1891-05 Southampton County Chancery~ Graffiln, G.W. vs Francis, A. L. - et als

partition of land for
sale of same to satisfy debt.

Francis, Annie
Corbitt, J. M.
Pierce, Frank } Pullen & Pierce
Pecte, T. E & Co.

To the Honorable C. W. Hill, Judge of the Circuit Court of the County of Southampton;

Your orator G. W. Graffam of the city of Baltimore State of Maryland humbly complaining sheweth to your Honor, that W. S. Francis & A. L. Francis both of the said County of Southampton State of Va. were Tenants in Common in a certain tract of land situated in the aforesaid County of Southampton & containing 600 acres more or less, W. S. Francis owning an undivided 7/8 interest in said tract & A. L. Francis the remaining 1/8 interest. And it appearing of record that the said W. S. Francis did by a certain deed of trust dated Jan. 5, 1884 convey his said 7/8 interest in the said land to J. B. Prince Trustee for the benefit of G. N. Mungram and others, as by the copy of which deed is herewith filed marked exhibit A & asked to be made a part of this bill. And it further appearing that default being made in the payment of the debts therein secured, at the request of the parties interested, the Trustee after duly adver-

living said land sold the same at judicial auction on March 19, 1888, at which sale & made your orator became the purchaser, which will more fully appear by end of Bargain & sale from said J. B. Prince Justice D your orator, an office copy of which is herewith filed marked exhibit B & asked D be made a part of this bill.

Your orator further more states that Frank Pierce, trading under the firm name of Pullen & Pierce, and J. M. Corbitt on Judgment creditors of the said A. L. Francis as will more fully appear by an office copy of the judgments herewith filed marked exhibit C and asked D be made a part of this bill,

And your orator further states that the said real estate is, as he believes, susceptible of partition amongst the parties entitled thereto; but if it be not, then your orator desires the same D be sold, and the proceeds distributed amongst the parties, in proportion D their respective interest therein.

In tender consideration whereof, and forasmuch as your orator is remediless in the premises, save by the aid of a court of equity, where matters of the kind are alone & properly cognizable, Your orator prays that the said

A. L. Francis and Annie Francis his wife, Frank Pearce & James M. Corbitt the main parties defendant to this bill, and required on their Corporal oaths to answer the same, according to the best of their knowledge, remembrance, information and belief, as fully and particularly as if the statements of this bill were here again repeated, and the said defendants thereto specially interrogated; that the said real estate be divided between the parties aforementioned entitled thereto, and your orators parties thereof allowed to him; and in case the said real estate be indivisible, that the same be exposed to sale, and the proceeds thereof be distributed among the parties entitled thereto; that proper process may issue, and that such other further and general relief may be afforded your orators as the nature of his case may require, or to equity shall seem meet.

And your orator will ever pray &c.

Chas. L. Corbitt Sol.

Grafflin
v
Felicia
Francis
1889. Oct. 21. filed.

To the Hon. C. V. Hill Judge of the Circuit Court of Southampton Co.

Your petitioners Pulling & Price, J. M. Corbitt and T. E. Pate & Co respectfully represent, that A. L. Francis is justly entitled to your petitioners respectively in the following named sums, to wit, to Pulling & Price $52.00 due by note with legal interest thereon from the 18th day of March 1878 till paid, to J. M. Corbitt $47.88 due by note with legal interest thereon from the 1st day of January 1878 till paid, and to T. E. Pate & Co $78.71 due by note with legal interest thereon from the 20th day of January 1883 till paid, upon all of which claims your petitioners have obtained judgments according to law, which judgments were accordingly docketed in the Clerks Office of the aforesaid Co, an office copy of which is herewith filed marked exhibit A and asked to be made a part of this petition, Your petitioners respectfully represent that no portion of the said several sums has been paid to them or to any of them, and that there is no personal property out of which the same can be collected by law. Your petitioners further represent that on

the day of 1889 a suit in chancery was instituted in the said Circuit court of Southampton Co by W. H. Grafflin against the said A. L. Francis, the object of which suit was to make partition of a certain tract of land in which the said A. L. Francis had an undivided 1/8 interest, and Commissioners were accordingly appointed to make such partition & report the same to court, Your petitioners are furthermore advised that their judgments are liens under the statute law of Va on the said real estate, In consideration whereof your petitioners pray that they may be made parties defendant in the said suit and that an account be taken of the debts due by judgment against the said A. L. Francis, their order & priority, that said real estate, to wit, the 1/8 interest of the said A. L. Francis in the said land be subjected to the payment of the said judgments, and that they may have the benefit of such remedies and relief as is consistent with equity and the case requires

May it please your Honor etc

Pulling & Pierce

J. M. Corbitt

T. C. Pulle & Co

By Counsel

This Indenture made the fifth day of January eighteen hundred and eighty four by and between Wm S. Francis and Laura P. his wife of the City of Norfolk of the first part Joseph B. Price of the second part and the Creditors herein after mentioned of the third part, Witnesseth: that the said Wm S. Francis for and in consideration of the sum of ten dollars to him in hand paid by the said Jos B. Price the receipt of which is hereby acknowledged has granted bargained sold and conveyed and doth hereby bargain sell and convey unto the said J. B. Price and to his heirs forever the following property to wits: all the right title and interest and State of the said Wm S. Francis in all that certain tract piece or parcel of land in the County of Southampton, Virginia, upon which Mrs. L. D. Francis now resides, (excepting the family burial ground) such interest being an estate in fee in 7/8ths of said tract of land containing six hundred acres more or less, subject however to the life estate of the said L. D. Francis therein —

In Trust, however, to secure the payment of the debts and demands herein after mentioned in the order and according to the priorities stated, that is to say:

1st To Secure to Ges. A Musgrave the sum of Eight Thousand and forty nine $^{00}/_{100}$ dollars ($8049^{00}/_{100}$) evidenced by the promissory note of Francis & Bro, of even date herewith and payable on demand with all interest that may accrue thereon.

2nd To Secure to Geo W. Turner the sum of one hundred and thirty three dollars with interest from this date due him by Francis & Bro.

3rd To Secure to the individual creditors of said Wm J. Francis, that is to say to M. L. T. Davis & Co. B. F. Baxter & Co and Dr. Wm J. Moore the debts due to them respectively by him whether evidenced by notes or open accounts the examount of which debts are not now remembered.-

The aforesaid debts are to be paid in the order indicated by the figures "1st 2nd & 3d" and in the event that the sale of the said land or its proceeds are not sufficient to pay the said third class creditors in full the same are to be paid pro rata.

It is understood and agreed that the land hereby conveyed is not to be sold until it is ascertained that the partnership assets of said Francis & Bro which have been this day conveyed to secure these said

other debts are not sufficient for that purpose, in other words the partnership assets are to be exhausted before the property hereby conveyed is resorted to, to pay the debts above specified or the balances due thereon.

In the event of a sale under this under this deed the same shall be made by the Trustee in the mode prescribed by the Statute in such case made and provided.

Witness our hands and seals the day and year first above written

The words "and Laura F. his wife" on first page were interlined before signing. R. H. Baker Jr. NP.

Wm. S. Francis (Seal)
Laura. F. Francis (Seal)

State of Virginia
Corporation of the City of Norfolk, To wit:

I. R. H. Baker Jr a Notary Public for the Corporation of the City of Norfolk aforesaid in the State of Virginia do certify that Wm. S. Francis whose name is signed to the writing above bearing date on the 5th day of Jany. in the year 1884 has acknowledged the same before me in my Corporation aforesaid.

Given under my hand this 5th day of January in the year 1884.

Rich'd H. Baker Jr.
Notary Public

State of Virginia

Corporation of the City of Norfolk, To wit

I R. H. Baker Jr. a Notary Public for the City of Norfolk in the State of Virginia do certify that Laura P. Francis the wife of Wm. Francis whose names are signed to the writing above bearing date on the 5th day of January in the year eighteen hundred and eighty four personally appeared before me in my City aforesaid and being examined by me privily and apart from her husband, and having the writing aforesaid fully explained to her, she the said Laura P. Francis acknowledged the said writing to be her act and deed and that she had willingly executed the same and does not wish to retract it.

Given under my hands this 9th day of January 1884

R. H. Baker Jr.
Notary Public

Southampton County In the clerks office on the 10th day of Jany 1884. This Deed of Trust from Wm. S. Francis wife to J. B. Prince Trustee for the benefit of Gst. Musgrave et al. was this day received and to gether with the certificate of acknowledgment thereto annexed admitted to record

Teste J. B. Prince Cl.

A Copy Teste B. F. McLemore Cl.

Whereas by deed of Trust from W. S. Francis & wife, executed January 5. 1884 and of record in the Clerks office of Southampton County, the said W. S. Francis & wife did grant and convey unto J. B. Prince Trustee all their right title and interest, (such being a seven eights part in fee) in that certain track or parcel of land lying in Southampton County, containing Six hundred acres more or less and adjoining the Richard Porter track, the land of Thos. F. Fox and others, In trust to secure certain creditors therein more definitely set out: and whereas the said Trustee was notified by the said creditors to execute the said trust and the said W. S. Francis & wife did also request the same to be done. and whereas in pursuance of said request & by virtue of said deed of Trust the said land was duly advertised for sale at public auction at Jerusalem on Monday the 19th 1888. for cash and at the sale so made G. W. Graffam became the purchaser, by bidding therefor the sum of Thirteen hundred and five dollars, and has complied with the terms of sale and is now entitled to a deed for said lands. Now therefore this deed made this 20th day of March 1888. between J. B. Prince, Trustee as aforesaid of one part

and G. W. Grafflin of the other part, Witnesseth, That in consideration of the sum of $1305. dollars the said J. B. Prince Trustee does grant and convey unto the said G. W. Grafflin the aforesaid seven eighth undivided parts of the said Wm. Francis' wife in & to the aforesaid tract of land, bounded and described as aforesaid and containing six hundred acres, be the same more or less.

Witness the following Signatures and Seals.

J. B. Prince (Seal)
Trustee

Virginia

Southampton Co, To wit.

I. W. J. Sebrell a Commissioner in Chancery for the County Court of Southampton County in the State of Virginia, do certify that J. B. Prince whose name is signed to the writing above dated March 26th 1888 has acknowledged the same before me in my county aforesaid.

Given under my hand March 26th 1888.

W. J. Sebrell.
Commissioner in Chancery for the County Court of Southampton County Va.

Southampton County: In the Clerk's
Office April 4th 1898.
The foregoing Deed from ~~G. H. Graffin~~
J. B. Parish & Trustee to G. H. Graffin was
this day received and with the certificate
annexed admitted to record.
Teste B. F. McLemore C.C.

A Copy
Teste Jas. L. McLemore D.C.

Grafflin

Report.

Francis + als:

1889. Sept. 3. filed

D. A. M. cc.

Grafflin

vs

Francis & others.

To the Hon. C. W. Hill Judge of the Circuit Court
of Southampton County.

We the undersigned special commissioners
appointed by decree of the Circuit Court of Southampton
Co. entered at the May term 1889 in the Chancery
cause of Grafflin vs. Francis & others beg leave
to submit the following report. In obedience to
the aforesaid decree, we met on the 26th day of
August and proceeded to examine the said real
estate in the bill & proceedings mentioned and find
that it is not practically divisible in kind between
the parties entitled thereto, but the plaintiff W. H.
Grafflin, who owns 7/8 of the said property, having
come forward and offered to give to A. L. Francis,
the owner of the remaining 1/8, a fair price for
his share, which fair price we fix at $275 00/100,
we recommend that the same is a fair price
for the share of the said A. L. Francis & that
sale of said share be made to W. H. Grafflin.

Respectfully submitted.

Jno. C. Sykes
J. R. Bryant
T. G. Hix
C. L. Borden

Commissioners

decree

Graffler
vs
Francis Packers

Decree

Ys be entered

Nov Term
1889

C M Fier

Entered Page 361

Save Notice on
C. L. Corbill, Atty
for Pltff -
take acct

Graffin
vs
Francis & others

This cause came and this day to be again heard and the papers formerly read, upon the report of C. L. Borden, J. C. Sykes, T. J. Fox and J. R. Bryant Jrs of the commissioners under the decree of the day of 1889 to which report no exceptions have been filed, and upon the petition of Pulling & Prince, J. M. Corbitt and T. E. Pate & Co and was argued by counsel, and consideration whereof the court doth approve and confirm the said report, and doth adjudge, order & decree that C. L. Corbitt, who is hereby appointed a special commissioner for the purpose do proceed to make sale of the said 1/8 interest of A. L. Francis mentioned ~~in the decree~~ in said report to the said G. W. Graffin for the sum of $273.00 as is recommended by the said commissioners and shall make to him a good and sufficient deed with special warranty for his, the said A. L. Francis, interest in said land, and the said Commissioner is directed to report his proceedings hereunder to the court, and the said Commissioner shall receive no money under this decree until he shall enter into a bond with sufficient security in the Clerks office of this Court payable to the Commonwealth of Va

in the penalty of $3-3-0.00 and conditioned for the faithful discharge of his duties hereunder. The Court doth further adjudge order & decree that an account be taken before one of the Commissioners of this Court of the debts of record against the said A.L. Francis this order and priority and make report thereof with any matters specially stated deemed pertinent by himself or which may be required by any of the parties & be so stated.

Grafflin
vs
Francis & others
DECREE

TO BE ENTERED

MAY TERM 1889

C Mckim

833

GRAFFLIN

vs

FRANCIS & others

This cause, in which the plaintiff has proceeded against the defendants in the mode prescribed by law, and they still failing to appear and plead, answer or demur, came on to be heard upon the bill taken for confessed, and was argued by counsel, On consideration whereof, the court doth adjudge, order and decree, that Jno. C. Sykes, T. J. Fox, C. L. Barden, J. R. Bryant and E. L. Felts - any three of whom may act - who are hereby appointed special commissioners for that purpose, proceed to examine said real estate in the bill and proceedings mentioned, and see if the same be practically divisible in kind between the parties entitled thereto; and if so, to so divide it, and they shall employ a surveyor to make an entire survey and plot of the whole of said land and such division, and shall return same with their report.

If, however, said land be found not divisible in kind, then they shall see if either of the parties will give the other a fair price for his share and so report,* and they shall report to the court in vacation as soon as possible.

And it is hereby orderer that this be made a vacation cause.

* or if the interest of infants who are entitled to the surplus or his proceeds, who be represented by a next friend or guardian, make an allotment of part of said premises

Southampton Circuit Cunt: Nov: Term 1869.

Grafflin

&

Francis & others.

This day this Cause came on to be heard on the papers formerly read - upon the report of C. L. [redacted], J. C. Eyles. T. J. Fox and J. R. Bryant. four of the Commissioners under the decree of the day of 1869. to which report no exceptions have been filed. And upon the petition of Pullen & Peirce. J. M. Corbitt and T. E. Peli & Co - and was argued by Counsel. On Consideration whereof the Court doth approve and confirm the said report and doth adjudge, order and decree that C. L. Corbitt, who is hereby appointed a Special Commissioner for the purpose, do proceed to make sale of the said 1/8 interest of A. L. Francis, mentioned in said report, to the said G. N. Grafflin, for the sum of $275.00 as is recommended by the said Commissioners - and shall make to him a good and sufficient deed with Special warranty for his, the said A. L. Francis interest in said land - And the said Commissioner is directed to report his proceedings

hereunder to Court. But the said Commissioner shall receive no money under this decree until he shall enter a bond with sufficient security in the Clerk's office of this Court payable to the Commonwealth of Va. in the penalty of $500.00 and conditioned for the faithful discharge of his duties hereunder. The Court doth further adjudge, order and decree that an account be taken before one of the Commissioners of this Court, of the debt of record against the said L. A. Francis, their order and priority. and make report thereof with any matter specially stated deemed pertinent by himself or which may be required by any of the parties to be so stated.

A Copy. Teste:

B. F. McLemore C.C.

Grafflin

vs Notice

Francis et als:

1890. April 23rd

Executed April 9th 1890

R.O. Moore

Deputy Sheriff

COMMISSIONER'S OFFICE,

COURTLAND, VA., Nich 20 1890

To G. W. Grafflin -
A. L. Francis & Annie, his wife.
J. M. Corbitt and Frank Pierce.

You are hereby notified that I have fixed upon the 23 *day of* April *next, if fair, if not, the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts, to wit:*

An account of the debts of record against A. L. Francis - their order and priority - with any other matter specially stated deemed pertinent &c &c

required to be taken by a decree of Southampton Circuit Court, rendered at the Nov *term, 1889, in a suit in Chancery depending in said Court, in which you are parties, plaintiffs and defendants; at which time and place you are required to attend.*

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

B. A. McLemore *Commissioner.*

To the Sheriff of Southampton county to execute.

An Account of the debts of record against A. L. Francis their order and priority, reported by B. F. McLemore Comr in Chancery of the Circuit Court for Southampton County, pursuant to decree of said Court rendered at the November Term 1889 in the Chancery Cause of "Grafflin & Francis et. Ux: et. als:". which said debts are herein annexed. and arranged according to their respective priorities. April

1st	Judgment due Frank Pierce		$ 52.00	
	Int from Mch 18/78 to May 1/90		37.75	
	Costs - Homestead waived -		7.40	97.15
2d	Judgment due Lorentz & Riller		352.19	
	Int. from Mch 29/79 to May 1/90		234.20	
	Costs - No waiver		8.00	594.39
3d	Judgment due Jas. M. Corbitt		47.88	
	Int from Jany 1/78. to May 1/90 (Homestead waived)		35.43	
	Costs		1.00	84.31
4"	Judgment due J. E. Peete & Co.		78.71	
	Int. from Jany 20/83 to May 1/90.		34.63	
	Costs		1.00	
	Homestead Waived.			114.34
			$	890.19

Respectfully Submitted.
B. F. McLemore
Comr in Chancery

Commissioner's Office.
Courtland Va.
April 23d. 1890

To the Circuit Court of Southampton Co.

In obedience to a decree of the Circuit Court of the County aforesaid. rendered at the Nov: Term 1889. in the Chancery Cause of "Grafflin & Francis & als." the undersigned Commissioner reports to Court, that on the 20th day of March 1890. he issued Notice against the parties to said suit. requiring them to appear before him at his Office in Courtland, on the 23d. day of April 1890. at which time and place he proceeded to take an account of the debts of record against A. L. Francis. which he has classified according to their priorities, and reports judgments against said A. L. Francis amounting to — $1890.19 inclusive of interest to May 1st 1890.-

The Commissioner reports specially, that one of the judgments above referred to is a Security debt. (and does not contain the Waiver of homestead). and due to Lorentz & Riller. for the sum

of $594.39 ; that on the 23d. day of January 1886 A.L. Francis filed in the Clerk's Office of the County Court of Southampton County his certain deed of Homestead- in which he claims, as a homestead for himself and family the tract of land mentioned and described in the Proceedings of this Cause. and, consequently Lorentz & Riller cannot share in the distribution of the funds arising from the sale of the same.

The Notice hereinbefore referred to and a copy of the decree under which this report is made, are herewith filed.

Respectfully Submitted.

B. F. McLemore

Comr in Chancery

Commissioner
$5.00 ch. Plaintiffs

Pulling & Price et Al.
vs
A. L. Francis

Executed by serving
a copy of the within
notice on A. L. Francis
in person on the
18th of Oct 1889

R. D. Moore
Deputy for
J. W. Williams

To A. L. Francis Esq.

This is to notify you that Pulling & Price, J. M. Cortill and T. E. Pate & Co. will file their petition in the Chancery suit now pending in the Circuit Court of Sanders Co in which W. H. Graffin is Plaintiff and you are Defendant. The object of this petition is to subject your interest in the said property to the payment of their Judgments against you. The said petition will be filed at the next to be held on Monday the 21st of Oct. 1889.

Yours very respectfully
Pulling & Price
J. M. Cortill
T. E. Pate & Co
By Counsel

Grafflin 156

Stat: Rules

Francis st: ins: st: als:

2 d/c

G. W. Grafflin Pltff.

vs.

A. L. Francis & Annie, his wife, J. M. Corbitt and Frank Peirce, the last named doing business under the firm name of Pullen & Peirce. } In Chancery

Defts.

1889. Apl 4. Summons to 2d Apl Rules.

" 2d Apl Rules: Summons ret'd Executed.
Bill & Ex: filed
decree nisi

" 3 " . Bill taken for confessed &
Cause set for hearing.

K

Grafflin

vs

Francis et. ux: et. als:

Report of Spec'l Commissioner

1890. Apl 22. filed.

Graffin
vs
Francis + wife & others

Pursuant to decree of the Circuit Court of Southampton County pronounced at the November term 1889 in the Chancery Cause of Graffin vs. Francis & wife and others, the undersigned as Special Commissioner reports to Court that he has collected from the said G. W. Graffin the sum of $275.00 the same being the purchase price of the interest of A. L. Francis in the tract of land in the proceedings mentioned in this cause, and has executed to the said G. W. Graffin a deed with special warranty for the interest mentioned.

Respectfully submitted

Chas. L. Cantill
Special Com.

Grafflin
vs
Frances et ux

This cause came on this day to be again heard on the papers formerly read, upon the report of C. L. Corbitt the special commissioner under decree of the day of 1889. And upon the report of B. H. McLemore one of the commissioners of this court, to which reports no exceptions have been filed, and was argued by counsel, in consideration whereof the court doth affirm and confirm the said reports and doth adjudge, order & decree that 7/8 of the cost in this cause be paid by said G. W. Grafflin and 1/8 by said A. L. Frances, The court doth further adjudge order and decree that C. L. Corbitt, special commissioner as aforesaid, do pay out the funds in his hands, arising from the sale of said land in the proceedings mentioned, in the following order & viz: First the cost adjudged to be due by said A. L. Frances, Second Judgment in favor of Frank Purer amounting to $97.15. Judgment in favor of J. M. Corbitt amounting to $84.91 and Judgment in favor of J. E. Pate & Co

containing 6.114.24. this being the priority as shown by report of commissioner, And the said C. L. Corbitt special commissioner shall report his proceedings hereunder to the Court.

Proceedings in Drain Case
129
Filed and entered
May Term
1890
C Mohler

Entered

120

Graphite
vs
Hosmer & wife & others

~~#9~~

Report of Spec. Com.

1891. April 28 filed

B. F. Mc

To the Hon. C. W. Hill Judge of the
Circuit Court of Southampton Co,

Pursuant to decree of the Circuit
Court of Southampton County pro-
nounced at the May term 1890 in
the Chancery Cause of Graffam vs.
Frances & wife & others, the under-
signed as Special Commissioner begs
leave to submit the following report.
Out of the funds coming into his
hands amounting to $275.00 princi-
pal and $14.14 interest on same, mak-
ing a total of $289.14, he has paid
out in the following order to wit:
$4.50 Cost adjudged to be due by
A. L. Frances, $13.75 Commissioner on
$275.00 and $5.00 for making deed
to G. W. Graffam, To your Commissioner,
$97.15 judgment in favor of Frank
Pearce, $84.21 judgment in favor of
J. M. Corbett and Bal. of $84.41 to
T. E. Pate & Co, on judgment due them
by said A. L. Frances,

Respectfully submitted

C. L. Corbett

Special Com,

Graf Alvi
von Z Dienn
Franciscaltura

Zu Circular
May Term
1899
CWD

Ent page 467

Graffis
vs
Frances & others.

This cause came on this day to be again heard on the papers formerly read & upon the report of C. L. Corbitt Special Com. under decree of the May term 1890 reporting disbursement of money in his hands according to the terms of said decree, which report is supported by proper vouchers ~~and~~ with no exceptions thereto & was argued by Counsel, in consideration whereof the court doth approve and confirm the said report, And nothing further appearing to be done in this cause it is ordered that the same be stricken from the docket.

Corbitt
To Power of Atty:
Sebrell - N. J.

Know all men by these presents, that I, James M. Corbitt of Boykins Southampton Co State of Virginia, do hereby make, constitute, and appoint W. J. Sebrell my true and lawful attorney in fact and hereby empower him to sign my name as surety to the bond given by Chas. L. Corbitt in the penalty of ($550.00) Five hundred and fifty dollars, conditioned for the faithful discharge of his duties as special commissioner in pursuance to decree of the Circuit Court of Southampton Co entered the 18th day of November 1889 in the Chancery Cause of Grafflin vs Francis & others in which said Chas. L. Corbitt was appointed a special commissioner for the purpose of making sale of certain lands from Francis to G.W. Grafflin and collecting the money therefor.
Witness my hand and seal this 19th day of November 1889

Jas. M. Corbitt (Seal)

Virginia:

County of Southampton to wit:-
I, H. L. Hill a Justice of the Peace in and for the County of Southampton and State aforesaid do hereby certify that James M. Corbitt whose name is signed to the writing

above bearing date on the 19th day of Nov, 1889 has acknowledged the same before me in my County aforesaid, And I do further certify that the said James M. Corbitt made oath before me that his estate after payment of all his just debts, and charges for which he is bound as surety for others and expects to have to pay, is worth the sum of Five Thousand dollars over and above all exemptions allowed by law;

Given under my hand this 19th day of November 1889

A. L. Hill, J. P.

In Southampton Circuit Court,

Nov Term, 1879

Pulling & Pierce Pltff.

Against

In Debt

A. L. Francis Deft.

Judgment for the Plaintiff against the Defendant for $ 52.00 *with legal interest thereon from* 18 *day of* March, 1878, *till paid, and costs,* $ 7.40

Extract.

Teste: B. F. McLemore C. C.

In Southampton Justices Court,

Sept 23rd ~~Term~~, 1889

T. E. Pute & Co Pltff.

Against

A. L. Francis Deft.

In Debt

Judgment for the Plaintiff against the Defendant for $ 78 71 *with legal interest thereon from* 20 *day of* Jany, 1883, *till paid, and costs,* $ 1 00

Extract.

Teste: B. F. McLemore C. C.

In Southampton Justice Court,

April 2nd Term, 1889

J. M. Corbett Pltff.
Against
A. J. Francis Deft.

In Debt

Judgment for the Plaintiff against the Defendant for $ 47 88 with legal interest thereon from 1st day of Jany, 1878, till paid, and costs, $ 10

Extract.

Teste: B. F. McLemore C. C.

In Southampton Circuit Court,

Nov. Term, 1879.

Francis Pierce, merchant doing business under the name & style of Pulling & Pierce Pltff.

Against

A. L. Francis Deft.

In Debt

Judgment for the Plaintiff against the Defendant for $53.00 with legal interest thereon from 18 day of March, 1878, till paid, and costs, $7.40

Extract.

Teste: B. F. McLemore C. C.

In Southampton Justice Court,

Apl. 2 Term, 1899

Jas M. Corbitt. Pltff.

Against

A L. Travers Deft.

In Debt

Judgment for the Plaintiff against the Defendant for $47 88 with legal interest thereon from 1 day of Jany, 1898, till paid, and costs, $1 00 Formerly Waived

Extract.

Teste: B. F. McLemore C. C.

$4.52 Rec'd Nov 18. 1890 of C. L. Corbitt Spec'l Com'r in suit of Grafflin vs Francis Jones & 52/100 dollars - Costs in said suit. decreed to be paid by A. L. Francis.

D. F. McLennan Clk.

$97.15

Rec'd. of C. L. Corbitt Special Commissioner Ninety Seven & 15/100 dollars it being the amt. adjudged to be due me by A. L. Frances in the Chancery suit of Grappling vs. Frances & others

Nov 18th 1890

Frances

$84.31/100

Recd. of C. L. Corbin Special Commissioner Eighty four & 31/100 dollars it being amt. adjudged to be due me by A. L. Frances in the Chancery suit of Graffin vs. Frances & others.

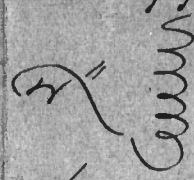
Nov 18th 1890 — Jno. M. Corbin

Bruchville Va Dec 20/90

Rec'd of G L Corbit Two Hundred
Eighty four & 40/100 Dollars
on claim of A L Francis
& T E Pate & Co

T E Pate

Grafflin



Francis St. et. al. vs. als.

1889. 2 Apl Rules

Cir: Ct.

Executed this 5th day of April A.D. 1889 by serving a copy hereof on Boaut & Pierce

C. L. Quinn Deputy

for J. A. Brunner Jr Sergt

City of Norfolk Va

Sergt fee 50 cts paid

C. L. Quinn D.S.

The Commonwealth of Virginia,

To the ~~Sheriff of Southampton County~~ Sergt. City of Norfolk ---Greeting:

WE COMMAND YOU TO SUMMON A. L. Francis & Annie, his wife. J. M. Corbitt and Frank Pierce. the last named doing business under the firm name of Pullen & Pierce.

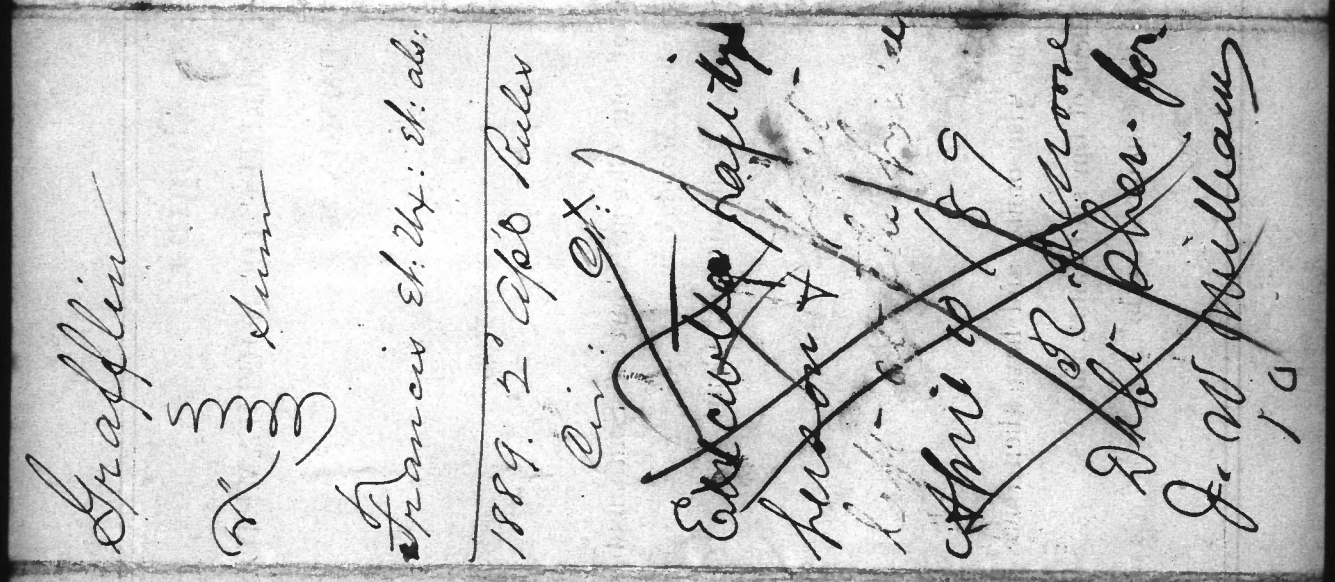
to appear at the Clerk's Office of our Circuit Court of Southampton County, at the Rules to be holden for the said Court on the ~~first~~ 3d Monday in April next, to answer a bill in Chancery exhibited against them in our said Court by G. W. Grafflin

And this they shall in no wise omit; and have then there this writ.

Witness, ~~LITTLETON P. EDWARDS~~ B. F. McLemore, Clerk of our said Court this 4th day of April 1889, in the 113th year of the Commonwealth.

Teste: B. F. McLemore c.c.

Executed April 10th 1889 by
delivering a copy of this Summons to
each of the within named parties
R. D. Moore Deputy
for J. W. Williams Sheriff



The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting;

WE COMMAND YOU TO SUMMON A. L. Francis and Annie, his wife. J. M. Corbitt and Frank Pierce. the last named doing business under the firm name of Pullen & Pierce

to appear at the Clerk's Office of our Circuit Court of Southampton County, at the Rules to be holden for the said Court on the ~~first~~ 3d Monday in April next, to answer a bill in chancery exhibited against them in our said Court by G. W. Grafflin

And this they shall in no wise omit; and have then there this writ.

Witness, ~~J. B. PRINCE~~ B. F. McLemore Clerk of our said Court, this 4th day of April 188 9, in the 113th year of the Commonwealth.

B. F. McLemore C. C.

Form No. 309.

Gafflin
vs. } Com'rs Bond
Francis & others

to { COMMISSIONER'S BOND.

Commonwealth.

Recorded page 5.

Everett Waddey, Stationer and Printer, Richmond, Va. } Form No. 309.

Know all Men by these Presents, That we C. L. Corbitt and Jas. M. Corbitt are held and firmly bound unto the Commonwealth of Virginia, in the sum of Five hundred and fifty Dollars, to the payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, hereby waiving the benefit of our Homestead Exemptions as to this obligaiton, and any claim or right to discharge any liability to the Commonwealth arising under this bond, or by virtue of said office, post or trust, with coupons detached from bonds of this State. Sealed with our seals, and dated this 19th day of November one thousand eight hundred and Eighty nine -.

The condition of the above Obligation is such, That if the above bound ~~Chas~~ C. L. Corbitt shall faithfully perform the duties of his office or trust, as Special Commissioner under a decree of the Circuit Court of the County of Southampton, pronounced on the 18th day of November, 1889, in the suit therein depending under the name and style of Graffam & Francis & others - to sell the interest of A. L. Francis in the tract of land mentioned in the proceedings of this cause - collect the purchase money and execute a deed for same - and any other duties required by any subsequent decree that may be entered in this cause

then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in the presence of

Chas. L. Corbitt SEAL.

James M. Corbitt. SEAL.
By W. D. Sebrell, attorney in fact.

SEAL.

In the Clerk's Office of the Circuit Court of the County of Southampton:

This day Jas. M. Corbitt, by his attorney in fact surety on the above bond, made oath before me B. F. McLemore, Clerk of the Circuit Court of the County of Southampton, that his estate after the payment of all his just debts, and those for which he is bound as surety for others, and expect to have to pay is worth the sum of five hundred and fifty dollars; whereupon the said bond is admitted to record according to law.

Given under my hand this 19 day of November 1889.

Teste: B. F. McLemore Clerk.