1881-011 Chancery Causes: Archibald W. Carroll & N P. Young VS C. B. Hayden &
Isle of Wight County Junius O. Cofer, trustee & al

other SURNames:
TURNER Gwaltney Bell;
[Gwaltney & Bell]

To the Clerk of the Circuit
Court of Isle of Wight County;

The injunction, as prayed for in the bill is awarded until the further order of this court, injoining restraining the dependant Francis A Cofer from selling the land of the complainant A W Candle conveyed to the said Francis A Cofer as trustee under the two deeds of trust in the complainant bill mentioned bearing date respectively on the 4th day of August 1875 & the 25th day of March 1877. But the complainants are not to have the benefit of this order, until they or either of them or some one for their benefit shall execute in the Clerk office of this court a bond with surety of the Homestead with sufficient security payable to the Commonwealth of Virginia, in a penalty of $400.00 conditioned to pay all such costs as may be awarded against the plaintiffs or either of them & all such damages as shall be incurred, in case the injunction as to said sale be dissolved; And the further injunction is awarded until the further order of this court according to the prayer of the bill restraining the dependant C B Turner, his agents & all persons claiming under him from cutting timber or wood from the land of A W Candle in the bill mentioned under the contract between said A W Candle & C B Turner of Aug 24th 1872, in

said bill mentioned; but the complainants, A & P Jones is not to have the benefit of this last order, until he or some one for him shall execute in the clerks office of this court a like bond in a penalty of $1000.00 — with like condition as to the said A & P Jones in reference to this last order —

Sept. 29th 1877

Glo. H Bond

A. N. Carlisle
et als —
vs
Gwaltney Wells

April 9th 1881
Final Decree

exhibit — N
Receiver Bond

Complainants Bill

Order 1st 1877 Bill
Dept Etc. filed — writ
of sub. issued, copy
etc. of writ, list of Defendants
writ & return endorsed &c

Nov. Rules, 1877.

Summons Expd. & Dr. mailed.

Dem. Rules — Bill taken
for confessed as to Defts
[illegible]

Aprl. 1878. Dec. for account &c

Order. 1878. Report. Conf. &c.
& Ord. for sale.

Report. 1879. Report. Conf. & sale Confd.
Dec. & Ord. issued. Report, Sale, Deed & Receiver's Bond filed.

3rd That on the 24 day of March 1877 the said A H Carroll to secure another debt due (illegible) to the said Swalling & Bell for $150.00 payable on the date last aforesaid conveyed the said land to the said Trustee by a second deed of trust, duly recorded in said county; a certified copy of said deed & of said recordation marked Exhibit E is herewith filed & prayed to be taken as a part of this bill.

4th That said Trustee has advertised the said lands for sale under said deeds on the 1st day of October A D 1877 being court day at Isle of Wight C H as will appear from one of the advertisements of said Trustee marked Exhibit F herewith filed & prayed to be taken as a part of this bill. on gradual of 11 & 12 mos except one fourth for cash

That no part of the judgment for the benefit of your complainant A P Young has been paid.

That a portion of the judgment of said C B Hayden has been paid but not credited on the executions read thereon.

Your said complainants allege that the sales under said deeds of on the terms aforesaid

trust would be injurious to them because the amount & order of the said liens is unascertained & undetermined — that the exact amount due on the judgment of said C B Hayden is yet to be ascertained by proper credits the amount paid since the return of the last execution.

That said C B Turner claims that his said contract for the timber on said land is a lien thereon prior to said deeds of trust, while the beneficiaries thereunder claim the priority of the liens of their deeds because of their prior recordation — that until these questions are settled the said land especially as the that credit should sell, at a great sacrifice

That the cutting of said timber by said C B Turner would jeopardize your said complainants judgment, the said land being subject to the contingent right of dower of the wife of said W B Powell

* Plaintiff's counsel will ask leave to amend complaint by making the Trustees parties defendant & the Trustees will be required to answer the amended complaint & the matters therein contained.

& the said A B Parnell having no other property than said land thus encumbered - In tender consideration whereof & as much as your Complainants are without remedy at law & can only be relieved by the aid of this Honorable Court where matters of this sort are cognizable; to this end your Complainants pray that the said C B Hayden, C B Turner, C H Gwaltney & Jno Bell late partners under the style of Gwaltney & Bell & Simms & Cosper may be made parties defendant to this bill & be required to answer the same - that an account of the amounts & orders of said liens be ascertained & that until such account is taken said Simms & Cosper be restrained from selling under said deeds of trust & that then said lands may be sold for the benefit of all the liens thereon as ascertained in their order and amount & their proceeds applied in satisfaction thereof & the payment of the costs of this suit including one of an Attorneys fee

May & Carolyn wife of S. M. Carter

to the Plaintiffs Counsel for his
Services in this suit — & that said
C B Turner be restrained from
cutting timber a wood from said land
unless the proceeds thereof shall
be paid to a Receiver to be appointed
by the Court & the proceeds applied
to the payment of the judgment
of Jour said Complainant
A P Jones — & that such other
& further relief may be granted
Your complainants, as will suit
the equity of the case & to the court
may seem meet — & they will
ever pray &c

A. W. Carroll
N. P. Young

State of Alabama County, To wit:
I C. B. Hayden a Notary Public for the county
aforesaid do certify that A. W. Carroll and
N. P. Young, Plaintiffs in the annexed Bill
personally appeared before me, in
my said county, and made oath that the
statements made in said Bill, so far as
made of their own knowledge, are true, and
so far as made upon knowledge or information
received from others, they believe them to be true.
Given under my hand this 27th day of Sept. 1847

C B Hayden
Notary Public

To the Honorable George Blow Judge
of the Circuit Court of Law & Chancery
for the County of Isle of Wight in Chancery
sitting: Humbly complaining sheweth
to the court your complainants A W
Carroll and N P Young.—

1st That the said A W Carroll is seized &
possessed in fee simple in said County
of a tract of land containing by estimation
500 — Acres be the same more or less
lying & being adjacent to the lands of R Tynes —
Benjamin Ward, W H Mears & others.
That on the 20th day of October 1875
for his own benefit
N P Young as executor of E W Carroll & C B
Hayden obtained on the 23rd day of Oct 1875
the Circuit Court of said County against
the said A W Carroll the former for
the sum of $793.98 with interest
thereon from the 1st day of Jan 1874 & Costs
& the latter for the sum of $100.00 with
subject to credits of $2.50 on 1st Jan 1874 & $6.00 on
interest from the 27 day of Sept 1873 & Costs
for 2 "1874"
which judgments were duly docketed &c:
according to law & are valid judgment liens
rights of the defendant C B Hayden hereinafter named
on said lands of A W Carroll prior to the
to cut the wood & timber thereupon under his contract.
Exhibits Certified copies of said judgments &
A & B their dockets, marked respectively
A & B are herewith filed & prayed

to be taken as a part of this Bill—

2nd Allegation

That ~~subsequently to the docketing of said~~ ~~said suit, to wit~~ on the 24th day of Aug 1872 one C B Turner of said County purchased of said A W Randall under a written contract of that date the merchantable timber to time for cutting & removing the same thereon on said land, without limitation as to That said contract was not recorded until Aug 14th 1877 & the said C B Turner has just commenced cutting the timber under the pretext of your complainants & Jointly but from said land under said contract, has not yet commenced cutting the wood— a certified copy of which marked Exhibit C is herewith filed & prayed to be taken as a part of this bill

2nd Allegation

That subsequently to the execution of said contract, but before its recordation to wit on the 4th day of August 1875 the said A W Randall to secure a debt due by him ~~(A Bond)~~ for $190.53 payable on the date of rescind to G H Gwaltney & Jno Bell partners under the partnership name & style of Gwaltney & Bell conveyed the said land in trust to Dennis O Cofer as Trustee— Which deed of trust was duly recorded according to law in said County A certified copy of said deed of trust & of said recordation is marked Exhibit D is herewith filed & prayed to be taken as a part of this Bill

By order of the Judge of the Circuit Court of Schuyler
County, the defendant Junius O. Ober is enjoined
and restrained from selling the land of Alt.
Barber conveyed to the said Leuper Trustee
under the two deeds of Trust in the Complain
ant's Bill mentioned, bearing date respec-
tively on the 4th day of August 1876. and the 26
day of March 1877. until the further order
of the Court.

Teste.

M. P. Young Clk

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON Jurors & Other Trials in the case
of Trust & A. to Council of 1st Augt 1876 & 76 to Mar 15th 77
C B Turner and L M Gwaltney Jno Bell late Commissioner
&c Steps of Executing Bell &c. & Council &c
to appear at the Clerk's Office of the Circuit Court of Isle of Wight County, at Rules to be holden for the said
Court, on the fist Monday in November next to answer the Bill in
Chancery of Trust to Council &c & Others

of a plea of ~~of~~ for $ Damages $ And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Court House, the 1st day of
Sept October 187 , in the 101st year of the Commonwealth.

N. P. Young Clk

Nov 18th /74- Received of A. H. Carroll One
Thousand Pounds of Fodder & Two Bar-
rels of Corn to be credited on the Bond
of said A H Carroll due me.

C B Hayden

Above credited on Bond -
C B H

PRACTICING IN
Isle of Wight, Nansemond,
Surry and Southampton Counties;
United States
Circuit and District Courts for the
District of Virginia.

C. B. HAYDEN,

Attorney at Law,

Smithfield, Isle of Wight County, Va.

Jany 9th 1875

Received of A W Candle
Four Barrels Corn to be
Credited on the Bond I
hold against him -
C B Hayden -

Above credited on Bond
C B Hayden

Dec 17th 1875 - Received of A W Randle
Five Hundred Pounds of Fodder & Two
Bands of Corn to be credited on
Judgment which I hold against him
C B Hayden

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY, July 2. 187 7.

Commonwealth

, *Plaintiffs,*

against

Archibald W. Carroll

Defendants.

Judgment was granted the Plaintiff against the Defendant for the sum of Seventy five *Dollars and* ____ *cents,* ~~*with interest thereon, to be computed after the rate of* ____ *per centum per annum, from the* ____ *day of* ____, *18* ____, *till payment*~~ *and the costs.*

Plaintiff's costs, $ 111.91

An Extract.

Teste: ____

Clerk.

Archer W. Carroll

In account with C. B. Hayden

1876					
Feb		To fee writ tax in suit of Covenant vs Jo Wilson		7	50
		" do vs Baker (dismissed by Plaintiffs direction)		5	00
Dec	21	By proceeds of order on N. P. Young. Exor of G. W. Carroll			132 17
		To amount credited on Bond to Self in full, secured by Deed of Trust	100	00	
1877		" amount for tax recording Deed of Trust & Release		2	25
Feb	20	" paid Comr Atkinson for certifying Release Deed		1	00
		" this amount to be credited on Judgment of C. B. Hayden vs A W Carroll as of Dec 21st 1876		16	42
			$132	17	$132 17

Isle of Wight Court House.
Augt. 29th 1857.

Wm. C. B. Turner
Esqr

Having been informed that you have commenced cutting timber from the lands of Wm. A. W. Carroll, upon which I have a lien of judgment prior to your contract, I respectfully notify you of this fact, and ask that you desist from further cutting said timber, otherwise I shall be compelled to take legal steps to stop you, which I should dislike to do.

Very Respectfully

Yours, J. F. Young Exor
of W. A. W. Carroll & for
his own benefit

My idea of the contract between A. W. C. [illegible]
is, that only the Trees 12 inches on stump at date of
Contract were sold. That Trees between 6 & 12
inches Diameter were to be left standing with them 12 inches
left may have become 20 feet upon, after which
he Commenced to cut [illegible]
Now [illegible] all Trees, down to 6 inches
Trees between 6 & 12 or 20 years after

When I may think proper to cut it? I think it was
intended to apply to the date of contract - like the
[illegible] for cord wood in the last fraud act, the
words in cut - If the Congress in order to avoid
evasion to inhibit the purchase from cutting
[illegible] which may cord wood at date
of contract &c &c There are another that I think the
Court ought to [illegible] before sale &c

Valuable Land For Sale

By Virtue of two deeds of Trust executed to me by Archer W Carroll for the benefit of Gwalthey & Bell I shall proceed to Sell to the highest bidder at Isle of Wight Court House on the 1st day of October 1877 it being Court day that Valuable tract of Land in Isle of Wight County belonging to Archer W Carroll Containing 300 acres more or less and adjoining the Lands of R. T. Jones Benj Wood Thos H Williams and others it being a part of the land formerly belonging to Geo W Carroll dec

The Land is in a high State of Cultivation and has on it all necessary Building Persons wishing to examine the Same before day of Sale will please Call on Mr A. W. Carroll or W. H. Williams who will take great pleasure in showing the Same

Terms

One fourth Cash the balance on a Credit of six and twelve months time purchaser to give bond and approved security carrying Date from day of Sale and title retained until all the purchase money is paid

C. C. Jr Trustee

SALE OF A. W. CARROLL'S LAND!

By virtue of a Decree of the Circuit Court of Isle of Wight County, of October term, 1878, in the suit of A. W. CARROLL, & ALS. vs. COFER TRUSTEE & ALS., the undersigned special commissioners of sale, will offer for sale at Public Auction, at

ISLE OF WIGHT COURTHOUSE,

On MONDAY, DECEMBER 2nd, 1878,

BEING COUNTY COURT DAY,

The Tract of Land owned by A. W. CARROLL, containing by estimation

500 ACRES!

be the same more or less, adjacent to the lands of R. T. Jones, Benjamin Ward, W. H. Miars & als, subject to the contingent right of dower of the wife of said A. W. Carroll therein; being a part of the land whereof Geo. W. Carroll died siezed and possessed, in the county of Isle of Wight.

TERMS.—A credit of 1 and 2 years, in two equal payments, with interest from the day of sale, except so much for cash as will pay costs of suit and sale. Bond with sufficient security, and with waiver of the Homestead required of the purchaser. Title retained until payment in full of the purchase money.

October 29th, 1878.

C. B. HAYDEN,
R. E. BOYKIN,
Special Commissioners.

L. B. EDWARDS, Auctioneer.

C. B. HAYDEN,
R. E. BOYKIN,
Special Commissioners.

L. B. EDWARDS, Auctioneer.
October 30th, 1878.

200 ACRES!

THE TRACT of land owned by "A. W. CARROLL" containing 50 cultivated

BEING COUNTY COURT DAY.

ON MONDAY, DECEMBER 2nd, 1878,

ISLE OF WIGHT COURTHOUSE,

office for sale at Public Auction, at

THE SAME "A. W. CARROLL & ALS" the undersigned special commissioners of sale, will

By virtue of a Decree of the Circuit Court of Isle of Wight County, of

October term, 1878, in the suit of "A. W. CARROLL & ALS vs COKER

LAND!

"A. W." CARROLL'S

FARM OF

9 A. Starkey
p 15-dy - 1/3 2-do

SALE OF A. W. CARROLL'S LAND!

By virtue of a Decree of the Circuit Court of Isle of Wight County, of October term, 1878, in the suit of A. W. CARROLL, & ALS. vs. COFER TRUSTEE & ALS., the undersigned special commissioners of sale, will offer for sale at Public Auction, at

ISLE OF WIGHT COURTHOUSE,

On MONDAY, DECEMBER 2nd, 1878,

BEING COUNTY COURT DAY,

The Tract of Land owned by A. W. CARROLL, containing by estimation

500 ACRES!

be the same more or less, adjacent to the lands of R. T. Jones, Benjamin Ward, W. H. Miars & als, subject to the contingent right of dower of the wife of said A. W. Carroll therein; being a part of the land whereof Geo. W. Carroll died siezed and possessed, in the county of Isle of Wight.

TERMS.—A credit of 1 and 2 years, in two equal payments, with interest from the day of sale, except so much for cash as will pay costs of suit and sale. Bond with sufficient security, and with waiver of the Homestead required of the purchaser. Title retained until payment in full of the purchase money.

October 29th, 1878.

C. B. HAYDEN,
R. E. BOYKIN,
Special Commissioners.

L. B. EDWARDS, Auctioneer.

An account of all liens on the Real Estate of A. W. Carroll whether by deed of trust, Judgment or otherwise, with their dignity and priority

1	To A. P. Young Exr of Geo. W. Carroll, Judgment of October 20 1878 vs A. W. Jones and A. W. Carroll	290	78		
	Interest from June 1st 1874 to October 20th 1878	195	80		
	Cash	15	28	1004	86
1	" C B Hayden Judgment of October 20th 1875 for $100 Cost $8 subject to the following credits Nov 18th 1874 $30.00 June 9th 1875 $16 December 17th 1875. 14.00 and Dec 21st 1876 $16.42 Balance due	48	31		
	Interest from Dec 21st 1876 to October 20th 1878	3	38	51	69
2	" Swaltney & Bell on a second deed of trust of August 4th 1876 - $74.50 subject to a credit of 13.50 and November 27th 1875 - Balance now due	166	48		
	Interest from Nov 27th 1875 to October 20th 1878	28	44	195	42
	" Same Bond secured by same deed of trust	16	00		
	Interest from August 4th 1876 to October 20th 1878	2	16	18	16
3	" Same Bond secured by deed of trust of March 26th 1877	150	00		
	Interest from March 26th 1877 to October 20th 1878	14	10	164	10
	Commonwealth of Virginia Judgment of July 2nd 1877	18	05		
	Costs	2	91	186	91
				1621	14

Commissioners Office
Smithfield October 1st 1878

Pursuant to a decree in the Circuit court of Isle of Wight county rendered at the April Rule 1878 in a suit in Chancery therein pending between A. W. Carroll and A. P. Young plaintiffs and A. G. B. Cofer trustee and others defendants the undersigned a commissioner in Chancery in said court to whom was referred for settlement in said decree an account of all liens on the Real Estate in the bill and proceedings mentioned whether by deed of trust judgment or otherwise showing their dignity and priority as to each other as on the 15th day of July 1878 as disclosed by the papers exhibited before the said commissioner at his office on the 14th day of August next ensuing which

when the return of the commissioners duly executed and on the date of this writ be exhibited the plaintiff account of all the liens on the real estate aforesaid with the date of that judgment or decree with the amount due and priority which is indicated by the figures 1 2 3 and 4 opposite the respective debts and finds that the said liens amount to the sum of 1621 dollars and 14 cents. Your commissioners entered upon the land on the 21st day of August 1873 as aforesaid and viewed the premises of the said C. B. Turner that day and recorded on the books of the County Court of Clay the 11th cents on the 11th day of August 1873 a copy of which is found in the said writ the costs of all said to the said C. B. Turner all the loss or injury on the said cultivated land for the lines across the land towards - 0 14 cents dollars to be paid December 21st 1873 also the cord wood at one dollar per cord; that the said deed not having been recorded until more than five years after its date and execution and until after the date of the said judgments and decrees that mentioned in said writ that the said C. B. Turner on the said land for the wood and wood now out of doors over the said land notes and debts secured by the said deeds of Trust and our commissioners is of the opinion that by the construction of said contract the said C. B. Turner had only the right to cut such trees as were timber trees and over across the stumps and such wood as was suitable for cord wood at the date of said contract.

We are under our hand as Commissioners in chancery of the said Court the day and year aforesaid

Filed entered 15 June 1875.

Gorhil Thomas Com

Burrell & Others

vs

Exrs. Burrell & others

Domestic Firm Report
under decree of
April Term 1878.

Dec. 3. 1878 - Filed

To the Honorable George Blow Judge of the Circuit Court of Isle of Wight County:

The undersigned Special Commissioner under the annexed decree of said Court of April Term 1878, in the suit of A. W. Carroll etals vs Copers Trustees etals, respectfully report to the Court that pursuant to said decree they on the 2nd day of Dec 1878, being Court Day after having given the notice required by said decree mentioned ~~offered the~~ land in said decree mentioned for sale at public auction at Isle of Wight C.H. on the terms of credit named in said decree subject to the contingent right of dower therein of the wife of said A. W. Carroll & of the right of C B Turner to cut the wood & timber on said land under his contract in the proceedings of said suit mentioned, when J. W. Stallings being the highest bidder became the purchaser for the sum of $1525.00 of which amount he paid $213.04 in Cash & for the balance gave two bonds for $655.98 each payable respectively 1 & 2 years from the 2nd day of December 1878 with interest from that date, with Joseph A Stallings as surety, the said bonds are herewith returned. The said Cash Payment of $213.04 & the two bonds for $655.98 each make up the amount of the purchase money as per Statement "A" hereunto annexed. The said Cash

payment was applied in payment of costs of suit which shews a balance of £50. due Comr Hayden
& sale as per Statement B hereunto annexed, the receipts for said payments are herewith returned.

All of which is respectfully submitted

C B Hayden
R & Boyden } Comrs

Feb 3-1880- Rec.d of the clerk of the Circuit Court of Isle of Wight County the Bond within named falling due one year from the 2nd Dec 1878—

C B Hayden Comr.

Jany 18th 1881. Received of same bond of same within named due two years from same date

C B Hayden Comr

Commissioners
Hayden & Boyden
Report of Sale
under
Decree of Oct Term 1878

Carroll vols
vs
Copeland Trustee

Statement A

Amt of Purchase Money			1525	00
Cash Payment	213	04		
1 Bond at 1 year for	655	98		
1 00 2 years	665	98		
	$1525	00	$1525	00

Statement B

Amt of Cash Payment			213	04
Printer	2	00		
Taxed Attys fee Hayden	75	00		
Taxed Attys fee Boykin	50	00		
Writ tax	1	00		
Clks fees Cir Ct	13	54		
Sheriffs fee	7	00		
Comr Admission	15	00		
Auctioneer	10	00		
Commissions on $300.00 @ 5%	15	00		
00 $1225.00 @ 2%	24	50		
Due Comr Hayden				50
	$213	54	$213	54
Amt due Comr Hayden		50		

In Isle of Wight County Court
Dec. 23rd 1878.

W. W. Harrell et als Complts.
agst. &c. &c.
J. O. Cofer Trustee et als. Defts.

This cause this day came on to be
again heard on the papers formerly
read, and on the report of Comm.
Wm. B. Atkinson under decree
herein of April term 1878. and
was argued by Counsel, on consid-
eration whereof the Court confirms
said report to which no exceptions
were filed, doth adjudge, order &
decree that C. B. Hardee and
R. E. Boykin who are hereby appoin-
ted Special Commissioners for
that purpose, proceed to sell at
public auction at Isle of Wight
C.H. on some Court day after
having given 20 days notice
of the time and place of sale
by advertisement at the Co. C.H.
door of said County, on some
Court day previous to the day
of sale, and at other public
places in said County, by posters
of public notice of said Credit, on
a credit of one and two years

in five equal payments with int.
from the day of sale except so much
for costs as will pay costs of this
cause sale, inclusive of fee of
$ 15.00 to Clerk Hawkins, and also
$ 50.00 to R. E. Boykin for his services
as Atty. in this cause. — the
land in the proceedings of said
suit mentioned by A.W. Lorance
Containing by estimation 500
acres more or less, adjacent
to the lands of R. D. Jones, Benj.
Wood. W.H. Mixon, Nathan, subject
to the continuance right of power
of the wife of said Allen Wood-
ward for the Credit portion of said
sale. two bonds. in equal annual
with equal interest to run
with notes of the purchaser, said
payable & payable as Annual
in equal sums, respectively
in 1 2 3 years from the day
of sale with int. from that
date, which bonds they shall
return to Court with this report
of their proceedings under
this decree to Court.
Done the office of this decree

1

shall be apprehended to be paid
over, under said Account.
That persons in the Clerks
office of this Court, bonds
with such sufficient securities, with
leave of the Court shall be entered, with
penalty of $100.00 payable to the
Commonwealth of Va. Conditioned for
the faithful performance of
his or their future duties
herein.

A Copy
Teste.
W. A. Edwards Dep.
S.F. Hancock CC

Attys. Royster all'd by Com	Paid C.B. Hayden		$5.00
" Royster " " "			5.00
Court Ct	(Paid Royster)		1.00
Clerks fees	C. & Cir. Ct.	Paid N.P. Young	13.54
Sheff. fees	(Paid W.A. Edwards)		96.00
Comm. Attorney fee	Paid R. Atkinson		45.00
	Cost to this Account		$167.04

Taxed fee $50.00

½ of $99.50. commissions 19.75

$69.75

Received of C. B. Hayden Sixty Nine Dollars and Seventy Five Cents taxed fee ½ commissions as above in suit of A. W. Carroll & als vs Cofer Trustee & als.

Jan 21st 1879.

R E Boykin } Comr

Received of C. P. Hayden Esq.
[illegible] Canada Co. Lots in
[illegible] Dollars Auction fee
per Selling Land Canada Land
L. P. Edwards

M. GLENNAN, Proprietor.

VIRGINIAN NEWSPAPER, JOB PRINTING AND PUBLISHING HOUSE,
56 and 58 Roanoke Avenue.

Norfolk, Va., Nov. 1878

Mr. C. B. Hayden, Smithfield Va

To NORFOLK VIRGINIAN, Dr.

For 25 Hand bills, Carroll's Land $2 00

Received payment.
Nov 1/79

M. Glennan
Per A. D. Nottingham Jr.

12 50.[illegible]

Phase rectification

C. B Hayden

Jun 13

J. B. Lippincott & Co.
Booksellers and Stationers,
Philadelphia, Pa.

To the Honorable George T Blow
Judge of the Circuit Court of Isle of
Wight County.

The undersigned
Special Commissioners for Col-
lection and payment under the
annexed decree of said Court
of April Term 1879 in the suit of
Carroll vals vs Cofer Trustee vals
respectfully report to the Court
that pursuant to said decree
they on the 3 day of February 1880
collected in full the first bond
of James W. Stallings for $655.98
with interest from Dec 2nd 1878
on which date $50.00 was paid
in Cash and a Draft given for
$607.98; the balance due on said
bonds, which Draft was only
available here on the 12th of that
month. The proceeds of said
Draft were applied less costs
in payment of the Judgment
Lien in full and in part pay-
ment of the Judgment of N. P.
Young Exor of G. W. Carroll, as
shewn by Statement & Receipt
annexed. The said Judg-
ments were of equal priority
and hence were entitled each
in said proceeds pro rata, but
that of C. B. Hayden being quite

small and as the trust assets would ultimately be sufficient to pay both Judgment in full, and to avoid the inconvenience of two payment on the judgment of E. B. Hayden, it was paid in full by the consent of said Exor in writing herewith filed and the balance appropriated in part payment of the judgment of said Exor. Your Commissioners further report that in full execution of said decree they on the 13th day of March 1884 realized a Draft for $744.34 given by the said James W. Stallings payable Feb 28. 1884. in full of the amount of his second bond on March 2nd 1881. The proceeds of said bond less costs were applied in payment in full of the balance due on the judgment of said Exor and the balance of said net proceeds paid in full satisfaction of the debt due Swaltney & Bell secured by the First Deed of Trust named in Comrs Report and in part satisfaction of the debts due said Swaltney & Bell secured by

J. B. Lippincott & Co.
Booksellers and Stationers,
Philadelphia, Pa.

the Second deed of Trust as
shown by Statement "B" hereun-
to annexed.

The receipts of the trustee
for said payments are here
-with filed and also Statements
C & D of the debts of S.W Car-
roll Esq and of the debts due
Gwaltney & Bell by First Deed
of Trust.

All of which is respectfully
submitted.

Signed C B Hayden
R E Boykin

March 12 1881

Carroll et als
vs
Cofer Trustee et al

Comrs
Hayden & Boykins
Report
of
Collection & Payment
under
Decree of April Term
1879

Filed 4th Feb. 1880.

Statement D

Gwaltney v Bells

Bond secured by first deed of Trust with interest to Oct 20 1878 as per Comr Atkinsons Report — 195 42

Interest on $66.48 from Oct 20 1878 to Mar 2 1881. — 23 64 — 219 06

Second Bond secured by same Deed with interest & Oct 20. 1878 per Comr Atkinsons Report — 18 16

Int on $16.00 principal from Oct 20 1878 & Mar 2 1881. — 2 27 — 20 43

Total amt of Debts secured by first Deed of Trust — 239 49

Statement C

By amt of Judgment of Gill Carrolls Exor. Debt Costs and Interest & Oct 20 1868 per Comr Atkinsons report — 1004 86

1880 Feb 3 Int on $793.78 principal from Oct 20 1878 & date — 61 25

1066 11

To paid to Executor — 641 81

424 30

1881 Mar 2 Interest on $424.30 from Feb 3 1880 & date — 27 50

451 80

Statement B

1881 Mar	To paid postage and new stamps		08	
"	" commissions on $88.56 Int		4	43
"	" Drawing Deed & R. P fee		6	00
"	" Clks Fees		2	35
"	" paid as of Mar 3.rd N. P Young Extr of Isl Corsoll in full of Judgment	407	80	
"	" paid as of same date R. E. Boykin Atty for Swaltney & Bell in full of Debt secured by first deed of Trust	239	49	
"	" paid do Atty for do in part of 2nd deed of Trust	40	39	

Cr

1880 Mar 10	By proceeds of Draft payable March 3rd realized on this date in full of Samuel Stalling's 2nd Bond for $55.98 with interest from Dec 2nd 1878			744 54
		$744	54	$744 54

1

Statement A.

1880					
Feb	10	Balance due Comr Hayden per last Report			50
Feb	3	" Commission on $45.97 Int		2	30
"	"	" paid R. P. Young Clk fee		2	01
"	"	" " C. B. Hayden in full of Judgment Paid C. B. Hayden		55	33
"	"	" paid R. P. young Expt in part of his debt	641	81	
"	"	By Cash from Josh W Stallings in part of 1st Bond for $633.21 with interest from Dec 2 1878			50 00
"	"	" Draft on Barham & Poland balance of amount of Do realized Feb 12			651 95
			$701 95		$701 95

In the Circuit Court of Lee-
burg Circuit Court Monday the 21st of April 1879.

A. W. Leavell et als. Pltffs
vs. Bill &c
J. A. Porter Trustee et als. Defts

This cause this day came on to be heard upon the papers formerly read, and on the report of Sale of Commr. Hogan and Boykin under decree herein of October term 1878, and was argued by Counsel, on consideration whereof, the Court doth adjudge order and decree that said report & Sale be confirmed, and that the Clerk of this Court deliver to R. B. Hogan and R. E. Boykin on their filing their receipts therefor, the two bonds of J. W. Stallings and Joseph A. Stallings for $655.98 each payable respectively one and two years from December 2d 1878. with interest from that date, which bonds they are hereby authorized &

required to collect, said Fee
proceed thereof, after paying
thereout the costs aforesaid
of this suit - And in satisfac-
tion of the judgment liens, &
of the liens of the defendant
bondsmen and Sec upon
by virtue of attachment in this
cause upon lands in said
division as shown by
said report, taking the receipt
of said parties therefor, and
return the same to court
with their report at their pro-
ceedings hereunder. And
the Court doth further adjudge
order and decree that, on the
payment in full by said
Jas. W. Stallings of said bonds,
the said L. B. Strauss and
R. E. Boykin shall execute &
deliver to the said James W.
Stallings a good & sufficient
deed in fee simple with special
warranty for the tract of land
in this proceeding mentioned
and fully described by set
bounds, containing by
estimation five Hundred

acres more or less, adjacent to the lands of R. T. Jones, Benj. Ward, W. H. Mims, subject to the continuant right of dower of the wife of said A. W. Learned thereon, and that right of the B. Purser to cut the wood and timber thereupon under his contract in these proceedings mentioned.

Henry
Test:
W. A. Edwards D. Clk
N. P. Younger

Clerks fees since last Payment to April 1879 $ .00
Rec'd the above fees.
N. P. Younger Clk

Balance fees to and including final decree to be entered at April Term 1881, and since April 1879. — $2.35 Paid N. P. Younger

Learned at us.

vs. Copy of Decree

Lester Duncan et us

"

Apl. 21. 1879

(See loose cards to find them at bottom of this de.)

Jail Costs

Feb 12 - 1879 - Received of C B Hayden Com'r
Candler & Cooper Trustee - Six Hundred &
Fifty One Dollars & Eighty One Cents in
part of my claim vs A. W. Candler pending in
said Suit, being my pro rata share of the
distributive of C B Hayden's claim paid in
full by Receipt.

J. D. Young

$1.00

Received of C. B. Hayden and R. E. Boykin Commissioners in Carroll in Offer Trustee vs Dan Dollar for certifying Deed to James W. Stallings

Geo R Atkinson

$451.80

Received of C. B. Hayden Commissioner in Carroll vs Cofer Trustee vs as of March 2nd 881 chest on Burruss Lon & Co for Four Hundred and Fifty One Dollars and Eighty Cents amount balance due on Judgment of H. P. Young Exor of G. W. Carroll vs Jones and Carroll proved in said suit.

J. D. Young Exor. of
Geo. W. Carroll

$279.88

Received of C. B Hayden Comr in Carroll vs Cofer Trustee vs as of March 2 1881 Two Hundred and Seventy Nine Dollars and Eighty Eight Cents on account of claims vs Gwaltney vs Bell proved in said suit

R E Boykin
Atty for Gwaltney vs Bell

Received of C. B. Hayden Commissioner Carroll Co. or Cofer Trustee Co. as of March 2nd 1881. Five Dollars and Eighty Six Cents one half of Commission on Interest and fee for Deed.

R. A. Boykin Comr

Carroll

v

Cofer

This cause came on this day to be heard on the bill taken for confessed as to the defendants C. B. Hayden, C. B. Skinner, L. H. Gwaltney & John Bell late partners under the style of Gwaltney & Bell, Dennis O. Cofer and Mary E. Carroll, wife of A. W. Carroll they still failing to appear, plead, answer or demur to the said bill, or the Exhibits filed, and the restraining order heretofore granted and was argued by counsel: On consideration whereof the court doth adjudge, order, and decree that a commissioner of this court take and render to this court an account of all liens on the real estate in the bill and proceedings mentioned whether by deed of trust, judgment, or otherwise showing their priority and priority, and any other matter deemed pertinent by him, or required by either of the parties to be so stated.

Carroll et al

v.

Decree

Cofer et al.

April Term, 1878.

To be entered.

Geo. V. Bloss.

Exhibit 37

A. W. Caudle
et
C B Lewis
et als

Bench Warrant
Oct Term 1878
To be endorsed

Geo. Nelson.

Executed

Draft.

A. W. Tarnock et als
vs
Q. A. Cope et als

This cause this day came on to be again heard on the papers formerly read & on the motion of Commissioner F R Atkinson under the decree herein of April Term 1878; was argued by counsel, on consideration whereof, the Court is of opinion that the exceptions severally filed by the respondents C B Hyde & R E Bostwick are not sufficient, and it is therefore ordered that this cause be referred to the Master Commissioner to sell at public auction at Isle of Wight C.H. on some court day, after having given at least 20 days notice of the time & place of sale by advertisement at the C.H. door of said County on some court day previous to the day of sale & at other public places in said County as to said Court may seem proper, on a credit of one year in two equal instalments with interest from the day of sale, & apply so much of the cash as will pay the cost of suit & sale in favour of a fee of $75.00 to C B Hyde & of $50.00 to R E Bostwick for their services as attorneys in this cause.

the land in the proceedings of said suit mentioned and W. Powell containing 370 acres more or less adjacent to the lands of R.T. Lowe - Benjamin Wade, W.H. Thomas & others taken for the credit- subject to the contingent right of dower of the wife by said W. H. Powell, part of said sale the lands payable to themselves as commissioners in equal annual instalments of & from the day of sale with interest from that date, which lands they shall retain to comply with their report of their proceedings under this decree & court - But the effect of this decree shall be suspended as to said sale until the said Commissioners shall execute in the clerks office of this court a bond with sufficient security with power of the homestead in a penalty of $ payable to the commonwealth of Virginia conditioned for the faithful performance of this & any future decree herein -

on a final account with Benjamin Wade & Thomas Powell's Commissioner of Sale

A. W. Carrolls vals

vs

J. O Cofer Trustee vals.

This cause this day came on to be again heard on the papers formerly read on the Report of Sale of Commissioners Hayden & Boykin under decree herein of Oct Term 1878 & was argued by counsel on consideration whereof the Court doth adjudge order & decree that said report to which no exceptions were filed be confirmed & that the Clerk of this court deliver to C B Hayden & R E Boykin on their giving their receipts therefor the two bonds of J H Sullivan & Ralph H Phillips for $ 55.48 each payable respectively 1 & 2 years from the 1st day of Nov with interest from that date, which bonds they are hereby authorized & required to collect & the proceeds thereof, after paying thereout the unpaid Cost of this suit & pay over to this plaintiff the plaintiffs & defendants liens & the lien of the defendant Pendleton & Bell - respectively & Commissioners Allowance as in their report herein according to their priority as herein & said report taken & the receipts of said parties, same for return be same to court & the

Therein as part of their proceedings and
this decree. And the court doth further
adjudge and decree that on the
payment in full by said Jas P Hollins
of said Bond the said C B Hayden & R E
Boyton shall execute & deliver to
said Jas P Hollins a good & sufficient
deed in fee simple with special
warranty for the tract of land in the
proceedings mentioned containing
by A Mcnall containing fourteen
100 acres more or less adjacent to the
lands of Rilea Heyward and P H
Mainor subject to the continued right
of dower of the wife of said P H Mainor
and of the right of C B Sumner
to cut the wood & timber heretofore
under his contract in the proceedings
mentioned

Decree

Copy of Decree
Jas P Hollins
to
C B Sumner & al

Camden
Copy Decree

J. B. Lippincott & Co.,
Booksellers and Stationers,
Philadelphia, Pa.

Cassell et als

vs

Cofer & Mustin et als.

This cause this day came on to be again heard on the papers formerly read and on the report of Collection and Payment of Commissioners Hayden & Boykin under the decree herein of April Term 1879 and was argued by counsel on consideration whereof the Court confirming said Report to which no exceptions were filed doth adjudge order and decree that this cause be removed from the docket, nothing further remaining to be done herein.

Carroll et als

v

Cofer Trustee et als

Final Decree

April Term 881

To be entered.

Geo. T Bess.

Autumn 8

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY, Octo. 20th 187 5.

N. P. Young Executor of Geo. W. Carroll, who sues for the benefit of N. P. Young . . . . . , *Plaintiffs,*

against

I. N. Jones & Arch.d W. Carroll

Defendants.

Judgment was granted the Plaintiff against the Defendant for the sum of Seven Hundred Ninety three ——— *Dollars and* Seventy eight *cents, with interest thereon, to be computed after the rate of* 6 *per centum per annum, from the* 1st. *day of* January , 18 74, *till payment and the costs.*

Plaintiff's costs, $ 15. 28—

An Extract.

Teste: N. P. Young

Clerk.

N. P. Young Esq. Pro. for
N. P. Young
vs. Ejt. Coby Judgt.
Richard Jones
A. W. Carroll

This judgt. was docketed
2nd Oct. 1847.
Teste, N. P. Young Clk.

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY, Octo. 23. 1875.

C. B. Hayden , *Plaintiffs,*

against

A. W. Carroll *Defendants.*

Judgment was granted the Plaintiff against the Defendant for the sum of
One Hundred *Dollars and* — *cents,*
with interest thereon, to be computed after the rate of 6 *per centum per annum,*
from the 27th *day of* Sept. , 1873, *till payment*
and the costs.

Plaintiff's costs, $ 8. 00

An Extract.

Teste: L. P. Carter Clerk

This judgment is according to the following Contract - viz £20.5.7
paid on 18th Nov. 1844, & £16.5.10 paid on 9th Jan. 1845.
Test [illegible]

I certify that the within judgment was satisfied in the
judgment Docket of Isle of Wight County the 25. Oct. 1845.
Test [illegible]

Carroll ch. 1
Exhibit 1
to Deposition of
Carroll
Carter Coles Co. et als
Exhibit
filed
with Deposition

Know all men by these presents that I A.W. Carroll have this day sold to C.B. Turner of Isle of Wight County. State of Virginia all the ties of every description on my land from 12 inches across the stumps and upwards, for fourteen hundred dollars and one horse Bird - One thousand to be paid December 24th 1872. and four hundred to be paid July 1st 1873. also the cord wood at one dollar per cord - Said Turner to have the privilege of making a Tram way across said land to meet a mill house &c. - cut and clear roads necessary to getting out said timber ties, and all privileges connected with timber getting of Whim and his heirs, with the privilege to remove all said fixtures when said timber & wood shall have been removed. Witness our hands and seals this 24th day of Augt 1872.
In addition to the above the said Turner and his heirs shall have the privilege to saw timber from any other persons land
Witness our hands & seals this 24th day of Augt 1872.

Witness:
J.B. Jones

A.W. Carroll (Seal)
C.B. Turner (Seal)

State of Wright County Scott:

This is to certify that A.W. Carrow personally appeared before me a Justice of the Peace for said County, and made oath that the within Contract & signature is his deed and act: Augt. 7th 1877.

A.B. Turner J.P.

In the Clks. office of the Co. Ct. of Wright Co. the 11th day of Augt. 1877. This Contract was acknowledged before me by C.B. Turner one of the parties thereto & with the certificate of acknowledgment of A.W. Carrow the other party before a Justice of the Peace was admitted to record.

Teste. W.A. Edwards D.C.

N.B. Young C.C.

a copy
Teste.

W.A. Edwards D.C.

A.W. Carrow
with Contract
C.B. Turner

Abstract with
Comd Warranty
Deed

Ack

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY. Oct. 20th 1875.

A. D. Young Exor. of Geo. W. Carroll who sues for the benefit of Jno. A. Young, *Plaintiffs,*

against

Isaac T. Jones & Co. W. Carroll *Defendants.*

Judgment was granted the Plaintiff against the Defendant for the sum of Seven Hundred & Ninety three *Dollars and* 78 *cents, with interest thereon, to be computed after the rate of* 6 *per centum per annum, from the* 1st *day of* Jany. , 18 74, *till payment and the costs.*

Plaintiff's costs, $ 15.25

An Extract.

Teste: [illegible]

Clerk.

I certify that the written
judgment was delivered
in the judgment book of
this office duly on the 20.
day of Octo. 1875

Test

Deed of Trust

This Deed made the Twenty fifth day of March — One thousand eight hundred and Seventy Seven between A. W. Carroll of the County of Isle of Wight and State of Virginia of the one part and Dennis C. Cofer Clerk as trustee for the purpose herein named of the other part, Witnesseth that the said A. W. Carroll does grant with general warranty unto the said Dennis C. Cofer trustee as aforesaid the following property, to wit: That certain tract of land in the County of Isle of Wight owned by the said A. W. Carroll in the County aforesaid Containing by estimation, Five Hundred Acres more or less lying adjacent to the lands of Benjamin Ward Robert S. Jones being a part of the land of which Geo. W. Carroll died Seized & possessed together with all and singular the appurtenances belonging to the same In trust to secure to Gwaltney & Bell the payment of the one hundred and fifty dollar debt therein by said A. W. Carroll as evidenced by the Bond of said A. W. Carroll of even date with these presents

Witness the following signature and Seal.

A. W. Carroll (Seal)

Virginia

County of Surry } To wit

I D. W. Sykes Justice of the Peace in and for the said County in the State of Virginia do certify that A. W. Carroll whose name is signed to the writings above bearing date the 26 day of march 1877 has acknowledge the same before me in the County aforesaid, Given under my hand this 26 day of march 1877

D. W. Sykes J. P.

In the clerks Office of the county Court of Sale of Wright county the 31st. day of March 1877. This Deed of trust from A. W. Carroll to J. A. Cofer, Trustee, was received and admitted to record upon the annexed certificate of D. W. Sykes Justice of the peace.

Teste, A. E. Young Clk.

A. H. Carroll

To

Deed of Trust

Junius O. Cooper Trustee

"

March 31st. 1884.

Rec'd. & A'kd. on the

annexed certf.

Recorded in Deed

Book No. 44

Page 243

Tax Pd. $1.00

This Deed made this fourth day of August in the
year of our thousand eight hundred and seventy
six between A. W. Carroll of the first part
Dennis O. Coper of the second part and
Courtney Hall of the third part Whereas the said
A W Carroll is justly indebted to the said
Courtney Hall in the sum of one hundred
and ninety dollars and fifty three cts by bond
bearing date on the twenty fourth day
of June in the year eighteen hundred and seventy
five and one on fourth day august eighteen
hundred and seventy six more fully appears
Which debt with the legal interest thereon
accruing. The said A. W Carroll is willing and
desirous to secure. Now this Deed witnesseth
that for and in consideration of the premises and
also for the further consideration of one dollar
of lawful money to the said A. W. Carroll in
hand paid by the said Dennis O. Coper at and before
the sealing and delivery of these presents the
receipt whereof is hereby acknowledged he the said
A W Carroll hath given granted bargained
sold enfeoffed and confirmed and by these presents
doth give grant bargain sell release and confirm
to the said Dennis O. Coper his heirs and assigns
forever all that tract or parcel of land lying and
being in the County of Isle of Wight in the State
of Virginia containing five hundred acres be

the same more or less and bounded as follows
to wit on the South by estate Gen Connell and East by
R. J. Jones on North by Jno. Carson and
the East by Ben Arnold Estate

with all the appurtenances to the said tract or
parcel of land belonging or in any wise appertaining
and all the estate right title and interest of
the said A. G. Carroll in and to the said granted
or intended to be hereby granted tract or parcel of
land and premises To have and to hold the said
hereby granted tract or parcel of land and premises
with its appurtenances, unto the said Dennis
O. Cofer his heirs executors administrators forever
and the said A. G. Carroll for himself doth
hereby promise and agree to and with the
said Dennis O. Cofer his heirs executors forever
in manner and form following, that is to say that
the said A. G. Carroll his heirs executors, the aforesaid
tract or parcel of land and premises with the
appurtenances unto the said Dennis O. Cofer his heirs
executors and assigns against all persons whatsoever shall and will warrant and forever defend by
these presents upon trust nevertheless, that the said
Dennis O. Cofer his heirs executors shall permit
the said A. G. Carroll to remain in quiet and
peaceable possession of the said tract or parcel of
land and premises with its appurtenances and all benefits

enjoyed and take profits thereof to his own
use until default be made in payment of the said
sums either in whole or in part and then upon
this further trust that he or his heirs executors &
administrators of such survivor shall and will so
soon after default of payment by or the heirs
executors administrators of such survivor may think
proper or the said Quentry Bell or his shall
request sell the said tract or parcel of land and
premises with the appurtenances or such part of
the hereby granted premises as the trustee or
representatives hereby authorized to act shall think
sufficient for the purpose and shall think proper to
sell to highest bidder for ready money at public
auction after having fixed the time and place
of sale at his own discretion and notified the
same by advertisement to be set up at Court house
door of Dallas County on some Court day
previous to day of sale and out of money
arising therefrom after satisfying charges thereof
and all other expenses attending same to the said
Quentry Bell his heirs the sums above mentioned
with the interest accruing thereon if any pay to
said A. G. Carroll his heirs and

But if the whole of the said sums shall be
fully paid and discharged to the said Quentry
Bell his executors or assigns on or before the
first day January 1877 then this Deed to be void

or else to remain in full force and virtue
In Witness whereof the said parties to these presents
have hereunto set their hands and affixed their
Seal the day and year first above written.
Sealed and delivered in
presence of } A. W. Carroll Seal

J. B. Jones
J. A. Jones
J. J. Hollenan

A. W. Carroll
To
J. B. Jones & Trust.

J. A. Carson Sheriff
Deed of Trust
Dated Sept 7th 1866.
Recorded this
Aug. 27th 1866
at 4 P.M.

Recorded Book 4 4
Pg 108

In the Clerks office of Isle of Wight County Court
the 27th day of August 1866. This Deed was proved
by the oath of J. B. Jones, J. A. Jones & J. J.
Holleman & admitted to record.
Teste, T. P. Young, Clk.

Know all men by these presents that we A. P. Young and Charles B. Hayden are held & firmly bound unto the Commonwealth of Virginia in the sum of Four Hundred dollars, to the payment whereof, well & truly to be made, we bind ourselves each of us, our & each of our heirs executors & administrators severally & severally & by these presents, sealed with our seals & dated this 18th day of October 1877.

The condition of the above obligation is such that whereas A. W. Carroll and A. P. Young plaintiffs have obtained from Hon. George Blow Judge of the Circuit Court of Isle of Wight County an injunction restraining & enjoining the defendant James O. Piper from selling the land of the Complainant A. W. Carroll conveyed to the said O. Piper as trustee under the two deeds of trust in the Complainants Bill mentioned bearing date respectively on the 4th day of August 1876 and the 7th day of March 1877. Now if the said A. W. Carroll & A. P. Young, the Complainants, shall pay all such costs as may be awarded against the plaintiffs in either of them and all such damages as shall be incurred, in case the injunction is to void said sale shall be dissolved then this obligation to be void, otherwise to remain in full force.

And the said Young & Hayden each waive their homestead exemptions as to this obligation.

A. P. Young (Seal)

C. B. Hayden (Seal)

A. W. Carroll dat.

3 Inst.
3 Bond.

J. A. Coffer Wash.

Executed & filed
Adm. Vol. 1 Bk. 1

Commissioners Office
Smithfield July 15th 1878

To A. W. Carroll and N. O. Young Plaintiffs

and

C. B. Hayden C. D. Turner, L. H. Gwaltney and John Bell late merchants and partners under the style of Gwaltney and Bell, Junius O. Cofer trustee and Mary C. Carroll wife of A. W. Carroll. Defendants

You are hereby notified that I have fixed upon the 14th day of August next at my office aforesaid to take state and report to court an account of all liens on the real estate in the bill and proceedings mentioned whether by deed of trust, judgment or otherwise shewing their dignity and priority, required to be taken by a decree of the Circuit Court of Isle of Wight County rendered at the April term 1878 thereof in a suit in chancery therein pending in which you are parties plaintiff and defendant at which time and place you are required to attend.

Given under my hand as a commissioner in chancery of the said Court the day and year first aforesaid

E. K. Atkinson C. C.

do. Judge
Carroll &c

Cofer, Austin &c
v
Ejectment by defendants
to the within named
A. W. Carroll H. D. Jones
L. N. Swadley John
Reed James A. Cofer
C. B. Nayden C. B.
Lemen and Mary
C. Carroll each a
true Copy of the
within Summons
July 31. 1878
C. B. Coward
Sheff

Know all Men by these Presents, That we L. B. Haynes
R. C. Bowden and N. P. Young
are held and firmly bound unto the Commonwealth of Virginia in the sum of Four Thousand
Dollars 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. As witness our Hands and Seals, this 2d day of December
in the year of our Lord, one thousand eight hundred and seventy eight.

The Condition of the above Obligation is such, That whereas, by a Decree of the Circuit
Court of Isle of Wight County, pronounced on the 23d day of October 1878.
in a cause depending in the said Court, in which A. W. Bowers et als.

Plaintiff, and

J. O. Cobbs Trustee et als

Defendant, the
above bound L. B. Haynes and R. C. Bowden was appointed a special
Commissioner to See the Deeds of A. W. Bowers
in the proceedings mentioned and
make report to Court &c

Now, if the above bound L. B. Haynes and R. C. Bowden shall faithfully discharge
their duties as Commissioner under the said Decree, or any future Decree in said cause, then the above
Obligation to be void, otherwise to remain in full force and virtue.

Signed, Sealed and Delivered in the presence of

L. B. Haynes [SEAL.]
R. C. Bowden [SEAL.]
N. P. Young [SEAL.]

December 2 1878. In the Clerks Office
of the Circuit Court of Isle of Wight
County. This Bond was executed by the
obligors and admitted to record.
A Copy
Test
W. A. Edwards D.C.
N. P. Young a Com. of

Samuel Allen.

Corrine
Bond

Evelyn J. A. Thomson.

"
" Copy "

Amended in Cir. Ct.
Bond Book C. f. 5

[illegible]

[illegible]

[illegible]