

1886 - 22

Southampton County Chancery

Smith, Simon vs Lain, James C.
et al

"To perfect title to
property - shed being lost
or misplaced"

Stephenson, Charles
Stephenson, Elizabeth
sister

Lain, Martha

Smith

on 3rd Decem

Latus hirs

✓

To be returned

May Term 1886

Geo. H. Blow,

Smith

or 3 Decr

Laird Linn

This day This cause
came on again to be heard on the papers
formerly made and the report of Apr 13
Shanks Commissioner of his leaving made
a deed to Simon Smith for fifty two
acres of land made under a decree of
This court entered at the May term 1885 -
and to which report no exceptions have
been filed and was argued by counsel
On consideration whereof the court doth
adjudge order and decree that the said
report be confirmed and it appearing to
the court that there is nothing further to
be done in this cause it is ordered that
the same be removed from the docket

120

Smith

or by Deere

Larus hirs

May Term 1885

To be entered

Geo Blod. J

Reelard 114

Smith

or 3 Decree

Lains heirs

This day This cause came on to be heard on the plaintiff's bill taken for confessed as to all the defendants James L Lains, Martin Lains, Charles Stephenson and Elizabeth Stephenson his wife and the exhibit Thimble filiae and was argued by counsel On consideration whereof the court doth adjudge order and decree that Wm B Shanks who is hereby a special commissioner for that purpose shall make a deed with special warranty to Simon Smith for fifty two acres of land lying in Southampton County it being the part of land sold by Shugars Lains to Simon Smith in 1881 and which the said Smith for and has held in possession from that time to the present and the said William B Shanks will report his proceedings to court in order to a further decree

cccc

Smith
as 3
Lauris Lins

Report of Apr 13
Shanda Comm
May 4th 1886

Smith

or 3

Deem

Lains Lins

The undersigned who was appointed a special commissioner by a decree of this court entered at May Term 1885- to make a deed to Simon Smith for fifty two acres of land purchased from Shugan Lains with special warranty begs leave to report that in obedience to the said decree he has made the said deed to the said Simon Smith for fifty two acres of land with special warranty, all of which is

Respectfully submitted by

Wm B Chances

Special Commissioner

Smith
vs Stat. Rules
Louis Keis
~~~~~  
~~~~~

In Southampton District Court.
 Simon Smith. Plff }
 against }
 James C. Laine, Mattie Laine,
 Chas. Stephenson & Elizabeth his wife } In
 } Chancery.

1885

July 23 Summons to Met Rules.
 Met Rules. " Ex. to Bill & Exhibits filed & deere nisi or depts.
 Aug. " Cause set for hearing.

Smith

101 Y. humerus

of
Lania 86

under

1885 March Rules

under

Executed July 24th
1885 - by delivering to
each of the within named
parties a copy of

G. W. Vick Secy

for M. W. Briggs sft

Charles
Steph

per

101

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County—Greeting:

WE COMMAND YOU TO SUMMON

James C. Laine Matter Laine
Charles Stephenson and Elizabeth
Stephenson his wife

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 *March* next, to answer a bill in Chancery exhibited against *them*
in our said Court by *Simon Smith.*

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

WITNESS, J. B. PRINCE, Clerk of our said Court, this *23* day of
in the *109* year of the Commonwealth.

Feby, 188*5*,
Teste. J. B. Prince C. C.

Pay the within
to
J. Vick

James C. Laine
m. l. l.
E. L. Laine

A

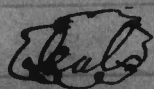
Pay
Mr B. Laine
for J. Vick

\$75-6.⁰⁰

On demand we promise to pay Shugars
Lain, or order, the sum of one hundred and
fifty-six dollars for value received, for the
payment of which we bind ourselves, our heirs,
administrators or assigns. And we do hereby
waive the benefit of our homestead exemptions as
to this debt.

Witness our hands and seals on this the 23^d day
of February 1882, one thousand eight hundred
and eighty-two.

Witness
Robt G. Stephenson.

Simon^{his} Smith 
R. M. Stephenson 

Smith

Bill

3

Exhibit

Gains heirs

To The Honorable George Blow judge of
the circuit Court of Southampton County
in chancery sitting

Humbly complaining your Orator
Simon Smith sheweth unto your Honor
that in the year 1881 he bought of Shugars
Lain a tract of land lying in Southampton
County containing fifty two acres at three
dollars per acre and gave his bond for
one hundred and fifty six dollars that
in the year 1882 he paid off the said
bond as will appear by said bond
herewith filed marked A and prayed to
be taken as a part of this bill and that
Shugars Lain then made him a deed
for the said land with general
warranty, that the said Shugars Lain
died in 1882 soon thereafter leaving a
son James C Lain a daughter Elizabeth
married to Charles Stephenson and a
grand child Mattie Lain a daughter of
Wm H Lain a son his heirs at Law
Your Orator sheweth and states further
that this deed was delivered to Major
Edwards clerk of Southampton not
very long before his death for record
but has been lost or misplaced for not

long since wishing to dispose of this property and wishing to show a clear title to the same a careful search was made in the clerk's office where last it was placed ^{and} no trace of the deed could be found nor had it been recorded and as the matter now stands your Orator has paid for the land is in possession but the legal title is outstanding in the hands of Shugart Laine and he is forced into a court of equity to perfect his title.

In tender consideration whereof and inasmuch as your Orator is without relief at law and only entitled to relief in a court of equity where such matters are peculiarly cognizable he therefore prays that James C. Laine, Charles Stephenson and Elizabeth Stephenson his wife and Mattie Laine may be made parties defendant to this bill and that the court would compel them as free and perfect owners make to the allegations therein contained as if they had been themselves more fully and specially interrogated and that the court would appoint a commissioner to make a deed for the said fifty ^{two} acres of land

to your Orator and that the court
would grant such other and general
relief the premises considered as equity
may dictate and the nature of his
case may require and as in duty bound
your Orator will ever pray &c.

Shamus L. Long.