

1903-34

Southampton County Chancery

Warrell, Benjamin E. vs

Harris, Joseph et al

"To sell land to
satisfy judgment"

Harris, Mary E.

Worrell

as a Bill

Exhibit

Garnis

27th July 1865

To The Honorable C. W. Hill judge of The
circuit court of Southampton County in chancery
sitting

Humbly complaining your Orator
Benjamin E. Worrell sheweth unto your
Honor that on the 4th of December 1888 he
obtained a judgment in a Magistrate's
Court of Southampton on a bond with the
homestead waived against Joseph B. Harris
and his wife Mary E. Harris for \$30.37^{cts}
with interest from the 30th of October 1888
and \$1.50^{cts} costs which judgment was docketed
on the 14th of December 1888 and that on the
1st of January 1889 he obtained another
judgment against the same Joseph B. Harris
and his wife Mary E. Harris on a bond in
which the homestead was waived for \$59.73^{cts}
with interest from the 1st of January 1888
and \$1.75^{cts} which was docketed on the 2nd
of January 1889 all of which will more
fully appear by certified copies of the said
bonds and judgments and the clerk's certificate
of the said judgments being docketed
herewith filed marked exhibit A and prays
to be taken as facts of this bill

Your Orator states further that these
judgments are still due and payable

never having been paid either by the said
Joseph H Harris or his wife Mary E Harris

Your Orator state and sheweth further
unto your Honor That the said Mary E.
Harris has a life estate in Good Providence
acres of land lying in Southampton County,
given to her by deed of gift from John
Williams and your Orator avers and charges
That these docketed judgments are a lien
on this tract of land and it to enforce
his judgment lies on the said land
that he brings this suit

In further 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
the said Joseph H Harris and his wife
Mary E Harris may be made parties
defendant to this bill and that the court
would compel them as full and perfect
answer make to the allegations therein
contained as if they had been themselves
more fully and specially interrogated and that
your Honor would direct one of the
commissioners of this court to take an account
of the docketed judgments against the
said Mary E Harris and their priorities

and dignity and an account of the actual
and annual value of the said two
hundred acres of land owned by the said
Mary O'Harris and if it should appear that
out of the said land will not pay your
Orator's judgments in five years then that
the same may be sold for that purpose
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 be
Shamuel Long

Worrell 147

r 3 Stat. Rules

Harris wife

2 Feb

B. E. Worrell. Plff

(4)

Jos. N. Harris &

M. E. Harris. Dfts

In Chancery

1889 Feb: 4. Sum: To 2^d Feb: Rules

" 2^d Feb: Rules: Sum: ret? Executed-

" Bill + Ex: filed

decrea nisi

" 1st Mch " Bill taken for Confes?
+ Cause set for hearing

Warrell

or Sum

Harris wife

1889. 2. Feb. Rules

Cir: Ch

Executed Feb 14th
1889 by delivering a
copy of this Decree to
Jas. Harris and
a copy to M. E. Harris
J. Williams
Shiff

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON

his wife

Jos. H. Harris & M. E. Harris

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~~^{3^d} Monday in *February* next, to answer a bill in chancery exhibited against *them* in our said Court by *B. E. Norvell*

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

B. F. McLeod
Witness, ~~J. B. Prince~~, Clerk of our said Court, this

4 day of *February*

188 *9*, in the *113th* year of the Commonwealth.

B. F. McLeod

C. C.

30 37 37/100
1888

And we do and promise to pay unto J. B. Warrell his heirs, Executors Administrators or assigns the just and full sum of Thirty Dollars and thirty seven cents ^{of the} money of the United States for value received by its interest from date, for the payment of which we bind ourselves heirs, Executors and administrators firmly by these presents, and we hereby waive the benefit of the Homestead Exemption as to this debt obligation or contract. As witness our hands and seal this 30th day of October in the year of our Lord one thousand eight hundred and eighty eight.

Witness
Wm. A. Mahood

Joseph B. Harris
Mary C. Harris

B. B. Warrell

vs

Pltff
In Debt.

Jos. B. + Mary C. Harris.

Defds

Judgment: That the plaintiff recover of the defendant Thirty 37/100 Dollars with interest thereon from the 30th day of October 1888 till paid and one 50/100 Dollars for his costs.

Wm. F. Brewster J. Seal

Attest B. F. McLean Cl.

I hereby certify that the foregoing is a true
copy of a judgment docketed in the clerk's office
of Southampton County -

D. F. McSwane C. C.

Exhibit "A"

169.75

On demand with interest from the
1st day of January 1883 I owe and promise
to pay unto Ben E. Worrell the just
and full sum of Sixty nine dollars and
twenty five cents for value received, and I
herby waive the benefit of the Homestead
Exemption.

Witness my hand and seal this 3rd day of March
1885.

Witness

E. E. Hasett

Jos. H. Harris

Mary E. Harris

Ben E. Worrell

Plff

In Debt

Jos. H. & Mary E. Harris

Defdt

Magnolia La Jan 8th 1889.

Judgment: That the plaintiff recover of
the defendant Sixty nine 7/100 Dollars
with interest thereon from the 1st day of
January 1883 till paid and one 7/100 Dollars
for his costs.

Wm. H. Drury J. P. Clerk

Copy

Teste B. F. McLeone C. C.

I certify that the above is a copy of a
judgment duly docketed in the Clerk's Office of

Southampton County

W. F. McLean co.

~~138~~
Wmice ~~113~~
as 3 Deane
Glanis n wife

To be interest
C W Hui
May 6. 1889

333

Sept 10

Worcester

or 3

Blair's wife

Deane

This day This cause came on to be heard on the plaintiff's bill Taken for confusure as to the defendants Jos. B. Blair and his wife M. E. Blair and exhibits filed and was argued by counsel On consideration whereof The court doth adjudge order and decree, That one of the commissioners of This court take an account of all the judgments against Mary E. Blair's docketed in the clerk's office of the county court of Southampton with dignity and priorities and also of the actual and assessed value of all real estate owned by the said Mary E. Blair and report the said account to court together with any matters specially stated deemed pertinent by himself or which he may be so required to state by any of the parties interested

July 22/1901
Lundgren

B. E. Morrell

vs. { additional blocks for

Harris & wife

One (1) decree to remove from docket 36= 36

Filing away papers 25= 25

61

Tested: L. A. Gay 1.6.

Memorandum for the clerk
Copy the two docketed judgments, also the bonds
in the two cases of B. E. Worrell vs Joseph B. B.
and Mary E. Harris and B. E. Worrell vs
the same and also certify that they are
docketed and file in the papers exhibit A

Kronell - 1903.

23 3 Dec 03

Horn's wife

Entered on
page 41

To be entered
Oct 6th Jan 1903

Robert R. Hentrich

Hornell

m 3 Deane

Hornis note

This day this case
came on to be heard on the
it appearing from the statement of
Hornell ^{read} ~~and~~
the complainant's counsel, ^{that}
~~that~~ ^{that} the matters involved in
this case have been settled,
~~consideration~~ ^{of} the
Court both judges ex-
posed ^{and} ~~advised~~ that this case
be removed from the docket