

1899-35

Santhampton County - Chancery

Wheaton, J. P.
Assignee

vs Borden, C. L.

"To sell real estate
to pay off judgments"

Hill, Henry
Assignee

Myrick, W. A. - Trustee
Borden, Jas. J. Trustee
Cutler, Curtis
Carbitt, J. M. Trustee
Knight, M. J.
Kendred, O. H.

Wiston J. P. Assigned

r. { Bill 34

C. L. Bardun

1897. 1st Mch. Reels filed

L. A. Gay G. G.

Thurice and
JAMES L. MCLEMORE,
Attorney-at-Law,
COURTLAND, VIRGINIA.

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

To the Honorable Robert R. Prentiss, Judge of the Circuit Court of
Southampton County.

In Chancery:

Complaining sheweth unto the Court your complainant, T.P. Weston, assignee of Henry L. Hill who was the assignee of W.D. Blair & Co. that at the *May* term of the Circuit Court 1886, W.D. Blair & Co. recovered a judgment against C.L. Barden for the sum of \$294.90 with interest thereon from January 1st. 1886, and \$8.61 cents. That said judgment is still due and unpaid.

That on the 3rd/ day of October 1889, the said judgment was assigned to H.L. Hill by endorsement duly made on the judgment docket, and afterwards, to wit: on the 31st. day of October 1896, the said judgment was assigned by the said H.L. Hill to T.P. Weston, all of which will appear from a copy of the said judgment filed herewith as exhibit "A", as apart of this bill.

That said C.L. Barden is seized of considerable real estate in the County of Southampton, all situated in Boykins District, and near the town of Boykins, two of said tracts being on the road leading from Cross Keys to Boykins, and one known as the "Phillip" place on the road leading from Boykins to Murfreesboro, N.C.; that he also has other valuable real estate in the said County of Southampton adjoining the tracts above mentioned; that upon said property there are various deeds as appears from the records of said County Court, one dated March 5, 1878, to W.A. Myrick Trustee to secure a debt due to J.B. Pope (now deceased) one to J.M. Corbitt Trustee to secure Mrs. C.R. Pope (now deceased); three deeds of trust executed at different times to secure debts to G.D. Cutler, two of said deeds being executed to J.J. Darden, and one to J.M. Corbitt Trustee; and one deed dated Feb. 1st. 1892, to D.H. Kindred Trustee to secure a debt due to M.J. Knight, all of said deeds of trust being duly admitted to record, copies of which are filed herewith as an exhibit, marked respectively, "B" "C" "D" "E" "F" and "G". Your complainant believes that a large portion of the debts described in the said deeds of trust, are not now due, but have been paid, and the liens against same should be released to that extent; that the deeds made to secure G.D. Cutler, deceased, and the bonds secured therein are now held by Curtis Cutler.

Your complainant is advised and avers, that upon at least one of the tracts of land owned by the defendant, C.L. Barden, there is no deed of trust, and that the tracts upon which there are deeds are not incumbered to their value. Your complainant further avers that the rents and profits of this land will not in five years pay the debts against the same, which are liens thereon, and that therefore he is entitled to have the said property sold and the proceeds thereof applied to the payment of his judgment.

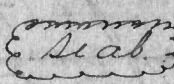
In tender consideration whereof your complainant prays that the said C.L. Barden, W.A. Myrick, Trustee, Jas. J. Darden Trustee, Curtis Cutler, J.M. Corbitt, Trustee, M.J. Knight and D.H. Kindred may be made parties defendants to this bill and required to answer the same; that all proper orders and decrees may be entered, enquiries and accounts directed, that if it shall appear that the rents and profits arising from the said land will not in five years pay the debts reported against the same that the said real estate be sold, and the proceeds applied in the satisfaction of your complainant's judgment; that if such rents will suffice then that the said land be rented out, and the rents and profits applied to the payment of the judgment aforesaid and that all such further, other and general relief may be granted and given your complainant as the nature of his case may require, or to equity shall seem meet. And your Complainant will ever pray &c.

Princess & Moore

P.Q.

This Deed made this 6th day of March 1878,
between L. L. Barden of the first part and
William A. Myrick, Trustee, of the second, both
of the County of Southampton, State of
Virginia, Witnesseth that for and in consid-
eration of five dollars paid to L. L. Barden
party of the first part by William A. My-
rick Party of the second, the said L. L.
Barden doth grant and convey unto the
said William A. Myrick the following prop-
erty to wit: one hundred and sixty six
acres of land be the same more or less,
situated near Boykins Depot Va, and
bounded by the lands of William M. Beaton,
James McKinstry, and Nat. J. Ridley, known
as the Beals Place and purchased by the
said Barden of James Stealy and others.
also four hundred (400) cords of wood
now cut and piled and lying on the
land of J. H. Powell near Boykins Depot,
and about one mile from the said Road,
and it is agreed between the parties to
this deed that the said wood may be
moved at any time on the said Road,
and this deed shall continue in full force
and effect, notwithstanding such removal.
The above property land and wood
is granted, however, to secure one bond
payable to J. B. Pope beneficiary in this
deed for five hundred and sixty dollars
(\$560) and dated the 5th day of March
1878. And it is agreed by the parties to
this Deed that should any sale take

after first advertising the time, place and
terms thereof for thirty days and upon such
terms as the said Trustees shall direct.
Witness the following signatures & seal.

L. L. Barden 

State of Virginia.

County of Southampton to wit:

I, Chas. L. Corbitt, a Notary Public in and
for the said County in the State of Va. do
certify that L. L. Barden whose name is
signed to the foregoing writing bearing
date the 10th day of December 1889 has
acknowledged the same before me in
the Co. aforesaid. Given under my hand
this 10th day of Dec. 1889.

Chas. L. Corbitt, N.P.

Southampton County, In the Clerk's office
Jan'y 6: 1890. The foregoing Deed of Trust
from L. L. Barden to G. W. Cutters Trustees,
was this day received, and with the
certificate annexed, admitted to record.

Testo: B. F. McLemore, C. C.

Acopy

Testo: B. F. McLemore, C. C.

J. P. Weston Assignor
vs. } B. F. To J. M. Lowrie Trustee
L. L. Barden

"E."

This Deed made this 6th day of March 1878,
between L. L. Barden of the first part and
William A. Myrick, Trustee, of the second, both
of the County of Southampton, State of
Virginia, Witnesseth: that for and in consid-
eration of five dollars paid to L. L. Barden
Party of the first part by William A. My-
rick Party of the second, the said L. L.
Barden doth grant and convey unto the
said William A. Myrick the following prop-
erty to wit: one hundred and sixty six
acres of land be the same more or less,
situated near Boykins Depot Va, and
bounded by the lands of William M. Beaton,
James McKinstry, and Stat. J. Ridley, known
as the Beale Place and purchased by the
said Barden of James Neely and others.
also four hundred (400) cords of wood
now cut and piled and lying on the
land of J. K. Powell near Boykins Depot,
and about one mile from the said Road,
and it is agreed between the parties to
this deed that the said wood may be
moved at any time on the said Road,
and this deed shall continue in full force
and effect, notwithstanding such removal.
The above property land and wood
is granted, however, to secure one bond
payable to J. B. Pope beneficiary in this
deed for five hundred and sixty dollars
(\$560) and dated the 5th day of March
1878. And it is agreed by the parties to
this Deed that should any sale take

place under this deed, it shall be only
after ten days notice and the trustee
shall be entitled to 5 per cent on gross
sales. Witness the following signatures
and seals.

L. L. Barden. 

State of Virginia, County of Southampton,
to wit: J. R. E. Warden, & Notary Public
for the County aforesaid in the State of
Virginia, do certify that L. L. Barden
whose name is signed to the writing
above bearing date on the 6th day of
March 1878, has acknowledged the same
before me in my County aforesaid.
Given under my hand this 6th day of March
1878.

R. E. Warden, N. P.

Southampton County, In the Clerk's office
March 23rd 1878. This Deed of Trust
from L. L. Barden to William A. Myrick,
Trustee, for the benefit of Jos. B. Pope,
was this day received and together with
the certificate thereto annexed, admitted
to record.

Test, L. R. Edwards, C. C.

Acopy

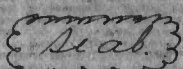
Test: B. F. McLenroe, C. C.

Ex "B"

J. P. Weston has signed
as } Day Book to Myrick Trust
L. L. Barden

This deed made the 10th day of December 1889, between L. L. Barden of the Co. of Southampton State of Va of the one part and James M. Corbitt chosen as Trustee for the purposes herein named, of the other part, Witnesseth. That the said L. L. Barden doth grant with general warranty, unto the said James M. Corbitt Trustee as aforesaid the following property, to wit: all that tract piece or parcel of land situated, lying and being in the County of Southampton State of Va purchased by the said L. L. Barden from F. S. Johnson, the deed for which is of record in the Clerks office of Southampton County, reference to which is herewith made, said land containing by recent survey Twenty eight (28) acres and bounded by the lands of F. S. Johnson, Richard Gray, S. Vick, R. M. Hart and Richard Johnson together with all and singular the appurtenances belonging to the same, in trust, to secure to H. D. Butler of the County of Southampton State of Va the payment of the sum of four hundred and ninety five dollars (\$495⁰⁰) as is evidenced by a note dated the 25th day of September 1877 due on demand. It is also covenanted and agreed that this deed of trust shall secure any further notes given in normal or current of the aforementioned, and in case a sale shall become necessary, the same shall be made

after first advertising the time, place and
terms thereof for thirty days and upon such
terms as the said Trustee shall direct.
Witness the following signature & seal,

L. L. Barden 

State of Virginia,

County of Southampton to wit:

I, Chas. L. Corbitt, a Notary Public in and
for the said County in the State of Va. do
certify that L. L. Barden whose name is
signed to the foregoing writing bearing
date the 10th day of December 1889 has
acknowledged the same before me in
the Co. aforesaid. Given under my hand
this 10th day of Dec. 1889.

Chas. L. Corbitt, N.P.

Southampton County, In the Clerk's office
Jan'y 6: 1890. The foregoing Deed of Trust
from L. L. Barden to G. L. Batters Trustee,
was this day received, and with the
certificate annexed, admitted to record.

Testo: B. F. McLemore, C. C.

Acopy

Testo: B. F. McLemore, C. C.

J. P. Weston Absconged
D. J. To J. M. Lowrie Trustee
L. L. Barden

"Ex. G"

J. P. Weston assigned
to } D. T. to J. J. Darden Trustee
by L. Barden

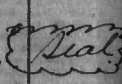
Ex. "D."

This Deed of Trust made this day of March 1886, between L. L. Barden of the first part, and James J. Barden, Trustee, of the second part- Witnesseth: That for and in consideration of five dollars, in hand paid by the said Trustee, the receipt whereof is hereby acknowledged, the said L. L. Barden doth hereby bargain sell and convey with general warranty unto the said James J. Barden Trustee as aforesaid, the following real property- to wit: a certain piece or parcel of land, lying in Southampton County Va near Boykins, bounded by the lands of H. M. Beaton, H. J. McKinstry, H. J. Delsach, & others, & containing one hundred and sixty six acres more or less- also one other piece or parcel of land lying near Boykins, known as the "Harrell" land, bounded by the lands of H. J. Delsach, and the tract above described, containing fifty acres more or less: also a certain lot situated in the town of Boykins, estimated to be forty yards square, together with the buildings thereon bounded by the Boykins & Warrfreesboro road, the S & R R R. and the lands of H. M. Beaton, it being the same lot purchased by the said L. L. Barden from Mrs Sallie Harrell and others; also the following personal property to wit: one bay mule- one black mule- 1 Black Horse 1 bay Colt- 1 yoke Oxen- 10 cows & calves- the ad of Hogs

and increase - Bragg & Harness - 1 Wagon
& Harness. Carts & wheels. Household &
kitchen furniture. Stacks fodder
barrels Corn. Pounds bacon, 2 brandy
stills & fix-tures. Cider Casks, and his
crop of every kind and description,
raised by him for the year 1886,

In Trust, to secure the payment of the
following debts due by said L.L. Barden
to G.H. Butler to wit: 1 note for \$495⁰⁰
dated Sept 25th 1877: 1 note for \$485⁰⁰
dated Dec 10th 1877 - 1 note for \$375⁰⁰
dated Feby 1st 1883 - 1 note for \$300⁰⁰ dated
Dec 25th 1884 - 1 note for \$337.³⁵ dated
apl 15th 1879. upon which there is a
credit of \$251⁰⁰ paid apl 3rd 1880;
also an account for \$932.⁸⁷ as evidenced
by receipt of W.H. Briggs, late Sheriff
of this Southampton County dated
June 16th 1879. which said receipt shows
that said sum of \$932.⁸⁷ was paid
by G.H. Butler in part payment of
an execution against said L.L. Barden
in favor of King Knight. All of the
above described notes and open
account bear interest from their
respective dates March 20th 1886.

Witness the following signature & seal.

Luthbert Lewis Barden, 

Southampton County; In the Clerk's
office April 19th 1886. The foregoing Deed
of Trust from L. L. Barden to L. L.
Lotters Trustee was this day received,
acknowledged by said Barden to be
his act and deed and admitted to
record.

Testo: J. B. Prince, C. C.
A copy
Testo: B. F. McLenore, C. C.

J. P. Weston Assignee
vs. } D. J. to J. J. Darden Trustee
by L. Darden

Exp. "G"

This Deed made this 19th day of Apr
1885 between L. L. Barden of the first
part, and Jas. J. Warden chosen as
Trustee of the second part all of the Coun-
ty of Southampton and State of Virginia,
Witnesseth, That for and in consideration
of the sum of five dollars in hand paid
the receipt of which is hereby acknowledged
the said party of the first part, doth
grant, bargain, sell and convey with
general warranty unto the said J. J.
Warden the following property to wit:
One certain piece or parcel of land ly-
ing near Boykins Va bounded by the
land of Mr. M. Beaton, W. J. McKinstrey,
W. J. Deloach and others, containing one
hundred and sixty six acres more or
less: also one other piece or tract of land
lying near Boykins Va known as the
Marrell land bounded by the lands of
W. J. Deloach and the land above em-
braced, containing fifty acres more or
less, also a certain lot in the village
of Boykins, estimated to be forty square
square, upon which is situated a
Store House and other buildings bound-
ed on the north by the S & O R R East
and South by W. M. Beaton's land & west
by the County road, same being lot purch-
ased from Mrs Sallie A. Harrell & others,
by said L. L. Barden, and also the ^{following} personal
property Vizt: 1 Bay mule, 1 Blk mule,
1 Blk Horse, 1 Bay Colt one yoke Oxen,

10 Cows & Calves, 30 head of hogs and
increase, 2 buggies & Harness one Wagon
& Harness, 5 Carts & wheels, Household
& kitchen furniture ten stacks fodder,
seventy five barrels Corn, 2500 pounds
Bacon, & his crops of every kind raised
on his said farm for the year 1885
and two Brandy Stills. In Trust to
secure the payment of the following
Notes &c due to G. D. Butler Viz: 1 Note for
\$495.⁰⁰ dated Sept 25, 1877 with interest
from date, 1 Note for \$485.⁰⁰ dated Decr
10, 1877 with interest from date, 1 Note
for \$375.⁰⁰ dated Feb 1, 1883, with interest
from date one note for \$300.⁰⁰ dated
Decr 25, 1880 with interest from date,
1 Note for \$337.³⁵ dated April 15, 1879
with interest from date, upon which
there is a credit of \$251.⁰⁰ paid April
3, 1880 also on account for \$932.⁸⁷ as
evidenced by receipt of H. H. Briggs
late Sheriff of aforesaid County, dated
June 16, 1879, which said receipt shows
that the said sum of \$932.⁸⁷ was
paid by G. D. Butler in part of an
execution against said Barden in
favor of King Knight, making in the
aggregate the sum of \$2674.²² all of
said notes are due and payable to
G. D. Butler. Witness the following signa-
tures and seal. L. L. Barden, *[Signature]*

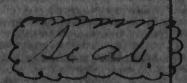
Southampton County, In the Clerk's office
April 28th 1885. The foregoing Deed of Trust
from Barden b.L. to G.W. Butters Trustee
was this day presented in said office
and acknowledged by said Barden
to be his act & deed and admitted to record.

Testo: J. B. Prince, C.C.

A copy

Testo: B. F. McLenore, C.C.

This Deed of Trust made and entered
into this the first day of Feb, 1892, between
L. L. Barden of the town of Boykins, Va. grantor,
of the one part and David H. Kindred
of the same town and state, of the other,
Witnesseth That the said L. L. Barden
does grant unto the said David H.
Kindred all that certain tract or par-
cel of land, lying and being in the
County of Southampton, in the state of
Virginia, and bounded on the north by
the County road which leads from the
Cross Keys to the town of Boykins
and by the lands of E. H. Pope, on East
by the road which leads from said
Cross Keys to the said town of Boykins,
on the South by the land of Dr. J. H. M.
Sykes, and on the west by the lands
of the heirs of Mills A. Britt died &
others containing one hundred eight
& $\frac{1}{4}$ acres, be the same more or less, and
known as the Betsey Kindred tract,
In trust however, to secure a certain
promissory note from L. L. Barden to
W. J. Knight, on demand the first
day of Jan'y 1893 but bearing interest
from the first day of January 1891, for
the principal sum of Three hundred
& sixteen & $\frac{1}{2}$ Dollars & of even date with
this deed. Witness the following signa-
tures & seals.

L. L. Barden, 

Southampton Co, To wit:

I, L. L. Corbitt, a Notary Public for the County of Southampton, in the State of Virginia, do certify that B. L. Barden, whose name is signed to the above instrument of writing, bearing date the first day of Feb. 1892, acknowledged the same before me in my said County, Given under my hand & seal this 15th day of Feb. 1892.

Chas. L. Corbitt, N.O.

Southampton County, In the Clerk's office Feb. 25th 1892. The foregoing Deed of Trust from B. L. Barden, to M. F. Knight's Trustees, was this day received and with the Certificate annexed, admitted to record.

Teste: B. F. McLennan, C. C.

Acopy.

Teste: B. F. McLennan, C. C.

J. P. Weston Assignee
VS } B. L. Barden
B. L. Barden

"4"

J. P. Weston Assignee
vs. } D. T. to J. M. Gortie Trustee
G. L. Gordon

Ex. "F"

This deed made the 28th day of Oct
1889, between L. L. Barden of the County of
Southampton State of Virginia of the one
part, and James M. Corbitt chosen as
Trustee for the purpose herein named
of the other part, Witnesseth: That the
said L. L. Barden doth grant with
general warranty unto the said James
M. Corbitt Trustee as aforesaid the
following property to wit: Three certain
tracts or parcels of land situated in the
aforesaid County of Southampton purchased
by the said L. L. Barden from Lem-
uis Bryant the deed for which is on
record in the Clerk's Office of the aforesaid
County, reference to which is here-
with made, said land containing
about one hundred and twenty five
acres more or less, and bounded by the
lands of Jas. A. Bailey, Bird Gray,
Jas. M. Corbitt, J. H. W. Sykes, and R. E.
Edwards together with all and singular
the appurtenances belonging to the
same, in trust to secure to Mrs. Caroline
R. Pope of the County of Southampton
State of Virginia, the payment of the
sum of Two thousand Dollars, as is
evidenced by a bond bearing date the
30th day of January 1884, and it is coven-
anted and agreed between the parties
aforesaid, that in case of a sale the
same shall be made after first adver-
tising the time place, and terms thereof

for thirty days and upon such terms
as the said Trustee shall direct, and
after paying the expenses of executing
this trust, including a commission of
five per cent to the said Trustee, then
to discharge the amt of money princi-
pal and interest then due and un-
paid of the said debt, and the resi-
due if any pay as the law directs.
It is also covenanted and agreed that
this deed of trust shall secure any
further notes given in renewal or ex-
tension of the above mentioned. Witness the
following signatures and seal.

L. L. Barden, ^{Commr} Seal

State of Virginia,

County of Southampton to wit:

I, Chas. L. Corbitt a Notary Public in
and for the said County in the State
of Virginia do certify that L. L. Barden
whose name is signed to the foregoing
writing bearing date the 28th day of
Oct 1889 has acknowledged the same
before me in the County aforesaid.
Given under my hand this 28th day of
Oct 1889.

Chas. L. Corbitt, N.P.

Southampton County, In the Clerk's
office Nov 22. 1889. The foregoing Deed
of Trust from L. L. Barden to Mess

L.R. Popes Trustee was this day received
and with certificate annexed, admitted
to record.

Testo: B.F. McLennan, b.l.

A copy

Testo: B.F. McLennan, b.l.

J. P. Weston Assignee

vs. } Copy Judgment

G. L. Warden

Ex. "A"

In Southampton Circuit Court,

May Term, 1886.

A. H. Blair & Co.

Pliff.

Against

In

G. L. Bardin

Deft.

Judgment for the Plaintiff against the Defendant for \$ 294.⁷⁰ with
legal interest thereon from 1st day of January, 1886, till paid,
and costs, \$ 8.⁶¹

Extract.

Teste:

B. F. McLeinnel C. C.

I acknowledge due and legal service of this notice;
Feb. 10/1897.

(Sign) Jas. M. Corbell

Jas. M. Corbell, Clerk

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON

Jas. M. Garbitt, 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 *1st* Monday in *Mich.* *1897* next, to answer a Bill in Chancery exhibited against *him et al.* in our said Court by *T. P. Weston, Assignee of Henry L. Hill, who was the Assignee of H. D. Blair & Co.*

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

Witness, L. A. GAY, Clerk of our said Court, at the Courthouse, this *9th* day of

February, 189*7*, in the 12*th* year of the Commonwealth.

TESTE:

L. A. Gay, C. C.

Acqy. Teste: L. A. Gay *L. L.*

I acknowledge legal service of this summons
Hobbs

J. P. Weston, Assignee &c.

vs. } Sum. In ch.

G. L. Barden et als.

1897. 1st. Mich. Rules

leg. lat.

Executed Feb. 26th 97
by delivering a copy of this
summons to

G. L. Barden Master Clerk's Court
at W. D. H. Kinchade

R. D. Hugo & Deft.

for J. P. Weston
Shiff

(4)

Executed by serving copy
in person Feb. 26, 1897

Prince & McLaughlin J. G.

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON *W. L. Borden, W. A. Myrick Trustee,*
Jas. J. Borden Trustee, Leontis Borden, J. M. Gorbett Trustee,
M. J. Knight, & D. H. Kindred 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 *1st* Monday in *March* 1897 ~~next~~, to answer a
Bill in Chancery exhibited against *them* in our said Court by *T. P. Weston, Assignee*
of Henry L. Hill, who was the Assignee of H. D. Blair Co.

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

Witness, L. A. GAY, Clerk of our said Court, at the Courthouse, this *9th* day of
February 1897, in the 12th year of the Commonwealth.

TESTE:

L. A. Gay, C. C.

Huston. Assigner

vs. } Alias Sum.

C. L. Barden et al.

1897. 2 vol. 7 vol. Rules

616.

Execution March
3rd 1897 by delivering
a copy of this 'Sum.'
to C. L. Barden

J. W. Williams
Shiff

Primer & M. L. Moore p. 9.

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU, ~~TO SUMMON~~ *as at another time we have Commanded*
you, that you summon, L. L. Barden, W. R. Myrick Trustee
Jos. J. Barden Trustee, Gentie Butler, J. M. Corbin Trustee
Mr. J. Knight & D. H. Kindred 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 3^d Monday in March 1897 next, to answer a
Bill in Chancery exhibited against them in our said Court by J. P. Watson Assignee
of H. L. Nee, who was the Assignee of H. D. Blair & Co.

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

Witness, L. A. GAY, Clerk of our said Court, at the Courthouse, this 3^d day of
March, 1897, in the 12th year of the Commonwealth.

TESTE :

L. A. Gay, C. C.

I acknowledge due and legal service of
the within summons. February 10. 1897.

(sign).

M. J. Knight

M. J. Knight

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON

M. J. Knight

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 1st Monday in Mich. 1897 next, to answer a Bill in Chancery exhibited against him ~~it~~ also in our said Court by J. P. Weston, Assignee of Henry L. Hill. who was the Assignee of W. D. Blair & Co.

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

Witness, L. A. GAY, Clerk of our said Court, at the Courthouse, this 9th day of

February, 1897, in the 12th year of the Commonwealth.

TESTE:

L. A. Gay, C. C.

A copy Teste: L. A. Gay

L. L.

I acknowledge due and legal service of this
Summons. February 10. 1897.

(sign)

Wm. A. Myrick
"

W. A. Myrick, Clerk,
}

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON

H. A. Myrick, 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 *1st* Monday in *March*, 1897, next, to answer a Bill in Chancery exhibited against *him et al.* in our said Court by *T. P. Weston, Assignee of Henry L. Nee, who was the assignee of W. D. Blair & Co.*

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

Witness, L. A. GAY, Clerk of our said Court, at the Courthouse, this *9th* day of

February, 189*7*, in the 12*th* year of the Commonwealth.

TESTE:

L. A. Gay

, C. C.

Attest: L. A. Gay

G. G.

Weston J. P. Assignee
vs. } Statement of Rules
by L. Borden

J. P. Weston, Assignee of H. L. Niece.)
Who was the Assignee of H. D. Blair Co. } Plaintiff
vs.

G. L. Barden, W. A. Myrick Trustee.)
Jas. J. Barden Trustee, Gentie Trustee }
J. M. Gorbett Trustee, W. J. Knight } Defendants
& S. H. Kindred Trustee.

1897. Feby. 9th. Process Issued to 1st. March Rules

1897. 1st. March Rules Process returned & executed,
as to all the defendants except G. L.
Barden. Alias issued as to him to 2nd
Mch. Rules.

Bills & Exhibits Filed.

Decree nisi vs all the defendants upon
Whom process served.

1897. 2nd Mch. Rules. Bills Taken for Confession as to
all defendants except G. L. Barden, & of
Cause set for hearing as to them.

Alias returned & executed as to
G. L. Barden & Decree nisi vs. him

1897. 1 Apr. Rules Bills Taken for Confession as
to G. L. Barden and Cause
set for hearing as to him

Winton J. P. Assignee

v. Diene

Bardou - C. L.

Entre:

Octo. 3rd 1900.

Robert R. Harris

Mstau Assignee.

vs.
C. L. Barden.

On motion of Complainant
it is ordered that this cause be
removed from the docket, with
leave to re-instate within one year
upon the motion of any interested
party.

J. P. Weston of France
vs. Diere

C. L. Garden

1897 Sep. 29th:

Sutton

Robert H. Huntis

J. P. Weston Assignee.
vs.
C. L. Barden and others

Write names

This day this cause came on to be heard upon the bill & exhibits filed, bill taken for confessed as to all the ~~on whom process has been duly served and they still failing to appear and plead answer or defense~~ defendants, and was argued by Counsel. On consideration, whereof, the Court doth adjudge, order and decree that the said cause be referred to one of the Commissioners of the Court to inquire & report to Court the following:

1st. An account of the lien debts of record against said C. L. Barden, with their priorities.

2nd. An account of the real estate of which said Barden is possessed, giving its annual & fee simple value.

3rd. Whether or not the rents and profits arising from the said land, will in five years pay the liens reported against the same.

4th. Any other matter specially stated deemed pertinent by the Commissioner, or required to be stated by any party in interest.

J. D. Weston Assignee

vs. } Deceit

L. L. Barden

1897 Sept. 29th

Entered

Robert R. Prentiss,

Entered Page 174

Placed by my party in interest
of copy.

Test: L. A. May 4. 98.

J. F. Weston, Assignee of N. Z. Hill.
who was the Assignee of N. D. Blair & Co. } Plaintiff
vs.

L. Z. Barden, W. A. Myrick Trustee,
Jas. J. Barden Trustee, Curtis Butler,
J. M. Corbitt Trustee, M. J. Knight
& D. H. Kendrick Trustee. } Defendants

This day this cause came on to be heard upon the bill & exhibits filed, bill taken for confessed as to all the defendants on whom process has been duly served and they still failing to appear and plead answer or demur, and was argued by Counsel.

On consideration whereof, the Court doth adjudge, order and decree that the said cause be referred to one of the Commissioners of this Court to enquire & report to Court the following:-

- 1st. An account of the lien debts of record against said L. Z. Barden, with their priorities.
- 2nd. An account of the real estate of which said Barden is possessed, giving its annual & for simple value.
- 3rd. Whether or not the rents and profits arising from the said land, will in five years pay the liens reported against the same.
- 4th. Any other matter specially stated deemed pertinent by the Commissioners, or required to be

Sum. 18, 18, 18, Receipt 18, 10 = 1.44

Docturing 18, Rules 1.50, Entering return 35 = 2.03

Alias Sum, 25, 1 Copy 18, Receipt 18 = .56

Jill. bill 15, Do. Sum. 15, Copy 24, 3.45 = 3.75

1 Score 12, 72, Int. cost 12, 40 = 1.12

1894. Sept. 30 Throwing away papers 25 - Int. cost 25 = 2.75

burd 11.65

Shuff. 2.50

Lawre. 16.50

30.65

Teste: L. R. Gay 1894