount paid and the amount still due - to whom the purchase money was paid, and whether or not the purchasers have received deeds - taken by a decree of the Circuit Court of Southampton County, entered at the May term 1886 - in the Chancery Cause of "Crumpler vs Daughtrey & als" - on the 28th day of July 1886, by B. F. McLemore, Comr in Chancery of the said Court.

Timber, sold to Deal & Moore Jr		$ 1500.00
55 Acres of land sold to Anderson Artis		275.00
29 " " " " "	Jacob Winborne	145.00
200 " " " " "	Lewis Riddick	800.00
10 " " " " "	Rebecca Diggins	50.00
		$2770.00

The above parcels of land, and Timber, were sold during the lifetime of Jos. G. Crumpler, dec'd that said Crumpler received his full share of the purchase money, ~~and~~ that no part thereof has come into the hands of or been paid to J. P. Gay, his Administrator - and that Deeds with genral warranty, have been made to the purchasers, all of the purchase money having been paid.

Respectfully Submitted

B. F. McLemore

Comr in Chy

~~83~~ ~~94~~ ~~101~~

Crumpler ~~87~~

~~80~~

v 3 3 Report ~~74~~

Daughtrey + als: 77

1886. Sept: 22. Files

7V—

Commissioner's Office
Jerusalem Va.
July 23d 1886.

To the Circuit Court of Southampton Co.

Pursuant to a Decree of the Circuit Court of Southampton County, rendered at the May Term 1886, in the Chancery cause depending in said Court under style of "Crumpler &c Daughtrey & als" the undersigned one of the Commissioners of said Court, to whom was referred for settlement, the several Accounts asked for in said decree: reports to Court: that on the 8th day July 1886, he issued Notices against the parties requiring them to attend the settlement of said Accounts before him, at his Office, in Jerusalem, on the 23d day of July 1886. which Notice has been returned to your Commissioner duly executed. That several of the parties aforesaid appeared before the Commissioner, in obedience to said Notice, and he thereupon engaged into, examined and stated the following Accounts - to wit: 1st - Whether or not the real Estate in the bill mentioned can be conveniently divided in kind among the parties entitled thereto, if not if any party interested will take the entire subject matter, paying a reasonable sum therefor - or

if the interest of the parties entitled to the subject or its proceeds will be promoted by a sale of the whole &c &c.

After diligent enquiry and the examination of sundry witnesses, including Dr W.H. Daughtrey, C.C. Vaughan and J.P. Gay, (the latter as Administrator of Jos. G. Crumpler dec.d and Acting Guard.n of said Crumpler's orphans), the Commissioner is of opinion that the said tract of land cannot be conveniently divided, doing justice to all parties. The Commissioner is also satisfied from the evidence of the witnesses aforesaid, that the interest of the parties will not be promoted by a sale of the subject matter at public sale. The Comr reports further that no party to the suit will agree to take the entire subject matter & pay the others for their respective shares.

2nd. What part or parcels of said land were sold during the lifetime of Jos. G. Crumpler. the names of the purchasers, the amount of the purchase money. to whom paid and whether or not the purchasers have received deeds &c. The Comr has prepared a statement in answer to the above, from which it will be seen that during the lifetime of Jos. G. Crumpler 294 acres of the tract of land in the bill

and proceedings mentioned were sold to the following parties and at the following prices, to wit:- Timber, sold to Deal & Morris for $1500.00 55 Acres, sold to Anderson Artis at $275.00 29 Acres sold to Jacob Winborne for $145.00 200 Acres sold to Lewis Riddick for $800.00 and 10 Acres sold to Rebecca Diggins for $50.00 making 294 Acres (including the timber) from which the sum of $2770.00 was realized: That all of said purchase money has been paid, that Jos. G. Crumpler received, before his death, his full share of the same, and that the purchasers have received deeds therefor.

3rd What part or parts of said land have been sold since the death of Jos. G. Crumpler. the names of the purchasers, the amount of the purchase money, the amount paid, the amount not paid to whom paid and the amount paid to J. P. Gay as Administrator of Jos. G. Crumpler dec'd.

From an account or statement herewith filed, the following facts, in answer to the above interrogatories, will be ascertained- to wit: That since the death of Jos. G. Crumpler, 70 Acres have been sold as follows: 10 Acres to Jesse Diggins for $50.00 25 Acres to Riddick Bryant for

$125.00 - 15 Acres and Store place to Lewis Riddick for $200.00 - 10 Acres to Leander Artis for $50.00 and 10 Acres to Kias Bryant for $50.00 - aggregating $475.00 of which amount $275.00 has been paid leaving $200.00 unpaid - That Jos. P. Gay Admr of Jos. G. Crumpler has received from the above amount of $275.00 the Cash payment, the sum of $92.29 as the share of ~~said~~ Crumpler - and the balance divided between W. H. Daughtry and C. C. Vaughan the rightful owners thereof - that Deeds have not been executed to these purchasers, and that the balance of the purchase money will be paid as soon as the said purchasers can get deeds with good titles; that Jos. G. Crumpler having died and no party being authorized to unite with Mssrs: Daughtry & Vaughan to convey the interest of said Crumpler, deeds cannot be made.

The Commissioner also advertises for the debts outstanding against the Estate of the decedent Jos. G. Crumpler and reports: That none have been presented.

The Commissioner states specially at the request of W. H. Daughtry, C. C. Vaughan and J. P. Gay, (the latter as Admr

of Jos. G. Crumpler dec'd, and as Gdn. of said Crumpler's Orphans) that several years before the death of Jos. G. Crumpler, the tract of land forming the subject matter of this suit, was purchased jointly by W. H. Daughtrey, C. C. Vaughan and Jos. G. Crumpler as a speculation, at the extremely low figure of $1.17 per acre; that by a mutual understanding between the parties, either partner was authorized to sell in lots to suit purchasers at $5.00 per acre; that before the death of Jos. G. Crumpler 294 acres of the land were sold at the figure above quoted besides $1500.00 worth timber; that since the death of said Crumpler 70 acres have been sold at $5.00 per acre leaving nearly half of the original purchase, which shows clearly that the investment was an extremely fortunate one; That the residue of the tract can be sold privately, at prices corresponding to those heretofore made; That it was not the object of this suit, nor the wish of the parties concerned, to have the land divided, neither do they desire that the same should be sold as a whole, at public auction; in which event (should the Court see fit so

to provide) they verily believe all parties concerned would sustain serious loses, ~~thereby~~, and more especially the orphans and legatees of Jos G. Crumpler. That the surviving partners Messrs Daughtrey and Vaughan desire that they may be permitted to continue to effect private sales and, that some fit and proper person may be appointed by the Court whose duty it shall be to receive and receipt for Jos. G. Crumpler's part of the purchase money, and to unite with the said Daughtrey and Vaughan in executing deeds as well to those who have already purchased as to those who may hereafter purchase, parts or parcels of the said land. Your Commissioner respectfully recommends that W.H. Daughtrey & A.C. Vaughan be permitted to continue to effect private sales of the land until the entire tract has been disposed off, believing that the interest of all parties concerned will be materially promoted thereby.

Respectfully Submitted.

B.F. McLemore

Comr in Chancery

Comr's fee: $15.00

Chg. Plaintiff

Paid by J.P. Gay Esq.

In Northampton County Court.

February Term. 1878

The last will and testament of Joseph G. Brumpler deceased was duly proved by the oath of Geo M. Bain Jr the other subscribing witness thereto, and ordered to be recorded. And Elizabeth V. Brumpler, the Executrix therein named refusing to take upon herself the burden of the Execution thereof, on the motion of Josiah P. Gay, who made oath according to law, and together with C. C. Vaughan his security, who justified on oath as to his sufficiency entered into and acknowledged a bond in the penalty of Sixteen hundred dollars, conditioned as the law directs which bond is ordered to be recorded. Certificate is granted the said Josiah P. Gay for obtaining letters of administration on the Estate of the said Joseph G. Brumpler deceased with his will annexed in due form.

A. Copy.

Teste L. B. Pruden C.C.

149

Crumplers

vs Estate Ruley

Daughtery &c.

Sum Sci. fa.

& H. A. Daughtery Surety

to Jno Ruley

In Southampton Circuit Court.

Laura A. Crumpler

against

W. H. Daughtery, C. C. Vaughan, J. P. Gay, A. Drew, & J. G. Crumpler, Bettie V. Crumpler, widow & J. G. Crumpler decs. Lizzie and Nellie Crumpler last two infants

In Chancery

1886.

Mch 25. Summons to Def Rules.

Def Rules. " Rtd on 4 days. Bill & exhibits filed. L. B. Travis assigned Dfts as Guardian ad litem to infant defts. Answer of Infants by Gdn ad litem filed. Same replication. Decree nisi on 4 days.

May " Bill taken for confessed and Cause set for hearing.

Crumpler

vs Z Summons

Daughtery Z c.

1886. Apl Rules

Levi: Let

Executed, March 26th 1886
by delivering to W. H. Daugh-
-try, J. T. Gay, C. C. Vaughn
& B. Tew & Crumpler a
copy of this summons
G. W. Vicks
Shff

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County—Greeting:

WE COMMAND YOU TO SUMMON W. S. Daughtery. C. C. Vaughan J.P. Guy Admr of J. G. Crumpler decd. Bettie V. Crumpler widow of J. G. Crumpler decd. Lizzie Crumpler and Nettie Crumpler- last two infants-

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 April next, to answer a bill in Chancery exhibited against them in our said Court by Laura A. Crumpler

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

WITNESS, J. B. PRINCE, Clerk of our said Court, this 26 day of March, 1886, in the 110 year of the Commonwealth. Teste. J. B. Prince C. C

Cowper 123
vs Delaney
Daughty Sols

Decree to be entered

Geo. A Blow.

M. Lemmon to take oper

✓

Due consent to this decree -
Wm. Delaney
Lizzie Delaney
By Counsel

Laura A Crumpler Complainant
as Executrix
&c. &c. &c. &c. — Defendants —

This cause came on this day to be heard upon the bill of the complainant taken for confessed as to the adult defendants, the answers of the infant defendants by J.B. Prince, their Guardian ad litem and affidavit of J.B. Prince Guardian ad litem to said infant defendants, general exhibits thereto and exhibits filed and was argued by Counsel: On consideration whereof the Court doth order, adjudge and decree that the papers in this cause be referred to one of the Commissioners of this Court who is directed to enquire into and report to Court.

1st. Whether the real estate in the bill mentioned can be conveniently divided in kind between the parties entitled thereto.

2nd. If it can not be conveniently divided in kind whether any party will take the entire property and pay therefor to the other parties such a sum of money as their interest will entitle them to.

3rd. And if the same cannot be conveniently divided in kind, and if no party will take the entire property and pay the others for their shares, whether the interests of those who are entitled to said property or its proceeds will be promoted by a sale of the entire property, or by an allot-

ment of part and a sale of the residue.
4th what parts or parcels of said land were
sold before the death of Joseph G. Cumpton died
for which the purchasers have received no deeds,
the names of the purchasers, amounts of pur-
chase money, what is paid or what is still due,
to whom paid, and especially what amount of
such purchase money has been paid to J.P. Gay
Admr of Joseph G. Cumpton died-
5th what parts or parcels of said land have
been sold since the death of said Joseph G.
Cumpton, the names of the purchasers, the
amounts of the purchase money, what is
paid or what is still due, to whom paid and
especially what amounts of such purchase
money has been paid to J.P. Gay Admr of
Joseph G. Cumpton died
which several reports the said Commissioner
is directed to make and to the Court report
together with any matter especially stated
deemed pertinent by himself or required
by any party to be so stated-
And upon suggestion to the Court, that
Lizzie Cumpton, one of the parties de-
fendant to this cause, has since the institu-
tion of this suit intermarried with one
W.H. Dabney, it is ordered, they consenting,

6th An account of all debts outstanding against Joseph G. Cumpton died or his estate.

therefore that this course hereafter be proceeded
on in their claims as were as those of the
other defendants—

The answer of Bettie V. Crumpler, widow of Joseph G. Crumpler to a bill in Equity Exhibited against herself and others in the Circuit Court of South Amelia County by Laura A. Crumpler the complainant.

This defendant answering says that she believes the statements made in the bill are true; that she has no objection to the sales of the land as asked for; and that she desires to have her dower interest in said land commuted and its equivalent in money paid to her. And now having fully answered she prays to be dismissed with her costs &c.

Bettie V. Crumpler

Virginia,
Nansemond County, to wit:

This day personally appeared before me E. E. Holland a notary public in and for Nansemond County in said State Bettie V. Crumpler and made oath that the statements made in the foregoing answer are true

Given under my hand the 4th day of Mar 1886

E. E. Holland
N.P.

Complex 99
vs
Daughtreys als

To be entered.
C M Hill
May 1887

V

Lumpkin
vs Jn Chaney
Daughtry et al

This cause came on this day to be again heard upon the papers formerly read, the answer of Bettie V. Lumpkin, admx of Joseph G. Lumpkin dec'd. this day filed, and the report of B.F. McLemore, Commissioner, filed since the last hearing of this cause, to which report there are no exceptions and was argued by Counsel: On Consideration whereof the Court doth approve and confirm the sales of land in the Bill and proceedings mentioned made as reported by said Commissioner since the death of Joseph G. Lumpkin to the several purchasers mentioned in said report that is to say to Jim Diggins ten acres, to Riddick Bryant twenty five acres, to Lewis Riddick fifteen acres and nine pieces, to Leander Artis ten acres, and to Elias Bryant ten acres and doth order, adjudge and decree that W.H. Daughtry, C.C. Vaughan, and J.P. Gay, who are hereby appointed Commissioners for the purpose, shall, so soon as said purchasers as aforesaid shall have paid in full the purchase money for the above mentioned tracts of land purchased by them, convey to said purchasers, by good

and sufficient deeds with special warranty the respective tracts of land purchased by them as reported by said Commissioners. And the Court doth further order, adjudge and decree that W.H. Daughtry, C.E. Vaughan and J.P. Gay, who are hereby appointed Commissioners for the purpose, do proceed to sell, free of dower, the widow of Joseph G. Lumpkin died, who is entitled to dower in the shares of said Joseph G. Lumpkin died in said land, having filed an answer as being therein interested be commuted and she be paid its equivalent in money, the tracts of land in the bill and proceedings mentioned, in as many parcels as to them shall seem best calculated to the advantage of all parties interested, either privately, or at public auction; but, if at public auction after having advertised the time terms and place of sale by notices posted at ten or more public places in the County and on some day Court day in front of the Court House of Pickens County; And upon such terms as the said Commissioners shall deem best, in all cases of sale taking from the purchasers bonds for the credit in-

statements bearing interest from day of sale, and the title retained until the full purchase money is paid, when said Commissioners are authorized to execute deeds to said purchasers for the respective parcels of said land purchased. But before the said Commissioners shall act under this decree they shall enter into bond with sufficient security in the Clerks Office of this Court, payable to the Commonwealth of Virginia in the penalty of $2500.00 and conditioned for the faithful discharge of their duties under this or any other decree.

And the said Commissioners shall make report of their proceedings under this decree to this Court including in said report a statement of all moneys collected by them for the purchase money for said parcels of land mentioned in the report of the Commissioners filed in this cause and retained the costs paid Joseph G. Chamberlayne dec'd, which amounts they shall hold until the further order of this Court