1909 - 42 Southampton County Chancery - Griffin, K. R. et als vs Griffin, E. M. et als

partition of real estate; if this can't be accomplished, then sell & proceeds be paid to legal heirs.

Griffin, W. S.
" , W. H.
" , George W.

Griffin, T. H.
" , T. W.
Infants { Daughtrey, Tillie W.
" , W. C.

Prince, T. B. (G. A. L.)

In the Circuit Court of Southampton County.

To the Hon C. V. Kelly Judge of the Circuit Court of said County

Your Complainants R. R. Griffin, W. S. Griffin W. H. Griffin and George H. Griffin beg leave to represent to your Honor as follows, that your Complainants brother, S. H. Griffin, was in his life time seized and possessed of a certain lot, piece or parcel of land, situate, lying and being in the town of Franklin, Southampton County Virginia, and bounded as follows: On the East by Main Street - on the South by Third Avenue, on the West - by the lot of M. H. Moore, and on the North by the lot of Henry Williams - the size of said lot being 105 ± 181½ feet, more or less that on or about the 16th day of March 1889. the said S. H. Griffin, being unmarried, departed this life intestate, leaving the following brothers, sisters, nephews and nieces surviving him as his heirs at-law viz: George H. Griffin, M. E. M. Griffin, W. H. Griffin, W. S. Griffin, J. H. Griffin, R. R. Griffin J. H. Griffin, and Tillie H. Daughtry and H. C. Daughtry, the last two named, being the children of M. C. Daughtry and Ella V. Daughtry, the said Ella V. Daughtry, who is now dead, being Ella V. Griffin before she intermarried with the said M. C. Daughtry. the said Tillie H. Daughtry and H. C. Daughtry being infants

under the age of twenty one years
And your Complainant further state that said lot, piece or parcel of land is, as they believe, incapable of partition among the parties thereto entitled, but if partition in kind cannot be conveniently made, or the entire subject allotted to any one of the parties who will accept it, and pay therefor to the other parties and owners of such as their interest therein may entitle them to, then your Complainant desire that the same may be sold and the proceeds of sale 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 case made and provided. Should said lot piece or parcel of land not be divisible in kind, your Complainants believe, and have stated, that the interest of those entitled to the said real Estate, or the proceeds, will be best promoted by a sale of the entire subject or by an allotment of a part and sale of the residue.
In tender consideration whereof, and for as much as your Complainants are remediless in the premises save by the aid of a Court of Equity, where matters of the kind are alone and properly cognizable, your Complainant pray, that E. M. Griffin, John H. Griffin, J. H. Griffin jr., Lillie M. Daughtry and H. C. Daughtry, the last two being infants

under the age of 21 years, be made parties defendants to this bill, and required on their corporal oaths to answer the same to the best of their knowledge, remembrance, information and belief as fully and particularly as if the statements of this bill were again repeated, and the said defendants thereto especially interrogated, that a proper guardian ad litem be assigned the infant-defendants to defend their interest in this suit, who shall also answer this bill: that proper process issue: that the said real estate be divided between the complainant and parties entitled thereto, and your Complainant-portion duly be allotted to them; and in case the said real Estate cannot be partitioned and divided in kind, that the same be disposed of by sale and the proceeds of such sale be divided among the parties entitled thereto as their interest appears; that all proper orders and decrees may be made, and proper enquiries be directed, and that all such further and general relief may be afforded your Complainants as the nature of this case may require, or to Equity shall seem meet; and that a reasonable fee be allowed W. R. Griffin, attorney at law for his services in this suit, and your Complainants will ever pray &c

W. R. Griffin p.q.

Griffin + als: 15
Stat: Rules
Griffin + als:

R. R. Griffin, W. S. Griffin
W. H. Griffin & Geo. W. Griffin } Pltffs.

vs.

E. M. Griffin, J. H. G[illegible]
J. N. Griffin, Tillie N. Daughtry
and W. C. Daughtry - last two
infants - under 21 yrs of age } Defts.

1889. Oct. 3. Summ: to 1 Oct: Rules.
" 1 Oct. Rules: Proc[illegible] ret? Ex: Bill filed -
J. B. Prince apptd Gdn ad litem
decree nisi =
" 2 Oct: Rules: Bill taken for confess? as to
adults - Answer of infants by Gdn ad-
litem filed - Guil Repr: &
Cause set for hearing -

Form No. 309.

Griffin

to { COMMISSIONER'S BOND.

Commonwealth.

1890. June 19. filed.

Recorded page 3.

Know all Men by these Presents, That we John St. Griffin
L. T. Joyner and A. W. Edwards
are held and firmly bound unto the Commonwealth of Virginia, in the sum of Twenty
five hundred ~~~~~ Dollars,
to the payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, hereby waiving the benefit of our Homestead Exemptions as to this obligaiton, and any claim or right to discharge any liability to the Commonwealth arising under this bond, or by virtue of said office, post or trust, with coupons detached from bonds of this State. Sealed with our seals, and dated this 19 day of June one thousand eight hundred and ninety -

The condition of the above Obligation is such, That if the above bound
John St. Griffin
shall faithfully perform the duties of his office or trust, as Special
Commissioner ~~~~~
under a decree of the Circuit Court of the County of Southampton, pronounced on the 7th
day of May, 1890, in the suit therein depending under the name and
style of Griffin + als: vs Griffin + als: to sell
certain lands mentions in the proceedings
of this Cause, according to the terms and
Conditions mentions in a decree entered
in this Cause on the 15 day of March
1890. and shall faithfully perform the duties
required of him by any other decree which may be entered
herein.
then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in
the presence of

J. W. Griffin SEAL.
L. T. Joyner SEAL.
A W Edwards SEAL.

In the Clerk's Office of the Circuit Court of the County of Southampton:

This day L. T. Joyner and A. W. Edwards
surety on the above bond, made oath before me B. F. McLemore, Clerk
of the Circuit Court of the County of Southampton, that their estate after the payment
of all their just debts, and those for which they are bound as security for others,
and expect to have to pay are worth the sum of twenty five hundred dollars;
whereupon the said bond is admitted to record according to law.

Given under my hand this 19 day of June 1890

Teste: B. F. McLemore Clerk.

Griffin Fed Natal
vs
Griffin Jno H et al

The joint Answer
of Lillie H. Daughtry
and W. C. Daughtry
by J. B. Prince their
guardian ad litem

In the Circuit Court of Southampton County

Griffin Geo W et al

vs

Griffin Jno A et als

The joint answer of Tillie V. Daughtrey and Walter L. Daughtrey, infants under the age of twenty one years. the said Daughtrey being over fourteen years of age - by J. B. Prince their guardian ad-litem, assigned by the Court to defend their interest in this suit, to a bill of Complaint exhibited against them and others in the Circuit Court of Southampton County by Geo W. Griffin and others, these respondents reserving to themselves the benefit of all just exceptions to said bill for answer thereto, or to so much thereof as they are advised that it is material they should answer by their said guardian ad litem, answer and say, that they are infants of tender years, and by reason of their infancy are incapable of understanding and of taking care of their rights and interests. They therefore, by their said guardian ad litem, commend themselves, and their right and interest to the protection of the Court, and pray that no decree may be pronounced in this cause that will tend to their prejudice. And having fully answered, the said respondents pray to be hence

dismissed with their reasonable cost in this behalf expended. And they will ever pray &c

Tillie W. Daughtry.
J. B. Prince Gdn ad litem.

This day J. B. Prince guardian ad litem for Tillie W. Daughtry and Walter C. Daughtry, personally appeared before me B. F. McLemore, Clerk of the Circuit Court of Southampton County and made oath that the statements in the foregoing answer are true to the best of his knowledge and belief

Given under my hand this day of November 1889.

B. F. McLemore C.C.
Comm in Chy

State of Virginia
City of Norfolk to wit:

This day Tillie W. Daughtry, whose name is signed to the foregoing answer, personally appeared before me E. M. Bauer, a Notary Public for the City aforesaid, and made oath that the statements contained in the foregoing answer are true to the best of her knowledge & belief

Given under my hand this 16 day of November in the year 1889

E. M. Bauer N.P.

Griffin Stab
vs } In Vacation
Griffin Stab 126

Draft

To be entered when the Commissioners shall have signed their report.

C White
Sept 27. 1870

Ex

Griffin etals

vs } In Vacation

Griffin et als

This day this cause came on again to be heard (in Vacation) on the report of Special Commissioner John H. Griffin reporting sale of the lot, piece or parcel of land mentioned and described in the Complainant bill of Complaint to which report no exceptions have been taken, and upon accepted service of Notices to John H. Griffin C. M. Griffin and Julien W. Griffin, and Jos. B. Prince, guardian ad litem of Lillie W. and C. W. Daughtry, infants under the age of twenty one years, parties defendant to said bill of Complaint: that a decree would be asked for confirming the sale of the real estate in the proceedings mentioned &c, and was argued by Counsel. On Consideration whereof the Court doth approve and Confirm the Sale reported by said Commissioner, and doth adjudge, order and decree that said Comr. Griffin, is hereby directed to check upon and pay out of the funds to his Credit as such at the Bank of Vaughan & Co at Franklin Virginia, as follows. First, the accrued Costs of suit and Expenses of sale. And allowance of Special fee to Counsel Conducting said suit together with a fee of five dollars to Jos B. Prince for his services as Guardian ad litem for Lillie W. and C. W. Daughtry. And second to distribute the remainder of said fund among

the heirs at law of D. H. Griffin decd. as they are entitled under the law. that is to say. One Eight part to Geo W. Griffin. One Eight part to E. M. Griffin. One Eighth part to H. H. Griffin. One Eight part to H. S. Griffin. One Eight to John H. Griffin. One Eight part to K. R. Griffin. One Eight part to J. H. Griffin. and one Eight part to the legal guardian of Tillie H and C. H. Daughtry. taking their receipts therefor and returning the same with his vouches with a report of his transactions under this decree.

And it appearing by the report of said Commissioner that Henry Butchins. purchaser of lot No 1. Eugene Holland. purchaser of lot No 2. and Augustus Crumpler purchaser of lot No 3. are desirous of anticipating the deferred payments on their respective purchases by paying the whole of the purchase Money in cash. it is therefore ordered that Comr Griffin payment them to do so. and that upon such payment he execute to them deeds with special warranty for the lots purchased by them respectively. and he is also required to report to Court his transactions under this clause of the decree

And this decree is certified by the Court to the Clerk of the Circuit Court of Southampton County. and directed to be entered in his Chancery order book

C W Hale

Giffin et al

vs Decree

Giffin et al

This day this cause came on again to be heard on the papers formerly had and was argued by Counsel. On consideration whereof the Court doth adjudge order and decree that Special Com. Jno H Giffin withdraw the bonds of Hilery Cutchin and Eugene Hollands for deferred payments on lots nos 102. as mentioned and described in the proceedings mentioned, as they formerly matured, or before their maturity should said Cutchins and Holland desire to anticipate the payment ~~of payment~~ of said bonds by the payment of the same in cash, but before he withdraws said bonds or either he is enjoined to execute and deliver a receipt or receipts therefor to the Clerk of this Court for the same to be filed with the papers in this cause

Rec'd Jany 19. 1891 of B. F. M. Lemon
Clerk of the Circuit Court of Southampton
Co. the bonds of Eugene Holland and Riley
Culpeper, mentioned in the within decree.

F. G. Griffin
Spec. Commr.

Griffin etals
vs
Deane
Griffin etals

Decree

Nov 1890

To be entered
& order

Exhibit

In the Circuit Court of Southampton County

Griffin Geo W. et als

vs

Griffin Jno H et als

This day this cause came on to be heard on the bill of complainants taken for confessed as to the adult defendants John H Griffin E M Griffin and Julia H Griffin the joint answer of Tillie H Daughtry Walter C Daughtry infants under the age of twenty one years by J. B. Prince appointed by the Court as their guardian ad litem, with general ~~with general~~ replication thereto, and was argued by Counsel. On consideration whereof the Court doth adjudge order and decree that C. C. Vaughan E. P. White Henry Cobb D. F. Joyner and T. C. Barrett be appointed Commissioners for the purpose, any three of whom may act, and they are hereby directed to go upon the lot of land mentioned and described in the bill of the complainants, as a part of the real Estate of which the late Samuel H Griffin died seized and possessed, the same being that certain lot piece or parcel of land situate lying and being in the town of Franklin Southampton County Virginia

and bounded on the East by Main Street on the South by third Avenue, on the West by the lands of M. A. Moore and on the North by the lands of Henry Williams, and partition the same among the heirs at law of the said Samuel A Griffin decd if partition in kind be practable, but if partition in kind cannot be made to determine and report to Court whether the entire lot may be allotted to any party interested who will accept it and pay therefor to the other parties interested such sums of money as their interest therein may entitle them to, or whether the interest of all the parties will be promoted by a sale of the entire lot or an allotment of a part and a sale of the residue, and the proceeds of said sale divided among the parties entitled thereto; And in either case said Commissioners are required to report to Court the facts upon which their opinion is based. and it is further decreed that this cause be made a vacation cause all parties being represented in open Court and consenting thereto.

A Copy Test B. F. McLemore C.C.

each of 52½ feet on Main Street

Respectfully submitted by

C. C. Vaughan
T. J. Barrett
H. M. Cobb
} Commissioners

Feby 20th 1890

Geo. W. Smith et al.
Petition
Laying out Smith St. adj. Fish's
1890 Feb. 20 Filed
B. F. Wade

To the Hon C. W. Hill Judge of the Circuit Court for Southampton Co Va

Your undersigned commissioners beg leave to report that in pursuance of a decree entered in the Chancery cause of Geo W Griffin et als vs Jno. H. Griffin et als at the Nov Term 1889 of the Circuit Court of Southampton Co. Va. they met on Jany 3rd 1890 on the real estate mentioned in the said decree and after viewing the same we state that the same cannot be divided nor will any of the interested parties take it and pay the other interested parties their shares. That it is to the interest of all that it be sold and the proceeds divided among the parties entitled thereto and we recommend that it be divided in three lots or parcels as we think it will sell better that way; namely: Cut off 52½ feet from lower front of it and thus form a lot fronting on Third Avenue, then divide the balance into two equal lots with a frontage

each of 52½ feet on Main Street

Respectfully submitted by

C. C. Vaughan
T. J. Barrett
H. M. Cobb
} Commissioners

Feby 20th 1890

Report of Com. appointed to lay out Franklin St. also Main St. Feb. 20, 1890. Filed.
B. F. Rice, Jr.

Griffin Geo. W. et als
vs } Decree 144
Griffin Jno. H. et als

In Chancery
in Vacation
Chbrs

March 15, 1880

Entered
Page 380

Griffin Geo. W. et als
vs 3 Decree
Griffin John H. et als

This day this cause came on again to be heard in vacation on the papers formerly read and upon the report of commissioners recommending a sale of the real estate mentioned in the bill & to which report no exceptions have been filed and was argued by counsel on consideration whereof the court doth adjudge. order and decree that the same be and is hereby confirmed. And that K.R. Griffin who is hereby appointed a special commissioner for the purpose. shall after having given at least twenty days notice of the place. time and terms of sale. proceed to sell at public auction in the town of Franklin Va to the highest bidder the real estate mentioned in said bill & selling the same in three lots or parcels as recommended by said commissioners. on the following terms, namely; one third of the

purchase money cash. balance on equal instalments on a credit of six and twelve months. taking from the purchaser or purchasers bonds with approved security for the said deferred payments. said bonds bearing interest from day of sale till paid (with option to the purchaser or purchasers upon the sale being confirmed by court to pay all the purchase money cash and get deeds for the said real estate) and if upon the court confirming the said sale the purchaser or purchasers should pay all the purchase money cash then the said special Commissioners shall make them or them deeds with special warranty for the same and after paying all expenses of suit and sale including an attorneys fee of $50.00/100 to K.R. Griffin. shall divide the residue into eight equal shares and pay one share to each of the following parties. one to Geo. W. Griffin; one to E.M. Griffin; one to W.H. Griffin; one to W.S. Griffin; one to J.H. Griffin; one to K.R. Griffin; one to J.W. Griffin; and

one to the lawful gurdion of W.b. and Tillie.W. Daughtrey. but if the purchaser or purchasers should pay only a third of the purchase money cash and give their bonds for the balance payable as before stated then the said commissioner after first paying the costs of suit and sale including an attorneys fee of $50.00/100 to K.R. Griffin shall then divide the balance into eight equal shares and pay one to each of the above named parties. taking their receipts therefor and return them and the bonds for the deferred payments along with his report to court. but the said commissioner shall not proceed to act under this decree until he shall have first entered into a bond in penalty of $2500.00/100 with approved security before the clerk of this court. conditioned for a faithful discharge of his duties under this and any future decree which may be entered in this cause

Griffin et al
vs
Buchanan
Griffin et al

Report of Com. Griffin

1870. July 30. Filed -
B. F. Moore

In the Circuit Court of Southampton County

Griffin et als
Vs } In Chancery
Griffin et als

The undersigned, who was appointed a Special Commissioner (in the place of K. R. Griffin who declined to act in the premises) at the May Term (1890) of the Circuit Court of Southampton County, in the Chancery suit of Griffin et als vs Griffin et als to sell certain real Estate situate lying and being in the town of Franklin Southampton County Virginia, which of Samuel H. Griffin died seized and possessed, begs leave to report as follows: That after advertising the time, place and terms of sale for a period of not less than twenty days in the Southampton Democrat, a Newspaper published in the said town of Franklin, and by printed bills posted at various public places in Southampton and adjoining counties, he did sell on the 19th day of July 1890 at public auction to the highest bidder, in the town of Franklin the real Estate in the proceedings mentioned in three several lots as recommended by Commissioner L. L. Vaughan and others, at which sale Kirby Crutchfield Vaughan became the purchaser of lot No 1. 1, &c. the lot on which the dwelling and kitchen stands, fronting fifty two and a half feet on Main Street and running back one hundred and sixty-five feet for the sum of One thousand and fifty dollars, that being the highest bid made for said lot. And at said time and place Eugene Holland

became the purchaser of lot No 2, I.E. to Comm
Vacant lot, fronting fifty-two and a half feet
on Main Street and running back one hundred and
thirty five feet, for the sum of four hundred and
fifty-one dollars, that being the highest bid made
for said lot. And also, at said time and place
Augustus Crumpler became the purchaser of
lot No 3. I.E. a vacant lot, and a part of the real
Estate in the proceedings mentioned, fronting fifty
feet on Third Avenue, and running back one
hundred and five feet, for the sum of One
hundred and seventy-six dollars, that being
the highest bid made at said sale for said lot.
Your Commissioner reports further, that the pur-
chasers, respectively, have complied with the
terms of the sale by paying one third of the purchase
money in Cash, which has been deposited in the
aforesaid Franklin Bank, as is fully known as a part of this report
Franklin Bank, and Executed their several
bonds for the deferred payments, bearing interest
which bonds are filed herewith as a part of this report
from date. And your Commissioner reports specially,
that the purchasers having indicated their desire
to pay the whole of the purchase money price of
their respective lots in cash, therefore, respectfully
suggests that they be permitted to do so, and
that the Court order a deed to be made for their
respective lots, upon the payment of all of said
purchase money

Respectfully submitted
E. H. Griffin
Spl Comr

Griffin etal
vs
In vacation
Griffin etal

Notice

1890 Sept 25. I
acknowledge legal
service of this
notice and consent
so far as I can to
the granting of the
same.
E B Lewis
Edward Lewis

Griffin etals

vs } In Vacation

Griffin etals

In said please take notice that I shall ask Hon E. W. Hill Judge of the Circuit Court of Southampton County on the 27th day of September 1890 at his office in the City of Norfolk for a vacation order confirming the sale of Spl. Com. J. H. Griffin of the real estate mentioned and described in the Chancery suit of Griffin etals vs Griffin etals as reported in his report filed with the papers in said cause July 30-1890. also that the Judge order, after the payment of cost accrued the distribution among the heirs at law of L. H. Griffin, deceased, the cash remaining in his hands on account of said sale. and that a deed be made to purchasers of said real Estate have anticipated deferred payment by paying in full the purchase price of their respective purchases

Respectfully

R. R. Griffin atty for

W. S. Griffin etals

To

Jos. B. Pierce

Executor & Admr for

Lillie H. Daughtry and

E. W. Daughtry,

infants under 21 years of age

Griffin et als

vs } In vacation

Griffin et als

Notice

We accept ~~notice~~ service and ask that the Hon E. W. Hill will grant the order as per notice. as we desire confirmation of the sale reported by Spl. Com. Jno W. Griffin at an early day.

F. H. Griffin

C. M. Griffin

J. W. Griffin.

Griffin &c &c

vs 3 In vacation

Griffin &c &c

To the Clerk please take notice that I shall ask Hon L. W. Hill, Judge of the Circuit Court of Southampton County, on the 27th day of September 1890, at his office in the City of Norfolk Virginia, for a decree confirming the sale made by Spl. Comr. J. H. Griffin of the Real Estate mentioned and described in the decree of suit of Griffin &c vs Griffin et als, as reported in his report filed with the papers in said Cause July 30- 1890: also that the Judge enter an order, after payment of accrued Cost- for distribution among the heirs at law of E. H. Griffin, dec'd, the cash remaining in his hands on account of said sale, and that a deed be made to such purchasers of said Real Estate as have anticipated & prepaid payments by paying in full the purchase price of their respective purchases

Respectfully &c

H. R. Griffin, atty for

W. S. Griffin &c &c

To

J. H. Griffin

E. H. Griffin

J. W. Griffin

Griffin & als

v Cuun Report.

Griffin & als

1892. April 21. filed.

In the Circuit Court for Southampton County,
November Term 1891.

Griffin & others
vs
Griffin & others

Report.

The undersigned, Special Commissioner, pursuant to the decree rendered in this cause at the Sept. 27 ~~Term~~ 1890, submits the following, further report:

By amo. purchase money received from sale of land in town of Franklin, $1676.00
Int. on deferred payment, 28.50
Total amo. received $1704.50

Amo. paid out for Costs

To paid R. R. Griffin, Atty's fees, $66.50 Cr R. R. Griffin
" " same for drawing three Deeds, 15.00 Cr R. R. Griffin
" " B. F. McLemore, Clk's Tickets, 10.95
" " J. B. Prince, G'd'n ad litem of Tilly and Lenny Daughtrey 5.00
" " So:ampton Dem. for adv: 3.50
" " James Preslow, Auctioneer, 5.00
" " J. H. Williams, Sheriff, 2.50
" Commissions on Sales. 43.09
" paid town tax in Franklin, 2.20
" " County & State tax, 11.00 $164.75
Leaving now ready for distribution $1539.75

The distributive shares are, consequently, as follows:

over

Brot over. $1539.75

(4) To Geo. W. Griffin, one of the heirs
at law of S. H. Griffin, decd, 1/8 of $1539.75; 192.46 1/8
X " E. M. Griffin, one of the heirs at law
of S. H. Griffin, decd, 1/8 of $1539.75; 192.46 1/8
(D) " W. H. Griffin, one of the heirs at law
of S. H. Griffin, dec'd 1/8 of $1539.75; 192.46 1/8
Y " W. S. Griffin, one of the heirs at law
of S. H. Griffin, decd, 1/8 of $1539.75; 192.46 1/8
+ " Jno. H. Griffin, one of the heirs at law
of S. H. Griffin, decd, 1/8 of $1539.75; 192.46 1/8
x " K. R. Griffin, one of the heirs at law
of S. H. Griffin, decd, 1/8 of $1539.75; 192.46 1/8
Y " J. H. Griffin, one of the heirs at law
of S. H. Griffin, decd, 1/8 of $1539.75; 192.46 1/8
J " M. E. Daughtrey, G'd'r of Tilly Daughtrey,
one of the heirs at law of S. H. Griffin,
decd, 1/2 of 1/8 = 1/4 of $1539.75; 96.23 1/4
Y " M. E. Daughtrey, G'd'r of Emmy Daughtrey,
one of the heirs at law of S. H. Griffin,
decd, 1/2 of 1/8 = 1/4 of $1539.75; 96.23 1/4
$1539.75

All which said shares have been fully paid to the parties entitled, as will be seen by their receipts herewith filed.

Respectfully Submitted.

E. H. Griffin
Special Commissioner.

Griffin Geo W et al
vs
Deese
Griffin Jno H et al

In Court Southampton
County

November 29th 1889

Jobe endorsed
Prosser
Judge

Entered

In the Circuit Court of Southampton County

Griffin Geo W et als

vs

Griffin Jno H et als

This day this cause came on to be heard on the bill of the Complainants taken for Confessed as to the adult defendants John H. Griffin E. M. Griffin and Julia W Griffin, the joint answer of Lillie W. Daughtry Walter C. Daughtry infants under the age of twenty-one years by J. B. Prince appointed by the Court as their guardian ad-litem, with general replication thereto and was argued by Counsel On Consideration whereof the Court doth adjudge, order, and decree that C. C. Vaughan, E. F. White Henry Cobb L. T. Joynes and T. O. Barnett be appointed Commissioners for the purpose any three of whom may act, and they are hereby directed to go upon the lot of land mentioned, and described in the bill of the Complainants as appertaining to the real Estate of which the late Samuel H. Griffin died seized and possessed. the same being that certain lot piece or parcel of land situate lying and being in the town of Franklin Southampton County, Virginia, and bounded on the East by Main Street On the South by Third Avenue, on the West by the land of

M H Moore — and on the
Work by the land of Henry Williams —
and partition the same among the heirs
at-law of the said Samuel K. Griffis dec'd. if
partition in kind be practicable; but if par-
tition in kind cannot be made, to determine
and report to Court which the entire lot may
be allotted to any party interested, who will
accept it and pay sum for the other parties
interested such sums of money as their interest
therein may entitle them to, or whether the
interest of all the parties will be promoted
by a sale of the entire lot, or an allotment
of a part and a sale of the residue, and
the proceeds of said sale divided among
the parties entitled thereto. And in either
case said Commissioners are required Report
to Court the facts upon which their opinion
is based and it is further decreed
that this cause be made a Vacation
cause all parties being represented
in open court and consenting thereto

Griffin et al
vs
Deeds
Griffin et als

To be entered

Chisholm

May 7th 1890

Entered

Griffin v als

v 3

Griffin v als

Decree

This day this cause came on again to be heard on the papers forming the record and was argued by counsel On consideration whereof and it appearing to the court that K.K. Griffin the commissioner appointed by a decree entered in vacation on the 15th of March 1890 to sell certain lands lying in the Town of Franklin belonging to the estate of J.H. Griffin dec'd has declined to act, The court doth adjudge, order and decree that J.H. Griffin be appointed a special commissioner in his place who shall after having given the bond hereinafter directed proceed to carry out and execute the decree entered in this cause in vacation on the 15th of March 1890 But the said J.H. Griffin said shall not proceed to act under this decree until he shall have executed in the clerks office of this court a bond in the penalty of $2300 with good and approved security for the faithful discharge of his duties under that or any future decree which may be entered in this cause

Griffin + als
vs. Decree
Griffin + als.

Helen Leutchs House
lot $1,050.00

Eugene Holland Comm
Lot $451.00

Geo Lemmpher End
Lot $176.00

Southampton Circuit Court

May Term 1890.

Griffin + als
vs. Decree
Griffin + als

This day this cause came on again to be heard on the papers formerly read and was argued by Counsel. On Consideration whereof and it appearing to the Court that K. R. Griffin the Commissioner appointed by a decree entered in vacation on the 15 of March 1890 to sell certain lands lying in the town of Franklin belonging to the estate of S. K. Griffin dec'd has declined to act; the Court doth adjudge, order, and decree that J. K. Griffin be appointed a Special Commissioner in his place who shall after having given the bond hereinafter directed proceed to carry out and execute the decree entered in this cause in vacation on the 15 of March 1890. But the said J. K. Griffin shall not proceed to act under the said decree until he shall have executed in the Clerks Office of this Court a bond in the penalty of $2500 with good and approved security for the faithful discharge of his duties under that or any future decree which may be entered in this cause.

A Copy- Teste: B. F. McLemore Clk. Cir. Ct.

Griffin et als:

Summons

Griffin et. als:

1889. 1 Oct. Rules

Cir: Ct.

Executed Oct. 5. '89
1889 by delivering a
Copy of this Summons to
J. R. Griffin J. W. Griffin
& E. W. Griffin

J. W. Williams
Sh'ff

X

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County—Greeting:

WE COMMAND YOU TO SUMMON E. M. Griffin, J. H. Griffin, J. W. Griffin, Tillie N. Daughtry & H. C. Daughtry, the last two infants, under 21 years of age,

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 October next, to answer a bill in Chancery exhibited against them in our said Court by K. R. Griffin, W. S. Griffin, H. H. Griffin and Geo. H. Griffin

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

WITNESS, ~~J. B. PRINCE~~, B. F. McLemore Clerk of our said Court, this 3 day of October, 1889, in the 114 year of the Commonwealth.

Test: B. F. McLemore C.C.

Virginia, In Vacation, Southampton Circuit
Court, Sept 27 1890.

Griffin et als
vs } In vacation
Griffin et als

This day this cause came on again to be heard (in vacation) on the report of special Commissioner John H Griffin, reporting sale of the lots, piece or parcel of land mentioned and described in the complaints bill of complaint to which report no exceptions have been taken, and upon accepted service of notice as to John H Griffin E. M. Griffin and Julia H Griffin and as to B Prince guardian ad litem of Lillie and Ida M H Daughtry infants under the age of twenty one years, parties defendants to said bill of complaint: that a decree would be asked for confirming the sale of the real estate in the proceedings mentioned &c and was argued by Counsel. Upon consideration whereof the Court doth approve and confirm the sale reported by said Commissioner and doth order and decree that said Commissioner Griffin is hereby directed to check upon and pay out of the funds to his credit as such at the Bank of Vaughan & Co at Franklin Virginia as follows, first. the accrued cost of suit, expenses of sale, and allowance of special fee to counsel conducting said suit

together with a fee of five dollars to Jas B. Prince for his services as guardian ad litem for Tillie H and L H Daughtry, and second to distribute the remainder of said fund among the heirs at law of said S.H. Griffin dec'd as they are entitled under the law, that is to say, one eighth part to Geo H Griffin one eighth part to E.M. Griffin, one eighth part to W.H Griffin, one eighth part to W. S. Griffin, one eighth to John H Griffin one eighth part to K.R. Griffin one eighth part to J.W. Griffin, and one eighth part to the legal guardian of Tillie H. and L H Daughtry, taking their receipts therefor and returning the same with his vouchers with a report of his transactions under this decree.

And it appearing by the report of said Commissioner that Kelly Crutchin purchaser of Lot No 1, Eugene Holland, purchaser of Lot No 2 and Augustus Crumpler purchaser of Lot No 3 are desirous of anticipating the deferred payments on their respective purchases by paying the whole of the purchase money in cash it is further ordered that Comr Griffin permit them to do so, and that upon such payment he execute to them deeds with special warranty for the lots purchased by

them respectively and he is also required to report to Court his transactions under this clause of the decree.

And this decree is certified by the Court to the Clerk of the Circuit Court of Southampton County and directed to be entered in his Chancery order book.

C. N. Hill

A copy Teste.

B. F. McLemore C.C.

Dr. M. E. Saunders
Receipt to
G. H. Griffin
Dyed Cocoons

L1

Received of Mr John H. Griffin
Special Commissr of S. H. Griffin
deceased. Seventy Dollars and Seventy
eight Cents. This being one eighth
of amount Collected for Three
Yrs. Rent in the Town of Franklin
After all expenses are deducted
The above amount is due Tillie
W. Daughtry and Wallie C. Daughtry
Sons of Samuel H. Griffin. This
Oct 10th 1890.

M. E. Daughtry
Guardian.

Recieve of Mr J.H. Griffin
Nine ten dollars and fifty cents
as part of amount of the land
of Samuel H Griffin Sold for Said
amount by Tollin & Curry
Daughtry's part of same -
This Sept 15th 1891

M. E. Daughtry
Guardian for Tollin & Curry

Receive of Mr. J. H. Griffin
Special Commissioner for Mr. Sam
Griffin's Estate Forty Three dollars
for Lillie W. & Carry Daughtry
This May 6th 1891,

M. E. Daughtry Guardian for
Lillie & Carry Daughtry

Receive of Mr John H. Griffin Special Commissioner for Sale of S.H. Griffins real estate. Sixty dollars as part of second payment made on Lot in the Town of Franklin. The Same being M.W. Daughtry & W.E. Daughtrys part. This Jan. 31st 1891.

M.E. Daughtry
Guardian

VAUGHAN & CO., Bankers,

Dr. 1870

In Account with J. H. Gifford Special Com. Cr.

July 29	To Dispatch	67	33		

£70.00 Rec.d of Mr. J.W. Griffin Crowle

Doctors on a/c —

Oct. 10/90.

Pullon & Co

$19 52

Rec'd of Mr. J. H. Griffin Spl Am't Nineteen
& 52/... Dollars from sale of S. H. Griffin's
lot. an a/c

Pulow V Co

June 28/91.

£60.00

Rec'd. of Mr. Jno. H. Griffin Sixty Dollars on a/c - Jones Tax of land -

Jany 31/91.

Pulow Va

£43 19.

Rec'd of Mr. Jno. H. Griffin

Forty-three & 19/100 Dollars

on acct

April 13/91 Preston & Co

Gruppen W. H.
Z. Reisel—
Griffin J. V. Ford Comm

1891 Nov 20th Recd of E. H. Griffin Spl Comrs. in the Chancery suit of Griffin &c &c as Griffin &c One hundred and Ninety two 46/100 dollars The same being my part in full of the proceeds of the Sale of the Lot of land in the Town of Franklin Southampton county Va. belonging to the estate of T. H. Griffin decd

Hunter Griffin
one of the heirs at
Law of T. H. Griffin decd

Griffin K R
Jo 3 Receipts
Griffin J H Hospl Constr

1894 Oct-15. Rec'd of Jno H. Griffin Dpt Const in the County Court of Griffin and H. Griffin Trustee One Hundred and Ninety-two 46/100 dollars, the same being my part in full of the proceeds of sale of the lot of land in the town of Franklin South-ampton County, belonging to the Estate of S. H. Griffin dec'd.

H. R. Griffin, One of the Exs of Lewis S. H. Griffin dec'd.

Receipt of E. M. Griffin
for Geo. W. Griffin
to J. H. Griffin

Fed Court

1891 Nov 20th Recd of E. H. Griffin $5 costs in the Chancery suit of Griffin &c. vs Griffin &c for my Bro. L. W. Griffin one hundred ninety two 46/100 dollars the same being his part in full of the proceeds of the sale of the lot of land in the Town of Franklin Southampton County Va. belonging to the estate of E. H. Griffin decd

E. W. Griffin

for L. W. Griffin one of the heirs at Law of E. H. Griffin decd

HOWARD PAYNE COLLEGE. Brownwood, Texas, Sept 24th 1891

My Dear Sister Matilda

You will do me the favor to receipt John for $ Labour Sent
Murray he has or may send me He says I can authorize you receipt him for me So this is your authority

I would Like to write you a long letter but I am at this time pressed for time I have just move to this place to take charge of the Theological Department in the Howard Payne College I have not got a house to move in nor is my furniture here yet I think we shall do well here we have a fine prospect for success and a large field for usefulness I hope this is my last

HOWARD PAYNE COLLEGE. Brownwood, Texas, ... 189

Sharp: I am getting old in years if not in feeling - I must admit that I sometimes feel old - not all the time We have now only 3 of our children with us: Ella Irving and Sam Chesley the others are out in the world doing very well I hope Mother Ella is not now feeling very well I do hope she will feel really well soon I want to come to see you all next Summer if possible All send love to you all. God bless you all.

Your brother

George

Receipt of E. M.
of J. H. Griffin &
J. H. Griffin
Yolo Co

1891 Oct. 1st Recd. of J. H. Griffin Spec. Comr. in the Chancery Suit of Griffin et. als Griffin etal five hundred and seventy seven 38/100 dollars the same being our part and Brothe W. D. Griffins part in full of the proceeds of Sale of the lot of land in the town of Franklin, Southampton county belonging to the Estate of D. H. Griffin decd.

E. K. Griffin
J. H. Griffin.

Three of the heirs at Law of D. H. Griffin decd.

Galveston Texas
July 12/90

My Dear Sister.

I received a letter from Bro John to day asking me for the loan of my interest in the proceeds of the sale of some of Bro Sams property which would amount to about $175. I wrote him that my purpose is to let you have my interest in the estate of Bro Sam as long as you should have need of it. So it is in your hands to do as you please in the matter.

We are all in good health. I am glad to learn that you are all well. I expect to see you all sometime this fall. Much love to all.

Yours very affectionately
T. D. Griffin

1891. November 3rd Rec'd of Jno H. Griffis
Sh. Cont. in the Chancery Suit of Griffis
et al vs Griffis et al Eighty-one $^{00}/_{100}
dollars in full of fees for services
in the prosecution of the above
mentioned suit, - and for drawing
three deeds Conveying lands & pur-
chasers, & had under decree of
of the Court in said cause

K. R. Griffis

Recd - of H. K. Griffin
To E. H. Griffin Esq
Comal
Fees in Suit of
Griffin & al
Griffin

Mr. Samuel H. Griffin East No. 269

1890. To JAS. J. DARDEN, Treasurer of Southampton County. Dr.

SUBJECTS OF TAXATION.	STATE TAX, 30c. ON $100.	SCHOOL TAXES. STATE, 10c. ON $100.	SCHOOL TAXES. COUNTY 5c. ON $100.	SCHOOL TAXES. DISTRICT. 5c. ON $100.	COUNTY LEVY. 45 cents on $100.	TOTAL TAX.
To 342 1/2 acres Land, value ...$2948.	8 84	2 94	1 48	1 47	13 27	28 01
" Personal Property, value ...$						
" Capitation Taxes						
" Income $						
28 01 Total						
Fee Bills $11.00 of this fund as taxes of the property sold						
5 per cent. additional						1 40
Total						29 41

Received payment 20 day of June 1891 J. H. Johnson D.T. Treasurer.

HARRELL'S PRINT WELDON, N. C.

Mr. Saml. H. Griffin Esq.

18 90 To TOWN OF FRANKLIN, Dr.

1st July—To Tax on $ 1100.00 Real Estate at ..... per $100 value, for Town Purposes	$ 2	20
To Tax on $ ..... Personal Estate, at ..... per 100 value, for Town Purposes		
To Capitation		
Dr—To 5 per cent. added after December 1st		
	$	

Received Payment Thos. W. Olivia Sergeant.

Recd of Mr John H. Griffin
($5.00) Five dollars for
services as crier of Sale
of Property in Franklin
Property of Samuel Griffin
deceased J. T. Peters exr
July 19. 20

Rec'd. Octo. 20th 1890 of John H. Griffin Special Comm'r $2.50 fee in Chancery Suit of Griffin v.s. Griffin.

J. H. Williams

Solr.

E. W. Williams Sheriff
Receipt To
E. K. Griffin Asst Comm

Franklin, Va., Nov. 5th 189[illegible]

Mr. Jno. H. Griffin Special Commissioner

To Southampton Democrat, Dr.

W. H. Stroud, Proprietor.

JOB PRINTING DONE WITH NEATNESS AT LOW PRICES.

June 25	20 ~~1000~~ 1/2 bills sale of real estate	1	00
July 3	2 do in ad in Democrat 2 sales of real estate 2.50	2	50
		$3	50

Duplicate

Paid

W. H. Stroud

Decree + Copy .72. C.

May 9 | Cert: 25. - Future Cert. 25:

Nov 11 | Filing Report. 25. Satg Certs 40. decree + Copy 72. Filing away papers 25. $1.87

Paid by J. H. Griffin, Cmr
D. F. McLaurin 66

25
65
72
25
1.87

$9.08

Rec'd Oct. 7. 1890 of
J. K. Griffin Special Commis-
sion. Nine & 08/100 dollars
Costs in suit of Griffin & als:
v Griffin &c.

B. F. McLemore C.C.

Griffin Geo. W. et als.

vs } Lewis (additional)

Griffin et als

1900. Apr. 10 Continuances 2,50. Tax costs (5 years) 50 = 3,00

Filing answer papers 25; Entering Lewis abord 1,00 1,25

1901 Oct. 3 continuances 4.25

75

5.00

Paid L. A. Gay Esq. 5.00

Griffin + als. v Griffin als: to
Oct. 7- 1890.

Clerk	$9.08 paid
Shff	2.50
Lawyer	16.50
	$28.08

Nov/91 Future Costs - $1.82 paid - B.F.M

Memo of Cost of Sale

Recd of C. B. Paine
Guardian ad litem

Rec'd Nov 6. 1891 of J. H. Griffin Coun. in Griffin's def. vs Griffin def. five dollars allowed me as Fee as taken in said suit.

I. B. Lewis