

1860-27

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BRIGGS, REPRESENTATIVE VS. MASSENBURG, ET AL.
Trustee & al S/1866

Other surnames: Doles, Wiggins,
Edwards, Murfee, Gardner,
Cross, Biggs, K. Biggs & Company,
Pegram, Paynter, Davis, Paul;
[Pegram, Paynter, Davis & Company],
Norfleet, Wells, Holmes,
Delk, Norflett, Howard, Smith

Briggs (th.) for Doles

or { Chy: papers.

E. W. Mafenturg, trustee
J. C. J.

Briggs for Dols
v. } Papers

Massemburg v.

Briggs for Soles

v. } Stat. Rules

Mafsenburg & Co

In Southampton Circuit Court.

W^m W Briggs Sheriff of Southampton County who sues for the benefit of Patrick Dole's Eff.
against

Edward W Maspenburg Trustee. John B. Wiggins L R Edwards W^m Murfee in his
own right & as admor. of Jesse Gardner dec^d. and as admor. of W^m M. Wells dec^d Alexander
Norfleet, Edwin Smith Exor. of Martha Cross Exor. of Hardy Cross dec^d James Holmes
Jure. Delk W^m A Maspenburg. Hader Biggs & Jos Biggs, merchants trading in
the City of Norfolk under the style of R. Biggs & Co. & E. S. Pegram, et W Paynter
R W Davis & J W Paul merchants trading in the City of - under the style of Pegram
Paynter, Davis & Co.

1859 Jan'y. 18th Summons issued returnable to February Rules.

" Feb'y Rules Sum^s ret^d. Executed on all the Dfts except E. S. Pegram. A W Paynter.
R W Davis & J W Paul they not residents. Bill filed. Deere Nisi to:
the Dfts. Maspenburg, Wiggins, Edwards, Murfee in his own right & as admor
& Co. Norfleet, Smith & Cross Exor. & Holmes. Delk. W. A Maspenburg, &
Biggs & Co.

" Mar: R. Ans^r of Dft. Murfee. G. Rep: Bill taken for confessed as to Dfts E. W Maspenburg,
Wiggins, Edwards, Norfleet, Smith & Cross Exor. & Holmes. Delk. W. A Maspenburg,
Biggs & Co. New Sum^s & Dft. E. S. Pegram. & Or. Pub. & Dft. Paynter.
Davis & Paul.

" Apr^l. R. Sum^s ret^d by ² on Dft. Pegram. & Deere Nisi to him. Cause set for
hearing as to all Dfts as to whom the bill taken for confessed and as to Dft. Murfee on his
ans^r & Co.

" " (Last Monday) Bill taken for confessed as to Dft. Pegram & Cause set for hearing as
to him.

" Nov. Ans^r of E W Maspenburg. J B Wiggins, Hader & Jos Biggs. E S Pegram. & W
Paynter. R W Davis, & J W Paul.

1860 May 7. Bill def^d with costs & Co.

Dft. Costs. Lark house

E. W. Masfombury Iron $\$ 5.91$

Biggs 16' - 1.49

J. B. Wiggins - - - 61

H. Murfee - 50

A. W. Norflut - 4.57

$\$ 13.08$

Saw fee - 15.00

$\$ 28.08$

To the Hon. Rich^d H Baker judge of the Circuit Court
of Southampton County, in this sitting, humbly Complaining
therewith unto your honor, your Orator W^m W Briggs Sheriff of said
County, who sues for the benefit of Patrick Doles: That ^{at the 7th of} ^{term of the Court} ^{which has been duly ascertained}
May 1858, the said Doles obtained a judgment in the Circuit
Court of said County, for the sum of \$1092.35: with legal interest
thereon from the 28 March 1857, with his costs \$7.45: by him expended
against one William Murfee. That thereon an execution of Hifa
issued bearing date the 15th May 1858, which coming to the hands of the
said Sheriff on the 24th May 1858, at 8 o'clock A. M., was returned by the
said Sheriff with this endorsement thereon viz: "no property out of which
this Hifa, or any part thereof can be made - W. W. Briggs Shff" - as will
appear, by certified ^{Copies} of the same herewith filed, marked "A. & B", and prayed to
be taken as parts of this Bill. That in order to ascertain the estate
real & personal, in or out of the state of Virginia, to which the said Murfee might
be entitled & on which your Orator (P. Doles') writ of Hifa was a lien, he
caused ^{to be filed} certain interrogatories to the said Murfee, and a copy of
the said judgment with Henry S Howard a Commissioner of the said
Circuit - which, or Copies thereof, and the proper legal process thereon, to ge-
-ther with the said Murfee answer thereto, are herewith filed marked
"C. & D": and prayed to be taken as parts of this Bill -

Your Orator, P. Doles, further states, that on the 30th of April
1858, a few days before the term of the Circuit Court of said County
was to be held & at which the said Murfee well knew the judgment
aforesaid would be rendered against him, he the said Murfee
executed a deed of Trust conveying certain property thereon mentioned
and ^{transferred on the 1st May 1858 executed another deed} to E. W. Mendenhall, for the objects therein expressed ^{and which was not recorded until 3rd May 1858} a copy of which is
herewith filed (marked "E") and prayed to be taken as a part of this
Bill. That at the time & before the execution of said Trust Deed
the said Murfee was carrying on the trade of merchandizing
& proprietor of a store, goods &c. & doing the business of a merchant,
at Franklin in the County aforesaid & also at Key note ~~all~~, in
N. Carolina - and continued so to carry on the trade of buying
selling &c. after said deed of Trust as before, under the pretence of carrying
out said trust, until arrested by a decree of this Court on behalf of Joseph

is also. E. Maffenburg trustee &c. whereby the said E. Maffenburg
was appointed a receiver of the goods, wares, Merchandise & other
property in the said deed of trust - all of which he has sold and
now holds the proceeds subject to the order of the said Court in
the cause above mentioned, and the proceeding under the
said jury, men of your orator against said Murfee hereinafter
alluded to. Your orator states, as will also appear by the answers to
the 3^d Interrogatory proposed by him to the said Murfee, herein before
mentioned, that about the 15th April 1858, the goods at Reynoldson
belonging to the said Murfee were valued at \$3324.70 - That on the
month of May 14th 57. 20th amount of sales, till the 14th Aug 1858 were
\$490.11 - Cash sales \$301.00: leaving goods, wares & merchandise to the
amount of \$2000, ^{which} on 14th Aug 1858 were transferred to one John
B. Wiggins for the benefit of the said Murfee; your orator states
and charges that the said property, and the proceeds thereof, are
liable to the lien of his "Fiducia", and he is entitled to payment out
of the same, in preference to the Drafts, or orders drawn thereon
in behalf of L. R. Edwards, P.gram, Payuter & Co, & any & all
others, or any other contract made by the said Murfee touching the
proceeds of the property, or the property itself just above alluded to.
your charge that his said judgment is a lien on all the real estate conveyed in said trust deed, and he prays that
the same, or proceeds thereof, be made a lien on the said property, or proceeds thereof, and that your orator pray that
the said property, or the proceeds, & all claims & evidences of debt in
the hands of said Wiggins, or his agents may be made so liable &
That the said Wiggins may be restrained from parting with
the same, otherwise than as may be ordered by the Court: and
your orator, by proceeding under the 10th Sec. of Chap 188. Code of Va., de-
clares the said Wiggins, as also the said E. Maffenburg, to be
summoned to the next term of the Circuit Court of this County, to
answer the suggestion of your orator in said proceeding, mention-
ed, as will appear by the paper (exhibit) "G" herewith filed and
prayed to be taken as a part of this Bill -

Your orator further charges that the deed of Trust aforesaid
made to the said E. Maffenburg, was made by the
said M. Murfee with the fraudulent intent & object
to deprive your orator of his said debt: that the same

is, as to him fraudulent, null & void. He charges that ^{at} the time
of the execution of the same, the said Murfee was a merchant
at Franklin; that by the said deed he conveyed his goods, wares,
chairs, in action, & other property, for the object, as therein alleged
to secure certain Creditors, but as your orator charges, with such
reservation of power & control over the pretended trust funds,
as to defeat the security pretended for the supposed Creditors, and
to render the said deed in said fraudulent & void - Is evident
that this, that the said Murfee did collect the trust funds, and
so manage the same, that he appropriated them to purposes
not contemplated by the deed - and finally to cause the
aid of this hon. Court to be invoked to place beyond his
control the property which, the provisions of the said terms
placed under his sole management. But if your orator
should be mistaken in the views above entertained as to the deed
being fraudulent, he insists that there will be funds arising
therefrom, in the hands of the said Murfee, liable to the payment of
this said debt, and he prays that the same may be so applied -

Your orator is without adequate remedy save in this Court.
To the End therefore he prays that Ed. Maffenburg trustee
as appraiser, John B. Wiggins, ^{J.R. & Co. who will do} William Murfee in his own right, and
as owner of Repe Gardner, & as owner of Wm. M. Wells & Co, A. Grant
or Moffett, Edwin Smith Esq. & Martha Croft Esq. of Hardy Croft & Co, James Robins,
Jere Bell, Wm. A. Maffenburg, Thaddeus Rigg & Son, Rigg, merchants
trading in the City of Norfolk under the style of R. Rigg & Co, & E. S. Pe-
gram, N. W. Payuter, R. W. Davis & S. W. Paul merchants trading in
the City of ^{under the style of R.} Pogram, Payuter, Davis & Co - be made parties defend-
ant to this Bill and be compelled to answer the same.
Not especially the said John B. Wiggins disclose all amounts,
property, funds, accounts which came to his hands, in which the
said M. Murfee was in any manner interested, from the store at
Reynoldson, or else when: and at what period he received the
same? What he has done with the same? What debts he has paid
therefrom & to whom & at the time when paid? What amount
he now has? And that the said E. Maffenburg trustee,

render an account of his transactions connected with the said
 trust funds; or any other in which the said Murphy is interested - that
 he state what funds he has received by virtue of said deed; &
 what funds he holds in which the said Murphy is concerned; independent
 or outside of said deed. When he obtained the same & how? that
 he state how long the said Murphy, after the execution of said deed
 went on to sell the goods, collect debts & pay off? and what debts
 did he pay off, the amounts thereof & the parties to whom paid.
 That the said Murphy also answer the several statements
 & allegations in the bill: and that he particularly set forth the
 amount of sales made by him at Franklin, after the said deed
 was made? also amount of collection? & how were they applied?
 What debts were paid by him (after 30th April 1858) & to whom
 paid: ^{that the said said funds in the hands of said Murphy were applied to the pay ment of}
 that your Honor will decree, the said deed of trust to be
 void, and subject the property therein, as well as all other, in the
 hands of the said Murphy & Higgins or what his "fido"
 was a lien, to the payment of said debts - and grant all
 other and necessary relief which to Equity may seem right &
 the nature of his case may require - & grant &c

Patrick J. Lee, of
 R.R. Whipple, of
 aty

1859 February 18th

Murphy &

1859 for 1858
 & 1858

Dales &c

7 3

Maspenbury sal

ans. of a. w.
Influent

The answer of Alexander W. Norfleet to a Bill in Chancery filed in the Circuit Court of Southampton County by ~~Patrick Dole~~ Wm. W. Briggs Sheriff of said County, suing for the benefit of Patrick Dole, against E. W. Mapenburg and others.

This Respondent saving and reserving all just exception to said Bill, says in answer thereto that Wm. Murfee did execute the Deed of Trust on the 30th of April 1858 as stated, and that this Respondent is a creditor of said Murfee for over nine thousand dollars as referred to in said Deed & he denies that the said Deed is fraudulent void as to said Dole, in fact or otherwise - That the power reserved in said Deed by said Murfee was virtually an appointment as agent for E. W. Mapenburg, and all that he was authorized by said Deed to do, was to be done for the purpose of securing the creditors in said Deed & to be only accounted for to said E. W. Mapenburg Trustee; But the said Murfee commenced managing the said business contrary to the intent & object of said Deed & hence Your Respondent filed his Bill in this Court having for its object the entire dispoising of said Murfee from having anything to do with said Trust, and by an order of Your Honor, all the estate conveyed in said Deed was taken charge of by said E. W. Mapenburg and has been sold or is in process of collection - an account of all which has been directed to be taken in said suit -

Your Respondent also says that on the 1st of May 1858 a further Deed of Trust was executed by said Murfee to said Mapenburg conveying the same estate as named in the

Deed of 30th April 1858, and which deed of 1st May
1858 was recorded on 3^d May 1858, ^(a copy of which is filed herewith) whereas the
execution of Patrick Dole, was not placed in the
Sheriff's hands till 24th May 1858 & did not
become a lien on any of the goods &c. of Wm
Murfee till the said 24th May 1858, and that
previous thereto the same had become subject
to the provisions of the deeds ^{aforsaid.} of 22nd May 1858 -
- Your Respondent claims that all debts due
to Wm Murfee whether from the sales of goods in
Virginia or North Carolina up to 24th May 1858
are subject to the deeds of 30th April & 24th May
1858, and should be so applied - That as to
all other matters alleged in said Bill this
Respondent is not prepared to say - they maybe
true or not, and proof thereof is required -

~~And having answered~~

This Respondent denies that the deeds aforsaid
are fraudulent &c

A. W. Norfleet by
John R. Kilby p. q.

Briggs Sh. for Doles

or 3

Mafunburg &c.

Ans. of
Wm. Murfee

1859 March Rules

The answer of Wm Murfee to a Bill in chancery filed in the Circuit Court of Southampton County against E. W. Mapenburg and others, by Wm W. Briggs Sheriff of said County, who sues for the benefit of Patrick Doles.

This Respondent saving &c. for answer to said Bill, or to so much thereof as he is advised is material for him to answer, says, That the said Doles did obtain the Judgment for \$1092:35 as stated in said bill, and issued an execution thereon as stated in said Bill - That it is true interrogatories were filed to this Respondent and answered by him as stated in said bill - That it is also true that he executed the Deed of Trust as referred to on the 30th April 1858 to secure his creditors as is set forth in said Deed, that he did so to secure them in good faith and he denies that he had any fraudulent intent in doing so, and he denies that the said Deed is fraudulent - That previous to the execution of said Deed he was, as stated, carrying on merchandizing at Franklin in Southampton County Va and at Reynoldson in Gates County, North Carolina, and remained in possession of the Trust articles as is usual in such cases, and until properly called on to surrender the same, and that he sold from day to day such articles as were called for and paid the proceeds out to creditors, as appears below - That E. W. Mapenburg was appointed a Receiver as stated & has taken charge of the Trust articles in the suit of E. W. Mapenburg referred to, and is now proceeding to close up the same, and has been required to render an account of his proceedings under said suit - That the goods at Reynoldson North Carolina on the 15th of April 1858, amounted to about \$324:70, and after making some sales to Herman &c. as stated in the answer to the 3^d question referred to in said Interrogatories, this Respondent sold the Balance to Mr. B. Briggs, as set forth in said Bill and in the answer to said 3^d question - Your Respondent avers that he did not give said Mr. B. Briggs any notice of any execution being in the hands of said Briggs Sheriff as aforesaid, and that as attachments had been issued against

Respondent in North Carolina and as he was also indebted to said Wiggins as set forth in the said 3^d answer he made the sale to said Wiggins and a bill of sale for the same was recorded in the clerk's office of Gates County North Carolina - that such sale was bona fide, & he denies that any execution against him in Virginia was a lien on the said goods, at Reynoldson in North Carolina or that any such execution was notice to any one in North Carolina of any lien whatever - This Respondent avers that the several orders given by him on any surplus from the goods at Reynoldson as specified in said 3^d answer, are good legal and sufficient to convey to the holders of them any such surplus - the said surplus if any being in North Carolina and in no wise subject to any execution in Virginia - That the orders given on E. W. Mapenburg for amount of sale, at Reynoldson, from 30th April 1858 (the day the deed of Trust was made) to 1st July 1858 (the day of the sale to Jno. B. Wiggins), he submits to the Court whether said Execution was any lien thereon - and he claims that such orders should all be paid in preference to said execution - Your Respondent denies that the said deed was executed with any fraudulent intent, and he denies that its provisions were such as to defeat the security of the debts therein named - That the sales and collections made by him at Franklin from 30th April 1858 the day the deed was made till taken charge of by E. W. Mapenburg the Receiver under the decree in the suit of A. W. Norfleet against, were as follows - from sales from goods by retail &c. \$485.30 from collections \$662.82 - from sale, to Herman Hee \$416 - making \$1564.12, and I also paid over to Herman Hee on account of their claim, two claims against Alfred Holmead of about \$850 (now in a suit in the Court of Appeals - and which I paid out as follows to wit:

To Herman Hee, ~~\$806.58~~ the sum of	\$806.58
to same two claims against Alfred Holmead	
now in suit in the Court of Appeals, about	850.00
	<u>\$1656.58</u>
To Jno Camp	37.50
" Dawson & Rauls,	90.00
" A. W. Norfleet.	18.00
" G. A. Warder Hee.	44.63
" Martha M. Vaughan	14.96
" Jefe Little's judgment	36.81
" Jno. Moore adm of M. Moore	3.25
" Larkin Brooks	69.61
" Wm. McClemy	11.03
" Sheriff, Brigg, an execution	
in favor of W. P. Stuart Hee	305.00
" Harmon Long	26.70
Total amo. paid off	<u>\$2314.12</u>

He denies the lien of the Hee's judgment on the land as alleged.
 (And now having answered &c. prays to
 be hence dismissed &c.
 Wm. Murfee

Southampton Circuit Court Clerk's Office February 22^d 1859.
 This day William Murfee made oath before me Clerk of the Court aforesaid that the facts stated in the foregoing answer are true to the best of his knowledge and belief.
 Given under my hand this day & year aforesaid
 L. R. Edwards Clk

2
Baigys for 2000

Massachusetts 20

Amos J. B. Wiggins

1859 Nov. 11 by leave

The Answer of J^{no} B. Briggs to the bill of complaint filed against him & others by Wm W Briggs who sues for Partick Dole

This Defendant saying and answering as follows answer to the said bill or so much thereof as he is advised it is material or necessary to make answer unto answering said, That in the month of July 1858 Wm Murphy sold to him a stock of goods at Reynoldson in North Carolina under the circumstances and on the conditions mentioned by the said Murphy in his answer to the 3^d interrogatory filed with the Pliffs bill and that the said sale was made without notice to this Defendant of the execution mentioned in the bill. That the said goods were sold by this Defendant and the sum of \$1591.87 collected for the said sale leaving the sum of \$80.88 in doubtful accounts the proceeds of said sale uncollected. That the expenses of said sale and the debts due this Defendant and the attacking creditor Cary Howe & Co amounted to the sum of \$1056.79 leaving a surplus of \$535.08 in the hands of this Defendant for which he had accepted orders drawn by Wm Murphy in favor of L N Edwards and Peppin Painter and Davis which said orders have not been paid by this Defendant. That the said sum of \$535.08 is now paid by this Defendant subject to the order of this Honorable Court, and having answered the same he prays since to be dismissed with his costs &c

Chambliss & Macfarlane
for Def^t

Southampton County to wit;
This day Ind Wiggins appeared before
me a justice of the peace in and for the said
County and made oath that the facts
stated in the above answer are true
to the best of his knowledge & belief —
Given under my hand this 3 day
of May 1859

James Holmes J.P.

Biggs for Dolex
2

Masseyburg & Co

Ans & Biggs & Co

1859 Nov 11 by leave

The answer of Wm B Maperburg Thos Biggs
Jos Biggs, E S Peppars, N W Pagnier, N W Davis,
and S W Paul to the bill of complaint filed against
them and others of Wm W Briggs who sues for Patrick
Dow -

These Defendants saying and answering all
things of exception as for answer to the said bill
as so much they as they are advised it is mat-
erial or necessary to make answer unto answer-
ing say that Wm Maperburg being indebted to them
severally and wishing to discharge in part
such indebtedness gave to them the said Defen-
dants the orders on Jno B Wiggins & E W Maperburg
mentioned in the bill which said orders were re-
ceived by these Defendants in part payment of
the debts due them without notice of the execution
mentioned in the Pliffs bill, and they submit to
the Court whether they are not entitled to have the
said orders paid out of the funds in the hands of
E W Maperburg and Jno B Wiggins in preference
to the said executions mentioned in the Pliffs
bill - and the said Defendants answering
say that it will appear all of the said funds
in the hands of the said E W Maperburg as the
agent of the said Wm Maperburg, and all the funds in
the hands of the said Jno B Wiggins to pay their
said orders, and having answered they
pray leave to be dismissed with their costs &c

Chambliss & Maperburg per
Dpts

Briggo for Soles
2

Maspenburg 20

Answer 28 W Maspenburg

1850 Nov. 11 by land.

The answer of S W Masfenburg to the bill of complaint filed against him and others by Wm W Briggs who sues for the benefit of Patrick Dole

This Defendant having & reserving all benefit of exception so for answer to the said bill as much thereof as he is advised it is material or necessary to make answer unto answering said bill, that it is true Wm Masfene executed a deed of trust to this Defendant on the 28th of April 1858, as well as another deed dated May 1st 1858 a copy of which last deed is herewith filed marked (A) and prayed to be considered as a part of this answer, but this Defendant does not believe and therefore denies that the intent of the said ^{deed} was fraudulent or that it is void in law - This Defendant saith that he has settled up to this time an account of his transactions as the Trustee & Receiver of Wm Masfene under an order of this Court made in the cause of Hargrett against Masfene & others from which it appears that he has now in hand \$ to be applied to the first class of debts mentioned in the said deed and the sum of \$ to be applied to the second class of debts therein mentioned and that other sums will hereafter be received & paid. That this Defendant has also in hand \$ received by him on accounts made by Wm Masfene for goods sold in North Carolina since the execution of the said deed which accounts came under the control of this Defendant as the agent of said Wm Masfene about the 1st of July 1858 and were collected in the months of January & February last, this Defendant before the collection of the said accounts having accepted two orders drawn by the said

Maspe in favor of David Biggs & Wm A Maspeburg
for an amount larger than the sum so collected
without actual notice of the Plaintiff execution
against the said Maspe - This Defendant further
answering said that the said Wm Maspe continued
to sell goods consigned by the said debt until the date
of the returning order made in the cause of
Biggs against Maspe & others which is not
now recollected - That this Defendant knows
nothing of what debts were paid off by the said
Wm Maspe after the execution of the said debt
except from the statement of the said Maspe
and that he believes the account therein given
by the said Maspe in his answer to the writ
will be true - And having answered this
Defendant prays leave to be dismissed with
his costs &c

E W Maspeburg

For Plaintiff's Counsel to wit;

This day E W Maspeburg appeared before me
a Justice of the Peace in and for the said County
and made oath that the facts stated in the
above answer are true to the best of his know-
ledge & belief - Given under my hand this
2^d of May 1859

Matthew N Thomas JP

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON *Wm. Murfee Alexander Norfleet. James Holmes.*
Wm. Murfee admor. Jesse Gardner dec^d. Wm. Murfee adm. Wm. M. Wells dec^d. W. A.
Masonburg. John B. Wiggins & L. R. Edwards. & Edward S. Pegram. N. W.
Paynter. R. W. Davis & E. W. Paul merchants & partners trading under the name
of Pegram. Paynter. Davis & Co.

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 *February* next, to answer a bill in chancery
exhibited against *them & others* in our said Court by *Wm. W. Briggs who sues for*
the benefit of Patrick Dole

and have then and there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court
House, this *18th* day of *January* 185*9*, in the *83* year of the
Commonwealth.

L. R. Edwards do

Expended on W^m Munster. And Norfolk. La.
Stolmer. W^m Munster adms. Sept. 1859. W^m Munster
adms. W^m Well. & A. Mapenting. Sept. 1859. W^m Munster
& S. R. Edwards by delivering each a copy
of the Sumner act on the 2^d & 3^d Feb. 1859.
Edw's Program New Dover & St Paul. Not
residents of New County Geo W. Vickrey for
W. A. B. 1859. 1859.

1859 for 1859
at 3 Sum. chs.
Munster 1st
1859 February Rules

The Commonwealth of Virginia, *Isole of weight*

TO THE SHERIFF OF ~~SOUTHAMPTON~~ COUNTY—GREETING:

WE COMMAND YOU TO SUMMON *Just Dele*

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 *February next* —, to answer a bill in chancery exhibited against *him & others* in our said Court by

Wm. W. Briggs who sues for the benefit of Patrick Dole

and have then and there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this *18th* day of *January* 1859, in the *83^d* year of the Commonwealth.

L R Edwards Clk

Received Jan. 26th 1859 By delivering
a copy of the within to per order
Jas. P. Gay Jr

Receipt for \$3
to J. Sum. Chy.

Wm. J. J.

1859 February 2nd



So. W. J.

Briggs for 1st

2 } Sum. dy

Murphy 1st

1859 Feby Rides

Executed January 21
1859 W B Matthews Sengt

Portsmouth

The Commonwealth of Virginia,

TO THE ~~SHERIFF OF SOUTHAMPTON COUNTY~~—GREETING:

WE COMMAND YOU TO SUMMON

Edward W Mendenburg Trustee,

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 *February* next - , to answer a bill in chancery
exhibited against *him & others* in our said Court by

Wm W Briggs who sues for the benefit of Patrick Dole

and have then and there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court
House, this *18th* day of *January* 1859, in the *83rd* year of the
Commonwealth.

L R Edwards Clk

Briggs for Odes

~ { Sum. Chy.

Murfe &

1859 Feby Rules

Executed by delivering
copies hereof to Hadd
Briggs and Joseph W
Briggs on the 21st day
of Jan'y 1859

W. Cunningham
for Thos J Copnew ^{Deputy} Sergt

Norfolk

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON

*Nader Biggs & Joseph W Biggs partners &
of N. Biggs & Co*

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 *February next*, to answer a bill in chancery
exhibited against *them & others* in our said Court by

Wm W. Briggs who sues for the benefit of Patrick Dole

and have then and there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court
House, this *18th* day of *January* 185*9*, in the *83^d* year of the
Commonwealth.

L R Edwards

The Commonwealth of Virginia, *Nansemond*

TO THE SHERIFF OF ~~SOUTHAMPTON~~ COUNTY—GREETING:

WE COMMAND YOU TO SUMMON *Edwin Smith & Martha Crofts Exor & Coys:*
of Hardy Crofts 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 *February next*, to answer a bill in chancery
exhibited against *them & others* in our said Court by

W^m W. Briggs who sues for the benefit of *Patrick Dole*

and have then and there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court
House, this *18th* day of *January* 1859, in the *83^d* year of the
Commonwealth.

L R Edwards Clk

Executed January 31st 1859 and a true copy
hereof delivered to Edwin Smith and Matthew
Crook Executors.

John R. Savage. Secy.

Brought for J.
to Sum. Chy.

Murphy &
1859. February Rules

Assessed

The Commonwealth of Virginia,

Albemarle
TO THE SHERIFF OF ~~SOUTHAMPTON~~ COUNTY—GREETING:
WE COMMAND YOU TO SUMMON *E. I. Pegram*

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 *April next*, to answer a bill in chancery
exhibited against *him & others* in our said Court by

William W Briggs Shff: & who sues for the benefit of Patrick Dole

and have then and there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court
House, this *7th* day of *March* 1859, in the *83^d* year of the
Commonwealth.

L R Edwards Clk

executed

L. S. Macon. Ds. Sheriff
for. J. W. Goss. Sec

Bridges for 10

to { Same. City.

Maplebury & Co

1859 April Rules

Albion & Co

Briegg for Dols

to Zaffor.

Mafsenburg for

1859 March 7

Doles

Cr. Pub.

Murfee Jr

Copy posted at front door of
Cr. House March 6th 1839

At Rules held in the Clerks Office of the Circuit Court of Southampton County on the first Monday in March 1859-

William W Briggs Sheriff of said County who sues for the benefit of Patrick Dole Jeff
against } In Chancery

Edward W Maspenburg Trustee; John B. Wiggins, L R Edwards. William Murfee in his own right and as admor. of Jesse Gardner decd, and as admor. of Wm M. Wells decd., Alexander Norfolk, Edwin Smith Exor. and Martha Gross Exor. of Hardy Gross decd, James Holmes, Jere. Delt, W A. Maspenburg. Kader Biggs & Jos Biggs merchants trading in the City of Norfolk under the style of K. Biggs & Co. & E. P. Pegram. N. W. Paynter, R. W. Davis & J. W. Paul merchants trading in the City of Norfolk under the style of Pegram, Paynter. Davis & Co. Defts.

The object of this suit is to set aside the deed ^{of Trust} executed on the 30th of April 1858 by the Defendant William Murfee to the defendant E. W. Maspenburg for the objects therein expressed and subject the property therein conveyed, as well as all other in the hands of said Maspenburg and Wiggins, on which the execution of Fi. Fa. sued out of the Clerks Office of the Circuit Court of Southampton County on the 15th May 1858 in favour of Patrick Dole against William Murfee, was lien, to the payment of said debt. And affidavit having been made and filed that the defendants N. W. Paynter, R. W. Davis & J. W. Paul are not residents of this State, it is ordered that they appear 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 Norfolk Herald a newspaper ^{published} printed in the City of Norfolk and posted at the front door of the Courthouse of this County on the first day of the next County Court thereof.

Teste

L R Edwards Clerk

Breggs for Dole
a } Proof pub

Murphy

1859 May 6:

A T Rules held in the Clerk's office of the Circuit Court of Southampton County on the first Monday in March, 1859,
William W. Briggs, Sheriff of said County, who sues for the benefit of Patrick Doles.

Plaintiff,

against

Edward W. Massenburg, Trustee, John B. Wiggins, L. R. Edwards, William Murfee in his own right and as Administrator of Wm. M. Wells, dec'd, Alexander Norfleet, Fawin Smith Esq., and Martha Cross, Ex'trix of Hardy Cross dec'd, James Holmes, Jere Delk, W. A. Massenburg, Kader Biggs and Jos. Biggs, merchants, trading in the city of Norfolk, under the style of K. Biggs & Co., & Es. Pegram, N. W. Paynter, R. W. Davis and S. W. Paul, merchants, trading in the city of _____ under the style of Pegram, Paynter, Davis & Co.

Defendants.

IN CHANCERY.

The object of this suit is to set aside the deed of Trust executed on the 30th of April, 1858, by the Defendant, William Murfee to the Defendant E. W. Massenburg, for the objects therein expressed and subject the property therein conveyed as well as all other in the hands of said Massenburg and Wiggins on which the execution of El. Fa. sued out of the Clerk's office of the Circuit Court of Southampton County, on the 15th May, 1858, in favor of Patrick Doles, against William Murfee was a lien to the payment of said debt; and affidavit having been made and filed that the defendant N. W. Paynter, R. W. Davis and S. W. Paul, are not residents of this State, it is ordered that they do appear 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 Norfolk & Portsmouth Herald, a newspaper published in the city of Norfolk, and posted at the front door of the Courthouse of this County on the first day of the next County Court thereof.

A COPY—TESTE.

mh11 P4w L. R. EDWARDS, C. O.

Norfolk Va 5th May 1839

The undersigned one of the editors of the Norfolk & Portsmouth Herald hereby certifies that the annexed advertisement was published in said newspaper once a week for four successive weeks beginning 11th March last.

4 square,

cost of publishing \$6.50

Rh Broughton

Briggs for Dole
r } Ex. with bill

Masbunburg 10

A. 13

" A. 13

Southampton Circuit Court May 7 1858-

Patrick Doles

Pf.

} In Debt

against
William Murfee

Dft.

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 Defendant One thousand and ninety two dollars and thirty five cents, the debt in the declaration mentioned with legal interest thereon from the 28th March 1857 till paid, and his costs by him about his suit in this behalf expended. And the said Defendant in Mercy &c.

Pf's Costs \$7.45.

A Copy

Teste L.R. Edwards Ck

The Commonwealth of Virginia: To the Sheriff of Southampton County: Greeting:
We command you that of the goods and chattels of William Murfee late in your bailiwick you cause to be made the sum of One thousand and ninety two dollars & thirty five cents with legal interest thereon from the 28th day of March 1857 till paid which Patrick Doles lately in our Circuit Court of Southampton County hath recovered against him as well for a certain debt as for interest thereon: Also the sum of Seven dollars and 45 cents which in the same Court were adjudged for his costs in that suit expended, whereof the said Murfee is convicted 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 Court house, this 15th day of May A.D. 1858 in the 82nd year of the Commonwealth -

L.R. Edwards Ck

Sheriffs Endorsement & return. " Came to hand May 24th 1858 at 8. O'clock
A.M.

W.W.B."

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

W.W. Briggs Shff."

A Copy

Teste L.R. Edwards Ck

Briggs for Dols

to } Ex. with bill

Medfordbury &

to } Ex. ("I")

Have Briggs & Mr. Briggs -
for H. Briggs & Co.

to S. Deppan, at. Parvato -

The following is a copy of the petition of Patrick Doles filed with the undersigned, one of the Commissioners in Chancery of the Circuit Court of Southampton County.

"The Commissioners of Southampton County, will please summons W^m Murfee to appear before him to answer the following interrogatories in order to ascertain what property he has which is or may be made subject to the operation of a judgment obtained by Patrick Doles at the Circuit Court of Southampton, at the May Term thereof for the year 1858, the said judgt. being in a bond for about \$1095.00 & the same proceed in according to Law Interrogatories to be submitted to W^m Murfee

1st. Have you not a gold watch or had; also a double barrel gun and a Colt Revolver?

2nd. State fully all accounts of bonds or other securities which you had or have arising out of or in any way connected with your business of all sorts, conducted at Reynoldson or in any other place in N. Carolina. State the amount names of debtors into whose hands they are now, whether in your own, or an agents, - if an agents, what is his name, - State when the same, or any part thereof were delivered to an agent, if so delivered and produce his receipt?

3rd. What was the amt. of the inventory of goods, wares & merchandize taken about the middle of April or any time before or since, at Reynoldson Store, or any other Store of yours in N. Carolina? To whom did you sell said goods, wares and merchandize or what did you do with them? If you sold them, did you take bonds or notes? if so, from whom, and the amount and who now has such bonds or accounts? or notes? Have you any of the goods left, if so, what and where are they, the amount or value thereof?

4th. State particularly any & every other species & kinds of property of any & every sort which you have in possession or otherwise, or in any manner held for you or your benefit & wherever the same may be.

Patrick Doles

By R. H. Whitfield, his atty."

The following is a copy of the Summons issued by the said Commissioner under the foregoing petition.

"The Commonwealth of Virginia.

To the Sheriff of Southampton County, Greeting:

You are hereby commanded to summon William Murfee to answer upon oath interrogatories to the said William Murfee filed with the undersigned, one of the Commissioners in Chancery of the Circuit Court

of Southampton County, in the Office of said Commissioner at the
Court House of said County, by Patrick Dolos, (under a certain
writ of Fieri Facias, which issued from the Clerk's Office
of said Court upon a judgment therein rendered on the 7th day
of May 1858, in the name of said Patrick Dolos against the
said William Murfee for the sum of One thousand and ninety
two dollars and thirty five cents with legal interest thereon from
the 28th March 1857, till paid, and \$7.45 & costs) to ascertain
the estate on which the said writ of Fieri Facias is a lien, and
also to ascertain any real estate in or out of the said Common-
wealth to which the said William Murfee is entitled. And
you are hereby further commanded to summon the said William
Murfee to make return of the answers to the said interrogatories,
to the said Commissioner, at his said Office, within twenty days
from the date of this summons, to wit; on the 18th day of Septem-
ber 1858, and this he shall in no wise omit, under the penalty
of \$100. And have then there this summons. Witness
Henry S. Howard Commissioner of the said Court, at the
said Office, the 31st day of August 1858, in the 83rd
year of the Commonwealth.

Henry S. Howard, Comm.

The following is a true copy of the Interrogatories referred to in
the foregoing summons:

1. Have you not a gold watch or had - also a double barrel
gun and a Colt's revolver?
- 2nd. State fully all accounts & bonds or other securities which
you had or have arising out of or in any way connected with
your business of all sorts, conducted at Reynoldson or in
any other place in N. Carolina - State the amount, names
of debtors, & into whose hands they are, now whether in your
own or an agent's, - if an agent, what is his name? State
when the same or any part thereof were delivered to an
agent, if so delivered and produce his receipt.
- 3rd. What was the amount of inventory of goods, wares & mer-
chandise taken about the middle of April or any time before
or since, at Reynoldson Store, or any other Store of yours in
N. Carolina? To whom did you sell said goods, wares
and merchandise, or what did you do with them? If you
sold them did you take bonds or notes? if so from whom and
the amount, and who now has such bonds or accounts or notes.
Have you any of the goods left, if so, what and where are
they? the amount or value thereof.
- 4th. State particularly any & every other species & kinds of pro-

perty of any & every sort which you have in possession or other-
wise, or in any manner held for you or your benefit & wherever the
same may be?

Patrick Dolos

By R. H. Whitfield, his atty.

Test,

Henry S. Howard, Comm.

The following is a copy of the answers filed with the Commissioner
in obedience to the foregoing summons.

Commissioner's Office

Reynoldson, September 18th 1858.

This day William Murfee personally appeared before the undersigned
all Commissioner in Chancery of the Circuit Court of Southampton County, in
obedience to a summons issued by the said Commissioner on the 31st
day of August 1858, to answer certain interrogatories filed with the said Commis-
sioner by Patrick Dolos (under a certain writ of Fieri Facias which
issued from the Clerk's Office of said Court upon a judgment therein
rendered on the 7th day of May 1858, in the name of the said Patrick
Dolos against the said William Murfee for the sum of one thousand
and ninety two dollars and thirty five cents with legal interest thereon
from the 28th March 1857, till paid and \$7.45 & costs) to as-
certain any real estate in or out of the said Commonwealth to
which the said William Murfee is entitled, and also to as-
certain the estate in which the said writ of Fieri Facias is a
lien (and being first duly sworn) filed the following answers
to the said Interrogatories:

Answer to 1st Interrogatory - I have a gold watch in my possession,
and have had it for the last two years: I have also a Colt's revolver
which I lent to Mr. Joshua Britton I think about twelve or eight-
een months ago whilst on his way to New York which he has
now. He may think he purchased it, as he proposed to buy
it and I told him he could have it for twenty dollars. But I
do not think that makes any difference, for in the Deed of Trust
I made to C. H. Mapesburg after naming sundry of my property
there is a general clause in which all of my property of every kind
real and personal is conveyed to secure my creditors, and that I consider
includes both the watch and Colt's revolver though not named
especially. I have a double barrel gun in my possession which was
at my Store at Reynoldson, N.C. at the time I made the Deed of
Trust to C. H. Mapesburg trustee, and of course belongs in the
Store at Reynoldson. I brought it from Reynoldson to use
this fall until it should be called for by Mr. Wiggins therefore
I do not claim the gun as mine. I am not certain that the gun
was named in the Inventory of goods transferred at Reynoldson

to Mr. Wiggins."

Answer to 2nd Interrogatory - "As to my bonds and accounts I am not able to give an account of them, nor the list of the names of my debtors. Mr. E. W. Maffetling or his agents have them in hand together with my Book for which I have no receipt. Mr. Maffetling having given me notice to deliver them up under the penalty of Contempt of Court, which I did, with a claim of right to draw on him for the amount that may have been collected or might be collected by him or his agents on any and all of the claims bonds and accounts that were not embraced in the deed of Trust to E. W. Maffetling as trustee. I have since drawn orders on Mr. Maffetling, say about the 25th of August last for the whole amount due me at Reynoldson, N.C., first to pay Dr. W. S. Maffetling a note I owe him, and then to pay Messrs K. Biggs & Co. and others, (all my creditors) not for my benefit in any other way only that paying my debts. My conscience dictated to me the justice of the Drafts so drawn and they have been all accepted & paid when the same shall be collected by Mr. E. W. Maffetling or his agent, Mr. Vaughan who has the claims, bonds or accounts in his hands at Reynoldson N.C. for collection."

Answer to 3rd Interrogatory - "The Amount of goods wares & merchandise taken on or about the 14th or 15th of April 1858, at Reynoldson, N.C. was \$3324.70

In the month of May 1858, I sent to
Herman & Co. Norfolk to whom I }
was in Debt in Shoes } \$457.26
Ledger & Day Book off of Inventory } 5.00
Amount of Sales from April 14th to July }
1st 1858, when goods were transferred to }
Mr. Wiggins 1st Credit Sales } 490.71
Cash Sales } 301.00

Amount of goods bought from Reynoldson
at the time of taking the Inventory to }
Franklin, about } 67.73 = 1324.70

Leaves in goods at Reynoldson 1st July/58 \$3000.00

This Amount of goods I transferred or assigned to Mr. Geo. B. Wiggins
July 1st 1858, (at which they were under an attachment for debt
due Cary, Howe & Co. for about \$260.00 or thereabouts) to close
the business. And in the first instance to pay the Sheriff of Gates
County N.C. the amt. of Tax & License, obtain a sufficient
Amount to satisfy about the said Wiggins holds against me, Wm.
Muffee for five hundred dollars with interest thereon from Oct.
26/57. pay all expenses of settlement of said business, have rent, &c.
and then the balance in hand pay over to the said Wm. Muffee

his Agent. Exas or assigns or his order. For this Surplus, I have
given L. R. Edwards an order for about \$120.00 (date of order
about the 30th August 1858.) and for the balance I have
given Messrs. Deppan, Paynter & Davis Merchants in Baltimore
to whom I am indebted an order (date of this order 25th of
August 1858.

Answer to 4th Interrogatory. "I have no other property except
that conveyed in the Deed of Trust to E. W. Maffetling
trustee for Geo. Howe & Co. I have given up every kind
or species of property I had in the State of Virginia in the
Deed of Trust to E. W. Maffetling."

Wm. Muffee
Sworn to and Subscribed before me this 18th day of September
1858."

Henry S. Howard Com.

The following is a copy of the Commissioner's Report
"To the Circuit Court of Southampton County."

The undersigned on after the Commissioner of the said Court
reports to the Court, that on the 31st day of August 1858,
Patrick Dolis filed with your Commissioner a copy of a
judgment obtained by him in the said Court on the 7th day of
May 1858 against William Muffee for \$1092.35 & with
legal interest thereon from the 3rd March 1857, till paid,
& \$7.45 of costs, (upon which judgment a writ of Fieri
Facias was issued against the said William Muffee)
and also interrogatories to the said Wm. Muffee to ascer-
tain the estate in which the said writ of Fieri Facias
is a lien and to ascertain any real estate in or out of this State
to which the said Wm. Muffee is entitled. That on the
day on which the said judgment & Interrogatories were filed
with your Commissioner he issued a Summons against the
said Wm. Muffee, directed to the Sheriff of said County
commanding him to summon the said Wm. Muffee to answer
the said interrogatories upon oath and to make return thereof
to your Commissioner at his said office, on the 18th day
of September 1858. - That the Summons to which was
subjoined a copy of the said interrogatories was placed by your
Commissioner in the hands of the said Sheriff and was
by him returned duly executed upon the said Wm. Muffee
as appears from his return thereon endorsed. And that
the said Wm. Muffee in obedience to the said Summons,
filed with your Commissioner his answers to the said
Interrogatories, at the time and place presented therein,

which with petition, copy of judgment, Summons &c are
herewith reported and returned. And the Commissioner
directed the said W^m Murfee to deliver to the said
Sheriff as far as practicable all property in his
possession or under his control on which the said
Writ of *Fieri Facias* was alien.

Given under my hand, as Commissioner of the said Court,
this 1st day of October 1858.
Commissioner's fee \$5.00 } Henry S. Howard, Com.
Charged Patrick Dolan }

The following is a copy of the judgment:
"Sutcliffe Circuit Court, May 7th 1858.
Patrick Dolan

against
William Murfee } In Debt.
Deft }

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
defendant one thousand and ninety two Dollars, thirty five cents,
the debt in the declaration mentioned with legal interest thereon
from the 28th March 1857, till paid, and his costs by him about
his suit in this behalf expended. And the said Defendant
in Money &c.

Plaintiff's Costs \$7.45 } Teste
S. R. Edwards, Clk.

Copies
Henry S. Howard, Com.

Druggs for Doses
} Ex: with bill

Mapentury 8^d

ny

Ex: y

Patrick Doles by his attorney Robt. H. Whitfield suggests that by reason of the lien of his writ of Fieri Facias, issued on the 15th May 1858 for the sum of \$1092. 33^{cts} with interest from the 28th March 1857 till paid & \$7. 45. from the clerks Office of the Circuit Court of Southampton County in his behalf against William Murfee, that there is a liability, on Jno. B. Wiggins & E. W. Maysenburg (persons other than his judgment debtor) the said Patrick Doles, plaintiff — that summons, according to 10th Sect. of Chap. 188 of the Code of Virginia, may be sued out of the clerks Office — said Circuit Court against the said Jno. B. Wiggins & E. W. Maysenburg to answer such suggestions on the first day of the next Term of the said Court, to wit, the May Term 1859.

Nov 10th 1858.

Patrick Doles by
R. H. Whitfield

The Commonwealth of Virginia: To the Sheriff of Southampton County. Greeting. Whereas Patrick Doles on the 15th day of May 1858 sued out of the clerks Office of the Circuit Court of Southampton County a writ of Fieri Facias against the goods and chattels of William Murfee upon a judgment in the said Court for \$1092. 33 cts with interest thereon from the 28th day of March 1857 till paid & \$7. 75 costs and the said Patrick Doles suggesting that by reason of the lien of his writ of Fieri Facias there is a liability on John B. Wiggins & E. W. Maysenburg. Therefore at the instance of the said Patrick Doles we command you that you summon the said John B. Wiggins & E. W. Maysenburg to appear before the Judge of our said Circuit Court at the Courthouse on the first day of the next term of the said Court to answer the suggestion of the said Patrick Doles, and to do and receive what shall then and there be ordered or adjudged in the premises by the said Court. And have then have this writ. Witness Littleton R. Edwards Clerk of our said Court at the Courthouse this 11th day of November 1858 in the 33rd year of the Commonwealth.

L. R. Edwards cl

Sheriff's Return " Executed by delivering E. W. Maysenburg a copy of this summons on the 13th day of November 1858. & also by delivering Jno. B. Wiggins a copy of this summons on the 18th day of November 1858. — Wm. W. Briggs Shff."

At Copy

Teste L. R. Edwards cl

Munroe
to
Mafeking

2^d Dec

A

Exhibit with
Mafeking ans.

22 Dec 1890
23 Dec 1890
24 Dec 1890

This deed made this 1st day of May 1858 between W^m Murfee of the one part and E. W. Mafsenburg of the other part. Witnesseth, that the said W^m Murfee doth grant unto the said E. W. Mafsenburg all of his property lying in the County of Southampton real, personal and mixed Subject ^{under} to the legal and equitable effect and consequence of a deed executed by the said W^m Murfee to the said E. W. Mafsenburg for the benefit of certain creditors, on the 30th of April 1858 now of record in the Clerks Office of Southampton County in which said last mentioned deed the said property is more particularly mentioned. In trust to secure all the debts of the said W^m Murfee for which any person may be bound as his security directly or indirectly and after the payment of such debts, then secondly ~~in~~ trust to secure all the other debts of the said W^m Murfee of every kind. and it is agreed that the said E. W. Mafsenburg shall be entitled to a Commission of five per cent on all sales made by him under this deed. —
Witness the following signatures and seals.

W^m Murfee (Seal)

E. W. Mafsenburg (Seal)

Southampton County In the Clerks Office the 3rd day of May 1858.
This deed of trust was acknowledged by W^m Murfee a party thereto and was thereupon admitted to record.

Teste. L. R. Edwards Clk

Attest

Teste L. R. Edwards Clk