1911-01 Southampton County Chancery. Bank of Suffolk. vs Hardy, Louise et al

Collect rents from real estate to settle debt; if not completed in 5 yrs, then sell property to satisfy indebtedness.

Hardy Walter
Worrell, Lou
Hardy, Predel
" , Helena
" , Love
" , Beck
Minors

Story, E. F. (G.A.L.)

Bank of Suffolk

v. Bill.

Hardy, Louis and Walter.

1909. Copy 20" Filed.

)

Rec'd Copy of the pars

ERNEST L. BEALE
ATTORNEY AND COUNSELLOR AT LAW
FRANKLIN, VIRGINIA

BANK OF SUFFOLK,)
v.) BILL.
LOUIS HARDY and)
)
WALTER HARDY.)

To the Honorable James L. McLemore, Judge of the Circuit Court of Southampton County, Virginia; Sitting as Chancellor:

Your complainant, Bank of Suffolk, a corporation duly incorporated under the laws of the State of Virginia, respectfully represents: (1) That on the 19th day of March, 1906, it recovered in the Circuit Court of Southampton County, a judgment against Louis & Walter Hardy of the said County, for the sum of $ 103.60, with interest thereon from the 7th day of April, 1905, until paid, and $ 7.47 costs, and that the said judgment was duly docketed in the Clerk's Office of the said Court on the 27th day of March, 1906. An abstract of said judgment is herewith filed, marked "Exhibit A", and prayed to be made a part of this bill; and,

(2) That a writ of fieri facias was issued upon said judgment on the 29th day of March, 1906, directed to the sheriff of the said County, returnable on the 1st day June Rules, 1906; and the said writ was placed in the hands of the said sheriff to be executed, and was on the 1st day of June, 1906, returned by the said sheriff with the following return endorsed thereon, to-wit; " No effects J. W. Bryant Deputy for J. L. Gillette, Sheriff"; and,

(3) That the said Louis & Walter Hardy are seized and possessed in fee simple of a certain tract of land, lying and being in the said County of Southampton, and described as follows: "A certain piece of land lying on Flaggy Run in the County of Southampton, State of Virginia, and bounded by the lands of Jos. B. Prince, Benj. E. Worrell and others. Commencing at a pine tree in Jos. B. Prince's line on the road leading from Jerusalem to Franklin, thence along said road to a gum, thence in a northerly direction to a stob a corner in Mt. Olive Church property to J. B. Prince's line, thence in a souther ly direction along J. B. Prince's line to the beginning, and supposed

to contain three (3) acres more or less". Deed Book 34, page 285. This is the same tract of land conveyed by deed Sept 22nd., 1879, by Benj. E. Worrell to Rachel Hardy, mother of Louis & Walter Hardy, and inherited by them from her; and,

(4) That Walter Hardy also has an interest in a lot of land purchased from J. J. Kindred and practically paid for, for which he has never received the deed; and,

(5) That the rents and profits of said real estate will not satisfy said judgment in five years:

In consideration whereof, and forasmuch as your complainant is remediless in the premises, save in a Court of Equity, your complainant prays that the said Louis & Walter Hardy, and Lou Worrell, the latter a non-resident of this State, all heirs of Rachel Hardy, deceased, may be made parties defendant to this bill, and required, but not on oath, to answer the same, the oath being hereby waived; that all proper orders and decrees may be made, inquiries directed, and accounts taken; that, if it shall appear that the rents and profits of the said real estate will not satisfy the said judgment in five (5) years, the said real estate, or so much thereof as may be necessary, be sold to satisfy the said judgment; that, if the rents and profits of said real estate will satisfy the judgment in five years, the said parcels of land be rented out, and the rents and profits therefrom be applied to the said judgment until the same is fully satisfied; and that your complainant may have all such further and other general relief in the premises as the nature of its case may require, or to equity shall seem meet.

Bank of Suffolk.
Complainant, By Counsel.

E. L. Beale p.q.

4/19/'09.

Bank of Suffolk, a Corporation,
)
)
vs.) Amended Bill.
)
)
Hardy, Louis & Walter, et als.

ERNEST L. BEALE
ATTORNEY AND COUNSELLOR AT LAW
FRANKLIN, VIRGINIA

Bank of Suffolk, a Corporation; vs. Louis Hardy, Walter Hardy, Lou Worrell, Predel Hardy, Helena Hardy, Love Hardy and Beck Hardy; the last two named being infants under 21 years of age.	Amended Bill.

To the Honorable James L. McLemore, Judge of the Circuit Court of Southampton County, Virginia; sitting as Chancellor:

Your complainant, Bank of Suffolk, a corporation duly incorporated under the laws of the state of Virginia, respectfully represents:

(1) That on the 19th day of March,1906, it recovered in the Circuit Court of Southampton County, a judgment against Louis & Walter Hardy of the said County, for the sum of $ 103.60, with interest thereon from the 7th day of April,1905, until paid, and $ 7.47 costs, and that the said judgment was duly docketed in the Clerk's Office of the said Court on the 27th day of March,1906. An abstract of said judgment is herewith filed, marked "Exhibit A", and prayed to be made a part of this bill: and,

(2) That a writ of fieri facias was issued upon said judgment on the 29th day of March,1906, directed to the sheriff of the said County, returnable on the 1st day June Rules,1906; and the said writ was pãaced in the hands of the said Sheriff to be executed, and was on the 1st day of June,1906, returned by the said Sheriff with the following return endorsed thereon, to-wit; "No effects J. W. Bryant Deputy for J. L. Gillette, Sheriff"; and,

(3) That the said Louis & Walter Hardy are seized and possessed in fee simple of an undivided 2/4's interest in a certain tract of land, lying and being in the said County of Southampton, and described as follows: " A certain piece of land lying on Flaggy Run in the County of Southampton, State of Virginia, and bounded by the lands of Jos. B. Prince, Benj. E. Worrell and others. Commencing at a pine tree in Jos. B. Prince's line on the road leading from Jerusalem to Franklin, thence along said road to a gum, thence in a northerly direction to a stob a corner in Mt. Olive Church property to J. B. Prince's line, thence in a southerly direction along J. B. Prince's line to the be-

ginning, and supposed to contain three (3) acres more or less". Deed Book 34, page 285. This is the same tract of land conveyed by deed Sept 22nd., 1879, by Benj. E. Worrell to Rachel Hardy, mother of Louis & Walter Hardy, and inherited by them, with other heirs, from her; and,

(4) That Walter Hardy also has an interest in a lot of land purchased from J. J. Kindred and practically paid for, for which he has never received a deed; and,

(5) That the rents and profits of said real estate will not satisfy said judgment in five years:

In consideration whereof, and forasmuch as your complainant is remediless in the premises, save in a court of Equity, your complainant prays that the said Louis & Walter Hardy, and Lou Worrell, the latter a non-resident of this State, and Predel Hardy, Helena Hardy, Love Hardy and Beck Hardy--all heirs and children of Margaret Hardy, deceased, who was a daughter of Rachel Hardy, deceased, and sister of Louis & Walter Hardy and Lou Worrell, the latter two (Love Hardy and Beck Hardy) being infants under the age of twenty-one years, all heirs of Rachel Hardy, deceased, may be made parties defendant tp this amended bill , as well as the original bill, and required, but not on oath , to answer the same, the oath being hereby waived; that a guardian ad litem be appointed for the infant defendants, that all proper orders and decrees may be made, inquiries directed, and accounts taken; taht if it shall appear that the rents and profits of the said real estate will not satisfy the said judgment in five (5) years, the said real estate, the said Louis & Walter Hardy's interest in same, or so much thereof as may be necessary, be sold to satisfy the said judgment; that, if the rents and profits of said real estate will satisfy the judgment in five years, the said parcels of land be rented out, and the rents and profits therefrom be applied to the said judgment until the same is fully satisfied; and that your complainant may have all such further and othe general relief in the

premises as the nature of its case may require, or to equity shall seem meet, and your orator will ever pray, etc.

Bank of Suffolk
Complainant, by Counsel.

E. L. Beale p.q.

Bank of Suffolk

v.

Hardy, et als.

Decree

Entered Nov.

Dec 26

Aug 4th 1909.

ENTERED - C. O. B.

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ERNEST L. BEALE
ATTORNEY AND COUNSELLOR AT LAW
FRANKLIN, VIRGINIA

Bank of Suffolk,)
)
v.) Decree.
)
Hardy, et als.)

This day this cause came on to be heard on the bill of the complainant and the exhibits therewith filed, the said bill being taken for confessed, the defendants on whom process has been duly served, and Lou Worrell, the non-resident defendant as to whom the order of publication has been expected in accordance with law, still failing to appear, answer, plead or demur thereto, and was argued by counsel.

On consideration whereof, the Court doth adjudge, order and decree that it be referred to one of the commissioners of this court to inquire and report:-

First: The amount of the judgment in question and whether same is a valid judgment:

Second: The annual and fee-simple value of the parcels of land in the bill and proceedings mentioned:

Third: Whether Walter Hardy owns a tract or parcel of land in Courtland for which he has never received a deed:

Fourth: Whether there are any liens on the said lands for taxes or otherwise:

Fifth: Any other matter deemed pertinent by the commissioner, or required to be stated by any interested party.

Sixth: Whether all proper parties are before the Court.

BANK OF SUFFOLK,

vs. DECREE.

HARDY, ET ALS.

Entered this Octo. 26th/1909

James L. McLemore

ENTERED - C.O.B.

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ERNEST L. BEALE
ATTORNEY AND COUNSELLOR AT LAW
FRANKLIN, VIRGINIA

Bank of Suffolk, a Corporation:	
vs.	DECREE.
Louis Hardy, Walter Hardy, Lou Worrell, Predel Hardy, Helena Hardy, and Love Hardy and Beck Hardy; the last two named being infants under the age of twenty-one years, by E. F. Story their Guardian ad aLitem.	

This day this cause came on again to be heard on the bill of the complainant and the amended bill and exhibits therewith filed, the said bills being taken for confessed as to the adult defendants, Louis Hardy, Walter Hardy, Lou Worrell, Predel Hardy and Helena Hardy, on whom process has been duly served, and Lou Worrell, the non-resident defendant as to whom the order of publication has been executed in accordance with law, still failing to appear, answer, plead or demur thereto, and the answer of Love Hardy and Beck Hardy, by their Guardian ad Litem E. F. Story, a competent attorney at law, who was duly assigned the said infants, at rules, to defend their interests, with general replication thereto, and was argued by counsel.

and by consent of counsel for all parties and the guardian ad litem in open court

On consideration whereof, the Court doth adjudge, order and decree that it be referred to one of the Commissioners of this Court to ascertain and report:-

(1) The amount of the judgment in question and whether same is a valid judgment:

(2) The annual and fee-simple value of the parcels of land in the bills and proceedings mentioned:

(3) Whether Walter Hardy owns a tract or parcel of land in Courtland for which he has never received a deed:

(4) Whether there are any liens on the said lands for taxes or otherwise:

(5) Whether all proper parties are before the Court:

(6) The interests of the parties to this suit:

(7) Any other matter deemed pertinent by the Commissioner, or required to be stated by any interested party.

We consent for this decree to be entered.

Wm Shands

Attorney for Lewis Hardy, Walter Hardy, Lou Worrell, Russel Hardy and Helena Hardy.

Guardian ad Litem for Love Hardy and Beck Hardy.

Bank of Suffolk, a Corporation.

vs (DECREE.

Hardy, et als.

Enter this January 17, 1910.

James L. McLemore

ENTERED - C.O.B. -

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ERNEST L. BEALE
ATTORNEY AND COUNSELLOR AT LAW
FRANKLIN, VIRGINIA

Bank of Suffolk, a Corporation:

vs.

Louis Hardy, Walter Hardy, Lou Worrell, Predel Hardy, Helena Hardy, and Love Hardy and Beck Hardy; the last two named being infants under the age of twenty-one years, by E. F. Story their guardian ad litem.

Decree.

This day this cause came on again to be heard on the bill of the complainant, the papers formerly read, and upon the report of Commissioner Claude J. Edwards, filed on the 29th day of November, 1909, and on the depositions of witnesses returned with said report, to which report there is no exception, and was argued by counsel: and by consent of Counsel for all parties and the Guardian ad Litem in open Court

On consideration whereof, it being clearly shown from said report and the evidence therewith, independantly of any admissions in the answers, that the judgment in question is a valid judgment, and that the rents and profits of the said real estate mentioned in the bill and proceedings mentioned, to-wit:"Commencing at a pine tree in Jos B. Prince's line on the road leading from Jerusalem to Franklin, thence along said road to a gum, thence in a northerly direction to a stob a corner in Mt. Olive Church property to J. B. Prince's line, thence in a southerly direction along J. B. Prince's line to the beginning, and supposed to contain three (3) acres more or less", is not sufficient to satisfy the said judgment in five years, the Court doth approve and confirm said report, and doth adjudge, order, and decree that E. L. Beale be, and he is hereby appointed a Special Commissioner to sell, at public auction, for cash, after duly advertising the same at two or more public places in Southampton County, Virginia, the above mentioned tract of land containing three (3) acres, more or less, and out of the proceeds of said sale pay the costs and expenses of this suit, and the remainder he shall pay to the proper parties as the law directs.

But before the said E. L. Beale shall proceed to act under this decree, he shall execute a bond before the Clerk of this Court in

in the penalty of $300, , with security deemed sufficient by the said Clerk, conditioned to faithfully discharge his duty under this or any future decree entered in this cause.

And the Commissioner will report to Court.

We consent for this decree to be entered

Nina Shands

Attorney for Louis Hardy, Walter Hardy, Lou Horrell, Predel Hardy and Helen Hardy.

[signature]

Guardian ad Litem for Loor Hardy & Beck Hardy.

E. L. Beale

Attorney for Bank of Suffolk, a corporation

****

Bank of Suffolk, a Corporation.

vs { Decree.

Hardy, et als.

****

Enter March 21st. 1910.

James L. W. Moore

ENTERED - C.O.B.

PAGE 85 -

ERNEST L. BEALE
ATTORNEY AND COUNSELLOR AT LAW
FRANKLIN, VIRGINIA

Bank of Suffolk, a Corporation:

vs.

Louis Hardy, Walter Hardy, Lou Worrell, Predel Hardy, Helena Hardy, and Love Hardy and Beck Hardy, the last two named being infants under the age of twenty-one years, by E. Frank Story, their Guardian, ad Litem.

This day this cause came on to be further heard on the papers formerly read, and upon the report of Special Commissioner, E. L. Beale, this day filed by leave of Court, reporting sale of that certain piece of land lying on Flaggy Run in the County of Southampton, State of Virginia, and bounded by the lands of Joseph B. Prince, Benj. E. Worrell et als. Commencing at a pine tree in Joseph B. Prince's line on the road leading from Jerusalem to Franklin, thence along said road to a gum, thence in a northerly direction to a stob, a corner in Mount Olive Church Property , to Jos. B. Prince's line, thence in a southerly direction along Jos. B. Prince's line to the beginning, and supposed to contain three (3) acres, more or less, set forth and described in the bill and proceedings of this cause, to Louis Hardy for the sum of EIGHTY DOLLARS ($80.00) to which report there is no exception, and was augued by counsel: in writing, and by consent of Counsel for all parties and Guardian ad Litem given/

On consideration whereof,/the Court doth approve and confirm the said report, and it appearing therefrom that the price obtained for the said land sold to Louis Hardy, for the sum of ($80.00), is a fair and good one, the Court doth approve and confirm the said sale and declare the same firm and binding between the parties. And it further appearing that the said purchaser desires to pay the amount of his purchase in cash and take a deed for the property; The court doth direct that that the said Special Commissioner receive from the said Louis Hardy the sum of EIGHTY DOLLARS ($80.00) and when the same has been fully paid that the said Special Commissioner, E. L. Beale, execute to him a Deed, with Special Warranty of titlw for the said property.

And the Commissionerwill report to Court.

We consent for this decree to be entered:

Wm. Sheards

Attorney for Louis Hardy, Walter Hardy,
Lou Worrell, Prudel Hardy and Helena Hardy.

Guardian ad Litem for Love Hardy and Beck Hardy.

E. L. Bush

Attorney for Bank of Suffolk.

-1911-

Decree.

Bank of Suffolk

vs.

Hardy, et als.

1911. Jan. 18th. Enter.

John L. McGehee

We consent to this decree.

E. L. Beale

Counsel for Complainants.

Wm. Shands

Counsel for Defendants.

Guardian ad Liten for the Infant defendants.

ENTERED - C.O.B.
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ERNEST L. BEALE
ATTORNEY AND COUNSELLOR AT LAW
FRANKLIN, VIRGINIA

Bank of Suffolk, a Corporation: vs. Louis Hardy, Walter Hardy, Lou Worrell, Predel Hardy, Helena Hardy, and Love Hardy, and Beck Hardy, the last two named being infants under the age of twenty-one years, by E. Frank Story, their Guardian ad Litem.	Decree.

This day this cause came on to be further heard on the papers formerly read, and upon the report of Special Commissioner, E. L. Beale, this day filed by leave of Court, reporting that he had collected the purchase price of Eighty Dollars from Louis Hardy the purchaser of the land in the bill and proceedings mentioned, and has given him a deed for the property, and filed his account showing the expenses and costs of this suit, to which report there is no exception, and was argued by counsel:

On consideration whereof, and by consent of Counsel for all parties and guardian ad litem given in writing, the Court doth approve and confirm the said report, and it appearing therefrom that the infants in this suit are entitled to an amount, each, less than one hundred dollars and that the Special Commissioner has paid their respective amounts to their attorney of record, William Shands, as is made and provided in such cases, the Court doth approve and confirm the said act or acts of the Special Commissioner.

~~It further appearing from the said report of the Special Commissioner~~ that there are certain unsatisfied liens against the land in the bill and proceedings mentioned, the Court doth authorize and hereby direct that the Clerk of this Court mark satisfied, as provided by law in such cases, the following liens so far as the land mentioned in the bill and proceedings in this cause is concerned, to wit:

~~Judgment of E. Whitfield & Co. vs. Wat Hardy docketed Nov 7th. 1905 for [illegible] with interest from January 1st. 1898 till paid and 1.00 costs;~~ Judgment in favor of Bank of Suffolk vs, Louis and Walter Hardy for $103.60 with interest thereon from April 17th. 1905, till paid and $7.47 costs, docketed March 27th. 1906; Judgment in favor of E. Whitfield vs. Louis Hardy for the sum of $7.47, with interest from January 1, 1907, and $1.00 costs, with credit of $3.00 paid Dec 31, 1908,

docketed Oct 23, 1908.

And it appearing that there is nothing further to be be done in this cause it is ordered that same be removed from the docket oft this Court.

****

Bank of Suffolk

vs. REPORT OF SPECIAL COMMISSIONER.

Hardy, et als.

****

Filed March 21st, 1910. ****

John L. Whitmore

ERNEST L. BEALE
ATTORNEY AND COUNSELLOR AT LAW
FRANKLIN, VIRGINIA

Bank of Suffolk

vs.

Hardy et als.

TO THE HONORABLE JAMES L. McLEMORE, JUDGE OF THE CIRCUIT COURT OF SOUTHAMPTON COUNTY, VIRGINIA:

The undersigned, a Special Commissioner duly appointed and acting in the above styled suit, begs leave to report to Court:

That in obedience to a decree entered in the said suit on the 17th day of January, 1919 , he on the 21st day of February, 1910, at Courtland, Southampton County , Virginia, exposed to sale at public auction, all that certain piece of land lying on Flaggy Run in the County of Southampton, State of Virginia, and bounded by the lands of Joseph B. Prince, Benj. E. Worrell et als, Commencing at a pine tree in Joseph B. Prince's line on the road, leading from Jerusalem to Franklin, thence along said road to a gum, thence in a northerly direction to a stob, a corner in Mount Olive Church Property to Joseph B. Prince's line; thence in a southerly direction along Joseph B. Prince's line to the beginning, and supposed to contain three (3) acres, more or less, fully set forth and described in the bill and proceedings in this cause; that at a sale so had Louis Hardy became the purchaser thereof by bidding therefor the sum of EIGHTY DOLLARS ($80.00), his being the highest bid made and your Commissioner is of the opinion that this is a fair value for the land and respectfully recommend that the Court confirm the same.

Respectfully submitted .

E. L. Burke

SPECIAL COMMISSIONER.

March 21, 1910.

BANK OF SUFFOLK

VS.

HARDY, ET ALS.

Report of E. L. Beale, Special Commissioner

TO THE HONORABLE JAMES L. McLEMORE, JUDGE OF THE CIRCUIT COURT OF SOUTHAMPTON COUNTY, VIRGINIA.

The undersigned, E. L. Beale Special Commissioner, duly appointed and acting in the above cause begs leave to report to Court:

That in obedience to a decree entered in this suit on the 21st day of March, 1910, he executed to the purchaser, Louis Hardy, a deed with special warranty for the property sold on the 21st day of February 1910, for the sum of Eighty Dollars, the purchase price, which sale was confirmed by the said decree, and out of the proceeds of the sale so had , your Special Commissioner has disbursed the fund as follows, in accordance with the terms of a decree entered in this cause on the 17th day of January, 1910; vouchers being herewith filed:

H. B. McLemore, Clerk, Costs of Suit			$ 8.95
News Publishing Co., for printing			6.75
J. A. Turner, Auctioneer			2.50
J. H. Kitchen, Witness			.50
John N. Sebrell, Sr., Witness			.50
C.J.Edwards, Com. in Chancery, for Report			10.00
Empire State Surety Company, for Bond			5.00
H. B. McLemore, Clerk, for Delinquent Taxes			2.35
William Shands, Attorney of Record, for the following parties, for their share of one-half, in the proper proportions:			
Lou Worrell	1/4	19.41	
Helena Hardy	1/16	4.85	
Predel Hardy	1/16	4.85	
Love Hardy	1/16	4.85	
Beck Hardy	1/16	4.85	38.82
		Total	75.37
Balance in hand			4.63
			$ 80.00

Other costs to be paid:

Sheriff of Southampton	$1.00	
Sergeant City of Norfolk	1.00	
Attorney including Writ Tax	16.50	$18.50
Deducting balance on hand		4.63
Showing a deficit of		13.87

Your Commissioner would further report that the following judgments have been docketed against Louis Hardy and Walter Hardy:

Judgement of E. Whitfield & Co. vs. Wat Hardy docketed Nov. 7th. 1905, for $11.55 with interest from January 1, 1898, till paid and $1.00 costs; Judgment in favor of Bank of Suffolk vs. Louis and Walter Hardy amounting to $103.60 with interest thereon from April 17, 1905,

till paid and costs 7.47 docketed March 27, 1906; Judgment in favor of E. Whitfield vs. Louis Hardy for the sum of $7.47 with interest from January 1, 1907 and 1.00 costs, with credit of 3.00 paid Dec 31, 1908, docketed Oct 23, 1908;

The delinquent taxes recorded December 21, 1896 for $1.01 and costs, amounting now to $2.35 has been paid as per receipt of the Clerk herewith filed.

Your Commissioner would further report that in accordance with section 2622a of the Code of Va. 1904, allowing money in certain instances to be paid direct to the infants entitled thereto, your Commissioner has paid the proper amount to their attorney of record as shown by his receipt therefor, which your commissioner prays will be ~~will be~~ confirmed by decree entered in this cause.

Your commissioner further prays that your honor will enter decree in accordance with section 3397b of the Code of Va., 1904, authorizing and making it the duty of Clerks in certain cases to mark satisfied certain liens, that the Clerk of this Court mark satisfied the above liens so far as the land mentioned in the bill and proceedings in this cause.

Respectfully submitted,

E. L. Beale

Special Commissioner.

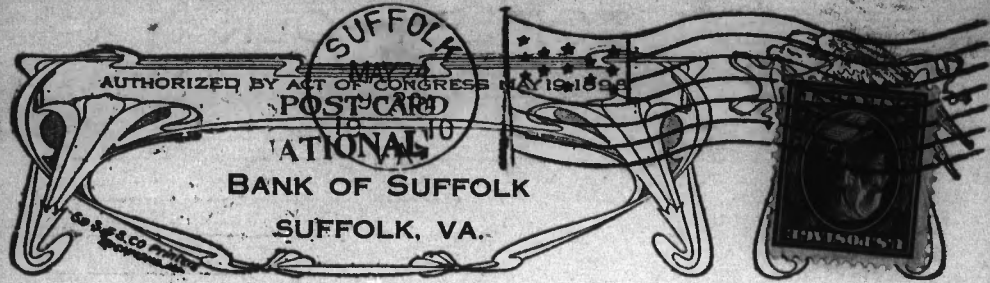
January 18th. 1911.

Commissioner's Fee $ 10.00

Witnesses 1.00

Following liens:
Judgment in favor of E. Whitfield & Co v. Wat Hardy docketed Nov 7, 1905 for $11.55 with interest from January 1, 1898 till paid and $1.00 costs; Judgment in favor of Bank of Suffolk v. Louis & Walter Hardy amounting to $103.60 with interest thereon from April 17, 1905, till paid and costs $7.47 docketed March 27, 1906;
Judgment in favor of E. Whitfield ~~xxzxx~~ v. Lewis Hardy for the sum of $7.47, interest from Jan 1, 1907, and $1.00 costs, with a credit of $3.00 paid Dec 31, 1908, docketed October 23, 1908; Delinquent taxes recorded Dec 21, 1896, for $1.01 and costs.

Louis Hardy one-fourth; Walter Hardy one -fourth; Lou Worrell one-fourrh; the childred of Maggie Hardy, deceased as follows; Helena Hardy 1/16; Predel Hardy 1/16; Love Hardy 1/16; and Beck Hardy 1/16.



Mr. E. L. Beale Gilborn
Franklin, Va.



NATIONAL

BANK OF SUFFOLK

Suffolk, Va., 5/23 1910

Yours of the 23 inst., received with stated enclosures.

WE CREDIT			WE ENTER FOR COLLECTION		
	80	00	✓		

Not responsible for lack of protest at points where there is no bank. All items (except checks on us) are credited subject to final payment.

Respectfully,

A. WOOLFORD, Cashier

© STAMP & STATY. CO., PRINT. RICH'D VA

Bank of Suffolk
vs.
Hardy et als.

Eu

Entered this July 21. 1910.
J. Thurston Storey

ENTERED - C.O.B.
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Bank of Suffolk, a Corporation,

vs.

Louis Hardy, Walter Hardy, Lou Worrell, Predel Hardy, Helana Hardy, and Love Hardy and Beck Hardy; the last two named being infants uhder the age of twenty one years by E. F. Story, their Guardian ad Litem.

By consent of all parties to this suit, entered of record in term, and by consent of the parties plaintiff and defendants, filed in writing by counsel, it is hereby ordered that this cause be submitted to the Judge of this Court for such decisions and decrees in vacation as might be made or entered therein in term.

We consent to this decree being entered:

E. L. Beale

Attorney for the Bank of Suffolk, a corporation.

Jno. Edwards

Attorney for Louis Hardy, Walter Hardy, Lou Worrell Predell Hardy and Helana Hardy.

E. F. Story

Guardian ad Litem for Love Hardy and Beck Hardy.

Courtland, Va., January 14th., 1911.

Received from E. L. Beale, Special Commissioner in the matter of Bank of Suffolk vs. Hardy, et als., the sum of Two and 35/100 Dollars for delinquent taxes, with costs and interest to date on the Hardy land.

H B McLemore

Clerk Circuit Court of Southampton Co. Va.

Franklin, Virginia. Feby 1st 1910

Mr E. L Beale Sp. Comr.

Bank of Suffolk vs. Hardy et als

To **BEALE & GAY**, INC., Dr.

INSURANCE

Surety Bonds

DATE	POLICY No.	COMPANY	PROPERTY	TERM	AMOUNT	PREMIUM	DATE	PAGE	CREDIT
Jan 1		Empire State	Bond	1 yr	300	5 00			

BEALE & GAY, Inc.

PAID

FEB 12 1910

Per

$38.82
$38.82

Courtland, Va., January 13th. 1911.

Received from E. L. Beale, Special Commissioner in the suit Bank of Suffolk vs. Hardy, et als., the sum of Thirty Eight and 82/100 Dollars, same being one-half of the sale price of the land formerly belonging to Rachel Hardy, and sold by judicial sale, less amount paid for delinquent tax.

Lou Worrell	1/4	$19.41	
Helena Hardy	1/16	4.85	
Predel Hardy	1/16	4.85	
Love Hardy	1/16	4.85	
Beck Hardy	1/16	4.85	$38.82
1/2 Delinquent tax - - - -			1.18
			$40.00

Attorney of record for Lou Worrell, Helena Hardy, Predell Hardy, Love Hardy, and Beck Hardy.

Received May 28th 1910

from E. L. Beale, Atty.

Ten + 00/100 Dollars

For Commissioner's fee in re Bank of Suffolk v. Hardy et al.

$10 00/100

Paul J. Dingledine
Commissioner

Courtland, Va., January 13th., 1911.

Received from E. L. Beale, Special Commissioner, in the matter of Bank of Suffolk vs. Hardy, et als., the sum of FIFTY CENTS for service as witness.

J H Stotum

Courtland, Va., January 13th., 1911.

Received from E. L. Beale, Special Commissioner, in the matter of Bank of Suffolk VS. Hardy, et als., the sum of fifty cents for my services as witness in said suit.

J Mousebreed

Courtland, Va., May 28th., 1910.

Received from E. L. Beale, Special Commissioner in the matter of Bank of Suffolk --VS-- Hardy, et als., the sum of TWO and 50/100 Dollars for services as Auctioneer in selling the Hardy land.

J A Turner

Auctioneer.

Franklin, Virginia. March 2, 1910.

M E. L. Beale, Spl. Comr. Bank Of Suffolk vs Hardy et als.

BOUGHT OF **The News Publishing Company,**

Publishers of THE TIDEWATER NEWS.

...Job Printing and Business Stationery...

1909			
April 23 --		Order of publication 4 weeks	$5.00
1910			
Feby. 4 --		100 Large Posters	1.75
			$6.75

NEWS PUBLISHING CO. PAID May 27 1910 Franklin, Va. Scarborough Collector

Thanks

ALL ACCOUNTS PAYABLE MONTHLY. PLEASE RETURN THIS BILL WITH REMITTANCE TO BE RECEIPTED.

$8.95

Courtland, Va., Oct 26th 1910.

Received from E. L. Beale, Special Commissioner, Eight & 95/100 Dollars, costs taxed in the suit of Bank of Suffolk Vs. Hardy et als.

H B McLemore. Clerk

Bank of Suffolk,
vs Statement of cost,
Hardy, et als,

Sum (3) at 25¢ 5 copies @ 13¢		$ 1.40
Recpt 18¢ Attorney 10¢		.28
Docketing 18¢ Rule 50¢		.68
Entering return 35¢ Fil Bill 15¢		.50
Fil Ex 15¢ Copy of exhibit 25¢ Rule 50¢		90
Fil amended bill 15¢		.15
Entering 4 decrees at 36¢		1.44
Fil Comrs report 15c, taking & recording Comrs bond 1.45		1.60
Rule 50¢ Copy order Publication for printer		.70
Copy to post 20¢ oath non resident 15¢		.35
Fil affidavit 15¢ fil printers certificate 15¢		.30
Tax cost 20¢ copy 20¢		.40
Filing away papers		.25
Clerk		$ 8.95
Tidewater News	$ 5.00	
Sheriff of Southampton	1.00	
Sergeant City Norfolk	.100	
Atty	16.50	23.50
		$ 32.40

Bank of Suffolk,
vs Statement of cost,
Hardy, et als,

Sum (3) at 25¢ 5 copies @ 13¢		$ 1.40
Recpt 18¢ Attorney 10¢		.28
Docketing 18¢ Rule 50¢		.68
Entering return 35¢ Fil Bill 15¢		.50
Fil Ex 15¢ Copy of exhibit 25¢ Rule 50¢		90
Fil amended bill 15¢		.15
Entering 4 decrees at 36¢		1.44
Fil Comrs report 15c, taking & recording Comrs bond 1.45		1.60
Rule 50¢ Copy order Publication for printer		.70
Copy to post 20¢ oath non resident 15¢		.35
Fil affidavit 15¢ fil printers certificate 15¢		.30
Tax cost 20¢ copy 20¢		.40
Filing away papers		.25
Clerk		$ 8.95
Tidewater News	$ 5.00	
Sheriff of Southampton	1.00	
Sergeant City Norfolk	1.00	
Atty	16.50	23.50
		$ 32.40

Franklin, Virginia, May 14th 1909

Mr. E. L. Beale, Attorney,

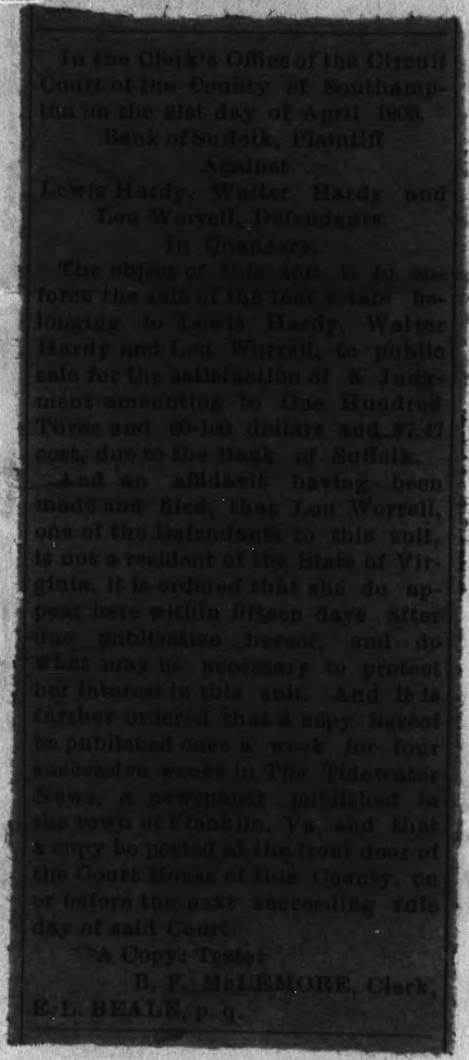
BOUGHT OF **The News Publishing Company,**

Publishers of THE TIDEWATER NEWS.

...Job Printing and Business Stationery...

To publishing attached Order of Publication 4 weeks $5.00

ALL ACCOUNTS PAYABLE MONTHLY. PLEASE RETURN THIS BILL WITH REMITTANCE TO BE RECEIPTED.



In the Clerk's Office of the Circuit Court of the County of Southampton on the 31st day of April 1909.

Bank of Suffolk, Plaintiff

Against

Lewis Hardy, Walter Hardy and Lou Worrell, Defendants.

In Chancery.

The object of this suit is to enforce the sale of the real estate belonging to Lewis Hardy, Walter Hardy and Lou Worrell, to public sale for the satisfaction of a Judgment amounting to One Hundred Three and 60-100 dollars and $7.47 cost, due to the Bank of Suffolk.

And an affidavit having been made and filed, that Lou Worrell, one of the Defendants to this suit, is not a resident of the State of Virginia, It is ordered that she do appear here within fifteen days after due publication hereof, and do what may be necessary to protect her interest in this suit. And it is further ordered that a copy hereof be published once a week for four successive weeks in The Tidewater News, a newspaper published in the town of Franklin, Va, and that a copy be posted at the front door of the Court House of this County, on or before the next succeeding rule day of said Court.

A Copy: Teste:

B. F. McLEMORE, Clerk,

E.L. BEALE, p.q.

I, Paul Scarborough, Editor of The Tidewater News, a weekly newspaper published in Franklin, Southampton County, Virginia, DO HEREBY CERTIFY that the attached notice, styled: "Bank of Suffolk, Plaintiff, vs Lewis Hardy, Walter Hardy and Lou Worrell, Defendants", was published in the said paper once a week for four (4) successive weeks in the manner prescribed by law, to-wit, in its issues of April 23, April 30, May 7 & May 14 1909

SIGNED

Paul Scarborough
Editor.

Franklin Va. May 14th-1909.

1362
1396
1849

Date of Docketing	Date of Judgment	
Nov 7-1905	1/27/1900	$11.55 + Int from 1/1/1898 + 10 costs #1362 E. Whitfield + Co v Nat Hardy-
Oct 23-1908	6/20/08	7.47 + Int from 1/1/1907 + 1.00 costs E. Whitfield + Co v. Lewis Hardy- 3.00 paid Dec 31-1908-

Delinquent - Commonth

Lewis Hardy Trustee 1/2 acre Courtland Feb 18, 1907 $3.83

Rachel Hardy 3 acres Dec 21-1896 $1.01 +

Lewis Hardy Trustee Ida Hardy 1/2 Acre Dec 21-96 .30 +

COURTS:
STATE AND FEDERAL

WILLIAM SHANDS
ATTORNEY AND COUNSELLOR AT LAW
COURTLAND, SOUTHAMPTON COUNTY
VIRGINIA

COMMISSIONER IN CHANCERY
FOR CIRCUIT COURT
SOUTHAMPTON COUNTY, VA.

Dec 15th 1910

Mr C. L. Beale
Franklin Va

Dear Sir

Some months ago you told me you would arrange for Lewis Hardy to get the money to pay for that place and have it in hand to pay over to me my part of Cones & in the case and shares of the heirs whom I represent Kindly let me know present status of matter and when you think you will be ready to pay out the funds. I am

Very Truly yrs
Wm Shands

Mr E. L. Beale,
Atty-at-Law,
Franklin,
Va.

COURTLAND
DEC
15
1910
A

U.S. POSTAGE
THREE CENTS

In the Circuit Court of Southampton County:

Bank of Suffolk, a Corporation,	)
vs.	) Answer.
Louis Hardy, Walte r Hardy,	)
Lou Worrell, Predell Hardy, Helena	)
Hardy, Love Hardy and Beck Hardy;	)
the last two named being infants	)
under the age of 21 years.	)

The separate answer of Love Hardy and Beck Hardy, infants under the age of twenty-one years, by E. Frank Story, their guardian ad litem appointed to defend them in this suit, to a bill of complaint filed againmst them and Louis Hardy, Walter Hardy, Low Worrell, Predel Hardy and Helena Hardy in the Circuit Court of Southampton County, by the Bank of Suffolk, complainant.

These respondents , reserving to themselves the benefit of all just exceptions to the said bill of complaint, for answer thereto, or to so much thereof as they are advised that it is materialtheyshould answer, by their said guardian ad litem, answer and say:

That they are infants of tender years, and by reason of their infancy are incapable of understanding or of taking care of their rights and interests herein; and that they therefore commend themselves and their rights and interests to the protection of the Court, and pray that no decrees may be entered that will tend to their prejudice.

And now, having fully answered the complainant's bill, these respondents pray to be hence dismissed with their reasonable costs by them in this behalf expended.

E. Frank Story.
Guardian ad litem for Love Hardy and Beck Hardy, RESPONDENTS.

Bank of Suffolk
(or) Alan. Spa. in chg
Hardy et als
1909. 1st Sept Rules –

Notice
Helena Hardy
or any member of her
family on the bank
of Lake Drummond
in the City of
Norfolk this 1st
day of August
1909 by Engineer
of City of Norfolk
on the property
of said above

J. T. Lambert
City of Norfolk
By J. T. Wilson

Alias Summons.

The Commonwealth of Virginia.

TO THE ~~SHERIFF OF SOUTHAMPTON COUNTY~~ Sergeant City of Norfolk GREETING:

We command that you summon Helena Hardy, Pauline Hardy, Love Hardy and Buck Hardy, last two infants under 21 Years of Age

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 1st Monday in September 1909 to answer a Bill in Chancery exhibited against them in our said Court by

Bank of Suffolk

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

Witness, B. F. McLEMORE, Clerk of our said Court, at the Courthouse this 19" day of August, 1909, in the 234 year of the Commonwealth.

Teste: B F McLemore C. C.

Bank of Suffolk
v.
Spain in Chy.
Hardy Et. Als:

1909- 1st May Rules

Executed this 24th
day of Apr. 1909
by delivering a
true Copy of the
with in Summons
to Walter Hardy &
Louis Hardy, Lou
Horrell Could not be
found in this County
Jno. D. Turner Sheriff
By J. D. Turner D. S.

1909- 3rd May 5th Rule

The Commonwealth of Virginia.

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

We command that you summon Louis Hardy Walter Hardy and Lam Worrell

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 1st Monday in May 1909 ~~next~~, to answer a Bill in Chancery exhibited against them in our said Court by Bank of Suffolk

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

WITNESS, ~~L. A. GAY~~ B. F. McLemore Clerk of our said Court, at the Courthouse, this 20 day of April, 1909, in the 133 year of the Commonwealth.

Teste: B. F. McLemore C. C.

The Commonwealth of Virginia,

TO THE ~~SHERIFF~~ Sergt. OF ~~SOUTHAMPTON COUNTY~~ City of Norfolk GREETING:

We command that you summon Helena Hardy Jordan Hardy - Love Hardy and Bark Hardy last two infants under 21 years of age

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 August 1909 to answer a Bill in Chancery exhibited against them in our said Court by Bank of Suffolk

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

Wituess, B. F. McLEMORE, Clerk of our said Court, at the Courthouse this 9th day of August, 1909, in the 134th year of the Commonwealth.

Teste: B. F. McLemore C. C.

Bank of Suffolk
vs Spa in Chy.
Hardy, Et: Als:
1909 - 2d Augt - Rules

Nat Lawes
vs Lawes Dgx
City of Norfolk
by M A Simpson
Norfolk Dpty

The Commonwealth of Virginia.

TO THE ~~SHERIFF~~ Sergeant of City of Norfolk OF ~~SOUTHAMPTON COUNTY~~ GREETING:

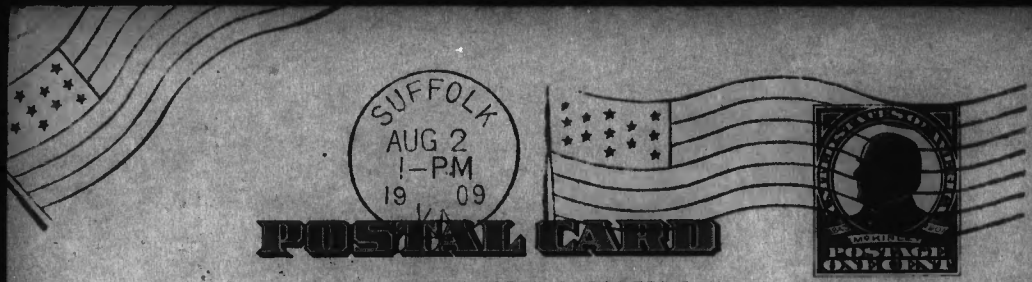
We command that you summon Helena Hardy Fredel Hardy Love Hardy & Beck Hardy last two infants under 21 years of age

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 August 1919 to answer a Bill in Chancery exhibited against them in our said Court by Bank of Suffolk

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

Witness, B. F. McLEMORE, Clerk of our said Court, at the Courthouse this 9th day of August, 1919, in the 144 year of the Commonwealth.

Teste: B. F. McLemore C. C.



THE SPACE BELOW IS FOR THE ADDRESS ONLY.

Mr E. L. Beale.
Franklin,
Va.

Suffolk Aug. 2. 09.

Dear Ernest

Judge Hancock will be in Courtland on Wednesday the 4th. of Aug. You can get your order then, and by quick work get your second dinner on the 19th. as I will be there again on that date. Yours truly,

Jas. L. McSmare

Bank of Suffolk

vs. } **Extract of Judgment.**

Handy et als

p. q.

Circuit Court,

Term, 19.

Exhibit
"A"

No.

COMMONWEALTH OF VIRGINIA,

In Southampton Circuit Court, March Term, 1906

Bank of Suffolk Assignee

Plaintiff

Against

In

Lewis Hardy & Walter Hardy

Judgement for the Plaintiff $ against the Defendant for

One Hundred Three 60/100 DOLLARS

Homestead waived, with legal interest thereon from 17 day of April 1906

till paid, and costs $ 7.47

A Extract—Teste: P A McLemore C. C.

By H B McLemore DS

Bank of Suffolk
vs } Order of Pub:
Hardy, Et: Als:

1909. Apl. 21- Filed

In the Clerks Office of the Circuit Court of the County of Southampton on the 21st day of April 1909.

Bank of Suffolk, Suff

Against: In Chancery.

Lewis Hardy, Walter Hardy and

Lou Worrell, Dft

The object of this suit is to inforce the sale of the real estate belonging to Lewis Hardy, Walter Hardy and Lou Worrell, to public sale for the satisfaction of a Judgment amounting to One Hundred Three & 60/100 Dollars and $ 7.47 cost, due to the Bank of Suffolk,

And an affidavit having been made and filed, that Lou Worrell, one of the Defendants to this suit, is not a resident of the State of Virginia, it is ordered that she do appear here within Fifteen days after due publication hereof, and do what may be necessary to protect her interest in this suit. And it is further ordered that a copy hereof be published once a week for four successive weeks in the Tidewater News, a News paper published in the Town of Franklin Va, and that a copy be posted at the front door of the Court House of this County, on or before the next succeeding rule day of said Court.

E. L. Beale, p.q. ~~A Copy:~~ Teste:

R. F. McLemore ---Clerk.

Bank of Suffolk

Fr } Affidavit for
ord. f. Publication

Hardy et als

1909 Apr 21st Filed

Bank of Suffolk)
v.) Affidavit.
Louis Hardy,)
Walter Hardy,)
Lou Worrell.)

State of Virginia,
County of Southampton, to-wit:

This day E. L. Beale, Attorney for the above named plaintiff, personally appeared before me, C. J. Edwards, a notary public in and for the county and state aforesaid, in my county aforesaid, and made oath that Lou Worrell, one of tha above named defendants, is not a resident of this state.

Given under my hand this 21st day of April, 1909.

My term of office expires on the 27th day of August ,1910.

Claud J. Edwards
Notary Public

DB. 34 - p. 280 -

This Deed of B & S made this 22 day of Sept: 1899. Between Benj E. Worrell of the one part + Rachel Horsley of the other part -

A certain piece of land lying on Flaggy Run in the Co. of Ho - Sh - of Va and bounded by the lands of Jno. B Price, Benj E Worrell + others - Commencing at a pine tree in Jno. B Prices line on the road leading from Jonesboro to Franklin. Thence along said road to a gum, thence in a northerly direction to a stake a corner in Mt Olive Church property - thence westerly along the line of said Church property - to J B Prices line, thence in a southerly direction along J B. Prices line to the beginning + supposed to contain 3 acres - more or less

Bank of Suffolk
for Statement by Rules -

Hardy Lewis & Walker &

Bank of Suffolk,

vs.

Lewis Hardy, Walter Hardy and Lou Worrell } Statement of Rules.

1909. April 20: Process issued to 1st May Rules

1909. April 21st Affidavit as to non Residents Filed. Order of Publication Issued.

1909. April 23rd Order of Publication Posted

1909. 1st May Rules. Process returned Executed on Lewis & Walter Hardy

Bill & Exhibits Filed

1909. 2nd May Rules: Order of Publication Completed: Bill taken for Confessed and cause set for hearing.

Know all Men by these Presents, That we E L Beale and The Empire State Surety Company are held and firmly bound unto the Commonwealth of Virginia, in the sum of Three 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 the bonds of this State. Sealed with our seals, and dated this 21st day of January one thousand nine hundred and Ten.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound E L Beale shall faithfully perform the duties of his office or trust, as Special Commissioner under decree of the Circuit Court of the County of Southampton pronounced on the 17th day of January, 1910, in the suit therein depending under the name and style of Bank of Suffolk against Hardy et als. or any future decree that may be entered in this cause

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

Signed, sealed and acknowledged in the presence of

E. L. Beale [SEAL]

The Empire State Surety Co. [SEAL]

by E. L. Beale its Attorney in Fact. [SEAL]

In the Clerk's Office of the Court of the of

This day

suret on the above bond, made oath before me, , Clerk of the Court of the of that estate, after the payment of all just debts, and those for which bound as securit for others and expect to have to pay worth the sum of dollars.

Given under my hand, this day of , 19

Clerk.