

1829-020

Chancery Causes: John Cocks + Benjamin Coggin vs Thomas Fanning's exors
Isle of Wight County
Petition of Nathan White

Petition of Elizabeth Benford, admx of Robert Benford
+ Prissilla Cook

Other surnames: Jordan,
Cocks, Kilby, Bowers, Low,
Lawrence, Smelly, Eley,
Ballard, Lowe, Pinner

Will: 1825, Thomas Fanning, Nansemond County

Mr. Lanning vs. A

on bill A

Caggin vs

Bill

Hannings exors

September 3rd 1827

Bill filed

January 7th 1828

Bill taken as confessed

Nisi decree

February 5th 1828. Nisi
decree set aside - & ans. filed

May 5th 1828. Decree that
Cm. Lightfoot take an
account of the transactions
of the defendants White and
Jordan on the estate of the
deator and make reports.

1828 report
of bond returned & ans.

Sept. 1st 1828 Bill of
exceptions filed by W. O.
Jordan one of the Defts.

October 8th 1828 Nathan
White's claim filed for a
distribution

December 1st 1828 Eliza
Beafore and Priscilla Cooks
claim filed for a distribu-
tion

August 4th 1829
The death of the pet.
Law is requested & w.
in the name of Exor
Eliza - I decree
awarded (see decree)

Costs \$16 78

To the Justices of the County Court of the
Sh of Wigt sitting in Chancery, humbly
complaining, shew unto your worships your
orators John Cooke of Portsmouth and
Benjamin Coggin of Sh of Wigt County.
~~that~~ suing as well on behalf of themselves
as others the creditors of Thomas Fanning
decd. late of the County of Stannemond.
who shall come in and contribute to
the expense of this suit - that the said Thomas
Fanning being in his lifetime and at the
time of his death seized in fee of a considerable
real estate, situated in the said County
of Stannemond, and also possessed of an
considerable personal estate, sometime
in or about the year 1824 departed this life
having made and published his last
will and testament which hath been
only recorded in the County Court of
Stannemond, an office copy of which
is hereto annexed marked A. His prayer
to be considered a part of this plea -
whereupon after said Matthew Jordan
and Robert White qualified as executors
to the said will as will appear by exhibit
C and proposed themselves of the personal
estate and under the will have contin-
ued to act, that the real estate of the
said Fanning as your orators are
advised, at his death was under an
incumbrance to one John T Kilby for
the purpose of securing a debt due to
the estate of Robert Jordan esq. or to
some other person or persons - that
after the death of said Thomas Fanning
the real estate of said Thomas Fanning
was sold and after discharging the
lien upon the same aforesaid, the
same to the hands of the said execu-
tors as well as the sum of \$
on the ... day of ... and 1825 which

sum appearing by an account current
reported to the Court of Stannumond
County, an office copy of which is hereto
annexed marked B and prayed to be taken
as a part of this bill is subject to the disposi-
tion and order of this Court to the
discharge of the debts of the said
Fanning to be paid pro rata; and
your orator ascertains from the said account
and report of the Commissioners that the
personal estate of said Fanning has been
already fully administered and disposed of
yet many debts remain unpaid.
Your orator John Cook charges that the said
Thomas Fanning in his lifetime was indebted
to him by specialty (of which the paper marked
C is a copy taken from the office of Stannumond
County where the original is an office paper,
and which paper marked C is prayed to be
taken as a part of this bill, in the sum of one
hundred and seventy eight dollars, 08 cents
that after the death of the said Fanning the
said John Cook instituted his suit in the
superior Court of Cases for the County of Stannumond
and obtained a judgment on the said
specialty as will appear by the paper marked
D which is hereto annexed and prayed to be
considered as a part of this bill, which judg-
ment being for the sum of \$178.08 cents with interest on
the same from the first day of April 1825 till paid
and \$9.48 cents cost still remains in full
force and effect not in any way reversed, annu-
ulled or discharged, an execution issued
thereupon the first of May 1826 upon which is
the following endorsement:

as will appear by exhibit B which is prayed to
be considered as a part of this bill. Your orator
Benjamin Coggin further charges that the said
Thomas Fanning in his lifetime executed his will
obligatory to the one Can Bowers executor of John
Lawrence for the payment of the sum of two
hundred, twelve dollars and twenty cents,

nine months after date and the said specialty
was dated on the 9th of March 1821 in which
your orator Benjamin Coggin became bound
as security for the said Fanning. That after
the death of said Fanning, the said Can
Bowers instituted his suit in the Superior Court
of Cases for Stannumond County against the
executors of said Fanning and at a Court
held on the 28th of April 1826 the said Can
Bowers recovered judgment against the
said executors for the sum of \$424.40 but
he is charged by the payment of two hundred
and twelve dollars and twenty cents with
interest at 6 per centum per annum thereon
from the 9th day of December 1821 till paid
and \$8.82 cents cost of suit which judgment
was subject to a credit for \$78 paid on the
second day of May 1825 all which will appear
by the exhibit E which is hereto annexed and
prayed to be considered as a part of this
bill. That an execution fieri facias issued
on the said judgment against the estate
of said Fanning and was returned with
the following endorsement to wit:

as will appear by the paper marked F which
is hereto annexed and prayed to be consid-
ered as a part of this bill, which said judg-
ment your orator Coggin has since been compelled
to pay and discharge to the said Can
Bowers and no part of it has ever been
paid by the said executors. Your orator
also states that there are many other creditors
of the said Thomas Fanning who are unable
to obtain by the ordinary process of law any
part of their demands. ~~And your orator~~
~~further shews that the said Fanning at his death~~
~~left a wife namely Elizabeth Fanning and~~
~~three infant children namely Eliza, Thomas and~~
~~George.~~ Your orator charges that the said sum
of \$ with the interest & costs
are reported by the Commissioners as appearing
by the exhibit B is subject in this Court

to the payment of their demands & but they can
have no relief without the intervention of your
wishes, the executors offering to pay their demands
in tender consideration whereof & for as much
as they and the other creditors are without
relief except by your aid, they ask that the
said Walter P. Jordan and Robert White
executors of Thomas Fanning, ~~Ely Fanning~~
~~Ely Fanning~~ ~~Thomas Fanning~~ ~~and~~
Fanning may be made respondent hereto &
be compelled to answer this bill, and that
they be required full, true, perfect direct
answers to each to the allegations aforesaid
that if the said Fanning left any real estate
beside that sold, that may also be subjected to
your orators demands; that the said executors
be required to show how they have administered
the ops of this testator and in the event that
the personal ops are insufficient, your
orators ask that they may be paid out of
the real ops in the hands of said executors or
aforesaid wholly, or that they may participate
with the other creditors of the testator who may
contribute to the expenses of this suit, with the
intent and costs. that the said Benjamin Coffin
may be paid the sum which he has paid
as security and that they may be otherwise
relieved in the premises on the nature and
circumstances of this case required, and as to
your honor shall seem fit for in duty
bound they will pray to & may it please

A. Cotton or
attor. for compl.

Yet, whatever may be the intent & meaning of the law in relation to the administration of legal appeals, your Petitioner is advised by counsel that he is justly & legally entitled to participate in the equitable fund allotted to, the same not having been disposed of under a final & absolute decree.

Your Petitioner therefore prays that your worship will order that his said claim be filed & allowed, & as is duty bound he will ever pray &c.

Nathan White

Oct. 4th 1828.

Richd. H. Baker

att. for Petitioner

N. White's

Petition

To the worshipful court of Isle of Wight County.

The Petition of Nathan White humbly represents that on the 26th day of April in the year 1826 he obtained a judgment, (a copy of which is herewith filed,) in the superior court of Nanamoud County against Robert White & Watson P. Jordan as executors of Thomas Fanning for the sum of \$291.87 with interest thence from the 2^d day of October 1823, together with costs amounting to the sum of \$9.48: Your Petitioner was at the time the said judgment was obtained, & still is a resident of the State of North Carolina: He has been advised that there are no legal assets out of which the said debt can be paid, but that there ^{are} some equitable assets liable to be appropriated in discharge of debts *pari passu*.

In relation to the said equitable assets, your Petitioner has understood that a suit is now pending, in which an interlocutory decree has been rendered, directing a commissioner to ascertain the amount of claims entitled to payment out of the said equitable assets & to apportion the same accordingly: By virtue of the said interlocutory order the said commissioner has made a report, but the same has not been confirmed, nor has any final decree touching the premises been rendered: The said claim of your Petitioner, was not brought to the view of the commissioner, for being as before stated a resident of North Carolina and relying upon the attention of his counsel here, the same was entirely neglected:

To the court of Sale of Wight in chancery sitting.

Your petitioners, Elizabeth Benford admix. of
Benford and Priscilla Cook shew to the court that
certain Thomas Tanning in his lifetime executed a note
on the day of in the year to to one

Benford your petitioner Elizabeth Benford's late husband
and intestate for $\pounds$ ~~and the said~~ and the said
Tanning in like manner on the day in the year
executed to your petitioner Priscilla Cook

rather note for $\pounds$ which amounts, and dates will more
fully appear, by reference to the said notes hereunto
refer. And whereas the said Tanning's estate is unable
to pay all the debts—and a suit in chancery is now go-
ing on in this court, ^{to} subject to the payment of debts cer-
tain equitable assets found by Commissioner Lightfoot and
as your petitioners have no other remedy to recover
their said debts; they pray to be let into the benefi-
fits of the said equitable assets, and by the the decree
that may be had in the said suit—be permitted by
the court and its decree to receive of the said estate
according to the rules of equity. Your humble
petitioners,

Elizabeth Benford
Priscilla Cook

By
E. D.
attng

1258.

Cooper &
others
vs.
Fanning's
Exors. } answer

will more fully appear by the copy filed
in the case to which these respondents re-
fer and rely upon as part also of that an-
swers: the estate of this ^{deceased} testator is yet
largely indebted to these respondents, ^{and} ~~that~~
by specialties and open accounts, and they
are advised that they are entitled to re-
turn in ^{his} honor so much as their
debts amount to in preference to the
debts of any creditor of equal degree.
These respondents are unapproached of an-
ny other real estate belonging to this
testator than that already sold, and are
willing at any time to render an account
of the application of the assets which
have come to their hands, and which
are not included in this former ac-
count, and to submit to such decree in
the premises as may conform to the prin-
ciple of equity: These respondents be-
lieve it to be true that a judgement
has been rendered against them as
the representatives of this ~~testator~~
testator in favour of the plaintiff
John Barker and a sum of ~~£~~ £1000
or charged on the plaintiff's bill
said judgement have not been paid
for want of sufficient assets for that
purpose; but they know nothing of

of the Plaintiff Benjamin Coggin ha-
ving been the security in the specialty
on which the said judgement in favour
of Geo. Bowers has been obtained, nor
of the said Benjamin Coggin having
been compelled to pay or discharge the
same: and having thus answered the
bill of the Plaintiffs, and denying in
any part not admitted or denied to be
true, hope to be hence dismissed, with
their reasonable costs in this behalf
expended.

Joh of Wight County, to wit:
Watson P. Jordan and Robert White ex-
ecutors of Thomas Fanning, this day appeared
before me a justice of the peace for the said
county, and made oath to the truth of the
foregoing answers, and the matters therein
contained. — Given under my hand this
4th day of February 1828.

William H. Ballard P.

The joint and several answers of the said Thomas Jordan and Robert White executors of the last will and testament of Thomas Fanning deceased to a bill exhibited against them as executors aforesaid by John East and Benjamin Loggins Plaintiffs.

These respondents now and at all times hereafter saving and reserving to themselves all benefit of exceptions which might be taken to the allegations of the bill of the plaintiffs for ourselves thereto, or to so much thereof as they are advised it is material for them to answer, answer and say, - that they admit the due execution of the will of their testator the probate thereof as annexed and referred to by the plaintiffs, and that they have possessed themselves of the personal estate, and have continued to act as executors under the said will: they admit also that the real estate of the said Fanning deceased ^{has been sold} under an execution, as stated in the bill and after discharging the lien on it there came to their hands the sum of \$855.99 on the 18th January 1826: these respondents have returned an account of this administration in part of the said testator to the court of Warrumund county embracing all the estate of this said testator which has come to their hands to be administered except the said sum of \$855.99 above mentioned as will

See notes -
 64th Mississippi Is for
 J. H. Curdie Sept

10. *Spa: in Chy*

²⁰
Hannings exors:

2 June Court 1827

Attinson for
Receipts. 3

The Commonwealth of Virginia to the Sheriff of Isle of
Wright County, greeting. We command you that you sum-
mon Watson P. Jordan and Robert White executors of Thomas
Fanning decd: to appear before the Justices of our county
court at the court house on the first Monday in June next
to answer a bill in Chancery exhibited against them by
Benjamin Coggin (and John Locke of Portsmouth) -

And this they shall in no wise omit under the penalty
of £ each: And have them thus writ: Witness Nathaniel
Young Clerk of our said court at the courthouse the 31st day
of May 1727. in the 31st Year of the Commonwealth

Nathl. Young

Apportionment
of the several claims
vs. Hannings est

Amount of equitable assets in the hands of Watson P. Jordan
 received from John T. Killey for Land sold under a deed of trust
 executed by Thomas Hamming in his lifetime . . . \$ 0053.99
 Interest on ditto from 20th of January 1826 . . . 102.00
 1030.59

Costs of suit . . . 11.70
 for publishing notice of settlement . . . 3.00
 for apportioning the several claims . . . 7.50
 22.20
 \$ 1010.31

Carri Bowers for Benj. Loggin is entitled to \$ 145.002
 John Locke . . . to 140.30
 Tho. Smully exor. of Mr. Eley . . . to 230.70
 Eann Eley exor. of Lem. Low . . . to 37.72
 Nathan White . . . to 240.75
 Augustus Ballard . . . to 31.02
 Robert Souther . . . to 71.03
 Turner Southall . . . to 4.55
 Elizabeth Benford . . . to 59.95
 Priscilla Cook . . . to 30.47
 1010.31 . . . \$ 1010.31

Pursuant to a decree of the Court of Isle of Wight County
 pronounced the 4th day of August 1829. I have divided
 the sum of \$ 1010.31 (which is the amount this day in the
 hands of Watson P. Jordan as equitable assets belonging
 to the Estate of Thomas Hamming decd.) among the several
 Plaintiffs in said decree mentioned according the propor-
 tions of their debts and have ascertained that Carri Bowers
 for Benj. Loggin is entitled to \$ 145.002, - John Locke to \$ 140.30
 Thomas Smully exor. of Mr. Eley decd. to \$ 230.70. Eann Eley
 exor. of Lem. Low to \$ 37.72. Nathan White to \$ 240.75. Aug.
 Ballard to \$ 31.02. Robert Souther to \$ 71.03. Turner Southall
 to \$ 4.55. Eliz. Benford to \$ 59.95. & Priscilla Cook to
 \$ 30.47. All of which is submitted to Bar. Lightfoot Com.
 Aug. 10th 1829.

Boggin &c

14.

2/3 Nisi decree

2/3 Hanning's exors

Jale of we gth. County to wit
This day Mr. Marshday atst.
for Jo. Godwin I stff person
ally appeared before me
a justice of the peace for
S^c County and made oath
that he delivered a true
copy of the within nisi
decree to Watson P Jordan
& Robert White on the
5th day of May 1828
given under my hand
this 5th of May 1828

Wm
Holliman J.

At Rules held in the Clerk's Office of Isle of Wight County the seventh day of January 1820—

Benjamin Boggins and John Locks Plaintiffs

against

Watson P. Jordan and Robert White executors of
Thomas Fanning decd: Defendants

In Chancery

The Bill in this cause having been filed, and the Subpoena executed more than three months on the Defendants; and the said Defendants failing to file their answer: On the motion of the Plaintiffs by their Counsel, it is ordered that their bill be taken for confessed and the Court will proceed at a future day to decree the matter thereof, unless the said Defendants on or before the first day of the term next after being served with a copy of this order, show cause to the contrary—

Attest Teste Nathl. Young C8

Coppin L.
on 3 leaves
Laciniis ror.
—

This cause came on this day to be heard by counsel of parties upon the plea, answer of the defendants to which the plaintiff replied generally, and exhibits and was argued by counsel; On consideration whereof the Court doth advise, order and decree that one of the Commissioners of this Court take an account of the transactions of the defendants White Jordan with the estate of their testator in taking which account the audit of the County Court of ~~County~~ ^{County of Marion} returned by the said executor a copy whereof is filed as an exhibit it is this court's order to be taken as prima facie correct, subject to be searched and falsified. And that the same Com. take up an account showing the demand of each of the plaintiffs - And liberty is reserved to all other creditors of the said Thomas Fanning upon the usual terms, to show upon before the same Com. the claims to which they are respectively entitled, which said several debts the said Com. is directed to examine, state with the report with any matter specially stated, deemed pertinent by himself, or which may be suggested by the parties to be stated, in one or more

Baggin Dutton - - - - - corpts.
in - - - - - 3rd chth

Watson & Jordan Robert White exors.
of Thomas Fanning - - - - - corpts.

This cause ~~came on to be heard~~
~~on the 11th day of May 1828 to be heard on the~~
~~11th day of May 1828~~ by consent of parties
to be heard on the papers formerly
read the report of the Court
made in pursuance to the order
of the day of May 1828 to
which exceptions were filed by
the defendants, and was argued
by Counsel on consideration
whereof the Ct. overruled the said
exceptions, ~~and they are~~
~~overruled~~ and being of opin-
ion that the fees in the hands
of Watson & Jordan the defendants
as the proceeds of land sold
by John F. Kelly are to be consid-
ered as equitable assets & by
further of opinion that the said
Watson & Jordan is not entitled to
participate in the same because
as a specialty creditor he recd.
a large portion of his debt out
of the personal estate of Thomas
Fanning his testator and being also

of opinion that the ~~debt~~ ^{debt} is if an accord is -
 not entitled to Court on said
 funds because he was not
 authorized to receive the
 same, & the adj. ord. shows
 that the said Matson & Jordan
 pay first the cost ^{of this suit} out of
 the said funds (to wit the
 sum of \$855.99 with
 int. from the 26th Jan'y 1826
 till paid) and then divide
 the net balance paritipsum
 between the creditor of said
 Tarrj now parties to
 this suit to wit, Ben Brown
 exor. of John Lawrence for
 the benefit of p^lff. Coffin,
 & Thos. Smelly exor. of Mr. Ely,
 & exor. Ely ad. of Genl. Love,
 Augustus Ballou, Robt. South
 Lum & Southall, Nathan White,
 Elizabeth Berford ^{admt.} & Co. Berford
 and Priscilla Cooke - It is fur-
 ther agreed, ord. ~~showing~~ that B.
 Ely & Co. a Court of this it so make
 a statement showing the amt. to which
 each p^lff. is entitled accrd to the
 principles of this ~~order~~ ^{and file in this case}
 & that execution (if needful) may

In Chancery, between } Laggin & others
} Plaintiffs
} Fanning exor. Defen-
dants

Exceptions taken by the said Defen-
dants to the Report of Bartholomew
Lightfoot Esquire one of the Masters
commissioners of this court made
in this cause, and bearing date the 2^d
day of

First exception. - For that the said
Masters commissioners hath in and
by his said report, stated the sum of
\$813.19 received by one of the Defen-
dants of John T. Hilby the trustee of his
testator as real assets; whereas the said
sum is not real assets, but should
have been stated and clasped with
the other personal assets of the estate
of the said Fanning, subject to be ad-
ministered accordingly.

Second exception. - For that the said
Masters commissioners hath in and
by his said report stated a bond for

\$339.75 due to Watson P. Jordan, one of
the defendants, and executors of the said
Fanning deceased, among the claims out-
standing against the estate of the said
Fanning, and chargeable ~~on~~ the assets
stated by the said commissioner as
real assets; whereas the said amount
of the said bond should have been char-
ged on the assets of the said estate, as re-
tained by the said Watson P. Jordan,
one of the executors, out of the assets in
his hands, to be administered, whether
the same be real or personal assets. —

In all which particulars the said de-
fendants do except to the said master
commissioner's said report, and hum-
bly appeal therefrom to the judge-
ment of this worshipful court.

As witness our hands for
defendants. —

Wm. P. Jordan

In Chancery between

Signed, sealed &c; in presence of.

Jordan Beal

Zachariah Everitt

Thomas Lawrence

Thomas Fanning

Fort Royal 3rd mo 22nd 1824

At a Court held for Vansemona County the 10th day of October 1825. This testament (and) last will of Thomas Fanning deceased was put into Court by Robert White and Watson P Jordan the Executors therein named and affirmed to by said White and sworn to by said Jordan and being proved by the affirmation of Thomas Lawrence as subscribing witness was continued. And on the motion of the said Executors certificate was granted them for obtaining a probat thereof in due form of law the said White having affirmed and the said Jordan having made oath thereto and together with Thomas Smelly & Thomas Lawrence their securities entered into and acknowledged their bond in the penalty of Twelve thousand dollars conditioned according to law. And at a Court held for the said County of Vansemona the 14th day of November 1825. The said last will ~~will~~ was further proved by the oath of Zachariah Everitt as subscribing witness and thereupon ordered to be recorded. Liberty was reserved the Executrix to qualify.

Teste Jm J Kelly D.C.

Copy Jm J Kelly D.C.

Am. J. Kelly
1st Augt. 1827

I, Thomas Fanning of Nansemond County & State of Virginia being at the present time in health of body & of sound mind but being duly sensible of our fallibility and that we are subjects of Mortality and are at all times liable to be called out of existence do deem it prudent in me to pen this my last will and testament & therefore do make the following disposition of my affairs to wit,

Item, In the first place I wish so much of my whole estate should be disposed of both real and personal as may be necessary for the payment of all my just debts (the particulars of all claims against me existing at at this present time over fifty dollars are comprized in the enclosed scetch of my affairs) and the proceeds thereof applyed to that purpose, the ballance of my estate of every kind whatsoever I leave to the disposal of my kind and dear wife to be applyed to the raising of our dear children, taking care that that each of them should be furnished with as ample & liberal an education as the remains of my estate will admit of. after this is done the remainder of my estate I lend the use of it to her during her widowhood or until the children become of age and as they become of age it is my desire that each of them should have an equal part set off to them for their own propper use forever. Item I leave the management of my affairs & settlement of my estate to Robert White and Watson P. Jordan as my executors and Elizabeth Fanning my dear wife Executrix of this my last will & testament

Turn over

of of Oct 12th #0.42
 Tho. J. Turner
 105 #23.10
 Jno G. Primer

23/12
 18/1
 5/12

23.12
 18
 05.12

July 9th 12 Cash eight dollars
 Nov. 8th 12 Cash ten dollars
 J. H. Southall

Aug. 11th 1824 Pay the amount to
 Turner H. Southall for balance
 Jno G. Primer

\$23.12

On demand I promise to pay to Geo G Turner his heirs or assigns the sum of Twenty three dollars and twelve Cents for value of him receipt. As it does my hand and seal this 3rd day of November 1823.

Witness

Wm. L. Jordan

Geo. G. Turner

Seal

23.12

Received of Thomas Fanning \$10 in part of the
within note - also the interest for the first
12 months in full

Elijah Cook

P. Cooks
of Note
\$59.44

On demand I promise to pay to Oriscilla Cook
or her order the just and full of fifty seven
dollars & forty seven cents, it being for value
received. for which payment well truly to be made
I bind myself my heirs Executors & assigns
in the penal sum of One hundred & fourteen
dollars & ninety four cents like money as aforesaid

8th Witness my hand & seal this 3rd day of the
3rd Mo. 1824 Tho^s Fanning Seal

Test
Jas Cook



3rd Mo. 7th 1825 Received five dollars
which pays amt. for the last year ~~50~~
~~and~~ 50. ct. more.

J. J. Jennings?
Sole
4/7/4 - 26

On demand I promise to pay to Robert Benford or his
order the just and full sum of seventy four dollars & twenty
six cents it being for value received, for which payment well
& truly to be made I bind myself my heirs executors & assigns
in the penal sum of one hundred & forty eight dollars & fifty two cents
Like money aforesaid. Witness my hand & seal this 1st day of
the 3rd Mo. 1824

Test
Jas Cook

Thos. Hamming seal

3rd May 1825 Received five dollars
which pays lat. for the last year ~~50~~
~~and~~ 50 cts more.

J. J. Tanning?
Sole
\$74.26

J. H. Southall

W. { Warrant

White & Jordan
sons of Fanning dec^d

Executed 26th Oct^r 1825

Jay. Milby bond

James M. Hammond

COUNTY, to wit:

YOU are hereby Commanded to Summon *Robt White & White*
Jordan exors. of Thos. Fanning decd — to appear before me,
 or some other Justice of the Peace for the said County, at *Powells store*
 on the *5th* day of *Nov^r 1825* to answer *Turner H. Southale affd*
of John G. Purner of a **Plea of Debt** for *six*
Dollars and Cents, due by *Note*
 and then and there make return how you execute this Warrant.

GIVEN under my hand and seal, this 20th day of Oct^r 1825
 Summon for Plaintiff,

To James Milby

J. H. May

Constable, to execute.

SEAL.

On hearing the parties, **Judgment** is granted the Plaintiff against the Defendant for *Five* Dollars and *12* Cents, with interest from *3^d Novr 1883* to *this date* and costs. Given under my hand and seal, this *9th* day of *Novr* 188*5*.

Л. Ф. Ильяев

SEAL.

Principal, - - - - - \$

Costs, - - - - -

Commissions, ...

§

LEVE on the goods and chattels of the Defendant to satisfy the above Judgment and costs. Given under my hand and seal, this 15th day of Nov^r 1825.

[illegible]

SEAL.

Nathan White

of co. 1st Regt. 4th

Co. White 1st Regt.

Ho. Fanning and

See 38th

In Mansfield Superior Court April 26th 1826

Nathan White

Plt

against

Robert White and Watson P Jordan exors of } In debt
Thomas Fanning decd. } Defts

This day came the plaintiff by his attorney as did the defendants in person who say that they cannot deny but their testator was indebted to the plaintiff in the sum of two hundred and ninety one dollars and eighty seven cents with six per centum interest thereon from the 2nd day of October 1823 till paid being the debt in the declaration mentioned. Therefore it is considered by the Court with ^{the} assent of the plaintiff and defts. that the plaintiff recover against the said defendants the debt and interest aforesaid in manner and form aforesaid confessed, and also his cost by him about his suit in this behalf expended, to be levied of the goods and chattles of the decedent in the hands of the defendants if so much thereof they have to be administered (and the said defts. in mercy go

Costs \$9.48. Given 1 May 1826

Trans. off. }
22 Aug. 1828 }

copy John E. Kelly & Co.

have to be administered and the said debts in money &c.
But this Judgment is to be discharged by the payment of
the sum of six hundred dollars with six per centum interest
thereon from the 22nd day of November 1817 till paid and
costs aforesaid. This Judgment is subject to a credit for all
interest up to the 22nd day of November 1823 as appears
by endorsement on the bond both \$8.44. Lifa / May 1824.

5) In Name? Sup. 28. Apr. 1827.

Thomas Smelly admor &c. of William Ely decd. Plt

agt
Robert White (and Watson P Jordan exors of

Thomas Fanning decd.

(Defts)

Incebt

The defendants being arrested and not appearing on the motion
of the plaintiff by his attorney it is considered by the court
that the conditional order heretofore entered in the clerk's
office be confirmed and that the plaintiff recover against
the defendants the sum of two hundred and thirty nine dollars
(and seventy five cents with six per centum interest thereon
from the second day of May 1807 till paid being the debt in
the declaration mentioned (and also his costs of him about his
suit in this behalf expended to be levied of the goods and
chattels of the decedent in the hands of the defendants if so
much thereof. They have to be administered and the said defen-
dants in money &c. This Judgment is subject to a credit of
Two hundred and one dollars paid on the 11th day of April 1823
as appears by endorsement on the bond both \$8.44. Lifa / May 1824.

in person who say that they cannot deny but that their testator was indebted to the plaintiffs in the sum of Four hundred fifty six dollars with six per centum interest thereon from the second day of October 1823 till paid being the debt in the declaration mentioned. Therefore it is considered by the Court with the assent of the plaintiffs and defendants that the plaintiffs recover against the said defendants the debt and interest aforesaid in manner and form aforesaid confessed and also his costs by him about his suit in this behalf expended, to be levied of the goods and chattles of the decedent in the hands of the defendants when assets sufficient shall come to their hands to be administered and the said debts in money &c. Leat \$9.08.

3) In Wansumond Superior Court April 28th 1826
Larr Bowers exor of John Lawrence decd. Plt.
agst
Robert White and Watson P Jordan exors of
Thomas Fanning decd who was a co-obligor of
Benjamin Coggin. (defts) Indebts

The defendants being arrested and not appearing on the motion of the plaintiff by his attorney it is considered by the Court that the conditional order heretofore entered in the Clerks office be confirmed and that the plaintiff recover against the said defendants the sum of four hundred and twenty four dollars and forty cents being the debt in the writing obligatory in the

declaration mentioned and also his cost by him about his suit in this behalf expended to be levied of the goods and chattles of the decedent in the hands of the defendants if so much thereof they have to be administered and the said defendants in mercy &c. But this Judgment is to be discharged by the payment of the sum of two hundred and twelve dollars and twenty cents with six per centum interest thereon from the 8th day of December 1821 till paid and costs aforesaid. This Judgment is subject to a credit of seventy eight dollars paid on the 2nd day of May 1825 as appears by ^{endorsement} ~~endorsement~~ on the bond Leat \$8.82. Give 1 May 1826.

In Wansumond Superior Court April 28th 1826
4) Samuel Jones exor of Ann Scott decd. Plt.
agst
Robert White and Watson P Jordan exors of Thomas
Fanning decd who was a co-obligor with John Black defts. Indebts
The defendants being arrested and not appearing on the motion of the plaintiff by his attorney it is considered by the Court that the conditional order heretofore entered in the Clerks office be confirmed and that the plaintiffs recover against the said defendants the sum of twelve hundred dollars being the debt in the writing obligatory in the declaration mentioned and also his costs by him about his suit in this behalf expended to be levied of the goods and chattles of the decedent in the hands of the defendants if so much thereof they

1 In Nansemond Superior Court April 26th 1826

Nathan White

Plt

against
Robert White and Watson P Jordan exors
of Thomas Fanning dec'd depts

In debt

This day came the plaintiff by his attorney as did the defendants in person who say that they cannot deny but their testator was indebted to the plaintiff in the sum of Two hundred and ninety one dollars and eighty seven cents with six per centum interest thereon from the 2nd day of October 1823 till paid being the debt in ^{the} declaration mentioned. Therefore it is concluded by the court with the assent of the plaintiff and depts that the plaintiff recover against the said defendants the debt and interest aforesaid in manner and form aforesaid confessed and also his costs by him about his suit in this behalf expended to be levied of the goods and chattles of the decedent in the hands of the defendants if so much thereof they have to be administered and the said depts in mercy of costs \$9.48.
Jifa 1 May 1826.

2 In Nansemond Superior Court April 26th 1826

William Jordan

Plt

agst
Robert White and Watson P Jordan exors
of Thomas Fanning dec'd depts

In debt

This day came the plaintiff by his attorney as did the defendants

Cochi

exhibito
6

In Tansemond Superior Court 28th April 1826.

John Locke plt

vs

Robert White and Watson & Jordan exors of } In debt
Thomas Fanning decd. defts.

The defendants being arrested and not appearing on the motion of the plaintiff by his attorney it is considered by the Court that the conditional order heretofore entered in the Clerks office be confirmed and that the plaintiff recover against the said defendants the sum of one hundred and seventy eight dollars and sixty eight cents with six per centum interest thereon from the first day of April 1825 till paid being the debt in the declaration mentioned. and also his costs by him about his suit in this behalf expended to be levied of the goods and chattles of the decedant in the hands of the defendant if so much thereof they have to be administered and the said debts in mercy &c.

Coth \$9.48 fife 1 May 1826.

\$ 178.68/100

Four months after date I promise to pay
The Locke order or assigns the just and full sum of one
hundred and seventy eight ^{68/100} Dollars, for the true pay-
ment whereof I bind myself my heirs Executors (and
administrators firmly by these presents. Witness my
hand & Seal this first day of December 1824

Witness

Charles Leonard Locke

Thos Fanning 

Transd. ff.
21 June 1827

Repres Wm L. Kelly D.L.

Nine months after date we Thomas Fanning and Benj^r
Goggin do hereby promise and oblige ourselves our heirs
Exors. adms or assigns to pay to Carr Bowers Executor
of John Lawrence decd his heirs or assigns the Just and
full sum of Two hundred twelve dollars & twenty cents
current money of Virginia for the true payment where
of we bind ourselves our heirs Exors & adms in the penal
sum of four hundred twenty four dollars & forty cents
of like current money. Witness our hands and seals
This 9th day of March 1821.

Teste
Benj^r Griffin
Joseph Atkinson as to Goggin

Thos. Fanning (seal)
B. Goggin (seal)

Rec^d May 2^d 1825 seventy eight dollars in part
of the within note.

Carr Bowers

Transd Off.
21 June 1827

Edw^d
John T. Kelly & Co

Exhibit 2.

Bowers Judge

Exhibit 2

Edw^d

In Remembrance Superior Court 28th April 1826.

Car Bowers ex^{or}. of John Lawrence dec^d pl^t
agt

Robert White and Watson P. Jordan ex^{ors}
of Thomas Fanning dec^d - {defts

In debt

who was a co-obligor with Benjamin Coggin

The defendants being arrested and not appearing on the motion of the plaintiff by his attorney it is considered by the Court that the conditional order heretofore entered in the clerk's office be confirmed and that the plaintiff recover against the said defendants the sum of four hundred and twenty four dollars and forty cents being the debt in the writing obligatory in the declaration mentioned and also his costs by him in his suit in this behalf expended to be levied of the goods and chattles of the decedent in the hands of the defendants if so much thereof they have to be administered and the said defendants in mercy &c. But this Judgment is to be discharged by the payment of the sum of Two hundred and twelve dollars and twenty cents with six per centum interest thereon from the 9th day of December 1821 till paid and costs aforesaid. This Judgment is subject to a credit of seventy eight dollars paid on 2nd day of May 1825 as appears by endorsement on the bond.

Certs \$8.82 paid 1 May 1826

8

Coch
7 3/4
Tamp. exor.
= =

paper

Let this be
forwarded to the
Clerk to be
filed in the
suit of
Coffin &
Tamp. exor.

A. G.

In Stanumond Superior Court April 28th 1826

John Cocke

Plt

vs
Robert White and Watson P. Jordan exors of } In debt
Thomas Fanning decd? } depts

The defendants being arrested and not appearing on the motion of the plaintiff by his attorney it is considered by the court that the conditional order heretofore entered in the Clerk's office be confirmed and that the plaintiff recover against the said depts the sum of one hundred and seventy eight dollars and sixty eight cents with six per centum interest thereon from the first day of April 1825 till paid being the debt in the declaration mentioned and also his costs by him about his suit in this behalf expended to be levied of the goods and chattels of the decedent in the hands of the defendants if so much thereof they have to be administered and the said depts in moneys &c worth \$9.48.
Done 1 May 1826.

Transd off
30 Apr 1827

Copied
John Z. Kelly D.C.

Sept 12th 1895 Recd of the within fifty collars in part
Augustus Ballou

Trans Off.
21 June 1897

Copies John Z. Kilby & Co

Ballou

Ballou

Trans Off.

prose

In Hansemond County Court 16. June 1826.

Augustus Ballard

ag't

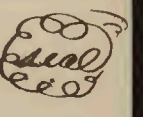
Robert White and Watson P Jordan executors of } In debt
Thomas Fannings dec'd defts

This day came the parties by their attorneys, and the defendants by their attorneys, withdrew their pleas of debts of superior dignity and fully administered and thereupon came also a Jury to wit. John Wyatt, Thomas W. Hannaford, John Daniel, William Giles, Henry P. Guinn, Joseph H. Godwin, John C. Jenkins, Thomas M. Bowling, Frederick H. Holland, John Holland, William Shelton and William W. Wright who being elected tried and sworn the truth to speak upon the issues joined upon their oath returned the following verdict
We the Jury find for the plaintiff the sum of thirty three dollars and thirty eight cents with interest thereon from the 12th day of Sept: 1825. till paid. Therefore it is considered by the Court that the plaintiff recover against the said defendants his debt and interest aforesaid together with his damages aforesaid in manner and form aforesaid assessed and also his costs by him about his suit in this behalf expended to be levied of the goods and chattles of the decedent in the hands of the defts. if assets sufficient thereof they have to be administered and the said defts: in mercy &c.

Subs. &c. 16 file 22 June 1826.

The following is a copy of the bond filed in the foregoing case
Four months after date I promise to pay or cause to be paid unto Augustus Ballard or to his order the just & full sum of Eighty three dollars & thirty cents current money it being for value by me received as witness my hand & seal this 6th day of the 5th month 1825.

Teste his
Benjamin ^{Worrel} ~~mark~~

Thos. Fanning 

In Hanover Superior Court June 16th 1826

Augustus Ballard

Plt

^{Def} Robert White and Watson P Jordan executors

In Lct

of Thomas Fanning decd

defts

This day came the parties by their attorneys and the defendant
by their attorneys withdrew their pleas of debts of superior
dignity and fully administered and thereupon came also
a Jury to wit, John Wyatt, Thomas W Hannaford, John
Daneel, William Giles, Henry P Quinn, Joseph A Godwin,
John C Jenkins, Thomas M Bowling, Frederick A Holland
John Holland, William Shelton and William M Wright
who being elected tried and sworn the truth to speak upon
the issue joined upon their oath returned the following
verdict, We the Jury find for the plaintiff the sum of thirty
three dollars and thirty eight cents with interest thereon
from the 12th day of Sept^r 1825 till paid. Therefore it
is considered by the Court that the plaintiff recover against
the said defendant his debt and interest aforesaid together
with his damages aforesaid in manner and form aforesaid
aforesaid and also his costs by him about his suit in this behalf
expended to be levied of the goods and chattels of the defendant
in the hands of the defts if ^{a petty} ~~a petty~~ sufficient thereof they
have to be administered and the said debts in money &c.

Court of S. W. 22 June 1826.

8 In ^{Circuit} ~~Superior~~ Court June 15th 1826

Samuel Lowe

Plt

agt
Robert White and Watson P Jordan executors } In debt
of Thomas Fanning dec'd } debts

This day came the parties by their attorneys and the defendants
by their attorneys withdraws their pleas ~~and~~ debts of superior digni-
ty (and fully administered and thereupon came also a Jury of
John Wyath, Thomas W Hannaford, John Daniel, William
Giles, Henry P Quinn, Joseph H Godwin, John C Jenkins,
Thomas M Bowling, Frederick H Holland, John Holland
William Shelton and William W Wright who being elected
tried and sworn the truth to speak upon the issue joined upon
their oath returned the following verdict "We the Jury find
for the plaintiff the sum of thirty three dollars and sixty
four cents with interest thereupon from the 26th day of June
1825 till paid and one cent damage." Therefore it is con-
sidered by the court that the plaintiff recover against the
saide ~~defendants~~ his debt and interest aforesaid together with his
damages aforesaid in manner and form aforesaid aforesaid and
also his cost by him about his suit in this behalf expended to
be levied of the goods and chattels of the decedent in the hands
of the defendants if so much thereof they have to be adminis-
tered and the saide defendants in mercy &c

Court of N.

Given 22 June 1826

Wm. H. H.

30 June 1827

Copied by J. Kilby D.C.

Recd. June the 26. 1825 the sum of five dollars
in part of the within note.

~~Five~~

Samuel Lowe

~~Three Dollars & one dollar~~

Sam: Off: ...
21 June 1825

Repts Wm. G. Kilby & Co.

Lowe

In Ansemona County Court 16th June 1826.
Samuel Lowe plt
agt

Robert White and Watson P. Jordan executors } Indebted
of Thomas Fanning decd debts }

This day came the parties by their attorneys and the
defendants by their attorneys, withdraws their plea of
debts of superior dignity and fully administered and there-
upon came also, ^{a jury} John Wyate. Thomas W. Hannaford
John Daniel, William Giles. Henry P. Guinne. Joseph
H. Godwin, John C. Jenkins, Thomas M. Bowling,
Frederick H. Hollana, John Holland, William Shelton
(and) William W. Wright who being elected tried and sworn
the truth to speak upon the issues joined upon their oath
returned the following verdict "We the jury find for the
plaintiff the sum of thirty three dollars and sixty four
cents with interest thereon from the 26th of June 1825 till
paid and one cent damage." Therefore it is considered
by the Court that the plaintiff recover against the said
defendants his debt and interest aforesaid together with
his damages aforesaid in manner and form aforesaid
assessed and also his costs by him about his suit in
this behalf expended to be levied of the goods and chattels
of the decedant in the hands of the defendants if so
much thereof they have to be administered and the said
defendants in mercy &c.

Court of S. C. 23rd June 1826.

The following is a copy of the bond filed in the foregoing case.
"Due Samuel Lowe thirty nine dollars and forty
five cents payable in about two or three months value
received 3rd Mo. 23rd 1825.
Teste: Ebenezer P. me Clerk. Thomas Fanning (seal)

To
Thomas Hastings - secy

with Excentorial acty

Walter P. Morgan and
Robert White secy

No. 1

copy to W. P. Morgan

Dr the estate of Thomas Fanning deceased in account with Watson P. Jordan and Robert White executors

1825	Oct 18	To paid Henry Gurley balance for house rent	1 48	1825	Oct 26	By this sum found in the house of the Testator in cash	\$ 110 07
"	"	" paid the Clerk of Southampton tickets	" 62			By cash received of Silus Vick	2 75
"	27	" paid Joseph Sumner for Coffin for testator	16 00			By " of Solomon Crumpler	58
Nov 3	"	" paid Edw. Godwin Const. for two executions in favour of S. P. Rumburg	42 73	Nov		By " of Godwin & Brothers	3 64
"	"	" paid Benjamin Coggin for crying the est. (1/2 day)	20 00			By " of Thomas Bowden	50
"	14	" paid Nathan Winslow on bond executed by the testator and Robert White security	299 00			By " of William Chapman	81
"	17	" paid M. W. Brodman to Godwin & Seth R. Strong for appraising the testators estate in Southampton	3 00	Dec 22		By " of James Jones	55
"	"	" paid Godwin and Brothers for shroud for testator	2 63	1826	Jan 2	By " of Samuel Corbell	1 25
Dec 12	"	" paid David Jordan on bond executed by the testator & Ro White	22 21	"	"	By " of Elijah Hampton	34
1826	Jan 23	" paid Richard Godwin for appraising the testators estate in Hansemond	2 00	"	"	By " of Samuel Jones	4 50
Apr	"	" paid Benjamin Coggin Const. costs of warrants	3 45	Feb 5		By " of Sally Godwin Jordan	3 66
May 22	"	" amount of bond executed by the testator to Watson P. Jordan one of the executors with interest	34 69	"	"	By " of Robert Gay	22 55
"	"	" amount of bond executed by the testator to Watson P. Jordan one of the executors with interest	162 14			By this sum due the testator from Watson P. Jordan one of the executors - in acct	21 13
"	"	" 5 per cent commissions on \$2062.35 amount of sales of testators estate including receipts	103 11	Apr 18		By amount of sales of goods in Jerusalem	442 91
Aug	"	" paid Sheriff of Isle of Wight for land tax for 1825	1 48	"	6	due this day	442 91
Dec 9	"	" this sum retained to pay the Clerk of Hansemond for recording this account & order for settlement	4 99	"	26	By amount of sales of goods in Hansemond	503 87
"	9	" this sum to pay for making up this account	6 00	May 22		By amount of sales of the chattle estate in Hansemond	1053 50
			\$ 2207 53	Dec 9		By balance due the executors for debits	\$ 33 11
							\$ 2207 53

Due the executors \$ 33.11

Sale of Wight County December 9th 1826

Pursuant to the annexed order of the Court of the County of Hansemond Watson P Jordan one of the executors of Thomas Fanning deed: laid before me papers and vouchers relative to the said Watson P Jordan's and Robert Whites transactions on the estate of the said Thomas Fanning deed which papers & vouchers I have carefully examined, and stated the annexed account shewing the sum of thirty three dollars and eleven cents, due from the estate of the said Thomas Fanning deed: to the said Executor Watson P Jordan one of the executors of the said Thomas Fanning deed: acknowledges to have received the sum of eight hundred and fifty five dollars and ninety nine cents on the 18th day of January 1826, from the sale of real estate belonging to the said Fanning's estate sold under a deed of trust notice of the time & place of the settlement of the said Fanning's estate was advertised at the Court house door of this County All of which is respectfully submitted to the Court

Baith Lightfoot Stern

At a Court held for Hansemond County the 19th day of December 1826. This settlement of the estate of Thomas Fanning deed. was returned to Court, reviewed, allowed and ordered to be Recorded

Teste John T. Kelly D.C.

Transd. off.
3 March 1827

Copy John T. Kelly D.C.

J. Samuels
And of
Pineapple.

Commissioners Office Smithfield July 4th 1820.

Pursuant to the annexed order of the Court of Isle of Wight County - I have (after having ^{given} notice thereof in the Norfolk Beacon) made up an account of the transactions of Robert White & Watson & Jordan on the Estate of Thomas Fanning decd. from papers and vouchers laid before me by the said White & Jordan, & find that as to their transactions on said Fanning's ~~estate~~ personal estate there is the sum of seventy eight dollars and ninety seven cents due from the Estate of said Fanning to the said Robert White & Watson & Jordan - Your Commissioners has ascertained that there is on this day in the hands of Watson & Jordan one of the cashiers of said Fanning the sum of \$900. (including Interest received by him from the sale of real Estate sold by John T. Kelley under a deed of trust - that there are debts due from said Estate yet unpaid amounting to four hundred & five dollars & thirty one cents which were this day exhibited as Exhibits annexed - All of which is submitted to the Court.

Barth Lightfoot Comr.

1827

By cash received of Bill Jones	4	81
" cash received of William Pinner	5	36
" cash received of Peter Hill		75
" cash received of Lewis Johnson on execution	13	29
" cash received of Bay	0	03
Do. 21 By this sum balance due the Executors of Debits	90	97
		<u>111. 01</u>
Due the Exors \$	90. 97	

An account of real appts which have come to the hands of the executor ~~from John F. Kelly~~

1826 Jan 26 By this sum received of John F. Kelly from sale of real estate sold under deed of trust, after deducting a commission of 5% out on behalf of the executor for receiving said fund from Watson M. Jordan one of the exors acknowledges to be in his hands) 013 19

" Interest on ditto from Jan 26th 1825 till July 3 4th 1827 90 00

1820 July 4 By this sum to pay the printer of Norfolk for publishing the notice of this settlement 3 2.00

By this sum for making up this account 10.00 12.00

9900 00

1027	Jan. 1	To this sum balance due the exors last year	77 91
		" paid James Milley, costs ofARRANT	30
June 22	"	paid Archibald Atkinson	10 50
Aug	"	paid Went Jordan	10 00
	"	5 Cent commissions on \$32.04 receipts this year	1 62
Dec 31	"	Interest on \$77.91 last year balance	4 00
			<u>\$111.01</u>

A Statement of claims exhibited before me against the estate of Thomas Hanning decd. to wit

a Judgment rendered in the Superior Court of Law for Mansfield County in favour of Carr Bowers exor. of In: Sawuncu, und. the 20th of Aprl. 1826

Principal	\$177.69	
Int. from 2 ^d of May 1825 to 4th July 1820	35.77	
Costs of said Judgment	07.62	222 20

a Judgment rendered in the said Court on the day aforesaid in favour of John Cook principal \$170.00

Interest from the 1st day of April 1825 to July 4. 1820 34.04

Costs of said Judgment 9.40 223. 60

a Judgment rendered in the said Court on the day aforesaid in favour of Tho: Smully exor. of Wth Clay principal \$239.75

Int. from 11th of April 1823 till July 4th 1820 75.57

Balance of Interest, after deducting payment from the Int. which accrued to the 11th of Aprl '23 20.22

Costs of said Judgment 07.44 351 90

a Judgment in favour of Sam: Loo rendered on the 16th of June 1826 in the County Court of Mansfield prin. \$33.64

Interest from the 20th of June 1825 till July 4th 1820 6.05

Costs of said Judgment 07.16 47 85

a Judgment in favour of Augustus Ballard rendered in the same Court on the same day principal \$33.30

Interest from the 12th of Sept. 1825 till July 4th 1820 5.70

Costs of said Judgment 07.16 47. 24

a Bond in favour of Watson P. Jordan for 300.00

Interest from the 19th of Aug. 1824 till July 4th 1820 39.75 339 75

a Judgment in favour of Robert Soutter rendered in the Court of Isle of Wight County - principal \$105.13

Interest from 29th of November 1825 till July 4. 20 13.56

Costs of said Judgment 9.69 100 30

a claim in favour of Watson P. Jordan & Ro. White exors. as aforesaid, being the balance due them on foregoing account 70 97

a Judgment in favour of Turner W. Southall rendered before So. Holladay a Magistrate of Mansfield prin. \$5.12

Int. from 3^d Nov. 1823 till July 4. 1820 1.44

Costs of Judgment 30 6 86

\$1420 3

D^r: The Estate of Thomas Fanning decd. In account with Watson P. Jordan and Robert White, Executors

6ⁿ

1023	Oct 10	To paid Henry Gurley - balance for house rent	1 40.
	"	" paid the Clerk of Southampton tickets	02
	" 27	" paid Joseph Sumner for coffin	16 00
Nov 3	"	" paid Edwin Godwin, Const. two executions in favour of J. J. Rumburg	42 73
	" 14	" paid Nathan Winslow, bond executed by the Testator and Ro. White	299 00
	"	" paid Benjamin Coggin for crying the est. 4 1/2 days	2 00
	" 17	" paid W. Brodman & others for appraising the estate of the Testator in Southampton	3 00
	" 23	" paid for Shroud for the decd.	2 03
Dec 12	"	" paid David Jordan, bond executed by the Testator & Ro. White	22 21
1826	Jan 23	" paid for appraising the estate of the Test. in Hans ^e	2 00
Apr	"	" paid Benjamin Coggin Const. costs of warrants	3 45
May 22	"	" amount of bond due Watson P. Jordan	54 09
"	"	" amount of bond due Watson P. Jordan	1624 14
"	"	" 5 Cent Commissions on \$2062.35 amount of Sales & receipts	1 03 11
"	"	" 5 Cent Comm ^s on \$1055.99 received from sale of real estate, sold by John T. Willey under dec ^d of Trust	42 00
Aug	"	" paid Sheriff of Isle of Wight Land tax	1 40.
"	"	" paid Clerk of Stansmore for recording former acct. of Admon. &c.	4 99
"	"	" paid for making up, for Admon. Acct.	0 00
			<u>\$2250 33</u>

1023	Oct 20	By this sum found in the house of the Testator	110 27
	"	By cash received of Silas Vick	2 75
	"	By cash received of Solomon Crumpler	50
	"	By cash received of Godwin & Brothers	3 04
	"	By cash received of Thomas Bowden	58
	"	By cash received of William Chapman	01
	"	By cash received of James Jones	55
	"	By cash received of Samuel Corbelle	1 25
Dec 22	"	By cash received of Samuel Corbelle	
1826	Jan 2	By cash received of Elijah Hampton	25
	"	By cash received of Samuel Jones	4 50
	"	By cash received of Sally Jordan	3 06
	"	By cash received of Robert Gay	22 53
	"	By this sum due the est. from Watson P. Jordan on Acct.	21 03
Apr 17	"	By amount of sales of goods in Southampton	442 91
" 26	"	By amount of sales of goods in Stansmore	503 87
May 22	"	By amount of sales of the Chattle estate	1053 50
Dec 31	"	By this sum, balance due the Executors of debts	77 91
			<u>\$2250 33</u>

Mr. Bartholomew

To SHIELDS & ASHBURN,

Office of the American Beacon and Norfolk and Portsmouth Daily Advertiser,

} Dr.

1828

June 14

To Publishing Notice in the
Case of *Jordan* and *Jobs* ~~vs~~ *vs*
Jordan 259 - 370

} \$ 3.00

biggi
7
Loreau 3

Isle-of-Wight County, May Court, 1828:

Benjamin Coggin and John

Cocks,

Plaintiffs.

AGAINST

Watson P. Jordan and Ro-

bert White, Ex'ors of

Thomas Fanning, dec'd,

Defendants.

THIS cause came on this day to be heard, by consent of parties, upon the bill, answer of the defendants, to which the plaintiffs reply generally and exhibits, and was argued by counsel: on consideration whereof, the Court doth adjudge, order and decree, that one of the Commissioners of this Court take an account of the transactions of the Defendants, White and Jordan, on the estate of their testator; in taking which account the audit of the County Court of Nansemond returned by the said executors (a copy whereof is filed as an exhibit in this cause) is to be taken as *prima facie* correct, subject to be surcharged and falsified, and that the same Commissioner make up an account shewing the demand of each of the plaintiffs, liberty is reserved to all other creditors of the said Thomas Fanning, upon the usual terms, to shew and prove before the same Commissioner the claims to which they are respectively entitled; which said several accounts the said Commissioner is directed to examine, state and settle, and to the Court report, with any matters specially stated, deemed pertinent by himself, or which may be required by the parties to be stated.

A Copy.—Teste,

NATH'L YOUNG, C.

I HAVE appointed the 4th day of July next, to commence the account directed by the foregoing order of Court: On which day, by nine o'clock A. M. the parties concerned are requested to attend at the Court-House, with their papers and evidence to enable me to perform the duties required of a Commissioner of the Court.

BARTH. LIGHTFOOT,

June 14—s3t.

Comm'r.

I certify that the annexed notice
in the case of Coggin and Cocks
is

Watson P. Jordan and other,
has been inserted in the *Norfolk and Beacon* published in Nor-
folk, for three weeks, successively,
commencing June 14th 1828—

Wm. G. Shultz of
Shultz & Johnson
Publishers of the *Norfolk and Beacon*

Sworn to before me, ~~that~~ an
Adeaman of the Parish
of Norfolk, this 24th July 1828.

Geo. T. Kemmings