

1812-013

SOUTHAMPTON COUNTY
CHANCERY PAPERS

VICK

VS.

WILLIAMS + al

2/1812

other surnames: Peirce,
Standly, Stanley, Standley
Pearce

To the worshipful court of Southampton county in chancery
sitting Humbly complaining sheweth unto your orator Richard
Pick — That somewhere about the 19th day of June in
the year of our Lord one Thousand eight hundred and
nine; your orator ^{while very much intoxicated} at the game of Loos, lost to a certain ^{peace of this county} Thomas
~~Stanley~~ the sum of fifty six — Dollars for which by the
persuasion of the said Pearce and a certain Thomas Stanley
whom your orator prays may be made defendants to this bill
and whom your orator charges had a perfect know ledge
of the money being won by Pearce, he was induced while
also much instructed to execute to the said Stanley his note;
which has been by the said Stanley since assigned to a certain
Nathan Williams, who your orator prays may also be made a
defendant hereto, on which said note the said Williams has
instituted suit ~~and~~ ^{and} recovered judgment and now
~~proceeds~~ your orator with a sale of his property ^{by} ~~virtue of~~
execution issued thereon — all which is contrary to equity
and Justice — To the end therefore that the said Nathan
Williams Spencer Pearce and Thomas Stanley may be
made Defendants to this Bill, and may on oath answer
the allegations thereof, and particularly state whether the money
for which the said note was executed was not won at Loos by
the said Pearce while your orator was quite drunk, and
incapable of giving consent, and whether the said Stanley with a perfect
know ledge of that fact did not induce your orator to execute
the said note. ^{to him} That your worship will injoin and
restrain the said Nathan Williams from all further
proceedings on his Judgment at Law untill this matter can be
heard in equity; and then perpetually injoin the same
and grant to your orator such other and further relief as
may be consistent with equity — May it please the court
and your worship considered to grant to your orator ~~that~~ ^{the} ~~complaint~~
of subpoena &c.

Rich^d Pick

Southampton county Oct

Richard Beck this day made oath before me
a magistrate of said county that the within Bill contains
the truth so far as he knows or believes —

Given under my hand this 15th
day of Sept. 1811 — Wm. Blount J.P.

Wm. Blount J.P.
Sept 1811 Bill
Beck made to answer
Colonel Becke
Proo. Becke
March 1812 this party
made dopts. Becke his answer

Stanley
ad 5 Answers
Nick

March 1892 Ans?
files

The answer of Thomas Stanley to a Bill of Inquiry
exhibited vs Nathan Williams, Spencer Peirce
and himself in the County Court of Southampton
by Richard Vick. This respondent now and at
all times hereafter saving and reserving to himself
all and all manner of exceptions to the Bill of
the plaintiff or complainant for its errors and
imperfections and untruths in answer thereto
or to so much thereof as he is advised it is ma-
terial to answer saith. That your respondent
received of James Brito of this County a note of
hand executed by Richard Vick to Spencer Peirce
and he believes for the sum of fifty six dollars
or thereabouts in consideration of a Horse sold by
your respondent to said Brito not knowing that
it was founded on a gaming consideration that
shortly after he applied to Vick for the money
due on said bond who never even intimated
that it was a gaming debt but told your
respondent it was good hegd him not to sue
and he would shortly pay him the amount

That your respondent told said complainant that if he would renew said note and make it in his name instead of that of James Pierce there being no appearance of the same to him in case thereof that he would not sue him in some time which Vick readily consented to and executed one to him your respondent for the amount of said note and interest which your respondent some considerable time after transferred to Nathan Williams of said county for a value then considered not yet knowing that the original bond was founded on a gaming contract or consideration: and he has leave moreover to state that had Vick have given him notice that it was for money lost at too when he applied to him for payment he would not have had it renewed but have returned it to Dr. Smith who would then have been bound to have made him whole.

(continued)

(brought forward)
That it was from the Complainant's asserting your respondent that the said note should be paid and that it was just that your respondent was induced to ~~renew~~ obtain a renewal of the note in his own name, and thereby loose all opportunity of going against Dr. Smith for the amount. ~~In consideration whereof~~ That your orator understands that Williams the assignee of your respondent has sued on said note obtained, in...
He prays therefore the judgment at common law to be enforced the Complainant's injunction dissolved and he dismissed with costs.

Wm. H. H. H.

Southampton. March 19th 1812

Thomas Stanley made oath before me that

The statements in the above answer are true as far as they depend on his own knowledge and that he believes the whole true

Benj. Cobb JP

Injun Bond
(1)

Nick } Injun
To } Bond
William

Nick } 152
or }
Williams } Injunction
Spa

Executed 2nd October
1811. David
Newsom deputy of
James Gee Sheriff

September 21st 1811.

Being executed & filed in my office

Saml. Miller

The Commonwealth of Virginia to the Sheriff of Southampton County
and to Natham Williams, and to his counsellors attorneys 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 Richard Vick, who hath prayed that he may have
our writ or writs of Injunction Subpoena and for stay
of all further proceedings at common law till hearing of
the cause, we therefore in consideration of the premises aforesaid
Strictly enjoin and command you the said Sheriff Natham
Williams, and all and every of the persons before mentioned
that you and every of you absolutely desist from all further
proceedings against the said Richard Vick, on the judgment
and execution obtained in our said county court of ^{after Thomas Stanley} ~~the~~ ^{by} the said Natham Williams, untill the hearing
of the said cause in chancery, under the penalty of
£100. each and have then there this writ. Witness
Samuel Kello clerk of our said court at his office
the 27th day of September 1811- in the 36th year
of the Commonwealth. Sam^l Kello Cl