

1841-203 SOUTHAMPTON COUNTY
CHANCERY PAPERS

BUTLER

VS. JOINER et al

11/1841

other surnames: Joyner,
Massenburg, Scott, Edwards,
Howell, Holland, Daughty,
Daughtey, Daughtrey

in s. of which
Impr. Joun

Jason Butler

3 } ~~James~~
Bice

My Jounl Mts

S. Aupton.

Petty Cash

1839 Aug. 19th

Colt.	8.75
Shiff	4.31
Dr. Pub.	5.50
Lower for	5.50
	<u>22.78</u>

1841 Sep: See for sp. to revise & Ed.
Smith and Billyard Holland & A. J.
Daley and James Scott do.
Nov. Dec. 8.

Look for proof.

1840 July 20 proof sp.

Bay P. 9

In the County Court of Southampton sitting
in ch. humbly complaining, shew to the
Court your orator Jason Butler that some time
about the day of Nov. - he filed his
Bill in this Court against one Eli Jorum,
setting out, and of other things that the
Jorum was indebted to him in a sum of
money paid by your orator for the said
Eli Jorum - that the said Eli Jorum was a
not resident of this County and praying
that effects of his within the jurisdiction
of the Court, might be made subject to the
payt. of your orator's demand - all which
will more fully and at large appear by
the paper in the said cause now pending
in said Court, and which are prayed to
be taken as part of this bill. And by way
of amendment to said bill, by leave of the
Court, the pff. further charges that the
said Eli Jorum on the 20th of Jan'y. 1834
made a certain writt obligatory payable
to one Anthony de Bouch, for the sum of
\$162.80 due on demand; the same is
still unpaid, and has come to the hands
of your orator as his property. on the 13th
has with filed as part of this Bill and
is marked X - and which debt he also
asks may be paid out of the estate of the
said Eli Jorum under the control of the
Court. - Your orator also charges and claims
that he is the property of the said Jorum
mentioned in the original Bill, as he is
liable to your orator's demands, there is a
funeral or funeral recently come to his hands
that ought to be subject to the demands of your

The said Eli Joyner married one Martha
Holland the sole child and heir of
of Killyard & Holland. Killyard & Holland
wife was one Charlotte Daugherty a child
and legatee of Thomas Daugherty who
died some years ago, leaving Thomas
Daugherty his widow who is now
living. Tho. Daugherty left a large real
and personal estate, and by his will,
a copy whereof is hereto annexed and
was part of this bill, he devised and
bequeathed some specific property,
and then lended to Thomas Daugherty
the balance till his death, and then
to be devised equally between 7 daughters
that is to say, Elizabeth, Nancy, Polly, Peggy,
Winnif, Charlotte and Ellen Daugherty.
The said Charlotte afterwards having in
marriage with Killyard & Holland, &
her estate in remainder to 1/7 of the
estate aforesaid, expected this life in the
life of the said Holland, whereby he
became entitled as survivor to all the
interest she had in the said estate of
Tho. Daugherty. and the said Eli Joyner having
survived his wife who died about the day
of - is entitled to the said 1/7 of the estate
in remainder now held by Thomas Daugherty.
Mr. Sumner of St. Louis, & H. of that County
is administrator of the estate of Martha Joyner,
but as she owed no debts at her death, being
a married woman, the said administrator
considered in law a trustee for the benefit
of the estate Eli Joyner and the property
should go directly to the creditors aforesaid

one Joseph G. Holland of St. Louis of the
is administrator of Killyard & Holland. on the
certificate marked L, which is herewith
filed as part of this bill. And now
prayer is made that all the estate of said
to which it is entitled the said Eli Joyner
is entitled ought to be made subject to
the part of your orators demands, by
a decree of this Court. In tender con-
sideration whereof, he prays that the said
Eli Joyner, Joseph G. Holland administrator of
Killyard & Holland, Mr. Sumner administrator
of Martha Joyner and; Thomas Daugherty

may be made defendants to this bill &
be compelled to answer the same and
their corporal oath - and that they answer
and say if the allegations aforesaid are
not strictly true and correct. That you
will order a sale of the estate of the said
Eli Joyner in this Court: in the hands of
persons holding the same, and direct
your orators claims to be satisfied
out of the amount of sale, and that
you will make any other order in the
premises that may comport with equity
and he prays the Court: will of & do
direct &c. -

Day p. 9

Jason Butler

21

Ch. Loomer Val: { Bill &
 { Ex libit-

No charge

To the worshipping the Justices of Southampton county
in chancery sitting, humbly complaining shew unto ~~honor~~
worship, Your Orator Jason Butler on the 27th day of
December 1832 became security in a bond with Eli Jomer
which bond was made payable to James Barney and was
for the hire of a negro man named Tom, which negro was
in the possession of Eli Jomer during the year 1833 -
a copy of which note is filed herewith ~~and~~ as a part of this
bill - Your Orator further states that after the said bond
became due, a suit was instituted against your Orator
in the county of Isle of Wight for the sum of forty nine
dollars and five cents which with Int: and costs thereon
amounts to the sum of sixty eight dollars and twenty seven
cents ^{for which judgment was recovered against your Orator and} which your Orator has paid on execution said part
of the said court of Isle of Wight as security for the said
Eli Jomer. a copy of which is ^{on} herewith filed as a part of
this bill - Your Orator further states that the said Eli
Jomer is not a resident of this State, but as your Orator
understands has effects in ~~the~~ ^{the} County of Southampton
which are liable to be attached to satisfy the above claim
Your Orator charges that James D McFarland James Scott
and Jordan Edwards commissioners appointed by the county
court of Southampton to make sale of the lands of Jordan
Jomer dec'd have in their possession, or have deposited in the
Clerks office of the said county a bond executed by
J M Howell and Gray Edwards for the sum of thirty one

dollars and eight cents to which amount the said Eli
Joiner is entitled. To the end therefore that the said sum of
thirty one dollars and eight cents due by A M Howell and
Gray Edwards to the said commissionary may be subject to
the just claim of your Orator. He prays that the said
^{Eli Joiner} James D Mendenhall James Scott Jordan Edward A M Howell
and Gray Edwards may be made defendants hitherto, with apt
and proper words to charge them, and that they may on their
several oaths make true and perfect answer to the premises.
Your Orator prays that the said effects may be attached in
the hands of the said A M Howell and Gray Edwards
as to satisfy your Orator's claim, and that your worship
will grant such other and further relief touching the premises
as to your worship may seem required by justice and equity.
That the commonwealth's writ of Subpoena may issue against
the above defendants - and that an order of publication
according to the laws of Virginia may be made to bring
the absent defendant Eli Joiner who is out of the common-
wealth of Virginia before the court - and your Orator will ever
pray &c.

Day pg

County of Southampton to wit.
This day Jason Butler came before me a Justice of the
for the said county and made oath that he believes
that Eli Joiner is a non resident of Virginia living
under my hand and seal this day of 1838

Bentley St.

My dear
Ely J. G. J. J. J.

Wm. G. J. J.

1841. November.

Jason Butts and Maria B. Horvick vs.

Elija Eli Jagers, James D. Deaperbury, Alfred S. Bailey, administrator of James Scott, Jordan Edwards, A. M. Edwards & others vs.

The defendt Eli Jagers who is out of this Court matters, and vs. whom the pps. seem to have presence in the more prescribed places vs. absent vs. having failed to appear and file his answer. The bill of the comp. is taken for confessed as to him and the other defendants on whom the spa seem to have been ~~made~~ ^{executed} and the bill of the pps. filed more than 4 months and they having failed to copy and file their answer, and the record remaining in the case having been regularly executed and yet no appearance made for the defendant ~~the~~ ^{the} the bill of the pps. is taken for confessed as to all the defendants. This cause can on take place on the original and answer bill, exhibits filed & agreed by Court; On consideration where the Court doth adjudge, deem & order that the said Eli Jagers pay to the pps. Jason Butts \$41.10 with interest thereon from the 22^d of November 1837 till paid, and that he pay to Anthony M. Horvick one of the pps. the sum of \$102.80 with interest thereon from 20th of January 1834 till paid and that he pay to the pps. their costs in this ~~case~~ ^{suits} expensed. And the do. doth further order that the Clerk of this Court deliver to the pps. a true attornay, a bona fide by the Commissioners in the suit of white-headed vespers Jagers, in this Court, payable to James D. Deaperbury, James Scott & Jordan Edwards

for \$1554 ^{8/17} on 9th Janry. 1837 - and
executed by A. de Howell and Gray Executors,
to be paid in part satisfaction of the debt
due to the said James Butler, and that the
shff. of this County, sell to the highest bid and
for Cash $\frac{1}{4}$ of the estate in the possession of
Honour Daughtery ^{or her Committee} to which she is entitled
for her life, under the will of Thos. Daughtery
and which $\frac{1}{4}$ part, by the will of S^r. Thos.
Daughtery belongs, on the death of the
s^r. Honour Daughtery to Charlotte Daugh-
tery who married William Holland &
which $\frac{1}{4}$ has become the property of S^r. Eli
Joyner in remainder. and out of the
proceeds thereof, pay first the costs of this suit
and pay the amt. due the p^{ers}: after the
application of the appraisers honor and the
balance if any the shff: shall bring into
Court, subject to the further order of the Court.
But of the whole funds now secured towards
the satisfaction of the p^{ers}: demands, shall
not be enough to discharge the same, then
they shall be paid ~~pro rata~~ ^{pro rata} -
-ably - But the p^{ers}: are not to have the
benefit of this security until the p^{ers}: or one
of them, or some one for them, shall have
filed in the clerk's office of this Court, bond
with good security in double the amt. of
their respective claims, conditioned to
obey such ~~future~~ ^{future} orders as may
be made for restoring the effect of the
absent c^{ts}: or ^{or} ~~discontinue~~ ^{discontinue}, upon his appear-
-ance and among the bid of the p^{ers}: &
But no such sale shall be made unless
upon at least 30 days notice of the time &
place of sale, nor unless the s^r. Eli Joyner
shall first pay to the p^{ers}: for 30
days, their respective demands appraisers, to-
-gether with the costs of this suit for

271

Sarah Butler to the

" of In Chancery

Ely Ingram to the

Intant ~~in~~ sold to

A. M. Howard for \$4.00

Shffs Com. off 63

amt. made \$3.37

Will. L. Everett Shff

Southampton November Court 1834.

Jason Butler and March Howell pffs

as against

Eli or Eli Joyner James D Mafenburg Alfred I Bailey admors
of James Scott Jordan Edwards A M Howell & others defts.

In Chancery-

The defendant Eli Joyner who is out of the Commonwealth and
agts. whom the pffs. seem to have proceeded in the mode prescribed
by law agts. absent defts. having failed to appear and file his
answer. The bill of the Compt. is taken for Confessed as to him
~~and one other defendant on whom the agts. seem to have~~
executed and the bills of the pffs. filed more than 4 months
and they having failed to comply and file their answer and the
several scirefacias in the cause having been regularly executed
and yet no appear^{ance} made for the defendants the bill of
The pffs. is taken for Confessed as to all the defendants. This cause
came on to be heard on the original and amended bills exhibits
filed was argued by Counsel on Consideration whereof the Court
doth advise, decree & order that the aforesaid Eli Joyner pay to
The pff. Jason Butler \$ 71. 16 with interest thereon from the 22^d
of November 1837 till paid; and that he pay to Anthony M. Howell
one of the pffs. the sum of \$ 162. 80 with interest thereon from
20th of January 1834 till paid and that he pay to the pffs. their
Costs in this suit. Expended and the Court doth further
order that the Clerk of this Court deliver to the pffs. and
their attor^{neys} a bond filed by the Commissioner in the
suit of Whitehead & wife vs. Joyner in this Court payable to
James D Mafenburg James Scott & Jordan Edwards for
\$ 15. 34 8/17 due 9th January 1837 and executed by A. M. Howell
and Gray Edwards to be paid in part satisfaction of the debt
owed to the said Jason Butler and that the shff. of this
County sell to the highest bidder for Cash 1/7 of the Estate
in the possession of Honor Daughtry on her committed
to which she is entitled for her life under the will of Tho Daughtry
and which 1/7 part by the will of said Tho Daughtry belongs
on the death of the said Honor Daughtry to Charlotte Daughtry
who married Williard Holland & which 1/7 has become the
property of said Eli Joyner in remainder and out of the
proceeds thereof pay first the Cost of this suit and pay
the amts due the pffs. after the application of the

aforesaid bond and the balance if any the shuff: shall bring
into Court subject to the future order in this suit but if the
whole fund now decreed towards the satisfaction of the plffs.
demands shall not be enough to discharge the same then they
shall be paid rateably; but the plffs are not to have the benefit
of this decree untill the plffs or one of them or some one for
them shall have filed in the Clerks office of this Court bond
with good security in double the amt: of their respective claims
conditioned to abide such future order as may be made for
stopping the effects of the account against or against them upon their
appearance and answering the bill of the plffs &c. but no such
sale shall be made untill upon at least 30 days notice of the
time & place of sale not untill the deft. Eli Joyner shall
fail to pay to the plffs for 30 days their respective demands
aforesaid together with the costs of this suit &c

Plffs: costs \$22.78 Cents.

Attesty. Juste L R Edwards. Clk

The plaintiffs have given bond with security as required by the foregoing decree
L R Edwards Clk

Delivered Jas. Scott, Gray, Edwards & Cle Howell &
Jas. D. Mapenburg, a copy of the within July 11th 1838
and Jordan Edwards a copy July 14th 1838

Butler

" { Spain in July

James & Co

1838 August Rules

Executed on

Jas. D. Mapenburg, James
Scott, Jordan Edwards,
Cle Howell & Gray & Edward.

Eli Joiner no int.

Jas. D. Mapenburg & Co
Jas. D. Mapenburg & Co

66

I attest the names, debts and effects of the Defendants Eli Joiner
in the hands of the other defendants, so that they be not received from
paying. Embodying away, or secreting the debts by them owing to, or
the effects in their hands of the said Eli Joiner under the further
order of this Court

Debt

E. P. Edwards & Co

Aug 10th

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon

^{Edg. Joiner}
James D. Mapenbury, James Scott,
Jordan Edwards, A. M. Howell, Gray Edwards -

to appear at the Clerk's Office of ~~our Circuit Superior Court of Law and Chancery for~~ the County
of Southampton, at the Rules to be holden for the said Court on the first Monday in *August*
next, to answer a Bill in Chancery exhibited against *them* in the said Court by

Jason Butler

And unless *they* shall answer the said Bill within four months thereafter, the Court will take
the same for confessed, and decree accordingly. And this *they* shall in no wise omit, under
the penalty of £100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk
of our said Court, at the Court-house, the *25th* day of *June* 183 *8*, in the
62^d year of the Commonwealth.

L. R. Edwards

[One Copy to be delivered each Defendant.]

Chs B. S. C.

Butler

v { Sp⁶ in lky

Jaynes 8⁰

1840 August 6th sent

W. sum 24

H. Boughton 28

executed, and a true copy delivered to Horner Boughton
on the 28th July 1840, and on the 29th of the
same month, and again, a true copy delivered
to Horner.

For ^{to} Davd Lloyd &
for Edwin Smith Esq.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of ~~Southampton~~ County, Greeting:

We command you that you summon *William Sumner a son of Martha*
Joyner dec'd and Honor Daughtrey

before the Justices
to appear ~~at the Clerk's Office~~ ^{County} of our Circuit Superior Court of Law and Chancery for the County
~~of Southampton, at the Court-house~~ ^{there} on the ~~first~~ ^{third} Monday in *August*
next, to answer a Bill in Chancery exhibited against ~~them~~ ^{there} in the said Court by

Jason Butler

And unless *they* ^{Mrs} shall answer the said Bill within ~~four~~ months thereafter, the Court will take
the same for confessed, and decree accordingly. And this *they* shall in no wise omit, under
the penalty of £100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk
of our said Court, at the Court-house, the *20th* day of *July* 18*40*, in the
65 year of the Commonwealth.

L R Edwards Clk

[One Copy to be delivered each Defendant.]

Butler

to Sp^o in lch

Joyner 2nd

1840 December Rules.

C. C.

Whit-Rawley
James Rawley

The estate of Hillyard
B. H. Holland committed
to the hands of Edwin
Smith Sheriff of
Hansemond

In f. H. H.
and Edwin
Smith H. H.
H. H. H. H.
of H. B. H. H.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of ^{Isle of Wight} ~~Southampton~~ County, Greeting:

We command you that you summon *Joseph L. Holland and arms: of Hillyard*
Holland

to appear at the Clerk's Office of our Circuit Superior Court of Law and Chancery for the County
of Southampton, at the Rules to be holden for the said Court on the first Monday in *December*
next, to answer a Bill in Chancery exhibited against *him & others* in the said Court by *James*
Butler

And unless *he* shall answer the said Bill within ^{*two*} ~~four~~ months thereafter, the Court will take
the same for confessed, and decree accordingly. And this *he* shall in no wise omit, under
the penalty of £100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk
of our said Court, at the Court-house, the 16th day of *November* 18*40*, in the
65 year of the Commonwealth.

L R Edwards Clk

[One Copy to be delivered each Defendant.]

Butler

m. } Dr. Pub.

Some of ad.

A copy posted at the front door of
the 1st House by

LR Edwards tell

At Rules holden in the Clerks Office of the County Court of Southampton
on the first Monday in August 1835

Jason Butler

against

Eli Joiner, James D Mapeburg, James Scott, Jordan Edwards

A. M. Horrell and Gray Edwards.

Plff.

In Chancery

Defls

The defendant Eli Joiner not having entered his appearance and given security according to the Act of Assembly and the rules of this Court and it appearing by satisfactory evidence that he is not an inhabitant of this County it is ordered that the said defendant do appear here on the first day of November term next and answer the bill of the plaintiff and that a copy of this order be forthwith inserted in some newspaper published in the Borough of Norfolk for two months successively and posted at the front door of the Court house of this County.

a Copy

Teste. L.R. Edwards &c

Butler

to { Proof of pol

Joiner & Co

1840 Apr. 3.

AT rules holden in the Clerk's Office of the County Court of Southampton on the first Monday in August, 1838.

Jason Butler,

Plaintiff,

AGAINST,

Eli Joiner, James D. Massenburg, James Scott, Jordan Edwards, A. M. Howell and Gray Edwards,

Defendants,

The Defendant Eli Joiner not having entered his appearance and given security according to the act of Assembly and the rules of this Court, and it appearing by satisfactory evidence that he is not an inhabitant of this country, it is ordered that the said defendant do appear here on the first day of November term next and answer the bill of the plaintiff, and that a copy of this order be forthwith inserted in some newspaper published in the Borough of Norfolk, for two months successively, and posted at the front door of the Courthouse of this county.

A Copy, Teste,

aug 182m

L. R. EDWARDS, C. C.

I CERTIFY that the annexed Notice, in the case of *Jason Butler vs. Eli Joiner & Others* has been inserted *for months* successively, in "THE AMERICAN BEACON," Newspaper, published in Norfolk, Va. commencing *18th August 1838*

Thos B. G. G. G.

26 B. G. G. G. G.
of ~~XXXX & XXXX~~
Publishers of the Beacon.

Sworn to before me, an Alderman of Norfolk Borough, by *Thos B. G. G. G.*
G. G. G. G. this *8th* day of *February*
1840

Thos B. G. G. G.

Thos. Daughton's
Will

(a copy)

Maria Howell and
Lyon Butler plaintiffs

In the name of God Amen I Thomas Daughtery of the Isles-
Wright county, being sickly and weak in body, but in sound perfect
sense and memory, thanks be given to God for the same but considering
the uncertainty of this life and knowing that it is appointed for all
men once to die thinking proper and necessary to settle my worldly
affairs in some small measure or form and as for what worldly estate
wherewith it hath pleased God to bless me with in this life I give
and dispose of the same in manner and form following- First
my will and desire is that all my funeral charges and last debts
be paid and discharged. Item I leave the use of my plantation and
land when on I live unto my beloved wife Honour Daughtery during her
natural life, and at her death I give the said plantation unto my
son Harrison Daughtery but for my wife to have liberty to make any
profits she please from the land and plantation towards her benefit
and to maintain the children; also it is my desire for each of
my children to stay on the plantation until they are married.
Item I give to my daughter Elizabeth Holland one negro boy named
Bob, that she has now in possession. Item I give to my daughter
Nancy Owens one negro girl named Fanny that she has now in
possession. Item I give unto my daughter Polly Daughtery one
negro girl named Mollie also one feather bed and furniture, also one
cow and calf also one pewter dish and basin and six plates and one
chest. Item I give unto my daughter Peggy Daughtery one negro girl
named Mollie also one feather bed and furniture also one cow and
calf, also one pewter dish and basin and six plates. Item I give unto
my daughter Winny Daughtery one negro girl named Laura, also one
feather bed and furniture also one cow and calf also one pewter dish
and basin and six plates. Item I give unto my daughter Charlotte
Daughtery one negro girl named Fanny also one feather bed and
furniture also one cow and calf also one pewter dish and basin
and six plates. Item I give unto my son Harrison Daughtery
one negro boy named Isaac also one feather bed and furniture
one cow and calf and one pewter dish and basin
and six plates. I give unto my daughter Beten Daughtery one
negro girl named Kate, also one negro man named Jerry also one
feather bed and furniture also one cow and calf one pewter

dish and basin and six plates. Item it is my will and desire that
the above legacy that has not been discharged as the children become
of age if to be found and if not to be made good out of my
personal estate. Item I give to my son Harrison Daughtery one
horse name Dolphin and saddle and bridle, also to have three
year schooling also it is my desire for Ceter to be schooled to read
and to write and to be paid out of my estate. Item I leave the use
of my whole estate real and personal unto my loving wife Honour
Daughtery during her natural life except the legacy above mentioned
and she is to have the use of them until they become due to the
heirs and at her death I leave the remainder part of my estate
that I have not given out in legacy to be equally divided
between my seven Daughters Elizabeth Nancy Polly Peggy Minny
Charlotte and Ceter Daughtery, I also do declare this and no
other to be my last will and testament and lastly I do hereby
appoint my loving wife Honour Daughtery and David Butler
whole and sole executor of this my last will and testament.

In witness hereof I have hereunto set my hand and
seal my seal this December 5th 1809.

Signed sealed & delivered
to be my last will & testament
in the presence of us -

Samuel Butler. Holland Butler.

Jonathan Robinson Jr.

Elizabeth ^{her} Deal
mark

Thomas ^{his} Daughtery
Mark

At a court held for Washington County the 5th day of
February 1810. This will was presented in Court
by David Butler ~~one of~~ the executor thereof
named, who made oath thereof according
to law, and the same being proved by the
oath of Holland Butler and Jonathan
Robinson Jr. two of the witnesses thereto, was
ordered to be recorded - and on the
motion of the said executor who together

With John King and James Fletcher his sworn
certain costs and acknowledged a bond
in the penalty of \$10.00 conditioned as the
law directs. Certification is granted him, the
said Butler for obtaining probate thereof in
due form. -

Teste Nathl. Goringe
Deputy Teste N. Goringe

Certificate of
Joseph G. Holland Esq. admr
of the estate of
William B. Holland dec^d.
April 12th 1824.

L

for 18th.

at a Monthly Court held for Nansemond County the 12.th day of April 1824..
On the motion of Joseph ~~B.~~ Holland, letters of administration are
granted him on the estate of Williard B. Holland deceased, he
having made oath, and entered into bond in the penalty of one
thousand dollars, with Edward R. Hunter his security, conditioned
according to law. —

Copy Teste

Joseph Prentiss. clerk

Simon & Co

to } Bond
Barnes' Exor.

\$49.05-

(a copy)

On or before the 25th day of December next ensuing one or either
of us do promise to pay or cause to be paid unto James
Barnes executor of Job Holland decd. the full and just sum
of forty nine dollars five cents good and Lawfull
money of Virginia: it being for the hire of a negro
named Tom for the Ensuing year to be kept and
returned in good clothes - Witness our hands and
Seals this 27th Decr. A.D. 1832. -

Witness
Jacob H. Daughtry

Eli Lomax 

Jason Butcher 

a copy to

Wm. Younger.

C. Joines
Note

\$1.68.08

X credit

With Interest from the date hereof we promise
to pay unto Anthony M. Hazzell his heirs or assigns
the least and full sum of one hundred and sixty
two Dollars and Eighty cents lawful money of
Va and for the full payment hereof we bind
our ~~heirs~~ ^{heirs} and heirs &c jointly and severally
firmly by these presents as witness our
hands and seals this 20th day of January 1834

Thos J
H. M. Adams

Eble J. J. J. J.

Wm

Howell & al copy
to Bone

M. apertus & al

On or before the ninth day of January 1837 we Anthony M Howell and
Gray Edwards promise to pay to Wm Masonburg, James Scott and Jordan
Edwards Commissioners appointed by the County Court of Southampton to make
Sale of the lands of Jordan Joyner the sum of ^{fifteen} ~~thirty~~ dollars ^{fifty four} ~~eight~~ cents
and $\frac{8}{17}$ being ^{one} ~~two~~ seventeenth of the amount of sales and sixty four dollars &
cent added thereto to the payment whereof we and each of us bind ourselves and
our joint and several heirs - As Witness our hands and seals this 9th day
of January 1836. -

Witness
Jas M. Murfee.

A M Howell. (Sd)

Gray Edwards (Sd)

Attest Teste L R Edwards (Sd)

Recd. from Irvin M. Puck Ds. for Jacob H. Duck
Shff: the sum of sixty eight dollars and twenty
seven cents in full of this Execution.

12th March 1838.

James Barnes

Satisfied and paid to the plaintiff by his receipt on the
Execution.

(Signed)

Irvin M. Puck Ds.
for J. H. Duck Shff.

Barnes

vs.

Butler

November 10th 1837.

(A. C. C. C.)

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Isle of Wight County, GREETING :

YOU ARE HEREBY COMMANDED, That of the Goods and Chattels of *Isaac Butler*

a co-obligor with Eli Joiner

(late in your bailiwick,) you cause to be made the sum of *Forty nine dollars and five cents*
with interest thereon at 8% per annum from the
23rd day of December 1833 till paid.

which *James Barnes* esor. of *Isaac Holland*

lately in our said County Court *hath* recovered against *him* for debt: Also the sum of *Five dollars*
and eighty four cents which in the same Court were adjudged for *his* damages, as well
by reason of the said debt, as for *his* Costs by *him* about *his* suit in this behalf expended,
whereof *he is* convict as appears to us of record:—And that you have the same before the Justices of our
said Court at the Court House of said County, on the ~~Saturday~~ *Monday* in *January*
next, to render to the said *James Barnes* Esor. *his*
the debt and costs aforesaid. And have then there this Writ.—Witness NATHANIEL YOUNG, Clerk of our said
Court at the Court House, the *10th* day of *November* — 183*7*, in the *10th*
Year of the Commonwealth.

Nath. Young

a copy lists

Nath. Young Esr.

Jason Butler
For the my Bond

Clay Lynam

both copies

Clay Lynam the
person to whom the
suit is to be brought

26-84
281
1026

71.16
142.32

Shields, Ashburn & Grigsby, Print

Forthcoming Bond.

KNOW ALL MEN BY THESE PRESENTS, That we *Jason Butler*
& *Edward R Johnson*

are held and firmly bound unto

James Barnes

in the just and full sum of *one hundred & forty two dollars & thirty two cents*

to be paid to the said *James Barnes*

his certain Attorney, his

Heirs, Executors,

Administrators, or Assigns: to which payment well and truly to be made, we bind ourselves, our Heirs, Executors and Administrators, jointly and severally, firmly by these presents. Sealed with our Seals, and dated this *22* day of *November* in the year of our Lord one thousand eight hundred and *thirty seven*

The Condition of this Obligation is such, That whereas *James Barnes*

has sued out of the *County* court of *Isle of Wight*
a Writ of Fieri Facias against the Goods and Chattels of the above bound *Jason Butler* co
obligor with *Eliy Goyner*

upon a judgment obtained in the said Court: which Writ, with the legal costs attending the same, amounts to the sum of *seventy one dollars & sixteen cents*

and directed to the *Shiff* of *Isle of Wight County* and whereas
Irwin W Duck Deputy for *Jacob H Duck Shiff*
of the said County of *Isle of Wight* by virtue of the said Writ, hath taken the
following Property belonging to the said *Jason Butler*
to satisfy the same, to wit: *2 horses*

And the said *Jason Butler* being desirous of
keeping the same in his possession until the day of sale thereof, hath tendered the above bound
Edward R Johnson as security for the forthcoming
and delivery thereof on the day and at the place of sale. Now if the above bound *Jason Butler*
& *Edward R Johnson* and
or either of them, do and shall deliver the aforesaid property to the said *Sheriff*
his deputy at the *Court house*
on the *first* day of *December* next then and there to be sold, to satisfy the said
James Barnes execution, then the above
obligation to be void, or else to remain in full force and virtue.

Signed and delivered }
in presence of }

Irwin W Duck

Jason Butler

Edward R Johnson



Wm Sumner Thff. Nani? ¹
Estate of Martha Joyner ¹
11th March 1839.—

X

for 18th..

1839
at a Quarterly Court held for Naussemond County the 11th day of March 1839.
On the motion of Jason Butler, and for reasons appearing to the
Court, it is ordered that William Sumner Sheriff of the County
of Naussemond, take into his hands the personal estate of
Martha Joyner deceased, who died Intestate, and administer the
same according to law.

Copy Teste

Joseph Prentiss. clerk.

Butler

3

Joyner

Wm. J. Joyner

Butler L. M. Hly Joyner &

(I call on to Mr Day, Ch: sent. I am
told that Joseph G. Holland is
now - residing the seat, which
Holland of Mass. is his address:-

A. Atkin

Day says Mr. Holland will be
your ticket -

The Commonwealth of Virginia: To the ^{Coroner of Nansimond} Sheriff of Southampton County
Greeting. Whereas Jason Butler hath

heretofore exhibited to our County Court ~~_____~~ for the
County of Southampton his bill of complaint against Joseph B Holland
administrator of Billyard Holland dec'd & others ~~_____~~
whereupon sundry proceedings have been had as appears from the records and
files of the said Court. but before a final decree could be pronounced in the said
Cause the said Joseph B Holland hath ~~_____~~ departed this life
~~intestate~~ as it is said and administration ^{de bonis non} of all and singular his goods chattels
and credits ^{of the said Billyard Holland} hath been in due form committed unto Edwin Smith Sheriff of
~~and the said~~ Nansimond County. And the said Jason Butler ~~_____~~

having supplicated us for a proper remedy in this behalf and we being willing
that what is right and just should be done. Therefore we command you that you
make known to the said Edwin Smith Shff: & admor. as aforesaid
according to law that he be ~~at~~ the Clerks Office of our County Court of
Southampton at the Courthouse on the first Monday in October next (being
Rule day) ~~_____~~ To shew if any thing for himself he have or
know to say why the said suit should not be proceeded in to a final decree
against him in his character aforesaid and be in all things in the same
plight and condition as it was at the time of the decease of the said Joseph
B Holland ~~_____~~ and further to do and receive what our said Court
shall in that part consider - And have then & there this writ. Witness
Lettleton R Edwards clerk of our said Court at this office the 16th day of
September 1841 in the 66th year of the Commonwealth

L R Edwards Clk

c etc

Butler

r } Sec. Tre

Joyner Jan

To October Rules 1841

Executed

Wm. Drury upst
Thos. Matowish

The Commonwealth of Virginia. To the Sheriff of Southampton County
Greeting. Whereas Jason Butler hath heretofore exhibited to our County Court
of Southampton his bill of complaint against James Scott & others, wherein
Sundry proceedings have been had as appears from the records and files of the
said Court, but before a final decree could be pronounced in the said Cause
the said James Scott departed this life and administration of all and singular
his goods & chattels, rights & credits, with the will annexed, hath been
granted unto Alfred T Bailey in due form. And the said Jason Butler
having supplicated us for a proper remedy in this behalf and we being willing
that what is right and just should be done. Therefore we command you
that you make known to the said Alfred T Bailey and/or as aforesaid that
he be at the Clerks Office of our said Court at the Court house on the first
Monday in October next (that being rule day) to shew if any thing for
himself he have or know to say why the said Suit should not be proceeded
into a final decree against him in his Character aforesaid and be in
all things in the same plight and condition as it was at the time of the
decease of the said James Scott. and further to do and receive what our
said Court shall in that part consider. And have it thus done this 10th
Wednesday Littleton R Edwards Clerk of our said Court at his Office the
6th day of September 1841 in the 66th year of the Commonwealth

J R Edwards Ck

Know all men by these presents that we Jason Butler, Anthony M. Howell
Harrison & Moore

are held and firmly bound unto Eli Joyner in the just and full sum of
Six hundred fifty one dollar twenty eight cents to be paid unto the said Eli
Joyner his certain attorney his heirs Executors administrators or assigns. to the
payment whereof well and truly to be made we bind ourselves our heirs, Executors,
and administrators jointly and severally firmly by these presents. Sealed with
our Seals and dated this 16th day of January 1843

The Condition of the above Obligation is Such that whereas in a suit
lately depending in the County Court of Southampton between Jason
Butler and Anthony M. Howell plaintiffs and Eli Joyner & others Defts.
it was on the 15th day of November 1841 decreed that the said Eli Joyner
should pay to the plaintiff Jason Butler \$71.16 with interest thereon
from the 22nd of November 1837 till paid and that he pay to Anthony M.
Howell one of the plffs. \$162.80 with interest from 20th January 1834
till paid, and that he pay to the plffs. their costs in that suit expended.
And it was further ordered that the clerk of the said Court deliver to the
plffs. or their attorney a bond filed by the commissioners in the suit of
Whitehead & wife against Joyner in said Court payable to James D. Mas-
sachusetts, James Scott & Jordan Edwards for \$15.54¹⁷ due 9th January
1837 and executed by A. M. Howell and Gray Edwards to be paid
in part satisfaction of the debt due to the said Jason Butler, and that
the Sheriff of the County sell to the highest bidder for cash $\frac{1}{4}$ of the estate
in the possession of Honor Daughtrey or her Commission to which she is
entitled for her life under the will of Thomas Daughtrey and which
 $\frac{1}{4}$ part by the will of S^r Tho. Daughtrey belongs on the death
of S^r Honor Daughtrey to Charlotte Daughtrey who married Hillyard
Holland & which $\frac{1}{4}$ has become the property of S^r Eli Joyner in re-
mainder - and out of the proceeds thereof pay first the costs of this suit
and pay the amount due the plffs. after the application of the aforesaid
bond, and the balance, if any the Sheriff shall bring into Court subject
to the further order of this Court. But if the whole fund now decreed
towards the satisfaction of the plffs. demand shall not be enough to
discharge the same then they shall be paid rateably - Now if
the said Eli Joyner & Anthony M. Howell shall abide such future
order as may be made for restoring to the Defendant Eli Joyner whate-
ver money they may receive under the said decree with interest thereon

upon his the said Eli Rogers appearing within the time prescribed
by Law and answering the bill in the said suit, then the above obli-
gation to be void or else to remain in full force

Witness.

Jason Butler (Seal)

H. W. M. Houell (Seal)

Wm. C. Anderson & Mordue (Seal)