1882-007 Chancery Causes : William H Summerell 's eptors vs et VS A. L. B Fould, assignee
Isle of Wight County of Frederick T. Vail + al

other SURNames: Pretlow, Gay
Burgess, Urquhart, Ballard
Goodrich, Graves, Simmons,
Randolph, Binford, Young,
Charles, Latimer Hearn
Burges, Wrenn, Thomas

Emanuel Eyrd

v.

Ford assignee &c.

Feby. 2nd. 1874, filed & summ. with inj.n & ofs.

March Rules - Summ. upheld & decree nisi.

Apl, Rl, subpoena issued.

May, 1874, Rule n. Defs. to ans.o &c.

Octo. 1874 - Sears to Def. Randolph to file ans.o & same filed.

April 1883, Removed from docket under 5 year Law

Ann ja mandamus is awarded according to the
prayer of the petition to be issued in behalf and
requiring the said M. B. Deane and R. W. Deane
and their copartners, attorneys & factors
now doing ~~or heretofore doing~~ business
[illegible] under the firm name, style, or title of
Deane & Co. at their office in the said City mentioned, known
as their place of business by sign and [illegible] in the
County of Dade of Wright aforesaid by
F. F. Paul and Daniel Lee who are in the
[illegible] Day of October 1847 to Hooker & Graves
Deane & Lindley Goodrich executors
of Levi W. Goodrich [illegible] the said
Deed of Trust named and the effects of the
said partnership to be applied and
under the plaintiffs or some one for them
shall before the Clerk of the Circuit Court
of Dade of Wright County enter into a bond
in the penalty of Two Hundred Dollars
conditioned to pay the said Deane and Deane
and all costs that may be awarded against
them and all damages that may be incurred
in case the said mandamus be dissolved

By the Court of the [illegible] Circuit.
Circuit Court for the [illegible] Judge
County of Dade of Wright this

[illegible] 30th 1848.

and fixtures and engines, saws, and
any and all parts of the same,
the said horses, mules, oxen, wagons, carts, harness,
of every Kind and Character and all the prop-
erty used in and about the same and
milling business of Burgess the said W. B. &
R. W. Hearn as aforesaid and hold the said
premises subject to the order of the Court. And
that they may have such other and further
relief as the nature of their case
may require and to Equity shall seem
meet and they will ever pray &c

R. W. Burgess

State of Virginia
City of Norfolk to-wit:

R. W. Burgess the above named
plaintiff maketh oath that the facts and matters in the
foregoing Bill set forth as they are stated in his own knowledge
are true, and as to as are stated upon information derived
from others he believes them to be true.

R. W. Burgess

Sworn and subscribed before me this 20th day
of November A. D. 1873

Walter A. Doyle,
Notary Public.

F. J. Vail ; That the said M. B. Heam and B. W. Heam be answer and discover on oath what they agree to give the said F. J. Vail for the timber aforesaid the thousand feet, how many thousands of the said timber they have cut, how many they have on hand, how much they have sold, to whom they have sold it, for what prices they have sold it, how much money they have received for the sale of the said timber and lumber, how much is now due them on the sale of the said lumber and to whom and how much cash from the sale of the said lumber they have on hand, what property they have and where it is located and in whose hands or control it is ; That the said M. B. & W. Heam be forbidden and enjoined from cutting, sawing, selling, delivering any more of the said timber on the land of the said F. J. Vail ; That a Receiver be appointed who shall receive and hold any and all money now in the hands of the said M. B. & B. W. Heam, or that is due them for any lumber cut, and shipped, sold or to be sold ; That the said Receiver be allowed to ship and sell any lumber now already cut and ready for market and to hold the proceeds subject to the order of the court ; That he the said Receiver take charge of the said Mill

utterly ruined and sacrificed.

In tender consideration whereof, and for as much as your Plaintiffs are remediless save in a Court of Chancery where matters of this sort are alone cognizable, & the end that justice may be done they pray (1) That the said A.L. B. Ford assignee of the said T. T. Vail ~~sole defendant to this bill~~, T. W. Simmons and Anna H. his wife, formerly Goodrich Robert Bin ford, administratrix of William Bin ford N. P. Young R. H. Randolph, L. S. Charles, Richard H. Lamar, M. B. Hearn and F. W. Hearn be made Defendants to this bill and be required to answer the same as fully and as effectually as if they were here and now Specially and particularly interrogated, That the said T. W. Simmons answer and disclose on oath when by whom and when, and how much money was paid to him the said T. W. Simmons on his debts as herein before stated & owing to him by the said T. T. Vail on the bonds aforesaid assigned by the deed of Trust and judgments aforesaid and how paid & to him the said T. W. Simmons; That the said R. H. Randolph & Harris disclose and answer on oath when, where, by whom and how much money was paid to him on the judgment obtained by him against the said

judgments due as aforesaid to the said J. W. Simmons, and R. H. Randolph

11. That the said L. T. Vail during the pendency of the said suits in the Courts of this State in the said County of Scott of Wright, and in the Courts of the United States at Dubuque sold his timber from the tract of land conveyed to the said J. D. Evans as aforesaid to one M. B. Hearn and B. W. Hearn and of the County of Scott Wright for $2.50 a thousand as your plaintiffs have been informed, and since the said sale have erected a Saw Mill upon the said land, and now and for months have been cutting, hauling, sawing, shipping and selling the timber, lumber from off the said tract of land as aforesaid to the great ruin and destruction of the said tract of land, of all the rights and interests of your said plaintiffs, and of all other persons having liens upon the said land, or claims against the said L. T. Vail; that they the said M. B. Hearn and B. W. Hearn are now of very small if any means except their mill and fixtures and team and implements engaged in the said milling business and of the destruction they are now, and for months have been committing is premised to be continued that they, your plaintiffs as aforesaid will be deprived of all

ing order of the District Court of the United States for the Eastern District of Virginia in Bankruptcy at Norfolk in the matter of the said F. J. Vail whereon his petition had been adjudicated a bankrupt - as will appear by a copy of the said adjudication hereunto filed as exhibit G. and a copy of the said restraining order hereunto filed as exhibit H. and prayed to be taken as a part of this bill.

9. That at a late term of the said District Court at Norfolk the said Court discovered the said restraining order and remitted all parties interested in the judgments and decrees of that court aforesaid to the said Circuit Court of Isle of Wight County for the further prosecution of their rights as will appear by exhibit "I" hereunto filed as a part of this bill.

10 That during the pendency of the said suit of Randolph Trustee against Vail pending as aforesaid in the Circuit Court of Isle of Wight County as aforesaid, and the bankruptcy proceeding of the said F. J. Vail, the said F. J. Vail has paid off and discharged the debt due to the said J. W. Sinclair & as shown in the aforesaid Deed of Trust either in whole or in part, and has paid off and discharged the whole or a part of the said judgments

to the latter as a part of this bill.

7. That the said R. H. Randolph having been instructed by aforesaid F. W. Summers (to whom the bonds executed by the said F. T. Vail & Charles Goodrich Executors as aforesaid had been assigned) to sue the real estate conveyed in the aforesaid deed of trust for the purpose of paying off and discharging the bonds as aforesaid, he, the said R. H. Randolph advertised the said land for sale and was only prohibited from selling the same by an injunction issued out of the circuit Court of Isle of Wight - which was dissolved upon the answer of the said R. H. Randolph and F. W. Summers as will appear by a copy of said record of proceedings herewith filed as exhibit - "F" and prayed to be taken as a part of this bill.

8. That subsequently the said R. H. Randolph was ordered to sell the balance of the real estate of the said F. T. Vail for the purpose of paying the debts and purposes mentioned in aforesaid deed of trust and upon the failure so to do. That then the Sheriff of Isle of Wight County should sell the said land for the said purposes and the said Sheriff of Isle of Wight County advertised the said land for sale and was proceeding to execute the same when he was inhibited and enjoined by a restraining

1867 J. W. Simmons and Anna H. his wife obtained a judgment against the said F. T. Vail for $191.13 with interest from the 19th day of April 1873 till paid and $6.68; that on the said 4th day of November H. P. Young obtained a judgment against the said F. T. Vail for $120 and interest from March 11th 1860 and $6.8 cents costs; that on the 21st day of October 1868 R. H. Randolph obtained a judgment for $299.21 with interest from Sept 6th 1868 & $6.09 cents; that L. S. Hughes on the 6th day of August 1869 obtained a judgment against the said F. T. Vail for $291 with interest from May 10th 1867 and $6.24 cents costs; and R. H. Latimer on the 1871 obtained a judgment against the said F. T. Vail for $80.93 with interest from Dec 23d 1852 till paid & $4.35 cents as one of which said judgments was duly docketed in the Clerks Office of the County Court of Clarke & Wash. County as will appear by Exhibit "E" which is herewith filed and prayed to be taken as a part of this bill.

6 That Joseph A. Grimes the Master as aforesaid having departed this life R. H. Randolph was appointed as Master in his place and stead as will appear by a copy of said order herewith filed as Exhibit "F" & prayed

for $1500 with interest from the 4th day
of May 1859 till paid and $7.17 costs
which was duly docketed in the clerks office of the circuit
court of said Pittsylvania county
as will appear by a copy of the said docketed
judgment herewith filed as exhibit "C"
and prayed to be taken as a part of this
Bill. That since the said judgment
was obtained and docketed as aforesaid
the said F.K. Wyatt has intermarried with one Mrs Walker R. R. Burgess
and M. K. Wyatt has obtained his
majority and closed & settled his guardian
account & paid over to the said C. F.
Wyatt, late guardian as aforesaid

4 That the said A. W. Ballard, assignee
of the said F. J. Vail ~~[illegible]~~ obtained
a judgment against the said F. J. Vail
on the 4th day of March 1858 for $82.00
with interest from the 4th day of July 1859
till paid and $6.08 costs and duly docketed
in the clerks office of the county court of said Pittsylvania county
the same, as will appear by a copy of the
said docketed judgment herewith filed as
Exhibit "D" and prayed to be taken as a part
of this bill.

5 That upon the 20th day of ~~November~~ May 1857
Robert Binford, administrator of William
Binford obtained a judgment against the
said F. J. Vail for $142.84 with interest
from Dec 17th 1861 till paid and $6.57 and
costs; That on the same 4th day of Novembe

to secure the payment of the said bonds he
the said F. J. Vail on the 4th day of October 1847
made and executed
a Deed of Trust to Joseph A. Graves in
which he conveyed to the said Graves
a tract of land in parcel of land known
as Long Meadows lying and being in the
county of Scotland aforesaid containing 840
acres together with all of its premises and
appurtenances and certain negro slaves
and this increase with the power to sell
the said land and slaves and this increase
as will appear by a copy of said Deed here
with filed as Exhibit "A" and
prays to be taken as a part of this bill.

2 That the said F. J. Vail likewise became
largely indebted to sundry persons D. W. & S. W.
Perkins as executors of W. H. Simmons
all who on the 18th day of March 1869 ob-
tained a judgment against the said F. J.
Vail for the sum of $300 principal
from the 4th day of July 1869 till paid and $6.90 costs
as of which was duly docketed as will appear
by a copy of said docketed judgment herewith
filed as Exhibit "B" and prays to be taken
as a part of this bill.

3. That C. T. Wyatt which Executors
of J. R. Wyatt and M. R. Wyatt
obtained a judgment against the said
F. J. Vail on the 21st day of October 1869

In the circuit Court of Dane County Wisconsin

L. S. and C. B. Bettes executors of W. H. Summerell, R. B. Burgess and F. M. his wife formerly F. M. Urquhart and M. M. Urquhart. A. W. Ballard, assignee of Jonah P. Gay Plaintiffs

against. In Chancery.

A. L. B. Ford assignee of F. J. Vail F. W. Simmons and anna E. his wife formerly Goodrich. Robert Binford, administrator of William Binford. N. P. Young, R. H. Randolph. L. S. Charles. Richard Latimer and M. B. Heard and B. W. Heard defendants

To the Hon George Bliss

Judge of the circuit Court of Dane County Wisconsin in Chancery sitting.

Humbly complaining sheweth unto your honor the above named plaintiffs

1. That the above named F. J. Vail was on the 4th day of October 1847 indebted to Charles Goodrich executor of John Goodrich in the sum of $2657.00 on which he then executed bonds bearing date on the 4th day of October 1847. One and payable respectively on the first days of January 1849, 1850, and 1851, and

Randolph

ats. } Answer

Summons & Cpy
Fols.

==

Octo. 9th 1874 filed
by Leave of court
"

To the Hon. Geo. Blow Judge of the circuit court of Isle of Wight county.

The answer of R. H. Randolph to a bill in chancery filed against him by ~~R. D. Pitts~~ and others in the circuit court of Isle of Wight county by L. D. Pitts & S. D. Pitts exors. of Wm H. Summerell dec'd. &c.

This respondent saving and reserving to himself the benefit of exception for answer to so much of said bill as he is informed it is not necessary for him to answer, for answer says that he has never received any money on the judgment obtained by him against F. F. Vail. And having answered prays to be dismissed with his costs &c.

And he will ever pray &c.

R. H. Randolph

Sworn to before me by R. H. Randolph on the 6th day of Octo. 1874.

N. F. Grimsley D.C.

The injunction bond. required by the order of injunction in this suit. having been executed and filed. The defendants A. G. Hearn B. W. Helm and their agents, or attorneys, or factors are hereby inhibited and injoined from cutting, sawing, selling, removing, destroying, any timber or timber from off of the real estate in the bill of the plaintiffs in this suit mentioned known as "Long meadows" lying & being in the County of Isle of Wight, conveyed by H. T. Vail & Harriet his wife on the 4th day of Octs. 1847, to Joseph A. Graves to secure to Charles Goodrich Exor. of Jno. W. Goodrich, the debt in the said deed of trust named,

Teste R. P. Young Clk.

Samuel Wells' Exm. Isle.

3 Summ. to
3 Ans. Bill,
3 with
inj.

v.

Vail & al's.

50 March Rules 1848.

Herman p.q.

Executed Feby 26th 1848
on T. M. Simmons and
Anna his wife by
delivering to each of
them a copy of the within
Summons.

Geo. W. P. Custis
D. Sheriff

Guggenheimer & Weil, Prs. Balto.

The Commonwealth of Virginia,

Prince George

TO THE SHERIFF OF ~~ISLE OF WIGHT~~ COUNTY—GREETING:

We command you to summon A. L. B. Fould assignee of H. T. Fail. J. W. Simmons & Ann T. his wife, formerly Goodrich, Robert Binford admr. of Wm. Binford, N. P. Young, R. H. Randolph, Le. S. Charles, Richd. H. Latimer, & M. B. Hearn & B. W. Hearn

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 first Monday in March next to answer the Bill of Injunction of J. D. & S. B. Prellow Executors of Wm. T. Simmonds, R. H. Burges & F. N. his wife, formerly F. N. Urquhart, and M. N. Urquhart, and A. W. Ballard assignee of Josiah P. Gay

And have then and there this writ.

Witness, NATHANIEL P. YOUNG, Clerk of our said Circuit Court, at the Courthouse, the 3rd day of February 1874, in the 98th year of the Commonwealth.

N. P. Young Clk.

The injunction bond, required by the order of injunction in this suit, having been executed and filed, the defendants W. B. Hearn & B. W. Hearn, their agents, or attorneys, or factors are hereby inhibited & injoined from cutting, sawing, selling, removing & disposing any timber or lumber from off of the real estate in the bill of the plaintiffs in this suit mentioned known as "Long meadows" lying & being in the County of Isle of Wight, conveyed by F. J. Vail & Harriet his wife on the 4th day of Octs. 1847, to Joseph A. Graves to secure to Charles Goodrich Exor. of Jno. H. Goodrich the Debt, in the deed of trust named,

Teste W. P. Young Clk.

Summerells Esq. Vail

Sum. Dem.
Bill &
v.

Vail defts.

Is Issued Oct. 1874.
Thomas Cly.

Copy Order 12 May
& Returned 1874, by deliver-
ing a copy thereof to
W. L. Vail & Issued
Amt. Copy & Copy
Sum. & Summons
$1.75

Guggenheimer & Weil, Prs. Balto.

The Commonwealth of Virginia,

TO THE ~~SHERIFF OF ISLE OF WIGHT COUNTY~~ Sergeant of Norfolk City GREETING:

We command you to summon A. L. B. Fould assignee of H. T. Vail T. W. Simmons and Ann H. his wife formerly Goodrich, Robert Binford adm'r of Wm Binford, N. P. Young, R. H. Randolph, L. S. Charles, Richd H. Latimer & M. B. Heath & B. W. Heath

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 first Monday in March next to answer the Bill of injunction of L. D. & S. B. Pretlow Executors of W. M. Pretlow, Jr. Commonwealth, R. H. Burges & F. N. his wife formerly F. N. Urquhart, and M. N. Urquhart & A. W. Ballard assignee of Josiah P. Gay

And have then and there this writ.

Witness, NATHANIEL P. YOUNG, Clerk of our said Circuit Court, at the Courthouse, the 27 day of February 1874, in the 98th year of the Commonwealth.

N. P. Young, Clk.

The injunction bond required by the order of injunction in this suit having been executed and filed, The defendants M. B. Hearn and B. W. Hearn and their agents or attorneys or factors are hereby inhibited and enjoined from cutting, sawing, selling, removing, destroying any timber or lumber from the real estate in the bill of the plaintiffs in this suit mentioned, known as "Long Meadow" lying & being in the county of Isle of Wight, conveyed by D. T. Vail & Patrick his wife on the 4th day of Octo. 1847 to Joseph A. Gram to secure to Charles Goodrich Exor. of Jno. W. Goodrich the debt in the said deed of trust named.

Teste, N. P. Young clk.

Summerells Exor. &c.
vs.
Vail & ux; Hearn &c.

Sum. & am. bill, with injunction &c.

To March Rules 1854.

R. C. Thomas p.q.

Executed by delivery in the county of Isle of Wight to B. W. Hearn & M. B. Hearn each a true copy of the within Sum. & bill & injunction

Teste N. P. Young clk

R. C. Thomas & Staff p.q.

Original Copy for Pender & Booth Co
Ans & 2 copies for Commissioner, Copy for Defendants
5 Copies for Publication

Guggenheimer & Weil, Prs. Balto.

The Commonwealth of Virginia,

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—GREETING:

We command you to summon A. L. B. Gould assignee of F. T. Vail, J. W. Simmons and Ann S. his wife, formerly Goodrich, Robert Binford admr. of William Binford, N. P. Young, R. H. Randolph, L. S. Charles, Richard A. Lehman & M. B. Hearn & B. W. Hearn

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 first Monday in March next to answer the Bill of injunction of J. D. & S. B. Pitton Executors of W. H. Summerell, R. A. Burges & T. N. his wife, formerly T. N. Urquhart, and M. A. Urquhart & A. A. Ballard assignee of Josiah P. Gay

And have then and there this writ.

Witness, NATHANIEL P. YOUNG, Clerk of our said Circuit Court, at the Courthouse, the 3d day of February 1874, in the 98th year of the Commonwealth.

N. P. Young clk.

Rutland Sale,

vs. } Summ. To
Show Cause

Randolph Sale,

To Octo. Cir. Ct. 1874
Executed by delivering
to the within named
R. A. Randolph & F. J.
Vail & to Hiram
B. W. Hiram a true
copy of the within
Summons July 8th
1874
A. B. Conant
Sh'ff

Guggenheimer & Weil, Prs. Balto.

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County—Greeting:

WE COMMAND YOU TO SUMMON J. W. Simmons, R. H. Randolph, T. T. Vail, M. B. Hearn and B. W. Hearn

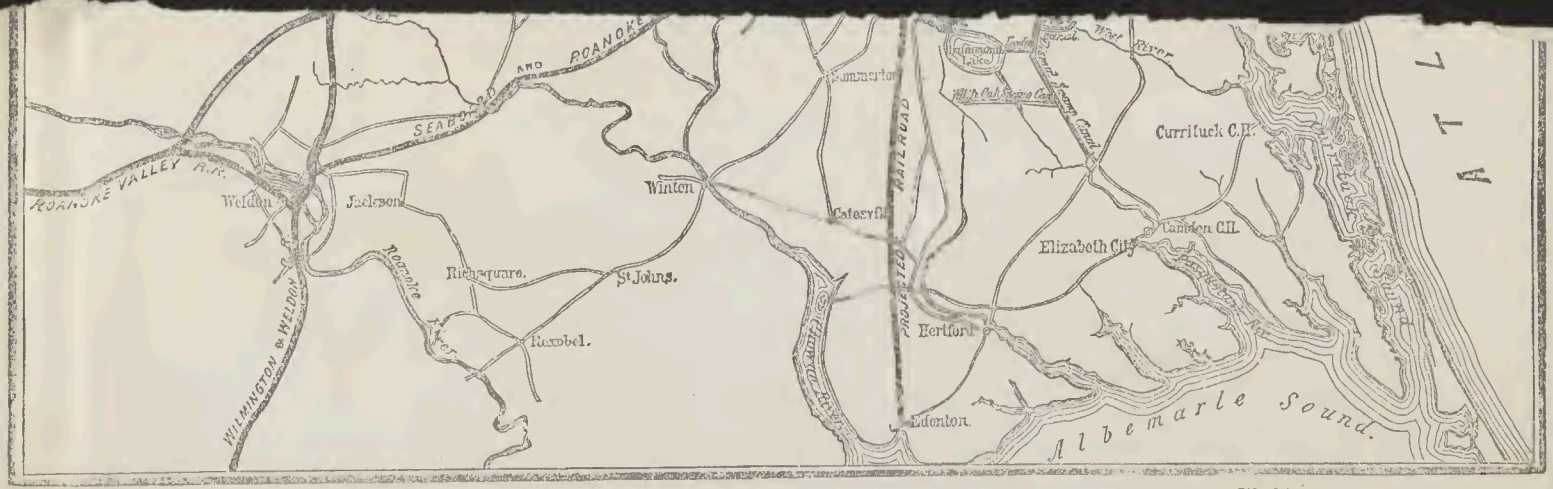
to appear before the Judge of the ~~County~~ Circuit Court of the County of Isle of Wight aforesaid, on the first day of October Term next, to show cause why an ~~Information~~ attachment should not be ~~filed~~ issued against them in said Court, on the ~~day~~ 1st day of ~~September~~ 1874 on a ~~presentment~~ for not answering the Bill of J. D. Pretlow & als. Exors. of William H. Summerell dec'd, R. A. Burgess and F. N. his wife formerly F. N. Urquhart, M. N. Urquhart & A. W. Ballard assignee of Josiah P. Gay filed in said Court against them

and have then and there this Writ. Witness, NATHANIEL P. YOUNG, Clerk of our said Court, at his Office, the 26th day of June, 1874, and in the 98th year of the Commonwealth.

N. P. Young Clk

Be pleased to send me Statement of
costs of Injunction suit of Ballard &
others v. Hearne & others upon
dismissal. R. S. T.

56
40
90
1.16



Entered according to Act of Congress in the year 1874, by R. A. King & Co., in the office of the Librarian of Congress, at Washington.

SMITHFIELD, VA.

This beautiful little town, in Isle of Wight County, situated on a tributary of the James River, sixty feet above the level of the sea, is the centre of one of the most desirable farming and trucking sections of Eastern Virginia. Produce may be shipped to the Northern markets very cheaply. Vessels drawing ten feet of water may load here, for any port in the United States, which is designated by lines drawn on the Map. By the splendid steamer Hampton, of the Old Dominion Steamship Line, there is daily communication with the main-line of Steamers running between Norfolk and Richmond and the Northern Cities. The distance from Smithfield to Fortress Monroe is 20 miles, to Norfolk 25 miles, and the time from Smithfield to Baltimore is 24 hours, to New York 36 hours, and to Boston 40 hours. The Atlantic, Mississippi and Ohio Railroad is about 14 miles in the rear, and affords an additional outlet for lumber, wood and all kinds of produce, to Norfolk, Petersburg, Richmond and elsewhere.

The beautiful location of the town, its healthfulness, the intelligence of its people, their sociability and moral habits, makes it a delightful home. It has its Churches, its public and private Schools, and a more law-abiding community can no where be found. Strangers seeking a home in the charming tide-water region of Virginia, should be sure to visit Smithfield before deciding upon a location.

Orders for Letter Heads, with this map, may be sent to R. A. King & Co., Suffolk, Va.

Simmonds' Liquorice
& Bile Beans
Vaals Oyster &c

Jamaica Comy to
M. Mo Bill of costs
Jewd apon of Vail sals
To including disinfecting to
be made

Allo. for stay	16.50
Clks. " for Copies for exhibits	8.45
Do. " other services in suit	10.50
Stff. of L.O.Wight	5.00
Do. of P.V. Sharp	1.03
Sgt. Norfolk atty	.53
Tots	£42.01

J.R. Yonnfelt

Summons & Expenses
against-
Forfeiture of Goods
Rush Dean
May Term 1874
To be endorsed.

Endorsed.
51

Summons execution &c als

against

Jones accepter & als

On motion of the plaintiffs it is ordered that the defendants T. W. Simmons, F. J. Vail R. H. Randolph & M. B. and B. W. Hearn be summoned to the next term of this Court to shew cause if any they can why they should not be attached for not answering the bill of complaint exhibited against them by the said plaintiffs

Summerell Lyon

v.s Dean

Jones et-al.

October Term 1874

Geo. T. Wood.

Entered

(33)

Summons Exr

v.

Fined 1-ats

Upon motion of R. H. Randolph, Esq. the Defendants
in the cause
have time to file his answer in this cause
and the same is ordered to be filed which is accordingly
so filed

Semmerelli's Exors: &c

vs. Z Cubby;

Fouldaussigned &c —

Copy of deed of trust from
F. J. Tail to Joseph A. Graves
Trustee &c —

(1)

"Exhibit A."

and having the deed aforesaid fully explained to her, she the said Harriet B. Vail acknowledges the same to be her act and deed, and declared that she had willingly signed, sealed and delivered the same, and that she wished not retract it.

Given under our hands and seals, the 5th day of June, 1848.

A. G. Moody, J.P. (Seal)

Geo: W. Carroll J.P. (Seal)

In the Clerk's Office of Isle of Wight County Court, June 5th, 1848. This Deed was received with the certificate of relinquishment hereto annexed, and the same being acknowledged by H. T. Vail & H. A. Graves, was admitted to record at the request of said Graves, without the acknowledgement of C. Goodrich.

Teste, N. P. Young Clk.

A Copy Teste.

C. T. Hart D. Clerk for

N. P. Young Clk.

the debts hereby intended to be secured, or such part of any, or either of them as may be due and owing, and the balance (if any) pay over to the said Frederick T. Vail. his or assigns. And the said Frederick T. Vail and Harriet his wife do hereby covenant with the said Joseph A. Graves that they are possessed of an absolute right to the said land and premises, and negro slaves. hereinbefore mentioned, and described, and that they will forever warrant the same against all persons whomsoever.

In testimony whereof the said parties have hereunto set their hands and affixed their seals. the day and year herein first written,

Fredk. T. Vail (Seal)
Harriet B. Vail. (Seal)
J. A. Graves, (Seal)
Reuben Goodrich (Seal)

Virginia
Isle of Wight County. To wit:

We. A. G. Moody and George W. Carroll, Justices of the Peace in the County aforesaid. in the State of Virginia, do certify that Harriet B. Vail wife of F. T. Vail. parties to a certain deed bearing date on the 4th of October 1847, and hereunto annexed. personally appeared before us. in our County aforesaid, and being examined by us privily and apart from her husband

and upon condition nevertheless, that it shall and may be lawful for the said Trustee to make sale of the said land and premises and negro Slaves, and their increase (or such part thereof as said property as may be necessary for the purpose) at public auction to the highest bidder at the Courthouse of Tallaferro Wright County, or such other place as the said Trustee may designate in advertisement to be posted at the door of the Court house of said County of Tallaferro Wright, and previous to and on some Court day previous to said sale, provided default be made in the payment of the said bonds or either of them, (or any part either of principal or interest) as they respectively become due and payable; which sale is to be made by said Trustee on the application of said Charles Goodrich Exor. as aforesaid, or his assigns, or the said Vail or his heirs &c., and in the meantime it is agreed between the parties hereto, that the said Frederick S. Vail, may remain in quiet & peaceable possession of said land and premises, and the negro Slaves, and their future increase; and out of the proceeds of sale in the first place, the said Trustee is to discharge all legal and usual costs and expenses attending the sale, and this conveyance; in the second place to pay & satisfy

presents, do grant, bargain, sell, assign, transfer, convey & make over unto him the said Joseph A. Graves his heirs, executors, Admrs &c. forever all that tract piece, or parcel of land known as "Long meadows" lying and being in the County of Isle of Wight, containing Eight hundred and forty seven acres, the boundaries whereof as well as a more full description will appear by reference to a deed executed by said Charles Goodrich as Executor as aforesaid, to said Vail for the said tract of land, and now of record in the office of the Clerk of Isle of Wight County Court, together with the premises and appurtenances to the said tract of land belonging or appertaining, or with the same used or enjoyed or accepted, reputed, taken or known as part parcel or member thereof, or as belonging to the same, or any part thereof. And also the following (negro Slaves, to wit: Tom, (1), William, Alfred, Jacob, John, Winney, Wilcy, Ann, Elcy, Louisa (1), Louisa (2) Malissa, Charlotte, Harriet and Celia, together with the increase of the females of said slaves unto the said Joseph A. Graves his heirs &c. forever. To have and to hold the said land and premises and negro Slaves, hereinbefore mentioned and described unto the said Joseph A. Graves his heirs &c. forever. In Trust,

This Indenture, made and entered into this 4th day of October, 1847. in the year One thousand eight hundred and forty seven, Between Frederick T. Vail and Harriet his wife of the County of Essex of the first part, and Joseph A. Graves of the County of Surry of the second part, and Charles Goodrich Executor of John W. Goodrich deed. of the County of Surry of the third part, and all of the State of Virginia, Witnesseth: that the said Frederick T. Vail, being indebted to the said Charles Goodrich as Executor as aforesaid in the sum of $2657.00/100 due by three several bonds, bearing date on the 4th day of October 1847. the first in the sum of $885.66 2/3 / 100 payable on the first day of January 1849. the second bond in the like sum of $885.66 2/3 / 100, payable the first day of January 1850, and the remaining bond for the like sum of 885.66 2/3 / 100, payable on the first day of January 1851. and all said bonds bearing interest from their date, and said Vail being desirous to amply secure the payment of the said bonds as they respectively become due. Now Therefore, This Indenture further Witnesseth that for and in consideration of the premises and of the sum of one dollar to the said Frederick T. Vail in hand paid by the said Joseph A. Graves, the receipt whereof is hereby acknowledged, they the said Frederick T. Vail and Harriet his wife, have bargained and sold, and by these

Summerell's Exors: vdlo

W. J. Lukey:

Fould assignee &c

Copy of Judgmt. of Summerell's Exors. &c. vs. Vail &c, & Certfe. of Docketing.

(2)

Exhibit "B".

Virginia. In the Circuit Court of Isle of Wight County, May the 18th 1869.

J. D. Pretlow & S. B. Pretlow Executors of Wm. H. Summerell dec'd. who sue for the benefit of John Goode Jr. and William A. Pretlow receivers, Pltffs.

vs, } In Debt.

Frederick J. Vail co-obligor with W. F. C. Cowper, Defts.

The Judgment obtained at rules not having been set aside, and the plaintiffs being now entitled to a final Judgment, it is considered that the plaintiffs recover against the defendant the sum of three hundred Dollars the debt in the declaration mentioned, with interest thereon from the 4th day of July 1859. till payment and their costs in this behalf expended.

Costs 7.18.

A Copy, Teste,

E. C. Hart, Deputy for
N. D. Young Clk.

E. C. Hart, Deputy for N. D. Young Clerk of the County Court of the County of Isle of Wight, Certify that the original Judgment of which the above is a true Copy, was duly docketed in the Judgment Docket of said County Court, on the 25th day of May 1869. Given under my hand this 10th day of February. 1874. E. C. Hart, Deputy for

N. D. Young, Clk.

" "

Summerell's Exors. &c.

vs.

Ackley.

Ackley assignee &c.
Copy of Judgmt. of Supr. Ct.
&c. vs. Vail &c. Certfte.
of Stockholding.

(3)

Exhibit "6".

Virginia. In Isle of Wight Circuit Court, the 21st of October 1868.

C. T. Urquhart formerly guardian of Fannie N. and Margaret N. Urquhart who sues for the benefit of James B. Urquhart guardian of Margaret N. Urquhart, Plffs.

vs. In Debt

Thomas T. C. P. Cowper and Frederick J. Tail, surviving obligors of themselves, and Thomas Hall and Nelson D. Hall dec'd. Defts.

The judgment obtained at rules not having been set aside, and the plaintiff being now entitled to a final judgment, it is considered that the plaintiff recover against the defendants Fifteen Hundred Dollars, the debt in the declaration mentioned, with compound interest thereon from the 4th day of May 1859 till paid, and his costs in this behalf expended.

A Copy Teste.

Costs $7.17

C. T. Hart, Dep'ty for
N. P. Young Clk.

I, C. T. Hart, Dep'ty for N. P. Young Clerk of the County Court of Isle of Wight County, certify that the original judgment of which the above is a true Copy, was duly docketed in the Judgment Docket of said County Court on the 30th day of October 1868,

Given under my hand this 10th day of February 1874.

C. T. Hart, Dep'ty for
N. P. Young, Clk.

Summerell's Exors. &c.

vs.

In Chy.

Could assignee &c —

Copy of Judgmt. of Ballard
Assr. vs. Vail & certfe
of Docketing —

Exhibit "E"

In Isle of Wight County Court, March 4th, 1868.

Augustus W. Ballard adm: of Josiah P. Day Plff.
vs.
F. J. Vail Deft.

In Debt

The judgment entered at rules not having been set aside, and the plaintiff being now entitled to a final judgment, it is considered that the plaintiff recover against the defendant the sum of Eighty two dollars, with interest thereon from the 4th day of July 1859, till paid, and his costs expended.

A Copy Teste,

Cost $6.08

C. H. Hart, Deputy for
N. P. Young Clk.

I, C. H. Hart, Deputy for N. P. Young, Clerk of the County Court, of Isle of Wight County. Certify that the original judgment of which the above is a true copy was duly docketed in the judgment docket of said County Court, on the 10th day of March, 1868. Given under my hand this 10th day of February 1874.

C. H. Hart, Deputy for
N. P. Young Clk

Summerell's Exors. &c.

vs.

Dudley.

Gould assignee &c

Copy of Judgmt. of Superior
Ct. N.C. Fall Term
of Cocheling.

(5)

Exhibit "E".

Virginia. In Isle of Wight Circuit Court, May the 30th 1867.

Robert Binford Admr. of William Binford Plffs.
vs. } In Debt
Frederick T. Tait Deft.

The Judgment obtained at rules not having been set aside, and the plaintiff being now entitled to a final judgment, it is considered that the plaintiff recover against the defendant the sum of one hundred and forty two dollars, and eighty four cents, the debt in the declaration mentioned, with interest thereon from the 17th day of December 1861. till paid, and the costs in this behalf expended.

Attest, Teste.

Ex. $6.57

E. A. Hart, Deputy for
N. D. Young Clk.

I, E. A. Hart, Deputy for N. D. Young Clerk of the County Court of Isle of Wight County, Certify that the original Judgment of which the above is a true Copy was duly docketed in the Judgment Docket of said County Court, on the 10th day of June 1867. Given under my hand this 10th day of February, 1874.

E. A. Hart, Deputy for
N. D. Young Clk.

Summerell's Exors: &als

vs.

Gould assignee &c

Copy of Judgmt. of Supreme Ct. vs. Vail &c. & certfte. of Docketing

Exhibit "E"

In Isle of Wight County Court, November 4th 1867,

Charles F. Wrenn gon: of Ann A. Goodrich (who sues for the benefit of Thomas B. Simmons & Ann A. his wife Exrs.

Pl'ff,

vs.

In Debt.

F. J. Tail & R. T. Randolph Deft.

The Judgment obtained at rules in this Case, not having been set aside, and the plaintiff being now entitled to a final Judgment it is considered that the plaintiff recover against the defendants the sum of four hundred and thirteen dollars, and Sixty seven cents. with interest thereon from the 1st day of January 1861. till paid, and his costs in this behalf expended,

A Copy Teste,

C. H. Hart D. Clk. for
N. P. Young Clk

I, C. H. Hart Deputy for N. P. Young Clerk of the County Court of Isle of Wight County, Certify that the original Judgment of which the above is a true Copy, was duly Docketed in the Judgment Docket of the said County Court on the 7th day of November 1867. Given under my hand this 10th day of February 1871.

C. H. Hart D. Clk for
N. P. Young Clk.

[illegible] vs. [illegible] Exors. &c.,

vs. [illegible] Co. &c.;

Fouldassignee &c. —

Copy of Judgment of N.P.
[illegible] vs. [illegible] &c. Certificate
of Docketing

Exhibit "E"

In Isle of Wight County Court, March 4th 1868.

N. P. Young Pltff.

vs. In Debt

George J. Barlow, and F. I. Vail exrs of themselves and Shadrach Barlow, Defts.

The judgment entered at rules not having been set aside, and the plaintiff being now entitled to a final judgment, it is considered that the plaintiff recover against the defendants the sum of One hundred and twenty dollars and eighty cents balance, with interest thereon from the 11th day of March 1860, till paid, and his costs expended,

A Copy Teste,

C. H. Hart, Deputy for,
N. P. Young, Clk,

Costs $6.68

I C. H. Hart Deputy for N. P. Young Clerk of the County Court of Isle of Wight County, Certify that the original judgment of which the above is a true Copy, was duly docketed in the Judgment Docket of said County Court, on the 10th day of March 1868. Given under my hand this 10th day of February 1874,

C. H. Hart, Deputy for
N. P. Young, Clk,

Summerell's Exors: Dals

vs. Zimbelman

Fould assignee &c

Cohz of Judgmt: of Randolph
C. Ct. & Certificate of
Docketing.

(5)

Exhibit "E"

Virginia. In Isle of Wight Circuit Court. October the 21st 1868.

Richard H. Randolph — Pltff.

vs. — In Debt.

Frederick T. Vail — Deft.

The Judgment obtained at rules not having been set aside, and the plaintiff being now entitled to a final judgment; it is Considered that the plaintiff recover against the defendant Two Thousand Nine Hundred and ninety nine Dollars and twenty one cents, the debt in the declaration mentioned, with interest thereon from the 6th day of September 1868. till paid, and his costs in this behalf expended.

A Copy Teste.

C. H. Hart, Deputy for
N. B. Young Clk.

Costs: $6.07

I, C. H. Hart Deputy for N. B. Young Clerk of the County Court of Isle of Wight County, Certify that the above Judgment was duly docketed in the Judgment Docket of said Court on the 30th day of October. 1868. Given under my hand this 10th day of Feby. 1871.

C. H. Hart, Deputy for
N. B. Young, Clk.

In Commercial Court. 1st

Dr. } Gulch.

Would assign as
Copy of Judgment of L. S.
Charleston, Dist. Court
of Docketing —

Exhibit "C"

In Isle of Wight County Court. August the 6th 1869.

Lewis S. Charles Pltff.

vs. } Judgment.

Frederick T. Vail Deft.

The judgment at rules not having been set aside, and the plaintiff being now entitled to a final judgment, it is considered that he recover against the defendant Two hundred and ninety one dollars, with interest from the 10th day of May 1867, till paid, and his costs in this behalf expended.

A Copy Teste.

C. H. Hart, D.C.

W. P. Young, Clk.

Cost. 6.74

I, C. H. Hart, Deputy for W. P. Young Clerk of the County Court of Isle of Wight County certify that the original judgment of which the above is a true copy, was duly docketed in the judgment docket of said County Court on the 9th day of August 1869.

Given under my hand this 10th day of February 1874.

C. H. Hart, Deputy for

W. P. Young, Clk.

I, L. H. Hart, Deputy for N. D. Young Clerk of the County Court of Lee or Wright County, certify that the original Judgment of which the foregoing is a true copy, was duly docketed in the Judgment Docket of said County Court, on the 2nd day of September 1871. Given under my hand this 10th day of February, 1874.

L. H. Hart, Deputy for
N. D. Young, Clk.
" "

Summons & Com. &c.

W. Z. Vin Cong.

Vouch assignee &c
Copy of Judgment of U.S.D.C.
Lehman vs. Wells & Castle
& Docketing

Exhibit "C"

In Isle of Wight County Court, July the 4th 1871.

Richard H. Latimer Plff.

vs. In Chy.

Frederick T. Vail Deft.

This day came the parties by their attorneys, and the defendant by his attorney pleaded payment to the plaintiff's demand, to which the plaintiff or attorney replied generally, and the said defendant also filed offsets to the plaintiff's demand, and thereupon came a jury to wit: J. B. Goodrich A. B. Roberts, F. B. Roberts, John V. Edwards Henry Jones, James G. Agnew, F. B. Johnson W. C. Powell, R. G. Butler, T. H. Daniel, Elias Britt and Augustus Barnhley, who being elected by ballot, and sworn the truth to speak upon the issue joined, Upon their oath aforesaid do following — Verdict — We the jury find for the plaintiff $80.93 with interest from the 31st of December 1852, the date of the bond, subject to a credit of $4.35 as of the 1st of January 1858, Therefore it is considered by the Court that the plaintiff recover against the defendant the debt aforesaid with interest aforesaid, subject to the credit aforesaid, and his costs in this behalf expended.

A Copy. Teste

E. H. Hart, Deputy for

N. P. Young Clk.

Summerell's Exors: &als

v.

Gould assignee &c —

Copy of order substituting
J. N. Randolph Trustee in
place of Jo. N. Gould
Asd. Trustee &c

(6)

"Exhibit. F"

In Isle of Wight County Court, Feby: 7th 1870.

On motion of J. W. Simmons the present holder of a bond secured by a deed of Trust, executed by F. T. Vail to Joseph A. Graves, dated on the 4th day of October 1847, and the said Trustee having died, it is by consent of said Simmons and F. T. Vail, ordered that Richard H. Randolph be and he is hereby substituted as Trustee in said deed in place of said Joseph A. Graves dec'd, with all the powers vested in said Trustee by said deed.

A Copy
Teste,

C. H. Vail, D. C.
N. P. Young, C. C.

Summerell's Exors: &als

vs.

Enloe's

Bond, assignment &c

Copy of decree in suit of
F. T. Tailor, Randolph &c,
of Octo: Cir: Ct. 1871.

(8)

"Exhibit G"

dolph as Trustee under the deed of trust aforesaid, which accounts he shall take, settle and report to Court, with any matters specially stated, deemed pertinent by himself, or required by the parties to be so stated. But this decree is to be suspended as to said sale until the said Trustee shall execute in the Clerk's Office of this Court a bond with sufficient security in a penalty of $1500.00 Conditioned for the faithful performance of this or any future decree herein, payable to the Commonwealth of Virginia, and if such bond is not given within Sixty (60) days from the date of this decree, and a sale should be necessary, that the Sheriff of this County sell on the terms aforesaid

A Copy
Teste, Lee H. Hart D.C.
By R. P. Young Clk.

of the land conveyed by the deed of Trust in these proceedings mentioned, and that the said R. H. Randolph Trustee under said deed, sell the remainder of said land conveyed by said deed at the Courthouse door this Court on some Court day after having given at least twenty (20) days notice of the time and place of sale by advertisement at the Courthouse door of this County, on some Court day, and by advertisement once a week for four successive weeks in the Norfolk Virginian, a Newspaper published in the City of Norfolk, previous to the day of sale, and at other public places in said County, On a credit of one, two, and three years, in equal payment, with interest from date, taking for the credit payments bonds with sufficient security, payable to himself as Trustee, and return the same to Court with his report of his proceedings under this decree, And the Court doth further adjudge, order, and decree that the Petitioners aforesaid be made parties defendant to this suit, And that a Commissioner of this Court take an account of the Petitioner's liens and all other liens on said land, of the transactions of said R. H. Ran

In Isle of Wight Circuit Court, October Term, 1871.

F. T. Vail Pltff.

vs. } In Eq:

R. H. Randolph Trustee &c. & T. W. Simmons, Defts

This cause, in which it is suggested that Ann H. Simmons wife of T. W. Simmons is a party in interest in these proceedings on his motion she is made a party defendant to this suit, Came on this day to be again heard on the papers formerly read, and on the report of Comr. G. R. Atkinson under the decree herein of April Term 1871. the Report of R. H. Randolph Comr. of sale under said decree, and on the petition of A. W. Ballard. T. W. Simmons wife. N. P. Young. Robert Binford Richard H. Randolph. Lewis S. Charles. Richard H. Latimer. J. B. Urquhart Gdn. of Margaret N. Urquhart, J. D. Pretlow & S. D. Pretlow Executors of Wm. H. Summerell, and was argued by Counsel; On consideration whereof the Court confirming said reports, to which no exceptions were filed, doth adjudge, order & decree that unless within Sixty (60) days from the date of this decree, F. T. Vail pay the balance due under the deed of Trust as shown by Comr. G. R. Atkinson's report herein, the Injunction be dissolved as to the remainder

Trammell's Exors: tals

vs.

Gould assignee &c

Copy of decree in the suit of H. C. Hail vs. R. H. Randolph Trustee &c. of May Cir: Ct: 1870.

"Exhibit.

And the Court doth further order that a Commissioner of this Court ascertain and report to Court the amount due on said trust debt, after crediting the Cash payment above,

Aleopy
Teste,
E. H. Hart, Dc
W. D. Young, Clk

of Gray & Carroll, by deed dated 12th Dec.r 1843, and duly recorded in the Clerk's office of Isle of Wight County, be dissolved, and that R.H. Randolph the Trustee by substitution at such time as he may elect, shall on or after the first Monday of September 1870, having given due notice of the time of sale by advertisement in some Newspaper published in Norfolk, and in such other manner as he may deem proper, proceed to sell at public sale before the Court house door of Isle of Wight County, on one Court day of said County, the above mentioned and described tract of land upon the following terms, to wit, so much of the purchase money as may be required to pay costs & charges attending said sale, and one third of the nett amount of purchase money cash, which cash payment the said Trustee shall pay to said Thos. W. Simmons on account of his said trust debt, the balance upon a credit of Six and twelve months, in two bonds with good and approved security, with interest from date thereof; and said Trustee shall return the said bonds with his proceedings under this decree to the Court,

In Isle of Wight Circuit Court, May Term, 1870.

F. T. Vail Pltff.

vs. In Chy.

R. H. Randolph Trustee &c, Defts.

This Cause came on this day to be heard on the bill of the Complainant & the answer of the defendants and Exhibits filed, and by consent of parties it is adjudged & decreed that so much of the Injunction in this Cause as relates to that part of the real estate mentioned and embraced in the proceedings of this suit, contained in the following boundaries, namely the tract of land known as the "Wrenn tract", containing two hundred and ninety acres, more or less, and bounded as follows, that is to say. On the South by the lands lately purchased by John W. Goodrich of Benj. Jones, On the North by the Cooper-Shop branch, running the North pro. of that branch to the corner of Hicho Neen field to a small red oak, thence along a line of marked trees to the line of Jo. F. Wrenn, to a pine a marked tree, thence along said Wrenn's line to the Saw Yard Road, to the line of George W. Carroll till it strikes the Jones line, being a part of the land bought of Joel Holleman Exor,

Burgess & others

To 3 P. of atty.

Thomas

Know all men by these presents that we
R. H. Burgess, J. D. and S. B. Bellow
do hereby authorize and empower constitute
and appoint R. S. Thomas our lawful
agent and attorney for us and in our
our names and stead to sign the Injunction Bond
in the penalty of Three Hundred Dollars
ordered and directed by the Hon. Geo. Bliss Judge
of the Circuit Court of Isle of Wight County
& be given on the 20th Day of November
1873 in the suit of Simmonds's Exec-
utors against F. A. B. Foard assignee
of F. T. Vail and others about to be institu-
ted in the Circuit Court of Isle of Wight
County to inhibit Hearn and Hearn
from cutting sawing selling and removing the
timber and lumber from the land of F. T.
Vail against whom we have judgments.
Witness my hand and seal this 20th
day of November A. D. 1873.

R. H. Burgess (Seal)
L. D. Bellow (Seal)
S. B. Bellow (Seal)

severally acknowledged the same to be their act.

Given under my hand this 16th day of March A.D. 1874,

James R. Tyler,
Commissioner in Chancery

In the Clerk's office of Isle of Wight County Court, the 20th day of April 1874. This Power of Attorney from J. D. Pellow, S. B. Pellow and R. H. Burgess to R. S. Thomas having been received and filed in this office on or about the 20th of March 1874, and being duly filed according to law, is thereupon admitted to record.

Teste, Lewis H. Hart, D.C.
N. P. Young, Clk.

Recorded in Deed Book No. 13 page 297, Isle of Wight Co. Va.

Power of Attorney
J. D. Pellow et als
to
R. S. Thomas

April 20th 1874 admitted to record.

Know all men by these presents that we L. D. and S. B. Prettlow Executors of Wm. H. Summerell, and R. W. Burgess do hereby constitute and appoint R. S. Thomas our lawful agent and attorney for us and in our names and stead to give and execute and as our names & sign & the Injunction Bond required by the judge of the circuit Court of Southampton County in the case of Summerells Ex'or against A. B. Jones, assignee. & subscribe hands and seals this 20th day of November A. D. 1873.

Witness:
J. R. Tyler
Lee H. Hart

L. D. Prettlow (Seal)
S. B. Prettlow (Seal)
R. W. Burgess (Seal)

State of Virginia
Southampton County } SS,
I, J. R. Tyler a Commissioner in Chancery for the County of the County aforesaid in the State of Virginia do hereby certify that L. D. Prettlow, S. B. Prettlow and R. W. Burgess whose names are signed to the writing above, bearing date the 20th day of November A. D. 1873, this day personally appeared before me in my said County and

Ballard

Jr 3 Power alley

Thomas

Know all men by these presents that
S. A. W. Ballard, one of the plaintiffs
in the suit in Chancery in the Circuit
Court of Polk & Wright Counties against
A. B. Fouts assignee of L. T. Vail
and others do hereby constitute and
appoint R. S. Thomas ~~his~~ true and lawful agent
and attorney for ~~me~~, and in ~~my~~ names
and stead to execute and in names
as sign to the Injunction Bond required
by the judge of the Circuit Court of the
said County in the case of Summers
exrs against the said A. B. Fouts
assignee as aforesaid and others.
Witness my hands and seals this
20th day of November A. D. 1873.

Augustus W. Ballard (Seal)

(Seal)

(Seal)

Summons & Com. & als.

v. Injn. Bond

Summons & als.

July 2nd 1894.

Executed & filed

F. J. Said and Wife on October 4th 1847
to Joseph A. Graves to secure Charles
Goodrich Executor of Jno. W. Good-
rich the debt in the deed of Trust
named, And if the said J. D. and
S. D. Pretlow, Executors aforesaid, R.
W. Burgess, and A. W. Ballard
plaintiffs aforesaid shall well and
truly pay the judgment and costs
and all costs that may be awarded
against them and all damages that
may be incurred in case the said
injunction shall be dissolved
Then the above obligation to be void
else to remain in full force

J. D. Pretlow (Seal)
by R. S. Thomas atto
S. D. Pretlow (Seal)
by R. S. Thomas, atto

R. W. Burgess (Seal)
by R. S. Thomas atto.

A. W. Ballard (Seal)
by R. S. Thomas atto.

Robert F. Bimford (Seal)

Know all men by these presents that we J. D. and S. B. Pullen Executors of Wm H. Simmonds, R. W. Burgess, and A. W. Ballard assignee of Robert Binford are held and firmly bound unto the N. C. B. Fund, assignee of T. J. Sail T. W. Simmons and Ann E. his wife, Robert Binford administrator of Wm Binford N. P. Young R. H. Randolph Silas S. Charles Richd H. Latimer and M. B. Heam and B. W. Heam in the sum of Three Hundred Dollars for the payment whereof well and truly to be made we bind ourselves, our heirs Executors and administrators, jointly and severally firmly by these presents Sealed with our seales and dated February 2d 1874

The condition of the above obligation is such that Whereas the said J. D. and S. B. Pullen Executors of Wm H. Simmonds, R. W. Burgess wife and A. W. Ballard assignee of Joseph P. Bond plaintiffs have obtained from the judge of the Circuit Court of Isle of Wight County an Injunction & writ and enjoin the said M. B. Heam and B. W. Heam and their agents or authorized factors from cutting, sawing, selling, removing and destroying any timber and lumber from off of the real estate in the bill mentioned known as "Long Meadows" in the county of Isle of Wight conveyed by