

1869-12

Southampton County Chancery

Halmes, Wm. H. vs.
ex Guardian

Halmes, Wm. H. (decd)

"To sell Real Estate for"
Benefit of Wm. H. Halmes
infant

Butler, Myrtal D -
Guardian for
Wm. H. Halmes

Halmes, Wm. H. et al
Samuel H. Halmes
James Halmes
Hardy Chapman
Montilda Chapman
William Griffin
Virginia Griffin

ff 149. 48. 23 22

Holmes's son
in } Papers.

Holmes's

Kilby p. 9.

Milton D. Butler, guard?
of Wm. H. Holmes &c

in } Bill &c

Wm. H. Holmes, sal:

1859 October Rules

Cir. Ct. Sample

To the Hon: Richard A. Baker, judge, of the Circuit Court
of the County of Southampton, Virginia - in
Chancery sitting - Complainings shew unto
the Court your Complainants Milton D. Butler
guardian of W^m H. Holmes, and the said Milton D.
Butler and Mary Patience his wife -

Your Complainants respectfully represent to
the Court and say, that the said Milton D. Butler
was on the day of ly Southampton County
Court appointed the guardian of the said W^m H.
Holmes, only child of W^m H. Holmes dec^d, and that
he on that day duly qualified as such, as will
appear by a copy of the order of said Court filed
herewith & marked (A.).

That the said W^m H. Holmes deceased, left only one
child as aforesaid and a widow, who is now the
wife of said Milton D. Butler & one of the afore-
said Complainants, who were & are the only heirs
of said deceased - That the deceased left a
tract of land in Southampton County, at Berlin
in said County, on which is a store house, small
dwelling and some out houses, in which land the
Dower right of your female Complainant has been
duly set apart and assigned her by proper &
legal proceedings in the County Court of said
County - That the whole tract of land contains
a hundred acres more or less and is worth
from fifteen hundred to two thousand dollars.

Your Complainants charge, that it is manifestly
best to see the said land, to promote the interests
of said Infant, W^m H. Holmes, and that to do so,
will not injure or violate the rights of any one.

That the said W^m H. Holmes, infant aforesaid is now
twelve years old, and is the owner of the said

aforsaid, subject to the Dower above named, and which adjoins the lands of M. J. Davis, Rich^d. M. Stephenson & others: also the said Wm. H. Holmes, infant aforsaid is the owner of eight negroes, to wit. a very old man named London (expensive); woman Milly aged about fifty five years, woman Parma aged about 25 years, woman Charlotte aged about 18 years, girl Danny aged about 13 years, man Ted aged about 20 years, man Isaac aged about 26 years, girl Cherry aged about 8 years — That the following are some of the reasons why the said Land should be sold — The houses are now very much out of repair, and will continue to get worse, unless constantly repaired, and that up to this time nearly all the rent has been expended in repairs — that the store house, which chiefly renders the place valuable, is in very bad condition, and will require several hundred dollars to repair it — That the peculiar value heretofore placed on the premises & location as a place for merchandizing has been seriously lessened by the building of the Norfolk & Petersburg rail road in about ten miles of it, where other rival places of business have sprung up — That there is no reason to believe that the place will be more valuable to the ward hereafter than now, and as he has a long minority yet to pass through, the place will deteriorate in value by renting the same out — That the friends and relatives of the ward also favor the sale of said land as best promotive of his interests — That in order to advance the interests of said ward your Complainants Milton D. Butler and Mary Patience his wife are willing to sell their Dower right aforsaid, so that the premises may be sold out and out, and are willing to accept in fee

in lieu of said Dower, such part of the proceeds of sale as may be right and proper, the said Mary Patience now being thirty four years old. That if the said Wm. H. Holmes, infant as aforsaid, were dead, his heirs would be his Uncles (and) Aunts on the father's side to wit. Saml. H. Holmes, James Holmes, Matilda wife of Hardy Chapman & Virginia wife of William Griffin, all adults —

In Consideration whereof (and) for as much as this Court can alone grant the relief desired, to the End your Complainants pray that the said infant Wm. H. Holmes, Saml. H. Holmes, James Holmes, Hardy Chapman & Matilda his wife and William Griffin and Virginia his wife may be made Defendants hereto, and be required to answer the allegations on oath — that some proper person may be appointed to defend the said infant defendant — that the said Land may be sold as prayed for, & that a fair value in fee may be paid to the female Complainant in lieu of her Dower in the same, and that all proper relief may be granted consistent with equity &c.

signed

John R. Kelly p. q.

M. D. Butler
M. P. Butler

Southampton County to wit.

I Tho. J. Brister a justice of the peace in & of the said County do certify that Milton D. Butler & Mary P. his wife whose names are signed to the foregoing bill, came before me this day and made oath that the facts set forth in the said Bill are true as they verily believe — Given under my hand this 29th day of September 1859. Tho. J. Brister J. P.

M. D. Butler *gdn* to

to

Holmes *to*

Ans. of Inft. Lett
this *gdn* ad letter

1859. October Rules

The joint answer of Wm H. Holmes, an infant under 14 years of age by H. S. Howard his guardian ad litem, and of the said H. S. Howard as guardian ad litem of said Wm H. Holmes, to a Bill in Chancery filed in the Circuit Court of Southampton County by Milton D. Butler guardian of the said Wm H. Holmes &c. against the said Wm H. Holmes and others —

These Respondents say that the facts and statements made and set forth in the said Bill are true as they believe — that they are also of opinion that the sale of the real estate as prayed for, would be promotive of the interests of said Infant and that the rights of no one would be violated thereby, and therefore join in the prayer for such sale.

And having answered &c

Signed
H. S. Howard guardian ad litem
of Wm H. Holmes

Sworn to before me in
my office this 3^d day
of October 1859
J. R. Edwards C. C. J.

Holmes & Co
n

Holmes & Co.

agreement.

(+)

filed 3^d May 1869

Whereas, Milton D. Butler guardian of Amos Holmes,
& the said Milton D. Butler & wife, brought their
chancery suit in the Circuit Court of
Southampton County against Amos Holmes,
Samuel Holmes, &c. in the year 1859, having
for its object the sale of a tract of land at
Berlin, in said County - And whereas,
by proceedings had in the cause the said
Land was sold on the 24th Oct. 1860 and
was purchased by Franklin Vick, who duly
executed his Bond therefor, which has never
been paid - And whereas, the recent
war has greatly changed the circumstances
of all parties concerned, and the said
Amos Holmes, having in the mean time
become of lawful age, and all parties
now desiring to cancel all proceedings
had in said suit, and remit all the
parties to their original position -

Now the undersigned, do request the
Court to enter a decree in said cause
dismissing the suit, & directing the
Bond filed in said cause of Franklin
Vick the purchaser of said Land, to be
cancelled & delivered to him, and that
the Land remain as tho: no sale had
ever been made - Witness our hands this 17th Aug

1868.

Witness
James E. Cuyler
H. G. Holmes,

(J. Vick)
M. D. Butler
W. H. Holmes

Enclosed and True copies of the within
delivered to Henry Chapman & Allden
his wife Sept. 23rd 1859 One to each
J. P. Gay Staff;

Attest
J. P. Gay Staff

Attest
1859 J. P. Gay Staff

Enclosed

J. P. Gay Staff

J. P. Gay Staff

Attest
J. P. Gay Staff

50

The Commonwealth of Virginia, *Isle of Wight*

TO THE SHERIFF OF ~~SOUTHAMPTON~~ COUNTY—GREETING:

WE COMMAND YOU TO SUMMON

Hardy Chapman & Matilda his wife

to appear at the Clerk's office of our Circuit Court of Southampton County, at the Rules to be holden for
the said Court, on the first Monday in *October next*, to answer a bill in chancery
exhibited against *them & theirs.* in our said Court by

*Milton D. Butler guardian of Wm. H. Holmes and the said Milton D. Butler
of Mary Bateman his wife*

and have then and there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court
House, this *20* day of *September* 185*9*, in the *84* year of the
Commonwealth.

L. R. Edwards

St Holmes's Son

Holmes

1859 October Rules

Executed Sept

25th 1835 on Wm

H Holmes. Paul H

Holmes, James Holmes,
and Wm Griffin & wife

Hardy Chapman &
Wife not residents
of this County

J. W. Vick Deputy
Shff

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON

Wm H. Holmes (an infant under 14 years of age)
Saml H Holmes James Holmes Hardy Chapman & Matilda his wife and
Wm Griffin & Virginia his wife

to appear at the Clerk's office of our Circuit Court of Southampton County, at the Rules to be holden for
the said Court, on the first Monday in *October next*, to answer a bill in chancery
exhibited against *them* — *10* in our said Court by

Milton D. Butler guardian of Wm H. Holmes and the said Milton D.
Butler & Mary Polimer his wife

and have then and there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court
House, this *20th* day of *September* 185*9*, in the *84th* year of the
Commonwealth.

L R Edwards

[The handwriting is extremely faint and illegible.]

10

Holmes Gen.

2. { come bond

Holmes &

Holmes & Co.
Holmes & Co.
Holmes & Co.



2

It is on all men by these presents that we Milton D Butler & James Holmes,
and Ludlow Lawrence & Wm G. Stephenson are held and firmly bound unto
the Commonwealth of Virginia in the just and full sum of three thousand dollars
good and lawful money to the payment 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 17th day of September
1860-

The Condition of the above obligation is such that whereas in a suit in
Chancery depending in the Circuit Court of Southampton County between Milton D
Butler guardian of Wm H Holmes and the said Milton D Butler & Mary Pa-
trience his wife his wife. Plaintiffs against Wm H Holmes & others defendants by
a decree rendered therein on the 2nd day of May 1860 the above bound Milton
D Butler & James Holmes were appointed Comptrollers for certain purposes
therein expressed. Now if the said Milton D Butler & James Holmes shall
faithfully discharge their duties assigned of them under the said decree or that
may be required of them under any further decree in the said cause then the
above obligation to be void or else to remain in full force and virtue.

Signed Sealed & acknowledged
before me. ?

Milton D Butler (Seal)

James Holmes (Seal)

Ludlow Lawrence (Seal)

Wm G Stephenson (Seal)

Stolms for

2

Holmes.

1860 May 9th

In obedience to the above decree made at the November term of the Circuit Court of Southampton County, we the undersigned commissioners have examined ~~been examined~~ the property or real estate referred to in said decree and known as the Berlin property and have to report that we believe the fee simple value of the same to be fifteen hundred dollars that we further believe the interest of the ward ~~Wm. H. Holmes~~ would be promoted by its sale, and that we are not aware that the interests of any one would be violated thereby.

Our reasons for believing that the sale of the property would be to the interest of the ward, are, that the buildings are getting out of order and will soon need repair which will absorb the rents for several years, and that there are several lots which different persons near Berlin are anxious to own and which we believe would sell well. We believe the property would sell for more money by being divided into four parcels or lots. First, the store and warehouse with a lot running south to the present stable and west to the yard of the dwelling. Second, the dwelling and all the land lying on the south of the road leading from Lurleen to Smithfield. Third the lot on the north of the said road adjoining the lands of M. D. Butler and M. J. Davis and fourth the lot on the north of the same road and adjoining the land of the Tripes Exem. all of which is respectfully

submitted.

Wm. H. Sumner

Democracy & Gales } Comm.

Sam. H. Kello

Batter g.

vs. J. Lopez D. m.

Holmes g.

Southampton Circuit Court, November 10th 1859.

Milton D. Butler, guardian of Wm. H. Holmes and the said Milton
D. Butler and Mary Patience his wife Plaintiffs

against

Wm. H. Holmes, Samuel H. Holmes, James Holmes and Mary Chapman
of Matilda, his wife, and William Griffin and Virginia his wife Defs.

This cause came on this day to be heard on the bill of the complainants
taken for and filed as to the adult Defendants, and on the answer of
the infant Defendant by his guardian ad litem, on replication to said
answer and was argued by Counsel; On consideration whereof,
the Court doth adjudge, order and decree that Wm. H. Sumner, Sam-
uel Wells, & S. B. Wyckoff, & Demarius L. Dole who are hereby
appointed Commissioners for that purpose, any three of whom may
act, proceed to examine the real estate referred to in the proceedings
as described as a tract of land in Southampton County, at Berlin,
in said County, on which is a store house, small dwelling house
and some out houses containing one hundred acres more or less and
report to the Court what in their opinion is the fee simple value
thereof, and whether the interest of the infant Defendant Wm. H.
Holmes will be promoted by sale of the same, and whether
the rights of any are will be violated thereby and the reasons for
their opinions, and make report to Court with any matters deemed
pertinent by them or any of the parties may require to be so stated
Test.

Henry S. Howard, D.C.

An Account showing what sum in fee, out of
the sales of the real estate of M^{rs} H^l Holmes died, should
be paid to Mary P Butler, late widow of said M^{rs}
H^l Holmes died, in line of her dower therein -

Amount of sales of real estate	1510 00	
Expenses of Sale & Deeds	90 11	
Amount retained to pay other expenses	19 89	
Balance	1400 00	
	1510 00	1510 00

Amount out of which Mary P Butler
for simple interest is to be ascertained 1400 00

"A"
Mary P Butler is now thirty four years of age,
and her expectation of life is twenty eight years,
and by calculation it is estimated that her for
simple interest is worth \$375.00 -

M^{rs} H^l Butler Compt.

Commissioners office
Jerusalem April 25th 1861

To the Circuit Court of Southampton County -

Present

To a decree of the Circuit Court of Southampton County
entered at its May term 1860 in a Chancery suit depend-
ing in said Court, between Holmes, Gds. & plaintiffs
and Holmes & defendants, the undersigned one of the
Commissioners of the said Court, who was directed to
ascertain and report to the Court what sum in fee out of
sales of real estate belonging to the estate of M^{rs} H^l Holmes
died, should be paid to Mary P Butler, late widow of
said M^{rs} H^l Holmes died, in line of her dower therein,
reports to the Court the foregoing account marked "A" in
which it will be found that her interest is worth

\$375.00 -

Given under my hand as Commissioner aforesaid
The day and year first aforesaid

The day and year first aforesaid

Wm H. Weston Commissioner

Comp^d Fee \$5.00
 etgd in Parties

сгд и Партия)

1861 April 29th

Holmes & Co.

Don't

Richard

In the Clerk's Office of the Circuit Court of Southampton County on the
day of ¹⁸⁶

The foregoing bond was acknowledged by the
obligors thereto and
the securities made oath that their estates after the payment of ^{just debts}
worth the sum of fifteen hundred dollars the penalty of the said bond
given under my hand the day and year above.

912
126
111
591

Admrs

Admrs
to
Admrs

Know all Men by these Presents, That We *Milton D. Butler*

are held firmly bound unto the Commonwealth of Virginia, in the just and full sum of *Fifteen*
hundred Dollars, current money of Virginia, to the payment
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 _____ day of

A. D., 18

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound

Milton D. Butler as Guardian of William H. Holmes

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. }

{ SEAL }

{ SEAL }

{ SEAL }

{ SEAL }

Holmes & Co.
 } Stat. Rules
 Holmes & Co.

1860 May

blk.	11 6. 71
Shff.	3. 00
Law 1~	31. 50
	<u>41. 41</u>

1861 May. blk.

future costs for "

W H P. & Co. law

	2 12
	2 00
	5 00
	<u>9 12</u>

In Southampton Circuit Court

Milton D. Butler guardian of W^m H. Holmes and the said Milton D. Butler and
Mary Patience his wife

against.

W^m H. Holmes, Samuel H. Holmes, James Holmes, Hardy Chapman & Matilda
his wife and William Griffin and Virginia his wife

1859 Sept. 20th Summons issued &c

" Oct. R. Summons Ret. Ex^o

Bill filed - Henry S. Howards assigned Gen. ad litem to Infant Deft. Holmes. Ansr.
of infant & etc. S. Rep. - Decree nisi v. Deft (adult), on whom process executed

" Oct. Last Monday - Bill taken for confessed as to adult Deft: & Cause set for
hearing &c

Nov. T. Decree

1860 May 3rd Report

" T. Decree for Sale &c

1861 Feb. 18th Report

" Apr. 29th Report

" May Decree &c

Holmes & Co.

an

Holmes & Co.

1859

Nov. Court

Decree

To be entered.

R. H. Baker

Milton D. Butler guardian of Wm H. Holmes
(and the said Milton D. Butler and Mary
Patience his wife

vs.

Wm H. Holmes, an infant under 14 years of age,
Saml. H. Holmes, James Holmes, Hardy Chapman
& Matilda his wife and William Griffin and
Virginia his wife

This cause came on this day to be
heard on the ~~papers formerly~~ bill of the
Complainants taken for confessed as to the adult
Defendants, and on the answer of the Infant
defendant by his guardian ad litem, on
replication & said answer and was argued by
Counsel. On consideration whereof the Court
doth adjudge, order & decree that Wm H. Sumner
Saml. Kello, A. B. Wrenhart & Demarcus L. Dole,
who are hereby appointed Comm. for that purpose, any
three of whom may act, proceed to examine the
real estate referred to in the proceedings, described
as a tract of land in Southampton County, at
Berlin in said County, on which is a stone house, small
dwelling and some out houses, containing one hundred
acres more or less: and report to the Court what
in their opinion is the reasonable value thereof,
(and whether the Interest of the Infant Defendant
Wm H. Holmes will be promoted by a sale of the
same, and whether the rights of any one will be
violated thereby, and the reasons for their
opinions, and make report to Court with any
matters seemed pertinent by them, or any of the
parties may require to be stated.

Holmes &

or

Holmes, &c

1861

May Court Decree

To be entered,

R. H. Baker

Holmes vs. Holmes

This cause came on this day to be again heard on the papers formerly read & on the reports of Wm. S. Pritlow and of James Holmes & Milton D. Butler, Commissioners, under the decree of May Court 1860 to which reports there is no exception, (and was argued by counsel on Consideration whereof the Court doth advise, order & decree that James Holmes & Milton D. Butler, receive of the Clerk of this Court, and that the said Clerk deliver to them the Bond of Franklin Vick, Levi W. Septonson and J. W. Vick for \$1419.89 & filed in the cause, and that they proceed to collect the same, and out of the proceeds thereof pay any costs that may remain unpaid, & then pay to Milton D. Butler & Mary P. his wife the sum of \$375. with Interest thereon from the 24th day of October 1860 till paid in lieu of the Dever of said Mary P. late Mary P. Holmes, in the real estate sold under the proceedings in this cause, And the Balance pay to the said Milton D. Butler guardian of Wm. H. Holmes, (and the said James Holmes and Milton D. Butler are directed to execute a Deed for the real estate referred to, unto Franklin Vick the purchaser thereof in the usual form with special warranty and make report to Court -

But before any payment made this decree shall be made to the said Milton D. Butler as guardian of Wm. H. Holmes, he the said Butler shall execute before the Clerk of this in his office a Bond payable to the Commonwealth of Virginia in the penalty of \$1500. conditioned as other guardian bonds are conditioned -

Holmes & Co

1-

Holmes

1860

May Court Decree

To be entered

R. H. Baker

Holmes, Jⁿ.

17.

Holmes, Jⁿ.

This cause came on this day to be again heard on the papers formerly read & on the report of Comrs. Sumnerell, Coley & Kelso made pursuant to the decree of the 10th Nov. 1859 to which report there is no exception & was argued by counsel; on consideration whereof the Court doth confirm the said Report and doth adjudge, order & decree that Milton S. Butter (who is hereby appointed a Com^r for that purpose) proceed to sell at auction, on the premises, on a credit of six months with interest from date, except the costs of suit (and expenses of sale which will be cash) the real estate belonging to the Infant Defendant. Wm. H. Holmes, described as a parcel of land in Southampton County, containing one hundred acres more or less, and known as the Berlin farm, having first given at least twenty days notice thereof by advertisement at the Court house door of said County, and in some newspaper published in Suffolk, Petersburg or Norfolk once a week for three weeks, and at four other public place, at least, other than beside, the Court House, taking Bond & good security from the purchaser or purchasers for the purchase money - and in making said sale the said premises may be sold in one or several parcels as the Com^rs may deem best, retaining the title till the further order of Court, and make report of his proceedings ^{return said Bond} to Court - and the Court doth further adjudge order & decree that a Com^r of this Court

ascertain and report to Court what sum
in fee out of said sale, should be paid
to Mary P. Butler, late the widow of Wm H
Holmes, decd., in lieu of her Dower therein
and make report to Court -

But no sale shall be made
under this Decree until the said Mutton
D. Butler, ^{and James Holmes} shall execute before the
Clerk of this Court a Bond payable to
the Comth of Va and in the penalty
of \$300. Conditioned for the faithful
execution of the duties required of them
under this Decree or that may be
required of them under any further
Decree in this cause

Holmes & Co

to } copy down

Holmes & Co

Southampton Circuit Court. May 2ⁿ 1861.

Milton D. Butler Guardian of W^m H. Holmes and the said Milton D. Butler and
Mary Patience his wife

against.

Plffs

In Chancery

W^m H. Holmes, Samuel H. Holmes, James Holmes, Hardy Chapman &
Matilda his wife & W^m Griffin & Virginia his wife

Defts

This cause came on this day to be again heard on the papers formerly read for the reports of W^m H. Prellow and of James Holmes and Milton D. Butler Commissioners under the decree of May Court 1860 to which report there is no exception, and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that James Holmes & Milton D. Butler receive of the clerk of this Court, and that the said Clerk deliver to them the bond of Franklin Vick, Levi W. Stephenson and G. W. Vick for \$1419.89 filed in the cause, and that they proceed to collect the same and out of the proceeds thereof pay any costs that may remain unpaid and then pay Milton D. Butler and Mary P. his wife the sum of \$375 with interest thereon from the 24th day of October 1860 till paid in lieu of the Dower of the said Mary P. late Mary P. Holmes in the real estate sold under the proceedings in this cause, and the balance pay to the said Milton D. Butler Guardian of W^m H. Holmes, and the said James Holmes and Milton D. Butler are directed to execute a deed for the real estate referred to unto Franklin Vick the purchaser thereof in the usual form with special warranty and make report to Court.

But before any payment under this decree shall be made to the said Milton D. Butler as Guardian of W^m H. Holmes he the said Butler shall execute before the clerk of this Court in his Office a bond payable to the Commonwealth of Virginia in the penalty of \$1500. conditioned as other Guardians bonds are conditioned.

Clerk's cost

\$7.88,

W. H. Prellow Com.

5.00^{ts} \$12.88.

Attest

Teste J. R. Edwards Clk

Holmes' G^o

2 }

Holmes G^o

§ 1419. 89

With interest from date, payable six months after date we
promise to pay Milton D Butler and James Holmes Commissioners of
the sum of One thousand four hundred and nineteen dollars and eighty nine
cents for value received - Witness our hands and Seals this 24th day of
October 1860.

Franklin Vick (Seal)
Levi W Stephenson (Seal)
G W Vick (Seal)

Received the day of 18 of the Clerk of Southampton
Circuit Court the bond (of which the above is a copy) of Franklin Vick & others
filed in a suit in Chancery - Holmes Gov vs Holmes &c - lately depending in
the Court aforesaid

1861 July 12

Admrs 53
a 3
Admrs

Received this 8th day of Nov. 1860 of the Clerk of the Circuit Court of Southampton
County the sum of Franklin Vick & others returns with the within report for \$11,19.⁸⁹/100 due
21st Oct. 1860.

Franklin Vick

Butler and wife

vs.

Holmes and others.

In obedience to a decree of the Circuit Court of Southampton County, rendered in the above suit, at May term 1860, the undersigned appointed as commissioners for the purpose, after having given more than twenty days public notice of the time and place of sale, sold ~~to~~ the highest bidder, on the premises, on the 24th day of October, 1860, the real estate belonging to the infant defendant Wm. H. Holmes, and known as the Berlin Farm.

Franklin Vick became purchaser of the whole. The lot known as the "Sailor Shop Lot" sold for \$300.00, The "Shoe Shop Lot" for \$300.00, The Dwelling House Lot for \$510.00, and the Store House Lot for \$400.00. After paying the expenses of the decree amounting to \$90.11 we took bond from the purchaser, according to said decree, for the balance and report the same to Court.

October 25th 1860

Respectfully Submitted,
Milton D. Butler
James Holmes

Whole amount of sales	\$1510.00
Commissions on \$300.00 at 5 per cent	\$15.00
" " \$1210.00 at 2 " "	\$24.20
Cash paid the Auctioneer	\$2.00
Advertising	\$7.50
Expenses of decree	41.41
Amount for which the bond was taken.	\$1419.89

\$1419.89

Mellon D Butler & Jas Holmes Comrs.

1860

To W.B. Wellens Dr

Sept 28. To adv of in Christianus Luc Voluath Real
Estate in Berlin & vicinity for sale 43
times 4 times

\$7.50

Re. Payment

W.B. Wellens,

1861 Jan. 21 Recd of Jas. Holmes &
M. D. Butler, comrs. Thirty dollars
fee in Chancery suit to see real
estate of ~~Peter~~ John Holmes dec.
John P. Kilby
Att.

Holmes & Co.

vi.
Strong & Co.

1869

May 21.

Final decree

To be entered

E. P. Pitts

Holmes, J^r

n.

Holmes, J^r

This cause came on this day
to be heard on the papers formerly read
and on paper marked (+) filed this
day, & was argued by Counsel. On
consideration whereof & by consent of parties
the decree made in this cause on the 2^d
day of May 1861 is set aside & by like
consent the Court doth adjudge, order &
decree that the Clerk of this Court deliver
to Franklin Vick this Bond for \$1419.89
filed in the cause, retaining a copy in the
proceedings, & doth further order that the
Land sold by proceedings had in this
cause, be taken possession of, by Wm.
N. Holmes, & held as though no sale had
ever been made ^{subject to the order of the court} ^{many parties} ^{of the} ^{land} ^{and it is further}
ordered that the cause be removed
from the Docket.