

1801-010

SOUTHAMPTON COUNTY
CHANCERY PAPERS

THORPE

vs

SEWARD'S EXECUTOR

1/1801

Thompson } Bill
or } Compt:
Seward }

~~~~~

To the worshipful Court of Southampton in chancery sitting -

Humbly - Complaining I shew to your worship your  
Oratrix Sarah Thape - That your Oratrix ~~was~~<sup>is</sup> an old  
infirm woman; That in consequence of her great age,  
and infirmity, she prevailed on a certain Edwin Seward  
since deceased, to live with her, and manage her affairs.

That your said Oratrix ~~can~~<sup>does</sup> with pleasure declare, that  
the said Edwin during the whole time he resided, with  
her acted as ~~your~~<sup>her</sup> Friend, most faithfully & attentively -

That the said Edwin hired negroes annually  
during the whole time, ~~he~~<sup>with</sup> your Oratrix, for  
the use and benefit of your Oratrix - That the  
said Edwin gave his own bonds for the payment of  
the money when ~~they~~<sup>it</sup> should fall due; And in  
order to secure the said Edwin, your Oratrix  
uniformly executed her bonds to the said Edwin, payable  
at the respective dates & periods - at which the bonds  
executed by him for your Oratrix's benefit were to  
fall due - That ~~on~~ the bonds thus given by the  
said Edwin, were paid off & discharged regularly by  
the said Edwin, with your Oratrix's money - That the  
bonds which were executed by <sup>your</sup> Oratrix to the said  
Edwin were not cancelled, or delivered up to her  
by the said Edwin, in his life time, but has fallen  
in to <sup>the</sup> hands of Cawpels Seward his Exor, who  
~~refuses~~<sup>can</sup> to ~~cancel~~<sup>cancel</sup> them or deliver them up to  
your Oratrix, and who threatens to sue  
your Oratrix upon the said bonds & recover the  
money thereon

Your Petitioner most solemnly avers that the bonds  
were executed <sup>upon</sup> by no other consideration than  
that just stated. Altho your Petitioner is in  
a situation to be ill treated - which is  
contrary to the principles of Justice & Equity -

In tender consideration whereof and in as  
much your <sup>Petitioner</sup> is relievable in the premises save in  
the Court of Equity - to the end therefore - that your  
worships will compell the said Lawfield to  
answer on the exampels of almighty God - the foregoing  
allegations, fully & truly - & worship that your  
worships will decree that the said Lawfield  
shall deliver up to your Petitioner the said bonds  
to be cancelled - May it please your  
worships to grant such other & further relief  
in the premises, as may be consistent with  
equity & Justice -

May it please your worships  
to grant the Commonwealth Writ of Subpoena  
directed to the said Lawfield & Edward

Proper Bill  
for  
Swards Compt.

Leeward-Exon  
in  
Thope S Anseover

The answer of Cowfield Lewis to the bill of  
Complaint exhibited against himself, as the  
Exor of Edwin Lewis dec'd in the County Court of  
~~Bedford~~ Southampton. by Sarah Thope

This defend ant saving Reserving &c  
unworth disaith - That it is true that the said Edwin  
his defend ant <sup>testator</sup> lived with the said Complainant  
in the manner & for the purposes stated in the  
said bill ~~and~~ <sup>that</sup> upon this defend ant  
truth of ~~the~~ the  
admits the allegation relative to the bonds -  
but denies that he has expressed a wish for Payment  
a threatened suit thereon - but knowing the  
circumstances upon which they were executed  
to be that, as stated in the bill, is anxious to deliver  
them up to the Complainant. he wishes for such  
a decree as the bill prays for - The said defend ant  
denying all combination, fraud &c - Prays to be discharged

Bill, Answer &

decre-

Thope

as

Lawards Exor -

ee

Sarah Thorpe

Feb 16. 1  
Complainant

14  
Crawfield Jeward, Exor of Edwin Jeward dec'd

This cause coming on this day, by the consent of the complainant  
and defendant, to be heard on the bill of the complainant, and  
answer of the defendant, and counsel being heard on both  
and mature deliberation thereon had, His decree is  
that the said Crawfield Jeward, as the Exor of the said Edwin  
Jeward dec'd do & shall deliver up to the said Sarah  
Thorpe the complainant, all bonds which were

executed by him the said Edwin, to him the said Edwin  
in his life time, to be cancelled, and that this  
decree shall remain firm & stable between the  
parties forever

Bancroft - Lewis  
Certificate -

I do hereby Certify that I have authorized  
John Allison Attorney at Law to exhibit  
to the Court of Southampton County  
a record by bill Haver between  
me and the Ex<sup>r</sup> of Edwin Teward Dec<sup>d</sup>  
& Sarah Thorp - relative to the delivery  
of Laundry bonds in my possession

Given under my hand this

28<sup>th</sup> Jan<sup>y</sup> - 1807

Caupul<sup>d</sup> Teward