

1827-015

SOUTHAMPTON COUNTY
CHANCERY PAPERS

DOLES VS. DOLES et al

9/1827

other surnames: Summerell,
Suter, Council, Washington,
Bridger, Summerell, Counsel

Dobson }
y } Bill Amode
Dobson }

1827 Aug. arrived as filed by
Lennet -

May 1827 Order of Pub.

(Order copied)

To the Worshipful the County Court of Southamptford in
Chancery sitting. ^{our orator} Humbly complaining sheweth unto
your worship ^{our orator} sheweth that. Sometime in the
year.

died Arthur Dole, his father, and by his
will, duly recorded, an attested copy of which is here
filed as a part of this bill divided a certain tract of
land on which he lived to his widow Elizabeth for her
life, & at her death to be divided between ^{our orator} your

orator, & James Dole. That the said James Dole, died
in the year 1825: an infant, ^{without issue} & intertate, as to the said
land. That since the death of the said James Dole
the said Elizabeth Dole has died - by means of the ^{proceedings}
as your orator is advised the half of the said land descends
to the heirs of James Dole. Set his brothers & sisters & their
descendants. - The same are ^{our orator} your orator - ^{Patience}

Dole, Mary Summrell, formerly Dole, married to Samuel
Summrell, ^{since dead} - Rebecca Dole, - William Dole, - William Dole
Sally Suter formerly Dole, married to John Suter, ^{since}
dead) - Arthur J. Dole - Mary Elizabeth Dole, & Sally Dole
infant children of Esom Dole. - Dolphin Council

Sally Worthington (married to Joseph Worthington) and
Nancy Muger children of ^{children} of Elizabeth Muger
formerly Dole by different husbands. - That Sally Suter,
Arthur J. Mary Elizabeth & Sally Dole, which three last are
infants - Sally Worthington & Joseph Worthington her husband,
& William Dole are nonresidents - That the value of each

share is supposed to be, greatly up than three hundred
dollars. That a decree is prayed for, directing a sale
of the share of the said James Dole being one half
of the said land and a division made of the proceeds

among the heirs aforesaid. preparatory to which it is prayed
that the Court will appoint some fit & proper person
to defend the infants in this behalf and order publication
against the absent defendants. according to law. and such
other & general relief as may be deemed equitable & just
and as in duty bound he will ever pray &c. -
Patrick Dolis

The joint & separate answer of Patrick Dolis. for himself
and as guardian to the infants Rebecca Dolis - Arthur J Dolis
Mary E Dolis. & Sally Dolis. Dolphin Council & Nancy Briggs.
~~Samuel Summerville~~ - Mary Summerville. Waley Dolis. This
respondents saving & reserving &c. for answer thereto say
that the allegations in the said bill contained are
true so far as they know & believe & have no objections
to such decree as to the Court may seem equitable
and just & having fully answered they pray to be dismissed &c.

Patrick Dolis for
himself & as guardian to the infants
Rebecca Dolis
Mary E. Summerville
Waley Dolis

The Court appoints Patrick Dolis. guardian to the
infants & awards publication agt the absent depts.

Southampton May County Court 1827

Herod Dole
against

Compl't

Patrick Dole, Mary Sammurell, formerly Dole,
Rebecca Dole, Willis Dole, Willie Dole, Sally Luter
formerly Dole, Arthur S. Dole, Mary E. Dole and
Sally Dole infant children of John Dole, Dolphin
Cousin, Sally Washington & Nancy Briggs children
of Elizabeth Briggs formerly Dole by said Pat.
Dole their next friends by the court appointed - Deft's

I'm Luty

The Defendants Sally Luter, Arthur S. Dole, Mary Ely Dole,
Sally Dole, Sally Washington, Sarah Washington & Willie Dole not
having entered their appearances and given security according to an act
of the General Assembly in such case made and for and rule of this court
and is appearing to the satisfaction of the court that they are not in-
-habitants of this county therefore it is decreed & ordered that they appear
here and answer the complainants bill on or before the third Monday
in August next and that a copy of this order be forthwith inserted in
the public intelligence for eight weeks successively & posted at the
front door of the courthouse of this county on two several court days

Teste James R. Wheeler C.

~~Delis~~
Delis *Licence*

Dols. }
Dols. } In Chy

This cause was this day taken up by
consent of parties and the court being satisfied
that the interlocutory order formerly made in this case
had been carried into effect by due publication
of the absent defendants & they having not entered their
appearance. Therefore the court doth to adjudge
order & decree that Benjamin Ingersoll after
giving due notice of the time & place, file
to the highest bidder in a credit of two
months, the tract or parcel of land which was
sent by Arthur Dols. to his wife Elizabeth Dols.
during her life & at her death to David Dols
& James Dols. which said half is the proper
share of James Dols. dec. and from the pur-
chase take down with good security in such
sums & proportions as to enable him to divide
the same among the parties as herein after
directed. To wit one whole share to Isaac Dols.
one to Patrick Dols. - one to Mary Sumner
one to Rebecca Dols. & one half share to William
Dols. one half share to William Dols. one half
share to Sally Dols. one half share to be equally
divided between Arthur & Dols. Mary & Dols. &
Sally Dols. orphans of Aaron Dols. & one half share
to Josephine Corbett or her assigns in right of

his wife Betty Washington & Nancy Budgeter of
Elizabeth Budgeter. and make his report to the
Court in order to a final decree. —

Southampton May County Court, 1827.
Herod Doles,

AGAINST

Compl't.

Patrick Doles, Mary Simmerell, formerly Doles, Rebecca Doles, Willis Doles, Willie Doles, Sally Suter, formerly Doles, Arthur J. Doles, Mary E. Doles, and Sally Doles, infant children of Edmund Doles, by Patrick Doles their next friend, Dolphin Connel, Sally Washington and Nancy Bridger, children of Elizabeth Bridger, formerly Doles, by said Patrick Doles, their next friend, by the Court appointed,

IN CHANCERY.

Def'ts.
THE Defendants, Sally Suter, Arthur J. Doles, Mary E. Doles, Sally Doles, Sally Washington, Josiah Washington and Willie Doles, not having entered their appearance and given security according to the Act of Assembly and the Rules of this Court, and it appearing to the satisfaction of the Court that they are not inhabitants of this Commonwealth; Therefore it is Decreed and Ordered, That they and each of them appear here and answer the Complainant's said Bill, on or before the third Monday in August next—And that a Copy of this Order forthwith inserted in the Petersburg Intelligencer for eight weeks successively, and posted at the front door of the Court-house of this County on two several court days.

A Copy—

Teste,

May 29

JAS. ROCHELLE, c.

Town of Petersburg: To wit:

This day personally appeared before me, an Alderman of said town, Seth E. Burton, Junior Editor of the Petersburg Intelligencer, who made oath that the annexed order of Southampton Court, hath been regularly published in said paper according to law. Given under my hand this 18th Aug. 1827.

Lewis Mabry Mayor

Dols &

Report

Dols &

1827 Sep. report returned &
decree final by consent

Report of the Sale
of James Doles Land
1824.

Pursuant to the Annexed Decree, the undersigned
did on the 4th day of September 1827 see to the highest
bidder on a Credit of (Six ^{months} except so much as would pay ex-
pences) the lands that James Dales died seized of & proposed
of: Containing $13\frac{3}{4}$ acres more or less. after duly
advertising the same as required by the decree, whereupon
on James Clayton by his ward became the purchaser
for the sum of four hundred dollars, deducting \$19.00
to pay Cost of Commissions. leave \$381.00. which is divided
into four whole shares, & five half ditto. making
whole share \$58.62 Cts. and ea. half share \$29.31
and have assigned to Herod Dales one bond for \$58.62 Cts.
Patrick Dales one other bond for \$58.62 Cts. Mary Summers
one bond for \$58.62 Cts. & Rebecca Dales one bond for \$58.62
Willis Dales one bond for \$29.31 Cts. being a half share: Wiley
Dales one bond for \$29.31 Cts., Sally Denter one other bond,
for \$29.31 Cts. Arthur & Mary E. and Sally Dales orphans
of Eum Dales one bond for \$29.31 Cts. Doephon Council
Jonah Washington in right of his wife Sally Nancy Bridger or
phans of Elizabeth Bridger late Dales one bond for \$29.31 Cts.
making the great sum of \$381.03 Cts. all which ac-
tings and doings is respectfully submitted to the Court
Given under my hand this 4th day of Sept. 1827

Benja Griffin Commissioner

Dolls

or 3 legsy dices

Dolls &c

For Consumption

275
13/4

Southampton County August Court 1827.

Herod Dole

Plaintiff }
vs. }
Defendants }

against

Patrick Dole, Mary Summerell, formerly Dole, Rebecca
Dole, Willie Dole, Willie Dole, Sally Suter formerly Dole,
Arthur I Dole, Mary E Dole, and Sally Dole infant
children of Edmund Dole by Patrick Dole their next
friends, Delphin Council, Sally Washington and Nancy
Bridger, children of Elizabeth Bridger formerly Dole,
by said Patrick Dole their next friends before the Court
appointed

Defendants

This cause was this day taken up by consent of parties, and
the Court being satisfied that the interdictory order formerly made
in this case had been carried into effect by due publication against
the absent defendants and they having not entered their appearance
Therefore the Court doth adjudge order and decree that Benjamin
Griffin after giving due notice of the time and place of sale to
the highest bidder on a credit of six months one half of the
tract of Land which was lent by Arthur Dole to his wife
Elizabeth Dole during her life and at her death to Herod Dole
and James Dole dec^d and from the purchaser take bonds with good
Security in such sums or proportions as to enable him to divide
the same among the parties as herein after directed, To wit
One whole share to Herod Dole - one to Patrick Dole - one to Mary
Summerell, one to Rebecca Dole, and one half share to Willie
Dole one half share to Willie Dole - one half share to Sally Suter
one half share to be equally divided between Arthur I Dole, Mary
E Dole and Sally Dole orphans of Edmund Dole and one half
share to Delphin Council, Sarah Washington in right of his wife
Sally Washington and Nancy Bridger orphan of Elizabeth Bridger
And make his report to the Court in order to a final decree

Attest

James Rockwell, Ck

Arthur Lakes

Wald

A Copy
S

In the name of God Amen I Arthur Doles of the County of Southampton being of perfect mind and memory do make and ordain this my last will Testament as touching such worldly Estate as it has pleased God to bless me with in this life I give and devise and dispose of in the manner and form following

Impremis As the true intent and meaning respecting Land in the first place

Item I give and bequeath unto my Son Eeum Doles one certain tract or parcel of Land it being all the Land I possess in the County of Southampton and State of North Carolina One negro Woman Violet and child and one negro man Ben one feather bed and furniture to him and his heirs forever.

Item I give and bequeath unto my Son Willie Doles the plantation wherein he now lives with all the Flocks of every kind that is on said plantation three Negroes named And Lucy and Bob to him and his heirs forever.

Item I give and bequeath unto my Son Allen Doles the plantation wherein Willie Doles now lives One negro man Peter one negro girl Pompey one boy Jack One feather bed and furniture to him and his heirs forever.

Item I give and bequeath unto my son Willie Doles the sum of twenty five Shillings to him and his heirs forever.

Item I give and bequeath unto my son Jesse Doles one Negro Woman Abney and her son Ellick One feather bed and furniture to him and his heirs forever.

Item I give and bequeath unto my Daughter Sally Long one negro Girl Betty and her brother Bob to her and her heirs forever.

Item I give unto my Daughter Elizabeth Connel one negro woman Abney and one negro boy Pompey to her and his heirs forever.

Item I give and bequeath unto my son Patrick Doles one certain tract of Land which I purchased from Benjamin Bate to him and his heirs forever.

Item I further give and bequeath unto my sons Allen and Eeum Doles ea. one Good Horse Middle and Saddle for them to receive when they become of age to them and their heirs forever.

Item I leave to my loving wife Elizabeth Doles the plantation wherein I now live with all other species property which I possess that has not been named after paying my just debts one negro man Itham excepted which I wishes to be sold and applied to the payment of my just debts until Patrick becomes of age at which time my will and devise is that an equal division shall take place between my said wife and her children of all the above last property the Land excepted which property I give and bequeath to them and their heirs forever. The said last Land my wife and devise is should be equally divided between my sons Herod and James Doles which Land I give and bequeath to them and their heirs forever.

I do constitute appoint and particularly request Eley Connel William Sanford

and Arthur Dorey my whole and sole Executors to this my last will and Testament in
witness whereof I have hereunto set my hand and seal this 12th day of March 1808.

Witness sealed. Testified pronounced
and declared in presence of

Elas Summerville

Henry Edwards

Willis Foster

Arthur Dorey Seal

At a Court held for the County of Southampton on the 19th day of December 1808
This will was presented in Court by the Exec^r therein named proved by the oath of Elas
Summerville one of the witness hereto. And on the motion of Elas Summerville for adminis-
tration on the Estate of the decd, the Exec^r in this proper person refusing in Court to take
upon himself the burden of the Execution of the will the same is granted him assigning
Bond and Security whereupon &c.

Sanctified b b b

A Copy Teste A. M. is a witness &c.