

1903-35

Southampton County Chancery - Morrell, B.E. vs Laine, B.W.

Collect rents from real estate
to settle debts; if not enough
then sell property to settle debt.

B. E. Worrell

or 3 Bull

3 Ex-habit

B. W. Laine

2 Feb. 1900

To The Honorable E. 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 he obtained ^{on the 20th of September 1885} a judgment in
a magistrate court against B. W. Laine on
a bond for \$38.04⁰⁰ with the Homestead
waived with interest from the 22nd of December
1882 and \$1.50 in costs which was docketed
on the 20th of September 1885 all of which
will more fully appear by a certified copy
of the said bond and judgment and the
clerk's certificate of the docketing of the
same herewith filed marked exhibit A and
prayed to be taken as a part of this bill

Your Orator avers and charges that
the said B. W. Laine has ~~given~~ paid the
said judgment but that is a mounting
lien on all the real estate now owned
by the said Laine and that he has a
tract of land lying in Southampton County
containing some fifty acres or more, and
he brings this suit to subject the same
to the lien of his judgment

In Tender consideration whereof
and inasmuch as your orator is

without relief save in a court of equity, where
such matters are peculiarly cognizable he
therefore prays that the said B. W. Laine
may be made a party defendant to this
bill and that the court would compel
him as full and perfect answerer
to the allegations therein contained as if
he had been thereto more fully interrogated
and that the court direct one of its
commissioners to take an account of
the actual and annual value of all
the real estate owned by the said B. W.
Laine and of all the docketed judgments
against him in the clerk's office of
Southampton county and their priorities
and dignities and if it should appear that
the rents of his real estate will not pay
the said 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
Obedient servant ever pray etc

Shades to Son p. 2

Warrell 148

4 Stat: Rules
Laino

2 Feb

B. E. Norrell. ~~Full~~

r

} In Chancery

B. W. Laine Deft.

1889. Feb. 4th Sum: to 2nd Feb: Rules

" 2 Feb: Rules: Sum: ret? Executed.

Bill & Ex: filed.

decrees nisi.

" 1 Mch " Bill taken for Confess? &
Cause set for hearing

B. E. Worsell

vs. { Addil fms

Lair

B. E. Worrell

vsy. Additional blocks from

Zaine

One (1) cleaner to remove from the docked 36 = 36

filling away papers 25 = 25

61

Total: L. A. Hay 66

Southampton Circuit Court May Term, 89
Hurrell

vs 3
Laino

Decree

This day this cause came on to be heard on the plaintiffs bill taken for confessed as to the defendants B. H. Laino and exhibit-filed and was argued by counsel. On consideration whereof the Court doth a judge order and decree that one of the commissioners of this Court take an account of all the judgments docketed in the clerks office of Southampton County against B. H. Laino with their priorities and dignity. An account of the actual and annual value of all the real estate owned by the said B. H. Laino and report the same 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.

Attest. Teste: B. F. W. Laino 66

Worrell

W^m J^r Notice

Laine.

1889. Sept 7th

Executed Sept 7th
1889 by delivering
a copy of this notice
to Buckrod Laine

A. F. Cobb Dy
Shff for
J. H. Williams Shff

Commissioner's Office,

Jerusalem, Va., Aug. 22 1889

To B. E. Horrold and B. H. Laine.

You are hereby notified that I have fixed upon the 7th day of Sept 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 all docketed judgments against B. H. Laine. with their priorities and dignities.
- 2^d. An Account of the actual and annual value of all real Estate owned by the said B. H. Laine. with any other matters specially stated deemed pertinent &c.

required to be taken by a decree of Southampton Circuit Court, rendered at the May term, 1889, 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. H. Leonard

Commissioner.

To the Sheriff of Southampton County to execute.

An Account of all docketed judgments against
 B. H. Laine, with their priorities and dignities, reported
 by B. F. McLeod, Commissioner in Chancery of the
 Circuit Court of Southampton County, on the 7th day
 of September 1889, in obedience to a decree of the
 Circuit Court of said County, rendered at the
 May term 1889, in the Chancery Cause of Worrell
 v. Laine.

1 st	A. Judgment in favor of B. E. Worrell	38.04	
	Int: from Dec 27/82 to Nov 1/89	15 62	
	Costs	150	55.16

Respectfully Submitted.
 B. F. McLeod
 Commissioner in Chancery

An Account of the actual and annual value
of all the real Estate owned by B. H. Laine.

reported by B. F. M. Leonard Commissioner in Chancery
of the Circuit Court of Southampton County. by virtue
of a decree of said Court. rendered at the May Term
1889. in the Chancery Cause of Worried v. Laine
September 7th 1889

	Actual Value	Annual Value
A track of land, containing 25 acres, more or less & situate in Sussex Co. Va.	\$ 6250	\$ 300

Respectfully Submitted
B. F. M. Leonard
Comr in Chancery

Horrell 139

3rd Report

Laine

1889 Oct. 1. filed

Commissioner's Office.
Courtland Va.

Oct 1. 1889.

To The Hon. C. H. Hies. Judge of the
Circuit Court of Southampton Co.

Pursuant to a decree of the Circuit
Court of the County aforesaid. ^{entered at the May Term 1889. in the Chancery Cause of Horrocks & Leno}

undersigned, one of the Commissioners
of said Court, reports to Court - that on the
22nd day of Aug. 1889, he issued Notices against
the parties to said suit, requiring them
to appear before him, at his Office in
Courtland - on the 7th day of September
1889. to attend the settlement of the
accounts called for in said decree,
that said Notices have been returned
"Executed". that the Defendant appeared
in obedience thereto. And there-
upon the Commissioner proceeded
to take the following accounts, to
wit:

- 1st An Account of all docketed
Judgments against B. H. Laine -
with their priorities and dignities;
and reports one Judgment, in
favor of Ben E. Worrell, amounting
to \$55. - inclusive of interest and
Costs, to November 1st 1889.

2^d - An Account of the actual and annual value of B. H. Laine's real Estate; The Commissioner reports a small tract of land, ^{situated in Sussex County, Va.} containing 25 Acres, more or less. valued at \$62.50. and the annual value at \$3.00. The land has no improvements on it, and, according to the evidence of the Defendant. no revenue is derived therefrom.

A copy of the aforesaid decree, under which this report is made, the Notice of the time and place of making the same, and the aforesaid accounts are filed herewith.

Respectfully Submitted
B. F. McLenore
Com'r in Chancery

Commissioner fee \$5.00
Chy. Plaintiff.

Worrell
U.S. & Census Report
Laine

filed Nov 11 - 1890

Worrell

vs. $\frac{1}{2}$ Comr's Report -

Laine

To The Hon. C. K. Hill
Your Court in the above cause
begs leave to report that under a
decree of your Court rendered
at the Nov. Term 1889 he after
having duly advertised sold the
land in question at public auction
in front of the Court House on
Feb. 17th 1890 (County Court day) to
Benj. E. Worrell he being the highest
bidder for the sum of \$35.00. The
purchaser has not complied but
is ready to do so when the sale
is confirmed.

Nov. Term Cir. Ct
1890

Respectfully Submitted
J. W. Williams
Comr.

Worrell

vs B. E. Laine

This day came came on again to be heard on the papers formerly read and the report of Commissioner McLennan of the actual ^{and} annual value of a tract of land owned B. E. Laine and a judgment docketed against the said Laine made pursuant to a decree of this court entered at the May term 1889 and to which report no exception 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 the rents and profits of the said tract of land will not pay the said judgment due B. E. Worrell in five years it is further adjudge, order, and decree that J. W. Williams sheriff of Southampton who is hereby appointed special commissioner for that purpose shall after having given twenty days notice of the time and place of sale by advertisement at Court House the county seat and the immediate neighborhood of the place proceed to sell at Courtland on some county court day at public auction the

Tract of land containing twenty five acres
 owned by B. W. Laine to the highest bidder
 on the following terms to wit One third
 cash and balance of the purchase money
 in two equal annual installments bonds
 carrying interest from the day of sale
 and return these bonds for the deferred
 payments along with his report for the
 further decree of this court

128

Wm

or B. Laine

Laine

November 29. 1889

To be returned

copy

Entered

Memorandum for the clerk

Copy the bond & judgment and also
certify they are copies of the docketed judgment
in the case of B. E. Norrell vs B. W. Laine
and file in the papers exhibit A

\$38⁰⁴

On demand I owe and promise
to pay unto Benja. E. Morrell or order
the just and full sum of Thirty Eight dol-
lars and four cents for value received,
and I hereby waive the benefit of all Exem-
ptions as to this debt.

Witness my hand and seal this 27th day
of Decr A.D. 1882.

Witness
J. R. Scarborough -

B. W. Laine

In Southampton Justice Court,

Sep. 26

Term, 1886

B. E. Morrell

Against

Plff.

In

B. W. Laine

Def.

Judgment for the Plaintiff against the Defendant for \$ 38⁰⁴ with
legal interest thereon from 27 day of Decr, 1882, till paid,
and costs, \$ 50

Extract.

Teste:

B. F. McLeane, C. C.

I certify that the judgment of which the
annexed is a copy, is duly docketed in
the Clerk's office of Southampton Co.

Teste

B. F. McLeane C.

\$38⁰⁴

On demand I owe and promise
to pay unto Benja. E. Norrell or order
the just and full sum of Thirty Eight dol-
lars and four cents for value received,
and I hereby waive the benefit of all ex-
emptions as to this debt.

Witness my hand and seal this 27th day
of Decr A.D. 1882

Witness
J. P. Scarborough -

B. W. Laine

I certify that the judgment of which the
annexed is a copy, is duly docketed in
the Clerk's Office of Southampton Co.
Teste

B. F. McNamee

Santhampton County - at a Circuit
Court held Nov 29 - 1889

Worrell

vs } Decree

Laine

This day cause came on
again to be heard on the paper
formerly read and the report of
Commissioner McLenore of the actual
and annual value of a tract of land
owned B. H. Laine and a judgement
docteted against the said Laine made
pursuant to a decree of this Court
entered at the May term 1889 and
to which report no exceptions have
been filed, and was argued by
counsel, and consideration whereof
the Court doth adjudge & order
and decree that the said report
be confirmed and it appearing
to the Court that the rents and
profits of the said tract of land
will not pay the said judgement
due B. E. Worrell in five years it
is further adjudged ordered & decreed
that J. H. Williams Sheriff of Santh-
ampton who is hereby appointed
special Commissioner for that

purpose shall after having given
Twenty days notice of the time &
place of sale by advertisement
at Spaurtland the County seat
and the immediate neighborhood
of the place proceed to sell at
Spaurtland on some County
Court day at public Auction
the tract of land containing
Twenty five acres owned by B
H. Laine to the highest bidder on
the following terms to wit - One
third cash and balance of the
purchase money in two equal
annual ~~installments~~ instalments
bonds carrying interest from
the day of sale and return the
bonds for the deferred payments
along with his report for the
further decree of this Court

Norrell

or  Sum

Laino

1889. 2. Feb. Rules

Cir: Ct:

Spencer Hobbs & Co
Bd & Co by delivering
to B. W. Laino a copy
of this Sum
J. M. Williams

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON *B. W. Laine*

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~~^{3rd} Monday in *February* next, to answer a bill in chancery exhibited against *him* in our said Court by

B. E. Worrell

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

Witness, *B. A. McLennan* Clerk of our said Court, this *4* day of *February*

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

B. A. McLennan

C. C.

Worms

114

as 3 Dec

Lain

To be entered

CMH

Mar 11, 1890

End

Worrell

vs 3
Laine

Dece

This day This cause came on again to be heard on the papers formerly read and the report of J. W. Williams sheriff and commissioners of the sale of the twenty five acres of land formerly owned by B. W. Laine made pursuant to a decree of this court entered at the November term 1889 of this court 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 that J. W. Williams upon the payment of the purchase ^{money} by B. E. Worrell make him a deed for the said twenty five acres of land and report his proceedings to court.

Worcester

as 3

Deer

Gains

To be entered

C. W. Hill

May 6, 1889

Sept 7

323

Worrall

vs 3
Laine

Deere

This day This cause came
on to be heard on The plaintiffs bill Taken
for compesc as to The defendants B. W. Laine
and exhibit 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
doctored in The clerk's office of Southampton County
against B. W. Laine with their priorities and dignity
and report The same 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

* an account of the actual and annual
value of all the real estate owned by
The said B. W. Laine

Home - 1903 -

23 Dec

Leine

To be entered

Oct 6 - Jan 1903

Robert Harris

Entered on

page 41.

Novell
vs 3 Deere
Laine

This day this case
came on again to be heard on
papers formerly read, and upon
motion of Plaintiff ^{by Counsel} who states
involved herein
matters ~~which~~ have been settled
~~on consideration of the court~~
both adjudge order and decree that this
Case be removed from the docket

V. ~~Novell~~

Nov 1900