

1873-025 SOUTHAMPTON COUNTY
CHANCERY PAPERS

DARDEN ^{vs} vs JORDAN'S ADM'R.

7/1873

Other SURNAMES, Story,
Joyner, Worrell, Barnes

Darden

n } Stat. Rules

Jordans adm

In Southampton County Court.

James J. Darden who sue for himself & all other Creditors of Jacob Jordan dec^d who
will come in & bear their share of the costs of this suit.

^{Against}
D. L. Wiles Sheriff of Southampton & as administrator de bonis non of Jacob Jordan dec^d.

1872 May 23^d - Sum^s issued.

" Sum^s R. Sum^s R^{et} Executed - Bill filed. L. M. is Deft.

July 5th Decree for auct

" Dec^r 14th Report

1873 June 5th - Decree for p^lff 1st

" July - Final decree

1873 June 6th *BLK*
ret:

\$7.79
2.50
10.29
50

Shy

born Tyler
Law & Mar

5.00
36.00
\$46.79

Dardur

vs { Bill.
" " exultans
Jordan's actus

1872 June Rules

To the Hon Joseph W Urquhart judge of the
County Court of Southampton in chancery sitting

Humbly complaining your orator James
J Darden who sues for himself and all other
creditors of Jacob Jordan died who will come
in and bear their share of the costs of this suit
sheweth unto your Honor that in the year
185- Jacob Jordan departs this life leaving
considerable estate both real and personal
and that Robert S Barnes qualifies as Administrator
of the said Jordan and in the year 1861 settles
his account shewing a balance due the
estate of Jacob Jordan of \$224.22cts with
interest from the 1st of January 1861 that in the
year 186- Robert S Barnes departs this
life and at the July Court 1869 the estate
of Jacob Jordan was committed to the hands
of Demarcus L Dole the then sheriff of
Southampton as administrator de bonis non
and that Benjamin E Worrell the Administrator
of Robert S Barnes pays over the said sum
of \$224.22cts with the interest thence accruing
to the said Demarcus L Dole as Administrator
of the said Jacob Jordan

Your Orator states that the said Jacob
Jordan in his lifetime was indebted to him
by bond for \$27.27cts dated 2nd of January 1858
by another bond for \$25.83cts dated 4th of March

1859 and by an account for \$18,445 ^{withint from} ~~due~~ 1st
Jan'y 1860 on which some money has been paid
all of which will more fully appear by the
~~original copy~~ of the said bond and account
herewith filed marked A as exhibits and
prayed to be taken as a part of this bill

Your orator states further that he has applied
to the said D. L. Dols for payment of his said
claims but is informed that he cannot be
paid at this time as the administrator has
but a small sum of money and that there
is a much larger indebtedness than the
assets will meet and there will have to
be a pro rata payment which makes the
aid of a chancery court necessary

In tender consideration whereof and
inasmuch as your orator is without relief at
law and only entitled to relief in a court of
equity where such matters are peculiarly
recognizable he therefore prays that Demarcus
L. Dols late sheriff of Southampton and as
such administrator de bonis non of Jacob
Jordan, do may be made a party defendant
to this bill and that the court would compel
him as full and perfect answer make to
the allegations therein contained as if he had
been examined more fully and specially
interrogated, That the court would order that
the said Dols settle an account of his

Transactions as administrator of Jacob Jordan
before one of the commissioners of this court
who will also take an account of the debts
outstanding against the estate of the said
Jordan, and upon the coming in of the
said reports that the court ~~the court~~ would
order the payment either of the whole or
such part of your orator's debt as the
said reports may authorize and that the
court would grant such other and general
relief the justice considered as equity may
dictate and the nature of his case may
require and as in duty bound your orator
will ever pray -

Stanley J. G.

Darden

as 3

Forclaus Aehn

Petition of Count
Stony and others asking
to be made parties to
the suit

To the Honorable Joseph W. Ingraham judge
of the county court of Southampton in chancery
sitting

Respectfully petitioning your petitioners
Ezra Story and John Ella his wife who
was Jordan and John W. Joyner and Nancy
his wife who was Jordan show unto your
Honor that in the year 1857 Jacob Jordan
of Southampton died leaving John Ella
and Nancy Jordan his two children his
only heirs at law who have married Ezra
Story and John W. Joyner that he left
some personal estate and Robert Barnes
qualified as his administrator and died
and that the said Jacob Jordans estate
was then committed to the hands of
J. L. Dole sheriff of Southampton for
further administration that sometime in
May 1872 James D. Darden filed a creditors bill
against the said Dole as administrator of
the said Jordan for a settlement of his
account and the payment of the debts
outstanding against the estate your
petitioners show further that a commission
of the court has settled the said account
by which it appears there is a balance
due the estate of \$284.26cts with interest
from the 1st of September 1870, and also

an account of the outstanding debts, Your
Petitioners have every reason to believe there
will be a balance due the estate after the
payment of the debts as some of the
claims are out of date and barred by the
statute of limitations and they therefore ask
the court to permit them to come in and
be made parties plaintiffs to the said suit
and ^{as} the estate has been a long time out of
that the court would direct what
balance may be due the estate after the
payment of the debts to paid over to your
Petitioners as the heirs and distributees of
Jacob Jordan died and as in duty bound
your Petitioners will ever pray we
Shanes p. 9.

Dandelion

as 3 Decem

Jordan's Achen

Go to entered

W. W. W. W. W.

July Term 1852

Jordan

vs 3 Deem
Jordan's Adm

This day this cause came on to be heard on the plaintiffs bill taken for compysd as to the defendant Demaree & Dols sheriff and as such administrator de bonis non of Jacob Jordan died and exhibits files therewith and was argued by counsel on the consideration whereof the court doth adjudge order and decree that one of the commissioners of this court settle an account of Demaree & Dols transactions as administrator of Jacob Jordan's estate and also take an account of all the debts outstanding against the said estate, and report the said accounts to court together any matter specially stated deemed pertinent by himself or which may be required to be so stated by any of the parties interests

Dear
to
Jordan's home } Dear

See envelope for
paper -

Southampton County Court, July Term 1872.

Gas J. Jordan who sues for the benefit of himself
and all other creditors of Jacob Jordan decd. Iffs.

against
J. L. Toler, Sheriff of Southampton and as such
Admin^{or} de bonis non of Jacob Jordan decd. Iffs.

Sub Chancery

This day this Cause came on to be heard on the Plaintiff's Bill taken
for Comp^d as to the Defendant Demeure of J. L. Toler Sheriff and as
such Admin^{or} de bonis non of Jacob Jordan decd. and
Exhibits filed therewith and was argued by Counsel, on Consider-
ation whereof the Court doth adjudge, Order and decree, that
one of the Jurors of this Court shall on account
of Demeure J. Toler's transactions as Admin^{or} de bonis non of
Jacob Jordan's Estate, and also take an account of
all the debts outstanding against the said Estate and
report the said account to Court together with any
Matters specially stated, deemed pertinent by him-
self or which may be required to be so stated by any
of the parties interested.

Attest,
James R. Tyler, J. C.

Jordan

as 3 Decm

Jordan's Adam

to be entered

JW Wright

Judge

June Term 1893

Jordan

vs 3 Decr
Jordan's adms

This day this cause came on again to be heard on the papers formerly made and the report of commissioner Tyler made pursuant to a decree of the July term 1872 of this court and the exceptions thereto filed by the plaintiffs counsel and was argued by counsel. On consideration whereof the court over-ruling the said exceptions doth adjudge order and decree that D. L. Dole administrator of Jacob Jordan died after paying the costs of this suit including a fee of thirty dollars to Wm B Shancis the plaintiffs counsel pay the balance of the sum of \$284.26 cts with the interest thereon accruing pro rata between James J Jordan and Thomas B Worlee who have proved their debts and return his receipts along with his report to court in order to a further order.

Darden

to } copy record.

Jordan at.

Southampton County Court, June Term 1873.

James J. Garden who says for himself and all other
Creditors of Jacob Jordan dec^d. Plaintiffs
against
J. S. Dole Sheriff and as adm^r de bonis rebus of
Jacob Jordan dec^d. Defendants

This day this Court came on again to be heard on
the papers formerly read and the Report of Commissioner
Tyler, made pursuant to a decree of the July Term
1872, of this Court, and the exceptions thereto filed by
the Plaintiffs Counsel and ^{was} argued by Counsel on Consideration
whereof the Court overruling the said exceptions
doth adjudge, order and decree, that J. S. Dole
administrator of Jacob Jordan dec^d, after paying
the Costs of this suit including a fee of
twenty dollars to Wm. B. Shands the Plaintiffs
Counsel, pay the balance of the sum of two
hundred and eighty four dollars and twenty
five cents, with the interest thereon according pro rata
between James J. Garden and Thomas B. Wernick who
have joined their debts and return his receipts
along with his Report to Court, in order
to a further decree.

clerk	\$10.29
Shff	50
Comm Tyler	5.00
Law ^r	31.00
	<u>\$46.79.</u>

Attest
Jury James R. Tyler J. C.

Rec^d June 2⁴th 1873 of W W Briggs Deputy Sheriff
for D S Doles Shff and Administrator of Jacob
Jordan dec^d, one Hundred & Ninety three + $33\frac{1}{100}$
dollars in full of Amount due me by this decree.

Thos B. Worrall
Jr. ^{Thos B. Worrall}
Jr. ^{Thos B. Worrall}

Rec^d June 2⁴th 1873 of W W Briggs Deputy Sheriff
for D S Doles Shff and Administrator of Jacob
Jordan dec^d Fifty two + $24\frac{1}{100}$ dollars in full of Amount
due me by this decree

J J Jordan

Daiches

as 3 Dec

Jordan's Adm

to be entered

J. W. Mcintosh

d. 11

Jordan

or 3 Decem
Jordan's Adm

This day this cause came on again to be heard on the papers formerly read and the report of Wm H Briggs made pursuant to a decree entered at the June term 1873 and to which report no exceptions have been filed and was agreed by counsel. On consideration whereon the court doth ~~adjudge~~ order and decree that the said report be confirmed and it appearing to the court that there is nothing further to be done in this cause the court doth order the same to be removed from the docket.

Darden

~ } Sum. Ch

Jordan's adm

1872 June Rules

Executed
w. Briggs. shff

The Commonwealth of Virginia

To the Sheriff of Southampton County, Greeting:

WE COMMAND YOU to summon *D. L. Doles late Sheriff & as such admor.*
de bonis non of Jacob Jordan dec.

if *he* be found within your bailiwick, to appear at the Clerk's Office of our County Court of Southampton County, at the Rules to be holden for the said Court, on the first Monday in *June next* to answer a bill in Chancery exhibited him in our said Court by *James I. Larden* who sues for himself & all other Creditors of *Jacob Jordan dec.* who will come in & bear their share of the costs of this suit

And have then there this writ. Witness, *J. R. Tyler* ~~OSWIN WHITE~~, Clerk of our said Court, at the Court-house, this *25* day of *May* A., D., 1872, in the *96* year of the Commonwealth.

J. R. Tyler

Darden

or $\frac{1}{2}$ Report of
 $\frac{1}{2}$ Commissioners

Jordan's Adm.

— " —

1872. Dec. 14

The Estate of Jacob Jordan decd

In acf with D L. Dole administrator.

1870			Dr	Cr
Aug	24	By Am of B E Morrelli adms of Robt. S. Barnes		\$ 347 22
		To paid W. B. Shams ally	40 00	
		" " Club ticket Shufan	5 60	
		" Commissions on \$347. ²² @ 5%	17 36	
		" Balance due Est.	284 26	
			<u>\$ 347 22</u>	<u>\$ 347 22</u>
Sept	1	By Balance brot down due Est with interest thereon from date til paid		\$ 284 26

Respectfully Submitted
James R. Tyler
Cm.

An account of the outstanding debts against Jacob Jordan Est. as follows
4th Clap

To James J. Darden acc ^t due for	18 64		
Interest from 1 st Jan 1860 to 1 st Dec 1872	13 57		
		32	15
To James J. Darden note due for	28 83		
Int from 1 st Jan 1859 to 19 th March 1859	31		
	26 17		
Paid 19 th March 1859	20 00		
due	6 17		
Int. to 1 st Dec 1872	5 05		
		11	22
To James J. Darden note due for	27 27		
Int. from 1 st Jan 1858 to 20 th March 1858	56		
	27 63		
Paid 20 th March 1858	18 00		
due	9 63		
Int to 1 st Dec 1872	8 47	18	10
To Thomas B. Horrell note for	90 42		
Int. from 17 th April 1838 to 27 th Dec 1852	72 72		
	163 14		
Paid 27 th Dec 1852	40 00		
	123 14		
Int. on same to 3 rd Jan 1860 on 90.42	37 98		
	161 12		
Paid 3 rd Jan 1860	37 5		
	157 37		
Int. on same to 1 st Dec 1872 \$90.42	70 07		
		227	44
Total		\$288	91
Respectfully James R. Dyer			

Commissioners Office
Jerusalem Dec 14/72

To the County Court of Southampton County
Pursuant to a decree of the County Court of Southampton County rendered at the July Term 1872 in a suit in Chancery pending in said Court between James J. Darden & and D. L. Dols Shuff and administrator of Jacob Jordan dec^d. the undersigned one of the Commissioners of the said Court to whom was referred for settlement the following account viz that one of the Commissioners of this Court settle an account of Demarcus L. Dols, trans- action as administrator of Jacob Jordan dec^d and also take an account of all the debts outstanding against the said Estate and report to Court & in reports to the Court that on the day of last he issued notices against the several parties aforesaid requiring them to attend the settlement of the said ac^t before him at his S^d office on the day of which were returned to your Commissioners duly executed. the parties aforesaid appeared by attys. before the Commissioners in obedience to said notices and he thereupon stated and settled the foregoing ac^t up to the 1 day of December 1872 and finds the balance due the Est. to be \$284.26 with interest from date. and also an ac^t of the outstanding debts. which amounts to \$288.91 and including interest up to 1st Dec 1872. The Com- missioners have nothing special to report. the Commissioners further reports to the Court that after the completion of said ac^t he retained the same in his office "Ten day" for the examination of the parties which with the decree &c. are herewith returned. Given under my hand as Commissioners aforesaid the day and Year first aforesaid

James R. Dyer
Com^r for \$5.

Jordan

as 3 exceptions
given by Dole
Jordan's claim.

J. L. Dole Sheriff of Southampton and
as such administrator of Jacob Jordan appears
by Wm B Shanda his attorney and excepts
to the report of Commissioner Tylee for
the following reason to wit That in his
report of Outstanding debts he has reported
as a debt against the state a note due
Thomas B Womce for \$90.44 cts due the
17th April 1838 principal and interest due on
the same 1st Decemr 1872 \$227.44 cts
whereas the said note is barred by the
statute of limitations and is not a debt
or demand against the state

Shanda p.g.

Bal Due Estate

Int. from Dec. 14th 1832. till
June 14th 1833. }

\$284.26

8 52
\$292.78

Paid Costs of suit

46.39

244.99

J B Worrell debt \$227.44. scaled at
85¢ to dollar }

\$193.82

J J Davison debt \$61.43 scaled at
85¢ to dollar }

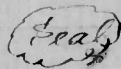
52.24

\$245.56

With Interest from the 1st Day of January 1859 I promise to pay
or cause to be paid unto Jas^p. Larden or order the just sum of
Twenty five Dollars & Eighty three cents it being for mone
in the year 1858 for the true payment of which well and truly to
be made I bind myself my heirs Executors and administrators
jointly and severally firmly by these presents as witness
my hand and seal this 4 Day of March 1859

Teste

J. William Garan Jacob Larden



March 19th 1859 Recd. the sum of Twenty Dollars
in part of this not.

J. J. Sarden

Mr Jacob Jordan
Nov
25. 83.

A

With Interest from the 1st Day of January 1858 I promise to
pay or cause to be paid unto Jas. J. Garden or order the
Just and full sum of Twenty seven Dollars & Twenty seven cents
it being for mone in the year 1857 for the true payment of which
well and truly to be made I bind myself my heirs Executors and
administrators jointly and severally firmly by these presents as
witness my hand and seal this 2nd Day of January 1858

Teste

Samuel Story :

Jacob Jordan



march 20th 1888 Recd the sum of Eighteen
Dollars in part of the within.

J. J. Darden

Jacob Jordan

note to

Jas. J. Darden

\$27.27

A

Mr Jacob, Indiana

Acct
\$17.82

A

Newcom Deposits

Mr. Jacob Jordan

Got off Monday

1859	Jan 15	20	1 Gall Corn Yan	\$ 1.30	
			3 yd Cotton Cloth 10x	30	
			10 lb flour	34	30
			1/2 lb Tobacco	2 1/2	19
			1/2 " "	1 1/2	12
			1 1/2 Gall Whiskey	37	75
			1 Gingham Hat	38	
			2 Tobacco	2 1/2	75
			1 " "	1 1/2	25
			2 " "	1 1/2	50
			3 " "	1 1/2	75
			1 Blk Soft Hat	2.50	3.35
			2 Tobacco	1 1/2	80
			1/2 " "	2 1/2	19
			1 Gall Whiskey	50	119
			5/4 Sugar 10x	53	
			1 Iron Bucket	88	91
			1/2 Pepper 1 1/2	70	
			5 lb Sugar 10x	50	
			4 lb Coffee 1 1/2	67	
			2 Tobacco	2 1/2	75
			1 Gall Whiskey	50	252
			7 yd Cotton Cloth 10x	70	
			3 Hammer Drill 1 1/2	58	
			Button & Thread	13	139
			1 Gall Whiskey	4 1/2	75
			2 Tobacco	2 1/2	75
			Bacon & mace		31
			4 1/2 Cheese		58
			1 Tobacco	1 1/2	25
			2 Coffee 1 1/2	53	58
			3 yd Blue Cloth	38	
			1 Fact. mace 1 1/2	25	62
			1 Gall Whiskey	80	50
			10 1/2 yd White Canvas	2.63	300
1859			Contrabands		21.02
			By 7 Bushels Potatoes Planting	3.50	
					17.52
			Shop & a To J. J. Jordan		
			Beat out 1 P. Hoe 90		13
			13 Day 2 P. Hoe 3 1/2 - 14 1/2 Iron 7 1/2		2.33
			29 " 1 Steel roller 3 1/4 1 1/2 Iron 7 1/4 1 1/2 Steel 40x		45
			" mace Bail to Bucket 4 1/2		06
			June 3 " Beat out 2 P. Hoe 90		25
			July 12 " Day 1 counter 1 1/2		25
			" " Thank to roller 2 1/2 Iron 7 1/2		28
					21.27
			Shroud 100 lb		2.61
					18.64

Personally appeared before me Jno. W. Darden
and made oath to the correctness of the
within acct of Twenty one Dollars and
Twenty seven cents Given under my hand
this 17th Day of Decr 1859

H. M. Carr, J. P.

\$90. 42. On or before the first day of July next
I promise to pay, or cause to be paid unto
Thos. B. Morrell his order or assigns the just
and full sum of ninety Dollars and forty-
two Cents, for value received, as Witness my hand
and seal this 17th day of April 1838. —

Witness
William Brown

Jacob Jordan 

1852 Dec: 27th Received forty dollars in part of the within
note by the hands of R. G. Barnes -

Thos. B. Merrill.

1860 January 3 received of Robert G. Barnes trustee
the sum of three dollars and seventy five cents in
part of the within note.

Thos. B. Merrill.

Jacob Jordan

To \$ Note

Thos. B. Merrill

\$90.42

Memorandum for
receiving money
for Jacob Jordani's heirs

^{John Ella}
Cornell Story is wife

²⁶
Isaac Joynt - is wife

Mary Joynt
Heirs

$$\begin{array}{r}
 224.22 \\
 \underline{6} \\
 134.5-32 \\
 \underline{11} \\
 147.5- \\
 224 \\
 \hline
 371
 \end{array}$$

On the 1st of January 1861 Robert S. Barnes
settles his account as administrator of
Jacob Jordan showing a balance due
the estate of \$224.22cs with interest from
that day B. E. Worrell as agent of R. S. Barnes
pays this amount over to Demarcus &
Dolan ^{slaves} as administrators de bonis moris
of Jacob Jordan who now has it
in hand find out Jacob Jordan's heirs
and return this money for them

Statment

Statement filed with decree

Amount due 1st December 1872

322.13

pay to James J Darden \$1,417

costs of suit

and distribute balance in two equal
shares one to Court Stow & John Ella his
wife and one to John H. Wynn & Nancy his wife