

1857-009 Chancery Causes: Permelia Baskins, E. L. Crompton & ux, & Edwin Gray & ux VS Elizabeth
Isle of Wight County Baskins, widow of William Baskins & al

other SURnames: Batten

KNOW ALL MEN BY THESE PRESENTS, That we, *Saml. Crumpler*
and *Josiah P. Gay*

are held and firmly bound unto the Commonwealth of Virginia in the sum of *four hundred*
dollars

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. As witness our Hands and Seals, this *5th* day of *November*, in
the year of our Lord, one thousand eight hundred and *fifty five*

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas by a Decree of the
~~Circuit~~ ^{County} Court of Isle of Wight county pronounced on the *5* day of *November 1855*
in a cause depending in the said Court in which *Permelia Gaskin, E. D.*

Crumpler and Ann his wife, and Edwin Gray and
Amanda his wife and _____ plaintiff, and

Elizabeth Gaskin, widow of William Gaskin (decd.)
May a Gaskin, Mendoak Gaskin, William Gaskin,
and Nelson Gaskin, and _____ defendant, the

above bound *Saml. Crumpler* is _____ was appointed a special Com-
missioner to make sale of the whole of the land of *William*
Gaskin decd., subject to the dower of *M. Elizabeth Gaskin*
either on the premises or before the Courtroom door of
this county of Isle of Wight, at public auction to the
highest bidder, on a credit of six months (except
for a sum sufficient to pay expenses of suit & sale
which shall be in cash) first giving at least 15 days of
notice of the time & place of sale, & later from the
purchaser bond with good security for the credit part
of said sale payable to himself as commissioner within
said bond to come with his report of sale.

Now if the above bound *Saml. Crumpler* shall faithfully discharge
his duties as Commissioner under the said Decree, then the above Obligation to be void, otherwise to
remain in full force and virtue.

Signed, sealed, and delivered }

in the presence of }

A. P. Murray

E. L. Crumpler 
Josiah P. Gay 


Gaskin

v. $\frac{3}{4}$ Comd. Bond

Gaskin tab.

24th filed 5th Nov. 1886

We the Undersigned adult heirs of
Wm Gaskins dec^d hereby request the
County Court of Isle of Wight to grant
a Decree to assign the widow Dower
and to sell and distribute the
Balance —

Oct. 28 1853.

Witness

Charles B. Gumples

Elizabeth ^{her} Gaskins
mark

Francis Gumples

Pernelia ^{her} Gaskins
mark

Edwin Gray

This deed made the 12th day of July
in the year 1856 between E. L. Crumpler
(Comr.) of the first part and Elizabeth Gaskins
of the second part, witnesseth that in Consideration
of the sum of Two Hundred and fifty five
dollars to him, in hand paid by the said
Elizabeth Gaskins; the said E. L. Crumpler
doth grant unto the said Elizabeth Gaskins
all the land formerly owned by William
Gaskins Decd. Containing fifty six acres
more or less; and bound by the lands of
John Boykin, Rena K. Chapman and James
Ellis. (This deed is made by authority of a
decree made the 3rd day of March 1856.)
The said E. L. Crumpler covenants that he
will warrant generally the property hereby
conveyed as witness the following signature
and seal.—

Witness
E. Gray
M. Gaskins

E. L. Crumpler Comr. seal

A deed from
E. L. Crumpler Com.
To Elizabeth Gaskins
for Real Estate

Gaskin tal. vs. Gaskin tal

This cause came on this day to
be again heard on the papers formerly read for
the ~~subm~~ Report of E. L. Crumpler made pursuant
to the decree of 3^d March 1856 to which no exceptions
have been filed, & was argued by counsel. On consideration
whereof the Court doth confirm said Report & doth
adjudge, order & decree that the proceedings
had in the cause be made final & binding
between the parties.

Gaskins

W.

Gaskins

final decree

to be made

Ex. 10. 100000

Permilia Gaskins sal:

m.

Elizabeth Gaskins sal:

This cause came on this day, & he again heard on the papers formerly read & on the reports of Com. E. L. Crumpler, ^{of H. Johnson & B. H. Chapman} made pursuant to the decree of 5 Nov. 1853, to which no exceptions have been filed and was argued by Counsel. On consideration whereof the Court doth confirm said Reports & doth adjudge, order & decree that E. L. Crumpler, Com., as aforesaid receive of the Clerk of this Court the Bond of Elizabeth Gaskins of \$277.25 filed in said cause, & collect the same, and proceed to distribute the same as follows—

To Permilia Gaskins one seventh; To E. L. Crumpler & also his wife one seventh; To Edwin Gray & Amanda his wife ^{one seventh} & to Mary A. Murdoch, William & Rebecca Gaskins each ^{the sum to be paid} one seventh; and make a deed to the purchaser (Elizabeth Gaskins) for the Land sold by authority of this cause in the usual form, with special warranty and make report to Court.

Gaskins & Co.

W. S.

Eliza Gaskins & Co.

~~Final Decree.~~

Decree
distributed

A Court held for Isle of Wight County On the 5th of Nov. 1853.

Pamelia Gaskins, E. A. Crumpler and Ann his wife, and
Edwin Gray and Amanda his wife Plaintiffs.
Against $\frac{1}{3}$ In Chy.

Elizabeth Gaskins, widow of William Gaskins decd; Mary
A. Gaskins, Maudock Gaskins, William Gaskins and ~~Richard~~
Gaskins, the last four being infants under twenty one
years of age. Defendants

On the Motion of the Complainant, Nath^l. P. Young
is appointed guardian ad litem to defend the Infant Defendants,
in this suit, whereupon by Consent of parties, ^{the} Complainants
filed their Bill - and the Defendants their Answer, And the Cause
was by like Consent docketted, and came on to be heard by Consent
of the parties and with the assent of the Court on the Bill, and answers,
and replications to said answers - and examination of witnesses, (and
was argued by Counsel; On Consideration whereof the Court doth
adjudge order and decree that Hardy Chapman, Richard S.
Chapman and Thomas Hall be - and they are hereby appointed Com-
missioners for that purpose (Any two of whom may act) to assign
unto Elizabeth Gaskins, widow of William Gaskins decd: one third
for life of the land of which her said husband died seized possessed
having regard to quantity and quality as & for her Dower therein,
which land is described as a tract of land in the County of Isle of
Wight, Containing fifty six acres more or less, and adjoining
the lands of R. H. Chapmans Estate, John Sykes & Jon. Boykin
and make report to Court, and the Court believing that a
partition of said land among the several heirs would be injurious
to them, and that a sale thereof would promote their interest,
doth adjudge order and decree, that E. A. Crumpler, who is
hereby appointed a Commissioner for that purpose, make sale
of the whole of said land, Subject to the Dower of Mrs. Elizabeth
Gaskins as aforesaid, Either on the premises or before the Court
house door of Isle of Wight County, as he may deem best.

at public auction to the highest bidder. On a credit of six months (except for a sum sufficient to pay the Costs of suit and expenses of sale which he will require in cash, and pay to the parties entitled thereto), first giving at least fifteen days Notice of the time & place of such sale by advertisement at the Court house door of Isle of Wight County - and at least four other public near said Land, and will take from the purchaser bond with good security for the Credit part of said sale, payable to himself as such Commissioner, and return the said Bond to Court, and withhold the said title to said Land till the further order of Court, & make report to Court. But before the said E. S. Commissioner shall make the sale as aforesaid, he shall execute before the Clerk of this Court in his office, a Bond payable to the Commonwealth in the penalty of \$400, Conditions according to law.

A Copy
Filed.

J. C. Latimer Dec

Bond executed.

Atts. fees . \$10.00

clerk. " 5.00

Costs - \$15.00

July 4. 1856. W.L.L.
meas.

Gartham

W. H. Coffey Dec

Gartham

(24/12)

Permelia Gaskins, E. L. Crampler and
Anne his wife, and Edwin Gray and
Amanda his wife Compts.
vs.

Elizabeth Gaskins (widow of William
Gaskins decd?) & Mary A. Gaskins,
Murdock Gaskins, William Gaskins,
& Rebecca Gaskins - the last four
being infants, under twenty one years
of age - Defts.

On the motion of the Complainants, Nathl. P. Young
is appointed guardian ad litem to defend the
Infant Defendants in this suit, whereupon by
consent of parties the Complainants filed their Bill &
the Defendants their answers, and the cause
was by like consent docketed, & came on to be
heard by consent of the parties and with the assent
of the Court on the Bill, and answers and Replications
to said answers & examination of witnesses

(and was argued by counsel; on consideration whereof
the Court doth adjudge order & decree that Hardy
Chapman, Richard F. Chapman and Thomas Hale
be and they are hereby appointed Commissioners for
that purpose (any two of whom may act) to
assign unto said Elizabeth Gaskins, widow of
William Gaskins decd. ^{one third, for life,} ~~one third, for life,~~ ~~of the land~~
of which her said husband died seised, having
regard to quantity & quality, as and for her Dower
~~for~~ therein; which land is described as a tract
of land in the County of Isle of Wight, containing
fifty six acres more or less, and adjoining the
Lands of R. K. Chapman's estate, Mrs. Sykes &
Mrs. Boykin - and make report to Court - And

the Court believing that a partition of said Land among the several heirs would be injurious to them, and that a sale thereof would promote their interests,

~~the Court doth further~~ adjudge, order and decree that E. S. Crumpler, who is hereby appointed a Commissioner for that purpose, make sale ^{of the whole} of said Land, subject to the Order of Mrs. Elizabeth Gaston as aforesaid, either on the premises, or before the Court house door of ~~New Brunswick~~ ^{Isle of Wight} County as he may deem best, ^{at public auction to the highest bidder,} on a credit of six months except for a sum sufficient to pay the costs of suit & expenses of sale which he will require in cash and pay to the parties entitled thereto), first giving at least fifteen days notice ^{of the time & place} of such sale by advertisement at the Court house door of ~~New Brunswick~~ ^{Isle of Wight} County & at least four other public places, near said Land, and will take from the purchaser bond with good security for the credit part of said sale payable to himself as such Commissioner, and return the said Bond to Court, and withhold the title to said Land till the further order of Court, (and make report to Court—

But before the said E. S. Crumpler shall make the sale as aforesaid he shall execute before the Clerk of this Court in his office a Bond payable to the Commonwealth in the penalty of \$400. Conditioned according to Law.

Gastins sal.

27
Gastins sal

Decree Nov. Ct.
1855.

To be entered

J. M. Gordon

In obedience to the above decree I did, (on the
7th day of July 1856.) Receive of the Clerk of
the County Court of Isle of Wight the bond of
Elizabeth Gaskins as above named of \$227.25
and collected the same and distributed the same
as follows; to Permelia Gaskins one seventh,
to E. L. Crumpler & Ann his wife one seventh,
to Edwin Gray & Amanda his wife one seventh
to Elizabeth Gaskins Guardian for Mary A.,
Murdoch, William and Rebecca Gaskins each
one seventh, and have also made a deed to Elizabeth
the purchaser of of W. land named in the above
decree. This report is made by order of the Court.
all of which is submitted to the Court

E. L. Crumpler Comr.

At a County Court held for the County of Lexington
On the 3^d day of March 1856.

Pamelia Gaskins and others

Against
Elizabeth Gaskins & als.

3 In chancery

This Cause came on this day to be again heard on the
papers formerly read. On the report of Court. E. L. Crumpler & of
H. Chapman and R. L. Chapman. Made pursuant to the
Decree of 5th Nov. 1855 to which no exceptions have been filed,
One was argued by Counsel; On Consideration whereof the Court
with Confirmed said report & with adjudge order & decree that
E. L. Crumpler Court. As appraiser receive of the clerk of this
Court the Sum of Elizabeth Gaskins of \$227.25. filed in
said Cause, & collect the same, and proceed to distribute the
same as follows. to Pamelia Gaskins one seventh, to
E. L. Crumpler and Ann his wife one seventh, to Edwin Gray
& Amanda his wife one seventh, to Mary A. Murdock, Willis
and Rebecca Gaskins each one seventh, The sums to be paid
the infants to be paid their guardians, And make a deed to
the purchaser (Elizabeth Gaskins) for the land sold by authority
of this decree, in the usual form, with special warranty,
and make report to Court.

A copy

of this decree. J. C. Statum D.C.

Gartius. tal,

18. } legy, Dura

Gartius. tal,

In obedience to the annexed decree of the County Court
of Longmire Store Court 1855 I have after complying
with the requirements therein named sold the Tract &
Land named in said decree adjoining E. M. Chapman
Et al & others containing 56 acres more or less at public
auction on the 7th day of January 1856 at the Court
house (that being Court day, to the highest bidder
when Elizabeth Gaskins became the purchaser for the
Sum of ————— \$255.00

for which she paid in cash for expenses of
sale viz.

Commissioners	\$12.75
Atto:	10.00
Clerk	5.00
	<u>\$27.75</u>
Balance	<u>\$227.25</u>

for which Balance the said Elizabeth Gaskins has
executed her bond of this date payable six months
after date to one as commissioneer with Clements
Battin & Edwin Gray as her security all of
which is respectfully submitted to the Court —
This 7th day 1856

E. L. Crumpler Com. magis.

Gaskins sal.

187;

Gaskins sal.

Com. Report of
sale &c

July. 7. 1856. Recd of
A. P. Young clk.
of County Court of
Sale of ~~the~~ the bond
of Ely Gaskins, for
\$227. 25 which
was returned with this
report.

C. L. Crumpler ^{Comr}

In obedience to a decree of the court
of San Joaquin county, pronounced on the 5th
day of November 1855, we the undersigned commis-
sioners as named in said decree, did meet on the
22nd day of December 1855, and after viewing the land
named in said decree proceeded to set apart one third
part in value to Elizabeth Gastino widow of Wm. Gastino
decd.; Commencing at an ash on Kena H. Chapman's
line, thence along a line of marked trees to a pine
stake a corner, thence along a line of marked trees
to a Gum on Kena H. Chapman's line, thence along said
Kena H. Chapman's line to ash first named: all of
which is respectfully submitted to the court
Given under our hands this day and date above
written

H. Chapman
W. H. Chapman

Gaskins sal,

or (Comr
report to
a sign Dones
Gaskins sal

Permelia Gaskins sal. }
 or... }
 Elizabeth Gaskins sal. }

Chancery suit in
 County Court of
 Isle of Wight Co

The deposition of Clements Battin
 taken by consent of parties at the Court House ~~and~~
 of Isle of Wight County on the 5th day of Nov.
 1833, to be read as evidence in said cause -

The said Clements Battin being duly sworn
 says he knew Wm Gaskins, now dead, very
 well, and that he died possessed of a
 small tract of Land in said County
 containing fifty six acres more or less &
 adjoining the Lands of H. H. Chapman's
 estate, Mrs. Sykes & Mrs. Byrd - That the said
 Land is worth about three hundred ~~dollars~~
 dollars - That after assigning down to
 the widow of said deceased, a partition
 in kind among the heirs (seven in number)
 would be very much to their disadvantage
 & could not be conveniently done - That
 a sale of the entire subject would pro-
 mote the interests of the several parties
~~and~~ according to his judgment - That he
 has no interest in the matter -

Signed

Clements Battin

Taken before me as above
 this 5 Nov. 1833

John R. Kelly

Taken by consent
 John R. Kelly atts.
 for
 Clerk for
 In Court & Depts.

Gaskins tal:

or: ξ Dep:

Gaskins tal:

To the worshipful Court of Isle of Wight
County, in Chancery sitting; Complaining shew
unto the Court. Your Complainants, Permelia
Gaskins, E. S. Crumpler and Anne his wife,
& Edwin Gray and Amanda his wife —

Your Complainants represent to the Court
and say That one William Gaskins died in the
said County, in the month of October 1854, intestate
leaving a small tract of Land of about fifty
six acres more or less, situate in the said County
and adjoining the Lands of R. K. Chapman's estate,
John Sykes, John Boykin & others, and which
is worth about Two hundred & fifty dollars —

That the said William Gaskins left as his
heirs at Law (and distributees, to whom the
said Land descended, his widow, named Elizabeth
and seven children, to wit. your complainants Permelia,
Anne & Amanda, & Mary A. Munrook, William,
& Rebecca Gaskins the last four ~~are~~ being under
twenty one years of age —

Your Complainants charge that to divide
the Land in kind is wholly impracticable, without
great detriment & loss to the several parties, as it
would give to each heir a few acres, nearly
worthless, especially as the widow of said deceased
is entitled to her Dower therein — That if the
Court believe that partition cannot be conveniently
~~made~~ or advantageously made, that then they
pray that the said Elizabeth Gaskins widow
of said deceased may have her Dower in said
Land duly assigned her, and that ~~the~~ the
said Land may be sold subject to said
dower right, and the proceeds divided among
the parties entitled —

In consideration whereof & forasmuch

as this Court has jurisdiction, Your Complainants
pray that Elizabeth Gaskins (widow of William
Gaskins dec'd) and Mary A. Gaskins, Murdock
Gaskins, William Gaskins, & Rebecca Gaskins
(the last four being under twenty one years of age)
may be made defendants hereto, and be required
to answer on oath, the several allegations herein —
that Dower may be assigned to Mrs. Elizabeth
Gaskins widow of Wm Gaskins dec'd & that the Land
aforesaid may be sold subject to said Dower,
& the proceeds divided between the several parties
entitled — and that such other (and further
decree maybe made as maybe consistent with
equity &c.

John R. Kilby p. q.

The joint (and separate answer of Mary A. Gaskins,
Murdock Gaskins, William Gaskins & Rebecca
Gaskins, (by A. P. Young their guardian ad litem)
to the Bill aforesaid.

These Respondents say that the facts
alleged in the Bill aforesaid may possibly
all be true, but as they are infants under
twenty one years of age, they are not prepared
to say what their interests are in the premises,
(and therefore they submit the same to the
Court — and pray that nothing may be done
in the premises to their injury, and having
answered &c. &c.

Signed

The answer of Elizabeth Gaskins widow of
William Gaskins dec'd to the foregoing
Bill — This Respondent in answer to so much
of said Bill as she ^{is advised} ~~deeds~~ she is required to answer,
says she desires her Dower in the Land of her
dec'd husband to be assigned her, as asked for
in the Bill, and as to the other matters therein
she is not required to answer and therefore
prays to be dismissed &c.

Signed,

Elizabeth Gaskins
p. J. R. Kilby att.

Kilby J. G.
Permelia Gastkins tal.

or. } Bill &c

Elizabeth Gastkins tal.

Nov. 5th 1855 - Bill r. paid
fifty. decres.

Mar. 7th 1856 ~~paid~~ decres.

Aug. 1. 1856. rept. of
and being made r.
Sept. 7. 1857 final
decres.

Isle of Wight Co. Ct.