

1814-083

SOUTHAMPTON COUNTY
CHANCERY PAPERS

WRIGHT

VS.

FAGAN

11814

To the worshipful Court of Southampton
County in Chancery sitting humbly com-
-plaining sheweth to your worships your
-notor John Wright -

That your onator in the year
engaged two of his daughters to a
dancing school kept by a certain Peter
Fagan to be instructed by him in dan-
-cing for one year for which your
-notor agreed with S.^r Fagan whom
your onator prays may be made Dependant
here to, to give him the sum of four
pounds per annum for each of his said
daughters - That the S.^r Dft ~~unwillingly~~
kept the said dancing school, six months & then
moved out of the parts and entirely neg-
-lected the same. That for the said
six months your onator fully paid the
S.^r Dft for both his S.^r children & the S.^r Dft
agreed with your onator that unless he
returned & continued the S.^r school according
to his original engagement he would
make no further charge against your

more than for the time aforesaid for which
he had been paid as aforesaid - yet the
said Deft iniquitously instituted in
this Court against your orator a suit
for four pounds for the residue of the
whole year during which he was to have
kept the school, altho' he failed to keep
the same for the last six months as aforesaid,
I recovered at the last Court a judgment
against your orator for six pounds
in the absence of your orator & his counsel
on whom he wholly relied his defence - all
which is contrary to equity - in consideration
whereof & because your orator is hemmed
up in the premises without the interpo-
sition of this Court; He prays, that the
judgment aforesaid may be inquired
& all proceedings thereon until this
matter can be fully heard & determined
in equity - & that your worships may
grant your orator such other relief as may be just
& applicable & he ever will be
Aug 1805
Morrison in Court. G. H. & Co.
Thoburn for Deft.

1214
Fagan

Fagan }
ad }
Wright } *Amuse*

~~Sept~~ 1805 filed
Rule to displace

Jan. 1814 *Eng*
displaced

The answer of Peter Fagan to the bill of injunction obtained against him in the Worshipful court of Southampton by John Wright.

This defendant coming to himself all right of excepting to the various errors contained in the said bill, for answer thereto says - That it is true that the compt. did send his two ^{children} ~~daughters~~ to your Respondent's dancing school at the usual price of £4. a scholar and that he has obtained such a judgment as is stated in the bill - He denies that the compt. ever paid him one cent on acct. of his said services, not even the entrance money. He acknowledges that he did not attend the school in person the whole year, and that he was often absent; but he avers that the school was well kept in his absence by his son Peter who was equally qualified to teach dancing, and that Mr. Thomas Ridley and several other persons who sent their children to his school were well pleased with the conduct of your ~~compt.~~ Respondent. His son and actually ^{paid up} most punctually their money ^{the tuition of} for their children. He adds that the compt's children were sent to the school in his absence and were well taught by his son Peter. He says too that his absence was in a great measure occasioned by sickness, but as the compt. sent his ^{children} ~~daughters~~ to the school when he knew that his son officiated, he is convinced that the court will consider it as his consent to yr. Respondent's conduct. This Respondent lastly prays to be hence dismissed with his costs in this behalf expended -

Sworn to before me by Peter Fagan - This 17th Sept. 1805

Isaac Darden

Know all men by these presents that ~~John~~ John
Wright and John Cricklow are held & firmly
bound unto Peter Fagan Gent.
in the sum of ten pounds
to be paid to the said Peter Fagan
his certain attorney his executor and administrators to which
payment men and truly to be made we bind our selves
each of us our heirs executors and administrators
and lawfully firmly by these presents sealed with our
seals and date this 17th of Sep. 1805

The Condition of the obligation is such that
whenever the above named ~~John Wright~~
shall obtain an injunction to stay execution on a
certain Judgt. obtained in the Court of the County of
Hampden aforesaid by the before mentioned Peter Fagan
for six pounds Scots ———— mon if the aforesaid

John Wright ———— his heirs executors and administrators
do and shall well and truly pay and satisfy or cause
to be paid and satisfied all such sum or sums
of money or value which shall be now due
under the aforesaid Judgment and also pay and satisfy
unto the said Peter Fagan
all just costs as shall be ordered against him in
Cause injunctive aforesaid be dissolved then this
obligation to be void or else to remain in full

force & virtue
GIVEN & CURED
in presence of
John Price

John Wright
Jas Cricklow
Jas Price
Jas Price