

1866 08

Southampton County - Chancery

McClenny, Hinch G. vs McClenny, James et al's

McClenny - Rhoda (mother) (Divisions - case)

McClenny - Polly copy of will

McClenny - Peggy

McClenny - Rhoda

Violet - slave

Isam - slave

46 47 55

Bill

McClenny

5. } Papers.

McClenny

Kilby J. V.

Hincha G. McClenny

in } Bice &

James R. McClenny

1859 February Rules

Scamp. Cis. Ct.

To the Hon. Richard B. Baker, Judge of the Circuit
Court of Southampton County - Complainant shew unto
the Court your Complainant Hinch G. McLenney -

Your Complainant respectfully shew unto the
Court, that one Hinch McLenney, father of your
Complainant died on the day of 1814, having
first made his Last will and Testament, which
was duly proved and recorded in Southampton County
Court on the 21st of July 1814, a copy whereof is filed
herewith as part of this Bill & is marked (A.).

That by the said will the Testator makes several
specific bequests and then declares "My will
(and desire that after the death of marriage of my
wife that my Executor doth equally divide my property
then remaining betwixt my five children, namely
Hinch G. McLenney, James R. McLenney, Polly M.
McLenney, Peggy McLenney & Rhoda McLenney"
and that Rhoda McLenney duly qualified as Executrix
of the Testator - That in the property which
was embraced by the clause of said will above
named was a negro woman named Violet, who
was sold by the Executrix to pay debts with or for some
other cause and was purchased by said Polly
M. McLenney - That the said Peggy McLenney
& Rhoda McLenney daughters of the deceased
died, never having married without issue, and
then the said ^{Polly} ~~Peggy~~ M. McLenney died, never
having married (and without issue, leaving as
her heirs at law, her mother the said Rhoda

McClenny, and her two brothers, Hinchey G. McClenny
(your Complainant) and James R. McClenny —
so that as remainder-men of Hinchey McClenny
dec'd. and as heirs of Polly M. McClenny,
+ the said Peggy & Rhoda McClenny their sisters, the
said Hinchey G. McClenny & James R. Mc-
Clenny, became entitled to all the estate
of said ~~deceased~~^{deceased} + of their sisters + also to
said negro Violet & her increase — subject to
the right therein of their said Mother Rhoda
McClenny — That as before stated, Polly M.
McClenny became the owner of slave Violet, and
after Polly's death, her Mother Rhoda being old,
by consent of all parties, the property was
divided (except Violet who was sold) and your
Complainant got two negroes Rachel & Amy +
James R. McClenny got two negroes Abby & Winney
and Isaac, child of Violet — a valuable boy was
left undivided to help support their mother
the said Rhoda McClenny — That the said
Rhoda McClenny, lived with her son Hinchey G.
McClenny for fourteen years from 1828 to
1842 + with James R. McClenny for about
fourteen years, from 1842 to 1856 when she
died — That while she lived with Hinchey G.
McClenny, boy Isaac was small + of not much
service, but while she lived with James
R. McClenny he was valuable, + also during

which last period the said Rhoda received some
pension or Bounty Land money which with Isaac's
hire & services, rendered her of no great expense
to Jas. R. McClenny — That also a girl named
Rena was sold by said Rhoda + \$200 of the
money was given to Jas. R. McClenny to aid
him in buying Land, notwithstanding the said
Rena belonged in part to your Complainant —
Your Complainant charges therefore that he
is entitled to one half of said Isaac + to
one half of his hires since the death of
his Mother Rhoda McClenny in 1856, but
so it is the said Jas. R. McClenny retains
possession of said Isaac and refuses to divide
with your Complainant — In consideration
whereof (and as this Court has jurisdiction to grant
relief, to the end your Complainant prays that
the said James R. McClenny may be made
Defendant hereto (and be compelled to answer
the allegations herein on oath — That an account
of Isaac's hires since the death of Rhoda Mc-
Clenny may be had (and that said Isaac
may be sold (and one half of such hires & sale,
may be decreed to your Complainant and that
all proper relief may be granted &c.

John R. Kilby p. v.

McCleenny
 { amended
 { Bill
McCleenny &c

1859 June 20th

To the Hon: R. N. Baker judge of the Circuit Court
of Southampton County - in chancery sitting
Complaining shew unto Your Court Your
Complainant Wincha G. McBlenny -

Your Complainant respectfully represents
to the Court and says, That at February rules
last he filed his bill in this Court against
James R. McBlenny, having for its object, the
sale and partition of negro man Isaac &
the recovery of hire of said slave - That in that
Bill your complainant claims his right
and title to said negro and the hire as
one of the heirs of Polly - Peggy & Rhoda McBlenny
dec'd. and that he failed to have the adm.
of said deceased parties before the ~~last~~ ^{last} term.

That by order of Court of 20 June 1859 the estates
of said Polly, Peggy & Rhoda were committed
to the hands of W. W. Briggs Sheriff of said
County, for administration. - ^{a copy of said order is filed herewith as part of this bill} your Complainant
prays now to file this amended bill & prays
that the said James R. McBlenny and Wm
W. Briggs Sheriff aforesaid & adm of Polly,
Peggy & Rhoda McBlenny dec'd. may be
made defendants hereto & also to said
original bill & be required to answer
the original bill in this cause & this
amended Bill, and your Compt:
prays the Court sum. &c.

John R. Kilby J. G.

Hinchin M. Clunney

Will

M. Clunney

to } Ex. with bill.

M. Clunney

(copy)

(A)

In the name of God. Amen. I Hincha M. Clenny of Southampton County State of Virginia being weak in body but of sound and perfect mind and memory thanks be to Almighty God for the same and calling to mind the mortality of my body and knowing it is appointed for all to die do make and ordain this my last Will and Testament. Viz. first of all I desire that all my debts and funeral charges be paid and discharged.

Item. I lend to my wife Rhoda M. Clenny the whole of my land and personal estate during her life or widowhood and if she marries I lend her the third part of my personal estate.

Item. I give to my son Hincha^B M. Clenny the land and plantation whereon I now live containing One hundred and thirty $\frac{1}{2}$ acres to him and his heirs forever but if he should die without heirs I give it to his brother James R. M. Clenny -

Item. I give to my son James R. M. Clenny the other half of my land containing one hundred and thirty four acres to him and his heirs forever but if he should die without heirs I give it to his brother Hincha^B M. Clenny -

Item. I give to my daughter Polly M. Clenny one bed and furniture to her and her heirs forever -

Item. I give to my daughter Peggy M. Clenny one bed furniture to her and her heirs forever.

Item. I give to my daughter Rhoda M. Clenny one bed and furniture to her and her heirs forever -

My Will and desire that after the death or marriage of my wife that my Executors doth equally divide my property then remaining betwixt my five children namely Hincha^B M. Clenny, James R. M. Clenny, Polly M. M. Clenny, Peggy M. Clenny and Rhoda M. Clenny. I likewise nominate and appoint my wife Rhoda M. Clenny and Absalom Daughtery Executors and Executor of this my last Will and testament. Given under my hand and seal the 8th day of November one thousand eight hundred and thirteen.

Signed sealed in
presence of }
William Fowler
Jonathan Robinson
John Fowler.

Hincha M. Clenny (Seal)

At a Court held for the County of Southampton the 21st day of February 1824 -
This will presented in Court by the Executors proved by the oaths of Jonathan Robinson

and John Fowler two of the Witnesses thereto and ordered to be recorded and on the motion
of Rhoda McGinnis the Executrix therein named (time being allowed for the Executor to qualify)
who made oath according to law. Certificate is granted her for obtaining a probate thereof in
due form who gave bond and security Whereupon 1st And at a Court held for the said County
the 15 August 1814 The codicil to this Will was also proved by the said Witnesses thereto
and ordered to be recorded

Attest

Teste.

JR Edwards

Dec 21 1858

M Clenny

v. } Ex. with amended bill

M Clenny

Southampton County Court. June 20th 1859.

On the motion of Anicha G. McClenney. It is ordered that W^m W. Briggs Sheriff of this County take into his hands the estate of Polly M^cClenny dec^d and administer the same according to law.

Attest

Teste

JR Edwards Clk

Southampton County Court. June 20th 1859.

On the motion of Anicha G. McClenney. It is ordered that W^m W. Briggs Sheriff of this County take into his hands the estate of Peggy McClenney dec^d and administer the same according to law.

Attest

Teste

JR Edwards Clk

Southampton County Court. June 20th 1859.

On the motion of Anicha G. McClenney. It is ordered that W^m W. Briggs Sheriff of this County take into his hands the estate of Rhoda McClenney dec^d and administer the same according to law.

Attest

Teste

JR Edwards Clk

M. Clunney

Dep.

M. Clunney

Given to hand Sept 20. 1859

SRG

The Depositions of

Taken at the village of Franklin
in the County of Southampton, on the 20th day of
Sept. 1859, between the hours of 8. a.m. and 6 p.m.
of that day to be read as evidence in behalf of
Hinchey G. McBlenny in a suit in Chancery
now pending in the Circuit Court of said
County wherein said Hinchey G. McBlenny is
Plaintiff (and James McBlenny ^{others} Defendants,
taken pursuant to the annexed notice -

The said Nelson B. Gardiner being duly
sworn says as is set forth in the several
answers following.

Question 1st by Bro. R. Kelly. Plts. atts. are you
acquainted with Hinchey G. McBlenny and
James McBlenny, the parties to this suit.

Answer. I am acquainted with them and have
been from my youth and shall be forty nine
years old to the 1st of November

Ques. 2^d. Did you know Hinchey McBlenny
and his widow Rhoda & their daughters
Polly, Peggy & Rhoda, & are they dead?

Ans. I have a slight recollection of the old
man he died when I was a small boy.
I knew his widow Rhoda who died about two
years since the daughters Polly, Peggy & Rhoda
died many years since before their mother.

Ques. 3. Did you know any free women or
Violet & her son Isaac, belonging to
the Estate of Hinchey McBlenny and
what became of Violet & Isaac?
Ans. I knew Violet & Isaac.

Violet became the property of my Brother Lemuel

Q. Gardiner I have always heard by purchase from Rhoda McClenney ~~the~~ the widow of Hincha McClenney Dec.

Polly McClenney the daughter of Hincha McClenney Dec first - but this girl Violet at public auction at the residence of the old man after his death my father was the auctioneer.

After this purchase by Polly McClenney and after her death she became the property of my brother. Boy Isaac was always reputed to be the son of woman Violet and was born previous to time my brother came in possession of Violet. My brother did not purchase Isaac no other Negroes were sold at that time belonging to the old man McClenney estate.

Q. How old Rhoda McClenney widow of Hincha McClenney live from the death of her husband till her death?

Ans. She lived at the old place when her husband died from five to ten years, she then removed to the Fowler place for one year and then moved back on the same premises and remained for a short time and then removed with to James or Hincha's her sons can't say which. From that time to her death she lived part of her time with Hincha and part with James.

Q. How old is Isaac and what is his character as a valuable hand?

Ans. I suppose Isaac twenty five or thirty years old and an able bodied ^{well as he is for} hand and worth one hundred

Q. Do you know ^{any} ^{other} ^{negroes} Rachel & Amy & Abby & Winney & to whom they belong.

Ans. Rachel and Amy I last saw at Hincha & McClenney several years since Abby & Winney I saw at James McClenney two years ago. They were reputed to be the children of Violet and were born after the sale of Violet to Polly McClenney.

And father the deponent says not
Nelson ^{his} B. Gardiner
more

Taken before me as above stated in the
Caption

Witnesses
A. B. Gardiner one day
Leonard S. Cobb one do
Wesley Bradshaw one do

Joshua Stretton J.P.

The deposition of Dampy D Mathin and others taken at the office of Wm H Pritchard in the Town of Jerusalem on the 20th of March 1860. By mutual consent of parties. To be read as evidence in behalf of the plaintiff in a suit in the Circuit Court of Southampton County, in which Hinch McHenry is plaintiff and James McHenry is defendant, before Wm H Pritchard one of the Commissioners in Chancery of the Circuit Court of Southampton County, taken pursuant to the annexed notice.

The witness Dampy D Mathin being first duly sworn on the Holy Evangelist. Deposes and says as follows -

1st Question by Plaintiff's Atty - How old are you, do you know the parties to this suit: how long have you known them - did you know Henry McHenry their mother and for how long -

I am forty six next July, I know the parties, and have known them for twenty five years. I knew Hinch McHenry and for about the same time.

2nd Question - Did you know any woman by the name of Abigail - ~~Abigail~~ and her son John and girls Rachel, Mary, Mary and Abby - and what business of them - answer - I knew Abigail the old lady Mrs Rhoads McHenry sold her to Lemuel R Gardner about twenty four years ago. I was frequently at Hinch McHenry about twenty two years ago, when I was a young man, and frequently saw Mr Rhoads McHenry there, and heard him say, he pointed out to me the small negroes, and said he had given them to the two boys, pointing out which he had given to each, two girls to each. He I remember the boy John, and heard him say that John had to go wherever he went, I was intimate with the family, and heard him speak of this matter more than once, that this thing was understood in the family, and never heard anything

to the contrary during that period -

3^d Question - what difference was there, if any, between the two negro girls, then given to James McEllenry and the two to Hinch McEllenry at the period spoken of - Answer - I would have preferred the two given to James McEllenry, if I myself had been interested. Question - when did Mrs. Rhoda McEllenry reside when you first knew her, and from then till her death Answer - when I first knew her, she resided at Hinch McEllenry's. ~~from that time till her death~~, and lived there for some time afterwards, how long I know not.

The ~~Defendants~~ ^{Defendants} Counsel excepts to all the foregoing deposition, as far as it relates to the declaration of Mrs. Rhoda McEllenry or Hinch McEllenry - Question by Plaintiff's Counsel -

Do you know Jacob Wade and how long have you known him, what is character for sobriety and reliability - Answer - I know Mr. Jacob Wade, and has been a drinking man, I do not know what he is now, I should not like for him to be for me or against me.

Cross examined by Defendants Counsel - How long time have you known any thing about Mr. Jacob Wade; answer about twelve or fourteen years - when do you reside now - always lived in Lee of Wright County - for the last six or seven years I have seen him often at public places, and met him on the public highway, but was never at his house - Do you not think him worthy of belief on oath - Answer, I would believe him on oath if he was sober, but ~~if he were drunk~~ ^{would rather he would} ~~knowed not~~ not be for me or against me.

Question - why would you not rather he should not be for you or against you - Answer - because I want no such witnesses, because when ~~he was drunk~~ ^{he was drunk and} called on as a witness, he might ~~do~~ ^{be drunk and} my case might ~~be~~ ^{be} ~~good~~ ^{be} good. - I consider him a hard working and honest man - Question - can you state with any more accuracy, how long it has been since you were in the habit of visiting the McEllenrys - Answer I can not be more accurate than to say it has been twenty one to twenty five years ago - Question During the visit to your place you have attended and at what time the negroes were pointed out to you, which were Hinch's and which were James, who as pointed them out to you. Hinch or Mrs. Rhoda McEllenry, and was James McEllenry present Answer - They were pointed by both the old lady and Hinch, James was not present - ~~Answer~~ This occurred between twenty one and twenty five years ago - Question - what was the state of mind James and Hinch were in your estimation at that time - Answer - I can not come at it at all, it has been so long ago, negroes were low, and the negroes attended to were small -

And further the deponent saith not

H. D. Watkinson

John D. McEllenry being duly sworn says

Question by Plaintiff's attorney - How old are you and what relation are you to the parties in this suit - Answer - I am in my twenty fourth year, I am son of the Plaintiff and nephew of Defendant.

Question, when did your grandmother Eliza McHenry die, and when has she resided since you first knew her - Answer. I think she died about the latter part of the year 1856, she lived for about the last eleven years of her life, she lived with my Uncle James and before that time she lived with my father as far as I recollect -

Question - Do you know any girls Abby and Minny in the possession of James McHenry, and the girls Abby and Rachel in the possession of your father, and which lot is now is most valuable, and which has been so since you knew them - Answer - I do know the girls referred to, and have known them ever since I could recollect, I always considered my Uncle James lot the most valuable, for the last four or five years I have not seen them belonging to my father -

Question - Do you know the boy Graham referred to, and to whom he belongs - Answer - I have known him all my life, but do not know to whom he belongs

Question - State any conversation you have had with your Uncle James about Adam - Answer - My father sent me to my Uncle James in the fall of 1853 to see about the boy Graham and to get some things my grandmother wanted and told my father to Adam, - we were talking about the negro Adam and about a dispute between my father and Uncle James, about treatment to my grandmother

when my Uncle James said, that he had told ^{my} father that if he my father would take the old lady and the boy Adam and pay him (James) \$500. that he would have nothing more to do with them, and that he thought might take them and further this deponent says not

John D McHenry

J D Watkins charge 20 miles going and coming and one day attendance

John D McHenry charge 31 miles going and coming and one day attendance -

The foregoing depositions were taken before me, at the time, place and manner as stated in the Caption

Wm L Peltow Commissioner
of the Clerks of the Circuit Court
of Southampton County

Compt. Fee \$2.50

M. Clenny

7. } Depositions

M. Clenny

handed in by Wm H. Pickett Esq Com

March 21. 1860

JR Edwards Esq

The deposition of Hyeckiah Bradshaw and others taken at the office of Jas. M. Wood in the town of Jerusalem on the 22nd November 1859, by mutual consent of parties, to be used as evidence on behalf of the defendant in a suit in the Circuit Court of Southampton County in which Hyeckiah et al. vs. James et al. is plaintiff and James et al. is defendant - by Wm H. Prettin a Commissioner in chancery.

Hyeckiah Bradshaw having been duly sworn upon the Holy Evangelists says and deposes as follows: ~~The first~~ ^{the first} he when I first knew the parties in this suit Hyeckiah and James Melleny, they had ~~the~~ ^{negroes} in their possession, James Melleny had a negro boy named Solomon, and a girl named Abby, Hyeckiah had two girls, Rachel and Mary. James also had a girl about three years old named Minny, in a very delicate condition, poorly grown. This was about twenty two years ago. In a conversation at Hyeckiah's house I heard Hyeckiah say, ^{that} the old lady Hinder's mother said she had divided them to give herself, in their lifetime, and that she (Hinder) was satisfied, - at the same time, Mrs Rhody Melleny made some inquiries of James Melleny as to the condition of the child Minny, saying that she expected it would have been dead by that time. James replied that it was some better - Hyeckiah ^{said} after thought the child worth nothing, that it was worth less than a white child, and that he did not want her, that his mother had given her to James and he did not want her, that he did not consider the child worth twenty dollars, but that at this time, negroes were very low, that a likely young negro woman was not worth more than hundred dollars, and negro men not more than four hundred

I consider the negroes which Hinchee owned, as worth more than than of James McLerny, - Further this deponent saith not -

John ^{his} Lewis
mark

The examination of Jacob Wade being duly sworn, deposes and says -

I am about fifty years of age. I was living in the neighborhood when the McLernys came, there, and have lived there ever since. I have heard all the parties, Mrs. Betsy McLerny, Hinchee McLerny, James McLerny, speak of the division of the negroes, and all always ^{frequently} expressed themselves satisfied with the division - I considered the two negroes that Hinchee had of more value than ^{than which} James had, Hinchee being older and larger, whilst two of James were sickly - Further this deponent saith not -

Jacob ^{his} Wade
mark

Read and subscribed before

The above & foregoing depositions were taken before me at the time place and manner as stated in the caption.

Wm H Pettow Comr in Chancery
of the Cir Court, of
Southampton County

The Commissioner was occupied two hours in taking the foregoing depositions - Fee \$1.50

W H Pettow Comr

M. Cluny

15. } Depositions

M. Cluny

1859 November 22^d
Handed in by Com^{rs} Wm. H. Butler
J. H. Howard, D.C.

M. Clunney

2. } June. Chy

M. Clunney

1859. July Rules

Entered

June 24th 1839

by delivering each
a copy of

G. W. Dick

Dep'ty Shff

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON

*James McCluney & W W Briggs shff. &
armor. of Polly. Peggy & Rhoda McCluney*

to appear at the Clerk's office of our Circuit Court of Southampton County, at the Rules to be holden for
the said Court, on the first Monday in *July next* ^{*the original & amended*}
exhibited against *them* in our said Court by ^{*to answer bills in chancery*}

Hincha G. McCluney

and have then and there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court
House, this *21st* day of *June* 1859, in the *83^d* year of the
Commonwealth.

L R Edwards

The Commonwealth of Virginia

Sp.

M. Glenny

1860 March 20th at Jerusalem

Received
J. P. Gay
Sheriff

J. O. Wight

The Commonwealth of Virginia, Isle of Wight.

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON *Dempsey D Watkins*

to appear, before the *20th March Inst.* at *our* *9 o'clock A.M.* Court of Southampton County, at
the Court House, on the _____ day of _____ Term _____ to testify and
the truth to say in behalf of *Hinchin G. McLumy*
in a certain matter of controversy in our *County* *of Southampton County* said Court, depending and undetermined between
Hinchin G. McLumy Plaintiff and
Jas. McLumy Defendant,
and have then and there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court
House, this *8th* day of *March* 18*80*, in the *82^d* year of the
Commonwealth.

L.R. Edwards ds. cl.

Service of writs
motion acknowledged
the 9th of March 1860

Geo. F. Kindred

Attorney for Lang & Co. Denny

To the Sheriff of
County of Chester

~~And~~ To James M. Cleary

Take notice that I shall on the 20th day of March 1860, next, at
Wm. H. Prettow's Office in Jerusalem
Southampton County between the hours of 8 a. m. and 6 p. m. of that day, proceed to
take the Depositions of D. D. Watkins
and others, to be read as evidence in my behalf, in a certain Chancery
suit _____, depending in the Circuit Court of Southampton
County, wherein I am

_____ are plaintiff, and you
_____ are defendant; and if from any cause the taking of the said Depositions be
not commenced on that day, or if commenced be not concluded on that day, the taking of the same will
be adjourned and continued from day to day or from time to time, at the same place and between the
same hours, until the same shall be completed.

To the Sheriff of
County to execute.

Respectfully,

Wincha G. M. Cleary
per atto:

Received & within
notion acknowledged
the 9th of March 1860

Geo. I. Kindred

Attorney for James M. Conny

To the Sheriff of
County to execute

& To James M. C. Lemmy

Take notice that I shall on the 20th day of March 1860, next, at
Wm. H. Putton's Office in Jerusalem
Southampton County between the hours of 8 a. m. and 6 p. m. of that day, proceed to
take the Depositions of O. D. Watkins
and others, to be read as evidence in my behalf, in a certain Chancery
suit, depending in the Circuit Court of Southampton
County, wherein I am

plaintiff, and you
are defendants; and if from any cause the taking of the said Depositions be
not commenced on that day, or if commenced be not concluded on that day, the taking of the same will
be adjourned and continued from day to day or from time to time, at the same place and between the
same hours, until the same shall be completed.

To the Sheriff of
County to execute.

Respectfully,
Wincha G. M. C. Lemmy
per Atty.

Winckle G. McHenry

7 days { notice to
take dep.

James R. McHenry sal

Executed Sept 28th

1839. by delivering

James R. McHenry

a copy of the within

notice

G W Vick

Deputy

I acknowledge
recd. 20 of 1839
service of this notice

To James^R M. Clenny, and Wm. W. Briggs, Sheriff & Comr. of
Polk, Pegg and Rhoda M. Clenny dec^d.

Take notice that I shall on the 20th day of September 1859, next, at
the village of Franklin in the County
of Southampton, v. a between the hours of 8 a. m. and 6 p. m. of that day, proceed to
take the Depositions of Nelson Gardner, Lemard Cobb, Mrs. M. Clenny & Wesley
Bradshaw and others, to be read as evidence in my behalf, in a certain suit
in chancery, depending in the Circuit Court of Southampton
County, wherein I am ~~the~~ plaintiffs, and

are defendants, and if from any cause the taking of the said Depositions be
not commenced on that day, or if commenced be not concluded on that day, the taking of the same will
be adjourned and continued from day to day or from time to time, at the same place and between the
same hours, until the same shall be completed.

Respectfully,

To the Sheriff of Southampton }
County to execute.

Wincha G. M. Clenny
by his att^y.

Aug. 16th 1859.

✓
McClenny

2 Sp.

McClenny

1859 Sept. 20' at Franklin

Execution

Geo. W. Wick

Deputy

MH

Edwin R. R.

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON

Leonard Cobb. Wesley Bradshaw. Geo. Gardner.
J. J. M. Clenny

Indemnity to be paid
to appear before the *at Franklin* of our *33* Court of Southampton County, at
the Court House, on the *20th* day of *September* Term next — to testify and
the truth to say in behalf of *Hurlock G. M. Clenny*
in a certain matter of controversy in our *Leicester* Court depending and undetermined between
Hurlock G. M. Clenny Plaintiff and
Jas. R. M. Clenny Defendant,
and have then and there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court
House, this *25th* day of *August*, 185*9*, in the *84th* year of the
Commonwealth.

L. R. Edwards

✓
M. Clenny

to } Sum. Chy

M. Clenny

1859 February Rules

Executed Feb'y 20th
1859 by delivering him
a copy

Wm Wick Depy
for Wm W Briggs shff

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON

James M. Clunny

to appear at the Clerk's office of our Circuit Court of Southampton County, at the Rules to be holden for
the said Court, on the first Monday in *February next.*, to answer a bill in chancery
exhibited against *him* in our said Court by *Hinchin G. McCluney.*

and have then and there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court
House, this *19th* day of *January* 185*9*, in the *83rd* year of the
Commonwealth.

L. R. Edwards

M. Clenny

7. } Stat. Rules.

M. Clenny

In Southampton Circuit Court.

Hinchin B McElenny

Pff

against

James McElenny & Wm Briggs Shuff of Southampton County & as such admors:
of Polly. Peggy & Rhoda McElenny &c.

Off

1859 Jan'y 19: Summons issued returnable to Feby Rules.
" Feby R. Sum. ret. Ex? Bill filed & Deera nisi v. Off.
" Mar. " Bill taken for confessed
" Apr. " Cause set for hearing on bill 1.^o
" May T. Leave to amend bill & cause remanded to Rules.
" June 20: amended bill filed & Sum. sp?
" July R. Sum. ret. Ex? Deera nisi v. Off.
" Aug. " Bill taken for confessed v. Off.
" Sept. " Cause set for hearing 1.^o
1860 May T. Dismissed.

McClenny

v

McClenny

is mis-
ap-
each party
paying his
own costs