

1855-015

SOUTHAMPTON COUNTY
CHANCERY PAPERS

WILLS

VS.

PEETE et al

17/1855

other surnames: Wood,
Gurley, Merritt, Walton,
Johnson, Wells

610
189
7.99

Wells

~ } Papers

Pete y.

Wells

v } Stat. Rules.

Peter Yates

James Wells

Plff:

v.

George W. Peck, Mark J. Putv. Wm W. Wood, Jas M. Gurley, A. F. B. Merritt, Wm H. E.
Merritt, David L. Walton & James Johnson

Def:

1855 Feby. 22? Sum: issued retble: to March Rules.

Mar. R. Sum: ret: Ex: on dfts Geo. W. Peck, Jas M. Gurley, A. F. B. Merritt, Wm H. E.
Merritt & Jas Johnson. ~~Other~~ dfts not residents.

Bill filed. Dece nisi v. dfts on whom Sum: Ex?: Order of prob: v dfts M. J. Putv. Wm
W. Wood & David L. Walton.

" Apr. R. Bill taken for confessed as to dfts Geo. W. Peck, Jas M. Gurley, A. F. B. Merritt,
Wm H. E. Merritt & Jas Johnson & cause set for hearing as to them.

" May T. Decree for acct of?

" Oct 8. Report

" Nov T. Decree for plff

Wills 3 Bill
as 1/2
Peete & Co

1855 March Rules

To The Hon Richard H Baker Judge of the Circuit Court for the County of
Southampton In Chancery

Humbly complaining themselves unto your Honor
your Orator James Willis that in the year 1853 George W Peete Mark
T Peete Wm W Wood and Mr M Sushy entered into a partnership
for the purpose of erecting a saw mill on the Nottoway river
in the said County and of purchasing and cutting up the lumber
in the vicinity. That in execution of their purpose they on the
25th day of June of the said year purchased of your Orator a
lot of land lying on said river and have proceeded to con-
struct their mill thereon. That according to the terms of
their purchase they were to pay your Orator one Hundred
dollars the 25th of December 1853 and one Hundred dollars
each successive 25th of December until the sum of Four
Hundred dollars should be so paid. That they have as yet paid
only the sum of one Hundred dollars which became due on the
25th of December 1853. That at the same time the said George
W Peete, Mark T Peete, Wm W Wood and Mr M Sushy purchased of
your Orator all the lumber on a portion of his land for the
sum of fifty cents per thousand feet, much less than it
was really worth, (all of which will appear from a copy of
the contract herewith filed marked (A) signed by the said Wm
W Wood and by George W Peete for himself and as agent of Mark
T Peete and Mr M Sushy. That the said purchasers have
proceeded to cut down almost the whole of the said lumber
which was of great value and have failed to render unto your
Orator any account thereof or to pay to him any part of the
purchase money. That a considerable part of the lumber was
thrown into the river and by carelessness and neglect was
entirely lost. That a large quantity is now lying in the river
at their mill unsawed and is every day sinking and es-
caping down the current and that other timber is lying
rotting in the woods. That the laborers and agents of the above
named parties & their gross neglect have caused considerable

injury to the crops of your brother while hauling lumber through his fields - That the contract is hard and inequitable made by shrewd business men with your brother who is ignorant of almost every kind of business, and that it is not written out as your brother understood it, but such as it is he is willing to abide by it if the other parties will comply with its plain import - That under the contract he is entitled to be paid for all the timber cut off his land whether saved afterwards or not, and to be paid at the time of such cutting - That it would be almost impossible to ascertain the amount of lumber cut off his land without the aid of a commissioner in chancery

Your brother further sheweth that on the 8th day of July 1854 Wm W Wood & died bearing date the day and year aforesaid conveyed the whole of his interest in the said mill to A T B Merritt Wm & Merritt David P Walton and James Johnson for a consideration therein expressed and that the said A T B Merritt Wm & Merritt David P Walton and James Johnson understood and assumed and became responsible for all the debts liabilities and contracts of the said Wm W Wood contracted or entered into concerning the said mill all of which will appear from a copy of the said deed herewith filed marked (B) and prayed to be taken as a part of this bill - That by reason of the said deed the said A T B Merritt Wm & Merritt David P Walton and James Johnson are bound for the payment of his demand - That the said Wm W Wood Mark J Peete and David P Walton are not residents of the state of Virginia

In tender consideration of all which and in as much as your brother is without remedy in the premises except in a court of equity where matters of account are peculiarly cognizable, to the end therefore that justice may be done he prays your Honor to make George W Peete Mark J Peete Wm W Wood Geo M Suckey A T B Merritt Wm & Merritt David P Walton and James Johnson defendants to this bill and that they be compelled to answer the allegations thereof that

an account may be made up under the direction of the court showing the indebtedness of the defendants to your brother and that they may be decreed to pay the same - That an order of publication may be made against the absent defendants, and that such other and general relief may be granted in the premises as Equity may dictate, and as in duty bound he will ever pray &c, May it please the court &c

James Toiles
by Chambers & Massey
his attorneys

Willis }
" } Green
Petit & Co }

To be entered

R. H. Baker

May Co. 1855.

Wills

Peter & Co

Deers

The bill of the complainant having been taken for confessed at the rules as to the defendants George W. Peter, John M. Sully, A. B. Merritt, W. H. E. Merritt and James Johnson and it appearing that the course prescribed by law has been pursued towards the absent defendants M. T. Peter, Amos Wood and David S. Walton and all the defendants still failing to appear and answer the said bill, the cause came on to be heard on the bill of the complainant and exhibits thereunto filed and was argued by counsel: On consideration whereof the Court with adjournment over and decree that a commissioner of this Court take an account of the timber cut off the lands of the Plaintiff by the defendants and of the value thereof at fifty cents per thousand feet board measure, and report the same to Court with any matters specially stated deemed pertinent by himself or which he may be required so to state by any of the parties

Wells

is } copy de
Pete of others

Sackhampton Circuit Court, May term, 1855.

James Wells

Plff

against
George W. Peck, Mark T. Peck, W^m W. W. Wood,
John M. Guley, A. T. B. Merritt, W^m H. E. Merritt, David S.
Walter & James Johnson

Defts }

The bill of the complainant having been taken for confessed at the rules as to the defendants Geo. W. Peck, John M. Guley, A. T. B. Merritt, W. H. E. Merritt, and James Johnson (and it appearing that the cause prescribed by law, has been pursued towards the absent defendants M. T. Peck, W^m W. W. Wood and David S. Walter (and all the defendants still failing to appear and answer the bill, the cause came on to be heard on the bill of the complainant (and exhibits therewith filed, and was argued by counsel. On consideration whereof, the Court doth adjudge, order and decree that a Commissioner of this Court take an account of the timber cut off the lands of the plaintiff by the Defendants, and of the value thereof at fifty cents per thousand feet board measure (and report the same to Court with any matters specially stated, deemed pertinent by himself, or which he may be required so to state by any of the parties.

Teste,

Henry S. Howard, C. C.

Mills note for
as. { accu-
Pate. &c.

Nov. 20. 1855.

To be entered

R. H. Baker

Mills

21.

Pate & Thomas,

This day this cause came on to be further heard on the papers formerly read - and on the Report of Com^r. Howard, made pursuant to a decree of this Court, rendered at May Term 1855, and was argued by Counsel - On consideration whereof, the Court confirming said report, to which no exception has been filed, with adjudged order and decree, that the Defendants, A. J. B. Minitt, Com^r. H. E. Minitt, James Johnson, L. J. Watson, George W. Pate, Mark J. Pate, & Geo. W. Gushy, pay to the Plaintiff, the sum of \$810.26 with interest from June 25th 1855 (1853) amount as contained to be due the s^d. Plaintiff, for timber - also the further sum of \$100 - with interest from December 25th 1854 - first payment, for purchase of the Land, - ~~and the cost of the~~ to be the agreement filed in this cause marked, A - and the costs of the Plaintiff by him expended in this suit,

And liberty is reserved to the Plaintiff to ask for further relief - if necessary -

The Commonwealth of Virginia :

Brunswick
To the Sheriff of ~~Southampton~~ County, Greeting:

We command you to summon *Wm H. E. Merritt*

to appear at the Clerk's Office of our Circuit Court of Southampton County, at the Rules to be holden for the said Court, on the first Monday in *March next* — — to answer a bill in Chancery exhibited against *him & others* — in our said Court by *James Wells*

and have then there this Writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Courthouse, this *22^d* day of *February* 1855 in the *79th* year of the Commonwealth.

L. R. Edwards

On the 2^d day of March 1855 I went To
The residence of Mr H. E. Murrell & not
finding him at home, I left a Copy of
The within Sum. Chy with his wife and
explained The Contents to her she being
above 16 years of age & a member of his
family —
Chas. Turnbull Sheriff

Wells

to { Sum. Chy.

Deeds &c

1855 March 2^d Wells

Brunswick

The Commonwealth of Virginia :

Sergeant of the City of Richmond
To the ~~Sheriff~~ of Southampton County, Greeting :

We command you to summon *A. J. B. Merritt*

to appear at the Clerk's Office of our Circuit Court of Southampton County, at the Rules to be holden for the said Court, on the first Monday in *March next* — to answer a bill in Chancery exhibited against *him & others* — in our said Court by *James Wells* —

and have then there this Writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Courthouse, this *22nd* day of *February* — 1855 in the *79th* year of the Commonwealth.

L. R. Edwards

Wells

to { Sumner. Aug.

Pick & Co

1855 March Ruley

Richmond

Executed by delivering a copy.
of the within to J. B. Myer
J. L. Gray & Co
for J. M. Lecombe & Co

Wells

v. } Sum. Chy.

Peete & P.

1855. March Rules

Execution February 26th
1855. by giving a Chy
bond to each of the
Defendants

J. M. Greenup
Sheriff

Norfolk Co.

The Commonwealth of Virginia:

To the Sheriff of ^{Norfolk} ~~Southampton~~ County, Greeting:
We command you to summon *George W. Peck & James Johnson*

to appear at the Clerk's Office of our Circuit Court of Southampton County, at the Rules to be
holden for the said Court, on the first Monday in *March* next to answer
a bill in Chancery exhibited against *them* ~~you~~ *Yothers* in our said Court by *James Wells*

and have then there this Writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at
the Courthouse, this *22^d* day of *February* 185*5* in the *79th*
year of the Commonwealth.

L. R. Edwards *cl*

Wells

~ } Summ. Chy.

Pete &

1855 March Rules

6 & M

Executed in John M.
Gurley Feb. 28th 1855 by
delivering a copy of the within
Marks J. Peter Wm M. Wood
& David J. Walton are not
residents of my County
J. B. Edwards Dep.
for J. Wells Shff.

The Commonwealth of Virginia:

To the Sheriff of Southampton County, Greeting:

We command you to summon *Mark J. Peck. Wm. W. Wood. Jno. W. Burley & David
S. Walton*

to appear at the Clerk's Office of our Circuit Court of Southampton County, at the Rules to be
holden for the said Court, on the first Monday in *March next* to answer
a bill in Chancery exhibited against *them & others* in our said Court by *James Wells*

and have then there this Writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at
the Courthouse, this *22^d* day of *February* 185*5* in the *79th*
year of the Commonwealth.

L. R. Edwards

Commissioner's Office; Jerusalem, 3
August 27th 1853.

To James Wills, plaintiff and Geo. M. Gurley a Defendant

You are hereby notified that I have fixed upon the 21st day of September next (1853), if fair, if not, on the next fair day thereafter (Sundays excepted) to take and settle at my office the account of the timber cut off the lands of the plaintiff by the Defendants and of the value thereof at fifty cents per thousand feet board measure required to be taken by the decree of May term 1853, in a suit in chancery depending in the Circuit Court of Southampton County, between you the said James Wills plaintiff and Geo. W. Deen, Mark F. Deen, W^m W. Wood, Geo. M. Gurley, A. F. B. Merrill, W^m H. E. Merrill, David S. Walton and James Johnson, Defendants; 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.

Henry J. Howard, C. C.

The taking of the within account is adjourned to
the 27th day of September next (1855)

Wm. S. Howard. (Carr.)
September 21, 1855.

Wells

vs $\frac{3}{4}$ Commis^{#2} notice

Protr. of others.

Executed on
James Mills &
John M. Gurley.
G. M. Peete M. J. Peete
A. J. B. Merritt ~~M. J.~~ H. E.
Merritt of Johnson David
Waller & ~~M. J.~~ M. Wood
are not residents of my
County

J. C. Edwards
Dept. for G. Wells
Shff.

Commissioner's Office.

Jerusalem, August 27th 1853

To James Hills Plaintiff (and
To Geo. W. Dete, Mark S. Dete, W^m W. W. Wood, John M.
Gentry, A. T. B. Menitt, W^m H. E. Menitt, David S. W. Al-
ton (and James Johnson. Defts.

You are hereby notified that I have fixed upon the 21st day of
September 1853, if fair, if not, on the next fair day thereafter,
(Sunday excepted) to take and settle at my Office the account
of the timber cut off the lands of the Plaintiff by the Defendants
and of the value thereof at fifty cents per thousand feet board
measure required to be taken by the decree of May
Term 1853, in a suit in chancery depending in the Uni-
versity Court of Southampton County, between James Hills
Plaintiff (and Geo. W. Dete, Mark S. Dete, W^m W. W.
Wood, John M. Gentry, A. T. B. Menitt, W^m
H. E. Menitt, David S. W. Alton, (and James Johnson
Defendants; 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.
Henry S. Howard, C. C.

I acknowledge service of the within notice
for the Defendants.

Jno J. Hendred
Att^y for Defendants.

Wills
vs J^r ^{Commissioner's} notice
Deed. Yorkers

The taking of the within account is adjourned to
the 2nd day of September 1853.
Henry J. Howard Cler.
Septemb^r, 24th / 1853.

Wills
vs 3 Summons for J.
Deer J.

1855 September 24th

Executed on
John H. Brooks &
Wm H. Blount
~~James~~
A. C. Edwards
Dept for J. Ellis
Shff.

The Commonwealth of Virginia

To the Sheriff of Southampton County, Greeting:

You are hereby commanded to summon ^{W^m} H. Blow of John H. Brooks, personally to appear before the undersigned, one of the Commissioners in Chancery of the Circuit Court of Southampton County, at his office at the Court-house of said County, on the 24th day of September next to testify (and the truth to say in behalf of James Mills in a certain matter of account referred to the said Commissioners for settlement by a decree of the said Court in a suit in chancery therein pending), between the said James Mills plaintiff (and Geo. W. Pratt and others defendants. And this they shall in no wise omit, under the penalty of \$100. -.

And have then there this writ. Witness Henry S. Howard, Commissioner of the said Court, at the Courthouse of said County, the 31st day of August 1835, in the 80th year of the Commonwealth.

Henry S. Howard, Com^r.

Hills

vs. } Summons &c

Deft. &c

1835 September 27th

Executed
A. Edwards Deft.
for T. Wells Shff

The Commonwealth of Virginia:

To the Sheriff of Southampton County; Greeting;
You are hereby commanded to summon W. R. S. Weaver
personally to appear before the undersigned, one of the
Commissioners in Chancery of the Circuit Court of
Southampton County, at his office at the Courthouse
of said County, on the 27th day of September Inst:
(1853) to testify and the truth to say in behalf of
James Wills in a certain matter of account re-
ferred to the said Commissioner for settlement by
a decree of the said Court in a suit in chancery
therein pending, between the said James Wills
plaintiff and Geo. W. Dren and others defendants.
And this he shall in no wise omit under
the penalty of \$100. And have there to
this writ. Witness Myself Henry S. Howard,
Commissioner of the said Court at the Courthouse
of said County, the 31th day of September
1853, in the 80th year of the Common-
wealth.

Henry S. Howard, Comm.

Wells

v. Zeffidawit

Pete &c

1855. March 5th

Southampton County, to wit;

This day E W Moberly appeared before me and made oath that Wm W Wood David I Walton and Mark J Peck are not residents of the commonwealth of Virginia the said Wm W Wood David I Walton & Mark J Peck being together with others defendants to a suit in the chancery side of the Circuit Court for the County of Southampton in which said suit James Willis is Plaintiff

March 5th 1855.

J. R. Edwards Esq

Wells

v } Or. Pub.

Pat. &c

At Rules held in the Clerks Office of the Circuit Court of Southampton County on the first Monday in March 1855.

James Wells

against

George W. Peter & ad.

Plff

{ In Chancery }

Defts

The object of this suit is to recover of the Defendants the amount due from them to the Plaintiff to be ascertained by an account ^{to be} made up between them under the direction of the Court. And it appearing by affidavit that the defendants Mark T. Peter, Wm W. Wood & David L. Walton are not residents of this State. On the motion of the Plaintiff by his attorney it is ordered that the said defendants Mark T. Peter, Wm W. Wood & David L. Walton do appear here within one month after due publication of this order and do what is necessary to protect their interest in this suit: and that a copy of this order be published once a week for four successive weeks in the Southern Argus a newspaper published in the City of Norfolk and also posted at the ^{front} door of the Courthouse of this County on the first day of the next County Court Term.

L R Edwards cly

Wells

v } Proof pub

Pete P

AT RULES held in the Clerk's office of the
Circuit Court of Southampton county, on
the first Monday in March, 1855,
James Wills, *Plff.*

against
George W. Peete, Mark T. Peete, Wm.
W. W. Wood, John M. Garley, A. T.
B. Merritt, Wm. H. E. Merritt, Da-
vid S. Walton, and James Johnson,
Def'ts.

IN CH-
NOE-
RY

The object of this suit is to recover of the
defendants the amount due from them to the
plaintiff, to be ascertained by an account to
be made up between them under the direction
of the Court, and it appearing by affidavit that
the defendants Mark T. Peete, Wm. W. W.
Wood and David S. Walton, are not residents
of this State, on the motion of the plaintiff by
his attorney, it is ordered that the said defen-
dants, Mark T. Peete, Wm. W. W. Wood, and
David S. Walton do appear here within one
month after due publication of this order and
do what is necessary to protect their interests
in this suit; and that a copy of this order be
published once a week for four successive weeks
in the Southern Argus, a newspaper published
in the city of Norfolk, and also posted at the
front door of the Courthouse of this county on
the first day of the next county court.

A Copy—Teste:

mh 9-rfw

L R EDWARDS, C. C.

Norfolk, Va. 6th May 1855
I, Abram F. Leonard, one of
the editors and proprietors of
The Southern Argus, a newspaper
published daily in the City of Nor-
folk, do certify that the an-
nexed order of publication
in a suit in the Circuit Court
of Southampton County, has
been published once a week

for four weeks in the said newspaper commencing
on the 9th day of March 1855

A. F. Leonard.

AT RULES held in the Clerk's office of the
Circuit Court of Southampton county, on
the first Monday in March, 1855,
James Wills, *Ptiff,*

against
George W. Peete, Mark T. Peete, Wm.
W. W. Wood, John M. Gurley, A. T.
B. Merritt, Wm. H. E. Merritt, Da-
vid S. Walton, and James Johnson,
Defts.

IN CHANCE-
RY.

*Case of
Wills vs
Peete*

*To be
for four
weeks*

The object of this suit is to recover of the
defendants the amount due from them to the
plaintiff, to be ascertained by an account to
be made up between them under the direction
of the Court, and it appearing by affidavit that
the defendants Mark T. Peete, Wm. W. W.
Wood and David S. Walton, are not residents
of this State, on the motion of the plaintiff by
his attorney, it is ordered that the said defen-
dants, Mark T. Peete, Wm. W. W. Wood, and
David S. Walton do appear here within one
month after due publication of this order and
do what is necessary to protect their interests
in this suit; and that a copy of this order be
published once a week for four successive weeks
in the Southern Argus, a newspaper published
in the city of Norfolk, and also posted at the
front door of the Courthouse of this county on
the first day of the next county court.

*Crowder
in annex
So. Argus
5 of 8.50*

A Copy - Teste:
I. R. EDWARDS, C. C.
mh 9-r4w

*This day personally
Duly appeared before me a Justice
Notary Public in and
of the County of Norfolk, Tho
McCrowder, and made affidavit that
the above advertisement ^{was published} did appear
as stated above and that the account
is just and true without my hand and
seal this 2nd day of May 1855*

*J. R. Edwards
Notary Public*

Wills

vs [#] Comm's Report.

Pratt Jr.

Returned Oct. 8. 1855.

James Wills

against

Geo. W. Dyer, Mark F. Dyer, Wm. W. Wood,
John M. Gurley, A. S. D. Menett, Wm. H. C.
Menett, David S. Walton & James Johnson Defts.

An Account of the Timber cut off the lands of the plaintiff
by the defendants, and of the value thereof at fifty cents
per thousand feet board measure.

	Amount
By 1000 logs cut & measured at first, measuring 178,303 feet board measure at 50 cents per thousand feet board measure	89 15
" 3176 logs cut & measured second time measuring 895,300 feet board measure at 50 cents per thousand feet board measure	447 65
" 915 logs cut & measured third time measuring 224,370 feet board measure at 50 cents per thousand feet board measure	112 28
" 738 logs cut & measured fourth time mea- suring 187,520 feet board measure at 50 cents per thousand feet board measure	93 76
" 700 logs not measured, but estimated according to the average of the number measured which averaged 189 1/4 feet to the log, makes 132,477 feet board measure at 50 cents per thousand feet board measure	66 23
Amount carried over	809 07

Amount brought forward	\$	809 07
By 20 logs the number estimated as remaining in the woods (and not hauled or measured at 1894 feet per log) (the average as aforesaid) makes 3783 feet board measure at 50 cents per thousand feet board measure		189
Total Amount for Timber cut	\$	810.96
Total Number of logs of timber cut		8569.
Total Number of feet of timber cut board measure		1,621,755.

Respectfully submitted
 Henry Johnson, Comr.

Commissioner's Office

Jerusalem, October 8th, 1853

Pursuant to a decree of the Circuit Court of Southampton County, rendered at the May term 1853, in a suit in chancery depending in the said court, between James Mills plaintiff and George W. Dietz, Mark S. Dietz, Wm. W. Wood, John M. Sulley, A. F. D. Menett, Wm. H. E. Menett, David J. McAlton & James Johnson defendants, the undersigned one of the Commissioners of the said Court, to whom was referred for settlement by said decree an account of the timber cut off the lands of the plaintiff by the Defendants and of the value thereof at fifty cents per thousand feet board measure, reports to the Court, that on the 27th day of August 1853, he issued notices against the several parties aforesaid, requiring them to attend the settlement and taking of the said account before him

at his office on the 24th day of September 1853, which were returned to your Commissioner duly executed. That the plaintiff aforesaid appeared before the Commissioner in obedience to the said notices by counsel, and your Commissioner not being able to take said account from the want of evidence relating thereto and on account of the absence of witnesses, the taking of the same was adjourned to the 27th day of September 1853. At which time the plaintiff again appeared before the Commissioner by counsel, and your Commissioner examined W. S. Cleaver and John H. Brooks, persons in the employment of the Defendants, or their agents, and from their statements and the books kept by them (who testified as to the correctness of said books) stated and settled the foregoing account, which shows that there has been cut off the lands of the plaintiff by the Defendants 8569 logs making 1,621,755 feet of timber board measure, which at fifty cents per thousand feet board measure amounts to (\$810.96) eight hundred and ten Dollars & ninety six cents. Your Commissioner at the instance of the plaintiff reports specially to the Court, that under an agreement for the sale of real estate by the plaintiff to the Defendants (a copy of which agreement is filed as an exhibit with the bill in this cause) there is due & unpaid one of the instalments for the said purchase to the said plaintiff by the said Defendants; which said instalment became due on the 25th

day of December last (1834) for the sum of one hundred Dollars - and that another of said instalments for the like sum of One hundred Dollars will become due on the 23rd day of December next (1833). The Commissioner further reports to the court that after the completion of the said account, he retained the same in his office ten days for the examination of the parties, which together with the decree and notices aforesaid are herewith returned. Given under my hand, as Commissioner aforesaid, this 8th day of October 1833.

Commissioner's fee \$20.00

charged to James Wills

Sheriff's fees 1.60

Henry J. Howard, Comm^r

Henry S. Howard, Comm^r

Letter & agreement
to Peck & Wood

copy

[A]

Hills

{ Exh. with Bill

Done &c

This is to show that I have this day sold unto Geo. W. Peete
& Wm. Wood all the timber on that portion of my land
lying north and east of the railroad & R R Road except a
small portion lying on the right side of the B. & O. Road
as you go from the Court House towards
Mr. J. W. Mather. I give for the sum of fifty cents
per thousand board measure, and the above parties
shall also have the privilege of felling & hauling
timber about & through my land provided that
they shall be bound for all damages to my crops
from going through my fields or letting my own
or other stock into them. I have also sold unto the
above parties in fee a certain parcel of land lying
on the No. side of the R R Road near Nottoway river with
the house standing thereon, beginning at a large pine
in the first bottom you come to as you go down
the river after leaving my upper seeing place
and thence up the middle of the said bottom to the R R Road
thence up the Road to the river, thence up the river to
the first station; for the sum of four hundred dol-
lars, one hundred dollars payable now & three hun-
dred, and one hundred dollars every succeeding year
until four hundred dollars are so paid

25th June 1853

Jno B. Higgins

James Wicks
Geo. W. Peete Agt
Wm. Wood

Wood & wife

to } Deed

Johnson & others

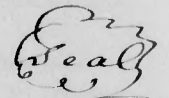
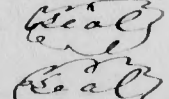
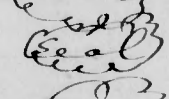
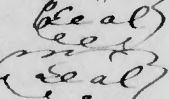
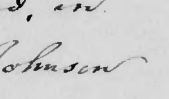
(B.)

This Deed made this 8th day of July in the year eighteen hundred and fifty four. between William H. H. Wood and Mary S. H. his wife of the one part and James Johnson, Alexander S. D. Merritt, William H. E. Merritt and David S. Walton of the other part, all of the County of Litchfield; that in consideration of Twelve thousand & forty four dollars and eighty five cents paid or secured to be paid to the said Wood by the said parties of the second part the receipt whereof is hereby acknowledged, they the said Wood and wife do grant unto the said parties of the second part, all of the right, title and interest of them the said Wood and wife or either of them in and to all of the property real and personal now owned and belonging to the partnership known as the Kottoway Lumber Company and composed of the following gentlemen to wit: the said Wood, George W. Pratt, Mark E. Pratt, and John M. Gurley, the interest of the said Wood being one undivided half of the property of the said Lumber Company and the said Wood doth also upon the consideration aforesaid convey and assign unto the said parties of the second part all of his right, title and interest in any and all contracts, entered into by or in account of the said Lumber Company and doth also upon the consideration aforesaid convey unto the said parties of the second part all his right title and interest and property in the logging business connected with said company and all the teams tools, apparatuses and appliances for logging and feed on hand, being used in the said business and all contracts for logging and sawing for said company, and also the claim of the said Wood to compensation for his services rendered the said Company; and the said parties of the second part, do hereby bind themselves severally and jointly in consideration of the

Premises aforesaid to discharge and perform any and all contracts or agreements on behalf of the said Company and on account of the said logging business so as to release and save harmless from any liability the said blood on account of any engagements of the said Company and to do and perform any and all engagements entered into by the said blood in behalf of the said Company or on account on account of the said logging or sawing business.

It being the true intent and meaning of this deed for the consideration abovesaid to transfer to the said parties of the second part all the right, title and interest of the said blood in the Company aforesaid and all the business and property thereof as well as in the said logging and sawing business free from any liability on the part of the said blood on account of the said Company or any of the contracts, obligations or business thereof or connected with the logging or sawing business aforesaid, heretofore or hereafter incurred in any way or any manner whatsoever.

Witness the following signatures and seals.

W ^m H. H. blood	
Mary L. C. blood	
Jas. Johnson	
A. S. B. Merritt	
W ^m H. E. Merritt	
D. J. Hutton	

County of Norfolk, Twit:

J. D. J. Godwin, a Notary Public for the County aforesaid, in the State of Virginia, do certify that W^m H. H. Wood, Jas. Johnson, A. S. B. Merritt, W^m H. E. Merritt and D. J. Hutton whose names are signed to the writing above, bearing date on the 8th day of July 1854, have acknowledged the same before me in my County aforesaid. Given under my hand, This 8th day of August 1854.

D. J. Godwin
Notary Public.

State of Virginia
County of Norfolk, Twit:

J. D. J. Godwin, a Notary Public for the County aforesaid in the State of Virginia, do certify that Mary L. C. the wife of W^m H. H. blood whose name is signed to the writing above, bearing date on the 8th day of July 1854, personally appeared before me in the County aforesaid, and being examined by me privately and apart from her husband, and having the writing aforesaid fully explained to her, she the said Mary L. C. acknowledges the said writing to be her act and declared that she has willingly executed the same, and does not wish to retract it.

Given under my hand This 8th day of August 1854

D. J. Godwin,

Notary Public

Southampton County. In the Clerk's Office the 8th Day of December 1854. This Deed was presented (and together with the certificates of the acknowledgment of W^m H. H. blood, Jas. Johnson, A. S. B. Merritt, W^m H. E. Merritt, & D. J. Hutton parties thereto and of the prior examination & acknowledgment of Mary L. C. blood, also a party thereto, was thereupon admitted to record.

Test,

L. R. Edwards, C. C.

A Copy,
Test,

Nancy S. Howard, D. C.