

1873-029

SOUTHAMPTON COUNTY
CHANCERY PAPERS

HARRIS

vs. DUNN et al

7/1873

other surnames: Prince

Harris. S. N

7 } Stat. Rules

Dunn Y^d

In Southampton County Court.

Susan A Harris

against
Fortunatus Dunn & O. A. Prince

1872. April 17. Summons issued

" May 10. Sum not Ex? on Prince not Ex? on Dunn. New process to
Dunn. Bill filed D Nisi to Deft. Prince. New pro. to Dft Dunn

" July " Sum to Dft Dunn Ex: Bill taken for Confessed as to Dft Prince
D Nisi to Dft Dunn.

" Aug. Bill taken for Confessed as to Deft. Dunn & Cause set for hearing &c.

" " Or Decree for acct. &c

" Oct 5. Report

" " Or Decree for Sale &c

1873. July. Decree final

Oct 6. 1872.

lock

~~1867~~

113 69

3.00

Slip

~~300~~

10.00

Comm. T.

Saw

31.00

177.67

Warri Co-ch.

or 3 Bill Exhibits
3 — " —

Quinn &

1872 June Rules

J. B. Quinn p.g.
"

To the Hon Jos W. Dughaunt, Judge of the
County Court of Southampton - In Chancery,
Humbly complaining sheweth unto your
Honor, your oratrix, Susan H. Harris, that
at the 6th day of ^{May} 1869, at the May term
of the Circuit Court of Southampton
County, she obtained a judgment
against Fortunatus Dunn & V. A.

Exhibit A. Price for \$664.24 with interest from
April 19. 1866, and \$7.92 Costs, as will
more fully appear from a certified copy of
said judgment, herewith filed, marked A, and
prayed to be taken as part of this bill. That
upon this judgment, an execution of fifa
has issued & been returned "no effect," as

Exhibit B. will appear from a copy of said fifa
herewith filed marked B, and prayed to
be taken as part of this bill. That your
oratrix is informed & charges that the rents
& profits of the Real Estate of which the
Said F. Dunn is seized, will not satisfy
her demand in five years. That there is
nothing left, but the Real Estate of the Said
Dunn, upon which your oratrix can
proceed to enforce her judgment lien.
In tender consideration of all which, and
inasmuch as your oratrix is without remedy
in the premises, save in a Court of Equity, where
Matters of this kind are peculiarly cognizable,
to the end therefore that justice may be done

she prays that Fortunate Dunn & V. A. Prince
may be made parties defendant to this
bill, and compelled to answer the allega-
tions thereof. That an order may be entered
directing a Commissioner to inquire, and
report to Court the number and amount
of judgment liens of record and unsati-
fied against the said F. Dunn, with
their priorities, and also directing an
account of the fee simple and assessed
value of the Real Estate of which the
said Dunn is seized. And if the rents
proceeds of the same will not satisfy your
oratrix' demand in five years, that the
same may be sold. And that your
Honor will grant such other further &
general relief in the premises, as the
nature of her case may require and to
Equity may seem meet. and as in duty
bound, your oratrix will ever pray,
May it please the Court &c. -

J. B. Prince
"

Harris

is $\frac{1}{3}$ seven
seven

Aug 2nd 1842

To be entered.

J. W. Myerhart Judge.

Harris /
vs. B Deere.
Deere &

This day this Cause came on to be heard on the complainant's bill, which has been taken for confessed as to the defendants, exhibits filed, and general replication to said bill, and was argued by counsel. On consideration whereof the Court doth adjudge order and decree that a Commissioner of this Court take the following accounts viz. an account of all outstanding unsettled claims against ~~the said~~ ^{for the said} Deere, distinguishing their priorities; an account of the absolute & annual value of the real estate of which the said Deere is now seized. Which accounts the said Commissioner will audit & report to Court together with any other matters specially stated deemed pertinent by himself or which may be required to be so stated by any of the parties interested.

Southampton County Court, August Term 1872.

Susan A. Harris

vs.
Fortunatus Dand,

Self

Self

Intervention

This day this Cause came on to be heard at the Complaints
Bill which has been taken for confessed as to the Defendants,
Exhibits filed & general replication to said Bill,
& was argued by Counsel. On consideration whereof
the Court doth adjudge, Order and decree, that
a Commissioner of this Court take the following accounts;
viz. An account of all outstanding Uncollected
Claims against Fortunatus Dand, distinguishing
their priorities; An account of the absolute and
annual value of the real Estate of which the
said Dand is now seized; which accounts
the said Commissioner shall audit and report
to Court, together with any other matters
Specially stated deemed pertinent by
himself, or which may be required to
be so stated by any of the parties
interested.

Attest

Teste

James R. Tyler, C. C.

Harris

vs $\frac{3}{3}$ Reece.

Deem

Oct Term 1872.

To be entered.

J. W. Maynard
Judge

Harri
on 3 Decr.
Decr -

This day this cause came on to be further heard on the papers formerly read, and the report of Ammir Tyler, filed Oct 5. 1842, to which no exceptions have been filed, and was argued by Ammir. On consideration whereof, the Court confirming said report, and adopting the same as the basis of this order, doth adjudge order and decree that Wm. Buff, Sheriff of Southampton County, be & he is hereby appointed a special Commissioner for the purpose - That he sell to the highest bidder at public auction, after twenty days public notice of the time place & terms of sale, the Real Estate of which Fortunatus Decr is seized & possessed upon the following terms to wit: Cash to pay costs of sale & this suit, including an attorney fee to J. B. Prince of Fifty dollars - The balance on a credit of one, two & three years, Equal annual instalments, the purchaser to execute bonds with approved security, carrying interest from the day of sale, and the title to be retained for the deferred payments. And the said Ammir will return any bonds he may

take together with his report to Court.

Penchant County Court, October Term 1872.

Susan N. Harris
against
J. Dunn & J. A. Prince

Self: } Subpoena
Sept: }

This day this Cause came on to be further heard on the papers formerly read and on the Report of Commissioner Tyler, filed Oct. 5th 1872, to which no exceptions have been filed, and was argued by Counsel. On consideration whereof the Court confirming said Report and adopting the same as the basis of this Order doth adjudge, Order and decree, that Wm. W. Briggs Sheriff of Penchant County, be and he is hereby appointed a Special Commissioner for the purpose that he sell to the highest bidder at public auction, after twenty days notice of the time, and place, and terms of sale, the real estate of which Fortuneatus Dunn, is seized and proposed, upon the following terms, to wit, enough in Cash to pay Costs of Sale and this Suit, including an Attorneys fee to J. B. Prince of Fifty dollars, the balance on Credit of two, two and three years, equal annual installments, the purchaser to execute Bonds with approved Security, carrying interest from the day of Sale, and the title to be retained for the deferred payments. And the said

Commissioner via return day Bonds he may take together
with his Report to Court.

Chks	\$13.67
Shff	3.00
Com T.	10.00
Law	<u>51.00</u> \$77.67

Attest

Just

James R. Tyler, D.C.

Subsequent Costs

Chks	\$7.50
Shff	
Com T.	<u>10.00</u>

Harris

as.

Dunn & Co.

W. H. Harris

51

21 13

3

30.00

3

23

128 13

400

128.13

234 83

Harris

vs $\frac{3}{3}$ Deere
Dunn

Feb: Term 1843.

To be Entered.

J. W. Myerhart
Judge

Harris
vs ³ Deane
Dunn

This day this cause came on to be further heard on the papers formerly read and the report of Commisr. Briggs filed Jan'y 20. 1873; and was argued by counsel. On consideration whereof, and the Court adopting said report as basis of this order, doth decree that the same Commissioner expose the Real Estate in the proceedings mentioned to sale again upon the terms indicated in the decree of October Term 1872, filed in this cause, and make report to Court. And the Court doth further order that the account of Commisr. Tyler filed Oct. 5. 1872, be recommended, in order to take ^{proof} further debt and of any credit to which Fortunatus Dunn is entitled on the debts already reported; and the said Commisr. will audit & restate said account & report to Court.

Southampton County Court, February Term 1878.

Dusan et. Harris

Deft.

against

Fortunatus Denny V. A. Prince

Deft.

Influencing

This day the Cause came on to be further heard on the papers formerly read and the Rept of Commissioner Briggs filed Jan'y 20th 1878, and was argued by Counsel, on Consideration whereof and the Court adopting said Rept as the basis of this order, doth decree that the same Commissioner expose the real Estate in the proceedings mentioned to Sale again upon the terms indicated in the decree of Oct. Term 1872, filed in this Cause and make report to Court, and the Court doth further order that the account of Commissioner Tyler, filed Oct. 5th 1872, be recommended in order to take proof of further debts and of any Credits to which Fortunatus Denny is entitled on the debts already reported; and the said Commissioner make audit and rectify said account and report to Court.

Attest
Jest James R. Tyler, J.C.

Harri

vs E. Dices

Dunes

July Term

1873

To be entered.

J. W. Whitcomb

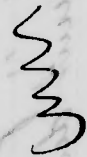
Judge

Harris

vs. 3 Shere.

Shere

This day this cause came on to be again heard on the papers formerly read, the report of Commr Briggs, reporting sale of real estate and execution of deed, and statement marked (A) distributing balance of real estate fund, among judgment creditors of F. Shere, according to their priorities, and was argued by counsel. On consideration whereof, the Court, confirming said report, to which no exceptions have been filed, doth a judge order & decree that the sale reported by said report to Warren Edwards, be declared firm & binding. And the Court doth further decree that W.W. Briggs, out of the balance in his hands, pay to W.E. Prince or his representative, the sum of \$189.83, with interest from July 29. 1873, to Pyle Shipin or their attorney, the sum of \$31.00 with like interest, to W. Russell or his attorney the sum of \$20.00 with like interest. And nothing further appearing necessary to be done in this cause, it is ordered to be removed from the docket.

Harris
vs. 
Harris

Statement
"A"

(C4)

Statement showing amount in hands of Amos Briggs, after paying taxes, costs &c. - and distributing said amount among judgment creditors according to their priorities.

Amount reported in report July 1873/ \$274.83

To paid tax acct.	\$29.00	
" " for this statement	5.00	
" amt due W. E. Price	189.83	
" " " Pyle & Liepelt	31.00	
" " " W. Russell.	<u>20.00</u>	<u>274.83</u>

July 29. 1873.

The Commonwealth of Virginia

To the Sheriff of Southampton County, Greeting:

WE COMMAND YOU to summon

J. Dunn & V. A. Prince

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

June next to answer a bill in Chancery exhibited against them in our said Court by Susan A. Harris

And have then there this writ. Witness, *James R. Tyler*
~~JOHN WHITE~~, Clerk of our said Court, at the Court-
house, this *17* day of *April* A., D., 1872. in the *96* year of
the Commonwealth.

J. R. Tyler by

April 27 1872 Presented by delivery an
Copy to V A Prince

Wm Woodruff Debb
For O H Riddell & Co
Gunnels co

Greenwell.

1872 June Rules
Dunn & Co
to 35 m. Chy
Davis

The Commonwealth of Virginia

To the Sheriff of Southampton County, Greeting:

WE COMMAND YOU to summon

J. Dunn & V. A. Prince

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

June next to answer a bill in chancery exhibited against them in our said Court by Susan A. Harris

And have then there this writ. Witness, *James R. Tyler* ~~OSWIN WHITE~~, Clerk of our said Court, at the Court-house, this *17* day of *April* A., D., 1872, in the *96* year of the Commonwealth.

J. R. Tyler

Not Executed

W. W. Briggs Shiff

Harris

v } Summ Chs

Summ H^d

1872 June Rules

Harris

Sum. Chy

Dunn J^r

1872 July Rules

To be executed on J^r Dunn only

Executed

W. W. Driggs shff

The Commonwealth of Virginia

^{again}
WE COMMAND YOU to summon

To the Sheriff of Southampton County, Greeting:

F. Dunn & N. A. Prince

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
July next to answer a bill in Chancery exhibited against them in our said Court by
Susan A. Harris

And have then there this writ. Witness, *JR Tyler* ~~OSWIN WHITE~~, Clerk of our said Court, at the Court-
house, this *4th* day of *June* A., D., 1872, in the *96th* year of
the Commonwealth.

JR Tyler

3

Harris }
P } Com: Notice
Dunn }

Essex
W. W. Wigg

COMMISSIONER'S OFFICE,

Jerusalem August 27 1872

TO

Susan A. Harris

Ref

against

Fortunatus Dunn

Left

You are hereby notified that I have fixed upon the 19th day of September 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:

An account of all outstanding uncollected liens against Fortunatus Dunn distinguishing their priorities.

An account of the absolute and annual value of the real Est of which the said Dunn is now seized. which accounts the Commissioner will audit and report to Court &c

required to be taken by a decree of Southampton ^{County} Circuit Court, rendered on the August 27 day of 1872 1872, 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.

Harris
21 { Report
Dunn

1873 Jan 21

In Obedience to a Decree of the County
Court of Southampton in the Chancery Suit of
Susan N Harris against Fortunatus Dunn, I
advertised the Tract of Land belonging to
Said Dunn Containing 330 Acres, and exposed
the said Land at Public Sale to the highest
bidder in the Town of Jerusalem on the 3^d Monday
in December 1832 (being Court day) and at the
^{Said} Exposure of Sale \$375.00 was the highest bid
made, and that Sum being less than three
fourths of the appraised Value of said Land, I
refused to sell the said Land.

Respectfully Submitted
to Wm Briggs Shiff &
Cory

January 20th 1833.

Haris
res. } Report of
Dand
Commisarius Tyler?
— " —

Oct. 5th 1872.

An account of all the outstanding uncollected liens
against Fortunatus Dunn distinguishing their privi-
leges: as follows

Wm S. Gordon vs Exo Saml Drury for Wm E Prince
v.

Fortunatus Dunn. Judgt for 284 26

Comp^d int. from 1 Jan'y 1861. to 1 April 1862 21 57

Int. from 1st April 1862 to 1 Octo 1872 179 08

Costs 8 15

Docketed Dec 25th 1866 } 493 06

//

Wm E Prince vs Fortunatus Dunn. Judgt for 57 64.

Int. from 11 Sept. 1861. to 1st Octo 1872 38 23

Costs 6 49

Docketed Dec. 25th 1866 } 102 36

Kind p.g. }

Above Judgt: obtained Nov. Term 1866

Pyle & Siegrist vs F. Dunn & J. G. Weeks late merchants &c
as Dunn & Weeks. Judgt for 380 19

Int from 25 July 1866 to 10 March 1868 37 07

417 26

Paid 10 March 1868 156 38

260 88

Int on same to 1st October 1872 71 34

Costs 9 11

Docketed Dec. 23rd 1867. } 341 33

Donnan p.g. }

//

W. Russell vs F Dunn & J. G. Weeks late merchants &c

as Dunn & Weeks. Judgt for 93 53

Int. on \$70.90 fr June 5-1866 to 10 March 1868 7 49

Int on \$22.65 fr July 5-1866 to 10 March 1868 2 37

103 41

Paid 10 March 1868 50 57

over

\$528 44 \$936 7.5

Armo brot over
 Int. from 10 March 1868 to 1 Oct 1872 32 84 \$936 75
 "Costs paid" 14 44 67 28
 Docketed Dec: 23-1867 }
 Chs p. q. 3

Above Judgt obtained Nov Term 1867

Jesse B. Vick vs Fortunatus Dunn ad Mary
 E. Nixton. Judgt for 33 78
 Int. from 1st August 1865 to 1st Oct 1872 14 52
 Docketed June 2-1868 } 48 30

Above obtained May Term 1868

Susan N. Harris vs Fortunatus Dunn & V. A. Prince
 Judgt for 664 24
 Int. from 19th April 1866 to Oct 1872 257 06
 922 30
 Cash paid Sept 18-1872 118 46
 803 84
 Costs 7 92 811 76
 Docketed May 12-1869 }
 Prince p. q. 3

Susan N. Harris ad Wm P. Harris
 vs Fortunatus Dunn. Judgt for 255 00
 Int. on \$150. fr 8th Nov 1861. to 1 Oct 1872 98 07
 Int. on \$105. fr 25th Dec ¹⁸⁵⁸ to 1 Oct 1872 86 68
 Costs 6 34
 Docketed Jan 5-1870 } Nov Term 1869
 Prince p. q. }
 Card up \$2310 38

Armo brot up \$2310 38
 Wm Prince vs Fortunatus Dunn. Judgt for 89 36
 Int. from 31st Dec-1863 to 1 Oct 1872 46 91
 Docketed Oct 2-1872 }
 Chs 3 136 27

Martha V. Grizzard vs F. Dunn Judgt for 89 36
 Int. from 31st Dec: 1863 to 1 Oct 1872 46 91
 Docketed Oct 2-1872 }
 Chs 3 136 27

Wm Prince, Rosa Henderson & Martha V. Grizzard
 vs Fortunatus Dunn. Judgt for 57 83
 Costs 57 83
 Docketed Oct 2-1872 }
 Chs Costs \$4.20 }

Rosa Henderson vs Fortunatus Dunn
 Judgt for 89 36
 Int from 31st Dec: 1863 to 1st Oct 1872 46 91
 Docketed 2 Oct 1872 }
 Chs 3 136 27

Above Judgt obt^d May Term 1869
 Total \$2741 02

Respectfully Submitted
 James R. Byers
 Clerk

"B"

An Account of the absolute and annual value of the
real Est. of which Fortunatus Dunn now seized

	Absolute Value	Annual Value
low tract of 320 acrs. purchased of Levi C. \$960 00	\$960 00	\$75 00
Waller		

Commissioners Office
Jerusalem Oct 5th 1872

To the County Court of Southampton County
Pursuant to a decree of the county court of Southampton County
rendered at the August Term 1872. in a suit in Chancery de-
pending in said court between Susan S. Harris and Fortun-
atus Dunn, the undersigned one of the commissioners of said
court to whom was referred for settlement by said decree the
following accounts to wit:

1st An account of all outstanding uncollected liens against
Fortunatus Dunn distinguishing their priorities
2nd An account of the absolute and annual value of the
real Est. of which the said Dunn is now seized, which
account the Commissioner will audit and report to court &c &c
reports to the court that on the 27 day of August last. he issued
notices against the several parties aforesaid; requiring them
to attend the settlement of said accounts. before him at
his said office on the 19th day of September 1872 which
were returned to apr. Commissioner duly executed. That
the parties aforesaid appeared (by attys) before the Commissioner
in obedience to said notice and he thereupon examined
stated and settled the foregoing accounts up to the 1st day
of October 1872. and on that day ^{finds the sum} to be \$2771.02 including
interest and costs. also an account of the absolute and
annual Value of the real Est. of said Dunn; which is
marked B. The Commissioner states nothing
Special. The Commissioner further reports to the court.
that after the completion of the said ap. he retained the
same in his said office ten days for the examination of
the parties. which with the decree and notices are now
with returned.

Given Under my hand as Commissioner aforesaid the day
and year first aforesaid.

James R. Tyler.

Comm: fee \$10.00
Clerks " \$5.00

Harri

to { Report Com. Tyler

Dund.

1873 March 3^d

An Account of all the outstanding uncollected liens against
 Fortunatus Dunn distinguishing their priorities as follows.

To Wm S. Gooding Exor of Saml Drury for Wm E Prince

Judgt. T. F. Dunn for 284 26

Comp^d int^r from 1 Jan'y 1861. to 1 April 1862 21 57

Int. at 6 p.c. fr 1^o Apr 1862. to 21 Feby 1871 152 55

Paid Dec 1/70 \$50. Jan'y 5/71 \$25.32. Feby 24/71 \$58.99

Making in all \$ 134, 31

Int. from 21 Feby 1871. to 4th Jan'y 1872. 14 82

Paid Jan'y 3/72 \$53.37. Jan'y 4/72 \$45.00. \$100.37 473 20

234 68

Int on same fr Jan'y 4/72. to 7 Nov 1872 11 92

Paid Nov 7/72 \$50. Apr 22/72. \$40. 90 00

Int. fr Nov 7/72. to Jan'y 10/73 1 60

Paid Jan'y 10/73 85 00

Int. on same to 1 March 1873 77 04

Costs 65

Debit'd Dec 25/66 85 84

To Wm E Prince & F Dunn Judgt for 57 64

Int from Sept 11/61. to March 1/73 39 86

Costs 6 49

Debit'd Dec 25/66 103 99

above Judgt obtained Nov. Term 1866

over

\$189 83

To amt but for		\$189 83	
To Pyle & Siequist & F. Dunn & J. G. Harts	Judgt for	380 19	
Int: from July 25/66 to March 10/68		37 07	
		417 26	
Paid March 10/68		156 38	
		260 88	
Int. ensam to March 31/68.		91	
		261 79	
Paid March 31/68		186 14	
		75 35	
Int. on same to March 1/73		22 60	
Costs		9 11	
Deuman pg	Docketed Dec 20/67.		107 06
To W. Russell & F. Dunn & J. G. Harts		Judgt for	43 53
Int. on \$75 ²⁰ fr June 5/66. to March 10/68			7 49
Int. on \$12 ⁶⁵ fr July 5/66 to March 10/68.			2 37
		103 41	
Paid March 10/68		50 57	
		52 84	
Int. ensam fr 10/68 ^{mt} to March 1/73		15 76	
Costs paid.			68 60
ch. pg	Docketed Dec 25/67.		
above Judgt obtained Nov. Term 1867			
To Jesse B. Vick & F. Dunn adm Mary E. Norton		Judgment for	33 78
Int. fr August 1/65 to March 1/73			15 36
Docketed June 2/68.			49 14
Judgt obtained at May Term 1868			\$414 63
over			

Am: but up		\$414 63	
To Susan A. Harris & F. Dunn & V. A. Prince	Judgt for	664 24	
Int: fr April 19/66. to ~~Sept 18/72~~ March 1/73		261 66	
		925 90	
Paid Sep 18/72		\$118.46	
" an other time		96.71	
		214 17	
Costs		7 11 73	
Prin pg (Docketed May 12/1869		7 92	
			719 6 5
To Susan A. Harris ad & Com P. Harris			
to F. Dunn. Judgt for		255 00	
Int. on \$150. ²⁰ fr Mar. 8/61. to March 1/73 (102.20)		107 24	
Int. on \$105. ²⁰ fr Dec 25/58 to March 1/73		89 30	
Costs		6 51	
Prin pg	Docketed Aug 5/70		453 0 8
obtained Nov. Term 1869			
To Wm Prince & F. Dunn Judgt for		89 36	
Int. fr Dec 31/63 to March 1/73		49 14	
			138 50
ch. pg	Docketed Oct 2/72		
To Martha L. Gizzard & F. Dunn Judgt for		89 36	
Int. fr Dec 31/63 to March 1/73		49 14	
			138 50
ch. pg	Docketed Oct 2/72		
To 10 th Prince, Rosa & Henderson & M. V. Gizzard.			
to F. Dunn Judgt. for		57 38	
Docketed Oct 2/72		4 20	55 58
Costs			\$1919 9 4

"B"

An Account of the absolute and annual value of the real Estate
of which Fortander Dunn, now seized

			Absolute Value	Annual Value
To	Ans: Int. on	\$1917 94		
	Rosa Henderson to B. Dunn Indgt for	89 36		
Ch. p. g.	Int. fr Dec 31/63 to March 1/73	<u>49 14</u>		
		138 50		
	one tract of 300 acres purchased of			
	Lewis C. Waller		\$760 00	75 00
	above Indgt obtained May Term 1869			

Total \$2058 44

Respectfully submitted
James R. Tyler. Cor.

Respectfully Submitted
James R. Tyler

Commissaries Office
Jerusalem March 1st 1873

To the County Court of Southampton County

Pursuant to a decree of the county and of Southampton County rendered at the August Term 1872, in a suit in chancery pending in said Court, between Susan W. Harris and Fortunatus Dunn, the undersigned one of the Commissaries of said Court to whom was referred for settlement by said decree the following accounts sent

1st An account of all outstanding uncollected liens against Fortunatus Dunn distinguishing their priorities,

2nd An account of the absolute and annual value of the real Est. of which the said Dunn is now seized which accounts the Commissaries will audit and report to Court &c. reports to the Court that on the 27 day of August last he issued notices against the several parties aforesaid requiring them to attend the settlement of said accounts before him at his said office on the 19 day of September 1872 which were returned to your Commissaries duly executed. That the parties aforesaid (by attorney) before the Commissaries in obedience to said notices and he thereupon examined stated and settled the foregoing accounts up to the 1st day of March 1873 and on that day find the amo. to be \$2085.44 including interest and costs, also an account of the absolute & annual value of the real Est. of said Dunn which are marked B. The Commissaries state nothing special. The Commissaries further reports to the Court that after the completion of the said case he retained the same in his office ten days for the examination of the parties, which with the decree and notices are herewith returned,

Given under my hand as Commissaries aforesaid the day and year first aforesaid

James R. Tyler

Commiss. fee \$10.-
Clk. 5.-

Harris
21
25 } Report
Dunn

1873 July Term

In Obedience to a Decree of the
County Court of Southampton rendered
at October Term 1852 in the ^{Chancery} suit of
Susan H Harris against Hortenatus Dunn
I advertised the Tract of Land belong-
ing to said Hortenatus Dunn containing
380 acres more or less; according to
the directions of said decree, and
exposed the same at public auction
to the highest bidder in the Town of Jerusalem
on the 3rd Monday in December
(being Court day) and at the said
exposure of said land less than $\frac{3}{4}$ the
appraised value of said Land was bid,
which was the highest bid made, and
I refused to sell said Land and
so reported to Court; And in obedience
to another decree in the same Court
in same suit rendered at February -
1853, I advertised said Land, again
according to the directions of said
decree, and sold the same to the
highest bidder in the Town of Jerusalem,
on the 3rd Monday in June 1853 and
at the sale so made Warren Edwards
became the purchaser by bidding therefor
the sum of Four Hundred dollars,
and paid the said sum of \$400.00 in
Cash, and I executed to the said
Edwards a Deed with Special Warranty.
I paid Costs of suit & Expenses of executing
decree as follows: For Principally Fifty
one dollars; Clerk of Court \$21.17 Stff \$3.00

Send Tyler \$20⁰⁰ and Auctioneer \$3.⁰⁰
My Commissions \$17.⁰⁰ and ~~\$5.⁰⁰~~ for
writing Deed to Purchaser - and
retained \$5.⁰⁰ to pay future costs of
suit - making in all \$125.¹³, leaving
a Balance in my hands of Two Hundred
& Seventy four $\frac{13}{100}$ dollars to be distributed
to Creditors:

Respectfully Submitted

W. C. Briggs. Com)

Harris Susan A.

Susan A. Harris,

1872

To James R. Tyler, Commissioner
Oct. To Report in case of Harris vs. Turner, \$10.00

James R. Tyler,
Commissioner

Harris Susan A.

Susan A. Harris

1873

To James R. Tyler, Commissioner Do.
March 3^d. To Making up Report in the Case of
Harris vs. Tunc

\$10.00
James R. Tyler, Commissioner

Received June 24. 1873 of Wm. Briggs,
Commiss in Chancery Suit Harriss & de
vs Deane - Fifty Dollars, fee in said
suit directed to be paid by decree.

J. J. Purine atty

A

Harris

to } Exch. with bill.

Dunn J^d

Southampton Circuit Court May 6. 1869

Susan K. Harris ~~adm. of H. P. Harris~~
against
Fortunatus Dunn & V. A. Prince

Plff } In Debt.
Deft. }

This day came the parties by their attorneys and the Defendants withdrawing their former pleas acknowledge the Plaintiffs action for the debt in the declaration mentioned with legal interest thereon from the 19th day of April 1866 till paid and the Costs -
Therefore it is considered by the Court that the plaintiff recover against the Defendants Six hundred and sixty four dollars twenty four Cents the debt in the declaration mentioned with legal interest thereon from the 19th day of April 1866 till paid and her costs by her about her suit in this behalf expended
Plffs Costs \$ 7. 92.

Docketed. May 12th 1869

Attest

Teste J. R. Tyler Clk

B-

Harris

to } Ex. with bill

Dunn & Co

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

We command you that of the Goods and Chattels of *Fortunatus Dunn & V.A. Prince* —

late of your bailiwick, you cause to be made *Six hundred Sixty four dollars twenty four cents with legal interest thereon from the 19th day April 1866 till paid which Susan A Harris*

lately in our *Circuit* Court of Southampton County has recovered against *Them* as well for a certain debt as for interest thereon, also the sum of *Seven* Dollars and *92* Cents, which to the said *Harris*

in the same Court were adjudged for *her* costs in that suit expended, whereof the said *Dunn & Prince* are convict as appears to us of record; and how you shall have executed this writ make known at the Clerk's Office of our said Court, at the rules to be holden for said Court on the first Monday in *August* next, and have then there this writ

Witness, *Brown White* JAMES R. TYLER, Clerk of our said Court, at the Court-House, this *16* day of *June* 18*69*, in the *93^d* year of the Commonwealth.

Brown White

Sheriff's Endorsement & Return, to-wit: - "Came to hand 11 O'clock 30th June '69
W. Goodrich D. Shiff

18 July '69. Executed by levying on the following property: 1 yoke Oxen, 8 head
cattle, 21 head hogs, 1 Wagon, Cart, Buggy, 3 plows & gear, 1 Desk, 1 Bed,
1 Sofa, 1 Carpet, 1 Stove, 1 Bureau, looking glass, 10 Chairs, 1 press, 2 clocks,
1 Wardrobe, 1 table.

Thos W Goodrich D Shiff

J. N. Bidwell Shiff
Brunswick Co. Va.

'Held up by order plffs atty. Thos W Goodrich D Shiff'

Attest, Teste J. R. Taylor Clk

B-
Harris }
Ex with bill }
Dunn J^r

Harris

~ { Copy. Bill

Dunn Jr

To the Hon^r for W. Arguham, Judge of the County Court of
Southampton - In Chancery, Humbly Complaining sheweth unto your
Honour, your oratrix, Susan A. Harris, that at the 6 day of May 1867,
at the May term of the Circuit Court of Southampton County, she obtained
a judgment, against Fortunatus Dunn & V. A. Pierce for \$664.24 with
interest from April 19, 1866, and \$7.92 Costs, as will more fully appear
from a certified copy of said judgment, herewith filed, marked A, and
prayed to be taken as part of this bill. That upon this judgment, an execution
of five. has issued & been returned "no effects" - as will appear from
a copy of said five herewith filed marked B, and prayed to be taken
as part of this bill. That your oratrix is informed & charges that the rents
& profits of the real estate of which the said S. Dunn is seized, will not
satisfy her demand in five years - That there is nothing left, but the real
estate of the said Dunn, upon which your oratrix can proceed to enforce
her judgment lien. In tender consideration of all which, and inasmuch as
your oratrix is without remedy in the premises, save in a Court of Equity,
where matters of this kind are peculiarly cognizable, to the end therefore
that justice may be done she prays that Fortunatus Dunn & V. A. Pierce,
may ~~be~~^{be} made parties defendant to this bill, and compelled to answer
the allegations thereof. That an order may be entered directing Commissioners
to enforce and report to Court the number and amount of judgment
liens of record and unsatisfied against the said S. Dunn, with their
priorities, and also directing an account of the fee simple and annual value
of the real estate of which the said Dunn is seized - and if the rents
& profits of the same will not satisfy your oratrix's demand in five years,
that the same may be sold - and that your Honour will grant such other
further & general relief in the premises, as the nature of her case may
require and to Equity may seem meet - and as in duty bound, your
oratrix will ever pray, May it please the Court &c.

S. A. Harris pr. g.
"

Southampton Circuit Court May 6 1869
Susan N. Harris

against

Fortunatus Dunn & V. A. Pierce

Plff

In Debt
Def.

This day came the parties by their attorneys and the Defendant with drawing their former pleas acknowledge the Plaintiffs action for the debt in the declaration mentioned with legal interest thereon from the 19th day of April 1866 till paid and the Costs.
Therefore it is considered by the Court that the plaintiff recover against the Defendant six hundred and sixty four dollars twenty four cents the debt in the declaration mentioned, with legal interest thereon from the 19th day of April 1866 till paid and her costs by her about her suit in this behalf expended.

Plffs Costs \$7.72.

Docketed May 12th 1869

Attest

John I. R. Sykes atty.

The Commonwealth of Virginia,
To the Sheriff of Southampton County - Greeting:
We command you that of goods and chattels of Fortunatus Dunn & V. A. Pierce - late of your bailiwick, you cause to be made six hundred & sixty four dollars twenty four cents with legal interest thereon from the 19th day April 1866 till paid which Susan N. Harris - lately in our Circuit, Court of Southampton County has recovered against them as well for a certain debt as for interest thereon, also the sum of Seven Dollars and 72 - Cents, which to the said Harris, in the same Court were adjudged for her costs in that suit expended, whereof the said Dunn & Pierce are & convict as appears to us of record; and how you shall have executed this writ make known at the Clerk's Office of our said Court, at the ~~to be~~ rules to be holden for said Court on the first in August - next; and have them there this writ witnessed, Oswin White, Clerk of the Court, at the Court House, this 16th day of June 1869, in the 48th year of the Commonwealth.

Oswin White atty.

Sheriffs Endorsement of Return. to wit - "Came to hand 11 O'clock P.M. June 6th 1869
W. Goodrich D. Shuff.

18 July 69 - Executed by laying on the following property - 1 Yoke Oxen, 8 head Cattle, 2 head hogs, 1 wagon Cart, Buggy & harness & gear, 1 Desk, 1 Bed, 1 Sofa, 1 Carpet 1 Stove, 1 Bureau, looking glass, 10 Chairs, 1 press, 2 Clocks, 1 Wardrobe, 1 Table.

Thomas H. Goodrich D. Shuff.

O. H. Bidwell shff

Greenville Co. Va

Held up by order plffs atty.

Thomas H. Goodrich D. Shuff.

(Attest Test James L. Sykes & Co)