

1825-015 SOUTHAMPTON COUNTY
CHANCERY PAPERS

GURLEY VS. WILLIAMS v al

11/1825-

other surnames: Thomas,
Newsom

Geirley } Bill
William }
William

MB Broome

Feb'y. 1822 order of Pub. 8 with

= coming order =

Decrees issued ^{at office} ~~to~~ Rules 1823 - return

= also to many Rules -

Nov. 1824 Inq. for the

Plt.

(fals. ifues)

Paul Holt

This day personally appeared before me a Justice of
the Peace. George Gully who being duly sworn says
that such of the allegations in the within bill
contained as are within his knowledge are true &
that such as are not are true.

To the worshipful the County Court of Alton in Chancery sitting
Humbly complaining sheweth unto your worships, of our
Orator George Gurley, that a certain Richard E Williams
who is prayed a debt hereto, is indebted to your orator as he thinks
in the sum of \$100. and interest thereon from
which said sum became due from him to your orator in
the following manner. the said Williams being indebted
to your Orator in a certain sum of Money, paid to him one
bank note of the amt of \$100. in full discharge of the
said debt. which said note, purported to be of the bank of
the United States & to have been at the office of Deposit &
deposit in New York. that your Orator received it at its
apparent value believing it to be genuine. and as such
paid it to a certain Thomas Chaasum. who. afterwards disco-
vered it to be forged. & compelled your Orator to take it again
and pay him the same amount in good Money without
any fraud or collusion on the part of your Orator.

That your ^{orator} believes & has very little doubt but that it is
forged. - that the said Rich^d E Williams is at this time
without the limits of the Commonwealth.

That your Orator believes that a certain Rich^d Williams
is at this time indebted to the said Rich^d E Williams
in a sum exceeding that due from ^{to} Rich^d E Williams
to your Orator & is within the power of this Court.

By Virtue of the premises. and in conformity with the
act of Assembly in such cases made provided.
your Orator prays that the said Rich^d Williams
be made defendant & be caused to render answer
to such matter herein contained as may enable this
Court to know whether or not he be indebted to the
said Richard E Williams. - ^{and in what amt. & whether he has his effects} that they grant to this

Orator a subpoena against the said Rich^d Williams
restraining him from conveying away any effects or money
which he may have in his hands due to or belonging to
the said Rich^d Williams, decree him to pay to your Orator
the sum of \$100 and interest if so much in his hands.
& if not so much as there is. if due & if not when it
shall become due. and grant such other & general
relief as may be deemed consistent with law & Equity
I am in duty &c.

Geo Lundy

November 19th 1825 Received of James Rochelle clerk of the county
court of Southampton a note of One hundred Dollars ^{as ordered} as prescribed and
set forth in this cause proceedings in this cause -

Teste

James Rochelle

Rich^d E. Williams

Williams }
as } Am.
Giney } 3

May 17th 1823 Am. Lib.

To the ever helpful Court of Southampton in Chancery sitting
The answer of Richard Williams to the bill of complaint
exhibited against Richard E Williams and himself by George
Gurley. This respondent saving and reserving himself
all benefit of exception to any error or imperfections in the
complainant's bill contains for answer thereto so far as that
he knows nothing of the \$100 United States Bank note
mentioned in the bill never having seen it, and
therefore he cannot pretend to say whether it be genuine
or counterfeit, but he would suggest whether it would
not be proper that the note should be made an
exhibit in the Cause so that the Court might have
an opportunity of seeing it, and that it might
remain among the papers in the Cause if it
be really worth nothing. The evidence which
is furnished by the complainant cannot be at
all conclusive to prove that the note in
question is a counterfeit, and your respondent
presumes that that the Court would not presume
it to be so unless better testimony as to that fact
be produced. Your respondent says that he
has in his possession about \$120 in money
about 25 barrels and corn and about 1800 ^{lbs}
Tobacco belonging to the said Richard E Williams
Your respondent having answered May 10 to

to be ~~have~~ dismissed with his costs in this
behalf most successfully sustained and his
duty bound service was paid.

Rich^d Williams

Southampton County Court. Rich^d Williams
This day personally appeared before me a
justice of the peace for the said County and
made oath to the truth of the foregoing answer.
Given under my hand this 17th of May

1823 -

Bm^y John J^r

Southampton February County Court 1822

George Surley ----- Plt
against

Richard E. Williams and Rich?
Williams ----- Dft

In Chancery

This day this cause came on to be heard on the bill of the complainant, whereupon it is decreed ordered and adjudged that the defendant Richard Williams be restrained from paying away conveying a way, or otherwise disposing of any of the effects in his hands belonging to the defendant Richard E. Williams, or paying away any money in his hands due or owing to the said Richard E. Williams till the further order of this court, and that the defendant Richard Williams be served with a copy of this order, and the defendant Richard E. Williams not having entered his appearance and given security according to the act of assembly and rules of this court and it appearing to the satisfaction of the court that the said Rich^d E. Williams is not an inhabitant of this county. Therefore it is decreed ordered and adjudged that ~~unless~~ the said Defendant Richard E. Williams ~~shall~~ appear here and answer the complainant's said bill on or before the third Monday in May next & that a copy of this order be forthwith inserted in the Petersburg Intelligencer for eight weeks successively & posted at the front door of the courthouse of this county on two several court days —

Attest
Jesse James Rochelle C.

111
Suley

MS

Williams

Restraining order

Delivered a
copy June 3rd
1922 C. S. Trigg
dpy for - Mrs. Kedge
[Signature]

Southampton February County Court 1872

George Lenley

Plt

against

Rich^d E. Williams & Richard Williams - Dfts

In Chancery

This day this cause came on to be heard on the bill of the complain-
-ant, whereupon it is decreed ordered & adjudged that the defendant
Richard Williams be restrained from paying away conveying away
or otherwise disposing of any of the effects in his hands belong-
-ing to the defendant Richard Williams, or paying away any money
in his hands due & owing to the said Richard Williams,
till the further order of this court, and that the defendant
Richard Williams be served with a copy of this order—

Attest
J. P. Feste
J. P. Feste & Co.

Linley }
" } Devere mine
Williams }

To Order Rules 1873

Executed

Chas. Briggs
Dpty for W. H. Hickey
in ff

At Rules held in the clerk's office of the county court of Southampton
on the 7th day of April 1823 -

George Binley

against

Richard C. Williams & Rich^d. William, *Def^s*

Plt.

For C. Brancery

Decreed and ordered that unless the defendant Rich^d.
Williams appears here, and answers the complaints here
on or before the third Monday May next, the
same shall be taken as confessed as to him, and a
verdict entered according to the prayer thereof.

Teste James Rochelle C.
11

I Neuron's
affairants

To complain To

This is to certify that Thomas
Newsom hath this day personally appeared
before me Licensed Just. Sec of the Commonwealth
Justices in and for the County of York: - and made
Oath that he did receive a bank note of One
Thousand Dollars of the old United States bank
of Mr. George Lury: some time in the month
of March last. which said note is payable at
the office of discount and deposit of this bank in
New York to Samuel May or to the bearer.
The number stated of Signed as follows: No 1693:
dated Philad: the 6th of May 1802 - and signed
by J. Simpson Cashr. Thos. Willing Pres:
Given under my hand this 2nd of July 1818

For the said

Thomas Newsom

James Cook J. J.

25

George Gurley Esq^r
Virginia
Landon C^y
Jerusalem
— (11) —

D. S. Perry

Oct. 11/1818 — 15 Miles from Springfield
Holtzman of Ten.

I received yours dated 24th July Court East
and absolved the contents - and am truly sorry that
such an occurrence should happen with us at such
a distance (if it has) - If it is a note that you recd.
of me it is of the following description - to wit -

Am't. One Hundred Dollars on the Banks of the
United States No 1693. Letter I. at their Office of Deposit
& Discount in Norfolk. as I well recollect I had no other
of the same Bank, & why I am so confident in the dis-
cription was that I doubted it myself. The signature
of the President was as I thought so good that probably
it was a good one. However the Gentleman of whom I
recd. it of has a Memo. to the above Am't. & says that he
is willing to replace the money whenever you will have
the Note legally condemned and sent out. If not untill then
as without, he cannot have a legal demand on the person
of whom he had it of. I do not know what opportunity you
will have of sending the note out. or what opportunity there
will be from here to recover it. as I cannot take any
responsibility of risk on my part. ^{by mail} But Sir, you may rest
assured that nothing on my part shall be wanting. I do
not so well understand you in saying if the Bank had de-
clared it is a real Counterfeit. I am sorry it has not been in my
power to write you earlier. - My Friend on reflection it
occurs to me that the ^{best} fair of Col. Freytag of \$16.

were to make to Thos. Newson. altho the order was not
taken up by me at the time, you will therefore please do
me the favor to reexamine the settlement that took place
with yourself Mr. Newson & my self at your house, & see if
you can make it out with Mr. Newson. Cap^t. Clayton will
inform Andrew Washington when he may come to Virginia
about his Bro. Estate. and at that time there will be some
papers to this quarter. —

I am Dear Sir.

Yr. Obedt. Serv^t

Wm. C. Morrison

(C)

Deceased
John C. Morrison
Virginia

George Henry Esq.

Came to hand enclosed under seal
August 18th 1843

The Clerk of Southampton
County Virginia

Lotus. Aug 10th 1823.

By virtue of the within notice
& Commission this day appeared before us William Esq
of Ben Griffin Tutor of the peace for the county afores
Matt. Calvert of lawful age who being first duly
sworn deponeth & saith that the signature to the
letter here sealed is that of Rich^d E. Worthington
that he has often seen the said writing write
and has little doubt but that he wrote the said
letter given under our hands & seals this day above.

Matt. Calvert

William L. Esq. Seal

Benj. Griffin Seal

Ginley }
on } Depositions
William }

Came to hand enclosed under
seal - 20th October 1823

In Compliance of A Commission from the Clerk
of Southampton to us directed we Mr & B Goodwyn
and A. P. Put-justices for the said County have
proceeded to take the deposition of John Thomas
of Lawful age at the Craps Keys on the 18th
October 1823 - to be read in evidence in a suit
in Chancery now pending in the County Court of
Southampton County the title of which is Geo.
Gurley vs Rich^d & E. Wellman, & Rich^d Wellman,
the witness being first-sworn deposed and
saith

Some few years ago George Gurley sen. requested
me to take a hundred Dollar note of the old
United States ^{bank} to Norfolk to make enquiry
whether the note was good or not. I don so
& presented the said note to several Merchants
& they said that they did not know whether
it was good or not, and advised me to
to some Gentleman ~~at~~
~~at~~ ~~at~~ who had been an officer
in the old United States bank. I don so, and
he replied that he believed that it was
not a good note, but if it was that it was
of no value, as the time had expired that
the notes were to be carried in -

Which note the said Gurley informed me
that Richard E Williams paid him -
for the amount said not

John Thomas

Signed, sworn to and acknowledged in the presence of
us.

J. P. Goodenough J. P.

Alexander P. P. J. P.

The Commonwealth of Virginia to
Gentlemen Justices of the peace for
the county of Southampton greeting Know ye that we trusting
to your fidelity & provident circumspection in diligently examining
depositions & oaths a witness as well on behalf of George Luney
Complainant and ^{Rich^d. McLaughlin} Richard Williamson Defendants in a suit
in chancery now depending and undetermined in the county
court of Southampton, command you or any two or more
of you to call & cause to come before you the witness aforesaid
at such time & place as you shall appoint, and examine
him on the holy evangelists of almighty God Touching the
matter in difference between the parties, and his examination
so taken you distinctly & openly certify to us enclosed under
your hands and seals - and have them there this with
witness James Rochee clerk of our said county court of
Southampton at his office the 18th day of August -
1823 & 48th Year of the Comm^d.

James Rochee C.
11

Gurley

William



Notes

Southampton County

Personally appeared before me
George G. Gurney Esq. and in and oath that he
delivered a true copy of the within notice to
Richd. Walling given under my hand this 17 Oct.
1823

Alexander P. Pate J. C.

Mr Rich.^d Williams
Sir

of the
October 1823

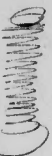
Take notice that I shall on Saturday
the 18th October (Inst) at the 4 Days (J. Inst) between the
hours of 12 & 4 o'clock P.M. proceed to take the dep-
osition or depositions of John Thomas & Thomas Newcome
to be read in evidence in a ^{Certain} suit ~~now~~ in equity now
pending in the County Court of Southampton the
Title of which is Geo: Gurley vs Rich^d & E. Williams
and Richard Williams at which place and time you
may if you please attend. I am yours &c

Geo: Gurley

Gurley

W

Williams



Commit.

to take

Depositions

The Commonwealth of Virginia to

Gentlemen, Justices of the Peace in the

County of Southampton in the Town aforesaid, Greeting: Know ye that
we trusting to your fidelity and prudent circumspection in diligently
examining John Thomas and Thomas Newson, Witnesses on behalf
of George Gurley, against Richard E Williams and Richard Williams
in a Chancery Suit now depending in the County Court of Southampton aforesaid
and undetermined between them, Command you or any two or more of you
that on such certain days and at such places as you shall appoint, you
appear your selves and the witnesses aforesaid before you, you call and
cause to come, and diligently examine on the Holy Evangelist of Almighty
God, and their examination into our said Court, distinctly and plainly
without delay you send and certify enclosed, returning to us also this
written witness James Rochelle clerk of our said Court, at his office
the 15th day of Oct. 1873 In the 48th year of the Commonwealth —
Quirin. Nicoteton D.

Town of Petersburg, TO WIT:

THIS DAY personally appeared before me, an Alderman of said town, *FRANCIS G. YANCEY*, Editor of the *Intelligence Newspaper*, who made oath, that the annexed order of Court hath been regularly inserted in said paper for two months successively. Given under my hand, this *1st* day of *March* 18*23*.

Geo. Williams

Southampton February County
Court, 1822.
Geo. Gurley, Compt.
AGAINST } IN
Richard E. Williams & Rich'd } CHANCERY
Williams, } Defs.
THE Defendant, Richard E. Williams, not having entered his appearance and given security according to the act of Assembly and Rules of this Court, and it appearing to the satisfaction of the court that he is not an inhabitant of this commonwealth: Therefore, *It is Decreed and Ordered*, That the said Deft. Richard E. Williams, do appear here on or before the third Monday in May next, and answer the Compt's. said Bill—And that a copy of this Order be forthwith inserted in the *PETERSBURG INTELLIGENCER*, for eight weeks successively, and posted at the front door of the courthouse of this county on two several court days.
A Copy—Teste,
JAMES ROCHELLE, c. c.
March 1 2m*

Mr. Rich'd E. Williams,
SIR—Take Notice, That I shall, on the 18th day of August next, at Jerusalem, [Southampton county, Va.] between the hours of 8 A. M. & 3 P. M. take the deposition or depositions of George G. Gurly and Matthew Calvert, to be read in evidence in a certain suit in Equity, in the county court of Southampton, in which I am Compt. and you & Rich'd Williams, Defs. at which time and place you may attend.
I am, &c.
GEO. GURLEY, Sen'r.
July 18 1m*

Genley
to
William } Bond:

Nov. 1824 see

Inst. 16 —

Know all men by these presents that we George Gurley & Henry Gurley
are here and firmly bound unto Richard E. Williams and Richard
Williams in the just and full sum of one hundred and fifty dollars
to which payment well and truly to be made we bind ourselves
and each of us our & each of our heirs Exors & admrs jointly and
severally firmly by these presents sealed with our seals & dated
this 16th of November 1824 -

The condition of the above obligation is such that where
- as the said George Gurley hath this day recovered a decree in
the county court of Southampton against the said Richard E. Will-
- iam and Richard Williams for the sum of one hundred dollars
with 6 per cent Interest thereon from the 11th of October 1818 till
paid and dollars & cents costs - Now Therefore if the
George Gurley shall abide such further order of this court as
may be made, for restoring the estate or effects of the said Rich^d.
E. Williams, upon his appearing and answering the complain-
- ants plea - Then the above obligation to be void or else to
remain in full force & virtue -

Teste
James Rochelle

Geo Gurley Seal
Hy Gurley Seal