

1826-001

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BRADSHAW VS VASSER & AL

10/1826

other surnames: Leno,
Lenow

Bradshaw. N. S. 40
4. ~~Bill~~
Leno ~~3~~

Aug. 16th 1824 Ad. of pub.
Subp: awarded and restraining
Ord: agt. Capt. Leno —

Subpoe. if all returnable to
Oct. 1824 —

Nov^r 1824 Ad. of pub.
to February —

30th April 1825 Ad. of pub.

July 31st 1826 Gen. commission awarded

This day personall appeared before me a Justice of the Peace for the County of
Fenn. Martha Broadshaw. who made oath that such of the allegations in the
within bill contained as come within her own knowledge are true & such
as do not she believes to be true given under my hand Aug. 11. 1824.

Robt. Goodwin JP

Do the worshipful the County Court of Southam-
pton in chancery sitting. Humbly Complaining
Sheweth unto your worship your oratrix Martha
Bradshair that a certain Miles Vaper is
justly indebted to her in the sum of \$ 210
on the said which debt became due to her for
her trouble & expense in supporting four slaves
Mary, Ben, Henry & David from sometime in
the year 1815 until March 1823 when they ^{were} delivered
to the said Vaper they being a part of the portion
of his wife the daughter of your oratrix & the service
of your oratrix being induced from the death of her
husband Benjamin the father of the said wife of
Vaper (from whom she derived title to the same to
her marriage with him - which demand has been
since March 1823 acknowledged to be just by
the said Vaper when he promised her that
he would pay it. Since which time the

Said Vaper has departed this Commonwealth on ~~concealment~~
himself so that the ordinary process of law cannot
be served on him. leaving no good chattles or
land by which he can be attached save effects
in property & money which it is believed he has in
the hands of a certain Henry Leno. leaving the said
debt to himself due & unpaid. By virtue of the
premises & in as much as your orator on account
of the absence of the said Vaper out of the Countie
is without remedy at law it is prayed that your
worships will entertain her suit here. She prays that
the said Miles Vaper and the said Henry Leno. may
be made defendants hereto. & true & perfect answer
made to the allegations of this bill. - That the said Leno
be caused to answer on oath to the following interrogatories
set whether he has in his hands any property belonging
to the said Vaper for the purpose of selling for Vapers
benefit & which has not been sold. - whether any property
was left in his hands by the said Vaper to be

Sold for the said Vapers benefit which has been sold
& if so how the proceeds have been disposed of. whether
he the said Leno. did purchase property of the
said Vaper for which he has not yet paid. and whether
he has no effects in his hands of any description which
he in any way holds. subject to the controul of
the said Vaper. and how much. of what kind & in
what manner. that your worships award an order of
publication in due time against the absent def^t Vaper.
grant a writ of Subpoena against Leno. enjoining him
from paying away or in any manner disposing of
any effects which he may have in his hands belonging
to the said Vaper. & grant such other & general
relief as the premises considered may seem
equitable & just. & as in duty &c. -

Broomey atto

Martha Bradshaw.

Bradshaw
17
Nassau: Am^{ro}

Oct. 16th 1876 am. fees -

W. J. B. 17

To the worshipful the County Court of Southampton County
in chancery sitting:

The separate answer of Miles Barnes
to a bill of complaint exhibited against him and
another, by Martha Bradshaw, to this worshipful Court.

This Respondent having shewn for answer to the mate-
- rial allegations of the said Bill, says, that he
denies positively, that he is indebted to the said
Martha, but that he believes that she is indebted
to him - He relies on the answer filed in this
cause, by his attorney in fact, Henry Senon, a
Co-Defendant in this cause - and denying all fraud
he prays to be hence dismissed with his
costs, by him, in their behalf most unreasonably
expended &c.

Miles Barnes -

Southampton County To wit.

This day Miles Barnes personally
appeared before me, a justice of the peace in
and for the County aforesaid, and made oath
to the facts set forth in the foregoing answer
given under my hand at my County aforesaid
this 22nd day of August in the year 1826 -

Wm. Hicks JP

South ^W C. C.

Serious

at 3 ans ~
Bradshaw

Mason

July 18th 1825 answer
filed

To the honorable the County Court of Southampton in
Chancery sitting -

The answer of Henry Leson, as well in his indivi-
- dual character as Attorney in fact for Miles Barber
(acting by virtue of a power from the said Miles, duly
executed & recorded in the office of this Court, an
attested copy whereof is herewith exhibited as a part
of this answer) to a bill of Complaint exhibited to this
honorable Court, by Martha Bradshaw, against the
said Miles Barber and this Respondent -

This Respondent for answer to the said Bill praying
all benefit of pleas in exception to the errors and imperfec-
tions of the said bill, says: That the said Barber
intermarried with the daughter of the Compt, and
by virtue of the will of Bradshaw dec^d father
of his wife, he became entitled to, & rec^d m^{ts} his
possession in the said marriage the said wife dec^d.
It is true that the late wife of the said Miles, who
is now dec^d, did live with the Compt after her father's
death and that these negro slaves remained and
rendered service to the Compt but from their ability
to render service, and the value of the services ren-
- dered to her, that the Compt is not entitled to, and
ought not to receive one cent for their support
during the ^{short} period of time which occurred between
the death of her father & the marriage of the
daughter - Your Respondent denies that Barber
ever agreed to pay her any thing for keeping
the negro slaves, and calls upon her for proof
of the fact - He states before your worship, that
since the institution of this suit the wife of Barber
has departed this life, and since from the Compt's

own shewing, the pretended claim of debt from any one was a debt of the wife contracted before marriage. he is advised that she cannot recover against the rice trading husband, whose liability for the debts of the wife contracted before marriage, expired with her. He expects confidently, to satisfy your worship from a variety of circumstances, that the Comptrol-ler himself set up no claim but has upon more than one occasion paid money to the order of the said Carrier for articles, such as Brandy & c. which he had sold & delivered her subsequently to the marriage above referred to. — Your Respondent admits that Carrier is not now an inhabitant of this Commonwealth but has removed to one of the Western States with the hope of improving his situation. — He deems it proper here to state, that the said Carrier & his ^{late} wife lived together in concord & harmony for about two years after their marriage when from some cause, of which your Respondent is not fully apprised, she quit his society & positively refused to remove with him to the Western Country where he had determined to go. — that Carrier frequently & repeatedly intreated her to go with him but without success. — that when it was found, that the said Miles Carrier would execute his determination without regard to his wife's refusal, a suit for alimony was first threatened, and from the wife's refusal to accept a maintenance at the hands of her husband your Respondent supposes that the failure of such suit being certain, the Comptrol-ler has resorted to this expedient to recover from the said Carrier, whose wife bore him no children, some part of that property which the laws of the land had made his. —

Your Respondent admits that he has not found of the said Carrier by virtue of the letter of attorney as intimated herein. — that he has paid out money before the restraining order of this Court in this behalf was known to him, — and that he is ready at any time to make a settlement of his transactions, and if your worship think proper to direct it in this behalf, he is perfectly con-
= tending. — he does not suppose that there will be enough in his hands to satisfy the entire claim which the Comptrol-ler sets up as her said Bill of your worship should think her entitled to recover that or any other sum. — He denies all fraud combination, a mil-
= lion to do wrong, — and having ascertained fully he prays to be hence discharged with his costs in this behalf most unreasonably expended &c.

Henry Lenox.

Southampton County. To wit.

This day Henry Lenox personally appeared before me a Justice of the peace for the County aforesaid and made oath in due form of Law, to the foregoing answer. Given under my hand at the County aforesaid the 15th day of July in the year 1825.

Robt. Goodwin

Virginia

At a Court held for the County of Southampton on the 16th day of August 1824

Marcha Brasshaw ^{Complainant}
against
Miles Vaper and Henry Leno ^{Defendants} } In Chf.

This day came the Plaintiff by his attorney, and filed his bill against the defendants and on the motion of the Plaintiff by his attorney, a subpoena is awarded him against the said defendants returnable here to

next to cause them to answer the said bill; and it is further decreed and ordered, that the said Henry Leno ~~or any other person that may be concerned, do convey away or in any manner dispose of a certain tract of~~ be caused to answer on oath, whether he has in his hands any property, belonging to the said

and the said Miles Vaper not having entered his appearance and given security according to the act of assembly and the rules of this Court ~~And~~ ^{on the motion of the Plt by his Counsel} it appearing to the satisfaction of the Court that ~~the said~~ ^{the said Vaper} is not an inhabitant of this Commonwealth, It is therefore decreed and ordered that the said Vaper, ^{do} appear here on or before the third Monday in November next, and answer the bill of the complainant ^{and give security according to the act of assembly & the rules of this Court for performing such duties as the Court may require herein} the same will be taken as confessed as confessed as to him and the matter thereof decreed accordingly and that a copy of this order be forth with inserted in some public newspaper Extra in the Town of Petersburg for eight weeks 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 said Henry Leno, do not pay or convey away any money or effects which may be at this ^{time in his hands, or under his control} ~~period~~ ^{which may come thereto} belonging to the said Miles Vaper, or Cause the same to be done, unless the further order of this Court.

~~Miles Vaper is said~~
on the motion of the Plt by his Counsel, It is decreed and ordered that the said Miles Vaper, ~~do appear~~

Virginia At a Court held for the County of Southampton on the 16th day
of August 1824

Martha Brashaw Complainant
against
Miles Vaper and Henry Leno Defendants } In Chff

This day came the Plaintiff by her attorney, and filed her
bill against the defendants, and on the motion of the Plaintiff by her
Counsel, a Subpoena is awarded her against the said Defendants -
returnable here to next to cause them to answer the said bill

And it appearing to the satisfaction of the Court that the defendant Leno
Vaper is not an inhabitant of this Commonwealth on the motion
of the Plaintiff by her Counsel. It is decreed and ordered that the
said Vaper do appear here on or before the third Monday in November
next and answer the bill of the said Complainant, and give security
according to the act of assembly and the rules of this Court for
performing such decree as the Court may make herein, otherwise the
same will be taken as confessed and the matter thereof decreed
accordingly, and that a copy of this order be forth with inserted
in some public newspaper edited in the town of Petersburg
for eight weeks 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 said Henry Leno
do not pay or convey away any money or effects which may be
at this time in his hands or well that which may come thereto, belonging
to the said Miles Vaper, or cause the same to be done until the further
order of this Court -

a Copy Teste A. M. Jackson J.C.

Brady haw
y ~~3~~ Decree
Leno etc

Bradshaw
v
Sons & Co

In Chancery

This Cause this day came on to be heard on the bill answered &c. & was argued by Counsel where upon the Court doth adjudge order and decree that a Commissioner of this Court. audit & settle the account of the monies in the hands of the defendant Leno. belonging to the defendant Vaper and also the value of property in & such as is or has been since he had notice of this suit - his hands in like manner, regarding the said Defendant Leno. to make a statement upon oath and if he should fail to attend after service on him of due notice. then the Commissioner is to report fund in his hands in money belonging to the said Vaper. to the amt claimed in the Compt's bill - The Commissioner shall also after giving notice to the said deft Leno. individually and as attor in fact of M^{rs} Vaper and to the Comptt. - audit and settle the claim of the Complainant against the said Vaper as set out in her bill and in support of her claim shall take the affidavit of such witnesses as the parties shall bring before him and return the said affidavits together with a report of the

Matter herein directed to the Court in order to a
final decree.

Braashaw
① } Spoe
Lenore }

To Oct. bout 1824

came to hand
Sept 8th
Not executed for
want of time
Chas M Briggs
dpt of H. B. S. S.

L^d Annapolis County August Court 1824

This day Came the Pet. by her Counsel. and for reasons appearing to the Court it is decreed and ordered that the defendant Henry Leno answer the Complainants bill on oath, and to say whether he has in his hands any property belonging to the said Vaper for the purpose of selling for the said Vaper and which has not been sold whether any property was left in his hands by the said Vaper to be sold for the said Vapers benefit, which has been sold and if so how the proceeds have been disposed of. whether he the said Leno did purchase property of the said Vaper for which he has not yet paid and whether he has no effects in his hands of any description which he in any way holds as the property of the said Vaper and it is further decreed and ordered that the said Henry Leno, do not pay or convey away any money or effects which may be at this time in his hands, as well that which may come thence belonging to the said Miles Vaper, one Taffer or Cause the same to be done untill the further order of this Court.

A. Middleton D^c

The Commonwealth of Virginia, To *the Sheriff of Southampton County*
GREETING:
YOU are hereby commanded to summon *Henry Snow and Miles Vasser*

to appear before the *Justices* of our *County* Court of *S.ampton* —
on the *first* day of the next court, to be holden at the
Courthouse, in said *County* — ~~to testify and the truth to speak on behalf of~~
Answer a bill in chancery exhibited against them by Martha Bradshaw
~~in a certain matter of controversy in said court depending~~
~~between~~ ~~plaintiff and~~
~~defendant~~ ; and this
they shall in no wise omit, under the penalty of 100L ^{*each*} — and have then
there this writ. — Witness *James Rochelle* , Clerk of the court
aforesaid, the *6th* day of *Sept* 1824 ; in the *49th* year of
the commonwealth.

James Rochelle CC

Bradham

15

denow 85



Spa in clay

To May county Court 1895

Executed

Stephen Muddaugh Dy of
Jeremiah Cobb Giff

THE COMMONWEALTH OF VIRGINIA.

TO The Sheriff of Southampton county

—GREETING:

YOU are hereby commanded to summon Henry Senoway Miles Wapser —

to appear before the Justice of our County Court of Southampton
county, on the first day of the next court, to be holden at the Courthouse, in said county,
to testify and the truth to speak on behalf of answer a bill in chancery exhibited against them
by McArthur Bradshaw in a certain matter of controversy in our said court
depending between

Plaintiff and

Defendant ; and this they shall in no wise omit, under the penalty of 100^{each} — And have
then there this Writ.

Witness, James Rochelle

Clerk of the Court aforesaid, the 30th ^{at his office}

day of April

1825, in the 49th year of the Commonwealth.

James Rochelle C.
4

Miles Varner

Acct.

Against

Martina Bradshaw

M^{rs} Martha Bradshaw in account with Mills Varrin,

August 21st 1826.

1824 June To a Horse	80 00
1824 June " a Bed & furniture	30 00
1824 " " a Spinning wheel	1 50
1824 " " Pewter	12 00
1824 " " a Gold Ring	3 00
1824 " " a Chest ~~of~~ with Bed and Sundries Clothing	25 00
1824 " " Hire of Lave from June till December	25 00
1824 July To 15 Bushels wheat @ 6/	15 00
1824 August 1000 weight fodder	5 00
1824 October To 40 Barrels Corn @ \$3.00	120 00
1823 November To 2 Barrels of Brandy @ \$20.00	40 00
1824 April To 1/2 barrel fish	2 50
1824 " To Hauling a Load fish	1 50
" " " a ace 7/6	1 25
" " " 2 Gallons molasses @ 2/3	" 75
" May " 1 Cow	11 00
	<u>\$ 373.50</u>

C^{ts}

By cash	5 00
By 5 Gallons Brandy @ 6/	5 00
By Elbert Bradshaw	3 12 1/2
	<u>13 12 1/2</u>

Mr. James Russell

Dear Sir,

in order to bring the suit on -
between Martha Bradshaw & Miss Yarrow - of which I am
a party, - Mr. Mason told me, Depositions of Witnesses are
to be taken, please make Mr. Yarrow ^{acquainted} acquainted with the nature,
as I am committed to Engineer Law to proceed, - - Mr. Mason
is desirous to bring the case on next court, the other party
has no objection. -

With due Respect Yours obdnt Servt
Henry, Senior

July 25. 1826