

1869-024

SOUTHAMPTON COUNTY
CHANCERY PAPERS

EDWARDS

US. DAVIS' admr & al
12/1869

other SURNAMES,

CROSS

604

Edwards

2

Bill, Susan
and
Dennis

Chapman

1809. Dennis Dennis as filed

To the Worshipful County Court of Southampton
in Chancery sitting

Humbly complaining your orator Mills & Edwards shunts unto your worships that in the year 1869 John O Croft purchased a tract of land from Wm Murfey containing 29.5 acres known as the Carr Place and that the said Wm Murfey made a deed of Bargain and sale and of Trust in the same instrument whereby he conveyed the said land in Trust to M^r J. Davis to secure the purchase money and of Bargain and sale to John O Croft in the event he paid the same, Your Orator states further that John O Croft was unable to comply with his contract for the purchase of the said land and that by a subsequent arrangement he became the purchaser of the said land and was to pay for the said land the sum of \$893. Your Orator states further that he was placed in possession by Wm Murfey and that subsequently Wm Murfey made a deed of Trust to E. W. Mappamony as his trustee for the purpose of paying his debts and that the debt due from him to Murfey was conveyed in the said deed. Your Orator states that Wm Murfey has long since removed from the state and he is informed is has been dead a long time that his trustee E. W. Mappamony died in the year 1869 sometime in May last, that M^r J. Davis is dead and J. E. Chapman is his administrator, Your Orator shunts further that in pursuance of his contract with Wm Murfey he paid for the purchase of the said land

to E. W. Mapleton, his trustee on the 2nd of August
1860 the sum of \$475 and on October 24th 1862
the sum of \$400 all of which will more fully
appear by the said receipts herewith filed marked
A and B herewith filed and prayed to be taken as
parts of this bill and that he is now entitled
to have a deed for same issued from J. E. Chapman
representative of Mint J Davis the master or some
commissioner appointed for the purpose of making
the said deed.

In such consideration whereof and inasmuch
as your master is without relief except in a court
of equity where such matters are peculiarly
cognizable he therefore prays that J. E. Chapman
administrator of Mint J Davis who was trustee of
John C Croft in whose the legal title of this land
is now outstanding may be made a party defendant
to this bill and compel him as full and perfect
answer make to the allegations therein contained
as if he had been thereto more fully and
generally interrogated, that the court would appoint
a commissioner to make him a deed for the
said land and grant such other and general
relief the premises considered as equity may
dictate and the nature of his case may require
and as in duty bound your master will ever
pray.

Shawdo p. 9.

Edward
as 3 Deeds
Chapman

By consent of parties this day this
cause came on to be heard on the plaintiffs
side, answer of the defendant J. E. Chapman
administrator of M. J. Davis. general replication
Thereto exhibits filed and was argued by counsel.
On consideration whereof the court doth adjudge
order and decree, that William B. Shance who
is hereby appointed a special commissioner for
that purpose shall by deed convey to Mills &
Edwards a certain tract of land lying in
Southampton County containing by estimate
295 acres it being the land purchased by John
C Croft of Wm Murphy and subsequently transferred
to the said Edwards and known as the Carr Place.

Edwards

is 3

Chapman

Answer of J. E. Chapman

The answer of J. E. Chapman administrator
of M. J. Davis also to a bill of complaint by
Mills E. Edwards vs him

This defendant for answer to the said bill or
as much thereof as he is advised it is material
for him to answer, answering says that he
knows nothing of the allegations of the plaintiffs
bill and would pray that the court would
appoint a commissioner to make a deed for
the land set forth in the complaint to be
and having fully answered prays to be
discharged with his costs etc.

Read by consent

Shames consent for plaintiffs.

Copy of Receipt

Aug 21st 1860 Recd of Wm B Chance for Mills
Edwards the sum of four hundred and twenty six
dollars which is to be applied in part payment for
land sold by me as trustee of Wm Murphy to
the said Edwards

E. W. Mapes

Oct 24th 1862 Recd of Jesse Cobb for
Mills & Edwards the sum of Four
Hundred Dollars (\$400) to be placed
as a credit of this ^{date} on bonds of M O
Crops executed to Wm Murfee on the
18th day Sept 1858 for the purchase of
a tract of land called the Cane Place
which said tract of land the said Edwards
has purchased of the said Crops. the
said land being now under deed of
trust from said Crops for the pur-
chase money which was due to
the said Murfee

John B Wiggins

E W Mapenbury
Trustee for
Wm Murfee