1890-015
Nansemond Co. (Suffolk)

Chancery Causes: R.C. Everett etal vs Admr of James H. Hall et al

Holland, Austin

Nansemond County, to wit: James E Stallings

To ~~WM. CHERRY~~, Constable of said County.

I hereby command you to summon James H Holland if to be found in your district, to appear at Holland's Corner on the 14th day of December 1867, before me or some other Justice of the said county as may be then there to try this warrant, to answer the complaint of Wm J. Holland Exr. of A H Holland Dec'd upon a claim for money not exceeding One Hundred dollars, exclusive of interest, to wit: for the sum of Twelve dollars, and Four cents, due by a/c ; and then and there make return of this warrant.

Given under my hand, this 3rd day of December, 1867

J H Copeland J. P.

Wm. J. Holland
James H. Holland } 23 day of Dec 1867,
JUDGMENT—that the plaintiff recover of the defendant
twelve dollars and 4 cents, with interest from the
1 day of Jan 1867, till paid, and 65 cts for his costs.

J H. Copeland J. P.

} day of 18 ,
JUDGMENT having been rendered in this case for
dollars and cents, exclusive of interest and costs,
and the defendant having requested stay of execution upon the said judgment, whereupon
undertook, as the surety of the said
for the payment of the said judgment,
execution is stayed thereon for days from the date.

J. P.

Nansemond County, to wit:

To WM. CHERRY, Constable of 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 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.

Wm. T. Holland
Exr. of A. H. Holland
warrant. & Ds
Jas. H. Holland

executed by leaving
a copy with his wife
J. E. Stallings
, Const.

Returned to the Clerks Office
by Winter of the May Court
Dec. 5th 1864
J. P. Stallings, Const.

1861. James Holland. Dr.

Co. Augustus Mt. Holland Jr.

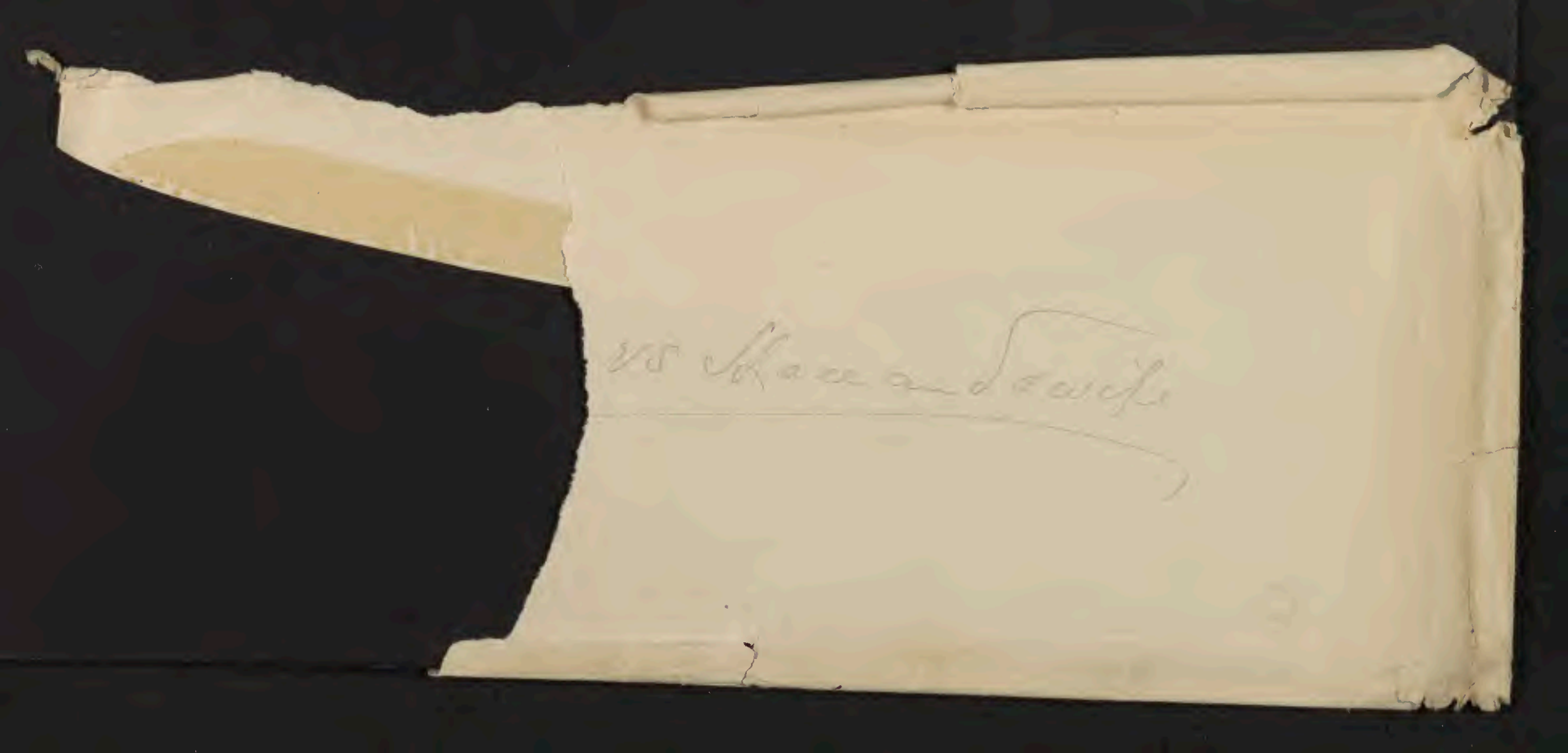
Jan.	20.	pr. J. Holland. 2 pr gal. Whisky @ 50c.	1	25	
	30	pr. [illegible]			02
Feb.	6	" " [illegible] 13. flour 100	1	13	
	"	" " [illegible] 87. herring 125:	2	12	3 25
	18	[illegible]			31
	27.	pr. self. 2 pr shoes 125. 163.	2	88	
		1 gal. molasses @ 8.		72	
		sugar & rye 36. Tobac. 12.		48	4 08
Mar.	14	pr. self 10 [illegible] flour @ 5c.		50	50
April	18	" " [illegible] 1/2 flour 50.			1 63
Octo	5	" " [illegible] gal: at 9d			1 00
					12 04

Jas. H. Holland
12. 04

The within judgment in favor of Wm. P. Holland Executor of A. H. Holland against Jas. H. Holland for $12.04 is barred by the statute of limitations and therefore not allowed as a valid claim against said Jas. H. Holland's estate.
See the case of Hutcheson vs. Gubbs decided by the Supreme Court of Appears 19th. Feby. 1885 and Code of 1873 Ch. 182 sec. 12.

Wilbur J. Kilby
Comr.

19 Augt. 1885



3.50
10.00
12.00
25.50
7.00
32.50

30.00
23.80
53.80
5
58.80

246.66

31.50

246.66
58.80
287.86

($100)

On demand I promise to pay or cause to be paid unto Ethelred Holland his heirs or assigns the just sum of one hundred dollars for a difference in value in dividing Land, for the payment of which I bind myself my heirs &c firmly by these presents as witness my hand and seal this 1st January 1866

Wm. T. Holland

Francis H Holland (seal)

Jas. H. Holland
Note for $100
Jan. 1, 1861

Return if not called for in 10 days to

C. H. CAUSEY,

Attorney at Law,

SUFFOLK, VA.

Enclosed Dollars
[redacted] $100—
Law Bks. Deleon

COURTS
NANSEMOND, ISLE OF WIGHT AND SOUTHAMPTON COUNTIES,
AND UNITED STATES COURTS AT NORFOLK.

OFFICE OF E. E. HOLLAND,

Commonwealth's Attorney for Nansemond County.

Suffolk, Va., 18

Received of R. H. Hollands Exr Cents in full
of Rent of R. Hollands Estate when the Sum
of Eighteen Dollars in payment of part
due me as Guardian of Sarah J. and Emma Causey
Hollands out of proceeds Sale of James H.
Hollands lands. Elisha E. Holland
Guardian

DEPOSITED WITH

FARMERS BANK OF NANSEMOND,

BY

E. E. Howard, Sheriff County
Clerk of Everett in Norfolk
January 9, 1865

as follows:

	Dollars.	Cents
Currency, = = =	188.	00
Gold, = = = =		
Silver, = = = =		
Checks and Drafts, = = (Enter separately.)		

One hundred & eighty eight dollars

W. H. Jones Jr. C.

Total, = = =	$188	00

Received of E. E. Holland, Spl. Comm. of the Circuit Court of Mansemond County in the suit of Everett vs Fulgham Shff and Admr of Jos S. Holland dec'd als the sum of one hundred and fifteen dollars and sixty one cents, reported as due in Commissioners Report made in said Cause—

R. L. Everett.

Suffolk, Va. _____ 188

E. E. Holland

Attorney at Law

Courts:
Mansemond, Isle of Wight and
Southampton Counties,
and United States Courts
at Norfolk

DEPOSITED WITH

FARMERS BANK OF NANSEMOND,

BY

E. E. Holland Agt Cin Lenoir & Norfolk

Norfolk, 1886

as follows:

	Dollars.	Cents
Currency, = = =	95	50
Gold, = = = =		
Silver, = = = =		
Checks and Drafts, = = (Enter Separately)		
Total, = = =	$95	50

Wm H Jones Jr

95.50 –
33.60
69.90

33.60
23.96
57.56

[Receipt to be used under section 6 chapter 548, Acts 1883-4.]

OFFICE OF THE TREASURER OF THE

$ 2.42 County of Nansemond

, 188 .

Received of E E Holland Commissioner

Two —— *Dollars* + forty Two *Cents,*

on account of the redemption of 103 acres *land returned delinquent for the non-payment of Taxes and County Levies by the Treasurer of* Nansemond *, for the year* 1883

103 *Acres, as follows, to-wit:*

State Tax,	$ 139
County Levies for all purposes,	91
Commissions,	12
Expenses of Sale,	
Total.	$2.42

H E Smith *Treasurer.*

Suffolk, Va., ... 188

Mr Wilson J Kilby Com'r

To Suffolk Herald, Dr.

1885

Aug 7	To Pub Notice to Cos of		
	Jas H Holland		
	in Suit of Everett Vs Holland's adm'r		
	2 ins 2.00		2.00

Received of E. E. Holland the Comr in the Chancery Cause of Everett vs Holland & others forty six dollars and ninety five cents $46.95 in payment of amount reported as due as Exr of A. H. Holland and by the report of the Commissioners made in this Cause

May 3rd 1886 –

Wm. T. Holland Executor

Suffolk, Va., 188

Mr E E Holland

TERMS:
Transient Advertisements and Subscriptions, Payable in Advance.
Annual Advertisers are Required to Settle Quarterly.
Job Work Cash on Delivery.

To Suffolk Herald, Dr.

Fine Job Work a Specialty

85 Nov 7	To Printing Bills notice of Sale of Land in Case Everett vs Holland		$ 1.50
	Paid Mar 17 1886		E E Booker

Suffolk, Va., 1886

Mr E E Holland

To Suffolk Herald, Dr.

TERMS:
Transient Advertisements and Subscriptions, Payable in Advance.
Annual Advertisers are Required to Settle Quarterly.
Job Work, Cash on Delivery.

Fine Job Work a Specialty

1883

Aug 7 To Pub notice to Crs of Jas A Holland - 2 in Bar $2.00

Pair

Mar 17. 86 J E Booker

1886 Nov. 15th. Received of Ed. E. Holland Special Comr. one hundred and fifty seven and 48/100 dollars in full of the claim of Mollie Holland against the estate of Jas. H. Holland deceased.

Wilbur J. Kilby Atts.

1886 Dec. 3d. Received of E. E. Holland Special Comr. Thirty-three and 60/100 dollars in full of the claim of Isaac W. Everett against the estate of James H. Holland deceased.

Wilbur J. Kilby Atts.

COURTS
NANSEMOND, ISLE OF WIGHT AND SOUTHAMPTON COUNTIES,
AND, UNITED STATES COURTS AT NORFOLK.

OFFICE OF E. E. HOLLAND,

Commonwealth's Attorney for Nansemond County.

Suffolk, Va., Feb 25 — 1890

Rec'd of R. L. Howard, the Comm'r in Suit of Howard
vs Howard the sum of Eight 00/100 dollars in payment
of my interest in proceeds of sale of Land.

his
G. B. Austin
mark

Witness: J. H. Baker

COURTS:
Nansemond, Isle of Wight and Southampton Counties,
And United States Courts at Norfolk.

OFFICE OF E. E. HOLLAND,

Attorney at Law.

Suffolk, Va., January 188[illegible]

Received of E. E. Holland, She Court
in suit of Everett & Holland vs
Seven dollars in payment for Sec.
Mem
J

G. W. Parker Clerk

#26362

Rec'd of E. E. Holland Sheriff
in the Suit of Everett & Holland
Per Reb the sum of two hundred and
sixty three dollars and sixty two cents
in payment in full of claim allowed
me against said estate by the Court Re-
port in said cause -

Dec 2. 1886

Edward Holland

Rec'd of E. E. Holland, Sh. Court in the Chancery Cause of Everett vs Jno. W. Holland's Per. Rep. the sum of twenty four 15/100 dollars in payment of claim allowed against said estate Dec 15th 1886.

Thos. A. Bain

No. .....

Plaintiff.....	
Residence.....	
Defendant.....	
Residence.....	
Sent by.....	
Date.....	
Amount.....	
Interest.....	

REMARKS:

E. E. HOLLAND,

Attorney at Law, Suffolk, Va.

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY - GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON John L. Fulghum, Sheriff of Nansemond County, and as such, Administrator of James H. Holland, deceased; Elisha Holland and Nellie, his wife; Geo: Austin & Mary V. his wife; Louisa Holland, Wallace Holland, Leak Holland & Causey Holland: the last four, infants, under the age of twenty-one years

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 March *next to answer a Bill in Chancery, exhibited against them in the said Court by* Ro: C. Everett, who sues on behalf of himself, and such other Creditors of James H. Holland, deceased, as may come in and contribute to the expenses of this suit

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this 2nd *day of* February, *1885, in the* 109th *year of the Commonwealth.*

Teste: Peter B. Prentis *Clerk.*

Executed Feby 10th/85 - and a copy delivered
to each of the within named defendants

J. T. Cox Dept for

J L Fulgham

Sheff

Rec'd. Everett, who sues &c

vs

John L. Fulgham, Sheff. &c

Def.

To March Term, 1885.

Civ. C.

1

Virginia:

At Rules held in the Clerk's Office of the Circuit Court of Nansemond County, on Monday, the 2nd day of March, 1885.

Ro: C. Everett, who sues on behalf of himself, and such other Creditors of James H. Holland, deceased, as may come in and contribute to the expenses of this suit. Complainants

Against } In Chancery

John L. Fulghum, Sheriff of Nansemond County, and as such, Administrator of James H. Holland, deceased, Elisha Holland and Mollie, his wife: Geo: Austin and Mary V, his wife; Louisa Holland, Wallace Holland, Leah Holland and Causey Holland: the last four, infants, under the age of twenty-one years . . . . . Defendants

On the Motion of the Complainants by Counsel: Peter B Prentis 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. Prentis. Clerk

1885. March 2nd: I acknowledge service of the foregoing order and that I have received a Copy of the same.

Peter B. Prentis,

guardian ad litem

Ro: C. Everett, who sues
&c

vs. Jas Clay:

John L. Fitzhugh, Supt &
admr: of Jas: H. Holland, decd
&al:

Order respecting testimony

Know All Men by These Presents,

THAT WE, E. E. Holland and Z. E. Holland

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of Eight Hundred (800) ~~~~~~~~~~~~~~~~~~~~ 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 24th day of October, ~~~~~ in the year one thousand eight hundred and eighty-five, and in the 110th year of the Commonwealth. And we hereby waive our homestead exemption as to this obligation.

THE CONDITION OF THIS OBLIGATON IS SUCH, That if the above bound E. E. Holland, ~~~~~~~~~~~~~~~~~~~

Robert C. Everett, adm'r &c

$\frac{11}{20}$ Common's Bond

John L. Fulgham, Staff: &
Adm'r of James H. Hall, dec'd
&al

1885

Octo: 24th:

Received of Elmira E Hollom
twenty five dollars in full ~~the~~
~~dollars~~ January 12 1884
P G Lee

$25.00

Paid $10 to
P. H. Lee for
piano.
1 July 1883

for piano

an early day to settle the above debt, and greatly oblige.

Yours, most truly,

This is to certify that Mrs Hattie Holland
consort of James H. Holland deceased made
the last payment on his land, thirty five
dollars, after his death.

James R. Jones.

Feb 16th 1883.

Paid 1 Jan. 1883

$25 14

Rec'd. of Mrs Jas Harrison Holland, Twenty Five Dollars & Fourteen cts in full payment on Store acct up to Date

E. M. Holland

April 5th 98 Jn Causey

Her acct is credited with this amt

1881 Jan 8	James W Holland To R C Hall &c To raising coffin and case lining shed cords handles for son	20 00
1882 March 5	To raising coffin and case lining shed cords &c for deceased	18 00
Oct 25 "	To raising coffin and case lining sheet cards &c for child	8 00
		43 00

Recd of Mrs Holland in full of the above acts

March 13th 1883

R C Hall

James Harrison Holland's estate

To

Mollie Holland Dr.

1883				
Jan. 1	To paid Jas. R. Jones, balance in full of debt due him and secured by deed of trust upon said Jas. H. Holland's land - per rect.			$ 35 00
Mar. 13	" " R. C. Hall's bill for coffins per rect.			35 00
Apl. 5	" " J. P. Holland's store account, per rect.			25 19
1884 Jan. 12	" " P. H. Lee's bill for guano, per rect			35 00
	Total			$130 19
	" Int. on $35. from 1 Jan. 1883 to 12 Jan. 1884 - 1 y. 12 ds.	$ 2	18	
	" Int. on $35. from 13 Mar. 1883 to 12 Jan. 1884 - 10 m.	1	75	
	" Int. on $25.19 from 5 Apl. 1883 to 12 Jan. 1884 - 9 m. 7 ds	1	16	5 09
				$135 28
	" Interest on $130.19 from 12 Jan. 1884 to 12 Octo. 1885 - 1 y. 9 m.			13 68
				$148 96
	Int. on $130.19 from 12 Octo. 1885 till paid			

Mollie Holland
$148.96

Proved before
Comm. W. J. Kilby

Everett vs J.L.Fulgham, Adm'r &c and others

Your Commissioner respectfully reports to Court that in pursuance of the decrees entered in this cause he has made to Eldred Hollanda deed for the piece of land purchased by him in the bill and proceedings mentionedand, has distributed the proceeds of sale as directed by the decree herein of the 12th of April, 1886, and returns herewith filed with these papers the receipts of the parties to whom same was paid:

Gross proceeds of sale and interest	$785.71
Paid costs of suit	$102.72
Amt paid Mollie E.Holland, per receipt	$157.48
Amt paid I.W.Everett, per receipt	33.60
Amt paid T.H.Barnes, per receipt	24.18
Amt paid Eldred Holland per receipt	263.62
Amt paid R.C.Everett per receipt	115.61
Amt paid W.T.Holland per receipt	46.95
Amt paid J.H.Hollands heirs per receipts,	41.55
	$785.71

Respectfully submitted;
E.R.Holland
Spl Comm'r

Report of Dr Richardson

Mar 29. 1890. Rec'd

To Hon. Geo Blew, Judge Hanis'd County Circuit Court -

Everett

vs McChancy -

Fulghum Sheriff & Adm Jos H Halland deed vols

The undersigned Commissioner appointed by a decree in this cause, proceeded to execute the duties thereby enjoined upon him, After advertising terms, time and place of sale as directed by the decree of sale, your Commissioner proceeded there, at public auction, to the highest bidder, at the front door of the Court-house of this County, on the 18th Dec 1885 - the tract of land in the bill and proceedings mentioned whereon sale Eldred H Heard made the highest bid and became the purchaser at $740 - The purchase has complied with his purchase by paying cash instalment and giving bond for credit instalment

Decreeing fee on Cash instalment		246.66
Costs of Advertising	1.50	
Crier's fee	7.00	
Commissions of Commissioner	23.80	
Clerk	12.00	
Comr in Chancy W. J Kelly	10.00	
Printer	2.00	
Sheriff	7.50	
Deed to Purchaser	5.00	
Attorney	31.50	
Taxes -	2.42	
	$102.72	102.72
		$143.94

Your Commissioner has deposited residue of Cash instalment in the Farmers Bank of Maysmond and returns certificate of such deposit - and also returns bond of purchaser given for the credit instalments. Your Commissioner has given the bond required by the decree.

Respectfully Submitted -

E. E. Hazeard,

Spl Comr -

Report of Sale -

Filed March 5th 1866

C.H.

Suffolk, Va., 188-

Mr Wilbur J Kilby Commissioner

To Suffolk Herald, Dr.

1885

Aug	7	To Pub'g Notice to Crs of Jas H Holland decd 2 in 2 J-	$ 2.00

COMMISSIONER'S OFFICE,
SUFFOLK, VA., July 29, 1885.

TO THE CREDITORS OF JAMES H. HOLLAND, deceased, or his estate, and all others concerned:

You are hereby notified that, in pursuance of a decree of the Circuit court of Nansemond county, I shall, on the 19th day of August, 1885, proceed, at my office in Suffolk, Va., to take and settle an account of all debts or demands against the said decedeut or his estate, and that at that time and place you are required to attend and file your claims and proof in support thereof according to law.

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

WILBUR J. KILBY,
Commissioner.

au7-2t

To Robert L. Everett, who sues on behalf of himself and such other creditors of James H. Holland deceased as may come in and contribute to the expenses of this suit. Complainant.

and John L. Fulgham, Sheriff of Nansemond County and as such administrator of James H. Holland deceased, Elisha Holland and Mollie his wife. Geo. Austin and Mary V. his wife, Louisa Holland, Wallace Holland, Lead Holland, and Causey Holland, the last four, infants under the age of twenty-one years, Defendants.

You are hereby notified that on the 19th. day of August 1885 at my office, in Suffolk, Va., (at which time and place you are required to attend), I shall take, state and settle the following accounts which are to be taken, stated and settled and reported to Court in pursuance of the decree of the Circuit Court of Nansemond County, Va., rendered the 28th. day of April 1885 in the suit in chancery pending in said Court to which you are parties plaintiff and defendants, to wit:

1. An Account of the transactions of John L. Fulgham, Sheriff and as such administrator of James H. Holland deceased.

2. An Account of the debts due by James H. Holland deceased, or his estate, together with proofs of the same and their priorities.

3. An Account of the real estate of which James H. Holland died seised and possessed together with its fee-simple and annual value.

4. An Account of any matter specially stated deemed pertinent by myself or required by any party to be so stated

Given under my hand, as Commissioner in Chancery of said Court, this 29th. day of July 1885

WILBUR J. KILBY,
Commissioner in Chancery.

Sufficient and legal service of this Notice is hereby acknowledged by us severally.

Peter B. Painter, Guardian ad litem to the within named infant defendants.
J. L. Fulgham Sheff & adm't

Executed and a copy hereof delivered this 15th. day of August 1885 to the within named Ro. C. Everett, Elisha Holland and Mollie his wife and Geo. Austin & Mary V. his wife severally in person.

J. T. Cox Dep'ft for
J. L. Fulgham Sh'ff

To the Circuit Court of Nansemond County, Va.

In pursuance of the decree of said Court pronounced the 28th. day of April 1885 in the cause in Chancery in said Court depending between Robert C. Everett, Plaintiff, and Jas. Harrison Holland's Administrator and others, Defendants, the undersigned, Wilbur J. Kilby, one of the Commissioners in Chancery of said Court respectfully reports to Court that having on the 29th. day of July 1885 given notice to the parties to said cause that on the 19th. day of August 1885 he would proceed at his office in Suffolk, Va to take state and settle the several accounts required by said decree to be taken stated and reported to Court, he on said 19th. day of August 1885 did take, state and settle said accounts at the place named and now respectfully reports the result as follows:

Account No. 1.

An Account of the transactions of John L. Fulgham, Sheriff and as such administrator of James H. Holland deceased.

Under this head the Commissioner reports that the said James H. Holland died possessed of only a small quantity of chattel estate or personal property and it was such only as his widow and infant children were entitled to by virtue of section 33 chapter 49 and section 14 chapter 126 of Code of 1873, and has long since been consumed by them. The said administrator, therefore, had nothing to administer and has no account to render.

Account No. 2

An Account of the debts due by said James H. Holland deceased, or his estate together with proofs of the same and their priorities:

A judgment in favor of Wm T. Holland Executor of A. H. Holland deceased against said Jas. H. Holland, rendered the 30th. day of Dec. 1880 by J. K. P. Daughtrey J. P. for —	$	18 32
Interest from 1 Jan. 1861 to 12 Octo. 1885 — 24 y. 9 m. 11 ds		27 23
costs		1 40
Total	$	46 95

The above being a judgment against said Jas. H. Holland in his life time, is a lien upon the real estate of which he died seised and possessed, having priority over all other claims against him or his estate and to be paid first in full.

(over)

Attorney	brought on			$	46 95
	To Etheldred Holland, per Bond	$	100	00	
C. H. Causey	Int. from 1 Jan. 1861 to 12 Octo. 1885 - 24 y. 9 m. 11 ds.		148	70	248 70
	To Dr. Ro. C. Everett, per bills		93	13	
E. E. Holland	" Int. on $38, part thereof from 1 Jan. 1881 to 12 Octo. 1885, - 4 y. 9 m. 11 ds		10	90	
	" Int. on $40. another part thereof from 1 Jan. 1882 to 12 Octo 1885 - 3 y. 9 m. 11 ds.		9	06	
	" Int. on $15.13 another part thereof from 1 Jan. 1883 to 12 Octo. 1885 - 2 y. 9 m. 11 ds		2	52	115 61
	To Mollie Holland. per bill.	$	135	28	
W. J. Kilby	" Int. on $130.19 part thereof from 12 Jan. 1884 to 12 Octo. 1885 1 y. 9 m.		13	68	148 96
				$	560 22

The above are all the claims proved before Your Comr. against said Jas. H. Holland or his estate.

Account No. 3.

An Account of the real estate of which James H. Holland died seised and possessed together with its fee-simple and annual values:

Under this head Your Commissioner reports that said James H. Holland died seised and possessed of a parcel of land situated in Holy Neck Magisterial District in said County, containing 103 acres, more or less, and bounded by the lands of Etheldred Holland, P. H. Lee, Alfred Howell and Isaac Lee's estate, - its fee-simple value as per assessment for taxes being $309.00, but its real value according to proof adduced before the Commissioner is $550.00 and its annual value $60.00

The Commissioner knows of no matter deemed pertinent to said Cause to be specially

stated nor has any party required any thing to be specially stated.

Respectfully submitted this 19th. day of August 1885.

Wilbur J. Kilby
Comr. in Chy.

Comr's. fee $10.00
Stuff " 2.50
Printer " 2.00

Everett etc
vs
Holland et al.
} In Chy

Report of debts
19 Augt. 1885

Filed 1885 Septr 21
Clk

1

1

Everett Etc

vs

Jno L. Pulgham Sheriff and Admr of Jas. H Hall and decd and als:

This cause came on this day to be again heard on the papers formerly read, the petitions of J. W. Everett and T. A. Barnes and exhibits filed since last hearing of this cause, and the report of sale, made by Commissioner E. E. Hall and, in obedience to a decree in this cause, of the tract of land in the Bill and proceedings mentioned. To which report there is no exception and it was argued by Counsel: On consideration whereof the Court doth approve and confirm said report and said sale, and doth order adjudge and decree that when and as soon as Eldred Hall and shall have paid in free the bonds to the said Commissioner E. E. Hall and, given for the credit instalments of this purchase, the said Commissioner E. E. Hall and, shall convey to him by good and sufficient deed, with special warranty, and subject to the dower interest of Mollie E. Hall and, late widow of Jas. H. Hall and dec'd therein, the tract of land purchased by him as aforesaid, consisting of a piece or parcel of land in Holly Tree Magisterial District in Nansemond County, containing 103 acres more or less, and adjoining the lands of Eldred Hall and, R. H. Lee, Alfred Horne and Isaac Lee's Estate—

And the Court doth allow the respective claims of J. W. Everett and T. A. Barnes for the amounts specified in their respective petitions with interest thereon from the time said claims matured—

And it appearing to the Court, from the report of

said Commissioner E. E. Hall and, and a Certificate of deposit in The Farmers Bank of Mansfield filed in the papers that there is now in his hands the sum of $143.96 the Court doth order, adjudge and decree that the said Commissioner E. E. Hall and, pay unto Wm. P. Hall and, Executor of R. H. Hall and deed the sum of $46.95 and the balance of said amount then remaining in his hands to R. C. Everett, and when and as soon as he shall have collected the bonds of Eldred Hall and, given for credit installments, that he pay unto R. C. Everett, the residue of the amount due him as reported in the report of the Commissioner made in this cause, unto Ethel-dred Hall and the sum of $248.70 unto Mattie E. Hall and the sum of $148.96, and to J. W. Everett and T. H. Barnes the amounts of their respective claims as specified in their respective petitions with interest from the time they matured, taking from each party, or his attorney, receipts for the amounts paid and filing them in the papers in this cause. And as to the residue of said purchase money then remaining in his hands the said Commissioner E. E. Hall and is directed to pay one fifth thereof to Mary V. Austin, the wife of Leo Austin, and to Louisa Hall and, Wallace Hall and, Leah Hall and and Causey Hall and, or their respective guardians, the remaining four fifths thereof, taking from them receipts therefor and filing

them in the papers in this cause -
And the said Commissioner is directed to
report his proceedings hereunder to Court -

Evans etc
vs
Jos H Lee and Ben Ash
rals-

In Chancery

Apl Ter 1884
Decree this entered

Geo. Bloss
D.C.

Apl 12th.

Recorded Order Book
No 2 Page 68

At a Circuit Court continued and held for Nansemond County the 15th day of October 1885.

Robert C Everett, who sues &c Plaintiff

Against } In Chancery.

John L Tulgham, Sheriff and Admr of James A Holland dcd. Defendants.

This cause came on this day to be again heard on the papers formerly read and on the report of Commissioner Wilbur J Reilly, filed since the last hearing, to which report there is no exception, and was argued by Counsel.

On consideration whereof the Court doth approve and confirm said report and doth order adjudge and decree that E E Holland who is hereby appointed a special Commissioner for that purpose, do after having advertised the time place and terms of sale by posting notices thereof at three or more public places in Nansemond County and also by posting notice thereof at the door of the Court house of Nansemond County on some Court day previous to day of sale, do proceed to sell at public auction at the front door of the Court house of Nansemond, on some Court day thereafter the tract of land in the bill and proceedings mentioned, subject to the dower interest of Mollie E Holland the widow of James A Holland dcd, therein upon the following terms, to wit: One third cash, and the residue in three equal

instalment payable at the date and twelve months from day of sale, the credit instalments bearing interest from the day of sale, and the purchaser executing bonds therefor payable at said respective dates, and the title of the property retained until the whole purchase money is paid, and a conveyance directed by the Court.

And the said Commissioner is directed to deposit the cash instalment, deducting therefrom the expenses of sale, including his commissions on proceeds of sale, in the Farmers Bank of Bermuda to the credit of the Court in this suit and report his proceedings hereunder to the Court, returning herewith a certificate of such deposit and the bonds given for the credit instalments, But, the said Commissioner E E Holland shall receive no money under this decree until he shall enter into bond with sufficient security in the Clerk's Office of this Court payable to the Commonwealth of Virginia in the penalty of $800. and conditioned for the faithful discharge of his duties hereunder, or under any other decree hereafter rendered in this cause.

A Copy

Test

Peter B. Prentis. Clerk

Costs:

Clerk	$12.00	(Paid) P. B. P. 40 1/2 Tax. $1.50 Gen'l Stff
Atty. Gen	31.50	Paid E. E. Sprigg Jr Asst Com
Stff	7.50	Paid
Commr. w. Ch.	10.00	Paid Wilbur J. Kilby Comr.
Reuter	2.00	pd J E Brooks
	$63.00	

xmd

Robert C. Everett, exto sues &c

#20 } Copy Decree 4 Octo: 15/85

John L. Fulghum, Shff: d admrx

vs James H. Holland, de cód al:

Everett etc
vs } In Chancery.
Holland et als

This cause came on this day to be again heard on the papers formerly read and on the report of Commissioner Wilbur J. Kelly filed since the last hearing, to which report there is no exception and it was argued by Counsel. On consideration whereof the Court doth approve and confirm said report, and doth order, adjudge and decree that E. E. Holland, who is hereby appointed a Special Commissioner for the purpose, do after having advertised the time, place and terms of sale by posting notices thereof at three or more public places in Hansen and County and also by posting notice thereof at the door of the Court house of Hansen and County, on some Court day previous to day of sale, do proceed to sell at public Auction at the front door of the Courthouse of Hansen and, on some Court day thereof, the tract of land in the bill and proceedings mentioned, subject to the dower interest of Hollie E. Holland [illegible] and described therein upon the following terms, to wit: One third cash, and the residue in three equal instalments, payable at six, nine and twelve months from day of sale, the credit instalments bearing interest from the day of sale, and the purchaser executing bonds therefor payable at said respective dates, and the title of the property

retained until the whole purchase money is paid and a conveyance directed by the Court

And the said Commissioner is directed to deposit the Cash instalment, deducting therefrom the Expenses of sale including Commissions on proceeds of sale, in the Farmers Bank of Virginia to the credit of the Court in this suit and therein his proceedings hereunder to the Court, returning therewith a certificate of such deposit and the bond given for the credit instalments. But the said Commissioner E. [illegible] Holland shall receive no money under this decree, until he shall enter into bond with sufficient security in the Clerks office of this Court, payable to the Commonwealth of Virginia, in the penalty of $800.00 and conditioned for the faithful discharge of his duties hereunder, or under any other decree hereafter rendered in this cause.

Everett &c
vs
Holland & als
} In Chy

Oct Term 15th 1885

To be entered

Genl Blank

Enter'd 6 P.S. Do 2 fo 57

(Copied)

Ro. Le Everett, who sues &c -
vs
Jno. L. Fulgham Sheriff &c as such Admr of Jos
N. Hare and died, and als -
This cause came on this day to be heard
upon the Bill taken, Con confessed as to the
absent defendants, the answer of infant
defendants, by P. B. Pruett, their guardian
ad litem and of said Guardian ad litem,
general replications thereto, and exhibits filed
and was argued by Counsel. On Consider-
tion whereof the Court doth adjudge, order
and decree that the papers in this cause be
referred to one of the Commissioners of this Court
who is directed to inquire into and report to
Court -
1. An account of the transactions of Jno.
L. Fulgham Sheriff and as such Admr of Jos.
N. Hare and dec'd -
2. An account of the debts due by Jos. N.
Hare and, dec'd, or his estate, together with
proofs of the same and their priorities.
3. An account of the real estate of which
Jos. N. Hare and died seized and possessed
together with its fee-simple and annual value.
Which general inquiries the said Commissioner
shall make and to the Court report together
with any matter specially stated deemed perti-
nent by himself or required by any party
to be so stated -

No. L. Everett
vs} Inclosure
Geo L. Fulgham Sheffield

Decree

To be entered.
28 April 1885
Leo. Bloom.

Entered 68 Rec 2 Page 37

Everett vs Fulgham, Adm'r &c and others,

This cause came on again this day to be again heard upon the papersformerly read, and upon the report of distribution made by Commissioner E.E.Holland, filed since the last hearing of this cause, to which no exceptions have been filed , and was argued by Counsel: On consideration whereof the Court doth ratify approve, confirm, and approve said report, and it appearing to the Court that the costs of suit have been paid, and that there is nothing further to dispose of in said suit the Court doth order, adjudge and decree that the same be removed from the docket.

Everett vs
vs In Chancery
Stephens Admr &c
Final Decree

April 10th, 1890
Filed Entered
C H Dodd

Entered Chancery
Order Book
No: 2 p. 314

Exhibit 2

Carrsville, Va. _____ 188

Mr. James Harrison Hilliard

To Dr. Thos. F. Barnes, Dr.

1881			
Dec	18	To prescription & physician & children	$ 2 00
Jan	11	" do do "	2 00
"	15	" visit to self & physician	2 00
"	18	" do. " " "	2 00
"	20	" " " "	2 00
"	24	" " " "	2 00
"	30	" prescription & physician & children	2 00
Dec	15	" visit to self	2 00
1882			
Jan	16	" visit to self & prescription & children	2 00
"	6	" prescription & physician for Dec	2 00
		Amt brought over	$ 20 00
			$ 20 00

Virginia
Nansemond County to wit:
I. E. & Holland, a notary public in and for said County in said State, do certify that J. H. Bowers this day made oath before me, that the within account rendered by Jas H. Holland is correct, that no part of it has been paid and is a just claim against said Jas H. Holland & Co. Given under my hand the 3 day of July 1886 E. E. Holland N.P.

State of
Virginia
Nansemond
County to wit

State of Virginia }
Nansemond County } to wit

This day personally appeared before me, a Notary Public in and for said County and State, I. W. Everett, who made oath that the within account due to him by Jas. H. Holland, is correct and that no part of it has been paid, and that the same is a just debt and claim against the estate of said Jas. H. Holland.

Given under my hand this 25th. day of November 1885.

Wilbur J. Killy
Notary Public.

Jas. H. Holland
Acct.
$24.18

In the Circuit Court of Hancock County.

Ro. C. Everett, who sues etc.

vs.

Jas. H. Holland's Per. Rep. Tal.

In Chancery.

To the Hon. Ges. Blow, Circuit Court Judge in and for said County:

Your Petitioner, I. W. Everett respectfully presents this his Petition and says:

That James H. Holland was in his lifetime indebted to Your Petitioner in the sum of $24.18 as will appear by an itemized statement of his claim hereunto filed as part of this Petition and marked Exhibit No. 1.

That said indebtedness matured on the 7th. day of July 1880 and bears interest from that day.

That being so indebted the said Jas. H. Holland departed this life in the year 1882 intestate.

That during his life-time the said Jas. H. Holland failed to pay said sum of money to

Your Petitioner and died leaving the same unpaid.

That the said sum of money has not been paid by any one since the death of said Jas. H. Holland.

That the same now constitutes a valid claim in favor of your Petitioner against the estate of said Jas. H. Holland.

That on the 2nd. day of February 1885. a suit was instituted by Ro. C. Everett suing for the benefit of himself and all creditors of said Jas. H. Holland against said Jas. H. Holland's Per. Rep. and heirs and distributees in the Circuit Court of said County, having for its object the subjection of the real and personal estate of said Jas. H. Holland deceased in said County to the satisfaction of his debts.

That in pursuance of the decree entered in said suit on the 28th. day of April 1885. a Report of the debts due by said Holland

and of the estate of which he died seised and possessed was made, and on the 21st. of September 1885, filed in said suit.

Your Petitioner says that he had no Knowledge of said suit and did not see or hear of the notice of the Comr. who made said Report and, ~~therefore~~ that for that reason Your Petitioner's claim aforesaid was not laid before said Comr. and does not appear among the debts reported by him against said estate.

Your Petitioner prays, therefore, that ~~he may~~ this, his Petition may be filed in said suit and his claim aforesaid allow as a valid claim against said estate and be paid out of such funds as may be subject to the control of said Court in said suit for the satisfaction of the debts against said Holland or his estate.

And Your Petitioner will ever pray etc. J. W. Everett,
By Counsel.

Wilbur J. Kilby, p.q.

18 Feby. 1886

Ro. C. Everett etc.

vs. } In Chy.

Jas. H. Holland's Per. Rep. & al.

Petition of
I. W. Everett.

1886. Friday 20th. Filed

In the Circuit Court of Mansemon County.
R. C. Everette, who sues &c
vs } In Chancery
Jas. H. Hall and Ds Per. Rep. & als
To the Hon. Geo. Blow Judge of the Circuit Court of said County:
Your petitioner J. A. Barnes presents this his petition to Court and says-
That Jos. H. Hall and was, in his life time, indebted to your petitioner, in the Sum of $19.50 cts, which debt accrued on and has existed from the 6th Dec 1882 as will appear by an itemized statement of his account herewith filed and marked Exhibit "2"; that being so indebted the said Jos. H. Holland, in the year 1882, departed this life intestate: that during his lifetime said Jas H. Holland failed to pay any part of said Sum money and died leaving same unpaid and that no one has paid your petitioner said sum or any part thereof since his death, and that it now constitutes a valid claim against the estate of said Jos. H. Holland, dec'd-
That on the 2nd day of Feby 1885 a suit was instituted by Ro. C. Everett suing for the benefit of himself and all creditors of Jos. H. Holland dec'd against said Jas H. Hall and Ds Per. Rep and heirs and distributees in the Circuit Court in said County, having for its object the subjection of the real and personal estate of said Jos. H. Holland dec'd in said County to the satisfaction of his debts- That in obedience to a decree entered in said suit on the 28th day of April 1885 a schedule of the debts due by

said Jos H. Holland and of the estate of which he died seized & possessed was made and on the 21st of September 1885 filed in said suit -
Your petitioner says that he had no knowledge of said suit and did not see or hear of the notice of the Court who made said report and that for that reason Your Petitioner's claim aforesaid was not said before said Court, and does not appear among the debts reported by him against said estate -
Your petitioner therefore prays that this his petition may be filed in said suit and his claim aforesaid allowed as a valid claim against said estate and be paid out of such funds as may be subject to the control of said Court in said suit for the satisfaction of the debts against said Holland & his estate And Your petitioner will ever pray &c
E. E. Holland, Esq
187 Sep 1886

J. H. Barnes
By Counsel

No. C. Lovell &c
vs In Chancery
Jos. W. Hall and P. Van Rensselaer
et al

Petition of J. W. Barney

The joint and separate answer of Louisa Holland, Wallace Holland, Leah Holland and Causey Holland, infants, under the age of twenty-one years, by Peter B. Prentis. Their guardian ad litem, to a Bill exhibited against them and others, in the Circuit Court of Nansemond County, by Ro. C. Everett, who sues on behalf of himself and such other Creditors of Jas: H. Holland, deceased, as may come in &c.

These Respondents say, that, being infants, and ignorant of their rights in the premises, they cannot admit any of the allegations stated in the Bill — they, therefore, submit them entirely to the Court, and pray, that no order or decree may be made in the premises, inconsistent with their rights.

(Sgd)

Peter B. Prentis,

Guardian ad litem

Ro: C. Everett, adm. suus &c

Against 5 In Chy:

John L. Fitzhugh, Statf: Landon
& Jas: H. Holland, decd Lal:

Answer & Ins Exhibits.

Mr Jas H. Holland

1880

To R. C. EVERETT, Dr.

To 15 visits to & Prescription to family

from April 1 to Dec. 29th $38.00

RECEIVED PAYMENT.

Sworn to
E & H
NP

Mr Jas. H. Holland

[redacted]

$ 3800

(a)

Mr Jas H. Holland

1875.

To R. C. EVERETT, Dr.

To 27 visits to Self & Son

from Jan 1 to Nov 15th $40.00

RECEIVED PAYMENT,

Sworn to -

E & V -

HP

Mr Jas. H. Holland

$ 4000

(a)

Mr Jas H. Holland

1876.

To R. C. EVERETT, Dr.

To 10 visits to Self & Leah

from Feb 8 to Oct 17 £1.5.13

RECEIVED PAYMENT,

Sworn To
E. & U
WP

Mr Jas. H. Holland

$ 15 13

(a)

38.
40
15 13
---
9 3 13

To the Hon Geo Blow Judge of the Circuit Court of Hanover County.

Plaintiff — R. C. Everett, who sues for himself &c
vs. In Chancery
Defdts — Jno L. Falgham Sheriff and as such Admr of Jas. H. Hoeand dec'd & als.

Your Complainant, R. C. Everett, who sues for himself and as one of the creditors of Jos. H. Haeand, decd, who shall come in and contribute to the Costs of this suit, respectfully represents and shows unto your honor, That some time during the year 1882 the said Jos. H. Haeand departed this life, and at the time of his death was justly indebted to your Complainant in the sum of $93.43, with interest from the 17th of October 1882, as more appears from Exhibit hereunto filed as parts of this bill and marked Exhibit "A," for services rendered unto the said Jos. H. Haeand dec'd as a Physician; that the said Jos. H. Haeand was at the time of his death seized of a certain piece or parcel of land in Hanover County Virginia, adjoining the lands of Esther Haeand and others and containing one hundred acres, more or less, and was also possessed of a very small personal Estate: And that

the said Jos. N. Haccard, being so seized and possessed, departed this life, intestate leaving a widow Mollie E. Haccard who has since married Elisha Haccard and Mary V. the wife of Geo Austin, Louisa Haccard Wallace Haccard Leah Haccard and Causey Halland

the last four infants under the age of twenty one years, as his children and heirs at law: and that Jno. L. Gilliam, as Sheriff of Nansemond County, became the duly qualified Administrator of said Jos. N. Haccard, dec'd at the term of the County Court of Nansemond County; that the funeral estate of said Jos. N. Haccard, dec'd was made and has been contracted in the payment of funeral & funeral and other small claims against the estate; that your Complainant has applied to said Administrator pay his claim and the said Administrator has refused on the ground that he has no funds in hand with which to pay the same. Your Complainant is also informed that there are other debts against the estate and that for satisfaction of your Complainants claim and all claims against the Estate a sale of said real estate will be necessary

Your complainant also states that the rentals of said place is not more than sufficient to pay the taxes and keep the place in a condition to be rented &c. Under the consideration whereof and in as much as your complainant is remediless save in a Court of Equity, your complainant prays that Jno L Buigham Sheriff and as such Admr of Jos H. Haeand dec'd, Elisha Holland and Mollie, his wife, Geo Austin and Mary D. his wife, Louisa Haeand, Wallace Haeand Leah Haeand and Andrew Haeand

may be made parties defendant to this bill and required to answer the same, the adult parties in person, and the infants by a proper guardian ad litem who is to be appointed to defend their interests in this suit, who shall also answer the same, that the Admr be required to render before one of the Commissioners of this Court an account of his transactions as Admr, that an account of the debts due by Jos. H. Haeand, dec'd, or his estate, by other and proofs of the same and account of the real estate of Jos. H Haeand, dec'd be taken and reported to Court, that

if necessary Sale may be made of the real Estate, or so much as is necessary, and the proceeds thereof, as well as proceeds of personal Estate be applied to the payment of their debts according to priorities: that the dower interest of said Mollie E. Haccland, widow of Jno. N. Haccland, dec'd, be assigned to her, or if she decline it, which she is required to elect in her answer, be commuted and a certain amount of money be paid her in lieu thereof; that proper process issue; that all proper orders and decrees may be made, and that all such other, further and general relief may be afforded your Complainant as the nature of this case may require or to Equity shall seem meet. And your Orator will ever pray &c.

E. E. Haccland

Sol. for Cl.

Rec'd

A. P. Smith & Hall Sol's for Cl.

Dr. J. H. Clausen

Solicitor & Counsellor at Law

Mississippi City, Miss.

Ro: C. Everett, who sues &c

vs } Chy: Order

John L. Fuqua, Sheriff &c vs Jas: H. Holland, dec'd &al:

1885. Feby: 2nd: Summons in Chy: issd to March Rules, 1885.

" March 2nd: Bill & filed — Decree Ni: si: vs: non-resident defts:

" " " Peter B. Perrin's appointed guardian ad litem to represent defts: who filed their answer to which there was a Sep: replication & the Cause set for hearing on ten days notice of Complts Counsel

" 11th: 6 . Decree Ni: si: confirmed & Cause set for hearing:

" " 28 . Decree for Accos: of Sheriff &c

" Septr: 21 Report filed

Chy: Notes

Chancery Papers

Ro. C. Everett, who sues &c

against

John L. Pilgram, Sh'ff &c.
& James H. Wells Sol &c

1890

Appeal Dean

Final Decree

Cost
Clerk's Fee $10.00
Sol. Fee 31.00
Sh'ff. 7.50
Comm. 10.00
Printing 3.00
$63.00

All Available Text Successfully Captured