

1882-009

Nansemond Co. (Suffolk)

Chancery Causes: Thomas H. Barnes etc vs Admr of William Odom et al

Holland, Eley, Jones, Butler, Everett

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *Mills H. Holland,*
Administrator of William Odom, deceased, Ketan Odom,
Elisha E. Holland, John R. Holland (infant), Texana
C. Holland (infant), Nancy K. O. Holland (infant)
and James G. Holland (infant)

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
in the said Court by *Thomas H. Barnes,* who sues in behalf of himself
and all other Creditors of William Odom, deceased, who will
come in and contribute to the expense of this suit.

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this *19th* day of *January* 1881, in the *105th* year of the Commonwealth.

Teste:

Peter B. Prentis. Clerk.

Executed on all of the within named parties, defendant,
and a copy thereof, delivered to each of them.
J. S. Fagham - Shiff

Withers & Prentiss, p. 9

Thomas H. Barnes, who
sues &c

vs { sum. in chy:

William Odom's adm^r:
& al:

To Feby: Rules, 1881

Pro: B. No: 1. Page
Cui: Co:

COMMISSIONER'S SALE OF REAL ESTATE!

Pursuant to a decree of the Circuit court of Nansemond county, pronounced on the 12th day of April, 1881, in the chancery cause of Barnes vs. Odom's administrator and others, I shall offer for sale at public auction, in front of the Courthouse door of Nansemond county,

ON MONDAY, MAY 9TH, 1881,

(that being court day), the TRACT OF LAND of which William Odom died seised and possessed, adjoining the lands of Mills H. Holland, — Eley, and others (subject to the dower of Mrs. Helon Odom, widow of William Odom), containing, by estimation, 100 acres; but the same will be sold in gross, and not by the acre.

TERMS—CASH.

ROBERT R. PRENTIS,
Special Commissioner.

ap20-3w

Count them as soon as they enter the
door, for some omission or commission
but they can construe into a cause for a
ome sort of action

Suffolk, Va., Apr 20 1881
Mr P R Truitt's Special Courier

TO SUFFOLK HERALD, Dr.

Book and Job Printing Neatly Executed.

THE HERALD, \$1.50 A YEAR.

Orders Solicited.

No Ad Tract Land of		
Wm Odum desc'd	3 1/2 Weeks	500
Apr 20 100 Bills sale of above Land		150
May 24 1881	Rec'd Payment	\$ 6.50
	Thos G Elam	
	per J E Booker	

Virginia:

At Rules in The Clerk's Office of The Circuit
Court of Nansemond County, on Monday, the
7th day of February, 1881.

Thomas H. Barnes, who sues in behalf of himself
and all other creditors of William Odom, deceased,
who will come in and contribute to the expense
of this suit. Plaintiff.

Against { In Chancery
Mills H. Holland, Administrator of William
Odom, deceased, Elisha E. Holland, Ketan Odom,
John R. Holland, Texana C. Holland, Nancy
K. O. Holland and James G. Holland. The
last four of whom are infants. Defendants.

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

Teste:

Peter B. Prentiss, Clerk.

1881. February 7th: I acknowledge service of the foregoing
order, and that I have received a copy thereof.

Peter B. Prentiss.

Gdn: ad litem

Barnes, for the

[#] { Order appointing
to gov: ad libitum

William Odum's Adm[#]
Lals:

State of Virginia Hanscombs County to wit.

I, Wm. J. Holland a Notary public for the County of roanoke, in the State of Virginia do certify that Elizabeth Holland this day came before me and made oath to the correctness of the annexed account of Five dollars and Seventy five cents (\$5.75) Given under my hand this 29th day of March 1881.

Wm. J. Holland

Notary public.

Not
allowed
out of door
P.B.D.
Comm.

June, the 12, 1870.

William. C. Sum. &

Am. Yach. Holland. five dollars & seventy five cents
\$5.75 for money loaned with interest from date,

Charles H. and

J. P. Daughters

E. B. Wilcox

A. L. Butler

~~James B. Co.~~

John E. B. Lloyd



Mr C. C. Withers.
Suffolk Co

June The 30 1880

Mr William Odum Due Robert Kuley
for 1 barrel of corn at \$4 25 cf
credit for one well bucket 75

Personally appeared before me this 2^d day
of April 1887 ~~Robert B. Bickel~~ and made oath to
the contents of the annexed ac-
count.

J. E. Ely Jr

May 30. 1880

William Allen estate ditto to
R. G. Elg. per copy $\$18.00$
Sworn to before me this 11. April 1881.

Robt. R. Prentiss. County Clerk.

William
Adum B. 80

✓

Buckhurn 20th March 1881

Mr A. C. Withers

dear Sir

Please find that note
of Adams that I spoke
to you about the other
day, which I hope will
be all right, and if
so please let me know
by postal if you get
it - all O.K.

yours truly
A. W. Ballard

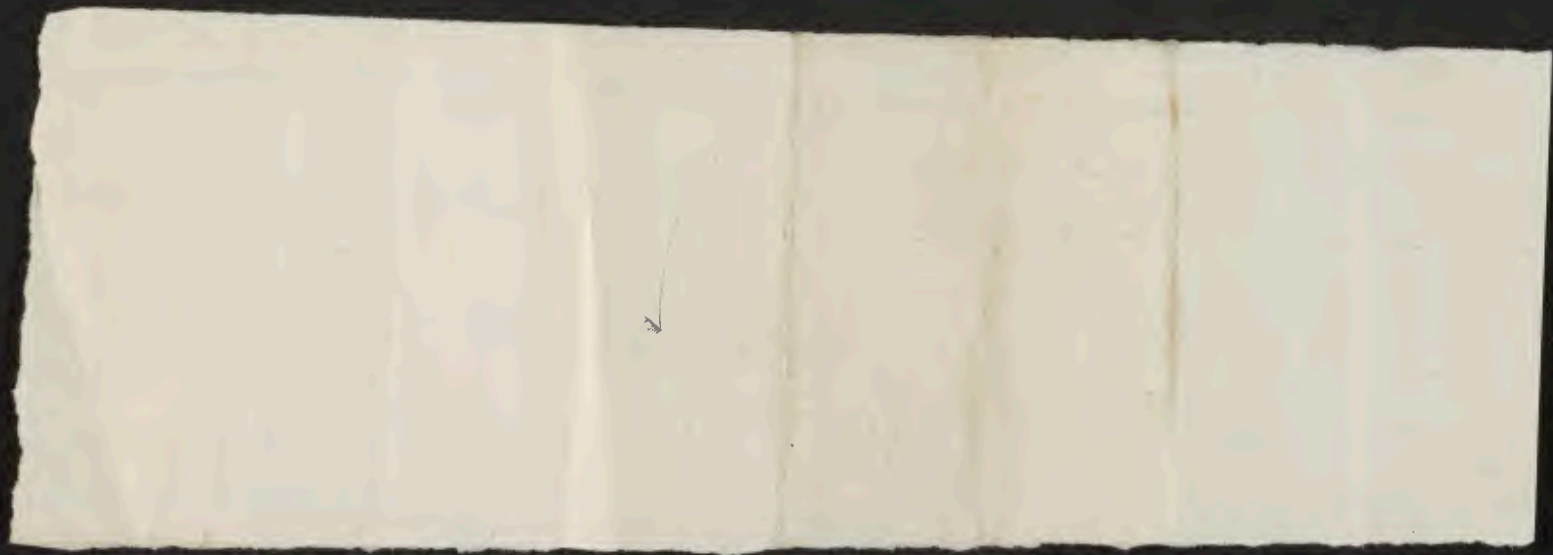
1880

May 13th

William C. Allen
To John T. Butler
Cross

Indgment of the Court
plainiff in sum of
the dollar & 10 cents
and fifty cents
28th 1880 for the sum of

4 50



William Odom Est.

1880	To	J. D. Jones Dr	
July 24	"	Tining 1 pair Cart wheels	~~1.75~~
"	"	Taring 1 " "	.40
"	"	1 Pair Pot Irons	.62
			1.77

Sworn to before me this 11th day of Nov 1880.

J. H. P. Daugherty J. P.

William Odom Est-
a/c \$177



FRISKE & BRO. PRINTERS.

\$ 1423

Cum gratia No 23 1878

On demand, I promise to pay unto J. H. Elder

or order, without offset, four hundred

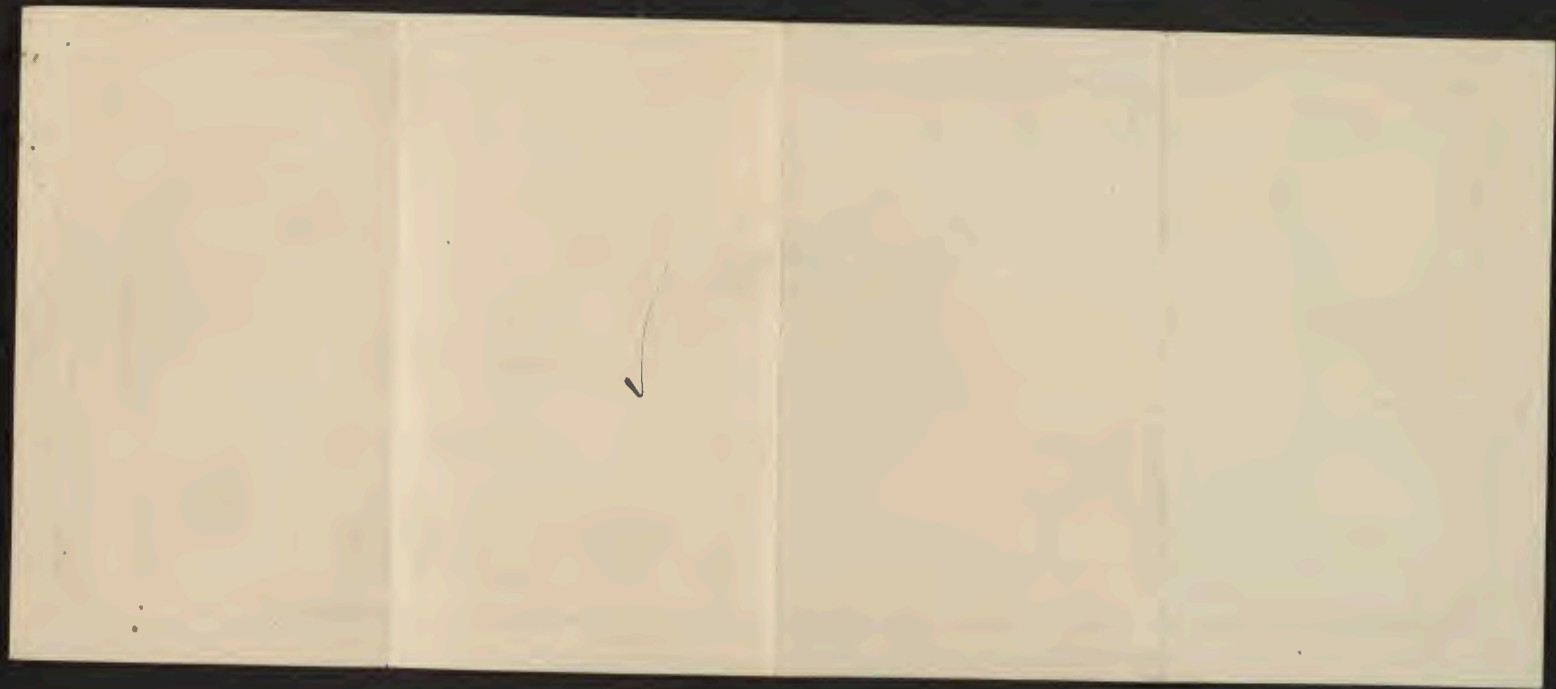
75 Dollars,
100

for value received, with interest from date; and I hereby waive the benefit
of my Homestead Exemption as to this debt.

List 7

Cum gratia

William H. Elder
Mark



C. I. UPSHUR.

\$900

Norfolk, Va. March 10th 1880

110-150

Pay to the order of

PERUVIAN
GUANO

Nine days after date, I promise to

Nine

AND
BONE DUST

DOLLARS

At the

without defalcation, for value received, we, maker and endorser, do hereby
waive the benefit of our

C. I. Upshur
NORFOLK

assumption as to this debt.

Lith. by Schmidt & Trowe, Balto.

A. W. C. C.

Willam by C. C. C.

This day AW 13 all and
appearance before me, and
made oath to the cor-
rectness of the within
bond. Given under
my hand this 17th
day of March 1881.

J. P. Daugherty J. P.

Wm. J. Daugherty

Day & Daugherty
for atty

Wm. J. Daugherty

Property of

Wm. J. Daugherty

840⁰⁰/₁₀₀

paid the 7th 1877
On Demand of Promerger to
Pay to Mr H Hallam forty
Dollars for real estate
of him as witness my hand
and Seal this 11th day of
Feb 1877
H. Hallam
mark

William Odum

Ornithum *Ja*
Ornithum *I* promise to pay
unto *M. H. Hollana* or his heirs,
executors, administrators, or assigns, the just and full sum of *thirty four*
Dollars and *twenty five* cents, for value received; for the payment of which *I* bind
my self *my* heirs, executors and administrators, firmly by these presents; and *I* hereby waive
the benefit of *my* Homestead Exemption as to this debt and obligation.

As witness *my* hand and seal this *6th* day of *May* in the year of our
Lord one thousand eight hundred and seventy *five*

Witness:

A. W. Ballou

William C. Odum [SEAL.]
mark

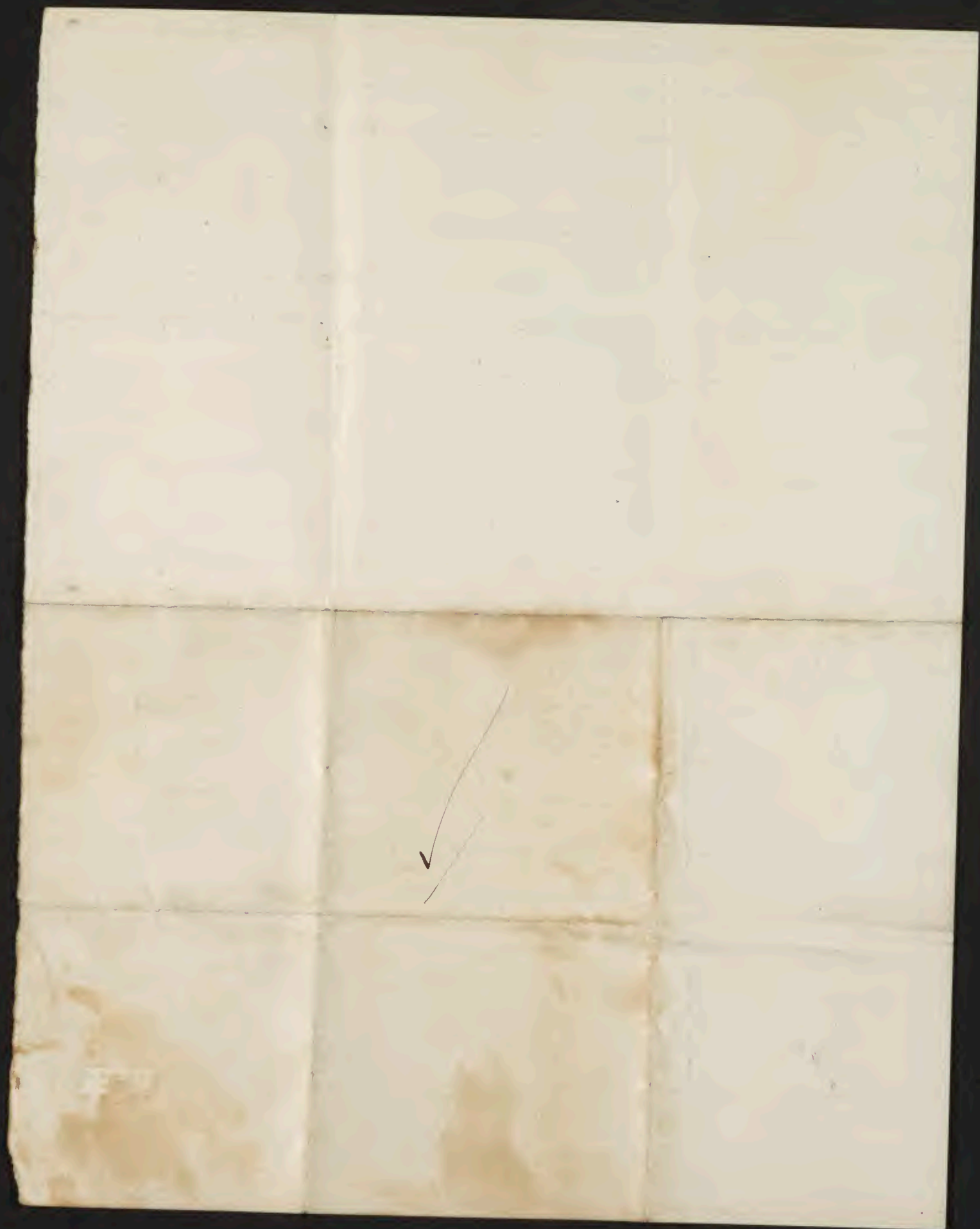
Wm Adams
Note

William Odorick Esq.
1880 To Z. J. Holland Esq.

April 24th.	To	1/2 156 lb. flour	4.00
" 28"	"	Salt & Tobacco	70
May 1st	"	1/2 lb. "	20
" 4"	"	1 " Coffee	20
" 8"	"	1/2 " Tobacco	20
" 11"	"	Pills & point	40
" 13"	"	Shoe & c	1 74
" 25"	"	Suit of clothes hat & c	9 35 \$16.77
Amt. to be added 60 days from Apr. 24th '80			1.00
			<u>\$17.77</u>

State of Virginia, Wandersman ^{Leaves} to live
I, W. J. Holland, a Notary public for the County aforesaid
in the State of Va. do certify that Z. J. Holland This
day personally appeared before me and made solemn
affirmation to the above account of Seventeen
dollars and Seventy Seven cents. Given under
my hand this 10th day of March 1881

W. J. Holland, Notary public



Nansemond County, to wit:

To F. C. BUTLER, Constable of Said County:

I HEREBY COMMAND YOU TO SUMMON

of Wm Odum Deb
if to be found in your district, to appear at

on the 28th day of Dec

as may be then there to try this warrant, to answer the complaint of

upon a claim for money not exceeding fifty dollars, exclusive

of interest, to wit: for the sum of

(#450) 50 cents, due by an act

and then and there make return of this warrant.

Given under my hand this 15th day of Dec

, 18 80

J. P.

dollars and fifty cents, with interest from the

and one dollar Ten cents for his costs.

JUDGMENT.—That the Plaintiff recover of the Defendant

Judgment having been rendered in this case for

dollars and

said judgment, whereupon

said

stayed thereon for

days from the date.

undertook as the surety of the

for the payment of the said Judgment, execution is

J. P.

NANSEMOND COUNTY, to wit:

To F. C. BUTLER, Constable of the said County:

I COMMAND YOU, in the name of the Commonwealth of Virginia, that of the goods and chattels
of in your County, you cause to be made the

sum of dollars and cents, with interest thereon from the

day of , 18 , till paid, which

has recovered before

in a warrant in debt; and also the sum of

cents, which were adjudged to said

for costs in prosecuting his said warrant.

Given under my hand this

day of

, 18 .

J. P.

Isaac Butler
per
Mills, N. Holland
Adm'r of Wm Odum

Dec 10th 1880.
I have this executed
the within warrant.

F. C. Butler ^{Adm'r}

✓

PETER B. PRENTIS,
Clerk of the County and Circuit Courts
OF
NANSEMOND COUNTY,
SUFFOLK, VA.

List of Noths

Thos. H. Brewster, Jr

20

Wm Odon's Admonth Adl:

At a Circuit Court, Continued and held for
Hansemond County the 13th day of April 1881.
Thomas H Barnes who sues in
behalf of himself and all other
Creditors of William Odom
deceased, who will come in
and contribute to the expense
of this suit. Plaintiff.

Against } In Chancery.
Mills H Holland Administrator
of William Odom deceased,
Elisha E Holland, Reton Odom,
John B Holland, Texana C
Holland, Nancy D Holland
and James G Holland. the last
four of whom are infants. Defendants.

This Cause came on this day to be again heard
upon the papers formerly read and upon the
Report of Master Commissioner Peter B Prentis,
filed on the 30th day of March 1881, to which no
exceptions have been taken and was argued
by Counsel.

On Consideration whereof the Court doth
ratify, approve and confirm the said report
in all respects, and doth adjudge, order and
decree, that Robert B Prentis, who is hereby.

Appointed a Commissioner for the purpose, do proceed at once to sell the tract of land, in the Bill in this cause described, of which William Odum died seized and possessed (subject to the dower right of Mrs Ketore Odum) at public auction for Cash, after having advertised the time, place and terms of sale for three weeks in such manner as to the Commissioner may seem most judicious, and out of the proceeds of the said sale, after paying the costs of this suit and expenses of sale the said Robert B Prentiss Special Commissioner shall pay off and discharge the debts of William Odum deceased, in the order of their priority as shown by the Report of Master Commissioner Peter B Prentiss, and he shall make report to Court.

But before the said Robert B Prentiss Special Commissioner shall be authorized to collect the purchase money from the purchaser of the said real estate, he shall execute before the Clerk of this Court, a proper bond in the penalty of \$300. with security, payable to the Commonwealth of Virginia and conditioned for the faithful discharge of his duties under this or any future decree that may be entered

in this cause.

And on motion of Mrs Ketan Odum widow of William Odum deceased, The Court doth order that Mills H Holland, D Butler, Jack Rhodes, D L Butler and Joseph E Holland, who are hereby appointed Commissioners for the purpose, any three of whom may act, having been first duly sworn, do lay off and apportion unto the said Mrs Ketan Odum, by Metes and Bounds, her dower in the real estate in the Bill in this cause described, of which William Odum died seized and possessed, and they shall make report to Court of their proceedings under this decree.

A Copy

List:

Clerk. \$10.00

Atty: Gen 31.50

Shff: 1.50

Comm^{rs}: 10.00

Printer 4.00

\$67.00

Peter B. Pentis. Clerk.

Suffolk Va.

23 May 1881.

To the Circuit Court of
Nausemond County.

Your Commissioner respectfully reports to the Court that in obedience to the decree entered in the Chancery cause of Barnes v. Odom's Adm^r. &c on the 13. day of April 1881, he, on the 9. day of May 1881, proceeded to make sale of the real estate in the Bill in this cause described at public Auction for Cash in front of the Court-house door of Nausemond County. - Mills A. Holland became the purchaser thereof for the sum of One Hundred + fifty Dollars.

In obedience to the said decree your Commissioner has disposed of the fund thus realized as follows:

By Cash of Mills A. Holland. 150.

To Cash paid Clerk's fees	10.
" " " Atto. fees	31.50
" " " Sheriff's fees	1.50
" " " Comm ^r s "	10.
" " " Printed "	10.50
" " " Auctioneer fee	5.
" " reserved to pay for deed to purchaser	5.
" " " Commissions	7.50

Total Expenses
Which left for distribution

81.
69

By amt. for distribution not found

69.

To Cash paid Thos. H. Barnes in full	✓ 15.90
" " " R. F. Eley "	✓ 19.08
General Creditors	
" " paid Thos. H. Barnes 15% of	✓ 2.10
" " " J. F. Holland "	2.66
" " " Will H. Holland "	✓ 15.79
" " " J. F. Eley "	✓ 2.57
" " " J. D. Jones "	.27
" " " Isham Butler "	✓ .87
" " " Robt Butler "	.79
" " " Dr. D. C. Everett "	✓ 1.03
" " Contingencies for costs	3.

\$16.9 \$16.9

The debt of Thos. H. Barnes for medical services rendered during last illness of Freedman and debt of R. F. Eley for Coffin &c are paid in full. - This left only 15 per cent for the general creditors and \$3.00 to pay future costs of suit. - Vouchers for all of said disbursements are herewith returned. -

Respectfully Submitted -
 Robt D. Prentiss
 Special Commr.

Costs:

Received of R. R. Prentiss Special Commr in Chancery cause of Barnes v. Wm. Davis Comr. &c the sums of money opposite our respective names in full of our demands in the said Cause. —

Suffolk Herald & Bill for Printing Paid Thos G Egan \$10.50
 Geo E Parkes Auctioneer five dollars
 Peter B. Prentiss. Clerk. Ten (10) dollars
 P. B. P. by Robert Prentiss Comms fee Ten Dollars (10). —

Witness
 Luc Munn

J. F. Eley for R. S. Eley	2.57
Robt ^{thos} Butler	.80
Thos ^{mark} H. Barnes	15.90
Thos H. Barnes	2.10
R. G. Eley	\$19.08
Chas H. Hallam	\$15.79
Isaac Butter	.87
J. D. Jones by J. S. Jones	.27
R. H. Everett	6.03
J. H. Hollam	2.66

Suffolk Va.

29 March 1882.

To the Circuit Court of Hansemond
County. -

Your Commissioner reports to the Court
that in obedience to the decree entered in the chancery
cause of Barnes v. Odom's Adm. at the October
Term 1881 he has executed and delivered to Mills
H. Holland a deed conveying the real estate bought
by him (under decrees entered in the said cause)
with special warranty. -

Respectfully Submitted,

Wm. H. Prentiss,
Special Commissioner.

Barnes

Wm. H. Prentiss

Report of Sale

Odom's Adm. &c.

1881. Oct. 10th. Filed
C.H.

TO THE CREDITORS OF WILLIAM
ODOM, DECEASED.

You are hereby notified that unless you
prove your debts before the undersigned on
or before WEDNESDAY, THE 30TH DAY OF
MARCH, 1881, you will be forever barred from
participating in the assets of the estate of
WILLIAM ODOM, deceased.

PETER B. PRENTIS,
Commissioner in Chancery.
WITHERS & PRENTIS, Attorneys. mh2-4t

Office of the Suffolk Herald,

Suffolk, Va., March 30 1881

We hereby certify that the order, of which the an-
nexed is a copy, has been published in the SUFFOLK
HERALD in the manner prescribed by law, once a
week for four successive weeks.

ELAM ~~S. CAMPBELL~~, Ed. Herald.

Ad a/c \$1.00

Recd May 24th 1881
Thos G Elam
John G Elam

Commissioner's Office,

SUFFOLK, NANSEMOND COUNTY, VA.

1 March 1881

To

Thomas H. Barnes who sues in behalf of himself and all other creditors of William Odom decd. who will come in and contribute to the expense of this suit. -

Plaintiffs,

and

Mills H. Holland Administrator of William Odom decd., Elisha E. Holland, Keton Odom, John R. Holland, Texana C. Holland, Nancy H. Holland and James G. Holland, the last four of whom are infants. -

Defendants.

You are hereby notified that I have fixed upon the 30th day of March next, to take and settle, at my office, the following accounts, to-wit:

1. An account of the transactions of Mills H. Holland as Administrator of William Odom, deceased. -
2. An account of the real estate of which William Odom died seized and possessed. -
3. An account of the debts due by William Odom at the time of his death, with their respective priorities. -
Together with any other accounts deemed pertinent by ~~himself~~ the Commissioner or required by any of the parties interested to be stated. -

required to be taken by the decree of Nansemond
28 day of February 1881 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. Lentis. Commissioner.

We acknowledge legal and sufficient service of the
within notice -

Thos. S. Barnes

Wm. H. Holland, Com. &c.

Elisha E. Holland

Newton Odum

by Withers & Prentiss their
Counsel. -

Peter B. Prentiss guardian of the person of
infant defendants

In Vacation: In the Circuit Court of Nansumond County on the 28. day of February 1881. -

Thomas A. Barnes who sues in behalf of himself and all other creditors of William Odom deceased, who will come in and contribute to the expense of this suit. -

v.
Mills H. Holland Administrator of William Odom deceased, Elisha C. Holland, Nelson Odom, John R. Holland, Texana C. Holland, Nancy K. C. Holland and James C. Holland, the last four of whom are infants. -

This cause came on this day by consent to be heard on the Bill and the Exhibit therewith filed, the answers of the adult defendants in person, and of the infant defendants by Peter B. Prentiss their guardian ad litem filed at February Rules 1881, with general replications to said answers and was argued by counsel. - On consideration whereof the Court doth adjudge order and decree that this cause be referred to one of the Commissioners of this Court with instructions to take state and report the following accounts:

1. An account of the transactions of Mills H. Holland as Administrator of William Odom deceased. -
2. An account of the real estate of which William Odom died seized and possessed. -
3. An account of the debts due by William Odom at

the time of his death, with their respective priorities. -
Together with any other accounts deemed pertinent
by the Commissioner or required by any of the parties
interested to be stated. -

Notice to the creditors of William Odom deceased
shall be published once a week for four successive
weeks in one of the newspapers published in
Suffolk, by the Commissioner, warning them that
unless they prove their debts before the Commissioner
on or before a day to be named in the said notice,
they shall be forever barred from participating in the
assets of the said estate. - And the said Commissioner
shall make reports to the next term of this
Court. -

A Copy, Test,

Peter B. Prentiss, Clerk.

I
 The Estate of William Dom. decd.
 In account with Mills & Holland Am^{rs}.

1880

By amount of account of sales.		13.89
To Cash paid Appraisers	4.	
" " " Swearing Appraisers	.75	
" " " Clerk at sale	.50	
" " " Clerks fees for qualif ^{ed} &c	5.	
" 5% Commissions	.19	
" Balance	2.95	
	<u>\$13.89</u>	<u>\$13.89</u>
By Balance due estate per contra		2.95

II.

An account of the real estate of which William Odum died seized and possessed. -

100 acres of land lying in Holy Creek District in
Hansemond County 13 miles West of the Court-house
adjoining lands of Mills & Holland. Eley & others -
Assessed value - \$200.
Annual value estimated - \$25.

III.

An account of the debts due by William Odum
at the time of his death with their respective priorities.
Preferred debts -

1. Dr. Thomas H. Barnes:

Open accounts medical attendance in last illness	15.
Int. from 15 May 1880 to 15 May 1881.	<u>90</u>
Prin. & Int. due 15 May 1881	15.90

2. R. F. Eley:

Open Account for Coffin &c	18.
Int. one year	<u>1.08</u>
Prin. & Int. due 15 May 1881	19.08

3498

34.98

Debits of Fourth Class.

1. Dr. Thomas H. Barnes.

13

Bond dated 20. Jan'y. 1880

13.

Int. from 20 Jan'y. 1880 to 15 May 1881.

1.03

Prin. & Int. Due 15 May 1881

14.03

2. Zachary J. Holland.

Open accounts for.

16.77

Int. for one year.

1.

Prin. & Int. Due 15 May 1881.

17.77

3. Mills H. Holland.

Bond dated 6. May 1875

34.25

Int. from 6 May 1875 to 15 May 1881

12.33

Bond dated 7. June 1877

40.

Int. from 7. June 1877 to 15 May 1881.

9.45

Note payable to C. L. Upshun.

9.

Int. from 1. Nov. 1880 to 15 May 1881.

.30

Prin. & Int. Due 15 May 1881.

105.33

4. J. F. Eley.

Bond dated 23. Dec. 1878.

14.75

Int. from 23. Dec. 1878 to 15 May 1881

2.00

Prin. & Int. Due 15 May 1881

16.75

5. J. D. Jones. Open Account

1.77

Int. 10 months

08

Prin. & Int. Due 15 May 1881.

1.85

19071

190.71

Amounts brought Forward.

6. Isham Butler

Open account Judgment

4.50

Int. one year

.25

Costs.

1.10

5.85

7. Roberts Butler

Open account

5.

Int. one year

.30

Prin. & Int. due 15 May 1881

5.30

8. Dr Robt C. Everett

Bond dated 29 August 1876

59.09

Credit 29 August 1876

10.

Int. from 29 Aug. 1876 to 8 Octo 1877

49.09

3.43

Credit 8 Octo. 1877

52.52

10.

Int. to Nov. 28. 1878. 1 yr.

42.52

Credit Nov. 28. 1878

2.52

45.04

Int Nov. 28. 1878 to 15 May 1881.

10.

35.04

5.18

Prin. & Int. due 15 May 1881

40.22

242.08

Commissioner's Office
Suffolk Va 30 March 1881.

Thos. H. Barnes Esq.

v.

William Odom's Adm'r. Esq.

To the Circuit Court of Hansemond County:

Pursuant to a decree of the Circuit Court of Hansemond County rendered in the above entitled cause on the 28. day of February 1881, the undersigned one of the Commissioners in Chancery of the said Court to whom this cause was referred for settlement begs leave to report:

- I. The administration account of Mills H. Holland Adm'r of William Odom dec'd. which shows a balance of \$2.⁹⁵ due from the said Adm'r. to the said Estate.
- II. An account of the real estate of which William Odom died seized and possessed which speaks for itself.
- III. An account of the debts due by William Odom with their respective priorities.

Your Commissioner reports to the Court that before taking the said accounts he, on the 1. day of March 1881 issued notices to the parties interested plaintiffs and defendant requiring them to appear before him at his office on this day, which were returned to your Commissioner duly acknowledged, and are herewith returned. - In obedience to the said decree he also

issued a notice to the creditors of William Don
deceased warning them that unless they proved
their debts before him on or before this day
they should be forever barred from participating
in the assets of the said estate. - Which notice
was only published once a week for four successive
weeks in the Suffolk Herald and is herewith
returned. -

Ten \$10. -

Respectfully Submitted,
Peter B. Prentiss.

Committee in Charge

J. H. Barnes

N. M. Comm's Report
Dated 30. March 1881

Wm Odom's Auditor. &c

1881

March 30 Report Filed. -

In Vacation: In the Circuit Court of Newsumond
County on the 28. day of February 1881. -

Thomas H. Barnes who sues in behalf of himself
and all other creditors of William Odom deceased,
who will come in and contribute to the expense of
this suit. -

17 -
Mills H. Holland Administrator of William Odom
deceased, Elisha E. Holland, Nelson Odom, John R.
Holland, Texana C. Holland, Nancy H. O. Holland,
and James E. Holland, the last four of whom are
infants. -

This cause came on this day by consent to be
heard on the Bill and the Exhibits therewith filed, the
Answers of the adults defendants ^{in person}, and of the infant
defendants by Peter B. Prentiss their guardian ad litem
filed at February Rules 1881, with general replications
to said answers, and was argued by counsel. -

On consideration whereof the Court doth adjudge,
order and decree that this cause be referred to one
of the Commissioners of this Court with instructions
to take state and report the following accounts:

1. An account of the transactions of Mills H. Holland
as Administrator of William Odom deceased. -
2. An account of the real estate of which William Odom
died seized and possessed. -
3. An account of the debts due by William Odom at
the time of his death, with their respective priorities. -

Together with any other accounts deemed pertinent by the Commissioner or required by any of the parties interested to be stated. -

Notice to the creditors of William Odom deceased shall be published once a week for four successive weeks in one of the newspapers published in Suffolk, by the Commissioner, warning them that unless they prove their debts before the Commissioner on or before a day to be named in the said notice, they shall be forever barred from participating in the assets of the said estate. -

And the said Commissioner shall make report to the next term of this Court. -

Feb. 28. 1881

In Vacations in Pleas and Orders
the above decree, as a vacation order

To The Clerk of the
Said Court for the
County of, Hampshire

Geo. H. H. H.

July 18

CH 177. p. 104 p. 61

Deane's 10-9-81

W. Deane

Wm Odom's Executor

Thomas H. Barnes

^{N.}
Wm Odom's Adm. V.

This cause came on this day to be ^{further} heard upon the papers formerly read and the report of Special Commissioner Robt. P. Prentiss dated the 23. May 1881 and filed on the 10th October 1881, to which no exceptions have been taken, and was argued by Counsel. - On consideration whereof, the Court without fully confirming the said Report at this time, doth ratify approve and confirm the sale therein reported, and ~~doth direct~~ it appearing that the purchaser Mills A. Holland has fully paid off and discharged the purchase money due for the real estate bought by him in this cause, ~~doth direct~~ that Robt. P. Prentiss, who is hereby appointed a Special Commissioner for the purpose, shall execute and deliver to the said Mills A. Holland a ~~deed~~ ^{with special warranty} proper deed conveying the said real estate to ~~the~~ him. -

And the cause is continued. -

Barnes

N. ~~My~~ ^{Decide}
~~My~~ ¹⁰ Octo. 1881.

Don's Adm. ⁴ Fe

Ente
Geo. Brown.

10 Octo 1881

Entirel O.B. No 1-

p. 541-2

Thomas H. Barnes who sues in behalf of himself and all other creditors of William Dom deceased, who will come in and contribute to the expense of this suit. -

Mills H. Holland Administrator of William Dom deceased, Elisha E. Holland, Keton Dom, John R. Holland, Trana C. Holland, Nancy K. Holland and James G. Holland, the last four of whom are infants. -

This cause came on this day to be again heard on the papers formerly read and upon the Report of Master Commissioner Peter B. Prentiss filed on the 30. day of March 1881, to which no exceptions have been taken and was argued by counsel. - On consideration whereof the Court doth ratify approve and confirm the said report in all respects and doth adjudge, order and decree that Robert B. Prentiss, who is hereby appointed a Commissioner for the purpose, do proceed at once to sell the tracts of land ^{in the Bill in this case described} of which William Dom died seized and possessed (subject to the dower rights of Mrs. Keton Dom) at public auction, for Cash, after having advertised the time place and terms of sale for three weeks in such manner as to the Commissioner may seem most judicious. - And out of the proceeds of the said sale, after paying the costs of this suit and expenses of

And the said Robert R. Prentiss Special Commissioner shall pay off and discharge the debts of William Odom deceased in the order of their priority as shown by the Report of Master Commissioner Peter B. Prentiss, and he shall make report to Court.

But before the said Robert R. Prentiss Special Commissioner shall be authorized to collect the purchase money from the purchaser of the said real estate, he shall execute before the Clerk of this Court a proper bond ^{in the penalty of \$300.} with security, payable to the Commonwealth of Virginia and conditioned for the faithful discharge of his duties under this or any future decree that may be entered in this cause.

And on motion of Mrs. Ketron Odom widow of William Odom deceased the Court doth order that ~~Wm. D. Doughty~~ ^{Wm. D. Doughty}, ~~Charles Holland~~ ^{Charles Holland}, ~~Joseph Rhodes~~ ^{Joseph Rhodes}, D.L. Butler and Joseph E. Holland, who are hereby appointed Commissioners for the purpose, any three of whom may act, having been first duly sworn, do lay off and assign unto the said Mrs. Ketron Odom, by metes and bounds, her dower in the real estate in the Bill in this cause described, of which William Odom died seized and possessed, and they shall make report to Court of their proceedings under this decree.

Thos. H. Barnes

W. M. Denee
April 1881

W. M. Denee's Adm. P.

To be entered
April 13th 1881.

Geo. P. Blunt,

Entered O. B. No. 1

12-5-20-

Copied.

Thomas A. Barnes.

^{N.}
William Odom's Adm^r and others.

This cause came on this day to be finally heard on the papers formerly read and upon the reports of Special Commissioner Rob. R. Prentiss dated respectively on the 23. May 1881 and the 29. March 1882, to which reports no exceptions have been taken and was argued by counsel.

On consideration whereof, it appearing that the fund arising from the sale of the real estate ~~has been~~ of William Odom deceased has been properly distributed among the creditors of the said decedent, and that the said real estate has been conveyed to the purchaser thereof Mills S. Holland by deed with special warranty, the Court doth adjudge, order and decree that the said Reports be in all respects ratified, approved and confirmed. And the said Rob. R. Prentiss Special Commissioner is forever discharged from all further responsibility on account of the proceeds of the said real estate disbursed by him as aforesaid.

And the object of this suit having been accomplished, it is ordered that the cause be struck from the docket.

The joint and several Answer of Ketan Odum and Elisha E. Holland defendants to a bill of Complaint exhibited against them and others in the Circuit Court of Housewoud County by Thomas H. Barnes, who sues in behalf of himself and all other Creditors of William Odum deceased who will come in and contribute to the expense of the suits.

These respondents saving ~~the~~ to themselves the benefit of all just exceptions to the said bill, for answer thereto or to so much thereof as they are advised that it is material they should answer, answer and say that so far as they are informed and believe the matters of fact stated in the Bill are true.

The respondent Ketan Odum widow of William Odum desires to assert her right of dower in the real estate in the bill mentioned and asks that this Court will appoint Commissioners to allow the same to her ^{in kind} before any sale is made.

And having fully answered these respondents pray to be hence dismissed with their reasonable costs in this behalf expended, and they will ever pray &c.

Witness & Prayers p.d.

Ketan Odum
Elisha E. Holland
by Counsel

Answer of
Nelson Owen & E. E. Hollans

to Bill of
Thos. H. Barnes

N.

Owen's Acct. ¹¹rd

The answer of John R. Holland, Texana C. Holland, Nancy H. O. Holland, and James G. Holland, infants under the age of twenty-one years, by Peter B. Prentiss their guardian ad litem, assigned to defend them in this suit to a bill of complaint exhibited against the said John R. Holland, Texana C. Holland, Nancy H. O. Holland, and James G. Holland and others in the Circuit Court of Nassau County by Thomas H. Barnes who sues in behalf of himself and all other creditors of William Coon deceased, who will come in and contribute to the Expense of this suit.

These respondents, reserving to themselves the benefit of all just exceptions to the said bill, for answer thereto or to so much thereof as they are advised it is material that they should answer by their said guardian ad litem answer and say: -

That they are infants of tender years, and by reason of their infancy incapable of understanding, or of taking care of their rights and interests. They therefore by their said guardian commend themselves, their rights and interests to the protection of the Court, and pray that no decree may be pronounced which will tend to their prejudice. -

And having fully answered the said respondents pray to be hence dismissed with their reasonable costs in this behalf expended, and they will ever pray &c. -

Peter B. Prentiss. For and to them

Answer of
Infants
to Bill of
Thos. H. Barnes
N.
Wm. Odom's Com.

The Answer of Mills A. Holland Administrator of William Odom deceased, one of the defendants to a bill of complaint exhibited against him and others in the Circuit Court of Transjordan County by Thomas A. Barnes who sues in behalf of himself and all other creditors of William Odom deceased who will come in and contribute to the expense of the suit.

This respondent saving to himself the benefit of all just exceptions to the said bill, for answer thereto, or to so much thereof as he is advised that it is material he should answer, answers and says that so far as he is personally informed the matters of fact stated in the bill are true. He asks that the Complainant and all others claiming to be creditors of the decedent William Odom may be required to produce strict proof of the justice of their claims so that the estate of the decedent may be fully protected. He joins in the prayer of the Bill that all proper accounts may be taken, and asks the aid and direction of this Court in his administration of the assets of the decedent William Odom. — And having fully answered the Complainant's bill, the said respondent prays to be hence dismissed with his reasonable costs by him in this behalf expended, and he will ever pray &c. —

Witness my hand &c. p.d. —

Mills A. Holland Adm^r
of Wm Odom deceased —

Answer of
W^m Odom's Answer

to Bill of

Thos. H. Barnes

v.

Odom's Answer &c.



\$13⁰⁰/₁₀₀

With interest from date, I promise to pay
unto **THOMAS H. BARNES**, or order, his heirs, executors, administrators, the
just and full sum of thirteen ⁰⁰/₁₀₀ Dollars
and _____ Cents, for value received; for the payment
of which I bind myself, my heirs, executors and administrators, firmly by these
presents; and I hereby waive the benefit of my Homestead Exemption as to this
debt and obligation.

As witness my hand and seal this 20th day of January 1880.

Witness,

Wm. Hollander ^{his} William + Adom (Seal.)
Mark

William Odom

To Bond

\$1,300
100

last illness

Mr. William Rogers

1880

B. Thos. H. Barnes.

May 17	To visit to self	\$	2.50
" 21	do.	"	2.50
" 22	"	"	2.50
" 24	"	"	2.50
" 25	"	"	2.50
26	"	"	2.50
		\$	15.00

✓ Sworn to before me by Dr Thos. H. Barnes this
13 Dec. 1880

Robt. R. Purvis
Clerk in Chancery

Slats of
Wm Odom
20 Oct
f 18 ^{ex}/₁₀₀

If not delivered in five days, return to
WITHERS & PRENTIS,
ATTORNEYS AT LAW,
SUFFOLK, VA.

Exhibit No. 1.

with Bill

W. H. James

W. H.

Wm. Davis Clerk

Thomas H. Barnes who sues in behalf of himself and all other creditors of William Odom deceased who will come in and contribute to the expense of this suit. -

^{vs.}
Wills H. Holland Administrator of William Odom deceased, Elisha E. Holland, Keton Odom, John R. Holland, Texana C. Holland, Nancy K. O. Holland and James G. Holland, the last four of whom are infants. -

To the Honorable George B. Shaw Judge of the Circuit Court of Hanover County. -

Humly complaining shews unto the Court, your orator Thomas H. Barnes of the County of Hanover in the State of Virginia, who sues in behalf of himself and all other creditors of William Odom deceased, who will come in and contribute to the expense of this suit, that the said William Odom departed this life on or about the day of June 1880, intestate and was in his lifetime and at the time of his death justly and truly indebted to your orator Thomas H. Barnes in the principal sum of \$15.⁰⁰/₁₀₀ Fifteen Dollars with interest thereon from the 26 day of ~~June~~ May 1880 due by open account. - Your orator being a practising physician and the consideration for this account being medical services rendered during the last illness of the decedent, he is advised that

he is entitled to have this account fully satisfied and paid before the general creditors are entitled to share in the assets of the decedent.

That the said William Odom in his lifetime and at the time of his death was also justly and truly indebted to your orator in the principal sum of Thirteen Dollars (\$13.⁰⁰/₁₀₀) evidenced by the writing obligatory of the said William Odom bearing date the 20. January 1880 and bearing interest from date, which writing obligatory together with the accounts aforesaid is herewith filed marked Exhibits No. 1 and asked to be read as a part of this Bill.

That the personal estate of the said William Odom is very inconsiderable indeed hardly sufficient to pay expenses of administration, and that he died seized and possessed of about (100) One Hundred acres of land lying in Holy Tree District in Hansewood County 13 miles West of the Court-house adjoining the lands of Mills H. Holland — Eley & others.

That the said William Odom being so seized and possessed departed this life intestate leaving a widow Neton Odom and five grand-children, (children of his ^{daughters and the late} deceased ~~son~~ William L. Holland) viz. Elisha E. Holland, John S. Holland, Texana C. Holland, Nancy H. O. Holland, James S. Holland, who are entitled to such of his estate as may remain after the payment of all debts, expenses of administration &c. that letters of administration have been duly granted to Mills H. Holland upon

the estate of the said ~~Nelson Odom~~ William Odom deceased by the County Court of Vansemond County.

Your orator is informed, believes and therefore charges that the indebtedness of the said William Odom is much greater than the total value of his assets real and personal.

In tender consideration whereof and forasmuch as your orator is unwilling in the premises save in a Court of equity where such matters are properly cognizable and relievable he prays that Mills H. Holland Administrator of William Odom deceased, Nelson Odom, Elisha E. Holland, John D. Holland (infant) Texana C. Holland (infant) Nancy H. O. Holland (infant) and James E. Holland (infant) may be made parties Defendants to this bill and required to answer the same, that an account may be taken by and under the decree of your Honor's Court of the debts so due to your orator as aforesaid, and of all other debts which were owing by the said decedent at the time of his death, and which still remain unpaid. And that an account may be also taken of the said decedent's personal estate and effects, if any, received by the said Mills H. Holland as such Administrator as aforesaid; and that the same may be applied to the payment of the debts of the said William Odom deceased in a due course of administration, and in case it shall appear that the said personal estate is insufficient to pay off and

discharge the debts due by the decedent at the date of his death, your orator prays that the real estate of the decedent hereinbefore described may be sold under decree of your Honor's Court and the proceeds applied to the satisfaction of your orator's debts, and the debts of such other of his ~~deceased~~ creditors as will come in and contribute to the expense of this suit.

And for such other further and general relief as the nature of the case may require and the principles of equity may justify.

And your orator will ever pray &c.

Let a Subpoena go &c.

Thos. D. Barnes.

by Counsel.

Withers Printers p.g.

Thos. D. Barnes

Bill &
Exhibits.

Wm. Dooms Attorney

Thomas H. Barnes, who sues &c

13th { Chy: Notes

William Odum's Adm^{or}: &als:

1881. Jan'y: 19th: Sum^d. in Chy: issued to February Rules, 1881.

" Feb'y: 7th: Bill & Exhibit filed - answers of the adult
defts: with genl: replie:

" " " Peter B. Prentis, appointed genl: ad litem
to infants, who filed their answers.
genl: replie & Cause set for hearing
in mo: of Plaintiff's Counsel.

" " 28th: Recree in vacation for accos:

Chy. Notes

1. The first part of the notes is a list of the names of the persons who were present at the meeting.

2. The second part of the notes is a list of the names of the persons who were present at the meeting.

3. The third part of the notes is a list of the names of the persons who were present at the meeting.

4. The fourth part of the notes is a list of the names of the persons who were present at the meeting.

5. The fifth part of the notes is a list of the names of the persons who were present at the meeting.

6. The sixth part of the notes is a list of the names of the persons who were present at the meeting.

7. The seventh part of the notes is a list of the names of the persons who were present at the meeting.

8. The eighth part of the notes is a list of the names of the persons who were present at the meeting.

9. The ninth part of the notes is a list of the names of the persons who were present at the meeting.

10. The tenth part of the notes is a list of the names of the persons who were present at the meeting.

11. The eleventh part of the notes is a list of the names of the persons who were present at the meeting.

12. The twelfth part of the notes is a list of the names of the persons who were present at the meeting.

13. The thirteenth part of the notes is a list of the names of the persons who were present at the meeting.

14. The fourteenth part of the notes is a list of the names of the persons who were present at the meeting.

15. The fifteenth part of the notes is a list of the names of the persons who were present at the meeting.

16. The sixteenth part of the notes is a list of the names of the persons who were present at the meeting.

17. The seventeenth part of the notes is a list of the names of the persons who were present at the meeting.

18. The eighteenth part of the notes is a list of the names of the persons who were present at the meeting.

19. The nineteenth part of the notes is a list of the names of the persons who were present at the meeting.

20. The twentieth part of the notes is a list of the names of the persons who were present at the meeting.

Thomas H. Barnes, who sues &c

vs & Chy. Notes

Mills H. Holland, adm^r of Wm^{illm} Odom dec'd Est.

1881. Jan'y: 19th: Summ. in Chy: issued to Feby: Rules, 1881.

" Feby: 7th: Bill & Exhibit filed - Answers of the
adult defts filed & genl: repln: thereto

" " " Peter B. Prentiss appointed Gdn: ad litem
to infants, who filed their answer to which
there was a genl: repln: & the cause set
for hearing on Mo: of Plff's Counsel.

" " 28th: Decree (in Vacation) for accounts.

Chy: Notes