

1806-013

SOUTHAMPTON COUNTY
CHANCERY PAPERS

TYLER

vs. BOYKIN

11/1806

Tyler
or
Boykin

Tyler } No. 123
or }
Boykin } Bill

June 1880

Bill filed hand

given & rule &

July rule to answer

Sch do do

Not answer filed &

rule to depose

du do do

To the worshipful Court of Hampton in
Chancery sitting — Humbly complaining shew
unto your worship your orator Edward W. Tyler
• That a certain William Baykin instituted
a suit on the common law side of this Court
and received a judgment against your complaint
for the sum of. Your orator states
that the said claim if ^{not} entirely was nearly
discharged before judgment was received
on the same. for your complainant states the said
Baykin who is prayed to be made a defendant
hitherto, told your complainant that he had
a claim of considerable amount against
the estate of a certain Henry Adams on
which ^{your} complainant qualified
as executor. placing full confidence in the
words of the defendant your complainant
paid him the sum of £23⁴/₄ as appears
from a receipt hitherto annexed and prayed to
be taken as part of the bill of Indorsement
but your complainant has made frequent
applications for the evidence of the claim
and the defendant ^{and states that the same must taken as to the} ~~pretends to have been~~
^{claim against Henry Adams.} ~~that~~ your complainant thinks that in
justice and equity the amount which said debt
has received ought to have been applied to his
credit which has never been done. Your orator
further states that the defendant received of him
the further sum of forty nine dollars and sixty
cents for which he has given him no credit
as appears by a receipt signed by his agent
and hitherto annexed and prayed to be taken

a part of this ^{bill} All which actings and doings
are contrary to Equity. In tender consideration
whereof & your complainant prays that
the defendant William Boykin the Sheriff
and all others concerned may be enjoined
from farther proceedings on said judgment
and pray that your worships will grant
such other and further relief in the premises
as may be consistent with Equity and that
that the commonwealth writ of Subpoena
may issue commanding &c.

Tyler
vs
Boykin

Tyler } No 123
vs } Bill
Boykin }

June 1800

Bill filed bond

given & rule &

July rule to answer

Sept do do

Nov answer filed &

rule to discontinue

Dec do do

Tyler... {
" { answer
Boykin }

The answer of William Boykin to the bill of injunction exhibited against him in Southampton court by Edward W. Tyler.

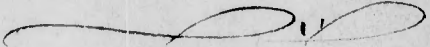
This Respondent saying to himself all right of excepting to the various errors contained in the said bill, for answer thereto or to so much thereof as he is advised is material for him to answer, says, shortly before the death of Henry Adams (on whose estate the comptt administered) He had a settlement with your Respondent and then acknowledged himself indebted to your Respondent in the sum of £23.4.4. That after the death of the said Henry Adams, the account then settled as aforesaid was given by him to the complainant notwithstanding his assertions to the contrary. That the comptt then agreed that he would pay off the said account (which your Respondent avers was just and correct) upon your Respondent agreeing to take of him a quantity of bacon. That your Respondent took the bacon and paid the cash for the amount after deducting the aforesaid sum of £23.4.4 as was agreed between them. He repeats that the comptt was furnished with the account against his said testator, and that the £23.4.4 paid in bacon as aforesaid was previous to the execution of the bond on which he obtained the judgment mentioned in the bill. He annexes hereto a copy of his account against the said Henry Adams, as a part of this bill. As to the \$49.60. proven to be paid to your Respondent, He avers that the comptt has been credited on an account against him (which is also a just account) with that payment. He annexes hereto his said account against the comptt, on which it will be seen, that he has been fairly credited him with the said \$49.60. He

states that the court justly owes him £7.6.2 on the said account after receiving the credit aforesaid, besides the amount of his said Judgment, and he adds, that when the said \$49.60. was paid, he was not directed to apply the same as a credit to the bond, and he therefore made his election (as he is advised he was authorized to do) and applied the same as a credit to the aforesaid account. He therefore prays that the said injunction may be dissolved and that he may be hence discharged with his costs in this behalf expended.

Wm. Proctor appeared before and made oath that the statements contained in the foregoing answer are true to the best of his knowledge & belief.
Nov. 14th 1806

Sam. Gilbert JP

August 29th 1801. Rec^d. of Edward W. Tyler Esq^r of
Henry Adams ac^t. the sum of Twenty three
pounds four Shillings & four pence in full
of his ac^t with me -

William Boykin


1804

Sum To am ^t Bns forward	16. 9. 2 1/2
To 37 th bar from mem ^d now end	13. 10 1/2
To 1. Curry Comb	8. 10 1/2
" 1. Brush	1. 10 1/2
" 15. yds Lint	3. 9
" 1. Bushel Irish Potatoes	3. 0
" 2. pair Hinges	4. 5
" 5. Sugar	8. 0
" 1. Tea	1. 10 1/2

1804

Aug st 13 th	By Cash in part	58. 5. 11 1/2
1801	To Sundries at Jerusalem viz	14. 17 7 1/2
Aug st 17 th	To 1 bottle Sweet oil 1/6 & 1/2 hyson Tea 7/6	£3. 8. 4
1801	" 2 pair Ladies gloves a	" 12. 0
Nov ^{br} 16 th	" 1 hand Silk & 1 stick towel & 2 doz buttons a 1/6	" 6. 0
1801	" 1 yd broad Cloth	" 2. 1
1802	" 1 yd Silk handkerchief	1. 4. 0
March 6 th	" 1 Hyson Tea per order	8. 3
Nov ^{br} 25 th	" 1 pair Ladies shoes	" 15. 0

Wm W. Tyler
to & apc

William Bayking

bad. ~~to & apc~~

7. 6. 2

Mr Edward W. Tyler

1853

To William Baykins per

June 1.	To 1. quins Paper 19. 1. doz Fish Hooks 9.	2. 0
do	" 1. Hk Silk	7. 2
24.	" 15. 1/2 No Sugar	15. 0
29.	" 29. 1/2 No Sugar	12. 1
30.	" 5. 11 oz loaf Sugar	10. 8
July 19.	" 2500. 4 nails	15. 0
Aug. 1.	" 500. 8. 1/2 tins	6. 0
do	" 7. 6 oz loaf Sugar	14. 9
do	" 500. 8. 1/2 nails	6. 0
17.	" 500. 8. 1/2 d.	3. 0
do	" 1. pair Wool Cards	4. 0
25.	" 600. 8. 1/2 nails	7. 2 1/2
do	" 2. pair Blow lines	3. 9
Sept. 5	" 10. Sugar	10. 0
6	" 2. Lancets	3. 0
30	" 1. pair Cotton Cards 1/2 1/2 wool 804	11. 0
Nov. 1	" 1000. 8. 1/2 nails	6. 0
do	" 400. 8. 1/2 d.	4. 9
do	" 200. 10. d.	3. 0
19.	" 100. 20. d.	2. 0
do	" 1. fine Gun	7. 4. 0
Dec. 7.	" 7. 401 lines	1. 18. 9
do	" 1. man, Saddle	5. 0. 0
do	" 8. inches Silk Velvet	5. 0
do	" 1. Meal Siver	3. 0
do	" Balwin Tackling 69	3. 0
22	" 1. paper pins 1/4 1/4 Ginger 9	2. 9
24	" 2. monmouth Caps	5. 0
		£ 20. 0. 10

Nov. 12 To By Anne Summer and of { 2. 3. 1 1/2
 Her ap with you to date {
 By 1. Bar. Fish which was? 1. 8. 0 3. 11. 7 1/2
 not Credited thro a mistake
 Canis for? £ 16. 9. 2 1/2

Seacock

E. E.

1804 August 14. ^{To} Recd of Mr. Ewd W. Tyler the
Sum of forty nine Dollars & Sixty Cents, in part
of his ac. due William Boyking

\$42.
T^h Crowns
3. ⁷/₂ Dollars
8. ¹/₄ Sixes
1. Between
13. 9. 0. my P. & P.

Giles Sumner
for
William Boyking

Tyler } Lys
14 }
Bryking Bond

Know all men by these presents that we E. W. Taylor and
Tylor and Miller Stephens are all here and firmly bound unto
William Boykin in the sum to
which payt. well & truly to be made to the s^d Boykin
or his heirs assigns jointly by these presents sealed with
our seals & dated the 16.th of June 1886

The condition of this obligation is such that where as
the aforesaid William Boykin hath obt. a judgment at Common
Law against the above bound E. W. Taylor for the sum
of (and costs and the said E. W. Taylor
hath obt. an injunction to stay the execution of the s^d
judgt. until the matter in equity upon a bill for that
purpose filed can be had, if therefore the said
E. W. Taylor shall satisfy and pay the s^d judgt. at Common
Law and all costs and damages that shall be awarded
to the said Boykin in case the s^d judgt. shall be
affirmed, then this obligation to be void & otherwise to
remain in full force & virtue
Seals and act.
In presence of
J. C. Coker

W. Taylor
Tylor & Miller Stephens