

1883-022 Chancery Causes: Alice V. Smith, Frank E. Smith & Eva Smith, by v c vs Charles B.
Dale of Wight County Crumpler & R. A. Clayton, creditors; Annie D. Griffin & al

other surnames Blackwell,
Gay, Chapman, Monford,
Thomas

of legally qualified guardian of said
said infants to be applied by him
or her the education of said in-
fants or held for further order of
this court,

And your petitioners pray that
your Honor may grant such other
and further relief as is agreeable
to Equity & good conscience and
your petitioners will ever pray &c.
W.S. Hall and P.G.

Aug 24th 1881.

James E. Griffin

Virginia

County of Isle of Wight to wit:

This day personally appeared
before me, A Notary Public in and
for the County and state of said, James
E. Griffin named in the above petition
and made oath that he believes the
statements therein contained
are true. Given under my hand
this 3rd day of August 1881.

Bury, C. Roberts, N.P.

Smiths per file.
vs. 3 Mr. Chas.
Griffin et al

Compt. Bill

Wm. R. R. 1881
Succ. Rec. Bill
+ de cur. rec. in. depts.

Wm. R. R. 1881
Bill taken for estate.
+ ad for known

Oct. 1881.
Rec'd order.

any estate or income, and are in need of an education, that is to say, are in need of the rudiments of an English education,

That to the best information and knowledge of your petitioners the Hon. Charles B. Crumpler and R. A. Clayton of the County of Frederick are the only creditors of the estate of said Francis Smith.

And your petitioners pray that said Charles B. Crumpler and R. A. Clayton together with any other who may claim to be creditors of said Francis Smith's estate, and the said Annie S. Griffin may be made parties defendant to this bill. And required to answer the same on oath to the best of their information and belief.

And your petitioners pray that your Honor make an order under section ten of Chapter 183 of Virginia Code (1873) ordering a sale of the two pieces land aforesaid by a special commr. and that the proceeds after paying costs & expenses of sale be paid into the hands

are the said infant Children of the
Said Annie S. Smith.

That in pursuance of said order of
said County Court three of the said
Commissioners made their report which
was duly confirmed and admitted
to record. A copy of said report is
herewith filed and asked to be read
as a part of this bill.

That in said report there is named
and included two small parcels of
pieces of land lying and being in the
county of said and are therein
described as follows: (1) "3 Acres of Land
more or less near Miles Bracy" valued
at "\$15⁰⁰"; (2) "1 Lot at Lurin" valu-
ed at "\$75".

That said land & lot are utterly
worthless to your petitioners - in fact.
a burden in the way of taxation.
That said property cannot be rented
or leased for compensation sufficient
to pay the taxes thereon.

That the said property if not sold by
order of this court will be sold for
taxes under the laws of this state.

That your infant petitioners by
their next friend are without

To the Honorable George Blow
Judge of the Circuit Court of the
County of Isle of Wight and State of
Virginia:

Your petitioners A. V. Smith,
Frank E. Smith and Eva Smith,
infants under the age of twenty-one
years, who petition by their next friend
James E. Griffin of the county and
state aforesaid represents to your Honor;

1st. That ^{after} the death of our father Francis
Smith, to wit at the April term in
the year 1873 of the county court of
the county aforesaid an order was
made by said Court appointing J. S.
Brackwell, Jos. W. Gay, Hardy Chapman
Nathan Munford and John C. Thom
as Commissioners to assign out the
property of said Francis Smith a
homestead to Mrs Annie S. Smith
and her infant children. A copy
of said order is filed with this bill
and asked to be read as a part of this
bill of petition.

That said Annie S. Smith has a law
ful marriage become Annie S. Griff
in.

That petitioners by their next friend

Smith Allen T. ct. ald.
per fd.

do. } Sum. in
 } chq.

Griffin A. S. Lote Smith
chals.

do

Sept. Rules 1888.

W. S. Holland per

Executed by delivering
to the within name
A. S. Griffin & B.
Dumpler & R. A.

Clayton each a true
copy of within Demo

Aug. 31. 1881

B. D. Edwards
Shff

The Commonwealth of Virginia,

TO THE SHERIFF OF THE COUNTY OF ISLE OF WIGHT, GREETING;

We Command You, TO SUMMON *A. S. Griffin widow of Frank Smith father of infants plaintiffs; Chas. B. Crumpler & R. A. Clayton creditors of said Frank Smith decd. -*

to appear at the Clerk's Office of the Circuit Court of Isle of Wight County, at Rules to be holden for the

said Court, on the first Monday in *September* next to answer *the Bill in*
chancery of Alice V. Smith, Frank E. Smith and
Eva Smith infants who petition by their next
friend James Griffin

of a plea of _____ for \$ _____ Damages \$ _____

And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Court House, the *23rd*

day of *August* 188*1*, in the *15th* year of the Commonwealth.

N. P. Young clk.

bond with good personal security
and retain title till purchase
money is all paid or till further
order of this court. But no
sale shall be made until the said
W.S. Horgan shall execute his bond be
fore the Clerk of this Court of \$200
conditioned for the faithful dis-
charge of the duties required
of him under this ~~court~~ decree
or that may be required of him
under any decree made in this
cause.

Smith vs. J. Chenery
Griffin et al

Decree Oct. 24th 87

To be entered -

Alice Smith, Eva Smith and Frank E

Smith by their next friend, vs.

Plffs.

Anna S. Griffin et. als,

Defts.

This cause came on this day to be heard on the bill taken for confessed as to Anna S. Griffin, Chas. B. Crumpler and R. A. Clayton and on the joint & separate disclaimer and answer of R. A. Clayton and Hon Chas. B. Crumpler & on exhibits filed and a general replication thereto and was argued by counsel; on consideration where of the court doth order, adjudge & decree that W. D. Holland who is hereby appointed a commissioner for that purpose proceed to sell the two lots or parcels of land named in said bill lying in the county of Isle of Wight, Virginia. That said sale be made at Zuni Station after fifteen days notice posted at the C. & D. box, at Windsor at Corroville and at Zuni Va. That said sale be made on a credit of one year with interest from date of sale except for a sum sufficient to pay costs of suit and expenses of sale, taking from the purchaser a

Smith per sec.
vs 3 In Chancery
Huffman et al

April 20th 1883

To be entered -

Geo. Brown.

Entered
24

Smith per Friend & c
vs & In chancery -
Griffin et al

This cause came on this day he heard on the bill of Com-
plaint, answer of Adult defendant
the answer of the Guardian ad litem
General replication thereto and
was argued by counsel on considera-
tion whereof the Court doth
order that this cause be removed
from the docket without pre-
judice -

Report of the as-
sessment of Homestead
to Amos S. Smith & Son

In the county court of Sal. of Wright County,
August 4th 1843.

The commissioners appointed to assign
Homestead to Anna S. Smith and her
infant children, out of the estate of
Francis Smith decd. made their report
which is confirmed and ordered to be
recorded.

Teste, C. H. Hart J.C.

acq.

Teste, A. J. Young C.R.

An Inventory and Appraisement of the
Property belonging to Francis Smith decd:
taken and made this 25th day of April, 1873.

Yoke of Oxen \$80.00 - crop cut saw \$1.50	57.00
Old Sulkie \$15.00 - Yoke of Oxen No. 2 \$45.00	60.00
Old black ox \$12.50 Anvil, Belows & \$5.00	17.00
Carry log each \$35.00 / 12000 \$25.00	60.00
Steam Sawmill & fixtures subject to deed of trust - 321.76 - Gross value -	500.00
Sawn axle	10.00
Timber standing on Mt. Davis' land	50.00
3 acres of land more or less, near Mills Brook	15.00
1 Lot at Guine	75.00
	<u>\$ 838.00</u>

In obedience to the annexed order we the
undersigned do hereby certify that
we have valued the property belonging
to Francis Smith decd: and have set it
apart as the law requires as the property
of Annie S. Smith widow of Francis
Smith decd: & children which she is
entitled to under the Homestead Act.
Given under our hands this 25th day of
April, 1873.

J. T. Brockwell
John M. Gay
H. Chapman

In Isle of Wight county court April 7th 1843.

On the motion of Annie S. Smith, widow of Francis Smith decd. who, at the time of his death was a house holder and head of a family, and who has departed this life since the adoption of the present constitution of Virginia, without having claimed or had assigned to him his Homestead under the act approved the 2^d of June 1840, known as the "Homestead Law," it is ordered that J. S. Brockwell, John M. Gay, Hardy Chapman, Nathan Mumford and John C. Thomas, who are hereby appointed commissioners for the purpose, any three of whom may act, do proceed to view and value the property which belonged to Francis Smith aforesaid, at the time of his death, and specify two thousand dollars in value thereof, or so much thereof as there may be, to the said Annie S. Smith and her infant children of said Francis Smith decd. to be held by them as their Homestead in said estate. And make report thereof, under their hands, to the court.

"Accep."

"Test. E. H. Nash &c,