1875-002
Nansemond Co. (Suffolk)

Chancery Causes: Admr of Nancy Butler etc vs Admr of Frederick H. Holland

Watkins, Darden, Ashburn, Rhodes, Duke, Council

Know all Men by these Presents, That we John R. Kilby

and Wallace Kilby

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the sum of

fifteen hundred ($1500)

Dollars; for the payment thereof, well and truly to be made to the said Commonwealth, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally firmly by these presents. Sealed with our seals, and dated this 10th day of Nov 1871, in the 96th year of the Commonwealth.

THE CONDITION OF THIS OBLIGATION IS, That if the said John R. Kilby, who has been appointed a Commissioner to sell the lands of Frederick H. Holland dec'd, under a decree of Nansemond County Court, made on the 9th October 1871 in the cause therein pending wherein Benj'a Bains adm'r of Nancy Butler dec'd &c is plaintiff and Frederick H. Holland adm'r &c. defendants

shall faithfully discharge the duties of his said trust, & any other he may be required to execute in said cause aforesaid, then this Obligation to be void, else to remain in full force

Acknowledged in the presence of

John R. Kilby [SEAL.]

Wallace Kilby [SEAL.]

[SEAL.]

[SEAL.]

[SEAL.]

[SEAL.]

[SEAL.]

[SEAL.]

Butler adm &c
vs.

Holland's adm
&c.

Comm Bond
filed 10 Nov 1871

Co. ct.

Virginia

At Rules held in the Clerk's Office of the Court of the County of Nansemond, on Monday, the 6th: day of February 1871.

Benjamin Baine administrator of Nancy Butler decd and M. H. Watkins, guardian of R. H. Darden who sue for themselves & all other creditors of Frederick H. Holland decd, who may make themselves parties hereto on the usual terms. . . Complainants

Against } In Chancery

A. S. Eley, Sheriff & Committee of Frederick H. Holland decd Sarah A. Holland (widow) and Charles H. Mary A. Ida M. Etta M. & Frederick L. Holland: the last five being infants. . . . . Defendants

On the motion of the Complainants by Counsel Peter B. Prentis is appointed guardian ad litem. to defend the infant-defendants in this suit; and it is ordered that notice be given the said guardian of his appointment by serving on him a copy of this order

Test,

Peter B. Prentis. Clerk

1871. February 6th: I acknowledge service of the foregoing order, and that I have received a copy thereof.

Peter B. Prentis.

gdn: ad litem

Bey" Burns, ads mss: &c.
Dal:

$\frac{4}{25}$

Frederick H. Hollandi
Sllt: & Commer Dal:

Order of Assembly &c.
ad Item

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY. GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON A. S. Eley, Sheriff & Committee of Frederick H. Holland dec'd. Sarah A. Holland (widow) and Charles H. Mary A. Ida M. Etta M & Frederick L. Holland, the last five, being infants

to appear at the Clerk's office of our County Court for the County of Nansemond, on the first Monday in February next, 1871. being rule day, to answer a bill in chancery, exhibited against them ~~~~~ ~~~~~ by

Benjamin Bains admr. & ator of Nancy Butler dec'd and M. H. Watkins, Guardian of R. H. Warden, who sue for themselves & all other Creditors of Frederick H. Holland dec'd ~~~~~

and unless they ~~~~ ~~~~~ shall answer the said bill by the next rule day thereafter. the Court will take said bill for confessed, and decree accordingly. And have then and there this writ. Witness, PETER B. PRENTIS, Clerk of our said Court at his office, this 16th day of January 1871. and in the 95th. year of the Commonwealth.

Peter B. Prentis Clerk.

☞ The Sheriff will, in his return, note the day on which this process is executed on each defendant.

Kelley & J.

Benjamin Bacon, assignee &c
Nancy Butler decd Bill.

vs

Summons in Chy:

A. S. Ely, Wm. L Ely & Sarah A Holland decd
Frederick W. Holland decd
&c:

To Feby. Rules 1871

P.o. P. Do: 1, Page 13
Co: Co:

Executed January 24th 1871 & a true Copy hereof delivered to Sarah A Holland. The last five within mentioned names are Infants

Wm Ely J. P. S.

I acknowledge service of this process

A S Ely Solr

Virg.a: In the County Court of Nansemond Oct. 14. 1872

Baines &c Plffs
v
Holland &c Defts } In Chancery

This Cause came on this day to be again heard on the papers formerly read, and on the report of John R Tilby Commissioner made pursuant to the decree of the 9th October 1871 and on the report of Thos H Barnes, Jas M McElenny and T. G. Doughty made pursuant to the decree of the 14th March 1871 to which reports there is no exception and was argued by Counsel: On consideration whereof the Court doth confirm the said reports, and doth adjudge, order and decree that John R. Tilby the Commissioner who sold the real estate referred to in the proceedings, receive of the Clerk of this Court (who will deliver the same to him on his leaving a receipt therefor) the three bonds of Miles H Holland and Beverly Holland of $375.50 each, and collect the same and all interest thereon (and the said Miles H Holland may pay the same before due, in which event Interest to cease when paid) and deposit the same when collected in the Farmers Bank of Nansemond to be drawn out on the order of this Court and make to said Miles Holland a deed with Special Warranty in the usual form for the land sold in said proceedings herein, and make report to Court

A Copy

Teste: Willis E. Cothron Clerk

Barnes &c

No 3 Copy Decree

Holland &c

Holland &c

To the County Court of Nansemond County,

The Undersigned reports to the Court, That pursuant to the decree of the 14th ult. Oct. 1872, made in the cause of Baines, adm'r of Butler &c. vs. H.H. Holland's adm'r &c. he has received of the Clerk of this Court the Bond of Miles H. Holland & Benj. Holland of $378:50, dtd 13 Nov. 1872, and has collected the same, with the Interest thereon, to wit:

Bond	$378.50
Int. from 13 Nov 1871 to 19 Mar 1873	30.62
Making	$409.12

which he has subject to the order of Court, not having deposited the same in the Farmers Bank of Nansemond as directed by said decree and recommend its payment at once to the claim, having first, according to Comr's Report.

Respectfully submitted

John R. Killy, Comr.

Banks, adm Butler

vs

Holland, adm

Report of
collections from Bond
&c.

(Co. Ct.)

A Judgment obtained in the Clerk's office of Nansemond County Court and Confirmed at a Court held and Closed for said County on Thursday, the 11th day of June 1868.

Thomas J. Ashburn, administrator of Elisha Ashburn, deceased ..... Plaintiff.

against } In Debt.

Wm. R. Butler, Frederick H. Holland, and Miles Taylor ..... Defendants.

Costs:

Clerk $ 2.58

Att. Tax 3.00

Shff ... 1.50

$ 7.08

The Judgment, obtained at the Rules, not having been set aside, and the Plaintiff being now entitled to a final judgment, it is therefore considered that the Plaintiff recover against the defendants, Two Hundred Dollars, the debt in the declaration mentioned with legal interest thereon from the 1st day of May 1860 'till paid; (less the sum of $39.55 credited on said debt the 7th day of March 1867) and his costs by him about his suit in this behalf expended; and the said defendants in Mercy &c.

A Copy.

Teste,

Peter B. Prentis. Clerk.

Docketed 22nd June 1868.

Elisha Ashburn's Admr xmd

vs } Co: Judgt:

10 on R. Butler, Frederick H. Holland
& Miles Taylor

2d Lien

Smoke from a Steam Vessel
Reading up Steam Drawn 20 Feet
F. H. Holland

Mr Prentis

This little account you find enclosed is for mechanical work done for Mr Holland in 1859.

July 10th /71.

Respectfully
A Duke.

Abram Duke

#4.62

Int. pur
to 14 Dec. 67
to 1st Sept
1871

2.71

7.33

£10 [illegible] Know all men by these presents That I Frederick H Holland of the County of Essex and State of Virginia am held and firmly bound unto Daniel Butler of the County and State aforesaid in the sum of Ten Dollars for the payment of which well and truly to be made I bind myself my heirs executors and administrators firmly by these presents Witness my hand and seal this 5th day of March A.D. 1857

Test

Daniel Butler

his
Frederick + H Holland Seal
mark

Frederick H Holland Seal

#7, 76

Rec'd Payment in
part of the within
Seven [illegible] Dollars and
Seventy Six cts Decm 1858

On demand, we and each of us do promise to pay or cause to be paid unto Richard Rhods, his heirs, or assigns, the just and full sum of two hundred and fifty dollars, good & lawful money of Virginia, it being for value reed. Of him, as witness our hands and seal this the 16th, day of January One Thousand eight hundred and sixty.

Witness

James W. Johnson (seal)
Albert B. Johnson (seal)
Frederick H. Holland (seal)
John S. Daughtry (seal)

Endorsements —

Pay the within to Putnam Owens
Richard Rhods's mark.

February 24th, 162 Received one hundred dollars of the within,

May 6th, 162 Reed. $100.

May 11th, 1863 Received $50.

Pictures Owens, a/c
of Rich'd Rhodes
Bal: Bar
#39:91
ent: pur: 11th
Mar '63 6 20:07
1 Sept: '71 #59:98

Jos M Rendes
Fire M.
J. N. Steeands Esq.

J. H. Hollands
Est:
Claims v.

v

Mr. Hood H. Holland's Est. (J. E. Rawls Adm'r)

HOLY NECK TOWNSHIP,

1871. **To NANSEMOND COUNTY TREASURER, Dr.**

To Revenue Tax on 7.75 Acres land, value $221.25 at 50 cents on $100	11	08		
" " " on property, bonds, &c., value $23.70 at 50 cents on $100	1	19		
" Capitation Tax on..... persons at $1 each				
Total State Tax			12	27
" County Levy, 25 per cent on State Tax	3	07		
" Township " 25 " " " "	3	07		
" Capitation Tax for County on.....persons at 50 cents each			6	14
Total County and Township Tax			18	41
Total				92
September 1st, 5 per cent added				19 23

Received Payment.

..... *Treasurer.*

..... *Collector.*

19.3 3
11.5 3/10

Dr 7.8 0

1872 Jab 12
Rec'd of J R
Killy cow
seven 80c
Balance
M K Landy

Holland J. H. & Co.
Received
1842
31

192 3
49 6
241 3
80 2
141 1

BOOK, JOB, AND ORNAMENTAL PRINTING EXECUTED WITH DISPATCH.

SUFFOLK, Va. Nov 15th 1871

Mr John R Kilby

W. B. Wellons.
D. B. Dunbar.
N. F. McCann.

To THE CHRISTIAN SUN, Dr

TERMS CASH.

KILBY STREET.

Oct	12	2 30	6th Street Bills	1 50
"	13	"	Advg 4 26 Hollands Estate for Sale 3 days 5-2	9 00
				$10,50

Rec Payment
W. B. Wellons & Co

At a Court held for Nansemond County April Term 1873.

Benjamin Bains admr of Nancy Butler Decd. Pltff

vs

A.S. Eley Shff. & Comth of Jno. W. Holland Decd. et al. Defts. } Chancery

This cause came on this day to be again heard on the papers formerly read and on the report of Commr John R Kelly Commissioner made pursuant to the decree of the 14th Oct 1872 to which report there is no exceptions and was argued by Counsel: On consideration whereof the Court doth confirm the said report, and doth adjudge, order, and decree that the John R Kelly Commissioner as aforesaid out of the Sum, of $409.12 in his hands, as appears, by said report pay any fees the costs of this Suit that may remain unpaid and then pay to M. S. Watkins guardian of R.H. Warden the Sum of $195.05 with interest on $113. part thereof from 1st Sept 1871 till paid being the first lien on said fund as appears by Commissioner Porter's report of the 12th of July 1871, and the residue pay to Thomas J. Ashburn admr of Elisha Ashburn deceased, in part of his Claim of $303.56 being second lien on said fund, as appears by said Commissioner Porter's report, and make report to Court! And the Court doth further adjudge order and decree that, the said John R Kelly Commissioner as aforesaid, remit of the Clerk of this Court, the remaining two bonds of Mills S. Holland and Brady Holland of $378.50 and collect the same when due with all interest, due thereon, and pay the proceeds first to the liquidation of the balance that may remain due, to the said Thos J. Ashburn Admr of ~~Jno~~ Elisha Ashburn deceased of his debt of $303.56 with interest on $242.68,

part thereof from the first Sept 1871 till paid, and then pay the residue to Benjamin Bains admr of Nancy Butler deceased, on the debt due him of $677.17 with interest on $1100.00 part thereof from 1st Sept 1871 as reported by said Commissioner Porter in his said report, and make to said Mills & Holland a deed with special warranty in the usual form for the real estate purchased by him under proceedings herein and make report to Court

Teste

Willis E. Coleman Clerk

Benj Bains admr Nancy Butler &c

vs

U. S. Bldg Shiff & Comrs &c

1873

Oct 6th

April Term 1873

To the County Court of Nansemond County.

The Undersigned, respectfully reports to the Court, that pursuant to the decree of the April Term 1873, of said Court, made in the cause of Benjamin Bains, adm'r. of Nancy Butler dec'd against Fredk. N. Holland's adm'r. &c., he has proceeded to pay out the amount in his hands as therein directed, and as the following statement and receipts will shew -

By amount in the hands of the Undersigned for distribution, as per said decree ₰409:12

To paid W. N. Watkins, guard'n of R. N. Vaden pursuant decree ₰195.05
& Int. on ₰113 part thereof from the 1st Sept. 1871 to 1st June 1873 - 1 year 9 mos. 11.87 = ₰206.92

Balance ₰192.20

To paid Thos. J. Ashburn adm'r of Elisha Ashburn dec'd. in part of Claim, as directed by said decree & receipt. ₰192:20

Total amo: due Ashburn ₰303:56
Int. on ₰242:68 from 1st Sept. 1871 to 1st June 1873 - 1y. 9 mos 25.46
₰329.02
credit as above 192.20
yet due ₰136.82

Respectfully submitted.
John R. Kilby Com.

(over)

By 2d. Bond of Miles H. Holland &c. dated 13 Nov 1873 $378.00

By Int. from 13 Nov 1871 to 5 Dec 1873 46.74

$424.74

To paid Taxes omitted) Jr rect $7.80

" " Thos. J. Ashburn admr of Elisha Ashburn dec'd. Balance ending Judgment $136.82

Int. from 1. June 1873 to 5 Dec 1873 4.22 $141.04 = $148.84

$276.90

To paid Benj^a Baines admr of Nancy Bettle dec'd. in part of Judgt. Jr rect $276.90

1873 June 1. Rec'd of John R. Kilby Com'r Two hundred and six dollars & 92c ans. one N. N. Watkins &c.

John R. Kilby atty

1873 June 1. Rec'd of John R. Kilby Com'r. one hundred and ninety two dollars & 20c. in part of claim one D. J. Ashburn adm'r &c. John R. Kilby atty

1873 Dec 5. Rec'd as above one hundred & forty one dollars & 4c balance due D. J. Ashburn adm'r &c

John R. Kilby atty

1873 Dec 5. Rec'd as above two hundred twenty six dollars & 90c in part of Jud't. one Benj. Banes adm'r of Nancy Butler dec'd.

John R. Kilby atty

Butler's adm'r
vs
N. Holland adm'r

1st Report of Payments

1873

At a Circuit Court held for Hansemond County May Term 1874.

Benja Bains admr of Nancy Butler dec'd and Wm H Watkins admr of R & Darden who sue for themselves and all other creditors of M H Holland dec'd. Plffs

vs

A S Ely Sheriff and Comtee of J H Holland deceased. Sarah A Holland (widow and Thos H Mary A. Ida M. Ellen M and Frederick L Holland (the last named being infants. Defts

For Answer

This cause came on this day to be again heard on the papers formerly read and on the report of John R Kelly Commissioner made pursuant to the decree of Hansemond County Court of April Term 1873 to which report there was no exception and was argued by counsel. On consideration whereof the Court doth confirm the said report and doth adjudge, now and decree that the said John R Kelly Commissioner aforesaid remit of the Clerk of this Court the remaining bond of M H Holland and Beverly Holland for three hundred and seventy eight dollars and fifty cents due 13th December 1874 and the said Clerk will deliver the said bond to the said Commissioner on his leaving a copy therefore and out of the proceeds pay any cost that may remain unpaid and then pay to Benjamin Bains administrator of Nancy Butler deceased the sum of six hundred and seventy seven dollars and nineteen cents with interest on four hundred dollars part thereof from 1st day of September 1871 till paid less the sum of two hundred and seventy six dollars and ninety cents paid on the same on the 5th day of December 1873 as appears by said Kelly's report as aforesaid, and if a surplus remains

pay the same to the legally qualified guardian of Charles H Mary A Ida M. Ellen M, and Frederick L Holland infants of Frederick H Holland dec'd or to the parties of him our twenty one years of age and make to the said Miles H Holland a deed with special warranty for the lands purchased by him by him under proceedings had in this cause and make report to court-

Copy

Test

Willis E. Johnson clk

Bryan Barrid & Brooks

vs

Abbey Chiff. & Comp. Exec
(F. H. Holland dec'd)

1874

May Term 1874.

Baines adm Butler

v

Holland &c

Judgment for	£677:19
Int on £400. from 1 Sep. 1871 to 5 Dec 1873 — 2 yr. 3 mo. 5 d	54.67
	£731.86
or. costs Decree (5 Dec 1873)	276.90
	£454:96
Int. from 5 Dec 1873 to 5 Feb 1875 — 1 year 2 mos	31.83
	£486:79

To the Circuit Court of Nansemond County.

The Undersigned reports to the Court that pursuant to the decree of this Court made at the May Term 1874, in the cause therein pending wherein Benj.a Baines adm.r of Nancy Butler dec.d are defendants, and H. N. Holland's adm.r &others defendants, he has received of the Clerk of said Court the Bond of Miles N. Holland & Beverly Holland of $378.50. dat.d 13th Dec.r 1874 and collected the same; made to said Miles N. Holland a deed with special warranty in the usual form for the land purchased by him under proceedings in said cause — The following statement & annexed Receipts will shew how the said sum has been disposed of —

By amt. of said Bond	$378.50
" Int.t from 13th Nov.r 1874 & Feby 1875 — 3 yrs. 2 mos. & 23 D.s	73.36
	$451.86
To additional Court charges &c.	11.86
	$440.00

To paid Benj.a Baines adm.r of Nancy Butler in part of Balance due per said decree & per statement annexed $440.00

Respectfully submitted
John R. Kilby, Com.r

1875 Feb 5 Rec'd of John R Kilby Com'r
four hundred & forty dollars, as above
$440.00) John R. Kilby Atty for
Benj^a Baine, adm'r

Butler's adm^r.

v.

Holland &c.

1875

Final Report of payments

14 Oct 1875

Filed 14 July 1875—

I Willis E Cohoon Clerk of the County Court of Nansemond County do certify that there appears on the assessors Land Role for Holy Neck Township Nansemond County charged to F. H. Holland Five hundred and seven acres of Land valued at one thousand six hundred & forty seven Dollars & seventy five cents

Test

Willis E. Cohoon Clerk

1647.75

Amer 616.75

1031.00

3/4 # 775.00

J H. Holland

Ext from Law book

1 Rec. #1647.75

1 Ct. 203.00

#1850.75

#/3 Amts 616.92

#1233.83

3/4 #925.87

Their amt due #775

I Willis E, Cohoon Clerk of the County Court of Nansemond County do Certify that there appears on the Assessors Land Role for Holy Neck Township Nansemond County charged to F H Holland (tenant in dower) Two hundred and three acres of Land Valued at Four hundred and Six Dollars —

Test

Willis E Cohoon Clerk

This Land is not owned by F. H. Holland in fee simple, but only during the life of one Rork. J. R Kelly, Comr

F H. Holland

Asst from Land Court

#116

Life right of

Peter Ong

vs

203

Nov. 29th 1871 Rec'd of Jno. R. Kilby Comr
Ten dollars for Selling at Auction L. H
Holland's land

$10

McGuire & Brumbly
Aucts

In Hancock County Court Clerks Office —
November 29: 1871.

Benjamin Barnes Administrator of Nancy Butler deceased and M. H. Watkins Guardian of R. H. Darden who sue for themselves and all other Creditors of Frederick A. Holland deceased } Plaintiffs

against } In Chancery

Adolphus Ely Sheriff and Committee of Frederick A. Holland deceased, Sarah A. Holland (widow) and Charles N., Mary A., Ida M., Ella M. and Frederick L. Holland the infant of whom are infants under the age of twenty one years by John B. Prentiss their Guardian ad litem Defendants

Costs of Plaintiff and Defendants to date

Clerk's Fees	$ 8.00
Sheriffs Fees	1 00
Attorneys Fees	30.00
Pay	1.00
Commissioners	15.00
	$55.00

Teste

Willis E. Cohron Clerk

Bullis addition

W/ Bill Cost

Hubands addition

At a County Court held for Nansemond County on Oct 9th 1871.
Benjamin Bains, Administrator of Nancy Butler
deceased, and M. H. Watkins Guardian of
R. H. Darden who sues for themselves and all
other Creditors of Frederick H. Holland decd ..... Compltts

vs } In Chancery

A. S. Eley Sheriff, Sheriff and Committee of
Frederick H. Holland decd Sarah A. Holland
(Widow) and Charles H. - Mary A. - Ida M. -
Etta M. and Frederick L. Holland the
last five Infants - ---------- Defendts

This cause came on this day to be again heard on the papers formerly read and on the report of Peter B. Bruce Commissioner made pursuant to the Decree of the 14th March 1871. to which report there is no exception, and was argued by Counsel. On consideration whereof, the Court doth Confirm the said Report, and doth adjudge, order and decree that John R. Kilby (who is hereby appointed a Commissioner for that purpose) proceed to sell at Auction before the Court House door of Nansemond County on some Court day, the Lands whereof the said Frederick H. Holland died, seized and possessed, (Subject to the Dower therein, as now laid off, of Mrs Sarah A. Holland) Situated in Nansemond County, Virginia; having first given twenty days previous notice thereof by advertisement at the Court House door of said County, and in the "Christian Sun" a Newspaper published at Suffolk, once a week for three weeks, and by printed handbills circulated near the premises, which sale shall be

on a Credit of One, two and three Years with Interest from date, except for a sum sufficient to pay Costs of suit and expenses of Sale, including a fee of $50.00 to the Plaintiffs Attorney, which will be cash) taking from the Purchasers bond and good security for the deferred payments, and retain the title till ordered to be made by the Court - Which Lands are described as (1st) A tract of 507 acres, more or less, adjoining the lands of James M. Lasley, David Butler, Allen Hedgpeth, Jason Holland, Wm Odom, Mills, H. Holland and Elijah Butler. (2d) The life right of Rooks, in 213 acres, more or less, adjoining Wainoke and South Quay road, and which Interest was purchased of said Rooks by Deed, and make report to Court.

Test

Willis E. Cohoon Clerk

Nicky — Copy

Plains &c

vs

Holland Adams &c

1891

Order of Court

Decree for Sale

507 acres

To sell W. Holland

$1200

203 &c

Mrs N. Holland

$101 —

(Co. Ct.)

To Aaucumnd County Court.

Pursuant to the Decree of said Court pronounced on the 9th day of October 1871, in the cause therein pending wherein Benj. Bass adm of Nancy Butler dec'd &tes, are plaintiffs and Frederick H. Holland's adm &thers, defendants. The Undersigned proceeded to advertise the Land of said deceased, as directed by said Decree, & did on the 13th day of Nov. 1871, (being Court day,) before the Court house door of said County, sell at auction said Land, when the same were purchased as follows.

50 7 acres (the Home tract) subject to the Dower therein of Mrs Sarah A. Holland widow of said dec'd, was purchased by Mills N. Holland, for the sum of #1200.00

and the right of said deceased in 20 3 acres, being the life right only, of one — Rock, was purchased by said Mills N. Holland for #50.00

making over 3/4 of appraised value, after deducting Dower, of which there has been received in cash & paid out to those entitled as follows.

To 5 per cent Com. on #300.	#15.00	
" 2 dr on #950.	19.00	
Com. on	#34.00	#1250.00

Amd. bal. on		#34:00 #1250.00
To Clerks fee,	8.00	
" Sheffs. fee,	1.00	
" Atty. fee 1 Day	31.00	
" Com Paid,	15.00	
" paid W H. McClung, Crier	10.00	
" " C. B. Wilson, advs	10.50	
" " for deed stamps	5.00	114.50
	Balance	#1136.50

And for which said Mills, H. Holland has executed 3 Bonds, each for #378.00, due at 1. 2 & 3 Years after date, with Interest from 13 Nov 1871 with Beverly Holland his security, making #1136:50

The bills & said Lands retained.

Respectfully submitted

John R Kirby Comr

1872 Nov. 16 Rec'd of the Clerk of Nansemond County Court, the Bond of M. N. Holland & Beverly Holland of $378.50 Due 13th Nov. 1872 Delivered under order of 14th Oct. 1872

John R. Kilby Com'r

1873 Nov. 22d Rec'd of the Clerk of Nansemond County, the Bond of M. N. Holland & Beverly Holland for $378.50 Due 13th Nov 1873. delivered under order of April Ct. 1873

John R Kilby Com'r.

1874 Dec 2 Rec'd as above the Bond of same parties due 13th Nov. 1874 for $378.50.

John R Kilby Com'r

Bruin, adm'r Butler
dec'd

M. N. Holland's adm'r
Report of Sale

At a Quarterly Court held for Nansemond County, the 14th. day of March 1871.

Benjamin Bains, administrator of Nancy Butler dec'd. and M H. Watkins guardian of R H Darden, who sue for themselves and all other Creditors, of Frederick H Holland dec'd. . . . . Complainants.

against In Chancery.

A. S. Eley Sheriff and Committee of Frederick H. Holland dec'd. Sarah A Holland (Widow) and Charles H, Mary A, Ida M, Etta M, and Frederick L Holland, the last four, being infants. . . . . Defendants.

This Cause, came on this day to be heard, on the Bill of the Complainants, taken for Confessed as to A S. Eley, Sheriff and Committee of Frederick H. Holland dec'd. on whom procs. had been duly served, and he still failing to appear and make defence, and on the answer of Sarah A Holland and of the infant defendants, by their guardian ad litem, on replications to said answers and on Exhibits filed with the said Bill, and was argued by Counsel. On Consideration whereof, the Court, without at this time deciding any question involved in this Cause, doth adjudge, order and decree that a Commissioner of this Court enquire First. What Liens, there are on the lands of said Frederick H Holland, and the amount and priority and how held, Second. What the fee simple and . . . annual value of said lands are, subject to the Dower therein, of said Sarah A Holland: Third Settle the accounts of said Adolphus S. Eley, Sheriff—

and Commitee of said Frederick H. Holland dec^{d}:
Fourth. an account of all other outstanding debts due
by said decedent or his Estate, and their dignity and report
to Court: And the Court doth further adjudge, order and
decree, that John R Copeland, James M. McCleery, Thomas
H. Barnes and Tolbert G. Daughtry (any three of whom
may act) proceed to set apart to Mrs Sarah A. Holland
in life, one third in value of the lands of the said Fred-
erick H. Holland dec^{d} (her late husband) as and for
her Dower therein, and report to Court.

A Copy.
Test,
Peter B. Prentiss. Clerk

COMMISSIONER'S OFFICE,

Suffolk, Va. May 22nd 1871

TO Benjamin Bains, administrator of Nancy Butler dec'd and M H. Watkins, Guardian of R. H. Warden, who sue for themselves and all other Creditors of Frederick H Holland dec'd.

and To A. S. Eley Sheriff and Committee of Frederick H. Holland dec'd Sarah A Holland (Widow) and Charles H. Mary A, Ida M, Etta M, and Frederick L Holland, the last four being infants

You are hereby notified that I have fixed upon the Wednesday 12th day of July 1871 next, if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts, to wit: First: What Liens there are on the lands of said Frederick H Holland, and the amount and priority, and how fixed.

Second: What the fee simple and annual value of said lands are, subject to the Dower therein of said Sarah A Holland,

Third: Settle the accounts of said Adolphus S. Eley Sheriff and Committee of said Frederick H. Holland dec'd

Fourth: An account of all other outstanding debts due by said decedent, or his Estate, and their Dignity

required to be taken by a decree of the County Court of Nansemond, rendered on the 14th day of March 1871, in a suit in Chancery, depending in said Court, in which you are parties, plaintiff and defendant; at which time and place you are required to attend.

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

PETER B. PRENTIS, *Commissioner.*

To the Sheriff of Nansemond County to execute.

Benjamin Brans. Admr.
of Nancy Butler decd Md.

vs

Caveat Notice

A. S. Eley, Sheff. & Comr.
&
L. Freeburger & H. Holland
decd & al.

To the 12th day of July
1871, at Comrs. Office

Executed June 15th 1871 & a true Copy hereof
delivered to Sarah A. Holland (Widow). Charles H.
Mary A. Ida. M. Etta M & Fredrick L Holland
the Last four being Infants

Wm E Eley Jr D. S.

I acknowledge Service of the within Notice

Account No: 1

An Account shewing what Liens there are on the Lands of Frederick H. Holland deceased: Their Amount, Priority and how held.

First Lien

Kilby

M. H. Watkins, guardian for R. H. Darden. Judgment obtained in the Circuit Court of Nansemond County on the 22nd: day of April 1868, and docketed May 15th: 1868 vs Frederick H. Holland and Wm. N. Outland. $113 00

Compound int: fm: 25th: Decr: 1860 to 25th Decr: 1864 29 50
Simple int: fm: 25th Decr: 1864 to 1st: Septr: 1871 45 31
Costs 7 24

$195 05

Second Lien

Kilby

Thomas J. Ashburn, Administrator of Elisha Ashburn deceased — Judgment obtained in Nansemond County Court on the 11th: day of June 1868, and docketed June 22nd: 1868 vs Wm R. Butler, Frederick H. Holland and Mills Taylor. $200 00

Int: fm: 1st May 1860 to 7th: March 1867 . . 82 23

$282 23

Cr: 39 55

$242 68

Int: on $200 fm: 7th: March 1867 to 1st: Septr: 1871 53 80

$296 48

Costs 7 08

$303 56

Carried on

Third Lien

Kilby

Benjamin Barns, Administrator of Nancy Butler deceased — Judgment obtained in the Circuit Court of Nansemond County, on the 14th. day of October 1869, and docketed Nov: 17th: 1869 vs Frederick H. Holland and Mills H. Holland.

	$400	00
Int: frm: 6th: July 1859 (less 1 year) to 1st Sepbr: 1871	269	67
Costs	7	50
	$677	17

1 1

Account No: 2

An Account shewing what the fee-simple and annual values of the Lands of Frederick H. Holland deceased are subject to the Dower therein of Mrs: Sarah A. Holland

307 acres of land, more or less, adjoining the lands of James M. Lester, David Butler, Allen Hedgbeth, Jordan Holland, Wm: Odom, Nelly H. Holland & Elijah Butler:

The fee-simple value, subject to said dower being $1000:00

" Annual " being the life right of — Rooks $75:00

An interest in 203 acres, adjoining the Waccamaw Pocosin & the South Lodge Road

The fee-simple value of which is $100:00

" Annual value 00:00

Commr

Account No: 3

An Account of the transactions of Adolphus S. Ely, Sheriff and Committee of Frederick H. Holland deceased.

(Estate committed to Shff's. hands 1871. Janry: 9th)

No property, money or estate of any kind has come into the hands or possession of the Personal Representative of said decedent.

Commr.

Account No: 4

An Account of all outstanding debts due by said Frederick H. Holland or his estate (other than the Liens described in Acco: No: 1), and their dignity.

First Class – None

Secnd Class – None

Third Class – None

Fourth Class.

Kilby

Putnam Owens, assignee of To Richard Rhodes – Bond (bal: ck) signed by James W. Johnson, Albert B. Johnson, Frederick H. Holland and John S. Daughtrey			℔ 39	91	
" int: fm: 11th May 1863 to 1st: Septr: 1871			20	07	℔ 59 98
To Abram Duke		Due Bill	℔ 4	62	
" int: fm: 20th: Decr: 1861 to 1st: Septr: 1871			2	71	℔ 7 33
To Jesse D. Council, Extr: of J. M. Council decd		Judgment on a Warrant vs J. H. Holland & Wills H. Holland	℔ 24	60	" "
" int: fm: 11th April 1863 to 1st Sept. 1871 ... $12.36 - Credit $1.80			14	16	℔ 38 76
					℔ 106 07

Commissioner's Office.
Suffolk, Va. July 12th 1871

To the County Court of Nansemond County:

Your Commissioner, to whom was referred the Decree of the 14th day of March 1871, in the Chancery Cause of Benjamin Bains, Administrator of Nancy Butler decd & others vs A.S. Eley, Sheriff & Committee of Frederick H. Holland decd & others, begs leave to report, that, on this day, the date of this report, having given notice, previously, to the parties interested, he proceeded to state the several accounts directed to be taken thereunder, and returns herewith the same, numbered, respectively, 1. 2. 3. & 4.

That by Acco: No: 1. it will be shewn, that the Liens upon the lands of the decedent amount to $175.78c — what is their priority & how held.

That by Acco: No: 2, it will appear, that the fee-simple value of the lands of said decedent is (subject to the widow's dower) $1100 & that it's annual value or rental is $75

That by Acco: No: 3, it will be seen, that no Estate of any character whatever, has ever come into the hands of the Personal Representative of said decedent.

That by Acco: No: 4, it will appear that all other outstanding debts due by said decedent or his Estate amount to $106.07c

All of which together with a copy of said Decree, Notice and evidence of its service, is respectfully

submitted.

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

Peter B. Prentis
Commissioner

Comm's fee $15.00
Shff's " 50
$15.50

Benjamin Banks, Admr.
of Nancy Butler dec'd &c.
vs
Comm's Report

A. S. Eley, Shff. & Comm'r &c
of Fredericksburg & Wm. Hall Comm'r
dec'd &c.

To the County Court of Nansemond County:

Pursuant to a decree of the Quarterly Court held for Nansemond County, the 14th day of March, 1871, the undersigned proceeded this 6th day of May, 1871 "to set apart to Mrs. Sarah A. Holland, for life, one third, in value, of the lands of Frederick H. Holland, decd. (her late husband) as and for her dower therein", as follows: Commencing on the County Road at the point where said lands join those of William Odom, thence (North East along the line and branch that divides the lands of said Frederick H. Holland, dec'd., and said William Odom, to a maple; thence South West across the house-field (down marked by apple trees) to a large pine in the woods lying between said field and Rawls pond, thence to a pine near the margin of said pond and thence to the line in said pond which divides the lands of Frederick H. Holland, dec'd and James M. Lester; thence East down said line and pond to said County road; and thence North East down said road to point of beginning; and in lieu thereof we respectfully to report the same.

Thos. H. Barnes.
Jas. M. McKenny } Com's.
T. G. Daughtrey

Banner
of Repub

F. N. Hollands
adm

At a Quarterly Court held for Nansemond County, the 14th day of March 1871.

Benjamin Bains, Administrator of Nancy Butler dec'd, and M. H. Watkins, guardian of R. H. Darden, who sue for themselves and all other creditors of Frederick H. Holland dec'd. Complainants.

Against } In Chancery

A. S. Eley, Sheriff and Committee of Frederick H. Holland dec'd, Sarah A. Holland (widow) and Charles H., Mary A., Ida M., Etta M. and Frederick L. Holland the last five being infants . . . . . Defendants.

This Cause came on this day to be heard on the Bill of the Complainants' taken for confessed as to A. S. Eley, Sheriff and Committee of Frederick H. Holland dec'd, on whom process had been duly served, and he still failing to appear and make defence, and on the answer of Sarah A. Holland and of the infant Defendants, by their guardian ad litem, on repliedeins to said answers and on Exhibits filed with the said Bill, and was argued by Counsel: On Consideration whereof, the Court, without at this time deciding any question involved in this Cause, doth adjudge, order and decree, that a Commissioner of this Court, enquire. First: What liens, there are on the lands of said Frederick H. Holland, and the amount and priority and how held. Second: What the fee-simple and annual value of said lands are subject to the Dower therein, of said Sarah A. Holland. Third: Settle the Accounts of Adolphus S. Eley, Sheriff and Committee of said Frederick H. Holland dec'd. Fourth

An Account of all other outstanding debts due by said decedent or his estate, and their diguity: and report to Court. And the Court doth further adjudge, order and decree, that John R. Copeland, James M. McClenny, Thomas H. Barnes and Tolbert G. Daughtrey (any three of whom may act) proceed to set apart to Mrs: Sarah A. Holland, for life, one third, in value, of the lands of the said Frederick H. Holland dec'd (her late husband) as and for her Dower therein, and report to Court.

A Copy:

Teste,

Peter B. Prentis: Clerk

Benjamin Bass, Admr: &c
Nancy Butler dec'd. Ld.
Copy Decree
R. S. Ely, Sh'ff & Comm'r of Fred'k H. Holland
dec'd. Ld.

1871
Ent: vol 9 f.
Transcription

Assignment of
Dower.

Bains adm. of Butler &c

vs

Holland's adm &c

This cause came on this day to be again heard on the papers formerly read & on the Report of John R. Kelly, Com'r, made pursuant to the Decree of Rappahannock County Court of April Term 1873, (to which report there is no exception,) and was argued by Counsel. On Consideration whereof the Court doth confirm the said Report, & doth adjudge, order & decree that the said John R. Kelly Com'r aforesaid receive of the Clerk of this Court the remaining Bond of W. H. Holland & Beverly Holland for $378.50 due 13th Dec'r 1874, (& the said Clerk is to deliver the said Bond to the said Com'r on his receiving a Receipt therefor); and proceed to collect the same & the Interest due thereon; and out of the proceeds pay any costs that may remain unpaid, & then pay to Benj'a Bains adm'r of Nancy Butler dec'd the sum of $677.17, with Interest on $400. part thereof from the 1st of Sep't 1871 less paid, less the sum of $276.90 paid on the same on the 5 Dec'r 1873, as appears by said Kelly's report aforesaid; and if assets remain pay the same to the legally qualified guardian of Charles H., Mary A., Wm M., Etta M. & Judith L. Holland infants of Judith H. Holland dec'd, or to the parties if now or shall be one years of age; and make to the

said Miss H. Stillman a Deed with special warranty for the Land purchased by him under proceedings had in this cause, and make report to Court.

Butler's Admr
vs
Stillman's Admr

1874
May Ct. Ct.

Decree to convey
to Defendant
Dismissed

Engd

the Clerk of this Court, the remaining two Bonds of Miles H. Holland & Beverly Holland of $ 378.50 & collect the same when due with all Interest due thereon, & pay the proceeds, first, to the liquidation of the Balance that may remain due to the said Mrs. J. Ashburn adm of Elisha Ashburn and of his Debt of $ 303.56 with Interest on $ 242.68 part thereof from 1st Sep 1871 till paid, and then pay the Residue to Benjamin Bains adm of Nancy Butler dec'd, on the Debt due him of $ 677.17 with Interest on $ 400. part thereof from 1st Sep. 1871, as Reported by said Comr. Prentis in his said Report, and make to said Miles H. Holland, a Deed with special warranty in the usual form for the real Estate purchased by him under proceedings hereunder, and make report to Court.

Bains adm Butler

v

Ireland &

This cause came on this day to be again heard on the papers formerly read & on the Report of John R. Kelly, Comr. made pursuant to the decree of the 14 Oct. 1872 - to which report there is no exception & was argued by Counsel. On Consideration whereof, the Court doth confirm the said Report and doth adjudge and decree that the said John R Kelly, Comr. aforesaid, out of the sum of $409.12. in his hands as appears by said Report, pay any further costs of this suit, that may remain unpaid, and then pay to M.H. Watkins guardian of R.H. Bains the sum of $195.05. with Interest on $113. part thereof from 12 Sep. 1871 the date paid being the first Lien on said fund as appears by Comr Prentis' Report of the 12 July 1871. and the residue pay to Mrs. J. Ashburn admx of Elisha Ashburn dec'd in part of his claim of $303.56 being second Lien on said fund as appears by said Comr Prentis' report, and make report to Court, And the Court doth further adjudge order & decree that the said John R. Kelly, Comr. as aforesaid, receive of

Barnes adv Butler

&

Hulcamp's adm'x

1873

Agd to a decree

To be entered.

Theo. S. Garnett Jr

Barnes &c

vs

Holland &c

This cause came on this day to be again heard on the papers formerly read & on the report of John R. Kelly, Comr. made pursuant to the decree of the 9th Oct. 1871 & on the report of Thos. H. Barnes, Jas. M. McKenny & T. G. Dandridge, made pursuant to the decree of the 14th March 1871 — to which reports there is no exception, and was argued by Counsel;

On consideration whereof the Court doth confirm the said Reports & doth adjudge, order and decree that John R. Kelly, the Comr. who sold the real estate referred to in the proceedings, receive of the clerk of this Court, (who is hereby directed to pay him on his leaving a Receipt therefor) the three Bonds of Miles H. Holland & Beverly Holland of $378.50 each & collect the same & all Interest thereon (and the said Miles H. Holland, may pay the same before due, in which event Interest to cease when paid) and deposite the same when collected in the Farmers Bank of Nansemond, & the drawn out by order of this Court., and make to said Miles Holland, a deed with special warranty in the usual form for the land

Baines adm &c

v

Holland &c

1872

Act. Co. of Decree
to collect &c

To be entered

Theodore S. Garnett Jr.

Entered & copied

old mahogany bureau, one
mahogany bedstead,

County, Virginia: having first given twenty days previous notice thereof by advertisement at the Courthouse door of said County and in the "Christian Sun" a newspaper published at Suffolk, one a week for three weeks, by printed handbills circulated near the premises; ~~to sell for the purchase, and upon~~ which sale shall be on a credit of one, two and three years with interest from date, except for a sum sufficient to pay costs of suit & expenses of sale, including a fee of $50 to the plaintiffs attorney, which will be cash), taking from the purchasers bonds & good security for the deferred payments to retain the title till ordered to be made by the Court — which Lands are described as ——

(1st) a tract of 50¼ acres more or less, adjoining the lands of James M. Lester, David Butler, Allen Hedgpeth, Jason Holland, Sen'r dec'd, Miles H. Holland & Elijah Butler,

(2d) the life right of — Rook, in 203 acres more or less, adjoining the lands of Wainche & South Quay road, & which interest was purchased of said Rook by deed.

And make report to Court.

Benjamin Bains, administrator of Nancy Butler decd, and M. N. Watkins guardian of R. N. Vaden who sue for themselves and all other creditors of Frederick H. Holland decd, ... Complainants

vs. } In Chancery

A. S. Ely, Sheriff and Committee of Frederick H. Holland decd, Sarah A. Holland (widow) and Charley H, Mary A, Ida M, Etta M, and Frederick L. Holland the last four Infants . . . . . Defendants,

This cause came on this day to be again heard on the papers formerly read & on the report of Peter B. Prentis Commissioner made pursuant to the decree of the 14th march 1871— to which report there is no exception & was argued by Counsel. On consideration whereof, the Court doth confirm the said Report, and doth adjudge, order and decree that John R. Kelly (who is hereby appointed a Commissioner for that purpose) proceed to sell at auction before the Court house door of Nansemond County on some Court day, the lands whereof the said Frederick H. Holland died seized & possessed & situated in Nansemond (subject to the Dower therein of now said Sarah A. Holland)

Bains &
N.

Holland) adm &

1871
Ad. Cant.
decree for sale
To be entered.
Theodore S. Garnett Jr

Entered

Barnes adm of Butler &c

v.

Ireland's adm &c.

This cause came on this day to be again heard on the Bill of the Complainant taken for confessed as to A. S. Ely Sh: & Committee of Frederick H. Ireland dec'd, on whom proofs had been duly served & the other failing to appear and make defence, & on the answers of Sarah A. Ireland, & of the Infant defendants by their guardian ad litem, on replications to said answers and on Exhibits filed with the said Bill and was argued by Counsel.

On Consideration whereof the Court doth without, at this time, deciding any question involved in this cause, doth adjudge, order and decree that a Commission of this Court do issue, (1st) to enquire what Liens there are on the Lands of said Frederick H. Ireland, & the amount & priority & how held. (2?) What the fee simple and annual value of said Lands are (subject to the Dower therein of said Sarah A. Ireland). 3. Settle the accounts of and between A. S. Ely Sheff. & Com'r of said Frederick H. Ireland dec'd.

4th. an account of all other outstanding debts due by said decedent or his estate and their priority, and report to Court

and

and the Court doth further adjudge, order and decree that John R. Copeland, Jas. M. McClenny, Thos. N. Barnes & Talbot Daughtry (any three of whom may act) proceed to set apart to Mrs. Sarah A. Holland, for life, one third in value of the lands of the said Frederick H. Holland dec'd (her late husband) as of her dower therein and report to Court.

Benj. A. Barnes adm
of Frederick
H. Holland dec'd

Dower and D'adm
Sale.

1871
Mar. Co. Ct.
Decree
Holland
Theodore S. Garnett &c.

Entered

At a Monthly Court, held for Nansemond County the 9th day of January 1871.

On the Motion of Sarah A. Holland, it is ordered that the Estate of Frederick H. Holland be committed to Adolphus S. Eley, Sheriff of this County, for administration according to law: it appearing that the said Frederick H. Holland, has been dead more than three months and no person having applied for administration on his Estate.

A Copy. Teste

Peter B. Prentis. Clerk

"C"

A Judgment obtained in the Clerk's Office of the Circuit Court of Nansemond County and Confirmed at a Court held and closed for the said County on Wednesday the 22nd day of April 1868.

M. H. Watkins, guardian for R. H. Warren. Plaintiff

against } In Debt.

Frederick H. Hall and Wm N. Outland. Defendants

The Judgment obtained at the Rules, not having been set aside and the Plaintiff, being now entitled to a final judgment, it is therefore considered that the Plaintiff recover against the defendants One Hundred and thirteen Dollars, the Debt in the declaration mentioned, with Compound interest thereon from the 25th day of December 1861 until paid, and his costs by him about his suit in this behalf expended; and the said Defendants, in Mercy &c.

A Copy.
Test.

Peter B. Prentis. Clerk

Costs

Clerks $ 3.25
Att'y Fee 3.00
Sh'ff Fees .50
" Levy .50
$ 7.25

Judgt. docketed
1868. May 18th

M. H. Watkins, gdn: for R. H. Darden xmd

4/10 Copy Judgt.

Frederick H. Hollins Dal:

"B"

1st Leon

A Judgment, obtained in the Clerk's Office of the Cir. Cuit Court of Nansemond County and confirmed at a Court, held and closed for said County on Thursday the 14th day of October 1869.

Benjamin Bains, administrator of
Nancy Butler, deceased ..... Plaintiff
against In Debt
Frederick H. Holland and Miles
H. Holland ..... Defendants.

The Judgment obtained at the Rules, not having been set-aside, and the Plaintiff, being now entitled to a final judgment, it is therefore considered that the Plaintiff, recover against the Defendants Four Hundred Dollars, the Debt in the declaration mentioned, with legal interest thereon from the 6th day of July 1859 the writ, and his Costs, by him about his suit, in this behalf Expended; and the said Defendants, in mercy &c

A Copy.
Test:
Peter B. Prentis. Clerk

Costs:
Clerk $3.50
Atty's Tax 3.00
Shff. 1.00
$7.50

Judgt Docketed
1869. Nov. 17th

Benjamin Barns, Admr.
of Nancy Butler decd
Do } Copy Judgt.
Frederick H. Holland Atl.

"A"

Bainiste

n.

Holland adv.

3 En. fild mlb

Bice

Butler's Admr. & al.

v.

Holland's Admr. &c.

This cause came on this day to be again heard on the papers formerly read herein, and on the report of Commissioner, John R. Kilby, made in pursuance of a decree of the Circuit Court of Hanover County, pronounced at the May Term thereof 1874, and was argued by Counsel.

On consideration whereof the Court doth confirm the said report to which no exception has been filed and, nothing more remaining to be done in this cause, doth order that the same be removed from the docket of this court.

Butler's Admr. &c.

v.

Holland's Admr. &c.

1875

Nansemond County Circuit
Court, June term.
Final decree.
To be entered.
Geo. Wellons.

Entered

The Joint and separate answer of Charles H.; Mary A.; Ida M.; Etta M., & Frederick L. Holland, (Infants,) by P. B. Prentis their guardian ad litem, to a Bill in Chancery exhibited against A. S. Eley &c. & Comm. of Frederick H. Holland dec'd, & others, by Benjamin Bains adm'r of Nancy Butler dec'd, and others.

These Respondents, say, that so far as they know or believe the facts set forth in said Bill are true, but being Infants & incapable of defending or protecting their interests, they submit the same to the Court and pray that no order or decree may be made in this cause to their injury or prejudice.

(signed)

Peter B. Prentis
g'd. ad litem

Davis adv Butler

et al

Holcombe adv

Answer of
Infant defts

The answer of Sarah A. Holland (widow of Frederick H. Holland dec'd, to a Bill in chancery exhibited in the County Court of Tuscumbia County by Benj. Bains adm'r of Nancy Butler dec'd &c against A. S. Eley Sh. & Comr of Frederick H. Holland dec'd, & others.

This defendant says that it is true as stated in said Bill, that her husband the said Frederick H. Holland died as stated & that his estate was committed to the hands of A. S. Eley Sheriff as aforesaid for administration - But she knows nothing of said judgment liens, except what is stated in said Bill; But she claims Dower in the lands of which her said husband died possessed; and as her said husband was at the time of his death a householder and Head of a family, and has departed this life since the adoption of the present Constitution, leaving her (his widow) and five infant children as stated in the Bill, This defendant claims the Homestead exemption in her said husband's estate as provided for law, to wit: subject to the value of $2000. as against all demands, and prays that the same may be assigned her.

And having answered &c

Sarah A. Holland

By her Atty.

Bains adm of Butler
&c
v.

Holland's adm
answer &
Sarah A. Holland
(widow)

To the Hon: Theodore S. Garnett, Judge of the County Court of Nansemond County.

Complaining shew unto the Court your Complainants, Benjamin Bains admr. of Nancy Butler dec'd. and M. H. Watkins guardian of R. H. Harden, who sue for themselves and all other creditors of Frederick H. Holland dec'd,;

Your Complainants respectfully represent to the Court and say; That the severally obtained Judgments in the Circuit Court of Nansemond County against Frederick H. Holland which became Liens on his real estate from the time such Judgments were rendered the said Judgments having been docketed according to Law in the Clerk's office of Nansemond County Court — That is to say your Complainant Benja. Bains admr. as aforesaid obtained a Judgment against said Frederick H. Holland (one Miles H. Holland) in the Circuit Court aforesaid on the 14th day of October 1869, for the sum of $4 00. with Interest from the 6th day of July 1869 till paid & $7.50 cts, which Judgment was docketed as aforesaid on the 17th day of Nov! 1869 — a duly certified copy of Said Judgment &c is filed herewith marked "A", and is the Third Lien on said Frederick H. Holland's Land) —

That Your Complainant M. H. Watkins guardian as aforesaid obtained a Judgment

against said Frederick H. Holland (& one Wm A. Outland) on the 22d day of April 1868 in said Circuit Court for $113. with Interest from the 25th December 1860 till paid & $7.24 Costs – which Judgment was docketed as aforesaid on the 1st May 1868 – a duly certified copy of which Judgment &c is filed herewith and marked "B." and is the First Lien on said Frederick H. Holland's Lands –

That the said Frederick H. Holland was the owner in fee & possessed of, at the time said Judgments were rendered against him and as long as he lived, of the following parcels of Land in Nansemond County, to wit: A Tract of Five Hundred and seven (507) acres, more or less, adjoining the Lands of James M. Lester, David Butler, Allen Hedgbeth, Jordan Holland, Wm. Odom, Mills H. Holland & Elijah Butler: Also The life right of the said Frederick H. Holland in a tract of Two Hundred and three Acres, more or less, adjoining the Waniks Poosom & the South Quay Road, which Interest was purchased of said Rooks by Deed.

That the said Frederick H. Holland died on the day of Aug. 1870, Intestate, and his estate was by order of Nansemond County Court of 9th of January 1871, committed to the hands of A. Dolphin S. Eley Sheriff of Nansemond County for administration, as will be seen by a duly

certified copy of said order of Court filed herewith marked 'C'. : and that said Sheriff has taken charge of the personal estate of said Deceased.

That the said Frederick H. Holland left as his heirs at Law, his widow Sarah A. Holland, and five infant children to wit: Charles H; Mary A; Ida M; Etta M; and Fred. L. Holland —

Your Complainants say that the said Sarah A. Holland, widow as aforesaid is entitled to Dower in said Lands, and your Complainants pray that the same may be assigned to her —

That after the payment of the Judgment Liens aforesaid on said Lands and any other debts having precedence over the Homestead or other exemptions, that then the said Sarah A. Holland, widow, is entitled to the Exemption of Two Thousand dollars in value of property as provided for by Law, and which your Complainants ask may be set apart to her, if she shall think proper to demand it:

That the rents of said Lands will not in five years pay your Complainants demands.

Your Complainants pray that the said Lands may be sold (subject to said Dower) to pay your Complainants demands, and that any money or chattle estate or the proceeds thereof

which may be, or come into the hands of said Adolphus S. Eley, Sheriff &c. of said Frederick H. Holland dec'd, may also be applied to the payment of your Complainants' demands — That an account of all liens or other demands and their priority, due by, or against said Frederick H. Holland or his estate may be duly taken; That the fee simple & annual value of all of said Lands may be duly taken, and all other proper and necessary accounts.

In consideration whereof and as this Court has jurisdiction, to grant all adequate relief — To the End therefore your Complainants pray That the said Adolphus S. Eley, Sheriff & Committee of Frederick H. Holland dec'd, Sarah A. Holland (widow); Charles H; Mary A., Ida M; Etta M & Frederick L. Holland, (the last five being Infants) may be made defendants hereto, and be required to answer the several allegations herein. That Dower in said Lands may be assigned as aforesaid. That all Liens (and all other demands) against the said Frederick H. Holland or his estate may be ascertained — That the fee simple & annual value of said Lands may be ascertained.

That the said Lands may be sold to pay the Liens aforesaid & all the Debts

which are entitled to be paid thereout,
and if said Sarah A. Holland (widow)
is entitled to any Exemption out of the said
Decedents estate, that the same may be
appined to her if she desire the same;
and that she other and further relief
Consistent with Equity &c may be granted,
And your Complainants pray &c.
John R. Kilby p. q.

Kelly p. c

Benja Baines admr
&c. & al.

vs. Bill

Fredk A. Holland
&h. & al

Mand. to cl.

Costs To Term 1871

Clerks	$4.87 PBP
"	3.13 WEC
Shff	10.00
Kelly	30.00
Fay	1.00
Comrs	15.00
	$35.00

Bullen's admr:

vs

Ex Chy: Notes

Holland's Shff: & Counsel &c Sol

1871 Janry 16th: Sumt in Chy: Issued & Feby Rules 1871

" Feby 6th: Bill & Exhibits filed — Conditional decree vs Defts Ely, Sellt & Commrs

" " " Answer of Sarah A. Holland filed & gen: replication thereto & cause set for hearing as to her, on mo of Compltts Counsel

" " " Peter B. Pendleton appointed gdn ad litem to infant Defts, who filed their answer to which there was a gen: rebln: & cause set for hearing as to them, on mo of Compltt's Counsel

" March 6th: Conditional decree confirmed, and cause set for hearing on Motion of Complainant's Counsel

" " 14th: Decree for Accounts &c to assign Dower.

" 1869 Report of assignment of Dower filed

" Oct 9th Decree for Sale

" Dec 13 Report filed

1872 June Costs

" June 11 —

" Octo 14. Report confirmed decree & collect bonds & deposit money in Bank

1873 April 14 Decree to collect bonds more fully &c

1873 May Term Removed to Cir Co

1874 May Term Rept confirmed decree to collect bonds & pay money

Chy: Nobes

Kit 6

Nancy Butlers Admrs

v. } Chancery Papers

Fredk H Hollands admr &c

1875 June Term

Final decree