

1805-118

SOUTHAMPTON COUNTY
CHANCERY PAPERS

LEWIS & al vs. WASHINGTON'S ADMINISTRATORS ^{6/1805}

other surnames: Williams, Holland

Lewis

us

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Lyⁿdie

Washington's ad.

May 18 05

To the worshipping Court of Southamptons in
Chancery sitting for Humbly Complaining Shew
unto your worship your Orators Lemuel Lewis
and Elisha Lewis that Ethelbert Williams
and Joseph J. Hollands admors. of Willis
Washington deceased have obtained a
judgment against your Orator Lemuel, and
Elisha as his security and now threatens your
Orators with an execution on the said judg-
ment - your Orators state that the said
Willis Washington deceased was justly ^{indebted} ~~indebted~~
to Lemuel Lewis in the sum of thirty
dollars and twenty five cents for services
rendered him and his family as a
physician, for which the said Lemuel
at the trial of the suit at common law
had no credit - your Orators farther state
that the justice of the claim of the
Lemuel against the estate of the said
Washington has been acknowledged by
one of the administrators with a promise
to give your Orators a credit therefor but
no such credit has yet been given - all
which is contrary to Equity. In tender consid-
eration whereof and in as much as your
Orators are remediless in the premises except
through the intervention of this worshipping
Court -

your Orators pray that all further
proceedings on the said judgment
may be enjoined to the extent of your
nature claims against the said Estate
and that your worship will grant such
other and further relief in the premises
may be consistent with justice and Equity
and ~~the~~ the Commonwealth Suppona &c.
Jozeph for Ampt

This day Lemuel and Elisha Lewis appeared
before me a justice of the peace and made
oath that the allegations contained in
their bills of ~~complaint~~ ^{signification}
are true as far as they depend on their own
knowledge, and they believe them to be
true as far as they depend on the knowledge
of others given under my hand this
20th May 1805 - E. W. Lewis

20th May 1805
Jozeph for Ampt
Lemuel & Elisha Lewis

The answer of Eldred C. Williams and
Jr.^{rs} J. Hall and Ann^{es} of Millington
to the bill of injunction against them
exhibited in the County Court of Southampton
by Genl Lewis & Eliza Lewis - These
defendants admit the indent. record
against them as slaves - But state
that part of the complaint which
demands compensation for medical
services rendered them depends on the
fact that the claim thus set up on the
part of S^r Lewis is inequitable and
improper, in as much as ~~as~~ the
compr. Lewis attended only on one occasion ^{short}
~~by~~ the request of the dec^r that during
his stay, his state of intoxication
was such and his conduct so disorderly
riotous and turbulent that he
was not only rendered incapable
of rendering any service but on the
contrary ~~if~~ there ~~is~~ ^{is} a ~~clear~~
of opinion that his presence and
conduct contributed more to the
injury than to the relief of his patient.

Now dep^y plea state, that, that, during his
attendance on their testator no medicine
was administered or prescription written
but that the compl^y himself acknowledged
to Doct^r Bailey that he had not ^{no medicine}
medicine enough to to attend ^{known with the same effect} with properly and
that he was incapable for this medicine
I who, he acknow^d he believes, he could of ^{if he had} had
reason of doing service to S^r Washington
"that altho - S^r Lewis came afterwards
disputed, to the house of their testator
his conduct was so uniformly marked
with intemperance & turbulence
that these dep^ys are indubitably
of opinion that the situation of
S^r Washington was considerably
impaired thereby - that they now
acknow^d the act to be correct & proper
nor do they believe him entitled
to a single penny, - they therefore
trust if ^{of} ^{the} ^{relationship} will dissolve the
injuncton, in question & grant them
the full benefit of their indent. In the

Wm. O'Neil
This day, Phil^d C. Williams, Rowⁿ & S^r Lewis
Mr. Wm. Lewis came before me a ^{Magistrate} ^{of the County of} ^{Albany}
made case that the matters things in the foregoing libel are true - Attest Me

1094
Lewis
My S

Washington adms

Aug Answer filed

1 Rule —

Sch do Oct do Nov do

Dec ditto —

The Commonwealth of Virginia to the Sheriff of Southampton
County and to Echebert C. Williams and Joseph J. Hwa
and also of Miles Washington his Councils attorney
Solicitors and agents and every of them greeting, whereas it hath
been represented unto the Court of the County of Southampton
in Chancery on the part of Samuel Lewis and Elisha
Lewis who hath prayed that they may have our
writ of writs of Injunction Subpoena ~~perpetual~~ ^{perpetual} of all
further proceedings at common law untill hearing of
the Cause we therefore ~~Considered~~ ^{in Consider}
ation of the premises aforesaid do strictly enjoin and
Command you the said Sheriff Echebert C. Williams, of Joseph
J. Hwa and also as aforesaid and all and every ^{that the} ~~persons~~
before mentioned that you and every of you do abso-
lutely desist from all further proceedings, aq. the
said Lewis of Elisha Lewis, on the Judgment of
execution in our said County Court of Southampton against
them by the said Williams & do as in & untill the
hearing of the said Cause in Chancery under the
Penalty of one hundred pounds without Saml Lewis
Clerk of our said Court this 29th day of May 1805
And in the 29th Year of the Commonwealth
J. M. Hwa

June 1st 1800 on Williams of Holland
No Inhabitant

Hand by D. H. H.

Robt. H. Goodwyn

1804
Lewis
M S
Washington ad. 1804
Aug Answer filed
V Rule —
Sch do Och do Na do
Du ditto

Lewis

W

Injunction

&

Bond

Williams

ad^r Washington

June 1805

~~Spa~~ issued

Know all men by these presents that we Lemuel Lewis Elisha
Lewis & Lemuel Griffin are, hied, and firmly

bound unto ~~Edw Williams~~ ^{Edw Williams} ~~the sum of~~ two hundred
dollars to which payment we are truly to be made to the
said ~~Williams~~ ^{Edw Williams} therein in ^{admt} or assigns
We bind our selves and each of us, our and each of our heirs
and assigns jointly and severally firmly by these presents
sealed with our seals and dated this 14 day of June
1885 and in the 10th of the Commonwealth

The condition of this obligation is such

that whereas the aforesaid ~~Lewis~~ ^{Edw Williams} had ~~have~~
obtained a Judgment at Common Law against the
above bound ~~Lewis~~ ^{Hungton} for the sum of £24.0.4
and that he paid from 4th day Nov 1807 till paid
and costs and the said ~~Williams~~ ^{Hungton}

~~dem Lewis~~ ^{dem Lewis} Obtain a and Injunction to stay the execution
of the said Judgment until the matter in equity
upon which that purpose filed can be heard if
therefore said ~~dem Lewis~~ ^{dem Lewis} shall satisfy and
pay the said Judgment at Common Law and accounts
and charges that shall be awarded to the said

Williams ~~Edw Williams~~ in case the said Injunction
shall be dissolved, then this obligation to be void
or else to remain in full force & Virtue

Witness our hands and seals this 14th day of June 1885

In presence of
John Paine

Elisha Lewis
J. Griffin