1860-005 SOUTHAMPTON COUNTY CHANCERY PAPERS

CROSS' EXECUTORS etal VS. MURFEE & BELL et al

11/1860

CROSS' EXTORS VS Williams' AdmR

other SURNAMES: Murfee & Bell, Norfleet, Briggs, Moore, Edwards, Sebrell, Dillard, Gillette, Butts, Bell, Williams

~~55~~ 48.

Cross' Exor. &c

v. 3 Papers.

Murfee & Bell &c

1869 Nov. Dismissed

Cross Ex. 1°

" " Stat. Rules.

Murphie v Bell &c

In Southampton Circuit Court.

Edwin Smith & Martha A Cross, Executor and Executrix of Col: Hardy Cross deceased and A.W. Norfleet.

against

Wm. Murfee & Jas A Bell late merchants & partners doing business under the name of Murfee & Bell and the said William Murfee & Jas A. Bell individually, & the administrator of Seth D. Williams dec'd

Wm. H. Briggs in his own right and as sheriff of Southampton County & Committee of Harrison D. Moore dec'd, L R Edwards. Trustee. Jas E. Sebrell, Wm. A. Bell Jas Dillard. Jas A Gillette. Jos E. Gillette. Jas T. Butts. & James E Sebrell Exor. of Wm. J Sebrell.

1859 Sept. 20: Summons Issued &c

" Oct: R (1st Monday) Sum: ret'd Ex: on all the Defts except. admr. Seth D. Williams dec'd Wm Murfee. Bill filed. D. Nisi v Defts. on whom Sum: Exd. Or: Pub. v Dft. Wm Murfee.

" Oct - Last Monday - Bill taken for confessed as to all the Defts on whom Sum: Exd: & cause set for hearing to them -

" Nov: T. Leave to amend bill &c

" Dec. R. Amended bill & process awarded.

1860 Jany " Sum: Exd on Dft Rawls adm Williams. D. N v him

" Feby " Bill taken for confessed as to Dft. Rawls adm.

" Mar " Cause set for hearing as to Dft. Rawls admr.

Nov T. Dismissed

Kilby p. q.

Hardy Exr. & a. w. Norfleet

vs

Bill

Murfee & Bell dal.

1859 October Rules

Circuit Ct. Southampton

To the Honorable Richard A. Baker, judge of the Circuit court of Southampton County - in Chancery sitting - Complaining shew unto the Court your Complainants Edwin Smith and Martha A. Crop, Executor and Executrix of Col. Hardy Crop deceased, and A. W. Norfleet -

Your Complainants represent to the Court & state that on the 5th day of July 1856 & some time thereafter Wm Murfee & Jas. N. Bell, were Merchants and partners, doing business at Franklin in the County of Southampton, and as such became indebted to the said Hardy Crop & A. W. Norfleet and executed their Bond for the same as follows. To Hardy Crop aforesaid $1250. with Interest from the 1st of April 1856 - To said Norfleet, among others, the following amounts - for $1000. due 5th of July 1859 - $1000. due 5th July 1860 - $1000. due 5th Augt. 1860 $945.72. due 5th July 1861 & $1000. due 5th Augt. 1861, all bearing interest from the 5th of July 1856. That Hardy Crop having died, the said Edwin Smith & Martha A. Crop, have duly qualified in Nansemond County Court as his executors and proceeded to institute suit in the Circuit Court of Southampton, against said Wm Murfee and Jas N. Bell on said Bond & at the May term of said Court obtained judgment thereon with Interest as aforesaid & $8.05 cents - subject to a credit of $170.20. on the 1st Jany 1859, & on which judgt. an execution issued on the 17th day of May 1859 & was placed in the hands of W. W. Briggs Sheriff of said County on the 23d day of May 1859 at 9 Oclock A. M, & by said Sheriff returned "no property out of which this fifa. or any part thereof can be made" - all of which will more fully appear, by copies, duly

certified of said judgment, execution &c filed herewith as part of this Bill & marked (A.).

That as yet only one of the Bonds due to said A. W. Norfleet is payable to wit: One for $1000. due 5th July 1859, on which suit was duly brought in the Circuit Court of said County of Southampton, ~~at the May term 1859~~ in the name of said Norfleet (for the benefit of Patrick Doles) and at the May term 1859 of said Court, a judgment was rendered on said Bond against the said Wm Murbee & Jas N. Bell for $1000. with interest from the 5th of February 1856 true paid & $8:05 cents, on which judgment an Execution of fifa: was issued on the 17th of May 1859 and placed in the hands of W. W. Briggs Sheriff of said County on the 23d day of May 1859 at 9 Oclock A. M. and duly returned unsatisfied — all of which will more fully appear by duly certified copies of said judgment, Execution &c filed herewith & marked (B.). which claim the said Norfleet now has control of. That the other debts above named due said Norfleet by said Murbee & Bell are not yet payable but which your Complainants fear may may be secured as hereinafter set forth.

Your Complainants charge that the said Murbee & Bell dissolved partnership on or about the 3d day of May 1856, and the said Murbee purchased the goods &c. of the concern and agreed to pay the Debts of the partnership, and agreed to indemnify the said Bell against all responsibility, as far as he could do so, on account of the debts due from the said firm of Murbee & Bell, & to save the said Bell harmless from the responsibility of any loss by reason of said debts; and accordingly on the 25th of Sept 1856, executed his writing under seal with Seth D. Williams, Harrison D. Morse and Wm W. Briggs as his securities, as will appear by a duly certified copy of said writing filed herewith and marked (C.).

That the said Wm Murbee is insolvent, and out of, from whom your Complainants cannot make the several amounts due them.

That Jas. A. Bell, is insolvent, and did on the 28th day of April 1859, execute a Deed of trust to L. R. Edwards, trustee for the benefit of Jas. E. Sebrell, Wm A. Bell, Jas. Dillard, Jas A. Gillette, Jos. E. Gillette & Jas. J. Butts & save harmless the securities in the above writing of Indemnity (exhibit (C), viz: Wm J. Sebrell, Wm A. Bell, & Seth D. Williams, and by said Deed convey all the personal and real estate of the said James A. Bell — a copy of which Deed is filed herewith & marked (D.) — That the said Bell, also on the 28th of April 1859, executed a further Deed of Trust to said L. R. Edwards Trustee, for the benefit of Jos. E. Gillette, Jas. A. Gillette, Jas. Dillard, James J. Butts, Jas. E. Sebrell and Wm A Bell, and conveyed all his the said Bell's right of action, title to and interest in a certain deed executed to the said James A. Bell by Wm Murbee, Seth D. Williams, Harrison D. Morse and Wm W. Briggs dated 25th of September 1856" & which deed thus executed & conveyed is as your Complainants charge the above named writing exhibit (C) — a copy of which last named Deed of Trust is filed herewith & marked (E). Your Complainants charge that the said

Jas. N. Bell, having become insolvent as aforesaid, has not paid the Debts due your Complainants by Murbee & Bell, or any other Debts due by Murbee & Bell and that your Complainants are entitled to the benefit of all indemnity and security given by Wm. Murbee to the said Jas. N. Bell, to indemnify and save harmless the said Bell from all loss & damage, or possibility of loss on account of the Debts due by Murbee & Bell, for which purpose and object the writing aforesaid (exhibit (C.) was executed by Wm Murbee, Seth D. Williams, Harrison D. Moore & Wm W. Briggs.

That the said Bell has by his deed of trust above named (exhibit (E) hereto) attempted to convey whatever right he may have in said writing of Indemnity, to a purpose wholly foreign from its original object and purpose, & to deprive your Complainants of the security & guaranty thereby afforded to them; and as the said Bell is wholly unable to pay your Complainants their demands (which are a portion of the Debts of Murbee & Bell & intended to be provided for in said writing of Indemnity) & to allow such an attempt to become perfected would operate as a fraud on your Complainants' just rights, & be wholly at variance with every principle of equity — Your Complainants charge that the said Murbee by executing said writing of Indemnity furnished a security and means to pay & secure the Debts due by Murbee & Bell, and as your Complainants are of such, they are entitled to the benefit of such security & funds, and are according to Equity entitled to share the same secured to them, and that a Court of Equity will restrain & prevent the said Jas. N. Bell from diverting the said Indemnity to other purposes entirely foreign to the purpose contemplated. That

the said Jas. N. Bell, having been sued by your Complainants and judgments having been rendered against him has been injured & the possibility contemplated by said writing of Indemnity has occurred, and the parties to said writing are bound to pay the amount of the same, which is the whole amount due your Complainants, and which ought the said Bell should not divert to any other purpose.

That since the execution of said writing of Indemnity Harrison D. Moore one of the parties thereto has died & his estate committed to the hands of Wm W. Briggs Sheriff of Southampton County for administration & that Seth D. Williams another of said parties has also died & has become his admr. as will appear by a copy of the order of Court of Southampton County Court granting such administration (see copy of such order filed herewith & marked (F.) That Wm J. Sebrell also one of said parties has died & Jas. E. Sebrell has qualified as his Executor as will appear by certificate of qualification marked G.

That your Complainants' Executions of Judgments are liens on the estate of said Jas. N. Bell & after paying the Debts secured by the Deed of trust aforesaid (exhibit (D.) the surplus should go to pay them, and in order to ascertain what that surplus is a sale of said trust assets is prayed for, and an account of all Debts due by said Deed is also prayed for. — That the Deed of Trust above named (exhibit E.) your Complts. pray may be set aside and the benefit of said writing of Indemnity decreed to your Complainants as aforesaid

In Consideration whereof and as this Court can alone grant adequate relief, your Complainants pray that Wm Murbee & Jas N. Bell, late Merchants & partners doing business under the name of Murbee & Bell, and the said William

Murbee & Jas. N. Bell, individually, &
the admrs. of Seth D. Williams decd, Wm W. Briggs
in his own right and as Sheriff of Southampton
County & Committee of Harrison D. Morse decd,
L. R. Edwards (trustee), Jas. E. Scheele, Wm A. Bell,
Jas. Dillard, Jas. A. Gillette, Jos. E. Gillette, Jas. J.
Butts & Wm J. Scheele, James E. Gibbill Exor. of ~~&c~~ may be made
Defendants hereto & be compelled to answer
the allegations herein on oath — That the liens
of the judgments & executions aforesaid on the property
of Jas. N. Bell may be enforced as prayed for,
That the deed of trust (exhibit E.) may be set aside,
and that the parties & said writing of Indemnity may
be decreed to pay your Complainants' all their
said demands — That the said parties obligors, in
said writing of Indemnity may be decreed to pay &
secure
your Complainants demands as aforesaid, and that the
funds or money to do so may be placed under the Control of this Court & that the
said Jas. N. Bell may be restrained from applying
to any other purpose than that named in said
writing, any right he may have therein — That
all proper accounts may be taken and that
Equity may be done &c

And your Compltts: will &c

John R. Kilby
J. V.

Cross' Exors

vs. } amended Bill

Murfee &c

1859. December Rules.

File Hers at rules
copies sent to Def
Def to Rend & ans
& Duplicate to
ans. original &
1 amended Bill

To the Hon. Richard H. Baker Judge of the Circuit Court of Southampton County. Complaining, shew unto the Court your Complainants Edwin Smith Exor. and Martha N. Crop Ext. of A. Hardy Crop dec'd. and A. W. Norfleet.

That in Sept. 1859, your Complainants filed their Bill in this Court against Wm. Mumbee, and others, having for its object the enforcement of certain demands as is therein set forth, in which original Bill, it was intended that the admor. of Seth D. Williams dec'd, should be a party thereto — and in order to do so this amended Bill is filed — Your Complainants charge that Edward Rawls has qualified in Southampton County Court as admr. of said Seth D. Williams dec'd has taken charge of said deceased's estate, and your Complts. pray that Edward Rawls as admr. of Seth D. Williams dec'd. may be made Defendants hereto and answer specially all the allegations herein and all in the said original bill as particularly as though the same were herein repeated, &c.

John R. Kilby p. q.

Decree

Hemming

vs

Hemming

Aug. Co. 1860.

To be entered.

R. H. Baker

Decree.

Hunsaker adm. Pltffs
vs In Chancery
Hunsaker. Defts.

This day this cause came on to be heard on the bill, answers of the defts. exhibits thereto, exhibits filed, and was argued by Counsel. On consideration whereof the Court doth adjudge order and decree, that the bill be dismissed and that the Pltffs pay to the defts their costs.

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON Wm Marsh & Jas N. Bell late merchants & partners doing business under the name of Marsh & Bell. and the said Wm Marsh & Jas N. Bell in their individual rights &. adm. Seth D. Williams dec'd Wm W. Briggs in his own rights & as Sheff. & Comr. of Harrison D Moore dec'd. L. R Edwards. (Trustee) Jas E. Sebrell. Wm A. Bell Jas Dillard. Jas A Gillette Jos E. Gillette Jas T. Butts &. Jas E Sebrell Exor. W. J. Sebrell & W. A. Bell

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 October next — , to answer a bill in chancery exhibited against them in our said Court by

Edwin Smith & Martha N. Cross Exor. & Exex: of Col: Hardy Cross dec'd & A. W Norfleet

and have then and there this writ. *Witness*, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this 20th day of September 185 9, in the 84 year of the Commonwealth.

L R Edwards Cl

Executed on all the within named Defts by delivering to each of them a copy of the within Summons. except Wm Munsee who is not a resident of my County. I. adner. L D. Williams dep

G W Vick Dep Sh Hf

Cross Cases
v. } Sum. chy.
Munsee Bell
1859 October Rules

The Commonwealth of Virginia,

Isle of Wight

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON Edward Rawls adm. of Seth D. Williams dec'd

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 January next, to answer an original bill in chancery exhibited against him & others in our said Court by

Edwin Smith Exr. of Martha Scrofs Exrx. of Cole Hardy Scrofs dec'd & W. Moffett

and have then and there this writ. *Witness,* LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this 31 day of December 185 , in the 84 year of the Commonwealth.

L R Edwards Clk

Executed Dec 11 the 20th 1857 by delivering a true copy of the within to E. Talbot & Rawls a Brother of Edward Rawls. he being a White member of his family and over the age of Sixteen. the said Edward Rawls being absent from Home

Chs. Clements D.S
Jas. P. Gay Shff

Cross' Exr &c

v 3 Affidavits

Morse & Bell &c

1859 Oct. 3d

In Southampton Circuit Court October 3d 1839

Elmes' Exr &c

vs

Murfee & Bell &c

William W Briggs this day made oath before me Clerk of the Ct Court that Wm Murfee one of the Defts in this suit is not a resident of the State of Virginia.

Given under my hand this day & year above written

J R Edwards Clk

Cross Cor. &c

Cr. Pubs
Mun &c Bill &c

Posted at front door Ct. House
Oct. Cr. 1859.

S.R.C

At Rules held in the Clerks Office of the Circuit Court of Southampton County on the 3d day of October 1859.

Edwin Smith & Martha A. Bross. Executor & Executrix of Col. Hardy Bross dec'd and A. W. Norfleet Pltffs.

against. } In Chancery

Wm. Murfee & Jas. N Bell late merchants & partners doing business under the name of Murfee & Bell, and the said Wm. Murfee & Jas. N Bell individually & others. Defts.

The object of this suit is to inforce the liens of the plaintiffs executions and judgments on the property of Jas. N. Bell - and to set aside the deed of trust, exhibit C, in the bill mentioned - that the ~~defendants~~ parties obligors in the writing of indemnity referred to in the pltffs bill may be decreed to pay and secure the pltffs demands and that the funds and moneys to do so may be placed under the control of the Court and that the Deft. Jas. N Bell may be restrained from applying to any other purpose than that named in said writing of indemnity, any right he may have therein &c - And it appearing by affidavit made that the defendant Wm Murfee is not a resident of the State of Virginia. on motion of the plaintiffs by their attorney it is ordered that the said Defendant Wm. Murfee do appear within one month after due publication of this order and do what is necessary to protect his interest and that a copy of this order be published once a week for four weeks successively in the "Christian Sun" a newspaper published at Suffolk Va and posted at the front door of the Courthouse of this County on the first day of the next County Court thereof.

Title this

DRK

Proofs Exec 1st

to } Proofs pub

Murfee & Bell P

1859 Dec 5th

At Rules held in the Clerks Office of the Circuit Court of Southampton County, on the 3rd day of October, 1859.

Edwin Smith and Martha N Cross Executor and Executrix of of Col. Hardy Cross, dec'd and A W Norfleet Plaintiff's
against
Wm Murfee and Jas. N Bell, late merchants and partners doing business under the name of Murfee & Bell and the said Wm Murfee and Jas N Bell individually and others Defendants

IN CHANCERY.

The object of this suit is to enforce the liens of the Pluintiff's executions and judgments on the property of Jas N Bell, and to set aside the deed of trust, exhibit E. in the bill mentioned, that the parties, obligors, in the writing of indemnity referred to in the Plff's bill, may be decreed to pay and secure the Plaintiff's demands, that the funds and moneys may be placed under the control of the Court and that the Defendant Jas N Bell, may be restrained from applying to any other purpose than that named in said writing of indemnity, any right he may have therein, and it appearing by affidavit made and filed that the Defendant Wm. Murfee is not a resident of the State of Virginia. On motion of the plaintiffs by their attorney it is ordered that the said Defeodant Wm Murfee do appear within one month after due publication of this order and do what is necessary to protect his interest, and that a copy of this order be published once a week for four weeks successively in the "Christian Sun," a newspaper published at Suffolk Va., and posted at the front door of the Court House of this County on the first day of the next County Court thereof.

A Copy—Teste
L R EDWARDS, Cl'k.

JOHN R KILY, p. q
Oct. 14th 1859.

I C. B. Wellons, Editor of the Christian Sun do hereby certify that the annexed order was published in the Christian Sun for four successive weeks, and that the price charged is in accordance with the established rules of the Office for advertising.

Given under my hand this 29th November 1859.

C. B. Wellons

Price of advertising
$5.00

Crossi Ex.

" 3 Proof pub.

Marsh 1811 Ap°

At Rules held in the Clerks Office of the Circuit Court of Southampton County, on the 3rd day of October, 1859.

Edwin Smith and Martha N Cross Executor and Executrix of of Col. Hardy Cross, dec'd and A W Norfleet Plaintiff's

against

Wm Murfee and Jas. N Bell, late merchants and partners doing business under the name of Murfee & Bell and the said Wm Murfee and Jas N Bell in. dividually and others Defendants

IN CHANCERY.

The object of this suit is to enforce the liens of the Plaintiff's executions and judgments on the property of Jas N Bell, and to set aside the deed of trust, exhibit E in the bill mentioned, that the parties, obligors, in the writing of indemnity referred to in the Plff's bill, may be decreed to pay and secure the Plaintiff's demands, that the funds and moneys may be placed under the control of the Court and that the Defendant Jas N Bell, may be restrained from applying to any other purpose than that named in said writing of indemnity, any right he may have therein, and it appearing by affidavit made and filed that the Defendant Wm Murfee is not a resident of the State of Virginia. On motion of the plaintiffs by their attorney it is ordered that the said Defendant Wm Murfee do appear within one month after due publication of this order and do what is necessary to protect his interest, and that a copy of this order be published once a week for four weeks successively in the "Christian Sun," a newspaper published at Suffolk Va., and posted at the front door of the Court House of this County on the first day of the next County Court thereof.

A Copy—Teste

L R EDWARDS, Clk.

John R Kilby, p. q
Oct. 14th 1859.

I W B. Wellons Editor of the Christian Sun, do hereby certify that the annexed notice was published in the Sun once a week for four weeks successively, and that the price charged is in accordance with the price charged for advertising in this Office. Given under my hand this 9th day of January 1860

W B. Wellons

Price of Adv.
$5.00

1860 January 9th Rec'd of John R Kilby the above sum of $5.00

W B. Wellons.

Crop's Exr &c

vs

Murdock Bell &al.

6 Exhibits filed with the Bill

Cross Exr to

v. } Co. Judgt. & Exon.

Murfee & Bell

(A.)

The Commonwealth of Virginia - To the Sheriff of Southampton County - Greeting. We command you that of the goods and chattels of Wm Murfee & Jas. A. Bell late merchants trading under the name & Style of Murfee & Bell late in your bailiwick you cause to be made the Sum of Twelve hundred and fifty dollars with Legal interest thereon from the 1st day of April 1856 till paid which Edwin Smith & Martha Cross Executor & Executrix of Hardy Cross dec'd lately in our Circuit Court of Southampton County have recovered against them as well for a certain debt as for interest thereon: also the Sum of eight dollars and five cents, which to the said Smith & Cross Exor & in the same Court were adjudged for their costs in that suit expended. Whereof the said Murfee & Bell are convict as appears to us of Record and how you shall have executed this writ make known at the Clerks Office of our said Court at the Rules to be holden for the said Court on the first Monday in August next. and have then there this Writ. Witness Littleton R. Edwards Clerk of our said Court. at the Courthouse this 7th day of May 1859 in the 83d year of the Commonwealth.

L R. Edwards Clk

This Execution is to be credited for $170.25/100 paid June 1st. 1857

L R Edwards Clk

Sheriffs Endorsement & return_" Came to hand May 23d 1859 at 9 O Clock A. M

W. W. B.

No property out of which this Fi. Fa. or any part thereof can be made

Geo W. Vick D.Y. for
W. W. Briggs Shff."

A Copy

Teste. L R Edwards Clk

Southampton Circuit Court. May 6th 1859.

Edwin Smith & Martha Cross Exor. & Exix of Hardy Cross dec'd Plffs } Iw Debt.

against

Wm Murfee & James A Bell late merchants trading under the name & Style of Murfee & Bell Dffs

The judgment obtained at the Rules not having been set aside and the Plaintiffs being now entitled to a final judgment it is therefore considered that the plaintiffs recover against the Defendants twelve hundred and fifty dollars the debt in the declaration mentioned with legal interest thereon from the 1st day of April 1856 till paid and their costs by them about their suit in this behalf expended. And the said Defendants in Mercy &c

This judgment is to be credited for $170. 20/100 paid January 1st. 1857

Plffs. Costs $ 8. 05.

A Copy

Teste LR Edwards Clk

The above judgment was docketed in the County Court August 18th 1859.

LR Edwards Clk

1859. Aug. 25.

Norfleet for &c
vs. } Co. jus. Exn. &c
Mumbee & Bell

(B,)

Southampton Circuit Court - May 6th 1859.

A.W. Norfleet who sues for the benefit of Patrick Doles - Pff. } In Debt.

against

William Murfee & James N Bell - Dfts.

The judgment obtained at the Rules not having been set aside and the plaintiff being now entitled to a final judgment it is therefore considered that the plaintiff recover against the defendants one thousand dollars the debt in the declaration mentioned with legal interest thereon from the 5 day of February 1856 till paid and his costs by him about the suit in this behalf expended - And the said Defendants in mercy &c.

Pffs costs $8.05.

A Copy

Teste LR Edwards cc

The Commonwealth of Virginia - To the Sheriff of Southampton County. Greeting - We command you that of the goods and chattels of William Murfee & James N Bell late in your bailiwick you cause to be made the sum of One thousand dollars with legal interest thereon from the 5th day of February 1856 till paid which A.W. Norfleet who sues for the benefit of Patrick Doles lately in our Circuit Court of Southampton County hath recovered against them as well for a certain debt as for interest thereon: also the sum of eight dollars and five cents, which to the said Norfleet for &c in the same Court were adjudged for his costs in that suit expended. Whereof the said Murfee & Bell are convict as appears to us of record. and how you shall have executed this writ make known at the Clerks Office of our said Court at the Rules to be holden for the said County on the first Monday in August next and have then there this writ Witness Littleton R. Edwards Clerk of our said Court at the Courthouse this 17th day of May 1859. in the 83d year of the Commonwealth

LR Edwards cc

Sheriffs Endorsement & Return - "Came to hand May 23d 1859 at 9 o'clock A.M.

W.W.B

"No property on this Fi Fa or any part thereof can be made.

Geo. W. Vick Dy for

W.W. Briggs Shff."

The following is a copy of the writing obligatory upon which the foregoing judgment was rendered. and assignment thereon
$1000-

On demand the 5th day of February 1859 with Int. from date we or either of us promise to pay A.W. Norfleet his heirs or assigns, the just and full Sum of One Thousand Dollars Lawful and Current money of Va. for value rec.d For the true performance of which we bind ourselves, our heirs & assigns - jointly and severally - firmly by these presents - Witness our hands and Seals this 5th day of February 1856.

Test
Jas. A. Pressow.

Wm. Norfleet (Seal)
James A. Bell (Seal)
(Seal)
(Seal)"

I assign the within to P. Edes this 26th day of Feby 1858"
A.W. Norfleet."

Test
P.R. Edwards blk

Mr fee &c.

1 } Co: Indem: Bond

Bill

(6.)

Whereas the copartnership entered into between William Murfee & James M Bell the terms of which are evidenced by articles of agreement dated the 26th day of March 1856 now of record in the Clerks Office of Southampton County has been dissolved by mutual consent on the 3rd day of May 1856, the said Bell having released and conveyed all his right title and interest in the property of the said copartnership including both the real and personal estate (except only his interest in the profits of the firm up to the time of dissolution) to the said Murfee who proposes to continue the business solely, and the said Murfee having assumed all the debts of the said firm contracted either for goods real estate or otherwise and having released the said Bell (so far as it is in his power) from all responsibility on account of said debts due from the firm and desiring further to save the said Bell harmless from the possibility of any loss by reason of said debts: Now this Deed Witnesseth, that in consideration of the premises, the said William Murfee conveys to the said Bell all the property both real and personal which was originally the property of the firm of Murfee & Bell more particularly described in the articles of agreement above mentioned. in trust Nevertheless to secure and indemnify the said Bell from all loss on account of the debts of the said firm assumed as aforesaid by the said Murfee reserving notwithstanding to himself the said Murfee the privilege without let or hindrance to sell the said Stock of goods by retail or wholesale as he may think proper, and to continue in uninterrupted possession of the said real estate until the said Bell shall have sustained loss by reason of the said debts. And the further to secure the said Bell from loss on account of the said debts the said William Murfee and Seth D. Williams, Harrison D Moore & Wm W. Briggs his Securities bind themselves and their heirs in the penalty of ten Thousand Dollars that they will indemnify the said Bell from all loss by reason of said debts of the firm of Murfee & Bell. Given under the hands and Seals of the said Murfee and S.D. Williams. H. D. Moore & Wm. W. Briggs this 25th day of Sept. 1856.

Teste
A. J. Vick
Jas. H. Parker

Wm Murfee (Seal)
Seth D. Williams (Seal)
Harrison D Moore (Seal)
Wm W. Briggs (Seal)

Southampton County In the Clerks Office September 20th 1858
This writing was proved as to Wm Murfee, Seth D. Williams, Harrison D Moore & Wm W Briggs parties thereto by the oath of A. J. Vick one of the subscribing witnesses thereto. And on the 21st September 1858 the said writing was further proved as to the said

Murfee, Williams, Moore & Briggs by the oaths of Jas H Parker also a subscribing witness thereto and was thereupon admitted to record.

Teste

L R Edwards Clk

A Copy

Teste. L R Edwards Clk

Bell's 1st Trust Deed

(D.)

This Deed made the 28th day of April in the year 1859 between James A Bell of the one part and Littleton R Edwards of the other part. Witnesseth: that the said James A Bell doth grant unto the said L R Edwards the following property to wit. Negro woman Maria & child Peter & negro girl Betty and the future increase of said negroes. 2 horses. 4 head of cattle. 6 head of hogs. 2 Buggys. one Rockaway. one Sulky & harness. all my household and kitchen furniture of every description. 25 barrels of Corn 4.000 lbs of fodder. 4.000 lbs of bacon a tract of land being apart of the tract I purchased of Martha Booth, containing fifty acres more or less. all my brandys, wines, & liquors of every description and my confectionary of all sorts at my tavern stand at Franklin In trust in the first place to indemnify and save harmless James E Sebrell, Wm A. Bell, Jas Dillard, Jas A Gillette Jos E Gillette & Jas T. Butts my securities to a note or bond this day executed to Wm W. Briggs for the sum of Nineteen hundred & thirty five dollars and eighty four cents. In the second place to indemnify and save harmless Wm I. Sebrell, Wm A Bell & Seth D Williams securities to a bond executed by said Jas. A Bell & Wm Murfee to Alexander Norfleet on the 5th day of February 1856 and on demand the day of 185 for the sum of One thousand dollars carrying interest from date of said bond. In the third place for the payment of all other debts due by the said James A Bell to which any person is security. and fourthly for the payment of all other debts due by the said James A Bell and if any shall remain that it be paid over to the said James A Bell.

Witness the following Signatures & Seals.

Jas A. Bell (Seal)
L R Edwards (Seal)

Southampton County In the Clerks Office April 30th 1859.

This deed of Trust was acknowledged by James A Bell a party thereto, and was thereupon admitted to Record.

Teste

L R Edwards Clk

Mosby

Teste. L R Edwards Clk

Bell

1. } Co. D. Trust.

Sibrell 1°

(E)

This Deed made this 28th day of April 1859 between James N Bell of the one part and LR Edwards of the other part Witnesseth that the said James N Bell doth grant unto the said LR Edwards all his right of action, title to and interest in a certain deed executed to the said James N Bell by Wm Murfee Seth D Williams, Harrison D Moore and Wm W. Briggs dated September the 25th 1856. having for its object to secure the said James N Bell from all loss on account of certain debts contracted by the said Murfee & the said Bell when trading under the firm & Style of Murfee & Bell which said Deed is now of record in the Clerks Office of Southampton County. In trust to secure Joseph E Gillette James N Gillette James Dillard James T Butts, James E Sebrell and Wm N Bell and save them from all loss by reason of their securityship for the said James N Bell to a certain bond for Nineteen hundred & thirty five dollars and eighty four Cents dated the 28th of April 1859. executed to Wm W Briggs—

Witness the following Signatures & Seals.

James N Bell (Seal)

(Seal)

Southampton County. In the Clerks Office 30th April 1859.

This deed of trust was acknowledged by James N Bell a party thereto, and was admitted to record

Teste

LR Edwards Clk

A Copy

Teste. LR Edwards Clk

Crosse Exors &c

&c. Ex with bill

& Mursell & Bell Defts

(G)

At a Court held for the County of Southampton on the 20th day of July 1857.
The last will and testament of William J Sebrell dec'd was proved by the oaths of
James A Gillette, Wm B. Westbrook & John James the subscribing witnesses thereto and
ordered to be recorded. and on the motion of James E Sebrell the Executor therein named
who made oath and entered into and acknowledged a bond (the Will requesting him to
be permitted to qualify without giving security and the Court requiring none) in the
penalty of thirty thousand dollars conditioned as the law directs, Certificate is granted
him for obtaining a probat of the said Will in due form.

A Copy Test P R Edwards Clk