1862-002 SOUTHAMPTON COUNTY CHANCERY PAPERS DREWRY VS. BLANCHARD & AL

S1862

other SURNames: Cobb, Neeley, Rawls, Gardner

Drewry

~ } Papers

Blanchard &c

1862 May

In Southampton Circuit Court.

Permelia Drewry — Plff

against

Wm Blanchard and Alfred Cobb — Defts.

1861 Dec. 23d. Sumt in Chy. & restraining order issued.

1862 Feby. R. Sumt ret'd Executed on Cobb. Blanchard not a resident. Bill filed. Decree Nisi v Dft. Cobb. Or. Pub v Dft Blanchard.

" Mar R. Bill taken for Confessed as to Deft Cobb.

" Apl " Cause Set for hearing as to Deft. Cobb.

Treasury

To } Stat. Rules

Blanchard &c

Clk.	// 3.87
Sheff	1.00
W. B. Wellons printer	6.20
Law L:	16.00
	// 29.07

Kilby J. V.

Permelia Drewry

v. Bill

Wm Blanchard & c

1862 February Rules

South Cir. Ct.

To the Circuit Court of Southampton County—in Chancery sitting— Complaining, shew unto the Court your Complainant, Permelia Drewry,—

Your Complainant respectfully represents to the Court and says, that one Wm. Blanchard formerly of the County of Isle of Wight, but now a non resident of the State of Virginia, is indebted to her the sum of One hundred and ninety dollars, for balance due by him for Board, lodging & washing of the three children of said Blanchard (Isabella, Ann Matilda, & Jno. Thomas) — that the said claim (an account of which is filed herewith & marked (A) is just; that there is present cause of action therefor, and that the said Wm. Blanchard is a non resident of Virginia, and has as your Complainant believes, estate or debts due him within the County of Southampton wherein this suit is, that is to say that one Alfred Cobb of the County of Southampton, is indebted to said Wm. Blanchard the sum of five hundred dollars at least; and that the said debt thus due to said Wm. Blanchard, is liable, & should be made subject, to your Complainant's demand.

In Consideration whereof and for as much as this Court has jurisdiction to grant all adequate relief in the premises; To the End therefore your Complainant prays that Wm. Blanchard (a non resident as aforesaid) & the said Alfred Cobb (home defendant) may be made Defendants hereto, and be compelled to answer the allegations herein, on oath, that the said Alfred Cobb may on oath declare, make known & set forth what amount he owes to the said Wm. Blanchard and that whatever amount may be due, may be made subject to the payment of your Complainants' demand, and that all proper orders & decrees may be made Consistent with right &c.

And your Complainant will ever pray &c. John R. Kilby p. q.

Drewry

v

Wm. Blanchard &c

1862

May 6th.

To be entered

R. H. B.

Drewry

v

Blanchard &c

This cause, in which the plaintiff has proceeded in the mode prescribed by Law against absnt defendants, as to the Defendant Wm Blanchard came on to be heard on the said Bill taken for confessed as to the said defendants, & on exhibits filed with said Bill & on examination of witnesses, and was argued by Counsel: On Consideration whereof the Court doth adjudge, order & decree that the plaintiff recover of the absnt Defendant, Wm Blanchard the sum of $190: with legal Interest thereon from the 19th Dec. 1861 till said: and that the defendant Alfred Cobb out of the sum of money due by him to the said Wm Blanchard pay to the said plaintiff the said sum of $190 with Interest & the cost of this suit or as much thereof as, which when paid shall to that extent be in part payment of any amount due by the said Alfred Cobb to the said Wm Blanchard —

But the said plaintiff shall not have the benefit of the foregoing decree until she shall execute a Bond in the clerks office of this Court before the Clerk of said Court in the penalty of $400. with good security with condition to perform such future order as may be made upon the appearance of the said Wm Blanchard and his making defence.

Drewry

v } Co. Decree

Blanchard &c.

Southampton Circuit Court May 2d 1862.

Permelia Drewry Pff
against
Wm B Blanchard and Alfred Cobb Deffts } In Chancery

This cause in which the plaintiff has proceeded in the mode prescribed by law against absent defendants as to the defendant Wm Blanchard came on to be heard on the said bill taken for confessed as to the said defendants and on exhibit filed with said bill and on examination of witnesses and was argued by Counsel. On consideration whereof the Court doth adjudge order and decree that the plaintiff recover of the absent Defendant Wm Blanchard the sum of One hundred and ninety dollars with legal interest thereon from the 19th December 1861 till paid and that the defendant Alfred Cobb out of any money due by him to the said Wm Blanchard pay to the said plaintiff the said Sum of One hundred and ninety dollars with interest as aforesaid and the Costs of this Suit which when paid shall to that extent be in part payment of any amount due by the said Alfred Cobb to the said Wm Blanchard But the said plaintiff shall not have the benefit of the foregoing decree until he shall execute a bond in the Clerks Office of this Court before the Clerk of the said Court in the penalty of $400 with good security & with condition to perform such future order as may be made upon the appearance of the said Wm Blanchard and his making defence

Pff's Costs to wit Clk: $ 5.87
Shff 1.00
W. B. Wellons for Pr. Pub: 1st 6.20
Law fee 1st 16.00
$ 29.07

A Copy
Teste P. R. Edwards Clk

The Commonwealth of Virginia. To the Sheriff of Southampton County. Greeting - We command you to Summon Wm B Blanchard (an absent debtor) and Alfred Cobb

to appear at the Clerks Office of our Circuit Court of Southampton County at the Rules to be holden for the said Court on the first Monday in February next. to answer ~~Cornelia Drewry~~ a bill in chancery exhibited against them in our said Court by Cornelia Drewry

and have there there this Writ. Witness Littleton R Edwards Clerk of our said Court at the Courthouse this 23d day of December 1861 in the 86th year of the Commonwealth

LR Edwards clk

The plaintiff in this Court having made the proper affidavit it is ordered that the officer executing this within writ do attach such debts as are already due, or to become due to the Defendant Wm Blanchard (who is a non resident of the Commonwealth of Virginia) from the other Defendant Alfred Cobb, also any other estate of the Defendant Blanchard whether in his own hands or in the hands of the Defendant Cobb. to answer the future order of this Court.

Teste L R Edwards cc

Drury
vs
Cumb. Cty
Blanchard &
1862 Feby. Rules

Executed June 25
1862 on Alfred
Cobb by delivering him a
copy of this writ
Wm Blanchard not
found in the limits of this
County

A.W. Wicks
Shff

Permelia Drewry

vs. Notice

Blanchard & Cobb

To 18th Feby 1862

Executed Feby 6th
1862 by delivering
a true copy to Alfred
Cobb.

Wm Blanchard no
a resident of this
County

Wm E Gay Dpty
Sheff

To Wm Blanchard (a non resident of Va.) and to
Alfred Cobb

Take notice that I shall on the 18th day of February 1862, next, at
A. W. Noblett's store house, at Franklin in Southampton County between the hours of 8 a. m. and 6 p. m. of that day, proceed to take the Depositions of Miles A. Daughtrey, Wm Rawls & Nelson Gardner and others, to be read as evidence in my behalf, in a certain Chancery cause _____, depending in the Circuit Court of Southampton County, wherein I am _____ plaintiff, and you _____ are defendants; and if from any cause the taking of the said Depositions be not commenced on that day, or if commenced be not concluded on that day, the taking of the same will be adjourned and continued from day to day or from time to time, at the same place and between the same hours, until the same shall be completed.

Respectfully,

Pernelia Drewry
by Atty.

To the Sheriff of Southampton County to execute.

Drewry

v Affidavit

Blanchard &c

1862 Jany. 9th

Virginia

Isle of Wight County, to wit }

I, Permelia Drewry do swear that Wm Blanchard is justly indebted to me the sum of One hundred & ninety dollars with Interest from 19th Dec. 1861 and that the said debt is just, and that there is present cause of action therefor, and that I have instituted a suit in Chancery in the Circuit Court of Southampton County against the said Blanchard and Alfred Cobb; and that the said Blanchard is now residing beyond the limits of the State of Virginia, and that I the affiant aforesaid do believe that the said Blanchard has debts due him within the said County of Southampton, wherein the said suit is, to wit: by the said Alfred Cobb (This affidavit is made to enable me to attach the effects of said Blanchard in the hands of said Cobb)

Given under my hand this 30th day of December — 1861.

Signed Permelia Drewry

Sworn to before me a Justice of the peace for said County of Isle of Wight. on this 30th day of December 1861.

A. R. Butler J.P.

Wm Blanchard, To Permelia Drewry Dr.

1861 Dec 19 } To board of you three children Isabella, Ann Matilda, & Jno. Thomas for 6 years to date — $300.00

Cr By Cash $50 & $40 — $90.00
" " 5 Barrels corn — 15.00
" " 1 hog — 5.00 — 110.00

Balance — $190.00

Dec. 19th 1861.

Drury

v } Depositions

Blanchard &c°

Came to hand April 28. 1862

under Seal

L R Edwards Solr

The depositions of ~~Wm. H. Mayberry~~, Wm. Rawls & Nelson Gardner, which pursuant to the annexed notice were to have been taken on this 18th day of February 1862 at A. W. Moffletts store house at Franklin, in Southampton County between the hours of 8. a. m. & 6 p. m., to be read as evidence in a Chancery suit depending in the Circuit Court of Southampton County wherein ~~Wm. Mayberry is plaintiff and you~~ Permelia Drewry is plaintiff and William Blanchard &c are Defendants, were not taken, in consequence of the general disturbance on account of the war — John R. Kilby, plaintiffs Counsel being present — I do therefore continue & adjourn the taking of the said depositions at the same place & between the same hours, on the 18th day of March 1862

Given under my hand 18th Feby 1862

A. W. Moffett J. P.

Continued until 25th April 1862.

A. W. Moffett J. P.

On this 25th day of April 1862 in pursuance to previous continuance the depositions following were taken at the place and within the hours above set forth to wit:—

Wm. Neely being duly sworn says in answer to the following question as is stated in his answer.

Question by plets. atto.

State if you know whether the Defts. is a nonresident — and whether the Plff. has taken care of fed and clothed the children of the Defendant — Wm.

Blanchard for the last six years and whether in your opinion the charges made by her by account annexed marked (A) is reasonable and state all you know about the matter?

Answer. Wm. Blanchard the Deft. is a nonresident of this state and has not been in this vicinity for about three years and when here last told me his home was in Canada. I know that the Pltf. Permelia Drewry has taken care of clothed and fed comfortably three children of Wm. Blanchard, each one of the children being unable to do any thing for their support, The oldest one being an idiot and the other two too small to do anything of any value towards their support and my opion is that the charges made by Pltf are extremely low.

William Neely

I fully corroborate the testimony of Mr. Wm. Neely as stated above in every particular.

William E. Rawls

I corroborate the testimony of Mr. Wm. Neely as stated above in every particular, except in the statement of Wm. Blanchard, that he was a resident of Canada, which I did not hear, but know that he has been absent from this vicinity for about the time stated in Mr. Neely's deposition.

N. B. Gardner

Southampton Co. Va. Apr. 25th. 1862.

I E. L. Story a Justice of Peace for the said County do hereby certify that the foregoing Depositions were Taken before me on the day and between the hours and at the place set forth in the caption above. Given under my hand the day & year above mentioned. E. L. Story J. P.

Drewry

~ Or. Pub.

Blanchard & Co

At Rules held in the Clerks Office of the Circuit Court of Southampton County on Monday the 3d day of February 1862.

Pernelia Drewry Pff

against In Chancery

Wm Blanchard and Alfred Cobb Defts

The object of this suit is to recover of the defendant Blanchard One hundred and ninety dollars due from him to the plaintiff and to subject the debts due, or to become due to the said Defendant Blanchard from the Defendant Cobb, also any other estate of the Defendant Blanchard whether in his own hands or in the hands of the Defendant Cobb to the payment thereof. And affidavit being made and filed that the said Defendant Blanchard is not a resident of the State of Virginia It is ordered that he do appear within one month after due publication of this order and do what is necessary to protect his interest in this suit.

TO WILLIAM BLANCHARD, a non-resident of Virginia, and Alfred Cobb:

Take notice that I shall on the 18th day of February, 1862, next, at A. W. Norfleet's store house at Franklin, in Southampton county, between the hours of 8 a. m., and 6, p. m., of that day proceed to take the depositions of Mills H. Daughtrey, Wm. Rawls, Nelson Gardner and others, to be read as evidence in my behalf, in a certain Chancery suit depending in the circuit court of Southampton county wherein I am plaintiff and you are defendants, and if from any cause the taking of said depositions be not commenced on that day, or if commenced be not concluded on that day, the taking of the same will be adjourned and continued from day to day or from time to time, at the same place and between the same hours, until the same shall be completed.

Respectfully, PERMELIA DREWRY.

Jan 24—4t 4t

I, W. B. Wellons, do hereby certify that the annexed has been published in the Christian Sun, for ~~three~~ weeks, and that the price charged is in accordance with the established rates for advertising. Given under my hand this 15th day of February 1862

W. B. Wellons

Price of Adv.
$2.70

Drewry
Prof. pub
Blanchard

350
70
420

At Rules held in the Clerk's office of the Circuit Court of Southampton County on Monday, the 3d day of February, 1862.

Permelia Drewry, Plaintiff,
against
Wm. Blanchard and Alfred Cobb } In Chancery.

The object of this suit is to recover of the defendant Blanchard One Hundred and Ninety Dollars due from him to the Plaintiff and to subject the debts due or to become due to the said Defendant Blanchard from the Defendant Cobb, also any other estate of the defendant Blanchard, whether in his own hands or in the hands of the defendant Cobb, to the payment thereof. And affidavit being made and filed that the defendant Blanchard is not a resident of the State of Virginia, it is ordered that he do appear within one month after due publication of this order and do what is necessary to protect his interest in this suit. A copy.

44—tf Teste L. R. EDWARDS.

I W. B. Wellons, Editor of the Christian Sun, do hereby certify that the annexed notice was published in the Sun for four successive weeks, and that the price charged therefor, is in accordance with the established usages of the Office. Given under my hand, this 3rd day of May 1862

W. B. Wellons

Order of Publ'n
$3.50

Permelia Drury

v

Blanchard &c.

Exhibit with Bill

(A)

Wm. Blanchard

1861 To Permelia Drewry Dr

Dec. 19th To Board of your three children
Isabella, Ann Matilda & Jno Thomas
for 6 years to date $300.00
Cr. By cash $50 & $40. $90:00
" " 5 bags corn 15.00
" " 1 hog 5.00 = 110.00

Balance due $190.00

Dec. 19th 1861.

(A).

Wm Blanchard (a non resident of Va.)

To Permelia Drury Dr.

1861

Dec 19 To Board of your three children Isabella, Ann Matilda & Jno. Thomas for 6 years to date ... $300.00

Cr. By Cash $50 & $40 — $90.00

" 5 Bbls. corn — 15.00

" 1 hog 5.00 $110.00

Balance due. $190.00

Drewry
&
Bond

Blanchard 1st

Know all men by these presents that we Pernelia Drewry &
are held and firmly bound unto Wm Blanchard in
the just and full Sum of four hundred dollars. good and lawful money of Virginia.
To the payment whereof well and truly to be made we bind ourselves our heirs Executors
and administrators. jointly and severally firmly by these presents. Sealed with our
Seals and dated this day of 186.

The Condition of the above obligation is such that whereas by a decree of the
Circuit Court of Southampton County entered on the 2nd day of May 1862 in a Suit in Chancery therein depending between Pernelia Drewry plaintiff and Wm Blanchard and
Alfred Cobb Defendants it was adjudged. ordered and decreed that the plaintiff recover
of the absent Defendant Wm Blanchard the Sum of One hundred and ninety dollars
with legal interest thereon from the 19th December 1861 till paid. and that the Defendant
Alfred Cobb out of the sums of money due by him to the said Wm Blanchard pay to the
said Plaintiff the said Sum of One hundred and ninety dollars with interest as aforesaid
and the Costs of this suit which when paid shall to that extent be in part payment of
any amount due by the said Alfred Cobb to the said Wm Blanchard. Now if
the said Pernelia Drewry shall perform such future order as may be made
in the suit aforesaid upon the appearance of the said Wm Blanchard and his making
defence, then the above obligation to be void or else to remain in full force and virtue.

(Seal)
(Seal)

Southampton County to wit. In the Clerks Office the day of 1862.
The above bond was executed & acknowledged before me Clerk of the Circuit Court of Southampton
County by the obligors thereto. and the Security thereto made
oath before me that his estate after the payment of his just debts is worth the sum of four
hundred dollars the penalty of the said bond. Given under my hand the day and year
aforesaid.