

1798-017

SOUTHAMPTON COUNTY
CHANCERY PAPERS

EDWARDS vs. DREW

11/1798

As to
vs
Drew

} Bill of
} Junction

Nov. 1798

Wm. de la Solle &
Capt & Comd

Σ

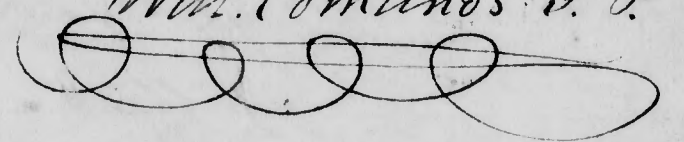
To the Worshipful Court of Southampton County sitting
in Chancery your orator ~~James~~ Edwards humbly sheweth
that some time in the year your orator became
indebted to Edward Drew in the sum of ten pounds
I being actuated by honest principles he afterwards
~~wrote~~ to the said Edward Drew a pair of rock ~~and~~
for the sum of ten pounds ten shillings, thinking
at the time that he would have credit given him
for this sum on the back of the bond which your
orator gave the said Drew but he afterwards
passed the bond to some person ^{not knowing that it had been discharged} who brought
suit on it & as your orator was engaged in
a variety of pressing affairs he found it impossi-
ble to attend in order to set aside the office judi-
cial execution hath accordingly issued & your orator's
effects have been distrained for the satisfaction
of the said execution All which is contrary
to equity & good conscience & tends to the injury
of your orator in ~~under~~ consideration of which
for as much as your orator is without remedy at
law. To the end therefore that the said Edw.

may on his corporal oath full true & perfect
answer make to all & singular the allegations
in this bill contained as fully & particularly as
if the same were herein again repeated &
interrogated, but more particularly did not
your orator sell him the said Edw. Jew the
yoke of Steers in the bill mentioned? did he
not agree to give your orator the sum of ten
pounds ten shillings for them? Will not
the price of the Steers discharge the bond so as
aforesaid given. May it please the court to grant
to your orator the commonwealth the said
Verdict &c I pray the court to do so
& decree the said Edward & all others acting by
through or under him be enjoined from further
proceedings in the said suit till the matter can
be heard in equity & to order & decree such other
matter as to the court shall seem just
& your orator shall ever pray &c

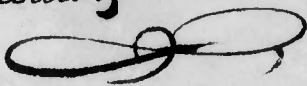
Edw. Jew
Compt.

Southampton County towit

This day James Edwards
appeared before me & made oath that the allegations
in this bill contained are true so far as they relate
to his own knowledge, & that he believes them to be
true as far as they relate to the knowledge of others
given under my hand this 13.th day of Sept 1798

Will. Edmunds J. P.


Drue }
to } Answer
Edward }



The answer of Edward Dine deff^t to the Bill of complaint
of James Edwards complainant. exhibited ag^t him in the
Worshipfull courts of Southampton —

This deff^t saving and reserving to himself all
manner of exceptions to the uncertainties and false
allegations in the said bill of complaint contained
for answer thereto, or to so much thereof, as this deff^t
is advised is material for him to answer — This
defendant answering sayeth That he did purchase
a yoke of Steers of the said Edwards, but it was
previous to his giving his bond to this defendant,
That the bond upon which this Judgement was ob-
tained was given to this defendant for the
balance due by said Edwards after Crediting
the steers and for which he has made no
payment — he denies that of having passed the
bond to any other person — It may be true
that the judgement was obtained by ~~default~~
default — but it is for a debt fairly and justly
due — This defendant denies every thing unfair
in the premisses, and prays to be dismissed with
his reasonable costs — in this case expended
Yarbrough, for Deff^t

Southampton County to wit Edward Dine. maketh oath
before me, that the foregoing answer, is true, given under
my hand this 20th day of Sept^r 1798 —

Bentley

Excavations
" }
Dress } Inf. B.D.

1874

1875

1876

1877

Know all men by these presents that We James Edwards & West
Edwards are held & firmly bound unto Edward Drew in the sum
of fifty Dollars curr. money to be paid to the S. Edward Drew
his heirs & assigns a promise to which payment well & truly
to be made we bind ourselves each for our share of our
Executors & Administrators jointly & severally firmly by these
presents sealed with our seals & dated this 19th day of September
1798

The condition of this obligation is such that whereas the S. Edward
Drew hath obtained a judgment at common law against the above
bound James Edwards in the County Court of Southampton
for £10.7⁶ dinst. from 10th of April 1795 till 10th of June of the
said James Edwards hath obtained an injunction to stay the
Execution of the judgment aforesaid until the matter in equity can
be heard upon a bill for that purpose filed if therefore the said
James Edwards shall satisfy & pay ~~at once~~ the said
judgment at common law full cost & damages that shall
be awarded against him in case the injunction
shall be dissolved then the above obligation to be
void or else to remain in full force & of
Velle

Signed Sealed & del.?
In presence of
W. Edwards.
Simon Will

James Edwards Seal
West Edwards Seal