1866-026 Chancery Causes: Jethro Rayford, by & c vs Cherry F. Rayford & S. Galvin Rayford, by & c

Isle of Wight County

other surnames: Butler

Rayford by his next fd
vs Brice and Stem
Rayford Exr

April 3d 1854 Bill
& fa. & Inj. decd

Decd 4th 1854. Rept. of
Sale & mod.

Feby 7. 1859 Decree
to collect bond by
g Exr & sets. &c.

July 2d 1860. Final
Decree.

The Joint and Separate answer of C F and
S G. Rayford infants under the age of
21 years by N P Young their Guardian ad litem to the
bill of Complt. in the County Court of Isle of Wight Excelsior
against them by Jethro Rayford who sues by
Rt Butler as his next friend.

These respondents for answer
to this bill state so much as they are advised is material
and proper for them to answer answereth and
saith that so far as the allegations of the bill are
concerns themselves their infants
of Tender years and Commit their Interests to the Lands
of the Court and having and pray to be dismissed &c

N. P. Young guardian ad
litem

Rayford by his next fd

Decree

Rayford by Gdn

This Cause on this day
label — in which Court doth appoint N P Young Gdn
ad litem to defend the Infant defts C F and S G.
Rayford Came on this day to be heard by Consent on the
bill and answer of the infant defts by N P Young their Gdn ad litem
and was argued by Counsel. On Consideration whereof
the Court doth adjudge order & Decree that Robt Butler
be and he is hereby appointed a Comr to make sale of
the Lands in the bill and proceedings mentioned after having
advertised the same for 30 days at different public places in the County
and at the Court House on some Court day previous to the
day of sale that he sell the same on a Credit
of nine months except so much on Cash as will
pay the expenses of said Sale that he take three
bonds in equal amounts with ample personal
security one of which he will pay to the legal
guardian of the Complts and the other two to the Guardian
of the defts and if there be no Guardian then that
he bring the bonds into Court that he convey the
same to the Purchasers with Special warranty
make report and other to final Decree
But this Decree shall be suspended until the said Rt
Butler shall enter into bond in the Clerks office with
good security in the penalty of $200 Conditioned
according to Law

To The County Court of Isle of Wight
In Chancery Setting

Humbly Complaining
Sheweth unto the Court your Complt: Ithro Rayford
and infant under the age of 21 years by Robert Butler
his next friend That sometime since Rachel Rayford
the mother of your Complt departed this life entitled seized
and possessed of Fifty acres of Land adjoining Robert Butler
& John Cannon and others, That the said Rachel left three
Children to wit your Complt: Cherry F and S.G
Rayford the last of whom are also infants under the age
of 21 years, your Complt: charges that the said land is lying
unproductive and that it is desirable to sell the said Land in
order to make partition which he is advised can be done as
the Shares will not amount to Three hundred Dollars by appli
cation to a Court of Equity where partition is properly
Cognizable, In Tender Consideration whereof and for as
much as your Complt: is without remedy in the premises save
by the aid of a Court of Equity, he prays that the said
C F and S.G. Rayford may be made
parties defendants that they be compelled to answer the
several Statements and allegations of the bill, and that a
Decree may be entered directing a Sale to be made for
partition and such other and further relief as his Case
requires and Equity permit. I Rayford
By Ro Butler his next fd

Comm.ᵗ Bond

Sold by Colin, Baptist & Nowlan, 11th Street, Richmond.

[Fiduciary Bond.]

KNOW ALL MEN BY THESE PRESENTS, That we Robert Butler & Jno R. Carson

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA, in the sum of Two Hundred ——— Dollars to the payment whereof, well and truly to be made to the said COMMONWEALTH OF VIRGINIA, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this 6th day of May one thousand eight hundred and fifty four

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the said Robert Butler who by decree pronounced in the County Court of Isle of Wight County, on the 3d day of April 1854, in the suit of Lethia Mayford pro fried against D. F. and S. G. Mayford, is appointed a Commissioner to sell the land in the bill & proceedings mentioned & take bond &c

shall faithfully discharge the duties of his said office, then this obligation is to be void, or else to remain in full force.

Signed, sealed, acknowledged and delivered in the presence of

H C Lawrence

his
Robert + Butler
mark SEAL.

John R. Carson SEAL.

SEAL.

Supreme Ct. U.S.

Ex Com. ad. D.

vs.

Rayford's Ex

May 19th 1859. this day Rec'd of N.P. Gray clerk of the county court of Isle of Wight county the three Bonds of Wm R Cannon & A.R. Butler for $58. 93/3. cents Each & payable respectively to J. Julian Rayford, Chany F Rayford, & Jethro Rayford. Mentioned in the report of returned in this cause

Robert his + Butler
mark

In the County Court of Isle of Wight County.

Jethro Rayford p.t. R. Butler mtt. fmn. Pltff.

against

C. F. and S. G. Rayford Dfts.

In Chancery

Pursuant to a decree of the County Court of Isle of Wight, pronounced in this cause on the 3rd day of April 1837, The undersigned Commissioner, appointed by said decree, did, after advertising the land in the said decree & proceeding numbers for thirty days, expose the same at public sale, and John R. Carson being the last and highest bidder became the purchaser thereof at the price of $204.00

From which amt. deduct the expenses of said sale amounting to $27.20 — 27.20

There remains the sum of $176.80

for which I have taken John R. Carsons bond with A R Butler his security payable to Jethro Rayford for 1/3 (say) $58.93 1/3

The said Carson & bond payable to C. F. Rayford for 1/3, say, 58.93 1/3

And the said Carson & bond payable to S. G. Rayford 1/3, say, 58.93 1/3

making the said sum of $176.80 $176.80

Which said three bonds are herewith reported to Court. The Comm. has made a deed to the purchaser.

Respectfully Submitted

Robt Butler Com.

November 22nd 1837.

Sithio. Rayford
Ex.
Z. Ayres Dem
C. F. Rayford &c.

Make out as ordered according to the rough draft & also to Gen. A. Lawson for the Cost by Dec. 1 cst.

In Obedience to the within decree I did certify to Land that belongs to Rachel Rayford and gave 30 days notice & it was sold to the highest bidder for Two hundred & four dollars, and of Expences deducted Leaving a balance of One Hundred & seventy-eight & 80/100 which was divided in 3 equal amounts your Comr. with three bonds for the said one payable to Chas. C. Rayford of $59.60 — One in favour of Sithio Rayford & one in favour of J. G. Rayford & one in favour of the said Rachel Rayford & same time & day ready to deposit in the Bank of Alexandria as by direction

Rob. Fowler

204
5
10.20
5.00
2.00
17.20
10.00
27.20

27.00
2.20
17.60

In the County Court of Isle of Wight Apl. 3. 1854

Tethro Rayford for Robert Butler next friend Plff.

against In Chy.

C. F. and L. G. Rayford Dfts.

This Cause in which Court doth appoint N.P. Young Guardian ad litem to defend the Infant defendants C. F. and L. G. Rayford. Came on this day to be heard by Consent on the bill answers of the Infant defendants by N.P. Young their Guardian ad litem appointed by the Court, And was argued by Counsel. On consideration whereof ~~the~~ the Court doth adjudge, order and decree, That Robert Butler be & he is hereby appointed a Commissioner to make sale of the land in the bill proceedings mentioned, after having advertised the same for 30 days at different places in ~~the~~ the County, & at the Court house on some Court previous to the day of Sale, That he sell the same on a credit of Nine months; except for so much in Cash as will pay the expenses of Suit and sale - That he take three bonds in equal amounts, with ample personal Security, One of which he will pay to the legal guardian of the Complt: and the other two - to the guardians of the Defts:, and if there be no guardian - Then that he bring the bonds into Court - that he convey the same to the purchaser with Special warranty, & make report in order to a final decree. But this decree shall be suspended until the said Robert Butler shall enter into bond in the Clerks office with good Security in the penalty of $200: Conditioned according to law.

A Copy -
Teste.

N.P. Young c

3 / 176.83
58.98.33
3
176.)5.99

Davenport
to Brown
Davenport
July 1857
Wm. W. Carroll

Enclosed

Rayford
vs.
Rayford. } Decree.

This cause coming on again to be heard on the papers formerly read, and Report of Commissioner Robt Butler to which no exceptions has been filed and was agreed by counsel, & Considered whereupon the Court, Confirming said Report, doth adjudge, order and decree, that Robert Butler, Guardian to S. Galvia Rayford Cherry & Rayford, & to Lethia Rayford, receive from the clerk of this Court, the three several bonds, each for the sum of $58.93 1/3 payable to the said parties aforesaid and filed with said report, or his having his receipt therefor, but this decree is to be suspended, until the said Robert Butler Guardian as aforesaid, enter into bond, with sufficient security, in the penalty of $400, payable to Comm. of Ch. Conditioned to invest said proceeds, by loaning the same out on good security, real or personal — & make report to Court in order to final decree

Rayford &c

v

Rayford

Final
Decree

Rayford & v. Rayford

This cause came on to be heard on the papers formerly read & it appearing to the Court that no further proceedings are necessary in this cause. It is ordered that the proceedings heretofore had be confirmed & made final between the parties & that the cause be removed from the Docket.

Rayford

2d. ⅓ bond of Jno P.

Rayford

Know all Men by these Presents, That we Robert Rayford

are held and firmly bound unto the Commonwealth of Virginia in the sum of Four Hundred Dollars to the payment whereof, well and truly to be made, we bind ourselves, our Heirs, Executors and Administrators, jointly and severally, firmly by these presents. As witness our Hands and Seals, this 19th day of May ~~1857~~ in the year of our Lord, one thousand eight hundred and fifty Nine

The Condition of the above Obligation is such, That whereas, by a Decree of the ~~Circuit~~ County Court of Isle of Wight County, pronounced on the 7th day of February 1859 in a cause depending in the said Court, in which Jethro Rayford is

Plaintiff, and

C. F. Rayford & others are Defendants, the above bound Robert Butler ~~was appointed a special Commissioner to~~ as Guardian of Galvin Rayford, Cherry F. Rayford & Jethro Rayford, was directed by the said decree to receive from the clerk of said court the three Bonds each for the sum of $58.93⅓ payable to said ~~Court~~ County of aresaid & file in said office, and to invest the proceeds by loaning the same on good Security, real or personal, & make report to court in order to a final decree.

Now, if the above bound Robert Butler shall faithfully discharge his duties as Commissioner under the said Decree, then the above Obligation to be void, otherwise to remain in full force and virtue.

Signed, Sealed and Delivered in the presence of

F. C. Latimer Clk.

Robert his X Butler mark SEAL.

Talbert his X Harrison mark SEAL.

SEAL.