

1816-071 Chancery Causes, Robert Tynes Fulgham vs Richard H. Cozke

Isle of Wight County

other SURNAMES; DREW

Fulgham
Coche & Aug^r

August 1804

Bill filed

Nov. 1804

Ans. filed

Apr. 1806

cond. dismiss

Wherefore I am petitioning the Hon^{ble} Court
in the above said case to be relieved from
the said debt

[Signature]

particularly that he shall answer, whether
1st Your Orator was ^{not} engaged with
him at unlawful gaming some little
time antecedent to the execution of a
Bond bearing date the day of

2. Whether the Bond upon which ~~upon~~
~~which~~ the suit is as introduced by a writ
Your Orator in this worshipping Court
by the said Rich^d. H. Coche is not the same
which was made to the said Rich^d. H.
Coche by Your Orator in consideration
of money won at unlawful gaming
from Your Orator. —

And Your Orator prays The Common wealth
of Lubiana of England &c &c
Gosley p. 9

This day Rob^t. J. Fulgham personally appeared
before me a justice of the peace for this County &
made oath to be true of all the ~~matter~~ allegations
in the above Petition contained.

W. of Wight Augth 7th 1774

J. B. Southall

The answer of Richard W. Corke to the bill of injunction exhibited against him in the Worshipful Court of Isle of Wight County, by Robert T. Judgians.

This Respondent saving to himself all right of excepting to the various errors contained in the said bill, for answer thereto, or to so much thereof as he is advised is material for him to answer, Says. That it is true that he did obtain such a judgment against the compt. as is mentioned in his said bill, but he denies most positively that the bond on which the said judgment was obtained was founded on a gaming consideration. On the contrary your Respondent avers that the said bond was given to him for a fair, legal and valuable consideration. He states that the compt. was indebted to Benjamin Drew in the sum of \$160, and that he (Drew) was pressing him for payment. That the compt. not being able to pay this amount to Drew, requested your Respondent to let Mr. Drew have an horse in payment of the said debt, and assured him, that if he would do so, that he would give his bond to yr. Respondent and pay the amount thereof as soon as he could. Your Respondent alleges that to accommodate

The Compt. he did deliver his house to Drew
and took his (the compt.) bond aforesaid
in payment. Mr. Respondent cannot say
positively that he never gained with the
Compt. before the date of the said bond,
but he does not believe that he ever
did. He lastly prays that the injunction
aforesaid may be dissolved, and that he
may be may be hence dismissed with
his costs in this behalf expended.

Richard H. Cocke this day appeared
before me a justice of the peace for
the county of Isle of Wight and made
oath, that the allegations contained
in the foregoing answer are true.
Hon. J. B. Hoff.

Wm. Hall

Know all Men by these presents that we Robert Tynes Fulgham and Charles
Fulgham Sen^r ^{and Nathaniel Young} are held and firmly bound unto Richard H. Cocke in the just
and full sum of

current money of Virginia, to which payment well and truly to be made, We
bind our selves our heirs executors and Administrators jointly and severally,
firmly by these presents, Sealed with our seals and date this 3^d day of Sep^r

1804 - The condition of the above obligation is such, that whereas the said
Richard H. Cocke has obtained a Judgment at common law, against the
said Robert Tynes Fulgham in the County Court of Isle of Wight for
and costs - And the said Robert Tynes Fulgham has

obtained an Injunction to stay the execution of the said Judgment - until
the hearing of the matter in equity-upon a bill for that purpose filed -

If therefore the said Robert T. Fulgham shall satisfy and pay all costs &
damages, that shall be awarded to the said Cocke, - in that case the
said Injunction be dissolved, that then the above obligation to be void, &

to remain in full force

Signed & Sealed 3
In presence

B. Lightfoot

Robert T. Fulgham Seal
Charles Fulgham Seal

Nathl. Young Seal