

1805-007

Chancery Causes: Macon Whitfield vs Ephraim [Ephraim] Wheeler

Isle of Wight County

other surnames: Purdie

1797. Ephraim Wheeler To Macon Whitfield Dr.

April To Cash paid you by Mr. Thomas Purdie £ 0 ¹⁸ 0.

To do do by Macon Whitfield " 18 0.

To mending 2. Coats. " 5 ¹⁰ 0.

To forming one Raw-skin saddle cloth. " 0 0.

To cutting out Negroes cloths. " 3 0.

To cutting out cloths, at different times for your son. " 4 0.

To making one white Vest. " 7 ¹⁰ 0.

To making one small Highland dress for your son " 12 0.

£ 3 16 0.

Essex County } E. E. W. Whitfield
 Aug 7. 1798 — } The above and sworn to before me
 Thos King JP

Whitfield

vs.

Acc:

Wheeler

£ 3 u 10 u 6.

The answer of Ephraim Wheeler deferring
to the bill of complaint of Mason What-
-field Compt^r, exhibited against him in
Isle of Nighe Court

This dependent saving & turning
to himself all manner of exception to the
uncertainty & imperfections in the said
bill of complaint contained per answer
therein in re. so much more of it this dep^t
is advised is warranted per him to make
an answer to the answering South

That the first article of the Compt^r
account of 10p said to be paid by the
Thos. or Paradise is unjust & never was
paid to this dep^t That all the other
articles in the Compt^r account was settled
& fully paid before the note on which
this judgment was obtained was executed
and the note after said was given by
Mr. Compt^r to the dep^t for a first balance
that was then due. Since which they
have had no dealing ^{except} for about 22th which

was for work done since the agreement
and which he agreed should go in part
payments of his judgment. He
denies all fraud & says he has never
dealt with Cook.

Hastings for Gas Company

High Night Country for work

Stephen who made with me the
perpetuating error in time. Given under
my hand this 6th day of Aug 1860

J B Southall

Whelan
 Co
Whitfield } Answer

\$100.00
Recd. from Mr. J. E. [unclear]
to be deposited in
trust fund

To the worshipping Court of Isle of Wight
County sitting in chancery humbly com-
plaining sheweth unto the court your orator
Macon Whilfield -

That some time ago (to wit in the
month of July) a judgment was obtained by
Opraim Wheeler against your orator upon
a note of hand
~~on open account~~ when in fact he had
an account against the said Wheeler for
a greater amount than the aforesaid
Judgment. That at the trial of the said
Suit, your orator offered his account as
a set off to the said demand. but that
unexpectedly the said Wheeler denied his
account which is perfectly just and

Your orator further states that he could have
proven to the satisfaction of the court ~~the truth~~
of his account had he not been surprised by
the denial of his account by the said Wheeler,
and had he have then been able to procure
some testimony which he has since
discovered to be very material, and which
he can now obtain - That the judgment
aforesaid was obtained, for about the sum
of two pounds eight shillings. and that
his just account against the said Wheeler
amounts to three pounds sixteen shillings
and six pence which is contrary to every
principle of equity & justice.

In tender consideration whereof your
orator prays that the said Captain
Wheeler (whom he prays may be made

Defendant to this bill of complaint, ~~may~~
and ~~the~~ other all his confederates, may true
and perfect answer make thereto, and that
as fully and effectually as if the same were
here again repeated and interrogated -

And your orator further states, that he
is now threatened with an execution
upon the said Judgment, the levying of
which will be unjust and oppressive
Your orator lastly prays, that all further
proceedings upon the said judgment may
be stopped and that it may be effectually
injoined until the case can be more fully
and fairly heard & determined in this
Worshipful Court -

Richard M. Boyd

Whitfield
25
Wheeler } bill of
injunction

August 1793. bill filed on
giving bond in the clerk's office
in one month

March 1800
Bill taken for confessed
at March 1802

Cont^d
June 1804

Cont. for Sett.

Dec^r 1804
Diem^t

August 7th 1798
T. Maccon Whitfield
This day personally appeared me

and made oath that the within allegations
are true -
J. P. King

August 7th 1798

This day Maccon dismissed, personally
appeared before me and made oath that the
within allegations are true -
J. P. King