

1882-011
Nansemond Co. (Suffolk)

Chancery Causes: Joseph L. Shelly vs Joseph L. Bradshaw

Shelley

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY - GREETING :
YOU ARE HEREBY COMMANDED TO SUMMON *Joseph L. Bradshaw,*

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 *March* next to answer a
Bill in Chancery, exhibited against *him*
in the said Court by *Joseph L. Shelly.*

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said
Court, at his office, this *25th* day of *February* 1882, in the *106th*
year of the Commonwealth.

Teste :

Peter B. Prentis Clerk.

Executed & Copy of the within delivered to the
wife of Jos V Bradshaw and contents explained to her
the said Jos V Bradshaw not being found at his usual place of abode
J. V. Lingham Sff

Mo: H. Wright. 189

Joseph L. Shelley

to {
San Francisco City

Joseph L. Bradshaw
To March 1882

100 lbs 11 1/2

Pro: B. No. 1. Range

San Co.

At a Circuit Court continued and held
for Nassau and County the 11th day of April 1882

Joseph L. Shelley

Plaintiff

Against J. L. Chaney

Joseph L. Bradshaw.

Defendant

This cause came on this day to be heard
upon the complainant's bill and exhibit
filed therewith, and the defendant failing
to appear and plead, answer and demur, the
said bill was taken for confessed, 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
report, to Court, an account of the Real Estate
of which the said Joseph L. Bradshaw is
seized and possessed, with its fee simple
and annual values, and also an account
of the liens on said Real Estate, with their
priorities and priorities, with any credits to
which the said liens are entitled

And the Cause is continued to

A Copy:

Teste:

Peter B. Kentis. Clerk

Shelly
vs.
Bradshaw

Wright p.g.

Settled

Joseph L. Shelly
vs & In Chancery,
Joseph L. Bradshaw

This cause came on this day
to be heard upon the complainant's bill & exhibit-
filed therewith, and the defendant failing to ap-
pear and plead, answer or demur, the said bill
was taken for confessed, and was argued by Coun-
sel.

On consideration whereof the Court doth adjudge,
order and decree, That one of the Commissioners
of this Court, take, state and report to Court an
account of the Real Estate of which the said Jo^{seph}
L. Bradshaw is seized and possessed, with its
fee simple and annual values, and also an ac-
count of the liens ^{with their dignities & priorities} on said Real Estate, with any
credits to which the said liens are entitled,
(And the Cause is continued &c.)

Joseph L. Shelly
vs. The Chancery,
Joseph L. Bradshaw,

April 11th 1882

Deceit.

To be entered,

Geo. B. How.

Copied

Entered Order Book No. 1
page 566

Shelly
Bradshaw^{rs} }

This cause came on this day to be again heard, and upon the suggestion of the Counsel for Plaintiff that the matter in controversy has been settled, it is ordered that the Cause be removed from the docket.

J. L. Shelly

J. L. Bradshaw.

Order dismissing
Cause -

Oct 11th 1882

To be entered,

Geo B Shaw

Entered - Chancery Order
Book No. 1 - Page 581

A Judgment obtained in The Clerk's Office of the Circuit Court of Harsemond County, and confirmed at a Court held and closed for the said County, on Wednesday, the 12th day of October, 1881.

Costs

Clerk. \$3.60

Attorney. 3.50

Shff. 50

\$7.60

Fi. Fa. Octo: 22-1881.

Joseph L. Shelley. Plaintiff

against J. L. Bradsen

J. L. Bradsen. Defendant

The Judgment obtained at the Rules not having been set aside, and the Plaintiff being now entitled to a final judgment: it is therefore considered, that the Plaintiff recover against the Defendant, Two hundred and forty-seven dollars, the debt in the declaration mentioned, with interest thereon from the 18th day of May, 1880, till paid, and his costs, by him, about his suit, in this behalf expended.

And the said Defendant in mercy &c.

A Copy:

Teste:

Peter B. Pentis, Clerk

The Fi. Fa. which issued on the foregoing judgment, has the following return thereon: "I can find no property upon which to levy the within execution, or any part thereof. J. L. Bradsen, Shff."

Teste:

Peter B. Pentis, Clerk

1882. Feb. 18th

X^{and}

Joseph L. Shelley

2^d { Copy Indgt.

J. L. Bradshaw.

To Hon Geo Blount Judge of the Circuit Court of Hancock County.

Complaining sheweth unto your Honor, your Orator Joseph L. Shelly, that on the 12th day of October 1881, he obtained in the said Court a judgment against Jos L. Bradshaw of the said County for \$247.⁰⁰ with interest from the 18th day of May 1880 ^{as appears by copy of said judgment filed herewith as part of this bill} till paid and \$7.⁰⁰ costs, on which said judgment a writ of fieri facias was duly issued from the clerk's office of the said Court, directed to the Sheriff of the said County, returnable to January Rules 1882 which was placed in the hands of said Sheriff to be executed, and was, on the return day thereof, returned by said Sheriff, with the following return endorsed thereon, to wit: "I can find no property, upon which to lay the within execution, or any part thereof." Now your Orator further states, that said Jos L. Bradshaw is seized and possessed in fee simple of a tract of land lying and being in said County, not far from the Town of Suffolk, containing 100 acres more or less, and that he is advised that his judgment (in part of which has been paid) is a lien, under the Statute Law of Va, on the said Real Estate, and that the rents and profits of the said Real Estate will not satisfy the said judgment in five years. That the records of the County Court of the said County shows some liens on the said land prior to the judgment of your Orator, but which your Orator believes or alleges have been nearly discharged.

In kind consideration whereof, inasmuch as your

Orator is without remedy in the premises, save by the aid
of a Court of Equity - where such matters are alone and
properly Cognizable & relievable, Your Orator prays that
that said Jos. L. Proctor may be made party de-
fendant to this bill & required to answer the same
on oath; that one of the Commissioners of this Court
may be directed to take, state & report to Court an
account of the Real Estate of which the said Jos. L.
Proctor is seized & possessed, together with its fee
simple and annual values, and also the debts due
thereon & their priorities; that the said Real Estate
or so much or such part thereof as may be necessary
be sold to satisfy Your Orator's judgment; & that Your
Orator may have such further & general relief as
his case may require or to equity may seem meet.
And Your Orator will ever pray &c -

Jos. L. Shelly -
By Geo. H. Wright, his atty

Ans H. Wright. D. Q.

Jos L. Shelly - Pltff
vs { Bill

Jos L. Bradshaw - Dft.

In Chancery

Nansemond Cir. Co.

Joseph L. Stelly
vs E. Chy: Notes

Joseph L. Bradshaw.

1882. July: 25th Sum. in Chy: issued to March Rules, 1882

" March 6th: Bill & exhibit filed & Decree nisi vs defts

" April 3rd: Decree nisi confirmed, & cause set for hearing
on Mo: of Plffs' Counsel.

" " 11th: Decree for Plffs.

Chy: Notes

Jan 20