1818-037 SOUTHAMPTON COUNTY CHANCERY PAPERS VICK vs. VICK'S EXECUTOR et al 3/1818

See also Vick v. Vick's Executor et al 1813-12

other surnames: Chapman

Vick } Bill of Injunction
 n }
Vick & Chapman

March 1818 Inj.ⁿ granted bill
taxed answer filed & exhibited

To the worshipful the County Court of Southampton
sitting in Chancery

Humbly complaining shew unto
to your worships your oratrix Elizabeth Vick, that
some years since her husband Josiah Vick departed this
life having first executed a Will which was afterwards
proved in the County Court of Southampton: That your
oratrix being dissatisfied with the bequest therein to her
renounced the benefit under the Will according to law
& applied for her third part of his estate real & personal
to be holden during life agreeably to the provision in
of the laws in those cases. That a friendly suit in Chy.
was instituted by her as your Oratrix Geo: Eyerley exor of the
said Josiah Vick & others in this worshipful Court
in which a decree was pronounced appointing commissioners
to allot to your Oratrix her proportion of said estate.
That the commissioners carried the said decree into effect
& that the said Geo: Eyerley exor as aforesaid delivered
to your oratrix her third part of the slaves which
had belonged to the estate of her said husband, all
which will more fully appear by reference to the proceed-
-ings in the said suit. That notwithstanding the negroes
aforesaid have been long in her possession by virtue
of the above mentioned decree & allotment the said Geo: Eyerley
& certain Wm. H. Chapman both of whom are
prayed to be made defts to this Bill of complaint
have lately taken violent possession of four of the said
negroes, lodged some of them in Jail & otherwise secured
the balance, and threaten immediately to sell them
for the ostensible pretext of discharging debts due from the
estate of the said Josiah Vick dec. to different persons.
All which is contrary to Equity & good conscience &

manifestly tends to the injury & oppression of your Ora
trix. To the end therefore that the said defendants
may answer the premises in their corporal oaths &
in the mean time that your worships be pleased to
Injoin & restrain the said defendants their agents &
all persons concerned from selling or disposing
of the said negroes or any or either of them
or from retaining them from the possession of your
Oratrix until the further order of this Court and
that your worships the premises considered be pleased
to grant her such other & further relief in the
premises as may be consistent with Equity & the
rules of this worshipful Court. May it please the
Court to grant your Oratrix the Writs of
Sub. &c directed to the Sheriff of Southampton County to
as in duty bound She will ever pray &c.

Sworn to in open court
D Roebuck
17th March 1818

March 17th 1818 This day personally appeared before
me a Justice of the
peace for the County of Southampton Elizabeth
Vick & made oath that the allegations in the
above Bill contained are true & the best of her
knowledge & belief. Given under my hand.

Vick exor &c
to
Vick

Answer

March 1818 granted

To the worshipful Court of Southampton for Chancery affairs.

The joint and Separate answers of George Gurley and John H Chapman to the bill of Complaint exhibited them by Elizabeth Vick

These respondents now and at all times saving and reserving to themselves any benefit of exception to any errors in the complainants bill contained for answer thereto say. That true it is the said Elizabeth is the widow of Jonah Vick and, and that her intent as widow in the slaves of which Jonah died possessed has been allotted to her but your respondents here beg leave to state that a refunding bond was executed by the said Elizabeth to the said George Gurley who was the executor of the said Jonah Vick, ~~as will more fully appear by reference to said bond which is herewith exhibited and prayed to be taken as part of this bill~~. That in compliance with the condition of said bond the complainant voluntarily surrendered the slaves to the said George Gurley who sold for the purpose of raising money to comply with her undertaking by said bond. That after the said George had possession of said slaves he permitted them to remain with the complainant until the day he advertised them for sale. That they were duly delivered on the day of sale, and your respondent George gave an order to your respondent John H Chapman for the said slaves, who in consequence thereof went after them, and obtained them quietly and peaceably without committing any breach of the peace. That your complainant having thus the possession conceives himself entitled to hold them for the purpose of satisfying the condition of the refunding bond. That respondents having answered they pray to be hence dismissed &c.

Sworn to in open court
17th March 1858

Vick
vs
Finley & Chapman

Error for Gibson

Know all men by these Presents that We Elizabeth Vick and John Eichelberger are held and firmly bound unto Geo Gurley and John A Chapman in the just and full sum of Twenty Dollars to which payment well and truly to be made unto the said Geo Gurley and John A Chapman We bind ourselves our heirs executors and administrators jointly and severally firmly by these Presents sealed with our seals and dated this 17th day of March One thousand eight hundred and eighteen

The Condition of the above obligation is such that whereas the said George Gurley & John A Chapman constituted a suit in Chancery in favor against the said Elizabeth Vick for the sum of dollars and whereas the above bound Elizabeth Vick has obtained an injunction to stay the proceedings of the said Court in the matter in equity in a bill filed for that purpose now if the said Elizabeth Vick shall well and truly pay or cause to be paid unto the said Geo Gurley & John A Chapman all damages and costs that can or may arise in such case the said injunction shall be dissolved and also the amount and costs in which the said Court may decree after the judgment then this obligation to be void else to remain in full force

Signed Sealed and acknowledged in presence of

M Odell

Elizabeth Vick

John Eichelberger