

1909-038

Chancery Causes
Isle of Wight County

B. P. Chapman, N.

P. Young & R.

A. Edwards, for & c

vs Nelson H. Pruden & al

B. P. Chapman & al vs James T. Beal & al

other surnames: Seay,
Holland, Whitley, Beale
Holloway [Whitley & Fulgham],
Fulgham, Thomas, Boykin,
Monford, Lawrence, Fowler,
Stephenson, Foler

In the Circuit Court of Isle of Wight county
October term 1894

Chapman et al
vs. 3 Inds.

Plaintiff

Pruden's admr. et al

Defendants

This cause came on this day to be again heard on the papers formally read and on the reports of Commissioner Young filed herein respectively, Mar. 7th 1893^{Am} / Sep. 22^d 1894 and was argued by counsel, on consideration whereof the court confirming the said reports to which no exceptions have been filed, doth adjudge order and decree that W. S. Holloway & A. E. Boykin, who are hereby appointed commissioners for that purpose either of whom may act, proceed to sell at public auction at Isle of Wight court house on some court day, after giving at least twenty days notice by hand bills posted on the front door of the court house of the said county, and at five or more public places therein the several tract in the bill and proceedings of said suit mentioned, including the Chs. S. Holloway land hereinafter mentioned of which N. H. Pruden did seized & possessed upon the following terms, to wit: cash sufficient to pay the cost of suit and sol and the amount due under and by virtue

of the Deed of Trust reported by commis-
sioner Goring in his report of debts
filed Mar. 7th 1893, and the balance upon a
credit of one two & three years in equal
payment taken from the purchasers bond with
approved personal security, for the deferred
payments, bearing interest from date and
retaining title until the payment of the
purchase money in full, or in the event
that the holder of the bond secured by the said
deed of trust consents thereto the said lands
shall be sold for cash sufficient to pay the
cost of suit and sale and the balance upon
a credit as aforesaid. But the said com-
missioners of sale shall not execute this
decree until they, or one of them who
shall act, shall have executed a bond
before the clerk of this court, in the
penalty of Three Thousand Dollars, con-
ditioned for the faithful performance
of this or any future decree therein. And
it appearing to the court from the said
report of comm^r Goring filed Sep. 22nd 1894 that
the said N. H. Pender is entitled to a
conveyance of the Chs. J. Holloway land
in said report mentioned, the court doth
adjudge order and decree that upon
the payment of the sum of \$29⁰⁰ by H. A.

Holland assign of the said N. H. Pender
 out of any funds now in his hands or
 which may come into his hands, the said
 N. P. Young trustee as in said report mentioned
 make and deliver to H. S. Holland & R. E. Boykin
 special commissioners to receive & take in
 conveyance of the said land for the benefit
 of the estate of the said N. H. Pender, also for
 the purpose of making sale of the same as
 directed by this decree. and the said com-
 missioners of sale shall make report to
 court of their proceedings under this
 decree.

A copy Teste N. P. Young att
 by C. F. Young Deputy

Costs to & including Acts. 1844, term, V. 7.

Att. fee & tax 10.50

Clerks' fees . . . 12.90

Steff: S of Wright .. 8.50

Do. Halifax Co. "f." .52

Comm. Young - 1: 2 ft. . 15.75

Do 2. " 19.00
 \$ 73.17

Copy

A.

An account of the Debts and demands
proved against Nelson H. Preder and
his estate.

Liens reported by Commis-
sioner Young in his report
made under decree of Novr.
1892 and filed in the cause of
Chapman et al. v. Preder et al. on
7th of March 1893 of 1st 2nd
3rd and 4th priorities

Interest on principal of \$20,000, Apr. 1893

793 00

05 41 859 01

Debts which are not
lien debts but of
equal priority.

Debt due L. H. Whitley on
bond on demand & dated the
21. day of Novr. 1892, for

162 51

Int. on same to 20. Octo. 1894

18 09 181 20

Debt due same on bond on
demand & dated 1. Jan'y. 1893 for

11 42

Int. on same to 20. Octo. 1894

1 24 1266

Debt due same on act. 16. Mar. 1893

4 40

Int. on same to 20. Octo. 1894

42 4 82

Debt due same paid on judgt. n. Preder

23 54

Int. on same from 2nd May 1887 to do.

11 41 3495

Debt due same on judgt. n. Preder

27 44

Int. from 6. Feb'y. 1888 to do.

9 03 3147

Debt due same on judgt. n. Preder

42 84

Int. from 9. May 1889 to do.

14 47 5931

932441

Amt. of fine debts brot; on		\$ 859 01
Amt. of other debts brot; on		324 41
Debt due R. S. Thomas on bond for	25 00	
Int. from 1. July 1878 to 20. Oct. 1894	24 46	449 46
Debt due same on bond for	50 00	
Int. from 1. of May 1882 to do.	37 42	87 42
Debt due same on bond for	5 00	
Int. from 14. Apl. 1884, to do.	3 16	8 16
Debt due same on bond for	10 00	
Int. from 9. Apl. 1885, to do.	5 85	15 85
Debt due R. E. Boykin on bond for	20 00	
Int. from 12. Feby. 1884 to do.	9 30	29 30
Debt due same on acct. for fees	50 00	
Int. on same from Octo. 1. 1891, to do.	9 25	59 25
Debt due Matthew Munford on acct.	2 21	
Int. from Feby. 1. 1893 to date	22	243
Debt due Jno. W. Lawrence on bond of	50 00	
Int. from 7. Feby. 1893, to do.	5 16	55 16
Debt due same on bond "	11 00	
Int. from 16. Jan'y 1893 to do.	1 15	12 15
Debt due same on acct.	266 31	
Int. from 31. Decr. 1893 to do.	12 86	279 07
Debt due A. W. Fowler for the		
Benefit of Jno. W. Lawrence		
on acct. for	29 52	
Int. from 31. Decr. 1893 to do.	1 29	30 81
Debt due R. P. Young & Co. for		9 81
Debt due R. A. Edwards as ad. of		
Joel T. Edwards & 1/2 J. H. & P. M. P. M. P.	51 36	
Int. thereon from the 8 Jan'y 1891 to do	11 68	62 92
Amount on		<u>\$ 1026 20</u>

Acct. of lien debts brot: on	\$ 859 01
Acct. of other debts brot: on	1025 20
Debt due Wm M. Stephenson for the benefit of B. P. Chapman, being 1/2 of judgt. in favor of Edward, vs. Peeden, Stephenson &c.	57 26
Int. from 5 th of Jan'y: 1891, to do.	11 00 6292
Debt due Mrs. C. Thomas on acct.	2 13
Int. on same, average, 20. Jan 1892 do	19 3 32
	<u>\$1092 44</u>

B.

The Estate of Nelson N. Peeden decd:
In account with the Hon. S. Holland Administrator.

1894	To paid R. W. Edwards, cror.	5 00
	" " County Treas. tax & fees	19 25
	" " do.	2 45
	" " Chs. fees	3 57
	" " Appraisers	3 00
1894	" " Comm. on 11, 92 receipts	3 10
July 2	Balance forward	20 21
"	By acct. of acct. of sales of chattels due this day	61 92
		<u>\$ 61 92 / 61 92</u>

Supplemental act. of debts,
 Amt. of debts other than lien
 debts brought forward } 1092.44
 Debt due W. G. House for Coffin 40 00
 Int. from 2^d Apr. 1893 2 15 4215
 Total debts other than lien debts \$ 1134.59

Commissioners office, Isle of Wight Court
 House, September 22^d, 1894.
 To the Circuit Court of Isle of Wight County,
 Pursuant to a decree of the said court
 rendered on the 11th day of April 1894,
 the Chancery suit therein pending in-
 which P. B. Chapman et als. are plaintiffs,
 and W. S. Hall and admors. of A. H. Pruden
 Decs. et als. are defendants, directing
 on of the Commissioners of said court an
 account of the debts due by A. H.
 Pruden, with their priority and dignity.
 An account of the transactions of W.
 S. Hall and as administrator of A. H.
 Pruden Decs. - And any other matters
 deemed pertinent by the commissioners
 or required by any party to be stated.
 Your commissioner reports to the court
 that, on the 4th day of June 1894, he issued
 notices to the parties that he had fixed
 upon the 8th day of Sept^r: 1894, to take
 and settle at his office, the said accounts,
 service of which notice was acknowledged
 by counsel for the plaintiffs & defendants. That

he also posted notice to the creditors of said Nelson H. Prender that we had fixed upon said 8. day of Sept, 1894, to take the account of debts and demands against his estate and required them to appear and prove their claims. That on the day so fixed upon, some of the parties and creditors appeared, and for good cause the taking of said accounts was continued from time to time until the date of this report, where, from evidence adduced your commissioners made up the foregoing accounts marked "A," and "B."

A. Account "A," is of the debts, proved and shows the amount of lien debts as reported by court. Henry & filed in this cause on the 7. of March 1893, with interest added on the principal of each debt from 20. Apl: 1893, and amounts in the aggregate of principal & int. to \$859.01 And the debts other than the lien debts, all of same dignity, amount to 1134 59
Aggregating of lien & other debts. \$1993 60

B. Acct. "B," is of the transactions of the adm^r. W. S. Holland in estate of H. H. Prender and shows on 2^d. July, 1894 a balance due the estate of \$25.21.

Your commissioners report, specially, that Nelson H. Prender died, in his life time held bonds against C. J. Holloway

that were secured by a deed of trust on
Seventy five acres of land which was sold
under said deed of trust by A.P. Young, the
trustee therein, and bid of by said A.P. Pruden,
the holder of the bonds so secured. That said
Pruden never paid the costs of executing
said trust or complied with the terms of
sale made thereunder, and consequently no
deed was ever made to him for said 75
acres which is now held in the name
of said Charles J. Holloway. The amount
of costs of said sale is \$29.00
And that, when the same shall have been
paid, the trustee will make a deed to such
person as the court may designate, but if
not paid, the trustee will again offer
said 75 acres for sale as the court may
direct.

Given under my hand as a Commissioner
of the Circuit Court of the County of Wright County
the day and year first aforesaid,
Commissioner fee \$18.00

A.P. Young Comm.
in day,

Commissioner fee for
time employed \$19.00

Chapman et al.

v. J. Inley.

Proceeds adm. et al.

Report of Court,
Young under de-
crees of Appeal
1894.

Filed Sept. 22nd
1894.

OFFICE OF

WHITLEY & FULGHAM,

Pork Packers and Fancy Grocers,

Specialties, Pure Leaf Lard and Fancy Hams.

Suffolk, Va., March 5th 1893N. H. Rindan Bond for \$600⁰⁰

date Jan 4 1890 with int from date
 April 1st 1891 int \$36⁰⁰ paid up to
 Jan 4th 1892

July 4. 1892 a general credit
 \$412⁰⁰

I make the amt due on the above Bond
 to March 4th 1893 \$242⁸⁹

if not correct ^{please} correct same the three other
 bonds \$100⁰⁰ each has no credit ~~either~~
~~now on principle~~ you will find the date of
 Bonds on the records I am yours
 truly J. H. Whitley

An account of the real estate of St. N. Prudden
together with its annual and fee simple
values.

No. 1.	30 Acres on Pea Hill - annual value.	25 00
" 2.	8 1/2 Do. " " " " " "	30 00
" 3.	221 Do. adj. R. A. Edwards " "	80 00
" 4.	108 Do. " Lost tract " "	-
" 5.	60 Do. " Powell's Island " "	25 00
" 6.	47 Do. on Black water (Britt's) " "	30 00
Fee simple value of tract no. 1		300 00
" " " " " No. 2		411 00
" " " " " No. 3		884 00
" " " " " No. 4		162 00
" " " " " No. 5		120 00
" " " " " No. 6		144 00
		190 00/2021 00

An account of the liens on the real estate
of St. N. Prudden, with their priority.

1 st priority	Balance on the bond of said Prudden executed to J. J. Beale and by him assigned to St. N. Prudden, bal: on the 44 th day of Feb'y, 1892,	227 00
	Interest on same to 20. Apr. 1893.	17 05 244 05
	(Said debt secured by trust deed record 644/90)	
2 ^d priority	Judgment in favor of B. P. Chapman doctored Nov. 1 st 1890, for	178 94
	Int. from 1 st Mar: 1890 to 20. Apr. 1893	15 57
	Costs of suit	7 60 202 08
3 ^d priority	Judgment of R. A. Edwards doctored 5 Mar. 1892	20 80
	continues from 2 ^d 446.10	

Deb. Edward R.A. Edwards debt brot. on	26	80	446	10
Costs of suit	1	03		
	8	02	30	45

^{4th} Priority Debt due to S. H. Lantry, secured
 by trust deed dated & recorded
 the 9th of May 1892, for 300 00
 Interest on same from 9. May 1892,
 to 20. Apr. 1893. 3 17 05 317 05
 \$793 60

Commissioner office Isle of Wight County
 March 4th 1893.

To the Circuit Court of Isle of Wight County,
 Your Commissioner reports to the Court, that
 pursuant to a decree of the said Circuit
 Court, rendered on the 2nd day of Novr 1892 in
 a suit in Chancery therein depending, wherein
 B. O. Bleakman et al; are plaintiffs, and H. H.
 Pruden et al; are defendants, directing a
 Commissioner of the said Court to take the
 following accounts; first, an account of
 the real estate of H. H. Pruden, with its an-
 nual and fee simple value. Second, an account
 of the heirs on said real estate with their
 priority; which accounts said Commissioner
 is directed to report to the Court, with any
 matters specially stated, deemed pertinent
 by himself or required by the parties to be so
 stated, your Commissioner on the 1st day
 of February 1893, issued notices to the parties,
 plaintiffs and defendants, in said suit,
 that he had fixed upon the 4th day of
 March 1893, to take and report said office

the accounts so required, and requiring
them to attend. That said notices were
deuly served and returned to your Commissioner.
That on the day so fixed upon, your Commis-
sioner, from the evidence before him,
stated the foregoing accounts, marked
respectively, "A" and "B".

Acct. "A." Account "A" is of the real estate of said A. H.
Prudden, and shows the assessed value
thereof to be \$190.00, and the full taxable
value thereof to be \$2031.00.

Acct. "B." Account "B" is of the taxes on the said lands
and shows the amount thereof to be \$493.60
the priorities of which are designated by the
numbers in the margin of said account.

Given under my hand this 4th day
of March 1893, as a Commissioner
in Charge of said Circuit Court,
A. P. Young Comr.

Comm. fee \$15.75
Shff. " 3.50
costs before court \$19.25

Chapman et al.

vs. $\frac{3}{4}$ In Chy.

Breder et al.

Comm. Report under
Decree of Nov. 1892

Filed Mar. 7. 1893.

The Commonwealth of Virginia,

To the Sheriff of the County of Halifax Greeting:

WE COMMAND YOU, That you summon James I. Beale, W. S. Holland,
trustee, Leonard H. Whitley, S. S. Beale, trustee;
W. S. Holland, admor. of N. S. Peden decd., and
Sallie A. Seay

to appear at the Clerk's Office of the Superior Court of the County of Isle of Wight
at the rules to be held for the said Court on the third Monday in November, 1898,
an amended & supplemental original
to answer a bill in Chancery, exhibited against them in our said court by B. P.
Chapman and others

And have then there this writ. Witness, N. O. Young Clerk of our said
Court, at the court-house, the 4th day of Novr., 1898, and in the 118th year
of the Commonwealth.

N. O. Young att.

Chapman et al.

US. }
SUBPOENA
IN
CHANCERY.

Reed ex' adm. et al.

R. E. Boykin p q.

To Second Part. Rules,

1893, Circuit Court.
Geo. W. Wright Co.

for .50
Paid .02
52 and amount
H. O. Young & Co.

Executed 16th November 1893, by
delivering Sallie. A. Seay a true
copy of the Within Spa in Day!

C. C. Carrington Sheriff
Halifax Co. Va.

50 fee paid }

The Commonwealth of Virginia,

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

WE COMMAND YOU, That you summon

James D. Beale, W. S. Hollands
trustee; Leonard H. Whitley; S. S. Beale trustee;
W. S. Holland administrator of A. N. Beuden
dec'd. and Sally A. Gray

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight
at the rules to be held for the said Court on the third Monday in November, 1893,
an amended & supplemental bill
to answer a bill in Chancery, exhibited against them in our said court by B. P.

Chapman, Robert A. Elewards & R. P. Young

And have then there this writ. Witness, A. P. Young Clerk of our said
Court, at the court-house, the 14th day of Novr., 1893, and in the 118th year
of the Commonwealth.

A. P. Young clerk

Exhibited by delivering a copy of
 the within Subpoena To each of the
 within named J. S. Beale W. S. Howard
 Le H. White & J. S. Beale Nov. 18th 97.

R. A. Edwards

Six

Chapman et al.

US. }
 SUBPOENA
 IN
 CHANCERY.

Prudens' Adm. et al.

Boyle et al. p. q.

To Dec and Hirs Rules,
 1897, Circuit Court.

6.66
 5.24
 12.90

2.50
 2.50
 3.50
 8.50

The Commonwealth of Virginia,

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

WE COMMAND YOU, that you summon *A. H. Prudden, Jas. J. Beale,*
W. S. Holland, trustee, Leonard H. Whitley,
and S. S. Beale trustee,

to appear at the Clerk's Office of the *Circuit* Court of the County of Isle of Wight,
at the rules to be held for the said Court on the *third* Monday in *September* , 189*2*,
to answer a bill in Chancery, exhibited against *them* in our said court by *B. P.*
 Chapman, Ro. W. Edwards and A. P. Young
 suing on behalf of themselves and all other
 lien creditors of said A. H. Prudden who
 may choose to come in and contribute to
 the costs of this suit

And have then there this writ. Witness, N. P. YOUNG, Clerk of our said Court, at the court-house, the
 10th day of *Sept'r.* 189*2*, and in the *11th* year of the Commonwealth.

N. P. Young, clk

Executed Sept 17th 1892 by delivering
a true copy of this document to each
of the within named N.H. Pradny, J.
Beale W.S. Holland mstr. J.H. Shilly &
J.S. Beale Trust.

Ro. A. Edwards Shff.

FORM No 300

Chapman B.O. et al.

SUBPÆNA
IN
CHANCERY.

vs.

Quedens A.H. et al.

Boyd Rice

p. q.

To 2nd Sept.

Rules.

Court.

1892 Circuit

To the Hon C.W.Hill judge of the Circuit Court of law and chancery
-y for the County of Isle of Wight in Chancery sitting.

The amended and supplemental bill of your complainant's
B.P.Chapman,N.P.Young and R.A.Edwards,respectfully sheweth to the
Court that they have heretofore exhibited in this court their
original bill of complainant against N.H.Pruden,Jas.I.Beal,W.S.
Holland trustee,Leonard.H.Whitley and S.S.Beale trustee,in which
bill it was alleged,that your complainant B.P.Chapman recovered
a judgment in the Circuit Court of the county of Isle of Wight,at
the Oct term 1890 against the said N.H.pruden for the sum of
\$187.94,with interest thereon from the 11th day of March 1890,
until paid,together with \$7.60 costs.

That on the 6th day of Feby 1890 your complainant N.P.Young recov-
-ered a judgment against the said N.H.Pruden before C.B.Hayden a
Justice of the Peace for the said County for 43.79,with interest
thereon from the 9th day of May 1889 until paid,together with
\$1.75 costs.

That at the May term 1892 of the county court of the
county aforesaid,your complainant R.A.Edwards recovered a judgm-
ent against the said N.H.Pruden for the sum of \$20.80,with inter-
est thereon from the 1st day of Jany 1891 until paid,with \$8.02
costs of suit.

That executions issued on said several judgments and were
severally returned no effects,and that no part of the said Judg-
ments or either of them has been paid. That abstracts of the said
judgments were filed as exhibits with the said bill.

That the said N.H.Pruden was seized and possessed of the
following tracts of land in the County aforesaid,to wit;30 acres
on Pea Hill adjoining Miles Murphys estate. 137 acres on Pea Hill

adjoining V.Lee.Chapman et als. 221 acres adjoining R.A.Edwards (the Miles Edwards tract) 108 acres adjoining the same land. 60 acres near Powells Old Mill Pond, a life right in 72 acres on Black Water.

That the judgments aforesaid are a lien on the said land and that your complainants have a right to subject the same to the payment thereof.

That by his deed bearing date Jan'y 4th 1890, the said N.H. Pruden conveyed to W.S.Holland trustee, certain real estate set forth and described in said deed as follows, 30 acres on Pea Hill 137 acres on Pea Hill adjoining V.Lee.Chapman, 221 acres adjoining R.A.Edwards, on which he lives, 108 acres adjoining the same, the Tomlin tract, 60 acres, The Gray tract adjoining Powells Old Mill, 72 acres; The Britt place, life estate, and 72 acres at sale made by N.P.Young trustee for J.Holloway, but for which he has no deed." That by his deed bearing date May 9th 1892, the said N.H.Pruden conveyed to S.S.Beal trustee, certain real estate set forth and described in said deed as follows, two tracts respectively of 23 acres each; 30 acres on Pea Hill adjoining Murphy; 87 acres adjoining V.Lee.Chapman et als; 221 acres adjoining R.A.Edwards; 108 acres, the Tomlin tract he bought of Andrews, 60 acres the Gray tract; 75 acres, the Britt place and 75 acres bid off by him at sale made by N.P.Young trustee for Holloway and 21 acres by deed from Hayden Comr. Copies of said deeds are filed as exhibits with the said bill.

That payments have been made on the debts secured by the said deeds of trust.

That the rents and profits of the said land will not in five years satisfy the complainants said judgments.

The said Bill prays that the said N.H.pruden, Jas.I.Beal, Leonard.

H. Whitley and W.S. Holland and S.S. Beal trustees as aforesaid be made parties defendant to the said bill and be required to answer the same. That the said real estate be subjected to the complainants judgments aforesaid, that all necessary orders may be made and enquiries directed and for general relief.

That on the 2nd day of Nov 1892, by the decree entered in the said cause a commissioner of the said court was directed to take the following accounts.

First. an account of the real estate of the said N.H. Pruden, together with its annual and fee simple value.

An account of the liens on the said real estate with their priority, with any matters specially stated, deemed pertinent by himself or required by the parties to be so stated.

That by the report of N.P. Young a commissioner of the said court, filed Mar 7th 1892, the annual value of the said real estate is ascertained to be \$1051.190.00 and its fee simple value \$2021.00 and that the liens thereon amount to \$793.60.

Your complainants allege by way of supplement and amendment, that after the filing of the said report and before the confirmation thereof the said N.H. Pruden departed this life intestate, at his residence in the county of Isle of Wight, leaving him surviving as his sole distributee and heir at law, one daughter Sallie. A. Seay, the wife of Seay.

That at the term of the County Court of the County of Isle of Wight administration of the personal estate of the said N.H. Pruden was granted to W.S. Holland, who duly qualified as such.

A certified copy of the order committing the said estate to the said W.S. Holland for administration, is herewith filed, marked E, and prayed to be read as apart of this bill.

In tender consideration whereof and forasmuch as your complainants are without remedy at law and can only be relieved by the

aid of this honorable court of chancery where matters of this kind are alone and properly cognizable and relievable, to the end that justice may be done in the premises, your complainants pray that the said Jas. I. Beal, W. S. Holland trustee, Leonard H. Whitley, S. S. Beal trustee, W. S. Holland admr of the said N. H. Pruden, Sallie A. Seay and Seay, be made parties defendant to this bill, and be required to answer the same.

That the real estate of the said N. H. Pruden be subjected to the lien of your complainants said judgments. That the personal estate of the said N. H. Pruden, if any he has, be applied to the payment of the same.

That a commissioner of this court take an account, First, of the real estate of the said N. H. Pruden, together with its annual and fee simple value.

Second. Of the liens upon the said real estate, with their priority and dignity.

Third. an account of the debts due by the said N. H. Pruden or his estate, with their priority and dignity.

Fourth, an account of the transactions of the said W. S. Holland admr of the said N. H. Pruden, and that such other further and general relief may be granted in the premises as the nature of the case may require or to equity shall seem meet, and your complainants will ever pray &c.

Boykin. p~~q~~.

Chapman.B.P.et als.

Vs. Iti Chcy.

Pruden.N.H's admr et als.

Complainants

Amended and Supplemental Bill.

~~Amended and Supplemental Bill.~~
Octo. 21, 1893. filed
Sent to auct. and

" Nov. 2. Reels Secretly
auct. and I am in
Dec. 1. Reels - balls taken
for conf. see following
"

Oct term 1894
Re conf. up. to sell &c.
=

To The Hon. C. M. Hill, Judge of the Circuit
Court of Law and Chancery for the County
of Isle of Wight in Chancery sitting.

Humbly Complaining sheweth
to the Court, Your complainants
B. P. Chapman, A. P. Young and R. A.
Edwards, suing on behalf of themselves
and all other lien Creditors of A. H.
Pruden, who may choose to come in
and contribute to the costs of this suit.

That Your complainant ^{B. P. Chapman} recovered
a judgment in the Circuit Court of the
County of Isle of Wight at the oct term
1890 of the said Court, against the said
A. H. Pruden for the sum of \$187⁹⁴ with
interest thereon from the 11th day of March
1890 until paid, together with costs,
amounting to \$7⁰⁰, an abstract of said
judgment is herewith filed, marked A
and prayed to be read as a part of this
bill. of this judgment, though execution
issued thereon, no part has been paid,
and the said execution was returned
no effect.

That, on the 6th day of Feb'y 1890, Your
complainant ^{A. P. Young} recovered a judgment
against the said A. H. Pruden before
J. B. Hayden a Justice of the Peace for
the said County, for \$43⁷⁹, with interest

thereon from the 9th day of May 1889,
until paid, together with \$1.75.
After judgment. Though execution issued
thereon, no part thereof has been paid
and the said execution was returned
no effects. An abstract of said judgment is herewith filed
marked b and prayed to be read as a part of this bill.
That on the May term 1892 of the County
Court of the County of Isle of Wight, Your
complainant R. A. Edwards recovered
a judgment against the said A. A.
Pruden for \$20.50, with interest thereon
from the 1st day of Jan'y 1891 until paid,
together with \$8.00 costs.

Of this judgment, though execution was
issued thereon no part has been paid,
and the said execution was returned
no effects. An abstract of said judgment
is herewith filed marked c and prayed
to be read as a part of this bill.

Your complainants are informed and so
Charge that the said A. A. Pruden is seized
and possessed of the following tracts or parcels
of land situated lying and being in the County
aforesaid, to wit, 30 acres on Oak Hill adj. M.
Munfords estate; 13 1/2 acres on Oak Hill adj.
V. L. Chapman et al.; 22 1/2 acres adj. R. A.
Edwards (the Miles Edwards tract) 108 acres
adj. same land; 60 acres near Powell's old mill,
a life right in 72 acres on Black water.

and that your complainants' judgments
aforesaid are liens upon the said land,
and that they have a right to subject the
same to the payment thereof.

That by his duly bearing date Jan'y. 4th
1890, and duly recorded in the Clerk's office
of the County Court of the County aforesaid,
the said N. A. Pruden conveyed to W. S.
Holland Trustee, certain real estate set
forth and described in said duly as
follows. 30 acres on Pea Hill; 13 7/8 acres on Pea Hill
adj. V. L. Chapman & Co.; 22 1/2 acres adj. R. A. Edwards &
on which he lives; 108 acres adj. same, the
"Toulmin tract"; 60 acres, the "Gray tract" adj.
Combs old mill; 72 acres, the "Britt place"
(reference to) & 75 purchased at sale made by N. P.
Gentry Trustee for Holland, but for which he has no deed
to return to J. S. Beale. The debt in said duly mentioned,
a certified copy of said duly is herewith
filed, marked 19 and prayed to be read
as a part of this bill.

That by his duly bearing date May 9th,
1890, and duly recorded in the Clerk's office
aforesaid, the said N. A. Pruden conveyed
to S. S. Beale Trustee, certain real
estate set forth and described in said
duly as follows, two tracts respectively of 23 acres
each; 30 acres on Pea Hill adj. Murphy; 8 7/8 acres
adj. V. L. Chapman & Co.; 22 1/2 acres adj.
R. A. Edwards & Co.; 108 acres, the "Toulmin

Tract "the bought of Andrews; 60 acres, the "Hay tract",
72 acres, the "Brill place", and 75 held off by Pruden
at sale made by N.B. Young trustee for Holladay but
for which he has no deed & 21 acres by deed from
Holladay C. B. Corbett,
To secure the debt in said and mentioned
a Certified Copy of said and is herewith
filed, marked A and prayed to be read
as a part of this bill.

Your Complainant is informed and so
charges that payments have been made
on the several debts secured by the said
deeds of trust.

Your Complainants are further informed
and so charge that the rents and
profits of the said lands will not in five
years satisfy Your Complainants' re-
quirements aforesaid.

On tender consideration whereof and for-
asmuch as Your Complainants are
without remedy at law, and can only
be relieved by the aid of this honorable
Court of Chancery, when matters of this
kind are alone and properly cognizable
and justiciable, to the end that justice
may be done in the premises, Your
Complainants pray, that the said N. B.
Pruden, Jas D Bial, M. G. Hollander, and
Leonard H. Whitty and G. F. Bial trustees
be made parties defendants to this bill and

11
be required to answer the same.
That the said Real estate be subjected to the
liens of Your complainants judgments
aforesaid, in the order of their priority.
That proper process may issue, that an
account be taken of the liens upon the
said Real estate, That all proper orders
and decrees may be made and enjoinments
directed, and that such other further
and general relief may be granted in
the premises as the nature of the case may
require or to equity shall seem. yours
Your complainant will ever pray &c
Boykin. p. q.

Chapman B. P. et al

vs } In Chcy

Pardon it et al

Oct. term 1895, De confg.
report, to collect, make debt
to.

Dismissed Apr. 9, 1909

Complainant's Bill

2nd Sept. Res. 1892
Bill filed, amend. & filed
to be over nine or. & filed.

1st Octo. Rules 1892.
Bill taken for confg.
& set for hearing.

//
Oct term 1892

De. for accounts

Octo. term 1893.
amend. & supl: Bill filed &
order for am. to am.
on new portion.

April term 1895
De. to establish lines to.

Boyd Kin. p. 9.

\$50.00

On Jan'y 1st 1890, Eighteen Hundred
& Ninety, with interest from date, I promise &
bind myself & heirs, to pay to Jas. J. Beale his
heirs or assigns, the sum of Fifty Dollars, for
one Gray horse, & the balance in cash loaned
on which horse a lien is retained, & I
hereby waive the benefits of my homestead
exemption as to this debt, Given under
my hand & Seal, this 4th day of Feby, 1889,
witness
W. J. Hart

N^o J. J. Beale (seal)

J. D. Seal

1770 Z. Bird

R. H. Peckham

J. D. Beales
Bond offered

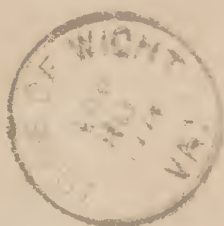
or,
N. H. Prudden.

As this bond is
admitted to have
been included
in a debt held
by Beal & Prudden
& which was secured
by trust deed, and
which debt was
assigned by Beal
to N. H. Wheeler who
paid him the bal.
due thereon, the
bond is rejected as
a debt of Prudden
or his estate.

N. P. Young com

W. H. Prudden





The [unclear] left, on 14th [unclear]
Who will not [unclear] I be
Their Protector. [unclear]
The [unclear] Du- [unclear] 15th
[unclear] shall be [unclear]
[unclear] rest in the [unclear]
of the [unclear]

N. H. Pruden

Clare, Mich.

Exhibit

Feb. 8. Sept. 1892

1000

2. Hm	Section
1. Hm	Acq. St.
4. Hm	8. Sept
3. Hm	12. 11
2. Hm	20. 11
4. Hm	21. 11
4. Hm	22. 11

122.50

5.42

116.08

7.00

1890	A. H. Pender checked du of with R. E. Boykin	
	To fu in suit of appeal, in Co Ct of Ju of Ryke of Edwards & you et al	25 00
1891	" fu in appeal of Thon & Pender	10 00
"	" fu in warrants of Jones & Pender	10 00
"	" do in Pender & Ruel	10 00
		\$50 00

R. E. Boykin
act

✓

The Estate of Adon Pruden
1893 To Wm G Rouse
April 2 To Burial expenses of Dad \$40.00

1. 111 72

48 7-16
1.60
1.55
2
2.17

✓

	G. F. Dyer	B	Dr
1893	Ed. Lake Lake		
	A. Receiving of a piece of land near by the lake	8.00	✓
	A. Receiving of a piece of land near by the lake	5.00	✓
	" " 3 " " " " " "	3.00	✓
	" " " " " " " "	5.00	✓
	" " " " " " " "		
	Sell 4 Sows 1895	6.00	✓
	A. Selling Cows	1.00	✓
	" " " " " " " "		
	" " " " " " " "	10.00	✓
	" " " " " " " "	6.00	✓
	" " " " " " " "	75	✓
	" " " " " " " "	2.97	✓
	" " " " " " " "	1.50	✓
		49.22	
	C.		
	By 1897 lbs meat 1890		19.70
		29.52	

H. H. G. G. G. G.

V. H. G. G. G.

Pay me within
To all, G. G. G.

A. W. G. G. G.
Mark,

Witnessing W. H. G. G.

✓



On Demand

with interest from the 1th day of

April

1883,

I

promise to pay

to

Mrs. W. Lawrence

the just and full sum of

Eleven

Dollars,

for value received, and I do hereby waive the benefit of my Homestead Exemption as to this debt.

Witness my hand and seal this 16th day of Jan'y, A. D. 1883

Witness:

N. H. P. Lunden

* SEAL *

* SEAL *

✓



On Demand, with interest from the 7th day of

Feby.

1883, we promise to pay To

Mrs. W. Larimer

the just and full sum of,

Fifty

for one Bay mule

which will be
responsible for said mule
Dollars,

for value received, and we do hereby waive the benefit of our
Homestead Exemption as to this debt.

Witness our hand and seal this 7th day of Feby,

A. D. 1883

Witness:

Anna W. Larimer

N. H. Prouder

A. W. L. Hawler
mark

* SEAL *

* SEAL *

2

Mrs. Pender

Mr. Mumford Jr.

1889

July
1891
Jan

6- To Bal on Settlement

36

1 " 4 Loads Shaw Dye

20

Paid by Pender

" " 44 Cart 130 lbs

40

" " 2 1/2 Bu, Seed Oats Dye

1 25

Paid by Pender

~~\$~~ 221

Wm: Mearnsford

Book in,
Pender N.H.

12.5

\$20.00

On the _____ day of on demand 1887, with
interest from date, I _____ promise to pay to R. C. Roykin
the sum of Twenty Dollars

I _____ hereby waive the benefit of my Homestead Exemption as to this
obligation. Given under my hand & seal this 12th day of Feb 1887

Witness _____

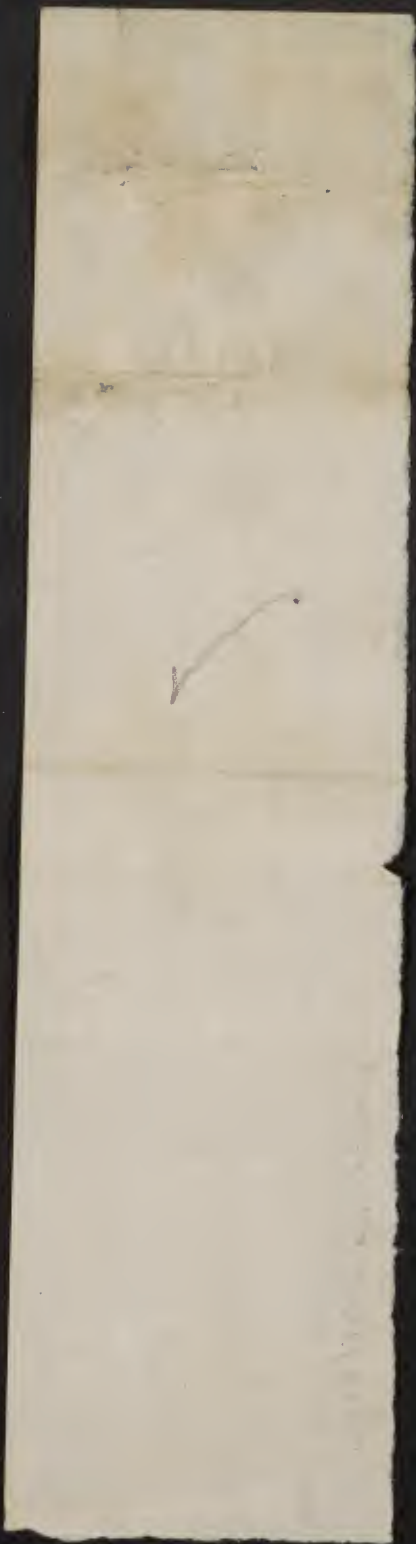
N. H. Pundum { SEAL. }
{ SEAL. }

At the Prison
20/2000
Boylston

✓

" 893 To H. Pendero Esq. - (W. S. Holland Adm^r)
To James A. Whitley
To 1 days services as Appraiser \$1.00

Paid by W. S. Holland adm^r.
James A. Whitley



R. E. BOYKIN,
ATTORNEY AT LAW,
SMITHFIELD, VA.

COURTS:
ISLE OF WIGHT, SURRY, WARWICK
AND NANSEMOND COUNTIES.

Sep 10th 1894.

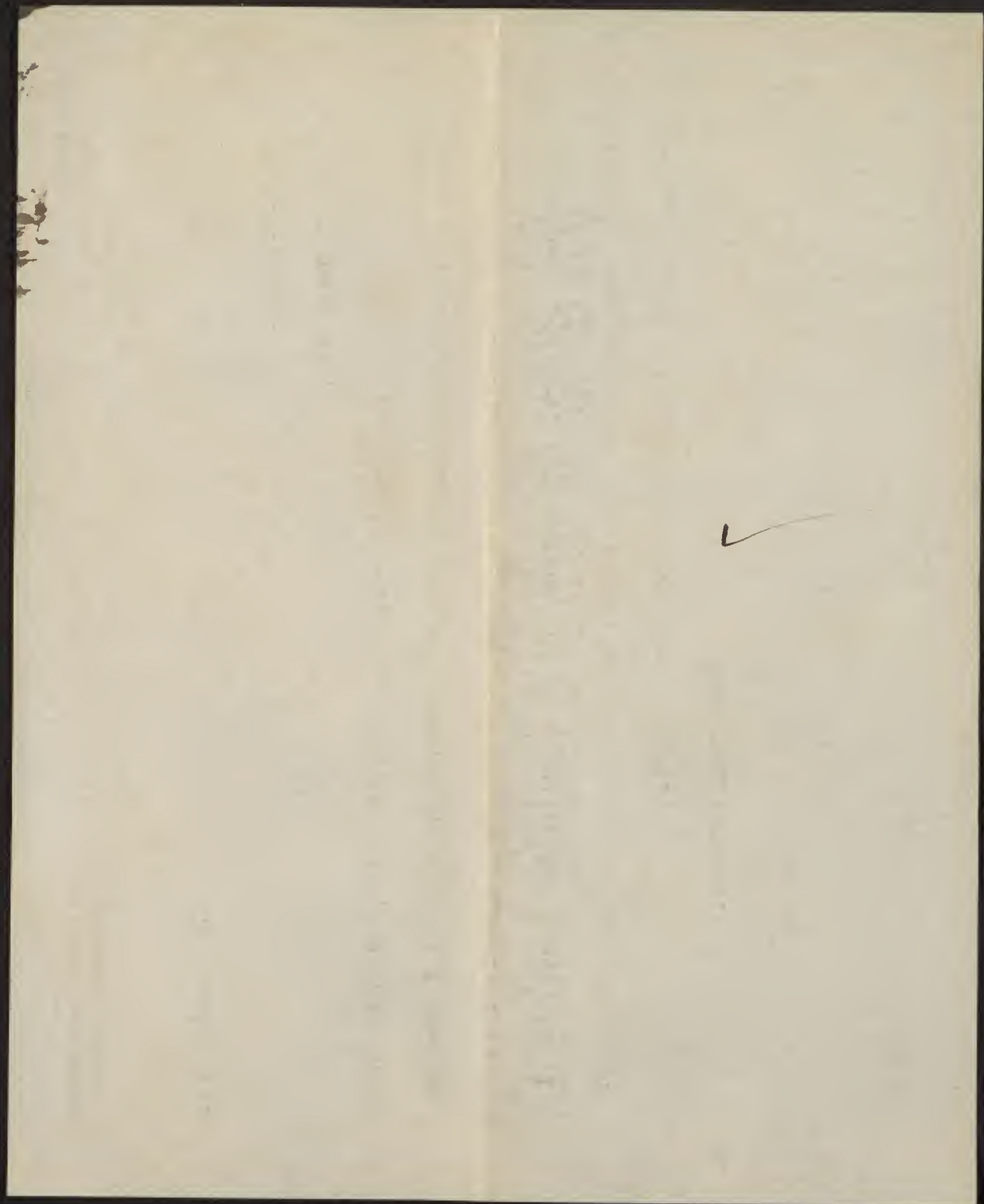
Mr N.P.Young.

My Dear Sir.

I herewith enclose a bond due by N.H.Pruden to me
also an account due me. The account appears on my books, I have no
other proof of the same than my name appears as his counsel in
these very matters. I think some of them are on the docket now. I
presume such proof is sufficient. He never paid me anything, hence
my not acting as his counsel of later years.

Very Truly Yours.

R. E. Boykin



On Demand I promise to pay to R. S.
Thomas the sum of Fifty dollars
And as to this debt I hereby waive the
benefit of my homestead exemption.
Witness my hand & seal this 1st day
of May A. D. 1882

N. H. P. 

Pruden A. H.

20 3

Thomas

✓

On Demand I promise and oblige
myself to pay to R. S. Thomas the
Sum of Five Dollars. And as to this
Debt I hereby waive the benefit of
my homestead exemption. Witness
my hand & seal this 14th day of
April A. D. 1884

N Y P. Pruden. Seal

N. H. Priden

20

R. S. Thomas

✓

Twelve months from date with interest
from date we promise to pay to R.
S. Thomas the sum of twenty
Five dollars. And as to this debt
I hereby waive the benefit of our
homestead obligation. This bond
is for professional services to be
rendered in a claim that I
have against R. A. Clayton
Whose name is on hands & seals this
1st day of July 1878.

J. H. Pruden, (Seal)
L. B. Edwards, (Seal)

N. H. Pinder

20 3 Bond

Thomas

\$ 25.00

✓

		To Cash for	204 32	
		Dr. to Mr. H. H. H. H. H.	6 75	✓
		" Selling H. H. H.	1 30	✓
June		" Working H. H. H.	12 00	✓
July	24	" Working " "	10 50	✓
Aug		" 14 Bbls Corn 1000	6 00	✓
"		" 150 lbs Potatoes 0150	2 25	✓
"		" 8 Bbls Rice for feeding H. H. H. ¹²⁰⁰	3 00	✓
Oct	13	" 8 lbs Hides for Shoring H. H. H.	24	✓
"		" " Shoring & Shoring H. H. H.	18 00	✓
1893			264 31	
April	3	By Cash from Mr. Butts		13 90
Aug	31	" 25 Bbls Apples 037		9 25
				\$23.15

Dec 31 To Superintending his business \$241.21
 25 00
 \$266.21

Received
 Certificate

Dec 24

Wm. H. H. H.

On Demand I promise and oblige myself
to pay to R. S. Thomas the sum of Ten Dollars
for services to be rendered on the 10th
of April 1885 - before before my sworn
N. P. Gentry in and about the proof of
my claim against the estate of L. B.
Edwards. And as to the debt I here
- by Waive the benefit of my homestead
exemption. Witness my hand & seal
this 9th day of April A. D. 1885

N H Pruden (Seal)

M. H. Pender

✓

Chapman.B.P,et als.

Vs. In the Circuit Court of the County of Isle of Wight.

Pruden's Admr et als.

The undersigned,R.E.Boykin,special commissioner under the annexed decree herein of October Term 1894,respectfully reports to court,that in obedience to the said decree,having first executed the bond and given the notice by the said decree directed,he exposed to sale at public auction at Isle of Wight Court House,on the 3d day of Decr 1894,being County Court day,the several tracts of land in the said decree,and the proceedings of said suit mentioned of which N.H.Pruden died seised and possessed in said county.

That by the terms of the said decree your commissioner was directed to sell the said land upon the following terms,to wit cash sufficient to pay the costs of suit and sale,and the amount due under and by virtue of the deed of trust ~~of L.H.~~

~~Whitley~~ reported by commissioner Young in his report of debts,

filed Nov 7th 1893,and the balance upon a credit of one,two and three years inequal payments,or in the event that the holder of the bond secured by the said deed of trust consents thereto,the said land shall be sold for cash sufficient to pay the costs of suit and sale and the balance upon a credit as aforesaid.

That the said L.H.Whitley,the holder of the bond secured by the said deed of trust waived the right to require the sale to be for cash sufficient to pay off the bond secured by the said deed,but required that an amount should be paid in cash sufficient to pay on said bond the sum of \$400.00,a sum less than was due on the said bond.

That in accordance with the said consent of the said L.H. Whit-
-ley, sufficient cash was required on the sale of said lands to
pay the costs of suit and sale, and the further sum of \$400.00
and the balance upon a credit as directed by the said decree,
that said cash payment being apportioned according to the pur-
chase price of the said several tracts of land.

That at the said sale, R.A. Edwards, being the highest bidder, bid
off the Home Place at the sum and price of \$1075.00; that he
paid in cash the sum of \$338.70, and for the deferred payments
executed his three several bonds for \$245.43 $1/3$ each, payable
respectively in one, two and three years after date with inter-
est from date.

The said bonds and cash payment together make up the sum of
\$1075.00, the purchase price of said land as aforesaid, as per,

b Statement A.

By cash	338.70
Bond at One year	245.43 $1/2$
Bond at Two years	245.43 $1/2$
Bond at Three years	245.43 $1/2$
Purchase Price.	<u>\$1075.00</u>

That Geo. W. Batten being the highest bidder bid off the ^{Pea Hill} Gray
Tract, containing 122 acres at the sum and price of \$195.00, and
being in like manner the highest bidder bid off the Gray tract
containing 60 acres at \$50.00. That he paid in cash the sum
of \$77.42, and for the deferred payments executed his three
several bonds, with V.C. Batten as surety for the sum of \$55.86
each, payable respectively in One, two and three years after
date with interest from date. The said bonds and cash payment
together make up the sum \$243.00, the purchase price of the
said several tracts of land, as per,

Statement B .

Pea Hill tract purchase price	195.00	
Gray traet do	50.00	
By cash		77.42
Bond at one year		55.86
Bond at two years		55.86
Bond at three years		55.86
	<u>\$245.00</u>	<u>\$245.00</u>

That B.P.Chapman being the highest bidder became the purchaser of the Bowling Gren tract of land containg 75 acres,be the same more or less,at the sum of \$85.00,that he paid in cash the sum of \$26.83,and for the deferred payments executed his three several bonds for \$19.39 each,payable respectively in one,two and three years after date with interst from date,the said bonds and cash payment together make up the sum of \$85.00 the purchase price of the said land as aforesaid,as per,

Statement C.

Price of land	85.00	
By cash		26.83
Bond at one year		19.39
Bond at two years		19.39
Bond at three years		19.39.
	<u>\$85.00</u>	<u>\$85.00</u>

That W.S.Holland became the purchase of the life estate of MrsElias Britt in the land of her decd husband Elias Britt,at the sum and price of \$5.00 ,and paid the same in cash;that the said interest is of little or no appreciable value.

That L.P.Roberts being the highest bidder,bid off the tract of land containg by estimation 108 acres,be the same more or less,known as the Andrews or Tomlin tract,at the sum and price

of \$270.00, but for the reasons hereinafter stated has hitherto failed to make the cash payment, or execute the bonds for the deferred payments.

That your commissioner has received in cash the sum of \$447.95 as per- Statement D.

By amt from R.A. Edwards	338.70
" do Geo.W. Batten	77.42
" do from B.P. Chapman	26.83
" do from W.S. Holland	5.00
Total cash payment	<u>\$447.95</u>

That \$^{123.02} has been expended by your Commissioner in the payment of costs of suit and sale, leaving a balance in his hands of

\$, as per- Statement E.

Amt in hands of Comr	447.95
To pd Attys fee & writ tax <i>Pd. R.E. Boykin</i>	16.50
" paid Clerks fees <i>Pd. A. P. Young</i>	12.90
" do Sheriff Isle of Wight <i>Pd. R. A. Edwards</i>	8.50
" do Sheriff Halifax <i>Pd. R.E. Boykin</i>	.52
" do Comr Young 1st report <i>Pd. A. P. Young</i>	15.75
" do Comr Young 2d Report <i>Pd. A. P. Young</i>	19.00
" do advertiseing land <i>Rep filed</i>	2.75
" do Auctioneer <i>Rep filed</i>	10.00
Commissions on \$300.00 at 5% <i>Pd. R.E. Boykin</i>	15.00
do on \$1105.00 at 2% <i>Pd. R.E. Boykin</i>	22.10
Amt to bal	<u>324.93</u>
	<u>\$447.95</u> <u>\$447.95</u>
Amount in the hands of Comr	\$324.93

The receipts of the parties for said payments are herewith returned, together with the bonds of the purchasers.

That your Commissioner having some doubts as to the exact acreage in the said several tracts of land of the said N.H. Pruden decd, sold the said lands in gross and not per acre, so advertised and announced on the day and at the time of sale, the said lands being sold by the boundaries described in the several deeds therefor to the said N.H. Pruden.

That the Home Place, ^{pruden} bid off by the said R.A. Edwards, and the Andrews place bid off by the said L.P. Roberts, are described as adjoining each other, and were so sold. That after the payment of the cash payment by the said R.A. Edwards, and the execution of his bonds for the deferred payment, a question arose between the said R.A. Edwards and the said L.P. Roberts as to the line between the said tracts of land, the same being sold as adjoining each other, thereupon the said L.P. Roberts declined to make the cash payment, or execute his bonds for the deferred payments, but expressing his willingness and desire so to do as soon as the said line was defined.

That your Commissioner has diligently endeavored to ascertain the true line between the said several tracts of land, without effect. That your commissioner has without effect endeavored to have a line established by agreement between the said parties, and has proposed a compromise line, which was not accepted by either of the said parties.

Your Commissioner would recommend that he be empowered, with the aid of a competent surveyor if need be, to establish a line between the said tracts of land, and in the event ~~of the refusal~~ of the said R.A. Edwards and L.P. Roberts refuse and decline to accept the line so established as the line between the said tracts of land, that your commissioner be empowered and instructed to resell the said tracts of land, or the land purchased by the *party*

so declining, or refusing to accept the line established as
aforesaid. All of which is respectfully submitted.

R. E. Boykin

Special Commissioner.

*Nov 16th 1895. Recd of The Clerk of the Circuit Court of
the County of Dec of N. H. The three bonds of B. P. Chap-
man & Co. for Ninety Dollars &
Thirty Nine Cents each, dated Dec 3^d 1895, and pay-
able to R. E. Boykin Comr. respectively in one, two and three
years after date, with interest from date, which bonds
were returned with this report.*

*R. E. Boykin Comr in
Chapman et al vs Prudential,*

Chapman et als.

Vs. In Chancery.

Pruden et als.

Commissioner Boykin's

Report of Sale.

Filed April 22d 1895.



RECEIVED,

Dec 4, 1893,

of

W. S. Hallen Esq.

Two and

45

~~100~~

DOLLARS,

paid in redemption of

75

acres land charged upon the Commissioner of Revenue's

land book to

Charles J. Holloway

, which land was returned delinquent

for the taxes of

1892

J. C. Brauch

, TREASURER.

Rec'd. one dollar each of W. S. Holland
admr. N. H. Prudden for services
as appraisers - a receipt was
given & has been sent.
March 5th 1894

L. R. Bellows

N. H. Pardon -

Dr -

1893 To the Clk. of Isle of Wight Co. let.

Continue - appl. vs. Dickson, Jan. to July, inclusive - 1.26

Feb. Writing power of atty. to J. W. Lawrence Recdg. do. 2.25

Rs

20.9

1894

N. P. Young, Clk.

B. W. S. P. adu.

\$ 3.51

Pindue H. A.

H. J. 51

✓

189

Mr W S Holland Adm^r of N. H. Pruden dec^d.

To R. A. EDWARDS, ~~Sheriff~~ ^{Crier} of Isle of Wight County, Va.

To Selling Chattel or personal property at ^{Sale} 2.00
To Renting out Farm for 1894. 2.00
\$ 5.00

Received payment.

R. A. Edwards Crier

W. S. Holland, adms

Receipt ~~as~~
To 3

Re A. Edwards & Co

✓

Mr. *N. H. Prudence Est* Hardy Magisterial District,

1893.

To J. O. Branch, Treasurer Isle of Wight County, Va., Dr.

LAND.				
NO. ACRES.	VALUE.			
30	300	To State Capitation Tax.....	1 00	
87	261	To State Tax on..... <i>578</i> acres Land, value..... \$ <i>1871</i> , at 30c. on \$100	<i>561</i>	
60	120	To State Tax on Personal Property, value..... \$ <i>70</i> , at 30c. on \$100	<i>21</i>	
221	884	To State School Tax on Real and Personal Property, value..... \$ <i>1941</i> , at 10c. on \$100	<i>194</i>	
108	162	Total amount of State Taxes.....		<i>776</i>
72	144	To County Capitation Tax.....	50	
<i>578</i>	<i>1871</i>	To County Levy on..... <i>578</i> acres Land, value..... \$ <i>1871</i> , at 40c. on \$100	<i>748</i>	
		To County Levy on Personal Property, value..... \$ <i>70</i> , at 40c. on \$100	<i>28</i>	
		To County School Tax on Real and Personal Property, value..... \$ <i>1941</i> , at 10c. on \$100	<i>194</i>	
		To District " " " " " " value \$ <i>4</i> , at 5c. on \$100	<i>97</i>	
		Total amount of County Taxes.....		<i>1067</i>
		Total amount of State and County Taxes.....		<i>1843</i>
		DECEMBER 1.—5 per cent. added.....		<i>92</i>
		TOTAL AMOUNT.....		<i>1935</i>

RECEIVED PAYMENT.

....., TREASURER.

....., DEPUTY TR.

G. H. H. adm

Pruden W. H. Est.

1935

✓

W.S. Hall at adv. A.H. Pruden
In acc. A.T. Pruden est.

1894

OCT 4	By acct. sales	\$ 61 92	
	To paid R.A. Edwards Crier		5 00
	" " J.O. Branch Co. Tre.		19 35
	" " " " " "		2 45
	" " A.T. Young clk		3 51
	" " appraisers		3 00
	" " Gross on 61-92		3 10
	" Bal due est.		25 21
		\$ 61 92	\$ 61 92

W.S. Hall adv.

TS.

I have vouchers for expenses except two appraisers.
They were paid but as I in my vouchers ref-
ers the original was lost as I now get
others two to sign

Yours
W.S. Hall

Admiral of Redne
National House

Eym. Hallen
Com.

✓

Three years after date, with interest from date, we, L.P. Roberts as
Principal, and _____ as surety, promise to pay to
R.T. Boykin Commissioner in the suit of Chapman et als Vs
Pruden et als, depending in the Circuit Court of the County of
Isle of Wight, the sum of Sixty one Dollars and Fifty Six Cents
being the *third* deferred payment on the Andrews or Wilks
Edwards tract of land in the said County, containing in gross 103
acres, be the same more or less, of which H.W. Pruden died seized
and possessed. We hereby waive the benefit of our homestead
exemption as to this obligation.

Given under our hands and seals this 3d day of Decr 1894.

Seal

Seal

Two years after date, with interest from date, we, L.P. Roberts as principal, and _____ as surety, promise to pay to R.E. Boykin Commissioner in the suit of Chapman et als Vs Pruden et als, depending in the Circuit Court of the County of Isle of Wight, the sum of Sixty one Dollars and Fifty Six Cents being the *second* deferred payment on the Andrews or Miles Edwards tract of land in the said County, containg in gross 108 acres, be the same more or less, of which N.W. Pruden died seised and possessed. We hereby waive the benefit of our homestead exemption as to this obligation.

Given under our hands and seals this 3d day of Decr 1894.

Seal

Seal

NORFOLK OFFICE,
COR. MAIN AND COMMERCE STS. } 'PHONE 262.

'PHONE 1204. } PORTSMOUTH OFFICE,
COR. HIGH AND MIDDLE STS

Norfolk, Va.

1898

Mr. R. E. Boykin Comr. Chapman et al vs Pouch et al
To Virginian Printing Company, D^r



Mercantile, . .

Railroad and .

Bank Supplies.

BURKE, GREGORY & CARROLL, Proprietors,

COMMERCIAL AND RAILROAD PRINTERS.

Nov 15 To Pmty 100 ad. Shuts sale

\$2.75

Paid
Virginian Print Co. J.C.C.

Chapman vls

vs

Jordan vls

and

Jordan

vs

Jordan Chapman vls

These two cases come on this day to be heard together by consent of parties on the papers formerly read and was argued by counsel. On consideration whereof the court doth adjudge, order and decree that Benjamin R & Bayless shall out of the proceeds of sale of the tract of land of 180 acres which had been conveyed by H Jordan by his deed of December 14th 1883 in trust for the benefit of Chapman & Jordan, when collected, shall pay to J R Jordan in summing parties of the firm of Chapman & Jordan, ^{or his attorney} \$31.81 with interest on \$27.66 paid thereof from April 20th 1890, as he and in the suit of Jordan vs Chapman of April 20 1894, and the costs of said suit to the several officers of court to whom they are due.

Chapman & als
vs
Jordan & als
and
Pruden
vs
Jordan & Chapman & als

Where
October 26th 1896

Solicitor
Robert R. Dentis

Entire

Chapman. B. P.

v } In The Circuit Court of Del of Wicks County.
Pruden et al

This cause came on this day to be again heard upon the papers ^{upon the report of sale of court Boykin given Apr 22nd 1891 -} formerly read, and upon the report of Court Boykin this day filed by leave of court, and was argued by counsel on consideration whereof the court doth confirm the said reports, to which no exceptions have been filed, and doth ~~admit~~ and decree that R. A. Edwards be substituted as the purchaser of the Town or Andrews Tract of land in Court ^{in the place and stead of the said E. P. Roberts} Boykin's reports mentioned, upon the terms and conditions, that he make the cash payment and execute the bonds for the purchase price of the said land according to the terms of sale thereof, and the decree directing the same, said bonds to bear date as of the day of sale of said land, and payable in one, two and three years after date - with interest from date, and the court doth further ~~admit~~ order and decree that R. A. Boykin, who has been heretofore appointed a commissioner in this cause, withdraw from the ~~papers~~ papers in this cause the bonds returned with his

report of sale herein, and in like manner
withdraw the bonds of R. A. Edwards
for the purchase price of the Town or
Andrews Tract of land when filed, and
~~proceed to collect said bonds~~ having
first filed his receipts therefor in the
papers of this cause. and proceed
~~to collect~~ the same at maturity or
before maturity if payment be tender-
ed. and upon the payment in full
of the said bonds to execute and
deliver to the purchasers of the several
tracts of land in the said report of sale
mentioned, a good and sufficient
dual in fee simple, with special war-
ranty, for the several tracts of land
respectively purchased by them, except
however that upon the payment by
the said R. A. Edwards of the said
bonds, deposite the given for the pur-
chase price of the Town or Andrews
Tract of land, a due therefor shall
be executed and delivered to him in
the place and that of the said L. B.
Roberts, and the said commissioner
shall make report ~~thereof~~ of his
proceedings under this deed.

B. P. Chapman et al
vs } Duché
N. H. Pruden et al

Rough Draft

Oct. 29th 1895.

To be returned.

Robert H. Hunt.

Entered #25

Chapman.B.P,et als.

Vs. In the Circuit Court of the County of Isle of Wight.

Pruden's Admr et als.

This cause came on this day to be again heard on the papers formerly read, and on the report herein of Commissioner Boykin, this day filed by leave of court, to which no exceptions have been filed, and was argued by counsel; on consideration whereof the court doth confirm so much of said report as reports the sale of the several tract of land therein mentioned to Geo.W.Batten, B.P.Chapman and W.S.Holland respectively. And it appearing to the court that a controversy has arisen between R.A.Edwards, who bid off the Home Place, and L.P.Roberts who bid off the Andrews tract of land, and that the said L.P.Roberts has declined to comply with the terms of sale, until and except the line between the said tracts of land has been defined, but has expressed his desire and willingness to comply with the terms of sale as soon as said line shall be defined, and it further appearing that the said Commissioner has been heretofore unable to define the true line, the court doth adjudge order and decree that, R.E.Boykin, commissioner as aforesaid, with the aid of a competent surveyor if need be, proceed to establish a line between the said tracts of land, which shall be taken, established and regarded as the true line between the said tracts of land. In the event that the said R. A. Edwards ^{and L. P. Roberts} shall accept the line so established as aforesaid, as the true line, then and in that event so much of said report of Commissioner Boykin as reports the sale of the Home Place to the said R.A.Edwards, shall stand confirmed, and ~~in the like~~ *and so much of the said report as reports the sale* ~~event of the acceptance by the said L.P.Roberts of the line~~ *of the Andrews tract of the land to the said L. P. Roberts* ~~so established as the true line, then and in that event upon~~ *shall stand confirmed upon*

within thirty days
his compliance with the terms of sale, after the said line is
so established, ~~so much of said report as reports the sale of~~
~~the Andrews tract of land to the said L.P. Roberts shall stand~~
~~confirmed.~~ And the court doth further adjudge, order and
decree that, in the event that the said R.A. Edwards, ^{and L.P. Roberts} shall de-
cline and refuse, or fail, to accept, the line hereinbefore di-
rected to be established, as the true line between the said
tracts of land, then and in that event the said R.E. Boykin com-
missioner as aforesaid, is directed to ^{specially report the facts} ~~recall the said tracts~~
~~of land, or the tract of land bid off by the party declining~~
~~or failing to accept the said line, upon the terms named in the~~
~~decrees,~~
~~said decree; and should the said R.A. Edwards decline or fail to~~
~~accept the said line, the said Commissioner is directed to~~
~~deliver to him his bonds given for the deferred payments on~~
~~the Home Place, and refund his cash payment.~~

And the court doth further adjudge order and decree that a
commissioner of this court take a further account of the debts
against the said N.H. Pruden or his estate, which account the
said commissioner shall take, settle and report to court, with
any matters specially stated, deemed pertinent by himself, or
required by any of the parties to be so stated.

Chapman et als.

Vs. In Chancery.

Pruden's Admr et als.

Rough Decree April 2nd 1895.

To be entered.

Robert R. Heintz

Entered #23

Chapman et als.

vs. In the Circuit Court of the County of Isle of Wight.

Prudens Admr et als.

This cause came on this day to be again heard on the papers formerly read and on the reports of Commissioner Young filed herein respectively ^{Mar 7th 1893} and Sept 22d 1893, and was argued by counsel, on consideration whereof the court confirming the said reports to which no exceptions have been filed, doth adjudge order and decree, that W.S. Holland and R.E. Boykin, who are hereby appointed commissioners for that purpose either of whom may act, proceed to sell at public auction at Isle of Wight Court House on some court day, after giving at least ^{Twenty} days notice by hand bills posted on the front door of the Court house of the said county, and at five or more public places therein the several tracts in the bill and proceedings of said suit mentioned, of which N.H. Pruden died seized and possessed, upon the following terms, to wit, cash sufficient to pay the costs of suit and sale, and the amount due under and by virtue of the deed of trust reported by Commissioner Young in his report of debts filed Mar 7th 1893, and the balance upon a credit of one ^{petra} ~~and~~ two years, in equal payments, taking from the purchase money bond with approved personal security for the deferred payments, bearing interest from date, and retaining title until the payment of the purchase money in full. Or in the event that the holder of the bond secured by the said deed of trust consents thereto, the said lands shall be sold for cash sufficient to pay the costs of suit and sale, and the balance upon a credit as aforesaid.

But the said commissioners of sale shall not execute this decree until they or ~~or~~ one of them who shall act, shall have

executed a bond before the clerk of this court in the penalty
of *Three* Thousand Dollars, conditioned for the faithful per-
formance of this or any future decree therein

~~And the court doth further judge, order and decree that W.S.~~

~~It is the order of the said N.H.P. that the said~~

~~the said~~

~~the said~~

~~the said~~

~~And the said Commission and the said~~

and is appearing to the court from the said report
of Comr Young filed Sept 22^d 1894 that the said N.H.
Pruden is entitled to a conveyance of the *Chas. J. Holloman*
land, in said report mentioned, upon the payment of the
sum of \$2900 by W. S. Holloman, agent of the said N.H. Pruden
out of any funds now in his hands or which may come
into the said N.H. Pruden as in said report mentioned
~~shall~~ *the said N.H. Pruden* to W. S. Holloman, N.H. Pruden, Special Comr for the
~~purpose~~ *to receive* the conveyance of the said land
for the benefit of the estate of the said N.H. Pruden - and
for the purpose of making sale of the same as
directed by this decree, and the said Commission
shall ~~make~~ *shall* make report to court
of this proceeding under this decree.

Comptroller et als.

vs. In Choc.

Pruden's Adm. et als.

Oak

Return Decree. A

To be entered

W.C.D.

Orland #14

B. P. Chapman et als

v } On the Circuit Court of Dec of Mich Co.
Pruden A. A et als

This cause came on this day to be again heard on the complainants amended bill taken for confessed as to the defendants upon whom process has been duly served. They still failing to appear, plead answer or demur. and was argued by counsel, on consideration whereof the court doth adjudge, order and decree. That a commissioner of this court take the following accounts.

First. An account of the real estate of which the said A. A. Pruden died seized and possessed, together with its annual and full simple value.

Second. An account of the liens on the said real estate with their priority.

Third. An account of the debts due by the said A. A. Pruden or his estate, with their priority and dignity.

Fourth. An account of the transactions of M. P. Holland agent of the said A. A. Pruden. Which accounts the said Commissioner shall take, settle and report to court, with any matters specially stated, deemed pertinent by himself or required by any of the parties or be so stated.

Leave is given defendants to file answers within thirty days

C. W. Bee. April 7th 1874.

Chapman. Young also
40 } Du Cha
A. H. Proulx admiral

To be entered
CMA
April 7th 1894

I assume that the
can is ~~not~~ ma-
tured -
CMA

Please enter this
den -

R. E. Boykin
atty for pets.

W. S. Hall and f. d.

Entered

Chapman. Young et al.

vs } In the Circuit Court of Sale of Hydr Co
Pruden et al

By consent of parties entered
in open court, it is ordered that this
suit be made a vacation case, to
be further proceeded with in vacation.

Chapman - Young et als

W } Du Chene

Powder et als

Rough Draft
April 20th 1894
John L. Leland
C. W. H.

Entered #10-

Chapman.B.P et als.

Vs. In the Circuit Court of the County of Isle of Wight.

Prudens.admr et las.

On motion of the complainants leave is given them to file their amended bill, which is accordingly filed, and it is ordered that the defendants be summoned to answer the same, and with the consent of parties entered in open court it is ordered that this suit be made a vacation cause to be further proceed with in vacation.

Chapman.B.P et als.

Vs . In Chacy.

Prudens admr et als.

m Rough Decree.

Oct 21st 1893.

To be entered.

Cmt

Entered # 5

In Isle of Wight Cir. Ct. Oct. term 89 3

Chapman B. P. et als.
vs. (In the Circuit Court of the County of
Pruden's admr. et als. (Isle of Wight

On motion of the Complainants leave
is given them to file their amended
bill, which is accordingly filed, and
it is ordered that the defendants
be summoned to answer the same,
and with the consent of parties entered
in open court it is ordered that this
suit be made a vacation cause
to be further proceed with in vacation.

A copy. Teste,

A. P. Henry cell

Heafmanetal
n. $\frac{2}{3}$ Inch,
Kendall

^{copy}
Order of Octo,
189-18,

In Circuit Court of Isle of Wight County, Va.
5. day of Novr. 1892.

Chapman B. P. et als -

vs. In the Cir. Ct. of Isle of Wight County
N. H. Pruden et als;

This cause came on this day to be again heard on the plaintiffs bill with exhibits filed, taken in confessed, as to the defendants, they still failing to appear, plead answer or demurrer, & was argued by Counsel, On consideration whereof the Court doth adjudge order & decree that a Commissioner of this Court take the following accounts, First an account of the real estate of the said N. H. Pruden, together with its annual & fee simple value -

Second, An account of the liens on the said real estate with their priority -

Which accounts the said Commissioner shall take settle & report to Court, with any matters specially stated, deemed pertinent by himself, or required by the parties to be so settled -

A copy of

doth N. P. Young clk

by N. P. Young Deputy

Chapman B. P. date

or { in ch

Under N. H. State

Draw of Nov 2^d 1890
for accts.

Ch. Cope

Noted. 17. July
to H. North 1890

Chapman. Young et al

p } On the Cir Ct of Isl of N.Y. County
N. H. Pruden

This cause came on this day to be again heard on the plaintiffs bill with exhibits filed, taken for confessions as to the defendants. They were failing to appear, plead, answer or demur and was argued by counsel. on consideration whereof, the Court with adjudge order and decree that a Commissioner of this Court take the following accounts. First, an account of the real estate of the said N. H. Pruden, together with its annual and full rental value.

Second, an account of the liens on the said real estate with their priority.

which accounts the said Commissioner shall take under and report to Court, with any matters specially stated, deemed pertinent by himself, or required by the parties who so state.

Chapman Young & Co

is } On chey

Pruden & Co

Rough Decm

^{Nov 2}
~~Oct~~ term 1892

To be entered

C 1174

Entered # 24

A further account of the debts and demands against N. H. Pruden or his estate taken under a decree of the Circuit Court of Isle of Wight County rendered on the 23rd day of April 1895, in the suit of Chapman et al. vs. N. H. Pruden's adms. et al.

A debt due to N. H. Chapman and J. R. Jordan under the style of Chapman and Jordan as shown by a decree of the Circuit Court of Isle of Wight County, rendered on the 20th day of April 1894, in the suit of N. H. Pruden vs. said Chapman & Jordan et al.

31 81

Interest on \$27.00 from the 20th day of April 1890, to the 27th day of April 1896

10 28

Total debts found \$42 09

Commissioner's Office, Isle of Wight County,
March 20th 1896.
To the Circuit Court of Isle of Wight County.

Our servant to a decree of said Circuit Court rendered on the 23rd day of April 1895, in a suit in Chancery therein depending wherein B. P. Chapman

et als. are plaintiffs and W. S. Holland,
admr. of Nelson H. Pruden et als. are
defendants, directing one of the com-
missioners of said Court to take and re-
port a further account of debts against
said N. H. Pruden or his estate. Your
commissioners reports to the Court that
he issued notices to the parties plain-
tiffs and defendants, that he had
fixed upon the 20th day of March 1890,
to take, at his office, the account
so required. That said notices were
duly served and returned to the com-
missioners. That on the day so fixed
upon, from the evidence before him,
your commissioners made the foregoing
account of the further debts due
by said N. H. Pruden, and which
amounts to \$42.09 including interest
to the 27th day of April 1890.

Given under my hand as a com-
missioner in chancery of said Court,
the day and year first aforesaid.

A. C. Spencer Comr,
in Chief;

Comm. fee \$5.00
Sleff. " 2.50
Costs before Court, \$1.50

Chapman & Co.
a. 3 In. deep,
3

Produce, admitted

Report of Commr,
Honey under a
decree of App'l,
1895,

Filed 20 March
1896,

To The Circuit Court of the County of Isle of
Wight.

The undersigned, R. E. Boykin, Special
Commissioner, under the annexed decree herein
of April Term 1895: respectfully reports to
court, That since the last decree ^{herewith}
R. A. Edwards and L. P. Roberts, the purchasers,
of the several tracts of land, of which N.
H. Pruden did seized and possessed,
reported by Court Boykin by his report
herein filed April 22^d 1895: to have been
respectively bid off by them. Court ruled
their disputes and differences as to the
~~true line between~~ the said tracts of land
so bid off by them as aforesaid. The said L. P.
Roberts having agreed that the said R. A.
Edwards be reported as the purchaser
of those certain tract or parcel of land, sit-
uate, lying and being in County of Isle of
Wight and State of Virginia, known as the
Andrews or Louisa tract, containing an
estimation 168 acres, or the same more or less,
but which was sold in gross and not per
acre, bid off by the said L. P. Roberts
at the sum and price of \$270⁰⁰, in the
place and stead of the said L. P. Roberts -
the said R. A. Edwards having consented thereto
so substituted, and to assume all the rights,
liabilities and obligations of the said L. P.

Roberts arising under and by virtue of his
will and purchase aforesaid.
all of which is respectfully submitted.

R. E. Boykin
Specie Commr.

B. P. Chapman is as
w } in charge

A. H. Pruden et al's

Report of Comr. Boykin,
Filed on 29th / 1891.

Commissioner's Office, Isle of Wight Co. Va.
March 18th 1890

To B. P. Chapman & R. A. Edwards, Plaintiffs.
And to W. S. Holland administrator of
Estate of H. P. Pender, dec'd, S. A. Long, A. H.
Whitley, and S. S. Beebe, trustees - Defts.

You are hereby notified that I have fixed upon the 20th day of March 1890, ~~xxx~~
if fair; if not, on the next fair day thereafter (Sunday excepted), to take and settle, at my office, ^{a further} ~~my~~ account
of the debts against H. P. Pender or his
estate.

required to be taken by a decree of the Circuit Court of the County of Isle of Wight
rendered on the 23rd day of April 1890, in a suit in chancery depending in said
Court between said parties, plaintiffs and depts.

at which time and place you are required to attend.

Given under my hand as Commissioner in chancery of the said court, the day and year first aforesaid.

A. C. Young, Comm.
in Chancery

Chapman et al.

292

COMMISSIONER'S NOTICE.

Quercus' americana,
To 20. March 1890.

Expended on the
Justice Warrant,
W. S. Hallard Atty.
B. F. Chapman
Co. A, Engineers
Le. & Col. &
W. S. Hallard
Capt. the Adm.
Adjutant of Service
of each
Co. A, Engineer
Sgt.

Commissioner's Office, Isle of Wight Court-

House July 4th 1894

To B. P. Chapman, B. W. Edwards; W. S.
Holland and admr. of N. H. Prudden decd; S. A.
Sacy, S. H. Whitley & S. S. Beale

You are hereby notified that I have fixed upon the 8th day of September next,

if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle at my office, the account

of the debts due by N. H. Prudden with their
priority and dignity. And an account
of the transactions of W. S. Holland as
administrator of N. H. Prudden decd.

required to be taken by a decree of the Circuit Court of the County of Isle of Wight

rendered on the 11th day of April 1894, in a suit in chancery depending in said

Court between said parties, plaintiffs and
defendants

at which time and place you are required to attend.

Given under my hand, as Commissioner in chancery of the said court, the day and year first aforesaid.

N. G. Young Court,
in chancery

We acknowledge service of the within
notice.

W.S. Hallard atty for
admr. & heir at
Law.

R.E. Boykin
atty for peth.

Form No. 400.

Chapman and others.

U.S. } COMMISSIONER'S NOTICE.

Paulsen's admr, et al.

To ~~38~~ Sept. 1894.

Commissioner's Office, Isle of Wight

Courthouse, Feb'y. 17th, 189³

To B. P. Chapman, A. P. Young & R. W. Edwards, Attys,
And to W. H. Pruden, J. D. Beale, W. S. Holland
Trusts, J. H. Wiley & S. S. Beale Trusts Attys.

You are hereby notified that I have fixed upon the ^{14th} day of March next,
if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle at my office, ^{as} ~~the~~ account
of the real estate of W. H. Pruden, together with
its annual and for several years and an account
of the liens on said real estate, with their pri-
ority, with any other matters deemed pertinent
or required to be stated by any party

required to be taken by a decree of the Circuit Court of the County of Isle of Wight
rendered on the 2^d day of Novr, 189³, in a suit in chancery depending in said
Court between the said parties plaintiffs and
defendants

at which time and place you are required to attend.

Given under my hand, as Commissioner in chancery of the said court, the day and year first aforesaid.

A. P. Young *Chanc.*

Executed by delivering to the within named
D. P. Chapman W. P. Spring R. A. Edwards
N. H. Pruden J. S. Beale W. S. Holland trustee
Le. H. Colby & J. S. Beale trustee a copy
of this notice March 3rd 1893.

R. A. Edwards Secy.

Form No. 400.

Chapman et al.

COMMISSIONER'S NOTICE.

vs.

Pruden et al.

March 4th.

1893.

THIS DEED, made this 9th day of May, in the year 1892, between
Nelson H. Pender

of the County of Isle of Wight and
in the State of Virginia, part of the first part; and Samuel S. Beale
of the County and State

apresaid part of the second part chosen trustee, Witnesseth: that the said
part of the first part doth grant with general warranty unto said Samuel S.
Beale, chosen trustee, the following property, to-wit:

All that certain tract or parcel of land lying and being
in the County of Isle of Wight, in the State of Virginia, which
was conveyed to said Nelson H. Pender by deed from
C. B. Hayden Commissioner in the suit of Edwards et al
vs. Murphy et al, et al, dated on the 7th day of March 1887,
and recorded in Deed Book 45, page 616, consisting of two
traces no. 7 & 11 and containing twenty three acres each,
adjoining J. W. Hart, & known as the Jenkins, Pickorn
tract; Also one other tract on Pea Hill in said County,
containing thirty acres adjoining David Murphy & others,
known as the Patton place, conveyed to said Pender by
J. P. Jordan; Also one other tract, bounded by Jas. A.
Chapman, Chs. S. Jordan & others, containing eighty seven
acres in said County, being the tract conveyed to said
Pender by Geo. S. Murphy except fifty acres conveyed to
Geo. W. Patton by said Pender; also one other tract
containing two hundred and twenty one acres, known
said Pender now lives, adjoining the lands of J. A.
Whitley, R. A. Edwards, & others, being the Miles Edwards
homestead tract. Also a tract of one hundred & eight
acres bought by said Pender of J. P. Anderson by deed
and recorded; Also a tract of fifty acres known as the
Gray tract conveyed to said Pender by deed from Jas. W. Jordan;
also a tract of seventy two acres on Black Water, known as the Elias
Britt tract purchased by deed from Mrs. C. Thomas, adjoining M. E.
Pomrell & others, also seventy five acres of land bid off by said Pender
at a sale made by N. P. Gony, Justice for Charles J. Holloway lying on

the Bolling Green road, & will be conveyed to said Pruden when he complies with the terms of sale; Also a tract of twenty one acres conveyed to the said

IN TRUST to secure to Leonard H. Whitley

of the County of Isle of Wight

State of Virginia the payment of the sum of \$300.00

evidenced by

the three bonds of said Pruden H. H. this day executed by the said H. H. Pruden and payable to the said Leonard H. Whitley respectively, on the 9th day of May 1898, 1894 and 1895, with interest on each bond from this day, and each for the sum of one hundred dollars.

And it is covenanted and agreed that in case of default in the payment of any of the bonds aforesaid then sale shall be made at the request of any one or more of the beneficiaries, his representatives or assigns and that said sale shall be made after advertizing the time, place and terms thereof for *twenty* days, for cash, and after paying expenses of this trust including a commission of five per cent. to the said trustee and including as well the cost of drawing and recording this deed, then to discharge the amount of principal and interest and legal charges of the debts or debt aforesaid, when there are more than one note or bond, one or more of which is not due, the said trustee may sell on credits so as to meet said demands when due, or may pay off those not due as he may deem best, and pay the residue, if any, as the law directs.

~~It is also covenanted and agreed that this Deed of Trust shall secure any~~

~~given in renewal or in extension or curtail of the afore mentioned.~~

The said party of the first part agrees to pay all taxes, levies, assessments, dues and charges upon the said property so long as he or his heirs shall hold the same, and to keep the buildings on said property insured for a reasonable amount for the benefit of said

, and should the said party of the first part fail to keep said property insured then in that event the said shall insure the same and make the premiums a charge on said property in this deed conveyed.

In case a release deed is given it shall be at the cost of the party of the first part.

In all other respects this deed shall be executed according to law governing trust sales.

WITNESS the following signature and seal :

H. H. Pruden -

(SEAL.)

(SEAL.)

(SEAL.)

Pruden by deed from C. O. Stagersen Commissioner of Agriculture and Forestry in said suit of C. O. Stagersen vs. H. H. Pruden.

STATE OF VIRGINIA,
COUNTY OF ISLE OF WIGHT. } To wit :

I, _____, a Notary Public in and for the county aforesaid,
in the State of Virginia, do certify that _____, the wife
of _____, whose names are signed to the writing above,
bearing date the _____ day of _____, 188 _____, personally appeared before me
in the county aforesaid, and being duly examined by me privily and apart from her husband, and having the
writing aforesaid fully explained to her, she, the said _____,
acknowledged the said writing to be her act, and declared that she had willingly executed the same, and does
not wish to retract it.

Given under my hand this _____ day of _____, 188 _____.

NOTARY PUBLIC.

STATE OF VIRGINIA,
COUNTY OF ISLE OF WIGHT. } To wit :

I, _____, a Notary Public in and for the said county, in the
State of Virginia, do certify that _____, whose name is signed
to the writing above, bearing date the _____ day of _____, 188 _____, ha ac-
knowledgeed the same before me in the county aforesaid.

Given under my hand this _____ day of _____, 188 _____.

NOTARY PUBLIC.

*In the Clerk's Office of the County Court of
Isle of Wight County, the 9th day of May
1892 this deed with the marginal writing
thereon, was signed and acknowledged
by H. H. Pender, the grantor therein, and
admitted to record.*

Teste H. P. Young Clk -

A Copy

*Teste H. P. Young Clk
by A. F. Young Deputy*

A. S. Pruden

TO { DEED OF TRUST.

S. S. Beale trustee

ADMITTED TO RECORD

May 9th 188*9*

Deed Book No. _____

Page, _____

Clerk.

A. Copy

Chapman et al.

vs. $\frac{1}{2}$ Ches.

Pruden et al.,

*Exh. E. filed with
the bill.*

Tax, \$ _____

Fee, \$ _____

Total Tax and Fee, . \$ _____

PAID,

Clerk.

*20.80
14.50
1.64
1.66
1.62.98*

*PAID 20.80
sent for 1/19/91*

THIS DEED,

made this

4th

day of

January

, in the year 1890,

between

Nelson H. Pender

of the County of

Ile of Wight

and

in the State of Virginia, part

of the first part; and

H. S. Hollander

of the

said county & State

part of the second part chosen trustee

, Witnesseth: that the said

part

of the first part

doth grant with general warranty unto said

H. S. Hollander

. chosen trustee, the following property, to-wit: The following

certain tracts, pieces & parcels of land lying & being in the County of Isle of Wight in the State of Virginia, to-wit: (1) A tract containing 30 acres more or less, in "Pea Hill" founded by Daniel Murphy, said H. S. Pender et al., known as "The Bitter Place" conveyed to said H. S. Pender by deed from James S. Jordan - (2) A tract containing 137 acres more or less on "Pea Hill" & founded by James A. Chapman, Charles Jordan and by tract No. 1, known as the "Morison tract", conveyed to said H. S. Pender by deed from Geo. S. Murphy. (3) A tract whereon said H. S. Pender now lives containing 221 acres & founded by the lands of James A. Whitley, J. H. Harts est. B. A. Edwards & others - (4) A tract containing 108 acres more or less known as "The Tomlin tract" & founded by the lands of Elizabeth Bland, James J. Whitley & tract no 3. & others - (5) - A tract containing 60 acres more or less known as the "Gray tract", founded by the lands of James S. Jordan dec'd and tract no 1. and others. (6) A tract of 72 acres more or less on Black Water known as the "Bitter Place", founded by the lands of M. E. Correll A. M. Jenkins & others. (7) A tract of 75 acres more or less founded by James Matthews, John Pleasants & others, it being the same tract sold by H. S. Youngblood at auction & bid off by said H. S. Pender in which said trustee is to make a deed when costs & expenses are paid. (8) Any & all other land in said county in which said H. S. Pender has any interest whatsoever let it lie or be settled where it may in said county - It is understood that all liens by judgment, deed of trust or mortgage or other wise are to be released by said H. S. Pender as soon as possible -

IN TRUST

to secure to

of the

State of Virginia the payment of the sum of \$ 600

evidenced by

a bond for six hundred dollars, made & executed by
Nelson A. Pruden dated January 4th 1890, & payable
two years after date with interest from date,
interest payable annually, to said James
S. Beale -

And it is covenanted and agreed that in case of default in the payment of ~~any~~ of the ~~interest thereon~~ *bond or the*

aforesaid then sale shall be made at the request of any one or more of the beneficiaries, his representatives or
assigns and that said sale shall be made after advertizing the time, place and terms thereof for *thirty*

days, for cash, and after paying expenses of this trust including a commission of five per cent. to the said
trustee and including as well ~~the cost of drawing and recording this deed~~ *charges of attorneys & all other expenses as connected with this trust*, then to discharge the amount of
principal and interest and legal charges of the debts or debt aforesaid, when there are more than one note
or bond, one or more of which is not due, the said trustee may sell on credits so as to meet said demands
when due, or may pay off those not due as he may deem best, and pay the residue, if any, as the law directs.

It is also covenanted and agreed that this Deed of Trust shall secure any *note or bond*

given in renewal or in extenuation or curtail of the afore mentioned.

The said party of the first part agrees to pay all taxes, levies, assessments, dues and charges
upon the said property so long as he or his heirs shall hold the same, ~~and to keep the buildings on said~~
~~property insured for a reasonable amount for the benefit of said~~

, ~~and should the said party of the first part fail to keep said property insured~~
~~then in that event the said~~ ~~shall insure the~~
~~same and make the premiums a charge on said property in this deed conveyed.~~

In case a release deed is given it shall be at the cost of the party of the first part.

In all other respects this deed shall be executed according to law governing trust sales.

It is distinctly understood that upon default in the
payment of the interest the said Beale may order
sale -

WITNESS the following signature and seal :

N. A. Pruden -

(SEAL.)

(SEAL.)

(SEAL.)

any action including
any sums that may
be brought -

STATE OF VIRGINIA,
COUNTY OF ISLE OF WIGHT. } To wit :

I, _____, a Notary Public in and for the county aforesaid,
in the State of Virginia, do certify that _____, the wife
of _____, whose names are signed to the writing above,
bearing date the _____ day of _____, 188____, personally appeared before me
in the county aforesaid, and being duly examined by me privily and apart from her husband, and having the
writing aforesaid fully explained to her, she, the said _____,
acknowledged the said writing to be her act, and declared that she had willingly executed the same, and does
not wish to retract it.

Given under my hand this _____ day of _____, 188____.

NOTARY PUBLIC.

STATE OF VIRGINIA,
COUNTY OF ISLE OF WIGHT. } To wit :

I, *L. J. Haran*, *Justice of the Peace*, a ~~Notary Public~~ in and for the said county, in the
State of Virginia, do certify that *H. F. Young*, whose name is signed
to the writing above, bearing date the *4th* day of *Jan*, 188*90*, has ac-
knowledged the same before me in the county aforesaid.

Given under my hand this *6th* day of *Jan*, 188*90*.

~~NOTARY PUBLIC.~~

L. J. Haran J.P.

*In the Clerk's Office of the County Court of Isle
of Wight County, the 6th day of January, 1890,
this deed was received and with the an-
nexed certificate admitted to record -
Teste H. F. Young Dep. Clk -
for H. F. Young, clk -*

*A Copy
Teste H. F. Young clk
by H. F. Young Deputy*

A. D. C. C. C.

TO { DEED OF TRUST.

W. S. Hallam trustee

ADMITTED TO RECORD

January 14 188*9*

Deed Book No. _____

Page, _____

Clerk.

A Copy
Chapman et al,
vs. 3 Chy,
Pruden et al,
Expt. D. filed with
the Bill

Tax, \$ _____

Fee, \$ _____

Total Tax and Fee, . . \$ _____

PAID,

Clerk.

Virginia: In the County Court of the County of Isle of Wight
the 20 day of May 1892.

A. A. Edwards

Plaintiff

Against

C. A. Puden

Defendant

Judgment in favor of the plaintiff against the defendant for the sum of Twenty dollars and Eighty cents,
with interest thereon, to be computed after the rate of six per centum per annum, from the 1st day
of January 1891,

till payment, and the costs. Plaintiff's costs \$ 802.

An extract—Teste.

A. E. Bayhew

Plaintiff's Attorney.

M. W. Young Clerk.
by A. F. Young Deputy

A. A. Edwards

vs.

}

EXTRACT
JUDGMENT.

W. H. Pruden

R. E. Boykin

p. q.

Docketed

May 5, 1892.

A. P. Young

Exhibit to. filed
with Bill in suit,
Clothing on stock,

Pruden stock

Virginia: *Before C. B. Hayden*
In the ~~Court of the Justice~~ of *Shelby* County
the *6th* day of *July* 18*90*

M. P. Young

Plaintiff

Against

A. N. Pender

Defendant

Judgment in favor of the plaintiff against the defendant for the sum of *Forty*
Three dollars and *Seventy nine* cents,
with interest thereon, to be computed after the rate of six per centum per annum, from the *9th* day
of *May* 18*89*,

till payment, and the costs. Plaintiff's costs \$ *25*

An extract—Teste.

A. P. Young Clerk.

Plaintiff's Attorney.

N. P. Young

vs.

}

EXTRACT
JUDGMENT.

N. H. Ruden

p. 9.

Docketed
March 19, 1890.

To wit: *A. P. Young & Co*

*E. L. B. filed,
with bill in suit
Chapman et al,*

or,

Ruden et al,

Virginia: In the Circuit Court of the County of *Allegheny*
the *23^d* day of *October* 18*90*.

B. P. Chapman

Against

Plaintiff

A. D. Pender

Defendant

In absent

Judgment in favor of the plaintiff against the defendant for the sum of *one*
hundred & seventy eight dollars and *ninety four* cents,
with interest thereon, to be computed after the rate of six per centum per annum, from the *11th* day
of *March* 18*90*.

till payment, and the costs. Plaintiff's costs \$ *7⁶⁰*.

An extract—Teste.

R. S. Thomas

Plaintiff's Attorney.

A. P. Young Clerk.

B. P. Chapman

vs.

}

EXTRACT
JUDGMENT.

W. H. Pender

R. S. Thomas

p. q.

Docketed Nov.
1st 1890.

Tate,

H. C. Young

Exhibit A filed
with bill in suit
Chapman vs.

W.
Pender et al.

"

Chapman et als.)
)
 Vs.)
)
 Pruden et als.) In the Circuit Court of the County of Isle
 And)
 Pruden.) Wight.
)
 Vs.)
)
 Jordan et als.)
)

These causes which have been heretofore consolidated,
 came on this day to be again heard on the papers formerly
 read, and were argued by counsel; on consideration whereof the
 court hath further adjudge, order and decree that H.E. Borkin,
 who has been heretofore appointed a Commissioner in the suit
 of Chapman et als Vs Pruden et als, and directed to withdraw
 from the papers in the said cause the bonds returned with his
 several reports of sale therein, and collect the same at matu-
 rity, or before maturity if payment be tendered, and upon pay-
 ment to execute and deliver to the purchasers of the several
 tracts of land in his said reports of sale mentioned good
 and sufficient deeds in fee simple for the several tracts of
 land in said reports of sale mentioned, upon the collection of
 the said bonds, having first paid thereout the unpaid costs of
 the said suit of Chapman et als Vs Pruden et als, distribute the
 residue of the proceeds of such collections among the parties
 entitled thereto according to their priority and dignity as
 shown by Camr Young's several reports of debts in said suit of
 Chapman et als Vs Pruden et als, except that the said Commis-
 sioner, out of the proceeds of sale of the tract of land, known
 as the "Pee Hill," tract purchased by Geo W. Batten, shall first
 pay J.F. Jordan surviving partner of the firm of Wemble & Chap-
 man, or his attorney, the sum of \$31.81, with interest on \$27.86
 part thereof from April the 20th 1890, as directed to be paid

by the decree of this court entered in these causes on the 28th day of Oct 1896, and the costs of the suit of Pruden Vs Jordan & Chapman to the several officers of court to whom they are due, as by said last mentioned decree is directed; taking from the parties or their attorneys receipts for the said payments and return the same to court with a report of his proceedings under this decree.

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2130 2131 2132 2133 2134 2135 2136 2137 2138 2139

Robert H. Hentis