

1878-23

Southampton County - Chas. W. C.

Niklett, S. G. vs. Rayford, Everett

To correct, Account -
Debit

Kilby Son. & Co.

S. L. Mablett

n { chey.

Evette Cairns

1878 May Dismissed

Ces. Ct. Southampton Co. Va.

J. C. Griffin

June 1878

Killy 800/4
S. G. Mublitte

M. { Bell Str.

Everett Railroad

South 4000. Ct.

1878 January Rules

Virginia

In the Circuit Court of Southampton Va
Complaining shew unto the Court your
Complainant S. H. Niblett of said County
your Complainant respectfully shews to the
Court, that your Complainant is a laboring
man, and worked for Everett Raiford, on his
farm in said County, and on the 25th Dec 1876,
the said Raiford owed your Complainant one
hundred & twenty seven dollars & forty nine cents,
and not having the money to pay your Complainant
the said defendant offered to settle & close the
account due your Complainant by giving him
(your Complainant) his (the defts.) note for the
amount, which your Complainant was willing
to accept as a matter of accommodation to the
said defendant, notwithstanding he wanted
the money. That your Complainant is an
illiterate man, and the defendant, took
a Blank printed Bond & filled it up himself,
and handed it to your Complainant, which he
took supposing that it was all right. But as
soon as he had it examined, he found that it
had been filled up for \$27.49, which was
\$100, less than it ought to have been —

That as soon as he discovered the mistake
your Complainant at once saw the said deft,
and called his attention to the error, whereupon
the deft admitted that it was an error, & that

it ought to have been for \$127.49; but
refused to correct it, ^(tho: requested to do so) whilst admitting that
it was an error and acknowledging that he
(the deft.) owed your Complainant the sum
of \$127.49 for his labor. The said note is
herewith filed as part of this Bill submitted
W. S. and asked to be taken as part of this
Bill.

In consideration whereof, and as this Court
has power to grant all adequate Relief. In the
End therefore your Complainant prays, that the
said Everett Raiford, may be made defendant
herein, and be compelled to answer, oath,
the allegations herein: and particularly to answer
and say, whether, the said debt was not for labor,
and whether the same is a mistake or not; & that
the Bond ought to be (and was intended to be for
\$127.49, instead of \$27.49:

That the defendant may be compelled
to execute another Bond to your Complainant for
\$127.49, of same date as the one filed herewith
tent. 25 Dec. 1856, with name of him as surety, & that
the Court will decree payment of the same,
and that such other & further relief may be
granted your Complainant, consistent with Equity,
and your Complainant ~~will~~ ever pray, &c

S. G. Nebbitt
by J. M. R. Kelly for
attys,

Isle of Wight as to contents

Mr. J. S. G. Mebbes personally
appeared before the undersigned, a Justice
of the peace for said County and made
affirmation that the foregoing Bill contains
the truth to the best of his belief

Given under my hand 6th Aug 1877

Stephen St. Urquhart J. P.

Hiblett

vs.

Raiford

1878 Feb. 18th. Received of L. R. Edwards
Clerk of the Circuit Court of Southampton
County, Virginia, the note referred to in
the Papers in this cause

John R. Kilby Hon.
Attorneys for Plaintiff

Viblett

v. } Sup^a Chy

Raiford

1878 January Rules

~~Executed Dec. 23rd 1878~~

Executed by delivering
Everett Raiford a
Copy of this Summons
on the 23rd day of December
1878

A. F. Cobb by
for W. W. Briggs, atty

The Commonwealth of Virginia:

TO THE SHERIFF OF SOUTHAMPTON COUNTY....GREETING:

WE COMMAND YOU TO SUMMON *Everett Raiford*

if he to be found within your bailiwick, to appear at the Clerk's Office of our Circuit Court, of Southampton County at the rules to be holden for the said Court, on the first Monday in *January* next to answer a bill in Chancery exhibited against *him* in our said Court by *J. G. Niblett*

and have then there this writ.

Witness, **Littleton R. Edwards**, Clerk of our said Court, at the Court House this *12th* day of *November* 187*7*, in the *102^d* year of the Gommonwealth.

L. R. Edwards *cl*

2 Rob. old Prae. 33, 332,

1 Peters 13,

Griffin

W. Allen & Raynes

Dr. Griffin

See of some

work

Staple, Va.

Wm. R. Kilby, Esq.



neblitt

n

Raiford

see Dr. Hufferin

ante Dr. G.

for July cl.

()

S. G. neblite

m.

Evans Raup

chry. —

note for \$27.49
shd be 127.14

suit in chry to
compel correction

Stamp Ar chs
to Sep. rules 187)

Jan., Va.,
Feb. 27th 1877.

Mrs. R. Kilby. Esq.
Sir:

Enclosed herewith
please find note apparently for
\$27⁴⁹ but really ought to be \$127⁴⁹
due S. G. Niblett by Everett Raiford.
The party who filled up the note for Niblett,
he being unable to read & write, neglected
to insert the figure 1 before 27. Niblett
however can prove by me & Mr. Fabius Brodhead
& others that the debt is \$127⁴⁹ and Raiford
having recently "taken the Homestead" - he
wishes you to bring suit at once and
make his money. The debt is for one
year's services as laborer by Niblett on
Raiford's farm. R. refuses to give
him a new note or any further security
thence his request.

Very truly yrs
Jno. C. Griffin

JOHN R. KILBY & SON,

Attorneys at Law,
SUFFOLK, VA.



If not delivered within 10 days, to be returned to

See card to
his mother

D. Mrs. C. Griffin

June
22

Southampton Co. Va.

JOHN R. KILBY.

WILBUR J. KILBY.



JOHN R. KILBY & SON,

COURTS:
Nansemond, Isle of Wight, Southampton,
and Norfolk Counties,
And United States District Court at
Norfolk, Va.

Attorneys At Law,

Suffolk Va., 26 June 1877

D. Mrs. C. Griffin

D^r Sir

Your rec^d - have been about -
I should like to see you at I. of W. C^t next
Monday if you so then, about 11 o'clock, can
P.O. your
Y^r truly
John R. Kilby

Revised (Zuni)

hiblett

vs.

Raiford

Southampton County
Circuit Court

May Term 1878

Order

To be entered

Geo V Brown

S. G. Kibbitt

vs.

Everett Raiford

on motion of the Plaintiff it
is ordered that this cause be dismissed.