

1882 - 17

Southampton County - Chancery

Holland, Mary E vs Holland, Frank
John et al

To Collect ^{due} ~~my~~ ante share of
Estate of
Holland, W. B. decd

Holland, Frank
Guarantor for
Holland, Thosetta +
Holland, Bertie

To the Hon. Geo. Blount Judge of the Circuit
Court of Southampton. In Chancery.
Humbly complaining sheweth unto
Your Honor your complainant
Mary E. Holland as follows. That
during the year 1874 - her husband
Walter B. Holland died after having
made and published his last will
and Testament, which was duly
admitted to probate at the May Term
1878 of the ~~Circuit~~^{Circuit} Court of Southampton
as will more fully appear from
the certified copy of the order of
probate herewith filed. Marked (A)
as part of this bill. That under
the provisions of said will, he
disposed of all his estate of every
kind. except some Insurance
Policy money. which is not
alluded to at all in his will.
as will appear from a copy of
his will herewith filed as Exhibit
(B). That sometime before his death
the said W. B. Holland effected an
Insurance on his life for the
benefit of his children for the
sum of \$5000. and at his death
the said sum was paid to Frank
Holland, who qualified as Guardian

for the only children said W. B. Holland left. whose names were respecting Bertie Holland & Henrietta Holland. as will appear from copy of qualification filed herewith as Exhibit (C). That sometime after his qualification as such Guardian and long after he had received the said sum of five thousand dollars as above, one of said children died, to wit Henrietta Holland; intestate, unmarried, and under 18 years of age. That your complainant is the mother of both of said children, and as such she is advised that she is entitled as heir at law and distributee of her deceased child, Henrietta Holland to one half of the net balance that may be due her deceased child from her Guardian Frank Holland. and that the other one half descends to the surviving child Bertie Holland. That the said Frank Holland refuses to pay any of said balance to your complainant, alleging as his reason therefor that the surviving child is entitled to all of such balance.

That the net balance due from Frank Holland to his late word Henrietta Holland decd, is \$2266.17 as will appear from copy of Commissioner's acct, herewith filed marked (D) as a part of this bill. In consideration of all which and inasmuch as your complainant is without remedy except in a Court of Chancery when such matters are properly cognizable, to the end therefore that justice may be done, your complainant prays that the said Frank Holland as Gdn of Henrietta & Bertha Holland and the said Bertha Holland may be made parties defendant to this bill and compelled to answer its allegations. That some fit & proper person may be assigned as Gdn ad litem to defend the interests of the infants Bertha Holland. That Your Honor will decide whether your complainant is or is not entitled to receive one half of the net balance due from Frank Holland as Gdn for Henrietta Holland, her deceased child - and if she is entitled to receive it - that your Honor will decree the same to be paid to your complainant, and that your Honor will grant such other, further, general and special

Relief as the nature of this case may
require or to Equity may seem meet.
and as in duty bound your complainant
will ever pray. May it please the Court &c.

J. B. Prince Jr.

The answer of Bertie Holland, a minor,
by L. R. Edwards, her guardian ad litem to a
bill of complaint exhibited against her
& Frank Holland & sons in the Circuit
Court of Southampton by Mary E. Holland.
This respondent for answer to said bill
says. That she is a minor and knows
nothing about the facts as set forth in said
bill. and being such. she submits her
rights to the protection of this Honorable Court.
And having answered. she prays hence to be dismissed.
Prince for.
L. R. Edwards, her
ad litem.

Holland

vs 3 Bill & Exhibits

Holland & Sons &c.

1880 September Rules

J. B. Prince Jr.

Holland

or } Same day

Holland's Log

1888 September Rules

Exercised by deliver

ing Frank Holland

a copy of this Summary

on the 4th day of

September 1888

W L Briggs Shift

THE COMMONWEALTH OF VIRGINIA.

To the Sheriff of Southampton County.---GREETING:

We Command You to summon *Frank Holland Guardian of Bettie,*
Holland & Bettie Holland, a minor
to appear at the Clerk's office of our *Circuit* Court for South-
ampton County, at the Rules to be holden for the said Court on the first
Monday in *September next* to answer, a bill in Chancery
exhibited against them in our said Court by Mary E. Holland

and have then there this writ.

Witness: Littleton R. Edwards, Clerk of our said court, at the Court-House
this *24th* day of *August* 188*0* in the *105th* year of the Common-
wealth.

L. R. Edwards cc

128 ~~(1024)~~ 47

Holland

7 } Brit. Rules
27 }

Hollands V^o bon

In Southampton Circuit Court

Mary E Holland

Plaintiff

against

Frank Holland Guardian of Bertie Holland & Bertie Holland
as minor.

Defendants

1880 Aug 24th Summons issued.

" Sept 16th Summons ret.^d Executed. Bill filed - I R Edwards
assigned Gov ad litem to infant Deft. Bertie Holland Ans. of
Deft Bertie Holland by Ist Gov Rep. George Miss & Deft Frank
Holland Gov &c

" Oct 16th - Bill taken for confessed as to Deft. Frank Holland Gov Ist
and came on for hearing &c

" Nov Decree & Deft

1882 May. Dismissed at Court of Frank Holland Gov Bertie Holland

Holland

14 3

Holland & Edw.

Statement of

J. B. Pruett

Atty

May 4. 1882

Holland

or 3/4 Rep't of J. B. Pomeroy atty.

Holland

In this suit I would state that
Frank Holland has paid me the
amount decreed at Nov Term
1880. and I have paid the same
to Mrs Mary E. Holland. There
is nothing further necessary to
be done in this cause.

May 4. 1882,

Respectfully

J. B. Pomeroy

To Judge Geo. C. Sampson.

Atty for Mr. Holland

Holland
or } Exhibit
Holland's Law.

Henrietta Holland, a minor

In account with Frank Holland her Guardian

1879.			\$	Qr	\$	ln
May	1	By amts. due Ward, per last Report			2348	97
"	30	To paid Mrs. M. E. Holland, acct	2	60		
June	2	" " Board for mo. of May	7	00		
July	1	" " " " " June	7	00		
Aug	1	" " " " " July	7	00		
Sept	1	" " " " " August	7	00		
"	30	" " " " this month	7	00		
Nov.	19	" " your part of Taxes	22	57		
Dec	1	" " Board for mo. of Oct. ^{and} Nov.	14	00		
"	31	" " " " this month	7	00		
1880.	Jan	1 " Parker D. Howell, acct.	1	00		
"	5	" " Board for this month	7	00		
Feb	1	" " " from this day to 15 th Feb	3	50		
"	16	" " E. S. Dial, for coffin	15	00		
"	"	" " Couper, freight on corpse	1	75		
"	18	" " Chas. Smith, Burial Expenses	1	00		
"	28	" " E. F. White, Funeral "	3	50		
Mar	9	" " W. S. Lunley, Med. Bill	5	00		
May	7	" " J. F. Bryant " "	6	20		
		By Int. on \$2168.80 at 5% cts.			130	08
		To commissions on \$130.08 at 5%	6	50		
		Balance	22	91	63	
			2479	05	2479	05
May	7	By Balance due Ward bro't down			2291	63
1880	March	9 To paid B. V. Dunstan, Med. Bill.	8	50		
May	15	" " Taxes	2	15		
	"	" " for this year (1880)	22	57		
Sept.	2	" " Jns. D. Couper, for set of grave stones	17	41		
Aug.	1	" " Frank Holland, Store acct	31	28		
		By Int on \$2209.72 cts			66	26
		To commissions on \$66.26 at 5%	3	31		
		" Commissions fee for this acct & copy retained	5	00		
		" Clerk's fees retained	1	50		
		Amts. carrd. over	91	72	2357	89

Amts. brot over
Balance

\$	Dr	\$	Cn
91	72	2357	89
2266	17		
2357	89	2357	89

For 1 By Balance dueward brot down

\$2266.17

Respectfully Submitted

James A. Tyler

Commissioner of Accounts

~~A copy~~
Teste

Southampton County. In the Clerk's Office of the Circuit Court
The 22^d day of September 1880. This account of
Frank Holland's Guardianship of Henrietta
Holland, was this day returned and filed for
Exceptions.

Teste: J. R. Edwards Clerk

A copy

Teste: D. Ashby Rythe D.C.

PHYSICIAN'S CERTIFICATE.

I, James F. Bryant being a regular practising physician, do certify to the following facts touching the physical and mental condition of Walter Boykin Holland the above named applicant, as also to such facts as I am acquainted with relative to his family, and that all the answers given to the following questions are made upon my knowledge of this applicant:

1. How long have you known <u>him</u> ?	Answer. <u>12 years</u>
2. Are <u>his</u> habits of life correct and temperate?	Ans. <u>yes</u>
3. Have the party's parents, brothers or sisters, to your knowledge, ever been afflicted with pulmonary or other complaints, that tend to shorten life, or with mental derangement?	Ans. <u>no</u>
4. Is <u>he</u> in good health, and free from organic, constitutional or acquired disease?	Ans. <u>yes</u>
5. Has the party any predisposition to hereditary or other disease, which would tend to shorten life? If so, state what.	Ans. <u>no</u>
6. Have you examined carefully the heart and lungs of the applicant, and do you find them perfectly sound and healthy?	Ans. <u>yes</u>
7. Are the party's habits of life sufficiently active to promote good health, and do you recommend that a policy be issued?	Ans. <u>yes</u>

The applicant, was wounded in the side, during the war, in the year 1864, just above the hip, and the ball has never been extracted, but the wound is perfectly sound & healthy, and I am of opinion, that he will never have any trouble with it, and that it will never shorten life.

Dated December 11th 1876

Signed

J. F. Bryant

M. D.

Virginia Protection

LIFE INSURANCE COMPANY.



APPLICATION

For 1 Policy

No. 2867

Name W. C. Holland

Post Office Franklin

County Southampton

State VA

Date Dec 11 1876

Address of Agent W. C. Holland

Secretary.

MEDICAL EXAMINER'S RECEIPT.

Received, December 11 1876 of the Virginia Protection Life Insurance

Company, Three dollars, in full for making examination of the within applicant.

J. F. Bryant M.D.

Medical Examiner.

The Virginia Protection Life Insurance Company,

RICHMOND, VIRGINIA.

Application for Policy, \$2,500; Premium, \$.....; Annual Dues, \$5.00; Assessments, \$.....

1. Name of Applicant in full.	<u>Walter Boykin Holland</u>		
2. Age at nearest Birthday.	<u>33</u>	Married or Single?	<u>Married</u>
3. When and Where Born,	<u>August 25th 1843, Isle of Wight Co. Va</u>		
4. Occupation.	<u>Merchant</u>		
5. Address,	No. Street,	Post Office.	County.
		<u>Franklin</u>	<u>Southampton</u>
6. Give Height and Weight.	<u>5' Ft.</u>	<u>10 in.</u>	<u>150 lbs.</u>
7. How many Policies do you apply for?	<u>One</u>		
8. Has the Applicant ever been, or is he now, of Intemperate Habits.	<u>No.</u>		
9. Have you ever been examined by any Life Insurance Company? If so, when last, and what was the result?	<u>about 4 years ago and passed once since then and did not pass</u>		
10. Have you been Vaccinated, or had the Small Pox? If so, which?	<u>Vaccinated</u>		
11. Have you ever had, or been medically treated for, any of the following diseases, viz: Consumption, Inflammatory Rheumatism, Liver Complaint, Palpitation, Apoplexy, Rupture, Habitual Cough, Spitting of Blood, Dropsy, Insanity, Paralysis, Fits, Scrofula, Disease of the Heart, or any other vital part? State fully.	<u>None</u>		
12. Have you now any serious illness or local disease? If so, of what nature?	<u>None</u>		
13. Are you now, to the best of your knowledge and belief, free from any Disorder, Infirmary or Weakness, tending to impair your Constitution or shorten your life?	<u>yes</u>		
14. Have your Families ever been subject to any Hereditary Disease? If so, what?	<u>No</u>		
15. Are your Parents living? If so, give their Age and Condition of Health.	Father's age,	Health,	
	Mother's age,	Health,	<u>Good</u>
16. If your Parents are dead, give their age at death, and the Disease of which they died.	Father died, aged <u>60</u>	of <u>Rheumatism I think</u>	
	Mother died, aged <u>—</u>	of <u>—</u>	
17. Have you Brothers and Sisters living? If so, how many? Give their ages and state of health.	<u>3 Bros, Aged 39, 31, 13 Good</u> <u>2 Sisters 24, 19. Good</u>		
18. Have any of your Brothers and Sisters died? If so, give their age at death, and of what disease they died.	<u>13 Bros Aged 27 of Congestion Chill</u> <u>Aged 20 of " Kidney</u> <u>Aged infant of " "</u> <u>2 Sisters Aged 17 of Typhoid pneumonia</u> <u>Aged 20 of " "</u>		
19. Name Residence and Relationship in full of the person to whom you desire the benefit paid in case of death.	Name, <u>To my Children</u> Post Office Address, <u>Franklin Depot Va</u> Relationship to Applicant, <u>Children</u>		
20. By whom will the Assessments be paid? Give Name and Post Office Address.	<u>W B Holland</u> <u>Franklin Depot Va</u>		

And it is expressly stipulated and agreed, that the above application and this declaration shall form the basis of a contract between the above named applicant and THE VIRGINIA PROTECTION LIFE INSURANCE COMPANY, and that if any misrepresentations or fraudulent or untrue answers have been made, or if any facts which should have been stated to the Company have been suppressed therein, or any omission or neglect to pay any of the assessments or annual dues on or before the days on which they shall fall due shall take place, that then, in either event, this contract shall become null and void, and all moneys which shall have been paid shall be forfeited to the said Company for its sole use and benefit, and the policy issued to the applicant hereupon shall not be binding upon the Company.

Dated at Franklin Decr. 11th 1876

Witness

L. S. Moring

I hereby affirm that all the above questions were brought to the knowledge of the above applicant, and believe the answers to the same are strictly true, and also believe him to be a healthy person, and recommend that the applicant be accepted.

Walter Boykin Holland Applicant. [Name in full.]

L. S. Moring Agent.

of the Government

James Esq

Received of the Honble the Secy of the Navy the sum of \$1000.00 for the purchase of the schooner "Herald" for the service of the Navy.

1881

Holland's Cove

2 } Same Ch.

Holland's

1881 April Reels

Along to Holland's Cove
begin your name on
the shore and when
a by mail.

Apr 14/1881 & returning, it the

was

Apr 4. 1881

THE COMMISSIONER OF THE GENERAL LAND OFFICE

THE COMMISSIONER OF THE GENERAL LAND OFFICE

THE COMMISSIONER OF THE GENERAL LAND OFFICE

I Walter B. Holland of the Town of
Franklin in the County of Southampton
State of Virginia do by this writing
make my Last Will and Testament.
In the first place I bequeath one third of
my estate, real, personal or otherwise,
and where ever the same may be, unto
my beloved wife Mary E. for and during her
natural life; and at her death I give,
bequeath and devise the same to my
two daughters, and only children, Bertie
and Henrietta.
Secondly: The other two thirds of my estate
of every sort and description I give,
bequeath and devise unto my said
daughters, Bertie and Henrietta, and in
the event of the death of one of them
under Twenty one years of age and
without issue - Then the whole of
the two thirds is to go to the surviving
child. And in case of the death of
both of them under Twenty one years
of age and without issue I bequeath to my
beloved wife Mary E. during her
natural life, one half of the said
two thirds of my estate. the remainder
of the two thirds of my estate to go to
my nearest living relatives. And in
case of the death of my beloved wife
Mary E. I devise, bequeath and give the
whole two thirds of the estate herein before
mentioned to my nearest living relatives

to be equally divided among them.
Lastly: I appoint Frank Holland of
the Town of Franklin Co. Guardian
for my two children Bertie ^{and} Henrietta,
and the said Frank Holland and Cecil
C. Vaughan Administrators of my
estate. In witness whereof I have
hereto set my hand, and affixed my
seal this sixth day of April 1878

W. B. Holland 

Signed, sealed, and
acknowledged in our
presence (all being
present together with the
Testator) by said Testator
as his last Will ^{and} Testament
which we witness at his request

Jes. V. Jernigan
A. A. Holland

At a Circuit Court held for the County of Sou-
thampton, on the 6th day of May A. D. 1878. This
Last Will ^{and} Testament of W. B. Holland dec.
was proved by the oaths of Jes. V. Jernigan
and A. A. Holland, witnesses thereto and
ordered to be recorded. And on the
Frank Holland, one of the executors
therein named refusing to take upon
himself the burden of the execution
thereof: On the motion of Cecil C. Vaughan,
the other executor who made oath and
together with Frank Holland, his Security

who justified on oath as to his
sufficiency) entered into and
acknowledged a bond in the penalty
of Twenty Five Hundred Dollars,
conditioned as the law directs, which
Bond is ordered to be recorded.

Certificate is granted the said
Bevil L. Vaughan for obtaining a Transcript
of the said Will in due form.

Teste:

L. A. Edwards Secy

Attest:

J. H. Blythe Dep. Secy

Walter B. Higgins
Hill

Exhibits A & B

Holland
or
Hollans

Ch.	15.52
Sh.	1.41
Law	16.58
	<u>33.91</u>

For \$100

Holland
on 3 Dec
Holland L.

Nov Term 1880

To be entered,

Geo. T. Blow,

Holland
vs 3 ~~Deane~~
Holland vs

This day this cause came on to be heard on the bill of the Complainant, taken for confessed as to Frank Holland Gdn &c. the answer of Bertie Holland, an infant by L.R. Edwards her Gdn ad litem, with general replication thereto, the exhibits filed, and was argued by Counsel. On consideration whereof, the Court being of opinion that the Complainant Mary E. Holland is entitled to one half of the net balance due by Frank Holland as Gdn for Henrietta Holland, ^{deed} as shown by the Commissioner's report filed as an exhibit in this cause, doth adjudge order and decree that the said Frank Holland Gdn of Henrietta Holland ^{deed} out of the assets in his hands pay to J.B. Davis, attorney for Mary E. Holland the sum of \$1133-08 with interest thereon from 20th day of Nov 1880. And as to all other matters this cause is continued.

Holland

vt $\frac{2}{3}$ Dicue

Holland & Co. & Co.

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May June 1882

To be entered.

Geo. B. Blow.

Holland

on 1/3 Decr

Holland's Exr's.

This day this cause came on to be further heard on the papers formerly read & statement from L.R. Price, showing that Frank Holland has paid him the amt ordered to be paid by decree of Nov Term 1880. and was agreed by Council. And it appearing to the Court that there is nothing further necessary to be done in this cause, it is ordered to be removed from the docket at the Costs of Frank Holland Guardian of Bertie Holland.