

1870-005

Isle of Wight County

Chancery Causes: Matilda Murphy, admx of
Pruden's cont & al

Henry W. Murphy, bar & c vs Edwin C.

other surnames: Dashiell
Turner, Murphey, Murphrey,
Kilby, [Butler & Tynes], Tynes,
Butler, Womble, Cowling,
Page, Murfree, Clement

Kilby p. v.

Murphys adm't &c.

n 3 Bill

E. C. Pruden, Sh.,

& Cinc. Sal

1868.

July. Bill. - Bill filed.

Sept. 1. Bill. and decree made

in court & filed.

W. J. Young of p. v. added to
the court. Bill. then amended &
made. as follows.

March rules 1868. Bill
taken for consp. as to adm't
& set for hearing.

May term decree made.

Sept. 17. Rept. filed.

Sale of right

Cinc. Ct.

Octo. Ct. court

May 1869. Decree for
Sale &c.

Octo. - 4. - Court

May 1870. Decree to collect &c.

Octo. 1870 final decree

Kilby p. 6

Matilda Murphy
adm't of H. W. Murphy
Dec 2

M 3 Rice

E. L. Eley Adm't of
of E. C. Pauden tal

Isle of Wight
Cir. Ct.

The answer of
infants under twenty one years of age, by R. P. (Mary)
assigned guardian ad litem to defend them
to a Bill in Chancery exhibited against them
and others in the Circuit Court of Eschscholtz
County by Matilda Murphy Administratrix
of Henry, A. Murphy and.

These defendants, by their guardian ad litem
affirming for answer to said Bill say
that they are infants under the age of
twenty one years, that they neither admit
nor deny the allegations of the said
Bill, but being infants, they reserve
their intention to the protection of the
Court.

R. P. (Mary), guardian

the value of said real estate may be ascertained and that the same may be sold to pay your Complainant's demand - That over therein may be set aside and assigned to Mrs. Sarah H. Pruden the widow of said E. C. Pruden dec'd -

In consideration whereof and for as much as this Court has power to grant all adequate Relief, to the end your Complainant prays that Exr. L. Eley Sheriff & Committee of Edwin C. Pruden dec'd, and Sarah H. Pruden (widow) & Nathl. E. Pruden, James S. Turner, and Mary E. Pruden, Pocahontas & Jay B. Pruden the last (3) being Infants, may be made Defendants here to, and be required on oath to answer the allegations herein and that the said N. E. Pruden & James S. Turner may set forth, discover & make known how much is due them by said E. C. Pruden under said Dec'd of Trust - That the prayer of your Complainant may be granted and that all other and further relief necessary & proper may be granted, consistent with Equity &c

John R. Kilby
P. G.

Term of said Court for the sum of
\$447.66 with Interest thereon from the 1st
day of June 1859 till paid & cts, which
Judgment was docketed in Isle of Wight County
Court Clerk's office on the day of

and from that day became a Lien
on the real estate of said Defendants in
the County of Isle of Wight (subject to any
prior Liens) - a copy of which docketed
Judgment is filed herewith as part of this
Bill, & is marked (C). That as the
Deed of Trust aforesaid was recorded before
the said Judgment was docketed, the debts
due & unpaid, referred to in said Deed should
be first paid out of said Land then your
Complainants Demand and then Creditors
of said E. C. Pruden, generally.

Your Complainant prays, that
the said Nathl. E. Pruden and James
S. Turner may set forth and shew
how much of their respective demands
is now due and unpaid; That an
account of all the debts of said E. C. Pruden
may be had and they ascertained - That
the accounts of said E. L. Eley as Shff.
& Comr. aforesaid may be settled and that
any sum in his hands may be paid
to your Complainants Demand - That.

Page and others and which was purchased by E. C. Pruden of Mrs. J. Pruden wife.

That the said Intestate left as his heirs at Law and distributees, a widow named Sarah J. and the following children to wit. Pocahontas & James B. Pruden — all Infants.

That the said E. C. Pruden in his life time, to wit. on the 7th day of September 1865 executed a deed of Trust to James S. Turner the Trustee therein named, conveying the Land, aforeaid and certain chattel estate therein, to secure the following debts — In the first place a Bond for \$1500 due N. E. Pruden guardian of Mary E. Pruden due 1st January 1860, and also to same as guardian aforeaid \$400. due 13th October 1865, & to James S. Turner \$1000. due 1st January 1863 — which deed was recorded in the Clerk's office of Isle of Wight County on the 7th day of September 1865 — a duly certified copy of which is filed herewith & marked (B.) —

That your Complainants' Intestate (Henry W. Murphy) in his life time brought a suit in the County Court of Nansemond County against John J. Pruden, the said E. C. Pruden, & Thomas M. Dashiell on a Bond executed by them to him and obtained Judgment at the

To the Hon. Richard H. Baker, Judge of the
Circuit Court of Isle of Wight County.

Complaining shew unto the Court your
Complainant Matilda Murphy, adminis-
tratrix of Henry W. Murphy dec^d, who sues
for herself and all other Creditors of Edwin
C. Pruden dec^d, who may make themselves
parties hereto on the usual terms.

Your Complainant respectfully represents
to the Court and says, That the said Edwin
C. Pruden departed this life in the County
of Isle of Wight, on the day of

Intestate, and that his estate
was, by order of Isle of Wight County Court
of the 1st day of July 1867 committed to the
hands of Edwin L. Eley, Sheriff of said
County, for administration - a duly certified
copy of which order of Court is filed herewith
and marked (A) -

That the said Intestate left a small
estate which has been sold by said Edwin
L. Eley, Sheriff & Committee -

That the said Intestate died possessed
of a Tract of Land in the County of Isle
of Wight containing by estimation four
hundred and thirty acres, more or less
and a mill & appurtenances, connected
thereunto, adjoining the Land of Dr. Thomas,

Murphy
n

Pruden's adv

amur &
Consent of
widow female

(X)

To the Hon. Richard H. Baker, Judge of the
Circuit Court of Isle of Wight County

The answer of Fannie S. Prudden
(widow of E. C. Prudden decd.) to a Bill in
Chancery filed in the Circuit Court of
Isle of Wight County, by ^{sitting}
Auditor of said deceased against her
and others.

This Respondent, says that the
facts and statements contained in said
Bill are true so far as she knows; That
instead of having her dower assigned to
her as directed, she prefers to surrender
all her interest to be sold and to take in
lieu thereof such sum in fee simple in
money as the Law will allow her, and
she accordingly prays that such may be
done. My age was in Nov. 1867, Twenty six years.
Signed Fannie S. Prudden

Exempted by delivering a true copy
of the will to E. L. Eley James S
Turner & Sarah F Pruden on the 23rd
of January 1868 Nathaniel E Pruden
non resident

E. L. Eley M^{rs}

Worcester's admt.
for the

3rd Jan. in
Chc.

E. L. Pruden's adm. ds.

Do July. order 1848.

Chc.

Wiley M^{rs}.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Isle of Wight County---Greeting:

WE COMMAND YOU TO SUMMON E. L. Eley Sheriff & Comtee. of E. C.
Pardew Decd., Sarah F. Pardew, widow, James S. Turner in his own
right as trustee, Nathl. E. Pardew guardian of Mary E. Pardew, & Pecalventes &
James B. Pardew infants.
to appear at the Clerk's Office of our Circuit Court of Isle of Wight County, at rules to
be holden for the said Court, on the first Monday in February next, to answer the Bill
in Chancery of Matilda Murphy admox. with the will
annexed of Henry W. Murphy Decd; (who sues for himself and
of a plea of all the contents of E. C. Pardew Decd.

damages

and have then and there this writ. WITNESS, NATH'L P. YOUNG, Clerk of our said Court, at the Court
House, this 8th day of January in the year 1868, in the 92nd
year of the Commonwealth.

N. P. Young Clerk.

Executed & a true Copy hereof delivered
to Nathaniel C. Preeden

Wm. Plaf. Shff
Nassaumore Co

A. W. Murphy's

Adm't.

3 Ann. L. in
Chy.

E. C. Preeden adm't.
Salr.

To Feb. 1868.
Cir. st. i.
Killybegs.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of *Isle of Wight* County---Greeting:

WE COMMAND YOU TO SUMMON *Nathaniel E. Pruden guardian*
of Mary E. Pruden,

to appear at the Clerk's Office of our *Circuit* Court of Isle of Wight County, at rules to
be holden for the said Court, on the first Monday in *February* next, to answer *the Bill*
in chancery of Matilda Murphy with the willy assigned
to Murphy dec. (who sues for herself and all other
of a plea of Creditors of E. C. Pruden dec.)

~~Damages~~

and have then and there this writ. WITNESS, NATH'L P. YOUNG, Clerk of our said Court, at the Court
House, this *8th* day of *January* in the year 1868, in the *92nd*
year of the Commonwealth.

N. P. Young Clerk.

No. 2

To W. P. Young - Comr

I herewith send you statement
of all demands due me under deed
of Trust executed by E. C. Pruden.

To Bond for \$1500.00
Int from 1.st Jan 1860

or \$150. on 18th March 1861
or \$50 on 1.st Aug 1866.

The other debt named above me in said
deed has been paid — I have no
other demands except the above, and that
I have assigned to Geo. R. Kelly who
has enabled me to pay off my debts.
Aug 19 1868

Nath E. Pruden,

W. Young

I have examined the above Bond
& statement — It is correct, so report the
same accordingly — enter the claim as
(John R. Kelly, assignee of N. E. Pruden
— I have advised him many to settle up his
old matters — See Mr Turner I know
what is due him

John R. Kelly
19 Aug 1868

no. 4

v.

Drew Henry W^d Murphy the sum of Ten
Dollars & 50cts for value received this the
27 day Feb 1862

Edwin C. Parker

E. C. Prudden ^{24. 5}

Note

#82. (25)

✓

// 82; ²⁵/₁₀₀

One day after date I promise to pay
unto Butler & Tynes or order the just and full
Sum of Eighty Two Dollars and Twenty five cent
for value recd of them for the true payment
I bind my self my heirs assigns firmly by
these presents as witness my hand & seal
This 28th day Sept 1865.

Witness

Loell Hookey

Edwin C. Pruden *Secy*

no. 6

E. C. Pruden

to 3 a/c

H. H. Wamble

114.16

✓

Mr. Edwin C. Prudden

Dr.

1865 In account with H. H. Wamble

July 1st To 3 Gallons Old Apple Brandy @ \$4.00 pr. Gal.

\$12.00

To Interest on Same 3 Years

2.16

\$14.16

Proved by witness Mr. Prudden



Ed City Staff & Adams of E C Pardon
To amt - paid Thos J Clements 200
To amt - paid William & Bonnell 200

E C City

Library & Manuscripts

✓

E. L. Hancock

To Cash

In M. C. C. C.

for coffee

35 22

10 8 1

24 61

27.66 55
10.88 39

Estate of Edwin Cheneo Pruden Decd

1867 March

To J^r M. Cowling

In

To making nice neat Black walnut coffin lined shroud &c
and case planks for false & services of hearse at funeral
&c

35⁰⁰

July

1868 Received of Exam^r L Ely Sheriff & adm^r of
the above estate the sum of Thirty five Dollars

J^r M. Cowling

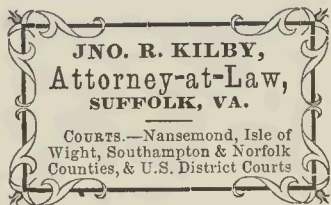
At home -

3rd July

John R. Kilby

Be pleased to acknowledge
Recd of this package.

4/10
Not Recd



SUFFOLK, V.A.,

Sep. 22^d 1868

N.P. Young Esq

Dear Sir

I enclose you a deed from Mr. Pruden to me which record — also one from D. Page.

The Bill of sale from E. C. Pruden to Page I also sent you — never recorded — The sale of the timber by Pruden made it hermae property — In making up your report as to the value of Pruden's land report specially that this timber now sold now belongs to me, of course value the land that much less.

file the Bill of sale in your report, or you can return

E. C. Prudent
Acct.
\$73.00

Requiescent
con.

1859.

E. C. Puden
To R H Jones

Feb.	11.	Visit And Mrs. to Reprovide Allen.	\$ 3.00
May	27.	Post And Mrs. for Reprovide Matilda	1.25-
Aug.	22.	Visit And Mrs. to Reprovide Sam.	3.00
Sept.	21.	Visit And Mrs. to Allen (Reprovide)	3.00
"	25	Visit And Mrs. to Allen etc	3.00
"	29	To Mrs. for Sep	.50
Oct	5.	Visit And Mrs. to Matilda (Reprovide)	5.00
"	7	Post And Mrs. for Matilda	1.25
"	22	Opening at Sep for Matilda	5.00
<u>1860</u> Jan.	11.	Post And Mrs. for Sep (Post. Reprovide)	1.50
"	17	Visit And Mrs. to Allen.	3.00
"	18	Visit And Mrs. to Allen.	3.00
"	19	Visit And Mrs. to Allen	3.00
April	4	Night Visit And Mrs. to Sam.	5.00
"	5	Visit And Mrs. to Sam.	3.00
June	13.	Post And Mrs. for Matilda's Child	1.50
"	18	Post And Mrs. for Sam Child	1.25-
July	14	Night Visit And Mrs. to Matilda	5.00
Sept.	12	Post And Mrs. for 2 Children.	2.50
"	18	Post And Mrs. for 2 Children.	2.50
<u>1861</u> Jan.	18	Visit And Mrs. for boy Albert	3.00
"	21	To Vine of Ornament for Self.	.50
May	2.	Extracting tooth for Sam	1.00
"	"	To Queen for Sep.	1.00
"	4	Post And Mrs. for Matilda	1.25-
Sept	24	Medicine for Matilda	1.00
Oct	4	Visit And Mrs. for Albert	3.00
<u>1863</u> Jan.	23	To the gal. of apple brandy	
"	"	in Greenbacks	2.50
"	25	By 104 lbs of pork, 30 lbs. in Confectionary money	\$ <u>73.30</u>

and for her dower, therein, and which lands are described
as a tract of land in the County of Ischopshire, containing
by estimation 430 Acres more or less and a Mill and
Appurtenances Connected therewith adjoining the lands
of Doctor Page and Others; and make report to Court;
A copy.

Teste,

N. J. Youngblood

Wm. Youngblood

E. J. Youngblood

And done and att. by,

Witness to the above, Sept.

Feb. 1. Aug. 1868

At a Circuit Court for the County of Isles of Wight, held at the Court house on the 19th of May 1868.

Matilda Murphy Comrs with the Will annexed of Henry W. Murphy dec'd. who sues for her self and all other creditors of E. C. Prudden dec'd.

Pliffs

Against

E. L. Ely Shff & Committee of E. C. Prudden dec'd. Sarah H. Prudden Widow James S. Turner in his own right & as trustee, Nathl. E. Prudden Guardian of Mary E. Prudden & Pocahontas and James B. Prudden infants

Defts

This Cause in which the process has been duly executed on the adult defendants & they still failing to appear and make defence, came on to be heard on the bill of the Complainant, taken for confessed as to the said adult defendants by their Guardian ad litem, and on Replie- cations to said answer and an exhibit filed with the said Bill, and was argued by Council: On Consideration whereof the Court doth adjudge, order and decree, That a Commissioner of this Court take the following ac- counts to wit:

1st An account of the transactions of E. L. Ely as Shff and Committee of E. C. Prudden dec'd.

2nd An account of the debts and demands against the said E. C. Prudden dec'd. or his estate and their dignity &c.

3rd An account of the real estate of which said E. C. Prudden died seized, and its full simple and annual value, and make report to Court, with any matters specially noted deemed pertinent by himself or that any one of the parties may require to be so stated, and the Court doth adjudge, order, & decree, That John M. Caroling, Mills Godwin, Wm. H. Dardan William W. Tappan, & John E. Darnall be and they are hereby appointed Commissioners for that purpose, (any three of whom may act, to set apart and assign unto Sarah H. Prudden Widow of E. C. Prudden dec'd. for life one third in value of the lands of her late husband, as

Executed by delivering a true copy of the within
to Jas S. Tamm, Matilda Murphy Sarah J. Bonden
(Nathaniel Tamm & E. S. Ely) August 19th 1863
E. S. Ely Att.

Wm. H. Bonden's att.

Wm. H. Bonden, N. H.

Prudence Bonden, att.

Commissioner's Office, Isle of Wight Courtroom, July 22^d 1868
To Matilda T. Murphy admt. with the will annexed of
Henry W. Murphy decd: Plff.

and to C. L. Eley shff. and admt. of E. C. Prudden decd; Sarah J.
Prudden, James D. Turner in his own right as trustee, Natl.
E. Prudden guardian of Mary E. Prudden & Pocahontas &
James D. Prudden, last three infants, Defs.

You are hereby notified that I have fixed upon the
5th day of September 1868 for taking at my office
aforesaid, the following account, — First, an account
of the transactions, of C. L. Eley as shiff & admt. of
E. C. Prudden decd. Second. An account of the debts and
demands against the said E. C. Prudden decd: or his estate,
and their dignity — Third. An account of the real
estate of ~~the~~ which the said E. C. Prudden died seized
and possessed, and its personal & annual value,
required to be taken by a decree of the circuit court
of Isle of Wight county, recorded on the 19th. day of May
1868, in a suit in Chancery therein depending, in
which you are parties, at which time & place you
are required to attend. Given under my hand as
a commissioner in chancery of said circuit court,
the day and year first aforesaid.

A. J. Gray Comr.

Clarins Presented
to E. C. Parsons
Esq.

Commissioner's Office, Isle of Wight Court House,
July 22nd 1868

To Matilda L. Murphy admr. with the will annexed
of Henry W. Murphy, decd: P'tyff.
and to E. L. Cley chf. and admor. of E. C. Penden decd.
Sarah F. Penden, James L. Yumer in his own right &
as trustee, Nathl. E. Penden guardian of Mary E.
Penden & Pocahontas & James B. Penden, last three Infants Depts
You are hereby notified that I have fixed upon the
5th ^{day} of September 1868 for taking at my office afore-
-said, the following accounts - First: an account of the
transactions of E. L. Cley as sheriff & admor. of E. C.
Penden decd: Second: an account of the debts and
demands against the said E. C. Penden decd: or his
estate, and their dignity - Third: an account of the
real estate of which the said E. C. Penden decd, seized,
and possessed, and its presumable & Annual Value -
required to be taken by a decree of the Circuit Court
of Isle of Wight County, rendered on the 19th day of
May 1868, in a suit in Chancery therein depending
in which you are parties, At which time & place
you are required to attend - Given under my
hand as a Commissioner in Chancery of said
Circuit Court, the day and year first aforesaid
A. P. Young comr

a copy.

Teste, A. P. Young Comr.

And the Annual Value thereof
Given under my hand as a Commissioner of the said
Circuit Court, the day and year first Aforesaid
J. D. Youngblood.

Murphy's Adm't. 5.

W. J. Adams & Co. Adm't.

Frederick's Adm't. 1829.

Sept 19. 1828 & Feb. 20.

Account C. Shaws the fee simple value of the real estate (less the value of certain Cypress timber sold thereon by said E. C. Prudden to Page and now owned by John R. Kilby under deed from Page) to be \$2750.00

The Estate of Edwin C. Prudden dec'd.

In account with Edward L. Ely Esq. & Administrator,

1867	July	1	To paid for U. S. Stamp an Certf Admonr	1	00	
	Decr.	15	To " Cryer & Clerk at Sale	4	00	
			" " Appraisers	3	00	
			" " Clerks Fee for Admonr. &c	2	00	
1868			" " Carrying for Coffin &c	35	00	
			" " Commissions on \$147.78 receipts	7	39	
July	1		" Balance due the estate	95	39	
1868						
June	15		By Amount of Sales of Chattel estate			147 78
				\$147 78		\$147 78

B.

An account of the debts & demands Against the estate of Edwin C. Prudden dec'd and their dignity.

First & Second Classes - None.					
Third Class of prior dignity.					
No	1	A. Balance due the estate of Mills E. Carroling dec'd on the 15 th day of January 1867, from E. C. Prudden his Admor.	24	21	
		Interest thereon to 18 th Octo. 1868.	3	63	27 84
Fourth Class 1 st dignity.					
No	2	A. bond due pro R. Kilby Assignee of Nathl. E. Prudden Secured by deed of trust on his land recorded 7 th Sept. 1865 (bal. of acct. due on the 15 th March 1861.)	1421	25	
		Interest thereon to 18 th Octo. 1868. (less \$50. paid 1 st August. 1866.)	547	37	1968 62
Fourth Class 2 nd dignity.					
No	3	A bond due James S. Turner on the 1 st Jan'y 1863. for \$1000. (Secured by said Deed)	333	33	
		but reduced by scale to	115	16	448 49
		Int thereon			
Amount debts Carried forward.					\$2444 95

Murphy &
n

Pruden adm

Statement

"K"

Murphy, Jr

(11)

Pruden, admt fac.

Statement showing the value
of the dower right of Mrs. Fannie S.
Pruden, in the lands of her late husband
Edwin C. Pruden decd., in fee simple in
money. to wit:

Sale of land as appears by John
R. Kelly's Report of sale of land \$1700.00
Less expenses 143.29

Nett proceeds of sale. \$1556.71

$\frac{1}{3}$ of which for life is \$518.90

The annual interest \$31.13

The said Fannie S.

Pruden is now 27 years old her
expectation of life is 32 years.

which makes her interest in said
land in lieu of dower therein to be
\$435. —

1869 Oct. 4 Rec'd of John R. Kelly
\$5. Am. fire & Marine Ins. Co.
Premium Land under Sec'n of Court

J. J. Clements
Co.

Edwin C Pruden

11,85

Mr. Edmund C. Pendron Esq.

1869. To F. SMITH, Sheriff of Isle of Wight Co.

To Capitation Tax, at 60

" County Levies, at.....

" County Tax on Lands, Property, &c.....

" Revenue on Personal Property, Bonds, &c.....

" *430* Acres of Land, Valued at *2902*

Clerk's Fees, \$; Commissioner's do.

Received Payment.

J. B. Fidelity

3 14

8 71

85

Sheriff.

Ed Elmy

Deputy.

1870 July 22^d Recd. of the clerk of J. of the
Circuit Court, the Bond filed herewith of
James S. Pruden of \$200 & N. E. Pruden
of \$1500. are noted to be delivered by decree
of May Court 1870.

John R. Kilby Comr.

Murphy }
or } Report of
Pruden adm'r } sale.

1870 July 22

for the clerk

color money

for money claim

Specimen

	By sales, brought in	\$1700.00
pd	25 per cent Com. on \$300.	\$75.00
pd	" 2 " 25 on \$1400	35.00
pd	" paid atty's fee per deuce	50.00
pd	" " Clerk's fees	7.44
pd	" " Sheriff's "	2.50
"	" " Comr. Young	12.00
"	" " J. J. Clements Cur	5.00
pd	" " advertising in	{ 5.00
pd	2 newspapers	
pd	" Reserved for 2 Deed Stamps	6.50
pd	" paid Taxes on Land	11.85
	Balance	\$143.29

and for which the Bond of said Mrs

Pruden was taken ~~with~~

~~her security~~ for \$200.00

and A. E. Pruden for 1500.00

& filed herewith

Respectfully submitted

John R. Kelly Cor

To the Circuit Court of ^{Isle of Wight} ~~Hamrore~~ County

The Undersigned respectfully reports to Court,
that pursuant to the decree of said Court made
on the 17th day of May 1869, in the cause therein
pending, wherein Henry W. Murfree's adm^r &c. is
plaintiff and E. C. Pruden's adm^r &c. defendants,
He proceeded to advertise the Land of which
Edwin C. Pruden died seized and proposed as he
was directed by said decree, and did on the 4th
day of October 1869, before the Court house door of
Isle of Wight County, (being County Court day) sell
at auction on the terms named in said Decree, the
said Land, which he sold in separate parcels,
believing it best for acceptances, that is to say (1st)
about 120 acres called the Bullock place
which was purchased by Mrs. Sallie H. Pruden
for the sum of

\$200.00

and the Balance 310 acres, more or less
including a small tract more (subject
to a prior sale of the Cypress timber on said
Land as made by Decree, &c. named in
said Decree, purchased by H. C. Pruden for

\$1500.00

\$1700.00

~~of which sum was received of the~~
~~of said expenses of sale~~

to said

of which sum was received in cash

(over)

before any such sale shall be made. Notice of such sale shall be given by notice at the Courthouse door of said County. & also at four other public places near the premises. And also once a week for four successive weeks in the Christian Sun a newspaper published at Suffolk. And it appearing to the Court, that Mrs Fanny S. Pruden the widow of said Edward^{III} B. Pruden consents to a sale of her dower in said land by her answer filed this day, the Court doth direct that such sale be made of said lands free of dower and it is ordered that a Comr of this Court ascertain what will be a fair money equivalent in fee simple in lieu of her dower in said lands.

But no sale shall be made under this decree till the said John R. Kilby shall have executed before the Clerk of this Court in his office a bond in the penalty of \$2500 payable to the Commonwealth of Virginia Conditioned for the faithful discharge of the duties required of him under this decree and under any other decree that he may be required to execute in this cause.

atto. for copy \$50. 00 A copy.

clerk. 7. 44

shff. 2. 50

Comm. 12. 00

Cash 5 May 1869 — \$ 72. 44

Teste, J. S. Young, D.C.

Copy of record

~~Handwritten scribble~~

~~Handwritten scribble~~

~~Handwritten scribble~~

Pruden's ad. 2nd. 1869

at copy. 1869 for sale.

Pruden's ad. 1869

In the Circuit Court of Isle of Wight County May 17th 1869.
Matilda Murfree, adm^x. with the will annexed of
Henry W. Murfree decd^t. who sues for herself and all
other creditors of E. C. Pruden decd^t. Pltff:

vs:

E. C. Eley Shff. & Committee of E. C. Pruden decd^t
Sarah H. Pruden widow of said decd^t & als.

Defts:

This cause came on this day to be again heard on
the papers formerly read & on the report of N. P. Young
Com^r. made pursuant to the decree of the 19th of May
1868, to which report there is no exception, and on the
answer of Harry S. Pruden this day filed & general
objection, and ^{was} argued by Counsel, on consideration
whereof the Court doth confirm said report, & doth ad=
=judge order & decree that John R. Kilby who is here
=by appointed a Com^r. for that purpose proceed to
sell before the Courthouse door of Isle of Wight County,
on some Court day, on a credit of six months with
interest from date (except for a sum sufficient
to pay costs of suit, including a fee to John R. Kilby
Pltff's attorney of \$50. & all expenses of sale, which
will be cash and paid to those entitled, and retain
the title thereto till the further order of the Court.
the lands whereof Edward C. Pruden^{III} died seized &
possessed. Described as a tract of land in said
County of four hundred & thirty acres more or less,
adjoining the lands of Thomas. Piger & als. (Subject to
the sale of the Cypress Timber on the same as re=
=ported by Com^r. Young in his said report;) taking
from the purchaser bonds and good security for the
purchase money, and return the same to Court.
That the said John R. Kilby Com^r. aforesaid may sell
the said lands in such parcels as he may think
best to promote the interest of all parties, and

due her as per Statement "K" as aforesaid
with interest thereon from the 17th of
May 1870, till paid. And the said John R
Kilby Com^r as aforesaid, is directed to
collect of E. L. Eley Shiff & Comtee. of the
estate of Edwin L. Pruden dec^d, the sum
of Ninety five dollars & thirty nine Cents,
the amount due on his administration account
as appears by Com^r. Young's report of the
8th of September 1868, & the interest thereon
from the 1st day of July 1868, and out
of the moneys which may come into
the hands of the said John R. Kilby Com^r
as aforesaid, he is directed to pay to
Mills & Cowling's adm^r the sum of
Twenty seven dollars & eighty four Cents
with interest from the 18th of Oct^r 1868,
on \$4.21 part thereof, being a debt of
superior dignity. then pay the balance
to the following debts, secured by the deed
of Trust executed by the said Edwin L.
Pruden on the 7th of Sept^r 1865. To wit: To Jas^r
S. Turner trustee, To wit: To John R.
Kilby as spec. of Nathl^r E. Pruden the sum
of Nineteen hundred & Sixty eight
dollars & Sixty two Cents, with interest
from the 18th of Oct^r 1868 - And the said
John R. Kilby Com^r as aforesaid is

directed to execute deeds with Special
warranty in the usual form for the
lands sold under proceedings had in
this cause, and make Report to
Court,

A Copy
Teste

Estimated total fees \$2.50

N. P. Youngblood

In Schofield Circuit Court May 17th 1870.

Murphy's adm^r: et als:

Plffs.

vs:

E. S. Eley Shff: Receiver of E. S. Pruden dec^d val: def^t.

This Cause came on this day To be heard on the papers formerly read, & on the report of Jno. R. Kilby Com^r, made pursuant to the Decree of the 17th of May 1869, to which report there is no exception, & on Statement "K" this day filed. It was argued by Counsel. On Consideration whereof the Court confirming said Report, doth, adjudge, order & decree that Jno. R. Kilby Com^r, as aforesaid, receive of the Clerk of this Court, the bond of Fanny S. Pruden of Two Hundred Dollars, & of Nathl. E. Pruden of fifteen Hundred dollars, who will deliver the same to him on his filing a Receipt for the same, & proceed to collect the said sums of money & all interest due thereon, & out of the proceeds pay all costs & expenses, & then pay to M^{rs} Fanny E. Pruden widow of ^{said} E. S. Pruden the sum of Four Hundred and thirty five dollars in lieu of her dower in the lands sold under proceedings had in this Cause, being the amount

No 29.

Murphy's adm. et als.
vs. } Copy of Decree
Ely Shff. Remtee. of Ruden et als

May Cir. Ct. 1870.

Set Backs &
Hager Smoky
Dec.

Murphy, adwt fe

4

Purvis adwt fe

Report of
payments &c.

~~Handwritten text, possibly crossed out or illegible~~

Filed 18 Oct 1870

By amou. brought on \$1638.31.
" amou. of E. L. Ely Sh. & Comer to }
E. E. Pruden \$95.39 & dit - } 106.85
To paid said Janny S. Pruden } \$1745.16

as directed by said Decree \$435.00
Int. from 17 May 1870 to
22 July 1870 } 4.71
her ret. answered \$439.71

To paid E. L. Ely Sh. & Comer
of Mills & Co. Carling Dec. as
per said Decree \$27.84

Int. on \$24.21 from 18th

Oct. 1868 to 22 July 1870 \$2.60 - \$30.44 = \$470.15
Balance \$1275.01

To paid Mrs. R. Kilby a paper
of Nathl. E. Pruden per said Decree
in part of debt due per ret. } 1275.01

Respectfully submitted
John R. Kilby } Com

1870 July 22nd Rec^d of John R. Kilby Com
as aforesaid the several amounts due us
as above

John R. Kilby apu \$1275.01
E L Ely adms of Mills & Co. Carling
30.44

Hannie S. Pruden \$439.71

To the Circuit Court. of Alle of Wight
County.

The Undersigned reports to Court
that pursuant to the decree of May Court
1870 made in the cause pending in the
said Court, wherein Murphy's admr. & al.
are plaintiffs and E. L. Eley sh: & Com^{rs}
of E. C. Pruden dec^d. and others are
defendants, he has received of the clerk of
said Court the Bond of Jannys. Pruden
of \$200 & of A. E. Pruden of \$1500. and
collected the same & paid the proceeds
as directed by said decree & made deeds
with special warranty to Jannys S. Pruden
& to Nathl. E. Pruden for the Land, res-
pectively purchased by them — The fol-
lowing statement will more fully show.

By am ^{nt} . of Jannys S. Pruden's Bond	\$200.00
" Int. from 4 th Octo. 1869	
to 22 nd July 1870 — 9 m ^{os} . 18 d ^s	9.60
By Nathl. E. Pruden's Bond	1500.00
" Int. as above 9 m ^{os} . 18 d ^s .	72.00
Total am ^{nt} .	\$1781.60

To casts received by undersigned paid by him but not heretofore deducted, as per report of sale &c.	143.29
Nett Balance.	\$1638.31
(over)	

of the Lands of her said husband, & as and for her
Dower therein & which Lands are described as
a tract of Land in the County of Isle of Wight
containing by estimation four hundred and thirty
acres more or less and a mill & appurtenances
connected therewith adjoining the Lands of Dr.
Thomas Page and others, and make report
to Court.

Wm. By the

M.

Prudens about the

1868

May 21. Decem

To be entered

R. 14. 1868.

17. 11

Murphy & v. Pruden adw &c

This cause in which the process had been duly executed on the adult Defendants ~~and as to be heard~~, and they still failing to appear (and make defence, came on to be heard on the Bill of the Complainant taken for confessed as to the said adult Defendants, and on the answer of the Infant Defendants by their guardian ad litem, and in Replication to said Answer and on Exhibits filed with the said Bill and was argued by Counsel;

On consideration whereof the Court doth adjudge, order and decree that a Comd. Officer's Court take the following accounts, to wit:

1st an account of the transactions of E. L. Eley as Shff. & Committee of E. C. Pruden and —

2^d. An account of the debts & demands against the said E. C. Pruden or his estate & their dignity &

3^d. an account of the real estate of which said E. C. Pruden died seized, and its fee simple and annual value, and make Report to Court with any matters specially stated deemed pertinent by himself or that any one of the parties may require to be so stated, ~~and make report to Court.~~

and the Court doth adjudge, order and decree that John M. Couling, Mills Godwin, William H. Darden, William W. Joyner & John E. Denson be and they are hereby appointed Commissioners for that purpose (any three of whom may act) to set apart and assign unto Sarah F. Pruden widow of E. C. Pruden decd, for life, one third in value

and which lands are described as a tract of land in the
County of Suffolk containing by estimation 403 acres
more or less and a Mill and Appurtenances Connected there
with adjoining the lands of Doctor Thomas Page & Others:
and Make Report to Court;

a copy. Toth N. P. Youngblood.

Murphy, Albany.

Wm. L. Deane

Sheldon Road. N.Y.

Aug 22nd 1868 (Sunder)

to H. C. Chapin. 1868

This copy may
be sent to the
owner - but not to
a, named by the
owner.

At a Circuit Court for the County of Talbot, held at the Court house on the 19th day of May 1868.

Abel & Co. Murphy Administrators with the will annexed of Henry M. Murphy dec'd. who sues for himself and all other Creditors of E. B. Prudden dec'd. Plffs.

Against

$\frac{1}{2}$
 $\frac{2}{3}$ In Chancery

E. L. Eley Sheriff Committee of E. B. Prudden dec'd. Sarah H. Prudden widow James S. Turner in his own right & as trustee, Nathaniel E. Prudden Guardian of Mary E. Prudden & Pocahontas and James B. Prudden infants Defts

This Cause in which the process has been duly executed on the a default defendant & they still failing to appear and make defence Cause do to be heard on the bill of the Complainant, taken for confessed as to the said default defendants, And on the Answer of the Infant defendants by their Guardian ad litem, and on Replication to said answer and on exhibits filed with the said Bill, and was argued by Council: On Consideration whereof the Court doth adjudge, order and decree, That a Commissioner of this Court to the the following accounts to wit:

- First. an account of the transactions of E. L. Eley as Sheriff and Committee of E. B. Prudden dec'd.

Second. An account of the debts and demands against the said E. B. Prudden or his estate and their dignity &c.

Third An account of the real estate of which said E. B. Prudden died seized and its fee simple and annual Value, and make Report to Court, with any matters specially stated deemed pertinent by himself or that any one of the parties may require to be so stated, and the Court doth adjudge, order & decree, That John Mc Carling Wells Godwin, Wm. H. Dardard, Wm. W. Joyner & John E. Dunsont be and they are hereby appointed Commissioners for that purpose, (Any three of whom may act) to set a part and assign unto Sarah H. Prudden widow of E. B. Prudden dec'd. for life $\frac{1}{3}$ in Value of the lands of her said husband, as and for her dower, therein and

Mumphy Jr
M

Pruden Jr.

1869
May Court.

To be Entered
E. P. Hill

Entered

Feb

he does in said lands.

But no sale shall be made under this decree till the said John R Kelly shall have executed before the Clerk of this Court in his office a Bond in the penalty of \$2500 payable to the Comth of Virginia, conditioned for the faithful discharge of the duties required of him under this decree & under any other decree that he may be required to execute in this cause.

same as reported by Com Young, in his
said Report.) Taking from the purchaser
Bond & good security for the purchase
money return the same to Court -
That the said John R. Kilby Com.
as aforesaid, may sell the said
Land in such parcels as he may
think best to promote the interests
of all parties, and before any such
sale shall be made, notice of
such sale shall be given by notice
at the Court house and of said County
also at four other public places
near the premises also once a
week for four successive weeks
in the "Christian Sun" a newspaper
published at Lufkin; and it
appearing to the Court that Mrs.
Fannie S. Pruden the widow
of said Edward C. Pruden consents
to a sale of her dower in said Land
by ~~testimony~~ ^{her answer} filed this day, ~~marked~~
#1. The Court doth direct that such
sale be made of said Land free
of dower - and it is ordered
that the Com of this Court ascertain
what will be a fair money e-
quivalent in fee simple in lieu of

Murphy's admt

Pruden, admt sal

This cause came on this day to be again heard on the papers formerly read from the report of A. P. Young Comr. made pursuant to the decree of the 19th May 1868, to which report there is ^{& on the answer of Hannis S. Pruden this day filed & general replication filed} no exception, and was argued by Lemuel. On consideration whereof the Court doth confirm the said Report and doth adjudge, order & decree that John R. Kelly who is hereby appointed a Comr. for that purpose proceed to see before the Court house door of Isle of Wight County, on some Court day, on a credit of six months with interest from date (except for a sum sufficient to pay costs of suit including a fee to John R. Kelly plaintiff's atty of \$50 & all expenses of sale, which will be cash & paid to those entitled) ^{I retain the title thereby till the further order of the Court} the Land, whereof Edward C. Pruden died seized & conveyed, described as, a tract of Land in said County of 4.30 acres more or less, adjoining the Land of Thomas Page, & others (subject to the sale of the Cypress timber on the

Murphy &
Co.

Prudens adms

1890

May 24. Decree

Geo. Blow, & Co.

Entered
and $\frac{1}{2}$

leaves, as aforesaid, ~~will also~~ is directed
to collect of E. L. Ely Sh. & Corner of
Edwin C. Pruden ~~deed~~, the sum of \$95.39
and one on his adm^{or}, as appears
by Com^r. Young's Report of the 8th of Sep
1868, & ~~the~~ Interest thereon from the
1st July 1868, and out of the moneys
which may come into the hands of said
John R. Kilby Com^r, as aforesaid, he
is directed to pay to Miss E. Cowling ad^{or}
the sum of \$27.84 with Interest from
the 18th Oct 1868 or \$24.21 part thereof
being a debt of superior dignity — Then
pay the Balance ~~exactly~~ to the following
debt~~s~~ secured by the deed of Trust executed
by said Edwin C. Pruden ~~to the parties~~
on the 7th Sep 1865, to James S. Turner Trustee
to wit. To John R. Kilby a piece of stable
E. Pruden the sum of \$1968.62, with Interest
thereon from the 18th Oct. 1868, — ~~and to James S. Turner~~
~~the sum of \$448.49, with interest~~
~~of \$333.33 part thereof from the 18th of~~
~~Oct. 1868 till paid —~~ and the said
John R. Kilby Com^r, as aforesaid, is directed
to execute deeds with special warranty
in the usual form for the lands sold
under proceedings had in this cause
and make report to Court.

Murphy tal

h

Pruden's advt or

This cause came on this day to be heard on the papers formerly read from the report of John R. Kelly, Comd., made pursuant to the decree of the 17th May 1869 (to which report there is no exception), and on statement "K" this day filed and was argued by Counsel. On consideration whereof the ^{Confessing} Court, ^{Says} ^{Repeating} both adjudge, order and decree that John R. Kelly, Comd., as aforesaid, receive of the Clerk of this Court the Bonds of Fannie S. Pruden of \$200. & of Nathl. E. Pruden of \$1500 (who will deliver the same to him on his leaving a Receipt for the same), & proceed to collect the said sum of money & all interest due thereon; and out of the proceeds pay all the costs & expenses and then pay to Mrs. Fannie S. Pruden the widow of said Edwin C. Pruden the sum of \$435 — in lieu of her dower in the Land sold under proceedings had in this cause, being the amount due her as per statement "K" aforesaid, ^{with} interest thereon from this 17th day of May 1870. to be paid; and ~~then pay to~~ the said John R. Kelly as

Murphy's adm
v

Pandey's adm
v.

1870

act. Court

decree

to be entered

Geo. V. Blom, Jr.

Entd 3.

Murphy's adv. &
21

Pandora adv.

This cause came on this day to be again heard, on the paper formerly read & on the Report of John R. Kelly, Comr. made pursuant to the decree of the 17th May 1870 - to which report there is no exception, and was argued by Counsel. On consideration whereof the Court doth confirm the said decree and doth adjudge, order & decree that the proceedings had in the cause be confirmed & made final & binding between the parties, & that the cause be removed from the docket.

Murphys ad

W

Prudens Sh. & Com
Sal.

3 Exhibt with
Bice

Mr. [unclear]

4. } Adm. [unclear]
 } [unclear]
 } E. C. [unclear]

Adm. [unclear]

Est. [unclear]

In the County Court of Lake of Wight County the 10. July 1867,
On the motion of Thomas M. Sashell it is ordered
that the estate of Edwin C. Gardner decd; who has been
dead more than three months, be committed to
the hands of Edwin W. Sashell Sheriff of this County for
administration.

A copy.

Teste *E. W. Sashell*

43
C. C. Brown
3, Copy
to } Beaufort

Mr. J. Turner trustee

Exhibit
(B)

✓



This Deed, made this 7th day of September in the year 1865, Between Edwin C. Pruden of the one part and James S. Turner of the other part; Witnesseth, that the said Edwin C. Pruden doth grant, with general warranty, unto the said James S. Turner trustee, the following property to wit: a tract of land lying in the County of Litchfield together with a ^{small} gift mill thereto attached, containing by estimation four hundred and thirty acres, more or less, being the land the said E. C. Pruden purchased of John T. Pruden and wife by deed dated the 21st March 1860, and recorded in the Clerk's Office of said County on the same day; Also all the Crops of Corn, fodder, potatoes, peas and Oats, now grown upon or upon the said land, in trust to secure the following debts to wit. first a bond for the sum of Fifty hundred dollars Executed by said E. C. Pruden W. E. Pruden guardian of Mary E. Pruden, on the 1st day of January 1860: Also one other Bond executed by the said E. C. Pruden to the said W. E. Pruden Guardian as aforesaid, on the 13th day of October 1865, for the sum of Four hundred dollars, Secondly, a bond executed by said E. C. Pruden to James S. Turner, on the 1st day of January 1863 for the sum of One Thousand dollars, all of which said bonds are payable on demand.

Witnesseth the following Signatures & Seals

E. C. Pruden (Seal)

James S. Turner (Seal)

In the Clerk's Office of Litchfield County Court, September 7th 1865. This deed was acknowledged by E. C. Pruden & James S. Turner and admitted to record.

Teste N. P. Young Clerk.
a copy. Teste J. S. Herr, Secy.

Murphy ^{no. 4} adwt
{ Co. Ind. P.

Quinn L.

Expt. Q.

✓

A judgement obtained in the Clerk's Office
of Nassau County Court, and Confirmed at a
Court held and Closed for said County, on
Monday the 11th day of March 1861.

Henry W. Murphy
Against $\frac{2}{3}$ In Debt.
J. T. Pruders, E. C. Pruders and
T. M. Dashiell

Pltff

Defts

The judgement obtained at the Rules against the defendants not
having been set aside, & the plaintiff being now entitled to a final
judgement, it is therefore considered that the plaintiff recover
against the defendants Four hundred & forty seven dollars & Sixty
Six Cents. the debt in the declaration mentioned with
legal interest thereon ~~thence~~ from the 1st day of June
1859. till paid, and his costs by him about his Suit,
in this behalf expended. And the said defendants in
Mury &c.

Costs \$8.48

Fi. Fa: 12th March 1861.

A. Copy

Judgement Docketed 12th

Testo

March 1861.

Peter B. Pontis Clerk.

In the Clerk's office of Isle of Wight County Court, this
Judgment was received and docketed 22nd April 1866.

Testo

J. P. Youngblood.

A copy.

Testo

J. P. Youngblood

Massachus adrop. t.

N. 3/4 Com. Bond

Presdus adrop. sal,
—

Know all Men by these Presents, That we John R. Kilby

are held and firmly bound unto the Commonwealth of Virginia in the sum of Two Thousand Five Hundred Dollars to the payment whereof, well and truly to be made, we bind ourselves, our Heirs, Executors and Administrators, jointly and severally, firmly by these presents. As witness our Hands and Seals, this _____ day of _____ in the year of our Lord, one thousand eight hundred and seventy nine.

The Condition of the above Obligation is such, That whereas, by a Decree of the Circuit Court of Isle of Wight County, pronounced on the 17th day of May 1869, in a cause depending in the said Court, in which Matilda Murphy adm^t of Henry W. Murphy dec^d, who sues for herself and all other creditors of E. C. Pruden dec^d. Plaintiff, and E. S. Eley, adm^r of E. C. Pruden dec^d. Sarah H. Pruden widow, &c. &c. Defendant, the above bound John R. Kilby was appointed a special Commissioner to sell the land whereof Edwin C. Pruden dec^d seized & possessed, described as a tract of land in said County of four hundred thirty acres, more or less, adjoining the lands of Mrs. Paget (subject to the sale of Cypress timber thereon as reported by Genl. Tracy in his report in the case) and make report to Court together with the bonds for each sale.

Now, if the above bound John R. Kilby shall faithfully discharge or any other duty he may be required to perform in the case his duties as Commissioner under the said Decree, then the above Obligation to be void, otherwise to remain in full force and virtue.

Signed, Sealed and Delivered }
in the presence of }

John R. Kilby

A. J. Young

