

1799-008

SOUTHAMPTON COUNTY
CHANCERY PAPERS

HOLLIMAN

vs. ANDREWS /AEXTX/ EXECUTRIX

2/1799

See also: HOLLIMAN and Wife v. ANDREWS, GUARDIAN of MOODY, 1788.

other surnames: Moody,
Coffey, Critchlow,
Chruchello

Andrews

To the Worshipful Court of Southampton sitting in Chancery
humbly complaining sheweth unto the Court your orator Wds.
Holliman: That a certain John Andrews, late of the
County of Oxford was guardian to your orator wife before
her intermarriage who was Elizabeth Moody wife of
John Moody deceased. That after your orator intermarriage
with the said Elizabeth, the said John Andrews

for a settlement of the said wards account, who tendered
an account which is thereto annexed in his own hand
writing which amounts to £24.1.4. in which sum
there is a charge of £5. for keeping a Mare, which might not
have been the said John having agreed to keep the Mare
for the use the said of her, this charge being deducted the
said John tendered the sum of £19.1.4. and in the account
amount of £19.10. leaving a balance of 8/7¹/₂ in favour

That about two years after your orator intermarriage
with the said Elizabeth, and the settlement aforesaid, the
said John trumped up another account of £30.9.10²/₃ and
presented it to your orator returned it to Court, which Court
did give a balance in favour of the said John of £10.19.10
upon which said account the said John brought suit & because
your orator Attorney could not prove the account referred
to be the hand writing of the said John, returned a judgment
against for the same & Costs. altho your orator nor the said Elizabeth
had had no dealings with the said John since their intermarriage.
Your orator further begs leave to suggest.

that in the last mentioned account the said John charges
for boarding the said Elizabeth, this is as unjust as the
charge of feeding the mare, with which it is connected,
for during her stay at the said John's house, she was con-
stantly employed in nursing the said John's wife, that was
greatly afflicted, and attending to the domestic business of

make any other order or decree in the premises
your orders, relief as may be equitable & just
May it please

and contemplated — your order was made & now in
this Court after the said judgment, which was sustained,
bid before a final decision is stated by the dea of
said John and Lucy Andrews.

decedents to reverse the judgment by J. C. Pa. and to
an execution thereupon, and still oppose your order
in equity, he relies on the fact that in a Court

To the end therefore that the said
of William Childers, together with the said William Childers?
my, now Lucy Childers, the wife of the said John, who your

order prays may be made dependant to this bill of Com-
plaint may upon corporal oath take, true & perfect
sworn make to all and singular the allegations in this
bill contained, and that as fully & sufficiently as if the

was again repeated & interrogated, and that
your order will injoin the defendant and all others
concerned from further proceedings or laws until this
matter is fully heard before this Court of equity
and then make the said injunction perpetual and

1799.

Lorrylowit } This day John Payson before me made
 Feb 26. 1799 } oath that on the 28 of January he delivered
 notice to Lucy Churchello Exors of John Andrews dec'd
 that on Tuesday the 26 of this Instant Wilson Holliman
 would proceed to take the deposition of Thomas Coffin at
~~the Coffin house~~ - Lorry County ^{Holliman} who is a Witness for
 him in a Cause now depending in the Court of Hampton
 in which the P^d Holliman is p^{ty} & P Churchello defendant

Lem Bailey

7	1	.
8	6	2
0	4	2

The deposition of Thomas Coffer taken at
Surrey Court house agreeable to the notice
given he being of lawful age and being
first sworn on the holy Evangelist of
Almighty God - deposes and saith
That in conversation with John Andrews about
the board of Betsey Holliman heard the
said Andrews observe that he did not
mean to charge the said Betsey any
board provided she would permit him to make
use of her mare, which was left her
by her Father - and further saith that
he knows of his ~~name~~ knows of his
know ledge - that the mare was made
use of by the said Andrews and
further this deponent saith not
We do Certify that the above deposition
was duly taken at Surrey Court house
agreeable to notice given
this 26 Feb^y 1799 - Willis Wilson
Clerk of the Court

Andrews & Aust
Holliman

M^r Wilson Hollaman to John Andrews

Dr

To 1 hair comb Lou 2¹¹ 6

To 2¹/₂ w. Shavers do 1¹ 2

To Expenses of the Mare . . 5¹¹ 00

To 7¹/₂ w. M^r Thrauhart . 18¹¹ 10¹/₂

To Cash p. your self . . . 12¹¹ 00

To Cash p. Josiah Vick . 1¹¹ 16¹/₂

£ 24¹¹ 1¹/₂

The Amount of your Ac^t. 19¹¹ 10¹/₂

Balance Due me £ 4¹¹ 11¹/₂

Holliman & acct.
v.
Andrews }

Andrews

Holliman and Ac.

John Andrews, Guar. of Eliz. & West Moody	D ^r		
To Wilson Holliman			
1783. ~ To the Hire of one Negro Woman		\$	10
1786. (Beck) one year. ~ ~ ~ ~		3	10
April 10 th To Boarding & Cloathing West			
Moody two years, ~ ~ ~ ~		16	
		\$	19 10 10

	C ^r		
1784. By Payment of W ^m Vaguehart to the		\$	15
against Eliz. & Moody ~ ~ ~ ~		18	10 1/2
1786 By one hair coat ~ ~ ~ ~		-	2 1/2
By Payment of Josiah Vicks to the		1	16
against ditto ~ ~ ~ ~			
By Cash paid ~ ~ ~ ~		-	12
By 2 ff. Shoes @ 6/- ~ ~ ~ ~		-	12
		19	1 1/2
Ball. due ~ ~ ~ ~		\$	8 7 1/2

John Andrews att
of Elizab. Moody
witness for William Holliman

Elizabeth Moody orphan of Philip Moody dead. in account with John
Andrews Guardian

1788

April 20 To sundries bought at the sale to wit 1 lb^{e} cards 15/ 3 plates e^{c} 2. 0. 6
1 mug 4/6, 1 large wheel 10/ 1 d^{o} 2/- 1 pott 9/

May 20 To 1 hair comb - - - - - 2. 6

1784 To 2 p^{r} shoes - - - - - 12. -

To paying Josiah Pinks account - - - - - 1. 10. -

Jan 4 20 To Dr. Mr. Urquhart's store account - - - - - 15. 18. 10 $\frac{1}{2}$

To board & feeding his mare ten months - - - - - $\text{£} 10. -$
 $\text{£} 30. 9. 10 \frac{1}{2}$

Ballance due Guard - - - - - $\text{£} 19. 10. -$
 $\text{£} 10. 19. 10 \frac{1}{2}$

Dr.

1784

Jan 4 By hire of negro Beek - - - - - $\text{£} 3. 10. -$

By board & clothes two years for West Moody to discharge $\text{£} 16. -$

Mr. Urquhart's account - - - - - $\text{£} 19. 10. -$

Southampton September coast 1793

This account was examined by the court, approved of, sworn to by
the guardian and ordered to be recorded

Sam: Tello &

A true copy

I test

Jⁿ. D. Hausmann D.C.

Holliman & J^r
Andrews

J^r

Nov. 1797

Abate

Know all men by these presents that we Willson Holliman & Joseph Holliman

are held and firmly bound unto John Andrews
in the sum of Twenty Two pounds

current money of Virginia to the which payment well & truly to be made unto the said
John Andrews

on his heirs and assigns we bind our
selves our heirs execs. and admors. Jointly & severally firmly by these presents Sealed
with our seals this day of

The Condition of this obligation is such that Where
as the said John Andrews hath obtained a judgement at
common law against the said Willson Holliman & Elizabeth his wife in the County Court
of Southampton for Ten pounds nineteen shillings five pence
and costs & the said Willson Holliman

hath obtained an injunction
to stay the execution of the said Judgement until the matter in equity upon a
bill for that purpose filed can be heard If therefore the s^d Willson Holliman
shall satisfy and pay the s^d Judgement at common
law and all costs & damages that shall be awarded to the s^d W^d Andrews
in case the said injunction shall be dissolved then the

above obligation to be void or else to remain in full force & virtue —

Sealed & delivered

in presence of

J^r: D. Kaufmann

Willson Holliman

Joseph Holliman

Andrew

H

Holliman

Aug
B

Know all men by these presents that we William Hollmann
and Joseph Hollmann are hold and firmly bound unto
John Andrews in the sum of one hundred dollars
current money of Virginia to the which payment will and truly to
be made unto the said Andrews — his heirs and assigns
we bind ourselves our heirs Executors and assigns jointly and severally
these presents sealed with our seals and dated this 14th day of March
1798

The Condition of this obligation is such that whereas the said
Andrews hath obtained a judgement at common Law against
the said Andrews —
in the County Court of ~~the County of~~

and cost of the said
judgment untill the matter in equity upon a bill for that purpose filed
hath obtained an injunction to stay the Executor, can be heard & therefore
the said Andrews

shall satisfy and pay the said judgment at common Law all costs &
damages that shall be awarded to the said Hollmann.

In case the said Injunction shall be dissolved then
the above obligation to be void or else to remain in full force &
virtue

Seal & Delivered
in presence of
J. K. J.

William Hollmann
Joseph Hollmann