1875-007
Nansemond Co. (Suffolk)

Chancery Causes: Andrew McAlister for Algernon S. Darden & Daniel Wilkins etc vs Exrs of Francis D. Holladay etc

Folder 1

Copeland, Tynes, Eley, Wilby, Cohoon, Eley & Brinkley I,
Hurriss, Pinner, Norfleet, Perker, Riddick,
Smith, Arnold, Walker, Browne, Holland, Hale

Will: 1868, Francis D Holladay, Nansemond Co.

Pullen & Pearce I, Pullen & Pierce I, Crump,
Lesh, Cohen, Artmen & Butler I, Johnson

At a Circuit Court held for Hanover County May Term 1874

Andrew McAlister (who sues for the benefit of A S Darden and Daniel Whitlow) and Isaac R Kelly assignee of Wm Ely &c who sue for themselves and all other creditors of Francis D Holladay who may make themselves parties hereto on the usual terms — Plffs

vs

John R Copeland and Alto T Holladay Executors of Francis D Holladay dec'd and Ernest S Holladay said Alto T Holladay in his own right Henry L Tyree, R S Ely surviving partner of Ely & Bowlby, Andrew McAlister W E Cohoon and Wm I Cohoon — Defts } In Chancery

This cause came on to be again heard of the papers formerly read and on the report of John R Copeland Commissioner made pursuant to the decree of the October Term 1873 of this Court—more in this cause 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 and decree that John R Copeland Commissioner as aforesaid receive of the Clerk of of this Court the bond of James R. McGuire and D J Godwin of twelve hundred and twenty eight dollars and the policy of insurance filed in the cause and that the Clerk will deliver the said Bond to said Copeland on his having a receipt therefor and that the said Copeland Commissioner as aforesaid proceed to collect said bond and all interest due thereon and when paid make to said James R McGuire a deed with special warranty in the usual form for the real estate sold under proceedings had in this cause and deliver to said McGuire the policy of insurance aforesaid. And the said John R Copeland Commissioner as aforesaid will proceed to pay the said sum of Money (and twelve dollars and seventy two cents now in his hands as appears by the report aforesaid) and any other Moneys he may have collected belonging to the

estate of said Francis D Holloway valuably to the creditors of said Francis D Holloway dec'd as are named in said Copeland's report of payments herein confirmed after deducting the payments made to said creditors as appears by said last named report first paying any costs that remain unpaid and make report to Court

Teste

Willis E. Johnson Clk

Andrew Woolard Pet

vs

John C Copeland Exr

Costs

Clk — $11.75

Sff — 4.50

Atty Fee 16.00

Comr Clk 3.00

Advt — 11.25

Comr Rep 30.00

$76.50

1

2

To the Circuit Court of Nansemond County Va.

The Undersigned Reports to the Court that pursuant to the decree of said Court made at the May Term 1874, in the cause therein pending wherein Andrew McAlister &c. is plaintiff and Francis D. Halladay's Exrs. and others defendants, he has received of the Clerk of said Court the Bond of Jas. R. McGuire & D. S. Gowin of $1228. & collected the same, made to said McGuire a deed for the real estate sold under proceedings had in said cause, with special warranty and has paid out the same as directed by said decree, as per statements & receipts annexed.

Cr. By Bond of Jas. R. McGuire &c.	$1228.00
By Int. from 9th Oct. 1871 to 25 Jany 1875	244.91
	$1472.91
By Balance in Comrs. hands last report.	12.72
" amo. rec'd of Wm Ely from Edmund Walker ext.	61.65
Total amo.	$1547.28

To paid for deed to Purchaser $3.00

" " Clerks fees 1.85 2.67 1.90 = 6.42

" reserved to pay Bal. of Costs & for reports } 50.74 = 60.16

net Balance. $ 1487.12

Can. on

amo. brot. on ... ...

1875 Jany 28 Rec'd of John R. Copeland, Com'r. the several sums set opposite our names as per foregoing statement.

A. McAlister for a. s. Dailey	by John R. Kelly atty.	$528:58
Wilson Nisbet	by John R. Kelly "	169.69
Wm Ely Sh. & E. H. Darden	by John R. Kelly "	130.67
C. B. Riddick	by John R Kelly "	39.78
Ed. Arnold	by John R. Kelly "	27.38
E. A. Walker	by John R Kelly "	113.62
John R. Kelly	agt. of J. S. Browne "	14.45
Pullen & Pierce	by John R. Kelly "	19.07
Same	by Same "	15.59
Geo. N. Crump	by John R Kelly "	16.36.
Jno. Lash	by John R. Kelly "	56.52
		$1151.73
John R Kelly costs		35.00
		$1186.73
Jno W Smith		24.28
Jno W Smith for Wm J. Cohoon		23.40
H. E. Smith		15.28
Chas P Hall		6.56
L. C Holland		11.56
A. F. Holladay		11.13
Artman & Butler		4.44
J T Johnson for use of his wife who was Nannie Parker		248.70

McAlister for Defendts.

N. { Comm
Report

Holladay's admr &

3? Last report of payments

Statement of claims due by
Francis D. Holladay.

To Andrew McAlister (for the benefit of A. S. Dawson & Daniel Wilkins (see Com'r Curtis' report	$1181.57	
" Int. on $780.32 from 1 Aug 1871 to 1st Mar. 1874 — 2 yrs. 7 mos.	116.28	
	$1297.85	
cr. by amo. of Jno. R. Copeland, Com'r.	756.20	
	$541.65	
" Int. from 1 Mar 1874 to 1 Feb. 1875 — 11 mos	29.78	$571.43
To Wilson Norfleet agent	$365.50	
" Int. on $232.12 from 1 Aug 1871 to 1 Mar. 1874	35.97	
	$401.47	
cr. by amo. of Jno. R. Copeland, Com'r	233.92	
	$167.55	
" Int. from 1 Mar 1874 to 1 Feb. 1875, 11 mos	9.21	$176.76
To Nannie Parker	$482.53	
" Int. on $400. for 2 yrs. 7 mos. as above	62.00	
	$544.53	
cr. as above	308.81	
	$235.72	
" Int. 11 mos. as above	12.98	$248.70
To Wm Eley Ch. d. of Edward N. Vandergrift	$180.95	
" Int. on $179.78 — 2 yrs. 7 mos.	27.87	
	$308.82	
cr. as above	179.80	
	$129.02	
" Int. 11 mos. as above	7.09	$136.11
To C. B. Riddick	$85.43	
" Int. on $55 — 2 yrs. 7 mos. as above	8.52	
	$93.95	
cr. as above	52.67	
	$39.28	
" Int. 11 mos. as above	2.15	$41.43
To Thos. W. Smith	$49.38	
" Int. on $40.15, 2 yrs. 7 mos.	6.21	
	$55.59	
cr. as above	31.60	
	23.99	
" Int. 11 mos. as above	1.30	$25.29
Carried on		$1199.72

Amd. brt. on		℔ 1199	72
To W. J. Cohoon (J. W. Smith to receive)	℔ 50.40		
" Int. on ℔ 32. 2 yrs. 7 mos. as above	4.96		
	℔ 55.36		
cr. as above	32.25		
	℔ 23.11		
" Int. 11 mos. as above	1.26	℔ 24	37
To Edward Arnold	℔ 56.00		
" Int. on ℔ 44.50 2 yrs. 7 mos as above	6.88		
	℔ 62.88		
cr. as above	35.84		
	℔ 27.04		
" Int. 11 mos. as above	1.48	℔ 28	52
To D. E. R. Walker	℔ 231.00		
" Int. on ℔ 200. 2 yrs. 7 mos as above	31.00		
	℔ 262.00		
cr. as above	147.84		
	℔ 114.16		
" Int. 11 mos. as above	6.27	℔ 120.	43
To Jno. R. Kelly agt. of J. S. Browne	℔ 28.88		
" Int. on ℔ 25. 2 yrs. 7 mos. as above	3.87		
	℔ 32.75		
cr. as above	18.48		
	℔ 14.27		
Int. 11 mos. as above	78	℔ 15	05
To Lewis C. Holland	℔ 23.10		
" Int. on ℔ 20, 2 yrs. 7 mos	3.10		
	℔ 26.20		
cr. as above	14.78		
	℔ 11.42		
" Int. 11 mos. as above	62	℔ 12.	04
To Jno. P. Hale	℔ 12.72		
" Int. on ℔ 12.34, 2 yrs. 7 mos	1.90		
	℔ 14.62		
cr. as above	8.14		
	℔ 6.48		
" Int. 11 mos. as above	35	℔ 6.	83
To Arthur Butler	℔ 9.97		
" Int. on ℔ 8.45, 2 yrs. 7 mos	1.30		
	℔ 11.27		
cr. as above	6.88		
	℔ 4.39		
" Int. 11 mos. as above	23	℔ 4.	62
	cond on	℔ 1411.	58

Amo. brt. on			₶1411.58
To Pullen & Peace	₶38.68		
" Int. on ₶23.47 — 2 yrs. 7 mos	3 62		
	₶42,30		
cr as above	23.47		
	₶18.83		
" Int. 11 mos. as above	1,03	₶19	86
To Pullen & Peace	₶33.76		
" Int. on ₶21.14, 2 yrs. 7 mos	3 23		
	₶36,99		
cr. as above	21.60		
	₶15.39		
" Int. 11 mos. as above	84	₶16.	23
To Henning E Smith	₶30.53		
" Int. on ₶26.45 — 2 yrs. 7 mos	4.09		
	₶34.64		
cr. as above	19.53		
	₶15,09		
" Int. 11 mos. as above	82	₶15.	91
To Geo. H. Crumb	₶34.13		
" Int. on ₶25. for 2 yrs. 7 mos. as above	3,87		
	₶38,00		
cr. as above	21.84		
	₶16,16		
" Int. 11 mos. as above	88	₶17.	04
To John Lash	₶122.37		
" Int. on ₶75. 2 yrs. 7 mos	11 73		
	₶134.10		
cr. as above	78.31	₶	
" Int. 11 mos. as above	55.79	₶58	87
	3.08		
To A. J. Holladay	₶21.90		
" Int. on ₶20 2 yrs. 7 mos as above	3,10		
	₶25,00		
cr. as above	14.01		
	₶10,99		
" Int. 11 mos. as above	60	₶11	59
Total amo. —		₶1551.	08

McAlister &c.

vs.

Holladay, Exr &c.

This cause came on this day to be again heard on the papers formerly read, & on the Report of ~~John~~ R. Copeland, Comr. made pursuant to the decree of the Oct. Term 1873, of this Court, made in this cause — to which report there is no exception & was argued by Counsel: On Consideration whereof the Court doth confirm the said Report, and doth adjudge ordain and decree, that the said John R. Copeland Comr. as aforesaid, receive of the Clerk of this Court the last Bond of J. R. McGuire & D. D. Goodin of $1228, & the Policy of Insurance filed in the cause (& the Clerk will deliver the said Bond & said Copeland, on his leaving a receipt therefor) , and that the said Copeland, Comr. as aforesaid proceed to collect said Bond & all interest due thereon, and when paid make to said James R. McGuire a deed with special warranty in the usual form, for the real estate, sold under proceedings had in this cause, & deliver to said McGuire the Policy of Insurance aforesaid: and the said John R. Copeland, Comr. as aforesaid, will proceed to pay the said sum of money (and $12:72 now in his hands as appears by the report aforesaid) & any other money he may ~~in the~~ have collected belonging to the estate of said Francis D. Holladay, ratably to the Creditors of said Francis D. Holladay dec'd. as are named in said Copeland's last report of payments herein confirmed, after deducting the payments

Mcalister &c

v

Holladay's Exor &c

1874

May Cir. Ct.

Decree to collect &c

To be entered.

Geo. P. Bloss.

Entered.

made & said Auditor's report to which Exr named first herein may & has excepted in writing, which exceptions were made report & filed.

McAlister &c. vs. Holladay's admrs &c

This cause came on this day to be again heard on the papers formerly read & on the Report of John R. Copeland Comr. made pursuant to the Decree of Jamesmond County Court of the 13th Nov. 1873. (to which report there is no exception), and on the petition of John Lash filed in the cause, and was argued by Counsel. On Consideration whereof the Court doth confirm the said report, and doth adjudge & decree that the said John R. Copeland, Comr. as aforesaid, receive of the Clerk of this Court, the Bond of J. R McGuire & D. J. Godwin for $1278. due 9th October 1873. (who are desired the same taking a credit thereon) and collect the same & all Interest due thereon; and also collect of the Farmers Bank of Jamesmond the sum of $599:89; deposited therein by said Copeland, as appears by his said report, with all Interest due thereon, (and the said Bank is hereby directed to pay the same & him) — , and the said John R. Copeland Comr as aforesaid, will proceed out of said sums of money, to pay any costs that remain unpaid, and then pay the residue ratably to the several creditors of Francis D. Holladay dec'd. as reported by Comr Pinckney in his report of the 1st of August 18) 1 (except the debts therein reported in favor of Edward Arnold & to John D Kelly assignee of R. S. Ely &c which have been paid, as appears by said Copelands report), and to John Lash $75: with Interest from the 21st day of January 1861 with Int. to the 1st day of August 1871, and make report to Court. ~~and make report to Court.~~

McAlister &c.

v.

Holladay adm,

1873

Oct. Cir Ct.

1st. Demurrer to Plaint Statement &c

To be entered.

Geo. Bloss.

McAlester &c

v

Holladay Exrs.

This cause came on this day to be again heard, on the papers formerly read & on the Report of John R. ~~Tooby~~ Cable & A. J. Holladay Comrs. made pursuant to the decree of the 13th day of November 1872 — to which Report there is no exceptions now argued by Counsel: On Consideration whereof, the Court doth confirm the said Report, and doth adjudge order & decree that the said John R. Cable & A. J. Holladay Comrs, Comrs as aforesaid, receive of the Clerk of this Court the two Bonds of James R. McGuire & D. S. Gedney of $1229.00. one 9th Oct 1873 & 9th Oct. 1874, & leave a Receipt for the same; and proceed to collect the same as due, and with the sum of $599.89 in the Farmers Bank of Hammond, which they are also receive, (and said Bank are pay the same & them with all Interest due thereon), & any further sum that may remain unpaid & then pay the same ratably, to the Creditors of Francis D. Holladay of the Fourth Class (not paid under former Decree) as reported by Comr. Pardee, in his report of the 1st of Aug 1871. ratably & to Jno. Lash $75. with Interest from 21 Day 1861; who this day by his petition, prays

to participate in said fund, & whose claim is sustained by note: and when the entire amount due & paid James R. McGinn unpaid, make to him a deed with special warranty in the usual form, & make report to Court.

McCalister &
vs
Stoddard et ux Decree
1873
June 19
Decree
To be entered
Peter B. Peters
Colorado

sum of $66.27 with Interest on $61.67
part thereof from the 1st Aug 1871 till paid
to John R Kelly assignee of R. S. Eley &c.
the sum of $172.52 with Interest on $145.44
part thereof from the 1st Aug 1871 till paid
; and pay to Mrs Emily S. Holladay the
widow of said Francis D. Holladay dec'd
the sum of $921.12 with Interest thereon
from the 9th Oct. 1871 till paid — and
the said John R. Cockrell and S. A. D. Holladay
are make report & account of their proceedings
hereunder, & include therein all collections
if any, made by them as Executors aforesaid
since the 7th of Aug 1871.

McCalister Sol

vs

Holladay's adm'r &c

This cause came on this day to be heard on the papers formerly read & on the report of Wilbur J. Kelly, a Commissioner of this Court, made pursuant to the decree of the 8th of January 1872 — 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 & decree that John R. Copeland & A. J. Holladay the Commissioners who sold the real estate under proceedings herein, recover of the Clerk of this Court who will deliver the same to them, on his having a Rect. therefor / the Bond of Jas R. McGinnis & D. J. Godwin for $1229 due 9th Oct. 1872, herein, & collect the same with all interest due thereon, and with the sum of $468.77 the Balance due the estate of said Francis D. Holladay dec'd by said John R. Copeland & A. J. Holladay Executors as appears by Com'r Pruitt's report of the 5th of Aug't 1871 & the interest thereon from the 1st of August 1871, pay any costs that may remain unpaid, & then pay to Edward Arnold the

Mcalister

vs

Holladay Emy

1872

Oct 21 Decree

To be entered,

Rewone S. Garnett J.

Entered in 197

Andrew McCalister (who sues for the benefit of Algernon S. Landon & Saml. Wilkins,)
and John R. Kelly agst of Wm Ely &c.
who sue for themselves and all
other creditors of Francis D. Holladay
Decd. who may make themselves parties
hereto on the usual terms Plffs

vs

John R. Copeland and Alto F. Holladay
Executors of Francis D. Holladay
Decd, Emily S. Holladay, said
Alto F. Holladay in his own right.
Henry L. Ayres, R. S. Ely, surviving
partners of Ely & Buckley, Andrew
McCalister, W. E. Coburn & Wm J. Coburn. Defts

This cause came on this day
to be again heard on the papers formerly
read & on the report of John R. Copeland
& A. F. Holladay, made pursuant to the
decree of the 14th of August 1871, — to which
report there is no exception now argued by
Counsel. On consideration whereof the Court
doth confirm the said Report and doth adjudge
order & decree that a Commissioner of this
Court ascertain and report to Court what
is the present money value in fee simple
of Mrs Emily S. Holladay, in the real
estate herein report to Court.

McCalister &
vs

Holladay's Exrs

1872

Jany 21. Decree

To be entered.

Theodore S. Garnett Jr

Cohen

McAlister &al:

vs:

Holladays Exrs &al:

This cause came on this day to be again heard on the papers formerly read & on the Report of Peter B. Pentis, Commissioner made pursuant to the decree of the 11th day of July 1870 — to which report there is no exception and was argued by Counsel:

On Consideration whereof, the Court doth adjudge, order and decree that John R. Copeland (who is hereby appointed Commissioner for that purpose) & A. D. Holladay proceed to sell at auction before the Court house door of Nansemond County, on some Court day the real estate named in the proceedings and described as a "Large lot in the Town of Suffolk, Nansemond County, on which is situated the "Washington Hotel" and houses attached and connected therewith, having first advertised such sale by advertisement at the Court house door of Nansemond County and by printed handbills for twenty days, and once a week for three weeks in the "Christian Sun" a newspaper published in Suffolk & five times in some Norfolk paper taking from the purchaser bond & good

personal security, & retain the bill till the further order of said Court — The sale to be made on a credit of one, two, and three years in equal payments, with interest from date (except for the costs of suit & expenses of sale, including a fee of $50. to plaintiff's attorney, which will be cash paid to those entitled) — and make report to Court —

But no sale is to be made under this decree until the said John R. Cleveland and A. J. Holladay, shall execute before the Clerk of this Court in his Office, a Bond in the penalty of $500.0 payable to the Commonwealth of Virginia conditioned to execute faithfully, this decree & any other decree they may be required to execute in this cause.

and it is further ordered that such sale be made subject to the Dower in said Real estate of Mrs Emily S. Holladay or including said Dower as the said Emily S. Holladay shall elect, & declare by writing duly signed & acknowledged before some Justice of the Peace or Notary Public to be filed with said Commissioner & by them filed in the cause with their report.

Andrew McCauley
&
N.

Holladays Exrs,

1871.

Aug 21 Decree

To be entered.

Theo. S. Garnett Jr.

Ent.

McAlister for Lawson &c

vs

Holladay Exrs: &c.

This cause came on to be heard on the Bill of the Complainants taken for confessed as to all of the Defendants, on whom process had been duly executed, and they still failing to appear and answer, on the Exhibits filed with the said Bill and was argued by Counsel;

On Consideration whereof the Court doth adjudge, order & decree that a Commissioner of this Court, proceed to take the following accounts —

1st An account of the transactions of John R. Copeland & A. D. Holladay Exrs: of Francis D. Holladay Dec'd.

2d. An account of all debts & demands due by the deceased or his estate and this dispute.

3d. An account of the real estate of which said Francis D. Holladay died seized & possessed or otherwise entitled to, its fee simple and annual value,

and make report to Court of any matter specially stated, deemed pertinent by himself, or that any of the parties may require to be so stated — and that notice of

the Taking of such accounts be advertised once a week for four successive weeks in the "Christian Sun" a newspaper published at Suffolk, Virginia, which shall be in lieu of personal service of notice thereof on the parties

Mc Calvin &c
vs
Holladay's Exrs

1870
July Ct. decree

To be entered
Theo. S. Garnett Jr.
July 11th 70

Entered

Hon John Lesh Esq Kennedy fire
arms for valuable
1861 Dec 21 F. L. Holladay
Suffolk

Virginia Dec 21 1861 #31

1387

All Available Text Successfully Captured

Mc Alester &c

v

Holladays Exrs.

The undersigned asks the County Court of Sangamon to be allowed to participate in the distribution of the funds now under its control in above case, in payment of a note due by said D. D. Holladay for $75. with Interest from 21st day 1861, which note is filed herewith

John Lamb

by John R. Kelly Atty

16th June 1873

McCalister &c
vs

Stillwagon Exrs

Petition of
Jno Lash &c
Filed 10 June 1873

John R. Kelly p. q.

At a Circuit Court held for Nansemond Coun
ty the 15th day of October 1866

Costs.
Clerk $2.92
Att'y &c 3.50
Shff: 50
$6.92

R.S. Eley surviving partner of Eley & Brinkley,
who sues for the benefit of Wm Eley Sheriff
and Committee of Ro: B Brinkley dec'd Plaintiff
against } In Assumpsit.
Francis D. Holladay . . . . . Defendant

This day came the parties by their Attornies, and the defendant filed his plea of non assumpsit together with a special plea in writing, to which the plaintiff by his attorney replied generally, and thereupon the parties by their Attorneys, consenting to waive the right to have a jury and that the whole matter of law and fact, may be heard and determined and judgment given by the Court, being fully heard, It is considered by the Court, that the plaintiff, recover against the defendant, One Hundred and seventy two dollars and fifteen cents, with interest thereon from this day, till paid and his costs by him about his suit, in this behalf expended: and the said defendant in mercy &c.

A Copy.
Teste.
Peter B. Prentis. Clerk

R. S. Eley, Esq: Sheriff &c for
Wm. Eley, Defdt: 1st
" 2d } Co: Judgt:
Francis D. Holladay

"B"

$182.15

This Judgment now belongs to

1869 Apl. 9. Paid by
Jno R. Coleland Exr. of
F. D. Holladay, Decd $52.37

Judgt:		$172.15
int: fm: 15th Octo: 1866 to 9th Apl: 1869		25.66
		$197.81
Cr: pd by Exrs:		52.37
		$145.44
int: fm: 9th Apl: 69 to 15th Aug: 71		20.16
Costs		6.72
		$172.52

✓

On motion of Plff by his Attorney
Judgment is entered against the Defendant
Wm Eley for $182.15 Damages
& Costs of Suit.

Jno Eler Clk
by Robt. B. Brinkley Deputy

182.15
13 Oct 1866
20.32
$202.47

I, Francis D. Holladay of the Town of Suffolk, County of Nansemond and State of Virginia, being of sound mind and memory, do make and ordain this writing to be my last will and testament, hereby revoking all other wills heretofore made by me.

Item 1st: After paying all my just debts, which I wish done as soon as consistent with propriety, I give and bequeath to my dear wife Emily S. Holladay, one half of my whole estate both real and personal, except what I may hereafter dispose of, to her and her heirs forever.

Item 2nd: I give and bequeath unto my son Alfs F. Holladay, one fourth of my whole estate, both real and personal, except what I may hereafter dispose of, to him and his heirs forever.

Item 3rd: I give and bequeath unto my grand son Joseph F. Holladay, the remaining fourth of my estate, both real and personal, except what I may hereafter dispose of, to him and his heirs forever.

Item 4th: I give unto my sister Elizabeth Brown all the furniture in the room in my house, now occupied by her, No 13, consisting of one bed, stead and furniture, one wardrobe, over bureau —, one washstand one carpet, and all the chairs in said room, to her and her heirs forever

Item 5th: The Debt included in a deed in Trust, which I hold, or did hold against my sister Mrs. Mary Ann Harriss, I hereby relinquish and bequeath to the said Mary Ann Harriss, to her and her heirs forever.

Item 6th: I hereby empower and authorise my executors, when in their judgements they may think best for my estate, in consultation with and consent of my dear wife to sell and despose of any, or all of my estate, either real or personal at any time and upon such terms as they may think best, for a division amongst my heirs, and payment of my debts.
Item 7th: I hereby appoint my friend John R. Copeland and my son Alto F. Holladay my executors to this is my last will and testament, and direct that they may be allowed by the Court to sign and endorse for each other upon their official bond upon my estate, without being required to give other security. Witness my hand and seal this 29th: day of June 1868.

Witness
Thos: J. Kilby
W. B. Wellons.

Francis D. Holladay (seal)

Codicil and addition to the forgoing will.
Item 1st: I give and bequeath to my dear wife Emily S. Holladay my Two silver goblets.
Item 2nd: I give and bequeath to my son Alto F. Holladay my gold watch, to him and his heirs forever.
Item 3rd: I give and bequeath my silver watch to my brother in law, John G. Pinner, to him and his heirs forever.
Item 4th: I give and bequeath to my sister Mary Ann Harris the sum of Seventy five dollars, to her and her heirs forever, in order to equalize more nearly, my bequest to my sister Elizabeth Brown.
Witness my hand and seal this 29th: of June 1868.

Witness
Thos: J. Kilby
W. B. Wellons.

F. D. Holladay (seal)

At a Monthly Court held for Nansemond County the 13th: day of July 1868:
This Last Will and Testament (and Codicil hereto) of Francis A. Holladay, late of this County deceased, was this day fully proved by the oaths of Thos J. Kilby and W. B. Wellons, subscribing witnesses hereto. and was thereupon ordered to be recorded.

Teste,
Peter B. Prentis. Clerk

At a Quarterly Court held for Nansemond County, the 10th: day of August 1868:
On the Motion of John R. Copeland and Alto F. Holladay, the only Executors named in the Last Will and Testament of Francis A. Holladay late of this County deceased, who made oath as the law directs, and entered into a bond in the penalty of Ten Thousand Dollars, Conditioned according to law (but without security, the Will directing that none should be required of them, and which said bond being acknowl-

=edged by the obligors therein, is ordered to be recorded,
Certificate is granted the said John R. Copeland and
Alto F. Holladay, for obtaining a probat of the
said Will in due form.

Teste.

Peter B. Prentis. Clerk.

A Copy.
Teste.

Peter B. Prentis. DC

Francis D. Hollidays
Will

(A Copy)

"C"

Decree for Defdts &c

" "

3 " "

J. D. Holladay Esq

Sol.

3 Exhibits filed
with the Bill

McAlister &c.

v.

Holladay's Exor's. &c.

Nansemond County
Circuit Court.
June Term 1875
Final decree
To be entered.
Geo. Scow.

Entered

McAlister for Darden &c.

v.

Holladay's Ex'ors. &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. Copeland, made in pursuance of a decree of the Circuit Court of Dinwiddie 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.

Mc Alester (for Darden Val)

vs In Chy: Notes

Holladay's Exors: Val:

1870. June 1st: Summ. in Chy. issd to June Rules 1870

" " 6th: Bill & Exhs filed & Conditional decree vs the defendants.

" July 4th: Conditional decree confirmed and cause set for hearing on motion of Complainants Counsel.

" " 11th: Decree for accg:

1871 July 10 Comr Pauly, report filed

1871 Aug 17 Decree

1871 Dec 11 Report of sale filed

1872 Jany 9th Decree

" Mar Costs

" June 11 "

" Oct 19 Report of widows share &c

" Nov Term Decree to distribute funds

1873 Apl 25. Report of 1st payment made

1873 Aug Term Removed to Cir Co.

" Octbr 10th Mo. Sash's petition filed

1873 Octo Term Decree to collect & pay out

1874 May Term Decree to collect &c

Chy: Notes

To the Hon. D. S. Garnett, Judge of the County Court of Nansemond County—

Complaining, shew unto the Court Andrew McCalister (who sues for the benefit of) Your Complainants & Algernon S. Darden & Daniel Wilkins); and John R. Riley assignee of Wm. Eley &c. who sue for themselves, and all other Creditors of Francis D. Holladay dec'd. who may make themselves parties hereto on the usual terms.

Your Complainants respectfully represent to the Court and say:

1st. That the said Francis D. Holladay in his life time, to wit: on the 12th day of July 1858 was indebted, executed his Bond, to said Andrew McCalister for the sum of $750.32, payable two days after date, & to which Bond W. E. Cobourn & Wm J. Cobourn are surety— On which Bond there is a credit of $157.74 on the 1st of January 1862— which Bond has been transferred to said A. S. Darden & Daniel Wilkins, & is filed herewith as part of this Bill & is marked "A"—

2d. That R. S. Eley surviving partner of Eley & Brinkley, who were suing for the benefit of Wm Eley Sheriff (and Committee of Ro. B. Brinkley dec'd., obtained a Judgment against said Francis D. Holladay in his life, on the 15th day of October 1866, in

the Circuit Court of Nansemond County for $172.15 with Interest from the said 15th October 1866 the said $6.92 the Costs of said Judgment — on which there has been paid the sum of $52.37 on the 9th day of April 1869 — which Judgment was duly docketed in the County Court of Nansemond County on the day of & become from on that day a Lien on all the real estate of which said Francis D. Holladay died seized — a duly certified copy of said Judgment is filed herewith marked "B".

3d. Your Complainants further say — That the said Francis D. Holladay died on the day of 1868, having first made and executed his Last Will and Testament which was duly proved & ordered to be recorded in Nansemond County Court, on the 10th day of August 1868 — a duly certified copy of which Will is filed herewith marked "C".

4th That the said Testator by his said Will appointed John R. Copeland & Addo H. Holladay his Executors who duly qualified as such & who took charge of the personal & chattle estate of said deceased and have converted the same into money.

5th That the Testator by the First clause of his said Will directs all his just debts to be paid

as soon as Consistent with propriety, and after certain Special, money & specific Legacies, gives & his wife Emily S. Holladay One half of his whole estate real and personal (except what he otherwise disposes of) to her and her heirs forever: and by the 2d

claim of said wife he gives one fourth of his real and personal estate as above to his son Alto D. Holladay & by the 3d. claim of said wife he gives the remaining one fourth of his estate, real & personal, as above to his grand son Joseph D. Holladay, to them & their heirs respectively.

6th That the estate which is to be chiefly disposed of by said Legatees, is a large lot in the Town of Suffolk, Nansemond County aforesaid, on which is situated the "Washington Hotel" and Houses attached and connected therewith, and some chattel estate & debts due the Estate.

7th That in addition to the debts due to your Complainants as aforesaid, the said Francis D. Holladay dec'd. is indebted to other persons to a considerable amount as your Complainants believe, and that the Chattel and personal estate of said deceased are wholly inadequate to pay the same — and that the rents of the real estate will not pay the liabilities of said Francis D. Holladay in five years.

8th That the Testator by the 6th. clause of his said Will empowers his Executors to sell all his real and personal estate, whenever they may think best for his Estate & on Consultation and with the consent of his said wife, or such terms as they may think best for a division among his heirs and payment of his Debts

9th That the Testator by his said Will has charged his estate real and personal with the payment of his Debts; and hence the same is liable thereto, notwithstanding any Law of Exemption now in existence.

10th That the Judgment aforesaid in favor of R. S. Ely surviving partner &c. has been duly assigned to said John R. Kelly.

11th Your Complainants further say that the Chattle personal estate of said Testator are not paying his Debts and that his Real estate will have to be sold for that purpose which they now pray may be done.

12th Your Complainants have been informed & therefore say that the said Emily S. Holladay widow of said Testator claims to have set apart to her Two Thousand dollars in value out of said Estate by virtue of the Constitution of Virginia or some Law of the Commonwealth

Your Complainants however say, that no such

exemption can or ought to be granted because the Testator has expressly directed the payment of his debts thereout: Because the debts due by said deceased were contracted before the existence of any such Law, viz that such provision of the State Constitution & any statutes granting the same are Repugnent to the Constitution of the United States and null & void.

13th That since the death of said Testator his Grand son the said Joseph D. Holladay has died under age, having an estate of Inheritance in his said Grandfather's estate & that he has died not, no Father, mother brother or sister nor any descendant of either, but has a Grandfather on his maternal side and a Grand mother & an uncle on his paternal side who are his heirs at Law. & to whom his estate passes & descends in equal moieties — that his maternal Grandfather who is entitled to one half of his estate is Henry L. Dynes, and his paternal Grand mother is the said Emily S. Holladay & his paternal Uncle is the said Alto D. Holladay which last two are entitled, together, to the other half of said Joseph D. Holladay's estate.

14th Your Complainants pray that the said John R. Coleman and Alto D. Holladay as Executors of said Francis D. Holladay dec'd may be required to render an ac-

count of their Transactions as such Executors: That an account of all debts and demands against the said Francis D. Holladay or his estate may be had: That the estate real and personal of said Testator may be held subject to the payment of his debts, & to that end that the same be sold or rented out as may be deemed proper.

In Consideration whereof and as this Court has Jurisdiction to hear & determine all matters herein - To the End your Complainants pray that John R. Copeland and also F. Holladay as Executors of Francis D. Holladay dec'd Emily S. Holladay, said also F. Holladay in his own right, Henry L. Dyer, R.S. Ely surviving partner of Ely & Brinkley & W. E. Colvin & Wm J. Colvin Andrew McCalvin: may be made defendants hereto, and be required to answer the several allegations herein and that the prayers of your Complainants may be granted, and that all other and further relief may be granted Consistent with Equity &c.

John R. Kelly, S. P. Q.

Kelly P. V

McAlister for Dawson

Col.

" " Bell

H. D. Holladay Esq

Col.

Costs to Nov. 1876

Clerks Fees	$4.25
"	5.15-6
Sheff "	4.50
Kelly "	30.80
Jury	1.10
Coroner	30.00
Printer	11.25
	98 Dollars

Hamm. Co. Ch.

McAlister for Darden &c.

v.

Holladay's Ex'ors. &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. Copeland, made in pursuance of a decree of the Circuit Court of Dinwiddie 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.

McAlister &c
v.
Holladay's Exor's. &c

Nansemond County
Circuit Court.
June Term 1875
Final decree
To be entered.
Geo. Bryson.

Entered

Andrew McAllister for &c

vs } Chancery Papers

Francis D Holladay Exors &c

Costs

Clk — $11.75
Shff . . 4.50
Atty Retn 16.00
Com Wit 3.00
" PBP 30.00
advt - 11.25
$76.50
To May
Term 1874

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY,—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON John R. Copeland and Alto F. Holladay, Executors of Francis D. Holladay deceased: Emily S. Holladay: said Alto F. Holladay, in his own right, Henry L. Ignes, (R.S. Ely, surviving partner of Ely & Brinkley, Andrew McAlister, W. E. Coleon and Wm J. Coleon

to appear at the Clerk's office of our County Court for the County of Nansemond, on the first Monday in June 1870, being rule day, to answer a bill in chancery, exhibited against them by Andrew McAlister (who sues for the benefit of Algernon S. Darden and Daniel Wilkins) and John R. Kelly, Assignee of Wm. Ely &c, who sue for themselves and all other Creditors of Francis D. Holladay decd who may make themselves parties hereto, on the usual terms.

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 1st day of June 1870, and in the 94th 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.

Kilby. p.q

Andrew McAlister, who sues &c

" "

do } Summons in Chy.

Francis D. Holladay &

Ctors: & al:

To June Rules 1870.

Pro: B. No: 1. page 53
Co: Co:

the within Summons was executed on the 4th. day of June 1870, by delivering a copy of the same to each of the Defts, defendants

Wm. P. Mitchell D.S.

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

~~A. F. Holladay~~ - and James R. Saunders

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

Thousand

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 29th day of September 1871, in the 96th year of the Commonwealth.

THE CONDITION OF THIS OBLIGATION IS, That if the said John R. Coleman and A. F. Holladay who was appointed by the Judge of our County Court of Nansemond Special Commissioners to sell the Real Estate of F. D. Holladay deceased

shall faithfully discharge the duties of this said trust, as _____ aforesaid, then this Obligation to be void, else to remain in full force.

Acknowledged in presence of

John R. Coleman [SEAL.]

(SEAL.)

Jas R. Saunders (SEAL.)

(SEAL.)

(SEAL.)

(SEAL.)

(SEAL.)

John R Copeland
Comr Bond

In relation to
the Bond of Comr
Holladay Ewon &c

1872. December 5th Received of John N. Copeland & A. J. Galladay Comrs nine hundred and eighty four dollars & eighty eight cents: amount due me, under decree of M Calister &c against Galladay's executors.

$984.88/100

Emily S Holladay

Virg^{a}. In the County Court of Jansemond Novmbr 13th 1872

Andrew Mc Allister for Gardner Plff
v
Francis D Holladay's Ex^{rs} Defts
} In Chancery

This cause came on this day to be heard on the papers formerly read, and on the report of Wilbur F Tilley commissioner of this Court made pursuant to the decree of the 5th day of January 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 Jno R Copeland and E. F. Holladay the commissioners who sold the real estate in the proceedings herein mention of the Clerk of this Court (who will deliver the same to him, on his leaving a receipt therefor) the bond of James R McGuire and E. J. Godwin for $1229.00 due the 9th day of October 1872 and collect the same with all Interest due thereon and with the sum of $1168.77 the balance due the estate of the said F. D. Holladay by said Jno R Copeland and E. F. Holladay Executors, as appears by Commissioner Travis's report of the 5th of August 1871 with Interest thereon from the 1st August 1871 pay any costs that may remain unpaid, and then pay to Edward Arnold the sum of $66.77 with Interest on $61.67 part thereof from the 1st day of August 1871 till paid, and

Filed 14 Nov 1873

to Jno R. Kelly assignee of R. S. Ely the sum of $172.52 with Interest on $145.44 part thereof, from the 1st day of August 1871 till paid, and that pay to Mrs Emily S. Holladay widow of said H. L. Holladay, dec'd the sum of $921.12 with Interest thereon from the 9th Oct. 1871 till paid, And the said Jno R. Kelly and A. N. Holladay will make report to Court of their proceedings herein and include therein all collections if any, made by them as Executors aforesaid, since the 1st day of August 1871.

A Copy

Test Jamison & Coleman D.C.

A. N. Holladay's Exrs

A Copy Decree

1872 Dec 5 Rec'd of Jno. R. Kirkland & A. J. Holladay Comrs: One hundred & eighty four dollars & 22¢, amount due John R. Kilby agee: under Decree of McAlester &c., agt. Holladays Exrs.

$184.22.

John R. Kilby
agee of R.S. Ely

1872 Dec 5 Rec'd of Jno. R. Coleland
& A. H. Holladay, Com. the sum of
Seventy one dollars & 19¢. amount due
Edw'd Arnold, as per decree of Nov. Court
1872 in cause of McAlister &. against
Holladay's Exrs.

$ 71.19

John R. Kelly atty

To the County Court of Nansemond County

The Undersigned respectfully report to the Court, That pursuant to the decree of said Court made on the 13th Nov. 1872 in the cause of McAlister &c. against Francis D. Holladay's Exrs. &c. they received of the Clerk of said Court the Bond of James R. McGuire & D. S. Godwin for $1229. One 9th Oct. 1872, and have collected $841 part thereof and with the Balance due said Estate by the Executors has proceeded to pay off the several Demands as named in said decree, as the following Statement & annexed Receipts will show —

	By amo. of the Executors of Francis D. Holladay	$1168.77
1872 Dec 5	Int. on same from 5 Aug 1871	37.81
		$506.58
	By amo. of Jno. R. McGuire in part as above	841.00
		$1347.58
	To paid Balance to John R. Copeland on last report	$26.49
	" paid Edwd Arnold as per said decree	71.19
	" paid Jno. R. Kelly as per her rect	184.22 / 281.90
		over $1065.68

	By Balance brt in		$ 1065.68
	To paid Emily A. Holladay widow of Francis D. Holladay dec'd. in lieu of Dower pr Decree		984.88
	Balance		$ 80.80
1873 Apl 25	" J. N. McGuire note		484.24
1872 Oct 25	By W. Kelly Mary Linden	$ 10.97	
" Dec 14	" " Jeremiah Jones	15.52	
" Nov 30	" To paid Taxes a Lot 30 less 5 pr ct Coms $3.32.	33.32	29.85
			$ 599.89

Which Amt has been deposited in The Farmers Bank of Nansemond to the credit of John N. Upland Comr.

Apl. 25th 1873. John N. Upland has this day deposited in The Farmers' Bank of Nansemond to his credit as Commissioner, in the suit above mentioned, in the annexed decree the sum of Five hundred & ninety four dollars & eighty nine cents

John N. Upland Cor

All of which is respectfully submitted.

John N. Upland Com.

McAlester &c.

vs

Holladay's Exrs.

Pltf's Report of
Proceedings

Jan 1st to July 1st '62 $ 62.66

$232.12/100

Two days after date I promise to pay to

James B Wyeth or order,

the just sum of Two hundred & thirty two 12/100 Dollars,

for value received, for which payment, well and truly to be made, I

bind myself heirs, executors and administrators, jointly and severally,

firmly by these presents. As witness my hand and seal this 1st

day of January 1862

F. D. Holladay

SEAL

SEAL

DUROSS, PR., PHILA.

Pay to Wilson Langhorne
for Value received
July 2nd 1811 Sam'l B Langhorne

William Langhorne
to Jno. B. Newcomb

[illegible]
[illegible]
[illegible]
[illegible]

$754. 32/100

Two days after date we or either of us promise to pay unto Andrew McMeikle, or order, the full and just sum of Seven hundred & fifty Dollars & Thirty two cents for value received. For which payment well and truly to be made we bind ourselves heirs Execrs admrs & assigns. Firmly by these presents, as witness our hands & Seals this 12th day of July 1858

Y. L. Holloway (Seal)
W. E. Colwell (Seal)
Wm F. Colwell (Seal)

"A"

F. D. Holladay Cotton

Bona

$750.32/100

Rec'd Jany 1st 1862. one hundred and fifty seven 74/100 Dollars Interest to date

A. McMillin

Mclure McAdoo
for Butler & Mallow
Ala.

$750.32
use Jas. Phillips
Isbell & Co's
1871 431.25

$1181.57

984

$150.

On or before the 25th day of Dec. next, we promise and oblige ourselves, our heirs and assigns, to pay Henry Riddick or his heirs and assigns, the sum of one hundred and fifty dollars for the hire of negro man, Stephen, the present year, which negro is to be kept and returned the 25th day of Dec. next, clothed as is customary for hirelings, including a good blanket and cap, or hat. Given under our hands and seals this 1st. day of January, 1862.

F. D. Hundley (Seal)

Test. (Seal)

F. D. Holladay's
Note
$150.

Pay the within to New. Jno. H.
Rich'd K —
C. B. Woodruff. R

Aug-4 '63

F30

$210 11 Dec'r J. W. Smith Forty
dollars & fifteen cents, Bal on
acc Bill
1867 Sep 30th F. D. Hellaway

Thomas W. Smith

Bond

Int: from 30th Sept: 1867 to 1st Aug: 71 ... $40.18c
... 9.25
$49.38c

#4450.

Due Edward Amda Forty four dollars and 50 cts in Settlement of accts

1867 Apr 3rd

F. L. Holloway

Edw^d Arnold

Bond

$44:50

Int: from 3 rd Sept: 1867, to 1st Aug: 71 — 11.50

$56:00

Estate of

Col: Francis D. Holladay, deceased

To Jas. S. Browne Dr

1867

December 28th Visit, in Consul-
tation with Dr Walker &
examination & advice $5.00

1868, January 7th visit to same
with Dr Walker $2.50

June 28th To 1 visit with Drs.
Walker & Holland, at
night about 2 Oclock $5.00

" 29th To 2 day visits to same
with same doctors 2.50

" 30th To 2 day visits to same
with same — 2.50

July 1st To 2 visits to same
with the same 2.50

" 2nd To 2 visits to same
with same doctors 5.00

$25.00

Estate of
Col. J. S. Holladay
#23

Dr. J. S. Brown
in
H. W. Holladay
1872

To 20.00
int. from 1st June
to 1 Aug 72 3.88
28.88

J. R. K.

Jno R. Kilby Esq

Dear Sir

Having heard that the accounts against the Holladay estate are to rendered in, & Mr W & Kitchen, who has the original of my claim in his hands, being away. I write to authorize you, if necessary, to file my bill for $304.75, also, and to act as you think best in the matter

Very Respectfully Yours

July 16th 1870 Edmund R. Walker

HISTORY.

The Estate of J. D. Holladay

To Edm R. Walker M D Dr

For Medical attendance

due July 1868 ($304.75) three

hundred & four dollars & seventy

five cents

Dr: Edm^d R. Walker

Acco:

$200.00

Int: from 1
Jan '69 to 1
May '71

31.00

$231.00

Francis D Holladay

1868 To L L Holland

To Sundry visits in consultation with Drs Walker & Bowen from June 29th to July 1st (inclusive) $20.00

Dr: L. C. Holland

11 cco: $20:00

Int: for 1 ct: for
1 stg to
May: 1871 3.10

$23:10

F. D. Holladay
1860. To Wm A. Cohoon Dr.

Oct	5	To 1 Box Segars		3	00
	30	" 1 pr Boots Alto		6	00
	14	" 1 Navy Cap		1	25
Dec	22	" 1 Jacket 3.00. Pants 1.25		4	25
1861		" Shirt + Cap		1	00
Jany	1	" Amt Connolies		7	00
	2	" Amt Rowland		5	50
	19	" " Prince		9	00
	29	" 1 ps Cloth for 12.00 1 yd Velvet 4.50		16	50
		" 2 1/2 yds. Cass. 225		5	63
		" 2 " Serge 10/6		3	50
		" 1 " Lining 37. 3 yds. Cambc @ @			35
		" 1 3/4 yd Jeans			22
		" Canvas & Padding			62
		" 2 Shoes Wading			20
		" Sewings, Buckels, Buttons, Stay &c		1	40
Feb	5	" 1 Negro Blanket		1	13
March	2	" Amt for Stephen		6	00
April	16	" 1 Duster		2	50
	17	" 1 pr Boots Alto		7	00
June	17	" 1 1/4 yd Stripes 4/6			94
Dec	2	" Amt for W. A. Whitehead		8	00
		" " " Alto		1	88
				93	27

~~To 8 1/2 Yards Linen~~ ~~77 56~~

~~+ 16 83~~

By Office (U.S.H.) $20.00

1 + 3 4 | 41 27 = 61 27

with int. from 1st Aug '62 to 1st Aug 7 1/2 = $3 2/8 94 Co

Wm. J. Cohoon

vs

H. D. Holladay

(Bond) Acco:

$ 32.00

Inst. from 1st
Jany. '69 to 1st
Augt. '71 : : : : 18.40

$ 50.40

✓

Suffolk Va Jany 5th 1861

1861 Mr F. D. Holladay

Bought of Joseph P. Hall

Jany	5	1	Brush & Comb		52
"	24	1	Kerosene Lamp		1 25
Feby	15	1	bot Cough Medicine		1,00
March	6	1	Large Syringe		75
"	13	1	Do Elixir Opium	225	
"	"		Ballance on Elixir Opium	05	2 30
May	16		Ballance due on Lemons		12
Oct	29	1	pkge Lamp Black		10
Nov	28	1	bottle Mustard		50
					$ 6.54
			nine years interest on $6.54		3.53
					$ 10.07
1865					
Sep	4		Ballance on Sarsaparilla	25	
			24 lbs Ice	1,20	1.45
1867					
Aug	12		Ballance due on K. Oil		30
Dec	24	1	mouth Piece for Pipe		10
					$ 11,92
			Average interest		.42
					$ 12.34

State of Virginia Nansemond Co. to wit

Personally appeared before me this 29th day of Oct 1870. John W. Hall, and made oath, that the above account of $12.34 is correct.

John R. Kelly
A. P.

H. D. Holladay's

Acct.

Jno. D. Hall

Dr

$12:34

Int: on $8:37 from
Theirs for Int: from
1870 to 1st Aug: 1870 35

$12:72

V

1868 J D Holiday Dr To
Artman & Butler For work done

jan 6th	2 Shoes on horse	$1.00
24 "	to one new bolt	25
	& 1 edging hoe	25
Feb 7th "	wheting & setting saw	40
	repairs on saw frame	10
27th "	half rim & one spoke	1.75
	Setting tire	1.00
	mending floor in wagon	25
March 15th	wheting & setting saw	40
19th "	to repairs on wheelbarrow & setting tire on the same	1,50
23rd "	to wheting & setting saw hand	40
30th "	cutting & grinding Cast knives	25
April 3rd "	wheting & setting saw	40
May 6th "	wheting Saw	25
		$8 20
16	To Cutting & Wheting & Knives	25
		$8 45

Proved before me, & the said J. Jas. H. Nunn
F. B. Pannell

Nathan & Butler

F D Holiday

Acco:

$8.45

Int: for 1st Aug. 1

'68 to 1st Aug. 1.52

'71

$9.97

$120

On demand I promise to pay to Pulliam & Pierce One hundred and twenty dollars for our Boatmanship as witness my hand and seal 1861 June 19th L. D. Hollaway Seal

Pullen & Pierce
Bank

J. D. Hollowayo
Note $ 120.00

Note from 19th $ 120:00
Dom: 6 1/2 %
Aug: 61 1.14
$ 121:14
Or 100:00
Note due 19th Aug $ 21:14
'61 to 19th Aug '61 12.62
$ 3.76

Aug 16th/61
Pay to the order
one Hundred Dollars

869

Know Ye Putnam & Prince County
Three dollars & 47 cts for value received
as witness my hand & seal this 8th day
of Oct 1860

$3.47

Francis D Holladay

Suffolk

Pullen & Pierce
Bow
ein: fm: 8 1-P 23:47
Octo: 1860
t. 1 ang: 7h 15:21
38:68

May F. D Holladay

To H. E. Smith Dr

1868. To the sum, amount of articles furnished you Hdkfs $26.45

Sworn to before me 1st Th. J. Pender & M.S. Lamb

P. B. P. Court

H. E. Smith

Acco: £26:45

Int: Jun: 1 cll

Jun: 1849 to 1

Aug: 1871 .. 4.00

£30.5.5

✓

George M. Crump

1859. To F. D. Halladay Dr.:

Nov: 11th	To Hire horse & buggy	$2.50
Dec 4th	" Dinner two horse feeds & Bar.	1.00
1860 Aug. 3rd	" Cash	50.00
1868 Feby 15th	" To Bill	8.75
		$62.25

Geo. H. Crum[illegible]

Capt Geo A Crump

1863

To Jno G Pinner Dr

Augt 5th To Amt Pd. S Ward for 3 pr Shoes $15.00

" 1 Bbl Salt

28 00

[illegible]

with £5.

Geo. H. Crump
$ 43 00

A. D. Holladay

1859			
April 25th	To 1 Bbl family flour		$9.25
Oct 26	" 1 " do do		7.75
Dec 5	" 4 " do do 7½		30.00
" "	" 75 lbs ex. bran 2¼c 50 lbs shipstuff 2½c		22.50
1860			
Aug 8th	" Bbl Corn = =	62,25	~~$50~~
1861			
Jany 4th	" 2 bbl grahm flour 96 lbs @ 6c. $		10.84
	" 1 " " " 95 " 5½ "		
			$80.34
			62.25
1863			$18.09
Aug 5th	" 1 Bbl 70 lbs salt for fam. flour		20.00
1864			38.09
Sept	To 1 Bbl ex. family flour		15.00
	Bbl & Cartage		25.00
	Bal		

419

420

Geo: H. Crumb

Bal: Acco:

$25.00

Int. for 1st
July 1865-6
1st Jany 1st } 7.43

$32.43

W. A. Schoon

To A. F. Holladay

1865 Oct 22	25 lbs Ticks @ 15 cts		3 75
Nov 2	10 "		1 50
Dec 19	15 "		2 25
Jan 1 1866	3 "		45
" 9	2 "		30
" 10	8 "		1 20
" 11	31 "		4 65
" 13	10 "		1 50
" 24	Cegars		75
	To Cash		3 00
To 10 Shirts @ Dick			1 25
" 6 1/4 lbs Beef @ 7 cts			43
		21 04	
	By Credit	1 04	
		$20 00	

274 11

The Estl: of T. D. Holladay

To A. F. Holladay Dr.

1870. Jany: 1. To Thos. Sims hand W. J. Adams $20.00

A. F. Holladay

Acc.:

$20:00

Int: Jan: 1st
Jany: 1870 to 1st
Aug: 1871

1.90

$21.90

Statement of Account.

Baltimore, 22d March 1866

Messrs Holliday & Brannon.

Suffolk Va

To JAMES BULLOCK, Dr.

1860						
April	23	To Mdse. as per Bill,			79	12
Aug	1	" do do			33	12
Oct	27	" do do			52	87
					165	11
		Cr.				
Mar	27	By Cash		51.92		
Nov	12	" do		30.00	81	92
					83	19
		Interest 6 years.			29	88
					113	07

Jas Bullock
&
Holladay

547

The Estate of Mary D. Holladay Decd Dr

To Ewd Arnold

To making coffin	20 00
covering same with cloth	25 00
silver plated trimmings	15 00
Lining & Padding	10 00
Name plate	8 00
making case	8 00
plank to cover grave	1 50
Sept 18. 1869 By cash $10	$87.50
	$77 50

Edw^d Arnold

Acco: for Coffin

Int: for 1 Mo. $87:50

1869 to 18

Sept: 1869 3.73

$91:23

10.00

Cr.

$81:23

Int: for 18 Sept

1869 to 2 Mo. 3.04

1870

$84:27

22.60

Cr.

$61.67

Int: for 2 Mo.

1870 to 1 Aug 4.60

1871

$66:27

V

Edward Mooy

for A. McCloskey

Debts against H. D. Holladay

To Balance Ind. in favor of Ely &c. (now Kelly's) ₶172 15

Int. from 15 Oct. 1866 to 9 April 1869 — 2 yrs 5 m. 24 d 25.66

₶197 81

Or. p. by Exam. 52.37

₶145 44

Int from 9 April 1869 to 14 Dec 1869 — 8 m. 5 m. 9 44

Costs 6 92

₶161 80

To and McCalester (for Denver Property) 750.32

Int from ~~15 July 1868~~ 1 Jan 1862 to 14 Dec. 1869 — 7 yrs. 11 m. 14 d 318.20 ₶1068 52

To ~~Jas. Badlock~~ Enbert Ellerfe agst Bond ₶1500 ✓

To J. J. Brown 25.00 ✓

To Dr Walker ₶200 ✓

E. Arnold 87.52 ✓

do 44 50 ✓

E. B. Britt 179.78 ✓

G. B. Stafford 290.78 ✓

J. H. Smith 40.15 ✓

~~[illegible]~~

~~[illegible]~~

H. S. Smith 26.45

Francis Parker 400.00 ✓

Pullen & Place 60.00 ✓

1377 46

Francis D. Holladay's Est-

Outstanding Debts

Commrs

At a Court held for Nansemond County on the 8th day of January 1872.

Andrew McAlister (who sues for the benefit of Algernon S. Darden & David Wilkins and John R Kelly, exec of Wm Ely & who sues for themselves and all other creditors of Francis D. Holladay dec'd who may make themselves parties hereto on the usual terms) Pltfs

vs

John R Copeland and Alb F Holladay, Executors of Francis D Holladay dec'd. Emily S. Holladay, said Alb F Holladay in his own right Henry L Jones, R S. Ely — surviving partner of Ely & Brinkley, and Andrew McAlister, W. E Cohoon & Wm J. Cohoon Defts.

This cause came on this day to be again heard on the papers formerly read as on the report of John R. Copeland and A. F Holladay, made pursuant to the decree of the 14th day August 1871, to which report there is no exception as was agreed by Counsel; On consideration whereof the Court doth confirm the said Report and doth adjudge order and decree, that a Commissioner of this Court do certain and report to Court

What is the present Money value in possession of Mrs Emily S. Holladay in the real estate herein and report to Court,

Copy
Teste
Willis E Cohen Clerk

Precedents &c
2 8
Holladays Expors
1872
Jury to decree

Copy

Commissioner's Office,

SUFFOLK, NANSEMOND COUNTY, VA.

September 30, 1872

To Andrew McAlister (who sues for the benefit of Algernon Darden & Daniel Wilkins) & J. R. Killy assee of Wm. Eley who sue for themselves & all other creditors of Francis D. Holladay, deceased — Plaintiffs,

and Jas. R. Copeland & Alto F. Hollady, executors of Francis D. Holladay dec'd, Emily S. Holladay, said Alto F. Holladay in his own right, Henry L. Tyrus, R. S. Eley (surviving partner of Eley & Brinkley), Andrew McAlister, W. E. Colvin & Wm. J. Colvin. — Defendants.

You are hereby notified that I have fixed upon the 19th day of October next, to take and settle, at my office, the following accounts, to-wit:

What the present fee-simple value, in money, of the dower interest of Mrs. Emily S. Holladay, is in the real estate of Francis D. Holladay, deceased.

required to be taken by the decree of Nansemond County Court, rendered on the eighth day of January 1872 in a suit in Chancery depending in said Court, in which you are parties, plaintiffs and defendants; at which time and place you are required to attend.

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

Wilbur J. Killy.
Commissioner

Service of this notice is hereby acknowledged by us

Oct 1. 1872

John R. Leonard

J. F. Holladay

Emmily S Holladay

R S Ely

Wm J Coleen

John R. Kelly Attys. aforesaid

Commissioner's Office
Suffolk, Va., Oct. 26, 1872.

In pursuance of a decretal order of the County Court of Nansemond County, pronounced in a cause, in Chancery in the said Court, depending between Andrew Mc. Alister (who sues for the benefit of Algernon Darden and Daniel Wilkins), and John R. Kilby assignee of Wm. Eley, who sue for themselves and all other creditors of Francis D. Holladay, deceased, — Plaintiffs. and John R. Copeland and Alto. F. Holladay executors of Francis D. Holladay, deceased, Emily S. Holladay, said Alto. F. Holladay in his own right, Henry L. Tynes, R. S. Eley (surviving partner of the firm of Eley and Brinkly), Andrew Mc. Alister, W. E. Cohoon and Wm. J. Cohoon, — Defendants, a copy of which decree being hereunto annexed; the Undersigned, having given notice to the parties, as will appear by the notice herewith returned, proceeded on the 19th. day of October instant, to execute the order; the proceedings having been then completed, the result is herewith respectfully submitted.

The Undersigned ascertains from the reports of J. K. Copeland, made by him respectively as Commissioner and executor, that the real estate of Francis D. Holladay deceased, was sold on the 9th. day of October 1871. for the sum ~~total~~ of $3915.00.

He also ascertains the age of Mrs. Emily S. Holladay, widow of Francis D. Holladay deceased, to be 51 years, and that her expectation of life is 21 years.

That the said widow is entitled to the use of $1305.00, during her life-time, - that amount being one third of $3915.00.

That the interest for one year on the sum of $1305.00 amounts to $78.30.

And that therefore (the value of $1.00 for 21 years being $11.76407), the present fee-simple value in money, of the dower interest of the said widow, in the real estate of Francis D. Holladay, deceased, amounts to the sum of $921.12, with interest from 9th. Oct. 1871. Respectfully submitted.

Wilbur J. Kilby.
Commissioner.

Commissioner's fee $3.00

McAlister et als.

v. } Comm'r Report.

Holladay et als

Filed in Comm. office
19 Oct. 1872

Andrew Mc. Alister, who sues by

1871 Commr in Chy:

To PETER B. PRENTIS, ~~Clerk~~ of Nansemond County — Court, Dr.

Sept. Making up accts & report in Chy
suit of J. D. Holladay's Exors &c $30:00

Peter B. Prentis. Commr

Andrew McAlester, who sues [illegible]

1870

To PETER B. PRENTIS, Clerk of Nansemond County Court, Dr

June 1	Fees in Chy: suit of F. D. Holladay's	$4.29
"	Exors: &c	
July 11		

Peter B. Prentis. Clerk

In Hammond County Court Clerks office
November 27th 1871

Andrew McAllister who sues for the benefit of Algernon S Darden and Daniel Wickins and John R Kelly assignee of William Eley &c who sue for themselves and all other Creditors of Francis D Halladay deceased who may make themselves parties hereto on the usual Terms &c

against

John R Copeland and Alex F Halladay executors of Francis D Halladay deceased, Emily S Halladay and Alex F Halladay in his own right — Henry L Pynes, R S Eley surviving partners of Eley and Brinkley, Andrew McAllister, W E Wolcoon and W J Wolcoon

In Chancery

Defts

Costs of Plaintiffs & Defendants to date

Clerks Fees	$ 9 44
Sheriffs Fees	4.50
Attorneys Fee	30.00 v
Tape	1.00
Commissioner	30.00
Printer	11.75 — v
	$ 86.19

Test

Willis E Wolcoon Clerk

Bill to remain in hand a balance to pay future Cost

W E C Clk

Mc Allister & Co
vs } Bill Costs
Haddays Estate

3800
300 - 15
3560 71.20
2 86.20
7120
720

86.20
50.—
3620

86.14
20
66.14
86.20
152.54

1

Jno R. Spelman
A. L. Holloday Comm.

1671
Sept 30 To Arrest & Bring Home
Horse 1 day 5 1 $3.25

Rec. Payment
of B. Wellers
Jr Arrest & Bring

1871 Dec. 14 Rec'd of Jno. R. Copeland, Com'r
Eleven dollars & 25 cts. taxed for Printer
& also $4. taxed in chy. case of Mcalister
& v. Holladays Exrs, (the same having
been paid by me
John R. Kelly
atto

$11.25
4.00
$15.25

1

1871 Mr 25 Rec'd of Jno. R. Cobb and
Com'r. fifty dollars fee in Chancery
suit of Mcalister & v. Holladays Exrs
$50 John R Kelly Att'y

December 1st 1871 Rec'd of John R. Wheaton one of the Comrs. appointed by the Court of Nansemond to sell the Washington Hotel property belonging to the estate of Francis D. Halladay dec'd the sum of twelve dollars and fifty cents for our services as auctioneers in selling said property.

M C Quinn & Brinkley

I Willis E Cohoon Clerk of County Court of Nansemond County do Certify that I find on the assessors Books for the Town of Suffolk one & one half Lots (1½) assessed to J. D. Holladay Dec'd and Valued at Four-thousand Dollars.

Copy

Test Willis E Cohoon Clerk

Extract from the
apleas Books of
J. de Stalleady Esquire
in Suffolk

At a Quarterly Court held for Nansemond County
August the 14th 1871

McAlester & al

vs

Holliday's Ex'r & al

This cause came on this day to be again heard, on the papers, formerly read & on report of Peter B. Pambs, Commissioner, made pursuant to the decree of the 11th day of July 1870- to which report there is no exception, and was argued by Counsel: On Consideration whereof, the Court doth adjudge, order and decree, that John R. Copeland & A. F. Holliday (who are hereby appointed Commissioners for that purpose) proceed to sell at auction before the Court-house door of Nansemond County, on some Court day the Real Estate named in the proceedings and described as a "Large lot in the town of Suffolk, Nansemond County, on which is situated the 'Washington Hotel' and houses attached and connected therewith, having first advertised such Sale by advertisement at the Court-house door of Nansemond County and by printed handbills for twenty days, and once a week for three weeks in the Christian Sun" a newspaper published in Suffolk & five times in some Norfolk paper, taking from the purchaser bond & good personal Security & retain the title till the further order

of said Court:- The sale to be made on a credit of one two & three years in equal payments, with Interest from date (except for the cost of Suit & expenses of sale including a fee of $50. to Plaintiffs Attorney which will be cash & paid to those entitled) - and make Report to Court—

But no sale is to be made under this decree until the said John R Copeland and A. F. Holladay, shall execute before the Clerk of this Court in his office, a Bond in the penalty of $5000. payable to the Commonwealth of Virginia Conditioned to execute faithfully, this decree & any other decree they may be required to execute in this cause.

And it is further ordered that such sale be made subject the dower in said Real estate of Mrs. Emily S. Holladay, - including said dower as the said Emily S. Holladay shall elect, & declare by writing duly signed & acknowledged before some Justice of the peace or Notary Public to be filed with said Commissioners & by them filed in the cause with their report—

I, W. E. Cohoon Clerk of the County Court of Amherst - -mond, in the State of Virginia do hereby certify that the foregoing, is a true Copy from the record of said Court

Copy
Test

W. E. Cohoon Clerk

Andrew McAlister &c

78

Holladays Exr

1871

Ang. Cant. Decree

McAlister &c

vs

Copy Decree

Holladays Exrs

To the County Court of the
County of Nansemond.

In obedience to a decree
of the County Court of Nansemond County
pronounced on the 14th day of August 1871 a
copy of which is herewith returned: After
advertising as directed by said decree, the
undersigned Commissioners, did sell before the
Court house door of said County, on the 9th
day of October 1871, being Court day, the Wash-
ington Hotel Lot, with the buildings thereon,
as described in said decree, as directed, at
public auction, when James R. McGuire becom
the highest bidder, at the price of ($3860)
Three thousand eight hundred and sixty dollars
One hundred and seventy five dollars of the
above amount, to be paid in ready money
and the balance to be paid in equal instal-
ments, with interest from the day of sale, at
the end of one, two and three years, for which
we took three bonds from the said Jas:
R. McGuire and D.J. Godwin security, we
also required, the buildings to be insured
in the sum of two thousand five hundred
dollars, and the policy placed in our hands
as additional security — The bonds and policy
are herewith filed — The titles to the

said property to be retained, until further order of the Court.

Paid as follows.

5 per cent Comr. on $300 —	$15.00
2 per cent " on 3560 —	71.20
John R. Kilby attorney	50.00
McGuire & Birkby Auctioneers	12.50
John R. Kilby atty. for printing	15.25
P. B. Prentis Comr	30.00
P. B. Prentis Clk	4.29
Norfolk Jornal for Advertising	13.25
	$201.49
Cash received	175.00
Due Jno. R. Copeland, Comr.	$26.49

There are yet some other expenses unpaid

The Land sold for over three fourths of the value of its assessment for taxes; and

Respectfully submitted
John R. Copeland Comr.
A. F. Holladay Comr

Nov 3. 1874

Recieved the
bond of J. R. McGinn
vs J. Godwin & al
with the orig &
dated 9 Oct 1871
payable 3 years
after date, for
the sum of
$1228.

John T. Copeland Const.

McCalister (for Defendants)

Report
vs.
Sale

H. D. Holladays
Exm: Sol.

~~Filed 11th Dec 1874~~

Filed 11th Dec 1871

Received of Willis E. Cochran Clerk of the county Court of Navarro the 4th December 1872 the bond of J. R. McGinn vs J. Godwin for $1228 00 Dated 9th October 1871 Payable One years after date, according to the decree of the new trial 1872

John T. Copeland Const.

Rec'd of Willis E. Cochran Clk of the county Court of Navarro the 3rd day of January 1874 the bond of J. R. McGinn vs J. & J. Godwin for $1228 dollars 9th October 1871 1 day after two years after date according to decree of the Dist Court 1873

John T. Copeland Const.

At a Monthly Court held for Nansemond County the 11th: day of July 1870:

Andrew McAlister (who sues for the benefit of Algernon S. Darden and Daniel Wilkins) and John R. Kilby, Assignee of Wm. Eley &c. who sue for themselves and all other creditors of Francis D. Holladay dec'd, who may make themselves parties hereto, on the usual terms . . . . . Complainants

Against

John R. Copeland and Alto F. Holladay, Executors of Francis D. Holladay deceased, Emily S. Holladay, said Alto F. Holladay, in his own right: Henry L. Tynes, R. S. Eley, surviving partner of Eley & Brinkley; Andrew McAlister, W. L. Cohoon and Wm. G. Cohoon . . . . . Defendants

This Cause came on to be heard on the Bill of the Complainants taken for confessed as to all of the Defendants, on whom process had been duly executed and they still failing to appear and answer, and on the Exhibits filed with the said Bill, and was argued by Counsel: On consideration whereof the Court doth adjudge order and decree, that a Commissioner of this Court, proceed to take the following Accounts: First: An Account of the Transactions of John R. Copeland and Alto F. Holladay, Executors of Francis D. Holladay deceased. Second: An Account of all debts and demands, due by the deceased or his estate and their dignity. Third: An Account of the Real Estate of which said Francis D. Holladay died seized and possessed or otherwise entitled to, and its fee-simple and annual value, and make report to Court of any matters specially stated, deemed

pertinent by himself or that any of the parties may require to be so stated: And that notice of the taking of such accounts, be advertised once a week for four successive weeks in the "Christian Sun" a newspaper published at Suffolk, Virginia, which shall be in lieu of personal service of notice thereof on the parties---

A Copy
Teste,
Peter B. Prentis. Clerk

COMMISSIONER'S OFFICE,
Suffolk, Va., July 16th 1870.

TO ANDREW McALISTER (WHO SUES for the benefit of Algernon S. Darden and Daniel Wilkins) and John R. Kilby, Assignee of Wm. Eley, &c., who sues for themselves and all other creditors of Francis D. Holladay, dec'd.. who may make themselves parties hereto on the usual terms.

Complainants.

And to

John R. Copeland and Alto F. Holladay, Executors of Francis D. Holladay deceased, Emily S. Holladay, said Alto F. Holladay, in his own right, Henry L. Tynes, R. S. Eley, surviving partner of Eley & Brinkley, Andrew McAlister, W. E Cohoon and Wm. J. Cohoon,

Defendants.

You are hereby notified that I have fixed upon Thursday, the 18th day of August 1870, to take and settle at my Office the following accounts:

First.—An account of the transactions of John R. Copeland and Alto F. Holladay, Executors of Francis D. Holladay, deceased.

Second.—An account of all debts and demands, due by the deceased or his estate and their dignity.

Third.—An account of the Real Estate of which said Francis D. Holladay died seized and possessed or otherwise entitled to, and its fee-simple and annual value.

Which accounts are required to be taken by the Decree of the Court of the County of Nansemond rendered on the 11th day of July 1870, in a suit in Chancery depending in said Court in which you are parties Complainant and Defendant. At which time and place you are required to attend. Given under my hand as Commissioner in Chancery of the Court of the County of Nansemond the day and year first herein written said.

PETER B. PRENTIS
Commissioner

jy 22-4t

I do hereby certify that the annexed notice was published in the Christian Sun for four successive weeks and that the price charged is in accordance with the established rules of this Office. Given under my hand this Aug 31st 1870

W. B. Wellons

Price charged $11.25

Commissioner's Office
Suffolk, Va: Aug: 18th: 1870

Andrew McAlister, who sues &c
vs } Chy: suit pending in Nansemond County Court
John R. Copeland and Alb F. Holladay,
Executors of Francis D. Holladay decd &al

This day James B. Norfleet & Willis S. Riddick being duly sworn, depose and say that they are well acquainted with the Real Estate, known as the "Washington Hotel" property in the Town of Suffolk, of which Francis D. Holladay died seized and possessed, and that they consider the same to be worth, in fee-simple, the sum of Four Thousand (4000) Dollars; and that its annual value or rental, is worth the sum of Three Hundred (300) Dollars

Signed

Sworn to before me, in my Office, the day and date above
Peter B. Prentis.
Comm'r

Jas B Norfleet
Willis S. Riddick

Account No: 1

Dr: The Estate of Francis D. Holladay, deceased,
In Account with John R. Copeland and A. F. Holladay,
Executors. Cr.

1870. April 10.	By Balance of Principal due Estate, on former account (see same recorded in Nansemond County Court)				"	"	$134 00
" " "	" do. do. do interest do $4.94						
" May 2	To cash paid Sheriff. Taxes for 1869. per rect.	$	29	66	"	"	
" " "	" do. do Clerk's tickets, per tickets		12	82	"	"	
" " "	" " " Edward Arnold, per rect.		22	60	"	"	
" " "	By this sum recd of Jno: W. Clarke, in part of Acco:				"	"	22 60
" July 15	" do. do of E. P. Kelly, in part of Note				"	"	84 31
" Decr: 31	To cash paid Clerk's tickets, per Tickets		5	61	"	"	
1871. Jany: 2	" do. do Sheriff. Taxes for 1870 per rect		48	75	"	"	
" April 10	" " " " Town Taxes do. do. do		7	50	"	"	
" " "	" 5 per cent Comm's on $104.91 rects: since annual rest		5	35	"	"	
" " "	By Int: on $134.00 former balance for 1 year $8.04						
" " "	To this sum to bal: Acco (Prl)		108	62	"	"	
		Int. $12.98	$240	91	$240	91	
1871. April 10	By Bal: of Principal due Estate Brot: down				"	"	$108 62
" " "	" do " Interest do do $12.98				"	"	" "
" July 21	" This sum received of E. P. Kelly: bal: in full of Claims vs him				"	"	194 53
	Amo: Carried on	Int. $12.98			"		$303 15

		Int.					
1871. July 21	Amos: Brot: Forward .	$12:98	$ "	"	$	303	15
" " "	By Amo: of John Faulk, bal: on Land Purchase . . .		"	"		45	00
" " "	do do of Jacob E. Kelly, in full of acco:		"	"		124	20
" " "	To 5 per cent Comms on $363:73 rects: since last annual rest. .		18	19		"	"
" Aug: 1	By int: on $108:62 (last bal:) for 3 mos:	$1:63	"	"		"	"
" " "	To Bal: due Estate (Principal) . . .		454	16		"	"
		Int: $14:61	$472	35	$	472	35
1871. Aug: 1	By Bal: due Estate (Prl) Brot: down		"	"	$	454	16
" " "	" do do (Int) do Added		"	"		14	61
	Total Bal: due Estate . . .				$	468	77

with interest on $454:16 part thereof from the 1st: day of August 1871, till paid.

Account No: 2

An account of all Debts and Demands due by Francis D. Holladay deceased, or his Estate and their dignity.

First Class
None

Second Class
None

Third Class.
None

Fourth Class.

	An account due Edward Arnold for Coffin &c (bal) for		$ 61 67	
	and int: frm: 2nd May 1870 to 1st Aug: 1871.		4 60	$ 66 27
Kilby	A Judgment obtained in the life-time of the decedent by R. S. Eley surviving partner of Eley & Brinkley, for the benefit of Wm Eley, Shff: & Commr of R.			
1st Lien	B. Brinkley decd – and which has been assigned to John R. Kilby (bal)		$ 145 44	
	and int: frm: 9th: Apl: 1869 to 1st Aug: 1871		20 16	
	(which Judgment has priority: Conveyance of decedents Real Estate, in his life time) Costs		6 92	$ 172 52
	Carried forward		" "	$ 238 79

	Brot: forward . . .	"	"	$ 238	79
Kilby	A Bond due Andrew McAlister, signed by F. D. Holladay, W. E. Colcock and Wm J. Colcock – now for the benefit of A. S. Darden & Daniel Wilkins, for	$ 750	32	"	"
	and interest from 1st Jany: 1862 to 1st Aug: 1871	431	25	$ 1181	57
Kilby	A Bond due Wilson Norfleet, a/s[a] of James B. Norfleet for . . .	$ 232	12	"	"
	and int: fm 3rd: Jany: 1862 to 1st Aug: 1871	133	38	$ 365	50
	A Bond due Nannie Parker for	$ 400	00	"	"
	and int: fm: 24th: Feby: 1868 to 1st Aug: 1871.	82	53	$ 482	53
Kilby	A Bond due Wm Eley, Shff: & Comm[r] of Edward H. Darden decd, a/s[ee] of E. B. Bell for . . .	$ 179	78	"	"
	and int: fm: 12th Feby: 1862 to 1st Aug: 1871	101	17	$ 280	95
Kilby	A Bond, due C. B. Riddick (bal) for	$ 55	00	"	"
	and int: fm 12th: May 1862 to 1st Aug: 1871	30	43	$ 85	43
	A Bond due Thomas W. Smith for	$ 40	15	"	"
	and int: fm: 30th: Septr: 1867 to 1st Aug: 1871	9	23	$ 49	38
	A Bond due Edward Arnold, for	$ 44	50	"	"
	and int: fm: 3rd: April 1867 to 1st Aug: 1871	11	50	$ 56	00
	An Account (Bal) due Wm: J. Colcock for	$ 32	00	"	"
	and int: fm: 1st Jany: 1862 to 1st Aug: 1871	18	40	$ 50	40
Kilby	An Account due Dr. E. R. Walker for	$ 200	00	"	"
	and int: fm: 1st: Jany: 1869 to 1st Aug: 1871	31	00	$ 231	00
Kilby	An Account due Dr: James S. Browne (for the benefit of John R. Kilby) for	$ 25	00	"	"
	and int: fm: 1st: Jany: 1869 to 1st: Aug: 1871	3	88	$ 28	88
	Carried Forward . . .	"	"	$ 3050	43

	Brot: Forward				$	3050 43
	An Account due Dr: L. C. Holland for	$	20	00	"	"
	and int: fm: 1st: Jany: 1869 to 1st: Aug: 1871		3	10	$	23 10
	An Account due Joseph P. Hall for	$	12	34	"	"
	and int: on $8:39 c part thereof fm: 1st: Nov: 1870 to 1st: Aug: 1871		"	38	$	12 72
	An Account due Artman & Butler for	$	8	45	"	"
	and int: fm: 1st: Aug: 1868 to 1st: Aug: 1871		1	52	$	9 97
Kilby	A Bond due Pullen & Pierce for	$	23	47		
	and int: fm 8th: Octo: 1860 to 1st Aug: 1861		15	21	$	38 68
Kilby	A Bond due Pullen & Pierce (bal) for	$	21	14		
	and int: fm: 16th: Aug: 1861 to 1st Aug: 1871		12	62	$	33 76
	An Account due Henning E. Smith for	$	26	45		
	and int: fm: 1st Jany: 1869 to 1st: Aug: 1871		4	10	$	30 55
Kilby	An Acco (bal) due George H. Crumb for	$	25	00		
	and int: fm: 1st: July 1865 to 1st Aug: 1871		9	13	$	34 13
	An Acco: due A. F. Holladay	$	20	00	"	
	and int: fm: 1st: Jany: 1870 to 1st: Aug: 1871		1	90	$	21 90

$25 5 4

1 1

Account No: 3

An Account of the Real Estate of which Francis D. Holladay died seized and possessed or otherwise entitled to, and its fee-simple and annual value.

A Large Lot of Land, in the Town of Suffolk, Nansemond County, on which are situated the "Washington Hotel" and other houses attached and connected therewith —

the Fee-Simple value of which is $4000 —

and the annual value or rental of which is . . . . . $300 —

(See Deposition of Jno. B. Norfleet & Willis Riddick filed & returned herewith)

Commissioner's Office
Suffolk Va: Aug: 1st 1871

To the County Court of Nansemond County.

Your Commissioner to whom was referred the Decree of the 11th day of July 1870, in the Chancery Cause of Andrew McAlister (who sues for the benefit of Algernon S. Darden and Daniel Wilkins) &al: vs: &c: vs: John R. Copeland and Allo F. Holladay, Executors of Francis D. Holladay dec'd &al: begs leave to report, that on the 18th day of August 1870, having given notice previously to the parties interested, in the mode prescribed by said Decree, he began to state and make up the several accounts directed to be taken thereunder, when some little progress was made. That the taking of said accounts was then continued from day to day and from time to time, until this day, the date of this report, when the same was completed.

That upon a statement of the transactions of John R. Copeland and Allo F. Holladay, Exors: of Francis D. Holladay deceased, your Commissioner ascertains a balance of $468:77, with interest on $454:16 part thereof, from the 1st: day of August 1871, till paid, to be due by them to said decedent's Estate.

That by accompanying account, No: 2, The Total Debts and Demands due by said Francis D. Holladay or his Estate, amount to the sum of $3258:24 on which interest has been calculated up to the 1st: day of August 1871:

That by accompanying Account, No: 3, it will be

EVERY DESCRIPTION OF BOOK AND JOB PRINTING NEATLY EXECUTED.

TERMS---CASH ON DELIVERY

Suffolk, Va., July 22nd 1870

Mr Ellis B. Prentis Comm'r.

To W. B. WELLONS, Dr.

BOOK AND JOB PRINTING OFFICE.

Legal Notices in Sun — A. McAlister
vs L. D. Holloway's Ex — 4½ sq 4t — 11 25

Recipient of Sun
W. B. Wellons

seem, that the fee-simple value of the Real Estate of which the said Francis D Holladay died seized and possessed or otherwise entitled to, is $4000-, and its annual value or rental is $300.

All of which together with a copy of said decree, notice & certificate of publication annexed; affidavit of the value of the Real Estate, and the several accounts, numbered, respectively, 1. 2. 23, is respectfully submitted.

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

Peter B. Prentis
Commissioner

Commr's Fee $30:00

Printer's 11.25 paid by L.R.K. Atty.

$41.25-

Andrew McAlister, who
sues &c
vs } Comm'rs Report
Francis D. Holladay's
Ex'rs: &al:

Filed 10 July 1871

Suffolk Va:
Feby 16th 1874.

Received of John N. Lupton Comrs
Three hundred and eight dollars
& eighty one cents: part of a debt
due to my wife (who was Nannie
Parker) by Francis D. Holladay dec.
and mentioned in the report, hereunto
annexed.

J J Johnson
Husband of Nannie Parker

Feby 12th 1874 Received of John R. Cleland Comr. fourteen dollars & one cent. part of amount due me by the estate of H. D. Holladay dec'd.

A. F. Holladay

In Jansemond Circuit Court Oct Term 1873.

Andrew McCaleb (who sues for the benefit of Algernon S Darden and David Williams) and John R Daly of Jeffries & Wm Ely & Co who sue for themselves and all other creditors of F. D Holladay dec'd

Against — In Chy

John R Copeland & A F Holladay Exr of F. D Holladay dec'd. Emily S Holladay and A F Holladay in his own right. Amy L Lynn. R S Ely Surv partner of Ely & Brothy Andrew McCaleb W D Cohen and Wm H Cohen

This Cause came on this day to be further heard on the papers formerly read and on the report of Commissioner John R Copeland Commissioner made pursuant to the decree of Jansemond County Court of the 13th of November 1873, to which report there is no exception) and on the petition of John Cash filed in this cause and was argued by Counsel: On consideration whereof the Court doth confirm the said report and doth adjudge order and decree that the said John R Copeland Commissioner as aforesaid recover of the Clerk of this Court the Bond of James R McGinis and D J Godwin for $1228.00 due 9th Jan 1873 (who will deliver the same, he giving a receipt-therefor) and collect the same and all interest due thereon and also collect of the Farmers Bank of Jansemond $599.89 deposited therein by said Copeland as appears by his said report with all interest due thereon (and the said Bank is hereby directed to pay the same to him And the said John R Copeland Comr as aforesaid will proceed out of said sums of money to pay any cost that

remain unpaid, and that pay ~~valuable~~ the residue valuable to the several creditors of Francis D Holladay deceased, as reported by Comr Prentis in his report of the 1st of August 1871 (except the debts therein reported in favor of Edward Arnold and to John R Kelly, assignee of R. S. Eley & Co (which has been paid as appears by said Copelands report) and to Jno Cook $175.00 with interest from the 21st day of January 1861 with interest to the 1st day of August 1871 and make report to Court

Copy

Test

Willis E Chrisman Clerk

Andrew McCalister &c
vs
Com. Jan 1873
&c
Interlocutory &c.

Virg.ª In the Circuit Court of Nansemond Co. Term 1873

Andrew McAllister who sues for the benefit of Algernon S. Durden and Land Holmes and Jno. R. Kirby, assignees of Wm Eley & who sue for themselves and all other creditors of Francis D. Holladay who may come therein & prove their debts on the usual Term . . . . . Plffs

v

Jno. R. Copeland and Allo. F. Holladay Exors of F. D. Holladay decd; Emily S. Holladay, the A. F. Holladay in their own right; Henry L Tynes, R. S. Eley surviving partner of Eley & Brumley, Andrew McAllister, W E Cochoon & W. J. Cochoon . . . . . Defts

In Chancery

This cause came on this day to be again heard on the papers formerly read, and on the report of Jno. R. Copeland Comr made pursuant to the decree of Nansemond County Court of the 13th of November 1873 (to which report there is no exception) and on the petition of Jno. Lash filed in the cause and was argued by Counsel: On consideration whereof the Court doth confirm the said report, and doth adjudge order and decree the said Jno R Copeland Comr as aforesaid receive of the Clerk of this Court for $12 28. due 9 Octo 1873 (who will deliver the same to any receipt bearer) the bond of J R McGuire and D J. McGuire, and collect the same and all interest due thereon and also collect of the Farmers Bank of Nansemond the sum of $599. 89 deposited therein by said Copeland as appears

by his said report, with all interest due thereon (and the said Bank is directed to pay the same to him) And the said Jno. R. Leopland Com'r as aforesaid will proceed out of said sums of Money, to pay any costs that remain unpaid, and then pay the residue ratably to the several Creditors of Francis S Holladay decd, as reported by Com'r Prentis in his report of the 1st August 1871 (except the debts therein in favor of Edward Arnold, and to Jno R. Kilby assignee of R S Eley's, which have been paid as appears by said Jno R Leopland's Report) and to Jno Lash $75.00 with Interest from the 21 January 1861 to 1st August 1871. And make report to Court.

A Copy

Test W E Glenn D

Mc Allister et al
v
Holladay's Exors et al

Copy decree
Costs Jan 1873

Cir Ca.

To the Circuit Court of Nansemond County.

The Undersigned reports to the Court, that pursuant to the decree of said Court made at the October Term 1873, in the cause therein pending wherein McAlister for the benefit of Darden & others, against Francis D. Holladay's Exors. &c., he has collected of The Farmers Bank of Nansemond, and collected the Bond of James R. McGuire as directed by the said Decree & paid out the same, as directed, as the following statement and annexed receipts will shew. to wit:

By amo. rec'd. of The Farmers Bank of Nansemond		$599:89
" Int. rec'd. on the same		31.93
		$631.82
By Jas. R. McGuire's Bond	$1228:00	
" Int. from 9 Oct. 1871 to 1 March 1874 — 2 yrs. 4 mo 22 ds	176.46	$1404.46
		$2036.28
To paid Clerks fees 2.67 1.90	$4.57	
" making this report.	10.00	$14.57
		$2021.71

To paid A. S. Darden & Dan'l Wilkins

apees. of Andrew McAlister, prorata share 64 per cent on	$1181.57	$756:20
" paid Wilson Moffett apee. do. on	$365:50	$233:92
" " Nannie Parker "	$482.53	$308.81
" " Wm. Ely, sh. of E. H. Darden "	$280:95	$179:80
" " C. B. Riddick "	$85.43	$54.67
" " Nat. W. Smith "	$49.38	$31.60
" " Wm. T. Cohoon (J. W. Smith to recover Cost on	$50.40	$32.25
	$2495:76	$1597.25 $2021:71

amd. bill on	℔2495.76	℔1597.25	℔2021.71
To paid Edward Arnold, on	℔56:00	℔35.84.	
" " D. E. R. Walker "	℔231.00	℔147.84	
" " John R. Kelly agt J. S. Browne	℔28.88	℔18.48	
" " Levi C. Holland	℔23.10	℔14.78	
" " W. P. Hall	℔12.72	℔8.14	
" " Artman Butler	℔9.97	℔6.88	
" " Pullen Peirce	℔38.68	℔23.47	
" " Do.	℔33.76	℔21.60	
" " Henning C. Smith	℔30.58	℔19.53	
" " Geo. H. Crump	℔34.13	℔21.84	
" " A. H. Holladay	℔21.90	℔14.01	
" " Jno. Lamb	℔75:00	℔3016.45	℔1929.68
" Int. from 21st Jany 1861 to 1 Aug 1871	47.37	℔122:37	℔78:31
		℔3139:82	℔2007.99 ℔2021.71
			2007.99
Balance remaining in Comm. hands			℔12.72

Respectfully submitted
John R. Holland Comr.

1874 Mar. 1 Rec'd of John R. Copeland Com'r, the several sums set opposite our names, as per foregoing report.

L. C. Holland	$ 14.78
Jno W. Smith	$ 63.85
John R. Kelly atty for A. S. Darden & Dr. Watkins	$ 756:20
John R. Kelly atty for Wm Ely adm. E. H. Darden	$ 179.80
John R. Kelly atty for C. B. Riddick	$ 51.67
John R. Kelly atty for Edw'd arnold	$ 35.84
John R. Kelly atty for Dr. E. R. Hacker	$ 147.84
John R. Kelly agent of J. S. Brown	$ 18.48
John R Kelly atty for Pullen Pearce	$ 23.47
John R. Kelly " for same	$ 21.60
John R. Kelly " Geo. H. Crumb	$ 21.84
John R Kelly " Jno. Lark	$ 78:31
John R Kelly " Union Mutual agent	$ 233.92
Peterman & Butler	$ 6.88
Henning E Smith	$ 19.55
Jos P Hall	$ 8.14

McAlister & Wardner

vs

Holladay's Exrs &c

2d. Report of
Payments