

1818-013

SOUTHAMPTON COUNTY
CHANCERY PAPERS

JOHNSON

VS.

JOHNSON +
WILLIAMS

12/18/8

Johnson
is } Rice
Johnson &c.

May 18, 1818 no. of
Pub. to Sept. as Sept.
Johnson

To the Worshipful The County Court of ~~Southampton~~
In Chancery sitting, Your Gracious Lady Johnson wife
of Benjamin Johnson by George Guncy her next friend humbly
complaining sheweth unto your Worships -

That some time in the year your Gracious
intermarried with a certain Benjamin Johnson, that she lived
with her said Husband until a short time since in peace
and quietness, she performing all the duties imposed upon her
as a Mother & Wife - That notwithstanding her faithful
discharge of those duties, she ~~being~~ married the said
Benjamin Johnson from no motives but ~~the~~ those of the most
disinterested affection, ~~that notwithstanding she has made~~

~~from the Father of her Children, that notwithstanding all~~
~~this~~ ~~affair~~ promises of Kindness and Protection which all
Law both human and divine required him to perform
that notwithstanding she has made him the Father of
her Children, he has abandoned her and her infant
children to the charity of an unfeeling World - That some
time since her said husband left this county and has
gone, she knows not whither, regardless of her and her
childrens situation, not having made any provision for the
support of either her or them - That their situation was
truly distressing and is so at this time, but that it has in
a measure been relieved by the friendly ~~aid~~ of the Council
of the Poor, who have rendered that assistance which their
duty could only allow required - Your Gracious Lady

Laurel to state that she is informed, and verily believes
that is certain Jacob Williams of this County who is prayed
a defendant hereto has money and effects in his hands belonging
to the said Benjamin Johnson. That if your Court could
obtain the money and effects aforesaid in the hands of the
said Williams it would render her & her infant children's
situation more agreeable and comfortable and at the same time
would be relieve the County of the burden of aiding
in the support of her and children - your Grantee further
states that as the husband and the father is bound by every
Principle of Moral as well as human and divine laws to
support and protect his wife and children, she begs and
solicits that Court to compel the said Benjamin Johnson to
do that which he refuses voluntarily to do - ~~Laurel~~
Laurel further to state that the said Jacob Williams
although he has the means belonging to the said Johnson
refuses to render any assistance to your Grantee, all which
is contrary to equity - In tender consideration whereof and for
as much as your Grantee is remediless without the aid and
assistance of this Court she prays your worship to compel the
said Benjamin Johnson to answer the foregoing bill and that
your Worship will enjoin the said Jacob Williams from
paying over the money or effects he may have in his hands belonging
to the said Johnson or any other person for him
to the said Johnson and that your Worship will compel the said
said Williams upon his Corporate Oath to say how much
& what amount of money and effects he has in his hands
belonging to the said Johnson, and that your Worship

will grant such decree the premises considered as may
be consistent with equity &c. and your Grantee as in
duty bound will ever pray &c.

Officer Pro. C. J. P.

Southampton Co. N. H.

This day George E. Lay personally appeared
before me Lawrence Cook a Justice of the Peace
for the aforesaid County and made Oath that the above
statements in the within bill are true so far as they come
within his own knowledge and so far as he is informed
by others - Given under my hand this 18th day of May
1818

Lawrence Cook J. P.
B B

Williams

adv

Johnson

Answer

Decr 21st 1818 and ^{to} filed

Trepant

To the worshipful Court of Southamptone in Chancery
Sitting -

The answer of Jacob Williams to the
bill of complaint exhibited against Benjamin
Johnson and himself by Sally Johnson wife of
said Benjamin Johnson by her next friend
George Gurley - This respondent now and
at all times saving and reserving to himself
all and every benefit of exception to all errors
imperfections and mistatements in the
complainants bill contained, for answer
thereto or to so much thereof as he is advised
is necessary for him to answer, answering with
that at or about the time the said Benjamin
Johnson left this Country he appointed this
respondent his attorney to transact his business
by and which has been duly recorded in the
Court of said County of Southamptone an attested
copy of which is hereto annexed and may be taken
as a part of this bill - That in addition
to the power herein referred to, your respondent
received instructions from the said Benjamin
to pay to him or to whatever he might by
virtue of said power receive for his benefit -
That shortly after the said Benjamin left
this state, according to his instructions, he
sold his personal effects and collected some
few debts, and hath now in his possession
about \$ ~~245.00~~ 117.97 which he is ready

to disburse off under the directions of this Court
if it should be right for him to do so -

This respondent states however that the said
Benjamin was indebted to him in the sum
of \$14.06 at the time he left this County
which sum he claims the right of retaining
out of the aforesaid sum of \$~~117.97~~^{117.97}
well as his costs for defending this suit
and a reasonable commission for his
services as attorney - This respondent
having answered prayer that he be dis-
-comfited with his costs in this behalf most
urgently sustained and as in duty bound
he will ever pray &c - Jacob Williams

Southampton County to wit

Jacob Williams personally appeared before me
a justice of the peace for the said County
and made oath to the truth of the foregoing
answer so far as the matters and things therein
contained depend upon his own knowledge, and
so far as they depend upon the knowledge of
others he believes them to be true. Given under
my hand this 21st day of December 1818 -

Benj. Cobb Jt.

339
Johnson & Co. Copy
of
Johnson & Co. Copy
Executed. Nathaniel
Newson & Co. of Phila.
P. Clements & Co. Copy

Virginia

Southampton County May Term 1818

Sally Johnson wife of Benjamin Johnson
by George Smiley her next friend - Complainant } In
against } Chancery
Benjamin Johnson and Jacob Williams - Defendants

The defendant Benjamin Johnson, not having entered his appearance and given Security, according to the act of Assembly and the rules of this Court and it appearing to the Satisfaction of the Court that he is not an inhabitant of this Commonwealth, It is therefore decreed and ordered that the said defendant Johnson do appear here, on or before the third Monday in September next, and answer the Complainant's bill and that a copy of this order be published in some newspaper printed in the town of Petersburg for two months successively, and posted at the front door of the Court house of this County on two several Court days. And it is further decreed and ordered, that the defendant Williams do not pay ^{or convey} away any money or effects in his hands, belonging to the said Benjamin Johnson, until the further decree of this Court, and that the Sheriff of this County serve the defendant Williams with a copy of this order -

at City Teste

A. Middleton D.C.

Johnson } ord. of
 th } Publication
Johnson & Co to Sept

Virginia

Southampton County May Court 1818

Sally Johnson wife of Ben^a Johnson
by George Smiley her next friend Complt.
vs
Benjamin Johnson and Jacob Williams. Defs.

} In
} Chancery

The defendant Benjamin Johnson, had having
entered his appearance and given security, according to the Act
of Assembly, and the rules of this Court, and it appearing
to the satisfaction of the Court, that he is not an inhabitant
of this Commonwealth. It is therefore decreed and ordered
that the said defendant Johnson, do, appear here, or, before
the third Monday in September next, and answer the Complainant's
bill, and that a copy of this order be published in some
newspaper printed in the Town of Petersburg for two months
successively and posted at the front door of the Court house
of this County on two several Court days. And it is further
decreed and ordered that the defendant Williams, do not
pay away any money or effects in his hands belonging to
the said Benjamin Johnson, until the further decree of
this Court; and that the Sheriff of this County serve the
defendant Williams with a copy of this order.

A Copy Taken

A. C. M. D. C.

Johnson }
 ^{its} }
Johnson } Doe in
 } Chancery

To Inne Court 1878.
Executed ^{on} ^{of} ^{William}
 ⁿ Nathaniel
Newson of Rich?
P. Clements

The Commonwealth of Virginia,

To the Sheriff of Southampton County, greeting:

YOU are commanded to summon Benjamin Johnson and
Jacob Williams

to appear before the ~~Justices~~ of our ~~County~~ Court of Southampton
on the ~~Third Monday of June~~ next, ~~to testify and the truth to say~~
~~in behalf of at the Court House~~
~~in a certain matter of controversy in our said Court, before our said~~
~~depending and undetermined between~~

to answer a bill in Chancery exhibited against them
by Sally Johnson, by George Purley ~~her next~~
friend.

And this ~~they~~ shall in no wise omit, under the penalty of 100 l. ^{each}—And have
then there this Writ.—Witness JAMES ROCHELLE, Clerk of our said Court, at
his Office, the 29th—day of May 1818, in the 42nd—
Year of the Commonwealth.

James Rochelle Clk