

To settle Judgment

Jeremiah Willyard
gdn for J E Williams

Susan J Gashins
gdn for

M. E + Jennie Williams

James McClung

Richard W. Clayton

Menduck Clayton

Allen Edwards -

Joshua Orrellant

Wm B Shorlen

Assigned in

Bankruptcy of

Joshua Orrellant

Richard A Bristow

Caroline Gillette

Joe L. Bille

Wm P. Gillette

infr

80 45 38

Kilby J. W.

J. D. Pettow Sal.

n. 5 Chy.

Allen Edmund Sal.

1874 Feby. Removed from Docket.

Cir. et. Southern.

Kelly Island
J. H. Putlow & Co
Rising
n { River

Allen Edward Jr

Southern Cir. Co

To the Hon. Richard H. Baker, Judge of the
Circuit Court of Southampton County, Virginia
Complaining, shew unto the Court your
Complainants J. D. Pettow - Jeremiah Wellford
guardian of J. E. Williams - Susan J. Gaskin
guardian of M. E. & Junior Williams - and
James M. McLenny, Richard W. Clayton, & Murdoch
M. Clayton surviving Executors of Jas. Clayton
deceased.

Your Complainants respectfully represent
to the Court and say -

1st That on the 22^d day of December 1859,
Allen Edwards, of said County purchased of
Messrs W. Cobb & John R. Kilby, Commissioners, a
lot of Land in said County at the Village of
Franklin, fronting on the Seaboard & Roanoke
Rail road, and on which was a store house, and
which formerly belonged to R. G. Edwards, and
was purchased by him of Rich^d. Barrett, as will
be seen by deed dated 18th June 1860 (reciting the
sale under decree of Court, as made on the 22^d
day of December 1859) and recorded in the
Clerk's office of Southampton County on the 18th of
June 1860 - a copy of which deed is filed herewith
as part of this Rice marked (A).

2^d That the said Allen Edwards, having become the
purchaser of said premises on the 22^d of December
1859 under a decree of Court, did not wait for

a deed to be made to him, but did on the 28th day of December 1859, execute a deed for the same premises to Joseph E. Lillie & John P. Putlow, jointly, who were merchants & partners, doing business on said premises under the style of Lillie & Putlow, — But this deed was never recorded until the 18th day of November 1867, nearly Eight years after its date, But that as soon as the said premises were purchased of the said Allen Edwards by the said Lillie & Putlow, they took charge thereof and have had possession ever since — a copy of this last named deed is filed herewith & marked (B.).

- 3^d. That whilst the said Allen Edwards was, so far as the records shew, the owner of said premises, to wit: on the 4th day of May 1866, your Complainant, J. D. Putlow, as assignee of Jane W. Putlow obtained a judgment in the Circuit Court of Southampton County against him, the said Allen Edwards for the sum of \$500. with legal interest thereon from the 5th day of February 1846 till paid — & \$7.02 costs — Subject to a credit of \$30. on the 2^d. March 1849 — \$30. on 15th April 1850 — \$60 on 15th April 1852 — \$85 on 15th Jan'y 1855 — \$60. on 20th April 1857 & \$60 on 21st Feb'y 1859 — An abstract of said judgment is filed herewith

and marked (C). and which judgment was docketed according to law on the 15th May 1866 and became a Lien on said real estate as all other real estate of the said Allen Edwards then owned by him.

41th. That if your Complainants are mistaken in charging that the said Real estate remained as the property of Allen Edwards from the date of his purchase on the 22^d day of December 1859 till the 15 May 1866 when the said Judgment in favor of J. D. Pullen was docketed, and ^{it be so} that the same became the property of said Gellitt Pullen on the 18th of Dec 1859; notwithstanding their deed executed on that day was not recorded till the 18th of 1867, then your Complainants say that the said Real estate, is ~~not further encumbered~~ subject to the following judgments & your other Complainants and any other judgments ~~of~~ prior or equal date - to wit: a judgment in favor of said Jeremiah Williford guardian of J. E. Williams for \$227.47, with Interest from the 26th March 1839 till paid & \$6.82 cts - a judgment in favor of said Susan M. Gaskins guardian of M. E. & J. Williams for \$155.23 with Interest from the 26 March 1839 till paid & \$6.82 cts - a judgment also in favor of said Susan M. Gaskins as guardian of said, for \$634.28. with legal

interest from the 12th of May 1858 till paid
\$46.82 only -- a judgment in favor of
James M. McHenry, Richard W. Clayton
& Minerva M. Clayton surviving Executors
of Jas. Clayton decd. for \$328.28. with
Interest from the 13th June 1860 -- all of
which last four judgments were rendered in
the Circuit Court of said County on the 4th
day of May 1866 & docketed according to law
on the 16th day of May 1866. and are against
Isaac Pullen surviving partner of
said Gillette & Pullen -- abstracts of said
Judgments are filed herewith & marked
respectively D. E. H. 14.

3rd Your Complainants say further, that notwithstanding the sale of said Real estate by the
said Allen Edwards on the 28th day of December
1859, and the continued possession of Gillette &
Pullen & the said Isabella Pullen the survivors
of said firm of Gillette & Pullen from the 28th
of December 1859 till now, yet on the 6th
day of September 1867, he, the said Allen
Edwards executed a deed to Richard A.
Buster, a young man, his grandson, or other
near relative for said property, for the expressed
consideration of \$200. only, which your Com-
plainants say was never paid & is not more
than half the value of said property -- *Which*

be sold - That the ^{value of the} ~~rights of~~ Donor, if any exists
therein, of Mrs Emeline Gillette be ascertained
and paid to her. That the question as to the
Lien of your Complainant, J. O. Pullon's Judgment
be determined - That the rights of your other
Complainants under their Judgments be ascertained
as also whether there are any other Judgments
of prior or same date and Lienes on said Land
or any part thereof. That the deed from
said Allen Edwards to said Richard A. Bristol
be set aside, and that ~~such other order or orders~~
~~may be made~~, any other real estate to which
said Allen Edwards may have had title which
is subject to the Judgment Lien of your Com-
plainant, J. O. Pullon's Judgment may be
ascertained & held liable for the same, and
that such other order and decree may be made
as may be consistent with Equity:

In consideration whereof and as this
Court has jurisdiction to grant all adequate
relief - To the end your Complainants
pray that Allen Edwards, Joshua Pullon,
Wm B. Shand, assignee in Bankruptcy of
said Joshua Pullon, Richard A. Bristol,
Emeline Gillette, Mrs L. Bettie & Wm J.
Gillette (the Last three Infants) may be
made defendants hereto, and that each
may be compelled to answer the same &c

allegations herein on oath, and that too,
as particularly as though they were
again repeated - and especially that
thesaid Allen, Edwards and Richard A.
Buster shall say whether they did not know
of the sale of said by the said Allen
Edwards to said Gillelly Spullow of said
real estate at Franklin - whether any
money or the thing was paid by said Buster
to said Edwards - and that the said
Allen Edwards also set forth a distinct
list and description of all the real
estate owned by him on the 15th of May 1866
when the Judgment of said J. D. Spullow
was docketed, that some proper person may
be appointed to defend the Infant Defendants
aforesaid - That said Melvina Gillelly may
say whether she will accept for any sum
she may have in said real estate at
Franklin (if any) a money equivalent
therefor - and that all other relief
may be granted consistent with Equity.
(And your Complainant will &c.)

J. D. Retton & c.
vs
Allen Edwards & c.

Answer of
R. A. Britten

1869. Nov. 6th

The separate Answer of Richard A. Briester
to a Bill filed in the Circuit Court of Southampton
County against himself Allen Edwards & others,
by

This Respondent for Answer to so much of
the Complainant's Bill as he is advised it is ma-
terial for him to answer, says,

that it is true he purchased the ~~property~~, the real
estate in the proceedings mentioned of Allen Edwards
and the said Edwards executed a deed to him for the same
a correct copy of which ~~is filed~~ with the Complainant's Bill.

This Respondent hereby states all that ever came to his
knowledge of the previous sale ^{alleged to have been previous} made to Gillette & Peltow —
It was common rumor in the neighborhood that the said
Gillette & Peltow had purchased the said real estate but the
said Allen Edwards informed your Respondent that they
had never had any deed recorded for the same and he
supposed the sale to them was void — Your Respondent
never knew of the existence of any deed in the pos-
session of the said Gillette & Peltow, but was of the
best opinion and belief that there had been only a
conditional sale and that the said Gillette & Peltow ^{never} ~~having~~
never complied with the conditions ^{therefore it was void and} ~~of that~~ ^{that} this
Respondent had an undoubted right to purchase the same
This he did for what was then considered in the neighborhood
as he believed, a full and fair consideration, for which he
has not as yet paid, but has executed his bond to
the said Allen Edwards for the purchase money.
It is true that the said Allen Edwards is the grand

factor of your Respondent, and may think proper
if he should be able to release him from the pay-
ment of the said bond; - but this is altogether
at the said Edward's discretion. Of course your
Respondent will not pay the bond until his
title to the said real estate is perfected, as
the deed to him conveys with general warranty,
and the bond expresses the consideration on its face.

This Respondent emphatically and solemnly de-
nies that the said purchase was made by him
with a view to hinder, delay, or defraud any
creditor of any one whatsoever, but he made
the said purchase ~~hoping~~ that his grand father
would induce him for the payment of the
purchase money, and anticipating that real
estate in Franklin which is a shifty, active
and growing village, would advance in value
so soon as the pecuniary pressure consequent
on the termination of the war had ceased,
in which latter hope he has not been disappointed.

And having sworn he prays to be here dismissed.

Richd. A. Brister

State of Virginia }
County of Southampton } Court

This day personally appeared before me
~~Wm. W. Brister~~ ~~Wm. W. Brister~~ ~~Wm. W. Brister~~ ~~Wm. W. Brister~~ ~~Wm. W. Brister~~
in my said County, Richard A. Brister and made oath
that the statements made in the foregoing are true,
Given under my hand this 3rd day, 1861. Wm. W. Brister

To the Hon. judge of the Circuit Court
of Southampton County, in Chancery sitting.

The separate answer of Allen Edwards
to a Bill of Complaint exhibited in the Circuit
Court of Southampton County against him
& others by J. D. Pullen & others.

This Complainant saving and reserving
to himself all benefit of full exception & void
bill for answer to said bill, is to so much
thereof as he is advised it is material
for him to answer, says that it is true
as stated in Complainant's bill that Jan
respondent purchased in December 1859
the lot at Franklin in the proceedings mentioned
that he subsequently agreed to sell the said
lot to Joseph E. Gullett and Joshua
Pullen for the sum of fifteen hundred
dollars that on the 28th day of Decr
1859 the said Gullett & Pullen executed
to him a bond for the said sum of \$1500
without any security and Jan respondent
executed a deed to them for the said lot
at the same time, and it was agreed and
promised by the said Joshua Pullen that
the said deed was to be carried to his
mother Mrs. Jane M. Pullen and there
deposited and to remain until the
said bond of \$1500 was fully and
entirely paid — That in pursuance of
his said promise and agreement Jan
respondent is advised and therefore charges
that the said deed was carried to Mrs
Jane M. Pullen and there remained
until the 15th day of Novr 1867, when
it was deposited in the Clerk's office

of Southampton County and admitted to record.
Your respondent states further that after
the execution of the deed and bond
aforesaid, and after the Commencement
of the late war, your respondent became
uneasy and anxious about the indorsement
of Gillette & Patton to him, (they having
indorsed to him in other annuities besides the
aforesaid bond of \$1500.) and sought an
interview with Joseph E. Gillette and
informed him of his apprehensions, and
desired that he should give him further
security. The said Joseph E. Gillette told
him that he preferred not to give any
additional security, but assured your
respondent, that if it would be satisfactory
to him, he would promise and agree
that the deed aforesaid should not be
admitted to record until the said bond
was fully paid. Your respondent agreed
to be satisfied with this, and thought that
this at least would secure the payment
of the bond of \$1500. Your respondent
is satisfied and charges that the said
Joshua Patton was cognizant of this
understanding and agreement, for after
the termination of the late war he came
to your respondent and informed him
that he could sell the said lot at
Franklin, and if he would come to
Franklin on a certain day prepared
to give a deed. Thomas Croft arrived
there ready to pay him for it. Your
respondent accordingly went but when

he arrived, Joshua Patton met him and
informed him that Mr. Croft had concluded
to go to Brazil and was therefore not
disposed to buy at that time. This tends
to show that Joshua Patton considered that
he had no claim or interest in the said
lot at Franklin until the purchase money
is paid. Your respondent believed that
he had a deed on the said lot until
the said bond of \$1500 was paid.
Joseph E. Gillette having died, and
it being understood that the said Gillette
& Patton would not be able to comply
with their contract, your respondent believed
that he had a right to sell the said
lot, and particularly so Joshua Patton
had agreed ^{not} to interpose any objection.
It was under these circumstances that he
executed the deed to Nathl. A. Brister.
Your respondent desires solemnly that it
be done for the purpose to hinder or
delay ^{his} creditors, and it certainly could
not have been done to prevent the payment
of complainant's debt inasmuch as
he had obtained a judgment previous
to the execution of the deed to Nathl. A. Brister.
Your respondent believes and therefore
charges that the complainant J. D. Patton
had notice of the date of the lot to
Gillette & Patton, and of the deed to
them by your respondent was much ^{in the}
deed was at his mother's where the said
complainant resided.
Your respondent is advised by

that if it should be decided that the
judgment obtained by J. D. Putton
is a lien on the said lot, a Court of
Equity will hold that according to the
agreement made by understanding aforesaid
with G. L. G. & Putton your respondent
has a lien on the said lot for the
said purchase money and will
accordingly so decree and order.
Your respondent further states that
the said J. D. Putton is indebted to
him the sum of \$1000 for a wagon purchase
of your respondent since the judgment aforesaid
was obtained and also in the further
sum of \$1000 due by account
which your respondent is advised should
be allowed as an offset provided it
should be decided that the judgment
of J. D. Putton is a lien on the said lot.
Your complainant files herewith
the bond of G. L. G. & Putton for the said
sum of \$1500 and also a further bond
against same for \$2385.66, which
he prays may be taken as part of this claim.
Your respondent having thus answered
prays to be heard in reference thereto on 5th
of next month.

Allen Edwards

South and Superior County to-wit:

This day Allen Edwards personally
appears before me, a justice of the peace for
the County aforesaid and swears oath that
the facts stated in the foregoing answer
are true to the best of his knowledge & belief.
Witness my hand this 10th day of
June 1889. Witness B. B. B. J. P.

Wm. H. & P. H. H. H.

Please pay to Mr. Allen Edwards
\$100.00, one hundred dollars for the
purchase of one wagon
May 23rd 1867 R. A. Brown

#2385. 66

On demand we bind ourselves our heirs
and assigns to pay unto Allen Edwards Admr. of
Robt. S. Edwards decd. the sum of Two Thousand
Three Hundred and Eighty five Dollars and 66/100
for value received as witness our hands and seals
this 25th day of September 1854.

Test-

Saml H. Griffin

Gillette & Prettome (seal)

1000

Recd Jan'y 14th 1859 One Thousand Dollars in part of the within note

Allen Edwards
Recd Jan'y 1st 1860 The Sum of five hundred and forty six dollars and eight cts 546.88

Giltner & Pellow

Bonds

Allen Edwards

Recd Jan'y 17 1860 of the within note the Sum of one hundred and sixteen dollars and eighty eight cts

Received of the above named person the sum of \$119.00 on Jan'y 1860

~~#25 50~~
Recd. Dec. 28th 1839 Twenty five
Dollars in part of the within

Collected for within
By Note

~~\$1500 00~~₁₀₀ Our demand, with Interest from
date we promise to pay Allen Bell
- or de or order the sum of Fifteen
hundred - Dollars \$1500 00 for the pur-
- chase of a certain lot in Franklin
for the use of the firm of Gillette &
Pettow, as witness our hands this
the 28th day of December 1869
Gillette & Pettow

Due Allen Edwards, from D. Prellow (~~46~~ 12)
Balance due on fees

Yellow Tal
by
Edward Tal.

Answer of
Robert Edwards

1869 Nov 8

✓
Edwards

ad { Sp^r

Prelow

2^d day May 1870

Executed

W. W. Briggs

By for D. L. Doles
Shff

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County---Greeting:

We command you to summon

Thomas H Croft & Joshua Patton

to appear ^{at} before the *latter's office* of our *County* Court of Southampton County, at the Court-house,
on the *22nd* day of *April* 1870 Term, — to testify and the truth to say, on behalf of

Allen Edwards in their depositions then and there to be taken

in in a certain matter of controversy in our *Circuit* said Court, depending and undetermined between —

J. D. Patton Jr

Said Edwards &c

Plaintiff, and

Defendant.

And this *they* shall in no wise omit under the penalty of £100. And have then there this writ.

Witness, OSWIN WHITE, Clerk of our said Court, at the Court-house, this *18* day of *April*
1870, in the *9th* year of the Commonwealth.

O. White

Puttows was

as 3

Believed to be

Deposition of

Josiah Puttows

P. S. D. Puttows

Received March 19. 1890-
handed in by W. B. Shands.
S. R. E.

The deposition of Joshua Putlow taken
to be read as evidence in the case in
Chancery now pending in the circuit
Court of Southampton of Putlow vs
vs Edwards and others to be read for
the defendants and taken by consent
in the presence of Mr R B Shames
counsel for the plaintiffs and John
I Kindred counsel for the defendants
Question by plaintiffs counsel
State all you know in regard to the
sale of the lot in Franklin to the
firm of Gilbert & Putlow and if
Richard Bristle did not know that
you had purchased the same from
Allen Edwards and if Richard Bristle
did not know when he purchased
the same property from Allen Edwards
that you had a deed for the same
I got the lot some time 1859 or nearly as
I can recollect. The deed was made in the
following July of 1860. My impression
was Mr R Bristle was with Mr Allen Edwards
at the time. He afterwards admitted to me he
knew I had got it and had a deed for it
and said Mr Edwards & himself discussed
the subject on his way to how his deed
recorded ~~that~~ & Mr A Edwards said I was

not to record my deed until he's paid
 for. I told him I never made no such
 engagement that Mr A J Fick had the
 deed and was directed to record it - But
 it to Jerusalem as he stated to me but
 the other witness not being here failed to
 do so laid it a way. That I thought
 for three years it had been recorded
 This Conversation occurred between myself
 and Mr Richard Bristle in the town of Jerusalem
 in the Office of Mr Wm B Shoups
 March the 19 1870 Joshua Patton

Taken by consent

Wm B Shoups
 Mo J. Kindred

Clark will please take a
 fee of \$2 for costs in costs for Oscar
 White who attended as commissioner
 to take the deposition.

Wm B Shoups

1

Deposition of J. D. Pittow taken
by court at the same time and
place with Joshua Pittow in
the presence of Jm B Shanes and
John A Kinchen Counsel for plaintiffs
and defendants to be read as
evidence in - the case of Pittows vs
Edwards is also a suit in chancery
in the circuit Court of Southampton
to be read evidence for the defendants
Question by Jm B Shanes plaintiffs
counsel of

State whether you know that
Richard Bristle had notice that
Allen Edwards had sold a lot
in Franklin to the firm of
Gillette & Pittow when he
purchased the same from
Allen Edwards

Answer. I do not

Question by same

I state all you do know about it
Answer. I only know that the lot
was sold publicly at Franklin &
that Gillette & Pittow were the purchasers
& expected they had a perfect right to the
lot until sometime after the war
in looking over the papers

Putnam's

vs 3

Edwardson

Deposition of

J. J. Putnam

belonging to Pretlow & Vick & Co. I found
the deed made by Allan Edwards to
Gillett & Pretlow & found it had not
been recorded, I looked to find if
it was recorded or not from the
fact that I had a judgment
against Allan Edwards

J. D. Pretlow

Question by deft.

State whether you did not say to Allen Edwards at the time that he gave you a deed for the lot at Franklin formerly belonging to Mott. G. Edwards dec^d, that the said deed was not to be recorded until the purchase money was fully paid.

In the year 1865 or 1866 did you not say to Mr. Edwards that Thomas Croft wished to purchase the lot aforesaid and that if he could go to Franklin on a certain day that Mr. Croft would be there and he could get the money for the said lot

No.

K. R. COBB,
Assessor of Internal Revenue,
2d DISTRICT, VA.

— • • —

Dated, Norfolk, 18

IN RELATION TO

No. of Enclosures,

Pretlow sq pt.

v { Com. Tylers Rst.

Edwards &

1870 July 25.

Com. Tylers Rst.
Edwards &
Pretlow sq pt.

An Account of Judgments against Gillette & Prettin or Joshua Prettin
 surviving partners of Gillette & Prettin and docketed as follows—

Docketed May 15 th 1866	Sas^{ts} M. McLenny, Rich^d W. Clayton & Muddock M. Clayton Surviving Executors of themselves & A. S. H. Burgh, Ex^{rs} of James Clayton dec^d Judgment vs Jos^s E. Gillette & Jos^s Prettin for \$ 328 28 Int. from 13th day of June 1860 to 1 July 1870 197 95 Costs 7 42	533 65
Docketed May 15 th 1866	Susan F. Gaskins "Guardian M. E. & J. W. Williams" Judgment vs Jos^s Prettin surviving partner of Gillette & Prettin for 155 23 Int. from 26th day of March 1859 to July 1 1870 104 92 Costs 6 82	266 97
Docketed May 15 th 1866	Anniah Williford "Guard F. E. Williams" Judgment vs Joshua Prettin surviving partner of Gillette & Prettin for 227 47 Int. from 26th March 1859 to 1 July 1870 153 72 Costs 6 82	388 01
Docketed May 15 th 1866	Susan F. Gaskins "Guard of M. E. & J. W. Williams" Judgment vs Joshua Prettin surviving part^r of Gillette & Prettin for 634 28 Int. from 12th May 1858 to 1 July 1870 461 79 Costs 6 82	1102 89
Docketed May 15. 1866	James H. Eudkins Judgment vs Joshua Prettin surviving part^r of Gillette & Prettin for 759 65 Int. from 29 November 1859 to 1. July 1870 482 37 Costs 6 82	1248 84
Amt Car^d forward		3540 36

Amount Paid over

\$3540 36

Commissioners Office
Jerusalem July 25th 1870

Docketed May 15/1866	Jonathan Darden Judgment v Joshua Prettow Surv. part of Gillette & Prettow for Int. from 19 th April 1860 to 1st July 1870 Costs	1000 00 612 00 6 82	1618 82
Docketed May 15/1866	Honor K. Stephenson Judgment v Joshua Prettow Surv. part of Gillette & Prettow for Int. from 21 April 1860 to 1st July 1870 Costs	263 13 160 93 6 82	430 88
Docketed May 15 1866	Honor K. Stephenson Judgment v Joshua Prettow Surv. part of Gillette & Prettow for Int. from 17 th December 1860 to 1 July 1870 Costs	167 64 95 88 6 82	270 34
Docketed May 29 th 1867	Jason Leuchins Judgment v Jos Prettow Surv. part of Gillette & Prettow for Int. from 3rd Feb 1861 to 1st July 1870 Costs	415 53 234 62 6 67	656 82
Docketed Decr 23 rd 1867	W ^m M. Jones ap ^{tn} of Jas Dillard who was ap ^{tn} of Robert S Barnes Judgment v Joshua Prettow Surv. part of Gillette & Prettow for Int. from 5th Nov. 1860 to 1 July 1870 Costs Paid March 11 th 1862 \$6.25 Total Amount Judgment Int.	469 12 270 10 6 07 745 29 6 25 739 04 7256 26	

Respectfully Submitted
James R. Tyler
Comm.

To the Circuit Court of Southampton County
Pursuant to a decree of the Circuit Court of Southampton County rendered at the May Term 1870. in a suit in Chancery depending, in said court between J^r D. Prettow, Decedent, Willford Guardian of F. E. Williams for the benefit of F. E. Williams, Susan F. Gaskins Guardian M. E. Williams & Junius W. Williams & others. And Allen Edwards for Joshua Prettow & others, Shands Trustee in Bankruptcy of said Joshua Prettow & others, the undersigned, one of the Commissioners of the said court, to whom was referred for settlement, by said decree, "as follows: That a Commissioner of this court ascertain the fragments against Gillette & Prettow or Joshua Prettow, surviving partners of said Gillette & Prettow docketed in Southampton County, and their amounts and priorities and make report to court, reports to the court, that on the 22nd June last he issued notices against the several parties aforesaid, requiring them to attend the settlement of the said account before him at his said office on the 14th day of July, which was returned to your Commission duly executed. That the parties aforesaid appeared before the Commissioners by attorneys in obedience to the said notices, and he thereupon states and settles the foregoing account of up to 1st day of July 1870 and finds the amount of Judgment & interest to be \$7256.26 cents. The Commissioner further reports to the court that after the completion of the said account he retained the same in his office ten days for the examination of the parties, and no exceptions being filed, the decree and notices aforesaid are here with returned.

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

James R. Tyler
Comm.

Commissioner's fee \$15.00
Chgt to J. S. Prettow

Prelim & }
V } Com. Notice
Edwards & Co }

Executed.
W. W. Driggs att

Commissioner's Office,

JERUSALEM, June 22nd 1870

To

J. D. Prettors Jeremiah Williford Guardian of E. Williams for the benefit of F. E. Williams Susan F. Gaslins Guardian of M. Williams & Junius Williams & James M. McClenney Rich^d W. Clayton & Murdock M. Clayton surviving Exors of James Clayton.

Defts

Allen Edwards Joshua Prettors W. B. Shands Trustee in Bankruptcy of said Joshua Prettors Rich^d A. Brister Emeline Gillette Jas L. Prettors & Wm P. Gillette

Defts

You are hereby notified that I have fixed upon the 14th day of July next, if fair, if not, on the next fair day thereafter, (Sunday excepted,) to take and settle, at my office, the following accounts, to-wit:

That Geo. R. Kilby as Commissioner receive of the clerk of this court (who will deliver the same to him on his filing a Receipt therefor) the bonds of S. B. Prettors of one hundred & fifty five dollars & of J. D. Prettors & Saml. B. Prettors Jr. of two hundred & ninety two dollars & eighty four cents filed with said report & collect the same & all interest due thereon, and that he deposit the money thus collected (after paying any further costs that may be due and unpaid, in the Norfolk Trust Company to the credit of this suit to be drawn out by order of this court & that he file in the cause the certificate of such deposit, & that he make deeds to Spikes Beale J. D. Prettors & Saml. B. Prettors respectively for the real Est. purchased by them under proceeding had in this cause with special warranty in the usual form & make report to court & all other questions in the cause are reserved for the further consideration of the court. That a Commissioner of this court ascertain the judgments against Gillette & Prettors or Joshua Prettors surviving partner of said Gillette & Prettors docketed in Sampson County & their amounts & priorities & make report to court

required to be taken by a decree of Southampton Circuit Court, rendered on the day of May Term 1870, in a suit in Chancery, depending in said Court, in which you are parties, plaintiffs, and defendants; at which time and place you are required to attend.

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

James R. Tyler

Commissioner.

To the Sheriff of Southampton County to execute.

Dr. H. L. L.

Stat. Rules

Edwards

1869 Nov. Peff's book

bk.

Shff

Law

10.87
3.50

Dr. Edwards & Bruster's book

bk.

Law

14.20

In Southampton Circuit Court.

J. D. Pretlow, Jeremiah Williford guardian F. E. Williams for the benefit of F. E. Williams, Susan F. Gaskins guardian W. E. Williams & Junius Williams & James M. McClumy, Rich^d W. Clayton & Murdock M. Clayton Surviving Executors of James Clayton
against
Allen Edwards, Joshua Pretlow, Wm B. Shands trustee in bankruptcy of said Joshua Pretlow, Richard A. Briston, Emeline Gillette, Jos. L. Pettie & Wm. P. Gillette

1869 Summons ret.^d. Executed Issued
" Mar. Rules - Sum^s ret.^d. Executed - Bill filed - G. R. Edwards assigned guardian ad litem to infant Defts. Ans. infants. G. R. - Decree nisi to the other Defts.
" June R. - (No. Rules being taken in consequence of a vacancy in the Office of Clerk) Bill taken for confessed as to Defts. Edwards, Pretlow, Shands, Briston & E. Gillette
" July - Cause set for hearing as to all the Defts &c.

1870 May. J. Report & decree

1872 Sep. 23 Sci. fa. to revise & W. W. Briggs Sff & adm Allen Edwards de^d.

1873 Nov. Decree to Collect &c.

1874 Feb. - Report & decree final

Edw ards

ad { S/2

Petition of

18th April 1870 at Clerk's Office

Executed.

W W Briggs Dy
for A G Cole Siff

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County---Greeting:

We command you to summon

Thomas H. Crofts & Joshua Preflow

to appear ^{at} ~~before~~ the *Clerk's Office* of our *County* Court of Southampton County, at the Court-house,
on the *18th* day of *April 1870* ~~Term,~~ to testify and the truth to say, on behalf of

Allen Edwards in their depositions then there to be taken

in a certain matter of controversy in our ^{*Circuit*} ~~said~~ Court, depending and undetermined between *J. D. Preflow*

Said Allen Edwards & others

Plaintiff, and
Defendant.

And this *they* shall in no wise omit under the penalty of £100. And have then there this writ.

Witness, OSWIN WHITE, Clerk of our said Court, at the Court-house, this *5th* day of *April*
1870, in the *9th* year of the Commonwealth.

O. White *cl*

Pittlow Jr
to } Copy Decree

Edwards Jr

make report

Southampton Circuit Court Number Term 1873,
 J. D. Portlow & others Plaintiffs
 against Defendants
 Allen Edwards & others In Chancery

It appearing to the Court that the said Allen Edwards has died and that W^m W. Briggs has become his personal representative in due course of Law and that this cause has been duly revived by scire facias as to said personal representative, came as to heard as the papers formerly read and on the examination of witnesses, and as the Report of John R. Kelly, made pursuant to the decree of May Term 1870, of this Court - to which report there is no exception and was argued by Counsel. On consideration whereof the Court doth confirm the said report, and doth adjudge order and decree that the said John R. Kelly Commissioner as aforesaid, receive of the Clerk of this Court (who will deliver the same to him on his leaving a receipt therefor) the certificate of deposit of the Norfolk Trust Co. for \$304.05, and collect the same with all interest thereon, and together with the sum of \$157.80, now in said Kelly's hands as appears by his aforesaid report, pay thereout any costs that remains unpaid including an Attorneys fee of \$20.00 costs to W^m B. Shands and of \$60.00 costs to Geo. J. Kindred and of \$40.00 to W^m H. Cott then pay the residue to the defendant Richard A. Drister, the Court deciding that under the record he is entitled to the same, and report to Court.

Attest

clks \$ 8.93

Shff. 7 40

Corn Tyler 15.00

White 2.00 \$ 33.33

Atty.

1/3 pd 9 am \$11.71

To

J. R. Edwards Clk

2 D. R. p

J. D. Patton Jr.

n

Allen Edwards Jr

Final report of
payments.

[Faint, illegible handwriting]
~~per call~~

1874 Feb 7 Term

To the Circuit Court of Southampton County Va.
 The undersigned reports to Court, that pursuant
 to a decree of said Court, made on the day of
 Nov. 1873., in the cause therein pending wherein
 J. D. Putton & others are plaintiffs and Allen
 Edwards & others, he has executed the same as the
 following statement will shew

By certificate of deposit of Norfolk Trust Co.	\$304.05
" Int. received of same	64.94
By Balance in Court hands.	\$368.99
	157.80
	\$520.79

for	Expenses W. B. Chand, atts. per decree	\$20.00
do.	" " Mr. J. Kinard " "	60.00
	" " W. W. Cobb " "	40.00
for	" addl. costs.	3.00
		\$123.00
		\$397.79

To paid R. A. Bristow per	{	397.79
Decree & rest.		

Respectfully submitted
 John R. Kelly Com

The costs have been rec'd & paid over
 to J. D. Putton per recd.

John R. Kelly Com

1873 Dec. 15. Received of John R. Kelly Comr. the several
sums set opposite our names

Geo. J. Kildred

Atto at Law #60.

B. A. Pirston. \$397.79

L. D. Brettow \$33.33

Mrs B Shands \$20

Valuable property in Franklin
Southampton County Va.

For sale.

By virtue of a Decree of the Circuit Court
of Southampton County, made at the
November Term 1869, in the cause of
Pulston Sotter against Allen Edwards
Sotter, I will sell on Saturday, the 18th
day of December next at 11 O'clock A. M.
on the premises, the very valuable property
in Franklin, formerly owned by Ro. G.
Edwards, more recently by Allen Edwards,
and at present occupied in part by S.
M. Lawrence Esq.

The Undersigned is empowered to
sell all together or in parcels, & will decide
by the day of sale.

Terms. One thousand dollars, in
30 days, and the Balance in 6 & 12
months, with interest from date, & the
title to be withheld till the order of Court.

Nov. 12 1869

John R. Kilby
Clerk

Law

84.20

35

A Copy Test

ER. Edwards ob

$$\begin{array}{r} 450 \\ 420 \\ 1400 \\ \hline 6820 \\ 1500 \\ 2000 \\ 1000 \\ 500 \\ \hline 11970 \\ \hline 30 \\ \hline 16800 \end{array}$$

Edward

Belmont

Copy - done

Ans \$25.
for 5

$$\begin{array}{r} 844.59 \\ 217.57 \\ \hline 1062.16 \\ 815.02 \\ \hline \$247.16 \end{array}$$

No Stone Lot 26 Cambridge \$895
No 2 d 118. 20 Outing \$260
No 3 No Outing, Dr. \$250
No 4 Br. \$1355
No 5 Joshua Packer \$155
\$1510

Saunderston Circuit Court November
Term 1869

J. D. Pitlow, Jeremiah Williford Guardian of F. E. Williams,
for the Benefit of F. E. Williams, Susan F. Gasling
Guardian of M. E. Williams & Junius Williams, and
James^W McLeamy, Rich^d W. Clayton, & Murdock Lott,
Clayton surviving Executors of Jas Clayton.
Plaintiffs / In Chancery

Against
Allen Edwards, Joshua Pitlow, W. B. Shands assignee
in Bankruptcy of said Joshua Pitlow, Rich^d H. Bris-
ter, Emeline Gillette, Joseph L. Bette^{es} & Wm^t P. Gillette —
Defendants;

This cause came on this day to be heard on the
Complainants Bill Taken for confessed as to the De-
fendants Emeline Gillette, Joshua Pitlow and W. B. Shands
on whom process has been duly executed, and
they failing to make defence and on the answer
of the Infant Defendants by Allen Edwards their Guardian
ad litem, & on the answer of Allen Edwards and Rich^d
H. Brister this day filed by leave of the Court, and
on general replication to said answers and on
Exhibits filed with said Bill, and was argued
by Counsel, On Consideration whereof, the
Court doth adjudge, order & decree, that
the Real Estate named in the proceedings
is subject to the Judgment of said J. D. Pitlow

as Assignee of Daniel R. Petlow, as set forth in the said Bill, and without at this time deciding any other questions involved in the cause, but expressly reserving them for future consideration, doth adjudge, order & decree, that John K. Kelby (who is hereby appointed a Commissioner for that purpose) proceed to make sale of the real Estate named in the proceedings, described as a Lot of Land in the County of Southampton, at the Village of Franklin fronting on the Seaboard & Roanoke Rail-Road, and on which was a Store House, and which ^{formerly} belonged to R. G. Edwards & which was purchased by him of Richard Barrett, and which was purchased by said ~~Edwards~~ Allen Edwards of Cobb & Kelby Commissioners, as may be seen by Deed of 18th June 1860, duly recorded - which said Sale he the said John K. Kelby, Commissioner as aforesaid, will make on the premises, either in whole or in parcels as he may deem best, (and may have the aid of a Surveyor if he so desires) after having given twenty five days notice by Advertisement at the Court House door of Southampton County at Franklin in said County and at least six other public places near the premises, and also advertise the same in the "Christian Sun" a newspaper published in Suffolk, & also in some newspaper

published in Norfolk, and that he require in cash a sum sufficient to pay the costs of Suite & expenses of sale including a fee of Fifty dollars each, to John K. Kelby and W. B. Stands attorneys in this cause, and to pay the Judgment due ^{said} J. D. Petlow Assignee as aforesaid, and as set forth in the proceedings, which he will pay to the parties entitled; and for the balance he will sell on Six ^{or} twelve months Credit, with Interest from date, & take Bonds of the purchaser with good security and retain the Title till the further order of the Court. And the Court doth ^{for the} ^{adjudge} order and decree that the said John K. Kelby Commissioner as aforesaid, collect all rents which may be due for the same, and make report thereof to Court. But no sale is to be made under this Decree, until the said John K. Kelby, shall execute before the Clerk of this County, in his Office, a Bond in the penalty of Three Thousand dollars, payable to the Commonwealth of Virginia and conditioned for the faithful execution of the duties required of him under this Decree, or any other which may be made in this Cause.

Elks costs 110.87
Shff. 3.50
Law^s

Puller h
v

Allen Edwards h

see 18 Dec

1869

for Decree

adv. in "Sun"

Amph. Paper

for Bond.

J. D. Patton apr Jno
 Int from 5 feb 1846 // 500.00
 to 2 March 1849 - 3 yr. 27d 92.25
// 592.25
 or then paid 30.00
// 562.25

Int from 2 March 1849 to
 15 apr 1850 on // 500 - 1 yr. 1m. 13d 33.58
// 595.83
 or then paid 30.00
// 565.83

Int from 15 apr 1850 to
 15 apr 1852 on // 500. - 2 yr 60.00
// 565.83
 or then paid 60.00
// 505.83

Int from 15 apr 1852 to
 15 Jan 1853 on // 500 - 2 yr. 9m 82.50
// 588.33
 or — 85.00
// 503.33

Int from 15 Jan 1853 to
 20 apr 1857 - 2 yr. 3m. 5d 68.32
// 571.65
 or. 60.00
// 511.65

Int from 20 apr 1857
 to 21 feb 1859 - 1 yr. 10m 10d 56.20
// 567.85
 or — 60.00

Int from 21 feb 1859
 to 18 Dec 1869 - 10 yr. 9m. 27d. 329.62
 cuts of pro. 7.02
// 844.59

Rev. J. W. Kelley

To S. T. Loring

To, Surveyor in Franklin Co. N. H.

Recd, paym't

S. T. Loring

1869 Dec 18 Rec^d of John R.
Killy Cow, Twenty five dollars
fee as Auctioneer in selling
Land in Franklin under Decree
of Court.

L. B. Asham

Puller
27 &
Edwards

Notes of depts'
Council -

Puller

27 3

Edwards

The defendant Edwards claims in this suit that he is entitled to the proceeds of the sale of the real estate in the papers mentioned after discharging the judgment lien of J. D. Puller — And he thinks that the law and equity of the case justify him in so doing — He urges his claim on the ground that it was understood at the time that the said real estate was purchased by Gillette & Puller that the deed to them was not to be recorded until the purchase money was fully paid. He states this positively and unequivocally in his answer and it is not denied by any one except Joshua Puller. and we submit that even Mr. Puller's conduct would seem to corroborate the statement of Mr. Edwards. He admits ~~that~~ that the purchase money had not been fully paid, but that he had paid \$1200. The bonds due by Gillette & Puller are filed in the cause, and they show that not one cent had been paid on the bond given for the purchase of the real estate, and the credits on the other bond show that \$1000. was paid Jan'y 1859, and \$346. in Jan'y 1860.

Mr. Puller admits that he knew in 1865 or 1866 that his deed had not been recorded yet he makes no attempt to have it done.

until Nov. 1867 several months after
the deed from Edwards to Britton had
been recorded - We submit that this
conduct seems to corroborate Mr. Edwards
statement - It was generally known
in the community in which Mr. Edwards
resided that he was much embarrassed,
and it would seem that Mr. Britton was
guilty of great neglect of his interests
to permit judgments to be obtained against
Mr. Edwards which would be a lien on
the said real estate, when all this could
have been obviated and prevented by
having his deed recorded - Yet
he makes no attempt to do so, until
the deed to Britton is recorded.

This conduct so regardless of his
own interests would seem to be counted
only with the statement of Mr. Edwards
that the deed was not to be recorded
until it was paid for.

Equity is clearly on the side of Mr.
Edwards, the land not having been
paid for, and if there should be any
doubt, it should come to the benefit.
We submit, therefore, that your honor will
decree that the proceeds of the sale of
said land be applied to the payment of
the bond due Allen Edwards for the
purchase of the said real estate.

Wm. W. Clark
att'y for Mr. Edwards

At the Time I bot the Property from
Mr Allen Edwards he gave me a deed
and nothing was said as to when the property
was to be paid before the deed was recorded.
I was ready to pay for the property but was
instructed to pay the money to Mr Robt-
Whitfield which I did twelve hundred dollars
of the remaining three hundred was to be
paid to Mr Whitfield. But the war came
& I failed to do so. I was away & gave
the deed to Mr A J Vick to record the day
it was made but owing to the witness
not being at Court this was not done
tho I still supposed for several years
was recorded until found among Mr
Vicks papers in 1865.

Answer to 2 question:

In 1866 Mr Allen Edwards
came to my house & I then told him
that as the deed had not been recorded I would
wait until I could sell the property & pay
him all I owed him under a compromise
say the principle of a debt then owing him
amounting to thirteen thousand dollars which
I think in a settlement on that day was
nearly paid off. He requesting that the
money paid for the property that is store
house & lot be put to the credit of an other
bond I remarked I did not care how he placed
the the credit & that afterwards I went to his
house & told him that I had sold the proper-
ty & would pay him what I owed him

To be read as
evidence by
Circuit
W. W. C. H.

To Come to Franklin & let us settle
up the business which he promised to do

Major Edwards

In this case, if you don't
find originals, if you need
sums that Sh. make return
all of original data, also make
abstract of judgments & file
as exhibits - also copy & file
all other exhibits & in Taxing
Cts charge for both sets -
also note ans. as you as letter
file.
J. R. Kelly

Know all men by these presents that we John R Kilby

are held and firmly bound unto the Commonwealth of Virginia in
the just and full sum of Three thousand ————— Dollars
good and lawful money of the Commonwealth of Virginia, to the pay-
ment whereof well and truly to be made we bind ourselves our heirs, executors
and administrators jointly and severally firmly by these presents. Sealed
with our Seals and dated this 15 day of November AD 1869

The Condition of the above obligation is such that if the above
bound John R Kilby Commissioner appointed by the Circuit Court of Southampton
County in the suit in Chancery depending in said Court between J D Patton & others
Plffs & Allen Edwards & Defts

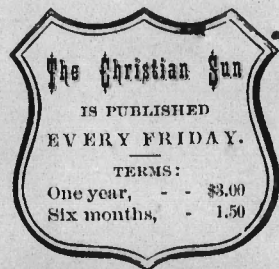
Shall faithfully discharge the duties of his said Office or trust
according to law, then the above obligation to be void or else to remain in
full force and virtue

Signed, Sealed and delivered
in the presence of the Court }

John R. Kilby

Seal
Seal
Seal
Seal

EVERY DESCRIPTION OF BOOK AND JOB PRINTING NEATLY EXECUTED.



TERMS---CASH ON DELIVERY.

Suffolk, Va., Nov. 19th 1869

Mr. Jno R Kelly

To W. B. WELLONS, Jr.

BOOK AND JOB PRINTING OFFICE,

To acc^t. Danner's Lmd for vol 26 57 7 80
Rec^d for m^o
W. B. Wellons

Southampton Circuit Court, May Term 1870

J. I. Sackett, Jeremiah Willford Guardian F. E. Williams, for the benefit
of F. E. Williams, Susan F. Gaskins, Guardian M. E. Williams, and
James Williams and James M. McCluney, Richard W. Clayton
and Murdoch M. Clayton, Surviving Executors of James Claytons
Against
Allen Edwards, Joshua Sackett, Wm. B. Shands, Trustee in Bankruptcy
of said Joshua Sackett, Richard A. Bristol, Emeline Telleke,
James S. Bellie and William S. Telleke - Defendants -

This Cause came on this day to be again heard on the papers
formerly read and on the Report of John R. Kelly, (Comptroller
Made pursuant to the decree of the day of November 1869,
(to which report there is no exception,) and on the Examination of
Witnesses; and was argued by Counsel, on (consideration whereof,
the Court doth Confirm the said Report and doth adjudged, Order
and decree, that John R. Kelly, as Comptroller, as aforesaid,
receive of the Clerk of this Court, (who will deliver the same
to him on his filing a Receipt therefor,) the Bonds of J. I.
Sackett, of two hundred (and fifty five dollars and of J. I.
Sackett and John Sackett Jr, of Two hundred (and Ninety two
dollars and Eighty four Cents, filed with said Report, and
Collect the same (and all interest due thereon, and that he
deposit the Money thus collected, (after paying any further
Costs that may be due and unpaid,) in the Norfolk Savings
Company, to the Credit of this Suit to be drawn out by
Order of this Court, and that he file in this Cause the

Certificates of such Deposits, and that he Make Suit to Spikes
Beale, J. S. Prillie, and Samuel B. Prillie respectively for the real
Estate purchased by them Under proceedings had in this Cause,
with Special warranty in the usual form - and Make report to
Court, and all other questions in the Cause are reserved for the
further Consideration of the Court. And it is ordered that a
Commissioner of this Court ascertain the Judgments against
Gillie & Prillie or Joshua Prillie surviving partner of
Said Gillie & Prillie, decreed in Southampton County, and
their amounts and priorities, and Make report to Court.

Attest

Clerk,

James R. Tyler, C. C.

Prillie

Copy Decree

Edwards

To The Circuit Court of Southampton
County.

The Undersigned reports to Court.
That pursuant to the Decree of May
Term 1870 made in the cause of
J. D. Pretlow (and others against Allen
Edwards & others, he has received of the
Clerk of said Court the Bonds of J. B.
Pretlow & of J. D. & John Pretlow Jr. and col-
lected the same, and has made to the
said parties Deeds for the Land purchased
by them, and also made a deed to Spikes
Beal for the lot purchased by him & paid
for, the Deeds with special warranty
in the usual form.

He has collected as follows —

J. B. Pretlow's Bond	\$155.00
Int. from 18 th Dec 1869	
to 18 th Dec 1870	9.30
J. D. Pretlow & John Pretlow Jr.'s bond	\$292.84
Int. from 18 th Dec 1869	
to 18 July 1870	11.21

Total amo: \$	468.35
To paid wellm. adv. prot. \$7.50. fees & \$5.	12.50
To amo. reported in the report.	\$455.85

Trust Co. to the credit of this fund
as per certificate filed herewith

& as directed by said Decree \$304.05 = 455.85
In cash in Comm hands 151.80

Respectfully submitted

John R. Kilby, Comr. }

The Commonwealth of Virginia

Pretlow Jas
to } Scifai

Edwards Jas

1872 November Oct. 24

I acknowledge
Service of this Summons
W W Dugg

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY--GREETING:

WHEREAS *J. D. Peltow, Jeremiah Welliford, Guardian F. E. Williams for the benefit of F. E. Williams, Susan F. Gaskins Guardian M. E. Williams & others plaintiffs.*

heretofore exhibited to our *Circuit* Court of Southampton County, sitting in chancery, *their* bill of complaint against *Allen Edwards, Joshua Peltow & others Defendants*

whereupon sundry proceedings have been had, as appears from the records and files of the said court, but before a final decree could be pronounced in the cause, the said *Allen Edwards* departed this life *intestate as it is said* and the estate of the said *Allen Edwards* has been committed to the hands of *Wm W. Briggs* Sheriff of Southampton County for administration according to law

And the said *J. D. Peltow & others plaintiffs* having supplicated us for a proper remedy in this behalf, and we being willing that what is right and just should be done: Therefore, we command you that you make known according to law to the said *Wm W. Briggs* Sheriff & as such *admon* of *Allen Edwards* do

that he *before the Judge* be at the Clerk's office of our said *Circuit* Court, at the *Courthouse thereof* ~~rules to be holden~~ for the said court on the first ~~Monday~~ *Monday of the next Term* ~~next~~ *thereat*, to shew cause, if anything, for *himself* he have or know to say why the said suit should not be proceeded into a final decree *against him*

and be in all things in the same plight and condition as it was at the time of the of decease the said *Allen Edwards*

and further to do and receive what our said Court shall in that part consider. And have then there this writ.

Witness, *L. R. Edwards* ~~OSWIN WHITE~~, Clerk of our said Court, at the Courthouse, this *23* day of *September* 1872, in the *94* year of the Commonwealth.

L. R. Edwards *bb*

Putlow &
n } Com. Report
 } & Sale &c

Edwards &c

filed May 21 1870

To the Circuit Court of Southampton County
 The Undersigned reports to Court,
 that pursuant to the decree of the November
 Term 1869, of said Court, made in the
 cause therein pending wherein J. D. Puttton
 & an plaintiffs and Allen Edwards & al. are
 Defendants, he proceeded to advertise the
 sale of ~~the~~ real estate named in said
 decree, being one acre more or less, in the
 village of Franklin, in said County, &
 did on the premises on the 18th day of December
 1869, sell the same in four parcels, each
 fronting on the street or Road fifty two feet
 and three inches, and running back, eastwardly
 so as to divide the same into four equal parts
 when Lot No. 1, adjoining the Rail road was
 purchased by Spikes Beal for \$ 815.00
 Lot No. 2, next in order by J. D. Puttton

and John Puttton Jr. for	\$ 260.00
Lot No. 3. by same	for 280.00
Lot No. 4. by same B. Puttton	for 155.00
Total.	\$ 1510.00

a Diagram of the premises is annexed.

To paid Same Bealham. Crier P. wt	\$ 25.00
" " S. J. Drury, surveyor	" 10.00
" " advertising in paper	" 10.00
" " 5 per cent Com. on \$ 300.	15.00
" " 2 do. on \$ 1210. balance	24.20
can? on	\$ 84.20 \$ 1570.00

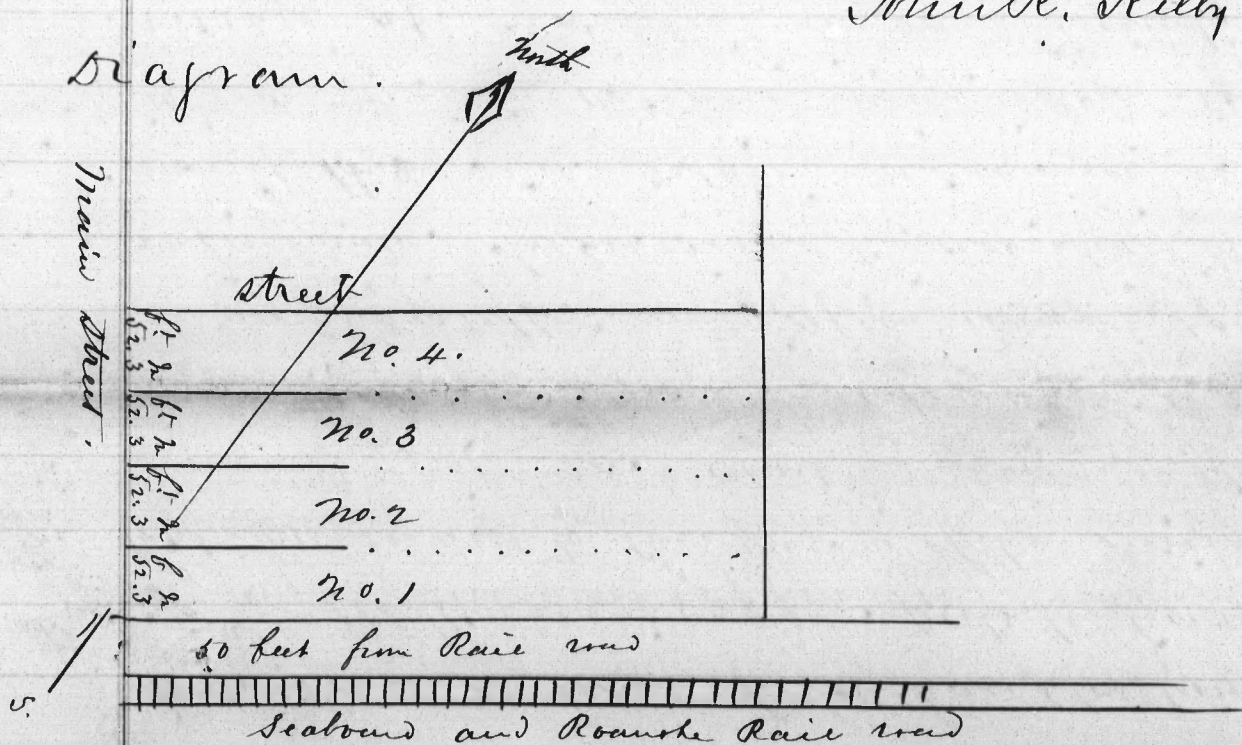
	amt. but. on	\$84.00	\$1570.00
pd	To Mr R. Kilby's fee for acct	50.00	
pd	" W. B. Shandor " "	50.00	
pd	" reserved for 3 Deed stamps,	15.00	
	paid Jones		
pd	" clerk, cnts	15.07	
	" Sheriff "	3.50	
			\$217.57
			\$1292.43

I paid J. D. Pulton office.
 as directed by said decree,
 to act. Judgment for
 Int. from 5 Feb 1846 to 18 Dec 1869,
 left various credits including

Cnts of Judgment	\$844.59
Balance & Bond of purchaser, filed for	\$447.85
Total. Same. B. Pulton Bms \$155.	
J. D. Pulton Dr. 292.84	

The Deed to purchaser reserved till further order,

Respectfully submitted
 John R. Kilby Comr.



1869 Dec. 20 Recd. of Jno. R. Kilby Com
the serial sum set opposite our names, &
as stated in foregoing Report.

LR Edward \$110.87

LR Edward \$4.20

John R. Kilby atts. for. D. Putnam \$844.57

Puttlow & n. Edwards vs. al.

This cause came on this day to be again heard on the papers formerly read on the report of John R. Kelly, Com. made pursuant to the decree of the Court of November 1869 (to which report there is no exception), and on the examination of witnesses, and was argued by Counsel. On consideration whereof the Court doth confirm the said Report and doth adjudge, order & decree that John R. Kelly as Com. as aforesaid receive of the Clerk of this Court (who will deliver the same to him on his filing a Receipt therefor) the Bond of S. B. Puttlow of \$155 & of J. D. Puttlow & Mrs. Puttlow Jr of \$292.84, filed with said Report, and collect the same and all interest due thereon, and that he deposit the money thus collected (after paying any further costs that may be due & unpaid) in the Norfolk Trust Company to the Credit of this suit to be drawn out by order of this Court, & that he file in this cause the Certificate of such deposit, and that he make deeds to Spikes, Beal, J. D. Puttlow & Sime B. Puttlow, respectively for the real

estate purchased by them under
 proceedings had in this cause, with
 special Warrant, in the usual form,
 (and) make report to Court — (and) all
 other questions in the cause are
 reserved for the future consideration
 of the Court, and it is ordered that
 a Law of this Court ascertain the judgment
 against Gellitt & Pettin or Joshua
 Pettin surviving partner of said Gellitt
 & Pettin, docketed in Southampton County,
 & their amounts & priorities & make
 report to Court.

Pettin Jr

by

Edward Jr.

1870

May 2. Decree

To be entered

Geo. B. Burt



Pulten p.

17

Allen Edwards p.

1873

Nov. Cir. cl.

Decree to collect &c.

To be entered

Geo. R. Blod.

J. S. Pullen &

vs.

Allen Edwards &

It appearing to the Court that the said Allen Edwards has died & that Wm W. Briggs, has become his personal Representative in due course of Law & that this cause has been duly revised by scire facias, & to said personal Representative, came out to be heard on the papers formerly read & on the Examinations of witnesses, and on the Report of John R. Kelly, made pursuant to the decree of May Term, 1870, of this Court - to which report there is no exception and was argued by Counsel.

On Consideration whereof the Court doth Confirm the said Report, and doth adjudge order and decree that the said John R. Kelly Com as aforesaid, receive of the clerk of this Court (who will deliver the same to him on his leaving a receipt therefor) the certificate of Deposits in the Natchez Trust Co. for \$304.05; & collect the same with all interest thereon, and together with the sum of \$157.80 now in said Kelly's hands as appears by his aforesaid Report, pay thereout any debts that remain unpaid, including an attorney's fee of \$20.00 ^{cents} to W. B. Shand & of \$60.00 ^{cents} to J. R. Shand & then pay the Residue to the Defendant Richard A. Bunter the Court Deciding that under the said he is entitled to the same, Report to Court.

Putton to
M

Edward J. Tal

1869

Mr. Court

Secree

To be returned

E. P. Pitts

Putton & v. Edwards & al.

This cause came on this day to be heard on the Complainants' Bill taken for confessed as to the defendants Emeline Killester, Johna Putton & Wm B. Shand, on whom process has been duly executed and they ~~were~~ failing to make defence and on the answer of the Infant defendants by L. R. Edwards their guardian ad litem and on the answer of Allen Edwards, and Richard C. Brister this day filed by leave of the Court, on general replication to said answers and on exhibits filed with said Bill & was argued by Counsel, on consideration whereof, the Court doth adjudge order & decree that the real estate named in the proceedings is subject to the judgment of said J. D. Putton ^{as assignee of Jane W. Putton}, as set forth in said Bill, and without at this time deciding any other questions involved in the cause, but expressly reserving them for future consideration, doth adjudge, order & decree that John R. Kelly, (who is hereby appointed a Commissioner for that purpose) proceed to make sale of the real estate named in the proceedings, described as a lot of land in the County of Southampton, at

the village of Franklin, fronting on
the Seaboard & Roanoke Rail road, and
on which was a stone house, and which
formerly belonged to No. 4. Edwards, and
which was purchased by him of Rich^d
Barrett: and which was purchased
by said Allen Edwards of Cobb & Kilby
Commrs. as may be seen by deed of 18th.
June 1860 duly recorded - which said
sale he the said John R. Kilby Com^r
as appraiser will ~~sell~~ ^{make} on the premises
either in whole or in parcels as he may
deem best (and may have the aid of a
surveyor if he so desire), after having
given Twenty five days notice by ad-
vertisement at the Court house door
of Southampton County; at Franklin
in said County, and at least six
other public places near the premises
and also ^{advertised that same} in the "Christian Sun" a
newspaper published at Suffolk &
also in some newspaper published
in Norfolk - and that he require in
cash a sum sufficient to pay the
costs of print and expenses of sale
including a fee of \$50, each, to John R.
Kilby and W. B. Shands attorneys in
this cause, and to pay the judgment

and said J. D. Patton, ^{assignee} as aforesaid
and as set forth in the proceedings,
which he will pay to the parties entitled
and for the Balance he will see
on six stocks monthly credit with
Interest from date, and take Bond
of the purchaser with good security
and retain the title till the further
order of the Court. and the Court
doth further advise and decree
that the said John R. Kilby can
as aforesaid collect all rents which
may be due for the same, and
make report thereof to Court.

But no sale is to be made
under this decree until the said John
R. Kilby shall execute before the Clerk
of this Court in his office a Bond in the
penalty of \$300, payable to the Com-
monwealth of Virginia, & conditioned for
the faithful execution of the duties re-
quired of him under this decree or any
other which may be made in this
cause.

Putlow

n

Edward D. H.

1874

Feb. 21.

Final Decree

To be entered

G. T. Snow.

J. D. Pettus Jr.

vs.

Allen Edwards Jr.

This cause came on this day to be again heard on the papers formerly read & on the report of John R. Kelly Comr. made pursuant to the decree of the Nov. Term 1873 to which report there is no exception (and was argued by Counsel; on consideration whereof, the Court doth confirm the said Report, and doth adjudge now and decree that the proceedings had in this cause, be confirmed & made final and binding between the parties to the same — And nothing further remaining to be done in this cause it is ordered ^{that the same} to be removed from the Docket.