1883-014 Chancery Causes. Thomas, Adams + Company, for + c Vs Junius Ellis, R. H.

Isle of Wight County Holleman + ux + William Owman + ux

other SURNames: Atkinson, Adams, [Thomas + Adams], Wilson, Davis, Edwards

his wife, William Dorman & Sarah his wife may be made parties defendant to this Bill & be required to answer the same, that an account may be taken of your Complainants' demands & those of all other Creditors of said Junius Ellis & R.H. Holleman, who may chose to contribute to the costs of this suit, that Partition may be had of said land, & the interest of the said Junius Ellis & of R.H. Holleman therein may be sold to satisfy the said Judgment & that such other & further relief may be had in the premises as to the Court may seem meet & the nature of the case may require and Your Complainants will ever pray &c

Hayden

Hayden & Adams
Thomas L. Adams
for
Ellis et al.

Complainant's Bill

Feby. Rules, 1872. Bill &c. filed, summons & Subpoena issued.

March Rules. Bill taken for confessed & set for hearing

Augt. A. 1872. Decree for account & Contribution

Sept. Da. 1872. Report filed.

Oct. Da. 1872. Exceptions overruled.

Jany A.D. 1873. Decree to Commissioner

May 1874. Decree to Collect &c.

Oct Da. " Report of Collection &c

Feby & April " Oct Da 75 cents.
" April and October Da. 75 cents
" April A.D. Oct Da 75 cents each
& Jany Court 75 cts.

Oct. 1883.
Cents allowed

which land is still held by the said Devisees Partition thereof never having been made. That since the marriage of the said Robert H. Holleman & Virginia his wife children have been born of said marriage & the said Robert H is consequently tenent by the courtesy of one fourth of the said land. Your Complainants are informed & so charge that by their judgment aforesaid they acquired a lien on the interest of said Junius Ellis & Robert H Holleman in said land, being a fee simple interest in one half of said land, and an interest for the life of said Robert H. Holleman in one fourth of said land, & that they are entitled to have Partition made of said land and the said interests sold to satisfy said Judgment if the rents & profits for five years of the interest of said Junius Ellis & R H Holleman in said land are insufficient to satisfy said judgment which your complainant charge they will not do.

In tender consideration whereof & for as much as your Complainants are without remedy at law & can only be relieved by the aid of this Honorable Court of Chancery where matters of this sort are cognizable, to this end your complainants pray that the said Junius Ellis, R H Holleman Virginia his

Exhibit "B"

in action to your Complainants by their Deed of Assignment marked "B" Herewith filed & prayed to be taken as a Part of this Bill. The said judgment is still wholly due & unsatisfied. James Dutland a coobligor in the Bond, on which said judgment was obtained has since departed this life wholly insolvent. One James Davis by his last will & testament devised one half of his estate to the said Junius Ellis & the other half to the said Testator's wife for life with the remainder in fee to Virginia Holleman & Sarah Edwards as will appear from a certified copy of said Will, with certificate of Probate annexed, Marked C. Herewith filed & prayed to be taken as a part of this Bill. The said Sarah Davis wife of said Testator has since departed this life leaving the said Virginia Holleman & Sarah Edwards surviving, the said Virginia Holleman being the wife of the aforesaid R. H. Holleman & the said Sarah Edwards having intermarried with one William Lowman, The Estate devised by the Will of the said James Davis consisted in part of a Tract of 109 Acres of land lying in the County aforesaid adjacent to the lands of

Exhibit C

To the Honorable G.R. Atkinson Judge of the County Court of Isle of Wight County in Chancery sitting: Humbly complaining sheweth to the Court your Complainants James Thomas, John E. Adams & G.R. Atkinson late Merchants & Partners trading under the Partnership name & style Thomas, Adams & Co., who sue for the benefit of James Thomas, & John E. Adams Merchants & Partners under the style of Thomas & Adams, suing on their own behalf & that of all other Creditors of Junius Ellis & Robert H. Holleman having judgment or other liens on their real estate, who may choose to contribute to the costs of this suit; that at the March Term 1868 of the said Court one Samuel Wilson suing for the benefit of James Thomas, John E. Adams & G.R. Atkinson Partners trading under the Partnership name & style of Thomas, Adams & Co., obtained a judgment in said Court vs. Junius Ellis & Robert H. Holleman co-obligors of James Outland for $70.03/100, with interest from the 12th of April 1867 & costs, a copy of which judgment marked "A" is herewith filed & prayed to be taken as a part of this Bill

Exhibit "A"

The said Thomas & Adams have since assigned the said judgment with all other choses

On The 19th day of Jan 1872 I delivered one Copies of this Summons to R. A. Hollemon & wife & Wm Denman & wife. Not finding Jumes Ellis at his usual place of abode I delivered a true Copy of this Summons to R. A. Hollemon after explaining its purport to him he being a member of the family of the said Jumes Ellis and a free White person over 16 years old.

E. J. Chapman D.S.C.

Thomas, Adams No. for
Thomas & Adams L.C.

3 Summ. to Ans.
Pleas in abp.

James Ellis, W. A. Hollman
& wife & Thomas Denman & wife D

Summons Issued
Oct. 28th 1871
Boyd Clerk

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ISLE OF WIGHT COUNTY, Greeting:

We command you to summon Jamins Ellis, R. H. Holleman & Virginia his wife, and William Norman and Sarah his wife

to appear at the Clerk's Office of the County Court of Isle of Wight County, at Rules to be holden for the said Court, on the ~~first~~ last Monday in January, 18 72, ~~next~~ to answer the Bill in Chancery of James Thomas, John E. Adams & George R. Atkinson late partners under the style of Thomas, Adams & Co. who sue for the benefit of James Thomas & Jno. E. Adams partners under the style of Thomas & Adams, suing on their own behalf & that of all other creditors having judgments liens on the real estate of said Jamins Ellis & R. H. Holleman

And have then there this writ.

Witness, NATHANIEL P. YOUNG, Clerk of our said County Court, at the Courthouse, the 8th day of January 18 72, in the 96th year of the Common-wealth.

N. P. Young Clk.

Thomas & Adams &

vs. Com^d. Refft.
under Bann of
Augt. 18^th 2.

Ellis & al.

Sept. 20^th 18^th 2. filed

Real estate valued in fee simple at $54.00 Damaged $11.00

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

N. P. Young Comr.

Time employed by Comr. 5 hours.

Commissioners fee $5.00

Sheriffs fee 3.50

$8.50

Commissioners Office Isle of Wight Court House
September 12th 1872.

To the county court of Isle of Wight county

Pursuant to a decree of said court rendered on the 7th day of August 1872, in the suit James Thomas & John E. Adams, partners under the style of Thomas & Adams suing for themselves and all other judgment creditors of Junius Ellis and Robert N. Holleman plaintiffs, against Junius Ellis, Robert N. Holleman & Virginia his wife and William Cowans and Sarah his wife defendants, directing a commissioner of said court to take, first, an account of all judgments against said Junius Ellis and Robert N. Holleman, and their priorities. And, second, an account of the personal and annual values of the lands of said Junius Ellis and Robert N. Holleman. Your commissioner reports to the court that on the 15th day of August last, he issued notices to the parties, plaintiffs & defendants, that he had appointed this day, the 12th of September 1872, to take and settle at his said office, the accounts so required, which notices were duly executed & returned to your commissioner.

That on the day so appointed your commissioner, from evidence before him, has made up and completed the foregoing accounts, showing that one judgment only, has been found against said Ellis & Holleman, amounting to $100.63 with interest included to 12th Sept. 1872. That Junius Ellis own real estate valued in personalty at $108.00 and annually at $25.00. And that Ro. N. Holleman & wife own

An account of all judgments against Junius Ellis and Robert H. Holleman, and their priority.

1st. H. A judgment in favor of Samuel Wilson, who sues for the benefit of James Thomas, John E. Adams & George R. Atkinson, merchants & partners under the style of Thomas, Adams & Co, rendered in the county court of Isle of Wight on the 4th day of March 1868, and docketed on the 10th day of March, 1868. for $70 03
Interest thereon from the 12th day of April, 1867, to the 12th day of Sept, 1872 22 76
Costs of suit 7 84 100 63
Total judgment proved $100 63

An account of the fee simple & annual value of the lands of said Junius Ellis and Robert H. Holleman.

Junius Ellis owns one half of 108 acres of land devised to him by James Davis dec'd. valued in fee simple at $108 00
Annual value of same $25 00

Robert H. Holleman & Virginia his wife own one fourth of 108 acres of land devised to said Virginia by said James Davis dec'd. valued in fee simple at $54 00
Annual value of same $12 00

To delivering Copy of the decree to Ellis of Holden $3.00
Cash advanced 1.00

Thomas & Adams vals,

Copy decree
vs. Feby. Co. Ct.
1873,

Junius Ellis, & als,

V

Jan costs herein

31.17 Junius Ellis

J. Ellis Dr. to 4
16 cts
Paper
Seal
July 7. 1873 $0.40

Allo. for Hat	$16.00	Paid C. B. Hayden
Clerk's "	9.16	Paid N. P. Young
Sheff. Chapman. Ser	6.00	
" Dl. Edwards "	1.00	
Comm. in chcp Young	5.00	Paid N. P. Young
R. H. Randolph Wit. of plaintiff	2.00	Paid R. H. R.
I. N. Jones " " "	2.00	Paid I. N. Jones
Jno. F. Scott " " "	2.00	" J. F. Scott
Costs	$43.16	

Teste,

N. P. Young Clk.

Virginia Holleman wife of said Robert H, Holleman, provided he can obtain for such term an amount equal at least to the debt & Costs aforesaid, & the costs of said leasing, leasing the tract assigned Virginia Holleman subject to the contingency of her husband the said Robert H, Holleman living through said term with a right of re-entry, should the Lessee fail for 30 days from the end of any year to pay the rent of that year, and subject to the restriction of sub-renting, Leasing the same on a credit of one two, three, four & five years from the 1st day of January, 1873, in five equal payments payable annually on the first day of January, 1874, 1875, 1876, 1877 & 1878, with interest from the end of each year, except so much for such as will pay the Costs of Suit and of said leasing, for the credit portion of said lease, the said Sheriff shall take bonds with sufficient security, payable to himself as Sheriff, corresponding with the dates & payments aforesaid which bonds or lease he shall return to Court with his report of his proceedings under this decree, And that a copy of this decree be served on the said Junius Elliot Robert H, Holleman,

A Copy Teste,

Clk, Hart, D, C

In Isle of Wight County Court, Feby. 3rd 1873,

Jas. H. Thomas & Jno. E. Adams late partners &c, Suing for themselves & als, Pltffs,
vs.
Z Darby;
Junius H. Ellis. Robt. H. Holleman and Virginia his wife, & Wm. Oswan & Sarah his wife, Defts,

This Cause this day Came on to be again heard on the papers formerly read, and the report of Comr. Young, & the report of R. H. Randolph. L. N. Jones & Jno. F. Scott, under the decree herein of August term 1872, & was argued by Counsel: On consideration whereof the Court confirming said reports to which no exceptions were filed, doth adjudge, order & decree that unless within 30 days from the date of this decree the defendants Junius Ellis & Robert H. Holleman, or some one for them pay the plaintiff's demand of $100,63 with interest on $70,03 part thereof from Sept. 2nd 1872, & the costs of this suit, that the Sheriff of this County, at the Courthouse door of this County on some Court day after having advertised the same at the Courthouse door of this County on some previous Court day & at other public places in the County at least 20 days prior to said leasing, lease for five years the tracts of land in said report mentioned - allotted to Junius Ellis and

Freeman Adams
et
Dennis Ellis

Report of Commissioners
for Partition

To the County Court of Isle of Wight Co

The undersigned Three of the Commissioners for partition under the annexed decree of said Court of August term 1872 in the suit of Thomas A Adams & Others vs James Elley & Others report to the Court that pursuant to the annexed decree they proceeded to divide the lands of which James Davis died seized & possessed in the Co of Isle of Wight & assigned one half in value to James Elley as per annexed plot containing about 55 acres including Building & lying adjacent to the lands of R N Hollaman & wife on the East on the North by publick road leading from Lowrys Mill to Isle of Wight C House, & one fourth to R N Hollaman & Virginia his wife containing by Estimation 27½ Acres more or less bounded as follows on the North by said publick road on the West by James Elley land on the South by the land of Wm Owen & wife, & on the East by the land of B, H, Edwards the remaining one fourth to Sarah Owen, containing by Estimation 27½ Acres more or less bounding on N, by R N Hollaman land on W by James Elley & on the East by the land of the heirs of B, H, Edwards your Commissioners being of Opinion that the 4 Shares each are Equal in Value because the land is of better quality & better timbered all

of which is respectfully submitted

R. A. Randolph

S. S. Jones

John F. Scott

Thomas & Adams vals

Copy of decree
Augt Co. Ct. 1872.
Ord.

Ellis & Holleman

of whom may act,) proceed to divide the lands of which James Davis died seized & possessed, and assign one half in value to said James Ellis, & one fourth to R. H. Holleman and Virginia his wife, and one fourth to William Owens & Sarah his wife, and make Report to Court which land of said James Davis is described as a Tract of land in Isle of Wight County Containing 109. acres more or less,

A Copy, Teste,

C. D. Hart, D. C.

In Circuit of Wight County Court, Augt. 7th, 1872,

James Thomas, John E. Adams & others Complts

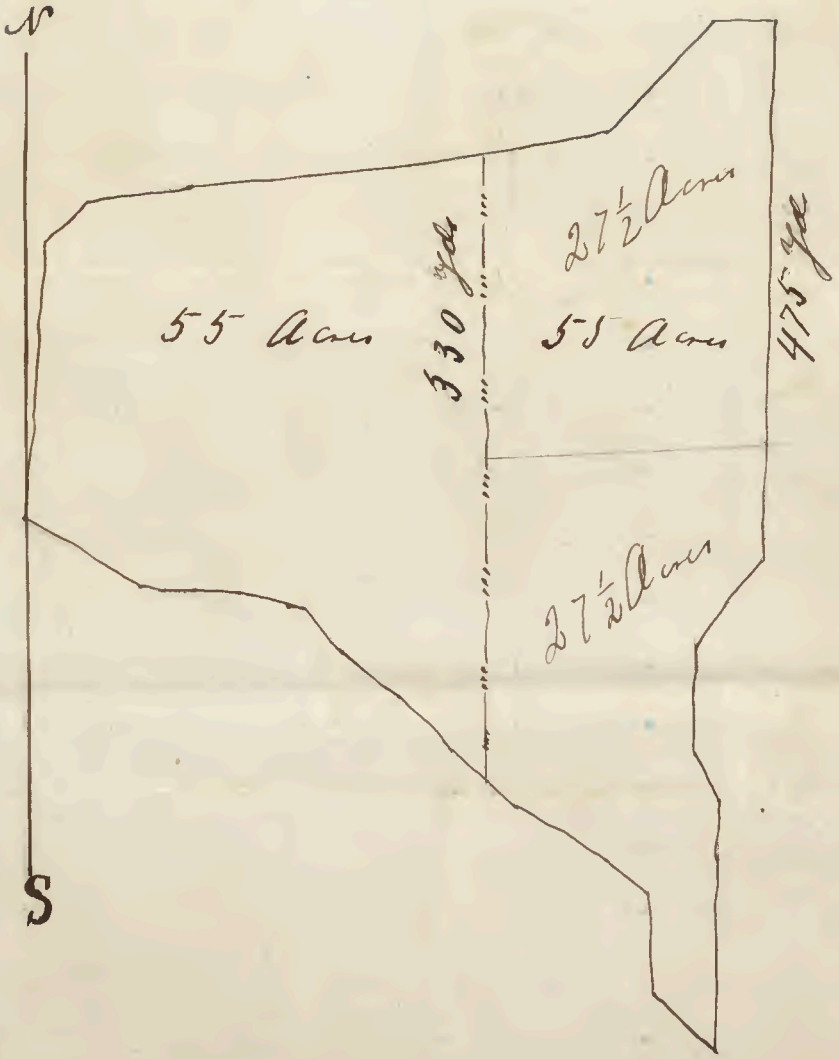
vs. } In Chancery

Junius Ellis, R.A. Hollerman and Virginia his wife, and Wm. Downs and Sarah his wife Defts.

This Cause Came on this day to be heard on the Bill of the Complainants taken for confessed as to the Defendants On Whom process had been duly executed, and they having failed to make defence, & on the Exhibits filed with the said Bill, And was argued by Counsel; On consideration whereof the Court doth adjudge, order & decree that a Commissioner of this Court take the following accounts,

1st. An Account of all Judgements against said Junius Ellis and R.H. Hollerman, and their priorities,

2nd. An Account of the fee simple and annual value of the lands of said Junius Ellis & R.H. Hollerman, and make Report to Court, And the Court doth adjudge order & decree that Rich'd H. Randolph, Isaac N. Jones, James T. Goodson and John F. Scott (any three


N
S
55 Acres
330 yds
27½ Acres
55 Acres
475 yds
27½ Acres

Amt. brt. on 160.19

From which deduct the

Cash payments - to wit:

Costs of suit aforesaid . . 43.16

Sheff. Cond. " 7.50

Auctioneer fee " 5.00 55.66

Nett amt. pd. Deft. $104.83

For which I have taken the fair bonds of said James Ellis with James J. Stringfield security, for $20.96 3/5 each, payable, respectively, on the first day of Jany. 1874, '75, '76, '77 & '78 making $104.83. and herewith return said bonds to the court and have paid to them entitled the costs per receipts on the docket. Given under my hand this 2d. day of Octo. 1873.

S. G. Edwards Deptd.
for C. J. Chapman Sheff

Received of the clerk of circuit court of Isle of Wright Co. the 5 bonds that were filed with this report, which were delivered under decree of Sept. 1873.

S. G. Edwards Sheff

Nov. 8th 1873 Filed

Thomas & Adams
vs.
Ellis &c.
Report of
Receiving &
Paying Bonds

To the Circuit Court of Isle of Wight County.

Pursuant to a decree of the County Court of said County rendered on the 3rd day of Feb. 1873 in the Suit of Thomas D Adams and others against Junius H. Ellis and others which Suit by Operation of Law has been transferred to the said Circuit Court, a Copy of which decree is herewith filed. the undersigned R. B. Edwards Deputy for Co. J. Chapman of the County aforesaid Reports to the Court that after advertising the land in said decree mentioned according to the directions thereof. On the 15th day of August 1873. (being Court day) he leased out said lands for the term of five years that the two tracts were leased together with the understanding that the dwelling assigned to Virginia Norloman were leased subject to the dowery of her husband Robt. N. Norloman during through said term without abatement in case of said Norlomans death that the said lands were leased by Junius. Ellis for the sum of $160.49, that being the amount of the debt with interest & costs. to wit:

Amt. of Debt	100.63
Int. ~~thereon~~ on $70.03 part thereof	4.20
Costs of suit per statement on the decree	43.16
Sheff. Commission	7.50
Auctioneers fee	5.00
	$160.49

Thomas Adams
vs
Ellis

Report of L. B
Edwards Sheriff
under Decree
of April Term 1874
and Oct Term 1877

Filed Sept 20th 1881.

To the Circuit Court of Isle of Wight County

The undersigned L B. Edwards Shff of said County respectfully reports to Court that pursuant to the annexed decrees of said Court of Oct term 1874 and April term 1877 in the suit of Thomas Adams Exor &c. vs. Francis Ellis &c. that he on the 2d day July 1878 collected the three bonds in said decrees mentioned for rents for 1874 1875 & 1876. ~~and on the 15th of Feb 1879 Coll~~ amounting to $67.47 and on the 17th Feb 1879 he collected the rent for 1877 & part of rent for 1878 amounting to $34.00 and on the 19th Sept 1881 collected the balance of rent for 1878 amounting to $9.26 and on the dates aforesaid paid the said cash's to C. B. Hayden atto. for the plaintiff as per receipt of C B Hayden herewith filed Given under my hand this 19 Day of Sept 1881

L B Edwards Shff

Thomas J. Adams &c

vs } Copy decree

Jmins Ellis dals,

Octo. Cir. Ct. 1874.

21.07
6
126.06

21.11
1.26
22.37

Hon E. T. Coleman
Sheriff &c —

33

Costs as taxed for 1874 $22.60
1876 22.60

In Isle of Wight Circuit Court, Dec: 9th 1874.

James Thomas John E. Adams late partners &c — Plffs.

Against } Ruby;
Jennins Ellis & als — Defts.

This cause came on again to be heard on the papers formerly read, & was argued by counsel: On consideration whereof the court doth adjudge, order & decree, that the Clerk of this court deliver to L. B. Edwards Sheriff of this County the bond of Jennins Ellis James J. Stringfield for $21,01 payable on 10th of January 1875, returned with his former report herein, which bond the said Sheriff is hereby authorized and required to collect, and the proceeds thereof after paying thereout the unpaid costs of this suit, pay to W. S. Thomas, L. B. Hayden & N. P. Young trustees for Thomas & Adams, taking receipts for such payments, and return the same with his report of his proceedings under this decree.

A Copy
Teste
Wm H. Hart, D.C. for
N. P. Young, Clk.

July 2nd 1878 Received

August 28 1878 Received of L B Edmonds Sixty Seven Dollars & Forty Seven Cents, in payment of three first Bonds, being rent for 1874, 1875 & 1876

C. B. Hyde Atty for Trustees

Feby 12th 1879 Received of L B Edmonds Thirty Four Dollars in full of rent for 1877 & part of 1878

C B Hyde Atty for Trustees

Sept 19 1888 Received of L B Edmonds Nine Dollars & Twenty Six Cents in full of balance of rent for 1878

C B Hyde Atty for

Pleas & Answers
Dec 3 Case Abeg. Copy &c.
Copies Service Nov 4 79

Ellis & Jennings

Isle of Wight Circuit Court. April 23d 1879.

James Thomas and John E. Adams late Partners &c. Pltfs

Against Judgment

Junius Ellis et als Defts.

This cause this day came on to be again heard on the papers formerly read, and was argued, on consideration whereof the court doth adjudge order and decree that the clerk of this court deliver to L. B. Edwards Sheriff of this county on his giving his receipt therefor the four Bonds of Junius Ellis and James J. Slaughter for $21.45 each, payable respectively on the 1st day of January 1875, 1876, 1877, & 1878 returned with his former report of renting herein, which Bonds he is hereby authorized and required to collect, and the proceeds thereof, after paying thereout the unpaid costs of this suit, pay to R. B. Thomas, L. B. Hoyan and N. F. Young Trustees for Thomas and Adams, taking receipts for such payments and return the same with his report of his proceedings under this decree.

A Copy Teste.

W. A. Edwards D.C. for
N. F. Young Clk

Thomas Adams
vs.
Ellis &
1872
Aug ch Decree
To be entered.
G R Atkinson

Entered

Thomas, Adams &c for &c

vs.

Ellis, &al.

This cause came on this day to be heard on the Bill of the Complainants Taken for confessed as to the defendants, on which process had been duly executed they having failed to make defence, on the exhibit filed with the said Bill and was argued by Counsel. On consideration whereof the Court doth adjudge, order & decree that a Commissioner of this Court, Take the following accounts - 1st an account of all just grants against said James Ellis & R. H. Holleman, and their priorities.

2d. An account of the fee simple and annual value of the Lands of said James Ellis & R. H. Holleman, and make report to Court.

And the Court doth adjudge order & decree that Richd H. Randolph, Isaac A. Jones, Jas. F. Gordon & Jno. D. Hall (any three of whom may act) proceed to divide the Lands of which Jas. Davis died seized & possessed, and allot one half in value to said James Ellis & one fourth to R. H. Holleman and Virginia his wife and one fourth to Wm Oliver & Sarah his wife, and make report to Court, which Land of said James Davis is described as a tract of Land in Isle of Wight County containing 109 acres more or less.

James Davis died seized and possessed, and assign one half in value to said Francis Ellis, & one fourth to R. H. Holleman and Virginia his wife, and one fourth to Wm Thomas & Sarah his wife, and make report to Court, which land of said James Davis is described as a tract of land in Isle of Wight County containing 109 acres, more or less.

A Copy Teste

W. H. Hart, D. C.

Thomas & Adams

A Copy of Subpoena
Aug. 15, 1872.

Ellis et al
vs.
Holleman et al

Aug. 15, 1872 - Boston
Sept. 12 - & Sept. 1872

In Isle of Wight County Court, August 7th 1872,

James Thomas, John E. Adams & George C. Atkinson late merchants & partners under the style of Thomas Adams & Co. who sue for the benefit of James Thomas and John E. Adams, partners under the style of Thomas & Adams, suing on their own behalf and that of all other creditors having judgement liens on the Real Estate of said Jennings Ellis and Robert H. Hallenman,

Pltffs.

vs.

Jennings Ellis, his wife, and William Downes and Sarah his wife,

In Chancery

R. H. Hallenman and Virginia

Defts.

This Cause came on this day to be heard on the Bill of the Complainants, taken for confessed as to the defendants, on whom process was duly executed, and they having failed to make defence, & on the Exhibits filed with the said Bill, and was argued by Counsel: On consideration whereof the Court doth adjudge, order & decree that a Commissioner of this Court, take the following Accounts,

1st An Account of all Judgements against said Jennings Ellis and R. H. Hallenman, & their priorities,

2nd An Account of the fee simple and annual value of the lands of said Jennings Ellis & R. H. Hallenman, and make report to Court.

And the Court doth adjudge, order, & decree that Richd. H. Randolph, Isaac N. Jones, James T. Goodson and John H. Scott (any three of whom may act) proceed to divide the lands of which

& north a right of way to shoot of the
leave for sale for 20 days from the end of
any year & pay the rent of that year
& damages to the resident of submenter

Robert H Holleman being through said term —
leasing
Ordered The same on a credit of 1. 2. 3. 4. & 5 years
from the 1st of Jany 1873 in five equal payments
payable annually in the 1st of Jany 1874, 1875, 1876,
1877 & 1878 & 1879, with interest from the end of
each year except so much for cash as will
pay the costs of suit of said, leasing, for the
credit portion of said lease the said Sheriff
shall take bonds with sufficient security
payable to himself as Sheriff conformably
with the decree aforesaid, which bonds
a lease he shall return to court with his
report of his proceedings under this decree,
That a copy of this decree be served on said Junius
Ellis & R H Holleman —

Robert Adams
Feb Term 1873
16th entered

J H Holleman
vs
Ellis &c —

Thomas Adams &
vs
Ellis & Holleman &.

This cause this day came on to be again heard on the papers formerly read on the Report of Commissioner Young, & the Report of R H Randolph, J N Jones & Thos F Scott under the decree herein of May Term 1873, & was argued by counsel on consideration whereof & confirming said report to which no exceptions were filed the Court doth & doth adjudge that unless within 30 days from the date of this decree the defendants Ellis & Robt H Holleman & some one for them pay the Plaintiffs demand of $100.63 with interest on $70.03 part thereof from Sept 2nd 1872 & the costs of this suit, that the Sheriff of this County at the Court House door of this County on some Court day, after having advertised the same at the C H door of this County on some previous Court day & at other public places in the County at least 20 days prior to said leasing for five years the tracts of land in said Report mentioned allotted to Dennis Ellis & Virginia Holleman wife of said Robert H Holleman provided he can obtain for such term an amount equal at least to the debt & costs aforesaid & the costs of said leasing the rent of the tract assigned Virginia Holleman subject to the contingency of her husband the said

Thomas J. Adams

v.

Ellis

Rough Notes

May Term 1874

To be entered

Geo. Nelson

Entered

No. 51.

Thomas J Adams
V
Ellis et als

This cause this day came on to be again heard on the papers formerly read and on the report of L B Edwards deputy for A J Chapman Clerk under the order herein of February 1873# and was argued by counsel on consideration whereof the court confirming said report to which no exceptions were filed doth adjudge order & decree that the Clerk of this Court deliver to L B Edwards on his filing his receipt therefor the bond of Julius Ellis & James A Springfield for $2121— payable on the 1st day January 1874 which bond the said L B Edwards is hereby authorized & required to collect & the proceeds thereof after paying thereout the unpaid costs of this suit pay to the said R S Thomas L B Hayden & N P Young trustees of Thomas J Adams taking the receipt therefor return the same to court with his report of his proceedings under this decree

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and on the petition of R S Thomas L B Hayden & N P Young trustees for said Thomas J Adams in whose motion it is ordered that this suit proceed in their names as such trustees

Thomas J. Adams

To

Ellis A.

Knightstown
Oct. 1st 1874
Examination

Geo. Ellis

Entered
5-5-

Thomas J Adams

vs

Ellis &c.

This cause this day coming on to be heard upon the petition of Thomas J Adams, the complainant herein, the Court doth adjudge and decree that the sale of this cause, made by E D Adams Sheriff of this county to Thomas J Adams Ellis & James C Thompson for $21.00 payable on the 1st day of January 1875, be and the same is hereby confirmed, and the said Sheriff is hereby authorized & required to collect the bonds therefor, and upon collecting the same to execute to the said purchasers a deed to the property sold, that is to say to Thomas J Adams & W. F. Young & to Thomas J Adams taking the necessary bonds for payment & return the same with his report to Court of his proceedings under this decree

Thomas & Adams
vs
Ellis & al

Rough Decree
April Term 1877
To be entered
Geo. I Bloss.

Entered 39.

Thomas & Adams
vs
Ellis et als

This cause this day came on to be again heard on the papers formerly read, and was argued by Counsel, on Consideration whereof the Court doth adjudge, order and decree that the Clerk of this Court deliver to L B. Edwards, Sheriff of this County, on his filing his receipt therefor the four bonds of Junius Ellis and James J. Stringfield for $1.01 each, payable respectively on the first day of January, 1875, 1876, 1877 and 1878 returned with his former report of renting herein which bonds he is hereby authorized and required to collect and the proceeds thereof, after paying thereout, the unpaid costs of this suit, pay to R B. Thomas, L B. Hayden and N P. Young, trustees for Thomas & Adams, taking receipts for such payments, and return the same with his report of his proceedings under this decree.

67.47
34.00
9.26
$110.73

Thomas A Adams

v Secrest

Ellis

April Term 1883

To be entered

Geo. Blow.

Entered 3.

Thomas J Adams

v.

Ellis.

This cause came on this day to be again heard on the papers formerly read and on the report of L. B. Edwards Sheriff &c under the decree herein of April Term 1874 & 2 the October Term 1877 filed herein on the 20th of September 1881 to which report no exceptions are filed and was argued by Counsel: On consideration whereof the Court confirming the said report ~~which index~~ and ascertaining from it & the other papers in this cause that the object of this suit has been attained, doth adjudge order & decree that nothing further remaining to be done herein, it be removed from the docket.

Wils— for
Thomas Adams & Co
vs. { Copy of
Judgmt,

Ellis et al—

Exhibit
A

Fee, 30 ¢.

In Isle of Wight County Court, Mar. 4th 1868

Samuel Wilson who sues for the benefit of James Thomas, John E. Adams & Geo. C. Atkinson partners under the firm & style of Thomas Adams & Co. Pltffs

against } In Debt
Junius Ellis, & Robt. H. Holleman co-obligors of James Outland & Defts,

The Judgment obtained at rules not having been set aside, & the plaintiff being now entitled to a final Judgment, it is considered that the plaintiff recover against the defendant the sum of Seventy dollars and three cents, with interest thereon from the 12th of April 1867. till paid and his Costs in this behalf expended

Costs $7.84

A Copy
Teste
C. C. Hunt, D.C.

abated

James Davis'

Will

Copy.

Fee .30¢

Know all men by these presents. That I James Davis of the State of Virginia and County of Isle of wight, do this day make this my last will & Testament, after paying my just Debts. I give & bequeath unto Jennins Ellis one half of my Estate and his heirs forever, and the other half to my wife Sarah her life, and at her death to her Daughter Virginia Holleman and Sarah Edwards and their heirs forever. But I desire that my Estate Stand undivided until the death of my wife. I also give and bequeath to Jennins Ellis and heirs forever one double Gun, I desire Mr. Henry T. Brock to be my Executor, whereunto I fix my hand and seal this 19th day of December Eighteen Hundred & fifty Seven (1857)

James his X mark Davis (Seal)

Teste
Jennins Wills
" James X Outland

In Isle of wight County Court August 2nd 1858. The last will & Testament of James Davis decd was proved by the oaths of Jennins Wills and James Outland the subscribing witnesses thereto, and ordered to be recorded, Henry T. Brock the Executor therein named refused to qualify —.

Teste. N. P. Young clk.

A Copy
Teste
C. A. Hart, D. C. for
N. P. Young clk

Thomas K Adams

vs.

Comm. Notice

Ellis Lob.

Dec 12 th. Sept. 1892.

Executed by delivering
a true copy of this notice
to each party.

E. J. Schmidlapp

6

Commissioner's Office,

ISLE OF WIGHT COURTHOUSE:

Augst 15th 1872

To Junius Ellis, Robert H. Holleman & Virginia his wife, and Wm Simmons and Sarah his wife Defts.

Plaintiffs,

And

To Jas. Thomas & John E. Adams Partners under the style of Thomas & Adams, suing for themselves, all other Creditors having judgments vs. said Ellis & Holleman Defts.

Defendants?

You are hereby Notified, That I have fixed upon the 12th day of September next. if fair, if not, the next fair day thereafter, (Sunday excepted), to take and settle, at my office aforesaid, the following accounts:

1st. An account of all judgments against said Junius Ellis and Ro. H. Holleman & their securities.

2nd. An account of the fee simple & annual value of the lands of said Junius Ellis and Robert H. Holleman.

Required to be taken by decree of Isle of Wight County Court, rendered on the 7th day of August, 1872, in a suit in chancery depending in the 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 of the said Court, the day and year first aforesaid.

M. P. Young Commissioner.