

1884-18

Southampton County - Chancery

Prillaw + Moore

vs

Latimer, J. F.

"Is all house & land,
to pay for lumber that
went into the house"

Prillaw, John S.

Moore, W. W.

Oretlow and Moore
vs { Bill, &c.,
Latimer

1884 April Rules.

Parker, &c.

To the Honorable George Blaw, Judge of
the Circuit Court of Southampton County.
In Chancery.

Humbly complaining, sheweth unto your
Honor, your complainants, John Preilow, Sr.,
and El. El. Moore, partners in trade under
the firm name of Preilow and Moore, as
as follows: .

That some time during the year
1883, J. F. Latimer applied to them, who are
dealers in lumber, and so engaged at that
time, for a quantity of lumber to be used
in the construction of a dwelling and cer-
tain other buildings on land in the posses-
sion of the said J. F. Latimer, That your
complainants agreed to furnish and did
furnish said lumber to the said Latimer,
and, did, moreover, haul the same with
their team, for a distance of five or six
miles, to him; That the amount due your
complainants therefor is \$189.⁶⁶, with
interest therein from December the 12th
1883, which said amount the said Latimer
hath not as yet paid; That your com-
plainants did, within ninety days after
furnishing said lumber and the comple-
tion of the said dwelling and other build-
ings, file in the Clerk's Office of Southampton
County, a true account of the lumber furnish-

ed, sworn to by your Complainants, with a statement attached signifying their intention to claim the benefit of the mechanics lien, according to the statute in that case made and provided, a copy of which account, with statement &c, attached, is herewith filed, marked Exhibit "V", and prayed to be read as a part of this bill; That this suit was commenced within less than six months after claiming said lien.

In consideration whereof, and as much as your Complainants are remediless save in a Court of equity, they pray that the said J. F. Patimer may be made a party defendant to this bill, and be required to answer the same on oath; that a decree may be entered directing a sale of the said dwelling and other buildings, and so much land therewith as shall be necessary for the convenient use and enjoyment of the premises, and that such other, further, general and special relief may be granted as is just and right. And your Complainants will ever pray, &c.,

Wm. H. Parker, f.c.

James S. Served

1884

To Dr. H. L. Mearns

Sept 22	13	2x10	18 ft	390	4.87
"	1	2x8	18 ft	268	2.14
"	11	2x10	20 "	222	1.77
"	2	4x10	20 "	26	2.0
"	2	4x10	20 "	64	3.1
"	8	4x6	18	288	2.30
"	12	4x10	18	288	2.30
"	40	2x6	18	260	2.80
"	26	2x4	12	118	1.64
"	26	1x10	16	346	2.96
"	16	1x12	16 O.D.	256	3.20
"	16	1x8	16 m	171	1.37
"	20	1 1/2 x 4	18 O.D.	180	2.25
"	20	1x4	18 m	120	.96
"	2	3x7	16 O.D.	56	.70
Shattering				500	4.00
Siding				2200 @ 12	27.50
					61.30

Nov 24

To do with board @ 80

3.20

" 218 " Scantling "

1.74

Dec 11

to Lion Boards

48

\$66.77

To J. B. Served

Book of the County Court of South
ampton for the Dec 1884
Oliver

take notice that we John P. Fulton
Agent H. H. Moon of the firm of Fulton
& Moon lumber dealers near Choptank
Shopped timber in South and gave to
J. A. hold a claim against James Screws
near Express Bridge on Choptank River
for the sum of Sixty Six & 67/100. Dollars
due to us for lumber furnished said James
Screws for the construction of a
certain dwelling house on the premises
of the said James Screws near Express
Bridge on Choptank River Southampton
Co. Va and that we had ~~the~~ claim a
lien on said house and land upon
which it is situated, pursuant to an
Act of the General Assembly of Virginia
to secure the pay of Mechanics and
persons furnishing Material toward the
constructions or repairs of buildings -
Given under our hands and seals
the 2^d day of July 1885.

Fulton & Moon

Southampton County Va the Clerk
Office July 9th 1885. This writing was
this day received acknowledged and
recorded according to Law

Attest J. P. Pinner Clerk

Attest
Teste J. L. McGehee &c.

1883

Mr. J. J. Latimer
To Pitlow & Moore

Dr

July 29	5g 152, ft board @ 12 ⁵	190	
Sept 3	" 300. " " "	375	
" 18	" 783 " " "	879	
" "	" 76 " Scantling 15 ⁰	114	
	" Hauling the above 859, @ 20 ⁰ per 100	172	1730
Oct 2	" 4- 6x8- 33 = 528. @ 100	528	
" 2	" " 40 = 320 " "	320	
" 2	4x6 42 = 168 " 80	134	
" 4	4x6 35 = 280 " "	224	
" 4	4x6 10 = 80 " "	64	
" 30	4x4 " = 400 " "	320	
" 90	2x4 " = 600 " "	480	
" 4	3x6 = 18 = 108 " "	86	
" 14	2x6 = 20 = 280 " "	224	
" 40	2x8 16 = 853 " "	682	
" 250	leaves ft 1/2 x 4 = 125 @ 100	125	
" 500	" " 1x4 = 200 " "	200	
"	Sheeting 1800 " 80	1400	
" 40	2x6 18 = 720 " "	576	5363
Nov 9	" Sap Siding 1450 " "	1160	
" 10	4x6 18 = 360 " "	288	
" 10	20 4x6 " 720 " "	576	
" 23	Common board 400 " "	320	
" 25	2x4 20 = 334 " "	267	
" 40	" 18 = 480 " "	384	
" 9	1x9 16 = 102 " 100	102	
" "	1x14 16 = 153 " "	153	
" "	1x12 " = 144 " "	144	3394
"	Hauling 10.605 @ 200		2000
12	" 15 2x8 14 = 280 " 80	224	
" 10	2x6 16 = 160 " "	128	
" 30	2x4 10 = 200 " "	160	
" 8	4x4 16 = 171 " "	137	
" 30	2x4 18 = 160 " "	128	
" 2	4x4 30 = 80 " "	64	841
	Carried over		13328

To Amos: brot over		\$133 28
Nov. 12	" Common boards 480 @ 80	3 84
	" Sap Siding 6350 " "	unlabeled 14 64
13	" " 600 " "	4 80
	" Common boards 200 " "	1 60
	" 8. 2x4 - 20 = 106 " "	85
	" 20. 4x6 6 lb = 240 " "	2 40
	" " 2x4 16 " 213 " "	2 13
	" 60. 3/4 x 1 1/4 3 = 162 " "	1 62
	" Sawling 44. 121 @ 200 per 1000 unlabeled	8 82 2 2 22
	" 7. 200. Lathes @ 175. " "	12 60
	" 2. Sawling 6. 400. Lathes @ 50	3 20
Dec. 12	" Siding mor 300 " 89	2 40
	" 4 2x4 16 = 42 @ " "	33
	" 3 " " " = 32 " " 100	32
	" 10 1x4 16 = 67 " " unlabeled	7 19 52
		\$189 66

To Jos. B. Prince Esq.
Clerk of the County of Southampton Co.
Dr Sir,

Please take notice that we John Portlow Esq. and W. H. Moore of the firm of Portlow and Moore, lumber dealers near Hottoway Chappes Church in Southampton Co. Va. hold a claim against James F. Latimer residing at Jerusalem Va. amounting to the sum of one hundred and eighty nine and 66/100 dollars due to us for lumber furnished to said James F. Latimer for the construction of his dwelling and other purposes on his lot lately purchased of the Childers of Jno. J. Knudsen deceased, And that we have a claim a lien on said building & tract of land on which it stands pursuant to an act of the Genl. Assembly of Virginia to secure the payment of Machinist laborers, and persons furnishing materials toward the construction or repair of building given under our

hands this 5th day of Febr. 1884.
Portlow & Moore

Virginia
Southampton Co. Va. wit:
J. B. F. McLaure a Commissioner in Chancery for the County Court of Southampton & State aforesaid do certify that W. H. Moore whose name is signed to the above writing bearing date the 5th day of Febr. 1884. has acknowledged the same before us in my County aforesaid, given under my hand this 5th day of Febr. 1884.

J. B. F. McLaure
Commissioner Chy.

Southampton County Va. the Clerk's Office on the 5th day of Febr. 1884.
This writing together with certificate of acknowledgment thereto annexed was this day filed and recorded according to law.

Teste J. B. Prince Clk
A Copy Teste J. B. Prince Clk

Peterson & Moore

75 } Summons

Lattimer

1884. April Rules.

Executed by delivering
J. H. Lattimer a copy
of this Summons on the
5th day of April 1884

W W Driggs Shff

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County—Greeting:

WE COMMAND YOU TO SUMMON

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

John Prettow Sr and W.W. Moore partners

in trade under the firm name of Prettow & Moore

And this

he

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

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

5th

day of

April

, 188*4*,

in the

108th

year of the Commonwealth.

Testo.

J.B. Prince C.G.

82 ~~142~~
Pettit & Moore

vs. Stat: Rules

Lattimer

In Southampton Circuit Court.

John Pretlow & ans v. W. Moore
partners in trade under style of }
Pretlow & Moore. Pliffs } In Chancery.

 against
J. H. Lattinier Deft.

1884.

Apr 5th Summons to Apl Rules.

Appl Rules " ret'd Execd. Bill filed - and decree
 " vs defd.

May.. Bill taken for Confessed & Cause set
for hearing.

Prulaw and Moore
vs 3 Deeres.
Latimer

This day this cause came in to be heard on the Complainants' bill taken for confessed, the exhibit therewith filed, and was argued by Counsel. On consideration whereof, the Court doth adjudge, order and decree that, unless J. S. Latimer shall, within ~~ten~~^{sixty} days from the last day of the term of this Court, pay the plaintiffs the sum of \$189.⁶⁶ with interest thereon from December 12th 1883, and the costs of this suit, subject, however, to check for \$88.², drawn on the Bank of Franklin, Franklin, Va., as a credit when paid, that J. B. Prince, who is hereby appointed a Special Commissioner for the purpose, do proceed, after giving twenty days notice of time and place of sale, at three or more public ~~places~~ in the neighborhood, to sell at public auction to the highest bidder for cash, the dwelling-house and other buildings of the said Latimer, and so much land therewith, in which he may have a fee-simple interest, as may be necessary for the convenient use and enjoyment of the premises. But the said J. B. Prince shall not proceed to execute under this decree as such Commissioner,

until he shall have first executed bond, with personal security, to be approved by the Court or the Clerk thereof in vacation, in the penalty of \$200. Conditioned and payable as prescribed by law, and also without first obtaining a certificate from the Clerk that the bond required by this decree, has been executed, and appending such certificate or a copy thereof, to the advertisement. And the said Commissioner is required to report his proceedings under this decree to Court.

And the Court doth further decree that unless previously paid - that the said Comr. Princes shall out of proceeds of sale first pay the money due on the land, & then pay the mechanics, &c.

Princes and Moore
vs
Decree.
Latimer

1885 Nov 1 Term.

To be entered.

Geo. B. B. B.

✓

Pretlow + Moore

vs } Decree
Lattimer }

May Term 1886

To be entered

Geo. Blaw.

✓

Cutlow & Moore

^{vs} Latimer } Decree

On the motion of the Complainants
and it appearing to the Court that nothing
further remains to be done in this cause, it
is ordered that the same be removed from
the docket.