

1846-018

SOUTHAMPTON COUNTY
CHANCERY PAPERS

WELLONS' GUARDIAN VS. LAIN et al
1/1846

See also: Lain/Lane's Adm'r v Lain/Lane et al 1845-21

Other SURNAMES: Williams,
Gardner, Judkins

Peffer Cook

32

blk. — 73 99
Shff. — 1 21
Linn. Y — 16.56
Tax — 73
Or Pub — 5.58
• \$ 28.11

Willens^r Gon

v. } Papers

Lain Yc.

May 3. 1845

1845 May - Dismissed

325
16
20
19

Wellons' Gov.

v. Stat. Rules.

Lani 20

James H. Suckers Guardian of Elizabeth Wellons

v.

Shirgas Lami. Matthew Williams & Edwin Gardner

1844 July 20: Subpo. & issued retble. to August Rules.

" Aug. Rules. Subpo. ret? Ex? on Lami & Gardner. Williams no inhabitant. Bill filed.

Order: pub: v. Dft: Williams.

" October R. Cause set for hearing as to Dft. Lami & Gardner.

" Nov. T. Mont?

See also of our Mellons

103

Lain & others

Bice.

1844 August Rules

To the Hon^{ble}. M. H. Baker Judge - 1st
Judicial District. 1st Circuit.

Southampton County to wit.

Humbly complaining sheweth unto your honor
your Complainant. James H Leckie's Guardian
of Elizabeth Willons - that at August term
1834. One Legaro Laim with Matthew Williams
and Edwin Gardner, as will more fully appear
by Bond herewith filed and prayed to be taken as
a part of this bill, qualified as the Guardian
of Elizabeth Willons and continued to act as
such till his removal by the County Court and
the appointment of your Complainant - that
during this time he disposed himself of the
estate of ^{id} ward and received the rents, issues
and profits thereof. which he has failed to pay
over to your Compt. since his appointment
as Guardian. By reference to an account
herewith filed and prayed to be taken as a part
of this bill, it appears that a balance is
due the ward from her late Guardian of
\$154. 00 cts with interest on \$145. 49 -
past thereof from 31st Decr 1843 till paid
which amount your Compt. as at Law
he is bound to do. ~~He~~ is anxious to receive
But he is advised that this can only be
done through the intervention of a Court of Equity
he therefore prays your honor to Decree the
payment of ^{id} sum of money and grant such
further general & special relief in the premises
as the rules of the Court will allow and the right
of this case may require. He further prays
that ^{the said} Legaro Laim Matthew Williams & Edwin Gardner

may be made parties hereto & be required to
answer the same, & that the Commonwealth

wish of spec my be awarded commanding I
and your comfelle as in duty bound will
ever pray for -

• Ridg & Goodwyn
for Comfelle

Wellons' gown.

v. } Br. Pub.

Lam Y^d

Copy posted at C^t House door.

Aug. 14th 1844

L.R.C.

At Rules held in the Judges Office of the Circuit Superior Court of Law and Chancery for
the County of Southampton on the 5th day of August 1844.

James H. Jenkins guardian of Elizabeth Wellons
against

Shugars Linn. Matthew Williams and Edwin Gardner

Plff.

Defls.

} In Chancery

The defendant Matthew Williams not having entered his appearance and given
security according to the act of Assembly and the rules of this Court and it appear-
ing by satisfactory evidence that he is not an inhabitant of this country it is ordered
that the said defendant do appear here on the first day of the next Term and answer
the bill of the plaintiff and that a copy of this order be forthwith inserted in
some newspaper published in the town of Petersburg for two months successively
and posted at the front door of the Court house of this County.

Wellington.

2 } Decree

Science

May Term - 1845

This suit ought to
have been brought
not by the guardian
but by ~~it~~ in the
name of the road.

R. H. B.

Willows: g^d

Circ-Dep-Court May Term 1845

2

Decree

Lain & others

3

The defendant Matthew Williams, who is out of this Country, and against whom the plaintiff appears to have proceeded in the mode prescribed by law against absent defendants, still failing to appear and answer, ~~on motion of the plaintiff~~ and it appearing to the Court that more than two months have elapsed as well since the filing of the plaintiffs bill as the service of the subps. on the defendants Shugers Lain and Edwin Gardner, who still fail to appear and answer, on motion of the plaintiff, by counsel his bill is taken for confessed as to ~~all~~ the defendants and the cause coming on to be heard on the bill and exhibits filed, was argued by counsel. On consideration whereof the Court doth adjudge, order and decree that the defendants Shugers Lain, ^{Matthew Williams} pay to the ^{& Edwin Gardner} plaintiff the sum of one hundred and fifty four dollars and 6/100, with interest on one hundred & forty four dollars and 49/100, from the 31st day of December 1843, till paid, and the the costs of this suit.

C.C.C

Wellons' Gov.

i. Joseph in Chief

Sam H

1824 August Rules

Exercised on Sugar Cane &

Edwin Gardner

Matthew Milligan no Inhabitant

William A. Bell Deputy of

Samuel B. Lewis Sheriff

THE COMMONWEALTH OF VIRGINIA;

To the Sheriff of Southampton County, Greeting:

We command you that you summon

*Shugars Sam. & Matthew Williams
and Edwin Gardner*

to appear at the Clerk's Office of our Circuit Superior Court of Law and Chancery for the County of Southampton, at the Rules to be holden for the said Court on the first Monday in *August* next, to answer a Bill in Chancery exhibited against *them* in the said Court by

James A Jenkins guardian of Elizabeth Mellons

And unless *they* shall answer the said Bill within ^{*Two*} ~~four~~ months thereafter, the Court will take the same for confessed, and decree accordingly. And this *they* shall in no wise omit, under the penalty of £ 100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-house, the *20th* day of *July* 18*46*, in the *49th* year of the Commonwealth.

L R Edwards

[One Copy to be delivered each Defendant.]

\$5.30 paid by Luttons

Wellen's G^d.

u } Prof. pub.

Gain G^d.

IN CHANCERY—VIRGINIA: At rules holden in the Clerk's office of the Circuit Superior Court of Law and Chancery for the county of Southampton, on the 5th day of August, 1844:

James H Judkins, guardian of Elizabeth Wellons,
Pluff.
AGAINST
Shugars Lain, Matthew Williams and Edwin Gardner,
Defts

The defendant Matthew Williams not having entered his appearance and given security according to the act of Assembly and the rules of this court, and it appearing, by satisfactory evidence, that he is not an inhabitant of this country, it is ordered that the defendant do appear here on the first day of the next term and answer the bill of the plaintiff, and that a copy of this order be forthwith inserted in some newspaper published in the town of Petersburg for two months successively and posted at the front door of the courthouse of this county.

A copy—Teste,

aug 22

L R EDWARDS, c c.

Printed for \$5.50
Jan

TOWN OF PETERSBURG, TO WIT:

Personally appeared before me, an Alderman of said Town, *John A. Harwood*. Clerk of the Intelligencer Office, and made oath that the annexed Order of Publication has been published weekly for *Eight* weeks, successively. Given under my hand, this *20th* day of *February* 1845.

Lewis Sumner Alderman

The decrease upon which this execution spread is
enormous in charging, but from 31 Decr: 1834
instead of the 31 Decr: 1833

Put on \$148.49 from Decr: 31-1834 to Decr:

31-1843 to be released

\$ 78.56

Richy Gooding

at

W. L. Leno

Co. J. S. S. S.

Land

1821 to 1843

1843

from 1843 to 1845

10.96

98.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County—GREETING :

WE COMMAND YOU, That of the goods and chattels of *Shugard Sain*

late in your bailiwick, you cause to be made the sum of *One hundred Fifty four* dollars *& six cents* with interest on *\$145.49* part thereof from *31* day of *December 1834* till paid which *Elizabeth Willons* an infant suing by *James M. Judkins* her guardian *next friend* _____

lately in our Circuit Superior Court of Law and Chancery for Southampton County, ha ~~th~~ recovered against the said *Sain* by a decree of the said Court —
~~for debt~~ ; also *Twenty three* _____ dollars and *57* - cents,
which ~~to~~ the said *Willons* by *gc* _____ in the
same Court, were adjudged for *her* costs by *her* about *her* suit in that behalf
expended : whereof the said *Sain* is _____

convict as appears to us of record. And how you shall have executed this Writ, make known at the Clerk's Office of our said Circuit Superior Court of Law and Chancery, at the Rules to be holden for the said Court, on the first Monday in *January* next. And have then there this Writ. WITNESS, **LITTLETON R. EDWARDS,** Clerk of our said Court, at the Courthouse, this *17* day of *November* 18 *42*, in the *70* year of the Commonwealth.

L. R. Edwards

290.04
580.00
Know all men by these presents, That we

W. Davis

Shugars Laine and Eli

are held and firmly bound unto *Elizabeth Willons* an infant singly *James H. Cutliss* her guardian and next friend

in the just and full sum of *five hundred and eighty dollars \$500*

to be paid unto the said *Elizabeth Willons*

by certain attorney, by her heirs, executors, administrators or assigns; to which payment well and truly to be made, we bind ourselves jointly and severally, and each of our joint and several heirs, executors and administrators, firmly by these presents. Sealed with our seals, and dated this *fifth* day of

January 1846.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas *Elizabeth Willons* by *James H. Cutliss* her guardian and next friend in *Southampton County* has sued out of the ~~County Court of~~ *Circuit Superior Court of Law & Equity* writ of Fieri Facias against the goods and chattels of the above bound *Shugars Laine*

upon a judgment obtained in said Court; which writ, with the legal costs attending the same, amounts to the sum of *two hundred and ninety dollars \$290*

and directed to the Sheriff of *Southampton* County: And whereas *Wm. A. Bell* Deputy for *Samuel B. Hines* Sheriff of the said County of

Shugars Laine by virtue of the said writ, hath taken the following property, belonging to the said *Shugars Laine* to satisfy the same, to wit: *one negro*

Man David; one Gray and one Sorrel Horse 20 head of hogs four head of Cattle & one clock and Bureau — and forty Barrels of corn

And the said *Shugars Laine* being desirous of keeping the same in his possession until the day of the sale thereof, hath tendered the above bound *Eli W. Davis*

as security for the forthcoming and delivery thereof on the day and at the place of sale. Now, if the above bound *Shugars Laine and Eli W. Davis*

or either of them, do and shall deliver the aforesaid property to the said *Samuel B. Hines* Sheriff, or either of his Deputies, at the Courthouse of *Southampton* County, on the *16th* day of *February next* then and there to be sold, to satisfy the execution in favor of the said *Elizabeth Willons*

then the above obligation to be void, or else to remain in full force and virtue.

Signed, sealed and delivered }
in presence of

Shugars Laine
Eli W. Davis

SEAL.

SEAL.

SEAL.