

1807-026 Chancery Causes: John Turner vs David Edwards, executor of Robert Edwards

Isle of Wight County

That Edward the Defendant agreed
to take the same in full satisfaction.
The same was accordingly delivered
by the complainant to the Defendant
that the said Defendant ~~he~~ after
having received possession as aforesaid.
Did Captain Turner that he ~~should~~ ^{must}
~~keep~~ to have in his possession until
called for by the Defendant. He
accordingly left the Horse with ~~the~~ ^{the said Complainant}
according to the request of Edward the
Defendant who took of the complainant
a fair and regular bill of sale for
the same.

~~Windsor County Court~~

~~This day appeared before me~~
~~Justice of the Peace~~

Windsor County Court

Joshua Turner made oath to the truth
of the above deposition before us this 6th
day of July 1807

(Signed) J. M. Taylor

Nathl. West

The deposition of Joshua Turner

Taken at the House of Francis Boykin sworn on
the 6th Day of July 1827 to be read as evidence
in an ~~injunction~~ proceeding in the Court of Magistrates
in which John Turner is ~~plaintiff~~ complain-
ant and David Edwards, Defendant

This deponent of lawful age being duly
sworn in the Holy scriptures of God declares
That sometime subsequent to the sale of a certain
Robert Edwards dec'd ~~the~~ happened at the
House of this complainant and the s^{er}vt.
David Edwards obliged to said complainant
and demanded settlement of a claim due
and unpaid to the said Defendant as the
representative of Robert Edwards ^{due} for ~~the~~
~~purchase~~ a Horse as he stated, purchased
by the complainant of said dec'd ~~set~~
^{in his lifetime}
That the said complainant told Edwards
he had not the money but would give
him a horse in discharge of the claim

Joshua Turner
deponent

Iphigene to wit

Uias Edwards made oath before me a Justice
of said County that on the fifth Day of June
1807 he delivered to David Edwards a notice
whereof the within is a Copy

Given under my hand this 6th July 1807

Thos. M. Dyke

To Mr David Edwards

Please to take notice that on the sixth day
of July 1807 between the Hours of ten in the
forenoon and six in the afternoon of the
same Day at the House of Mr Francis
Bayburn in the county of Suffolk
I shall proceed to take the Depositions
of Mr John Turner and James Fletcher
who is material Witness for me in a
case now depending in the Court of Sess
Suffolk in which I am Plaintiff and you
are defendant

John Turner

June 6th 1807

The Commonwealth of Virginia to Thos^t J^r Boykin & Nath^l D. Mills

Gentlemen Justice greeting; know ye that we trust-
ing to your fidelity and provident circumspection in diligently examining John
Turner

as well on behalf of John Turner plaintiff against David Edwards exor. of Robert
Edwards decd. defendant

Command you or any two or more of you, that at such certain days & places
you shall appoint, you assemble yourselves and the witnesses aforesaid, before
you or any two or more of you, you call and cause to come and diligently
examine on the holy evangelist of almighty God, & such examination in
writing into our county court of Isle of Wight, distinctly & plainly without
delay you shall send & certify inclosed, returning also to us this writ
Witness Nathaniel Young Clerk of our said court at the Courthouse
the 21st day of February 1807 in the 31st year of the Commonwealth

Nathl. Young
C

620
1290
1200
1300
1230

Know all Men by these presents, that we John Turner
and William Turner (who are held and firmly bound unto David
Edward, exor of R^d. Edward in the just full Sum of twelve pounds
Current money of Virginia - to which pay-
ment well and truly to be made. we bind our selves our heirs-
executors & Administrators, jointly and severally firmly by these
presents, Sealed with our Seals and dated this 1st day of
September 1806

The Condition of the above obligation is Such that whereas
the Said ~~David Edward~~ has obtained a Judgment at
Common Law against the Said John Turner in
the County Court of Whofright for £ 6 ——— and Costs
and the Said John Turner has obtained an Injunction
to stay the execution of the Said judgment untill the hearing
the matter in equity - upon a bill for that purpose filed,
If therefore the Said John Turner shall satisfy &
pay the Said judgment at Law - & all Costs & Damages that
shall be awarded to the Said ~~David Edward~~ ^{David Edwards exor R^d} in case the
Said Judgment shall be dissolved - that then the above obligation
to be void - else to remain in full force & Virtue

Signed Sealed &
in presence of

David ~~Edward~~

John Turner
William Turner
Seal

to the worshipful Justices of Glosbrough County in
Chancery sitting. Humbly complaining sheweth
unto your worships your orator John Turner

That David Edwards ~~as~~ ^{claim} ~~owner~~ of a certain Robert
Edwards dec^d obtained a judgment against your
orator ^{in this Court} founded on a Bond (and Issue execution against
the body of your orator) for Six pounds with
Six ~~per centum~~ ^{per annum} interest thereon from the
25th Day of Dec^r 1799 till paid and \$4.90 Cts
that ~~about~~ about the first of the fall of the year
1805 the said David Edwards applied to your
orator and requested him to make him some pay-
ment in discharge of said claim. That your
orator delivered to the said Edwards a horse
worth thirty dollars which the said Edwards
agreed should go in discharge of the claim
Judgment or execution obtained by him
as aforesaid against your orator. That
notwithstanding your orator has as he
believes discharged the aforesaid debt or claim
the said Edwards has sued out against the
body of your complainant an execution
In tender consideration whereof and for as much
as there are matters releasable only in a Court
of equity your orator complainant sincerely
prays that the said David Edwards may
be made defendant to this bill and full true
and perfect oath make to all and singular
the allegations contained and say if they are
not true, that he be enjoined with all
others from further proceedings at law against
your orator that this injunction be made perpetual

may please the Court to relieve generally
To assist information purposes for

Leahy

Bill 1886

Sept. 1000

Lawrence

Bill 1886

Leahy

Joseph Moody

The truth of the within Bill sworn to before
me a Justice of the Peace for Ighite County
this 2nd day of ^{December} ~~September~~ 1886

Joseph Moody

Leahy
at 3
Lawrence