

1895-008  
Nansemond Co. (Suffolk)

Chancery Causes: Elizabeth Ann Holland vs Edwin J. Matthews

Richards

Rec'd of R. H. Rawles special  
comm'r in Elizabeth Ann  
Holland vs E. J. Matthews  
Whitten +  $\frac{58}{100}$  Costs of clerk,  
sheriff and mil tax,  
as follows:-

|         |       |
|---------|-------|
| Clerk   | 10,08 |
| Sheriff | 2,00  |
| Mil Tax | 1,50  |

\$13,58

A. P. Gomer Clerk

Recd of R. H. Rawles special Comm  
in Edg. A. Holland vs E. J. Matthews  
Two dollars + fifty cents for  
crying out trouble at auction  
\$2 <sup>50</sup>/<sub>100</sub>

Dec 11 1894,

John S Branch  
cr

$$\begin{array}{r}
 10 \\
 10 \\
 \hline
 20 \\
 4 \\
 \hline
 80 \\
 50 \\
 \hline
 130 \\
 40 \\
 \hline
 170
 \end{array}$$

$$\begin{array}{r}
 11 \\
 100 \\
 30 \\
 \hline
 141
 \end{array}$$

TRANSIENT ADVERTISEMENTS and SUB-  
SCRIPTIONS PAYABLE in Advance.

ANNUAL ADVERTISERS Required to Set-  
tle Quarterly.

JOB WORK, Cash on Delivery.

Suffolk, Va.,

Dec 11

1894

# THE SUFFOLK HERALD

## BOOK AND JOB PRINTING ESTABLISHMENT

J. E. BOOKER, Proprietor

Printed for

R. H. Rawley & Co.

To Printing 50 Bills  
Notes of \$100 of Timber  
on Land of Elizabeth A. Hollam

Per  
J. E. Booker

Recd of R. H. Rawles special  
Commissioner in the  
cause of Elizabeth Ann  
Hollend vs E. J. Matthews  
four dollars for  
surveying  $13\frac{1}{4}$  acres  
of timber land.

Dec 10 1894.

\$4.00  
A 4.11

John P. Cowling

Rawles & Briggs,

Attorneys at Law and Notaries Public.

Suffolk, Va., Dec 10<sup>th</sup> 1894,

Rec'd of R. H. Rawles Special  
Committee in Elizabeth A.  
Holland vs E. J. Mauteau,  
Eighty dollars for  
repairing house as  
per contract,

\$80<sup>00</sup>/<sub>100</sub>

— his  
Divill X Whism  
his  
Andrew X Hawkins  
mark

Witness

Merritt Briggs

Vouchers.

Farmers' <sup>AND</sup> Mechanics Insurance Co.,  
105 SOUTH ROYAL STREET,  
ALEXANDRIA,

LOCK BOX, 166.

VA.

Rec'd of R.H. Rawley special  
Commission Eight dollars  
+ fourteen cents for lumber  
furnish Linell Johnson +  
Andrew ~~Johnson~~ <sup>Hawkins</sup> for repairing  
house of Elizabeth A. Hollowell  
\$8.14 Dec 10 1894

11  
Jesse Whitley

- 52.9  
- 5  
- 101

Suffolk, Va., Nov 7<sup>th</sup> 1894

Mr David Johnson

Bought of James W. Johnson

Dealer in No. 1 Handmade and Sawn Shingles,

89 Main Street.

800 Shingles  
1000 "

@ 2.00  
" 5.00

Paid

in full  
Mr. Bright

2.00  
4.00  
6.00  
8.00

9.90

in  
full  
Jas. W. Johnson  
man

Devil's Island

COUNTY OFFICERS.

HON. WILBUR J. KILBY, County Court Judge.  
 R. R. SMITH, Clerk County Court.  
 A. P. GOMER, Clerk Circuit Court.  
 E. E. HOLLAND, Commonwealth's Attorney.  
 A. H. BAKER, Sheriff.  
 H. E. SMITH, County Treasurer.

Clerk's Office, . . .

. . . Hansemond County.

Suffolk, Va.,

189

Fulton B. Norfleet  
 Wm A. Austin  
 Chas B. Riddick  
 R. Frank Rogers  
 Joseph A. Deans  
 John M. Galbraith  
 Frank W. Rawles  
 Reginald Wright  
 John T. Gapps  
 Feltre Brinsley  
 Wm D. Frost  
 John P. Purnell

Ex't - V<sup>a</sup> Nov 8<sup>th</sup> / 94

Mr R. H. Rawles

To J. Phifer Dr  
To Provisions furnished as per Order  
to Andrew Hawkins and Dink Johnson 12 00

Paid,

Andrew <sup>h</sup> Hawkins

Witness:—

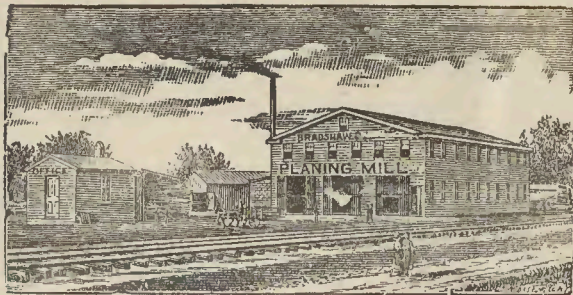
Maria Biggs

Mark  
J. Phifer

Mr R. H. Rawles

Suffolk, Va.,

Nov 17 1894



Bought of BRADSHAW LUMBER CO.

Manufacturers of and Dealers in

YELLOW PINE LUMBER  
FLOORING, CEILING,  
BRACKETS, MOULDINGS, STAIR RAILS AND TURNED WORK.

ESTIMATES GIVEN ON APPLICATION.

To 300 feet #3 fig Lumber 1<sup>20</sup>

\$ 3.60

Paid  
Bradshaw Lumber Co  
12/10/94,  
Dennis

*Special Comm. Suffolk, Va.,* Nov. 19<sup>th</sup> 1894,  
*Mr. T. H. Rawls (Hall and Matthews)*

Bought of C. E. HOLLAND & CO.

WHOLESALE AND RETAIL DEALERS IN

Coal { ANTHRACITE, BITUMINOUS, BLACKSMITH, }, Ice, Hay, Grain, Feedstuff, Agricultural Lime, { RED BEACH CALCINE NOVA SCOTIA LAND } Plaster,

FLOUR, HAIR, CEMENT, SEWER PIPE, DRAIN TILE AND BRICKS.

TERMS—CASH IN 30 DAYS.

NO. 35 EAST WASHINGTON STREET.

BUILDING LIME A SPECIALTY.

AGENTS FOR THE CELEBRATED POCAHONTAS COAL

1 Bbl. Alum LIME

1/15

*Paid C. E. Holland & Co.*

R. H. Hawks  
of the Bros.  
Holland vs  
Matthews

---

R. H. Hawks

HUBS,  
RIMS,  
SPOKES,  
SHAFTS,  
STEEL,  
BAR IRON,  
IRON AXLES,  
STEEL AXLES,  
BABBITT METAL,  
SPLIT PULLEYS,  
BELTING,  
BOLTS, NAILS,  
PUMPS, &c.

MAIL ORDERS  
SOLICITED.

Mr. R. H. Parvold, Special Commissioner

## Bought of E. L. FOLK & CO.

— JOBBERS AND DEALERS IN —

Hardware, Mill Supplies, Farm Tools, Plow Castings,  
SASH, BLINDS, DOORS, MOULDINGS, BRACKETS,  
Coach Materials, Sporting Goods, Paints, Oils, Brushes, Window Glass, Putty,  
Lime, Plaster, Hair, &c.

SUFFOLK, VA.,

Dec 8 1894.

TERMS--THIRTY DAYS,  
After which 6 per cent. Interest will be added.

Nov 7 To 100 H artt Nail  
19 " 1 Door  
" " 200 Lath  
" " 1 Window

Paid E. L. Folk & Co.

2.00

1.00

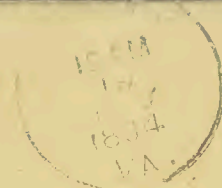
35

75

\$4.10



If not delivered within five days return to  
**BRADSHAW LUMBER CO.**  
**SUFFOLK, VA.**



*R. H. Rawles Esqr*  
*Suffolk Va*

210

50

---

270

150

---

140

46

---

101

Rawles & Briggs,  
Attorneys at Law and Notaries Public.

Suffolk, Va., Nov. 24 1894

R. H. Rawles. Special Com.

Henry E. Williams \$5 - <sup>Plan pay to</sup> for plastering house  
of Mrs. Holland.

Hawkins & Johnson  
by ~~John~~<sup>W. Johnson</sup>  
man.

Witness

Merritt Briggs,

Recd. of R. H. Rawles Sp. Com. \$5 - per order  
of Hawkins & Johnson for plastering house  
of Mrs. Holland.

Suff. Va.

Nov. 24. 1894

Henry Williams

Received Dec 10<sup>th</sup> 1894  
of R. H. Rawles Twelve Dollars  
in full for Provisions furnished  
Andrew Hawkins and Dink Johnson  
as per order dated Nov 7<sup>th</sup> 1894

J. Pfifer

To the Clerk of the Circuit Court  
of Nassau and County.

Elizabeth Ann Holland *Plff*

*vs*  
Edwin J. Matthews. *Def*

In Chancery.

Here summons for plaintiff  
against defendant to first  
April term 1894 to answer  
said plaintiff of a Bill  
in Chancery to be filed  
against him.

Paul Briggs  
p. g.

Pay \$1.50

# Memo for Clerk.

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Costs

Clerk 10.08<sup>hs</sup>

Supp. 2.00<sup>hs</sup>

Tax 1.50<sup>hs</sup>

Atty 15.00

\$ 28.58

To the Clerk of the Circuit Court  
of Nauset County:

Elizabeth Ann Holland

<sup>vs</sup>  
Edwin J. Matthews  
Louisa Richard, }  
Elijah Richard, } In Charge

Deem Summons for Complaint  
are to said defendants to  
appear within 1894  
(third Monday) to answer  
said Complaint of  
a Supplemental Bill  
to be then exhibited  
after which.

Wm. H. H. H.

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

*Edwin Matthews*  
*Louisa Richards and Elijah*  
*Richards*

to appear at the Clerk's Office of the Circuit Court of Nansmond County, at the Rules to be held  
for the said Court, on the *Third* Monday in *July 1894*, to answer

*a Supplemental* Bill in Chancery, exhibited against  
*them* in the said Court by *Elizabeth*  
*Ann Halland*

and have then and there this summons.

WITNESS, A. P. GOMER, Clerk of our said Court, at his office, this *10th* day of  
*July* 189*4*, in the *117*th year of the Commonwealth.

Teste:

*A. P. Gomer*

Clerk.

Executed this the 18<sup>th</sup> day of July 1894 by delivering  
a true copy of the within business to each of  
the within named witnesses in person

A. E. May Cur Dep  
For A. H. Carson Shift

Raoules & Briggs pg  
Elizabeth Ann Holland  
W. J. M. Chauncy  
Edwin Matthews  
and others.

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1894  
July Rules  
Third Monday

Nausem and  
Circuit Court  
Process Book  
No 2 Page 102

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

*Edwin J. Matthews*

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 *Tush* Monday in *April* 1894, to answer

*Ann Holland* *him* a Bill in Chancery, exhibited against in the said Court by *Elizabeth*

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this *21st* day of *March* 1894, in the 11<sup>8</sup>th year of the Commonwealth.

Teste:

*A. P. Gomer* Clerk.

Memo.

On the motion of the Complainant an injunction is awarded to prohibit and restrain Edwin J. Matthews his agents and attorneys and all other persons acting under him from trespassing on the land mentioned in the Bill as being the property of Elizabeth Ann Holland and from cutting wood or timber on the same and from committing any acts of depredation whatever therein until the further order of the Circuit Court of Nausemound County. But before the Complainant shall have the benefit of this order, she or some one for her must execute a bond in the penalty of \$25, before the Clerk of the said ~~Court~~ Circuit Court with security deemed sufficient by said Clerk conditioned to pay all costs and damages which may be awarded in case this injunction shall be dissolved.

L. N. Hill  
March 20<sup>th</sup> 1894

To the Clerk of the Circuit  
Court of Nausemound County.

A Copy Test: J. P. Gomer Clerk

The ~~above~~ bond required in the above injunction has been given with security deemed sufficient by me.

J. P. Gomer Clerk

Rawles & Briggs pg

Elizabeth Ann Holland

vs J. M. Chancery

Edwin J. Matthews

1894

April Rules

1st Monday

Nausemound  
Circuit Court-  
Process Book  
No. 2, Page 100

Received the 22 day March 1894  
by my returning a true copy of the  
process to E. J. Matthews in person  
W. H. Briggs  
J. P. Gomer

Know All Men by These Presents, That we *S Job Hollam*  
*Charles E James and Richard H Rawles*

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full  
sum of *Twenty Nine* 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.

And we waive the benefit of our exemption as to this obligation, and also waive any claim  
or right to discharge any liability to the said Commonwealth arising under this bond, or by virtue  
of the office, post or trust herein mentioned, with coupons detached from bonds of said Common-  
wealth.

Sealed with our seals, and dated this *21st* day of *March* in the year  
of our Lord one thousand eight hundred and ninety *four*, and in the *118* year  
of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas  
*Elizabeth Ann Hollam* has on this *21st* day of  
*March* 1894 instituted her suit in Chancery in the Circuit  
Court of Nansemond County against *Edwin J Matthews*  
and an injunction is awarded in said suit to prohibit  
and restrain said *Edwin J Matthews* his agents and attorneys  
and all other persons acting under him from trespassing  
on the land mentioned in the Bill as being the property of  
*Elizabeth Ann Hollam* and from cutting wood timber on the same  
and from committing any acts of depredation whatever thereon  
until the further order of the Circuit Court of Nansemond County  
But before the Cyphlawash shall have the benefit of this Order  
she or some one for her must execute a bond in the penalty of  
\$25, before the Clerk of the said Circuit Court with security deemed  
sufficient by said Clerk to pay all costs and  
damages which may be awarded in case this  
injunction shall be discharged

*S Job Hollam*  
*Chas E James*  
*R H Rawles*



In the office of the Clerk of the *Circuit* Court of Nansemond County, on  
the *21st* day of *March* 189*4*

The above bond was executed and acknowledged by the obligors (the sureties justifying  
on oath as to their sufficiency) and recorded.

Teste:

*A. P. Gomez* CLERK.

A Copy of  
Teste: *A. P. Gomez, C.*

Elizabeth Ann Holland  
To Injunction Bond  
The Commonwealth

---

1894

March 21st

A Copy

Received in Circuit  
Court Bond Book  
No 1 Page 65.

Elizabeth Ann Holland vs  
E. Matthews

Know All Men by These Presents, That we, Richard A  
Rawles and Merritt Briggs.

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of Four hundred 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.

And we waive the benefit of our exemption as to this obligation, and also waive any claim or right to discharge any liability to the said Commonwealth arising under this bond, or by virtue of the office, post or trust herein mentioned, with coupons detached from bonds of said Commonwealth.

Sealed with our seals, and dated this 7th day of November in the year of our Lord one thousand eight hundred and ninety four, and in the 119th year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas by a  
decree of the Circuit Court of Nansemond County Virginia pro-  
nounced on the 10th day of October 1894 in the Chancery cause  
pending in said Court between L I Holland Complainant and  
Abraam Lee defendant it was decreed that the real estate men-  
tioned in said decree be sold and the said Richard A Rawles was  
appointed Special Commissioner to sell the same and was required  
before proceeding to sell to execute a bond in the penalty of Four  
hundred dollars conditioned for faithful discharge of duty  
under said decree and all other decrees he may be required  
to execute in said cause. Now if the said Richard A Rawles  
shall faithfully discharge his duties as Special Commis-  
sioner aforesaid then the above obligation is to be void  
otherwise it is to remain in full force and effect,

R A Rawles  
Merritt Briggs

SEAL

SEAL

SEAL

SEAL

SEAL

In the office of the Clerk of the Circuit Court of Nansemond County, on the  
7th day of November 1894

The above bond was executed and acknowledged by the obligors (the surety) justifying  
on oath as to his sufficiency) and recorded.

A Copy  
Teste: J P Gomez Clerk

Teste:

J P Gomez

CLERK.

Richard H Rawles  
To } Spec. Com Bond  
The Commonwealth.

---

1894  
Nov 7th

A copy

Recorded in Circuit  
Court Bond Book  
W1 Page 84

Hallam  
vs  
Lee

To the Hon. R. R. Prentiss, Judge  
of the Circuit Court of Nau-  
sund County:-

Your special Commissioner  
in the Chancery cause of Elizabeth  
Ann Holland vs E. J. Matthews  
begs leave to submit the fol-  
lowing report:-

I had surveyed a part of the  
land in the bill mentioned  
containing  $13\frac{1}{4}$  acres. After  
having given bond, and duly  
advertised the same and in  
all other respects complied  
with the requirements of the  
decree under which I acted  
I sold the pine timber on  
the said  $13\frac{1}{4}$  acres at public  
auction to the highest bidder  
on Monday the 10<sup>th</sup> of December  
1894 when Mr. E. J. Matthews be-  
came the purchaser at the  
price of \$135- which he paid  
to me in cash, and I gave him  
a deed for the said timber and  
agreed to give him 3 years  
to cut and remove the same.  
Eight of this \$135- I have had  
the residence of the said

Elizabeth Ann Holland  
rejoined in a neat and  
substantial manner and  
made very comfortable for her.  
I have also paid the cost  
of this rent and sale and  
submit my report as follows:  
amt rec'd from E. J. Matthews for  
Timber \$135.00

Paid out:-

|                                                         |                |
|---------------------------------------------------------|----------------|
| A. P. Gomer Clerk                                       | \$10.08        |
| A. H. Baker Sheriff                                     | 2.00           |
| Unit tax                                                | 1.50           |
| Atty tax fee                                            | 15.00          |
| Commissions on \$135-                                   | 6.75           |
| Seed to purchase                                        | 5.00           |
| Writing specifications & contract<br>with the Carpenter | 5.00           |
| J. J. Branch Crier                                      | 2.50           |
| Herald for notices                                      | .75            |
| By for posting same                                     | .25            |
| J. A. Crobbin for surveying                             | 4.00           |
| Fee for inspecting work                                 | 2.17           |
|                                                         | <u>\$55.00</u> |

Paid Andrew Hawkins &  
David Johnson the Carpenters  
for repairing the rail House 80.00  
\$135.00

I herewith file my vouchers for  
all the above expenditures.

Respectfully submitted,

R. W. Hawley Vice Comm.

Report of  
Sale!

---

1895 March 15. Filed  
A. J. Jones, Clerk

Elizabeth Ann Holland

vs  
Edwin J. Matthews. } In Chancery.

This cause came on this day to be heard on the Bill and Answer and amended bill and was argued by Counsel.

On Consideration whereof the Court doth by agreement of all parties in interest, order adjudge and decree that

R. W. Rawley,

who is hereby appointed special Commissioner for that purpose shall proceed to sell either at public auction or privately (if a good price can be obtained) enough timber from the lands in the bill and proceedings mentioned on which the said Elizabeth Ann Holland now resides to net the sum of \$75<sup>00</sup>/<sub>100</sub>, the amount required to put in good repair the house on said land, and the cost of this sale and said sale, and with the said sum of \$75 so realized he shall employ a good and reliable carpenter to put the said house in good repair to the extent of \$75. But the said Commissioner

shall not act under this decree  
until he shall have entered into a  
bond in the penalty of \$200, with  
security deemed sufficient by the  
court of this Court, for the  
faithful discharge of his duties,  
under this and all other decrees  
rendered in this cause, and  
the said Commissioner shall  
make report to this Court of all  
his transactions under this decree  
and this cause is continued.

We consent to

this decree.

Robert Briggs atty  
for Plaintiff

Robert D. Hewitt

Counsel for E. J. Matthews.

To be entered

Oct 11 1894

C. M. H.

Entered in Chancery  
Order Book No. 2.

Page 583.

—COURTS;—

State--and--Federal.

All business entrusted to me will  
receive prompt attention.

H. H. Hawles

Attorney-at-Law and Notary Public.

Suffolk, Va., ..... 189

|                                       |                     |
|---------------------------------------|---------------------|
| New Lp, 22 skingles                   | \$12.00             |
| 1 new side heart pine off place,      | 1.00                |
| one side & one end, waitrow 1000 feet | 12.00               |
| 1 Keg Nails                           | 2.20                |
| 2 barrels lime                        | 2.20                |
| 300 catts                             | 3.00                |
| 500 feet scantling                    | 4.00                |
| 200 " sheathing                       | 1.00                |
|                                       | <hr/>               |
|                                       | <del>\$</del> 37.40 |
|                                       | 75.00               |
|                                       | <hr/>               |
|                                       | <del>\$</del> 37.60 |
| 700 feet lumber                       | 7.00                |
|                                       | <hr/>               |
|                                       | <del>\$</del> 44.60 |

1 This contract and agreement made  
2 and entered into this 25<sup>th</sup> day of  
3 October 1894 between Oliver Johnson  
4 and Andrew Hawkins of the one  
5 part and R. H. Hawley special Com-  
6 missioner in the case of Elizabeth Ann  
7 Holland vs S. J. Matcham et al, witness-  
8 that the said parties of the first  
9 part agree to do the following work  
10 on the house now occupied by the  
11 said Elizabeth Ann Holland to wit:  
12 To put on a new top, to contain  
13 2200 shingles more or less; - to put in  
14 one new, the lumber for this to be had  
15 in the place; One side and one  
16 end of the house to be newly  
17 weatherboarded complete, to take for  
18 this 1000 feet lumber more or less; they  
19 to furnish all the necessary nails &  
20 lime for plastering the house when  
21 finished, also all laths for plaster-  
22 ing, they to furnish all material  
23 except one side sawtooth machine,  
24 they to put in brown new bottom  
25 floor all tongue & groove to put in  
26 all necessary new doors, sash &c,  
27 All work to be done in a good  
28 & thorough & workmanlike manner  
29 and subject to inspection & when  
30 required to be paid for. The work to be  
31 done & complete by Dec. 1<sup>st</sup> 1894,  
32 or all claims for pay to be forfeited.

are to be done for \$80<sup>00</sup>/<sub>100</sub> cash  
when work is done & received.  
Witness the following signatures & seals.

Witness

Meritt Briggs

Deville Johnson (Seal)  
Andrew Hawkins (Seal)  
Mark

Elizabeth Ann Holland

E. J. Matthews <sup>vs</sup> } In chancery.

This case came on this day to be again heard on the papers formerly read as well as on the report of R. W. Rawls, special Commissioner, filed twenty days before the first day of this term of this Court, to which said report no ~~exception~~ was filed, and was argued by ~~common~~ Counsel.

On consideration whereof the Court doth confirm the said report, it appearing from said report that <sup>the</sup> pine, <sup>timber</sup> <sup>on the tract</sup> to the amount of \$135- had been properly sold from the land in the bill and proceedings mentioned and that with this sum the cost of this suit and sale had been paid in full and the remainder spent in repairing the house of the Plaintiff, all items being accompanied by proper vouchers. And the Court doth also confirm the said

Final decree

to be entered

April 9 1895-

Robert R. Harris.

Entered in Chancery  
Order Book No. 2.  
Page 617.-

sale of timber to E. J. Matthews.  
and nothing further appearing  
to be done it is ordered  
that this suit be dismissed  
from the docket.

Circuit Court of Hanscom County  
Elizabeth Ann Holland

v.  
Edwin J. Matthews.

The Answer of Edwin J. Matthews to  
the bill of complaint exhibited  
against him in the Circuit Court  
of Hanscom County by Elizabeth  
Ann Holland -

This respondent reserving  
to himself the benefit of all  
just exceptions to the said  
bill, for answer thereto, or to  
so much thereof as he is ad-  
vised that it is material he  
should answer, answers and  
says: -

That it is true that the  
land in the bill described was  
devised to the complainant, for  
life, with remainder to her sisters,  
~~but it is also true~~  
that two of the three sisters to  
whom such remainder was  
devised have departed this life,  
leaving this ~~the~~ respondent,  
their brother as one of their  
heirs at law, and thus interested  
in the said land as one of the

remainder-men.

That while it is true that the complainant is by reason of her sex, age, and sickness unable properly to cultivate the said farm, she has an unmarried grown son living with her who is physically able to cultivate the land, and make a good living for himself and his mother, as well as keep the buildings and fences in good repair and the farm in cultivation, but the said farm has been allowed to grow up and greatly to depreciate in value because of the permissive waste of the said life tenant.

That she ~~and her~~ has failed to pay the taxes for two or three years and this respondent in order to save the land from going into some stranger's hands was forced to buy the same at the County Treasurer's sale of land delinquent for taxes.

That in order to repay the amount thus expended by this respondent it was mutually agreed between

the complainant, Mrs. Richards  
her sister, and this respondent, the  
only persons interested in the  
said land that he should go  
upon the land and cut enough  
rails for his own use to repay  
himself the amount which  
he had paid the County Treas-  
urer at such tax sale. Pursuant  
to this agreement respondent  
cut about 1500 rails and  
~~had~~ with the knowledge and  
consent of the complainant  
and had taken some of them away,  
when he was stopped by  
the injunction sued out in  
this cause by the complainant.

After he had <sup>thus</sup> cut the said  
rails, and removed a large  
part of them, the attorney for  
the complainant tendered him  
the sum of \$ for the said  
taxes, but respondent declined  
to accept the said amount  
because he had been partly  
paid by the rails he had  
removed as above stated and  
expected to be fully paid by  
the said 1500 rails above

referred to, when he should have finished moving them.

As soon as he is allowed to remove the balance of the said rails he is willing to surrender the receipts of the County Treasurer referred to in the bill, without demanding any money whatever from the complainant.

This respondent denies that he is treating the said land as his own, denies that he is or was at the time the bill was filed without the consent of the complainant trespassing on the said land and committing unlawful acts and depredations thereon; denies that he has cut down several large trees on said land and carried them away, that he has cut firewood off the same and carried the same to his own premises, that he is threatening and abusive to the complainant or her son, and denies that he is <sup>claiming</sup> or ever did claim the right, or declare that he would do

Circuit Court of Hanscom County  
Elizabeth Ann Holland

<sup>v.</sup>  
Edwin J. Matthews.

The Answer of Edwin J. Matthews to  
the bill of complaint exhibited  
against him in the Circuit Court  
of Hanscom County by Elizabeth  
Ann Holland -

This respondent reserving  
to himself the benefit of all  
just exceptions to the said  
bill, for answer thereto, or to  
so much thereof as he is ad-  
vised that it is material he  
should answer, answers and  
says: -

That it is true that the  
land in the bill described was  
devised to the complainant, for  
life, with remainder to her sisters,  
<sup>but it is also true</sup>  
that two of the three sisters to  
whom such remainder was  
devised have departed this life,  
leaving this ~~de~~ respondent,  
their brother as one of their  
heirs at law, and thus interested  
in the said land as one of the

remainder-men.

That while it is true that the complainant is by reason of her sex, age, and sickness unable properly to cultivate the said farm, she has an unmarried grown son living with her who is physically able to cultivate the land, and make a good living for himself and his mother, as well as keep the buildings and fences in good repair and the farm in cultivation, but the said farm has been allowed to grow up and greatly to depreciate in value because of the permissive waste of the said life tenant.

That she ~~and her~~ has failed to pay the taxes for two or three years and this respondent in order to save the land from going into some stranger's hands was forced to buy the same at the County Treasurer's sale of land delinquent for taxes.

That in order to repay the amount thus expended by this respondent it was mutually agreed between

as he pleased with the said land and timber without leave or license of the owner thereof.

And having fully answered respondent prays to be hence dismissed with his reasonable costs in this behalf expended. And respondent will ~~the~~ pay &c.

Robert R. Huntis.  
P. A.

State of Virginia,  
County of Staunton, to wit:  
This day Edwin J. Matthews personally appeared before me, and made oath that the statements contained in the foregoing <sup>answer</sup> ~~bill~~ so far as made of his own knowledge are true, and so far as made from knowledge or information derived from others he believes them to be true. -  
Given under my hand this day of April 1894.

Answer of  
Edwin J. Matthews  
to bill of  
Eliz. Ann Holland.

To the Honorable C. W. Hill,  
Judge of the Circuit Court of  
Hauersham County :-

The amended and supplemental  
bill of your complainant  
Elizabeth Ann Holland, respect-  
fully sheweth to the Court that  
she heretofore exhibited in this  
Court her original bill of  
Complaint against Edward  
J. Matthews as follows :- that  
she is now 74 years of age, very  
infirm and has been confined to  
her bed unable to walk for quite  
a number of years; that she is  
quite poor and is barely able to  
obtain the necessaries of life, having  
no personal property of consequence.  
That she is the widow for life of  
a certain tract of land situated  
in Chuckatuck District in  
said County containing 100  
acres more or less, adjoining the  
lands of E. J. Matthews and John  
Phillips, Scott's Creek and the  
County road leading to Millers;  
that the said land was devised  
by her father Samuel Matthews to  
your petitioner for life, with  
remainder to her three sisters  
Penelope, Louisa and Catharine

1 Maltheus in fee simple absolute,  
2 that the said land is very  
3 poor and scarcely yields her  
4 a decent living: that there is  
5 but little timber and firewood  
6 on the same and that the same  
7 is necessary for the use of farm  
8 purposes, fire wood, fence rails  
9 and the necessary repairs of  
10 the buildings on the said farm;  
11 that the dwelling house in which  
12 your oratrix resides is in bad  
13 repair and crumbling and  
14 leaks badly whenever it rains  
15 and that it is absolutely necessary  
16 that the available timber on said  
17 land should be used in repair-  
18 ing said buildings: that being  
19 bed-ridden and very indigent  
20 she was unable to pay the taxes on  
21 said land for the past two or  
22 three years and that on the  
23 day of December 1893 the said  
24 land was sold for taxes by the  
25 Treasurer of Nauset County  
26 in accordance with the Whiting  
27 land tax law: that at said  
28 sale her brother Edwin J. Mal-  
29 theus, who resides near her, living  
30 only about one mile distant  
31 and who refuses to lend her any  
32 aid or assistance whatever

1 or to render her any com-  
2 fort in her affliction, or  
3 even to speak to her, became  
4 the purchaser at said tax  
5 sale for the nominal sum  
6 of \$1: that since the said  
7 sale, by the kind assistance of  
8 a friend she has endeavored to  
9 redeem the said land as she  
10 ~~has~~ has a right to do under  
11 the law, by tendering to her  
12 unnatural brother the said  
13 sum of money in cash and  
14 such further sum as the law  
15 in such cases requires, but  
16 that her said brother refused to  
17 accept the said money and  
18 to give up the taxes receipts which  
19 he holds for the payment of  
20 assessed to the said County  
21 Treasurer; but without the legal  
22 right to do so, is now treating  
23 the said land of your oratrix  
24 as his own without the consent  
25 or permission of your oratrix,  
26 trespassing on said land and  
27 committing unlawful acts and  
28 depredations thereon; that he  
29 has cut down several large  
30 trees on said land and  
31 carried them away; that he  
32 has mowed rails on said land

and cut firewood off the same  
and carried the same away to  
his own premises: that he is  
threatening and offering to  
give notice and has done  
and is claiming the right  
and declaring that he will do  
as he pleases with the said  
land and timber without  
leave or license of the owner  
thereof." In tender consideration  
whereof and pursuant to your  
notice is united remedy in the  
premises some of the said of a number  
of equity where well known, stating  
that an alarm and proper cognizance  
your action being that the said  
E. J. Mortons may be made a  
party defendant to the said bill and  
report to answer the same though  
an owner under owner is being  
used, that proper persons may  
crim and that the said E. J. Mortons  
and all his agents, attorneys and  
others acting under him may be  
expelled and relieved from further  
travelling and cost. And, from  
arresting any man and citizens  
and from committing any further  
illegal depredation and  
land and for such other further  
and general relief as to equity



that she has no money to do so;  
that she is informed that under  
the Law she would have a right  
to use all the Timber on said  
land necessary for making such  
repairs or that ground not be  
waste. She has been informed  
that it would cost about \$250  
or \$300 to put the said building  
in a condition fit for a person  
to live in. She therefore prays  
that the said Edwin J. Matthews  
Louisiana Richards and Elijah  
Richards her husband may be made  
partes defendant to this bill and  
required to answer the same; that  
a receiver acting under the order of  
this Court may be appointed, who  
after giving bond for the faithful  
discharge of his duties, shall be  
directed to sell Timber from the  
said land to the amount of  
\$300 and with this fund shall  
employ competent workmen to  
repair the said dwelling to  
the extent of \$300, and who shall  
make report of all his actions to  
this Court. <sup>and that the injunction heretofore granted may be made</sup>  
And your petitioners  
will ever pray &c.

Elijah Richards  
By Counsel.

made  
perfection

Virginia:-

Wauseon County Court:-

I, Merrill Briggs a Notary  
Public for the County of Wauseon do hereby  
testify that Elizabeth Ann Holland the  
defendant in the above captioned  
case has this day personally appeared  
before me in the County of Wauseon  
and made oath that the statements  
contained in the foregoing supple-  
mental bill do so far as much of her  
own knowledge and true, and so  
far as much from knowledge or  
information derived from others  
she believes them to be true.  
This was done by her  
this 25 day of Aug 1874

Merrill Briggs  
N.P.

To the Hon. C. W. Hill Judge of the  
Circuit Court of Nausemound  
County:-

Humbly Complaining sheweth  
unto your Honor, your oratrix  
Elizabeth Ann Holland of  
Nausemound County, the follow-  
ing case:-

That she is now 74 years of age,  
very infirm and has been  
confined to her unable to walk  
for quite a number of years:

That she is quite poor and is  
barely able to obtain the necessities  
of life, having no personal property  
of consequence. That she is the  
owner, for life, of a certain tract of  
land situated in Chuckatuck Dis-  
trict in said County, containing 100  
acres more or less, adjoining the  
lands of E. J. Matthews, and John Phillips,  
Scott's Creek and the County road  
leading to Millers; that the said  
land was devised by her father Sam-  
uel Matthews to your oratrix for life  
with remainder to her three sisters  
Penelope, Louise and Catharine  
Matthews in fee simple absolute.  
That the said land is very poor

and scarcely yields her a decent living; and that there is but little timber and firewood on the same and that the same is necessary for the annual use of farm purposes, fire wood, fence rails and the necessary repairs of the buildings on the said farm: that the dwelling house in which the grantatrix resides is in bad repair and condition and leaks badly whenever it rains and that it is absolutely necessary that the available timber on said land should be used in repairing said building. That being bedridden and very indigent she was unable to pay the taxes on said land for the past two or three years and that on the day of December 1893 the said land was sold for taxes by the Treasurer of Nauset County in accordance with the delinquent tax law; that at said sale her brother Edwin J. Matthews who resides near her living only about one mile distant, and who refuses to lend

her any aid or assistance what-  
ever, or to render any comfort  
in her old age and affliction  
and even to speak to her, become  
the purchaser at said tax sale  
for the nominal sum of \$  
that since the said sale of the  
land assistance of a friend she  
has endeavored to redeem the said  
land as she has a right to do  
under the law, by tendering to  
her said unnatural brother the  
said sum of money in cash  
and such <sup>further</sup> sum as the law  
in such cases requires, but that her  
said brother refuses to accept the  
said money and to give up the  
tax receipts which he holds for the payment  
as aforesaid to the said County Treas-  
urer; but without the legal right to  
do so, as now treating the said land  
of gun watrix as his own, and is,  
without the consent or permission  
of gun watrix, trespassing on said  
land and committing unlawful  
acts and depredations thereon; that  
he has cut down several large trees  
on said land and carried them  
away; that he has manted rails

on said land and cut fire wood  
off the same and convert the  
same away to his own premises: that  
he is threatening and abusive to your  
oratrix and her son, and is  
claiming the right, and declaring  
that he will do as he pleases with  
the said land and timber without  
leave or license of the owner thereof.

In tender consideration whereof and  
inasmuch as your oratrix 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 oratrix prays that  
the said Edwin J. Matthews may be  
made a party defendant to this  
bill and required to answer the  
same, though an answer under  
oath is duly waived, that proper  
process may issue and that the  
said Edwin J. Matthews and all  
his agents, attorneys, and others acting  
under him may be enjoined and  
restrained from further trespassing  
on said land, from cutting any  
more wood or rails on said lands  
and from committing any other  
illegal depredations thereon, and

for such other, further and  
general relief as to equity may  
seem meet or this case may  
require and your oratrix will  
ever pray, &c.

Elizabeth Ann Holland  
By Counsel,

Virginia:-

Nassau County: Guil:-

I Certify that Elizabeth Ann Holland  
the Complainant in the above bill  
has this day personally appeared before  
me in my County aforesaid and  
made oath that the statements con-  
tained in the above bill are true.  
Given under my hand this 19<sup>th</sup> day  
of March 1894.

Meine Briggs N.P.  
for Nassau County Virginia

Elizabeth Ann Holland

<sup>to</sup>  
Edwin J. Matthews.

On the motion of the complainant an injunction is awarded to prohibit and restrain Edwin J. Matthews, his agents and attorneys and all other persons acting under him from trespassing on the land mentioned in the Bill or being the property of Elizabeth Ann Holland, and from cutting wood or timber on the same and from committing any acts of defecation ~~wherein~~ thereon, until the further order of the ~~Court~~ Circuit Court of Madison County. But before the Complainant shall have the benefit of this order, she, or some one for her, must execute a bond in the penalty of \$25 before the clerk of the said Circuit Court, with security deemed sufficient by said clerk, conditioned to pay all costs and damages which may be awarded in case this injunction shall be dissolved.

C. M. Hall

March 20, 1894

To the Clerk of the Circuit Court of Madison County.

To the clerk of the  
Circuit court of  
Stamford County.

Rawles & Briggs b. g.

Elizabeth Ann Hol-  
land  
11  
25

Edwin J. Malcheus.

Bill

Costs  
Clerk \$10.08  
Sheriff 2.00  
Tax 1.50  
Atty 15.00  

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\$28.58

Rawles & Briggs p. 9

Elizabeth Ann Holland

vs. In Chancery

Edwin Matthews

1895  
April 9th

Final Decree

Nansemond  
Circuit Court