

1863-01

Shenandoah County - Chancery

Ligges, Susanna

vs Branch, Julia

'Sale of Land for'
Payment of Debt

34. 38. 39. 37. 33. 32. 29

Daggs

& { Papers

Branch

1871 November

Diggs

vs { Bill

Branch

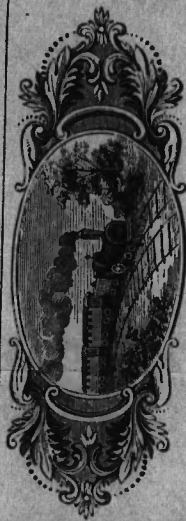
1861 April Rules

To The Hon. Richard H. Baker Judge of the Circuit
Court of Southampton County, in Chancery sitting -
Humbly complaining sheweth unto your Honor
your Oratrix Lucinda Diggs - That Julian S Branch
is indebted to her in the just sum of \$118.00 with
interest thereon from the 24th day of December 185-9,
as will appear by bond herewith filed marked
"A" and prayed to be taken as a part of this bill
and being so indebted, the said Branch has
departed this Commonwealth, and as your
Oratrix believes is gone to Mississippi,
without first satisfying the above mentioned debt
due your Oratrix -

Believing the said Branch has ^{as premises} an interest
in a tract of land lying in in the County of
Southampton, containing between nine
and one hundred acres, bounded by the lands of
Polly Branch and the lands belonging to the
heirs of J. W. Hummell dead, which may
be made liable for the debt due your
Oratrix, she desires the land to be sold for the
purpose of satisfying her debt -

In tender consideration of the premises, and
in as much as your Oratrix is without remedy
save in this honorable court. To the end
therefore that justice may be done, she prays
that an order of publication may issue against
the absent defendant Branch, that the
said land may be attached by the officer to await
the future order of this court, and grant and
other and general relief in the premises as
Equity may dictate, and in duty bound
your Oratrix will ever pray

Richard H. E -



No. _____

On demand This 24th Dec^r, 1859

We promise to pay or cause to be paid unto
Susanna Diggs _____ order or assigns, the just and full sum
of one hundred & eighteen _____ Dollars,
value received, for the true payment of which we bind ourselves, Heirs,
Administrators, Executors, &c. As witness our hands and seals this
24th day of December 1859

Julian J. Branch

** SEAL **

\$118.00

** SEAL **

Sold by E. P. Nash, Petersburg.

Leigg. } Order
↳ }
Branch } Publication

OFFICE OF THE SOUTHERN ARGUS,
NORFOLK, VA., 2 May - 1861.

J. Abraham Leonard, editor & one of the publishers of the Southern Argus, a newspaper published daily in the City of Norfolk, State of Virginia, do certify that the annexed Legal Notice in the case of *Diggs vs. Branch*

J. O. J.

pending in the Circuit Court of the County of Southampton, has been published once a week for four successive weeks in the said newspaper, commencing on the 6th day of April 1861.

A. H. Leonard

AT RULES held in the Clerks office of the Circuit Court of Southampton County on the first Monday in April, 1861.

Susanne Diggs,

Against

Julian J. Branch.

Plffs,

Defds,

IN CHANCERY.

The object of this suit is to recover against the Defendant \$115, with interest thereon from the 24th day of December, 1859, due by bond and subject to the payment thereof, a tract of land lying in Southampton County, containing ninety acres, more or less; and affidavit being made that the Defendant is not a resident of the State of Virginia, on the motion of the Plaintiff by Counsel, it is ordered that the said Defendant do appear within one month after due publication of this order and do what is necessary to protect his interest, and that a copy of this order be published once a week for four weeks successively in the Southern Argus, a newspaper published in the City of Norfolk; and posted at the front door of the Court house of this County on the first day of the next County Court thereof.

A Copy—Teste.

L. R. EDWARDS, C. C.

W. H. FREELOW, P. C.

- 406

Chge of pub. = \$5. =

Proper affidavit having been made it is ordered that the Officer
 serving the within writ, do attach any estate of the Defendant inclu-
 ding a tract of land lying in Southampton County containing ninety acres
 more or less bounded by the lands of Polly Branch and the lands of the
 estate of J. T. W. Summerville to answer the future order of the
 Court

Attest
 W. A. Preston p. q

Teste L. R. Edwards

Diggs
 2 { June Chy.

Branch
 1861 April Rule

Given on a tract of land lying in Southampton County containing
 90 acres more or less bounded by the lands of Polly Branch and the
 lands of the estate of J. T. W. Summerville do, John & Branch is
 not a resident of my County and not found therein.
 L. R. Edwards Attest

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON

Julian I. Branch

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 Monday in *April next*, to answer a bill in chancery
exhibited against *him* in our said Court by *Susanna Diggs*

and have then and there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court
House, this *9th* day of *March* 18*61*, in the *85* year of the
Commonwealth.

L R Edwards Clk

Diggs

n } Dr. Pub.

Branich

Copy posted at front door of House
door. first day after 6. 1861

In Southampton Circuit Court

Susanna Diggs
against
Julian J. Branch

1861 March 9th Summons issued with order of attachment thereon.

Ap^{ts} - R. Sum. & ad. levied on tract of land &c. Bill filed Branch not a resident &c.

Bill filed - Or. pub. & deft.

1863 Nov. Decree for Sale

1871 Nov. Dismised

Diggs
= 3 aff.

Branch

Diggs. vs. Branch.

This 9th day of March in the year 1860. Wm H Paulson personally appeared before me L R Edwards Clerk of the Circuit Court of Southampton County and made oath, that he believes, Julian G Branch ^{the Defendant} is justly indebted to Lucenna Diggs ^{the Plaintiff} in the sum of \$118.00 with interest from 24th Dec. 1859. That there is present cause of action therefor, that the defendant Julian G Branch is not a resident of this State, and that the affiant further believes, that the defendant Branch has real estate lying in the County in which the suit is, that there is between ninety and one hundred acres of it, bounded by the lands of Polly Branch, and the land of J W Summrell. and, Given under my hand this 9th day of March 1861

L R Edwards Clk

Diggs
as
Branch } Deery

To be entered

R. H. Baker

Nov. Co. 1863.

Diggs } Deere
Branch }

This cause this day came on to be heard
on the Bill, and it appearing that the
absent defendant Branch was provided
against according to law, by order of
publication, the Bill taken for confessed
as to him, and was argued by Counsel.
On consideration whereof the court doth
adjudge order and decree that Samuel
Kells Sheriff, after giving twenty days
notice of time and place of sale, expose
at public auction, the land in the Bill
mentioned, the said land bounded by the
lands of Polly Branch and the lands belonging
to the heirs of J. W. Lammence died and out
of proceeds of said sale, first pay costs
of this suit, then pay to Susanna Diggs
the bond in the Bill mentioned, of \$11800
with interest from 24th Dec, 1853 till paid,
for the balance if any, the said Court is
directed to take a bond payable to himself
and to return the same to this Court -
~~that the said Court shall not execute~~
~~the provisions of this decree, until he~~
shall have given bond with good and
sufficient security payable to the Comtee
for the faithful performance of the
trust herein assigned him -