

1897 - 14

Santhampton County Chancery

Deakin, Jas. J. & Pope, Geo. C. et al.

"To sell real estate
and pay off judgments"

Warrell, B. E.

Shanks, Wm. Trustee

Bill & Exhibits

Dorden

vs. { In Chancery

Pope et als

1894. 1st Act. Amended
J. M. R. C. C.

Shands & Son

ATTORNEYS AT LAW.

COURTLAND, VA

P. 2.

To The Hon & Rt Hon Judge of the
Circuit Court for Southampton Co Va

Humbly complaining sheweth unto your
honor, your orator Jos. J. Darden that
on Nov 7th 1892 he obtained a judge-
ment against Geo & Pope for the sum
of \$1140¹⁹ + \$6⁹² cost & had the same
duly docketed in the clerk's office
of Southampton Co Va. all of which
will more fully appear from a certi-
fied copy of said judgement herewith
filed marked exhibit No II and
prayed to be read as a part of this
bill. That the said Geo. B. Pope has a
tract of land adjoining the lands of
Gulu Pope. Wm M Gray; Geo Prince et
als in Southampton Co Va, containing
452 acres more or less. That on June
25th 1892 said Geo. B. Pope made a
deed of Trust conveying said land
to Wm Shanks Trustee to secure a bond
for the sum of \$400⁰⁰ due by
said Geo. B. Pope to B. E. Howell. said
bond bearing even date with
said deed and payable on
demand all of which will more
fully appear from a certified copy
of said deed herewith filed marked

exhibit No 2 and prayed to be read as a part of this bill. That said debt is due ^{unpaid} and sale can be made under said Trust deed That your orator has as for been unable to get his money so he now asks the court to direct the said Trustee to sell according to the terms of said Trust deed and out of the proceeds pay first cost of executing said trust and the debt secured therein and out of the balance pay your orator's judgment and the interest due thereon and said costs and then pay the balance if any according to the rights of the parties.

In as much as your orator is without relief save in a court of equity where matters of this kind are properly cognizable he prays that Geo. B. Pope, B. E. Norrell, & Wm. Shanks Trustee may be made parties defendant to this bill and compelled to answer the same but an answer under oath is hereby specially invoked

That said trustee may be directed
to sell the aforesaid real estate
according to the terms of said deed
of trust and first pay cost of ex-
ecuting said trust & pay the
debt therein secured and then
out of the balance pay your
orator's judgment & interest thereon
and said costs and then pay
the balance out according to
the rights of the parties and as di-
rected by the court. And that the
court would direct that all proper
orders & decrees be made and inqui-
ries directed and that such other,
further, general and special relief
be granted as to equity may seem
meet or the nature of the case may
require And Your orator hereby
gives notice to all interested
parties that he will ask the
court to allow his attorneys
in this case - Shands - Son - a
reasonable attorneys' fee. and
as in duty bound Your orator
will ever pray may it so
please the court re

Shands Son p.g.

Jo J. Darden
Compliment

Stat Coast; Darden & Cape et al.

Colerick. D.M.H. = 25-39-18-10-18-50-35-15-15-50 = 2.75

40-25-72-50

1.87

4.62

Shiff-

J.W.W.

1.50

Laure

W.B. St. Lin

16.50

22.62

Teste: T.M. Howard. l.e.

Nov. 19 7894.

Darden

Drⁿ



Stabilant

Paper et al

This Deed of Trust made and entered into this 25th day of June in the year 1892, between George C. Pope grantor of the first part and William Shands, grantee and trustee of the second part, Witnesseth; that for and in consideration of the sum of five dollars to the said George C. Pope in hand paid by the said William Shands and the receipt whereof is hereby acknowledged the said George C. Pope have given, granted, bargained and sold and by these presents does give, grant, bargain and sell unto the said William Shands with general warranty a certain tract of land lying in the County of Southampton, containing ~~four~~ hundred and fifty two acres more or less and bounded by as follows by the public road leading from Courtland to the Cross Keys, by the road leading from the Cross Keys to Barrows road, and by the lands of Lula Pope and Wm. M. Gray the same being the tract of land of which his father George C. Pope, decd. seized and possessed and known as the home place. In Trust to secure a bond for four hundred (\$400) bearing the same date with this deed and

and due to Benjamin E. Worrell.

As Witness the following signature
and seal.

Geo. C. Pope Seal

Southampton County: In the Clerk's Office
June 25th 1892. The foregoing Deed
of Trust from Geo. C. Pope to B. E. Wor-
rell. Was this day received, ac-
knowledgeed in this Office by said
Pope and admitted to record.

Teste: B. A. M. Lemore C. C.

A Copy:

Teste B. A. M. Lemore C. C.

Exhibit

" 2 "

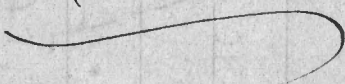
Trust Deed

from
Geo. C. Pope.

B. E. Worrell

Memorandum for
of clerk in case
of ~~for~~ exhibits
Dorden

is } In charge of
Police et al



14019 + 628 coto
He will copy judgement of J. J.
Dorden vs Geo. C. Pope & mark it Exhibit No 1
also copy deed of Trust from Geo. C.
Pope to M. Shanda Trustee for B. S. Hargell
see 12 of J Book No 2 Page 609 & mark
it exhibit No 2 & file in chancery
suit of Dorden vs Pope et al
Shanda same page

Darden

is 3rd Dec

Pope it is

7

To be entered

Nov 7 Sermon 1894

Cost

Ent 681

no 2

Dorcen

vs } Deere

Pope 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
on 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 the following accounts
1st an account ~~showing~~ showing
the actual and annual value of
the real estate owned by Geo. B. Pope
2nd an account of the recorded
liens binding the same stating their
dignities and priorities
and report the said accounts to court
together with any matters specially
stated deemed pertinent by himself
or which he may be required to
state by any of the parties
interested

Warden

(v) 3 Sum

Pope et al

1894, 1st Oct Rules

lin. leh.

Executed Sept 26"
1894 by delivering
a copy of this Sum.
to each of the
within Defendants.

J. M. Williams
J. M. Williams
J. M. Williams

Shands & Low. 14 -

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON.....

Geo. L. Cape, B. E.
Worrell & Wm Shands Trustees

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.....Monday in.....next, to answer a Bill in Chancery
exhibited against.....*them*.....in our said Court by.....*Geo. J. Darden*.....

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.....*21st*.....day of

Sept....., 1894, in the 11.....*9*.....th year of the Commonwealth.

TESTE:

T. M. Howard....., C. C.

Darden

Cr. } Stat: Rules

Popul et al

1st Lect Rules

✓

Jas. J. Darden, *Plff*
vs In Bancery.

Gen. L. Pope, B. E.

Worcester & Wm. Shand. *Defrs.*

Trustee.

1894. 21st Sept. Process filed to 1st Act Rules

" 1st Act Rules ~~Process~~ Process not Executed

Bill & Ex filed & leave nisi

1894 2 Act Rules - Bill taken for
confessit and cause set
for hearing.

In Southampton Circuit Court. Nov. 7th 1892
J. J. Darden

vs

Geo. L. Pope

\$1140¹⁹ Homestead waived with interest
on \$988²⁸ part thereof from the 16th day of
May 1892, and on \$151² residue thereof from
the 1st day of Jan. 1893 till paid & 6th Est.

A Copy:

Teste B. A. McLeod C. C.
by A. B. Urquhart Jr. D. C.

Darden

vs. (Amended)
Statement of Costs

Pape et als.

Darden,

vs. } Statement of Costs.
Pape et als.

Sum. 25, 3 Copies 39, receipt 18, atty. 10 = .92

Docket 18, Rules 1.⁰⁰, entering return 35 = 1.53

fil. bill 15, do. 24, 15, copy 24, 50 = .80

1 Decees & copy 72, 72

Dec J. M. Howard 3.97

5 Continuances on docket 1.²⁵ Decees 72 = 1.97

Lat Costs &c. 40, filing away papers 25 = 65

~~Lat 6.59~~

Shff. 1.50

Law &c. 16.50

24.59

Teste: L. A. Gay C. C.

Sept. 30th 1897

Dorden

nr 3 2nd Dene

Pope et al

(Removing course from Dabul)

To be entered

Sept 30th, Term 1897

Robert R. Huntis

Entered Page 182

Dorden Jas. J. } Plaintiff

vs 3 Deere

Geo. B. Pope. B. E. Horrell and Wm. Shain ~~Defendants~~

This day this cause come on to be heard on the papers formerly read, and it appearing to court from statement of plaintiff's counsel, that the matters in controversy have been settled out of court and the last order in this cause. on motion of the plaintiff it is ordered that this cause be removed from the docket at the plaintiff's cost

Darden

vs. } 2nd Darden.

Pope et al.

(Removing Cause from Docket)

To be entered

Sept. (30th) Term 1897

Robert R. Prentiss

Entered Page 182-

Darden Jas. J.

} Plaintiff

vs. } Deane.

Geo. H. Pope, D. E. Worrell & Wm Shands Trusts } Defendants

This day this cause came on to be heard on the papers formerly read, and it appearing to Court from statement of plaintiffs Counsel, that the matters in controversy have been settled out of Court since the last order in this cause, on motion of the plaintiff it is ordered that this cause be removed from the docket at the plaintiffs costs.

A copy.

Test: L. A. Gay Jr.