

1886 - 15

Santhampton County - Chancery

Darrell, J.B.'s vs.
Adm

Turner, Henry et al

" To satisfy judgments +
Lump "

Thomas, D. S.
Adm. Est &
Darrell, J.B.'s Estate

Turner, Ediga
Cand, J. W.
Gay, Maria

~~110~~ ~~107~~ 119
Powell's admⁿ &c.,
vs. $\frac{1}{2}$ Bell & Exhibits.
Turner & others

October Rules 1883.

To the Hon: Geo. Blow, Judge Circuit Court
of the County of Southampton:

P. I. Thomas, admr. of J. B. Powell, decd., who
sues for himself as admr. as aforesaid,
and such other lien creditors of Henry
Turner as shall come in, take oath in
and share the costs of this suit, com-
plaining sheweth unto the Court that on
the 29th day of October 1878 in a Justice's
Court held in and for the said County, he
recovered a judgment against Henry Turner
for the sum of \$30., with interest from the
30th day of June 1877 till paid, and \$2.
costs, a copy of which is herewith filed,
marked "Exhibit A", and prayed to be
read as a part of this bill: That no
part of said judgment has ever been
paid; that said judgment was duly
docketed on the 16th day of December
1878 in the Clerk's Office of the Circuit
Court of said County of Southampton—
In addition to the same the said Henry
Turner, together with his wife Eliza Turner,
have executed and there is recorded in
the Clerk's office of the County Court of
Southampton a Deed of Trust to J. W.
Clair, Trustee, to secure a debt for \$141.⁸⁵

due Maria Gay.

The said Henry Turner is seized and possessed in his own right of that certain tract or parcel of land lying in Donk-
ampton County, containing $137\frac{1}{2}$ acres,
and bounded by the lands of Jacob Williams
P. S. Thomas & others, it being the same
tract of land conveyed to said Henry
Turner by J. W. Clend & wife.

Yon complainant avers and charges that
the rents and profits of the said land
will not in five years satisfy the
judgments which are liens upon the
same, and that he is therefore entitled
to have the said land sold to satisfy
his own and the other liens thereon.

In consideration whereof yon complainant
prays that the said Henry Turner, and
Eliza Turner, his wife, and J. W. Clend
and Maria Gay be made defendants to
this bill and required to answer the
same on oath; that proper process
issue; that all proper orders and
accounts be directed and taken;
that the lien creditors of the said
Henry Turner be convened before a
Commissioner of this Court; that the
lien debts of the said Henry Turner

be ascertained, and the amounts thereof and their order of priority of lien be established; that if it appears that the rents and profits of the said land will not in five years pay the judgments which are liens upon the same, that it or so much thereof as will suffice to satisfy the liens thereon, and the costs of suit and sale, be sold and the proceeds thereof be applied to the payment of the said costs and liens; that, if such rents will so suffice, the said lands be rented out, and the rents and profits thereof be applied to the said liens until they are fully satisfied; and that all such other, further and general relief may be given as in the premises is just and right.

And your complainant will ever pray, &c.,
W. J. Tibbrell, p. q.

1878. Oct 29th Justice Court, South-
ampton County, —

P. J. Thomas admⁿ, J. B. Powell. —
^{vs}

Henry Turner —

\$30⁰⁰ with interest from the 30th day
of June 1877, till paid, and two dollars
cost,

Abstract copy

Teste J. B. Powell C.

Powell's Adm'r
vs { Sumner
Turner et als

1883. Octo: Rules

Executed Sept. 26th 1883
by delivering a copy of
this summons to Henry
~~Turner~~ ~~the family~~
~~monument of the family~~
~~but not found at the~~
~~usual place of work~~
and a copy to the wife
of Turner and a place
do. Turner is here the said
land not being found at
the usual place of work

J W Williams, de
for Wm Briggs de
Deorell p.g.

Not executed on Eci
Eya Turner she being
dead,

J W Williams
deft for Wm Briggs de

J W Williams de
for Wm Briggs de

A copy of this summons was left with Henry
Turner for delivery to the not being found at the
usual place of work to the said Henry
Turner of the family own being a
copy of this summons was
left with a him. Sept 26th 1883

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County—Greeting:

WE COMMAND YOU THAT YOU SUMMON

*Henry Turner, Eliza Turner,
J. W. Leland and Maria Gay—*

if *they* be found within your bailiwick, 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 *October* next, to answer

*a certain bill in Chancery exhibited there in our
said Circuit Court by P. S. Thomas adm'r of T. B.
Powell, dec'd.*

And have then there this writ.

WITNESS, J. B. PRINCE, Clerk of our said Court, at the Courthouse, this *25th* day of *September*
188*3*, in the *108th* year of the Commonwealth.

Testo. *J. B. Prince C. C.*

For
Eliza Turner

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County—Greeting:

WE COMMAND YOU THAT YOU SUMMON

*Henry Turner, Eliza Turner,
J. W. Bland and Maria Gay*

if *they* be found within your bailiwick, 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 *October* — next, to answer

*a certain bill in Chancery exhibited them in our
said Circuit Court by P. S. Thomas Admr of
T. D. Powell dec'd*

And have then there this writ.

WITNESS, J. B. PRINCE, Clerk of our said Court, at the Courthouse, this

25th day of *September*

1883, in the *108th* year of the Commonwealth.

Teste. J. B. Prince C. C.

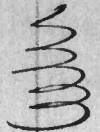
81
Donall admⁿ or
no } What: Rules
Turner + others

In Southampton Circuit Court
Nov: Term 1880-

P. J. Thomas, Admin^r of J. B. Powell's Est
vs

Henry Turner, Eliza Turner,
J. W. Blount & Maria Gay,

Sept 25/80, summoned to Oct Rules,
Oct Rules 1880/ found into Execution on all Defts,
Except Eliza Turner, who is dead
Bills filed Deced & issi vs Defts
Nov: Rules, Bill taken for confessed as to
all Defts - and caused it to be
heard & adj

Powell's admiral
or.  Deane.
Dinner & others

May Term 1886-

To be entered

Geo. H. Low,


✓

W. J. Sibell, n.g.

Powell's admⁿ: re-
vs. Deane.

Turner & others.

This cause came on
this day to be heard upon the papers
formerly read & was argued by counsel.
On consideration whereof, it appear-
ing to the Court that nothing further
remains to be done in this cause, it
is ordered that the same be removed
from the docket.

Powell's adm. re-
v. $\frac{4}{3}$ Diaries.
Turner's notes

Nov. Term 1884.

To be entered -

Geo. Brown
by

Entered

Page 87

V
V

Powell's Adm. &c.

vs

Decree

Turner et al.

This day this Cause Came on to be heard on the bill of Complaint taken for confessed and the exhibits filed and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that a Commissioner of this Court convene before him the lien Creditors of Henry Turner and audit and state the following accounts to wit: 1st An account of the lien debts of the said Turner distinguishing their priorities. ^{And to ascertain whether} 2nd ^{or not the same} ^{and fully cover the value of said land} An account of the Annual and absolute value of his real estate; and the said Commissioner is also directed to enquire whether or not, in his opinion, the rents and profits of the said real estate will in five years pay the liens on the same and report his proceedings under this order to Court, together with any other matters specially stated, deemed pertinent by himself or which may be required to be so stated by any party interested.