

1913-010 Chancery Cause: Willie Williams vs Robert M. Putman

122

Isle of Wight County

Willie Williams,

vs.

B I L L.

Robert W. Pitman et als.

March 16/1912
 Memo & Bill filed. Injunction
 order entered. Process
 issued, endorsed

2nd March Rules 1912
 Process returned & called

3rd March rules
 Defendants not appear-
 ing & cause set
 for hearing

Law Offices

Of....

J. Thomas Newsome

548 25th Street

Newport News, Va.

Robert M. Pitman, be made a party defendant to this bill and required to answer the same but not under oath, ~~answer~~ under oath being expressly waived, that an injunction be awarded your Complainant restraining the said Robert M. Pitman, the Sheriff *of said County,* and Constable, *and their deputies,* and all others from removing, advertising, selling, or from interfering in any ~~manner~~ whatever with the said property in pursuance with the execution aforesaid. Your Complainant further prays that reasonable counsel fees be allowed him for the prosecution of this suit, and that all such further and other and general relief be afforded him as the nature of his case requires and to equity shall seem meet, and your Complainant will ever pray.

Willie Williams

By *Thomas Newsome*
His Attorney.

Verifying City of Newport News to-wit:
This day came Willie Williams before me J. Thomas Newsome, a notary public for said city, in the said city, and made oath that the allegations of the above bill are true to the best of his knowledge and belief.

Thomas Newsome
N. P.

To the Honorable B. D. White, Judge of the Circuit Court of Isle of Wight County, Virginia.

Humbly complaining sheweth unto the Court, your Complainant, Willie Williams that he is a resident of said County, a householder and head of a family, and that as such on the 24th day of February, 1912, he claimed his exemption as such householder and head of a family as provided by the Constitution and Laws of this state as is evidenced by a homestead deed properly admitted to record and filed herewith marked exhibit "A", and to be read as a part of this bill. Your complainant further alleges that the property claimed in said deed as well as all other property heretofore set apart by him, does not exceed in value the sum of two thousand dollars (\$2000.00);

That notwithstanding the said homestead deed, certain property belonging to your complainant set apart in said deed to wit:- One Gasoline Boat named "Golden Bird", dimensions thirty-one (31) feet by nine (9) feet, built in Isle of Wight County, Virginia, and anchored in said county, has been levied upon under an execution issued upon a judgment at the instance of one Robert M. Pitman, who obtained said judgment before a Justice of the Peace of said County, a short while ago upon a claim for an open account amounting with cost to about fifty five dollars (\$55.00);

Your Complainant further alleges that he is entitled to the property set aside by him in the deed aforesaid; that he has waived no lawful exemptions as a householder, and that the said property is exempt from the aforesaid execution.

In tender consideration whereof and forasmuch as your Complainant is remediless in the premises save by the aid and intervention of a Court of equity, where matters of this kind are alone and properly cognizable, he prays that the said

Shirley Williams
Wm. Williams
Wm. Williams

Willie Williams

vs) Subpoena in chancery

R. M. Pitman and R. Augustus
Edwards, Sheriff,

Returnable to 3rd. Monday
in March, 1912.

*Returned Filed
3/19/1912*

Executed the with-in summons and Injunction order this the 18th,
day of March 1912 by serving a true copy of same on R. M. Pitman
in person with-in the County of Isle Of Wight-and I

R. Augustus Edwards Sheriff of Isle Of Wight County do here-by
accept legal and sufficient service of the same as Sheriff of
the afore-said County.

R Augustus Edwards Sheriff.

COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ISLE OF WIGHT COUNTY--Greeting;

We command you that you summon R. M. Pitman and R. Augustus Edwards,
Sheriff,

to appear at the Clerk's Office of the Circuit Court of the County of
Isle of Wight at the rules to be holden for the said Court on the
~~3rd.~~
~~5th.~~ Monday in March, 1912, to answer a bill in
chancery exhibited against them in our said Court by Willie Wil-
liams,

And have then and there this writ.

Witness, A. S. JOHNSON, Clerk of our said Court, at the Court-
house, this 16th. day of March, 1912, and in the
year of the Commonwealth.

Teste,

A. S. Johnson

Clerk.

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY, VIRGINIA:

Willie Williams, Plaintiff

vs) In Chancery

Robert M. Pitman and R. Augustus Edwards, Sheriff, defendants.

Upon motion of the plaintiff, by counsel, and for good cause shown, an injunction is awarded him to enjoin and restrain the defendant, Robert M. Pitman, his agents and all others, from removing, advertising, selling, or in any way interfering with the property of the complainant claimed under the Homestead Exemption as set forth in the complainants Bill, to-wit: One Gasoline Boat named "Golden Bird", dimensions thirty one (31) feet by nine (9) feet, built in Isle of Wight County, Virginia, and anchored in said County, until the further order of this Court. But the Plaintiff is not to have the benefit of this order until he or some one for him shall enter into a bond with sufficient surety in the penalty of one hundred (100) dollars, payable to the defendant and conditioned to pay all such costs and damages as he may sustain in consequence of the said injunction in case the same shall be dissolved. And this injunction is awarded upon the condition that the complainant shall proceed within sixty days from this date to take testimony to perpetuate this injunction, or the same shall, at the expiration thereof, stand dissolved.

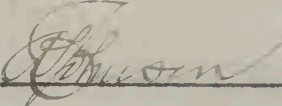
1912-Mch. 12. To the Clerk of the Circuit Court of Isle of Wight Co: Enter this vacation order.

T. J. Barham, Judge of the Corporation Court
of the City of Newport News.

Virginia: Clerk's Office of the Circuit Court of the County of Isle of Wight March 16th. 1912, this vacation order was received and entered of record. The bond required therein was executed, according to law.

Teste,

 Clerk.

A copy, Teste,  Clerk.

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Willie Williams,

VS.

O R D E R.

Robert M. Pitman et als.

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IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT, VIRGINIA.

Willie Williams, Plaintiff.

VS.

In Chancery.

ORDER.

Robert M. Pitman et als, Defendants.

On motion of Plaintiff by counsel and for good cause shown, an injunction is awarded him to enjoin and restrain the defendant, Robert M. Pitman, his agents and all others, from removing, advertising, selling, or any way interfering with the property of the Complainant claimed under the Homestead exemption as set forth in the Complainant's Bill to-wit:

One Gasoline Boat named "Golden Bird", dimensions thirty-one (31) feet by nine (9) feet, built in Isle of Wight County, Virginia, and anchored in said County,

until the further order of the Court. But the Plaintiff is not to have the benefit of this order until he ^{or some one for him} shall enter into a bond with sufficient surety in the penalty of one hundred (100) dollars, payable to the defendant and conditioned to pay all such costs, and damages as he may sustain in consequence of the said injunction in case the same shall be dissolved. And this injunction is awarded upon the condition that the Complainant shall proceed within sixty days from this date to take testimony to perpetuate this injunction, or the same shall, at the expiration said period, stand dissolved.

1912-Mch. 12

To the Clerk of the Circuit Court of Isle of Wight Co.:
Enter this vacation order:

J. J. Barham Judge of the Corporation Court for the City of Newport News, Va.

notice!

v{122

Willie Williams

Executed this notice
the 22 day of
Nov in the Co of
Delos Wright by
delivering a true
Copy of same to
Willie Williams
in person.

R. G. Gavor
Sgt.

VIRGINIA: CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT,
NOVEMBER ^{12th} ~~22nd~~. 1913.

Willie Williams

vs) Chancery.

R. M. Pitman et als.

The plaintiff in this cause having failed to prosecute his suit by maturing his cause for a hearing against the defendants, on motion of the defendant, R. M. Pitman, by counsel, it is ordered that unless the plaintiff proceed to mature this cause for a hearing, at or before the term of this court next after he shall have been served with a copy of this order, the Bill of the said plaintiff be dismissed at his costs.

A copy,

Teste, *E. F. Johnson* Clerk.

Willie Williams,

VS) DECREE:

R. M. Pitman, et als.

1913

Nov 12

Enter this.

B. D. W.

GEORGE F. WHITLEY

ATTORNEY-AT-LAW

SMITHFIELD, VA.

IN THE CIRCUIT COURT FOR THE COUNTY OF ISLE OF WIGHT, VIRGINIA,
October Term, 1913:

* * * * *
Willie Williams,.....Plaintiff,
- VS -
R. M. Pitman, et als,.....Defendants.
* * * * *

IN CHANCERY:

-----oOo-----

The plaintiff in this cause having failed to prosecute his suit by maturing his cause for a hearing against the defendants, on motion of the defendant, R. M. Pitman, by counsel, it is ordered that unless the plaintiff proceed to mature this cause for a hearing, at or before the term next after he shall have been served with a copy of this order, the bill of the said plaintiff be dismissed at his costs.

Willie Williams

vs) Chancery

R. M. Pitman et al.

Attorney's memo.
Filed March 16th. 1912.

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY, VIRGINIA.

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Willie Williams, - Plaintiff,)

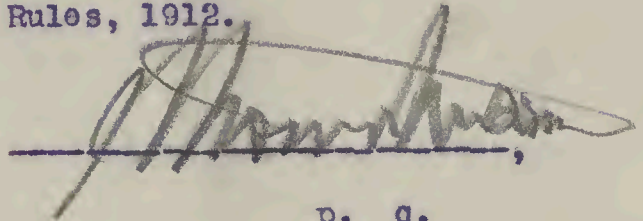
versus)

R. M. Pitman and R. Augustus Edwards, *et al*
defendants.)

----- x

The Clerk will please issue process against the defendants,
returnable to ~~First April~~ Rules, 1912.

2nd March



p. q.

HOMESTEAD DEED - Willie Villains

Virginia: Clerk's Office of the Circuit Court of
the County of Isle of Wight

Recorded in D. B. No. 79 page 466
1715 PM

State Tax,	- -	\$.....	50
Clerk,	- -	\$.....	125
Comr. Revenue,	- -	\$.....	
Total,	- -	\$.....	175

Attest, *A. Johnson* Clerk

"Exhibit A"

Law Offices

Of....

J. Thomas Newsome

548 25th Street

Newport News, Va.

John H. Jones
James H. Jones

KNOW ALL MEN BY THESE PRESENTS, that I, Willie Williams,
a householder and head of a family, and a resident of the
State of Virginia, and of the County of Isle of Wight,
do hereby declare my intention to claim, and do hereby
claim, select and set apart ^{in addition all other lawful} as and for my homestead
exemption under the constitution of Virginia, and the
laws in pursuant thereof, the following property to-wit:-

One Gasoline Boat named "Golden Bird", dimensions
thirty-one (31) feet by nine (9) feet, built in Isle of
Wight County, Virginia, and anchored in said County,
valued at two hundred and fifty dollars (\$250.00).

Witness the following signature and seal this 24th
day of February, 1912.

Willie Williams
(SEAL)

STATE OF VIRGINIA, City of Newport News, to-wit:-

I, J. Thomas Newsome, a notary public in and for
the City of Newport News, in the State of Virginia, whose
term of office expires on the 14th day of April, 1914, do
certify that Willie Williams, whose name is signed to the
writing above bearing date on the 24th day of February,
1912, has acknowledged the same before me in my City
aforesaid.

Given under my hand this 24th day of February, 1912.

J. Thomas Newsome
Notary Public.

Virginia: Clerk's Office of the Circuit Court of the County of
Isle of Wight February 26th. 1912 at twelve fifteen o'clock P.M.
this deed was received and with the certificate annexed, admit-
ted to record.

Teste, [Signature] Clerk.

B/

Willie Williams

vs) Chancery

R. M. Pitman et als.

Copy of injunction bond
Filed March 16th. 1912.

Know all Men by These Presents: That we Willie Williams, principal, and John Jenkins, surety, are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of one hundred dollars, to the payment whereof well and truly to be made we bind ourselves and each of us, our and each of our heirs, executors, administrators and successors, jointly and severally, firmly by these presents.

And as to this bond we hereby severally waive the benefit of our Homestead Exemption, and also any right, claim or privilege to discharge any liability arising hereunder to the said Commonwealth, or by virtue of the said office or trust for which this bond is given, with coupons detached from the bonds of this State.

IN TESTIMONY WHEREOF, the said Willie Williams, principal, and the said John Jenkins, surety, have hereunto set their hands and affixed their seals this, the sixteenth day of March, A. D. 1912.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that whereas, Willie Williams, plaintiff in a certain suit in chancery against R. M. Pitman and R. Augustus Edwards, Sheriff, has been awarded an injunction in said suit enjoining and restraining R. M. Pitman, his agents and all others, from removing, advertising, selling, or in any way interfering with the property of the complainant claimed under the Homestead Exemption as set forth in the complainant's Bill, to-wit: one gasoline boat named "Golden Bird", dimensions thirty one (31) feet by nine (9) feet, built in Isle of Wight County, Virginia, and anchored in said County: Now if the said Willie Williams shall pay all such costs as shall be awarded against him, and all such damages as may be incurred by the defendants in case the said injunction shall be dissolved, in said suit, together with any other legal charges that may be properly assessable against him, then the above obligation to be void, or else to remain in full force and virtue.

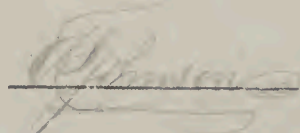
Willie Williams, (SEAL)

John Jenkins, (SEAL)

Virginia: In the Clerk's Office of the Circuit Court of the County of Isle of Wight the 16th. day of March 1912, this bond was duly executed and acknowledged by the obligors to the same and ordered to be recorded.

A. S. Johnson, Clerk.

A copy,

Teste, 

Clerk.