

1801-018

SOUTHAMPTON COUNTY
CHANCERY PAPERS

POPE VS. WILLS

7/1801

To the Justices of Southampton County sitting in
Chancery, humbly complaining, sheweth unto your
Worships your ovalor Havelly Pope.

That a certain Robert Wills has lately in
this court, recovered a judgment at law against him
for the sum of £11. 18. and the costs of suit. That the jury
upon this judgment has issued an execution for the
full amount, although he knew that Mr. Compelt had
a just claim against him for the sum of £6: 3. 9.
Your complt further states that his account which
is just and of a late date, is for goods sold to the
said Wills as his special instance and request, and
also for his ~~not~~ gutting wares to his house and his
taking away the said horse before the season ex-
pired.

In tender consideration whereof and too as much
as Mr. Ovalor is remediless at law, he solicits the aid of Yr.
Worships -

To the end therefore he prays, that the
said Wills may be made Defor to this title of complt,
and that he may upon oath set forth if he did not have
several articles of Merchandise of Mr. Ovalor, to the amount
of £3: 3. 9. and that he did not omit to let his house to
remain all the season agreeable to contract if he has
ever paid or in any manner made him satisfac-
tion for the same? Mr. Compelt last prays that

ye Worshipps will ducece the same injunction to be
injoined until the further order of this, or make
such other order or decree in the premises for the
relief of ye Compt^l as may seem just—

May it please V.

Rich^d & W. Byrd
p. 2.

Southampton St,

Hardy Pope came before
me and made Oath to the truth of the Allega-
=tions in this Bill, Given under my hand
the 18th March 1801—
Robt. Labry

Pope
Bill of
1801

July 1801
Gave fine

Nov. 16th 1801

Scorn to in open Court

Kello. D

Wells }
at }
prope }
Ans.

17.1.2.
4.19.0
12.1.5

The answer of Rob^t Wells to the
bill of complaint exhibited against
by Hardy Pope

This defendant sa-
ving & reserving to himself every
benefit of exception the insufficien-
cies in the said bill for answer to
so much thereof as he is advised is
material he answering saith that
he is at a loss to know what sect
the compl^t can possibly have against
him as he this defendant does not
recollect any dealings with the
said Compl^t that can by any
possibility come within the juris-
diction of this court. This defen-
dant denies all knowledge of the
debt & also positively charges that
he did not remove his said horse more
five miles from his former
stand This defendant denies all
combination & prays to be here
discharged with his costs & fees &c.

Justices of the County Court

This day Robert Wells

appeared before me a Justice of the Peace for the

Pope
vs
Wills } Inj.

Dec. 1800

P. P. Gibson

Rules to July

July Bell & time

Know all men by these presents that we Hardy Pope &
~~Wm~~ Raiford Lem Cherry are held and firmly bound
unto Robert Mills in the just sum of fifty dollars to which
payment well and truly to be made we bind ourselves and each
of us and each of our heirs executors and adm^s jointly &
severally firmly by these presents sealed with our
Seals and dated this 15 day December 1880

The condition of this obligation is such
that whereas ~~Hardy Pope~~ Robert Mills obtained a
judgment at common law against the said Hardy Pope
for the sum of £11.18 and costs and the said H Pope hath
obtained an injunction to stay proceedings on the judgment
(as to four pounds, sixteen shillings and nine pence part
thereof) until the matter in equity upon a bill for that purpose
filed can be ^{fully} heard of then for the S^d H Pope shall satisfy
& pay the S^d judgment at common law & all costs and
damage that shall be awarded to the S^d Hardy Pope in
case the injunction shall be dissolved then this obligation
to be void otherwise to remain in full force & virtue

Sealed & delivered
in presence of
Sam^l Wells Jun^r

Hardy Pope - Seal
Lem Cherry Seal
mark