

1826-001 Chancery Causes: Joseph Atkinson vs John Walker & Polly Joyner 10 adms

Isle of Wight County

other surnames: Blair,
Woodley, Broadfield,
Driver, Whitehead

This is to attach the money, paid and that of the exp. John
Walker in the hands of the other exp.
in a bill may be sent to the Com. or to the Sec. of the
Com. of \$25.12 1/2 cents with int. in the name of the
Com. of \$25.12 1/2 cents to be paid in a bill or check.

Atkinson appt.
as 3 chf.
Walker to the

December 6th 1824

Bill filed, restraining order as
to Deft. Woodley: and order of
publication as to Deft. Walker

Oct. 2^d 1826. Sub. for the 5th.
for \$25.12 1/2 with int. from the
20th of May 1826 till paid, & costs.
That the Deft. Whitehead pay out
of the money in his hands belonging
to Walker. the sum of \$5.25. & that
the Deft. Woodley pay out of the money
in his hands of Walker. the sum of
\$5.50. - [see deors.]

Atkinson p. 9

Count should direct; they it please. At Court to present
to your orator all such other and further relief in the form
- in, or may deem meet, and to make all necessary orders
- orders as may be seen necessary in relation to the
- business; and to award a writ or writs of this or any other
- &c.

That the said Polly Logun was possessed of at the time of
her death, several valuable slaves and a real estate
lying and being in the County of Frederick to a part
of which the said Walker in right of his wife,
entitled. That the estate of the said Polly Logun
have been committed to the hands of Andrew Woolly
sh^{ff} of the County of Ich of M^g for administration;
your complainant alleges that except the intent of
the said Walker in the estate aforesaid, there is now
in the state of Virginia no property, goods or effects
with which his debt can be satisfied. That some of
the heirs at law of the said Polly Logun have insti-
tuted a suit in the ~~Superior~~ County Court of Ich of M^g
against the said Walker and others who are out of
the Commonwealth praying for a sale of the estate
aforesaid and a division thereof between the
heirs at law. your complainant is anxious that the
admor^t of the estate of the said Polly Logun should pay
to him the amt. of his debt aforesaid with the intent
thence out of the estate or intent in his hands belong-
ing to the said Walker in right of his wife but he
refuses so to do all which is contrary to Equity; Intendant
consideration whereof and foras much as your orator
is remediless in the premises, but by the aid of this Court,
to the end that the justice be done he prays that the said
John Walker and the said Andrew Woolly adv.
as aforesaid of Polly Logun and he
made defendants hereto and that they be compelled
upon their corporal oaths to answer the allegations
aforesaid - and that by the order and decree of this
Hon^{ble} Court, the defendant John Walker may be
compelled to pay to your orator the amount of the debt
or specialty aforesaid with interest and costs; and the
intent of the said John Walker in right of his wife or
otherwise in the hands or which may come to the hands
of the said admor^t of Polly Logun, and such part of
the said estate as may come to the hands of the said
for the use and benefit of the said
John Walker ~~and wife~~ in right of his wife or otherwise,
be attached in the hands of the said Woolly
and held liable to your orator claim as aforesaid;
and that the said defendants
may be restrained from parting with the same, but as this

County Court of the County of
in Chancery - Remotely complaining, I have
unto you with your orator forth
attention that in the month of August
last he filed his plea in this Court stating
among other things that John Walker
of the State of North Carolina is indebted
to him in a sum of money therein stated
and set forth - among other things
that the said Walker is indebted in a parcel
of slaves belonging to the estate of Polly Joynes
widow of whom Andrew Woodley is the
administrator - and your orator has heard
to state that he is informed and believes it to
be a fact that the said Walker is indebted
in a tract of land in the County of
County right in which several other
parties are interested - that the said
parties interested to wit Elizabeth Brooks
and others have filed their bills in
this suit in which among other
things they set forth that they and
the said John Walker and others are
entitled to the lands aforesaid and
have prayed for a division of the same
whereupon the Court of the County of
County have by an order made at
Court of said County, assigned
or send and decreed that Mr. [illegible]
sell the said lands for the purpose of
making a division of the same and your
orator prays that the said
as aforesaid may be made a

hath left. to the said and complete
allegation to answer. That he be
restrained from paying the extent of
the said Walter and wife to him or
to any other person until the further
order of this Court &c. That the
Court will make any other or
further order in the premises
which may comport with
Equity &c.

Attornys for

Alfred
3
3
Walter &c.

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

• YOU ARE HEREBY COMMANDED TO SUMMON *John Walker and Anne*
Morley of the *Isle of Wight* and *son of*
Polly Lorne
to appear before the *Justices* of our *county* Court, at the Court-House of said
County, on the *first* day of *December* ~~next~~ *1824* to testify and the truth to speak
on behalf of *answer a bill in Chancery exhibited against him by*
Joseph Addison

~~in a certain matter of controversy in our said Court depending and undetermined, between~~

And this *they* shall in no wise omit, under the penalty of £100 *each*

And have then and there this Writ. Witness NATHANIEL YOUNG, Clerk of our said Court, at
the Court-House, the *10th* day of *December* 1824, in the *17th*
year of the Commonwealth.

Nathl. Young
to

I acknowledge the service of this writ
And so Wroldly

The within named Machin is not an
inhabitant of this County and is
believed to be out of the State -

Ch. Murphy D. for
A. Wroldly Sheriff

Attest
Ch. Murphy

Wroldly

This day came before me a Justice of the Peace
in said County, Henry Stearns, Clerk for

I promise to pay to *John Blair* or order
Account June Dollars *12* $\frac{1}{4}$ Cents, on
or before the *20th* day of the present month, for the true
payment thereof, I bind my self my Heirs, Executors, and
Administrators, firmly by these presents, ~~in the penal sum of~~

~~Dollars, and~~ ~~Cents.~~ Witness

my Hand and Seal, this *19th* day of *May*, in
the year One Thousand Eight Hundred and Twenty

TESTE,

John Blair

his
Chas. Walker
mark (SEAL.)

John Walker
To the note
of
\$25.00

A.

from the note
of the note
of the note

Attorney of

Chy
Walker.

This cause came on again this day
to be heard upon the bills of the complainant and the
exhibits filed and was argued by Counsel, and the
defendant John Walker against whom the complaint
seem to have proceeded in the more prescribed
Law against absent defendants, still failing to appear
and file his answer; the bill of the complainant is taken as
confessed against him, as well as against the other defendants
who have failed to answer. And the Court doth now
adjudge, order and decree that the plaintiff recover of the
defendant John Walker the sum of \$25 so called, 12 1/2 cents
with int. from the 20th of May A.D. 1820 till paid
and his costs by him about ~~the~~ his suit in this
behalf expended - and it is ordered by the Court
that the defendant Joseph B. Whitehead who was
by this Court appointed a Counselor in the case of
Payne & Payne in which the said Walker is
concerned, pay to the plaintiff the sum of \$5.21 +

+ which it appears is in his hands being in the
 said John Walker - and that the said
 and ¹⁴ moved as adv. of Polly Logan as
 pay to the said p^{er} the sum of \$5.50
 without thereon from the 1st day of Jan^y
 1826 to the 22 day of October 1826 -
 and that the p^{er} as received of the
 said John Walker his costs in this
 suit expended in

By the Court

Atkinson
 3 Sec^y
 Walker
 Leine
 Sec^y

ISLE OF WIGHT COUNTY,

December Court, 1824.

Joseph Atkinson,

AGAINST

Andrew Woodley, Sheriff and administrator of Polly Joyner, and John Walker, Defendants.

In Chancery.

THE Defendant, John Walker, 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 the said John Walker is not an inhabitant of this Commonwealth: It is ordered, that the said Defendant, John Walker, do appear here on the first day of the Court to be holden in and for the County of Isle of Wight, in the month of March next, and answer the bill of the Complainant; 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 for the same period; It is furthermore ordered, that the said Andrew Woodley, Sheriff of Isle of Wight County, to whose hands hath been committed for administration the estate of Polly Joyner, be restrained from paying away, or in any way disposing of so much of the estate of the said Polly Joyner, or any other effects in his hands, belonging to the said John Walker, until the further order of this Court.

A Copy—Teste,

BARTHO. LIGHTFOOT,

Deputy Clerk Isle of Wight County Court.

Dec. 11.

s2m

Certify that the annexed notice, in the case of Atkinson vs Woodley and others, has been inserted in the ~~English~~ American Beacon, published in Norfolk, for two months successively, commencing December 11th 1824.

Wm. H. H. H.
J. H. H. H.

Given to before me, an alderman of the Borough of Norfolk, this 18th day of March 1825.

L. B. Starks

Atkinson

on 3 decem

Walter Scott

publication