1892-002 Chancery Causes: Slater, Myers and Company vs Lemuel P. Roberts, George T. Whitley, Trustee
Isle of Wight County
v Mary V. Davis
Petition of Charles H. Hart

other surnames: Slater, Myers, Wade

To the Hon Geo Blow, Judge of the Circuit Court of Law and Chancery for the County of Isle of Wight in Chancery sitting.

Humbly complaining sheweth to the court, your complainants W L Slater, H J Myers and John G Wade merchants and partners trading under the partnership name and style of Slater Myers & Co

That at the last term of the Circuit Court of the County of Isle of Wight, your complainants recovered a Judgment in said Court against L P Roberts for $210.37, with interest thereon from the 25th day of March 1884, till payment and $7.50 costs which judgment was duly docketed in the clerks office of said court.

A certified extract of said Judgment with certificate of recordation is herewith filed, marked Exhibit A. and prayed to be read as a part of this Bill.

That this Judgment, though execution issued thereon no part has been paid, and your complainant is informed that no part thereof can be made from the personalty of the said L P Roberts.

That the said L P Roberts, subject to a lien hereafter to be mentioned, is seized in fee simple of a certain tract or parcel of land, situate lying and being in the county aforesaid in the State of Virginia, near the

of Right Court House containing by estimation 181 acres, be the same more or less, adjoining the land of Geo F Hall Thomas Powell Lewis Bushy Est. Miles Edwards Est &als.

That prior to obtaining said judgment and the docketing of the same, the said LB Roberts, by his deed bearing date Nov 7th 1881, ~~the said LB Roberts~~ conveyed the said land in trust to Geo F Whitley to secure to M V Davis the payment of the sum of $850.00. which sum has long since become due and payable, a certified copy of said deed is herewith filed marked B.F. Your complainant is informed and so charges that he has a right to subject to the prior lien aforesaid to subject the said land to the payment of his said judgment, the rents and profits thereof for five years being insufficient for that purpose.

In tender consideration whereof and forasmuch as your complainant is without remedy at law and can only be relieved by the aid of this Honorable Court of Chancery, where matters of this sort are alone and properly cognizable to the end that justice may be done in the premises, your complainants pray that the said LB Roberts Geo F Whitley and M V Davis be made parties defendant to this bill and be required to answer the same.

That a commissioner of this Court take an acct of the true estate of the said L.P. Roberts. with its annual and fee simple value, together with the liens upon the same.
That the said Real estate, be subjected to the payment of your complainants and other liens thereon in the order of their priority. That proper process may issue and that such other further and general relief may be granted in the premises as the nature of the case may require or to Equity shall seem meet. and your complainants will ever pray &c

That a proper writ be allowed & Edward Boykin Esq for his services herein

Boykin. p.q.

Slater Myers Exr.

P. J. Richey

L P Roberts et al.

Complainants Bill

Sept. Rules 1885.
Bill & Subs. filed. Summs. cyd. & de. nisi.

Oct. Rly. 1885. Bill taken for confd. & set for hearing.

Oct. Term 1885.
Decree for accounts.

Apl. term 1887.
Repl. Answ. & Dr. for Sale

Oct term 1888
Decree for sale

Oct. term 1892
Final

Boyers fee.

S Cater, Meyers & Co.

v

Roberts.

To the Hon C.W. Hall
Judge of Circ: Ct of Dane County Wis

Your Petitioner C. H. Hart respectfully represents that he is the assignee of all of the rights, claims & interests of "M. C. Davis" in and to the debts claims and demands due & owing by L. P. Roberts by account, note, judgment, deed of trust, or otherwise" as will appear by the deed of the said M. C. Davis hereunto filed as Exhibit "A" and prayed to be taken as a part of this petition.

That as such he prays to be made a party to this suit in the place and stead of the said M. C. Davis, and to receive from and out of the land of the said L. P. Roberts all that may be due and coming to the said M. C. Davis from and on account of the debt due by him to her. And he will ever pray &c

C. H. Hart
by
R. J. Thomas, atty

October 10th 1885.

Slater, Meyers & Co

vs

L. P. Roberts

Petition of
C. H. Hard-
assignee
vs
M. C. Davis

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON L. O. Roberts, George T. Whitfield trustee, and Mary V. Davis

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 September next to answer the Bill in Chancery of W. L. Slater, H. J. Myers and John G. Wade merchants and partners trading under the firm and style of Slater, Myers & Co.

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

Witness, N. P. YOUNG, Clerk of our said Court, at the Courthouse the 14th day of August 188 5, in the 110th year of the Commonwealth.

N. P. Young clk.

Slater Myers & Co.

3 Sheets to
To. 3 and Bill
in duplicate

L. P. Roberts et al.

"

To Sept. Ct. 1883

✓ Boyken Esq.

In the Circuit Court of Isle of Wight County.

H. L. Slater, H. J. Myers & John G. Wade merchants and partners trading under the firm name and style of Slater Myers & Co. . . . Plaintiffs

vs. In Chancery.

L. P. Roberts, George T. Whitley Trustee and Mary T. Davis . . . . Defendants.

Commrs office, Isle of Wight C.H. Dec. 22. 1885.

To the said Circuit Court of said County.

Pursuant to a decree of the court, rendered in this cause at the October term 1885. directing a Commissioner of the court to take the following accounts. 1st. An account of the real estate of the said L. P. Roberts situate in said and fee simple values. 2nd. an account of the liens on said land, with their priority. Your commissioner reports to the court that, on the 18th. day of Nov. last he issued notices to the parties in the cause, that he had fixed upon the 22nd day of Dec. 1885 to take and report at his office the said accounts. That said notices were duly served and returned to your Commissioner. That, from the evidence before your commissioner, furnished by the plaintiffs, he finds that L. P. Roberts own 181 acres of land near the Court House which he purchased by deed from Clements Battle &c. the fee simple value of which is $600.00 And the annual value is $60.00. And that the liens on the said land are as follows.

over.

First. A judgment in favor of Mary P. Davis rendered in Cir. Court Dek. of Wright by confession on the 30 th day of August 1884 for $1036.00 with interest from the 31. of Dec. 1884 to the 2d. of Febr. 1885 ..... 5.18

1041.18

Paid by Sheff. on fifa: &. costs 492.60

548.58

Int. on from 2. Febr. 1885 to 20. Apl. 1886 ..... 38.23

Balance due Mrs. P. Davis' judgmt. $586.48

Second - A judgment in favor of L. S. Thomas, on the bond of said Roberts, & W. A. Womble & Geo. T. Whitten, by confession on 1st. day of Sept. 1884 for $100.00

Int. thereon from 1st. day of July 1882, to 20th. day of April 1886. ..... 22.84

Costs of suit 8.90

Due on Thomas R. S. judgmt. $131.74

Third - The judgment of the Plaintiffs Slater, Myers & Co. rendered in same court on 21. Octo. 1884. for 210.37

Int. from 25th of March 1884 to 20. Apl. 1886. ..... 24.19

Costs of suit 7.60

Due on Plaintiffs judgmt. $242.16

Fourth - A judgment in favor of N. Bucklus vs Roberts, Jno. C. Turner, W. H. Groathup & G. T. Whitten same Ct. Octo. Term 1885 for $203.35

Int. from 1st. Augt. 1885 to 20. Apl. 1886 ..... 10.17

Costs of suit 5.25

Due on N. Bucklus judgmt. $250.07

Total Due $1210.70

Of which said liens, that of M. V. Davis is of first; that of R. S. Thomas is of the second, that of the Plaintiffs is of the third and that of A. Berckley is of the fourth priority.

Your Commissioner has not reported the debt secured by the deed of trust in the proceeding due to Mary V. Davis, because that debt is embraced in the debt of $1036.00 on which judgment was confessed by Roberts in her favor therein before mentioned.

Given under my hand as a Commissioner of the said circuit court the day and year first herein written.

N. D. Young Comr.

Comms. for $8.00
Clk. for Extras .50
Sheffs. fee 1.50
$10.00

Slater, Myers & Co.

-vs- 3 In Chy.

L. P. Roberts et als

Report of Cond. Irving and
decree of Octo. 1885.

Filed 24. Dec. 1885.

April Term 1887.
Confirmed by Court.

Slater, Myers & Co

v

Roberts &c

The undersigned has the honor to report that on the 6 day of February A. D. 1888 he expired the land in the bill and proceedings mentioned & said at public auction at the Court House on a Court day after he had given the notice and executed the bond as required by the decree of April 1887 when it was bid off by and knocked down to L. P. Roberts for the sum and sum of # 200.00 who paid in cash the sum of # 66.03 required by the said decree, but has failed to give the bond required by the said decree. The said L. P. Roberts has been using, occupying, and cultivating the said farm ever since the said sale without paying any rent or any money for the use and occupation. There are no crops on the said farm that ought to be gathered until he complied with the aforesaid purchase, or until he pays for the use and occupation of the said land. The undersigned

ev wined suggest the appointment of a receiver to gather in the crop on the said land, to sell the same and to bring the proceeds ~~for distribution~~ into court for his indemnity

Respectfully submitted

R. E. Boykin

Sol Comm

per R. L. Thomas

Slater, Mary et al

v

Roberts, L. P. et al

Return of

R. E. Boykin

Sol Comm of

Lawson & Thweatt

& Company.

In the County Court of Isle of Wight County, April 21st. 1887.

Clark Thyers Exr. Pltffs.

vs. In Chancery.

L. P. Robertson &als. Defts.

This cause came on this day to be again heard upon the papers formerly read, and on the report herein of Commissioner Young filed Dec. 24th. 1885 and upon the report herein of Commissioner Young, filed Dec. 24th. 1885 and was argued by Counsel. On consideration whereof the Court confirming said report to which no exceptions have been filed, doth adjudge order and decree that R. D. Thomas and R. E. Boykin who are hereby appointed Commissioners for that purpose either of whom may act, proceed to sell at public auction at Isle of Wight Court House on some Court day after giving at least 30 days notice of the time and place of sale by hand bills posted at the front door of the Court House of said County on some Court day prior to the day of sale and at three or more public places in said County, the land of Lewis in the bill

and proceedings of this suit mentioned of which L. P. Roberts is siezed and possessed, and upon the following terms, to wit: for cash as to so much of the proceeds of sale as may be necessary to pay the costs of suit and sale, and the residue upon a credit of one and two years in equal payments taking from the purchaser bond with approved security and interest from date with waiver of Homestead and retaining title until the further order of the Court. But so much of this decree as directs the sale of the said real estate shall be suspended until the said Commissioners or the one who may act shall execute before the Clerk of this Court a bond with good personal security in the penalty of $1200 conditioned for the faithful performance of this or any future decree herein and the said commissioners shall make report to Court of their proceedings under this decree.

a copy.
Test:-

S. D. Young clk.

Slater, Myers & Co.

v. Judicy.

Robins L. P. stal.

copy Decree

April term 1887

Costs to & including Apl. term 1884 (C. in Z):

Attys. fees & Tax	16.50
Clks. " Cir. Ct.	7.20
" " Co. Ct.	1.35
Sheff "	3.50
Comm. in Chy. Cases	8.00
Total	$36.55

States against the
& } Statement
Roberts

attp for writ tax	16.50
Ck ci ct	7.20
Co ct	1.35
Shf	3.50
Comr in chy	8.00
	36.55
Cons on 200	15.00
" " 400	8.00
Hand bills	1.50
Cust	5.00
Cash payment	66.05
Bond at one year	316.97½
" " 2 "	316.97½
	$700.00

700
66.05
2)633.95
316.97½

ys, return to
URTS,
VA.

State Insurance
Dept
Richmond

E. Boykin. Esq;

Attorney at Law.

Smithfield.

Isle of Wight Co. Virginia.

WAKEFIELD STATION
VA.
1888

Slater, Meyer & Co

v

Roberts L. P. et al

This cause came on this day to be again heard on the pleas for merly had and on the report of Special Commissioner R. E. Boykin under the decree herein of April 1887 to which no exceptions are filed, and was argued by counsel. On consideration whereof, the Court confirming the said report-doth adjudge, order and decree that

Slater, Meyers & Ed

v

Robert L. Pelan

Rem. Ct. Decree

October 1885

20 be entered

Slater, Meyers, & Co

v

Roberts &c

The undersigned beg, most respectfully to report that on the day of 188 they exposed the land in the bill and proceedings to sale at public auction at the hour of Eight o'clock after having given the notice, and executed the bond required by the said decree, when it was bid off by, and Knocked down to L. P. Roberts the highest bidder for the same and sum of who paid in cash the sum of and gave his two bonds, each for the sum of and payable respectively in one and two years from date each as his securities which are here with filed as Exhibits "A" & "B" & prayed to be taken as a part of this report

Apr 15th Rec'd of Jesse P Roberts Sixty
Six Dollars & Fifty cents. being cash pay-
ment on the Lonlin Tract of Land, Sold
by me as Comm. in the Suit of State
Thyer & Hersman & Roberts & Hale
R E Boykin Comm

316 97
316 97
633.94
6665
69999

Note Sale of Robto
Land

NOTICE.

SALE OF VALUABLE REAL ESTATE

IN THE COUNTY OF

ISLE OF WIGHT.

Pursuant to a decree of the Circuit Court, of the county of Isle of Wight, entered at the April term, 1887, in the suit of Slater, Myers & Co., vs. L. P. Roberts, et. als., I shall sell at public auction, at

ISLE OF WIGHT COURT HOUSE

ON THE 6TH DAY FEBRUARY, 1888,

being County Court day, that certain tract or parcel of land, situate, lying and being in the county of Isle of Wight, near the Court House, known as the "Tomlin Farm," containing by estimation 180 acres, be the same more or less, adjoining the lands of Matthew Muntford, R. M. Whitley, and Geo. T. Hall.

TERMS:

Cash sufficient to pay costs of suit and sale, and the balance upon a credit of one and two years, in equal payments, with interest from day of sale.

Bond with approved personal security required of the purchaser for the deferred payments, and title retained until the further order of the court.

R. E. BOYKIN,

Commissioner of Sale

December 30, 1887.

R. A. EDWARDS, Crier.

CLERK'S OFFICE, ISLE OF WIGHT COUNTY, To Wit:

I, N. P. Young, clerk of the Circuit Court of said county, certify that R. E. Boykin has given the bond required by the decree, mentioned in the above notice, with surety deemed sufficient.

Given under my hand this 21st day of December, 1887.

N. P. YOUNG, Clerk.

SALE OF VALUABLE REAL ESTATE

IN THE COUNTY OF

ST. LUCIE

NOTICE

ON THE 6TH DAY FEBRUARY, 1888,

LIFE OF MICHEL

E. A. EDWARDS' CLAIM.

TERMS:

NOTICE.

SALE OF VALUABLE REAL ESTATE

IN THE COUNTY OF

ISLE OF WIGHT.

Pursuant to a decree of the Circuit Court, of the county of Isle of Wight, entered at the April term, 1887, in the suit of Slater, Myers & Co., vs. L. P. Roberts, et. als., I shall sell at public auction, at

ISLE OF WIGHT COURT HOUSE

ON THE ~~6TH DAY FEBRUARY, 1888~~, 7th January 1889

being County Court day, that certain tract or parcel of land, situate, lying and being in the county of Isle of Wight, near the Court House, known as the "Tomlin Farm," containing by estimation 180 acres, be the same more or less, adjoining the lands of Matthew Muntford, R. M. Whitley, and Geo. T. Hall.

TERMS:

Cash sufficient to pay costs of suit and sale, and the balance upon a credit of one and two years, in equal payments, with interest from day of sale.

Bond with approved personal security required of the purchaser for the deferred payments, and title retained until the further order of the court.

Nov 19/88

~~December 30, 1887~~.

R. E. BOYKIN,

Commissioner of Sale

R. A. EDWARDS, Crier.

CLERK'S OFFICE, ISLE OF WIGHT COUNTY, To Wit:

I, N. P. Young, clerk of the Circuit Court of said county, certify that R. E. Boykin has given the bond required by the decree, mentioned in the above notice, with surety deemed sufficient.

Given under my hand this 21st day of December, 1887.

N. P. YOUNG, Clerk.

Sold to L. P. Roberts
Aug 6 1878 Co. A 6th Mass Vols

7 cts.

Co. A 6th Regt. Mass. Vol. Militia

[redacted]

[redacted]

[redacted]

State Myers Mo Wales

v } Ouchey

Roberts & Pitts

Bill of costs
to Apl. term 1889.

Slater, Myers & Co.

vs. In Chy

Roberts L. P.

Bill of costs.

Atts. fee & writ Exp	10.50
Clerks fees	7.20
Sheff. "	3.00
Comm. "	8.00
Costs to decree for sale	34.70
Clerks fees in decree for sale to & including decree of Apl. 89	4.54
Total costs to Apl. 1889	$39.24

Teste,

J. P. Spencer clk

Jany 7/89 To Aug 3/89

472.31 1/2

14693

23615

16,538

31

16,22

472.31

488.53.

7. Less 4 do

18 | 2.36

.23 8

31

Amt due from suit		488 53
unpaid costs	1.31	
fee for deed	5.00	
attys fee allowed by Ct	30.00	56 31
Amt for which Judgment to be given		$432 22

Amt to be paid by Chas H Hart

Costs pd by me	27.69
unpaid costs	1.31
fee for deed	5.00
attys fee allowed by Ct	50.00
	$84 00
	73 00
	11,00

Slater Myers &c
vs
Roberts L P
} In Chy

The undersigned special commissioner under the decree herein of April Term 1887, and of Oct Term 1888, reports to Court, that in pursuance of said first mentioned decree, having first executed the bond and given the notice by said decree directed, he exposed to sale at public auction at the [illegible] Court House on the [illegible] day of Feby 1889, the tract of land in the bill and proceedings of this suit mentioned, known as the Tomain tract; at which sale L. P. Roberts being the highest bidder bid off the same at the sum and price of $870.00, and paid in cash $66.05. but failed to execute his bonds with approved personal security for the deferred payments as by said decree directed. That the said sum of $66.05 was expended in the costs of suit and sale as per

Statement.

By amt of cash payment			66.05
To pd clerks fees	Paid, H. P. Young	7.20	
" Sheriff do	Paid Ro. A. Edwards	3.00	
" commissioners	Young Paid - H. P. Young	5.00	
" pd adv land		1.50	
" " auctioneer	Paid Ro. A. Edwards	5.00	
" " attys fees for suit to (pd R C Boykin)		16.50	
" " Comm on 300 @ 1-%	pd R C Boykin	15.00	
" " " " 400	pd R C Boykin	8.00	
" and to bal		1.85	
		$66.05	$66.05
By bal in hands of Comr			1.85

That the said L. P. Roberts having failed to comply with the terms of sale of said land, in obedience to the decree in said suit of Oct 27th 1888. your said Comr having given the notice by said decree directed exposed to sale at public auction at door of Nfld Court House on the 7th day of Jany 1889. being county court day, the tract of land aforesaid, at which sale Chas H Hart being the highest bidder, bid off the same at the sum and price of $500.00, and paid in Cash the sum of $27.69

That the said cash payment was expended in costs of sale as per

Statement

By amt in hands of Comr		1.85
To paid Clerks fees - Paid H. P. Young	4.54	
" Comr on $300 @ 5% pd R E Boykin	15.00	
" Comr on $205 @ 2% pd R E Boykin	4.10	
" pd auctioneer Paid R. A. Edwards	3.00	
" adv of sale pd R E Boykin	1.00	
By amt of cash payment		27.69
	$29.54	$29.54

amt of deferred payments $472.31, cash 27.69 = $500.00

That the said Chas H Hart being the assignee of Mary V Davis, whose debt is the first lien upon the said land as reported by Comr Young in his report filed in this cause, and the purchase price of said land on a resale thereof not being sufficient to pay off said lien, your commissioner did not deem it necessary to require the said Chas H Hart to execute his bond

bonds for the deferred payments. The receipts of the parties for said payments are herewith returned. All of which is respectfully submitted.

R. A. Boykin
Sheriff Conr

Slater Myers Rhodes

P } Du Clay

Robertsdale

Comr Boykins Report
of Sale and Resale.

Filed April 2 d 1889

Slayden Myers & Co

P } In the Circuit Court of Dekalb Nights &
Roberts. L. P

The Report of Comr Boykin under the an-
nexed decree herein of April term 1891.

Your Comr Reports to court that in pursuance
of the said the said Chas A Hart paid the
unpaid costs of this suit including the attys
fee by said decree directed, and files in the
papers of this cause his receipt for the sum
of $432.22 in part payment of the judgment
of Mary E Davis vs L B Roberts. Reported by
Comr Young in his report of this herein filed
Dec 24th 1885. assigned by the said Mary E
Davis to the said Chas. A. Hart. and ordered
the said amt on the judgment docket. and
Thereupon Your said Comr executed and delivered
to him a good and sufficient deed in fee simple
with special warranty for the tract of land in the
bill and proceedings of this suit mentioned known
as "Gambrills" as per statement

By amt of judgment by C A Hart	472.31
" int fr 9 Jany 7/89. day of sale to Jany 3/89	16.22
To paid unpaid costs Pd. S. P. Young	1.31
To fee for deed Pd R. E Boykin	5.00
" atty fee allowed by court. Pd R E Boykin	30.00
" receipt of C A Hart	432.22
	$488.53 $488.53

The receipts of the parties for said payments are herewith returned. All of which is respectfully submitted.

R. L. Boykin
Special Comr

Comr Boykin's Report

Dec 4 - 1872

State Mayes No
1st } In Chy
Roberts L. C

Aug 3d 1889. Rec'd of R E Boykin comr in the suit of State Myers Exr v Roberts et als. the sum Four Hundred and Thirty Two Dollars and Twenty Two cents, in part of payment of Mary V Davis v L P Roberts mentioned in comr Spruills report filed in said suit Dec 24th 1885; said amount duly also credited as of this date on the payment docket.

R. L. Gant
assignee of Mary V. Davis

CLERK'S OFFICE,
ISLE OF WIGHT COUNTY, VIRGINIA.

N. P. YOUNG, CLERK

Isle of Wight C. H., Va., Aug. 7th 1889.

Mr. R. E. Boykin
Atto. at Law.
Dr Rich.

In the suit of Slater, Meyers & Co. vs. Roberts, your said costs up to April term 1889. The only costs since will be for your final report, final decree which will be $1.50

Very truly,
Yours. N. P. Young clk.

Mr. R. E. Boykin
Ass't V.

In the Circuit Court of Isle of Wight County, the 20th day of October 1885:

N. L. Slater, H. J. Myers, and John G. Wade, merchants and partners trading under the firm and style of Slater Myers & Co: Pltffs.

vs: In Chancery

L. P. Roberts, George T. Whitley Trustee and Mary V. Davis — Defts:

This cause came on this day to be heard on the bill with exhibits filed, taken for confessed as to the defendants upon whom process has been duly served, they still failing to appear, plead or demur, and was argued by Counsel: on Consideration whereof the Court doth adjudge order and decree that a Commissioner of this Court, take the following accounts:

First: An account of the real estate of the said L. P. Roberts with its annual and fee simple value.

Second: An account of the liens on said real estate with their priority. Which accounts the said Commissioner shall take and report to Court, with any matters specially stated, deemed pertinent by himself

Slaven, Myers & Lee

vs. } In Chy.

L. P. Roberts & Als.

" Copy Decree

Oct. term 1885

Nov. 18. 1885 Notice
sent to 22. Dec. 1885.

Fr. accts.

or reminder by the parties to the
suit.

Copy Decree
Oct. term 1885
Nov. 18. 1885 Notice sent to 22. Dec. 1885.
Fr. accts.

Use Trans of cause in this case in Hustings Court amendment of Mc & P Roberts vs Augs Term 1888

Sadler Myers &c
vs
Roberts &c } In Chy

This cause came on this day to be again heard upon the papers formerly read and on the report herein of Comr Young filed Dec 24th 1885; and upon the report herein of Comr Young filed Dec 24th 1885; and was argued by counsel, on consideration whereof the court confirming said report, to which no exceptions have been filed, doth adjudge order and decree that R.S. Thomas & R.R. Boykin Who are hereby appointed either of whom may act Comrs for that purpose, proceed and sell at public auction at the door of the court House on some court day after giving at least 30 days notice of the time and place of sale by hand bills posted at the front door of the Court House of said County on some court day prior to the day of sale and at three or more public places in said county, and upon the following terms, viz: for cash as to so much of the proceeds of sale as may be necessary to pay the costs of sale and sale, and the residue upon a credit of one and two years in equal payments, taking

from the purchaser bond with approved security, with interest from date, with waiver of Homestead, and retaining title until the further order of this Court.

But so much of this decree as decrees the sale of the said real estate shall be suspended until the said Comrs or the one who may act shall execute before the Clerk of this Court a bond with good personal security in the penalty of $1200.00 conditioned for the faithful performance of this or any future decree herein, and the said Comrs shall make report to Court of their proceedings under this decree

Slater Meyers & Co
vs
Duchay
Roberts et als

Rough Notes
April Term 1887

To be entered
C Miller

Entered
No. 29

State Mayers Res
vs
Ex parte
Roberts et als

This cause came on this day to be heard on the bill with exhibits filed, taken for confessed as to the defendants upon whom process has been duly served, they still failing to appear plead answer or demur and was argued by counsel, on consideration whereof the Court doth adjudge order and decree that a Commissioner of this court, take the following accounts.

First, an account of the real estate of the said L.P. Roberts, with its annual & its simple value.

Second, an account of the liens on said real estate with their priority. —

Which accounts the said Commissioner shall take settle and report to court, with any matters specially stated deemed pertinent by himself or required by the parties thereto stated.

State Papers Vol
p } Ordered
Roberts & B

Rough Draft
Oct Term 1885
To be entered
Geo. Blow.

Entered Vol 7.

Slate, Myers & Others

v

Roberts et al

This cause
came on this day to be heard on the
papers formerly read and on the
report of R. E. Boykin Special
Commissioner of sale of the lands
of L. P. Roberts to comply with
the terms and conditions of the pur-
chase by him of the tract of land
sold by the said special commis-
sioner under the decretal order
herein of April Term 1887, and
was argued by counsel: On consid-
eration whereof the Court-confirm
doth adjudge, order, and decree
that unless the said L. P. Roberts
complies with the terms of the said sale
made by the said special commis-
sioner R. E. Boykin within fifteen
days from the adjournment of this
Court that then the said R. E. Boy-
kin special commissioner as
aforesaid, proceed to sell the said
tract of land ~~sold~~ bid off ~~purchased~~ by
the said L. P. Roberts under the d
said decree at the costs of the said

L. P. Roberts, and that he make the said sale according to the terms conditions and requirements of the said decree of April 1887 and make report to Court. And the Court doth further adjudge, order, and decree that R. A. Edwards, sheriff of the County of Dare of Wright, be, and he is hereby is, appointed a Receiver in this cause, and that as such Receiver he take charge of all of the assets in the hands of any other person, firm or corporation belonging to the estate of L. P. Roberts at the date of said sale made under the aforesaid decree herein, that he gather them in and make sale of the same and deposit the proceeds in the Farmers & Merchants Savings Bank & credit to the credit of this cause, take the Cashiers of the said bank for the same and obtain & file a report of his proceedings had in this behalf.

Robert L. P. et al
vs
S Coates, Burgess & Bd

Decree
Filed
October 29th 1888
To be entered.
C Mobley

Entered Oct 29th 1888
Book 27

In the Circuit Court of Isle of Wight County.
October Term 1888.

Slater Myers & others — Pltfs.

vs

L. P. Roberts & als — Defts.

This cause came on this day to be heard on the papers formerly read, and on the report of R. E. Boykin Special Commissioner of sale of the failure of L. P. Roberts to comply with the terms and conditions of the purchase by him of the tract of land sold by the said Special Commissioner under the decretal order herein of April Term 1887, and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that unless the said L. P. Roberts complies with the terms of the said sale made by the said Special Commissioner R. E. Boykin within fifteen days from the adjournment of this Court, that then the said R. E. Boykin Special Commissioner as aforesaid, proceed to sell the said tract of land bid off by the said L. P. Roberts under the said decree at the costs of the said L. P. Roberts, and that he make the said sale according to the terms conditions and requirements of the said decree of April 1887 and make report to Court.

A copy.

Teste, L. P. Young clk.

Slater Myers & Co

L. P. Roberts et als

Decree Oct. term 1888

States Myers Adm
vs
Roberts L P Robts

This cause came on this day to be again heard on the papers formerly read and on the report herein of Comr Boykin this day filed by leave of court, and was argued by counsel, on consideration whereof the court confirming said report to which no exceptions have been filed, doth adjudge, order and decree that upon the payment by the said Chas H Hart of the unpaid costs of this suit, including a fee of $5.00 to R E Boykin Esq and filing in the papers of this cause with interest from Jany 7/89 this receipt for the sum of $477.21 Dollars said costs, vs Roberts for in part payment of the judgment of Mary A Davis vs L P Roberts, reported by Comr Young in his Report of Sales herein filed Dec 24th 1885. and crediting the same on the judgment docket. R E Boykin who has heretofore been appointed a commissioner in this cause execute and deliver unto the said Chas H Hart a good and sufficient deed in fee simple, for the tract of land in the bill and proceedings of this suit mentioned known as Ponders, lying and being in the county of Isle of Wight, containing by estimation 180 acres, be the same more or less, adjoining the lands of Matthew Mumford, R M Whitley and Geo F Hall, and the said Comr shall make report to court of his proceedings under this decree

State Mycus Reservation

vs } Ordway

Roberts & Pedals

Rough Draft
April 1889
To be entered
C W Dake

Entered #36

State Myers Tes
vs } In Chy
Roberts L B

This cause came on this day to be
again heard on the papers formerly read
and on the report of Comr Boykin this
day filed by leave of Court and was
argued by Counsel. On consideration
whereof the Court doth confirm said
report to which no exceptions have been filed
and nothing further remaining
to be done herein. It is ordered that this
suit be stricken from the docket.

Stella Myers Bro
vs } Order
Roberts L D

Rough draw
~~Feb Term~~ Nov 12 1892
To be entered.
C M S

Entered #10

Slater Meyer & Co.

to. 3 Inclos.

L. P. Roberts & Co.

Copy Instr. & Aff. & docketing

Exhibit A. filed with Bill.

In the circuit court of Isle of Wight County
Octo 22d. 1884.

W. L. Slater & J. Myers & Jno. G. Wade, mer-
chants & partners under the name & style of
Slater, Myers & Co. Plffs.

To. In Debt.

L. P. Roberts Defft.

Judgment was granted the Plaintiffs
against the defendant for $210.37
with interest thereon from the 25th
day of March 1884, till payment, and
$4.50 costs.

Teste, S. D. Young clk.

I certify that the above judgment was
docketed in the judgment docket of
Isle of Wight county on the 22nd day of
October 1884.

Teste, S. D. Young clk.

This Deed, made this 7th day of Nov-
ember in the year Eighteen hundred
and eighty one, between Samuel P.
Roberts, of the County of Isle of Wight
in the State of Virginia of the one part
and George T. Whitley Trustee of the other
part, Witnesseth: that the said Samuel
P. Roberts doth grant unto the said George
T. Whitley the following property, to-wit:
All of that tract of land in the County
of Isle of Wight where of John Townes
died, seized and possessed and upon
which he lived at the time of his death
and which at his death passed to his
sister Polly Powell which said
tract contained by estimation 181
more or less, and is composed
of two tracts, respectively of 100 acres, and
81 acres as charged to said John Town-
es's estate lying adjacent to the lands
of George T. Hall, Thomas Powell,
Louis Busby's Estate, Miles Edwards
Estate et als, which is the same that
Solomon Batten & wife, and R. V. Hodg-
es & wife conveyed to the said S. P.
Roberts.

In Trust, to secure to Wm. H. V. Davis
of the County of Isle of Wight the

payment of the Sum of Five Hundred and Fifty dollars, due her according to the terms and conditions of a Contract entered into by and between the said W. V. Davis & L. P. Roberts bearing date October 3d, 1881, and upon the further trust that the said L. P. Roberts shall remain in quiet and peaceable possession of the above granted and described premises, and take the profits thereof to his own use, until default be made in the payment of the debt aforesaid, in whole or in part, and upon such default being made the said George T. Whitley shall as soon thereafter as he shall be requested by the said W. V. Davis so to do, sell the above granted property at public auction, at such time and place and upon such terms and conditions, as he may deem expedient, having first given notice of such time and place of sale for at least 30 days, and out of the proceeds of such sale, after paying all the expenses attending the execution of this trust, including commissions on said proceeds of sale to the said George T. Whitley shall pay to the said W. V. Davis or her assigns, the debt aforesaid with interest

thereon, or so much thereof as may remain unpaid, and the balance, if any, to the said L. P. Roberts or his assigns. The said L. P. Roberts covenants that he will warrant generally the property hereby conveyed, and will pay all taxes, levies and assessments upon said property so long as he, or his assigns shall have the same. And the said grantor hereby waives the benefit of his Homestead Exemption as to the aforesaid debt and obligation, and as to this contract. Witness the following signature and seal.

L. P. Roberts [Seal]

County of Isle of Wight, To-wit:
I, R. S. Thomas a Notary Public for the County aforesaid, in the State of Virginia do certify that L. P. Roberts whose name is signed to the writing above, bearing date on the 7th day of November in the year, eighteen hundred and eighty-one has acknowledged the same before me in my County aforesaid.
Given under my hand, this 7th day of November in the year 1881.

R. S. Thomas Notary Public

In the Clerks Office of Isle of Wight County Court, the 7th day of November 1881, This Deed of Trust from L. P. Rawls to Geo. T. Whitley Trustee was received and admitted to record upon the annexed certificate of R. S. Thomas a Notary Public.

Testy, W. A. Edwards D.C. for
N. P. Young clk.

a copy.

Teste, N. P. Young clk

Rawls, Myers & Co.
vs.
L. P. Rawls et als.

Copy deed of trust

Exhibit with Bill

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF THE COUNTY OF ISLE OF WIGHT—Greeting:

WE COMMAND YOU that of the goods and chattels of G. T. Roberts,

late in your bailiwick, you cause to be made the sum of Two Hundred and ten dollars and thirty seven cents, with interest thereon from the 25th day of March 1884, till paid, which H. L. Slater H. J. Myers, and John G. Wade merchants and partners trading under the firm and Style of Slater, Myers & Co.

lately in our Circuit Court of the County of Isle of Wight recovered against Isaac for debt; also, the sum of Seven ——— Dollars and Sixty Cents, which to the said Slater Myers & Co. in the same Court were adjudged for their damages, as well by reason of detaining the said debt as for their cost in that suit expended, whereof he is convicted, as appears to us of record; and that you have the said debt and damages before the Judge of our Circuit Court, at the Courthouse, on the first Monday in December next, to render unto the said Slater, Myers & Co. of the debt and damages aforesaid. And have then there this writ.

WITNESS, NATHANIEL P. YOUNG, Clerk of our said Court, this 25th day of October A. D. 1884, and in the 109th year of the Commonwealth.

N. P. Young Clk.

Cir. Ct. fr. 88.

Slater, Myers & Co.

vs. Fi. Fa.

L. P. Roberts.

" To Dec. 1884

Boykin Jr.

A copy. Teste,

Cobb.

Attys. Fee & tax ---- 3.50

Clks. Fees. ---- 3.60

Sheff. " ---- .50

Costs. $7.60

Nov. 3d 1884, By virtue of this Execution I levied on 500 shingle Rafters which had been previously levied in favor of Mrs. M. V. Davis & sold to satisfy fi. fa. levy.

R. A. Edwards
Sheff.

P. D. Young clk.

This Deed made this 8th day of August A.D. 1888. Between Mary E. Davis of Southampton County, State of Virginia, party of the first part, and Chas. O. Hart of the county of Isle of Wight, State aforesaid party of second part, Witnesseth: That the party of the first part. for and in consideration of the sum of Five Dollars. Cash in hand paid. the receipt whereof is hereby acknowledged, and certain Covenants and agreements made by the party of second part. Doth grant sell & convey with general warranty unto the said party of the second part. the following property, to wit: All her right title & interest both at law and in Equity in & to all the claims debts & demands due to her by Samuel P. Roberts whether evidenced by accounts, bonds, judgment, or Deed of trust, or debts or claims represented in the suit in Chancery in the Circuit Court of Isle of Wight Co. of Slater Myers & Co. Plffs. vs. Saml. P. Roberts Defts. The said party of the first part Covenants that she

has the right to sell and convey the said interest in the lands claims & demands as aforesaid, that she has done no act to encumber the same, & that she will execute such further assurances as may be necessary. Witness my hand & seal the day & year aforesaid. Mary V. Davis (seal)

State of Virginia,
County of Isle of Wight } To wit.

I, W.S. Holland a Notary Public in & for the State & County aforesaid certify that Mrs. Mary V. Davis whose name is signed to the foregoing writing bearing date Augt. 8th 1888, this day personally appeared before me in said County & acknowledged the same to be her act. Given under my hand this 9th day of Aug. A.D. 1888.

W.S. Holland
Notary Public

In the clerks office of Isle of Wight county court Aug. 31st 1888. This deed was admitted to record upon the annexed certificate

Teste A.P. Young clk
by A.P. Young D.C.

Mary V. Davis to Deed of Trust
Mary V. Davis
Deed of Trust
Aug 31st 1888
Recorded in Deed Book 52 pg. 429
Examined according to law.
Tax — 1.00
Paid

Commissioner's Office,

Isle of Wight Courthouse, Nov. 15th 1885.

To Kater, Myers & Co.

Plaintiffs,

And to L. P. Roberts, George T. Whitley trustee and Mary C. Davis

Defendants:

You are Hereby Notified that I have fixed upon the 22d day of December next, if fair, if not, the next fair day thereafter (Sunday excepted), to take and settle, at my office, aforesaid, the following accounts: 1st. An account of the real estate of the said L. P. Roberts ascertaining its annual and fee simple value. 2nd. An account of the liens on said land with their priority.

Required to be taken by decree of Isle of Wight Circuit Court, rendered on the 20th day of October, 1885, in a suit in chancery depending in the said court, in which you are parties, Plaintiffs and Defendants, at which time and place you are required to attend.

Given under my hand, as Commissioner of the said Court, the day and year first aforesaid.

N. D. Young Commissioner.

Kater, Myers & Co.

vs. 3 Con. Petn

Roberts L. P. et als.

Fd 22d Dec. 1883

Executed

Dec. 10th 1883

R. A. Edwards

Fldr.

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