1884 - 02 Southampton County - Chancery Barnes, Robert S's Adm'r &c. vs Bishop, Ruth H.

"To setup Judgment"

Worrell, Benjamin E.
Gillette, Joseph E.

No 5

Parnell admr

v Papers

Bishop.

Remove from docket

Barnes Admr
vs
Bishop

Decree

May Term 1884.
To be entered.

Ged Boyd

Barnes Admr

vs } Decree,

Bishop

This cause came on this day to be further heard on the papers formerly read and was argued by Counsel. On Consideration whereof, and it appearing that nothing has been done in this Cause for seven years except to Continue, the Court doth adjudge, order and decree that the same be removed from the docket.

Barnes adm

v

Bill

Bishop

1870. April Rules

Barnes's adm'r

vs

S. H. Bishop

Bill

Said County "No Effects" — a copy of which
Said writ of Fi Fa with the return thereon is herewith filed (Marked C)
The said Jno M. Ingles has no estate of
any kind, real or personal, but the said Sith
H. Bishop the principle in this judgment, is
but is notoriously insolvent & therefore not joined in the suit.
seized & possessed of Considerable real estate
of large value, which your orator is informed
may and ought in Justice to be subjected to the
satisfaction of his said judgment.

Your Orator therefore prays, that inas-
much as he is without remedy, save in a Court
of Chancery, as this Honorable Court is, to the end
that justice may be done, that the said Sith
H. Bishop may be made a party defendant
to this Bill & required to answer its allegations fully —
that a Commissioner of this Court may be ordered
to take & report to this Court an account of the Annual and fee —
simple value of all the real estate of which
the said Bishop was seized & possessed at the
time of the obtaining & docketing of the
said judgment, together with an account of
any other judgments which may ~~have been~~
be liens upon the real estate of the said Bishop,
indicating their respective priorities &c —

That your honor would grant such other &
general relief as Equity may dictate & the nature
of the case may require — And, as in duty bound, your
Orator will ever pray &c — May it please the Court &c.

Jno J Kindred pq

Barnes's adm'r
vs
Bishop

Petition of
S. A. Bishop

1874 Feby

Barnes's Adm'r
vs
Bishop &c

The undersigned S. H. Bishop, the Defendant in this Suit, respectfully prays Credit to your Honor as follows — That since the obtaining of the Judgments against him mentioned in the papers in this Suit — the General Assembly of Virginia by an act thereof passed on the second day of April 1872, he is relieved from the payment of interest on the said Judgments from the 17th day of April AD 1861 till the day of tenth day of April AD 1865 on all debts contracted by him prior or to the said last named day —

Your petitioner therefore prays that a Commissioner of this Court may be required to report to Court all the outstanding undebited Judgment liens still existing against him, abating the interest on the same for the period above indicated

May it please the Court &c

S. H. Bishop
by Jno J. Woodrow
his Atty

~~103~~ 102

Barnes

Worrell sg. obligee &c

vs 3 Commissioners &c

Bishop

1870 October 8

An account of all Judgements obtained in the Circuit and County Courts of Southampton County Against Elish H. Bishop

Judgement in favor of Jos E. Gillette who sues for the benefit of Monroe Gray, obtained May Term Cir. Ct 1861	138 91	
Int from Jany 1st 1850 to Jany 12th 1852	16 88	
	155 79	
Paid Jany 12th 1852	37 79	
	118 00	
Int on $118.00 to Feby 18th 1856	29 00	
	147 00	
Paid Feby 18th 1856	88 00	
Amount due Feby 18th 1856	59 00	
Int to Nov. 7th 1870	16 67	
	$75 67	
Costs	6 95	$82 62
Judgement in favor of Jas. T. Hill obtained May Term, Cir. Ct 1861	200 00	
Int from 16th August 1859 to Nov. 7th 1870	134 73	
	$334 73	
Paid July 30th 1869	12 00	
	$322 73	
Costs	8 13	$330 90
Judgement in favor of David A. Thomas Exor of Nathan C. Thomas dec'd obtained Nov. Term, Cir. Ct: 1866	139 61	
Int from July 1st 1862 to Nov. 7th 1870	69 90	
	209 51	
Paid	26 42	
	183 09	
Paid Aug 16th 1869	8 37	
	$173 72	
Costs	6 49	$180 21

Judgement in favor of Cordy Whitfield Obtained Nov. Tems. Cir. Ct 1867 — 101 56
Int from April 2nd 1863 to Nov. 7th 1870 — 46 27
147 83
Costs — 8.11
$155.94

Judgement in favor of Richmond F. Bellard C.B. of Jacob R. Bryants Orphans, obtained Nov. Tems. Cir. Ct. 1867 — 1125 79
Int from Oct 1st 1858 to Decr 20th 1858 — 14 96
1138 75
Paid Decr 20th 1858 — 100 00
1038 75
Int on $1038.75 to Febry 1st 1859 — 6 92
1045 67
Paid Febry 1st 1859 — 150 00
895 67
Int. on 895.67 to Aug 10th 1859 — 28 36
924 03
Paid Aug 10th 1859 — 50 00
874 03
Int on 874.03 to 16th Jany 1860 — 22 70
896 73
Paid Jany 16th 1860 — 316 53
580.20
Int on $580.20 to Dec 20th 1869 — 345 20
925 40
Paid Feby 11th 1868 — 40 80
884 60
Paid July 21st 1869 — 37 97
846 63
Paid Dec 20th 1869 — 600 00
246 63
Paid Jany 1st 1870 — 200 00
46 63
Settled in full July 15th 1870 costs included

Judgement in favor of Lucy W. Kindred, obtained Nov. Tem. Cir. Ct. 1867 — 125 00
Int: from Dec 25th 1861 to Dec 26th 1867 — 45 00
170 00
Paid Dec 25th 1867. — 27 94
142 06
Int on $125.00 to April 16th 1870 — 16 70
158 76
Paid April 16th 1870 — 158 76
Costs — 6 57
Paid Apl 16th 1870 — 6 57

Judgement in favor of Lucy W. Kindred obtained at Nov. Tem Cir. Ct. 1867 — 237 00
Int on $107.00 from 25th Dec 1860 to 1st day of Jany 1863 — 19 30
256 30
Int on $237.00 from 1st Jany 63 to Dec 26th 67 — 71 10
327.30
Paid Dec 26th 1867 — 41 32
285 98
Int on $237.00 to Nov. 7th 1870 — 40 68
326 66
Paid July 30th 1869 — 25 00
301 66
Paid April 16th 1870 — 34 67
266 99
Paid Aug 17th 1870 — 35 00
$231 99
Costs — 6 57 $238 56

Judgement in favor of J.M. Cutler			
obtained March Term County Ct: 1868	86	50	
Int from 14th Nov. 1866. to Dec. 17th/68	10	80	
	97	30	
Paid Dec 17th 1868	50	10	
	47	20	
Int on $47.20 to Dec 26th 1869	2	90	
	50	10	
Paid Dec 26th 1869	20	40	
	29	70	
Int on $29.70 to Mar. 21st 1870		40	
	30	10	
Paid March 21st 1870.	5	00	
	25	10	
Costs	5	88	$30.98
Judgement in favor of Kader			
Biggs & Co obtained May Term			
Circuit Court, 1867	346	26	
Int from 20th Oct'l 1860. to Nov 7th 1870	221	79	
	568	05	
Costs	8	15	
Amount due 7th Nov. 1870	$576	20	$576 20

Judgement in favor of Diza Pope
Obtained at May Term. Cir: Ct 1869 193 72
Int from 19 March 1858 to Nov 7th/70 135 60
329 32
Paid May 11th 1858 5 75
323 57
Paid Aug 16th 1869 11 62
Amount due Nov. 7th 1870. 311 95
Costs 6 92 $318.87

Judgement in favor of W. S. Goodwyn
obtained Aug. Term County Ct: 1869 59 10
Int from 15th Aug 1859 to Nov. 7th 1870 39 97
99 07
Paid July 30th 1869 3 54
Amt due Nov. 7th 1870 95 53
Costs 6 96 $102.49

Judgement in favor of Benj. E. Worrell, Surv'g obligee of himself & Joseph E. Gillette, who sues for the benefit of B. E. Worrell admr of R. S. Barnes dec'd,
Obtained Nov. Term Cir. Ct. 1869 194 96
Int. from Dec'r. 25 1857, to Sept 7th 1870 148 57
343 53
Paid Sept 7th 1870 198 00
145 53
Int on $145.53 to Nov. 7th 1870 1 45
146 98
Paid July 30th 1869 12 00
Amt due Nov. 7th 1870 134 98
Costs 7 67 $142.65

Judgement in favor of Edwin R Story obtained Nov. Term, Cir. Ct. 1869	80	60
Int from Sept 1st 1860 to Nov. 7th 1870	48	88
	128	88
Paid Oct. 18th 1869 — — —	5	00
Amt due Nov. 7th 1870	123	88
Costs	6	32 $130 20
Total Amount of Judgements,	$2201	45
" " " Costs	78	17

Respectfully Submitted
F. N. Sebrell Com'r
" "

An Account of the Absolute and annual value of the real Estate of which Elith. A. Bishop is seized.

		Absolute		Annual	
122	Acres in Southampton County	610	00	150	00
68 3/4	" " " "	137½	50	15	00
27½	" " " "	150	00	40	00
137½	" " " "	550	00	100	00
235 2/3	" " " "	717	00	40	00
161½	" " " "	646		80	00
166	" " " "	332	00		
220½	" RR " " "	1102	50	125	00
139½	" " " " " "	418	50	40	00
87	" " " " " "	87	00		
20	" " Rochelles Depot " " "	200	00	50	00
123	" " Dan Bishop " " "	600	00	75	00
343 1/3	" " " " "	2000	00	150	00
		$7350	50	$865	00

Respectfully Submitted
F. N. Sebrell Com'r

Commissioners Office

Jerusalem Oct 3d 1840

To the Circuit Court of Southampton County:

Pursuant to a decree of the Circuit Court of Southampton County rendered at the May Term 1840 in a suit in Chancery depending in said Court between Benj. E. Worrell surviving Obligee of himself and Dr. G. Lovett, who sues for the benefit of Benj. E. Worrell assignee of R. C. Barnes dec'd, Plff, and Sith H. Bishop Defts. The undersigned one of the Commissioners of said Court to whom was referred for settlement by said decree the following accounts — "1st An account of all judgments, their amounts respectively, when obtained &c, 2nd An account of the fee simple and annual value of all the real Estate of which the said Bishop was seized or possessed at the time of obtaining the said judgments respectively, with any other matter specially stated deemed pertinent by himself, or which may be required by the parties to be so stated" Reports that on the 16th day of August he issued notices against the several parties aforesaid requiring them to attend the settlement of said accounts, before him at his Office on the 9th day of September —

That the parties aforesaid appeared before the Commissioner in obedience to the said notices, and upon the evidence then and there adduced he settled said accounts. The Commissioner further reports to the Court that after the completion of said accounts he retained the same in his Office ten days for the examination of the parties, which with the decree and notices aforesaid are herewith returned.

Given under my hand as Commissioner aforesaid the day and year first aforesaid

L. N. Sebrell Comr

Commissioners Fee
$.30 00

Barnes adm

~ 3 Stat: Rules

Bishop

1871 Nov. Pfff Cost

Clk –		$ 9.37
		1.90
Stff		
Com.	Schnell	30.00
Law	Kindred	26.00
	Prince	25.00
		$ 92.27

80

2.30
1.72
4.08

In Southampton Circuit Court.

Benj[a] E Worrell surviving obligee of himself & Joseph E Gillette who sues for the benefit of Benj[a] E Worrell admr: of Robert L Barnes

against

Stith A Bishop

1870 March 28 Summons issued Pf

" April Rules. Sum: ret[d] Ex[d] Bill filed. R Nisi v Deft.

" May " Bill taken for confessed and cause set for hearing.

" " J. Decree for account Pf.

" Oct 8. Report

1871 Nov J. Decree to rent out Pf.

1873 Nov Decree for acct.

1874 Feby Ret: of Off. & decree for account.

" Oct. Decree to rent out

1878 Apl. 25. Report of Comr. Tyler

S. 43.
72
2.10
S. 57

Worrell sg/ oblique #

v } Ex: with Bill "B"

Bishop

The Commonwealth of Virginia.

To the Sheriff of Southampton County. Greeting/

We command you that of the goods and Chattels of Stith A Bishop & Jno. M Gurley late of your bailiwick you cause to be made One hundred & ninety four dollars ninety six cents with legal interest thereon from 25 December 1857 till paid which Benj. E. Worrell Surg. obligee of himself & Jos. E. Gillette who sues for the benefit of Benj E. Worrell admr Robt. S Barnes dec'd lately in our Circuit Court of Southampton County has recovered against them as well for a certain debt as for interest thereon, also the sum of Eight dollars and three Cents, which to the said Worrell Surg obligee & in the same Court were adjudged for his costs in that Suit expended. Whereof the said Bishop & Gurley are convict as appears to us of record. and how you shall have executed this Writ make known at the Clerks Office of our said Court at the Rules to be holden for the said Court on the first Monday in April next and have then there this Writ

Witness O Irwin White Clerk of our said Court at the Courthouse this 4th day of March 1870 in the 94 year of the Commonwealth

O White cc

Sheriff Endorsement & Return." Came to hand March 19 1870 at 7 O'Clock A M

W W Briggs D Sh

"No Property- W. W. Briggs D Sh"

A Copy

Teste O White cc

Barnes, adm^r

to

S. H. Bishop

Exhibit ("A") B."

Barnes et. al.

vs. } Ex. with bill of

Bishop

117

$194.96. A.

On demand with interest from date we or either of us do bind ourselves our heirs executors & administrators to pay or caused to be paid unto Benj. E Worrell or Jos. E Gillette executors of Lewis Worrell dec'd, the just and full Sum of One hundred & ninety four dollars & ninety six Cents for value rec'd. As Witness our hands & Seals this 25th day of December 1857.

Test-

S. H. Bishop (Seal)

Jn. M Gurley (Seal)

(Seal)

B.

Southampton Circuit Court November Term 1869

Benjamin E Worrell Surviving Oblige of himself & Joseph E Gillette who sues for the benefit of Benj. E Worrell administrator of Joseph E Gillette Plff } In Debt

against

Stith H. Bishop & John M Gurley Defts }

The judgment obtained at the Rules not having been Set aside and the Plaintiff being now entitled to a final judgment it is therefore considered that the Plaintiff recover against the Defendants One hundred and ninety four dollars ninety six cents, the debt in the declaration mentioned with legal interest thereon from the 25th day of December 1857 till paid and his costs by him about his suit in this behalf expended

Plff's Costs $7.47.

Docketed in Judgment Docket, County Court Southampton Co January 5 1870 } A Copy-

Teste, L. R. Edwards D.C.

433
449
4 C 3

Baines Admr

vs

Report of
Wm Tyler

Bishop

1874 May 21st.

An Account of all Judgment Liens, outstanding against Stith H. Bishop as follows

Novr Term 1859			
A. Judgment obtained by James E. Butts Exr of Edward Butts against Jno M. Gurley & Stith H. Bishop for	765	94	
Int to 15 August 1860	22	97	
Costs 3.17 Shff. commissions 12.42	15	59	
	804	50	
Paid by Gurley 15 Feby 1860	430	00	
	374	50	
Int. thereon to 1st May 1874	317	26	
	191	76	
Less 4 yrs int deducted	89	88	
			601 88
May Term 1861			
A. Judgment obtained by James E. Hill vs J. R. Rochelle. E. T. Hill & S. H. Bishop for	200	00	
Int. from 16 augt 1859 to 15 Jany 1872.	149	00	
	349	00	
Paid 30 July 1869. 12.11 pd Dec 13/71. 125. 137.			
Paid 15 Jany 1872 16.	153	00	
	196	00	
Int. thereon to 19 Novr 1872	9	93	
	205	93	
Paid 19th Novr 1872	150	00	
	55	93	
Int thereon to 1st May 1874	4	75	
	60	68	
Less 4 yrs int on Principal	48	00	
	12	68	
Costs	8	15	
			20 83
Bishop says he pd. Judge Mayenburg 24. in the year 1868. on the above claim but no other date. Being known as cs therefore is left out.			
Novr Term 1866			
A. Judgment obtained by David N. Thomas Exr N. N. Thomas vs S. H. Bishop surviving partner of himself & Jno Barham	139	61	
due 1st July 1862. Int to 28th Sept 1868.	52	28	
	191	89	
Paid Mch 17/68. 26.42 pd Sept 28/68. 37.76	64	18	
	127	71	
Int. to 16 Augt 1869	6	70	
	134	41	
			622 71

over

Brot over £134.41.622 71

Paid augt 16/69	8	37	
Int to 15 Apl 1872	126	04	
	20	16	
Paid 15 Apl 1872	146	20	
	75	00	
Int to 1st May 1874	71	20	
	8	72	
Costs	79	92	
	6	49	
Less 4 yrs int on Principal	86	41	
	33	30	
Nov Term 1867			52 91
A. Judgment obtained by Lucy W. Kinsley vs S.A. Bishop & J.J. Kinsley for £125 sealed .75¢	93	75	
Int fr 25 Dec 1861. to 4 Nov 1867	33	43	
	127	28	
Paid Nov 4/67. £24" & 15.36 & 26.61	65	97	
	61	31	
Int thereon to 1 May 1874	23	87	
	85	18	
"no int. be deducted" Costs	6	57	
Nov Term 1867			91 75
A. Judgment obtained by Lucy W. Kinsley vs S.A. Bishop for £237.00. with interest on			
£107.00 sealed at 75¢ to the £1.	80	25	
Int fr 25 Dec 1861. to 16 Apl 1870	40	25	
£130.00 sealed at 75¢ to the £1.00	97	50	
Int. fr 1 Jany 1863 to 16 Apl 1870	42	65	
	260	65	
Paid 30 July 1869 £25. pd. 16 Apl 1870. £20.-	225	00	
	35	65	
Int to 17 Augt 1870	1	71	
	36	36	
Paid 17 Augt 1870	35	00	
Int thereon to 1 May 1874	1	36	
		32	
Costs	607		7 75
March Term 1869			
A judgment obtained by J.D. & Joshua Prettyman Surgt of Prettyman Vickers & Co vs S.A. Bishop for	122	72	
Int fr 22 Augt 1860 to 21 Feby 1870	69	95	
	192	67	
Paid July 30/69. £7.50 pd Feby 21/70 £100-	107	50	
	85	17	
Int. to 21 March 1870		42	
	85	59	
Paid 21st Feby 1870	50	00	
	£35	59	£7 75 12

Brot up £35 59 £7 75 12

Int thereon to 18 March 1872	4	27	
	39	86	
Paid 18 March 1872.	15	00	
Costs	24	86	
	5	88	
Less 4 yrs int on Principal	30	74	
	29	45	
November Term 1869			1 29
A Judgment obtained by Eliza Pope vs Jno M. Gurley & S.A. Bishop			
	193	72	
Int fm 19 March 1858 to 11 May 1858	4	68	
	198	40	
Paid 11 May 1858.	5	75	
	192	65	
Int. thereon to 21 Nov 1871	156	27	
	348	92	
Paid 21 Nov 1871	238	76	
	110	16	
Int. thereon to 1st May 1874	16	10	
	126	26	
Costs	6	92	
	133	18	
Less 4 yrs int on Principal debt	46	24	
Nov Term 1869			86 94
A Judgt. obtained by W.S. Godwyn vs S.A. Bishop due 15 Augt 1859. for	59	10	
	43	73	
Int. thereon to 18 Dec 1871	102	83	
Paid Dec 18/71 £50. pd July 30/69 £3.54	53	54	
	49	29	
Int. thereon to 6 Nov 1872	2	59	
	51	88	
Pd 6 Nov 1872	50	00	
	1	88	
Costs	6	96	
	11	96	
Int. to 1 May 1874	4	16	
	£9	00	
Less 4 yrs int: £14.68			
July Term 1871			
Judgt. obtained by Isaac Ailes vs S.A. Bishop due 25 Dec 1863. for £58.60. sealed 3 to 1.	19	50	
	12	12	
Int. to 1st May 1874	31	62	
	4	68	
Less 4 yrs int	26	94	
Costs	7	40	34 34
			£89 72

Amt brt forwd $897 72

July Term 1871

Judgt obtained by Jerad Artis vs S.H. Bishop
due 1 June 1863. at the rate of 6% pr year 27 08
Int thereon to 1 May 1874 17 74
Costs 7 40
Sep 4 yrs int. 42 22
6 50

35 72

Total $933,44

Respectfully Submitted
James R Tyler
Com

Commissioners Office
Jerusalem Apl 23rd 1874

To the Circuit Court of Southampton County

Pursuant to a decree of the circuit Court of Southampton County rendered at the November Term 1873. in a suit in Chancery pending in the said court between Benja E Worrell sagt obligee of himself and Joseph E. Gillette who sues for the benefit of B E Worrell adm of Robt S. Barnes dec'd and Sleth H Bishop. the undersigned one of the commissioners of the said court. to whom was referred for settlement. the following accounts to wit.

That a commissioner of this court take an account of all the outstanding unsatisfied Judgments liens against S H Bishop. and also report particularly what balance is due upon all of said Judgments, and that the said may be accurately the commissioner will summons the said Bishop to appear before him on some specified day. and produce all his vouchers for partial payments made on any of said Judgments &c &c report to the court that on the 17th day of January last he issued notice against the said parties. aforesaid. requiring them to attend the settlement of the said accounts before him at his said office on the 26 day of January last which were returned to your commissioner duly executed. The parties aforesaid appeared before the Commissioner in obedience to the said notices. and he thereupon examined Stated and settled the foregoing account, up to the 1st day of May 1874 and on that day finds the balance due on the Judgments liens to be $933.44 with interest and costs added The Commissioner state specially to the court that S. H. Bishop claims an abatement of four years interest on the principal debt. in accordance of an act of the

general Assembly of Va. except on the debts due
Mrs Lucy W. Kindred. which the parties agreed at
a compromise of seventy five cents on the dollar
without any abatement of interest.. the Commissioner
further reports to the court that after the completion of
the ~~forgoing~~ said accounts, he retained the same in
his office ten days for the examination of the parties
which with the draw and notice are herewith returned
Given under my hand as Commissioner aforesaid
the day and year first aforesaid.

James R Tyler
Com!

Commiss. fee $15.00

Worrellsg obligee &c

Notice

Bishop

Executed

w. Bigg Aff

Commissioner's Office,

JERUSALEM, Aug 16th 1870

To Benj. E. Worrell surviving obligee of himself and Jos. E. Gillette who sues for the benefit of Benj E. Worrell Adm'r of Ro. S. Barnes dec'd — Plff

In Chancery

against

Keith S. Bishop Deft

You are hereby notified that I have fixed upon the 9th day of September next, if fair, if not, on the next fair day thereafter, (Sunday excepted,) to take and settle, at my office, the following accounts, to-wit:

An account of all Judgements, their amounts respectively, when obtained together with an account of the fee simple and annual value of all the real estate of which said Bishop was seized and possessed at the time of obtaining the said judgements respectively, with any other matter deemed pertinent by himself or which may be required by any party interested, to be stated.

required to be taken by a decree of Southampton Circuit Court, rendered on the 1st day of May term 1870, in a suit in Chancery, depending in said Court, in which you are parties, plaintiffs, and defendants; at which time and place you are required to attend.

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

D. M. Sebrell Commissioner.

To the Sheriff of Southampton County to execute.

Worrell sq obligee &c
vs
Bishop

Executed.

W. W. Briggs

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County---Greeting:

WE COMMAND YOU to summon Elvin R Fiers & Wm E Beale

to appear before ~~the~~ me a Commissioner of our Circuit Court of Southampton County, at the Court-house, on the 9th day of Sept Term 1870 to testify and the truth to say, on behalf of

Ben E Worrell. during absence of himself & Jos E Gillett, who sues for the benefit of B E Worrell adm R S Barnes dec

in a certain matter of controversy in our said Court, depending and undetermined between Ben E Worrell adm of R S Barnes dec Plaintiff, and Stith H. Bishop Defendant.

And this ~~you~~ shall in no wise omit under the penalty of £100. And have then there this writ.

Witness, ~~Jos E Gillett~~, Clerk of our said Court, at the Court-house, this 22 day of Augt 1870, in the 94th year of the Commonwealth.

Jas A Sebrell Com

Christian-Sun Job Print, Suffolk, Va.

Executed by delivering Sarah A. Bishop a copy of this Summons.

W. W. Briggs D.C.
for D. Sadler Sh'ff

Barnes & Sons
Solrs.

Bishop

1870 April Rules

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of the County of Southampton---Greeting:

We command you to summon Stith N Bishop

if he be found within your bailiwick, to appear at the Clerk's Office of our Court of Southampton County, Circuit
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 said Court by Benj^a. E. Worrell surviving obligee of himself & Joseph E Gillette who sues for the benefit of Benj: E Worrell admor. Robert S. Barnes

And have then there this writ. Osmon White

Witness, ~~LITTLETON R. EDWARDS~~, Clerk of our said Court, at the Court-House, this 28 day of March A. D., 1870, in the 94 year of the Commonwealth.

O White Clk

Worrell
v
Bishop
} Dem's
Notice

1874 May 21st.

Executed
W. W. Driggs Shff

COMMISSIONER'S OFFICE.

Jerusalem, Va., Janu 17th 1874

To Benjamin E Worrell surviving obligee of himself & Joseph D Gillette who sues for the benefit of Benj E Worrell admr of Robert S. Barnes dec'd Plff

against

Stith H Bishop

Deft

You are hereby notified that I have fixed upon the 26th day of January next, if fair; if not, the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts, to-wit: That a Commissioner of this court take an account of all the outstanding unsettled Judgements liens against S.H. Bishop, and also report particularly what balance is due upon all of said Judgments, and that the said may be accurately, the Commissioner will summons the said Bishop to appear before him on some specified day, and produce all his Vouchers for partial payments made on any of said Judgments &c.

required to be taken by a decree of Southampton Circuit County Court, rendered on the _____ day of November Term 1873, in a suit in Chancery, depending in said Court, in which you are parties, plaintiffs and defendants; at which time and place you are required to attend.

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

JAMES R. TYLER, COMMISSIONER.

To the Sheriff of Southampton county to execute.

Benedictus
in
Bishop

Southampton Circuit Court, November Term 1877

Barnes Admrs &c. Pltffs

against In Chancery

S. & H. Bishop Defts

This day this Cause came on to be further heard on the papers formerly read, the petition of J. H. Prince, Admr de bonis non of John Briggs dec'd, & was argued by Counsel, On Consideration whereof the Court doth adjudge, order & decree, that a Commissioner of this Court do state the judgment lien against S. H. Bishop & in making up said Report the said Commissioner is directed to allow no deduction of interest for the four years during the War. Which report the said Commissioner will audit & report together with any other matters specially stated, deemed pertinent by himself, or required by any of the parties.

A Copy

Teste,

J. K. Tyler D.C.

Barnes Admr &c

vs.

Bishop

Commissioners Sykes,

1878 April 25th

An Account of all Judgments Liens outstanding against Stith H. Bishop as follows:- "December Term 1857"

	November Term 1857				
paid in full Jany 19th 1875	A Judgment obtained by James T Butts Exor: of Edwards Butts against John M. Gurley & Stith H Bishop for	₰ 765	94		
	Interest to 15th August 1860		22	97	
	Costs $3.17. Shff Commissions $12.42		15	59	
		₰ 804	50		
	Paid by Gurley 15th Feby 1860	430	00		
		374	50		
	Interest on same to 1st May 1874	320	32	694	82
	May Term 1861.				
	A Judgment obtained by James T. Hill vs I.R Rochelle. E.T. Hill & S.H Bishop for	200	00		
	Interest from 16th Augst 1859. to 15th Jany 1872	149	00		
		₰ 349	00		
	Paid 30th July 1869 ₰12. Paid Dec 13/71. ₰125.	₰ 137	00		
	Paid 15 Jany 1872	160	153	00	
			196	00	
	Interest on same to 19th Nov 1872		9	93	
			205	93	
	Paid 19th Nov 1872		150	00	
			55	93	
	Interest on same to 1st May 1874		4	75	
	Costs		8	15	68	83
	Bishop says he paid Judge Mosenburg ₰24. in the year 1868. on the above claim. (but no other date being known) is therefore left out.				
	Nov Term 1866.				
paid in full Feby 20th 1875.	Judgment obtained by David H. Thomas Exor: of N. N. Thomas Vs. S.H. Bishop. so obliged himself & John Barham. due 1st July 1862.	₰ 139	61		
	Int: to Sept 28th 1868		52	28	
			191	89	
	Paid Mch 17 1868. ₰26.42. Pd Sept 28th 1868. ₰37.76		64	18	
			127	71	
	Int: on same to 16th August 1869		6	70	
			134	41	
	Paid 16th August 1869		8	37	
			126	04	
	Int: to 15th April 1872		20	16	
			146	20	
	Paid 15th April 1872		75	00	
			71	20	
	Interest on same to 1st May 1874		8	72	
	Costs		6	49	86	41
					₰ 850	06

Carried over

amt brot up $850 06

Nov Term 1867

Judgment obtained by Lucy H. Kindred vs S.H. Bishop & J.D. Kindred for $125. Scales 3/3 at 75¢ — 93 75

Interest from 25th Dec 1861 to 4th Nov 1867 — 33 43

127 18

Paid Nov 4th 1867 $24. & 15.36 & 26.61 — 65 97

61 21

Interest on same to 1st May 1874 — 23 87

Costs — 6 57 — 91 65

Judgment obtained by Lucy H. Kindred vs S. H. Bishop for $237.00 Interest on $107.00 Compro: at 75¢ to the $1. 3/3

80 25

Int. from 25 Dec 1861 to 16th April 1870 — 40 25

$130.00 Compro: @ 75¢ to the $1-

97 50

Int from 1st Jany 1863 to 16th April 1870 — 42 65

260 65

Paid 30th July 1869 $25. pd 16th April 1870 $200. — 225 00

35 65

Int: to 17th August 1870 — 71

36 36

Paid 17th August 1870 — 35 00

1 36

Int. to 1st May 1874 — 32

Costs — 6 07 — 7 75

March Term 1869

Judgment obtained by J.D. & Joshua Preston Surgt of Preston Vicks & Co vs S.H. Bishop for

122 72

Int from 22 August 1860 to 21st July 1870 — 69 95

192 67

Paid July 30/69 $7.50 pd July 21/70 $100. — 107 50

85 17

Int: to 21st March 1870 — 4 42

85 59

Paid 21st July 1870 — 50 00

35 59

Int: on same to 18th March 1872 — 4 27

39 86

Paid 18th March 1872 — 15 00

24 86

Costs — 5 88 — 30 74

November Term 1869

Judgment obtained by Dja Pope vs John M. Lucas & S.H. Bishop for

193 72

Interest from 19th March 1858 to 11th May 1858 — 4 68

198 40

Paid 11th May 1858 — 5 75

192 65

Interest to 21st Novemb. 1871 — 156 27

348 92

Paid 21st Nov 1871 — 238 76

110 16

Interest to 1st May 1874 — 16 10

Costs — 6 92 — 133 18

Cars forwd $1113 38

amt brot up $1113 38

Paid in full July 15th 1878.

Judgment obtained by W.S. Goodwyn vs S.H. Bishop due 15th August 1859 for — 59 10

Interest to 18th Dec 1871 — 43 73

102 83

Paid Dec 18/71 $50. pd July 30/69 $3.54 — 53 54

49 29

Interest to 6th Nov 1872 — 2 59

51 88

Paid 6th Nov 1872 — 50

1 88

Int: to 1st May 1874 — 16

Costs — 6 96 — 9 00

July Term 1871

Paid in full Jany 25th 1875.

Judgment obtained by Jerral Autis vs S.H. Bishop. Due 25th Dec 1863 for $58.60 Scales 3/3 — 19 50

Interest to 1st May 1874 — 12 12

31 62

Costs — 7 40 — 39 02

Paid in full Jany 25. 1875.

Judgment obtained by Jerral Autis vs S.H. Bishop. Due 1st June 1863 at the rates of $65. pr yr — 27 08

Interest to 1st May 1874 — 17 74

Costs — 7 40 — 52 22

Total Judg: $1213 62

Commissioner's fee $5.00 Charged to Plaintiff

Respectfully Submitted

James R. Tyler, Commissioner in Chancery &c

11

Barnes et ux Pl.

vs

Bishop

Petition of Jos H. Prince et ux for d. b. h. of Jno Russ. dec'd.

Nov 6. 1877.

Barnes Adms
vs Petition of Jos H Bruce Adms
Bishop d.b.n of Jno Briggs.

In this Cause your petitioner Jos. H. Bruce Adms. de bonis non of Jno. Briggs dec'd respectfully represents to your Honor as follows. That by a report of Comr Lyle filed May 21st 1814, in reporting a judgment in said Bishop in favor of D. H. Thomas, Exr N. N. Thomas dec'd, the said Comr allowed a rebate of interest on the said judgment of $33.50/11, the same being four years interest deeming the Act. That since that report was made, your petitioner is advised that the Supreme Court of Appeals of Virginia has declared the act of assembly authorizing such rebate of interest unconstitutional. That this Cause being still before your Honor, your petitioner respectfully asks that this Error may be corrected & the said Bishop ordered to pay to your petitioner the said sum of $33.50/11 & that your Honor will grant such further relief as Equity may demand. and as in duty bound &c.

(That the judgment was assigned by said D. H. Thomas to John Bellinger.)

J. H. Bruce Adms
&c by Counsel

Barnes's admr
vs
S. H. Berhok
Decree
May 4th 1870
To be printed
Geo. Blow. Jr.

Barnes's admr

vs

E. H. Bishop

This Cause was this day heard on the Complainants Bill, ~~the Exhibits filed~~ Taken for Confessed as to the Defendant Bishop, ~~Replication~~ and was argued by Counsel On Consideration whereof the Court doth adjudge, order and decree that a Commissioner of this Court take & report to the next Term an account of all Judgments, their Amounts respectively, when obtained & together with an account of the fee simple & annual Value of all the real estate of which the said Bishop was seized and possessed at the time of obtaining the said Judgments respectively — with any other matter deemed pertinent by himself or which may be required by any party interested to be stated.

Barnes' Admr.
vs 1/3 Decree.
Bishop

Nov Term 1871

To be Entered.

Geo. Blow.

Barnes Admr
vs 3rd Decree.
Bishop

This day this cause came on to be further heard on the papers formerly read and the report of Commissioner Sebrell made in pursuance of an order entered at the May Term 1870, to which no exceptions have been filed, and was argued by Counsel. On consideration whereof, and it appearing to the Court, that the rents & profits of the real estate of the defendant Bishop will pay the indebtedness reported in five years, the Court, confirming said report, doth adjudge order and decree, that W. C. Briggs, Shff. of Southampton County, take possession of the real estate in the proceedings mentioned, and rent the same out from year to year, until the debts reported are satisfied. And the Court doth further order that the costs of this suit be paid by the defendant including an attorney fee of twenty five dollars to J. J. Kindred & D. B. Rines each. And the said Briggs is ordered to make report to Court of his proceedings under this order.

Banner Admr
vs ⅓ Decree
Bishop

Nov Term 1877
To Lexington

Geo. Bess.

Barnes Admr
vs 3d Decree
Bishop

This day this cause came on to be further heard on the papers formerly read, the petition of J. H. Price Admr de bonis non of Jno Bissp dec'd and was argued by Counsel. On Consideration whereof the Court doth adjudge order & decree that a Comr of this Court restate the judgment heirs against S. H. Bishop, and in making up said report, the said Comr is directed to allow no deduction of interest for the four years during the war. Which report the said Comr will audit report to Court together with any other matters specially stated deemed pertinent by himself or required by any of the parties.

Worrell
v
Bishop

Copy Decree

1 Copy for Bishop
Jany 26th 1874

Southampton Circuit Court November 7th. 1873.

Benjamin E Morrell surviving obligee of himself & Joseph E Gillette who sues for the benefit of Benjamin E Morrell admr. of Robert S Barnes. Pltff

against

Wm A Bishop Deft. } In Chancery

This day this cause came on to be again heard on the papers formerly read and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that a Commissioner of this Court take an account of all the outstanding unsettled judgments liens against W. A. Bishop, and also report particularly what balance is due upon all of said judgments: And that the said account may be accurate, the Commissioner will summon the said Bishop to appear before him on some specified day and produce all his vouchers for partial Payments made by him on any of the said judgments - And the said Commissioner will report his proceedings under this order to Court.

A Copy

Teste L. R. Edwards Clk

Barnes Adams

as Ex Deane

Bishop

Nov: Term 1873

To be entered.

Geo: Blow.

Barnes Admr.

vs } Decree.

Bishop

This day this cause came on to be again heard on the papers formerly read and was argued by Counsel. On consideration whereof the Court doth adjudge order and decree that a Commissioner of this Court take an account of all the outstanding unsatisfied judgment liens against S. H. Bishop, and also report particularly what balance is due upon all of said judgments; and that the said account may be accurate, the Commissioner will summon the said Bishop to appear before him on some specified day & produce all his vouchers for partial payments made by him on any of the said judgments; And the said Commissioner will report his proceedings under this order to Court.

Barnei Adeus

vs Z Deceased.

3

Bishop

Oct Term 1874

To be entered.

Geo Bishop

Barnes Admr.
vs
Bishop

Decree.

This day this cause came on to be further heard on the papers formerly read and the report of Commr Tyler filed May 21. 1874, and was argued by Counsel. On consideration whereof, the Court doth confirm the said report no Exceptions being filed to the same; and it appearing to the Court that the rents & profits of the real Estate owned by the defendant S. H. Bishop will satisfy the demands against him in five years, the Court doth further decree that unless S. H. Bishop or some one for him shall satisfy the debts reported in Comr Tyler's Report of May 21. 1874 in thirty days, including the 4th day of Sept next from this date, then W. A. Bass, Sheriff of Southampton County, is ordered to take possession of the real Estate of said Bishop, rent the same out for the Year 1875, take bond with good security for the rents, payable twelve months after date, & make report to Court. And the Court doth further order that S. H. Bishop be served with a copy of this order.

Barnes adm'r &c
vs
Birdsall
Decree
Febry term '74
To be entered
Geo. T Blow

Barnes's adm'r

vs

Bishop & Deane -

This Cause was again heard this day on the papers formerly read & the petition of the defendant S. H. Bishop this day filed by leave of Court, & was argued by Counsel: On consideration whereof the Court doth adjudge, order & decree that a Commissioner of this Court take a further account of all outstanding unsatisfied Judgments liens against the Defendant, abating the interest from all Such as were obtained on debts or liabilities Contracted prior to April 10th 1865, for the period between that Time and April 17th 1861 - stating the same with any matter deemed pertinent by himself or which may be required by any party interested to be so stated -

Worrell Esq. obliged Yo

3 Copys Decree

Bishop

Saturday 9th Sept

Southampton Circuit Court, May Term 1870.

Benj. E. Worrell Surviving Obligee of himself and
Joseph E. Gillette, who Sues for the benefit of
Benj: E. Worrell and of Robert S. Barnes-Exrs:
Against
Edith St. Bishop — Defts. } In Chancery,

This Cause was this day heard on the Complainants Bill with Exhibits filed taken for Confessed as to the Defendant Bishop; and was argued by Counsel; On Consideration whereof the Court doth pronounce, Order and decree, that a Commissioner of this Court, take and report to the Next Term, an account of all Judgments, their amounts respectively, when obtained &c — together with an account of the fee Simple and Annual Value of all the real Estate of which the said Bishop was Seized and possessed at the time of obtaining the said Judgments respectively; with any other Matter deemed pertinent by himself; or which may be required, by any party interested, to be stated.

A Copy Teste,

James R. Tyler, D.C.