1895-019 Chancery Causes - Amanda Holland, Henry Holland v d vs Linnias E White v d
Isle of Wight County

other SURNames: Spellman, Scott, Pope, Williams

Know All Men by These Presents:

That we, William S. Holland, Lewis E. White and Wm H. White sureties

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of Five Hundred ——— DOLLARS, to the payment whereof well and truly to be made to the said Commonwealth, we bind ourselves, and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this 5th day of Dec., in the year one thousand eight hundred and eighty-seven and in the 112th year of the Commonwealth.

The Condition of the Above Obligation is Such, that if the above bound William S. Holland, who, by decree of the Circuit Court of Isle of Wight County, rendered on the 22nd day of Oct. 1887, in the suit of Henry Holland wife & others vs. L. E. White & others, was appointed Commissioner to sell the land in the Bill and proceedings mentioned.

under said decree or any subsequent decree therein shall faithfully discharge the duties of said office or trust then the above obligation to be void, or else to remain in full force and virtue. We hereby waive the Homestead Exemption as to this obligation, and we also waive any right, claim or privilege to discharge any liability arising under said bond, or by virtue of said office or trust, in any currency, funds, counter-claims, or offsets other than legal tender currency of the United States.

W. S. Holland SEAL
L. E. White SEAL
Wm H. White SEAL
SEAL
SEAL

County Circuit Court Clerk's Office

In Isle of Wight ~~County Court~~, Dec. 5th 1887:

This bond was executed and acknowledged in said Office ~~open Court~~ by the obligor to the same, and ~~ordered~~ admitted to ~~be~~ recorded. the sureties having justified

Teste. G. M. Cook D.C. — Clerk.

Teste G. M. Cook D.C.

for A. P. Young Clerk

Hallam Twp &c

v. { Inchy Comm. Bond under decree Octo. term 1887.

Wm L. E. Eales

A Copy

11

Commissioner's Office,

Isle of Wight Courthouse, July 15th 1887.

To Amanda Holland & Henry Holland her husband; Margaret Sullivan & Braddock her husband; Jno. Scott, Geo. F. Scott, Elizabeth White & Wm White her husband; Mary V. Pope & Mary A. Pope her husband, Plaintiffs,

And to L. E. White, and R. P. Young g'd. & Ltm of James R, Edwin W, S. E, and Jno. William White infants

Defendants:

You are Hereby Notified that I have fixed upon the 19th day of August next, if fair, if not, the next fair day thereafter (Sunday excepted), to take and settle, at my office, aforesaid, the following accounts: 1st Of any liens on the tract land in the Bill and proceedings mentioned, or on any share of any one of the parties in said land. 2d, Ascertain whether the said land is susceptible of partition in kind to each of the heirs at law of Sally Scott dec'd: and if not, whether one or more of the parties will take said land, and pay therefor to the other parties, a reasonable price for their shares; and if not, ascertain whether a sale of said land and division of the proceeds would be to the interest of the parties; And an account of the annual & fee simple value of said land.

Required to be taken by decree of Isle of Wight Circuit Court, rendered on the 21st day of April, 1887, 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.

R. P. Young Commissioner

Legal service of the within notice is accepted, waiving formal service & looking &c.

W. S. Holland
for all the parties

Holland Nancy etc
Exr.
vs.
Bishop
White & E. etals.

Caveat. Order.

Know all men that I
Henry Halcand of the County of Isle of
wight for and in consideration of one
hundred and seventy five dollars
doth grant unto S. Mitchell and
C. W. Steele partners in busines under
the name and style of Mitchell and
Steele the standing pine timber meas-
uring twelve inches in diameter on
the stumps, on the home side and
East side of the County road leading
from Smithfield to Suffolk of the
tract of land whereon said
Henry Halcand now resides in
the said County of Isle of wight in
the state of Virginia. The said
Mitchell & Steele to have the space
of year from the date hereof
to cut and carry away said
timber and no longer. The purchasers
to have the right to cut and open
all paths, roads, tramways and
bogie tracks needed to carry off
said timber but not to pass over
any enclosed land.

Witness the following
signatures and seals this 14th day of
Febrary 1889

Henry J. Halcand (Seal)

witness
W. S. Halcand

Henry Halleck

To

Mitchell & Steele

Sale of timber

State of Virginia:
In the Clerk's Office of Isle of Wight County Court
I, A. O. Young, Clerk of said Court, do
certify that there is Charged on the
Land Book of said County of Isle
of Wight, for the 3rd ^ 1886, to the Estate of
$100.00 — Sally S. Cain (col'd) 23 acres of land
near J. A. Edwards, valued at $69.00
$108.00 also 36 acres adjoining R. E. Price
valued at $108.00.
Given under my hand this 2nd
day of Sept. 1886.

Attest A. O. Young C.C.

Holland et. als.

vs

Mc Chaney

White et. als.

Exhibit - "A"

In the circuit court of Isle of Wight county
April term 1889.

Holland et als Pltfs

vs.

White et als Defts.

This cause came on this day on the report of W. S. Holland special commissioner, and on the papers formerly read, and was argued by counsel, on consideration whereof the court doth adjudge order and decree, that said report of Spl. Comr. W. S. Holland, to which no exceptions are filed, be and the same is hereby ratified and confirmed, & the court doth further adjudge order and decree, that W. S. Holland who is hereby appointed a special commissioner for that purpose, make and execute and deliver to Henry Holland, upon the receipt of the balance due by him on the part of the land in the bill and proceedings mentioned lying on the east side of the county road a good and sufficient deed with special warranty, conveying to him, the lands aforesaid, purchased by him at Isle of Wight C.H. on the second day of January 1888, and that said W. S. Holland pay out of said balance in his hands, first the unpaid cost of this suit, and the balance after

retaining the sum of $32.50 in hand subject to the further order of this court, to-wit as follows

1 Amanda Holland who was Scott one eighth (1/8)
2 Margaret Spellman's executor or personal representative " "
3 To John Scott " "
4 To Geo. T. Scott " "
5 " Mary V. Pope who was Scott " "
6 " Elizabeth White " " " " "
7 " the duly qualified guardian of J.D., Edwin H. and Deanna White, children Martha D. White and grand children of Sally Scott " "
8 To the duly qualified guardian of John William White sometime called John William, the only son & heir at law of Catharine White, and grand son of Sally Scott " "

If the said John William Scott sometimes called John William, is now, or shall arrive at the age of twenty one years before the payment of said money, then in that event, it shall be paid to him or to his order, and the said W.D. Holland report to court his doings under this decree.

And the court doth further adjudge order and decree, that that part of the decree herein entered at the October term 1888, of this

court directing a resale of the lands bid off by Henry Holland, be and the same is hereby reversed and annulled.

A copy

Teste, L. C. Young Clk

Addl. Costs to Appl. 1.89.

Clerk's fee of 7.25

Holland etal,

vs. Ely McClay,

White etal,

Copy Decree of
Appl. 1884,

Holland et; al.
vs
White et; al.

This cause coming on this day on the report of W.S. Holland Special Commissioner and on the papers formerly read and was argued by Counsel on consideration whereof the Court doth adjudge order and decree that said report of Spc. Comm. W.S. Holland to which no exceptions are filed be and the same is hereby ratified and confirmed; and the Court doth further adjudge order and decree that W.S. Holland who is hereby appointed a Special Commissioner for that purpose make and execute and deliver to Henry Holland, upon the receipt of the balance due by him on that part of the land in the bill and proceedings mentioned lying on the East side of the County road, a good and sufficient deed with special warranty conveying to him the lands aforesaid purchased by him at Isle of Wight C.H. on the second day of January 1888; and that said W.S. Holland pay out of the balance in his hands, first the unpaid costs of this suit and the balance after retaining the sum of $32 50/100

in hand subject to the further order of this
Court, pay ~~one eighth (1/8) thereof to~~ as
follows: to

1 Amanda Hall and who was Scott one eighth (1/8)
2 Margrett Spellmans Executor or " " "
personal representative
3 I John Scott " " "
4 Do Rev. T. Scott " " "
5 I Mary V. Pope who was Scott " " "
6 I Elizabeth White " " " " " "
7 To the duly qualified guardian of
James D, Edwin W. and Susanna
White children Martha S. White
and grand children of Dolly Scott " " "
8 To the duly qualified guardian of
John William White sometimes called
only and heir at law
John Williams the son of Catherine
White and grandson of Sally Scott " " "
If the said John William Scott sometimes
called John Williams is now or shall
arrive at the age of twenty one
years before the payment of said
money then in that event, it shall
be paid to him or to his orders and
the said W.S. Holland report to Court
his doings under this decree.

And the Court doth
further adjudge and decree that so
much of the decree herein entered at
the October term 1888 of this Court

directing a resale of the lands
bid off by Henry Hall and the
same is hereby rescinded and
annulled.

Holland Underdown et. ux.
vs
Jno Cheney
White L. E. et. ux.

April Term 1889

Rough Draft to
be entered ———

To be entered
C M Peck

Entered #35

Halland et. al.
vs } In Chancy
White et al

This cause come on this day to be again heard on the papers formerly read and on the report of W.S. Halland Special Commissioner and was argued by Counsel, on consideration whereof the court doth adjudge, order and decree that said Report of W.S. Halland Special Commissioner to which no exceptions have been filed be and the same is hereby confirmed and the sale in said report named as made to R.E. Pierce be and the same is hereby ratified and confirmed; and the court doth further adjudge, order and decree that said W.S. Halland Special Commissioner withdraw from the papers herein the bond of said R.E. Pierce filing among said papers his receipt for the same and collect the same when due and upon the payment of said bond by said Pierce that W.S. Halland who is hereby appointed a Special Commissioner for that purpose make and execute to said R.E. Pierce a good and sufficient deed with special warranty for that part of the lands in the bill and proceedings mentioned as lying and being on the West side of the County road; and the court doth further adjudge

order and decree that unless Henry Holland shall within sixty days from the rising of this court comply with the terms of the sale to him under a former decree herein by making the cash payment and executing his bond as required by said former decree, the said W.S. Hall and Special Commissioner shall after advertising for thirty days by hand bills proceed to resell ~~so,~~ that part of the land in the bill and proceedings mentioned which lies on the East side of the County road and was bid off by said Henry Holland and in the event of a failure at said resale to get a bid as high as that of said Henry Holland hereto fore made and upon a suggestion of that fact to the clerk of this court by said W.S. Hall and Special Commissioner it shall be the duty of said clerk to issue a summons directed to the sheriff of Isle of Wight County commanding ~~him~~ said Henry Holland to appear before the circuit court of Isle of Wight County on the first day of its next term and show cause if any he can why a judgment should not be pronounced against him by a decree in this cause for the difference between the

said first and last bid ~~and the~~ together with the costs and expenses of said resale.

And said W.S. Hall and shall make report to court of his doings under this decree:

Holland et al
vs
Gurley
White et al

oct. term 1888.

Decree

To be entered

C M Shic

Oct 29. 1888

Entered #24

In the Circuit Court of Dale County.

October 22nd 1887.

Amanda Holland et als: Pltffs:

v. In Chancery.

L. E. Allen et als: Defts.

This cause came on this day to be again heard on the papers formerly read and on the report of S. P. Young Commissioner filed on the 20th day of August 1887, and demurrer signed by Counsel:

On Consideration whereof the Court doth adjudge order and decree that said report of Commissioner Young, to which no exceptions have been filed, be and the same is hereby ratified confirmed and confirmed, and that W. S. Holland who is hereby appointed a Special Commissioner for that purpose, do proceed to sell the lands in the Bill and Proceedings mentioned having first given notice by printed hand-bills for 20 days before sale, at Dale County Court House on some County day on the following terms, to-wit: Cash sufficient to pay costs of suit and expenses of sale, and the rest of said purchase money, & the said deferred year with interest from date of purchase to secure his bond with security for the same and that title be retained till the further order of this Court, and said W. S. Holland Com-

32.

Holland Etals.

v. Y Du Chauncey

White Etals.

Copy of Decree
Oct. Term 1887
Cir. Ct. D of Col.

Whereupon the Court, upon the
Exparte Motion of the said Complainants
Petitioners Counsel, and
Respondents Counsel, and
upon the Court's own
Motion, doth Order, Adjudge and Decree
that the Complainants Petitioners
Petition be and the same is hereby
Granted, and that the Order
heretofore entered herein on the
Seventeenth day of December
Eighteen Hundred and Eighty Seven
Dismissing said Petition
be and the same is hereby
Vacated and Set Aside.

By the Court:

Clerk.

Atty. for Pltf.

Pltf's Exhibits.

No. 1. Deed from W.S. Holland et al.

No. 2. Tax Sale.

No. 3. Do.

No. 4. Do.

No. 5. Do.

No. 6. Do.

No. 7. Do.

No. 8. Do.

No. 9. Do.

No. 10. Do.

No. 11. Do.

No. 12. Do.

No. 13. Do.

No. 14. Do.

No. 15. Do.

No.

Holland &c.

vs

~~Holland &c.~~
White &c. &c

This cause come on this day to be again heard on the papers formerly read and on the report of W. P. Young Commissioner filed on the 25th day of August 1887 and was argued by counsel on consideration whereof the court doth adjudge, order and decree that said report of Commissioner Young to which no exceptions have been filed be, and the same is hereby ratified and confirmed and that W. S. Holland who is hereby appointed a Special Commissioner for that purpose do proceed to sell the lands in the bill and proceedings mentioned having first given notice by printed hand-bills for 20 days before sale, at the door of Wright Court House on some court day on the following terms to wit: Cash sufficient to pay costs of suit and expenses of sale including a fee of $20 in addition to the Statutory fee and the rest of said purchase money to be paid after one year with interest from date purchase to execute his bond with surety for the same and that title be retained till the further order of this court and said W. S. Holland Commissioner shall execute a bond before the clerk of this court in the penalty of five hundred dollars

with security thereon and present

Holland &c
vs
White L. E. &c

oct. Term 1887
Rough decree
To be entered
C. H. Hill

Entered
No. 19

Continued for the joint hearing for answer of
his Auditor under Equity Rule 90. This and the above suit
decree in this cause and that
Holland & Judicial Comm. might report
& cause of this order
under this order.

In the Circuit Court of Isle of Wight County, April 21st 1884.

Amanda Holland and Henry Holland, her husband, Margaret Spellman, and Braddock Spellman her husband, John Scott, George T. Scott, Elizabeth White and William White her husband, Mary T. Pope and Henry W. Pope, her husband Plffs.

vs. In Chancery.

L. E. White, James R. White, Edwin W. White, S. E. White and John Williams, the last four are infants under 21 years of age — Defts.

This Cause came on this day to be heard on the complainants bill taken for confessed as to the adult defendants, on the answer of infants defendants by their guardian ad litem, on exhibits filed, and was argued by Counsel. In consideration whereof the Court doth order, adjudge and decree, that an account be taken before a master Commissioner of this Court showing whether or not there are any liens on said land or any share of said land in the Bill and proceedings mentioned, and if so, and it is further ordered that said Commissioner ascertain whether the lands in the Bill and proceedings

mentioned is susceptible of partition in kind to each of said heirs-at-law of Chas. Scott dec'd; and if not to ascertain whether one or more of the parties will take said land and pay therefor to the other heirs a reasonable price for their shares, and if no such proposition is made to ascertain whether a sale of said land and a division of the proceeds would be to the interest of the parties; also report the annual and fusimple value of said land, and make report to Court.

a Copy.
Test.

S. D. Yancey Clk.

Holland et als. vs
J. L. Sharp.
Wake Sup. Ct.

Copy Decree
filed June 1887.

June 13, 1887.
Letters issued
Sept. 1887.
#

Sworn to and subscribed before me
This 13th day of June 1887.
S. D. Yancey Clk.

Holland et als
vs. } In chancery
White et als

This cause came on this day to be heard on the complainants bill taken for confessed as to the defendant, on the answer of infant defendants by their guardian ad litem, on exhibits filed and was argued by counsel on consideration whereof the court doth order adjudge And decree that an account be taken before a Master Commissioner of this court showing whether or not there are any liens on on said land or any share of said land in the bill and proceedings mentioned and if so, and it is further ordered that said Commissioner ascertain whether the lands in bill and proceedings mentioned is susceptible of partition in kind to each of said heirs at law of Sallie Scott dec'd. And if not to ascertain whether one or more of the parties will take said land and pay therefor to the other heirs a reasonable price for their shares and if no such proposition is made to ascertain whether a sale of said land and a division of the proceeds would be to the interest of the parties - also report the annual and [illegible] rents of said land - and further report to court

Holland et al

vs

E Inchang

White et als

Decree

April Jun 1887

To be entered

C Mott

Entered

No. 37

To the Hon. L. W. Hill judge of the cir. ct. of Isle of Wight County:

The undersigned your special comrs. by a decree entered at the oct. term 1888 of this court in the cause of Hall and Amanda et als. vs. White L.E. et. als., a copy of which is herewith filed begs to report that on or about July 1st 1889 he received from R.E. Pierce the sum of $193.00 principal and interest on said bond for deferred payment on the land bid off by him and made, executed and delivered to said R.E. Pierce a good and sufficient deed with special warranty as required by said deed.

Your Commissioner did not re-sell that part of the land bid off by Henry Hall and became he was satisfied said land would sell for for less than at first sale, and because said Henry Hall and satisfied your Commissioner that he intended to pay for the land and in all probability would do so, he assured your commissioner that he had bought there ~~in land~~ theres in said land and would use that as pay and besides has recently paid forty five 87/100 dollars on said bond and promises in thirty days to complete this payment, and because it is within the knowledge of your Commissioner that said Henry Hall and

has lately been especially embarrassed for cash to pay on another large load of land, and for these reasons your Comm. recommend that the sale to said Henry Holland be confirmed and that a deed be executed to him. Your Comm. has collected and paid out as follows:

Collected for R. E. Pierce cash payment as shown by a former report herein $28.68

Collected from Same prin. & int. on bond 193.10

Collected from Henry Holland in cash 35.00

" " " " Clerk fees &c. 10.85

Paid Comr. on $445 as shown by former report herein $17.90

" Tax and taxable fee 16.50

" West, Johnson & Co for bills 1.75

" A. R. White last Crier 5.00

" fee for drawing deed to R. E. Pierce 5.00

" Justices fee for acknowledging Said deed .50

" N. F. Jenny Comr. 7.50

" " " " Clerk 3.35

Bal. in hand 210.13

$267.63 $267.63

267.63
57.50
210.13

All which is respectfully submitted:

W. S. Holland
Spe. Comr.

~~Holland Amanda et. al.~~

~~vs~~

~~White L. E. et. al.~~

~~The undersigned~~

Holland, amanda et, als.
vs
In chancery
White L.E. et als

April term 1889

Report of W.S. Holland Spe. Comr.

COURTS:
ISLE OF WIGHT, NANSEMOND,
AND SOUTHAMPTON.

OFFICE OF

W. S. HOLLAND,

Attorney at Law and Notary Public,

Windsor Station, Va., _____ 188

Rec'd Aug 1st 1889 of W.S. Special Commr.
in the suit of Amanda Holland et als,
vs. T.E. White et als. Forty seven (47)
dollars; it being the fees of J.W.
White, one son of Catherine White dec'd. who
was the daughter of Sally Scott, in and
to the proceeds of the sale of the
lands of said Sallie Scott.

I hereby accept service & notice
that the suit will be asked to allow reasonable
counsel fee to attorney conducting said
suit at next term of this said Court
of Isle of Wight County.

Phillips
P.C. Rose P.M.
Jamesville Va
July 31/1889

J W White

of W.S. Holland Spc. Com.

Received this 3rd July 1889, Thirty seven dollars and fourteen cents it being balance due Elizabeth White wife of W.H. White as her interest the lands of Sallie Scott and also balance due on account of a compromise with Geo. T. Scott. This and including cost heretofore paid Notes $47 rec'd. on Sallie Scott land sold by a decree of court wherein said W.S. Holland is Special Commissioner.

And we hereby accept service of notice that W.S. Holland will ask Hon. L.W. Hill to allow him at the next term of the court a reasonable fee for his services in conducting this suit and business.

Elizabeth White sign her
D. Finley White sign his

COURTS:
ISLE OF WIGHT, NANSEMOND,
AND SOUTHAMPTON.

OFFICE OF

W. S. HOLLAND,

Attorney at Law and Notary Public,

Windsor Station, Va., _____ *188*

62
20
5

37

62
25

25

20

21.00

62
20

42

Windsor Sta. Va
June 4th 1889

Received of W.S. Holland Special Comr. in the suit Holland Amanda et als Vs. L.E. White, et. als. each the sum of 1471 forty seven dollars in full of the amounts due us from the proceeds of the sale of the lands of which Sallie Scott died seized & possessed sold under a decree in said suit.

Henry + Holland (Her mark)
Amanda + Holland
John F. X Scott (His mark)

Witness
John E. Vaughan.
Henry W. Pope

Witness
William E. Hoffler
Mary V. Pope

Received of W. S. Holland Special
commissioner in the Chancery Case
of Holland Vs. White ($10) ten dollars,
it being part of my share in the
Sallie Scott land

E. E. White
Wm. H. White

May 23th 1889

Windsor Sta. Va.
June 4th 1889.

Recived of W. S. Holland special
Comr in the suit Holland, Armand &
al. &c. vs. L E White et al. &c. the sum
of (47) forty seven dollars in full
of the amount due me from
the proceeds of the sale of the
lands of which Sallie Scott died,
seized and possessed sold under
a decree in said suit.

George T. Scott

Witness. B. Spellmon
E. Blake

COURTS:
ISLE OF WIGHT, NANSEMOND,
AND SOUTHAMPTON.

OFFICE OF

W. S. HOLLAND,

Attorney at Law and Notary Public,

Windsor Station, Va., April 18 1889

Mr Holland the Com.
Will you Please Pay
Me Back the Money
Due on the Old Estate
of Lewis Edwards sometimes called Carson
Due To
Mary Ann A Spelman his
daughter.
Signed
Frank J Spelman

Paid on the within
April 18th 1889
seven dollars in
full thereon

L. E. White

Paid July 5th
1889 forty dollars
($40) balance of
the within order

L. E. White

Rec'd July 5th 1889 of W.S. Hall and Special Comr in Hall and Amanda et. als. vs L.E. White and others forty seven (47) dollars it being in full of the interest of James R. Edwin W. & Susanna E. White infant children of Martha Sarah White who was Martha Sarah Scott the daughter of Sallie Scott dec'd.

L. E. White & Guardian for said
James R. Edwin W. &
Susanna E. White

Rec'd of Henry Hallcan Apr. 19th 1889
fifteen dollars in cash and ten dollars and eighty five cents in two
clerk's Tickets which the said Henry
Hallcan has paid to the Co. Treasurer
for N.P. Gurney in part on the
Sally Scott Loss

W.S. Hallcan
Apr. Com.

Rec'd of Henry Holland twenty dollars in part of cash payment on Sally Scott land East of the county road

Feby 6th 1888

W. S. Holland
Spc. Com.

Boston 6/10/89

W. J. Holland Esq Dear Sir
I have Towered the Rect Signed
Will you pleasy pay to My Brother
John Scott the Sum of $5.00 five dollas
and the Remaining $42.37 forty two "
you will send to Me addressed
George T. Scott
673 Washington St
Boston Mass

Mr Holland I have
Some Emportant bucsness
in Nansemond Co that I should like
to Get you to attend to for me
please let Me know if I Can
Make Arangments with you if So
I will Write Write and give you
the detailes

very Truly Yours
Geo T. Scott

Over

Mr Holland Ms.

Please pay to My
Sistir Elizbeath White the wife of
W.H. White the sum of $10 dollars
Ten dollars And Send Me the Receipt
in Each Case receipt in full in
Each Case

Scott

inclosed please finde Stamps for regester

Rec'd. Feby 1st 1889 of W.S. Holland Spc. Comm. fifty cents for acknowledging a deed from W.S. Holland Spc. Comm. to R.E. Pierce -

50 cts

Byg. G Roberts J.P.

Rec'd. Feby. 1st. 1888 of W.S. Holland Spc. Comm. five dollars for selling land to ~~Jas A. Whitley~~ Henry Holland at public sale at Isle of Wight C.H..

$5.00

A.R. Whitehurst Coroner.

Rec'd July 2nd 1889 of W.S. Holland Sup't
Coca in Holland Co White fifty cents for
Acknowledgment due

Benj C Roberts

1888.
Suit of Henry Holland & wife v. White et al. D.
To N. P. Young Comr. in Chy. of Cir. Ct. Isle of Wight Co.
Aug. Portions employed in stating & reporting
Oct. acct. upon exceptions of Defl. term 1887. 2 & 7 J. 50
4th, 1889. Jesse Whitley Deft. N. P. Young Comr.

Holland H. Duff.

vs.

White Hals-

$7.50

Henry Holland Pltf: vs. B. Spellman Dft: et als-

1887- To the Clk. of Isle of Wight Cir. Ct.

Octo- Filing apt. 15- Decree & copy. 65- Com's. bond

1888. & fily. & mcdg. & copy & fily. Co. 1.70- Tax. Costs &c. 60- } 3.10

Apl- Contgt: vs. White Dals. .25

15, 89, Jesse Whitley N. P. Young, Clk. $ 3.35

Dep. Cr.

Holland Henry
Tax. Vals.

$3.35

Hollaus & wife &
al. Bill of costs

White C. C. 1909.

Attys. fee & tax . 16.50
Cell. cir. ct. fees 7.48
Do. Co. " " .40
Steff. - - " .50
Cond. Gary " 7.50
Total Cost $32.48
including ca. tax cost

Taxed, N. P. Gunn cc

Rec'd of N. P. Young Esq Clerk Cir. Court this 20th day of July 1889 one bond Made by R. E. Pierce with ——— Surety payable to W. S. Holland Special Comm. in the Chancy cause of L. E. White et al. vs Henry Holland et al and filed in the papers of said cause. This deling is under a decree in the above cause.

W. S. Holland
Spe. Comm.

Halland et. al.
vs
White et. al.

Jas Commissioner appointed by a decree herein, entered October 22nd 1887, a copy of which is herewith filed, begs to report that pursuant to said decree he offered for sale the lands in the bill and proceedings mentioned on Janj. 3rd 1888 as will appear by a hand bill advertising the said sale herewith filed as a part of this report; at which sale R. E. Pierce became the highest bidder and purchaser of said lands on the west side of the county road at the price and sum of $210.00 and that said Pierce paid the sum of $28.68 in cash and gave his bond with S. H. Halland as surety for $181.32 payable one year after date which bond is herewith returned; and that for that part of said lands lying on the East side of the county road Henry Halland became the highest bidder and purchaser at the price and sum of $235.00 and that said Henry Halland has not paid the cash payment as yet nor has he executed any bond for the deferred payment. Jas Commission says that this property sold beyond

181.32
11.78
28.68
221.88

his highest estimates and was a most excellent role. He recommends the confirmation of the sale to Pierce and a resale of that part sold to Henry Holland. All which is most respectfully submitted.

W. S. Holland
Agt. Comm.

Holland W S
Ag Sec Interior
White ret. adv.

ack. Jan 1888
Report of U.S. Indian Inst. Agt. Comm. to Sell Lands &c -

In the circuit court of Isle of Wight county
October term 1888

Amanda Holland et als Pltfs.

vs.

L. E. White et als Defts.

This cause came on this day to be again heard on the paper formerly read and on the report of W. S. Holland special commissioner, and was argued by counsel On consideration whereof the court doth adjudge order and decree that said report of W. S. Holland special commissioner to which no exceptions have been filed be and the same is hereby confirmed and the sale in said report named or made to R. E. Pierce be and the same is hereby ratified and confirmed. And the court doth further adjudge order and decree that said W. S. Holland special commissioner withdraw from the papers herein the bonds of said R. E. Pierce filing among said papers his receipt for the same and collect the same when due, and upon the payment of said bond by said Pierce that W. S. Holland who is hereby appointed a special commissioner for that purpose make and execute to said R. E. Pierce a good and sufficient deed with special warranty for that part of the lands in the bill and proceeding mentioned as lying and being on the west side of the county road. and the court doth further adjudge order and decree that unless Henry Holland shall within sixty days from the rising of this court comply

with the terms of the sale to him under a former decree herein by making the cash payment and executing his bond as required by said former decree, the said H. S. Holland Special Commissioner shall after advertising for thirty days by hand bills proceed to resell that part of the land in the bill and proceedings mentioned which lies on the east side of the county road and was bid off by said Henry Holland, and in the event of a failure at said resale to get a bid as high as that of said Henry Holland heretofore made and upon a suggestion of that fact to the clerk of this court by said H. S. Holland Special Commissioner it shall be the duty of said clerk to issue a summons directed to the Sheriff of Isle of Wight county commanding said Henry Holland to appear before the circuit court of Isle of Wight county on the first day of its next term and show cause if any he can why judgement should not be pronounced against him by a decree in this court for the difference between the said first and last bids together with the cost and expenses of said sale

And said H. S. Holland shall make report to court of his doings under this decree.

A copy.

Teste, A. D. Young Clk.

Commr's Holland's etals

vs

J. E. White et als

Decree Oct. Term 1888

Real Estate for Sale.

Pursuant to a decree entered Oct. 21st, 1887, in the cause of Holland, et. als. *vs.* White, et. als. pending in the Circuit Court of Isle of Wight county, I shall offer for sale at Isle of Wight C. H., on Monday, Jan. 2d, 1888, (that being Court-day) the lands of which Sally Scott died, seized and possessed lying and being in the county of Isle of Wight, adjacent the lands of Madison Johnson, R. E. Pierce and others, said to contain about 60 acres, more or less.

This land will be sold in two tracts, as separated by the county road running through it; each piece has open land and forest land and will make a good farm for a small farmer. Land is located about 2 miles from WINDSOR Station, on N. & W. R. R. and in a good neighborhood.

Terms:—Cash, to pay costs of suit and sale, and balance in one year; bond and security required of the purchaser; title retained until further order of Court. Sale in gross and not per acre.

W. S. HOLLAND,
Special Commissioner.

December 3d, 1887.

A. R. WHITEHEAD, Crier.

Clerk's Office, Isle of Wight County, To-wit:

I, N. P. Young, clerk of the Circuit Court of said county, certify that Wm. S. Holland has executed the bond required by the decree mentioned in the above notice with surety deemed sufficient.

Given under my hand this 5th day of December 1887.

N. P. YOUNG, Clerk.

Commissioners Office, Isle of Wight Court House
August 23d. 1887.

To the Circuit Court of said County.

Pursuant to a decree of the said Circuit Court rendered at the April Term, 1887, in a suit in Chancery therein depending, in which Amanda Holland and Henry her husband; Margaret Spellman and Braddock Spellman her husband; John Scott; Geo. D. Scott, Elizabeth White and William White her husband; Mary F. Pope and Henry W. Pope her husband; are complainants, and F. E. White; John W. White, Edwin W. White, S. E. White and Jno. William White are defendants, the last four defendants being infants - directing a Commissioner of the Court to make enquiry and report to the Court whether or not there are any liens on the land, or on any share in the land, in the Bill and proceedings mentioned. Whether the said land in the Bill and proceedings mentioned is susceptible of partition in kind to each of said heirs at law of Sally Scott decd: And if not, to ascertain whether one or more of the parties will take said land and pay therefor to the other parties a reasonable price for their shares, and if no such proposition is made, to ascertain whether a sale of said land and a division of the proceeds would be to the interest of the parties; and also to report the annual

and the simple value of said land, Your Commissioner reports to the Court that on the ~~last that on the~~ 13th day of July, 1887, he issued notices to the adult plaintiffs and defendants, and to the guardian ad litem of the infant defendants that he had fixed upon the 19th day of August, 1887, to make the enquiries and report so required. That service of said notice was duly accepted by counsel for all parties, & the guardian ad litem of the infants. That on the day so fixed upon the parties failed to appear and for want of evidence and other good cause, the case was continued till the date of this report, when your Commissioner, by consent of the parties, took the evidence hereinwith filed and therefrom reports, First- that there are no liens on the land in the Bill & proceedings mentioned, nor on any share of any party entitled to share therein: Secondly- That from the evidence taken by your Commissioner and herewith filed, it appears that the land aforesaid is not susceptible of partition in kind between the heirs at law of said Sally Scott, without injury to the parties interested in said land. Thirdly- Your Commissioner has ascertained and reports that no one or more of the parties will take said land and pay therefor to the other heirs such sums of money as their interests therein will entitle

& other evidence before him

thereto. Forthwith - Your Commissioner from all the facts before him, concurs with the Petitioner Colvite, that the interests of all the parties interested, will be more promoted by a sale of the entire subject and a division of the proceeds. Your Commissioner finds & does report the ~~the~~ reasonable value of the land to be $210.00 and the annual value thereof $20.00

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

S. D. Young Comr.

Comms. Fee $4.00

Holland Newyear
et als.

v. Z Jr Chy.

White & C. et als.

Report of Comm.
Consq. under Dec.
of Apl. term 1887.

Filed 20th Augt,
1887.

Oct. term 1887
Confd. by Court.

On this 23rd day of August, 1887, before me N. P. Young, a commissioner in chancery of the circuit court of Isle of Wight county, personally appeared Lemuel E. White, a person well known to me, as a person of veracity, aged 49 years, and being first duly sworn, deposes and says, that he is well acquainted with the land whereof Sally Scott, late of the county of Isle of Wight, died seized and possessed, being the land in the proceedings of the suit of Henry Holland & others vs. L. E. White & others, pending in the circuit Court of Isle of Wight county, mentioned, that from his knowledge of said land, he is satisfied that it is not susceptible of partition in kind among the heirs at law of said Sally Scott, because there are only 59 acres of the land, and to divide it into eight parcels, which is the number of shares therein, each share would be of little or no value; and some would have, necessarily, all of the land & some all unimproved. He, therefore, thinks it would be best for all parties to sell the land & divide the proceeds. He is confident that a fair & reasonable value of the whole land is about $210.00, and the annual value is about $20.00

L. E. White

Sworn to and subscribed by the affiant, L. E. White, on the day & year aforesaid, in the county of Isle of Wight.

N. P. Young Clk.

Holland et ux et al
vs. Incley,
White P. E. et al.

affdvt. of P. E. White
before comm. Young.

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON Henry Holland

before the Court House

to appear ~~at the Clerk's Office of~~ the Circuit Court of Isle of Wight county, at ~~Rules to be holden for the said Court~~, on the first ~~Monday in~~ first day of April term next, to ~~answer~~ show cause, if any he can, why judgment should not be pronounced against him by decree in the cause of J. E. Pitt & als. vs. Henry Holland & als, for the difference between the first and last bids for the land sold by W. A. Holland Commissioner under decree in said cause, with costs of ~~suit~~ sale ~~of a plea of~~ of ~~for $~~ Damages ~~$~~. And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Courthouse, the 23rd day of January, 1889, in the 113th year of the Commonwealth.

N. P. Young clk

Executed by delivering to the within
Named Henry Holland a true Copy
of the within Summons July 27th
1889.

R. A. Edwards
Sheff
88.

1 Writ & 1 Cb.
3 Sums. & 3 Shortcases
vs.
Holland & Hann
Affid. Tenue Civ. Ct.
1889.
10/- Holland & Son

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON L. E. White, James L. White, Edwin W. White, S. E. White and John Williams the last four are infants under 21 years of age

to appear at the Clerk's Office of the Circuit Court of Isle of Wight county, at Rules to be holden for the said Court, on the first Monday in September next, to answer the Bill in Chancery of Amanda Holland & Henry Holland her husband; Margaret Spillman and Braddock Spillman her husband; John Scott, Geo. F. Scott, Elizabeth White and William White her husband; Mary V. Pope and Henry C. Pope her husband

~~of a plea of ~~ ~~for $~~ ~~Damages $~~ And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Courthouse, the 23rd day of August 1886, in the 111th year of the Commonwealth.

N. P. Young Clk.

Holland Et als

v. } Summons to Ans. Bill in Chy.

White Et als

To Sept Rls: 1886

W. S. Holland

J.P.

Executed by delivering to the within named L. C. White a true Copy of the within Summons

Aug 28th 1886

A. B. Edwards

for R A Edwards Sh

Shff

Holland et als
vs
In chancery
White et als

The joint and separate answer of James R. White, Edwin W. White, Susanna E. White and John W. White sometimes called John Williams infants under the age of 21 years by S.P. Yancey their guardian ad litem assigned to defend them in this suit, to a bill of complaint exhibited against them and others in the circuit court for the county of Isle of Wight by Amanda Holland and others.

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 by said guardian ad litem answer and say, - That they are infants of tender years and by reason of their infancy, are incapable of understanding or of taking care of their rights and interests. They, therefore, by their said guardian commend themselves and their rights and interests, to the protection of the court and pray that no decree may be pronounced which will tend to their prejudice and having fully

answered, the said respondents pray to be hence dismissed with their reasonable costs in this behalf expended, And they will ever pray.

L. D. Young

Guardian ad. litem for Jones R. Edwin W. Susanna E. and John W. White called John Williams ——

W. S. Holland p.d.

Holland et. al.
vs
White et. al.

In Equity
Chancery.

In Equity Answer of
Guardian ad litem

To the Hon. Geo. Blow judge of the Circuit court for Isle of wight County.

Your Complainants Amanda Holland and Henry Holland her husband, Margret Spellman and Braddock Spellman her husband, John Scott, Geo. T. Scott, Elizabeth White and William White her husband, Mary V. Pope and Henry W. Pope her husband humbly complaining shewith to your Honor;

That Sallie Scott a free woman in the city of Surry died on the 10th day of August 1865 leaving as her heirs at law said Amanda Holland who was Scott, said Margett Spellman who was Scott, John Scott, Geo. T. Scott, Elizabeth White also was Scott, Mary V. Pope who was Scott, And Martha S. White who was Scott and Corthen White who was Scott the last two are now dead leaving as their children and heirs at law Jones A., Edwin W. and Susana E. White as children and heirs of said Martha S. White the wife of L. E. White And John William White sometimes called John Williams as the only child and heir at law of said Corthenine White wife of A. J. White- the

said Joini R. White, Edwin W. White
Susanna E White and John W. White
sometimes called John Williams are the
grand children of said Sallie Scott -
said A. J. White husband of said Catherine
is dead - that said Sallie Scott died
seyid and possessed of some real estate lying
and being in said County of Ile of wight adja
cent the lands of Robert Pierce, Madison
Johnson, Samuel Holland and others in
two pieces as appears from the deeds both
one contains 23 acres valued at $69 the
other 36 acres valued at $108 all
which will appear by an abstract from
the records herewith filed as an exhib
it marked "A" and prayed to be read
as a part of this bill -

And your complainants states that they
do not believe said real estate is susceptible
of partition in kind among the parties, and
if it is not, then your complainant
desire the same to be sold and the proceeds
divided among the adult and the infant
parties according to their respective rights,
the shares of the infants to be held as
directed by the Statute in such case made
and provided, Shared the property

not be divisible in kind, your complainants believes and here state that the interest of those who are entitled to the said real estate, or its proceeds will be promoted by a sale of the whole of said real estate, or by an allotment of part and sale of the residue:

In tender consideration whereof and for as much as your complainants are remediless in the premises save by the aid of a court of equity where matters of this kind are alone and properly cognizable, your complainants pray that that the said L. E. White, Jones R. White, Edwin A. White, Susan A. White and John W. White sometimes called John Williams, the last for being infants under the age of 21 years may be made be made for this defendant to this bill and required on their oaths to answer the same; that a proper guardian ad litem may be assigned the infant defendants to defend their their interests in this suit, who shall also answer this bill, that proper process issue that the said real estate be divided between the several parties entitled thereto and your complainants portions thereof be allotted to them, and in

cost the said real estate can not be portioned and divided in kind, that the same be exposed to sale and the proceeds of such sale be divided among the parties entitled thereto; that all proper orders and decrees may be made and proper enquiries be directed and that all such other, further and general relief may be afforded your complainants as the nature of their case may require, or to equity shall seem meet. And your complainants will ever pray.

W. S. Holland & J. S.

Holland et al
vs
The Heirs.
Petition et als

Complaint and Rule

Sept. Rules 1886.
Bill & filed, summons exd.
& ret. issued vs. adult. defts.
Gen. ad Litem appointed
to infant defts. & answer
accordingly filed & prod. & rec'd.
Order. Ord. Rule taken
for confes. as to adult
defts. and set for hearing
ex parte. issued 1887. Dec. 5th

Dec. term 1887. Ord.
Confirming Rep. & Hearing
Ord. Term 1888
Dec. Confg. rep. & sale of land &
ret. to Holland & made decree

Chancel. Term 1895
Final
Decree