1909-057
Nansemond Co (Suffolk) Chancery Causes: R. Sydney Godwin et al vs E. D. Phillips Godwin, infant et al

Tynes, Wills, Riddick, Darden, Glover

Assessments 1/4 acres

Liber 282
Book 346
No. 2 371 + sold to her
402
426

Julia A. Riddick
E. D. B. Godwin

Margaret A Godwin
deed right &c

3/4 acre in Chuckatuck
118 acres land

Cor sold to Julia A Riddick
Hosea Thomas wife
John wife

Made deed to her Dec 31 1891

1891. 9. 18
1890. 11. 10
1
10. 8

10.6.6.67
5-
5-3.3.3.3 5-
1064.67
1120.00
1.41
1121.41 = Pa

106
5-3
106
35-
141 Sq ft on N & Cary

5-3 3 4 1
1.
5-4.7 +
5 3.7
3 7.

15-9
15-9
15-9
~~15-9~~
~~5-3~~
4.77.—

5-48.33
Inc. 12.80
561.13
477.
84.13

318
2270
90.60

5-48.33
477.
71.53

5-48.
280.
5) 828
165.

5-48 33
3/2
274.16
16 4 x 99
3) 19.18
6.39
12.80

$ _____ Suffolk, Va., _____ 189__

_____

Pay to the order of _____

_____ Dollars,

Value received, and charge same to account of yours truly.

We, the drawer, endorsers and acceptor, hereby waive our Homestead Exemption as to this debt.

To _____

_____

_____

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON E. D. Phillips Godwin, (infant) and Lucien H. Riddick

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~~ third Monday in September 1889 ~~next~~, to answer a Bill in Chancery, exhibited against them in the said Court by Aubrey Godwin H. L. Tynes, and Rosa M. Tynes his wife, W. A. Wills and Lilian G. Wills his wife

and have then and there this summons.

Witness, ~~PETER B. PRENTIS~~ Wm. B. Causey, Clerk of our said Court, at his office, this 14th day of September 1889, in the 114th year of the Commonwealth.

Teste:

Wm. B. Causey Clerk.

E. D. Phillips Godwin

5) 1774.75
354.95
1774.75

354.95
280
74.95

354.95
15.98
145.97

Costs of Suit

Atty Fee	51.50
Clerk	10.
	.50
Sheriff	
Counsel	15.
	$77.00

Costs of Sale

Commr	46.90
Atty	6.
Crier	7.50
Surveyor	15.
	18.93
Taxes	16.46
	$110.79
	$187.79

4) 191.25
47.81
1.75
4 3.68

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON E. D. Phillips Godwin (infant) and Juliue H. Riddick

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~~ next *Monday in* September 1889 ~~next~~, *to answer a Bill in Chancery, exhibited against them in the said Court by* R. Sydney Godwin H. L. Lynes and Rosa M. Lynes his wife, W. A. Wills and Lilian G. Wills his wife

and have then and there this summons.

Witness, ~~PETER B. PRENTIS~~ Wm B. Causey, *Clerk of our said Court, at his office, this* 14th *day of* September *1889, in the* 114th *year of the Commonwealth.*

Teste:

Wm B. Causey *Clerk.*

Executed this 16th day of September 1889. by Serving
a true copy of this Process in writing upon the
within named Julius
The within named E D Phillips Godwin is not
found in my County.

Wm H. Howell
Sheriff

R. Sydney Godwin Printer's Rep
and others
vs
E D Phillips Godwin, (infant)
and Julius H. Riddick

1889

To Sept Rules
3rd Monday

Sheriff .50 ✓
Atty 57.50 ✓
Clerk Misc 5. ✓
" O.P.S. 5. ✓
Coroner 15. ✓
77.00
3 Seals 15 ✓

Pro. B. 2. P. 23
Civil

Know All Men by These Presents, That we Robert R Prentis and A S Darden

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

And we waive the benefit of our exempton 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 22nd day of October in the year of our Lord one thousand eight hundred and ninety-, and in the 115th year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas the said Robert R Prentis was by decree pronounced by the Circuit Court of Nansemond County on the 10th day of October 1890 in the Chancery Cause of R Sydney Godwin and others against E L Phillips Godwin and others appointed a Special Commissioner to sell certain lands in the said decree described; Now therefore if the said Robert R Prentis shall faithfully perform his duties as such Special Commissioner under the said decree as well as under any future decree which may be pronounced in the said cause then the above obligation is to be void otherwise to remain in full force

Robert R Prentis SEAL

A S Darden SEAL

SEAL

SEAL

SEAL

In the office of the Clerk of the Circuit Court of Nansemond County, on the 22nd day of October 1890

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

Teste: A L Gomey CLERK.

A Copy Teste: A L Gomey Clerk

R R Prentis
F. J. Special Comr
Bond

The Commonwealth

1890
Act to 22nd

Recorded in Official
Bond Book No 1 Pg 21

A copy.

Circuit Court

Received of Waller A Wills guardian the sum of Three hundred and fifty four dollars and ninety five cents in full, it being the amount due by Certificate number 1109 drawn from the Farmers Bank of Nansemond by said Waller A Wills guardian for E D Phillips Godwin, under a decree of the Circuit Court of Nansemond County entered on the 24th day of October 1891, in the Chancery Cause of R Sydney Godwin; N L Tynes and Rosa M Tynes his wife W. A. Wills and Lilian G Wills his wife Complainants against E D Phillips Godwin (infant) and Julien H Riddick defendants. This the 6th day of November 1900

E. D. Phillips Godwin

Clerk's Office of Nansemond County Circuit
Court the 2nd day of November 1891.
Received of A. P. Gomer Clerk of said
Circuit Court Certificate Number 1109.
amounting to a Deposit of $354.95/100
Deposited in the Farmers Bank of Nansemond
County by Robert R Prentis Special Commissioner
in the Chancery Case of R Sydney Godwin
&c Vs Godwin and others. Said amount
being deposited to the Credit of E. D. Phillips
Godwin a minor, drawn under Chan-
cery Order in Vacation October 26th 1891.

W. A. Wills Guardian
for E. D. Phillips Godwin

SUFFOLK, VA., September 30th. 1891.

R. Sydney Godwin and others

v.

E. D. Phillips Godwin &c.

To the Hon. C. W. Hill, Judge of the Circuit Court of Nansemond County:-

The undersigned Special Commissioner begs leave to report that in obedience to the decree pronounced in this cause on the 10th. day of April 1891 he has collected the balances of purchase money due from the respective purchasers of land sold under decree pronounced in this cause, collected the certificate of deposit for $548.33, executed and delivered deeds to Zuline H. Riddick, Millie Thomas and John Fix for the respective parcels of land purchased by them, and distributed the proceeds of such sales to the parties entitled thereto as shown by the following statement of receipts and disbursements

Receipts.

Farmers Bank of Nansemond C of Deposit		$548.33
Interest on the same		12.80
Value of lot sold to Zuline H. Riddick		280.
Cash collected of John Fix in full of his two bonds for deferred instalments of purchase money Principal $1066.67		1066.67
Interest on the same		54:74

Disbursements.

Delinquent taxes for 1888 and expenses of redemption	$ 18.93 ✓	
Taxes for 1890	16.46 ✓	
Advertising sale	6. ✓	
Amounts carried forward	$ 41.39	$1962.54

All Available Text Successfully Captured

Amounts brought forward	$41.39	$1962.54
Disbursements continued		
Crier at sale	7.50 ✓	
Commissions on sale	46.90	
Tax and fee allowed by decree	51.50	
Fees for drawing three deeds	15. ✓	
Fee of Comm'r in Chancery	15. ✓	
Clerk's fees	10. ✓	
Sheriff's fee	.50 ✓	
Zuline E. Riddick's share	354.95 ✓	
Rosa M. Tynes' share	354.95 ✓	
Lilian G. Wills' share	354.95 ✓	
R. Sydney Godwin's share	354.95 ✓	
E. D. Phillips Godwin's share deposited in The Farmers Bank of Nansemond	354.95	
	$1962.54	$1962.54

The Certificate of the Farmers Bank of Nansemond shewing that the sum of $354.95 was deposited to ~~his~~ of E. D. Phillips Godwin's credit, on the 30th. day of September 1891, and vouchers for all disbursements as shewn in the above statement are herewith returned.

Respectfully submitted,

Robert T. Prentis.

Special Commissioner.

Mrs. Margaret A. Godwin Est. Dr.

1890. To H. E. SMITH, Treasurer of Nansemond County, Va.

No. / No. of Acres 1.17	State Tax, 30 cents on the $100.	State School Tax, 10c. on the $100.	County Levy 25c. on the $100.	Parish Levy, 5c. on the $100.	Co. School Tax, 5c. on the $100.	Dis. School Tax, 5c. on the $100.	Co. Road Tax, 10c. on the $100.	TOTAL AMOUNT OF TAXES.
To Real Estate, value $183.75	.55 2	1 83	4 60		9 24	9 24	1 85	15 67
" Personal Prop'y, value $								
" Income, &c., value $								
" Poll Taxes								
Total								15 67
Five per cent. additional								79
Total	Paid by Rob't Parish Sheriff Commn							16 46

Received Payment, H E Smith, *Treasurer.*

1893
1646
35.39

Suffolk Va Jany 12th/91

Recd from R R Pruitt. Eighteen dollars and Ninety three cts on act of the redemption of 117 acres of land Charged on Land books to Wm H Godwin Est for the year 1889 and returned delinqt by the Treasurer of Nansemond County

H E Smith
Co Treasurer

$18.93

Paid by Rob't R Pruitt Special Commissioner
H E Smith

11 16
18.93
35.39

SPECIAL COMMISSIONER'S SALE OF LOT IN CHUCKATUCK AND FARM IN BARRETT'S NECK, VA.

By authority of a decree of the Circuit Court of Nansemond county pronounced on the 10th day of October, 1890, in the chancery cause of R. Sydney Godwin, &c., vs. E. D. Phillips Godwin, &c., I shall offer for sale at public auction,

ON MONDAY, NOVEMBER 10, 1890,

(court day), the following real estate, viz.:

1. That certain lot or parcel of land in the village of Chuckatuck bounded on the south and west by the land of R. H. Tynes, on the east by the main public road leading from Smithfield to Suffolk, and on the north by the land formerly owned by Ann Hookey, and containing three-quarters of an acre, more or less.

2. That certain farm or tract of land in Barrett's Neck containing by estimation about 118 acres, more or less, bounded by Nansemond river and the lands of W. T. Matthews, John Nix and others, whereof Margaret A. Godwin died seised and possessed.

TERMS.—One-third of the purchase money will be required in cash and the residue in two equal instalments in one and two years from the day of sale, the deferred payments to be evidenced by bonds bearing interest from the day of sale, the title to be retained until the further order of the Court; or, at the option of the purchaser, the whole of the purchase money may be paid in cash.

ROBERT R. PRENTIS,
Special Commissioner.

I certify that the bond required by the above decree has been given.

oc24-3t A. P. GOMER, Clerk.

Suffolk, Va., March 14 1891

Mr R R Pruden Special Comr

To SUFFOLK HERALD, Dr.

J. E. BOOKER, Proprietor.

First-Class JOB PRINTING a Specialty.

1891

Oct 24 To Advertising Sale of Land in Chan Cause Godwin vs Godwin 4 in 30 5 00

Printing 100 Bills Notice of Sale 1 00

$ 6 00

Rec'd Payment

J E Booker Prop'r

DINE. I did so, and was convinced bef
I had finished taking one bottle, that I h
gotten the medicine that I needed. Ha
taken five bottles of NOLANDINE, a
am glad to say my blood has been tho
oughly purified and my complexion and a
petite has improved. My weight has i

Suffolk, Va. June 4. 1891.

Received of Robert R. Travis, Special Commissioner, in the Chancery cause of R. Sydney Godwin &c. v. E. D. Phillips Godwin &c. Seven 50/100 Dollars fee for crying the land sold.

$7.50

John J. S. Branch

SUFFOLK, VA., September 24th. 1891.

RECEIVED of Robert R. Prentis, Special Commissioner in the ~~Hon~~ Chancery cause of R. Sydney Godwin &c. v. E. D. Phillips Godwin and others the respective sums of money set opposite our respective signatures below.

$5.00 Wm. B. Causey Clerk

Wilbur J. Kilby Comr. in Chy. $15.00

$5.00 A. P. Gomey Clerk

Rec'd payment W. H. Hoover S-O
Sept 8th 1891 Lal Shaffer

$74.95 Suffolk, Va., September 24th. 1891.

RECEIVED of Robert R. Prentis, Special Commissioner in the Chancery cause of R. Sydney Godwin &c. v. E. P. Phillips Godwin and others the sum of Seventy four Dollars and ninetyfive cents, which together with $280. the price of the lot in Chuckatuck sold and conveyed to me is in full settlement of my ~~###~~ share of the proceeds of sale of the land of my deceased mother, as shown by the report of the said Special Commissioner to the Circuit Court of Nansemond County in the above entitled cause.

Witness:- Walter A. Wiss Julia G. Riddick

$195.95 SUFFOLK, VA., September 24th. 1891.

RECEIVED of Robert R. Prentis, Special Commissioner in the Chancery cause of R. Sydney Godwin &c. v. E. D. Phillips Godwin and others the sum of One hundred and ninety five Dollars and ninety five cents, Which together with $159. heretofore received by me is in full settlement of my share of the proceeds of sale of the land of my deceased mother, as shown by the report of the said Special Commissioner to the Circuit Court of Nansemond County in the above entitled cause.

Witness:-

N. L. Lyons

Rosa G. Lynar

Rockbridge Virginia July 1st 1871

Received of Richd R. Lewis,
Special Commissioner in
the Chancery Cause of R.
Lyons &c. vs David S. Lyle &c
Phillips Goodwin deed & Lewis
Record of Deed recorded
Deed fifty cents $/50. Deed rec
& recorded & my interest
in the proceeds of the land
sold by the said Special
Commissioner by
authority of decree
pronounced in the said
Chancery cause.

Witness:
W. A. Hills

Rosa Lyons.

$195.95 SUFFOLK, VA., September 24th. 1891.

RECEIVED of Robert R. Prentis, Special Commissioner in the Chancery cause of R. Sydney Godwin &c. v. E. D. Phillips Godwin and others the sum of One hundred and ninety five Dollars and ninety five cents ,which together with $159. heretofore received by me is in full settlement of my share of the proceeds of sale of the land of my deceased mother, as shown by the report of the said Special Commissioner to the Circuit Court of Nansemond County in the above entitled cause.

Witness:- Walter A. Wills Lilian G. Wills

Suffolk, Virginia, July 1st. 1891.

RECEIVED of Robert R. Prentis, Special Commissioner in the Chancery cause of R. Sydney Godwin &c. v. E. D. Phillips Godwin and others the sum of One hundred and fifty nine ($159.) Dollars on account of my share of the proceeds of land sold by the said Special Commissioner by authority of decrees in the said Chancery cause

WITNESS: Th. S. Wills

Lillian S. Wills

$195.95 SUFFOLK, VA., September 24th. 1891.

RECEIVED of Robert R. Prentis, Special Commissioner in the Chancery cause of R. Sydney Godwin &c. v. E. D. Phillips Godwin and others the sum of One hundred and ninetyfive Dollars and ninety five cents, which together with $150. heretofore received by me is in full settlement of my share of the proceeds of sale of the land of my deceased mother, as shown by the report of the said Special Commissioner to the Circuit Court of Nansemond County in the above entitled cause.

Witness:-

Walter S. Wiles R Sydney Godwin

Suffolk, Virginia, July 1st. 1881.

RECEIVED of Robert R. Prentis, Special Commissioner in the Chancery cause of R. Sydney Godwin v. E. D. Phillips Godwin and others the sum of One hundred and fifty nine ($159.) Dollars on account of my interest in the proceeds of the land sold by the said Special Commissioner by authority of decrees pronounced in the said Chancery cause.

Witness:)

W. S. Wills

R. Sydney Godwin

R. Sydney Godwin Pl.

v.

E. V. Phillips Godwin Dfs.

Special Comm'rs Report of Distribution. —

Dated Sept. 30. 1891.

1891 Filed Sept 30th A.O.G. Clerk.

CIRCUIT COURT OF NANSEMOND COUNTY.

R. Sydney Godwin &c.,

vs.

E. D. Phillips Godwin, Infant &c.,

This cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner, Robert R. Prentis, showing that he had sold the lot in Chuckatuck to Zuline H. Riddick, and one and a quarter acres of the farm in Barrett's Neck to Millie Thomas, wife of Hiran Thomas, and the residue of the farm in Barrett's Neck to John Nix; which report is dated and was filed on th 31st. day of March 1891, to which no exception has been taken, and was argued by counsel:

On consideration whereof the Court doth in all respects ratify, approve and confirm the said report, and the sales of the real estate in the bill described to the respective purchasers thereof, and doth adjudge, order and decree, that Robert R. Prentis, who is hereby appointed a Special Commissioner for the purpose, do convey unto Zuline H. Riddick the lot or parcel of land in the village of Chuckatuck, bounded on the South and West by the lands of R. H. Tynes, on the North by the land formerly owned by Ann Hookey, and on the East by the main public road leading from Smithfield to Suffolk, containing three quarters of an acre, more or less, by deed with special warranty, and that the purchase money therefor, $280., be charged to her in the distribution hereafter to be made; And that the said Special Commissioner do convey one and one quarter acres of land lying on the North side of the County road leading from Chuckatuck to Crittendens, be-

ginning at the corner of Exum Butler's land, and running along said road to the old school house, and extending back from the said road between parallel lines so as to include one acre and one quarter, to Millie Thomas, the wife of Hiran Thomas, by deed with special warranty; and that so soon as John Nix shall have paid to him the residue of the purchase money due therefor, that the said Special Commissioner do convey to him the tract of land in Barrett's Neck, Nansemond County, containing by estimation 116 3/4 acres, more or less, bounded by Nansemond river and the lands of W. T. Matthews, John Nix and others, by deed with special warranty.

And the said Special Commissioner is hereby authorized and directed to withdraw the certificate of deposit in the Farmers Bank of Nansemond for $548.33 and the two bonds of John Nix, from the papers of this cause, and collect the same, and out of the amount thus received by him he is directed to pay first the costs of this suit, including a fee of $50— dollars to Robert R. Prentis, the Complainants' counsel, and the expenses of the sale, and the residue of such amount shall be divided and distributed in five equal parts to R. Sydney Godwin, Rosa M. Tynes, Lillian G. Wills, E. D. Phillips Godwin and Zuline H. Riddick, respectively, having regard to the $280. above directed to be charged to Zuline H. Riddick on account of her interest in the land sold in this cause.

But the share of E. D. Phillips Godwin who is an infant, under the age of twenty-one years, shall be deposited in the Farmers Bank of Nansemond to his credit, subject to the future order of this Court in this cause. And said Special Commissioner shall make report to Court.

R. Sydney Godwin &c.

vs. Decree confirming sale and for distribution.

E. D. Phillips Godwin &c.

Enter April 10. 1891

C.H.D.

Entered See Chancery order Book No. 2 page 371

CIRCUIT COURT OF NANSEMOND COUNTY.

R. Sydney Godwin &c.,

vs.

E. D. Phillips Godwin &c.,

Suffolk, Va., March 31st. 1891.

To the Circuit Court of Nansemond County:

The undersigned Special Commissioner begs leave to report that in obedience to the decree pronounced in this cause of the 10th. day of October 1890 he has sold the real estate described in the bill after due advertisement in accordance with the provisions of the said decree.

1. The lot or parcel of land in the Village of Chuckatuck bounded on the South and West by the lands of R. H. Tynes, on the North by the land formerly owned by Mxxxx Ann Hookey, and on the East by the main public road leading from Smithfield to Suffolk, and containing three quarters of an acre, more or less, was sold to the defendant, Zuline H. Riddick for the sum of two hundred and eighty dollars ($280). As her interest in the property involved in the cause will certainly amount to this sum, she has not been required to pay any cash or to execute her bonds for the purchase money, and the amount of her purchase will be charged to her in the distribution hereafter to be made.

2. &. A part of the larger tract of land, to-wit: one and a quarter acres of land lying on the North side of the County road leading from Chuckatuck to Crittendens, beginning at the corner of Exum Butler's land, and running along said road to the old school house, and extending back from the said road, between parallel lines, so as to include one acre and a quar-

ter ~~one~~ (1¼) was sold to Millie Thomas, wife of Hiram Thomas for the sum of fifteen dollars ($15), and she has paid the whole of the purchase money due therefor.

3. The farm or tract of land in Nansemond County, in Barrett's Neck, containing by estimation about one hundred and sixteen and three fourths of an acre (116¾), more or less, bounded by Nansemond River and the lands of W. T. Matthews, John Nix and others, was sold to John Nix for the sum of sixteen hundred dollars ($1600); of which he paid in cash five hundred and thirty-three dollars and thirty-three cents , one third of the purchase money, and for the balance he executed his two bonds dated the 10th. day of November 1890, each bearing interest from date, one for five hundred and thirty-three dollars and thirty-four cents ($533.34), payable one year after its date, and the other for five hundred and thirty-three dollars and thirty-three cents ($533.33), payable two years after date. The said bonds are herewith returned.

The cash collected from John Nix and from Millie Thomas amounting to five hundred and forty-eight dollars and thirty-three cents ($548.33) has been deposited to the credit of this cause in the Farmers Bank of Nansemond and the certificate of such deposit is herewith returned.

The said sale was made on the 10th. day of November 1890, and a copy of the advertisement is herewith returned.

Respectfully submitted.

Robert R. Travis,
Special Commissioner.

1/4 Willis Thomas—

AUCTION SALE OF LANDS!

By authority of a decree of the Circuit Court of Nansemond county pronounced on the 10th day of October, 1890, in the chancery cause of R. Sydney Godwin, &c., vs. E. D. Phillips Godwin, &c., I shall offer for sale at public auction,

ON MONDAY, NOVEMBER 10, 1890,

(court day), the following real estate, viz.:

1. That certain lot or parcel of land in the village of Chuckatuck bounded on the south and west by the land of R. H. Tynes, on the east by the main public road leading from Smithfield to Suffolk, and on the north by the land formerly owned by Ann Hookey, and containing three-quarters of an acre, more or less.

2. That certain farm or tract of land in Barrett's Neck containing by estimation about 118 acres, more or less, bounded by Nansemond river and the lands of W. T. Matthews, John Nix and others, whereof Margaret A. Godwin died seised and possessed.

TERMS.—One-third of the purchase money will be required in cash and the residue in two equal instalments in one and two years from the day of sale, the deferred payments to be evidenced by bonds bearing interest from the day of sale, the title to be retained until the further order of the Court; or, at the option of the purchaser, the whole of the purchase money may be paid in cash.

ROBERT R. PRENTIS, Special Commissioner.

I certify that the bond required by the above decree has been given. A. P. GOMER, CLERK.

1. Lot in Churchtown sold to Julius H. Caddick ~~H. D. Hills~~ for $280

2. (1 1/4) acres of land conveyed by Miller Thomas. $15—

(3) Balance of farm sold to John Fox for $1600.—

John H. Booth
Auctioneer

Millet Thomas, wife et Susan Howard. One and a quarter acres of land lying on the North side of the County road leading from Churchtown to Cattendens beginning at the corner of Evans Butlers land, and running along said road to the Old School-House and running extending back from said road between parallel lines so as to include one acre and a quarter. —

R. Sydney Godwin Vs.

N. Report of Sales.

E. D. Phillips Godwin Vs.

1891
March 31. Filed.
A. D. G

To the Circuit Court of Nansemond County. Va. —

In pursuance of the decree of the Circuit Court of Nansemond County. Va. pronounced on the 10th. day of October 1889 in the Chancery Cause pending in said Court between R. Sydney Godwin Henry L. Pyles and others, Plaintiffs and E. D. Phillips Godwin, Julia H. Riddick and others, defendants, the undersigned Wilbur J. Kilby, one of the Commissioners in Chancery of said Court, respectfully reports to Court,

That after the papers in said Cause had been placed in his hands by the Counsel of the Plaintiffs, who requested him to proceed to execute said decree, he gave notice to the parties to said Cause that on the 20th. day of November 1889 he would proceed at his office in Suffolk. Va. to take, State and settle the several accounts or inquiries required by said decree to be taken, stated and settled: that said notice was

issued on the 4th. day of Novem-
ber 1889 and duly acknowledged
by all the parties to said cause
as will appear by the endorsa-
tions on the copy of said notice
herewith returned;

That the proceedings in pur-
suance of said notice were
begun on the 20th. day of Novem-
ber 1889 and have been continu-
ed, since that time, from day
to day, down to this day.

That in making the inqui-
ries, directed by said decree to
be made, the Commissioner has
this day taken the depositions
of George W. Brittain and Robt.
B. Pyges Jr. - which depositions
are herewith returned.

With the evidence supplied
by these depositions and other-
wise, before him, the Commission-
er, having completed the proceed-
ings before him, reports,

1. That the real estate men-
tioned in the Bill in said cause
cannot be conveniently divided
in Kind between the several

parties named in said Bill, who are entitled to share therein.

2. That no one of said parties has made known his or her willingness to take said real estate and pay the other parties such sums of money for their interests as their interests therein may entitle them to.

3. That the interests of all the parties will be promoted by a sale of all said real estate and the distribution of the proceeds of the sale according to the respective rights of those entitled thereto, and not by the allotment of part and sale of the residue thereof.

4. That the lot or parcel of land in the Village of Chuckatuck is worth from $250. to $300, and the farm or land in Barretts Neck from $800 to $1000.

Respectfully submitted this 17th. day of September 1890.

Wilbur J. Kilby
Comr. in Chancery.

Fee $15.00

To R. Sydney Godwin, Henry L. Tynes and Rosa M. Tynes his wife, Walter A. Wills and Lilian G. Wills his wife, Complainants.

and E. D. Phillips Godwin (infant.) and Juline H. Riddick and ~~Defendants~~ Lee Britt Guardian ad litem of said E. D. Phillips Godwin, Defendants.

You are hereby notified that on the 20th. day of November 1889 at my office, in Suffolk, Va., (at which time and place you are required to attend), I shall take, state and settle the following accounts which are to be taken, stated and settled and reported to Court in pursuance of the decree of the Circuit Court of Nansemond County, Va., rendered the 10th. day of October 1889 in the suit in chancery pending in said Court to which you are parties plaintiffS and defendantS, to wit:

1. Whether the real estate in the Bill in said suit mentioned can be conveniently divided in Kind between the several parties entitled to share therein.

2. If the same cannot be conveniently divided in Kind, whether any party will take the entire property and pay therefor to the other parties such sums of money as their interest therein may entitle them to.

3. And, if the same cannot be conveniently divided in Kind and if no party will take the entire property and pay the others for their shares, whether the interests of those who are entitled to the said property, or its proceeds, will be promoted by a sale of the entire property, or by the allotment of part and sale of the residue.

Together with any matter specially stated deemed pertinent by myself, or required by any party to be so stated.

Given under my hand, as Commissioner in Chancery of said Court, this 4th. day of November 1889

WILBUR J. KILBY,

Commissioner in Chancery.

K.

We severally acknowledge legal and sufficient service of this notice. -

R. Sydnor Godwin

H. K. Lyne

Rosa M. Lyne

W. A. Wills

Lilian G. Wills

Julian N. Riddick

Lee Britt

Guardian ad Litem

for E. D. Phillips Godwin

The depositions of George W. Brittain and Robert H. Pynes Jr. taken before me. Wilbur J. Kilby a Commissioner in Chancery of the Circuit Court for the County of Nansemond in the State of Virginia on the 17th. day of September 1890, to be read as evidence in behalf of the Plaintiffs in a certain suit in Equity depending in said Court between R. Sydney Godwin. Henry L. Pynes and others. Plaintiffs. and E. S. Phillips Godwin and others defendants.

George W. Brittain being duly sworn deposes and says as follows:

Q. 1 State whether the real estate in the Bill in said suit mentioned can be conveniently divided in kind between the several parties entitled to share therein and. if it can not be so divided. whether any of the parties is willing to take the same and pay to the others

such sums of money as their interests may entitle them to, or whether the interests of all parties will be promoted by a sale of the property and distribution of the proceeds among the parties, or allotment of part and sale of the residue.

Ans. The property could not be conveniently divided in kind among the parties. There are five parties interested and the lot in Chuckatuck village contains about 3/4 of an acre and has a small dwelling on it, and the farm in Barrett's Neck contains about 118 acres. It is apparent then that no convenient division of the property can be made. The lot could not be divided at all and a division of the farm would give each party a small parcel of farm land, even if it could be divided ~~to any advantage~~ conveniently. That would be of no advantage or use to them.

I have lived in Chuckatuck village 25 years and have been familiar with the property all that time. The farm is a few miles from the village. I think it would promote the interest of all parties to sell the entire property and divide the proceeds among the parties. The farm has been rented out for the past 15 years or more, has no buildings on it, except one small inferior house, and has been going down in condition steadily from year to year. None of the parties has ever lived upon it. It is intersected by branches and low swampy places, which render it impracticable of convenient division among the parties. The lot is worth from $250 to $300 and the farm from $800 to $1000. I do not know whether any of the parties would be willing to take the property and pay the others for their interests in it. I am now 53 years

of age. and know all the parties to this suit. And further this deponent says not.

Geo H Brittain

Robert H. Pynes Jr. being duly sworn deposes and says as follows:

Q 1. State your age, residence & occupation and whether you are familiar with the real estate mentioned in the Bill in said suit, namely. the lot in Chuckatuck Village and the 118 acres of farmland in Barrett's Neck in Chuckatuck County lately owned by Margaret A. Godwin And whether the same can be conveniently divided in kind between the parties entitled to share therein / if it cannot be so divided whether the interests of all parties will be promoted by a sale of the entire property and distribution of the proceeds among the parties.

Ans. I am 37 years of age, reside in Suffolk. but until recently resided all my lifetime in

Chuckatuck Village. My occupation while there was a farmer. Now I am engaged in the coal, hay & feed business in Suffolk and I know all the parties to this suit. I have been familiar with said property all my life. I do not see how the property could be conveniently divided in kind between the five parties who are entitle to shares therein. The lot has a small dwelling on it and is too small to be divided at all. The farm has no buildings on it except an small house occupied by a negro as a tenant, and is cut up by branches and bogs, not more than 1/2 or 2/3 of it is arable land. None of ~~the for~~ the parties has ~~the or~~ occupied the farm within the past 18 years. It has been rented out for a number of years and has been allowed to grow up in bushes to a great extent while there is no fence around it and no timber

on it from which to get fencing. It is not to the interest of the parties under the circumstances to hold the property. but their interests would be promoted by a sale of the whole of it and a division of the proceeds among the parties I do not know whether any of the parties is willing to take the property, or any part of it, and pay the others for their interests in it, but I do not see how any of them could afford to buy out the others. The property could not certainly be divided in kind conveniently nor to any advantage among the parties.

And further this defendant says not.

R. H Tynes Jr

State of Virginia
County of Chesterfield } to wit:

I. Wilbur J. Kilby. a Commissioner in Chancery of the Circuit Court for said County

do certify that the foregoing depositions were duly taken, sworn to and subscribed before me at the place and time mentioned therein and in the caption thereto.

Given under my hand this 17th. day of September 1890.

Wilbur J. Kilby
Comr. in Chy.

R. Sydney Godwin &c

vs. } In Chy.

Godwin &al.

Report of Comr.
Wilbur J. Kilby
under decree of
10 Octo. 1889

1890
Filed September 27th
A.P. Gomer clk

Circuit Court of Nansemond County.

R. Sydney Godwin and others

v.

E. D. Phillips Godwin, infant and another

This cause came on this day to be further heard upon the papers formerly read and upon the report of Robert R. Prentis Special Commissioner showing that he has collected and distributed the balances of purchase money due by the purchasers of the land heretofore sold under decrees in this cause, in accordance with the decree pronounced herein on the 10th. day of April 1891, and deposited the share of the infant defendant amounting to $354.95 in the Farmers Bank of Nansemond to the credit of the said infant E. D. Phillips Godwin, subject to the future order of the Court in this cause, and that he has conveyed the said several parcels of land to the respective purchasers thereof; which report is dated and was filed on the 30th. day of September 1891, and to which no exceptions have been taken, and was argued by counsel:

On consideration whereof the Court doth adjudge, order and decree that the said report and the distribution of the proceeds of the sale of the said real estate to the parties entitled to share therein be and the same are hereby, in all respects, ratified, approved and confirmed, and the said Special Commissioner and the surety on his bond are forever released from further responsibility therefor.

2

R. Sydney Godwin & others

v. Decree

R. D. Phillips Godwin &c.

Enter Octo. 10 1881.

Entered in Chancery
Order Book No 2 Page 402

CIRCUIT COURT OF NANSEMOND COUNTY.

R. Sydney Godwin, H. L. Tynes and Rosa M. Tynes his wife, W. A. Wills and Lillian G. Wills his wife. Complainants.

vs.

E. D. Phillips Godwin (infant) and Zuline H. Riddick. Defendants.

This cause came on this day to be heard upon the papers formerly read and upon the report of Commissioner Wilbur J. Kilby, dated the 17th. day of September 1890, and filed on the 27th. day of September 1890, to which no exception has been taken, and was argued by counsel; on consideration whereof, the Court doth in all respects ratify, approve and confirm the said report, and doth adjudge, order and decree that Robert R. Prentis, who is hereby appointed a Special Commissioner for the purpose, do, after first having advertised the time, place and terms of sale, for at least once a week for three successive weeks, in some newspaper published in Nansemond County, or in such other manner as he may deem judicious, expose to sale at public auction, in front of the Court-house door of Nansemond County, to the highest bidder, the real estate in the bill described, of which Margaret A. Godwin died seised and possessed, consisting of a certain lot or parcel of land in the village of Chuckatuck, bounded on the South and West by the land of R. H. Tynes, on the North by the land formerly owned by Ann Hookey, and on the East by the main public road leading from Smithfield to Suffolk, and containing three quarters of an acre, more or less; and also that certain farm or tract

of land in Barrett's Neck, Nansemond County, containing by estimation about one hundred and eighteen acres, more or less, bounded by Nansemond River and the lands of W. T. Matthews, John ~~Nicks~~ Nix and others; on the following terms to-wit:

One third of the purchase money in cash, and the residue in two equal instalments in one and two years from the day of sale; the deferred payments to be evidenced by the bonds of the purchasers, bearing interest from the day of sale, the title to be retained until the further order of the Court, as ultimate security. Or if the purchasers, or either of them elect to do so, they may pay the whole purchase money in cash.

The said Special Commissioner is directed to deposit such amounts of money as may come into his hands by virtue of this decree to the credit of this cause in the Farmers Bank of Nansemond, and to take a certificate of such deposit to be returned with his report to Court.

But before the said Robert R. Prentis shall have any authority under this decree he shall execute before the Clerk of the Court a bond in the penalty of $2000— with sufficient security, payable to The Commonwealth of Virginia, conditioned for the faithful performance of his duties as such Special Commissioner under this or any future decree that may be pronounced in this cause.

And he shall make report to Court.

R. Sydney Godwin &c.

vs. Decree for sale

E. D. Phillips Godwin &c.

Enter October 16 1890.

CMA

Entered Chancery
order book No 2.
Page 346.

R. Sydney Godwin, A. L. Tynes and Rosa M. Tynes his wife, W. A. Wills and Lilian G. Wills, his wife -

v.

E. D. Phillips Godwin (infant) and Julius H. Riddick. -

Lee Britt Esquire, attorney at law, is assigned guardian ad litem to the infant defendant E. D. Phillips Godwin, to defend his interests in this suit, and thereupon this cause, which has been regularly matured and set for hearing as rules as to the adult defendant, came on this day to be heard upon the bill taken for confessed as to the adult defendant Julius H. Riddick, the answer of the infant defendant E. D. Phillips Godwin by ~~their~~ his guardian ad litem Lee Britt Esquire, and of the said guardian ad litem, with general replications thereto, 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, who is directed to enquire into and report to the Court -

1. Whether the real estate in the bill mentioned can be conveniently divided in kind between the several parties entitled to share therein. -

2. If the same cannot be conveniently divided in kind, whether any party will take the entire property and pay therefor to the other parties such sums of money as their interest therein may entitle them to. -

3. And, if the same cannot be conveniently divided in kind and if no party will take the entire property and pay the others for their shares, whether the interests of those who are entitled to the said property or its proceeds will be promoted by a sale of the entire property or by the allotment of part and sale of the residue. -

~~Whether~~ Which several enquiries the said Commissioner shall make and report to the Court together with any matter specially stated deemed pertinent by himself or required by any party to be so stated. -

R. Sydney Godwin Pl.

v. Decree

E. D. Phillips Godwin Pl.

Enter Octo 10. 1889.

C. H. Dabney

Entered Chancery
Order Book No 2
P. 282

Know All Men by These Presents, That we, Waller A Wells guardian of E D Phillips Godwin and George W Butts

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of Seven hundred and twenty five 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 2ond day of November in the year of our Lord one thousand eight hundred and Ninety one, and in the 116th year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas by a decree of the Circuit Court of Nansemond County in Vacation pronounced on the 26th day of October 1891 Authorizing Waller A Wills guardian of said E D Phillips Godwin to withdraw from the papers of this cause the Certificate of Deposit of the Farmers Bank of Nansemond for the sum of Three hundred and fifty four dollars and ninety five cents.

Now therefore if the said Waller A Wills shall faithfully discharge his duties under said decree and all other decrees he may be required to execute in said cause then the above obligation is to be void, otherwise it is to remain in full force and virtue.

W A Wills SEAL

Geo W Butts SEAL

SEAL

SEAL

SEAL

In the office of the Clerk of the Circuit Court of Nansemond County, on the 2ond day of November 1891

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

Teste: A P Gomey CLERK.

A Copy Teste: A P Gomey Clerk

Waller A Wills Gdr

To } Bond

The Commonwealth.

1891

November 2nd

Recorded in Official
Bond Book No 1 Page 30

A Copy

Circuit Court

IN VACATION:- In the Circuit Court of Nansemond County:on the 26 day of October 1891.

R. Sydney Godwin and others

v.

E. D. Phillips Godwin and another

This cause came on this day by consent , notice being waived, to be heard upon the papers formerly read, and was argued by counsel:

On consideration whereof on the motion of Walter A. Wills the duly qualified Guardian of the infant defendant E. D. Phillips Godwin he is hereby authorised to withdraw from the papers of this cause the Certificate of Deposit of the Farmers Bank of Nansemond for the sum of $354.95, belonging to the said infant defendant , on leaving his receipt therefor with the Clerk, # and executing a proper bond with good security to be approved by the Clerk of this Court in the penalty of $ 72[illegible] conditioned for the faithful application of the said fund, and for the management and preservation of any property or securities in which the same may be invested. And on the execution of the said bond the said Walter A. Wills is authorised to collect the amount due on the said Certificate of Deposit from The Farmers Bank of Nansemond, and the said Guardian [illegible] The objects of this suit having been accomplished it is ordered to be stricken from the docket.

C W Stith
Oct 26, 1891

R. Sydney Godwin Dd

N. Deree

Oct. 26. 1891

E. D. Phillips Godwin Dt

Entered in Chancery
Order Book
No 2 f 426

Entered
Oct 26, 1891

The Answer of Lee Britt guardian ad litem to the infant defendant E. D. Phillips Godwin, and the answer of the said infant defendant E. D. Phillips Godwin by the said Lee Britt his guardian ad litem, to the bill in Chancery exhibited against the said Godwin and another in the Circuit Court of Nansemond County by R. Sydney Godwin, N. L. Tynes and Rosa M. Tynes his wife, W. A. Wills and Lilian G. Wills his wife. -

For answer to the said bill the said guardian ad litem answers and says that the said E. D. Phillips Godwin is an infant of tender years, and by reason of his infancy is incapable of understanding or of taking care of his rights and interests. - Therefore the rights and interests of of the said infant are commended to the protection of the Court, and respondent prays that no decree may be pronounced which will tend to the prejudice of the said infant. -

And having fully answered respondent prays to be hence dismissed with reasonable costs in this behalf

R. Sydney Godwin &c.

Answer of
v. infant defendant
and Gdn. ad litem

E. D. Phillips Godwin &c.

expended — And civilly over &c.

Lee Overman

Guardian ad litem for infant
defendant E. D. Phillips Godwin

R. Sydney Godwin, N. L. Tynes and Rosa M. Tynes his wife, W. A. Wills and Lilian G. Wills his wife -

v.

E. D. Phillips, Godwin (infant) and Julius N. Riddick. -

To the Honorable Chandler M. Hill
Judge of the Circuit Court of
Nansemond County:

Complaining showeth unto the Court your complainants, R. Sydney Godwin, N. L. Tynes and Rosa M. Tynes his wife, W. A. Wills and Lilian G. Wills, his wife of Nansemond County Virginia, that Margaret A. Godwin, deceased, the mother of your complainants R. Sydney Godwin Rosa M. Tynes and Lilian G. Wills, was in her life-time seised and possessed of two parcels of real estate in Chuckatuck District, Nansemond County, Virginia, described as follows:

First: That certain lot or parcel of land in the village of Chuckatuck, bounded on the South and West by the land of R. N. Tynes; on the North by the land formerly owned by Ann Hosley, and on the East

by the Main public road leading from ~~Isle of Wight~~ Smithfield to Suffolk, and containing 3/4 of an acre, more or less.- Being the same land which was sold and conveyed unto Margaret A. Godwin by A.S. Darden and wife by deed dated September 1. 1880 and duly recorded in the Clerk's Office of Nansemond County Court September 3. 1880 - See Deed Book No. 8 page 479. -

Secondly: That certain farm or tract of land in Barretts Neck, Nansemond County, containing by estimation about 118 acres more or less, bounded by Nansemond River and the lands of W. J. Matthews, John Nix

Being the residue of the same land which was sold and conveyed to Algernon S. Darden, Trustee, by Charles C. Glover and wife, by deed dated and recorded September 30. 1889 in the Clerk's Office of the County Court of Nansemond County - See Deed Book No. 2 page 143. - The legal title to the said land was held by A.S. Darden, the said Trustee "for the sole and separate use benefit and behoof of said Mrs. Margaret A. Godwin during Coverture and at her death, undisposed of as authorised" by the said deed, "to go to her heirs at law." -

The said Margaret A. Godwin had authority to dispose of the same by deed or will, and during her life-time sold and conveyed several small lots from the tract of land as originally conveyed to the said Trustee, but she did not sell or convey the residue thereof which is above described. —

That being so seised and possessed of the said land, ~~[illegible]~~ on the day of 18 the said Margaret A. Godwin departed this life intestate, leaving the complainants R. Sydney Godwin, Rosa M. Tynes wife of N. L. Tynes, Lilian G. Wills wife of W. A. Wills, and Zuline S. Riddick and E. D. Phillips Godwin, an infant under the age of twenty-one years, her only children and heirs at law.-

That the said real estate may be susceptible of partition among the parties entitled thereto; but if it be not, then your complainants desire the same to be sold, and the proceeds divided among the adult and infant parties according to their respective rights, the share of the infant to be held as directed by by the statute in such case made and provided.-

Should the property not be divisible in kind, your complainants believe and here state that the interests of those who are entitled to the said real estate, or its proceeds will be promoted by a sale of the whole of the said real estate, or by allotment of part and sale of the residue.-

Forasmuch therefore as your complainants are without remedy in the premises save by the aid of a Court of equity, where matters of this kind are alone and properly cognizable and relievable, your Complainants pray that the said E. D. Phillips Godwin (infant) and Julius H. Riddick, may be made parties defendant to this bill, and required to answer the same; that a proper guardian ad litem be assigned the infant defendant to defend his interests in this suit, who shall also answer the bill; that proper process issue; that the said real estate be divided between the several parties entitled thereto, and your complainants respective portions thereof be allotted to them, and in case the said real estate cannot be partitioned and divided in kind, that the same may be sold and the proceeds of such sale be divided among the parties entitled thereto; that all proper orders and decrees may be made, and proper enquiries be directed, and that

all such other, further and general relief may be granted your Complainants as the nature of their case may require, or to equity shall seem meet.-
Notice is hereby given that the Court will be asked to allow to the Counsel who institutes and conducts this suit a reasonable fee for his services to be paid out of the funds or property which may be under the control of the Court in this cause.-
And the complainants will ever pray &c.-

Robt. K. Prentis,
S. Q.-

R. Sydney Gordwin
W. L. Lyons
Rosa. M. Lyons.
W. A. Wills
Lilian G. Wills

R. Sydney Godwin Pl.

vs.

Bill
for
Partition.

E. D. Phillips Godwin Dfs.

1889

Sept 16th Bill filed

R. Sydney Godwin, H. L. Zynes and Rosa M. Zynes his wife, W. A. Wills and Lilian G. Wills his wife

Vs & they noted

E. D. Phillips Godwin and Julius H. Riddick

1889 Sept 14 Summons in Chy issued & Sept Rules (2nd Monday)

" " 16 Bill filed decree nisi vs Adult Defts

" Oct 7 decree nisi confirmed and cause set for hearing as to adult defendant.

" Oct 10th " See Britt appointed Guardian ad litem of infant defendant E. D. Phillips Godwin, answer of said infant defendant by his said Guardian filed and decree for account

1890 Sept. 27th. Report of Wilbur J Kelly Commissioner under decree of 10th of October 1889 filed

Chy Notes

R Sydney Godwin &c

vs In Chancery

E D Phillips Godwin &c

1909

July 16th

Final Decree

R Sydney Godwin vs Pat Godwin &c