

1881-003
Nansemond Co. (Suffolk)

Chancery Causes: Pitt Building & Loan Association of Pittsburg vs James Harrison et al

Folder 1 of 2

Rutledge, Arthurs, Bryant, Marshall

Folder 1

The Pitt Building and Loan
Association of Pittsburg . . . Plaintiffs
vs J In chey
James Harrison & al . . . Defendants

This cause came on this day
to be again heard on the paper formerly
read therein and on the report of sale
of Spl: Court R. H. Rawles & C. H. Hauser
made under a decree in this cause
at the October term 1880, of this court
and was argued by Counsel

On consideration whereof the Court
doth confirm the report of sale (no
exceptions having been filed thereto
and doth adjudge, order and decree,
that said Spl: Court do proceed to
make unto the purchaser of the
land in these proceedings mentioned
a deed with special warranty in the
usual form;

And nothing further remaining to
be done in this cause it is order-
ed that the same be removed
from the docket.

Pitt Building & Loan
Association of Pittsburg
re of chq. Final Secue
Jas. Heinen & Co

In vacation
1887

~~April Secue~~

Rough Secue

To be entered

May 10th 1887

Geo. Blow.
5

Entered O. B. No 1

p. 5-30

Final Secue

DEED OF TRUST.

This Deed, made the sixth day
of November one thousand eight hundred and seventy-seven
between A. B. Rutledge and Mary J. Rutledge
his wife, of the county of Nansemond

and State of Virginia, of the one part, and John R. Kilby

chosen as trustee for the purposes herein named, of the other part, **Witnesseth:**

That the said A. B. Rutledge and

Mary J. Rutledge his wife, do grant, with general warranty,
unto the said John R. Kilby

trustee as aforesaid, the following property, to wit: The one half interest of said
A. B. Rutledge and Mary J. his wife, in an undivided tract of land,
in Nansemond County, Virginia, owned jointly by them with
James Harrison, and containing two hundred acres, more
or less; Bounded North by Phillips' Mill Pond; East, by
the land of Elijah Richards; South, by the land of W. W.
Duke and Adam Edwards; and West, by the County road
leading from the residence of Saml. Eley, to said Mill Pond;
being the same land sold by Andrew Marshall and wife,
and by them conveyed to said James Harrison and Mary J.
Rutledge, by Deed dated the ninth day of July, 1877, and re-
corded in the Clerk's Office of Nansemond County, Virginia

together with all and singular the appurtenances belonging to the same.

In trust to secure the payment of Eight hundred and thirty-five dollars to Rev. Joshua W. Rutledge of Pittsburg, Pa. with interest from the 17th day of October, 1877, as evidenced by a bond executed by said Mary J. Rutledge and A. B. Rutledge and payable six months after date, to secure the payment of \$100. to Irenia Rutledge; \$50. to Wm. H. Arthurs, and \$290.57 to John G. Bryant, without any preference or priority, either to said Joshua W. Rutledge, Irenia Rutledge, Wm. H. Arthurs or John G. Bryant, all being secured equally and pro rata; said debts of \$100. \$50. and \$290.57 like said debt of \$835. being evidenced respectively by separate bonds, dated the 17th day of October, 1877, executed by said Mary J. Rutledge and A. B. Rutledge and payable six months after date, with interest from date, to the respective parties, And, if said Mary J. and A. B. Rutledge fail to pay said sums of money and all interest due thereon when the same shall become due and payable, then said Trustee is hereby authorized to sell said one-half interest in said tract of land hereby conveyed to him, after due advertisement of the time and place of sale, and, out of the proceeds of the sale, to pay first, the expenses of the sale, including a Commission of five per cent on said proceeds to himself, said Trustee, and then pay said sums of money or such parts thereof, as may be due and unpaid, at the time of sale, and all interest due thereon, and pay the residue of said proceeds, as the law directs

Witness the following signatures and seals:

M. J. Rutledge [SEAL.]

A. B. Rutledge [SEAL.]

M. J. Rutledge [SEAL.]

State of Virginia,

County of Nansemond

To wit:

I, Wilbur J. Kelly, a Notary Public in and for the county aforesaid, in the State of Virginia, do certify that M. J. Rutledge the wife of A. B. Rutledge whose names are signed to the writing above, bearing date the 6th day of November 1877, personally appeared before me in the county aforesaid, and being duly examined by me privily and apart from her husband, and having the writing aforesaid fully explained to her, she the said M. J. Rutledge acknowledged the said writing to be her act, and declared that she had willingly executed the same, and does not wish to retract it.

Given under my hand this 12th day of November eighteen hundred and seventy-seven.

Wilbur J. Kelly
Notary Public

Virginia:

County of Nansemond

To wit:

I, Wilbur J. Kelly, a Notary Public in and for the said county, in the State of Virginia, do certify that A. B. Rutledge and M. J. Rutledge, as a joint and several whose names are signed to the writing above, bearing date the 6th day of November 1877, have acknowledged the same before me in the county aforesaid.

Given under my hand this 12th day of November, 1877

Wilbur J. Kelly
Notary Public

In the Clerk's Office of Nansemond County Court the 14th day of November, 1877.

This Deed of Trust was received, and with the Certificate annexed, admitted to record.

Teste, Peter B. Prentiss, Clerk

A Copy: Teste,

Peter B. Prentiss, Clerk

Nansemond Office

November 22nd: 1878

(Copy)
Deed of Trust

Mary J. Rutledge and
A. B. Rutledge

TO

John R. Kilby, Trustee
for Joshua W. Rutledge
and others

"
C
—

This Deed,

made the ninth day of July

in the year of our Lord, one thousand eight hundred and seventy — seven — between

Andrew Marshall and Ida, his wife

of the county of Nansemond in the _____ and State of Virginia, of the one part, and
James Harrison and Mary J. Rutledge, the wife of A. B. Rutledge, of Pittsburg
in the State of Pennsylvania of _____
of the other part, witnesseth: That the said

in consideration of the sum of Thirty five hundred dollars, the said Andrew Marshall
and Ida, his wife do grant with general warranty, unto the said James Harrison and Mary J. Rutledge, as for
her sole and separate estate and to their heirs and assigns, forever, the following real estate, to wit:
a tract of Land, in Nansemond County, Virginia, containing two
hundred acres, more or less, bounded North, by Phillips' Mill Pond;
East, by the land of Elijah Richards; South, by the land of S. W.
Duke and Adam Edwards; and West, by the County road
leading from the residence of Samuel Eloy to said Mill Pond
and is the same land sold by Thos. E. Outland & wife, to said
Marshall, by Deed on the 11th day of May, 1875: which Deed
is recorded in the Clerk's Office of Nansemond County, Virginia

together with all and singular the appurtenances belonging to the same.

And the said Andrew Marshall

covenants that he has the right to convey the said land to the grantee; that the said grantee shall have
quiet possession of said land; that he has done no act to encumber the said land; and that he will exe-
cute such further assurances of the said land as may be requisite.

Witness the following signatures and seals.

Andrew Marshall [SEAL.]

Ida Marshall [SEAL.]

Witnesses:

G. W. Rankin, as to Ida Marshall

State of Pennsylvania — County of Allegheny, to wit:

J. G. W. Rankin, a Notary Public, in and for the County aforesaid, in the State
of Pennsylvania, do certify, that Ida Marshall, the wife of Andrew Marshall

of Nanssmond Co. Va, but at present in Pittsburg & said Allegheny Co; whose names are signed to the writing above, bearing date the 9th day of July, 1877, personally appeared before me, in the County aforesaid, and being duly examined by me, privily and apart from her husband, and having the writing aforesaid fully explained to her she the said Ida Marshall acknowledged the said writing to be her act, and declared that she had willingly executed the same, and does not wish to retract it.

Given under my hand, this First day of August, Eighteen hundred and Seventy-seven

G. W. Rankin. Notary Public.
Seal

Virginia, County of Nanssmond, to wit: the County, in the State of Virginia, do I, John R. Kelly, a Notary Public in and for said County, in the State of Virginia, do certify that Andrew Marshall, whose name is signed to the writing above, bearing date the 9th day of July, 1877, has acknowledged the same before me, in the County aforesaid. Given under my hand, this 9th day of July, 1877.

John R. Kelly, Notary Public

In the Clerk's Office of Nanssmond County Court, the 14th day of November, 1877. This Deed was received and with the Certificates annexed admitted to record.

Teste, Peter B. Prentiss. Clerk

Nanssmond Office,
November 23rd 1878

A Copy: Teste, Peter B. Prentiss. Clerk

xnd

Andrew Marshall & wife

For Copy Deed

James Harrison and
Mary J. Rutledge.

" B "

|

Exemplification of Record

Commonwealth of Pennsylvania, }
 ALLEGHENY COUNTY, } Set.

Among the Records and Proceedings of the Court of
 Common Pleas No. one in and for the County of
 Allegheny, and State of Pennsylvania, the following may be
 found as matter of File and of Record at No. 338
March Term, 1877, to wit:

W. S. D. Appearance Docket Entry.

The Pitt Br L. c 7220

338 78

James Harrison

"July 13.th 1878 on trial List
 and Jury sworn Et die verdict
 for Plff. in the sum of \$4000 =
 to be released on payment of
 twelve hundred and ninety five
 & 700 Dollars (\$1295.⁰⁰).

July 14. 1878 Motion and process
 for a new trial. July 18. 1878
 on Argument List And new trial
 refused. July 19. 1878 Shiffs

receipt for verdict fee filed and judgment on the Verdict."

I John H. Bailey Associate Law Judge of the Court of Common Pleas
 No. One of Allegheny County Pennsylvania do hereby Certify that I pre-
 sided at the trial of the above mentioned Cause. And the Verdict was rendered
 as above set forth, and the judgment entered thereon as above stated is regular
 and in accordance with the Laws of the State of Pennsylvania, the same as if enter-
 ed in Open Court

John H. Bailey,

State of Pennsylvania }
County of Allegheny }



I B. J. Kennedy Prothonotary of the Court
of Common Pleas do hereby in and for said
County Certify that the foregoing Abstract
is a correct Copy from the Appearance
Docket of said Court and that the Hon
John H. Bailey who signs the foregoing
Certificate is one of the Associate Justices
Judges of said Court

In Testimony Whereof, I have hereunto set my hand and
affixed the seal of the said Court the 18th day of August
A.D. 1879

B. J. Kennedy
Prothonotary

Exemplification of Record.

Commonwealth of Pennsylvania, }
ALLEGHENY COUNTY, } Set.

Among the Records and Proceedings of the Court of
Common Pleas No. 1 in and for the County of
Allegheny, and State of Pennsylvania, the following may be
found as matter of File and of Record at No. 338
March Term, 1877, to wit:

Appearance Docket Entry. Feb 14, 1877 D. S. B.

The Pitt Building and Loan
Association of Pittsburgh

338 to Har

James Harrison

warning Aug. and re-examp.

Int from Aug 16/75

Penalty \$4000. = Real debt \$2000. =
And now Feb 14th 1877 comes
S. G. Schoyer Esq and upon warrant
of duly filed appears for Defendant
and confesses judgment against him
for the sum of Two Thousand Dollars
with costs of suit and attys fees 5%

B. J. Kennedy Recd

Feb 21. 1877 Rule to open judgment granted, by the
Court, March 6. 1877 on Argument Set and Rule absolute,
March 12th 1877 Rule on Def't to Plead Sec. reg. March 14. 1877
Plead filed, Feb 13th 1878 on trial Set and Jury sworn. Verdict
Verdict for Plaintiff in the sum of \$14000.00 to be released on
payment of Twelve hundred and ninety five & 7/100 Dollars (\$2957)
Feb 14th 1878 motion and reasons for a new trial, Feb 18th 1878
on argument Set and new trial refused, Feb 19. 1878 S. G. Schoyer
for Verdict fee filed and judgment on the Verdict.

(over)

Judgment Docket Entry.

Defendant	Plff	No	Term	Yr	Date of Judgment	Amount
<i>Enders</i> Harrison James	Pitt B & L asso	338	Mar	1877	Feb'y 19. 1878	\$1295 17

Know All Men by These Presents.

THAT *I James Harrison of the City of Pittsburgh Allegheny County Pa am*

held and firmly bound unto the

Pitt Building and Loan Association
in the sum of *Four Thousand* $\frac{1}{100}$ Dollars,

to be paid to the Association aforesaid, its certain Attorney or Assigns. To which payment well and truly to be made. *I* do bind *myself* *my* heirs, executors, administrators and every of them firmly by these presents. And *I* do hereby empower *J. C. Schoyer Esq* or any Attorney at Law within the State of Pennsylvania, or elsewhere, to appear for *me* and after declaration filed confess judgment against *me* in favor of the Association aforesaid, or its assigns, as of any term, for the above penalty, together with costs of suit, Attorney's commissions of 5 per cent. for collection hereon, with waiver of inquisition, and condemnation of any property that may be levied upon by virtue of any execution, which execution may issue forthwith on failure to comply with any of the conditions hereof; and with waiver of the right of exemption from levy and sale of any and all property that now is, or may hereafter be exempted from levy and sale under any Act of Assembly for such purpose, and with a release of all errors, &c.

WITNESS *my* hand and seal the *16* day of *August*
in the year of our Lord one thousand eight hundred and *seventy five*

The Condition of the above Obligation is such,

That if the above bounden *James Harrison his*
executors or administrators, do well and truly pay, or cause to be paid unto the

Pitt Building and Loan Association,
aforesaid, its certain attorney or assigns, the sum of *Two Thousand Dollars*

with interest thereon, payable on *Tuesday* of each and every week hereafter, together with the weekly dues on *ten (10)* Shares of the Capital Stock of the Association aforesaid, now owned by the said *James Harrison* and such fines, &c., as may be imposed thereon under the Constitution and By-Laws of the Association aforesaid: PROVIDED, HOWEVER, and it is hereby expressly agreed, that if at any time default be made, and three consecutive months are suffered to elapse without paying up all installments of interest, and weekly dues on said Stock, and fines for non-payment thereof as aforesaid, or any or either of them; then, and in such case, the credit given on said principal sum shall cease and determine, and the same, with the interest, the weekly dues, and fines for the non-payment thereof, shall be taken as due and payable, and may be recovered forthwith, anything hereinbefore contained to the contrary notwithstanding, without any fraud or further delay, then this obligation to be void, otherwise to be and remain in full force and virtue.

SEALED AND DELIVERED IN
PRESENCE OF

Geo D. Whitney

James Harrison SEAL
SEAL

BOND

TO THE

Building and Loan Association
OF

Penalty, - - - \$

Real Debt, - - - \$

Interest from - - - \$

Dated, - - -

Allegheny County, ss.

No. _____ of _____ Term, 1877

James Harrison late of
said county, ycom *as*, w *as* *summoned* to answer *The Pitt Building*
and Loan Association of Pittsburgh Pa. a corporation
under the laws of the State of Pennsylvania

of a plea that he render unto
it the sum of *Four Thousand Dollars (\$4000.00)*

lawful money of the United States, which to *it* he owes and unjustly detain, &c.

And whereupon the said *Plaintiff*

by *Robert Arthurs* *its* attorney, complain, for that whereas the said

defendant heretofore, to wit, on the *Sixteenth* day of *August* in the

year of our Lord one thousand eight hundred and *seventy five* at

Pittsburgh in the county aforesaid, by *his* certain writing

obligatory, had granted *and agreed* to be held and firmly bound unto the

said plaintiff in the aforesaid sum of *Four Thousand Dollars*

(\$4000.00) to be paid to the said plaintiff when thereunto

afterwards *he* should be required. Nevertheless, the aforesaid defendant

although often required the aforesaid sum of money, or any part thereof, to the said plaintiff, yet has

not paid, but the same to *it* to pay, hitherto has altogether refused, and

still does refuse; Whereupon the said plaintiff says *he* it is worse, and has

damage to the value of *Two Thousand Dollars*

and therefore he bring suit, &c. And bring here into Court the writing obligatory aforesaid, which

the debt aforesaid, in form aforesaid, doth testify; the date whereof is the day and year aforesaid, &c.

JOHN DOE AND
RICHARD ROE. } Pledges, &c.

Robert Arthurs

Attorney for Plaintiff.

ALLEGHENY COUNTY, ss.

By virtue of a warrant of attorney, authorizing me thereto, I appear for the defendant above
named, and confess a judgment against *him* for the sum of *Two Thousand*

Dollars with costs of suit, release

of errors and *to be released on the payment of Two Thousand Dollars*

with interest and five per cent attorneys commission

for collection hereon, with waiver of Inquisition and

condemnation of any property that may be levied on

by virtue of any execution, and with waiver of the right

of exemption from levy and sale of any and all property

that may be exempted by any laws for such purpose

Saml. C. Schoyer

Att. to atty

No 338 March 8 1877

The Pitt Building
and Loan Association
of Pittsburgh Pa.

-vs.-

James Harrison

Copy of Bond, Mortgage
and Assignment.

Fi Fa 541 Mar 1877

Filed Feb 14 1877

Arthur

The Pitt Building and
Loan Association

vs.

James Harrison

D. S. B

No 338 of March Term 1877

And now to wit February 21st 1877 The defend-
ant by his attorney McCampbell moves the Court
for a Rule to show cause why the judgment in
above case should not be opened and Defendant
let into a defence, and in the meantime all
proceedings thereon to be stayed for the following
reasons, viz:—

1st That the bond on which the judgment is founded
is void by reason of there being no legal clause of
forfeiture. The Plaintiffs being a corporation have no
power to make such a bond.

2^d That said bond is void because it varies from the
mortgage with which it was given and cannot be sup-
ported as it is contrary to the law and powers vested
in Plaintiffs corporation.

3^d That if Plaintiffs could maintain their action on
said bond Defendant does not owe plaintiffs the amount
claimed but is entitled to a credit on said bond of
about fourteen hundred and fifty Dollars or more,
the exact amount Defendant cannot state positive as
he has no account of his payments, that in order to
have a just settlement it will require the production
of the Books, Statements &c of Plaintiff on the Trial
of the case,

4th That Plaintiffs have issued a Scire Facias on
the mortgage given by Defendant to Plaintiff to
No 239 of March Term 1877, That Defendant

filed his affidavit of defence thereto wherein he
calls for the said Books &c. That said case is
still pending and undetermined.

W. B. Campbell

Atty for Defn

Allegheny County, S. S.

On this — day of February
A. D. 1877 Personally appeared before me B. F. Kennedy
Prothonotary in and for said County James Harris
the Defendant above named who being duly sworn
according to Law doth depose and say that, as he is
informed, the Plaintiffs are not entitled to recover on
said bond in which judgment has been entered, and
execution issued thereon to wit — of March 9 1877
for the reason that the said bond contains a void
clause of forfeiture, and that it does not correspond
with the mortgage with which it was given. That
suit is now pending on said mortgage to wit 239
of March Term 1877 and that an affidavit of defence
was duly filed therein denying the defendant owed
Plaintiffs the sum claimed together with other
good defences. — That if Plaintiffs can in law
recover or maintain their action on said bond then
defendant has a just and legal defence to a part of
Plaintiffs claim, the nature and character of which
is as follows, viz. That defendant was or is the
owner of ten shares of stock in Plaintiffs Association.

That by the statements of Plaintiffs of August 22^d.
1876 the said stock was worth One hundred and
fifty one \$900 Dollars per share. That the amount
owed of Plaintiffs was Two Thousand Dollars.

That after deducting the value of Defendants stock
defendant will owe Plaintiffs about the sum of Five
hundred Dollars. The exact amount defendant is
not able to state as he has no account of his pay-
ments nor of his legal standing in said corporation
as a stockholder. And in order to correctly ascertain
that fact it will be necessary to have the books
papers &c of Plaintiffs produced on the trial of the
case, That there is nothing showing the date of
default nor a statement of the account between the
Plaintiff and Defendant by which he can make
any positive statement. That before Plaintiffs are en-
titled to issue execution on said judgment they
must show that default was made, the date
when, give a statement of the payments and value
of the stock, That Defendant expects to be able
to prove from the said books &c that he does not
owe more than is stated above, and if the Court
are of the opinion that Plaintiffs can maintain their
present action on said bond, Then defendant
tenders judgment for the sum of Five hundred Dollars
with interest and costs, and further saith not.

Suam and Subscribed before
me this 21st day of Feb'y 1877

B F Kennedy
Pro

James Harrison

No 336 of March 1877

N. S. 73

The Pitt Building and
Loan Association

vs

James Harrison

Motion and Affidavit for Rule
to open judgment and let the debt
into a defence and to stay ex-
ecution

And now to wit Feb'y 21, 1877
the within motion having been
duly presented in open Court
and on due consideration had, rule
to show cause why the judgment
should not be opened is hereby
granted

By the Court

Filed Feb'y 21st 1877

H Campbell

The Pitt Building and
Loan Association

vs.

James Harrison

No 331 of March Term 1877

Allegheny County, S. S.

James Harrison the Defendant above named being duly sworn according to law doth depose and say that he has a further defence to the Plaintiffs claim in above case as follows, viz. That Plaintiffs were the owners of a certain property on Ridge Street in the 13th Ward City of Pittsburgh Pa. That Defendant purchased the same from Plaintiff for the sum of Fourteen Hundred Dollars. That in addition to said sum Plaintiffs loaned to Defendant about Two hundred and fifty Dollars. That the said bond on which above judgment is founded together with a mortgage of even date therewith for Two thousand Dollars was taken by Plaintiffs to secure the payment of said purchase money and said loan. That no loan was made or had by Defendant as provided by law, and the By-laws of Plaintiffs Association. — That no bidding was done, and the agreement of purchase was made at a regular meeting. That the said Bond is usurious and Plaintiffs are not entitled to recover more than the amount of the purchase money of said property and the further sum of about two hundred and fifty Dollars the loan together with simple interest and that defendant is entitled to set off

No 338 Mar 11/77
D. S. T. B.

The Pitt Building in
and Loan Association

vs

James Harrison

Affidavit of James
Harrison in support
of Rule to open judgment
and set defendant into
a defence

H Campbell

The full value of his share against the share,
debt and substituted
before me this 28th day of
April A D 1877
J J F Kennedy
James Harrison

The Pitt Building
and Loan Association

vs

James Harrison

No 338 March 1st 1877

Defendant Pleads "in debt"
payment. payment with leave to give the special matter
set up in the affidavit of defence with leave to alter and
amend bar.

N. C. Campbell

Att'y for Debt

March 14th 1877

No 338 Mar 1/1877

D. J. P.

The Pitt 191 L. Case

vs

James Harrison

Plea of Deft

Filed March 11, 1877

H. O. Campbell

Pitt Bldg L. asso.

"

Jas. Harrison

No 338 March Term 1877

D. S. B.

Defendant Proposes now to Show by the witness (Jas Harrison) that the real consideration of the bond in this case was as follows, to wit, -

Deft purchased from the Plaintiff certain Real Estate at an agreed price of Fourteen Hundred Dollars and borrowed from said association in Cash the sum of \$200. = and that to secure the purchase money and \$200. = borrowed of said this Bond was given. -

For the purpose of showing that Plaintiff is seeking to receive usurious interest and to enable the deft to defalc such usury -

Full Building and Loan
Association

vs.

James Harrison

Court of Common Pleas of
Allegheny County do.

No 338 March Term 1877

The Court is requested to instruct the jury as follows, viz.

1st That the Plaintiffs are a Special Corporation with certain powers granted by the Act of Assembly approved April 12th 1859, That in order to enforce any contract whereby usurious interest is claimed Plaintiffs must prove a strict compliance with the law, and unless they show that they have fully complied the Plaintiffs cannot recover, and your verdict should be for Defendant.

2^d That Plaintiffs cannot recover on the bond in suit they having failed to make the loan in accordance with the Statute.

3^d That failing to comply with the provisions of law Plaintiffs is not entitled to recover, there is no evidence of the amount due.

Poult refused except as covered by the general charge.

To which Deft excepts and vice sealed.

John H. Bailey

No 338 Mar 7 1877

DLB
—

Gifts points and
Answers,

Pitt Building and Loan
association

²⁵
James Harrison

No 331 March 1877

And now to wit February 19th 1878 the Defendant
by Atty moves the Court for a new trial for the following
reasons.

1st That the Court failed to answer Defendants
points

2^d That under the instruction of the Court the ques-
tion of fact as to the consideration of the bond was
taken from the jury. —

3^d That the Court erred in instructing the jury
that there was no legal impediment to a recovery
by the Plaintiffs

H. C. Campbell

Atty for Defendant

No 331 of March 1877
D. S. B.

Pill Building and
Loan Association
vs

James Harrison

Motion and Reasons for
a new trial

And now to wit Feby 13th
1878 rule to show cause
Granted. By the Court

Filed Feby 11th 1878

H. C. Campbell

ALLEGHENY COUNTY.

Pittsburgh, Feby 19th 1878

Received from Plffs Atty

FOUR DOLLARS, Verdict Fee. in the case of

The Pitt B & L Assoc vs Harrison

being No. 338 of march Term, A. D. 1877

Rt & Wife

Sheriff.

338 March 7 1877

N 21

Pitt B & L Assoc

Vs

Jas Harrison

\$ 1,295.17

Filed Feby 19/78

To the Hon. George Blow, Judge of
the Circuit Court of Hancock
County:

Complaining sheweth unto the Court
your complainants, "The Pitt Build-
ing and Loan Association ^{of Pittsburgh} (a
corporation under the laws of the State
of Pennsylvania).

Your complainants respectfully rep-
resent to the Court and say that
on the 19th day of February 1878 they
obtained judgment against James
Korasin in the Court of Com-
mon Pleas in Allegheny County in
the Commonwealth of Pennsylvania
for the sum of twelve hundred
and ninety five dollars and
^{seventeen} ~~nineteen~~ cents (\$1295¹⁷/₁₀₀) as will
appear by a copy full and official
copy of the said judgment, together
with the full proceedings in the
said case which is herewith filed
marked "A" and prayed to be
taken as a part of this bill.

That the said James Korasin is the
owner in fee simple of an undivided
half-interest in a tract of land in
Hancock County which he and

Mrs Mary J. Rutledge the wife of A. B. Rutledge jointly purchased from Andrew Marshall and Ida, his wife by deed dated the 9th of July 1877 as will be seen by a copy of said deed marked "13" and proposed to be taken as a part of this bill.

That the said Tract of Land is situated in Nonesuch County Virginia about six miles from Suffolk contains two hundred ~~more~~ acres more or less and is bounded on the North by the Mill Pond belonging to Dr. Phillips, East by the lands of Elijah Richards, South by the lands of D.W. Duke and Adam Edwards and West by the county road running from Sam Elys to the said Mill pond.

That the said James Morrison is not a resident of the State of Virginia. That the said debt is just and now due to your complainants, that they have present demand therefor, that no part of the said debt has ever been paid to your complainants and that the said James Morrison has estate in this county (Nonesuch) and

that the rents and profits of the said estate will not satisfy your complainants claim within five years.

That on the sixth day of November 1877 the said A.B. Rutledge and Mary J. Rutledge conveyed their interest in the said land by deed, to John R. Kilby, Trustee, in trust to secure to Rev. Joshua W. Rutledge, Lemuel Rutledge Wm H. Arthur, & John G. Bryant - certain debts mentioned in said deed which will more fully appear from a copy of said deed herewith filed marked "C" and prayed to be taken as a part of this Bill, but that the interest of the said James Horvick ~~was~~ in said land was not conveyed by ~~the~~ said deed nor has it ever been conveyed.

In consideration whereof and as the Court has jurisdiction to grant all adequate relief to the end &c Your complainant prays that the said James Horvick, Mary J. Rutledge, A.B. Rutledge M.J. Rutledge, John R. Kilby (Trustee) Rev. Joshua W. Rutledge Lemuel Rutledge Wm H. Arthur & John G. Bryant all of whom are now residents of this State except

Commonwealth of Pennsylvania, } ss.
Allegheny County,



I, B. F. KENNEDY, Prothonotary of the
Court of Common Pleas, No. / in and for said County,
eertify that the foregoing is a full and correct copy of the whole
Record of the Case therein stated, wherein *The Pitt*
Building and Loan association of
Pittsburgh is Plaintiff and
James Harrison is Defendant, as the same remains of
record before the said Court, at No. 338 of March,
Term, A. D. 1877

In Testimony Whereof, I have hereunto set my hand, and affixed the seal of the
said Court, the 27th day of September A. D. 1878

B. F. Kennedy
Prothonotary.

Allegheny County, ss.

I, *Edwin N. Stow* President Judge of the
Court of Common Pleas, No. / in and for said County, eertify that B. F. KENNEDY,
by whom the above attestation was made, was, at the date thereof, Prothonotary of said
Court, duly qualified; and the said attestation is in due form of law, and made by the
proper officer.

Witness, My hand and seal, the 27th day of September
A. D. 1878

Edwin N. Stow SEAL

Allegheny County, ss.



I, B. F. KENNEDY, Prothonotary of the
Court of Common Pleas, No. / for said County, eertify
that Hon. *Edwin N. Stow* Esq.,
by whom the above eertificate was given, and whose name
is thereby subscribed in his own proper handwriting, was,
at the date thereof, President Judge of the said Court, duly
commissioned and sworn, and acting.

In Witness Whereof, I have hereunto set my hand,
and affixed the seal of said Court, the 27th day
of September 1878

B. F. Kennedy
Prothonotary.

"a"

No.

The Pitt Building and
Loan Assoc of Pittsburgh
vs:

James Harrison

Exemplification of Record.

At No. 338 March
Term, 1877, from the Court of Com-
mon Pleas, No. 1, in and for the
County of Allegheny, Pennsylvania.

Balance \$4000.00
DEBT, - \$1295.17

Int. from, - - Feb 13/78

Allegheny Co. Costs,

This Record, - 5.00

Arthur

HERALD STEAM PRINT

ROBERT ARTHURS,
5th. NATIONAL BANK,
PITTSBURGH, Penna.

Attorney for Plff.

Pell

ALLEGHENY COUNTY.

Pittsburgh, Feby 19th 1878

Received from Plffs Atty

FOUR DOLLARS, Verdict Fee. in the case of

The Pitt B & S Assoc vs Harrison

being No. 338 of march Term, A. D. 1877

Rt & Wife

Sheriff.

338 March 7th 1877

N21

Pitt B & L Assoc

Vs

Jas Harrison

\$ 1,295.17

Filed Feb 19/78

To the Hon. George Blow, Judge of
the Circuit Court of Hancock
County:

Complaining sheweth unto the Court
your complainants, "The Pitt Build-
ing and Loan Association ^{of Pittsburgh} (a
corporation under the laws of the State
of Pennsylvania).

Your complainants respectfully re-
sented to the Court and say that
on the 19th day of February 1878 they
obtained judgment against James
Korvum in the Court of Com-
mon Pleas in Allegheny County in
the Commonwealth of Pennsylvania

for the sum of twelve hundred
and ninety five dollars and
~~nineteen~~ ^{seventeen} cents (\$1295¹⁷/₁₀₀) as will
appear by a copy full and official
copy of the said judgment, together
with the full proceedings in the
said case which is herewith filed
marked "A" and prayed to be
taken as a part of this bill.

That the said James Korvum is the
owner in fee simple of an undivided
half interest in a tract of land in
Hancock County which he and

Mrs Mary J. Rutledge the wife of A. B. Rutledge jointly purchased from Andrew Marshall and Ida, his wife by deed dated the 9th of July 1877 as will be seen by a copy of said deed marked "13" and fragal to be taken as a part of this bill.

That the said Tract of Land is situated in Nonesummit County Virginia about six miles from Suffolk contains two hundred ~~was~~ acres more or less and is bounded on the North by the Mill Pond belonging to Dr. Phelps, East by the lands of Elijah Richards, South by the lands of Dr. W. Duke and Adam Edwards and West by the county road running from Sam Elys to the said Mill pond.

That the said James Morrison is not a resident of the State of Virginia. That the said debt is just and now due to your complainants, that they have present demand therefor, that no part of the said debt has ever been paid to your complainants and that the said James Morrison has estate in this county (Nonesummit) and

that the rents and profits of the
said estate will not satisfy your
complainants claim within five
years.

That on the sixth day of November 1877
the said A. B. Rutledge and Mary J.
Rutledge conveyed their interest in
the said land by deed, to John R.
Kilby, Trustee, in trust to secure to
Rev. Joshua W. Rutledge, Premier Rutledge
Wm H. Arthur, & John G. Bryant - certain
debts mentioned in said deed which will
more fully appear from a copy of said
deed herewith filed marked "C" and
prayed to be taken as a part of this
Bill, but that the interest of the said
James Harrison ~~was~~ in said land was
not conveyed by ~~the~~ said deed nor has
it ever been conveyed.

In consideration whereof and as the Court
has jurisdiction to grant all adequate
relief to the end &c Your complainant
prays that the said James Harrison,
Mary J. Rutledge, A. B. Rutledge M. J.
Rutledge, John R. Kilby (Trustee) Rev.
Joshua W. Rutledge Premier Rutledge
Wm H. Arthur & John G. Bryant all
of whom are now residents of this State except

the said Mary J. Rutledge, A.B. Rutledge
M.J. Rutledge and John R. Kilby
(trustee) ~~may~~ may be made defend-
ants hereto and required to an-
swer the allegations herein and
that the interest of the said
James Harrison in the said
land may be sold to pay your
complainants demand & costs.
And your complainants will ever
pray &c.

The Pitt Building & Loan
Association of Pittsburg
per Wright & Rawles
Atty.

Shown to before me in my office
this ^{5th} day of ~~the~~ ^{December} 1878 by
R.H. Rawles attorney for
plaintiffs.

Peter B. Prentiss. Clerk

Wright & Rawles & Co. Secy

The Pitt Building & Loan
Association of Pittsburg

vs J. Bell

James Harrison Adm.

Mansfield & Co.

The Pitt Building and Loan Association of Pittsburg.

vs { Chy. Notes.

James Harrison Hale

1878. Decr: 5th: Sumd in Chy. vs joined to Jan'y: Rul'd, 1879.

" " " Affidavit of non-residence of the defts James Harrison
Rev. Joshua W. Rutledge, Maria Rutledge, W. H. Arthur and
John G. Bryant, made filed.

1879. Jan'y: 6th: Bill & Exhibits filed - Decree nisi vs Mr. J. Rutledge
& A. B. Rutledge - and abatement
by return, as to defts: John R. Kelly,
Trustee.

" Feb'y: 3rd: Decree nisi confirmed - & order of Pub. awarded
vs non resident defts:

" March 10th - Cert of Pub. filed

" April 7th: Or. Pub. having been published & held
according to law. In app: Cause set for
hearing.

" " 12th: Continu'd (Octo: 16th 1879) Decree for appor-

1880. April 14th: Continu'd

" Aug. 2nd: Report filed

" Octo: 13th: Decree for sale

Chy. Notes

Costs.

Clerk	\$15.00
atto & Tax	16.50
Shff:	2.10
Comau: - -	10.00
Recut for Poi .	5.00
Printer ("Sun")	6.00
to ("Examiner")	6.50
	5.00
	~~64.10~~

Costs

VIRGINIA :—AT RULES HELD

in the Clerk's Office of the Circuit Court of
Nansemond county, on Monday, the 3d day
of February, 1879,
The Pitt Building and Loan Association of
Pittsburg, Plaintiff,

IN CHANCERY -

against

James Harrison, Rev. Joshua W. Rutledge, Ire-
nia Rutledge, Wm. H. Arthurs, John G.
Bryant, M. J. Rutledge, A. B. Rutledge, M.
J. Rutledge and John R. Kilby, Trustee,
Defendants.

The object of this suit is to recover against the
defendant, James Harrison, the sum of twelve
hundred and ninety-five dollars and seventeen
cents, with interest thereon from the 19th day of
February, 1878, till paid, and to subject his real
estate in the county of Nansemond, to the pay-
ment thereof.

Affidavit having been made that the defen-
dants, James Harrison, Rev. Joshua W. Rut-
ledge, Irenia Rutledge, Wm. H. Arthurs and
John G. Bryant, are not residents of the State of
Virginia, they are hereby required to appear in
the said Clerk's Office, within one month after
due publication hereof, and do what may be ne-
cessary to protect their interests herein.

A copy.—Teste.

PLTER B. PRENTIS, Clerk.

Wright & Rawles and Causey, p. q.

feb7-4t

At home, she always took a newspaper.
 in the Bible before she went to bed.
 But her young friends evidently did
 not do this. Perhaps they would
 laugh at her! How hard it is to be
 laughed at!

PRINTING, PLAIN OR COLORED, CHEAPLY EXECUTED.

Terms: \$2.00 Per Year.

SUFFOLK, VA., April 15 1879

Wm Wright & Rawles and Causey.

CO DUNBAR & BARRETT, DR

PUBLISHERS OF

THE CHRISTIAN SUN.

1879

Feb 7	To ad of Pitt B. Loan Association. 13 3/4 in ⁴	\$6.00
-------	---	--------

I hereby certify that the above named advertisement appeared once a week 4 weeks in the Christian Sun

J. B. Dunbar

The F.H. Building & Loan
Association Inc

$\frac{11}{25}$ { Certifi. of Pat.

James Harris et al

Know all Men by these Presents,

That we, *R. H. Rawles, C. H. Causey and James C. Causey*

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA, in the just and full sum of *Two Thousand (2000)* Dollars, to the payment whereof, well and truly to be made to the said Commonwealth, we bind ourselves, and each of us, our, and each of our heirs, executors and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this *10th* day of *December* in the year one thousand eight hundred and *eighty (1880)*, and in the *105th* year of the Commonwealth. And we hereby waive our Homestead exemption, as to this obligation.

THE CONDITION OF THIS OBLIGATION IS SUCH, That if the above bound *R. H. Rawles and C. H. Causey*

who have ^{by a Decree of} ~~this day~~ qualified before the *Circuit* Court of Nansemond County, pronounced on the *12th* day of *October 1880*, in the *Chancery Cause*, wherein *The Pitt Building & Loan Association of Pittsburg* is Plaintiff, and *James Harrison & others* are Defendants, been appointed Com-
missioners to make sale of certain Real Estate, in said Cause described ~~under~~ said Decree, and all other Decrees they may be required to execute, in said Cause shall faithfully discharge the duties of ~~the~~ said trust, then the above obligation to be void, or else to remain in full force and virtue.

Executed in }
presence of }
the Court. }

R. H. Rawles (Seal.)
C. H. Causey (Seal.)
J. C. Causey (Seal.)
(Seal.)
(Seal.)

R. H. Rawles Ld.

Comms:

To } Bond

Commonwealth

1880
Decr: 10th.

* En. Joshua W. Rutledge
 Dennis Rutledge
 Wm. H. Rutledge &
 John H. Rutledge -
 M. J. Rutledge
 A. B. Rutledge
 M. J. Rutledge
 (M. J. Rutledge)

The clerk of Household Circuit Court will issue summons in conformity as follows:

The Pitt Building & Loan Association ^{Pitts}

James Harrison * Sept 18

The clerk will endorse on the summons "The sheriff is directed to attach the following property to wit: the real estate belonging to the said James Harrison in said county consisting of one ~~two~~ undivided half interest in the ~~following~~ tract of land which the said James Harrison and Mary J. Rutledge the wife of A. B. Rutledge, purchased from Andrew Marshall & Ida his wife by deed on the 9th July 1877, containing two hundred acres more or less and adjoining the lands of Elisha Richards Dr. Duke, Adam Edwards, Phelps Miller pond and ^{the} county road leading from Sam Eley to said mill pond

Wright - Hawks p. 9.
 Nov 20 1878

* R. S. Graham W. Rutledge & John Harrison
+ Dr. Wm. Rutledge
+ Wm. H. Archibald
+ John C. Bryant

Nansemond County; to wit:
This day R. S. Graham
attorney for the plaintiffs in
the above entitled suit made
oath before me that he believes
the plaintiffs claim is just
amounting to \$1295 ¹⁷/₁₀₀ with
interest from the 19th day of
Feb. 1878 at 6 per cent - per an-
num. That the claim is just-
and that there is present cause
of action therefore, that the
defendants are a ~~known~~ resident
of Virginia and that the said
defendants John Harrison
has estate in Nansemond
County Va, where the above
suit - is pending

(Signed)

R. S. Graham.

Sworn to & subscribed
before me, This 22nd
day of November, 1878.

Peter B. Prentiss. Clerk

The Pitt Building Association of Pittsburg Plaintiff
against { Chy: Suit pending in the Cir: Co: of Hanseman County, Va.
James Harrison, Rev. Joshua W. Rutledge,
Iraia Rutledge, Wm. H. Arthur, John G. Bryant, M. J.
Rutledge, A. B. Rutledge, M. J. Rutledge; and John R.
Kelby, Trustee Defendants.

I, Richard H. Rawles, one of the Attorneys for the Plaintiff, in
the above Chy: Suit, do swear, that I believe that the Plaintiff's
claim, amounting to \$1295⁰⁰ with interest, at the rate of 6 per cent
per annum, from the 19th day of Feb: 1878, is just: that there is
present cause of action therefor: that the defendants, James
Harrison, Rev. Joshua W. Rutledge, Iraia Rutledge, Wm. H. Arthur
and John G. Bryant, are non-residents of the State of Virginia;
and that the said defendant, James Harrison, has estate in
Hanseman County, Virginia, where said suit is pending.

(Signed)

R. H. Rawles.

Sworn to and Subscribed to before
me, in the Clerk's Office of the
Cir: Co: of Hanseman County, Va.
the 5th day of Decr: 1878

Peter B. Prentiss, Clerk

The Pitt Building & Loan
Association of Pittsburg
v^t { affidavit
James Hansen & Co

1878
Decr. 5th: Filed

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *James Harrison, Rev. Joshua W. Rutledge, Irenia Rutledge, Wm. H. Arthur, John G. Bryant, M. J. Rutledge, A. B. Rutledge, M. J. Rutledge and John R. Kirby, Trustee*

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the first Monday in *January* next, to answer a

Bill in Chancery, exhibited against them
in the said Court by *The Pitt Building and Loan Association of Pittsburg*

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this *5th* day of *December* 1878, in the 103rd year of the Commonwealth.

Teste:

Peter B. Prentis Clerk.

Memo;

The Sheriff is directed to attach the following property, to wit: The real estate belonging to the said James Harrison, in Hansemond County, Virginia, consisting of one undivided half interest in the tract of land which the said James Harrison and Mary J. Rutledge, the wife of A. B. Rutledge, purchased from Andrew Marshall and Ida his wife, by deed on the 9th July 1877, containing two hundred acres, more or less, and adjoining the lands of Elijah Richards, D. W. Duke, Adam Selwank, Phillips Mill Pond and the County Road leading from Saml. Eley's to said Mill Pond.

Teste,

Peter B. Prentiss, Clerk

Copy for
John R. Kelly, Trustee

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *James Hanson, Rev. Joshua W. Rutledge, Irenia Rutledge, Wm. H. Arthur, John G. Bryant, W. J. Rutledge, R. P. Rutledge, M. J. Rutledge, and John R. Kelly, Trustee,*

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the first Monday in *January* next, to answer a

Bill in Chancery, exhibited against *them* in the said Court by *The Pitt Building and Loan Association of Pittsburg*

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this *5th* day of *December* 1878, in the *103rd* year of the Commonwealth.

Teste:

Peter B. Prentis, Clerk.

Memo:

The Sheriff is directed to attach the following property, to wit: The real estate belonging to the said James Harrison, in Hanover County, Virginia, consisting of one undivided half interest in the tract of land which the said James Harrison and Mary J. Rutledge the wife of A. B. Rutledge purchased from Andrew Marshall and Ida, his wife, by deed on the 9th July, 1877, containing two hundred acres, more or less, and adjoining the lands of Elijah Richards, D. W. Duke, Adam Edwards, Phillips' Mill Pond, and the County road leading from Saml Eley's to said Mill Pond.

Teste,
Peter B. Prentiss, Clerk

1 Wright & Hand
Crausey

The Pitt Building and Loan
Association of Pittsburg

Sum. in Chy. No.

James Harrison & Co.

In Jan'y: Rules, 1879

Pro: B. No: 1. page 123
Cer: Co:

On the 16th day of December, 1878, I delivered to M. J. Rutledge, A. B. Rutledge and M. J. Rutledge, each, a copy hereof. John R. Kelly, Trustee having departed this life on the 5th day of Decr: 1878. And on the 16th day of December, 1878, as directed, I attached the following property, to wit: The Real Estate belonging to the within named Defendant James Harrison, in Hanover County, Virginia, consisting of one undivided half interest in the tract of land which the said James Harrison and Mary J. Rutledge the wife of A. B. Rutledge purchased from Andrew Marshall and Ida, his wife, by deed, on the 9th July, 1877, containing two hundred acres, more or less, and adjoining the lands of Elijah Richards, D. W. Duke, Adam Edwards, Phillips' Mill Pond, and the County road, leading from Saml Eley's to said Mill Pond.

The within named Defendants, James Harrison, Rev. Joshua W. Rutledge, Maria Rutledge, Wm. H. Rutledge and John B. Bryant are now residents of the State of Virginia.

J. D. Sulpham Sheriff

The Clerk of Hanover Circuit Court, will issue Summons
in Chancery as follows:

The Pitt Building and Loan Association of
Pittsburg. Plaintiff

$\frac{14}{20}$

James Harrison, Rev. Joshua W. Rutledge, Maria
Rutledge, Wm. H. Arthur, John G. Bryant, M. J.
Rutledge, A. B. Rutledge, M. J. Rutledge and John R.
Kelly, Trustees.

Defendants.

The Clerk will endorse on the Summons "The Sheriff is directed
to attach the following property, to wit: The Real Estate belonging to the
said James Harrison, in Hanover County, Virginia, consisting of one
undivided half interest in the tract of land, which the said James
Harrison, and Mary J. Rutledge, the wife of A. B. Rutledge purchased from
Andrew Marshall and Ida, his wife, by deed on the 9th. July, 1877,
containing two hundred acres, more or less, and adjoining the lands
of Eliza Richards, S. W. Duke, Adam Edwards, Phillips' Mill Pond, and
the County road leading from Sand. Eley's to said Mill Pond.

Wright Hawles & Causey h. g.

Decr. 5th. 1878.

~~Sumd in Ch. by the 5th Sunday.~~
(Decr. 5th. 1878) *cl*

✓

Robt Arthur,

Attorney at Law,

16 Sixth Street,

Pittsburgh, Pa. Jan'y 8th 1871 -

Richard H. Randles Esq
Dear Sir

On Dec. 20th last
I sent you check for \$150. in
full of costs fees in the case
against James Harrison and
I expected ere this to have
received the deed for the
property. Please send me
the deed properly recorded
as soon as possible - if not
at once please let me know
when I may expect it

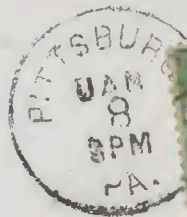
Let me know also if you
have made any arrangement
about the rents?

Expecting an early
reply I am

Yours pr

Robt Arthur

RETURN TO
ROBERT ARTHURS,
ATTORNEY,
No. 16 SIXTH STREET,
PITTSBURGH, PA.
If not delivered in Three Days.



Vacation
Richard W. Hawley Esq
Attorney
Suffolk
Va.

Robt Arthur,

Attorney at Law,

16 Sixth Street,

Pittsburgh, Pa. Dec^r. 22^d 1840

Richard H. Bowler Esq

Dear Sir

I enclose check for
\$150 - in full of costs, purchase - money &
in connection with the Harrison farm
I presume it was bid in at a nominal
figure. Will you please put the deed
on record and then send it to me
I am told by Mr Rutledge owner
of the other one half that the
farm is rented for \$215 per year
one half of which I should be
entitled to hereafter. Would
you please look after my
interest and see that we
get our share of the rent

Respectfully

Robt. Arthur

What is the whole farm worth?

RETURN TO
ROBERT ARTHURS,
ATTORNEY,
No. 16 SIXTH STREET,
PITTSBURGH, PA.
If not delivered in Three Days.



Richard H. Hawks by
Suffolk
Va.

Attorney in

128.72

57 8.5

186.57

1157.16

101.57

970.59

900.68

66.91

43

23.91

11

27

559

250

150

100

1157

0.5

4 28 5

12

30

112

10

164

128

60

150

489

Blank No. 1.

THE WESTERN UNION TELEGRAPH COMPANY.

This Company **TRANSMITS** and **DELIVERS** messages only on conditions, limiting its liability, which have been assented to by the sender of the following message.

Errors can be guarded against only by repeating a message back to the sending station for comparison, and the Company will not hold itself liable for errors or delays in transmission or delivery of **Unrepeated Messages**.

This message is an **UNREPEATED MESSAGE** and is delivered by request of the sender, under the conditions named above.

A. R. BREWER, Sec'y.

NORVIN GREEN, President.

Dated Pittsburg Pa 13 188

Received at

To R H Rawes & family

Go on with Sale buying
my name all ainge
hereafter,

Robtⁿ Arthur

10 P.M.

READ THE NOTICE AT THE TOP.

Robt Arthur,

Attorney at Law,

16 Sixth Street,

Pittsburgh, Pa. Dec 13th 1840

H. H. Hancock & Co

Dear Sir

Yours of 9th came
too late to see the parties — and
I wired you this morning
"Go on with sale — buy in my
name — arrange hereafter"

I presume this can readily
be done as there will most
likely be no competing bidders
or at least none that would
bid to the extent of our claim

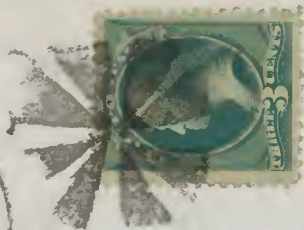
Is there any time allowed
for redemption?

Please write me fully
and oblige

Yours &c

Robt Arthur

RETURN TO
ROBERT ARTHURS,
ATTORNEY,
No. 16 SIXTH STREET,
PITTSBURGH, PA.
If not delivered in Three Days.



Richard A. Hawley Esq
Attorney
Suffolk
Va.

Rob't Arthurs,

Attorney at Law,

16 Sixth Street,

Pittsburgh, Pa. Dec 2^d 1870

Wm Wright & Hawes

Gentlemen

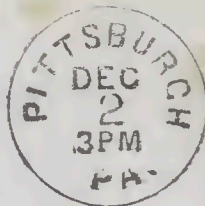
Please let me know
the costs in the case vs Jas Harrison
also your charges. He proposes
to settle here and I am willing
on account of peculiar circumstances
to accept the amount invested (\$150)
and let him off. The proposition
is made by his son-in-law
who I think owns an interest
in the farm.

What condition is the
claim in - in case no
arrangement is made?

Yours L

Robt. Arthurs

TO
MR. ARTHURS,
ATTORNEY,
No. 16 SIXTH STREET,
PITTSBURGH, PA.
If not delivered in Three Days,



Miss. Wright & Rawles
Attorneys
Suffolk
Va.

At a Circuit Court continued and held
for Hansemond County the 13th day of October
1880.

The Pitt Building and Loan association of Pitts-
burg. Plaintiff.

Against } In Chancery.

James Harrison & al Defendants.

This cause came on this day to be
again heard on the papers formerly read therein
and on the report of Commissioner Peter B. Penick,
made pursuant to a decree of this Court pronounced
at the October Term 1879, and was argued by Counsel.

On consideration whereof the Court doth confirm
said report, to which no exception has been made,
and doth adjudge, order and decree that R. H.
Rawles and C. H. Causey, who are hereby appoin-
ted Special Commissioners for that purpose proceed
to sell at public Auction before the Courthouse
door of Hansemond County, Virginia, on some
County Court day, the undivided interest owned
and possessed in the real estate and appurtenan-
ces in these proceedings mentioned, described as
a tract of land containing 200 acres, more or
less, situated in said County of Hansemond
and adjoining the lands of Elijah Richards
D. W. Duke, Adam Edwards and others.

And the Court doth further adjudge, order
and decree, that said Special Commissioners

before proceeding to sell said land, advertise the time and place of sale in some Newspaper published in the Town of Suffolk for at least three weeks prior to the day of sale and by printed notices posted at the Court house door and other public places in said County and in the vicinity of said land, and that said Commissioners sell the undivided interest of James Harrison in said land on a credit of one and two years, except for cash sufficient to pay costs of suit and expenses of sale, and take from the purchaser bonds, with good security in evidence of the deferred payment to be made one and two years from date, with interest from date of sale, and that said Commissioners retain the title to said land till the further order of the Court, and make report to Court of their proceedings under this decree.

But said Commissioners before proceeding to sell said interest in said land in pursuance hereof shall execute before the Clerk of this Court in his office a bond in the penalty of \$2000.⁰⁰ with good security thereto, payable to the Commonwealth of Virginia, and conditioned for the faithful execution of this decree and all other decrees they may be required to execute in this Cause and the said Cause is continued &c

A Copy: Teste: Peter B. Prentiss. Clerk

Costs.

Clerk. . . . \$15.00 paid Peter B. Prentiss. Clerk

Atto: Hay. . . . 16.50 . . . Causey & Rawles

S.M.: . . . 2.10

Compt: . . . 10.00 paid Peter B. Prentiss. Compt

Record for P.^a. . . 5.00 paid Causey & Rawles atty

Printed "Sun" 6.50 W.B. Dumble

" "Examiner" 5.00 Causey & Rawles

Crer ~~\$~~5.00 Paid R.H. Brintley for Rawles.

Xmd
The Pitt Building Loan
Association of Pittsburg

2^d Copy Recd. Oct. 13th 1880
James Harrison Val.

Comm^t Report
of Sale &c

The Pitt Building and Loan Association
of Pittsburg. Plaintiff
vs J In Chancery
James Harrison & al. Defendants

To the Circuit Court of Hanseman
County, Virginia.

Pursuant to a decree
of said Court pronounced at the
October Term, 1880, thereof in a cause in
chancery, therein depending between the
said, The Pitt Building and Loan Asso-
ciation of Pittsburg, Plaintiff, and
James Harrison & al. Defendants, a
copy of said decree being herewith annex-
ed, the undersigned having been appointed
Special Commissioners for certain pur-
poses named in said decree respectfully
report to Court their action as follows.

That having executed their bond be-
fore the Clerk of this Court in the pen-
alty therein specified, your Commrs. of
sale proceeded to advertise the said
lands in the proceedings mentioned,
and therein described as "an undivided
half-interest in a tract of land in Hanseman
County which he and Mary J. Rutledge pur-
chased from Andrew Marshall and wife

and containing 200-acres more or less and adjoining the lands of D. W. Duke Elijah Richards and others: in the manner prescribed in said decree, and on Monday the day of December, 1880, being county Court day, did expose the same before the Court House door of Hansemond County, for sale to the highest bidder ~~and~~ in accordance with the terms prescribed in said decree, when Robert Arthur became the highest bidder and purchaser of said land for the sum of One thousand (1000) dollars.

And your Comm^{rs}. further report that although the decree above mentioned directed the said land to be sold on a credit of one and two years, yet the said purchaser having elected to pay the full amount in cash, they have received the same and disposed of it as follows

1st The costs of the suit have been paid to the several parties respectively entitled thereto, as per receipt severally endorsed on the copy of the decree annexed hereto.

2nd. That the balance has been applied to the partial satisfaction of the amount

due the said. The Pitt Building and
Loan Association of Pittsburg - all of
which the following statement will show.

By amount for which land sold \$1000.00

To Court costs taxed by clerk \$64.10

" Coms on \$1000.00 29.00

" Crier 5.00

" Deed to purchaser 5.00

" paid Robt: Arthur attorney

for Pitt Building & Loan Assn \$896.90

\$ 1000.00. \$1000.00.

Your Committee further report that
the said purchaser having paid the
purchase price is now entitled to a
deed for said land

All of which is respectfully sub-
mitted this 1st day of April, 1881

R.H. Kauter } Spect.
C.H. Causey } Comrs

The Pitt Building &
Loan Association of
Pittsburg
is of Chg. - Report of Sale &c

James Harrison *Pres.*

At a Circuit Court continued and held for Nausemond County, the 16th. day of October, 1879:

The Pitt Building and Loan Association
of Pittsburg. Plaintiff.

Against { In Chancery
James Harrison, Rev. Joshua W. Rutledge,
Irenia Rutledge, Wm. H. Arthurs, John E.
Bryant, M. J. Rutledge, A. B. Rutledge, M. J.
Rutledge, and John R. Kilby, Trustee . . . Defendants.

This Cause, in which the Plaintiff appears to have proceeded against the absent defendants, in the manner prescribed by law, and they still failing to appear and plead, answer and demur, come on this day to be heard - ~~the~~ ~~the~~ ~~the~~ Taken for confessed, as to the home defendants, on whom process had been duly served, and they still failing to appear and answer, and the 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, state and settle for its information, the following accounts:
1st: An Account of the lands in Nausemond County, belonging to James Harrison, or in which he is interested: the fee-simple and annual value of the same, and the liens thereon, if any.

2nd: The amount of the debt due by the said Harrison to the said "The Pitt Building and Loan Association of Pittsburg, and other liens that may exist on the said land, in the proceedings mentioned with their priorities, and whether a sale

of the lands of the said Harrison will be necessary, together with any other matters specially stated, deemed pertinent by himself, or which may be required to be stated by any of the parties hereto.

A Notice of the time and place of taking the above accounts to be published once a week for four successive weeks, in some newspaper in Suffolk, shall be equivalent to personal service of such notice on the parties.

A Copy:
Teste:

Peter B. Prentiss. Clerk

ms
The Pitt Building and
Loan Association of
Pittsburg

ms

ms
Copy Received
Oct. Term, 1899

James Harrison Hall

COMMISSIONER'S OFFICE,
SUFFOLK, NANSEMOND COUNTY, VA.,
May 22, 1880.

TO THE PITT BUILDING AND
Loan Association, of Pittsburg,
Plaintiff.

and

James Harrison, Roy. Joshua W. Rutledge, Irenia Rutledge, Wm. H. Arthurs, John G. Bryant, M. J. Rutledge, A. B. Rutledge and M. J. Rutledge,
Defendants.

You are hereby notified that I have fixed upon the 22d day of June next to make and settle, at my office, the following accounts, to wit:

1. An account of the lands in Nansemond county belonging to James Harrison or in which he is interested, the fee and value of the same.
- 2 The amount of the debt due by the said James Harrison to the said The Pitt Building and Loan Association, of Pittsburg, and any other liens that may exist on the said land in the proceedings mentioned, together with their priorities, and whether a sale of the lands of the said Harrison will be necessary, and any other matters deemed pertinent by himself or requested by any of the parties interested to be stated, required to be taken by the decree of Nansemond Circuit court, rendered on the 16th day of October, 1879, in a suit in chancery depending in said court, in which you are parties, plaintiff and defendants; at which time and place you are required to attend.

Given under my hand, as Commissioner in Chancery of the said court, the day and year first aforesaid.

PETER B. PRENTIS,
Commissioner.

R. H. Rawles, C. H. Causey, p. q.
my22:4w

Office of the Examiner,
Suffolk, Va., June 21st. 1880 }

We hereby certify that the Commissioner's notice, of which the annexed is a copy has been published in "The Examiner", a newspaper published in the Town of Suffolk, Nansemond County, Virginia, once a week, for four (4) successive weeks.

Briggs, Causey & Rawles
Proprietors of "The Examiner"

Pitt Building & Loan
association

18 E Bee for printing
Jas Harrison & Co

Commissioners Office
Suffolk, Va. June 22nd: 1880 }

To the Circuit Court of Hansemond County.

In pursuance of a decretal order of the Circuit Court of Hansemond County, pronounced at the October Term 1879, in a cause in chancery in the said Court depending between The Pitt Building and Loan Association, of Pittsburg, Plaintiff and James Harrison, Rev. Joshua W. Rutledge, Henry Rutledge, Wm. H. Arthur, John F. Bryant, M. J. Rutledge, A. B. Rutledge and M. J. Rutledge - Defendants, a copy of said order being herewith annexed, the undersigned having given notice to parties, as directed by said order, as will appear by a copy of the notice herewith returned, and duly certified, proceeded this day to execute the said order and now herewith reports the result of his proceedings, as follows:

Account No. 1.

An account of the lands in Hansemond County belonging to James Harrison or in which he is interested, the fee simple and annual values of the same, and the liens thereon, if any.

Your Commissioner reports, that the said James Harrison is possessed of an undivided ^{fee-simple} half interest, in a certain tract of land lying and being in the County of

Hausemond, in the State of Virginia, contain-
ing two hundred acres, more or less, adjoin-
ing the lands of Elijah Richards, D.W. Duke,
Adam Edwards and others;

The fee-simple value of said land
from the best information obtainable
is

\$2000.00

and the annual value thereof is \$150.00

Your Commissioner further reports
that there are no liens on the said land.

Account No. 2.

Your Commissioner reports that the amount
of the debt due by the said James Harrison
to the said "The Pitt Building and Loan
Association of Pittsburg" is \$1295.17
with interest thereon from February
13th 1878, (till paid), to Oct 10th 1880. 206.57

Your Commissioner further reports
that as the annual value of the said
property will not be sufficient to pay
the debt and interest ⁱⁿ five (5) years
that a sale of the said land and

premises will be necessary, and therefore
recommends that such sale be made.

all of which is respectfully submitted

Peter B. Prender

Conservator

The Pitt Building & Loan
association of Pittsburg
vs J. Lewis's Report
- Jas. Harrison Val

1880. Aug: 2^d filed
clerk

The Pitt Building and Loan association
of Pittsburgh
vs J In cher
James Harrison & Co. Pltff.
Defli

By consent of parties given in
open court and here entered of record, it
is ordered that this cause may here-
after be submitted to the judge of this
Court for ~~decision~~ decree to be
made therein in vacation.

Pitt Building & Loan
association
to J. C. C.
for H. H. H.

881 April
L. C. C.

Rough draft
to be entered

Ex. B. L. D.

Entered O.B. no 1
p. 5-21

At a Circuit Court held for Hanseman
County the day of October 1880.

The Pitt Building & Loan Association
of Pittsburg. Plff.

vs. J. Chey
James Harrison & al. Defts.

This cause came on
this day to be again heard on the pa-
pers formerly read therein and on the
report of Court. Peter B. Prentiss, made
pursuant to a decree of this Court, pro-
nounced at the October Term 1879, and
was argued by Counsel.

On consideration whereof the Court doth
confirm said report, to which no ex-
ception has been made and doth adjudge
order and decree that R. H. Rawles and
C. H. Causey, who are hereby appointed
special Commissioners for that purpose
proceed to sell at public auction before
the Court-house door of Hanseman
County, Virginia, on some County Court
day the undivided interest owned and
possessed in the real estate and appur-
tenances in these proceedings mentioned,
described as a tract of land contain-
ing 200-acres, more or less, situated in
said County of Hanseman and also
joining the lands of Elijah Richards,

J. W. Duke, Adam Edwards and others.

And the Court doth further adjudge, order and decree that said special Commissioners before proceeding to sell said land, advertise the time and place of sale ~~by~~ in some newspaper published in the Town of Suffolk for at least three weeks prior to the day of sale and by printed notices posted at the Courthouse door and other public places in said County and in the vicinity of said land.

And that said Comrs. sell said land on a credit of one and two years except for cash sufficient to pay costs of suit and expenses of sale ~~including a fee to Counsel for \$60.00 in addition to the fee allowed by law~~, and take from the purchaser bonds, with good security in evidence of the deferred payments to be made one and two years from date, with interest from date of sale, and that said Comrs. retain the title to said land till the further order of the Court, and make report to Court of their proceedings under this decree.

But said Comrs. before proceeding to sell said land ^{must in S. land} in pursuance hereof, shall execute before the Clerk of this

1
Court in his office a bond in the
penalty of \$2000-00, with good security
therein, payable to the Commonwealth of
Virginia, and conditioned for the faith-
ful execution of this decree and all
other decrees they may be required to
execute in this cause.

And the said cause is continued &c.

The Pitt Building & Loan
Association of Pittsburgh
v. E.
Jas. Harrison & Co.

Octo Term
1880

Rough decree
To be entered.

Geo. B. Wood.

Entered O. B. Vol.
p. 491

The Pitt Building and Loan
Association of Pittsburg.

Plaintiff

vs J Chas

James Hanson & al

Defts.

This Cause, in which the
Plaintiff appears to proceed against the ^{absent} defend-
ants in the manner prescribed by law and they still
failing to appear and plead, answer and demur,
came on this day to be heard on the "Bill" taken
for confessed as to the home defendants on
whom process had been duly served and they
still failing to appear and answer, and the ex-
hibits filed, and were argued by counsel.

On consideration whereof the Court doth
adjudge, order and decree that one of the Com-
missioners of this Court Take, state and set-
tle for its information the following accounts:
1st: An account of the lands in Hammons
county belonging to James Hanson or in which
he is interested: the fee simple and annual
values of the same and the liens thereon if
any.

2nd. The Amount of the debt due by the
said Hanson to the said "The Pitt Building
and Loan Association of Pittsburg" and whether
a sale of the lands of the said Hanson will be
necessary together with any other matters spe-
cially stated deemed pertinent by the court or which

The Pitt Building & Loan
Association of Pittsburgh
15 1/2 North Second
James Harrison

1879
Accepted for
deposit

To be entered.

To be entered

Yours Truly,
J. S. Harrison

Chas

1879-80

See attached

Entered O.R. No. 1

12. 461

may be required to be stated by any of the parties hereto
A notice of the time and place of taking the above
accounts to be published once a week for four
successive weeks in some ~~convenient~~ ^{in Suffolk} newspaper,
shall be equivalent to personal service of such notice
on the parties

1881 - January 1st: Received of
R. H. Rawles and C. H. Causey, Spe-
cial Commissioners of Sale for in
the Cause in Chancery depending
in the Circuit Court of Hansemond
County, Virginia, in which -
The Pitt Building & Loan Association
of Pittsburgh is plaintiff
and

James Harrison & al are defendants;
the amount in full for which said
Harrison's land in the bill and
proceedings mentioned was sold
less costs and expenses of sale, and
said Rawles and Causey, Comm^{rs},
aforesaid are hereby discharged from
all further obligation to said, The
Pitt Building & Loan Association of
Pittsburgh -

Robt. Arthur

Att'y for the
Pitt Building Loan Assⁿ