1870 - 008
Nansemond County (Suffolk)

Chancery Causes: Exr of Meritt Briggs vs Comt of Elbert Copeland etc

Williams, Randal

$290

On demand I promise to pay to Hiscia G. McClenny, or order the sum of Two hundred and ninety Dollars for value rec'd (being in full of all demands to this day) — for the payment of which I bind myself heirs — witness my hand & seal this 12th day of July 183[illegible]

Elby of his mark Copeland (Seal)

Witness
P. B. Prentis

of Bond
in 12 feb. 1857 to 13 Oct. 1857 $290.00
11.60
$301.60
or on Bond 40.00
$261.60
Int to 13 Dec 1858 16.57
$278.11
or Paid by E. 6 79.06
$199.05
Paid by Jno R Kelly trustee 157.55
from sales of Land &c
Bal. Due 13 Dec. 1858 $41.50

Bal. due 13 12 $41.50
Int. " " 13 12 1858
" " " 13 12 1859 23.24
1860 " 18 " " 14.26

V Clerk

Eliz Copeland
To Note
$280.00

Received the sum of
Forty Dollars in
part payment of the
within note 13th
October 1857

with interest from Date I Promise to pay to Oliver P Savage the just sum of thirty one Dollars and ten cents it being for Value Rec'd of him as witness my hand and Seal this 2 Day of Feby 1867

Elvy his X Copeland mark (Seal)

Esaban J Savage

Camino

(672/698)

Elbert Copeland Esq
In a/c With Merritt Briggs

1861

Jany 9	To 9 yds Calico @ 9		1 12	
	" 33 1/2 " Bro Cottons @ 7		2 35	
	" 3 1/2 Gals Molasses @ 40		1 40	
	" 1 Bbl Herrings @		6 00	
	" 6 lbs Coffee @		1 13	
	" 10 " Brn Sugar		1 00	
	" 20 " Flour @ 5		1 00	
	" 1 pair Blankets @		4 00	
	" 8 yds Osnabrgs @ 9		1 00	
A/c 24	" 6 Gals Molasses @ 40		2 40	
	" 1 Bag Guano 168 lbs @ 3/4		5 46	
	By Cash		" "	5 00
	To 10 lbs Brn Sugar		1 00	
	" 6 " Coffee @		1 13	
	" 20 " Flour @ 5		1 00	
	" 5 yds Burlaps @		" 84	
	" 1/2 lb G. Thread @ 88		" 44	
	" 1 yd B. Cottons @		" 08	
			31 35	5 00
			5 00	
			$26.35	

Int: Fm: 1 Jan: 62 to
18th Inst: $8.68

Elbert Copeland

a/c #2636

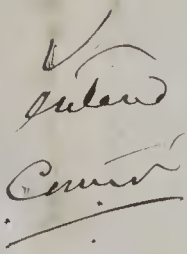
V

Commr

1862

Elvy Copeland to Albert Smith Dr

to balance on account $1.30



$ 23. One day after date I promise to pay unto
Albert Smith the Sum of twenty three dollars
and for which payment I bind myself my heirs
and assigns jointly by these presents as witness
my hand and Seal, — April 7th 1858

his
Witness — Elvery X Copeland (Seal)
William C Phillips mark

Rec'd in part of the within Ten dollars

Clerk to pelai
to make
$ 93.00

Int: 1½
27th Oct: 1860 } 3.51
26.51
Cr: 10.00
16.51
Int: 6 18
11th Apl: 1868 } 7.39
$ 23.90

Clerk
Coun

1857 [illegible] Copeland

Bot of W. G. Williams

Sept 3rd	To 24 lbs. bacon @ 1/ pr lb		$4.00
1858 July 2nd	To 2 thirds of a barrel of corn		2.50
			6.50

V

Cuban

Commr

H

745

Gloria Copeland
$4.50

$22.16 On demand I promise to pay or cause to be paid unto W. G. Williams the just sum of twenty two dollars & sixteen cents to the true payment of which I bind my self &c: as witness my hand and seal this 3rd day of May 1857

his
Elva X Copeland
mark

Elva
Copeland
to
Bond
#2216

Zadock

Canum

245

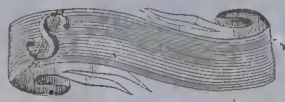
one thousand eight hundred and

Witness.

[SEAL.]

[SEAL.]

[SEAL.]



On or before the day of
one thousand eight hundred and we or either of us promise to pay unto

his heirs, executors, administrators and assigns, the sum of
being for the hire of negro
for the year one thousand
eight hundred and : which payment we promise faithfully to make;
and we covenant to keep and return the said negro in good customary and suitable clothes, and to furnish each negro man and boy with a good pair shoes in February, and a good pair boots in November, and a hat and blanket each, and to furnish their winter suit of best *sheeps grey* cloth; and to furnish each woman and girl with a pair of shoes in each of said months of February and November, and a blanket and handkerchief: and not to work said negro on any *public work* or on water, and not to hire out the same without the consent of the said
and not to suffer said negro to work out of the following limits, to wit:

WITNESS our hands and seals this day of
one thousand eight hundred and

Witness.

[SEAL.]

[SEAL.]

[SEAL.]

Eliza M Savage
ad O. P.
Savage
&
Eliz Copeland

Sales in
the case
Briggs v
Copeland

V
cancel

$101.60 On demand I promise to pay to
Meritt Briggs or order one hundred & one
dollars and Sixty cents for value received
for the true payment of which I bind
myself Heirs Executors Administrators or
assigns & as Witness my hand and Seal
This the 31st day of January 1861

Witness
George Hall

Elbert his X mark Copeland Seal

(A).

Elbert Copeland

To note $101.60

Due Jany 1. 1861

At a Monthly Court held for Nansemond County the 14th
Day of January 1867.

On the motion of George W. Briggs, it is ordered that the
Estate of Eley Copeland, be committed to William Eley
Sheriff of this County, for administration according
to Law, it appearing that the said Eley Copeland
has been dead, for more than three months, and no
person having applied for administration, on his
Estate.

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

(B)

Copy order committing
Elvy Copeland's Estate
to Sheriff's hands.

2 Exhibits
filed in clay:
suit, Briggs
En v
Co[illegible] adv
[illegible].

At a Circuit Court held for Nansemond County the 19th: day of April 1870:

George W. Briggs Executor of Merit Briggs, deceased ..... Complainant

Against } In Chancery

Wm. Eley, Sheriff and Committee of Elbert Copeland, deceased, Louisa Copeland, John Williams and Octavia, his wife, Charles Randal and Penny his wife, Dennis Copeland, William Copeland and Nicodemus Copeland the last two being infants under twenty-one years of age ..... Defendants

This cause came on this day to be again heard on the papers formerly read and on the report of John R. Kilby, Commissioner made pursuant to the decree of the 20th: April 1869 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. Kilby, Commissioner aforesaid receive of the Clerk of this Court (who will deliver the same to him on his leaving a receipt therefor) the bond of William C. Phillips and Josiah Murphy for Twenty-five dollars, and of Jas. G. Pollard and J. G. Pollard Jr of One Hundred dollars and thirteen cents, and collect the same, and make to said William C. Phillips and Jas. G. Pollard respectively, deeds for the real estate purchased

by them under proceedings had in this cause, with special warranty, in the usual form. And it is further decreed and ordered that the said John R Kilby Commissioner as aforesaid, out of said money when collected pay any costs that may remain unpaid and then pay the balance pro rata to the several creditors of the said Elbert Copeland deceased, as ascertained by and set forth in Commissioner Prentis' report, made under the decree of the 12th. of October, 1867, and make report to Court.

A Copy
Teste,
Peter B. Prentis. Clerk

Bridges &c
vs
Copeland's Ex'rs &c

In the Circuit Court of Nansemond County.

The Undersigned reports to Court, that, pursuant to the Decree of April Term of said Court, 1870, made in the cause of Briggs' Exor: &c vs. Copeland's adm'r. &c: he has received of the Clerk of said Court, the two Bonds of Wm C. Phillips, and I. G. Pollard, and has collected the same, & paid the proceeds to those entitled, as directed by said Decree of April Court 1870, and has made said Phillips and Pollard, respectively Deeds for the real estate (bought by them under proceedings had in said cause) with special warranty in the usual form.

The following statement will show the proceedings of the Undersigned more fully.

By Wm C. Phillips' Bond for		$25.00
" Int: from 11th Oct. 1869 to 11 July 1870 - 9 mos		1.13
By I. G. Pollard's Bond for		100.13
Int: from 11th Oct. 1869 to 11. July 1870 — 9 mos.		4.50
Carried over		$130.76

By amo. brot. on ℔130.76.
To charge for sealing debts &c. 9.31
Balance ℔121.45

Paid to Creditors pro rata
as ordered by said Decree
To Geo. W. Briggs Exor. of
Neil Briggs, on ℔146.61=℔48.87
" N. G. McClenny on ℔64.77 ℔21.59
" Oliver P. Savage on ℔44.55 ℔14.85
" Washington G. Williams on ℔36.73 ℔12.24
" Same on ℔10.40 ℔3.43
" Geo. W. Briggs Exr on ℔35.76 ℔11.92
" Albert Smith on ℔25.67 ℔8.55=℔121.45
being 1/3 of ℔364.49.

Respectfully submitted
John R. Kilby Comr

1870 July 11th Rec'd of John R. Kilby
Comr. the several sums set opposite our
names being our shares of above fund.
John R. Kilby Atty.
for all the Creditors

Bissell Exr.
vs
Copeland, admr
&c.
Report of
Payments

Octo: 10th: 1870. Filed
CM

Mr. Elvy Copeland (Est

1869. **To A. S. ELEY, Sheriff of Nansemond Co., Dr.**

To	Capitation Tax, 60 cts.		
"	124 Acres Land, value $ 5 67 at 30 cts.,	1	70
"	Ditto for County, 50 per cent on revenue tax,		83
"	Ditto for Parish, 12½ " " " " "		21
"	County Levies at $1 50, Parish do 60 cts,		
"	Rev. on personal property, bonds, &c., at 30 cts.		
"	Ditto for County, 50 per cent on revenue tax,		
"	Ditto for Parish, 12½ " " " " "		
"	Clerk's fees,		
"	Commissioner's fees,		
	Received payment,	$ 2	74

Wm Eley *Sheriff.*

Dr
Ely Copeland
2.79

Mr. Geo. Copeland Est

1868. **To WM. ELEY, Sheriff of Nansemond Co., Dr.**

To	Capitation Tax, 60 cents		
" 126	Acres of Land, value $ 5 66	1	71
"	Ditto for county 21 & 1/2 21		42
"	County Levies at $2 50, Parish do., 60 cents		
"	Rev. on personal property, bonds, &c.		
"	Ditto for county		
"	Clerk's Fees		
"	Commissioner's Fees		
	Received Payment,	$ 2	12

W. A. Phelps Sheriff.

All Available Text Successfully Captured

Elvey Copeland Dr

Est.

	$3,14
	2 12
	3,34
	2 14
	5,02
Int.	3.0
Cont. Est.	3.3
	9,01

EVERY DESCRIPTION OF BOOK AND JOB PRINTING NEATLY EXECUTED.

TERMS---CASH ON DELIVERY.

Suffolk, Va., Dec 20th 1867

Mr Peter B. Prentis Clk

To **W. B. WELLONS, Dr.**

BOOK AND JOB PRINTING OFFICE.

Legal notice G. W. Bripps vs Wm Eley 41 lines 4 T. 10 25

Rec'd payment of Jno R Kelly
W. B. Wellons

EVERY DESCRIPTION OF BOOK AND JOB PRINTING NEATLY EXECUTED.

TERMS---CASH ON DELIVERY.

Suffolk, Va., Aug 9th 1867

Mr Peter B. Prentis Clk

To W. B. WELLONS, Dr.

BOOK AND JOB PRINTING OFFICE.

G. W Briggs vs Wm Eley. Legal
notice 3 sq 4 t 7 50

Receipt in full of Mr R Kelly
W B Wellons

Oct 22nd 1869 Rec'd of L.R. Kirby Comr. Five dollars
for selling the lands of Thos Copeland at Auction
on the 11th Oct. 1869

Wm L McGuire
for R.D. Brinkley Auctr

At a Circuit Court, held for Nansemond County the 20th. day of April 1869.

George W Briggs Executor of Merit Briggs deceased . . . . . Complainant.

Against In Chancery.

William Eley Sheriff and Committee of Elbert Copeland deceased Louisa Copeland, John Williams and Octavia his wife, Charles Randal and Penny his wife, Dennis Copeland William Copeland and Nicodemus Copeland the last being infants under twenty one years of age. Defendants.

This Cause, came on this day to be again heard on the papers formerly read and on the Report of Commissioner Prentis made under the decree of the 12th 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 sell before the Court house door of Nansemond County on some Court day on a credit of six months with interest from date (except for a sum sufficient to pay the costs of suit and expenses of sale which he will require in Cash and pay to those entitled) the land whereof Elbert Copeland died seized and possessed, described as a tract of land in Nansemond County, containing one hundred and twenty six acres more or less and adjoining the lands of Mrs. Gwynn's Estate Wm. C Phillips and others, taking from the purchaser bond and good security and retaining the title till the further order of the Court. Having first given twenty days notice of such sale, by advertisement at the Court House

door of Nansemond County and other public places in said County, and also by notice published once a Week for four successive weeks, in the "Christian Sun" a Newspaper, published at Suffolk. But no Sale shall be made by the said John R. Kilby under this decree until he shall have executed before the Clerk of this Court in his office, a bond in the Penalty of $1100- payable to the Commonwealth of Virginia, conditioned for the faithful Execution of this decree and any other decree, he may in this cause be required to Execute.

A. Copy:

Teste,

Peter B. Prentis. D.C.

Costs

Clerk	$15.00
Atto. Fee	30.50
Shff: Nanse: Co:	4.00
Commr.	15.00
Printer	17.75
	$82.25

George W. Briggs Exor: of
Merit Briggs

20th Feb: Co: Decree 20th April 1869

10 Wm Eley, Shff: & Commr of Ct Ct
Chesterfield Circuit Ct:

To the Circuit Court of Nansemond County

The undersigned respectfully reports to the Court that pursuant to the decree of said Court made on the 20th day of April 1869 in the cause therein pending wherein Geo. W. Briggs Ex. &c. is plaintiff and Robert Copeland's adm. &c. Defendants, he proceeded to advertise the Land of which said Copeland died possessed, in the manner as directed by said decree, and did on the 11th day of October 1869, before the Courthouse door of said County (being Court day) sell at auction the said Land in two parcels, when they were purchased on the terms of said decree as follows –

15 acres, detached from the main tract & adjoining the Lands of Wm C. Phillips on all sides except on the Creekside was purchased by said Phillips for $36:00

and the Balance of 111 acres, more or less, adjoining the Lands of Jno. Gwinn's Estate, Wm C. Phillips & others was purchased by J. G. Pollard for 205:00

Total sales $241.00

of which there was raised in Cash & paid to those entitled as follows – To 5 per cent Com's 12.05

Can'd. over $228.95

By amo: brt. on $228.95

To paid Attd. Fee $30.50
" " Clerk " 15.00
" " Sheriff Wash. Co. 4.00
" " Com. Printer 15.00
" " Painter's bills 17.75
" " W.H. McGuire acct 5.00
" " Taxes 9.07
" reserved for 2 deeds & stamps 6.00
" advertising in paper 1.50 $103.82

Balance. $125.13

For which he has taken the following Bonds, to wit: Wm C. Phillips' Bond with Daniel Murphy as security for $25:00 and J. G. Pollard's bond, with as security for $100:13

Both of which Bonds are dated 11th Oct. 1869 and payable six months after date with interest from date, & which bonds are herewith filed — The title to said land reserved till the further order of the Court.

Respectfully submitted

John R. Kilby Com.

Receive our fees due us, in this case—

Peter B. Prentis. Clerk $15.

Peter B. Prentis. Com. $15.

1870 July 8 Rec'd of Clerk of Circuit Court of Nansemond the Bond of Wm C. Phillips of $25. & of Jas G. Pollard of $100. filed herein — Directed to be delivered me by decree of April Court 1870.

John R. Kelly Com

Orig Sr. &c
Rep't of Sales &c
Ledbetter adm &c

1869
Nov: 19th: Filed

Virginia.

At Rules held in the Clerk's office of the Circuit Court of Nansemond County on Monday the 5th day of August 1867.

George W. Briggs Executor of Merill Briggs deceased ..... Complainants

against } In Chancery.

William Eley Sheriff and committee of Elbert Copeland deceased. Louisa Copeland, John Williams and Octavia his wife, Charles Randal and Penny his wife, Dennis Copeland William Copeland and Nicodemus Copeland, the last two being infants, under twenty one years of age ..... 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

1867. August 5th. I acknowledge service of the foregoing order, and that I have received a copy thereof

Peter B. Prentis. gdn ad litem

George W. Briggs, Exr:
of Meritt Briggs decd

vs } Order appt'g Rich'd Eldem

Wm: Eley, Shff: & Commr
of Elbert Copeland decd
Def.

KNOW ALL MEN BY THESE PRESENTS, That we John R. Kilby and Thomas J. Kilby

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA, in the just and full sum of Six 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 August ~ in the year one thousand eight hundred and Sixty - nine , and in the 94th: year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound John R. Kilby, who was by a Decree of the Circuit Court of Nansemond County, pronounced on the 20th: day of April 1869, in the cause of George W. Briggs, Executor of Merit Briggs deceased against Wm: Eley, Sheriff and Committee of Elbert Copeland deceased & others, appointed a Commissioner to make sale of certain Real Estate, in said Cause described ~~~~~

under said Decree, and any other Decree he may in said cause be required to execute

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)

John R. Kilby SEAL.

Thos. J. Kilby SEAL.

SEAL.

SEAL.

SEAL.

John R. Kilby, Commr.

To } Bond

Commonwealth

Aug: 31st: 1869 Executed Filed

Briggs Exr. &c

vs.

Ely Comr of Cumberland &c.

This cause came on this day to be again heard, on the papers formerly read & on the report of Comr. Prentis, made under the Decree of the 12th. of Octr. 1867, to which report there is no exception, and was argued by Counsel. On consideration whereof the Court doth Confirm the said report & doth adjudge, order and decree, that John R. Kelly, who is hereby appointed a Commissioner for that purpose, proceed to sell before the Court house door of Nansemond County, on some Court day, on a credit of six months with Interest from date (except for as much as sufficient to pay the Costs of said sale & expenses of sale which he is to require in cash and pay to those entitled) the Land whereof Elbert Cowell died seized & possessed described as a tract of Land in Nansemond County, Containing one hundred and twenty six acres, more or less & adjoining the Lands of Jno. Gwinn's estate, Wm C Phillips and others, taking from the purchaser bond & good security. Retaining the title till the further order of Court. Having first

given thirty day notice of such sale by advertisement at the Court house door of Nansemond County & other public places in said County also by notice published once a week for four successive weeks in the "Christian Sun" a Newspaper published at Suffolk —

But no sale shall be made by the said John R. Kelly under this decree until he shall have executed before the Clerk of this Court in his office a Bond in the penalty of $600. payable to the Commonwealth of Virginia, conditioned for the faithful execution of this decree & any other decree he may in this cause be required to execute.

Brief of
Exhibits admr

1869.

Chancery Court

Decree

Jno. R. Kelly

E. J. Phillips

Briggs & N. Copeland.

This cause, in which the plaintiff has proceeded against the said Dennis Copeland in the mode prescribed by Law against absent defendants: Came on to be heard on the Bill taken for confessed as to the two adult defendants on whom process had been duly served, they still failing to appear and make defence, & on the answer of the Infant Defendants by their guardian ad litem, and replication to said answer, and on Exhibit, filed with said Bill, and was argued by Counsel:

On consideration whereof the Court doth adjudge & decree that a Comm. of this Court take the following accounts —

1st an account of the transactions of Wm Eley Sheff. & Comr. of Elbert Copeland dec'd;

2d. an account of debts and demands due by said Elbert Copeland or his estate and their priority

3d. an account of the quantity, value (fee simple & annual) of the real estate whereof said Elbert Copeland died seized & possessed, and make report of any matter specially stated, deemed pertinent by himself, or that may be required by any of the parties to be so stated — and that the taking of such accounts be published once a week for four successive weeks, in the "Christian Sun" a newspaper published at Suffolk, which shall be equivalent to personal notice to the parties.

Brigg Gt
M.

Copeland is Rep. to

1867

Col. Ct Adkins

I be entered

R. H. Baker

Entered

VIRGINIA:—AT RULES HELD IN THE CLERK'S office of the Circuit Court of Nansemond county, on Monday the 5th day of August, 1867.

George W. Briggs, Executor of Meritt Briggs deceased.

Complainant,

IN CHANCERY,

Against,

William Eley, Sheriff, and committee of Elbert Copeland deceased, Louisa Copeland, John Williams and Octavia his wife, Charles Randal and Penny his wife, Dennis Copeland, William Copeland and Nicodemus Copeland, the last two being infants, under twenty-one years of age.

Defendants.

The object of this suit is to obtain a decree for the sale of the real Estate of which the said Elbert Copeland, (sometimes called Elvy Copeland,) died seized and possessed, for the purpose of paying the complainants demand; and the defendant, Dennis Copeland, is hereby required to appear in the said Clerk's office, within one month after due publication hereof, and do what may be necessary to protect his interest.

A Copy—Teste.

au. 9—4t PETER B. PRENTIS, Clerk.

John R. Kilby, p. q.

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.

W. B. Willcox

Ed. & Proprietor

Price of advertg $ 7.50

Briggs' Elec:

Vt Certif: of Pub:

Copeland's Comm.ns &c.

filed Sept 4/67. clk:

Briggs' Ex'r.

v

Copeland's Comm'r.

This day John R. Kielly attorney for the plaintiff personally came before me & being sworn says that he has understood & believes, that Dennis Copeland, one of the defendants in the above cause is a non resident of Virginia.

John R Kielly

1867. July 1st. 2nd.
Sworn to before me
in my office
Peter B. Prentis. Clk

Briggs' Exr.

vs } Affidavit

Copeland's Commr &c

1867. July the 2nd filed
clk:

Briggs Ed. vs. Cobeland Repr. &c.

This cause came on this day to be again heard on the papers formerly read and on the report of Jno. R. Kelly, Comr. made pursuant to the decree of the 20th. April 1869 — 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 & decree that John R. Kelly, Comr. aforesaid Receive of the Clerk of this Court (who will deliver the same to him, on his leaving a Receipt therefor) the Bonds of William C. Phillips & Jno. Humphry for $25.00 & of Jas. G. Pollard & J. G. Pollard for of $100 1/3 and collect the same and make to said Wm C. Phillips and Jas G Pollard, respectively, Deeds for the real estate purchased by them under proceedings had in this cause, with special warranty in the usual form; and it is further decreed and ordered that the said John R. Kelly ~~&~~ Comr. as aforesaid, out of said money, when collected, pay any costs that may remain unpaid, & then pay the Balance pro. rata to the several creditors of said Elbert Cobeland and, as ascertained by, & set forth in Comr Pruitt's Report, made under the decree of the 12th Oct 1867. and make report to Court.

Briefs Evidence
&
Testimony Reply &c

1870

April 21. Decree

To be entered

Geo. P. Blow. Jr.

Geo. W. Briggs Ex.
of Merill Briggs dec'd
v.
Ely

Wm Ely Sh. & Com.
of Elbert. Appellant dec'
Louisa Appellant —
Jno. Williams & Octavia
his wife, Charles Randal
& Permelia wife, Dennis
Copeland, William
Copeland & Mitchidonia
Copeland — the last
two being Infants.

To subject Land to pay
Bond of $101.60
Int from 1 Jan
1861.

To aug. rule 1867
Main Cir. Ct.

Elbert Copeland died 1 Oct 1865

his wife Eliza died before he did in 1862

130 acres Land.

no chattel Est.

Eliz Cleveland dies 1 Oct 1865
wife Eliza died before in 1862

Children

1 Louisa, single 25 years old at Potts:
2 Octavia[23] wife of Jno. Williams, Western Branch near Bridge ferry
3 Penny[22] wife of Chs. Randal on Paradise creek on Jno Edwards Land
4 Dennis over 21 out of the state (Boston
5 William under 21 with Octavia
6 Archdeacon under 21 with Penny

130 acres Land adjoins
Jno Guirin's Estate Wm Seymour
Phillips, J. G Williams estate

no admr.

Mary Randall.

Eby Copeland

Eby Copeland.

part of Murdoch William

" Jack Read

" Israel Benson

Wm Eby Sh. & Comp.

Command to Sale

E. H. Lewis

Costs

Clerk	$15:00
Atto: L Stanch	30:50
Staff: Mfg: Co:	4.00
Commrs	15.00
Printer	17.75
	$82:25

Costs

The Commonwealth of Virginia, Norfolk

To the Sheriff of Nansemond County---Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON William Eley, Sheriff and Committee of Elbert Copeland deceased; Louisa Copeland, John Williams and Octavia, his wife: Charles Rindal and Penny his wife: Dennis Copeland, William Copeland and Nicodemus Copeland the last two being infants under twenty-one years of age

to appear at the Clerk's Office of our Circuit Court, for the County of Nansemond, on the first Monday in August next, 1867, being rule day, to answer a bill in chancery, exhibited against them by George W. Briggs, Executor of Merritt Briggs 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 and there this writ. *Witness*, PETER B. PRENTIS, Clerk of our said Court, at his Office, this 1st day of July 1867, and in the 91st 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 f. 1

George W. Briggs. Exr: of
Merit Briggs decd

Vs } Summons in Chy:

Wm: Eley, Shff: & Committee
of Elbert Copeland decd Val:

So Aug: Rules 1867.

Summons Cir: Co

Executed 18th 1867 by delivering a
true copy thereof to Louisa Copeland
Jno Williams and Octavo his wife
Chas. Randal and Penny his wife Dennis
Copeland Wm Copeland and Nicodemus
Copeland

Jas. A. Ethridge
D. Shff
for Saml Ethridge Shff

Pro: b. No: 1. page 24

Cir: Co:

At a Circuit Court held for Nansemond County, the 12th day of October 1867.

George W. Briggs Executor of Mark Briggs deceased Complainant.

against In Chancery

William Eley Sheriff and Committee of Elbert Copeland deceased, Louisa Copeland, John Williams, and Octavia his wife, Charles Randal and Penny his wife, Dennis Copeland, William Copeland and Mackemmon Copeland, the last two being infants, under twenty one years of age . . . . . Defendants

This Cause coming on to be heard on the Bill taken for confessed, as to the home named defendants, on whom process had been duly served, they able & failing to appear and make defence, and on the answer of the infant defendants by their guardian ad litem, and replication to said answer, and on exhibits filed with said Bill, and was argued by Counsel, on consideration whereof the Court doth adjudge order and decree that a Commissioner of this Court take the following accounts: First, an account of the transactions of Wm Eley Sheriff and Committee of Elbert Copeland deceased: Second. An account of debts and demands, due by said Elbert Copeland or his Estate, and their dignity. Third: An account of the quantity and value (fee simple and annual) of the real estate, whereof said Elbert Copeland died seized and possessed, and make report of any matters specially stated, deemed pertinent.

by himself, or that may be required by any of the parties, to be so taken: and that the taking of such accounts be published once a week, for four successive weeks in the "Christian Sun" a newspaper published at Suffolk, which shall be equivalent to and in lieu of personal notice to the parties.

A Copy:
Test.

Peter B. Prentis. Clerk

Geo: W. Briggs. Esq: &c
Merid. Briggs clerk
&c &c &c Decree
Elbert Carlton Sheff: &c

COMMISSIONER'S OFFICE,
Suffolk, Va., December 16, 1867.

TO GEORGE W. BRIGGS, EXECUTOR of Merit Briggs, deceased,
Complainant,
IN CHANCERY,
And
William Eley, Sheriff and Committee of Elbert Copeland, deceased, Louisa Copeland, John Williams and Octavia, his wife, Charles Randal and Penny his wife, Dennis Copeland, William Copeland and Nicodemus Copeland.
Defendants.

You are hereby notified, that I have fixed upon Friday, the 24th day of January 1868, if fair, if not, 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 12th 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 William Eley, Sheriff and Committee of Elbert Copeland deceased.

Second.—An account of debts and demands due by said Elbert Copeland or his Estate and their dignity.

Third.—An account of the quantity and value (fee simple and annual) of the real estate, whereof said Elbert Copeland died seized and possessed. 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.

PETER B. PRENTIS,
Commissioner.

de20-4t

I do hereby certify that the annexed notice has been published in the "Christian Sun" once a week for four successive weeks, and that the price charged is according to our regular advertising rates. Given under my hand this 24th day of January 1868.

W. B. Wellons
Editor & Proprietor

Price of advertg. $10.25

(Acco. No: 1)

An Account of the transactions of William Eley, Sheriff and Committee of Elbert Copeland deceased

I Wm. Eley Esq: Shff. & Commee. as aforesaid reports to the Commissioner, that he has neither received nor disbursed and funds belonging to decedent or his Estate: Nothing having come into his hands, as admr: &c or otherwise.

Commr.

(Acco: No. 2)

An Account of Debts and demands due by Elbert Copeland or his Estate and their dignity.

First Class — None

Second Class — None

Third Class — None

Fourth Class.

Creditors' Attys.						
Kelly	To George W. Briggs, Executor of Merit Briggs decd.	Bond	$	101	60	
	" int: from 1st: Jany: 1861 to 18th April 1868			45	01	$ 146 61
Kelly	To Hincha G. McClenny. (Bal: Bond)		$	41	50	
	" int: from 13th: Decr: 1858 to 18th: April 1868			23	27	$ 64 77
Kelly	To Oliver P. Savage	Bond	$	31	10	
	" int: fm: 2nd Feby: 1861 to 18th April 1868			13	45	$ 44 55
Kelly	To Washington G. Williams	Bond	$	22	16	
	" int: fm: 3rd: May 1857 to 18th April 1868			14	57	$ 36 73
Kelly	To Same	acco:	$	6	50	
	" int: fm: 18th Apl: 1858 to 18th Apl: 1868			3	90	$ 10 40
Kelly	To George W. Briggs, Extr. of Merit Briggs decd.	acco	$	26	35	
	" int: fm 1st: Jany: 1862 to 18th: Apl: 1868			9	11	$ 35 76
					"	$ 338 82
Kelly	To Albert Smith	Bal: Bond	$	16	51	
	" int: fm: 27th Octo: 1860 to 18th apl: 1868			7	39	$ 23 90
Kelly	To Same	acco:	$	1	30	
	" int: fm: 18th apl: 1862 to 18th Apl: 1868				47	$ 1 77
		Total			"	$ 364 49

Commissioner's Office
Suffolk Va: Feby: 15th: 1865.

George W. Briggs, Exor: of
Merit Briggs decd
vs
Eley:
Wm: Eley, Shff: & Commr
of Elbert Copeland decd &c:

This day, James P. Johnson, being duly Sworn, says, that he is tolerably well acquainted with the lands of which Elvey Copeland sometimes called Elbert Copeland died seized and possessed, containing 126 acres, more or less; and that he considers the fee-simple value thereof to be, to the best of his knowledge & belief, the sum of Four Hundred Dollars ($400), and the annual value or rental, nothing at all— the same being without fences or buildings.

Sworn to before me in my Office, the day & date above

(Signed)
Jas P. Johnson

Peter B. Prentis
Commr:

(Acco: No: 3)

An Account of the quantity and value (fee-simple and annual) of the real estate, whereof Elbert Copeland died seized and possessed.

Fee Simple value of Real Estate
126 Acres, more or less $400:00

Annual Value $000:00

(See Jno. P. Johnson's Schedule returned herewith)

Commissioner's Office
Suffolk Va. July 1st 1868

To The Circuit Court of Nansemond County:

Your Commissioner to whom was referred the Decree of the 12th day of October 1867, in the Chancery Cause of George W. Briggs, Executor of Merik Briggs deceased, Complainant vs William Eley, Sheriff and Committee of Elbert Copeland deceased &c: Defendants, begs leave to report, that on the 24th day of January 1868, having given notice, previously, to the parties interested, in the mode directed by said decree, he proceeded to state the several accounts directed to be taken by the aforesaid decree. That no account of the transactions of the Personal Representative of the deceased was taken, for the reason, that nothing ever came into his hands for disbursement or otherwise: in fact, it appeared to your Commissioner, that the decedent, left the County in 1863, on its evacuation by the Federal Forces, and removed with his family & such of his effects, as he could take along, to the County of Norfolk where he soon after died, and that he left any Chattel property behind him, either in Nansemond or Norfolk County it never came into the hands of said Sheff: &c. That by accompanying accounts No: 2 it will be seen that the Total Liabilities and debts due by said decedent or his estate, amount to the sum of $314.49 (314.49) the interest having been computed thereon up to the 18th day of April 1868. That he reports, by acco: No: 3 the fee simple and annual value of the Real Estate, in the proceedings mentioned.

Your 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, notice and evidence of the publication of said notice, are herewith returned.

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

Peter B. Prentis. Commissioner

George W. Briggs, Exctt. of
Merit Briggs decd
vs
Comrs: Report

Wm. Eley, Shff: & Commee of
Elbert Copeland decd & al.

1868
Feby: 1st: Completed & filed
in my Office.
Peter B. Prentice.
Comr

1868 Feby: 29th Filed
Clk C

Briggs Exr
vs
Chy. Notes

Copeland's Solr: Counsel fee:

1867. July 15th: Summ: issued (12d) Affidavit filed

" Aug: 5th: Bill & Exhibits filed - Confidential decree vs all absent defts except Dennis Copeland.

" " " P.B. Prentis appointed guardian ad litem to infant defts: who filed answers: to which there was a repl: rules & cause set for hearing as to them.

" " " Proper affidavit having been made and filed, an Ord: of Pub: is awarded vs dft: Dennis Copeland

" Sept: 4th: Confidential decree vs absent defts: continued

" " " Affid: of Pub: filed - & order of Pub: having been published & posted according to law, & no appce: cause set for hearing on motion of Pltffs: Counsel.

" Octo: 12th: Decree for accos:

1868. July 29th: Commr: Prentis' report filed (Aug: 22d) Continued (Octo: 14th) Confd

1869. April 20th: Decree for sale &c (Aug: 31) Commr's Bond executed & filed

" Octo: 14th Continued (Nov: 19) Report of Sale filed

1870. Apl: 19th: Decree to collect debt interest &c (Octo: 15th) Report of payments filed

" Octo: 12th: Final Decree

Chy: Notes

Briggs' Exrs. &c

vs.

Executors adm't &c al

This cause came on this day to be again heard, on the papers formerly read & on the report of John R. Kilby, Commissioner, made pursuant to the decree of the 19th of April 1870 — to which report there is no exception; and was argued by Counsel; On Consideration whereof the Court doth Confirm the said Report & doth adjudge, order and decree that the proceedings had in this cause be confirmed & made final and binding between the parties — and that the cause be removed from the Docket.

Briggs Exrs

v

Cortelyou's advrs

1870

Oct. Court, Dem

To be entered

Geo. Bliss. Jr.

The joint and separate answer of William and Nicodemus Copeland, infants, under the age of twenty-one years, by Peter B. Prentis, their guardian ad litem to a Bill in Chancery exhibited against them and others by George W. Briggs, Executor of Merritt Briggs deceased, in the Circuit Court of Nansemond County:

These Respondents, answering, say, that so far as they know or believe, the facts set forth in said Bill, are true: but, as they are ignorant of their rights, being infants, they submit the same to the Court, and pray that no order or decree may be made inconsistent therewith.

(signed)

Peter B. Prentis.

Gdn: ad litem

George W. Briggs. Exr.
of Merritt Briggs decd

vs } Answer of infant defts.

Wm. Eley, Shff. & Comm.
of Elbert Copeland decd &al

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

Complaining, shew unto the Court, your Complainant George W. Briggs Executor of the Last Will and Testament of Merit Briggs dec'd. —

Your Complainant says that on the 1st day of January 1861, Elbert Copeland (sometimes called Elby Copeland) a free negro residing in Nansemond County, executed his writing obligatory to said Merill Briggs for the sum of One hundred and one dollars & sixty cents payable on demand, as will be seen by said writing obligatory filed herewith marked (A). That since which time the said Merite Briggs has died, having a Last Will and Testament which has been duly proved & record, & your Complainant has duly qualified as his Executor.

That the said Elbert Copeland died on the 1st day of October 1865, Intestate, leaving as his heirs at Law, his children only (his wife Eliza having died before he did) to wit: Louisa; Octavia (now wife of Mo. Williams,), Penny (now wife of Charles Randal); Dennis, William, Nicodemus, the Last two being under twenty one years of age —

That the said Elbert Copeland died possessed

of no chattle or personal Estate known to your Complainant; but possessed of a tract of Land in Nansemond County containing one hundred and ~~thirty~~ twenty-six (126) acres, more or less & adjoining the Lands of Jno. Gurrin's Estate, Wm C. Phillips, and others.

That the estate of said Elbert Copeland was by Nansemond County Court on the 4th. Day of January 1867. Committed to the hands of Wm. Ely Sheriff of Nansemond County for administration, as will be seen by copy of the order of Court filed herewith marked (B.).

That the said Decedent's ~~estate~~ Chattle and personal estate is insolvent and that the real estate aforesaid will have to be sold to pay the said decedents' debts, and which your Complainant prays may be done.

In Consideration whereof and as this Court has power to grant all proper relief, To the End your Complainant prays that William Ely Sheriff & Committee of Elbert Copeland dec'd; Louisa Copeland, John Williams and Octavia his wife, Charles Randal & Penny his wife, Dennis Copeland, William Copeland, & Nicodemus Copeland, the Last two being under twenty one years of age, may be made defendants hereto, that an proper accounts may be had, and that the Land aforesaid may be sold to pay your

Complainants' demand, and that such other and further relief may be granted Consistent with Equity &c.

John R. Kilby p. q.

Kilby p. a

Biggs' Exor.

Bill

v

Wm. Elly Sh. & Comm
of Edist Copeland
Acc? Sal.

Nans? Cir: Ct.

19 Kelly p.q.

Geo. W. Briggs Ex.
of Merrill Briggs dec'd

v. } Eley:

Wm Eley, Sh. & Com.
of Albert Copeland dec'd
Sal.

Cir. ct. Nans. Co.