

1873-005 Chancery Causes: William H. Barlow vs George J. Barlow

Isle of Wight County

To the Honourable George R. Atkinson, Judge of the
County Court of Isle of Wight County

Humbly complaining sheweth unto your Honor
your Orator William H. Barlow of the said County
of Isle of Wight in the State of Virginia

I That your Orator did on the 20th day of October 1870
obtain judgment in the Circuit Court of Isle of
Wight County, against George J. Barlow for fifty
eight dollars and eighty eight cents with interest
thereon from the 23rd of July 1866 till paid, together
with his costs in that behalf expended; that the said
judgment has not been satisfied, and has been
docketed.

attach a part of
this bill.

II That the Defendant George J. Barlow was seized
and possessed of a certain tract of land in said
County (called Cober's) containing 190 acres more
or less, and bounded on the East by the lands of
Nathan Jones, on the West and North by the lands
of Mary Ann Jones, and on the South by the land
of Ed: Chapman, together with all the houses, build-
ings, improvements, privileges and advantages
in any way whatever belonging or appertaining to
the same, and with the reversions, remainders, rents
issues and profits thereof; of which said 190 ac-
res the said Defendant George J. Barlow has
since his purchase of the said land sold 70
acres.

III That by the judgment rendered as aforesaid in favour

of your Orator against the said Defendant, your Orator has a lien on the said tract of land of the said Defendant

IV That the rents and profits of the said land of the said Defendant will not satisfy the said judgment of your Orator in five years

To the end therefore that justice may be done, and inasmuch as your Orator is without remedy save in a Court of Equity, where matters of this sort are alone cognizable, your Orator prays that the said George J. Barlow may be made a party defendant to this suit, and be required to answer the same as if he were fully & particularly interrogated as to the same; that a Commissioner of this Court be directed to report the fee simple and annual value of the said land, and what liens if any, there are upon the said land, and, if any, their priority; that the said land may be sold, and the proceeds thereof applied to the discharge of the said judgment; and that your Orator may have such further and general relief in the premises as the nature of his case may require or to equity seem meet - And he will ever pray &c.

Wm. O. Barlow

by R. S. Thomas

His Counsel

Barlow ^{G. L. & C. Ref.}
vs In Chancery
Barlow

Bill & Exhibits.

June Rules, 1891. Bill & Exhibits
filed and decreed.

July Rules - Bill taken
for confessed & at fault
July Court Decree for acts.

Aug. 14th 1891. Rept. filed

Sept. term Con?

Oct. 1. Rept. recorded for
further act. of law.

Feb. 3rd 1893 - Decree

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County---Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON

George J. Barlow

to appear at the Clerk's office of our

County

Court for the County of Isle of Wight, on the

last ~~2nd~~ Monday in *May*

~~2nd~~, 1871, being rule day, to answer a bill in chancery, exhibited

against

him

by

Wm. H. Barlow

and unless

he

shall answer the said bill by the

next rule day thereafter, the court will take said bill for confessed, and decree accordingly. And have then and there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at his office, this

14th

day

of

May

1871, in the

95th

year of the Commonwealth.

N. P. Young

CLERK.

~~2nd~~ The Sheriff will, in his return, note the day on which this process is executed on each defendant.

On the 27th day of May 1871 I delivered a true
 Copy of this Sum, to Clopatra Barlow the wife of
 George J. Barlow, after explaining its purport
 to her, the said George J. Barlow not being
 found at his usual place of abode, and
 she being over 16 years of age ^{and a member of this family} D.S.
 W. A. Harris

Wm. J. Barlow

and
 Mrs. J. Barlow

Wm. J. Barlow

at New York, 1871,

being on local business
 in New York (see list)

G. L. Harris

In Isleswight County Court, July 3rd 1871.

William H. Barlow

Pliff.

vs.

George J. Barlow

In Chy.

Deft.

This Cause came on this day to be heard on the bill taken for confessed as to the defendant Geo. J. Barlow, with general replication thereto, and was argued by Counsel: On consideration whereof the Court doth adjudge order & decree that one of the Commissioners of this Court do ascertain the annual and fee simple value of the land in the proceedings mentioned, together with the liens that may be thereon, and their priorities, and make report to this Court with any matters that may be deemed pertinent by him, or required by either of the parties to be so stated.

A Copy

Teste

Wm. H. Hart, D.C.

Wm. H. Barlow

vs. { Copy of
Decree

Geo. J. Barlow

July Co. Ct. 1871.

July 18th 1871

Noting to 12th

Aug. 1871.

The only land owned

at time of purchase was

120 acres, being the

tract bought of 19

James T. W. of Wilson

James, who was

sold to Wm. H. Barlow

prior to the filing

petition, and when

\$250 for a full \$500.

A.

An account of the annual and fee simple value
of the land mentioned in the proceedings, in
the suit of William H. Barlow vs. George J. Barlow
now depending in the county court of Isle of Wight County

A tract of 120 acres, more or less, being
the tract purchased by said Geo. J. Barlow
of Benjamin Jones Executor of Wilson Jones
deceased, by deed filed in the proceedings
as exhibit B. (Up 70 acres subsequently sold
by said Geo. J. Barlow to Wm H. Little) the
annual value of which is

\$25 00

Fee simple value of same land is \$500 00

B.

An account of the liens on the land mentioned in the
foregoing account A. and their priorities.

William H. Barlow, plaintiff, Judgment 20th
of October, 1870, Docketed, for 50 88

Interest thereon from the 23^d July 1866 till
4th Sept. 1871. 15 60

Costs of suit 7 15

\$ 73 63

Commissioner's Office, Isle of Wight Court
House - August 12th 1871.

To the County Court of Isle of Wight County.

Your commissioner reports to the court, that pursuant to a decree of the court rendered on the 3rd day of July 1871, in the suit therein depending between Wm. H. Barlow plaintiff against George F. Barlow defendant, directing a commissioner of the court to ascertain the amount and fair value of the land in the proceedings mentioned together with the heirs that may be thereon, and then personally he issued notice to the parties, plaintiff and defendant, on the 18th day of July, 1871, that he had appointed the 12th day of August, 1871, to take the accounts required. which notice was executed on the 12th and signed thereof acknowledged by the counsel for the plaintiff.

That from the evidence before him, your commissioner has made the foregoing accounts A. & B.

Account A. shows the annual value of said land to be \$25.00, and the fair value thereof \$500.00.

Account B. shows the only judgment here proved to be that of the plaintiff, amounting, on the 1st of September, 1870, interest & costs included, to \$73 63.

Given under my hand as Commissioner of the said County Court, the Day and Year first aforesaid.

Time employed 6 hours 3
Commissioner, fee \$6.00 3

A. P. Young Com.

W^m H. Barlow

J. ³/₄ Com^d. Rept.

Geo. J. Barlow

—
Augt. 14th - 1841. filed
—

Barlow

or

Barlow.

This cause came on this day to be heard on the bill taken for confessed as to the defendant Geo. J. Barlow with general replication thereto and was argued by counsel on consideration whereof the court with adjudge order and decree that one of the commissioners of this court, ^{or assignee} the annual and for simple value of the land in the proceedings mentioned, together with the liens that may be thereon, and their priorities, and make report to this court with ~~some~~ any matter that may be deemed pertinent by him, or required by action of the parties to be stated.

Barlow

v. Amph Decree

Barlow

July June 1871.

To the interest

Geo. Robinson

End

Barlow

N.
Barlow

This cause came on this day
as he again heard on the papers formerly
used, and on the report of Commissioner
N. P. Young made pursuant to a decree
order rendered herein at the July Term
1871 of this Court & which report and
exceptions are filed and was agreed
by Counsel. On consideration whereof
the Court doth adjudge, order and decree
that the real estate of the George J. Barlow
in the Complainant's bill mentioned
be at public auction as before the door
of the Court House of Sale of Wright
County, after one month's advertise-
ment of the same, rented out until
the Complainant's debt be paid, to
see King for the said rent and
rents for securing - payable on the
1st day of January 1873, and on the
1st days of January succeeding du-
ring the time of such renting; and
make report of his proceedings under
this, and any future decree rendered
in this cause.

Barlow

N.

Barlow

Rush Creek

Octo Term 1871

To be enclosed.

Wm. H. Barlow
vs,
Geo. J. Barlow & Luleby,

The Clerk of Eschscholtz
County Court dismiss the
above suit, R. S. Thomas

In Suffolk Circuit Court, Octo: 20th 1870

Wm. H. Barlow

Plff:

vs.

{ In Debt.

George F. Barlow

Def.

The judgment at Rules in this suit not having been set aside, & the plaintiff being now entitled to a final judgment, it is considered that the plaintiff recover against the defendant fifty dollars and eighty eight cents, with interest thereon from the 23rd of July, 1866, till paid, and his costs in this behalf expended —, costs \$4.15 —.

A Copy
Teste

N. D. Young, Clk:

Wm. H. Barlow

vs. { Copy of
Judgment

Geo. J. Barlow

"A"

Fee, 25¢

This Indenture made the 15th day of Nov^r in the year, 1847, Between Benj^a Jones Esq^r: (with the will annexed of Wilson Jones dec^d.) of the one part, and Geo. J. Barlow of the other part, Witnesseth: That the said Benj^a Jones Esq^r. of A^t. Wilson Jones dec^d. for and in consideration of the sum of Three hundred & fifty Dollars of lawful money of Virginia to him in hand received at and before the executing and delivery of these presents (the Recpt. whereof is hereby acknowledged) have bargained & sold of these presents do bargain and sell unto the said Geo. J. Barlow his heirs & assigns forever, a certain tract or parcel of land (called Cofer's) Containing 190 acres more or less. And bounded on the East by the lands of Nathan Jones, on the West and North by the lands of Mary Ann Jones and on the South by the lands of Ed. Chapman, Together with all and singular the houses, Buildings, Stables, yards, Gardens, Orchards, Lands, Tenements, meadows, commons, Woods, underwoods, Ways, Waters, Watercourses, privileges, advantages, hereditaments, and appurtenances, whatsoever, to the said land belonging or appertaining or known as part or parcel or member thereof, or as belonging to the same or any part thereof, and the reversion and reversions, remainder & remainders, yearly and other Rents, Issues and profits thereof, and every part and parcel thereof, to have and to hold the said Tract of land with the Tenements, hereditaments, and all and singular, other the

premises herein before mentioned or in-
tended to be Bargained and sold, and every
part, and parcel thereof, with every of their
rights, members, and appurtenances unto the said
Geo. J. Barlow his heirs and assigns forever —,
and the said Benjaⁿ Jones as Executor for
himself and his heirs and assigns, the said
land with all and singular the premises
and appurtenances before mentioned unto
the said Geo. J. Barlow his heirs and assigns
free from the claim or claims of him
the said Benjaⁿ Jones as Exor. of Wilson Jones
dec^d his heirs and assigns forever, shall, will
and do warrant and defend by these pres-
ents, In witness whereof he the said
Benjaⁿ Jones Exor. of said Wilson Jones dec^d
with the will annexed has hereunto set his
hand and seal, this the day and year
first above written —,

Benjaⁿ Jones, Exor. *Real*
of Wilson Jones, dec^d.

In the Clerk's Office of Calcasieu County Court,
Dec^r 6th 1847, This Deed was acknowledged
by Benjaⁿ Jones exor. of Wilson Jones dec^d and
admitted to record —,

Teste,

N. P. Young clk.

A Copy

Teste

C. H. Hart, D. C.

Jones & Co. v. C.

to } Copy of
} Deed

Geo. J. Barlow

"B" 4

Feb. 56. 4

Commissioner's Office, Isle of Wight Court House,

July 18th 1871

To William H. Barlow and Geo. J. Barlow.

You are hereby notified that I have fixed upon the 12th day of August next, if fair, if not, the next fair day thereafter, (Sunday excepted) to take and settle, at my office, the following accounts:

An account of the annual and fee simple value of the land in the proceedings mentioned, being the land owned and possessed by Geo. J. Barlow, together with the liens that may be thereon, and their priorities.

required to be taken by decree of Isle of Wight Circuit Court, rendered on the 3rd day of

July. 1871. 186, in a suit in Chancery depending in said Court, between

You as plaintiffs & defendants.

at which time and place you are required to attend.

Given under my hand as a Commissioner of the said Court, the day and year first aforesaid.

A. P. Young.

Com'r.

A Copy.

As atty. for plff. I do hereby
renew of this order,
Aug. 10th 1891

R. S. Thum

Barlow

By Court.
By Notice

Barlow

Do 12th Aug. 1891

2 copies

Commissioner's Office, Isle of Wight Court House,

To *William H. Barlow and George J. Barlow*
July 18th 1871 1871

You are hereby notified that I have fixed upon the *12th* day of *August* next,
if fair, if not, the next fair day thereafter, (Sunday excepted) to take and settle, at my office, the following
accounts:

*An account of the annual and fire insurance
value of the land in the proceedings
mentioned, being the land owned and
leased by Geo. J. Barlow - together with
the claims that may be thereon, and their
priorities.*

required to be taken by decree of Isle of Wight Circuit Court, rendered on the *3^d* day of
July 1871 1871, in a suit in Chancery depending in said Court, between
You as plaintiffs & defendants,

at which time and place you are required to attend.

Given under my hand as a Commissioner of the said Court, the day and year first aforesaid.

A. D. Young Com'r.

On the 28th of July 1891, I delivered
a copy of the within notice to Cleopa-
-tria Barlow wife of Geo. J. Barlow
for him, he not being at home,

Service acknowledged. W. A. Harrison Depy
8th

Barlow

W. A. Harrison
d. J. H. H.

Barlow

To 12th of Aug.
1891.