1881-009
Nansemond Co. (Suffolk)

Chancery Causes: Zachary T. Holland vs Admr of Elijah Faulk et al

Reid

Carb.

Clk.	$10.00
Atto Hay	31.50
Stff. Hans P. C.	4.00
" Hafo "	1.00
Cameo	5.00
Printer	4.50
	$56.00
R. H. Brinkley acc-	2.50
Hand-bills	1.50
	$60.00
	12.54

8.08
4.50
12.58

40.04

Carr. 60
3.75
Seed 5
68.75

Costs

Elijah Hunt

1875		To Wm. Miller	$ 75	$ 70
Oct	11th	To Cash loned	1.25	
June	20 "	1 lode corn shucks	.50	
			1.75	

Sworn & acknowledg to be correct
before me ——— N. G. Nesbit J.P

Elijah Faulks
Rec'd $1.75

1877. Dec: 28 Amo: of Acco: Sales $26.79

Paid out as follows:

To D. Upshaw	$3.00	
" " Clerk at Sale	1.00	
" " F. R. Ellerson, JP. for swearing affts:	75	
" B. F. Porter, for care for child, chest sick	80	
" " for shroud for child	55	
" " " Coffin	5.00	
" " " cmit at Sale	1.00	
" " " Clks fees	5.40	
Cross @ 5th ct on $26.79	1.35	18.71
		$8.08

paid to C. H. C — — — $8.08

Claims due Z. T. Holland $81.05
Mielen 1.75
John Funchess Jun 3.40

Memo of admt
report

VIRGINIA:—IN THE CLERK'S office of the Circuit Court of Nansemond county, on Thursday, the 27th day of February, 1873,—

IN VACATION.

Z. T. Holland, Plaintiff.

IN CHANCERY

vs

Benjamin F. Hare, Administrator of Elijah Faulk (of A), deceased, Hugh Faulk, Andrew Faulk, Obadiah Faulk, Elijah Faulk, Wm. H. Reid and Lucinda, his wife, Sarah Elizabeth Holland and Sophia Faulk, Abram T. Faulk, Sallie Ann Faulk, Mary Jane Faulk and Puss Faulk, Lovey Faulk and Victoria Faulk. Defendants.

The object of this suit is to recover against the estate of Elijah Faulk (of A.), deceased, the sum of $40.83 with interest thereon from the 9th day January till paid, due by bond, and to subject the real estate whereof the said Elijah Faulk (of A.), died, seized and possessed, in the county of Nansemond, to the payment of the same.

Affidavit having been made that the defendants Mary Jane Faulk, Sallie Ann Faulk, Sarah Elizabeth Holland, and Sophia Faulk and Lovey Faulk are non-residents of the State of Virginia, they are hereby notified to appear in the said Clerk's office within one month after due publication hereof, and do what may be necessary to protect their interests.

A copy—Teste,

PETER B. PRENTIS, Clerk.

C. H. Causey, p. q. mh7-4t

BOOK AND JOB PRINTING, PLAIN OR COLORED, CHEAPLY EXECUTED.

Established 1844.

Terms: $2.00 Per Year.

SUFFOLK, VA., April 7th 1879

Mr C H Causey,

To DUNBAR & BARRETT, Dr

PUBLISHERS OF

THE CHRISTIAN SUN.

1879

March 7	To advertisement of Holland vs Hare, &c, 3 inches 4t		$4.50

I hereby certify that the above named advertisement appeared once a week four weeks in the Christian Sun

D B Dunbar

Z. S. Holland

vs } Certificate of Publ

Elijah Faulkner, Admr. &c

1879. Nov. 7 Filed Clk.

Commissioner's Office,

SUFFOLK, NANSEMOND COUNTY, Va.

July 10th 1879

To Z. T. Holland - - - - - - - - - - Plaintiff

and

B. F. Hare, Admr of Elijah Franck (of a) dec.d Hugh Franck. Andrew Franck, Obadiah Franck, Elijah Franck, Wm. N. Reid and Lucinda, his wife Sarah E. Holland and Sophia Franck Plaintiffs,

and Abram T. Franck, Sallie Ann Franck Mary Jane Franck and Pun Franck, Leroy Franck and Reuben Franck - - - - - - - - - - Defts -

~~Defendants~~.

You are hereby notified that I have fixed upon the 10th *day of* August *next, to take and settle, at my office, the following accounts, to-wit:*

1st. An account of the transactions of B. F. Hare as admr of the estate of Elijah Franck dec.d.

2nd An account of all debts due by said Elijah Franck dec.d at his estate and their priority

3rd An account of the lands of which said Franck died seized and possessed and the annual and fee simple value of the same

required to be taken by the decree of Nansemond Circuit *Court, rendered on the* 10th *day of* April *1879 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.

Peter B. Prentis.
Commr in Chy:

Know all Men by these Presents,

That we, C. H. Causey and J. C. Causey

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA, in the just and full sum of One Hundred and fifty — *Dollars, to the payment whereof, well and truly to be made to the said Commonwealth, we bind ourselves, and each of us, our, and each of our heirs, executors and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this* 8th *day of* January *in the year one thousand eight hundred and* eighty, *and in the* 104th *year of the Commonwealth. And we hereby waive our Homestead exemption, as to this obligation.*

THE CONDITION OF THIS OBLIGATION IS SUCH, *That if the above bound* C. H. Causey

who has by ~~this day qualified before the~~ *a Decree of the Circuit Court of Nansemond County. pronounced on the* day of October 1879. *in the Chancery cause of* J. T. Holland vs. Elijah Faucht's Administrator. *been appointed Special Commissioner to sell the land in the proceedings mentioned, shall faithfully discharge his duties as such under said decree and all other decrees he may be required to execute in said* Cause

shall faithfully discharge the duties of his said trust, then the above obligation to be void, or else to remain in full force and virtue.

Executed in presence of ~~*the Court.*~~

Peter B. Pruitt, clk

C. H. Causey (Seal.)

J. C. Causey (Seal.)

(Seal.)

(Seal.)

(Seal.)

C. N. Causey

To Comm'th. Bond

Commonwealth

1880

January 5th: Executed & filed

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Sarah Elizabeth Holland —

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the first Monday in September *next, to answer a* — *Bill in Chancery, exhibited against* her and others *in the said Court by* Zachary T. Holland

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this 29th *day of* August *1878, in the* 102nd *year of the Commonwealth.*

Teste: Peter B. Prentis *Clerk.*

Copy for

Sarah Elizabeth Holland

Parchment mans

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Sallie Ann Fowler

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the first Monday in September *next, to answer a — Bill in Chancery, exhibited against* her and others *in the said Court by* Zachary T. Holland

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this 29th *day of* August *1878, in the* 102nd *year of the Commonwealth.*

Teste: Peter B. Prentis *Clerk.*

Copy for
Louise Ann Franck

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Mary Jane Farish

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the first Monday in September *next, to answer a* — *Bill in Chancery, exhibited against* her and others *in the said Court by* Zachary T. Holland

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this 29th *day of* August *1878, in the* 102nd — *year of the Commonwealth.*

Teste: Peter B. Prentis *Clerk.*

Copy for
Mary Jane Franck.

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Sarah Elizabeth Holland Sophia Faulk, Abram J. Faulk, Sallie Ann Faulk, Mary Jane Faulk and Lucy Faulk,

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the first Monday in February *next, to answer a* ~~_____~~ *Bill in Chancery, exhibited against* them and others *in the said Court by* Zachary T. Holland.

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this 25th *day of* January *1879, in the* 103rd *year of the Commonwealth.*

Teste: Peter B. Prentis *Clerk.*

Copy for
Sarah Elizabeth Holland

Hartford Ct

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Sarah Elizabeth Holland, Sophia Faulk, Abram J. Faulk, Sallie Ann Faulk, Mary Jane Faulk and Lovey Faulk,

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the first Monday in February *next, to answer a Bill in Chancery, exhibited against* them and others *in the said Court by* Zachary T. Holland.

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this 25th *day of* January *1877, in the* 101st *year of the Commonwealth.*

Teste: Peter B. Prentis *Clerk.*

Copy for
Lavey Faull

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Sarah Elizabeth Holland, Sophia Faulk, Abram J. Faulk, Sallie Ann Faulk, Mary Jane Faulk and Levey Faulk

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the first Monday in February *next, to answer a* ~~~~~ *Bill in Chancery, exhibited against* them and others *in the said Court by* Zachary T. Holland

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this 25th *day of* January *1879, in the* 103rd *year of the Commonwealth.*

Teste: Peter B. Prentis *Clerk.*

Copy for,

Mary Jane Faulk

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Sarah Elizabeth Holland Sophia Faulk, Abram J. Faulk, Sallie Ann Faulk, Mary Jane Faulk and Lovey Faulk,

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the first Monday in February *next, to answer a Bill in Chancery, exhibited against them and others in the said Court by* Zachary T. Holland,

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this 25th *day of* January *1879, in the* 103rd *year of the Commonwealth.*

Teste: Peter B. Prentis *Clerk.*

Copy for,
Sallie Ann Faulk

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Sarah Elizabeth Holland, Sophia Faulk, Abram J. Faulk, Sallie Ann Faulk, Mary Jane Faulk and Levey Faulk,

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the first Monday in February *next, to answer a Bill in Chancery, exhibited against* them and others *in the said Court by* Zackary T. Holland

and have then and there this Summons. Witness, PETER B. PRENTIS, *Clerk of our said Court, at his office, this* 25th *day of* January *1877, in the* 103rd *year of the Commonwealth.*

Teste: Peter B. Prentis *Clerk.*

Copy for
Sophia Faulk

Hertford N C

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Sophia Funch

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the first Monday in September *next, to answer a* ——— *Bill in Chancery, exhibited against* her and others *in the said Court by* Zachary T. Holland

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this 29th *day of* August *1878. in the* 103rd ——— *year of the Commonwealth.*

Teste: Peter B. Prentis *Clerk.*

Copy for
Sophia Hanek

Hartford

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Benjamin F. Howe, Administrator of Elijah Faulk (of A) deceased, Hugh Faulk, Andrew Faulk, Obadiah Faulk, Elijah Faulk, Wm H. Reid and Lucinda, his wife, Sarah Elizabeth Holland and Sophia Faulk, Abram J. Faulk, Sallie Ann Faulk, Mary Jane Faulk and Polly Faulk, Lovey Faulk and Victoria Faulk

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the first Monday in September *next, to answer a Bill in Chancery, exhibited against them in the said Court by* Zachary T. Holland

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this 29th *day of* August *1878, in the* 103rd *year of the Commonwealth.*

Teste: Peter B. Prentis *Clerk.*

Causey P.Q.

Zachary T. Holland

20" Summons in Chy.

Benj.a F. Howe Att.y for the Elijah Faulk (of A) dcd

Sol:

To Septr. Rules, 1878

Pro: B. No: 1. page 121.
Cis: Co.

Received Copy of the within & Benjamin F Howe
Hugh Faulk Elijah Faulk Andrew J. Faulk & Abram J. Hamlet
Louisa Hutchins Wife, & all of
Faulk Of Wilkinson H. Rils and
the other named Juntin am
Hs. Copy

J. S. Lingham Shff

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Pius Faulk, Lovey Faulk and Victoria Faulk

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the first Monday in September *next, to answer a Bill in Chancery, exhibited against* them and others *in the said Court by* Zachary T. Holland.

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this 29th *day of* August *1878, in the* 103rd *year of the Commonwealth.*

Teste: Peter B. Prentis *Clerk.*

Causey. P.q

Zachary T. Holland

vs } Sum'd in Chy:

Elijah Faulk (of a^{s}) Admr:
&al:

In Sekts: Rules. 1878

Nansemond Cir: Co.

Mr. Lytton

Executed on all
both Leroy Faulk
Sept. 2d, 1875 - Leroy
Faulk resides in Nan-
semond Co.

John Lesnon
Sh'ff

Pro: B. No: 1. page 121.
Cir: Co:

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Sarah Elizabeth Holland, Sophia Faulk, Sallie Ann Faulk, Mary Jane Faulk, and Lovey Faulk.

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the first Monday in February *next, to answer a Bill in Chancery, exhibited against* them and others *in the said Court by* Zachary T. Holland

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this 25th *day of* January *1879, in the* 103rd *year of the Commonwealth.*

Teste: Peter B. Prentis *Clerk.*

Causey. p. q

Zachary T. Holland

vs. } Summ. in Chy.

Benj. F. Hare, Admr. &c.

To Feby. Rules, 1879

Cs: Co

Z. T. Holland . . . . . Plaintiff

against } Chy: Suit pending in the Cir: Co: of Nansemond County Va.
Benjamin F. Howe, adm'r: of Elijah Faulk (of a). decd
& others . . . . . Defendant,

This day C. H. Causey, personally appeared in the Clerk's Office of said Court, and made oath, that Mary Jane Faulk, Sallie Ann Faulk, Sarah Elizabeth Holland, Sophia Faulk and Leroy Faulk, four (5) of the Defendants, in the above named Chancery Suit, are, as he verily believes, non-residents of the State of Virginia

Given under my hand, at the Clerk's Office of the Circuit Court of Nansemond County, Virginia, this 27th: day of July: 1879.

Peter B. Prentis. Clerk

Z. T. Holland

vs } affidavits as to non residence &c &c

Elijah Farrell (et al.) Admrs &c

1879

Feby: 27th: Or: Pub: awarded

To the Circuit Court of Nansemond County, Virginia

Pursuant to a decree of the Circuit Court of Nansemond County pronounced at the April Term, 1879, in a cause in Chancery therein depending between Z. T. Holland plaintiff and Elijah Faucht's (q/a) administrator and others defendants, a copy of said decree being hereunto annexed, the undersigned, a Commissioner of said Court having given notice to the parties to the said cause, a copy of said notice being hereto annexed, did proceed to take, state and settle at his Office the several accounts required by said decree to be stated and having completed his work herewith respectfully submits the result hereunder written, as follows

Account No. 1

An account of the transactions of Benjamin F. Bass Admr of Elijah Faucht deceased -

1878 July 20th By proceeds of the chattel estate of said deceased as per acct of sales recorded $26 99

All of which has been expended by Administrator

Account No 2.

An account of the debts due by said Elijah Faucht deceased or his estate record

ing to their priority.

To J. T. Holland the plaintiff in the aforenamed cause	$48	83
" Int from 9th of January 1877 till paid amounts to the 9th of Oct: 1879 to	2	22
	$51	05

Account No. 3

An Account of the fee simple and annual value of the real estate of which said Elijah Tench died seized and possessed

Under this head your Commissioner states that the decedent died seized of a certain piece or parcel of land situated in Holly Neck District in Nansemond County containing 1/2 of 88 acres more or less and of the estimated fee simple value of $75 an $75 00

And its annual value in the opinion of your Commissioner is not more than $10 an $10 00

All of which is respectfully submitted this 11th of September 1879

Peter B. Prentis.

Comm'rs. fee $5.00

Commr. in Chy.

T. J. Holland
vs
Echo
Elijah Francis Nelson et al

Report of Debt

1879
Sept 11th Fdw
dll

At a Circuit Court continued and held for Nansemond County, the 16th day of October, 1879:

Zachary T. Holland . . . . Plaintiff.

Against } In Chancery

Benjamin F. Hare, Admr. of

Elijah Faulk (of a) deceased & al: Defendants.

This Cause came on this day to be again heard on the papers formerly read therein, and on the Report of Commr: Peter B. Prentis, pursuant to a Decree of this Court pronounced at the April Term, 1879, and was argued by Counsel:

On consideration whereof, the Court doth confirm said Report to which no exceptions have been filed, and doth adjudge, order and decree, that C. H. Causey, who is hereby appointed Special Commr: for that purpose, proceed to sell at Public Auction, before the Court House Door of Nansemond County, on some Court day, the Real Estate of which Elijah Faulk died seized and possessed, described as a small piece or parcel of land, situate in Holy Neck District in Nansemond County, Containing 1/2 of 88 acres, more or less, and adjoining the lands of B. F. Keene, Wm. T. Hannaford and others.

And the Court doth further adjudge, order and decree, that said Special Commissioner, before proceeding to sell said Real Estate, advertise the time and place of sale, by printed hand-bills, posted at the Court House Door of said County, and in the vicinity of said land. And that said Commissioner sell said land on a Credit of one and two years, except for Cash enough to pay Costs of this suit

and the expenses of Sale, and take from the purchaser bonds with good security, in evidence of the deferred payments, to be made one and two years from date of sale, with interest from the date thereof, and that the said Commissioner retain the title to said land, until the further order of the Court, and make Report to Court of his proceedings under this decree.

But said Commissioner, before he proceeds to sell said land, in pursuance hereof, shall execute before the Clerk of this Court, in his Office, a bond, in the penalty of One hundred and fifty dollars, with good security, payable to the Commonwealth of Virginia, and conditioned for the faithful execution of this Decree and all other decrees he may be required to execute in this Cause. And the Cause is Continued &c.

A Copy:

Teste:

Peter B. Prentis. Clerk

Costs

Clerk	$10.00	paid P.B.P. Clk
Atto. Fees	31.50	Paid C.H.E. atty
Shff. Nans Co.	4.00	Paid
" Norfo. Co.	1.00	
Commr:	5.00	Paid P.B.P. Comm
Printer	4.50	Paid D.B. Dunham (Ptr)
	$56.00	

J. J. Holland

vs } City Hall Oct. Term, 1879

Elijah Faulk (of al.) admr. &c.

To the Circuit Court of Nansemond County, Virginia

Pursuant to a decree of said Court pronounced at the ~~April~~ October Term thereof, in the year 1879, in a cause in chancery, therein depending between Zachary T. Holland, Plaintiff and Elijah Faulk's Admr & al. Defendants, a copy of said decree being hereunto annexed, the undersigned having been appointed Special Commissioner for certain purposes named in said decree respectfully reports to Court his action as follows:

That after first executing his bond before the Clerk of this Court in the penalty therein specified, Your Comr: d sale proceeded to advertise the said lands in the proceedings mentioned, and therein described "as a "small piece or parcel of land, situate "in Holy Neck District, in Nansemond "County, containing ½ of 88 acres, more "or less, and adjoining the lands of B. F. "Keene, Wm. T. Hannaford and others"; in the manner prescribed in said decree. and on Monday the day of 1880, being County Court day, did expose

the same before the Court-House door of Hanover County, for sale to the highest bidder in accordance with the terms prescribed in said decree, when Zachary T. Holland became the highest bidder and purchaser of said land for the sum of Seventy-five dollars;

And your Commrs further reports that although the decree above mentioned directed the said land to be sold on a credit of one and two years, yet the said purchaser having elected to pay the full amount in cash, he has received the same and disposed of it as follows.

1st: The costs of the suit have been paid to the several parties respectively entitled thereto, as per receipts severally endorsed on the copy of the decree annexed hereto.

2nd: That the balance has been applied to the partial satisfaction of Z. T. Holland's claim; all of which the following statement will shew-

By	amount for which land sold		$75.00
To	Court costs taxed by clerk	$56.00	
"	advertising - (Hand-bill) D.B.D.)	1.50	
"	Auctioneers fee (Paid R.H. Brinkley)	2.50	
		$60.00	$75.00
	Paid Z. T. Holland		15.00
	(See below)		$75.00 $75.00

Your Commr further reports that the said purchaser Zachary T. Holland having paid the purchase money in full is now entitled to a deed for the said land

All of which is respectfully submitted this 30th day of March, 1881

C H Clausen
Spl. Commr

1881 April 22. Recd of Z. T. Holland
5 per ct- comn on $75 - - - - 3,75-
and for deed 5.00
$8,75-

C.H.C Atty

J. T. Holland
Ex & In chcy.
Hawks Memorial

Report of Sale
Collection and
Payments

Z. T. Holland Pltff.
vs
Chcy
Elijah Fauch's Admr &c Defts.

This cause came on this day to be again heard on the papers formerly read therein and on the report of Comr Peter B. Prentis made in this cause pursuant to a decree of this Court pronounced at the April term, 1879, and was argued by Counsel.

On consideration whereof the Court doth confirm said report, to which no exceptions have been filed, and doth adjudge, order and decree that C. A. Causey, who is hereby appointed Special Comr for that purpose, proceed to sell at public auction before the Courthouse door of Nansemond County, on some Court day, the real estate of which Elijah Fauch died seized and possessed described as a small piece or parcel of land situated in Holy Neck District in Nansemond County containing 1/2 & 88 acres more or less, and adjoining the lands of B. F. Keene, Wm. T. Hammaford and others.

And the Court doth further adjudge, order and decree that said Special Comr, before proceeding to sell

said real estate, advertise the time and place of sale by printed hand bills posted at the Court House door of said County and in the vicinity of said land

And that said Comr sell said land on a credit of one and two years, except for cash enough to pay costs of this suit and the expenses of sale, and take from the purchaser bonds with good security in evidence of the deferred payments to be made one and two years from date of sale with interest from the date thereof, and that said commissioner retain the title to said land until the further order of the Court and make report to Court of his proceedings under this decree.

But said Comr before he proceeds to sell said land in pursuance hereof shall execute before the Clerk of this Court in his Office a Bond in the penalty of One hundred and fifty dollars, with good security payable to the Commonwealth of Virginia and conditioned for the faithful execution of this decree and all other decrees he may be required to execute in this cause. And the cause is continued &c

Z. L. Hollaman

vs

John

Elijah Hanchcock

1879

Oct 6 Term

Rough decree

to be entered

Geo. Bliss.

cs/md

Entered O. B. No 1

p-463

~~Benjamin Hanch~~ Pltff

vs

Elijah Hanch (dec'd) Admr &c. Defts.

*in which the plaintiff appears to have proceeded against the absent Defendants in the mode prescribed by law.

This cause,* came on this day to be heard on the "Bill" of the Complainants taken for confessed as to the defendants thereto (all adults) on ~~all of~~ whom process had been duly served, and they still failing to appear and plead, answer and demur thereto, and on the "Exhibits" filed and was argued by Counsel:

On consideration whereof the Court doth adjudge, order and decree

1. That a Comr. of this Court, take and state an account of the transactions of Benjamin F. Heine Admr of said Elijah Hanch (dec'd) dec'd.

2. That said Comr shall take and state for the further information of this Court an account of all debts due by said decedent their dignity and priority.

3rd: That said Comr ascertain and report the fee-simple and annual value of said estate and whether in his judgment a sale will be necessary. Together with any other matter specially stated, deemed pertinent by himself, or which may be required by any of the parties to be so stated: and that due notice of the time and place of taking the above accounts shall

Z. T. Holland

vs

Rough Deane

Elijah Hauck & As. admrs

et al

1879

April 10th Term

To be entered.

E. Holland

Entered O.B. No. 1

p. 428

be given to the parties interested, and made returnable to
Court.

Z. T. Holland Pltff.
vs & chy
Fauchs Admr et al Defts.

This cause came on this day to be again heard on the papers formerly read herein and on the report of sale of Spl. Comr. C. H. Causey, made under a decree in this cause at the October Term, 1879, of this Court, and was argued by counsel.

On consideration whereof the Court doth confirm the report of sale. no exceptions having been filed thereto, and doth adjudge, order and decree that said Spl. Comr. do proceed to make unto the purchaser of the land in these proceedings mentioned, a deed with special warranty in the usual form

And nothing further remaining to be done in this cause, it is ordered that the same be removed from the docket.

J. J. Holland
to
Jchr
Hawkis Admiral

1881
April Term
Rough draft
To be entered.
Geo. Brown.

Entered O.B. No 1
p. 378

Warrant

Nansemond County, to wit.

To Elisha T. Cross, Constable of Holy Neck Township:

I Command you to summon B. F. Hare Admr. of Elijah Faulk of A. Dead Est. to appear before me, or some other justice of the Peace for the Township, at Whaleyville on the 13th day of July 1878 to answer the complaint of J. T. Holland of a plea for the non-payment of Note $40.83 with interest due by note and then make return of this warrant. Given under my hand this 13th day of July 1878.

F. R. Ellenor J. P.

Judgment

Judgment is granted the Plaintiff for the sum of $40.83 and costs $1.30 with interest from the 9th day of Jan. 1877 till paid.

Given under my hand, this 13th day of July 1878.

F. R. Ellenor J. P.

Execution

The Commonwealth of Virginia,

To Elisha T. Cross, Constable of Holy-Neck Township:

I Command you, That of the Goods and Chattels of B. F. Hare Adm of Elisha Faulk of A dead Est: you cause to be made the sum of $40.83 with interest from the 9th day of Jan. 1877 till paid, and costs, $1.30 which J. T. Holland recovered before F. R. Ellenor a Justice of the Peace for the Township aforesaid; and that you may render to the

said Z. T. Holland the Debt aforesaid, and make due return thereof within sixty days. Given under my hand this 13th day of July 1878.

F. R. Ellenor J. P.

Return — No effects. E. T. Cox Const.

Note — The following is a copy of the Note filed with the foregoing judgment. ($40.83) Jan. 9th. 1877. On demand I promise to pay unto Z. T. Holland his heires, administrators & assigns, without offset Forty & 83/100 Dollars. for value received; and it is agreed upon by the parties that the interest on this Note shall be at the rate of 6 per centum per annum, payable in advance; and we, maker and endorser, hereby waive the benefit of our homestead & exemptions as to this Debt.

Credit the maker.

Wit. S. R. Butler { Elijah his X mark Faulk of A [illegible]

a copy.

Teste,

Peter B. Prentis. Clerk

Z. T. Holland
vs
E. Faulk
Exhibit "B"

At a Monthly Court held for Nansemond County, the 10th day of December, 1877.

On the motion of Benjamin F. Dane, who made oath as the law directs, and entered into a bond in the penalty of Twenty-five dollars, conditioned according to law, with Richard H. Baker, his surety therein who justified on oath as to his sufficiency and which said bond being acknowledged by the obligors therein, is ordered to be recorded, letters of administration on the estate of Elijah Faulk (of A) deceased, in due form are granted him

A copy—

Teste,

Peter B. Prentis. Clerk

Copy of order
appointing Admr of
Elijah Hamelin Sr's est

Exhibit "A"

To the Hon.ble George Blow, Judge of the Circuit Court of Ransemond County, Va.

Humbly complaining, sheweth unto your Honor, your orator, Zachary T. Holland, respectfully represents to the Court and says, That Elijah Fauch (of Q) died on the day of , 187, intestate unmarried and leaving no heirs of his body; leaving neither Father nor Mother & leaving as his heirs at law and distributees certain nephews and nieces the children of his two brothers Henry and Methusaleh Fauch and of his sister Mary Holland (nee Fauch), who intermarried with Anthony Holland, (the said Henry, Methusaleh and Mary having long since died) and who are as follows:- Hugh Fauch, Andrew Fauch, Obadiah Fauch, Elijah Fauch and Lucinda now wife of Wm. H. Reid, being the sons and daughter of Henry Fauch dec.d - Sarah Elizabeth Holland and Sophia Fauch the daughters of Mary Holland dec.d - and Abram T. Fauch, Sallie Ann Fauch, Mary Jane Fauch, Russ Fauch, Lovey Fauch and Victoria Fauch, the son and daughters of Methusaleh Fauch, dec.d. That the said Elijah Fauch (of Q) dec.d left very little personal estate there being scarcely enough to defray his funeral expenses, but died seized and possessed

of certain real estate, to wit: a small tract of land, lying and being in Nansemond County, Virginia, adjoining the lands of Benjamin F. Keene, Wm. T. Hannaford & others and containing 1/2 of 88 acres, more or less and being of the estimated value of seventy-five dollars That the deceased died indebted to your complainant in the sum of $40.83/100 due by bond dated the 9th day of January 1877, payable on demand & no part of which has been paid.

Your complainant further states That on the 10th day of December, 1877, Benjamin F. Keene, qualified as the administrator of the estate of Elijah Hanch (d) & did in the County Court of Nansemond County, as will appear by a copy of the order of said County Court filed herewith and marked Exhibit "A".

That on the 13th day of July 1878 your complainant obtained a judgment against said Ben. F. Keene Admr. &c for the said sum of $40.83 with interest thereon from the 9th day of January, 1877, till paid and $1.30/100 costs. That on such judgment an execution issued and was returned to the Clerks Office Nansemond County endorsed "no effects" and thereon duly docketed a copy of said note, judgment, execution & return thereon being filed therewith and marked

exhibit "B" and is prayed to be taken as a part of this Bill. That it will be necessary to sell the said land to pay your Complainant, the land being of little value, that there is but slight improvements on said land and that it is believed the same will not rent for enough in five years to pay the debt due your Complainant.

In consideration whereof, forasmuch as your complainant is remediless in the premises, save by the aid of a Court of Equity, where matters of this kind are alone and properly cognizable, your complainant prays that the said parties who have been duly summoned as parties defendant in this suit, to wit: Benjamin F. Hare, Admr of Elijah Fauch dec'd. Hugh, Andrew, Obediah and Elijah Fauch, Wm. P. Reed and Lucinda his wife, Sarah Elizabeth Holland and Sophia, Abram F. Sallie Ann, Mary Jane, Russ, Lovey and Victoria Fauch be made defendants to this Bill and that they be required to answer the same upon oath according to the best of their knowledge and belief as fully and particularly as if the statements of this bill were here again repeated, and the said defendants thereto specially interro-

gated; That the accounts of the said Admrs may be settled, the heirs of said deceased ascertained and also the fee simple and annual values of said land, and that the same may be sold to satisfy your complainants judgment and that the surplus if any, may be divided among the heirs at law of said Elijah Hamlin dec'd, and that your honor will grant unto your complainant such other and further relief as may be consistent with equity and the case requires.

May it please &c. And your complainant will ever pray &c.

Zachary T. Holland
by C. H. Causey Atty

C. H. Causey A.G.

Z. T. Holland
vs
In Chancery
B. F. Pierce Admr &c
Elijah Hamlin (of D) et al
"Bill"

Z. J. Holland ats

vs Chy: Notes

Benj[a] F. Hare, Admr: of Elijah Faulk (of A)

decd Sale

1878. Aug: 29th: Summ[s] in Chy: issued ~~29th Aug: 78~~ to Sept: Rules, 1878

" Sept: 2nd: Bill &c filed — Decree nisi vs all the Defts except Mary Jane Faulk, Sallie Ann Faulk, Elizabeth ~~Faulk~~ Sarah Holland, Sophia Faulk and Lovey Faulk

" Oct: 7th Decree nisi confirmed

1879. June: 25th: Summ[s] in Chy: issued vs Sarah Elizabeth Holland, Sophia Faulk, Sallie Ann Faulk, Mary Jane Faulk and Lovey Faulk

" Feb: 27th: Affidavit as to Non-residence of defts Sarah Elizth Holland, Sophia Faulk, Sallie Ann Faulk, Mary Jane Faulk and Lovey Faulk having been made: an Order of Pub: awarded to them:

" April 7th: Ord: of Pub: having been published & proof of appearance accordg to law, Cause set for hearing on mo: of Pltffs Counsel

" " 11th: Decree for accos:

" Sept: 11th: Report filed

" Oct: 16th Decree for Sale

1880. Apl: 14th: Confirmed

Chy: Notes