1800-007 Chancery Causes: Samuel Godfrey vs Timothy Tynes & Emanuel Wills & Willis Wills

Isle of Wight County

other surnames: Parker

Godfrey vs
Lyon & Wills

Bill filed
in the Exchequer
Clks: Office

July 98.
W. Reed for Plt.
March 1800
Issued

may set up to the Surplus arising
the said Negroes — at another time
translated the said deed to [illegible] Emanuel
Bills Wills, and that if any person be liable
to him it must be them.

In tender consideration whereof and
as your orator is relievable in this worshipful
Court only, in matters of this nature and properly
cognisable; to the end therefore that your
worships may Compell the said Tymothy Lynes
Emanuel & Bills Wills to make true, full, & perfect
answer to the allegations in this Bill contained
as if the same were herein again repeated &
them interrogated, and more particularly set
forth and say; whether the amount of the
Debt exceeds One hundred & eighty seven
pounds one Shilling & eight pence: whether
the Deed was not to have the force and
operation of a deed of Trust; whether the
Slaves did not sell far below their intrinsic
value, and lastly whether there is not a
Considerable Surplus coming to your orator
And may your worships decree that the
said Defend.ts should account with your
orator for the Surplus &.

May it please your worships to grant
Allison for the Com.t

Partner to the said Timothy Tynes which will more fully appear from the s.d order and receipt which are hereto annexed & which your orator prays may be made part of this Bill. Your orator begs leave further to represent that notwithstanding the receipt of the said Eighty five pounds; the said Tymothy Tynes, together with Emanuel Wills & William Wills confederates & Associates of the said Tymothy bolely seized & sold the said Negroes for the following Sums of money to wit Sam ——— for £44 —

	£ 100 . 0
Bob ———	£ 37 "
a Negro woman ———	£ 55
a Negro woman & a boy Jack	

And your orator further observes that on the Day of he sold to the said Tymothy Tynes a hogshead of Tob.o amounting ——— £ 9 " 10

the Whole Amount of which ——— £ 330 " 10

Surplus of after discharging the Debt ——— of One hundred & eighty Seven pounds, one Shillings & eight pence will be £142 " 8 " 4.

Your Orator has often solicited the s.d Tynes to execute & pay unto your orator the Surplus — and he has as often refused pretending at the time that an unconditional deed has been executed which will operate to divest all right & title which your s.d Orator

To the Justices of Isle of Wight County in Chancery sitting

Humbly complaining Shew unto your worships, your Orator

that your orator was indebted to a certain Tymothy Tynes of the said County to the amount of One hundred and eighty Seven pounds & one Shilling & eightpence; for the just and the honest discharge of the said Debt your Orator executed an instrument of writing which your orator supposed it was to have the same Operation as a Deed of Trust: your orator relying on the goodness virtue and integrity of Timothy Tynes, suspecting no fraud whatsoever incumbered by the said instrument of writing; the following valuable negro Slaves; to wit; One negro man Bob, one woman Pinth, Mourning Sam, Jack and other personal property; to wit; Four Feather beds and Furniture belonging there to, one Desk, One yoke of Steers Seven head of Cattle & one horse; which will more fully appear from an attested Copy of the said instrument of writing, dated and executed on the twentieth day of May in the year of our Lord Seven hundred and ninety five, hereto annexed and which your orator prays may be made a part of this Bill: that your orator drew an order on Josiah Parker in favour of the said Tymothy Tynes for the amount of Eighty five pounds dated the 2d day November 1795. which order has been accepted & discharged by the said Josiah

Executed Andw Woodley Shff
and after ward Countermanded by
the Plt as to Willis & Emd Wills

Andw Woodley Shff

THE Commonwealth of VIRGINIA to the ſheriff of Iſle of Wight ——— county, greeting. We command you, that you ſummon Timothy Tynes, Willis Wills and Emanuel Wills ——— ——— ———

to appear before our Juſtices of our county court of Iſle of Wight ——— at their courthouſe of ſaid county, on the firſt Monday in May ——— ——— next, then and there to anſwer a bill in Chancery againſt them ——— exhibited by Emanuel Godfrey ———

And this they ——— ſhall in no wiſe omit under the penalty of 100l. each And have then there alſo this writ. WITNESS James Young ——— clerk of our ſaid court the 13th ——— ——— day of March ——— 1797 and in the 21ſt ——— year of the commonwealth.

J. Young