1899–07 Southampton County – Chancery Ely, Hurell & Co. vs Holland, Pensilla et als

To sell land for payment of Debt.

Ely, E. S.
Hurell, M. E.
Holland, W. J. M.

Britt, Dianna Holland
Riggins, Lucy Holland
Holland, Gertrude
Holland, Gracie
Holland, Richard Garland

Chap. Russell Esq.

vs. } Bill in Equity.

Hallam's Admr. &c.

1879 22nd February Filed

L. A. Gay C.C.

To the Hon.R.R.Prentis,Judge of the Circuit Court of Southampton County.

Your orators,E.S.Riley,H.E.Howell and W.J.M.Holland,partners trading and doing business under the firm name and style of Riley,Howell and Co.,who sue for the benefit of themselves and all others creditors of R.T.Holland,deceased,who will come into this suit and bear their share of the expenses of the same,complaining showeth unto the Court that R.T.Holland,deceased,who formerly resided in Franklin,Va.,departed this life on the day of 189 , leaving surviving him his widow,Priscilla Holland,and five children ,to-wit,Tennessee Britt(nee Holland),Lucy Riggins(nee Holland),Lillie Gertrude Holland,Gracie Holland and Richard Garland Holland,the three last named being infants ; the said R.T.Holland having died intestate and the said named widow and children being the whole of his heirs at law and the persons to whom his entire property goes under the law. Your orators further show unto the Court that upon the death of the said R.T.Holland your orators,at the request of the said widow and children,furnished a burial casket in which to bury said deceased R.T.Holland and performed the services necessary and incident to his burial,charging his estate therefor the sum of forty dollars,which said sum has not yet been paid and is still due to your orators with legal interest thereon from the 1st day of January 1897.Your orators further charge that from the information they have that there are other debts due by the said R.T.Holland or his estate.Your orators further show that on the day of 189 ,at the Term of the County Court of Southampton Co. ,the estate of the said R.T.Holland was committed to the hands of the Sheriff of Southampton County,J.W.Williams,no other person having previously qualified on the said estate as the Administrator thereof,

a copy of which order is herewith filed, marked "Exhibit A" and prayed to be read as a part of this bill.
thereof. Your orators further show that sufficient funds or property has not as yet come into the hands of said Sheriff as Administrator of R.T.Holland to pay the debt of your orators, or any of the other debts above alluded to, and there is not sufficient personalty belonging to said estate to pay said debts. Your orators further showeth unto the Court that at the time of his death the said R.T. Holland was possessed of two peices of real estate in Southampton County, Virginia, one the house and lot on which he resided at the time of his death, located in Franklin, Va., and the other a farm, said to contain fifty acres, located in Franklin District in Southampton County, near Cedar Swamp and bought by said R.T.Holland from M.E. Edwards in 1877. Your orators are informed and believe that the said farm will sell for sufficient to pay the debts due by the said R.T.Holland, deceased, and his estate, and the expenses of this suit, and it is with the intention of having it thus sold that this suit is brought. Your orators further believe that it will bring the best price if the timber on the said land is sold separate from the land and then the land sold by itself, and hence your orators will ask that it be sold in that manner. Your orators are informed and so charge, that their debt, being for coffin and burial expenses of deceased, is a debt of the first dignity due by said estate and they will ask the Court to so hold.

In tender consideration whereof, and forasmuch as your orators are remediless in the premises save in a court of equity where alone such matters are cognizable, your orators pray that the said Priscilla Holland, Texanna Britt (nee Holland), Jenny Riggins (nee Holland), Lillie Gretrude Holland, Gracie Holland, and Richard Garland Holland be made parties defendant to this suit and required

to answer this bill,though an answer on oath is spressly waived ; that a proper Guardian ad litem be appointed for the three last named defendants,who are infants,and that he be required to answer this bill ; that J.N.Sebrell Jr. be appointed as such Guardian ad litem ; that all proper orders be made and accounts be taken as in the premises may be required ; that the said farm may be sold in the manner indicated above or in such manner as the Court may deem best and the proceeds applied to the payment of the debt due your orators and the other debts due by said R.T.Holland,or his estate,in the order of their legal priority and dignity ; that all the expenses of this suit be paid out of the proceeds of this sale, including a fee of twenty-five dollars to J.C.Parker,attorney for your orators ; and that all proper orders may be made and accounts taken and such other,further and general relief may be granted to your orators as may seem just and right and that may be required in the premises. And your orators will ever pray,etc.

J.C.Parker. Jr. Sol.

$22.25

Received of J. C. Parker, Special Comr's Twenty-two & 25/100 Dollars the amt. due me as shown by Report of Comr's in Chancery in suit of Eley, Harrell & Co vs. R. T. Holland's Est.

W H Gerdeman

$5.08

Received of J. C. Parker Special Comr's Five & 08/100 Dollars the amt. due me as shown by report of Comr's in Chancery in suit of Eley, Harrell & Co. vs. R. T. Holland's Admr's.

Gerdeman & Barrett

$21.87

Received of J. C. Parker, Special Comr's. Twenty-one & 87/100 Dollars the amt. due Pittard & Co. as shown by report of Comr's in Chancery in the suit of Eley, Harrell & Co. vs. R. T. Holland's Est.

Pittard & Co
by Adams & Troy Attys.

$2.62 Received of J. C. Parker Special Comr Two & 62/100 Dollars the balance of funds in his hands in the suit of Eley, Harrell & Co vs. R. T. Holland's Admr's - to be applied as a credit in my hand against R. T. Holland.

J. S. Bamp

City Norfolk &c

vs. } Statement of Costs

1898 Williams Shff. et.als

Dec. 28th. Summ. 25.5 Cop. 65. another Summ. 25.2 Cop. 26= 1.41

Receipt for both 36. atty. 10. Docket X18 = 64

Rules 1.00. Entering Return 35. Fil. bill 15= 1.50

Do Exhibits 15. Do Answer 15. replication 15= 45

1899 aug. 17th 1 Decree Copy 72 copy Exhibit 25 97

Filing 2 reports of Comr McLemore 50 = 50

Do. Exceptions to one of said reports 15. 2 decrees 72 87

2 reports of Special Comr 50. Special Comr bond 1.40 1.90

Taxing Costs 40. Fil. away papers 25= 65

Entering Costs if final decree at Oct. Term 1900 61

9/28/1900 Paid L. A. Gay Clerk 9.50

Paid J.H. Williamson Shff 2.50

Recd payment J.C. Parker atty. who paid Sergeant Shff of Norfolk Co. 2.00

Recd payment. J.C. Parker. atty. Lawyer 16.50

£30.50

Fee of Comr B. F. McLemore Paid B.F.M. 5.00

£35.00

Note: L.A. Gay Clerk

$2 45/100

Carrollton Ga. 9/28/1900.

Received of J. C. Perkins Special Comm's
Two & 45/100 Dollars amt. due me as shown
by Report of Comm's in Chancery in suit of
Eley, Haskell & Co. vs. R. T. Haskell's admrs.

B. F. McLemore

FRANKLIN DISTRICT.

Mr. Richard I. Holland No. 174

1899. To L. R. EDWARDS, Treasurer of Southampton County, Va., Dr.

SUBJECTS OF TAXATION.	State Tax, 30c on $100.	State School Tax, 10c. on $100.	County Levy, 40c. on $100.	County School Tax, 5c. on $100.	District School Tax, 7½c. on $100.	TOTAL TAX.
To 50 acres Land, value $ 200	60	20	80	10	15	1 85
" 11/50 acres Land, value $ 550	1 65	55	2 20	27	41	5 08
" acres Land, value $						
" acres Land, value $						
"Personal Property, value $						
"Capitation Taxes						
"Income $						
Total	2 25	75	3 00	37	56	6 93
5 per cent. additional						35
Fee Bills						
Total						7 28

Received payment 31 day of May 1900 [illegible] Treasurer.

$48.80 Franklin, Va. May 28th, 1900.

Received of J.C.Parker, Special Commissioner in the suit of Eley, Howell & Co. vs. R.T.Holland's Admr. et als., the sum of Forty-eight & 80/100 Dollars in full settlement and payment of our account against the said estate of R.T.Holland, deceased, as shown in the report of Comr.B.F.McLemore in said suit made Sept. 16th 1899.

Eley Howell & Co.

Pr. E.J.Eley

To the Hon.R.R.Prentis,Judge of the Circuit Court of Southampton County,Virginia,and to J.C.Parker,Special Commissioner appointed by the said Court in the chancery suit of Riley,Howell & Co. vs. Holland's Admr.et als,pending therein,here

The undersigned,P.D.Camp,who purchased from said Special Commissioner the piece of land sold under decree in said cause, which said sale was confirmed by said court by decree entered on the 3rd day of April 1900 in said cause and a deed ordered to be made to me or to such person as I direct,hereby request that a deed for the said property be made by said Special Commissioner to James H.Vaughan,and I desire that this request be filed with the papers in said cause as his authority for so making said deed. And I hereby make affidavit that I have not sold said property to said J.H.Vaughan at a profit.

P.D.Camp

Subscribed and sworn to before me in my county by P.D.Camp this 5th day of May 1900.

L.T.Braxton

Notary Public.

Eley, Howell &c
vs
Holland's Admrs

Final Report of
Special Master
J. C. Parker

To the Hon.R.R.Prentis,Judge of the Circuit Court of Southampton County,Virginia.

The undersigned,your special Commissioner,appointed by decree of April 3rd,1900 in a certain chancery suit depending in said court,styled Eley,Howell & Co. vs. Holland's Admr.et als.,begs leave to report to the court that in accordance with the instru-ctions contained in said decree he has made a good and sufficient deed,with special warranty,to the property the sale of which was approved by said decree,to James H.Vaughan,in accordance with instructions from the purchaser,P.D.Camp,as evidenced by his written instructions filed with this report,and has collected from the said James H.Vaughan the remainder of the purchase price bid for the said property,manely,the sum of $109.92 and has paid out the same,together with the balance in his hands as shown by his report which was confirmed April 3rd,1900,as directed by said decree,as follows :

STATEMENT.

1900.			
March 24.	By balance in hand reported to court,		$36.58
May	" remainder of purchase price & int.collected,		109.32
	Cr.		
	To fee for writing deed,		$5.00
	" costs of suit paid as follows :		
	Clerk's fees,including future costs,	9.50	
	Sheriff's fees,	2.50	
	Sergeant of Norfolk City,	2.00	
	Legal fee & writ tax,	16.50	
	Comr.in Chancery fee,	5.00	35.50
	To stamp on deed,		.50
	" paid creditors as directed by decree, with interest to date,		1.83
	Clerk of County Court,		2.45
	Eley,Howell & Co.		48.80
	Dr.W.H.L.Goodman,		22.23
	Goodman & Barrett,		5.08
	Pretlow & Co.		21.87
	To paid balance to J.L.Camp on his bond secured by mortgage,		2.62
			$145.90 $145.90

Franklin, Va., _____ 189

Mr. J. C. Parker Special Canvass in Civil Eley. Powell Tax. vs. Holland's admr.

TO J. C. PARKER & CO., DR.,

Fire and Life Insurance Agents.

OFFICE: MAIN STREET.

DATE.	POLICY NO.	COMPANY.	PROPERTY INSURED.	AMOUNT.	PREMIUMS.
11/15/99	—	U. S. Fid. & Gua. Co.	Canvass bond	1000	5.00

Paid.
J. C. Parker & Co

Franklin, Va., Dec 27 1897

Mr J. C. Carter Town

To SOUTHAMPTON DEMOCRAT, Dr.

W. H. Stroud, Publisher.

JOB PRINTING IN ALL ITS BRANCHES DONE NEAT & CHEAP.

Dec	14	1/2 lb 100 Ft bills 2d q R. J. Holmes Cuvier		1	25

Paid W. H. Stroud

$2.50

Received of J. C. Parker, Special Comm.
Two and 50/100 Dollars for anyng R. J. Holland
50 acre farm on Dec. 20th 1899.

T. D. Gibson, Sergeon

Eley Harrell Co.

No 3

Hallandale Admx

Robert J. Lakeley

Eley Harrell Co.

1900 24th March filed

[illegible] bond as Administratrix of the estate of Robert J. Lakeley, deceased, in the penal sum of $2,000.00, and has qualified as such; that there is no property belonging to said estate, except the following described real estate, to-wit:

Lot 14 in Block 2 of Lakeside Addition to the City of Fort Lauderdale, Broward County, Florida, according to the plat thereof as recorded in Plat Book 1 at page 17 of the Public Records of Dade County, Florida.

That the value of said property is $2,000.00, and that the said property is subject to the following liens, to-wit:

To Eley Harrell Co. $25.00

" " for expenses, ... 7.50

" " for services on account 8.00

" " Octo 25 1900 ..... 3.50

" " Octo 25 1900 ..... 8.00

To the Circuit Court of the County $52.00

Leaving a balance of $1,948.00 in the hands of your Commissioner and

to the Circuit Court of the County

aforesaid.

Your Commissioner recommends that the sale of said land be confirmed

and that upon the payment of the purchase price the Clerk of this Court

execute a deed to the purchaser.

All of which is respectfully submitted.

Commr. Attorney.

To the Hon. E. G. Bennett, Judge of the Circuit Court of Broward County

Florida, at Dania, Fla.

Upon reading the foregoing report of the Commissioner, it is ordered

that the sale of said land be confirmed, and that upon the payment of the

purchase price the Clerk of this Court execute a deed to the purchaser.

Done and ordered in open Court at Dania, Fla. this 24th day of March A.D. 1900.

E. G. Bennett

Circuit Judge.

To the Hon.R.R.Prentis,Judge of the Circuit Court of Southampton County,Virginia.

The undersigned,Special Commissioner appointed at the October Term 1899 of your Honor's court in the chancery cause styled Riley,Howell & Co. vs. Holland's Admr. et als.,begs leave to report that after giving bond as required by said decree he advertised the property that he was directed to sell by said decree in the manner and for the time required and after said advertisement he offered said property for sale in the manner directed by said decree. P.D.Camp became the purchaser of both land and timber jointly at the price of $160. and has paid your Commissioner one-third of said purchase price,that being the highest price bid$. Out of said $53.33 thus collected your Commissioner has paid $16.75 as follows,as shown by vouchers herewith filed.

To paid premium on his Commissioner's bond,	$5.00
" " for advertisement,	1.25
" " Crier at sale,	2.50
" Commissions on amount of sale $160.	8.00
Total.....	$16.75

Leaving a balance of $36.58 in the hands of your Commissioner subject to the further order of the Court.

Your Commissioner recommends that the sale be confirmed though it is less than the assessed value of the land : but since the last assessment the buildings on the land have gone almost entirely down and are worthless and the sale is,in the opinion of your Commissioner all that can be gotten for the place.

Respectfully submitted.

J.C.Parker
Special Comm'r

Eley,Howell & Co.
vs.
Holland's Admr. et als.

To the Hon.R.R.Prentis,Judge of the Circuit Court of Soutampton County,Virginia.

The undersigned,one of the Commissioners of said court, reppectfully reports to the court that in accordance with instructions contained in a decree entered in said cause on the 3rd day of October 1899,he has inquired as to whether the debt due to Hilary Vaughan as reported in his report filed Sept.16th 1899 has been paid or not,and now reports to the court that after careful inquiry he is convinced that the said debt has been fully paid and satisfied. In support of which conclusion your Comr. herewith files a certificate from J.H.Vaughan,son and Admr. of the said deceased Hilary Vaughan,stating that he knows that said debt has been paid and satisfied. Your Comr.,at the request of the plaintiffs,it being pertinent matter,also further reports that the debt reported in said report of Sept.16th 1899 as due to J.L.Camp,is secured by a deed of trust on a house and lot in Franklin,Va.,the property of the deceased R.T.Holland,which the court has not ordered to be sold.

Respectfully submitted,

B. F. McLemore

Comr.in Chancery.

To B.F.McLemore, Comr. in Chancery,

Courtland, Va.

I, J.H. Vaughan, Administrator of Hilary Vaughan, deceased, do hereby certify that the debt that was due by R.T. Holland, deceased, to my decedent, Hilary Vaughan, reported by you in the case of Eley, Howell & Co. vs. Holland's Admr., et als. in your report in said cause filed Sept. 16th 1899, has been fully paid and satisfied.

Very respectfully,

James H. Vaughan

Signed and acknowledged before me in my county this 2nd day of April ~~March~~ 1900.

J. C. Parker .....Notary Pub.

Eley. Hamell & Co.

vs.

Hollandi Admrs.

Certificate Jan 1900.

J. H. Vaughan Admr.

Nelson Vaughan. decd

Endorsed Admrs

B. F. McLaurin,

Filed in said Court this 2nd April 1900.

L. N. Berry Clk.

Motion Rule.

Now on this day the plaintiff by his attorney moves the Court to enter a rule upon the defendants, Admrs. of Nelson Vaughan, deceased, to show cause if any they can why the plaintiff should not have judgment against them as such Admrs. for the amount of the debt sued on in this action, and why execution should not issue against the assets of said deceased in their hands to be administered.

Motion granted, Rule issued, returnable to the next regular term of this Court.

J. H. Wilkerson, Clerk.

COMMISSIONER'S BOND.

Ely Harwell & Co.
vs
Hazard & Arnw. et als

J. L. Parker

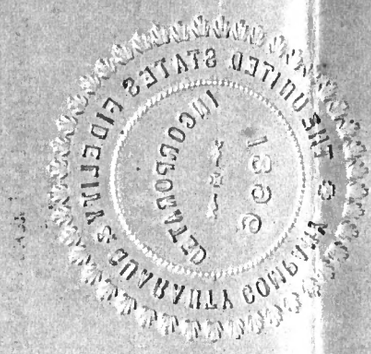
to

Commonwealth.

1899. 15. Nov. Filed

L. A. Gay C.C.

Recorded Page- 111-



Know All Men by These Presents, That we, J. b. Parker and

The United States Fidelity and Guaranty Company

are held and firmly bound unto the Commonwealth of Virginia in the sum of ($1000.00)

One Thousand & no/100 Dollars,

to the payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, hereby waiving the benefit of our Homestead Exemptions as to this obligation, and any claim or right to discharge any liability to the Commonwealth arising under this bond, or by virtue of said office, post or trust, with coupons detached from bonds of this State.

Sealed with our seals, and dated this 1st day of November one thousand eight hundred and ninety-nine

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

J. b. Parker

shall faithfully perform the duties of his office or trust, as Special

Commissioner

under a decree of the Circuit Court of the County of Southampton

pronounced on the 3rd day of Oct., 1899, in the suit therein depending

under the name and style of Ethy Howell & Co. vs Holland's Admr et als.

or any future decree that may be entered herein

then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in the presence of

J. C. Parker SEAL

The United States Fidelity & Guaranty Co. SEAL

by J. C. Parker, its attorney SEAL

in fact.

THE UNITED STATES FIDELITY & GUARANTY CO. INCORPORATED 1896

In the Clerk's Office of the Court of the County of Southampton.

This day

suret on the above bond, made oath before me, Clerk

of the Court of the county of Southampton, and State of Virginia, that

estate, after the payment of all just debts and those for which bound

as securit for others and expect to have to pay, worth the sum of

dollars.

Given under my hand this day of , 189

Teste: , Clerk.

Eley, Harriet Geo
vs } 2nd Decree
Holland's admrs
Wals

To be argued
Oct. 3rd 1899

Robert R. Reid

50 acres
200.00

245

ELEY, HOWELL & Co.

vs.

HOLLAND'S ADMINISTRATOR, et als.

This day this cause came on again to be heard upon the papers formerly read and upon the report of B.F.Mc Lemore, commissioner, filed on the 16th day of September 1899. to which report exceptions have been filed by plaintiffs and was argued by counsel.

Upon consideration whereof, the Court doth confirm the said report except as to the debt due Hilary Vaughan excepted to by plaintiffs and doth hereby appoint J.C.Parker as a special commissioner, to make sale of the 50 acre tract of land mentioned in said report, he shall advertize the time, place and terms of sale for at least thirty days before sale, and shall in accordance with said advertisement, sell said property by public auction in the town of Franklin, for I/3 cash and the balance in equal enstallments payable one and two years after date of sale with interest from date of sale, but with privilege to purchaser to pay all cash as soon as the sale is confirmed and take deed for said property. Title to the said property shall be retained as security for deferred payments. If in the discretion of the said commissioner it shall be wise to do so, he shall sell the timber on said land suitable for saw-mill purposes first-and then by separate sale sell the fee simple title to said land after the timber thus sold shall have been removed there-from. But before entering upon the diccharge of his duties under this decree the said commissioner shall enter into bond in the penalty of $1000., with security deemed sufficient by the clerk of this court and conditioned for the faithful discharge of his duties as said commissioner, under this or any future decree in this cause, and He shall report to this court at the next term thereof. and one of the Commissioners of this court is directed to inquire into the matter of the Hilary Vaughan debt raised in the Exceptions & report whether the same has been paid or not.

Eley. Haskell Co

vs.

Holland &. Adms

Exceptions &
Report of Comrs
McLemore filed
Sept. 16th 1899

Filed Oct. 3rd 1899

Eley, Harrell and Co.

vs.

Holland's Admr. et als.

The plaintiffs in this cause except-to-that portion of the report of B. T. McLemore, Comr. filed Sept. 16th 1899, which includes a debt due to Kilroy Vaughan of $15.71 4/0 as one of the debts due by R. T. Holland, deceased. The plaintiffs being informed that the said debt has been paid and satisfied.

Respectfully submitted,

Eley, Harrell & Co

per J. C. Parker, Atty.

Eley, Howell & Co

vs } Report.

Holland Admr

1899. Sept. 16 filed

L. A. Guy C.C.

Confirmed except
as to Eley
Vaughan debt;

Eley, Howell & Co

COMMISSIONER'S OFFICE,

JERUSALEM, Courtland June 19 1899

To the *Creditors* of the Estate of
R. T. Holland
deceased, and all others concerned.

You are hereby notified, ~~that at the request of~~ by decree of the Circuit Court of Southampton ~~Administrator of the estate of the said~~ entered on the 4th day of April 1899 deceased, I have appointed the 19th day of July 1899 next, at my Office, for receiving proof of debts or demands against the said decedent or his estate, at which time and place you are required to attend.

Given under my hand, as a Commissioner of the County Court of Southampton County, the d[illegible] year first aforesaid.

B. F. McLemore *Commissioner.*

Eley Holland & Co
vs } Notice
Holland's Admrs &c

1899. Sept. 14th

I acknowledge service of this Notice.

D. W. Williams
Adm'r &c

Executrix

D. W. Williams
Sheriff

(2)

COMMISSIONER'S OFFICE,

Courtland, Va., June 19 1899

To Eley, Stowell & Co-
J. W. Williams Shff & Admr of R. T. Holland dec'd.
Priscilla Holland, Tertanna Brill, Lucy Riggins.
Lillie G., Grace and R. T. Holland - each three infants
by J. R. Stowell. Guardn ad litem

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

First. An account of the transactions of J. W. Williams Sheriff and administrator of R. T. Holland deceased, showing the amount of personalty that came into his hands from said estate, and the balance due said estate now in his hands. Second. Of the annual and fee simple value of all the real property in Southampton County belonging to the said R. T. Holland deceased. Third. An account of all the debts due by the said R. T. Holland deceased, or by his estate together with their order of priority and dignity and any delinquent taxes on said land and all other liens thereon. Fourth any other matter deemed pertinent by the said commissioner or which any person interested in this suit may request him to inquire into and report upon

required to be taken by a decree of Southampton Circuit Court, rendered at the April *term, 1899, 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 said Court the day and year first aforesaid.

B. F. McLemore, *Commissioner.*

To the Sheriff of Southampton County to execute.

Eley Holland &c
v.s.
Police

Holland's Admin'tals

1899. Sept. 25th.

~~Eley Riggins and~~
~~Deanna Britt~~
~~Infants~~
~~H. Carolina Riggins~~
~~Eley Riggins~~
~~by & &~~

637

~~Indictment for~~
~~& L. 2~~

I hereby acknowledge due service for Plaintiffs, this 25th day of Sept. 1899.
J. D. Parker. J. P.

Served on Sept 23
1899 by leaving a
Copy of the within
notice on Deanna Britt
and Eley Riggins in
Person

A. Worrall
By William Cannon
Deputy
Acknowledge service
Mont. Stroud Jr. Ed in addition

COMMISSIONER'S OFFICE,

Courtland, Va., July 14 1899

To Eley Howell & bo
J.W. Williams Sheriff & admr of R.T. Holland
dec'd Priscilla Holland, Deranna Britt
Lucy Riggins. Lillie Ds. — Grace and R.S.
Holland, last three infants by J.M. Debnell
Guard'n ad litum

You are hereby notified that I have fixed upon the 25th day of September next, if fair, if not, the next fair day thereafter (Sunday excepted) to take and settle, at my office, the following accounts, to wit: First an account of the transactions of J.W. Williams Sheriff and administrator of R.T. Holland deceased showing the amount of personality that came into his hands from said estate and the balance due said estate now in his hands. Second of the annual and fee simple value of all the real property in Southampton County belonging to the said R.T. Holland deceased. Third an account of all the debts due by the said R.T. Holland deceased or by his estate together with their order of priority and dignity and any delinquent taxes on said land and all other liens thereon. Fourth any other matter deemed pertinent by the said Commissioner or which any person interested in this suit may request him to inquire into and report upon required to be taken by a decree of Southampton Circuit Court, rendered at the April term, 1899, 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 said Court the day and year first aforesaid.

B. F. McLemore, Commissioner.

To the ~~Sheriff of Southampton County to execute~~ Sergt. City of Norfolk.

Virginia:

In the Circuit Court of Southampton County. April Term 1899.

Eng. Nowell & Co.

vs. } Final Decree

J. W. Williams, Sheriff and Administrator of R. J. Holland, deceased, Priscilla Holland, Joyanna Britt (Nee Holland), Lucy Riggins (Nee Holland) are adults, and Lillie Gertrude Holland, Gracie Holland and Richard Garland Holland, are infants, and E. N. Sebrell, Jr., guardian ad litem for said infants.

This day this cause came on to be heard upon the bill and exhibits filed and taken for Confessed as to the adult defendants, J. W. Williams, Admr., Priscilla Holland, Joyanna Britt and Lucy Riggins, upon the answer of E. N. Sebrell, Jr. guardian ad litem for the infant defendants Lillie Gertrude Holland, Gracie Holland and Richard Garland Holland, with general replication to said answer, and was argued by Counsel.

Upon consideration whereof the Court doth adjudge, order and decree that one of the Commissioners of this Court take an account First. An account of the transactions of J. W. Williams, Sheriff and Administrator of R. J. Holland

deceased, showing the amount of personalty that came into his hands from said estate and the balance due said estate now in his hands.

Second. Of the annual and fee simple value of all the real property in Southampton County belonging to the said R. J. Holland, deceased.

Third. An account of all the debts due by the said R. J. Holland, deceased, or by his estate, together with their order of priority and dignity, and any delinquent taxes on said land and all other liens thereon.

Fourth. Any other matter deemed pertinent by the said Commissioner or which any person interested in this suit may require him to inquire into and report upon.

And said Commissioner shall make report to this Court at the next term.

A Copy.

Teste: L. A. Gay C.C.

An account of debts against the Estate of R. T. Holland, dec'd. proved before B. F. McLemore, Comr in Chancery of the Circuit Court of Southampton Co. the 19th day of July 1899.

1	Fee bill due Clerk Cir: Ct.		$ 2.45
1	Acct. due Eley, Newell & Co.	$40.00	
	Int. from Jany 1/97	6.80	46.80
2	Deed of Trust in favor of Hilary Vaughan		157.40
3	Deed of Trust in favor of J. L. Camp		110.00
			$ 316.65
4	Mes: bill due Dr W. H. L. Gordman	19.00	19.00
	Int: from Jany 1/97	3.23	22.23
			B. F. McLemore
5	Store Acct due Gordman & Barrett.	$4.36	
	Int from Jany 1/97.	.72	5.08
6	Store acct due Taylor & Co.	$18.70	
	Int. from Jany 1/97	3.17	21.87
			$ 345.83

Respectfully Submitted.
B. F. McLemore, Comr

Ekey, Howell & Co

2d } Report.

Holland & Adm'r

1899. Sept. 16 filed

L. A. Gay G.G.

Confirmed except
as to Ekey
Vaughan debt;

Commissioner's Office.
Courtland, Va.
Sept. 14 1899.

To the Circuit Court of Southampton Co.

Pursuant to a decree of the Circuit Court of said County, entered at the April Term 1899, in the Cause of Eley, Stowell & Co. v. Holland's Adm'r &als: the undersigned Commissioner reports to Court, that having issued Notices to the parties and posted Notice at the front door of the Court House to the Creditors of R.T. Holland dec'd. he proceeded, on the 14th day of Sept. 1899. to take the several Accounts required by the aforesaid decree - and respectfully reports:-

1st. That J. H. Williams, Sheriff and Adm'r of R.T. Holland dec'd. reports to your Commissioner that he has neither received or disbursed anything.

2nd An Account of debts against the estate of R.T. Holland. dec'd, and reports debts against said decedent, or his estate. Amounting to $365.88 which have been arranged according to dignity and priority.

3rd. At the time of the death of -

R. J. Holland he was seized and possessed of the following real Estate. to wit: a House & lot in the town of Franklin. Containing 1/50 of an acre valued at $5.50 and a small tract of land. situate in Franklin Magisterial District. Containing 50 acres valued at $200.00 the fee simple all of value of said realty is set down at $750.00 and the Annual value at $45.00.

The Commissioner has found no record of any delinquent taxes against the said real Estate.

Respectfully Submitted
B. F. McLemore
Comr in Chancy.

Comrs fee $5.00.

Eley,Howell & Co.,

Vs.

Holland's Admr. et als.

Answer of Guardian ad litem.

Filed in the Clerk's Office of Southampton County, April 4th 1894.

Teste: [illegible] D.C.

Eley,Howell & Co.

Vs.

Holland's Adm'r. et als.

Ans. of Guardian ad litem.

Eley,Howell & Co.

vs.)

Holland's Admr.et als.

The answer of J.N.Sebrell Jr.,Guardian ad litem for the infant defendants,Lillie Gertrude Holland,Gracie Holland and Richard Garland Holland,to a bill in chancery exhibited against them and others by Eley,Howell & Co. in the Circuit Court of Southampton County, Virginia.

The respondent,reserving to himself all just exceptions to the said bill for answer thereto,answers and says that if it be true,as alleged in said bill,that R.T.Holland deceased,or his estate,is indebted to the complainants and other as set forth in said bill,and that there is no other property out of which said debts may be paid ,then he can see no just objection that respondent can make in behalf of the infants that he represents to the releif asked for in said bill.But your respondent knows nothing of the truth or falsity of the allegation made in said bill and prays that the Court may require strict proof of the alleged debts or any others that may be set up against the said R.T.Holland or his estate,and will require the same to be paid out of the personal property belonging to the said estate if there be any,and will in all other respects fully protect the interests of the said infant defendants.

And now having fully answered said bill your respondent prays to be hence dismissed with his costs in this behalf expended,and he will ever pray,etc.

Jno Sebrell Jr.
Gdn Ad Litem

Subscribed and sworn to by J.N.Sebrell Jr.,before me this 4th day of April 1899.

L A Gay C.C.

Holland's Admr.et als. vs. Eley,Howell & Co.'s. Filed in the Clerk's Office of Circuit Court, Southampton Co., Va.

Edey. Howell & Co.

vs. } Statement of Rules

Holland & Admr et als

E. S. Eley, M. E. Howell and W. J. M. Holland, partners trading as Eley Howell & Co. who sue for the benefit of themselves and other Creditors of R. P. Holland deceased } Plaintiffs

vs.

J. W. Williams, Sheriff & Admr of R. P. Holland decd. Priscilla Holland, Rosanna Brill (nee Holland) Lucy Riggins (nee Holland) Lillie Gertrude Holland, Gracie Holland & Richard Garland Holland } Defendants

the last the infants by F. R. Sebrell Jr. Gdn. ad litem

1898. 28th December. Process issued to 2nd Feby. Rules

1899. 2nd. February Rules. Process returned executed.

Bill and exhibits filed.

F. R. Sebrell Jr. appointed Gdn. ad litem to infant defendants.

Decree Nisi vs. adult defendants.

1899. 1st March Rules. Bill taken for confessed as to adult defendants and Cause set for hearing as to them

Chas. Howell & Co.

vs

Barque [illegible]

Williams Shipp. et als

1899. 2nd Febry Rules.

6 cir. Ct.

Served Jany 10th 1899 by delivering a copy of this Summons to each of the within named defendants

J.W. Williams
Shff.

I acknowledge service of the within Summons.

J.W. Williams
Shipp & Owner

J. L. Parker p.q.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County--Greeting:

WE COMMAND YOU THAT YOU SUMMON J. W. Williams, Sheriff
V. Admr. of R. P. Holland deceased, Priscilla Holland,
Roxanna Britt (nee Holland) Lucy Riggins (nee Holland)
Lillie Gertrude Holland, Gracie Holland & Richard Garland
Holland, the last three infants by J. N. Debree Jr.
Guardian ad litem

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 3rd Monday in Feby. 1899 next, to answer a Bill in Chancery exhibited against them in our said Court by E. B. Gay, M. E. Howell and W. J. M. Holland, partners trading as Gay, Howell & Co. who sue for the benefit of themselves and other Creditors of R. P. Holland deceased.

And this they shall in no wise omit under penalty of law. And have then there this writ.

WITNESS, L. A GAY, Clerk of our said Court, at the Courthouse, this 28th day of December, 1898, in the 123 year of the Commonwealth.

Teste: L. A. Gay C. C.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County--Greeting:

We command you to summon J. W. Williams Sheriff & admr. of R. T. Holland deceased

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 3rd Monday in Feby. 1899 ~~next~~, to answer a bill in Chancery exhibited against him et als in our said Court by E. B. Ely, M. E. Howell and W. J. M. Holland, partners trading as Ely, Howell & Co. who sue for the benefit of themselves and other Creditors of R. T. Holland deceased.

And this he shall in no wise omit under penalty of law. And have then there this writ.

WITNESS, L. A. GAY, Clerk of our said Court, at the Courthouse, this 27th day of December, 1898, in the 123 year of the Commonwealth.

Teste: L. A. Gay C. C.

A Copy—Teste: L. A. Gay C. C.

Eley. Howell & Co.

vs

Williams Shiff. et als

1899. 2nd Eby. Rules

bir. Ct.

Excela Jany 20

99 & Selling a

Copy of the Writ

Issued on Tejuana

Britt & Lucy Riggin

in favor

of Thomas H.

& William Parsons D/ft

L. C. Parker p. q.

Tejuana Britt
Lucy Riggins } Payee

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of ~~Southampton~~ Norfolk County--Greeting:

WE COMMAND YOU THAT YOU SUMMON J. W. Williams Sheriff & Admr. of R. P. Holland deceased Priscilla Holland, Rosanna Bath (nee Holland) Lucy Riggins (nee Holland) Lillie Gertrude Holland, Gracie Holland & Richard Garland Holland the last three infants by J. N. Debree Jr. Guardian ad litem

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 3rd Monday in Feby, 1899 next, to answer a Bill in Chancery exhibited against them in our said Court by E. S. Eley, M. E. Harrell and W. J. M. Holland, partners trading as Eley, Harrell & Co. who sue for the benefit of themselves and other Creditors of R. P. Holland deceased

And this they shall in no wise omit under penalty of law. And have then there this writ.

WITNESS, L. A GAY, Clerk of our said Court, at the Courthouse, this 28th day of December, 1898, in the 123 year of the Commonwealth.

Teste: L. A. Gay C. C.

Eley. Howell Co.

vs. } Final Decree

Holland's admrs.
et als.

Enter Oct. 2, 1900

Robert D. Ellis

Dismissed
Oct 2/1900

Entered
32

Eley, Howell & Co.,

VS.) Final Decree.

Holland's Administrator, et als.

This day this cause came on again to be heard on the papers formerly read and upon the report of J.C.Parker, Special Commissioner, filed October 2nd 1900, to which report no exceptions have been filed, and was argued by counsel.

Upon consideration whereof the court doth confirm said report and it appearing that there is nothing further to be done in this cause it is order that the same be removed from the docket.

Eley, Howell & Co.

vs } 3rd Decree

Kallaudé Adms

Recorded Page 198

Entered Sept. 1900

Filed Sept. 1900

Clerk

Deputy

Clerk

Solicitors for Pltff.

Solicitors for Deft.

Filed in open Court this 3rd day of Sept. 1900.

Clerk

Deputy Clerk

Solicitors for Pltff.

Solicitors for Deft.

Entered Sept. 1900

Recorded Page 198

Clerk

Deputy Clerk

Solicitors for Pltff.

Solicitors for Deft.

Eley,Howell & Co.

Vs. } 3rd Decree.

Holland's Admr. et als.

This day this cause came on again to be heard upon the papers formerly read and upon the report of Special Commissioner J.C. Parker,filed March 24th 1900 and the report of Comr.B.F.McLemore filed April 3rd 1900,to which reports no exceptions have been filed,and was argued by counsel.

Upon consideration whereof the court doth confirm both of said reports and doth further adjudge,order and decree that J.C.Parker,Special Commissioner,collect the balance of the purchased money for said property sold as shown in his said report and make a good and sufficient deed,with special warranty,for the said property to the purchaser,P.D.Camp,or to such person as he may direct,and out of the money thus collected pay first the costs of this suit, including future costs, second,the debts shown by the report of Comr. B.F.McLemore, filed Sept-16th 1899,in full,except the debts therein reported as due to Hilary Vaughan and J.L.Camp,and third pay the balance in his hands to J.L.Camp on the said debt reported as due to him.And the court doth further adjudge,order and decree that the crediters to whom the above sums are paid,except J.L. Camp and any other who may have any other attorney to represent them in this cause,shall pay J.C.Parker,Attorney ten per cent of the amounts paid to them as a fee to the said J.C.Parker for his services in this cause. And the said J.C.Parker shall make report to this court at the next term thereof.

Edey, Harrell & Co.

vs } Exhibit "R."

Holland Admr et als.

In the County Court of Southampton County,
July Term 1898
On motion of E. D. Eley, one of the firm
of Eley Howell and Co. Creditors of the Estate
of R. P. Holland deceased, it is ordered that
the said Estate be Committed to the hands
of J. H. Williams Sheriff of this County to
be by him administered according to law

A Copy.

Teste: L. A. Gay D.C.

there thereof may be had upon due application therefor.

And said Commissioner shall report to this Court as the rest

of his proceedings herein may require.

Upon consideration whereof the Court doth adjudge, order and de-

cree that one of the Commissioners of this Court take and account

FIRST. An account of the debts proved against the said R.T.Holland, de-

ceased, and allowed by the said R.T.Holland in his lifetime, and

SECOND. Of the amount due to the said R.T.Holland at the time of his

decease.

THIRD. An account of all the debts due by the said R.T.Holland, de-

ceased, to the several persons entitled to the same and

the amount of

personalty that came into his hands from said estate.

Administrator of R.T.Holland, deceased, showing the amount of

FIRST. An account of the transactions of J.W.Williams, Surviv

and diligently to

cease or by his estate, together with their order of priority

FOURTH. Any other matter that may be required by the said Commissioner

or any person interested in this suit, as he may deem

to judge proper.

Upon consideration of the report, adjudge, order and de-

cree that one of the Commissioners of this Court take and account

in Southampton County, Virginia, of all the real property

belonging to the said R.T.Holland, de-

ceased.

SECOND. Of the amount due to the said R.T.Holland at the time of his

decease.

THIRD. An account of all the debts due by the said R.T.Holland, de-

ceased, to the several persons entitled to the same and

the amount of

personalty that came into his hands from said estate.

Administrator of R.T.Holland, deceased, showing the amount of

FIRST. An account of the transactions of J.W.Williams, Surviv

and diligently to

cease or by his estate, together with their order of priority

FOURTH. Any other matter that may be required by the said Commissioner

or any person interested in this suit, as he may deem

to judge proper.

Upon consideration of the report, adjudge, order and de-

Exhibit.

Filed April 4th 1895.

Eley, Howell & Co.

vs.) First Decree.

Holland's Admr. et als.

To be entered.

April 4th 1895.

Upon consideration of the report, and exceptions thereto, filed by the Commissioner, Mr. Wm. Parrish, to whom this cause was referred to state and report an account between the parties, and it appearing to the Court that the said Commissioner has reported that he has stated an account between the parties, and that the balance due the complainants is $1,000.00, and that the said Commissioner has reported that he has stated an account between the parties, and that the balance due the defendants is $1,000.00, and

Eley,Howell & Co.,

VS.) First Decree.

J.W.Williams,Sheriff and Administrator of R.T.Holland,deceased,Pris-cilla Holland,Texanna Britt(nee Holland),Lucy Riggins(nee Holland) all adults,and Lillie Gertrude Holland,Gracie Holland and Richard Garland Holland,all infants,and J.N.Sebrell,Jr.,guardian ad litem for said infants.

This day this cause came on to be heard upon the bill and exhibits filed and taken for confessed as to the adult defendants, J.W.Williams,Admr.,Prisciala Holland,Texanna Britt and Lucy Riggins ,upon the answer of J.N.Sebrell, Jr. guardian ad litem for the infant defendants Lillie Gertrude Holland,Gracie Holland and Richard Garland Holland ,with general replication to said answer,and was argued by counsel.

Upon consideration whereof the court doth adjudge,order and decree that one of the Commissioners of this Court take and account

FIRST,An account of the transactions of J.W.Williams,Sheriff and Administrator of R.T.Holland,deceased,showing the amount of personalty that came into his hands from said estate and the balance due said estate now in his hands.

SECOND.Of the annual and fee-simple value of all the real property in Southampton County belonging to the said R.T.Holland,deceased.

THIRD.An account of all the debts due by the said R.T.Holland,deceased,or by his estate,together with their order of priority and dignity, and any delinquent taxes on said land, and all state liens thereon

FOURTH.Any other matter deemed pertinent by the said Commissioner or which any person interested in this suit may request him to inquire into and report upon.

And said Commissioner shall make report to this court at the next term thereof what he has done under this decree.

Holt's Supp. to Va. Reports.
Eley, Howell & Co.
vs.) First Decree.
Filed