

1797-019

Chancery Causes: Joseph Cutcheon vs Julia Hill v Jeremiah Godwin

Isle of Wight County

Other SURNAMES: Cutchin, Drew  
Wilkinson

To the Honorable Court of Isle of Wight County sitting  
in chancery humbly complaining Sheweth unto your W<sup>ts</sup>  
your orator Joseph Culcheon

That a certain Jeremiah  
Ladwin on or about the Day of                      was in possession  
-an of your orators bond, which was payable to the said Jer-  
-emiah for about eleven pounds Current money. And while  
he was in possession of the said bond, your orator gave him  
a bond of John Withersons for five pounds 14/- which had  
been an interest from the year 1786, which the said Je-  
-emiah promised to place to the Credit of your orators  
bond, And after this Circumstance it appears that the  
said Jeremiah assigned your orators bond without having  
given the credit as he had promised to a certain Dolphin  
Drew, and by the said Dolphin your orators bond was  
assigned to a certain Julia Hill who has brought a Suit  
thereupon and recovered a Judgment for the full amount  
thereof and Costs, <sup>and the orators orator</sup> altho your orator expressly charged Com-  
pound that the said Jeremiah was only assigned to give the  
Credit as aforesaid but has actually received the money  
of the said Withersons, and your orator further shews that  
he a Copy refused paying the said bond on which he was  
Jury, except so much thereof as would be due after the Credit  
aforesaid.

In Tender Consideration

and for as much as your estate is without remedy at law,  
and only and properly recoverable in a Court of equity.

To the end therefore that the said Lucia Hill & Junia  
Lyden, (who your estate may be made defendants  
to this bill of Complaint) may upon their corporal oath full  
true and perfect answer make to all and singular the allega-  
tions herein contained and that as fully & sufficiently as if  
the same were again repeated and interrogated, but espe-  
cially that the said Junia Lyden be forth & discover  
whether your estate did not give him Joseph Withersons bond  
as is herein stated, before he had assigned your estate, and  
did not the said Junia again to give your estate credit  
on his bond for the same, nor the real receipt & recovery  
of Withersons for the said bond, and that the defendant  
Lucia, say whether she hath not received a Judgment to  
the full amount of your estate's bond, and doth she not  
execute the same execution for the same.

And that

your heirs will injoin the said Judgment, until this  
matter is heard before the Court in equity, and then make  
the same perpetual as for the amount of Joseph Withersons  
bond and interest, and make any other or further

order or decree for your estate's relief as may be equi-  
table. May it please the

Your obedient servant

Sworn to in Open Court this 5th Day of March 1795.

J. Young

Butcheon  
vs  
Hill - } Bill

Catchin  
vs.  
Hill vs. Catchin } Bill of  
Injuri<sup>s</sup>

May 1795.  
Bill filed

Decr '90  
Bill taken for conf.

Novemb. '97.  
made perpetual custo  
£5. 14. 0 & dissolved custo  
residue each party payg.  
his own Ct. in this Injuri<sup>s</sup>.

The p<sup>ty</sup>. in the judgm<sup>t</sup>. - Julia Hill adm<sup>r</sup>.  
of Benj. Hill dec<sup>d</sup>. & assignee of ~~the~~ Dolphin  
Drew who was assignee of Jerem. Godwin  
vs<sup>t</sup> Jos. Catchin in S. of W. Co. Court  
acknowledges that the Deft is intitled  
to a credit of five pounds 14/- paid  
to the s<sup>r</sup>. Jerem. Godwin & agrees to  
allow the same upon the s<sup>r</sup>. Catchin's  
dism<sup>t</sup>. a suit in Ch<sup>cy</sup> in the s<sup>r</sup>. Court  
pray<sup>d</sup>. an Injunction —

W. Sumner  
for Julia B. Hill adm<sup>r</sup>

£ 11. 5.

5. 14.

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5. 11

Hill's adm<sup>t</sup>

adv.

CW<sup>7</sup>

Catchin

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*[Faint, illegible handwritten text in the center of the page]*

*[Faint, illegible handwritten text in the right margin]*

Know all men by this presents that we Joseph Catechin  
and \_\_\_\_\_ are hold & firmly bound unto  
Julia Hill Assignee of Dolphin Crew who was Assignee of  
Jeremiah Godwin of Dec. 10. of Jeremiah Godwin Decd. in  
the Just sum of twenty two pounds Current money of Virginia  
to which payment well & truly to be made we bind ourselves  
our Heirs Exors. & Admins. jointly & severally firmly by these  
presents. Sealed with our seals & dated this 26. Day of  
March 1795.

The Condition <sup>of the above obligation,</sup> is such that whereas the said Julia Hill  
Assignee of Dolphin Crew who was Assignee of Jeremiah  
Godwin Decd. of Jeremiah Godwin Decd. hath obtained a  
Judgment at Common Law against the said Joseph Catechin  
in the County Court of Isle of Wight for the sum of eleven  
pounds five shillings with Interest &c. from the 2.<sup>o</sup> day of  
November 1791. till paid & Costs. & the said Joseph Catechin  
hath obtained an Injunction to stay the execution of the  
said Judgment until the hearing the matter in equity  
upon a bill for that purpose filed. If therefore the said  
Joseph Catechin shall satisfy & pay the said Judgment  
at common law & all Costs & damages that shall be award-  
ed the said Julia Hill in case the said Injunction shall  
be dissolved then this obligation to be void or else to  
remain in full force

Signed & Sealed  
In presence of  
J. Young  
D. Hill

Joseph Catechin

Sam. Lightfoot

Catchin

to

Hill House



By: Bond

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