

1898-003
Nansemond Co (Suffolk)

Chancery Causes: Fannie S. Pittman vs Nannie R. Pruden et al

WILKERSON

Fannie S Pitman

vs In Chancery

Nannie R Pruden

Att Baker Shff Admr &c

1898 October 13th

Final Decree.

Costs

Clerk	1052
Shff	100
Comm.	750
Tax	150
Atty.	1500
	<u>\$3552</u>
Contd.	765
	<u>\$4317</u>

5507
1383
6750
175
7775

Fannie S Pittman
vs In Chancery
Asst Baker Shff Admr &c
Chancery Notes.

1897 Jan'y 9th. Process issued returnable to
February Rules first Monday.

" Feb'y 1st. Process Returned executed on
Adult defendants. Bill filed and
decree nisi vs adult defendants.

J W Burgess appointed Guardian
ad litem for infant defendants.

" " 15th. Answer of Gdr ad litem filed
Decree nisi Confirmed and
cause set for hearing

To the Hon. Robert R. Prentiss Judge
of the Circuit Court of Nausumud
County:-

Humbly complaining sheweth unto
your Honor your oratory Fannie
S. Pittman the following case:
that on the 10th of March 1888 her
son former P. Pruden departed this
life, seized and possessed of the
following Real Estate to wit:-
one undivided one half interest in
and to a certain Tract of land
lying in Chuckatuck District in
Nausumud County Virginia on
the public road leading from
Reed's Ferry to Chuckatuck suf-
ficed to contain 138 acres and
adjoining the lands of J. Holliday
Parker, C. T. Minton and Dr. Geo.
W. Butts and being the same
land that was conveyed to the
said former P. Pruden and Po-
camountas C. Wilkerson by your
oratory of date dated July 1st
1886 a copy of which is
herewith filed marked exhibit "A"
and prayed to be taken as a
part of this bill.
And your oratory further says that

she obtained a judgment in the
Circuit Court of Nausumund County
at the October Term 1886 against
A. H. Baker Sheriff of Nausumund
County and as such Administrator
of the estate of the said James
P. Prudden for the sum of \$700.
with interest thereon from 3rd day
of Aug. 1889 ^{it being the purchase price of said land} till paid, and \$7⁶⁸/₁₀₀ for
costs upon which judgment a
writ of fieri facias was duly
issued from the Clerk's Office of
said County directed to the Sheriff
of the said County, which was placed
in the hands of the said Sheriff for
execution and on the return day
thereof was returned by the said
Sheriff with the following return
enclosed therein to wit: "I can
find no property to satisfy the
within judgment on any part thereof.
J. Dec. 2^d 1886, A. H. Baker Sheriff."
A copy of which judgment and execution
and return is herewith filed marked Ex "C"
and proposed to be read as a part of this bill.
And your writing further says that
on the death of the said James P.
Prudden he left his widow

Nannie R. Prudden and four children to wit: - P. E. Prudden, J. E. Prudden, L. O. Prudden and Leslie Prudden all of whom are now under the age of fourteen years the oldest not being quite nine years of age:

That at the August term of the County Court of said County 1896 A. H. Baker the sheriff of said County was made administrator of the estate of the said former P. Prudden by having said estate committed to his hands by an order of said Court a copy of which order is herewith filed marked Exhibit "B" and is to be read as a part of this bill.

Now your petition further says that no part of her said judgment has been paid and that the same is a lien on the said interest of the said former P. Prudden in the said real estate; and that the said real estate will not rent for enough in five years to satisfy said judgment. In tender consideration whereof

and inasmuch as your petition
is remediless in the premises save
by the aid of a Court of equity
where matters of this kind are
alone and properly cognizable
your petition prays that the said
Warren R. Prudden, A.H. Boken
Sheriff of Nassau County and
Administrator of the estate of the
said James P. Prudden, P.E.
Prudden, J.E. Prudden, L.O. Prudden
and Leslie Prudden, may be made
party defendants to this bill and
required to answer the same
tho' on answer under oath is
waived; that proper process
may issue; that a proper
guardian ad litem may be
assigned the infant defend-
ants and required to defend their
interest in this suit; that all
proper accounts may be taken;
and that the interest of the said
James P. Prudden in the said
real estate may be sold to sat-
isfy your petition's prayer
and for all such other further
and general relief on this score

may require or which to equity
may seem meet and your
acting will ever be my &c.
Hiram S. Pitman
By Counsel.

Virginia:

Nauesumund County to wit: -

This 5th day of January 1897
personally appeared before me in my
County aforesaid Hiram S. Pitman
and made oath that all the
allegations stated in the above
bill or coming within her own
knowledge are true and all
others resting upon the knowledge
or information obtained from
others she believes to be true.
Given under my hand this 5th
day January 1897.

R. H. Rawls Notary Public
for Nauesumund County Va.

Bill.

Fannie S. Pitman

vs

Nannie R. Pruden et als.

This cause came on this day to be again heard on the papers formerly read as well as on the report of R. H. Rawls, special Commissioner, showing distribution of purchase money and making of deed to purchaser, to which said report no exception was filed, and was argued by counsel. On consideration whereof the Court doth confirm the said report and deed, and it appearing that nothing further remains to be done in this cause it is ordered that the same be stricken from the docket.

Final Draw

Enter Octo. 13, 1878
Robert M. Huntis

Entered in
Chy OR 3
Page 169

Whereas William J. Kilby trustee by his
deed, does and admitted to
record in the clerk's office of Nan-
smond County Court the 24th day
of August A.D. 1882 in Deed Book
No 10 pages 613, 14 sold and conveyed
to Fannie S. the wife of Nathaniel
Pittman as and for her sole and
separate estate for her sole and
separate use and benefit a
certain tract, piece or parcel
of land situate lying and being
in Chuckatuck Magisterial Dis-
trict Nansmond County, Virginia
containing one hundred and
sixty three (163) acres more or
less and bounded on the north
and east by the land of Geo
W and Mary M Butts; on the
South by the lands of C J Minton
and on the Southwest by the County
road leading from the village
of Chuckatuck to Suffolk and on
the west by the lands of Joseph Hol-
laday Parker; and for a particular
and minute description of the
same by courses and distances ref-
erence is hereby had to said deed
which said land of 163 acres

as above decidered, was sold and conveyed to the said Fannie. S. Pittman as and for her sole and separate estate for her sole and separate use and benefit as aforesaid with power as in said deed specified to sell convey grant or mortgage the same or otherwise dispose of the same by deed or will as she may see fit with out the concurrence or consent of her said husband Nathaniel Pittman and free from any claim estate demand or interest he may set up in and to the same as fully and completely as if she were a feme sole and free from any claims or demands against said Nathaniel Pittman or debts due by him and unto her heirs and assigns forever And whereas the said Fannie. S. Pittman has agreed to sell to her children James. P. Pender and Pocahontas C. Wickerson the wife of George D. Wickerson (the said James. P. and Pocahontas C. being her children by her intermarriage with Clevis. C. Pender her former husband) the

tract of land aforesaid, less Twenty five (25) acres, a portion thereof which she heretofore is int: on the 1st day of January 1886 sold and conveyed to George W. Butts by deed dated the 1st day of January 1886 and duly recorded in the Clerk's office of Nansemond County Court the 12th day of August 1886, in Deed Book No 17 page 47 for the sum of Fifteen hundred (1500) dollars.

This Deed therefore made this 1st day of July A D 1886 between the said Fannie S. Pittman as if she were a feme sole and in the disposition of her separate estate of the County of Nansemond in the State of Virginia of the one part and the said James P. Burden and Pocahontas C. Wickerson of the County and State aforesaid of the other part Witnesseth: that in consideration of the sum of Fifteen hundred (1500) dollars the said Fannie S. Pittman doth grant with General Warranty unto the said James P. Burden and unto the said Pocahontas C. Wickerson as and for her sole and separate estate use and benefit, all

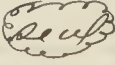
that tract piece or parcel of land
situate lying and being in chunk
abick Magisterial District in said
County containing one hundred and
thirty eight (138) acres more or less
adjoining the lands of Dr George
Webster, C. J. Minton & Joseph Holladay
Parker and by the public road lead-
ing from Chuckatuck to Suffolk
together with all and singular
the appurtenances belonging to the
same said land being sold and
conveyed hereby subject to a deed
of Trust executed by the said Jam-
es S. Pittman to John R Copeland
trustee to secure to the Farmers Bank
of Nassau and the sum of Two
hundred and fifty (250) dollars
the said deed of Trust bearing
date the 23rd day of January
1886 and of record in the said
Clerks office the same day in
Deed Book No 16 page 65 said
land hereby conveyed to be held and
enjoyed by the said grantee as
follows: One half thereof to the said
James P. Pittman his heirs and assigns
forever, and the other half to the said

Pocahontas C. Wickerson as her sole and separate estate as aforesaid with power to the said Pocahontas C. Wickerson to sell convey grant or mortgage her half thereof or otherwise dispose of the same by deed or will, as she may see fit without the concurrence or consent of her said husband George D. Wickerson and free from any claims or demands estate or interest which he may set up in and to the same as fully and completely as if she were a feme sole and free from any claims or demands against said George D. Wickerson or debts due by him, and unto her heirs and assigns forever.

The said Fannie S. Pittman covenants that she has the right to convey the said land to the grantees that they shall have quiet possession of the said land, that she has done no act to encumber the said land except as heretofore mentioned and that she will execute such further assurances of the said land as may be requisite.

witness the following

signature and seal.

Fannie S. Pittman 

In the clerk's office of Harsemaund County
Court the 27th day of December 1886
This deed was presented and acknowl-
edged by Fannie S. Pittman and
thereupon admitted to record.

Teste: Peter B Purvis Clerk

A. Copy

Teste:

R R Smith Clerk

Fannie S. Pittman

To } Deed

James P. Pender and
Oranah C. Witherman

"Ex. A"

A. Copy

Recorded in
Deed Book No 17
Page 493

Fee \$1.25

Virginia:

At a County Court held for
the County of Nansemond at
the Courthouse in the Town
of Suffolk on Monday the
10th day of August 1896.

More than two months having
elapsed without there being an Executor
or Administrator of the estate of James
P Pruden late of this County deceased
on the motion of Fannie S Pittman
it is ordered that Alexander H Baker
the Sheriff of this County take into his
possession the estate of the said James
M Pruden deceased and administer
the same according to law.

A copy

Teste:

R R Smith Clerk

Order of Court-
putting the estate
of Jas P Ruden in
hands of Sheriff

Ex B.

Virginia---Clerk's Office of the Circuit Court of Nansemond County.

In the Circuit Court of the County of Nansemond, at the October Term, 1896

Fannie S Pittman

Plaintiff

Action of

AGAINST

A. N. Baker Sheriff of Nansemond
County and Committee of the estate
of James P Ruden

Defendant

Judgment in favor of the Plaintiff \$ against the Defendant for the sum of

Seven Hundred Dollars

\$

700—

With interest after the rate of six per centum per annum from the Third
day of August 1889

Charges of Protest, \$

And the cost of suit, \$

until paid.

(Homestead Exemption waived)

A FIERI FACIAS issued from the Clerk's office of said Circuit Court on the
day of _____ 189____, returnable to the _____,
directed to the Sheriff of the County of Nansemond, who hath made return thereon in the words and
figures following, to wit:

Rawles & Briggs, p. q.

Teste:

A. G. Gomez

CLERK.

This Judgment was duly docketed in the Clerk's office of the County Court of the County of
Nansemond on the 2nd day of November, 1896

Judgment Docket No. 2, Page 117

R. R. Smith

CLERK.

Fannie Putman

vs. { Abstract of Judgment.

A. M. Baker, Sheriff

" Ex. Co "

Nansemond Circuit Court.

Process Book No. 2 Page 137

Order Book No. 2 Page 228

October Term, 1896

Execution Book No. 1 Page 195

Judgment Docket No. 2 Page 117

County Court.

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY, Greeting:

WE COMMAND YOU, that of the goods and chattels of *A N Baker*
Sheriff of Nansemond County and Committee of
the estate of James P Pruden
 in your bailiwick, you cause to be made the sum of *Seven hundred*

----- Dollars and ----- Cents,
 with interest thereon after the rate of six per centum per annum from the *Third* day of
August -----, 189*9*, till paid, ~~which~~ *(Homestead Exemp-*
tion waived) which Fannie S Pittman

lately in our Circuit Court of Nansemond county recovered against *him* the said
A N Baker Sheriff and Committee aforesaid

Also, *Seven* ----- Dollars and *Sixty five* ----- Cents, which to the said
Fannie S Pittman

in the same Court were adjudged for *her* ----- costs, by *her* ----- about *her* ----- suit
 in that behalf expended; whereof of the said *A N Baker Sheriff*
and Committee aforesaid is

convict, as appears to us of record, and that you have the same at the Clerk's office of our Circuit
 Court, at Rules directed by the law to be held in and for Nansemond county, on the *Third*
 Monday in *December 1896* to render unto the said *Fannie S*
Pittman

of the *Debt* ----- and costs aforesaid. And then and there have this writ.

WITNESS, A. P. GOMER, Clerk of our said Court, at his office, this *29th* ----- day of
October -----, in the year of our Lord 189*6* -----, and in the 121st ----- year of our independence.

COSTS:
 Clerk.....*3.45*..
 Attorney.. *2.50*..
 Sheriff.....*50*..
 Witness.....
 W. T.....*1.20*..

Teste:

A P Gomer ----- CLERK.

\$7.65
A Copy
Teste: A P Gomer clerk

I can find no property to satisfy the within
judgment or any part thereof Dec 2. 1896.

A Copy

Teste:

A H Baker Sheriff

A. P. Gomer Clerk

Wanted & Suggs p. 9.

James S. Pittman

vs.

Fi. Fa.

A H Baker Sheriff

1896

Decemder Rules,

Shurid Monday.

Came to hand at o'clock M.

Nov 5th 1896

R. J. Ballard Esq., Sheriff.

Nansmond Circuit Court.

Process Book No. 2 Page 137

Order Book No. 21 Page 228

October Term, 1896

Execution Book No. 1 Page 195

Judgments obtained in the Clerk's
Office of the Circuit Court of Nansemond
County and confirmed at the Court held and
closed for said County on Friday the 23rd
day of October A D 1896.

Fannie S Pitman

Plaintiff

Against In Debt

W B Baker Sheriff of Nansemond
County and Committee of the estate
of James P. Pruden deceased

Defendant.

Costs
Clerk 3.45
Shff 50
Tax 1.20
atty 2.50
\$7.65

The judgment obtained at rules not having
been set aside and the plaintiff being now en-
titled to a final judgment it is therefore con-
sidered that the plaintiff recover against
the defendant the sum of Seven hundred
dollars the amount in the declaration
mentioned with interest thereon after the
rate of Six per centum per annum from
the third day of August 1889 until paid and
her costs by her about her suit in this behalf
expended. Homestead exemption waived.
And the said defendant in mercy &c.

A copy

Teste:

A J Gomez Clerk

Samuel Putnam
vs

A. H. Baker Shaffer
Copy of Judgment

In the Circuit Court for the County of Nausemund,
to wit:

THE ANSWER OF P. E. Pruden, J. E. Pruden, L. O. Pruden, and Leslie Pruden

infants under the age of twenty-one years, by J. A. Burgess
guardian *ad litem*, assigned to defend them in this suit, to a bill of complaint exhibited against
them and others in the Circuit Court for the County of
Nausemund, by Harri S. Pitman and others.

The respondents, reserving to themselves the benefit of all just exceptions to the said bill, for
answer thereto, answering by said guardian *ad litem*, say, that they are infants of tender
years, and by reason of such disability are incapable of understanding, or of taking care of their
rights and interests, they therefore commend the same to the protection of the court, and prays that
no decree may be pronounced which will tend to their prejudice.

And having answered, the respondent pray to be hence dismissed with their reasonable costs
in this behalf expended; and they will ever pray, &c.

J. A. Burgess Guardian *ad litem*.

p. d.

Sworn to before me by J. A. Burgess
Guardian *ad litem* this 11th
day of March 1897.

R. A. Naylor
W. O.

Pitman

adv. {

ANSWER
OF
INFANT DEFENDANT.

Pruden Chas.

Fannie S. Pittman

vs

Nannie R. Pruden,
Att. Baker Sheriff &
Committee et als.

This cause came on this day
to be heard on the Bill and
exhibits filed, the answer of
J. N. Burgess guardian *ad litem*
~~for the~~ ^{for the} ~~in~~ ^{duly assigned to defend their interests in this suit,} ~~four~~ ^{for the} defendants, and
the adult defendants failing
to plead answer or demur
the said bill is taken for
confessed as to them; and
was argued by Counsel.
On consideration whereof the
Court doth adjudge order
and decree that this cause
be referred to one of the
Commissioners of this Court
to ascertain and make
to this Court the following
accounts to wit:-

1st The Real Estate of which Jos.
A. Pruden died seized and
possessed together with its
Annual and fee simple val-
ue.

2nd The liens thereon together

Fannie S. Pitman,

vs.

Nannie R. Pruden and others.

This cause came on this day to be again ~~heard~~ on the papers formerly read asy/ well as on the report of C. H. Causey, one of the commissioners of this court to whom it was referred, which said report was filed on the 28th. day of September 1897, and to which said report no exception has been filed.

On consideration whereof the court doth confirm the said report and doth order adjudge and decree, that R. H. Rawles, who is hereby appointed a special commissioner for that purpose shall proceed to sell the land in the bill and proceedings mentioned of which James P. Pruden died, ^{Seized} ~~seized~~ and possessed (the same being any/ undivided, one half interest in the said land mentioned in ~~the~~ said bill) at public auction to the highest bidder before the court-house door of this county, on some court day and on the following terms to wit; one half cash and the remainder in twelve months and the title to be ^{retained} ~~the same~~ until the whole of the purchase money is paid and until the further order of the court.

But the said land shall be sold subject ~~first to a deed of trust thereon for the sum of \$2972.15 due formerly to the Farmers Bank of Nansemond, but now due to Mrs. Lucy A. Darden; and also subject to the right of the wid-
ows dower there-in, said widow, being Nannie R. Pruden.~~ But before the said special commissioner shall act under this decree, he shall first enter into a bond in the penalty of \$/000. approved by the clerk of this court for the faithful discharge of his duties, under this and all other decrees which may be hereafter rendered in this cause. The said land shall be advertised before said sale, by the said special commissioner for at least twenty(20) days by printed hand bills publicly posted in at least five different places in this county. And the said commissioner is directed to report all his actions under this decree to this court/and this cause in continued.

Int of J. D. Tucker
1/2 ind.
Dinner taken

Entered 8. B. B. B. B.
as.

Decree for
Sale
Entered: Oct 12,
1897
Robert R. Thoms

Entered in
Chy. Ord no 3
Page 98

Fannie S. Pittman

vs

Nannie R. Pruden et als .

This cause came on this day to be again heard on the papers formerly read and was argued by counsel.

On consideration whereof the court doth order, adjudge, and decree, that the former decree of sale in this cause rendered on the 12th day of October 1897, be modified so as to read as follows ;

R. H. Rawles who is hereby appointed a special commissioner for that purpose shall proceed to sell the interest of James P. Pruden deceased in the land mentioned in the bill and proceedings , said interest being one undivided one half interest, subject to the dower of Nannie R. Pruden, the widow of the said James P. Pruden ; and the entire tract of said land being also subject to the lien of a deed of trust for the sum of \$210 with interest thereon from the 1st day of January 1890 till paid, in favor of Mrs Lucy A. Darden, and the said land is to be sold subject to said dower ~~right~~ right and said lien of said deed of trust .; the said sale to be advertised for at least twenty days by hand bills publicly posted at the court house door of this county, and at other public places in the district in which ^{said land} it is located ; said sale also to be made before the said court house door of this county, on some court day, at public auction to the highest bidder on the following terms to-wit;

one half cash, and the remainder in twelve months, and the title to be retained until the whole of the said purchase money is paid, and until the further order of the court ; but with the option to the purchaser after the sale is over to pay ~~the~~ the whole of the said purchase ^{money} in cash, if he so desires . But before the said special commissioner shall act under this decree he shall first enter into a bond in the penalty of \$500. - approved by the clerk of this court for the faithful discharge of his duties under this and all other decrees that may be rendered in this ^{cause} ~~cause~~ ~~ty of \$1000 no further bond is required of him~~ . But the said commissioner

is required to report all his actions under this ~~dece~~ decree to this court, and this cause is continued . ~~and it is further ordered that this cause be made a vacation cause, and any decree confirming sale of said land may be made in vacation.~~

Deer for Sale

Enter. Apr 16th
1898.

- ~~White~~ ~~Deer~~ ~~Antlers~~

Entered in
Chancery
Oct 3 Pgs 149

Fannie S. Pitman

^{vs}
Naumie R. Pruden et al.

This cause came on this day
to be again heard on the papers
formerly read or well as on
the report of R. H. Rawls, Special
Commissioner which said report
was filed on July 20th 1898 and
to which said report no ex-
ception has been filed, and
was argued by Counsel.
On Consideration whereof the
Court doth confirm the said
report and sale and doth
order and judge and decree that
the said Special Commissioner
shall collect the purchase money,
the purchaser having evinced a
desire to pay the whole in
cash, and out of the same he
shall first pay all the costs
and charges of this suit and
sale and the remainder he
shall apply, if any there be, to the
payment of the liens mentioned in
the report of Commissioner C. H.
Leahey, or for as it will go,

Decree con-
firming sole
and ordering deed.

Entered:

Oct 11, 1898

W. H. D. Smith

Entered in

Chancery
DN 3 Page 161

according to their priority: and
the said Commissioner R. H. Rawls
is ordered to make to the purchaser
of the said land, a deed for
the same with the usual cov-
enants of title, and to make
to this Court a report of all
his proceedings under this de-
cree and this cause is con-
tinued.

Commissioner's Office,

Suffolk, Va., Sept. 14, 1897.

To Fannies Pitman

Complainant

And

Nannie R. Pruden; A. H. Baker, Sheriff of Nansemond County, and as such Administrator of the estate of James P. Pruden; P. E. Pruden; J. E. Pruden; L. O. Pruden, and Leslie Pruden, the last four being infants under the age of 21 years. Defendants.

You are hereby notified that I have fixed upon the 27th. day of September, 1897, if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle at my office the following accounts:

- 1st. The real estate of which Jas. P. Pruden died seised and possessed together with its annual and fee simple value.
- 2nd. The liens thereon together with their amounts, dignities and priorities.
- 3rd. Whether the said real estate will rent for enough, nett, in five years to pay off and discharge the debts due ~~to~~ to the complainant.
- 4th. An account of the transactions of A. H. Baker Sheriff and Committee of the estate of Jas. P. Pruden decd.
- 5th. any other matter deemed pertinent by said Commissioner or which any party in interest may require to be stated;

required to be taken by a decree of the Circuit Court of Nansemond County rendered on the 13, day of April 1897, in a suit in chancery depending in said court, between the parties above named, 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 above written.

L. H. Causey Jr.

Commissioner in Chancery.

We hereby accept due and sufficient
service.

RH Rawles

Counsel for Mrs.
Fannie S. Prudden

Attest: A. C. Bailey

Sheriff and as such
Admon. of the state of Jas.
P. Prudden deed.

J. H. Prudden

Guardian ad Litem
for P.E., J.E., L.O., and
Leslie Prudden the
infant defendants in
the within entitled

Cause.

Fannie B. Prudden

Commissioner's Office,

Suffolk, Va., Sept. 30, 1897.

Fannie S. Pitman

Against --- In Chancery

Nannie R. Pruden; A. H. Baker, Sheriff of Nansemond County, and as such Administrator of the estate of James P. Pruden; P. E. Pruden; J. E. Pruden; L. O. Pruden, and Leslie Pruden, the last four being infants under the age of 21 years.

To the Circuit Court of Nansemond County:

Pursuant to the Decree of this Court pronounced in the above entitled cause on the 13, day of April, 1897, the undersigned, one of the Commissioners in Chancery of this Court, having first given notice as required by law, which said notice is herewith returned, duly acknowledged by the parties hereto, either in person or by counsel, proceeded on the day named in said notice to take and settle the several accounts as directed in said Decree; but being unable to complete the same on that day, the said cause has been continued from day to day, to this day, when this report is completed.

The result of your Commissioner's work is herewith returned and is as follows, to wit:

I.

1st. The real estate of which Jas. P. Pruden died seised and possessed, together with its annual and fee simple value

The above named Jas. P. Pruden died seised and possessed of an one-half undivided interest in and to the following real estate, situated in the county of Wasecond and bounded and described as follows: Fronts on the County Road leading from Reeds Ferry to Chuckatuck, in said County, and adjions the land of J. Holliday Parker, C. T. Minton and Dr. George W. Butts and contains 131 acres, more or less.

The annual value of said land is estimated to be \$100.

The fee simple value of said land is estimated to be 600.

II.

The liens thereon together with their amounts, dignities and priorities.

1. State and County taxes, balance, for 1896 \$5.02
State and County taxed for the year 1897 8.81 \$13.83
2. Deed of Trust dated Jan. 23, 1886, to secure to Farmers Bank \$250. Assigned by the bank to Mrs. Lucy A. Darden Jan 13, 1890, recorded B. B. 16 P. 65 Principal, when assigned \$210.
Int. from Jan 1, 1890 to Dec. 1, 1897 87.15 297.15
3. I. J. Monell, Judgment Recovered before J. J. Bunting J.P. Docketed J. D. No. P. 211 Principal \$5.00
Int from Dec. 24, 1888 to Dec. 1, 1897 2.68
Costs 1.30 8.98
4. Etheridge, Fulgham & Co., Judgment Recovered before H. L. Tynes J.P. Docketed J. D. No. 2 P 14 Principal \$22.35
Int? from Jan 10, 1891 to Dec. 1, 1897 9 9.25
Costs 1.30 32.90
5. Fannie S. Pitman, Judgment recovered against the Administrator of Jas. P. Pruden on a bond waiving the Homestead Exemption is treated by you Commissioner as a n account proved Amount of bond \$700.
Int on same from Aug 3, 1889 to Dec. 1, 1890 349.42 1049.42
Amount carried forward \$1402.28

Amount brought forward

\$1402.28

5. Dr. George W. Butts, judgment recovered against the Administrator of James P. Pruden on a note and an open account held against the estate of the said Pruden, treated as a debt proven before your Commissioner
Principal \$30.75
Int from Apr 17, 1896 to Dec 1, 1897 2.99 33.74
5. C. T. Minton, judgment recovered against the administrator on a note held against the said Pruden together with Fannie S. Pitman as endorser thereon
Principal \$40.
Int from May 10, 1896 to Dec. 1, 1897 3.70 43.70
5. B. P. Chapman, judgment recovered against the administrator on a bond held against the said Pruden together with Fannie S. Pitman as surety thereto.
Principal \$66.
Int from Dec. 26, 1896 to Dec. 1, 1897. 3.67 69.67
5. Mrs. Lucy A. Darden
Bond held against the said Pruden
Principal \$75.
Int? Nov. 4, 1889 to Dec. 1, 1897 36.25 111.25
- Grand Total \$1660.64

I
III.

Whether the said real estate will rent for enough, net, in five years to pay the debt due the complainant.

It will not.

IV.

An account of the transactions of A. H. Baker, Sheriff and Committee of the estate of James P. Pruden deceased.

On investigation your Commissioner finds that the said A. H. Baker, Sheriff and Committee of the estate of the said James P. Pruden deceased, has been before the Commissioner of Accounts for the county of Nansemond and made settlement of his accounts as such Sheriff and Committee of the estate of the said James P. Pruden deceased, before the Decree was entered which directed the taking of this account, and that the said A. H. Baker Sheriff and Committee of the estate of James P. Pruden has nothing in his hands for settlement at this time.

V.

Nothing further appearing before your Commissioner this account is stated and completed.

Respectfully,

Fee \$7.50

A. H. Causey Jr.

Commissioner of Accounts.

COMMISSIONER'S SALE!

By virtue of a decree of the Circuit Court of Nansemond county entered on the 16th day of April, 1898, in the chancery cause of Fannie S. Pitman vs. Nannie R. Pruden et als., now pending in said court, the undersigned special commissioner will offer for sale at public auction, to the highest bidder, *June 13th*

On Monday, ~~May 18~~ 1898,

(that being court day), at 11 o'clock A. M., before the Courthouse door of this county, the following real estate, to wit:

All the interest of which James P. Pruden died seized and possessed in a certain tract of land containing 138 acres, more or less, though the same will be sold in gross and not by the acre, situate, lying and being in Chuckatuck district, in Nansemond county, Virginia, and adjoining the lands of Dr. George W. Butts, C. T. Minton, Joseph H. Parker, and the public road leading from Chuckatuck to Suffolk, it being the same land that was conveyed to James P. Pruden and Pocahontas C. Wilkerson by Fannie S. Pitman by deed dated the 1st day of July, 1896, the interest of the said James P. Pruden being one undivided one-half interest in said land; but the whole tract of said land is now subject to the lien of a deed of trust in favor of Mrs. Lucy A. Darden for the sum of \$300, and said interest in said land will be sold subject to such lien. It will also be sold subject to the dower right of the said Nannie R. Pruden, the widow of the said James P. Pruden, deceased.

TERMS—One-half cash, the balance in twelve months, and title to be retained until further order of Court; but the purchaser will have the option to pay the whole in cash if he so desires.

R. H. RAWLES, Special Commissioner.

JOHN J. S. BRANCH, CRIER.

APRIL 16, 1898.

I, Azra P. Gomer, Clerk of the Circuit Court of Nansemond county, do certify that the bond required of R. H. Rawles, Special Commissioner, by the decree in the above cause has been duly given by him with security deemed sufficient by me.

APRIL 16, 1898.

A. P. GOMER, CLERK.

Gen D. W.



1861

To the Hon. R. R. Prentiss, Judge
of the Circuit Court of Nau-
sarmund County:-

The undersigned special Com-
missioner in the chancery
cause of Fannie S. Pitman
vs Fannie R. Paraden et al
begs leave to submit the
following report:-

Pursuant to decree in said
cause entered on the 15th of April
1898 your Commissioner after
having given bond and duly
advertised the sale as required
by said decree and after having
in all other respects fully
complied with ^{the requirements of said decree} said decree
offered the land mentioned in
the bill and proceedings for
sale before the Court house door
of this County on June 13th 1898,
that being Court day, to the
highest bidder on the terms
mentioned in said decree:
at which said sale Posauntown C.
Wilkinson became the purchaser
at the price of \$70⁰⁰ it having
been sold subject to the liens

Mentioned in said decree: and
the said purchaser elected to
pay the whole of the said
purchase money in cash.
All of which is respectfully sub-
mitted.

P. H. Rawls
Special Commr.

Refund of Sale

Filed July 20th 1888
W. J. Lymenck

To the Hon. R. R. Drentis, Judge
of the Circuit Court of Nause-
mond County :-

The undersigned special Commis-
sioner in the cause of Fannie
S. Pitman vs Naomi R. Pruden
et als begs leave to submit the
following report :-

Pursuant to a decree in said
cause entered on the day of
October 1898 your special Commis-
sioner collected of the purchaser
Pocahontas C. Wilkerson the sum of
\$70 the purchase money for the
land in the bill and proceedings
mentioned and made to the said
purchaser a deed for said land
with the usual covenants of title.
The sum of \$70 so collected, being
the whole of said purchase money
he has disbursed or appears
below

(see other side)

Retained for
C. H. Leamy

Paid A.D. Irons clerk	\$866
" R. R. Smith " County Co.	1.86
" A. H. Baker Sheriff	1.00
" C. H. Leamy Commr	7.50
" writ tax	1.50
" J. J. S. Brown Crim	2.50
" J. E. Baker notices	1.00
" S. T. Ellis Insurance Taxes	13.83
" Blair Wilson printing bills	1.00
" atty tax fee	15.00
" Commission	3.50
" sent to purchaser	5.00
	\$62.35-

Paid Costs in
Common Law suit on following:

A.D. Irons R. R. Smith clerk	3.45-
A. H. Baker Sheriff	.50
writ tax	1.20
atty tax fee	2.50
	\$70.00

all of which is respectfully submitted.
P. H. Rawls
Special Commr.

Report

of distribution
and send

Know All Men by These Presents,

That we,

Richard St Rawles and Julius Rawles

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of *Five hundred* 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.

And we waive the benefit of our exemption as to this obligation, and also waive any claim or right to discharge any liability to the said Commonwealth arising under this bond, or by virtue of the office, post or trust herein mentioned, with coupons detached from bonds of said Commonwealth.

Sealed with our seals, and dated this *19th* day of *April* in the year of our Lord one thousand eight hundred and *ninety eight*, and in the *122nd* year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas *by a decree of the Circuit Court of Nansmond County Va pronounced on the 16th day of April 1898 in the Chancery cause pending in said Court of Fannie S Pitman against Alexander H Baker Sheriff of Nansmond County and Committee of the estate of James P Pruden deceased it was decreed that Certain portions of the real estate mentioned in said decree be sold as provided by said decree and said Richard St Rawles was required before proceeding to sell to execute a bond in the penalty of five hundred dollars conditioned for faithful discharge of the duty under said decree and all other decrees he may be required to execute in said cause. Now therefore if the said Richard St Rawles shall faithfully discharge his duties as Special Commissioner aforesaid then the above obligation is to be void otherwise it is to remain in full force and effect.*

R St Rawles
J T Rawles by
R St Rawles attorney
in fact



In the office of the Clerk of the *Circuit* Court of Nansmond County, on the *19th* day of *April* 1898.

The above bond was executed and acknowledged by the obligors (the surety *Y* justifying on oath as to *his* sufficiency) and recorded.

Teste:

Copy Teste: J P Gomez CLERK.

Richard H Rawles
To } Spec. Com. Bond
The Commonwealth.

1898
April 19th

Acopy

Pitman vs Pruden

Know all men by these Presents, That
I J D Rawles of the County of Nausemond
have made constituted and appointed and
by these presents do make, constitute and
appoint, and in my place and stead put
and depute R D Rawles of the County of Nause-
mond my true and lawful attorney for me
and in my ~~place~~ name and place and stead to
sign my name as surety to a bond for the sum
of \$500.00 to be given by R D Rawles as special
Commissioner to see certain land in the Chan-
cery Cause of Fannie S Pittman vs Nannie R
Pruden et als now pending in the Circuit
Court of Nausemond County giving and granting
unto my said Attorney by these presents, my full
and whole power and authority in and about the
premises to have, use and ~~strike~~ all lawful
ways and means in my name for the purposes
aforesaid. And generally all and every other act or
acts, thing or things in the law whatsoever need-
ful and necessary to be done in and about the prem-
ises for me and in my name to do execute and per-
form as fully, largely and amply, to all intents and pur-
poses as I might or could do, if personally present.
Heely ratifying, allowing and holding for firm
and effectual, all and whatever my said attor-
ney shall lawfully do in and about the
premises by virtue hereof.

In witness whereof I have hereunto
set my hand and the seal this 18th day of
April 1898

J T Rawles L S

Attest

Juste

A. J. Plumer Clerk

To the Clerk of the Circuit Court
of Nassau County :-

Fannie S. Pitman Pltff
vs

Monnie R. Pruden,
A. H. Baker Sheriff of Nassau
County and as such Admini-
strator of the estate of James R.
Pruden,

P. E. Pruden

J. E. Pruden

L. O. Pruden

Leslie Pruden, the

last four being infants Defs.
under 21 years of age

Item Summons to 1st February
Rule 1887 for plaintiff against
defendants to answer & Bill
in chancery.

R. H. Rawls p. g.

Pay \$1.50

memo

for clerk

Nannie S Pittman
vs}

Nannie R Pruden. AS
Baker Sheuff toetus.

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *Wannie R Pruden*
A N Baker Sheriff of Nansemond County
and as Such Administrator of the estate of
James P Pruden, P E Pruden J E Pruden
L O Pruden Leslie Pruden The last
four being infants under 21 years of age

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
for the said Court, on the *First* Monday in *February 1897*, to answer
a Bill in Chancery, exhibited against *them*
in the said Court by *Sannie S Pitman*

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this *9th* day of
January, 189*7*, in the 12*th* year of the Commonwealth.

A copy—Teste:

Teste:

A P Gomer, CLERK.

A P Gomer, CLERK.

R N Rawles p. q.

A copy for
P E Pruden

vs. } *In Chancery.*

Infant

1897

February Rules.

First Monday.

Nansemond Circuit Court.

Process Book No. 21

Page 145

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *Nannie R Pruden*
A M Baker Sheriff of Nansemond County
and as such Administrator of the estate of
James P Pruden P C Pruden, J E Pruden, L O
Pruden Leslie Pruden the last four being
infants under the 21 years of age

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
for the said Court, on the *First* Monday in *February 1897*, to answer
a Bill in Chancery, exhibited against *them*
in the said Court by *Sannie S Pitman*

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this *9th* day of
January, 189*7*, in the 121^{*st*} year of the Commonwealth.

A copy—Teste:

A P Gomer, CLERK.

Teste:

A P Gomer, CLERK.

R. H. Rawles p. q.

*A copy for
Leslie Rudew*

vs. } *In Chancery.*

Infant

1897

February Rules.

First Monday.

Nansemond Circuit Court.

Process Book No. *21*

Page *145*

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *Nannie R Pruden*
A M Baker Sheriff of Nansemond County
and as such Administrator of the estate
of James Pruden P. E Pruden, J. E Pruden
W. O Pruden Leslie Pruden the last four
being infants under 21 years of age

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
for the said Court, on the *First* Monday in *February 1897*, to answer
a Bill in Chancery, exhibited against *them*
in the said Court by *Sannie S. Pitman*

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this *9th* day of
January, 189*7*, in the 12*th* year of the Commonwealth.

A copy Teste:

Teste:

A. P. Gomer, CLERK.

A. P. Gomer, CLERK.

R. H. Rawles p. q.

A Copy for
L. O. Pruden

vs. } In Chancery.

Infant

1897

February Rules.

First Monday.

Nansemond Circuit Court.

Process Book No. 21

Page 145

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *Nannie R Pruden*
A M Baker Sheriff of Nansemond County
and as Such Administrator of the estate
of James P Pruden, P. E. Pruden, J E Pruden
L O Pruden Leslie Pruden the last four
being infants under 21 years of age

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
for the said Court, on the *First* Monday in *February 1897*, to answer
a Bill in Chancery, exhibited against *them*
in the said Court by *Nannie S Pittman*

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this *9th* day of
January, 189*7*, in the 12 ^{*th*} year of the Commonwealth.

A copy—Teste:

Teste:

A P Gomer, CLERK.

A P Gomer, CLERK.

R H Rawles p. q.

A copy for
J E Ruden
vs. } *In Chancery.*

Infant

1897

February Rules.

First Monday.

Nansemond Circuit Court.

Process Book No. 21

Page 145

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *Nannie R Pruden*
A. W. Baker Sheriff of Nansemond County
 and as such Administrator of the estate of
James P Pruden P E Pruden J E Pruden L O
Pruden Leslie Pruden the last four being
 infants under ~~the~~ 21 years of age

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
 for the said Court, on the *Tues* Monday in *February 1897*, to answer
 a Bill in Chancery, exhibited against *them*
 in the said Court by *Fannie S Pitman*

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this *9th* day of
January, 189*7*, in the 12^{*th*} year of the Commonwealth.

A copy—Teste:

Teste:

, CLERK.

, CLERK.

Executed this the first day of February 1897
By delivering true copies of the within process
to Hattie R. Pruden & A. H. Baker Sheriff
and administrator of James E. Prudens Estate

R. J. Ballard, Deputy
For A. H. Baker,
Sheriff

H. H. Pruden p. q.

Hattie R. Pruden

vs.

In Chancery.

Hattie R. Pruden & A.
H. Baker vs. Admin. of the
Estate of James E. Pruden

1897

February Rules.

Sheriff Monday.

Nansemond Circuit Court.

Process Book No. 21

Page 145

I accept Service on the within process.
Feb 15th 1897

A. H. Baker
Sheriff

Jannie S Pitman
vs

Nannie R Pruden & others
costs

AP Homer Clerk	\$ 8.66
RR Smith Clerk Co ch	1.86
AS Baker Sheriff	1.00
Chausey Jr Commr.	7.50
Writ Tax	1.50
Attorney	15.00
	\$ 35.52

Com Law Case Clerk	3.45	
Shff	50	
Tax	1.20	
Atty	2.50	
		7.65
		\$ 43.17

Costs

1817
270
1547

1817
270
1547

180
120
200

Virginia.

No.

Suffolk, Va.

18

THE First National Bank

Pay to the order of

Dollars

\$

SAM W BOWMAN - NORFOLK, VA.

\$1⁰⁰/₁ Recd of R H Rawber Spaid
Comm on dollar for
Bills of advertising the Pruden land
Sept 27 1898

J E Brooker
Pres Honaco

Virginia.

No. _____

Suffolk, Va., _____

18

THE First National Bank

Pay to the order of _____

Dollars

\$ _____

#2 $\frac{50}{100}$ Rec'd of R.H. Rawls, special
Commissioner of Land & $\frac{50}{100}$ dollars for
selling land of Jas. P. Pringle, died.
July 8 1878. Jas. J. S. Birch
Clerk

Recd of RHR cables special Commis in
Pitman in America one dollar for printing
notices of pool, July 8 1888

\$1⁰⁰/₁₀₀

Blair Wilson

Mr. James P. Pruden Est. Dr.

1896.

To S. T. ELLIS, Treasurer of Nansemond County, Va.

No. <u>264</u>	State Tax, 30c. on \$100.	State School Tax, 10c. on \$100.	County Levy, 20c. on \$100.	Parish Levy 8c. on \$100.	County School Tax, 5c. on \$100.	District School Tax, 5c. on \$100.	County Road Tax, 10c. on \$100.	TOTAL TAX.
No. of Acres <u>131 1/2</u>								
To Real Estate, value \$ <u>1052.00</u>	<u>3 16</u>	<u>1 05</u>	<u>2 10</u>		<u>52</u>	<u>53</u>	<u>1 05</u>	<u>8 41</u>
Personal Property, value \$ <u>143.00</u>	<u>43</u>	<u>14</u>	<u>28</u>		<u>7</u>	<u>7</u>	<u>14</u>	<u>1 13</u>
Income, &c., value \$								
Roll Taxes		<u>1 00</u>					<u>50</u>	<u>9 54</u>
Total								<u>48</u>
5 per cent. additional								<u>10.02</u>
Total								<u>5.02</u>
Received payment <u>6</u> day of <u>July</u> 189 <u>8</u>								<u>5.02</u>

Per

S. T. Ellis
Treasurer,

See Mrs Fannie S. Pittman
Crittenden

Mr. James P. Pruden (est) Dr.

1897.

To S. T. ELLIS, Treasurer of Nansemond County, Va.

No.----- No. of Acres	State Tax, 30c. on \$100.	State School Tax, 10c. on \$100.	County Levy, 20c. on \$100.	Parish Levy, 8c. on \$100.	County School Tax, 5c. on \$100.	District School Tax, 5c. on \$100.	County Road Tax, 10c. on \$100.	TOTAL TAX,
131 1/2								
To Real Estate, value \$ 1052.	3 16	1 05	2 10	4	52	53	1 05	8 41
Personal Property, value \$								
Income, &c., value \$								
Poll Taxes		1 00					50	
Total								
5 percent additional								42
Total								8 83

Received payment 6 day of July 1898

S. T. Ellis Treasurer,
Per W. G. King

883
502

13.85-

\$18.17

Recd of R. H. Rawls Special
Commr in the Chancery Cause
of Hannu S. Pitman vs Nannie
R. Parden et als the follow-
ing fees in full:

A. D. Gomer clerk	\$ 8.66
R. R. Smith "	1.86
A. H. Baker Sheriff	1.00
Writ tax	1.50

13.02

In Com Law Case:

R. R. Smith clerk	3.45-
A. H. Baker Sheriff	.50
Writ tax	1.20

\$ 18.17

Hannu S. Pitman
vs
A. H. Baker Sheriff &c
J. P. Parden

Wm. G. Gomer clerk

\$7⁵⁰ Recd of R. H. Rawls Special
Commr in Pitman vs Parden Sevan
& ⁵⁰/₁₀₀ fee on Commission.

Voucher



R. H. Pawles Esq
Suffock, Va



411
—
276
—
1383
4150