1903-01 Southampton County Chancery - Barham, T.L. (Trustee) vs Adams, Mollie D. et als

be allowed to sell real estate and reinvest in other real estate under direction of the court.

Adams, Thomas
Drake, W. H.
Holt, James A.
" , Pauline H.
infants
by: Sebrell, J. N., Jr.
(G.A.L.)

Barham Trustee.
vs. Bill & Ex.
Holt et als.

1898. 2nd Sept. Rules Filed
L. A. Gay C.C.

To, the Honorable Robert R. Prentis, Judge of the circuit court of Southampton county.

-----In CChancery---o

Your complainant, Joseph L. Barham, Trustee, complaining showeth unto the Court the following case: That by deed of July 9th. 1897, and duly recorded in the county court of Southampton, ~~OLmer~~ O. Holt of the said County conveyed to your complainant a certain tract of land "containing 400 acres, more or less, bounded by the lands of William Thomas, SamL. Vick, Charles Rountree and others, and is same land given to said Holt by J.S. Russell & wife, IN TRUST, nevertheless for the sole and separate use of the said Mollie D. Holt and her issue by her present husband, should said Mollie D. Holt die without such issue then the land hereby conveyed to revert to said party of the first part. And the said Trustee shall when required in writing by said Mollie D. Holt sell the property hereby conveyed and re-invest the proceeds of such sale in other property which shall be subject to the same trust as the property hereby conveyed." Your complainant now has instructions in writing from said beneficiary in said deed, who has since the death of her husband, O. O. Holt, intermarried with one, Thomas Adams, to sell the farm in the said deed conveyed to him. Your complainant is uncertain as to the powers conferred upon him by the said deed, a copy of which is herewith filed as exhibit "A". and therefore has sought the aid of this court for his direction and guidance; that he has an opportunity at this time to sell the said property at a very good price, namely $1000. to W. H. Drake if the Court will direct him to do so. Your Orator believes and avers that it was the true intention of the grantor that the land in the said deed conveyed should be sold at any time that said Mollie D. Holt might direct, although he says in the same, "should said Mollie D. Holt die without issue, then the land hereby conveyed to revert to said party of the first part".- ------ Your orator believes it would be clearly to the interest of the parties concerned to accept the offer of said W.H. Drake, to buy this farm at $1000. and have the funds in his hands invested in other property in the vicinity of said Mollie D.Holt; that same is now a long way from her home and residence, so far that she rarely ever sees it, and cannot give it any attention. That the said Mollie D. Adams had by her husband, Osmore Holt, now deceased, two children now living, and your complainant is advised that the interest of Mrs. Adams in said property is a defeasible fee (equitable) and upon her death with any one of the Holt children surviving, would make her estate absolute, and end the Trust.

That the two children now living are James A.Holt, aged 20 years, and Pauline H.Holt age 17 years.

In tender consideration whereof your complainant prays that Mollie D. Adams, formerly Holt, Thomas Adams, W.H. Drake. and James A. and Pauline H.Holt the last two infants be made parties defendants to this bill and required ~~ed~~ to answer the same under oath. That your compalainant may be allowed to sell the property described herein for the sume of $1000. executing a good and valid deed with special warranty for the same; that of this money he may be allowed to invest the same in other real estate under the direction of the Court and with all such contingencies as are imposed upon the property as it now stands. That all such orders and decrees may be entered, enquiries directed, and all such general and special relief may be granted to your complainant as the nature of the case may require or to equity shall seem meet. Notice is hereby given that the Court will be asked to allow reasonable fees to plaintiff's Counsel conducting this cause.

Prince & McLemore
P.Q.

Barham Trustee

vs. } Statement of Rules

Holt et als.

J. L. Barham Trustee Plaintiff

vs.

Mollie D. Adams, formerly Holt.
Thomas Adams, W. H. Drake and
James A. & Pauline H. Holt - the last
two infants } Defendants

1898. 10th. September. Process issued to 2nd. Sept. Rules.

1898. 2nd. Sept. Rules. Process returned executed, Bill and exhibits filed, J. N. Sebrell Jr. appointed Gdn. ad litem to infant defendants. Decree Nisi vs adult defendants,

1898. 3rd. Sept. Rules. Bill Taken for Confessed as to adult defendants and cause set for hearing as to them.

Barham, Trustee
Answer of
vs. 3 Infants by Gdn ad litem
Holt et als.

The joint and several answer of
Jaffy A. & Pauline H. Holt, infants
by Jno. C. V. Sebrell Jr. Guardian ad
litem, duly appointed at rules, to a bill
in the Chancery ~~[illegible]~~ now pending
~~in~~ the Circuit Court of Southampton
County between Joseph L. Barham
Trustee, plaintiff and Mollie D.
Holt and others defendants.

These respondents for answer to the said bill or so much thereof as they are advised it is necessary to answer, through their guardian ad litem, answering, say: That being infants, they know nothing of their rights in this cause but submit the same to the protection of this Court and having fully answered they pray hence to be dismissed with their reasonable costs &c.

Jno C V Sebrell Jr.
Gdn ad litem

Exhibit "A"

Holt
To D. G.
Barham Trustee

1878 March 18.

Recorded
Examd Page 299
"

($2.25 paid)

78. Va. 313

This deed made and entered into this 9th day of July 1877 between L. O. Holt of first part Joseph L. Barham Trustee for the benefit of Mollie D. Holt of the second part. Witnesseth That for and in consideration of the natural love and affection which the said Holt bears for his wife Mollie D. and the further consideration of said Mollie D Holt having united with said party of first part in a deed to Walter B Chamblin Trustee conveying certain Real Estate of even date herewith, doth give grant and convey to Joseph L Barham Trustee the following Real Estate, to wit: a certain tract of land lying in the County of Southampton Va. containing 400 acres more or less, bounded by the lands of Wm Thomas, Saml Vick, Charles Rowntree & others - being the land given said Holt by J.E. Russell & wife.
In Trust Nevertheless for the sole and separate use of the said Mollie D Holt and her issue by her present husband, should said Mollie D Holt die without such issue then the land hereby conveyed to revert to said party of the first part. And the said Trustee shall when required in writing by said Mollie D Holt sell the property hereby conveyed and reinvest the proceeds of such sale in other property

which shall be subject to the same Trust as the property hereby conveyed.

Witness the following Signature and seal.

L O Holt (Seal)

State of Virginia
County of [illegible]

I Walter B Chamblin a Commissioner In Chancery in and for the Circuit Court of the County and State aforesaid, do certify that L O Holt whose name is signed to the foregoing writing bearing date on the 9th day of July 1877, personally appeared before me in my County aforesaid and acknowledged the said writing to be his act and deed.

Given under my hand this 9th day July 1877.

Walter B Chamblin
Comr In Chy.

Southampton County, In the Clerk's Office March 18th 1878. This Deed of Gift from L. O. Holt to Jos. L. Barham, Trustee, for the benefit of Mollie D. Holt, wife of the said L. O. Holt, was this day received and together with the certificate thereto annexed, admitted to record.

Teste, L.R. Edwards C.C.

JAMES L. McLEMORE. JAMES H. CORBITT.
McLEMORE & CORBITT,
ATTORNEYS AT LAW,
SUFFOLK, VA.

October 31, 1902.

Mr. L. A. Gay, Clerk,
Courtland, Virginia.

Dear Sir:-

I have just received a letter from J. L. Barham, Trustee, requesting me to withdraw certificate of deposit in the chancery cause of Barham, Trustee, v. Holt et als. I wish, therefore, you would fill in the receipt at points where I have left blank, and forward to me at once, with statement of costs covering one more report and decree of dismissal.

Yours truly,

Jas L McLemore

Dic. J. L. M.

I delivered a copy of this notice to W. H. Drake Sept. 16th 1898. I. T. Hatcher depy for J. P. Williams Sgt.

Barham, Trustee
&c.
} Sum:
Adams et: als:

1898. 2d Sept Rules
Cir: Ct:

Executed Sept. 17th 1898 by delivering a copy of this "Sum:" to Millie D. Adams. Thos. Adams not being found at his usual place of abode & delivered a copy of this notice for him to his wife Mollie Adams who was a member of his family over the age of sixteen years & explained its purport to her.

A. E. Moses Dy
for J. P. Williams Sgt

Prince & McLemore p.q.

(3)

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County--Greeting:

We command you to summon Mollie D. Adams, formerly Holt, Thomas Adams, W. H. Drake, and James R. & Pauline H. Holt, the last two infants.

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 September 1898 ~~next~~, to answer a bill in Chancery exhibited against them in our said Court by J. L. Barham, Trustee.

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 10th day of September, 1898, in the 123d year of the Commonwealth.

Teste: L. A. Gay C. C.

NEWSOMS DISTRICT.

Mr. O. D. Holt No. 432

1898. **To the 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. 10c. on $100.	TOTAL TAX.
To 264 acres Land, value $792.	2 38	79	3 17	40	79	7 53
" acres Land, value $						
" acres Land, value $						
" acres Land, value $						
" Personal Property, value $						
" Capitation Taxes						
" Income $						
Total						
5 per cent. additional						
Fee Bills						
Total						

Received payment 28 *day of* Nov. 1898 J C Parker *Treasurer.*

DOLLARS
$42.16

Received Decr 1899 of J. L. Barham Forty two dollars and 16 cents, back taxes, interest, cost and charges on a tract of land containing 263¾ acres, standing on the delinquent land book in the name of L. O. Holt, sold by the Treasurer of Southampton County, on the 16 day of Augt 1886 for the nonpayment of taxes and levies due thereon for the years 1885 and purchased by the Commonwealth and for the purchase of which, ——— has filed an application under the provisions of an act of the General Assembly of Virginia, approved February. 11. 1898.

B. F. McLemore C. C.

Memorandum;

Taxes for 18 $
Interest:
Cost,
Land Grabbers Cost:
$

Barham, Trustee.

vs } Statement of Costs

Holt et als.

Serv. 25. 3 copies 39. receipt 18. Attorney 10= .92

Docket 18. Rules $1.00. entering returns 35= 1.53

filing bill 15. Do. Exhibits 15. Do. answer of Gdn. ad litem 15= .45

replication 15. One decree & copy 72. Tax costs &c. 40= 1.27

filing away papers 25. future costs $1.50 = 1.75

Clerk $5.92

} Paid L. A. Gay

Aug. 12" 1899 Paid L. A. Gay } J. W. Williams By J. B. Dunn Shff. 1.50

Aug 18th/1899 Pd. J. J. Williams

Dec. 23rd. 1898 Paid Prince & McLaurine Law &c. 16.50

$23.92

A Copy.

Teste: L. A. Gay C.C.

Received Aug 11. 1899 of J. L. Barham Trustee Thirty five dollars - fee outside of legal fee for professional services in Chancery suit Barham Trustee vs Holt &c. -

Pierce & McLemore
Attys.

Barber Trustee

vs Ʒ Report

Hoel & others

1899 Aug 18 Filed

L. A. Gay C. C.

Vouchers inside

Barham Trustee

vs ⟩ Report of Trustee.

Holt & others

In this Cause, J. L. Barham Trustee, submits the following report to wit—: That under the decree entered in this Cause Oct 4. 1898, he has sold the land Conveyed by L. O. Holt to him as Trustee and Jno F. Vick became the purchaser at $1230— which he has paid in full and I have made him a deed with special warranty. Below I submit statement—

By amt of purchase money.		$1230.00
To Commissions	33.60	
" pd Taxes 1898	7.53	
" " Delinquent taxes	42.16	
" " U.S. Int Rev Stamps for deed	1.50	
" " Magistrates fee	.50	
Costs of suit	23.90	
Price & McLaurin attys	35.00	
Amt retained for future Costs	1.00	-145.19
1899 Aug 11— Net amt in hand	=	$1084.81

I have not yet reinvested this amt in land because I have not been able to find a purchase— I would ask the Court to direct where to deposit the same. It may be that the Examiner of Records will require me to pay tax on the net amount for 1899 and I would further ask the Court to provide in its decree liberty for me, if required to pay this or any further expense, to take whatever I may have to pay from the balance before paying it out or reinvesting same.

All of which is respectfully submitted.

Aug 11. 1899
To Judge Cir Ct.
So: ampton Co. Va

J. L. Barham
Trustee.

J. L. Barham, Trustee,

v. DECREE.

Holt et als.

APR. 23, 1900.

Enter this

Robert R. Prentis

Entered Page 300

Barham , Trustee,

v. DECREE.

Holt et als.

This cause came on again to be heard on the report of J.L. Barham, Trustee, filed during the term, reporting that he had deposited in the Bank of Suffolk the sum of one thousand and eighty-four dollars and eighty-one cents ($1084.81) to the credit of this suit and returning the certificate of deposit for the same with his report, to which report there is no exception, and was argued by counsel, On consideration whereof the court doth confirm the said report and as to all other matters this cause is continued.

Received of L. A. Gay, Clerk of the Circuit Court of Southampton County, the certificate of deposit of Bank of Suffolk for \$1084$\frac{81}{100}$ filed in the papers of Barham, Trusted, v. Holt and others, and directed to be withdrawn by an order of the Circuit Court of Southampton ~~Nansemond~~ County entered on the 24th day of October, 1902.

Jas L McLemore
atty

October 31st.,1902.

Barham Trustee

vs Report.

Holt & others

Filed

1899 D-4.

Barham, Trustee,

v. Report.

Holt et als.

In this cause J. L. Barham, Trustee, submits the following report: That pursuant to a decree entered in this cause Oct. 6, 1899, he has deposited in the Bank of Suffolk the sum of a thousand and eighty-four dollars and eighty-one cents ($1084.81) to the credit of this suit, which certificate is returned with this report.

All of which is respectfully submitted,

......J. L. Barham..................(Trustee.)

Barham, Trustee
v. Petition
Holt et als.

1902 Octo. 24th
filed.

TO THE HONORABLE ROBERT R. PRENTIS, JUDGE OF THE CIRCUIT COURT OF SOUTHAMPTON COUNTY.

-----0-----

Your petitioners, Mollie D. Adams, formerly Holt, James A. Holt and Pauline H. Holt, respectfully represent that they are the same persons mentioned and described in a certain deed from L. O. Holt to Joseph L. Barham, Trustee, dated July 9th, 1877, and recorded in the Clerk's Office of Southampton County Court on March 18th., 1878; that by an order of the Circuit Court of said county entered in the chancery cause of Barham, Trustee, v. Holt et als., now pending in said court, Joseph L. Barham was appointed to sell a certain tract of land conveyed by the said deed to him as trustee, and that in pursuance of said order, the same was sold and the funds amounting to $1084.81 in accordance with an order of said Court were deposited in the Bank of Suffolk, where the same is now held, evidenced by a certificate of deposit filed in the papers of the said cause; that since the institution of the aforesaid chancery suit, and the sale of the land, your petitioners James A. Holt and Pauline H. Holt have arrived at the age of twenty-one years, and being the only children from the marriage of Mollie D. Holt and L. O. Holt, the latter of which has been long since dead, they are advised that they have a right to have the trust created by the said deed of July 9th.,1877 terminated and the funds paid to them.

They respectfully represent that the said two children are the only heirs at law of the said Mollie D. Adams, formerly Holt, and the two children last above mentioned are ready to execute their joint receipt for the money now held by the said Joseph L. Barham, Trustee, under the direction of this court in the said chancery cause of Barham, Trustee, v. Holt et als.

and have the trust aforesaid terminated. And there being no other person in any way interested in the said fund, and your petitioners being all over the age of twenty-one years, they pray that this Court will enter an order directing the said trustee to withdraw the certificate of deposit from the papers of the cause, and after paying the costs of this suit, pay over to your petitioners the funds in his hands, which will close all matters in controversy in this cause. And your petitioners will ever pray &c.

Pauline H. Holt

sign Mollie D. Adams (formerly Holt)

sign James A. Holt

STATE OF VIRGINIA,
To-wit:
COUNTY OF SOUTHAMPTON?

This day personally appeared before me Mollie D. Adams ~~and~~ [illegible] and Pauline H. Holt, and made oath that the statements contained in the foregoing petition are true so far as made upon their own knowledge, and so far as made upon the information derived from others they believe them to be true.

Given under my hand this 17th day of Oct 1902.

T. L. Wynne J.P.

State of Virginia
County of Dinwiddie? To Wit:
This day personally appeared before me James A. Holt and made oath that the statements contained in the foregoing petition are true so far as made upon his own knowledge, and so far as made upon the information derived from others he believes them to be true, Given under my hand this 18th day of Oct. 1902

Jno. R. Thomas, Notary Public

Barham, Trustee.

Answer of J. L. Barham

Holt Fathers.

1902 Octo 24th filed

J. L. Barham, Trustee,
v.
Mollie D. Adams et als.

The undersigned, complainant in the above entitled cause, responding to the petition of Mollie D. Adams et als., filed this day by leave of court, answering says:

That it is true he holds as trustee a sum of money represented by a certificate of deposit of the Bank of Suffolk, held by him as such, subject to the order of this court in this behalf, the exact amount of which he does not remember with accuracy. He also has no reason to doubt that the said James A. Holt and Pauline H. Holt have reached their majority, and together with their mother are entitled to the said funds held by him as trustee, the legal rights to which he knows nothing of, but submits same to the court for decision.

And now having fully answered, he prays hence to be dismissed with his reasonable cost in this behalf expended.

J. L. Barham
Trustee.

NEWSOMS DISTRICT.

Mr. J. L. Barham, Trus. Barham Trus. vs Holt — No. 475

1900. 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, 7 1-2c. on $100	TOTAL TAX.
To.........acres Land, value $						
To.........acres Land, value $						
To.........acres Land, value $						
To.........acres Land, value $						
To Personal Property, value $ 1085	3 25	1 09	4 34	54	82	10 04
To Capitation Taxes						
To Income { Chg Int on						
Total C of D #22 }						
5 per cent. additional						50
Fee Bills						
Total						10 54

Received payment 9th day of Jun 1902 — L R Edwards Treasurer.

BANK OF SUFFOLK

Suffolk, Va., 11/5 1902

McLemore Corbitt

1155.94
37.75
1118.19

Your account has credit for $ 1155.94, proceeds of items as per memorandum below.

Arthur Woolford, Cashier.

	Amount.	Interest.	Net Amount.
Cert of Dept	Amt of Cert —		1084 81
J L Barham trustee in suit	Int —		92 20
of Barham trustee vs Holt et al			1177 01
Less 2 ax so paid viz			
6/10 — 10.54			21 07
7/31 — 10.53			
			1155 94
			27 25
			$ 1128 69

25.
2.75
27.75

25.75
2.75
11
38.75

4-4-02—5m.

NEWSOMS DISTRICT.

Mr. L. A. Gay Clk Barham trustee vs Holt et als No. 499

1901. 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, 7 1-2c. on $100	TOTAL TAX.
To.........acres Land, value $						
" ....acres Land, value $						
" ....acres Land, value $						
" ....acres Land, value $						
" Personal Property, value $ 1085	3 26	1 08	4 34	54	81	10 03
" Capitation Taxes						
" Income						
Total						
5 per cent. additional						50
Fee Bills						
Total						10 53

Received payment 4 day of 190 Treasurer.

F3-5m—4-16-'02.

J. L. McLEMORE, President. R. A. PRETLOW, Vice-Pres. ARTHUR WOOLFORD, Cashier.

BANK OF SUFFOLK,

VIRGINIA.

Suffolk, Va., July 31 1902

J. L. Barham Trustee In suit of
Barham Trustee
vs-
Hoer Et al $10.53

Mr L. A. Gay
Clerk So. County Court.
Courtland Va

Dear Sir:- We paid the 1901 tax on acct. of this suit to-day- $10.53 -
Please attach this letter to cert of Dept you have on file in the above case as you did once before.

Yours very truly
A Woolford
Cashr,

F3-5m—4-16-'02.

J. L. McLEMORE, President. R. A. PRETLOW, Vice-Pres. ARTHUR WOOLFORD, Cashier.

BANK OF SUFFOLK,
VIRGINIA.

Suffolk, Va., June 10 1902

Mr. L. A. Gay
Clerk of Circuit Court So. Co,
Courtland Va

Dear Sir:- In reference to suit of J. L. Barham Trustee vs Holt et. al, You hold our cert. of Dept. # 22 for $\$1082.^{81}$- We have paid Taxes to L. R. Edwards Treasurer So. Co. $\$10.^{54}$ and have charged the amt. to interest due on above mentioned Cert. of Dept. Please attach this letter to the certificate so that this fact may be before the court in case of any order concerning the funds. Please acknowledge,

Yours very truly
A Woolford
Cashr.

Received Nov. 4th 1902 of J. L. McLemore atty. the sum of $2.75 it being balance of Clerk's fees in suit of Barham Trustee vs. Adams et als.

L. A. Gay C.C.

Statement
Barham Trustee v. Holt et als.

Amount of Certificate of Deposit Bank of Suffolk.		$1084.81
Interest on same - to Nov. 5. 1902		92.20
		$1177.01
Taxes paid for 2 yrs. by Bank of Suffolk.	21.07	
" due for 1902. retained.	11.00	
Costs of suit paid L. A. Gay	2.75	
Attorneys fees - McL & Corbitt. (paid McLemore & Corbitt)	25.—	
		59.82
		$1117.19

Rec'd. Nov. 5th 1902 of J. L. Barham trustee in above entitled cause the sum of Eleven Hundred & Seventy Seven & 01/100 Dollars ($1177.01) subject to the payments mentioned above, aggregating $59.82 all of which we approve and we hereby release the said J. L. Barham trustee, from all liability, past present or future, growing out of his office as trustee aforesaid -

Pauline H. Holt

Mollie D. Adams

James A. Holt

JOS. L. BARHAM. J. LANGHORNE BARHAM.

OFFICE OF

J. L. BARHAM & SON,

Dealers in

GENERAL MERCHANDISE,

Corn, Hay, Oats, Lime and Fertilizers, Specialties. Cash Buyers of Peanuts at all Times.

Newsoms, Va., Oct 25 1902

Messrs McLemore & Corbitt
Suffolk Va
Gentlemen

I am in receipt of yours of 24' enclosing Copy of decree in Cause Barham Trustee vs Hall & others, The same is duly noted. This matter has been so long ago ~~the~~ particulars has escaped my Memory. I cannot find the Certificate of deposit suppose it is filed with the papers in Clerks Office, Will you kindly inform me when this money was deposited suppose the order of Court will show,

I have no objection to sending you the Certificate of deposit provided you will be sure to pay all costs in the matter and that no cost will be charged or come against me hereafter. I will look into the matter Tuesday when I go to Courtland.

Yours Truly
J L Barham

Barham, Trustee,

v. Final REPORT.

Holt et als.

1903 April 7th. filed

TO THE HONORABLE ROBERT R. PRENTIS, JUDGE OF THE CIRCUIT COURT OF SOUTHAMPTON COUNTY.

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Barham, Trustee,

v.

Holt et als.

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The undersigned, trustee in the above entitled cause, begs to report that pursuant to a decree entered therein on October 24th.,1902, he has withdrawn from the papers of the cause the certificate of deposit of $1084.81, and collected the same from the Bank of Suffolk, together with the accrued interest of $92.20 making a total of $1177.01; and he has paid out as follows:

Amount in hand to be distributed		$1177.01
Taxes for 1900	$10.54	
" " 1901	10.53	
Retained to pay taxes for 1902,	11.00	
To paid L. A. Gay, costs of suit,	2.75	
" " McLemore & Corbitt, Attorneys,	25.00	
" " Pauline H. Holt, Mollie D. Adams and James A. Holt, jointly,	1117.19	
	$1177.01	

Your commissioner begs to report that this closes his duties as trustee, and disposes of all matters arising in the above chancery cause in so far as he is advised.

Respectfully submitted,

J. L. Barham

pr. J.A.M.

Trustee.

November 10th.,1902.

Barham, Trustee,
vs. } Statement of Co
Holt et als.

Barham, Trustee,
vs } Statement of cost
Holt Et als,

Summ. 25, 3 Copies 39, receipt 18, Atty. 10 =	.92
Docket 18, Rules $1.00, Entering return 35 =	1.53
Fil. bill 15, Do Ex. 15, Do. Answer of Gdn. ad litem 15 =	.45
replication 15, 1 Decree & Copy 72, Tax Costs 40 =	1.27
Filing away papers 25, Future about 1.50 =	1.75
Clerk	$5.92
Shff.	1.50
Lawyer	16.50
	$23.92

This Costs paid
Dec. 23rd, 1898.

Teste: L. A. Gay C.C.

Additional Statement for Clerks fees.

	2 decrees & 1 copy 1,08, 2 report 50 =	1,58
	By future costs paid	1.50
1900. Apr. 6th	To balance to date	.08
1902. Oct 7	5 Continuances on the docket @ 25 =	1,25
" " 24	Fil. petition of Pauline Holt et als. 15 =	15
	Do Answer of J. L. Barham Trustee 15 =	15
	1 decree 36 Tax costs 2 1/2 years @ 10 = 25 =	61
	future costs about 51 =	51
		$2.75

IN THE CIRCUIT COURT OF SOUTHAMPTON COUNTY, OCTOBER 24th., 1902.

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Barham, Trustee,
v.
Holt et als.

This day this cause came on again to be heard in vacation by consent of all parties upon the papers formerly read, upon the petition of Mollie D. Adams, James A. Holt and Pauline H. Holt, filed this day by leave of court, and upon the answer of J. L. Barham, Trustee, also filed this day, with general replication thereto, and was argued by counsel.

On consideration whereof, and it appearing to the court from the petition of the said Mollie D. Adams, James A. Holt and Pauline H. Holt, her children, this day filed, that all parties interested in the subject matter of these proceedings are over the age of twenty-one years; and it further appearing to the court that by a deed of July 9th., 1877, from L. O. Holt to J. L. Barham, Trustee, filed as exhibit "A" in the papers of this cause, the said Mollie D. Adams, formerly Holt, and James A. Holt and Pauline H. Holt, her children, are now entitled to the fund in the hands of the trustee, and entitled to have the trust terminated, and that the said trustee upon the payment of same is entitled to relieved from his duties under said trust deed, the court doth adjudge, order and decree that the said J. L. Barham, Trustee, withdraw from the papers of this cause the certificate of deposit filed herein, collect the same, and after paying the costs of this suit together with a fee of $25.00 to McLemore & Corbitt, Atterneys, for their services, rendered the petitioners herein that he pay over the remainder in his hands to the said Mollie D. Adams, James A. Holt and Pauline H. Holt, taking their receipt therefor, and the said trustee will report to court.

To the Clerk of the Circuit
Court of Southampton County.

Robt R. Prentis

Barham, Trustee,
vs. Decree
Holt & wife &al

1898. Octo 4th.
Enter.
Robert R. Prentis

Entered Page 227.

1-copy

J. L. Barham, Trustee,
vs.
Mollie D. Adams formerly Holt,
Thomas Adams, W. H. Drake and
James A. & Pauline H. Holt the last two
Infants.

This day this cause which has regularly matured at rules, came on to be heard upon the bill and Exhibits filed, upon the answer of Jno. A. Sebrell Jr. Gdn. ad litem. for the Infant defendants duly appointed at rules, with general replication thereto, bill taken for confessed as to the adult defendants and was argued by Counsel. On consideration whereof the Court doth decide that Joseph L. Barham, Trustee in the Deed of settlement of July 9th. 1877, has full authority, when requested in writing by Mollie D. Adams, formerly Holt so to do, to make sale of the tract of land described in said deed, after proper and sufficient advertisement ~~advertising same for 15 days~~, and invest the proceeds in real estate, subject to the same trust and the same conditions as are set out in the deed of July 9th. 1877, from L. O. Holt to said Joseph L. Barham, Trustee.

Barham Trustee

vs } Decree

Holt & others

1899. Oct. 6th.

Enter this

Robert R. Prentiss

Entered page 283 -

Barham Trustee
vs } Decree
Holt & others

This day this cause came on to be further heard on the papers formerly read, the report of J. L. Barham filed Aug. 18. 1899. reporting sale of the land, mentioned in the bill, collection of purchase money for the same, payment of expenses of sale & costs of suit, supported by proper vouchers, and asking of Court where to invest balance in hands of said Barham as Trustee, and was argued by Counsel. upon consideration whereof, the Court doth confirm said report- no exceptions being filed to same and doth decree that until a proper investment of the fund can be made, the said J. L. Barham Trustee temporarily deposit with the Bank of Suffolk, the sum of \$1084.^{81}, on interest account, take a certificate of Deposit therefor to the credit of this Cause, and return the same with his report, Out of the said fund the Trustee is authorized to pay any taxes that may be lawfully assessed against it.

A copy. Teste: L. R. Gay C. C.

Barham Trustee
vs 3 Decree
Holt & others

This day this cause came on to be further heard on the papers formerly read, the report of J. L. Barham filed Aug 18. 1899, reporting sale of the land mentioned in the bill, collection of purchase money for the same, payment of expenses of sale - costs &c, supported by proper vouchers - and showing of Court whereto amount balance in hands of said Barham as Trustee, and as agreed by Counsel, upon consideration whereof, the Court doth confirm said report no exceptions being filed to same ~~until a proper investment of the fund can be made,~~ and doth decree that the said J. L. Barham Trustee temporarily deposit with the Bank of Suffolk the sum of $1084.81, on interest account, take a certificate of Deposit therefor to the credit of this cause - and return the same with his report. — Out of the said fund the Trustee is authorized to pay any taxes that may be lawfully assessed against it. —

Bachman Trustee
vs Z Deane
Holtzorten

1899 Oct 6th.
Enter this.
Robert R Prentis

1. cop- ⓟ 283

Barham, Trustee,

v. **DECREE.**

Holt et als.

Enter 7th day of April ~~1902~~.
1903.

Robt R Prentis

Entered
Page No. 2

Barham, Trustee,

v.

Holt et als.

This day this cause came on again to be heard upon the papers formerly read, and upon the report of J. L. Barham, Trustee, filed this day reporting collection of certificate of deposit filed in the cause, and disbursement of the funds arising therefrom, which report is supported by proper vouchers, and to which no exceptions have been taken, and was argued by counsel.

On consideration whereof, the court doth adjudge, order and decree that the said report be and the same is hereby confirmed, and nothing further remaining to be done therein, it is ordered that the same be removed from the docket.