

1847-003

Chancery Causes: Turner H. Southall 'o eptor vs Nathan Jones, admr of John W Jordan

Isle of Wight County

other surnames: Wills,
Dickins, Munde

Don't talk to me.

H. } Bill 4/4

Impr. adm. of the w. Ind. and
S. Ind. and

Impr. adm.

It is well as the understanding
of the court that this Bill
should be considered as filed
at the 14th of July as it was
not filed at the request of
defendants' counsel who
desired to examine the same
at that period

H. H. H. H. H.

Peter B. P. P.

for defendants -

Francis Puffin
for defendants

The aforesaid several open account claims against the intestate
your orator is guilty of a default; for which your orator charges he the said
his securities are responsible to him, and that the said T. H. Southall was
induced by the representations of said Jones admr. of Jordan, to bid at the sale
of Jordan's personal property, upon the assurance of Jones, that the debt then
contracted by S. Southall sh^d be offsetted by S. J. by allowing not on
the bond, but open account debts which he the S. J. Southall had against
J. W. Jordan; but that Jones has since recovered of your orator the debt
due up at the sale aforesaid, without regard of his promise and the instru-
ments hitherto out to S. Southall, &c. to purchase. Your orator further charges
that the said account current &c. of said Jones, is erroneous in this other respect
to wit: in the usual allowance of his commissions to which he was & is not
entitled not having settled his transactions within the period allowed by Law.
Your orator further shews, another and more important instance of Mal ad-
administration &c. on the part of the S. J. Jordan's admr., in this, to wit, in not
rendering any account whatever ^{or} a servant girl (your orator believes
named Mary) of great value, which was the property of the S. J. Jordan &c.
Jones the admr. married ^{Cassandra Jordan} some short time before the death of Jordan, the
daughter of Jordan who, your orator believes & charges as true, loaned to his
son in Law - the S. negro slave, Mary - whom the S. Jones took & kept
and after the death of Jordan claimed as a gift from his father in Law - and
the same has sold and the proceeds of sale has applied to his own use, to
the great wrong and injury of Jordan's Creditors, for at the very time of
the pretended gift of said slave ~~that~~ Jordan as the result proved was
totally insolvent, so that if he designed the said servant girl to ^{to give} Mr.
S. Jones, being voluntary, was in Law & in strict justice void as to
the creditors of the donor. ^{But} your orator therefore charges that the S. Jordan
never supposed that he was even giving the S. slave to his son in Law
but simply allowed his daughter (his only child) to take & enjoy the
services of the girl for a time - And your orator has repeatedly called upon
said Jones admr. as aforesaid to apply the proceeds of the sale of said
girl, named Mary - or by whatever name she may be called - to the satisfaction
of your orator's claims aforesaid due to his testator's estate, and the discharge
of the judgments & decrees aforesaid obtained & issued thereon
all of which he the S. Jones admr. as aforesaid has refused to do; contrary

to Equity & good conscience. In tender consideration whereof, and
as your orator is remediless save in a court of Equity &c. and for
which he is without adequate remedy in a court of common Law - to enforce
the settlement of the accounts of the S. Jones admr. as aforesaid - and the account
for the proceeds of the sale of S. slave &c. To the End, therefore, that the said Nathan
Jones admr. of J. W. Jordan &c. and his own right - that Newton Jones and
Benjamin Jones the representatives of William Jones who has just departed this life
and whose estate has been committed to the hands of S. ~~Benjamin~~ Benjamin Jones -
the securities of said Jones in his administration bond - may be made
parties defendant to this bill, and be compelled each to answer the same
on their several corporal oaths fully & completely - and all the material facts of
herein set forth: That the said Nathan Jones admr. as aforesaid, may set forth a
true, full & particular account of all the singulars the personal estate and effects
of said intestate Jordan &c. and every part thereof which hath come to his hands, in any
manner, or in possession either before or since the S. intestate's death - of said Jones as admr.
or in other form or right, or pretence: and how the same and every part thereof -
the values - have been applied or disposed of; and whether any or any part thereof
or the proceeds of sale of any slave at any time belonging & owned by S. Jordan & after
wards sold by S. Jones, in any manner or pretence claiming the same - now remains
undisposed of towards the payment of your orator's claims aforesaid. and unsold
and why; and especially reply to and fully answer every allegation and charge and
statement in this bill set forth in any wise touching the doings of
said Jones as admr. of S. Jordan in regard to the said slave, Mary, or whatever
may be her name - That the S. Newton Jones will answer whether he is or
not a surety of S. Jones; and the S. Benjamin Jones will state whether he
is or is not a surety on the estate of the S. William Jones a surety added in S.
bond - against whom your orator prays that this honorable court will
grant decrees according to the justice of the case, for the payment and
satisfaction of his aforesaid claims - That the S. Jones may be compelled and
his securities may be made responsible, for the value of the slave, Mary
or by whatever name known - which the S. Jones may lay claim to, - and
same apply to the satisfaction the debts & costs aforesaid - and grant all
other necessary relief, as in the premises may be meet & proper: of front
the Court to be performed &c. -

Robert Whittaker P.D.

17
Hon. Rich^d. H. Baker judge of the Circuit-Court
of Saw & Chy for the county of Isle of Wight in Chy sitting, humbly sheweth
honor, your orator, James B. Southall, Executor of the last will and testament of
Juror H. Southall dec. of the county of said who departed this life in the year 1841-
That one Jas W Jordan departed this life in the county of said somewhere in the ~~year~~
of the year 1843-, intestate as your orator believes- but seized and possessed of a considerable
real & personal estate which the personal came to the hands of one Nathan
Jones who qualified in this honorable court, at the October Term thereof 1843- as the
administrator of the goods, chattels &c. of said deceased, and entered into bond
with Wilson Jones & Ruten Jones as his sureties for the due administration of the
effects &c. of his intestate &c; as will appear by an office copy of the s^d bond then with filed
marked "B" and prayed to be regarded as a part of this bill. Your orator further shew & charges as
true that the estate of the said Jordan was totally insolvent at and some time before
his death; that, & perhaps not ascertained or known generally until the final
settlement of the accounts of the s^d Jones above; as will appear by an office copy of
the same herewith filed, marked "A" and prayed to be taken as a part of this bill.
That the said deceased was indebted to your orator's executor, by bond bearing date the
23^d day of Nov. 1842- for the sum of \$26.38 cents; and also by open account to the amt. of
\$82.25^{cts}; on which debt was incurred by your orator as executor of J. H. Southall dec. of
Nathan Jones admin^r of said deceased Jas. W. Jordan, and judgment on the former returned on
3^d Nov 1843, and the latter October Term of Supreme Court of said county (1844)- on which are returns
only issued to the sheriff in the time being of said county who returned same, "Nulla
ona" on each of said executions of said Jones admin^r of Jas. W. Jordan dec. as will
appear by office copies of the same and of the bond and judgments - herewith filed
marked "C" and prayed to be taken as parts of this bill. Your orator charges that
the s^d Jones admin^r of Jordan; has not legally & properly administered, and accounted
for the debt, in the goods and chattels of his intestate; as he was in only
bonded, but has voted & mis-applied the same. That at the time (may from
the period of the s^d Jordan's death, at least at or before the sale of his effects by Jones)
with the payment of the open accounts; as appear by the s^d account current
to wit, the several Executions p^d to Sheriff mentioned 2^d page of Ct. 4844, your orator
believes were ^{on} open account-delta &c — 90,

The said Jones was aware of the indebtedness of his intestate, to your orator
by the bond aforesaid (\$26.38) - and with notice of the same

This respondent further says, in answer to the complainants bill that since the settlement of his account accompanying the bill of the Complainant he has received 5 @ dollars .58 cents which are all the apertes which he believes are due the estate of S^d John W. Jordan which S^d sum is insufficient to reimburse your respondent for his expenditures for the estate. This respondent believes that there is no other matter, Cause, or thing, in the said bill of complaint contained (material or necessary for this defendant to make answer unto, and has herein and hereby well and sufficiently answered, confessed, traversed, and avoided, or denied; all which matters and things this defendant is ready and willing to aver, maintain, and prove, as this honorable Court shall direct; and humbly prays to be hence dismissed, with his reasonable costs and charges in this behalf most wrongfully sustained

This day Nathan Jones Personally appeared before Me A. G. Woody, a Justice of the Peace for the County of Litchfield - And made Oath to the contents of the General Pleading of the Matter of things as set forth in the above Bill, given under my hand this 5th day of May 1847 -
A. G. Woody. (S)

Received of
Nathan Jones
the sum of \$5.58
May 11 1847
A. G. Woody
Justice of the Peace
Litchfield Co. Conn.

nulla bona. But your respondent denies that he is in any
wise responsible or liable for the debts aforesaid, to the S^d
James W Southall, because he says and the same doth
aver that he, the S^d Nathan Jones has fully and per-
fectly administered all the assets belonging to the estate
of the S^d John W Jordan dec^d not only so that the estate
of said Jos W Jordan stands now largely indebted to
your respondent for the excess of his disbursements, as
administrator of said Jos W Jordan, over and above his
receipts as will be perceived by reference to the account
of your respondent's administration transactions
accompanying the bill of the complainant. Your
respondent says that the balance there found in his
favor will be still further augmented by taking
into consideration and account (as your respondent
believes the worshipful Court will) three other dis-
bursements which your respondent solemnly avers
that he has made for the estate of the said John W
Jordan dec^d which said disbursements your res-
pondent believes to have been improperly included in
the account above referred to; to wit the payment of
a bond bearing date the 5th day of June 1843 executed by John
W Jordan aforesaid, to Saris Peter Wills, for the Amount of 10 dol-
lars and 65 Cents, the amount due on which at the time of
payment was 11 dollars and 96 cents which amount your
respondent avers he has paid as will fully appear by re-
ference to said bond herewith filed and marked (F) and
prayed to be taken and considered as part of this answer.
Secondly the payment of a bond due to Wills and Dickin-
son amounting at the period of payment to 48 dollars
and 84 cents, which S^d bond was executed by S^d John
W Jordan on the 5th day of June 1843. which your
respondent also avers he has paid off as will appear
by reference to it herewith filed and marked (M)
and prayed to be taken and considered as part of this
answer. Thirdly the payment of 72 dollars and 83
cents due on a bond bearing date the 30th day of

December 1840 executed by S^d John W Jordan and Jos W
Jordan to Isaac H Hunder. Which said bond your
respondent likewise avers he has paid off as will fully
appear by reference to it herewith filed and marked
(N) and prayed to be taken and considered as part of
this answer. Your respondent denies that he ever
induced or held out inducements to S^d Turner & Southall
to bid at the sale of S^d John W Jordan by representations
that the debt thus contracted should or might be offsetted
against the claims or either of the claims held by S^d Turner
& Southall against the estate of S^d John W Jordan dec^d
as is in the said bill in that behalf mentioned.
Your respondent further answers and says that it is
true that he has not rendered an account of a certain
negro girl referred to in the bill of the complainant, because
as your respondent says and avers that upon the intermar-
riage of your respondent with Cassandra Jordan
daughter of S^d John W Jordan dec^d to wit in 1840 some
months before his death, the S^d John W Jordan
told your respondent that the above mentioned servant
girl he had given to his daughter Cassandra who had
ever since claimed her as her own and ^{accordingly} ~~therefore~~
your respondent was permitted to take the said ser-
vant girl into his immediate possession and use her
as his own and your respondent says that he has
~~ever~~ since retained peaceable and uninterrupted
possession. This defendant further says that altho'
not particularly informed of the precise date of the
aforesaid gift yet he believes that it was made pro-
bably before the S^d John W Jordan became insol-
vent and certainly before the debts mentioned in
the complainant's bill were contracted. At all
events this respondent holds that the complainant
should adduce proof to the contrary before this wor-
shipful Court will treat the S^d gift as fraudulent
and void.

The answer of Nathan Jones defendant
to the Bill of complaint exhibited against him
by James W Southall ex^r of Turner H Southall
de^d, in the Circuit Superior Court of Law and
Chancery for the County of Isle of Wight.

This defendant saving and reserving to
to himself, now and at all times hereafter, all and all
manner of benefit and advantage of exception which
can or may be had or taken to the said complainant's bill,
for answer thereto, or to so much thereof as this defendant
is advised it is material or necessary for him to make
answer unto, answers and says; that he believes it to be
true, that at the time stated in the complainant's bill,
John W Jordan departed this life, intestate, single and
possessed of considerable real and personal estate. Your
defendant further admits that the personal property
of said John W Jordan de^d: came to his hands to be admin-
istered who duly qualified as administrator of sd Jordan &
And this defendant, further answering, saith; he admits
it to be true, that at the time of said Jno W Jordan's death
he, the sd J W Jordan, was largely indebted, many in-
debted as is manifested by the account of your defendant's
administration transactions accompanying the Bill
of the complainant: And this defendant further con-
cedes it to be true, that the said John W Jordan de^d was
indebted to your Complainant's testator, Turner H South-
all, by bond bearing date the 23 day of November 1842
to the amount of 26 dollars and 38 cents, and also by
open account to the amount of 82 dollars and 25 cents
on which claims, aforesaid, suits were severally insti-
tuted by James W Southall as ex^r of Turner H Southall
and judgments thereon obtained (as stated in the complain-
ant's bill) on which executions respectively issued and return

Southalls' report

21. $\frac{1}{2}$ Sp. in ch.

Jordan's account.

La. Feby. 1867.

W. B. Whitman
(for)

Received
of
Jordan's

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of *Isle of Wight* County, Greeting.

WE COMMAND YOU TO SUMMON *Nathan Jones administrator*
of John W. Jordan decd; Ruben Jones and Wilson Jones

to appear before the Judge of the Circuit Superior Court of Law and Chancery for the County of Isle
of Wight, at the Court House of said County, on the first Monday in *February* next,
being Rule day, to answer a bill in Chancery in the said Court exhibited against *them* by *Jas B*
Southall jr. exor of James B Southall decd.

and if *they* shall fail to answer the Bill within two months thereafter the Court will take the said
Bill for confessed, and proceed to decree the matter thereof accordingly. And have then there this
Writ.—Witness *Nathaniel P. Young*, Clerk of our said Court, at the Court House, this

28th day of *January* 184*7*, in the *71* year of the Commonwealth.

N. P. Young

I acknowledge legal service of the within
January the 30th 1847

Robert James
Bayer-Davis

Southalls' execs

vs $\frac{2}{3}$ Spha in Chy.

Jordan's execs, &c.

To July. 1847

R. to Wm. J. J.

J. J.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of *Stafford* County, Greeting.

WE COMMAND YOU TO SUMMON

Reuben Jones & *Benjamin Jones*
Executors of Wilson Jones decd.

to appear before the Judge of the Circuit Superior Court of Law and Chancery for the County of Isle
of Wight, at the Court House of said County, on the first Monday in *February* next,
being Rule day, to answer a bill in Chancery in the said Court exhibited against *him & others* by *Jos: B.*
Southall *jo. exor. of Tamm H. Southall*

and if *he* shall fail to answer the Bill within two months thereafter the Court will take the said
Bill for confessed, and proceed to decree the matter thereof accordingly. And have then there this
Writ.—Witness *Nathaniel P. Young*, Clerk of our said Court, at the Court House, this

28th day of *January* 1847, in the *11* year of the Commonwealth.

N. P. Young cc.

I acknowledge the service of the within
notion — Nathan Lewis

Thereto Nathan Jones, Adm^r of Jno. W. Jordan dec^d, Benj^r Jones, Ex^r of Mildred Jones dec^d and
Reuben Jones: . Take notice that on Saturday the 15th of May 1847, between the hours of
8 A.M. and 7 P.M. of that day, at the Tavern of Edwin Morrison in Smithfield Isle of
Wight-County Va., I shall proceed to take the depositions of Col. Josiah W. Jordan
& others, to be read as evidence in a certain suit; now pending in the Circuit-Superior Court of Law & Chy - on
the Chancery side, holden for the County of Isle of Wight; in which I, as the Executor of Turner H. Southall
or am Compt^r and y^e are defendants: and if for any cause the said depositions shall not be
taken or completed on that day, they will be adjourned from time to time until completed -
Given under my hand and seal this 3^d May. 1847 -

James B. Southall Jr. Ex^r of Turner H. Southall
By R. H. Mayfield his Atty

Sachno wecord service yth wthru naites Dec 3rd May 1867

Boydellus ex f. m. m.

I acknowledge Services for Beulah Jones

May 3¹ 1892

P-B Puntis etc

^{advised by J. H. Smith}
deputy clerk of the Court, Dury. Inas. Geo. J. Lusk, Esq. & as a Receiver Inas.

Take notice that on Saturday the 15th of May 1847, between the hours of
8 Am: and 7 P. M. of that day, at the Tavern of Edwin Morrison in the town of Montpelier
St. George's County Va. - I shall proceed to take the deposition of Col. Smith & Jordan & others,
~~and~~ of to be read as evidence in a civil suit pending in the Circuit Court of Law & Chy
or the Chancery side, holden for the County of St. George's: in which I, as the C. or of Lawrence Smithall or
am Compt. and you an defendants: And if for any cause the said depositions shall not be
taken or completed on that day, they shall be adjourned from time to time, until
Completed. Given under my hand this 3rd of May. 1847.

James B. Conthale Esq. of J. H. Smithall
By W. H. Luskfield he atty

Southalls' expor:

n. 3 Chy.

Jordans' adm.

Mo 15th - 1847 Cam-
to hand under lead
& filed.

The deposition of Col. Josiah W. Jordan, taken at the Tavern of Edwin Morrison Esq. in the town of Smithfield Isle of Wight County Va, on Saturday the 13th day of May 1847 - between the hours of 8 A.M. and seven P.M. of that day - to be read as evidence in a certain suit pending in the circuit Supr. Court of Law & Chy (on the Chancery side) in which James B. Southall, Executor of James H. Southall & in compt. and Nathan Jones, admin^r of John W. Jones, and Nathan Jones, and Benjamin Jones Executor of Nelson Jones &c are defendants: taken on behalf of the plaintiffs:

The said Jordan (Jr. W.) having been first duly sworn on the Holy Evangelists Oath as follows -

Question: Are you intimate with Jas. W. Jordan Sr.? What do you know of a negro girl claimed by Nathan Jones, as a gift by J. W. Jordan to his daughter Cassandra?

Ans: I was of course intimate with the said Jas. W. Jordan Sr. who is now my brother: In regard to the said girl, whose name was Mary, I heard my brother say ^{about} ~~not more than~~ two months before his death, that he had not given the said girl, Mary, either to Mr. Nathan Jones, or to his daughter Cassandra the wife of J. Jones, ^{and} ~~but~~ that he had taken of Mr. Jones, his Jones' note, for the hire of the girl - the J. note being for 6 $\frac{1}{2}$ cents - and this was stated in some conversation I had with him in regard to a report of his the J. W. Jordan's, Sol. Noney - & he said that he should part with no property until his debts are paid. and further this deponent remembers not.

J. W. Jordan

Subscribed

The foregoing deposition of Col. Josiah W. Jordan, who was first duly sworn, was taken & sworn to before me, this 13th May 1847 - between the hours of 8 A.M. & 7 P.M. of that day, at the Tavern of Edwin Morrison, in Smithfield Isle of Wight County, Va: Given under my hand & Seal this 13th May 1847. Compt. present by his counsel, and Nathan Jones his wife present - Deposition written by Whitefield at the request & report of said Jones -

Edwin Morrison J. R. Seal

Southall's exor.

vs. $\frac{1}{2}$ Repou

Jordan's Admor.

Filed Sept. 6. 1847.

Commissioner's fee
Time employed 15 hours @ \$15.00
charged to Plaintiff —

Jess of Wright County to wit

Berth Lightfoot this day made oath before
me a Justice of the peace for the said County that the fee charged
by him for this report is just & proper. Given under my hand
this 10th of August 1847 —

J. Morrison J.P.

Dr The Estate of John W. Jordan decd.

1843

Oct 23 ^d	To this sum paid A. Atkinson	bond of	234 10
" " "	" paid ditto	"	143 28
Nov 9	" paid R. D. Whitfield atty. on execution.		139 43
" " "	amount of bond due the Admor. as App. of R. D. W.		58 83
" " "	paid I. B. Woodson for appraising the est.		1 00
" " "	paid I. B. Jordan for maintaining Negro Tom,		
	from the day of Sale till Jan. 1. 44	² / ₃	3 50
" " "	paid Merit Wornole	bond	60 16
" " "	paid ditto	"	124 62
" 11	" paid I. B. Jordan Shff. on W. Summerells exon.		73 38
" 13	" paid I. G. Woodson bal. of bond - on settlement.		24 66
" " "	paid for hire of hands to get in the crop		24 50
Dec 4	" paid A. A. Whitehead Dyff. on I. B. Whiteheads exon.		176 71
" " "	paid ditto on Carrolls exon.		44 20
" 5	" paid Wilson Jones for crying the est.		10 00
" " "	paid A. A. Whitehead Dyff.	taxes &c	26 67
" " "	paid Lucy Holloway for making shroud		1 00

1844

Jan 8	" paid Merit Wornole for shroud		2 13
" 18	" paid P. G. Stringfield for appraising the est.		1 00
Feb. 17	" paid Morrison & Woodson for coffin		14 50
Mar 22	" paid J. W. Westray Dyff. on W. B. Summerells exon.		38 44
" " "	paid ditto tickets		2 00
" 25	" paid I. B. Woodson for money paid as security for Intest.		86 64
May 6	" paid B. B. Gray bond - on A. P. Bourges exon.		22 02
June 5	" paid Samuel Stotes his amount due on the		
	Intestates Admon. on said Stotes est.	² / ₃	939 93
" " "	paid B. Lightfoot bond.	ticket	13 50
" 20	" paid I. B. Jordan Shff. on Carrolls exon. exon.		429 11
July 1	" paid ditto on Reynolds's exon.		89 65
" " "	paid ditto on W. B. Summerells exon.		57 12
	Am't. of debits carried forward		\$ 2862 14

In Account with Nathan Jones, Administrator

1843

Oct 23	By this sum of Levi Gwatney for sale of wheat	\$	17 45
" " "	By " of W. Chandler on I. B. Jordan's bond		58 97
" " "	By " for Norworts		30 00
" " "	By " of R. A. Stott		189 95
" " "	By " of ditto		70 00
" " "	By " of ditto		47 50
" " "	By " of J. W. Goodrich on acct		5 25
" " "	By " of I. B. Southgate		10 50
" " "	By " of W. A. Stott		15 63
" " "	By " of Abram Brown		2 26
" " "	By " of J. R. Purdie		2 00
" " "	By " of James Scott		39 50
" " "	By " of W. Foltz		86
" " "	By " of Sam Wilson Est		50
" " "	By " of Randall Wilson Est		66

Am't. of credits carried forward \$ 491.09

Commissioners Office August 10th 1847.
Southwell's exor.

vs

Pl^y In Chancery

Nathan Jones admor. of J^r. W. Jordan deff.

By virtue of a decree made the 18th of May 1847, in the above cause, having given due notice to the parties interested which notice is herewith filed marked N. I have proceeded to make up the Administration Account of Nathan Jones on the Estate of John W Jordan decd. I took the account that had been previously reported to the Court, as prima facie correct - but it appeared that the Commissioner in making up that account had charged the Administrator with the proceeds of the sale of the real Estate of the Intestate, which was sold by the said Jones & Wife, - the latter being the heir at Law of the Ancestor John W. Jordan, and credited the said administrator with the amount of bonds for which the Land had been incumbered by the Intestate, in his lifetime by a deed of trust - this was objected to by the Counsel for the Administrator in taxing this account, who insisted that the money arising from the sale of the real Estate could not be brought into the account, which view was adopted by your Commissioner, & therefore the old account reformed accordingly - the facts are that when the admor. was charged in the former account with the proceeds of the Land, the Commissioner supposed it had been sold under the deed of trust, & that the sales had become personalty, but in truth the Land was sold by Jones & Wife as heir of the said Jordan after his death, & Jones paid off the debt for which it had been incumbered -

Your Comm^r has charged the admor. with the sale of Negro Girl Mary as directed by the Court. & the result of the examination is, that the Estate of said Jordan is indebted to the admor. three hundred & forty two dollars & seventy two cents with Interest on three hundred & thirty seven dollars & seventy two cents (part thereof) from the 18th of February 1846. All of which is submitted to the Court.

Beth. Lightfoot Com^r.

centrally exp.
n: { dec
the day with the

To be entered
R. H. B.

Entered

James B. Southall executor of Thomas B. Southall decd. Resp.
vs. In Chancery.

Nathan Jones admr of John W. Jordan decd. Plaintiff
vs. Benj^t Jones exor of Wilson Jones decd. & Resp.

This cause came on this day by consent of the parties,
on the bill of the complt. The answer of the deft. Nathan
Jones admr of John W. Jordan decd. filed by consent with
the deposition filed, and was argued by counsel,
and consideration whereof, the Court with adjudge, order
and decree that the deft. Nathan Jones admr of John W.
Jordan decd, render an account of the administration of
the estate of his intestate before a Commissioner of this
Court who is directed to examine, state and settle the same,
returning the account heretofore returned to this ~~Court~~
Court as heretofore correct, subject to be impeached
and falsified - and charging ^{the answer of said Jordan} in said account to be
conceded, with the value of the ~~State~~ ^{State} ~~May~~ in the
bill mentioned, and that he report the same to this
Court, with any matter specially stated, deemed
material by himself, or which may be required by
the parties to be so stated.

Southall's C. No. 1.

vs.

Notice

Lorsan's Admor. 4

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N

At a Circuit Superior Court of Law and Chancery held for the
County of Isle of Wight on the 18th day of May 1847

James B. Southall Executor of Turner Southall decd.

Plf.

against

In Chancery

Nathan Jones Admor. of John W. Jordan decd. & Ruben Jones

and Benjamin Jones exor. of Wilson Jones decd.

Defrs.

This cause came on this day by consent of parties, on the Bill
of the complainant, the answer of the Defendants Nathan Jones
Admor. of John W. Jordan decd. filed by consent, replication thereto, &
the deposition filed; and was argued by counsel: On consideration
thereof, the Court doth as judge orar and decree that the Defendants
Nathan Jones Admor. of John W. Jordan decd. render an account
of the administration of ^{the estate of} ~~this~~ Intestate, before a Commissioner of this
Court, who is directed to examine, state & settle the same, taking the
Account heretofore returned to this Court as prima facie correct,
subject to be surcharged and falsefied and charging the Admor. of
said Jordan in said Account to be rendered with the value of the
slave Mary in the Bill mentioned and that he report the same to
this Court with any matters specially stated, deemed pertinent
by himself or which may be required by the parties to be so stated.

Attest

J. P. Willis Clk.

Attest

Barth. Lightfoot Comr.

Isle of Wight County - Commissioners Office, June 1st 1847.

The parties interested in the above decree are hereby notified
that I have appointed Thursday the 22^d of July next to execute the
duties therein required of me: on which day at 4 O'clock Am. they
must attend at Edwin. Harrison's Tavern in Smithfield with the
necessary proofs & documents -

Service Acknowledged

Barth. Lightfoot Comr.

Wm Southall Jr

Ruben Jones

Benj. Jones

Nathan Jones

Southall, chor.

and $\frac{3}{4}$ copy of drum

Jordan's Chor.

for Land Light foot

June 1st 1847 notice issued
for settlement at Emmons
Cavern on Wednesday the 22nd of
July 1847

At a Circuit Superior Court of Law & Chancery held for the County of
Isle of Wight on the 18th day of May 1847—

James D Southall executor of James H. Southall, Decd.

Plff.

against

Jos Chy

Nathan Jones Adm'r of John W. Jordan Decd. Reuter

Def.

This cause came on this day by consent of parties, on the Rec. of
the complainant, the answer of the def. Nathan Jones Adm'r of John
W. Jordan Decd. filed by consent, replication thereto and the deposition
filed; and was argued by counsel, on consideration whereof, the Court
with adjourn, order and decree that the def. Nathan Jones Adm'r
of John W. Jordan Decd. render an account of the Administration
of the estate of his intestate before a Commissioner of this Court, who
is directed to examine, state and settle the same, taking the account
hitherto returned to this Court, as prima facie correct, subject to be
discharged and falsified— and charging the Adm'r of said Jordan
in said account to be rendered, with the value of the slaves—
Mary in the Rec mentioned, and that he report the same
to this Court, with any matters specially stated, deemed pertinent
by himself or which may be required by the parties to be so
stated

A. Copy Teste

J. G. Miller S. C.

Merica Bacon

Southally' expor.

as $\frac{3}{4}$ down

London' aov. 1.

To be entered

R. H. B.

Entire

Southall upon Jones's account.

This cause came on again to be
have on the papers filed and
and the report of the Court made
in pursuance of the order of the
18 day of May 1847, to which no
exception has been filed, was argued
by Counsel; on consideration
whereof the Court confirming the
said report, with adj. over and
said that the bill of the complaint
be dismissed as to the defendant
Beyon Jones, one of Wilson Jones &
Pemberton Jones, and that they recover
of the Plaintiff, their costs in this behalf
expended - and on motion of the
Pliff. by his attorney, leave is given
him to amend the said bill &
introduce new parties &c.

Notes of Current
to ~~Report~~ ^{val}
in ~~fourth~~ in H. Brown ~~abn~~

decrea for the re-est.
element of the account
taking the account
subject to ~~re-estimation~~
correct and charging
the above with the
value of the share

1857 - R. H. B.

Southall Esq to Nathan Jones a son of Dr. W. Jordan - a Nelson Incal -

The main point in this case is the claim to the girl Mary, which Nathan Jones who married Capandora, the only heir & distributee of Dr. W. Jordan, - claims as a gift to himself or his wife - he acknowledges in his answer, that he has not a receipt for her, in the acct current returned by him - but he is appropriated the said girl to his own use - As he affirms that she, ^{was} the property of his intestate, - was given to him, places on him the burden of proof - otherwise, an executor, or assignee, by his oath might acquire at any time the property of their testators or intestates. The principle here maintained is too clear to need or require the citation of authorities. Furthermore the doctrine is well settled that property ^{sent} ~~given~~ by a father or parent, to a child on marriage - is to be construed as a loan & not as a gift - In a case like this it requires strong and cogent proof on the part of Nathan Jones to maintain his claim. See on this subject 9 Lush 241, 10 Lush 52, 11 Lush 137, & 12 Lush 147. But even admitting it was a gift being voluntary, and the father being insistent at the time - it is void as to creditors. But the whole of this question is concluded by the testimony (deposition) of Col. Dr. W. Jordan (a brother of the deceased), who says unequivocally that his brother did not give the girl, Mary, to either, Nathan Jones, or his wife, but on the contrary said that he, Dr. W. Jordan, had taken a bond of Jones himself, for the return of this said girl - As to the bond which he refers to in his answer, I presume that if they were proper vouchers, the Commissioner would have allowed him credit for them on the account returned &c. - if it had been proper to do -

At a circuit Superior court of law and Chancery held
for the county of McPherson October Term 1846. This
account of Nathan Jones transactions as administrator
of John W. Jordan decd. was returned by J. B. Lightfoot com.
and ordered to be filed for exceptions.

File

A. P. Young clk.

A Copy
File

A. P. Young clk.

Indorsed over:
on: 2/2/47

for a dec. of Jordan. 1848

Copy of the return of J. B. Lightfoot
Jordan's return filed as an
expt. with copy.

The estate of Mo. W. Jordan
with { copy of acct.
Nathan Jones his admor.

See for copy 5 cents

1844	June 5	To paid Bath Lightfoot com: ticket	\$ 13 50	1845	Feb. 28	To paid John W. Whitney elects ticket	\$ 8 03
"	"	" paid S. C. Jordan Shff. on warr. in favor of Gay & Co. com: 424 11	424 11	"	"	" paid S. C. Jordan Shff. on warr. in favor of Thomas and Adams	424 11
"	July 1	" paid S. C. Jordan Shff. on warr. in favor of Rich ^d . Reynolds	89 65	"	"	" paid James M. Jordan for app ^t to the estate	434 00
"	"	" paid S. C. Jordan Shff. on warr. in favor of M. S. Summerville	54 13	"	"		
"	"	" paid S. C. Jordan Shff. on warr. in favor of Gay for antiched	110 14	"	"		
"	Sept. 10	" paid S. C. Jordan Shff. on warr. in favor of W. S. Jordan	200 12	"	"		
"	"	" paid S. C. Jordan Shff. on warr. in favor of W. S. Jordan	213 72	"	"		
"	"	" paid S. C. Jordan Shff. on warr. in favor of S. C. Jordan		"	"		
"	"	" paid S. C. Jordan Shff. on warr. in favor of Newman & Chapman and Thomas & Adams	141 14	"	"		
"	Dec. 23	" 5¢ Cent com: on \$4409.33 receipts	370 46	"	"		
"	"	" Balance due the estate of contra	346 97	"	"		
"	"		7409 33	"	"		
"	1843		3585 15	"	"		
"	Dec. 22	By this sum recd. of Archd. Atkinson for sale of land:	14 45	"	"		
"	"	By cash of Levi Whitney for sale of wheat	58 94	"	"		
"	"	By cash of bhandies, etc. on acct. of S. C. Jordan bond paid	30 00	"	"		
"	"	By cash for bills & bonds worth: note	189 95	"	"		
"	"	By cash of Wm. S. Stott	70 00	"	"		
"	"	By cash of " "	45 50	"	"		
"	"	By cash of " "	5 25	"	"		
"	"	By cash of Mrs. W. Goodrich acct:	10 50	"	"		
"	"	By cash of M. Southall	15 63	"	"		
"	"	By cash of W. S. Stott	2 26	"	"		
"	"	By cash of Abram Brown	2 00	"	"		
"	"	By cash of John W. Purdie	34 50	"	"		
"	"	By cash of James Scott	86	"	"		
"	"	By cash of Wm. Falk	56	"	"		
"	"	By cash of Lemmy Wilson Lt	66	"	"		
"	"	By cash of Randall Wilson Lt		"	"		

1844

May 8 By amount of sales of the estate, including, sales of
negroes Austin, Tom, Mary, Williams, Lewis,
Elizabeth, Mary & woman & children due this day

3333 00

7409 33

Due the estate \$346.94

1845	Feb. 28	To paid John W. Whitney elects ticket	\$ 8 03
"	"	" paid S. C. Jordan Shff. on warr. in favor of Thomas and Adams	424 11
"	"	" paid James M. Jordan for app ^t to the estate	434 00
"	"		346 97
"	"		84 60
"	"		434 00
"	"		84 69
"	"		3 84
"	"		5 60
"	"		15 00
"	"		164 16

Due the estate \$104.10. Feb. 18th 1840.

Sale of Wright County March 15th 1840.
Pursuant to the annexed order of the
Circuit Superior Court of Law and Chancery for the said
County - after being sworn - have examined, stated and settled
the annexed account of Nathan Jones' administration on the
estate of John W. Jordan decd: from vouchers and papers
laid before me, and find the estate of the said John W. Jordan
indebted to the executor the said Jones, the sum of one hundred
and thirty four dollars, & sixteen cents: which account is
submitted to the Court

Bath Lightfoot com

N. Carey,
Clerk

A. P. Youngalt

Dr The estate of John W Jordan deceased
to account with Nathan Jones administrator

1843

Oct. 23	paid A. Atkinson appraiser	bond	\$	310	4	71
" "	paid ditto appraiser	"		23	4	16
" "	paid ditto appraiser	"		143	28	
Nov. 9	paid Ro. S. Whitfield atty on execution			13	7	43
" "	amount of bond assigned by Ro. S. Whitfield to A. Jones the adm.			58	83	
" "	paid S. B. Rossden for appraising the estate			1	00	
" "	paid S. B. Rossden for keeping Tom a hired servant from day of sale till 1 st Aug. 43			3	50	
" "	paid. Mount Wombles bond			6	0	10
" "	paid Mount Wombles "			12	4	62
" 11	paid S. B. Rossden shff. on exec. in favour of W. Summerville			73	38	
" 13	paid S. B. Rossden shff. bond in settlement of acct.			24	06	
" "	paid for hire of hands to get in crop			24	50	
Dec. 2	paid A. A. Whitehead shff. on exec. in favour of Rossden for Whitehead			17	6	41
" "	paid A. A. Whitehead shff. on exec. in favour of John Canale			44	20	
" 5	paid Wilson Jones for eyeing the estate			16	00	
" "	paid A. A. Whitehead shff. Taxes &c			26	67	
" "	paid Lucy Holloway for making shroud			1	00	

1844

Aug. 8	paid Mount Wombles for shroud			2	13	
" 18	paid E. G. Shingfield appraiser for the estate			1	00	
Feb. 14	paid Morrison & Rossden for officers			14	50	
Mar. 22	paid J. H. Kelsey shff. on exec. in favour of W. Summerville			38	44	
" "	paid J. H. Kelsey shff. shuff. tested			2	00	
" 25	paid S. B. Rossden for money paid by said Rossden to Wm. Jones removed as security for the intestate.			85	54	
May 5	paid B. L. Gray const. on exec. in favour of J. P. Young			32	00	
June 5	paid W. A. Hall, clerk 13 toll 1 st M ^o & 1 st 5 th of Indiana toll amount due on settlement of intestate's account on Land & Mills est.			75	93	

Nathan Jones Acmtor.
of John W Jordan ^{City} Ind.
To } Copy of Bond
The Commonwealth

Southall's acmtor:
m: } In copy:

Jordan's acmtor: Val:

Copy of N. Jones bond as
acmt. of J. W. Jordan filed
as an acmt. with the City Clerk.

copy to appeal books —

KNOW ALL MEN BY THESE PRESENTS, That we *Nathan Jones*
Wilson Jones and Ruben Jones

are held and firmly bound unto *the Commonwealth of Virginia*

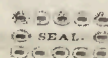
~~gentleman justice of the~~

in the just and full sum of *Seven Thousand* Dollars; to the
payment whereof, well and truly to be made, ~~to the said justices for the time being,~~
~~and their successors,~~ we bind ourselves, our heirs, executors and administrators, jointly
and severally, firmly by these presents: sealed with our seals, and dated this *12th*
day of *October* in the year one thousand eight hundred
and *forty three*

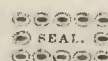
THE CONDITION of this obligation is, that, if the said *Nathan Jones*
administra ~~tor~~
of the goods, chattels and credits of *John W. Jordan* deceased,
do make a true and perfect inventory of all and singular the goods, chattels and cred-
its of the said deceased, which have, or shall come to the hands, possession or knowl-
edge of *him* the said *Nathan Jones*, or in the hands or possession
of any other person or persons for *him*, and the same so made, do exhibit unto the
~~circuit superiour court of law and~~ *chancery for the County of Isle of Wight* ~~and~~ *at* ~~the~~ *same* place, when *he* shall be thereunto required by
the said court; and such goods, chattels, and credits, do well and truly administer ac-
cording to law; and further, do make a just and true account of *his* actings and
doings therein, when thereto required by the said court; and all the rest of the said
goods, chattels and credits which shall be found remaining upon the account of the
said administra ~~tor~~, the same being first examined and allowed by the ~~justices~~ *judge* of
the said court for the time being, shall deliver and pay unto such persons respectively,
as are entitled to the same by law; and if it shall hereafter appear, that any last will
and testament was made by the deceased, and the same be proved in court, and the
executor obtain a certificate of the *probat* thereof, and the said *Nathan Jones*
do in such case, being required, render and deliver up *his*
letters of administration, then this obligation to be void, else to remain in full force.

Witness.

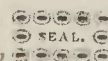
Nathan Jones



Wilson Jones



Ruben Jones



At a circuit Superior Court of Law and Chancery continued
and held for this County of Isle of Wight the twelfth day of
October one thousand eight hundred and forty three



On the motion of Nathan Jones, who made oath according to law, and with
Wilson Jones and Ruben Jones his securities (who justified on oath as to
their sufficiency) entered into and acknowledged a bond in the penalty
of \$7000, conditioned according to law, certificate is granted him
for obtaining letters of Administration on the estate of John W.
Jordan decd.

A. Copy Vester

J. P. Mills DC

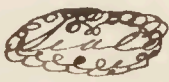
Southall's Exor:
as } copies } kept.
Indians Auditor: Votter,

Copy bound & Ind. gyl. filed
by the gyl. as an expt.
with his bill

On demand I promise to pay or cause to be paid to Turner T. Southall his
order or assigns the just sum of Twenty six dollars & thirty eight cents for
Value received - for the true payment of which sum I bind myself & heirs
&c. As Witness my hand & seal this 23rd day of Nov^r 1842

Test.

J. D. Wills

John W. Jordan 

At a Court held for Isle of Wight County on the 3rd day of Nov^r 1845

James B. Southall Jr. exor. of Turner S. Southall decd.
(against ^{vs} In debt -
Nathan Jones admor. of John W. Jordan decd.

This day came the plaintiff by his Attorney, and the defendant
still failing to appear. It is considered by the court, that the
plaintiff recover against the defendant Twenty six dollars
and thirty eight cents with legal interest thereon from the 23rd
day of November 1842 till paid, And his costs in this behalf
expended -

Copies Test

J. D. Wills D.C.
"

Southalls' execr:

no: $\frac{3}{4}$ In Chy.

Jordan's admr: Vals.

Chy of fifa: filia wille
Pth. till on wets. J.

Southalls' execr.

no: $\frac{3}{4}$ Co. filia.

Jordan's admr:

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ISLE OF WIGHT COUNTY, GREETING.

We command you that of the Goods ^{which were} and Chattels of *Jos: M. Jordan decd.*
in the hands of Nathan Jones, his admor: to be
administered

late in your bailiwick, you cause to be made the sum of *Eighty two dollars and*
twenty five cents with legal interest thereon from
the first day of August 1845 till paid.

which *Jas B Southall* jr. exor: of *Turner M Southall*
lately in the Circuit Superior Court of Law and Chancery of the County of Isle of
Wight *hath* recovered against the said *Jordan's admor.*
as well for a certain debt as for interest thereon:

Also *Eighty dollars & 48 cents* which to
the said *Southalls exor:* in the
same Court were adjudged for *his* costs by *him* in that behalf expended;
whereof the said *Jones admor: of Jordan* is convict, as
appears of Record: And how you shall have executed this writ, make known at the
Clerk's office of our said Court, at Rules to be holden for the said Court, on the first
Monday in *January* next. And have then there this writ: Witness NA-
THANIEL P. YOUNG, Clerk of our said Court, at the Court House, the *24th* day of
Octo: — A. D. 1845 and of the Commonwealth the *70th*

Returned "Nulla Bona"
Jas B. Jordan shff. *N. P. Young clk.*
copy. Teste N. P. Young clk.

(vs) $\frac{1}{2}$ fig. 1a

Nathan Jones Admor.
of John W. Jordan Esq.

To ^{my} Feby: 1848

Whitfield p. 9f.

Nulla Bona

La. C. Jordan Shff:

Southall, expor:

Ms. 1

3rd day:

William Adams: Feb:

Body of fish: green as ash.
wings (tip: blue).

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU, That of the goods and chattels of John W. Jordan died in the hands of Nathan Jones his Admor. To be Administered

late in your bailiwick, you cause to be made the sum of Twenty six dollars and thirty eight cents, with legal interest thereon from the 23rd day of November 1842 till paid

which James B. Southall Jr. Exor. of Turner D. Southall died. lately in our County Court of Isle of Wight recovered against the said Nathan Jones Admor. of the said John W. Jordan as aforesaid also \$6.12 cents,

which to the said Jas. B. Southall Jr. Exor. as aforesaid in the same Court were adjudged for his costs, by him about his suit in that behalf expended; whereof the said Jordan's Admor. is

convict, as appears to us of record; and that you have the same before the Justices of our said County Court of Isle of Wight at the Courthouse, on the first Monday in February next, to render to the said Southall Exor. as aforesaid of the debt and costs aforesaid: And have then there this writ. Witness,

Nathl. P. Young Clerk of our said Court, at the Courthouse, the 3rd day of January 1846, in the 70th year of the Commonwealth.

A. Copy Teste

N. P. Young Clerk
J. F. Mills D.C.