

1879-11

Southampton County - Chancery

Hill, B.F.

vs

Oresson, Jno. W.

"Injunction"

Restrain from selling
property -

George Blane Jr
To the Honorable ~~J. S. Kiser~~ Judge of
the Circuit Court of ~~Sumner~~ ^{Southampton} County,
In Chancery.

Humbly complaining, sheweth
unto your honor, your orator, B. F. Hill
that Mrs. N. Persson is justly indebted to
the said B. F. Hill in the sum of One
hundred and twenty (\$120⁰⁰) Dollars
~~with interest from~~ for a horse furnished
to the said Mrs. N. Persson by the said
B. F. Hill, and at his special instance and
request. Your complainant further states
that heretofore, to wit: on the 1st day of
January 1878 the said Mrs. N. Persson, to
secure the prompt payment of the sum
of money due by him to the said B. F.
Hill executed to the said B. F. Hill an
agricultural lien by which he conveyed
to the said B. F. Hill four (4) bales
of his crop of cotton for the year 1878,
all of which will more fully appear
from the said deed or lien herewith
^{and marked A.} filed, and prayed to be read as part
of this bill. Your complainant further
states that he is informed believes &
now here charges that the said Mrs.
N. Persson has disposed of a consid-
erable portion of his crop for the

year 1878 which was conveyed by the said lien above referred to; and that unless legal steps are taken immediately the whole crop will be disposed of & your complainant be defeated of his just rights. Your complainant further alleges that since part of the crop of 1878 has been gathered the said Drs. N. Brisson has refused to pay the debt due your complainant B. F. Hill, or to deliver up the cotton or any part thereof raised during the year 1878 and conveyed in the said lien, but has disposed, or otherwise sold the crop so that your complainant can not get at the same or any part thereof so as to subject it to the payment of the debt for which it was conveyed to secure.

Your complainant further alleges that he has been informed, believes and now here charges that the said Drs. N. Brisson has now lying in his store house a part of the crop conveyed in the lien above referred to; and that there is now in the field and ungathered a portion of the crop of 1878, and a part of the crop conveyed in the lien above referred to as security for the debt due your petitioner B. F. Hill

Your petitioner further alleges that the said Dns. N. Porsson is utterly without means and insolvent, and could not by any process of law, be made to pay the debt due your petitioner should he dispose of or receive the said cotton; and he believes that unless restrained by an order of this Court he will sell or otherwise dispose of the said cotton, and thus entirely disappoint the lien of your petitioner.

In tender consideration whereof, and forasmuch as your petitioner is without remedy save in a Court of Equity where such matters are cognizable, prays that Dns. N. Porsson be made a party defendant to this bill, and required to answer all the allegations herein contained: that your Honor will enjoin the said Dns. N. Porsson and all others from removing, selling or otherwise disposing of the said cotton: that a receiver be appointed and directed by your Honor to take charge of said cotton, to have the same gathered and sold; and apply the amount due on the said lien to the payment of the same; to pay the excess of the sale to the said Dns. N.

Presson, and report his action to this court;
that all proper process may issue; and
that your honor will grant unto your com-
plainant such other, further and general
relief as to equity may seem meet and
the nature of this case may demand;
And your complainants will ever pray &c

B. ^{King} Hill
m
Reese & Dredway, Jr. q/s

State of Virginia.

Greenwich County to wit 3

This day personally appeared before me
E. L. Turner a Commissioner in Chancery
for the Circuit Court of said County, B. H.
Hill whose name is signed to the
 foregoing Bill and made oath that the
facts set forth therein are true to the best
of his knowledge and belief.

Given under my hand this 13th day of
Nov 1848.

E. L. Turner Comd
In Chancery

Hill } In Chancery.
v. }
Presson }
Bill.

To the Clerk of the Circuit Court of
~~the County of Southampton~~
the County of Southampton.

B. F. Hill

Plf.

v.

Ans N. Presson

Def

} In Chancery.

An Injunction is awarded the plaintiff
to injoin and restrain the defendant, his
agents, servants, attorneys and all other
persons from removing, selling, or other-
wise disposing of the crop of cotton
in the bill mentioned, the property
of the said Presson now in the store
house and field of the said Presson.
And it is further ordered that George
M. Hughes, who is hereby appointed
receiver for that purpose, take possession
of the cotton aforesaid, that he
cause the same to be gathered and
sell the same, and that he pay to
the said Hill the sum of one hun-
dred and twenty Dollars, and the
excess of the sale of the same he

x And the Court doth give in order their said order
Hughes shall receive any money under this order to be
expended before the Clerk of the Court of Petersburg
in the penalty of one hundred dollars and to be
paid by the discharge of his chain of office this
order.

pay to the said Presson, and report
his action to the Court.

But the plaintiff shall not have the benefit
of this order until he, or some one for
him, shall enter into a bond with good
security, in the clerk's office of the said
Court, payable to the Commonwealth
of Virginia, in the penalty of

~~Two hundred~~ (200) Dollars

and conditioned to pay all such
costs as may be awarded against the
said plaintiff; and all such damages
as shall be incurred in case this

Injunction be dissolved. *

Petersburg Va. Nov 20th 1878

On Vacation.

Jam. F. Hiesiger

112 112
Hill 107
v { In Chancery
Pesson

Injunction

1878 Nov. 28. Bill filed. Injunction
bond 1st executed. Sum. & return
if bond 1st.

To the honorable George Blow, Judge of the
Circuit Court of Louthampton County
The supplemental bill of your orator B. F.
Hill respectfully sheweth to the Court that
heretofore your orator exhibited in this Court
his original bill of complaint against Mrs N.
Presson, who had given to your orator a lien,
commonly called an agricultural lien, to secure
advances made to him as a person engaged
in agriculture, as made and provided by the act
of the General Assembly of Virginia - In said original
bill it was prayed and granted that a receiver
be appointed by the Court to take charge of
~~and~~ sell so much of the crop of cotton as
should be sufficient to satisfy your orators
lien, and the said receiver report his action to
this honorable court. George M. Hughes,
being duly qualified and giving bond as dem-
anded, proceeded to sell & herewith filed
and prayed to be taken as part of this bill
are process of sale and the receivers report, ^{marked}
A. B. H. D. & E.
The balance due your orator, amounting on the
first day of March 1879 to Twenty three (\$23²⁹)

⁹⁹/₁₀₀ Dollars, is still due and unpaid

Your orator, at the time of making the advance to said Prusson, retained in himself the title to one bay mare, as will more fully appear from said Prussons obligation, herewith enclosed and marked Ex B, and prayed to be taken as part of this bill. Now your orator, being without remedy save in a Court of equity, where matters of this kind are properly cognizable, prays that the said bay mare be sold for the benefit of your orator, that the amount due, with legal interest be paid to your orator, and that the Court will grant such other, further and general relief as the case may demand and to equity may seem just—

May it please &c

Reese & Freeway. f.c.

Will - 244 }
v. } In Chancery
Prusson - 244 }

Supplemental bill & Exhibits -
14

1879 March

A. G. Ryland,

PRODUCE COMMISSION MERCHANT,

NO. 10 NORTH SYCAMORE STREET, PETERSBURG, VA.

Sales of One Bale Cotton, for Acct. M^r. George M. Hughes.

1879

Feb 17

Sold

John A. Gorman

Stained & dirty, D.P.I.

471 lbs.

@ 8/4¢

38 86

CHARGES:

G. & O. G.

~~Storage~~ and Insurance,

25

Freight and Drayage,

1 23

Commissions 2½ per cent.,

97

2 45

Net Proceeds,

36 41

Dear George: Above I hand you account sales of your one
bale Cotton sold at best price & day. Please accept my thanks
Yours &c
A. G. Ryland

11/2/79

S. M. GREEN.

C. E. BURTON.

GREEN & BURTON,

GROCCERS AND COMMISSION MERCHANTS,

No. 44 Sycamore Street, Petersburg, Va.

Sales of *Cotton*
 For acct. *Mr. G. M. Hughes*

1879

Feb 7.

SOLD

*Bellman & Co.*1 Bale *[P]* 484

83/4

4235

— CHARGES : —

Freight and Drayage,

123

Storage,

Insurance,

Commission,

2 1/2 %

106

229

Net Proceeds,

to *Dr*

\$40.06

E. & O. E.

Dear Sir

We have you herewith
 sales of 1 B/C at the highest market
 price. The market is quiet
 to-day, middling selling readily
 at 19c. Awaiting your further
 favors, we remain

Very truly yours &c
Green & Burton

GREEN & BURTON,

GROCCERS & COMMISSION MERCHANTS,

No. 39 Sycamore Street, Petersburg, Va.

Sales of *Cotton* for acct. *M. G. M. Hughes*

1878

Dec 16 SOLD *M. G. M. Co.*1 Bale *461**8 1/4 3803*

— CHARGES. —

Freight and Drayage,

118

Storage,

Insurance,

Commission,

*2 1/2 %**95**213*

Net Proceeds,

*to Cr**\$3590*

E. & O. E.

Dear Sir

We hand you herewith sales of 1 B/c which we hope you may find correct and satisfactory. The market for cotton is better to-day, and prices have advanced a little. Soliciting your further consignments, we remain

Very truly your friends
Green & Burton.

Southampton Vir. Ct. Clerk's Office
Feb'y 27 1879.

B. F. Hill

against
J. A. Preson

Peff

In Chy.

Sept

Peffs' Costs including dismission of Court

Clerk's

\$4.87

Peffs

50

E. L. Turner

25

Peffs' atty. W. T. Jay

16.50

22 12

Teste

L. R. Edwards cc

Mch. 29 '79

L. R. Edwards, Esq

Clerk &c

Issue summons in chg. against Mrs. N.

Dresson, to answer a supplemental bill exhibited against
him by B. F. Hill.

To April Rules.

Reese & Freeway, f. c.

Hill
 v }
 Person }
 Dft } On Chg

Report of G. M. Hughes, receiver,

Proceeds 3 bales cotton as pr. ap \$112.36

" 2 bales cotton 16.17

Cash pa me 5.00

\$132.53

Charges

As pr. fu bill CLK. Co. Va \$22.12

Bagging ties & ginning 12.00

34.12

March 1. Cash pa. Hill

98.41

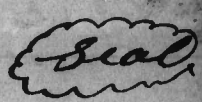
G. M. Hughes

Receiver

Received of G. M. Hughes Ninety Eight
 (\$98⁴¹) 41 Dollars, as pr. above report.

Reese & Fredway. Attys for
 B. F. Hill.

\$ 120.⁰⁰

On demand the sum the day of
of Nov^r 1878 for Balunced Loan &
Promiss to Pay to B H Hill one Hundred
& Seventy Dollars it being for the Purchase of
A Bay Mare I further more agree to waive
all of the exemptions now allowed me by law
as to the Payment of this Debt, I also
agree that the Title of said Mare is
held by said Hill untill said money is
paid ~~Given~~ under my Hand & seal
This the 7th day of March 1878
Geo. H. Johnson 

The Commonwealth of Virginia.

To the Sheriff of Southampton County: Greeting.

We command you to summon Inc. A. Piefson

to appear at the Clerks Office of our District *Court for South-*
ampton County, at the Rules to be holden for the said Court on the first
Monday, on April next *to answer, a Supplemental*
bill in Chancery filed in the suit of B. F. Hill against Inc. A. Piefson

and have then there this Writ: Witness, Littleton R. Edwards, Clerk of
our said Court, at the Court House this 31st *day of* March 1879
in the 103 *year of the Commonwealth.*

L. R. Edwards *cc*

Executed by delivering Mr. W. D. P. a
Copy of this Summons on the 5th day
of April 1849.

Jas H. Sturdee for
W. W. D. P.

Office
of
Sum
J. H. Sturdee

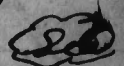
1849 April Rules

This Agreement made this the first day of Jan^y
1878 Between B. H. Hill of the first part &
John N. Plessor of the second ^{part} all of Southampton
County State of Va. Witness that B. H. Hill
of the first part has agreed to sell & has
sold to John N. Plessor of the second part
one Bay Mare for the sum of one Hundred
& Twenty Dollars to be Paid on or before the
first day of Nov^r 1878. In consideration of
the above Debt of John N. Plessor ^{of the second part} do hereby
grant unto B. H. Hill of the first part a Ten
or four Bales of lint cotton to be grown in the
year 1878 by John N. Plessor of the second part
to pay four Hundred & Twenty five Dollars each
& the cotton to be delivered to B. H. Hill of the
first part by John N. Plessor ^{of the second part} at
the gin house of G. C. Pledge on or before the
first day of Nov^r 1878 in the said County
as a sufficiency thereof to satisfy the above
Debt for said Mare

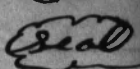
Witness the following

Signatures & seals

John N. Plessor



B. H. Hill



mark

Witness

G. C. Pledge

State of Va. Southampton County
J. G. M. Hughes, A Justice of the Peace in &
for the County aforesaid State of Va.
do hereby certify that B. H. Hill & John
N. Plessor whose Names are signed to
the writing above bearing date Jan^y 1st
1878 has this day Acknowledged & signed
the same before in my County & State aforesaid.
Given under my Hand & Seal
this the 7th day of March 1878

J. G. M. Hughes J. P.

Southampton County, In the Clerk's Office March 9th 1878.
This Bill of Sale from D. F. Hill to John N. Phipps, was this
day received and together with the certificate thereto annexed,
admitted to record.

Teste, M. Edwards C. C.,



Bill Sale

to

Phipps

1877 March 9th Rec.

* R.R.

Recorded

Page 288.

(Paid \$1.00 paid)

Know all Men by these Presents, That we G. M. Hughes
& Wm B Shands

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of One hundred and fifty Dollars, 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. And we, the obligors herein, hereby waive the benefit of our Homestead Exemption as to this obligation.

Sealed with our seals, and dated this 6 day of December
A. D. 1878

The condition of the above obligation is such, that ^{whereas} ~~the~~ the above bound George
M. Hughes has been appointed receiver to take into his possession the crops of cotton, the property of John N. Prisson, now in the Store house and field of the said Prisson, that he cause the same to be gathered and sell the same, and pay to B. F. Hill the sum of one hundred and twenty dollars, and the excess of sale of the same he pay to the said Prisson,
now if the said George M. Hughes

shall faithfully discharge the duties of Receiver ^{as aforesaid} ~~as~~ ~~said office or trust~~ according to law, then the above obligation to be void, or else to remain in full force and virtue.

Signed, sealed and delivered in }
presence of ~~the Court~~ }

G. M. Hughes [SEAL.]
Wm B. Shands [SEAL.]

..... [SEAL.]

..... [SEAL.]

Southampton Circuit Court Clerk's Office

December 6th 1878-

This bond was acknowledged by G. M.
Hughes and Wm. B. Shands the obligors
therein and Wm. B. Shands the surety
therein, justified on oath as to his
sufficiency according to law

Wm. B. Shands

Will

vs
Receivers Bond

Dupson

Recorded
Page 59

Douhampton Circuit Court clerk's Office
November 28th 1878

This bond was acknowledged by B. F.
Kil & R. N. Williams the obligors
therein, and R. N. Williams ^{the surety} justified
on oath as to his sufficiency accor-
ding to law.

Teste: S. R. Edwards. C. C.

Wice
" } Inj'n. Bond
Oregon

Nov 28th

Recorded
Page 57

Know all Men by these Presents, That we P. F. Hill and
R. A. Williams

are held and firmly bound unto the Commonwealth of Virginia in the just and full
sum of Two Hundred Dollars,
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. And we,
the obligors herein, hereby waive the benefit of our Homestead Exemption as to this
obligation.

Sealed with our seals, and dated this 28 day of November
--A. D. 1878

The condition of the above obligation is such, that ~~if the above bound~~ whereas
the above bound P. F. Hill has obtained from the
Hon. J. S. Weisiger Judge of the 2nd Judicial Circuit
Court an injunction to Injoin & restrain the said
Jos. W. Presson his agents, attorneys and all other
persons from removing, selling or otherwise disposing
of the crop of Cotton in the bill mentioned the property
of the said Presson - now in the Storehouse & field
of the said Presson, until the further order of the
said Court, now if the said P. F. Hill shall pay all such
Costs as may be awarded against him and all such damages as
shall be incurred in case the said injunction be disobeyed
~~shall faithfully discharge the duties of~~ said office or trust according
~~to law,~~ then the above obligation to be void, or else to remain in full force and virtue.

Signed, sealed and delivered in }
presence of the Court: }

P. F. Hill [SEAL.]
mark

Robt. A. Williams [SEAL.]

_____ [SEAL.]

_____ [SEAL.]

Hill

or $\frac{1}{3}$ Deere.

Presson

Nov Tenn 1879

To be entered.

Geo. Blow.

1879 Nov. Bill diff?

Hill
vs $\frac{4}{3}$ Deere.
Presson

This day this Cause came on to be heard on the original & supplemental bills of the complainant, the exhibits filed and was argued by counsel. On consideration whereof, and the Court being of opinion that the injunction granted by the complainant was improperly awarded, this Cause is ordered to be dismissed at the costs of the complainant.