1890 – 022
Southampton County

Chancery Papers: Barham vs Ridley

8/1890

Basham
vs 33 Bill &
Ridley Exhibits.

1869 May Rules
1870 Aug Dismissed

Prince & C

To the Honorable Judge of the County Court of Southampton County. In Chancery.

Humbly complaining, sheweth unto Your Honor, Your orator, L. D. Barham, that at the August Term of the County Court of Southampton County, 1869, he obtained a judgment against F. T. Ridley for the sum of $349.24, which judgment has been properly docketed, as will more fully appear from a copy of said judgment herewith filed, marked "A" & prayed to be taken as part of this bill. That your orator has issued upon said judgment an execution fi. fa. which has been returned "no effects". That your orator is advised & charges that the said F. T. Ridley is now seized of considerable real estate in the said County, upon all of which the judgment of your orator is a lien. That your orator is further advised & charges that the said F. T. Ridley has claimed the Homestead exemption, & has selected his personal estate, as the property to be exempt. That your orator is further advised & charges that the rents & profits of the real estate of which the said F. T. Ridley is seized, will not pay your orator's demand in five (5) years.

In tender consideration of all which, and inasmuch as your orator is without remedy in the premises save in a Court of Equity, where matters of this kind are peculiarly cognizable, To the end therefore that justice may be done, he prays that F. T. Ridley may be made a

party defendant to this bill & compelled to answer the allegations thereof; That a Commissioner of this Court may be directed to take the following accounts viz:-
1st. An account of all the judgments against the said F. T. Ridley, which have been rendered in this County, and report the same to this Court, distinguishing their priority.
2nd. An account of the annual & absolute value of all the real estate of which the said F. T. Ridley is now seized or of which he was seized at the time of the rendition of your orators judgment - and report the same to this Court in order to a further decree. And that Your Honor will grant such other & general relief in the premises, as Equity may dictate or the nature of his case may seem to require: And as in duty bound, your orator will ever pray &c. May it please the Court &c.

Prince p.q.

Barham

v

Sumner Chief

Ridley

1870 May Rules 6 & 8.

Executed April
22nd 1870 by delivering
to H. J. Ridley a copy
of the within summons

G. W. Wicks D.
Sheriff

THE COMMONWEALTH OF VIRGINIA,

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

We command you to summon F. T. Ridley

if he be found within your bailiwick, to appear at the Clerk's Office of our County Court of Southampton County, at the Rules to be holden for the said Court, on the first Monday in May next to answer ~~C. D. Barham~~ a bill in Chancery exhibited against them in our said Court by C. D. Barham

And have then there this writ. Wm White

Witness, ~~LITTLETON R. EDWARDS~~, Clerk of our said Court, at the Court-House, this 19 day of April A. D., 1870, in the 94 year of the Commonwealth.

Wm White Clk

A.

Barham

v } Ex. with bill

Ridley

Southampton County Court August Term 1870

G. D. Barham

against

F. J Ridley

Pff
Dfs
} In Debt

The judgment obtained at the Rules not having been set aside and the Plaintiff being now intitled to a final judgment it is therefore considered that the Plaintiff recover against the Defendant Five hundred forty nine dollars twenty four Cents with legal interest thereon from the 3 May 1869 till paid and his costs by him about his Suit in this behalf expended

Pffs Costs $7.54

A Copy

Docketed 27 August 1869

Teste O. White Cl