

1801-002

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BIRDSONG VS. ELLIS

EX-AMPT 17-6/1801

Barbours in
Ellys.

Feb 15th 1800

Windsong

Ellis

Bite

May 1800

June 1801

Injⁿ perpetuates

The truth of the contents of this bill
 sworn to by Charles McDougall, before me a
 Magistrate of the County of Logan

James Millar

Birdsong }
Ellis }
Wile }
Aug 1800
June 1801
Inj. perpetuated

1801
Apr 15th 1801
Hingham n. Hingham
Alley

Ellis
vs
Birdsong } ans?

Filed Apr. 1801

Wright Ellis
vs
Charles Birdsong } Answer
to injunction

The Clerk will please
file this answer,
and give a rule nisi -
to June Court -

J. Allison Atty.
for Dlf

The answer of Wright Ellis to the bill of Complaint
exhibited against him in the County Court of Southampton
by Charles Birdsong-

The defendant saving and reserving &c.

said, that the said Charles Birdsong did pay you
near ten dollars in part of the ~~above~~ account.
for which he gave a receipt. That to the best of
this defendants recollection, he entered a credit
on the account on which suit was brought in
Southampton Court; but if he did not, he had
intend it in his books - I would have given credit
for it without recourse to a Court of Equity.

This defendant ~~also~~ refers to the account filed in the
suit above mentioned - This defendant positively
denies having received any other sum of money from
the said Charles Birdsong, or that he is entitled to a
credit on any other score - This defendant most
positively denies having acknowledged the payment
of any account in the hands of the said Compt.
against him - This defendant prays that the
injunctive, thus obtained, may be dissolved with costs
and that he may be permitted to have the benefit
of his Judgment at Law -

Surrey County to wit Wright Ellis

~~Charles Birdsong~~ made oath before me of the truth
of the foregoing answer - this 28th day April 1801
Thomas Peter

190
23

213

W. L. L. L.
Receipt

Rec^d. June 22nd 1797 of Chas^r
Birdsong the sume of three Pounds
in part of his acct. with Write
Ellis

George Birdsong
for
W. Ellis

Birdsong

10

Ellis

2 Myr
130

Apr. 1860

John

add

Know all men by these presents that we Charles
Birdsong & James Edward are held & firmly bound
unto Wright Ellis in the sum of Nineteen pounds 2/
current money of Virginia to which payment well & truly to
be made to the said Wright Ellis to his heirs Exors & assigns
We bind ourselves and each of us our and each of our heirs exors &
Admrs jointly & severally firmly by these presents sealed with our
Seals & dated this 28th day of August 17 in the year
of the commonwealth

The condition of this Obligation is such that whereas the s^d
Charles Birdsong Wright Ellis hath obtained a judgment
at common Law against the s^d Ch^s Birdsong
in the county court of Seton for the sum of Twenty two pounds
& costs & the s^d Ch^s Birdsong

hath obtained an injunction to stay the
proceedings on the s^d judgment ^{as to nine pounds twelve shillings & pence thereof} untill the matter in equity
upon a bill for that purpose filed can be heard if therefore the s^d
Ch^s Birdsong

shall satisfy & pay the s^d judgment at common Law & all
cost & damage that shall be awarded to the s^d Ellis in case
injunction shall be dissolved then the above obligation to be
void else to remain in full force & virtue

Sealed & delivered
In presence of
Wells

Chas. Birdsong
James Edward