

1885 - 33

Southampton County - Chancery

Warrell, Benjamin E. vs Barham, S. D.
et al

"Is entry judgment"

Barham, S. E.

57
Worrell Benj. E
vs { Bill and exhibits
Barham D. D and wife

1883 Sept: Rules - Filed
J. B. R. R.
C. R.

To the honorable George Blow judge of the circuit
court of Southampton in chancery sitting.

Humbly complaining your orator Benjamin E. Howell
sheweth unto your honor he recovered a judgement
at the next term of the circuit court 1883 against
S D Barham and S E. Barham his wife on a
bond for \$61.73 with interest from the 1st Jan'y
1883. costs \$7.40. said bond having therein a waiver
of the homestead exemption. and the said judgement
was duly docketed on 22 May 1883. all of which
will more fully appear from a copy ^{said bond and} of said docketed
judgement herewith filed marked exhibit **A** and
prayed to be taken as a part of this bill
Of this judgement though execution issued thereon
no part has been paid. your orator further sheweth
that S. D. Barham and S. E. Barham his wife own a tract
of land in this county containing about one
(100) hundred acres more or less and your orator
brings this suit in order to enforce his judgement lien
on the said land. In tender consideration whereof and
inasmuch as your orator is without relief save
in a court of equity where such matters are
peculiarly cognizable. he prays that S D Barham
and S E Barham his wife may be made parties
defendant in this bill and compelled to answer
the allegations therein contained as if they were
more fully interrogated thereto. That the court

will direct a commissioner of this court to
take an account of all docketed judge-
ments against the said defendants and ^{plaintiffs} ~~thereby~~
take an account of the actual and annual
value of the said land. and if upon the
coming in of the said report it appears
unto the court that the rents from the said
land will not pay the debts in five
years then that it maybe sold and from
out of the proceeds thereof your orator may
be paid the amount due him. and that the
court will grant all such, other, general
and special relief as the nature of the
case may need and to equity shall
seem meet And your Orator will ever pray
May it please the court &c

W. B. Shands & Son p. p.

Warrell
no } copy judged
Bachman p. 2 "

"A"
J

In Southampton Circuit Court. May
Term 1883..

Benj E. Howell

Plff

against

J. D. Barham & J. E. Barham

Defds

} In Debt.

The judgment entered at the rules against the defendants, 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 sixty one dollars and seventy three cents, the amount of the note upon which this suit is brought (waiving the benefit of the Homestead Exemption) with legal interest thereon from the 1st day of January 1883, till paid, and \$7.40, his costs by him about this suit in this behalf expended.

A. copy.

Teste. J. B. Price C. C.

"

Memorandum for clerk
Copy Docket's judgment of *Womles*
vs *Barham* & wife also copy the
bond in the case and file as exhibit

A

chy = cek

mt

4.02

11.00

Scout

16.50

Scout suit

7.40

28 9 2

96 ~~136~~
~~116~~

Worcester

on 3 Decr

Barham is wife

Nov Term 1883

To be entered

Geo. V. Blod.

✓

Worrill

vs 3 Deere

Barham & wife

This day This cause

came on to be heard on

The plaintiff's bill taken
for confesse as to both

The defendants S. D. Barham and S. E.

Barham and exhibits filed therein with

and was argued by counsel On

consideration whereupon The court doth

adjudge order and decree That one of

The commissioners of This court take

an account of the actual and annual

value of all the real estate owned by

The defendants S. D. Barham and his wife

S. E. Barham and of all judgments

doctored or otherwise against the said

Barham and wife with their priorities

who will report the said accounts to

court ~~to report~~ together with any matters

especially stated deemed pertinent by himself

or which he may be required so to state

by any of the parties interested

Warrell

vs { Summons

Barkham &c

1883 Sept: Rules

Executed Aug. 20th 1880
by delivering copies of the
within to S. S. Barkham
~~for himself and his wife~~
S. E. Barkham,

J. W. Williams Sept-
for W. W. Briggs Sept

The Commonwealth of Virginia,

To the Sheriff of Southampton County---Greeting:

WE COMMAND YOU TO SUMMON *J. D. Barham - and*
S. E. Barham _____

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 *September* next, to answer a bill in Chancery exhibited against *them* in our
said Court by *Benj E. Warell*

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

J. B. Prince
Witness, *Lambert R. Edwards*, Clerk of our said Court this *7th* day of *August* _____

188 *3* , in the *10th* year of the Commonwealth.

Teste. J. B. Prince clb

Worcester

vs } Deane

Barham and wife

May Term 1885

To be Entered

Geo. H. Blaw,
Att'y

Entered
122

W. H. H. H.

Marshall

vs } Deere

Barham ^{and} wife

on motion of plaintiff
his bill is dismissed