1874 - 19 Southampton County Larceny Duke James W. Vs Hundley B. F. et als

"Injunction"

B. F Hundley
Wm. H. Morris
Marquis Duke
Wm. Holmes -
John Hundley +
W. W. Briggs Sheriff

Duke

Clay papers

Hamsley &c

To the Hon Jos W Wrenhart Judge of the Cirt Court
Court of Southampton County Va

Complaint, Thos Ennis the Court-
yon Complainant Jos M Duke of said
County,

Your Complainant respectfully rep-
resents to the Court and says, that on or
about the 18th day of May 1871 he entered into
Copartnership with B F Hundly for the purpose
of Carrying on Merchandizing at Windsor in
the County of Isle of Wight & and did so Con-
tinue till the 22nd of September 1871, When by the
Consent the business of the firm was moved to
Berlin, in the County of Southampton, where it
it was Carried on by your Complainant
and the said Hundly, till on the day of
September 1872 (just past), When your Com-
plainant agreed to sell out to the said Hundly
his interest in said business, but the said
Hundly never Complied with the terms, & hence
no sale was perfected.

That this sale was agreed
to by your Complainant under compulsion,
threats of violence and not because it was
his own choice, but so it is, it was never per-
fected & hence void.

The agreement as to terms of partnership
were, that each one was to render his personal
services without charge, And after paying
Expenses each one was to have one half of
the profits.

That your Complainant put into the

between the sum of five hundred and fifteen dollars,

That on or about the 25th day of April 1872 your Complainant was compelled to go into Bankruptcy, & surrendered in his schedules whatever interest he had in said business, & that all the said interest has been assigned to your Complainant as part of his exemption under the Bankrupt law, so that he is shut out from any of the same

That the said Handly, did threaten your Complainant with violence & much so that he was under the necessity, of resorting to Law for protection, and that without provocation on the part of your Complainant.

That the said Handly took charge of the assets of said firm and refused to account to your Complainant for his interest and share therein, and that the said Handly is insolvent and irresponsible.

That before your Complainant could prepare a bill & answer, for the dissolution of the firm And the appointment of a Receiver to take charge of the assets of the firm the said Handly in the absence of your Complainant and without his knowledge or consent but fraudulently, and with intent to ~~defraud~~ defraud your Complainant, and defraud him

Virginia

County of Southampton to wit:

I, J J Darden a Justice of the peace of said County, do certify, that James W Duke party to the foregoing bill whose name is signed thereto, personally appeared before me, and made oath that the facts set forth in said bill are true to the best of his belief

Given under my hand this 21st day of October 1872.

Jos. J. Darden J.P.

an Injunction is granted to the Plaintiff to restrain the defendants herein from selling or otherwise disposing of the goods & chattels of the firm of Hundley & Duke referred to herein —

and the ~~Undersigned~~ Sheriff of Southampton County that the said W. W. Briggs, be & is hereby appointed a Receiver to take charge of the said goods, & sell the same, & hold the proceeds subject to the order of Court — But no process is to issue hereunder until the said J. W. Duke shall execute before the Clerk of this Court a Bond in the ~~penalty of $1000~~, payable to the defendants, conditioned to pay all costs & damages that may be awarded against him, on hearing of the cause.

Duke's Bill
vs
Hundley &c

1872 Oct 12 Injunction awarded & Bond & Security given & Injunction issued —

out of his interest and shown in said firm, acknowledged on the day of 1872. judgments on the following accounts viz. Wm H Morrison & sons $168 William H Holmes $100,00 Thomas Smith $128 Morgues Doles $100,00 and John Kundly, on two notes in the sum of three hundred dollars each, being date the day of 187. That your Complainant is prepared to show that the two notes last mentioned are purely fictitious and fraudulent and executed by B F Kundly to the said John Kundly for the purpose of defrauding your Complainant and therefore void and of no effect as to your Complainants interest and share in said Concern.

That Executions for amount of judgments acknowledged by said Kundly against the firm are now in the hands of W W Briggs Sheriff of Southampton County, and that said Briggs has taken the assets of said firm under said Executions and advertised them to be sold at public auction on the 25th day of October 1872.

In Consideration of the premises, and for as much as your Complainant is remediless save in a Court of Equity, where matters of this and like nature are peculiarly Cognizable and relievable &c. To the end therefore your Complainant prays that the said B F Kundly, Wm H Morrison & sons, Morgues Doles, William Holmes, John Kundly, and W. W. Briggs (Sheriff) be made parties defendants hereto, and that they may be answered by its-

= junction from selling or Exporting Slaves or Currency or being any way Concerned in selling or Exporting Slaves, or otherwise disposing of the assets of said firm until they answer the allegations herein. And that a Receiver may be appointed to take Charge of the assets of said Concern until the said defendants answer the premises herein and show Cause why they should not be restrained. And that the prayer of your Complainant may be granted And that all other and further relief may be granted Consistent with Equity &c

Kelley & Griffin p.q. } J. W. Clarke

The separate answer of John A Handley to a bill in chancery in the county court of Southampton by James M Dutch against him and others

This defendant for answer to the said bill or as much thereof as he is advised it is material for him to answer answering says that it is true Frank Handley confessed judgment to him on several bonds, and the charge by the plaintiff that these bonds are fictitious and gotten by him and Frank A Handley to defraud others is utterly false that these bonds were given to him by Frank A Handley for produce sold to the store and money lent him to carry on his business and that as a charge on his partnership effects that this defendant knew that Dutch lived in the store and had heard him say that he was to receive a part of the profits but all the business was carried on in F A Handley's name and bills made out against him alone and receipts given by him alone and he asks the court to dispose this injunction and let the money now in the hands

of the reins and Shuttle & N Briggs
be applied according to the rights
of the parties and having fully
answered this defendant prays leave to
be dismissed with his costs

Thandisfordlee

Southampton County Clerks Office March 24. 1873
John A Hundley this day made oath before me Clerk of the County Court
of Southampton County that the facts set forth in the foregoing answer are
true to the best of his knowledge and belief. Given under my hand the day &
year above

L R Edwards Clk

H. H. Briggs. Receiver for Chancey Smith
Duke & Standley Dr
To M. D. Butler Dr

1872

To 1 mo. & 10. days service securing
Stock of goods $53.33
2 days Taking Inventory @ 2 4.00
" as Clerk 2 8.00
10 wagon loads Slaves 150 15.00
1 " " Dr Appley 1.50
Loading Car 1.50
$83.33

1873
Feb. 17th. Rec'd Payment of H. H. Briggs Receiver

M. D. Butler

Dulse

vs

Handley

Answer of

Frank Handley

1873 April 21st

The separate answer of Frank Hundley to a bill in Chancery by James W Duke in the county court of Southampton against him and others

This defendant for answer to the said bill or as much thereof as he is advised it is material for him to answer answering, says That when I went over to Windsor in Isle of Wight county to buy a ham I saw James W Duke who represented himself as the travelling agent of Savage Jones. Nye and Jordan through him a bill or lepers for which I pais I remained sometime at Windsor in business and when I removed from there to Berlin I told James W Duke that if he would come with me and attend to the business as he understood merchandising better than I did I would give him one half of the profits of the business and he remained with me on these terms up to the 1st of September 1872 though in the business on these terms all the bills were made out in my name receipts given in my name and all debts for the store contracted

in my name as Mr Duke was insolvent having gone into Bankruptcy in June 1872 as well as I was that and the partnership was dissolved at that time by (me by the said Bankruptcy I did confess judgment as alledged on the following claims to wit to Wm Holmes for $100 which was for rent of the store in which I did business and course all the partnership effects were bound for rent to Wm H Morris & Sons on a debt due for goods purchased ~~to Evans Woodward & Co~~ ~~due for goods purchased~~ to Thomas Smith for a debt due for goods purchased to Richmond & which I did not make use of to Jamieson & Dales on a debt to Dupuy which has been settled by a return of the property purchased of Dales and to John A Handley for six hundred dollars ~~and~~ on account for produce purchased two bonds for money lent me to carry on business and which was wasted in groceries and to John A Handley for $23 for produce sold me and money lent in the same way

The reason why I confess judgments on these claims was I Mr Duke had threatened to place the business in the hands of a person and I was determined to see all the debts paid and found that if the little effects I had were placed in chancery they would be consumed in litigation and I still owe the debts and this defendant denies emphatically and positively all intention of depriving any one of any just demand and if after paying the debts due there be any profits he is willing Duke should come in for one half of them as agreed and this defendant answers further that the premises are the capital employed and if James R Duke can put in any he is not aware of it and having fully answered this defendant prays hence to be dismissed with his costs &c

Sworn to and
Frank Handley

Southampton County, to wit: I James R Tyler a Commissioner in Chancery for the County Court of Southampton, do hereby certify that Frank Handley personally appeared before me and made oath that the facts contained in the above answer, are true to the best of his knowledge & belief. Given under my hand this 24th day of March 1873.

James R Tyler Commissioner

KNOW ALL MEN BY THESE PRESENTS, That we James W Duke & J I Burbage

B. F. Hundley, W H. Morris Sons, Marquis Dolce, Wm Holmes, & John Hundley.

are held and firmly bound unto ~~the Commonwealth of Virginia~~ in the just and full sum of One hundred dollars, good and lawful money of Virginia, to the payment whereof, well and truly to be made, we bind ourselves, our heirs, executors and administrators, jointly and severally firmly by these presents. Sealed with our seals and dated this 21st day of October A. D. 1872.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that ~~if~~ whereas the above bound James W Duke has obtained from the County Court of Southampton County an Injunction to injoin & restrain the Defts. B. F. Hundley, W H. Morris Sons Marquis Dolce Wm. Holmes. John Hundley & W. Briggs Sheriff from selling or exposing to sale or otherwise disposing of the goods and chattels of the firm of J Hundley & J Duke referred to in the Plaintiffs bill until the further order of the Court. Now if the said James W Duke shall pay & satisfy all costs & damages that may be awarded against him in case the said injunction be dissolved.

~~shall faithfully discharge the duties of his said office or trust according to law,~~ then the above obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and delivered in presence of the Court.

J. W. Duke [SEAL.]

J. I. Burbage [SEAL.]

[SEAL.]

[SEAL.]

Award by
Arbitrators

1873 March 10

We the Arbitrators Chosen To settle the difficulty between James Dukes and Frank Handley, Make the following Report that after paying all honest indebtedness against the Concern the ballance be divided between the parties (Wm) Dukes & Handley This 10th 1877. We are unable to decide as to the Claims.

L. D. Prettow
J. B. Barham

State of Virginia,
Southampton County, To wit: I Jas R Tyler one of the Commissioners in Chancery of the County Court of said County, do hereby Certify that the foregoing Depositions were duly Sworn to and Subscribed before me at the time and place Mentioned above. Given under my hand this 1st day of July 1873.

James R Tyler,
Commissioner in Chancery

Witness for Defft
S. S. Spivey 1.80
Grant. Hundley 50
Witness for Defts
W. T. Bradshaw 50

Commissioner's fee for taking Depositions, Entering Witness attendance &c $5.00

James R Tyler,
Commissioner,

Dunkel
vs
Depositions
Hundley

Handed in by J R Tyler Com
July 2. 1873.

The Depositions of S. D. Spivey, Jno A. Handley and W. T. Bradshaw taken before me I. R. Tyler, one of the Commissioners in Chancery of the County Court of Southampton, on the 8th day of July 1873, to be read as evidence in the Chancery Suit of Dake vs Handley &c.

S. D. Spivey being duly Sworn deposeth and saith as follows;

Ques: How old are you? I am 35 years of age.

Ques: Tell what you know of the business transactions of the firm of Dake and Handley?

Ans: I know nothing of the transactions between them. I purchased a horse from Mr. Dake and paid him in Cotton, which Cotton I delivered in the store, the price of the horse was $115.

And further this deponent saith not.

S. D. his X Spivey.
mark

Jno A. Handley, being first duly Sworn deposes and says as follows;

Ques: How old are ~~you~~? thirty Eight years

Ques: Tell what you know of the business transactions of the firm of Dake and Handley?

Ans: I know from what the parties themselves told me, that Mr. Dake attended to the business, and was to receive one half of the profits.

Cross Examined by Defendants Counsel.

Ques: Do you know if Mr. Date ever put any money in the firm.

Ans: No Sir I do not.

Ques: Did you ever hear either ~~any~~ of the firm say ~~whatever~~ that Mr. Date was to receive one half of the profits in Consideration of his services rendered, or in Consideration of the money which he had put into the firm.

Ans: I understood from the firm that the one half of the profits to be paid Mr. Date ~~him~~ was in Consideration of his Services.

Ques: What did Mr. Date say to you in regard to his relations to the firm, when he went into Bankruptcy.

Ans: He told me when he went in to Bankruptcy that he had some Money of the firm, and that he would make it all right but I do not remember his telling me what amount. He then stated to his Atty that he was selling goods on Commissions for

for Frank Huntley, and that he thought that his account was about equal to his Commissions, I mean by his Lawyer the Atty that put him through the Bankrupt Court.

Ans further this deponent saith not.

I A Kimball

Sabin T. Bradshaw being first duly Sworn deposes and says as follows,

Qus: What is your age — I am twenty five years of age

Ans:

Qus: Tell what you know of the turnip transactions of the firm of Duke and Huntley.

Ans: I was down in Norfolk and met with Mr. Duke and Hoffheimer, Mr. Hoffheimer asked me Duke where was his place of turnips, he told him that he was not in turnips for himself but was ~~doing a thing~~ doing turnips for ~~Frank~~ Huntley at Berlin Southampton, Co. Va. Then Mr. Hoffheimer said to Mr Duke a word with you, the draft you gave me was not accepted, and Mr. Duke remarked, I will see you again tomorrow

Ans further this deponent saith not.

W T Bradshaw

Account of Sales
of Frank Hunly
Horse

Account of Sales of Dry Goods belonging to the
Estate of Frank Bentley Dec'd & W. A. Briggs Receiver &c

1	Satinet Coat	Murdock Bradshaw		$ 3	00
34	10 x 12 Window Glass	R. S. Williams	6	2	04
1	Tin Bucket.	D. L. Doles		"	30
2	Vials Extract	E. F. Drewry	12	"	25
4	Leather Belts	M. D. Butler	5	"	20
9	Fine Combs	" "	7	"	63
3	Pocket Books	" "	10	"	30
9	Watch Keys	" "		"	15
7	Boxes Hair Pins	D. J. Watkins	7	"	49
4	Papers Hair "	R. J. Williams	3	"	12
2	Corset Stays	D. J. Watkins		"	10
1	Panama Hat	M. D. Butler		1	50
1	Do Do	" "		1	10
10	Key Rings	Jno. G. Kello	5	"	50
1	Blue Veil	E. F. Drewry		"	30
2	Green "	" "	35	"	70
5	Balls Shoe Thread	J. D. Pond	9	"	45
1	White Cashmere Hat	Fabius Bradshaw		2	00
2	Boxes Paper Collars	B. F. Joyner	16	"	32
2	" " "	M. D. Butler	10	"	20
½	Lb Net Thread	Do Do		"	62
3	Boxes Paper Collars	" "	8	"	24
8	" "	" "	8½		68
1	Set Knives & Forks	W. A. Morris		"	60
1	Grain Lock	W. F. Bradshaw		"	25
				$	16.94

Amt. forward $ 17 04

6	Gun Tubes	I2. A Barham	2	~	12
1	Stock Lock	W. F. Bradshaw			40
9	Leg awls	Simon Bellows			21
2	Doz Sewing awls	L. R. Stephenson	2½	~	60
4	¼ Cut Saw Files	Jno. G. Kello	13		52
1	Gro ¾ Screws	W. D Butler		~	16
2	Doz. G. P. Buttons	" "	8	~	16
5	packs Envelopes	S. D. Migeh	10	~	50
7	Jn. White Hose	W. D Butler	18	1	26
8	Sea Spooks	Fabius Bradshaw		~	41
1	Sett Do	" "		~	18
1	~ ~	" "		~	12
3	Spoons	" "		~	18
2	Table Spoons	" "		~	04
1	Sett Table "	R. M. Stephenson		~	36
1	" "	Fabr. Bradshaw		~	30
5	Table Spoons	" "		~	20
3	Butcher Knives	Ard Whitney	15	~	45
4	~ ~	Geo. R. Stephenson	15	~	60
11	Spoons G & D. Cotton	W. D Butler	3¾	~	40
11	~ ~	~ ~	3¾	~	40
6	~ ~	~ ~	4	~	24
6	~ ~	~ ~	3	~	18
9	~ ~	~ ~	3	~	27
6	Blue ~	~ ~	3¼	~	20
4	Blk ~	R. J. Rollins	3	~	12
2	Green ~	W. D Butler	3	~	06
				$ 25	68

Amount bro. forward $ 25.68

6	Spoons Blk. G & D. Cotton	W. D Butler	3¼	~	16
9	" Clarks "	" "	4	~	36
5	" " "	" "	4¾	~	23
4	" " "	" "	4	~	16
3	" " "	" "	6¼	~	19
10	" " "	" "	5½	~	55
9	" " "	" "	6¼	~	56
1	" " "	D. J. Watkins		~	06
4	" " "	Lizzie Ketcher	6	~	24
9	" " "	D. J. Watkins	7¼	~	65
50	Skeins Blk S. Silk	W. D Butler	2½	1	25
1	Set Blue " "	" "		~	10
1	Set pen Holders	R. M. Stephenson		~	08
1	Pr. Misses Moro Shoes	A. F. Cobb		~	95
36	Ck. Soap	Jno. L. Billy	6¼	2	25
1	Coffee Pot	Merit Johnson		~	30
1	Set Screws	R. J. Williams		~	07
10	Doz. 1½ in Do	D. L. Bradshaw	3½	~	35
1	Set Screws	L. L. Brister		~	05
1	Sett K & Forks	N. H Morris		~	50
1	Set Skirt Braid	W. D Butler		~	45
2	Pr. Ladies Gloves	Jno. G. Kello	15	~	30
1	Sett Table Spoons	R. L. Richardson		1	02
1	~ ~ Do	Do		~	96
5	~ ~	Do	16	~	80
				$ 38	27

Amt bro. forward 38.27

26½ yds. Mly Jeans	M. D Butler	20½	5	38	
4¾ " Lindsey	G. W. Stephenson	20	~	85	
13 " Calico	M. D Butler	9¾	1	26	
57 " "	Do Do	8¾	4	46	
2½ " "	J. H. Davis	10	~	25	
1 " Lindsey	Jno. Oberry		~	15	
1 Satinet Coat	R. W. Stephenson		3	00	
2 White Chambers	Jas Hundley	41	~	82	
1 Blk. Coat	M. D Butler		5	10	
1 Pr. Boots	K. Gray		3	20	
1 " "	Geo. Jones		2	80	
1 " "	M. D Butler		2	35	
1 " "	C. Hargrave		3	00	
7½ lb. Salts	R. J. Williams	5	~	37	
1 Pr. plow Shoes	R. J. Hundley		2	20	
1 " Blankets	G. W. Stephenson		1	80	
3½ lb. Tobacco	L. W. Stephenson	65	2	27	
3½ " "	Do	51	1	78	
1 Pr. Counter Scales	Do		6	00	
4 Boxes Blacking	D. J. Watkins	8	~	12	
5 lb. Smoking Tobacco	M. D Butler	26	1	30	
5 " " "	J. A. Barham	39	1	95	
1 Package Matches	Jno. G. Kello	51	~	51	
1 " "	James Hundley	50	~	50	
Remainder	M. D Butler			35	
4 Dolly Varden Overalls	Rollins	9	~	36	
1 Blk Vest	M D Butler	45	~	45	
			90	85	

Amd bro. forward 90 95

1	Blk Vest.	1.00	Isaac Joyner	1	50
1	Linen Chd. Coat	65	Jno Oberry	~	65
1	" " Bro	50	M D Butler	~	50
1	" " "	1.15	" "	1	15
1	" " "	80	" "	~	80
1	" " "	40	" "	~	40
1	White Vest	1.00	Jno Oberry	1	00
1	Pr Gaiters	150	J. A. Barham	1	50
1	" "	150	J. G. Kello	1	50
1	" Worn Morocco	180	G. A Travis	1	80
1	" " "	165	L. W. Stephenson	1	65
1	" Mens "	135	" "	1	35
1	" Ladies	110	" "	1	10
23	yds Blk. Cotton	7	Geo W. Stephenson	1	61
29¾	" " "	13	" "	3	87
14¾	" " "		" "	1	37
1	Pr Suspenders	25	Thomas Laine	~	25
6	" Remainders	27½	M. D Butler	1	13
14	yds Corset Jeans	12	G. W Stephenson	1	68
1	Pr Eng. Cut Shoes	110	L. Laine	1	10
2	Sons gr. Shoes	100	M D Butler	2	00
2	yds Domestic	13	Jno Huggins	~	30
1	Pr Wom. Shoes	100	R. J. Williams	1	00
1	Blk Hat	112	R. J. Hundley	1	12
7	Thimbles	3	R. J. Stone	~	21
				127	39

Amt. bro. forward $1.27.39

1	Set Dress Buttons	100	M. D. Butler	1	00
1	yd Blk Ribbon	45	" "	~	45
1	~ ~	20	~ ~	~	20
2	"	13	J. A. Barham	~	13
22	Colr. D. Cotton	68	D. J. Watkins	~	68
1	Set Braid	5	M. D. Butler	~	05
2	yd Ruffling	35	E. F. Brown		35
1	" Velvet Ribbon	10	J. A. Barham	~	10
1	Set Steel pens	10	F. Locke	~	12
4	G. S. Comb	10	K. M. Talley	~	40
3	papers needles	5	D. J. Watkins	~	15
16	yds Chd. Linen	17	M. D. Butler	2	72
8	" Slate Cambric	6	" "	*	50
12	" Blk "	5 3/4	" "	~	69
12	" Canvas	5	" "	~	60
6	" Blk Calico	6	" "	~	36
5	" D. C. "	7 1/2	Jno Oberry	~	38
1	Gingham Dress	7	M. D. Butler	~	07
1	Blk Sash	55	" "	~	55
8	yds Ball Fringe	6	" "	~	50
10	" " "	4	" "	~	40
1	" " "	6	" "	~	06
1	Doz yds "	3/4	" "	~	60
3	yds Letter paper	18	D. J. Watkins	~	54
1	yd Misses D. C. Shoes	150	M. D. Butler	1	50
3	" " "	130	" "	3	90
2	" Moss "	100	"	2	00
				$1	46.16

Amt. bro. forward $146.16

1	yd. Brown Grain Shoes	100	Jno. G. Kello	1	00
3	" Mens Brogans	147	M. D. Butler	4	43
1	" " "	140	" "	1	40
2	" " "	150	Lewis Gillette	3	00
1	" " "	145	G. W. Stephenson	1	45
2	" Boys	85	M. D. Butler	1	70
1	" Misses Boots	70	" "	~	70
4	" " "	100	" "	4	00
3	" " "	107	" "	3	22
1	" " "	105	" "	1	05
1	" Childs Cork Slip	33	Jno A. Smedley	~	33
1	" Misses Shoes	75	M. D. Butler	~	75
2	" Childs Boots	50	" "	1	00
1	pr Cuffs	30	" "	~	30
1	yd. Boots	2.05	Jno. A Smedley	2	05
2	Stone Pitchers	29	G. W. Stephenson		38
1	Bake pan	21	" "	~	21
17	Eggs	25	M. D. Butler	~	25
4	pie pans	12	G. W. Stephenson	~	30
1	Toddy Tin	7	James Handley	~	07
1	Milk Pan	33	J. A. Barham	~	33
3	Tin Cups	16	G. W. Stephenson	~	16
5 lb	Soda	7 1/2	" "	~	37
2	"	2 1/2	J. G. Kello	~	15
10	Remainder	7	M. D. Butler		70
				$1	75 58

Amt. bro. forward $175.58

1	Box Table Salt	5	J. Oberry		05
2	" Worm Confections	15	M. D Butler		30
4	Vials Vermifuge	6¼	"		25
2	Bottles L. Oil	10	"		20
2	Vials Essence	4	J. E. Gillette		08
2	" Spodeldoc	15	A. H. Cobb,		30
1	Jug	15	Jas Annsley		15
1¼	lb. Ginger	16	G. W. Stephenson		24
1	Glass Jar	30	" "		30
12	oz. Indigo	6	M. D Butler		72
2	lb. Blue Stone	6	" "		12
2	Glass Jars	15	" "		30
45	Boxes R. R. Snuff	6½	R. W. Pulley	2	92
23	Boxes Bluing	¾	M. D Butler		63
10	lb Bro ~~Loaf~~ Sugar	10½	Geo W. Stephenson	1	05
10	" " "	10¾	"	1	07
120	" " "	9⅜	M D Butler	11	25
3	Tin Scoops Ea	11	A. H. Cobb		33
16½	lb. Powder	27	M D Butler	4	45
2	Curry Combs Ea	13	Geo. Jones		26
1	Tin Can	10	M D Butler		10
1	Jar Mackaboy Snuff	150	D Strattons	1	50
1	Lamp		M D Butler		18
10	Suit Sets		L W Stephenson		30
2	Meat Saws Ea	14	M D Butler		28
2	Molasses Cans	5	" "		10
4	lb D. Box	24	" "		96
				$203	94

Amt. bro. forward $203.94

1	Set Salt Butts		G. W. Stephenson		07
1	White Bowl		Jno Annsley		10
2	Bottles S. Turpentine		" "		37
1	Molasses Can		M D Butler		21
2	Sugar Bowls		Jake Bradshaw		60
2	Brown Pitchers 2g		D. L. Watkins		58
1	Salt plates		Jas Annsley		65
2	White Dishes		D. L. Watkins		62
2	" " Ea 25		D D		50
4	ale Glasses Ea 9		Jake Bradshaw		36
10	Lamp Chimneys 3/4		M D Butler		32
5	" Burners		"		10
2	pr plow Hames Ea 45		J. Bradshaw		90
1	"		A. H. Cobb		85
4	Egg Cruets Ea 65		E. P. Davis	2	60
1	Lamp		M D Butler		62
1	"		I. T. Mills		38
1	White Pitcher		Geo Jones		75
2	Towels Ea 6		Jno Annsley		12
1	Hatchet		" "		30
1	Bottle & Glass Jar		I. M Bell		35
80	lb. Rags pr lb 3		M D Butler	2	40
1	Broom		" "		20
1	Set Scales & Weights		" "		55
2	5 Gal. Kegs Ea 42		D L Doty		84
1	" 10 "		Jno Annsley		50
1	Set Tin Measures		M D Butler		95
				$220	64

156 14
15 17
140 97

Amt. bro. forward $320.64

1 Lot Tin Measures	James Stanley	1	00
6 Bar Bottles Ea	D. I. Watkins	2	10
1 Butters Bottle	D I Doby	"	15
2 pitch forks Ea 70	G. T. Whitfield	1	40
1 Marl Shovel	" "	"	80
1 Auger Borer	M. D Butlers	"	05
1 Kerosine Can	" "	"	25
32 Gal Molasses pr Gal 20¢	Jno. A Stanley	6	64
1 7/8 Bush. B. Peas 87½	I. 2 A Barham	1	65
1½ " B.E. " 50	E. F. Drewry	"	75
2 No 18. plows 280	M. D Butlers	5	60
24 lb. plow Casting 45½	" "	10	98
40 " Hollow ware 4	" "	1	60
1½ Bush. pea nuts	" "	"	30
1 pr. Balances	" "	2	00
1 Lot Boxes	" "	"	25
2 Empty Cask	Simon Joyner	"	10
7 1 Brandy Cocks	M. D Butlers	"	35
1 Cart & Gear	A. F. Cobb	29	00
1 Water Bucket	Jack young	"	13
2 Chambers Ea 41	A. F. Cobb	"	82
1 Lot Stove pipe	Jno A Stanley	"	25
1 pr. Mules Shoes	I. 2 A. Barham	"	50
		$287	31

W. W. Briggs Recvr

Cash Sales — 140 97
Dr Stanley a/c 120.20
D I Watkins " 8.35
Dr A Stanley " 10.68
I. 2. A Barham " 03.15
293.85

Cash Sales $137.00
Dr Stanley a/c 120 20
" 10 68
D I Watkins a/c 8 35
I 2 A Barham " 3.15
279.38

5 days
To paid A F Cobb & Clerk Sch $10.00
" " D I Watkins 3 days 6 00
" " I 2 A Barham Crier 20 00

Southampton County Court, May Term 1873.

James H. Duke Plff

against

B. F. Handley Wm H. St. Morris & bro, Marquis Doles, William Holmes, John Handley and W. W. Briggs Sheriff Defts: In Chancery

This Cause Came on this day to be heard on the Complainants Bill, Taken for Confessed as to the Defendants Wm H. St. Morris & bro, Marquis Doles, Wm H. Holmes and W. W. Briggs Sheriff on whom process had been duly executed, and they still failing to appear and answer or Make defence, and on the answer of B. F. Handley and John Handley filed thereto, and on replications to said answer and on Report of W. W. Briggs Receiver, appointed under and by the restraining Order Made in this Cause, and on paper purporting to be an award of arbitrators to whom Matters in dispute between the parties were Submitted, (but not by Order of Court) and on argument by Counsel. On Consideration whereof the Court doth adjudge, Order and decree, that a Commissioner of this Court Settle 1st An account of the transactions of said W. W. Briggs Sheriff and Receiver in this Cause.

2nd An account of Partnership debts due by Duke and Handley and their priorities, and in doing so May take proof of the existence and genuineness of said debts. And 3d, an account of Interest which each

of said parties James A Duke & B. F. Hundley
heard in the business of Duke & Hundley and Ad
what authority the arbitrators reported to acted, and
Make report to Court With any matters specially stated
deemed pertinent by himself or that either of the
parties may require to be so stated.

Test

James R Lyle D.C

Duke
vs
Hundley
Ad

Southampton County Court, May Term 1873.

James H. Duke Pltff

against

B. S. Hundley Wm H. St. Morris Jas. Marquis In Chancery
Doles, William Holmes, John Hundley and W.
W. Briggs Sheriff Defts.

This Cause Came on this day to be heard on the Complainants Bill, taken for Confessed as to the Defendants Wm H. St. Morris Jas. Marquis Doles, Wm Holmes and W. W. Briggs Sheriff on whom process had been duly executed, and they still failing to appear and answer & make defence, and on the answer of B. S. Hundley and John Hundley filed herein, and on replications to said answers, and on Report of W. W. Briggs Receiver, appointed under and by the restraining order made in this Cause, and on papers pertaining to be an award of arbitrators to whom Matters in dispute between the parties were Submitted, but not by Order of Court) and was argued by Counsel. On Consideration whereof the Court doth adjudge, Order and decree, that a Commissioner of this Court Settle 1st An account of the transactions of said W. W. Briggs Sheriff and Receiver in this Cause

2nd An account of Partnership debts due by Duke and Hundley and their priorities, and in doing so may take proof of the evidence and genuineness of said debts. And 3d, an account of Interest which each

of said parties James & Duke & B. F. Hundley
have in the business of Duke & Hundley and what
what authority the arbitrators referred to acted, and
Make report to Court with any matters specially stated
deemed pertinent by himself or that either of the
parties may require to be so stated.

Test

James R Lyle D.C.

Duke
vs
Hundley

Report

Saka
Sums
vs
in
Chancery
Standley

17th day of June
1873.

Executed

The Commonwealth of Virginia:

To the Sheriff of Southampton County--Greeting:

WE COMMAND YOU to summon M. S. Butler, S. S. Spivey and John A. Handley

Commissioners

if they be found within your bailiwick, to appear at the ~~Clerk's~~ Office of our Court of Southampton county, ~~at the Rules to be holden for the said Court on the first Monday in~~ on the 17th day of June 1873 to give evidence on behalf of James H. Duke —

James R Tyler Commissioner in Chancery

And have then there this writ. Witness ~~LITTLETON R. EDWARDS, Clerk of our said Court,~~ at the Court-house, this 9th day of June A. D. 1873, in the 97th year of the Commonwealth.

James R Tyler
Commissioner

Sun Job Print, Suffolk, Va.

Duke
&
Hundley

Sfa

Executed June
Aug 28/78 A. H. Cobb
Dep
Sheff

1873 July 1st

The Commonwealth of Virginia

To the Sheriff of Southampton County--Greeting:

WE COMMAND YOU TO SUMMON John A. Hundley and S. I. Spivey

J. R. Tyler a Commissioner in Chancery

to appear before ~~the Judge of our~~ ~~Court~~ of Southampton county, at the Court House, on the 1st day of July 1873 ~~term~~, to testify and the truth to say on behalf of James W. Fuke in a certain matter of controversy in our said court depending and undetermined between

Said Fuke Plaintiff and

B. F. Hundley and others Defendant And this they shall in no wise omit, under the penalty of £100; and have then there this writ.

Witness, Jas R Tyler Commissioner in Chancery ~~LITTLETON R. EDWARDS, Clerk of our said Court~~, at the Court House, this 23d day of June, 1873, in the 97th year of the Commonwealth.

James R Tyler
Commissioner

Duke
v
Handley
} Com: Notice

W.H. Holmes
& Frank Morris of the firm
of W.H. Morris & Sons

Executed this 12th day
of June 1873 by delivering
a copy hereof to W.H. Holmes
& one to Frank Morris
he being one of the firm
of W.H. Morris & Sons

W.H. Saunders
Sgt

COMMISSIONER'S OFFICE,

Jerusalem June 2nd 1873

TO James H. Duke ——————— Plff

and

B. F. Hundley. Wm H Morris & sons, Mark Doles, William Holmes, John Hundley and W W Briggs Sheriff ——————— Defts

You are hereby notified that I have fixed upon the 17th day of June —— next, if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts, to wit: 1st An account of the transactions of W. W. Briggs sheriff and receiver in this cause.

2nd. An Account of Partnership debts due by Duke & Hundley and their priorities, and in doing so may take proof of the evidence and genuiness of said debts.

3rd. An account of Interest which each of said parties Jas W Duke & B. F. Hundley have in the business of Duke & Hundley.

4th Under what authority the arbitrators referred to acted, and make report to court. &c &c

required to be taken by a decree of Southampton ~~Circuit~~ Court, rendered on the May Term ~~day~~ of ——————— 1873, in a suit in Chancery, depending in said Court, in which you are parties, plaintiffs and defendants; at which time and place you are required to attend.

Given under my hand as Commissioner in Chancery of the said Court, the day and year first aforesaid.

To the ~~Sheriff of Southampton County~~ Sergeant of the City of Norfolk to execute.

James R Tyler Commissioner.

Duke
v
Hundley
} com. Notice

Executed
W W Briggs Sh

COMMISSIONER'S OFFICE,

Jerusalem June 2d 1873

TO James W. Duke ~~~~~~~~~~ Plff

v

B. F. Hundley. Wm H. Morris & ons. Mark Doles,
William Holmes. John Hundley, and Wm W. Briggs,
Sheriff, ~~~~~~~~~~ Defts

You are hereby notified that I have fixed upon the 17th day of June next, if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts, to wit:

1st. An account of the transactions of Wm W. Briggs sheriff and receiver in this cause.

2nd. An account of Partnership debts due by Duke & Hundley and their priorities, and in doing so. may take proof of the evidence and genuiness of said debts

3rd An account of Interest which each of said parties James W. Duke & B F Hundley have in the business of Duke & Hundley

4th. Under what authority the arbitrators referred to acted, and make report to court &c &c

3

required to be taken by a decree of Southampton ~~Circuit~~ County Court, rendered on the May Term ~~day~~ ~~of~~ ~~~~~~~~~~ 1873, in a suit in Chancery, depending in said Court, in which you are parties, plaintiffs and defendants; at which time and place you are required to attend.

Given under my hand as Commissioner in Chancery of the said Court, the day and year first aforesaid.

To the Sheriff of Southampton County to execute. James R Tyler Commissioner.

An Account of W.W. Briggs transactions as Shff and Receiver in the Cause of Duke v Hundley

1872							
				$	Dr	$	Cr
Dec	3	By Amo from M. D Butler for sales of Gds				405	32
		By Amo rec'd from M. D Butler collected on ap				49	01
		By Amo. sales of Gds. at auction				287	31
		To amo paid M. D Butler. ap		83	53		
		" " paid A.T. Cobb Clerk		10	00		
		" " " D. J Watkins "		6	00		
		" " " J.E.A Bacham auctioneer		20	00		
		" Commissions on $741.64 @ 5%		37	08		
		" Bal: due Hundleys Store		585	03		
				741	64	741	64
"	"	By Bal: due Hundley. Store brot down				585	03
		" Sales of Staves & Dr Apples				79	05
		To Commissions on $79.05 @ 5%			395		
		" Bal: due Hundleys Store		660	13		
				664	08	664	08
"	"	By Bal: due Hundley. Store brot down				660	13

Respectfully Submitted
James R Tyler
Com.

An Account of Judgments Docketed in the clerks Office of Southampton County against B. F. Hundley, as follows

	Southampton Co Ct Clk office Sep 28d 1872			
Dockd	Wm H. Holmes Judgt v Frank Hundley for		85 00	
28 Sep	Int fm 28 Sep 1872. to 1d July 1872		3 40	
1872	Costs		5 31	9371
	S. amptn Co Ct Clks office 28d Sep 1872			
Dockd	Thomas Smith Judgt v Frank Hundley for		128 36	
28d Sep	Int fm 28d Sept. 1872. to 1d July 1873		5 83	
1872	Costs		5 31	13950
	S. amptn Co Ct. Clks Office 28d Sep 1872			
Docketed	John A Hundley Judgt v Frank Hundley for		233 00	
28 Sep	Int on $125.00 at 10 pct. fr 1 Jany 1872 to 1 July 73		34 95	
1872	Int on $108.- @ 6 pct. fm 1 Feb 1872 to 1 July 73		9 28	
	Costs		5 31	28254
	S. amptn Co Ct. Clks Office 28d Sep 1872			
Docketed	Wm H. Morris & Sons Judgt v. Frank Hundley for		168 24	
28 Sep	Int. fm 28d Sep 1872 to 1d July 1873		7 64	
1872	Costs		5 31	18119
	S. amptn Co Ct. Clks Office Sep 28/72			
Docketed	Whitehead & Brickhouse Judgt v Frank Hundley for		42 50	
Sep 28	Int fm 28d Sep 1872 to 1 July 1873		1 91	
1872	Costs		5 31	4972
	Respectfully Submitted			$ 74666
	James R Fyler			
	Com			

Commissioners Office
Jerusalem July 14th 1873

To The County Court of Southampton County

Pursuant to a decree of the county court of Southampton county rendered at the May Term 1873 in a suit in Chancery depending in said court. Between James W. Duke and B. F. Hundley. Wm H Morris exrs. M. Doles & others. the undersigned one of the commissioners of said court to whom was refered for settlement. by said decree. the following accounts to. wit.

1st An account of the transactions of said W. W. Briggs shff & receiver in this cause.

2nd An account of Partnership debts due by Duke & Hundley and their priorities, and in doing so may take proof of the evidence and genuiness of said debts

3rd An account of Interest which each of said parties James W Duke and B. F. Hundley have in the business of Duke & Hundley.

4th Under what authority the arbitrators refused to acted and make report to court &c. reports to the court that on the 2 day of June last. he issued notices against the several parties aforesaid. requiring them to attend the settlement of the said account, before him at his said office on the 17 day of June 1873. which were returned by your commissioner duly executed, the parties aforesaid appeared before the commissioner (by atto.) in obedience to said notice and he thereupon stated and settled the foregoing account of W. W. Briggs. Transactions. and finds the amount due Hundley Store to be $660 13 and also the amount of Judgments up to the 1 day of July 1873 to be $7446.66 with Interest & Costs added &c.,

The commissioner respectfully reports specially to the court that the Judgment of $660.00 in favor of Johnst Hundley (which is not included in this acct) will be refered to a Jury. as by consent of parties. reports further that the arbitrators acted without any order

of court, "and by consent of parties." Your commissioner has been unable to ascertain the amounts put in by Duke & Hundley or to settle their partnership account as the parties did not appear before him with the Books
The commissioner reports further to the court, that after the completion of the said accounts he retained the same in his said office ten days for the examination of the parties, which with the deeds and notices are herewith returned.
given under my hand as commissioner aforesaid the day & years first aforesaid

James R Tyler

Comp. for $15.00
Clk for 2.45
Depositions 5.00

Duke
&
Com'r Tyler's Report.
Hundley

Com'r's Rep't 15.00

Duke

Mr E Reports

Stanley

Stanley

Mr E Reports

Duke

1874 Feby 23

210

325.

160

1 6

	$	cts
Amount in W. W. Briggs hands		576.42
Deduct costs as Taxed by clerk		125.04
Amount to be distributed		441.38

		$	cts
Debt due	Thomas Smith	139.	50
"	" John Hundley	282.	32
"	" John Hundley	100.	00
"	" Wm H Morris & Sons	181.	19
"	" Whitehead & Brickhouse	49.	72

	$	cts		$	cts
Amount of Debts	1232.	93	To be distributed	441.	38

To be pais	Thomas Smith	48.	52
"	" John Hundley	99.	10
"	" John Hundley	211.	34
"	" Wm H Morris & Sons	63.	83
"	" Whitehead & Brickhouse	17.	73

440.84

In obedience to a decree of the Circuit Court of Southampton County rendered at November Term 1893 in the Chancery Suit of Duke against Hundley, I have distributed the above balance in my hands of $441.38 as follows, Thomas Smith $48.52. Jno Hundley $310.96, Wm H Morris & Sons $63.83 & Whitehead & Brickhouse $17.53, and took their receipts therefor, which Receipts are herewith returned.

Respectfully Submitted

W W Briggs Receiver

Duke

in } Report

Stanley

1873. Febry 24

In Obedience to a Decree of the County Court of Southampton in the Chancery Suit of James W Butler against Frank Stanley, I appointed Mr Butler my agent to Sell by retail the Stock of Goods belonging to Frank Stanley and also to Collect the Accounts due said Stanley, and said Butler Sold by retail at the said Store until the 3rd. of December 1872 at which time, I sold the Goods remaining at public Auction for $283.31 – and said Butler sold by retail $405.32 and Collected on Accounts $49.01 – I shipped to Wm H Morris & Son Norfolk Va a Lot of Slaves Dried apples &c belonging to said Stanley, which have Not yet been sold – but when sold will account for Amount of Sales; I herewith return an Account Current Shewing in detail my entire transaction – as a part of this Report

W. W. Briggs Receiver

February 14th 1873

W W Briggs Receiver in the Chancery suit of James W Duke against Frank Stanley:

In Account with Frank Stanley's Store

1892		Dr	Cr
Dec. 3	To Amt rec'd from M W Butler from Sale of Goods	405 32	
"	Amt rec'd from M W Butler collected on Accounts	49 01	
"	Amt of Accounts of Sales of Goods Sold at Auction	283 31	
"	By Amt paid M W Butler a/c for Services as Salesman &c		83 53
"	" " Amt paid A T Cobb Clerk		10 00
"	" " D I Watkins "		6 00
"	" " J L A Barham 2 days services Auctioneer		20 00
"	" Commissions on $341 64	09 08	34 08
		$341 64	156 61
"	Bal due Stanley's Store		585 03
		$341 64	341 64
"	" By Balance due Stanley's Store		$585 03

W W Briggs Receiver

of above Amt in Bank's Bank $425.00
Dr Stanley's Bond 26
" a/c 131
$582.

WWB

NORFOLK, VA., Feby 24th 1873.

Account Sales, No. 7093 Folio 146.

Made by W. H. MORRIS & SONS,

Cotton Factors, Commission Merchants & Wholesale Grocers,

Nos. 6, 8 & 10 Roanoke Square.

for account of Mr W. W. Briggs Receiver Jerusalem Va

Rec'd Feby 14th per Adl & J.R. Road sold

2	12	R. O. Staves	38 00	8	14
4	23	" Scrolls	26 00	11	90
	15	" Refuse			
2	35	W. O. Staves	70 00	20	14
6	23	" Scrolls	33 00	21	70
	15	" Heading	70 00	2	63
12		" " Scrolls	33 00	92	66 03
	3	" " Refuse			

Charges.

Freight,	10 00	Wharfage,	Cartage,	Weighing,	10 00
Labor,	1 10	Storage,	Fire Insurance,		1 10
1/2 Inspection	55	Tally Fee,	Measurement,		55
Commissions on Sales at	2 1/2	per cent.			1 65
					13 30

Nett proceeds, Cr a/c W. W. Briggs Receiver $52.73

E. E.

W. H. Morris & Sons.

Duke
vs { Repent
Hanley

1893 March 15th

In the Chancery Suit of I. W. Duke against Frank Dunley I have received since my first Report, from Sales of Slaves $52.33 as will appear from Account of Sales of W. S. Morris & Son herewith returned with this Report; after deducting 5 pr cent Commission or $52.33. Leaves in my hands $50.13.

Respectfully Submitted

W. W. Briggs Sheff

& Receiver

March 13th 1873

NORFOLK, VA., March 27th 1873.

Account Sales, No. 7068 Folio 139

Made by W. H. MORRIS & SONS,

Cotton Factors, Commission Merchants & Wholesale Grocers,

Nos. 6, 8 & 10 Roanoke Square.

for account of Mr. W. W. Briggs Receiver Jerusalem Va

Rec'd Feby 11th per A & O. R. Road sold

6	Bags & 1 Bbl Dryed Apples			27	84		
	796 lbs Nett	3½		139	29	23	
6	" "						

Charges.

Freight, 1 20	Wharfage,	Cartage, 25	Weighing,		1	45	
Labor,	Storage,	Fire Insurance,					
Inspection	Tally Fee, 1	Measurement,					
Commissions on Sales at 5½		per cent.			1	46	
						2	91

Nett proceeds, Per a/c $26.32

E. E.

W. H. Morris & Sons.

Luke

w. Christ

Study

1843 April 1st

In Obedience to a Decree
of the County Court of Southa-
mpton County in the Chancery
suit of Burke against Hunley
& Jordan Report Account of
Sales of Dried Apples sold
by W.M. Marriner Norfolk
Virginia Amounting to $26.32
& after deducting Dry Commissions
of $1.31 Leaves in My hands
$25.01 subject to the order of
the Court

W. H. Driggs Rec'r

April 1st. 1873

To injoin and restrain the Defendants from selling or otherwise disposing of the goods & chattels of the firm of Hundley & Duke referred to in the bill until the further order of the Court - And the Defendant W. W. Briggs Sheriff of Southampton County is appointed a Receiver to take Charge of the said goods, ~~& charge of the said goods~~ & Sell the same & hold the proceeds subject to the order of Court - The plaintiff having given bond & security conditioned to pay all Costs & damages that may be awarded against him in case the injunction be dissolved -

Test - S R. Edwards Clk

Duke
Sh. & Sugg
vs
Hundley
1872 December Rules

Injunction
Dissolved

The Commonwealth of Virginia

To the Sheriff of Southampton County, Greeting:

WE COMMAND YOU to summon B. F. Hundley Wm H. Morriss Sons. Morgues Doles Wm Holmes John Hundley. & W W Briggs Sheriff

if they be found within your bailiwick, to appear at the Clerk's Office of our County Court of Southampton County, at the Rules to be holden for the said Court, on the first Monday in December next. to answer a bill in Chancery exhibited against them in our said Court by James W Duke. and this they shall in no wise omit under the penalty of ~~$100~~

L. R. Edwards

And have then there this writ. Witness, ~~OSWIN WHITE,~~ Clerk of our said Court, at the Courthouse, this 22 day of October A., D., 1872. in the 97 year of the Commonwealth.

L. R. Edwards Clk

Sun Job Print, Suffolk, Va

Handed in
at
Suta

1873.

1st day [illegible] Term

Circuit Court

"

Executed

A H Cobb Dy

for W W Magruder Sh

The Commonwealth of Virginia

To the Sheriff of Southampton County--Greeting:

WE COMMAND YOU TO SUMMON John Hundley, Frank Hundley & F.L. Bradshaw

to appear before the Judge of our Circuit Court of Southampton county, at the Court House, on the 1st day of November term next, to testify and the truth to say on behalf of John & Frank Hundley in a certain matter of controversy in our said court depending and undetermined between J W Duke Plaintiff and said Hundley's Defendant And this they shall in no wise omit, under the penalty of £100; and have then there this writ.

Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this 17 day of October 1873, in the 98[1] year of the Commonwealth.

L R Edwards Cl

~~130~~ 129. 119

Duke

v } Stat: Rules

Hundley Pltf

Received by Clerk Circuit
Court Aug: 18th 1873.

Pffs costs

Clk		$17.75
Sh		3.00
Com T		20.00
S D. Young	Wit	68
J Hundley	"	50
		$41.93

Due Clk $627

Dfts costs

Clk.		$2.81
Shl		60
F Bradshaw		50
		$3.91

Due Clk $0.80

In Southampton County Court.

James W Duke

against

B F Hundley, Wm H Morris & sons, Marquis Doles, William Holmes John Hundley & W W Briggs Sheriff,

1872 Oct. 6th Bill presented Injon: awarded, bond Security given & Subpa & Injon issued &c.

" Dec. R- Subps & Injon Ret Executed D Nisi v Dfts.

1873 Jany " Bill taken for Confessed & Cause Set for hearing &c

" Apl 6 Answers of Dfts B F & John Hundley filed by leave & D G Refr.

" May Decree for acct &c.

" July 15 Refd-

" " Decree in favor of Holmes for further account &c.

" Nov Decree to pay out.

1874 Feby. Removed from Docket

To injoin and restrain the Defendants from selling or otherwise disposing of the goods & chattels of the firm of Hundley & Duke referred to in the bill until the further Order of the Court - and the Defendant W. W. Briggs Sheriff of Southampton County is appointed a Receiver to take charge of the said goods, ~~& sell~~ ~~of the said goods~~ & sell the same and hold the proceeds subject to the order of Court. - The plaintiff having given bond & security conditioned to pay all costs & damages that may be awarded against him in case the injunction be dissolved.

A Copy - Teste

L. R. Edwards Clk

Duke
&
Hundley
Sp. d Injon

1872 December Rules

7 rance nurse. Oct 29/72

W. W. Hodges

Executed this 29 day of October 1872 by delivering a Copie of the within to W. W. Holmes & I rant the nurse in charge of said nurse being one of the firm of Duke & Hundley

W. W. Saunders Sh
by Thos Gurganus Dep

The Commonwealth of Virginia

To the ~~Sheriff of Southampton County~~, Greeting:

WE COMMAND YOU to summon B. F. Hundley Wm H. Morris & wife Morgues Doles Wm Holmes John Hundley & W. W. Briggs Sheriff

if they be found within your bailiwick, to appear at the Clerk's Office of our County Court of Southampton County, at the Rules to be holden for the said Court, on the first Monday in December next to answer a bill in Chancery exhibited against them in our said Court by James W. Dukes and this they shall in no wise omit under the penalty of £100

And have then there this writ. Witness, ~~O. WIN WHITE~~ L. R. Edwards, Clerk of our said Court, at the Court-house, this 22 day of October A., D., 1872, in the 97 year of the Commonwealth.

L. R. Edwards clk

Sun Job Print, Suffolk, Va

Duke

v Copy Decree

Brandsheay

Southampton Circuit Court November Term 1872.

James H. Duke Plaintiff
against
B. F. Handley, Wm H. Morris & as Marques Doles, William Holmes, John Handley and W. H. Briggs Sheriff, Defendants } In Chancery

This day this cause came on again to be heard as the papers formerly read and was argued by Counsel, On Consideration whereof and by consent the Court doth adjudge order and decree that Wm H. Briggs Sheriff and receiver after first paying the costs of this suit including a fee of twenty dollars each to Wm B. Shands, John R. Kilby, Joseph B. Prince and Kenneth R. Griffin, distributed and pay out pro rata the residue of the sum of $566.42 cts to the following judgment Creditors who have obtained judgment against the firm of Duke and Handley for the following sums and which judgments are still outstanding and unsatisfied, to wit; Thomas Smith judgment for one hundred and thirty nine dollars and fifty cents, John Handley judgment for two hundred and eighty two dollars and fifty two cents, John Handley judgment for six hundred dollars, Wm H. Morris & son for one hundred and eighty one dollars and nineteen cents, and Whitehead and Brickhouse for Forty nine dollars and ~~fifty~~ seventy two cents, and return his receipts along with his Report to this Court, in order to a further decree.

A Copy

Pffs Costs Clk $17.75 p. S.R.E. Teste S.R. Edwards Clk
Sh. 3.00
Com Tyler. 20.00 Paid J.R. Tyler
S.D. Spivey Wit. 68
J.A. Handley 50 $41.93
Dfts Costs Clk. 2.01 p. S.R.E.
Sh. 60
F. Bradham Wit 50 $3.11

James W. Duke,

1873. To Jas R Tyler, Commissioner &c.

July 1. To taking Depositions entering witnesses attendance &c- in the Chancery Suit of Duke vs. Handley $ 5.00

James R Tyler,
Commissioner

Received Nov 14. 1873 of Wm. Bugg
Receiver, in case of Locke & Handley
twenty dollars - fee directed to be paid
me in said suit -.

D. B. Rhine

James W. Sutton

1873.

July 15th

To James R Tyler, Commissioner &c.

1 Report in the Chancery Suit of

Sutton vs Hendley $ 15.00

James R Tyler,

Commissioner

Nov 17th 1873 Receive from W. W. Biggs
the sum of $20 in full of fee
ordered to be paid me in the case
of Parker vs Hemsley

Wm B Stevens
Counsel for plaintiff

Rec'd Dec 16th 1873 of W W Boyce
Receiver in the Chancery suit
of Duke vs Hundley Twenty
dollars allowed by Court
as fee

R. D. Griffin

1873 Nov 17 Rec'd of W. W. Biggs
Sh. Sr. County dollars Taxes for
Duke v. Hundley &c

John R Kelly

Rec'd February 13th 1874 of W C
Briggs Sheriff & Receiver in suit of
Duke against Hundley Three Hundred
& Ten & 96/100 dollars in full of Amount
due me from said suit

John A Hundley

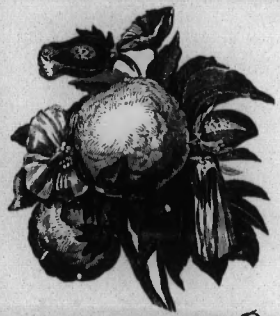
Received Nov 14. 1873 of Wm. Bugg
Receiver in Case of Dickson Shandley
forty eight 52/100 dollars, amt directed
to be paid Thomas Smith, & seventeen
53/100 dollars, amt directed to be
paid Whitehead & Buckhannon in
said suit.

D. B. Prince. Atty.

Nov 17th 1873 Receive from Wm H Briggs
Sheriff &c Receive $140 in part payment
of Claims for John Hundley in the case
of Dulin vs Hundley

Wm B Shands atty
for John Hundley

W. H. Morris & Sons,
NORFOLK, VA.



$63 23

Received of

Norfolk, Va., Decr 23 1879

W. W. Briggs. Receiver

Sixty Three 83/100 Dollars,

for Pc of Cuke & Hundley

W H Morris Sons

W H Morris

any matters specially stated deemed pertinent by himself, or that either of the parties may require to be so stated.

Burke
v
Handley

1873
May Co. ct
Decree
To be entered
W. W. Upham Judge

Duke
v
Hundley &c

This cause came on this day to be heard on the complainants' bill, taken for confessed as to the Defendants W.H. Morris Son, Magnis Duke, Wm Holmes & W.W. Briggs, Sheriff, on whom process had been duly executed and they still failing to appear and answer or make defence; and on the answer of B. Frank Hundley & John Hundley filed herein, & on replications to said answers, & on Report of W.W. Briggs Receiver, appointed under the restraining order made in this cause & a paper purporting to be an award of arbitrators to whom matters in dispute between the parties were submitted (but not by order of Court), and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that a Comm. of this Court, settle 1st. an account of the transactions of said W.W. Briggs, Sheriff & Receiver in this cause; 2d. an account of partnership debts owed by Duke & Hundley, & their priorities - and in doing so may take proof of the existence & genuineness of said debts, & 3d. [redacted] an account of Interest which each of said parties (James W. Duke & B. Frank Hundley) had in the business of Duke & Hundley and 4th. under what authority the arbitrators referred to acted, and make report to Court with

any matters specially stated deemed pertinent by himself, or that either of the parties may require to be so stated.

Burke
v
Handley
1873
May Co. et
decree
to be entered
W. Byington Judge

Rec'd September 1st 1893 of W W Briggs Sheff
& Receiver in Suit of Duke against Hunley
Ninety three & 71/100 dollars in full of amount
ordered to be paid by this decree To Wm H Holmes
Wm B Shannon
Atty for W H Holmes

Duke
vs
Hunley

Copy Decree

Southampton County Court, July Term 1873.

James W. Duke Plaintiff

against

B. F. Handley, Wm. H. Morris & Sons, Marquis Tobey
William Holmes, John Handley and W. W. Briggs
Sheriff &c Defendants

In Chancery

This day this Cause came on again to be heard on the papers formerly read and the Report of Commissioner Tyler made pursuant to a decree entered at the May Term 1873, of this Court, and to which report there is no exceptions heard been filed, and was argued by Counsel; On Consideration whereof, the Court doth adjudge, Order and decree, that the said report be confirmed, and that Wm. W. Briggs pay to Wm. H. Holmes the sum of $93.71 amount due him for rent of Store from Handley & Duke, and the Court doth further adjudge, Order and decree, that Wm. W. Briggs State a further account of his transactions as receiver of the firm of Handley & Duke, before one of the Commissioners of this Court, who will also take an account of the transactions of the firm of Handley & Duke, stating how much each partner put in the firm, what amount is due by each partner to the firm; and what has been the profits or losses of the said firm; and report said accounts to the Court together with any Matters Specially stated, deemed pertinent by himself or which may be required to be so stated by any of the parties interested, and the Court doth further adjudge, Order and decree, that a Jury be empannelled at the bar of this Court to try the issue whether the two Bonds amounting to $1,100 executed by Frank Handley to John Handley and on which Judgments have been obtained, were for debts due from the firm of Handley & Duke or were the individual debts of Frank Handley; and as to the

Rec'd September 1st 1893 of W W Briggs Sheff & Receiver in Suit of Duke against Hundley Ninety three & 71/100 dollars in full of amount ordered to be paid by this decree to Wm H Holmes

Wm B Shames
Atty for W H Holmes

Duke
vs
Hundley

Copy Decree

Duke

vs

Deem

Homdley

Jo Ic enters

J. W. Wyckoff Judge

July Term 1873

Duke
vs
Hendley

Decree

This day this cause came on again to be heard on the papers formerly read and the report of Commissioner Tyler made pursuant to a decree entered at the May Term 1873 of this court and to which report no exceptions have been filed and was argued by counsel on consideration whereof the court doth adjudge order and decree that the said report be confirmed and that Wm W Briggs pay to Wm H Holmes the sum of $93.71 cts amount due him for rent of store from Hendley & Duke and the court doth further adjudge order and decree, that Wm W Briggs state a further account of his transactions as receiver of the firm of Hendley & Duke before one of the commissioners of this court who will also take an account of the transactions of the firm of Hendley & Duke stating how much each partner put in the firm, what amount is due by each partner to the firm and what has been the profits or losses of the said firm and report said accounts to the court together with any matter specially stated deemed pertinent by himself or which may be required to be so stated by any of the parties interested

and the court doth further adjudge, order and decree that a jury be impannelled at the bar of this court to try the issue whether the two bonds amounting to $1100 and executed by Frank H Handley to John H Handley and on which judgements have been obtained were for debts due from the firm of H Handley & Duke or were the individual debts of Frank H Handley and as to all other matters this suit is continued

Duke

21 3 Decm

Handley mats

1.44
1.46
3.46
3.12
3.82
15.30
2.45
3.00

Sh
Com J 20.00
118
Net 68.50

We commit to the
above claim

Wm B Shannon
John R. Kelly
J.B. Pinner
K.R. Griffin

1.21
40
50
60
4.11

Stw cmbers Term 1873
to be entered

Geo. T. Blood.

Dukes

vs Dec'r Decree

Hundley et als

This day this cause came on again to be heard on the papers formerly read and was argued by counsel On consideration whereof and by consent the court doth adjudge, order and decree that Wm W Briggs sheriff, and ex-officio after first paying the costs of this suit including a fee of twenty dollars each to Wm B Shands, John R Kilby Joseph B Pines and Kenneth R Griffin distribute and pay out pro rata the residue of the sum of $5716.42 cts to the following judgement creditors who have obtained judgement against the firm of Dukes & Hundley for the following sums and which judgements are still outstanding and unsatisfied to wit Thomas Smith judgement for $139.50 cts John Hundley judgement for $282.17 cts, John Hundley for $500, Wm H Morris & Sons for $181.19 cts and Whitehead & Bricklemen for $49.72 cts and return his receipts along with his report to this court in order to a further decree

Duke
v

Stumbly

1874
Oct ct.
Final decree
To be entered
Geo Blow

Duke
v
Stanley.

This cause came on this day to be again heard on the papers formerly read on the report of W. W. Briggs, Recvr, made pursuant to the Decree of November term 1876. of this Court - to which report there is no exception and was argued by Counsel;

On consideration whereof the Court doth confirm the said Report, doth adjudge, order & decree that the proceedings had in this cause be confirmed made final & binding between the parties, and nothing further remaining to be done in the cause, it is ordered that the same be removed from the Docket.