

1897-27

Southampton County Chancery - Sebrell, James E. vs Harris, T. J. et ux

Sues to set aside deed as
fraudulent (made to keep from
paying just debts.

Harris, Sarah E. (wife)

Sebrell, Jas. E.

against Bux Ex.

Harris et ux.

To 1st March Rules, 1897

1897. 1st. Mch. Rules Filed
L. A. Gay C. C.

JOHN N. SEBRELL, JR.,
ATTORNEY AT LAW,
COURTLAND, VA.

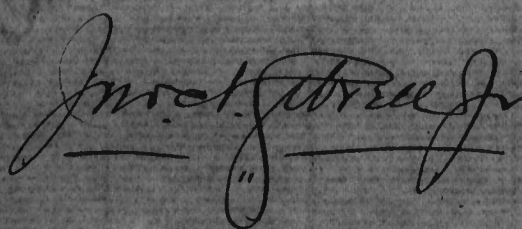
TO THE HONORABLE ROBERT R. PRENTIS, JUDGE OF THE CIRCUIT COURT OF
SOUTHAMPTON COUNTY. IN CHANCERY:

Humbly complaining sheweth unto your Honor your orator, James
E. Sebrell, of the county of Southampton, Va. that on the 12th day of
February 1896 he recovered, before a Justice of the Peace of Southampton
County, a judgment against J. J. Harris for the sum of Forty Four Dol-
lars and Forty-~~four~~ Seven cents (\$44.47) with interest from the 12th
day of April 1892 till paid and \$1.00 for his costs. *As will appear from an extract of said judgment filed as Exhibit 'A' & prayed to be read as part of the* This judgment is
yet due and unpaid. While the warrant was pending upon which said
judgment was had, *and being so indebted to your Orator* in anticipation that the said judgment would be recov-
ered, the said J. J. Harris, with the intent and object to prevent your
orator from realizing anything from the property of the said J. J. Har-
ris, conveyed by deed dated the 10th day of February 1896 to his wife,
Sarah E. Harris, all of his property, consisting of a certain tract of ~~the~~
land containing 35 acres, more or less, lying in Southampton county and
Jerusalem District and bounded by the lands of Irvin Bulls on the East,
on the South by the lands of George W. Pond and Octavius Wills, on the
West by the lands of Octavius Wills, and on the North by the lands of
Zachariah Doyle, deceased.

Your orator alleges and charges that no consideration whatever
passed from the said J. J. Harris to the said Sarah E. Harris for the
said deed; that the said Sarah E. Harris is the wife of the said J. J.
Harris and the conveyance of the said land to her was nothing but a
post-nuptial settlement upon her without valuable consideration; that ~~the~~
the same was made to hinder, delay and defraud your orator; and he is ~~is~~
entitled to have the said deed set aside and the prop^rty therein ~~embraced~~
embraced subjected to the payment of your orator's said judgment.

IN TENDER CONSIDERATION WHEREOF, and inasmuch as your orator is without remedy save in a court of equity, where all such matters are alone and peculiarly cognizable, he prays that the said J. J. Harris and Sarah E. Harris be made parties defendants to this bill and be required to answer the same, though answer under oath is hereby expressly waived; that proper process issue; that the said deed from the said J. J. Harris to the said Sarah E. Harris, conveying the property above mentioned be set aside as fraudulent and void, and that the property embraced in said deed, or so much thereof as may be necessary, be sold and the proceeds therefrom be applied to the payment of your orator's said judgment; and that all such other, further general and special relief may be given as your orator as the nature of his case may require or to equity shall seem meet. And your orator will ever pray &c. May it please the Court &c.

Notice is hereby given that the Court will be asked to allow reasonable attorney's fees to the plaintiff's attorney conducting this suit.

 p.q.

Debrue
m. 3 Decem
Hornie &c.

Enter Mar 23, 1897
Robert M. M. M.

Entered Oago-127-
C. A. P.

Abuel J. E.

vs.

Harris J. J. + Sarah E.

This day this cause came on to be heard on the piece of complaint taken for complaint, And was argued by counsel. On consideration whereof and it appearing that the matters in controversy in this ^{suit} have been settled by compromise, and that there is now nothing further to be done in the said suit it is ordered that the same be removed from the docket.

Served Feb the 24-97

S. Bruce.

vs { Sum. In chy.

Harris et als.

1897. 1st. Mich. Rules

lev. let.

Executed Feb. 24 -
1897 by delivering a
copy of this 'Sum.' to
J. J. Harris also a
copy to Sarah Harris
L. L. Hatfield dep't

for J. W. Williams
att.

(2)

Jno. H. Seabee Jr. p. q.

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON

J. J. Harris and Sarah E. Harris

to appear at the Clerk's Office of our Circuit Court of Southampton County, at the Rules to be holden for the said Court on the *1st.* Monday in *Decr.* 189*7* next, to answer a Bill in Chancery exhibited against *them* in our said Court by *Jas. E. Sebrice*

And this *them* shall in no wise omit under penalty of law. And have then there this writ.

Witness, L. A. GAY, Clerk of our said Court, at the Courthouse, this *23rd* day of

February, 189*7*, in the 12*th* year of the Commonwealth.

TESTE:

L. A. Gay, C. C.

Sebrue

vs } Judgment. 2^d "A"

Harris &c.

In Southampton

Justices Court,

Feb: 12th

Term, 1896.

Jas E. Schell.

Against

Pltff.

In

J. J. Harris.

Deft.

Judgment for the Plaintiff against the Defendant for \$ 44.⁴⁷ with
legal interest thereon from 12th day of April, 1892, till paid,
and costs, \$ 1.⁰⁰

Extract.

Teste:

B. F. McLenore C. C.

Debrace.

vs. } Statement of costs

Harris vs.

Debit

vs. } Statement of costs

Harris & Co.

Sum. 25 ^c . 2 copies 26 ^c . receipt 18 ^c . Atty. 10 ^c . Dock. 18 ^c . Rules \$1. ⁰⁰ =	1.97
Entering return 35 ^c . filing bill 15 ^c . D. 24. 15 ^c . Copy 24. 25 ^c .	= .90
Docket copy 7 ^c . Tax cost copy 40 ^c . filing away papers 25 ^c .	= 1.37
Paid April 15 th 1897 L. A. Gay bank \$4.24	
	Stff. 1.00
	Lawr. 6.50
	<u>\$11.74</u>

Subsec. Jas. L.

W. } Statement of Rules

Harris et als.

James E. Sebrule,

Plaintiff.

vs

J. J. Harris & Sarah E. Harris, Defendants.

1897. February 23rd. Process Issd. to 1st. Mch. Rules.

1897. 1st. Mch. Rules. Process returned ~~Exempted~~.

Bill & exhibits filed.

Deceit nisi vs. defendants.

1897. 2nd. Mch. Rules. Bill taken for confession and

cause set for hearing.