

1870-17 Southampton County Chancery

Settle debt ^{by} (selling selling property)

Briggs, W. W. + Edwards, Gilliam vs Lawrence, George W

(admin's) Vaughan, Martha M + Moore, John

Vaughan, Wm. S.

77 75 77 62

Briggs V
u } Papers

Lawrence V

1870 May 25th

To the Honorable Richard H. Baker Judge of the
circuit of ^{Court} Southampton County in chancery sitting

Humbly complaining your Orator Wm
W Briggs and Jethum Edwards administrators of
Martha M Vaughan ^{and} who sue on the bond for his own
benefit by leave to shew unto your Honor that on
the 20th of March 1862 George W Lawrence of
Southampton county executed his bond to Wm W Briggs
for the sum of seven hundred and seven dollars and
thirty eight cents on demand as will appear by the
said bond herewith filed marked A and prayed to be
taken as a part of this bill, and that the said George
W Lawrence on the 18th of December 1856 executed
his bond to his intestate Martha M Vaughan as guardian
of Wm S Vaughan for the sum of eight hundred
dollars payable on demand, with Wm W Briggs
Harrison D Moore (surety), Jonathan Darden and John
S Kindred as his securities and who are not sued
in this suit as will more fully appear by the said
bond herewith filed marked B and prayed to be taken
as a part of this bill, and your Orator state further
that these bonds are still due and payable and that
George W Lawrence although often requested has hitherto
failed to pay them, your Orator further state, aver, and
charge that the said George W Lawrence hitherto
to wit on the 12th day of June 1866 long after your
Orator debts were due and demanded, with the intent
to hinder, delay, and defraud, them of their aforesaid
debts did by a deed of Bargain and sale which
has been recorded in the clerk's office of Southampton
and a copy of which is herewith filed marked C and
prayed to be taken as a part of this bill, for the alleged
sum of \$1500 sell unto John Moore the following

real and personal estate to wit, a tract of land in Southampton
County containing 200 acres more or less, one bay horse
two mules, nine head of cattle, ^{thirty sheep}, farming
implements including wagon, cart, buggy and harness
household and kitchen furniture, corn and fodder on hand
and growing crops, Green Arators and charge that
this deed is made for the express purpose by George W
Lawrence of defrauding them and preventing them from
making their debts out of his property and that it
should be declared void and set aside and the above
property sold to pay their debts and for the purpose
of sustaining their declaration they set forth the
following facts or what they believe to be facts, that first
John Moon the grantee in the said fraudulent deed is
the father-in-law of George W Lawrence and that they
were frequently at variance and enmity, that before
the war which has swept away so much property the
said John Moon was a man of small means, that
he never even in prosperous times was ever possessed of
much money and that at the termination of the war he
was reduced to a small and poor tract of land with but
little stock and they have every reason to believe little or
no cash, that they believe as far from George W Lawrence
owing John Moon, that on striking a balance Moon
would ^{owe} Lawrence, that Lawrence had no children and his
family was not extensive that for some two years whilst
Lawrence was in the Confederate Army Moon was his
agent sold his crops and sold on his horse for \$100, and they
do not believe ^{he} has paid or will pay on out of the
alleged \$1500 which the deed alleges he paid, they
charge and own as another badge of fraud that though
the said Lawrence purports by his deed to have made
an absolute sale of his property and by the time and
effect thereof ought to have delivered the possession

of the said property to Moon immediately or at least
of the land as soon as the crop could have been
gathered, yet the said Lawrence has remained in quiet
and undisturbed possession ever since he made the deed
and is now preparing to make another crop this year
In tender consideration whereof and inasmuch
as you Court are without relief at law and only entitled
to relief in a court of equity when such matters are
judicially cognizable they therefore pray that George W
Lawrence and John Moon may be made parties defendant
to this bill and compel them full and perfect answer
to the allegations hereof set forth in this bill and that
John Moon, will state whether he has paid ~~the balance~~
to Lawrence the consideration \$1500 set forth in the
deed, or whether Lawrence now holds his bond for that
sum or any part thereof, and that the said John Moon
will state fully if he has paid Lawrence, when, when,
and how, it was done, that if Lawrence owed him any
debts to state when, when and how contracted, and to
produce and offer with his answer the evidence of those
debts, and whether if he was not from February 1862 to
January 1865 indebted to Lawrence if he did not act
as agent, sell his crops and a horse for \$300 whilst Lawrence
was away, if his relations with Lawrence were not at times
unfriendly and if ~~it~~ ^{he} was his security often, that
George W Lawrence will and shall answer whether Moon
has paid him, or whether he holds his bond, if he has paid
whether it was cash down, or in consideration of old
debts and so set forth those debts, And as you Court
are disposed to give a kind and charitable construction
as possible to their conduct that Lawrence and Moon
will both answer if this was not a deed with a secret
trust that Moon was really to hold the property as trustee
and Lawrence to get order ^{there} to pay such of his debts

as he phrased and Moon simply to agent and
 Lawrence has the actual absolute ownership of
 this property, and that the court would by its decree
 declare the deed of the 12th of June 1866 executed
 by George W. Lawrence to John Moon null and void
 and a fraud on the rights of your orators, and that
 unless the said Lawrence should pay their debts then that
 the property both real and personal therein conveyed or
 as much thereof as can be found be sold to pay your
 Orators their bonds as set forth in this bill, and that the
 court would grant such other and general relief the premises
 considered as equity may dictate of the nature of their
 case require, and as its duty bound your orators will
 ever pray &c

Shanes J. G.

1867 April 24th

George W. Lawrence's name
 as
 3
 Bill
 Exhibit
 Lawrence & Moon

12000 1000 33

Bonds with Lawrence and the cuts to the
 Lawrence
 1868

Breggs J^d

to { Sum's Ch^r

Lawrence J^d

1867 April Rules.

Executed on John Moore
March 30th. 1867 by leaving
a copy at his house with
his wife and explaining
its purport to her, he being
from home, and on
Geo. W. Lawrence the same
day by delivering him a
copy. E. L. Story Dept-
for S. Wells off



THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU to summon

George W Lawrence & John Moore —

to appear at the Clerk's office of our

District

Court of Southampton County, at the Rules

to be holden for the said Court on the first Monday in

April next to answer a bill in chancery
exhibited against them in our said Court by W. W. Briggs & William Edwards
admor. of Martha W Vaughan dec^d

and have then there this writ. Witness LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-
house, this *26* day of *March* 186*7*, in the *9th*
year of the Commonwealth.

L R Edwards

Briggs & Vaughan ad.

Ex. with bill

Lawrence & Co

This Deed made this twelfth day of June, in the year one thousand eight hundred and sixty six, between George W. Lawrence (grantor) of the first part, and John Moore (grantee) of the other part, both of the County of Southampton, Witnesseth, that the said grantor, for and in consideration of the sum of fifteen hundred dollars to the said grantor by the said grantee paid, the receipt of which said sum is hereby acknowledged, doth sell, grant and convey to the said grantee the following property real and personal to wit. All that tract of land on which the said Lawrence now resides containing two hundred and sixty six acres, more or less, and bounded by the lands of William Cobb, Ely Bryant, Benjamin Drury, James Jenkins and others. One bay horse and two mules, nine head of cattle, four sheep, thirty five hogs, all the farming implements now in possession of the said Lawrence, including one Wagon and one cart and one buggy and harness, all the household and kitchen furniture now in possession of the said Lawrence - all the corn and fodder now on hand - and all the growing crops of every kind, to wit. Corn, fodder, Wheat, oats, rye, potatoes, peas, cotton &c. And the said George W. Lawrence warrants generally the property hereby conveyed and granted. Witness the following Signatures and Seals -

George W. Lawrence (Seal)

Southampton County In the Clerk's Office the 13 June 1866
This deed of bargain and sale from George W. Lawrence to John Moore was acknowledged by the said Lawrence to be his act and deed and admitted to record, Stamps of the internal revenue of the United States amounting to one dollar fifty cents being affixed thereto.

Teste

J R Edwards Clk

Moore

Teste

J R Edwards Clk

Briggs J^o
r } Stat. Rules.

Lawrence J^o

In Southampton Circuit Court
W. W. Briggs & William Edwards admors of Martha W. Vaughan
against
George W. Lawrence & John Moore

1867 March 26th Summons issued

April Rules - Summons returned Executed - Bill filed & D. Nisi S.
Defts.

" May R - Bill taken for Confessed & Cause set for hearing 6th

1870 May T. Dismissed.