1875-04 Southampton County Chancery - Bradshaw, Willis (admin of Griffin, Irvin) vs Joyner, Wm. B.

Creditors Settlement

Briggs, W. W. (admin) also Pl:
Joyner, Jermiah
Joyner, Jason Irvin
" Thomas
Joyner, Mary Jane
" , Georgianna
" , William
" , Rovana
Infants
Tyler, James P. (ADL)

182

Bradshaw

v. } Stat. Rules

Sovereign adm. &c

Lelk

p524

In Southampton Circuit Court

Willis Bradshaw

against

W. W. Briggs Sheriff and as such administrator of Wm. B. Joyner decd and also of Jeremiah E Joyner decd. Jason Irvin Joyner, Thomas Joyner & Mary Jane Joyner his wife Georgiana Joyner, William Joyner & Roxana Joyner the last two infants by James R Tyler their Guardian ad litem

1875 Sep 20 Summons issued

" Oct 8. Summons ret. Exd. Bill filed. Jas. R Tyler assigned Gdn. ad litem to infant Defts. Ans. of Jason Irvin Joyner. Rep. Repl. thereto. and Cause set for hearing as to him. D Nisi v Defts Briggs admr & Thomas & Wife & Georgiana Joyner

" Nov. 8. (held last Monday in Oct) Bill taken for Confessed as to Defts. admr Thomas Joyner & Wife Georgiana Joyner & Cause set for hearing as to them.

" 7 Dismissed

Bradshaw
v } Bill

Sayers adm Jas

1875 October Rules

To the honorable George Blow Judge of the Circuit Court of South Ampton County.

Your Complainant Willis Bradshaw begs leave to respectfully represent to this honorable Court that at the March Term of the County Court of South Ampton County (1869) he qualified as admenistrator of Brown Griffin as will be seen by an abstract of the record of said Court herewith filed as an exhibit and marked "A". that previous to that time the said Brown Griffin had qualified as the guardian of John C. Griffin as will be seen by an abstract of said record herewith filed and marked "B". that during the guardianship of the said Brown Griffin William B Joyner and Jeremiah E Joyner (his surety) in their life time executed to the said Brown Griffin guardian as aforesaid a bond bearing date on the 25th day of December 1869 for the sum of thirty dollars and payable to the said Brown Griffin guardian as aforesaid (of the said John C. Griffin which bond being still due and owing by the said William B Joyner and Jeremiah E Joyner his surety is filed herewith as an exhibit and marked "C." that since the execution of the aforesaid bond the said William B Joyner and Jeremiah E Joyner have departed this life to wit in the year. that W. W. Briggs Sheriff and as such at the February Term (1871)

of the County Court of Southampton County qualified as the administrator of the said William B Joyner as will be seen by abstract of the record of said Court filed herewith as an Exhibit and marked "D". And that at the September Term (1857) of said Court he qualified as the administrator of Jeremiah E Joyner as will be seen by an abstract of the record said Court herewith filed as an Exhibit and mark "E." that the Estate of the said Jeremiah E Joyner is totally insolvent and of no value as your Complainant is informed. That your Complainant alleges that the said W W Boyce administrator of the said William B Joyner has wholly expended and distributed the assets and personal Estate of the said W B Joyner in the payment of the debts of said Estate, And that there is nothing now left of said Estate out of which the said Bond can be collected Except real Estate a large quantity of which the said William B Joyner died seized and possessed. And as therefore your Complainant is compelled to resort to this Court and claim out demand as he now does that the real Estate of the said W B Joyner be subjected to the payment of the Bond as above described. Your Complainant therefore hereby prays that without remedy at law and [illegible] be heard in a court of equity as this honorable Court is, that W W Boyce administrator of William B Joyner, and also of Jeremiah E

Joyner, and Jason Owen Joyner, Thomas Joyner and Mary Jane Joyner his wife, Georgeana Joyner, William Joyner and Roxanna Joyner the last two infants by James R Tyler their guardian ad litem appointed at Rules, be made parties defendants to this Bill the heirs at law of the said William B Joyner & Jeremiah E Joyner, be made parties defendants to this Bill, the said infants by James R Tyler their guardian ad litem appointed at Rules, that the Court will direct a Commission of this Court to take an account of the ~~[illegible]~~ pecuniary for sample and annual value of all the real estate lying in this County of which the said William B Joyner died seized & possessed as well as an account of the estate of the said Jeremiah E Joyner real and personal and report to this Court; And that the Court will grant such other and general relief as ~~the~~ Equity may demand and the nature of the case may require, and your Complainant will ever pray &c

Griffin pq

Bradhead
vs
Jones

Nov 3rd 1875

Decree

To be entered

Geo. Blow,

Bradham adm
vs
Joyner & als

This day this cause came on to be heard on the bill of the complainant, taken for confessed as to W W Briggs Sheriff administrator of W B Joyner and Jeremiah E Joyner and Thomas Joyner and Mary Jane his wife and on the answer of Josiah Joyner and William Joyner and Roxana Joyner infants by Jos R Taylor their guardian ad litem, this day filed by consent of the Court with general application thereto and was argued by counsel and on the motion of the complainant the Court doth adjudge order and decree that this bill be discharged from the docket.

Bradshaw
answer
of
vs Z Sam. S. Joyner
Joyner admr et al

1875 October Rules

The answer of Jason J Joyner to a bill in chancery by Willis Bradshaw vs him and others

This defendant for answer to the said bill or so much thereof as he is advised that it is material for him to answer, answering, says that all the land formerly owned by his father was sold under a decree of the Circuit Court of Southampton and that Wm W Briggs the sheriff has settled an account of his transactions as administrator of Wm B. Joyner and there was a balance due the estate on the 1st of July 1872 of $24.76cts and your respondent states further that he has frequently heard his father say he had paid the bond which has been filed by the plaintiff with his bill and having fully answered prays hence to be dismissed with his costs

Thomas
Jason J Joyner

This day Jason J Joyner personally appeared before me in my office

and made oath that the above
ansion is true to the best of his
belief given under my hand this
4th of October 1875

L R Edwards CC

Bradshaw adm
vs
Joyner et al

Answer of
William Joyner and
Rosamond Joyner
infants by Jas R
Tyler their guardian
ad litem

Bradshaw adm
vs
Joynes & als

The answer of William Joynes and Roxanna Joynes by James R Tyler their guardian ad litem assigned them by the Court to defend their interest in this suit to the foregoing bill

The defendants saving and reserving to themselves all benefits of just exceptions to said bill, answer and say that being infants under 21 years of age and ignorant of the law they submit their interest to the Court and protection of the Court. And having answered pray to be dismissed &c.

James R Tyler
Guardian ad litem

Bradshaw

v } Exhibits with Bill

Joyners adm &c

"A"

Southampton County Court March 19 1860

On the motion of Willis Bradshaw who made oath and together with Demarcus L Doles Jesse B. Vick & Mordecai Bradshaw his Securities (who justified on oath as to their sufficiency) entered into and acknowledged a bond in the penalty of twenty thousand dollars conditioned according to law, Certificate is granted the said Willis Bradshaw for obtaining letters of administration on the estate of Irvin Griffin dec^d in due form —

A Copy

Teste L.R. Edwards Cl

"B"

Southampton County Court. September 15 1851

The Court doth assign Irvin Griffin guardian of John & Caroline Griffin orphans of Robert G. Griffin ~~dec^d~~ whereupon the said Irvin Griffin together with Arthur A Drewry, Saml Rello. Willis Bradshaw, Wm R Stephenson & Ludlow Lawrence his Securities, who justified on oath as to their sufficiency, entered into and acknowledged a bond in the penalty of twenty thousand dollars.

A Copy

Teste L.R. Edwards Cl

Wm. B. Joyner
Est Committed to hands
of Sheriff.

"D"

Bradshaw
to } Ex: with bill
Joyners adm Rj

Southampton County Court, February Term 1871.

On the Motion of Wm. G. Holmes. It is Ordered that the Sheriff of this County, take into his hands the Estate of William B. Joyner dec'd. and administer the same according to law.

A Copy Teste,

James R Sykes, C.C.

I acknowledge service of this Summons.

W W Briggs

Executed by delivering Thomas Joyner & Mary Jane his wife, Georgiana & Roxana Joyner each a copy of this Summons on the 29th day of September 1875

W W Briggs Sheriff

Bradshaw
~~Griffith & Bro~~
Attys for Plaintiff
Joyner's admr

1875 October Term

The Commonwealth of Virginia,

To the Sheriff of Southampton County---Greeting:

WE COMMAND YOU TO SUMMON W. W. Briggs Supt & as such adm of Wm B. Joyner & also of Jeremiah E Joyner Jason Irvin Joyner Thomas Joyner. Thomas Joyner & Mary Jane Joyner his wife. Georgiana Joyner William Joyner & Roxana Joyner

if they be found within your bailiwick, 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 October next to answer a bill in chancery exhibited against them in our said Court by Willis Bradshaw administrator of Irvin Griffin who was Guardian of John G. Griffin suing for the benefit of himself and all other Creditors of Wm. B Joyner & Jeremiah E Joyner who may come in & contribute their proportion of the expenses of this suit

And have then there this Writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this 26 day of September A. D. 1875, in the 100 year of the Commonwealth.

L. R. Edwards Clk

Jeremiah E. Joyner,
Ex Committee to hands
of Sheriff.

"E"

Bradshaw
vs } Ex. with Bill
Joyners et al

Southampton County Court, September Term 1875.

On the Motion of Willis Bradshaw - It is Ordered that W. W. Briggs, Sheriff of this County, take into his hands the Estate of Jeremiah E. Joyner, dec'd. and administer the same as the law directs. The said Joyner having been dead over three Months and no person applying for administration on said Estate.

A Copy

Teste, Jamieck Tyler C. C.