

1898-004

Nansemond Co (Suffolk)

Chancery Causes: J.C. Hubbord vs Lee Britt, Tist

Williams, Pilworth, Womble, Matthews, Matthews, Johnson

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

Lee Britt Trustees
W Williams W D Dilworth J G Womble
and W T Matthews

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
for the said Court, on the *Third* Monday in *February* 189*3*, to answer

an Injunction Bill in Chancery, exhibited against
them in the said Court by *Joseph C*
Hubbard

and have then and there this summons.

WITNESS, A. P. GOMER, Clerk of our said Court, at his office, this *13th* day of
February 189*3*, in the 11*7*th year of the Commonwealth.

Teste:

A. P. Gomer Clerk.

Memo.

An injunction is hereby granted this 9th day of February 1893 to restrain Lee Brit Trustee and all others from proceeding to foreclose the deed of trust executed by J. C. Hubbard to said Lee Brit Trustee bearing date October 18th 1890 by the sale of the real estate thereby conveyed or by any other ways or means whatsoever until the further order of the Circuit Court of Nansemond County. But before the Complainant shall have the benefit of this order he or some one for him must execute a bond before the Clerk of the Circuit Court of Nansemond County in the penalty of \$100. conditioned according to law to pay all such costs and damages as may be awarded in case this injunction shall be dissolved.

To The Clerk of the
Circuit Court of
Nansemond County

A S Watts Judge
of the Court of Hustings
for the City of Portsmouth

A copy

Teste A P Gomer Clerk

The bond required by the above order has been given with security deemed sufficient by me,

Teste A P Gomer Clerk

A copy for
Lee Brit Trustee

Know All Men by These Presents, That we Joseph C Hubbard of Green and William M Brittain

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of One hundred DOLLARS, to the payment whereof, well and truly to be made to the said Commonwealth, we bind ourselves, and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

And we waive the benefit of our exemption as to this obligation, and also waive any claim or right to discharge any liability to the said Commonwealth arising under this bond, or by virtue of the office, post or trust herein mentioned, with coupons detached from bonds of said Commonwealth.

Sealed with our seals, and dated this 13th day of February in the year of our Lord one thousand eight hundred and ninety-three, and in the 117th year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas The said Joseph C Hubbard has on this 13th day of February 1893 instituted his suit in Chancery in the Circuit Court of Nansemond County against Lee Britt Trustee of Williams, 10 of Delworth J H Womble and W T Matthews defendants and an injunction has been awarded in said suit to prohibit and restrain said defendants their agents, Attorneys and all other persons from proceeding to foreclose the deed of trust executed by said J C Hubbard to said Lee Britt Trustee bearing date October 18th 1890 by the sale of of the real estate thereby conveyed or by any other way or means whatsoever until the further order of said Court. Now therefore if the said J C Hubbard shall pay all such Costs and damages as may be awarded according to law in said suit in case said injunction shall be dissolved then this obligation is to be void otherwise to remain in full force and effect.

Joseph C Hubbard
William J Green
Wm Brittain



In the office of the Clerk of the Circuit Court of Nansemond County, on the 13th day of February 1893

The above bond was executed and acknowledged by the obligors (the sureties justifying on oath as to their sufficiency) and recorded.

Teste:

A copy
Teste: J P Gomes clerk

J P Gomes CLERK.

Joseph C. Hubbard
To Injunction Bond
The Commonwealth

1893

February 13th.

A Copy

1

Recorded in Official
Bond Book No. 1. Page 47

Lucius Couch

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

See Butt Trustee
H. Williams W. I. Dilworth J. G. Womble
and W. D. Matthews

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
for the said Court, on the *Third* Monday in *February* 189*3*, to answer

an injunction Bill in Chancery, exhibited against

them in the said Court by *J. L. Hubbard*

and have then and there this summons.

WITNESS, A. P. GOMER, Clerk of our said Court, at his office, this *13th* day of
February 189*3*, in the *117th* year of the Commonwealth.

Teste:

A. P. Gomer Clerk.

Memo.

An injunction is hereby granted this
9th day of February ¹⁸⁹³ to restrain Lee Britt Trustee
and all others from ~~selling~~ the above proceeding
to foreclose the deed of trust executed by J. C. Hubbard
to Lee Britt Trustee bearing date October 18th 1890
by the sale of the real estate thereby conveyed or by
any other ways or means whatsoever until the
further order of the Circuit Court of Waukesha
County, but this injunction shall not take
effect. But before the Complainant shall
have the benefit of this order he or some one
for him must execute a bond before the Clerk
of the Circuit Court of Waukesha County in the pen-
alty of \$100. Conditions according to law to pay all
such costs and damages as may be awarded
in case this injunction shall be dissolved.

To the Clerk of the
Circuit Court of
Waukesha County

As Warrants Judge
of the Court of Justices for
the City of Portsmouth.

Attest: A. J. Gomez Clerk.

The bond required by the above order has been given with
security deemed sufficient by me.

Attest: A. J. Gomez Clerk

J. C. Hubbard
vs
Injunction
Lee Britt Trustee
et al

1893
February Rules
Third Monday

Waukesha
Circuit Court
Process Book
No 21 Page 47.

Executed This 13 day of Feb 1893

by delivering a true copy of the within
process to Lee Britt in person

A. J. Baker
Sheriff

BROOKLYN, Jan. 29.—Rev. Dr. Talmage this forenoon preached to a ~~great~~ audience in the Tabernacle on "The Sunshine of Religion," the text chosen being Proverbs iii, 17, "Her ways are ways of pleasantness."

You have all heard of God's only begotten Son. Have you heard of God's daughter? She was born in heaven. She came down over the hills of our world. She had queenly step. On her brow was celestial radiance. Her voice was music. Her name is Religion. My text introduces her. "Her ways are ways of pleasantness, and ~~her~~ her paths are peace."

But what is religion? The fact is that theological study has had a different effect upon me from the effect sometimes produced. Every year I tear out another leaf from my theology until I have only three or four leaves left—in other words, a very brief and plain statement of Christian belief.

TRUSTEE'S SALE OF A VALUABLE HOUSE AND LOT IN BARRETT'S NECK, NANSEMOND COUNTY.—Pursuant to authority and at the request of assignees of the beneficiary named in the deed of trust from Joseph C. Hubbard to me, default having been made in the payment of the debt therein secured, I shall,

ON MONDAY FEBRUARY 13, 1893,

(court day), at 10 A.M., in front of the Courthouse of Nansemond county, sell at public auction, to the highest bidder, for cash, that certain lot or parcel of land situate in Barrett's Neck, in the county of Nansemond, State of Virginia, containing three-fourths of an acre, more or less, and bounded on the north by the county road, east by the land of William T. Matthews, south by the land of Theo. Haughwout's estate, and west by the land of Thomas H. Bingley, being the lot conveyed by Lepron Johnson and wife to the said J. C. Hubbard. This is a very desirable lot and on it stands a comparatively new two-story residence.

LEE BRITT, Trustee.

SUFFOLK, VA., Jan. 17, 1893.

ja20-4t

In Vacation.

In the Circuit Court of Nansemond County-

J.C.Hubbard

VS

Lee Britt, Trustee and others.

By consent of parties it is ordered that the papers in this cause be submitted to the judge of this court for such decrees and orders therein in vacation as might be made in term and thereupon this cause came on this day to be again heard on the papers formerly read and it appearing to the court that all matters involved in the said cause have been settled and the costs paid, it is ordered that the said cause be dismissed from the docket.

J. L. Hubbard
vs. Vacation Deed
Lee Britt Trustee

To be entered
Jan 31, 1898.

Wm. H. Harris.

We consent to the
within decree

J. L. Hubbard
Lee Britt Trustee,
N. G. Williams Esq.
W. J. Whitworth Esq.
Wm. H. Harris
by Lee Britt
Atty

W. H. Harris
Entered in Chancery Order
BK No 3 Page 124

J. C. Hubbard

vs.

Lee Mill Trust, H. G. Williams, W. D.
Dilworth, J. G. Womble and W. T. Matthews

vs the Hon. C. W. Hill Judge of the Circuit
Court of Hanover County

Humbly
complaining your orator J. C. Hubbard
of Suffolk, Hanover County, Virginia
respectfully represents, That on the 18th
day of October 1890 he executed to
Lee Mill Trust a deed of trust
conveying certain real estate in
Hanover County, to secure the payment
of a note for \$500 Five Hundred
Dollars made by said J. C. Hubbard and
dated on the 23rd day of December
1889 and payable to W. T. Matthews
Eighteen months after date. your orator
is advised that sometime during the
year 1892, the said W. T. Matthews
assigned said note to said H. G. Williams
W. D. Dilworth & J. G. Womble and that
said last named parties have directed
said Lee Mill Trust to sell said
real estate conveyed in said deed
of trust. The Trustee Lee Mill in accordance

with directions from said H. G. Williams
W. D. Dilworth and J. G. Womble has
advertised to sell said property and
Monday the 13th day of February 1893
is the day fixed for the sale. A copy of
Trustee's advertisement is herewith filed
marked Exhibit, and your orator prays
that it may be read as a part of
this bill. Your orator charges and
is prepared to prove that at the time
said W. T. Matthews assigned said note
to H. G. Williams W. D. Dilworth and
J. G. Womble, that it ^{had} been paid in
full and nothing was due said W. T.
Matthews on it in fact it was
overpaid and since said assignment
the said W. T. Matthews has recognized
this fact and paid your orator the
balance due him.

Whereas
Therefore as your orator is without
remedy save in a court of equity
where such matters are properly
cognizable and relievable, he prays that
the said Trustee, H. G. Williams, W. D.
Dilworth, J. G. Womble and W. T. Matthews
may be made parties defendant to

this bill and required to answer the same (but answers under oath are hereby waived) that an injunction may be awarded to prohibit and restrain the defendants, their agents attorneys and all other persons from proceeding to foreclose the said deed of trust until the matters herein charged can be investigated and for such other further and general relief as the nature of the case may require and the principles of equity justify and your orator will ever pray &c.
Let a Subpoena go &c.

J. C. Hubbard

Miner Briggs

P. J. -

State of Virginia

County of Nanamund Town

J. R. H.

Rawles a Notary Public in and for the County aforesaid in the State of Virginia hereby Certify that J. C. Hubbard personally appeared before me in my County aforesaid and made oath that the allegations contained in

The foregoing bill which he makes of his
own knowledge are true and that all other
matters therein stated he believes to be true
Given under my hand this 7th day of
February 1893

R. H. Rawles
Notary Public

In vacation: Circuit
Court Maumond County
4th February 1893

J. C. Hubbard

vs.

Lee Brice Trust. H. G. Williams W. D. Dilworth
J. G. Womble and W. T. Matthews

on the motion of
the complainant an injunction is awarded
to prohibit and restrain Lee Brice Trust
H. G. Williams W. D. Dilworth J. G. Womble
and W. T. Matthews their agents attorneys
and all other persons from proceeding
to fulfill the deed of trust executed
by said J. C. Hubbard to said Lee Brice
Trust bearing date October 18th 1890
by the sale of the real estate thereby
conveyed or by any other ways or means
whatsoever, until the further order of
the Circuit Court of Maumond

county. But before the complainant
shall have the benefit of this order
he or some one for him must execute
a bond before the clerk of the Circuit
Court ^{of Hannamund County} in the ~~penalty~~ ^{penalty} of \$100 conditioned
^{according to law} to pay all such costs and damages as
may be awarded in case this injunction
shall be dissolved

To the clerk of
the Circuit Court
of Hannamund County

Asst. Judge
of the Court of
Hunting for the
City of Portsmouth,

J C Hubbard
TS } Injunction

Lee Britt Trustee

M Briggs pg 1

J. C. Hubbard
vs Infraction
Lee Britt Trustee
and others.

1898
January 31st -
Final Decree

Nansemond
Circuit Court.

Wm. H. Lawrence

Costs

Clerk 5.47

Shff. .50 ✓

Tax 1.50 ✓

Acty ~~15.00~~ ✓

22.47