

1895-032 Chancery Causes: S.

J. Parden vs Mollie S. Turner + W.

J. Welms, Justice

Sale of Wright County

Know all men by these presents that
we L. J. Darden

are held and firmly bound unto the Com-
monwealth of Virginia in the just and
full sum of One Hundred dollars to
the payment whereof well and truly to be
made to the said Commonwealth we bind
ourselves and each of us, our and each
of our heirs, executors and administrators
jointly and severally, firmly by the presents.
Sealed with our seals and dated the 6th
day of March in the year of our Lord
One thousand eight hundred and eighty nine
and in the 113th year of the Commonwealth.
The condition of the above obligation is
such, that whereas the above bound L.
J. Darden hath obtained from
the Judge A. S. Walls Judge of the Court of
Hastings for the City of Portsmouth an injunction
enjoining and restraining the defendants
to prohibit and restrain Wollin S. Turner, W. J.
Kelms trustee, their agents, attorneys, assigns and
all other persons from proceeding to foreclose the deed
of trust executed by L. J. Darden dated the 12th
day of June 1884, by the sale of said land thereby
conveyed, or by any other ways or means whatsoever
until the further order of the Circuit Court of New York

Now if the said L. J. Darden
shall pay all such cost and damages as
may be awarded against him in case

1 this injunction is dissolved; then the above
2 obligation to be void or else to remain in full
3 force. And we each waive our exemption
4 as to this obligation, and we also waive
5 any claim or right to discharge any liability
6 to the commonwealth, arising under
7 said bond with coupon detached from bonds
8 of this state of Virginia.

J. J. Dandee Seal

Seal

Seal

Seal

13 In the clerk's office of the 1st District Circuit Court
14 the 5th day of March, 1889, this bond was
15 signed & acknowledged by the obligor and admitted
16 to records.

17 Teste, J. P. Young

J. J. Dandee
vs. J. M. Clay,
Trustee of Nelson's Est.

Injunction bond

1 L. J. Darden

Plff.

2 v.

3 Mollie L. Turner & W. J. Nelson, trustees, D. ft.

4 The Clerk of Sale of Wight county Circuit
5 Court will issue summons against the
6 defendants to answer the Bill in Chancery
7 filed v. them by the Plff. to March
8 week, 1889. Third Monday.

9 March 6th 1889.

L. J. Darden

Darbee

2. 3

James Nelson

32

31

30

29

28

27

26

25

24

23

22

Memo. for suit

THE BUDGET OF 1888

12
11
10

1888

Presented to the House of Commons in pursuance of a Resolution of the House of Commons passed on the 11th day of March 1888

THE BUDGET OF 1888

THE 3rd DAY OF MARCH 1888

ON THURSDAY

SEE "EXHIBIT"

By order of the House of Commons,
J. H. B. [Signature]

Printed and Published by
[Name] [Address]

THE BUDGET

1888

SALE OF VALUABLE REAL ESTATE IN ISLE OF WIGHT COUNTY, VA.

By virtue of a Deed of Trust executed to me on the 12th day of June, 1884, to secure MOLLIE L. TURNER the payment of a certain bond therein described, default having been made in the payment of the said bond, I shall, at the request of the holder of the said bond,

SELL,

On the Premises, in Isle of Wight County, Va.,

ON THURSDAY, THE 7TH DAY OF MARCH, 1889,

AT 12 O'CLOCK, ALL THAT

TRACT OR PARCEL OF LAND

Mentioned and described in the said Deed as follows--

All of that certain Tract or Parcel of LAND, formerly known as that part of Coln. WM. H. DARDEN'S FARM known as

The "Brick House" Tract.

Conveyed to the said L. J. Darden by the said Wm. H. Darden and wife by their deed of the 7th day of June, 1884, and duly recorded in the Clerk's Office of Isle of Wight County Court, containing by estimation 290 ACRES, more or less, and bounded by the lands of J. C. Darden, the big swamp, the county road from Barber's X Roads to Isle of Wight Court House, the lands of Henry Murphy and the county road leading from "Elm Wood" to Suffolk, Va.

TERMS: Sufficient Cash to pay cost of sale and the amount due on said bond, with interest due. Remainder in six and twelve months.

W. J. NELMS,

Trustee.

A. R. WHITEHEAD, Crier.
Smithfield, Va., Jan. 31st, 1889.

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON *Mollie A. Turner, and*
W. J. Helms, Trustee.

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~~ ^{third} Monday in *March 1889*, next, to answer *the Bill in*
Chancery filed against them in said
Court by G. J. Dandee

of a plea of *—* For \$ *—* Damages \$ *—* And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Courthouse, the *6th* day of
March, 188*9* in the *11th* year of the Commonwealth.

N. P. Young *clerk*

By order of the Judge of the Court of Hustings
for the City of Portsmouth, the defendants
Mollie L. Turner, & W. J. Nelson trustees, their agents,
attorneys, if any and all other persons are prohibited
and restrained from proceeding to give force
to the deed of trust executed by R. J. Darden dated
12th June 1884, by the sale of said land thereby
conveyed or by any other ways or means what-
soever until the further order of the Circuit
Court of S. C. of Wight County.

Teste, N. P. Young etc.

Mollie L. Turner not found in any
county; Executed on W. J. Nelsons behalf
delivered since a true copy of the
Receipts, 7th March 1889,
R. A. Edwards Soff.

R. J. Darden
d. }
} Shims, to cert.
} Bill with inj.

Mollie L. Turner
& W. J. Nelsons Test.

R. J. Darden in
March 1889, at
Riches.

W. M. Briggs for

The Plaintiff

has given the bond
required by the
injunction order.

Teste, N. P. Young etc.

L. D. Darden

vs.

Mollie L. Turner & W. D. Nelson Trustee

To the Hon. Chandler W. Hill Judge of the
Circuit Court of Isle of Wight County.
Humbly complaining your orator L. D.
Darden of Isle of Wight County Virginia
respectfully represents: 1st That on the 12
day of June 1884 he executed his bond
for \$1200 payable 12 Mos. after date to Mollie
L. Turner and on the same day executed
a deed of trust upon real estate described
in said deed as follows: "All of that certain
tract or parcel of land formerly known as that
part of Col. Wm. H. Darden's farm known
as the "Brick house" tract, conveyed to said
L. D. Darden by the said Wm. H. Darden and
wife by their deed of the 7th day of June 1884
and duly recorded in the clerk's office of Isle
of Wight County Court, containing by estimation
290 acres, more or less, and bounded by the
lands of D. C. Darden, the big Swamp, the
County road from Barber's Cross Roads to Isle
of Wight Court house, the lands of Henry Murphy
and the County road leading from "Elm wood
to Suffolk Va. Said land is situated in
the County of Isle of Wight, State of Virginia

to W. D. Helms Trustee to secure the payment
of said bond for twelve hundred dollars.
The trustee W. D. Helms has advertised said
property to be sold on the 7th day of March
1889 on the premises in said State of High
County Virginia, a copy of the advertisement
is herewith filed marked "Exhibit", and
your orator prays that it may be read as
a part of this bill. 2. Your orator
avows that the said contract is tainted
with usury. That under his agreement
with the said Mollie L. Turner he was to
pay and she was to receive interest at
the rate of Eight per cent. per annum -
Accordingly he has from time to time
paid the interest upon the said debt
at the rate of Eight per centum per annum
from the date of the bond to the 24
day of June 1884. The payments made
of interest, your orator claims are off sets
against the principal of said bond, which
being tainted with ~~usury~~ usury bears no
interest

your orator asks for no discovery from
the defendant Mollie L. Turner.

Forasmuch therefore as your orator is
without remedy save in a court of

equity when such matters are properly cognizable and relievable he prays that Mollie L. Turner and W. D. Helms Trustee may be made parties defendant to this bill and required to answer the same, (but answer under oath as hereby waived) that an injunction may be awarded to prohibit and restrain the defendants, their agents, attorneys, assigns and all others from proceeding to frustrate the said deed of trust until the matters herein charged can be investigated; that an account may be taken by one of the Commissioners of this Court to ascertain what amount is legally due upon the said bond by your orator, and for such other further and general relief as the nature of the case may require and the principles of equity justify, and your orator will ever pray &c. Subpoena so &c.

Mollie Briggs P. G.

L. J. Darden

State of Virginia
County of Isle of Wight Court

This Day L. J. Darden personally appeared before me and made oath that the statements of the foregoing

be as true to the best of his knowledge
information and belief

Given under my hand this 4 day of
March 1889. C. B. Hayden & P

In vacation: Circuit Court of Isle of Wight
County = 5th March 1889

L. D. Sanders

v.

Mollie L. Turner & W. D. Nelsons Trustee

or the

motion of the complainant an injunction
is awarded to prohibit and restrain Mollie
L. Turner, W. D. Nelsons Trustee, their agents
attorneys, assigns and all other persons
from proceeding to execute the deed of
trust executed by L. D. Sanders dated
12 June 1884 by the sale of said land
thereby conveyed or by any other ways or
means whatsoever until the further order
of the Circuit Court of Isle of Wight
County - But before the complainant shall have
the benefit of this order, he or some one for him must
execute a bond before the Clerk of the Circuit Court
of Isle of Wight County in the penalty of \$100
conditioned to pay all such costs and damages as may
be awarded in case this injunction shall be dissolved

To the Clerk of the
Circuit Court of
Isle of Wight County.

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

S. J. Darden

vs. $\frac{1}{2}$ Bell with
 $\frac{1}{2}$ on. of inj. d.

Tenn. v. Darden, Tenn.

Bell filed with ex. b.
March 6th 1889, &
deced. with inj. d.
ifced.

" Rules 3^d Monday in
March 1889, deced.
ex. d. on W. J. Nelson's note
and deced. v. a. l. v.
Return of act fund
as to other debt.

" Rules 1st Monday in April
Bell v. Nelson for ex. b.
& set for hearing as to
debt. Nelson.

" April term 1895

Final

(5 year clause)