

1805-048
County Court of Chancery
PLTF: JETT
DEFT: HOOE + al.
4/1805 [Injunction] dissolved

CHANCERY | Thomas Jett v. Henry Dade Hooe & c

1805

4-1805 Dissol

JETT; HOOE, GRIFFITH

Jett, Thomas

v

Hooe, Henry Dade
Griffith, John

The Commonwealth of Virginia to the Sheriff of
Prince William County Greeting you are hereby comm-
anded to Summon Henry D Dooe to appear before the
Justices of our said county court of Fauquier on
the fourth monday in March next to answer a
Bill in chancery exhibited against him Thomas Lett
and this he shall in no wise omit under the
penalty of one hundred pounds and have then
there this writ. Witness Francis Brooke clerk
of our said court at the court house on the
2^d day of December 1803 and in the 28th year
of the Commonwealth,

F Brooke

Mem^o The intention of this subpoena is to enjoin the Defendant his agents & attorneys and all others concerned from further proceeding on any ~~Execution~~ issued from the County Court of Traug by the said Henry D Hove against the said Thomas Lett until the matter can be heard in equity upon a Bill this day filed he having given bond & security according to law.

L. Brooke

Sp^o
Chy

Lett
Hove

Mr^s Shaws
for
Charles Taylor

Executed on Henry D Hove the 22^d day of
Decr 1803

Know all men by these presents that we Thomas Lett
and John Dulin are held and firmly bound unto
Henry D Hooe in the due full sum of
fifty dollars to which payment well
and truly to be made to the said Henry D Hooe
his Executors administrators or assigns
we bind our selves our heirs Executors and administrators
Jointly and Severally firmly by these presents sealed
with our seals and dated this 2^d day of December 1803

The condition of the above obligation is such that
whereas the above bound Thomas Lett

hath obtained an Injunction to stay the
Execution of a Judgment obtained by the said
Henry D Hooe against

for the sum of \$20 per debt of \$2.82 Cents for levies
now if the said Thomas Lett
shall satisfy and pay all such sums of money which
now are or hereafter may be come due to the said
Henry D Hooe

in the Judgment aforesaid and also all costs and
damages which have or shall be awarded against
him in case the Injunction aforesaid be dissolved
then the above obligation to be void else to remain in
full force power and virtue

Signed Sealed & Delivered

In presence of
Dan Withers

Thos Lett Seal
John Dulin Seal

Seal

Letter of Joseph Bond
to
Hoop

The answer of Henry D. Hoar to the bill of complaint
exhibited against him in the county court of Fauquier
by Thomas Gitt

This defendant swears touching
to himself now that all times hereafter all manner
of benefit of Exception to the many uncertainties
imperfections & contradictions in the complaint & said
bill of complaint set forth. He answers thereto
or affirmeth as is material or necessary for this
defendant to make answer to in witness whereof & saith
that it is true as is stated in the bill that
he as assignee of John Griffith obtained
judgment judgment against Thomas Gitt for
twenty dollars - It is also true that the said
complaint made oath that he did not execute the
note upon which the judgment was rendered. which
oath was used upon the trial at law for the defence
of the said Gitt - Yet the court of Fauquier did without
simulation from the evidence exhibited before them
pronounce judgment for this defendant against the
said ^{Gitt} - His handwriting being notorious & well known
- Upon what principle ^{there} the complainant comes into
a court of equity when he avers precisely the same
matter as a ground of equity - of which he had the
full benefit of at law - this defendant is at a loss to
determine - If however ~~this~~ court should be disposed
to investigate the subject ^{again} this defendant is prepared
to show by the most respectable testimony as he vows

by believe^{ing} the said complainant had executed
the note in question that this defendant came
into possession of the same for a valuable con-
sideration: without therefore there is any thing
further material or necessary for this defendant
to make answer to further he saith not: he
prays to be hence discharged with his costs in this
behalf most reverentially besought

Hamp^{shire} County set

Henry D Hooe

This day personally appeared before me

Henry D. Hooe who made oath that the allegation
in the preceding bill are true so far as he knows
or believes - Given under my hand a Justice of
the peace for the county aforesaid this 27th day
of Feb^ry 1804 —

Martin Pickett

How
by
Jett } answer

To the Worshipful court of Langueur county
Chambers sitting Humbly complaining sheweth unto
your worship, your Orator Thomas Pitt, that some
few weeks since a judgment was obtained, this
county by a certain Henry Paul Hoff (whom your
Orator prays may be made a Defendant to this
bill) as assignee of one John Griffith (whom your
Orator also prays may be made a Defendant)
for the sum of \$20 with costs. pretended to be done
by a note purporting to have been given by said
Pitt and a certain Paul Hoff for a certain quan-
tity of corn or its equivalent in money. That when
this petition was first brought your Orator came
into court and made oath that he had never
signed said note and did suppose that upon the
ground, he should have defeated the Plaintiff on the
trial: but now so it is, a judgment has been ob-
tained against him, ^{for the sum of \$20} altho he solemnly swore that
he never gave the note on which he was petitioned
and knew nothing whatever of the transaction,
an executor served on his property and your Orator obliged
to give a forthcoming bond on which a judgment
will probably be very shortly obtained. It is therefore
considered when said judgment on your Orator
is made up at some time Law and only relief
altho in equity by calling in the said Hoff and the
said Griffith to show on their oaths how the said
note was obtained, he prays the court would

most gracious will of Sr. J. de ~~Spain~~ ^{Spain} requiring the
said Defendants to answer the allegations of
this bill in the same manner as if they were
here again repeated. and enjoining the said
Hear his agents & Attornies from all further pro-
ceedings on the premises of or said, until the
further order of this court. And you & those
with you pray &c.

Thomas Little.

John W. Lupton
Hooey

1804

July Answer Notice to
depose

1805

April Judge Deposed

From the Court 2^d December
1803
J. W. L.