

1884-020 Chancery Causes: Nora M. Hollenman, admx of Son A.W. Pinner vs John C. Griffin &

Isle of Wight County

Rebecca E. Griffin & al

other surnames: Duck

For a lb. Holloman ~~vs~~
admiral of Pinner
vs } In Chancery
Jno. C. Griffin et al

Bill of Complaint

March Rules, 1882.
Bill & expts. filed, sen.
exd. & de em nisi on
adult. def. - Edm. addition
app. to infans. & then aud.
filed.

Apr. Res. 1882. Bill
taken for confs. as to the
adult def. & set for hearings

Apr. Term 1884.
Jury for Depts. to pass
to Piff. certain aud. -
N. C. Boykin spec. comm. to
make and ret.

Oct. 24. 1884
Final decree.

(2).

and John S. Ballman, the cost thereof which are infants under the age of 21 years, may be made parties defendant to this bill and required to answer the same on oath. And may a subpoena go - that a guardian ad litem be appointed to defend said infants in this suit and that said Rebecca E. Griffin and John C. Griffin be decreed to pay and satisfy said note in said deed mentioned in a short day to be fixed by this honorable Court, with all accrued interest at the rate of six percent per annum and all costs of this suit. And in default thereof that the said Mrs. E. Griffin and Rebecca E. Griffin and all persons claiming under them may be absolutely barred and foreclosed of and from all equity of redemption or claim in and to the said mortgaged property and every part thereof and may deliver over to the plaintiff all said said person

all property deeds and documents
whatsoever in their possession and
by or power relating to or con-
cerning the said property and
every part thereof.

May it please your Honor
to grant unto the Plaintiff
a writ of subpoena to be direct-
ed &c. command said defendants
and each of them at a cer-
tain time and under a certain
penalty therein to be limited per-
sonally to appear before this hono-
rable Court and then and there
full truly, direct and perfect
answer make to all and singular
the premises and further to stand
to perform and abide such
further order direction and
decree therein as to this hono-
rable Court shall seem meet
and as shall seem agreeable
to equity and good conscience
And your Complainant prays
for such other & further general
relief as shall seem meet
in equity and may your
Complainant will ever pray-

V. S. Holland
Esq.

bread as proof the
will

I said Lou. & W. R. never estate -
a copy of which said order is with filed marked X and asked
that a part of said property in-
cluded in said deed is person
all property consisting of hogs cattle &
which is perishable in its nature,
and hence subject at any time
in said defendant's possession
to become worthless - And your
Complainant owns that said prop-
erty is but a scant security for
said indebtedness at best -

All which actings, doings and
putences of said defendant are
contrary to equity and good conscience
and tend to the manifest wrong
and injury of your plaintiff
and of the estate of which she
is the representative as of said J. In
tender consideration whereof, and for as
much as your complainant is
remediless in the premises at and
by the strict rules and is relievable
only in a court of equity where such
matters are properly cognizable
your complainant prays that
said Mrs. E. Griffin and Rebecca
E. Griffin and Jos. B. Duck, Eddie
S. Holloman, Edna R. Holloman

other person has as yet paid the
said sum of \$419 nor any part
thereof and is still owing and due
to the estate of said Lou. F. W.
Rinner Decd. together with a large
sum of interest thereon accrued,
And your complainant has requ-
ested said defendants to peace-
ably deliver up possession of
said premises and other property in-
cluded in said deed, together
with all deeds writings evidences &c.
relating to or concerning the same,
and to release all their right,
title and equity of redemption of, in
and to the said premises to the heirs and
personal representatives of said Lou. F.
W. Rinner.

That said Lou. F. W. Rinner de-
parted this life in the month of
September in the year 1881 leaving
your complainant, Edna S. Halle-
man, Edna R. Hallman, and
John S. Hallman infants under 21 years
old her heirs at law - That
at the October term of the County
Court of Lee of Wright County your
complainant qualified as admin-
strator.

and Jos. H. Buck did make and
execute a deed bearing date
on the 20th day of August, 1881 &c,
to said Lou. H. W. Rimmer, deed, to her,
and her heirs forever which will more
fully appear by reference to said deed
which is herewith filed marked "4"
And asked to be read as a part
of this bill, that in said deed
it is provided that if said loan
of \$417 for which a note was made, should
be fully paid off on or before the
1st day of January 1882 then the
said Lou. H. W. Rimmer promised
and covenanted that she would
execute and deliver a deed convey-
ing said property to said Rebecca
E. Griffin as will more fully appear by
reference to said deed - that
this time has long since past and
your complainant being very desir-
ous of money to pay off the indebted-
ness of said estate of Lou. H. W. Rimmer
of which she is the administratrix, has
called on said defendants time
and again, requesting them to
pay the said loan of \$417 - but
still the said defendants nor any

To the Honorable George Blow
Judge of the Circuit Court of Isle of
Wight County:

Your Complainant, Nora M. Holle-
man, Adm^x of Low. A. Pinner deceased.
of the County of Isle of Wight humbly
Complaining, doth represent to your
Honor:

That Rebecca E. Griffin through
Jno. E. Griffin two of the Defendants here
inafter named, representing to said
Low. A. P. Pinner in her life time and
only a short time prior to her death
that she desired to secure a loan of
four hundred and seventeen dollars (\$417)
and that she and her husband could
secure said loan by a mortgage,
And she the said Rebecca E. Griffin
further represented that said loan
if secured would be used to
raise a certain existing mortgage
already made to Jos. H. Buck of
this County - that said Low A. P.
Pinner your Complainant's mother
did comply with said request by
loaning to said Defendants the
sum of \$417 ofresaid - that That
said Jno. E. Griffin, Rebecca E. Griffin

A. M. Hallman adm^r

20 } In ch on con

Jos. O. Griffin et al

after Answer

The disclaimer of Jos. H. Buck
and the joint and separate answer of
John C. Griffin and Mrs Rebecca E. Griffin
wife of said John C. Griffin to a bill
in chancery exhibited in the Circuit
Court of Isle of Wight County against
themselves, a debt deft, and others
by Nora M. Tallemant widow of Lou-
is W. Pinman dec'd.

The said Jos. H. Buck disclaims
all right title and interest both legal
and equitable in any of the said
matters; and I say if I had been ap-
plied to by said plaintiff before the
filing of said bill I should have
disclaimed all right title and
interest and I submit the bill
ought to be dismissed as to me
with costs.

Your respondents John C. Griffin
and said Rebecca E. Griffin reserving
to themselves all just exceptions to
said bill for answer thereto or to
so much thereof as they are advised
it is material they should answer
knowing and saying true it is that
the said sum of money named in
said bill was loaned by said Lou

A. W. Kinross and secured by a mortgage
as alleged in said bill - that this
sum of money is evidenced by a
note and ^{has not} been paid and
still remains wholly unpaid as alleged
in said bill but your respondent
avows that they are providing and
coming for said personal property -

and that your respondents will
pay the said sum of money to
said plaintiff when by a decree
of this honorable court the said
Rebecca E. Griffin may regain
an interest in and to said
property -

Having fully answered said re-
spondents pray to be hence dismissed
with their costs in this behalf ex-
pended and they will ever
pray &c -

Jos H Duck
J. E. Griffin
Rebecca E. Griffin,

Virginia

County of Isle of Wight, to wit:
I, W. S. Ball and a Notary Public
in and for the said county and state
do Certify that Jos. H. Duck whose

name is signed to his disclaimer
^{above} and made to the correctness of the
statements therein contained. I
further certify that J. C. Griffin
and Rebecca E. Griffin who names
are signed to the above answer per-
sonally come before me in my
county and state aforesaid and
made oath to the ~~correctness~~ ^{truth} of
the statements therein contained
Given under my hand this
20th day of April 1882

W. S. Halland

J. P.

Quercus adnux.
-vs. $\frac{3}{3}$ In clu:
Griffin et al.

Infts. acuum

The joint and separate answers of
Edolie S. Edna R. and John S. Hulse
an infants under the age of 21 years old
by N. P. Young their guardian ad
litem to a bill in Chancery exhibit-
ed against them and others in the
Circuit Court for Sale of Wright
County Nova Sc. Hulseman adm
of Lon. & W. Rimmer decd.

Your respondents answering to their
several all just exceptions to said
bill and for answer thereto or to
so much thereof they are advised
it material they should answer
by their guardian ad litem answer
and say =

Your respondents are infants of tender
years and therefore unable and incom-
petent to take care of or to protect
their interests in this suit, and hence
they commend themselves, their interests
and their right to the protection of the
Court, and they pray that no decree
may be entered tending to their
prejudice.

And having fully answered they pray to
be hence dismissed with their
reasonable cost in this behalf expended -

N. P. Young - Guardian

Low H. W. Pinner adm.

3 Sand. to
vs. 3 ans. Bill
in clay.

Mr. C. Griffin clod.

To March reels 1882

W. H. Holland says
Executed by Adjoining to
the within named Mr. C.
Griffin & Rebecca C. his
wife and Joseph H. Dush
Be in a true copy of the
within document March
3rd 1882

A. B. Edwards Deft

For L. B. Edwards Deft

L. B. Edwards Deft

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ISLE OF WIGHT COUNTY--GREETING:

You are hereby commanded to summon *John C. Griffin & Rebecca*
E. his wife; Joseph H. Duck, & Eddie S. Hollenman,
Edua R. Hollenman and John S. Hollenman
the last three being infants under 21 years old

if *they* be found within your bailiwick, to appear at the Clerk's Office
of our Circuit Court, for our said County of Isle of Wight, at the Rules to be
holden for the said Court, on the first Monday in *March* next, to
answer *the Bill in chancery of* *John W. Hollenman*
of Lou A. W. Hollenman and *in her own*
right.

And have then and there this writ. Witness, **NATHANIEL P. YOUNG**, Clerk of our
said Court, at the office aforesaid, this *2^d* day of *February* 188*7*,
in the *106th* year of our foundation.

N. P. Young Clerk.

Holloman adur de

in they

Griffin et al

Report of Court
Dorchester.

Oct 21st 1884
Returned filed &
Confirmed.

With said defendants Rebecca C. Griffin,
all of which is respectfully submitted,
R. B. Griffin
Special Counsel

Holloman's admr
P } In chcy
Griffin et als

The undersigned R. E. Roy-
ner Special Commissioner under
the annexed decree therein of April
term 1884, reports to court, that
the said decree was directed, upon
the payment by John L. Griffin
and Rebecca E. Griffin to R. A. Ed-
wards admr de bonis non of E. A. W.
Pinner decd or his atty of the sum of
\$417⁰⁰ with interest thereon from
the 1st day of Jan'y 1882, with the
costs of this suit, to reconvey the
mortgaged property in the Bill
and proceedings of this suit mentioned
to the said Rebecca E. Griffin, that
on the day of 1884, the
said John L. Griffin and Rebecca E.
Griffin paid to R. E. Royner atty
for the said R. A. Edwards admr de
bonis non of the said E. A. W. Pinner
the sum of \$417⁰⁰ with interest from
Jan'y 1st 882, ^{with the costs of this suit.} and thereupon your
commissioner in obedience to said
decree reconveyed the mortgaged
property in the Bill mentioned

Quiero Adm.

20. 3 de Aug.

Groffers &c.

Co. de. of Sept. 1884.
for payment to and
unless payment is
made, for sale to

For sale

Boyle's

The said Commissioner shall not make sale
of said property until he shall have executed
a bond in the Clerk's office of this Court, with
good security in the penalty of \$1000. ⁵⁰ con-
ditioned for the faithful performance of his
duties under this or any future decree herein.
And the said Commissioner shall make report
to Court of his proceedings under this decree.
A copy.

Testo, J. P. Grogan Ck.

E. Griffin or some one for them
do within ninety days from the
date of this decree, pay the said
sum of money, with interest and
costs as aforesaid to the said R.
A. Edwards administrator de bonis
non of the said S. A. W. Purser or his attor-
ney, then that R. C. Boykin who is hereby
appointed a Commissioner for that purpose,
after having advertised the time place & terms
of sale for thirty days by hand bills posted
at the front door of the Court house on
some Court day, prior to the day of sale
& at three or more public places in said
County, shall expose to sale at public
auction at Isle of Night Court house on
some Court day the real & personal
estate in the bill & proceedings of this
suit mentioned upon the following
terms - to-wit - for cash as to so much
of the proceeds necessary to pay the
costs of suit & sale and the balance
upon a credit of six, twelve & eighteen
months in equal payments, starting
from the purchaser bond with good
security, with the waiver of the Homestead
with interest from date and retaining
title until the further order of this Court, But

on consideration whereof the Court doth
adjudge order & decree that the de-
fendants John C. Griffin and
Rebecca C. Griffin do within ninety
days from the date of this decree
pay to the said R. A. Edwards ad-
ministrator de bonis non of L. A. W.
Purvis or his attorney the sum of
\$417.⁰⁰ with interest thereon from the
first day of Jan'y. 1882 with the costs
of this suit, and it is further ordered
that if the said defendants or some
one for them, within the period afo-
resaid pay to the said R. A. Edwards
administrator de bonis non of the
said L. A. W. Purvis the said sum
of money with interests and costs
as aforesaid, that then R. C. Boykin
who is hereby appointed a commissioner
for that purpose do receive the
mortgaged property in the bill and
proceedings of this suit mentioned
to the said defendant Rebecca C.
Griffin with special Warranty. And
the Court doth further adjudge order
and decree that unless the defend-
ants John C. Griffin and Rebecca

In the Circuit Court of Isle of Wright
County the 2nd day of April 1887
L. A. W. Pinner adm^r. Plff

vs.

Griffin J. C. others Defes

This cause in which it is suggested
that since the last decree herein
L. B. Edwards administrator de bonis
non of the said L. A. W. Pinner has
departed this life and that the estate
of the said L. A. W. Pinner has been
committed to R. A. Edwards the Sheriff
of the County of Isle of Wright for admin-
istration de bonis non, it is ordered
that this suit be carried in the name
of R. A. Edwards administrator de
bonis non of L. A. W. Pinner and be
proceeded with in his name as
party plaintiff, came on this day to
be heard by consent of the said R. A.
Edwards, administrator de bonis non
of L. A. W. Pinner on the plaintiffs bill
The disclaimer of J. A. Shuck the answer
of the adult defendants John C. Griffin
and Rebecca C. Griffin, and the answer
of the infant defendants by guardian
ad litem, with general replication
thereto and was argued by consent.

order appended

All Rules to be held in the Clerk's
office of the Circuit Court for
Jesse of Wright County on the 6th
day of March in the year
1882 -

For a W. Kallomonan M^{rs} W. R^{ty}.

vs $\frac{1}{3}$ In Chancery
Mrs. C. Griffin Rebecca E. Griffin
Jno. H. Buck, Ed die J. Kallom
an, Edna R. Kallomon and John
S. Kallomon the Cost three of
which are infants under the
age of 21 years old -

In motion of the Plaintiff by
Counsel N. P. Young is assigned
guardian to defend said
infants in this suit -

Griffin shall within sixty days pay
to said plaintiff or her attorney
the said principal, interest and
costs as aforesaid then W. S. Holland
who is hereby appointed a comr,
for that purpose shall make a
good and sufficient deed to
said Rebecca E. Griffin and her
heirs forever conveying with spe-
cial warranty all the property in
said deed mentioned and
report to court.

Holloman adm of this
203 on chancery
Griffin et al vs

decreed

To be entered

N. M. Solomon adm^r of L. F. W. Rimmer det-

vs

Rebecca E. Griffin et. al.

This cause came this day to hand on the bill taken for confirmed as to the adult defendants, answer of infant defendants by W. P. Young their guardian ad litem and the answer of Adult defts. filed by leave of court, a general replication thereto and was argued by Council; on consideration whereof the Court doth order and judge and decree that unless the said Rebecca E. Griffin pay the said sum of four hundred and seventy dollars admitted to be due and unpaid, all interest on the same till paid and the costs of this suit within sixty days from the date of this order the said defendants shall be forever barred of right title, interest, or equity of redemption in and to said property and shall ^{surrender} ~~relinquish~~ all deeds, papers & writing pertaining to said property to said plaintiff, but if the said Rebecca E.

conditions for the faithful performance of his duty under this or any future decree herein, and the said Commissioner shall make report to Court of his proceedings under this decree.

Wardman and
" } Duchey

Superior

Robert H. Moore
April Term 1884
Do be entered

George W. Lewis

Entered #32

appoints a commissioner for that
purpose, after having advertised
the time place and terms of sale,
for thirty days, by hand bills posted
at the front door of the courthouse
on some court day prior to the day
of sale and at three or more public
places in said county, shall expose
said at public auction at free of
right courthouse on some court
day, the real and personal estate
in the bill and proceedings of this
suit mentioned, upon the following
terms, to wit, for cash as so much
of the proceeds, necessary to pay the
costs of suit and sale and the
balance upon a credit of six, twelve
and eighteen months in equal pay-
ments, taking from the purchaser
bond with good security, with the
principal of the homestead, with inter-
est from date and retaining title
until the further order of this court.
But the said Commissioner shall
not make sale of said property, until
he shall have procured a bond in
the clerk's office of this court, with good
security in the penalty of \$1000⁰⁰

Edwards admr & En of L M Pinner
^{or his atty} the sum of \$417.⁰⁰ with interest thereon
from the first day of Jan^y 1882, with
the costs of this suit, and it is further
ordered, that if the said defendants
or some one for them, within the
period aforesaid pay to the said R A
Edwards admr & En of the said L M
Pinner, the said sum of money with
interest and costs as aforesaid, that
then R B Boykin who is hereby ap-
pointed a commissioner for that
purpose, do receive the mortgage
property in the title and proceedings
of this suit mentioned in the said
defendant Rebecca E Griffin with
special warranty.

And the court doth further advise
order and decree that unless the
defendants John E Griffin and
Rebecca E Griffin or some one for
them, do within ninety days from
the date of this decree, pay the said
sum of money, with interest and
costs as aforesaid to the said R A
Edwards admr & En of the
said L M Pinner, or his atty, then
that R B Boykin who is hereby

Holloman comes
w. 1/2 in clay
Griffin et al

W. J. In charge

Griffin et al

This cause, in much it is suggested that since the last decree herein J^rs Edwards adm^r^{d. b. n.} of the said L^t W^m Primmer has departed this life and ~~that~~ the the estate of the said L^t W^m Primmer has been committed ^{to R. A. Edwards} to the sheriff of the county of Isle of Wight for administration ad bonis non, it is ordered that this suit be revived in the name of R. A. Edwards adm^r de bonis non of L^t W^m Primmer and he proceed with in his name as ^{the executor of the said R. A. Edwards adm^r de bonis non of L^t W^m Primmer} plaintiff. Came on this day to be heard on the plaintiffs bill, the disclaimer of D^r Duck, the answers of the adult defendants John le Griffin and Rebecca E. Griffin and the answers of two infant defendants by guardian ad litem, with general replication thereto, and was argued by counsel on consideration, on consideration whereof the court doth adjudge order and decree that the defendants John le Griffin and Rebecca E. Griffin, do within ninety days from the date of this decree pay to the said R. A.

Halloman admr

} In Chcy

Giffins et al

Rough sketch
Oct Gen 1884

Do the intended.

Encl. Chcy
Geo. Bevis,

Intend Geo H

Holloman admr

2 } In the Circuit Court of So. D. Co
Griffin et als.

This cause came on
this day to be again heard on the
papers formerly read and on the
report therein of Comr Boykin this
day filed by leave of court and
was argued by counsel, on consid-
eration whereof the court confirming
said report, doth in and to which
have been filed, doth adjudge order
and decree that John Griffin
and Rebecca Le Griffin pay the
unpaid costs of this suit; and
nothing further remaining to be
done therein, it is ordered that
this suit be dismissed from the
docket.

Mrs. L. A. W. Dinner
 Lu { and B & C.
 J. H. Mack et al.

Don. A. D. F. L. L. L. L.

Sept. 22 - 1881 - body

W. L. K. ad. on Sept. 11.

11

Received of D. L. Davis
Nov. 4th 1874

Appl. to Jas. C. Southern
for assignment to W. S. Adams

In the clerk's office of the county court of
Isle of Wight county, the 1st day of Sept.
1881. This deed from Jos. H. Duck et als. to
Son A. W. Dummer was received & admitted to
record upon the certificate & return of
W. S. Holland a Notary Public.

Beste, sehr herzlich

Virginia

County of Isle of Wight, to-wit:

I W.S. Haeccand a Notary Public in and for the County and State aforesaid do certify ^{that} of self H. Duck and J.C. Griffin whose names are signed to the writing above bearing date on the 20th day of August in the year 1881 personally appeared before me in my County and State aforesaid and acknowledged the said writing;

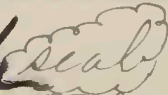
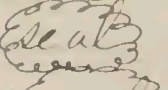
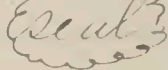
I further certify that Rebecca Griffin wife of said J.C. Griffin whose names are signed to said writing personally came before me, and having the writing aforesaid fully explained to her and being examined by me privily and apart from her said husband she the said Rebecca Griffin acknowledged the said writing to be her act, and declared that she had willingly executed the same and that she does not wish to retract it. Given under my hand this 24th day of August 1881.

W.S. Haeccand N.P.

Doughtrey, & others on which there
is a deed of trust to Thomas J.
Marshall trustee to secure the pay-
ment of a certain sum of money
to John Jenkins.

Whereas the said Jas. C. Griffin and
Rebecca E. Griffin have this day
executed their note for four hun-
dred and seventeen dollars payable
on the 1st day of January 1882,
the said Lou A. W. Pinner hereby
covenants & agrees that if the said
note is fully paid off on or before
the date last aforesaid, that she
will execute a deed for the prop-
erty aforesaid to said Rebecca E.
Griffin. These presents are intended
by the parties to be an absolute
sale of the aforesaid property &
not a mere lien and the parties
hereby waive all right to the Home-
stead exemption as this note &
claim.

Witness the following signatures &
seals this second day of August 1881.

Loos & Leach 
J. C. Griffin 
Rebecca E. Griffin 

Loos & Leach

This indenture made & entered into this 2nd day of August in the year 1881 between Jos. H. Duck & Geo. C. Griffin & Rebecca E. Griffin of the County of Isle of Wight & State of Virginia parties of the first part & Mrs. Lou A. W. Pinner party of the second part Witnesseth that for & in consideration of four hundred dollars cash in hand paid the receipt whereof is hereby acknowledged the said parties of the first part do grant bargain, sell & confirm unto the said party of the second part without any reserve & with general warranty the following property to wit: All the property right & title sold or conveyed by Geo. C. Griffin to Jos. H. Duck by deed or paper duly recorded in the clerk's office of Isle of Wight County bearing date on the 28th day of May 1881 in Book No. 46 & the tract or parcel of land on which the said Geo. C. Griffin now resides lying & being in the County & State aforesaid bounded by the lands of Josiah Britt, Geo. J.