

1894-034

Nansemond Co. (Suffolk)

Chancery Causes: Skinner & Co et al vs John C. Nelms

Eley, Murray, Taylor, Marshall

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *Geo: C. Nelson, Geo: M. Taylor and*
Geo: L. Marshall,

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 them
in the said Court by *Geo: Skinner, Trading as Skinner & Co.,*
Adolphus S. Eley and Geo: A. Murray,

and have then and there this Summons. Witness. PETER B. PRENTIS, Clerk of our said
Court. at his office, this *25th* day of *February* 1880, in the *104th*
year of the Commonwealth.

Teste:

Peter B. Prentis. Clerk.

Pro: H. Wright. p. q

Skinner H. Co. Val:

vs { sum^{ts} in Chy:

Pro: C. Nelson Val:

To March Rules, 1880

Executed - and a true copy here to delivered
to Pro: C. Nelson and Pro: H. Taylor,
each - John L. Marshall is not a
resident of Harrison County, Va.

J. L. Fulham Sheriff

Pro: B. No: 1. page 147
C. Co.

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF ^{Isle of Wight} ~~NANSEMOND~~ COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *Geo: C. Nelms, Geo: M. Taylor*
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Bill in Chancery, exhibited against them
in the said Court by *Geo: Skinner, trading as Skinner & Co.*
Adolphus S. Eley and Geo: A. Murray.

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said
Court, at his office, this *25th* day of *February* 188*0*, in the *104th*
year of the Commonwealth.

Teste:

Peter B. Prentis Clerk.

Pro: H. Wright, pg

Skinner Ho: & al:

vs } Sum: in Chy:

Pro: C. Nelson & al:

To March Rules, 1880

Newseum Cir: Co:

Recorded by (relating
to the certain name
Pro: S. Marshall vs
New Copy of the same
Securities Feb. 7th
1880.

J. B. Edwards Shff

Pro: B. No: 1. Page 147

Cir: Co:

The Commonwealth of Virginia,

To the SHERIFF OF NANSEMOND COUNTY, Greeting:

WE COMMAND YOU, that of the Goods and Chattels of *Geo C Nelson*

in your bailiwick, you cause to be made the sum of *One thousand (1000)* Dollars
and ~~Cents, with interest thereon at the rate of~~ per
~~centum per annum, from the~~ day of *18*, till paid, which
Geo A Murray

lately in our *Circuit* Court of Nansemond County, recovered against *him for debt*

Also, *Seven* Dollars and *Sixty* Cents, which to the
said *Geo A Murray*

in the same Court were adjudged for *his* costs by *him* about *his* suit
in that behalf expended: whereof the said *Geo C Nelson*

convict, as appears to us of record; and that you have the same at the Clerk's office of our *same*
Circuit - Court, at Rules directed by the law to be held in and for Nansemond County,
on the first Monday in *January* next, to render unto the said *Geo A*
Murray

of the *Debt* and costs aforesaid. And then and there have this writ.

Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this *22nd* day
of *October*, in the year of our Lord 187*7*, and in the *104th* year
of our Independence.

COSTS:

Clerk \$3.60

Attorney 2.50

Sheriff 50

Witness

W. T. 1.00
7.60

Teste:

Peter B Prentis

C. C.

I can find no property upon which to lay the within
Execution or any part thereof

J. S. Guilgham Sheriff

A Copy Teste

Peter B. Prentiss. Clerk

Geo. A. Murray

to Copy to: Dr. & Shl's return

John W. Melars.

The Commonwealth of Virginia,

To the SHERIFF OF NANSEMOND COUNTY, Greeting:

WE COMMAND YOU, that of the Goods and Chattels of *John C. Nelson*

in your bailiwick, you cause to be made the sum of *Twenty (20)* Dollars
and *Sixty three (63)* Cents, with interest thereon at the rate of *Six* per
centum per annum, from the *19th* day of *February*, 187*9*, till paid, which
A S Eley

lately in our *Circuit* Court of Nansemond County, recovered against *him* for debt

Also, *Seven (7)* Dollars and *Sixty (60)* Cents, which to the
said *A S Eley*

in the same Court were adjudged for *his* costs by *him* about *his* suit
in that behalf expended: whereof the said *John C. Nelson* is —

convict, as appears to us of record; and that you have the same at the Clerk's office of our said
Circuit Court, at Rules directed by the law to be held in and for Nansemond County,
on the first Monday in *July* — next, to render unto the said *A S Eley*

of the *Debt* and costs aforesaid. And then and there have this writ.

Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this *26th* day
of *April* —, in the year of our Lord 187*9*, and in the *103rd* year
of our Independence.

COSTS:

Clerk *\$3, 60*

Attorney *2 50*

Sheriff *50*

Witness

W. T. *1 00*

\$7 60

Teste:

Peter B. Prentis C. C.

A judgment obtained in the Clerk's
Office of ^{the} Circuit Court of Hanson and County
and confirmed at a Court held and done
for the said County on Saturday, the 12th
day of April 1879.

Cost
Clerk \$36.00
Att. & Law \$3.50
Shff \$50
\$76.00
A. S. Eley. Plaintiff
Against J. in Debt.
John C. Nelson Defendant
The judgment obtained at the Reels not having
yet been set aside, and the Plaintiff being now entitled
to a final judgment it is therefore considered that
that the Plaintiff recover against the defendant
Seventy dollars and sixty three cents, the debt
~~mentioned~~ in the declaration mentioned, with
interest thereon at the rate of six per centum
per annum from the 19th day of February 1879
till paid, and his costs by him about his
suit in this behalf expended, And the said
Defendant in money &c.

A copy True.

Peter B. Prentiss. Clerk.

A. S. Eley
vs } Copy Judgt.
John C. Helms.

A judgment obtained in the Clerk's Office
of the Circuit Court of Hanson and County and
confirmed at a Court held and closed
for the said County, on Thursday, the 16th
day of October 1879

X
Costs.
Clerk \$3.60
Attorneys 3.50
Shff. . 50
\$7.60

Geo A Murray. Plaintiff

Against J. In Debt.

John A Nelson Defendant

X
Filed Oct 22nd 1879

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,
One Thousand Dollars, the debt, in the declaration
mentioned, with interest thereon, at the rate of
seven per centum per annum from the 2nd day of
August 1876 till paid, and his costs, by him
about his suit in this behalf expended, and
the said Defendant in money &c

A Copy Teste:

Peter B. Prentiss. Clerk

Geo. A. Murray
to { Copy Judgt.
John C. Helms

Skinner v Leo
vs

John Le Nelson v others

It appearing that there has been no
order or proceeding for five years in this
cause, it is ordered that it be stricken
from the docket with leave to re-instate
with good cause within one year from
this date.

31

Skinner & Leo ⁵⁷
ps
Inole Nelsons & Co

Oct-12th 94

When entered
CMA

Entered in Chancery
Order Book No. 2
Page 592

x a certified copy of each of said judgments - being herewith filed & marked "a."

To the Hon Geo Blaw, Judge of the Circuit Court
of Hausmond County.

Complaining show unto
Your Honor, Your Orators, Geo Skinner, trading under
the name of Skinner & Co, Adolphus Eley and Geo
A Murray, as follows: That Your Orator Geo Skinner,
on the 19th of July 1876 obtained, sometime in ^{the} year
1876, a judgment in the Circuit Court of Hausmond
County, against Geo. C. Nelson, for the sum of One Hun-
dred & fifty three dollars (\$153⁰⁰) with interest from the
19th day of July 1876 till paid and \$7⁶⁰/₁₀₀ Costs; That
Your Orator Adolphus S. Eley obtained in April 1879
in the said Court a judgment against the said Geo. C.
Nelson for \$70⁶³/₁₀₀ with interest from Feb 19th 1879 and
\$7⁶⁰/₁₀₀ Costs; and that Your Orator Geo A. Murray ob-
tained a judgment in the said ^{Court} in October 1879, for
\$1000⁰⁰ and \$7⁶⁰/₁₀₀ Costs, on which said judgments
writs of fieri facias were duly issued from the Clerk's
Office of said Court directed to the Sheriff of Haus-
mond County, which several writs were returned by
the said Sheriff, endorsed "no effects out of which I can
make the within Execution or any part thereof." Geo L
Falgout, Shff. Hausmond County. x

And Your Orators further state that the said Geo C. Nelson
some time in the year 1874 or 1875 purchased a lot
on the East side of Main Street in the Town of Suff-
olk from Geo W Taylor, on which lot he has erec-
ted a two story frame dwelling, and other buildings

* That the said Geo. M. Taylor, on the 26th of June 1877 sold to our Geo. L. Marshall, his interest in the
said lot

thereby adding very much to the value of the said lot, though the purchase money for the said lot has not been paid to the said Geo. M. Taylor, who has since the said purchase been paying the tax thereon,* that the probable value of the said lot with the improvements thereon, is about \$1200, while the original purchase price of the lot was \$100, but the interest on the purchase money and the taxes paid by the said Taylor, make the debt now due him, something over \$200⁰⁰. And your Orators are advised that - by reason of the buildings and improvements erected on the said lot by the said Geo. C. Nelson, he has acquired an equitable interest in the same, to the amount of its present value, exclusive of the sum due on it for purchase money, interest and taxes; that the said Geo. M. Taylor would long since have made him a deed for the said lot, if the purchase money, interest and taxes had been paid. And your Orators are advised and believe that the judgments severally obtained by them, are a lien upon the interest of the said Geo. C. Nelson in the said lot.

In consideration whereof, far as much as your Orators are without remedy in the premises, save by the intervention of a Court of Equity, where such remedies are properly cognizable, your Orators pray that the said Geo. C. Nelson and Geo. M. Taylor, may be made

parties defendant to this Bill, and required on
their oath to answer the same according to the
best of their knowledge and belief, as fully & par-
ticularly as if the statements of this bill were here
again repeated and the said defendants thereto spe-
cially interrogated; the interest of the said Geo. C.
Melms in the said lot may be sold to satisfy your
Orator's demands in consequence of the said judg-
ments, and that your Honor will grant unto your
Orator such further & general relief, as may be con-
sistent with equity, & the case requires.

May it please &c & your Orator will ever pray &c.

Geo Skinner - merchant

} trading under the name of Skinner & Co
Adolphus S. Eley
Geo A. Murray
By Geo H. Wright atty.

State of Virginia - Nansomund County, to wit:

This day came Geo H. Wright atty for Geo Skinner, mer-
chant, trading under the name of Skinner & Co, Adol-
phus S. Eley & Geo A. Murray, & made oath that the
statements contained in the foregoing Bill, so far as
made of his own knowledge, are true, & so far as made
upon knowledge or information received from others, he be-
lieves them to be true.

Given under my hand this 31st day of January 1880.

Peter D. Prentiss Clerk.
of Nansomund County Court

No. H. Wright. 39
Skinner Ho: Lal

vs { Bill

No. C. Nelson Lal

Skinner Ho: Cal:

25th Chy: Notes.

Jno: C. Nelson Cal:

1880. Feby: 25th: Sum: in Chy: issued to March Rules, 1880

" March 1st: Bill &c: filed - and Decm: rise 25th depts:

" April 5th:

Chy: Notes

1. 10/10/10

2. 10/10/10

3. 10/10/10

4. 10/10/10

5. 10/10/10

6. 10/10/10

7. 10/10/10

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15. 10/10/10

16. 10/10/10

17. 10/10/10

18. 10/10/10

19. 10/10/10

20. 10/10/10

21. 10/10/10

22. 10/10/10

23. 10/10/10