

1834-003

Chancery Causes. Nathan Johnson & c^{ts} vs Jacob Daughtrey & al

Isle of Wight County

other surnames: Beaton,
Tallough, Laurence,
Daughtrey, Lawrence

Attest as John on the
v Bill re
Jacob Daughtry Sal.
Baker.

February 4th 1833 Bill &
answ'd filed & Judgments given

March 4th 1833. Report of
court returned. filed & court

June 3rd 1834 Report conf.
100

For paid. W. A. Woodley
Sole of W. Co. Co.

Comd. ~~defendants~~ as before suggested, giving to your orator in right of his wife such share of the proceeds of the said real estate absolutely, or may be just & proper in lieu of her said right of dower; and your orator and orators pray that your wisdom will make such other or further decree in the premises as may seem equitable - May it please the

The Joint Separate answer of Jacob Daughtry, Wm. J. Peator & Louisa his wife, Elizabeth Tallough, & John Lawrence & Devina his wife to the bill of complaint exhibited against them in this court by Nathan Johnson and wife complaint. These respondents having and reserving to themselves the for answer say, that the statements in the said bill set forth are substantially true & correct & they are therefore willing that the court should decree a sale & division of the real estate in the bill mentioned as required by the complaint & having answered the they pray to be dismissed the

John Lawrence vs. Daughtry & al. chg.

This cause came on this day to be heard on the bill & answer by consent and was argued by counsel, on consideration whereof the court doth adjudge order and decree that ^{Jacob H. Duck} Matthew Daughtry, and Solomon Daughtry or any two of them, after advertising the time & place at least ten days, sell at public auction on the premises the tract of land in the bill mentioned, being the land of which

John C. Daughtry son of Edwin Daughtry died entitled, and out of the proceeds of sale pay first the costs & expenses, and then divide the nett balance, as to which a credit of nine months is to be given, so as to give to the Compt. Nathan Johnson in right of his wife $\frac{1}{6}$ thereof and the residue to the depts Jacob Daughtry, Wm. J. Peator, Elizabeth Tallough & John Lawrence share & share alike & for each of the said shares, take a bond from the purchaser with good security payable to the parties entitled to the same to make report the

To the worshipful court of Isle of Wight county in
chancery sitting Humbly complaining shew unto your worship
your orator and oratrix Nathan Johnson and Marianna
his wife that some time about the year Daughtery
only child & heir of Edwin Daughtery late of the said county
deceased this life an infant having title to a small tract
of land situate in the county aforesaid containing by estimation
150 acres and supposed to be of the value of about \$
to which he derived title by descent from his said father: the

Jno. C Daughtery left at the time of his death the
following relations, who, as they are advised, are entitled to
the said real estate, subject however to your oratrix's dower
therein, that is to say, Sally Daughtery his paternal grand-
mother, Jacob Daughtery his paternal uncle, and the following
paternal aunts, viz, Louisa Beaton wife of Mr J. Beaton,
Elizabeth Tallough, & Devina Lawrence wife of John Lawrence:
since the death of the said John C Daughtery, seized and
possessed of the said real estate as aforesaid, the said Sally
Daughtery has departed this life, and her share of the said
real estate having passed to her children, who are the
said uncle and aunts, the said uncle and aunts, as your
orator and oratrix are advised, are now entitled, share
between them to the said real estate, subject as aforesaid
to the dower of your oratrix as the widow of the said
Edwin Daughtery: your orator and oratrix state that it
would be highly injurious to the rights of the parties to make
division in kind of the said real estate: that it would be
much better for the interest of all that the same should be
sold for division, and to that end they have made frequent
unsuccessful applications - In Tender considerations whereby
To the end therefore that the said Jacob Daughtery,
William T. Beaton and Louisa his wife, Elizabeth Tallough, &
John Lawrence & Devina his wife, who are prayed to be
made defendants, hereto, may upon their several corporal
oaths full & perfect answer make to all singular the
premises & that as perfectly as if the same were here
again repeated & interrogated - your orator & oratrix pray that
your worships with decree a sale & division of the said

Am^t Brought forward

\$ 328. 00

your commissioners then paid over the several Bonds to the
different heirs and took their receipts for the same.
all of which is submitted again under our hands this 15th
Day of February 1833

Solomon Daugherty

Johnson & wife

vs } comm^d
 } Report
Daugherty & others

In obedience to an interlocutory decree Johnson & wife v.
Daughter & others pronounced by the county court of Ill. of w.^t
February term. Your commissioners having advertised the time
and place of sale of the lands in the bill mentioned by three several
advertisements at the most public places, at least ten days previ-
ous to the day of sale. When Matthew Daughter became the
last bidder and purchaser for the sum of \$360.00

Your commrs then deducted \$10. the att.^r fee & \$4 the
clerks fee and 5 p^{ts} commissions which amt. to. \$32.00

leaving a balance of \$328.00

Your commissioners then allotted to the complainant Nathan Johnson
in right of his wife $\frac{1}{6}$ which amount to. \$54.66 $\frac{2}{3}$

leaving a balance of \$273.33 $\frac{1}{3}$

Your commrs then divided the balance between the debt^r Jacob
Daughter. W^m Johnson Elizabeth Talbott and John Lawrence
Share and share alike which amt. to \$68.33 $\frac{1}{3}$ each

Your commrs then took Matthew Daughters Bond with Lemuel Daughter
Security payable to Nathan Johnson in right of his wife for the sum of
\$54.66 $\frac{2}{3}$

We also took Matthew Daughters Bond with Lemuel Daughters Security
payable to Jacob Daughter for the sum of \$68.33 $\frac{1}{3}$

We also took Matthew Daughters Bond with Lemuel Daughters Security
payable to William J. Beaton for the sum of \$68.33 $\frac{1}{3}$

We also took Matthew Daughters Bond with Lemuel Daughters Security
payable to Elizabeth Talbott for the sum of \$68.33 $\frac{1}{3}$

We also took Matthew Daughters Bond with Lemuel Daughters Security
payable to John Lawrence for the sum of \$68.33 $\frac{1}{3}$
which will account for the purchase money \$328.00

Rec^d. July 18th 1833 of Jacob H. Duck
one of the comen^t. appointed to make
sale of Edwin Daughtry's real estate
the sum of \$10 in full for my fee
in the case

Rich^d. H. Baker

Received of Jacob H. Duck one of the
comen^t. appointed to make sale of
Edwin Daughtry's real estate the sum
of four dollars in full for the fees
of the clerk in this case -

Thomas Woodley for

March 4th
1833 -

W. H. Woodley Dykes

Edwin H.
107. 3rd Poplar Street
Daughtry's estate -

Supreme Court Court. February term 1833 -

Nathan Col

ptb.

In chanc

= case

deft

against
Jacob Daughtey. William T. Beaton and Louisa his
wife. Elizabeth Tallough and John Lawrence
and Livina his wife -

This cause came on this day to be heard on the bill &
answer by consent and was argued by counsel: On consideration
whereof the Court doth advise order and decree that Nathan Daughtey
Jacob Duck and Solomon Daughtey or any two of them, after adverti-
sing the time and place at least ten days sell at public auction on
the premises the tract of land in the bill mentioned being the land
of which John C. Daughtey son and heir of Edwin Daughtey decd. entitled
and out of the proceeds of sale pay first the costs and expenses, and then
divide the nett balance as to which a credit of nine months is to be given
so as to give to the compts. Nathan Johnson in right of his wife 1/6
thereof and residue to the depts. Jacob Daughtey, William T. Beaton,
Elizabeth Tallough and John Lawrence share and share alike and
for each of the said shares take a bond from the purchaser
with good security payable to the parties entitled to the same
and make return.

We the subscribers and each of us hath this day received
of Jacob H. Duck and Solomon Daughtey comrs. appointed
in a decree Johnson & wife W. Daughtey & others the
sum of Sixty Eight Dollars thirty three and one third
cents the sum being our equal proportional part
of the sale of the land of Edwin Daughtey decd. given
under our hands and seals this 14th day of February 1833 -

Witness

Wm. Peelle

Samuel Daughtey

Jacob Daughtey read

William T. Beaton read

Elizabeth Tallough read

John Lawrence read

We the subscribers and each of us hath this day
received of Jacob H. Duck and Solomon Daughtey comrs.
appointed in a decree Johnson & wife W. Daughtey &
others the sum of fifty four Dollars sixty six and
two third cents this sum being the widows of Edwin
Daughtey decd. interest in the land of the said decd. which
was conveyed by deed to Jacob Daughtey and W. T. Beaton
given under our hands and seals this 14th day of
February 1833

Witness

Wm. Peelle

Samuel Daughtey

Wm. T. Beaton read

Jacob Daughtey read

Edwin Daughtry died about
the year leaving a widow &
one child possessed of about 150
acres - The child is dead an infant
leaving a grandmother Sally Daughtry,
leaving uncles & aunts i.e. Jacob
Daughtry, Louisa Beaton wife of
Wm. T. Beaton Elizabeth Tallough
formerly Daughtry, & Edwin's deacon
sister wife of John Lawrence
formerly Daughtry - Sally Daughtry
is since dead, & the said uncles &
aunts are her heirs - comes, land,
Maitland Hol. Daughtry - land
to be sold for division -

The widow of Edwin Daughtry
Marian has married station
John on.

2d. is requested to prepare a bill & answer order
for the sale of the lands of which Edwin Daugh-
ness seized & sold to effect a division among
the heirs - Sally Daugherty the mother, Jacob
Daugherty, Louisa Bealon, Eliza Tallough
& Edwin Lawrence - Matthew & Solomon Daugh-
erty - Commissions

Harry & Bob Eliza Daugherty et
