1903-004 Chancery Causes: Henry Edward + John R. Porter vs Tump (Trump) Shepherd + al
Isle of Wight County Henry Edwards v al vs John L. Shepherd v al

other SURNames: Young, Holland
Holladay, Brinkley

Edwards & Porter

vs

Jump Shepherd
and others

Bill of Complaint

Files Oct 17th 1902

2nd Nov. rules 1902 Bill filed. Summons issued for Elizabeth Holloday & R. L. Holloday and returnable as to them, not executed as to other defts Sam'l A. Edwards offd. for Complt

2nd Nov rules 1902. Bill taken for confessed as to those defts on whom the summons was returned executed, as to them.

1st Dec. rules. Alias summons issued vs. all defts

In the Circuit Court of the County of Isle of Wight, Virginia.

To the Honorable Robt. R. Prentis, Judge of the Circuit Court of Isle of Wight County:

Your complainants, Henry Edwards and John R. Porter, humbly complaining, show to the Court:

That on the 5th day of April 1881 they bought of Ellen V. Shepherd and John Shepherd a tract of land in Newport Magisterial District in the County of Isle of Wight in the State of Virginia, containing by estimation eighty acres, and bounded by the lands of Archibald Roberts, now Robt. Allmond, the lands of James B. Porter and others, and paid therefor the sum of nineteen dollars and were to pay two hundred dollars more, and were placed in possession of the said land, and have been in possession thereof from that day till now and are still in possession thereof. Your complainants say that an agreement in writing was entered into between themselves and Ellen V. Shepherd and Jno. Shepherd which is herewith filed as an exhibit marked "A" and prayed to be taken and read as a part of this bill of complaint. Your complainants say that when the first installment on the land became due and payable it was tendered in money to the said Jno. Shepherd, but at that time his said wife who owned the land, had died intestate in the County of Isle of Wight, and after consulting with Mr. N. P. Young then the Clerk of the Courts for Isle of Wight County, the said Jno. Shepherd acting upon the advice of the said Mr. Young, informed your complainants that he could not give them a deed for the land, till the children of the said Ellen V. Shepherd became of age, but informed them that they might pay the interest to them till the children became of age. They say that they have paid the interest from year to year, paying from some time in the first part of the year 1881 up to date. Your complainants say that they have been ready at all times to pay for the said land, that they are now ready and willing to pay for the same at any moment when they can get a proper deed conveying to them

the said tract of land. They here and now offer to pay in cash whenever such conveyance can be made.

Your complainants say that when they bought the said land it was a forest, not a square foot thereof being arable, that they took possession thereof as aforesaid and began to clear up the forest from time to time till there is now cleared and arable from twenty to twenty-five acres, that they have built several houses thereon, consisting of a good frame dwelling and cook room, barn, stable, corn-crib, smoke-house and othersout houses; that they have fenced the arable land and have improved the same till it is now worth more than twice what it was worth when they bought it.

Tour complainants say that the said Ellen V. Shepherd, the wife of Jno. Shepherd, the fee simple owner of the said tract of land, died intestate in the County of Isle of Wight in the latter part of the year 1881, and that the said Jno. Shepherd died intestate in the town of Suffolk sometime in the year 1901 as they are informed, and that the sadd Ellen V. Shepherd left as her only heirs at law, the following children; Tump Shepherd, of the City of Norfolk, Joseph Shepherd of the said city, Elizabeth Shepherd now the wife of R. L. Holladay of the County of Isle of Wight and Ellen Shepherd, now the wife of C. W. Holladay of the town of Suffolk, Virginia, and Gertrude Shepherd of the town of Suffolk, Virginia, All of the said childred are now of the age of twenty-one except Gertrude Shepherd who is either of age, or will be sometime during the year 1902. Your complainants are informed and believe that the said Gertrude Shepherd will not be of age till some time in December of the present year.

Your complainants areinformed and believe that some of the said children have been offering to sell the said tract of land that a party applied to Mr. Wmm S. Holland on the first Monday in this month to borrow the money to buy said tract of land, and your complainants believe that unless said parties are restrained they will attempt to convey the said tract of land to some party at an early date.

For as much as your complainants are without remedy save in this Honorable Court where matters of this sort are alone

and properly cognizable, they pray that Tump Shepherd, Jos. Shepherd, Elizabeth Holladay and R. E. Holaladay her husband, Ellen Holladay and C. W. Holladay her husband, and Gertrude Shepherd the last named being an infant under the age of twenty-one years, be made parties defendants to this suit, and be required to answer this bill of complaint, but an answer under oath is hereby expressly waived, as provided by the statute. That a good and sufficient deed by made to your complainants by the said children and heirs at law of Ellen V. Shepherd, the fee simple owner of the tract of land hereinbefore described, or that a proper conveyance be made by a special commissioner appointed by the honorable Court, that the rest of the purchase price be accepted from your complainants and paid to the parties thereto entitled; that an injunction be awarded your complainants by this honorable Court restraining the said defendants, their agents and attorneys from attempting to sell grant or convey the said tract of land till the further order of this Court; that all proper accounts be taken, stated, and reported to Court, that all proper inquiries by amde; that all such other and further and general relief be afforded your complainants as the nature of their case may require or as to equity and good conscience may seem meet. And they will ever pray.

John R. Porter

Henry X Edwards

Witness
L. L. Drysdale.

State of Virginia.

County of Isle of Wight, to-wit:

I, Wm. S. Holland, a notary public in and for the county of Isle of Wight in the State of Virginia, do certify that Henry Edwards and Jno. R. Porter whos e names are signed to the foregoing bill of complaint, made oath in due form of law that the statements contained in the said bill of complaint are true so far as made upon their own knowledge and that so far as made upon knowledge derived from others, they believe the said statements to be true.

Given under my hand this 11th day of Oct., 1902.

Wm S. Holland N. P.

Edwards & Parker

vs

Shepherd & others

Amended

Bill of Complaint

Filed Dec. 15th 1902

2d Dec. 1903 Amended Bill filed, summons & order on all defendants, &c issue

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1st Jan'y 1903. Bill taken for confessed, and case set for hearing

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October Term 1903

Final Decree

Enter Oct. 14, 1902

Robert C. Davis

Circuit Court of Isle of Wight County, in vacation, on the 14th. day of October 1902. –

Henry Edwards and Jno. R. Porter,

Vs

Tump Shepherd, Jos. Shepherd, Elizabeth Holladay, R. L. Holladay, Ellen Holladay, C. W. Holladay and Gertrude Shepherd, the last being an infant under the age of twenty-one years.

On motion of the complainants an injunction is awarded them restraining the defendants, their agents or attorneys, from selling or conveying the land in the bill and proceedings mentioned till the further order of this Court, but before this injunction order shall take effect, the said complainants, or one of them, shall enter into a bond in the penalty of $100.~~00~~ before the Clerk of this Court with surety by the said Clerk deemed sufficient with condition to pay all costs ~~and damages which may be incurred sustained by the defendants~~ such as may be awarded against the complainants and all such damages as may be incurred in case this injunction shall be dissolved.

Robt R. Ellis

To the Clerk of the Court of the County of Isle of Wight.

In the Circuit Court of Isle of Wight County.

To the Honorable Robt. R. Prentis, Judge of the Circuit Court of Isle of Wight County.

Henry Edwards and John Porter, your complainants respectfully represent to the Court that on or about the 11th day of October, nineteen hundred and two, they filed in the Clerk's Office of the Circuit Court of Isle of Wight County, their bill of complaint which is as follows:

To the Honorable Robt. R. Prentis, Judge of the Circuit Court of Isle of Wight County.

Henry Edwards and Jno. Porter, your complainants, humbly complaining, represent to the Court the following bill of complaint.

That on the fifth day of April 1881 they bought of Ellen V. Shepherd and Jno. Shepherd a tract of land in Newport Magisterial District in the County of Isle of Wight in the State of Virginia containing by estimation eighty acres, and bounded by the lands of Archibald Roberts, now Robt. Allman, the lands of James B. Porter and others, and paid therefor the sum of $19.00 and were to pay two hundred (200) dollars more, and were placed in possession of the said land , and have been inpossession thereof from that day till now, and are still in possdssion thereof. Your complainants say that an agreement in writing was entered into between themselves and Ellen V. Shepherd and Jno. Shepherd which is herewith filed as an exhibit marked "A" and prayed to be taken and read as a part of this bill of complaint. Your complainants say that when the first installment on the land became due and payable it was tendered in money to the said Jno. Shepherd, but at that time his said wife who owned the land, had died intestate in the County of Isle of Wight, and after consulting with Mr. N. P. Young, then the Clerk of the Courts for Isle of Wight County, the said Jno. Shepherd acting upon the advice of the said Mr. Young, informed your complainants that he could not give them a deed for the land, till the children of the said Ellen V. Shepherd became of age, but informed them that they might pay the interest to them till the children became of age. They say that they have paid the interest from year to year, paying from some time in the first part of the year 1881 up to date, Your complainants say that they have been ready at all times to pay for the said land, that they are now ready and willing to pay for the same at any moment when they can get a proper deed conveying to them the said tract of land. They here and now offer to pay in cash whenever such conveyance can be made.

#2.

Your complainants say that when they bought this said land it was a forest, not a square foot thereof being arable, but they took possession thereof as aforesaid, and began to clear up the forest from time to time, till there is now cleared and arable from twenty to twenty-five ac res, that they have built several houses thereon, consisting of a good frame dwelling and cook-room, barn, stable, corn-crib, smoke-house and other out-houses; That they have fenced the arable land and have improved the same till it is now worth more than twice what it was worth when they bought it.

Your complainants say that the said Ellen V. Shepherd the wife of Jno. Shepherd, the fee simple owner of the said tract of land, died intestate in the County of Isle of Wight in the latter part of the year 1881 and that the said Jno. Shepherd died intestate in the town of Suffolk some time in the year 1901 as they are informed, and that the said Ellem V. Shepherd left as her only heirs at law, the following children; Tump Shepherd of the City of Norfolk, Jos. Shepherd of the said city, Elizabeth Shepherd, now the wife of R. L. Holaday of the County of Isle of Wight, and Ellen Shepherd, now the wife of C. W. Holladay of the town of Suffolk, Virginia, and Gertrude Shepherd of the town of Suffolk Virginia, All of the said children are now of the age of twenty-one except Gertrude Shepherd who is either of age or will be some time during the year 1902. Your complainants are informed and believe that the said Gertrude Shepherd will not be of age till some time in December of the present year.

Your complainants are informed and believe that some of said children have been offering to sell the said tract of land that a party applied to Mr. W. S. Holland in the first Monday in this month to borrow the money to buy the said tract of land, and your complainants believe that unless said parties are restrained they will attempt to convery the said tract of land to some party at an early date.

For as much as your complainants are without remedy save in this honorable Court where matters of this sort are alone and properly cognizable, they pray that Tump Shepherd, Jos. Shepherd, Eoizabeth Holladay and R. L. Holladay her husband, Ellen Holladay and C. W. Holladay her husband and Gertrude Shepherd the last named

being an infant under the age of twenty-one years, be made parties defendant to this suit, and be required to answer this bill of complaint, but an answer under oath is hereby expressly waived, as provided by the statute. That a good and sufficient deed be made to your complainants by the said children and heirs at law of Ellen V. Shepherd and the f ee simple owner of the tract of land hereinbefore described, or that a proper conveyance be made by a special commissioner appointed by the Honorable Court, and that the rest of the purchase price beaccepted from your complainants and paid to the parties thereto entitled, that an injunction be awarded your complainants by this honorable Court, restraining the said defendants, their agents or attorneys from attempting to sell grant or convey the said tract of land till further order of this Court.; That all proper accounts be taken stated andreported to Court, that all proper inquiry be made, that all such other and further general relief be afforded your complainants as the nature of their case may require, or as go equity and good conscience may seem meet. And they will ever pray.

Witness,
L. C. Chuntis

John R. X Porter,

Henry X Edwards.

State of Virginia,

County of Isle of Wight, to-wit:

I, Wm. S. Holland, a notary public in and for the County of Isle of Wight in the State of Virginia, do certify that Henry Edwards and Jno. R. Porter whose names are signed to the foregoing bill of complaint, made oath in due form of law that the statements contained in the said bill of complaint are true so far as made upon their own knowledge and that so far as made upon knowledge derived from others, they believe the said statements to be true.

Given under my hand this 11th day of Oct. 1902.

Wm S. Holland N.P.

For ammendment to the said bill of complaint your complainants wish to substitute the names of Jno. Shepherd, Joe Shepherd, Ellen V. Holladay who was Shepherd and C. W. Holladay her husband, Elizabeth Holladay who was Shepherd and R. J. Holladay her husband and Gertrude Brinkley who was Shepherd, in the room and staad of " Tump Shepherd, Jos. Shepherd, Elizabeth Holladay and R. L. Holla- her husband, Ellen Holladay and C. W. Holladay her husband and Gertrude Shepherd." Since the filing of the first bill your complainants say that Gertrude Shepherd has married a man named Brinkley and that she was at the time of her marriage twenty-one years old, having become of age before summoned to answer this ammended bill. They say that said parties to the original bill had been gone from the neighborhood a long time, some of them living in Norfolk City, some in Nansemond County or in Suffolk, and that your complainants could not ascertain the true and the correct names at the time of filing the original bill, that afterwards your complainants got a gentleman to go around and ascertain the correct names of the parties and this bill is ammended for the purpose of having the defendants to this suit correctly named. Your complainants wish to repeat with the names changed as aforesaid the prayer of the original bill as if here repeated by writing the same out word for word. Your complainants wish to allege further by way of new matter that they offered to make a payment on this property to John Shepherd, the husband of Ellen V. Shepherd about the time of her death, but he declined to accept it saying that the land did not belong to him and that the children were not twenty-one years of age.

Your complainants say that an injunction was granted them on the original bill and that they have notified the new parties of the granting of this injunction, but if said injunction by reason of the ammendment to this bill is invalidated, they wish especially to repeat the prayer for an injundtion as contained in the original bill. They say that they have given bond and that said

injunction was duly issued but not served on all the parties by reason of the fact that the officers to whom the processes were directed could not find them. Your complainants wish to make the original contract filed with the original bill as an exhibit marked "A" together with the endorsements thereon , a part of this ammended bill, and they pray that it may be read as a part hereof. Your complainants pray for all such other and further general relief as the nature of their case may require, or as to equity and good conscience may seem meet, and they will ever pray.

Henry Edwards & Jno Parker

by Wm J. Harrison & C

The bond required by the Judge of Isle of Wight County Circuit Court, who awarded this injunction, having been executed, the defendants, Tump Shepherd, Joe Shepherd, Elizabeth Holloday and R. L. Holloday, her husband, Ellen Holloday and C. Holloday her husband, and Gertrude Sjepherd, an infant under the age of twenty one years, their agents, assigns or attorneys are by the said order restrained from selling, or conveying the land in the bill and proceedings mentioned or advertising the same for sale until the further order of the said Circuit Court.

Teste, N. D. Young C.C.

Executed by delivering to the within named Elizabeth Holloday, & R. L. Holloday, her husband. Dec 29th 1902

R. A. Edwards Jr
Sheff

Edward F. Porter

vs.

Joseph Shepherd et als

SUBPOENA IN CHANCERY.

Wm. L. Holland ..... p. q

To Joint Warner ..... Rules, Vacant ..... Court. 1902

B 3119

The Commonwealth of Virginia,

To the Sheriff of the County of Isle of Wight, Greeting:

WE COMMAND YOU that you summon Laura S. Shepherd, Ivo Shepherd, Elizabeth Holladay and R. L. Holladay her husband, and Ellen Holladay and C. Holladay her husband, and Gertrude Shepherd the last named being an infant under the age of twenty-one years

to appear at the Clerk's office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court, on the 1st Monday in November 1902, to answer a bill in chancery, exhibited against them in our said court ~~for~~ by Henry Edwards and John R. Porter

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 17th day of October, 1902, and in the 127th year of the Commonwealth.

N. F. Young, C. C.

A Copy - Test. N. F. Young C.C.

The bond required by the Judge of Isle of Wight County Circuit Court, who awarded this injunction having been executed, the defendants, Tump Shepard, Joe Shepherd, Elizabeth Holloday and R. L. Holloday, her husband, Ellen Holloday and R. L. Holloday, her husband, and Gertrude Hxlixdaxx Shepherd, an infant under the age of twenty one years, their agents, assigns or attorneys are, by the said order restrained from selling or conveying the land in the bill and proceedings mentioned or advertising the same for sale until the further order of the said court.

Teste, N. D. Young C.C.

Edmund B. Cox &c.

vs.

SUBPOENA
IN
CHANCERY.

Joseph L. Shepherd &c. &als

Wm. L. Holland p. q.

To Joint Assembler Rules,
Summit Court.
1902

B 33119

Paul Bros Printers

W. C. Commins
Atty's for
By W. Hatsy Jr.
D.C. Shurtz

The Commonwealth of Virginia,

Norfolk
~~Isle of Wight~~

To the Sheriff of the County of ~~Isle of Wight~~, Greeting:

WE COMMAND YOU that you summon Crump Shepherd, Joe Shepherd, Elizabeth Holladay and R. L. Holladay her husband, and Ellen Holladay and C. Holladay her husband, and Gertrude Shepherd, the last named being an infant under twenty-one years of age

to appear at the Clerk's office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court, on the 1st Monday in November 1902, to answer a bill in chancery, exhibited against them in our said court ~~for~~ by Henry Edwards and John R. Porter

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 17th day of October 1902, and in the 127th year of the Commonwealth.

N. F. Young c. c.

A Copy. Teste. N. F. Young c. c.

The bond required by the Judge of Isle of Wight County Circuit Court, who awarded this injunction having been executed, the defendants, Tump Shepard, Joe Shepherd, Elizabeth Holloday and R. L. Holloday, her husband, Ellen Holloday and R. L. Holloday, her husband, and Gertrude ~~Holloday~~ Shepherd, an infant under the age of twenty one years, their agents, assigns or attorneys are, by the said order restrained from selling or conveying the land in the bill and proceedings mentioned or advertising the same for sale until the further order of the said court.

Teste, S. F. Young C.C.

SUBPOENA
IN
CHANCERY.

vs.

p. q

To ..... Rules,

..... Court.

B 33119

The Commonwealth of Virginia, ~~Isle of Wight~~ Norfolk

To the Sheriff of the County of ~~Isle of Wight~~, Greeting:

WE COMMAND YOU that you summon Trump Shepherd, Joe Shepherd, Elizabeth Holladay and R. L. Holladay her husband, Ellen Holladay and C. Holladay her husband and Gertrude Shepherd, the last named being an infant under twenty one years of age.

to appear at the Clerk's office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court, on the 1st Monday in November 1902, to answer a bill in chancery, exhibited against them in our said court ~~for~~ by Henry Edwards and John R. Porter

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 17th day of October 1902, and in the 127th year of the Commonwealth.

N. F. Young, C.C.

A Copy - Test - N. F. Young c.c.

The bond required by the Judge of Isle of Wight County Circuit Court, who awarded this injunction having been executed, the defendants, Tump Shepard, Joe Shepherd, Elizabeth Holloday and R. L. Holloday, her husband, Ellen Holloday and R. L. Holloday, her husband, and Gertrude ~~Holloday~~ Shepherd, an infant under the age of twenty one years, their agents, assigns or attorneys are, by the said order restrained from selling or conveying the land in the bill and proceedings mentioned or advertising the same for sale until the further order of the said court.

Teste, *A. B. Young* C.C.

SUBPOENA
IN
CHANCERY.

vs.

.....

.....

.....

The Commonwealth of Virginia, ~~Norfolk~~ Nansemond

To the Sheriff of the County of ~~Isle of Wight~~, Greeting:

WE COMMAND YOU that you summon Thomas Shepherd, Joe Shepherd, Elizabeth Holladay and R. L. Holladay her husband, Ellen Holladay and C. Holladay her husband, and Gertrude Shepherd the last named being an infant under Twenty-one years of age

to appear at the Clerk's office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court, on the 1st Monday in November 1902, to answer a bill in chancery, exhibited against them in our said court ~~for~~ by Henry Edwards and John R. Porter

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 17th day of October 1902, and in the 127th year of the Commonwealth.

N. F. Young C.C.

The bond required by the Judge of Isle of Wight County Circuit Court who awarded this injunction, having been executed, the defendants, Turp Shepard, Joe Shepard, Elizabeth Hololoday and R. L. Holloday, her husband, and Gertrude Shepard, an infant under the age of twenty one years, their agents, assigns or attorneys, are, by the said order restrained from selling or conveying the land in the bill and proceedings mentioned or advertising the same for sale until the further order of the said court.

Teste, N. J. Young C.C

SUBPOENA
IN
CHANCERY.

vs.

p. q

To ..... Rules,

..... Court.

B 3119

The Commonwealth of Virginia,

To the ~~Sheriff of the County of Isle of Wight~~ Sergeant of the City of Norfolk, Greeting:

WE COMMAND YOU that you summon Trump Shepherd, Jr. Shepherd, Elizabeth Holladay and R. L. Holladay her husband, Ellis Holladay and E. Holladay her husband, and Gertrude Shepherd, the last named being an infant under the age of twenty-one years.

to appear at the Clerk's office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court, on the 1st Monday in November 1902, to answer a bill in chancery, exhibited against them in our said court ~~for~~ by Henry Edwards and John R. Parker

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 17th day of October 1902, and in the 127th year of the Commonwealth.

N. F. Young c.c.

A Copy - Teste -

N. F. Young c.c.

The bond required by the Judge of Isle of Wight County Circuit Court who awarded this injunction, having been executed, the defendants, Tump Shepard, Joe Shepard, Elizabeth Hololoday and R. L. Holloday, her husband, and Gertrude Shepard, an infant under the age of twenty one years, their agents, assigns or attorneys, are, by the said order restrained from selling or conveying the land in the bill and proceedings mentioned or advertising the same for sale until the further order of the said court.

Teste, *S. J. Hanna* C.C

Edmonds & Cocke

SUBPOENA IN CHANCERY.

vs.

Tump Shepard et als

Wm A. Holland ..... p. q

To Suit Memorandum ..... Rules, Clerk's Court.

1902

B 3119

Noyd Jones
Att'y for Town of Norfolk
by W A Thompson Atty

The Commonwealth of Virginia,

Sergeant of the City of Norfolk

To the ~~Sheriff of the County of Isle of Wight~~, Greeting:

WE COMMAND YOU that you summon Trump Shephard, Joe Shephard, Elizabeth Holladay and R. L. Holladay her husband, Ellen Holladay and L. Holladay her husband, and Gertrude Shephard, the last named being an infant under the age of Twenty-one years

to appear at the Clerk's office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court, on the 1st Monday in November 1902, to answer a bill in chancery, exhibited against them in our said court ~~for~~ by Henry Edwards and John R. Porter

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 17th day of October, 1902, and in the 127th year of the Commonwealth.

N. F. Young C.C.

The bond required by the Judge of Isle of Wight County Circuit Court, who awarded this injunction having been executed, the defendents, Tump Shepard, Joe Shepherd, Elizabeth Holloday and R. L. Holloday, her husband, Ellen Holloday and R. L. Holloday, her husband, and Gertrude Hxlixxdxyx Shepherd, an infant under the age of twenty one years, their agents, assigns or attorneys are, by the said order restrained from selling or conveying the land in the bill and proceedings mentioned or advertising the same for sale until the further order of the said court.

Teste, *J. D. Young* C.C.

SUBPOENA
IN
CHANCERY.

vs.

p. q

To ..... *Rules,*

..... *Court.*

B 33119

The Commonwealth of Virginia,

Sergeant of the City of Norfolk

To the ~~Sheriff of the County of Isle of Wight~~, Greeting:

WE COMMAND YOU that you summon Trump Shepherd, Joe Shepherd, Elizabeth Holladay and R. L. Holladay her husband, Ellen Holladay and L. Holladay her husband, and Gertrude Shepherd, the last named being an infant under the age of twenty-one years

to appear at the Clerk's office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court, on the 1st Monday in November 1902, to answer a bill in chancery, exhibited against them in our said court ~~for~~ by Henry Edwards and John R. Porter

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 17th day of October 1902, and in the 127th year of the Commonwealth.

N. F. Young, C. C.

A Copy - Teste -

N. F. Young, C. C.

In the suit of Edwards & Porter Vs Shepherd et als an injunction was awarded by the Judge of the Circuit Court in vacation restraining the defendants in this suit from selling or attempting to sell the land in the bill and proceedings mentioned. I suppose this injunction is in full force. This slip is attached to this summons for the purpose of informing you of the facts herein stated.

Yours very truly,

Wm. S. Harris

Received this 3rd day Dec. 1902 by delivering a true Copy of this within process to Counsel

Wm. L. Standley, Sheriff

By A. Lyle Chandler, Deputy Sheriff

Accepted this 3rd day Dec. 1902

Wm. L. Standley, Sheriff

Jenny Edwards & Jno Porter

vs. { SUBPOENA IN CHANCERY.

Jno L. Shepherd et als

Wm L. Holland p. q

To 2d December Rules,

Circuit Court.

1902

B 3119

The Commonwealth of Virginia,

Transmond

To the Sheriff of the County of ~~Isle of Wight~~, Greeting:

WE COMMAND YOU that you summon Jno L. Shepherd, Joe L. Shepherd Ellen W. Palladay who was Shepherd and C.W. Palladay her husband, Elizabeth Palladay who was Shepherd and R. J. Palladay her husband, and Gertrude Binkley who was Shepherd

to appear at the Clerk's office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court, on the Third Monday in December 1902, to answer an amended bill in chancery, exhibited against them in our said court ~~for~~ by Henry Edwards & Jno Porter

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 2d day of December 1902, and in the 127 year of the Commonwealth.

N. F. Young c.c.

In the suit of Edwards & Porter Vs Shepherd et als, an injunction was awarded by the Judge of the Circuit Court in vacation restraining the defendants in this suit from selling or attempting to sell the land in the bill and proceedings mentioned. I suppose this injunction is in full force. This slip is attached to this summons for the purpose of informing you of the facts herein stated.

Yours very truly,
Wm S. Holland

Not finding Jno L. Shepherd and Jno. Shepherd at their usual places of abode this 4th day of December 1902. I Served a Subpoena with a true copy thereof & explained the same to Mary Ella Shepherd wife of the said Jno L. Shepherd for the said Jno L. Shepherd & Mrs J.L. Shepherd his wife they being there over the age of sixteen years and I gave information of its purport to them and not finding Ellen V. Holladay who was Shepherd and E. V. Holladay nor any member of their family about the age of sixteen years at their usual place of abode this 4th day of December 1902 I tacked copies hereof with a like notice thereto annexed on the front door of said abode

J. F. Lawler Sergt
City of Norfolk
By C. L. Dunnin
Deputy

Sergt. fee 2.00 paid
C. L. Dunnin D.S.

Henry Edwards & Jno Porter

vs. { SUBPOENA IN CHANCERY.

Jno L. Shepherd etals

Wm. A. Halland p. q

To 2d December Rules,

Circuit Court.

1902

B 3119

The Commonwealth of Virginia,

Sergeant of Norfolk City

To the ~~Sheriff of the County of Isle of Wight~~, Greeting:

WE COMMAND YOU that you summon Jno. L. Shepherd, Jas Shepherd, Ellen V. Halladay who was Shepherd, and C. M. Halladay her husband, Elizabeth Halladay who was Shepherd and R. J. Halladay her husband and Gertrude Brinkley who was Shepherd

to appear at the Clerk's office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court, on the Third Monday in December 1902, to answer an amended bill in chancery, exhibited against them in our said court ~~for~~ by Henry Edwards &c. Jno Porter

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 2 day of December 1902, and in the 127 year of the Commonwealth.

N. F. Young c.c.

Henry Edwards Jno Porter

vs. { SUBPOENA IN CHANCERY.

Jno L. Shepherd et als

Wm S. Holland p. q

To 2d December Rules,

Circuit Court.

1902

B 3119

Executed on the within named Elizabeth Holliday & R L Holliday by delivering a copy to each Dec. 11th 1902.

Ro A. Edwards
Shff.

The Commonwealth of Virginia,

To the Sheriff of the County of Isle of Wight, Greeting:

WE COMMAND YOU that you summon Jno L. Shepherd, Jas Shepherd, Ellen V. Halladay who was Shepherd and C. M. Halladay her husband, Elizabeth Halladay who was Shepherd and R. J. Halladay her husband and Gertrude Buckley who was Shepherd

to appear at the Clerk's office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court, on the Third Monday in December 1902, to answer an amended bill in chancery, exhibited against them in our said court ~~for~~ by Henry Edwards and Jno Porter

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 2d day of December 1902 and in the 127 year of the Commonwealth.

N. F. Young c.c.

A Copy Teste N. F. Young c.c.

Shepherd et. al.

P. O. ~~Suf~~ Sale of negro to C.

P. O. Suffolk Va

Date

Am't $

Salient Points

Paid to Bradley & Holladay
July 16th 1903 on S. E. Event
for them $ 96.55
Paid Yancy clk 2.75
Her postage .25
99.55
Bal in last .45
100.00

Edwards & Porter paid
me 100.00

See letter inside to other 3
parties mailed July 20th 1903

B 45

Suffolk Va
July 2nd 1903.

Mr. Wm S. Holland
Dear Sir.

Yours recieved of the 30th inst. And will first give the names of all my brothers and sisters that are dead. Archer Shepherd, James T. Shepherd William G. Shepherd, Charles Wesley Shepherd dead and left no children. Those that are living are John L. Shepherd, Joseph Shepherd Elizabeth V. Shepherd, Ellen Shepherd and Gertrude Shepherd. There were nine in all. Hopeing you will find this all correct. Hopeing you will get the money from me as soon as possiable. And I will sign the deed. I think there is some mistake about the interest Hope that you will get it all straight which I am sure you will do whatever is right. Hope this will be all satisfactory

Very Truly Yours
Mrs Gertrude Brinkley.

over

Mr. Collard since I recd.
your letter my sister
Ellen Holladay who was
Shepherd has come to visit
me from Norfolk And she
is willing to settle in the
same way I write you this
so that you can arrange
the deed for me both to sign

Yours Very Truly

Mrs Gertrude Brinkley.
box 323 Suffolk Va.

Wm. S. HOLLAND,
ATTORNEY-AT-LAW.

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vs.

.....

No.....

WINDSOR STATION, VA., July 20th 1903

Mrs. R.L. Holliday,

Carrolton, Va.

Dear Madam,

I have settled with and paid off two of the heirs of your mother in the suit of Edwards & Porrter vs Shepherd et als. in the Circuit Court of Isle of Wight county, Virginia, at the sum of $46. 30 each which is all that is due them as shown by the written contract and the receipts on the said contract written. I beg to offer you the same, and do what was done with your two sisters that is to pay all costs of the suit and of the deed . I paid them and they have signed a deed and it is recorded, and I offer you exactly the same now. If you will accept the smae withoin one month from now it will be all right. If you do not accept, please take notice that at the next term of the court I shall ask the court for a decree deciding the case finally and ordering a commissioner to make a deed. If that is done I shall as attorney for Edwards & Porter, the plaintiffs urge that you pay the costs of the suit, and I believe it will so order. Please attend to this matter as it has been delayed long enough and I do not care to go to further costs till you do something in the suit.

Yours Very Truly,

Wm. S. Holland

WM. S. HOLLAND,
ATTORNEY-AT-LAW.

.....

vs.

.....

No.....

WINDSOR STATION, VA., July 30th 1903

Messrs. Jno. L.& Jos. Shepherd,

46 Clay St., Norfolk, Va.,

Dear Sirs,

I have settled with, and paid two of the heirs of your mother in the suit of Edwards & Porter vs Shepherd et als. in the Circuit Court of Isle of Wight county, Virginia, at the price and sum of $46.20 each which is all that is due them as shown by the contract and by the receipts written thereon. I beg to offer you the same, and do what was done with your two sisters, that is, to pay all costs of the suit and the deed. I paid them and they have signed a deed and it is recorded. I beg to offer you exactly the same now if accepted within one month from this date. If you not accept, please take notice that at the next term of the court I shall ask for a decree deciding the case finally, and ordering a commissioner to make a deed. I shall, as the attorney for the plaintiffs, urge that you pay the whole costs of the suit and I believe the court will so order. You must be ready to have the matter decided and ended at the next term.

Yours Very Truly,
Wm S. Holland

LAW OFFICE
OF
WM. S. HOLLAND.

COURTS---ISLE OF WIGHT, NANSEMOND AND
SOUTHAMPTON.

WINDSOR STATION. VA.. June 30th 1913

Mrs. Gertrude Brinkley,

P.O.Box 333 Suffolk, Va,

Dear Madam,

As I promised I have been to the Clerk,s office and gotton the papers in the suit. From the papers it appears that your Mother Ellen V. Shepherd owned the land, that you are now of age, that your mother made a contract in writing to sell the land for $200.00 and that interest has been paid on the money(I have the receipts) up to about two years ago, that you have four brothers and sister, that there are five of you in all, that one share is one fifth or forty two dollars and fify cents. I will see the parties and get that money and I will prepare without costs to you the deed to be signed and pay you the above amount if I am right in the statement above. I have deducted nothing for costs because you are proposing to settle without the suit. I am sure this is about twice what you would get two years from now or whenever the matter is settled. Please write me if you will accept it and if so tell me in your letter the correct names of all your brothers and sisters whether living or dead stating as to those who died, if any, whether they left any children and the say that those named are all, and I will go to work and get the money and send you a deed to be signed by you and your husband, and will do it all within thirty days and perhaps much sooner after getting your letter as above mentioned.

Yours Very Truly,

Wm S. Holland

WM. S. HOLLAND,
ATTORNEY-AT-LAW.

.....

vs.

.....

No.....

WINDSOR STATION, VA.,

Aug. 8th 1903

Mr & Mrs. R.L.Holiday,

Dear Sir, & Madam,

In obedience to the agreement made by Mr. Holliday with me, I have this day sent Mr. J.S.Davis my check and the deed. You will please call on him and sign the deed and get your check. I have sent Mr. Davis his fee for acknowleging the deed and you will get exactly what each of your brothers and sisters got, no more and no less. Hope you will get this letter and will go at once to see Mr. Davis about it.

Yours Very Truly,
Wm S. Holland

WM. S. HOLLAND,
ATTORNEY-AT-LAW.

.....

vs.

.....

No.....

WINDSOR STATION, VA., Aug.8th 1903

Mr.J.S.Davis,

Dear Sir,

I send you inclosed a deed to be signed by Mr and Mrs R. L.Holiday of your section. I send also a check for the said Mrs. H. when she and her husband signs. I send you check for one dollar to pay for the acknowledging, and will thank you to send the deed back to me as soon as it is signed and for that purpose I send you a self addressed envelope.

A chancery suit is pending in the Circuit Court about a piece of land, and they have compromsied, the others have all signed and been paid now except this lday. Her husband met me at Isle of Wight C.H. on Aug. court day and told me his wife would settle the same way as the rest, and we agreed. I send her just exactly what each one got, no more and no less,

Yours Very Truly,

WM. S. HOLLAND,
ATTORNEY-AT-LAW.

.....

vs.

.....

No.....

WINDSOR STATION, VA., Aug. 4th 1903

Mr. D.S.Phlegar,

Norfolk, Va.,

Dear Sir,

I am taking the liberty of asking you to do me a favor. I have compromised a chancery suit with Messrs.. Jos. and Jno.L. Shepherd of your city by which I am to pay them $94.56 or $47. 28 each , to pay for their interests in a tract of land which is the subject of the suit. Their mother and father sold the land in the year 1881 and gave a contract and now they are both dead. I send you my check for $96.55 which will leave you two dolloars to acknowledged the deed. They will call to see you. The bargain has been made. I did not tell them to whom I would send the deed, but I will write them by this mail and tell them to call at your office and sign the deed and get their money. I do not know whether they are married or not but I have fillied up the deed leaving the wife,s name blank and I hope you will fill in the names and let the wives sign if they are married. If they are not married then you retain the two dols. all the same. I am in no hurry about the matter. They will call on you. Thanking you in advance I am,

Yours Very Truly,
Wm S. Holland

Copy

WM. S. HOLLAND,
ATTORNEY-AT-LAW.

.....

vs.

.....

No.....

WINDSOR STATION, VA.,

Aug. 4th 1903

Mess Jos. & Jno.L. Shepherd,

Norfolk, Va.,

Dear Sirs,

I have sent to Mr. D.S.Phlegar, Stenographer, citizens bank building in your city, the deed and my check to pay you your money in the suit. If you or either of you are married then the wife or wives will have to sign the deed. I have sent for each of you the sum of $47.28 (forty seven dollars and twenty eight cents) and have sent the money to pay him for acknowleging the deeds. This is precisely the way I treated your sisters in Suffolk , the same amount and all. Mr. Phlegar is almost always at home and can be seen at his office I suppose most any time. If he is at work in court then you can see him at night or early in the morning at his office. I know of no better way to do it. Hope it will be all right and that the matter may end soon. I saw your sister,s husband on yesterday and he told me she would unite and that is why her name is in the deed. After you sign it will be sent to her and her money will be sent to her.

Yours Very Truly,

Wm S Holland

cfs

Suffolk Va.
June 19, 1903.

Mr. W. S. Holland. —

Dear Sir.

yours of the 18th inst. recd. and in reply will try to make plain to you what I asked about the Henry Edwards track of land. Mr. Holland this piece of land belonged to my own mother and she sold or bargained to sell it to Henry Edwards And I think he made a payment when he first bargained to buy

it. And has never paid
any- thing except some
interest And there is
interest owing on same
yet. Now I am only
trying to get my part
of this money if you
remember you sent me
a notice of the suit
of Edwards & Co in
December. And the other
children seem to want
more And some of them
say that they wont
sign a deed to sell
the land for that
much money

Mr. Wm S. Holland
Windsor
Ja.

All Available Text Successfully Captured

All Available Text Successfully Captured

Suffolk Va
July 14th 1903.

Mr. Wm S. Holland

Dear Sir:-

Yours recieved of the 4th instant. And would of written before but have been waiting to hear from my brothers & Sister And find they are not willing to sign to deed for that much money they want more. But wish to say that I want mine as soon as I can get it. So please send soon as you can as my Sister expects to go home some time this week And oblige

Mrs Gertrude Brinkley

WINDSOR
JUL
14
6PM
1903
REC'D

Mr. Wm S. Ho-

Windsor Va

All Available Text Successfully Captured

Suffolk Va.
July 18th 1903.

Mr. Wm L Holland.

Dear Sir

Yours of the 17th recd. instant And in reply will give the address of the two brothers and one sister My brothers John L. and Joseph Shepherd both of #6 Clay St, Norfolk Va. my sister Mrs R. L. Hogaday Carrollton Isle of Wight Co Va.

Will say I have recieved check and thank you in return

Yours very truly

Mrs Gertrude Brinkley

W. S. HOLLAND,

ATTORNEY AT LAW,

Windsor Station,

N. & W. R. R. VA.

FORM N. 4

MERCHANTS AND MINERS TRANSPORTATION CO.

NORFOLK AGENCY.

BOSTON LINE.
BALTIMORE, NORFOLK, NEWPORT NEWS & BOSTON.
PROVIDENCE LINE.
BALTIMORE, NEWPORT NEWS, NORFOLK & PROVIDENCE.
SAVANNAH LINE.
BALTIMORE & SAVANNAH.
PHILADELPHIA LINE.
PHILADELPHIA & SAVANNAH

R H. WRIGHT,
AGENT.

NORFOLK, VA. July 25th 1903

REPLYING REFER TO No.

Mr Wm B Holland
Atty at Law

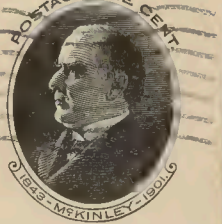
Dear Sir

your letter dated July 20th 1903 was duly Rec'd and in reply would say that after considering the Matter we have concluded to accept the same settlement as the other heirs which we understand was $47.20 Each we are ready to sign the proper papers at any time you may designate

Respectfully Yours
Jno Shepherd
Jno L Shepherd

2/96.55
48.27
144.72

2/94.20
47.10



THE SPACE ABOVE IS RESERVED FOR POSTMARK

POSTAL CARD.

THE SPACE BELOW IS FOR THE ADDRESS ONLY.

Wm S Holland Esqr
Windsor Station
Va

(N&WRR)

Norfolk July 31st 1903

W S Holland Esqr

Dear Sir

In reply to your request for the address of the other heir it is as follows Mrs R L Holladay Carrollton P O Isle of Wight Co Va

Our Address is Norfolk Va
C/o M and M Co

J L Shepherd
Joseph Shepherd

Edwards & Porter

Vs

Shepherd et als.

-:-:-:

Edwards & Porter

Vs

Shepherd et als.

This cause came on this day to be again heard on the papers formerly read, and was argued by counsel.

On consideration whereof, it appearing to the Court that all the parties defendants to this suit have executed their several deeds to the plaintiffs for the land in the bill and proceedings mentioned and that the costs of this suit has been paid, and nothing further appearing to be done herein, the Court doth adjudge, on motion of the complainants order and decree that this cause be stricken from the docket.

This agreement Made ~~March~~ April 5th
1881 — between John Shepherd & Wife of
the one part and Henry Edwards & John R
Porter of the other part, Witneth that the Said
Henry Edwards & Jno R. Porter both Colo. have paid
in Cash to day to the Said John Shepherd & Wife
the Sum of Nineteen dollars it being in part
of payment on a Certain Tract or parcel of land
That the Said John Shepherd & Wife owns in the
County of Isle of Wight & State of Va Joining the land
of Archibald Roberts, James B Porter & others, Containg
by Estimate Eighty Acres. More or Less: That the Said
John Shepherd & Wife agrees to Sell to the Said
Henry Edwards & Jno R. Porter for the Sum of Two
Hundred Dollars & at the Expiration of twelve
Months from date the Said Henry Edwards & Jno
R Porter is to pay on Half of Consideration of Said Money
& then the Said John Shepherd & Wife is to give
them the Said Henry Edwards & Jno R Porter a deed for
the Said above tract of Land & to secure the same by
a deed of trust from the Said Henry Edwards &
Jno R Porter — as Witness our Hands & Seals
This 5th day of April 1881

Test
John C. Underwood

Ellen V. Shepherd (Seal)
John Shepherd (Seal)
Henry his X mark Edwards (Seal)
John R. Porter (Seal)

$34.00

Rec'd of Henry Edwards Thirty Four in part payment for land

John Shepherd

Feb 16/83

Wesley Chapman

November the 8th 1890

$12.00 Recaved of Henry Edwards twele dollars in part payment on land

John Shepherd

January the 28th 1893

$24.00 Recaved of Henry Edwards Twenty four dollars in part pay on land

John Shepherd

March the 11th 1895

Recaed of Henry Edwards thirty six dollars in part payment on land

John Shepherd