

1895-08

Southampton County - Chancery

Darvel, George H.
et al

vs Falty, L. C. et al

To sell land and
pay off judgments

Martin, S. W.

Feuerstein & Co.

Schull, W. J. Trustee

Riddick, Lewis

Bill & Exhibits

Daves & al

vs. { In Chancery

Fally & et al

Shands Son
ATTORNEYS AT LAW,
COURTLAND, VA

Everett Wadley Co., Stationers and Printers, Richmond, Va.

To The Honorable C. W. Hill Judge of The
Circuit Court of Southampton in Chancery
sitting

Humbly complaining your
Orators George H. Davis, and J. W. Martin
vs Co, and Fursten vs Co, show unto your
Honor that George H. Davis has a judgment
for \$28.51cts and costs obtained in a justices
court vs L. C. Falty which was docketed in
the county Court of Southampton on the 12th
of June 1894 that J. W. Martin vs Co have
a judgment obtained in a justices Court
vs the said L. C. Falty for \$28 and costs
and docketed in the clerk's office of Southampton
county on the 12th of June 1894 and
that Fursten vs Co have a judgment
obtained in a justices ^{court} for \$21.38cts and costs
vs the said L. C. Falty which was
docketed in the clerk's office of Southampton
on the 12th of June 1894 all of which
will more fully appear by certified copies
of the said judgments marked A, B, C
herewith filed and prayed to be taken
as parts of this bill Your Orators
state further that these judgments
are still outstanding and unsatisfied
and constitute a lien upon the lands
of L. C. Falty which can be enforced

* All of which will more fully appear
by a certified copy of the said deed
submitted with this marked 10 and may
be taken as a part of this paper.

in a court of Chancery They state
further unto you that the said E.
C. Falty is seized and possessed of a
valuable lot in the town of
Courtland on which there is a store
house and restaurant fronting twenty
five feet on the Atlantic and Decatur
Railway property and running back
to an alley near the land of Mrs Mary
A. Lawrence the said lot lying south
of the said A & D. Railroad being known
as lot No 57 on the Map of the
town of Courtland, Your Orators your
Orators show further unto your Honor
that on day of 1891 the said
E. C. Falty conveyed the said lot of
land to W. J. Sebrice as Trustee to secure
the payment of a bond for \$250
payable to Lewis Riddick on 4th day
of August 1891. Your state and
show further that no time has
been specified when this debt shall
be foreclosed and that under the
general law the said lot of land
can be sold on reasonable notice
for cash. The object of this suit
is force the Trustee W. J. Sebrice
to sell the said tract or lot of

land according to the stipulations
of the deed and after paying the
costs of executing the trust pay
first to Lewis Riddick his bond
and interest and then pay to your
Orator the debt in full ^{where}

An Tender consideration
and inasmuch as your Orator are
without ^{help} ^{of equity} in a court where such
matters are peculiarly cognizable they
therefore pray that S. C. Feltz and
W. J. Seville ^{James} and Lewis Riddick
defendants to this bill that the court
would compel them to ^{as} true and perfect
answer make to the allegations of
the said bill as if they had been
thereunto more fully and specially
interrogated but answer on oath to
this bill is hereby specially waived
that the court would by its decree
direct the trustee W. J. Seville to
sell the above said lot of land
according to the terms of the deed
and after paying ~~the~~ first the costs of
executing the trust then pay to Lewis
Riddick his bond and interest
and if there be a surplus
pay first the costs of this suit

Then pray to your Orators their
 judgments in full and your Orators
 hereby give notice to all parties
 interested in this suit that they will
 ask the court to allow a reasonable
~~to pay~~ fee to their attorneys for bringing
 this suit and that the court would
 grant such other and general relief
 as equity may demand and the
 nature of this case may require
 And as in duty bound your Orators
 will ever pray &c

Shandis is Son J. G.

Davis vs al
 vs Bill
 vs Cabine
 Tally vs ~~Bill~~
 vs ~~Bill~~

In Southampton Justice Court,

June 12th Term, 1894

Geo. H. Davis
Against

Pltff.

In

L. C. Faltz

Deft.

Judgment for the Plaintiff against the Defendant for \$ 28.⁵¹ with
legal interest thereon from 11th day of June, 1894, till paid,
and costs, \$ 0.²⁵

Extract.

Teste:

B. F. McLevin C. C.

by A. B. Urquhart & A. B.

In Southampton Justice Court,

June 12 Term, 1894

J. H. Martin & Co. Pltff.
Against

In

L. B. Faultz & Co. Deft.

Judgment for the Plaintiff against the Defendant for \$ 28⁰⁰ with
legal interest thereon from 11th day of June, 1894, till paid,
and costs, \$ 0⁷⁵

Extract.

Teste:

B. A. McLaughlin C. C.

By A. B. Urquhart Jr. D. C.

In Southampton Justice Court,

June 12 Term, 1894

Fensterstein & Co.

Against

Pltff.

In

L. L. Fautz & Co.

Deft.

Judgment for the Plaintiff against the Defendant for \$ 21 ³⁸ with
legal interest thereon from 13th day of Jan'y, 1894, till paid,
and costs, \$0 ⁷⁵

Extract.

Teste:

B. A. McLenahan C. C.

By A. B. Urquhart & D. C.

Davies vs
Falty vs Subee

Clark will will copy the judgments
from the judgment docket book

of
Davies
vs 3
L. C. Falty

A.

J. W. Martin & Co
vs 3
L. C. Falty

B.

to
Fountain & Co
vs 3
L. C. Falty

C.

And the clerk of Court executes by
L. C. Falty to W. J. Subee Trustee
to secure bond to Lewis Riddick. D.
and file them as exhibits with the
bill D.

Shands to Son J. G.

Dones et al vs Feltz, et al
Memorandum
for the Clerk
for exhibits

This Deed of Trust, made this 4th day of March 1891, between L.C. Faltz, of the first part, and W.J. Sebrell, Trustee, of the second part, Withes

WITNESSETH: That the said L.C. Faltz, doth hereby grant and convey unto the said W.J. Sebrell, Trustee, that certain lot or parcel of land situated in the town of Courtland, Va., fronting 25 ft. on the A. & D.R.R. Company's right of way, and running back to an Alley near the lands of Mary A. Lawrence, said lot lying on the South side of the said A. & D.R. R. Co's right of way, and being lot No. 57 on the map of said town;

IN TRUST, however, to secure the payment of a certain Bond for \$250.00, executed on the 4th day of March 1891 by said L.C. Faltz to Lewis Riddick and payable on demand.

And it is hereby covenanted that in the event of a sale hereunder, the trustee shall be allowed the usual commissions of five per cent on gross sales.

Witness the following signature & seal the day & year first above written.

L.C. Faltz, (Seal)

Southampton County : In the Clerk's Office March 4th 1891.

The foregoing Deed of Trust from L.C. Faltz to Lewis Riddick's Trustee, was this day received acknowledged in this office by said L.C. Faltz and admitted to record.

Teste: B.F. McLeMore, C.C.

A Copy. -

Teste: *B F M LeMore C C*

Darwin et al

Dr { Stat. Costs
Falls et al

Stok: lost in Chaucery suit
 Dawes it also & Falts it also
 Clerk 5.49
 Shff. 2.00
 Louse 16.50
 Cour 2.50,
 \$26.99

Teste: J. M. Howard. C.C.

This includes & leaves to
 be entered.

Dawes et al

vs } Sum.

Falty et al

1894 2nd Oct Ruled

Vir. Lt.

Executed Oct. 12th
1894 by delivering
a copy of this Sum^y
~~each of~~ to the within named
parties defendant.

J. M. Williams
J. M.

Shands & Son f.g.

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON

L. G. Falty *W. J. Sebrall*
Inscoe & Lewis Riddick

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 *3rd* Monday in *October* next, to answer a Bill in Chancery

exhibited against *them* in our said Court by *George H. Dawes and*
J. W. Martin & Co and Furstein & Co

And this *they* shall in no wise omit under penalty of law. And have then there this writ.

WITNESS, T. M. HOWARD, Clerk of our said Court, at the Courthouse, this *28th* day of

September, 189*4*, in the 11*th* year of the Commonwealth.

TESTE:

T. M. Howard, C. C.

Dawes et al

Dr. } Stat. Rules

Faltz et al

Act Rules

George H. Dawes and
J. W. Martin & Co. Plffs
and Feuerstein & Co.
vs

3 In Chancery.

L. C. Feltz and W. J.
Silwell Trustees Lewis
Riddick. Defts

1894 Sept 28 - Process ifd to 2 Oct Rules

" 2 Oct Rules Process outd Executed

Bill & Ex filed decre nisi

" 1 Nov Rules Bill taken for con-
fessed & cause set for
hearing.

Dowes et al

vs 3rd Decree

fully et al

to be entered.

Nov Term 71894

CMA

Emb = 680

July

Daves et al
vs } Deese
Fally et al

This day this cause
came on to be heard on the plaintiff's
bill taken as for confessed as to
the defendants in this cause and
the exhibits filed with the said bill
and was argued by counsel
on consideration whereof the court
doth adjudge and decree that one
of the commissioners of this court
take and report to court the fol-
lowing accounts

1st an account showing the real estate
owned by said L. b. Fally stating
its actual and annual value

2nd an account stating the recorded
liens binding the same designating
their dignities and priorities
and said commissioners shall also

^{of course} report any other matters which
he may deem pertinent on which
he may be required so to report by
any of the parties interested

Dawson et al

^{r.}
Falty et al. Decree

This day this cause came on to be heard on the papers formerly read, and it appearing from ^{statement of} plaintiffs, caused that the matters in controversy herein have been settled, and of course with adjudge order & decree that the same be removed from the docket.

Dawson it also
v. Deere
Fitz, &c.

1895 March. 29
To be entered

We consent to the division
of the land to Sam King,
J. L. McLeannan & Co.

Entered March 29, 1895
Robert D. Prentiss.