

City Assets Com^d him^d

✓
Hinds & Son

Statement of Facts
as instrms for De^{ce}

The accuracy of these a/c is not admitted & the Drfts ¹⁰² ^{HL02}
strongly object to some of the items ^{clered therein} in them.

On the 5th Oct. Messrs Hinds & Son consulted
the S^{rs} Messrs R & Co & the follow^g correspond^{ce} passed betⁿ
them & Messrs Dickorish & Bellord.

(Copy correspond^{ce})

x P^rid^r A. ^{in the course of}
~~On the 1st Nov. Messrs R & Co had an interview with P^lts S^r & Co
wch they practically ad^med Drfts right to set off £100 ag^t their claim but contnd
that the terms of sett^l limited his right to that sum. With this view Messrs R & Co did not agree.~~

On the 7th Nov. the City Assets Co^{rs} him^d issued a
Writ ag^t Hinds & Son quoc^h the follow^g is the
the Statem^t of claim & parlans end^d being as
follows.

(Copy Statem^t & parlans)

The Drft^r
of Messrs Hinds ^{under the terms of Sett^l} claims the right to set off ag^t
the am^t ^{ow^d} to him by Rollope the whole of the sum
sued for & contnds that the P^lts co^{rs} only take
the assum^t they did subj^t to all the equities
then exist^g. Or in the alternative he claims the
right of to set off ^{amount of £103.2.5} for those a/c^s wch are for work
done upon his own prop^{ty} & as to the rest of the sum

he says contends that Hinds & Son ^{contend they} are
mere Agents & that Pltfs must can only
recover from the Spals ^{asst whom the a/cs are made out &} to whom ~~individually~~
they must give express not. of the amount
of th^r debts.

Pl is req^d to advise wheth^r ^{the debt or in} he considers
~~any one can be held liable for a business under the cases that are in law~~
~~against Hinds & Son & if not what Hinds & Son are liable for~~
~~mess^{rs} Hinds & Son have a good defence to the~~
whole claim or if not to any & what part thereof
& to draw statem^t of defence accordingly.

- X they have been redeliv^d & made out to
Hinds & Son & the Co^y now apparently
- X ~~was~~ ~~sub~~ ~~to~~ ~~be~~ ~~made~~ ~~out~~ ~~to~~ ~~Hinds~~ ~~&~~ ~~Son~~ ~~as~~
with a view, it is presumed; if possible
their debts ~~are~~ ^{to} ~~be~~ ~~made~~ ~~out~~ ~~to~~ ~~them~~ ~~by~~ ~~the~~ ~~defeat~~
~~which~~ ~~the~~ ~~Co^y~~ ~~Hinds~~ ~~&~~ ~~Son~~ ~~could~~ ~~claim~~
it is assumed that ~~the~~
defeat has against them

The total amount of the a/c's ref'd to in the last list is £159. 15. 7 altho it will be obs'd the Pltfs only claimed £153. 15. 5. & the amount sued for is £161. 2. 10. ^{the Drfts have no knowledge} tho' how this latter amount is made up ~~is unkn~~

Of those a/c's the follow'g are in resp't of work done upon prop's belong'g to the Drft. Step^u Hinds & the o^{rs} ~~(except the first few) nothing is known / are for work~~

Vir:	9 Peter Street	1. 12. 7
	Hinds & Son	3. 4. 2
	56 Strand	4. 0
	Lomea Ho:	2. 14. 8.
	1 Strand	8. 6. 6.
	Clawtham Villas	8. 15. 4
	163 Beach Street	24. 0. 0
	57 & Russel Terrace	13. 1. 11
	6 Russel Terrace	34. 8. 3.
	7 & 8 Russel Terrace	6. 15. 0
		<u>£103. 2. 5.</u>

103. 2. 5
 15. 10. 10
 3. 18. 4
 122. 10. 9

The a/c's ^{of £16. 15. 9} at Miller Sth Drfts know nothing about 16. 15. 9
 & the o^{rs} ~~are for~~ ^{amount} 119. 18. 2
39. 17. 5
£159. 15. 7

are for work done upon prop's under their control & unimp'd

City Assets Co? Ltd

✓
Hinds & Son

The above Action arises out of certain inter transactions between James Rollope of Lower Walmer Kent Builder & Stepth Hinds of Lower Walmer Estate Agent. On the 3rd Nov. 1850 Hinds issued a Writ agst Rollope for recovery of £4184.1.9 the am^t of ppal & int^l then due to him. the Statem^t of claim & particulars being as follows.

Copy end^t on Writ

After serv^{ic} of the Writ & before P^lt^f was in a position to sign Judgment recognitions were ent^d into for a stay of p^{ro}cs & ultimately terms were arranged as follows

Copy terms of P^lt^f

Altho' the terms of Sett^t were not strictly adhered
to the Pltff took no fur. steps in the act. believ^g that
Def^t meant to act up to them in the main
The £200 expressed in clause 2 of the ^{terms of Sett^t} agreement was paid by ^{and of partly by def^t party} all
Mrs^{rs} Hinds & Son have colled the rents of the prop^{ty}
compr^d in Pltff's sec^s (except the Brickfield Grove Ho:
& Workshops in Spod Road) ^{in the case of the Defendant ~~the~~ ~~land~~ ~~and~~ ~~the~~ ~~land~~} in accordance with Clause
3 of the terms of Sett^t.

Def^t has not paid the ocean rent ref^d to in clause
4 or any part thereof nor has he paid the Royalty
on bricks or rendered any ac^t of the turn out as
prov^d by clause 5 nor paid any attention to clauses
6 & 8 but on the contrary ~~by~~ assigned to the City
Assets Com^{rs} on 17th Aug^t 1899 the am^t sum of £153.15.0
~~being the alleged am^t due from Hinds & Son.~~

Mrs^{rs} Hinds & Son are a firm of Auct^{rs} & House & Est^{ts}
carrying on business at Coalbrookdale. The firm consists of
Agents, ~~Consist^g~~ of Mr. Stephⁿ Hinds (the Pltff in the before
The former owns considerable Ho: prop^{ty} in the
ment^d action) & his son Mr. Edw. Hinds. They have
a firm

Helling. ^{Large no. of}
 the management of a considerable amt. of Hos
^{Deal +} prop^y in Walmer ~~in the summer season do~~
 are ord^d by them & charged to the var^s Clients fit
~~large bills in lett^r furn^d houses~~
 was the intention of the pties ^{as evidenced by the terms of lett^r} that ^{where} these repairs
 were carr^d out by Rollope ^{the amt^t of the} bills sh^d be set off agst the ~~sum^t ord^d~~ ^{by him}

On 17th Aug^t 1891 Messrs Hinds & Son rec^d ~~the follow^g~~
 a tre from Messrs Hickish & Bellord ~~of the follow^g~~
^(copy tre of that date)
 the amt^t ord^d by them to Rollope amount^g to £153.15.5
 had that day been assigned to the Clients the City
 Assets Co^y him^d task^d for a cheque for the amt^t as
 rec^d of which they wo^d hand over a cheque for £50
 the amt^t owing to Hinds & Son by Rollope ^{presumably}
^{The £50 therein referred to presumably for} ^{Christiansburg & Newport Road}
^{represented a 1/2 year's occat rent of the Brickyard from the}

Rollope on 11th Sept^r last ^{filed} presented his Petition in
 the London Bankruptcy Court & a Rec^d Order was made
^{the was served 25th Sept^r adj. on 13th Sept^r.}

On the 24th Sept^r Messrs Hinds & Son rec^d the follow^g

tres
 -

copy tres.

re Hinds + Mallopo.

9 Peter Street	1. 12. 7.
Hinds & Son	3. 4. 2.
88 Strand	4. 0.
Lomea House	2. 14. 8
1 Strand	8. 6. 6.
Annwilliam Villas	8. 15. 4
163 Beach Street	24. 0. 0
5 + 6 Russel Terrace	13. 1. 11
6 Russel Terrace	34. 8. 3
6 7 + 8 Russel Terrace	6. 15. 0
	£103. 2. 5
Miller B ²	16. 15. 9
	£119. 18. 2.

Actual amount of a/cs 159. 15. 7

Amount claimed 153. 15. 5

Difference £ 6. 0. 2

Amount claimed 153. 15. 5

Less Amount due on h² Hinds on a/c 103. 2. 5

Leaving on a/cs incurred to Miller B² £ 50. 13. 0.
his Order 16. 15. 9.
 £33. 17. 3.

Hinds at City Asss't Co^r

Particulars of a/c^s due from
H. S. Hinds & from Clients
of Hinds & Son
