

1882 22

Southampton County - Chancery

Vick, Frank
et al

v/s Lain, Sugars, Adams

"Creditors Suit"

To settle Judgments -

Briggs W. W., Adams Est
Lain, Sugars, Dick

Lain, Mary A.

Lain, Joseph

Lain, James +

Stephenson, Charles

Stephenson, Bettie

Lain, Mattie

121

✓

Pick from
Bill
is 3 Exhibits
Lains admⁿals

August
1882. July Rules

To The Honorable George Blane judge of The
Circuit Court of Southampton County in Chancery
sitting

Humbly complaining your Orator
Frank Vick who sues for himself and all the
other creditors of Shugars Laine dec'd who will
come in and bear their share of the costs of
this suit shunts unto your Honor that
sometime in February of March 1882 Shugars
Laine departed this life intestate leaving a
tract of land containing 200 acres more or
less lying in Southampton and leaving a widow
Mary A Laine, and a son Joseph Laine of Mississippi
a son James Laine, a daughter Bettie married
to Charles S Stephenson, and Mattie Laine only
child of Wm B Laine, his distributees and heirs
at law, That at the same term 1882 of the
county court of Southampton the estate of
Shugars Laine was committed to the hands of
Wm W Briggs sheriff of Southampton for
administration as will more fully appear by
a copy of the order of the said court herewith
filed marked A and prayed to be taken as a part
of this bill

Your Orator shunts further that at the
August term 1870 of the county court of
Southampton he obtained two judgments against

the said Shugan Laine in his lifetime one for \$48.45⁰⁰ with interest from the 1st of September 1845 - and \$11.33⁰⁰ costs and the other for \$47.44⁰⁰ with interest from the 1st of January 1847 and \$11.33⁰⁰ which judgments were docketed on the 24th of August 1870, all of which will more fully appear by certified copies of the said docketed judgments submitted files and prayed to be taken as parts of this bill and your Orator charges and avers that these judgments have never been paid either by the said Shugan Laine in his lifetime or by any one since his death and that the rents and profits of his land will not pay his debts in five years.

In further consideration of all of which and inasmuch as your Orator is without remedy at law and only entitled to relief in a court of equity where such matters are peculiarly cognizable he therefore prays that Mr W Briggs Sheriff of Southampton and as such administrator of Shugan Laine decd, Mary A Laine widow, Joseph Laine, James Laine, and Charles S Stephenson and and Bettie Stephenson his wife, and Mattie Laine may be made parties defendant to this bill and that the court would compel them as full and perfect answer to all the allegations of this bill as if they had been themselves more

fully and specially interrogated that all the proper accounts may be taken and that the said tract of land may be either sold or rented out as the accounts may show to be necessary to pay your Orator's judgments and that the court would grant such other and general relief as equity may dictate and the nature of his case may require, and the said Orator hereby gives notice that he shall ask the court to allow to him or to Shandas his attorney the sum of thirty dollars as a fee to be paid out as a part of the costs of this suit and as in duty bound your Orator will ever pray.

Shandas Jr. &c.

Vick

2 { Summons Chy.

Lains admo 8^c

1882, August Rules

Sh

Executed by delivering

all within named Defen
except for Lains
a copy of this

Summons on the day of

July 1882, Joseph

Lains is not a resident
of my County.

A. H. Cobb D^y

for W. C. Burgess

The Commonwealth of Virginia,

To the Sheriff of Southampton County---Greeting:

WE COMMAND YOU TO SUMMON *Wm W Briggs Sheriff of Southampton*
and administrator of *Thugars Laine decd Mary A Laine, Joseph Laine, James Laine*
Charles P Stephenson & Bettie Stephenson his wife & Mattie Laine

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 *August* next, to answer a bill in Chancery exhibited against *them* in our
said Court by *Frank Wlick who sues for himself and all the other creditors of Thugars*
Laine who will come in and bear their share of the costs of this suit

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

Witness, LITTLETON R. EDWARDS, Clerk of our said Court this *5* day of *July*
188 *7*, in the *107* year of the Commonwealth.

L R Edwards cc

Vick }
v } Stat. Rules

Lains admn }
v }

In Southampton Circuit Court

Frank Vick who sues for himself and all the other creditors of
Shugars Laine dec^d who will come in and bear their share of the costs of this
suit } Plaintiffs

against
Wm W Briggs Sheriff of Southampton & as such administrator of
Shugars Laine dec^d, Mary et Laine widow, Joseph Laine, James Laine &
Charles F. Stephenson & Bettie Stephenson his wife & Martha Laine
Defendants.

In Chancery

1882 July 5th Summons issued

" Aug R. Summons returned executed Bill filed - Deceit Nisi v
Defts except Joseph Laine Or. put to him

" Sept. R. Bill taken for confessed as all the Defts except Joseph
Laine,

" Oct R - Cause set for hearing

At a Court held for the County of Southampton
on the 16th day of August 1870.

Franklin Vick

Plff

Against

Shugars Laine

Def

on M.C.

blk \$5.63

stff 3.20

Law 2.50

\$11.33

This day came the plaintiff by his attorney
and the Defendant not appearing and the
plaintiff not desiring a jury is willing to
submit the case to the judgment of the
Court, and there upon after hearing the
evidence it is considered by the Court
the plaintiff recover against the Defendant
forty eight dollars & forty five cents with
legal interest thereon from 1st day of Sep-
tember 1865 till paid and his Cost on
this behalf expended.

At a Court held for the County of Southampton
on the 16th day of August 1870.

Franklin Vick

Plff

Against

Shugars Laine

Def

on M.C.

blk 5.63

stff 3.20

Law 2.50

\$11.33

This day came the plaintiff by his attorney
and the Defendant not appearing and the
plaintiff not desiring a jury is willing to
submit the case to the judgment of the
Court and thereupon after hearing the
evidence it is considered by the Court

that the plaintiff recover against the Defendant forty seven dollars forty four cents with legal interest thereon from the 1st day of January 1867 till paid and his cost in this behalf expended.

Copied - Teste, J. R. Edwards & co

Noted 1870 August 24th in the County Court of Southampton County -

~~Copied~~
Teste, J. R. Edwards & co

Vick
2
3 Copy Judg.

Sand

At Court held in the Clerk's office of the Circuit Court of Southampton County on the 7th day of August 1882

Frank Vick who sues for himself and all the ^{other} Creditors of Shugars Lain dec'd who will come in^{3d} to bear their share of the cost of this suit

Plaintiff

Against

Wm W. Briggs Sheriff of Southampton and as such Administrator of Shugars Lain dec'd Mazy A. Lain widow Joseph Lain James Lain^{3d} Charles Stephenson^{3d} & Bettie Stephenson his wife & Mattie Lain.

Defendants

In Chancery

The object of this suit is to recover the amount of two judgments one for \$48.45 cents with interest thereon from 1st day of September 1860 till paid and \$11.38 cent^{Costs} and the other for \$47.44 cents with interest from 1st day of January 1867 till paid and \$11.38 cents cost recovered by the plaintiff against the said Shugars Lain in his lifetime^{3d} and subject a tract of land containing 200^{acres} more or less to the payment of the same and affidavit being made that the defendant Joseph Lain is not a resident of the State of Virginia it is ordered that he do appear within one month after due publication of this order and do what is necessary to protect his interests.

Attest Teste L. R. Edwards Clk

Memorandum of
papers for clerk to
copy and file with
file

Clark will please copy the following papers
and file with the bill

Order committing Mary Ann Laine's estate
to W. W. Briggs Sheriff

At

Copies of two judgments obtained at August
Term 1870 of the county Court of South
and docketed 24th of August 1870

1st for \$48.45 etc with int from 1st Sept 1865 - Cost 11.33

2^d for \$47.44 etc with int from 1st Jan'y 1867 Costs \$11.33 etc

B

Shames p. g.

Southampton County to wit

This day Mr B Shames
personally appeared before me and
made that to the best of his
knowledge and belief Joseph
Laine is not a resident of
Virginia given under my hand
This 20th of June 1882

J R Edwards CLK