

1871-073

SOUTHAMPTON COUNTY
CHANCERY PAPERS

COPELAND

VS. DARDAN'S EXTOR Val

3/1871

Other surnames: Davis,
Darden

581.

Capeland

in

Davis

1868 June Ct. Bill filed.

Injunct: awarded bond & security
given

June 16: Subpo. & Injunct: issued.

1871 Mar. Removed from the Docket.

To the Honorable County Court for the County
of Southampton In Chancery

Humbly complaining sheweth unto your wor-
ships your Orator Amos Capeland that in the
year 1856 on the 1st of Jan^y he conveyed his tract
of land lying in said County to Mr J Davis in
trust to secure five bonds of \$100 each ex-
ecuted by your Orator to H J Smith that the
said Smith assigned the said bonds to Richard
Barton and that your Orator paid to the said Bar-
ton in his lifetime nearly the whole amount
leaving only a small sum of about \$30
due thereon - That the said Richard Barton died
and Jas J Barton qualified as his Exor - That
the said Mr J Davis has advertised your Orator's
land for sale under the said deed notwithstanding
the act known as the stay law and is now
about to sell the same notwithstanding the
great scarcity of money - That your Orator
will suffer great & irreparable injury should
such sale be allowed

In tender consideration of all which your Orator
prays the Jas J Barton Ex^r of Richard Barton
and Mr J Davis may be made Def^s to this suit
and answer the said ^{and} that the Davis be enjoined
& restrained from selling the said land and that
your worships will grant such other & remedies
as equity may dictate

Amos Capeland

Southern County Court to wit:

This day Amos Capeland the Plaintiff in the
above bill made oath before me to the truth of
the allegations therein contained

W. R. Parker J.P.

Copeland
vs
Davis } over

An injunction is granted according to the prayer of the bill to enjoin & restrain the Defts their agents or attorneys from selling the land in the bill mentioned until the further order of this court. But the Plaintiff is not to have the benefit of this order until he shall execute bond in the Clerk's office of this court in the ^{with good security} penalty of \$500 conditions to pay all costs & damages which may be awarded against ^{him} in case this injunction should be dissolved.

The Commonwealth of Virginia,

To the Sheriff of Southampton County—Greeting:

We command you to summon

Amos Copeland

Jas. J. Darden Esq: of Richard Darden dec'd

if *they* be found within your bailiwick, to appear at the Clerk's Office of our
County Court of Southampton County, at the Rules to be holden for the said

Court, on the first Monday in *July next to answer a bill in Chancery exhibited*
against them in our said Court by Amos Copeland
and that they shall in no wise omit under the penalty of \$100—

and have then there this writ.

Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-house, this

16th

day of

June

A. D. 1868, in the

92nd

year of the Commonwealth.

L. R. Edwards

To inform and restrain the Defendants their agents or
attorney from selling the land in the bill mentioned
until the further order of the Court. the plaintiff having
given bond and security in the penalty of \$50. conditioned
to pay all such costs and damages as may be awarded
against him in case the injunction be dissolved.

Teste L. R. Edwards 26

M. J. Davis

The Commonwealth of Virginia,

To the Sheriff of Southampton County—Greeting:

We command you to summon *Jas. & Darden Exors. of Richard Darden & M. J. Davis -*

if *they* be found within your bailiwick, to appear at the Clerk's Office of our *Courts* Court of Southampton County, at the Rules to be holden for the said Court, on the first Monday in *July next to answer a bill in Chancery exhibited against them in our said Court by Stokes Copeland* and *this they shall in no wise put under the penalty of \$100*

and have then there this writ.

Witness, LITTLETON R. EDWARDS, Clerk of ~~our~~ said Court, at the Court-house, this *16* day of *June* A. D. 186 *8*, in the *92* year of the Commonwealth.
L. R. Edwards

To inform and restrain the Defendants, their agents or
attorneys from selling the land in the bill mentioned, until
the further order of the Court. The plaintiff having given
bond and security in the penalty of \$500. conditioned to pay
all such costs and damages as may be awarded against him
in case the injunction be dissolved.

Done
J. R. Edwards Esq

Copeland

~ { Subpo. & Injunct

Dardano Ex. of

1868 July Rules

Executed on J. J. Dardano
on the 25th day of June
1868 by delivering
him a copy.

Plazaown Dept
For S. Kellochiff
Meritt - J. Davis is not
a resident - of any County.
E. S. Story Dept
For S. Kellochiff

Copeland

~ { Inj. Bon

Dardens Et 10

Know all men by these presents that we Amos Copeland, Irvin
Story & Willis Bryant

are held and firmly bound unto the Commonwealth of Virginia in the just
and full sum of fifty ^{Dollars}
good and lawful money of Virginia, to the payment whereof well and truly to
be made, we bind ourselves our heirs, executors and administrators jointly and
severally firmly by these presents. Sealed with our seals and dated this 15th
day of June A D 1868

The condition of the above obligation is such that if the above bound
Amos Copeland to whom an injunction has this day been granted by the County Court of
Southampton County to restrain James J. Darden & M. J. Davis from selling a tract
of land conveyed by Deed of Trust from said Copeland to said Davis as trustee for the benefit of H.
J. Smith in the year 1850 on the 1st of Jan'y. shall pay & satisfy all such costs & damages as may
be awarded against them or incurred in case the said injunction be dissolved

~~shall faithfully discharge the duties of his said office or trust according to law~~
in the above obligation to be void or else to remain in full force and virtue.

Signed, Sealed and delivered
in the presence of the Court

L. R. Edwards

Amos ^{his} Copeland
mark

Irvin ^{his} Story
mark

Willis ^{his} Bryant
mark

Seal

Seal

Seal

Seal

Seal

Southampton County In the Clerks Office June 15 1868.
Amos Copeland. Iron Story. & Willis Bryant the obligors to the within bond acknowledged
the same before me and Iron Story & Willis Bryant the securities made oath their joint estates.
after the payment of all their just debts are worth fifty dollars. the penalty of the said bond as
they verily believe.

L. R. Edwards Clk

Chancery Causes

Decided

1874.

SHANCERY
SAUSES
DESIDED
1871