

1916-006

Nansemond Co (Suffolk)

Chancery Causes: Baltimore Pulverizing Co. vs Levy R. Jackson et al

Woolford, Ferguson, Bunting, Felgham

TO GEORGE E. BUNTING, ESQ., CLERK OF THE CIRCUIT COURT OF HANSEMAN
COUNTY.

Baltimore Pulverizing Company.....Complainant.

vs.

Levy R. Jackson, Victoria Jackson,

A. Woolford, Trustee, and W. B.

Ferguson.....Defendants.

Issue summons to Second(Third Monday) Rules in September, 1915.

Everett Hutton D.C.

Deposit fee, \$7.50 paid.

Sept 14 - 1915 -

Millers Pulverizing Co

vs.

Levy E. Jackson et als.

Memorandum.

CHANCERY SUMMONS.

THE COMMONWEALTH OF VIRGINIA.

Sergeant of the City of Suffolk, Virginia.

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

YOU ARE HEREBY COMMANDED TO SUMMON...Levy R. Jackson, Victoria.....

..... Jackson, A. Woolford, Trustee and W.B. Ferguson.

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the
said Court, on the....Third...Monday in....September 1915to answer.....a.....Bill in
Chancery, exhibited against.....them.....

in the said Court by....Baltimore Pulverizing Company, a Corporation.....

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this.....17th,.....day of
.....September....., 1915, in the 140....year of the Commonwealth.

A copy Teste:

Teste:

....., Clerk.

....., Clerk.

ORIGINAL

..... Everett & Hutton, p. q.

.... Baltimore pulverizing Company

a Corporation

vs.

In Chancery.

... Levy R. Jackson et al.

1915...

September Rules.

... Third Monday.

NANSEMOND COUNTY COURT,

Process Book, No... 3 ...

Page.. 135

Executed this 17 day of Sept, 1915, by delivering a true copy of the within process to *A. Woodford* *Magistrate* *City of Norfolk* *in person* *in person in the City of Norfolk* *in person* in person, in the County of *Nansemond*, State of Virginia.

W. D. Smith *City Sheriff*

CHANCERY SUMMONS.

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON.. Levy R. Jackson, Victoria.....
..... Jackson, A. Woolford, Trustee. and W.B. Ferguson.....

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the
said Court, on the... Third..... Monday in.. September. 1915, to answer..... a..... Bill in
Chancery, exhibited against..... them

in the said Court by..... Baltimore Pulverizing Company, a Corporation

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this..... 17th,..... day of
... September....., 19. 15., in the 140..... year of the Commonwealth.

A copy—Teste:

Clerk.

Teste:

Clerk.

Executed this 18th day of Sept, 1915, by delivering a true copy of the within process to Victoria and Levy Jackson persona in the County of Nansemond, State of Virginia, in person, in the County of Nansemond, State of Virginia.

Original
Ernest & Mellon, p. q.

Baltimore Pulverizing
Company, a Corporation

vs. } In Chancery.

Levy R. Jackson et al.

1915
Sept. Rules.
Thurs. Monday.

NANSEMOND COUNTY COURT,
Process Book, No. 3...
Page 135.

W. B. Smith
D. S. Sheriff.

\$449.03

Received of A. Woolford and John K. Hutton,
Special Commissioners in the suit of the Baltimore Pul.
Company, Incorporated, ^{vs. Levy R. Jackson et al} Four Hundred and Forty Nine Dollars,
and three cents to be credited off the deed of trust mentioned
in these proceedings.

J. W. Hutton

Received of John K. Hutton and A. Woolford, Special
Commissioners in this case of Baltimore Pulverizing Company, Inc.,
vs. Levy R. Jackson and others the sum of \$25.47 cost in the
case.

J. W. Hutton, Clerk.

Received of A. Woolford and John K. Hutton, Special
Commissioners in the suit of Baltimore Pulverizing Co., Inc.,
vs Levy R. Jackson et al the sum of \$10.00, Commissioner
in Chancery's fee.

Bradford Kilby
Commissioner in Chancery.

Received of A. Woolford and John K. Hutton, Special Com-
missioners in the suit of Baltimore Pulverizing Company, Inc.,
vs Levy R. Jackson et al the sum of \$2.50 for hand bills.

Baltimore Pulverizing Company
by J. W. Hutton

Received of A. Woolford and John K. Hutton, Special Com-
missioners in the suit of Baltimore Pulverizing Company, Inc.,
vs. Levy R. Jackson et al the sum of \$2.50.

J. W. Hutton
Ansly

Baltimore Pulverizing Company, Incorporated.....Complainant,
vs. In Chancery
Levy R. Jackson et als.....Defendants.

Your Commissioners, A. Woolford and John K. Hutton, in
the above entitled cause makes to your Honor the following
report.

At the request of W. B. Ferguson your Commissioners
conveyed the said property to Frank Hall, and W. B. Ferguson
signs this report as evidence of this.

Received of Frank Hall through Mr. Ferguson

the purchase price of said land.....500.00

Paid as follows:

Clerk of Court.....\$25.47

Bradford Kilby, Commissioner in Chancery..... 10.00

Suffolk Herald..... 2.50

J. Walter Hosier, Auctioneer..... 2.50

S. E. Everett, writing deed..... 10.00

Stamp on deed..... .50

W. B. Ferguson on Deed of trust.....449.03

_____ \$500.00

_____ \$500.00

Respectfully submitted,

A. Woolford

John K. Hutton

Special Commissioners.

W. B. Ferguson

Baltimore Pulverizing Co

vs.

Levy R. Jackson et al.

Report of Special Commission-
ers.

Filed August 2, 1876.
J. H. [Signature]
Clerk

Baltimore Pulverizing Company, Incorporated.....Complainant.

vs.

Levy R. Jackson et als.....Defendants.

This cause came on again this day to be heard on the papers formerly read, and on the report of Special Commissioners, A. Woolford and John K. Hutton, filed on the 12 day of January, 1916, to which report there is no exception, and was argued by counsel.

On consideration whereof, the Court, approving and confirming said report, doth adjudge, order and decree that, upon payment by W. B. Ferguson, purchaser at the sale reported by the said commissioners, of the sum of five hundred (\$500.00) dollars, the said sum being the amount for which the said land hereinafter described was struck off at the said sale, the said commissioners convey, with special warranty, to the said W. B. Ferguson the following described property:

First: All that certain lot, piece or parcel of land designated as parcel No. 2 upon a plat of the property upon a plat of the property of Caleb R. and Nancy Javkson attached to and made a part of a certain deed bearing date the 9th. day of March, 1906, between the heirs of the said Caleb R. and Nancy Jackson of the first part and William P. Jackson of the second part which said deed is duly recorded in the Clerk's Office of Nansemond County, containing seven acres and 90/100 of an acre, and fronting on the west side of the said county road which leads from Reid's Ferry to Chuckatuck and being further described as follows: Beginning at an iron stob, a point on the west side of the said county road where the northeast corner of the share of James T. Jackson intersects upon the said road, and running thence N. 87 degrees W. 1000 feet along the southern boundary of the share of the said James T. Jackson to a pine tree; thence south 70 degrees west 632 feet along the lands of C. B. Godwin to a pine tree on the northern boundary line of the share of William P. Jackson; thence south 87 degrees east 1580 feet along the northern boundary line of the share of the said William P. Jackson to an iron stob located on the said west side of the aforesaid county road at a point 264 feet south of and distant from the above named beginning point where the southeast corner of this share intersects with the northeast corner of the share of the aforesaid William P. Jackson; and running thence north one-half of a degree west 264 feet along the said west side of the said county road, to the point of beginning.

Second: All that certain tract of land containing four acres, more or less, belonging to Victoria Jackson, situated in Chuckatuck Magisterial District, Nansemond County, Virginia, and adjoining the lands of C. B. Godwin, Luella Bowser and others.

And it is further ordered that the said special commissioners, after paying the cost of this suit, disburse the remainder of the purchase price in accordance with the report of Bradford Kilby, Commissioner in Chancery, duly filed in these proceedings. And it is further ordered that the said special commissioners make report of their proceedings hereunder to this Court.

Baltimore Pulverizing Co., Inc

vs.

Levy R. Jackson et als.

Enter the ~~12~~ day of January, 191

1916

James L. Moore

Entered in Chancery Order Book

No.

5

, Page

35

Baltimore Pulverizing Company, Incorporated.....Complainant.

vs.

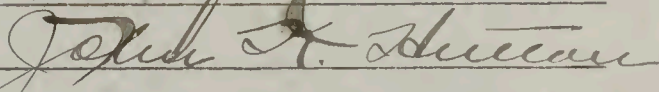
Levy R. Jackson et als.....Defendants.

Your Commissioners, A. Woolford and John K. Hutton, appointed by your Honor in the above-entitled cause, on the 6th. day of November, 1915, to make sale of certain property mentioned in the bill and proceedings in said cause respectfully submit the following report:

Having executed the required bond, your commissioners advertised the said property for sale. On the 27th. day of November, 1915, at 12 o'clock M., in front of the Old Post Office Building, in Suffolk, Virginia, fifteen days notice of said sale having been given as required by the said decree, the said property was put up at public auction and was struck off to W. B. Ferguson for the sum of five hundred (\$500.00) dollars, the said W. B. Ferguson being the highest bidder at said sale.

The said purchaser desires to pay the whole purchase money in cash as soon as the deed is ready to be delivered. Your commissioners ask your Honor to confirm the said sale as reported herein and to direct your said commissioners to make a proper deed conveying the said property to the said W. B. Ferguson.

Respectfully submitted:



Special Commissioners.

Baltimore Pulverizing Company

vs.

Levy R. Jackson et als

Report of Special Commissioners

*1916 Jan'y 22. Filed
JLM*

IN THE CIRCUIT COURT OF NANSEMOND COUNTY:

Baltimore Pulverizing Company.....Complainant.

vs.

Levy R. Jackson, Victoria Jackson,

A. Woolford, Trustee, and W. B. Ferguson.....Defendants.

This cause came on again this day to be heard on the papers formerly read, the report of Bradford Kilby, Commissioner in Chancery, filed on the ~~20th~~ day of October, 1915, in the Clerk's Office of this Court, to which ~~reput~~ there is no exception, and was argued by counsel.

On consideration whereof, the Court doth adjudge, order and decree that John K. Hutton, ^{and A. Woolford} who ~~are~~ appointed Special Commissioner for the purpose, do, after having advertised the time, place and terms of sale for fifteen days by posting notices in numerous public places in Nansemond County and the City of Suffolk, Virginia, proceed to sell before the door of the Old Post Office Building, in Suffolk, Virginia, the said land in the bill and proceedings mentioned on the following terms, to-wit: one half cash and the residue payable six months from the day of sale, with interest from the day of sale, title to said property to be retained until the purchase money is paid in full and a conveyance directed by the Court, or, if the purchaser or purchasers so elect, he or they may pay the whole of the purchase money in cash. The said Commissioners ^{are} ~~is~~ directed to make report of ~~their~~ proceedings hereunder to the Court, taking the purchaser's bond for the credit installment, bearing interest from the day of sale, and returning said bond with said report to the Court, but the said Commissioners shall not proceed to act under this decree until ~~they~~ shall enter into bond with security in the Clerk's Office of this Court, payable to the Commonwealth of Virginia, in the amount of \$1000, and conditioned on the faithful discharge of ~~his~~ duties hereunder or under any further decrees in this cause.

Baltimore Pulverizing Company

vs.

Levy R. Jackson, et als.

Enter on the 6th day of Nov.

1915.

James S. McGlone

Entered in Chancery Order Book

No. 5, Page 24

To Baltimore Pulverizing Company, Incorporated.

and

Levy R. Jackson, Victoria Jackson, A. Woolford,
Trustee, and W. B. Ferguson.

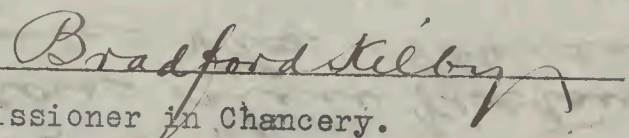
You are hereby notified that on the 20th. day of October 1915, at my office in Suffolk, Va. (at which time and place you are required to attend), I shall take, state and settle the following accounts which are to be taken, stated and settled and reported to Court in pursuance of the decree of the Circuit Court of Nansemond County, Va. rendered the 16th. day of October 1915 in the suit in chancery pending in said court to which you are parties plaintiff and defendant, to-wit:

(1) An account of the real estate of the said Levy R. Jackson and the relative priority of the liens thereon.

(2) Whether or not the rents and profits of said real estate will be sufficient to satisfy the judgment in five years.

(3) Any other matter deemed pertinent by said commissioner required to be stated by any party in interest.

Given under my hand as Commissioner in Chancery of said Court the 16th. day of October 1915.


Commissioner in Chancery.

Sufficient and legal service of the within notice is hereby accepted
by us.

*Wm. F. Ingram &
By Wm. F. Ingram
Attorney Trustee*

*Baltimore Pulverizing Co. Inc.
By S. E. Overstreet its Atty
Executed the within notice by
delivering a true copy to person
to Levy R. Jackson alias Victoria
Jackson on the 18th day
of October, 1915.*

*W. H. Baker, Sheriff
By J. M. Peirce, D.S.*

Baltimore Pulverizing Co.

v. In Chancery.

Levy R. Jackson et als.

Commissioner's Notice.

Original.

Virginia,

Circuit Court for the County of Nansemond, to-wit:

Baltimore Pulverizing Co. Inc.	)	
	)	
v.	)	In Chancery.
	)	
Levy R. Jackson et als.	)	

Commissioner's Office,

Suffolk, Va. Oct. 20, 1915.

To Honorable James L. McLemore, Judge of the Circuit Court
for the County of Nansemond:

In pursuance of the decree of the Circuit Court for the County of Nansemond pronounced on the 16th. day of October 1915, in the suit in chancery pending in said Court between the Baltimore Pulverizing Co. Inc. Complainant and Levy R. Jackson and others, Defendants, the undersigned, Bradford Kilby, one of the Commissioners in Chancery of said Court, respectfully reports as follows:

That on the 16th. day of October 1915, your commissioner gave notice to the parties to the said suit that he would proceed on the 20th. day of October 1915, at his office in Suffolk, Va. to make the several inquiries required by said decree to be made by one of the commissioners in chancery of said court.

That sufficient and legal service of the said notice was duly served on some of said parties and accepted by others, as will appear by the endorsements of the notices herewith returned.

That on the 20th. day of October 1915, at his said office, your commissioner took the depositions of George E. Bunting and Levy R. Jackson and Caleb R. Fulgham touching said inquiries which depositions are herewith returned.

That from the testimony of said witnesses and from information otherwise obtained, your commissioner reports as follows;

(1)

The real estate belonging to Levy R. Jackson is described as follows:

"That certain lot of land designated as Parcel No.2 upon a plat of the property of Caleb R. and Nancy Jackson attached to and made a part of a certain deed bearing date the 9th.day of March 1906,between the heirs of the said Caleb R. and Nancy Jackson of the first part and William P.Jackson of the second part which said deed is duly recorded in the Clerk's office of the Circuit Court of Nansemond County,containing seven and 90/100 acres,and fronting on the West side of the County Road which leads from Read's Ferry to Chuckatuck and being further described as follows: Beginning at an iron stob,a point on the West side of said County Road where the North-east corner of the share of James T. Jackson intersects upon the said road,and running thence North 87 degrees West 1000 feet along the Southern boundary of the share of the said James T. Jackson to a Pine Tree;thence South 70 degrees West 632 feet along the lands of C.B.Godwin to a Pine Tree on the Northern boundary line of the said William P. Jackson;thence South 87 degrees East 1580 feet along the Northern boundary line of the share of the said William P.Jackson to an iron stob located on the said West side of the aforesaid County Road at a point 264 feet South of a distant from the above named beginning point where the Southeast corner of this share intersects with Northeast corner of the share of the aforesaid William P.Jackson;and running thence North $\frac{1}{2}$ degree West 264 feet along the said West side of the said County Road,to the point of beginning."

The first lien on this land is a deed of trust,dated June 8, 1908 and recorded in deed-book No.65,page 13 in Nansemond County Clerk's office,Va.executed by Levy R. Jackson and Victoria Jackson

his wife, and Victoria Jackson and Levy R. Jackson, her husband, to A. Woolford, Trustee, to secure to W.B. Ferguson, the payment of the sum of \$611.58, evidenced by a bond of even date with said deed, payable on demand, with interest thereon payable, semi-annually, and with homestead waived. This deed was admitted to record on June 25th. 1908 and covers the tract of land above described and also a small tract of 4 acres, belonging to Victoria Jackson, wife of Levy R. Jackson, described as adjoining the land of C.B. Godwin, Luella Bowser and others.

(2) The second lien on said land is a judgment against L.R. Jackson in favor of the Southern Cider and Vinegar Co. for the sum of \$41. with interest thereon from Nov. 28, 1910 and _____ costs. This judgment was rendered March 30, 1911 and docketed January 19, 1912 in Judgment Docket No. 3, page 179 in Nansemond County Clerk's office, Va.

(3) The third lien on said land is a judgment against Levy R. Jackson in favor of the Baltimore Pulverizing Co. for the sum of \$170.25 with interest thereon from Dec. 1, 1914 and \$6.12 costs, upon an instrument waiving the homestead exemption and calling for 10 per cent cost of collection. This judgment was rendered April 25, 1915 and docketed on the same day in Judgment Docket No. 3, page 212 in Nansemond County Clerk's office, Va.

There are no delinquent taxes on said land.

(2)

The rents and profits of said real estate will not be sufficient to satisfy the judgment in five years.

(3)

Your commissioner deems it pertinent to say that the said real estate has a fee-simple value of about \$500. and an annual value of about \$50. The fee-simple value of the land belonging to Victoria Jackson is about \$60. to \$100. and its annual value nothing, it being a small 4 acre piece of woodland.

There is no other matter deemed pertinent by your commissioner or required by any party in interest to be so stated.

Respectfully submitted this 20th.day of October 1915.

Bradford Kieby
Commissioner in Chancery.

Comr.'s fee: \$10.

George E. Bunting, being duly sworn, deposes as follows:

Q. What is your name, age, residence, occupation and do you know the land described in the bill and belonging to Levy R. Jackson?

A. George E. Bunting, 43 years old, Nansemond County, farmer and Clerk of Nansemond County Court. I live about 6 miles from said land and know it well.

Q. What in your opinion is its fee-simple and annual value?

A. Fee-simple about \$500. and annual value about \$50. About 4 acres are cleared and it has a small house on it, not in very good condition.

And further this deponent saith not.

Signature waived by consent.

Levy R. Jackson, being duly sworn, deposes as follows:

Q. What is your name, age, residence, occupation, and are you the defendant in this suit or one of them?

A. Levy R. Jackson, 59 years old, farmer, I live in Nansemond County on land mentioned in this suit which belongs to me. I am one of the defendants to this suit.

Q. What do you think is the fee-simple value of your piece of land and that of your wife, also the annual value of each?

A. My piece of land is worth about \$500. and ought to rent for \$50. per year. My wife's land is worth about \$100., but does not rent for anything, being a small piece of woodland.

Q. What do you owe Mr. Ferguson?

A. I owe him a bond for \$611.58, secured by deed of trust on my land and on that of my wife. It is dated June 8, 1908 and I have paid scarcely any interest on it, having had hard luck, losing my horses etc.

And further this deponent saith not.

Signature waived by consent.

Caleb R. Fulgham, being duly sworn, deposes as follows:

Q. What is your name, age, residence, occupation and do you know the land described in the bill in this cause as belonging to Levy R. Jackson?

A. Caleb R. Fulgham, 45 years old, Nansemond County, farmer and County Treasurer, I know the land well.

A. What in your opinion is the fee-simple value and the annual value of said land?

A. The fee-simple value is about \$500. and the annual value value perhaps \$50.

And further this deponent saith not.

Signature waived by consent.

Filed Oct. 20-1915-
Kate P. Bell D.C.

BRADFORD KILBY
Attorney at Law
SUFFOLK, VIRGINIA.

Baltimore Office Supply Company, Baltimore, Md.

TO THE HONORABLE CIRCUIT COURT OF HANESBORO COUNTY:

This cause, in which process has been served upon all the defendants, came on this day to be heard on the bill taken for confessed as to said defendants, they being adult defendants, and still failing to appear and plead, answer or demur, and was argued by counsel.

On consideration whereof, the Court doth adjudge, order and decree that the papers in this cause be referred to one of the commissioners of this court, who is directed to enquire into and report:

1. An account of the real estate of the said Levy R. Jackson and the relative priorities of the liens thereon.
2. Whether or not the rents and profits of said real estate will be sufficient to satisfy the judgment in five years.
3. Any other matter deemed pertinent by said commissioner required to be stated by any party in interest.

Baltimore Pulverizing Company

vs. Decree of reference.

Levy R. Jackson et als.

Enter the 16 day of October,

1913.

Jas. L. McLenore

Entered in Chancery Order

Book, Number 5, Page 20

Baltimore Pulverizing Company, Incorporated.....Complainant.
vs. Final Decree.
Levy R. Jackson et al.....Defendants.

This cause came on again this day to be heard finally on the papers formerly read and on the report of A. Woolford and John K. Hutton, Special Commissioners, filed on the 2nd day of August, 1916, to which report there is no exception, and was argued by counsel.

On consideration whereof, the Court doth approve and confirm said report, and it appearing to the Court that a proper conveyance has been made to Frank Hall by said Special Commissioners at the request of W. B. Ferguson, who was purchaser at the sale of the said tract of land in the bill and proceedings mentioned, that the proceeds of the sale have been properly disbursed, and, there remaining nothing further to be done in this cause, the Court doth adjudge, order and decree that the cause be stricken from the docket.

Baltimore Pulverizing Co., Inc

vs. Final Decree.

Levy R. Jackson et al.

Enter on the 9, day of Octo.,
1916.

Jas. S. Moore

Entered in Chancery Order Book

No. 5, Page 54

TO THE HONORABLE CIRCUIT COURT OF HANSEMOND COUNTY:

Baltimore Pulverizing Company, Incorporated, ...Complainant.

vs.

Levy R. Jackson, Victoria Jackson, A.

Woolford, Trustee, and W. R. Ferguson.....Defendants.

Your Complainant, Baltimore Pulverizing Company, respectfully represents:

(1) That on the 15th. day of April, 1915, it obtained in the Circuit Court of Hansemond County, a judgment against Levy R. Jackson of said county, for the sum of \$170.25, with interest thereon from the 1st. day of December, 1914, until paid, ten per centum as collection fee and \$6.12 cost, and that the said judgment was duly docketed in the Clerk's Office of the said Court on the 15th. day of April, 1915. An abstract of which said judgment is herewith filed, marked "Exhibit A", and made a part of this bill; and,

(2) That *a* writ of fieri facias was issued upon said judgment on the day of September, 1915, directed to the sheriff of said county, returnable on the day of , 1915, and that said writ was placed in the hands of said sheriff to be executed, and was, on the day of September, returned by the said sheriff with endorsement to the effect that no effects could be found upon which the writ could be levied; and,

(3) That the said Levy R. Jackson is seized and possessed in fee simple of a certain tract of land, situated in the said County of Hansemond and described as follows:

~~That~~ That certain lot, piece or parcel of land designated as parcel No. 2 upon a plat of the property of Caleb R. and Nancy Jackson attached to and made a part of a certain deed bearing date the 9th. day of March, 1906, between the heirs of the said Caleb R. and Nancy Jackson of the first part and William F. Jackson of the second part which said deed is duly recorded in the Clerk's Office of the Circuit Court of Hansemond County, containing seven and 90/100 acres, and fronting on the west side of the said county road which leads from Head's Ferry to Chuckatuck and being further described as follows: Beginning at an iron stob, a point on the west side of the said county road where the northeast corner of the share of James T. Jackson intersects upon the said road, and running thence north 37 degrees west 1000 feet along the Southern boundary of the share of the said James T. Jackson to a Pine tree; thence south 70 degrees west 652 feet along the lands of C. R. Godwin to a Pine tree on the northern boundary

line of the shore of the said William F. Jackson; thence south 37 degrees east 1588 feet along the northern boundary line of the share of the said William F. Jackson to an iron stake located on the said west side of the aforesaid county road at a point 264 feet south of and distant from the above named beginning point where the southeast corner of this share intersects with northeast corner of the share of the aforesaid William F. Jackson; and running thence north 3 degrees west 264 feet along the said west side of the said county road, to the point of beginning.

(4) That the rents and profits of the said real estate will not satisfy said judgment in five years.

(5) That said Levy R. Jackson and Victoria Jackson, his wife, executed a deed of trust conveying said property and other property belonging to Victoria Jackson to A. Woolford in trust to secure W. R. Ferguson the payment of a certain sum of money therein named, said deed being duly recorded in the Clerk's Office of the Circuit Court of Ansonia County, in Deed Book 65, Page 15 and constituting a prior lien on said property, which said deed is herewith filed, marked "Exhibit B" and asked to be read as a part of this bill; that since the institution of this suit, the complainant has learned that the note or bond secured by said deed of trust has been hypothecated to the National Bank of Suffolk; that your complainant is also advised that the property herein described will not sell for enough to pay the lien of the deed of trust aforesaid and also to satisfy the complainant's judgment; that the holder of the deed of trust has a lien on a tract of land owned by Victoria Jackson, wife of Levy R. Jackson, for his debt as well as on the property herein described.

In consideration thereof, and foremuch as your complainant is remediless in the premises, save in a court of equity, your complainant prays that the said Levy R. Jackson, Victoria Jackson, A. Woolford, trustee, and W. R. Ferguson be made parties defendant to this bill, and required, but not on oath, to answer the same, the oath being hereby waived; that all proper orders and decrees may be made, inquiries directed and accounts taken; that the property herein described be sold and the proceeds be applied to the complainant's judgment after satisfaction of the prior lien heretofore mentioned, but that the holder of the said deed of trust be directed to resort first for the payment of his *debt*

to the tract of land described in said deed of trust owned by Victoria Jackson, wife of Levy R. Jackson; and that your complainant may have all such other, further and general relief in the premises as the nature of his case may require or to equity shall seem meet,

Baltimore Silvering Co Inc

Complainant.

Everett Whittow

Counsel.

Baltimore Pulverizing Co.
vs. Bice

Lery R. Jackson, et al.

Filed Sept. 22-1915--
Kate P. Bell, D. C.

LAW OFFICES
Everett & Hutton
SUFFOLK, VA.

CIRCUIT COURT

SECOND MONDAY IN JANUARY, MAY,
JULY AND OCTOBER

HON. JAMES L. MCLEMORE, JUDGE
GEO. E. BUNTING, CLERK
S. E. EVERETT, COMMONWEALTH'S ATTORNEY
ALEX H. BAKER, SHERIFF
C. R. FULGHAM, COUNTY TREASURER
LEE BRITT, COMMISSIONER OF ACCOUNTS

Nansemond County Clerk's Office

SUFFOLK, VA.,

Baltimore Pulverizing Company,

Plfts.

Vs. In Chancery.

Levy R. Jackson, Victoria Jackson, A. Woolford, Trustee and W. B. Ferguson.

Defts.

September 17, 1915; Process issued, returnable to Sept. Rules, Third Monday 1915.

Sept. Rules, 3rd Monday 1915.

*Process returned & executed on all Defts. Bill
filed & decree nisi.*

*Oct. Rules, 1st Monday 1915. Decree nisi confirmed
as to all Defts. & cause set for hearing.*

Everett & Hutton, P. P.

Baltimore Relvering Co.

115

Henry R. Jackson et al.

Final Decree entered
Oct 9 1916

Sept. 17. Dyfloss 750