

1904-02

Southampton County - Chancery Biggs, Aca vs O'Lundaloe, John A.

Attachment

Biggs, Lucy M.
Bdr

The Plaintiff designate

as being in possession of effects of, or being indebted to the defendant.

For John A. O'dundalon

Form No. 248.

Biggs. Adm. of Aca Biggs.

vs.

ATTACHMENT.

O'dundalon John A.

To 1st day March term, 1904

J. D. Primmer p. q.

The Commonwealth of Virginia,

To the Sheriff of the County of Southampton Greeting:

WHEREAS

Lucy M. Biggs, as Exr. of Asa Biggs,
has

instituted in our Circuit Court of the County of Southampton, a certain action of
in equity against
John A. O'Dundaloe

which action is now pending in the said Court: And there having been filed in the Clerk's Office of our said Court an affidavit that the claim of said plaintiff asserted in the said suit is believed to be just, that the affiant believes the plaintiff is entitled to or ought to recover \$765.⁰⁰
^{due for supplies furnished him as a tenant}
at the least, with interest thereon to be computed after the rate of six per centum per annum from the 1st day of January, 1904, till payment, and that to the best of the said affiant's belief the said defendant: John A. O'Dundaloe, has estate consisting of personal estate in Southampton County and

1. a foreign corporation, or not a resident of this State, and has estate of debts owing to said defendant within the of in which the action is, or sued with a defendant residing therein:

2. removing, or about to remove out of this State, with intent to change domicile:

3. removing, or intend to remove, or has removed

own estate, or the proceeds of the sale of property, or a material part of such estate or proceeds, out of this State, so that process of execution on a judgment, when obtained in said action, will be unavailing;

4. Is converting, or is about to convert, or has converted his property, or some part thereof, into money, securities, or evidences of debt, with intent to hinder, delay or defraud his creditors;

5. Has assigned or disposed of, or is about to assign or dispose of, his estate, or some part thereof, with intent to hinder, delay or defraud his creditors;

Therefore we command you, that you attach the estate of the said

John A. O'Dundaloe for the amount of the said
debt, with interest thereon, as afore-

said, and the costs, and that you secure such estate so attached in your hands, or so provide that the same may be forthcoming and liable to further proceedings thereupon to be had before our said Court, on the 1st day of the next March term thereof; and that you make return hereof at the rules to be held in Clerk's office of our said Court, on the 3rd Monday in Dec. 1903 next (or to the said Court on the first day of the next term thereof) how you have executed the same. And have then there this writ.

Witness, L. R. Hay Clerk of our said Court, at the court-house
this 10th day of Dec., 1903, in the 28th year of the Commonwealth.

Attest: L. R. Hay 4, 6

Biggs. Gdn. re.

vs. State of Texas

John A. O'Dundaloe

Biggs, H. M. vs.

vs. State of Nevada

John A. O'Donnell vs.

Sum, 25, 1 exp, 13, receipt 18, atty, 10, docket 18= 84

Rules 50, return 35, affidavit for attachment 15= 1.00

filing same 15, issuing attachment 35, 1 exp, 18= 68

receipt 18, dismissal order 36, filing away papers 25= 79

Hay Cross vs. 40 = 40

to be paid 1001

Shiff 0.00

Trans 16.50

20.21

Total: L. A. May 13, 1914.

The Plaintiff designate

as being in possession of effects of, or being indebted to the defendant

Form No. 243.

Biggs 4th of Nov Biggs

vs.

} ATTACHMENT.

O'Connell John A

To 1st day March term, 1904

J. B. Primer p. q.

To be dismissed at Rules

The Commonwealth of Virginia,

To the Sheriff of the County of Southampton Greeting:

WHEREAS Lucy M. Biggs, as Adm. of Rev. Biggs,
has

instituted in our Superior Court of the County of Southampton, a certain action of in
Equity against
John A. O'Dundaloe

which action is now pending in the said Court: And there having been filed in the Clerk's Office of our said Court an affidavit that the claim of said plaintiff asserted in the said suit is believed to be just, that the affiant believes the plaintiff is entitled to or ought to recover \$765.⁰⁹
due for supplies furnished him as a tenant
at the least, with interest thereon to be computed after the rate of six per centum per annum from the 1st day of January, 1904, till payment, and that to the best of the said affiant's belief the said defendant: John A. O'Dundaloe, has estate
consisting of personal estate in Southampton County, and

1. is a foreign corporation, or is not a resident of this State, and has no estate of debts owing to said defendant within the State of Virginia in which the action is, or is sued with a defendant residing therein:

2. is removing, or about to remove out of this State, with intent to change his domicile:

3. is removing, or intend to remove, or has not removed his domicile:

owns estate, or the proceeds of the sale of his property, or a material part of such estate or proceeds, out of this State, so that process of execution on a judgment, when obtained in said action, will be unavailing;

4. is converting, or is about to convert, or has not converted his property, or some part thereof, into money, securities, or evidences of debt, with intent to hinder, delay or defraud his creditors;

5. Has not assigned or disposed of, or is about to assign or dispose of, his estate, or some part thereof, with intent to hinder, delay or defraud his creditors;

Therefore we command you, that you attach the estate of the said

John A. O'Dundaloe for the amount of the said debt, with interest thereon, as afore-

said, and the costs, and that you secure such estate so attached in your hands, or so provide that the same may be forthcoming and liable to further proceedings thereupon to be had before our said Court, on the 1st day of the next March term thereof; and that you make return hereof at the rules to be held in Clerk's office of our said Court, on the 3rd Monday in Dec. 1903 next (or to the said Court on the first day of the next term thereof) how you have executed the same. And have then there this writ.

Witness, L. A. Gay Clerk of our said Court, at the court-house
this 10th day of Dec., 1903, in the 128th year of the Commonwealth.

Teste: L. A. Gay C. C.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County--Greeting:

WE COMMAND YOU THAT YOU SUMMON John A. Odenchalo

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 3rd Monday in Dec. 1903 next, to answer a Bill in Chancery exhibited against him in our said Court by

L. A. Gay, M. Biggs, as Guardian of R. A. Biggs

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

WITNESS, L. A. GAY, Clerk of our said Court, at the Courthouse, this 10th day of Dec. 1903, 1899, in the 12th year of the Commonwealth.

L. A. Gay Teste: L. A. Gay C. C.

Biggs. Gdn. of Sea Biggs

vs. {

AFFIDAVIT FOR
ATTACHMENT.

O'Donnell John A.

Filed the *7th* day of *Dec* *1903*

In the Circuit Court of the County of Southampton, Va.

Lucy M. Biggs & Edw. of Cos
Biggs

Plaintiff

against

John A. O'Dundeloe

Defendant

IN Chancery

Joseph B. Prince, Attorney for Lucy M. Biggs, Edw. of Cos
maketh oath and saith, that he believes
the claim, for which the above entitled action is instituted, to be just; that he, the affiant, believes that

Lucy M. Biggs, Edw. of Cos Biggs is entitled to and ought to recover in said action
\$765.⁰⁹ (at the least), with interest thereon, to be computed at the rate of 6% ^{per annum} ~~per annum~~ ^{from the 1st day of Jan. 1904} ~~from the 1st day of Jan. 1904~~ ^{to the 1st day of Dec. 1904}

per centum per annum, from the 1st day of Jan. 1904, till paid; and that to the
best of his belief the said defendant: John A. O'Dundeloe, has estate consisting of personal
estate in Southampton County and in

1. a foreign corporation, or not a resident of this State, and ha estate or debts
owing to said defendant within the of in which the action is or
sued with a defendant residing therein;

2. removing or about to remove out of this State, with intent to change domicile;

3. removing, or intend to remove, or ha removed

own estate, or the proceeds of the sale of property, or a material part of such estate or
proceeds, out of this State, so that process of execution on a judgment, when obtained in said action, will
be unavailing;

4. is converting, or is about to convert, or has converted his property or some part
thereof into money, securities, or evidences of debt, with intent to hinder, delay or defraud his creditors;

5. Has assigned or disposed of, or is about to assign or dispose of, his estate, or some
part thereof, with intent to hinder, delay, or defraud his creditors:

Joseph B. Prince - Attorney for
Lucy M. Biggs, as Edw. of Cos Biggs

Subscribed and sworn to before me this 7th day of December 1904

L. A. Gay C. C.

Biggo. Hdn. of Aaa Biggo

vs. { Spaa: In chq.

O'dundaloe John A.

1903. 2nd December Raulis

Lat. 67.

Mein 1904

J. B. Prince p. 9.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County--Greeting:

WE COMMAND YOU THAT YOU SUMMON John A. O'Connell

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 3rd Monday in Dec. 1903 next, to answer a Bill in Chancery exhibited against him in our said Court by

L. A. Gay M. Biggs vs. Guardian of A. A. Biggs

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

WITNESS, L. A. GAY, Clerk of our said Court, at the Courthouse, this 10th day of Dec. 1903, 1899, in the 12th year of the Commonwealth.

Teste: L. A. Gay C. C.

1904

Biggs 4th. re.

by Stat: of Rules

Oct. 1st. 1904

No Decree

decree at rules

Lacey M. Biggs as Guardian of
Asa Biggs Plaintiff

vs. } In Chancery

John R. O'Dundaloe Defendant

1903. 10. December process issued to 2^d Dec. Rules.

Affidavit for attachment filed

Attachment issued to 1st day of March term 1904

1903. 2^d December Rules. Cause dismissed

by order of Plaintiffs atty