

1900-09

Southampton County - Chancery Gayard, George Ed vs Munford, Maady et al

"
Is here due recant, if
but, has another drawn at
Complainant's expense"

Munford, Susan E.
Wilson, James

Raidford

vs { Bill & Exhibits

Mumford et als.

1900. 1st. March Rules Filed

L. A. Gay Co. Co.

To the Honorable Robert R. Prentiss, Judge of the Circuit Court of the
county of Southampton, Virginia:

George W. Raiford Plaintiff:

vs.

Moody A. Mumford and Susan E. Mumford his wife and James Wilson colored,
Defendants.

Your orator, Geo. W. Raiford, humbly complaining shows to the Court, that in the year 1899 he brought from said Moody A. Mumford, a certain tract of land, paid him the purchase price therefor, and the same was conveyed to him by a deed dated November 6th 1899 and duly recorded, which said original deed of conveyance is herewith filed as an exhibit marked "A" and prayed to be taken and read as a part of the bill of complaint. It will appear from the said deed that said tract of land when owned by said Mumford was composed of two adjoining tracts, the smaller of which is described in the said deed as follows:- "also all that piece or parcel of land known as the Jim Wilson tract, containing (7) seven acres, more or less, and bounded by the lands of Edwin Raiford and ^{Jack} ~~Jack~~ Raiford". And your orator says that said Moody A. Mumford had bought the last named parcel of land from said defendant James Wilson who had by a proper deed conveyed the same to him, the said Moody A. Mumford, which deed had been duly executed and delivered to said Moody A. Mumford and was in his possession and custody at the time said deed was executed and delivered to your orator, and that your ^{orator} supposed it had been duly recorded, but found when he carried his said deed to the Clerk's Office to be recorded that said deed from James Wilson to Mumford had not been recorded. Your orator then requested said Moody A. Mumford to record said deed so as to perfect his own title but he refused so to do, and still refuses so to do. Your orator said he offered to pay all expenses rather than pay the expenses of a suit, but he still refused so to do. That said Moody A. Mumford represented to your orator at the time he sold and conveyed the land described in exhibit "A" that he had bought a part of the land from James Wilson, and had a good title to it, and acting upon this representation to your orator was induced to buy, and did buy and pay for the said tract of land.

Your orator says that the tract of land is so

situated as to make it especially valuable and desirable to him, and that its loss could not be compensated in damages.

Your orator^A says that he is advised that he is entitled to have the title to his said property perfected by having said deed recorded, if now in existence, and if not, to have another deed made by James Wilson direct to your orator at the costs of said Moody A. Mumford.

For as much as your orator is remediless save in this Court where such matters are alone and properly cognizable, he prays that said Moody A. Mumford and Susan E. Mumford his wife, and James Wilson colored may be made parties defendants to this bill of complaint and required to answer the same, but an answer on oath is hereby expressly waived, that Moody A. Mumford be required to clear the title to your complainants property by recording the deed which he received from James Wilson colored or James Wilson, that in case said Moody A. Mumford has destroyed, lost, or misplaced said deed so that by due and proper diligence it cannot now be found, then that said James Wilson be authorized and required at the costs of said Moody A. Mumford to execute and deliver to your orator a deed, similar in all respects as far as may be, to the deed he executed and delivered to said Moody A. Mumford, conveying to your orator, instead of to Moody A. Mumford, the said parcel of land said to contain 7 acres, more or less, that said James Wilson, his agents, attorneys and employees be enjoined and restrained from executing or delivering any other deed for said land conveying it to any one, except to your orator or to his heirs or grantee, that the decree of this court granting said injunction may be recorded in the deed books in the Clerk's Office of the County Court and indexed as a deed in the names severally of Moody A. Mumford, Geo. W. Raiford and James Wilson colored, that copies of said decree be served on Moody A. Mumford and James Wilson, that Moody A. Mumford be required to pay all the costs of this suit, and all costs in connection with perfecting said title, including a reasonable fee to counsel conducting this cause, that all proper orders and decrees may be entered, that all such other and further and general relief may be afforded your orator as to equity and good conscience may seem meet. And he will ever pray.

Wm S. Mumford A. G.

Geo. W. Raiford

Virginia:

County of Southampton, to wit:

I. F. P. Pulley, a ^{Notary Public} ~~Justice of the Peace~~ in and for the said county of Southampton, in the said state of Virginia, do certify that Geo. W. Ralford whose name is signed to the foregoing bill in chancery came before me in my said county and made solemn affirmation in due form of law that the statements contained in the said bill, so far as made from his own knowledge, are true, and so far as made from information derived from others, ^{he} believes them to be true.

Given under my hand this 5th day of March 1900.

I. F. P. Pulley N. P. 

Raiford
vs

Mumford

Mumford vs Raiford

To } Do of Raiford.

George W. Raiford
1899. Nov. 10. Rec'd.
AR

2x Exhibit
"A"

Yard -

Recorded D.B.
46 Page 118

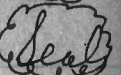
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Gen. Index 705-1224

1.00
1.25 paid

This Deed of Bargain and Sale made and entered into this 6th day of November 1899 between Moody A. Mumford and Susan E. Mumford, of Southampton Co. Va., of the first part, and George M. Raiford, of the said County and State of the second part.

Witnesseth, that for and in consideration of the sum of ~~(\$8000)~~, eight hundred dollars, cash in hand the receipt whereof is hereby acknowledged, the said parties of the first part do grant, and hereby convey, with general warranty, unto the said George M. Raiford the following Real Estate, to wit: All that Tract of Land known as the Holden Tract on which said parties of first part now reside, containing (114) one hundred and fourteen acres, more or less (the said land being sold in gross, and by the bulk and not by the acre) and adjoining the lands of G. M. Raiford, Miles E. Raiford, Henry Raiford, Edwin Raiford, Edmund Wilson, and having Round Hill Swamp for its Northern boundary. Also all that piece, or parcel of land known as the Jim Wilson Tract, containing (7) seven acres, more or less, and bounded by the lands of Edwin Raiford, and Jack Raiford, together with each all of the buildings and the appurtenances belonging thereto. Witness the following signatures and seals of the

parties hereto, the day and date aforesaid.
Moody ^{his} A. Munford 
Susan ^{mark} E. Munford 



State of Virginia }
County of Southampton } to wit:

I, R. A. Bristow a Notary Public in and
for the State and County aforesaid, do certify
that Moody A. Munford and Susan E. Mun-
ford whose names are signed to the foregoing
writing, bearing date on the 6th day of
November 1899, have acknowledged the same
before me in my County aforesaid.

Given under my hand, this 6th day of
November 1899.

R. A. Bristow N.P.

Southampton County Court. Nov 10. 1899.

This deed was presented, and with stamps of In-
ternal Revenue amounting to one dollar.
and certificates annexed. advised to
record.

Teste: B. F. McLennan C.C.

Raiford
vs. { Statement of Rules
Mumford et als.

George W. Raiford
vs.

Plaintiff

Moody R. Munford and Susan
Munford his wife and James
Wilson Colored

Defendants

1900. 21st. February. Process issued to 1st. March Rules.

1900. 1st. March Rules Process returned executed

Bill & exhibits filed

Deam rise vs. defendants

1900. 2nd. March Rules, Bill taken for confession
and cause set for hearing

Executed Feb 5th 1900 by delivering a copy of this "Summ." to
 Susan E. Munford. Moody A. Munford not being found at
 his usual place of abode & delivered a copy of this "Summ."
 for him to Susan Munford a member of his family of the
 age of sixteen years and explained its purpose to her.
 James Wilson not being found at his usual place of abode
 & delivered a copy of this notice to his wife — Wilson she
 being a member of his family over the age of sixteen years and
 explained its purpose to her.

J. M. Williams
 J. M.

Railford

10 } Sh. & S. Chy.

Munford stals.

1900. 1st Mch. Rules

Leis. let.

~~Executed Feb 5th 1900 by delivering a copy of this "Summ." to Susan E. Munford a member of his family of the age of sixteen years and explained its purpose to her.~~

J. M. Williams
 J. M.

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W. S. Holland p. 97.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County--Greeting:

We command you to summon Moody R. Merriford, and Susan E. -
Merriford his wife and James Wilson Colored.

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 March 1900 next, to answer a bill in Chancery
exhibited against them in our said Court by George W. Raiford

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 21st day of
February, 1900, in the 12th year of the Commonwealth.

Teste: L. A. Gay C. C.

A Copy—Teste: C. C.

Raiford

vs. } Statement of facts

Memford et als.

Raidord

vs. { Statement of Cook
Mannford et al.

Sum. 25. 3 copies 39. receipt 18. atty. 10. Docket 18 = 1.10

Receiv 1.00. Entering return 35. Fil. Docket 15. 50. En 15 = 1.65

Replication 15. 1 Decree for costs 36. Jan costs 40 = .91

Execution for costs 50. receipt 18. abstract drawn 25 = 93

Filing away papers 25 = 25

Dr. B. F. McLean Decret judgment 25. Fil. away abstract drawn 20 = 45

6/21/1900 Dr. L. R. Gay Clerk \$5.29

Shff. 1.50

Law fee 16.50

\$ 23.29

Total: L. R. Gay lvs.

Boiford.

VS

Momford & als

De ore

To be entered

April 3rd 1900

Robert R. Mumford

Entered Page 298

Geo. W. Raiford

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Moody A. Mumford, Susan E. Mumford
his wife and James Wilson.

This cause come on this day
to be heard on the bill and
exhibits there with filed, to answer
which the defendants have been
summoned to answer, they still
failing to appear, plead, answer
or demur, and was argued by
counsel:

On consideration whereof,
it appearing to the Court that
the deed from James Wilson
to Moody A. Mumford has
been since the institution of this suit
been recorded, and nothing
further appearing to be done
in this cause, it is ordered
that the ~~defendant~~ plaintiff recover
of the defendant Moody A.
Mumford his costs, and
that this cause be stricken
from the docket.