

1924-002 Chancery Causes:
Isle of Wight County

Hardy Darden VS Jethro Holland & al
Petition of Baugh & Sons Company, Incorporated
Petition of Dixie Guano Company, Incorporated
Petition of The Suffolk Fertilizer Company, Incorporated

Folder 1
407

Other SURNAMES: [Farmers
Bank Incorporated, Windsor,
Virginia], Rhodes Baugh,
[Baugh & Sons, Incorporated],
Northcutt, Cones

3

HARDY DARDEN

vs. BILL

JETHRO HOLLAND ET ALS.

Filed.
2nd Mon. May 1923.

WILLIAM S. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

was made without any consideration and pursuant to the aforesaid conspiracy to hinder, delay and defraud the said creditors of the said Jethro Holland and especially your complainant.

IN TENDER CONSIDERATION WHEREOF and inasmuch as your complainant is without remedy save in a court of equity where all such matters are peculiarly cognizable, your complainant prays that the said Jethro Holland, Lilly Maude Holland, M. W. Darden, Elizabeth M. Darden, Farmers Bank Inc., Windsor, Virginia, and R. W. Rhodes, Trustee, be made parties defendants to this bill and required to answer the same, though answer under oath is hereby expressly waived; that proper process issue; that the said deed from Jethro Holland and wife to M. W. Darden and the said deed from M. W. Darden and wife to Lilly Maude Holland both be declared void as to the creditors, including your complainant, of the said Jethro Holland at the time the said deed to M. W. Darden was executed and delivered, and that both said deeds be set aside as fraudulent as to said creditors; that the said deed of trust from the said Lilly Maude Holland to R. A. Rhodes, Trustee, be set aside and declared void as to the aforesaid creditors of Jethro Holland; that a reasonable attorney fee be allowed and awarded your complainant on the aforesaid note; that a lien on said land and personal property be declared in favor of your complainant, as provided by statute, and that the said land and personal property may be sold and the proceeds therefrom be applied to the payment of the debt due your complainant; that all answers and proper issues, accounts and inquiries be entered, directed, and taken and that your complainant may have such other, general and special relief as the nature of his case may require or to equity shall seem meet. And your complainant will ever pray.

Hardy Darden
By his attorney, *W. S. Holland*

W. S. Holland, p.p.

own property; and that the said M. W. Darden, a neighbor and friend of Jethro Holland, knowingly aided and abetted in the foregoing plan to hinder, delay and defraud the creditors of the said Jethro Holland and especially your complainant.

EIGHTH: Your complainant alleges and charges that the said Jethro Holland did voluntarily, fraudulently and without any consideration whatever convey all his personal property of every kind, including his farming implements and equipments to the said M. W. Darden in the aforesaid deed, and notwithstanding the fact that the said conveyance of the said personal property purports to transfer the ownership thereof, the said Jethro Holland has retained possession of all the said property, no article therein mentioned having been delivered to the said M. W. Darden at any time; that the said M. W. Darden conveyed all the said personal property to the said Lilly Maude Holland for the purpose of consummating a conspiracy between all the parties to both deeds to hinder, delay and defraud the creditors of the said Jethro Holland, and especially your complainant; and that the said pretended conveyance of the said personal property from M. W. Darden to Lilly Maude Holland, wife of Jethro Holland was made voluntarily, fraudulently and without any real consideration whatever.

NINTH: That your complainant alleges and charges that the said Lilly Maude Holland and Jethro Holland conveyed the tract of land mentioned in both deeds as aforesaid to R. A. Rhodes, Trustee, in trust to secure the payment of the sum of Eight Hundred and twenty-five (\$825.) Dollars, on demand, to the Farmers Bank Inc., of Windsor, Virginia, which said deed of trust was executed on the 18th day of April, 1923, and recorded on the 19th day of April, 1923, in deed of trust book No. 94, Page No. 52, in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia; and that the said Farmers Bank Inc., of Windsor, Virginia, was informed and knew that the said deed from M. W. Darden and wife to Lilly Maude Holland

deed dated April 18th, 1923, and recorded on the 19th day of April, 1923, in deed book No. 93, Page No. 554, in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, all of the aforesaid real estate and personal property for the ostensible consideration of Two Thousand (\$2000.) Dollars, all of which will appear from a copy of the said deed hereto attached, and marked "Exhibit B", and prayed to be read and taken as a part of this bill.

SIXTH: That your complainant believes and here avers that the said deed from the said M. W. Darden and wife to the said Lilly Maude Holland was without any real consideration, and was made pursuant to a conspiracy between the parties to the said deed and Jethro Holland to hinder, delay, and defraud the creditors of the said Jethro Holland, especially your complainant, all of which was known to the parties to the said deed and to the said Jethro Holland. Your complainant believes and charges that not a cent passed between the grantee and the grantors in said deed; that Lilly Maude Holland is the wife of Jethro Holland; and that the said conveyance was executed and delivered by the said M. W. Darden and wife to the said Lilly Maude Holland in accord with a conspiracy made before the execution of the said deed from Jethro Holland and Lilly Maude Holland, his wife, for the purpose and with the intent to hinder, delay and defraud the creditors of the said Jethro Holland, and especially your complainant.

SEVENTH: Your complainant alleges that the said land is all the real estate owned by the said Jethro Holland and that the said Jethro Holland and wife lived thereon and cultivated the same for his personal use and benefit; that notwithstanding the foregoing deed from the said Jethro Holland and wife to the said M. W. Darden the said Jethro Holland has had continuous possession, and has exercised continuous control and ownership just as he did prior to the time of the aforesaid conveyance to M. W. Darden; that the said Jethro Holland has repeatedly offered the said land for sale as his

Holland and wife, by deed duly recorded in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, and being that portion of said property which is located on the South side of the Virginian Railway. This said parcel of property together with a certain other portion of the same tract which is this day conveyed to W. L. Darden constitutes the entire real estate which was conveyed to the said Jethro Holland by Jason Holland and wife aforesaid."

"SECOND: One black horse, weighing about one thousand (1000) pounds, and being about nine years old, one bay mule, weighing about one thousand (1000) pounds, and being about twelve years of age, one jersey cow, weighing about five hundred (500) pounds, and being about three years old, one jersey cow, weighing about three hundred (300) pounds, and being about eighteen (18) months old, seventy-five barrels corn, two Lyman cultivators, one Ayers Peanut planter, one road cart, one wagon, all of which said personal property is located on the premises above described."

THIRD: That on the 8th day of May, 1922, and while the said Jethro Holland was indebted to your complainant in the sums above mentioned, the said Jethro Holland and Lilly Maude Holland, his wife, conveyed by deed of that date, now duly of record in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, in deed book No. 93, Page No. 132, the said tract of land and personal property to M. W. Darden for the ostensible consideration of Two Thousand (\$2000) Dollars, all of which will appear by a copy of said deed hereto attached and marked "Exhibit A" and prayed to be read and taken as a part of this bill.

FOURTH: Your complainant prays and here avers that the said deed from Jethro Holland and wife to M. W. Darden was without any real consideration, and was made with the intent to hinder, delay and defraud the creditors of the said Jethro Holland and especially your complainant, all of which was known to all the parties to the said deed. Your complainant believes and charges that not a cent passed from the grantee to the grantors in said deed as a consideration.

FIFTH: That on the 18th day of April, 1923, the said M. W. Darden and Elizabeth M. Darden, his wife, conveyed to the said Lilly Maude Holland, wife of Jethro Holland, by a certain

VIRGINIA.

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

HARDY DARDEN

vs.

JETHRO HOLLAND, LILLY MAUIE HOLLAND, M. W. DARDEN, ELIZABETH M. DARDEN, FARMERS BANK INC., WINDSOR, VA., and R. A. RHODES, TRUSTEE.

Humbly complaining shows unto your Honor your complainant, Hardy Darden, as follows:

FIRST: That on the 8th day of May, 1922, the said Jethro Holland was indebted to your complainant in the sum of Eleven Hundred and Four Dollars and Eight Cents (\$1104.08). That the said sum of Eleven Hundred and Four Dollars and Eight Cents (\$1104.08) is still due and owing to your complainant with interest from the 28th day of March, 1923, which said debt is now evidenced by a certain note for Six Hundred and Ninety-three (\$693.) Dollars, a protest check for Four Hundred (\$400.) Dollars and an open account for Eleven Dollars and Eight Cents (\$11.08). That the said Jethro Holland also promised and obligated to pay all expenses incurred in the collection of the said note including attorney fees.

SECOND: That on the 8th day of May, 1922, the said Jethro Holland was the owner in fee simple of a certain tract of land in Isle of Wight County, Virginia, and certain personal property, both being described as follows:

"FIRST: All that certain tract of land in Windsor Magisterial District, in the County of Isle of Wight, and State of Virginia, containing seventy-five (75) acres more or less, though the same is sold in gross and not by the acre, (this deed being an express contract of hazard as to the acreage) bounded and described as follows: Bounded on the North by the right of way of the Virginian Railway, on the South by the land belonging to the Estate of Jason Holland, on the West by the land of W. M. Ellis, and on the East by the land of J. W. Darden.

"The above property is expressly sold in gross and not by the acre and constitutes a part of the same property which was conveyed to the above named Jethro Holland by Jason

HARDY DARDEN

VS.

JETHRO HOLLAND AND OTHERS

*14-3
Sept 14
1853*

AMENDED BILL

WILLIAM S. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

said creditors; that the said deed of trust from the said Lilly Maude Holland to R. A. Rhodes, Trustee, be set aside and declared void as to the aforesaid creditors of Jethro Holland; that a reasonable attorney fee be allowed and awarded your complainant on the aforesaid note; that lien on said land and personal property be declared in favor of your complainant, as provided by statute, and that the said land and personal property may be sold and the proceeds therefrom be applied to the payment of the debt due your complainant; that all answers and proper issues, accounts and inquiries be entered, directed, and taken and that your complainant may have such other, general and special relief as the nature of his case may require or to equity shall seem meet. And your complainant will ever pray.

Hardy Dorden
By his atty W. S. Holland

said personal property from M. W. Darden to Lilly Maude Holland, wife of Jethro Holland was made voluntarily, fraudulently and without any real consideration whatever.

NINTH: That your complainant alleges and charges that the said Lilly Maude Holland and Jethro Holland conveyed the tract of land mentioned in both deeds as aforesaid to R. A. Rhodes, Trustee, in trust to secure the payment of the sum of Eight Hundred and Twenty-five (\$825) Dollars, on demand, to the Farmers Bank Inc., of Windsor, Virginia, which said deed of trust was executed on the 18th day of April, 1923, and recorded on the 19th day of April, 1923, in Deed of Trust Book No. 94, Page No. 52, in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia; and that the said Farmers Bank Inc., of Windsor, Virginia, was informed and knew that the said deed from M. W. Darden and wife to Lilly Maude Holland was made without any consideration and pursuant to the aforesaid conspiracy to hinder, delay and defraud the said creditors of the said Jethro Holland and especially your complainant.

IN TENDER CONSIDERATION WHEREOF and in as much as your complainant is without remedy save in a court of equity where all such matters are peculiarly cognizable, your complainant prays that the said Jethro Holland, Lilly Maude Holland, M. W. Darden, Elizabeth M. Darden, Farmers Bank Inc., Windsor, Virginia, and R. A. Rhodes, Trustee, be made parties defendants to this amended bill and required to answer the same, though answer under oath is hereby expressly waived; that proper process issue; that the said deed from Jethro Holland and wife to M. W. Darden and that said deed from M. W. Darden and wife to Lilly Maude Holland both be declared void as to the creditors, including your complainant, of the said Jethro Holland and that both said deeds be set aside as fraudulent as to the

the said deed from Jethro Holland and Lilly Maude Holland, his wife, for the purpose and with the intent to hinder, delay and defraud the creditors of the said Jethro Holland, and especially your complainant.

SEVENTH: Your complainant alleges that the said land is all the real estate owned by the said Jethro Holland and that the said Jethro Holland and wife lived thereon and cultivated the same for his personal use and benefit; that notwithstanding the foregoing deed from the said Jethro Holland and wife to the said M. W. Darden the said Jethro Holland has had continuous possession, and has exercised continuous control and ownership just as he did prior to the time of the aforesaid conveyance to M. W. Darden; that the said Jethro Holland has repeatedly offered the said land for sale as his own property; and that the said M. W. Darden, a neighbor and friend of Jethro Holland, knowingly aided and abetted in the foregoing plan to hinder, delay and defraud the creditors of the said Jethro Holland and especially your complainant.

EIGHTH: Your complainant alleges and charges that the said Jethro Holland did voluntarily, fraudulently and without any consideration whatever convey all his personal property of every kind, including his farming implements and equipments to the said M. W. Darden in the aforesaid deed and notwithstanding the fact that the said conveyance of the said personal property purports to transfer the ownership thereof, the said Jethro Holland has retained possession of all the said property, no article therein mentioned having been delivered to the said M. W. Darden at any time; that the said M. W. Darden conveyed all the said personal property to the said Lilly Maude Holland for the purpose of consummating a conspiracy between all the parties to both deeds to hinder, delay and defraud the creditors of the said Jethro Holland, and especially your complainant; and that the said pretended conveyance of the

read and taken as a part of this bill.

FOURTH: Your complainant prays and here avers that the said deed from Jethro Holland and wife to M. W. Darden was without any real consideration, and was made with the intent to hinder, delay and defraud the creditors of the said Jethro Holland and especially your complainant, all of which was known to all the parties to the said deed. Your complainant believes and charges that not a cent passed from the grantee to the grantors in said deed as a consideration.

FIFTH: That on the 18th day of April, 1923, and while the said Jethro Holland was indebted to your complainant in the sums above mentioned, the said M. W. Darden and Elizabeth M. Darden, his wife, conveyed to the said Lilly Maude Holland, wife of Jethro Holland, by a certain deed dated April 18th, 1923, and recorded on the 19th day of April, 1923, in Deed Book NO. 93, Page No. 554, in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, all of the aforesaid real estate and personal property for the ostensible consideration of Two thousand (\$2000) Dollars, all of which will appear from a copy of the said deed attached to the original bill and marked "Exhibit B", and prayed to be read and taken as a part of this bill.

SIXTH: That your complainant believes and here avers that the said deed from the said M. W. Darden and wife to the said Lilly Maude Holland was without any real consideration, and was made pursuant to a conspiracy between the parties to the said deed and Jethro Holland, especially your complainant, all of which was known to the parties to the said deed and to the said Jethro Holland. Your complainant believes and charges that not a cent passed between the grantee and the grantors in said deed; that Lilly Maude Holland is the wife of Jethro Holland; and that the said conveyance was executed and delivered by the said M. W. Darden and wife to the said Lilly Maude Holland in accord with a conspiracy made before the execution of

lowing day, to-wit: the _____ day of June, 1923.

SECOND: That on the 8th day of May, 1922, the said Jethro Holland was the owner in fee simple of a certain tract of land in Isle of Wight County, Virginia, and certain personal property, both being described as follows:

"FIRST: All that certain tract of land in Windsor Magisterial District, in the County of Isle of Wight, and State of Virginia, containing seventy-five (75) acres more or less, though the same is sold in gross and not by the acre, (this deed being an express contract of hazard as to the acreage) bounded and described as follows: Bounded on the North by the right of way of the Virginian Railway, on the South by the land belonging to the Estate of Jason Holland, on the West by the land of W. H. Ellis, and on the East by the land of J. W. Darden.

"The above property is expressly sold in gross and not by the acre and constitutes a part of the same property which was conveyed to the above named Jethro Holland by Jason Holland and wife, by deed duly recorded in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, and being that portion of said property which is located on the South side of the Virginian Railway. This said parcel of property together with a certain other portion of the same tract which is this day conveyed to W. L. Darden constitutes the entire real estate which was conveyed to the said Jethro Holland by Jason Holland and wife aforesaid."

"SECOND: One black horse, weighing about one thousand (1000) pounds, and being about nine years old, one bay mule, weighing about one thousand (1000) pounds, and being about twelve years of age, one jersey cow, weighing about five hundred (500) pounds, and being about three years old, one jersey cow, weighing about three hundred (300) pounds, and being about eighteen (18) months old, seventy-five barrels of corn, two Lyman cultivators, one Ayers Peanut planter, one road cart, one wagon, all of which said personal property is located on the premises above described.

THIRD: That on the 8th day of May, 1922, and while the said Jethro Holland was indebted to your complainant in the sums as above mentioned, the said Jethro Holland and Lilly Maude Holland, his wife, conveyed by deed of that date, now duly of record in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, in Deed Book No. 93, Page No. 132, the said tract of land and personal property to M. W. Darden for the ostensible consideration of Two Thousand (\$2000) Dollars, all of which will appear by a copy of said deed attached to the original bill and marked "Exhibit A" and prayed to be

VIRGINIA: IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

HARDY DARDEN

vs.

AMENDED BILL

JETHRO HOLLAND, LILLY MAUDE HOLLAND, M. W. DARDEN, ELIZABETH M. DARDEN, FARMERS BANK INC., WINDSOR, VA., and R. A. RHODES, TRUSTEE

Humbly complaining shows unto your Honor your complainant, Hardy Darden, as follows:

FIRST: That prior to and on the 8th day of May, 1922, the said Jethro Holland was indebted to your complainant in the sum of Six Hundred and Sixty-eight (\$668) Dollars with interest from the ~~12~~^{12th} day of April, 1921, (which debt was evidenced by a certain note dated April ~~12th~~^{12th}, 1921) and the said Jethro Holland was also indebted to your complainant prior to and on the 8th day of May, 1922, in the sum of Fourteen (\$14) Dollars with interest from June, 16th, 1921 for two bags of soda and in the sum of Thirty-three Dollars and Seventy-five Cents (\$33.75), with interest from June 27th, 1921, for twenty-five bags of plaster, and that the foregoing indebtedness was increased to Eleven Hundred and Four Dollars and Eight Cents (\$1104.08) before the 26th day of March, 1923. That the said sum of Eleven Hundred and Four Dollars and Eight Cents (\$1104.08) is still due and owing to your complainant (and his assignee as hereinafter mentioned) with interest from the 26th day of March, 1923, which said debt is now evidenced by a certain note dated March 26th, 1923, for Six Hundred and Ninety-three (\$693) Dollars, a protested check dated March 28th, 1923, for Four Hundred (\$400) Dollars, and an open account for Eleven Dollars and Eight Cents (\$11.08). That the said Jethro Holland also promised and obligated to pay all expenses incurred in the collection of the said note including attorney's fees. That the aforesaid note for Six Hundred and Ninety-three (\$693) Dollars was duly assigned by your complainant to Baugh & Sons, Inc., on the fol-

HARDY DARDEN AND OTHERS

VS.

JETHRO HOLLAND AND OTHERS

PETITION OF BAUGH & SONS CO., INC

VIRGINIA: CLERKS OFFICE OF THE
CIRCUIT COURT OF THE COUNTY
OF ISLE OF WIGHT

July 31st 1923
Filing

Testo, R. W. Edmunds Clerk.

WILLIAM S. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

this petition in the above entitled cause under section 6096 of the 1919 Code of Virginia; that your petitioner be made a party to this cause; that proper process be issued against Jethro Holland, Lilly Maude Holland, M. W. Darden and Elizabeth M. Darden; that Jethro Holland, Lilly Maude Holland, M. W. Darden and Elizabeth M. Darden be required to answer this petition, though answer under oath is hereby expressly waived; that the said deed from Jethro Holland and wife to M. W. Darden and the said deed from M. W. Darden and wife to Lilly Maude Holland both be declared void as to the creditors, and their assignees, including your petitioner, of the said Jethro Holland at the time the said deed to M. W. Darden was executed and delivered, and that both said deeds be set aside as fraudulent as to the afore-said creditors of Jethro Holland; that a lien on the said land and personal property be declared in favor of your petitioner as provided by statute, and that the said land and personal property may be sold and the proceeds therefrom applied to the payment of the debt due your petitioner; and that your petitioner may have such other, general and special relief as the nature of its case may require or to equity which seem meet. And your petitioner will ever pray.

Baugh & Sons Co., Inc.
By its Atty., W. S. Holland

years old, one jersey cow, weighing about three hundred (300) pounds, and being about eighteen (18) months old, seventy-five barrels of corn, two Lyman cultivators, one Ayers Peanut Planter, one road cart, one wagon, all of which said personal property is located on the premises above described."

"THIRD: That on the 8th day of May, 1923, and while the said Jethro Holland was indebted to your petitioner's assignor in the sum above mentioned, the said Jethro Holland and Lilly Maude Holland, his wife, conveyed by deed of that date, now duly of record in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, in Deed Book No. 93, Page No. 132, the said tract of land and personal property to M. W. Darden for the ostensible consideration of Two Thousand (\$2000) Dollars: and

"FOURTH: Your petitioner charges and here avers that the said deed from Jethro Holland and wife to M. W. Darden was without any real consideration, and was made with the intent to hinder, delay and defraud the creditors of the said Jethro Holland and especially your petitioner's assignor, all of which was known to all the parties to the said deed. Your petitioner believed and charges that not a cent passed from the grantee to the grantors in said deed as a consideration: and

"FIFTH: That on the 18th day of April, 1923, and while the above debt was due and owing to your petitioner's assignor, the said M. W. Darden and Elizabeth M. Darden, his wife, conveyed to the said Lilly Maude Holland, wife of Jethro Holland, by a certain deed dated April 18th, 1923, and recorded on the 19th day of April, 1923, in Deed Book No. 93, Page No. 554, in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, all of the aforesaid real estate and personal property for the ostensible consideration of two thousand(\$2000) dollars, but without any real consideration, and was executed with the intent to hinder, delay and defraud the creditors of the said Jethro Holland: and

Therefore, your petitioner prays for leave to file

VIRGINIA: IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

HARDY DARDEN AND OTHERS

vs.

JETHRO HOLLAND AND OTHERS

Your petitioner, Baugh & Sons Co., Inc., respectfully represents:

FIRST: That the note mentioned in the original bill in this cause for Six Hundred and Ninety-three (\$693) Dollars, with interest from the 26th day of Marcy, 1923, and Attorney's fees, signed by Jethro Holland, payable to Hardy Darden on demand, has been duly assigned to your petitioner, and that such amount, with interest and Attorney's fees, is now due and owing to your petitioner. The aforesaid note was given in renewal of debt due Hardy Darden from Jethro Holland, which debt was incurred prior to the 8th day of May, 1922.

SECOND: That on the 8th day of May, 1922, the said Jethro Holland was the owner in fee simple of a certain tract of land in Isle of Wight County, Virginia, and certain personal property, both being described as follows:

"First: All that certain tract of land in Windsor Magisterial District, in the County of Isle of Wight, and State of Virginia, containing seventy-five (75) acres more or less, though the same is sold in gross and not by the acre, (this deed being an express contract of hazard as to the acreage) bounded and described as follows: Bounded on the North by the right of way of the Virginian Railway, on the South by the land belonging to the Estate of Jason Holland, on the West by the land of W. M. Ellis, and on the East by the land of J. W. Darden.

"The above property is expressly sold in gross and not by the acre and constitutes a part of the same property which was conveyed to the above named Jethro Holland by Jason Holland and wife, by deed duly recorded in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, and being that portion of said property which is located on the South side of the Virginian Railway. This said parcel of property together with a certain other portion of the same tract which is this day conveyed to H. L. Darden constitutes the entire real estate which was conveyed to the said Jethro Holland by Jason Holland and wife aforesaid."

"Second: One black horse, weighing about one thousand (1000) pounds, and being about nine years old, one bay mule, weighing about one thousand (1000) pounds, and being about twelve years of age, one jersey cow, weighing about five hundred (500) pounds, and being about three

HARDY DARDEN

vs.

JETHRO HOLLAND AND OTHERS

PETITION OF DIXIE GUANO CO., INC.

VIRGINIA: CLERKS OFFICE OF THE
CIRCUIT COURT OF THE COUNTY
OF ISLE OF WIGHT

July 31 1923

Filed.

Teste, R. W. Edwards Clerk,

WILLIAM S. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

sideration, and was executed with the intent to hinder, delay and defraud the creditors of the said Jethro Holland; and

Therefore, your petitioner prays for leave to file this petition in the above entitled cause under section 2096 of the 1919 Code of Virginia; that your petitioner be made a party to this cause; that proper process be issued against Jethro Holland, Lilly Maude Holland, M. W. Darden and Elizabeth M. Darden; that Jethro Holland, Lilly Maude Holland, M. W. Darden and Elizabeth M. Darden be required to answer this petition, though answer under oath is hereby expressly waived; that the said deed from Jethro Holland and wife to M. W. Darden and the said deed from M. W. Darden and wife to Lilly Maude Holland both be declared void as to the creditors, including your petitioner, of the said Jethro Holland at the time the said deed to M. W. Darden was executed and delivered, and that both said deeds be set aside as fraudulent as to the aforesaid creditors of Jethro Holland; that a lien on the said land and personal property be declared in favor of your petitioner as provided by statute, and that the said land and personal property may be sold and the proceeds therefrom applied to the payment of the debt due your petitioner; and that your petitioner may have such other, general and special relief as the nature of its case may require or to equity which seem meet. And your petitioner will ever pray.

Dixie Guano Co. Inc.
By its Atty., W.S. Holland

"Second: One black horse, weighing about one thousand (1000) pounds, and being about nine years old, one bay mule, weighing about one thousand (1000) pounds, and being about twelve years of age, one jersey cow, weighing about five hundred (500) pounds, and being about three years old, one jersey cow, weighing about three hundred (300) pounds, and being about eighteen (18) months old, seventy-five barrels corn, two Lyman cultivators, one Ayers Peanut planter, one road cart, one wagon, all of which said personal property is located on the premises above described."

THIRD: That on the 8th day of May, 1922, and while the said Jethro Holland was indebted to your petitioner in the sums above mentioned, the said Jethro Holland and Lilly Maud Holland, his wife, conveyed by deed of that date, now duly of record in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, in Deed Book No. 93, Page No. 132, the said tract of land and personal property to M. W. Darden for the ostensible consideration of two thousand (\$2000) Dollars: and

FOURTH: Your petitioner charges and here avers that the said deed from Jethro Holland and wife to M. W. Darden was without any real consideration, and was made with the intent to hinder, delay, and defraud the creditors of the said Jethro Holland and especially your petitioner, all of which was known to all the parties to the said deed. Your petitioner believed and charges that not a cent passed from the grantee to the grantors in said deed as a consideration: and

FIFTH: That on the 18th day of April, 1923, the said M. W. Darden and Elizabeth M. Darden, his wife, conveyed to the said Lilly Maude Holland, wife of Jethro Holland, by a certain deed dated April 18th, 1923, and recorded on the 19th day of April, 1923, in Deed Book No. 93, Page No. 554, in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, all of the aforesaid real estate and personal property for the ostensible consideration of two thousand (\$2000) Dollars, but without any real con-

VIRGINIA: IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY

HARDY DARDEN

VS.

JETHRO HOLLAND AND OTHERS

Your petitioner, Dixie Guano Co., Inc., respectfully represents:

FIRST: That the sum of \$52.50, with interest from December 1st, 1921, and with \$5.25 Attorney's fee is due to your petitioner, from Jethro Holland, as evidenced by a certain note dated July 1st, 1921, payable December 1st, 1921, and executed by the said Jethro Holland, which note is hereto attached, marked exhibit "A", and prayed to be made a part of this petition; and

SECOND: That on the 8th day of May, 1922, the said Jethro Holland was the owner in fee simple of a certain tract of land in Isle of Wight County, Virginia, and certain personal property, both being described as follows:

"First: All that certain tract of land in Windsor Magisterial District, in the County of Isle of Wight, and State of Virginia, containing seventy-five (75) acres more or less, though the same is sold in gross and not by the acre, (this deed being an express contract of hazard as to the acreage) bounded and described as follows: Bounded on the North by the right of way of the Virginian Railway, on the South by the land belonging to the Estate of Jason Holland, on the West by the land of W. M. Ellis, and on the East by the land of J. W. Darden.

"The above property is expressly sold in gross and not by the acre and constitutes a part of the same property which was conveyed to the above named Jethro Holland by Jason Holland and wife, by deed duly recorded in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, and being that portion of said property which is located on the South side of the Virginian Railway. This said parcel of property together with a certain other portion of the same tract which is this day conveyed to W. L. Darden constitutes the entire real estate which was conveyed to the said Jethro Holland by Jason Holland and wife aforesaid."

HARDY DARDEN

vs.

JETHRO HOLLAND AND OTHERS

PETITION OF THE SUFFOLK PER-

LIZER CO., INC.

VIRGINIA: CLERKS OFFICE OF THE
CIRCUIT COURT OF THE COUNTY
OF ISLE OF WIGHT

Aug 31 1923

Filed

Teste, R. H. Edwards Clerk

WILLIAM S. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

1919 Code of Virginia; that your petitioner be made a party to this cause; that proper process be issued against Jethro Holland, Lilly Maude Holland, M. W. Darden and Elizabeth M. Darden; that Jethro Holland, Lilly Maude Holland, M. W. Darden and Elizabeth M. Darden be required to answer this petition, though answer under oath is hereby expressly waived; that the said deed from Jethro Holland and wife to M. W. Darden and the said deed from M. W. Darden and wife to Lilly Maude Holland both be declared void as to the creditors, including your petitioner, of the said Jethro Holland at the time the said deed to M. W. Darden was executed and delivered, and that both said deeds be set aside as fraudulent as to the aforesaid creditors of Jethro Holland; that a lien on the said land and personal property be declared in favor of your petitioner as provided by statute, and that the said land and personal property may be sold and the proceeds therefrom applied to the payment of the debt due your petitioner; and that your petitioner may have such other, general and special relief as the nature of its case may require or to equity which seem meet. And your petitioner will ever pray.

*The Suffolk Fertilizer Co., Inc.,
By its atty., W. S. Holland*

hundred (500) pounds, and being about three year old, one jersey cow, weighing about three hundred (300) pounds, and being about eighteen (18) months old, seventy-five barrels corn, two Lyman cultivators, one Ayers Peanut Planter, one road cart, one wagon, all of which said personal property is located on the premises above described."

"Third: That on the 8th day of May, 1923, and while the said Jethro Holland was indebted to your petitioner in the sum above mentioned, the said Jethro Holland and Lilly Maude Holland, his wife, conveyed by deed of that date, now duly of record in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, in Deed Book No. 93, Page No. 132, the said tract of land and personal property to M. W. Darden for the ostensible consideration of two thousand (\$2000) dollars: and

"Fourth: Your petitioner charges and here avers that the said deed from Jethro Holland and wife to M. W. Darden was without any real consideration, and was made with the intent to hinder, delay, and defraud the creditors of the said Jethro Holland and especially your petitioner, all of which was known to all the parties to the said deed. Your petitioner believed and charges that not a cent passed from the grantee to the grantors in said deed as a consideration: and

"Fifth: That on the 18th day of April, 1923, the said M. W. Darden and Elizabeth M. Darden, his wife, conveyed to the said Lilly Maude Holland, wife of Jethro Holland, by a certain deed dated April 18th, 1923, and recorded on the 19th day of April, 1923, in Deed Book No. 93, Page No. 554, in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, all of the aforesaid real estate and personal property for the ostensible consideration of two thousand (\$2000) dollars, but without any real consideration, and was executed with the intent to hinder, delay and defraud the creditors of the said Jethro Holland: and

Therefore, your petitioner prays for leave to file this petition in the above entitled cause under section 2096 of the

VIRGINIA: IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY

HARDY DARDEN

vs.

JETHRO HOLLAND AND OTHERS

Your petitioner, The Suffolk Fertilizer Co., Inc., respectfully represents:

81/100

FIRST: That the sum of one hundred and seventy-eight & (\$178.81) dollars, with interest from December 1st, 1921, and with \$4.15 court cost is due to your petitioner from Jethro Holland, as evidenced by a certain judgment in the Clerk's Office of this Court, an abstract of which judgment is hereto attached, marked exhibit "A", and prayed to be made a part of this petition: and

SECOND: That on the 8th day of May, 1922, the said Jethro Holland was the owner in fee simple of a certain tract of land in Isle of Wight County, Virginia, and certain personal property, both being described as follows:

"First: All that certain tract of land in Windsor Magisterial District, in the County of Isle of Wight, and State of Virginia, containing seventy-five (75) acres more or less, though the same is sold in gross and not by the acre, (this deed being an express contract of hazard as to the acreage) bounded and described as follows: Bounded on the North by the right of way of the Virginian Railway, on the South by the land belonging to the Estate of Jason Holland, on the West by the land of W. M. Ellis, and on the East by the land of J. W. Darden.

"The above property is expressly sold in gross and not by the acre and constitutes a part of the same property which was conveyed to the above named Jethro Holland by Jason Holland and wife, by deed duly recorded in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, and being that portion of said property which is located on the South side of the Virginian Railway. This said parcel of property together with a certain other portion of the same tract which is this day conveyed to W. L. Darden constitutes the entire real estate which was conveyed to the said Jethro Holland by Jason Holland and wife aforesaid."

"Second: One black horse, weighing about one thousand (1000) pounds, and being about nine years old, one bay mule, weighing about one thousand (1000) pounds, and being about twelve years of age, one jersey cow, weighing about five

HARDY DARDEN

VS.

JETHRO HOLLAND ET ALS.

MEMORANDUM OF LIS PENDENS.

mis Lien Bk# / Page 274
3/26/24.

VIRGINIA: CLERKS OFFICE OF THE
CIRCUIT COURT OF THE COUNTY
OF ISLE OF WIGHT

April 27th 1923
Filed

Teste, R. W. Edwards Clerk

WILLIAM S. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

in the aforesaid court whose title, general object, amount of the claim asserted, description of the property affaected, as well as the name of the person whose property is intended to be affected are as above set forth in this memorandum.

B. A. Edwards
Clerk.

VIRGINIA: Clerks office of the Circuit Court of the County of
this 27 day of April 1913 at 2 o'clock P.M.
was received, indexed, admitted
to record.

Teste G. A. Edwards Clerk.
By E. R. Wells
W.S.

erty together with a certain other portion of the same tract which is this day conveyed to W. L. Darden constitutes the entire real estate which was conveyed to the said Jethro Holland by Jason Holland and wife aforesaid."

"SECOND: One black horse, weighing about one thousand (1000) pounds, and being about 9 years old, one bay mule, weighing about one thousand (1000) pounds, and being about twelve years of age, one jersey cow, weighing about five hundred (500) pounds, and being about three years old, one jersey cow, weighing about three hundred (300) pounds, and being about eighteen (18) months old, seventy-five barrels corn, two Lyman cultivators, one Ayers Peanut Planter, one road cart, one wagon, all of which said personal property is located on the premises above described."

(6). The names of the person whose property is intended to be affected ^{are} ~~is~~ Jethro Holland, Lilly Maud Holland, and R. A. Rhodes, ~~suitor~~ —
Given under my hand this 27th day of April, 1923.

Hardy Darden (SEAL)

STATE OF VIRGINIA,

County of Isle of Wight, to-wit:

This day personally appeared before me R. A. Edwards,
a Notary Public in and for the County aforesaid, in the State of Virginia, in my said county, Hardy Darden, whose name is signed to the foregoing writing bearing date on the 27th day of April, 1923, and acknowledged the same before me.

My commission expires on the 27 day of Jan, 1924

Given under my hand this 27 day of April, 1923.

R. A. Edwards
Notary Public.

I, R. A. Edwards, Clerk of the Circuit Court of the County of Isle of Wight, Virginia, pursuant to section 6469 of the Virginia Code, do hereby authenticate the foregoing memorandum of lis pendens and I do hereby certify that on the 27th day of April, 1923, suit was instituted and is now pending by Hardy Darden against Jethro Holland, Lilly Maud Holland, M. W. Darden, and Elizabeth M. Darden

MEMORANDUM OF LIS PENDENS.

I, Hardy Darden, complainant in the suit hereinafter mentioned, do hereby file in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, under the section 6469 of the Code of Virginia, this memorandum, of lis pendens bearing date on the 27th day of April, 1923, for admission to record in said Clerk's Office:

(1). The title of the cause is Hardy Darden vs. Jethro Holland, Lilly Maud Holland, M. W. Darden, and Elizabeth M. Darden, *Farmers Bank, Incorporated, Windsor, Va., and R. C. Rhodes, Trustee.*

(2). The general object thereof is to have declared void and fraudulent two deeds, one from Jethro Holland and wife to M. W. Darden dated the 8th day of May, 1922, and the other one from M. W. Darden and wife to Lilly Maud Holland, dated the 18th day of April, 1923, both recorded in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, and to subject the property described therein to the payment of a certain debt against Jethro Holland in favor of Hardy Darden.

(3). The cause is pending in the Circuit Court of Isle of Wight County, Virginia.

(4). The amount of the claim asserted by the plaintiff is \$1400 —.

(5). The description of the property is as follows:

"First: All that certain tract of land in Windsor Magisterial District, in the County of Isle of Wight, and State of Virginia, containing seventy-five (75) acres more or less, though the same is sold in gross and not by the acre (this deed being an express contract of hazard as to the acreage) bounded and described as follows: Bounded on the North by the right of way of the Virginian Railway, on the South by the land belonging to the estate of Jason Holland, on the West by the land of W. M. Ellis, and on the East by the land of J. W. Darden."

"The above property is expressly sold in gross and not by the acre and constitutes a part of the same property which was conveyed to the above named Jethro Holland by Jason Holland and wife, by deed duly recorded in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, and being that portion of said property which is located on the South side of the Virginian Railway. The said parcel of prop-

Answer

Hardy Darden

vs.

Jethro Holland, et als.

VIRGINIA: CLERK'S OFFICE OF THE
CIRCUIT COURT OF THE COUNTY
OF ISLE OF WIGHT

8-13 1923

Filed
Teste R. G. Edwards Clerk

WILLIAM M. CRUMPLER

ATTORNEY AT LAW

SUFFOLK, VA.

8-13-23

tained, these respondents pray hence to be dismissed with their reasonable cost in this behalf expended, and they will ever pray, etc.

Jethro Holland
Lilly Maude Holland
M W Darden

State of Virginia,

City of Suffolk, to-wit:

I, Maris January, a Notary Public in and for the city aforesaid, whose term of office expires on the 24th day of March, 1924, do hereby certify that Jethro Holland, Lilly Maude Holland and M. W. Darden, have this day personally appeared before me in my said city, and made oath that the statements contained in said answer are true, so far as made of their own knowledge, and so far as made from knowledge or information derived from others, they believe them to be true.

Given under my hand this 1st day of August, 1923.

Maris January
Notary Public.

Jethro Holland are expressly denied as is also the allegation that the conveyances therein referred to was voluntary fraudulent and without consideration. In all other particulars the complainant's allegations setforth in this sub-division of his bill are neither admitted or denied but strict proof thereof is called for.

N I N T H

Each of the defendants admit that the deed of trust described in sub-division nine of the bill of complaint was executed as therein described but they expressly deny that there existed any intention on the part of any party to this transaction to hinder, delay or defraud the creditors of the said Jethro Holland. Neither the Farmers Bank, Inc., of Windsor, Virginia, nor either of these defendants were informed of any such disposition, attitude or intention on the part of any party in interest.

T E N T H

Any indebtedness which by proper accounting may be due and owing by Jethro Holland to the complainant, Hardy Darden, the defendant Jethro Holland says was contracted and incurred since he sold the property in question above to M. W. Darden.

E L E V E N T H

All other matters and things setforth in the bill of complaint which are not herein above expressly admitted are herein now expressly denied and strict proof thereof is called for.

T W E L F T H

Each of these defendants jointly and severally, finally come and say that each and every transaction in the bill of complaint complained of was done, executed and performed in good faith for valuable consideration and without any intention to hinder, delay, prejudice, jeopardize or defeat the rights or interest of any other person whomsoever.

And now having fully answered the said bill of complaint, and denying all unlawful combination and confederacy therein con-

sideration and was not intended to hinder, delay and defraud the creditors of the said Jethro Holland. The consideration mentioned in the deed was paid by the third above named defendant to the first above named defendant in perfect good faith and with no design or intention to deprive the complainant or any other creditor of Jethro Holland of anything to which they were entitled.

F I F T H

By each of the defendants sub-division five of the bill of complaint is admitted.

S I X T H

By each of the defendants everything contained in sub-division six of the complainant's bill, save the disclosure that Lilly Maude Holland is the wife of Jethro Holland, is expressly denied and they come further and say that the said deed from M. W. Darden and wife to the second above named defendant, Lilly Maude Holland, was for valuable consideration and was made without any combination or conspiracy to hinder, delay or defraud any one whomsoever. No such combination or conspiracy to such end then, previous or later ever existed.

S E V E N T H

Save and except that each of these defendants deny that M. W. Darden aided and abetted in any plan to hinder, delay and defraud the creditors of Jethro Holland, inclusive of the com-
or that Jethro Holland has continued to exercise control and ownership of the property
plainant, [↑]all the remaining disclosures of the seventh sub-division of the bill of complaint are neither admitted or denied but strict proof thereof is called for.

E I G H T H

The disclosures of sub-division eight of the bill of complaint in so far as they indicate any intention, combination or conspiracy to hinder, delay or defraud the creditors of Jethro Holland, or in so far that they reflect any unfair dealing between the parties to the end of defeating the rights of the creditors of

VIRGINIA,

IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Hardy Darden

vs.

Jethro Holland, et als.

In Chancery.

The joint and separate answers of Jethro Holland, Lilly Maude Holland and M. W. Darden to the bill of complaint filed against themselves, et als, in the Court above styled, by the above styled complainant..

8-13-23
These defendants now and at all times and hereafter saving and reserving to themselves all benefits and advantages of exceptions which can be made or taken to the many errors, uncertainties and insufficiencies in the said bill contained, for answer thereto or to so much thereof as they are advised it is material they should answer, come and say:

F I R S T

The first two defendats deny the amount of indebtedness setforth in the first sub-division of the bill of complaint or the promise of any attorney's fees or expenses in connection therewith, and strict proof thereof is called for.

S E C O N D

By each of said defendants sub-division two of the bill of complaint is admitted.

T H I R D

By each of said defendants sub-division three of the bill of complaint is admitted save that strict proof is called for as to any alleged indebtedness claimed to be due the complainant.

F O U R T H

These defendants and each of them expressly deny through out sub-division four of the said bill of complaint and on the contrary allege that the said transaction was for valuable con-

4
Virginia: In the Circuit
Court of Isle of Wight
County.

Hardy Darden

v) Chancery. No. 407

Jethro Holland et als.

Answer of B. A. Rhodes,
trustee

FILED IN CHANCERY COURT OF THE
COUNTY OF ISLE OF WIGHT
JUL 2 1873
R. A. Edmunds Clerk

A. S. JOHNSON
ATTORNEY AT LAW
ISLE OF WIGHT, C. H., VA.

And now having fully answered the complainant's bill,
and denying all unlawful combination and confederacy as there-
in charged, this respondent prays hence to be dismissed, with his
reasonable costs in this behalf expended. And he will ever pray
etc.

R. A. Rhodes

State of Virginia,

County of Isle of Wight, to-wit:

This day personally appeared before me, A. S. Johnson, a Com-
missioner in Chancery of the Circuit Court of the County of
Isle of Wight, Virginia, the above subscriber, R. A. Rhodes,
who made oath that the statements contained in said answer,
so far as made of his own knowledge, are true; and so far as made
from knowledge or information of others, he believes to be true.

Given under my hand 2nd. day of July, 1923.

A. S. Johnson
Commissioner in Chancery.

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Hardy Darden

v) Chancery. No.407.

Jethro Holland et als.

Answer of R. A. Rhodes, Trustee.

The answer of R. A. Rhodes, trustee in a certain deed of trust from Lilly Maud Holland and husband, to said R. A. Rhodes, trustee, bearing date the 18th. day of April, 1923, to a bill of complaint exhibited against him and others, in the Circuit Court of the County of Isle of Wight, State of Virginia.

This defendant now, and at all times hereafter, saving and reserving to himself all benefit and advantage of exception which can or may be made or had or taken to the many errors, uncertainties and insufficiencies in the said bill contained, for answer thereto, or to so much thereof as he is advised it is material for him to answer, this defendant answering saith:

That he neither affirms or denies the allegations in said bill of complaint, except to say that from the information he has, the conveyance to him, as trustee, to secure to the Farmers Bank, Inc, of Windsor, Virginia, the payment of the sum of \$825.00, made by Lilly Maud Holland and husband, is a transaction made in good faith in every particular and that the said debt is justly owing to the said Farmers Bank, Inc.; and, that all the interest he has in the subject matter of this suit, is the interest created in him by the deed of trust aforesaid, and as to which he prays to be directed by the court.

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

Hardy Garden

v) Chancery. No. 407.

Jeturo Holland et als.

Answer of Farmers Bank
Inc., of Windsor, Va.

July 2 1923
Filed
R A Edmund

A. S. JOHNSON
ATTORNEY AT LAW
ISLE OF WIGHT, C. H., VA.

The Linden Printing Company, Hartford, Connecticut, U.S.A.

FARMERS BANK, INC., WINDSOR, VA.

By

S. T. Holland
Cashier.

State of Virginia,

County of Isle of Wight, to-wit:

I, A. S. Johnson, a Commissioner in Chancery for the Circuit Court of the County of Isle of Wight, State of Virginia, do hereby certify that S. T. Holland, who has signed the foregoing bill, on behalf of the Farmers Bank, Inc. of Windsor, Va., has this day personally appeared before me in my said county, and made oath that he is, as has been the cashier of said bank, from its institution until the present date, and that the statements contained in said answer are true, so far as made of his own knowledge, and so far as made from knowledge or information derived from others, he believes them to be true.

Given under my hand this 2nd. day of July, 1923.

A. S. Johnson
Commissioner in Chancery.

eration and was made pursuant to any conspiracy to hinder, delay and defraud the creditors of the said Jethro Holland, if any he had, either or all of them, including the complainant.

That the said Jethro Holland, in the first instance mentioned, obtained a loan from this defendant of \$2700.00, upon which there has been paid, as aforesaid, the sum of ²⁷⁰⁰~~\$600~~.00; that the money was actually given to him by this defendant; that the sum of \$600.00 was due and owing to it when the conveyance was made from said Jethro Holland to said M. W. Darden and the conveyance from said Jethro Holland to said W. L. Darden was made; that it was not then, and never has been, in fact, paid; that the said sum of \$600.00 was owing to it when it took a deed of trust from said M. W. Darden for its security; that when the loan of \$225.00 was made to said M. W. Darden, as aforesaid, and an additional deed of trust was taken as security, that the said sum of money was actually given to the said M. W. Darden; that none of the two several debts, aforesaid, of \$600.00 and \$225.00, were paid this defendant by the said M. W. Darden, and were liens upon the said land when he made conveyance thereof to the said Lilly Maud Holland; that no part of the said sums has yet been paid to this defendant, and which is secured by the deed of trust last mentioned, from Lilly Maud Holland, to R. A. Rhodes, trustee.

That as to the other matters mentioned in said bill of complaint it neither affirms or denies, having no knowledge thereof.

And now having fully answered the said bill of complaint, and denying all unlawful combination and confederacy as therein charged, this respondent prays hence to be dismissed with his reasonable cost in this behalf expended: and it will every pray, etc.

trust upon the said tract of land, and which will be found of record in the said Clerk's Office in Deed Book No. 92, page 290.

That it appears of record that the said M. W. Darden and wife did convey the said seventy five acre tract of land to Lilly Maud Holland, subject to the liens for the debts aforesaid, on the 18th. day of April, 1923, both parties to said deed having then requested that this defendant take a deed of trust against the said Lilly Maud Holland, or again^d the land in her name, to secure the said debt then due to it, in order that said M. W. Darden might be freed from any further responsibility; and this defendant, considering the said tract of land ample security for the said debt, permitted th^e said Lilly Maud Holland to execute her note, payable to it, as an evidence of debt, and secured the same by a deed of trust upon the said tract of land, which bears date the 18th. day of April, 1923, and is entered of record in the said Clerk's Office in Deed Book No. 94, page 52, which was then and is now a valid lien upon the said tract of land, and is the first lien thereon.

That at the time of the said transactions, and all of them, with reference to the loans aforesaid, this defendant was ignorant and is now ignorant of any obligation due from the said Jethro Holland to the said complainant, and doth emphatically deny any knowledge thereof, or connection thereto, as is charged in the bill of complaint.

That it is not true that the conveyances aforesaid were without consideration so far as the amounts due to this defendant when such were made, is concerned, and all were for valuable considerations to the extent of the then existing liens thereon, for the amounts due as aforesaid.

That this defendant, on the 19th. day of April, 1923, nor at any other time before or since, until the bringing of this suit, had any information or knowledge that the deed from M. W. Darden and wife to Lilly Maud Holland was without consid-

due to it of \$600.00.

That the deed of trust securing the \$2700 bond, as aforesaid, was duly entered of record in the Clerk's Office of this court on the 9th. day of December, 1919, and was of record at the time of the conveyance from the said Jethro Holland to M. W. Darden, as aforesaid, the said conveyance being made subject to the said lien.

That it appears of record, in the Clerk's Office of this Court, Deed Book No. 93, page 132, that the said Jethro Holland and wife, on the 8th. day of May, 1922, conveyed to M. W. Darden seventy five acres of the tract of land aforesaid; and that on the same day, that is to say, the 8th. day of May, 1922, the said Jethro Holland and wife conveyed to W. L. Darden thirty five acres of the said tract of land, which appears by deed entered of record in said Clerk's Office in Deed Book No. 93, page 133, both conveyances being subject to the lien then held by this defendant upon said tract of land.

That after these conveyances, the said Jethro Holland and the said M. W. Darden requested this defendant to release its lien upon the whole of the said tract of land, and to take a deed of trust against the tract conveyed to the said M. W. Darden for the whole of the remaining unpaid part^t of said debt, which was then \$600, and which it did, deeming the said tract of land of seventy five acres ample security therefor; that said request was made to this defendant on the 11th. day of May, 1922, and the deed of trust then drafted will be found of record in the said Clerk's Office in Deed Book No. 92, page 227, the bond of the said M. W. Darden and wife being taken for the said debt of \$600.00.

That the said M. W. Darden and wife applied to this defendant, on the 15th. day of July, 1922, for an additional loan of \$225.00, which it granted, taking a bond from the applicants therefor, and securing it by an additional deed of

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Hardy Darden

v) Chancery. No. 407.

Jethro Holland, et als.

Answer of Farmers Bank, Inc., Windsor, Va.

The Answer of Farmers Bank, Inc., Windsor, Va. to the bill of complaint, filed against it and others, in the Circuit Court of the County of Isle of Wight, State of Virginia, by Hardy Darden:

This defendant, now and at all times hereafter, saving and reserving to itself all benefit and advantage of exception which can or may be had, or taken to the many errors, uncertainties, and insufficiencies in the said bill contained, for answer thereto, or to so much thereof as it is advised it is material for it to answer, this defendant, answering, saith:

That on the 8th. day of May, 1922, Jethro Holland was, and prior thereto, seized in fee of a certain tract of land in Isle of Wight County, Virginia, containing about one hundred and ten acres, more or less, a part of which is the seventy five acre tract of land mentioned in the bill of complaint.

That on the 6th. day of December, 1919, the said Jethro Holland and wife conveyed the whole of the said tract of land to J. M. Raby, in trust to secure to this defendant the sum of \$2700.00, evidenced by a bond of even date with the said deed.

That the said Jethro Holland paid to this defendant, on the 24th. day of April, 1922, \$2100.00 which was applied as a credit upon the bond, secured as aforesaid, leaving a balance

Answer to Amended Bill

Hardy Darden

vs.

Jethro Holland, et als.

o o o

In Chancery.

9-27-23
Filed

WILLIAM M. CRUMPLER
ATTORNEY AT LAW
SUFFOLK, VA.

but on the contrary say that all of the transactions complained of were, each of them, for good and valuable consideration in good faith and utterly devoid of such intention.

And now having fully answered the said bill of complaint and denying all unlawful combination and confederacy therein contained, these respondents pray hence to be dismissed with their reasonable cost in this behalf expended, and they will ever pray, etc.

James M. Darden
Attorney

Jethro Holland
Lilly Maude Holland
M. W. Darden
Elizabeth M. Darden
By Counsel

State of Virginia,

City of Suffolk, to-wit:

I, Mavis January, a Notary Public in and for the city aforesaid, whose term of office expires on the 24th day of March, 1924, do hereby certify that Jethro Holland, Lilly Maude Holland, ^{and} M. W. Darden ~~and Elizabeth M. Darden~~, have this day personally appeared before me in my said city, and made oath that the statements contained in said answer are true, so far as made of their own knowledge, and so far as made from knowledge or information derived from others, they believe them to be true.

Given under my hand this 26th day of September, 1923.

Mavis January
Notary Public.

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

VS.

In Chancery.

These defendants desiring that their former answer to the original bill of complaint shall be taken and regarded as an answer to the above specified pleadings in so far as the same is not in conflict or inconsistent with this answer now, again and at all times hereafter saving and reserving to themselves all benefit and advantage of exceptions which can be made or taken to the many errors, uncertainties and insufficiencies in the said amended bill contained, for answer thereto or to so much thereof as they are advised it is material they should answer now further come and say:

F I R S T

The subject matter of the first sub-division of the bill of complaint ^{and said petitions} is neither admitted nor denied but strict proof in detail thereof is called for.

SECOND

As to the entire bill of complaint, inclusive of the first sub-division, each of these defendants jointly and severally deny all charges of conspiracy, fraud or intention in any of the transactions setforth to hinder, delay, defraud, prejudice, jeopardize or defeat the rights or interest of any creditor or creditors of Jethro Holland, of themselves or of anyone whomsoever

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Henry Darden

Virginia Chancery No.

Jethro Holland et al.

ORIGINAL SUBPOENA.

VIRGINIA, Clerk's office of the Circuit
Court of the County of Isle of Wight:

192

Returned, entered and filed.

Teste:

Clerk

To 2nd May

1923.

Rules.

Executed the within Summons this the 2nd day of May, 1923, by serving a true copy of same on Lillie Maude Holland - M. M. Darden - Elizabeth M. Darden Farmers Bank Inc. Windsor Va. R. A. Rhodes trustee. in person within the County of Isle of Wight.
J. H. Chapman, Sheriff.
Per W. L. Coates D. S.

Not finding Jethro Holland at his usual place of abode, I executed the within summons this the 2nd day of May, 1923 by serving a true copy of same on Lillie Maude Holland for the said Jethro Holland, and explained to her the purport of same she being a member of the family of the said Jethro Holland and over the age of sixteen years within the County of Isle of Wight.

J. H. Chapman, Sheriff.
Per W. L. Coates D. S.

COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—Greeting:

We command you that you summon Jethro Holland, Lillie Maude Holland,
M. W. Darden,
Elizabeth M. Darden, Framers Bank, Incorporated, Windsor, Va., and R. A.
Rhodes, Trustee.,

to appear at the Clerk's Office of the Circuit Court of the County of
Isle of Wight at the rules to be holden for the said Court on the
Third Monday in May, 1923, to answer a bill
in chancery exhibited against them in our said Court by

Hardy Darden.,

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-
house, this 27th day of April, 1923, and in
the 147th year of the Commonwealth.

R. A. Edwards Clerk.

A Copy. Teste Clk.

Hardy Darden

Virginia Chancery No.

Jethro Holland et al

ORIGINAL SUBPOENA.

VIRGINIA, Clerk's office of the Circuit
Court of the County of Isle of Wight:

192

Returned, entered and filed.

Teste:

..... Clerk

To Rules.

Executed the within Sub-
poenas this the 24 Day of Aug
1923. by serving a true Copy
of same on Jethro Holland
Lilly Ward, Holland W. H.
Darden and Elizabeth W.
Darden in person in the
County of Isle of Wight.
J. H. Chapman, Sheriff.
By J. L. Jones L. S.

COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—Greeting:

We command you that you summon Jethro Holland, Lilly Maude
Holland, M. W. Darden and Elizabeth M. Darden

to appear at the Clerk's Office of the Circuit Court of the County of
Isle of Wight at the rules to be holden for the said Court on the
Fourth.....Monday in.....August....., 1923....., to answer ~~a bill~~
~~in chancery exhibited against~~ ^{and Suffolk Fertilizer Co., Inc.,} ~~in our said Court by~~
petitions of the Dixie Guano Co, Inc. ^{herebefore} ~~herebefore~~ filed and exhibited
in the Chancery Suit in our said Court of Hardy Darden against Jethro
Holland and others.

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-
house, this 21st day of August, 1923, and in
the 149th year of the Commonwealth.

R. A. Edwards Clerk.
By E. Ray Wells
W. S.

Hardy Darden

Virginia Chancery No.

Jethro Holland et als

ORIGINAL SUBPOENA.

VIRGINIA, Clerk's office of the Circuit
Court of the County of Isle of Wight:

.....192.....

Returned, entered and filed.

Teste:

.....Clerk

To 1st Day Sept Term 1923. Rules,

Executed the within summons
this the 30th Day of Aug 1923. by
serving a true copy of same on
Jethro Holland. Lillie Maude Holland
W. H. Darden and Elizabeth Darden
in person in the County of
Isle of Wight.
H. H. Chapman Sheriff.
By. J. L. Jones D.S.

COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—Greeting:

We command you that you summon Jethro Holland, Lillie Maude Holland,
M. W. Darden and Elizabeth Darden

in the
to appear ~~at the Clerk's Office of the~~ Circuit Court of the County of
on the first day of the September term of 1923
Isle of Wight ~~as the holder for~~ the said Court ~~on the~~

-----~~Monday in~~-----, 192, to answer a bill

~~in chancery exhibited against xxxxxxxxxxxx in our said Court by~~

A petition of Baugh And Sons Company Inc., heretofore filed and exhibited in the chancery suit in our said Court of Hardy Darden against Jethro Holland et als.,

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-house, this 29th day of August, 1923, and in the 148th year of the Commonwealth.

R. A. Egan Clerk.

Original

CONTROVERSY

Darden et als

SUBPOENA
FOR
WITNESS

Holland et als

CIRCUIT COURT
OF

ISLE OF WIGHT COUNTY

the 14 day of Sept. 1923

Not finding Jethro H. Holland
at his usual place of abode
I executed the within subpoena
this the 13th Day of Sept 1923.
by sending a true copy of same on
Lillie Mand Holland, for the said
Jethro H. Holland, and explained to
her the purport of same: she being
a member of the family of the said
Jethro H. Holland and over the age
of sixteen years in the County of
Isle of Wight.

J. H. Chapman Sheriff.
By J. L. Leves D.S.

Executed the within
subpoenas on S. T. Carr
J. Woodhill Darden Lillie
Mand. Holland and M. W.
Darden this the 13th Day
of Sept. 1923. by delivering
a true copy of same in person

J. H. Chapman Sheriff.
By J. L. Leves D.S.

THE COMMONWEALTH OF VIRGINIA.

To the Sheriff of the County of Isle of Wight:

WE COMMAND YOU to summon S. J. Carr, J. Woodville
Darden, Jethro Holland, Lilly Maude Holland,
M. W. Darden

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the
courthouse thereof, on the 14th day of September, to testify and the
truth to say in behalf of the Plaintiff

----- in a certain controversy in
our said court, before the said Judge depending and undetermined between -----

Hardy Darden, plaintiff and
Jethro Holland et al, defendant.

And have there this writ. Witness, R. A. Edwards
A. S. JOHNSON, Clerk of our said court, at the
courthouse, the 8 day of September, 1923

R. A. Edwards Clerk

By E. Kay Wills
W.S.

Original

CONTROVERSY

Darden et al

----- } SUBPOENA
FOR
WITNESS

Holland et al

CIRCUIT COURT
OF
ISLE OF WIGHT COUNTY

the 27 day of Sept. 1923

Executed the within as
directed this the 25 day of
September 1923.

W. H. Chapman Sheriff.
By. W. R. Lewis, D. S.

THE COMMONWEALTH OF VIRGINIA.

To the Sheriff of the County of Isle of Wight:

WE COMMAND YOU to summon S. T. Carr, J. W. Darden,
Jethro Holland, Silly Maude Holland,
M. W. Darden

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the
courthouse thereof, on the 27 day of Sept. 1923, to testify and the
truth to say in behalf of the plaintiffs

----- in a certain controversy in
our said court, before the said Judge depending and undetermined between-----

Hardy Darden et al, plaintiff and
Jethro Holland et al, defendant.
R. A. Edwards

And have there this writ. Witness, A. S. JOHNSON, Clerk of our said court, at the
courthouse, the 22 day of September 1923

R. A. Edwards Clerk

NOTE—APPEAR BEFORE THE CLERK AND CLAIM YOUR ATTENDANCE.

By E. Ray Mills
D.S.

C. L. Rhodes

CONTROVERSY

Not Served

Darden

✓ } SUBPOENA
FOR
WITNESS

Holland et al

CIRCUIT COURT
OF
ISLE OF WIGHT COUNTY

the 27 day of Sept. 1923

THE COMMONWEALTH OF VIRGINIA.

To the Sheriff of the County of Isle of Wight:

WE COMMAND YOU to summon Ernest L. Rhodes

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the
courthouse thereof, on the 27 day of Sept 1923, to testify and the
truth to say in behalf of the defendant

in a certain controversy in
our said court, before the said Judge depending and undetermined between

Hardy Darden, plaintiff and
Jethro Holland et al, defendant.

And have there this writ. Witness, R. A. Edwards
A. S. JOHNSON, Clerk of our said court, at the
courthouse, the 25 day of Sept 1923

R. A. Edwards Clerk

NOTE—APPEAR BEFORE THE CLERK AND CLAIM YOUR ATTENDANCE.

By E. Ray Wills
D.S.

Original

CONTROVERSY

Barden et als

vs

SUBPOENA
FOR
WITNESS

Holland et als

CIRCUIT COURT
OF
ISLE OF WIGHT COUNTY

the 27 day of Sept 1923

*You enclosed this 25 day
of Sept 1923
J. W. Brown
Jury to present
for service*

THE COMMONWEALTH OF VIRGINIA.

To the ~~Sheriff~~ ^{Sargent} of the ~~County of Isle of Wight~~ ^{City of Suffolk}:

WE COMMAND YOU to summon

~~Harmon~~
C. B. Duke

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the courthouse thereof, on the 27 day of Sept, 1923, to testify and the truth to say in behalf of the plaintiffs

in a certain controversy in our said court, before the said Judge depending and undetermined between

Hardy Darden et al, plaintiff and
Jethro Holland et al, defendant.
R. A. Edwards

And have there this writ. Witness, A. S. JOHNSON, Clerk of our said court, at the courthouse, the 22 day of September, 1923

R. A. Edwards Clerk

NOTE—APPEAR BEFORE THE CLERK AND CLAIM YOUR ATTENDANCE.

By E. Ray Miles

W S

Chgs for issuing &
Subpoenas in two
Cases prior to this
time

~~Executed~~ by delivering
a copy of this within
summon to each of the
within named witnesses
in person, in my county
this 26th day of Sept. 1923

Original

CONTROVERSY

Dawson

SUBPOENA
FOR
WITNESS

}

Holland & Co.

Jeff Hall
Deputy

CIRCUIT COURT
OF
ISLE OF WIGHT COUNTY

the 27 day of Sept. 1923

THE COMMONWEALTH OF VIRGINIA.

Nansemond
To the Sheriff of the County of ~~Isle of Wight~~:

WE COMMAND YOU to summon *T. B. Butler, W. L. Beale,*

James A. Cutchins

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the
courthouse thereof, on the 27 day of Sept. 1923, to testify and the
truth to say in behalf of the defendant

in a certain controversy in
our said court, before the said Judge depending and undetermined between

Hardy Barden

, plaintiff and

Jethro Holland et als

, defendant.

And have there this writ. Witness, *R. A. Edwards*
~~A. S. JOHNSON~~, Clerk of our said court, at the
courthouse, the 25 day of Sept. 1923

R. A. Edwards Clerk

NOTE—APPEAR BEFORE THE CLERK AND CLAIM YOUR ATTENDANCE.

By E. Kay Wiles
D.S.

Original

CONTROVERSY

Darden et al

vs

{
SUBPOENA
FOR
WITNESS

Holland et al

CIRCUIT COURT
OF
ISLE OF WIGHT COUNTY

the 27 day of Sept. 1923

Executed the within Subpoenas this the 26th Day of Sept. 1923. by serving
a true copy of same on Jas A Johnson W.L. Darden A E Oultman
John L Turner Lake, Dyer and W. L. Stricklin in person in the
County of Isle of Wight Ernest L. Rhodes cannot be found in
Isle of Wight County.

W. H. Chapman Sheriff.

By W. L. Jones D.S.

THE COMMONWEALTH OF VIRGINIA.

To the Sheriff of the County of Isle of Wight:

WE COMMAND YOU to summon Gas. A. Johnson, W.D. Warden
Ernest S. Rhaden, C. E. Rutland, Geo. L. Turner,
Jake Duck, W.D. Williams

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the
courthouse thereof, on the 27 day of September, 1923, to testify and the
truth to say in behalf of the defendant

----- in a certain controversy in
our said court, before the said Judge depending and undetermined between -----

Hardy Darden et al, plaintiff and
Yethro Holland et al, defendant.

And have there this writ. Witness, R. A. Edwards
~~A. S. JOHNSON~~, Clerk of our said court, at the
courthouse, the 25 day of Sept. 1923

R. A. Edwards Clerk

NOTE—APPEAR BEFORE THE CLERK AND CLAIM YOUR ATTENDANCE.

Ray E. Raywies
R. S.

Accs - Bank Wadsworth -
Farmers Bank of Wadsworth - } 1922
Farmers Bank of Franklin - }

P. B. Bule - Mer. & Farmer Port
\$800.00 about Dec. 20 - 1920.
Bm named Syro - 1915

Holland moved to 300 - Dec. 1919 - & Feb. 1920
Mrs - gave old note to Holland & took new
note from Darden. I gave Darden his
note & Mrs Holland gave me hers.
Bette named my daughter & he is Mrs
Helford's girl. AA 0

Check on Bank of Holland for \$2.00
about Dec. 1 - 1919 + Placards to B. W.
Council - in Holland, Va.

As advised

Bank of Holland

72

12/6/23

To Alice ✓

And of Trust-
worthy Harold

MERCHANTS & FARMERS BANK

CAPITAL AND SURPLUS \$100,000.00

E. FRANK STORY, PRESIDENT
L. J. BAIN, VICE-PRESIDENT
W. H. NORFLEET, CASHIER
ELLIOTT L. STORY, ASST. CASHIER

FRANKLIN, VIRGINIA.

October 5th, 1923.

Mr. R. A. Edwards, Clerk,
Isle Wight County,
Isle of Wight, Va.

Dear Sir:

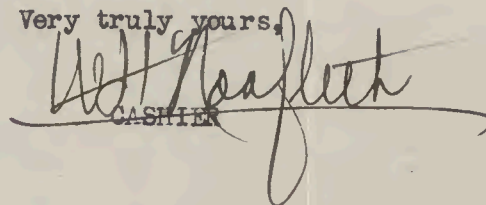
We have your letter of Oct. 2nd asking for a statement of the transactions of this bank with Jethro Holland.

We find that Mr. Holland deposited with this bank \$100.00 on Aug. 1st, 1922 and that he drew checks amounting to \$99.90 which were paid by us Aug. 5th, 1922, leaving a balance of 10 cents now to his credit.

We have no further record of any transactions whatever with Mr. Holland.

Trusting this information will be of service,
we are

Very truly yours,


CASHIER

STATEMENT—PLEASE EXAMINE AND REPORT ON THIS STATEMENT AT ONCE IF NOT CORRECT

Jethro Holland
Windsor, Va.

IN ACCOUNT WITH

FARMERS BANK, INC.

WINDSOR, VA.,

Oct 6

192

3

DR.

CR.

VOUCHERS		DATE	DEPOSITS
*			
47.79		1919 Dec 6	BALANCE 47.79
2,700.00	1.00	Dec 11	2700.00
100.00	9.36	Dec 19	50.00
122.85	6.25	Dec 19	518.90
38.00	22.00	Dec 26	30.31
59.70	2.00	Dec 26	38.75
28.00	25.00	Dec 27	65.00
10.00	15.00	Dec 27	200.00
55.00	2.00	Dec 27	135.00
11.00	6.27	Dec 28	561.57
16.75	1.19	Dec 28	60.00
33.75	2.25	Dec 28	625
2.00	4.80	Dec 28	242.3
10.29	6.00	Dec 28	25.00
25.00	7.00	Dec 28	242.3
8.75	1.00	Dec 28	27.90
9.50	6.00	Dec 28	30
18.50	7.00	Dec 28	40
56.75	4.00	Dec 28	400
20.00	11.20	Dec 28	30
47.79	21.42	Dec 28	6
4.33	4.00	Dec 28	150
2.00	20.00	Dec 28	95
2.96	5.00	Dec 28	75
2.97	4.00	Dec 28	25
2.76	32.88	Dec 28	43
5.00	1.50	Dec 28	50
5.00	1.00	Dec 28	10
1.00	4.00	Dec 28	6
3.31	1.75	Dec 28	39.62
200.00	2.00	Dec 28	10
2.00	2.75	Dec 28	15
100.52	12.12	Dec 28	52.49
6.00	2.70	Dec 28	15
3.00	3.15	Dec 28	
405.39	1.15	Dec 28	
20.00	12.74	Dec 28	
2.00	5.66	Dec 28	
100.00	1.45	Dec 28	
6.00	1.00	Dec 28	
10.00	31.23	Dec 28	
2.00	1.00	Dec 28	
16.00	3.00	Dec 28	
65.00	19.50	Dec 28	
1.30	2.50	Dec 28	
2.00	2.00	Dec 28	
5.00		Dec 28	
4,735.78 s			
VOUCHERS RETURNED AS PER ABOVE			
		TOTAL CREDITS	5587.04
		TOTAL DEBITS	5586.12
		BALANCE	92

STATEMENT—PLEASE EXAMINE AND REPORT ON THIS STATEMENT AT ONCE IF NOT CORRECT

Arthur Halland
Windsor Va

IN ACCOUNT WITH

FARMERS BANK, INC.

WINDSOR, VA.,

Oct 6

192

3

CR.

Copy of Statement

DR

VOUCHERS

Sheet 2

DATE

DEPOSITS

4,735.78 s	10.00
102.15	3.40
1.00	10.00
1.75	12.94
1.34	4.75
5.86	58.40
1.39	4.00
31.30	1.00
9.50	22.00
3.00	2.25
1.00	23.45
7.40	1.00
1.40	12.12
2.28	4.00
3.00	1.20
73.35	16.50
1.25	1.00
3.00	7.23
1.00	15.00
1.70	4.75
4.00	2.11
6.00	4.70
1.50	3.50
1.00	2.23
1.20	1.00
6.00	1.10
1.00	9.98
1.00	13.50
3.50	34.88
26.40	4.75
1.00	6.50
21.20	4.65
1.50	38.65
4.00	1.00
3.50	9.96
13.30	15.00
3.65	32.49
5.00	4.00
8.00	31.00
4.00	5,586.12 *
30.00	
1.20	
5.15	
4.00	
1.98	
1.50	
1.10	

VOUCHERS RETURNED AS PER ABOVE LIST.

TOTAL CREDITS

TOTAL DEBITS

BALANCE



ORGANIZED 1919

THE FARMERS BANK

INCORPORATED

CAPITAL STOCK \$ 20,000.00.

W. H. JOHNSON, President

LORENZO BAILEY, Vice-Pres.

~~W. H. JOHNSON, Vice-Pres.~~

S. T. HOLLAND, CASHIER

WINDSOR, VA.

Oct. 6, 1923.

Mr. R. A. Edwards,
Clerk of the Circuit Court of Isle of Wight County,
Isle of Wight, Virginia.

Dear Sir:

Replying to your letter of October 2nd beg to enclose herewith Statement showing the Debits and Credits of Jethro Holland from December 6, 1919 at which time the said Jethro Holland opened an account with our bank, up to the present time.

We made Mr. Holland a loan of \$2700.00 on Dec. 11, 1919 and took as security a deed of trust on his farm. This loan was used as a part payment on the purchase price of the farm. On April 24, 1922 Mr. Holland paid us \$2100.00 on this note leaving a balance due of \$600.00. On May ~~21~~ 12th, 1922 Mr. Holland was released of the \$600.00 and a new deed of trust taken by us from M. W. Darden & Wife the new purchasers of the farm.

Any other information we can give you kindly call on us.

Yours very truly,

S. T. Holland
Cashier.

1.00
2.00
3.00

20
5
100
200

#407

Hardy Dunden et al

vs } Cy No 407

Jethro Steelman et al

Comm. Report.

Filed Dec 7th 1923.

R. A. Edmund
clerk

1924

Mar. 3 Filed R. A. Edmund

C. P. Holland being duly sworn, deposes and saith as follows.

Q. Please state your name, age, residence and occupation.

A. Carlyle P. Holland, I am 36 years of age, and live now in Suffolk and am engaged in real estate business.

Q. Are you well acquainted with Jethro Holland and Lillie Maude Holland his wife who live in this County.

A. Yes have known them about twenty five years or more.

Q. Are you familiar with the property upon which they reside and which at this time is in the name of Lillie Maude Holland.

A. Yes I have known the property for a long time, in fact I owned a one third interest in it one time.

Q. What in your opinion is it's fee simple value.

A. I would consider the property worth from twenty three to twenty five hundred dollars.

Q. Please state what you consider it's annual value to be.

A. I consider that it's annual value is about one hundred and fifty dollars.

Q. What is the age of Jethro Holland.

A. He is about thirty nine years of age, I know that he is three years older than I am.

Q. What is the age of Lillie Maude Holland.

A. She is about thirty two or thirty three years of age.

And further this deponent saith not.

C. P. Holland.

W. L. Cones, being duly sworn deposes and saith as follows.

Q. What is your name, age, residence and occupation.

A. W. L. Cones, Age 46 years last June, I live near Windsor and am a farmer and Deputy Sheriff Of Isle Of Wight County.

Q. Mr Cones are you acquainted with Jethro Holland and Lillie Maud Holland his wife.

A. Yes I have known Jethro Holland practically all of his life and have known his wife Lillie Maude for ten or fifteen years, if not more.

Q. Are you familiar with the property upon which Jethro and Lillie Maude Holland reside and which is now the property of Lillie Maude Holland.

A. Yes I have known the property all of my life, have been seeing it and passing by every now and then.

Q. What do you consider a fair fee simple value for this property.

A. I think that the property ought to bring at a sale from two thousand to twenty five hundred dollars .

Q. What in your opinion is it's annual value.

A. I think that a fair annual value for this property would be from One Hundred and fifty dollars to one hundred and seventy five dollars.

Q. What is the age of Jethro Holland.

A. He is about thirty nine years of age.

Q. What is the age of Lillie Maude Holland, if you know.

A. I am satisfied that she is between thirty and thirty five years of age.

And further this deponent saith not.

W. L. Cones

Fordy Darden
vs } Con. Notice
Jethro Holland
original

Executed the within
Notice this the 4th Day of
Nov. 1923 ^{By serving a true copy of same} on Lillie Maud
Holland & Elizabeth M.
Darden in person in the
County of Isle of Wight.
W. H. Chapman Sheriff.
By J. R. Lewis D.S.

Not finding Jethro Holland
at his usual place of abode
I executed the within notice
this the 4th Day of Nov 1923.
by serving a true copy of same
on Lillie Maud Holland in person
and explained to her the
purport of same. she being a
member of the family of the
said Jethro Holland and over
the age of sixteen years in
the County of Isle of Wight.
W. H. Chapman Sheriff.
By J. R. Lewis D.S.

Not finding M W Darden
at his usual place of abode
I executed ~~the~~ within
~~Notice~~ this the 4th Day
of Nov 1923. by serving
a true copy of same on
Elizabeth M. Darden in person
for the said M W Darden
and explained to her the
purport of same. She being
a member of the family of
the said M W Darden and
over the age of sixteen years
in the County of Isle of Wight
W. H. Chapman Sheriff.
By J. R. Lewis D.S.

To Jethro Holland, Lillie Maude Holland, M. W. Darden, Elizabeth M. Darden,
Farmers Bank Inc., Windsor, Va, and R. A. Rhodes, Trustee.

You are hereby notified that on the 27th day of November 1923, at
my office at Isle Of Wight Court House, Virginia, at 11 Oclock A. M. I shall
proceed to execute a decree entered on the 5th day of November 1923, in the
Circuit Court of the County of Isle Of Wight, Virginia in the Chancery cause
therein pending in which Hardy Darden et als are plaintiffs and Jethro Hol-
land et als are the defendants, docket number 407, which decree requires one
of the Commissioners in Chancery of the said Court to enquire into and re-
port to Court;.

1st. Whether there are any delinquent taxes upon the said
real estate.

2nd. The liens upon the said real estate, by whom held, their
respective amounts and priorities.

3rd. Whether the rents and profits from the said real es-
tate will in five years pay off and discharge said liens and the cost
of said suits and this suit.

4th. Whether all the necessary and proper parties are proper-
ly before the Court.

Which said enquiries the said Commissioner shall make and report the same to
the Court, along with any other matter especially stated pertinent by him
self, or which may be required by any person interested to be so stated.

At which time and place you are required to attend.

Given under my hand as Commissioner in Chancery of the said Court, the ~~19~~19th
day Of November 1923.

R. A. Edmunds
Commissioner In Chancery.

To Jethro Holland, Lillie Maude Holland, M.W. Darden, Elizabeth M. Darden,
Farmers Bank Inc., Windsor, Va, and R.A. Rhodes, Trustee.

You are hereby notified that on the 27th day of November, 1923, at my office at Isle of Wight Courthouse, Virginia, at 11 o'clock A.M., I shall proceed to execute a decree entered on the 5th day of November, 1923, in the Circuit Court of the County of Isle of Wight, Va., in Chancery cause therein pending in which Hardy Darden et als, are plaintiffs, and Jethro Holland et als, are the defendants, docket # 407, which decree requires one of the Commissioners in Chancery of the said Court to inquire into and report to Court:

1st. Whether there are any delinquent taxes upon the said real estate.

2nd. The Liens upon the said real estate, by whom held, their respective amounts and priorities.

3rd. Whether the rents and profits from the said real estate will in five years pay off and discharge said liens and the cost of said suits and this suit.

4th/ Whether all the necessary and proper parties are properly before the Court.

Which said inquiries the said Commissioner shall make and report the same to the Court along with any other matter especially stated pertinent by himself, or which may be required by any person interested to be so stated.

At which time and place your are required to attend.

Given under my hand as Commissioner in Chancery of the said Court, this 19th day of November, 1923.

R. A. Edwards
Commissioner in Chancery

Due, sufficient and legal service of the above notice is hereby accepted.

Farmers Bank of Windsor, Va. Inc.
R. A. Rhodes, trustee,

By R. A. Rhodes, their attorney.

thirty five years.

3. Is Lillie Maude Holland entitled to any contingent dower right in that part of purchase money which may be used to pay off the deed of trust in favor of Farmers Bank, Inc. Windsor, Va.,

A. No, she would only be entitled to contingent dower in the surplus of the purchase money, after paying off said deed of trust in favor of the Farmers Bank, Inc., of Windsor, Va., because she signed and executed the same.

4. What is the value of Lillie Maude Holland's contingent right of dower in the said real estate, basing such estimation on the fee simple value of \$100.00.

A. Basing such estimation ~~from~~ on the age of Jethro Holland at 40 years, and Lillie Maude Holland at thirty years, she would be entitled to \$4.99 on each one hundred dollars after deducting the amount due Farmers Bank Inc, Windsor, Va., (See Volume 3, Va. Law Register, page 78)

Respectfully submitted.

R. G. Edwards
Commissioner in Chancery

to pay off the liens now existing upon the property and the costs of court now accrued from the rents and profits of the property within five years.

4. Whether all the necessary and proper parties are properly before the Court.

A. Your Commissioner begs leave to report that all the proper and necessary parties are properly before the Court in these proceedings.

In compliance with Your Honor's decree, in which it is ordered "Which said inquiries the said Commissioner shall make and report the same to the court along with any other matter specially stated, pertinent by himself, or which may be required by any person interested to be so stated"

Your Commissioner begs leave to report that counsel for the plaintiffs wishes and requests your commissioner to report the following:

1. Whether Lillie Maude Holland is entitled to the contingent right of dower in the real estate mentioned in this suit.

A. Yes, (such right not denied by counsel for the plaintiffs).

2. The ages of Jethro Holland and Lillie Maude Holland.

A. Your Commissioner begs leave to report that from the records on file in this office, the said Jethro Holland is forty years of age, and from information obtained from those testifying before your commissioner, the age of Lillie Maude Holland is between thirty two and

till paid, and \$4.15 cost of court, which said judgment is of record in the aforesaid Clerk's Office in Judgment Lien docket # 4, page 142, under date of Dec. 16th, 1922. Execution upon the said judgment having been marked "no effect," by the Sheriff of this County and returned to this office.

Third. A judgment entered by the Circuit Court of the County of Isle of Wight in favor of Hardy Darden against Jethro Holland for the sum of four hundred and eleven dollars and eighty cents, with legal interest thereon from the 28th day of March, 1923, until paid, and a judgment entered by the Circuit Court of the County of Isle of Wight in favor of Baugh and Sons, Company, Inc., assignee of Hardy Darden against Jethro Holland for the sum of six hundred and ninety three dollars with legal interest on the same from the 26th day of March, 1923, until paid, with \$69.30, attorney's fee, which said two last named judgments should be prorated

Fourth; A judgment entered by the Circuit Court of the County of Isle of Wight in favor of the Dixie Guano Co. Inc., against ~~in~~ Jethro Holland for the sum of fifty two dollars and fifty cents, with legal interest thereon from the 1st day of Dec., 1921, until paid, and \$5.25 attorney's fee.

3. Whether the rents and profits from the said real estate will in five years pay off and discharge said liens and cost of said suits, and this suit.

A. Your Commissioner, begs leave to report that from evidence submitted herewith it would be impossible

records on file in the office of the Clerk of this Court, which were examined, is informed and reports as follows:

1st. Whether there are any delinquent taxes upon the said real estate?

A. Your Commissioner begs leave to report that there are no delinquent taxes upon the property in question, save taxes due for the year 1923 amounting to \$31.92, plus 5% as of Dec. 1st, 1923,

2. The liens upon the said real estate, by whom held, their respective amounts and priorities.

A. Your Commissioner begs leave to report that the liens upon the said real estate are herein stated in accordance with there priorities as shwon by records in the office of the Clerk of this Court, to-wit:
First: A deed of trust held by Farmers Bank, Inc., Windsor, Va., dated the 18th day of April, 1923, made by Lillie Maude Holland and Jethro Holland, her husband, to R. A. Rhodes. Trustee., on 75 acres of land in Windsor District, adjoining Jason Holland et als, to secure the said Farmers Bank, Inc., the sum of \$825.00 as evidenced by one bond of even date, payable on demand, and contains a waiver of the Homestead Exemption. (Date from which interest runs and rate of interest not mentioned in trust deed). The said deed being of record in the Clerk's Office of the Circuit Court of the County of Isle of Wight, in Deed Book, # 94, page 52, under date of April, 19th, 1923, at one o'clock P.M.

Second. A judgment in favor of The Suffolk Fertilizer Company, Inc., vs. Jethro Holland, dated May 12th, 1922, rendered by J. F. Duke, Justice of the Peace of Isle of Wight County for one hundred and seventy eight dollars and eighty one cents, with interest thereon, at 6%, from Dec. 1st, 1921,

File in - of M. W. Gardner

VIRGINIA; IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF
THE COUNTY OF ISLE OF WIGHT.

Hardy Darden, The Suffolk Fertilizer Co., Inc.,
Dixie Guano Co., Inc., and Baugh and Sons, Inc., ...PLAINTIFFS
Vs)

Jethro Holland, Lillie Maude Holland, M.W. Darden,
Elizabeth M. Darden, Farmers Bank, Inc., Windsor,
Virginia, and R. A. Rhodes, Trs. DEFENDANTS

TO HONORABLE B. D. WHITE, JUDGE OF THE CIRCUIT
COURT OF THE COUNTY OF ISLE OF WIGHT.

The undersigned, one of your Commissioner's in
Chancery, of Your Honor's Court, to whom has been referred
the papers in the above entitled cause for execution of
a decree entered therein upon the 5th day of November, 1923,
respectfully reports to the Court that on the 27th day of
November, 1923, at Isle of Wight Courthouse, in the presence
of A.S. Johnson, counsel for the Farmers Bank, Inc., Windsor,
Virginia, and R. A. Rhodes, Trustee, and Wm. S. Holland,
counsel for the plaintiffs, after having given notice to
all parties concerned, which said notices were executed
by the Sheriff of this County and returned according to
law, and are herewith attached, took the testimony of
W.L. Cones and C.P. Holland, which said testimony was
reduced to writing and returned herewith as a part of this
record, and from such testimony so taken and from the

After 5 days, return to
W. L. CONES, Deputy Sheriff,
P. O. Box 35,
WALTERS, VA.



Mr. R. A. Edwards Clerk
Isle of Wight
Va

COMMISSIONER IN CHANCERY

Clerk's Office
of Isle of Wight County
Isle of Wight, Va.

R. A. EDWARDS, CLERK

April 26th, 1924.

Mr. W. L. Cones, D. S.

To service of thirty one (31) papers in case of

Hardy Larden Vs. Jethro Holland @ .50.....\$15.50

By cash to you by W.S. Holland, 3.00

Balance as per check herein, 12.50

Please receipt and return.

Received Payment.

4-28-24

W. L. Cones

Executed in the County of Isle of Wight
on this 31, day of July, 1923 by delivering
true copies of the within to Jethro Holland
M. W. Darden, Mrs. Jethro Holland
& Mrs. M. W. Darden in person

W. H. Chapman, Sheriff
By J. L. Hawman D.S.

Hardy Darden

M. W. Darden

Jethro Holland et al

Original

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT
JULY 2ND. 1923.

Hardy Darden

v)

Jethro Holland et als

This day came the defendants, Farmers Bank, Inc, Windsor, Virginia, and R. A. Rhodes, trustee, and asked leave to file their separate answers to the bill of complaint, which leave is granted, and thereupon, the said answers are filed.

It is further ordered that all other defendants file their answers on or before the 15th day of August, 1923, and is is further ordered that a copy of this decree be served on all defendants who have not already answered, and this cause is set for hearing on the 14th day of September, 1923.

A Copy,

Teste,

R. H. Egan Clerk

6
17 20/21
Shaneery

1833
July 2
Shaneery

Shaneery order Book 8

page 154

Hardy Deane

n

John Ballard et al.

This day came the defendants
James R. Lane, Jr., Hudson W.
and R. A. Rhodes, master, and asked
leave to file ^{the defendants} answers to the
Bill of Complaint, which leave
is granted, and thereupon the
said ~~James R. Lane, Jr.~~ ^{James R. Lane, Jr.}
~~Hudson W.~~ filed its answer
and the said R. A. Rhodes, master
filed his answer.

~~All other~~ It is further
ordered that all other defendants
file their answers on
or before the 15th day
of August 1923 and the
clerk is directed to copy the
answers, be caused to be filed and
the fees not already paid.
Outlines copies are to be placed
on the 14th day of September 1923.

Hardy Borden
vs
Jethro Hallayd
et al

Dece
July 31-5th
1923

Euler's
S.W.

C. O. B. # 8

Page 156

VIRGINIA: IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

HARDY DARDEN

vs.

JETHRO HOLLAND AND OTHERS

This cause came on this day to be heard upon the papers formerly read and upon the motions of The Suffolk Fertilizer Co., Inc., and the Dixie Guano Co., Inc., to be made parties to this suit, and each ~~was~~ asking leave to file separate petitions in this cause: Whereupon, it is ordered that the said Suffolk Fertilizer Co., Inc., and the Dixie Guano Co., Inc., be made parties to this suit, and each petition aforesaid is hereby filed, by leave of court, in this cause.

HARDY, DARDEN AND OTHERS

VS.

JETHRO HOLLAND AND OTHERS

DECREE

ENTER, THIS 31st DAY OF July 1923.

B. D. W.

Book 8,

Page 157

WILLIAM S. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

*Proven 8-24-23 to J. H. C.
Ret. 8-24-23*

VIRGINIA: IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY ON
THE _____ DAY OF ~~August~~ *July*, 1923, IN VACATION.

HARDY DARDEN AND OTHERS

vs.

JETHRO HOLLAND AND OTHERS

This cause came on this day to be heard upon the motion of Baugh & Sons Co., Inc., to be made a party to this suit and asking leave to file its petition in this cause: Whereupon it is ordered that the said Baugh & Sons Co., Inc., be made a party to this suit, and leave of Court is hereby granted the said company to file its petition in the Clerk's Office of this Court in this cause.

R. B. White

VIRGINIA: IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY,
HARDY DARDEN ET ALS.

VS.

JETHRO HOLLAND ET ALS.

THIS CAUSE CAME ON THIS DAY TO BE HEARD ON MOTION
OF HARDY DARDEN FOR LEAVE TO FILE AN AMENDED BILL.

WHEREUPON SUCH LEAVE IS ~~HEREBY~~ GRANTED AND THE SAID BILL
IS ~~HEREBY~~ FILED.

Handwritten notes:
2-2-18
H. Darden
J. Holland
2-2-18

HARDY DARDEN *et als.*

VS.

JETIRO HOLLAND ET ALS

*Declared void & decree
Entered Dec. 28-23.*

DECREE

*1923
Nov. 5.
Entered this.*

*Book 8
page 165*

WILLIAM S. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

22nd to 25th

especially stated pertinent by himself, or which may be required
by any person interested to be so stated.

3. Whether the rents and profits from said real estate will in five years pay off and discharge said debts and the costs of said suits and this suit.
4. Whether the necessary and proper parties are properly before the court.

but so far only as the said debts and demands of the said Hardy Darden, ^{and} assignee of Hardy Darden, ^{infancy} The Suffolk Fertilizer Co., Inc., and the Dixie Guano Co., ^{infancy} Inc., are concerned. And it further appearing ^{infancy} to the satisfaction of the court from the papers and evidence in this cause that the deed from the said M. W. Darden and Elizabeth M. Darden, his wife, to the said Lilly Maude Holland, bearing date on the 18th day of April, 1923, recorded in Deed Book 93, Page 554, in the Clerk's Office of this court, conveying the land and other property therein described to the said Lilly Maude Holland, was made to hinder, delay and defraud the creditors of the said Jethro Holland, and especially Hardy Darden, ^{and} ^{infancy} Sons, Inc., assignee of Hardy Darden, ^{infancy} The Suffolk Fertilizer Co., Inc., and the Dixie Guano Co., ^{infancy} Inc., in respect to the debts and demands aforesaid, it is therefore further adjudged, ordered and decreed that the aforesaid deed, bearing date as aforesaid, be and the same is hereby set aside and held for naught, but so far only as the said debts and demands of the said Hardy Darden, ^{and} ^{infancy} Sons Co., Inc., assignee of Hardy Darden, ^{infancy} the Suffolk Fertilizer Co., Inc., and the Dixie Guano Co., ^{infancy} Inc., are concerned: ^{all of which} ~~It further appears to the court that the said real estate will not in five years rent, or yield profit for a sufficient sum to pay off and discharge said liens and the cost of this suit.~~ ^{also} It is further adjudged, ordered and decreed that this cause be and the same is hereby referred to R. G. Edwards, one of the Commissioners in Chancery of this court, to make a report showing, to-wit:

- (1) Whether there are any delinquent taxes upon the said real estate.
- (2) The liens upon the said real estate, ^{upon by} whom held, ^{their} and respective amounts and priorities.

Which said inquiries the said Commissioner shall make and report the same to the court, along with any other matter

the said Jethro Holland has waived his homestead exemption, and that the said ~~Baugh & Sons Co., Inc., assignee of Hardy Darden, also recover its cost of this suit.~~

It is further adjudged, ordered and decreed that the Dixie Guano ~~Co., Inc.,~~^{Company} do recover of and from the said Jethro Holland the sum of Fifty-two Dollars and Fifty Cents (\$52.50), with legal interest thereon from the 1st day of December, 1921, until paid, and with Five Dollars and Twenty-five Cents (\$5.25) Attorney's fee, ~~the debt and demand in the petition of the Dixie Guano Co., Inc., and the proceedings mentioned and described, as to the payment of which debt the said Jethro Holland has waived his homestead exemption, and that the said Dixie Guano Co., Inc., also recover from the said Jethro Holland its cost of this suit.~~

It appears to the court that the Suffolk Fertilizer Co., Inc., has secured a judgment against Jethro Holland for One Hundred and Seventy-eight Dollars and Eighty-one Cents (\$178.81), with legal interest thereon from the 1st day of December, 1921, until paid, and with Four Dollars and Fifteen Cents (\$4.15) court cost, and that the said debt is still due and owing to The Suffolk Fertilizer Co., Inc., from the said Jethro Holland.

And it appearing to the satisfaction of the court from the papers and evidence in this cause that the deed from the said Jethro Holland and Lilly Maude Holland, his wife, to M. W. Darden, bearing date the 8th day of May, 1922, and recorded in Deed Book 93, Page 152 in the Clerk's Office of this court, conveying the land and other property therein described to the said M. W. Darden, was made to hinder, delay and defraud the creditors of the said Jethro Holland and especially Hardy Darden, ~~Baugh & Sons Co., Inc.,~~^{and} ~~assignee of Hardy Darden,~~^{assignee} The Suffolk Fertilizer Co., Inc., and the Dixie Guano ~~Co., Inc.,~~^{Company} in respect to the debts and demands aforesaid, it is therefore adjudged, ordered and decreed that the said deed, bearing date as aforesaid, be and the same is hereby set aside and held for naught,

VIRGINIA: IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

HARDY DARDEN, THE SUFFOLK FERTILIZER CO., INC., DIXIE GUANO CO., INC., AND BAUGH & SONS CO., INC.,

vs.

JETHRO HOLLAND, LILLY MAUDE HOLLAND, M. W. DARDEN, ELIZABETH M. DARDEN, FARMERS BANK INC., WINDSOR, VA. AND R. A. RHODES, TRUSTEE

This cause came on this day to be heard upon the plain-
tiff's (Hardy Darden's) bill and ~~its~~ ^{therein} exhibits; upon the joint
and separate answers of Jethro Holland, Lilly Maude Holland,
M. W. Darden and Elizabeth M. Darden, and upon the joint and sep-
arate answers of the Farmer's Bank Inc., Windsor, Virginia, and
R. A. Rhodes, Trustee; upon the separate petitions of The Suf-
folk Fertilizer ~~Co.~~ ^{Company}, Inc., Dixie Guano ~~Co.~~ ^{Company}, Inc., and Baugh ~~Sons~~ ^{and} ~~Co.~~ ^{Company}, Inc., ^{and} proof of legal service of proper process on each
defendant to answer ~~each~~ ^{said} petition ~~aforsaid~~ ^{and the}; upon former orders
and decrees in this cause; upon testimony ~~ore~~ ^{taken} ~~tenu~~ ⁱⁿ on behalf of
the plaintiffs and the defendants, ~~writing such depositions for~~ ^{said testimony being in}
~~the purpose of filing same in this suit being waived by all par-~~
~~ties;~~ and was argued by counsel.

Upon the consideration of which, it is adjudged, ordered
and decreed that Hardy Darden do recover of and from the defend-
ant, Jethro Holland, the sum of Four Hundred and Eleven Dollars
and Eight Cents (\$411.08) with legal interest thereon from the
28th day of March, 1923, until paid, ~~the debt and demand in the~~
~~amended bill and proceedings mentioned and described, and costs~~
~~of this suit.~~

It is further adjudged, ordered and decreed that Baugh
~~Sons~~ ^{Company} ~~Co.~~ ^{and}, Inc., assignee of Hardy Darden, do recover of and
from the defendant, Jethro Holland, the sum of Six Hundred and
Ninety-three (\$693) Dollars, with legal interest on the said
sum from the 26th day of March, 1923, until paid, ~~and with~~
Sixty-nine Dollars and Thirty cents (\$69.30) Attorney's fee,
~~the debt and demand in the petition of Baugh & Sons Co., Inc.,~~
~~and the proceedings mentioned and described, as to which debt~~

HARDY DARDEN ET ALS

VS.

JETHRO HOLLAND ET ALS

DEGREE

1923
Dec. 28.
Entered.
B.D.W.

Book 8

Page 174

WILLIAM S. HOLLAND

ATTORNEY AT LAW

SUFFOLK, VIRGINIA

debts and demands of the said Hardy Darden, Bunch and Sons Company, Inc., assignee of Hardy Darden, The Suffolk Fertilizer Company, Inc., and the Dixie Canning Company, Inc., are concerned: All of which debts are declared liens upon said real estate.

It is further adjudged, ordered and decreed that the deed of trust from Lilly Maude Holland and husband to R. A. Rhodes, Trustee, to secure the payment of the sum of Eight Hundred and Twenty-five (\$825.00) Dollars, to the Farmers Bank Inc., Windsor, Virginia, be declared valid and a subsisting lien on the property therein conveyed, as the validity of which deed of trust is admitted by counsel for the plaintiff and the several petitioners.

At the instance of the defendants, who desire to present a petition to the Supreme Court of Appeals of Virginia for an appeal and supersedeas to the above decree, it is ordered that the execution of the above decree be suspended for a period of sixty (60) days, but such suspension shall not be in effect until the defendants, or someone for them, shall give bond in the penalty of \$250.00 and conditioned according to law.

By reason of the clerk of this Court having by mistake or inadvertence, on Nov^{emb} 1923, spread upon the Chancery Order Book a previously proposed decree in substance as this now, it is now and here further ordered that said decree be declared of no effect.

until paid, and with Five Dollars and Twenty-five Cents (\$5.25) Attorney's fee, as to the payment of which debt the said Jethro Holland has waived his homestead exemption.

And it appearing to the satisfaction of the court from the papers and evidence in this cause that the deed from the said Jethro Holland and Lilly Maude Holland, his wife, to M. W. Darden, bearing date the 5th day of May, 1922, and recorded in Deed Book 93, Page 132 in the Clerk's Office of this court, conveying the land and other property therein described to the said M. W. Darden was made to hinder, delay and defraud the creditors of the said Jethro Holland and especially Hardy Darden, Baugh and Sons Company, Inc., assignee of Hardy Darden, The Suffolk Fertilizer Company, Inc., and the Dixie Guano Company, Inc., in respect to the debts and demands aforesaid, it is therefore adjudged, ordered and decreed that the said deed, bearing date as aforesaid, be and the same is hereby set aside and held for naught, but so far only as the said debts and demands of the said Hardy Darden, Baugh and Sons Company, Inc., assignee of Hardy Darden, the Suffolk Fertilizer Company, Inc., and the Dixie Guano Company, Inc., are concerned. And it further appearing to the satisfaction of the court from the papers and evidence in this cause that the deed from the said M. W. Darden and Elizabeth M. Darden, his wife, to the said Lilly Maude Holland, bearing date on the 18th day of April 1923, recorded in Deed Book 93, Page 554, in the Clerk's Office of this court, conveying the land and other property therein described to the said Lilly Maude Holland, was made to hinder, delay and defraud the creditors of the said Jethro Holland, and especially Hardy Darden, Baugh and Sons Company, Inc., assignee of Hardy Darden, The Suffolk Fertilizer Company, Inc., and the Dixie Guano Company, Inc., in respect to the debts and demands aforesaid, it is therefore further adjudged, ordered and decreed that the aforesaid deed, bearing date as aforesaid, be and the same is hereby set aside and held for naught, but so far only as the said

VIRGINIA: IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

HARDY DARDEN, THE SUFFOLK FERTILIZER CO., INC., DIXIE GUANO CO., INC., AND BAUGH & SONS CO., INC.

vs.

JETHRO HOLLAND, LILLY MAUDE HOLLAND, M. W. DARDEN, ELIZABETH M. DARDEN, FARMERS BANK INC., WINDSOR, VA. AND R. A. RHODES, TRUSTEE.

This cause came on this day to be heard upon papers formerly read and upon the plaintiff's (Hardy Darden's) bill and exhibits therewith; upon the joint and separate answers of Jethro Holland, Lilly Maude Holland, M. W. Darden and Elizabeth M. Darden, upon the joint and separate answers of the Farmers Bank Inc., Windsor, Virginia, and R. A. Rhodes, Trustee; upon the separate petitions of The Suffolk Fertilizer Company, Inc., Dixie Guano Company, Inc., and Baugh and Sons Company, Inc., and proof of legal service of proper process on each defendant to answer said petitions, and upon the testimony taken ore tenus on behalf of the plaintiffs and the defendants, said testimony being in writing; and was argued by counsel.

Upon the consideration of which, it is adjudged, ordered and decreed that Hardy Darden do recover of and from the defendant, Jethro Holland, the sum of Four Hundred and Eleven Dollars and Eight Cents (\$411.08) with legal interest thereon from the 28th day of March, 1925, until paid.

It is further adjudged, ordered and decreed that Baugh and Sons Company, Inc., assignee of Hardy Darden, do recover of and from the defendant, Jethro Holland, the sum of Six Hundred and Ninety-three (\$693) Dollars, with legal interest on the said sum from the 26th day of March, 1923, until paid, with sixty-nine Dollars and Thirty Cents (\$69.30) Attorney's fee, as to which debt the said Jethro Holland has waived his homestead exemption.

It is further adjudged, ordered and decreed that the Dixie Guano Company, Inc., do recover of and from the said Jethro Holland the sum of Fifty-two Dollars and Fifty Cents (\$52.50), with legal interest thereon from the 1st day of December, 1921,

#407

HARDY DARDEN ET ALS

VS.

JETHRO HOLLAND ET ALS

Book 8
page 184

I have seen the within
deed.

Thos. M. Campbell -
Atty. Mr. & Mrs. Halland
and
Mr. & Mrs. Darsen rec'd -

As John
Atty for Farmers
Bain & Co. Landers &
and R. G. Rhoads. No

Wm. S. Halland
Atty for all ptffs

1904

Mar 3.

Entered.

B.D.W.

VIRGINIA: IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

HARDY DARDEN, THE SUFFOLK FERTILIZER CO., INC., DIXIE GUANO CO, INC., AND BAUGH & SONS CO., INC.

vs.

JETHRO HOLLAND, LILLY MAUDE HOLLAND, M. W. DARDEN, ELIZABETH M. DARDEN, FARMERS BANK INC., WINDSOR, VA. AND R. A. RHODES, TRUSTEE

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

On consideration whereof, it is adjudged, ordered and decreed that this cause be and the same is hereby referred to R. A. Edwards, one of the Commissioners in Chancery of this court, to make a report showing, to-wit:

(1) Whether there are any delinquent taxes upon the said real estate.

(2) The liens upon the said real estate, by whom held, their respective amounts and priorities.

(3) Whether the rents and profits from said real estate will in five years pay off and discharge said liens and the costs of said suits and this suit.

(4) Whether all the necessary and proper parties are properly before the court.

Which said inquiries the said Commissioner shall make and report the same to the court, along with any other matter especially stated pertinent by himself, or which may be required by any person interested to be so stated.

The report of the said R. A. Edwards, Commissioner as aforesaid, erroneously and previously filed in this cause is at this time, by consent of all parties, permitted to be refiled to have legal effect only as if the same had been when previously filed, *pursuant to this decree*
~~when properly done~~, the same being now done without prejudice to the defendants' rights in any way whatsoever.

HARDY DARDEN ET ALS

vs.

JETHRO HOLLAND ET ALS

1924
Apr 2. this
Enter B.C.

DECREE

Consent for
division

Dr. McLaughlin.

Wm. S. Holland, atty,
for all plaintiffs 1/1

John Stephen
Crum for James
Bryce in London Va
vs R.A. Rhodes. No

Book 8,
page 190

VIRGINIA: IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY,

HARDY DARDEN ET ALS

VS.

JETHRO HOLLAND ET ALS

It appearing to the court that all the claims mentioned in the bill and in the separate petitions in this suit have been paid in full by Mrs. Lilly Maude Holland, and that the court cost in this suit has been paid, it is ordered, adjudged and decreed, with consent of all parties, that this suit be dismissed and stricken from the docket. The clerk of this court is hereby directed to make a reference ~~to~~^{to} this order on the margin opposite the lis pendens filed in this suit.

1
HARDY DARDEN

vs. MEMORANDUM

JETHRO HOLLAND ET ALS.

Apr 27-23.
Filed

VIRGINIA.

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

HARDY DARDEN

vs. Memorandum

JETHRO HOLLAND, LILLY MAUD HOLLAND, M. W. DARDEN, and
ELIZABETH M. DARDEN, Farmers Bank, Incorporated, Windsor, Va.
and R. A. Rhodes, Trustee,

TO R. A. Edwards, Clerk:

Issue subpoena in chancery against all of the defend-
ants to the Sheriff of Isle of Wight County returnable to second
May rules.

April 27th, 1923.

Wm. S. Holland, p.g.

VIRGINIA
CIRCUIT COURT OF THE COUNTY
OF ISLE OF WIGHT
Apr. 27 - 1923
Filed
Teste, R. A. Edwards Clerk

Jethro Holland et ux

TO)

M. W. Darden.

THIS DEED, Made this 8th day of May, 1922, between Jethro Holland and Lilly Maude Holland, his wife, of Isle of Wight County, Virginia, parties of the first part, and M. W. Darden, of Isle of Wight County, Virginia, party of the second.

WITNESSETH: That for and in consideration of the sum of Two Thousand (\$2,000.00) Dollars, the said parties of the first part, do grant unto the said party of the second part, with general warranty the following property, to-wit:

FIRST: All that certain tract of land in Windsor Magisterial District, in the County of Isle of Wight, and State of Virginia, containing seventy-five (75) more or less, though the same is sold in gross and not by the acre (this deed being an express contract of hazard as to the acreage) bounded and described as follows: Bounded on the North by the right of way of the Virginian Railway, on the South by the land belonging to the Estate of Jason Holland, on the West by the land of W.M. Ellis, and on the East by the land of J. W. Darden.

The above property is expressly sold in gross and not by the acre and constitutes a part of the same property which was conveyed to the above named Jethro Holland by Jason Holland and wife, by deed duly recorded in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, and being that portion of said property which is located on the South side of the Virginian Railway. This said parcel of property together with a certain other portion of the same tract which is this day conveyed to W.L. Darden constitutes the entire real estate which was conveyed to the said Jethro Holland by Jason Holland and wife aforesaid.

SECOND: One black horse, weighing about one thousand (1000) pounds, and being about 9 years old, one bay mule, weighing about one thousand (1000) pounds, and being about twelve years of age, one jersey cow, weighing about five hundred (500) pounds, and being about three years old, one jersey cow, weighing about three hundred (300) pounds, and being about

"Exhibit A"

eighteen (18) months old, seventy five barrels corn, two Lyman cultivators, one Ayers Peanut planter, one road cart, pne wagon, all of which said personal property is located on the premises above described. <

The said Jethro Holland reserves the express right to retain the above personal property in his possession and to use the same for the remainder of the year 1922.

The said parties of the first part covenant that they have the right to convey the said land to the grantee, that they have done no act to encumber the said land, that the grantee shall have quiet possession of the said land, free from all encumbrances and that they, the said parties of the first part will execute such further assurances of the said land as may be requisite.

Witness the following signatures and seals:

Jethro Holland (SEAL)

Lilly Maude Holland (SEAL)

State of Virginia,

County of Isle of Wight, to-wit;

I, Jas. A. Johnson, a Justice of the Peace in and for the County aforesaid, whose term of office expires on the 31st day of Dec. 1923, do certify that Jethro Holland and Lilly Maude Holland, whose names are signed to the writing hereto annexed, bearing date on the 8th day of May, 1922, have acknowledged the same before me in my County aforesaid.

Given under my hand this 9th day of May, 1922.

Jas. A. Johnson
J.P.

"Exhibit A"

Virginia: Clerk's Office of the Circuit Court of the County of Isle of
Wight May 10th. 1922, at one' o'clock P. M. this deed was received and
with the certificate annexed, admitted to record.

Teste,
R.A. Edwards, Clerk

\$2.00 the requisite amount of revenue stamps affixed and cancelled.

A Copy,

Teste, R.A. Edwards Clerk

By E. Rayburn D.C.

D₂B. 93, page 132.

THIS DEED, Made this 18th day of April, in the year one thousand nine hundred and twenty three, between M. W. Darden and Elizabeth M. Darden, his wife, of Isle of Wight County, Virginia, parties of the first part, and Lilly Maude Holland, of Isle of Wight County, Virginia, party of the second part.

WITNESSETH: That in consideration of the sum of Two Thousand Dollars, the said parties of the first part do grant unto the said party of the second part, with General Warranty;

FIRST: All that certain tract of land in Windsor Magisterial District, in the County of Isle of Wight, and State of Virginia, containing seventy five (75) acres, more or less, though the same is sold in gross and not by the acre(this deed being an express contract of hazard as to the acreage) bounded and described as follows: Bounded on the North by the right of way of the Virginian Railway, on the South by the land belonging to the Estate of Jason Holland, on the West by the lands belonging to the Estate of W.M. Ellis, and on the East by the land of J. W. Darden.

The above property constitutes a part of the same property which was conveyed to Jethro Holland by Jason Holland and wife, and being that portion of said property which is located on the South side of the Virginian Railway. It being the same property conveyed to M. W. Darden by deed dated 8th day of May and signed by Jethro Holland and Lilly Maude Holland and of recorded in the Clerk's Office of Isle of Wight County in Deed Book 93, page 132.

Second. One black horse, weighing about one thousand pounds, and being about 10 years old, one bay mule, weighing about one thousand pounds and being about twelve years of age, one jersey cow weighing about five hundred pounds, and being about three years old, one jersey cow, weighing about three hundred pounds, and being about eighteen months old, two Lyman cultivators, one Ayers Peanut Planter, one road cart, one wagon.

"Exhibit B"

The said parties of the first part covenant that they have the right to convey the said land to the grantee, that they have done no act to encumber the said land, that the grantee shall have quiet possession of the said land, free from all encumbrances, and that they, the said parties of the first part will execute such further assurances of the said land as may be requisite.

Witness the following signatures and seals:

M.W.Darden (SEAL)

Elizabeth M.Darden (SEAL)

State of Virginia,

County of Isle of Wight, to-wit;

I, S. T. Holland, a Notary Public for the County aforesaid, in the State of Virginia, do certify that M. W. Darden and Elizabeth M. Darden, his wife, whose names are signed to the writing hereto annexed bearing date the 18th day of April, 1923 have acknowledged the same before me in my County aforesaid.

My term of office expires 12th day of November, 1923.

Given under my hand this 18th day of April, 1923.

S.T.Holland

Notary Public

Virginia: Clerk's Office of the Circuit Court of the County of Isle of Wight April 19th. 1923, at one o'clock P.M. this deed was received and with the certificate annexed, admitted to record.

\$2.00 the requisite amount of revenue stamps affixed and cancelled.

Teste,

R. Q. Edwards
Clerk

A Copy,

Teste, R. Q. Edwards Clerk

By E. Ray Will D.C.

"Exhibit B"

M. W. Darden et al

To

Lilly M. Holland

Exhibit A

52-50

Suffolk, Va.,

7/1 1927

Accepted _____ days after date of promise to pay, without offset, until

DIXIE GUANO COMPANY, INCORPORATED, OR ORDER

Negotiable and payable at Office of Dixie Guano Co Inc
Fifty Two & 50/100 Dollars

FOR VALUE RECEIVED, WITH ALL COSTS OF COLLECTION, INCLUDING TEN PER CENT. FOR ATTORNEY'S FEE; AND WE, PRINCIPAL AND ENDORSERS, HEREBY WAIVE THE BENEFIT OF OUR HOMESTEAD EXEMPTION AS TO THIS DEBT.

Collassepa

Wm. H. H. H.

CV
1/2/22

My cash 1641



Virginia
Justice

In the Circuit Court for the County of Isle of Wight, May 12 ~~Term~~, 192~~4~~

The Suffolk Fertilizer Co Plaintiff
versus

Action of

debt

Jethro Holland Defendant

Judgment in favor of the Plaintiff... against the Defendant... for the
sum of One hundred seventy eight & 81/100 \$ 178.81

With interest thereon at the rate of six per centum per annum, from
Dec. 1, 1921 until payment \$

Subject to credit, viz.: None } And the cost of suit, \$ 4.15

A FIERI FACIAS issued from the ^{Justice} Clerk's office of said Court on the 12 day of May
192³ returnable to the 60 days thereafter, directed to the Sheriff
of the County of Isle of Wight who hath made return thereon in the words and figures following,
to wit: No effects

This judgment was duly docketed in the Clerk's
office of the Circuit Court of the County
of Isle of Wight on the 16 day of Dec 192²
Judgment Docket No. 4 Page 142

Teste:

R. A. Edwards Clerk.

E. Ray Wills R. A. S.

R. A. Edwards Clerk.

Ray & R. Wills W.S.

"Exhibit A"

The Suffolk Fertilizer Co

vs. {

ABSTRACT OF
JUDGMENT

Jethro Holland

Edward J. Co.,

Mar 27, 23.

Mr M. H. Carlen

Thindson, Va.

Dear Sir

I've decided
not to take the
place as my wife sister
wants to buy it
back so am sending
the deed back you
you had fixed for
me.

Very Truly

Oscar F. Beale



The Farmers Bank
INCORPORATED

68-567

No 2

Windsor, Va. May 28 1922 No. _____

Pay to the order of

J. J. Carr

\$ 400.00

Four hundred

00/100 Dollars

M. W. Darden

T. J. Carr

Cr 910

D. J.

THE ORDER OF
H. W. WALTERS
1022
WALTERS, VA.
H. W. CHAPPELLE, Cashier

PAY FEDERAL RESERVE BANK
OF RICHMOND OR ORDER
FOR ENDORSEMENTS GUARANTEED
68-4 MERCHANTS NATIONAL BANK
ALPHAMOND VA 68-453
JUN - 1 1922

FEDERAL RESERVE BANK OF RICHMOND

THE ORDER OF THE BANK OF WAVERLY,
WAVERLY VA
ANIEL, Cashier.
MAY 31 1922 68-453
Endorsements Guaranteed
OR ORDER

No 3

No. _____

WINDSOR, VA., July 11 1922

THE FARMERS BANK

68-567

5

INCORPORATED

PAY TO THE
ORDER OF

S. J. Carr

\$ 216.65

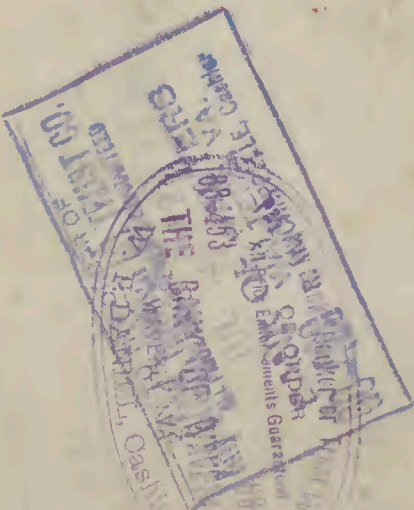
Two hundred and sixteen

DOLLARS

M. W. Dwyer

S. J. Carr

PAY TO THE ORDER OF 68-3 ANY BANK, BANKER OR TRUST CO. PRIOR ENDORSEMENTS GUARANTEED FEDERAL RESERVE BANK OF RICHMOND	JUL 15 1922	PAY FEDERAL RESERVE BANK OF RICHMOND OR ORDER PRIOR ENDORSEMENTS GUARANTEED 68-4 MERCHANTS NATIONAL BANK RICHMOND, VA. 68-4
---	-------------	---



\$ 225⁰⁰

6015

WINDSOR, VA.,

May 11 1923

days after date

promise to pay to FARMERS BANK, Incorporated, or order, at said Bank, in the Town of Windsor, Va.,

Two Hundred Twenty Dollars, for value received, having deposited with the said Bank as collateral security for the payment of this Note, and for the payment of all other notes or claims now held by said Bank, or which may hereafter be so held against the following securities, viz:



One bond for
by M.W. Darden & Ely J. M. Darden
Secured by said stock

And.....agree that the above-named securities, and any others added to, or substituted for them, shall be held as collateral security for all the notes and liabilities of the undersigned, and of the endorsers hereof due to the said Bank, or to become due as now held by it or that may hereafter be contracted.

And.....agree to furnish such additional collaterals as may from time to time be required by the holder hereof, which additional collaterals.....hereby promise to give at any time on demand, and if these additional collaterals be not so given when demanded, then this Note to become due as well as any other held by said Bank.

And.....hereby give the holder hereof full power and authority to sell, assign and deliver the whole or any part of said collaterals or any substitutes thereof, or any additions thereto, at public or private sale, at the option of such holder, on the non-performance of any of the promises or agreements herein contained, without notice of the amount claimed to be due, without demand of payment, without advertisement, and without notice of the time and place of sale, each and every of which is hereby expressly waived. And upon such sale, by virtue hereof the holder hereof may become the purchaser, and have the same assigned and delivered to it by its President or Cashier, of the whole or any part or such securities discharged from any right of redemption, which is hereby expressly released to the holder hereof, who shall retain a claim against the maker hereof or the endorser or endorsers hereon for any deficiency arising from such sales.

And it is also agreed that said collaterals may from time to time, by mutual consent, be exchanged for others, which shall also be held by said Bank upon the terms above set forth; and in case of any exchange of, or additions to the collaterals above named, the provisions of this Note and agreement shall extend to such new of additional collaterals; and we, the maker or makers, endorser or endorsers, hereby waive the benefit of our Homestead Exemption as to this debt and contract, and agree to pay costs of collection hereof, including any attorney's fee, if incurred, in case payment shall not be made at maturity.

M.W. Darden

\$600⁰⁰

5912

12 12

WINDSOR, VA.

May 17
Feb 16 19

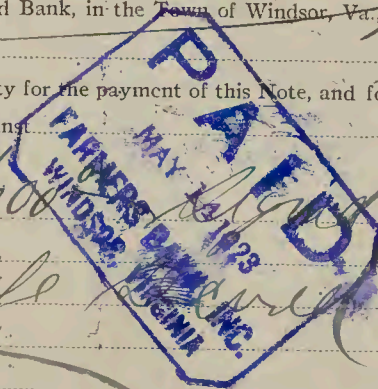
13

days after date

promise to pay to FARMERS BANK, Incorporated, or order, at said Bank, in the Town of Windsor, Va.,

Dollars, for value received, having deposited with the said Bank as collateral security for the payment of this Note, and for the payment of all other notes or claims now held by said Bank, or which may hereafter be so held against the following securities, viz:

One bond for \$600
by M. W. Darden wife
by deed of trust



And agree that the above-named securities, and any others added to, or substituted for them, shall be held as collateral security for all the notes and liabilities of the undersigned, and of the endorsers hereof due to the said Bank, or to become due as now held by it or that may hereafter be contracted.

And agree to furnish such additional collaterals as may from time to time be required by the holder hereof, which additional collaterals hereby promise to give at any time on demand; and if these additional collaterals be not so given when demanded, then this Note to become due as well as any other held by said Bank.

And hereby give the holder hereof full power and authority to sell, assign and deliver the whole or any part of said collaterals or any substitutes thereof, or any additions thereto, at public or private sale, at the option of such holder, on the non-performance of any of the promises or agreements herein contained, without notice of the amount claimed to be due, without demand of payment, without advertisement, and without notice of the time and place of sale, each and every of which is hereby expressly waived. And upon such sale, by virtue hereof the holder hereof may become the purchaser, and have the same assigned and delivered to it by its President or Cashier, of the whole or any part or such securities discharged from any right of redemption, which is hereby expressly released to the holder hereof, who shall retain a claim against the maker hereof or the endorser or endorsers hereon for any deficiency arising from such sales.

And it is also agreed that said collaterals may from time to time, by mutual consent, be exchanged for others, which shall also be held by said Bank upon the terms above set forth; and in case of any exchange of, or additions to the collaterals above named, the provisions of this Note and agreement shall extend to such new of additional collaterals; and we, the maker or makers, endorser or endorsers, hereby waive the benefit of our Homestead Exemption as to this debt and contract, and agree to pay costs of collection hereof, including any attorney's fee, if incurred, in case payment shall not be made at maturity.

M. W. Darden

Nov 11-1922

Letter Hulland

Apr 12

To one note 1921

12

1921

\$ 668 00

Entrust on same June 3

\$

2 Bgs Soda for 1921 \$14 00 June 16

14 00

25 Bgs Plaster 11 1921 \$33 75 1- 27

33 75

Entrust one year

47 75

288

47 75

\$

1922 Set

6 Bgs Soda

\$

39 00

to two checks

\$

200 00

to check Nov 1922

\$

35 00

\$ 274 00

HARDY DARDEN
DEALER IN
GENERAL MERCHANDISE
COLOSSE, VA.



BANK OF WALTERS

No. 528
68-563
5

WALTERS, VA.

No 7
Nov-6 1922

PAY TO THE ORDER OF

Leith Halland
Thirty Five

\$35⁰⁰

DOLLARS

FOR

Hardy Darden

John H. H. H.

C. F. Fowles
L. B. Harrell

Pay National Bank of Suffolk,
Suffolk, Va. or Order
Suffolk Fruit & Produce Co. Inc.

PAID TO ORDER OF
SUFFOLK FRUIT & PRODUCE CO. INC.
SUFFOLK, VA.

NOV 9 1922 58 1

PAY TO ORDER OF
BANK, BANKER OR TRUST CO.
Prior Endorsements Guaranteed

Federal Reserve Bank of Richmond
68.3

HARDY DARDEN
DEALER IN GENERAL MERCHANDISE
CASH BUYER OF PEANUTS
COLOSSE, VA.

No 8

No 885

WALTERS, VA.

June 29 1922

PAY TO THE
ORDER OF

Jethro Hollum
Fifty

PAID

\$50.00

JUL 5 1922

DOLLARS

FOR

TO THE BANK OF WALTERS,

68-563

WALTERS, VA.

BY

Hardy Darden

HARDY DARDEN

Jesse Holland

Pay to the Order of
Farmers Bank, Inc.
68-567 Windsor, Va
W. H. JOHNSON
W. H. JOHNSON, of Jesse

PAY TO THE ORDER OF
ANY BANK, BANKER OR TRUST CO.,
FARMERS BANK
68-567 WINDSOR, VA.
J. HOLLAND, CASH.

68-567 JUN 24 1914
ORDER OF
W. H. JOHNSON
FARMERS BANK
WINDSOR, VA.
J. HOLLAND, CASH.

No 9

March 26 1913

On Demand After date 2 Promise to Pay to the Order of

Hardy Darden

Six Hundred Ninety Three DOLLARS, \$ 693.⁰⁰/₁₀₀

For Value received, payable at Bank of Watters Va

The maker or makers, snd endorser or endorsers of this note hereby waive the homestead and other exemptions (not in conflict with State Laws) as to this debt, and agree, if this note is not paid at maturity, to pay all expenses incurred in its collection, including attorney's fees.

Jethro Holland SEAL

NO. _____

DUE _____

SEAL

PAYMENT GUARANTEED
PRESENTMENT. PROTEST. DEMAND AND
NOTICE OF NON-PAYMENT WAIVED

Hardy Darter



PAID

APR 5 1923

401.50
Piedmont
Nt Any
Gudno

RETURNED UNPAID

Reason checked, if known

From

FARMERS BANK, Inc.
WINDSOR, VA.

Please remit cents for
presenting and postage.

As Requested
Check Sent
For Endorsement
For Signature
Has Been Paid
Never Pays Drafts
No Attention
Not Correct
Not Enough Funds ✓
Payment Stopped
Refused
Will Remit
Will Write

No. _____

WINDSOR, VA., Nov 25 1923

THE FARMERS BANK

INCORPORATED

68-567
5

PAY TO THE
ORDER OF

Handy Dander

Four Hundred

on Dec of

\$ 400.00
401.50
DOLLARS

W. W. COCKRUM & CO., OAKLAND CITY, IND.

Handwritten notes and stamps:
- "150" in red ink above the amount.
- "Not a Payment" in blue ink, written vertically.
- "Not a Cash" in blue ink, written vertically.
- "PILLS NOVEMBER 1923" in blue ink, written vertically.
- "1923" in blue ink, written vertically.
- "401.50" in red ink, written below the amount.
- "401.50" in red ink, written below the amount.

Handwritten signature

Pay **MERCHANTS NATIONAL BANK,**
Baltimore, Md., or order
508
Bledmont Mt. Airy Guano Co.

CANCELLED
APR 4 1923
BANK OF AMERICA

ENDORSEMENT
APR 4 1923
BANK OF AMERICA

PAID TO THE ORDER OF
BANK, BANKER OF TRUST CO.
APR 11 2
WASH. DC. 100

WINDSOR, VA., Apr. 3, 1923

PLEASE TAKE NOTICE that a Check
for \$ 400.00 dated March 28, 192 3
drawn by Jethro Holland
on FARMERS BANK INC. at Windsor Va., in favor of Hardy Darden
payable On demand ~~XXXXXX~~ days after date, at

FARMERS BANK, INC.

WINDSOR, VA.

and endorsed by you was this day PROTESTED for non-payment,
after legal demand of payment, acceptance and, refusal thereof and
the holder looks to you for payment thereof, with all interests, costs,
charges and damages thereon.

Done at request of the holder.
My commission expires
Nov. 12, 1923.

S. T. HOLLAND
Notary Public

Charges \$ 1.50

PLEASE FORWARD THIS NOTICE TO PROPER ADDRESS

To Merchants National Bank, Baltimore, Md.

WINDSOR, VA., Apr. 3, 1923

PLEASE TAKE NOTICE that a Check
for \$ 400.00 dated March 28, 192 3
drawn by Jethro Holland
on FARMERS BANK INC. at Windsor Va., in favor of
Hardy Darden
payable On demand ~~days after date~~, at

FARMERS BANK, INC.
WINDSOR, VA.

and endorsed by you was this day PROTESTED for non-payment,
after legal demand of payment, acceptance and, refusal thereof and
the holder looks to you for payment thereof, with all interests, costs,
charges and damages thereon.

Done at request of the holder.

My commission expires
Nov. 12, 1923.

S. T. HOLLAND
Notary Public

Charges \$ 1.50

PLEASE FORWARD THIS NOTICE TO PROPER ADDRESS

To Piedmont Mt. Airy Guano Co.

WINDSOR, VA., Apr. 3, 1923

PLEASE TAKE NOTICE that a Check
for \$ 400.00 dated March 28, 192 3
drawn by Jethro Holland
on FARMERS BANK INC. at Windsor Va., in favor of Hardy Darden
payable On demand ~~XXXXXX~~ days after date, at

FARMERS BANK, INC.

WINDSOR, VA.

and endorsed by you was this day PROTESTED for non-payment,
after legal demand of payment, acceptance and, refusal thereof and
the holder looks to you for payment thereof, with all interests, costs,
charges and damages thereon.

Done at request of the holder.
My commission expires
Nov. 12, 1923.

S. T. HOLLAND
Notary Public

Charges \$ 1.50

PLEASE FORWARD THIS NOTICE TO PROPER ADDRESS

To Federal Reserve Bank of Richmond,
Baltimore Branch.

This tax interrogatory to be preserved by filing with the clerk of the circuit, corporation or hustings court. A misdemeanor to abstract, mutilate or destroy it. [Code sec. 2261, p. 222 tax laws.]

A. P. A. 192--12-14-22--1,400,000.

1923---Interrogatory for Listing by Taxpayer and Commissioner of Revenue Tangible and Intangible Personal Property, and Money

THE TAXPAYER SHOULD MAKE THIS RETURN WITHIN THIRTY (30) DAYS AFTER RECEIPT OF THIS FORM.

A separate return must be made by each taxpayer, male and female, white and colored, 21 years of age or over, and by each firm or corporation residing or doing business in this State, using only this form which is the legal State Personal Property Interrogatory. Every item must be answered, the word "None" being written opposite the item indicating property not owned. Code Sections 2310, page 249, and 2254, pages 220-221, tax laws 1922.

C. LEE MOORE, Auditor Public Accounts.

Taxpayer and Commissioner should read carefully notes printed on the last page of this form.

Name of taxpayer Jethro Hallam
County (or City) Tele of night Windsor
District (or Ward) _____
Street number or P. O. address Windsor

VIRGINIA--COUNTY (OR CITY) OF _____ The following list and statement is a true, full, perfect

and correct list of all tangible and intangible personal property and money owned by _____ February 1, 1923.
listed and returned under oath to the Commissioner of the Revenue for taxation, as required by law.

SCHEDULE A--State Capitation Tax

WHITE COLORED

Male inhabitant who has attained the age of 21 years, not pensioned by this State for military service. _____

Female inhabitant who has attained the age of 21 years. _____

SCHEDULE B--Tangible Personal Property

Num- FAIR MARKET VALUE FAIR MARKET VALUE
ber (To be listed by taxpayer) (To be listed by Commis-
DOLLARS (No Cents) sioner of Revenue)
DOLLARS (No Cents)

1. Horses, mules, asses and jennets. _____
2. Cattle _____
3. { Sheep _____
Goats _____
4. Hogs _____
5. (a) Family carriages, carryalls, buggies, gigs, stage coaches, sleighs. _____
(b) Carts, wagons, carrylogs, spring wagons. _____
(c) All vehicles not above specifically enumerated of like kind to those enumerated _____
Total _____
6. All books and pictures. _____
7. All tools of mechanics. _____
8. All farming implements. _____
9. All felled timber, railroad ties, telegraph, telephone or electric light poles, piles, mine props, cordwood, hoop-poles, staves, and bark which has been felled, for sale by other than the owner of the land upon which it has been felled, within twelve months preceding the first day of February of this year, unless these items constitute a part of the taxpayer's capital and are therefore taxable as such. _____
10. { Watches _____
Clocks _____
11. (a) Piano-fortes. _____
(b) Organs. _____
(c) Victrolas, phonographs, graphophones. _____
(d) Melodeons, harps and musical instruments of all kinds not specified above. _____
Total _____
13. All household and kitchen furniture. _____
14. (a) Gold and silver plate and plated ware. _____
(b) Diamonds. _____
(c) Cameos or other precious stones or precious metals used as ornaments or jewelry. _____
Total _____
15. All grain, tobacco and other agricultural productions in the hands or possession, legal or constructive, of a purchaser. (Grain, tobacco and other agricultural productions in the hands of the producer of the same are exempt from taxation unless these items constitute a part of the taxpayer's capital and are therefore taxable as such.) _____
16. All boats and other water craft under five tons burthen, used for business or pleasure, with their tackle, rigging and furniture, and all else that pertains to them. _____
17. NOTE--The value of boats five tons burthen and over, not assessed by the State Corporation Commission, will be ascertained by the Examiner of Records and by him reported to the commissioner to assess on Personal Property Book, and extend thereon State taxes and County (or City) levies. _____
18. All shot-guns, rifles, muskets and other firearms, bowie knives, dirks and all weapons of a similar kind, except firearms issued by the State to members of volunteer companies, or for purposes of police. _____
19. All seines, pound-nets, fykes, weirs, or other devices for catching fish. _____
20. All toll bridges, turnpikes and ferries (except steam ferries owned and operated by a chartered company). _____
21. All poles, wires, switchboards, et cetera, telephone or telegraph instruments, apparatus, et cetera, owned by any person, firm or association, or company (not incorporated). _____
22. (a) Sewing machines. _____
(b) Gas engines, electric motors, etc., threshing machines, corn huskers, feed cutters, not assessed as farming implements under Item 8 of this schedule, and not assessed as real estate or capital. _____
(c) Sawmills, and other mills not taxed as real estate or as capital. _____
(d) All other tangible property not specifically enumerated in this or other schedules. _____
Total _____

Total value listed under Schedule B. _____

Commissioner not to assess here, but on the Personal Property Book the value ascertained and reported to him by the Examiner of Records.

1 10 10 2/5

DETAILED LIST A.—All money on deposit with any bank or other corporation or firm or person doing a banking business, or in the possession or under the control of the owner, whether such money be actually in or out of this State and belonging to a citizen of this State, which shall include certificates of deposit of any bank, banking association, trust or security company bearing a total interest rate paid or to be paid not exceeding five per centum per annum. (A certificate of deposit or money on deposit which bears a total interest rate exceeding five (5) per centum per annum must be reported and taxed under Class 1, bonds, notes and other evidences of debt.)

Money used or employed in any trade or business subject to taxation as capital cannot be taxed as money under Class 4, but must be taxed as capital under Class 2, and money used in the business of a merchant is not taxable. Money is taxable if not lent by the State, but capital is not tax the capital of a merchant. Money lent by the State to a merchant being required to pay a State loan is taxable, but money lent to a merchant tax based on purchases instead of being taxed on capital.

Indebtedness of taxpayer cannot be deducted from money returned for taxation under Class 4, although the taxpayer uses the money on and after February 1st to pay indebtedness.

BANK, OTHER CORPORATION, FIRM OR PERSON DOING A BANKING BUSINESS; HAVING THE MONEY ON DEPOSIT.	Fair Market Value (to be listed by taxpayer).		Fair Market Value (to be listed by Commissioner of Revenue)	
	In this State	Out of this State	In this State	Out of this State
	\$		\$	\$
Total money on deposit	\$	\$	\$	\$
Money not on deposit in possession of, or under control of the owner				
Total valuation (carry to Summary Class 4, page 3)		\$	\$	\$

NAME OF COUNTY, CITY OR TOWN ISSUING BOND	Number of Bonds	Face Value of Each Bond	Rate of Interest	Date of Maturity	Fair Market Value (to be listed by taxpayer).	Fair Market Value (to be listed by Com. of Rev.)
				\$	\$	\$
Total valuation (carry to Summary Class 6, page 3)					\$	\$

(BONDS, NOTES AND OTHER EVIDENCES OF DEBT OWNED BY A TAXPAYER ARE TAXABLE IN THIS STATE, ALTHOUGH SUCH BONDS, NOTES, ETC., WERE NOT IN THIS STATE ON 1st FEBRUARY, 1923.)

(The Commissioner must sign this list and determine the value of the bonds, notes and other evidences of debt).

DETAILED LIST C—Bonds (except bonds of the United States and the State of Virginia), notes and other evidences of debt, including bonds of other States than Virginia, bonds of counties, cities and towns located outside of the State of Virginia, bonds of railroad and canal companies and other corporations; bonds, notes, etc., of individuals and all demands and claims, however evidenced, whether secured by mortgage, deed of trust, judgment, or otherwise, or not so secured, whether due or not due from debtors residing within or without this State or within or without the county, town or city in which the taxpayer making this return resides. (Bonds of the United States and of the State of Virginia are the only bonds exempt from taxation).

[illegible]

I have determined the value of the bonds, notes, and other evidences of debt enumerated in Detailed List C, and sign the list as required by law.

Commissioner of the Revenue.

DETAILED LIST D—List of shares of stock of corporations, joint stock companies or associations, viz.: Shares of stock issued by corporations chartered or formed under the laws of a State or country other than Virginia, including shares of stock issued by State banks of other States, but not stock of railroad and canal and other corporations chartered by and which pay an annual franchise tax to the State of Virginia, and not stock of insurance companies chartered under the laws of this State; nor the stock of corporations all of whose capital is taxed by the State of Virginia; and not the stock of State and National banks of this State nor the stock of National banks of other States.

[illegible]

DETAILED LIST E.—All capital of persons, firms and corporations employed in a trade or business in this State, not otherwise taxed. Real estate belonging to such persons, firms and corporations shall not be assessed as capital, but shall be listed and taxed as real estate.

NOTE.—Public service corporations, insurance companies, banks, trust and security companies, private bankers, merchants and oyster packers, are exempted from taxation upon capital by the laws which otherwise provide for their taxation.

All persons, firms and corporations engaged in a trade or business in this State not otherwise taxed, are required to pay a tax on their capital; therefore, all individuals, persons, firms and corporations engaged in any other business than the six classes just enumerated, are taxable upon capital employed in the business.

(1) An individual, a firm or an unincorporated company must make return of capital to the commissioner of the revenue in whose district the business, in which the capital is employed is conducted.

(2) A corporation, chartered under the laws of Virginia, must make return of capital to the commissioner of the revenue in whose district the principal office of the corporation is located by the terms of its certificate of incorporation.

(3) A corporation, chartered under the laws of a State or Country other than Virginia which does business in Virginia, must make return of capital by its principal officer to the commissioner of the revenue in whose district is located the place designated by the corporation as the office in Virginia at which all claims against the corporation may be audited, settled and paid.

That part of the capital invested in real estate must be taxed as real estate, and not be reported under this Class (2) as capital.

Money used in the business, whether in the offices of the company or on deposit, must be taxed as capital under Item 4 of this Class (2) and not be assessed as money under Class 4, page 2; and bonds, notes, evidences of debt, demands and claims, choses in action and equities, used in and arising out of the business, are capital and must be assessed under Item 5 of this Class (2) and not be assessed as bonds, notes and other evidences of debt under Class 1, page 2.

In making return of capital in business, the return shall be made as of February 1st, provided the taxpayer at his option may make return as shown by average as of February 1st of the current year (1923) and August 1st preceding (1922).

Location for making return (to be filled in by taxpayer)	(1) Individual, Firm, or Unincorporated Company	(2) Corporation Chartered Under Laws of Virginia	(3) Corporation Not Chartered Under Laws of Virginia

LOCATION (County, Town, or City)	(1) The inventory of stock on hand, which shall include all raw materials for use of the business, whether at the place of business, in storage, or elsewhere in this State.	(2) The excess of bills and accounts receivable over bills and accounts payable. (Enter here bills and accounts receivable; deduct bills and accounts payable below.)	(3) All machinery and tools not taxed as real estate.	(4) Money on hand and on deposit.	(5) All other property of any kind whatsoever, including all choses in action, equities, demands and claims	Total Gross Value	Total Net Taxable Value
Principal Office -----	\$ -----	\$ -----	\$ -----	\$ -----	\$ -----	\$ -----	\$ -----
Other -----	\$ -----	Assess nothing here.	-----	-----	Assess nothing here.	-----	-----
Point -----	\$ -----	Assess nothing here.	-----	-----	Assess nothing here.	-----	-----
Other Point -----	\$ -----	-----	-----	-----	-----	-----	-----
Total (Gross) -----	\$ -----	\$ -----	\$ -----	\$ -----	\$ -----	\$ -----	\$ -----
Less bills and accounts payable per itemized statement below -----						\$ -----	\$ -----
Total net taxable value -----						\$ -----	\$ -----

Carry to Summary Class 2 below, net taxable value assessable at principal office ----- \$-----
(Commissioners at points other than principal office will assess net taxable value placed opposite that location.)
See example on page 4, column 2, notes and instructions.

NOTE.—When bills and accounts payable are in excess of bills and accounts receivable, neither must bills and accounts receivable be included in gross capital nor must bills and accounts payable be deducted from gross capital; in such cases no calculation is necessary to determine taxable values, those values being the total of items, 1, 3, 4 and 5.

NAMES OF PARTIES TO WHOM DUE	ADDRESS	AMOUNT
		\$
		\$
		\$
Total		\$

	Fair Market Value (to be listed by taxpayer)	Fair Market Value (to be listed by Com. of Revenue)
CLASS 4. Money (total from detailed list A, page 2) -----	\$ _____	\$ _____
CLASS 6. Bonds of counties, cities and towns, or other political sub-divisions of this State (total from detailed list B, page 2)-----	_____	_____
CLASS 1. Bonds, notes and other evidences of debt, (total from detailed list C, page 2)-----	_____	_____
CLASS 5. All shares of stock of corporations or joint stock companies, (total from detailed list D, page 2) --	_____	_____
CLASS 2. All capital of persons, firms and corporations employed in a trade or business in this State, (total from detailed list E, this page)-----	_____	_____

NOTE.—The value of the principal of personal estate and credits, money, etc., under control of a court, etc., or held in a fiduciary capacity, not to be listed upon this interrogatory. Such values must be ascertained by the examiner of records and be reported to the commissioner of revenue for assessment upon the personal property books, at the rates prescribed by law, as set out on those books.

Increases in value of intangible property and money of the taxpayer ascertained by the examiner of records must be reported upon blank form furnished by the Auditor of Public Accounts to the commissioner of the revenue and be by the Commissioner assessed on the Personal Property Books.

NOTE.—Commissioner forfeits \$50 for failure to administer this oath.

VIRGINIA—County (or City) of _____

I, _____, do swear (or affirm) that the foregoing list of tangible and intangible personal property and money, to the best of my knowledge and belief, contains a true, full, perfect and correct statement of all tangible and intangible personal property and money taxable to me on February 1, 1923, and that the valuations listed are not below fair market value, and that I have hereinbefore set out in Class 2 a true inventory of my indebtedness, authorized and required to be therein set out in detail; and I do further swear (or affirm) that the bills and accounts payable deducted from the bills and accounts receivable were made in the usual course of the business, the capital of which is reported for taxation.

In testimony whereof, I have hereunto set my hand, this 22 day of June, 1923.

Sworn (or affirmed) to and subscribed before me this _____ day of _____, 1923.

Commissioner of the Revenue or Deputy Commissioner of the Revenue, or
Notary Public, or other person authorized to administer an oath.

VIRGINIA—County (or City) of _____

I, _____, do certify that I administered to the above subscribing taxpayer upon the Holy Bible or the New Testament the oath to this interrogatory or took his (or her) affirmation thereto as required by law, because he (or she) objected to making oath on the Holy Bible or New Testament.

Witness my hand this _____ day of _____, 1923.

Commissioner of the Revenue or Deputy Commissioner of the Revenue, or
Notary Public, or other person authorized to administer an oath

[illegible]

NOTES AND INSTRUCTIONS

THESE INSTRUCTIONS ARE ISSUED BY THE AUDITOR OF PUBLIC ACCOUNTS IN STRICT CONFORMITY WITH THE STATUTES AND BY VIRTUE OF AUTHORITY CONFERRED UPON THAT OFFICER THEY HAVE THE FORCE AND EFFECT OF LAW.

GENERAL INSTRUCTIONS

The commissioner of the revenue should, immediately upon receipt of these interrogatories, deliver one to each taxpayer in his district. The taxpayer must make his or her return on this interrogatory to the commissioner of the revenue within thirty (30) days after he (or she) receives the blank form of interrogatory.

On or before June 1st, the commissioner of the revenue must deliver the interrogatories of the taxpayers to the examiner of records for review.

On or before August 1st, the examiner of records must have reviewed the interrogatories with respect to intangible personal property and money and returned them together with his report to the commissioner of the revenue. This report must show the values assessed by the commissioner, the increases made by the examiner, and the total of these amounts, which total must be assessed with taxes on the personal property books.

The commissioner must immediately upon receipt of the interrogatories and the report of the examiner, make up the personal property book, entering thereon the values assessed by the commissioner on the interrogatories where no increases were made by the examiner, and where increases have been reported, the commissioner must enter on the book the total of the values assessed by him and the increases made by the examiner. That is: If the interrogatories show a value of \$5,000, assessed by the commissioner and the examiner reports no increase then the commissioner must assess \$5,000 on the personal property books. If the interrogatories show a value of \$5,000 assessed by the commissioner and the report of the examiner shows an increase of \$2,000, then the commissioner must assess \$7,000 on the personal property books.

Code section 2307, printed on pages 245-247, Tax Laws shows by whom property is to be listed and to whom to be taxed.

Interrogatories to be signed and sworn to, oath to be administered upon the Holy Bible or New Testament; only to be affirmed to when taxpayer objects to swearing upon the Holy Bible or New Testament.

Commissioner to certify he did administer the oath. Commissioner fined \$500.00 for receiving interrogatories not sworn to.

Taxpayer fined not less than \$30.00 nor more than \$1,000.00 for refusing to answer and swear to interrogatory; also fined not less than \$20.00 nor more than \$100.00 if he refuse to exhibit his property to commissioner.

Interrogatory to be signed by taxpayer or duly authorized agent.

Taxpayer rendering false list to be reported to the attorney for the Commonwealth for prosecution.

Commissioner or duly qualified deputy to apply once in person to obtain answers. If taxpayer not at home, blank may be left with some member of family over 16 years of age. After commissioner has applied once, duty of taxpayer to seek commissioner and make return.

Examiner of Records authorized to examine accounts, papers and records of taxpayer for the purpose of investigating the correctness of return.

Examiner of Records may summon taxpayers (or others having information) before him to testify under oath respecting taxpayers' return. Refusal to attend or testify makes taxpayer or person summoned liable to a fine of not less than \$10.00 nor more than \$100.00 for each day's refusal to attend and testify.

The commissioner of the revenue must deliver interrogatories to the clerk of the circuit court of a county, or corporation or hustings court of a city, or circuit court of a city having no other court of record. A misdemeanor to abstract, mutilate or destroy interrogatories.

WHO IS A RESIDENT FOR PURPOSES OF TAXATION.

(Acts 1922, p. 228, Tax Laws 1922, p. 247.)

A person who has had his actual or habitual place of abode in this State for the longer portion of the twelve months next preceding the first day of February in each year, shall be deemed a resident of this State for purposes of taxation.

HEAVY PENALTY UPON A TAXPAYER WHO FAILS TO LIST BONDS, NOTES AND OTHER EVIDENCES OF DEBT.

In every action at law or suit in equity, the plaintiff must allege in his pleadings that the bond, note or other evidence of debt upon which recovery is sought has been reported for taxation and assessed for each and every year on the first day of February of which he was owner of the same; and no judgment or decree of the court is valid unless it recites that such allegation was made.

If it is ascertained that there are unpaid taxes on any bond, note or other evidence of debt sought to be enforced, recovery cannot be had by any legal process or by sale under deed of trust or otherwise until such bond, note or other evidence of debt has been reported for assessment and the taxes paid thereon for the years that they should have been paid with an addition of one hundred per centum of the amount of unpaid taxes and the failure of the taxpayer to list the bond, note or other evidence of debt for taxation is prima facie evidence of the intention to avoid the payment of taxes.

TAXPAYER RENDERING FALSE LIST—HOW PROCEEDED AGAINST.

(pp. 251-252, Tax Laws.)

Code, Sec. 2328. If any person knowingly render a false list of personal property, choses in action, moneys, credits, capital, income, salary, or other subject of taxation, and swear to such list, it shall be the duty of the attorney for the Commonwealth, upon his own knowledge, or upon information furnished him by any revenue officer of the State, * * * or examiner of records, or other person under oath, to file a petition in the circuit court of the county or corporation court of the city wherein the list was taken, setting forth the total or partial omissions in his list of subjects of taxation, or the false values annexed to any of said subjects, and asking the court to summon the person giving the list to answer the petition. Upon the summons being duly executed, the court shall impanel a jury to try the allegations of the petition and if the verdict be rendered establishing a false list, the court shall render judgment against the accused for double the amount of taxes imposed upon the property so omitted, together with the costs of the proceedings, including a fee of five dollars to the Commonwealth's attorney; and the court shall, moreover, direct the treasurer of the county or city, upon ten days' notice to sell for cash the said property, or so much thereof as may be necessary to satisfy the judgment aforesaid, with a commission to said treasurer of five per centum upon the amount thereof; and it shall be the duty of said treasurer to make report of the sale to the court, and within twenty days from such sale to pay the taxes so collected into the treasury of the State and to pay the cost to the persons respectively en-

titled thereto; and any Commonwealth's attorney failing to perform the duties required of him by this section shall be fined not exceeding one hundred dollars. The clerk shall transmit a copy of the report to the Auditor of Public Accounts, who shall charge the treasurer with the amount shown thereby to be due the Commonwealth.

BY WHOM PROPERTY IS TO BE LISTED: TO WHOM TAXED.

Commissioner will read carefully Code section 2307 (as amended by chapter 520, Acts 1922), pages 245-247 Tax Laws.

TO WHOM NOTES, BONDS AND OTHER EVIDENCES OF DEBT SUBJECT TO ORDER OF COURT, ETC., TO BE TAXED.

See Code section 2307.

CAPITAL.

NOTE.—The situs for the taxation of stock on hand, raw material, machinery and tools, money on hand and on deposit, is the county, town or city in which they are physically located and the return should be made accordingly, so that the same may be taxed by localities as intangible (not as tangible) personal property at the rates prescribed by law. The law further provides whenever any of the items, inventory of stock on hand, raw materials, machinery and tools not taxed as real estate, and money on hand and on deposit, are located at a point or points other than that in which the tax return is made, and there is a deduction by the taxpayer of bills and accounts payable, the entire amount of the bills and accounts payable shall not be deducted from the amount of capital assessed where the return is made, but shall be deducted in ratable proportion as the value of the capital located at such other point or points bears to the entire amount of capital assessed against the taxpayer.

NOTE.—When the taxpayer shows capital employed in business at a place or places other than that at which return is made, the commissioner of the revenue to whom the return is made must make copies of the tax return and forward one copy to the Auditor of Public Accounts, and a copy to the commissioner or commissioners of the revenue for the district or districts in which the return shows such capital is located.

Illustration of how to distribute for deduction in different localities bills and accounts payable in the ratable proportion of capital assessable at different localities to all capital assessable by the State.

LOCATION (County, Town or City)	Item 1	Item 2	Item 3	Item 4	Item 5	Total Gross Value	Total Net Taxable Value
Principal Office ..	\$130,000	\$ 30,000	\$ 20,000	\$ 20,000	\$ 10,000	\$210,000	\$203,700
Other Point.....	45,000	* *	15,000	10,000	* *	70,000	67,900
Other Point.....	15,000	* *	3,000	2,000	* *	20,000	19,400
Total (Gross) ..	\$190,000	\$ 30,000	\$ 38,000	\$ 32,000	\$ 10,000	\$300,000	
Less bills and accounts payable (see Note below).....						9,000	
Total net taxable value.....						\$291,000	\$291,000

The above net taxable values determined as follows:

Principal office.....Gross value	\$210,000
Less 210/300 (7/10) of \$9,000 (bills payable)---	6,300
	\$203,700
Other point.....Gross value	\$ 70,000
Less 70/300 (7/30) of \$9,000 (bills payable)---	2,100
	67,900
Other point.....Gross value	\$ 20,000
Less 20/300 (1/15) of \$9,000 (bills payable)---	600
	19,400
Total net taxable value.....	\$291,000

NOTE.—When bills and accounts payable are in excess of bills and accounts receivable, neither must bills and accounts receivable be included in gross capital, nor must bills and accounts payable be deducted from gross capital; in such cases no calculation is necessary to determine taxable values, those values being the total of Items 1, 3, 4 and 5.

A NON-RESIDENT, OR NON-RESIDENT CORPORATION REPRESENTING IN THIS STATE BUSINESS INTERESTS CLAIMING DOMICILE ELSEWHERE: WHEN TAXABLE BY THIS STATE.

Every person or corporation, representing in this State business interest, that may claim domicile elsewhere, is taxable upon this interrogatory, as is provided in section 8, Schedule C of the tax laws. The law being as follows:

The provisions of section eight and of this section of this schedule, i. e., section 9, schedule C, shall apply with equal force to any person or corporation representing in this State business interests that may claim a domicile elsewhere, the intent and purpose being that no non-resident person or corporation, either personally or through any agent, shall transact business here without paying to the State a corresponding tax with that exacted of its own citizens, and all bills receivable, obligations or credits and other intangible assets arising from the business done in this State are hereby declared assessable within this State and at the business domicile of said non-resident person or corporation, his or its agent or representative.

WHEN CAPITAL EMPLOYED OUTSIDE THIS STATE BY PERSON, FIRM OR CORPORATION DOMICILED AND DOING BUSINESS IN THIS STATE NOT TO BE TAXED BY THIS STATE.

Where any person, firm or corporation domiciled and doing business in this State maintains a branch of such business outside of this State, no part of the capital of such person, firm or corporation permanently invested in any such branch of its business, nor any intangible assets arising from business originating at any such branch and transacted outside of this State, shall be considered as situated in this State for the purpose of taxation or be assessed with taxes in this State—any statutory provisions or rule of construction to the contrary notwithstanding—it being the intent and purpose of this provision to exact of citizens of this State no higher or greater tax than that exacted of non-residents doing business in this State.

CORPORATION CHARTERED BY VIRGINIA, DOING NO BUSINESS IN VIRGINIA—INTANGIBLE PROPERTY OF SUCH CORPORATION NOT TAXABLE IN VIRGINIA.

Commissioner will read carefully act approved March 14, 1918, page 48, Tax Laws.

John H. Lee

PAY TO THE ORDER OF
ANY BANK, BANKER OR TRUST CO.,
FARMERS BANK
WINDSOR, VA.
88-887 S. T. MILLER, Cashier.

CUSTOMERS DRAFT.

BANK OF WALTERS

WALTERS, VA.,

July 6 192*2*

[N.P.
68-567]

ORDER OF

July 6

PAY TO THE

Leather Holland

\$ *150⁰⁰*

One Hundred & Fifty

DOLLARS

VALUE RECEIVED AND CHARGE THE SAME TO ACCOUNT OF

To

Bank of Walter

Hardy Darden

COUNTER CHECK



FARMERS BANK, INC.,

68-567
5

WINDSOR, VA.

July 15 1922

PAY TO THE
ORDER OF

Farmers Bank

\$45³⁸/₁₀₀

Forty five &

38¹⁰⁰/₁₀₀ DOLLARS

M. W. Darden

WILLIAM S. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

August 17, 1923

Mr. R. A. Edwards, Clerk,
Isle of Wight Court House,
Isle of Wight, Virginia.

Dear Gus: IN RE: HARDY DARDEN vs. JETHRO HOLLAND AND OTHERS.

I have just received the decree and petitions in this suit from Judge White, which I herewith inclose. Please mark the petitions filed on the same date on which the decree is entered. I herewith inclose a form of subpoena used in other jurisdictions in an instant of this nature. I merely thought that this form may be of some value, if this procedure is new to you. I hope you understand my attitude. You will notice that I made the subpoena returnable to the 4th Monday in this month, as I understand court will open on the first Monday in next month. PLEASE SEND THESE SUBPOENA TO W. L. CONES TO BE EXECUTED AT ONCE.

Thanking you for your many favors, I am,

Yours very truly,

Wm. S. Holland

H/E

Dar du
78
Hoelun L.

Memo for
Witnesses
Sept. 14 to 23.

WILLIAM S. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

September 6, 1923

Mr. R. A. Edwards, Clerk,

Isle of Wight, Virginia.

Dear Gus: IN RE: HARDY DARDEN AND OTHERS vs.
JETHRO HOLLAND AND OTHERS

I herewith inclose a decree entered in this cause on the 4th day of this month. Please issue summonses for the following witnesses, to-wit:

S. T. Carr
J. W. (Woodville) Darden

Please issue another set of summonses in the same case against the following to-wit:

Jethro Holland
Lilly Maude Holland
M. W. Darden

C. B. Duke, Suffolk
I also want Mr. Jim Cutchins of Nansemond County summoned too. The other witnesses live in Isle of Wight County.

PLEASE SEND ALL SUMMONSES TO ME by return mail, and I will place the one for Mr. Cutchins in the hand of the Sheriff of Nansemond County, and the other summonses in the hand of the Sheriff of Isle of Wight County.

Thanking you for your courtesy and with personal regards, I am,

Also C. B. Duke Suffolk

Yours very truly,
Wm. S. Holland

*The case is set for trial
on the 14th of this month.*
H E

WILLIAM M. CRUMPLER
ATTORNEY AT LAW
SUFFOLK, VA.

Sept. 10, 1923.

Mr. R. A. Edwards,
Isle of Wight C. H., Va.

Dear Gus:

I notice that some petitions and other papers have been filed in the chancery cause of Hardy Darden vs. Jethro Holland. Will you please forward these to me since the Court papers are in my hands?

With very kindest regards, I am,

Cordially yours,

William M. Crumpler

WMC-J:

WILLIAM S. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

September 14, 1923.

Mr. R. A. Edwards, Clerk,
Isle of Wight, Virginia.

Dear Gus: IN RE: WHITFIELD vs. DENSON.

Your letter with reference to the court cost in
this matter has been misplaced until to-day. I herewith
inclose my check for \$5.00 as per your request.

Please issue new summonses for the witnesses in
the case of Darden vs. Holland, which is set for trial on the
27th day of this month. You may send me the summonses for
Mr. Duke and Mr. Cutchins.

Yours very truly,

Wm. S. Holland

H/E

1600

WILLIAM M. CRUMPLER
ATTORNEY AT LAW
SUFFOLK, VA.

Sept. 22, 1923.

Mr. R. A. Edwards,
Isle of Wight C. H., Va.

Dear Sir:

In the case of Hardy Darden vs. Jethro Holland, et als., please
summons at once the following witnesses from Isle of Wight
County:

James A. Johnson.
W. L. Darden.
Ernest L. Rhodes.
A. E. Outland.
John L. Turner.
Jake Duck.
W. L. Wilkins.

*Let your sheriff
summons these at
once, if you please.*

Also, the following from Nansemond County:

P. B. Butler.
O. L. Beale.
James A. Cutchins.

Let me have immediately the summonses for these. ^{Nansemond Co. over -} The case, as
you know, is to be tried at 10 o'clock next Thursday morning,
the 27th.

Very truly yours,

Wm M. Crumpler.

WMC:J

*9/25/23
Recd + mailed.
RAC*

WILLIAM S. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

November 7, 1925.

Mr. R. A. Edwards, Clerk,
Isle of Wight, Virginia.

Dear Gus: IN RE: HARDY DARGEN AND OTHERS vs.
JETERO HOLLAND AND OTHERS.

I herewith inclose the decree in this suit, which was entered on the 5th day of this month by Judge White. I have just carried it to Mr. Crumpler's office and showed it to him, as per Judge White's request. Judge White said that it was unnecessary for Mr. Crumpler to endorse on this paper "I have seen this decree". I also left a copy of this decree with Mr. Crumpler.

With personal regards, I am,

Yours very truly,

Wm S. Holland

Clerk's Office
of Isle of Wight County
Isle of Wight, Va.

R. A. EDWARDS, CLERK

December 10th, 1923.

Dear Judge,

Just received your letter concerning the **Harden** Vs. Holland decree and note what you have to say concerning the same, replying will say that you endorsed the decree over here Nov 5th and directed that I send it to William Holland for him to show Crumpler, you also stated that he Crumpler might not agree to it however that made no difference, enter it when it came back, therefore as soon as it came back I entered it. I understand from Holland that Crumpler did see it. I enclose you the decree herein. Hope you get by with your Court o.k., was in Dendron yesterday and saw several of the prospective Jurors, none were very anxious to go to Cumberland. With best regards, I remain Very Respty,

R. A. Edwards

Clerk's Office
of Isle of Wight County
Isle of Wight, Va.

R. A. EDWARDS, CLERK

December 10th, 1923.

Dear Judge,

Just received your letter concerning the **Harden Vs. Holland** decree and note what you have to say concerning the same, replying will say that you endorsed the decree over here Nov 5th and directed that I send it to William Holland for him to show Crumpler, you: also stated that he Crumpler might not agree to it however that made no difference, enter it when it came back, therefore as soon as it came back I entered it. I understand from Holland that Crumpler did see it. I enclose you the decree here in. Hope you get by with your Court o.k., was in Dendron yesterday and saw several of the prospective Jurors, none were very anxious to go to Cumberland. With best regards, I remain Very Respty,

WILLIAM S. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

December 29, 1933.

Mr. R. A. Edwards, Clerk,
Isle of Wight, Virginia.

Dear Gus: IN RE: HARDY DARTON AND OTHERS vs.
JETERO HOLLAND AND OTHERS.

I herewith inclose a decree entered in this suit on
the 28th day of this month by Judge White.

Wishing you a Happy and Prosperous New Year, I am,

Yours very truly,

Wm S Holland

H/L