

1834-027 SOUTHAMPTON COUNTY
CHANCERY PAPERS

LEWIS VS. BEALE etal

3/1834

N.B. Several Sheets pasted together & folded.
Handle with care.

other SURNAMES: Scott, Beal,
TURNER, HERMAN, GRIFFIN

John Lewis

as 3 Bell for attn:

Robert Bush &c

62
50
136
94
3. 42

1830. Nov. Bell filed

" Nov. 6th O. Pub. & aft. Becke to
Febry: Court met &c

1831. June. Henry Hermann ad-
mitted party, petiff &c

1832. March. Ans. of Griffin
filed. R.R. &c

June. decree as filed &c

1834. March. Rpt. int. &c

clk	\$ 3.42
Shff	60
O. Pub	5.50
Law &c	<u>5.75</u>
	15.27

dft Griffin's Cts

clk	\$ 0.30
Law	<u>5.00</u>
	5.30

Parker p. y.

In the worshipful the County Court of Southampton
in chancery sitting -

Humly complaining sheweth unto your worships
your orator John Lewis That a certain Robert
Beale he came indebted and is now partly in-
debted to him on account in a large sum
of money to wit in the sum of £
that the said Beale has removed from
this commonwealth and has left with-
in its limits no property whatsoever as far
as your orator knows or believes, according
to the ordinary process of law - but that
a certain Benjamin Griffie in his
character of ^{monitor} Jonathan Scott etc? has
in his hands, money belonging to the
said Robert Beale more than sufficient
to satisfy your orator's demand That
your orator's prayer the end of this Court
be to subject the said monies to the payment
of his demand, when established, which
cannot be effected in any other manner
than by the interposition of this worship-
ful Court. To the end therefore that the
said Robert Beale ^{& Benjamin Griffie} may be made de-
fendants & compelled to be answer the
premises that your worships order due
publication against the said non resident
defendant & in the mean time restrain the
said Benjamin Griffie from paying over
the said monies, to the said Beale or any other
person, but that he shall hold the same subject
to the future order of the Court when the matter
herein charged can be fully investigated and
moreover grant to your orator such other and
general relief in the premises as may be equita-
ble & necessary to his said case May it please the
Parker jg.

Testts under

at }
Lewis } answer

filed February 20/1832.

The answer of Benjamin Griffin and administrators of John Testt who were agents for Robert Beale to a bill exhibited against him & the said Robert Beale in the county court of Southampton by John Lewis plff.

This respondent saving & reserving all advantages of exception &c for answer to said bill, or for &c. and thereof as he is advised is material for him to answer & says, that he is the administrator of the said John Testt, and on examining the papers of said Testt he has found various claims which appear to be due, and to belong to the said Robert Beale he has prepared a true statement of said claims amounting to one hundred and forty eight dollars and 97 $\frac{3}{4}$ cts filed herewith marked A and prays to be considered as part of this answer; he knows of no other debts or claims due to said Beale as aforesaid except those mentioned in said statement A.

This respondent has ~~received~~ had placed into his hands an account in favour of the said Robert Beale vs. the plaintiff John Lewis, for sundry articles sold & sold on amounting to nine dollars & 62 $\frac{1}{2}$ cts which he has also herewith filed marked B, and prays the same may be allowed the said Beale in any decree the court may ~~make~~, ~~and that~~ ~~the plaintiff may be compelled to~~ ~~transmit to the court on oath~~ think proper to make

This respondent leaving this answer

prayer to be dismissed with
his reasonable costs in this behalf ex-
pended &c

required

Lanternman comes to wit

The day Benjamin Griffin
appeared before me Jo. H. Lane
a justice of the peace for the county of Ore-
gon and made oath that the foregoing
allegation & the statements therein are true
given under my hand this 20th day
of Feby 1832

Jo. H. Lane

Lewis Tal vs. Beal & Griffin

The order of publication heretofore awarded against the defendant Beal having been duly executed, & the cause coming on to be heard on the bill, the answer of the defendant Griffin, the depositions & exhibits filed & was argued by counsel on consideration whereof the court is of opinion that the def^t Beal is indebted to the p^{ty} Lewis in the sum of $\$58.16$ ^{with interest from Jan'y. 1. 1830} and also to the p^{ty} Harmon in the sum of $\$42 \frac{12}{100}$ with interest ~~the interest thereon~~ from the 23^d day of Jan'y. 1829 subject to a credit of $\$25$ paid on the 24th day of March 1829 - and it being admitted by the def^t Griffin that he has in his hands the sum of $\$14.43$ & a further sum in bonds & accounts making in all the sum of $\$148.97 \frac{3}{4}$, the court doth further adjudge order & decree that the def^t Griffin, after paying the sum of $\$5$ which he has been compelled to incur in his defence of his suit, pay to Edward Butts the balance of the cash in his hands, ~~together with the~~ & deliver to him the said Edward Butts the bonds & accounts in his hands for the purpose of collecting the same & applying the same in discharge of the said debts, & of holding the ~~balance~~ balance & the costs of this suit, and of holding the balance in his hands subject to the future order of the court -

I am knowledge to have received a true copy of the
within this 7th day of April 1830

Nary Griffin

Lewis

as $\frac{1}{2} \text{ p.m. Chy.}$

Deal & Co

Executed by deponent
a true copy to Benja.
Griffin April 7/1830. —

Ja^s. H. Hall Deppes
Clement, Rochelle, Ill.

Fax ch?

b.b.

Do attack the manner and effects of the experiment made on the friends
of the other experiment, so that the be notwithstanding from paying, conveying
away or destroying the debts by him owing to, or the effects in their hands
of the said Robert Ward would that order of the Court to the contrary.

Charles J. G. J.

Charles Boy

The Commonwealth of Virginia,

To the Sheriff of Southampton County—GREETING:

WE COMMAND YOU, that you ~~take~~ *Summon* Robert Neal & Benjamin Griffin *advers* of
Jonathan Scott dec^d

if *they* be found in your bailiwick, ~~and to appear~~ *and to appear* ~~safely keep, so that you have had~~ before
the Justices of our County Court of Southampton, at the Courthouse, on the first day of the next Quarterly Session of the said Court,
to answer *a bill in Chancery exhibited against them by John Lewis. And*
unless the said defendants shall answer the said bill within four months
thereafter the Court will take the same for confessed and decree the matter
thereof accordingly. And this they shall in no wise omit under the
penalty of \$100

And have then there this Writ. Witness, JAMES ROCHELLE, Clerk of our said Court, at the Courthouse, this *19th* day of
March 18 *50* in the *54th* year of the Commonwealth.

James Rochelle Clk

Lewis

to 3 Deposition of Nathan
Beale - Turner

Came to hand under seal Aug^r
16th 1831. L.R.C.

Mr. Beale under seal
- Aug^r 18th 1831 -
Came to hand under seal
of the County
of South Carolina

The deposition of Nathaniel Turner
taken at the Tavern of Peter to
Murdough by the Coroner of New
Hampshire in the County of Northampton
free and to justice in the public
Newspaper, ~~between~~ on the 16th of August 1831
between the hours of
9. a. m. and 5. p. m. to be
read as evidence in & well and
defending in the County Court of
Northampton in chambers ~~where~~
in, ~~the~~ ~~case~~, is plaintiff
& Robert Apple & Heyman
& Apple are defendants.
The deponent being first
sworn on the Holy Scriptures
deposed & says that he well
knew the land ~~belonging to~~ ~~being~~ ~~in~~ the
year 1829 and that he made many
barrels

That he cultivated the land belonging
to ~~Apple~~ in the year 1829 & that he
made many barrels of corn about
three thousand pounds of fodder and
about three barrels and a half of
hay & that he knows the said land
and that John Jones the plaintiff in
this cause who had been previously employ-
ed by the defendant Apple to cultivate the
said land was turned off by the said Apple

after the crop had ^{been} harvested and authorized
up to that period by the said Lewis
Question by the Plaintiff - Do you know
what the agreement was between Beale
and Lewis? ~~Beale~~ Beale was to furnish Lewis
the land and a horse & give him a fourth
of every thing made on the plantation?

Question by the same - Do you know the reason
why Beale turned off Lewis? ~~Ans.~~ I never
heard that Beale was separated with
Lewis and suppose it was in consequence
of his going away

Question by the same & Quid Lewis apply
for a settlement with Beale before he
left the State? ~~Ans.~~ He did apply and
was granted and Beale refused to return
the money - ~~and further that~~
agreement with the same

Question by the same - Do you know the
price of corn, fodder and hogs in the
year 1839? ~~Answer.~~ Corn sold for about
three and a half dollars a bushel - Bran
Oy from ten to twelve dollars a bushel
and fodder from fifty to seventy five cents
per hundred - ~~and put the same in~~
South not

Witness James

~~Subscribed to~~ before us ~~per~~ of the
peace for the county of South Hampshire
this 16th day of August 1837 as witness
our hands and seals

Corio A. Browne J. P. (Seal)

Alexr. Dyck J. P. (Seal)

John Lewis

¹⁰
Robt. Beale

} De cr

De cr

Debt due Jan 1/1830 for	58.16
Int till June 17/1833	12.03
Costs	15.27
Com m ^s . at 5 p ^{ct} .	85.46
	4.27
	<u>\$89.73</u>

Henry Herman

¹⁰
Same

} De cr

De cr

Debt due Jan 23/1829 for	\$42.12 ¹ / ₂
Int till Mar: 24/1829	42
	42.54 ¹ / ₂
Co ^p p ^r de cr	25.00
Int till June 17/1833	17.54 ¹ / ₂
	4.41
	21.95
Com m ^s . at 5 p ^{ct} :	1.09
	<u>\$23.04</u>
	\$112.77
So paid Benj ⁿ Griffin as p ^r de cr	5.00
" paid sundry costs attending the recovery of the debts	4.67
	<u>\$122.44</u>
By sundry notes & acct ^s collected as p ^r list hereto annexed (i.e. cash)	\$124.76
Over collected	<u>\$2.32</u>

Lewis & Co -

in { \$60000

Beale & Co

By virtue of the within decree to me directed I have received of
Benj. Griffin notes accounts and cash amounting to the sum of
One hundred and forty two dollars 54 1/2 cents as per list hereto
annexed and For At Tolls exp

By virtue of the within decree to me directed, have collected
out of the funds received of the defendant Benjamin Griffin
the sum of One hundred and twenty four dollars 76/100, out
of which sum I have paid the plaintiffs John Lewis and Henry
Herman their respective debts interest and costs amounting to
the sum of One hundred and twelve dollars 77/100, and paid
to Benj. Griffin the defendant the sum of five dollars - and
have paid the further sum of four dollars 67/100 costs
which necessarily accrued in the recovery of the debts -
making the sum of One hundred and twenty two dollars
44/100 which ^{more or} ~~amount~~ ^{less} stands from the \$124.76 leaves a balance
of \$2..32 ^{in my hands} ~~have~~ also in my hands several other claims
which ~~I have in my hands~~ I wish the Court to order to

be paid to Robert Beale or such person or persons
as he may lawfully authorize to receive the same.
all of which is respectfully submitted to the
Court

Account of cash rec^d on acct of ^{to Beale}
Notes & accts placed in my
hands by a decree of the County
Court of Southampton belonging
to Robt Beale, and attached in
the hands of Ben^y Griffin
for the benefit of John
Lewis and Henry Herman
to wit. —

Henry Ennis note & Int.	\$ 10 32
Bertha Beaulac do	23 50
John Spivy - acct.	2 -
Wm Bradshaw acct.	45
Everett Griffin	2 37
J. S. Mahone note & Int.	2 76
Thaddeus Powell note & Int.	11 14
Holladay Woolton acct.	2 -
Geo Camp acct.	1 50
Wm Bradshaw acct.	10
Randolph Fowler acct.	2 25
Lee Liberty acct.	3 30
Harmon J. Griffin note & Int.	9 66
Wm Bradshaw acct.	6 30
Rich ^d Porter note & Int.	
Allen Edwards do	5 38
Robert Drury acct.	1 -
David Constable note & Int.	15 03
Exum Spivy note & Int.	11 42
Cash rec ^d of B. Griffin	4 34
Rich ^d Porter note & Int.	9 94
D. Constable note & Int.	1 04
To p ^r Cash in all items	30
" p ^r do in Woolton	30
" p ^r do in Jaynes	30
" p ^r do in Griffin	30
" p ^r do in Wande	72
" p ^r do in Beale	57
" p ^r do in El Beale	30
" p ^r do in Row	30
" p ^r do in Mahone	30
" p ^r do in Edw & John	60
" p ^r Ben ^y Griffin	5.00
" p ^r Henry Herman	23.04
" p ^r John Lewis	89.78
Bal. due Ro. Beale	2 32

be paid to Robert Beale or such person or persons
as he may lawfully authorize to receive the same.
all of which is respectfully submitted to the
Cant.

Account of Cash
Notes & checks per
hands by a
Committee of
to Robt. Beale
The hands of
for the benefit of
Lewis and Henry
to wit. -

Edward Beale

Henry Jones note & Int.	\$ 10	
Barbra Beale do	23	50
John Sperry aut.	2	-
Benton Bradshaw aut.	45	
Everett Griffin	2	37
J. S. Mahone note & Int.	2	76
Thaddeus Powell note & Int.	11	14
Holladay Woolton aut.	2	-
Geo. Camp aut.	1	50
Goodman Bradshaw aut.	10	
Randolph Fowler aut.	2	25
Lee Liberty aut.	3	30
Harmon J. Griffin note & Int.	9	66
Wm. Bradshaw note & Int.	6	30
Rich ^d Porter note & Int.		
Allen Edwards do	5	38
Robert Davory aut.	1	-
David Carstaphen note & Int.	15	03
Exum Sperry note & Int.	11	42
Cash in ^{of} J. S. Griffin	4	34
Rich ^d Porter note & Int.	9	94
D. Carstaphen note & Int.	1	04
do ⁱⁿ cash in all over	30	124 76
" ⁱⁿ do in Woolton	30	
" ⁱⁿ do in Jaynes	30	
" ⁱⁿ do in Griffin	30	
" ⁱⁿ do in Wandle	72	
" ⁱⁿ do in Beale	57	
" ⁱⁿ do in El Beale	30	
" ⁱⁿ do in Rowes	30	
" ⁱⁿ do in Mahone	30	
" ⁱⁿ do in Edwards & Bliss	60	
" ⁱⁿ do in Berry & Griffin	5.00	
" ⁱⁿ do in Henry & Harman	23.04	
" ⁱⁿ do in Lewis	89.78	122 44
Bal. due R. Beale	2	32

Southampton June Court 1832

John Lewis and Henry Herman
against

Plaintiffs } In Chancery

Robert Beale and Benjamin Griffin adms of Jonathan
J Scott adrs. } Defendants

The order of publication heretofore awarded against the defendant Beale having been duly executed, and the cause coming on to be heard on the bill, the answer of the defendant Griffin, the depositions and exhibits filed & was argued by Counsel, on consideration whereof the Court is opinion that the defendant Beale is indebted to the plaintiff Lewis in the sum of fifty eight dollars and sixteen cents with Interest from January 1st 1830. and also indebted to the plff Herman in the sum of forty two dollars 12 1/2 cts with Interest thereon from the 23rd day of January 1829 - subject to a credit of twenty five dollars paid on the 24th day of March 1829 - and it being admitted by the defendant Griffin that he has in his hands the sum of fourteen dollars forty three cents and a further sum in bond and accounts making in all the sum of one hundred and forty eight dollars ninety seven and three fourth cts. the Court doth further adjudge, order and decree that the deft Griffin after paying the sum of five dollars which he has been compelled to incur in his defence of his Suit, pay to Edward Butts the balance of the Cash in his hands and deliver to him the said Edward Butts the bonds and accounts in his hands for the purpose of collecting and applying the same in discharge of the said debts and the Costs of this Suit, and of holding the balance in his hands subject to the further order of this Court

Plffs Costs to wit
Cts. . . \$ 3.42
Shff. . . 60
Or. Pub. . . 5.50
Law fee &c. . . 5.75
\$ 15.27

Attest Teste James Rochelle Clk

List of Cash, Notes and Accounts received of Capt. Bay since
 Griffin July 24/1832 due to Robert Beale & Co.

Henry Jones note due Jan 3/1830 for	\$8.75
A. J. Griffins note due same time	8.02
Caum Spiro note due do	12.40
Robin Daniels note due do	19.92
D. Gustaphson note due do	8.25
Thos Powells note due Jan 3/1831	10.21
Wells & Blows note due Sept. 27/1829	15.00
J. I. Mahons note due Mar. 29/1829	2.25
Rich ^d Porter note due Sept. 19/1829	3.50
Allen Edwards note due Jan 10/1830	4.60
Caum Wiggins Judge	1.12 1/2
Willis Bradshaw execution due May 18/1828	5.30
Calban Worrell aut	2.00
Everitt Griffin 2 auts	6.00
J. I. Mahons aut	2.25
Lee Liberty aut	3.30
Holladay Woolten aut	2.00
Randall Fowler aut	2.25
Stephen Butler aut	75
J ^r Allen aut	2.19 1/2
Jep ^r Spiro aut	2.00
Geo Camp aut	1.50
Robert Drummy aut	1.00
Lawson Beale aut	2.00
Henry Rowe aut	1.00
Ely Beale aut	2.00
Allen Chapman aut	50
Sam ^l Laguer aut	25
Will. Griffin aut	25
Briton Bradshaw aut	45
Goodman Bradshaw aut	10
Cash	11.42 1/2
	<u>\$142.54 1/2</u>

Statement of
Robt. Beals papers

(A)

A List of Notes and Acc^ts in the hands of Benj Griffin adm^r of Jon. Scott who was agent for Robt Beal which appear from the face of s^d Notes & Acc^t to belong to said Robt Beal

Sad Robt. Beal			
Thos Pawells note for	\$10.20	amt. brot up	\$111.05 ^{1/4} Ct
Ellen Edwards do	4.60	Law. Beal acct	2.00
Harrison & Griffin do	8.02	Wm Griffin	.25
Henry Jones do	8.75	Eli Beal	2.00
Vello of Blaw	15.00	Holladay Mollen	2.00
Eley Joiners note	7.98 ^{3/4}	Henry Rowe	1.00
J. J. Callahan	2.25	Jn. Mercer	2.19 ^{1/2}
Ecum Spring	12.40	Jesse Spring	2.00
Purkin Daniel	19.92	Robt. Drury	1.00
David Carstarphen	8.25	George Camp	1.50
Rich ^d Porter	3.50	Everett Griffin	4.00
Ecum Meegins Judgmt	1.12 ^{1/2}	Wiley Braodhaw	5.00
Stephen Butlers Act	.75	Britt Braodhaw	.45
Saml Jarvis do	.25	Goodwin Braodha.	.10
Allen Chapman do	.50	Collected and	} 14.43
Randae Fowler	2.25	in hand	
Lee Liberts	3.30		<u>\$148.97 ^{3/4}</u>
Nathan Morel	2.00		Perry Griffin
	<u>111.05 ^{1/4}</u>		

Lewis. visit
to Beale

\$9.62⁰⁰

(B)

1829 Mr. John Lewis to R. Neal

August 10.

To sundry articles Corn & Bacon 9.62 $\frac{1}{2}$

By Cash in part of the within note twenty five
Dollars March 24th 1829

Wm. Newman
by S. McAtister

Wm. McAtister
Note \$25.00
at Wm. Newman

Mar. 12/72

on demand I promise to pay Henry
Herman or order Forty two 12 $\frac{1}{2}$ /100 dollars
Value received or without my hand and
Seal this 23rd day of January 1872

Witness ^{his} Robert F. Beale Secy
Andrew McNeill, mark

