

1406-027 Chancery Causes: C. S. Hart, surviving partner VS Alex Johnson & Anna Johnson

Isle of Wight County

other surnames: Couling,
[Couling + Hart]

C.S.Hart surviving co-partner &c.

Vs. In Chancery

Alex Johnson and Anna Johnson

Complainants Bill

1st April rules 1903 Bill
filed. sum. executed on all
parties. de msc

2^d April rules 1903 Bill taken
for confessed and case set
for hearing

April Term 1903. de for accts.

Final decree June 1, 1908

LAW OFFICE OF
R. E. BOYKIN,
SMITHFIELD, VA.

payment of the lien of his said judgement.

In tender consideration whereof your complainant prays that the said Alex Johnson and Anna Johnson be made parties defendant to this bill and be required to answer the same, an answer under oath being hereby expressly waived; that proper process may issue, that all proper orders and decrees may be made and inquires directed. That if it shall appear that the rents and profits of the said real estate will not in Five years satisfy your complainants judgement, and the other judgements binding the same, that the interest of the said Alex Johnson in the said real estate be sold and the proceeds thereof be applied in satisfaction of your complainants said judgement, or that partition be had of the said land, the share of the said Alex Johnson be allotted to him and the same be subjected to the lien of the said judgement, or if partition cannot be had of the said land that the entire subject be sold and the share of the said Alex Johnson therein be applied in payment of the said judgement. That if it shall appear that the rents and profits of the interest of the said Alex Johnson in the said land will be sufficient to pay off the said judgement, that the said land be rented out and that the rents and profits be applied to the said judgement until the same is fully satisfied. And that such other, further and general relief may be granted in the premises as the nature of the case may require or to equity shall seem meet.

And your complainant will ever pray &c.

Boykin. p.g.

To the Honorable R.R. Prentis, Judge of the Circuit Court of Law and Chancery of the County of Isle of Wight, in chancery sitting.

Humbly complaining sheweth to the Court your complainant C.S. Hart, surviving co-partner of himself and Jno L. Cowling, deceased, late merchants and partners, trading under the firm name and style

That the said Cowling & Hart of Cowling & Hart, recovered before M.F. Jordan, a Justice of the Peace of the County aforesaid, in the State of Virginia, a judgement against Alex Johnson and Anna Johnson for the sum of Sixty One

Dollars and Fifty Nine Cents (\$61.59), with interest from December 21st 1902, until paid, together with One Dollar and Forty cents (\$1.40) cost; which judgement was duly docketed in the Clerk's office of the County Court of the County aforesaid on the day of March 1903.

A certified abstract of the said judgement is herewith filed marked A and prayed to be read as a part of this bill.

Of this judgement, though execution was issued thereon, no part has been paid; the execution thereon was returned "no effects", and your complainant does not believe any part of it can be made from the personalty of the said Alex Johnson and Anna Johnson.

Your complainant is informed and so charges that the said Alex Johnson is entitled to an undivided interest in a certain tract or parcel of land, situate, lying and being in the County and State aforesaid, adjoining the lands of *A. B. Stott, and* and *others*, being the same land of which Daniel Johnson died seized and possessed.

Your complainant is further informed and so charges that the rents and profits of the undivided interest of the said Alex Johnson in the said land, will not, in Five years satisfy your complainants judgement, and the other judgements thereon; that he is entitled to subject the said interest in the said land to the

Executed on Anna Johnson by deliver-
ing a copy to her. Apr 1st 1903. and
not finding any Johnson at his usual
place of abode I delivered a copy of
this notice to Anna Johnson, wife of
the estate and explained the purpose
of the same to her. Apr 1st 1903.

As Edward
Stoff.

b.s. Hart Attorney R.

VS. {
SUBPOENA
IN
CHANCERY.

Ally Johnson et al

A. E. O'Connell p. 9

To First April Rules,

✓ Circuit Court.

1903

B 33119

The Commonwealth of Virginia,

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

WE COMMAND YOU that you summon

Alex Johnson and Anna Johnson

to appear at the Clerk's office of the *Circuit* Court of the *County* of *Isle of Wight* -
at the rules to be held for the said Court, on the *First* Monday in *April* 1903,
to answer a bill in chancery, exhibited against *them* in our said court ~~for~~
by C. S. Hart, surviving copartner of himself and John L. Bowling, late merchants and partners trading under the firm name and style of Bowling and Hart

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at
the court-house, the *23^d* day of *March* 1903, and in the 12th
year of the Commonwealth.

N. F. Young

C.S.Hart, Surviving co-partner &c.

Vs. In Chancery

Johnson et als.

Rough decree April 27th 1903.

To be entered

A handwritten signature in dark ink, appearing to read "Robert R. Smith". The signature is written in a cursive style with a large, prominent initial "R".

C.O.B. 6, page 200

LAW OFFICE OF
R. E. BOYKIN,
SMITHFIELD, VA.

C.S.Hart, surviving co-partner of himself and Jno L. Cowling deceased late merchants and partners trading under the firm name and style of Cowling & Hart.

Vs. In the Circuit Court of the County of Isle of Wight.

Alex Johnson and Anna Johnson.

This cause came on this day to be heard on the complainants bill, taken for confessed as to the defendants, upon whom process plead, has been duly served, they still failing to appear, answer or demur, and was argued by counsel. On consideration whereof the Court doth adjudge, order and decree, that a commissioner of this Court do take the following accounts.

First. An account of the real estate of the said Alex Johnson and Anna Johnson, or either of them, or any interest therein, together, with its annual and fee simple value.

Second, An account of the liens on the said real estate, or interest therein, with their priority.

Which accounts the said commissioner shall take, state and report to Court, with any matters specially stated deemed pertinent by himself or required by any of the parties to be so stated.

Caroline Hart

vs.

}

**ABSTRACT
OF JUDGMENT.**

Alex Johnson Anna Johnson

B 33116

Virginia:

In the ~~County~~ ^{Justice} Court of the County of Isle of Wight, January 27th ~~Term~~, 1903.

Samuel T. Hart

Plaintiff

versus

Alex Johnson & Anna Johnson

Defendant

Judgment in favor of the Plaintiff against the Defendant for the sum
of Eighty One Dollars

With interest thereon at the rate of six per centum per annum, from
the 22^d day of Dec. 1902 until payment.

Subject to the following credits:

A FIERI FACIAS issued from the Clerk's office of said Court on the _____ day of _____ 190____
returnable to the _____ thereafter, directed to the _____
of the County of Isle of Wight, who hath made return thereon in the words and figures following, to wit: _____

This Judgment was duly docketed in the Clerk's office of the
County Court of the County of Isle of Wight on the 23^d
day of March 1903.
Judgment Docket No. 3 Page 20

Teste:

A. J. Young Clerk.

A. J. Young Clerk.

R. E. Baykin p. q.