1903_14 Southampton County - Chancery Holland, Lillie E Gdn, et al Vs Holland, A A et als

To sell land, and sum be paid to guardian of infant Children's education

Holland, Lawrence E.
Holland, Emma S.

Holland, Lawrence E
Holland, Emma S.

Holland. Guardian

05 } Biel in Chemnitz

Holland. et alo.

1902. 2 Sept. Rudolstadt

L. N. Hay Gb

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

Your complainant,Sallie E.Holland,Guardian for her infant children Lawrence E.Holland and Emma S.Holland,humbly complaining, sheweth unto your Honor the following case :

In 1896, on or about June 14th ,E.E.Holland,the late husband of your complainant,died seis -ed and possessed of certain real property in Isle of Wight County,consisting of a farm,and a lot in the town of Franklin,Southampton County, Virginia,on the corner of Main Street and Third Avenue,upon which there is no building or other improvements : that the E.E.Holland resided in Isle of Wight County at the time of his death and A.A.Holland his brother,duly qualified as his administrator,the said E.E.Holland having died intestate,in the County Court of said county,as appears from a copy of the records of said court showing said qualification herewith filed marked"Exhibit A" and prayed to be read as a part of this bill ; that said Administrator has not made a final report of his transactions as such,but the personal property which came into his hands was fully suffi -cient to pay all the expenses of administration and all the obligations due by the said estate of which he was administrator and by the said decedent,E.E.Holland,and that all of the said obligations have been satisfied : that there was practically nothing left of said personalty after paying said obligations,and hence the infant children of said decedent derived nothing from their father's estate except the said land,and h have no other property derived from any other source.The said decedent E.E.Holland left surviving him as his heirs your complainant,his widow, and two infant children,one,Lawrence E.Holland,being now 12 years of age and the other,Emma S.Holland,being now 7 years of age. There has been no division of the realty left by said decedent,and no part of the same has been set apart to your complainant as her dower : your complain -ant and the said children have lived nearly all the time since the death of said E.E.Holland in Nansemond County,Virginia,and your complainant has derived such revenue as she could from the said realty and used the same for the common support of herself and the said children so far as it would do so,said revenue however not being nearly sufficient for

said maintenance or support : that your complainant has never derived any revenue from the lot aforesaid in Franklin, Va., as the same has no buildings on it and cannot be utilized, but on the contrary she has paid taxes on said lot during the whole of this period. Your complainant has been offered seven hundred dollars for the said lot by Sallie L. Hayes, who owns the adjoining lot, which sum your complainant considers is a fair price for the said lot and has agreed to accept the same for herself and her said children, subject to the confirmation of your Honor in this proceeding : your complainant desires to move to Franklin to live in order that she, by access to the good schools in said town, may be able to educate her said children at less cost than she could otherwise do it, and has built a house in said town ~~and has bought for that purpose~~ on a less expensive lot than the one above alluded to, and in what is now more the residential portion of said town, ~~for the sum of $400. and proposes to erect a comfortable dwelling thereon.~~

In view of the fact that the said children have no other source of income than the said lot and said farm, which does not afford them sufficient to live on much less to educate them : and of the fact that the said lot brings in no income at all : your complainant believes and alleges that it will be to the best interest and not contrary to the interest of their children to sell the said lot at the price that has been offered for the same and invest the money derived therefrom by loaning their share of the same on the lot which your complainant has bought and the house which she has built thereon and securing said loan by deed of trust on said property which is at least three times worth ~~probably double~~ the amount of said loan : and that the interest on said loan be used in the maintenance of ~~your complainant and~~ the said children according to their respective interests, ~~your complainant being entitled as widow to one third of said interest~~, and such portion of the principal of said amount be used for the education of the said children as the same may be needed, the said children having nothing but their interest in the realty upon which to draw for the neccessary funds to educate them, and your complainant thinks it would not be wise to sell the said farm in Isle of Wight County as that brings in considerable revenue while said lot brings in none. Your complainant has qualified and given bond as guardian for her said children in the County Court of Nanse-

mond County, Virginia, wherein they reside, as shown by a copy of the records of said Court showing said qualifiedtion herewith filed, marked "Exhibit B" and prayed to be read as a part of this bill.

In tender consideration whereof and forasmuch as your complainant is remediless in the premises save in a court of equity wherein such such matters are heard and determined, your complainant asks that that the said A.A.Holland individually and as administrator, and Lawrence E.Holland and Emma S.Holland and your complainant individually and in her own right, be made parties defendant to this bill and required to answer the same : that a proper guardian ad litem be appointed for the said infant defendants who shall be required to answer the said bill : that the said Administrator be required to render an account of his transactions as such : that inquiry be made as to the advisability under the law of selling the said lot and if the court be satisfied that it is to the best interest of the said infants to sell it, and not contrary to the rights of their heirs at law, that further inquiry be made as to the sufficiency of the price that has been offered therefor, and if the same be found to be sufficient, that the said lot be sold : that inquiry be made as to the value of the house and lot which your ~~complainant proposes purchasing and building~~ has purchased and built in Franklin, Va., and if the same be found to be of sufficient value that the interest of said infants in the money derived from the sale of said lot be loaned upon the said property : that an order be made directing that the interest on said sum be ~~divided between~~ paid your complainant ~~in her individual right as widow of said E.E.Holland and herself~~ as guardian for the said children : that when the court shall be satisfied that they need the same that an order be entered authorizing the use of such portion of the principal of said sum as may be necessary to educate the said children that your complainant be paid the commuted each value per dower. That all proper orders may be made and proper inquiries ordered as the case may demand or to equity may seem meet. That proper fees may be allowed out of the proceeds of sale of said lot to counsel for your complainant. And your complainant will ever pray, etc. etc.

Parker and Story p.q. Sallie E Holland Guardian.

This day personally appeared before me in my county Sallie E.Holland Guardian for Lawrence E. and Emma S.Holland, and made oath that the statements contained in the above bill so far as made from her own knowledge are true and so far as made from information derived from others she believes them to be true.

Given under my hand this 16th day of September 1902.

[illegible] Notary Public

Halliwell, Guardian

vs. } Amended Bill

Halliwell, and others

1902. 2 Dec. Rutherfield

L. A. Berry 4.4

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

Your complainant, Sallie E. Holland, Guardian for her infant children Lawrence E. Holland and Emma S. Holland, humbly complaining, files this her amended bill, and sheweth unto your Honor the following case:

In 1896, on March 14th, E. E. Holland, the late husband of your complainant, died seized and possessed of certain real property in Isle of Wight County, consisting of a farm, and a lot in the town of Franklin, Southampton County, Virginia, on the corner of Main Street and Third Avenue, upon which there is no building or other improvements: that the said E. E. Holland resided in Isle of Wight County at the time of his death and A. A. Holland, his brother, duly qualified as his administrator, the said E. E. Holland having died intestate, in the County Court of said county, as appears from a copy of the records of said court showing said qualification, herewith filed marked "Exhibit A" and prayed to be read as a part of this bill; that said Administrator has not made a final report of his transactions as such, but the personal property which came into his hands was fully sufficient to pay all the expenses of administration and all the obligations due by the said estate of which he was administrator, and by the said decedent, E. E. Holland, and that all of the said obligations have been satisfied; that there was practically nothing left of said personalty after paying said obligations, and hence the infant children of said decedent derived nothing from their father's estate except the said land, and have no other property derived fro m any other source. The said decedent E. E. Holland left surviving him as his heirs your complainant, his widow, and two infant children, one, Lawsnce E. Holland, being now twelve (12) years of age and the other, Emma S. Holland, being now seven (7) years of age. The heirs at law of the said infant children, who would inherit from them should they die under the age of twenty-one years, are their uncle, A. A. Holland, and their cousins, Henrietta P. Moore, Bertha Hol-

land(nee Moore),Daisy A.Edwards, and Emma H.Edwards,all infants over fourteen years of age,and Arthur K.Moore,Alexander J.Moore,Bertie Bond((nee Holland),Nettie Cobb(nee Holland),and Gertrude Ellis(nee Holland), adults. There has been no division of the realty left by said decedent, and no part of the same has been set apart to your complainant as her dower: your complainant and the said children have lived nearly all the time since the death of said E. E. Holland in Nansemond County, Virginia, and your complainant has derived such revenue as she could from the said realty and used the same for the common support of herself and the said children so far as it would do so, said revenue however not being nearly sufficient for said maintenance or support: That your complainat has never derived any revenue from the lot aforesaid in Franklin, Virginia, as the same has no buildings on it and cannot be utilized, but on the contrary she has paid taxes on said lot during the whole of this period. Your complainant has been offered seven hundred dollars for the said lot by Sallie L. Hayes, who owns the adjoining lot, which sum your complainant considers is a fair price for the said lot and has agreed to accept the same for herself and her children, subject to the confirmation of your Honor in this proceeding: your complainant desires to move to Franklin to live in order that she, by access to the good schools in said town, may be able to educate her said children at less cost than she could otherwise do it, and has built a house in said town on a less expensive lot than the one above alluded to, and in what is now more the residential portion of said town.

In view of the fact that the said children have no other source of income than the said lot and said farm, which does not afford them sufficient to live on, much less to educate them: and of the fact that the said lot brings in no income at all: your complainant believes and alleges that it will be to the best interest of the said children, and not contrary to the interest of their heirs at law, to sell the said lot at the price that has been offered for the same and invest the money derived there from by loaning their share of the same on the lot which your complainant has bought and the house which she has built

thereon and securing said loan by deed of trust on said property which is at least three times the amount of said loan: and that the interest on said loan be used in the maintenance of the said children according to their respective interests, and such portion of the principal of said amount be used for the education of the said children as the same may be needed, the said children having nothing but their interest in the realty upon which to draw for the necessary funds to educate them. Your complainant thinks it would not be wise to sell the said farm in Isle of Wight County as that brings in-considerable revenue while said lot brings in none. Your complainant is entitled as the widow of said decedent, E. E. Holland to dower in the lot which she above requests, that the court out of the proceeds of the sale, shall either pay her the commuted cash value of her dower, or she invest one-third of the proceeds for her benefit as the court deems proper.

Your complainant has qualified and given bond as guardian for her said children in the County Court of Nansemond County, Virginia, wherein they reside, as shown by a copy of the records of said Court showing said qualification, herewith filed, marked "Exhibit B." and prayed to be read as part of this bill.

In tender consideration whereof and forasmuch as your complainant is remediless in the premises save in a court of equity wherein such matters are heard and determined, your complainant asks that the said A.A. Holland, individually and as administrator of E.E.Holland, deceased, Lawrence E.Holland, Emma S.Holland, Henrietta P.Moore, Bertha Holland(nee Moore), Daisy A.Edwards, and Emma H.Edwards, infants, and Arthur K.Moore, Alexander J. Moore, Bertie Bond(nee Holland), Nettie Cobb(nee Holland) and Gertrude Ellis(neeHolland), and Sallie E/Holland in her own right, all adults, be made parties defendant to this bill and required to answer the same: that a proper guardian ad litem be appointed for the said infant defendants who shall be required to answer the said bill: that the said Administrator be required to render an account of his transactions as such: that inquiry be made as to the advisability under the law of

selling the said lot and if the court be satisfied that it is to the best interest of the said infants to sell it, and not contrary to the rights of their heirs at law, that further inquiry be made as to the sufficiency of the price that has been offered therefor, and if the same be found to be sufficient, that the said lot be sold: that inquiry be made as to the value of the house and lot which your complainant has purchased and built in Franklin, Virginia, and if the same be found to be of sufficient value that the share of said infants in the money derived from the sale of said lot be loaned upon the said property: that an order be made directing that the interest on said sum be paid your complainant as guardian for the s aid children: that when the court shall be satisfied that they need the same that an order be entered authorizing the use of such portion of the principal of said sum as may be necessary to educate the said children; that your complainant be paid the commuted cash value of her dower; that all proper orders may be made and proper inquiries ordered as the case may demand or to equity may seem meet. That proper fees may be allowed out of the proceeds of sale of said lot to counsel for your complainant. And your complainant will ever pray, etc. etc.

Sallie E. Holland Guardian.

[illegible] --p.q.

This day personally appeared before me in my county Sallie E. Holland, Guardian for ZLawrence E. and Emma S. Holland, and made oath that the statements contained in the above bill so far as made from her own knowledge are true and so far as made from information derived from others, she believes them to be true.

Given under my hand this 16th day of September 1902.

H. D. Harriet

Notary Public

My commission expires Sep 17" 1906.

Holland. Elder
vs. 3
Holland. et als

FORM NO. 312.

"Exhibit A"

Certificate of Clerk of Qualification

OF

.....

.....

as .....

of .....

Everett Waddey Co.,
Stationers and Printers,
Richmond, Va.
Form No. 312.

Virginia: In the Clerk's Office of the County Court of the County of Isle of Wight—

I, N. F. Young Clerk of the County Court of the County of Isle of Wight, do hereby certify that on the 6th day of April 1896, A. A. Wallace duly qualified in my said court as admr. of E. D. Wallace deceased and gave bond as such according to law.

Given under my hand this 10th day of September 1902.

N. F. Young, Clerk.

Holland, Guardian
vs. } State of Rules.
Holland, et als.

Sallie E. Holland. Guardian for Lawrence E. Holland and Emma S. Holland infants.

Vs.

Lawrence E. Holland, Emma S. Holland. Henrietta P. Moore, Bertha Holland (nee Moore) Daisy N. Edwards. & Emma N. Edwards. all infants by W. J. Sebrell Their Guardian ad litem, and Sallie E. Holland individually, N.N. Holland individually and as Administrator of E. E. Holland, deceased, Arthur K. Moore. Alexander J. Moore, Bertie Bond (nee Holland) Nellie Cobb (nee Holland) and Gertrude Ellis (nee Holland) all adults.

1902. 22nd Nov. Process issued to 2nd) Dec. Rules.

1902. 2nd Dec. Rules. Process returned executed.
Amended bill filed.
W. J. Sebrell appointed
Guardian ad litem infant
defendants.
Decree Nisi.

1903. 1- Jany. Rules.

Form No. 300¼.

Holland's Guardian

vs. } SUBPŒNA IN CHANCERY.

Holland et als.

Parker & Story *p. q.*

To 2nd September *Rules.*

Leicester *Court.*

Examined Sept. 13th 1902 by delivering a copy of this notice to D. D. Holland admr and W. J. Bissell Guard ad Litem.

J. M. Williams
Sheriff

(2)

Everett Waddey Co.,
Stationers and Printers,
Richmond, Va.
Form No. 3004.

The Commonwealth of Virginia,

To the Sheriff of the County of Southampton Greeting:

WE COMMAND YOU, That you summon Lawrence E. Holland and Emma S. Holland, infants, by W. J. Sebrell, their guardian ad litem, Sallie E Holland individually and in her own right, and A. A. Holland, Administrator of E. E. Holland, deceased,

to appear at the Clerk's Office of the Circuit Court of the County of Southampton at the rules to be held for the said court on the 3rd Monday in September 1907, to answer a bill in chancery exhibited against them in our said court by Sallie E Holland, Guardian for Lawrence E. Holland and Emma S Holland, infants,

And have then there this writ. Witness L. A. Gay, Clerk of our said court, at the courthouse, the 11th day of September 1907, and in the 127th year of the Commonwealth.

Teste: L. A. Gay C. C.

I hereby acknowledge legal service of this within notice or Summons, this 13th day of September 1902.

Attorney for Hollands.

Form No. 300½.

Holland's Guardian

vs. } SUBPŒNA IN CHANCERY.

Holland et als.

Parker & Story p. q.

To 2nd September Rules.

Warwick Court.

Everett Waddey Co.,
Stationers and Printers,
Richmond, Va.
Form No. 300½.

The Commonwealth of Virginia,

To the Sheriff of the County of Nansemond Greeting:

WE COMMAND YOU, That you summon Lawrence E. Holland and Emma S. Holland, infants, by W. J. Debrell, their guardian ad litem, Saccie E. Holland individually and in her own right, and N. N. Holland, Administrator of E. E. Holland, deceased, to appear at the Clerk's Office of the Chancery Court of the County of Southampton at the rules to be held for the said court on the 3rd Monday in September 1902, to answer a bill in chancery exhibited against them in our said court by Saccie E. Holland, Guardian for Lawrence E. Holland and Emma S. Holland, infants.

And have then there this writ. Witness L. A. Gay, Clerk of our said court, at the courthouse, the 11th day of September 1902, and in the 127th year of the Commonwealth.

Teste: L. A. Gay C. C.

"Exhibit B"

Harland Coder

v.

Harland, et als

Mr J C Parker Atty

1902

To R. R. SMITH, Clerk of Nansemond County Court, Dr.

~~State Tax and Recording~~ Fee for Copy of Order of $

Sallie E Holland Gdn of L E Holland,

and E D Holland $,37

Sept 15th,

Sept 20/02 Paid S M Lawrence Depty., Clerk.

Circuit Court of Southampton County, in vacation, on the 9th. day of January. 1903.—

Sallie E. Holland, Guardian for Lawrence E. Holland and Emma S. Holland, infants.

vs.

Lawrence E. Holland, Emma S. Holland, Henrietta J. Moore, Bertha Holland (nee Moore), Daisy A. Edwards, and Emma N. Edwards, all infants by W. J. Debrell, their guardian ad litem, and Sallie E. Holland, individually, A. A. Holland, individually & as administrator of E. E. Holland, deceased, Arthur K. Moore, Alexander J. Moore, Bertie Bond (nee Holland) Nellie Cobb (nee Holland) and Gertrude Ellis (nee Holland), all adults.

This day this cause came on to be heard in vacation by consent of all the parties to this suit, entered of record, upon the original bill and exhibits filed at 2nd. September rules 1902, taken for confessed as to the adult defendants Sallie E. Holland and A. A. Holland, the answer of W. J. Debrell, guardian ad litem for the infant defendants duly assigned at rules to defend them in this suit, with general replication thereto, and upon the amended bill, and exhibits, filed at 2nd December rules 1902. the answer thereto of Sallie E. Holland, A. A. Holland individually and as Administrator of E. E. Holland, deceased, Arthur K. Moore, Alexander J. Moore, Bertie Bond, Nellie Cobb and Gertrude Ellis, adult

defendants, the answer of Henrietta P. Moore, Bertha Holland, Daisy A Edwards and Emma N. Edwards, infants over fourteen years of age, the answer of W. J. Sebrell, guardian ad litem for the said infants defendants duly assigned at rules to defend them in this suit and also for Lawrence E. Holland and Erma S. Holland, the other infant defendants, with general replication to all said answers, and was argued by Counsel.

Upon consideration whereof, the Court doth adjudge, Order and decree that one of the Commissioners of this Court make proper inquiry Concerning, and report to this Court as soon as may be,

1st. An account of the transactions of R. N. Holland, as administrator of E. E. Holland, deceased,

2nd. Whether or not there are any debts due by the estate of the said E. E. Holland and if so the amount of the same, and to whom due -

3rd. The value of the lot in the Town of Franklin in the bill and proceedings mentioned, and whether or not the price of $700. offered for the same by Sallie Hays, as set forth in the said bill, is a fair price for the said lot.

4th. Whether or not it would be to the interest of the said infants, Lawrence E. Holland and Erma S. Holland, for the said lot to be sold at that price, and whether or not any

rights of the heirs at law of said infants or any other person would be violated by such sale.

5th. Who constitute the heirs at law of the said infant defendants Lawrence E. Holland and Emma S. Holland.

6th. Whether or not a lien upon the house and lot in Franklin, Va., which the said Sallie E. Holland has bought as set forth in said bill, would be sufficient ~~for~~ same for the loan of the net amount of the purchase price of the lot sought to be sold in this proceedings.

7th. The commuted cash value of the dower interest in the said lot sought to be sold, if sold at the said sum of $700.

8th. Whether or not any dower has ever been assigned the said Sallie E. Holland in the lands of the said E. E. Holland, deceased, and if so in what land.

9th. Any other matter which the said Commissioner may deem pertinent or which he may be required to state by any party in interest.

And by consent of all the parties to this suit, entered of record, it is ordered that this be made a vacation cause, and submitted to the Judge of this Court for such decisions and decrees herein in vacation as might be made in term, and that such decrees may be entered and such proceedings had herein in vacation as might be had in term. ooo

Woodland v. Bynum.

Va. { Copy of Summons

Woodland et als.

To the Clerk of the Circuit Court of Southampton County:

Robert R. Prentis

Teste: D. N. Bay d.c.

A Copy.

Teste: D. N. Bay d.c.

Continued page 482

Holland. Guardian

vs } Stat: of Rules

Holland et als.

Sallie E. Holland, Guardian for Lawrence E. Holland and Emma S. Holland infants.

Vs.

Lawrence E. Holland and Emma S. Holland infants by W. J. Sebrell, Their guardian ad litem, Sallie E. Holland individually and in her own right, and A. A. Holland, Administrator of E. E. Holland, deceased. } In chancery

1902. 11th September, Process issued to 2nd Sept. Rules.

1902. 2nd September Rules. Process returned executed, Bill and Exhibits filed, W. J. Sebrell appointed G.L. ad litem to infant defendants Decree Nisi

1902. 3rd Sept. Rules. Bill taken for confessed as to adult defendants and Cause set for hearing as to them.

OFFICE OF JOS. B. PRINCE, JR.,

Commissioner in Chancery for the Circuit Court of Southampton County, Virginia.

Courtland, Va., Jan. 12th, 1903

To Sallie E. Holland, Guardian for Lawrence E. Holland and Emma S. Holland, Infants,

vs.

Lawrence E. Holland, Emma S. Holland, Henrietta P. Moore, Bertha Holland, (nee Moore) Daisy A. Edwards, and Emma H. Edwards, all infants, by W. J. Sebrell, their guardian ad litem, and Sallie E. Holland, individually, A. A. Holland, individually and as administrator of E. E. Holland, decd., Author K. Moore, Gertrude Ellis (nee Holland), Nettie Cobb (nee Holland), Alexander J. Moore, Bertie Bond (nee Holland), all adults.

You are hereby notified that I have fixed upon the 14th day of January, 1903, at the office of Parker & Francis Lee, Esq. in Franklin, Va., if fair, if not the next fair day thereafter (Sunday excepted), to take and settle the following accounts, to-wit:

1st:-An account of the transactions of A. A. Holland as administrator of E. E. Holland, decd.

2nd:- Whether or not there are any debts due by the estate of the said E. E. Holland, and if so, the amount of the same, and to whom due.

3rd:- The value of the lot in the town of Franklin in the bill and proceedings mentioned, and whether or not the price of $700 offered for the same by Sallie Hayes, as set forth in the said bill is a fair price for the said lot.

4th:- Whether or not it would be to the interest of the said infants Lawrence E. Holland and Emma S. Holland for the said lot to be sold at that price, and whether or not any rights of the heirs at law of said infants or any other person would be violated by such sale.

5th:-Who constitute the heirs at law of the said infants defendants, Lawrence E. Holland and Emma S. Holland.

6th:-Whether or not a lien upon the house and lot in the town of Franklin, Va., which the said Sallie E. Holland has bought as set forth in the said bill, would be sufficient security for the loan of the net amount of the purcahse price of the lot sought to be sold in this proceeding.

7th:- The commuted cash value of the dower interest in the said lot sought to be sold, if sold at the said sum of $700.

8th:- Whether or not any dower has ever been assigned the said Sallie E. Holland in the lands of the said E. E. Holland, decd., and if so in what land.

9th:- Any other matter which the said commissioner may deem pertinent or which he may be required to state by any party in interest.

required to be taken by a decree of Southampton Circuit Court, rendered at the Jan. 9, 1903, term, 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.

J. B. Prince Jr., Commissioner.

To the Sheriff of Southampton County to execute.

We acknowledge due and legal service of the within notice.

Parker and Long

Attorneys for ~~all~~ the plaintiffs and all the adult defendants.

W. J. Sebrell.

Guardian ad litem for the infant defendants.

Commissioner's Office, Courtland, Va.

January 17th, 1903.

To the Circuit Court of Southampton County, Virginia.

Pursuant to a decree of the Circuit Court of the county aforesaid, rendered on the ninth day of January, 1903, in the chancery suit styled Holland, Guardian, vs. Holland et als, the undersigned, your commissioner, to whom was referred for settlement the accounts required to be settled by said decree, reports, that on the 12th day of January, 1903, he issued notice against the several parties hereto requiring them to attend the settlement of said accounts at the Office of Parker and Story, Franklin, Va., on the 14th day of January, 1903, which notices were returned to your commissioner duly acknowledged by all the parties, or their legal representatives, and that in pursuance to said notices your commissioner proceeded to take and settle the said accounts, and to assist him in making a report he took the depositions of W. H. L. Goodman, M. H. Moore, A. A. Holland, and R. E. L. Watkins, which depositions are filed herewith as a part of this report; and your commissioner begs to report as follows:-

First:-From the depositions of A. A. Holland and R. E. L. Watkins, his attorney, it appears that A. A. Holland, Admr., &c., has not made a complete report of his transactions as administrator of E. E. Holland, decd., but that his account will be reported to the Commissioner of Accounts of Isle of Wight county, to whom, and at which place, it should properly be reported. It appears from the deposition of A. A. Holland that there will be a small balance in his hands after the settlement of all accounts due by the estate of E. E. Holland, decd.

Second:-That the administrator of E. E. Holland, decd., A. A. Holland, and the Commissioner of Accounts of Isle of Wight county properly advertised for all debts against the estate of E. E. Holland, decd., and all debts reported have been paid. That there are no outstanding debts against the said estate, at this time.

Third:- The value of the lot in the town of Franklin sought to be sold in this proceeding, said lot being situated on the Corner of Main Street and Third Avenue, is seven hundred dollars, and that being the amount offered by Sallie L. Hayes, your commissioner believes the sale would be a good one, and would recommend its confimation.

Fourth:-Your commissioner believes it would be to the interest of the infant defendants, Lawrence E. Holland and Emma S. Holland to sell the said lot for reasons stated in the depositions herewith filed. The interest of no party would be violated by such sale.

Fifth:- The following constitute the heirs at law of Lawrence E. and Emma S. Holland:- A. A. Holland, Nettie Cobb and Gertrude Ellis, children of Frank Holland, Bertha Holland, Henrietta, Auther and Alexander Moore, children of J.W. Moore, Daisey and Emma Edwards, children of R.M. Edwards, and Bertie Bond, child of Walter Holland.

Sixth:-A lien upon the house and lot in the town of Franklin which Mrs. Sallie E. Holland has recently purchased would be sufficient security for the loan of seven hundred dollars, if the buildings are kept insured for a reasonable amount.

Seventh:- The commuted cash value of Sallie E. Holland in $700, the purchase price of the lot sought to be sold in this proceeding is $174.51 (One hundred and seventy four and 51/100 Dollars)

Eighth:- It appears that no dower has been assigned Mrs. Sallie E. Holland in the lands of her husband, E.E. Holland, decd.

Respectfully submitted,

Jos. B. Bruce, Jr.

Commissioner in Chancery.

Commissioner's Fee..$12.50

South Quay Va.
Feb 8th 1903.

Mr J. C. Parker,
Franklin, Va.

Dear Sir,

I am 36 years old
will be 37 March 22nd 1903.

Yours very truly,
Sallie E. Holland.

ISLE OF WIGHT COUNTY, VA.

N. F. YOUNG, CLERK.

ISLE OF WIGHT C. H., VA., Jan. 17th. 1903. 190

Mr. J. B. Prince Jr.,

Courtland, Va.

Dear Sir:

In response to your querry of the 15th. beg to stats that I posted in the list of fiduciaries, whose accounts were before me for settlement, at the front of the court house at the March term, 1902, the name of A. A. Holland, Admr. of E. E. Holland, decd. but have been unable to get Mr. Holland here in order to make up his acct. up to this time. I believe his attorney is trying to get his acct. in shape to bring before the Commissioner at this time. The dower of the widow has not bee set aside either.

Yours verytruly,

N. F. Young, C.C.

By L. Johnson D.C.

Holland, Guardian,

vs. } Commissioners
Holland, et als. Report.

1903. 28th Jany. Filed.
L. A. Foy L.A.

The witness, A. A. Holland, being first duly sworn, deposes as follows:

The deposition of W. H. L. Goodman, M. H. Moore and others, taken before me, Joseph B. Prince, Jr., a Commissioner in Chancery of the Circuit Court of Southampton County, Virginia, to be used in support of a report as Commissioner in the Chancery suit of Holland, Guardian against Holland and others, at the office of Parker & Story, Franklin, Virginia, on January 14th 1903, notice of the time and place of the taking of the said account, having been given as will appear from the notice herewith filed.

Present, Parker & Story attorneys for the plaintiff and adult defendants;

W. J. Sebrell, Guardian Ad Litem for the infant defendants.

The witness, W. H. L. Goodman, being first duly sworn, deposes as follows:

QUES. 1. What is your name, age, residence and occupation, and do you know the parties to this suit?

ANS. W. H. L. Goodman, 63 years, Franklin, Va., Physician and Druggist, I do know the parties to this suit.

QUES. 2. Do you know the lot in the town of Franklin, on the corner of Main Street and 3rd Avenue, belonging to the estate of E. E. Holland, which is sought to be sold in this proceeding?

ANS. Yes.

QUES. 3. What do you consider a fair price for the said lot?

ANS. From $650 to $700. I think $700 is a good price for it.

QUES. 4. Do you know who constitutes the heirs at law of E. E. Hollands infant children, namely; Lawrence E. and Emma S., that is who are their relatives on their fathers side?

ANS. Yes.

QUES. 5. Will you please indicate who they are?

ANS. A. A. Holland; Frank Holland's two children, Nettie Cobb and Gertrude Ellis; J. W. Moore's four children, Henrietta, Bertha Holland, Arthur and Alexander; R. A. Edwards' two children, Daisy and Emma; and one child of Walter Holland, Bertie Bond.

QUES. 6. How long have you known this family?

ANS. About 40 years, and I think I have named all the relatives that these children have on their fathers side.

The witness, A. A. Holland, being first duly sworn, deposes as follow

QUES. 7. Do you know the lot in Franklin, Virginia, on 1st Avenue, which Mrs. Sallie E. Holland has recently purchased, and the house she is erecting thereon?

ANS. Yes.

QUES. 8. What would you consider its value when the house is completed?

ANS. $2000 or more.

QUES. 9. Then would you consider it good security for the purchase price for the above mentioned lot if the same should be sold?

ANS. Yes, if house is kept insured.

QUES. 10. Do you think it would be to the interest of the infant children of E. E. Holland, to sell the lot in question at $700, and loan the money derived from said sale at interest?

ANS. Yes. I think the interest would be more than the lot would enhance in value.

QUES. 11. Do you know of any reason why the sale of said lot would violate any of the rights of the heirs at law of the said infants, or of any other person?

ANS. No, I do not.

And further this deponant saith not.

A. A. Holland

The witness, M. H. Moore, being first duly sworn, deposes as follows:

QUES. 1. What is your name, age, residence and occupation, and do you know the parties to this suit?

ANS. M. H. Moore, 44 years, Franklin, Va., merchant and banker, he knows all parties to this suit.

QUES. 2. Do you know the lot in the town of Franklin, on the corner of Main Street and 3rd Avenue, belonging to the estate of E. E. Holland, which is sought to be sold in this proceeding?

ANS. Yes.

QUES. 3. What do you consider a fair price for the said lot?

ANS. $600 or $700.

QUES. 4. Do you know who constitutes the heirs at law of E. E. Holland's infant children, namely; Lawrence E. and EMMa S., that is who are their

The witness, A. A. Holland, being first duly sworn, deposes as follows:

relatives on their father's side?

ANS. Yes.

QUES. 5. Will you please indicate who they are?

ANS. They are A. A. Holland brother of E. E. Holland; and the children of the deceased brothers and sisters of E. E. Holland. Those children are Nettie Cobb; and Gertrude Ellis, children of Frank Holland; Bertie Bond child of Walter Holland; Daisy and Emma Edwards children of R. A. Edwards. (I do not know them personally) Bertha Holland, Henrietta, Arthur and Alexander children of J. W. Moore.

QUES. 6. How long have you known this family?

ANS. About 30 years.

QUES. 7. Do you know the lot in Franklin, Va., on 1st Avenue, which Mrs. Sallie E. Holland has recently purchased, and the house she is erecting thereon?

ANS. Yes.

QUES. 8. What would you consider its value when the house is completed?

ANS. $1800 or more.

QUES. 9. Then would you consider it good security for the purchase price for the above mentioned lot if the same should be sold?

ANS. I would if house is kept insured.

QUES. 10. Do you think it would be to the interest of the infant children of E. E. Holland, to sell the lot in question at $700, and loan the money derived from said sale at interest?

ANS. Yes.

QUES. 11. Do you know of any reason why the sale of said lot would violate any of the rights of the heirs at law of the said infants, or of any other person?

ANS. No, I do not.

And further this deponent saith not.

A. A. Moore

The witness, A. A. Holland, being first duly sworn, deposes as follows:

.The witness, A. A. Holland, being first duly sworn, deposes as follows:

QUES. 1. What is your name, age, residence and occupation, and do you know the parties to this suit?

ANS. A. A. Holland, 54 yrs., near Franklin, Va., farmer, I do know the parties to this suit.

QUES. 2. Do you know the lot in the town of Franklin, Va. on the corner of Main Street and 3rd Avenue, belonging to the estate of E. E. Holland, which is sought to be sold in this proceeding?

ANS. Yes, I know the lot.

QUES. 3. Wha t do you consider a fair price for the said lot?

ANS. I think $700 is a fair price for it.

QUES. 4. Do you know who constitutes the heirs at law of E. E. Holland's infant children, namely; Lawrence E. and Emma S., that is who are their relatives on their father's side?

ANS. Yes.

QUES. 5. Will you please indicate who they are?

ANS. Frank Holland's two children, Nettie Cobb and Gertrude Ellis; J. W. Moore's four children, Henrietta, Bertha Holland, Alexander and Arthur; R. A. Edwards' children, Daisy and Emma; Walter Holland's child, Bertie Bond,and myself, brother of E. E. Holland.

QUES. 6. How long have you know this family?

ANS. I am uncle of these children, been knowing the family all of my life.

QUES? 7Z Do you know the lot in Franklin, Va., on 1st Avenue, which Mrs. Sallie E. Holland has recently purchased, abd the house she is erectin theron?

ANS. Yes, I think I do.

QUES. 8. What would you condsider its value when the house is completed?

ANS. Somewhere about $2500.

QUES. 9. Then what would you consider it good security for the purchase price for the above mentioned lot if the same should be sold?

ANS. Yes.

QUES. 10. Do you think it would be to tge interest of the infant childsen of E. E. Holland, to sell the lot in question at$ 700.66, and loan the money derived fron said sale at interest?

ANS. Yes, I do.

QUES. 11. Do you know of any reason why the sale of said lot would violate any of the rights of the heirs at ~~law~~ law of the said infants, or of any other person?

ANS. None that I know off.

QUES. 12. Wete you the Administrator of E. E. Holland, deceased,, and if so where did you qualify?

ANS. Yes. I qualified in Isle of Wight CountyCourt

QUES. 13. Have you ever rendered an accpunt of your transactions as Administrator estate of E. E. Holland Before the Commissioner of account of Isle of Wight County.

ANS. I have sent statement to Commissioner, but the account has not been entirely closed.

QUES. 14. Have you acopy of that account at this time?

ANS. Yes, I have it in my book and have given a copy to my Attorney, R. E. L. Watkins, to take to the Commissioner.

QUES. 15. According to that account was the estate indebted to you or did you owe the estate a balance?

ANS. I owed the estate a very small balance. The money is in the Bank corresponding to that balance.

QUES. 16. Did you ever have an account of the debts of E. E. Holland, or his estate taken by a commissioner?

ANS. I don't think I did.

QUES. 17. Have all the of the debts due by either E. E Holland or his estate been paid?

ANS. They have. Every dollar that I could find that was owing to any body was paid long ago.

QUES. 18. Do you know whether or not any dower has ever been assigned the widow of E. E. Holland in his real estate?

ANS. I think not, but if any was ever assigned, I was never aware of it, and I would have been likely to know it, as she generally consulted me .

And further this deponent saith not.

A. A. Holland

The witness, R. E. L. Watkins, is duly sworn and deposes as follows:

QUES. 1. What is your name, age, residence and occupation?

ANS. R. E. L. Watkins, 33 years, Franklin, Virginia, and Attorney-At-Law.

QUES. 2. Do you know anything of the status of A. A. Holland's transactions as Administrator of E. E. Holland, if so, state what you know?

ANS. Yes, I have in my possession all the vouchers and accounts of A. A. Holland as Administrator of E. E. Holland. He placed them in my hands to be taken to the Commissioner of accounts of Isle of Wight County. I have taken them before the Commissioner but there were a few vouchers lacking, and the account has not been closed on that account. The vouchers have been supplied, however, and are now in my possession and will be taken to the Commissioner on my next visit to Isle of Wight Court-House, and the matter closed. The account shows a balance due by A. A. Holland to the estate of about $80, out of which is to be taken the cost rendering and recording this account.

QUES. 3. Do you know whether all the debts due by E. E. Holland, or his estate, have been paid or not?

ANS. I am quite positive that every debt due by E. E. Holland has been settled.

And further this deponent saith not.

R. E. L. Watkins

Virginia, Southampton County, to-wit:-

I, J. B. Prince Jr., a Commissioner in Chancery for the Circuit Court, of Southampton County, Virginia, do hereby certify that the foregoing depositions of W. H. L. Goodman, M. H. Moore, A. A. Holland and R. E. L. Watkins, were duly taken, sworn to, and subscribed before me at the time and place, and for the purpose in the caption hereto mentioned.

Given under my hand this 14th day of January 1903.

J. B. Prince Jr.
Commissioner in Chancery.

Holland. Gdn

Holland et al

Respondents Petitioners

Henry C. Sallis

Petitioner Respondent

Filed April 1903

H. A. Hay Clk.

Respectfully submitted,

Special Commissioner.

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

The undersigned,a special commissioner appointed by your Honor by decree,entered in the suit pending in said court styled Holland,Gdn. vs.Holland and others,on the 12th day of February 1903,begs leave to report to your Honor that Sallie E.Holland,Guardian,the plaintiff in said cause,gave bond as required by said decree and received the sum of seven hundred dollars from Sallie L.Hayes in full payment for the lot in the said bill and proceedings mentioned,on March 5th 1903,as shown by the report of the said Sallie E. Holland filed at the same time as this report : whereupon your commissioner, as directed by said decree,made,executed and delivered to the said Sallie L. Hayes a good and sufficient deed for the said lot as directed and instructed to do by the said decree.

Respectfully submitted,

J.C.Parker

Special Commissioner.

Holland, Guardian.

vs. } Statement of Costs

Holland et als.

EVERETT WADDEY CO.,
RICHMOND, VA.

Holland, Guardeam.

vs. } Statement of Costs

Holland et als.

Summons 25¢ 2 copy. 25¢, 2 receipts 18. another Summons 25¢ 1 copy. 15¢	1 07
2 receipts 18. atty, 10. Docket 18. Rules 1,00, witness 35¢	1 81
Filing bill 15¢ Do. Exhibits 15¢ Do. ans. of Gdn. additional 15¢	45
replication 15¢ Another Summons 25¢ 5 copy. 65¢ receipt 18	1 23
another Summons 25¢ 4 copy 52, receipt 18. Rules 1,00 =	1 95
witness 35¢ Filing amended bill 15¢ Do. ans. of Gdn. additional 15¢	65
Do ans of adult defendants 15¢ Do. ans. of infant defendants, 2 sum 14 7 copy 15¢ =	30
Do Power of atty. 15¢ Do. Commissioner's report 25¢ =	40
Taking bond of Guardeam 75¢ =	95
2 decrees and 1 copy 2,05. Copy order 40 =	2 45
2 Refds & 1 decree to be made at April term 1903-	66
to Clerk	$11 93
Clerk of Nansemond	37
" " Sergt of Court	25
Sheriff	1 00
Comm'r.	16 50
	$30 05
Fee of Comm, J. B. Pinner Jr.	10 00
	40.05

Teste:

Feby 10th. 1903. W. A. Gay C. C.

Holland's Guardn.

" " } Spa: In this

Holland. Et: als:

1902 2 Dec. Rules -
Cor: Ct:

We hereby acknowledge legal service of the within summons on us in person before the return day thereof.

Nellie Cobb.

Gertrude Ellis.

Alexander J. Moore

Arthur K. Moore

W. J. Bell, Guardian ad litem for Lawrence S. Holland, Emma S. Holland, Henrietta P. Moore, Bertha Holland, Daisy A. Edwards and Emma H. Edwards -

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON Lawrence E. Holland - Emma S. Holland - Henrietta P. Moore - Bertha Holland (nee Moore) Daisy A. Edwards and Emma A. Edwards all infants by W. J. Sebrell their Guardian ad litem - and Sallie E. Holland individually - A. A. Holland individually and as Administrator of E. E. Holland, deceased - Arthur K. Moore - Alexander J. Moore Bertie Bond (nee Holland) - Nellie Cobb (nee Holland) and Gertrude Ellis (nee Holland), all adults.

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 December next, to answer an Amended Bill in Chancery exhibited against them in our said Court by Sallie E. Holland, Guardian for Lawrence E. Holland and Emma A. Holland - infants.

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

WITNESS, ~~T. M. HOWARD,~~ L. A. Gary Clerk of our said Court, at the Courthouse, this 22nd day of November 1926, ~~189~~..., in the 151th year of the Commonwealth.

TESTE: L. A. Gary, C. C.
By B. F. McLeod D. C.

Form No. 304.

Halland, Gidu
Halland vallund

to } BOND.

Commonwealth

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No 304

Know all Men by these Presents, That we, Sallie E. Holland and J. E. Lawrence

are held and firmly bound unto the Commonwealth of Virginia, in the sum of Fourteen Hundred & 00/100 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. And we hereby waive the benefit of our exemption 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 the bonds of the State. Sealed with our seals, and dated this 25th. day of February, one thousand nine hundred & 3

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That ~~whereas~~ if the above bound Sallie E. Holland, Guardian of Lawrence E. Holland and Emma S. Holland, who is authorized to receive her said Wards share of the proceeds of sale of certain lot of land in the Town of Franklin, as directed under a decree of the Circuit Court of Southampton County, pronounced on the 12th, day of February 1903, in the Chancery suit therein depending under the name and style of "Holland, Guardian, vs. Holland &c als" Shall faithfully Care for and make proper application of the sum of Seven hundred dollars under the order of this Court, and for the management and preservation of the same, or any securities in which the same may be invested, and for the protection of the rights of all persons interested therein, whether such rights be vested or contingent.

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

Sallie E Holland. SEAL.

J. E. Lawrence SEAL.

SEAL.

In the ..... *Court of the* ..... *of* ..... *the* .....

day of *190*

This bond was executed and acknowledged in open Court by the obligors, and ordered to be recorded.

the suret therein having first justified on oath that ..... estate , after the payment of all ..... just debts, and those for which he ..... bound as security for others and expect to have to pay ..... worth the sum of ..... dollars, over and above all exemptions allowed by law.

Teste:

..... *Clerk.*

Holland-American
U.S. } Shaw Inchy
Holland et als

1902 2 Dec Rules
Default

We hereby acknowledge legal service of the within summons on us in person, before the return day thereof.

x Bertie Bond
x Sallie E Holland
a a Holleman adm
a, a Holleman.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County--Greeting:

WE COMMAND YOU THAT YOU SUMMON Laurence E Holland Emma S Holland, Nenitta P Moore, Bertha Holland (nee Moore) Daisy A Edwards and Emma A Edwards, all infants by W. J. Tebbell their Guardian ad litem and Sallie E Holland individually & A Holland individually and as Administrator of E E Holland deceased, Arthur K Moore, Alexander J Moore Bertie Bond (nee Holland) Nellie Mobb (nee Holland) and Gertrude Ellis (nee Holland) all adults

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 December next, to answer an amended Bill in Chancery exhibited against them in our said Court by Sallie E Holland Guardian for Laurence E Holland and Emma S Holland infants

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 21st day of November, 1902, in the 127 year of the Commonwealth.

Teste: L A Gay C. C.

By B. F. McSwain D. C.

Holland, Guardian,

vs.

Holland, and others.

Answer of infants defendants over 14 years old, to amended bill.

1902. Dec. Rule Filed
L. A. Hayden

Holland, Guardian.

VS.

Holland, and others.

The joint and separate answers of Henrietta P. Moore, Bertha Holland (nee Moore), Daisy A. Edwards and Emma H. Edwards, all infants over fourteen years of age, to an amended bill of complaint exhibited against them and others in the Circuit Court of Southampton County, Virginia, by Sallie E. Holland, Guardian for Lawrence E. Holland and Emma S. Holland, infants.

These respondents, reserving to themselves the benefit of all just exceptions to the said bill for answer thereto, or to so much thereof as they are advised that it is material they should answer, answer and say:-

That they are infants of tender years and by reason of their infancy are incapable of understanding or taking care of their rights and interests. These respondent however say that they know of no reason why the property which is sought to be sold in the bill and proceedings mentioned should not be sold as prayed in said bill, but commend themselves and their rights and interests to the protection of the court, and pray that all proper inquiries may be made as to the propriety of the releif sought in said bill, and pray that no decree may be entered or pronounced by the court which will tend to their prejudice.

And having fully answered these respondent pray to be hence dismissed with their reasonable costs in this behalf expended. And they will ever pray, etc.

Daisy A. Edwards.

Emma H. Edwards.

Henrietta P. Moore

& Bertha Holland

J. H.

Holland Gibbs
vs.
Holland Wells

answer Rebell-
defendants -
1902. 2 Dec. Rules filed

Holland, Guardian.

VS.

Holland and others.

The joint and separate answers of Sallie E. Holland, individually, A. A. Holland individually and as Administrator of E. E. Holland, deceased, Arthur K. Moore, Alexander J. Moore, Bertie Bond, Nettie Cobb and Gertrude Ellis, all adults to an amended bill of complaint exhibited against them and others in the Circuit Court of Southampton County, Virginia, by Sallie E. Holland, Guardian for Lawrence E. Holland and Emma S. Holland, infants.

These respondents, reserving to themselves the benefit of all just exceptions to the said bill for answer thereto, or to so much thereof as they are advised that it is material they should answer, answer and say:-

That they have no objection to the sale of the lot in the bills proceeding mentioned and so far as they know the price offered for same by Sallie Hayes is a fair price, and they believe that sale of the property in question will be beneficially to the infant defendants, Lawrence E. Holland and Emma S. Holland, and will not be prejudicial to the rights of the heirs of the said infant defendants.

And having fully answered these respondent pray to be hence dismissed with their reasonable costs in this behalf expended. And they will ever pray, etc.

Sallie E. Holland, A. A. Holland, Arthur K. Moore, Alexander J. Moore, Bertie Bond, Nettie Cobb and Gertrude Ellis, by Parker and Story, their attys.

Halland. Colin

D. } Power & Ally.

Halland. et als

1902. 2nd. Dec. Rockingham

L. A. Gay Clk.

We, the undersigned, adult defendants in a certain suit in chancery pending in the Circuit court for Southampton County, Virginia , wherein Sallie E. Holland, Guardian for Lawrence E., & Emma S. Holland, infants, is plaintiff, and we and others are defendants, hereby constitute and appoint Parker and Story, of Franklin? Va. as our attorneys to represent us in said suit and do all and everything that is neccessary or proper to be done by attorneys for us in said matter.

x Bertie Bond

x Sallie E. Holland.

a. a. Hollens

a. a. Holleman

We, the undersigned, defendants in a certain suit in chancery pending if the Circuit Court of Southampton County, Virginia, wherein Sallie E. Holland, Guardian for Lawrence E. Holland and Emma S. Holland, is plaintiff, and we and others are defendants, hereby constitute and appoint Parker and Story, of Franklin, Va. as our attorneys to represent us in said suit and do for us all and everything that it is permissible for attorneys at law to do in such suits.

Nellie Cobb

Gertrude Ellis

Alexander J Moore

Nathan D. Moore

LINEN

Holland. Edn

vs. } Report.

Holland. et als

Report from Sallie
E. Holland. Edn

1903. 7th April filed
L. A. Gayle C.

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

The undersigned, guardian for Lawrence E. and Emma S. Holland, begs lieve to report to Your Honor that in accordance with the terms of a decree entered on February I2th, I903, in a Chancery suit pending in the said Court, styled Holland, Guardian, vs/ Lawrence and others, she, on the 5th day of March, I903, received the sum of Seven hundred Dollars $700.) from Sally L. Hayes, in payment for the lot sold her in the said suit, and has paid out Two-hundred and Thirty-one Dollars ($23I.) of the same in accordance with the receipt herewith filed as a part of this report. The remaining Four-hundred and Sixty-nine Dollars ($469/) she has loaned to herself as an individual, and has taken her individual bond therefor payable to herself as Guardian for said infants and has secured the payment of same by deed of turst on her house and lot on First Avenue in Franklin, Virginia, which deed of trust has been duly recorded in the Clerk's office of the County Court of Southampton County, and the house upon said lot has been properly insured as a further security for said bond, which bond is herewith filed.

The undersigned requests that the Court will enter an order permitting her to use the interest on this bond in the maintenance of said children, and to use the principal thereof in their education as to her may seem best. She makes this request because it will involve some expense to permit this case to remain on the docket and to get decrees therein in the future as she may need to expend this money in the education of these children. Therefore in order to save this expense, and feeling assured that the Court would order the money spent for the education of the children at the proper time, she makes request that this order be made now and the suit removed from the docket.

Respectfully submitted.

Sallie E. Holland
Guardian

Received this 5th day of March 1903, from Sallie E. Holland Guardian for Lawrence E. and Emma S. Holland, the sums placed opposite our signatures below in settlement of the amounts due us under and by the terms of the decree entered February 12th 1903 in the chancery suit pending in the Circuit Court of Southampton County, Virginia, styled Holland, Gdn. vs. Holland, etuals.

Clerk's fees,	R. Hay cc	$11.93
Sheriff's fees,	J. W. Williams Shff.	$1.00
Costs of exhibits	Parker and Story. attys.	$0.62
Taxed fee and writ tax,	Parker and Story attys.	$16.50
Cash value of dower,	Sallie E. Holland.	$156.00
Commissioner's fee,	J. Thomas Jr. L. Reid	$ 10.00
Fee and tax on deed of trust	[illegible]	$2.25
Atty. fee,	Parker and Story attys.	$32.70
		$231.00
Amt. Sallie E. Holland's bond		469.
Total amt. collected —		$700.00

$469. Frahklin,Va.

On demand I owe and promise to pay to Sallie E.Holland,Guardian for Lawrence E.Holland and Emma S.Holland,the just and full sum of Four hundred and sixty-nine dollars,for value received,with legal interest thereon from the date hereof.

And I hereby waive the benefit of my homestead exemption as to this debt.

This bond is given in accordance with the requirements of a decree of the Circuit Court of Southampton County,Virginia,in a chancery suit therein pending styled Holland,Gdn.vs.Holland,et als. entered on the 12th of February 1903.

Witness my hand and seal this 5th day of March 1903.

Sallie E Holland (Seal.)

Witness:-

This bond is secured by deed of trust on real property in Franklin, Va.,E.F.Story,Franklin,Va.,as Trustee.

Holland, Guardian.

VS.

Holland, and others.

Answer of guardian ad litem to amended bill.

1902. Feb 24 Due Rule Filed

L. A. Gay Clk

Holland, Guardian.

VS.

Holland, and others.

The answer of W.J.Sebrell, Guardian ad litem to the infant defendants, Lawrence E.Holland, Emma S.Holland, Henrietta P.Moore, Bertha Holland(nee Moore), Daisy A.Edwards and Emma H.Edwards, to an amended bill of complaint exhibited against them and others in the Circuit Court of Southampton County, Virginia, by Sallie E.Holland, Guardian for Lawrence E. Holland and Emma S.Holland.

The said Guardian ad litem answers and says that he knows nothing of the truth or falsity of the statements contained in the said bill, but if the said statements be true he sees no reason why the relief prayed for should not be granted, and he prays the court that it will make full and proper inquiry into the matter and will in all respects fully protect the interests of the said infant defendants.

And now, having fully answered the said bill, your respondent prays to be hence dismissed with his costs in this behalf expended.

W.J.Sebrell.

Guardian ad litem for Lawrence E.HOLland, Emma S.Holland, Henrietta P.Moore, Bertha Holland(nee Moore), Daisy A.Edwards and Emma H.Edwards.

Virginia, Southampton County, to-wit:-

This day personally appeared before me, William Shands, a Comr in Chancery for the Circuit Court for Southampton County, in and for the county aforesaid, state of Virginia, in my county, W.J.Sebrell, Guardian ad litem for Lawrence E.Holland, Emma S.Holland, Henrietta P.Moore, Bertha Holland(nee Moore), Daisy A.Edwards and Emma H.Edwards, infants, whose anser is above written? and made oath that the statements contained in the said answer so far as made of his own knowledge, are true, and so far as made from information derived from others he beleives them to be true.

Given under my hand this 15th day of December 1902.

Wm Shands

Comr In Chancery

Holland, Guardian,

vs.) 1st. Decree.

Holland, et als.

We hereby consent to the within decree and that the same may be entered in vacation.

W. J. Sebrell Guardian adlitem for infant defendants, as herein named.

Parker and Story attys. for Plaintiff

Parker and Story, attys. for adult defendants.

Entd. Janu. 9. 1903

Robt R. Prentis

Ent. Trial Book 48 p. 1 & 2

1 dep. fee $5.00

Circuit Court of Southampton County, in Vacation, on the 9th. day of January 1903.—

Sallie E.Holland,Guardian for Lawrence E.Holland and Emma S.Holland,infants

vs.

Lawrence E.Holland,Emma S.Holland,Henrietta P.Moore,Bertha Holland(nee Moore),Daisy A.Edwards,and Emma H.Edwards,all infants,by W.J.Sebrell, their guardian ad litem,and Sallie E.Holland,individually,A.A.Holland, individually and as administrator of E.E.Holland,deceased,Arthur K.Moore, Alexander J.Moore,Bertie Bond(nee Holland),Nettie Cobb(nee Holland) and Gertrude Ellis(nee Holland),all adults.

This day this cause came on to be heard in vacation by consent of all the parties to this suit,entered of record,upon the original bill and exhibits filed at 2nd September rules 1902,taken for confessed as to the adult defendants Sallie E.Holland and A.A.Holland,the answer of W.J.Sebrell,guardian ad litem duly assigned at rules to defend them in this suit, with general for the infant defendants, and replication thereto, and exhibits, and upon the amended bill, filed at 2nd December rules 1902,the answer thereto of Sallie E.Holland,A.A.Holland,individually and as Administrator of E.E.Holland,deceased,Arthur K.Moore,Alexander J.Moore,Bertie Bond,Nettie Cobb and Gertrude Ellis,adult defendants,the answer of Henrietta P. Moore,Bertha Holland,Daisy A.Edwards and Emma H.Edwards,infants over fourteen years of age,the answer of W.J.Sebrell,guardian ad litem for the said infants duly assigned at rules to defend them in this suit defendants, and also for Lawrence E.Holland and Emma S.Holland,the other infant defendants, with general replication to all said answers,and was argued by counsel.

Upon consideration whereof,the court doth adjudge,order and decree that oneof the Commissioners of this court make proper inquiry concerning, and report to this court as soon as may be,

1st.An account of the transactions of A.A.Holland,as administrator of E.E.Holland,deceased.

2nd.Whether or not there are any debts due by the estate of the said E.E Holland and if so the amount of the same, and to whom due.—

3rd.The value of the lot in the town of Franklin in the bill and proceedings mentioned,and whether or not the price of $700. offered for the same by Sallie Hayes,as set forth in the said bill,is a fair price for the said lot.

4th.Whether or not it would be to the interest of the said infants,Lawrence E.Holland and Emma S.Holland,for the said lot to be sold at the that price,and whether or not any rights of the heirs at law of said

or any other person
infants would be violated by ~~said~~ such sale.

5th. Who constitute the heirs at law of the said infant defendants Lawrence E. Holland and Emma S. Holland.

6th. Whether or not a lein upon the house and lot in Franklin, Va., which the said Sallie E. Holland has bought as set forth in said bill, would be sufficient security for the loan of the net amount of the purchase price of the lot sought to be sold in this proceeding.

7th. The commuted cash value of the dower interest in the said lot sought to be sold, if sold at the said sum of $700.

8th. Whether or not any dower has ever been assigned the said Sallie E. Holland in the lands of the said E. E. Holland, deceased, and if so in what land.

9th. Any other matter which the said Commissioner may deem pertinent or which he may be required to state by any party in interest.

And by consent of all the parties to this suit, entered of record, and submitted to the Judge of this court for instructions and decree therein, it is ordered that this be made a vacation cause and that such decrees may be entered and such proceedings had herein in vacation as might be had in term.

Robt. R. Davis

To the Clerk of the
Circuit Court of
Southampton County.

County of Albemarle.

Commonwealth of Virginia to the Sheriff of County of Albemarle, Greeting:

You are hereby commanded to summon Charles E. Holland and Ella Holland, his wife, if they be found in your county, to appear before the Circuit Court of said county on the first day of the next term thereof to be held for said county on the 2nd Monday in October 1902, to answer the bill of complaint exhibited against them in said court by Samuel Holland, and this they shall in no wise omit, under the penalty of the law. And have you then and there this writ.

Witness, J. H. Peyton, Clerk of said Court at the Court House thereof, the 2nd day of September 1902, and in the 127th year of the Commonwealth.

J. H. Peyton, Clerk.

By ——————, D. C.

Executed on Charles E. Holland and Ella Holland, his wife, by delivering to each of them in person a true copy hereof in the County of Albemarle, this 2nd day of September 1902.

Fleet Smith, Sheriff.

By ——————, D. S.

Executed. Ella Holland not found in my bailiwick.

Fleet Smith, Sheriff.

By ——————, D. S.

Executed. Charles E. Holland not found in my bailiwick.

Fleet Smith, Sheriff.

By ——————, D. S.

Filed 2nd day of October 1902.

Teste: J. H. Peyton, Clerk.

By ——————, D. C.

Answer of Charles E. Holland and Ella Holland, his wife, defendants, to the bill of complaint exhibited against them in the Circuit Court of Albemarle County, Virginia, by Samuel Holland, complainant.

The defendants, Charles E. Holland and Ella Holland, his wife, for answer to the bill of complaint exhibited against them in the Circuit Court of Albemarle County, Virginia, by Samuel Holland, complainant, say that they have no knowledge of the matters and things therein alleged, and do not know whether the same are true or not, and therefore they call for proof thereof.

And now having fully answered the said bill of complaint, they pray to be hence dismissed with their reasonable costs and charges in this behalf expended.

Charles E. Holland and Ella Holland, his wife, defendants.

By ——————, their attorney.

State of Virginia, }
County of Albemarle, } to-wit:-

I, ——————, a notary public for the County of Albemarle, in the State of Virginia, whose commission will expire on the 1st day of October 1902, do certify that Charles E. Holland and Ella Holland, his wife, whose names are signed to the foregoing answer, have this day acknowledged the same before me in my said county.

Given under my hand this ——— day of October 1902.

——————.

Notary Public.

Holland, Guardian

vs

Holland et als.

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The answer of W. J. Sebrell, guardian ad litem, to the infant defendants, Lawrence E. Holland and Emma S. Holland, to a bill of complaint exhibited against them and others in the Circuit Court of Southampton County, Virginia, by Sallie E. Holland, guardian for Lawrence E. Holland and Emma Holland.

The guardian ad litem answers and says that he knows nothing of the truth or falsity of the statements contained in the said bill, but prays that the Court will in all respects fully protect the infant terest of the infant defendants.

And now having fully answered the said bill your respondent prays to be hence dismissed with his costs in this behalf expended.

W. J. Sebrell, :

Guardian ad litem for Lawrence E. Holland and Emma S. Holland.

STATE OF VIRGINIA, }
Southampton County, } to-wit:-

This day personally appeared before me, ~~D. F. McLemore, a Commissioner in chancery for the Circuit~~ J. E. Westbrooke Deputy Clerk for the County Court of Southampton County, Virginia, in my county, W. J. Sebrell, guardian ad litem for Lawrence E. Holland and Emma S. Holland, whose answer is above written, and made oath that the statements contained in the said answer, so far as made of his own knowledge, are true, and so far as made from the information derived from others ~~they~~ he believe them to be true.

Given under my hand this 7th day of October 1902.

J. E. Westbrook D.C. :

~~Commissioner in Chancery for the Circuit~~ Deputy Clerk for the Court of Southampton County, Virginia.

Holland, Guardian,

VS.) 2nd. Decree.

Holland, et als.

We hereby consent to the within decree and that the same may be entered in vacation.

Parker and Story Attys for the plaintiff.

Parker and Story Atty. for the adult defendants.

W. J. Hebert Guardian ad litem for the infants defendants named in said bill and proceedings.

Enter February 12th 1903.

Peter M. Ellis
Judge.

[illegible] Superior Court [illegible] the 9th day of February A.D. 1903 [illegible] the [illegible] day of [illegible] 1903 [illegible] Court [illegible] Judge [illegible] Court [illegible] Judge [illegible] Court [illegible] Judge

Circuit Court of Southampton County, In vacation, on the 24th day of February 1903.

Holland, Guardian,

vs.) 2nd. Decree.

Holland, et als.

This day this cause came on again to be heard in vacation, by consent of all the parties to this suit, entered of record, upon the papers formerly read and upon the report of Jos. B. Prince, Jr., one of the Commissioners of this court, filed January 28th 1903, to which report no exceptions have been filed, and was argued by counsel.

Upon consideration whereof, the court doth confirm said report and doth further adjudge, order and decree that sale of the lot in the bill and proceedings mentioned be made to Sallie L. Hayes as reccomended by said Commissioner, and that as soon as the said Sallie L. Hayes shall have paid to Sallie E. Holland, as Guardian for the infant defendants, Lawrence E. Holland and Emma S. Holland, the sum of Seven hundred dollars in payment for the said lot, then J. C. Parker, who is hereby appointed a Special Commissioner for that purpose, shall make, execute and deliver to the said Sallie L. Hayes a good and sufficient deed, with special warranty, for the said lot : but before the said Sallie E. Holland as Guardian for the said infant defendants, shall receive the said sum of seven hundred dollars she shall enter into a bond in the penalty of fourteen hundred dollars, before the Clerk of this court, with security deemed sufficient by the said Clerk, and conditioned for the faithful care and application of the said sum of seven hundred dollars under the order of this court, and for the management and preservation of the same, or any security in which the same may be invested, and for the protection of the rights of all persons interested therein, whether such rights be vested or contingent; and the said J. C. Parker shall file with his report the receipt of the said Sallie E. Holland, Guardian, showing the receipt by her of the said sum from the said Sallie L. Hayes. And the court doth further adjudge, order and decree that the said Sallie E. Holland, Gurdian, out of the said sum of seven

hundred dollars thus received by her, shall pay 1st, all the costs of this suit to that date, including a fee of $40. to Parker and Story, attorneys for the plaintiff in this cause ; 2nd, shall pay herself as the commuted cash value of her dower in the said lot the sum of $174.51 ascertained by said Commissioner Prince to be due her, less her pro rata share of the expenses of this suit : 3rd, the balance remaining in her hands and belonging to the said infant defendants she shall loan to herself as an individual, taking therefor her bond as an individual for the said sum, payable to herself as guardian for the said infant defendants, and secured by proper and sufficient deed of trust upon her house and lot in Franklin mentioned in the bill and proceedings, which deed of trust shall contain a provision requiring the said building to be kept insured for the benefit of said trust for at least the amount of said loan, and shall be duly and properly recorded in the Clerk's office of the County Court of Southampton County, Virginia. And the said J.C. Parker, Special Commissioner and Sallie E. Holland, Guardian, shall make report to court of what they have done under this decree

Robt. R. Willis

To the Clerk of the
Circuit of Southampton County.

Holland et als.
vs.
Holland, Guardian.
Sub. Decree.

Holland, Gdn.

vs.) 3rd & Final Decree

Holland, et als.

To be entered this 4th day of April 1903.

Carteret

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cause it is ordered from the same and the decree be
ing one-half of the proceeds of the sale of said
property to be paid to the guardian of the minor
heirs, and the other one-half thereof to be paid
to Mrs. Holland, mother of said minors, and the
guardian shall attorney the bond with the
surety thereon, and shall have the power to
take charge of said property and collect the
rents, issues and profits thereof and to pay
over the proceeds of the sale of said property
to the guardian for the minors, and shall
render an account of his guardianship to
the Court.

And it appearing that there is nothing further to be done in this
said matter, it is ordered that the same be
stricken from the docket.

Holland, Gdn.

vs.) 3rd Decree.

Holland, et als.

Holland, Guardian,

vs.) 3rd Decree.

Holland, and others.

This day this cause on to be again heard upon the papers formerly read and upon the reports of J.C.Parker, Special Commissioner and Sallie E.Holland, Guardian, filed on the 7th day of April 1903, 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 the said Sallie E. Holland, Guardian, be and she is hereby authorized, to collect the said bond for $469. filed with her report in this cause as she may need it for the support, maintenance and education of said infants, Lawrence E. Holland and Emma S.Holland, and shall be authorized to spend the same in the support, maintenance and education of said children in such manner and at such times and in such sums as she may deem to their best interest, spending one-half of the same on each, and when she shall have spent the entire amount she shall withdraw the bond which she has filed with her report herein, cancel same and release the deed of trust which she has given in her individual capacity to secure the same, and shall make a report of said amount thus spent in her regular report as guardian for said infants to the proper court.

And it appearing that there is nothing further to be done in this cause it is ordered that the same be removed from the docket.