

1898-016

Nansemond Co (Suffolk)

Chancery Causes: W.B. Ferguson & Co vs A. S. Fitchett et al

Norfleet, Smith, Wright

OVERSIZE

Box 2

- 3 broadsides

W B Ferguson & Co
vs
A S Fulchett & others
Costs
Clerk
Shff
Jury
Atty

paid	\$ 8.75
Dana	.50
paid	1.50
	15.00
	\$ 25.75

Costs.

Mr. *A. Sydney Fitchett*

Dr.

1897.

To S. T. ELLIS, Treasurer of Nansemond County, Va.

No. <i>303</i>	State Tax, 30c. on \$100.	State School Tax, 10c. on \$100.	County Levy, 20c. on \$100.	Parish Levy, 8c. on \$100.	County School Tax, 5c. on \$100.	District School Tax, 5c. on \$100.	County Road Tax, 10c. on \$100.	TOTAL TAX,
No. of Acres <i>1 lot</i>								
To Real Estate, value <i>\$ 1300</i>	<i>390</i>	<i>130</i>	<i>260</i>					<i>780</i>
" Personal Property, value <i>\$ 110</i>	<i>33</i>	<i>11</i>	<i>22</i>					<i>66</i>
" Income, &c., value <i>\$</i>								
" Poll Taxes		<i>1 00</i>						
Total							<i>50</i>	<i>8.46</i>
5 per cent. additional								<i>42</i>
Total								<i>8.88</i>
<i>By amt. deducted for Personal property tax</i>								<i>69</i>
<i>S. T. Ellis</i>								<i>8.19</i>
Received payment <i>28</i> day of <i>March</i> 189 <i>8</i>								<i>Treasurer,</i>

Per *King Depy.*

Mr. *A. S. Fitchett* ✓ Dr.

1895.

To S. T. ELLIS, Treasurer of Nansemond County, Va.

No.----- No. of Acres <i>100 X</i>	State Tax, 30c. on \$100.	State School Tax, 10c. on \$100.	County Levy, 20c. on \$100.	Parish Levy, 5c. on \$100.	County School Tax, 5c. on \$100.	District School Tax, 5c. on \$100.	County Road Tax, 10c. on \$100.	TOTAL AMOUNT OF TAXES.
To Real Estate, value <i>\$1300</i>	<i>390</i>	<i>130</i>	<i>260</i>					<i>780</i>
" Personal Property, value \$								
" Income, &c., value \$								
" Poll Taxes								
Total								<i>780</i>
5 per cent. additional								<i>39</i>
Total								<i>1819</i>
								<i>800</i>
								<i>.19</i>

Received Payment.
mch 28/98

S. T. Ellis
R, Treasurer.

8.19

19

8.19

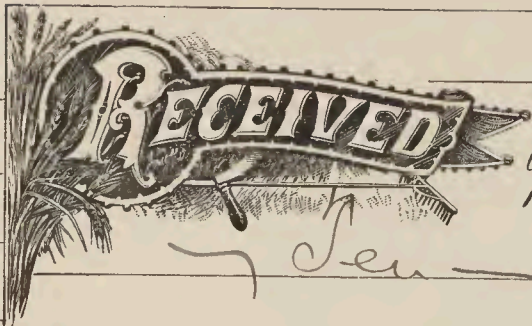
16.57

C. Sydney Fitchett Dr.

To S. T. ELLIS, Treasurer of Nansemond County, Va.

No. <i>320</i> <i>1 lot</i>	State Tax, 30c. on \$100.	State School Tax, 10c. on \$100.	County Levy, 20c. on \$100.	Parish Levy, 8c. on \$100.	County School Tax, 5c. on \$100.	District School Tax, 5c. on \$100.	County Road Tax, 10c. on \$100.	TOTAL TAX
State, value \$ <i>1300</i>	<i>390</i>	<i>130</i>	<i>260</i>					<i>780</i>
Property, value \$ <i>110</i>	<i>33</i>	<i>11</i>	<i>22</i>					<i>66</i>
&c., value \$								
es		<i>1 00</i>					<i>50</i>	<i>846</i>
al								<i>42</i>
additional								<i>888</i>
al								<i>69</i>
<i>By amt deducted for Personal property</i>								
								<i>819</i>
								<i>S. T. Ellis</i> Treasurer,
Payment <i>28</i> day of <i>March</i> 18 <i>98</i>								Per <i>Alvin Deby</i>

All Available Text Successfully Captured



CTS.

7 Ten

March 25th 1898
of S. Estabrook
Spe Comm. for the

/⁰⁰ 1 DOLLARS

\$10.00

C. H. Causey Jr.
Comm. in Chg.

\$

15-29

March 25th

1898

Received of

E. E. Holland

Fifteen &

29

100

DOLLARS

Town Tax on, Real Est., for Main Yh. property,
belonging to Sidney A. Fitchitt, for the year 1897

John F. Lotz

Treas

No.

all Recd

No. *321*—

Mr Henry A. Fitchett

1896.

TO THE TOWN OF SUFFOLK, D^R.

To Tax on \$.	<i>1410</i>	Real and Personal Estate, at 90c. per \$100, for General Purposes...	\$	<i>12</i>	<i>69</i>
"		Capitation Tax, at \$1 each, for all purposes.....			
" Tax on \$.	<i>1410</i>	Real and Personal Estate, at 5c. per \$100, for the Poor.....			<i>71</i>
" " " \$.	<i>11</i>	Real and Personal Estate, at 14c. per \$100, for Schools.....		<i>1</i>	<i>97</i>
" " " \$.	<i>4</i>	Real and Personal Estate, at 3c. per \$100, for Roads.....			<i>42</i>
TOTAL FOR ALL PURPOSES.....				<i>15</i>	<i>79</i>
"		5 per cent. added after December 1st.....			<i>79</i>
				<i>16</i>	<i>58</i>
				<i>1</i>	<i>29</i>
				<i>15</i>	<i>29</i>

Or by cash Sept 18 1897, personal,

Received payment. *25* day of *March*, 1898.

John J. Lopez

Treasurer.

all Real

No. 284

Mr. Sydney A. Fitchett

1895.

To THE TOWN OF SUFFOLK, DR.

To Tax on \$1300.....	Real and Personal Estate, at \$1 per \$100, for General Purposes....	\$	13	00
"	Capitation Tax, at 50c. each, for General Purposes.....			50
TOTAL FOR GENERAL PURPOSES.....			13	50
" Tax on \$1300 ⁰⁰	Real and Personal Estate, at 5c. per \$100, for the Poor.....			65
" " \$11.....	Real and Personal Estate, at 14c. per \$100, for Schools.....		1	82
" " \$11.....	Real and Personal Estate, at 3c. per \$100, for Roads.....			39
TOTAL FOR ALL PURPOSES.....			16	36
" 5 per cent. added after December 1st.....				82
			17	18

Received payment. 25 day of March, 1898. John J. Lotia, Treasurer.

$$\begin{array}{r}
 15-29 \\
 15-29 \\
 1718 \\
 \hline
 44.76
 \end{array}$$

I 898, March 28th-Received of E.E.Holland, Special Commissioner of the Circuit court of Nansemond County in the chancery cause of Ferguson & Co vs Fitchett and others the sum of Nine hunderd and fourteen dollars and eighty two cents on account of debt reported in my favor in said cause, and secured by deed of trust on said property.

Geo W Smith
" "

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

A S Fitchett Thomas
W Smith Assignee and W J Wright Trustee

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 *First* Monday in *March 1897*, to answer

a Bill in Chancery, exhibited against *them*
in the said Court by *W B Ferguson and E A Norfleet*
partners trading as W B Ferguson & Co

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this *26th* day of *February*, 189*7*, in the 12/^{*51*}/_{*th*} year of the Commonwealth.

A copy—Teste:

Teste:

, CLERK.

, CLERK.

He entered this 27 day of Feb-1897
by claiming a true copy of the within
process to J. W. Smith in person
W. J. Wright and at S. Fitchett
not farmer in my country
A. C. Fisher Sheriff

E. E. Holland p. q.

W. B. Ferguson Co

vs.

In Chancery.

A. S. Fitchett Thomas

W. Smith ^{assignee} W. J. Wright
Justice

1897

March Rules.

First Monday.

Nansemond Circuit Court.

Process Book No. 2

Page 147

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *A S Fitchett Thomas*
W Smith assignee and W J Wright
trustee

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 *Tues* Monday in *March 1897*, to answer

a Bill in Chancery, exhibited against *them*
in the said Court by *W B Ferguson and E A Norfleet*
partners trading as W B Ferguson & Co

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this *26th* day of
February, 189*7*, in the *12th* year of the Commonwealth.

A copy—Teste:

A P Gomer, CLERK.

Teste:

A P Gomer, CLERK.

Nat found in my
country Feb 27/89
J. S. Baker
Sheriff

E E Holland p. q.

A copy for
A. S. Litchell

vs. } In Chancery.

1897

March Rules.

First Monday.

Nansemond Circuit Court.

Process Book No. 21

Page 147

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *A S Fitchett Thomas*
W Smith assignee and W J Wright trustee

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 *First* Monday in *March 1897*, to answer

a Bill in Chancery, exhibited against *them*
in the said Court by *W B Ferguson and E A Moffett*
partners trading as W B Ferguson & Co

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this *26th* day of
February, 189*7*, in the 12*th* year of the Commonwealth.

A copy—Teste:

A P Gomer, CLERK.

Teste:

A P Gomer, CLERK.

Not found in
My County Feb-27/1897
A H Baker
Sheriff

E E Holland p. q.

a copy for
W J Wright trustee

vs. } In Chancery.

18-97

March Rules.

First Monday.

Nansemond Circuit Court.

Process Book No. 2

Page 147

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *A S Fitchett Thomas*

vs Smith Assignee and W J Wright trustee

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 *First* Monday in *March 1897*, to answer

a Bill in Chancery, exhibited against *them*

in the said Court by *W B Ferguson and E A Norfleet*
plaintiffs tracing as W B Ferguson & Co

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this *26th* day of

February, 189*7*, in the 12*1st* year of the Commonwealth.

A copy Teste:

A P Gomer CLERK. }

Teste:

A P Gomer, CLERK.

Dr. legal sufficient & service acknowledged.
w. J. Wrights Make

p. q.

a copy
For A S Fitchett

vs. } In Chancery.

1897

March Rules.

First Monday.

Nansemond Circuit Court.

Process Book No.-----

Page-----

To the Clerk of the Circuit Court of Nansemond County:

W.B.Ferguson and E.A.Norfleet, partners trading as W.B.Ferguson & Co
vs

A.S.Fitchett, Thomas W.Smith, Assignee and W.J.Wright, trustee

Issue summons in chancery to Rules on 1st Monday in March, 1897

E.E. Holland Reg.

Pay \$1.50

Virginia, Nansemond County, Towit:-

This day personally appeared before me E.E. Holland, a notary public, in and for said county in said State, W.B. Ferguson, a member of the firm of W.B. Ferguson & Co and made affidavit that A.S. Fitchett, one of the foregoing defendants is not a resident of the State of Virginia.

Given under my hand this the 25th day of February, 1897

E.E. Holland
CHD

COUNTY OFFICERS.

HON. ROBERT R. PRENTIS—Judge of Circuit Court
 HON. WILBUR J. KILBY—Judge of County Court
 A. P. GOMER—Clerk of Circuit Court
 R. R. SMITH—Clerk of County Court
 E. E. HOLLAND—Commonwealth's Attorney
 A. H. BAKER—Sheriff
 SYDNEY T. ELLIS—County Treasurer

Clerk's Office
Nansemond County.

Suffolk, Va., ... 189

VIRGINIA—IN THE CLERK'S OFFICE of the Circuit Court of Nansemond county, in vacation of said court, on Thursday, March 4, 1897—

W. B. Ferguson and E. A. Norfleet, merchants and partners trading as W. B. Ferguson & Co. Plaintiffs,

AGAINST

A. S. Fitchett; W. J. Wright, trustee, and Thos. W. Smith, assignee. Defendants.

IN CHANCERY.

The object of this suit is to enforce the liens of two certain judgments in favor of W. B. Ferguson & Co. vs. W. E. Jackson and A. S. Fitchett, one of which is for \$59.45, with interest from July 24, 1896, till paid, and \$1.60 costs, and the other for \$26.27, with interest from May 1, 1896, till paid, and \$6.20 costs—duly docketed in the Clerk's office of the County Court of Nansemond county, by a sale of that certain lot of land on the west side of Main street, Suffolk, Virginia, which was conveyed to A. S. Fitchett by George P. Fitchett and wife by deed duly recorded in Nansemond county.

And it appearing by proper affidavit filed that one of the said defendants, A. S. Fitchett, is not a resident of the State of Virginia, it is ordered that he do appear here within fifteen days after due publication of this order in the SUFFOLK HERALD, a newspaper published in Suffolk, Virginia, and do what is necessary to protect his interest in this suit; and that this order be published and posted according to law.

A copy—Teste:

A. P. GOMER, Clerk.
 E. E. HOLLAND, p. q. mh5-4w

I A. P. Gomer clerk of the Circuit Court of Nansemond County do certify that the above order of Publication was posted at the front door of Nansemond County Court house on Monday the 5th day of March 1897 it being County court day.

A. P. Gomer Clerk

VIRGINIA—IN THE CLERK'S OFFICE of the Circuit Court of Nansemond county, in vacation of said court, on Thursday, March 4, 1897—

W. B. Ferguson and E. A. Norfleet, merchants and partners trading as W. B. Ferguson & Co.....Plaintiffs,
AGAINST

A. S. Fitchett; W. J. Wright, trustee, and Thos. W. Smith, assignee.....Defendants.

IN CHANCERY.

The object of this suit is to enforce the liens of two certain judgments in favor of W. B. Ferguson & Co. vs. W. E. Jackson and A. S. Fitchett, one of which is for \$59.45, with interest from July 24, 1896, till paid, and \$1.60 costs, and the other for \$26.27, with interest from May 1, 1896, till paid, and \$6.20 costs—duly docketed in the Clerk's office of the County Court of Nansemond county, by a sale of that certain lot of land on the west side of Main street, Suffolk, Virginia, which was conveyed to A. S. Fitchett by George P. Fitchett and wife by deed duly recorded in Nansemond county.

And it appearing by proper affidavit filed that one of the said defendants, A. S. Fitchett, is not a resident of the State of Virginia, it is ordered that he do appear here within fifteen days after due publication of this order in the SUFFOLK HERALD, a newspaper published in Suffolk, Virginia, and do what is necessary to protect his interest in this suit; and that this order be published and posted according to law.

A copy—Teste:

A. P. GOMER, Clerk.
E. E. HOLLAND, p. q. mh5-4w

Office of The Herald.

Suffolk, Va., *April 16 1897*

I hereby certify that the order of which the annexed is a copy has been published in THE SUFFOLK HERALD in the manner prescribed by law—once a week for four successive weeks.

J. E. Doolen
Editor Herald.

ut will you fly? Will you
le. swoop, or will you soar? Will you fly
ht- downward, or will you fly upward?
he Everything on the wing, this day bid
ed ding us aspire. Holy Spirit on the wing
Angel of the New Covenant on the
wing. Time on the wing, flying away
from us. Eternity on the wing, flying
toward us. Wings, wings, wings!
Live so near to Christ that when you
are dead people standing by your life-
less body will not soliloquize, saying,
"What a disappointment life was to
him! How averse he was to departure!
What a pity it was he had to die! What
an awful calamity!" Rather standing,
there may they see a sign more vivid
on your still face than the vestiges of

Suffolk, Va., March 26, 1898

Mr E. E. Holland & Co

TO SUFFOLK HERALD

Newspaper, Book AND Job Printing Establishment.

J. E. BOOKER, Proprietor.

TERMS CASH.

No. 9 WASHINGTON SQUARE.

1897

Mar 5	To Pub. Aham	Notes Ferguson		
		vs Fitchell &c		
		4 weeks		7 50
Aug 13	To Pub. Same	4 "		7 50
	At Causing Corner			
Nov 26	To Ad. Fitchell	Property for Sale		7 00
12	"	Hand Bills	"	1 25
Jan 28	"			
124	"	Hand Bills	"	1 25
Paid Payment				24 50
J. E. Booker				

Virginia:-In the Clerks Office of the Circuit Court of Nansemond County, in vacation of said court, on Thursday the 4th day of March, 1897.

W.B.Ferguson and E.A.Norfleet, merchants and partners trading as W.B.Ferguson & Co-
Plaintiffs

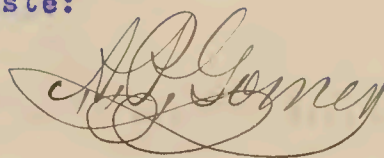
vs

A.S.Fitchett, W.J.Wright, trustee and Thos.W.Smith, Assignee-Defendants-
In Chancery.

The object of this suit is to enforce the liens of two certain judgments in favor of W.B.Ferguson & Co vs W.E.Jackson and A.S.Fitchett-one of which is for \$59.45, with interest from July 24th, 1896 till paid and \$1.60 costs, and the other for \$26.27 with interest from May 1st, 1896 till paid and \$6.20-duly docketed in the Clerks Office of the County Court of Nansemond County, by a sale of that certain lot of land on the West side of Main street, in Suffolk, Virginia, which was conveyed to A.S.Fitchett by Geo.P.Fitchett and wife by deed duly recorded in Nansemond County.

And it appearing by proper affidavit filed that ^{one of} the said defendants, A.S.Fitchett, is not a resident of the State of Virginia, it is ordered that he do appear here within fifteen days after due publication of this order in the "Suffolk Herald" a newspaper published in Suffolk, Virginia, and do what is necessary to protect his interest in this suit; and that this order be published and posted according to law.

Teste:



Clerk

E. E. Hallam
p. 91

100

Order of Publication

Know All Men by These Presents, That we, *Edward E Holland and William H Jones Jr*

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of *Two thousand* 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 *5th* day of *November* in the year of our Lord one thousand eight hundred and *ninety seven*, and in the *122nd* year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas *by a decree of the Circuit Court of the County of Nansemond Virginia pronounced on the 13th day of October 1897 in the Chancery cause pending in said Court between W B Ferguson the Complainants and A S Fitchett & others defendants it was decreed that all that certain lot of land in the bill and proceedings mentioned be sold and the said Edward E Holland was appointed Special Commissioner to sell the same; Now therefore if the said Edward E Holland shall faithfully discharge the duties of his office, post or trust as Special Commissioner aforesaid under said decree and all other decrees he may be required to execute in said cause then the above obligation to be void or otherwise remain in full force and virtue.*

Edward E Holland
Wm H Jones Jr



In the office of the Clerk of the *Circuit* Court of Nansemond County, on the *5th* day of *November* 189*7*

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

Attest: *A. P. Gomer* clerk Teste: *A. P. Gomer* CLERK.

Edward C. Hallam

To } Spec. Comm. Bond

The Commonwealth.

1897

Nov 5th

Recorded in Bond
Book Circuit Court
No 1 Page 143

A Copy

Supervisor W. Fitchett.

To the HON. Robery R. Prentis, Judge of the Circuit Court for the County of
Nansemond:-

The undersigned Special Commissioner appointed by decree entered in the Chancery cause of Ferguson & Co vs Fitchett and others, pending in said court, begs to report that as directed by decree entered on the 26th day of February, 1898, he has distributed the funds ^{coming} in his hands from the sale of the lands in said suit as follows:

To proceeds of sale		\$1080.00
By Town taxes paid		\$ 47.76
By county taxes paid		16.57
By Clerk(s) fees paid		8.75
By sheriff's fees paid		.50
By criers fee paid	(sworn to)	5.00
By commissions retained		30.60
By taxed attys fee and writ tax		16.50
By fee for deed to purchaser		5.00
By amt paid J.E.Booker,Advertising		24.50
By amt paid C.H.Causey,Commissioner		10.00
By amt paid Thos.W.Smith		914.82

		\$1080.00 \$1080.00

The purchaser has complied with the terms of sale by paying the entire purchase price in cash and your Commissioner, as directed by said decree, has executed a deed to him for said lands. Your Commissioner returns here with proper receipts for each disbursement. There is nothing further to be done in this cause.

Respectfully submitted,

E. B. Howard
Jpl Commⁿ

Ferguson & Co
vs-Report of Distribution
A.S.Fitchett and others

Apr 1st 1898
Filed *Al Gomer* CR

Ferguson & Co
20 Report of the
Frederick

Filed Feb 26th 1898

To the Hon. R. R. Prentiss, Judge of the Circuit Court of Nansemond County, Virginia-

The undersigned Special Commissioner appointed by decree entered in the chancery cause of Ferguson & Co vs A. S. Fitchett and others, pending in said court, on the 13th day of October, 1897, to make sale of the lands mentioned in the proceedings in said cause respectfully reports as follows: That he offered said land for sale at public auction in front of the court-house door of Nansemond County, on Monday, December 13th, 1897, after having advertised the time, terms and place of sale as directed by said decree, and that at said sale R. E. Potter, made the highest bid for said property, the same being for \$892.00. The said purchaser has so far failed to comply with the terms of said sale. Since said sale your Commissioner has received from John B. Pinner an upset bid of One thousand dollars for said property, *returned herewith* and also a bond to comply with the terms in case of a resale of said property and to bid that amount for said property. Your Commissioner recommends a resale of said property, and is informed that all the parties interested are willing to consent thereto. Your Commissioner has given the bond required by said decree of sale.

Respectfully submitted,

E. E. Keenan
Spcl Commr

Commissioner's Office,

Suffolk, Va., August 10, 1897.

To W. B. Ferguson and E. A. Norfleet, partners
trading as W. B. Ferguson & Co. Plaintiffs,

Against

A. S. Fitchett; W. J. Wright, trustee, and
Thos. W. Smith, assignee Defendants.

You are hereby notified that I have fixed upon Wednesday the 15th. day of September, 1897, if fair, if not, on the next fair day thereafter (Sunday excepted), at my office in Suffolk, Va., to inquire into and make report to Court:

- 1st. An account of the annual and fee simple value of the real estate described and referred to in the bill and proceedings in this cause.
- 2nd. An account of the several liens thereon, together with their respective dignities and priorities.

Which several inquiries the said Commissioner shall make and report to Court, together with any matter specially stated deemed pertinent by himself or required by any party to be so stated, required to be taken by a decree of the Circuit Court of the County of Nansemond, rendered on the 21st. day of April 1897, in a suit in chancery depending in said court between the parties aforesaid, at which time and place you are required to attend.

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

L. H. Causey Jr.

Commissioner in Chancery.

Sept. 14. 1897.

Due and sufficient service accepted.

John W. Smith

W. B. Ferguson & Co

By E. E. Howard, att

County, the day and hour, I have witnessed the execution of the foregoing instrument, and the parties to the same are the persons whose names are subscribed to the same, and they are of legal age and sound mind, and are not under any legal disability, and the execution of the same is voluntary and without fraud, duress or coercion, and the same is for the purposes and consideration therein expressed.

Witness my hand and the seal of the County of _____, State of _____, this _____ day of _____, 1897.

I, _____, County Clerk of the County of _____, State of _____, do hereby certify that the foregoing instrument is a true and correct copy of the original instrument filed for record in my office, and that the same is a true and correct copy of the original instrument filed for record in my office, and that the same is a true and correct copy of the original instrument filed for record in my office.

Subscribed and sworn to before me this _____ day of _____, 1897.

Notary Public for the State of _____

I, _____, do hereby certify that the foregoing instrument is a true and correct copy of the original instrument filed for record in my office, and that the same is a true and correct copy of the original instrument filed for record in my office, and that the same is a true and correct copy of the original instrument filed for record in my office.

Witness my hand and the seal of the County of _____, State of _____, this _____ day of _____, 1897.

Notary

Subscribed and sworn to before me this _____ day of _____, 1897.

Notary Public for the State of _____

County of _____, State of _____

COMMISSIONER'S OFFICE,
SUFFOLK, VA., August 10, 1897. }

TO W. B. FERGUSON AND E. A.
Norfleet, partners trading as W. B.
Ferguson & Co.....Plaintiffs,

AGAINST

A. S. Fitchett; W. J. Wright, trustee, and
Thos. W. Smith, assignee.....Defendants.

You are hereby notified that I have fixed
upon Wednesday, the 15th day of Septem-
ber, 1897, next, if fair, if not, on the next
fair day thereafter (Sunday excepted), at
my office, in Suffolk, Va., to inquire into
and make report to Court—

1st. An account of the annual and fee
simple value of the real estate described
and referred to in the bill and proceedings
in this cause.

2d. An account of the several liens there-
on, together with their respective digni-
ties and priorities.

Which several inquiries the said Com-
missioner shall make and report to Court,
together with any matter specially stated
deemed pertinent by himself or required
by any party to be so stated, required to
be taken by a decree of the Circuit Court
of the county of Nansemond, rendered on
the 21st day of April, 1897, in a suit in
chancery depending in said court between
the parties aforesaid, at which time and
place you are required to attend.

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

C. H. CAUSEY, JR.,

Commissioner in Chancery.

E. E. HOLLAND, p. q.

au13-4t

Office of The Herald.

Suffolk, Va., Sep 14th 1897
Noted

I hereby certify that the ~~copy~~ of which the annexed is a
copy has been published in THE SUFFOLK HERALD in the
manner prescribed by law—once a week for four successive
weeks.

J. E. Bookman

Editor Herald. -

Commissioner's Office,

Suffolk, Va. September 15, 1897.

W. B. Ferguson and E. A. Norfleet, partners
trading as W. B. Ferguson & Co.

Against))) IN CHancery

A. S. Fitchett; W. J. Wright, Trustee and
Thos. W. Smith, Assignee.

To the Circuit Court of Nansemond County:

Pursuant to the Decree of this Court pronounced in the above entitled cause on the 21st. day of April, 1897, the undersigned, one of the Commissioners in Chancery of this Court, having first given notice as required by law, which said notice is herewith returned duly executed, proceeded on the day named in said notice to take and settle the several accounts as directed in said Decree.

The results of his work are herewith reported as follows:

I.

Description of the property involved in this proceeding with its annual and fee simple values.

All that certain tract or lot of land on the West side of Main Street, in the Town of Suffolk, Virginia, fronting on said Street thirty three and one-third feet, more or less, and running back Westwardly therefrom two hundred and twenty feet, and bounded on the North by the lands of Lee and Luther Britt; on the East by said Main Street; on the South by Esther Cathon, and on the West by the land of Jerusha Norfleet.

The estimated annual value of said property is \$140.00

The assessed value of said property is \$1300.

The estimated fee simple value of said property is \$1400.00

II.

The Liens on the property in the Bill mentioned together with their dignities and priorities are as follows:

1.	Balance due on State and County taxes for 1895	\$0.19	
	State and County taxes for year 1896	8.88	
	State and county taxes for year 1897	<u>8.88</u>	\$17.47
2.	Town of Suffolk taxes for 1895	\$17.18	
	Town of Suffolk taxes for 1896	15.29	
	Town of Suffolk taxes for 1897	<u>15.29</u>	47.76
3.	Thomas W. Smith, Assignee		
	Deed of Trust. Dated Sept. 1. 1889		
	Principal	\$1000.	
	Int. March 1. 1896 to Dec. 1. 1897	\$105.	
	Less \$19. paid on same	<u>19</u>	<u>86.</u> 1086.
5.	W. B. Ferguson and E. A. Norfleet trading as W. B. Ferguson & Co.		
	1896 Aug. 8. Judgment obtained before L. H. Deakens, J.P., Greensville Co., Va., Extract of Judgment docketed in Nansemond County		
	Principal	\$26.27	
	Int. May 1, 1896 to Dec. 1, 1897	2.36	
	Costs	<u>6.20</u>	<u>34.83</u>
	Amount carried forward.		\$1186.06

Amount brought forward

\$1185.06

6. W. B. Ferguson and E. A. Norfleet trading
as W. B. Ferguson & Co.

1896 Aug. 8. Judgment obtained before
L. H. Deakens, J.P., Greensville Co., Va.,
Extract of Judgment docketed in Nansemond
County

Principal

\$59.45

Int. July 24, 1896 to Dec. 1, 1897

4.82

Costs

1.60

65.87

Grand Total

\$1251.93

No other questions arising for the consideration of your Com-
missioner, this Report is now completed.

Respectfully,

W. H. Causey Jr.

Commissioner in Chancery.

Fee \$10.

W. B. Ferguson & Co
v. { Report of
{ Comr. Causey
{ dated Sep. 15. 97.
A. S. Fitchett & Co

Filed Sept 28th 1897
A. P. Gomer clk

In the Circuit Court of Nansemond County-

Ferguson & Co vs Fitchett and others-

In vacation on the 26th day of February 1898

This cause came on this day to be again heard, with the consent of all parties, notice of the application for this decree being specially waived, upon the papers formerly read, and upon the report of sale made by Special Commissioner E.E. Holland, this day filed, to which report there is no exception, and was argued by counsel:

On consideration whereof, the court doth approve and confirm said report and said sale, and doth order adjudge, order and decree, that upon the payment of the entire purchase price, the said Special Commissioner E.E. Holland do convey by good and ^{sufficient} special deed, with special warranty, unto John B. Pinner ~~and others~~, the purchaser thereof, the real estate in the bill and proceedings mentioned. And the court doth further order, adjudge and decree that upon the receipt of the purchase price of said land the said Special Commissioner E.E. Holland shall proceed to pay the liens ~~& the balance of the purchase price of said land~~ on said real estate as heretofore ascertained by report of Commissioner C.H. Causey, filed herein and duly confirmed, according to the priorities therein reported, after having first paid the expenses of this suit and the costs of sale, and the balance ^{of said} he shall distribute among the parties entitled thereto. And the said Commissioner shall make report to court. And this cause is continued.

Robert R. Dentis.

To the Clerk of the
Circuit Court of
Nansemond County. -

In the Circuit Court of Nansemond County- *in vacation on the 21st.*
day of January 1898. -
W.B. Ferguson & Co vs A.S. Fitchett and others-

~~IN VACATION On the day of January, 1898~~

This cause came on this day to be again heard, by consent of the parties, notice of the application for this decree being specially waived, on the papers formerly read, the report of sale by Special Commissioner E.E. Holland, this day filed, and the upset bid of John B. Pinner filed with the said report, and was argued by counsel: On consideration whereof the court doth approve and confirm said report but doth refuse to approve and confirm said sale, and doth order, adjudge and decree that the said Special Commissioner E.E. Holland shall again expose said property to sale, after giving ten days notice, by hand-bills, of the time, place and terms of sale, at public auction and upon the terms prescribed by former decree of sale entered in this cause, and at said resale shall accept no bid for a less amount than One thousand dollars, the amount of said upset bid filed in this cause by John B. Pinner. And the said Special Commissioner is directed to make report to court.

Robert S. Dennis.
To the Clerk of the
Circuit Court of
Nansemond County.

Ferguson & Co

vs-Decree for Resale

A.S.Fitchett and others

We consent to this decree-

A. S. Fitchett
Thos W Smith

R. C. Allen
W. B. Ferguson & Co
By E. E. Hancock atty

Enter Jan'y 21, 1898
Robert H. Huntis.

Entered in Chancery
Order Book No. 3- Page
123.

In the Circuit Court of Nansemond County:

W. B. Ferguson & Co vs Fitchett and others.

This cause came on this day to be again heard upon the papers formerly read, and upon the report of Commissioner C. H. Causey, Jr, filed herein on September 28th, 1897, to which report no exceptions have been filed, and ^{approve and confirm said report and} was argued by counsel: On consideration whereof the court doth order, adjudge and decree that E. W. Holland, who is hereby appointed a Special Commissioner for that purpose, do, proceed after advertising the time, terms and place of sale in some newspaper published in the Town of Suffolk once a week for two successive weeks, to sell the real estate in the bill and proceedings mentioned, at public auction, in front of the court-house door of Nansemond County, on some court-day, ~~for cash~~, And the said Commissioner is directed to deposit the ^{purchase money} ~~cash instalment~~ in the Farmers Bank of Nansemond to his credit as Special Commissioner in this cause, and return with his report of sale, a certificate of deposit, for the purchase price thereof. But the said Commissioner shall ~~receive no~~ ^{not act} ~~money~~ under this decree until he shall enter into bond with approved security, in the penalty of \$2000. — payable to the Commonwealth of Virginia, and conditioned for the faithful discharge of his duties under this or any other decree entered in this cause. And the said Commissioner is directed to append to his advertisement of sale a certificate from the Clerk of this Court that the bond required hereby has been given with surety approved by him. ~~And this cause is continued.~~ The terms of said sale shall be one third cash, and the balance in two equal instalments payable in six and twelve months from day of sale, credit instalments bearing interest from date, purchaser giving his bond therefor and title retained until full purchase price is paid and a conveyance directed by the Court, but the purchaser, if he desires, may pay the entire purchase price in cash. and this cause is continued

Fitchell & Co
adjs. Decees
Ferguson Co

Dec. 13, 1897

To be entered

Robert R. Deuts

Entered in
Chy OR no 3

Page 102

In the Circuit Court of Hanneman County:
This cause was on this day to be again heard upon the separate return-
ment of an affidavit and others.

In the Circuit Court of Nansemond County:-

W.B.Ferguson & Co

vs-

vs A.S.Fitchett, W.J.Wright, trustee and Thos W.Smith, Assignee-

This cause, in which the plaintiffs have proceeded against the non-resident defendant A.S.Fitchett in the mode prescribed by law against ~~and they still failing~~ non-resident defendants, came on this day to be heard upon the bill taken for confessed, as to the resident defendants W.J.Wright, trustee and Thos. W.Smith, Assignee on whom process has been duly served, and as to A.S. Fitchett, the non-resident defendant, as to whom the order of publication has been duly executed and more than fifteen days has elapsed since the completion of the execution thereof, all of them still failing to appear and plead, answer or demur to the said bill, and on the exhibits filed, and was argued by counsel: On consideration whereof the court doth order, adjudge and decree that the papers in this cause be referred to one of the Commissioners of this court who is directed to enquire into and report to court-

1st. An account of the annual and fee-simple value of the real estate described and referred to in the bill and proceedings in this cause.

2nd. An account of the several liens thereon together with their respective dignities and priorities.

Which several inquiries the said commissioner shall make and report to court together with any matter specially stated deemed pertinent by himself or required by any party to be so stated. And this cause is continued.

ed. And this name is mentioned.

being named positively by himself or admitted by any party to be an agent, shall make and report to court together with any matter specially stated in the bill and proceedings in this cause.

which several induplicate the said counts.

the distinction and principles.

and, an account of the several items thereon together with their respective receipts and referred to in the bill and proceedings in this cause.

1st. An account of the amount and reasonable value of the real estate de-

scribed.

2nd. An account of this court and the amount of the said real estate and report to

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Suffolk Virginia
December 28th 1897.

E. C. Holland Esq.

Special Commissioner in the Chancery Cause
of "H. D. Ferguson and Co. vs. A. J. Fitchett"
Circuit Court of Nansemond County, Va.

Dear Sir:-

I hereby make you an upset bid of \$1000,
for the real estate sold by you as Special Commis-
sioner in the chancery cause of "H. D. Ferguson &
Co. vs. A. J. Fitchett" in the Circuit Court of
Nansemond County, Va. on the 13th day of
December 1897 at which sale the said real
estate was sold for \$892.

I have you herewith my bond with surety
seemed sufficient in the penalty of \$1000, the
amount of my upset bid, obligating myself
or some one for me, to appear on the day of
sale, if the Court should order the same,
bid the sum of \$1000 for the said real es-
tate and comply with the terms of sale

Yours very respectfully,
John D. Rinnet.

Know All Men by these presents That we John D. Pinnet and J. D. Daughtrey are held and firmly bound unto the Commonwealth of Virginia in the sum of One Thousand Dollars, to be paid to the said Commonwealth for the payment whereof well and truly to be made we bind ourselves, and our heirs jointly and severally by these presents, and we hereby waive the benefit of our Homestead Exemptions as to this debt, obligation and contract.

Sealed with our seals and dated this 28th day of December, 1897.

The condition of the above obligation is such that whereas John D. Pinnet has made an upset bid of \$1000 for the real estate sold by C. E. Holland as Special Commissioner in the chancery cause of "W. D. Ferguson and Co vs. A. J. Fitchett" to R. E. Potter for \$892 and by virtue of said upset bid the Circuit Court of Vance County will be asked to order a resale of said property,

Now if the said John D. Pinnet, or some one for him, shall make his appearance on the day of resale of said real estate, if such be ordered by the said Court, shall bid for said real estate the sum of \$1000 and otherwise comply with the terms of resale, then this obligation to be void; otherwise the said

John D. Pinnet shall pay to any party damaged thereby by the failure of the said John D. Pinnet to make said bid as aforesaid and comply with the terms of resale such damages as may be sustained by any party thereby.

John D. Pinnet
J. D. Daughtry



Virginia, County of Staunton, to-wit:-

I, R. H. Rawles a Notary Public for the County aforesaid in the State of Virginia do certify that J. D. Daughtry has this day personally appeared before me and made oath that after the payment of all his debts and waiving the homestead exemption, he has property of the value of \$1000.

Given under my hand this 28th day of Dec. 1897

R. H. Rawles N. P.

Virginia: In the Circuit Court of the County of Greenville.

Term 189

W. B. Ferguson & Co

Against

Plaintiff

In

A. S. Fitchett & W. E. Jackson

Defendants

Judgment in favor of the plaintiff against the defendant for the sum of Twenty Six dollars and Twenty Five cents, with interest thereon, to be computed after the rate of six per centum per annum, from the 1st day of May 1896,

till payment, and the costs. Plaintiff's costs \$ 6.20 This Judgment was obtained upon a Note containing a waiver of the Homestead Exemptions.

An extract—Teste.

E. L. Turner

Clerk.

Plaintiff's Attorney.

M. B. Hampton

VS

}

EXTRACT

JUDGMENT.

Richard Jackson

p. q.

SMITH'S PRINT, WELDON, N. C.

~~Virginia: In the Circuit Court of the County of Greenville.~~

~~Term 189~~

M. B. Ferguson & Co.

Against

Plaintiff

M. E. Jackson & A. S. Fletcher.

Defendants

Judgment in favor of the plaintiff^s against the defendant^s for the sum of Fifty Nine
dollars and Fourteen cents,
with interest thereon, to be computed after the rate of six per centum per annum, from the 24th day
of July 1896,

till payment, and the costs. Plaintiff's costs \$ 1.60 This Judgment was obtained upon a Note
containing a waiver of the Homestead Exemption.

An extract—Teste.

E. L. Turner

Clerk.

Plaintiff's Attorney.

*Judgment F.L.D.
Sections Justice of
Greenville County
rendered Aug 8. 1896
and docketed in
the Clerk's Office
of Greenville County
Cause Aug 20 1896*

H. B. Angstrom vs

VS

}

EXTRACT

JUDGMENT.

Jackson vs. A. L. L. vs

p. q.

HARRELL'S PRINT, WELDON, W. V.

In the Circuit Court of Nansemond County, Virginia.

Ferguson & Co vs Fitchett and others

This cause came on this day to be again heard upon the papers formerly read, and upon the report of distribution made by Special Commissioner E. E. Holland, filed on the 1st day of April, 1898, to which report there is no exception, and was argued by counsel: On consideration whereof the court doth ratify, approve and confirm said report of distribution as aforesaid, and there being nothing further to dispose of in said suit doth order, adjudge and decree that the same be removed from the docket.

Ferguson & Co

vs-Final Decree

Fitchett and others

April 13 1898

To be entered

Robert H. Smith

To the Hon.R.R.Prentis, Judge of the Circuit Court for the County of Nansemond:-

Your complainants W.B.Ferguson and E.A.Norfleet,merchants and partners trading as W.B.Ferguson & Co respectfully show the following case:

That they hold duly docketed judgments against W.E.Jackson and A.S. Fitchett for the following amounts:One judgment for \$59.45,with interest from July 24th,1896,till paid and \$1.60 costs and the other for \$26.27 with interest from May 1st,1896,till paid and \$6.20 costs.Extracts of said judgments ,marked Exhibit "A",are herewith filed and asked to be considered as a part of this bill.Of these judgments no part has been paid.

The said A.S.Fitchett owns a certain lot of land in the Town of Suffolk, in the county of Nansemond,Virginia,bounded and described as follows}

All that certain tract or lot of land on the West side of Main Street in the Town of Suffolk,Virginia,fronting on said street thirty three and one third feet,more or less,and running back Westwardly therefrom two hundred feet and bounded on the North by the lands of Lee and Sydney Britt,on the East by Main street,on the South by Esther Cathon and on the West by the lands of Jerusha Norfleet.

The said land was sold to said A.S.Fitchett by Geo.P.Fitchett and wife subject to a lien thereon in favor of Thomas W.Smith,Assignee,for One thousand dollars,whõch said lien your complainants are informed has never been satisfied,*and is evidenced by deed of trust in which Ed. J. Wright is named as trustee.* Your complainants aver and charge that the rents and profits of this land will not in five years satisfy your complainants judgments and the liens now thereon,and that they are entitled to enforce their liens by a sale of the said property.

In tender consideration whereof your complainants pray that the said A.S. Fitchett,Thomas W.Smith,Assignee,and W.J.Wright,trustee,in the deed of trust on said property to secure said Thomas W.Smith,Assignee,may be made parties defendant to this bill and required to answer the same(but answers under oath are waived);that proper process issue;that all proper orders

and decrees may be made and inquiries be directed; that if it shall appear that the said rents and profits of said real estate will not in five years satisfy your complainants judgments that the said real estate be sold and the proceeds thereof applied in satisfaction of your complainants judgments; that if such rents will suffice the said land ^{may} be rented out and the proceeds thereof be applied to the said judgments until the same are fully satisfied; and that all such other, further and general relief may be given your complainants as the nature of their case may require or to equity shall seem meet. And your complainant will ever pray, &c

E. E. Halland
P. G.

W. B. Ferguson & Co
vs Dice
A. S. Fitchell & als

W B Ferguson & Co
vs In Chancery
A S Fitchett & others

1897. Feby 26. Process issued returnable to
March Rules first Monday.

" March 1. Process returned executed on
Thos W Smith assigned, and accepted
by W J Wright Trustee. Bill filed
and decree nisi vs them.

Order of Publication as to non-
resident defendant.

" April 2nd. Set for hearing on order of publication

Chaucery Notes.

AUCTION SALE

← OF →

VALUABLE REAL ESTATE

IN SUFFOLK!

By authority of a decree of the Circuit Court of Nansemond county, in the State of Virginia, entered on the 13th day of October, 1897, in the chancery cause pending in said court between W. B. Ferguson & Co., complainants, and A. S. Fitchett and others, defendants, the undersigned will sell by public auction to the highest bidder, before the Court-house door of said county, in Suffolk, Va.,

On Monday, December 13, 1897,

(Court day), at 12 o'clock M., the following real estate, to wit:

"All that certain lot of land on the west side of Main street, in the town of Suffolk, Virginia, fronting on said street thirty-three and one-third feet, more or less, and running back westwardly therefrom two hundred and twenty feet, and bounded on the north by the lands of Lee and Luther Britt, on the east by Main street, on the south by the lands of Esther Cathon, and on the west by the lands of Jerusha Norfleet.

— TERMS OF SALE —

One-third cash, and the balance in two equal instalments at the end of six and twelve months from the day of sale, with interest from day of sale, the purchaser to execute his bonds, waiving the benefit of exemptions, payable to the undersigned, in evidence of the deferred payments. But the purchaser, if he desires, may pay the entire purchase price in cash.

The title to the property will be retained until the further order of the Court.

E. E. HOLLAND, Special Commissioner.

NOVEMBER 10, 1897.

I, Azra P. Gomer, Clerk of the Circuit Court of Nansemond county, Virginia, do certify that the bond required of Edward E. Holland, special commissioner, under the decree of said court made on the 13th day of October, 1897, in the chancery cause pending in said court between W. B. Ferguson & Co., complainants, and A. S. Fitchett and others, defendants, has been executed with security deemed sufficient by me.

Given under my hand this fifth day of November, 1897.

A. P. GOMER, Clerk.

R. E. Potter #692

AUCTION SALE

←←OF→→

VALUABLE REAL ESTATE

IN SUFFOLK!

By authority of a decree of the Circuit Court of Nansemond county, in the State of Virginia, entered on the 13th day of October, 1897, in the chancery cause pending in said court between W. B. Ferguson & Co., complainants, and A. S. Fitchett and others, defendants, the undersigned will sell by public auction to the highest bidder, before the Court-house door of said county, in Suffolk, Va.,

On Monday, December 13, 1897,

~~(Court day), at 12 o'clock M., the following real estate, to wit:~~

"All that certain lot of land on the west side of Main street, in the town of Suffolk, Virginia, fronting on said street thirty-three and one-third feet, more or less, and running back westwardly therefrom two hundred and twenty feet, and bounded on the north by the lands of Lee and Luther Britt, on the east by Main street, on the south by the lands of Esther Cathon, and on the west by the lands of Jerusha Norfleet.

≡TERMS OF SALE≡

One-third cash, and the balance in two equal instalments at the end of six and twelve months from the day of sale, with interest from day of sale, the purchaser to execute his bonds, waiving the benefit of exemptions, payable to the undersigned, in evidence of the deferred payments. But the purchaser, if he desires, may pay the entire purchase price in cash.

The title to the property will be retained until the further order of the Court.

E. E. HOLLAND, Special Commissioner.

NOVEMBER 10, 1897.

I, Azra P. Gomer, Clerk of the Circuit Court of Nansemond county, Virginia, do certify that the bond required of Edward E. Holland, special commissioner, under the decree of said court made on the 13th day of October, 1897, in the chancery cause pending in said court between W. B. Ferguson & Co., complainants, and A. S. Fitchett and others, defendants, has been executed with security deemed sufficient by me.

Given under my hand this fifth day of November, 1897.

A. P. GOMER, Clerk.

AUCTION SALE

OF

VALUABLE REAL ESTATE

IN SUFFOLK!

By authority of a decree of the Circuit Court of Nansemond county, in the State of Virginia, entered on the 21st day of January, 1898, in the chancery cause pending in said court between W. B. Ferguson & Co., complainants, and A. S. Fitchett and others, defendants, the undersigned will resell by public auction to the highest bidder, before the Courthouse door of said county, in Suffolk, Va.,

On Monday, February 14, 1898,

(Court day), at 12 o'clock M., the following real estate, to wit:

"All that certain lot of land on the west side of Main street, in the town of Suffolk, Virginia, fronting on said street thirty-three and one-third feet, more or less, and running back westwardly therefrom two hundred and twenty feet, and bounded on the north by the lands of Lee and Luther Britt, on the east by Main street, on the south by the lands of Esther Cathon, and on the west by the lands of Jerusha Norfleet.

TERMS OF SALE

One-third cash, and the balance in two equal instalments at the end of six and twelve months from the day of sale, with interest from day of sale, the purchaser to execute his bonds, waiving the benefit of exemptions, payable to the undersigned, in evidence of the deferred payments. The purchaser, if he desires, may pay the entire purchase price in cash. No bid for a less amount than \$1,000 will be accepted.

The title to the property will be retained until the further order of the Court.

E. E. HOLLAND, Special Commissioner.

JANUARY 21, 1898.

I, Azra P. Gomer, Clerk of the Circuit Court of Nansemond county, Virginia, do certify that the bond required of Edward E. Holland, special commissioner, under the decree of said court made on the 13th day of October, 1897, in the chancery cause pending in said court between W. B. Ferguson & Co., complainants, and A. S. Fitchett and others, defendants, has been executed with security deemed sufficient by me.

Given under my hand this fifth day of November, 1897.

A. P. GOMER, Clerk.