

1878-011
Nansemond Co. (Suffolk)

Chancery Causes: James H. Daughtrey vs Mary Ann Daughtrey, widow et al

Lester

Credits

CLK.	\$10.00
Att. & Trav.	11.50
Sh. H.	1.00
Com. & Trav.	5.00
	<u>\$32.50</u>

Cos/s-

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY,—GREETING :

YOU ARE HEREBY COMMANDED TO SUMMON *Mary Ann Daughtry (widow) and Elizabeth Lee Daughtry, Edward R. H., Jos: John, Richard A, Jasper and Virginia Kemper Daughtry: the last six, being infants*

to appear at the Clerk's office of our *Circuit* Court for the County of Nansemond, on the first Monday in *February* next, 1877, being rule day, to answer a bill in chancery, exhibited against *Them* by

James H. Daughtry

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 *24th* day of *January* — 1877. and in the *101st* year of the Commonwealth.

Peter B. Prentis Clerk.

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

Exonerated & copy delivered to Mary A. Daugherty - ~~United~~

of Loughborough Staff

Kelly Loan, 1877

James H. Daugherty

vs { Sum. in Chy:

Mary Ann Daugherty (widow)
Def: infants

In February Rules, 1877.

Virginia:

At Rules held in the Clerk's Office of the Circuit
Court of Hanseman County, On Monday, the
5th day of February, 1877.

James H. Daughtry. Complainant
Against { In Chancery.

Mary Ann Daughtry (widow) and Elizabeth
Lee Daughtry; Edward R. H.; Jos: John; Richard
A. Jasper and Virginia Kemper Daughtry: the
last six, being infants. Defendants.

On the motion of the Complainant, by Counsel, Peter B. Prentiss, 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. Prentiss, Clerk

1877. Feb: 5th: I acknowledge service of the foregoing order,
and that I have received a copy of the same.

Peter B. Prentiss,

John ad Litem

James H. Daugherty

to [#] Or:affly gr: & Linn

Mary Ann Daugherty (widow)
Lal: infants

Pursuant to a Decree of the Circuit Court held for Hanscombed County, the 11th day of October, 1877, we the undersigned, Special Commissioners appointed by said Court for that purpose, proceeded this day to allot and set apart, by notes and bounds, out of the lands of which her late husband Edward R. Daughtry died seized, including in said allotment her equivalent of Dower in the lands conveyed to said Edward R. Daughtry by James H. Daughtry mentioned in said decree, to Mary Ann Daughtry, widow of said Edward R. Daughtry, one equal full third part, having regard to quality as well as quantity of the land whereof said Edward R. Daughtry was seized & possessed, as her share of the estate of her ^{said} husband. As follows:

Commencing on the Carrville road, at the boundary line between the premises & the lands of Edward Rawls, thence North & West up said line to a small white oak, thence (leaving said line) ^{South East} to a Black Gum, thence to another Gum tree across an old pine field, to a poplar in the branch which divides the land of Edward R. Daughtry & then of James H. Daughtry, thence South & S. West down the branch, across the said road, to Kinsale Swamp up the swamp to Edward Rawls' line & thence up said line to the beginning.

September 27th 1878.

Respectfully Submitted.

Edward Rawls
Geo C Vaughan
W. J. Holland
Thos H. Barnes.

James H. Daugherty

to } Contents
Report
Down

Mary Ann Daugherty
Lal

1878. Oct. 7th Filed clerk

At a Circuit Court continued and held for Nausemond
County, the 11th day of October, 1877.

James H. Daughtry Plaintiff.

against { In Chancery

Mary Ann Daughtry (widow) and
Elizabeth Lee Daughtry; Edward R. H.;
Jos. John; Richard A. Jasper and
Virginia Kemper Daughtry: the last six,
being infants. Defendants.

This Cause in which by consent of parties, Mary Ann
Daughtry, as Administratrix of Edward R. Daughtry is
made a party Defendant to this Cause, and by like con-
sent come on this day to be again heard, on the papers
formerly read, on the answer of said Mary Ann Daughtry,
in her own right, and as Administratrix of Edward R.
Daughtry, deceased, and on the Report of Commissioner
Prentiss, under the Decree herein of April Term, 1877, and
was argued by Counsel: On Consideration whereof, the Court
confirming said Report, to which no exceptions were filed,
doth adjudge, order and decree, that the Plaintiff, James
H. Daughtry, within Ninety days from the date of
this Decree, pay to Mary Ann Daughtry, Administratrix
of Edward R. Daughtry, the sum of One hundred and
sixty-five dollars and Fifty-Three cents, with interest
thereon from the 30th day of September, 1871, the amount
shown by said Report to be due by said James H.
Daughtry, on the land in the proceedings of this suit
mentioned, and that on the payment of said amount

by said James H. Daughtry, John R. Kilby, who is hereby appointed Special Commissioner for that purpose, execute and deliver to the said James H. Daughtry, a good and sufficient deed, in fee-simple, with special warranty, for the tract of land, in those proceedings mentioned, lying in the County of Nansemond, containing by estimation, One Hundred and fifty acres, more or less, adjacent to the lands of Madison Lester, Edward R. Daughtry and others: being the same tract of land conveyed by said James H. Daughtry to said Edward R. Daughtry, by a deed, bearing date on the 22nd day of March, 1870, duly recorded in the Clerk's Office of the County of Nansemond: such conveyance to be without prejudice to the right of the said Mary Ann Daughtry to be endowed out of the other lands of the said Edward R. Daughtry, for her equivalent of dower in the said tract of land; and the Court doth further adjudge, order and decree, that William E. Barnes, Dr. Thomas H. Barnes, Edward Rawls, James C. Vaughan and William J. Holland, who are hereby appointed Special Commissioners for that purpose, any three of whom may act, proceed to allot and set apart, by metes and bounds, out of the other lands of which said Edward R. Daughtry died, seized to said Mary A. Daughtry, one equal full third part, having regard to quantity and quality, of the lands whereof said Edward R. Daughtry died seized and possessed, including in said allotment her equivalent of dower in the land aforesaid, conveyed to said Edward

R. Daughtrey by said James H. Daughtrey, as her
 Power, in the Estate of her said Husband, and make
 Report ^{to Court} of their proceedings, under this Decree. And
 the Court doth further adjudge, order and decree,
 that the Plaintiff pay the Costs of this suit.

a copy:

Teste,

Peter B. Prentiss, Clerk

	<u>Costs.</u>	
ex.	Clerk . . . \$10.00	Pd. P. B. P. Clerk by J. R. Kilby
Ad.	Att. Gen. . . 16.50	Pd. J. R. Kilby
ex.	Shff. . . 1.00	Pd. J. L. Fulgham by J. R. Kilby
ex.	Commr. . . 5.00	Pd. P. B. Prentiss by J. R. Kilby
	<u>\$ 32.50</u>	

1878 Jan. 10th. Received of James H.
 Daughtrey two hundred and twenty seven
 dollars and thirty six cents in full of
 the sum of one hundred and sixty five dol-
 lars and fifty three cents and all interest
 thereon to this date. - which by the foregoing
 decree said James H. Daughtrey is directed to
 pay to me as therein set forth.

Mary Anna Daughtrey
 Administratrix

Xms

James H. Daugherty
vs { Decree
Mary Ann Daugherty (widow)
Lali

2294.66

25.00

2074.66

10.00

105.50

10.00

95.50

1

To the Circuit Court of Fauquier County, Virginia:

Your Commissioner, the Undersigned, respectfully reports to Court that in pursuance of a decree of said Court, pronounced at the October Term thereof in the year 1877, in a cause in Chancery depending between James H. Daughtry, Plaintiff and Mary Ann Daughtry and others Defendants, in said Court, a copy of said decree being herewith annexed; James H. Daughtry paid within ninety days from the date of said decree, to wit on the 10th day of January 1878, to Mary Ann Daughtry Administratrix of Edward R. Daughtry deceased, the sum of one hundred and sixty-five dollars and fifty three cents and all interest due thereon from the 30th day of September 1871, to wit, the sum of sixty-one dollars and eighty three cents, as required by said decree, and all costs of said cause, to wit, the sum of \$32.50, as will appear by the receipts attached to said copy of said decree, herewith annexed; and that said James H. Daughtry having paid

said sums of \$165.53, and \$61.83, and
costs \$32.50 as aforesaid. Your Com-
missioner, as directed by said decree,
has executed a deed with special war-
ranty in the usual form to said
James H. Daughtry, conveying to him
the tract of land described in said
decree.

Respectfully submitted this 6th. day
of February 1878 John R. Kelly Comr.

Daughtry
vs. } Chp.
Daughtry fals.

Commissioner's Report
6 Feb. 1878

1878. Feb. 7th Feb. 11th
M.

Commissioner's Office.

Suffolk, Va: September the 14th 1877

To The Circuit Court of Henric County:

Pursuant to a Decree of the said Court, rendered on the 11th day of April, 1877, in a suit in Chancery depending in the said Court, between James H. Daughtry, Plaintiff: and Mary Anne Daughtry (widow) and others, Defendants, the undersigned, one of the Commissioners of the said Court, to whom was referred by said Decree the duty of making a statement, showing the amount due by the Plaintiff to Edward R. Daughtry (now dead) on the basis of the facts set forth in the Bill, and further to ascertain whether the Plaintiff resided on the land in question before its sale by him to the said Edward R. Daughtry, and whether he has done so. Since, reports to the Court, that on the 10th day of August 1877 he caused notices accordingly all the parties, Plaintiff and Defendant requiring them to attend the settlement of the said accounts, at his said Office, on this day, which were returned to your Commissioner, duly executed & acknowledged.

That the Plaintiff, & his attorney, appeared in obedience to said summons - when he proceeded to make said statement (which is marked No 1 & herewith) by which it will appear that the amount due by the Plaintiff to the said Edward R. Daughtry on the 30th day of Sept: 1871, was \$165.53, upon which interest is to be computed from that day, until paid.

Your Commissioner further reports, that the said Plaintiff, James H. Daughtry, ~~did~~ resided on the land in question before its sale by him to the said Edward R. Daughtry, and has resided on it ever since - (see the Depositions returned hereunto).

The Decree, notices aforesaid, and the evidence relating thereto, are herewith returned. Given under

my hand as Commissioner aforesaid, the day and year first -
herein aforesaid

Peter B. Prentiss, Commissioner

At a Circuit Court continued and held for Remond County. The 11th day of April, 1877.

James H. Daughney - Plaintiff
Against J. W. Chassey.

Mary Ann Daughney (widow) and Elizabeth Lee Daughney, Edward R. H., Jos. John, Richard A. Jasper and Virginia Kemper Daughney; the last six being infants. Defendants.

This cause came on to be heard on the Bill of the Complainant taken for confessed as to the adult defendant, on whom process had been duly served and she still failing to appear and make defence, and on the answer of the infant defendants by P. B. Prentiss Their guardian ad litem, with replication to said answer and on the exhibits filed with the said Bill, and was argued by counsel. On consideration whereof the Court doth adjudge order and decree that a Commissioner of this Court, proceed to make a statement of the amount due by the plaintiff to the said Edward R. Daughney (now dead), on the basis of the facts set forth in the Bill, and further to ascertain whether the said plaintiff received on the land in question before the sale by him to said Edward R. Daughney as set forth in the Bill and whether he has done so since and make report to Court with any matters specially stated deemed pertinent by himself or that any of the parties

Daugherty
+ Copy Secret
Daugherty red

may require to be so stated
a copy.
Stable,
Peter R. Smith's Clerk

COMMISSIONER'S OFFICE,

Suffolk, Va. August 10th 1877

TO James H. Daughtry Plaintiff.
and To Mary Ann Daughtry (widow) and
Elizabeth Lee Daughtry, Edward R. H.
Jos. John, Richard A. Jasper and
Virginia Kemper Daughtry: the
last six, being infants Defendants.

You are hereby notified that I have fixed upon the 14th day of September next, if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts, to wit:

a statement of the amount due by the Plaintiff to the said Edward R. Daughtry (now dead) on the basis of the facts set forth in the Bill; and further, to ascertain whether the said Plaintiff resided on the land in question before the sale by him to said Edward R. Daughtry, as set forth in the Bill and whether he has done so since.

required to be taken by a decree of The Circuit Court of Nansemond, rendered on the 11th day of April 1877, in a suit in Chancery, depending in said Court, in which you are parties, plaintiff and defendant; at which time and place you are required to attend.

Given under my hand as Commissioner in Chancery of the said Court, the day and year first aforesaid.

PETER B. PRENTIS, Commissioner.

To the Sheriff of Nansemond County to execute.

Executed a copy of the within delivered to Mary A. Daughtry
J. S. Lulegham Shiff

James H. Daughtry

to { Commr's Notice

Mary Ann Daughtry (widow)
Lal.

To 14th. Sept. 1877 at Commr
Prentiss' Office

Service acknowledged by us.
Peter B. Prentiss, & co. ad.
Attorn for infant defendants

No. 1

Statement showing the amount due by James F. C. Daugherty,
The Plaintiff, to Edward R. Daugherty (now dead) for
the purchase of the land in question.

To Amos of consideration money for said land. \$336.48

.. int: on same fm: 22nd March 1870 to 16th

May, 1871

23.21

\$359.69

Cr:

100.00

\$259.69

int: fm 16th: May 1871 to 30th: Sept: 1871

5.84

\$265.53

Cr:

100.00

Balance due

\$165.53

with interest thereon from the 30th: day of
Sept: 1871, till paid

Comd

Commissioner's Office.

Suffolk, Va: Sept: 14th: 1877

James H. Daughtry.

Plaintiff.

against } In Chancery

Mary Ann Daughtry (widow) and

others

Defendants

Present,

John R. Kelly, Esq. Plff. atty:

James W. Lester, being duly sworn on the Holy Evangelists of Almighty God, deposes and says:

I am sixty-four (64) years of age, reside in Hanover County, Va: and about two (2) miles distant from Carlisle, in Isle of Wight County, Va, and three or four hundred yards of the land referred to in the proceedings - That I know James H. Daughtry, the Plaintiff, and I knew Edward R. Daughtry dec'd. I also know his widow, Mrs. Mary Ann Daughtry & her children. That the said James H. Daughtry reside, on the premises referred to, & has so resided for more than thirty (30) years.

Question.

How far did said Edward R. Daughtry live from the premises referred to? & what relation are they (Edw R. & James H.)?

Answer

About one quarter of a mile - They are brothers.

Question

Please examine Exhibits "B & C", filed with the Bill, in this

Case, and say, whether the signatures thereto, are those of the said Edward R. Daugherty, whether you have ever seen him write, and know his hand writing?

Answer I have examined the papers ^(Exhibits.) referred to, to-day, and find the signatures, thereto of "E. R. Daugherty", are the genuine signatures of the said E. R. Daugherty — I have often seen him write, and I know that the said signatures, & the whole of Exhibit "C", are in the hand writing of the said E. R. Daugherty — That Exhibit "B", is written by Edgar Raully, & that ^{the} body of the said Exhibit, is written by said Edgar Raully; & that the said Edgar Raully, is now dead — That the said James H. Daugherty is a married man, whose wife is now living, and he has twelve (12) children & five grand-children; that the said James H. Daugherty, is quite a poor man.

And further this deponent saith not.

Signed

J. M. Lester

James H. Daugherty (the Plaintiff) being duly sworn, says, that he is fifty-eight (58) years of age — That he has just heard the deposition of James M. Lester read, and that what he has said, is correct. And further he saith not.

(Signed

James H. Daugherty

James H. Daughtry

vs { Connors' Report

Mary Ann Daughtry
(widow) Ld

1877. Sept. 14th.

Completed Order

in my Office

Peter B. Connors

Connors

Filed Sept. 14th 1877
clh

James H. Gaughney

Mary Ann Gaughney et al.

This came in
which by consent of parties Mary Ann
Gaughney ~~is~~ ~~as~~ administratrix
of Edward R. Gaughney is made a
party defendant to this cause & by
like consent came on this day to be
again heard on the papers formerly
read, on the answer of said
Mary Ann Gaughney in her
own right as administratrix of
Edward R. Gaughney decided on
the report of Commissioner
Prentiss under the decree herein
of April Term 1877, I was ordered
by court, on consideration whereof
the court confirms said
report, to which no exceptions
were filed, doth adjudge and
decree - that the Plaintiff James
H. Gaughney, within 90 days from
the date of this decree pay to Mary
Ann Gaughney administratrix
of Edward R. Gaughney the sum
of \$165.53 with interest thereon
from the 30th day of September 1871
the amount shown by said report
to be due of said James H. Gaughney
on the land in the proceedings of
this suit mentioned & that on
the payment of said amount
by said James H. Gaughney, Geo. R.
Killy, who is hereby appointed Special

17 by Motes apparently crest of the other lands of which said Edward
R. Baughley died seized

Commissioners for that purpose execute
and deliver to the said James H
Baughley a good & sufficient deed
in fee simple with special warranty
for the tract of land in these proceedings
mentioned being in the county of
Karnesmond containing by
estimation 150 acres ^{more or less} adjacent to the
lands of Madison Tyler Edward R
Baughley & others, being the same
tract of land conveyed by said
James H Baughley to said Edward
R Baughley by a deed bearing date
on the 22^d day of March 1870 - duly
recorded in the clerk's office of the
County of Karnesmond & such
conveyance to be without prejudice
due to the right of the said
Mary Ann Baughley to
be endowed out of the other
lands of the said Edward
R Baughley for her equivalent
of dower in the ~~same~~ tract
of land & the court doth
further adjudge and decree
that Wm E Barnes, S. M. H. Barnes,
Edward ~~Baughley~~ Rawls, Jr. C. Vaughan.

Wm J. Holland

who are hereby appointed Special
Commissioners for that purpose,
any three of whom may act
~~proceed to allot & set apart~~ ^{out of the other land} ~~of said Edward R Baughley~~ ^{to said}
May R Baughley one equal full
share ^{part} having regard to quantity &
quality of the ~~land~~ ^{other} whereof said
Edward R Baughley died seized &
possessed,

including in said allotment her
equivalent of dower in the land of said
conveyed to said Edward R Baughley
by said James H Baughley as her dower
in the estate of her said husband &
make report to court of their proceedings
under this decree - And the
court doth further adjudge and
decree that the Plaintiff pay the
costs of this suit -

Daughter -
Daughter -

Rough Dress
Oct Term 1877
To be entered

Geo. B. Lord,

Copied

We consent to this
Dress

John R. Kilby
C. B. Hayden

Entered O.B. No 1

R. 367

Laughtrey

v.

Laughtrey's ad &

This cause is to be heard on the Bill of the Complainant taken for confession as to the adult defendant, on whom process has been duly served & she still failing to appear & make defence, and on the answer of the ~~Defendant~~ of the Infant defendants G. B. Prentiss their Guardian ad litem, with replication to said answer & on the Exhibits filed with the said Bill, and may appear by counsel. On consideration whereof the Court doth adjudge and decree that a Commissioner of this Court, proceed to make a Statement of the amount due by the plaintiff to the said Edward O. Laughtrey (now dead) on the basis of the facts set forth in the Bill, and further to report ascertain whether the said plaintiff ~~has~~ resided in the land in question ~~and~~ before the sale by him to said Edward O. Laughtrey as set forth in the Bill, and whether he has done so since, and make report to Court with any matters specially stated deemed pertinent by himself, or that any one of the parties may require to be so stated.

Laughton

n

Laughton not

1877

Ape Ct,

1st June

To be entered

Geo. Blow,

Entered D.B. No 1 - p 341

James H. Caughtry

Mary Ann Caughtry et al.

77
On the
report of
Mo R
Kilgore
Miscon
under the
decree
herein of
Oct Term
1877

This cause this
day came on to be again heard on
the papers formerly read, on the
report of Edmund Rauls, James C
Vaughn, W. J. Holland & Thos A
Barnes, four of the commis-
sioners appointed by the
decree herein of Oct Term
1877 for the assignment of
dower to Mary Ann Caughtry
widow of Edmund R. Caughtry,
was argued & counsel, on
consideration whereof the
Court doth adjudge & order
decree that said report to
which no exceptions
were filed be confirmed, &
that the said Mary Ann
Caughtry hold as her dower
for the term of her natural
life, the lands allotted her by
the said report, ^{of commission, for said} as therein
set forth & bounded & that
the heirs at law of said
Edmund R. Caughtry be
perpetually bound therefor

& the court doth further adjudge
 order & decree that the Admors of
 said Edmund R Baughly
 pay the ^{unpaid} costs of this suit of
 any & charge the same
 equal to the heirs at law
 of said Edmund R Baughly
 & that this cause be
 removed from the
 docket, nothing further
 remaining to be done
 herein -

Baughly
 Baughly
 copy

Edmund Baughly
 Col Tenn 1878
 2 in suit

Geo W. Blount

Entered O. B. No. 1 - p. 416

To the Honorable Geo: Blaw Judge of the
Circuit Court of Nannemond County,
in chancery sitting:

The Answer of Mary Ann
Caughtry in her own right & as admors-
tratrix of Edward R Caughtry deceased,
to the Bill of Complaint, in said
Court exhibited against her & others -

This defendant saving Roseimer's
all right of exception to the many
enormous imperfections in said bill
contained, for answer thereto, and to
so much thereof, as she is advised
it is material & necessary for her
to answer, answering say that
she has no personal knowledge of
the contract of sale in the said
bill mentioned & demands proof of
the same - That she is advised &
so avers that if the specific
performance of the contract alleged
is enforced that she is entitled to
dower in the land mentioned, but
she is willing to take the equivalent
of her dower in the land in said
bill mentioned & the ^{out of the other lands of which the} ~~free~~ ^{fact} that
said Edward R Caughtry died seized &
Circumstances may be appointed
to allot the same to her &

This defendant, having answered & pays
hence to be dismissed with her costs in
this behalf most unreasonably expended,
& she will ever pay & -

Signed - Mary A. Daughtry

Recommended for entry to suit.

J. P. B. Prentiss
a commissioner in chancery of the
Circuit Court of the county of Adams
do certify that Mary Ann Daughtry
whose name is signed to the
annexed answer, personally
appeared before me in My said
County & affirmed to the truth
of the statement contained in her answer;
given answer - Given under my
hand this 10th day of October 1877 -
Peter B. Prentiss, Clerk.

James H. Campbell

¹⁴
May Am Campbell -
et al.

Answer of
May Am Campbell -

filed 11th Octo: 1877
etc

To the Circuit Court of Nausumund Co. &c.

The joint & separate answer of Elizabeth Lee
Laughtrey, Edward R. N. Laughtrey, Jrs. Jns. Laughtrey,
Richard A. Laughtrey, Jasper Laughtrey and
Virginus Kemper Laughtrey, infants by Peter B
Prentiss, their guardian ad litem, to a Bill
in chancery exhibited in the Circuit Court of
Nausumund County by James H. Laughtrey
against Mary Ann Laughtrey & others.

These Respondents, say that so far as
they know the facts set forth in the said Bill
are true, but being infants, and incapable of
protecting themselves in the premises, submit
all their rights to the Court & pray that no
order or decree may be made in this cause
inconsistent with their rights. And so

signed,

Peter B. Prentiss.

For: ad litem

Laughtrey

u

Laughtrey Jue..

Answer of
Drift. cepts

Sept the 30th 1871

Recd of James H Taughtrey One Hundred dollars in
part payment of a debt which I hold against his land for
which I have a deed for. which I promise to release
when the purchase money is paid

E. S. Taughtrey

(C)

E. B. Daughtry's
Receipt
29

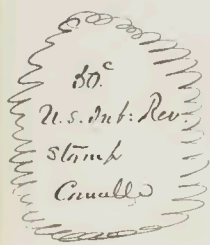
Recd of James H. Daughtery one
thousand dollars on acct. cred.
of trust on Land on which he
Resides - May 16th 1871

Edgar Rawls

E. P. Daughtery

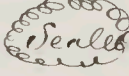
'B'

E R Daugherty
Receipt



This Deed, made this 22^d day of March, One Thousand eight hundred and seventy, between James H. Daughtry, of the one part, and Edward R. Daughtry, of the other part, Witnesseth: That the said James H. Daughtry, in consideration of the sum of Three hundred and thirty-six dollars and forty-eight cents, does grant with general warranty unto the said Edward R. Daughtry and to his heirs and assigns forever, the following real estate, to wit: a tract of land in Nansemond County, Virginia, on which the said James H. Daughtry now resides, & which contains One hundred & fifty acres, more or less, and adjoins the lands of Madison Lester, Edward R. Daughtry, Eliza Rauls & others, and which land was on this day conveyed by Washington L. Riddick, Assignee in Bankruptcy of said James H. Daughtry, to the said James H. Daughtry - with all and singular the appurtenances belonging to the same.

Witness the following signature & seal.

James H. Daughtry. 

Virginia - Nansemond County, to wit:

I, John R. Killy, Notary Public in and for said County and State, aforesaid, do certify that James H. Daughtry, party to the foregoing Deed, bearing date 22^d March, 1870, has acknowledged the same before me, in said County, to be his act and Deed.

Given under my hand 22^d March, 1870.

John R. Killy, Notary Public

In the Clerk's Office of Nansemond County Court the 22nd day of March, 1870.

This Deed was received, and with the Certificate written thereon, admitted to record.

(the requisite stamp of 50^c having been affixed and cancelled)

Teste - Peter B. Prentiss, Clerk

a copy: Teste, Peter B. Prentiss, Clerk

Kind
James H. Daughtry
To { Copy Need
Edward R. Daughtry

149

Daughter

n

Daughter Sal

3 Ex. with Bill

Civ. of Nansmond

To The Hon. Geo. Blinn, Circuit Court Judge of Hanover
County Virginia

Complaining shew unto the Court your Complainant
James H. Daughtry,

Your Complainant, respectfully states to the Court
and says, that being embarrassed in his financial
matters, and desiring to realize money to pay off his
debts, he sought the aid of his Brother Edward R. Daughtry,
and offered to sell, & did sell to his said Brother
by deed dated the 22^d. March 1870, recorded in
the Clerk's office of Hanover County on the same
day, his farm on which he then ^{lived} from him, to wit.
a tract of Land in Hanover County Virginia, on
which the said James H. Daughtry now reside, & which
contains one hundred & fifty acres more or less, and
adjoins the Land of Madison Lester, Edward R. Daugh-
try, Elisha Paul, & others. — for the consideration of
\$336.48. actually paid — A copy of which deed
is filed herewith & a part of this bill I marked "A"

That when said sale was made & money paid
his Brother Edward R. Daughtry, being willing to aid
your Complainant, agreed, verbally, that he would
reconvey said Land and appurtenances to your
Complainant whenever your Complainant would repay
him the purchase money & interest, without rent, &
accordingly your ^{Complainant} ~~Deed~~ resided on the Land &
never ~~removed~~ therefrom from reside, thereon.

That your Complainant had then, & now has a

wife & a number of children, & is poor & advancing
in age. That he had made two payments to
his said Brother on said Land, to wit. \$100. on the
16th May 1871, and the receipt therefor says "on acct. rend
of Trust on Land, on which he resides", that there was,
no deed of Trust on said Land, and that language
was intended to shew, that your Complainant had the
right to redeem the said Land & have a reconveyance
of the same. The other payment was, on the 30th Sep.
1871, & is for \$100, and ^{says} "in part payment of a debt
which I hold against his (your Complainant) Land
for which I have a deed for, which I promise to release
when the purchase money is paid", signed by said E. R. Daughtery
which two receipts are filed herewith as part of this bill
and are marked "B. & C".

Your Complainant says, that the said receipts
shew, that your Complainant, was entitled to a
deed reconveying said Land to him, on paying the
purchase money (\$336.46) and Interest from the day
of purchase, to wit. 22nd March 1870, and that he has
paid on that account \$200. as above specified, and is
willing & ready to pay the residue, so soon as he can get
a deed for the Land aforesaid.

Your Complainant says that possession of said
Land was never given to said E. R. Daughtery, but
on the contrary your Complainant, by consent of his
said Brother, (Edward R. Daughtery) continued in the
possession thereof, free of rent, and was to repay the

purchase money aforesaid and interest, and then to have a deed for said Land, which his said Brother would have made him, had he lived.

But so it is, your Complainant says, that the said Edward R. Leaghtrey, his Brother, died on the Day of June 1894, Intestate, leaving a widow, named Mary Ann, and six children all under twenty one years of age, to wit. Elizabeth Lee, Edward R.H.; Jm. John; Richard A.; Jasper, & Virginus Kemp Leaghtrey, his heirs at law.

That, the said writings, are sufficient in Law to entitle your Complainant to a reconveyance of said Land, on the payment of the residue of the said purchase money & interest, together with the propepin of the same, and that it would be a fraud on your Complainant to withhold the said deed.

In Consideration whereof and as this Court has power & jurisdiction to grant all adequate relief. So The End your Complainant prays that the said Mary Ann Leaghtrey (widow) and Elizabeth Lee, Edward R.H.; Jm. John; Richard A.; Jasper, & Virginus Kemp Leaghtrey, the last six being under twenty one years of age, may be made defendants thereto and be required to answer the allegations herein, and that some fit & proper person may be appointed to defend said Infants. That an account of the amount owing by your

Complainant may be ascertained; that he may
be allowed to pay the same, and that the res.
Judgments by themselves or some Commission of
Court may make your Complainant a creditor
the said ~~Land~~ ^{Land} on the payment of whatever amount
may be properly found due by your Complainant,
and that such other and further relief may be
granted in the premises, consistent with Equity &c.

And your Complainant will &c.

signed.

By John R. Kilby atty.

Seen to before me

This 14th day of Sept 1877

Peter B. Martin. Clerk

(signed)

James H. Daughtry

Kilby p. v.

James H. Daughtry

N. B. Bice

Mary Ann Daughtry sec.

Civ. Ct. Mans. & C.

James H. Danghey
vs Chy: Notes

Mary Ann Danghey (widow) dcl

1877. Jan'y: 24th: Sumd. in Chy: issued to Feb'y. Rules, 1877

" Feb'y: 5th: Bill & exhibits filed - Conditional Decree
vs Adult Defendant -

" " " Peter B. Prentiss, appointed gen. at ldm
to the infant Defendants, who filed their answers
to which there was a genl. reply: & the cause
set for hearing, as to them.

" March 5th: Conditional Decree confirmed & cause set for
hearing, on mo: of Pltff's Counsel.

" April 11th: Decree for decors. l

" Sept'r: 14th: Report filed

Oct. 11th: Decree to pay money, make ldm & l
assign some
of payment of money

1878. Feb'y: 7th: Report filed

" Apr. 15th: Continued

" Octo: 7th: Report of Decors, filed

" " 15th: Final Decree

Chy. Notes