

1933-048

Chancery Causes: Williams Bros] vs B. R. Johnson

Nansemond Co (Suffolk)

56

VIRGINIA:

IN THE CIRCUIT COURT FOR NANSEMOND COUNTY.

GEORGE D. WILLIAMS and CHARLES H. WILLIAMS,
partners, and trading as WILLIAMS BROTHERS,

Vs

B. R. JOHNSON.

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:

IN EQUITY.

To the First December, 1925, Rules of said Court.

The Clerk will please issue process in the above action,
returnable as stated.

James E. Heath
Ny.

Rule notes;

*11-9-25- Process issued returned to Ore, Rules,
1st Monday, 1925;*

GEORGE D. WILLIAMS and CHARLES H.
WILLIAMS, partners, and trading
as WILLIAMS BROTHERS,

Vs

B. R. JOHNSON

JAMES ELLIOTT HEATH
ATTORNEY AND COUNSELLOR AT LAW
LAW BUILDING
NORFOLK, VIRGINIA

The Commonwealth of Virginia,

To the Sheriff of the County of Nansemond, Greeting:

WE COMMAND YOU, That you summon B.R. Johnson

to appear at the Clerk's office of the Circuit Court of the County of Nansemond
at the rules to be held for the said Court on the First Monday in December 19 25,
to answer a bill in chancery, exhibited against him in our said Court by
George D. Williams and Charles H. Williams, partners trading as Williams
Brothers

And have then there this writ. Witness G.E. Bunting, Clerk of our said
Court, at the court-house, the 9th day of November, 19 25, and in the
150th year of the Commonwealth.

G.E. Bunting Clerk.

Bond with approved security given by the plaintiffs in the penalty of \$1000.00
with condition according to law

G.E. Bunting, Clerk C

Handwritten notes in left margin:
The ... of ...
...

ORIGINAL

No. 300.

George D. Williams and Charles H.
Williams, partners, and trading as
Williams Brothers

vs. } SUBPOENA IN CHANCERY

B. R. Johnson

James E. Heath p. q.

To December Rules,
Nansemond County Circuit Court.

Executed on the 9th day of
Nov. 1925 within the county of
Nansemond, by delivering a
true copy of the within process
in writing, to B. R. Johnson
in person
E. B. Rawles
Sheriff of Nansemond County.

VIRGINIA.

IN THE CIRCUIT COURT FOR HANSEMOND COUNTY.

GEORGE D. WILLIAMS and CHARLES H. WILLIAMS,
partners, and trading as WILLIAMS BROTHERS.

Vs

IN EQUITY.

B.R. JOHNSON

Upon reading the foregoing bill, it is adjudged, ordered, and decreed that an injunction be, and the same is hereby, awarded the complainants, enjoining and restraining the defendant, B.R. Johnson, from hereafter interfering, in any way, with the management of the Arlington Farm belonging to the said complainants. The said B.R. Johnson is further enjoined and restrained from interfering with the complainants, or with their employees, in the management of the said farm, and also from interfering in any way with the crops thereon, or with any personal property thereon. And the said defendant is further directed forthwith to turn over to the complainants any and all personal property belonging to them connected with the management and the operation of said farm.

Unless further enlarged, or sooner dissolved, this injunction shall remain in force until the first day of January, 1926.

But before the complainants shall have the benefit of this injunction they, or someone for them, shall enter into bond, before the Clerk of this Court, with surety deemed sufficient by the said Clerk, in the penalty of \$1000. conditioned to pay to the said defendant all such costs as may be awarded against said complainants, and, also, all such damages as may be incurred in case the said injunction shall be dissolved.

Test: G.D. Williams, Clerk
Bond with approved security given by the plaintiffs in the penalty of \$1000.00 with condition according to law.

G.D. Williams, Clerk

Original

William Brothman

&

B. R. Johnson

Executed on the 9 day of
Nov. 1955 within the County of
Nansemond, by delivering a
true copy of the within process.

In writing, to B. R. Johnson

in presence of
E. B. Rawls
Sheriff of Nansemond County

VIRGINIA,

IN THE CIRCUIT COURT FOR NANSEMOND COUNTY.

GEORGE D. WILLIAMS and CHARLES H. WILLIAMS,
partners, and trading as WILLIAMS BROTHERS,

Vs

B. R. JOHNSON.

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:
:
: IN EQUITY.
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TO THE HONORABLE JAMES L. McLEMORE, Judge of said Court:

Your complainants, George D. Williams and Charles H. Williams, partners, trading as Williams Brothers, show unto the Court the following case:

FIRST: That your complainants have, for many years, owned and operated, and now own and operate, a large farm in Nansemond County, in said State, situated near Dean's Station, and known as the Arlington Farm. The said farm contains about two hundred and twenty-five (225) acres, two hundred (200) acres of which are under cultivation, and also has located there- on a large dwelling house, out-houses, stables, barns, warehouse, wagons, carts, plows, horses, mules, cows, and generally the farming equipment and stock usually found on a well equipped and appointed farm. The total value of the said personal property is not less than Four Thousand (\$4,000.00) Dollars, and the crops now growing on the said farm in their present condition are worth not less than Six Thousand (\$6,000.00) Dollars.

SECOND: That the said defendant, B. R. Johnson, was, until November 5th, employed by the complainants as the manager of the said farm. On November 5th, however, your complainants, having found the said defendant to be thoroughly unsatisfactory as a manager, discharged him as such,

THIRD: That the said defendant, notwithstanding that he has been discharged by your complainants, has absolutely refused to relinquish the management of the said farm. He has notified your complainants that it is his purpose to stay on said farm, and to continue to manage it, until the first of January, next; and that he will not allow your complainants, or anyone else whom they may wish to put in charge of said farm, to interfere with him, the said defendant, in the least in the management thereof. Your complainants have endeavored to put another manager in charge of said farm, but the said defendant has positively refused to turn over the said farm to this manager, or to allow him or any other of the employees of your complainants to do any farming operations thereon save as he may direct, and has threatened to do bodily harm to anyone who attempts to disregard his directions and commands. The result is that the operations on said farm have come to a stand-still, and that your complainants are daily, by reason thereof, sustaining great loss.

FOURTH: That the said defendant is wholly insolvent, and that a judgment against him would be worthless.

FIFTH: That if the said defendant should be allowed to persist in the course stated above, it will be impossible for your complainants to mature the crops which are now growing on the said farm, or to market them after they have matured; and that, unless an injunction is granted your complainants, enjoining and restraining the said defendant from persisting in said course, and from interfering in any way with the management of the said farm, your complainants will sustain irreparable loss.

SIXTH: In consideration of the premises, and inasmuch as your complainants are without remedy, save in a court of equity, your complainants pray that the said B. R. Johnson may be made a party defendant

to this bill, and required to answer the same, but an answer under oath is expressly waived; that an injunction may be awarded your complainants, enjoining and restraining the said defendant from hereafter interfering in any way with the management of the said farm, or with any of your complainants' employees or servants, or with any of the crops thereon, or with any personal property thereon, or with the farming operations which your complainants, either by themselves, or their employees, may hereafter conduct, or attempt to conduct, thereon; and that your complainants may have such other relief in the premises as may be proper.

And your complainants will ever pray, etc.

John E. Heath,
Ug.

Williams Bros
C. H. Williams

VIRGINIA,
CORPORATION OF THE CITY OF NORFOLK, to-wit:

Personally appeared before me this *9th* day of November, 1925, Charles H. Williams, and made oath before me that he is a member of the firm of Williams Brothers, the complainants in the foregoing bill; that he has read the said bill; and that the statements therein contained are true of his own knowledge.

Chas H Williams

Subscribed and sworn to before me,
this *9th* day of November, 1925.

Mary S. Allen
Notary Public.

My Commission expires *August 26, 1929.*

VIRGINIA,

IN THE CIRCUIT COURT FOR NANSEMOND COUNTY.

GEORGE D. WILLIAMS and CHARLES H. WILLIAMS,
partners, and trading as WILLIAMS BROTHERS,

Vs

IN EQUITY.

B. R. JOHNSON

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But before the complainants shall have the benefit of this injunction they, or someone for them, shall enter into bond, before the Clerk of this Court, with surety deemed sufficient by the said Clerk, in the penalty of \$1000, conditioned to pay to the said defendant all such costs as may be awarded against said complainants, and, also, all such damages as may be incurred, in case the said injunction shall be dissolved.

Enter Nov. 9. 1925
Jas. L. McInnes

GEORGE D. WILLIAMS and CHARLES H.
WILLIAMS, partners, and trading
as WILLIAM BROTHERS,

Vs.

B. R. JOHNSON

1925 Nov. 9. filed
J.E.H.

JAMES ELLIOTT HEATH
ATTORNEY AND COUNSELLOR AT LAW
LAW BUILDING
NORFOLK, VIRGINIA

James E. Heath. 79

William B. Thues

&

Day

B. R. Johnson

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831014

W. C. Hewitt, Jr.

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Gen. & Dutch Bee
Co.

Quincy Bee

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