1868-001 WILLIAM M JONES ETC VS ADMR. OF DEMPSEY L. SUMNER 1868

NANSEMOND COUNTY
(SUFFOLK)

CHANCERY CAUSES

SURNAMES: LAURENCE, EVERITT, BOON,

Costs

Clerk	$15.00
Atty	31.00
Sheriff	2.00
Comm	25.00
" to depositions	4.80
	$77.80

Cook's

Martha C Summer aged 33 years

Adelia E Summer aged 11 "

Etta M Summer aged 8 "

Mary E Summer aged 5 "

Denley L Summer aged 2 "

Decm 21st 1866.

I. R. Kelly Esqr:

Enclosed you will find a bond against the Est of D. L. Summer dec'd due the Est of Mrs S. Darden dec'd. Also an account against the Est: of Mrs Nash, of I, due the Est: of I. S. Haslett dec'd. I presume you are the Comm'r and will attend to the settlement as far as may be allowed.

If any proof of Haslett claim is required, it will have to be obtained by proving the hand-writing of Wm Haslett dec'd who made up the account.

Respectfully yrs

A. H. Jones.

Lamme & Noblet v. D. L. Summer note #155.68

Date 1 Jan 1860 due one day after Date

Lamme & Noblet v. Do. note #168.62

Dated 1 Jan 1859 due one day after Date

Ct. — 1859 29 apl #25.

1860 Feb 2. #75.11

Lamme & Bro. v. Do. note #64.00

Dated 1 Jan 1859 due one day after date

Wm R. Lamme aut. v. Do #122.00

Ret'd 14 apl 1862

W. R. Laurence

v.

D. L. Sumner

With intrest from date I—
Promis to pay or cause to be paid
unto William Howell or order
the Just Sum of Seventeen —
Dollars and Seventy two cents
for value recved of him as
witness my hand and Seal this
the 9 day of May 1861
wings

Dempsey Lsumner (Seal)

D. Lummus

Note $17.72
6.77
2444

NANSEMOND COUNTY, To-Wit:

YOU ARE HEREBY COMMANDED TO SUMMON R C Everill Adm of D L Summerell to appear before me or some other Justice of the Peace for the said County, at my home on the 1st day of December 1865. to answer William Howell of a plea of debt, for Seventeen dollars and Seventy two cents, due by Note and then and there make return how you execute this warrant. Given under my hand and seal, this 25th day of November, 1865.

SUMMON:

A. H. Jones J. P.

To WM. HOWELL, Constable to Execute.

On hearing the parties JUDGMENT is granted the Plaintiff against the Defendant for Seventeen dollars and 72 cents, with interest from the 9th of May 1861. till paid and costs. Given under my hand and seal, this 25th day of November 1865.

Principal, - - - $

Interest, - - -

Cost, - - -

Commissions, - -

$

A. H. Jones J. P.

LEVY on the Goods and Chattels of the Defendant to satisfy the above Judgment and costs—Given under my hand and seal, this day of 18

J. P.

William Arnold

Vs. } Warrant.

R. C. Everett adm.

18.91

1868 apl 20 Recd. of R. G. Everett Com
r. Eight dollars and ninety one cents
amo. of dividend from D. L. Jennis
Estate.

Wm H Howell

Wm Stones
Rect.

Dempsey L. Summer –

Mowr Martha C – aged 33

children

Adelia 8 yrs old

Etta Maria – 5 " "

Mollie 3 " "

Dempsey 2 " "

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Nansemond County—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON Robert C. Everitt, administrator of Dempsey L. Sumner deceased, and Martha C. Sumner (widow) and Adelia, Ella Maria, Mollie, and Dempsey Sumner, the last four being Infants and Wiley Boon and Pinky Boon—

to appear at the clerk's office of our Circuit Court for the County of Nansemond, on the first Monday in March— next, 1866, being rule day, to answer a supplemental bill in chancery, exhibited against them by William M. Jones, who sues for himself and all other creditors of Dempsey L. Sumner deceased

and unless they shall answer the said bill by the next rule day thereafter, the Court will take said bill for confessed, and decree accordingly.

And have then there this writ. *Witness*, PETER B. PRENTIS, Clerk of our said Court, at his Office, this 17th day of February— 1866, and in the 90th year of the Commonwealth.

Peter B. Prentis. Clerk.

☞ The sheriff will, in his return, note the day on which this process is executed on each defendant.

Kelly. p.q

William M. Jones,
who sues &c
vs
Sum.s in Chy:

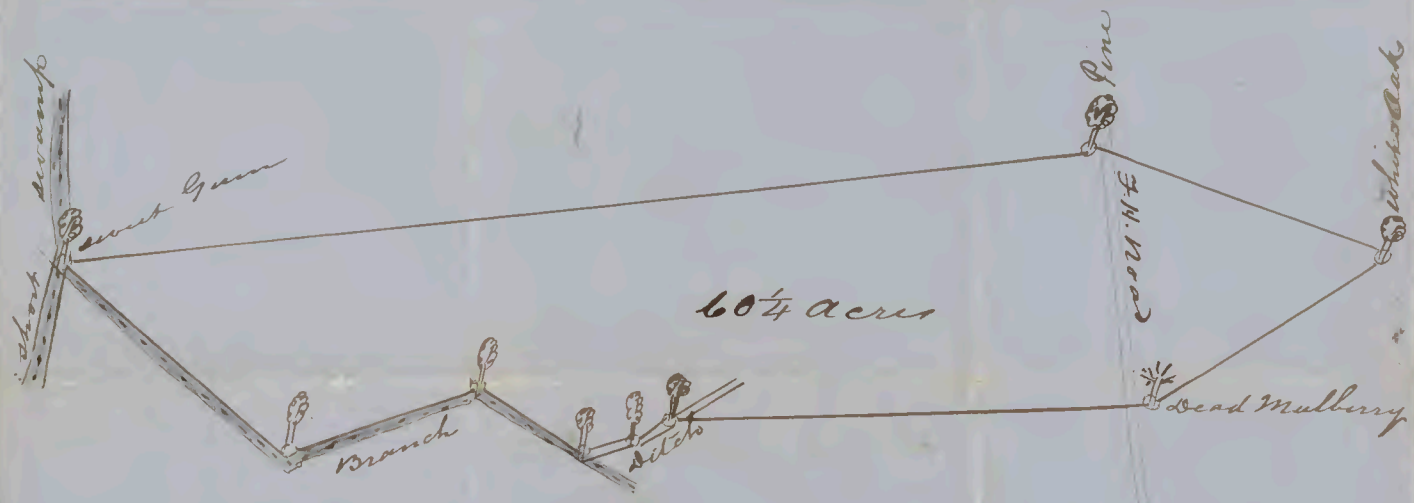
Robert C. Everett
admr. of Dempsey
L. Sumner decd &al:

In March Rules 1866.

(pro: b: no: 1. p: 31)

Executed March 1st and a copy hereof delivered to each Defendant.

Wm Kay Sh



The above plat represents Sixty ¼ acres of land purchased by Dempsey S. Summer from Dixon A. Adkins and wife.
Surveyed the 7th day of August 1856.

By A. A. Jones Surv.

125
60
375
215
600

408
108
300

Dempsey S. Summers

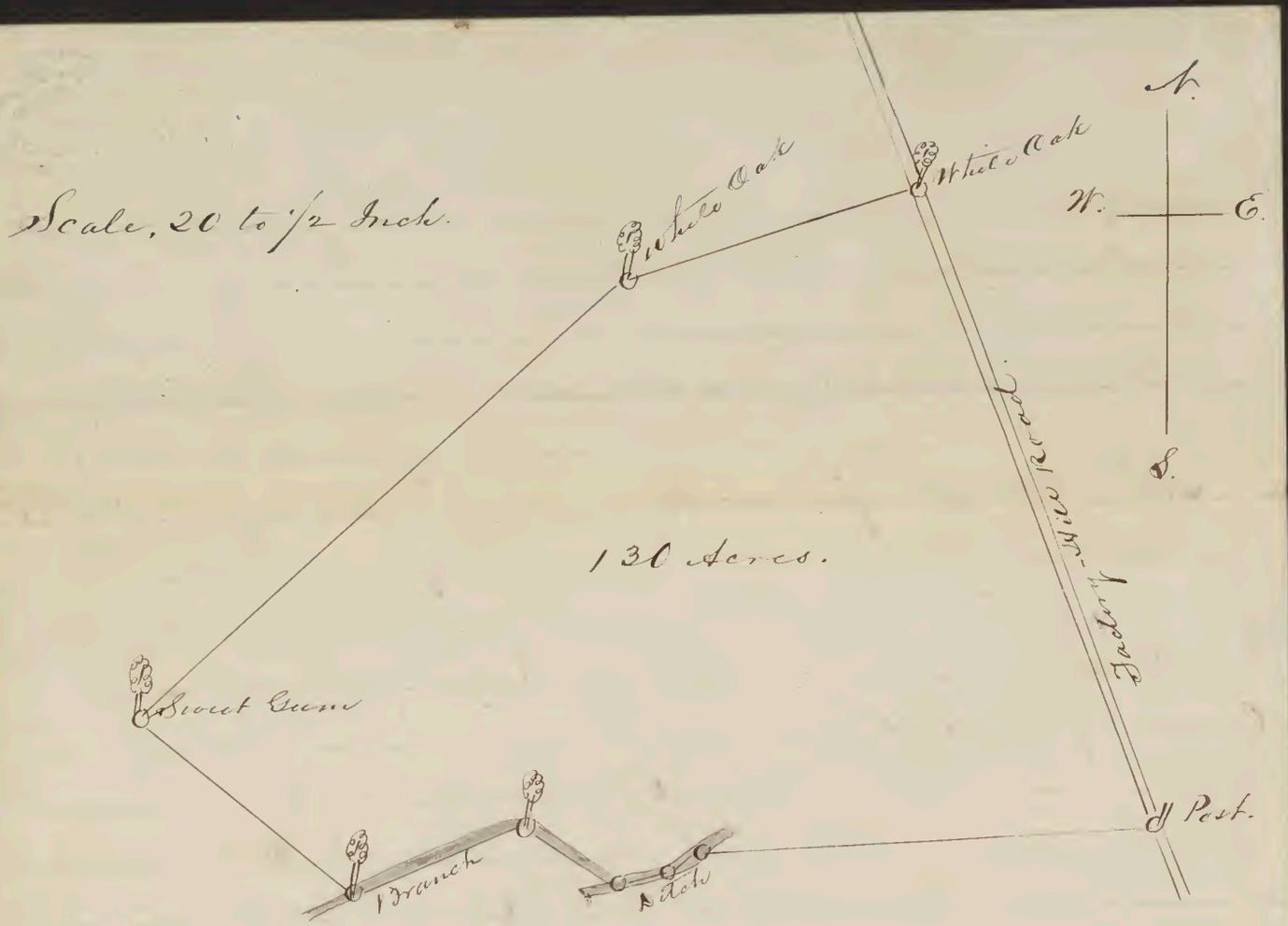
Plat

60/4 acres

1724 63

231 4111

231 422



In Obedience to a decree of the Circuit Court held for Nansemond County, the 17th day of April 1866, we the undersigned, Commissioners mentioned in said decree, for purposes therein named; proceeded on the 15th day of August 1866, to set apart and assign to Martha C. Sumner, widow of Dempsey A. Sumner dec'd, as her dower for life, one third part, in value, of the lands of which said deceased died seized and possessed, Composed of two tracts, to wit, The "Home Tract", Containing Three hundred and eighty five acres, valued at Twenty four hundred dollars. the "Old place" Containing Two hundred acres, valued at Six hundred dollars; Which dower lands are marked and bounded as follows: Beginning at a post standing on the Factory Hill road, thence along said road N 17° W 185 poles to a white Oak, thence S 75° W 69.5 poles to a white Oak, thence S 50° W 150 poles to a sweet gum a Corner on D. A. Holland, thence S 48½° E 62 poles to a branch, thence up said branch N 71° E 44 poles to a ditch thence along said ditch N 72° E 20 poles, thence N 89° E 102 poles to the first station, Containing One hundred and

At a Circuit Court held for Nansemond County, the 17th: day of April 1866.

William M. Jones, who sues for himself and all other creditors of Dempsey L. Sumner deceased . . Complainant.

Against } In Chancery

Robert C. Everitt, administrator of Dempsey L Sumner deceased, and Martha C. Sumner (widow) and Adelia, Etta Maria, Mollie and Dempsey Sumner, the last four being infants and Wiley Boon and Prudy Boon. . . . . Defendants.

This cause came on this day to be heard on the Complainants bill, taken for confessed at the rules as to the adult defendants except Prudy and Wiley Boon, and on the exhibits filed therewith, and on the answer of the infant defendants, by Peter B. Prentis, their guardian ad litem and on the answer of said Prudy and Wiley Boon, and on replication to said answers, 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 Robert C. Everitt. administrator of Dempsey L. Sumner deceased.

2nd: An account of the plaintiff's and all other debts and demands against the said decedent or his estate and their priority

3rd. An account of the quantity, description and annual and fee simple value of the real estate of which said Intestate died possessed subject to the dower of his widow-

4th: That he report the facts as to the sale by the intestate of lands to the said Prudy Boon and Wiley Boon- All of which he will report to Court with any matters specially stated, deemed pertinent by himself or which any of the parties may require to be so stated.

And the Court doth further adjudge, order and decree that Adolphus F. Jones, Edward Howell (of M.) Edward Howell (of E.) and Patrick H. Lee, or any three of them proceed to set apart

and assign for life to Mrs. Martha C. Sumner, widow of said deceased, one third part of said lands, having regard to quantity and quality as and for her dower in the same, and make report to Court.

A copy:
Teste,
Peter B. Prentis. Clerk.

Wm. M. Jones, who sues &c
vs
Geo. Deane Admr &c Penn
1866.
Robert C. Gwathmey, adams;
& Benjamin L. Summers, did
&c.

X-md

thirty acres, more or less; also reserving four acres, now enclosed opposite the dwelling, on which the barn, stables and other houses are situated, for the use of said dower. And the said Martha C. Sumner shall have the privilege to obtain from the residue of said lands on the "Home Tract", firewood and rail-timber for the use and benifit of said dower only.

Respectfully submitted.

Cost.
Commrs. fee $4.50

Adolphus A. Sower.
Edward Howell } Commrs.
P. G. Lee

Comm^{rs}. report on the
Dower of $\frac{1}{3}$
Martha C. Sumner.

Filed 12th Sept: 1866

Mr. Dempsey L. Summers, Est.

1866. To WM. ELEY, Sheriff of Nansemond Co. Dr.

To	Capitation Tax, 28 cents,		
"54 7/4	Acres of Land, val. $ 2678,50	3	76
"	Ditto for county,	1	88
"	County Levies at $2 50, Parish do. 70 cts.		
"	Rev. on personal property, bonds, &c.		
"	Ditto for county,		
"	Clerk's Fees,		
"	Commissioner's Fees,		
	Received payment,	$ 3,	64

Wm Eley Sh'ff

Est,

Dennis & L. Summer

$3,64

Mrs Martha C. Lummus — & Company's Est.

1867. **To WM. ELEY, Sheriff of Nansemond Co.** Dr.

To	Capitation Tax, 60 cents,		
"	547¼ Acres of Land, Val. $ 2678.50	8	03
"	Ditto for county, 2'01 + 1'33	3	34
"	County Levies at $2 50, Parish do. 60 cents		
"	Rev. on personal property, bonds, &c		57
"	Ditto for county, 13 + 9		22
"	Clerk's Fees		
"	Commissioner's Fees,		
	Received Payment,	$12	16

Wm Eley

..... *Sheriff.*

Summer M. 6 & 20. L. E. A

$12.10
5.64

17.74

$5
Attala

At a Circuit Court held for Nansemond County
the 11th day of October 1867

William M. Jones, who sues for himself and
all others Creditors of Dempsey L. Sumner dec'd
and
Complainant

against

In Chancery.

Robert C. Everill, Administrator of Dempsey
L. Sumner deceased, and Martha C. Sumner
(widow) and Adelia, Etta Maria, Mollie
and Dempsey Sumner, the last four being
infants, and Wiley Boon and Trudy Boon Defendants.

This cause, came on this day, to be again heard on the
papers formaly read and on the Reports of Robert C.
Everill and of Peter B. Prentis, severally made pur-
suant to the decree of the 13th day of October 1866. to
which reports, no exceptions have been filed, and
was argued by Counsel: On Consideration whereof
the Court, doth confirm the said Reports, and doth
adjudge, order and decree that Robert C. Everill
Commissioner as aforesaid, receive of the Clerk of
this Court, (who will deliver the same to him) the
Bonds of P. H. Lee & Wm. H. Jones and James R. Jones, for
One thousand three hundred and sixteen dol-
ars and fifty nine cents, and of W. M. Jones and
P. H. Lee for Six Hundred and fifty dollars and
Eighty five cents and collect the same with all
interest due thereon, and which sums, together
with the sum of Two hundred and three doll-

ars and nine cents, now in said administra-
tors hands, as appears by account No 1 of Com
missioners Picnics report, made up under decree of
of the 17th day of April 1866. he the said Robert
C. Everitt proceed to pay any costs remaining
unpaid and then pay the Balance, ratably to the
several Creditors of Dempsey L. Sumner deceased,
as appears by account No 2. of said last named
Report, and make Report to Court, and that the
said Robert C. Everitt as Commissioner aforesaid
said execute Deeds to the purchasers for the
real estate sold under proceeding had in
this cause, with special warranty, in the
usual form, and report to Court.

Costs

Comm'r $5—

A Copy,
Test,
Peter B. Prentis. Clerk.

10 mo: 26. Genl. rule Sheriff to
Pay Co: Order
Mcnulsey & L. Sumners Admrs
Sale

In the Circuit Court of Nansemond County.

The Undersigned, Ro. C. Ferrill, Comr. respectfully reports to Court, That pursuant to the decree of the 14th day of October 1867, made in the cause of Wm M. Jno, &c. against Ro. C. Ferrill admr of Dempsey L. Summs dec'd. &c., he has received of the Clerk of this Court the Bonds of P. H. Lee &c. &c. for $1316.59 & of W. M. Jno, &c. for $650.85, and has collected the same, and has made to each of said parties, Deeds for the land purchased by them respectively, with special warranty in the usual form, and together with the sum of $203.09 in said Ro. C. Ferrill's hands as the admr. of said deceased has paid over to the parties entitled thereto, as the following statements will show — to wit.

By amount of Bond due by P. H. Lee &c. &c.		$1316.59
" Interest from the 10th Dec. 1866 to 1st Jan. 1868	83.38	
		$1399.97
" amo. of Bond due by Wm M. Jno, &c.	$650.85	
" Int. from 10th Dec 1866 to 1st	41.21	$692.06
By amo. in the hands of Ro. C. Ferrill admr. of Dempsey L. Summs.		203.09
		$2295.12
To paid P. B. Prentis Comr. Fee	$5.00	
" " Taxes not before charged	17.70	
" " Rev. R. H. Mallard, funeral charge	5.00	
" " Jno. R. Kelly, for his attys fee	50.00	77.74
Balance to distribute —		$2217.38

By amo. brt. m $2217.38

Pd Wm M. Jones pro rata share per acct.	$420 81
" " Same "	77 36
" " Dixon H. Holland "	167 97
" " J. Edward Howell "	13 04
" " Isaac Lee "	46 96
" " Richd. L. M. Everett "	98 96
" " P. N. Lee "	289 52
" " Same "	142 94
" " James McKee "	3 10
" " Same "	1 65
" " Robt. C. Everett "	5 78
" " Edwin Smith "	13 18
" " Arthur E. Hall "	4 03
" " Jno. O'Berry "	11 82
" " Wm Howell "	8 91
" " J. M. Everett "	19 50
" " Andr. J. Raby "	588 47
" " Sally Dixon "	6 2½
" " Thos. H. Crisp "	10 16
" " Fredk H. Holland "	108 96
" " Wm R. Laurence "	208 04
	$2217 38

Respectfully submitted
Robt. C. Everett } Com.

Statement showing how the sum of $2217.38 in annexed Report has been paid & pro rata and total amount due each creditor and receipts for the same

1865 Jan. 1st Rec'd of Ro. C. Everett Com'r the several sums set off to the our names, as our respective shares of the same.	Pro Rata share		whole amt.
R. C. Everett	$	8 78	
John R. Kelly for P. H. Lee	289	52	
John R. Kelly for P. H. Lee	142	94	
John R. Kelly for and P. Raby	338	47	
John R. Kelly for Wm. M. Jones	498	17	
John R. Kelly atty for Wm N. Holland	167	97	
John R. Kelly atty for Isaac Lee	46	96	
John R. Kelly atty for R. L. M. Everett	98	96	
John R. Kelly atty for Jas McKee	4	75	
John R. Kelly atty for Wm Smith	13	18	
John R. Kelly atty for J. W. Everett	19	50	
John R. Kelly atty for Thos. H. Crisp	10	16	
John R. Kelly atty for D. H. Holland Jr.	108	96	
John R. Kelly atty for Wm R. Jamison	208	04	
A E Hall.	4	03.	
R. C. Everett	5	78	
John Oberry	11	82	
John R. Kelly for Sallie Davis	6	22	

Wm. M. Jones &c.

vs } Rel. of Payments

D. L. Summers, admr

&c

1868. Apl. 16th Filed.
clk.

Rec.d Dec 10th 1866 of Ro. C. Ewell Adm.r of Dampsey L. Summer dec.d Five dollars for Funeral Serving

R. H. Holland

Commissioner's Office, Suffolk Va:
July 26th: 1866

3

To The Honorable Richard H. Baker Judge
of the Circuit Court of Nansemond County:

Your Commissioner, to whom was referred the decree of the 17th: day of April 1866, in the Chancery Cause of Wm: M. Jones who sues &c vs Robert C. Everitt, Admr: of Dempsey L. Sumner decd &c, begs leave to report, that on the 20th day of July 1866, having given notice previously to the parties interested, which was duly acknowledged, he proceeded to state the several accounts directed to be taken by the aforesaid decree. That upon a statement of the transactions of Robert C. Everitt, Admr: of Dempsey L. Sumner deceased, your Commissioner ascertains a balance of $203:09c to be due by the said Admr: to the said Estate, with interest thereon from the 9th: day of October 1866, till paid, as shewn by accompanying Acco: No: 1—

That by accompanying Acco: No: 2 the total liabilities and debts due by Dempsey L. Sumner and his Estate, amount to $4879:85c the interest being computed on said Claims to the 12th: day of October 1866.

That by accompanying Acco: No: 3, the fee-simple value of the Real Estate, whereof Dempsey L. Sumner died possessed, subject to the dower of his widow, is ascertained to be $2100, and the annual rental or value to be $140 —

That by accompanying Acco: No: 4, it will be shewn, that Wiley Brown is entitled to have his title

confirmed in the land which he purchased from the intestate and paid for: and, that Prudy Boen, on the payment of $62.25: with interest from the 1st: day of Jany: 1866, is entitled to a Deed for the land, which she purchased from the intestate.

All of which with the copy of the decree, notice, affidavit of the value of the Real Estate, and the several accounts Numbered, 1.2.3 & 4. respectively, are respectfully submitted.

Given under my hand, as Commissioner in Chancery for the Circuit Court of Nansemond County, the day and year first aforesaid.

Peter B. Prentis
Commr

Commrs: fee $1

At a Circuit Court held for Nansemond County, the 17th: day of April 1866.

William M. Jones, who sues for himself and all other creditors of Dempsey L. Summer deceased. . . . . Complainant

Against &c Bill Chancery

Robert C. Everitt, administrator of Dempsey L. Summer deceased, and Martha C. Summer (widow) and Adelia, Etta Maria, Mollie and Dempsey Summer, the last four being infants and Wiley Boon and Prudy Boon. Defendants.

This cause came on this day to be heard on the Complainant's bill, taken for confessed as the rules as to the adult defendants, except Prudy and Wiley Boon, and on the exhibits filed therewith, and on the answer of the infant defendants, by Peter B. Prentis, their guardian ad litem and on the answer of said Prudy and Wiley Boon, and on replication to said answers, 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 Robert C. Everitt, administrator of Dempsey L. Summer deceased.

2nd: An account of the plaintiffs and all other debts and demands against the said decedent or his estate and their priority

3rd. An account of the quantity, description and annual and fee simple value of the real estate of which said Intestate, died possessed subject to the dower of his widow—

4th: That he report the facts as to the sale by the intestator of lands to the said Prudy Boon and Wiley Boon— All of which he will report to Court with any matters specially stated, deemed pertinent

by himself or which any of the parties may require to be so stated.

And the Court doth further adjudge, order and decree that Adolphus H. Jones, Edward Howell (of Wm.) Edward Howell (of E.) and Patrick H. Lee, or any three of them proceed to set apart and assign for life to Mrs. Martha C. Summers widow of said deceased, one third part of said lands, having regard to quantity and quality as and for her dower in the same, and make report to Court.

A Copy:

Teste,

Peter B. Prentis. Clerk.

1 Com: Rl. Jones, Wm. Sucd &c

To Co: Orders Aprl Term 1866

Robert C. Everett, Attorney

for Courtney L. Summers Adl &c:

xiii

Commissioner's Office,
Suffolk, Va., June 8th: 1866.

To-William M. Jones, who sues for himself and all other creditors of Dempsey L. Sumner deceased. . Complainant.

And to

Robert C. Everitt, administrator of Dempsey L. Sumner deceased, and Martha C. Sumner (widow) and Cordelia, Etha Manica, Mollie and Dempsey Sumner, the last four being infants and Wiley Boon and Rudy Boon. Defendants.

You are hereby notified that I have fixed upon Friday the 20th: day of July next, to take and settle at my office the following accounts. First: An account of the transactions of Robert C. Everitt, administrator of Dempsey L. Sumner deceased. Second. An account of the plaintiffs and all other debts and demands against the said decedent or his estate and their priority. Third. An account of the quantity, description and annual and fee simple value of the real estate of which said intestate died possessed subject to the dower of his widow. Fourth: An Account or report of the facts as to the sale by the intestate of lands to the said Rudy Boon and Wiley Boon.

Which accounts are required to be taken by the decree of the Circuit Court of the County of Nansemond rendered on the 17th: day of April 1866. in a suit in Chancery depending in said Court, in which you are parties Complainant and defendant: at which time and place you are required to attend.

Given under my hand as Commissioner in Chancery of the Circuit Court of Nansemond County, the day and year first herein aforesaid.

Peter B. Prentis. Comm'r.

Due service of this notice is acknowledged
June 9th 1866.

John R. Kelly atty
for plt. & defts.

Commissioner's Office.
Suffolk. Va: July 26th: 1864

William M. Jones, who
sues &c
vs
Robert C. Everitt, Admr:
of Dempsey L. Sumner dec'd &al:

This day Robert C. Everitt, being duly Sworn, says that he is well acquainted with the lands of which Dempsey L. Sumner died possessed, and that he considers the fee-simple value thereof, subject to the dower of his widow, to be Two Thousand & One Hundred Dollars ($2100) and the annual or yearly rent thereof - - - $140:00

(Signed)
Robt. C. Everett

Sworn To before me, in my Office, the day & date above
Peter B. Prentis. Commr

(Acco: No: 1)

Dr: The Estate of Dempsey L. Sumner deceased.
In account with Robert C. Everitt Admr. Cr:

1865. Octo: 9	(Admr: qualified)					
" " "	To paid U.S. & State Tax on qualifying	$	3	00	"	"
" Nov: 13	" do U.S. Direct Tax on land, pr: rect		6	72	"	"
" " 23	" " A.H. Jones, appraiser & Clerk at sale	do	4	00	"	"
" " "	" " Burwell R. Smith, Crier	"	5	00	"	"
" Decr: 23	" " Jno: R. Kilby, Atty:	"	5	00	"	"
1866. Jany: 29	" " Arthur E. Hall, for Coffin &c	"	20	00	"	"
" Feby: 13	" " Edw^d Howell (of M) appraiser	"	1	00	"	"
" " 20	" " J. W. Everitt do	"	1	00	"	"
" " "	" " Wm: Eley, Shff: land Tax for 1865	"	5	36	"	"
	By Amo: of Acco: Sales . . .		"	"	$ 273	07
" July 27	To paid Peter B. Prentis, Clerk's fees for admin^n, recdg: bond &c; recdg: Filing Inv: & Apprsmt: & recdg: Filing Acco: Sales . . . pr: rect		5	25	"	"
	" Commissions @ 5 pr: Ct: on $273:07 . .		13	66	"	"
" Octo: 9	" This sum bal: acco:		203	09	"	"
		$	273	07	$ 273	07
1866. Octo: 9	By Bal: due Estate brot: down		"	"	$ 203	09

(Acco: No: 2)

An account of the Plaintiffs and all other Debts and Demands against Dempsey & Sumner deceased or his Estate, and their priority.

First Class. None

Second Class. None

Third Class None

Fourth Class

Creditors Attys:	To Wm: M. Jones	Bond	$1000	00		
Kilby	" int fm: 29th: April 1859 to 23d: Feby: 1860		49	00		
			$1049	00		
	Cr: 23rd: Feby: 1860		49	00		
			$1000	00		
	" int: fm: 23rd: Feby: 1860 to 7th: Jany: 1861		52	33		
			$1052	33		
	Cr: 7th: Jany: 1861		230	00		
			$802	33		
	" int: fm: 7th: Jany: 1861 to 12th Octo: 1866		277	45	$1079	78
Kilby	To Wm: M. Jones	Bond	$203	37		
	" int: fm: 23rd: 1856 to 23rd: Feby: 1860		40	67		
			$244	04		
	Cr: 23rd: Feby: 1860		73	53		
			$170	51		
	" int: fm: 23rd: Feby: 1860 to 13th Jany: 1865		50	09		
			$220	52		
	Cr: 13th: Jany: 1865		41	00		
			179	52		
	" int: fm: 13th: Jany: 1865 to 12th Octo: 1866		18	85	$198	37
	Carried forward				$1278	15

Creditors Allo:	Brot: forward						1278 15
Kilby	To Dixon H. Holland	Bond	293	00			
	" int: fm: 14th: Decr: 1858 to 12th: Octo: 1866		137	71		430	71
Kilby	To J. Edward Hoxell	Bond	25	00			
	" int: fm: 23rd: Feby: 1861 to 12th: Octo: 1866		8	46		33	46
Kilby	To Isaac Lee	Bond	111	42			
	" int: fm: 7th: June 1861 to 12th: Octo: 1866		9	00		120	42
Kilby	To Richard L. M. Everett	Bond	200	00			
	" int: fm: 19th: April 1862 to 12th: Octo: 1866		53	75		253	75
Kilby	To P. H. Lee	Bond	750	00			
	" int: fm: 29th: June 1860 to 27th: Decr: 1862		112	25			
			862	25			
	Cr: 27th: Decr: 1862		175	00			
			687	25			
	" int: fm: 27th: Decr: 1862 to 12th: Octo: 1866		138	40		743	65
Kilby	To P. H. Lee	Bond	400	00			
	" int: fm: 27th: Janr: 1860 to 27th: Decr: 1860		22	00			
			422	00			
	Cr: 27th: Decr: 1860		150	00			
			272	00			
	" int: fm: 27th: Decr: 1860 to 12th: Octo: 1866		94	52		366	52
	Carried forward					3226	66

Cestui's atty:	Brot: forward						3226	66
Kilby	To James McKee	Due bill		6	00			
	" int: frm: 1st: May 1861 to 12th: Octo: 1866			1	96		7	96
Kilby	To James McKee	Due bill		3	25			
	" int: frm: 3rd: June 1861 to 12th: Octo: 1866			1	00		4	25
Kilby	To Ro: C. Everett	acct:		14	00			
	" int: frm: 12th: Octo: 1865 to 12th: Octo: 1866				84		14	84
Kilby	To Edwin Smith	Bond		27	00			
	" int: frm: 1st: March 1861 to 12th Octo: 1866			9	12		36	12
Kilby	To Arthur E. Howell	acct:		8	00			
	" int: frm: 1st: Jany: 1862 to 12th Octo: 1866			2	34		10	34
Kilby	To John Oberry	acct:		23	50			
	" int: frm: 1st: Jany: 1862 to 12th Octo: 1866			6	85		30	35
Kilby	To Wm: Howell	Judgment on Bond		17	72			
	" int: frm: 9th May 1861 to 12th Octo: 1866			5	75			
		Costs			49		22	87
Kilby	To J. W. Everett	acct		35	00			
	" int: from 1st: Jany: 1859 to 12th Octo: 1866			15	00		50	00
Kilby	To Andrew J. Raby, gdn: of P. F. Dake and others	Bond		1028	65			
	with Dexter H. Holland & defendt secys: for Chas E. Sumner							
	" int: frm: 16th Feby: 1860 to 12th Octo: 1866			421	75		1450	40
							4853	79
Kilby	Thomas H. Croft	13 ind		21	25			
	int: frm: 28th Decr: 1861 to 12th Octo: 1866			5	81		26	06
	Total Debts						4879	85

(Acco: No: 3)

An account of the quantity, description and annual and fee-simple value of the Real Estate of which Dempsey L. Sumner died possessed, subject to the dower of his widow.

A Tract of Land, in the Upper Parish of Nansemond County, containing Five Hundred and forty-three (543) acres more or less, adjoining Hardy Cross' Estate, Exum Jenkins' Estate, Wm: Davidson & others: which land is divided into several parcels and purchased of different parties.

The fee-simple value of which subject to the widow's dower is ..... $2100.

" annual do do do ..... $40.

" fee-simple " " unincumbered is $3300

(See deposition of Ro: C. Everett filed with this report.

Commr:

(Acco: No 4)

Shewing the facts relative to the sale, by the intestate, (Dempsey L. Sumner) of certain Lands to Prudy Boon and Wiley Boon

Your Commissioner reports from satisfactory information, that the intestate sold to Wiley Boon, Twenty-three (23) acres of land, which had been fully paid for, and had executed a deed for the same, which was not recorded, but filed in the Clerk's Office & destroyed by fire, on the 7th: day of February 1866. That Wiley Boon occupies the land, has built a house thereon & is cultivating the same, and that in the opinion of your Commissioner he is entitled to have his title to said land confirmed.

That Prudy Boon purchased of the intestate thirty-one (31) acres of land for $172:25- and paid him $112:00 part thereof: that she entered on the land and built a house, & is cultivating the same, and, is, in the opinion of your Commissioner entitled to a Deed for the same on the payment of $62:25- balance of the purchase money, with interest from the 1st: day of January 1866.

Commr

Wm: M. Jones, who
sues &c
vs
Comm'rs: Report.

Robert C. Everett, admr
&c. &al:

1866
July 26th. Completed &
filed in my Office.
Peter B. Prentiss.
Comm'r.

1866. Aug: 12th. filed
CK.

On demand I promise to pay unto Frederick W Holland or his order the sum of Two Hundred dollars in Paying for Calves Rec'd of him. This 1st day of March 1860

Dempsey L Dutcher

$200.

Int from 1st March 1860
to 2 Oct 1866 — 79.40

$279.40

Dempsey Z Summers

To Bond $200

One month after date I promise to pay or cause to be paid unto Miss Sally Gardin the just and full sum of Eleven dollars it being for value received this the 24 day of December 1860

Dempsey J. Summer

Int 672 Oct 1866 ——— $11.00
4.98
15.98

D. L. Jessup

to

Sally Lander

not reported or
to be allowed

Virginia - At Rules held in the Clerk's Office of the Circuit Court of Hanover County, on Monday the 5th: day of March 1866.

William M. Jones, who sues for himself and all other creditors of Dempsey S. Summer deceased . . . Complainant

against } In Chancery

Robert C. Everett, administrator of Dempsey S. Summer deceased, and Martha C. Summer (widow) and Adeline, Ella Maria, Mollie and Dempsey Summer, the last four being Infants and Wiley Boon and Rudy Boon, Defendants

On the motion of the Complainant, by Counsel, Peter B. Prentis, is appointed Guardian ad litem to defend the infant defendants in this suit, and it is ordered that notice be given the said guardian of his appointment, by serving on him a copy of this order.

Teste,

Peter B. Prentis. Clerk

1866. March 5th: I acknowledge service of this order and that I have received a copy hereof.

Peter B. Prentis.
gdn. ad litem

10m: M. Jones, &c

Vs } Or: a/p/t 9: 9 dec: ad litem

Ro: C. Everett, admor: of Dempsey L. Sumner decd &c:

At a Circuit Court held for Nansemond County the 13th. day of October 1866

William M. Jones, who sues for himself and all other creditors of Dempsey L. Sumner deceased Complainant

against

Robert C. Everett, administrator of Dempsey L. Sumner deceased and Martha C. Sumner (widow) and Adelia, Etta Maria, Mollie, and Dempsey Sumner, the last four being infants, and Wiley Boon and Prudy Boon . . . . . Defendants

This cause came on this day to be heard on the papers formerly read and on the report of Commissioner Peter D. Fountis and on the report of Adolphus H. Jones, Edward Howell (of M) and P. H. Lee, made pursuant to the decree of the 17th day of April 1866, to which reports no exceptions has been filed and was argued by Counsel: On consideration whereof the Court doth Confirm the said reports, and doth adjudge order and decree that Robert C. Everett who is appointed a Commissioner for that purpose, proceed to sell at auction before the Court House door of Nansemond County on some County Court day (subject to the dower therein of Mrs Martha C. Sumner as now laid off) the lands whereof Dempsey L. Sumner died seized and possessed containing in all five hundred and forty three acres more or less and adjoining the lands of Hardy Crafts' estate, Exum Jenkins' estate Wm Darden and others, and consists of several parcels, on a credit of twelve months with interest from date, except for a sum sufficient to pay costs of such and expen-

ses of sale, which will be cash. the sales to be made in such parcels as the said Robert C. Everette may think best to promote the interests of all parties, and after having given at least three weeks notice of such sale by advertisement at the Court House door of said County and at six other public places in said County. The purchasers to give bonds and good security and the title to be withheld till the order of Court. and return said bonds and make report to Court: But before any sale shall be made under this decree the said Robert C. Everette shall execute before the Clerk of this Court in his office, a bond in the penalty of Twenty Five Hundred Dollars. payable to the Commonwealth of Virginia. and conditioned for the faithful execution of the duties required of him under this decree, or that may be required of him under any future order or decree made in this cause. and this ordered that a Commissioner of this Court. state and settle a further account of the transactions of said Robert C. Everette as administrator of Dempsey L. Simmons, deceased; and make report to Court, of any matters specially stated deemed pertinent by himself, or that may be required by any of the parties to be stated

A. Copy:
Teste:
Peter B. Prentis. Clerk.

Commissioner's Office
Suffolk Va: Aug: 21st: 1867

To the Circuit Court of Nansemond County:

Pursuant to a Decree of the Circuit Court of Nansemond County, pronounced on the 13th: day of October 1866, in a Chancery cause pending therein, wherein William M. Jones, who sues for himself and all other creditors of Dempsey L. Sumner deceased, is Complainant and Robert C. Everett, administrator of Dempsey L. Sumner deceased & al: are Defendants: the undersigned, one of the Commissioners of said Court, to whom was referred for settlement, "a further account of the transactions of said Robert C. Everett, as administrator of said Dempsey L. Sumner deceased", reports, that the said Administrator states that he has done nothing further in the matter of said Administration than has been already reported. And this report together with a copy of the Decree directing the same, is herewith returned to Court.

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

Peter B. Porter.
Commissioner

William M. Jones, exhr
sues &c

vs } Commrs: Refah

Robert C. Everett, admr
of Dempsey L. Summer
decd & al:

1867
Aug: 21st: Completed
& filed in my Office
Peter B. Prentis.
Commr.

1867. Septr: 3: Filed
C M C

KNOW ALL MEN BY THESE PRESENTS, That we Robert C. Everett and Justin Rawls

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA, in the just and full sum of Twenty-Five Hundred ~~~~~ dollars, to the payment whereof well and truly to be made to the said Commonwealth, we bind ourselves, and each of us, our, and each of our heirs, executors and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this 31st day of October in the year one thousand eight hundred and Sixty-Six ~, and in the 91st year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound Robert C. Everett, who was, by a Decree of the Circuit Court of Nansemond County, in the Cause of Wm. M. Jones, who sues for himself and all other creditors of Dempsey L. Skinner deceased against Robert C. Everett, administrator of Dempsey L. Sumner decd & others, pronounced on the 15th day of October 1866, a Commissioner to make sale of certain Real Estate in said Cause described ~~~~~ under said decree or any future order or decree made in said cause shall faithfully discharge the duties of his said trust, then the above obligation to be void, or else to remain in full force and virtue.

Executed in presence of P. B. Prentis

Robert C. Everett {SEAL.}

Justin Rawls {SEAL.}

{SEAL.}

{SEAL.}

{SEAL.}

Robert C. Everett

To Comm'rs Bond

Commenced the

1866
Octo: 31st: Exceptions filed

At a Circuit Court held for Nansemond County, the 13th: day of October 1866.

William M. Jones, who sues for himself and all other creditors
of Dempsey L. Sumner deceased. . . . . Complainant.

Against } In Chancery.

Robert C. Everitt, administrator of Dempsey L. Sumner deceased, and
Martha C. Sumner (widow) and Adelia, Etha Maria, Mollie and Dempsey
Sumner, the last four being infants, and Wiley Boon and Rudy Boon. . Defendants.

This cause came on this day to be heard on the papers formerly read, and on
the report of Commissioner Peter B. Prentis, and on the report of Colol Solon W. Jones
Edward Howell (of M) and P. C. Lee, made pursuant to the decree of the 17th: day
of April 1866, to which reports no exception have been filed, and were argued
by counsel: on consideration whereof the Court doth confirm the said reports,
and doth adjudge order and decree, that Robert C. Everitt who is appoint-
ed a Commissioner for that purpose, proceed to sell at auction before the
Court House door of Nansemond County on some County Court day, (Sub-
ject to the dower therein of Mrs. Martha C. Sumner as now laid off) the lands
whereof Dempsey L. Sumner died seized and possessed, containing in all
five hundred and forty-three acres, more or less, and adjoining the lands of
Hardy Cross' Estate, Exum Jenkins' estate, Wm. Darden and others, and con-
sists of several parcels, on a credit of twelve months, with interest from date,
(except for a sum sufficient to pay costs of suit and expenses of sale, which will
be cash) the sale to be made in such parcels as the said Robert C. Everitt may
think best to promote the interests of all parties, and after having given at
least three weeks notice of such sale by advertisement at the Court House door
of said County and at six other public places in said County. The purchasers
to give bonds and good security and the title to be withheld till the order
of Court, and return said bonds and make report to Court. But before any
sale shall be made under this decree the said Robert C. Everitt shall execute
before the Clerk of this Court in his office a bond in the penalty of Twenty-
five Hundred Dollars, payable to the Commonwealth of Virginia and con-

ditioned for the faithful execution of the duties required of him under this decree, or that may be required of him under any future order or decree made in this cause. And it is ordered that a Commissioner of this Court, state and settle a further account of the transactions of said Robert C. Everitt as administrator of Dempsey L. Summer deceased, and make report to Court, of any matters specially stated deemed pertinent by himself, or that may be required by any of the parties to be so stated.

A Copy:
Test,
Peter B. Prentis. Clerk.

Costs: Clerk . . $15:00
Atto: fee . . 31:00
Sh'ff: 2.00
Com. with'n in day 25.00
Atty to assign dower . . 4.50
$77.50

Wm. Pannell, who sues &c
vs
Co: decree
Oct: Term 1866
Dempsey L. Summer's
Summ. for Inc.

To the Circuit Court of Nansemond County.

The Undersigned reports to Court, that pursuant to the decree of said Court, made on the 13th day of October 1866, in the cause therein pending wherein Wm. W. Ivey &c. is plaintiff and Rs. C. Smith admr. of Dempsey L. Sumner dec'd. &others, are defendants, he proceeded to advertise the sale of the Lands whereof said Sumner died possessed, and referred to in said decree, in the manner directed by said Decree, and did on the 10th day of December 1866, being Court day and before the Courthouse door of Nansemond County, sell the said Lands at auction, on the terms named in said decree, when they were purchased as follows—

acres, subject to the Dower therein of Mrs. Martha C. Sumner, was purchased by Patrick H. Lee for the sum of ₶1415:00

and acres, the residue of said Lands were purchased by W. W. Ivey for 700:00

making ₶2115.00

of which there was rec'd in cash ₶147:56 and paid out as follows—

To John R. Kilby Atty	₶31:00	
" P. B. Smith Court	15:00	
" Wm. Eley Sh.	2.00	
Court.	25.00	
Comr. who appointed Comr	1.50	
To Wm H. McGuire, Com'r	₶3.50	
" retained for 2 deeds &c	10.00	
" paid for hand Bills	1.25	
" 5 per cent Comr. on ₶300 ₶15:00		
" 2 do. on ₶1815 36.30	₶51.31	₶147.56
Cash on		₶1967.44

amo. brought on $1967:44

and for which P. H. Lee, executed
his Bond, with Wm H. Jones, and
Jas. R. Jones as security payable
twelve months after date, with
interest from date for $1316:59.

And

W. M. Jones and P. H. Lee their
Bond payable as above for $ 650:85
making $1967.44

which Bonds are filed herewith.

Respectfully submitted

Robert B. Everett Com'r

1866 Dec. 12 Rec'd over Costs in above case of the Com'r.

John R. Kirby $31.8 $100 $1.25
Peter B. Prentis. Clerk $15:00
Peter B. Prentis. Comm'r $25:00
Wm Eley Sheff 2.00
Wm J. McGuire $7.50
P M Gee 1.00
Edward Lloyd 1.00
A. L. Jones $2.50

1867. Nov: 20th Recd of Peter B. Prentis, Clerk of the Circuit Court of Nansemond County, the bond of Wm. M. Jones & P. N. Lee for $650.85 and the bond of P. H. Lee, Wm. N. Jones and Jas: R. Jones for $1316.59 which bonds were returned with the within report.

Robt C. Everett Comr

Wm M. Jones &c.
vs
Comm's Report of sale
Decree & Summons &c
Sale.

1867
Jany: 2nd: Filed
clk's

Mr. Dempsey L. Summer.

Dr. Sir:

There is 23 acres of land on Wileys portion and 31 on Pendys.

Respectfully

A. N. Jones

January 14th 1861.

Paid 23 acres at $5.50 = 127.75

(112½) 31 Dr - $5.50 = 172.25

$300.00

$111.42 cts

On ~~the~~ demand with interest from date I promise to pay or cause to be paid unto Isaac, Lee his heares or assigns the just and full sum of one hundred an eleven dollars and forty two cents just and lawful money of virginea it Being for value received this the 7 of June 1861

Dempsey L. Sumner (Seal)

D. A. Sumner
Note
$ 111.42 cts

I promnice to pay or cause
to be paid unto J. Edward
Howell the just and full
sum of twenty five dollars
it being for value received
this the 23 day of February
1861

Dempsey L. Summe

$25.00 D. L. Sumner
Note

one day after date I promise to pay
or cause to be paid to Deacon H Holland
or order the just and full sum of two
hundred and ninety three dollars for
value Rec'd for which I bind myself
my heirs Ex'ors admr's and assigns firmly
by these presents as witness my hand
and seal this the 13th day of Dec'r
1858

Dempsey L Crumm [seal]

Dempsey L Summer
To Stock
$ 893.00

Dempsey L. Simmons

1858 To Samuel W. Everett Dr

July 15th To 3/4 barrels of corn $ 14 00

Aug 10. To 10 bushels of wheat " 12 50

Sept 12 To two hogs 9 00

35 00

21.12
4.40
15
15.7 0

✓
Ans

44
1

88.6
52 84
21.12
4.40
15
25-67

11,12
4 5/4 10 1/2 #

7.10

2 10 1/2
1 4 7/12

2 1/2 N
1 5.5

35 3/4
165
11
11.12

For value rec'd, I promise to pay to Edwin Smith twenty seven dollars, witness my hand and seal this 1st March 1861.

Dempsy L. Summers (Seal)

Dempsey & Dunn

$27.00

Dempsey L. Jennings Estate

1864 To R. C. Everett dr

April 22nd To Visit to chicken $2.00

D. L. Sumner
1200

Dempsey L. Seemmes Estate

1865 To R. C. Everett Do.

To Two Visits to Family from 28th February to 11th March $ 12.00

D. L. Summers Est
$ 12,00

Due James McKee Three
Dollars & Twenty Five Cents for
Value Received

Dempsey L. Sumner Cash

Factory Hill 3 June 1861

D. L. Sumner Note

June 3/61

3.25

On Demand I promise to pay
to Jame McKee Six Dollars
& Ninety Four Cents for Value Received

Dempsey, Spencer Seals

Jacksonville 1 May 1861

D L. Kimmel Note

May 1/61

$6.97

On demand I promis to pay or cause to be
paid unto D. H. Lee the just and full sum
of Four Hundred Dollars for value received
of him witness my hand and seal this the
27 of January 1860

witness
Robt. C. Everett

Dempsey L. Summerlead (seal)

Dec 27th 1860

Rec'd one hundred & fifty
Dollars in part the within
written note P L Lee

Due Abd L. W. Everett Two hundred Dollars for value
received of him witness my hand and seal this the
17th of June 1862

Jeremiah H. Sumner (seal)

Witness
R. C. Everett

$750.

On demand I promise to pay to P G Lee the just and full sum of Seven hundred and fifty dollars for value rec'd as witness my hand and seal this the 29th of June 1860

Dempsey, L. Sumner (Seal)

Received One Hundred
and Seventy five Dollars in part pay-
ment of the within Note Dec 27th 1861
P Lee

Dempsey L. Sumner died
5 Aug 1862 —
his — widow Martha C.
& children —

(ships Power)

Lands.
(2 Tracts —
Homeland formerly E NB.
Others Lands,
Bal. several parties
D. H. Holland & L.
Dixon Holland)

163½ acs H. Creek Tr
+ 108½ Lots & outlots Lee
60. Dixon H Holland
(a). 215½ Dem Sumner estate
543

+ fm D. H. Holland Note date 15 Dem 1857

Dempsey L.
Summers Estate.

~~[illegible]~~

L

Ag E. Summer, Dean N. Sherwood
Dewhey L. Summer to Amt D
Ruby for of D. D. Duke Sal.

Bond $1028.65

Dated 16 Feb 1960.

41
1028 65
41146 0
421.74 65
421.05

617190
3 79.31 40
65
42 1 21

30 — 5-14 — 4
5 1/2 1
3 1/2 (20 3-6)
68.

Mr Saunders will
file this as a
Claim v.
D. L. Summers Exh
RK

R. G.
vs
Summers

Int. Rev. D. L. Summers in favor
of Jas. Vance #

Will be receipted by Tom Jas.
Rawlins

179.50/10/17.95 4.00

10.24/10.17/10.24 1.85

Dempsey L. Summer

Oct	16	1861	To John Cherry Dr	$ cts
"	"		To repairing and painting buggy	23 50

36 5 18 6 18 1 196

3.21 2 195 5 6 97.5 1

J. Jennings & Co. Oct 23 30

48 10 5 5 1 296

28.50 29 1/6 211 5 0 470 391 79.59

1914 5.1/2 1.20 8 12

Claims v. Dempsey L. Summers Estate.

Creditors atty	To Wm. M. Ivey	Bond	#1000.00
	Int. from 29 april 1859		
1	Cr. 23 feb. 1860. Int.		#49.00
	Cr. 7 Jany 1861		250.00
	To Wm. M. Ivey	Bond	#203.37
2	Int. from 23 oct. 1856		
	Cr. 23 feb. 1860 of #40.67 Int. #32.86		
	Cr. 13 Jan. 1865 of #41.		
	To Dixon H. Holland	Bond	#293.00
3	Int from 14 dec 1858		
	To J. Edward Howell.	Bond	#25.00
4	Int from 23 feb. 1861		
	To Isaac Lee	Bond	#111.42
5	Int from 7 June 1861		
	To Richd. L. M. Merritt	Bond	#200.00
6	Int from 17 april 1862		
	To P. H. Lee	Bond	#750.00
7	Int from 29 June 1860		
	Cr. on 27 dec 1862.		175.00
	To P. H. Lee	Bond	#400
8	Int from 27 Jan. 1860		
	Cr. on 27 dec 1860 of		150.00
	To James McKee due bill		#6.00
9	Int from 1 May 1861		
	To James McKee. due bill		#3.25
10	Int from 3 June 1861		
11	To Ro. C. Everitt	acct.	14.00
	To Edwin Smith	Bond	#27.00
12	Int from 1 march 1861.		
13	" Christian E. Hall	acct	#8.00
	int " from 1st Jany 1862		

John Obern

Acct. $23 50

int. for 1 Yr: 1862

Wm. Howell

Just. "

$17 72

int. from 9th May 1861 - - -

Cond.

$40

Clerks D.

D. P. Summers

Esq.

Summers

D^r Re Estate of Dunfsey L. Summer
In acct with Ro. C. Everett adm^r

1865
Oct 9. adm^r qualified
To f^o. Tax on Adm^n . . . #

By acct. sales . . . 273.07

67.95
203.09
273.07

D. L. Stimmel's

Estate.

Vouchers &c.

Total $3300-

Sum - 1800

$1500

$40 amount Van
worth in Court.

William M. Imes, who sues, for himself and all other creditors of Dempsey L. Sumner dec'd who may make themselves parties to this suit on the same terms.

vs.

Robert C. Terrill adm'r of Dempsey L. Sumner dec'd and Martha C. Sumner (widow) and Nadia, Etta Maria, Mollie, & Dempsey Sumner, the last four infants, & Lilly & Rudy Born

Wm. M. Jones

vs

Ro. C. Tindall adr.
of D. L. Sumner
dec'd &c.

suppl. Bill filed

1st Decree
1. settle adms acct.
2. assign Dower
3 Take out of Debts
4 ascertain value
of Dower
5. Sell of Lands
6 confirm title to purchaser

2d Decree
1. collect Lands
2 pay Attys fee

3 Decree
collect distribute &
make deeds.

This bill dismissed as to Defts in the cause at the request of Pltfs Sol: R. Kelly Esq: entered Sept 1858

Jones &c. vs. Summers adm'r &c

This cause came on this day to be
heard on the papers formerly read, & on
the petition of Wm R. Laurence, and on the
Report of Ro. C. Everill, Com'r. made pur-
suant to the decree of the 14th of Oct'r. 1867 - to
which report no exception has been filed &
has argued by Counsel; On consideration
whereof the Court doth adjudge, order & decree
that the said Report be confirmed, and that
the proceedings had in the cause be confirmed,
and made final, and that the cause
be removed from the Docket.

again

Jones &c
v
Summers & Dow &c

1868
April Court
Final Decree.
To be entered
R. 14. 53.

Entered

Ines, &c. vs. Everill adm. Summers &c.

This cause came on this day to be again heard on the papers formerly read in the Reports of Robt C. Everill and of Peter B Pendleton severally made pursuant to the decree of the 13th day of October 1866, to which reports no exceptions have been filed and may as prayed by Counsel: "On Consideration whereof the Court doth Confirm the said Reports, and doth adjudge, order & decree that Robt C. Everill, Comr. as aforesaid receive of the Clerk of this Court (who will deliver the same to him) the Bonds of Wm N. Ines, & Jas R. Ines for $1316.59 & of W. M. Ines & P. H. Lee for $650.85, and collect the same with accrued interest thereon, and which sums together with the sum of $203.09 now in said admrs. hands as appears by account No. 1. of Com Pendleton's report made in under decree of the 17th day of April 1866, he the said Ro. C. Everill any cost remaining unpaid & then pay the Balance proceed to pay ratably to the several Creditors of Dempsey L. Summers dec'd, as appears by account No. 2. of said last named Report, and make Report to Court: and that the said Ro. C. Everill as Comr. aforesaid execute Deeds to the purchasers for the real estate sold under proceedings had in this cause with special warranty in the usual form, and report to Court.

Inv. to.

N.

Evidt. adv. to
Summons

1867
Act. Comptr
Decn

To be entered.
R. M. Baker

Entered

Inex &c.

v.

Summers admr &c

This cause came on this day to be heard on the Complainants Bill, taken for confessed as the rule as to the adult Defendants, & the Exhibits filed therewith, & on the answer of the Infant Defendants, by P. B. Prentis, their Guardian ad litem, & on motion & said answer & was argued by Counsel: On Consideration whereof the Court doth adjudge, order & decree that a Comr. of this Court proceed to take & state the following accounts — and on the answer of said Pendy & Wiley Bowe

1st An account of the Transactions of Robert C. Smith admr. of Dempsey L. Summers decd — 2d An account of the plaintiffs' and all other debts and demands against the said Decedent or his estate and their ~~priority~~ priority — 3d. an account of the quantity, description and, annual & fee simple value of the real estate of which said Intestate died ~~seized~~ possessed subject to the Dower of his widow, ~~and whether the Intestate~~ ~~of the parties will be prejudiced by a sale~~ ~~Thereof~~

4th That he report the facts as to the sale by the Intestate of land to the said Pendy Bowe and Wiley Bowe — all of which he will report to Court with any matter specially stated deemed pertinent by himself or which any of the parties may require to be so stated —

And the Court doth further adjudge,

order and decree, that Adolphus H. Ives, Edward Howell of N., Edward Howell of E, and P. N. Lee, or any three of them, proceed to set apart and assign for life to Mrs. Martha C. Summers widow of said deceased, one third part of said Lands, having regard to quantity and quality as and for her Dower in the same, and make report to Court.

Ives &c.
vs

Summers's adr dec'd

1866

Affd. of service
To be entered
R. M. B.

Entered

Imer &c. vs. Everill adm^r. &c

This cause came on this day to be heard on the papers formerly read, and on the Report of Com^r P. B. Prentis, on the report of Adolphus H. Imer, Edmund Dowell of M. and P. H. Lee, made pursuant to the decree of the 17th day of April 1866; to which report no exceptions has been filed, and was argued by Counsel: On consideration whereof the Court doth confirm the said Reports and doth adjudge, order and decree, that Robert C. Everill also is appointed a Com^r for that purpose, proceed to sell at auction before the Court house door of Nansemond County, on some County Court day, (subject to the Dower therein of Mrs. Martha C. Sumner as now laid off) the Lands whereof Dempsey L. Sumner died seized & possessed, containing in all, five hundred & forty three acres, more or less, and adjoining the Lands Hardy Crafts estate, Exum Jenkins estate, Wm Davidson (and others, and consists of several parcels — on a credit of twelve months with interest from date (except for a sum sufficient to pay costs of said sale & expenses of sale which will be cash) — the sale to be made in such parcels as the said Ro. C. Everill may think best to promote the interests of all parties, and after having given at least 3 weeks notice of such sale by advertisement at the Court house door of said County and six other public places in said County — The purchasers to give Bond and good security & the title to be withheld till the order of Court, and return said Bonds & make report to Court.

But before any sale shall be made under this decree the said Ro. C. Everill shall execute before the clerk of this Court in his office a Bond in the penalty of $2500. payable to the Court, of Va. in the penalty (and conditioned for the faithful execution of the duties required of him under this decree, & that may be required of him under any

future order or decree, made in this cause —

And it is ordered that a Comr. of this Court state & settle a further account of the Transactions of said Ro. C. Ewell as adm'r. of Dempsey L. Summers decd, and make report to Court, of any matters specially stated, deemed pertinent by himself, or that may be required by any of the parties to be so stated.

Entered

The Joint and separate answer of Adelia, Etta Maria, Mollie & Dempsey Sumner by Peter B. Prentis their guardian ad litem, to a Bill in chancery exhibited in said Court by Wm. M. Innes &c against Ro. C. Verell admr. of Dempsey L. Sumner dec'd. &al.

These Respondents say, That the facts & allegations set forth and contained in said Bill are true so far as they know or believe, but being Infants and incapable of knowing their rights in the premises, respectfully submit the same to the Court and pray that no order or decree may be made inconsistent therewith. And having answered &c &c.

signed

Peter B. Prentis.

g'd. ad litem

Jones &c

vs

Summers admr &al

Answer of

Infant Defendants.

1866
March 5th: Filed

The answer of Prudy Born to a Bill in Chancery exhibited in the Circuit Court of Nansemond County by Wm. M. Ivey &c. against Ro. C. Smith admr of Humphrey L. Sumner dec'd. & others.

This Respondent says, That the facts set forth in said Bill relative to the purchase by her of thirty one acres of land of Humphrey L. Sumner and the payment of part of the purchase money are true — That she was to pay therefor the sum of $172.25 and that she paid in part thereof $111: leaving due by her $60.25, which she is ready to pay on obtaining a deed for the land — That under & by virtue of said purchase, she went on said land & cleared land and built her a dwelling house & other improvements and that she now resides thereon, and desires her title perfected, as she is advised she has a right to have done — and which she prays may be done &c.

And having answered &c.

signed Prudy Born
by John R. Kelly Att'y.

Jones &c.

vs.

Summers admr. &c.

Answer &
Pendy Bon

March 6th 1866 Filed

The answer of Wiley Born, to a Bill in Chancery exhibited in the Circuit Court of Nansemond County by Wm. M. Jones &c. against Ro. C. Everitt admr. of Dempsey L. Sumner decd. &c.

This Respondent says, That the facts contained in said Bill relative to the purchase by him of Dempsey L. Sumner of twenty three acres of Land are all true - That he did make such purchase and paid the price ($127.75) in full therefor to said Sumner and that the said Sumner made to him a warranty deed therefor, but the same was not recorded - That he, by virtue of said purchase has built on said Land, cleared a part of the same and now lives, thereon & he claims that his title should be secured to him, as he is advised he is entitled to a specific execution of his said contract of purchase, - And having answered &c.

Wiley Born

by John R. Kirby his Atty.

That his answer & deed filed therewith were destroyed by the fire alluded to in said Bill

Jones &c.

vs.

Sumner's admr. &c.,

Answer of

Wiley Bunn.

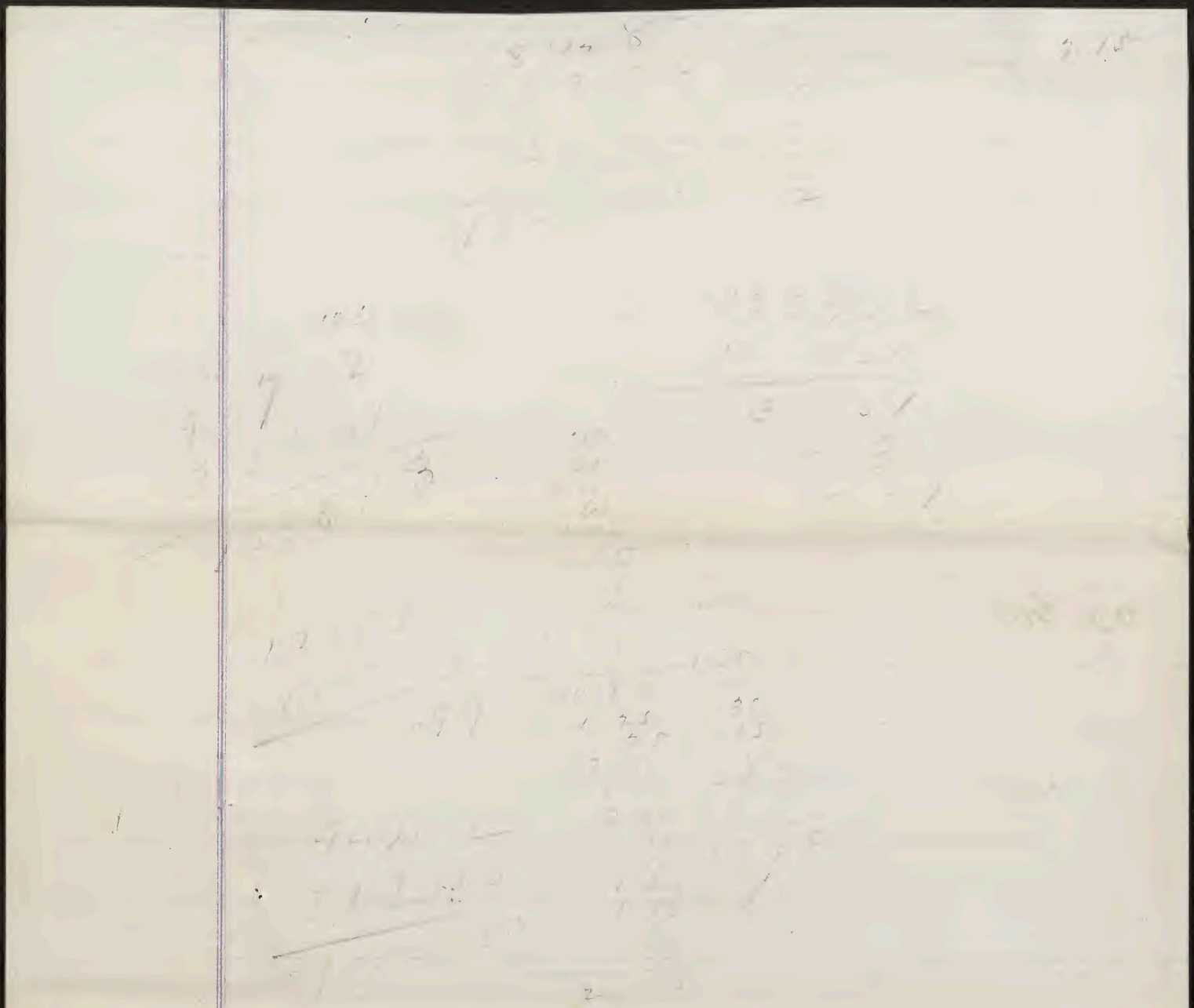
1866

March 5th: Filed

Dempsey L. Lamm

In a/c R Lamm Dr

To open acct.	$100.49
" 1 note (on W. R. Lamm & Bro.)	64.00
" Int. from 2 Jany 1859th 12 Oct. 1866.	
" 1 note, Bal. due 1st Sep. 1866.	109.50
" Int. from 2d. Jan. 1859th 50. on $68.50, part Note	31.97
" 1 note for	155.68
" Int. from 2d. Jany 1860 th 50.	71.83
	$533.47



Poor Quality Original. Best Possible Capture

Dempsey L Summer

To W P R Lawrence Dr

1861			
Jan 1st	To balance on settlement	7	21
	interest to Jan 1st 1862	4	69
18	12 lbs nails @ 5c tobacco 31	1	10
23	" 7 lbs nails @ 5		35
Feb 1st	To balance on cups & saucers 31 — pocket knife 75	1	75
"	" 2 pr shoes 75 @ 1 —	2	75
13	" 10 lbs seine twine 2/	3	75
27	" one pitchfork 75 —		75
March 1st	one bbl mackerel 8 1/2 spider 110	9	60
"	40 lbs flour @ 5c camphine 25	2	25
4	" 2 glass WG 11 1/4 @ 2 pr WG 50 @ 3,00	5	50
"	castings 46 cts 2 gallons whis @ 45	1	36
6	" 4 bushells oats @ 31 —	2	00
7	1 spool cot 10 —		25
2 3d	one bbl fish 6,00 plow & pts 2,75	8	75
	2 pads C yarn 125 —	2	50
	one pr shoes 75 @ —	1	25
30	" 3 bushells oats @ 31 —	1	50
April 1st	" 2 pr gallon whis @ 45 —	1	12
6	one basket 37 @ godfreys credit		75
13	Coffee 6 — sug 31 — tob 31 — nails 1/4	2	25
22d	Tobacco 31 — sugar 31 — coffee 6 —	2	00
29	40 lbs flour @ 5c 6 lbs sugar @ 10 c	8	00
	" pr shoes 125 salt 31 —	1	75
May 4th	1 lb tobacco 31 —		50
10	vest pattern & trimings 3 1/2	3	50
	shovel & spade 2 1/4 —	2	25
10	To 28 1/2 yds prints @ 9 d	4	69
	3 tins @ 1 — coffee pot 10		75
18	one sack salt 1/4 tobacco 6 —	3	50
25	To 1000 herrings @ 11,50	11	00
4th	To one lb tobacco 75 c		75
19	8 yds domestic 18 c canvas 10 c	1	60
25	pad cotton yarn 135 — tobacco 31 —	1	85
July 12,	To one lb tobacco 4/ 1 —		75
1	" 2 gallons molasses 31 —	1	00
26	tobacco 31 — —		50
Aug 7	To one Ams spade —	1	25
24	" 3 1/2 yds shirting @ 2/3d 3 1/2 yds 31 1/2 c	2	42
	2 pr socks 10 buttons & spool cot 10		70
	tobacco 31 — postage on letter 5 c		55
29	spirits turpentine & nails 10		25
14	" 2 pads C yarn — 135 c	2	70
24	Ginghams 9 — pr flannels 12 — bridle 8 —	5	00
	Cr By butter & eggs —		1 19
Nov 7	To 2 1/4 yds checks @ 19 c		42
		190,16	1,19

To Amt Bt forward ——— $190,16=$1,19

Nov 7	To 4 yds worsted @ 30c	1 20	
	4 " prints 19c Remnant @ 9c	1 00	
	Wiling yarn & spool cot	35	
12,	To one pr fine bd blankets	9 00	
Dec 31st	To postage on papers	48	
		202,19	
	Balance due Jan. 1862	201,00	
1862			
Jan 30	To one pr bbl irons @ 3/9d	63	
April 9th	To letter 9c	25	
12	1 lb tobacco 31	30	
May 6,	To coffee 11 lb	11 50	
	To 3 pr shoes for 8,50,	8 50	
April 14,	By Cash		60,00
Cr	By receipts of 1861		11 50
"	do per receipt		16,00
do	per receipt for 944 lb fodder July 1861		11 80
		22230	99,30
		100 19	
	Balance April 14th 1862	122,00	100 49
	interest to Sept 1st 1866	~~$2 29~~	
		~~$1 55,29~~	

$64,00 South Bray Co Jan 1st 1859

one day after date I promise to

Pay to the order of J.R Lawrence Bro Tex

The sum of sixty four 00/100 Dollars

Value received Dempsey L Summers

No. 2 Due

1844

$9344 100

Dr R Lawson
Wm Lawson

$168,62 South Lyon Va Jan 1st 1859

one day after date I promise to

Pay to the order of Lawrence & Norfleet

one hundred and sixty eight 62/100 Dollars

Value received

Dempsey L Sumner (Seal)

No. Due

Recd April 29th 1859
Twenty five Dollars part of
the within note
$25,00/100 Lawrence & Worsted

Recd Feb 2 1860 part
of the within note $75,11/100
Lawrence & Worsted

$109,50 Balance 1st Sept 1866

Wm R Lawrence
Corny Worsted

$155.68 South Bay va Jan 1st 1860

one day after date I promise to

Pay to the order of Lawrence & Vanfleet

one Hundred and fifty five 68/100 Dollars

Value received

No. Due

Dempsey L Sumner Exr G

1866

$217,94 and supp ins

W R Lawrence
Corp Mfld

To the Hon. R. H. Baker Judge of the
Circuit Court of Nansemond Co.

The Undersigned respectfully represents
That he has several claims against Dempsey
L. Summer which he failed to present
before the Comr. when making up a
list of debts under the decree in the
Chancery suit of Wm M. Jones &c. vs.
Estate adm of Summer dec., and which
he now prays may be allowed, and that
he may participate in the distribution
of the said decedents estate — the following
are the amounts —

1 Note payable by Dempsey L. Summer to Laurence
& Norfleet now owned by your Petitioner, dated 1st
Jan. 1860 & due one day after date for $155.68.

1 Note payable to same owned by the
undersigned, dated 1st Jan 1859 & due one day
after date for $168.62 & subject to the
following credits $25. on the 29th of
April 1859 & of $75.11 on the 2d Feby
1860.

1 Note payable to W. R. Laurence & Bro.
now owned by the undersigned dated
1st Jan. 1859 & due one day after date for $64.00

1 account due Wm R. Laurence, on
the 14th April 1862 for $122.00

Respectfully submitted

Wm R. Laurence

by John R. Kilby Atty.

Wm R. Lawrence v

Petition

in case of

Issue &c

to

Summons adm tak.

Amo. due

12 Oct. 1866

$533.17

Virginia

To the Hon: Richard N. Baker, Judge of the Circuit Court of Nansemond County.

Complaining shew unto the Court, your Complainant William M. Jones, who sues for himself, and all other Creditors of Dempsey L. Sumner deceased, who may make themselves parties to this suit on the usual terms.

Your Complainant respectfully represents to the Court and says, That on or about the first day of January 1866, he exhibited his original Bill of Complaint in this Court against Robert C. Everitt administrator of Dempsey L. Sumner deceased, and Martha C. Sumner (widow) and Adelia; Etta Maria; Mollie & Dempsey Sumner, the last four Infants, & Wiley Brown & Rhudy Brown, the Defendants hereto, stating That the said Dempsey L. Sumner died in Nansemond County on the 5th day of August 1862, Intestate, leaving as his heirs at Law and distributees, his widow, the said Martha C: & four children; Adelia; Etta Maria; Mollie & Dempsey all Infants. That the said Robert C. Everitt duly qualified as the administrator of said deceased in Nansemond County Court on the 9th day of October 1865 (& filed with said original Bill a duly certified Copy of such qualification), and as such administrator took charge of the personal and Chattle estate of said deceased & had converted the same into money. That the said Chattle &

(and personal estate would be insufficient to pay your Complainants demand, and the other liabilities of said deceased, and that the real estate of said deceased would have to be sold for that purpose — That the deceased, died possessed of Five hundred & forty three acres more or less in Nansemond County, adjoining Hardy Bass' estate, Exum Parker's estate Wm. Davidson & others, and was divided into several tracts purchased of different parties, in which the said Martha C. (widow of said deceased) had Dower.

That the said deceased was indebted to your Complainant in the sum of $1000.- due by Bond, with Interest from the 29th of April 1859, subject to a credit of $49. on 23d. of Feby. 1860 & of $750, on 7th Jany 1861, & also indebted to your Complainant the further sum of $ 203.37 due By Bond, with Interest from the 23d day of October 1856, subject to the following credits — $ 10.67 & $32.86 on the 23d feby. 1860 & of $45. on 13th Jan. 1865 — That previously to his Death the said Dempsey L. Sumner had sold to Wiley Born Twenty three acres of Land, which had been entirely paid for and a deed executed to said Wiley (10) therefor, but not recorded, and that he had also sold to Purdy Born, Thirty one acres, for $172.25. of which $112. had been paid leaving due by said Purdy the sum of $62.25, and that under and by virtue of said sales, the said Wiley Born & Purdy Born, who are free negroes, had gone on the said Lands, and built houses, cleared Land, and that under

such circumstances their titles ought to be confirmed to them. And praying therefore that the accounts of said Robert C. Terrill as such administrator should be settled before a Commissioner of this Court and that all moneys in his hands should be applied to your Complainants demands— That Dower in said Lands should be assigned to said widow, Mrs. Martha C. Summers; That the said Lands should be sold (less the two small parcels sold to Wiley Born & Sandy Born, which should be confirmed to them) and the proceeds applied to pay said demands:

And your Complainants further say, That the said defendants have all been duly served with process in said cause & that the defendant defendants by Peter B. Bruce, their guardian ad litem, and the said Wiley Born & Sandy Born had put in their answers to said bill, and that the said Bill has been taken for confessed as to the other defendants, replications being filed to said Answers the cause had been set for hearing and placed on the Court docket of this Court.

That, by a fire, which occurred on the 17th day of February 1866, the Clerk's office of said Court and its records, and among them the original papers filed in this Court were destroyed & lost,

And now by way of supplement your Complainant exhibits this his supplement Bill, and prays that he may have the full benefit of said original suit and proceedings therein against the said Defendants above named, and that he may have the same relief against them, as he might

have had under his said original bill and the proceedings had thereunder. In consideration whereof and as this Court can grant adequate relief. To the End your Complainant prays that the said Defendants in the said original Bill may be made Defendants hereto and answer all the allegations herein, and that the relief prayed for may be granted & that all further relief may be granted, Consistent with Equity &c. And your Complainant will &c.

John R. Kilby p.q.

Kirby J. v.

William M. Jones &c.

vs. } Supplemental Bill

Ro: C. Merrill admr. of Dempsey L. Sumner decd. & others.

Hanover Cir. Ct.

Wm. M. Jones &c

vs Ch. Notes

Dempsey L. Summers Admr. &c:

1866. Feby: 17th: Sumt. in Chy:
" March 5th: Subpl: Bill & Exhibit — Conditional decree vs defts: Robt. C. Everett Admr: &c & Martha C. Summers (Widow)
" " " Answers of defts: Welch & Purdy & Bond filed & genl: Replen: thereto & cause set for hearing: vs to them.
" " " P. B. Pierce, Solr. for Pl. as Atty. to enquire defts: who failed, their answer, genl: replen: & cause set for hearing as to them.
" Apl: 2d Conditional decree confirmed & cause set for hearing
" " 17 Decree for Accot: & Assign. of Dower
" Aug 11th Comm: Report filed
" Sept: 12 Report of Dower filed
" Octo: 13th Decree for Sale
" " " 31st Comm: Bond & Oath filed
1867. Jany: 25th Report of Sale filed
" Apl: 19th Continued
" Septr: 3 Comm: Report filed
" Octo: 14th Decree to Collect & Distribute
1868. Apl: 16th Report of Payments filed
" " 20th Final Decree

Chy: Notes