

1814-049

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BOON'S ADMINISTRATOR VS. EDWARDS 5/18/4

other SURNames: Whitfield

Boon's adm. No. 188

n. { Bill
 { Imp

Edwards.

1814 May Dec for to receive
in name of J. Darden Stff
amount of

To the worshipful Court of Southampton County in Chancery sitting
Humbly complaining sheweth unto your worship your orator
Allan Boon adm^r of Thomas Boon dec^d. that at the Term
of this Court ^{in the year} a certain James Edwards recovered a Judgment ^{against} ~~and~~
him in the sum of sixteen pounds and six pence and \$5. 59
cents and has issued ~~a writ of fieri~~ writ of fieri
facias to make that amount, to be levied of the goods & chattels
of your orator intestate, unadministered in your orators lands -
Your orator has every reason to believe and does verily believe
that the above debt ~~was~~ was fully discharged & paid off by his
intestate in his lifetime, and further believes that he has established
an acknowledgement to that effect ~~which~~ & have been made
by the said Edwards - a circumstance of which he would
have availed himself at law, if he could have collected
the testimony ~~in support~~ before the ~~trial~~ rendition of
the Judgment - In taken consideration ^{thereof} because your
order is remedial in the premises except that the interpre-
tation of a Court of Chancery, he prays that the said Edwards
may be made defendant to this bill & be compelled on his
oath to answer all singular the allegations of the same
fully perfectly and unequivocally - May it please the Court
to infer all proceedings on the above mentioned Judgment &
execution till the matters contained in this bill be fully heard
& determined in Equity - to grant any other & general relief
which may be applicable & your orator will ever be

Shk for Comp!

Sworn to in Court -
Meles

J. Edwards

answer to a

Becons Bill

of Jurisdiction:

Aug 22/81 Answer

filed

The answer of James Edwards to a bill
of Exemption exhibited against him
in this court of Southampton by
Allen Boon adm^r of Thomas Boon
Dec^r for answer thereto. Saith, that
true it is he did obtain a judgment
against the said adm^r of Thomas
Boon for £16:0:6 with costs of suit
£6: which said sum was justly
due, and has been withheld from him
for many years by the default and
unlawful conduct of him the a^d
Allen Boon adm^r &c - in the follow-
ing manner. After suit had
been instituted by this respondent
for the recovery of his demand, &
had commenced in Court. On
times it was agreed that certain
counsel to wit, George Guley
Nathan Williams, Lewis Howell
and Jon Hill should arbitrate

and determine the right of the case
between the parties which was
made the rule of Court; that
a number of appointments were
made by the referees and meetings
had (perhaps six or eight times)
by them, to settle the matter, when
the said Allen Boon who had notice
thereof failed to attend three various
meetings; so that at length the
referees being fully satisfied the
Allen Boon had no evidence to
offer why judgment should not
be awarded against him, and
being satisfied also of the justice of
this respondents claim entered up
their award for the aforesaid sum
of £100.6 and made report of
the same to Court, whereby
this respondent flattered himself
he should at last obtain that
justice he had for many years

sought after. But to his astonish-
ment he has seen a continuance
the same spirit manifested in
said A. Boon to defeat after
fair Decision by men of his cho-
ice his just Demands. And an in-
junction prayed for and granted
.. This respondent therefore most
solemnly avowing - First that he
never made any acknowledgment
like what is suggested in the
Bill; of his claim having been
extinguished - or chiefly paid.
And secondly that the award
was just and equitable and
entitled to the benefit of his
Judgment at Law - hopes a
Dissolution of the injunction, and
that he may hence be dismissed
with his costs so conscientiously
incurred. - I do -
For &c
Deft. -

Southampton

This day appeared before

me James What a justice of the peace

in the aforesaid County James Edwards

and made oath to the truth of the

forgoing answer given in due

and this 19th Day of August 1811

Test my hand and seal

James What

Justice of the Peace

for the County of Southampton

in the presence of

James Edwards

and

James Edwards

of the County of Southampton

and

James Edwards

of the County of Southampton

and

James Edwards

of the County of Southampton

and

James Edwards

of the County of Southampton

J. Edwards

answer to a

Beans Bill

of Exemption:

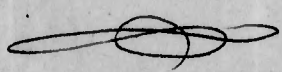
Aug 22/1811 Answer

filed

Proor
in
Edwards } Cont:

The Commonwealth of Virginia, to James Jones & Thomas Oldley
Gentlemen Justices of the Peace
for the County of Southampton and State of Virginia
Greeting: Know ye that we trusting to your fidelity and
Provident circumspection in diligently examining
Reuben Whitfield a
material Witness on behalf Allen Poor Complainant
against James Edwards deft—

And we do give unto you Power to call and cause to come before
you the Witness aforesaid when and where you shall appoint and
diligently examine him on the holy Evangelists of Almighty
God and his examination so taken that you distinctly
and openly Certify us thereof in our County Court of Southampton
and State of Virginia aforesaid under your hands and seals inclosed
returning to us also this writ Witness Samuel Hutto clerk of our
said Court at his office the 21st day of May 1810 in
the 34th year of the Commonwealth

J. Minton D^c


This day came before us Britain Vbriant and made Oath that he did
on the 4th day of April 1811 deliver to James Edwards a true Copy
of the within notice —

James Jones
Thos. Ridgely

Mr James Edward

will take notice that I shall attend on
Thursday the 18th day of April next between the hours of
twelve and five O'clock at Mr. Lamy Bittles to take the
deposition of ~~Burden~~ Whitfield and others in a suit in
Chancery in the County Court of Southampton now depending
where James Edward is Plaintiff and Allen Boon Defendant

April the 7th 1844

Allen Boon

Darben admr Boon

W1 3/4 Papa Reverer
Edwards 3

To July 1814

Not Executed

Shochellu common

Coroner
The Commonwealtth of Virginia to the Sheriff of Southampton County
greeting whereas at a court held for the county of Southampton on
the day of 18 James Edwards

moved the Court for an injunction to stay the proceedings of a Suit
brought against him at common law by Allen Brown
Adm. Thomas Brown did
until the matter could be heard upon a bill for that purpose
filed and prayed the Court to grant him the commonwealtth writ of
Injunction Subpoena which was accordingly done and such have
been the proceedings in our said Court since the granting the Injun-
-ction and before the hearing thereof the said Allen Brown
died and no person having applied for adm. De bonis Non on
his estate the same was committed in due form of law to
Jacob Darden Shff of this County
whereupon the said Jacob Darden Shff -
hath supplicated us to grant him a proper remedy in this behalf
and we being willing and desirous that speedy Justice be done
the parties concerned you that you make known to the said

James Edwards

that he be before the justice of our said Court on the 3rd Monday in
July next to shew good and sufficient cause why the said Injunction
and the proceedings thereupon heretofore made should not be revived
and further to do and receive what our said Court in that part
shall consider And this he shall not omit under the penalty of
£100 And have then thus write. Witness Samuel Kello
Clerk of our said Court at the Courthouse the 13th day of June 1814
and 38th year of the Commonwealth -

Sam Kello
11

To Samuel Wells Esq
Sampson

The Deposition of Ruben Whitfield of full age taken at
the House of Lucy Bittle this 18th day of April 1811
A greivable to be notice in a Suit in Chancery depending in
the County Court of P. ampton wherein Allen Brown is
Plaintiff and James Edwards Defendant, who being first
Sworn on the Holy Evangelist solemnly God do soeth and
Faith, that James Edwards told him that Thomas Brown
bought a Horse of him and that he had settled up
all but a small trifle, so that he never should mention
it to him again. and further this deponent Faith not
give Under our hands and Seals this day and date above
written

James Jones JD
No. A. Alley

Boar
41
Edward } Mrs.
 } bride

myr. Reid

Know all men by these presents that we Allen Boon &
Joll Edwards — are held and firmly bound unto
James Edwards — in the sum of

to which payt. well & truly to be made to the said

his heirs executors & administrators

to jointly and severally firmly by these presents said with
our seals & dated this day of anno Domini

The Condition of this obligation is such that
whereas the said hath obtained a
Judgment at Common law against the said

for the sum of

and costs & whereas ~~therefore~~ bound
hath obtained an injunction to stay the proceedings on
the said Judgment & Costs until the matter thereof
in equity or a bill filed for that purpose can be heard,
now if the said

shall well & truly pay or cause to be paid unto the said

the aforesaid Judgment & Costs and all
Damages & Costs that shall or may arise in case the said
bill shall be dissolved then this obligation to be void or
else remain in full force & virtue

sealed & delivered
in presence of

Allen Boon Seal

Joll Edwards Seal
mark

Seal

James Edwards