

1909-55

Southampton County Chancery-

Johnson, J. H. et al

vs Williams, J. W. (admin)

asks that an accounting be made
of all debts outstanding against
the estate, "their order of priority
be noted, that the real estate
be appraised as well as personal
property," then sell and apply
to debts until satisfied -

Beaton, Wm. M.

Holland - Zachariah (dec.)

Holland - Thomas C.

Wrench - Willie

" , T. C. (husband)

Howell, W. F.

" , Geneva

Clark, W. W.

" , Lucy F.

Niblett, J. C.

" , Maggie E.

Rives, A. W.

" , Lenora

Johnson, for &c.,
vs. E. Bill exhibits
Holland et al.

2^d Jan. R. filed.

Admr. appointment
Copied

To Hon. C. W. Hill, Judge of the Circuit
Court of Southampton County.

Humbly complaining sheweth unto
your Honor J. H. Johnson, who sues for the
benefit of Wm. M. Beaton, and all
other creditors of Zachariah Holland
decd., who will come in and bear their
share of the cost of this suit, that on
or about the day of 18, Zach-
ariah Holland departed this life,
intestate, being at that time seized
of certain Real Estate in said County,
and having as his heirs at law, his
brother, Thos. C. Holland and his sisters,
Willie Wrench, wife of J. P. Wrench,
Geneva Howell, wife of W. F. Howell,
Lucy F. Clark, wife of W. W. Clark, and
his half-sisters, Maggie E. Niblett, wife
of J. C. Niblett, and Lenna River, wife
of A. W. River. That at a County Court held
in and for said County on the day of

189, an order was entered appoint-
ing J. W. Williams, shff., as administrator
of said Zachariah Holland, decd., as
will more fully appear from a copy of
said order, herewith filed as exhibit "A"
& prayed to be read as a part of this
bill. That at the time of the death of said
Zachariah Holland, decd., he was indebted

to your complainant in the sum of \$72.⁰⁰,
with interest thereon from the 1st day of January
1890, as evidenced by a pc herewith
filed as exhibit "X", & prayed to be read
as a part of this bill. That no part
of said apc has ever been paid, and
your complainant is informed that there
no assets in the hands of the administrator
with which to pay the same. Your com-
plainant is, therefore, advised that he
should bring his suit in Chancery & remove
the creditors of said decedent, & have the
assets belonging to his estate distributed
among the same under the order of this Court.

In consideration whereof, and inas-
much as your complainant is without
remedy, save in a Court of Equity, where
such matters are properly cognizable,
your complainant prays that the said
J. W. Williams, Shipp. & as such admin. of
Zachariah Holland dec'd., Thos. C.
Holland, J. P. Wrench & Willie his wife,
W. F. Howell & Seneca his wife, W. W.
Clark & Lucy F. his wife, J. C. Niblett
& Maggie E. his wife, and A. W. River,
& Senora his wife, be made parties de-
fendant to this bill & required to answer
the same, but answer under oath is hereby

expressly waived; that proper process
issue, and all proper orders & accounts
be directed & taken; that an account
of the debt outstanding against the
estate of said Zachariah Holland
decd., be taken with their order of priority
& dignity; that said J. W. Williams, shff.
as such Admr. of said Zachariah Holland
decd., suit his a/c as such before one of
the Commissioners of this Court; that an
a/c be taken of the fur & simple & the annual
value of all the Real Estate of said Zach-
ariah Holland decd., and of the amount of his
personal estate; that all the estate - real
& personal - so far as may be necessary,
be properly applied to the payment of the
debt of said decedent, in the order of their
priority and dignity; that proper fees be
allowed the attorney for the plaintiff in
this cause, and your complainant here
states that he will ask for the same in
the progress of this suit, and that all such
other further relief may be granted as the
nature of this cause may require or to
Equity shall seem meet - And your com-
plainant will ever pray &c.

May it please the Court &c.

J. B. Prince }
W. J. Sebrill } &c.

Johnson, Geo. H.
{ Stat. Rules

Holland's Admin. & Co.

2 Feb

2
J. H. Johnson. who sues for the
benefit of Wm. M. Beaton. and all
other Creditors of Zachariah
Holland, dec'd. who will come
in and bear their share of the
costs of this suit.

Pltiffs

Against

J. M. Williams Sheriff and as such
Adm'r of Zachariah Holland, dec'd.
Thomas C. Holland. J. P. Wrench and
Willie his wife. W. F. Howell & Lenora
his wife. W. H. Clark & Lucy A. his wife.
J. C. Niblett & Maggie E. his wife and
A. H. Rives & Lenora his wife.

Defts

1893. Feb. 7th. Process issued to 2nd Feb: Rules

" 2nd " R. Process executed on J. C. Niblett. Maggie
E. Niblett. his wife & Thos. C. Holland
Ord: pub: & non-residents. Rives & Ex:
filed. deora nisi.

" 1 Mich R.. Ord: pub: posted. Rives taken for Com=
passed as to resident defendants.

" 2 " " Ord: pub: Complete & Cause set
for hearing.

Johnson for re.

vs. } Additional costs

Holland's adm'r re

See H. J. Sebrall as to
this costs

Johnson for &c.

vs. } Additional Costs

Hollands' adm'r &c.

1900, Apr. 6 10 Continuations on the dock at 2.50 = \$2.50

Law costs 5 years at 10¢. 50. Fil. away pap. 25¢ .75

Future costs about 1.00 = 1.00

\$4.25

List: L. A. Hay Co. Co.

Southampton County Court: August Term 1892

Jack Holland having departed this life intestate more than three months ago - and no person having applied for Administration of his goods and chattels: On motion of Wm. M. Beaton, a creditor, it is ordered that the Estate of said decedent be committed to the hands of J. W. Williams, Sheriff of this County for Administration.

A Copy:

Teste: A. B. Uzzauack Jr
S. C.

Johnson, for 4.

N^o 3 Ord: Pub:

Holland's Admin + also

4

1

Virginia :- In Vacation : In the Clerk's Office
of the Circuit Court of South-
ampton County, the 7th day of
February 1893.

J. B. Johnson, who sues for the
benefit of Wm. M. Beaton, and all
other creditors of Zachariah Holland, dec^d.
who will come in and bear their share
of the costs of this suit.

against

J. N. Williams, Sheriff, and as such
Adm^r of Zachariah Holland, dec^d.
Thos. C. Holland, J. F. Wrench and
Willie, his wife, W. F. Howell and Geneva,
his wife, W. W. Clark and Lucy F., his wife.
J. C. Niblett & Maggie E., his wife. and
A. N. Rivers and Lenora, his wife.

- In Chancery -

The object of this suit is to recover the sum
of \$72.⁰⁰, and interest, due to the Plaintiff by
Zachariah Holland, dec^d, and to subject the
real estate whereof he died seized and devised
to the payment of said debt. And affidavit
having been made and filed that the defend-
ants, J. F. Wrench and Willie, his wife, W. F.
Howell and Geneva, his wife, W. W. Clark, and
Lucy F., his wife and A. N. Rivers and Lenora, his
wife, are not residents of the state of Virginia.

it is ordered that they appear here within
fifteen days after due publication of this order
and do what is necessary to protect their interest
in this suit.

J. B. Prince, Jr. J. B.
W. J. Sebrall, Jr. W. J.

Teste: B. F. McLemons, Secy.

**Job Printing +
+ Neatly Done.**

Bill Heads, Letter Heads,
Note Heads,
Envelopes, Posters,
Tickets, Receipts,
Book and Pamphlet Work, &c.,
DONE AT LOW PRICES.



Southampton ♦ Democrat,

A WEEKLY PAPER. PUBLISHED THURSDAYS.

Subscription Price \$1 Per Year.

Franklin, Va. *Rev. 2^d* 1893

VIRGINIA—IN VACATION.

In the Clerk's Office of the Circuit Court of Southampton County, the 7th day of February, 1893.

J. H. Johnson, who sues for the benefit of Wm. V. Beator, and all other creditors of Zachariah Holland, deceased, who will come in and bear their share of the costs of this suit. Plffs.

Against
J. W. Williams, -heriff, and as such administrator of Zachariah Holland, deceased, Thos. C. Holland, T. P. Wrench and Willie his wife; W. F. Howell and Geneva, his wife; W. W. Clark and Lucy F., his wife; J. C. Niblett and Maggie E., his wife, and A. W. Rives and Lenora, his wife. Defts.

IN CHANCERY.

The object of this suit is to recover the sum of \$7200.00 interest, due to the plaintiff by Zachariah Holland deceased and to subject the real estate whereof he died, seized and possessed to the payment of said debt. And affidavit having been made and filed that the defendants, T. P. Wrench and Willie, his wife; W. F. Howell and Geneva, his wife; W. W. Clark and Lucy F., his wife and A. W. Rives and Lenora his wife, are not residents of the State of Virginia, it is ordered that they appear here within fifteen days after due publication of this order and do what is necessary to protect their interest in this suit.

A copy - Teste:

R. E. Mc ENORE, C. C.

J. B. FRINCH and W. J. SEBELL, P. C.

189-41

*This is to certify
that the annexed
order of publica-
tion was inserted
in the Southampton
Democrat four
(4) consecutive
weeks, beginning
Feb. 9th 93.*

*W. H. Shoud
Prof.*

1909 -
Johnson, for re.,
n. $\frac{3}{4}$ secue.
Holland's admin.

Nov. Dec 1893.

To be entered
Q. 114.

Acct.

Entered 9. 6/8

Johnson, for &c., }
vs. } Decree.
Holland's admin^r &c., }

This day this cause came on to be heard upon complainant's bill exhibits - therewith filed, taken for confessed, and was argued by counsel. On consideration whereof, the Court doth adjudge, order and decree that it be referred to one of the Commissioners of this Court to ascertain and report to the Court,

1st An account of the transactions of J^r W. Williams, shiff. and as such administrator of Zachariah Holland, dec'd.

2nd An account of debts outstanding against said decedent, with their priorities and dignities.

3rd An account of the annual and fee simple value of the Real Estate of which the decedent died seized & possessed, and whether the rents & profits will, in five years, pay the debts outstanding against the estate of the decedent,

All which inquiries the Commissioner will make and report together - with any other matter specially stated deemed pertinent by himself or required to be so stated by any interested party.

Johnson for W.

Sum:

Holland's Admin + als:

1893. 2 Feb: Ruler

Cir: Ct.

Executed Feb. 10th
1893, delivering a
copy of this Sum to
each of the within
named parties
E. G. Hale deposes

and J. Williams
Stiff

X

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON *J. C. Niblett & Maggie E.*
his wife. and J. C. Holford

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 *February 1893* ~~next~~, to answer a Bill in Chancery
exhibited against *them & also:* in our said Court by *J. H. Johnson, who sues for the*
benefit of Wm. M. Beatin, and all other creditors of Zachariah
Holland dec'd, who will come in and bear their share of the
costs of this suit.

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

WITNESS, B. F. McLEMORE, Clerk of our said Court, at the Courthouse, this *7th* day of
Feb, 189*3*, in the 11*th* year of the Commonwealth.

Teste: B. F. McLemore

C. C.

Johnson for &c
vs. { Report

Holland &c.

1894, Apr 24 filed
T. M. H. to b.

JAMES L. MCLEMORE,
Attorney-at-Law,
COURTLAND, VIRGINIA.

Everett Wadley Co., Stationers and Printers, Richmond, Va.

Johnson for the
Es. 2000
Holland's Es.
admn.

1
Dutchess County Circuit Court, November Term 1893

Johnson for +77

Plffs.

vs.

Holland's adm^r +^o

Def.

2 In Chancery

This day this Cause came on to be heard upon Plaintiff's bill & exhibits therewith filed, taken for Confessed, & was argued by Counsel on Consideration whereof, the Court doth adjudge, Order and decree, that it be referred to One of the Commissioners of this Court to ascertain and report to the Court 1st An account of the transactions of J. W. Williams Sheriff and as such adm^r of yachrick Holland, dec^d.

2nd An account of debts outstanding against said decedent with their priorities & discharges.

3rd An account of the annual and for Simple Value of the Real Estate of which the decedent died seized & possessed, & whether the rents & profits will in five years pay the debts outstanding against the Estate of the decedent. All which inquiries the Commissioners will make & report together with any other Matter specially stated, deemed pertinent by himself, or required to be so stated by any interested party.

COMMISSIONER'S OFFICE,

Countdown 70.
JERUSALEM,

Mar. 15.

1894.

To the Creditors of the Estate of

Zachariah Halland

deceased, and all others concerned.

You are hereby notified, that at the request of
~~Admin- istrator of the estate of the said~~

*by decree of the Civil Court rendered
at Nov. Term 1893 in the Chancery cause of Johnson vs. Halland, adm-
deceased,*

I have appointed the *20* day of *April* next, at my Office, for receiving
proof of debts or demands, against the said decedent or his estate, at which time and place you are
required to attend.

Given under my hand, as a Commissioner of the County Court of Southampton County, the day and
year first aforesaid.

Jas. L. McQuinn

Commissioner.

Johnson for & Co.
V. 3 Notice.

Holland's admr. re.

1844 April 20

Executed April 17th 44
by delivering a copy of
this notice to each of
the within named parties

R. D. Moore Deft.
for J. M. Williams
Shff

Commissioner's Office,

Quintones
Jerusalem, Va., March 15. 1894

To J. H. Johnson, who runs for the benefit of W. M. Deaton & all other creditors of Zachariah Holland, dec'd. J. W. Williams Sheriff & as such Admin. of Zachariah Holland dec'd. Thos. E. Holland, J. C. Niblett & Maggie E. his wife, residents of Virginia. and J. P. French & Willie his wife, H. F. Howell & Geneva his wife, W. W. Clark & Lucy F. his wife. A. W. Rivas & Lenora his wife, non residents of the State of Virginia.

You are hereby notified that I have fixed upon the 20 day of April 1894 ~~next~~, if fair, if not, the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts, to wit:

- 1st An account of the transactions of J. W. Williams, Shff. & as such Administrator of Zachariah Holland, dec'd.
- 2nd An account of debts outstanding against said dec'd with their ~~provisions & signatures~~
- 3rd An account of the annual & fee simple value of the real estate of which the dec'd did seize & possess, & whether the rent & profits will in five years, pay the debts outstanding against the estate of the dec'd.
- 4th Any other matter deemed pertinent by himself or required to be stated by any interested party.

required to be taken by a decree of Southampton Circuit Court, rendered at the Nov. term, 1893, 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.

Jas. L. McLeure

Commissioner.

To the Sheriff of Southampton County to execute.

An account of the debts outstanding against
the estate of Zachariah Holland died as proposed before
me this the 30th day of April 1894.

3rd. Class.

A fee bill due Clerk's Court.	200	200
-------------------------------	-----	-----

5th. Class

An open account due to J. H. Johnson.	72.00	
Int. from Jan. 1. 1890. to May 1. 1891.	18.72	90.72

Respectfully Submitted
J. H. McFarland
Commissioner

Commissioners Office,
Courtland Va. April 20. 1894
To the Hon. Old Hill Judge re.

The undersigned to whom was re-
ferred the taking of the several accounts
called for by a Decree entered in the Chancery
cause of Johnson for re. vs. Hollands Adm'r.
at the Nov. Term 1893 bego to submit the
following report:-

1st. That J. W. Williams, Shff. & as such Adm'r
of Zachariah Holland dec'd. has received
nothing and has therefore paid out nothing
as Adm'r. This is due to the fact that at
the time of the death of the said dec'd. he
was an infant & had no personal property ex-
cept perhaps a few dollars ~~due~~ to him by his
guardian, and which has never come into the
administrators hands.

2nd. That the account of the debts as herewith
appended shows practically but one debt, namely
the one upon which this suit was brought the other
item of \$2⁰⁰, being the costs of committing the estate
to the hands of the Sheriff.

3rd.

Your Commissioner is unable to find any real estate charged to estate of decedent, but upon investigation it appears that the real estate of which the decedent died seized, has since his death been divided between his heirs at law, to wit: - Thos., Lucy, Geneva & Willie Holland, decedent's brothers & sisters, who still hold the same. - Your Commissioner believes & therefore reports that the interest which would have been Zack Holland's had he survived this suit, would have yielded sufficient rents & profits within five years to pay the debts due by the decedent. The total real estate of the heirs undivided at the time of decedent's death was about 500 acres

acres of which was sold by a decree of this Court in the Chancery cause of Holland's heirs vs. Rivers & others, and the funds arising therefrom were distributed to the parties entitled, the remainder of the land was divided among the above mentioned brothers & sisters of the decedent and is still held by them. The interest of the deceased was he living

would be $\frac{1}{5}$ as your Commission Believes with
the rights before him. which still being
in possession of his heirs is subject to his
debts.

Respectfully Submitted
J. L. W. Leasure
Com. in ch. Cir. Ct.

Commis fee $\frac{1}{5}$ ⁰⁰
Chy to pl. at intiff.