1869-005 HENRY L. TYNES ETC. VS ADMR. OF WILLIAM J. T. WILLIAMS ETC 1869

NANSEMOND COUNTY
(SUFFOLK)

Costs

Clerk	$15.00
Attorn	30.50
Shff: Hamt	50
" Supt	50
Commrs:	35.00
Andrew Hellows (Wit)	3.00
	10.75
Printer	$95.25

At a Circuit Court held for Nansemond County the 12th day of October 1868.

Henry L. Tynes who sues for himself and all other Creditors of Wm J. Williams deceased Complainant

against In Chancery.

Dempsey Whitehead Administrator of Wm J. J. Williams deceased and Sylvia Ann Williams (Widow) and Richard A, Benjamin J, Nathaniel J. Sarah and Mary V. Williams the last five, infants . . . . . Defendants,

This Cause, came on this day, to be heard again on the papers formerly read and on the report of John R. Kelly Commissioner made pursuant to the Decree of the 22nd day of April 1868, to which report there is no exception and was argued by Counsel on consideration whereof the Court doth confirm said report, and doth adjudge order and decree that John R. Kelly Commissioner aforesaid receive of the Clerk of this Court (on leaving a receipt therefor) the Bond of Le Roy R. Kelly for Five hundred and eleven Dollars and ~~xxxx~~ thirteen cents filed with said report and collect the same and out of the proceeds pay all the Costs of this suit, that may remain unpaid and then pay the Balance towards the Debt of Henry L. Tynes the Complainant in this Cause; and that Dempsey Whitehead as administrator of William J. J. Williams dec'd proceed to pay out of the funds in his hands as such administrator as appears by Commissioner Rhodes's report of the 17th March 1868, to the several Creditors named in said report; and make report to Court, and that the said

John R. Kelly as Commissioner aforesaid, make a Deed to Leroy R. Kelly the purchaser of said real estate with special Warranty in the usual form, in which the said Henry L. Tyner shall join, and make report to Court.

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

Henry L. Tyner, who sued
&c

vs
Th. S. & Co. Decree

Humphrey Whitehead, Admor
of Wm. J. Williams dec'd &c

To the Circuit Court of Nansemond County.

The undersigned reports to Court that pursuant to the decree of the 12th of October 1868, made in the case of Henry L. Eyres &c. against Dempsey Whitehead admr of W. J. T. Williams dec'd &c., he received of the Clerk of said Court the Bond of Lewis R. Kilby for $511.13, and has collected the same and paid the proceeds in part payment of Henry L. Eyres' debt, and has made a deed with special warranty to said Lewis R. Kilby for the land named in said decree —

The following statement will more fully show

By amount of Lewis R. Kilby's Bond	$511.13
Int. from 14 Sep. 1868 to 22 Oct. 1868	3.25
Total amo.	$514.38

To paid Henry L. Eyres, as ducted by said decree in part of his demand as appears by the record in said cause per rect. $514.38

Respectfully submitted
John R. Kilby Comr
22 Oct. 1868

1868 Oct. 22d. Rec'd. of Jno. R. Kilby Comr. as above five hundred & fourteen dollars & thirty eight cents, H L Eyres

Sygn. ved Kilby
m. 3 Report &
Distribution
William adm

1869
Feby: 4 th: Filed.
Clk

1872 aug. 5 Rec'd of Dembey Whitehead
adm of Wm J. J. Williams dec'd. Thirty
five dollars on claim held by Jno Dornan
against said Williams — being a Confed-
erate claim for $4000. Dated 28 Nov 1864.
which claim was assigned to Jno. R. Mason
Geo. S. Clarke, Atty. for
John R. Mason

Inv Dormand
1872

To the Circuit Court of Hammond County

The Undersigned, Dempsey Whitehead, reports to Court, That pursuant to the Decree made on the 12th Oct. 1868, in the cause of Ingram v. Williams admr &c. he has proceeded to pay out the sum of $1419:76, in his hands, to the several parties referred to in said decree – to wit:

By Balance in the hands of the Undersigned as admr. of W. I. Williams dec'd. as per Comr. Riddick's report $1419:76

To paid B. G. Washington Exr. of Thos. Atkinson dec'd. per act. $ 10 00
" " S. V. Cabell agt. E. D. Phillips " 55 92
" " Jno. Hurst " 21 74
" " Nancy Brittle " 21. 65
" " Sheriff's Ticket " . 80
" " Jno. M. Conlins " 28 00
" " Thos. Richardson's Jud. " 140 17
" " D. W. Gay " 10 78
" " Dr. Ro. N. Ingram " 62 08
" " Jas. Ervin " 36 00
" " Ramsey & Hale " 9 45
" " A. W. Atkinson admr " 114 25
" " A. P. Young, Clerk fee 3 52
" " Geo. A. Glover " 20 67
" " Jesse Whitehead " 116 23
" " Kate Conlins " 2 42
" " J. C. Thomas " 7 96

Cash in $521.66 $1419:76

Amt. brt. on				℔521. 66	℔1419. 76
To paid J. T. Phillips	for rent.		11	38	
" " Andr. W. Holmes	"		24	25	
" " P. B. White	"		15	25	
" " Jno. R. Kelly	"		22	36	
" " Levi Briggs	"		42	60	
" " N. L. Lynn, Balance due on Land after making sale of Land of Jno. R. Kelly, Com			202	27	
" " Same, smaller debt for rent.			89	93	
" " paid Clerk's fee			2	15	
" " " Dempsey Whitehead on debt			189.	49	
" " " A. H. Ashburn & Co.	"		22	79	
" " " B. C. Drew	"		56	98	
" " " W. A. Butler	"		124	98	
" " " Jno. D. Ashburn	"		88	67	℔1354 16
Balance.					℔ 35.60

and paid to Jno. Dorman part of Claim, not in report, being the amt. left after paying assigned debt this claim coming in afterwards 35 60

Respectfully submitted
Dempsey Whitehead Com
for K.

Tyrrell &c
vs.
Whitehead
Report &
distribution

Williams' adm'r

1869. apl. 19th Filed
clk

The Commonwealth of Virginia. Sussex

To the Sheriff of ~~Nansemond~~ County---Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON Dempsey Whitehead, administrator of Wm: J. T. Williams deceased and Silvia Ann Williams (widow) and Richard A, Benjamin F. Nathaniel J. Sarah F and Mary V. Williams: the last five infants:

to appear at the Clerk's Office of our Circuit Court, for the County of Nansemond, on the first Monday in September next, 1867, being rule day, to answer a bill in chancery, exhibited against them by Henry L. Synnot

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 and there this writ. *Witness*, PETER B. PRENTIS, Clerk of our said Court, at his Office, this 26th day of August 1867, and in the 92nd 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.

Executed [illegible] Silvia Williams Adm
Scott 1 Sh 4 y by divesting a Mortg: & Dobbin Shuff

Kelly. pf

Henry L. Tynes

vs

Sum.s in Chy:

Wm. J. S. Williams'
Admr: &c:

To Septr: Rules 1867

Pro: B. No: 1. Page 27

Cir: Co:

The Commonwealth of Virginia,

To the Sheriff of Nansemond County---Greeting.

YOU ARE HEREBY COMMANDED TO SUMMON Dempsey Whitehead, administrator of Wm. J. T. Williams deceased, and Silvia Ann Williams (widow) and Richard A. Benjamin F. Nathaniel T. Sarah F and Mary V. Williams the last five infants

to appear at the Clerk's Office of our Circuit Court for the County of Nansemond, on the first Monday in September next, 1867, being rule day, to answer a bill in chancery, exhibited against them by

Henry L. Tynes

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 and there this writ. Witness, PETER B. PRENTIS, Clerk of our said Court, at his Office, this 26th day of August 1867, and in the 92nd 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.

Kilby p. 9

Henry L. Tynes

vs } Summons in Chy:

Wm. J. Williams'
admr. &c:

To Septr. Rules 1867

Executed Aug: 28th: 1867 and a true copy hereof delivered to Wednesday Whitehead, Administrator &c. of Wm. J. Williams decd, Selma Ann Williams (Widow) & sole & resident of Dallas County.

Thos. Ely Shff

Pro: B. No: 1. Page 27

Cir: Co:

Virginia.

At Rules held in the Clerk's Office of the Circuit Court of Nansemond County on Monday the 2nd day of September 1867.

Henry L. Symes ..... Complainant

against } In Chancery.

Dempsey Whitehead administrator of Wm. J. Williams deceased and Silvia Ann Williams (widow) and Richard A, Benjamin F. Nathaniel I. Sarah F, and Mary V. Williams the last five infants ..... } Defendants.

On the Motion of the Complainant by Counsel Peter B Prentis, it 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

1867. September 2nd I acknowledge service of the foregoing order, and that I have received a Copy thereof

Peter B. Prentis. Gdn. ad litem.

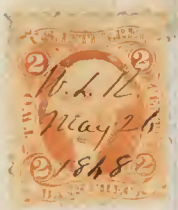
Tynes &c

Tr & Gr: aspits: qitn: ad litem

Williams' Admr: &al:

#35

Rec'd. of John K. Kelly Atty. (#35) Thirty five dollars Commissioner's fees for making up accts. & Report in Chy. Cause of Henry L. Tynes Adm. vs: Dempsey Whitehead Adm. of W. J. Williams Dec'd. Adm. in Nans'd Cir: Ct. Apl. Term 1868.



Suffolk, Va. May 26th. 1868

W. L. Riddick
Com. Cir: Ct.

Septr. 25th 1868 Recd of Jno R. Kilby Comr
Five dollars for selling at Auction the Lands
of W. J. T. Williams under a decree of
Court—

$5. M. Guice & Brindley Aucts

At a Circuit Court held for Nansemond County the
22nd day of April 1818.

Henry L. Ingles. who sues for himself and other
Creditors of Wm J. Williams. deceased .... Complainant,

against } In Chancery.

Dempsey Whitehead, administrator of Wm J.
Williams deceased, and Silvia Ann Williams
(Widow) and Richard A, Benjamin J. Nathaniel
J, Sarah and Mary V. Williams, the last five,
infants ..... Defendants.

This Cause came on this day to be again heard on the papers
formerly read, and on the report of W. Reddick Commissioner
made pursuant to the decree of the 14th day of October
1817. to which report, there is no exception and was arg.
ued by Counsel: On Consideration whereof, the Court.
doth confirm the said report, and doth adjudge order
and decree that John R Kelby, who is hereby appointed
a Commissioner for that purpose; proceed to make Sale
of the real estate referred to in the Bill, and which is described
as a tract of Land in the Lower Parish of Nansemond
County, Containing Seventy acres more or less,
and adjoining the Lands of

and which
was sold by Henry L Ingles to said Williams, but for which
no deed was ever executed, before the Court House door
of Nansemond County, on some Court day, at auction
and on six Months credit, with interest from date, ex-
cept for a sum sufficient to pay Costs of Suit and expenses
of Sale, which he will require in cash. and pay to

those entitled, having first given notice of the time and place of such sale by advertisement at the Court House door of said County on some Court day, and by like advertisement at Chuckatuck and other public places, and by notice published once a week for three weeks in the Christian Sun, a Newspaper published at Suffolk and also in some Newspaper published in Norfolk. That the said John R. Kelly Commissioner as aforesaid, shall take of the purchaser, bond and good security, and retain the title tile the further order of the Court, and may have the said land surveyed if deemed necessary or best, by him, and he will return the bond of the purchaser to Court, and make report to Court; But before any sale shall be made by the said John R. Kelly under this decree, he shall execute before the Clerk of this Court in his office, a Bond in the penalty of One thousand dollars, payable to the Commonwealth of Virginia and conditioned for the faithful discharge of the duties required of him under this Decree, or that may be required of him under any future decree made in this cause.

A Copy,
Teste,
Peter B. Prentis. Clerk

Costs

Clerk	$15.00	(Paid. P.B.P)
Atto: Thos	30:50	
Sheff. Nans'd	50	
" Surfsey	50	
Commr: in Ch	35.00	pd.
And: Holloway W.C.	3.00	
Printer	10:75	
	$95.25	

X md

Henry L. Tynes, who sues
&c

vs } Co: Decree

To
#657

Dempsey Whitehead, admr:
of Wm: J. Williams decd
&al.

adjourn
a. Natchez
W P Pitts Sol

To
Comp

Hon. Bench &c

To the Circuit Court of Nansemond County.

The Undersigned reports to Court that pursuant to the decree of said Court, made on the 22d. day of April 1868, in the cause therein pending wherein Henry L. Lynch is plaintiff, and Dempsey Whitehead adm'r of W. J. T. William dec'd. & others are defendants, he proceeded to advertise the Land referred to in the proceedings, as directed by said decree, and did on the 14th day of September 1868 (being County Court day) before the Court house door of said County sell at auction the said Land, when the same was purchased by

for the sum of — $650.00

of which I received in cash & paid the Costs as follows — Attorney & $30.50
To P. B. Prentis, Clerk. 15.00
" Wm Eley Sh. Nans'd. .50
" Sheriff of Sussex .50
" W. L. Riddick Com'r in Ch'y. 35.00
" And'r Holloway witness 3.00
" Printer (Yellow) 10.75
$95.25

To paid "Norfolk Virginian" for advertising sale 6.50
" "Christian Sun" do. 4.25
" for land bills do. 87

over $106.87 $650.00

Amo't brought over	℔ 106:87	℔ 650:00
To paid Wm H. McGuire Crier	℔ 5.00	
" 5 per Cent Comm. on ℔ 300.	15.00	
" 2 do. on ℔ 350	7.00	
" reserved for Deed to purchaser and Stamp	$ 5.00	℔ 138:87

Leaving a Balance of ℔ 511:13
for which the said Leroy R. Kilby
has executed his Bond with
security, as is filed herewith.

Respectfully submitted

John R. Kilby Com'r

1868 Oct°. 28 Rec'd of P. B. Prentis
clerk &c. the Bond of Leroy R. Kelly
for $511: 13 referred to within, and
delivered to me by direction of decree of
Oct. Court 1868.

John R. Kelly
Comr

Typo &c
Report
of Sale

1

Williams adm

At a Circuit Court held for Hanover co. County the 11th. day of October 1867.

Henry L. Tyree who sues for himself and all other Creditors of Wm. J. J. Williams deceased. Complainant.

against &c. In Chancery.

Dempsey Whitehead Administrator of Wm. J. J. Williams deceased. and Silvia Ann Williams, (widow) and Richard A. Benjamin J. Nathaniel J. Sarah F. and Mary V. Williams the last four infants. . . . . Defendants

This Cause came on this day to be heard on the Bill taken for confessed as to the adult defendants, on whom process had been duly served, and they still failing to appear and make defence, and on the answer of the infant defendants by their guardian ad litem and on replication to said answer and Exhibits filed with the said Bill, and was argued by Counsel; On consideration whereof the Court doth adjudge ordain and decree, that a Commissioner of this Court, take the following accounts; First an account of the transactions of Dempsey Whitehead Administrator of Wm. J. J. Williams dec'd.

Second. An account of all debts and demands against the said decedent or his Estate, and their priority.

Third: An account of the value of the Real Estate referred to in the Bill and it's annual and fee simple

Values. and make report to Court, with any remarks deemed pertinent by himself. or that any of the heirs may require to be so stated: And that Notice of the taking of said accounts be published for four successive weeks in the "Christian Sun" a Newspaper published at Suffolk, which shall be equivalent to and in lieu of personal notice on the parties:

A Copy:
Teste:

Peter B. Prentis. Clerk

Henry L. Synnott, Admr &c
vs
Ex Co: Decree
Wm. J. Williams, Admr. &c.

Commissioner's Office,
Suffolk, Va. Nov: 30th 1867

To

Henry L. Tynes, who sues for himself and all other Creditors of Wm. I. T. Williams dec'd. } Complainant.

and

Dempsey Whitehead, administrator of Wm. I. T. Williams, dec'd. and Silvia Ann Williams (widow) and Richard, A., Benjamin J., Nathaniel T., Sarah F., and Mary V. Williams - the last five infants - } Defendants.

In Chancery

You are hereby notified that I have fixed upon Wednesday, the 15th day of January, 1868, if fair, if not, the next fair day thereafter, (Sunday excepted) to take and state, at my office, the following accounts required to be taken by the decree of Nansemond Circuit Court, rendered on the 14th day of October, 1867, in a Suit in Chancery depending in the said Court, and in which you are parties, Complainant and defendants:

First: An Account of the transactions of Dempsey Whitehead, administrator of Wm. I. T. Williams dec'd.

Second: An Account of all debts and demands against the said decedent or his Estate, and their dignity:

Third: An Account of the value of the Real

estate referred to in the Bill, and the annual and fee simple value.

And 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.

W. L. Riddick
Comr.

COMMISSIONER'S OFFICE, }
SUFFOLK, VA., Nov. 30th 1867. }

TO HENRY L. TYNES, WHO SUES FOR himself and all other Creditors of Wm. J. T. Williams, dec'd..

Complainant.

IN CHANCERY,

And

Dempsey Whitehead, Administrator of Wm. J. T. Williams, dec'd, and Silvia Ann Williams, (widow) and Richard. A., Benjamin T., Nathaniel T., Sarah F., and Mary V. Williams—the last five infants.

Defendants.

You are hereby notified that I have fixed upon Wednesday, the 15th day of January, 1868, if fair, if not, on the next fair day thereafter, (Sunday excepted) to take and settle, at my office, the following accounts required to be taken by the Decree of Nansemond Circuit Court, rendered on the 14th day of October, 1867, in a suit in Chancery depending in the said Court, and in which you are parties, Complainant and Defendants..

FIRST.—An account of the transactions of Dempsey Whitehead, Administrator of Wm. J. T. Williams, dec'd..

SECOND.—An account of all debts and demands against the said decedent or his Estate, and their dignity.

THIRD.—An account of the value of the Real Estate referred to in the Bill, and its annual and fee simple value.

And 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.

W. L. RIDDICK,
Commissioner.

dec6-4t

Price of advtg. $10.75

I do hereby certify that the annexed notice has been published in the "Christian Sun" for four successive weeks and that the price charged is according to our regular advertising rates. Given under my hand this 28th day of December 1867.

W. B. Wellons
Ed. & Pro'pr.

R.

A.

Dr. The Estate of Wm. J. T. Williams, deceased,
In Account with Dempsey Whitehead, admr. Cr.

1867.				
Jany 14	The admr. qualified			
" "	To paid for U.S. Rev. Stamps &c. on qualification		$ 3. 00	
" 24	By amo. of acct. of sales in Nansemond County	$1654.47		
	" " " " " Sussex do.	72.54		$1726. 01
" "	To paid D. W. Gay, part of acct. for labor pr rect.		5. 00	
" "	" " Andw. Holloway do. do.		30. 00	
" "	" " Shff. Nans[d] Co. 3d & last 1866 do.		4. 10	
" "	" " I. H. Underwood, Cier at sale do.		5. 00	
" "	" " E. J. Luke acct. for labor do.		6. 00	
" "	" " P. B. Prentis, Clerk's fees do.		7. 75	
" "	" " H. B. Hart, digging grave do.		2. 00	
" "	" " Jno. W. Cowling, for coffin &c. do.		34. 00	
" "	" " Appraisers do.		4. 00	
" "	" " D. Whitehead, Expenses &c. conveying body to Sussex Co. for interment		6. 00	
Aug. 20	" " Lewis Briggs for part of crop cultivated on shares at D. W. Hatton's per rect.		25. 00	
Octo: 19	" " Edmund & Elijah Artis, claim for hire of their brother Andrew Artis, now dead, who was bound to Decd. by order of Sussex Co. Ct. June term 1852 upon terms prescribed by the said Ct. per rect.		110. 00	
1868: Jany. 14	To 5 pr. Ct. Commissions on $1726. 01. amt of rects.		86. 30	
" " "	" Balance due the Estate		1397. 86	
			$1726. 01	$1726. 01

(over.)

1868 Jany. 14	By amo. of Balance due Estate at Annual Rest brot. on		$1397.86
April 18	" Int. on $1397.86 - fmo Jany. 14th to Apl. 18th 3 mos. & 4 days	$21.90	
		$21.90	$1397.86

1868: Apl. 18:	By Bal. of Prin. due Estate brought down -		$1397.86
"	" " Int. do do added -		21.90
	Total. Bal. of Prin. & Int. due Estate -		$1419.76

B.

An Account of all debts and demands against Wm. J. J. Williams, decd., or his Estate, and their dignity.

First Class.

None.

Second Class

None

Third Class

None.

Fourth Class

K	Bond due Henry L. Tynes, for		$646.	50		
	Int. on same from Dec. 25th 1816. to Apl. 18th 1818		50.	96	$697.	46
	A Judgment in favor of Thos. Richardson for		$118.	75		
	Costs of same		14.	08		
	Int. on $118.75 from Oct. 14th 1817: to Apl. 18th 1818.		3.	64	136.	47
	Bond due John D. Adkins for		$ 75.	00		
	Int. on same from Apl. 10th 1816 to Apl. 18th 1818		9.	115	84.	115
	An Account due Dr. Geo. A. Glover for		$ 19.	50		
	Int. on same from Apl. 18th 1817 to Apl. 18th 1818.		1.	17	20.	67
	Amts: Carried over.				$938.	65

Amts: brot: over			$938. 65
An Account due D. W. Gay for	$ 10. 00		
Int. on same from Jany. 1st 1867 to apl 18th 1868	.78		10. 78
An account due Andrew Hollaway for	$ 22. 50		
Int. on same from Jany. 1st 1867. to apl. 18th 1868	1. 75		24. 25
An account due John Hearst for	$ 20. 00		
Int. on same from Nov. 8th 1866. to apl. 18th 1868	1. 74		21. 74
An acct. due B. G. Washington Exr. of Thos. Atkinson decd. for	$ 7. 00		
Int. on same from Dec. 20th 1860, to apl. 18th 1868	3. 08		10. 08
An acct. due J. D. Thomas. for	$ 7. 00		
Int. on same from Jany. 1st 1866. to apl. 18th 1868.	.96		7. 96
An acct. due Miss K. Cowling for	$ 2. 25		
Int. on same from Jany. 1st 1867. to apl. 18th 1868	.17		2. 42
An acct. due Ramsay & Hall for	$ 8. 77		
Int. on same from Jany. 1st 1867. to apl. 18th 1868	.68		9. 45
An acct. due Jno. M. Cowling for	$ 24. 40		
Int. on same from Jany. 1st 1866. to apl. 18th 1868	3. 36		27. 76
An acct. due Nancy Bittle for	$ 20. 00		
Int. on same from Jany. 1st 1867, to apl. 18th 1868.	1. 56		21. 56
Amts carrd. on			$1074. 65

Amts. brot. on			$1074.65
An Acct. due Jesse Whitehead. for	$ 39.	75	
Int. on same from Jany. 1st. 1866, to Apl. 18th 1868	5.	48	45.23
An Acct. due Dr. Edward D. Phillips (Bal.) for	$ 52.	75	
Int. on same from April 18th. 1867, to Apl. 18th 1868.	3.	17	55.92
An Acct. due Dempsey Whitehead for	$ 175.	69	
Int. on same from Jany. 1st 1867, to Apl. 18th 1868	13.	80	189.49
Note due Benj. C. Drew for.	$ 35.	00	
Int. on same from Apl. 1st 1866, to Apl. 18th 1868	4.	33	39.33
An Acct. due Ro. A. Tynes for	$ 53.	00	
Int. on same from Jany. 1st 1866, to Apl. 18th 1868	7.	63	60.63
An Acct. due James Erwin for	$ 30.	25	
Int. on same from Jany. 1st 1867, to Apl. 18th 1868	2.	35	32.60
An Acct. due Miss Pattie B. White for	$ 15.	25	
Int. on same from Jany. 1st 1866, to Apl. 18th 1868	2.	10	17.35
An Acct. due Dr. Jno. J. Phillips for	$ 10.	00	
Int. on same from Jany. 1st 1866, to Apl. 18th 1868	1.	38	11.38
An Acct. due Henry L. Tynes for	$ 54.	00	
Int. on Same from Jany. 1st 1867, to Apl. 18th 1868.	4.	21	58.21
Amt. carried over.			$1584.99

Am't. brot. on.			$1584.99
An Acct. due A. H. Ashburn & Co.	for	$ 20.05	
Int. on same from Janu. 1st 1867. to Apl. 18th 1868.		1.56	21.61
Total Fourth Class—			$1606.60

Fifth Class.

None.

C.

An Account of the Real Estate of which Wm. I. I. Williams died possessed, mentioned in the proceedings, and its fee-simple and annual value.

Fee-simple value of Real Estate. Quantity not precisely known	$650.00
Annual value of said Real Estate, at a fair Rental	$65.00

Commissioner's Office,
Suffolk, Va. March 17th 1868.

To the Circuit Court of Nansemond County:

Pursuant to a decree of the Circuit Court of Nansemond County, rendered on the 14th day of October, 1867 in a suit in Chancery depending in the said Court between Henry L. Tynes &als. vs: Dempsey Whitehead, administrator of Wm. J. T. Williams dec'd. and others, the undersigned, one of the Commissioners of the said Court, to whom was referred for settlement, by said decree, the following Accounts, to wit:

First: An Account of the transactions of Dempsey Whitehead administrator of Wm. J. T. Williams, dec'd.

Second: An Account of all debts and demands against the said decedent or his Estate, and their dignity.

Third: An account of the value of the Real Estate referred to in the Bill and its annual and fee-simple value.

Reports to the Court, that on the 30th day of November 1867, he issued notices against the several parties aforesaid, requiring them to attend the settlement of the said accounts, before him, at his said Office, on the 15th Day of January, 1868 - which said Notice was published once a week for four successive weeks, in the "Christian Sun" newspaper, published at Suffolk - as directed by said decree - certificate of which said publication is hereto appended -

That the parties by Attorney appeared before your Commissioner, and he thereupon began the examination of vouchers, and to state and settle the said accounts, and which was adjourned and continued from day to day, until concluded: That he has stated and settled the foregoing account of the transactions of Dempsey Whitehead, as administrator aforesaid - (Marked A.) up to the 18th day of April, 1868, and on that day finds a balance due the said Estate of $1419.76 - of which $21.90 is interest.

That by account (Marked B) your Commissioner reports the amount of all debts and demands against the aforesaid decedent or his Estate, and their dignity, and has ascertained & reports $1606.60, as the amount of debts of the Fourth Class - there being no other.

That he reports by account endorsed (C.) the fee simple and annual value of the Real Estate in the proceedings mentioned.

The Commissioner further reports to the Court that after the Completion of said accounts, he retained the same in his office ten days for the examination of the parties, during which time no exceptions were filed thereto, and now the same, with the decree and notices are returned herewith.

Given under my hand as Commissioner aforesaid, the day & year first aforesaid.

W. L. Riddick, Com'r.

Commissioner's fee $35.

Witness fee & mileage 3. - Andrew Holloway.

$38

Henry L. Symes et al.

vs. Chancery Rept.

D. Whitehead, admr. of
Wm. J. T. Williams dec'd.
et al.

1868. March 23d. Filed
clk.

At a Monthly Court held for Nansemond County the 14th day of January 1867:

On the motion of Wm. Jay Whitehead, who made oath as the law directs and entered into a bond, in the penalty of Two Thousand Dollars, conditioned according to law, with Thomas J. Saunders his security therein who justified on oath as to his sufficiency, and which said bond being acknowledged by the obligors therein is ordered to be recorded; Letters of administration, on the Estate of William J. J. Williams deceased, in due form, are granted him.

A Copy.
Teste.

Peter B. Prentis. Clerk.

(B)

$646-50

On dem and I promise to H. L. Lyons or Cause to be paid the Sum of Six hundred and Forty 54 + 50 cents it being for Value rec'd for the payment I my self my heirs & finely by these presents witness my hand and Seale this 25th day of Dec. 1866

witness

Wm. J. Williams Seal

Dempsey Whitehead

Wm Williams

Note

$646.50

(A)

Sydney K

11

William, Adm Fac

2 Salts

Silk with Bill

Agnes Jr. v. Williams adm Sal.

This cause came on this day to be again heard on the papers formerly read & on the Reports of John R. Kelly & [redacted] Dempsey Whitehead made pursuant to the decree of the 12th Oct. 1868 - to which reports there is no exception and was argued by Counsel. Upon Consideration whereof the Court doth confirm the said Reports, and doth adjudge order & decree that the proceedings had in this cause be confirmed & made final, and that the cause be removed from the Docket.

Lyman H.
M.
Williams &c.

1869
April Court
Final Decree

To be Entered
E. L. Fitts

Entered

Lyne &c
v.
Dempsey Whitehead adm^r of W. J. Williams
dec^d &al.

This cause came on this day to be
heard ~~this day~~ again on the papers formerly
read & on the report ~~of W. L. Riddick Com^r~~
of John R. Kilby Com^r, made pursuant to the
decree of the ~~22^d day of October 1867~~ 22^d
day of April 1868, to which report there is
no exception, and was argued by Counsel.
On consideration whereof the Court doth
confirm said Report, and doth adjudge
order and decree that John R. Kilby Com^r
as aforesaid, receive of the Clerk of this
Court (on leaving a receipt therefor) the
Bond of Henry R. Kilby for $11.13 filed
with said Report, and collect the same,
and out of the proceeds pay all the Costs
of this cause that may remain unpaid and then pay the Balance
towards the Debt of Henry L. Lyne, the
Complainant in this cause: and
that Dempsey Whitehead as adm^r
of Wm. J. Williams dec^d. proceed to pay
out of the funds in his hands as such
adm^r as appears by Com^r Riddick's Report
of the 17^th March 1868, & the several Creditors
named in said Report, and make report

Court, and that the said John R. Kelly as Com aforesaid make a deed to Levy R. Kelly the purchaser of said real estate, with special warranty in the usual form, and make report to Court.

Decree
Oct. Ct. 1868.
& be entered
Rich. Pt. Baker

entd

Exam to
by

Allegiance of Gov

Tyng v. Williams, adm &c

This cause came on this day to be heard on the Bill taken for confessed as to the adult defendants, on whom process had been duly served and they still failing to appear and make defence; and on the answer of the Infant defendants, by their guardian ad litem, the replication to said answer & Exhibits filed with the said Bill, and was argued by Counsel; On Consideration whereof the Court doth adjudge, order and decree that a Comr. of this Court take the following accounts — 1st an account of the transactions of Dempsey Whitehead admr. of Wm. J. T. Williams, dec'd —
2d. an account of all debts & demands against the said deceased or his Estate & their priority — 3d. an account of the value of the Real estate referred to in the Bill and its annual & fee simple value and make report to Court with any remarks deemed pertinent by himself, or that any of the parties may require to be so stated — and that notice of the taking of said accounts be published for four successive weeks in the "Christian Sun" a Newspaper published at Suffolk, which shall be equivalent to and in lieu of personal notice on the parties,

Lyons N.

Whitehead adv &c

1867

Ord. ct. decree

To be entered

R. H. Baker

Entered

6

Tyree &al:

v.

Whitehead &dmr &c.

This cause came on this day to be
again heard on the papers formerly read &
on the Report of W. L. Riddick, Com. made
pursuant to the decree of the 14th day of October
1867, 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
John R. Kelly who is hereby appointed a
Commissioner for that purpose, proceed to make
sale of the real estate referred to in the Bill, &
which is described as a tract of land in the
Lower Parish of Nansemond County, Containing
70 Acres seventy ——— acres, more or less and
adjoining the lands of

and which was sold by Henry L. Tyree to said
Williams, but for which no deed was ever
executed, before the Courthouse door of Nansemond
County on some Court day, at auction and on six
months credit, with Interest from date, except for a
sum sufficient to pay costs of Suit and expenses of
Sale which he will require in cash of any to those
entitled, having first given notice of the time and
place of such sale by advertisement at the

Court house door of said County on some Court day, and by like notice at Churchstreet and other public places, and by notice published once a week for three weeks in the Christian Sun a Newspaper published at Suffolk and also in some Newspaper published in Norfolk — That the said John R. Kelly Comr. as aforesaid shall take of the purchaser bond and good security, and retain the title till the further order of Court, and may have the said land surveyed if deemed necessary or best, by him, and he also return the bond of the purchaser to Court and make report to Court,

But before any sale shall be made by the said John R. Kelly under this decree, he shall execute before the Clerk of this Court in his office a Bond in the penalty of $1000. payable to the Commonwealth of Virginia (and conditioned for the faithful discharge of the duties required of him under this decree, or that may be required of him under any future decree made in this cause.

Lyon &c
v
Middleton &c

1868
Circuit Court
Decree
To be executed
R. H. Whitehurst
Clerk

The Joint and separate answer of Richard A; Benja. H; Nathl. H; Sarah H, and Mary V. Williams, Infants, by P. B. Prentis their guardian ad litem, to a Bill in Chancery exhibited in the Circuit Court of Nansemond County by Henry L. Ivey, &c. against other Defendants.

These Respondents, say, that being Infants, and ignorant of their rights in the premises, beg leave respectfully to submit all their interests to the protection of the Court, and pray that no order or decree may be made inconsistent therewith.

Signed

Peter B. Prentis. guardian Ad Litem

Lyne, Jr

Williams' adm

Sal

annex &

Infant Defts.

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

Complaining, shew unto the Court your Complainant Henry L. Lynes, who sues for himself and all other creditors of Wm. I. I. Williams deceased, who may make themselves parties to this suit on the usual terms.

Your Complainant respectfully represents to the Court and says, That, on the 25th day of December 1866, he sold unto the said Wm. I. I. Williams, a tract of land in the Lower Parish of Nansemond County containing Seventy. acres, more or less, and adjoining the Lands of

and delivered possession of the same to the said Wm. I. I. Williams, who took possession of the same, and executed to your Complainant his Bond for the purchase money, to wit: the sum of $646:50, dated 25th December 1866 and payable on demand — which Bond is filed herewith and marked (A)

That your Complainant executed no deed for the said Land, to the said Williams, the understanding and verbal agreement, being, that no deed was to be made for said Land,

until the purchase money should be paid — That under said arrangement the said William, took possession of the said premises and used and occupied the same as his own till his death which took place on the day of 1867.

That the said Wm J. J. William, died intestate, leaving the said Land, and a small chattle estate, and that Dempsey Whitehead qualified as his admr. in the County Court of Nansemond County on the 14th day of January 1867, and took charge of the decedents personal & Chattle estate — a copy of the order of court granting such qualification is filed herewith and marked (B.).

That the said Dempsey Whitehead. as such admr. has sold the chattle estate and is proceeding to administer the said Estate, according to law.

That the said Intestate left as his heirs at Law, his widow, named, Silvia Ann, and five children, all under twenty one years of age, to wit: Richard A; Benj.a F; Nathaniel Th.s; Sarah E; & Mary V. Williams.; and that the said widow is entitled to dower in said Land after the payment of said Debt —

Your Complainant is advised that he is entitled to be paid his said Debt, out of

the personal estate of said decedent, should there be enough for that purpose —

Your Complainant prays that an account of the transactions of said Dempsey Whitehead as admr. aforesaid may be had; that an account of your Complainants' demand and all other outstanding demands against the said decedent or his estate, may be had — That if the personal estate of said deceased should be insufficient to pay said debts, that then the said Land may be sold for that purpose — That your Complainant is ready and willing to execute a deed to the said Land to the heir at law of said deceased, or to whomever the Court may find, on the payment of his demand as aforesaid

In consideration whereof, and as this Court has power to grant all adequate relief — To the End Your Complainant prays, that Dempsey Whitehead admr. of Wm. J. Williams dec'd, Silvia Ann Williams, (widow), Richard A.; Benj.a F.; Nath.l J.; Sarah F.; & Mary V. Williams, the last five being Infants, may be made defendants hereto, and be required to answer the allegations herein, and that the prayer of your Complainant may be granted,

Kelly P.C.

Henry L. Lyon &c

v } Rice

Dempsey & Whitehead
adm's of Wm J. Williams
dec'd. &al.

Nam P. Cir. Ct

and that one other Commissioner which may be granted Consistent with Equity &c.

Edward R. Kelly
P.C.

Symes L

Tr & Chy: Notes

Williams' Admr. &c.

1867. Aug: 26th. Summs in Chy: issued

" Sept 2nd Bill & exhibits filed — & conditional decree vs adult defts:

" " " P. B. Prentis, apptd guar: ad litem to infant defts: who filed their answer to which there was a gen: replication & cause set for hearing as to them.

" Octo: 7th: Conditional decree confirmed: & Cause set for hearing on mo: of Counsel

" " 14th: Decree for Accts:

1868. Mar: 23d: Comm's Report filed

" Apl: 22nd: Decree for sale &c

" Octo: 12th: Decree to collect & distribute &c

1869. Feby: 4th. Comm'r. Kelly's Report of distribution filed

" Apl: 19. Report (Atkinson's) of Payments filed

" " " Final Decree

Chy: Notes