

1909 - 19

Southampton County

Chancery

Camp, Johnie
Adms

vs

Scott, J. H. H. et al

"To declare said
Null and Void -
Judgments pending"

Briester, R. A. +
Camp, James W.
Adms.

Lewis, S.
Lewis, M. A.

123

Campis adams

On 3
3

Bill

via Linton

South

To The Honorable E. W. Hill judge of
of the circuit court of Southampton
in chancery sitting

Humbly complaining your
Orators R. A. Baister and Julius W
Camp administrators of John Camp
die'd shew unto your Honor that
at the May Term 1887 of the circuit
court of Southampton they obtained a
judgement for the sum of \$105 and interest
and costs against S. Lewis, M. A,
Lewis and J. A. H. Scott which judgement
was docketed on the 18th of May 1887
and which is still due your Orators
and unsatisfied, all of which will
more fully appear by a certified copy
of the said judgement and the
clerk's certificate of the docketing the
same herewith filed marked A and
prayed to be taken as a part of this bill.
Your Orators shew further that James
A. H. Scott at the time of the institution
of this suit was proprietor of a tract of land
containing fifty acres lying in
the county of Southampton and that
on the 15th of February 1887 he
sold or rather granted the said tract

of land to Julia Scott without
any consideration expressed in the
deed and that the said deed was
admitted to record on the 17th of
June 1887 all of which will more
fully appear by a certified copy of
the said ^{deed} and the endorsement of the
time of recording the same. Thereon
herewith filed marked TB and prayed
to be taken as a part of this bill.
Your Orators charge two grounds for
the setting aside this deed and
subjecting the said tract of land to
the lien of this judgment, 1st The
said deed appears on its face to
be without consideration from the
Vendor to the Vendor being in fact
a gift that one must be just before
he is generous and no one ^{can} give away
his lands without paying debts due at
the time and that ^{as to} all such debts
such deeds are null and void.
2nd The said deed though made
the 15th of February 1887 was not
recorded until the 17th of June 1887
more than one month after the
abovesaid judgment was obtained
and docketed, In Tender consideration

* Sumner Co. H. Scott and Saline Scotts may be
made parties defendant to this bill and be
compelled to answer the same fully and
incriminatingly that

whereof and inasmuch as your Orators
are without relief at Law and only entitled
to relief in a court of equity where
such matters are peculiarly cognizable
They therefore pray that the said deed
may be declared null and void
as to your Orators judgement that
all necessary accounts may be taken
and if it should appear from the
same that the rents and profits of the
said tract of land will not pay your
Orators debt and costs of suit in
full you pray 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 this case may require
and as in duty bound your Orators
will ever pray etc.

Shandon Long Jr.

Lamps Admr.

vs. { President L.A. Gay

Scott et als

Lamp's Admr.

vs. { Clerk's fees due L. A. Gay to date

1903 Scott et als.

Nov. 25 16 continuances on the docket \$4.00 = 4.00

Tax costs \$2.40, Tax costs 7 years \$10.70 = 1.10

\$5.10

Total: L. A. Gay by L.

Loamp's Admin's .

vs. { Statement of costs

Scott et als.

Camp's Adm'r

vs. } Statement of 2 vols.

1887

Leath et al.

Sept. 20 Comm. 20. 2 exp. 26. Receipt 18. atty. 10. Docket 18 = 97

Receiv 1.00, entering return 35. fil. bill 15 = 1.50

D. Ex. 15. Exp. Ex 75, fil. 3 reports 55 = 1.47

3 Docket & copies \$2.16, 6 continuances 1.50 = 3.66

D. F. M. \$7.60

1895. Mech. Term, 4 continuances on the docket 12 J. M. H. 1.00

I am 2 vols re. 40. giving away papers 25 = 65

1900 Apr. Term. 10 continuances on the docket \$2.50 2.50

I return 2 vols about 1.00 = 1.00

to Docket \$12.75

Shd. 3.00

Leave re. 16.50

\$32.25

I note: L. A. Gay L. G.

D. F. M. 7.60

J. M. H. 1.00

L. A. G. 4.15

\$12.75

Recd April 10th 1890 of J. W.
Williams Shff & Comr. Fifty
+ ⁸⁵/₁₀₀ dollars payment in full
of Chanery Rent U.S. Jas A. H. Scott
and in favor of the Estate of
John Camp

J. W. Camp { Admin of
Re. A. Bristow John Camp.

pr. J. W. Camp

Witness I. M. Howard.
J. E. Gillette

Camp Address,
V. 1. } Brown.
Scott } Report

Camp's admin

^{v.s.} Scott - } Camp's Report

To the Hon. C. H. Hill
Judge of the Circuit Court of
Southampton.

In pursuance of a
decree in the above cause rendered
at the Nov. Term of the Circuit Court
of Southampton Co 1889 your Com-
missioner duly advertised the land
in question but made no sale
as the defendants came forward
and paid the debt due Camp
Admin (as per Receipt enclosed), as also all
the cost, and the judgment has
been marked satisfied on margin,
by J. H. Camp one of the Admins.
for himself & R. A. Bristol Co Admins.

Respectfully Submitted

J. H. Williams
Shipp & Co.

Southampton Circuit Court: Nov. Term 1887
 Camps admrs

v. 3 Decree
 Scott & als

This day this cause came on to be heard on the plaintiffs bill taken for confessed as to both the defendants James G. H. Scott and Julia Scott and exhibits filed and was argued by counsel. On consideration whereof the court doth adjudge order and decree that order of the commissioners of this court take an account of all the docketed judgments in the clerk's office of Southampton County their priorities and how much if any has been paid on the same against James G. H. Scott and any other liens which may exist against or on the fifty acres of land owned by said Scott and their dates and also the actual and annual value of the said tract of land and report the said accounts

to court together with any
 other matters specially stated
 deemed pertinent by himself
 or which he may be required
 so to state by any of the
 parties interested. And liberty
 is granted to the defendants
 to file their answers at any
 time within sixty days from
 the end of this term of the
 court.

A Copy. Test: B. F. M. Lemond clg.

Camp's Admrs
 vs Deane
 Scott

Dea F. - bond from
 1875 - up to Dec 10 -
 \$2,500.00

1877-9. p. 381
 \$250.00

Camp's Admrs

Notice

Scott & al.

1888. Mich 1.

Executed Feb 16th

1888 by delivering a
copy of this notice to
each of the within
named parties.

A. T. Cobb m^{gr} for

J. W. Williams
clerk

I
Commissioner's Office,

Jerusalem, Va., Feb 4

1888

To J. W. Camp & R. A. Bristol.

Admrs of John Camp dec'd.

Jas. A. H. Scott and Eliza A. Scott

You are hereby notified that I have fixed upon the 1st day of March 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 docketed judgments against Jas. A. H. Scott - with their priorities - showing how much has been paid on the same; and any other liens which may exist against said Jas. A. H. Scott.
- 2^d an account of the actual and annual value of the real Estate of the said Scott - with any other matter specially stated deemed pertinent, &c. &c.

required to be taken by a decree of Southampton Circuit Court, rendered at the Next term, 1887, 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. M. Lemore

Commissioner.

To the Sheriff of Southampton County to execute.

An Account of the Judgments docketed in the Clerk's Office of Southampton County, against Jas. A. H. Scott, with their priorities, together with the amounts which have been paid on the same. - Also an account of all other existing liens against said Scott, taken & reported in obedience to a decree of the Circuit Court of Southampton County, entered at the November Term 1887, in the Chancery Cause of "Camp's Admors vs Scott & als. on the 1st day of March 1888, as per Notice herewith filed.

A Judgment in favor of ~~Lewis~~ of J. H. Camp & R. A. Bristow, Admors of John Camp dec'd. - against S. Lewis, M. A. Lewis, Elisha Lewis & Jas. A. H. Scott, dated ^{May 2nd 1887} \$106.00	
Int: from Dec 25/87 to May 1/88.	8.70
Costs	9.36
	<u>124.06</u>
Estimated Costs of this suit	32.23
A Deed of Trust dated March 16/88, in the hands of Mr. Armon, in the hands of J. H. Camp's Admors, belonging to Mrs. M. A. Lewis - to be applied as a Credit on the above judgment & Costs	156.29
	<u>250.00</u>
	78.15
Balanced due by Scott	<u>78.14</u>
A Deed of Trust dated March 16/88. Executed by J. A. H. Scott in favor of the benefit of S. Lewis. To secure bond for	
	250.00
Total	<u>\$328.14</u>

1
An account of the actual and annual value
of the real Estate of James. A. H. Scott. reported
by B. F. M. Lemore, Commissioner in Chancery -
in obedience to a decree of the Circuit Court
of Southampton County - entered at the November
Term 1887.

	Actual - Annual
50 Acres of land, valued at	\$400.00 / \$50.00

Respectfully Submitted
B. F. M. Lemore,
Comr in Chancery

Camp's Adm'r's
r^y ^{mem} Report 99

Scott & al:
1888: Mich 31. filed.
B. F. M. ce.

Commissioner's Office
Jerusalem. Mich 1st. 1888.

To the Circuit Court of Southampton Co.
In obedience to a decree of the Circuit
Court of Southampton County, rendered
at the November Term 1887, the under-
signed, one of the Commissioners of said
Court, to whom said decree stands
referred - reports to Court, that on the
4th day of Febr'y 1888, he issued Notices
against the several parties to the Chan-
cery suit, pending in said Court under
style of 'Camp's Admrs & Scott & als.'
requiring them to appear before him
at his Office in Jerusalem, on the 1st
day of March 1888. to be present at the
taking and stating of the Accounts
reported herewith! that said Notice
has been returned, Executed, that
several of the parties appeared before
the Commissioner in obedience there-
to. And thereupon the Commissioner
proceeded to take an account of
the docketed judgments against
Jas. A. H. Scott, showing the amount
paid thereon. and also, an Account
of all other existing liens against
said Scott, and finds a judgment

docketed against S. Lewis, M. A. Lewis, Elisha Lewis and Jas A. H. Scott. in favor of J. H. Camp & R. A. Bristow, Admors of John Camp, dec^d. amounting to \$124.⁰⁶ inclusive of interest and costs. to which the Commissioner has added the estimated costs of this suit, \$32.²³ making in the aggregate \$156.²⁹ which amount should be credited by \$78.¹⁵. now in the hands of John Camp's Admors, and to which Mrs M. A. Lewis is heir. she being a daughter of said decedent. and also equally bound with Jas. A. H. Scott, for the payment of the abovementioned judgment and costs. which will leave a balance due on said judgment. to be paid by said Scott, of \$78.¹⁵. There is, also, a deed of Trust against Jas. A. H. Scott's real Estate. executed to secure the payment of one bond, due S. Lewis, for \$250.⁰⁰. said Deed was admitted to record on the 11th day of June 1878. and therefore has priority over the aforesaid judgment. The Commissioner has also taken an account of the absolute and annual value of said Jas. A. H. Scott's

real Estate, and reports: that Jas. A. 26.
Scott is charged on the Land Book
of Dist. No. 1. in this County, with a
tract of land, containing 50 acres,
the absolute value of which is believed
to be \$400.⁰⁰, and the annual value
\$50. —

Respectfully Submitted

B. F. W. Lemond

Amr in Chancery

Court's fee

\$5.⁰⁰

chgd to Plffs

Camp's adu

vs 3
Scott

Commissary's Report

The undersigned J. N. Williams
Sheriff of Southampton and as such
acting commissary in this case begs
leave to report that in obedience to a decree
of this court entered at the May term
1888 he after having given due notice
of the time and place on the 1st of January
1889 offered the fifty acres of land
now held and occupied by James A. H. Scott
for rent and could find no responsible
bidders for the same, your commissary
does not think he can find bidders for
renting of it and recommends a sale
and thinks the land will bring some
four hundred dollars.

May 7th 1889

J. N. Williams
Sheriff & Commr.

12
Camp's Admrs

Tr } Stat: Rules

Scott & als

92

Camp's Admrs

"
r

Scott & als.

1887. Sept 20. Sum: to Oct: Rules

" Oct: Rules: Sum: pet's Executed. Bies &

Ex: filed. Decree nisi & Deft

" Nov " Bies taken for confessed &

Cause set for hearing

In Southampton Circuit Court,

May

Term, 1887

J. H. Camp & P. A. Britton Admrs
J. H. Camp dec. Pltff.

Against

D. Lemis, M. A. Lemis, Elisha
Lemis & J. A. Scott. Deft.

In Debt

Judgment for the Plaintiff against the Defendant for \$106- with
legal interest thereon from 24 day of April, 1886, till paid,
and costs, \$8³⁶ (Costs waived). - Docketed May 18th 1887-

Extract.

Teste:

D. F. McLeone

C. C.

Scott
To $\frac{5}{3}$ Dec. B. & A.
Scott

This - deed made this 15th day of
February 1887 between James F. H.
Scott of the first-part & Elija F.
Scott of the second part:

Witnesseth. That for and in
consideration of the sum of
one Thousand & fifty - dollars
the said James F. H. Scott of the
first-part; doth grant unto
the said Elija F. Scott of the se-
cond part with general warranty
All my right Title & interest
with all the Tenements thereon
to a certain tract or parcel
of Land lying in the County
of Southampton & State of Vir-
ginia containing fifty Acres
more or less - and bounded
as follows, on the north & East
by the Land of S. Lewis on the
South by the Land of George H.
Bradshaw dec'd on the West by
the Land of Gov. Gilliam.

Witnesseth the following signature
& seal

James F. H. Scott 

State of Virginia

County of Southampton; To wit
I Jephtha H. Johnson - a Justice of
the Peace in and for the said
county in the State of Virginia
do certify that James F. H. Scott
whose name is signed to the
writing above bearing date
the 18th of February 1887 has ac-
knowledgeed the same before
me in the County aforesaid.

Given under my
hand this 3rd day of March 1887

Jephtha H. Johnson J.P.

Southampton County. In the Clerk's
Office June 17. 1887

The foregoing
Deed of bargain & sale from
J. F. H. Scott to Eliza F. Scott
was this day received and
with the certificate annexed
admitted to record

Teste

J. B. Pinnick C. C.

A Copy

Teste: B. F. W. Lemon C. C.

Cobb
Camp's Admrs'

2 3 Sum

Scott & al:

1887. Oct. Rules

Cir: Ct.

Executed by delivering to
James A. Scott & Elihu
Scott each a copy of this
Summons Oct 1st, 1887

A. F. Cobb Dep't for

J. W. Williams Shopp

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON

*James A. H. Scott and
Eliza Scott*

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 Monday in *October* next, to answer a bill in
chancery exhibited against *them* in our said Court by

*R. A. Bristow
and Junius W. Camp, Advers of John Camp
decd.*

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

B. F. M. Lemor
Witness, ~~J. B. PRINCE~~, Clerk of our said Court, this *20* day of *Sept*

188*7*, in the *112* year of the Commonwealth.

Desto: B. F. M. Lemor C. C.

~~108150~~

104

Camp's column

on 3 Dec

Scott

To be in time

C. W. H. H.

May 1888

Camp's adms

on 3

Decem

Scott & als

This day This cause came on again to be heard on the papers formerly read and the report of Commissioner McLeon made pursuant to a decree of this court entered at the November term 1887 and to which report no exceptions have been filed and was argued by counsel on consideration whereof and it appearing to the court that the rent of the fifty acres of land will pay the docketed judgment proved in less than five years the court doth adjudge order and decree that J. W. Williams sheriff of Southampton and acting as such take possession of the said tract of fifty acres of land now held and occupied by James A. W. Scott and rent out the same until the docketed judgment of \$78.14 is due J. W. Camp and R. A. Brinton assigns of John Camp died in pairs and the said J. W. Williams will report his proceedings in the case annually to the court

defendants to file their answers at
any time within sixty days from
the end of this term of the
court

Camp's answer
on 3 Decr
Scott

To be entered
C. M. R. L.
Nov 9, 1887

Camp's adms

vs

Deane

Scott & als

This day this cause came on to be heard on the plaintiff's bill taken for confessed as to both the defendants James A. G. Scott and Julia Scott 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 docketed judgments in the clerk's office of Southampton County, this month and how much if any has been paid on the same against James A. G. Scott and any other line which may exist against ^{or on} the fifty acres of land owned by the said Scott and this date and also the actual and assessed value of the said tract of land and report the said accounts to court together with any other matters specially stated deemed pertinent by himself or which he may be required so to state by any of the parties interested. And liberty is granted to the

defendants to file their answers at
any time within sixty days from
the end of this term of the
court

Cause for answer
on 3 June
Scott

To be entered
C. M. H. C.
Nov 9/1887

Camps Adams
r. $\frac{5}{3}$ Deane
Scott

Went to the
store and
bought some
things
85.50
4.25
7.50
3.40
3.00

Said Feb 15
to Camp Scott
for 275.50

Southampton Circuit Court Nov Term. 89

Leam's adun
vs 3 Decree
Scotts }

This day this
cause came on ^{again} to be heard
on the papers formerly read
and the report of J. W. Williams
sheriff of Southampton who
was ordered to rent out the
land in bill mentioned and
who has reported that he
could find no responsible
bidder and who has advised
the sale, and was argued by
counsel. On consideration where
of the Court doth adjudge, order,
and decree that J. W. Williams
sheriff of Southampton who is
lawfully appointed commissioner
for that purpose shall after
having given thirty days notice
of the time and place of sale
by public advertisement at
the County seat Southland
and on the premises and
in the immediate vicinity of the

land proceed to sell on the premises
the tract of land containing
fifty acres now occupied by
James A. H. Scott and wife
On the following terms to wit-
at public auction to the highest
bidder One third cash and the
balance of the purchase money
in two equal annual installments
taking from the purchaser
bonds with approved security

A copy - Test:

B. F. W. Lennard & Co.

Camp's adur
as 3 Deane
Scotts

This day this cause came
on again to be heard on the papers formerly
made and the report of J. W. Williams
sheriff of Southampton who was ordered
to put out the land in bill mentions
and who has reported that he could find
no responsible bidder and who has
advised the sale and was argued by counsel
On consideration whereof the Court
doth advise, order, and decree that
J. W. Williams sheriff of Southampton
who is hereby appointed commissioner
for that purpose shall after leaving
given thirty days notice of the time and
^{of sale} place by public advertisement at
the county seat Courtland and on the
premises and in the immediate ^{vicinity} of the
land proposed to sell on the premises
the tract of land containing fifty
acres now occupied by James A. & B. Scott
and wife On the following terms to wit
at public auction to the highest bidder
One third cash and the balance of
the purchase money in two equal annual
instalments taking from the purchase

bonds with approved security ~~and out of~~
 the purchase money ~~after paying the~~
 costs of this suit ~~and said pay out~~
 of the cash in hand first ~~the said~~
 Trust on the bond of \$250 and then
 the judgment due to J. H. Camp and
 R. A. Bidlow administrators of John
 Camp Decd of \$78 and the said
 J. H. Williams will return along with
 his report to court his receipts and then
 the bonds for the defunct payments
 in order to a further decree

✓ Camp's Admins.

W B Deane

Scott & Co

1889

To be returned
C. H. Deane

Mar 6. 1889

Entered Page 950