

1810-023

SOUTHAMPTON COUNTY
CHANCERY PAPERS

VICK VS. SPEIGHT

7/1810

Book No 291
in Bill
S/weight

July 1810. Bill
files & Orders for
pub.

To the worshipful Court of Southampton County in Chancery
sitting - Humbly complaining sheweth unto your worships
your orator Josiah Wick that on a settlement made be-
tween himself and a certain Joseph Speight of the County of Gates
and State of North Carolina on the 19th day of June last, the
said Joseph Speight became indebted to him in the sum of
sixty four pounds thirteen shillings and one penny, one
farthing Virginia money, for which he executed to your
orator his bill penal or writing obligatory, as will fully
appear by the said bill penal, the date whereof is the
same day of your orator's, hereunto annexed and prayed
to be taken and considered as a part of this bill -
Now your orator begs leave further to state that the said
Joseph Speight owed him the sum of twelve pounds, Vir-
ginia money, for the rent of a certain plantation in the afore-
said County of Gates, called ~~the~~ Philip Lewis plantation,
which was entirely forgotten at the time of the above
mentioned settlement, as will appear by the account
by which the said settlement was made annexed to the
said bill penal and also prayed to be taken and con-
sidered as a part of this bill - Your orator will here
moreover state to your worships that he now holds an
estate for the life of his wife Elizabeth Wick in two
slaves, to wit, Charles and Phillis, which after the
death of his said wife, will belong to the said Joseph Speight

having been sworn to him by your ~~notary~~ said wife
prior to your ~~notary~~ marriage with her and whilst
he was Elizabeth Lewis, by a certain Deed of Gift now
recorded in the Court of the before mentioned County of Gates,
by the terms of which deed, the estate of the said Joseph
Pheight in the said slaves Charles and Phillis, is to
commence in enjoyment immediately after the death of
the said Elizabeth, your ~~notary~~ wife, all which, if
denied, can be established by the said Deed of Gift or
an authenticated copy thereof - and unless your orator
can subject the estate of the said Joseph Pheight in the said
slaves to the payment of his before mentioned claims
of \$64.13.1⁴ and \$12.0.0, he is seriously apprehensive
that he will entirely lose them - Intended
consideration whereby and relief in the premises being
only to be had in a Court of Chancery in pursuance of the
act of the General Assembly entitled "An act directing
the method of proceeding in Courts of Equity against
^{debtors} absent, or other absent defendants and for settling the
proceedings on attachments against absconding debtors,
who has now ^{who has now} ~~emigrated~~ ^{emigrated} to some foreign state or country
your orator prays that the said Joseph Pheight may be
made defendant to this bill, and be compelled on his
corporal oath to be by him taken on the holy Evangelists
of Almighty God, to answer all and singular the

allegations of the same as fully, perfectly, distinctly and
unequivocally as though all singulars of them were herein
again repeated and he ~~represents~~ ^{represents} each & every of them
was particularly interrogated - that your ~~worship~~ ^{worship}
will in pursuance of the before recited act of assembly
appoint some day in a succeeding term, to be notified
to him by due publication thereof made, for the said defen-
dant to enter his appearance to this suit & give security
for performing the decree - that your ~~worship~~ ^{worship} will
decree that the estate to which the said Joseph Pheight
is entitled in the slaves Charles & Phillis, after the death
of your orator wife, Elizabeth Nick, be sold for the
payment of your orator's claims against him herein
set forth and established, together with the interest which
may accrue thereon and the costs of this suit - that
your ~~worship~~ ^{worship} will make any other order or render
any other decree in this behalf which from the bill, or upon
discovery may be found consistent with law & equity,
and granting any other & general relief in the premises
which may be meet & expedient - May it please
the Court to grant the form of this writ of subpoena, with
mandamus & your orator as in duty bound
will ever pray &c.
(Signed)

Southampton County Court

This day personally appeared before me George Gurley
one of the Commonwealth's Magistrates in and for the said County, Josiah Vick,
and made Oath, that he believes that a certain Joseph Speight was born
in the County of Gates in the State of North Carolina, and then raised
up to be a man, who now is he believes twenty three or four years of
age, and that this affiant hath every reason to believe ^{that he is the S^r Speight} hath of late re-
moved from the said County of Gates, and is gone to some Foreign Coun-
try. Certified from under my hand this sixteenth day of July 1816.

Geo: Gurley