

1895 - 16

Southampton County Chancery

Ortlund & Co. vs

Babb, Enock L. et al.

To sell farm and
debt discharged out
of the proceeds

Babb, Judith
Babb, John E.
Babb, Mary L.
Babb, Benjamin F. wife
Babb, Emily J.
Babb, Nancy J.
Babb, Martha A.
Babb, General

To

The Hon. C. W. Hill Judge Circuit
Court for Southampton County

- In Chancery -

Your complainants, John Pritlow Jr., S. B.
Pritlow, J. D. Pritlow, M. K. Moore & R. A. Pritlow,
merchants & partners trading as Pritlow & Co. humbly
complaining sheweth unto your honor the following
case; that on March 4th 1893, and for some time
before that date Enoch L. Babb and Judith Babb his
wife were indebted to your complainants in the
sum of \$208⁶³ with interest from said date, as
will appear by reference to the bond of said parties
herewith filed as exhibit "A" in that no part of
said bond has been paid.

That being so indebted to your orators,
on the 20th day of October 1893. the said
Enoch L. Babb and Judith Babb. by a writing
purporting to be a deed of gift, conveyed all of
their real estate of every nature to their sworn
infant children, without any consideration deemed
valuable in law. and that they failed to reserve any
or a sufficient amount of property to pay their
then existing debts - all of which will appear by
reference to said deed of gift filed herewith as a
part of this bill marked "B"

Your complainants are advised and therefore
avow and charge that being creditors of the said
grantors in the aforementioned deed of gift, at the
time the same was executed, that said deed is void as
to them by force of the statute law of Virginia and
that they are entitled to have the said farm sold
and their debt discharged out of the proceeds arising
therefrom.

In tender consideration whereof and for
as much as your complainants are without
any adequate remedy save by the aid of a Court
of Equity. they pray that Enoch L. Dabb, Judith
Dabb and John C., Mary L., Benja. F., Emily J., Nancy
J., Martha C. and Genora Dabb, the last seven infants,
be made parties defendants to this bill & required to
answer the same, but answers under oath are waived,
that proper & discreet person may be assigned as Gdn.
ad litem to defend the interest of the infant defendant.
that the aforesaid Deed of Gift from Enoch L. Dabb
his wife Judith, may be declared null void & of no
effect, and the property therein conveyed subjected
to the payment of your complainants debt. that a
reasonable fee may be allowed plaintiffs counsel conducting
this cause. that all such orders & decrees may be entered
inquiries & accounts directed as the nature of the case
may require or to equity may seem meet. and that all
such general & special relief may be granted to your
orators as may be right in the premises. And your
complainants will ever pray &c.

Respectfully
by J. L. McLeure their
Attorney.

J. L. McLenore
B. J. McLenore

to } COMMISSIONER'S
BOND.

Commonwealth.

Know all men by these Presents, That we, Jas L. McLemore
and B. F. McLemore

are held and firmly bound unto the Commonwealth of Virginia, in the sum of Eight
Hundred Dollars,

to the payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, hereby waiving the benefit of our Homestead Exemptions as to this obligation, and any claim or right to discharge any liability to the Commonwealth arising under this bond, or by virtue of said office, post or trust, with coupons detached from bonds of this State. Sealed with our seals, and dated this 5th day of December one thousand eight hundred and ninety four.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound Jas L
McLemore

shall faithfully perform the duties of his office or trust, as Special
Commissioner

under a decree of the Circuit Court of the County of Southampton

pronounced on the 28th day of November, 1894, in the suit therein

depending under the name and style of Brettow & Co. v. E. L.
Babb et al.

then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in
the presence of

Jas. L. McLemore
B. F. McLemore



In the Clerk's Office of the Circuit Court of the County of Southampton
This day B. F. McLemore

surety on the above bond, made oath before me, T. M. Howard. Clerk

of the Circuit Court of the County of Southampton

that his estate, after the payment of all his just debts, and those for which he is bound as

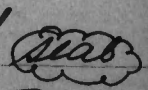
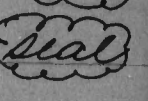
security for others and expect to have to pay, is worth the sum of Eight
Hundred dollars.

Given under my hand this 5th day of December, 1894

Teste: T. M. Howard. Clerk.

This Deed of Gift made this 20th day
of October 1893, between Enoch L. Babb
and Judith, his wife, of the first partnd
their seven children of the other part viz:
John E. Babb, Mary L. Babb, Benjamin
P. Babb, Eugene J. Babb, Nancy J. Babb,
Martha A. Babb, Geneva Babb. Which is
to say, we give unto our afore named chil-
dren, the following tract or parcel of land
lying in the County of Southampton, and
State of Virginia, containing One Hundred
acres, be the same more or less, and adjoining
the lands of Robert Harris, Robert Lauckford,
Samuel Davis and Geo. Broadshaw. The said
Enoch L. Babb and Judith, his wife, are to
reside and be maintained from the proceeds
of the said tract of land above mentioned.
The timber on the said tract of land is
excepted, it ~~having~~ been formerly purchased
by the Surry Lumber Company. The afore-
said Enoch L. Babb, and Judith, his wife,
doth warrant generally the land above
conveyed.

Witness the following signaturesnd & seals.

Enoch L. Babb 
Judith Babb 

State of Virginia:

Southampton County, to wit:

I, A. J. Joyner, a Justice of the Peace for the County and State aforesaid, do certify that Enoch L. Prabb, and wife, whose names are signed to the writing within and being date of October 20th 1893. do acknowledge the same before me in the County aforesaid.

Given under my hand this 20th day of Oct. 1893.

A. J. Joyner J.P.

Southampton County: In the Clerk's Office Oct. 31st 1893. The foregoing Deed of Gift from Enoch L. Prabb & wife to Jas. E. Prabb & als. was this day received and with the certificate annexed admitted to record.

Note: B. F. M. Lemoore C. C.

A copy:

Note: B. F. M. Lemoore C. C.

B Exhibit

Deed of Gift
to E. L. Prabb

Iron & Jan 1st 1894

Mr C. L. Babb

1893

To Thos. L. Davis

March 21 To amt Bill rendered

50.09

April 1 " 3 Bags Guano 2.65

7.95

58.04

Porter & Co
v³ Petition of
J. L. Bain
Babb et al.

1894 Nov. 1. Filed

In the Circuit Court for the County
of Southampton.

Your Petitioner Thos. L. Bain respectfully represents that there has been instituted in the Circuit Court of this County a Chancery suit by Prestlaw & Co vs E. L. Babb & wife ~~to declare~~ to declare a certain deed of gift made by the said Babb & wife to their infant children as voluntary & to subject the real estate therein conveyed to the payment of a bond due to Plaintiffs.

Your Petitioner says that at the time of the execution as aforesaid of the said the said E. L. Babb was indebted to your Petitioner in the sum of \$58.⁰⁴ as will appear by account of the same herewith filed marked "H", that he joins in all the allegations of the plaintiffs bill & prays that the property may be applied to the payment of his debt, according to rule of law & equity. and that all such relief may be granted him as the nature of the case may require or to equity may seem meet. And he will ever pray.

1890 Oct 20.

Thos L. Bain by
J. L. McLevon / his atty.

PRETLOW & CO.

⁶³
\$208.100

Franklin, Va., *Mch 4th* 1893

On demand.....189*we*.....jointly and severally promise to
pay into PRETLOW & Co., or order.....*Two hundred & Eight*
63.....Dollars, for value received, and it is agreed that the interest shall
be at the rate of 6 per cent. per annum, and *we* hereby waive the benefit
of the homestead exemption as to this debt, obligation or contract. Given
under...*our*.....hands and seal this *4th*.....day of *Mch* 1893

Enoch L. Babb.....(Seal)

Witness: *A. G. Bradshaw*.....

Judith Babb.....(Seal)

Partloast + log

2" $\frac{1}{3}$ Shum.

Babb et als

1894, 2" Oct Ruler

bin. let

Executed, Oct. 11th
1894 by delivering a
copy of this 'Specimen'
to each of the within
named parties defendants

R. J. Williams
deft for Mrs. Williams
Chft.

McLemore p.g.

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON

E. L. Babb + Judith Babb
his wife, *Jana E., Mary L., Benj. D., Eugene J.,*
Nancy J., Martha A., + General Babb the last
seven infants by J. N. Sevell Jr their son ad
litem

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 *10th* Monday in *October 1894* next, to answer a Bill in Chancery

exhibited against

them

in our said Court by

Jana Oretlow Jr, S. B. Oretlow
J. D. Oretlow, M. H. Moore + A. A. Oretlow mer-
chants & partners trading as Oretlow & Co

And this *they* shall in no wise omit under penalty of law. And have then there this writ.

WITNESS, T. M. HOWARD, Clerk of our said Court, at the Courthouse, this *10th* day of

October, 189*4*, in the 11*9*th year of the Commonwealth.

TESTE:

T. M. Howard, C. C.



Novemb 12 1844

Bowers Post Office
Sourhampton Co Virginia

Mr C W Hill

Dear Sir Will you
please Do me the kind
favor that to Grant judgement
One thousand Note of Fifty Dollars
and Co run till you Investigate the
matter and find out how
came that debt a Bought -
It is a Debt that I have never
Had any Benefite of and
It will Ruine me and Ruine
me and my Wife and Little
children & Out of Home so
I ask you to Invest the matter
carefull and Allege your find
Enoch L Balth Judith Balth,

Pretlow & Co

v. 3 ³ ~~Assurance~~ of Gch
adlytem.

~~Table~~ - et al

The Joint several answer of Geo. E.,
Mary L., Benja. T., Eugene J., Nancy J., Martha
A. & Geneva Babb. infant defendants by J. N.
Sebrill Jr their gdn ad litem to a bill of
complaint exhibited against them & her in
the Circuit Court of Southampton County by
Debbelow & Co.

These defendants by their guardian
ad litem, for answer to the said bill, say that
being infant they know nothing of their rights
in the premises, but submit the same to the
protection of the Court & having answered they
pray hence to be dismissed with their costs.
tc.

Geo. E. Sebrill Jr.
Gdn ad litem.

Messrs Tutlow & Co.

To B. F. McSmore, Clerk of Southampton County Court, Dr.

1894

Oct.	12	No fee for recording Lis Pendens against E. L. Ball + others
------	----	---

125

Drillaw & Co

(dr) } Ant. Rules.

Babb et al

3 Act Rules

✓

John Prettow & S. B.
Prettow, J. W. Prettow,
M. H. Moore & C. A.
Prettow merchants.
partners trading as
Prettow & Co

(2)

E. L. Balch & Judith
Balch his wife, John,
E., Mary L., Benj. D.,
Eugene J. Nancy J.
Martha A & General
Balch the last seven
infants by J. N. Sebrall for
their Idm ad litem.

1894 Oct 10 Decree ifd to 2^d Act Rules.

" 2 Act Rules. Decree held Executed
Bill & Ex filed J. N. Sebrall
for Appt Idm ad litem.

with and replication & dea
just for adults

1894 1st Nov Rules, Bill taken for
Confess as to Adults
and Cause set for hearing
as to them.

Southampton Circuit Court Nov. 12th 1894.

Brettow & Co

vs

} Decree

Babb et al

This day this cause came on to be heard upon the bill & Exhibits filed, the bill taken for confessed as to the adult defendants, answer of infant defendants by Edm ad litem with general replication thereto & was argued by Counsel. On consideration whereof the Court doth adjudge, order & decree that the said Deed of gift from E. L. Babb & wife to his seven infant children dated Octo: 20th 1893, & of record in the Clerk's Office County Court of Southampton County, be and the same is hereby declared null, void of no effect as against the creditors of the grantor, existing at the time the deed was made.

And the Court doth further adjudge, order & decree that this cause be referred to one of the Commissioners of this Court, who will take & report to Court the following accounts.

1st. An account of the lien debts outstanding against the defendants with

their priorities.

2nd On account of the annual fee simple value of the real estate of the defendant whether or not the rents & profits arising from the same would in five years pay the liens reported.

Also any other matter specially stated deemed pertinent by the Court or required by any party in interest to be stated.

A Copy:

Teste: T. M. Howard. C. C.

Freeman & Co
r } Notice

Babb et. als.

1894 Nov 17.

4 cents for 15-
1894 by delivering
a copy of this bill
to E. L. Babb &
Judith Babb
R. V. Williams

for J. W. Williams
Sag.

Commissioner's Office,

Southampton, Va., Nov 14 1894

To Trullaw & Co.

E. L. Babb & Judith Babb. et. als.

You are hereby notified that I have fixed upon the 17th day of November next, if fair, if not, the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts, to wit:

- 1st. An account of the lien debts outstanding against the defendant. with their priorities.
- 2nd. An account of the Annual & fee simple value of the real Estate of the defendant, & whether or not the rents and profits arising from the same, would, in five years, pay the liens reported.

With any other matter specially reported deemed pertinent &c. -

required to be taken by a decree of Southampton Circuit Court, rendered ~~at the~~ on the 12th day Nov^r term, 1894, in a suit in chancery depending in said Court, in which you are parties, plaintiffs and defendants; at which time and place you are required to attend.

Given under my hand, as Commissioner in Chancery of said Court, the day and year first aforesaid.

B. F. McLane

Commissioner.

To the Sheriff of Southampton County to execute.

An account of the lien debts outstanding against
 E. L. Babb. with their priorities, reported by B. F. McLemore
 Comr in Chancery of the District Court for Southampton County,
 on the 17th day of November 1894. in the Chancery Cause of
 Feltus & Co. vs Babb. & al. arranged according to priorities.

1 st Bond due Feltus & Co	208.63	
Int: from Mch 4/93 to Nov 28/94	20.87	229.50
- Homestead waived -		
2 ^d Claim due J. L. Bain	58.04	
Int: from Nov 1/93 to Nov 28/94	3.50	61.54
3 ^d Judgment in favor D. A. Holland	80.03	
Int: from Apr 12/94 to Nov 28/94	3.01	
Costs	5.00	83.54
- Homestead waived -		
4 th Judgment in favor B. B. Lane	25.02	
Int: from Nov 18/93 to Nov 28/94	1.51	
Costs	1.50	28.03
- Homestead waived -		
5 th Judgment in favor Robt Lankford	75.00	
Int: from Sept 26/91 to Nov 28/94	13.87	88.87
- Homestead waived -		
6 th Judgment in favor The Stephens & Co	15.56	
Int: from Oct 1/94 to Nov 28/94	1.50	
Costs	5.00	16.31
- Homestead waived -		

Total - \$507.69
 Respectfully Submitted.
 B. F. McLemore
 Comr in Chy.

An Account of the fee simple and annual value
of the real estate standing in the name of John E. Babb
& others. and recently conveyed to them by deed of gift from
E. L. Babb & wife. dated Oct 20th 1894. and of record in the
Clerk's Office of Southampton County Court. Reported by
B. F. McLemore, Commissioner in Chancery of the Circuit
Court of Southampton Co. under a decree of said Court.
entered on the 12th day of Nov 1894 in the Cause of
Peele & Co. v Babb & others. November 17, 1894.

10,000 Acres of land. valued at fee simple Annual	
\$4.00 per acre. - - - - -	Value Value
	\$40000 \$32.00

Respectfully Submitted.
B. F. McLemore
Comm in Chancery

Commissioner's Office.
Coveland Ga

Nov 17. 1894

To the Circuit Court of Southampton Co.
In obedience to a decree of the Circuit
Court of Southampton Co. entered on the 12th
day of November 1894 in the Chancery
Cause of Peltow & Co. vs Babb &c. the un-
der signed Commissioner, of said Court. reports
to the Court, that on the 14 day of Nov-
1894, he issued Notices against the
parties to the suit. Notifying them
that on the 17th day of Nov 1894, he should
proceed to state and report the accounts
required under said decree; that said
Notice has been executed and is here-
with filed. Whereupon he proceeded to
take, 1st An account of the lien debts
outstanding against E. L. Babb. &
find liens against said defendant amount-
ing to \$507.⁶⁹ inclusive of interest to
the 28th day of Nov. 1894. said liens have
been classified and arranged according
to priority, and is herewith filed.
2nd An account of the fee simple
and annual value of the real estate
of the said E. L. Babb. which account
is herewith filed. Showing a tract of

land containing 100 acres. valued at
\$400.⁰⁰. and the annual value at
\$32.⁰⁰. The rents and profits arising
from said land will not, in five years,
pay the liens thereon.

The Commissioner reports specially, that
of the liens herein reported. the judgment
in favor of D. A. Holland. amounting to
\$83.⁵⁴. and the judgment in favor of the
Stephensons & Co. amounting to \$16.²¹ have
been created since the deed of gift was
executed, - to wit: on the 20th day of Oct.
1893. All the liens reported contain
the waiver of Homestead, except the one
in favor of J. L. Bain.

Your Commissioner reports further,
that on the 15 day of October 1877
the defendant, E. L. Babb, made and
filed in the Clerk's Office of Southampton
County Court. a Deed of Homestead,
setting aside the real estate herein
reported, as and for a homestead for him-
self and family.

Respectfully Submitted.

B. F. McLennan

Comr in Chancery

Comis fee \$5.⁰⁰

Prullow & Co
+ } Report.

Babb. et. als;
1894 Nov 17. filed
J. M. H. C. C.

\$800. with security to be approved by the Clerk & conditional for the faithful performance of this and any future decree that may be entered herein. & a certificate of the Clerk that the bond has been given shall be appended to the notice of sale. & said Commissioners will report to court.

Pretlow & Co
v. J. J. Green
Bald et al.

1890 Nov. 28.
J. J. Green
C. J. J.

Ent. 37-705-

Tritton & Co

v. ³
Babb et al.

Decree

Babb et al.

This day this cause came on again to be heard upon the papers formerly read and upon the report of Commissioner D. F. McLeone filed December 17, 1896, to which there are no exceptions or was argued by counsel. On consideration whereof, the Court being satisfied from the said report that the rents & profits arising from the land in the bill & proceedings mentioned will not in five years pay the debts outstanding & reported against the same. doth adjudge order & decree that J. L. McLeone who is hereby appointed a special Commissioner for the purpose do proceed to sell the tract of land in the bill mentioned & described for cash, as to so much as is necessary to pay the expenses of the sale, costs of this suit, & the debt of plaintiffs & other lien debts reported against the same, the balance of the purchase price, if any, to be upon credit of one year, purchaser to give bond with approved security for the same, with option to pay all the purchase price & take said therefor. said property shall be advertised for 30 days in three or more public places in the County. But before the said Commissioner shall proceed to act hereunder he shall enter into bond before the clerk of this Court in penalty of

Commissioner's Sale of Land!

By virtue of a Decree of the Circuit Court of Southampton County, entered at the November Term 1894 in the Chancery Cause of Pretlow & Co against E. L. Babb & others, I shall offer for sale at public auction to the highest bidder, on Saturday January 5th 1895, on the premises, all of that certain tract of land upon which the said E. L. Babb now resides containing 100 acres more or less & adjoining the lands of Robert Harris, Robert Lankford, Saml. Davis & Geo. Bradshaw.

This property will be sold at 2 o'clock P.M. and upon the following terms: For cash as to the 1st \$500. of the purchase price of the said land; the remainder if any, upon a credit of one year, taking from the purchaser bond with approved security for the same.

Decr 3. 1894

J. L. W. Lomore Special
Commissioner

Pretlow & Co vs. Babb et al.

I hereby certify that the bond required in the above cause has been executed with security deemed sufficient by me.

Decr 3. 1894

Teste: T. M. Howard, C. C.

Preston & Co
v. ^{Bill} Reper & Spital
Dabb & al.

1895 Jan 5 file

Centland Va. Jan'y 5. /95
To the Hon. R. R. Prentiss Judge &c.

Your Comm. appts at the Nov. Term 1894
in the Chancery Cause of Britton & Co.
Babb v. Britton. to sell the real estate of which
Enoch L Babb was formerly possessed, beg to
report that after duly advertising the said farm
he sold the same on the premises for the sum of
\$301.⁰⁰ that being the highest bid, at which
sale Judith Babb became the purchaser & has
paid the said sum of \$301. in cash & taken from
your Comm. pursuant to the said order a deed with
special warranty for the said land. That of
the \$301. Your Comm has paid as follows -

Amount of sale	\$301.00
To paid cost of suit.	34.13
" Cash on \$301. ⁰⁰	15.02
" Writing Deed	10.
" Paid Crier <i>pd Mr. Crier</i>	5.
" Reserved for future Cost.	2.50
Balance -	\$234.35
	\$301.00
	\$301.00

By Amos in my hand subject
to Court order.

Voucher in support of above disbursements are herewith returned.

Respectfully Submitted.

Jas. L. McQuinn
Spec. Deput.

Stat book in Chancery suit of
 Pittman & Co vs Babbs et al

Colerick	J. M. H -	paid J. M. Howard	\$ 8.88
Stiff	J. W. W -	paid J. M. Stiff	2.50
Source	J. L. M -	paid J. L. M	16.50
Comm	B. F. M -	paid B. F. M.	500.00
			\$ 32.88
			1.25

P. H. Co 235.00 Disburse

32.88

This 10.00 out of fees

1.25 Disburse

2.50 Court future

500.00 Cost

15.00 Comm

301.53

285

34.13

Read of J. L. McLeure Special
Commissioner in the Chancery
Cause of Pretlow & Co vs.
Ed. Bosh et al. For Hun-
dred & Thirty Four ³⁵/₁₀₀ Dol-
lars same being amount in
his hands to be paid to the
undersigned by virtue of a
Decree entered in the said
cause at the March Term,
(29th March) 1895.

Pretlow & Co.
Apl. 1895. by J. L. McLeure
their atty.

To Hon. Robert R. Prentiss,
Judge.

The undersigned Commissioner
who was directed to pay out the
sum of \$234³⁵ reported in hands in
the Chancery cause of Prentiss & Co
vs. Bobb & Co at the March term of
the Circuit Court 1895. according to
the report of Commissioner B. F. McLeure
filed therein November 17th 1894. begs
to report that he has paid the said
amount to Prentiss & Co, as their debt
is the first lien reported by Commissioner
B. F. McLeure. & more than covers
the said sum of \$234³⁵. He herewith
returns the receipt of Plaintiff through
their Counsel in support of this report.

Sep. 23. 1895

Respectfully Submitted.
Jas. L. McLeure
Special Commissioner

Pretlow Co
7 3 Report of Special
Clerk
Babcock

1895. Sept.
filed during term

Pittlow & Co
v. ~~Dease~~

Babb E L. to them

1894 Nov. 14

To be returned

O.M.

Ent 697.

to be as stated -

Pretlow & Co

v.

Decece

Babb. E. L. et al.

This day this cause came on to be heard upon the bill & exhibit filed, the bill taken for confessed as to the adult defendants, answer of infant defendants by gdn. ad litem. with general replication thereto & was argued by counsel. On consideration whereof the Court doth adjudge order & decree that the said deed of gift from E. L. Babb wife to his seven infant children dated Octo. 30th 1893. & of record in the Clerk's Office County Court of Southampton County, be and the same is hereby declared null void & of no effect as against the creditors of the grantor existing at the time the deed was made.

And the Court doth further adjudge & order & decree that the cause be referred to one of the Commissioners of this Court, who will take report to Court the following accounts
1st. An account of the ^{lien} debt outstanding against the defendants with their priorities,
2nd An account of the annual & fee simple value of the real estate of the defendants & whether or not the rent & profits arising from the same would in five years pay the lien reported, also any other matter specially stated deemed pertinent by the Com. or required by any party in interest.

Pretlow & Co.,

Vs. Decree.

Babb et als.

1895, Sept. 25,

To be entered

Robert R. Hunt

*Entered
page 31*

Pretlow & Co,

Vs.

Decree.

Babb et als.

This day this cause came on to be heard upon the papers formerly read, and upon the report of special Commissioner, J. L. McLemore, filed during the term, reporting disbursement of funds in his hands in accordance with ~~#####~~ a decree of the March term 1895. entered therein, which report is supported by proper vouchers and was argued by Counsel. On consideration whereof, the Court doth confirm the said report, and nothing further remaining to be done in this cause, it ordered that the same be removed from ~~the~~ the docket.

Proctor & Co
n. ~~Proctor~~ Decree

Paul E. L. Sothern

1895 March 29

To be entered.

Robert T. Hennes

Paid 12

Fretlow & Co

vs

Deceit

Babb et al.

This day this cause came on again to be heard upon the papers formerly read and upon the report of Special Commissioner ex. J. L. McLeure filed Jan'y 5th 1895, reporting sale of the property pursuant to decree of the November Term 1894, receipt of the purchase money, & the execution to the purchaser of a deed with special warranty for the ^{property} ~~same~~ purchased, and was argued by counsel. On consideration whereof the Court doth confirm the said report, and doth adjudge order and decree that the said Special Commissioner pay the sum of \$234.³⁵ reported in his hands, to the creditors of said defendant E. L. Babb according to their priorities as set forth in the above mentioned report of ^{B. L.} McLeure filed ~~Jan'y 5th 1895~~ November 17, 1894, and report to Court.