

1928-008 Chancery Causes: W.
Isle of Wight County

F. Shivers VS W.

F. Cuffey

530

other surnames: [Peoples Garage]
[P. D. Gwaltney & Company], Gwaltney
[Standard Oil Company of Norfolk,
Virginia], [Bank of Smithfield]
[Morse-Parker Motor Supply
Corporation, Incorporated],
[J. L. Warner & Company], Warner
Moody, Whitehead, [P. D. Gwaltney,
Junior & Company], Morse, Parker

CLERK'S OFFICE
CIRCUIT COURT OF ISLE OF WIGHT COUNTY
ISLE OF WIGHT, VIRGINIA

R. A. EDWARDS, CLERK
AND COMMISSIONER IN CHANCERY

July 9th, 1928.

W. W. Foreman, Atty.,

Norfolk, Va.

RE Shivers Vs. Cuffey.

Dear Foreman,

I have received from W. C. Whitehead, Receiver in the above matter check covering taxed attorneys fee, commissioners fee and ten dollars on Court costs, and I herewith enclose you my check for taxed attorneys fee of \$ 15.00 and as soon as the final report with decree confirming same has been entered so that I can properly ~~make~~ submit statement for Clerks costs, I will render you a statement together with check for the amount remaining in my hands due you.

This case came very near being upset on Court day when E. H. Williams appeared and objected to a decree being entered in as much as some client of his had not been included with the creditors, however I succeeded in getting Willie Shivers over the phone and had him guarantee Mr Williams the payment of the bill and then the Court entered the decree.

Very Truly,

OFFICE OF
W. W. FOREMAN
ATTORNEY AND COUNSELOR AT LAW
NORFOLK, VIRGINIA.

November 13, 1928

Mr. R. A. Edwards, Clerk,
Circuit Ct. Isle of Wight Co.,
Isle of Wight, Virginia.

Re: Shivers vs. Cuffey.

Dear Sir:

I am again writing to request you to furnish me with a final statement of the above styled cause, along with check for the amount of refund that is due this office.

Final decree has been entered in this matter for some time and I am anxious to close my files on it.

Thanking you in advance for your prompt attention and assuring you that it will be greatly appreciated, I am,

Very truly yours,

W. W. Foreman

WWF/IM.

$$\begin{array}{r}
 150 \\
 1020 \\
 \hline
 50 \\
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 1220
 \end{array}$$

$$\begin{array}{r}
 20.00 \\
 1220 \\
 \hline
 7.80 \\
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 2000
 \end{array}$$

2000
 1220
 7.80
 2000

W. W. FOREMAN

ATTORNEY-AT-LAW
ATTUCKS BUILDING
NORFOLK, VIRGINIA.



Mr. R. A. Edwards, Clerk,
Circuit Court of Isle of Wight County
Isle of Wight, Virginia.

OFFICE OF
W. W. FOREMAN
ATTORNEY AND COUNSELOR AT LAW
NORFOLK, VIRGINIA.

June 25, 1928.

Mr. R. A. Edwards, Clerk,
Circuit Court of Isle of Wight County,
Isle of Wight, Virginia.

Re: Shivers vs Cuffey.

Dear Sir:

Several days ago, I mailed to Mr. W. C. Whitehead, Receiver in the above styled cause, a report and decree which I requested him to place in your hands so that said decree might be entered by Judge White when he comes up there next Monday.

I also sent him a bill of sale conveying the goods and chattels, directed by a former decree to be sold, to the purchaser thereof.

I talked with Judge White a few days ago and he told me that he would be there Monday and would enter such a decree as the one I have prepared.

The original decree did not direct the Receiver to execute a bill of sale, but since this is the common and accepted custom, I proceeded in this manner and have endeavored to cure this insignificant defect by the decree that is now in your hands.

I am saying this so that you may explain this to him for me, in the event he should raise this question, otherwise, you need not mention it.

I have arranged the order directing distribution so that my Taxed Attorney's fee and advanced deposit will be paid to me by you.

I shall expect Mr. Whitehead to forward me check for my share of the Receiver's fee and for drawing the bill of sale.

Kindly explain all of this to him since he has not had sufficient experience as yet as to be familiar with all the intricate details involved in a matter of this kind.

OFFICE OF
W. W. FOREMAN
ATTORNEY AND COUNSELOR AT LAW
NORFOLK, VIRGINIA.

June 25, 1928.

As you know, I still have to prepare his final report and decree after all disbursements have been made and vouchers returned.

Thanking you in advance for your assistance in this matter, I am

Very truly yours,

W. W. Foreman

WWF:mlp

OFFICE OF
W. W. FOREMAN
ATTORNEY AND COUNSELOR AT LAW
NORFOLK, VIRGINIA.

June 14, 1928.

Mr. W. C. Whitehead, Sheriff,
Isle of Wight County,
Smithfield, Virginia.

Re. Shivers vs Cuffey.

Dear Sir:

Pursuant to our conversation relative to the above styled cause when I saw you in Smithfield Tuesday, I am inclosing herewith the Bill of Sale of the goods and chattels belonging to the former partnership operated under the style and firm name of "Peoples Garage", conveying the same to W. F. Shivers as purchaser at the price of Seven Hundred (\$700.00) Dollars as directed by the Court.

Kindly execute this Bill of Sale and acknowledge same before either the Clerk of the Court, a Justice of the Peace or a Notary Public and deliver same to Mr. Shivers, upon receipt of his check for Seven Hundred (\$700.00) Dollars, the purchase price.

I am also inclosing your report as Receiver accompanied by a Decree confirming same and directing distribution of the Seven Hundred (\$700.00) Dollars that is to come into your hands.

Kindly sign this report on the line indicated and deliver both your report and the Decree to Mr. Edwards, the Clerk, in order that he may have the same entered by the Judge.

Trusting that this reaches you promptly and thanking you kindly for your co-operation and assistance in this matter, I am,

Very truly yours,

WWF:mlp.
Inc. 3

W. W. Foreman

June
8th
1928

J. L. Warner & Company,
Smithfield, Virginia.

Re: Shivers vs Cuffey.

Gentlemen:

We are taking this method of notifying you that we shall apply to the Circuit Court of Isle of Wight County, Virginia, on the 11th day of June, 1928, at 10 o'clock A.M. or as soon thereafter as we may be heard, at the Courthouse thereof, for a decree authorizing and directing W. C. Whitehead, the receiver appointed in this cause, to sell, by private sale, all of the assets belonging to the partnership heretofore existing under the style and firm name of "Peoples Garage" of Smithfield, Virginia, at a price approximating Seven Hundred (\$700.00) Dollars cash.

Very truly yours,

W. F. Shivers, Complainant,
W. F. Cuffey, Defendant,

By _____
Counsel.

WWF:mlp

June
8th
1928

Morse-Parker Supply Co., Inc.
711 High Street,
Portsmouth, Virginia.

Re: Shivers vs Cuffey.

Gentlemen:

We are taking this method of notifying you that we shall apply to the Circuit Court of Isle of Wight County, Virginia, on the 11th day of June, 1928, at 10 o'clock A.M. or as soon thereafter as we may be heard, at the Courthouse thereof, for a decree authorizing and directing W. C. Whitehead, the receiver appointed in this cause, to sell, by private sale, all of the assets belonging to the partnership heretofore existing under the style and firm name of "Peoples Garage" of Smithfield, Virginia, at a price approximating Seven Hundred (\$700.00) Dollars cash.

Very truly yours,

W. F. Shivers, Complainant.

W. F. Cuffey, Defendant.

By _____,
Counsel.

WWF:mlp

June
8th
1928

Standard Oil Company of New Jersey,
Norfolk, Virginia.

Re: Shivers vs Cuffey.

Gentlemen:

We are taking this method of notifying you that we shall apply to the Circuit Court of Isle of Wight County, Virginia, on the 11th day of June, 1928, at 10 o'clock A.M. or as soon thereafter as we may be heard, at the Courthouse thereof, for a decree authorizing and directing W. C. Whitehead, the receiver appointed in this cause, to sell, by private sale, all of the assets belonging to the partnership heretofore existing under the style and firm name of "Peoples Garage" of Smithfield, Virginia, at a price approximating Seven Hundred (\$700.00) Dollars cash.

Very truly yours,

E. F. Shivers, Complainant.

W. F. Cuffey, Defendant.

By _____,
Counsel.

WEF:mlp

June
8th
1928

Bank of Smithfield,
Smithfield, Virginia.

Re: Shivers vs Cuffey.

Gentlemen:

We are taking this method of notifying you that we shall apply to the Circuit Court of Isle of Wight County, Virginia, on the 11th day of June, 1928, at 10 o'clock A.M. or as soon thereafter as we may be heard, at the Courthouse thereof, for a decree authorizing and directing W. C. Whitehead, the receiver appointed in this cause, to sell, by private sale, all of the assets belonging to the partnership heretofore existing under the style and firm name of "Peoples Garage" of Smithfield, Virginia, at a price approximating Seven Hundred (\$700.00) Dollars cash.

Very truly yours,

W. F. Shivers, Complainant.

W. P. Cuffey, Defendant.

WWF:mlp

By _____
Counsel.

Copies of notices sent to
Principal Creditors.

Copies of notices sent to
Principal Creditors

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY:

W. F. Shivers, Complainant *
vs *
W. F. Cuffey, Defendant *

DECREE CONFIRMING THE REPORT OF RECEIVER AND DIRECTING
DISTRIBUTION

This cause, by consent of ^{the} parties endorsed hereon by Counsel
of both parties, came on this day to be again heard upon the papers
heretofore read, and upon the report of Receiver, W. C. Whitehead,
this day filed to which there is no exception taken, Counsel for
all parties having waived the ten days for exception, and was
argued by Counsel:

And it appearing from said report that pursuant to a Decree
entered in this cause on the 11th day of June, 1928, and ~~the com-~~
~~mon custom obtaining in matters of this kind,~~ the said Receiver
did execute ^{and} deliver ^{ed} to W. F. Shivers ~~of the town of Smithfield,~~
~~Isle of Wight County, Virginia,~~ a Bill of Sale conveying to him
the goods and chattels directed by said Decree to be sold, by
private sale, for cash for ~~a sum not less than~~ Seven Hundred
(\$700.00) Dollars, ^{and} ~~after having first~~ collected from the said W.
F. Shivers ^{said} the sum of ~~Seven Hundred (\$700.00) Dollars,~~ the pur-
~~chase price of the property conveyed by the Bill of Sale aforesaid;~~
and that the said sum has been deposited in the _____
_____ Bank of Smithfield, Virginia, ~~making a total~~
~~to the credit of this cause in said Bank the sum of Seven Hundred~~
~~(\$700.00) Dollars.~~

And it further appearing from said report that the total
proven claims against the partnership involved in this suit amounts

to One Thousand and Sixty-one and Sixty-eight hundredths (\$1061.68) Dollars including a preferred claim for rent of P. D. Gwaltney, Jr. ^{of \$38.00} ^{and} & Company, ^{and} that the net residue of the proceeds from the sale ^{the} of assets of the said partnership, less this said preferred claim ~~of Thirty-eight (\$38.00) Dollars,~~ is Five Hundred and eighty-two (\$582.00) Dollars and that ~~this~~ said amount is only sufficient to pay slightly less than 57% ^{percent} of the aforesaid proven claims of said unpreferred creditors; ^{On consideration whereof, the Court} ^{and} ~~It is~~ ^{confirmed in said report of said Receiver} ~~adjudged,~~ ordered and decreed that the aforesaid Receiver shall check upon the funds so to the credit of this cause, to the following named parties and in the following amounts:

Clerk's fee, writ tax, etc.	-----\$10.00
Commissioner in Chancery's fee	-----15.00
Receiver's fee	-----35.00
Taxed Attorney's fee	-----15.00
Drawing of Bill of Sale	-----5.00
Total	-----\$80.00

^{and} ~~it~~ ^{further} appearing to the Court that the above ordered disbursements aggregate Eighty (\$80.00) Dollars, leaving a balance to the credit of this cause of Six Hundred and Twenty (\$620.00) Dollars, and that P. D. Gwaltney, Jr. ^{and} & Company, is a preferred creditor in the sum of Thirty-eight (\$38.00) Dollars, and the following named creditors ^{as} remaining distributees of the said fund are entitled to the respective pro-rated share and amount set off against their names; Standard Oil Company, \$206.14; Bank of Smithfield, \$284.26; The Morse-Parker Motor Supply Co., \$75.68; J. L. Warner ^{and} & Company, \$15.92;

~~The~~ Court doth further order and decree that the said Receiver shall check upon the fund to the credit of this cause to the following named parties in the following amounts:

R. A. Edwards. Clerk's fee, writ tax and taxed Attorney's fee	-----\$ 25.00
R. A. Edwards, Commissioner in Chancery's fee	-----15.00
W. C. Whitehead, Receiver's fee	-----35.00
W. W. Foreman, Drawing Bill of Sale	-----5.00
	<u>\$80.00</u>

Brought forward. ----- \$80.00

P. D. Gwalrney, Jr. ^{and} Co., Rent-----	38.00
Standard Oil Company, account-----	206.14
Bank of Smithfield, note-----	284.26
The Morse-Parker Motor Supply Co., account-----	75.68
J. L. Warner & Company, account-----	15.92
Total-----	\$700.00

The said Receiver shall make a report to the Court of ^{his} ~~all~~
~~previous hereunder~~
~~said disbursements~~; and the further hearing of this cause is
reserved.

VIRGINIA:
IN THE CIRCUIT COURT OF ISLE OF WIGHT.

W. F. Shivers, Complaint

vs.

W. F. Shivers, Defendant

FINAL DECREE

This cause, by consent of the parties endorsed hereon by counsel of both parties, came on this day to be again heard on the papers formerly read, the final report of Receiver, W. C. Whitehead and the vouchers therewith, this day filed, to which no exception is taken, Counsel for both parties having waived the ten days no-

tice for exception, and was argued by Counsel.

And it appearing that said Receiver has paid out the funds in his hands in accordance with the terms of the former decree.

Upon consideration whereof, the Court doth confirm the said report of said Receiver; and it appearing that said Receiver has carried out all of his duties and has properly accounted for all funds which came into his hands, it is adjudged, ordered, and decreed that the said Receiver be discharged.

And, nothing further remaining to be done in this cause, it is ordered that the same be removed from the docket.

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

W. F. Shivers Complainant.

vs.

W. F. Cuffey Defendant

FINAL DECREE

Enter this 24th day of

July, 1928.

R. W.

Judge.

8-456

VIRGINIA:

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

W. F. SHIVERS

COMPLAINANT.

VS.

MEMORANDUM

W. F. CUFFEY

DEFENDANT.

To The Clerk Of Said Court:

You will please issue process in the above styled cause returnable to the First April Rules.

The defendant, W. F. Cuffey, may be found at the Peoples Garage, Smithfield, Virginia.

B W. F. Shivers,
Complainant.

W. W. Foreman, p. q.

1
VIRGINIA:
IN THE CIRCUIT OF ISLE OF
WIGHT COUNTY.

W. F. SHIVERS

VS. 530

W. F. CUFFEY.

MEMORANDUM

Filed 3/12/28

Dep. G. N. A. F. 10⁰⁰

20 p. 2 Lph. .50

OFFICE OF
W. W. FOREMAN
ATTORNEY AND COUNSELOR AT LAW
NORFOLK, VIRGINIA.

March 10th 1928

Mr. R. A. Edwards, Clerk,
Isle of Wight Circuit Court,
Isle of Wight, Virginia.

Re: Shivers vs. Cuffey.

Dear Sir:

I am inclosing herewith the initial papers of the above styled suit accompanied by my check for the sum of \$10.00 as a deposit on same.

From the information gained from my client I am of the opinion that the defendant named in this suit is of a very shiftless and unreliable type as it appears that the business involved in this suit is rapidly going from bad to worse under his "management".

My client desires that the place be padlocked when process is served unless the defendant should give a forthcoming bond in an amount sufficient to cover the assets of the business. I am therefore requesting that you instruct the Sheriff to this effect when you deliver process in his hands. The estimated value of said assets is approximately \$800.00.

Trusting that these papers reach you promptly and that it will be convenient for you to have them served Monday the 12th instant, I am,

Very truly yours,

W. W. Foreman

WWF/IM. Inc. 2.

OFFICE OF
W. W. FOREMAN
ATTORNEY AND COUNSELOR AT LAW
NORFOLK, VIRGINIA.

April 20, 1928.

Mr. R. A. Edwards, Clerk
Isle of Wight Circuit Court,
Isle of Wight, Virginia.

Re: Shivers vs. Cuffey.

Dear Sir:

In reply to your favor of the 18th instant I am writing, to say that May the 2nd is satisfactory with me but I fear we may have some difficulty in maturing the matter for an accounting on that date. I had a letter from Judge White this week stating that he would enter the decree when he goes up there again and I fear he may not go before the 7th. If you can get the papers in the case to him at once he might enter the decree and get them back to you in time to give notice for the date stated.

When the date is definitely decided I shall appreciate it if you will send notices to the following named creditors: Bank of Smithfield,; Standard Oil Co., Norfolk; Morse Parker Motor Co., 711 High St., Portsmouth, Va.; W. F. Moody, Smithfield; and P. D. Gwaltney & Co., Smithfield, and also the defendant, W. F. Cuffey, Smithfield.

Awaiting your further advice, I am,

Very truly yours,

WWE/IM.

W. W. Foreman,

OFFICE OF
W. W. FOREMAN
ATTORNEY AND COUNSELOR AT LAW
NORFOLK, VIRGINIA.

June
8th
1928.

Mr. R. A. Edwards, Clerk,
Circuit Court,
Isle of Wight County, Virginia.

Re: Shivers vs Cuffey.

Dear Sir:

I have your letter of the 5th instant inclosing your report on the above styled matter, for which I thank you.

I am inclosing herewith, a decree which I have prepared confirming said report and authorizing Mr. Whitehead as Receiver, to proceed with the sale of the assets involved at a price approximating Seven Hundred (\$700.00) Dollars cash, *by private sale.*

I saw Judge White in Portsmouth yesterday and he approved this procedure, provided none of the interested parties, all of whom I have notified, appears there Monday to object.

Kindly have Mr. Whitehead qualify Monday, provided the decree is entered, and tell him that I will be in Smithfield Tuesday at Mr. Shivers' store around 2:30 or 3 o'clock in the afternoon, and I think we will be able to consummate a sale at that time.

Thanking you for your promptness and thoroughness in this matter, I am,

Very truly yours,

WWF:mlp

W. W. Foreman.

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

W. F. Shivers--Complainant.
vs
W. F. Cuffey---Defendant.

DECREE

Enter this 2d day
of July, 1928.

W. F. Cuffey
Judge.

8-454

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

W. F. Shivers Complainant. *

Vs: *

DECREE

W. F. Cuffey Defendant. *

by consent
by consent of parties, endorsed hereon by Counsel for both parties
This cause came on this day to be again heard on the papers formally read, the report of the Commissioner in Chancery, R. A. Edwards, filed May 31, 1928, to which report there is no exception taken, Counsel for all parties having waived the ten days for exception, and on the depositions of witnesses taken before the said Commissioner in Chancery and returned with the said report, and was argued by Counsel.

UPON CONSIDERATION WHEREOF, it appearing ~~to the court~~ that the complainant and defendant herein are ^{equal} joint owners as partners of the property used in conducting a garage business on Commerce Street in the town of Smithfield, ~~Isle of Wight County, Virginia,~~ under the style and firm name of "Peoples Garage" which said property consists of a small stock of tires and other parts of automobiles together with tools and equipment for ^{on} ~~work~~ automobiles, such as ^{are} ~~is~~ usually found in garages; and it further appearing ~~to~~ the court that the said complainant and defendant have ^{an} ~~equal~~ interest in the said property and that the best interests of the parties hereto will be promoted by a sale of the ^{said} ~~property owned~~ by the said partnership and the said partnership dissolved, the court doth approve and confirm said report, and doth hereby ~~ad-~~ judge, order and decree that W. C. Whitehead, ^{Sheriff of this County, who has heretofore been} ~~is hereby~~ appointed receiver ~~for the purpose,~~ shall proceed to sell the said property by a private sale at a ^{sum not less than} ~~price approximating~~ Seven Hundred (\$700.⁰⁰) Dollars upon cash terms, ~~and that the said partnership be dissolved.~~

~~But the said receiver shall have no power to execute this~~
~~decree until he, or someone for him, shall enter into a bond with~~
~~sufficient surety in the Clerk's Office of this Court, ⁱⁿ and the~~
~~penalty of (\$) Dollars, conditioned~~
~~upon the faithful discharge of his duties hereunto; and the said~~
~~receiver shall report his proceedings under this decree to the~~
Court

6
VIRGINIA: IN THE CIRCUIT
COURT OF ISLE OF WIGHT
COUNTY.

W. F. Shivers Complainant.

vs:

W. F. Cuffey Defendant.

*I have seen this
and endorse same.*

*W. W. Foreman,
Counsel for W. F. Shivers
and W. F. Cuffey.*

DECREE

Enter this 11th day
of June, 1928.

B. W.

Judge.

8-451

* W. C. Whitehead, Jr., and the 300 bonds, appraisals, Receiver for the alleged partnership, and said Receiver shall take possession of the property of said partnership and locate the same Subject to the power of the Court, and

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

W. F. Shivers, Complainant. *
vs. * DECREE OF REFERENCE
W. F. Cuffey, Defendant. *

This cause came on this day to be heard upon the ~~complainant's~~ bill of complaint; proof of legal service of proper process on the defendant, W. F. Cuffey, in person, who has failed, and still fails to appear, plead, answer or demur ~~to the said bill of complaint,~~ ^{the bill being} which is taken for confessed as to him, and was argued by counsel.

On Consideration Whereof, ^{judged, ordered and decreed} it is ~~ordered~~ that this cause ~~be~~ referred to one of the Commissioners of ~~Chancery~~ of this Court ~~in~~ who is hereby directed to inquire into and report to the Court as follows:

- (1) Whether all necessary parties are properly before the Court.
- (2) What property is owned jointly by the complaint and defendant in the partnership business operated by them under the style and firm name of "Peoples Garage", the value of such property and where same is located.
- (3) Who is entitled to the said property and in what proportions, ~~and what the necessary parties are before the Court.~~
- (4) If either of the said partners is willing to purchase the said business.
- (4) (5) What debts are outstanding against the said business.
- (6) What is a reasonable fee for the attorney for his services in conducting this suit.
- (7) All other matters deemed pertinent by him or which shall be requested by ~~it~~ any party in interest to inquire into and report upon.

4
VIRGINIA:
IN THE CIRCUIT COURT OF ISLE
OF WIGHT COUNTY.

W. F. Shivers, Complainant

vs. # 530

W. F. Cuffey, Defendant

DECREE OF REFERENCE

Enter this 7th day of

May, 1928.

1956
Judge.

Book 8

Page 445

Pennsylvania Tires
Timken Roller Bearings
New Departure
Ball Bearings
Aztec Brake Lining
American Hammered
Piston Rings
Wisconsin Replacement
Pistons
Celoron Silent Timing
Gears
Cylinder Head Gaskets
Maximaire Fan Belts
Piston Pins and Bushings
Connecting Rod Bearings
Replacement Auto Springs
Ring Gears and Pinions
N. A. P. A. Distributors

W. WRAY MORSE
PRESIDENT

C. S. MORSE
VICE-PRESIDENT

GEORGE E. PARKER
SECRETARY-TREASURER

Morse-Parker Motor Supply, Inc.

709-711 HIGH STREET

OUR PURPOSE TO SERVE AND SERVING OUR PURPOSE

Everything for the Automobile

PHONES 2297-2298

PORTSMOUTH, VA.,

May 24, 1928.

R. A. Edwards,
Commissioner in Chancery,
Isle of Wight Court House, Va.

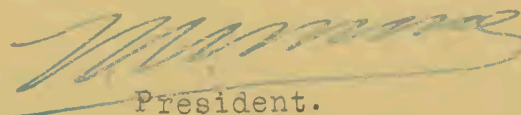
Dear Sir:

We are enclosing herewith a complete statement of our account against the Peoples Garage of Smithfield, Va. in the amount of \$133.10. In accordance with the terms of sale on this material, all of it was billed to the Peoples Garage and the payment therefor was guaranteed to us by W. F. Shivers of Smithfield, Va.

We trust that the presenting of our claim, as enclosed herewith, is sufficient to comply with your requirements. If there is anything further we can do to assist in closing this matter, we will appreciate your advising us.

Yours very truly,

MORSE-PARKER MOTOR SUPPLY, INC.


President.

WWM:V

Pennsylvania Tires
Timken Roller Bearings
New Departure
Ball Bearings
Aztec Brake Lining
American Hammered
Piston Rings
Wisconsin Replacement
Pistons
Celeron Silent Timing
Gears
Cylinder Head Gaskets
Maximaire Fan Belts
Piston Pins and Bushings
Connecting Rod Bearings
Replacement Auto Springs
Ring Gears and Pinions

N. A. P. A. Distributors

Morse-Parker Motor Supply, Inc.

709-711 HIGH STREET

OUR PURPOSE TO SERVE AND SERVING OUR PURPOSE

Everything for the Automobile

PHONES 2297-2298

PORTSMOUTH, VA.,

MAY 24 1928

192

SOLD TO

Peoples Garage.
W. F. Shivers & Cuffey,
Smithfield, Va.

Sheet 1

1927

Sept. 8	7 1/2 ft. 2 1/2 x 3/16 Aztec Lining	1.10 ft. 8.25-50%	4.13			
"	1 # 313 Gasket	1.00-25%	.75			
"	6 # 830 Pins Studebaker	.60-3.60-40%	2.16			
"	8 Ford Pins	.21	1.68			
"	10 # 67 Min. Lamps	2.20-30%	1.54			
"	24 Coil Points	.11	2.64			
"	1- 7/16 T. Handle Wrench	54-25%	.41			
"	3. Hudson Tubes	1.40	4.20	17	51	
14	1- Bx. # 1158 Bulbs	@ 3.80-30%	2.66			
"	6 Sets Ford Gen. Brushes	45-33 1/3%	1.80	4	46	
16	3-sets Quick Change Bands	1.30-3.90				
"	3-Wide Bands only 1926	.67	2.01			
"	2-9 Leaf Ford Frt. Springs	1.90-3.80				
"	10- Stephens Ford Fan Belts	24-2.40				
"	10 " " " (1926)	24-2.40				
"	12 Expansion Rings Ford	.15-1.80				
"	3- 30 x 3 Jannette Tubes	1.20-3.60				
"	12- Top Hose Conn. Ford	.10-1.20				
"	12 Bottom " " "	.07-	84.2125			
"	3 Battery To Switch Cables	50 1.50				
"	50- Rear Wheel Felt Washers	1.50				
"	50 Front " " "	1.50				
	Ford	4.50				

BILLS ARE DUE AS PER STATEMENT RENDERED ON THE 1st DAY OF EACH MONTH
WE REQUEST PROMPT PAYMENT IN THE SAME COURTEOUS MANNER WE SOLICIT YOUR TRADE

Pennsylvania Tires
 Timken Roller Bearings
 New Departure
 Ball Bearings
 Aztec Brake Lining
 American Hammered
 Piston Rings
 Wisconsin Replacement
 Pistons
 Celeron Silent Timing
 Gears
 Cylinder Head Gaskets
 Maximaire Fan Belts
 Piston Pins and Bushings
 Connecting Rod Bearings
 Replacement Auto Springs
 Ring Gears and Pinions

N. A. P. A. Distributors

W. WRAY MORSE
PRESIDENT

C. S. MORSE
VICE-PRESIDENT

GEORGE E. PARKER
SECRETARY-TREASURER

Morse-Parker Motor Supply, Inc.

709-711 HIGH STREET

OUR PURPOSE TO SERVE AND SERVING OUR PURPOSE

Everything for the Automobile

PHONES 2297-2298

PORTSMOUTH, VA.,

MAY 24 1928

192

SOLD TO *Peoples Garage.*

Ford.

Sheet 2

<i>Sept.</i>	<i>16</i>	<i>12 Front Wheel Washers</i>	<i>450</i>	<i>21.95</i>				
	<i>"</i>	<i>12-Rolls Store Pipe Wires</i>	<i>45</i>	<i>5.15</i>	<i>27</i>	<i>10</i>		
	<i>17</i>	<i>12-Ford Frt. Wheel felt Washers + Retainers</i>	<i>10 ea</i>	<i>30%</i>		<i>84</i>		
	<i>19</i>	<i>Exchange 6# 830-.005 Pins for 6# 830-.010 Pins</i>						
	<i>"</i>	<i>Postage + Insurance</i>				<i>11</i>		
	<i>20</i>	<i>3-29 x 4.40 Jeannette Tires</i>	<i>790</i>	<i>23.70</i>				
	<i>"</i>	<i>2-30 x 3 1/2 " " 6.70-13.40</i>			<i>37</i>	<i>10</i>		
<i>Oct.</i>	<i>6</i>	<i>20# 1158 Bulbs</i>	<i>5.60</i>	<i>35%</i>				
	<i>"</i>	<i>10# 63 " 1.20- "</i>		<i>.78</i>				
	<i>"</i>	<i>12-3 1/2" Blaylock Shoes</i>	<i>24</i>	<i>2.88</i>				
	<i>"</i>	<i>6-4 1/2" " 35</i>		<i>2.10</i>				
	<i>"</i>	<i>6-5" " 40</i>		<i>2.40</i>				
	<i>"</i>	<i>12-3/16 Tension Rings</i>	<i>240</i>	<i>25%</i>		<i>1.80</i>		
	<i>"</i>	<i>1 lb. Acid Core Solder</i>				<i>.71</i>		
	<i>"</i>	<i>3# 1201 ND-SR Bearings</i>	<i>1.00 ea</i>	<i>25%</i>		<i>2.25</i>		
	<i>"</i>	<i>3# 1203 " 1.15 " "</i>		<i>2.59</i>				
	<i>"</i>	<i>2 Sheep Wool Sponges</i>	<i>60</i>	<i>1.20</i>	<i>20.35</i>			
	<i>"</i>	<i>Postage + Ins.</i>			<i>.33</i>	<i>20</i>	<i>68</i>	
	<i>14</i>	<i>6-30 x 3 1/2 Hudson Tubes</i>	<i>1.35</i>			<i>8.10</i>		
	<i>"</i>	<i>2-29 x 4.40 Jean Balloon</i>	<i>7.95</i>			<i>15.90</i>		
	<i>"</i>	<i>4. Piston Pins Chev.</i>	<i>.005</i>	<i>40-160</i>				
	<i>"</i>	<i>4 " " " .010-40-1.60-40%</i>				<i>1.92</i>		
		<i>Ford.</i>				<i>25.92</i>		

BILLS ARE DUE AS PER STATEMENT RENDERED ON THE 1st DAY OF EACH MONTH
 WE REQUEST PROMPT PAYMENT IN THE SAME COURTEOUS MANNER WE SOLICIT YOUR TRADE

Pennsylvania Tires
 Timken Roller Bearings
 New Departure
 Ball Bearings
 Aztec Brake Lining
 American Hammered
 Piston Rings
 Wisconsin Replacement
 Pistons
 Celeron Silent Timing
 Gears
 Cylinder Head Gaskets
 Maximaire Fan Belts
 Piston Pins and Bushings
 Connecting Rod Bearings
 Replacement Auto Springs
 Ring Gears and Pinions
 N. A. P. A. Distributors

W. WRAY MORSE
PRESIDENT

C. S. MORSE
VICE-PRESIDENT

GEORGE E. PARKER
SECRETARY-TREASURER

Morse-Parker Motor Supply, Inc.

709-711 HIGH STREET

OUR PURPOSE TO SERVE AND SERVING OUR PURPOSE

Everything for the Automobile

PHONES 2297-2298

PORTSMOUTH, VA.,

MAY 24 1928

192

SOLD TO

Peoples Garage,

Ford 25.92

Sheet 3

Oct.	14	10 Ford CX Gaskets	1.90				
"	"	6 J-207 Timken Bearing 6-50-25%	4.88				
"	"	4 J-206 " " 2.60 "	1.95				
"	"	1 Chev Ring & Pinion Gear	5.25				
"	"	3 " Spider Gears 45-10%	.40				
"	"	12 Magneto Files Net	.90				
"	"	2 Ford Crank Case Arms 40 ea	8.04	2.00			
"	"	6-Cher. Bendix Springs 19 ea	1.14				
"	"	10 #67 Bulbs 2.28-35%	1.43				
"	"	20 #63 " 2.40 - "	1.56				
"	"	2-9 Leaf Ford Front Springs 1.90	3.80				
"	"	10 Clincher Rim Flaps 34 ea	3.40	11.33	5'3	33	
28	"	10 Pr Keystone Shining Chasers 35-350					
"	"	4-30x3 1/2 Jean Casings 6.70-26	80				
"	"	12-3 1/2" Blaylock Shoes 24	2.88				
"	"	6-30x3 1/2 Hudson Tubes 1.35	8.10				
"	"	12-2oz. Btl. Shellac Net	1.20				
"	"	2-1/2 qt. Cans " ea	.34	.68			
"	"	20# 3377-B Cork Gaskets 05	1.00				
"	"	25 Vacuum Tank Cork " "	1.25				
"	"	10 Small Ball Assy. .22	2.20				
"	"	12 Red Line Tires Net	5.40				
		<i>Ford</i>	53.01				

BILLS ARE DUE AS PER STATEMENT RENDERED ON THE 1st DAY OF EACH MONTH
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Pennsylvania Tires
 Timken Roller Bearings
 New Departure
 Ball Bearings
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 Piston Rings
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 - Pistons
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 N. A. P. A. Distributors

W. WRAY MORSE
PRESIDENT

C. S. MORSE
VICE-PRESIDENT

GEORGE E. PARKER
SECRETARY-TREASURER

Morse-Parker Motor Supply, Inc.

709-711 HIGH STREET

OUR PURPOSE TO SERVE AND SERVING OUR PURPOSE

Everything for the Automobile

PHONES 2297-2298

PORTSMOUTH, VA.,

MAY 24 1928

192

SOLD TO *Peoples Garage*

Ford 53.01

Sheet 4

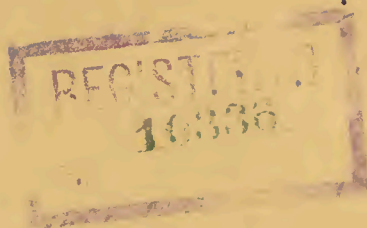
Oct	28	12-1925 Ford Trans. Lining 40-	4.80				
"		2 Vacuum Tank Floats Return	50.00	5'8	81		
"		2-29 x 4.40 Jean. Balloons N/C.			-		
Nov	1	1- Drum (52 Gal) Denatured Alcohol	28.60				
1928	"	1- Steel Drum (Returnable 90 days)	6.00	34	60		
Jan	13	10 #51 Apco Anti-rattlers	24 2.40				
"		10 #21 " "	" - 2.40				
"		10 #1142 Bulbs 40 ea - 35%	2.60				
"		12-3 1/2" Blaylock Shoes	24 2.88				
"		12-Top Hose Conn. Ea	10 1.20				
"		6-# 1201 ND Bearings	67 4.02				
"		6-# 1203 " "	78 4.68				
"		3 P4C X X Battery Cables 50 ea	1.50				
"		24 KW. Coil Points	12 2.88				
"		6-1926 Antex Trans. Lining	55 3.30				
"		12 #3363 Felt Strips	02 .24				
"		Postage & Ins.	28.46	28	56		
				(283	10		
1927		Credits					
Nov	26	Cash	50.00				
1928		"	100.00	15000	0		
Jan	6			Total Bal		133	10

BILLS ARE DUE AS PER STATEMENT RENDERED ON THE 1st DAY OF EACH MONTH
 WE REQUEST PROMPT PAYMENT IN THE SAME COURTEOUS MANNER WE SOLICIT YOUR TRADE

Morse-Parker Motor Supply, Inc.

"EVERYTHING FOR THE AUTOMOBILE"

709-711 HIGH STREET
PORTSMOUTH : VIRGINIA



Return Receipt Requested
Fee Paid

Mr. R. A. Edwards,
Commissioner in Chancery,
Isle of Wight Court House, Va.

Registered Mail.
Return Receipt Requested.



STATEMENT

STANDARD OIL COMPANY OF NEW JERSEY

NORFOLK BRANCH

NORFOLK, VA.

FOLIO

843

W. R. Coffey &

W. R. Johnson, Trading Co.

MAR 31 1928

Peoples Garage.
Smithfield, Va.

1927

+

1928

MAKE REMITTANCES TO STANDARD OIL COMPANY OF NEW JERSEY, NORFOLK, VA.

MONTH	DAY	WHEN SETTLEMENT IS MADE BY CHECK, NO RECEIPT WILL BE GIVEN UNLESS REQUESTED.	ITEMS	TOTAL
TO ACCOUNT RENDERED				
INVOICE				
12	15	171 Gal Gasoline ^{End} 18 State St 04 1/2	38 48	
	24	171 Gal Gasoline ^{End} 18 State St 4 1/2	38 48	
	27	35 Gal Motor Oil ^{End} 50 35 " " " " 50	17 50 17 50	
1	17	560 Gal Gasoline ^{End} 14 1/2 State St 4 1/2	106 40	
	6	171 Gal Gasoline ^{End} 18 State St 4 1/2	38 48	
	7	123 Gal Gasoline ^{End} 14 1/2 State St 4 1/2	22 14	
	16	166 Gal Gasoline ^{End} 18 State St 4 1/2	37 35	
	27	166 Gal Gasoline ^{End} 18 State St 4 1/2	37 35	
2	4	75 Gal Gasoline ^{End} 14 State St 4 1/2	13 50	
	11	166 Gal Gasoline ^{End} 18 State St 4 1/2	37 35	
				404 53
		Q. 1		
1	10	Q. 11	12 14	
	14	Motor oil discount	16 50	
2	7	Q. 11	13 30	41 94
				362 59

DRAFT NOTICE

AT

DEBTOR

Dear Sir: We hand you herewith specimen of the Draft that we are drawing on you, as per ours of recent date. Prompt payment thereof, at the Bank mentioned below, will prevent further procedure.

If not paid, we have instructed the Bank to deliver this Draft to an Attorney named by us for prompt action. Copy of our instructions to the Attorney is hereto attached. The Attorney will, on our notice, be bonded by the United States Fidelity and Guaranty Company.

\$ 362.52

is the amount you owe us.

STATEMENT

DRAWER'S INSTRUCTIONS TO ATTORNEY

NAMED IN LETTER TO BANK

Dear Sir: Payment of our annexed Draft having been refused, we, the undersigned drawers thereof, hereby authorize you to take prompt action for its collection on the terms stipulated on the back hereof.

Promptly acknowledge receipt and advise what course is best to pursue. Wire, if in your opinion the circumstances warrant.

Do not make any compromise nor receipt debtor in full for any partial payment. Remit all money collected direct to the undersigned by P. O. Money Order, Bank Exchange or Express.

DO NOT DETACH FROM DRAFT



DRAFT DRAWN BY A HOLDER OF THE BOND OF THE
UNITED STATES FIDELITY AND GUARANTY COMPANY
DEPARTMENT OF GUARANTEED ATTORNEYS

Total Resources, over \$41,000,000 Home Office, BALTIMORE, MD.

\$ 362.52

WITH CURRENT EXCHANGE

At Day sight, Pay to the order of the Merchant - Thomas Bank of
Smith, J. C. the sum of Three hundred Sixty two 59/100 Dollars,

WITH CURRENT EXCHANGE

Value received and charge to account of

To People's Surety

DEBTOR

Address Smith, J. C.

NO.

DRAWER

STREET

CITY

STATE

W. W. Foreman, 1008 Church St.,

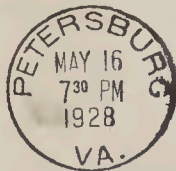


Entertainment Committee
Royal Lodge, 77

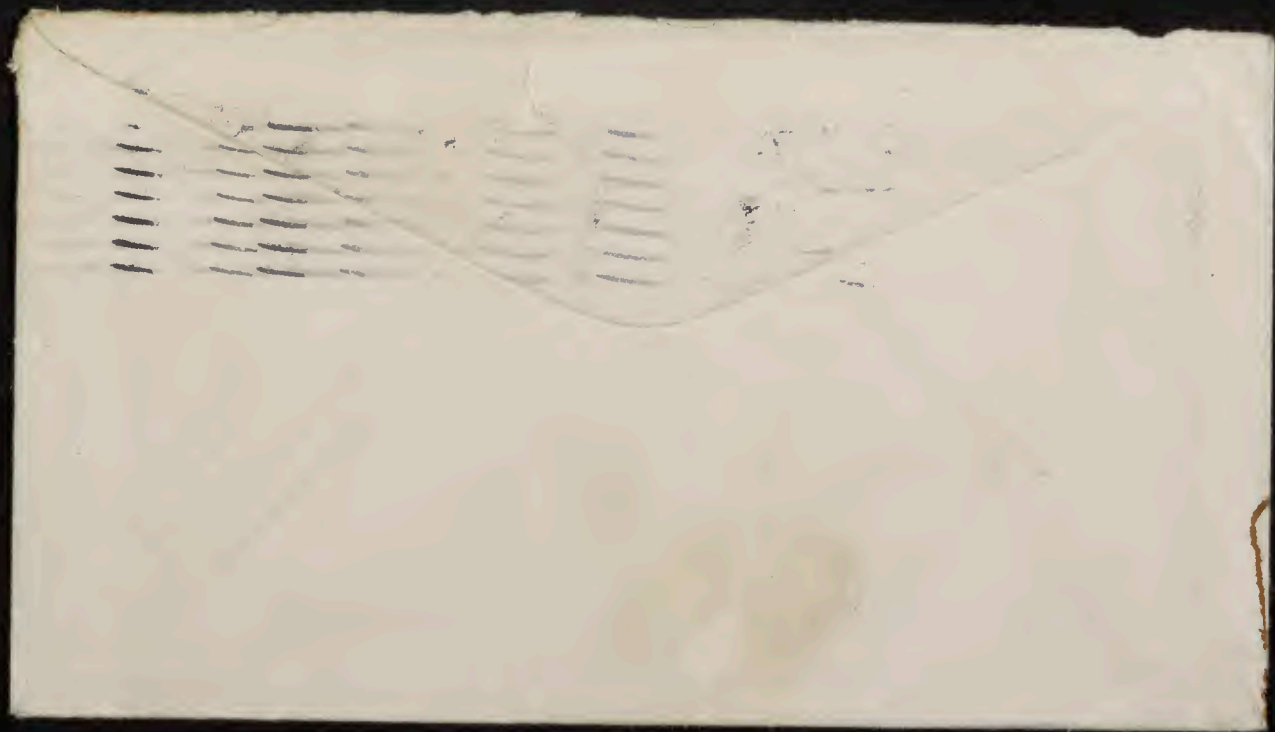
J. B. P. O. E. W.
424 BYRNE STREET

Petersburg Virginia

Not Rock,



Mr. R. A. Edwards, Clerk
Circuit Court Isle of Wight Co.,
Isle of Wight, Va.





Royal Lodge, 77, I. B. P. O. E. of W.

434 Byrne Street

Petersburg, Va.

May 16, 1928.

Mr. R. A. Edwards,
Isle of Wight, Va.

Dear Sir:

Your letter came to me just as I was leaving to take my train to come here and this explains why I am writing you from here.

I am quite ^{sure} you have my letter of Monday by now as to date of taking the depositions so I need only now to give you the information you requested.

The parties to be notified are as follows:



Royal Lodge, 77, I. B. P. O. E. of M.

434 Byrne Street

Petersburg, Va.

2

✓ Bank of Smithfield, Smithfield,
Va.; Standard Oil Co. of N. J.,
Norfolk, Va.; W. F. Moody,
Smithfield, Va.; P. D.
Gwaltney & Co., Smithfield,
Va.; Morse Parker Motor
Co., Portsmouth, Va.; W. F.
Cuffey, Smithfield, Va.

Very truly yours,

J. W. Foreman,

P. D. GWALTNEY, JR., & Co.

SMITHFIELD, VA.



This is a drawing of P. D. Gwaltney, Jr.'s
Pet Smithfield Ham cured in 1902, altho
never introduced to cold storage remains
"Tender and sweet, and fit to eat."

Mr. R. A. Edwards,

Smithfield, Va.

P. D. GWALTNEY, JR.

Smithfield Va May 23rd 1928 191

FERTILIZERS

Land Plaster, Lime,
Lath, Hair and Cement

AGENTS FOR

Pittsburg Perfect Wire
Fence & Paroid Roofing

GWALTNEY'S FINE HAMS

Plows, Cultivators
and Castings

M W. F. Shivers and W. F. Cuffey (Peoples Garage)

Smithfield, Va.

~~BOUGHT FOR~~ Dr to

P. D. GWALTNEY, JR., & C.

WHOLESALE AND RETAIL DEALERS IN

GROCERIES, DRY GOODS AND GENERAL MERCHANDISE

Interest Charged on Open Accounts if not Paid at Maturity.

To rent on 5 year contract for lease of

garage 4/15/28-5/15/28

③ 30.00 Mo.

30 00

Do 8 days, 5/15/28-5/23/28

③ 30.00 Mo.

8 00

38 00

*W. F. Cuffey + W. F. Shivers
trading as*

SMITHFIELD, VA. *May 26* 1928.

M

Peoples Garage

To J. L. WARNER & COMPANY, Dr.
AUTOMOBILE ACCESSORIES -- FISK TIRES -- BICYCLES AND ACCESSORIES
GASOLINE AND LUBRICANTS OF ALL KINDS

Prest-O-Lite Tanks Sold and Exchanged * * * * Marine Engines, Repair Parts and Supplies

1928

Jan 1 To Amt of Bill Rendered 27.99

STATE OF VIRGINIA,

COUNTY OF ISLE OF WIGHT, TO-WIT:

This day personally appeared W. F. Moody before me, Geo. F. Whitley, a Commissioner in Chancery for the Circuit Court of the County of Isle of Wight, in my County aforesaid, and made oath that he is doing business as J. L. Warner & Company; that the amount of the above ~~bill~~ ^{amount} due by W. F. Shivers and W. F. Cuffey, trading as Peoples Garage, is correct, due and owing.

W. F. Moody

Subscribed and sworn to before me this *25th*
day of *May*, 1928.

Geo. F. Whitley
Commissioner in Chancery.

COMMONWEALTH ATTORNEY
FOR ISLE OF WIGHT COUNTY

GEORGE F. WHITLEY

Attorney at Law

SMITHFIELD, VIRGINIA

May 30, 1928.

Mr. R. A. Edwards,
Isle of Wight, Virginia.

Dear Gus:

I am herewith inclosing claim of J. L. Warner & Co. against W. F. Cuffey and W. F. Shivers, trading as Peoples Garage, amounting to \$27.99. Also claim of Standard Oil Co. of N. J., Norfolk, Va., in the amount of \$362.59 which you may file in the suit, which has been brought to dissolve the partnership.

GFW/b:

Yours truly,

Incl;

GEO. F. WHITLEY

By:-

M. B.

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

W. F. Shivers, Complainant

vs.

W. F. Cuffey, Defendant

FINAL REPORT OF RECEIVER

The undersigned, W. C. Whitehead, Receiver, heretofore appointed in this cause, respectfully reports to the Court as follows:

That pursuant to a decree entered in this cause on the 11th day of June, 1928, and the common custom obtaining in such matters, he did execute and deliver to W. F. Shivers a Bill of Sale conveying to him the goods and chattels ordered by said decree to be conveyed, after having first collected from the said W. F. Shivers the purchase price of Seven Hundred (\$700.00) Dollars, which sum he deposited in the Bank of Smithfield of Smithfield, Virginia, to the credit of this cause.

Your said Receiver then checked upon the said fund as directed by a second decree entered in this cause on the 2nd day of July, 1928, to the following named parties and in the following amounts:

R. A. Edwards, Clerk, Clerk's fee, writ tax, taxed attorney's fee, etc.	\$25.00
R. A. Edwards, Commissioner in Chancery fee	15.00
W. C. Whitehead, Receiver's Fee	35.00
W. W. Foreman, Atty. Drawing Bill of Sale	5.00
P. D. Gwathney, Jr., & Co., Rent	38.00
Standard Oil Company, Account, ...	206.14
Bank of Smithfield, Note, ...	284.26
The Morse-Parker Motor Supply Co., Account, ...	75.68
J. L. Warner & Co., Account, ...	15.92
Total	\$700.00

Your Receiver herewith returns vouchers for the said disbursements.

Respectfully Submitted,

W. C. Whitehead

Receiver.

9
VIRGINIA:

IN THE CIRCUIT COURT OF ISLE
OF WIGHT COUNTY.

W. F. Shivers Complainant

vs.

W. F. Cuffey Defendant

1925
July 24
Recd. [Signature]
FINAL REPORT OF RECEIVER

Smithfield, Va., July 5th 1928 No. 865

Bank of Smithfield 68-233

SMITHFIELD, VA.

Pay to the
order of J. L. Harner & Co.

JUL 9 1928

\$15.92

Fifteen and —
cent. Peoples Garage

One Shaver & Cuffey

15.92/100 Dollars

H. C. Whitehead Receiver

Pay BANK OF SMITHFIELD
Smithfield, Va. or Order
WARNER & CO.

Smithfield, Va., July 5th 1928 No. 864

Bank of Smithfield 68-233

SMITHFIELD, VA.

Pay to the order of Morse Parker Motor Supply Co. \$75.68

Security Fire and
acc. Peoples Garage
Smithfield Va.
12 100 Dollars

V. C. Whitlock Receiver

PAY TO THE ORDER OF
MERCHANTS & FARMERS BANK
AND CREDIT TO THE ACCOUNT OF
MORSE-PARKER MOTOR SUPPLY, Inc.

PAY ANY BANK, OR UNDER BANK
ALL PRIOR ENDORSEMENTS

JUL 10 1928
Norfolk National Bank
Commerce & Trusts
68-36 of Norfolk, Va.
L. E. BARLOW

OF TRUST CO.
All Prior Endorsements Guaranteed
JUL 9 1928
MERCHANTS and FARMERS BANK
68-66 PORTSMOUTH, VA.
E. L. Barlow, Cashier,

Smithfield, Va., July 5th 1928 No. 863

Bank of Smithfield 68-233

SMITHFIELD VA

Pay to the
order of Bank of Smithfield \$284.²⁶/₁₀₀

Two Hundred Eighty Four and ²⁶/₁₀₀ Dollars
note. one Shivers on Cuffy
Peoples Garage W.C. Whithead Receiver.

Smithfield, Va., July 5th 1928 No. 862

Bank of Smithfield 68-233

SMITHFIELD, VA.

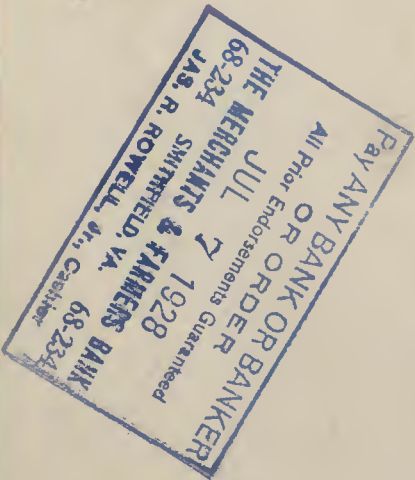
Pay to the order of Geo. F. Whitley Atty. \$206.¹⁴/₁₀₀

Two Hundred Six and
acot Standard Oil Co. Promold Share
in Case Shivers vs Cuffey

Peoples Garage

W.C. Whitehead Receiver

W. D. White,
etc.



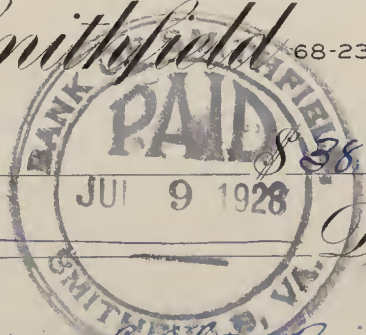
Smithfield, Va., July 5th 1928 No 861

Bank of Smithfield

68-233

SMITHFIELD, VA.

Pay to the
order of P.D. Goetting Jr & Co.



\$ 38.00

Thirty Eight

For Rent for Peoples Garage

Care Shivers & Cuffey

Dollars

W. C. Whitfield Receiver

Dr. H. W. W. W. W. W.
Dr. H. W. W. W. W. W.

Smithfield, Va., July 5th 1928 No. 860

Bank of Smithfield 68-233

SMITHFIELD, VA

Pay to the
order of W. W. Foreman & Co.

\$ 5⁰⁰

Five

Dollars

Drawing Book of Sale
and Shares of Cuffey

Peoples Garage

W. W. Foreman, Atty.

PAY ANY BANK, BANKER OR TRUST CO
ON ORDER
ALL PRIOR ENDORSEMENTS GUARANTEED

JUL 10 1928
Norfolk National Bank of
Commerce & Trusts
68-36 of Norfolk, Va. 68-36
A. E. WHARTON, Cashier

THE BANKERS
OF THE TRUST COMPANY

ALL PRIOR ENDORSEMENTS GUARANTEED
PAY TO THE ORDER OF
THE BANK AND TRUST CO

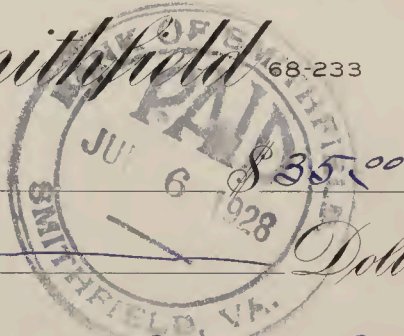
Smithfield, Va., July 5th 1928 No. 859

Bank of Smithfield

68-233

SMITHFIELD, VA

Pay to the
order of W. C. Whithead



Thirty five ————— Dollars

Receives for in care
Shivers & Cuffy

Peoples Garage

W. C. Whithead Receiver.

N. C. Whitcomb

Smithfield, Va., July 5th 1928 No. 858

Bank of Smithfield 68-233

SMITHFIELD, VA.

Pay to the order of R. A. Edwards clerk \$40⁰⁰

Forty Dollars

clerk cost. Writ Tax and Com. in chan.
also Tax atty. case Shivers vs Cuffey
(People's Garage)

W. C. Whittaker Receiver

Pay to the Order of
BANK OF SMITHFIELD
SMITHFIELD, VA.

R. A. EDWARDS, Clerk of Court
ISLE OF WIGHT COUNTY

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

W. F. Shivers....Complainant*
vs *
W. F. Cuffey.....Defendant *

REPORT OF RECEIVER. ...

The undersigned, W. C. Whitehead, Receiver, heretofore appointed in this cause respectfully reports to the Court as follows:

That pursuant to a Decree entered in this cause on the 11th day of June, 1928, he did sell and deliver to W. F. Shivers for the sum of Seven Hundred (\$700.00) Dollars cash in hand paid, the following goods and chattels: one (1) lot of tires and other automobile assessories; one (1) breast drill; one (1) floor jack; one (1) air compressor; one (1) vise; one (1) tongue chain hoist; one (1) battery rectifier; one (1) quart size four minute fire extinguisher; one (1) lot of tools; forty (40) gallons of gasoline; five (5) gallons of lubricating oil, and all other property on the aforesaid premises used in conducting the business of the aforesaid garage, and, pursuant to the common custom obtaining in such matters, did execute and deliver to the said W. F. Shivers, a Bill of Sale conveying to him the goods and chattels directed by said Decree so to be sold after having first collected from the said W. F. Shivers the sum of Seven Hundred (\$700.00) Dollars, the purchase price of the said goods and chattels which said sum your Receiver deposited in the _____ Bank of Smithfield, Virginia.

Total deposits to the credit of this cause---	\$700.00
Expenses incident to this cause-----	80.00
Balance for distribution-----	\$620.00

Expenses are itemized as follows:

Clerk's fee, writ tax, etc.	\$10.00
Commissioner in Chancery's fee	15.00
Receiver's fee	35.00
Taxed Attorney's fee	15.00
Drawing Bill of Sale	5.00
Total	\$80.00

Debts proved against the partnership are as follows:

P. D. Gwaltney, Jr. & Company, rent	\$38.00
Standard Oil Company, account	362.59
Bank of Smithfield, note	500.00
Morse-Parker Motor Supply Co., account	133.10
J. L. Warner & Company, account	27.99
Total	\$1061.68

Deducting the whole of the above noted preferred claim of Thirty-eight (\$38.00) Dollars, there is left a total indebtedness of One Thousand and Twenty-three and sixty-eight hundredths (\$1023.68) Dollars. Deducting the said Thirty-eight (\$38.00) Dollars preferred claim from the aforesaid residue of Six Hundred and Twenty-(\$620.00) Dollars, there is left the sum of Five Hundred and Eighty-two (\$582.00) Dollars actually to be distributed to the remaining creditors.

Your Receiver's calculation discloses that this said residue of Five Hundred and Eighty-two (\$582.00) Dollars is only sufficient to pay to each of these remaining creditors slightly less than 57% of the total amount of their respective claims, and

Upon this basis of calculation, your Receiver further reports that the aforesaid residue sum of Five Hundred and Eighty-two (\$582.00) Dollars, the following named creditors as distributees of said fund are entitled to the respective pro-rated share and amount set off against their names:

P. D. Gwaltney, Jr. & Co., rent	\$38.00
Standard Oil Company, account	206.14
Bank of Smithfield, note	284.26
The Morse-Parker Motor Supply Co., account	75.68
J. L. Warner & Company, account	15.92
Total Debts	\$620.00
Total Expenses	80.00
Grand Total	\$700.00

Respectfully reported,


Receiver.

7

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

W. F. Shivers--Complainant.
vs
W. F. Cuffey---Defendant.

REPORT OF RECEIVER

1925
July 2nd
Filed B.W.

W. W. Foreman,
Attorney at Law,
Attucks Building,
Norfolk, Virginia.

RECEIPT FOR REGISTERED ARTICLE NO. 91

15 fee paid. class postage paid. May 19, 1928 (Date.)

From R. A. Edwards

Addressed to Standard air co. n. j.
Norfolk Va

Accepting employee will place initials in space below, indicating restricted delivery.

Return receipt fee 3

Special delivery fee none

Delivery restricted to addressee { in person
or order ☒

Postmaster, per E.W.E



RECEIPT FOR REGISTERED ARTICLE NO. 92

15 fee paid. class postage paid. May 19, 1928 (Date.)

From R. A. Edwards

Addressed to Moore Fisher Motor Co.
Falmouth Va

Accepting employee will place initials in space below, indicating restricted delivery.

Return receipt fee 3

Special delivery fee none

Delivery restricted to addressee { in person
or order ☒

Postmaster, per E.W.E



RECEIPT FOR REGISTERED ARTICLE NO. 93

15 fee paid. class postage paid. May 19, 1928 (Date.)

From R. A. Edwards

Addressed to W. H. Moody
Salem Va

Accepting employee will place initials in space below, indicating restricted delivery.

Return receipt fee 3

Special delivery fee none

Delivery restricted to addressee { in person
or order ☒

Postmaster, per E.W.E



RECEIPT FOR REGISTERED ARTICLE NO. 94

15 fee paid. class postage paid. May 19, 1928 (Date.)

From R. A. Edwards Sec of Wight 19

Addressed to Bank of Smithfield 19

Accepting employee will place initials in space below, indicating restricted delivery.

Return receipt fee 3 Special delivery fee none

Delivery restricted to addressee { in person or order } Postmaster, per EWE



RECEIPT FOR REGISTERED ARTICLE NO. 95

15 fee paid. class postage paid. May 19, 1928 (Date.)

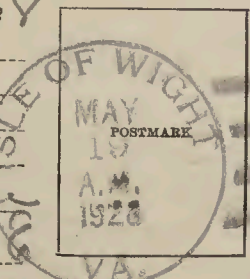
From R. A. Edwards Sec of Wight 19

Addressed to J. D. Gentry Jr & Co Smithfield 19

Accepting employee will place initials in space below, indicating restricted delivery.

Return receipt fee 3 Special delivery fee none

Delivery restricted to addressee { in person or order } Postmaster, per EWE



RECEIPT FOR REGISTERED ARTICLE NO. 96

15 fee paid. class postage paid. May 19, 1928 (Date.)

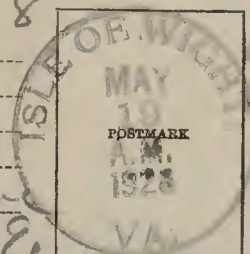
From R. A. Edwards Sec of Wight 19

Addressed to W. F. Gentry Smithfield 19

Accepting employee will place initials in space below, indicating restricted delivery.

Return receipt fee 3 Special delivery fee none

Delivery restricted to addressee { in person or order } Postmaster, per EWE



Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 91

INSURED PARCEL

No. _____

Return to

R. A. Edwards

(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

Post Office at

Lee of Wright

State _____

PENALTY FOR PRIVATE USE
TO AVOID PAYMENT OF
POSTAGE, \$300.

POSTMARK OF DELIVERING
OFFICE

AND DATE OF DELIVERY

80080

RETURN RECEIPT.

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

[Handwritten signature]

(Signature or name of addressee.)

[Handwritten signature]

(Signature of addressee's agent.)

[Handwritten signature]
Date of delivery, *7/21* -----, 192*8*

Form 3811

05-6116

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 92

INSURED PARCEL

No. _____

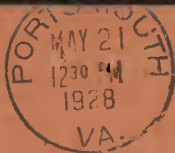
Return to R. A. Edwards

(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

Post Office at

State Virginia



PENALTY FOR PRIVATE USE
TO AVOID PAYMENT OF
POSTAGE \$300.

POSTMARK OF DELIVERING
OFFICE

AND DATE OF DELIVERY

RETURN RECEIPT.

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

[Handwritten signature]

(Signature or name of addressee.)

[Handwritten signature]

(Signature of addressee's agent.)

Date of delivery, *5-21* -----, 192

Form 3811

© 5-8116

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 90

INSURED PARCEL

No. _____

Return to R. A. Edmunds

(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

Post Office at Reef Wight

State Cal.

• 5—6116

PENALTY FOR PRIVATE USE
NO VOLUNTARY PAYMENT OF
POSTAGE, \$300.

POSTMARK OF DELIVERING
OFFICE



1923
AND DATE OF DELIVERY

RETURN RECEIPT.

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

Wm J W Barron

(Signature or name of addressee.)

W F Almy

(Signature of addressee's agent.)

Date of delivery, _____, 192

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 95-

INSURED PARCEL

No. _____

Return to R. A. Edwards

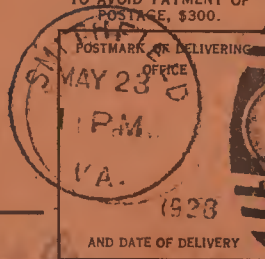
(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

Post Office at Lee of Wright

State _____

PENALTY FOR PRIVATE USE
TO AVOID PAYMENT OF
POSTAGE, \$300.



RETURN RECEIPT.

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

Wm. W. W. W.

(Signature or name of addressee.)

Wm. W. W. W.

(Signature of addressee's agent.)

5/23
Date of delivery, -----, 192*✓*

RETURN RECEIPT.

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

R. Smith

(Signature or name of addressee.)

James D. Smith

(Signature of addressee's agent.)

Oct 1
Date of delivery, _____, 192*6*

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 94

INSURED PARCEL

No. _____

Return to

R. A. Edwards

(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

Post Office at

Beaumont

State

• 5-8116

PENALTY FOR PRIVATE USE
TO AVOID PAYMENT OF
POSTAGE, \$300

POST MARK OF DELIVERING
OFFICE



DATE OF DELIVERY

RETURN RECEIPT.

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

W. F. C. L. H.

(Signature or name of addressee.)

James C. L. H.

(Signature of addressee's agent.)

Date of delivery, _____, 192

Form 3811

05-6116

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 46

INSURED PARCEL

No. _____

Return to R. A. Edwards

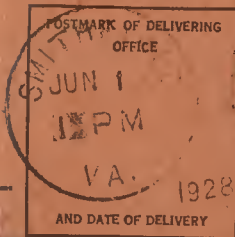
(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

Post Office at San Francisco

State Cal.

PENALTY FOR PRIVATE USE
TO AVOID PAYMENT OF
POSTAGE, \$300.



W. F. Shivers being duly sworn deposes and says as follows.

State your name, age residence and occupation.

W. F. Shivers, age 61, reside in Smithfield this County, and am a merchant,

Are you the same W. F. Shivers that is complainant in this suit.

I am.

Are you one of the joint pardners of the business known as the Peoples Garage.

I am .

What is the extent of your ownership in that business.

One half ownership.

Who are the other members of this pardnership.

W. F. Cuffey.

What agreement existed between you too ~~and~~ to sharing in the profits and loss of the said business.

It was understood that we were to share equally in both.

Who furnished the cash to establish the business.

I furnished the cash in the beginning to get the business started.

State whether or not you have placed any other monies to the credit of this business since the beginning of same.

Since the beginning of the business the Peoples Garage had to borrow some money, which was borrowed from the Bank Of Smithfield in the sum of Five Hundred Dollars and which loan I had to guarantee by my personal endorsment.

How much of this money is now on deposit to the credit of this concern.

Not any.

Who managed the business of this concern before it was ordered closed by the Court.

W. F. Cuffey had charge of the business.

Did you not have anything at all to do with the managment of the business.

No Sir I did not.

Who drew on this money that was placed to the credit of the Company.

W. F. Cuffey who had charge of the business drew all that was drawn.

W. F. S. #2.

What have you received from this partnership since it was established.
Nothing at all.

Then whatever profits that have accrued from this business have been
used by W. F. Cuffey, have they not.

Yes that is the case.

Out of the funds that he has received has he paid the bills that were
made by the partnership.

No he has not paid them all.

What bills are now outstanding against this firm.

Standard Oil Company is due \$362.59.

The Bank Of Smithfield is due a note of \$500.00.

The Morse Parker Motor Supply Corp., Inc., is due \$133.10.

W. F. Moody of Smithfield is due \$27.99

P. D. Gwaltney Jr . & Company is due to 5/23/28 38.00

Under present conditions do you consider that it is possible to longer
continue this business without a further loss.

No I do not see how it can be carried on without a further loss.

Has Mr Cuffy fully lived up to his partnership agreement with you.

No, so far as taking care of the obligations he has not.
Question by the Commissioner.

Please state what in your opinion is the value of the present stock
contained within the Peoples Garage, together with any tools, equipment
etc.,

I am not fully advised but judge it to be worth around seven or eight
hundred dollars provided it could be sold at a fair sale.

What was the agreement between your self and W. F. Cuffey as to what
time he should give to the business.

I was to furnish cash to start the business and he, Cuffey was to give
his entire time to the management and running of the business and we
were to divide profits equally.

And further this deponent saith not.

W. F. Shivers.

W. F. Cuffey being duly sworn deposes and says as follows.

~~Please state your name~~ age occupation and residence.

W. F. Cuffey, age 37 years of age reside in Smithfield and am an automobile mechanic.

You are the same W. F. Cuffey named in the suit of Shivers Vs. Cuffey.

Yes I am the same one.

~~Were~~ you the manager of the peoples garage in Smithfield.

Yes I was.

Then you are familiar with the stock therein.

Yes I am familiar.

What is the value of the stock there now.

I think it is about eight hundred dollars.

Is this business still in operation at this time.

No it was closed by the Sheriff under an order of Court on May 14th 1928.

Further this deponant saith not.

W. F. Cuffey.

W. C. Whitehead, being duly sworn deposes and says as follows.

Please state your name, age occupation and residence.

W. C. Whitehead, am 42 years of age, live in Smithfield and am Sheriff of Isle Of Wight County.

Mr Whitehead are you familiar with the place of business that has been operated in Smithfield as the Peoples Garage, as well as the parties operating the same.

Yes, I know the parties, W. F. Shivers, and W. F. Cuffey are the owners, Cuffey has been the operator of same.

Is the business running now.

No, under a recent order of the Circuit Court of this County I was called upon to close the same which I did and have it locked up and am holding the keys.

When you took possession of this place of business did you look it over pretty well.

Yes, I did not think it necessary to take an inventory, however I looked carefully over the place and know something of what is in there.

Please state then, in your judgment about what are the contents of this place worth at public sale.

I should say from five to six hundred dollars.

And further this deponent saith not.

W. C. Whitehead

VIRGINIA:
IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY., MAY 7TH, 1928.

W. F. Shivers, Complainant.

vs. # 530

DECREE OF REFERENCE

W. F. Cuffey, Defendant.

This cause came on this day to be heard upon the bill of complaint; proof of legal service of proper process on the defendant, W. F. Cuffey, in person, who has failed, and still fails to appear, plead, answer or demur, the bill being taken for confessed as to him, and was argued by counsel.

On Consideration Whereof, it is adjudged, ordered and decreed that W. C. Whitehead, be, and he is, hereby, appointed Receiver for the alleged partnership and said Receiver shall take possession of the property of said partnership and hold the same subject to the further order of the Court, and this cause is referred to one of the Commissioners of this Court who is hereby directed to inquire into and report to the Court as follows:

Whether all necessary parties are properly before the Court.

What property is owned jointly by the complainant and defendant in the partnership business operated by them under the style and firm name of "Peoples Garage", the value of such property and where same is located.

Who is entitled to the said property and in what proportions.

What debts are outstanding against the said business.

All other matters deemed pertinent by him or which shall be requested by any party in interest to inquire into and report upon.

A COPY

TESTE: R. A. Edwards CLERK.

5-6 hundred

H. F. Lewis

vs.

H. L. Cuffey.

Executed the within decree this the 14th day of
May 1928 in the County of Isle of Wight by delivering
a copy thereof to W. F. Cuffey, Jr. of The Peoples
Garage in person and I further executed the same by
taking possession of the garage and contents known
as The Peoples Garage and did close and lock the same
and have in my possession the keys and am holding the
same subject to the order of the court.

Original.

W. F. Cuffey, Jr. Sheriff

OFFICE OF COMMISSIONER IN CHANCERY FOR THE CIRCUIT COURT OF
ISLE OF WIGHT COUNTY.

W. F. Shivers.....Complainant

Vs: Chancery #530

W. F. Cuffey.....Defendant

To W. F. Cuffey.....Smithfield-Va.

The Bank of Smithfield....Smithfield-Va.

W. F. Moody.....Smithfield-Va.

P. D. Gwaltney Jr. & Co....Smithfield-Va.

Standard Oil Co. of N. J..Norfolk-Va.

Morse-Parker Motor Co.....Portsmouth-Va.

The undersigned, one of the Commissioners in Chancery for the Circuit Court of the County of Isle of Wight, pursuant to a decree entered in the above styled Chancery cause, now pending in the Circuit Court of the County of Isle of Wight, to whom the same was referred by decree entered therein on the 7th day of May, 1928, hereby gives notice that on Tuesday, May 29th, beginning at 2 o'clock P. M. at Isle of Wight Courthouse, that he will make and report on the following inquiries:

FIRST: Whether all necessary parties are properly before the Court.

SECOND: What property is owned jointly by the Complainant and Defendant in the partnership business operated by them under the style and firm name of "Peoples Garage", the value of such property and where same is located.

THIRD: Who is entitled to the said property and in what proportions.

FOURTH: What debts are outstanding against the said business.

FIFTH: All other matters deemed pertinent by him or which shall be requested by any party in interest to inquire into and report upon.

At which time and place you are at liberty to attend.

R. A. Edwards
Commissioner in Chancery

Notice of Depositions

May 29th 28.

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

W. F. Shivers Complainant

Vs:

W. F. Cuffey Defendant

To the Honorable Judge of the Circuit Court
of the County aforesaid.

The undersigned, one of the Commissioners of
your Honors Court to whom was referred the papers for
the execution of a decree entered in the above entitl-
ed cause on the 7" day of May, 1928, herewith respect-
fully reports; that in the presence of both the com-
plainant and the defendant as well as the attorney for
the complainant, after having given the notice of time,
and place as will appear from a copy of same hereto at-
tached, acceptance of which notice will appear from
registered receipt cards herewith attached, did on the
29" day of May, 1928, beginning at 2 o'clock P. M. at
his office at Isle of Wight Courthouse, take and re-
duce to writing the evidence of W. F. Shivers, W. F.
Cuffey and W. C. Whitehead, Sheriff, the same being re-
turned herewith and made a part of this report, and from
such evidence so taken as well as other matters filed
with the Commissioner is informed and reports as follows:

(1) Whether all necessary parties are prop-
erly before the Court.

Ans. Your Commissioner begs leave to report
that all of the necessary parties are properly before
the Court.

(2) What property is owned jointly by the
complainant and defendant in the partnership business op-
erated by them under the style and firm name of "Peoples

Garage", the value of such property and where such is located?

Ans. Your commissioner is informed and herewith reports that the property owned jointly by the complainant and defendant in the partnership business above referred to consist of a small stock of goods consisting of tires, and other parts of automobiles, together with tools and equipment for work on automobiles such as is usually found in garages, that the same is estimated to be of a value ranging from \$500.00 to \$750.00 and is located in the garage building owned by P. D. Gwaltney Jr. on Commerce Street in the town of Smithfield opposite what is known as the Farmers Warehouse.

(3) Who is entitled to the said property and what proportions?

Ans. From the evidence submitted before your Commissioner it appears that the partnership business above referred to was organized and owned jointly by W. F. Shivers and W. F. Cuffey, who were to share equally in the profits arising therefrom. However, your Commissioner is informed and herewith reports that there are more debts outstanding against this business than there are assets with which to pay same.

(4) What debts are outstanding against the said business?

Ans. Your Commissioner is informed and herewith reports that the following debts are outstanding against the said business namely:

An account due P. D. Gwaltney Jr. and Co.
Smithfield, Va., rent to May 23", 1928, \$38.00

An account due Standard Oil Co., of Norfolk-
Va., account 362.59

Bank of Smithfield, Smithfield-Virginia, a note of
500.00

The Morse-Parker Motor Supply Corporation Inc.,
of Portsmouth-Va. An account \$133.10
J. L. Warner and W. F. Moody, trading as J. L.
Warner and Co. Account of 27.99

- (5) All other matters deemed pertinent by him or which
shall^{be}/requested by any party in interest to inquire
into and report upon.

Ahs. Your Commissioner begs leave to report that further
than above set forth nothing was required to be re-
ported. However, your Commissioner believes it pert-
inent and herewith reports that it appears to be to
the best interest of the parties in interest to cause
a sale to be had of the property owned by the partner-
ship and the said partnership to be dissolved.
Very respectfully submitted-

Comm. fee \$...15⁰⁰.....

R. A. Edwards
.....
Commissioner in Chancery.

5
H. F. Lewis

vs. Cy #530

H. F. Coffey

Ann. In chancery Report.

Filed

May 31-1928.

R. A. Edwards.

clerk.

R. A. EDWARDS
COMMISSIONER IN CHANCERY
CIRCUIT COURT
ISLE OF WIGHT COUNTY
ISLE OF WIGHT, VIRGINIA

Commonwealth of Virginia,

To the Sheriff of Isle of Wight County—Greeting:

WE COMMAND YOU, That you summon

W. F. Cuffey

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 first Monday in April, 1928,
to answer a bill in chancery, exhibited against him
in our said Court by **W. F. Shivers**

And have then and there this writ.

Witness, R. A. EDWARDS, Clerk of our said Court, at the Courthouse, this 12th
day of March, 1928, and in the 151st year of the
Commonwealth.

R. A. Edwards Clerk.

Executed the within Subpoena this the 14th day of March
by serving a true copy of the same on W. F. Cuffey in person
within the County of Isle of Wight.

Sheriff

W. C. Whitford

2

W. F. Shivers

vs.

} CHANCERY NO. 530

W. F. Cuffey

ORIGINAL SUBPOENA

Virginia, Clerk's office of the Circuit
Court of the County of Isle of Wight.

Apr. 15th, 19*28*
Returned, entered and filed.

Teste:

N. A. Eames Clerk

To

15th Apr.

Rules

19*28*

W. W. Foreman,

p. q.

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

W. F. SHIVERS, COMPLAINANT.*
VS. * IN CHANCERY.
*
W. F. CUFFEY, DEFENDANT. *

To The Hon. B. D. White, Judge of said Court.

Your complainant, W. F. Shivers, humbly complaining, sheweth unto the Court the following case:

That he is, and has been a resident of the Town of Smithfield, Isle of Wight County, Virginia, for the last Forty years or more,

That during or about the month of June, 1927, your complainant entered into a co-partnership agreement with, and became a partner with W. F. Cuffey, the defendant in this suit, for the conduct of a certain automobile^{repair} and supply business under the style and firm name of "Peoples Garage", which said business has been conducted and managed by the said defendant since the time of said agreement, and the same is now being conducted in the said Town of Smithfield, Isle of Wight County, Virginia, on premises leased from P. D. Gwaltney and Company.

That it was agreed between your complainant and the said defendant, among other things, that each should share equally in the profits and losses of the said business and that the said defendant would give his entire time and attention to the conduct and management of said business, (your complainant having financed the same in its entirety and in addition placed the sum of Five Hundred (\$500) Dollars at the disposal of the said defendant to be used for the purposes of said business), and that each should use his utmost endeavor to promote the best interests of said business.

That for the last Two (2) months, or more, the said defendant

has been guilty of such conduct as tends to affect prejudicially the carrying on of the said business, in that he has permitted divers bills and accounts against the said business to remain unpaid although he has been in sole charge of said business ever since its establishment and has collected and used for his own personal benefit all of the profits and emoluments accruing therefrom.

That the said defendant has persistently committed breaches of the partnership ~~agreement~~ ^{and} agreement ^{and} otherwise so conducted himself in matters relating to the said partnership business that it is not reasonably practicable to carry on the business in partnership with him and that the business of the partnership can only be carried on at a loss, the said defendant having exhausted all of the Five Hundred Dollars placed at his disposal for the use of the said business and has not made any proper accounting to your complainant for same.

In tender consideration whereof, and for as much as your complainant is remediless in the premises, save in a Court of Equity where matters of this kind are cognizable, your complainant prays that W. F. Cuffey may be made a party defendant to this bill of complaint, and required, but not under oath, to answer the same, oath being hereby expressly waived; that the said partnership be dissolved and the assets of same be sold; that proper process be issued and all proper orders and decrees may be made, inquiries directed and accounts taken; that a ^{Receiver} ~~Special Commissioner~~ be appointed to wind up the affairs of the said copartnership business and to distribute the assets between your complainant and the said defendant as the interest of each shall appear; and that your complainant may have all such other, further and general relief in the premises as the nature of the case may require, and

to equity shall seem meet.

And your complainant will ever pray, etc.

W. J. Shivers
Complainant.

By: J. W. Foreman, p. q.

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

W. F. SHIVERS
VS. IN CHANCERY.
W. F. CUFFEY

BILL

W. W. Foreman
Attorney at Law
Attucks Building

Norfolk Virginia

*Filed - 3/17/28.
 N.A.E.*

3/17/28