

1846-134

SOUTHAMPTON COUNTY
CHANCERY PAPERS

WELLONS' GUARDIAN VS. LAIN et al

10/1846

See also: Wellons' Guardian v Lain et al 1845-30
etc.

Other surnames: Williams,
Gardner, Jenkins

Wellons by Y.

to } Papers

Lain go

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	1 42
celk	<u>4 03</u>
Shelf	2 13
Saw &	<u>17 41</u>
	<u>23 57</u>

Willows by G^o

to G^o Hist. of Rules

Law G^o

Elizabeth Wellons an infant being by James St Jenkins her guardian and
next friend

v:

Shugars Lavi. Matthew Williams & Edwin Gardner

1845 July 8 Sup^a issued writ: to August Rules

" Aug: R. Sup^a ret^d. Lavi & Gardner not found. Williams no inhabitant. Bill filed
and new process awarded.

" Sept " Sup^a ret^d. Executed.

" Nov " Decree against Lavi. with reservation of.

Willows for
100
Lain & al } Bill

Sept 1845
1845 July Rules

To the Hon^{ble} R H - Baker Judge - 1st Judicial
District - 1st Circuit -

^{being of} Humbly complaining sheweth unto your honor
your Complainant - Elizabeth Wellons an infant -
by James H Euckins her guardian and next friend
that at August term 1834, one Sargens Linn with
Matthew Williams and Edwin Gardner as sureties, as
will more fully appear by bond herewith filed and prayed
to be taken as a part of this bill, qualified as the
guardian of your Compt. Elizabeth Wellons and continued
to act as such till his removal by the County Court,
that during this time he possessed himself of the
estate and received the rents, hires and profits thereof,
which he has failed to pay over - By reference to an
account herewith filed and prayed to be taken as a
part of this bill, it appears that a balance is
due the ward of \$154-06. with interest on \$145-49
part thereof from 31st Dec 1834 till paid. which
amount your Compt. at all ~~times~~ she is bound to
is anxious to receive and she is advised that this
can only be done through the intervention of a Court
of Equity, where matters of this kind are alone cognizable
She therefore prays your honor to decree the payment
of said sum of money and grant such further
general and special relief in the premises as the rules
of the Court will allow and the right of the case may
require, she ~~prays~~ further prays that the said Sargens
Linn, Matthew Williams & Edwin Gardner may be
made parties thereto & be required to answer the same
and that Compells writ of Spe may be awarded
commanding & - and your Compt. as in duty
bound will ever pray &

Ridley & Goodwyn. for
Compt.

[Faint handwritten notes]

Wells by d-
or
Lain L } decree

It appearing to the Court that more than two months has elapsed since the filing of the bill, as well as the service of the subpoena and the defendants having failed to file an answer on motion of the P. Off by their Counsel his bill is taken for confessed. and thereupon this cause came on to be heard on the bill & exhibits and was argued by Counsel. On consideration whereof the Court doth order adjudge and decree that the Def^t Lazarus Lain pay to the P. Off the sum of \$154-06 with interest on \$145-49 part thereof from 31st December 1834 till paid. and that Def^t pay to the P. Off his costs. and liberty is reserved to the p. off to apply hereafter for a further decree against the other Def^s.

Willows by

in } Sp^o. in Chy

Lam yb

1845 August Rules

Shugart Lane & Edwin

Gardner not from

Matthew Willows to Inhabit

William A. Bell Dep^y of

Samuel B. Lewis Sheriff

53
152
215

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon *Shugars Lam. Matthew Williams & Edmund Gardner*

to appear at the Clerk's Office of our Circuit Superior Court of Law and Chancery for the County of Southampton, at the Rules to be holden for the said Court on the first Monday in *August.*

next, to answer a Bill in Chancery exhibited against *them* in the said Court by *Elizabeth Wellons an infant suing by James H. Jenkins her guardians and next friend*

And unless *they* shall answer the said Bill within ^{*Lam*} ~~four~~ months thereafter, the Court will take the same for confessed, and decree accordingly. And this *they* shall in no wise omit, under the penalty of £100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-house, the *8th* day of

July 1845, in the *69th* year of the Commonwealth.

L. R. Edwards

[One Copy to be delivered each Defendant.]

656

Wells

Spa. in Chy

Sam 90

1845 September Rules

Granted

William A. Bell Deputy of
Samuel B. Himes Sheriff

1666
75
1741

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon *Thugars Lavin, Matthew Well-*
ains and Edwin Gardner

to appear at the Clerk's Office of our Circuit Superior Court of Law and Chancery for the
County of Southampton, at the Rules to be holden for the said Court on the first Monday in

September next, to answer a Bill in Chancery exhibited against *them* in
the said Court by *Elizabeth Wellons an infant suing by James*
H. Justkins her guardian and next friend

And unless *they* shall answer the said Bill within ^{*two*} ~~four~~ months thereafter, the Court will
take the same for confessed, and decree accordingly. And this *they* shall in no wise
omit, under the penalty of £100. And have then there this writ. Witness, LITTLETON
R. EDWARDS, Clerk of our said Court, at the Court-house, the *4th* day of
August 1845, in the *70th* year of the Commonwealth.

L R Edwards

[One Copy to be delivered each Defendant.]

~~We acknowledge by the service of the within~~

~~Notice~~

~~Given Oct 18 1846~~

~~Shugart Davis~~

~~Eli W. Davis~~

Executed on Eli W. Davis by his
acknowledgment of the within October 17th 1846
and Shugart Davis acknowledged
October 19th 1846

William A. Bell Deputy
Jacob Humes Sheriff

We a shorn and legal service of
the within notice

October 17th 1846

Eli W. Davis
Shugart Davis

Messrs. Shugan Sain and Eli W. Davis

TAKE NOTICE, That I shall, by my Attorney, move the Judge
of the Circuit Superior Court of Law and Chancery for Southampton County
on the 3rd day of ~~Nov~~ Term next for a judgment and award of execution against
you, on your joint delivery or forthcoming bond, executed to me on the 5th day of
January 1846, in the penalty of Five hundred and Eighty dollars
and Eight Cents ———— conditioned as the law directs; with which
condition you and each of you have failed to comply.

Yours, &c.

Sept. 7th 1846

Elizabeth Willoms by
James H. Jenkins Guardian and
next friend

Guardian Bond

Wellons Esq.

or } Ex. with Bill

Lain Esq.

1782

1782

Know all Men by these presents that we Shugars Lavin Matthew
Williams and Edwin Gardner are held and firmly bound unto Benjamin
Triffin George S. Gray Alexander Maynard and Nicholas M. Schell Justices
of the peace for Southampton County now sitting in the sum of Five
hundred dollars: to the payment whereof well and truly to be made unto the
said justices and their successors we bind ourselves and each of us our and each
of our heirs executors and administrators jointly and severally firmly by these
presents sealed with our seals and dated the 19 day of August 1854

The condition of the above obligation is that if the above bound Shugars
Lavin his executors and administrators shall well and truly pay and deliver
unto Elizabeth Ann Willons infant child of Joseph Willons deceased,
all such estate or estates as now is or are or hereafter shall appear to be due
to the said orphan when and as soon as she shall attain to lawful age
or when thereto required by the justices of the said Court and also keep
harmless the above named Justice and their and every of their heirs executors
and administrators from all trouble and damages which shall or may
arise about the said estate then the above obligation to be void unless to
remain in full force and virtue

Shugars Lavin (seal)
Matthew Williams (seal)
Edwin Gardner (seal)

Attest, Teste

J. R. Edwards Telg

Elizabeth W Wellons

Guardians account

Alapay.

Wellons Son.

~ } Ea: with bill

Lam y

Elizabeth Wellons a Minor

In account with Thurgers Lains late Guardian

1836									
March 1	To paid J. Wellons acct for Receipt	16	34						
"	" " W. Griffin		88						
	By Cash in part for Negro boy sold under	"							
	and order of this Court	"		20	00				
	To Coms on ditto	1	00	18	22				
Dec 31	By Balance due this ward			1	78				
1837									
July 1	By balance for Negro boy due this day	"		156	00				
	To Coms on ditto	7	75						
	" paid Drury & Co acct	2	64						
	" " O Gardner	1	00						
				156	78				
				11	39				
Dec 31	By Balance due this ward	\$		145	39				
	By interest on the bal of 1836	"			10				
1838	To sundries for bill	1	00						
	" paid Drury & Briggs acct	1	25						
	" " J. B. Vick		38						
	" " S. L. Williams		62						
		3	25	145	49				
	By interest on the balance of 1837	8	72						
Dec 31	By balance due this ward ~~\$5.47~~ 5.47	"		143	49				
1839	To paid Mrs Williams acct	2	38						
	" " Vick & Drury	2	97						
	" " S. L. Williams		75						
	" " O. A. Gardner		38						
		6	48						
	By interest on the bal of 1838	8	72	14	19				
Dec 31	By balance due this ward \$7.71	"		143	49				
1840	To Paid E. James & Co acct	1	15						
	" " sundries for bill	2	06						
	" " Vick & Drury	2	45						
	Carry forward \$7.71	5	66	143	49				

			Int	Dr	Cr
1840		amounts brot forward	\$ 7.71	5 66	145 49
		By interest on the balance of 1839	8.72	16 43	
Dec 31		By balance due the ward	\$ 10.77	" "	145 47
1841		To paid Vick & Dunning acct		3 89	
		" " W. Griffin "		88	
				4 77	
		By interest on the balance of 1839	\$ 108.72	19 49	
Dec 31		By balance due the ward	\$ 14.72	" "	145 49
1842		To paid Jno. M. Holland acct		3 68	
		" " Remondinger "		35	
		" " S. L. Williams "		1 44	
		" " sundries for hire		2 32	
				7 69	
		By interest on the bal of 1841	8.72	23 14	
Dec 31		By balance due the ward	\$ 15.75	" "	145 49
1843		To paid M. H. Willons board		10 00	
		" " E. S. Velhies acct		4 12	
		" " Charles Lichts		1 78	
				15 90	
		By interest on bal of 1842	8.72	24 47	8 57
Dec 31		By balance due the ward	\$ "	" "	154 06
		with interest on \$145.49 paid thereof from this date			
		has paid			

Respectfully submitted

Jure Robt. Comr

Comr for \$2.50 charged to
James H. Buckins Suror

At a Court held for the County of Southampton on the 15 day of April 1844
This account of Thurgate Laim Guardianship of Elizabeth Willons was
returned and ordered to lie on the Term for exceptions: and at a Court held for
the County aforesaid on the 20 day of May 1844 The said account having
lain on the Term and no exceptions being filed was confirmed and ordered
to be Recorded

Teste J. R. Edwards Clk

Attest

Teste. J. R. Edwards Clk