1882-005 Chancery Causes George W. Britt vs Mirit Bracy + al, Nathaniel B. Young +
Armstrong Turner
Isle of Wight County

other SURNames: BRACEY
Chalmers, Thomas, Adams
[Thomas, Adams + Company]

Hayden Reg.

George W. Bill

vs. Chy. Papers.

Merit Bracey & wife &c.

1860.

Sept. Rules - Bill & filed & dismissed.

Octo. Rules - Bill taken for confessed & set for hearing.

Octo. 1860. Decree for sale.

Jany. 15th 1861. filed Rept.

May 1861. Cond.

My 1866. Cond.

Octo. 1866. Cond.

May 1866. Cond.

Octo. 1867 Cond.

May 1868. Dism & Rule ...

Octo. 1868. Cond.

May 1870. Dism to collect &c.

Apl. 1871 - Decree to ascertain loss on sale &c.

Cond. from Apl. 1871. to Octo. 1874 - & then Dec. to ... made Deed to Purchaser for ... making over parties &c.

Nov. Rl., 1874 - Dec. dismissed as to S. F. and S. E. Chalmers as parties.

Dec. Rl., 1874 - Set for hearing as to parties

April term 1882 - trial by jury - to decide under the seven year law.

fied out of the surplus of said real & personal
& that the trust debt be exclusively satisfied
out of the real & your complainant allow-
ed to resort to the personalty - & that such
other & further relief may be granted as to the
court may seem meet & the nature of the
case may require & your complainant will
ever pray &c -

Hayden for -

Hayden for
Britt
Rice
&
Braxton Griffith &c.

1860.
Appl. rules - filed.

by which lien your complainant can enforce the execution of the trusts of said deed, & have the surplus remaining after the payment of the trust debts aforesaid applied to the satisfaction of the executions aforesaid that if said judgments & executions are a lien on & on the equity of redemption in the personalty when as the realty is more than sufficient to pay the trust debts aforesaid & the said Turner has both the real & personal to resort to for the payment of his debt, that said Turner will be compelled to by a court of chancery to the realty for the payment of his debt & the assets under the trust deed so marshalled as to satisfy your complainants demands aforesaid out of the personal assets - that the realty conveyed by said deed is worth about $ & the personal is about $.

That your complainant can only be relieved by the aid of this honorable court of chancery where matters of this sort are cognizable, to this end & your complainant prays that the said Merit Bracy & Elizabeth his wife, Nathaniel P Young & Armstrong Turner may be made parties defendant to this bill & be required to answer the same & that by the decree of this honorable court of chancery that the trusts of said deed may be enforced & your complainants aforesaid demands satis-

the sum of $48.53 with interest from the 21st of February 1802 and $45.43 with interest from the 8th of March 1839, and on which said executions the Sheriff of said County returned no effects, on which said executions could be levied all the said Merit Bracy's property being under a deed of trust as will appear from certified copies of said executions returns respectively marked C & D & hereunto filed as a part of this bill - that on the 19th day of December 1833, the said Merit Bracy & Elizabeth his wife, conveyed all the real & personal property of which said Merit Bracy, was seized & possessed in said county, (being all the property belonging to said Merit Bracy,) to R P Spence, in trust to secure to Anne Strong Turner, the payment of a bond executed by said Merit Bracy, of the same date with said deed & payable to said Turner on demand for Seven Hundred & Fifty Dollars - that your complainant believes, that said Bond with the accruing interest is still due & unpaid & the lien therefor, created by said deed on said property is undischarged - your complainant is informed & so charges, that the judgments & executions aforesaid, which are still wholly due & unpaid, created a lien on the equity of redemption of said Merit Bracy, in said deed both as to the real & personal property, to satis-

Exhibits C & D.

Exhibit E -
an office copy of which deed marked E with the certificate of recordation endorsed is hereunto filed as a part of this bill -

To the Honorable Richard H Baker Judge of the Circuit Court of the 8th Circuit County, in Chancery sitting, humbly complaining Sheweth to the Court, your complainant George W Britt, - That on the 21st of February 1840, the said complainant obtained on two several warants before a justice of the peace for the county aforesaid, two judgments against one Obert Bracy of said county, respectively for the sum of $48.53, with interest thereon from the 21st of February 1840 & & Costs 40¢ - & for the sum of $49.43, with interest from the 8th day of March 1839 & costs 40¢ - That on the same day, executions were issued out on the judgments aforesaid, directed to Enos L Eley a constable of said county who being unable to find any property of said defendant whereon said executions could be levied, made a return on said executions of "no Property" & returned said executions to the Clerks office of the county court of said county, on the 28th of April 1840, when said executions were docketed in said office, as will appear from office copies of said judgments respectively marked A & B & herewith filed as a part of this bill That on the day of last your said complainant sued out of said office two executions on said judgments respectively for

Exhibits A & B

Executed Sept the 3d 1860 a copy of the
within Notice on N. P Gurney and Armstrong
Turner each of Nelson And On the
same day delivered a true Copy of the within
to the Son of said Bracy and said Bracy &
Wife within named, he being a member of
his family & over the age of sixteen. Making
about 4 Jour Cents

D Hammond DS
for D Gay Shff

Geo W. Britt
& Wife
vs
Jno Clay
Merit Bracy Exrs
&c.

Fr Appl. Sept 1860.
Cir. Ct.
Gay dep Sh.

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF ISLE OF WIGHT COUNTY,—GREETING:

WE COMMAND YOU TO SUMMON Merit Bracey & Elizabeth his wife, N. P. Young and Armstrong Turner

to appear at the Clerk's Office of our Circuit Court of Isle of Wight County, at rules to be holden for the said Court, on the first Monday in September 1860 next, to answer the Bill in Chancery of George W. Brit

~~if a plea of~~

~~damages~~

and have then there this writ. WITNESS, NATHL. P. YOUNG, Clerk of our said Court, at the Court House, this first day of September in the year 1860, in the 85th year of the Commonwealth.

N. P. Young cc.

Brief

Lewis, &c.
I. T. Chalmers
and L. D. Chalmers
and parties

Bracey

Dec Nov. Rules, 1874.

Hayden Atty.

Executed by defendants to the within Lewis & Chalmers & Lelia D Chalmers a true copy of the within Summons Oct. 24th 1874

L B Edwards Sheff

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON James F. Chalmers and John D. Chalmers

to appear at the Clerk's Office of the Circuit Court of Isle of Wight County, at Rules to be holden for the said Court, on the first Monday in November next to answer the Bill in Chancery lately filed in said Court by George W. Britt for himself &c. against Merit Bracey &c.

~~of a plea of~~ ~~for $~~ ~~, Damages $~~ . And have then there this writ. Witness N. P. YOUNG, Clerk of our said Court, at the Court House, the 22? day of Octo. 1874, in the 99th year of the Commonwealth.

N. P. Young Clk.

the same to Court with his report of his proceedings under this decree. But the effect of this decree shall be Suspended until till the said Comr. shall appear and deliver in the clerks office of this Court bond with sufficient security, payable to the Commonwealth of Virginia in a penalty of $3000:00. Conditioned for the faithful discharge of his duties of this or any future decree herein.

A Copy

Teste. J. C. Latimer D.C.

Atto: Hay	$16.50
Att. fee	7.07
Off. "	1.50
Costs	$25.07

Geo. W. Britt
vs. Equity Decree
Mont Bacon &c

At a Circuit Court continued and held for the County of Isle of Wight On the 19th day of October 1860

George W. Will
against
Merit Bracy & Elizabeth his wife, N. P. Young and Armstrong Turner,

Pltff
In Chancery
Defts

This cause came on this Day to be heard on the Bill taken for confessed as to the Defendants Merit Bracy & Elizabeth his wife, N. P. Young & Armstrong Turner, On whom process has been duly served, they still failing to appear & plead, answer and demur to the said Bill, and exhibits filed, & was argued by Counsel; On consideration whereof the Court doth & Judge order and decree, that N. P. Young who is thereby appointed Commissioner for that purpose, proceed to sell at public auction to the highest bidder at the Court house door of this County, On some Court day after having given at least 20 days Notice of the time and place of sale ~~the real estate~~ by advertisement at the Court House door of this County On some Court day previous to the day of sale and at other public places in said County, On a credit of six months Except so much for Cash as will pay the costs of said suit and sale. The real and personal estate Conveyed by the Deed of trust in these proceedings mentioned from Merit Bracy & Elizabeth his wife to N. P. Young for the benefit of Armstrong Turner, or so much thereof as may be necessary to satisfy the Debt, due Armstrong Turner secured in said deed, Amounting to Seven hundred and fifty dollars with interest thereon from the 19th day of December 1853. and the plaintiffs demands of forty Eight dollars and fifty three cents with interest from the 21st day of February 1860. and $1.23 costs, and forty five dollars and forty three cents with interest from 8th day of March 1859. and $1.23 costs taking for the credit prtion of said sale, bond with sufficient security, and return

Burr
M. 3 Exs. Ct.
Bracy Ex.

To be filed with
report of M. Ryan

Recd of R P Jones Sixteen Dollars &
Fifty Cents fee & Mortgage in Deed of Built
to Bradley Lots.

C. B. Hayden

Mr. N. P. Young

1859 To Thos J Clements

To Selling Mule Bracy Tract of Land $1.00

Jany 8th 1861

Receipt in

Thos J Clements

Cash

James F. Childress

to E. Bond

N. P. Young Cons.

$1417.93

Six months after date, we bind ourselves and our heirs, executors & administrators to pay to N. P. Young Commissioner acting under a decree of the Circuit Court of Lee of Scott County, in the suit of Geo. W. Bird against Merit Bracey, N. P. Young and Armstrong Turner, the sum of One thousand four hundred and seventeen dollars and ninety three cents for the purchase of the land of said Bracey sold by said Commissioner this day.

Given under our hands & seals this 5th day of December 1860.

Jas. H. Chalmers [Seal]
Jno D Chalmers [Seal]

The personal estate mentioned in the deed
aforesaid, was not sold as it was
found to be only what the law exempts to a
poor debtor.

Given under my hand this 10th day of
January 1861.

N. D. Young Com.

Brit
$ 3 Com. Expt.
3 of Sheriff
Bracey Fees.

Jany. 10th 1861. Filed

To the Circuit Court of Isle of Wight County.

George W. Brill Pltff.

against In Chancery.

Mint Bracey, N. P. Young Trustee and Armstrong Turner Defts.

Pursuant to a decree of the circuit Court of Isle of Wight County, rendered in this Cause, on the 19th: day of October 1860, - The undersigned makes the following report - to wit: After having first executed his bond and given notice as required by the decree, your Commissioner proceeded, on the 3d: day of December 1860, before the door of the Courthouse of said County, to sell the real estate in the decree mentioned, viz: the land conveyed by Mint Bracey & Elz.a his wife, by the deed of trust in the proceedings mentioned, to N.P. Young for the benefit of Armstrong Turner - At which sale, James F. Cholmes, being the highest bidder, became the purchaser for the sum of (fifteen hundred and twenty dollars) . . . $1520:00

from which was deducted & paid, to wit:

Atto: fee & writ tax . . .	$10:50	p. p. cert. filed
Clks: fees to date	7.07	p. N.P. Young
Shff. "	1.50	p. p. cert.
Total costs of suit	$ 25:07	
Cond. on Cert. of Sales	76.00	
Paid Cryer at sale	1.00	p. p. cert
Sold costs & expenses	$ 102:07	102.07

(leaving) a nett balance of $1417.93

for which balance your Commissioner has taken the bond of said James F. Cholmes with Jno. D. Cholmes as his security, which is herewith reported to Court.

Your Commissioner has paid to the parties entitled their costs as will be seen by their receipts herewith filed.

Respectfully

thereof held subject to the future order of this Court, & make report of his proceedings under this decree to Court for default of payment of said Bond by the said Jas. F. Chalmers within ninety days from the date of this decree, the said H. P. Young shall resell the land in said deed of trust mentioned, on the terms mentioned in the former decree herein for the sale of said land ——,

Costs. since the
last decree

Clk. . . .	$8.09
Sheff. . . .	1.00
Comr. . . .	5.00
	14.09
Comr's. com. sale,	25.00
	$39.09

Hedspy
Leslie
H. P. Young Clk.

Bill
vs.
Brady's Admr. et als.

Copy of Decree

May Ct., 1870.

Execute for defendant a true copy of the
within & foregoing decree

In Isle of Wight Circuit Court. May 17th 1870.

Geo. W. Britt ——— Pltff.

v. } In Chancery

Bracy's admr. & als— Defts.

This Cause this day Came on to be heard on the papers formerly read & on the report of N. C. Young under the decree herein of May Term 1868. Showing that he had complied with so much of said decree as to collect a sufficient amount on the Bond therein named to pay the sum equal to two year's interest on the debts in said decree named respectively due Armstrong Turner and Geo. W. Britt, and the Court doth further adjudge, order & decree that the Clerk of this Court deliver to N. C. Young on his filing his receipt therefor, the bond of James F. Chalmers & Jno. D. Chalmers for $1417.93. due 6 months from Dec. 6th 1860. which bond the said N. C. Young is hereby authorized & required to collect, Subject to the credit of the payment aforesaid out of the proceeds thereof, after paying the costs of this Suit, pay to Armstrong Turner the amount due on his debt secured by the deed of Trust in these proceedings mentioned, & the balance

thereof hold subject to the future order of this Court, & make report of his proceedings under this decree to Court for default of payment of said Bond by the said Ga. F. Chalmers within ninety days from the date of this decree, the said H. P. Young shall resell the land in said deed of trust mentioned, on the terms mentioned in the former decree herein for the sale of said Land.

Costs since dec. 3 3 3
last item 3

Clk.	$8.09
Sheff.	1.00
Comr.	5.00
	14.09
Cond. on sale	25.00
	$39.09

Hedspy
Leslie
H. P. Young Clk.

Bill
Copy of
Decree
vs.
Brady's adm'r. et als.

May Ct., Ct., 1870.

Decree for Chancery Costs

Bill Sale.

Report of Sale of land.

Bracey Sale.

Filed May 25. 1871

Rec'd 4th 1871
The bond filed
in this case has
been delivered to M.P.
Lyon Esq. and by
him assigned
Record of bond filed to
bond filed by A. Sarau
under decree of Oct.
1871. M. P. Lyon

Geo. W. Britt Adm.

v. In Chy.

Mirit Bacon's adm. &c.

Pursuant to a decree of the Circuit Court of Isle of Wight County rendered on the 17th. day of May, 1870, the undersigned as Commissioner therein named, after having given county days notice of the time and place of sale, proceed to sell at auction at the Courthouse of said County, on the 4th. day of December, 1870, the land in the proceedings mentioned, at which sale Armistead Turner, being the highest bidder became the purchaser of said land at the price of $800.00

From which was deducted

Clerks fees since first sale under decree of Feb. 1860	8.09	
Sheriff's fees do.	1.00	
Crier "	5.00	
Comm'l. on $300.00/100	15.00	
Comm'l. on 500.00/100	10.00	39.09

Leaving nett balance of $760.91

for which I have taken the bond of said Armistead Turner, with John Edwards his security which bond is herewith filed.

Given under my hand this 31st. day of March, 1871.

J. T. Young Comr.

Receipts of Armstrong
Turner & Geo. W. Britt
for refund on their
debts, collected under
decree of May 1868.

1868. October the 5th Recd of Nathl. P Young commissioner in the Suit of Britt against Bracy the sum of Ninety dollars it being for Two Years Interest on a Bond due to Armstrong Turner Scundly and filed in the case and filed in said Suit

Witness
H. H. Womble

his
Armstrong X Turner
Mark

Oct 5th 1868 Rec'd of N. P. Jones
Com Eleven dollars 27/100 being the
amt of two Jurs interest on claims
due me now in file in Clerk Office
of Alleghany Ct Va in suit of Boutt
& others vs Botetourt

Jas W Britt

2000
1127
873

Smithfield June 17th 1861

Mr A P Young will please pay to Thomas Adams
& Co the balance of the amount of money Remaining
in his hands from the proceeds of sales of land made
by him as trustee for me, after paying the debts decided
in said deed of trust, and any orders which I have previously given

Witness
Thos B Bowne

his
Merit + Bracy
mark

Bill

Arm[stro]ng Turner

vs.

Receipt

Braun

Filed with Comm[issione]r's report
of collections
Dec[embe]r 4th 1871.

Memo:
The Bond held by Arm.
Turner v. M. Braun &
secured by deed of trust,
is credited on 4th of
Dec[embe]r 1871 with the
am[oun]t of this receipt.
J. P. Jones Com[missione]r.

December 4th 1841 Received of J.O. Young Commissioner in the suit of Britt v. Bracy Sale Seven hundred and ninety four dollars and five Cents being the nett balance collected by said Commissioner on the bond of Armstrong Turner and Jno. Edwards under decree of Octo. Term, 1841, in said suit, in part part satisfaction of my debt secured by the deed of trust in the proceedings aforesaid mentioned.

Witness
C. A. T. Hunt,

Armstrong his X Turner
mark

Doll &c. Report of
vs. Collection &c.
Bracy &c.

Dec. 8th 1891. filed

To the Circuit Court of Isle of Wight County.

Pursuant to a decree of the Court rendered at the Octo. Term, 1871, in the suit of Blatt &c. vs. Bracey &c: I, Commissioner, thereby respectfully report to the Court that he has received from the Clerk of the Court the bond of Armistead Turner and John Edwards, filed in the cause, for the sum of $760.91 Interest thereon from 4th Dec. 1870 to 4th Dec. 1871. 45.65

That he has collected the same amounting to $806.56 from which he has deducted

for attorney fee balance of $10.00

($15.00 having been paid out of original sales of land) as shown by the report in the cause)

Bal. Clks. fees to Octo. Term, 1871, 1.57 11.57

leaving the nett balance of $795.05

which has been paid to Armistead Turner in part satisfaction of his debt secured by the deed of trust in the proceedings mentioned per his receipt.

Given under my hand this 8th day of December 1871.

N. L. Young Comr.

Bovill and others

vs

Bracey & others

Commissioners Report
of Sale in Partition of Land

Oct. 2nd 1893 filed

Commissioners Office Lee Circuit

Pursuant to a decree of the Circuit Court of Lee County rendered on the
20th day of October 1871 in a cause in chancery depending therein between
Geo H Bell and others plaintiffs and Wm H Bracey and others defendants,
the undersigned a commissioner of said court to whom was referred for settle-
ment and account of the sale of the land in the proceedings mentioned
reports (after having given due notice to the parties interested) the following statement
Amount of bond given for the original purchase by
James F Edelmen and John F Edelmen $1417 93
Interest thereon from June 3rd 1861 to December 4th 1871 893 53
Less amount credited by payment on June 5th 1866 and
paid to Commissioner Geo H Bell for benefit of land 1012 72 792 24
2210 17
Dec 1871 4 By Net amount received from Commissioner on sale
of land for Commissioners report filed in this cause 993 46
Making the amount of sale in detail $1216 71
Upon which my bond as Commissioner in charge of said land was fixed at
Twelve Hundred

Geo L Peterson Comr

Time employed not less than 1 hour fee $1.50

Commissioners Office Smithfield

May 1872.

In the County Court of Isle of Wight County October 2nd 1871

Geo W Bell and others } Plaintiffs

vs } In Chancery

West Bracey and others } Defendants

It was adjudged ordered and decreed that a commissioner of this court take the account directed by aforesaid decree herein, of the loss on the resale of the land in the proceedings mentioned and make report to court.

The parties interested in said decree are hereby notified that I shall proceed upon the [blank] day of June 1872 at my office aforesaid and at the time and place for taking and stating the said accounts, at which time and place they are required to attend;

Given under my hand as a commissioner in Chancery of said court this day and year first above mentioned

Jno Cutchins Comr

Service of the above notice acknowledged.

the resale of the land in these proceedings mentioned, and Report the same to Court,

A Copy
Teste,
N. P. Young Clk.

Geo. W. Bill Sals
vs. } Copy of Decree
Bracy, Sals
Dels. Cir. Ct. 1871.

Fee $ 1.00

In Sales of Wight Circuit Court, Octo. 20th 1871.

Geo. W. Brittals, Pltffs.
vs. } In Chancery
Bracy Tals Defts.

This cause this day came on to be again heard on the papers formerly read. On the Report of Sale of Comr Young under the decree herein of May Term 1870. & was argued by Counsel; On consideration whereof the Court doth adjudge order & decree that said Report to which no exceptions were filed be confirmed, & that the Clerk of this Court deliver to N. P. Young on his filing his Receipt therefor the Bond of Armstrong Turner & John Edwards for $760.91 payable on the 4th day of June 1871, returned by said Comr with his Report aforesaid, which Bond the said Comr who is hereby appointed Special Comr for that purpose, is hereby authorized & required to Collect, out of the proceeds after paying the Costs of this suit, inclusive of an attorneys fee of $25.00 to C. B. Hayden for his services in this suit, & pay the balance to Armstrong Turner in part satisfaction of his Debt secured by said Trust taking his Receipt therefor, & return the same to Court with his Report of his proceedings under this decree, & that a Comr of this Court take the account directed by aformer decree herein of the loss on

Brill Sal.

vs. Chas. Sept.

Bracy Sals.

Dec. 1st. 1841 Filed

The Circuit Court, Pike County, Missouri

[illegible]

Geo. W. Bell & Armstrong Turner &c.
vs. } In Chy.
Mrs. A. Bracey's Admr. &c.

Statement of the amount due on the bond of Armstrong Turner, secured by the deed of trust in the proceedings mentioned.

Bond executed by Mrs. A. Bracey, to Armstrong Turner on the 19. Dec. 1853, for	450	00
(Interest paid to 19. Dec. 1854.) Interest on from 19. Dec. 1854, to 4th of Dec. 1861, less the interest from 14. Apl. 1861, to 4. Apl. 1865 demanded by the obligors,	583	84
Paid 4th Dec. 1861 by N. P. Young, trustee, from sale of land	1333	84
	795	00
	538	82
Int. on same 4. Dec. 1861, to 4 Dec. 1864	96	98
Bal. due 4th Dec. 1864	$ 635	80

Commissioners Office, Isle of Wight C.H. Nov. 13th 1865.

To the Circuit Court of said county.

Pursuant to a decree of said Court rendered the 9th of Octo. 1865, your Commissioner, after having legal notice served on the parties interested, which notice is herewith filed, as in evidence before him has made the foregoing statement of the amount due on the bond of Armstrong Turner, secured by the deed of Trust in the proceedings mentioned, and finds that on the 4th day of Dec. 1864, there will be due on said bond the sum of $635.80 of which sum $96.98 is interest.

Given under my hand as a Commissioner of

Armstrong Turner

Commander U.

In search of

Britt Sabin

&

Bracy R.

I, hereby agree that upon the payment to me by Jas. D. Chalmers or some one for him the sum of $344.83 with interest from the 4th of August, 1876, I will ~~do~~ my personal prosecution shall, against said Chalmers a full and clear discharge & acquittal of his & his securities indebtedness & responsibility incurred by them in consequence of the purchase of the land of Mrs. Tracy sold by N. D. Young Com. and bought by said J. D. Chalmers. and do for me, I am empowered herein that, upon said payment, the suit of Britt Jr. vs. M. Tracy in the circuit court of Isle of Wight Co. shall be dismissed.

Given under my hand and seal this 12th of Augt. 1876.

Attest N. D. Young

Armistead L. Gee (Seal)

1839 & $1.23 costs — Taking for the credit portion of said sale and with sufficient security returnable to Ct, with this report of this proceedings under this decree — But the effect of this decree shall be suspended until the said commissioner shall execute & deliver to the clerk of this court bond with sufficient security payable to the commonwealth of Virginia, in a penalty of $3000.00 conditioned for the performance of this & any future decree herein —

Bullitt &
Brady
Pltfs Att'ys

Papers returned
Oct. Term 1840
& executed
P. H. B.

Brilt
vs
Bray &c.

This cause, came on this day to be heard on the bill taken for confessed as to the defendants Merit Bray & Elizabeth his wife N P Young & Armstrong Tunnel, on which process has been duly served, they still failing to appear & plead answer & demur to the said bill, & exhibit filed & was argued by Counsel, on consideration whereof the court doth adjudge order & decree that N P Young who is hereby appointed Commissioner for that purpose proceed to sell at public auction to the highest bidder at the C H door of this County on some court day, after having given at least 20 days Notice of the time & place of sale by advertisement at the court house door of this County on some court day previous to the day of sale & at other public places in said County, on a credit of six Months except so much for cash as will pay the costs of said suit & sale, the real & personal estate, ~~so much thereof shall be necessary~~ conveyed by the deed of trust in the pleadings mentioned from Merit Bray & Elizabeth his wife to N P Young for the benefit of Armstrong Tunnel, or so much thereof as may be necessary to satisfy the debt due Armstrong Tunnel secured in said deed, amounting to $750.00 with interest thereon from December 19th 1853, & the Plaintiffs demands of $48.53 1860 with interest from the 21st day of February & $1.23 costs & $45.43 — with interest from the 8th day of March

Britt
vs
Bracy Sufr.
Lab.

Rob. Klaer
Mg Term 1868
To be entered —

Bill
vs
Bracy Supp Dft.

This cause in which the death of the Defendant Merit Bracy is suggested it is ordered that this suit be continued in the name of Thomas J Clements Administrator of said Merit Bracy came on this day to be heard on the papers formerly read & on the report of Commissioner S P Young under a decree herein of October Term 1860 - & was argued by Counsel, on consideration whereof the Court doth adjudge order & decree that the clerk of this court deliver to the said S P Young on his filing his receipt therefor the Bond of James F Chalmers & John D Chalmers for $1417.93 payable six months from December 3d 1860 - returned by said Commissioner with his said report, on which Bond the said S P Young is authorized by motion as prosecuting attorney required to collect a sum equal to two years interest thereon & after payment the cost of this suit since the last report, pay to the Defendant Armistead Thurman a sum equal to two years interest on his Bond in these proceedings mentioned & to Lucy D Bell, a sum equal to two years interest on the amount of her debt filed in this cause & make report to Court of his proceedings under this decree -

the future Order of this Court &
make Report of his proceedings
under this Decree to Court
& On default of payment of said Bond by
the said I & T Chalmers, within 20 days
from the date of this decree the said
N P Young shall resell said land in said
Deed of Trust mentioned, on the terms
Mentioned in the former decree herein
for the sale of said land —

G. W. Britt
&
Francis Brady sols

Copy of Decree
Filed
May Term
1870
Macrae Teed
Geo. F. Bass, Jr.
Clerk

Geo W Britt

v

Merritt Bracy et als.

This cause this day came on to be heard on the papers formerly read on the Report of N. P. Young under the decree herein of May Term 1868 showing that he had complied with so much of said Decree as to collect a sufficient amount on the Bond therein named to pay the sum equal to 2 years' interest on the debts in said decree named respectively due Armstrong Turner & Geo. W. Britt, & the Court doth further adjudge, order, & decree that the Clerk of this Court deliver to N. P. Young on his filing his receipt therefor the Bond of James & Thos Chalmers & John D Chalmers for $1417 33/100 due 6 months from Dec 6th 1860, which Bond the said N. P. Young is hereby authorized & required to collect subject to the credit of the payment aforesaid & out of the proceeds thereof after paying the costs of this suit pay to Armstrong Turner the amount due on his debt secured by the Deed of Trust in these proceedings mentioned & the Balance thereof hold subject to

Bill

?

Brady

Hough Moore
Oct term 1874
Dismissed
Geo Bloss

Entered

53

Bill & Brady

This cause this day
came on to be argued upon the
papers formerly read, & on the report
of Com. A. P. Young & exceptions
thereto under the decree herein of
October term 1871 & 80 and upon
the case on resale since the same
decree was argued by counsel on
consideration whereof the Court
doth overrule said report & exceptions
& doth approve, ratify & confirm
said report & decree, that A. P. Young
who is there appointed Commr.
shall execute deeds to
Purchasers & upon receipt of
purchase money for the lands in
said decree & report mentioned &
sold & upon giving bond with
security for the same in the penalty
of $10,000 conditioned for the due
application of the purchase money
of the lands in said decree & report
mentioned, shall pay the same
as directed by said decree, & that
the Commr. shall report his
proceedings herein to the Court
& that the Complainant shall
recover against the defendants
Albert Price, & Robert Gehr & the Unknown
Heirs & Devisees &c. of Jno. A. Gehr dec'd
& Wm. Gehr, dec'd, & Wm. Brady, dec'd

wright. And the Court doth further adjudge, order & decree, that a Comr. of this Court ascertain & report to Court the amount due on the bond of Armstrong Turner secured by the deed of Trust in these proceedings mentioned, And the Court doth further adjudge, order and decree that James T. Chalmers and John D. Chalmers be made parties defendants to this suit, and that the Clerk of this Court summon them as such defendants, and that they be required to appear on the first day of the next term of this Court, And show cause if any they can, why they should not be required to pay the loss on the resale of the land in these proceedings mentioned, originally purchased by said James T. Chalmers, and for the credit portion of which he gave his bond with the said John D. Chalmers as surety.

A Copy

Teste, Lyt. Hart, D. Clerk

M. P. Young, Clk.

Com. Ch. Circuit Court

Bracy Sum'n issued
Oct. 21, 1874.

Return 4th Nov. 1874.
15. Nov. 1874.

Com. M. P. Young

In Isle of Wight Circuit Court, October 9th, 1874

George W. Hill &c., Pltffs.

Against } In Eqy;

Merit Bracy's Admrs. &c., Defts,

This cause this day came on to be again heard on the papers formerly read and on the reports of Comr. Young of collections & payments under the decree herein of October 1871, and of Comr. G. W. Atkinson of the sale on resale under the same decree; And was argued by Counsel: On Consideration whereof the Court confirming said reports to which no exceptions were filed, doth adjudge, order & decree that N. P. Young who is hereby appointed Comr. for that purpose execute & deliver to Armstrong Turner a good & sufficient deed in fee simple with special warranty for the land in these proceedings mentioned purchased by him under a former decretal sale herein, lying in the County of Isle of Wight, containing by estimation 319. acres more or less, bounded by the lands of David Atkins' wife, Margaret Turner, Charles Chapman W. A. Brocken, Albert Price, Rs. Gibbs and the heirs of Samuel Thomas dec'd: being the same tract of land conveyed by Merit Bracy & Elizabeth his wife by their deed of the 19th of Decr. 1853, in trust to N. P. Young for the benefit of Armstrong Turner, duly recorded in the Clerk's Office of the County Court of Isle of

Brick
"
Bragdon

Rough Plan
April Term 1871
To be entered
Geo Bliss

Endd

Bailey
v
Bragdon -

This cause this day came on to be again heard on the papers formerly read & was argued by counsel, on consideration whereof, the court doth order and that a commissioner of this court - ascertain & report to court the loss on the resale of the ~~property~~ land directed by the decree herein of May Term 1870, caused by the failure of the first purchaser to comply with the terms of Sale -

Bill
of
Bracket –

Ralph Hearn
Oct Term 1671
Z. Richards

Geo. Bloss.

Entered 23.

Brett
vs
Brayden —

This came this day
came on to be again heard on the papers
formerly read, & on the report of Sale
of Commissioner Young, under the decree
herein of May Term 1870, & was argued &
counsel, on consideration whereof the court
doth adjudge & decree that said
report to which no exceptions were filed be
confirmed, & that the clerk of this court
deliver to N P Young on his filing his recpt
therefor the Bond of Armstrong Turner &
John Edwards for $760.91, payable on the
4th day of June 1871, returned by said Com=
missioner with his aforesaid Report, which Bond
the said commissioner who is hereby ap=
pointed special commissioner for that purpose
is hereby authorized & required to collect, &
out of the proceeds of sale pay the costs of
this suit including of an Attorney Fee of $25.00
to C B Hayden for his services in this suit, & pay the
balance to Armstrong Turner in full satisfaction
12 Rep his recpt therefor & return the same to court, with his report of his
proceedings of his sale & collection of said Bond & that a
under this decree Commissioner of this court take the account
directed by a former decree herein, of the loss
on the resale of the land in these proceedings
mentioned & report the same to court —

No property except what is under a deed of trust prior to this execution

Aug. 20 – 1860

Jno. P. Gary Sh'ff

County Court. Sept. 63.

Geo: W. Tabb. Pltf.

vs:

Jno. Tisdale. Defdt.

Mar. 1st Bonum

To Sept. 1860.

THE COMMONWEALTH OF VIRGINIA,

***To the Sheriff of Isle of Wight County*—Greeting:**

WE COMMAND YOU, That of the Goods and Chattels of Merit Bracey

in your bailiwiek, you cause to be made forty eight dollars and fifty three cents with interest thereon from the 21st. of February 1860 till paid.

which George W. Brill

before a Justice

lately ~~in our Court~~ of Isle of Wight County, recovered against him for debt

Also, One Dollars and Twenty three Cents, which to the said Geo. W. Brill

~~to the Justice~~

in the ~~same Court~~ were adjudged for his costs, by him about his warrant ~~suit~~ in that behalf expended: whereof of the said Merit Bracey is

conviet as appears to us of record, and that you have the same before our said Court, at the Court-house of our said County, on the FIRST MONDAY in September next, to render unto the said Geo. W. Brill

of the debt and costs aforesaid. And have then and there this Writ.

Witness, NATHANIEL P. YOUNG, Clerk of our said Court, at his office, this 5th day of July in the year of our Lord 1860, and in the 85th year of our Independence.

N. P. Young Jr.

No property except what is under a deed of
Trust prior to this Execution
Augt 20th 1860 Jno. P. Gaylord

County Court p. 63.
Geo. W. Bush
vs
E. Tefft.
Merit & Brace
Fo Sept. 1860.

THE COMMONWEALTH OF VIRGINIA,

***To the Sheriff of Isle of Wight County*—Greeting:**

WE COMMAND YOU, That of the Goods and Chattels of Merit Bracey

in your bailiwick, you cause to be made forty five dollars and 43 Cents with interest thereon from the 8th day of March 1859 title paid

which George W. Britt before a justice

lately ~~in our Court~~ of Isle of Wight County, recovered against him for debt

Also, One Dollars and twenty three Cents, which to the said Geo: W. Britt by the said justice

~~in the same Court~~ were adjudged for his costs, by him about his warrant ~~suit~~ in that behalf expended: whereof of the said Merit Bracey is

conviet as appears to us of record, and that you have the same before our said Court, at the Court-house of our said County, on the FIRST MONDAY in September next, to render unto the said Geo: W. Britt of the debt and costs aforesaid. And have then and there this Writ.

Witness, NATHANIEL P. YOUNG, Clerk of our said Court, at his office, this 5th day of July in the year of our Lord 1860, and in the 84th year of our Independence.

N. P. Young C.C.

Geo. W. Britt.

vs. Copy Ind.t & Effon.

Merit. Bracy.

Executed. E. L. Ely. const.

No property

E. L. Ely. const.

Returned & Docketed in

Dist.t Clerks Off. 28th

April 1860.

N. P. Gunnison

Isle of Wight County to Wit

To Exum S. Eley Constable.

Summon Merit Bracy to appear before me or some other Justice of the peace for the county, at Smithfield on the 21st. day of February 1860. to answer the complaint of Geo. W. Britt of a plea for the ~~Cause of~~ Non payment of Forty Eight Dollars & $\frac{53}{100}$. & 40 with interest due by ag. & then make due return of this warrant. Given under my hand this 10th. day of Feby: 1860.

W. Chapman J.P.

Judgment is granted the plaintiff for the sum of forty eight Dollars & 53 cts. & costs 40 ℔. with interest from the 21st day of Feby: 1860. till paid. Given under my hand this 21st day of Feby: 1860.

Wm. M. Crocker J.P.

The Commonwealth of Virginia to Exum S. Eley constable of the fourth District. I Command you, that of the goods & chattles of Merit Bracy, you cause to be made the sum of forty Eight Dollars & 53 ℔. with interest from the 21st. day of Feby: 1860. till paid. & costs 40 ℔. which Geo. W. Britt recovered before me a Justice of the peace for the County aforesaid: and that you render to the said Geo. W. Britt the Debt aforesaid, and make due return thereof, within Sixty days.

Given under my hand, this 21st. day of Feby. 1860.

Wm. M. Crocker J.P.

The foregoing is a true copy.

Teste. F. C. Latimer D.C.

Britt
vs
Bracy Whitehead.

Echols. A. & B.

Geo. W. Britt
vs. Bill for Inj. & Accg.
Merit Bracy.

Execution. E. & L. Liberty county.

Mr. Thompson
E. & L. Liberty county Ga.

Sept 28. 1860. Returned
& Docketed
W. S. Grimes Co

Isle of Wight County to wit:

To Ecum L. Eley constable.

Summon Merit Bray to appear before me or some other justice of the peace for the county at Smithfield, at the Mayors office, on the 21st of February 1860. to answer the complaint of Geo. W. Britt of a plea for the non payment of forty five dollars and 43 cents, with interest, due by note, & then make due return of this warrant. Given under my hand this 10th day of Feby: 1860. To. Ecum L. Eley constable of the county aforesaid.

H. Chapman J.P.

Judgment is granted the Plaintiff for the sum of forty five dollars and 43 cents. & costs 40¢ with interest, from the 8th day of March 1859. till paid. Given under my hand, this 21st day of February 1860.

Wm. M. Crocker J.P.

The Commonwealth of Virginia,

To Ecum L. Eley Constable of the fourth district.

I Command you, that of the goods & Chattles of Merit Bray you cause to be made the sum of forty five dollars & 43 cents with interest from the 8th day of March 1859. till paid; and costs 40. cents. Which Geo. W. Britt recovered before me a Justice of the peace, for the county aforesaid; and that you render to the said Geo. W. Britt the debt aforesaid, & make due return thereof within sixty days. Given under my hand. this 21st day of Feby: 1860.

Wm. M. Crocker. J.P.

The foregoing is a true copy.

Teste F. C. Latimer D.C.

Recd for Record Dec 19 1838
at 3 Oclock P.M.
Test
W. C. Graves Clerk
for Cumberland County Court

Dec. 19. 1838 acknowd.
& ordd. to record.

Recorded in D. 38.
Page 490

Test, Wm. P. Miller

Gross Amt. of sales of Crop $1520.00

Costs	$25.07		
Comn. on $1520	76.00		
Crier's Fees	1.00		
	$102.07		102.07
		Nett	$1417.93

In the Clerks office of Sale of wife's Comm. Court Dec. 19th 1838.
This deed was acknowledged by Mont Gray and Nancy Gray to be their act and deed, and Elizabeth Gray the wife of Mont Gray having been examined by me privily and apart from her husband, and having the deed fully Explained to her — She acknowledges the same to be her act and deed, and declared that she has willingly executed the same, and does not wish to retract it, and thereupon the said deed together with this certificate is admitted to record.

Test W. C. Graves C.C.

of the amount of the bond aforesaid with all
interest that may at that time be due and
unpaid, & if any balance shall remain
it shall be applied as directed by said
Bracy. The said Mint Bracy wife covenant
that they will warrant generally the property
hereby conveyed & that they will pay all taxes
& other charges on said property so long as they
hold possession of the same. And the said
Young covenants that he will execute this
deed according to its provisions & the statute
in such case.

Witness the following signatures & seals.

Mint + Bracy
mark

Elizabeth + Bracy
mark

N. P. Young

February 11th. 1856. Recd. of N. P. Young
Trustee in the foregoing deed of Trust Twelve dollars
and Twenty five cents for a Bay mare sold by
him at auction, under the said deed

Witness
E. A. Young

Anthony + Tenor
mark

This Deed made this 19th day of December in the year 1853 between Merid Bray and Elizabeth Bray his wife of the first part, and Nathaniel S. Young trustee of the other part witnesseth that the said Merid Bray and Elizabeth his wife do grant unto the said Nath'l S. Young the following property, viz: one tract or parcel of land lying in the County of Isle of Wight whereon said Bray resides, and being all the land he owns in said County, containing three hundred & nineteen acres more or less, bounded by the lands of David Atkins heirs, Margaret Turner, Elizabeth Chapman, William A. Crocker, Albert Price & Robert Gibbs & the heirs of Saml. Thomas dec'd. also one black mare, two cows, one ox, four beds, bedsteads & furniture, 12 chairs, one sofa, 3 tables, one bureau and all other articles of household & kitchen furniture, a parcel of ploughs, hoes, axes, 2 carts, wheels & 20 head of hogs of various kinds. In trust to secure to Armstrong Turner of said County of Isle of Wight, the payment of the sum of a bond executed by said Merid Bray, dated the 19th. day of December 1853 and payable on demand to the said Armstrong Turner for the sum of Seven hundred & fifty dollars. And it is covenanted & agreed between the parties aforesaid, that if a sale shall be made, it shall be after first advertising the time & place of sale for at least fifteen days at the Courthouse of said County & at two or more other public places for cash or for credit if desired by said Turner (except for enough to defray expenses of this deed & the commissions on sales at five per cent on the amt, which shall be cash) and the amount of sales shall, after satisfying the expenses as aforesaid, be applied to the discharge

Merit Bracy wife

To. } Deed of Trust

A. P. Gormy, Trustee
for Armstrong Turner

A Copy.

Built vs Bracy et al. } In Chancery

Exhibit - E filed with Complainants Bill -

generally the property hereby Conveyed. & that they will pay all costs, tax & other charges on said property so long as they hold possession of the same. And the said Young Covenants that he will execute this trust according to its provisions & the Statute in such Cases.

Witness the following Signatures & Seals.

Merit his X mark Bracy (Seal)
Elizabeth her X mark Bracy (Seal)
A. P. Young (Seal)

In the Clerks office of Isle of Wight county Court December the 19th 1853. this deed was received, and was acknowledged by Merit Bracy to be his act and deed, and Elizabeth Bracy the wife of the said Merit Bracy having been examined by me privily & apart from her husband, and having the writing aforesaid fully explained to her, She the said Elizabeth Bracy acknowledged the same to be her act and deed, that she had willingly Signed & executed the same & that she wished not to retract it. And thereupon the said deed together with this Certificate is admitted to record.

Teste. F. C. Latimer D.C.

Copy
Teste. F. C. Latimer D.C.

This Deed made this 19th. day of December in the year 1853. Between Merit Bracy and Elizabeth Bracy his wife of the first part, and Nathaniel P. Young trustee of the other part, Witnesseth; that the said Merit Bracy and Elizabeth his wife, do grant unto the said Nathaniel P. Young the following property to wit. One tract or parcel of Land lying in the County of Isle of wight. wherein said Bracy resides, and being all the land he owns in said County. Containing three hundred and Nineteen acres, more or lesp, bounded by the lands of David Atkins wife, Margaret Turner, Chs. Chapman, Wm. A. Crocker, Albert Price & Robert Gibbs and the heirs of Saml. Thomas decd: Als. One black man, two Cows, One Ox, four beds, Stead and furniture, 12 Chairs, One Safe, 3 Tables, one Bureau and all other articles of household & Kitchen furniture, a parcel of plowghs, hoes, Axes, 2 Carts & wheeles, and 25 head of Hogs of various kinds. In Trust. to secure to Armstrong Turner of said County of Isle of wight the paymt. of the sum of a bond executed by said Merit Bracy, dated the 19th. day of December 1853. and payable on demand to said Armstrong Turner for the sum of Seven hundred and fifty dollars. And it is covenanted and agreed between the Parties aforesaid, That if a Sale shall be made, it shall be after first advertising the time and place of sale for at least fifteen days. at the Court house of said County and at ~~other~~ two or more other public places, for Cash or for credit if directed by said Turner, (except for enough to defray expenses of this deed & the Commissions on Sales at five per cent on the amount which shall be in cash.) and the amount of sales, after satisfying the expenses aforesaid, be applied to the discharge of the amount of the bond aforesaid, with all interest that may at that time be due and unpaid; and if any balance shall remain, it shall be applied as directed by said Bracy. The said Merit Bracy and wife Covenants that they will warrant

Thomas Adams & Co

n. Geo. Fitz.

Miss Bracy

THE COMMONWEALTH OF VIRGINIA,

***To the Sheriff of Isle of Wight County*—Greeting:**

WE COMMAND YOU, That of the Goods and Chattels of Merit Bracey

in your bailiwick, you cause to be made Ninety eight dollars and fifty eight cents with interest thereon from the 28th day of April 1858 till paid.

which James Thomas John E. Adams & George R. Atkinson under the firm & Style of Thomas, Adams & Co.

lately in our County Court of Isle of Wight County, recovered against him for debt

Also, Six Dollars and twenty four Cents, which to the said Thomas Adams & Co.

in the same Court were adjudged for their costs, by them about their suit in that behalf expended: whereof of the said Merit Bracey is

convict as appears to us of record, and that you have the same before our said Court, at the Court-house of our said County, on the FIRST MONDAY in March next, to render unto the said Thomas Adams & Co.

of the debt and costs aforesaid. And have then and there this Writ.

Witness, NATHANIEL P. YOUNG, Clerk of our said Court, at his office, this 9th day of January in the year of our Lord 1860, and in the 85th year of our Independence.

Test. N. P. Young c.c. N. P. Young c.c.

Bill Eq.

Summ. to
Show Cause

vs.

Jas. F. Chalmers &
Jno. D. Chalmers

To Feby. Cir. Ct. 1875.

Hemphill p.q.

Executed by delivering
to the within named
Jas. F. Chalmers and
John D. Chalmers a true
copy of the within
Summons Nov. 20th
1874 L B Edwards
Shff

Guggenheimer & Weil, Pra. Balto.

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County—Greeting:

WE COMMAND YOU TO SUMMON James P. Chalmers and John D. Chalmers

to appear before the Judge of the ~~County~~ Circuit Court of the County of Isle of Wight aforesaid, on the first day of February Term next, to show cause ~~why an Information should not be filed against in said Court, on the day of 18, on a presentment for~~ if any they can why they should not be required to pay the cost on the resale of the land sold under decree in the suit of Bill &c. against Bracy, pending in said court originally purchased by said James P. Chalmers, and for the credit portion of which he gave his bond with Jno. D. Chalmers as surety,

and have then and there this Writ. Witness, NATHANIEL P. YOUNG, Clerk of our said Court, at his Office, the 27 day of Octo. , 1874, and in the 99th year of the Commonwealth.

N. P. Young Clk.

Brill
v. Exors. Wood
Bracy Sols.
Filed 30th. Nov. 1869.

Know all Men by these Presents, That we N. P. Young

F. C. Latimer & Thomas J. Clements

are held and firmly bound unto the Commonwealth of Virginia in the sum of Three

Thousand dollars to the payment whereof, well and truly

to be made, we bind ourselves, our Heirs, Executors and Administrators, jointly and severally, firmly by these presents. As witness our Hands and Seals, this 30th day of November

in the year of our Lord, one thousand eight hundred and Sixty

The Condition of the above Obligation is such, That whereas, by a Decree of the Circuit Court of Isle of Wight County, pronounced on the 19 day of October

in a cause depending in the said Court, in which Geo. W. Britton

Plaintiff, and

Mont Bracy, N. P. Young & Armstrong Turner

are Defendant; the

above bound N. P. Young was appointed a special

Commissioner to sell the land & chattel estate of

Mont Bracy as mentioned in a deed of trust to said Young for the benefit of said Turner and otherwise proceedings to exist &.

Now, if the above bound N. P. Young shall faithfully discharge his duties as Commissioner under the said Decree, then the above Obligation to be void; otherwise to remain in full force and virtue.

Signed, Sealed and Delivered in the presence of

N. P. Young SEAL.

F. C. Latimer SEAL.

Thos. J. Clements SEAL.

Steamer Rockaway
Off Brandon Shoals
Pensacola Harbour
Flag

D. F. Chadwick
Lt. U. S. Navy

Britt

Comm. Nicholson

Bracy Lac.

Sd 13th Nov. 1844.

Commissioner's Office,

ISLE OF WIGHT COURTHOUSE:

Octo. 28th 1874

To Geo W Bell

Plaintiffs,

And

To Armstrong Turner & James D. Chalmers and Jno. D. Chalmers

Defendants:

You are hereby Notified, *That I have fixed upon the* 13th *day of* Nov. *next. if fair, if not, the next fair day thereafter, (Sunday excepted), to take and settle, at my offiee aforesaid, the following aecounts:*

An account of the amount due on the bond of Armstrong Turner secured by the deed of trust in these proceedings mentioned.

Required to be taken by decree of Isle of Wight Circuit Court, rendered on the 9th *day of* Octo. *, 1874, in a suit in chancery depending in the said court, in which you are Parties, Plaintiffs and Defendants, at whieh time and place you are required to attend.*

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

J. D. Young **Commissioner.**