1872-12 Southampton County Chancery Darden, James J. vs Everett, Thomas

payments of debts

Britt, Cornelia E.
Britt, Mills H.

Bryant, Richard L. (admin)
and Pope, Amos
Darden, George
Barrett, Richard
" Martha
Hill, James & Elizabeth
Carter, Abner & Sally Ann

Darden for Brit

v } Papers

Envelope and

1872 Ma

To the Hon. E. P. Pitts, Judge of the Circuit Court of Southampton County, in Chancery.

Complaining shew unto the Court your Complainant, James J. Darden who sues for the benefit and at the cost of Cornelia E. Butts and Miles N. Butts, and for all other Creditors of Thos. Everitt dec'd. who may make themselves parties to this suit on the usual terms,

Your Complainant respectfully represents to the Court and says, That the said Thomas Everitt died in said County, Intestate, on the day of 1867, and that Richard L. Bryant duly qualified as his admr. in Southampton County Court on the 18th day of February 1867, and entered into and duly executed an administration Bond in the penalty of $4000. with Amos S. Pope and George N. Darden as his securities as will be seen by a duly certified copy of his said admr. Bond, filed herewith marked "A".

That the said Richard L. Bryant as such admr. took charge of the personal & chattle Estate of said deceased & has converted the same into money: That the said Thomas Everitt is justly indebted to your Complainant the sum of $401.17 with interest from the 16th day of November 1858, subject to a credit of

$140:02 on the 17th of December 1866, as will be seen by Bond filed herewith marked "B".

That the said Thomas Ennis died possessed of the following real estate in the County of Southampton, Virginia, to wit: 1st - a tract containing 100 acres more or less adjoining the Lands of Wm E. Myrick and others. (2d) a tract of acres, adjoining the Lands of Polly Carron, Jas. Mizell's estate & others.

That the said Thomas Ennis, left no widow surviving, but the following children as his heirs at Law, to wit 1st/ Martha wife of Richd. Barrett (2d) Elizabeth, wife of James Hill, (3d. Sally Ann wife of Abner Carter - all adults -

Your Complainant says, That the estate of said Thomas Ennis is entangled with debt and that it will about the personal and Chattle estate, and that the Lands will be required to be sold to pay them.

Your Complainant prays That the said Richard L. Bryant as admr. aforesaid may be required to settle his accounts as such admr. and that all moneys in his hands may be applied to pay your Complainants demand and if necessary, all proper and legal process may be had against the said

Amos S. Pope and Geo. H. Darden the securities on said admrs Bond.

That the debts due by said deceased may be duly ascertained: That the value (fee simple and annual) of said Lands may also be ascertained & if necessary to pay the debts of said deceased, may be sold for that purpose —

In consideration whereof and as this Court has power to grant adequate relief — To the end your Complainant prays that the said Richard L. Bryant, as admr. of Mrs. Smith dec'd; Amos S. Pope, Geo. H. Darden, Richard Barnett and Martha his wife, James Hice and Elizabeth his wife, and Abner Carter & Sally Ann his wife may be made defendants hereto; and be required to answer the allegations herein — That the accounts of said Richard L. Bryant as admr. as aforesaid may duly settled & all moneys in his hands paid to your Complainants demand: That further relief if necessary may be had against said Amos S. Pope and Geo. H. Darden: That the debts of said deceased may be ascertained: That the Lands of said deceased may be sold if necessary & that their value may be ascertained, and that all further

Darden

to } Copy Deed

Everetts adm &c

$855 ⅝

Com. Bond given

Rec Land at 2nd Ct.

Set aside Land

240 acres to

Jas T Hill $361.

Paid

19 Dec

Southampton Circuit Court, November Term 1870.

In Chancery.

James J. Darden who sues for the benefit of and at the Costs of Cornelia E. Britt and Mills H. Britt & for all other Creditors of Thomas Everett dec'd. who may make themselves parties to this Suit in the usual terms -

against Plaintiffs -

Richard L. Bryant, as adm'r. Thos: Everett dec'd - Amos S. Pope, Geo: W. Darden, Richard Barrett, and Martha his wife, James Hill and Elizabeth his wife, and Asher Carter and Sally Ann his wife - Defendants -

For reasons appearing to the Court, the Decree previously entered at the present Term of this Court is set aside, and this Cause coming on again to be heard on the papers formerly read and on the Report of Commissioner Tyler, Made pursuant to the Decree of the May Term 1870, of this Court, was argued by Counsel; on Consideration whereof, and by Consent of parties, the Court doth Confirm the said Report excepting account "B." thereof, and by like Consent adopting account "A." of said Report, doth adjudge, Order and Decree, that Richard L. Bryant adm'r of Thomas Everett dec'd pay to John R. Kilby, attorney, the sum of Four Thousand Eight hundred and Six dollars and Sixty Eight Cents, with int thereon from the 1st day of June 1865, till paid; being the balance due by said Bryant to said Estate as appears by said account "A" and that the said John R. Kilby, when he shall collect the said Money, pay the same as follows; first pay all Costs and expenses of Suit, (including an attorney's fee of Fifty dollars to John R. Kilby) and then pay the balance ratably to the several Creditors of the said Thomas Everett dec'd - as appears by account "C" of said Commissioner Tyler's Report and to said Richard L. Bryant's claim of Two Thousand and Seventy four dollars and Sixty four Cents against said Estate, for payments made for said Estate, as also appears by

Commissioner Tyler's said Report, and make report to Court.

And the Court doth further adjudge, Order and decree, that John R. Kilby, Esq. is hereby appointed a Commissioner for that purpose, to sell at auction before the Court house door of Southampton County, on some Court day, on a Credit of one two and three years, in equal payments, with interest from date, (except the expenses of Sale, which may be cash,) the tract of Land described in Commissioner Tyler's said Report as being in said County and containing Two hundred and forty acres, More or less, having first advertised the said Sale for at least twenty days, by Notice at the Court house door of said County and at Newsoms Depot and other public places, and taking from the purchaser bond and good Security and retain the bills till the further Order of Court and make report to Court. But no Sale is to be made under this Decree, till the said John R. Kilby, shall execute in the Clerk's Office, before the Clerk of this Court, a bond in the penalty of five hundred dollars, payable to the Commonwealth of Virginia, and Conditioned to execute faithfully the duties required of him under this Decree, and also any other Decree, he may be required to execute under this Decree; and liberty is reserved the Plaintiffs to ask for such further relief against any other party hereto as may be right and proper.

A Copy Teste,

James R Tyler, D.C

Clks Costs		$ 13.27
Shff. (Briggs)	10.00	
Com Tyler	40.00	
Printer. M.B. Wellons	7.50	
Atty. fee Wax	50.50	$ 123.27

Know all men by these presents that we Richd L Bryant Amos S. Pope & George H Darden are held and firmly bound unto the Commonwealth of Virginia in the just and full Sum of four thousand dollars current money of Virginia, 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. Sealed with our seals and dated this 18th day of February A.D. 1867.

The Condition of the above obligation is such that if the above bound Richard L Bryant as administrator of Thomas Everett dec'd shall faithfully discharge the duties of his said Office or trust according to law then the above obligation to be void or else to remain in full force and virtue.

Signed Sealed and delivered
in the presence of the Court }

Richard L Bryant (Seal)
Amos S Pope (Seal)
George H Darden (Seal)
(Seal)

At a Court held for the County of Southampton on the 18 day of February 1867.

On the motion of Richard L Bryant who made oath, and together with Amos S Pope & George H Darden, his securities (who justified on oath as to their sufficiency) entered into and acknowledged a bond in the penalty of four thousand dollars conditioned according to law - which bond having a stamp of the internal revenue of the United States of the amount of One dollar being affixed thereto - is ordered to be recorded. Certificate is granted him for obtaining Letters of administration on the estate of Thomas Everett dec'd in due form. Stamps of the internal revenue of the United States of the amount of one dollar being affixed hereto.

A Copy

Teste L R Edwards

Southampton Circuit Court November Term 1870.

James I Dardin who sues for the benefit of Cornelia E Britt & Miles H Britt &c Pltff

against

Richard L Bryant as admor of Thos Everett dec'd &c Defts } In Chancery

For reasons appearing to the Court the decree previously entered at the present Term of this Court is set aside and this cause coming on again to be heard on the papers formerly read and on the report of Commissioner Tyler, made pursuant to the decree of the May Term 1870 of this Court was argued by Counsel. On consideration whereof, and by consent of parties, the Court doth confirm the said report, excepting account "B" thereof; and by like consent adopting account "A" of said report doth adjudge, order and decree that Richard L Bryant admor of Thomas Everett dec'd pay to John R Kilby attorney the sum of $2806.68 with interest thereon from 1st day of June 1868 till paid, being the balance due by said Bryant to said estate as appears by said account "A" And that the said John R Kilby when he shall collect the said money pay the same as follows, first pay all costs and expenses of suit (including an attorneys fee of $50. to John R Kilby) and then pay the balance ~~ratably~~ ratably to the several creditors of the said Thomas Everett dec'd appears by account "C" of said Com Tylers report & to said Richard L Bryant claim of $2074 64 against the said estate for payments made for said estate as also appears by Com. Tylor report, and make report to Court. And the Court doth further adjudge order and decree that John R Kilby (who is hereby appointed a Com for that purpose) sell at auction before the Courthouse door of Southampton County on some Court day, on a credit of one two and three years in equal payments with interest from date (except the expenses of Sale which may be cash) the tract of land described in Com. Tylers said report as being in said County and containing 240 acres more or less, having first advertised the said Sale for at least twenty days by notice at the Courthouse of said County and at Newsoms P Post & other places, and taken from the purchaser bond & good

Security & retain the title till the further order of Court - And make report to Court

But no Sale is to be made under this decree till the said John R Kilby shall execute in the Clerks Office before the Clerk of this Court, a bond in the penalty of $500, payable to the Commonwealth of Virginia and conditioned to execute faithfully the duties required of him under this decree & also any other decree he may be required to execute under this decree - and liberty is reserved the Plaintiffs to ask for such further relief against any other party hereto as may be right and proper.

A Copy -

Teste, P. White Cc

Darden for Plffs

Copy Decree

Executrix adm &c

Southampton Circuit Court May Term 1871.

James I Dardin who sues for the benefit of Cornelia E Britt & Mills M. Britt &
Pelf
against
Richard L Bryant as admr. of Thomas Everett dec'd & others } In Chancery

This cause came on this day to be again heard on the papers formerly read and on the report of John R Kilby Com. made pursuant to the decree of November Term 1870. to which report there is no exception and was argued by Counsel. And it appearing to the Court by said Kilbys report and the Execution filed therewith, that the decree of the said November Term 1870 against said Richd L Bryant has proved unavailing. It is by the Court adjudged ordered and decreed that said Amos E Pope and George H Dardin pay to said John R Kilby attorney for the creditors of Thomas Everett dec'd the sum of $4,000 00 part of said demand against said R L Bryant being the full amount of the administration bond to ~~And the Court doth further~~ which said Pope & Dardin are security. And the Court doth further adjudge. order and decree that John R Kilby Com. as aforesaid receive of the Clerk of this Court (who will deliver the same to him on his leaving a receipt therefor) the two bonds of Jas. T. Hill each $100. and collect the same with all interest due thereon (and the said Jas. T. Hill is at liberty to pay the said bonds before they become due including all interest due to the day of payment) and make to the said Jas T Hill a Deed for the said land, with special warranty in the usual form, and make report to Court

A Copy -
Teste. O. White Cc

Geo. N. Warden

1871 July 1. Rec'd of Jno. R. Kelly Com. the following sums due to Jane A. Warden now dec'd of whom I am heir, & due by Thos. Ewells Estate to wit $11.68 – $38.31 – $57.83 & $24.28 = $134.10

also

Rec'd also the amounts due Rs. S. Barnes gd'n of Pauline J. Inmee, now my wife $109.56 – $105.40 & $101.52 ——— $316.48

Total $450.58

Witness
Amos S. Pope

+ George N. Warden

recieved July 24. 1867. seventy dollars. also recieved March 11. 1868
sixty dollars. also recieved Nov. 18. 1869. thirty seven dollars
& seventy two cents from R L Bryant adm. Thomas Everett
in part pay for claims that I held against said Everett
estate for which I have given him a credit on
the bond.

James J Hill

Wm. J Bynum
Asst.
To R L Bryant Admr

allowed $10.

LRS

Wm J Bynum's purchase at Thomas Everett sale February 28. 1867

Spade & shovel no 1.	.225
2 wedges no 2.	1.30
3 Do no 5.	2.05
Cart & wheels no 1	36.00
1 Stack fodder no 4	9.10
1 Do Do no 5	10.00
Set cart gear	1.20
	$61.90

Thomas Everett
& Others Bond for $ 156.54
Due April 2d - 1854

March 1st 1854
Rec'd Sixty Dollars in
part the within
James Barney

4 Bush Oats @ 75-

$ 156.54 Twelve Months after the date hereof for Value Rec'd. we do promise to pay or Cause to be paid to James Barnes Executor of Enoch Barnes decd the Sum of One Hundred & fifty Six Dollars & 54/100 for the true payment thereof we and each of us do hereby bind ourselves our heirs Executors & administrators firmly by these presents witness our hands and Seales this 2 day of April 1857

Test
Richd. B. L. Everett

Thomas. Everett (Seal)
his
Charlotte Myrick (Seal)
mark

(Seal)

To the Circuit Court of Southampton County

The Undersigned reports to Court that pursuant to the decree of May Court 1871 made by said Court in the case of Darden &c Bills &c &c against Richard L. Bryant adm.r of Thomas Everitt dec.d & others. he had issued an Execution against Amos S. Pope and Geo. H. Darden the securities for Richard L. Bryant as adm.r of Th.s Everitt dec.d, and that the same was paid by the following parties, to wit: as per return of Nov. Term 1870—

The said Amos S. Pope paid	℔ 1391.31
The said Geo. H. Darden paid	℔ 450.58
and Richard L. Bryant paid	℔ 2440.91
That received	℔ 4282.80

and paid out as follows — viz: Share as settled & reported

To Saml. A. Darden per rec.t of Geo. H. Darden, his sole heir per rec ℔ 11.68 ✓

" Same do. " 38.31 ✓

" Same do. " 59.83 ✓

" Same do. " 21.28 ✓

" Wm E. Myrick per rec.t 100.85

" Same " 176.03

" Same " 96.70

" Rich.d L. Bryant g.d.n of argaie

" B.j Anne L.s & Mary J.s Mr. Thorp per rec.t 316.72

" Rich.d L. Bryant adm.r of Jno. Thorpe d.o 20.58

Cred. on ℔ 1105.98 ℔ 4282.80

amd. bkt. up		℔1105:98	℔4282:80
Paid Jas. Barnes Exr. pr rec.		178.60	
" " Richd. L. Bryant	"	15.37	
" " Wm T. Bynum	"	74.69	
" " same	"	61.21	
" " Jas. T. Hill	"	106.21	
" " same	"	22.09	
" " same	"	.69	
" " Ro. S. Barnes gdn.	"	109.56	
" " same	"	105.40	
" " same	"	101.52	
" " Cornelia E. Bullock	"	360.97	
" " Jas. J. Warden	"	34.84	
" " same	"	10.32	
" " same	"	1.83	
" " same	"	18.77	
" " Wm Drake	"	7.93	
" " Geo. W. Vick adm Jas. Mayes	"	333.90	
" " same	" "	111.35	
" " same	" "	10.91	
" " same	" "	20.41	
" Abdalynus Williams	" "	19.59	
" Cambridge Wiggins	" "	15.34	
" Goodwin D. Cutler	" "	18.49	
" Wm H. Parker	" "	29.53	
" Ro. S. Barnes gdn	" "	97.43	
" same	" "	93.20	
" Richard L. Bryant	" "	1307.02	
		℔4302.59	℔4282.80
Paid Sheriffs Comn. & Exn.		35.71	
Overpaid by Jno. R. Kelly		℔4338.28	℔55.48
		Acr.	

To amo. due Jno. R. Kilby Sht. or $53.48.
" charges for distributing &c. 44.52
Jno. Kilby — $100.00

By two Bonds of Jas. T. Hill
of $100 each, collected
under decree of May
Term 1871 & Nt. 1 yea. $212.00
Less above sum of 100.00
Balance $112.00

A Deed has been made to Jas. T. Hill for the
real estate sold, as recited.

The above Balance has not been
paid out, but retained to meet expenses of
a chancery suit in Watts Cumberland brought
to recover Land & pay debts of Thos. Merritt &
will hereafter be accounted for.

John R. Kilby Com'r.

1871 July 1st Rec'd of John R. Kelly Com the several sums due us, from Thomas Everitt's estate, being the ratable shares due us.

Richard L. Bryant Jr	$1307.02
Richard L. Bryant for Wm E Myrick	160.00
Richard L Bryant Guard of Argil B	
Ann L. Mary F. & Thomas Thorp	516.72
Richd L. Bryant Admr. J. Hargrove	70 58
Richard L Bryant for James Barnes Exor	78.00
Richard L Bryant for Wm J Bynum	61.21
Richard L Bryant	18.37
Richard L. Bryant for James J Hill	167.72
John R. Kelly atty for Wm E. Myrick	111.85
John R. Kelly " same	176.03
John R. Kelly " same	96.70
John R. Kelly " Cornelia E. Bell	360.97
A W Vick admr	33 83
G W Vick "	41 35
G. W. Vick "	10 91
G W Vick	20 41
R E Bryant For Cairnbrge Higgins	15 34
Wm E Myrick curator of A Williams	$19.41

James E. Everitt for Wm Drake $7.93

Benj. E Worrell admr Ro. S. Barnes 97 43

93 20

$190.63

John R. Kelly atty for W. J. Bynum $74.69

John R. Kelly atty for J. J. Dudley $34.84 $10.32 $1.83 $18.77

John R. Kelly " " Gordon D. Cutler $18.49

John R. Kelly " " W. N. Parker $29.53.

John R. Kelly Conv. pay to C. E. Bryant fifteen dollars and thirty four cents, and. coming from Thos. Everitt Est

$15.34

Test
Matthew S Bates

his
Coim brge X Wiggins
mark

$10.00 On demand I promise to pay to William Drake the sum of Ten Dollars it being for Value Rec'd as Witness my hand and seal this 11th day of January 1867

Test Thomas Everett (Seal)

Martha E. Corum

With Interest from Date I promise to pay or cause to be paid unto Jas J. Darden or order the Just sum of Thirty four Dollars and seventy nine cents for an acct & note due Wm Beale of N. Carolina 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 29th Day of October 1860

Test

Thomas Everett (Seal)

Thos. Everitt
note To
Jas. J. Darden
$34.79

To be reinstated
only Case
pursuant

813

With Interest from Date I promise to pay or cause to be paid unto Jas J. Darden or order the Just sum of Thirty four Dollars and seventy nine cents for an acct & note due Wm Beal of N. Carolina 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 29 Day of October 1860

Test

Thomas Everett (Seal)

Personally appeared before me J J Darden and made oath to the correctness of the above account given under my hand this 19th Day of October 1867

Wm E. [illegible] J.P.

Thos Evans
acct
~~$10.97~~
19.60

J J Darden
Guard

813

Mr Thomas, Everitt

1861 — To Jas. J Darden

Jaury 4	To 1 Pr Shoes		1/9	1 75	
" " "	1½ yd Camb		10¢	15	1 28
Feb 15 "	6 " cot cloth to Pr Drafts			60	
" " "	2½ Doz agate Buttons		3¢	02	
" " "	2 ~ Mill Thread		6/	200	
Mar 11 "	3 Papers Garden Seeds			19	
" " "	1 Pr Ladies Shoes		10/6	1 75	4 56
Apr 3 "	1 ~ Pr "	Do	12/	2 01	
" 25 "	1 " "	Do	8/3	1 38	
" " "	5½ ~ Shot ~		10¢	55	
" " "	1 ~ Powder ~		2/3	33	
" " "	1 Box caps ~		8¢	08	
May 4 "	1 ~ Lobo ~		4/6	75	5 13
					$ 10 97
1862					
Febry 4	To 2¼ gals Whiskey ~		18/	6 75	
	4 ~ Lobo ~		1/6	1 00	7 75
25	1 ~ Do ~		2/3		38
April 2	2 ~ Do ~		1/6		50
					$ 19 60

12 mos Int on $10.97 to 1 Aug 1862

over

Mr Thos Everett
acct
$11.80

J J Hardin
Senate

813

Mr Thos Events

To Jas. J. Darden

1862			
Feb 4	To Pint 2 Iron wedges @ 9d Day 1 axe @ 6/- mend 2 hame hooks @ 1/1/2		$ 1.63
March 21	" mend 2 Steer Yoke Rings @ 9d make 1 Plow Point 4/6		1.00
	" Beat out 3 P. hoes @ 1/1/2 mend 1 clevy @ 1/1/2 Iron 2/2 hames @ 3/-		1.75
April 15	" Beat out 2 P. hoes @ 1/1/2 mend 1 Pan handle 1/6		62
May 8	" Day 4 P. hoes @ 4/6 20 ℔ Iron @ 15 ¢		6.00
			$ 11.00

Personally appeared before me J J Darden and made oath to the correctness of the above acct given under my hand this 19th Day of Octr 1867

W. E. Beal J.P.

Mr Thos. Everett

1861 To Jas. J. Darden

Jany 24 To Shoe horse & round with 8 Shoes 2/3 —— $ .38

Feb 8 " Lay 2 Grub hoes 4/6 —— 1.50

$ 1.88

Personally appeared before me J. J Darden and made oath to the correctness of the above acct given under my hand this 19th Day of October 1867

Wm. E. Beale J.P.

"B"

Thos Everitt vs Thos
Note To
Jas. J. Darden
$40.17

Dec 17th 1866 Rec'd the sum of One hundred and forty dollars and ten cents in part of the within
Jas J Darden Exr

765

With Interest from the 16th Day of Nov. 1858 We promise to pay or cause to be paid unto Jas. J. Darden or order the sum of Four hundred and one Dollars and Seventeen cents for amt due on 4 old notes and does not in the this years acct for the true payment of which we bind ourselves our heirs Executors and administrators Jointly and severally firmly by these presents as witness our hands and seals this 16th Day of Nov. 1858

Teste
A Myrick

Thos. Everett (Seal)
Charlot her Myrick (Seal)
mark

Bryan
Bordeaux for &
&c } Or Pub.

Everetts ans. &c

1870 March 30th

A TRUE COPY—TESTE.

fe18 4t L. R. EDWARDS, D. C.

A RULES HELD IN THE CLERK'S OFFICE of the Circuit Court of Southampton County on the first Monday in February 1870.

James J. Darden, who sues for the benefit and at the costs of Cornelia E. Britt and Mills H. Britt, and for all other creditors of Thomas Everett, dec'd, who may make themselves parties to this suit on the usual terms,

Plaintiff,

IN CHANCERY.

Against

Richard L. Bryant, Administrator of Thomas Everett dec'd. Amos S. Pope, George H. Darden, Richard Barrett, and Martha his wife, James Hill and Elizabeth, his wife and Abner Carter and Sally Ann his wife,

Defendants.

The object of this suit is to subject the real estate of the said Thomas Everett dec'd, to the payment of his debts, and it appearing by affidavit filed, that the Defendants Abner Carter, and Sally Ann his wife, are not residents of the State of Virginia, it is ordered, that they do appear within one month after due publication of this order and do what is necessary to protect their interest.

A Copy—Teste.

L. R. EDWARDS, D. C.

I do hereby certify that the annexed notice was published for four successive weeks in the Christian Sun and that the price charged therefor is in accordance with established rates. Given under my hand this 28th day of March 1870

W B Wellons

Publisher

Price of Adv.

$7.50

COMMISSIONER'S OFFICE,

JERUSALEM, June 15th 1870.

To the *Creditors* of the Estate of
Thomas Everett
deceased, and all others concerned.

You are hereby notified, that ~~at the request of Administrator of the estate of the said~~ By Decree of the Circuit Court of Southampton County ~~deceased~~, I have appointed the 19th day of July next, at my Office, for receiving proof of debts or demands, against the said decedent or his estate, at which time and place you are required to attend.

Given under my hand, as a Commissioner of the ~~County~~ Circuit Court of Southampton County, the day and year first aforesaid.

James R. Sykes, *Commissioner.*

James J. Darden, Jr.

To James R. Tyler, Commissioner in Chancery
Circuit Court of Southampton County, Va.

1870
Sept. 15 To Making up Report in the Case of Darden &c. vs.
against Everett's adm'r. $40.00

James R. Tyler,
Commissioner

Received Feby 21 1871 of J R Kelby Com. fifty cents 27/100 Dollars Clerks fees
in Chy suit Dardens Exrs v Everetts adm

D R Edwards

1870 Dec 19 Rec'd of Jno
R Kirby Com. Sur Dodge Co
and Fifty cents county
Tax Entry Land

Witness
Curtis R Edwards

H & E W Davis

EVERY DESCRIPTION OF BOOK AND JOB PRINTING NEATLY EXECUTED.

The Christian Sun
IS PURLISHED
EVERY FRIDAY.
TERMS:
One year, - - $3.00
Six months, - 1.50

TERMS---CASH ON DELIVERY.

Suffolk, Va., Dec 28th 1870

Mr L. R. Timmons Clk.

To W. B. WELLONS, Dr.

BOOK AND JOB PRINTING OFFICE,

Legal notice in Sen. I.I. Dorch or Byrd		
3 sq. 4 t		7 50
Rec'd Payment		
W B Wellons		

Dorden for Hr

v. Z. Aff

Everett ut Hr

1864 Dec. 23

Darden for Britt &c

v.

Bryant &c.

3

John R Kelby this day made oath that Abner Carter & Sally his wife two of the defts. in this suit are not residents of the State of Virginia as he is informed & verily believes.

S R Edwards DC

Dec 23 1869

Counsel's Opinion as to Costs of Execution
Creditor's Suit
for Partnership Debts

Darden for Pl
v
3 Sums chy

Everetts adm

1870 January Rules

Kilb

Ale. Pl.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of the County of Southampton---Greeting:

We command you to summon Richard L. Bryant admr: of Thos. Everett dec'd Amos L. Pope & George W Darden and Richard Barrett & Martha his wife, Jas. Hill & Elizabeth his wife & Abner Carter & Sally Ann his wife

if they be found within your bailiwick, to appear at the Clerk's Office of our Court of Southampton County, at the Rules to be holden for the said Court, on the first Monday in January next to answer a bill in Chancery exhibited against them in our said Court by Jas. J Darden, who sues for the benefit & at the costs of Cornelia E. Britt & Mills M. Britt and for all other Creditors of Thos. Everett dec'd who may make themselves parties to this suit on the usual terms

And have then there this writ.

Witness, ~~LITTLETON R. EDWARDS~~ Asbrin White, Clerk of our said Court, at the Court-House, this 15 day of December A. D., 1869, in the 94 year of the Commonwealth.

A White cc

Executed by delivering Rich.d G Bryant Amos S. Pope. George W. Darden. Rich.d Barrett & wife & Jas G. Still & wife each a Copy of this Summons on the 26th & 29th January 1870. Abner Carter & Sally Ann his wife, are not residents of my County.

W W Briggs Sh
for D. G. Coley Shff

Darden for Pff
v.
Etheridge & wife & Ch
Execution &c Pff
1870 February Rules

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of the County of Southampton---Greeting:

We command you to summon as at another time we have, Richard L Bryant admr Thos Everett dec^{d} Amos S Pope & Wm N Darden & Richard Barrett & Martha his wife, Jas Hill & Elizabeth his wife & Abner Carter & Sally Ann his wife

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 February next to answer a bill in Chancery exhibited against them in our said Court by James J. Darden who sues for the benefit & at the Costs of Cornelia E Britt & Mills H Britt and for all other Creditors of Thos Everett dec^{d} who may make themselves parties to this suit on the usual terms

And have then there this writ.

Witness, ~~LITTLETON R. EDWARDS~~ A Orrin White, Clerk of our said Court, at the Court-House, this 5 day of January A. D., 1870, in the 94 year of the Commonwealth.

A White cc

Kelby attys

vs

Bryant

Affdvt

Files with Ins R
Kelby Reform

The Commonwealth of Virginia:

To the Sheriff of Southampton County---Greeting:

WHEREAS, in a certain suit in chancery depending in our Circuit Court of Southampton county, between J J Darden who sues for the benefit &c — Plaintiff, and Richard L Bryant as admr of Thos Everett dec'd &c — Defendant, it was on the 11th day of November 1870 among other things adjudged ordered and decreed that Richard L Bryant admr of Thomas Everett dec'd pay to John R. Kilby attorney the sum of four thousand eight hundred and Six dollars Sixty eight Cents with interest thereon from the 1st day of June 1865 till paid

Therefore we command you that of the goods and chattels of Richard L Bryant late in your bailiwick, you cause to be made the said sum of four thousand eight hundred Six dollars Sixty eight Cents with interest thereon as aforesaid

which the said John R Kilby attorney recovered against the said Richard L Bryant by the decree aforesaid; ~~also, dollars and cents, for his costs in said suit expended.~~ Whereof the said Richard L Bryant is convict, as appears to us of record; and how you shall have executed this writ make known to us at the Clerk's Office of our said Court, at the Rules to be holden for the said Court on the first Monday in February next — and have then there this writ.

WITNESS, O Wm White Clerk of our said Court, at the Court-House, this 7 day of December 1870 in the 95 year of the Commonwealth.

O White Clk

Sheriffs Endorsement & Return — "Came to hand Dec. 10 1870 at 4. O Clock P. M. — W W Briggs Shff

Return. "No Effects - W W. Briggs Shff"

Copy - Teste, O White Clk

Dandem for Bills
on
Trinity Co.

Balance due
by Bryant.

Decree v. R. L. Bryant adm of
Thos. Scott Jr $4806.68
Int. from 1 June 1868 to
1 July 1871 — $ 889.20
$5695.88

Paid by Amos S. Pope $1391.31
" " Geo. H. Darden 150.58
" " R. L. Bryant 2440.91 $ 4282.80
Balance due $1413.08

by R. L. Bryant adm.
& Interest. See Execution returned.

Send statement.

to R. A. Barrett
Navy Dept
as early as
you can

Charleston
SRK

I. L. R. E. Clerk of Cir. & Sc. Ct. do certify that in a chancery suit lately depending in the said Court wherein Jas. J. Harden Adm. was for the benefit of Cornelia E. Britt & Mary L. Britt & the other Cr. of Thos Trent dec'd

v.

R. L. Bryant adm. of Thos Trent Sr.

Then was duly passed & allowed by the Court & paid thereon under proceedings had in said suit the several sums, names below.

Viz.

allowed to J. J. Harden for C. E. Britt & $537.10

and paid 360.97

plaintiffs in this cause to apply for such further relief as may be necessary touching, ~~the~~ in the case, & that this decree pro confesso.

Davis v.
N.
Equity adms
1870
Pro. ct. Decree
To be entered.
Geo. F. Bliss.

11 Mar

17.3.32

Dardenᵉ. vs. Everitt adwᵉ

This cause came on this day to be again heard on the papers formerly read & on the report of Cond. Tyler, made pursuant to the decree of the May Term 1870 of said Court, and was argued by Counsel. On consideration whereof, and by Consent of parties, the Court doth confirm the said Report, excepting account "A" thereof, and by like consent adopting account "B" of said Report, doth adjudge order and decree that Richard L. Bryant admr of Thomas Everitt decᵈ. pay to John R. Kelly, Attorney the sum of $4107.96 Balance due by said Bryant to said estate as appears by said account "B" with Interest on $3456.97 part thereof from the 1st of Sept 1870 till paid, and that the said John R Kelly, when he shall collect the said money, pay the same as follows - first, pay all costs and expenses of suit (including a fee of $50 to John R Kelly), and then pay the Balance ratably to the several Creditors of the said Thomas Everitt decᵈ, as appears by account "C" of said Cond. Tyler's report, and make report to Court - and liberty is reserved to the

same with acc Interest due thereon (and the said Jas. T. Hill is at liberty to pay the said Bonds before they become due, including acc Interest due to the day of payment) , and make to the said Jas. T. Hill a deed for the said Land, with special warranty in the usual form, and make report to Court.

Davidson Co.

Exrs &c

1871

May Ct. Allen

to be entered.

Gen'l Pleas.

Darden for Pet

vs.

Ewell's adm'rs &c.

This cause came on this day to be again heard on the papers formerly read for the Report of John R. Kelly, Comr. made pursuant to the Decree of November Term 1870 to which report there is no exception, and was argued by Counsel: and it appearing to the Court by said Kelly's Report and the Execution filed therewith, That the Decree of said Nov. Term 1870 against said Richd. L. Bryant has proved unavailing, It is by the Court adjudged said
adjud & decreed that, Amos S. Pope and and Ernest H. Darden pay to said John R. Kelly attorney for the Creditors of Thomas Ewell dec'd. the sum of $4008.08. with the
~~interest thereon from the 1st day of June~~ part of said demand against said R. L. Bryant being the true amount of the administration Bond
~~1868 till paid~~; and the Court doth further to which said Pope & Darden are security
adjudge, order & decree that John R. Kelly Comr as aforesaid receive of the clerk of this Court (who will deliver the same to him on his leaving a receipt therefor) the two Bonds of Jas J. Hill each for $100, and collect the

Dawson &c. for Bill

v.

Thos. Everitts adm &c.

This cause, in which the plaintiff has proceeded in the mode prescribed by Law against absent defendants, as to the said Abner Carter & Sally Carter his wife came on to be heard on the Complainants' Bill taken for confessed as to all the other defendants, on whom ~~whom~~ process had been duly executed & they still failing to appear & make defence to said Bill, and was argued by Counsel. On consideration whereof, the Court doth adjudge, order & decree that a Comm'r of this Court proceed to take and settle the following accounts -

1st. an account of the Transactions of Richd. L. Bryant as adm'r of Thos. Everitt dec'd (taking any account which may have been regularly settled by him in the County Court, as prima facie correct, subject to be surcharged & falsified)

2d. an account of Debts & Demands due by said decedent or his Estate and their priority.

3d. an account of the Real Estate of

which said Mrs. Everett died seized and possessed, and the fee simple & annual value, and make report of any matters deemed pertinent by himself, or that any one interested may require to be so stated.

Darius Brick
vs.
Everetts admrs
1870
May Decree
to be entered
Testimony

Warden for Brie
&
Everett &

1872.

May 6th.

Final decree
to be entered.

Geo Bliss

Vaden for Bill &c

v

Thomas Everett adm &c

This cause came on this day to be again heard on the papers formerly read on the report of John R Kelly, Com. made herein and at the Decem of the Nov. Term 1870. of this Court - to which report there is no exception and was argued by Counsel:

On consideration whereof the Court doth confirm the said report and doth adjudge, order and decree that the proceedings had in this cause be confirmed, & that the cause be removed from the Docket.

Daubert
vs
Merrell

2d Decr
Nov. Ct. 1870

To be entered.

Geo Blount

Darden v.

v.

Everitt admr &c.

For reasons appearing to the Court the decree previously entered at the present Term of this Court is set aside and, this cause coming on again to be heard on the papers formerly read and on the report of Comr. Tyler, made pursuant to the decree of the May term 1870 of this Court, was argued by Counsel. On consideration whereof, and by consent of parties, the Court doth confirm the said Report (excepting account "B" thereof) and by like consent adopting account "A" of said Report, doth adjudge order and decree that Richard L. Bryant admr. of Thomas Everitt dec'd. pay to John R. Kelly, attorney, the sum of $4806.68 with Interest thereon from the 1st day of June 1868 till paid, being the Balance due by said Bryant to said estate as appears by said account "A", and that the said John R. Kelly when he shall collect the said money pay the same as follows, first pay all costs and expenses of suit (including an attorney's fee of $50. to John R. Kelly) and

thereby the Balance ratably to the several creditors of the said Thomas Everett deed as appears by account "C" filed said Comr. Tyler's report & to said Richd. L. Bryant's claim of $207.44.64 against said estate for payments made for said estate, as also appears by Comr. Tyler's said Report, and make report to Court — and the Court doth further adjudge, order and decree that John R. Kelly (who is hereby appointed a Comr. for that purpose) sell at auction before the Court house door of Southampton County on some Court day, on a credit of one, two and three years, in equal payments with interest from date, (except the expenses of sale which may be cash) the tract of land described in Comr Tyler's said Report as being in said County and containing 240 acres more or less, having first advertised the said sale for at least Twenty days by notice at the Court house door of said County and at Newsoms depot & other public places, and taking from the purchaser Bond & good security to retain the title till further order of Court, and make report to Court,

But no sale is to be made

under this decree till the said John R Kelly shall execute in the Clerk's office before the Clerk of this Court, a Bond in the penalty of $500., payable to the Commonwealth of Virginia, and Conditioned to execute faithfully the duties required of him under this decree & also any other decree he may be required to execute under this decree, and liberty is reserved the plaintiffs to ask for such further relief against any other party hereto as may be right and proper, —

and annual Value, and Make report of any Matters deemed pertinent by himself, or that any new interest may require to be so stated.

A Copy

Test,

John R Tyler Sec.

Order for Copy

of

Accounts &c.

Recd 19

(Aug 13th 1840)

Affidavit &c. rec'd 11th day

of August 1840

Southampton Circuit Court, May Term 1870

James J. Dardin, who Sues for the benefit and at the Costs of Emeline E. Britt and Mills St. Britt and for all other Creditors of Thomas Everett dec'd. who may Make themselves parties to this Suit in the usual terms - against Plaintiffs -

Richard L. Bryant as Adm'r of Thomas Everett dec'd - Amos S. Pope, Geo: St. Dardin, Richard Barrett and Martha his wife, James Hill and Elizabeth his wife, and Abner Carter and Sally Ann his wife - Defendants -

This Cause is which the Plaintiff has proceeded in the Mode prescribed by law against absent Defendants as to the said Abner Carter and Sally Ann his wife, Came on to be heard on the Complainant's Bill taken for Confessed as to all the other Defendants on whom process has been duly executed and they still failing to appear and Make defence, and on Exhibits filed with said Bill and was argued by Counsel; On Consideration whereof the Court doth adjudge, Order and decree, that a Commissioner of this Court proceed to take and Settle the following accounts -

1st An account of the transactions of Richard L. Bryant as Administrator of Thomas Everett dec'd - (taking any account which may heretofore regularly Settled by him in the County Court as prima facie correct, Subject to be Surcharged and falsified -) 2nd An account of debts and demands due by said Decedent at his Estate and their dignity;

3rd An Account of the real Estate of which said Thomas Everett died Seized and possessed, and its fair Simple

and annual Value, and Make report of any Matters deemed pertinent by himself, or that any new interest may require to be so stated.

A Copy

Test,

John R Tyler Sec.

Boarding for Copy Deeds

Grants &c

Recd 95

(Copy of Act of Congress of 1790 assuming the debts of the several States)

1870 Sept 1. [illegible] Richard L. Bryant [illegible]

add James T. Hill, Brd [illegible]

Total apptd to be distributed under decree of Nov. Ct. 1870 as follows. ₹ 4282. 80

1C	✓	To Jas. J. Darden for Cornelia E. Bell					
1C	✓	" dividend on	₹ 557.	10	₹ 360.	97	
1C	✓	To Jas. J. Darden	"	55.	31	34	84
1C	✓	" same	"	16.	39	10	32
1C	✓	" same	"	2	91	1	83
1C	✓	" same	"	29	49	18	77
	fwd	" Saml. A. Darden	"	16	96	11	68
	fwd	" same	"	60.	82	38	31
	fwd	" same	"	94.	98	59	83
	fwd	" same	"	38	55	24	28
	✓	" Wm Drake	"	12	68	7	93
S	✓	" Geo. W. Vick ad. J. Mayo	"	530.	01	333.	90
S	✓	" same	"	65.	96	41	35
S	✓	" same	"	17	33	10.	91
S	✓	" same	"	32.	40	20.	41
		Carr. on	₹	1530.	89	₹ 975.	35 ₹ 4306. 31

	Amd. bot. on		1530.	89	975.	35	4306. 31
	" Abdolonymus William	on	31	11	19	59	
	" Cambridge Wiggins	"	24	36	15	34	
K	" Wm E. Myrick	"	177.	53	111.	85	
K	" same	"	279	42	176.	03	
K	" same	"	153	50	96	70	
	" Richd L. Bryant, gdn of Argaie B, Anne L, Mary H. Hd. Harp		820	20	576.	72	
S.	" Jno. Hargine	"	112	04	70	58	
	" Goodwin D. Cutler	"	29	36	18	49	
Kin	" Ro. S. Barnes, gdn	"	173	91	109.	56	
Kin	" same	"	167.	31	105	40	
Kin	" same	"	161.	15	101.	52	
	" Wm H. Parker	"	46.	92	29.	55	
	" Jas. Barnes Ex. of S. Barnes	"	282	55	178.	00	
	" Wm T. Bynum	"	97	17	61	21	
Amt	" Wm T. Bynum	"	118.	57	74	69	
P	" Jas. T. Hill	"	168.	60	106	21	
P	" same	"	35.	07	22	09	
P	" same	"	1	10	.	69	
	" Richd L. Bryant	"	24	40	15	37	
Kin	" Ro. S. Barnes gdn	"	154.	66	97	43	
Kin	" same	"	147.	95	93	20	
	" Richd L. Bryant.		267	64	1307	02	
			6812.	43	4,302	59	4306. 31
					3	72	
	" Retained for future cts				4306	31	

1871 Rec'd of John R. Kelly
the several sums set opposite our
names and on the foregoing
statement.

Darden for[t]:

&

Everett ad[r] } Com. Notice

Executed

W W Driggs Sh

Commissioner's Office,

JERUSALEM, June 14th 1870

To

James J. Darden who sues for the benefit & at the costs of Emelius E. Britt & Mills S. Butt & for all other Creditors of Thos Everett Decd who may make themselves parties to the suit on the usual Terms.

Plffs

vs

Richard L. Bryant adm of Thomas Everett Decd Amos L. Pope. Gust. Darden Richd Barrett & Martha his wife James Hill & Elizabeth his wife and Abner Carter & Sally Ann his wife

Defts

You are hereby notified that I have fixed upon the 19th day of July next, if fair, if not, on the next fair day thereafter, (Sunday excepted,) to take and settle, at my office, the following accounts, to-wit:

That a Commissioner of this Court proceed to take & state the following accounts

1st. An account of the transactions of Richard L. Bryant as adm. of Thomas Everett dec'd. taking any account which may have been regularly settled by him in the County Court as prima facie correct subject to be surcharged & falsified

2nd. An Account of debts & demands due by the said decedent or his Est. of their dignity.

3rd An account of the real Est. of which said Thos Everett died seized and possessed & its fee simple & annual Value & make report of any matters deemed pertinent by himself or that any one interested may require to be so stated

required to be taken by a decree of Southampton Circuit Court, rendered on the day of May Term 1870, in a suit in Chancery, depending in said Court, in which you are parties, plaintiffs, and defendants; at which time and place you are required to attend.

Given under my hand as Commissioner in Chancery of the said Court, the day and year first aforesaid.

James R. Tyler

Commissioner.

To the Sheriff of Southampton County to execute.

Darden for Yr

To } Cr: Pub

Overseers adw Yr

Copy posted at front door Ct. Ho.
1st day Febry. Ct. 1870.

LR.C.

At Rules held in the Clerks Office of the Circuit Court of Southampton County on the first Monday in February 1870.

James I. Darden who sues for the benefit and at the costs of Cornelia E Britt & Mills A. Britt and for all other creditors of Thomas Everett dec'd who may make themselves parties to this suit on the usual terms Plaintiff

against

Richard L Bryant administrator of Thomas Everett dec'd. Amos S Pope, George W. Darden Richard Barrett & Martha his wife, James Hill & Elizabeth his wife and Abner Carter and Sally Ann his wife Defendants

In Chancery.

The object of this suit is to subject the real estate of the said Thomas Everett dec'd to the payment of his debts, and it appearing by affidavit filed that the defendants Abner Carter and Sally Ann his wife are not residents of the State of Virginia it is ordered that they do appear within one month after due publication of this order and do what is necessary to protect their interest.

Teste

L.R. Edwards D.C.

Dardon for Jr

Comr. Bond

Everetts ad

#570

Know all men by these Presents that we John R Kilby

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of Five hundred dollars to which payment well and truly to be made to the said Commonwealth we bind ourselves our heirs executors and administrators jointly & severally firmly by these Presents. Sealed with our Seals and dated this day of November A D 1870

The Condition of the above obligation is such that whereas in a Suit in Chancery depending in our Circuit Court of Southampton County between James I Darden who Sues for the benefit & at the cost of Cornelia E Britt & Mills H Britt & Co Plaintiff and Richard L Bryant as admr. of Thomas Everett dec.d & Co Defendants by a decree entered therein on the 11th day of November 1870, the above bound John R Kilby was appointed Commissioner To sell the tract of Land described in Commissioner Tylers report as containing two hundred and forty acres more or less.

Now if the said John R Kilby shall faithfully discharge their duties of his office or trust under said decree or any other decree or any other decree which may be made in the said Suit then the above obligation to be void or else to remain in full force & virtue

John R. Kilby (Seal)

Joseph B Price (Seal)

To the Circuit Court of Southampton County.

The Undersigned reports to Court, That pursuant to the decree of said Court made on the day of November 1870, in the cause pending in said Court, wherein James J. Warden for C. E. Britt &al. are plaintiffs and Richard L. Bryant admr. of Thomas Everett dec'd. &al., defendants, he proceeded to advertise the tract of land referred to in the proceedings of 240 acres more or less (valued at $400), and did on the 19th day of December 1870, before the Court House door of said County (being Court day) sell at auction on the terms named in said decree, the said Land, when James J. Hill, became the purchaser at the price of $361:00

Of which there was received in cash & paid out as follows —

pd	To 5 Per cent Comr. on $300 —	$15.00
pd	" 2 Per. on $61	1.22
pd	" certificates	15.27
	" Sheff. Briggs.	10.00
pd	" Comr. Tyler	10.00
pd	" W. B. Wellons, Printer	7.50
pd	" Atto. fee.	50.50
pd	" E. W. Davis, Circ	2.50
	" reserved for deed & stamps to purchaser 5.00 +4.00	$161:00
	" fee for sealing deeds &	$200.00

Balance

(over)

By amo. bought in $200.00
for which Jas. T. Hill
executed his 2 Bonds
at 2 & 3 years each for $100.
with Int. from date

The title to said Land retained till the further order of Court.

Your Commissioner reports that he had an Execution issued against Richd L. Bryant for the amount due by him as named in said Decree which the Sheriff has returned unsatisfied a copy of which is annexed. Proceedings will have to be had against the said Bryants' securities on his Bond at the adjournment of this Court Inst.

Respectfully submitted

John R. Kilby, Comr.

Dardin for Pl

v } Com. Tylers Report

Evidence

1870 Sept. 15.

The Estate of Thomas "A." Everette Decd
In account with Richard L. Bryant his administrator

		Dr	Cr
1867			
May 1st	By Cash from sales Cotton & Land		$ 846 05
"	" sales of Colt		53 00
June 1st	" Cash from H. V. Niemeyer		296 00
"	" Cash " sales of Chattel Est		4117 75
	To Commissions on $5312.64 @ 5%	265 64	
	" paid Telegraph Auctioneer	25 00	
	" paid Clerk at sale	5 00	
	" paid Appraisers	4 00	
	" " Coffin Bill	35 00	
	" paid family Expenses before sale	34 50	
	" paid Taxes & Tickets	35 98	
	" paid D. J. Kindred atty fee	30 00	
	" paid Wm B Shands Commissioners fee	40 00	
	" paid Beaton & Harrison for Gloves	2 00	
	" Balance due Est	4835 68	
		$5312 80	$5312 80
Dec 31	By Balance due Est brot down		$4835 68
	To Cash pd for goods for Miss Martha Everett	29 00	
	" Balance due Est	4806 68	
		$4835 68	$4835 68
1868 June 1	By Balance due Est brot down		$4806 68
	with interest from this day till paid		

Respectfully Submitted
Jas R Tyler
Com

The Commissioners Reports, at the request of some of the parties interested, the above balance due, after deducting the expenses of administration. And he reports

The said account in another form and aspect. Shewing the amounts which the admr has paid out, he did not bring these amounts paid into the above account because it would not leave the proper balance due to be distributed among the creditors, but reporting it in the manner above stated, The creditors if they have not been paid their pro rata share, will receive it. and if the admr has paid them more than they were entitle to receive then he will have to refund to the estate

James R Tyler
Comr:

B.

The Estate of Thomas Everette Dec'd
In account with Richard L. Bryant his administrator

				Dr		Cr	
1867							
May	1st	By Cash from Cotton & Land				$ 846	05
"		" Sales of Colt				53	00
June	1st	" Cash from H. V. Meneyes				296	00
		" " " " Sale of Chattel est				4117	75
		To Commissions on $5312.64 @ 5%		265	64		
		" Paid Peleg Lawson auctioneer		25	00		
		" " Clerks at Sale		5	00		
		" " Appraisers		4	00		
		" " for Coffin		35	00		
		" " expenses of family before sale		34	30		
		" " Taxes & tickets		35	98		
		" " J J Kindred for		30	00		
		" " Alex Britte	acct	31	80		
		" " Chas Vann	"	1	24		
		" " Abram Reed	"	8	00		
		" " Caswell & Ferguson	note	82	53		
		" " Caswell & Ferguson	acct	69	69		
		" " Barnett & Ferguson	"	15	12		
		" " Jno R Rochelle	"	37	06		
		" " Jno R Rochelle	"	7	45		
		" " H T Britte	"	4	20		
		" " Sallie M Porter	"	28	53		
		" Paid Caleb Everett	"	200	00		
		" " Bob Everett	note	13	40		
		" Balance due Est		4358	46		
				$5312	64	$5312	64
Dec 31		By Balance due the est brot down				$ 4358	46
1868		To Paid E D Britte	Bond	128	84		
		" Paid James D Ferguson	a/c	59	83		
		" Paid Beaton & Harrison	"	19	44		
		" Paid W H Daughtry	Bond	68	25		
		Carried over		$ 276	36	$ 4358	46

		To Amts brot over		226	36	4358	46		
1868		" paid W H Daughtry bm		4	52				
		" " W H Daughtry "		32	25				
		" paid W H Daughtry "		144	40				
		" paid W H Daughtry "		51	96				
		" paid N. T. Britt agt		75	00				
		" paid James T Hill on bond		130	00				
		By interest on last years bal						261	30
		To Balance due Est		3538	97				
				4358	46	4358	46	261	30
Decr	31	By Balance due est brot down				#3538	97	# 261	30
		To paid W B Shands Comp fee		40	00				
		" " Beaton & Hamilton		2	00				
		" Balance due Est		3496	97				
				#3538	97	#3538	97	261	30
1870									
Sept	1	By Bal brot down due Est				#3496	97	261	30
"	"	" Interest on last years bal. 1 yr & 8 Mos						349	69
		" Interest brot in				61	99		
		" Bal. due Est.				#4107	96		

With interest from date on #3496.97 4 part thereof till paid

Respectfully Submitted
Jas R Tyler
Com.

6

An Accounts debts or demands outstanding against the Estate of Thomas Everette dcd proved before me Jas R Tyler Commissioner in Chancery & Classified according to their respective dignities

4th Class			
Bond due. James J Darden 16th Novr 1858 for	401	17	
by C. E. Bills			
Interest to 17th Decr 1866	194	56	
	595	73	
Paid 17th Decr 1866	140	02	
K.	455	71	
Int to 1st Sept 1870	101	39	
			557 10
Bond due James J Darden 29th Oct 1860 for	34	79	
K Int to 1st Sept 1870	20	52	
			55 31
Accnt due Jas J Darden 1st July 1862 for	11	00	
K Int to 1st Sept 1870	5	39	
			1639
Accnt due Jas J Darden 1st July 1861 for	1	88	
K Int to 1st Sept 1870	1	03	
			2916
Accnt due James J Darden April 2d 1862 for	19	60	
K Int to 1 Sept 1870	9	89	
			2949
Accnt Due Samuel A Darden 1st Jany 1862 for	11	16	
Int to 1st Sept 1870	5	80	
			1696
Accnt Due Samuel A Darden 1 Jany 1863 for #12532			
Scaled at 3/ for /1.	41	66	
Int to 1st Sept 1870	19	16	
			6082
Acct due Samuel A Darden 1 Jany 1866 for	74	21	
Int to 1st Sept 1870	20	77	
			9498
Acct due Samuel A Darden 1st Jany 1867 for	31	60	
Int to 1 Sept 1870	6	95	3853
			#87237

To Amt brot over $872 51

Bond Due William Drake 11 Jany 1867 for 10 00
Int to 1 Sept 1870 2 68
12 68

Bond Due Geo W. Vicks (adm Jas Majett) 27th Jany 1863 $1178.27 cts scaled 378 40
S Int to 1st Sept 1870 151 61
530 01

Bond Due Geo. W. Vicks adr Jas Majett 25th Dec 1830 for 30 26
S Int to 1 Sept 1870 35 70
65 96

Bond due Geo W. Vicks adr of Jas Majett 3rd Dec 1844 for 6 81
S. Int to 1st Sept 1870 10 52
17 33

Bond Due Geo W. Vicks adr Jas Majett 27 Jany 1863 for 69.03 Scaled 22 27
Int to 1 Sept 1870 10 13
32 40

Acct due Abdolonymus Williams 1st Jany 1867 25 38
S. Int to 1st Sept 1870 5 61
31 11

Ase due Cambridge Wiggins 1st Jany 1868 21 00
Int to 1st Sept 1870 3 36
24 36

Bond due Wm E Myrick ~~25th Dec 1861~~
K Int to 1 Sept 1870 116 81 / 60 74
177 55

Bond due Wm E. Myrick 19th Jany 1861 177 19
K. Int to 1st Sept 1870 102 23
279 42

Bond due Wm E Myrick 18th Feby 1862 $132.00
K. Sealed 101 52
Int to 1st Sept 1870 51 98
153 50

$2196 83

To Amt brot up $2196 83

Bond due Richard L. Bryant guardian of Argent B. Anne L. Mary G. & Thomas W Shaw
June 24th 1861 561 00
Int to 1st Sept 1870 309 20
870 20
Paid June 12th 1866 50 00
820 20

Bond due John Hargrave 7th March 1851 52 91
Int to 22nd Oct 1855 14 68
S. 67 59
Paid 22nd Oct 1855 8 31
59 28
Int to 1st Sept 1870 52 76
112 04

Note due Goodwin & Cutler 10th Dec 1866 24 00
Int to 1st Sept 1870 5 36
29 36

Bond due Robt S Barnes Guardian 25 Dec 1860 110 00
Kin Int to 1 Sept 1870 63 91
173 91

Bond due Robt S Barnes Guard. 25th Dec 1861 110 00
Kin Int to 1st Sept 1870 57 31
167 31

Bond due Robt S Barnes g'dn 25th Dec 1862 110 00
Kin $110.00 Scaled
Int to 1 Sept 1870 51 15
161 15

Bond Due Wm S Parker 30th Jany 1863 $100. Scaled 32 25
Int to 1st Sept 1870 14 67
46 92

~~$595 97~~
3707 72

To Amt brot over | | | ℔ 3707 72 / ~~3795 87~~

Bond due James Barnes Ex of J Barnes 20th Sept 1857	156	52	
Int to 1st Sept 1870	126	01	
			282 55
Acct due Wm J Bynum 1st Janry 1861	61	50	
Int to 1st Sept 1870	35	67	
			97 17
Acct due Wm J Bynum 1st ~~May~~ 1862			
℔150.40 ¢ Scaled	79	05	
Int to 1st Sept 1870	39	52	
			118 57
Bond due James T Hill 25th March 1859	100	00	
Int to 1st Sept 1870	68	60	
			168 60
Bond due James T Hill 7th Nov 1859	21	21	
Int to 1 Sept 1870	13	86	
			35 07
Bond due James T Hill amount due 1st Sept 1870			1 10
Acct due Richard L Bryant 1 Janry 1867	20	00	
Int to 1st Sept 1870	4	40	
			24 40
Bond due Robt S Barnes gn 25th Dec 1863	110	00	
Int to 1st Sept 1870	44	66	
			154 66
Bond due Robt S Barnes gn 25 Dec 1864	110	00	
Int to 1st Sept 1870	37	93	
			147 93
Total debts			℔ 4737 79

Respectfully Submitted
James R Lyles
Com:

"D"

An Account shewing the amounts paid out by Richard L Bryant administrator of Thomas Everette decd as follows

To amount paid Jno E Britt		℔	52
" " " Jno E Britt			9 69
" " " Bob Everette			15 26
" " " Abner Reed			9 02
" " " Wm E Myrick on bond			160 00
" " " Silas Britte			70 21
" " " H T Britte			55 23
" " " Silas Britte			130 56
" " " Silas Britte			30 70
" " " Wm H Daughtry adm E Joyner			144 40
" " " Wm H Daughtry " "			4 52
" " " Wm H Daughtry " "			68 23
" " " Wm H Daughtry " "			51 96
" " " Wm H Daughtry " "			37 15
" " " E D Britte			128 42
" " " Jas H Barnes Ex of J Barnes			160 00
" " " H T Bynum " on do "			60 00
" " " Caswell B Ferguson			78 74
" " " Caswell B Ferguson			98 58
" " " John R Rochelle			63 84
" " " Caleb Everette			226 00
" " " Jas D Ferguson			61 02
" " " H T Britte			4 74
" " " John R Rochelle			8 00
" " " Alex Britte			33 90
" " " Mrs P A Mayett			67 80
" " " Bauch & Ferguson			16 17
" " " Wm Porter			30 66
" " " Rob Barnes			38 52
" " " Beaton & Harrison			21 96
" " " James T Hill (on bond)	130		165 00
" " " Mrs P A Mayett			20 60
			2073 40

Amt Carried over

Is amt brot over	$ 207340
" paid Charles Vann	124
Total amount debts paid	$ 207464

Respectfully Submitted
James R Joyner
Comr.

Commissioner's Office,
Jerusalem, Septmbr 15th 1870.

To the Circuit Court of Southampton County;

Pursuant to a Decree of the Circuit Court of Southampton rendered at the May Term 1870 the Undersigned one of the Commissioners of the said Court to whom was referred for Settlement by said Decree; 1st "An account of the transactions of Richard L. Bryant as administrator of Thomas Everett dec'd. 2nd An account of all debts and demands due by said decedent or his Estate and their priority; 3rd An account of the real Estate of which said Thomas Everett died seized and possessed, and its fee simple and annual Value, and 4th to report of any Matters deemed pertinent by himself, or that any one interested may require to be so Stated: Reports to the Court that on the 1st day of June last he issued Notices against the Several parties requiring them to attend the Settlements of the said accounts before him at his said Office, on the 19th day of July last, which were returned to your Commissioner duly executed. That the parties appeared before the Commissioner in Obedience to the said Notices, and he thereupon examined the Vouchers, Stated and Settled the foregoing accounts. Account 1st Shows a balance of ($ 4896.18) due after deducting the expenses of administration. Account B. Shows a balance of ($ 4107.94) due the Estate with interest on ($ 3496.97) part thereof from Sept. 1st 1870, till paid. Account "C." Shows the amount of debts and demands outstanding against the said Estate to be ($ 4737.77) including interest to the 1st September 1870. and Account "D." Shows the amount paid on by Richd. L. Bryant adm. of Thomas Everett dec'd. ($ 207464. including the expenses of administration to be ($ 2074.64.) The Commissioner deeming it pertinent reports Specially to the Court, That Thomas Everett died Seized & possessed of a tract of Land in Southampton County, Containing Eighty acres, which was Sold under an Order of this Court rendered at the Term 1867 in the Suit of Majett adm. vs Everetts adm's returns

for the Sum of ($330.00) That the said Thomas Everett also died Seizd and possesd of Real Estate in the State of North Carolina to what amount or Value, your Commissioners are not able to ascertain. The Commissioners further reports to the Court that after the Completion of the said Account, he retained the same in his Office ten days for the Examination of the parties, which with the Decree and Notices aforesaid, are herewith returned.

Given Under my hand as Commissioner aforesaid, the day and year first aforesaid.

James R. Tyler,
Commissioner

Commissioners fee $40.00
Charged to James J. Jordan

The Commissioner would further state, that Thos Everett also died. Seizd & possesd of a tract of land in Southampton County containing 240 Acres more or less the absolute value of which is $400. dollars, and the Annual Value is $25. dollars

Jas R. Tyler
Comr

Darden for $
To } Stat: Rules

Everetts adm $

1870 Nov

Clerk	$ 15.27
Shff Bragg	10.00
Com Tyler	40.00
Law $	50.50
Printer	7.50
	$ ~~123.27~~
	$ 123.27

In Southampton Circuit Court.

James I Darden who sues for the benefit and at the costs of Cornelia E. Britt & Mills H. Britt and for all other Creditors of Thos Everett dec'd who may make themselves parties to this suit on the usual terms.

against

Richard L Bryant, as admr. of Thos Everett dec'd Amos S Pope, George H Darden, Richard Barrett & Martha his wife, James Hill & Elizabeth his wife & Abner Carter & Sally Ann his wife

1869 Decr 15 Summons &c issued.
1870 Jany. Rules — " not. Ex'd Alias Sums awarded
" Feby " — Sums. ret'd Executed on all the Defts except Carter & Wife — Bill filed —
D. Nisi v. all the Defts except Carter & Wife. Or. Pub. v them —
" Mar. R. Bill taken for Confessed as to all the Defts except Carter & Wife
" Apr'l " Cause set for hearing as to all the Defts " " "

" May 7. Order for account. &c
" Nov. " Decree for Plff. &c
" " " another decree &c

1872. May. Cause removed fr. Docket