

1861-11

Southampton Co - Chenev -

Hendley, John vs Jayner, Jeromical et al

Temper Jayner

Hurdles }
m } Bill
Gagner }

1869 April Rules

613 words

To the Hon Richard H Baker Judge of the
Circuit Court of Southampton County - In
Chancery setting -

Humbly complaining shew-
eth ~~unto~~ your honor, your complainant
John Brundley, that Jeremiah E Goyer and Tempy
Goyer are jointly indebted to him in the sum
of one hundred and thirteen dollars and
sixty two cents (\$113.62) with legal interest
thereon from the 16th day of January 1861, as will
appear by their bond herewith filed marked
A as an exhibit and prayed to be taken as a
part of this bill. That Jeremiah E Goyer
the principal in the bond is an irresponsible
party, that he is notoriously insolvent, that
were your complainant to proceed to obtain
judgment and execution, ~~on~~ the said bond
it would be unavailable, he having no
property on which it could be levied -
And your complainant would further
state that the only property that Tempy Goyer
is entitled to, is an equitable interest in
a certain tract of land lying in Southampton
County and other personal property conveyed
by the said Tempy Goyer, by deed bearing date
May 6th 1861 and duly recorded in the Clerk's
office of the County Court of Southampton
County, to William Beilow Trustee, to secure
Robert M Dole in a debt of \$600.00 due 6th March
1861 a copy of which deed is herewith

field marked "B" and prayed to be taken as a part of this
bill - Your complainant desires the aid of this
honorable court in enforcing the sale of this
said property, and after the payment of the debt provi-
ded for in the said deed of trust, that the balance
if any, may be applied to the payment of your
complainant's aforesaid debt - In the consideration
of the premises, and inasmuch as your
complainant is without remedy save in a
court of equity, where matters of this kind
are peculiarly cognizable and relievable: to the
end therefore that justice may be done, & it is
prayed that Jeremiah E. Gagner, Tempy Gagner,
William Pettlow and Robert M. Dole, may
be made parties defendant to this bill, and
required to answer the allegations thereof -
That your honor will decree a sale of the
land and other personal property conveyed by deed
of trust bearing date 6th March 1861 from
Tempy Gagner to William Pettlow trustee
to secure a debt due Robert M. Dole, and that
after the payment of the debt provided for in
said deed out of proceeds of said sale, that the
balance, if any, may be directed to be applied to
the payment of your complainant's aforesaid
debt of \$113.62 with legal interest thereon from
16th January 1861 - That all proper accounts may
be taken, and that your honor will decree
such other and general relief as equity may
dictate or the nature of the case may

require, and as in duty bound your
complainant will ever pray &c

Pettlow J. G.

"B" (copy)

Joyner
to } D. Trust

Bols' Trust

Richard W.

Richard W.

Richard W.

This Deed made the 6th day of March 1861 between Tempy Joyner of the first part and William Prellor of the second part Witnesseth that the said Tempy Joyner doth grant unto the said William Prellor all her right right title and interest in a certain tract or parcel of land lying in the County of Southampton and State of Virginia formerly the land belonging to Jeremiah Joyner died possessed and containing One hundred and thirty five acres be the same more or less and bounded as follows on the north by Black Creek Swamp on the East by the land of John Camp on the north by the land of Eli Joyner dec^d and Josephus Turnier on the West by the lands of Zachary Doyal also her right to a negro man named Archer one horse yoke of Oxen stock of hogs cattle and sheep household and kitchen furniture and interest in this years hire of boy Archer In trust to secure Robert M Dole one bond due the sixth day of March 1861 for the sum of Six hundred dollars As Witness the following signatures and seals the day and date above written

Witness

Geo. A. Gardner

William V. Turner

Tempy Joyner ^{her} (seal)
made (seal)

Southampton County. In the Clerks Office March 18th 1861

This Deed of Trust was proved as to Tempy Joyner a party thereto by the oaths of Geo A Gardner and William V Turner the subscribing witnesses thereto and admitted to record.

Teste

LR Edwards Clk

Attest

Teste LR Edwards Clk

Stundley

~ } Sum. Chy.

Joyner

1861 April Rules

Executed March
28th 1861 by delivering
each a copy of
the within summons
to the sheriff

The Commonwealth of Virginia. To the Sheriff of Southampton County Greeting:
We command you to summon Jeremiah E. Janyer. Tomp. Janyer William P. Hilton &
Robert W. Dole

to appear at the Clarks Office of our Circuit Court of Southampton County at the Rules to be holden
for the said Court on the first Monday in April - next to answer a bill in chancery
exhibited against them in our said Court by John Hundley

And have them there this 10th. Witness Lillston R. Edwards Clerk of our said Court
at the Courthouse this 22^d. day of March 1861 in the 45th year of
The Commonwealth

L R Edwards

Hundley

& } Stat: Rules

Joyner & Co

1861 May

In Southampton Circuit Court

John Handley

against

Jeremiah E. Joyner. Jemmy Joyner, William Prellor & Robert W. Dole

1861 March 22^d Summons of J. Joyner

April R. Summons ret. E. J. Bill filed & D. Nisi to Deft.

" (last Mond.) Bill taken for confessed & cause set for hearing &:

" May. T. Dismissed

Handly
as
former } Deere

May 1861

To be entered

R. H. Baker

This to
Humbly
" } Deem
Gover &c }

This day this cause came on to be
heard on the bill of the complainant taken for
compulsory as to all the defendants, upon whom
process has been duly served, and on motion
of the plaintiff it is ordered that this cause
be dismissed at his costs -