1871-001

JAMES R. DARDEN ETC VS JOHN D.H. DARDEN'S ADM'R. ETC

1871
CHANCERY CAUSES

NANSEMOND COUNTY
(SUFFOLK)

SURNAMES: HALL, NORFLEET, AUSTIN, ELENOR,

Costs

Clerk	$15:00
Atto: Tag & Stamps	31:00
Shff: Hauserwood	6.50
" Southampton	50
Commr:	25:00
Printer	23:00
	$101:00

The Commonwealth of Virginia,

To the Sheriff of Nansemond County---Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON Arthur E. Hall, administrator of John D. A. Darden deceased, and R. W. A. Darden, Dempsey A. Darden, Jane Nasfield (widow) James R. Darden and Mildred Ann, his wife, Henry Austin and Nancy, his wife, and John W. Darden, Jacob Austin and Emaline, his wife; Joseph L. Darden, Rev. B. C. A. Darden, William C. Darden, Justin Darden, William T. Elsner and Martha Jane, his wife, Elisha A. Darden and Nancy W. his wife; and Kenney S. Edward B and Lydia Maria Darden, and Mary Darden and Walter Darden: 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 March next, 1867, being rule day, to answer a bill in chancery, exhibited against them by James R. Darden, who sues for himself and all other creditors of John D. A. Darden 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 25th day of February 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.

Executed Febry 29th 1867 & a true Copy hereof delivered to Arthur E. Hall admr Richd W. H. Pardon Dempsy H Pardon Jas R Pardon and Mildred Ann his wife Henry Austin and Nancy his wife Jacob Austin & Emeline his wife, Joseph L Pardon, William T Elmore & Martha Jane his wife, Elisha H. Pardon and Nancy W his wife, — John W. Pardon Ro B. C. H. Pardon Wm C Pardon and Justin Pardon, are non residents of my County

Wm Eliff Shff

Kelly p.q.

James R. Pardon, adm
Sued &c
vs
Elisha E. Hall & Nelson H.
et John B. H. Pardon dead
&c
vs Mary E. Pardon 1867

Pro. & Rec. 1 Page 21

Cir. Co

The Commonwealth of Virginia,

To the Sheriff of Southampton [redacted]d County---Greeting.

YOU ARE HEREBY COMMANDED TO SUMMON Arthur E. Hall, Administrator of John D. H. Darden deceased, and R. W. H. Darden, Dempsey H. Darden, Jane Norfleet, (widow) James R. Darden and Mildred Ann, his wife, Henry Austin and Nancy, his wife; and John W. Darden, Jacob Austin and Emeline, his wife, Joseph L. Darden, Ro. B. C. H. Darden, William C. Darden, Justice Darden, William S. Elmer and Martha Jane, his wife, Elisha H. Darden and Nancy C. his wife, and Henning S. Edward B and Lydia Maria Darden, and Mary Darden and Walter Darden, 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 March next, 1867, being rule day, to answer a bill in chancery, exhibited against them by James R. Darden, who sues for himself and all other Creditors of John D. H. Darden 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 25th. day of February 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.

Kirby. Ex. 9

James R. Darden, who
sues &c

vs } Sum.s in Chy:

Arthur E. Hall, Admor: &c
Jno: D. H. Darden decd &
al:

To. March Rules 1867

Executed on James
Norfleet Feb. 27th. 1867
by delivering her a copy.
~~John W. Darden~~
Came to hand too late
to be executed on
John W. Darden.

E. L. Story D.C.
for S. Kello Shff

Pro: 6. No: 1. page 21

Cir: Co.

The Commonwealth of Virginia,

To the Sheriff of Southampton County---Greeting.

YOU ARE HEREBY COMMANDED TO SUMMON Arthur E. Hall administrator of John D. N. Darden deceased, and R. W. N. Darden, Dempsey N. Darden, Jane Nasfleet (widow) James R. Darden and Mildred Ann, his wife, Henry Austin and Nancy, his wife, and John W. Darden, Jacob Austin and Emeline, his wife, Joseph L. Darden, Rebecca E. H. Darden, William C. Darden, Justin Darden, William F. Elenor and Martha Jane, his wife, Elisha H. Darden and Nancy W. his wife, and Henning S. Edwards and Sylvia Maria Darden and Mary Darden and Walter Darden, 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 March next, 1867, being rule day, to answer a bill in chancery, exhibited against them by James R. Darden, who sues for himself and all other creditors of John D. N. Darden 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 25th day of February 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.

Copy for
John W. Dauden

I acknowledge service
of this process, March
12th 1869.

John C. Harris

KNOW ALL MEN BY THESE PRESENTS, That we, Arthur E. Hall

and

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA, in the just and full sum of 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 20th day of November 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 Arthur E. Hall, who was by a Decree of the Circuit Court of Nansemond County, pronounced on the 19th day of April 1869, in the Cause of James R. Darden, who sues for himself and all other creditors of John D. H. Darden deceased Plaintiff, against Arthur E. Hall, Administrator of John D. H. Darden deceased, and others, Defendants, appointed a Commissioner to make sale of certain Real Estate, in said Cause described ~~~~~ under said Decree, and any other that may be 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

Arthur E Hall, SEAL.

Thos. A. Kelby SEAL.

SEAL.

SEAL.

SEAL.

Arthur E. Hall Comm^th

To } Bond

Commonwealth

1869
Nov: 20th Executed & filed.

James R. Darden &c.

v

Jno. D. N. Darden's adm't. &c.

This day John R. Kilby atty. for the plaintiff, maketh oath says, that Ro. B. C. Darden, Wm. C. Darden & Justin Darden defendants in the above suit a, he has heard & believes are non residents of Virginia

Sworn

John R. Kilby p. v.

Sworn to before me this
2nd day of March 1867
Peter B. Prentis Clerk.

Darden &c.

v

Darden's adm'x &c.

affidavit of
non Residence &c.

$ 150 00/100

Twelve months after date we or either of us promise to pay J. R. Darden or Order One Hundred and Fifty Dollars for hire of boy Charles for the year 1861 to be kept and returned in good Clothes on or before the 25th day of December 1861 if not Dead or Runaway. This January 1st 1861

Smith Bowden
Augustus Smith
Alex Bowden

The estate of John D H Darden dec'.

1864 To Jas R Darden Dr.

Oct 25th To One Month and 17 days board and attention during his last illness @ $30. pr Month $47.00.

Int. from 1st Jany 1865.

John D. H. Darden
To. Acct $17.00
Jas R Darden

(B.)

In the Clerk's Office of Nansemond County Court, the 1st: day of March 1867.

I do hereby Certify, that some time during the years 1864 or 1865- Arthur E. Hall, duly qualified in said Court, as the administrator of John D St. Darden deceased (the destruction by fire, of the records of said Court, on the 7th. day of February 1866, preventing me from furnishing a formal Copy of said qualification.)

Teste!

Peter B. Prentis. Clerk

(A)

Daubeny &c.

by

Daubeny's admr. &c.

3 Ex. filed with

Bill.

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

James R. Darden, who sues for himself and all other creditors of John D. H. Darden, deceased, ... Complainant

against

In Chancery

Arthur E. Hall, Administrator of John D. H. Darden, deceased, and R. T. H. Darden, Dempsey H. Darden, Jane Norfleet (widow) James R. Darden and Mildred Ann his wife, Henry Austin and Nancy his wife, and John W. Darden, Jacob Austin and Emeline his wife, Joseph L. Darden, Ro. B. C. H. Darden, William C. Darden, Justin Darden, William T. Ellenor and Martha Jane his wife, and Elisha A. Darden and Nancy W. his wife, and Henning S. Edward B. and Lydia Maria Darden and Mary Darden and Walter Darden, 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 Arthur E. Hall, Commissioner, made pursuant to the decree of the 19th: day of 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 the said Arthur E. Hall as Commis-

=sioner as aforesaid receive of the Clerk of this Court (who will deliver the same to him on his leaving a receipt therefor) the bond of Edward Howell of B. and Peverson Howell for $6.90. filed in the cause, and collect the same and together with the sum of $231.82 in the hands of said Arthur E. Hall, as Administrator of said John D. H. Darden, deceased, as appears by Account "A" in Commissioner Riddick's report of 16th of August, 1867 and the interest thereon which he will collect, pay any costs that may remain unpaid, and then pay the same ratably to the several creditors of the said John D. H. Darden, as contained in Account "B" of Commissioner Riddick's said report. And the said Arthur E. Hall, Commissioner as aforesaid is directed to make a deed to said Edward Howell for the real estate purchased by him under the proceedings had in this cause, and make report to court.

A Copy
Teste,
Peter B. Prentis, Clerk

Darden &c
vs
Darden &c

Decree [illegible]

To The Circuit Court of Nansemond County.

The Undersigned report to Court that pursuant to the decree of the 19th day of April 1870, made in the cause therein pending wherein Sal. R. Darden &c. is plaintiff and Arthur E. Hall adm. of Jno. D. H. Darden dec'd. & others, are defendants he has proceeded to receive of the Clerk of the said Court the Bonds of Edward Howell & B. & H 6.90 & collect the same & with the Balance of H 231.82 in the hands of the Undersigned as adm. of said deceased, has proceeded to pay the same as directed by said decree and as the following statement will shew.

By Edward Howell's Bond		H 6.90
Int. on same from 10th Jany 1870 to 10th Dec 1870		.39
		H 7.29
By Balance in A. E. Hall's hands as adm. aforesaid	H 231.82	
" Int. for 2 years —	27.80	H 259.62
Total —		H 266.91
To Sch from R. W. H. Darden's (Bond) charged as H 82.51 in adm. act. (Over)		23.30
		H 243.61

By amt. brought on ₰ 228.61
" further cash 6.17
₰ 237.44

To paid Jas. R. Darden 32½ -
per cent on ₰ 54.84 ₰ 18.64.55
" paid same do. on ₰ 202.05 ₰ 68.69.36
" " Jas. B. Nuffett on ₰ 30. ₰ 10.20.
" " D. R. C. Everitt on ₰ 42.01 ₰ 14.28.34
" " Henry Austin on ₰ 2.10 ₰ 0.71.40
" " W. R. Lawrence on ₰ 28.24 ₰ 9.60.16
" " R. W. N. Darden on ₰ 58.76 ₰ 19.97.84
" " Jno. B. Jenkins on ₰ 43.01 ₰ 14.62.35
" " R. W. N. Darden on ₰ 12.83 ₰ 4.36.22
" " Lewis Howell on ₰ 116.01 ₰ 39.44.33
" " D. N. Darden ₰ 6.42 ₰ 2.18.28
" " Walter Freeman
for A. E. Hallen ₰ 102.10 ₰ 34.71.40
₰ 648.37 ₰ 237.44 ₰

A deed for the real estate sold has been made to Edward Howell & R. for the real estate sold.

Respectfully submitted

Arthur Eckhall Comr.

1870 Dec. 13 Rec'd of A. E. Hall Com'r
the several sums set opposite our names,
as above.

John R. Kelly, Cat # 6:17

A E Hall. adm'r.	Jas. R Darden dec'd,	18.	64 33
A E Hall. Adm'r	Jas. R Darden d'c'd,	68	69 44
J B Norfleet		10	20
witness Rufus. C. Hall	Sem'l his X Howell mark	39	44 33
	Robt. b Grant	14	28 34
A E Hall assignee of	Walton Freeman	34	71. 40 11
A E Hall Adm'r.. of	R W & Darden dec'd	19	97. 84
A E Hall "	" R W & Darden "	4.	36 22
A E Hall. assignee "	W R Lawrence "	9.	60 16
A E Hall.	W. N Darden	2	18 28.
A E Hall	Henry Austin	71	40
A E Hall.	Jn°. W Darden. assignee. Jn° B Jenkins	14	62 35

Jas. R. Landon &c.
&
Report of
R. S. Haymond

A. E. Hale's adm
&c.

At a Circuit Court held for Nansemond County, on the 16th day of April, 1867:

James R. Darden, who sues for himself and all other creditors of John D. H. Darden deceased. Complainant:

against &c. &c. Chancery

Arthur E. Hall, administrator of John D. H. Darden deceased, and R. W. H. Darden, Dempsey H. Darden Jane Norfleet (widow) James R. Darden and Mildred Ann, his wife, Henry Austin and Nancy, his wife, and John W. Darden, Jacob austin and Emeline, his wife, Joseph L. Darden, Ro. B. C. H. Darden, William C. Darden, Justin Darden, William T. Elenor and Martha Jane, his wife, and Elisha H. Darden and Nancy W., his wife, and Henning S., Edward B., and Lydia Maria Darden and Mary Darden and Walter Darden, the last five infants . . . . . Defendants.

This Cause, in which the plaintiff has proceeded against the said Ro. B. C. Darden, William C. Darden and Justin Darden in the mode prescribed by Law against absent defendants, came on to be heard on the Bill taken for confessed as to the other adult defendants, on whom process has been duly served, they still failing to appear and answer, and on the answer of the Infant defendants by P. B. Prentis, their guardian ad litem, with general 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 Arthur E. Hall as administrator of John D. H. Darden, deceased.

Second: An Account of Debts and Demands against said decedent or his Estate and their dignity.

Third: An Account of the Real Estate whereof the said deceased died possessed or entitled to, and its fee simple and annual value.

And make report to Court with any matter specially stated deemed pertinent by himself or that any of the parties may require to be so stated: And that he give notice of the taking of such accounts by advertisement at the Court House door of Nansemond County on two successive Court days and once a week for four successive weeks in the "Christian Sun", a newspaper published at Suffolk, which shall be in lieu of personal service of notice on the parties.

A copy - Teste:

Peter B. Prentis. Clerk

Xmas

James R. Garden, who sued
&c

vs & Co: Decree

John D. A. Garden's Admrs
&al:

Pub

Wednesday
July 10th -

Commissioner's Office:
Suffolk, Va, May 29th 1867

To

James R. Darden, who sues for himself and all other creditors of John D. H. Darden, deceased: Complainant

and & In Chancery.

Arthur E. Hall, admr. of John D. H. Darden deceased, and R. W. H. Darden, Dempsey H. Darden, Jane Norfleet (widow) James R. Darden and Mildred Ann, his wife, Henry Austin and Nancy, his wife, and John W. Darden, Jacob Austin and Emmeline, his wife; Joseph L. Darden Rc. B. C. H. Darden William C. Darden, Justin Darden, William J. [redacted] Elenor and Martha Jane, his wife, and Elisha H. Darden and Nancy W., his wife, and Henning S., Edward B., and Lydia Maria Darden, and Mary Darden and Walter Darden, the last five infants. . . Defendants.

You are hereby notified that I have fixed upon Wednesday, the 10th day of July next, if fair, if not, on the next fair day thereafter (Sunday Excepted) to take and settle, at my office, the following accounts, required to be taken by the decree of Nansemond Circuit Court, rendered on the 16th day of April, 1867, in a suit in Chancery depending in said Court, and in which you are parties, Complainant and defendants, to wit:

First: An Account of the transactions of Arthur E. Hall as Administrator of John D. H. Darden, dec'd.

Second: An Account of Debts and Demands against said decedent or his Estate, and their dignity.

Third: An Account of the Real Estate whereof the said

deceased died possessed or entitled to, and its fee-simple and annual values. x x x x x And that the Commissioner give notice of the taking of such accounts by advertisement at the Court House door of Nansemond County on two successive Court days, and once a week for four successive weeks in the "Christian Sun", a newspaper published at Suffolk, which shall be in lieu of personal service of notice on the parties.

At which above mentioned 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
Comm'r.

COMMISSIONERS OFFICE, }
SUFFOLK, Va., May 29th, 1867. }

TO JAMES R. DARDEN, WHO SUES for hi[illegible] self and all other creditors of John D. H. Darden, deceased,

Complainants,

IN CHANCERY,

And

Arthur E. Hall, adm'r of John D. H. Darden, deceased, and R. W. H. Darden, Dempsey H. Darden, Jane Norfleet, (widow) James R. Darden and Mildred Ann, his wife, Henry Austin and Nancy, his wife, and John W. Darden, Jacob Austin and Emeline, his wife, Joseph L. Darden, Ro. B. C. H. Darden, William C. Darden, Justin Darden, William T. Eleanor and Martha Jane, his wife, and Elisha H. Darden and Nancy W. his wife, and Henning S. Edward B. and Lydia Maria Darden, and Mary Darden and Walter Darden. the last five infants.

Defendants.

You are hereby notified that I have fixed upon Wednesday, the 10th day of July next, if fair, if not, on the next fair day thereafter, (Sunday excepted) to take and settle, at my office, the following accounts, required to be taken by the decree of Nansemond Circuit Court, rendered on the 16th day of April, 1867, in a suit in Chancery, depending in said Court, and in which you are parties, Complainant and Defendants, to wit:

First.—An account of the transactions of Arthur E. Hall, as Administrator of John D. H. Darden, dec'd.

Second.—An account of debts and demands against said decedent or his estate, and their dignity.

Third.—An account of the real estate where of deceased died, possessed, or entitled to, and its fee-simple and annual value. * * * * * And that the Commissioners "give notice of the taking of such accounts by advertisement at the Court House door of Nansemond County on two successive Court days, and once a week for four successive weeks in the "Christian Sun," a newspaper published at Suffolk, which shall be in lieu of personal service of notice on the parties.

At which above mentioned 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.

my31-4t Commissioner.

I do hereby certify that the annexed advertisement has been published in the "Christian Sun" for four successive weeks and that the price charged is in accordance with our regular advertising rates

W. B. Wells
Editor & Proprietor

Price of advertising - $14,00

Darden &c.

vs: } In Chy. Naus^d. Cir: Ct.

Hall, Admr. &c &als.

Henry Austin being first duly sworn deposeth and says that he is well acquainted with the Real Estate of which John D. H. Darden died possessed. and owing to but a small portion of the same being cleand and that under a very poor fence, that the annual value of the same would not be more than eight dollars. and that the fee simple value of the said land ~~would be~~ is Two Hundred and fifty dollars.

Sworn to and subscribed before me, this 10th day of July, 1869.

his
Henry X Austin
mark

W. L. Riddick
Asst in Chy.

(A.)

Dr. The Estate of John D. H. Darden decd.
In Account with Arthur E. Hall admr. Cr.

1865 Nov	13	The administor qualified –		
Dec.	5	By amo. of acct. of sales.		₰ 182.27
"	"	To paid Clerk's fees & Stamp on administration	₰ 3.00	
"	"	" " Appraisers fees.	3.00	
"	"	" " for Coffin &c. do.	25.00	
"	"	" reserved to pay Clerk for recording adm. of sales &c.	2.00	
"	"	" paid Jno. D. H. Darden's share of Expenses of Sally Darden's land	4.50	
1866 Jan.	1	By Cash for negro bin of Riddick Boyt.		6.00
"	"	" " Amo. of R. W. H. Darden's Bond, for share of decedent's share of Sally Darden's Est.		82.57
Nov.	13	To 5 pr. Ct. Commissions on ₰ 270.78	13.54	
"	"	" Balance due the Estate	219.74	
			₰ 270.78	₰ 270.78

1866
Nov: 13 By Balance due the Estate in Administrator's hands at annual rest brot. on ₰ 219.74

1867: Octo. 12 " Int: on ₰ 219.74 - said Bal. from Nov: 13th 1866 - to Octo: 12th 186 ₰ 12.08

₰ 12.08 ₰ 219.74

1867
Octo: 12 By Bal. of Principal due Est. brot down ₰ 219.74
" " " Do of Interest do. do. added. 12.08
₰ 231.82

B.

An account of Debts and demands against the Estate of John D. H. Darden, and their dignity.

First Class.				
None.				
Second Class.				
None.				
Third Class.				
None.				
Fourth Class.				
To James R. Darden acct: for.		47.	00	
" Int: from Janu. 1st 1858 to Octo: 12th 1867		7.	84	54. 84
To James R. Darden - Note - executed by Smith & Bowden, Augustus Smith & Jno. D. H. Darden. for.		150.	00	
" Int: from Jan. 1st 1862, to Octo: 12th 1867 -		52.	05	202 05
To James B. Norfleet - Bond - for.		17.	58	
" Int. from Janu. 2nd 1856, to Octo. 12th 1867 -		12.	42	30. 00
To Dr. R. C. Everett - Acct: for		36.	00	
" Int: from Janu. 1st 1865 to Octo: 12th 1867		6.	01	42. 01
Amt: carried over				328. 90

Amts brot: over:			$328. 90
To Henry Austin – Acct: for	$ 1. 63		
" Int: from 1st Janu. 1863. to Octo: 12th 1867		47	$ 2. 10
To Wm. R. Laurence – Acct: for	$ 28. 65		
" Int: from 1st Janu. 1860. to 1st Janu. 1863.	5. 15		
	$ 33. 70		
Cr: Janu. 1st 1863 –	$ 12. 50		
	$ 21 20		
" Int: on Bal. from Janu. 1st 1863. to Octo: 12th 1867 –	7. 04		$ 28 24
To R. W. A. Darden – Bond. for	$ 123. 59		
" Int: from Jan. 23rd 1860 to Janu 20th 1863	22. 18		
	145. 77		
Cr: Janu. 20th 1863.	100. 00		
	$ 45. 77		
" Int: on Bal. from Janu. 20th 1863 to Octo 12th 1867	12. 98		$ 58. 76
To John B. Jenkins – Note – for	$ 27. 47		
" Int. from May 8th 1858, to Octo. 12th 1867	15. 54		$ 43. 01
To R. W. A. Darden – Acct: – for	$ 11. 00		
" Int. from Jan. 1st 1865 – to Octo: 12th 1867	1. 83		$ 12. 83
To Lemuel Howell – Bal. on lost Bond.	$ 63. 50		
" Int: from Janu. 1st 1854. to Octo: 12th 1867 –	52. 51		$ 116. 01
To D. A. Darden – Acct: for	$ 5. 50		
" Int: from Janu. 1st 1865: to Octo: 12th 1867	. 92		$ 6. 42
Total Fourth Class –			$ 596. 27

Fifth Class.

None.

(C.)

An Account of the Real Estate of which John D. H. Darden died possessed, and its Fee-Simple and annual value.

---

(62) Sixty two acres of Land in Nansemond County - nearly all in woods - (see deposition of Henry Austin) Fee-simple value } $250.00

Annual value or rental, of the aforesaid land (see dep. of Henry Austin) } $8.00

Commissioner's Office
Suffolk, Va. Aug 16th 1867

To the Circuit Court of Nansemond County:

Pursuant to a decree of the Circuit Court of Nansemond County, rendered on the 16th day of April, 1867, in a suit in Chancery depending in the said Court between James R. Darden and others are plaintiffs, and Arthur E. Hall administrator of John D. H. Darden decd. and others are defendants, the undersigned, one of the Commissioners of the said Court, to whom was referred for settlement by said decree certain accounts therein directed to be taken and settled, reports to the Court that on the 29th day of May, last, he issued notice against the several parties interested as aforesaid, requiring them to attend the settlement of the said accounts, before him, at his said office, on the 10th day of July, next thereafter, which notice was published, as directed by the said decree, in the "Christian Sun" - for four consecutive weeks, and certificate of that fact is hereto appended. That the parties by their attorney appeared before your Commissioner in obedience to the said notices, and he thereupon examined the vouchers, stated and settled the foregoing account of the said Arthur E. Hall's administration of the Estate of John D. H. Darden Decd. up to the 12th day of October 1867, and on that day finds a balance due the said Estate from the said Administrator of $231.82 - of which

$12.08 is interest - which account is marked A.

That your Commissioner also ascertained and reports by account marked (B.) a list of debts and demands against the aforesaid Estate, with their dignity, which amounts to $ 596.27 ~~~. Also your Commissioner reports, by account marked (C.) the real Estate possessed by said decedent, and its fee-simple and annual value.

The Commissioner reports that after the completion of the aforesaid accounts, he retained the same in his office ten days for the Examination of parties during which time no exceptions were filed thereto; and now with this report, the aforesaid accounts and the decree & notice aforesaid, and the evidence relating thereto are herewith returned.

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

W. L. Riddick
Comm'r.

Costs:

Commissioner's fee $25.00
Printer's charge - $14.00
$39.00

James R. Darden &als.

v: &c Com. Repl. &c.

Arthur E. Stall. admr &c.
&als.

1867
Aug: 28th: Filed.
clk

VIRGINIA:---At Rules held in the Clerk's Office of the Circuit Court of Nansemond County, on Monday the 4th day of March, 1867.

James R. Darden, who sues for himself and all other creditors of John D. H. Darden, deceased.

Complainant,

In Chancery,

Against

Arthur E. Hall, administrator of John D. H. Darden, deceased; and R. W. H. Darden, Dempsey H. Darden, Jane Norfleet, (widow) James R. Darden and Mildred Ann his wife, Henry Austin and Nancy his wife; and John W. Darden, Jacob Austin and Emeline his wife, Joseph L. Darden, Ro. B. C. H. Darden, William G. Darden, Justin Darden, Wm. T. Elenor and Martha Jane his wife, Elisha H. Darden and Nancy W. his wife, and Benning S Edward, B. and Lydia Maria Darden and Mary Darden and Walter Darden the last five infants.

Defendants.

The objects of this suit, are to settle the account of Arthur E. Hall, administrator of John D. H. Darden, deceased, and to sell the lands, belonging to the estate of said deceased. Affidavit having been made that the defendants, Ro. B. C. H. Darden, William C. Darden and Justin Darden, are not residents of the State of Virginia, they are 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 their interests.

A Copy---Teste.

ma8-4t PETER B. PRENTIS, Clerk.

John R. Kilby, p. q.

Price Advg.
$9.00

I do hereby certify, that the annexed notice has been published in the Christian Sun for four weeks, successively, and that the price charged is in accordance with the established rules of the office. Given under my hand this 1st day of April 1867.

P.B. Prentis

James R. Darden &c

vs } Cir Ct. of Pitt.

Arthur E Hall, admr
of Geo. W. H. Darden decd
& al.

Filed 1st April 1867
C Ck

At a Circuit Court held for Nansemond County the 19th. day of April 1869:

James R. Darden who sues for himself and all other Creditors of John D. H. Darden deceased Complainant.

against &c In Chancery.

Arthur E. Hall, administrator of John D. H. Darden deceased, and R. W. H. Darden, Dempsey H. Darden Jane Norfleet, (widow) James R. Darden and Mel. dred Ann his wife, Henry Austin and Nancy his wife, and John W. Darden, Jacob Austin and Caroline his wife, Joseph L. Darden, Ro. B. C. H. Darden William C Darden, Justin Darden, William J. Elenor and Martha Jane his wife, and Elisha H. Darden and Nancy W. his wife, and Henning S, Edward B, and Lydia Maria Darden and Mary Darden and Walter Darden, the last four infants, Defendants.

This Cause came on this day to be again read on the papers formerly read & on the report of Commissioner Washington L, Reddick, made pursuant to the decree of the 16th of April 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 Arthur E. Hall, who is hereby appointed Commr. for that purpose proceed to sell the lands whereof John D. H Darden died seized and possessed and described in the proceedings as a tract of land in Nansemond County containing Sixty two acres more or less, and adjoining the lands of Matilda J. Norfleet Edward Howell & others at public auction before the Court

House door of said County on some Court day 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 receive in Cash & pay to those entitled) Taking from the purchaser Bond and good security for the deferred payment & retain the title till the further order of Court having first given at least twenty days notice of such sale, by notice posted at the Court house Door of said County and other public places near the premises and published once a Week for four weeks in the "Christian Sun" a News paper published at Suffolk: and make report to Court, But before the said Arthur E. Hall shall make such Sale he shall Execute before the Clerk of this Court in his Office a Bond in the penalty of $500: payable to the Commonwealth of Virginia, conditioned for the faithful discharge of the duties required of him under this decree, and any other that may be made in this cause:

A Copy:
Teste:
Peter B. Prentis. D.C.

Costs

Clerk . . $15:00 (Paid P.B.P.)
Atto: Fee & Stamps 31:00 (Paid J.R.K.)
Sheff: Hons? 6:50
" Southampton . 50
Commr: . . 25:00
Printer . . 23:00
$101:00

1870. Feby. 14th. Rec'd the fees, due us respectively in the foregoing case . . .

Peter B. Prentice. Clerk. $10.00

Rec'd of Arthur E Hall Commission to
sell the landed Estate of John D H Darden
dec'd the sum of Six dollars and fifty cents
my fees in the suit Jas R Darden and
other creditors of said John D H Darden
dec'd.

Wm Clay D.H.

A E. Hall Comm. for sale I D H Dorsey & Land.
To Christian Suit

1867
May 31 Publishing Legal Notice I R Dorsey & others vs A E Hall Comm 56 l. 4 t $14.00
March 8. 1869 I R Dorsey vs Hall 37 l. 4 t 9.00
Dec 10 Adv the land of Dorsey for sale 17 l 4 t 4.25
$28.25
Left 3 25
1870
Jan 26 To Rec'd of A. E. Hall the above in full. $25 00
$25

W. B. Wellons

Hickford Council

No 110

Darden Exrs.

vs.

Hall. admr. of Darden & als.

March 15th 1869.

Recd. of Arthur E. Hall, admr. of Jno. D. & Darden dec'd. ($25) Twenty five Dollars, Commissioner's fee in Nansemond Circuit Court, in the above named cause - at October term of said Court 1867.

W. L. Riddick
Com'r. Cir. Ct.

W. L. Riddick
Contr.

To Y Receipt.

A. E. Hall adm
of Jno. D. H. Darden
dec'd.

$125.-

James R. Darden, who sues &c

vs } Co. Decree 19th Apl. 1869

Arthur E. Hall, admr. of
John D. H. Darden decd & al.

Jan 10th 1870 Land
Sold to Edw'd Howell of B
for $ 125.00/100

A E Hall
Comr.

Pursuant to the annexed decree of the Circuit Court held for the County of Nansemond, pronounced on the 19th day of April 1869. in a certain cause therein pending wherein James R Darden, who sues for himself and all other creditors of John D H Darden decd, are Complainants, and Arthur E Hall Administrator of John D H Darden decd and Richard W H Darden, Dempsey H Darden, Jane Norfleet (widow) James R Darden and Mildred Ann his wife, Henry Austin and Nancy his wife, John W Darden, Jacob Austin and Emeline his wife Joseph L Darden, Robert B C H Darden, William C Darden, Justin Darden, William T Elenor and Martha Jane his wife, & Elisha H Darden, and Nancy W his wife, & Henning S Darden & Edward B, and Lydia Mariah Darden, and Mary Darden and Walter Darden, the last five infants are Defendants; the undersigned Commissioner, pro= =ceeded to make sale the tract of land in the bill mentioned, and described as containing Sixty two acres more or less and adjoining the lands of Matilda J Norfleet, Edward Howell and others, of which John D H Darden died seized & possessed, The sale was made before the Court-house door of Nansemond County, on the 10th day of January 1870, at public auction, to the highest bidder upon a credit of Six Months, with interest from date, except for cost of suit and expences of sale, which was required in Cash and paid to those entitled, having been advertised

for at least twenty days, by notice of such sale posted at the Court House Door of Nansemond County and other public places near the premises, and published once a week for four weeks in the "Christian Sun" a newspaper published at Suffolk; when Edward Howell (of B) became the purchaser at the price of One Hundred and twenty five Dollars he being the highest bidder.

Amount of Sale of the above mentioned Land		$ 125.00.
Deduct 5 pr Ct Com^{s} on $ 125.00.	$ 6.25.	
" Amt to pay taxes on Land.	3.85	
" " to pay for Deed & Stamps.	5.00.	
" " paid to Washington L Riddick.	25.00	
" " " " Wm B Wellons	25.00	
" " " " Peter B Prentis	15.00	
" " " " John R Kilby	31.00.	
" " " " Sheriff of Nansemond Co	6 50.	
" " " " Sheriff " Southampton Co.	0.3 0.	$ 118.10
Nett Bal -		$ 6.90

After deducting the Cost of Suit and expences of Sale as shown in the exhibit above, there was left a Nett Balance of Six Dollars and Ninety cents, for which I took a bond of said Edward Howell, with Neverson Howell, his security, at Six Months credit, with interest from date, which is herewith returned to Court.

Respectfully Submitted.

Arthur E Hall,

Commissioner.

LAND FOR SALE.—IN COMPLIANCE with a decree of the Circuit Court of Nansemond County, pronounced on the 19th day of April 1869, the undersigned, appointed a Commissioner for that purpose, will sell on MONDAY the 10th day of January, 1870, before the Court House door of said County, upon a credit of six months, except cash sufficient to pay cost of suit and sale, the tract of land named in said decree, belonging to the estate of John D. H. Darden, dec'd., in the Upper Parish of said County, containing sixty-two acres, and adjoining the lands of Matilda J. Norfleet, Edward Howell, and others. Bond with good security and title withheld 'till further order of Court.

A. E. HALL,
Commissioner.

de10-4t

1870. July 11th. Recd of Peter B. Prentis, Clerk of the Circuit Court of Nansemond County, the bond of Edwin A Howell & Reverson Howell for $6.90. dated the 10th day of Jany 1870. & payable 6 months after date, with interest from date. & which was returned with the within report.

A E Hall.
Comr

Jos. R. Anderson &c
vs.
Wm. A. Anderson &c
Report of
Sales.

Rec'd July 11th 1870
A.E.H.

Virginia:

At Rules held in the Clerk's Office of the Circuit Court of Nansemond County, on Monday, the 4th. day of March 1867.

James R. Darden, who sues for himself and all other creditors of John D. H. Darden deceased. . . . Complainant:

Against } In Chancery

Arthur E. Hall, Administrator of John D. H. Darden deceased: and R. W. H. Darden, Dempsey H. Darden, Jane Norfleet (widow), James R. Darden and Mildred Ann, his wife; Henry Austin and Nancy, his wife; and John W. Darden, Jacob Austin and Emeline, his wife; Joseph L. Darden, Ro: B. C. H. Darden, William C. Darden, Justin Darden, William T. Elmer and Martha Jane, his wife, Elisha H. Darden and Nancy W, his wife, and Nenning S, Edward B and Lydia Maria Darden, and Mary Darden and Walter Darden: the last five infants . . . . . Defendants.

The objects of this suit are to settle the accounts of Arthur E. Hall, administrator of John D. H. Darden deceased, and to sell the lands belonging to the Estate of said deceased.

Affidavit having been made, that the defendants, Ro: B. C. H. Darden, William C. Darden and Justin Darden are not residents of the State of Virginia, they are 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 their interests.

Teste,

Peter B. Prentis. Clerk.

Darden &c

vs

Darden's Admor: &c:

Order of Publication
vs Non-resident defts:

Darden &c

vs.

Darden's adm'r &c.

This cause came on this day to be again heard on the papers formerly read & on the report of A. E. Hall, Com'r. made pursuant to the decree of the 19th. of April 1870 — to which report there is no exception & none argued by Counsel. On consideration whereof the Court doth confirm the said report and doth adjudge ordain & 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.

Darden Jr.

N.

Darden admr &c

1871

Appl. ct. Final

decree

To be returned.

Geo. T. Blow.

Jas. R. Darden &c

vs.

Hall admr of Darden &c.

This cause came on this day to be again heard on the papers formerly read and on the report of Arthur E. Hall, Comr. made pursuant to the decree of the 19th day of April 1869 - to which report there is no exception was argued by Counsel. On Consideration whereof the Court doth confirm the said Report & doth adjudge, order and decree that the said Arthur E. Hall, as Comr. as aforesaid receive of the Clerk of this Court (who will deliver the same to him on his taking a Receipt therefor) the Bond of Edmund Howell & Newman Howell for $6.90 filed in the cause & collect the same & together with the sum of $231.82 in the hands of said Arthur E. Hall as admr of said Jno. D. H. Darden dec'd. as appears by account "A", in Comr Riddick's report of 16th of August 1869, & the interest thereon, which he will collect, pay any costs that may remain unpaid and then pay the same ratably to the several creditors of said Jno. D. H. Darden as contained in Account "B" of Comr Riddick's said Report - and the said Arthur E. Hall

Case as aforesaid is directed to make a deed to said Edmund Bruce for the real estate purchased by him upon proceedings had in this case, and make report to Court."

Loudon &c.
vs
Loudon's admr's

1870
Circuit Court
Decree

To be entered
Geo. T. Bliss Jr.

Entered

Jas. R. Darden Sal.
vs.
Hall adr. of Darden &c.

This cause came on this day to be again heard on the papers formerly read & on the Report of Comr. W. L. Riddick, made pursuant to the decree of the 16th of April 1867 – to which report there is no exception and was assented by Counsel. On Consideration whereof the Court doth Confirm the said Report and doth adjudge, order and decree that Arthur E. Hall, who is appointed Comr. for that purpose, proceed to sell the lands whereof John D. H. Darden died seized and possessed, and described in the proceedings as a tract of land in Nansemond County containing sixty two acres more or less and adjoining the lands of Matilda J. Moffett, Edward Howell & others, at public auction before the Court house door of said County on some Court, or six months credit with Interest from date (except for a sum sufficient to pay costs of suit and expenses of sale which he will receive in cash & pay to those entitled) taking from the purchaser Bond & good security for the deferred payment & retain the title till the further order of Court, having first given at least twenty days notice of such sale by notice posted at the Court house door of said County and other public places near the premises &

and published once a week for four weeks, in the "Christian Sun" a newspaper published at Suffolk — & make report to Court.

But before the said Arthur E. Hall shall make such sale, he shall execute before the Clerk of this Court in his Office a Bond payable to the Commonwealth of Va. & in the penalty of $500 conditioned for the faithful discharge of the duties required of him under this decree & any other that may be made in this cause

Darden &c
vs.
Darden's adm

1867
Chancery Court
Decree

To the Sun Office
E. Hall
Solicitor

James R. Darden &c

v.

Hall adw. Darden &c

This cause in which the plaintiff has proceeded against the said Rd. B. C. Darden, Wm C. Darden & Justin Darden in the mode prescribed by Law against absent defendants, Came on to be heard on the Bill taken for confessed as to the other absent defendants, on whom process has been duly served, they still failing to appear and answer; and on the answer of the Infant defendants by P. B. Pruitt, their guardian ad litem, with general replication to said answer; Jon Exhibits filed with said Bill and was argued by Counsel. On Consideration whereof the Court doth adjudge, order and decree that a Com of this Court take the following accounts —

1st an account of the transactions of Arthur E. Hall as adm. of Jno. D. H. Darden dec'd.

2d. an account of debts and demands against said decedent or his Estate and their priority.

3d an account of the Real Estate whereof the said deceased died possessed or entitled to & its fee simple & annual value.

and make Report to Court with any matters specially stated, deemed pertinent by himself or that any of the parties may require to be so stated — And that he give

notice of the taking of such accounts by advertisement at the Court house door of Nansemond County on two successive Court days & once a week for four successive weeks in the "Christian Sun" a newspaper published at Suffolk, which shall be in lieu of personal service of notice on the parties

Dawson &c.
v
Hale & Sw. of Reuben
&c.
1867
Affd. & Decree
to 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 4th. day of March 1867.

James R. Darden, who sues for himself and all other creditors of John D. H. Darden deceased. . . . . Complainant

Against } In Chancery

Arthur E. Hall, Administrator of John D. H. Darden deceased; and R. W. H. Darden, Dempsey H. Darden, Jane Norfleet (widow), James R. Darden and Mildred Ann, his wife; Henry Austin and Nancy, his wife, and John W. Darden, Jacob Austin and Emeline, his wife; Joseph L. Darden, R. B. C. H. Darden, William C. Darden, Justin Darden, William T. Elmer and Martha Jane, his wife, Elisha H. Darden and Nancy W. his wife; and Henning S. Edward B and Lydia Maria Darden, and Mary Darden and Walter Darden: the last five infants. . . . . 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. March 4th: I acknowledge service of the above order, and that I have received a copy of the same.

Peter B. Prentis.
g.d. ad litem

Dowden &c

vs

Dowden's admrs. &c.

Order appointing guardian ad litem to infant defendants

The Joint and separate answer of Henning L. Dawson, Edward B. Dawson, Lydia Maria Dawson, Mary Dawson & Walter Dawson, to a Bill in Chancery exhibited in the Circuit Court of Nansemond County, by James R. Dawson &c. against Arthur E. Hale adm^r. of Jno. D. H. Dawson dec^d. & al^s. — The above respondents being Infants answering by P. B. Prentis their guardian ad litem.

These Respondents say, That so far as they know or have any reason to believe, the facts, set forth in the said Bill are true, but being Infants and under twenty one years of age, and ignorant of their rights in the premises, they submit the same to the Court & pray that no order or decree may be made in the case, inconsistent therewith.

Signed,

Peter B. Prentis
Guar: ad litem

Jany R. Davis &c.

v.

Jno. D. N. Davis admr
&c.

Answer of
Infants.

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

Complaining, shew unto the Court, your Complainant, James R. Darden who sues for himself and all other Creditors of John W. N. Darden deceased, who may make themselves parties hereto on the usual terms.

Your Complainant respectfully represents to the Court and says, That John W. N. Darden died in Nansemond County, on the day of October 1864, Intestate, without issue, never having been married, and that Arthur E. Hall duly qualified as his administrator in Nansemond County Court on the day of 1865., as will appear by a duly certified copy of the order of Court granting such administration, filed herewith marked (A).

That the said Arthur E. Hall, as such administrator, took charge of the Chattel & personal estate of said deceased which was very small & has converted the same into money.

That the said Chattel & personal estate of said deceased is inadequate to pay his Debts and that his real estate will have to be sold to pay the same —

That the said deceased, died possessed of a small tract of Land of Sixty — Two acres, more or less, in Nansemond County, adjoining the

the Lands of Matilda J. Norfleet, Edward Howell & others, and which the said deceased obtained in the division of the Lands of his mother, Mrs. Sally Darden dec'd—

That the said deceased, is indebted to your Complainant the sum of Forty seven dollars, by account for board & attention to deceased, during his last illness, with Interest from the 1st day of January 1865 (which account is filed herewith & marked (B). That the said Deceased is also bound to your Complainant with Smith J Bowden & Augustus Smith, for one hundred and fifty dollars, with Interest from the 1st day of January 1862, as will appear by promisory note filed herewith & marked (C.).

That the heirs at Law and distributees of said deceased, are as follows—

1st Richard W. H. Darden, a brother:
2d.. Dempsey H. Darden, a brother:
3d. Jane Norfleet (widow of Jno. Norfleet dec'd.) a sister:
4th. Mildred Ann wife of Jas. R. Darden, a sister:
5th. Nancy wife of Henry Austin, a sister:
6th The children of Edward H. Darden, a deceased brother, who are, Jos. L. Darden, Rs. B. C. Darden, Wm C. Darden, Justin Darden, Martha Jane Elenor wife of Wm J. Elenor, Nancy wife of Elisha H. Darden, Henning S. Darden, Edward B. Darden & Lydia Maria Darden—the three being Infants.

(over)

7th The children of Wilson N. Darden a deceased brother, to wit. John W. Darden, Emeline, wife of Jacob Austin, Mary Darden & Walter Darden, the last two being Infants.

Your Complainant prays that the said land may be sold and the proceeds thereof, together with the assets in the hands of said Arthur E. Hall as admr. aforesaid, may be applied to the payment of your Complainant's demands.

In consideration whereof, and as this Court has power to grant all adequate relief — To the end your Complainant prays, That Arthur E. Hall admr. of Jno. D. N. Darden dec'd R. W. N. Darden, Dempsey N. Darden, Jane Noblett (widow), Jas. R. Darden & Mildred Ann his wife, Henry Austin & Nancy his wife, and John W. Darden, Jacob Austin & Emeline his wife, Jos. L. Darden, Ro. B. C. Darden, Wm. C. Darden, Justin Darden, Wm. T. Elenor & Martha Jane his wife, Elisha N. Darden & Nancy W. his wife, Henning S. Darden, Edward B. Darden, Lydia Maria Darden, Mary Darden & Walter Darden, the last five being Infants, may be made defendants hereto (and be required to answer the allegations herein — That the prayer of your Complainant may be granted, and that all further relief may be granted, Consistent with Equity &c.

John R. Kilby P. Q.

Kilby p. q.

James R. Darden &c.

vs

Bill

Arthur E. Hall, adm.
of Jno. D. H. Darden
dec'd. &al.

Nansemond Cir. Ct.

Darden &c

vs Chy: Notes

Darden's Admr: &c:

1867. Feby: 25th: Summ. in Chy: issd to March Rules 1867

" March 2nd Affidavit of non-residence of defts: Rs: B.C.H. Darden, William C. Darden & Justin Darden taken & filed

" " 4th: Bill & Exhibits filed — Conditional decree vs resident adult defendants —

" " " P. B. Prentis appointed gdn: ad litem to infant defts. who filed their answer, to which there was a gen: replication:

" " " Order of Publication awarded vs non-resident defts:

" April 15th. Conditional Decree confirmed

" " " Or: Pub: having published & proved according to Law & no appearance, cause set for hearing on mo: of Pltffs: Attr:

" " 16th: Decree for Accor:

" Nov: 28th: Commr's Report filed (Octo: 15th) continued

1868. Apl: 22nd: Continued (Octo: 14th) Continued

1869. April 19th. Decree for sale & Octo: 14th. Continued

" Nov: 20th: Bond executed & filed

1870. Apl: 11th. Report of sale filed &

" " 19th. Decree to collect & distribute &c

" Octo: 15th: Continued

1871. Apl: 12th: Final Decree

Chy: Notes