

1827-25 SOUTHAMPTON COUNTY
CHANCERY PAPERS

JONES VS. BRYANT & al YANT

1/1827

other surnames: Barrett

James & wife
My dear

Nov. 1826 Intz. Quere

To the worshipful the County Court in chancery sitting
Humbly complaining Martha to your worshipful good orators
Littlibury Jones. that sometime in the year ^{he became}
incurred to a certain Sumrell B Bryant in the sum of \$200-
by two bonds, one for \$100. & one for 103%. That to secure the
payment of the same he executed a deed in trust to a
certain Sumrell Barnett for the benefit of the said
Bryant on a tract of land, and one other deed to
the same & for the same purpose conveying certain
personal property - that this Compt was induced
to execute the same upon the fair promises of
the said Bryant that he would induce this
Compt until it was perfectly convenient for
him to pay the same. That this Complainant
did on divers occasions pay to him the said
Bryant different sums of money, amounting to
about \$140 or 150. not precisely known by the Compt.
but sufficient to reduce the debt to an amount
trifling compared with that claimed of him at
this time by the said Bryant. - That the said
Bryant notwithstanding his fair promises of
forbearance has pressed this Compt to make
the payment & has urged him to pay unusual
interest or that he would sell his property
that this Compt did execute his bonds at different
times for the interest at a much larger rate
and has made payments which did not in fact reduce the sum of the debt.
therefore ^{therefore} ^{by means of which the}

altho this Compt has paid the greater part of the
original debt & simple interest yet the said
Miyant holds his bond for nearly the original
amount. and threatens & as this respondent
believes intends to have his property sold to pay
debts which in justice this Compt does not
owe. In tender consideration of the premises
it is prayed that to the end that complete justice
may be done between the parties it is prayed
that this worshipsful Court will make the
said Miyant & the said Banitt. defendants next
& cause the said Banitt. to give to this Court
in his answer a full history of this case.
That your worship will enjoin the said
Miyant & the said Banitt. from proceeding
under the said deed in trust. to sell the said
property or in otherwise harass this Compt until
the Court can be satisfied that the transaction
is a fair one. & this Compt is prepared to prove
the allegations in his bill contained. the Compt
prays general relief & as in duty he will ever pray
William Jones.

Southampton County to wit

William Jones This day personally
appeared before me Geo Himes a Justice of
the peace of said County, and made oath
to the allegations contained in the above bill.
Witness my hand this 21st day of April
1826 C. Himes JP

Jones 3
 13  Inj. Spa
 Barwell & Bryant

To Sany. county court 1827-

Executed On Barwell Barwell
 Barwell Bryant no
 inhabitant

Stephen Mordaugh J^r
 James Clayton sh^r

The Commonwealth of Virginia to the Sheriff of Southampton
county and to Benwell Barnett and Benwell Bryant their commissioners
attornies and agents and every of them greeting whereas it has been
represented in the court of the county of Southampton in chancery on
the part of Littleberry Jones who hath prayed that he may
have our writ of Injunction Subpoena to stay all further pro-
ceedings on a Deed in Trust executed by him the said Littleberry
Jones to Benwell Barnett for the benefit of Benwell Bryant
till the hearing of the matter in equity upon a bill filed
for that purpose - we therefore in consideration of the pre-
misses aforesaid Strictly inform and command you the said Sher-
iff and Benwell Barnett & Benwell Bryant and all others
absolutely to desist from all further proceedings upon the aforesaid
Deed in Trust until the hearing of the whole matter in
chancery as aforesaid under the penalty of £100 each
and have them these this writ - Witness James Rochelle
Clerk of our said county court of Southampton at his office
on this 2nd day of December 1826 and 51st Year of the
Commonwealth —

James Rochelle C.