

1767-003 SOUTHAMPTON COUNTY
CHANCERY PAPERS

BOOTH VS. JORDAN

3/1767

Booth }
Jordan } Bell
 } Chan

To the worshipful court of Southampton county sitting in chancery
Humbly complaining

Sheweth unto your worship your orator Arthur Booth of this county That on or about the ~~year~~ ~~last~~ ~~one~~ ~~then~~ twentieth day of October one thousand seven hundred and fifty one William Jordan of the said county being indebted to your orator in the sum of twenty pounds for so much lent and advanced by your orator to the said William Jordan and in order to secure the repayment of the same ^{with lawful interest} to your orator the said William Jordan did ~~propose~~ mortgage to your orator by Indenture of Mortgage bearing date the twentieth day of October one thousand seven hundred and fifty one and made between the said William Jordan of the one part and your orator of the other part the said William Jordan for the securing the payment of twenty pounds with interest thereon as also for and in consideration of the sum of five shillings to him in hand paid by your orator did bargain and sell alien release enfeoff and confirm to your orator All that plantation Tract or parcel of Land then in the tenure and occupation of the said William Jordan and whereon he then lived situate lying and being in the parish of Hottoway and county aforesaid and on the south side of the highroad ^{way} ~~containing~~ one hundred and ninety acres ~~to~~ the same more or less and bounded according to the most known ancient and reputed bounds thereof being the land which descended and came to the said William Jordan as son and heir of one John Jordan deceased To have and to hold the said tract or parcel of Land and premises unto your orator his heirs and assigns to the only proper use and behoof of your orator his heirs & assigns forever subject nevertheless to a proviso or condition for redemption in the said Indenture of mortgage contained that if the said William Jordan his heirs executor or administrators did and should well and truly pay or cause to be paid unto your orator his heirs or assigns the aforesaid twenty pounds at or before the twentieth day of October which should be in the year of our Lord one thousand seven hundred and fifty five with lawful interest thereon to be computed from the day of the date of the said indenture of mortgage until the same should be fully satisfied and paid in manner set forth in the said indenture of mortgage duly executed by the said William Jordan now in your orator's custody and ready to be produced in this worshipful court that direct and to which your orator for greater certainty refers himself may or may not fully and at large appear And your orator charges that the said sum of twenty pounds and interest or any part thereof was not paid to your orator or any other person on his debt according to the said proviso in the said indenture of mortgage contained at the time therein mentioned or at any other time but the said sum of twenty pounds is now due and owing to your orator together with all the interest accrued thereupon the same and your orator well hoped that the said William Jordan would either have paid your orator the said twenty pounds ~~of~~ the interest thereof or would have suffered your orator to have quietly held and enjoyed the mortgaged premises and for that purpose hath applied himself in a friendly manner to the said William Jordan and requested him to pay the said twenty pounds and the interest due for the same or else deliver up possession quietly to your orator of the said mortgaged premises and all writings concerning the same and to release all his right and equity of redemption in the same premises to your orator and his heirs which reasonable request your orator well hoped the said William Jordan would have complied with as in Justice and equity he ought to have done But now so it is may it please your worship that the said William Jordan refused to deliver up possession of the mortgaged premises to your orator ~~and~~ to pay your orator the said twenty pounds and interest or to release his equity of redemption in the mortgaged premises to your orator all which acting and doing are contrary to equity and good conscience and tend to your orator manifest wrong and injury In tender consideration whereof and for as much as your orator cannot foreclose the equity of redemption of the said mortgage premises but in a court of Equity where matters of this nature are properly cognizable

To the End therefore that the said William Jordan may upon his corporal oath true full
and perfect answer make to all and singular the premises as fully and particularly as if
the same were here again repeated and interrogated And that the said William Jordan may
be decreed to pay and satisfy to your orator the said twenty pounds and all interest due and
to grow thereon by a short day to be appointed by this worshipful court together with
your orator costs and in default thereof that the said William Jordan and all persons
claiming under him may be foreclosed of and from all equity of redemption in and to
the said mortgaged premises and every part thereof and that your orator may have full
further or other relief in the premises as shall be agreeable to equity and good conscience
May it please your Worship &c

Booth
Jordan
Belle
Jehan

Booth }
Jordan } John
 } Chan

~~Revised text~~

Not found

Oct 66

N Spa

Not
even agreed

George the third by the grace of god of Great Britain France
and Ireland King defender of the faith &c To the sheriff of Southampton
County greeting We command you that you summon William
Jordan to appear before our justices of our said county court
at the courthouse on the second Thursday in December next
to answer a bill in chancery exhibited against him by Arthur
Booth and that he shall in no wise omit under the penalty
of £100 and have then there this writ witness R. Wells clerk
of our said court at the courthouse the 20th day of Nov^r
in the seventh year of our reign

R. Wells
Clerk

Booth }
Jordan } Spain
Chan.

Reinhabitants

George the third by the grace of God of great Britain
France and Ireland king defender of the faith &c To the
sheriff of Southampton county greeting We command
you that you summon William Jordan to appear before
our justices of our said county court at the courthouse
on second Thursday in January next to answer a bill
in chancery exhibited against him by Arthur Booth
and this he shall in no wise omit under the penalty
of 100 £ and have then there this writ witness Richard
Hells clerk of our said court at the courthouse the 11th
day of December in the seventh year of our reign

Richard Hells