

1909-081
Nansemond Co (Suffolk)

Chancery Causes: William H. Morris vs James W. Hall et al

Cowling, Wills

CHANCERY SUMMONS.

The Commonwealth of Virginia,

Sergeant of City of Norfolk
TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *Jos. O. Hall*,
Sydney D. Ellis and Jno Edwill

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~~ ^{third} Monday in *March* next, to answer
a Bill in Chancery, exhibited against *them*
in the said Court by *Wm H. Morris*

and have then and there this summons.

Azra P. Gomez
Witness, ~~PETER B. PRENTIS~~, Clerk of our said Court, at his office, this *14* day of
March 1890, in the 11th year of the Commonwealth.

Teste:

Azra P. Gomez Clerk.

Memo: The Bonds required by the order of the Circuit Court Judge of St. Lawrence County in this case has been executed; and the defendants, Jas. W. Keall, Sydney J. Ellis and John C. Wells, their agents, attorneys and all other parties are enjoined and restrained from selling, removing, using or in any manner disposing of the property mentioned in the Bill of Complaint in said suit, consisting of one Turbine water wheel and shafting to same, one 56 inch circular saw, one Bull wheel, belt, rope and gearing to same, one large driving belt, one cutoff or butting saw with belt and gearing, three slot saw tools, saws, shafting & belts for same, and one Tannen & Delany's late improved friction feed, with gearing to same; until the further order of the Court.

Teste:

C. P. Gomer Clerk

3
Bright h.g.

Wm. H. Morris

vs } Summons in Chy.

Jas W. Keall, Sydney J. Ellis and John C. Wells.

To March Rules. 1890.

3^d Monday.

Executed this 5th day
day of March A. D. 1890
by leaving a copy here
off with like order of
its junction these are
endorsed on Jas W.
Keall

Carl L. Quinn Deputy
for J. A. Brimmer & Son
City of Norfolk

See to

Receipt Book No. 2
page 29.

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *Gas W. Hall, Sydney*
J. Ellis + J. no E. Wills

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~~ ^{Thurs} Monday in *March* next, to answer
a Bill in Chancery, exhibited against *them*
in the said Court by *Wm H. Morris*

and have then and there this summons.

Agas J. Gomer
Witness, ~~PETER B. PRENTIS~~, Clerk of our said Court, at his office, this *1st* day of
March 1890, in the 11th year of the Commonwealth.

Teste:

A. J. Gomer

Clerk.

Memo. The Bond required by the order of the Circuit Court Judge of Stansbury County in this cause has been executed; and the Defendants, Jas. W. Hall, Sydney J. Ellis and John E. Wells, their Agents, Attorneys and all other parties are enjoined and restrained from selling, removing, using or in any manner disposing of the property mentioned in the Bill of Complaint in said suit, Consisting of one Turbine Water Wheel and shafting to same, one 56 inch circular saw, one Bull wheel, belt, rope and gearing to same, one large driving ~~the cut-off saw~~ or Bull saw with belt ~~and~~ belt and gearing, three slot saw tables, saws, shafting & belts for same and one Tanner & Deany's lobe improved friction feed, with gearing to same; until the further order of the Court,

Teste:

A. P. Gomer, clerk

Mighty p.p.

W. H. Morris

vs J. Dechy

Jas. W. Hall Sydney J. Ellis & John E. Wells

1890.

To March Rules

3rd Monday.

To. 13th Nov. 29.

1

Shy.

Wm. H. Morris

Received this the 10th day of March 1890 by delivering a true copy of this writ to the within named Sydney J. Ellis in person

Know all men by these presents that we W.H. Morris as Principal and Frank Morris as Surety have made, constituted and appointed, and by these presents do make, constitute and appoint Ans. H. Wright of Suffolk Va, our true, sufficient and lawful attorney in fact, for us and in our names, places and stead to appear before the Clerk of the Circuit Court of Hansemond County and there execute and acknowledge for us, such bond as may be required by the Order of the Judge of said Circuit Court, in a penalty of \$500⁰⁰ upon awarding to said W.H. Morris an Injunction Order against James M. Hall, Sydney J. Ellis and Ans. E. Wells, in a Suit in Chancery between said W.H. Morris Pltff and James M. Hall, Sydney J. Ellis and Ans. E. Wells Dfts; brought in said said Court. Herby ratifying and confirming all lawful acts done by our said Attorney in the premises, by virtue hereof. Witness our hands and seals, this 26th day of February, 1890 -

W.H. Morris (Seal)
Frank Morris (Seal)

Corporation of the City of Norfolk, TO-WIT;

I, Geo. D. Day, a Notary Public for the Corporation aforesaid, in the State of Virginia, do certify that Wm. H. Morris & Frank Morris

_____ hereto annexed
whose names and signed to the writing ~~and~~ bearing date on the 26th day of Feb in the year eighteen hundred and Ninety

have acknowledged the same before me, in my corporation aforesaid.

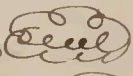
Given under my hand, this 26th day of Feb in the year 1890.

Geo. D. Day
Notary Public.

Power of
Bond Attorney
~~Geo H Wright City~~
~~for W H Morris~~

26 July 1890

Know all men by these presents that I, Wm
H. Morris of the City of Norfolk, and Frank
Morris, have made, Constituted & appointed
and by these presents do make, constitute
and appoint Geo H. Wright of Suffolk, our
true, sufficient and lawful attorney, for
us and in our names, places and sent to
sign and acknowledge, before the Clerk of
the Circuit Court of Hanseman County,
(the said Wm H. Morris as Principal, and
the said Frank Morris as Surety) such bond
as may be required by and order of the Cir-
cuit Court of Hanseman County, in an
Injunction suit, brought by said Wm H.
Morris against James M. Hall and others;
to restrain them from cutting or moving
away any timber from lands conveyed
by said James M. Hall wife to Geo. H. Wright
Trustee for W. H. Morris - Hereby ratifying and
confirming all lawful acts done by our
said Attorney by virtue hereof -
Witness our hands seals this 2nd day of September
1889 -

W. H. Morris 
Frank Morris 

Virginia: Norfolk City to wit:

J. Geo. H. Day -
a Notary Public for said state and City do certify

That W.H. Morris & Frank Morris, whose names
are signed to the writing above dated the
2nd day of September - 1889, have severally
acknowledged the same before me in my said
City - Given under my hand this 2nd day of
September 1889 - G.W.H. Day
Notary Public.

Cover of Attorney
Sept 2nd 1889

Know All Men by These Presents, That we, *Wm. Morris as Principal and Frank Morris assuety*

James W. Hall

are held and firmly bound unto the ~~COMMONWEALTH OF VIRGINIA~~ in the just and full sum of *Five Hundred* DOLLARS, for 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, ^{and assigns} jointly and severally, firmly by these presents.

^{and we} The obligors herein hereby waive the benefit of our ^{Homestead} exemption as to this obligation, and also waive any claim or right to discharge any liability to said Commonwealth arising under this bond, or by virtue of the herein mentioned, with coupons detached from bonds of said Commonwealth.

Sealed with our seals, and dated this *1st* day of *March* *1890* in the year of our Lord one thousand eight hundred and , and in the year of the Commonwealth.

whereas
THE CONDITION OF THE ABOVE OBLIGATION IS SUCH. That ~~if~~ the above bound in a certain suit in Chancery pending in the Circuit Court of Nansemond County wherein the said *Wm. Morris* is Plaintiff and *James W. Hall* & others are defendants, the Hon. *C. W. Hill* Judge of the Circuit Court has upon the petition of said *Wm. Morris* awarded him an injunction against the said *James W. Hall* who has this day qualified before the Court of Nansemond County,

Sydney T. Ellis & Geo. Ellis Enjoining and restraining them from selling removing using or in any manner disposing of any part or parcel of the property mentioned in the Bill of Complaint in said suit, now if the said *Wm. Morris* shall pay all such costs and damages as may be awarded against him in case the said injunction shall be dissolved.

shall faithfully discharge the duties of his said

then the above obligation to be void.

or else to remain in full force and ~~virtue~~ effect

Executed ^{and acknowledged before} in presence of the Court.

me Circuit Court Clerk for the County of Nansemond, Va

March 1st 1890 A copy

Teste J. P. Bosner Clerk

Wm. Morris by Geo. Wright

his atty in fact.

Frank Morris by Geo. Wright

his atty in fact.



At a Court held for Nansemond County, at the Courthouse thereof, on the day of , 18 .

The above bond was executed and acknowledged in open Court by the obligors to the same (the securit justifying), and ordered to be recorded.

Teste :

Wm Morris

25 In Chy

Ed Hall & al

A copy of Bms

CHANCERY SUMMONS.

The Commonwealth of Virginia,

Isloflwright
TO THE SHERIFF OF ~~NANSEMOND~~ COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

Jos W Hall,
Sydney D Ellis & Geo. E. Wills.

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~~ *Thurs* Monday in *March* next, to answer

a Bill in Chancery, exhibited against *them*
in the said Court by *Wm H Morris*

and have then and there this summons.

Aza P. Gomer
Witness, ~~PETER B. PRENTIS~~, Clerk of our said Court, at his office, this *1st* day of

March 1890, in the 114th year of the Commonwealth.

Teste:

A. P. Gomer

Clerk.

Memo:

The Bond required by the order of the Circuit Court Judge of Nantucket County in this cause has been executed, and the Defendants, Jos. W. Hall, Sydney J. Ellis and John E. Laills, their agents, attorneys and all other parties are enjoined and restrained from selling, removing, using or in any manner disposing of the property mentioned in the Bill of Complaint in said suit, consisting of one Turbine water wheel and shafting to same, one 56 inch circular saw, one Bull wheel, belt, rope and gearing to same, one large driving belt, one cut-off or butting saw with belt and gearing, three slot saw tables, saws, shafting belts for same and one Tanner & Delany's late improved friction feeds, with gearing to same; until the further order of the Court.

Teste,

J. P. Gomer Clerk

Pro. Nantucket

W. H. Mendenhall

John W. Hall, Sydney J. Ellis, and John E. Laills

do Nantucket 1890.

3rd Monday

Received by said
creep to effectuation
Nantucket J. E. Ellis
a true copy of the
written document
Nantucket 7th 1890.

No. 1, 1890

84th

Cic. let

Process Book No 2.
page 29

Know all men by these presents,
that, J. W. Morris, of Norfolk City, Va.,
have made, constituted and appointed,
and by these presents do make, constitute
and appoint, and in my place and stead
put and depate, John M. Wright, of Nor-
folk, Nansemond County, Virginia, my
true and lawful attorney, for me, and
in my name, place and stead, and as
my proper act and deed, to sign, seal,
deliver and acknowledge before the Clerk
of the Circuit Court of Nansemond Coun-
ty, Va., the bond prescribed by an injunc-
tion or restraining order this day granted
by the honorable C. W. Stille, Judge of the Cir-
cuit Court of Nansemond County, Vir-
ginia, in the suit in chancery pending
in said Court, wherein I am plaintiff
and J. W. Stille is defendant—hereby
giving and granting unto my said at-
torney my full and whole power and
authority in and about the premises to do,
execute and perform whatsoever may be
needful and necessary to be done, as fully,
largely and amply, to all intents and purposes,
as I myself might do if personally present;
and hereby ratifying, approving and confirm-
ing all that my said attorney may lawfully
do in and about the premises by virtue hereof.

In witness whereof, I have here-
unto set my hand and seal this 30th day of December, 1889.

J. W. Morris Seal

State of Virginia,
City of Norfolk, to-wit:

I, L. D. Starke, a Notary Public
for the corporation of the city of Norfolk in
the State of Virginia, do certify that W. A.
Morris, whose name is signed to the fore-
going writing, bearing date on the 30th day
of December, 1889, has acknowledged the
same before me in my corporation aforesaid.

Given under my hand this
30th day of December, 1889.

L. D. Starke,
Notary Public.

Power of atty.

30 Dec 1889

Know all men by these presents, that we
W. H. Morris as principal & Jas. H. Wright as Sec-
retary, are held and firmly bound unto the
Commonwealth of Virginia, in the just and
full sum of Two Hundred Dollars, for the
payment of which we bind ourselves, our heirs,
Executors and administrators, jointly & severally
firmly by these presents, and we waive the bene-
fit of our Homestead Exemption as to this Debt,
Sealed with our Seals and dated this 31st day of
December 1889.

The Condition of the above obligation is Such
that whereas the above bound W. H. Morris,
in a Chancery Cause brought by him in the
Circuit Court of Hanover County against
J. H. Hall, has obtained from Hon. C. H. Hill
Judge of said Court an Injunction or restrain-
ing order, enjoining and restraining the said
J. H. Hall, his Agents, Attorneys and all other
parties from moving from the mill or other
portion of the Land sold under the Deed and
deed referred to in the Bill, in which said order
was awarded, any part of the machinery of said
mill or other property appertaining to said prem-
ises, and from disposing of any property that
he or they may have removed therefrom, until
the further order of the Court: Now if the said
W. H. Morris and Jas. H. Wright, or either of them
shall pay all such Costs and Damages as?

be awarded to the said James W. Hall, in
this injunction in said cause be dissolved
then the above obligation shall be void, or
else remain in full force and effect.

W. H. Morris - Seal

By Geo. H. Wright his atty in fact,

Geo. H. Wright Seal

Injunction
Bond
W. H. Morris

Bond

31 Dec 1889

W. H. Morris

75

J. W. Hall et al.

On motion of the
defendant J. W. Hall leave is given
him to file his answer in open
court which is accordingly done
whereupon the plaintiff replied
generally to the same.

~~J^d~~

W. H. Morris

vs

J. W. Hull et al,

\$ 2000

April 14th 1896

To be entered.

Robert J. Morris

Entered on

Chancery

OV 3 Page 19

In vacation - In the Circuit Court of Mansfield County on the 31st day of January, 1896 -

W. H. Wims & Co

vs

Jas. W. Stace, Sydney J. Ellis
and John E. Liles

This cause came on this day to
be further heard upon ^{the papers formerly filed} the de-
fendants demurred to the com-
plainant's bill ^(filed herein on October 18th 1892) and the motion of
the defendants to dissolve the
injunction heretofore awarded
in this cause, and was argued
by counsel; on consideration where-
of the Court did advise the said
demurrer, and did ~~refuse~~ con-
tinue the said motion to dissolve
the said injunction. On the motion
of the complainant leave is given
him to amend his bill. And on the
motion of the defendants leave is
given them to file answers to the
complainant's bill. And this
cause is continued.

To The Clerk of the Circuit
Court Mansfield County }

Robert R. Prentiss.

Enter Jan. 31, 1896
Robert D. Huntis

Entered in Chancery
Order Book No 3 Page
14

M. H. Morris

vs } In Chancery:

Jas W. Hall, & als

Sydney J. Ellis & His

Mrs. E. Wills

This cause came on this day to be heard on the Complainant's Bill, taken for confessed as to the Defendants, on all of whom process has been duly served, and they failing to appear and answer, filed on return, & was argued by Counsel, on consideration whereof the Court doth adjudge, order and decree that the injunction heretofore granted be perpetuated, and the Court doth further adjudge, order and decree that Sydney J. Ellis deliver to said Wm H. Morris, the Ferris wheel left in his possession by said J. W. Hall, together with any appurtenances belonging to the same, and that said Mrs E. Wills also deliver to said W. H. Morris the circular saw, Bull wheel, belt, rope, gearing to the same, large driving belt, one cut off or butting saw with belt and gearing, three flat saw tables, saws, shafting and belts for same, and one Janner & Delaney's improved friction feed, left with him by said J. W. Hall, without prejudice to prior lien holders, ~~and upon failure to deliver any part thereof, he shall pay to said W. H. Morris the alternative value.~~

And nothing further appearing to be done in this cause it is ordered that it be removed from the docket & that James W. Hall pay the costs hereof.

To be entered

Oct 18th 1892

J. W. Hall et al.
ads

W. H. Morris

~~ads~~

~~J. W. Hall et al.~~

The defendants by their attorney come
and say the bill of complaint filed
in this cause is not sufficient in
law

J. W. Hall et al.
ads

W. H. Morris
~~ads~~

~~J. W. Hall et al.~~

W. S. Hallam Jr.

The defendants by their attorney move to
dissolve the injunction heretofore awarded
in this cause.

J. W. Hall et al.

ads

W. H. Morris

The defendants by their attorney
move the Court to dismiss the bill
in this cause because they say the Court
has no jurisdiction in the premises

Jw Hall et. al.

ads

W. H. Morris

1892 Oct 18th Filed by
leave of Court.

J. P. Gomez clerk

W.H. Morris

25.

J.W. Hall, S.T., Ellis ~~and~~ + Jno E. Wills

This Cause came on this day to be again heard on the papers for masterly read and was argued by counsel on consideration whereof the Court being of opinion that the bill of complaint is not sufficient in law doth adjudge order and decree that the injunction awarded in this cause be, and the same is, hereby dissolved and the court doth further adjudge order and decree that the bill be dismissed and that the ^{plaintiff} ~~defendants~~ pay to the ~~the~~ defendants their costs in this behalf expended

W. H. Morris
R.S.

J. W. Hall et al.
April 24th 1896

De ore

To be entered
Apr. 24, 1896
W. H. Morris

Entered in
Chancery DB 3
Page 29

The answer of J.W.Hall one of the defendants, to the bill of complaint exhibited against him and others in the Circuit Court of Nansemond county by W.H.Morris:

This defendant, now and at all times hereafter, saving and reserving to himself all benefit and advantage of exception which can or may be had or taken to the many errors, uncertainties and insufficiencies in the said bill contained, for answer thereto, or to so much thereof as he is advised it is material or necessary for him to answer, answering saith:

That it is not true as alleged that this respondent or any one for him has moved or attempted to move from the said complainant's saw-mill any property belonging to the complainant, and he denies that he has sold or attempted to sell any property at all in which or to which the said complainant has any interest or on which he has any lien. This respondent denies each and every allegation in the said bill contained which alleges or intimates that he has taken possession or removed or attempted to remove or sell any property legally or properly sold by John H.Wright as trustee for W.H.Morris.

This respondent denies that during the negotiations of any loan he promised or agreed to place any new machinery or to make any improvements in said saw-mill or any of its parts or appurtenances and that said complainant only took a lien on the property in and connected with said saw-mill at the time of the execution of said deed of trust which is mentioned and included in said deed and to the extent, in the manner and form as therein set out and alleged or stated, and that there was no agreement or understanding other than that in the said deed of trust as therein fully set forth, and this respondent is informed, believes and avers that said trustee sold said saw-mill and all fixtures and appurtenances therewith and thereto belonging and that the same was delivered to the purchaser at said sale and he denies overtaking, removing or attempting to remove or sell any part of the said property.

This respondent does not admit a single allegation in the said bill contained but calls for legal and sufficient proof of each and every allegation fully.

And now, having fully answered the complainant's bill, and denying all unlawful combination and confederacy this respondent prays to be hence to be dissed with his reasonable costs in this behalf expended, and he will ever pray.

W.S. Haller L.J.,

J.W. Hall

Virginia.

City of Norfolk, to wit:

I, *Wm D. Southall*, A notary public in and for said city and state do certify that J.W.Hall whose name is signed to the above writing came before me in my said said city and made oath in due form of law that the statements contained in the above written answer are true so far as made from knowledge derived from others he believes them to be true. *are the and they more than in form alone*

Given under my hand this *31st* day of *March* 1896.

Wm D. Southall,
Notary Public.

J. W. Hall and others

ads

W. H. Harris

The answer of J. W. Hall

To Hon Chas Hill, Judge of the Circuit Court
of Macon and County:

Your Complainant;
Wm. H. Morris, of the City of Norfolk, respect-
fully represents and shows unto Your Honor,
that on the 20th day of December 1889, pur-
suant to a decree of the Circuit Court of the
County of Isle of Wight, in the Chancery Cause
therein pending between J. W. Hall, Plaintiff and
Geo. H. Wright Trustee & W. H. Morris, Defendants;
the said Geo. H. Wright Trustee, sold the property
mentioned in the Deed of Trust from J. W. Hall,
all of which was purchased by your complainant
as directed by said decree, included in the
property so sold was a Saw mill with its
appurtenances, and no reservation was made
at the time of sale of any property connect-
ed with said mill. During the negotiations
between said J. W. Hall and Wm. H. Morris, for
the loan of money, it was announced by said
Hall that he would take out an old water
wheel in said mill and substitute therefor
a new and improved wheel which would
add to the security. After the Deed of Trust
was executed securing to said W. H. Morris
the money loaned on said property, an old
water wheel was removed from said mill,
and a new and improved turbine wheel was
put in its place, the said W. H. Morris consent-
ing thereto. When said property was conveyed

for the benefit of Your Complainant, and from that time up to the foreclosure of the Deed of Trust, Your Complainant distinctly understood that any additions or improvements in the machinery of said Mill incurred to his benefit. But now Your Complainant alleges that the said James M. Hall has removed from said Mill, the Turbine water wheel and shafting to same, manufactured by S. Morgan Smith, and has deposited the same upon the premises of Sydney J. Ellis, with intent to dispose of the same. The said James M. Hall has also removed from said Mill one 56 inch Circular Saw, One Bull wheel, belt, rope and gearing to the same, one large driving belt, one cut off or butting saw, with belt and gearing, three flat saw tables, saws, shafting and belts for same and one of James & Delany's late improved fiction feeds, with gearing to the same. Your Complainant is advised that most if not all of the articles last above named are now in the custody of Geo. E. Mills, but whether he has purchased them from said J. M. Hall, or is merely keeping them for said Hall, Your Complainant can not say. All the articles above named were sold with said Saw Mill, by Geo. H. Wright

Justice and were purchased by Your Complainant. Now Your Complainant alleges that he is Entitled to have all of said articles returned to said Mill; but as the same may be removed and placed beyond the reach of Your Complainant before he can recover judgment for the same, should only the Ordinary process of law be pursued for their recovery, and as the said James W. Hall is, as Your Complainant believes and alleges, insolvent, so that no recovery can be had against him of the alternative value of the articles named, and Your Complainant believes and alleges that it is the intention of said J. W. Hall so to dispose of all of said articles as to place them beyond the power of Your Complainant to recover, Your Complainant is without adequate remedy in the premises save by the aid of a Court of Chancery. To the end therefore &c, Your Complainant prays that the said James W. Hall, Sydney J. Ellis and Geo. E. Wills, may be made parties Defendant hereof and required to answer the allegations hereof, answer under oath being waived; that an Injunction may be awarded Your Complainant, Enjoining and restraining the said defendants, their Agents, attorneys and all other parties from selling, removing, using

or in any manner disposing of any part or parcel of the property herein named, until the further Order of this Court; that all of said articles may be returned to said Mill from which they were taken, and restored to the possession of your Complainant to whom they rightfully belong, and that your Complainant may have such other, further and general relief in the premises as his cause may require, or to Equity may seem meet; And your Complainant will ever pray &c.

M. H. Morris

By Counsel =

Hausmond County to wit:

Geo. H. Wright, this day personally appeared before me and made oath that the allegations of the foregoing bill are true, to the best of his knowledge information and belief - Given under my hand this 28th day of February 1890 -

John B. Pinner
J. P.

1
The injunction as prayed for in the foregoing bill is hereby awarded, and the said James M. Hall Sydney J. Ellis and John E. Mills their agents, attorneys and all other parties are hereby enjoined and restrained from selling, removing, using or in any manner disposing of any part or parcel of the property mentioned in said Bill of Complaint, until the further Order of the Court. But this order shall not take effect until the Complainant or some one for him shall execute a bond before the Clerk of this Court in a penalty of \$ ⁵⁰⁰ ~~1000~~ ^{payable to Jas. W. Hall} with security approved by said Clerk, and conditioned to pay all such Costs and Damages as may be awarded against him, in case this injunction shall be dissolved.

C. W. Hill
To the Clerk of the Circuit Court
of Hansemond County

Feb 28th 1890

W^m H. Morris
113 Ingham

101 Hall, Sydney I,
Ellis + John Ellwicks

113 Ingham

29 Aug 1890

Bill Copied by WSH

125-10 by WSH

To Hon C. W. Still, Judge of the Circuit Court
of Hanson County.

Your Complainant
W. H. Morris, respectfully represents & shows
to your Honor, that by virtue of a Deed of
Trust from J. W. Hall and wife and pursuant
to a decree of the Circuit Court of Isle of
Wright County in the Chancery Cause of
J. W. Hall vs W. H. Wright, Trustee & al, the prop-
erty conveyed by said Deed was exposed to
sale by public Auction upon the prem-
ises on Friday Decr 20th 1889, and sold
in five different parcels. One of said
parcels was the Mill, with machinery & all
the rights and franchises belonging thereto.
All of the property was purchased by Your
Complainant and there was no reserva-
tion of anything pertaining to the Mill.
Your Complainant is advised & believes
and therefore alleges that since said
Sale, the said J. W. Hall or his agents have
been removing some part of the machi-
nery from said Mill, and is thus impair-
ing the value of the property. Said Sale
has not yet been completed, to the extent
of making a Deed to your Complainant
by the Trustee, who is simply waiting to
get the papers in the Cause & complete
the transaction. In the meantime, Your

Complainant has no remedy in the prem-
 ises, to prevent the waste and removal
 of Machinery save by the aid of a Court
 of Equity. ^{However, the officers of the Court have been informed and believe, and so}
^{as to the fact that the said J. M. Hall is the owner of the machinery}
 of Equity to the said &c, he prays that
 said J. M. Hall may be made a party
 defendant hereto and required to an-
 swer the allegations of this Bill, (answer
 under oath being waived); that Your
 Honor will award to your complain-
 ant and injunction restraining the
 said J. M. Hall, his Agents, Attorneys & all
 other parties from removing from said
 Mill, or other premises sold under said
 Decree and decree of Court any part of
 the Machinery of said Mill or other prop-
 erty belonging thereto, and that he, the
 said J. M. Hall may be required to return
 any part of such Machinery heretofore
 taken therefrom, and that Your complain-
 ant may have such other and further relief in
 the premises as his Cause may require, or
 to Equity may seem meet, and Your Com-
 plainant will Ever pray &c -

Sign. *J. H. Morris*

Norfolk City to wit:

I L. D. Starke, a Notary
 Public for said City in the State of Virginia, do cer-

Whereas, the said J. M. Hall has been informed and believe,
 and so award, that the said J. M. Hall is the owner of the machinery,

tify that W. H. Morris whose name is signed
to the foregoing Bill of Complaint, person-
ally appeared before me in my said City and
made Oath that the statements contained in
said Bill of Complaint are true to the best
of his knowledge, information & belief.
Given under my hand this 30th day of December,
1889.

L. A. Grache,
Notary Public.

The Injunction as prayed for in the fore-
going Bill of Complaint is hereby awarded
and the said J. H. Hall, his Agents, attorneys and
all other parties are hereby Enjoined and re-
strained from removing from said Mill
or other portion of the lands sold under the bid
and decree referred to in said Bill, any part
of the Machinery of said Mill or other prop-
erty appertaining to said premises, until
the further Order of this Court. But this Order
shall not take Effect until the said W. H. Morris
or some one for him shall Enter into a Bond
before the Clerk of the Circuit Court of Har-
mond County, in a penalty of \$200 with
Security approved by said Clerk, and condi-
tioned to pay all such costs and damages
as may be awarded against him in

and from disposing of any
property there on they
have removed therefrom,

the event this injunction shall be dis-
solved. Dec. 30, 1889.

Comrie

Judge of

To the Clerk of the Circuit Court of
Stamford County, Va.

Proc. Injunction
30 Dec 1889

Entered Chancery
Order Book No. 2
page 305

Wm Mornis

Plaintiff

vs } In Chy

Wm Hall & als.

Defendants

1889. Decr 31st.

Process issued returnable
to 3rd Monday January 1890
Injunction awarded by Hon
C. W. Hill Judge.

Order of Atty. and Injunction
Pmd Executed, and Copy
filed with papers

1890 Jan'y 20th.

Process returned, Bail filed
and decree nisi against
defendants

11 Feb'y 3rd

Decree nisi against
Defendants Confirmed and
Cause set for hearing

W H Morris
vs } In Chy
L W Hall

Chancy notes

2^d Suit-
W.S.H. A. A.

Chancery Papers

W.H. Morris

20

J.M. Hall & als

Jos. H. Wright & v

Know All Men by These Presents, That we, *W H Morris*
as Principal & *John Wright* as *Joint Security*

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full
sum of *Two Hundred* DOLLARS,
to the payment ^{of which} ~~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.

The obligors ^{and we} ~~herein hereby~~ ^{Honest} ~~waive the benefit of our exemption as to this obligation, and also~~ ^{debt}
~~waive any claim or right to discharge any liability to said Commonwealth arising under this bond,~~
~~or by virtue of the~~ ~~herein mentioned, with coupons detached from bonds of said Com-~~
~~monwealth.~~

Sealed with our seals, and dated this *31st* day of *December 1889* in the year
~~of our Lord one thousand eight hundred and~~ , and in the _____ year of
the ~~Commonwealth.~~

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That ^{whereas} ~~if~~ the above bound
W H Morris in a Chancery Cause brought by him ~~at the~~ ^{against} *James W Hall* has
obtained from the Hon *Chas Hall* Judge of said Court an Injunct-
ion ~~or restraining order~~ ^{enjoining and restraining} the
said *W Hall* his agents, attorneys and all other parties
who ha ~~this day qualified before the~~ ^{the above bound} Court of Nansemond County,
from ~~removing from the mill or other portion of the lands~~
sold under the said and decree referred to in bill, in which
said order was awarded, any part of the machinery of
said ^{or other} mill, ~~properly appertaining to said premises and from~~
dispossessing of any property that may have removed therefrom until
the further order of the Court. Now if the said *W H Morris* and
John Wright or either of them shall pay all such costs
and damages as he awarded to the said *James W Hall* in their
petition in said cause, he is dissolved ~~from the above obligation~~
shall faithfully discharge the duties of his said ^{then the above obligation to be void,}
or else ~~to~~ remain in full force and ~~in full~~ effect

Executed in presence |
of the Court. |

A copy

Teste

J P Gurney Clerk

W H Morris

By *John Wright*
atty in fact

John Wright



At a _____ Court _____ held for Nansemond County, at the
Courthouse thereof, on the _____ day of _____, 18 _____.

The above bond was executed and acknowledged in open Court by the obligors to the same
(the securit _____ justifying), and ordered to be recorded.

Teste :

Wst Morris

Wst Inchy

Sw Hall

Copy of Inymectum
Pond

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *James W. Hall*
Ans. M. Cowling and J. E. Wills.

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 ^{3rd} ~~first~~ Monday in *September* next, to answer
_____ A Bill in Chancery, exhibited against *them*
_____ in the said Court by *Wm. H. Morris.*

and have then and there this summons.

Witness, *Wm. B. Causey*
~~PETER B. PRENTISS~~, Clerk of our said Court, at his office, this *5th* day of
September 1889, in the 114th year of the Commonwealth.

Teste:

Wm. B. Causey Clerk.

Memo:

The Injunction as prayed for by the Complainant in the foregoing Bill, is hereby awarded and the said James W. Hall, Jno. M. Cowling, &c. Wills, their agents, attorneys and all other parties are hereby enjoined and restrained from cutting, removing or selling any timber for sale or manufacture into lumber or other thing, from any portion of the land included in the Deed of Trust from James W. Hall wife to Jno. W. Wright, Trustee, as set out in said Bill of Complaint, until the further order of this Court. But this order shall not take effect until the Complainant or someone for him shall execute before the Clerk of this Court bond in the penalty of \$1000⁰⁰ with security approved by said Clerk & conditioned to pay all such costs and damages as may be awarded against him in ^{case} this Injunction shall be dissolved.

Teste:

Wm. B. Causey Clerk

Jno. W. Wright, Jr.

Wm. H. Morris

vs } In Chancery.

James W. Hall & als

To September Rules 1889
3 Monday.

Pro. B. No 2-p. 22.
Civ. Co.

Recorded this 12th day of September 1889 by giving
a true copy upon the within named Jas. W. Hall
and John M. Cowling each, in person.
Wm. B. Causey
Shy

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

J. W. Hall

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 *January* next, to answer a
Bill in Chancery, exhibited against *him*
in the said Court by *W. H. Morris*

and have then and there this summons.

Wm. B. Causey
Witness, ~~PETER B. PRENTIS~~, Clerk of our said Court, at his office, this *31st* day of
December 188*9*, in the 11*4*th year of the Commonwealth.

Teste:

Wm. B. Causey Clerk.

Memo:

The injunction^{as} prayed for in the foregoing bill of Complaint is hereby awarded, and the said J. W. Hall his agents, attorney and all other parties are hereby enjoined and restrained from removing from said mill or other portion of the land sold under the deed and decree referred to in said bill, any part of the machinery of said mill or other property, appertaining to said premises, and from disposing of any property that he or they have removed therefrom until the further order of this Court.

Teste:

Wm B. Causey Clerk

Wright 79

Wm H. Morris

W. L. Sumner in Chy

J. W. Hall

1890

20 Jan. 1890
at Monday

1889

Dec 31st
The Bond required by the
order of Hon. L. P. Hill Judge
of the Court has been executed.

Teste:

Wm B. Causey
Clerk

Pro B No 2 P 27

Cin. Co

844-

Wm H. Morris

Executed this the 2nd day of January 1890 by
Serving a true copy of this writ upon
the within named J. W. Hall in person

To Hon C. W. Hill, Judge of the Circuit Court of Hanes-
sawand County:

Your Complainant, Wm H. Morris,
respectfully represents and shows unto Your Honor
that on or about the 24th day of December 1888,
James W. Hall and Almeda, his wife, Executed a
Deed of Trust upon certain Real Estate situated
in Hanesawand and Isle of Wright Counties, to
Jno. H. Wright Trustee, to secure to your Complain-
ant, the payment of the sum of Seven thousand
Dollars, evidenced by three bonds, one for \$1500⁰⁰
payable in one year; one for \$1500⁰⁰ payable in
two years, and one for \$4000⁰⁰ payable in three
years from the date of said Deed, and all bear-
ing interest from that date at the rate of six
per cent per annum. None of said bonds have
ever been paid, and upon default in their payment
Your Complainant directed said Trustee to advertise
and sell the land conveyed to secure said bonds, which
was done, and said land advertised for sale, under
the provisions of said Deed, on the 12th day of Novem-
ber 1888. On or about the 23^d day of October
1888, said James W. Hall filed his Bill of Com-
plaint alleging usury in the Consideration of
said Deed of Trust, and obtained an injunction
restraining Your Complainant, and the said
Jno. H. Wright Trustee, from selling the land
under said Deed = Your Complainant says

that a large part of the land conveyed by said Deed is wood and timber land, and its chief value is on account of the wood and timber thereon.

On the 1st day of October 1888, said James W. Hall, by Deed duly recorded, conveyed all of said land, to Mrs. M. Bowling, his Father-in-law, subject to the lien of said Deed of Trust, for a consideration named in said Deed of Eight Hundred Dollars, and after the filing of said Injunction Suit by James W. Hall, the said Mrs. M. Bowling re-conveyed said land to James W. Hall. Which of the two now claims said land, Your Complainant can not say, but he alleges that Either the said Mrs. M. Bowling, or James W. Hall, or both of them, have been cutting, selling & removing timber from said land, and denuding the land of that which gives it its chief or only value, and thus depreciating the Security which Your Complainant holds for the payment of the bonds due him. Your Complainant is advised that one J. E. Wills, under contracts made with said Jas. W. Hall or Mrs. M. Bowling or both, has been and is now cutting timber upon said land, and that said James W. Hall is also cutting and removing timber from a portion of said land. all of which is contrary to Equity & good Conscience. But as Your Complainant is without remedy in the premises, save by the aid of a Court of Equity

to the End &c, he prays that said Jas W. Hall, Geo M. Cowling and J. E. Wells may be made parties defendant hereto, and required to answer the allegations hereof (answer under Oath being waived); that ~~the~~ an injunction may be awarded from Complainant enjoining and restraining the said Jas W. Hall, Geo M. Cowling, J. E. Wells, their agents, attorneys and all other parties, from cutting or removing from any portion of the land included in said Decree of Trust, any timber of any description for sale or manufacture into lumber or other thing until the further Order of this Court. And that Complainant may have such other, further and general relief in the premises, as his cause may require or to Equity may seem meet. And Complainant will ever pray &c.

W. H. Morris

By Counsel.

Hammond County to wit:

I Lee Britt a Notary Public for said County, in the State of Virginia do certify that Geo H. Wright personally appeared before me in my said County and made Oath the allegations of the foregoing Bill are true to the best of his knowledge and belief. Given under my hand this 3^d day of Sept 1889.

Lee Britt
Notary Public

In the Circuit Court of Hausenwoud County, in vaca-
tion, the 3^d day of Sept 1889.

The Injunction as
prayed for by the Complainant in the foregoing
Bill, is hereby awarded, and the said James W. Hall,
Mrs M. Bowling, J. E. Wells, their agents, attorneys and
all other parties are hereby enjoined and restrained
from cutting, removing or selling any timber for
sale or manufacture into lumber or other thing from
any portion of the land included in the Deed of
Trust from James W. Hall & wife to Mrs. H. Wright Trust-
ee, as set out in said Bill of Complaint, until the
further Order of this Court. But this order shall not
take effect until the Complainant or some one for
him shall execute before the Clerk of this Court bond
in the penalty of \$1000⁰⁰ with security approved by said
Clerk & conditioned to pay all such costs and dam-
ages as may be awarded against him in case this
Injunction shall be dissolved.

C. W. Hill

Judge

To Clerk of Circuit Court of Hausenwoud County.

wright p. 9.

Wm. H. Morris Pltff

vs } In chancery -

Jos W. Hall }
Ans. M. Cowling } Dfts
Ans E. Mills }

Bill.

Sept 3rd 1889

1st Suit-

W. H. Morris

vs } In Chancery

J. M. Hall & als

Geo. H. Wright - p. 9

W. H. Morris

Plaintiff

vs } In Chancery

J. M. Hall & Als.

Defendants

1890. March 1st.

Process Issued returnable
3rd Monday in March.
Injunction ~~made~~ awarded
by Hon C. M. Hill judge and
injunction bond executed
^{with power of sale}
and Copy filed with the papers.

" " 17th.

Process returned executed
Bail filed and Decree nisi
against defendants.

" Apl 7th.

Decree nisi against
defendants Confirmed and
Cause set for hearing.

W. H. Morris

W. H. Inchy

Ed. Hall & Co.

Chy notes.

3rd Sec. L. Wright pres.

Chancery Papers

W. H. Morris

vs } In Chy

} J. W. Hall & als

1896
April 24th
Dismissed

Costs
Clerk - 3.31
Shff .50
Tax pd 1.50
5.31
Atty 15.00
20.31
1.50
18.81

J. N. Wright pg.

W. N. Marris

vs. In Chancery

J. W. Wall & others

187-4-200-3-11

1909

July 16th

Final Decree

187-4-200-3-11

W. N. Marris vs. J. W. Wall & others

Memoirs of John V. Ketchum.