

1877-005 Chancery Causes, Charles B. Crumpler, Mary J. Crumpler & Martha S. Crumpler vs
Isle of Wight County Josephine Barnett & Mary Alice Barnett, by & c

other surnames: Chapman,
Powell, Bowden, Thomas

Killy Am
p. 8

Chs. B. Crumpler sal.,

n. } Bill

Josephine Banett &

Sept. Rules, 1845, filed.
Geo. ad litem app'd.
to the infant defts. their
ansr. filed & repl. and
cause set for hearing.

Octo. /45 - De. for sale &

apl. /46 - Rpt. of sale comp?

" Octo 76. ~~De. to~~ Collect
and distribute

" April 77

Final Decree

Cir. Ct. S. of W. Co.

That the said Land, as it now stands, is of but little value to any one of the heirs and it is proper that the same be disposed of in some way.

In consideration whereof and as this Court has jurisdiction to grant all adequate & proper relief, To the end your Complainants pray that the said Josephine Barrett, and Mary Alice Barrett, both Infants, under 21 years of age, may be made defendants hereto, and that some proper person may be appointed their guardian ad litem; That partition of said land may be made among the several heirs according to their respective rights: or that the same may be allotted to one or more of said parties, at a proper valuation, or if ~~there~~ no division or allotment can be conveniently made, or if as all will best promote the interests of all parties, as your Complainants say it will, then that the said Land may be sold & the proceeds divided among the parties entitled -

And your Complainants will &c.

John R. Kelly Com. p. v.

To the Hon.

The Judge of the Circuit Court of
the County of Isle of Wight Va.

Complaining, shew unto the Court,
Your Complainants, Charles B. Crumpler, Mary
J. Crumpler, & Martha S. Crumpler, adults, &
residents of said County.

Your Complainants respectfully
represent to the Court and say: That one
Esmond L. Crumpler (father of your Complainants)
died in said County on the 16th day of December 1874
Intestate, leaving no widow (his wife having
died before the said Esmond L. Crumpler), and
leaving the following children & grand children
his heirs at law, to wit, your Complainants, Charles
B. Crumpler, Mary J. Crumpler, & Martha S.
Crumpler, and Josephine Barnett, & Mary Alice
Barnett, infant children of Elizabeth^m Barnett dec'd, who
was the wife of W. A. Barnett & a daughter of said
^{Esmond L.} Charles B. Crumpler dec'd.

That the said ~~Charles B.~~^{Esmond L.} Crumpler
did seized and possessed of a tract of Land
in said County, containing one hundred acres
more or less, adjoining the Land of Hardy Chapman,
Chas. B. Crumpler, Jas. Johnson & Arthur Johnson's
estate, which was purchased by said Esmond L. Crumpler
of Lewis Johnson, some years since — which tract
of Land descends to the heirs at law as above
named of said Esmond L. Crumpler dec'd —

Crumpler &

vs

Barrett &

assigns of
Infants Gifts.

Sept. Res. 1845. Filed
"

The Joint and separate answers of Josephine Barrett and Mary Alice Barrett, Infants under 21 years of age, by A. P. Young, their guardian ad litem, to a Bill in Chancery filed in the Circuit Court of Isle of Wight Co, Va, against them by Chas. B. Crumpler & others.

These Respondents, say, that the facts & statements set forth in said bill may be true so far as they know, but being Infants of tender years, and ignorant of their rights in the premises, or what is best for them, submit their rights & interests to the Court, and pray that no order or decree may be made in the said cause to their injury, ~~and being answered~~ and the guardian signed
ad litem further says he ~~A. P. Young~~
knows the Land well ~~Edw. ad litem~~
and is satisfied that the interests of the Infants will be promoted by a sale of the Land referred to in the proceedings.

A. P. Young gov.
ad litem.

C. B. Crumpler & Co.

v. } Jams. to
au. P. Bill

Josephine & Margaret.

Barrett.

To Capt. Reels, 1875.
Kelley & Son Surg.

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON

*Josephine Barrett and
Mary Alice Barrett infants under twenty
one years of age*

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 Charles B. Crumpler, Mary Jane Crumpler
and Martha J. Crumpler*

At a plea of

non est for \$ *1000* Damages

And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Court House, the *13th* day of

August 187*5*, in the *100th* year of the Commonwealth.

N. P. Young

Crumpler Lab.

v. 3 Depos.

Barretto

/

Sept. 11th. 1895.

Came to hand
under seal filed.

Test, N. P. Gennep.

Charles B. Crumpler, Mary J. Crumpler
and Martha S. Crumpler
vs.

Josephine Barrett and
Mary Alice Barrett, Infants
of Elizabeth M. late wife of
Mr. A. Barrett, whose was Elizabeth
M. Crumpler

In Chancery -
In the Circuit
Court of the
County of
Isle of Wight Va.

The following depositions are taken the 10th
day of Sep. 1875, at Juni, pursuant to annexed notice.

The depositions of Hardy Chapman, Wm. P. Powell
E. E. Bowden & J. C. Thomas, Citizens of Isle of Wight County
of Lawful age, who being duly sworn on
the Holy Evangelists of Almighty God, depose
and say.

That they live in said County
in the neighborhood of Juni, and near
the premises herein referred to - That they
are well acquainted with the Land of which
Esau L. Crumpler died seized & possessed - That
it is situated in the said County, and
contains One hundred acres, more or less
and adjoins the Land of Hardy Chapman, Chas. B.
Crumpler, Jas. Johnson & Arthur Johnson's estate -
That the said Land is about half a mile

1875 Sep. 6th, I acknowledge receipt of the author's
notice.

A. P. Young Esq. ad
Colum

To *Josephine Barnett & Mary Alice Barnett Infants.*

Take notice that *we* shall on the *10th* day of *September* 18*85*, next, at
Seven, in Isle of Wight County in

between the hours of 8 a. m. and 6 p. m. of that day, proceed
to take the Depositions of *Hardy Chapman*

and others, to be read as evidence in *our* behalf, in a certain *suit*
in Chancery, depending in the *Circuit* Court of *Isle of Wight*
County, wherein *we*

are plaintiffs, and *you*

are defendants; and if from any cause the taking of the said
Depositions be not commenced on that day, or if commenced be not concluded on that day, the
taking of the same will be adjourned and continued from day to day or from time to time, at the
same place and between the same hours, until the same shall be completed.

Respectfully.

To the Sheriff of
County to execute.

}

Charles B. Crumpler
Mary Jane Crumpler
Martha J. Crumpler
per attys.

Recd
This one

ELAM & CAMPBELL, Editors and Proprietors.

Suffolk, Va., Dec 1st 1875

Mr J. W. Kelly

To "Suffolk Herald" Dr.

Newspaper and Job Printing Establishment,

WASHINGTON SQUARE, OVER COMMERCIAL BANK.

Nov 3 50 Bills Sale Crumplers land 2 00
Paid
E. A. Campbell

North Bridge

£ 3 -

3.00

46

£ 3.46

Mr. John R. Hilkey
1840 - To L. B. Edwards
Recd. To Selling C. & Humphreys. \$5.00

Ac. & paym't
L. B. Edwards Chm.

Chumley & Co.

v. $\frac{3}{4}$ Chy.

Barnett v.

/

Bill of Costs &
cf. of apportionment
of land.

Dec

Office, Nov. 10. 1875

C. B. Crumpler & als.

v.

3

In Chy. in Isle of Wight

Barrett & als.

Circuit Court.

Bill of costs to and including decree of
Octo. term, 1875. To wit:

Attos. for filifs. & writ tax	16. 00
Attos. for inst. Defts.	15. 00
Clerks fees	6. 62
Justice B. C. Roberts for taking deposition	75
N. Chapman witness	.50
W. P. Powell "	.50
E. C. Bowden "	.50
J. C. Thomas "	.50

\$ 40.37

Teste,

J. D. Young clk.

I, J. D. Young, Clerk of the County Court of Isle
of Wight County, do certify that from the books
of asessor of lands in said county, filed in
my office, the land of E. C. Crumpler
decd: of 100 acres, is assessed at \$500.00
Given under my hand this 9th. day of
Nov. 1875.

J. D. Young clk.

entitled thereto, which said the said Court will ad-
vertise for at least twenty days at the Court house
of said Court and at Furi, and four other
public places, in the neighborhood of the premises,
and make report to Court. But no sale is to be made
under this decree till the said Court. Kelly shall
have executed before the Clerk of this Court in his
office a bond in the penalty of \$1000 payable to the
Commonwealth of Virginia, and conditions
faithfully to execute this decree, and any future
decree he may be required to execute in this cause.

A Copy, Teste
J. C. Fendie & Co.
R. P. Young Secy.

Executed at
133 Leesons.

March 1875.

Oct. 1875.

C. B. Cumber \$94.5

1111 1875

In the Circuit Court of Sale of Wight County,
Oct. 20th, 1876.

Charles B. Crumpler, Mary Jane Crumpler and
Mintha J. Crumpler. } Plffs.

Against } In Chancery -

Josephine Barrett & Mary Alice Barrett, infants
under twenty one years of age } Defs.

This cause came on this day to be again heard on the Bill of the complainants and answer of the defendants with general replication thereto, and on examination of witnesses, and was argued by counsel. On consideration whereof the Court doth adjudge order and decree that John R. Kilby (who is hereby appointed a special Commissioner for that purpose) proceed to sell before the Court house door of Sale of Wight County on some Court day the land of which James A. Crumpler died seized and possessed containing one hundred acres more or less, and situated in Sale of Wight County, Virginia, and adjoining the lands of Hardy Chapman, Charles B. Crumpler, Jas. Johnson and Arthur Johnson's re^{ts}; and which was purchased by said James A. Crumpler of Lewis Johnson - On a credit of twelve months with interest from the day of sale, taking of the purchaser bond with good security, reserving Homestead exemption and retaining the title to the said land till ordered by the Court, except for a sum sufficient to pay the costs of suit and expenses of sale, which will be cash and to be paid to those

1876 Dec 14. Recd of J. P. Young, Clerk to
 the Bond filed herewith of Chas. B. Crumpler
 & Wm. H. Deaton for \$869.73 dated 6 Dec 1875
 & due twelve months after date - Delivered to me
 under clause of Oct. Ct. 1876

John D. Kelley Comm

Crumpler & Co.

2

Barnett & Co.

Refund of sale &c.

1876.

March 9th Filed

the said Charles B. Crumpler executed his
Bond with John H. Beaton

as security payable twelve months after date
with Interest from date, which is herewith
filed

Respectfully submitted
John R. Kilby Com

1895 Recd. our fees as per foregoing
list

To the Circuit Court of Isle of Wight County, Va.

The undersigned respectfully reports to the Court, that pursuant to the decree of said Court, made at the October Term thereof, 1875, in the cause therein pending wherein Charles B. Crumpler, & others are plaintiffs, and Josephine Barrett & others are defendants, he proceeded to advertise the land named in said decree of which Emma L. Crumpler died seized and possessed, containing one hundred acres more or less, and did on the 6th day of December 1876, (being County Court day,) sell at auction before the Court house door of said County, the said Land, in the terms named in said Decree, when the same was purchased by Charles B. Crumpler for the sum of Nine hundred & forty five dollars — \$945.00 and received in cash of said at

to	to attor. fees & day,	\$31.00	
	" clerk's fees	6.62	
	" Justice B. C. Roberts	.75	
	" H. Chapman, witness	.50	
	" W. P. Powell "	.50	
	" E. E. Bowden "	.50	
	" J. C. Thomas "	.50	
to	" L. B. Edwards' fees	5.00	
to	" "Supper & travel" advs.	2.00	
to	" 5 per cent Court. on \$300 —	15.00	
to	" 200. on \$645	12.90	\$75.27
	Leaving —	\$869.73	
	For which		

of the premises, and make report to Court,

But no sale is to be made under
this decree the said John R. Kelly,
shall have executed before the Clerk of this Court
in his office a Bond in the penalty of \$10000.
payable to the Commonwealth of Virginia, &
conditioned faithfully to execute this decree & any
future decree, he may be required to execute
in this cause.

Remonstrance

m.

Barrett Jr

1875

Act. Ct.

Decree

To be entered

Geo. W. Bledsoe

Entered

Crumpler & al.

vs

Barrett &.

This cause came on this day to be again heard on the Bill of the Complainant & answer of Defendants, with general replication thereto, & on ~~examination~~ examination of witnesses, and was argued by Counsel. On consideration whereof the Court with adjudge, order and decree that John R. Kelly (who is hereby appointed a special Comd. for that purpose) proceed to sell before the Court house over of Isle of Wight County on some Court day, the Land of which Emma L. Crumpler died seized and possessed containing one hundred acre, more or less, and situated in Isle of Wight County, Virginia, and adjoining the Land of Hardy Chapman, Chs. B. Crumpler, Jas. Johnson & Arthur Johnson, et al., which was purchased by said Emma L. Crumpler, of Lewis Johnson, on a credit of Twelve months with interest from the day of sale, taking of the purchaser ~~Bond~~ ^{conveyance} with good security, having some ~~stead~~ exemption, retaining the title to the said Land till ordered by the Court, except for a sum sufficient to pay the costs of suit & expenses of sale which will be cash & paid to those entitled thereto; which sale the said Comd. will advertise for at least twenty days at the Court House of said Court and at Zimri & four other public places in the neighborhood

Cumpler & ^{co}

vs.

Barrett & al.

Jale of Wright County
Circuit Court

April Term 1876

Deene

To be entered

Geo. Blos.

Entered (5)

Crumpker &c

vs.

Barnett & al.

This cause came on this day to be again heard on the papers formerly read herein and on the Report of Commissioner, John R. Kilby, made in this cause in pursuance of a decree of the October Term 1875 of this Court, and was argued by counsel.

On consideration whereof the Court doth confirm the said Report to which no exception has been filed.

Cumpler &

n

Barrett &

Final report

Filed,
Jan. 1st. 1877

In the Circuit Court of Harsemain County,
 The undersigned reports to the said
 Court that pursuant to the decree of said
 Court made at the October Term 1876 in
 the Chancery suit pending in said Court,
 wherein Chas. B. Crumpler & others are plaintiffs
 and Josephine Barnett & c. Defendants,
 he received of the Clerk of said Court
 the Bond of Chas. B. Crumpler & John H. Beaton
 for \$869.73 filed in the cause & collected
 the same & made to Chas. B. Crumpler a
 deed with special warranty in the usual
 form for the land referred to in the proceedings
 and paid the proceeds to those entitled as directed
 by said decree, & as the following statement
 and annexed receipts will show.

By amo of said Bond	\$869.73	
" Int. from 6 Dec 1875 to 6 Dec 1876 -	52.18	
To charge for deed to purchaser	~~4.00~~	\$921.91
& for clerk addl. cnts	1.91	
To paid Tax on sales Bond	8.47	14.38
		\$907.52

To paid Chas. B. Crumpler, for said Deed & her int 1/4	\$226.88	
" " Mary J. Crumpler do	226.88	
" " Martha L. Crumpler do	226.88	
" " Joseph A. Barnett for do		
Josephine & Mary Alice Barnett her int 1/4	226.88	\$907.52

Respectfully submitted

John R. Kilby
 Coun

fourth part thereof to the said Mary J. Crumpler,
 One other fourth part thereof to Martha S. Crumpler, &
 The remaining one fourth part thereof to the
 legally qualified guardian of said Josephine
 Barrie, & Mary Alice Barrie, infants; if said
 infants have no such guardian, then deposit
 the same in the Commercial Bank of Suffolk,
 to their credits, which bank will pay the same
 to their legally qualified guardian, when qual-
 ified, or to the said Josephine, Mary Alice
 Barrie, on arriving to the age of 21 years, &
 the said Court will report to court his
 proceedings under this decree.

A copy Teste

Addl. Costs sum

last payment.

Clerk fees \$1.91

W. A. Edwards & D. A. D. A. D.
 N. R. Young Clerk.

Fixed
 Crumpler et al
 vs
 Barrie et al.

W. A. Edwards
 D. A. D. A. D.
 N. R. Young
 Clerk

W. A. Edwards
 D. A. D. A. D.
 N. R. Young
 Clerk

Isle of Wight Circuit Court October 21st 1876.

Charles B. Brumpler et als.

Plffs.

Against } In Chancery
Josephine Barre et als.

Defts.

This cause came on this day to be again heard on the papers formerly read, on the report of sale made by John R. Kilby Commr. under the decree made in this cause in this Court on the 20th. Oct. 1875. to which report there is no exception, & was argued by counsel; on consideration whereof the Court doth confirm the said report, & doth a dridge, order & decree that the said John R. Kilby Commr. as aforesaid receive of the Clerk of this Court (who will deliver the same to him on his leaving a receipt therefor) the bond of Chas. B. Brumpler and Jm. S. Bealor for \$809.75 filed with the said report, and collect the same when due, with all interest due thereon, & make to the said C. B. Brumpler a deed with special warranty, in the usual form, for the real estate sold under proceedings had in this cause, & purchased by him, out of said sum of money, pay any costs that may remain unpaid, & then pay & distribute the residue as follows, to wit: one fourth part thereof to the said C. B. Brumpler, one other

1876 Dec 4. Recd. of John R. Kelly Esq.
 Two hundred & twenty ^{88/100} ~~0.12~~ dollars, my
 share of fund coming to me under decree of
 Circuit Court of Deaf Smith County, in the
 suit of Chas. B. Crumpler & against Josephine
 Barnett &c. Decree Oct. Court 1876.

1226.88
 Chas B Crumpler

Killy Jno: R. Leomr,

~~18.07~~
40

8.47

K. L. S. M.

14.38
8.47

5.91

To State Capitation Tax.....			
To State Revenue on	acres Land, value \$		at 50c per \$100.....
To State Revenue on Personal Property, Bonds, &c., value	\$ 46		per \$100.....
Amount of State taxes.....			
To County Capitation Tax.....			
To County Levy on	acres Land, value \$		at 25c per \$100.....
To County Levy on Personal Property, Bonds, &c., value \$	7		at 25c per \$100.....
To County School Tax on Real and Pers'l Property, value \$	46		at 11c per \$100
To District " " " " " " " " \$	7		at 5c per \$100.....
Amount of County Taxes.....			
Total amount of State and County Taxes			
December 1st, 5 per cent. added,.....			

445

4 4

224

7.0

354

8 17

40

8:47

Received payment, Decr. 4th 1876,

J. C. Darden
per C. H. Hart -

Treasurer.

Deputy.

18

1876 Dec. 4. Recd. of John R. Kelly Conn
Two hundred & twenty six \$100 dollars,
ans. on the undersigned. Late Mary J.
Crumpler, widow decd. of Capt. Circuit
Ct. J. of Wt. Co. in suit of Crumpler &
W. Banitt &c (#226..88)
Wm. J. Crumpler
A. J. Stephenson

John J. Council

1876 Dec. 4 Rec^d of John R. Kelly con
Two hundred & twenty ~~five~~⁸⁸ dollars, and
on my hands Josephine & ^{may} Alice Barrett
under decree of Oct. Court 1876, in the
Case of Crumpler & vs. Barrett &

(226.88) Joseph A. Barrett

1876 Dec 4, Recd. of John R. Kilby Comr
Two hundred & twenty Six 88/100. overpay,
amou. due me arising under Decree
of Cir. Ct. S. of W. Co. of Oct. 1876 in
the case of Crumpler & W. Banitt &

(\$226.88.)

Refund
R. W. Herries

for the S. of W. Co.

Crumpler &

7

Barrett &

1877

Apt Cant

Final accu

To be entered

Geo. B. Low,

Entered 116

Exemplar &c.

n

Barnett &c

This cause came on this day to be again heard on the papers formerly read & on the report of John R. Kilby, special Commissioner made pursuant to the decree of this Court made in this ^{case} ~~cause~~ at the October Term 1876 — to which report there is no exception and was argued by Counsel. On consideration whereof the Court doth confirm the said report, and doth adjudge now & decree that the proceedings had in this cause be confirmed & made final and binding between the parties, and nothing more remaining to be done in the cause it is ordered that the same be removed from the docket.

Chs. B. Crumpler & al.,

v.

Josephine Baratto &

1876

Oct. ct.

Decree to collect & pay etc

to be entered

Geo. B. Brown

Entered (20)

Commercial Bank of Suffolk, to their custody,
and which Bank will pay the same to their legally
qualified guardian, when qualified, or to the said
Josephine & Mary Alice Baratto, on arriving to the
age of Twenty one years, and the said Com-
missioner is to count his proceedings under this
Decree.

4.

This cause came on this day to be again heard on the papers formerly read & on the report of a de-
mand by John R. Kelly, Commissioner under the
decree made in this cause in this Court on the
20th Oct^r. 1875— to which report there is no ex-
ception, and was argued by Counsel.

On consideration whereof the Court doth
confirm the said report doth adjudge now &
decree that the said John R. Kelly, comr. as
aforesaid, receive of the clerk of this Court (who
will deliver the same to him on his leaving a
Receipt therefor) the Bond of Chs. B. Crumpler &
Mrs. N. Beaton for \$869.73, filed with the said
report ^{with all interest due thereon,} and collect the same when due, and make
to the said Charles B. Crumpler, a deed with special
warranty, in the usual form, for the real estate
sold under proceedings ^{spursued by him} had in this cause; and
out of said sum of money, pay any costs that may
remain unpaid, and ^{then} pay & distribute the Residue
as follows, to wit: one fourth part thereof to the
said Charles B. Crumpler - one other fourth part
thereof to the said Mary J. Crumpler, one other fourth part
thereof to Martha S. Crumpler, and the remaining
one fourth part thereof to, ^{the legally qualified guardian of said} Discipline Barreto, & Mary Adèle
Barreto, infants; and if said infants have no
such guardian, then deposit the same in the

In the Clerk's Office of the District Court,
Dec. 6, 1873, This bond was signed and acknowledged
and admitted to record.

Teste, H. P. Young Clerk.

A Copy, Teste

H. P. Young Clerk.

H. P. Young Clerk.

Remuneration
Copy
Bond.

Remuneration

Know all men by these Presents, That as John R. Kelly and N. P. Young, are held and firmly bound unto the Commonwealth of Virginia, in the sum of one thousand Dollars to the payment whereof, well and truly to be made, we bind ourselves, our heirs, Executors and Administrators, jointly and severally, firmly by these presents, and we respectively waive the benefit of our Homestead Exemption as to this obligation. As witness our hands and seals, this 6th day of December one thousand eight hundred and twenty five.

The Condition is such, That whereas, by a Decree of the Circuit Court of the County of Wright County, pronounced on the day of October, 1875, in a cause depending in said Court, in which Charles B. Campbell &als are plaintiffs and Daphine Barnett and Mary A. Barnett are defendants the above bound John R. Kelly, was appointed a Special Commissioner to sell the lands in the proceedings mentioned, of which Esau A. Campbell died seized & possessed in said County, and make report to Court. Now, if the above bound John R. Kelly shall faithfully discharge his duties as Commissioner under the said Decree, or any future decree in said cause, then the above obligation to be void, otherwise to remain in full force and virtue.

John R. Kelly *et al*
N. P. Young *et al*