1787-008
Southampton County

Chancery Papers: Joyner's committe vs Carstaphen

8/1787

see also: Joiner vs Carstaphen 1791-002

other surnames: Joiner, Bowen, Bradshaw

To the worshipful justices of Southampton county sitting in Chancery

Humbly complaining shew unto your Worships your Orators Lewis Joyner. Arthur Bowen & Joseph Bradshaw Committees duly appointed for and on behalf of Lawrence Joyner. a person of unsound mind That for a considerable time last past the said Lawrence by a long series of illness. & by the Visitation of God. he was rendered quite unfit for the transaction of his common affairs & of conducting them for the advantage of himself & family that whilst he laboured under this infirmity. of mind & body he was guilty of diverse acts of ~~waranady~~ of extravagance indicating an unsound mind, that Complaint was made & it appeared to this Court. by the testimony of diverse Witnesses. that these circumstances were founded in truth the Court directed that your Orators. should take care of the person & estate of the said Lawrence Joiner. they further shew that in prosecution of this trust. they discovered that the said Lawrence Joiner labouring under the insanity aforesaid had. Sold & conveyed. one negro named. part of his property at the request of one John Carstaphen. to him the said Carstaphen for a price greatly inferior to the real value of the said negro. to wit for the Sum of. that as your Orators. conceived some fraud or imposition had been practised on the said Lawrence in the purchase & delivery of the said Slave they consistent with the duty of their appointment made application to the said John Carstaphen & represented to them the unreasonableness of such a Contract & requested him to rescind the same & deliver the said Negro to your Orators. to be by them applied to the use & benefit of the said Joiner his wife & family But now so it is may it please your Worships that. notwithstanding the friendly applications of your Orators in behalf of the said Joiner and altho' the several circumstances above set forth. were

Lawrence Joiners Committees
vs
Carstaphen -
Bill

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Dem'd & spec'd

intimately & perfectly known to the said Carstaphen. verified by the circumstance by her being the person who gave information to the Court of the wild extravagant. Vicious conduct of the said Joiner yet he most unjustly persists in the validity justness & legality of his Contract. & is determined to avail himself & actually has since sold the said Negro. for a much greater Consideration and transportes him out of the State. & positively refuses to comply with any reasonable demands that have been made on that Subject — All which your Orator Charge is contrary to Equity & good conscience In tender. considerations and forasmuch as the aforesaid Contract if any was founded in fraud & the particulars of it within the knowledge only of the said Carstaphen. & therefore from every circumstance attending the same property cognizable in this Court. To the end therefore that the said John Carstapher may upon his corporal oath full true & perfect Answer make to all & singular the allegations of this bill and that as fully & particularly as if the same were again repeated & interrogated. And that this Court will Decree that the aforesaid Contract made by the said Lawrence Joiner & John Carstaphen. for the Negro Slave. aforesaid be set aside & vacated. & the said Slave redelivered to your Orator for the use of the said Joiner his wife & children or that the said John Carstapher be compelled to pay to your Orator for the purposes aforesaid the real true & intrinsic value of the said Slave with interest thereon be paid or that this Court will make such further or other Decree as may be consistent with Equity & Justice for the relief of the said Lawrence Joiner & in confirmation of their former order for your Orators appointment. May it please the

Kello for Compt

Joyner &c
vs.
Carstaphen

Ina
in
Chan

Dec
Time to consider
Any Rule to file
bill.
Mar 1787
Decr Dismissed
Costs

Dismissed

Joyner Clk

The Commonwealth of Virginia To the Sheriff of Southampton County

We Command you that you Summon John Carstaphen to appear before our justices of our said Court in Chancery at the Courthouse on the second Thursday in October next to answer a bill in Chancery exhibited against him by Arthur Bowen Lewis Joyner & Joseph Bradshaw his Committee appointed by the said Court and this he shall in no wise omit under the penalty of £100 And have then there this writ Witness Sam Hello Clerk of our said Court at the Courthouse the twenty sixth day of September 1785. In the tenth year of the Commonwealth.

S Hello. C
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