1836-022 SOUTHAMPTON COUNTY CHANCERY PAPERS DUPREY vs. FRANCIS etal

7/1836

other surnames: Dupree

Lutney
against
Bile

Trevis &c

1832 Jany. Rest. order to have
delts & O.P. to absent delts. &c.
1833 March. O.P.

1834 July. decree

1836 June. Atta: Misi v. N Frances
" July. Atta: awarded & ~~paid~~
~~$22.2 pd. to Ruff Atty~~ See memorandum
of July Oct 1836

To the worshipful Court of Lowndes County
sitting in chancery hereby complaining
shewith ~~to you~~ worships your orator Henry
Lindsey Your orator begs leave to submit
to your worships that a certain
Saml Francis formerly of Lowndes
County several years ~~past~~ removed
to the Mississippi commencing the
Section of your orator first in the
sum of Two hundred Dollars for a polar
water of excellent quality & for
the sum of Twelve Dollars paid
to a certain Gray B Heslin a dealer as
will appear by the acknowledged
account of the said Saml Francis
& the receipt or order for the money paid
by your orator to him for $1987.
Dollars herewith exhibited, the above
sums are due your orator from
the said Saml subject to a credit for
of about twenty four Dollars &
some cents with interest from
time which your orator obtained
by having it attached in the hands
of Saml G. Francis administrator Silas
McSpenden
summoned

the balance of your petitioners claim as stated above is justly due him stated as the said Daniel resides without the limits of this commonwealth & the said has considerable moneys in the hands of Sally Francis & Nat Francis who are residents of Lancaster County & petitioner cannot by legal means cause the application thereof to be made to his just demand he therefore prays that your worships sitting as a Court of Chancery to which jurisdiction this subject appropriately belongs to make the said Sally & Nat Francis defendants hereto & restrain them from paying over or in any way disposing of the moneys now in their or either of their hands until the final order of this Court & in the meantime your petitioner prays that they be required to answer this bill fully & truly set forth & shew what moneys or effects they hold of the said Daniel Francis & that they be decreed to pay your petitioner such demand or so much thereof as is in their hands belonging to the said Daniel Francis that an order of publication be ordered against the absent defendant Francis & that your worships grant your complainant the Commonwealth's writ of subpoena ad testificandum & commonly such other further & general relief in the premises as comports with equity & the rules of your worshipful Court & as in duty he will ever pray.

Wm. Dupree

Lancaster County Set

This day Henry Lintner personally appeared before me Jim Thorp a justice of the peace for the County of Lancaster & made oath that the facts stated in the foregoing bill so far as stated on his own knowledge are true & that so far as related on the knowledge of others he believes them true. Given under my hand & seal this 13th day January 1832

Jim. Thorp J.P.

Dunn vs Francis & Wife & McHenry

This day this cause came on to be heard on the bill & order of publication as to the absent defendant & was taken pro confesso as to the home defendants & it appears to the Court that Nathl Francis holds in his hands two hundred & forty [illegible] dollars & forty cents & [illegible] that the said Defendant Nath Francis do pay to the said Henry Dunn the sum of one hundred & forty dollars & interest from the first of March 1822 & the sum of [illegible] dollars & thirty seven cents the amount to O B Heath [illegible] interest from the same time subject to a credit of $24 & 26 on the 19th June 1825 & the costs of this suit if so much in his hands.

Dupree

vs Eq: Order

Frances

Executed

Upon Drewry & Jeff

Burg: & Griffin & Jeff

Southampton June Court 1836.

Henry Dupree . - - - - - Pltff } In Chancery

against

Samuel Frances. Sally Frances and Nathaniel Frances Dfts.

On motion of the plaintiff it is ordered that the Defendant Nathaniel Frances do appear here on the first day of July Court next to shew cause why an attachment should not issue against him for his contempt in failing to comply with so much of the decree made in this cause at July Court 1834 as relates to him.

Teste L R. Edwards Clk

Executed on Nathaniel Frances by delivering him a true copy of the within on the 13th Feby 1832

Executed on Polly Frances by delivering her a true copy on the 26th Feby 1832 — Samuel Francis not an inhabitant of this commonwealth

Jno. Drewry a constable of Chas. Rochelle Co.

Received
2 Sept in Cty
Francis Ps
Ex Mark Court 1832.

66

In pursuance of the within and foregoing writ of attachment we have summoned the within named Samuel Francis by leaving a copy at his usual place of abode in this county, or the office in this County of the Clerk of the Court of Chas. City, and made the further return of the Court

Adjudged &c. Witness

THE COMMONWEALTH OF VIRGINIA:

To the Sheriff of Southampton County--Greeting:

We command you that you summon Samuel Francis, Sally Francis and Nathaniel Francis

to appear ~~at the Clerk's Office of our Circuit Superior Court of Law and Chancery,~~ before the Justices of our Court for the County of Southampton, at the ~~Rules to be holden for said Court~~ Courthouse, on the ~~first~~ third Monday in March next to answer a bill in Chancery, exhibited against them in the said Court, by Henry Dupree

And unless the said Defendants shall answer the said bill within four months thereafter, the Court will take the same for confessed, and decree the matter thereof accordingly; and this they shall in no wise omit under the penalty of 100l.

And have then there this writ: Witness, JAMES ROCHELLE, Clerk of our said Court, at the Courthouse, this 24th day of January 1832, and in the 56th year of the Commonwealth.

James Rochelle Clk

Decree
v & Deft.

Francis

came to hand sealed Sept.
16/1833.

To The Clerk of Southampton
Court Mr. James Rochel

To be filed in the Suit
Henry Dupree vs
Samuel Franes &
Nathaniel Franes &
Salley Franes

Northampton County State of Northarolina To Wit
This day personalle Appeared Lewis F Dupree of lawful
Age And maid Oath before me Thos N Patterson One of the Com
=monwelths Justices for the County and State afore said.
desiend to be read as Evidence On the Trial of a Suit in the
County Court of Southampton and State of Virginnia Upon
a Forren attachment Where in Henry Dupree is plain
=tiff and Samuel Franies of the State of Mississippy def
=endant, and Salley Franies and Nathaniel Franies Of
~~Garnishees~~ The County Of Southampton and State of Virginnia
as Garnishees, defendants, Who deposeth and Sayeth That sum
Time About the Last of February On first of March 1822
That his Unkle Samuel Franies Son of Samuel Franies
dec.d Late of the County of Southampton and State of Vir
did remove to the Western On mississippy County
Carried Off with him A large Elegant English Golden
=ch Suitable for Ladys or Gentlemen Belonging to my Father
Henry Dupree Which the Said Franies had borrowed of the
Said Dupree Sum Few week before he left this County and
Faild to return the Said Watch So that the Said Watch was
Lost to the Said Dupree And Further this Affiant Sayeth not
question by Henry Dupree What do you believe that the Said watch
Was Worth at that time In Cash and On a Credit —
Answer at that time Watches Sold Much higher than they do
Now and from the best Recollection That I have of the
Said Watch I do believe that the Said Watch was worth
the Sum of $175 dollars Cash at that time On two Hundred Dollars
on a Credit of 12 Months And believe that I have
Frequently Heard the Said Dupree offer to take $175 In Cash
Or $200 on a Credit

Lewis F Dupree

1833 Sept 13th Sworn to
before me this day. Given
under my hand and Seal

Thos N Patterson J.P.

Order Publication

Petersburg Intelligencer

$5.50

Sep. 16/1833.

Town of Petersburg, To wit:

This day, T. L. Wilson, of the Intelligencer office, appeared before me, an Alderman of said Town, and made oath that the annexed order of Southampton County Court, in the case of Dupree vs. Francis &c. was inserted in said newspaper for two months successively

Given under my hand this 9th day of August, 1833.

W. S. Maffitt Alderman

At a Court held for Southampton County on the 18th day of March, 1833:

Henry Dupree, Plf.

AGAINST,

Samuel Francis, Sally Francis and Nathaniel Francis, Defts.

IN CHANCERY.

The defendant, Samuel Francis, not having entered his app earance and given security according to the Act of Assembly and the Rules of this Court, and it appearing by satisfactory evidence that he is not an inhabitant of this Country: It is ordered that the said defendant do appear here on the first day of June term next and answer the bill of th plaintiff; and tha a copy of this order be forthwith inserted in s m newspaper published in the town of Petersburg, fo two months successively and posted at the front doo of the Courthouse of this County.

A Copy—Teste,

April 5--2m* L. R. EDWARDS. D. C.

Publication
Petersburg
Intelligencer
to Capt.
Henry Dupuy
$5.50

Received of Mr. Henry Dupree five dollars and fifty cents for advertising Chaney White two months in the Intelligencer.

James J. Wilson

April 3, 1853.

please to pay the within sum of nineteen
Dollars and thirty seven cents to Thomas Dupree and you will oblige
your friend

George B Houston

Geo. B. Houston
Adt.
Samuel Thomas
$19 37½

Rec'd 19th Rec'd 8th Sixth Month on part of the within

1500
182
1632

Southampton County Dec 18
1818

Bot. of Orange & Sheetam.

2 1/4 yds of Broadcloth 43/6	—	16 32
to 3 yds of Casimere - 15/-		7 50
to 1/8 1 1/2 Doz Buttons - 4/6		1 12½
to 1 Do		12
to 5 skeins of silk		31
		£5 37½

of which I do promise to pay

Saml W Francis

Thos Wilcford

Transcript to
Lecture
filed with the bills

Samuel Francis to Henry Dearborn

1822 March 1st To one gold watch

worth ~~$120.00~~ $200.00

Int thereon till

To your own price Orange & Bluetin 19.37

Int from 1st March 1822 till

Cr.

By this amount of Summit

amount of Saml G Farmer 24.00

Int to