1872-001
Nansemond Co. (Suffolk)

Chancery Causes: H. H. Edwards etc vs Edwin E. Phillips Admx

Turner, Wright, Darden, Mumford, Briggs, Cowling,
Whitehead, Eley, Duke, Pruden, Wilson, Lee,
Whitley, Tynes, W A Butler & Co I, Cherry,
Ashburn, Ashburn, Watkins I, Watkins,

H. H. Edwards, who sues &c
vs & Chy: Notes
Nannie J. Phillips, admx:
of Edwin E. Phillips decd
1867. April 3rd: Bill & Exhibits filed in Chy: issued to May Rules 1867.
" May 6th: Bill & Exhibits filed
" " " Conditional decree vs Defendant
" June 3rd Conditional decree confirmed and cause set for hearing, on mo: Phillips: Counsel
" Octo: 15th: Decree for accos:
1868. March 12th: Report filed.
Apl: 22nd: Continued.
" Octo: 14th: Continued.
1869. April 20th: Decree for sale in 6 mos: unless debt & int paid in
" Octo: 11th: Comm's Bond executed & filed. (4th) Continued
1870. Feb: 10th: Report of Sale filed
" Apl: 18th: Decree to collect & distribute &
" Octo: 15th: Continued
1871. April 19th Continued
~~1872. April 17th Decree for Defendant~~
1871. Oct 11. Com Phillips report & pass fees &c.
" Decree Rescind unless paid
" Petition of A. S. Reid filed
1872 Apl 17 Decree for Deed & final

Chy: Notes

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

Complaining, shew unto the Court your Complainant N. N. Edwards, who sues for himself and all other creditors of Edwin E. Phillips deceased, who may make themselves parties hereto on the usual terms — Your Complainant respectfully represents to the Court and says, That Edwin E. Phillips of said County, lately died at his residence in the said County, Intestate and that his only child and daughter Miss Nannie J. Phillips duly qualified as his administratrix in Nansemond County Court on the 12th. day of November 1866, as will be seen by a duly certified copy of the order of Court granting such administration filed herewith & marked (A.).

That the said Nannie J. Phillips as such administratrix took charge of the personal and Chattel estate of said Deceased, and has made sale of the Chattel estate — That the said Edwin E. Phillips is indebted to your Complainant the sum of two hundred and thirty one dollars and sixty cents, with interest from the 1st day of March 1862, as will be seen by account filed herewith & marked (B), for Corn sold and delivered to the said Edwin E. Phillips by said plaintiff, at the request of said Edwin E. Phillips. Your Complainant is advised and says, That the said Edwin E. Phillips is largely in debt and that his personal and Chattel estate is insufficient to pay his debts, and that his real estate or a part thereof will have to be sold to pay his debts, That the said Edwin E. Phillips, left no widow, and only one child, as his heir at Law & distributee, to wit: the said Nannie J. Phillips.

that the said Edwin E. Phillips died possessed of several parcels of real estate, to wit: An Undivided moiety and fourteen acres of land attached of a water grist mill, and saw mill, with the rights and privileges belonging thereto, situate in Nansemond County, and adjoining the lands of the late Merit Briggs, and others: also a farm of Five hundred —— acres near to the mill, on which the said Edwin E. Phillips resided at his death, with large new dwelling house and out houses: The Allmand House & Lot of about four acres adjoining the lands of Merit Briggs' estate; The Hutchins farm of Thirty —— acres; The Millners' farm of Three hundred & thirty acres; The Hare Land of 150 or 200 acres more or less, The "Pinners quarter" Land in Isle of Wight County of One hundred and fifty acres more or less, The Clark Land of 100 acres more or less, in Isle of Wight County; & 1/4 of the Holloway place near Isle of Wight Court House —— and 25 acres more or less called the "Hart tract" adjoining L. Ayles & others. Your Complainant prays that the transactions of said Nannie J. Phillips as admx. aforesaid may be duly settled and that the chattels & personal estate may be applied to pay your Complainants' demands: That the real estate aforesaid, or such part thereof as may be necessary may be sold to pay the debts of said Deceased, and that all necessary accounts may be taken to ascertain the value of said lands, the debts due by the deceased and the assets to be applied to the same. In consideration whereof and as this Court has power to grant all proper relief — To the End your Complainant prays, that the said Nannie J. Phillips as Administratrix of Edwin E. Phillips deceased, and in her own right may be made Defendant hereto and be Compelled to answer the allegations herein — That the prayer of your Complainant may be granted and that all other and further relief may be granted Consistent with Equity &c.

John R. Kelly p. q.

Kilby p. v

N. N. Edwards &c.

vs } Bill

Nannie J. Phillips
adm.x of Edwin E.
Phillips dec.d &c.

Hamp.d Cir. Ct.

Edwards &c

vs

Phillips admr &al

This cause came on this day to be again heard on the report of Nathl D. Phillips, Comr. made pursuant to the Decree of Oct. Term 1871 of this Court to which report there is no Exception and argued by Counsel; On consideration whereof the Court doth confirm the said Report & it being made known to the Court that since the making of said Report, the said Nathl D. Phillips has died without making the deed to the purchasers of the Real estate sold under proceedings in this Cause, It is by the Court adjudged and decreed that John R. Kelly, who is hereby appointed a Special Commissioner for that purpose, execute to each of ~~said~~ the ~~said Phillips and his~~ ~~Phillips & wife~~ is, purchasers of said real estate, a Deed with special warranty in the usual form, — and nothing more remaining to be done in this cause it is ordered to be removed from the Docket.

Edward St
vs
Phillips St
Final Decree

1872
Apl 21
Decree
to be entered.

Geo. Bliss.

E.

2 Exhibits filed
with the Bill
Demurrer &c
by
Phelps admr &c

Nam? Cir. Ct.

(B.)

I have deducted 5 per Ct:
of the million Acco: for
Short weight in the Corn -
& Amo: allowed is £220 11
with int: per 18th May 1862 -
(subject to be a Cr: of 90 days)

P. B. P
Comm.

at Liverpool

Mr. E. E. Phillips

To H. H. Edwards Dr

1862

Feb. To 386 Bushels Corn @ 60¢ $231.60

Dec 6th 1866 This day H. H. Edwards personally appeared before me and made oath to the correctness of the above account

Jno W. Ames J.P.

231.60
11.58
220.02

(EC)

At a Quarterly Court held for Nansemond County the 12 th: day of November 1866.

On the motion of Nannie J. Phillips, who made oath as the law directs, and entered into a bond, in the penalty of Four Thousand Dollars, conditioned according to law, with John S. Phillips and Nathaniel P. Phillips, her securities therein, who justified on oath as to their sufficiency, and which said bond being acknowledged by the obligors therein is ordered to be recorded. Letters of administration on the Estate of Edwin E. Phillips deceased, in due form are granted her.

A. Copy:

Teste,

Peter B. Prentis. Clerk

Edwards &c. vs. Phillips &c.

This cause came on this day to be heard on the Bill taken for confessed, as to the Defendant on whom process had been duly served, ~~they~~ she still failing to appear and make defence, and on Exhibits filed with the said Bill, and was argued by Counsel; On Consideration whereof the Court doth adjudge, order & decree that a Cond. offices Court, proceed to take the following accounts,

1st. an account of the transactions of said Nannie J. Phillips as admx. of Edwin E. Phillips, dec'd,

2d. an account of the debts, ~~demands~~ and demands against said decedent or his estate and their priority,

3d. an account of the real Estate whereof the said Edwin E. Phillips died seized and possessed, and its fee simple and annual value; and make report of any matter specially stated, deemed pertinent by him or that any of the parties may require to be so stated — And that the said Cond. publish notice of the time & place of taking said accounts for four successive weeks in the "Christian Sun" a Newspaper published at Suffolk which notice shall be equivalent to, and in lieu of, personal service of said notice on the parties

Edmund &c

vs.

Pluckett, &c

1867

Advo. Ct. Decree

To be entered.

R. H. Baker

Entered

Edwards &c

vs.

Phillips &c.

This cause Came on this day to be again heard, on the papers formerly read and on the report of P. B. Prudis, Com'r. made pursuant to the decree of the 15th day of October 1867 to which report there is no exception and was argued by Counsel. On consideration whereof, the Court doth Confirm the said Report and doth adjudge, order and decree that of the sum of $1234.91 which appears to be in the hands of Nannie J. Phillips adm't. of Edwin E. Phillips dec'd. as shewn by account (a) of said Com'r Prudis' report, she pay ratably to the debts reported by said Com'r. in account "B" of his Report as due to Nathan Binnford, Geo. W. Briggs Exr. of Mich'l Briggs dec'd & to Jno. P. Cowling &c. and that unless the said Nannie J. Phillips shall pay the remainder of said debts and also all other of the debts duly owed said Edwin E. Phillips dec'd as reported by the Com'r in said Report, in five months from this date, that then and in that case Nath'l K. Phillips, who is hereby appointed Com'r. for that purpose, proceed to sell the Lands or so much thereof as may be

necessary, of which the said Edwin E. Phillips died seized and possessed, & described in the proceedings as follows.

1st An undivided moiety of a water grist mill and 14 acres of land attached, in Nansemond County

2d A farm of 500 acres more or less near to the said mill, on which the said Edwin E. Phillips resided at his death, with large new dwelling house & outhouses.

3d The adjoining House & Lot of 4 acres more or less adjoining Merl Bridgers Estate.

4th Sutherlin farm of Thirty acres more or less:

5th The Millner farm of Three hundred & thirty acres more or less:

6th The Harris Land of one hundred and fifty acres, more or less.

7th The Pinner Swamp Land of one hundred and fifty acres more or less in the County of Isle of Wight

8th The Peark Land of 100 acres more or less in the County of Isle of Wight:

9 One fourth of the Holleman place near Isle of Wight Courthouse: and

10 The wharf tract of Twenty five acres more or less in Nansemond County adjoining the Lands of S. Ayler & others

That such sale be made at auction before the Courthouse door of

Nansemond County, on a credit of six months with Interest from date, (except for cosmos sufficient to pay the costs of suit & expenses of sale which he will require in cash & to the one entitled), taking from the purchaser Bond with good security, & retain the title like the further order of the Court, having first given at least thirty days notice of such sale by advertisement at the Courthouse door and other public place, near the premises, and by notice published for four successive weeks in the "Christian Sun" a newspaper published at Suffolk and also for a similar period in some Newspaper published in Norfolk City, and make report to Court.

But no sale is to be made by the said Nath[l] P. Phillips under this decree until he shall have executed a Bond before the Clerk of this Court in his office payable to the Commonwealth of Virginia in the penalty of $5000. conditioned for the faithful execution of this decree & any other that he might be required to execute in this cause.

Edwards
v
Phillebrown

1869

Appl Court

decree

To be Entered

E. P. Pitts

Entered

Edmunds &c
vs
Phillips. &c.

This cause this day came on to be again heard on the papers formerly read, On the Petition of Emma L Ely Admtx of Jno D Turner & of E T Wright Admr of Thos T Wright, & on the report of A P Phillips, made pursuant to the decree of the 20th of April 1869., to which report there was no exception & was argued & counsel, on consideration whereof the court confirming said Report, doth adjudge order & decree that the said A P Phillips Commissioner as aforesaid, do receive from the Clerk of this Court (who will deliver the same to him on his filing his rect's therefor) the several Bonds for the purchase of the Lands sold under proceedings had herein, ~~& to collect the same~~, to wit the Bond of Jno P Conlin & Jno M Conlin for $337.25 of which Brown dec'd & Jno T Phillips for $115.75 of Jno T Phillips & J J Phillips for $1947.50 of Jno Martin & P B Pendleton for $71.00 of Samuel Godwin & Moses Godwin of Jno P Johnson for $27.50 for $475.00, which Bonds he will proceed to collect, with so much of the Bond of Nannie J Phillips for

$5839.13 which Bonds the said Clerk will also deliver to said Commissioner as with the sum hereinafter mentioned in the hands of A P Phillips shall may be necessary to pay the debts hereinafter mentioned. And it is further decreed that the said A P Phillips Commissioner as aforesaid collect of said Nannie J Phillips admx of Edwin Phillips, the sum of $1234.71 the Balance due by her said estate on her administration &c, as shown by Comms Prentis's Rep't made under the decree of Oct 15th 67 with interest on $1218.95 part thereof from January 22nd 1868 till paid & out of the proceeds of said Bonds & said last named Balance pay the unpaid costs of this Suit if any & then pay the several debts due by said Edwin E Phillips as set forth in Com: Prentis Report aforesaid in A/c B & the debt due E L Eley Admr of Jno W Turner as shown by his said Petition of $164.10 with interest from Feby 13th 1860 —
The court doth further adjudge ordered decree that said Commissioner on the payment of the said Bonds of the said purchasers shall execute &

deliver to the said purchasers good
sufficient deeds for the respective
tracts of land purchased by them, with
Special warranty in the usual form -
Make report to court of his proceedings
under this decree -
2 The court by consent of parties
further adjudge
and decree that the further
consideration of the Bond filed
with the Petition of E G Wright
admr of J J Wright be continued -

Edmunds L.
vs
Philip J. Adams Sols.

Bond Clerk
April Term 1870
To be entered

Geo. V. Blow. Jr

Clerk

H. N. Edwards, who sues for himself and all other creditors of Edwin E. Phillips, dec'd

vs.

Nannie J. Phillips, administratrix of Edwin E. Phillips, deceased and in her own right.

This cause came on this day to be heard on the papers formerly read and on the petition of A. S. Landrum, this day filed and on the Report of A. P. Phillips, Commissioner made pursuant to the decree of the 19th day of April 1870 — to which report there is no exception and was argued by Counsel. On Consideration whereof the Court doth confirm the said Report; and it appearing to the Court that the following purchasers of real estate made under aforesaid decree in this cause, have not paid their purchase money for real estate purchased by them: That is to say: John T. Phillips & Jos. J. Phillips the sum of $1947.50 with Interest from the 8th November 1869, subject to a credit of $659.77 on the 1st Dec 1870 — Nannie J. Phillips the sum of $5559.63, with like Interest, subject to credits of $400. & $100. on the 6th April 1871 — Jerome Hodnett & Mrs. Hodnett's Bond for $475. with like Interest, subject to a credit of $109. on the 10th Dec. 1870 & of $100. on the 10th

Oct°. 1871, It is by the Court decreed & ordered that unless the said purchasers pay the amounts respectively due by them in sixty days, that then ~~Robert [illegible]~~ Mattie P. Phillips who is hereby appointed a Commissioner for that purpose proceed to resell the real estate heretofore purchased by said Nannie J. Phillips, John D. Phillips & Samuel Gowin respectively, on the same terms named in the decree of the 10th April 1869 - and that out of the money arising from such sale he pay off & discharge the balances due by them, that then the said ~~John D. Phillips~~ Mattie P. Phillips proceed to pay off & discharge the debts remaining unpaid as by the said Mattie P. Phillips report first herein named & to A. S. Darden the sum of $66.37. with interest from 3d. June 1865, as evidenced by Bonds this day allowed by the Court & filed & thereby any only that remain unpaid in the cause - and the surplus pay over to said Nannie J. Phillips the one half & distributive share of said Edwin E. Phillips dec'd. And the said ~~John D. Phillips~~ Mattie P. Phillips as Commissioner aforesaid are make to said parties deeds with special warranty in the usual form for the Lands purchased by them respectively and make report to Court — and the

Clerk of this Court will deliver to said ~~Hattie P. Phillips~~, the Bond of said Nannie J. Phillips, John T. Phillips and Saml. Godwin, on his having a receipt therefor.

Edwards &c

v.

Phillips &c

1871

Ct. Court. Decree

To be entered

Geo. P. Blow.

Entered

$168.00/100, On demand we or either of us promise to pay to John W. Turner or order, One hundred and Sixty eight dollars for value received, for the true payment of which we bind ourselves. heirs. Executors Adminis=trators or Asigns & as witness our hands and Seals this the 13th day of February 1860.

Test
M. Briggs

M. J. Whitney Seal

E. E. Phillips Seal

I Chas. H. Hart Clerk of Isle of Wight County Court do hereby Certify that the above Bond is a true Copy of the Bond filed in the Suit of Turner's Adm'r vs. Whitney & Phillips, Given under my hand as Clerk of the said County Court. the 14th of April 1870

C. H. Hart, clk.

M. J. Whitney and
E. E. Phillips
To note $168.

Due July 13th 1860

A Copy

1200.00/100. On demand with Interest from date We or either of us promise to pay to Watson C. Jordan or order the just and full sum of Twelve Hundred dollars for value received. for the true payment well and truly to be made. we bind ourselves, Heirs, Executors or Assigns. As Witness our hands and Seal. This the 10th. day of October 1859

Teste.

John, E. Cowling Seal
E. E. Phillips Seal

Received Eighty eight dollars Int." due on the within bond to date January 1st 1861

Received Seventy two dollars (Interest) due on the within Bond to date -

January 1st. 1862 -

Received Seventy two dollars Interest due on the within bond to January 1st 1863 -

Jany. 1st 1865 For value Received I assign the within bond, to Mrs. Emaline S. Wright Admx." of Thos." S. Wright -

Jno F. Stakes -

A. Cofer
Teste,
Peter B. Prentiss. Clerk.

All Available Text Successfully Captured

Inads &
Phillips, Admr &c als } —

To the Circuit Court of Nansemond County
in Chancery sitting.

Your Petitioners Eliza
J Eley Admx of John H Turner decd &
Emaline J Wright Admx of Thos J Wright
humbly represent to the Court, that the said
E E Phillips with Wm J Whitley executed their
Bond for $ 168.00 payable 13/61 — to
the said Jno H Turner which Bond is
still due & unpaid & the said Wm J
Whitley is a Bankrupt — & that the said
E E Phillips as surety for Jno E Conlin
executed a Bond for $ 1200.00 payable
Oct 10/59 to Wm T Sadler Comm'r held
by your said Petitioner as Admtrs of Thos J
Wright as assignee & that said Bond
is still due & unpaid — That neither
of said Bonds are allowed in the
list of debts against the said E E
Phillips heretofore taken in this cause —
certified copies of which Bonds are herewith
filed — Your Petitioners pray that they
may be allowed to share in the distribution
of the funds in this cause —

Respectfully
Eliza J Eley Admx Jno H Turner &
E J Wright Admx Thos J Wright —
for C B Hayden their Atty —

All Available Text Successfully Captured

Edmonds &c.
vs
Phillips Admr &c

Petition —
of
E. L. Ely admr &
I. W Turner dec.
and
of E. S. Wright admr
of Thos L Wright.

files abt a 1870

$66 57/100

Two days after date I promise to pay to

A. S. Vardin or order,

the just sum of Sixty six 57/100 Dollars,

for value received, for which payment, well and truly to be made, I

bind myself my heirs, executors and administrators, jointly and severally,

firmly by these presents. As witness my hand and seal. this 1

day of June 1865

E E Phillips SEAL

SEAL

DUROSS, PR., PHILA.

(1868)

the Circuit Court of Tennessee &c

The Undersigned A. S. Darden respectfully prays to be allowed to participate in the distribution of the effects under the control of the Court in the suit of H. H. Edmonds &c against Edwin E. Phillips administrator &c thereof — That he was not aware that any account of Debt had been ordered to be taken — That his Debt is due by said Edwin E. Phillips by a Bond dated the 1st of June 1865 & due two days after date, for sixty six dollars & fifty seven cents, as filed herewith.

Respectfully
A. S. Darden
by John R. Kelly Atto

12 Oct. 1871

All Available Text Successfully Captured

Edwards &c

Phillips admr &c

Petition of
A. S. Darden
filed 12 Oct. 1871

1871 Dec. 18 Rec'd of A. P. Phillips Comr
$. One hundred and ninety eight dollars,
and thirty five cents, in full of Balance
due H. H. Edwards by Edwin E. Phillips Ex'r.
per annexed statement & Decree
$ 198:35. John R. Kelly atty.
for H. H. Edwards

1872 Feb. 18 Rec'd of A. P. Phillips Comr
the several amts. due the several parties
as below, and as per annexed statement
and Decree.

John R. Kelly agt of D. W. Duke $ 631:63
John R. Kelly atty for Basil W. Wynn $ 186:14
John R. Kelly atty for P. H. Lee $ 392:55
John R. Kelly " for W. Darden $ 65:83
Same " Same $ 37:00
Same " Elisha Ashburn $ 11:34
Same for Ashburn & Watkins $ 41:70
Same for M. H. Watkins $ 16:53
Same for A. S. Darden $ 89:35
Same for Dempsey Whitehead $ 213:65
Same for W. A. Butler & Co $ 100:05
Same for E. L. Ely & J. W. Turner $ 789:10
John R. Kelly for Nathan Mumford $ 588:70
John R Kelly atty for Wm Ely
adm of Mary Prudent dec'd $ 1235:26

1872 March 1. Reid & Nathl P. Phillips Comr. the sum of five thousand six hundred fifty dollars & 24 cts in full of Balance in his hands as Comr. from sale of Edwin E. Phillips Lands under decree of Court & from Balance due by Sammie Phillips an adm[illegible] dct.

Rodney T. Ellis
Sammie J. Ellis.

To the Circuit Court of Nansemond County

The Undersigned, Nath'l. P. Phillips Commissioner reports to Court, that pursuant to the decree of the 12th of October 1871, made in the cause of H. H. Edmunds &c. against Edwin E. Phillips' adm'r. & others he has received from the Clerk of the said Court the Bonds therein referred to of John T. Phillips &c. and of Nannie J. Phillips and of Saml. Godwin & collected the same and has paid the proceeds out to the parties entitled as per said decree, and as the following statement will shew —

By amo. of Jno. T. Phillips Bond rec'd		$1630.39
" " " Saml Godwins " "		421.95
" " " Nannie J. Phillips' Bond as named in said decree		6173.98
Total amo.		$8226.32
By amo. of Nannie J. Phillips adm't of Edwin E. Phillips dec'd. Balance due On her adm'n. acct. as per decree of April Term 1870		1234.91
" Int. on $1218.95 part thereof from 22d. Jany 1868 to 1 Mar. 1872		299.01
Cam't. on		$9760.24

By amo. brt. on $9760.24

To paid to the Curtis of said
Edwin E. Phillips agreeable
decree & per vch. annexed, &c.

To H. N. Edwards, Balance
due him per vch $198.35
" Nathan Mumford " 588.70
" Dempsey Whitehead " 213.65
" D. W. Duke " 631.63
" Wm Eley, Sh. & admr. of
Mary Purdue dec'd " 1235.26
" Basil W. Wilson " 186.14
" P. H. Lee " 392.53
" Jno. W. Darden " 65.83
" same " 37.00
" W. A. Butler & Co " 100.05
" Elisha Ashburn " 11.34
" Ashburn & Watkins " 41.70
" M. N. Watkins " 16.53
" E. L. Eley admr. of J. W. Turner " 189.10
" A. S. Darden " 89.35
" additional costs 22.82 $4120.10
$5640.24

To paid Nannie J. Phillips
Solicitor of Edwin E. Phillips,
dec'd. per vch $5640.24

Respectfully submitted
Nathl. P. Phillips Comr
for K.

1 March 1892.

Edwards &c
vs

Phillips admr
&c

Report of
Payments

I hereby assign unto John R. Kill the claim allowed me against E. E. Phillips estate, & the Comrs. will pay the same to him

17 May 1871.

D. W. Dukes

1872 feb. 18. Rec'd on above $631.63

John R Kill

100 lb
32.10 lb

At a Circuit Court held for Nansemond County on Oct 12th 1871.

A. A. Edwards, who sues for himself and all other creditors of Edwin E. Phillips deceased.

vs

Nannie D. Phillips, administratrix of Edwin E. Phillips, dec'd and in her own right.

This cause came on this day to be again heard on the papers formerly read, and on the petition of A. S. Darden, this day filed, and on the Report of N. P. Phillips Commissioner made pursuant to the Decree of the 19th day of April 1870. to which report there is no exception, and was argued by Counsel - On Consideration whereof the Court doth confirm the said Report. and it appearing to the Court that the following purchasers of real estate made under a former decree in this cause, have not paid their purchase money for real estate purchased by them: That is to say: John T. Phillips and Jas. D. Phillips the sum of $1947.50 with Interest from the 8th November 1869. subject to a Credit of $659.77 on the 1st Dec 1870. Nannie D. Phillips the sum of $5559.53 with like Interest subject to Credits of $400.00 and of $100 on the 6th April 1871. Samuel Godwin and Moses Godwins Bond for $475.00 with like Interest subject to a credit of $109.00 on the 10th Dec 1870. and of $100.00 on the 10th Oct 1871. It is by the Court decreed and ordered that unless the said purchasers pay the Amounts respectively due by them in sixty days, that then Nath'l P. Phillips, who is hereby appointed a Commissioner for that purpose - proceed to resell the real estate ~~heretofore~~ purchased by said Nannie D. Phillips. John T. Phillips - and Samuel Godwin respectively, on the same terms named in the Decree

of the 20th of April 1869. But should the said parties pay off and discharge the Balances due by them- that then the said Nath[l] P. Phillips proceed to pay off and discharge the Debts remaining unpaid as per Nath[l]. P. Phillips report first herein named, and to A.S. Darden the sum of $66.52 with Interest from 3rd June 1865. as evidenced by Bond this day allowed by the Court- and filed in the cause, and then pay any costs that remain unpaid, and the surplus pay over to said Nannie J. Phillips, the sole heir and distributee of said Edwin E. Phillips dec[d] and the said Nath[l] P. Phillips as Commissioner aforesaid will make to said parties Deeds and Special warranty in the usual form for the Lands purchased by them respectively, and make report to Court. And the Clerk of the Court will deliver to said Nath[l]. P. Phillips the Bonds of said Nannie J. Phillips- John T. Phillips and Saml. Godwin, or his leaving a receipt therefor.

Teste

Willis E Cohoon Clerk

N.P. Phillips Copy-

Edwards &

vs

Phillips &

1871

Cir Court Decree

NORFOLK PRINTING HOUSE COMPANY.

Norfolk, Va., Feby 3d 1870

Mr. N. P. Phillips

To NORFOLK JOURNAL, Dr.

Job Printing Office and Book Bindery,

ATLANTIC BLOCK, MAIN STREET.

1869 Oct	1	To adv Comrs Sale of Valuable Lands 7 ap 1 t aw 5t		19	25
"	5	" 75 1/4 sheet Bills		3	00
					22 25

Recd paymt
J. Reid Lewellen, Supt
per Fiveash

All Available Text Successfully Captured

N. P. Phillips

To Christian Sun Dr

To advertising "Lands for Sale
in Christian Sun

$ 12.50

Received Payt
D. S. Dunbar

Jan 24, 70

Nov 12th 1869 Rec'd of N. P. Phillips
Com's Forty dollars in full for
selling D. Edwin E. Phillips land
at Public Auction
$40.00 Wm'd McClure for
R. H. Brumley Aucts.

At a Circuit Court, held for Nansemond County
the 20th. day of April 1869.

H. H. Edwards who sues for himself and
all other Creditors of Edwin E. Phillips deceased Complainant.

against &c In Chancery

Nannie I. Phillips, administratrix of Edwin
E. Phillips deceased and in her own right .... Defendant

This Cause, came on this day to be again heard .....
on the papers formerly read and on the report of P. B. Prentis,
Commissioner made pursuant to the decree of the 15th day of
October 1867, to which report there is no exception and was
argued by Counsel, On Consideration whereof the Court
doth confirm the said Report, and doth adjudge order and
decree that the sum of $1234.91 which appears to be in the
hands of Nannie I. Phillips administratrix of Edwin E.
Phillips deceased as shewn by Account (A) of said Com-
missioner Prentis report pay ratably to the Debts reported
by said Commissioner as of the third class in account B
of his report, as due to Nathan Mumford, Geo. W. Briggs
Executor of Mord Briggs deceased and to John P. Cowling
and that unless the said Nannie I. Phillips shall pay or
otherwise satisfy the remainder of said Debts and also
all other of the Debts due by said Edwin E. Phillips deceased
as reported as of the fourth class in said Commissioner's
Report, in five months from this date, that then and in
that case, Nathaniel P. Phillips, who is hereby appointed
Commissioner for that purpose proceed to sell the lands
or so much thereof as may be necessary, of which the said
Edwin E. Phillips died seized and possessed, and described

in the proceedings as follows: First. an undivided moiety of a Water Grist Mill & Saw mill and 14 acres of land attached in Nansemond County. Second. a Farm of 500 acres more or less, near to said Mill, and on which the said Edwin E. Phillips resided at his death, with large new dwelling house and out houses. Third the Allmand House and Lot of four acres more or less adjoining Mrs. Briggs estate. Fourth Hutchins Farm of Thirty acres more or less. Fifth the Milliners Farm of Three hundred and Thirty acres more or less. Sixth. the Harris Land of One hundred and fifty acres more or less, Seventh, the Pinners Quarter Land of One hundred and fifty acres, more or less in the County of Isle of Wight. Eighth, the Clarke Land of One hundred acres, more or less, in the County of Isle of Wight, Ninth. one fourth of the Holloway place, near Isle of Wight Court house and Tenth the Wharf tract of Twenty five acres more or less, in Nansemond County adjoining the lands of S. Ayler and others. That such Sale be made at auction before the Court house door of Nansemond County on a credit of six months with interest from date, Except for a sum sufficient to pay the Costs of Suit and Expenses of Sale, which he will require in cash and pay to those entitled / Taking from the purchasers, Bonds with good security and retain the title till the further order of the Court, having first given at least thirty days notice of such Sale by advertisement at the Court house door and other public places near the premises, and by Notice published four successive

Weeks in the "Christian Sun," a Newspaper, Published at Suffolk, and also for a similar period in some Newspaper, Published in Norfolk City, and make report to Court. But no Sale, is to be made by the said Nathaniel P. Phillips under this Decree until he shall have executed a Bond before the Clerk of this Court, in his office, payable to the Commonwealth of Virginia, in the penalty of $5000: Conditioned for the faithful execution of this Decree and any other that he might be required to Execute in this Cause.

A Copy.

Teste:

Peter B. Prentis. D.C.

Costs

Clerk . . . $15.00 (paid. P.B. Prentis)

Atto. Tax & Stamp 31.00

Sh'ff . . . 50

Commr. 30.00 (paid. P.B. Prentis)

Printer 9.50 (paid P.B. Prentis, for "Christian Sun")

$86.00

In the Circuit Court of Nansemond County.

The Undersigned repots to Court, That pursuant to the decree of the said Court made on the 20th day of April 1869, in the cause pending in said Court wherein W. W. Edwards &c. is plaintiff and Nannie J. Phillips admx. of Edwin E. Phillips dec'd &c., is defendant, he proceeded to advertise the Lands of which Edwin E. Phillips died seized and possessed, and did on Monday the 8th day of November 1869, being Court day before the Court House door of said County, sell at auction on the Terms named in said decree, the said Lands, when they were purchased as follows:

1st An undivided moiety of a water Grist Mill Saw Mill & 14 acres of land attached, in Nansemond County was purchased by Nannie J. Phillips for $500.00

Deed made 1895

2d The Farm of 500 acres more or less near said Mill on which the said Edwin E. Phillips resided at his death, with large new dwelling house & out-houses, purchased by Nannie J. Phillips for $5500.00

do

3d The Allmand House and lot of four acres more or less adjoining Merit Briggs' estate, was purchased by Jno. T. Phillips for $250.00

(Deed)

Carried on $6250.00

	Amo. brought on	$6250.00
4th	The Hutchings farm of 30 acres more or less, purchased by Uriah Browder for	185.00
5th	The Millner's farm of 330 acres, more or less by Jno. T. Phillips, for	1800.00
6th	The Harris land of 150 acres, more or less by Jno. P. Carling for	355.00
7th	The Pinner's quarter land of 150 acres, more or less, by Saml. Godwin for	500.00
8th	The Clarke land in Isle of Wight County of 100 acres, more or less by Jno P. Johnson	250.00
9th	one fourth of the Holladay place, near Isle of Wight Courthouse, not sold as the whole had been sold under the suit of Jno Phillips &c by Jno. P. Carling late adm. de bonis non	60.00
10th	The Wharf Tract of 25 acres, more or less, by Jno. Martin for	75.00
	Total sales.	$9415.00

There was required in cash and paid to those entitled as follows — Paid W. H. McGuire, Com $40.00
To paid "Christian Sun" advert's 12.50
" " Norfolk Journal do. 23.00
" " P. B. Prentis, Clerk 15.00
" " Same, Comr. 30.00
" " Same for Printer 9.50
Cash, on $130.00 $9415.00

	amd. bal. on		$130.00 $9415.00
	To paid Jno. R. Kirby, atty.	30.00	
	" " Co. for 7 Deeds &c.	28.00	
	" 5 Per Cent Com. on $300.	15.00	
	" 2 Dr. on $5400. Sdy.	108.00	$ 312.00
			$9103.00

Cr. for the Deferred payments
bond dated 8 Nov. 1869, with
Interest from date & payable
six months after date were
taken as follows — Of

(1-)	Nannie J. Phillips for	$5859.63
(2)	Of Jno. R. Cowling with Jno. M. Cowling, security for	337.25
(3)	Of Uriah Browder, with Jno. J. Phillips, security for	175.75
(4)	Of Jno. R. Johnson for	237.50
(5)	Of Jno. J. Phillips with J. J. Phillips, security for	1947.50
(6)	Of Jno. Martin with P. B. Pantis security for	71.00
(7)	Of Sam'l. Godwin with Moses Godwin, security for	475.00 = $ 9103.63

which Bonds are filed herewith —

Respectfully submitted
N. R. Phillips Com'r.

1870. June 9th. Recd of Peter B. Prentis, Clerk of the Cir: Court of Nansemond County, the several bonds referred with the within report: said bonds being delivered to me, pursuant to a Decree of said Court, of the 19th Apl. 1870.

S P Bridgforth Comr:

Edwards &
Comm.
Report of
Bonds
Sheriff, Admr &c

1870.
July 10th: Filed
Clk's

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

H. H. Edwards, who sues for himself and all other creditors of Edwin E. Phillips, deceased . . . . . Complainant

against } In Chancery

Nannie J. Phillips, Administratrix of Edwin E. Phillips deceased and in her own right . . . . . Defendant

This cause this day came on to be again heard on the papers formerly read, on the petition of Exam L. Eley, Administrator of Jno. W. Turner, and of E. S. Wright, Administratrix of Thos. S. Wright, and on the report of N. P. Phillips, made pursuant to the decree of the 20th: of April, 1869, to which report there was no exception, and was argued by counsel. On consideration whereof the Court confirming said report doth adjudge, order and decree that the said N. P. Phillips, Commissioner as aforesaid, receive from the Clerk of this Court (who will deliver the same to him on his filing his receipt therefor) the several bonds for the purchase of the lands sold under proceedings had herein, to wit: the bond of Jno. P. Cowling and Jno. M. Cowling for $337.25; of Uriah Browder and John T. Phillips for $175.75; of Jno T. Phillips and J. J. Phillips for $1947.50, of Jno Martin and P. B. Brewer for $71.00 of Samuel Godwin and Moses Godwin for $475.00, of John P. Johnson for $237.50 which bonds he will proceed to collect without so much of the bond of Nannie J. Phillips for $5859.63. (which Bond the said Clerk will also deliver to said Commissioner) as with the sum herein after mentioned in the hands of Nannie J. Phillips, Administratrix,

may be necessary to pay the debts hereinafter mentioned. And it is further decreed that the said N. B. Phillips, Commissioner as aforesaid collect of said Fannie J. Phillips, Administratrix of Edwin Phillips. the sum of $1234.21 the balance due by her to said estate on her Administration account, as shewn by Commissioner Prentis's Report made under the decree of October 15th: 1867, with interest now $1218.95. part thereof from January 22nd: 1868 till paid, and out of the proceeds of said bonds and said lastnamed balance pay the unpaid costs of this suit, if any, and then pay the several debts due by said Edwin E Phillips as set forth in Commissioner Prentis's Report aforesaid in Account B, and the debt due Exum L. Eley Administrator of Jno. H. Turner, as shewn by his said petition, of $168.00 with interest from the 13th day of February, 1860. The Court doth further adjudge, order and decree that said Commissioner, on the payment of the said bonds of the said purchasers shall execute and deliver to the said purchasers good and sufficient deeds for the respective tracts of land purchased by them, with special warranty in the usual form, and make report to Court of his proceedings under this decree, and the Court, by consent of parties doth further adjudge, order and decree that the further consideration of the bond filed with the petition of E. S. Wright, Administratrix of T. S. Wright, be continued.

A Copy

Teste,

Peter B. Prentis. Clerk

All Available Text Successfully Captured

To the Circuit Court of [illegible]
County

The undersigned respectfully reports, to the Court, that pursuant to the decree of the 19th day of April 1870 made in the Cause of Edwards & Phillips admr & al. he has rec'd of the Clerk of said Court, the Several Bonds for the purchase of lands, sold under former decree of this Court, in this cause and has collected some, and has made to the parties [illegible] with Special Warranty in the usual form.

The following Statement will show his proceedings under said decree.

By Jeannie I. Phillips bond	$ 5859 63
Int from 5th Jan 1869 to Part paid to Int $ 400. on 6th April 1871 and $100. on same day.	
Jno. W. Cowlings bond	337.25
Int from 5th Nov 1869.	
Z. Bailey 5th (Paid in full)	10.12
Ulrich Brinckerhoff bond	175 25
Int from 5th Nov 69 to Jan 1870. Paid in full	11 09
John P Richardson Bond	2.37 56
Int from 5th Jan 1869 to 7th Jan 1870 Paid in full	8 31
Jno J McClintock bond	1947 36
Int from 5th April 1869 to $669.77 paid 1st Dec 1870	
Robert Prentiss bond	7.1 00
Int from 8 Nov 1869 to Jan 5/70 Paid in full	248
	$ 8660.13

All Available Text Successfully Captured

To amt brought forward $8868 13

By Sum Godwin bond 475 00

Int from 8th November 1868 to
$109 paid 10th Dec 1870 &
$100 paid 10 Oct 1871

By balance of Int & Principle due
Estate on commissioners case (unpaid) 1234 91

By Int on $1218 95 from this date
from Jany 22nd 1868 to 1037 0 04

Total assets

To paid out as directed by
said decree of Lenoir Court 1870
as follows:
To Jno R Kelly attorney for
Gill Briggs Exor of Mrs Hall
bals on Judgements & Int 154 08

To Jno R Kelly atto for Jno R.
Conoley debt & Int 98 49
" Sam Eley 346.00
" D W Darden 41 82
" Wm H Tyson 55 21
" Wm Glover 5 75
" Sallie Ann Eley Exor of Jno
Eley dec 500 57 $2087 62

To Jno R Kelly atto for Bass & Wilson 1 44 00
" paid D. W. Duke Jan " 32 40
Leaving the following debts unpaid
viz. Nathan Mundford 508.08
& Int on 346.35 from this date
18th April 1868 To.

Hiram H Edwards (Jno R Kelly
attorney)
Int on $220.02 from 18th April 68 To. 298.12

To amt brought forward.

To Jno R Kelly atto for Dempsey
Whitehead 176 91
Int on $185.10 from this date
18th April 1868 to

To John R. Kelly atto for D. W. Duke 633 90
Int from 18 April 1868 —

To Wm Eley Shff & Commissioner of Hiram Barden
Barden 1030 86
Int from 18th April 1868 on $85 & 80
from this date to.

To Jno R Kelly atto for Bass & Wilson 162 30
Int on $108. from this date from 18th April 68
to

To Jno R Kelly atto for H H Sum 337 77
Int on $238 25 from this date from
18th April 1868 To.

To Jno R Kelly atto for Geo W Darden 54 30
Int from 18th April 1868 on $50 32 To.

Jno R Kelly for G. W Darden.
Int on $28.25 from 18 April 1868 To. 30 52

To Jno R Kelley atto for Wm A Bethea 82 56
Int on $76 50 from April 18/68 To...

To Jno R Kelley atto for Elverton Ashburn 9 45
Int on $8.25 from April 18/68 To.

To John R Kelley atto for Robinson & Watkins 35 95
Int from 18th April 1868 on $25 To.

To John R Kelley for M H Watkins 14 23
Int on $10. from this date from 18 April 68 To.

To C I S Kay clerk atto for E L Eley admr
of Jno W Turner
with Int from 13th Feby 1860 To. 168 00

1871 Dec 22, Rec'd. of the clerk of this Court the Bond of Wm. J. Phillips & of $1947.50 with sureties as same also. Nannie J Phillips Bond for $5359.63 with sureties & Same Goodwin Bond for $478 with sureties, Delivered under decree of Oct. Court 1871

John R Killy
for N. P. Phillips Com

Edwards &
vs
Phillips &c
Report

Filed Oct. 11 1871

The undersigned Bond by Assignment of Wm. Simpson, Thomas Eaton & Thomas Eaton. As Executors of Jesse Phillips Dec'd

Oct. 11 1871

At a Circuit Court, held for Nansemond County.
the 15th day of October 1867.
H. H. Edwards, who sues for himself and all
other Creditors of Edwin E. Phillips deceased Complainants.
against Ex. In Chancery.
Nannie J. Phillips, administratrix of Edwin
E Phillips deceased, and in her own right, Defendant.
This cause came on this day to be heard, on the
Bill, taken for confessed as to the Defendant, on
whom process had been duly served, she still
failing to appear and make defence, 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 Commissioner of this Court, proceed
to take the following accounts
First an account of the transactions of said
Nannie J. Phillips, as administratrix, of
Edwin E Phillips deceased.
Second, an account of the Debts and demands
against said decedent or his Estate and
their Priority.
Third, an account of the real Estate, whereof the
said Edwin E Phillips died seized and possessed
and its fair simple and annual value;
And make report of any matters specially
stated deemed pertinent by him or that any
of the parties may require to be so stated

and that the said Commissioners publish notice of the time and place of taking said accounts, for four successive weeks in the Christian Sun a newspaper published at Suffolk, which shall be equivalent to, and in lieu of personal service of such notice on the parties.

A Copy.

Test.

Peter B. Prentis. Clerk.

W. W. Edmonds, Esq. & others &c
Exhibit
Va. & Co: Decree
Edwin E. Wellons' Admx &c

COMMISSIONER'S OFFICE.
Suffolk, Va., December 16, 1867.

TO H. H. EDWARDS, WHO SUES FOR himself and all other creditors of Edwin E. Phillips, deceased.

Complainant.

IN CHANCERY,

And

Nannie J. Phillips, Administratrix of Edwin E. Phillips, deceased, and in her own right.

Defendant.

You are hereby notified, that I have fixed upon Thursday, the 30th day of January 1868, if fair, if not, the next fair day thereafter, (Sunday excepted) to take and settle at my office, the following accounts required to be taken by the Decree of Nansemond Circuit Court, rendered on the 15th day of October 1867, in a suit in Chancery depending in the said Court, and, in which you are parties, Complainant and Defendant.

First.—An account of the transactions of Nannie J. Phillips, as Administratrix of Edwin E. Phillips, deceased.

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

Third.—An account of the Real Estate, whereof the said Edwin E. Phillips, died, seized and possessed, and its fee-simple and annual value. And 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.

PETER B. PRENTIS,
Commissioner.

de20-4t

I do hereby certify that the annexed notice has been published in the "Christian Sun" for four successive weeks, and that the price charged is according to our regular advertising rates. Given under my hand this 11th day of January 1868.

Price of advertising $9.50

W. B. Wellons
Ed. & Proprietor.

(a)

Dr: The Estate of Edwin E. Phillips deceased,

In Account with Nannie J. Phillips Administratrix. Cr:

1866. Nov: 12	(The Admx qualified)					
" " "	To Cash paid for U.S. Int: Rev: Stamps	#	3	00	"	"
" Decr: 19	" do do Thos J. Clements, Crier at Sale, pr.ad		15	00	"	"
" " 22	" " " Jesse Phillips, for Line do		32	00	"	"
" " "	" " " Charles Phillips do	"	22	50	"	"
" " "	" " " Jos: Hargrave "	"	13	00	"	"
" 25 "	" " " Matilda Hargrave "	"	13	25	"	"
1867. Jany: 1	" " " Jos: E. Jenkins for Keeping Acco: Sales	"	10	00	"	"
" " "	" " " Thos Griffin, for bricks for grave & hauling same	"	16	50	"	"
" " 7	" " " Jno: C. Underwood for furnishing hands, having grave dug & Superintending same	"	5	00	"	"
" " "	" " " Shff: Isle of Wight Co: Taxes for 1866	"	7	49	"	"
" " 22	" " " Archd Nelms, for: acco.t	"	1	34	"	"
" " 24	" " " Mills E. Cowling's admr: for: dot	"	15	52	"	"
" " 25	" " " Shff: Nansemond Co: Taxes for 1866	"	30	54	"	"
" " 29	" " " N. P. Phillips for 1/2 of a Cotton-gin	"	125	00	"	"
" Feby: 12	By Cash of Lyttleton Hicks, for two casks	"	"		1	00
" " "	" do " Silas Gray	"	"		"	50
" " 20	" " " Wm: Creecy for a bush.l of Potatoes	"	"		1	00
	Amts: Carried forward	#	312	14	# 2	50

1867. Feby: 20	Amts: Brot: forward			$ 312	14	$ 2 50
" March 4	By Cash of N. P. Johnson for old iron			"	"	3 00
" " "	" do " J. W. Parr for rent			"	"	12 50
" " 26	" " " Geo: W. Briggs for leather			"	"	7 00
" " "	To Cash paid Sheff: of Isle of Wight Co:					" "
	~~pay on small piece of land purchased~~			"	34	" "
" " "	" do do N. P. Phillips for land rent			11	80	" "
" " "	" " " Geo: W. Briggs for acco: & d			15	03	" "
" " "	" " " Same Exr: of Merl-Briggs dec'd			16	19	" "
" May 13	" " " Jno: W. Hall postage acco:			"	10	" "
" " 16	" " " Henry Holland for bricking grave		do "	2	00	" "
	By Amo: of Acco: sales of Chattel Estate			"	"	2293 13
	" do " Jno: T. Phillips for old iron			"	"	" 60
	" " " Jno: E. Denson for shucks			"	"	4 05
" June 15	" " " Caleb Jackson for rent			"	"	30 00
" " "	" " " N. P. Phillips for iron			"	"	1 20
" " 17	To Cash paid B. C. Eley for land rent:			101	03	" "
" Sept 25	" do do Jno: R. Kilby " acco: rent			10	00	" "
" " "	" " " E. P. Tabb & Co: " do			74	87	" "
" " "	" " " Leigh & Bro " land "			161	21	" "
	By cash of Mrs: Durrett Harrell			"	"	" 50
	" do " N. G. Norfleet for Cotton seed			"	"	2 50
	" " W. W. Joyner for a mile-stone			"	"	50 00
" Oct: 14	To Cash paid R: J. Lucas's Admr: for land rent			11	47	" "
" Nov: 12	" Commn: at 5 pr: cent on $2406:98 (receipts)			120	35	" "
" " "	" this sum to bal: acco:			1570	45	" "
	Carried forward			$2406	98	$2406 98

1867. Nov: 12	By Balance due Estate, at annual rest brt: on.			"	$1570	45
" " 25	" This sum received of John T. Phillips				936	12
" " "	" do. do. do				51	25
" "	" " " Levy Ricks on a/c				2	14
" " "	To Cash paid Samuel Eley, for due bill brot	31	97			
" " "	" do. do. Same for bond brot	945	00			
" " "	" " " Same, in part of a due bill of Phillips & Eley for brot	32	62			
" Dec: 21	" " Andrew McAlister for note brot:	136	87			
1868. Jany: 22	" " Arthur E. & Hall, for Coffin, &c for bill brot do	85	00			
" " "	" " Clerk's Tickets for tickets	11	50			
" "	" " Sheff: of Nansemond. taxes (1867)	"	48	57		
	" Comm: & 5 p: Ct on $989:51 (rects) since annual rest	49	48			
" "	" This sum to balance acco:	1218	95			
" " "	By int: on $1570:45 since annual rest	$15:96				
		$15:96	$2559	96	$2559	96

1868. Jany: 22	By Bal: due Estate brt: down (Principal)	"	"	$1218	95	
" " "	" do do do do (Interest)	"	"	15	96	
	Total Bal: due Estate	"	"	$1234	91	

(B)

An Account of the Debts and Demands against Edwin E. Phillips or his Estate and their dignity

First Class – None

Second Class – None

Third Class

Creditor's Atty: Kilby	To Nathan Mumford. Judgment obtained at June Term 1861 of Nans^{d} Co: Co^{t} vs said Edwin E. Phillips, who was Co-security with E.C. Pruden for J.J. Pruden		$ 346	35	
	" int: from 3^{d} Dec: 1860 to 18th April: 1868		153	25	
	Costs		8	48	$ 508 08
Kilby	To George W. Briggs, Executor of Merid- Briggs decd . . Judgment obtained in Cir: Co: of Nansemond Co: at April Term 1861 vs said Edwin E. Phillips who was Co-security with George Goodson for Wm: H. Goodson		$ 251	32	
	" int: from 1st: July: 1861 to 18th April: 1868		110	06	
	Costs		8	97	$ 370 38
Kilby	To John P. Cowling, a son of John M. Cowling, and ward of said Edwin E. Phillips this amount, which was on deposit in the Norfolk Savings Institution to the credit of said ward, and drawn out by said Edwin E. Phillips on the 18th: Nov: 1859		$ 527	75	
	" Compound Int: from 18th Dec: 1859 to 18th April: 1868		330	18	$ 857 93
	Total Third Class Debts				$ 1736 36

Creditor's Ally: Fourth Class

Kilby	To H. H. Edwards Acct:			#	220	02
	" int: fm: 15th: May 1862 to 18th April 1868				78	10 # 298 12
Kilby	To Dempsey Whitehead (2) Bonds			#	155	10
	" int: fm: 14th: Decr: 1865 to 18th Apl: 1868				21	81 # 176 91
p. p.	To Samuel Eley Bond			#	238	53
	" int: fm: 21st: Jany: 1861 to 25th Nov: 1867				97	95
				#	336	48
	Cr:				32	62
				#	303	86
	" int: fm: 25th Nov: 1867 to 18th Apl: 1868				7	23 # 311 09
p. p.	To David W. Duke Bond			#	563	00
	" int: fm: 25th: Septr: 1861 to 1st: Jany: 1866				144	03
				#	707	03
	Cr:				150	00
				#	557	03
	" int: fm: 1st: Jany: 1866 to 18th April 1868				76	87 # 633 90
p. p.	To Wm: Eley, Sh'ff: & Commee of Mary Prudew decd Bond			#	850	00
	" int: fm: 8th: June 1864 to 19th Aug: 1865				56	80
				#	906	80
	Cr:				18	00
				#	888	80
	" int: fm: 19th Aug: 1865 to 18th April 1868				142	06 # 1030 86
Kilby	To Basil W. Wilson Bond			#	100	00
	" int: fm: 1st: Jany: 1858 to 18th April 1868				62	30 # 162 30
	Carried Forward					# 2613 18

Auditor's Ally:	Brot: forward			$	2613 18
Kilby	To P. N. Lee, assignee of Geo: W. Whitley. Bond	$ 238	21		
	" int: fm: 1st: May 1861 to 18th Apl: 1868	99	56	$	337 77
K	To Wm: A. Darden	$ 32	14		
V	" int: fm: 23rd: Decr: 1866 to 18th Apl: 1868	2	54	$	34 68
K	To Ro: H. Tynes	$ 42	68		
V	" int: fm: 23rd: Decr: 1866 to 18th Apl: 1868	3	37	$	46 05
K	To Geo: W. Darden	$ 50	32		
	" int: fm: 23rd: Decr: 1866 to 18th Apl: 1868	3	98	$	54 30
K	To Same	$ 28	28		
	" int: fm: 23rd: Decr: 1866 to 18th Apl: 1868	2	24	$	30 52
K	To W. A. Butler & Co:	$ 76	50		
	" int: fm: 23rd: Decr: 1866 to 18th Apl: 1868	6	06	$	82 56
V	To William Cherry acct:	$ 5	75		
	" int: fm: 1st: Jany: 1862 to 18th Apl: 1868	2	18	$	7 93
Kilby	To Elisha Ashburn Due Bill	$ 8	25		
	" int fm: 15th: Novr: 1865 to 18th Apl: 1868	1	21	$	9 46
K	To Ashburn & Watkins acco:	$ 25	00		
	" int: fm: 1st: Jany: 1861 to 18th Apl: 1868	10	95	$	35 95
K	To M. N. Watkins Curator for B. E. Darden Due Bill	$ 10	00		
	" int: fm: 30th: March 1861 to 18th Apl: 1868	4	23	$	14 23
	Total Fourth Class Debts			$	3266 63

(6)

An Account of the Real Estate, whereof Edwin E. Phillips died seized and possessed, and its fee-simple and annual value.

	Fee Simple Value		Ann'l Value	
An Undivided Moiety of a Water grist Mill & saw-mill & land attached &c	$ 1500	00	$ 330	00
A Farm of 500 acres, more or less with large new dwelling &c	$ 5500	00	$ 300	00
The Allmand House & Lot of 4 acres	$ 300	00	$ 30	00
The Hutchins Farm of 30 acres, more or less	$ 800	00	$ 00	00
The Milner's Farm of 330 acres do do	$ 1200	00	$ 70	00
The Harris Land of 150 acres " "	$ 650	00	$ 00	00
The Pinner's Quarter Land of 150 acres " "	$ 450	00	$ 00	00
The Clarke Land of 100 acres " "	$ 300	00	$ 00	00
One fourth (1/4) of the Holloway place	$ 80	00	$ 8	75
The Wharf Track of 25 acres, more or less	$ 20	00	$ 00	00

(See Deposition of Dr. Geo: W. Briggs returned herewith)

Commissioner's Office.
Suffolk, Va: June: 30th: 1868

H. H. Edwards, who sues for himself and all other Creditors of Edwin E. Phillips deceased.

vs

Nannie J. Phillips, Administratrix of Edwin E. Phillips deceased, and in her own right.

This day Dr: Geo: W. Briggs being duly Sworn, says, That he is quite familiar with the Real Estate, whereof Edwin E. Phillips died seized and possessed, and he considers it's fee-simple and annual value to be as follows: to wit:

	Fee Simple.		Annual	
An undivided moiety of a Water Grist Mill & Saw Mill and fourteen acres of land attached, and all rights & privileges belonging thereto	$ 1500		$ 350	
The Farm of 300 acres, more or less, near the Mill and on which said Phillips resided, at his death	$ 5500	00	300	00
The Almond House Ld of about 4 acres, adjoining the Lands of Merit Briggs' Estate	$ 300	00	30	00
The Hutchins Farm of more or less	$ 800	00	00	00
The Milner's Farm of more or less	$ 1200	00	70	00
The Harris Land of 150 or 200 acres, more or less	$ 650	00	00	00
The Sinners' Quarter Land of 150 acres, more or less	$ 450	00	00	00
The Clarke Land of 100 acres more or less.	$ 300	00	00	00
One Fourth of the Holloway place	$ 80	00	8	75
The Wharf Tract of 25 acres, more or less	$ 20	00	00	00

Sworn to before me in my office the day & date above. Peter B. Prentis. Commr.

Geo W Briggs

Commissioner's Office
Suffolk Va March 3rd: 1868.

To the Circuit Court of Nansemond County:

Pursuant to a Decree of the Circuit Court of Nansemond County, pronounced on the 15th: day of October 1867, in a suit in Chancery depending in the said Court between H. H. Edwards, who sues for himself and all other creditors of Edwin E. Phillips deceased, Complainants, and Nannie J. Phillips, Administratrix of Edwin E. Phillips deceased and in her own right, Defendants, The undersigned, one of the Commissioners of the said Court, to whom was referred for settlement, by said decree the following accounts, to wit:

First: An Account of the transactions of Nannie J. Phillips, as Administratrix of Edwin E. Phillips deceased.

Second: An Account of the debts and demands against said decedent or his estate and their degree.

Third: An Account of the Real Estate whereof the said Edwin E. Phillips died seized and possessed, and its fee-simple and annual value.

Reports to the Court, that on the 16th: day of December 1867, he issued notices against the parties, Complainant and Defendant, aforesaid, requiring them to attend the settlement of the said accounts, before him, at his Office, on 30th day of January 1868 which said Notice was published once a week for four successive weeks in the "Christian Sun", News paper published at Suffolk as directed by said decree - Certificate of which said Publication is hereto appended.

That the parties appeared before your Commissioner, and he thereupon began the examination of Vouchers and to state and settle the said accounts, and which was adjourned and continued from day to day

until concluded. That he has stated and settled the foregoing account of the transactions of Nannie J. Phillips as Administratrix aforesaid (Marked A) up to the 22nd. day of January 1868, and in that day finds a balance due the said Estate of $1234:91c. of which, $15:96c is interest.

That by account (Marked B) your Commissioner reports the amounts of all debts and demands against the aforesaid decedents or his Estate and their degree, and has ascertained and reports $1736:36c as the amount of Debts of the Third Class, and $3266:63c as the amount of the Debts of the Fourth Class - there being only two classes - Total Debts & Demands $5002:99c

That he reports by Account (Marked C) the fee-simple and annual value of the Real Estate, in the proceedings mentioned.

That Your Commissioner further reports to the Court, that after the completion of said accounts, he retained the same in his Office, ten days, for the examination of the parties, during which time no exceptions were filed thereto, and now the same with the Decree, Notice and Depositions are returned herewith.

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

Peter B. Prentiss, Commissioner

H. H. Edwards &c

vs & Commrs Report

Nannie J. Phillips, Admx:
of Edwin E. Phillips decd
and in her own right.

1868
March 3rd: Completed
Filed in my Office.
Peter B. Prentis.
Commr:

1868. March 12th Filed
Clk:

N. H. Edwards who sues for himself and all other creditors of Edwin E. Phillips dec'd who may make themselves parties on the usual terms.

vs

Nannie J. Phillips admx of Edwin E. Phillips deceased & in her own right.

Claims

N. H. Edwards acct. (filed in suit) $231.60

1 Int from 1 March 1862.

E. S. Jaffray acct 110.04

2 Int from 18 Oct 1861.

Paid Benj. C. Eley. Bond vs Phillips & Eley $150.72

3 Int from 12 Oct 1861.

P. H. See agent of Geo. W. Whitley v. H. S. Eley & E. E. Bond $238.21

4 Int from 1 May 1861

Leigh & Bro. vs Phillips Eley, Bond $224.42

5 Int from 14 Aug 1861.

To Wm H. Darden
" Ro. H. Tynes
" Geo. W. Darden
" Do.
" W. A. Butler & Co. / Tynes & Darden
" Jno. R. Kelly Darden

(on acct. of Jno. M. Conley's matters)

32.14
42.68
50.32
28.28
76.50
10.00

Kirby pt. V

N. H. Edwards &c

vs

Clay

Edwin E. Phillips
et al &c

set Mumford Jud.
v. Prudom. &c.

(No part of the
record)

To Marysville, 1867
Supm. Ct. Cir. Ct.

Leigh Abbo
1867

Wmsport Sept 11th 1867

Jno R Kirby Esqr

Dear Sir

Manuscript
of the C.S. came to hand during the absence of the writer from the City. In reply I have no desire to address the daughter of Jno Ely. I leave the settlement of our claim with you to act as you think best. $87.50 will be satisfactory under the circumstances

Yr Respectfully

Jas. H. Keyser

W. A. Butler Adm.

vs

Jno. M. Conlins

Ind. June Ct. 1837

Dr. $114.93 Int. from

2d. April 1836 & $6.81

Costs.

M. Briggs v. Do.

This claim
delivered to Conlins
Ind.

E Eubanks
Estate

25 acres in lot called
Wash Tract adj J. Ayler & c

Make out a List of E. E. Pleiter's
Lands Home farm about 200 acres
In Pleasant Mountain 141 acres
The Almond Home Lot 4 acres
The Hackney farm acres
Millsons Farm ~~330~~ "
The Harris Land 150 & 200 "
Pleasant Mountain 150 ~~Pleasant Mountain 200~~
The Castle Land 100 - 1/4 of Hackney's Farm

$238.21

On demand we promise to pay unto George W Whitley or order Two hundred and thirty eight dollars & 21 cents for Value received for which payment well and truly to be made we bind ourselves our heirs & firmly by these presents Witness our hands and seals this first day of May 1861.

H. S. Ely [seal]

E. E. Phillips [seal]

1866 Dec 15. Jno Valentine rec'd of Capt Jas
the within Bond & P. H. &c.

George W. Whitney

Edwin Phillips

$ 8.25

(204)

1825

Nov 13th 1825

Due Elisha Ashborn Eight dollars and Twenty five cents for due bill lost

E. C. Phillips

N. L. Brayton
Offr. A. Butler
Sec'y

Conley

assumed by E E
Blackstock (Sec.)

Jno. R. Hubby
Receipt

Rid. & also in
Deed of Trust

1857 apl. 23. Recd. of Wm. a. Butler & Co.
a Bond executed by Jno. M. Cowling
for one hundred and fourteen Dollars
& ninety three cents due 23d apl 1856
on which suit is to be brought.

John R Kelly

W. N. Darden	℔ 68.37
Geo. W. Darden	107.07
Ro. N. Myers	90.74
G. W Darden	60.19
	℔ 326.37
W. A. Butler & Co.	162.84
	℔ 489.21
	47 per ct
47 per ct. gross	3424.47
To W. N. Darden ℔ 32.14	19584
" Geo. W. Darden ℔ 50.32	℔ 229.92 87
" Ro. N. Myers ℔ 42.68	
" G. W. Darden ℔ 28.28	
	℔ 153.42
W. A. Butler & Co	76.50
	℔ 229.92
Cooper	10.00
Clerk	2.00
amt. due	℔ 241.92 and

a summons to ~~be paid~~ by E. E. Phillips

Bond belonging to Jenny
heirs of Jno. M. Cushing
assigned on deeds of trust
to me

Cushing v. Bedsole

$ 87.40 On demand we promise to pay to Wm Hayden or his order, the just sum of Eighty Seven Dollars Forty — cents Current money of Virginia: It being for value Rec^d. The true payment of which well and truly to be made: We bind ourselves our heirs &c firmly jointly by these presents. As witness our hands and seals this 2nd day of April 1833

Teste
C. B. Hayden

John M. Cowtery [illegible]

Jany 5, 1836 Recd Thirty
Dollars in pacts of the within
Wm Hall

Jno. M. Gourley
#87/48

E. M. Coombs

Pond

$ 37.50 cts On demand we or either of us promise to pay to George W. Watson or his order, the sum of Thirty seven Dollars and fifty cts for value Rec'd. as witness our hands and seals this 1 — day of December 1856

Jno. McLowling (L.S.)
(L.S.)

Jan 5th 1855 Rec'd
Fifty Dollars in part
of the within

G W Harden

P.M. Cowling
Bond

April 7th
1856 Rec'd
Twenty five
Dollars a
part of the
within

G W Harden

$ 133.87½ On demand we promise to pay to George W Gardner, or order the just and full sum of One hundred & thirty three Dollars 87½ cents, Current money of Virginia, it being for value Rec'd The true payment of which well and truly to be made — We bind ourselves our heirs &c firmly jointly &c as Witness our hands and seals this 3rd day of Decem 1855

Ro W Eibby

Jno M Fowling (Seal)

(Seal)

$55.50

On demand I promise to pay or cause to be paid to R. H. Jones, the just and full sum of fifty five dollars and fifty Cents, it being for value received, for the true payment of which I bind myself myheirs, executors administrators & assigns, as witness my hand and seal this 29 day of May 1857.

Jr. M. Cowling (Seal)

This bond is placed in my hands as trustee for benefit of Chas Ivy
& all his property —

R. Mitchell

P. M. Pershing &
$3.50
Note

Wm. A. Butler & Co

v

Jno. M. Conling

(In Deed of Trust
~~to~~ mentioned

$ 99.37

Interest 23
April 1856 to
23 Dec 1866 $ 43.47

$ 162.84

Conling
Wm
M. Butler
Co.

Chuckatuck Va June 11th/60

Mr R.D. Whitfield

Dear Sir

The Amount of John M. Cowling Note payable to Wm A. Butler & Co is $ 99.37/100 dated the 23rd day of April 1856 as per Settlement on Ledger

Respectfully Yours
Wm. A. Butler

Wm R. Butler

vs

Jno M Cowling

John M. Cowling

1855

To Wm. N. Butler & Co Dr

To Amt Note dated April 23. 1855

And in hands of J. R. Kirby $ 99 37 #.

B

L. 8 Se

Page 141-1

The Commonwealth of Virginia,

To the Sheriff of Nansemond County---Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON *Nannie J. Phillips, Administratrix of Edwin E. Phillips deceased, and in her own right.*

to appear at the Clerk's Office of our *Circuit* Court, for the County of Nansemond, on the first Monday in *May* next, 1867, being rule day, to answer a bill in chancery, exhibited against *her* by *H. H. Edwards, who sues for himself and all other creditors of Edwin E. Phillips deceased, who may make themselves parties on the usual terms.*

and unless *she* shall answer the said bill by the next rule day thereafter, the Court will take said bill for confessed, and decree accordingly.

And have then and there this writ. *Witness*, PETER B. PRENTIS, Clerk of our said Court, at his Office, this *3rd* day of *April* 1867, and in the *91st* year of the Commonwealth.

Peter B. Prentis. *Clerk.*

☞ The Sheriff will, in his return, note the day on which this process is executed on each Defendant.

Kilby p. 9

H. H. Edwards, who sues &c

vs } Sum.s in Chy.

Nannie J. Phillips, admx of Edwin E. Phillips decd

To May Rules 1867

Pro. & No. 1. Page 23

Cir. Co.

Executed April 16th 1867 & a true Copy hereof delivered to Nannie J. Phillips admx &c of Edwin E. Phillips decd

Thos Clay Shff

Debts yet due by Edwin E. Phillips' Est.
and to be paid under Decree of Ct. Court 1871
(Edwards &c. vs. Phillips' adm'r &c.)

To Nathan Mumford ₰ 508.08
" Int. on ₰ 346.35 part thereof from
18th April 1868 to 18 Feb
1872 — 3 yrs 10 mo. 80 62
₰ 588 70

To N. N. Edwards ₰ 298.12
" Int. on ₰ 220.02 from 18 Apl 1868
to 18th Apl 1871 — 3 yrs. 39 60
₰ 337 72
Cr. Paid by E. P. Phillips Com — 146 99
₰ 190 73
" Int. from 18th Apl 1871 to 18th Dec
1871 — 8 mo. 7 62 ₰ 198.35

To Dempsey Whitehead ₰ 176.91
" Int. on ₰ 155.10. part thereof
from 18 Apl 1868 to 18 July
1872 — 3 yrs. 10 mo 36.74 ₰ 213.65

To D. W. Burke ₰ 633.90
" Int. on ₰ 557.03 from 18 Apl 1868
to 18 Apl 1871 = 3 yrs. 100 26
₰ 734 16
Cr. Paid by E. P. Phillips Com 132 60
₰ 601 56
" Int. from 18 Apl 1871 to 18th
July 1872. 10 mos 30 07 ₰ 631.63

To Wm Eley Ch. & Com. of Mary Pruden ₰ 1030 86
" Int. from 18 Apl 1868 on ₰ 888.80
to 18 July 1872 — 3 yrs. 10 mo 204 40 ₰ 1235.26

To Basil W. Wilson ₰ 162 30
" Int. from 18 Apl 1868 on ₰ 108.
part thereof to 18 Feb 1872. (3 yrs 10 mo.) 23 84 ₰ 186.14
₰ 3053.73

Rg ans. Int. on			℔3053.73
To P. H. Lee		℔337.77	
" Int. on ℔238.21 part thereof from 18 Apl 1868 to 18 Feb 1872, 3 yrs, 10 m		54.78 ℔	392.55
To Geo. W. Darden		℔ 54 30	
" Int. on ℔ 50.32 part thereof from 18 Apl 1868 to 18 Feb. 1872 — 3 yrs. 10 m.		11 53 ℔	65.83
To Geo. W. Darden		℔ 30 52	
" Int. on ℔ 28.28. part thereof from 18 Apl 1868 to 18 Feb 1872 — 3 yrs. 10 m		6 48 ℔	37.00
To W. A. Butler 460		℔ 82.56	
" Int. on ℔76.50 from 18 Apl 1868 to 18 Feb 1872. 3 yrs 10 mo		17 49 ℔	100.05
To Elisha Ashburn		℔ 9 46	
" Int. on ℔ 8.25 from 18 Feb 1868 to 18 Feb 1872. 3 y. 10 mo		1 88 ℔	11.34
To Ashburn & Watkins		℔ 35.95	
" Int. on ℔ 25. as above. 3 y. 10 m		5 75 ℔	41.70
To M. H. Watkins		℔ 14 23	
" Int. on ℔ 10. as above 3 y. 10 m.		2 30 ℔	16,53
To E. L. Ely adm. of J. W. Turner dec		℔ 168 00	
" Int. from 13 Feb 1860 to 18 Feb 1872. 12 yrs. 5 ds		121. 10 ℔	289 10
To A. S. Darden		℔ 66 57	
" Int. from 3 June 1865 to 18 Feb 1872 — 5 yrs 8 m. 15 ds		22 78 ℔	89.35
Total			℔4097.18

Debts.

KNOW ALL MEN BY THESE PRESENTS, That we Nathaniel P. Phillips and Samuel Eley

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA, in the just and full sum of Five Thousand dollars, to the payment whereof well and truly to be made to the said Commonwealth, we bind ourselves, and each of us, our, and each of our heirs, executors and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this 11th day of October in the year one thousand eight hundred and sixty — nine, and in the 94th year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound Nathaniel P. Phillips, who was by a Decree of the Circuit Court of Nansemond County, pronounced on the 20th day of April 1869, in the cause of N. N. Edwards, who sues for himself and all other creditors of Edwin E. Phillips deceased (complainant) against Nannie J. Phillips, Administratrix of Edwin E. Phillips deceased, and in her own right, Defendant, appointed a Commissioner to make sale of certain Real Estate, in said Cause described,

under said Decree, and any other he might be required to execute in said Cause

shall faithfully discharge the duties of his said trust, then the above obligation to be void, or else to remain in full force and virtue.

Executed in presence of P. B. Prentis

N P Phillips SEAL.

Samuel Eley SEAL.

SEAL.

SEAL.

SEAL.

Nathaniel P. Phillips.

Commr:

To } Bond

Commonwealth.

Octo: 11th: 1849 Executed Filed

Coots

Costs

Clerk	$15.00
Atto: Fee & Stamps	31.00
Sheff	50
Coroner	30.00
Printer	7.50
	$86.00