

1871-003 Chancery Causes. Joseph J. Daughtrey & al vs Edward Daughtrey, Algeonon Daughtrey, &
Isle of Wight County Martha P. Daughtrey, by & c

other surnames Brinkley

Kilby J. V.

Mr. J. Daugherty Sal.

W. } Bill

Edmund Daugherty Sal

Jan. 4th. 1869 Bill
f. filed & inty. dec'd.

June 7. 1869 Rpt. filed

New. term 1869 - Dec'd
confut. ript. & ordinary
payments &c.

June 8th 1869
Final Dec'd

J. of W. Co. or.

Priscilla Daughtry her, Dower.

Your Complainants say that the said Land is not of great value & not likely now to increase in value, and believing that it will be best for all parties to see the said Land subject to said Dower either by allotment to such of the heirs as will pay a fair price therefor or by public sale, they therefore pray that such sale or allotment may be made and the proceeds divided among those entitled.

In Consideration whereof And as this Court has power to grant all adequate relief - to the End Your Complainants pray that the said Edward, Algernon & Martha P. Daughtry (all Infants) may be made defendants hereto & that some proper person may be appointed to defend them herein - that the prayer of your Complainants may be granted and that all further relief proper may also be granted. J^c

John R. Kilby J. J.

In the Worshipful Court of Isle of Wight
County, In Chancery sitting
Complaining shew unto the Court your
Complainants Joseph J. Daughter, Elizabeth
M. Daughter, Margaret Jane Daughter,
Elcy Daughter, Allen Daughter &
Aspenath Daughter - all over twenty
one year of age.

Your Complainants respectfully
represent to the Court and say, That Joshua
Daughter died in said County on the
6th day of April 1868, Intestate, leaving
a widow named Priscilla & seven
children (your Complainants) & three grand
children - being children of his daughter
Margaret E. L. who married Richard
Daughter & she being now dead & leaving
three children to wit: Edward - Algernon &
Martha P. Daughter all under age of
21 years. - as his heirs at Law.

That the said Joshua Daughter
left at his death, a tract of Land in
Isle of Wight County ^{all except about 5 acres in Nansemond County} of which he died seized
and possessed, containing 115 acres, more
or less, and adjoining the Lands of Lawrence
Johnson, Wm. Saunders dead, Josiah J. Cutcheon
& others -

That in the said Land the said

Daughter Jr
(1)

Daughter Jr

Amount of
Infant kept by
Jd. n. as taken

In the County Court of the County of
All of West County

The Joint separate answer
of Edward, Alferon & Martha P.
daughters Infants ^{by A. P. Young their guardian ad litem} to a Bill in
Chancery filed in said Court against
them by J. J. Daughtry & others.

The said defendants say that
the statements in said Bill may all
be true so far as they know or believe,
but being Infants and ignorant of their rights
submit the same to the Court & pray that no
order or decree may be made in the premises
inconsistent therewith.

Signed

A. P. Young guardian
ad litem

Daughter
" } Report of
 } Course

Daughter

Pursuant to a decree of the County Court of
I. of Wright County at January term 1869. we
the undersigned commissioners have proceeded
to view the lands whereof Joshua Daughtry died
died possessed, and we find that a division
would be impracticable, we therefore have
proceeded to value said land, and ^{are} of opinion
that five hundred dollars is a fair value
for the same, subject to the dower of Mrs.
Priscilla Daughtry therein, we have then
allotted to Joseph J. Daughtry the whole of said
lands at five hundred dollars, subject to
the dower therein, parties consenting to the same.
March 22nd 1869

Respectfully submitted

A. R. Butler

Wm H. Carters

A. H. Holland

Daughter's

3.

Daughter's

Report of
Payments

Let down in order

Sec'd

(J. R. K.)

1871 April 27 Rec^d of Dr. J. Daugherty
the sum of twenty one dollars & 43^{cs}. each
as per foregoing report, and also the
Interest on the same from the 22nd day of
March 1869.

Witness

W. H. Cuthbert

Elizabeth M. Daugherty

Margaret Jane Daugherty

Eley Daugherty

Asenath Daugherty

Allen Daugherty

To the County Court of ~~Salem~~ Wright.

The undersigned Reports to Court That
pursuant to the decree of the 3^d of Nov. 1869
made in the case of Joseph J. Daugherty &c.
against Edward Daugherty &c., he has paid
to the several parties the sums decreed. To them
Respectfully, to wit:

To Elizabeth M. Daugherty		\$ 71.43
& acc Interest		
To Margaret Jane Daugherty D ^r & Int.		\$ 71.43
To Eliza Daugherty	Do "	71.43
To Allen Daugherty	Do "	71.43
" Assenath Daugherty	Do "	71.43
" Jos. J. Daugherty	Do " retained	71.43
" amts. retained for Edwin, Alphonse & Martha P. Daugherty Infants (having no guardian	}	71.43
Total amts..		\$ 500.00

The Receipts for the payments are annexed.

Respectfully submitted

Jos. J. Daugherty } Comr

Daughtrey, and a like sum of Seventy one dollars and forty three cents to Edwin, Alger-
 mon & Martha P. Daughtrey Infants, with
 like interest, The last amount to be paid
 to the legally qualified guardian of said
 Infants, and that the said Joseph J.
 Daughtrey report his payments under
 this decree, with the evidence thereof, to
 the Court

at Copy

Teste

Geo. H. Hunt D.C.

Daughtrey et als

vs. { Copy of
 Decree

Daughtrey et als

Nov. Co. CI-1869.

1871 Mar. 13 Recd. my fee \$15⁵⁰

John R. Kelly

a, may be willing to accept the same
and pay to the other parties their share
of the proceeds, or if no such allotment
can be made, then report whether in
their opinion a sale of said Land
subject to said Dower would be advisable
and if so the reason, therefor,
and report to Court.

Daughter &
n

Daughter &

1869

San. Co

Secur.

To be returned
W. H. H. H.

Joseph J. Daughtry, Elizabeth M.
Daughtry, Margaret Jane Daughtry,
Ely Daughtry, Allen Daughtry &
Asenath Daughtry

v.

Edward - Algernon & Martha P. Daughtry
(Infants).

On the motion of the plaintiffs by their
attorney, R. P. Young is appointed the
guardian ad litem to said Infant
Defendants by consent of parties this cause
is now docketed by like consent came on
to be heard on the said Complainants' bill
and on the answer of said Infant Defs.
by their guardian ad litem ~~as~~ and this
day filed by leave of the Court, for general
replication to said answer (and was
argued by counsel. on consideration
whereof the Court doth approve, order &
decree that Lemuel C. Cushman, Esq., M.
Holland, Alfred R. Butler & Orion H.
Holland be and they are hereby ap-
pointed Comrs for that purpose (any
three of whom may act) proceed to
value the Land whereof Joshua Daughtry
did propose, subject to the Dower of
Mrs. Priscilla Daughtry Thierin, and
to allot the same to such of the parties

said Joseph J. Deaupter report his
payments under this Decree with the
evidence thereof, to the Court -

Daughter to
m.

Samuel Taylor Jr

1869

An or. Decem

3. Young men
have taken their
own business
time for study.

Daughter P. M. Daughter P.

This cause came on this day to be again heard on the papers formerly read & on the report of A. R. Butler, W. H. Bulchins, & D. H. Holland, Commissioners made pursuant to the decree of the January Court 1869 - to which report there is no exception, and was argued by Counsel.

On consideration whereof the Court doth confirm the said report and doth adjudge order and decree that, the real estate assigned by said Report to Joseph J. Daughtery, be taken and held by him in fee simple, on the payment by him of the following sums - to wit: To Elizabeth M. Daughtery the sum of \$71.43 with Interest from the 22^d of March 1869 - To Margaret Jane Daughtery the like sum of \$71.43, with like Interest; To Eley Brinkley the like sum of \$71.43 with like Interest; To Allen Daughtery the like sum of \$71.43 with like Interest; To Assenath Daughtery the like sum of \$71.43 with like Interest; That a like sum of \$71.⁴³ be retained by said Joseph J. Daughtery, and a like sum ^{of \$71.43} to Edward, Algernon & Martha P. Daughtery, Infants, with like Interest - the last amount to be paid to the legally qualified guardian of said Infants, and that the

Daughtry to
m.

Daughtry to

Final decree

Subscribed
Geo. H. Atkinson

Daughter Jr.

W.

Ed. Daughter Jr

This cause came on this day to be again heard on the proceedings had in this cause & on the report of Mr. J. Daughtery made pursuant to the decree of the 3^d Nov. 1869 - to which report there is no exception. It was argued by Counsel on consideration whereof the Court doth confirm the said Report and doth adjudge, order and decree that A. P. Young be & he is hereby appointed a Special Commissioner for that purpose, make to Mr. J. Daughtery a deed with special warranty for the real estate allotted to him under proceedings had in the cause & nothing more being necessary to be done in the cause it is ordered that this cause be removed from the docket

Franklin Depot Va June 2nd 1871
Mr John A. Kilby

Dear Sir

inclosed you will find the receipt which
you fixed up for me for the heirs to
assign so you will fix up the deed and
get me a right to the land as soon as
you can

Yours Respectfully