1867-004 MILLS E. DAUGHTREY VS ANN DAUGHTREY ET ALS 1867

NANSEMOND COUNTY
(SUFFOLK)

CHANCERY CAUSES

SURNAMES: JENKINS, JOYNER, HOLLAND,

Costs

Clerk	£11:7s
Atto: Ls	31:00
Sh'ff: Hamst	2:00
" Southampton	1:00
Coroner's	6:00
Printer	6:7s
	£58:8-0

Cesky

The Commonwealth of Virginia,

To the Sheriff of Nansemond County---Greeting.

YOU ARE HEREBY COMMANDED TO SUMMON Ann Daughtrey, James M. Holland and Elizabeth, his wife, Solomon P. Daughtrey, Wm: H. Daughtrey, Sarah A. Daughtrey, Junius W. Jenkins, Charles Jenkins, Wm: Henry Jenkins and John Jenkins, and Eulalia B. Joyner the last four infants,

to appear at the Clerk's Office of our Circuit Court for the County of Nansemond, on the first Monday in January next, 1867, being rule day, to answer a bill in chancery, exhibited against them by

Mills E. Daughtrey

and unless they shall answer the said bill by the next rule day thereafter, the Court will take said bill for confessed, and decree accordingly.

And have then and there this writ. *Witness*, PETER B. PRENTIS, Clerk of our said Court, at his Office, this 15th day of December 1866, and in the 91st year of the Commonwealth.

Peter B. Prentis Clerk.

☞ The Sheriff will, in his return, note the day on which this process is executed on each Defendant.

Executed January 4th 1867 & a true Copy hereof delivered to Ann Daughtry James M Holland and Elizabeth his wife & Sarah A Daughtry. Solomon P Daughtry & Wm H. Daughtry, the respective inhabitants of my County.

Wm H. Clay Shff

Mills E. Dunn Clerk

Sum's in Clay.

Ann Daughtry et al

To Jany Rules 1867

Pro: 6. Fee: 1. Surv 7

Cri: Co

The Commonwealth of Virginia,

To the Sheriff of ~~Nansemond~~ Southampton County---Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON Ann Daughtrey, James M. Holland and Elizabeth, his wife; Solomon P. Daughtrey, Wm. H. Daughtrey, Sarah A. Daughtrey, Junius W. Jenkins, Charles Jenkins, Wm. Henry Jenkins, and John Jenkins, and Eulalia B. Joyner: The last four infants;

to appear at the Clerk's Office of our Circuit Court, for the County of Nansemond, on the first Monday in January next, 1867, being rule day, to answer a bill in chancery, exhibited against them by

Mills E. Daughtrey

and unless they shall answer the said bill by the next rule day thereafter, the Court will take said bill for confessed, and decree accordingly.

And have then and there this writ. *Witness*, PETER B. PRENTIS, Clerk of our said Court, at his Office, this 15th day of December 1866, and in the 91st year of the Commonwealth.

Peter B. Prentis, *Clerk.*

☞ The Sheriff will, in his return, note the day on which this process is executed on each Defendant.

Killg. p. q

Mills E. Daughtrey

vs

Saml. in Chy

Mills Daughtrey Ord:

To Jany: Rules 1867

Execute December 17
1866 by Subpoena Copy
To Wm H Haywood
Jr
John D. Jenkins
Esq
Carson Dept
for S. Tuttle Sheriff

Pro: B. No: 1. Page 16

Cir: Co:

Virginia: At Rules held in the Clerk's Office of the Circuit Court of Nansemond County, on Monday the 4th day of February. 1867

Mills E. Daughtrey ..... Complainant

against. In Chancery.

Ann Daughtrey. James M. Holland and Elizabeth his wife, Solomon P. Daughtrey. Wm. H Daughtrey. Sarah A. Daughtrey. Jemius W. Jenkins Charles Jenkins. Wm. Henry Jenkins and John Jenkins and Eulalia B. Joyner, the last four infants, Defendants

The object of this suit, is to devide or sell the Tract of Land in Nansemond County containing Five Hundred Acres, more or less, of which Allen Daughtrey, died seized and possessed.

Affidavit having been made, that the defendant Solomon P. Daughtrey, is not a resident of the State of Virginia he is hereby required to appear in the said Clerk's office, within one month, after due Publication hereof, and do what may be necessary to protect his interest:

Test:

Peter B. Prentis. Clerk

Mills E. Daughtry

vs

Jor: Pub:

Ann Daughtry Dal:

Virginia:

At Rules held in the Clerk's Office of the Circuit Court of Nansemond County, on Monday, the 4th: day of February 1867.

Mills E. Daughtrey . . . . . Complainant.

against } Wm Chauncey Ann Daughtrey, James M. Holland and Elizabeth, his wife; Solomon P. Daughtrey, Wm: H. Daughtrey, Sarah A. Daughtrey, Junius W. Jenkins, Charles Jenkins, Wm: Henry Jenkins and John Jenkins, and Eulalia B. Joyner: the last four infants . . . . Defendants.

On the Motion of the Complainant, by Counsel, Peter B. Prentis is appointed guardian ad litem to defend the infant defendants in this suit; and it is ordered, that notice be given the said guardian of his appointment, by serving on him a Copy of this order.

Teste,

Peter B. Prentis. Clerk.

1867. Feby: 5th. I acknowledge service of the foregoing order, and that I have received a Copy thereof.

Peter B. Prentis.

G.D.: ad litem

Mills E. Daughtery

Ex: apptd: gdn: ad litem
to infant defts

Ann Daughtery Dec'd

VIRGINIA:—At Rules held in the Clerk's Office of the Circuit Court of Nansemond County, on Monday the 4th day of February, 1867.

Mills E. Daughtrey,

Complainant,

In Chancery,

Against

Ann Daughtrey, James M. Holland and Elizabeth his wife, Solomon P. Daughtrey, Wm. H. Daughtrey, Sarah A. Daughtrey, Junius W. Jenkins, Charles Jenkins, Wm. Henry Jenkins and John Jenkins and Eulalia B. Joyner, the last four, infants.

Defendants.

The object of this suit, is to divide or sell the Tract of land in Nansemond County, containing Five Hundred Acres, more or less, of which Allen Daughtrey, died, seized and possessed. Affidavit having been made, that the defendant, Solomon P. Daughtrey, is not a resident of the State of Virginia, he is hereby required to appear in the said Clerk's office, within one month, after due publication hereof, and do what may be necessary to protect his interest.

A Copy—Teste.

fe8-4t PETER B. PRENTIS, Clerk.

John R. Kilby, p. q.

I do hereby certify, that the notice appended was published for four successive weeks in the Christian Sun, and that the price charged therefor, is the regular price for advertising in said paper. Given under my hand this 4th day of March 1867.

C.O.B. Wellons Editor & Proprietor

Price of Adv'g.

$6.75.

Mills E. Daughtrey

vs Certif: of Pub:

Ann Daughtrey Dec:

Filed 4th: March 1867
CCC:

I hereby certify that I have promised to sell to M. E. Daughtry my interest in the Land (in Nansemond) left by my father, and am willing to make him a Deed to it at any time.

Southampton Co. Va.
January 11. 1867

Wm. H. Daughtry

(4.)

Recieved of Mills E. Daughtry The just and full sum
of One Hundred dollars. The same being for my part
of The Dower Land now in The possession of Mrs —
Daughtry. left by Allen Daughtry. dec^d. Which Land
I do promise and am willing in consideration of
The sum of money paid to me. to make the said
Mills E. Daughtry a right To, as soon as convenience will allow
Witness the 7th day of May 1868

Witness
Sarah A. Daughtry

Lucie A Joyner

Received of Mills E. Daughtry the just and full sum-
of Two Hundred and fifty dollars by Note. The same-
being for my part of the Land left to the heirs of Allen
Daughtry dec'd. Which Land I do promise and am willing,
in consideration of the sum of money paid to me, To make
the said Mills E. Daughtry a right to as soon as convenience
will allow. This the 2nd day November 1869.

Thitnys
Sarah A. Daughtry

Lucie A Joyner

(31)

Whereas Allen Daughtrey of Nansemond County, died about the year 1838, intestate, and possessed of a tract of land in said County, containing five hundred acres, more or less, and adjoining the lands of Edward R. Hunter's estate, Robin Daughtrey, James Holland, Thomas R. Holland & Beverly Holland, Arthur E. Hall & Lawrence Johnson: and Whereas, the said Allen Daughtrey left as his heirs at law, his widow, Ann Daughtrey, to whom Dower has been assigned in said lands, and the following children, to wit: Marquett A. who married John B. Jenkins; Elizabeth, now the wife of James M. Holland; Lucy Ann, who married Elijah Joyner; Solomon P. Daughtrey, Wm. H. Daughtrey, Mills E. Daughtrey & Sarah A. Daughtrey, to whom ~~the~~ said lands descended — And Whereas the said Solomon P. Daughtrey has sold all his right in the said Dower land and also in the remainder part of said land to said Ann Daughtrey: And Whereas said Ann Daughtrey has re-sold the said interest to her said son, Mills E. Daughtrey. & Whereas also, the said James M. Holland and Elizabeth, his wife & Sarah A. Daughtrey have also sold their right in said Dower land, and also in the balance of said farm to the said Mills E. Daughtrey — Therefore, this Deed, made this 15th day of December 1866, between the said Ann Daughtrey, James M. Holland & Elizabeth, his wife, & Sarah A. Daughtrey, of the one part, and the said Mills E. Daughtrey of the other part, Witnesseth, that the parties of the first part, in consideration of the sum of Twelve Hundred Dollars, do grant with general warranty, unto the said Mills E. Daughtrey and to his heirs and assigns forever, all their said interest, right and title in and to the land held by Mrs: Ann Daughtrey as her Dower in said lands and also all their right, title and interest, in the re-

-mainder of said farm, hereinbefore described.

Witness the following signatures & seals.

Ann Daughtry (Seal)

James M. Holland (Seal)

E. A. Holland (Seal)

Sarah A. Daughtry (Seal)

$1.50.

U.S. Rev: Stamps

Nansemond County, to wit:

I, Adolphus H. Jones, a Justice of the Peace in and for said County & State of Virginia, do certify, that Ann Daughtry, James M. Holland & Sarah A. Daughtry, parties to the foregoing writing, dated 1st: Dec: 1866, have severally acknowledged the same before me in said County.

Given under my hand this 12th: day of January 1867.

A. H. Jones. J.P.

Nansemond County, to wit:

I, Adolphus H. Jones, a Justice of the Peace in and for said County & State of Virginia, do certify, that Mrs: Elizabeth Holland, the wife of James M. Holland a party to the foregoing writing, dated 1st: Dec: 1866, personally appeared before me, in said County & being by me duly examined, privily and apart from her said husband, and having the said writing fully explained to her, she, the said Elizabeth Holland acknowledged the same to be her act and deed, and declared that she had willingly executed the same, and that she does not wish to retract it.

Given under my hand, this 12th: day of January 1867.

A. H. Jones. J.P.

In the Clerk's Office of Nansemond County Court, the 28th:

day of January 1867.

This Deed was received, and with the certificates written thereon admitted to record (the requisite stamps of $1.50 having been affixed and cancelled)

Teste

Peter B. Prentiss. Clerk

A. Copy:

Teste

Peter B. Prentiss. Clerk

xind

Ann Daughtrey & al:

To Copy Deed

Mills E. Daughtrey.

(61

Whereas Solomon P. Daughtrey, about the year 1858, sold unto his mother Ann Daughtrey, his right title and Interest in the Land of the Late Allen Daughtrey deceased, his father, situate in Nansemond County Virginia, (except in that part of said Land now held by said Ann Daughtrey as her Dower therein) the consideration money being two hundred dollars; and whereas no Deed was at the time executed for the same and it being now desired to perfect the title, this Deed is made. This Deed therefore made this 15th: day of October 1866. between Solomon P. Daughtrey and Salina his wife (late of Virginia but now) of Memphis in the State of Tennessee of the one part. and the said Ann Daughtrey of Nansemond County Virginia, of the other part, Witnesseth, that the said Solomon P. Daughtrey and Salina F. his wife in consideration of the sum of Two hundred dollars as aforesaid do grant unto the said Ann Daughtrey all the right title and Interest of said parties of the first part in the Lands whereof Allen Daughtrey died seized (except in that part held by said ann Daughtrey as her Dower therein) described as a tract of Land in the County of Nansemond County State of Virginia, containing five hundred acres, more or less, and adjoining the Lands of Wm. Edward R. Hunter's estate Jno: I. Holland Jas Holland, Robin Daughtrey. the right and Interest therein, now sold being one seventh, together with all and singular the privileges and appurtenances belonging to the estate now sold. Witness the following signatures & seals.

Signed & Sealed in presence of }
S.A Moore. Ed. C. Brookshire }

S P. Daughtrey. Seal
Salina F. Daughtrey Seal.

State of Tennessee }
County of ... } To Wit:

I S. A. Moore, a Justice of the Peace, in and for the County of Shelby in the State of Tennessee, do certify that Solomon P. Daughtrey a party to the foregoing writing dated the 15th: day of October 1866, personally appeared before me in said County & acknowledged the same to be his act & deed. And I further certify. that Salina F. Daughtrey the wife of said Solomon P. Daughtrey also a party to the said writing has personally appeared before me in said County & being duly examined by me, privily and apart from her said husband, and having the said writing fully explained to her, she the said Salina F. Daughtrey acknowledged the same to be her act and deed, and declared that she had willingly executed the same, and that she does not wish to retract the same. Given under my hand this 17th day of October 1866.

S. A. Moore. J.P.
For Shelby County.
Tennessee:

State of Tennessee }
Shelby County: } I. John Loague, Clerk of the County Court of said County. Certify that S. A. Moore, whose genuine official signature is, and was at the time of signing the same, an Acting Justice of the Peace duly commissioned and qualified, and that all his official acts as such are entitled to full faith and credit: Witness my hand and seal of Office, at Office Memphis, Tenn: this 17th. day of October. 1866.

John Loague Clerk
By. James Reilly. D.C.

In the Clerk's office of Nansemond County Court the 28th: day of January 1867.
This Deed was received, and with the Certificates written thereon, admitted to record. The requisite Stamps of 50c: having been affixed and cancelled.

Teste:

Peter B. Prentis Clerk.

A Copy:

Teste:

Peter B. Prentis. Clerk.

X mo

Solomon P. Daughtrey &
wife

To } Copy Deed

Ann Daughtrey.

(a)

Philip E. Daughtry

by

Ann Daughtry Sal.

Exhibit filed

with Bill

At a Circuit Court held for Nansemond County, on the 16th day of April, 1867:

Mills E. Daughtrey — Complainant

against &c. In Chancery

Ann Daughtrey, James M. Holland and Elizabeth, his wife, Solomon P. Daughtrey, Wm. H. Daughtrey, Sarah A. Daughtrey, Junius W. Jenkins, Charles Jenkins, Wm. Henry Jenkins and John Jenkins, and Eulalia B. Joyner, the last four infants . . . . . Defendants.

This cause, in which the plaintiff has proceeded against the said Solomon P. Daughtrey in the mode prescribed by Law against absent defendants, came on to be heard on the Bill taken for confessed as to the other adult defendants, on whom process had been duly served, they still failing to appear and answer, and on the answer of the Infant defendants by P. B. Prentis, their guardian ad litem, on general replication to said answer, and on Exhibits filed with the said Bill and was argued by Counsel: On Consideration whereof the Court doth adjudge order and decree that A. H. Jones, A. E. Hall, E. B. Hunter, and James Barnes, be and they are hereby appointed Commissioners for that purpose (any three of whom may act) to divide the lands whereof Allen Daughtrey died seized and possessed and described as a tract of land in Nansemond County adjoining the lands of Edward R. Hunter's Estate, Robin Daughtrey, James Holland, Thomas R. Holland, Beverley Holland, Arthur E. Hall and Lawrence Johnson: That in making such division they assign unto the plaintiff Mills E. Daughtrey six sevenths (6/7) of the entire tract in value including that part held as Dower by Mrs. Ann Daughtrey, as the remainder, and that they assign the other one seventh (1/7) part thereof in value, to Junius W. Jenkins, Charles Jenkins, Wm. Henry Jenkins and John Jenkins, and make report to Court.

A Copy:

Teste:

Peter B. Prentis, Clerk

Bills & Long Alley

vs

Ex. Recd

Over Long Alley Ref.

Exhibit

We, the undersigned Commissioners Mentioned in the within decree, do hereby Certify that we have executed the order therein Contained to the best of our skill and ability.

Given under our hands this 26th day of Septm 1867.

A. H. Jones.
A E Hall.
E B Hunter
James Barnes

Commrs.

By virtue of a decree of the Circuit Court of Nansemond County, held on the 16th day of April 1867, for purposes therein expressed; we the undersigned Commissioners named in said decree, proceeded on the 26th day of September 1867 to divide the lands whereof Allen Daughtrey, died seized and possessed, into seven equal shares; having regard to quality as well as quantity, as in said decree directed: said lands are situated in the aforesaid County of Nansemond adjoining the lands of Edward R. Hunter's Estate, Robin Daughtrey, James Holland, Thomas A. Holland, Beverly Holland, Arthur C. Hall and Lawrence Johnson and by estimate, Contains Four hundred and ninety three acres more or less.

Your Commissioners then proceed to assign to Mills E. Daughtrey, six sevenths (6/7) of the entire tract in value including that part held as Dower by Mrs Ann Daughtrey as the remainder; which six sevenths adjoins all the above named in describing the entire tract.

Your Commissioners then proceed to assign the remaining one seventh in value, including the Dower aforesaid, to Junius W. Jenkins, Charles Jenkins, Wm Henry Jenkins and John Jenkins; which one seventh is marked and bounded as follows: Beginning at a pine stump a corner on Thomas A. Jenkins thence N 2½° W 115 poles to a white Oak, a Corner on James Holland thence down the run of a branch the various courses thereof 87.5 poles to a black gum, thence S 67° E 154 poles to a sweet gum, thence N 25° E 56 poles to the first station, Containing Fifty five acres, more or less.

Respectfully submitted.

A. A. Jones
A. E. Hall Comm's.
E. B. Hunter
James Barnes

Cost

Atto. fee ⁄⁄
Clerk's "
Comm's " 6.00

Daughtrey

v. } Comrs Report

Daughtrey Sal:

Commissioner's Report
On the lands of
Allen Daughtrey dec'd

1867. Octo: 15th Filed
Clk:

Mills E. Daughtrey . . Complainants

vs } Chy: Suit pending in the Circuit Court of Nansemond County

Ann Daughtrey &al: . . . Defendants

I, John R. Kilby, Atto: for Complainant, do swear that Solomon P. Daughtrey, one of the Defendants, in the foregoing Chy: Suit, is not a resident of the State of Virginia.

(Signed)

John R. Kilby p.q.

Sworn to before me, this
2nd: day of Feby: 1867
Peter B. Prentis. Clerk

Mills E. Daughtrey

Affidavit of
non-residence of Defts-
Sd: P. Daughtrey
Ann Daughtrey Leg=

Daughtery &c. Daughtery &al.

This cause came on this day to be again heard on the papers formerly read & on the report of Comrs. A. H. Jones, A. E. Hale, E. B. Hunter & James Barry, made pursuant to the decree of the 16th of April 1867, to which report there is no exception, and was argued by Counsel: On Consideration whereof the Court doth confirm the said report & doth adjudge order & decree that the proceedings had in the cause be confirmed, and made final, & that the costs be equally paid by the parties.

Daughtry

v

Daughtry &c

1867

Cert. Ct. Decree

To be entered

R. H. Baker

Entered

Daughtry &c
v
Daughtry &al.

This cause, in which the plaintiff has proceeded against the said Solomon P. Daughtry in the mode prescribed by Law against absent Defendants came on to be heard on the Bill taken for confessed as to the other absent defendants, on whom process had been duly served, they still failing to appear and answer, and on the answer of the Infant defendants by P.B. Pruitt, their guardian ad litem; On general replication to said answer, and Exhibits filed with the said Bill and was argued by Counsel: On consideration whereof the Court doth adjudge, order & decree that A. H. Dey, A. E. Hall, E. B. Hunter and James Barnes, be and they are hereby appointed Comm'rs. for that purpose (any three of whom may act,) to divide the Lands whereof Allen Daughtry died seized and possessed and described as a tract of Land in Nansemond County adjoining the Lands of Edward R. Hunter's estate, Robin Daughtry, James Holland, ~~and~~ Thomas R. Holland, Beverly Holland, Arthur E. ~~Hall~~ Hall and Laurence Johnson; that in making such division they assign unto the plaintiff Mrs. E. Daughtry six seventhes (6/7) of the entire tract in value, including that part held ~~by~~ as Dower by Mrs. Ann Daughtry, as the remainder, and that they

upon the other one seventh (1/7) part thereof in value, to Junius W. Jenkins, Charles Jenkins Wm Henry Jenkins & John Jenkins, and make report to Court —

Mich E. Daugherty

Ann Daugherty &c

1867

Dec Ct. decree

To be entered

R. H. Baker

Entered

The Joint and separate answer of Charles Jenkins, Wm. Henry Jenkins, John Jenkins and Eulalia B. Joyner, infants by Peter B. Prentis, their guardian ad litem, to a Bill in Chancery exhibited against them & others by Willis E. Daughtrey, in the Circuit Court of Nansemond County:

These Respondents say, that so far as they know or believe, the statements set forth in said Bill, may be true, but as they are ignorant of their rights, being infants, they submit the same to the Court, and pray, that no order or decree may be made in the cause to the prejudice of their interests.

And having answered &c.

(Signed)
Peter B. Prentis
g.d.l. ad litem

Mills E. Daughtrey

vs. Answer of infant defts:

Ann Daughtrey Dec'd

To the Hon: Richard H. Baker, Judge of the Circuit Court of Nansemond County.

Complaining, shew unto the Court your Complainant Mills E. Daughtrey of said County. Your Complainant respectfully represents to the Court and says that his father Allen Daughtrey of said County died on the day of 1838, Intestate, and siezed and possessed of a tract of land in Nansemond County containing five hundred acres, more or less, and adjoining the lands of ~~the estate of~~ Edward R. Hunter's estate, Robin Daughtrey, James Holland and Thomas R. Hollands, Bevely Holland, Arthur E. Hall, Laurence Johnson.

That the said Allen Daughtrey left as his heirs at law, his widow, Ann Daughtrey, and seven children, to wit: Margaret A; Elizabeth; Lucy ann; Solomon P. Daughtrey, Wm H. Daughtrey, Mills E. Daughtrey (your Complainant), and Sarah A. Daughtrey.

That said Margaret A, married John B. Jenkins & has since died leaving four children, Junius V. Jenkins over 21 years of age, and Charles, Wm Henry & John Jenkins, under 21 years of age;

That said Lucy ann, married Elijah Joyner and now both are dead, leaving one child named Eulalia B. Joyner, who is under 21 years of age.

That said Elizabeth is now the wife of James M. Holland.

That Dower in said Land

has been duly assigned to said Ann Daughtry, under proceedings duly had for that purpose in Nansemond County Court – the record of which was destroyed by the burning of the clerk's office and the records therein, on the 9th of February 1866,

Your Complainant further says, That Solomon P. Daughtry has sold his Interest in said Lands to his Mother Ann Daughtry (that part held by her as Dower as also in the remainder), as will appear by copy of deed marked (A) and filed herewith & by copy of another deed which will be filed herewith marked (B) – That the said Ann Daughtry, James M. Holland & Elizabeth his wife, and Sarah A. Holland have sold all their Interest in said Lands (as well the Dower Land as the remainder) to your Complainant, as will be seen by a copy of the deed filed herewith marked (C.) – That the said Milly E. Daughtry purchased from said Lucy A. Joyner (after the death of her husband, Elijah Joyner), all her Interest in the said Lands not embraced in the widow's Dower as will be seen by writing filed herewith marked (D), and that he also purchased of said Lucy A. Joyner all her Interest in that part of said Land held by Mrs. Ann Daughtry as Dower, as will be seen by writing filed herewith marked (E) and that your complainant has bargained to purchase the share of Wm H. Daughtry as will be seen by paper marked (F) filed herewith.

Your Complainant says, that by virtue of said purchases from the other heirs and his own share he is the owner of the entire tract of Land aforesaid

including the dower, except the one seventh portion of said Margaret A. Jenkins which now belongs to her children as aforesaid —

Your Complainant prays that partition of said Land may be made, and that the portion to which he is entitled may be set apart to him, and that if partition cannot be conveniently made, the entire subject may be allotted to any party who will accept it, and pay therefor to the other parties such sum of money as their Interest therein may entitle them to;

In Consideration whereof and for as much as your Complainant is without remedy, save in a Court of Equity, To the End Your Complainant prays that Ann Daughtry, James M. Holland and Elizabeth his wife, Solomon P. Daughtry, Wm H. Daughtry, Sarah A. Daughtry, Jennie A. Jenkins, Charles Jenkins, Wm Henry Jenkins, & John Jenkins & Eulalia B. Joyner — the last four being under twenty one years of age — may be made defendants hereto, and be compelled to answer the allegations herein; that partition may be made as above set forth, and that such other and further relief may be granted, Consistent with Equity.

And your Complainant will &c.

John R. Kilby p. q.

Kelly p. v.

Miles E. Daughtry

v 3 Bill

Ann Daughtry dal:

Nans? Cir. ct.

Daughtery
vs
Ex Chy: noted.
Daughtery Sol:

1866. Dec 15th: Sworn qua Chy: of said

1867. Jany: 7th: Continued for bill.

" Feby 4th: Bill & exhibits filed — Conditional decree vs all the adult defendants except Solomon P. Daughtery

" " " Proper affidavit being made & filed, an Or: of Pub: is awarded vs dept: Sol: P. Daughtery

" " " P. B. Pleasants, apptd a guardian ad litem to the infant defendants, who filed their answer to which there was a general replication: Cause set for hearing as to them.

" March 4th: Conditional decree confirmed

" " " Exhibits & Or: of Pub: filed — & the same having been posted & published according to law: Cause set for hearing on the Mo: of Complt's Counsel.

" April: 16th: Decree for dismissal — (Oct: 15th) Report filed

" Octo: 15th Final Decree.

Chy. Notes