

1806-033

SOUTHAMPTON COUNTY
CHANCERY PAPERS David & WHITFIELD

VS. ENGLISH et al 4/1806

other surnames: Worrell,
Johnson, David ~, Whitfield

David of Whitford by
his next friend
or
English et al

B & Tz per

Sep. 1804 Bill filed True

Oct. Do

Nov. Do

Dec 1804 Decree nisi

1806 April decree final

To the worshipful Court of Southampton in Chancery sitting

Humbly complaining sheweth unto your Worships your Complaint.
David of Whitfield a free black infant by his guardians
and next friend Benjamin Whitfield - That sometime back
a judgment was rendered on the Common Law side of this
Court for the sum of ~~which~~ of which is hereunto annexed
and prayed to be taken as part of this bill, in favor of
your Complainant against a certain Nathan English
of this County whom your Complainant prays may be
considered a defendant to his bill of Complaint - Your
Complainant states that in pursuance of the said judgment
a ca sa a copy of which is hereunto annexed and prayed
to be taken as part of this bill, issued in pursuance of the
~~said judgment~~ against the said Nathan, by which
his body was taken - that he delivered in a schedule of
his property a copy of which is hereunto annexed and
prayed to be taken as part of this bill, and took the
benefit of the Insolvent Act - But your Complainant
has been credibly informed that subsequent to the
rendition of the judgment and even after the delivery
of the Execution into the hands of the Sheriff, the
said Nathan combining and confederating with a
certain ^{James} ~~James~~ Worrell and John Johnson whom your
Complainant prays may be also considered defendants
to this bill of Complaint and other persons unknown

your Complainant to defend your Complainant of his
just claim, made a pretended deed of sale of all his
property to the said ^{James Lewis and John} Lewis and John
and prayed to be taken as part of this bill of Complaint
And as a still stronger evidence of fraud, independent
of their relative situation, as father in law and sons in law
the said Nathan did then and still does hold the
said property in his possession, and by this fraudulent
device, deprives your Complainant of the benefit of his
judgment at law, all which is contrary to Equity and
Conscience - In tender consideration whereof and in as much
as your Complainant is remedied in the premises except the
the interposition of this worshipful ^{court}, he prays that
the said defendants Nathan ^{James} and John Johnson
may on their oaths be compelled to answer the foregoing
allegations in as full true and perfect a manner as if
the same were again repeated and they there particularly
interrogated, but more especially that they set forth
and say whether the said deed was not given to defend
your Complainant of his just claims? and whether it was
not executed after the rendition of the judgment and
the delivery of the execution into the hands of the
sheriff? And may your worships decree the payment
of the said sum of to this Comptt
to be made out of the sales of the property to pretended

to be sold and conveyed, and may your worships grant such
other and further relief in the premises as may be consistent
with justice and equity and also the Commencer with
writ of Subpoena commanding &c

Byrd & Tregent pqr

Whitfield
H } Spa
English } in
Chf

To May 1805

1805 May 10th
Executed on Nathan
English & James Warden
and Copy Left for
John Johnson
Archr Whitehead Es.
for
R Goodwin Shff

The Commonwealth of Virginia to the Sheriff of Ston
County Greeting you are hereby commanded to Summon
Nathan English John Johnson and James Worrell to
appear before the justices of our said Court at the Court
house of the said County on the 3rd Monday in May
next to answer a bill in Chancery exhibited against them
by David of Whitfield a free black infant by Benj Whitfield
his next friend and that they shall not omit under the
penalty of £100 And have them this writ return
I Kello clerk of our said Court at the Courthouse of the
said County on the 26th day of April 1805 And in the 29th year
of the Commonwealth

I am Kello &
C