1905-013
Nansemond Co (Suffolk) Chancery Causes: Martha O. Holland vs Joseph Edwin Holland, infant et al

Ballard, Raiford, Eley, Daughtrey, Holladay, Baines

E. E. HOLLAND,
ATTORNEY AT LAW.
COMMONWEALTH'S ATTORNEY FOR NANSEMOND COUNTY.
OFFICE IN BOOTHE BUILDING,
SUFFOLK, VA.

Suffolk, Va.,
May 13, 1903:

Received of E. E. Holland, Special Commissioner, in the Chancery Cause of M. O. Holland v. Joseph E. Holland and Others, the sum of fifteen dollars ($15.00) in payment of Commissioner's fee in said cause.

O. H. Causey Jr
Comm'r in Chy

M O Holland E E Holland p.g.

1903

To A. P. GOMER, Clerk Circuit Court of Nansemond County, Dr.

April

~~Fees~~ ~~and~~ Clerk Fees in suit against

Joseph Edwin Holland et al ..... $ 7.22

June 29th 1903 Paid ..... A P Gomer ..... Clerk.

E E Holland p g
M C Holland
$7.22

E. E. HOLLAND,
ATTORNEY AT LAW.
COMMONWEALTH'S ATTORNEY FOR NANSEMOND COUNTY.
OFFICE IN BOOTHE BUILDING,
SUFFOLK, VA.

Received of E. E. Holland, Esq. Comm'r
suit—M. D. Haseman vs Jos. E. Shreand
the sum of Twelve & 50/100 dollars for selling
lands under decree in said suit

J. Walter Sikes
Comm'r

ESTABLISHED 1873.

SUFFOLK, VA., Oct 14 1903.

M E. E. Holland, Special Commissioner

City

TO SUFFOLK HERALD, DR.

NEWSPAPER AND JOB PRINTING ESTABLISHMENT.

NO. 9 WASHINGTON SQUARE.

TERMS OF THIS BILL. NET CASH.

Nov.	27	50 Dodgers Sale of M. O. Holland vs others	100
Dec	5	Pub. Notice 2 times Case M. O Holland vs J. E Holland	3 00
			$4 00

Paid Oct 14/03.
Suffolk Herald
WJK

Received of E E Holland, Spl Commr
the sum of Three Dollars, Sheriff's fees in case of
M. O. Holland vs J. E. Holland and others.

W J Baker
Sheriff

To A. P. Gomer, Clerk of the Circuit Court of Nansemond County, Virginia.

M. O. Holland, Complainant, against Joseph Edwin Holland, an infant under the age of twenty-one years, Fannie A. Ballard and A. W. Ballard, her husband, and M. H. Holland, Jr. Defendants.

Issue summons in Chancery to Rules on the third Monday in February, 1902. Appoint at Rules John P. Lee, Atty at Law, as Guardian ad litem to the infant defendant Joseph Edwin Holland.

E. E. Howard p.q.

Sa4 $1.50

////

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Joseph Edwin Holland an infant under the age of twenty-one Years, Fannie A Ballard and A W Ballard her husband and M N Holland Jr.

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 Third Monday in February 1902, to answer a Bill in Chancery, exhibited against them in the said Court by M O Holland

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this 4th day of February, 1902, in the 126th year of the Commonwealth.

A copy—Teste:

_____, CLERK.

Teste: A P Gomer, CLERK.

E E Holland ..... p. q.

W O Holland

vs. } In Chancery.

Joseph Edwin Holland
and others

1902

February ---- Rules.

Third ---- Monday.

Nansemond Circuit Court.

Process Book No. 2

Page 219

Executed this 17th day of February 1902 by delivering a true Copy of this writing marked "A" to W N Holland & in person. Same A B Allen not found in my bailiwick & diligent search was made for him & he could not be found therein. Joseph Edwin Holland not found in my bailiwick & diligent search was made for him & he could not be found therein. Additional service not necessary. Fees: Copy & service 1.00 Mileage 10 miles 1.00 Total 2.10

J. D. Bunn D.S.
for A. B. Baker Sheriff

In the Circuit Court of Nansemond County.

At Rules held in the Clerk(s Office of Circuit Court of said County on day of 1902.

M. O. Holland, Complainant, against Joseph Edwin Holland and others, Defendants.

On the motion of the Complainant by Counsel John P. Lee, Atty. at Law, is hereby assigned as Guardian ad litem to the infant defendant, Joseph Edwin Holland to defend his interest in this suit.

A. P. Gomey clerk

Received of E.E.Holland, Special Commissioner in the chancery cause of M.O.Holland vs J.E.Holland and others the sum of Twelve hundred and one dollars and ten cents, which by decree entered in said cause on the 31st day of January, 1905, was directed to be paid to M.O.Holland and Joe E.Holland.

Jany 31st, 1905.

M O Holland

Joe E. Holland

TO THE HONORABLE ROBERT R. PRENTIS, JUDGE OF THE CIRCUIT COURT OF NANSEMOND COUNTY:

M. O. HOLLAND

v.

JOSEPH E. HOLLAND AND OTHERS.

The undersigned commissioner begs to report that, pursuant to a decree entered in this cause on the 31st day of January, 1905, authorizing him to pay to Joseph E. Holland and M. O. Holland the balance of the proceeds of sale of real estate in his hands to the credit of this suit, after payment of all taxes, he has paid to Joseph E. Holland and M. O. Holland the sum of One hundred and one & 10/100 Dollars ($101.10), being balance in his hands, with interest thereon to date allowed by the Farmers Bank of Nansemond, and returns herewith the receipt of the said Joseph E. Holland and M. O. Holland for said amount.

Respectfully submitted.

E. E. Holland
Com'r

January 31, 1905.

E. E. HOLLAND,
ATTORNEY AT LAW.
COMMONWEALT'S ATTORNEY FOR NANSEMOND COUNTY.
OFFICE IN THE BOOTHE BUILDING.
SUFFOLK, VA.

Received of E. E. Holland, Special Commissioner in the Chancery Cause of M. O. Holland v. J. E. Holland and others, the sum of eleven hundred and sixty-eight dollars and twenty-seven cents ($1168.27) on account of proceeds of sale of land sold in said suit, and directed to be paid to me under decree entered in said suit.

April 14, 1904.

Joe E. Holland

All Available Text Successfully Captured

TO THE HON. ROBERT R. PRENTIS, JUDGE OF THE CIRCUIT COURT OF NANSEMOND COUNTY.

M. O. HOLLAND, PLAINTIFF

v.

JOSEPH EDWIN HOLLAND AND OTHERS, DEFENDANTS

The undersigned Commissioner begs to report that, as authorized by a decree entered in this cause on the 15th day of October, 1903, he has paid to Joseph Edwin Holland the sum of eleven hundred and sixty-eight dollars and twenty-four cents ($1,168.24), being one half of the proceeds of sale of land sold in said suit, after deducting the costs and expenses, as shown by his last report.

Respectfully submitted,

April 14th 1904

E. E. Hall
Special Commr

M. A. Harcourt

re Census Report

J. E. Honeywood

TO THE HONORABLE ROBERT R. PRENTIS, JUDGE OF THE CIRCUIT COURT OF NANSEMOND COUNTY.

M. O. HOLLAND, PLAINTIFF

v.

JOSEPH EDWIN HOLLAND AND OTHERS, DEFENDANTS.

Your Commissioner begs to report that out of the sum of twenty five hundred and sixty-five dollars ($2,565.00), the amount reported to have been collected for land sold in this suit, he has paid, as authorized by the decree entered herein on the 16th day of April, 1903, the following costs and expenses of sale :

Apl.18,1903	By commissions retained,	$60.30
	By writ tax,	16.50
	By Clerk's fee,	7.22 ✓
	By Sheriff's fee,	3.00 ✓
	By Attys. fee allowed by court,	100.00
	By fees for deeds,	10.00
	By Auctioneer's fee,	12.50 ✓
	By amt. paid for advertising,	4.00 ✓
	By ~~Special~~ Commissioner's fee,	15.00 ✓ $228.52

Your Commissioner has deposited the balance, amounting to Twenty three hundred thirty six 48/100 dollars in the Farmers Bank of Nansemond to his credit as Special Commissioner in this cause. The said Joseph Edwin Holland, your Commissioner is informed, will become of age sometime in the month of November of this year, and is, as your Commissioner is advised and believes, entitled, under the last will and testament of M. M. Holland, Sr., to one half of the said proceeds of sale of said land.

Your Commissioner requests that he be authorized, if said construction of said will is correct, to pay to said Joseph Edwin Holland, upon his becoming twenty-one years of age, one half of said amount. Your Commissioner is also advised that, as to the other half, Mrs. M. O. Holland is entitled to receive the interest on said amount for her life, and your Commissioner asks that he be authorix-

ed to pay the interest thereon to her annually.

Respectfully submitted.

E. E. Holland
Ins Comm'r

Oct 1st 1903

W. O. Holland
vs Replevin
Jno E. Holland

TO THE HONROABLE ROBERT R. PRENTIS, JUDGE OF THE CIRCUIT COURT OF NANSEMOND COUNTY.

The undersigned Commissioner, appointed by a decree made by the Circuit Court of Nansemond County, Virginia, on the 14th day of October, 1902, in the chancery cause of M. O. Holland v. Jospeh E. Holland and Others, begs to report that on Monday, December 8, 1902, Court day, he proceeded to sell, at public auction, in front of the courthouse door of Nansemond County, the real estate in the bill and proceedings mentioned, after having advertised the same in accordance with the terms of the said decree. At said sale "All that certain tract of land, in Nansemond County, Virginia, known as the "Kilby" tract, containing two hundred and fifty (250) acres, more or less, bounded on the South by the lands of William H. Jones, or that which was his, on the East by the lands of William Pierce and M. H. Jolland, Jr. and on the North and West by the lands of John G. King and M. H. Lee," was knowcked off to James C. Bell, who made the last and highest bid and became the purchaser thereof, at the price of one thousand seven hundred and five dollars ($1,705.00).

SECOND. For all that certain other tract of land, in said County and State, known as the "Raiford" tract, containing six (6) acres, more or less, bounded on the North by the Seaboard and Roanoke R. R., on the South and East by the lands of James R. Purvis, or that which was his, and on the West by the lands of Thomas Joyner, Mrs. M. O. Holland made the last and highest bid therefor and became the purchaser thereof at the price of two hundred and ten dollars ($210.00).

THIRD. For all that certain tract of land, in said County and State, known as the "James Harrison Holland" tract, containing ninety (90) acres, more or less, and bounded by the lands of William H. Holland, Pompey Holland and the Isle of Wight County road, J. M. Reid made the last and highest bid and became the purchaser thereof at the price of eight hundred and sixty dollars ($860.00).

Your Commissioner begs to report that J. M. Reid has paid six hundred and ten dollars ($610.00 of the purchase price of the tract

of land purchased by him, and is ready and willing to pay the balance as soon as he can get a deed therefor. Your Commissioner also begs to report that James C . Bell and M. O. Holland inform him that they are also ready to comply with the terms of sale as soon as they can obtain ~~a~~ deeds for the property respectively purchased by them. Your Commissioner states that the prices obtained for the property are considered remarkably good and would recommend that the said sales be confirmed. The property was bid off at prices aggregating in ~~the~~ amount over three times the value thereof as reported by the Commissioners.

Your Commissioner has given the bond required by the decree entered in this cause and begs to return herewith a copy of the advertisement of sale.

Respectfully submitted
E. E. Hascall
Comm'r

January 28th 1903

M. O. Haeseud
27 Report of Sales
J. E. Haeseud rukes

TO M. H. HOLLAND, Jr., FANNIE A. BALLARD and A. W. BALLARD, her husband, JOSEPH E. HOLLAND, and JOHN P. LEE, his guardian ad litem, JAMES C. BELL, J. M. REID and M. O. HOLLAND.

You are hereby notified that I shall, on Saturday the 24th day of January, in the year 1903, move the Honorable Robert R. Prentis, Judge of the Circuit Court of Nansemond, at his Office in the Town of Suffolk, Virginia, to enter a decree or order confirming the sale of real estate made by E. E. Holland, Special Commissioner, on the 8th day of December, 1902, under a decree made by the Circuit Court of Nansemond County on the 14th day of October, 1902, in the chancery cause of M. O. Holland against Joseph E. Holland and Others, and which sales are as follows;

FIRST. The " Kilby" tract of land containing two hundred and fifty (250) acres, more or less, to James C. Bell at the price of one thousand seven hundred an five dollars ($1,705.00).

SECOND. The "Raiford" tract of land containing six (6) acres, more or less, to M. O. Holland at the price of two hundred and ten dollars ($210.00).

THIRD. The "James Harrison Holland " tract of land to J. M. Reid at the price of eight hundred and sixty dollars ($860.00).

At which said time I shall also ask the court to appoint a commissioner to execute to said respective purchasers proper deeds for the lands so purchased by them, upon the payment of the respective purchase price thereof.

Respectfully yours,

M. O. Holland,
by E. E. Holland,
her Atty

Due, legal and sufficient service of the within notice accepted

Fannie A. Ballard.
A W Ballard
J. M Reid
J. L. Bell
J. P. Lee, Guardian ad litem

TO M. H. HOLLAND, Jr., FANNIE A. BALLARD, and A. W. BALLARD, her husband, JOSEPH E. HOLLAND, and JOHN P. LEE, his guardian ad litem, JAMES C. BELL, J. M. REID and M. O. HOLLAND.

You are hereby notified that I shall , on Saturday the 24th day of January, in the year 1903, move the Honorable Robert R. Prentis, Judge of the Circuit Court of Nansemond County, at his office, in the Town of Suffolk, Virginia, to enter a decree or order confirming the sales of real estate made by E. E. Holland, Special Commissioner, on the 8th day of December, 1902, under a decree made by the Circuit Court of Nansemond County on the 14th day of October, 1902, in the chancery cause of M. O. Holland against Joseph E. Holland and Others, and which sales are as follows;

FIRST. The "Kilby" tract of land, containing two hundred and fifty (250) acres, more or less, to James C. Bell at the price of one thousand seven hundred and five dollars ($1,705.00).

SECOND. The "Raiford" tract of land containing six (6) acres, more or less, to M. O. Holland, at the price of two hundred and ten dollars ($210.00).

THIRD. The "James Harrison Holland" tract of land to J. M. Reid at the price of eight hundred and sixty dollars ($860.00).

At which said time I shall also ask the court to appoint a commissioner to execute to said respective purchasers proper deeds for the lands so purchased by them, upon the payment of the respective purchase price thereof.

Respectfully yours,

M. O. Holland

By E. E. Holland,

Her Atty.

Executed this 15th day of Jan-1913
by delivering a true copy of the
within process to M H Watson
in person A M Bell
Sheriff

Notice of Motion
To Confirm Sale

IN THE CIRCUIT COURT OF NANSEMOND COUNTY:

IN VACATION ON THE 31st DAY OF January 1905.

M. O. HOLLAND

v J

JOSEPH E. HOLLAND AND OTHERS.

By consent of parties entered of record, it is ordered that this cause be submitted to the Judge of this Court for such decisions and decree therein, in vacation, as might be made in term, and thereupon this case coming on to be heard on the papers formerly read, and on the writing this day filed, marked Exhibit"A", signed by M. H. Holland, Jr. and F.A. Ballard, two of the heirs at law od M. H. Holland, Sr., deceased, assigning all their right, title and interest under the will of the late M. H. Holland, Sr., deceased, in the proceeds of sale of real estate sold in this suit to Joseph E. Holland and M. O. Holland, and was argued by Counsel.

On consideration whereof, it appearing to court, from the said writing marked Exhibit "A", and filed in these papers, that M. H. Holland, Jr. and F. A. Ballard have assigned to Joseph E. Holland and M. O. Holland all their interest in the proceeds of sale of the real estate sold in this suit, and which assignment is further evidenced by the consent of the said M. H. Holland Jr. and F. A. Ballard indorsed on this decree, the court doth adjudge, order and decree that E. E. Holland, the Special Commissioner heretofore appointed in this cause, do proceed to pay over to Joseph E. Holland and M. O. Holland the amount now in his hands to the credit of this suit, take their receipt therefor, file the same in these papers and make report to court.

And this cause is continued. All of which is hereby certified to the Clerk of this Court to be entered in the Chancery order book.

Robt R. Ellis

To the Clerk of the
Circuit Court of Nansemond County.

Entered Jany 31, 1905
Robt R Prentis

We consent to this decree -

M O Holland

Jos E. Holland

M. T. Holland Jr

F. A. Ballard

Entered in Chy. Order Book No. 3. Page 629.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY:

M. O. HOLLAND, PLAINTIFF

v.

JOSEPH EDWIN HOLLAND and Others, DEFENDANT.

This cause came on this day to be again heard on the papers formerly read and upon the report of E. E. Holland, Special Commissioner, this day filed, reporting the payment , out of the sum of two thousand three hundred and thirty-six dollars and forty eight cents ($2,336.48) in his hands as Special Commissioner in said suit, the sum of eleven hundred and sixty-eight dollars and twenty-four cents ($1,168.24) to Joseph Edwin Holland, to which report there is no exception and was argued by counsel.

On consideration whereof the court doth ratify, and approve and confirm said report and said payment.

And this cause is continued.

M. A. Hazeard
vs Decree
J. E. Hazeard & others

May 12, 1904
Order Entered
Robert R. Starnes

Entered in Chancery
Order Book No. 3
Page 578.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY

M. O. HOLLAND — COMPLAINANT

v.

JOSEPH EDWIN HOLLAND AND OTHERS, — DEFENDANTS.

This cause came on this day to be again heard upon the papers formerly read, and upon the report this day filed of E. E. Holland, Special Commissioner, reporting the payment out of the sum of twenty-five hundred and sixty-five dollars ($2,565.00) collected on account of the proceeds of sale of land sold in said suit, the costs and expenses of this suit and of said sale, as authorized by a decree entered herein on April 16, 1903, and that he now has in hand as Special Commissioner ~~to the parties of~~ in this suit the sum of Twenty three hundred thirty six and 48/100 dollars; to which report there is no exception, and was argued by counsel.

On consideration whereof, the court doth ratify, approve and confirm said report. And the court, being of opinion that according to a true construction of the last will and testament of M. H. Holland, Sr., deceased, that Joseph Edwin Holland is entitled to one half of the proceeds of sale of said land on his arrival at the age of twenty-one years, doth adjudge, order and decree that upon the arrival of said Joseph Edwin Holland at the age of twenty-one years, the said Special Commissioner shall pay to him one half of the proceeds of sale of real estate now in his hands, as shown by his report this day filed, take his receipt therefor, and file the same in the papers in this cause. And the court being further of opinion that, according to a true construction of the last will and testament of the said M. H. Holland, Sr., deceased, that Martha Odelia Holland is entitled to the interest on the remaining one half of proceeds of sale for her life, doth adjudge, order and decree that the said E. E. Holland, Special Commissioner, pay to her the interest, if any, already accrued on said fund, and such other interest thereon as may, from time to time, accrue during her life, (after paying the taxes thereon) take her receipts

for the amounts so paid to her and file the same in these papers. And said Commissioner shall report his transactions hereunder to Court

And this cause is continued.

M. O. Holland
vs Decree
J. E. Holland et al

Oct. 15, 1903

To be Entered

Robert R. Lewis

Entered in Chancery
Order Book no 3
Page 533 4.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY:

M. O. HOLLAND

v.

JOSEPH E. HOLLAND AND OTHERS.

This cause came on this day to be again heard upon the papers formerly read, and also upon the report of E. E. Holland, Special Commissioner, reporting the collection of the purchase price of the tracts of land purchased by James C. Bell and James N. Reid, two of the purchasers of real estate in these proceedings mentioned, filed on the 31st day of March, 1903,, and to which report there is no exception and was argued by counsel.

On consideration whereof, the court doth approve and confirm the said report, and doth further adjudge, order and decree that the said Special Commissioner shall, out of the funds now deposited to his credit as Special Commissioner in the Farmers Bank of Nansemond, in Suffolk, Virginia, ~~deducting therefrom~~ pay the costs and expenses of this suit and of the sale of the said real estate, and also a fee of one hundred dollars ($100.-) to the Attorney who instituted this suit, and for the residue of said sum shall take a certificate of deposit from the Farmers Bank of Nansemond, in Suffolk, Virginia, payable to him as Special Commissioner in this cause, and file the same in these proceedings until the further order of this court. And the said Commissioner shall make report to court of all his transactions hereunder.

~~And this cause is continued.~~

~~And it is further adjudged, ordered and decreed that these papers be referred to one of the Commissioners of this court who is directed to ascertain and report to court who is entitled under the will of M. N. Holland, Sr., the former owner of the real estate in this suit, to receive the proceeds of sale thereof. And this cause is continued.~~

HOLLAND & OTHERS

v. Decree

HOLLAND & OTHERS.

April 16, 1903, to be entered/

Robert R. Reulis

Entered in Chancery
Order Book No 3
Page 504.

TO THE HONORABLE ROBERT R. PRENTIS, JUDGE OF THE CIRCUIT COURT OF NANSEMOND COUNTY.

The undersigned Commissioner under a decree entered in the chancery cause of M. O. Holland v. Joseph E. Holland and others, begs to report that he has collected from James C. Bell the sum of one thousand seven hundred and five dollars ($1,705.00), the amount paid by him for the "Kilby" tract of land in these proceedings mentioned, and has executed to him a deed therefor; and your Commissioner further reports that he has collected from James M. Reid the sum of eight hundred and sixty dollars ($860.00), being the amount of the purchase price of the "James Harrison Holland" tract of land, and has executed to him a deed therefor.

Your Commissioner further reports that M. O. Holland has not yet paid to your Commissioner any part of the purchase price of the tract of land purchased by her but promises to do so very soon. Your Commissioner has informed her that unless the purchase price is paid promptly the property will have to be re-sold at her expense.

Respectfully submitted.

March 30th, 1903

E. E. Holland
Comm'r

HOLLAND AND OTHERS

v. COMMISSIONER'S REPORT

HOLLAND AND OTHERS.

1903
March 31, Filed

IN THE CIRCUIT COURT OF NANSEMOND COUNTY:

IN VACATION ON THE 24th DAY OF JANUARY, 1903.

M. O. HOLLAND,

v.

JOSEPH E. HOLLAND and Others.

This cause came on this day, on the motion of M. O. Holland, a party to said cause, to have the sales made by E. E. Holland, Commissioner, under a decree entered in said cause on the 14th. day of October, 1902, properly confirmed, reasonable notice of which said motion appears to have been given, to be again heard upon the papers formerly read and also upon the report of sales made by E. E. Holland, Commissioner under the said decree of the 14th day of October, 1902, this day filed, to which report there is no exception, and was argued by Counsel.

On consideration whereof the court doth approve and confirm said report and the said sales, and doth further adjudge, order and decree that E. E. Holland, who is hereby appointed a Special Commissioner for that purpose, upon the payment by the respective purchasers of the real estate in the said report mentioned of the entire purchase price of the real estate purchased by them, do proceed to execute to James C. Bell, M. O. Holland and J. M. Reid, deeds, with Special Warranty, for the respective tracts of land purchased by them.

The court doth further adjudge, order and decree that, upon the collection of the said purchase money, the said Special Commissioner, ~~after deducting therefrom the costs and expenses of this suit and of the sale of the said real estate, and also a fee of _____ dollars ($_____) to the Attorney who instituted this suit~~, shall deposit the ~~residue of said purchase money~~ same in the Farmers Bank of Nansemond, in Suffolk, Virginia, to his credit as Special Commissioner in this cause, and shall return a certificate showing such deposit.

And the said Commissioner shall make report to court of his

transactions hereunder.

And this cause is continued. Robert C. Ellis

To the Clerk of the
Circuit Court of
Nansemond County:

M. O. Holland
vs Decree
C. J. Confirming Sale
J. E. Howard et al.

Entd Jany. 24, 1903

Robt R. Ellis

Entered in Chancery
Order Book No 3
Page 491.

In the Circuit Court of Nansemond County:

M. O. HOLLAND,

v.

JOSEPH EDWIN HOLLAND and Others,

This cause came on this day, to be again heard on the papers formerly read, and upon the report of C. H. Causey, Jr., Commissioner in Chancery, and filed herein on the 30th day of September, 1902, to which report there is no exception, and was argued by counsel.

On consideration whereof, the court doth approve and confirm the said report, and doth adjudge, order and decree, that Edward E. Holland, who is hereby appointed commissioner for the purpose, do proceed, after having advertised the time, place and terms of sale, in the "Suffolk Herald " , a newspaper, published in the town of Suffolk, once a week for two weeks, and also posted notices thereof at several public places in the County of Nansemond, to sell the real estate in the bill and proceedings mentioned, and fully described in the report of the said C. H. Causey, Jr., Commissioner, in front of the courthouse of the County of Nansemond, upon the following terms to-wit; one third cash, one third on a credit of six months, and the residue on a credit of twelve months from day of sale, the credit installments to bear interest from the day of sale; taking from the purchaser bonds for the deferred payments, and the title to be retained until the further order of the court. And the said Commissioner is directed to deposit the cash installment in the Farmers Bank of Nansemond, in Suffolk, Virginia, to his credit as Special Commissioner in this suit, and to report his proceedings hereunder to the court, returning therewith a certificate of such deposit and the bonds given for the credit instalments. But the said Commissioner, Edward 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 eight hundred ($800.) dollars, and conditioned for the faithful discharge of his duties ~~under~~ this or any other decree in this cause.

And this cause is continued.

Entered Oct. 14, 1902

Robert R. Davis

Entered in Chancery
Order Book No 3
Page 453.

CIRCUIT COURT OF NANSEMOND.

Martha O. Holland, against Joseph Edwin Holland, an infant under the age of twenty-one years, Fannie A. Ballard, and A. W. Ballard, her husband, and Mills H. Holland, Jr.

This cause came on this day to be heard upon the bill taken for confessed as to the adult defendants upon whom process has been duly served, they still failing to appear, plead, answer or demur, upon the answer of John P. Lee, duly assigned ~~a~~ t ruled, as Guardian ad litem of the said infant defendant, Joseph Edwin Holland, and his own answer to the bill of complaint duly sworn to, and upon the answer of the said Joseph Edwin Holland, he being over fourteen years of age, to the said bill, duly sworn to, with replications thereto, and exhibits filed, and was argued by Counsel.

On ~~the~~ consideration whereof, the court doth adjudge, order and decree that the papers in this case be referred to one of the Commissioners of this court, who is directed to inquire into and report to the court.

FIRST. Whether the interests of the infant defendant and the other parties in interest will be promoted by the sale of the property in the bill mentioned, or any part thereof, and the investment of the proceeds of sale, under the decree of this court, for the use and benefit of the persons holding the estate mentioned in said bill, subject to the terms and provisions of the ~~said~~ will of Mills H. Holland Jr. deceased, therein mentioned.

SECOND. Whether the rights of any person would be violated by said sale.

THIRD. Whether there are any unpaid taxes or other liens of any kind upon the said property.

Which inquiries the said Commissioner should make a report to the court, together with any other matters specially stated, ~~being~~ deemed pertinent by himself or required by any parties specially to be stated.

Record
20 Dec
Record

April 18, 1902
Do be entered
Robt R. Dennis

Entered in Chancery
Order Book No 3
Page 416,

TO THE HONORABLE ROBERT R. PRENTIS,

JUDGE OF THE CIRCUIT COURT OF NANSEMOND COUNTY:

We, M. H. Holland, Jr., and F. A. Ballard, who have a contingent interest under the will of the late M. H. Holland, Sr., in the proceeds of sale of real estate sold in the chancery suit of M. O. Holland v. Joseph E. Holland and Others, now pending in the Circuit Court of the County of Nansemond, hereby respectfully request that the amount of money now in the hands of E. E. Holland, Special Commissioner, in said suit, may be paid over to Joseph E. Holland and M. O. Holland, and upon their receipt therefor, we hereby relinquish all interests that we may possibly have therein.

M. H. Holland Jr.

F. A. Ballard

Exhibit Ä

Commissioner's Office,

Suffolk, Va., May 9, 1902.

To Martha O. Holland, COMPLAINANT

and

Joseph Edwin Holland, an infant under the age of twenty one years, Fannie A. Ballard, and A. W. Ballard, her husband, and Mills H. Holland, Jr., and John P. Lee, Guardian ad litem, of the said infant, Joseph Edwin Holland, DEFENDANTS.

You are hereby notified that I have fixed upon the 27th day of May, 1902, if fair, if not, on the next fair day thereafter, Sunday excepted, to take and sell at my office the following accounts:

FIRST. Whether the interest of the infant defendant and the other parties in interest will be promoted by a sale of the property in the bill mentioned, or any part thereof, and the investment of the proceeds of sale, under the decree of this Court, for the use and benefit of the persons holding the estate mentioned in said bill, subject to the terms and provisions of the will of Mills H. Holland, Sr., deceased, therein mentioned.

SECOND. Whether the rights of any person will be violated by said sale.

THIRD. Whether there are any unpaid taxes, or other liens of any kind, upon the said property. Which inquiry the said Commissioner shall make report to the Court, together with any other matters specially stated deemed pertinent by himself or required by any party specially to be stated.

Required to be taken by a decree of the Circuit Court of the County of Nansemond, rendered on the 18th day of April, 1902, in a suit in Chancery depending in said Court between you, at which time and place you are required to attend.

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

O. H. Causey Jr.

Commissioner in Chancery.

Suffolk, Va., May 20. 1902.

Due, legal and sufficient service of the
Within Notice is hereby accepted.

E. E. Holland
Atty for Plaintiff

J. D. Lee, Guardian ad litem
for Joseph Edwin Holland

A. W. Ballard

H. C. Ballard

J. D. Ballard

Commissioner's Office,

Suffolk, Va., May 9, 1902.

To Martha O. Holland, COMPLAINANT.

and

Joseph Edwin Holland, an infant under the age of twenty-one years, Fannie A. Ballard and A. W. Ballard, her husband, and Mills H. Holland, Jr., and John P. Lee, Guardian ad litem of the said infant, Joseph Edwin Holland, DEFENDANTS.

You are hereby notified that I have fixed upon the 27th day of May, 1902, if fair, if not, on the next fair day thereafter, Sunday excepted, to take and sell at my office the following accounts:

FIRST. Whether the interest of the infant defendant and the other parties in interest will be promoted by a sale of the property in the bill mentioned, or any part thereof, and the investment of the proceeds of sale, under the decree of this Court, for the use and benefit of the person holding the estate mentioned in said bill, subject to the terms and provisions of the will of Mills H. Holland, Dr., deceased, therein mentioned.

SECOND. Whether the rights of any person will be violated by said sale.

THIRD. Whether there are any unpaid taxes, or other liens of any kind, upon the said property. Which inquiry the said Commissioner shall make report to the Court, together with any other matters specially stated deemed pertinent by himself or fequired by any party specially to be stated.

Required to be taken by a decree of the Circuit Court of the County of Nansemond, rendered on the 18th day of April, 1902, in a suit in Chancery depending in said Court between you, at which time and place you are required to attend.

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

C. H. Causey Jr

Commissioner in Chancery.

Executed the within notice by serving a true copy of the same upon the within named, W.H. Holland Jr. in person, this 13th day of May, 1902

J.F. DeBerry Deputy

For A.H. Baker Sheriff
of Nansemond County, Virginia

Commissioner's Office, Suffolk, Va.,
June 18, 1902.

Martha O. Holland, COMPLAINANT.

v. In Chancery,

Joseph Edwin Holland, an infant defendant under the age of twenty-one years, Fannie A. Ballard, and A. W. Ballard, her husband, Mills H. Holland, Jr., and John P. Lee, Guardian ad litem of the said infant defendant, Joseph Edwin Holland, DEFENDANTS.

To the Circuit Court of Nansemond County:

Pursuant to the decree of this Court pronounced in the above entitled cause, on the 18th day of April, 1902, the undersigned, one of the Commissioners of Chancery in this Court, having first given notice as required by law, which notice is hereby returned duly executed, proceeded on the day named in said notice to take and settle the several accounts as directed in said decree. Being unable to complete the same on that day, the said cause has been continued, from time to time, to this date when this report is completed. Your Commissioner herewith reports the result of his work as follows;

I

Whether the interests of the infant defendant and the other parties in interest will be promoted by a sale of the property in the bill mentioned or any part thereof, and the investment of the proceeds of sale, under the decree of this court, for the use and benefit of the persons holding the estate mentioned in said bill, subject to the terms and provisions of the will of Mills H. Holland, Sr., deceased, therein mentioned.

Your Commissioner begs leave to report that he is advised and believes that the rights of no party in interest will be affected by a sale of the real property in these proceedings mentioned and the investment of the proceeds arising from such sale under the decree of this court for the use and benefit of the persons holding the estate mentioned in said bill; on the other hand, your Commissioner represents that the interests of the infant defendant, Joseph Edwin Holland, will be promoted by a sale of the property and the investment of the proceeds of such sale under the decree of this Court.

I I

Whether the rights of any persons will be violated by said sale.

Your Commissioner reports that the rights of no person in interests will be violated by a sale of the property in the bill and proceedings mentioned.

I I I

Whether there are any unpaid taxes or other liens of any kind upon the said property. Which inquiry the said Commissioner shall make report to the Court, together with any other matter specially deemed pertinent by himself or required by any party specially to be stated.

There are no unpaid taxes upon the property, save only such taxes as are due for the year 1902 at this date, the tax bills for the year 1902 have not been made out. There are no liens of record upon the real estate in these proceedings mentioned.

Your Commissioner reports that there are three separate tracts of land mentioned in these proceedings; One known as the "Kilby" tract and contains two hundred and fifty (250) acres and is described as follows; being bounded on the South by the lands of William H. Jones, or that which was his, on the East by the lands of William Pierce and Mills H. Holland, Jr., and on the North and West by the lands of John G. King and A. T. Lee. Said land having been sold to Mills H. Holland, Sr., by W. A. D. Eley. Reference to D. B. 12, page 545 is here made.

2nd. A tract known as the"Raiford"tract and contains six acres, being bounded on the North by the Seaboard and Roanoke R. R. , South and East by the lands of the estate of James R. Purvis, or that which was his, and West by the lands of Thomas Joyner. Reference is here made to D. B. 13, page 102.

3rd. A tract known as the "James Harrison Holland" tract and contains ninety acres, being bounded by the lands of William H. Holland, Pompey Holland and the Isle of Wight County line. This said tract having been conveyed to Mills H. Holland, Sr., by Peter B. Prentis, Trustee, less ten acres which was subsequently sold by the said Mills H. Holland, Sr.

Your Commissioner reports the value of the "Kilby" tract at three hundred dollars ($300.00); the "Raiford" tract at one hundred dollars ($100.00); and the "James Harrison Holland" tract at two hundred and fifty dollars ($250.00)

Your Commissioner further reports that he is advised and believes that it will be to the material interests of the parties in interest to have an early sale of the "Kilby" tract; the same having recently been burned over, and the standing timber thereon is liable to further damage if not marketed at an early date.

The depositions of R. C. Daughtrey, A. F. Holladay and others are herewith returned and requested to be taken as a part of this report.

Respectfully sibmitted.

C. H. Causey Jr.
Commissioner in Chancery.

Fee $15.00

"DEPOSITIONS."

Commissioner's Office, Suffolk, Va.

June 13, 1902.

Martha O. Holland, COMPLAINANT.

v. In Chancery

Joseph Edwin Holland, an infant under the age of twenty-one years, Fannie A. Ballard and Others.

The following depositions are presented to the Court and requested to be taken as a part of the report in the above entitled cause herewith filed; having been taken before and in the presence of, the undersigned one of the Commissioners of the Circuit Court of Nansemond County.

Present of Counsel for Plaintiff, Edward E. Holland, John P. Lee, Attorney, Guardian ad litem for the infant defendant.

Mr. R. C. Daughtrey being first duly sworn deposeth and says as follows ;

Q. Please state your name, age, residence and occupation; and do you know the parties to this suit ?

A. R. C. Daughtrey, 66 years, residence Nansemond County, farmer and I know the parties to this suit.

Q. Please state if you are familiar with the lands belonging to the estate of Mills H. Holland, Sr., known as the "James Harrison Holland " farm ?

A. I have known the land a number of years, it is only about two miles and a half from my farm. I could not give, of course, its exact boundaries, but I have been on it time and time again.

Q. Please state, from what you know of the land, whether or not, in your judgment, it would be to the interests of the parties to whom the property belongs to make sale thereof and invest the proceeds of sale under the decree of this Court, and if you believe it would be to their interests give your reasons therefor ?

A. Undoubtedly I think it would be to the interests of the heirs and to the party who has the property in possession to have sale of same. The property is some distance from the home of Mrs. M. O. Holland, it is not properly looked after, it is depreciating

in value and subject to be trespassed upon by other parties.

Q. Please state whether the right of any persons, so far as you know, will be violated by the sale of the property ?

A. I know of no person whose rights will be violated by said sale.

Q. Please state whether or not, in your judgment, the interests of the infant defendant, Joseph Edwin Holland, would or would not be promoted by a sale of the property in the bill mentioned and an investment of the proceeds in such securities as deemed best by the Court ?

A . I think it would be especially to the interests of the infant defendant to have the property sold, and I do not think the interests of any other party will suffer thereby.

Q. While you are not acquainted with the "Carr Raiford" tract of land or the "Kilby" tract of land mentioned in the bill, yet, if these two tracts of land are situated some distance from the home of Mrs. M. O. Holland and are subject to like trespasses, as above mentioned, what would your opinion bewith reference to the interests of a sale thereof ?

A. I think the same reasons would apply and for the same reasons would be to the interests of the said parties to have a sale.

Further this deponent sayeth not.

Signature waived by consent.

Mr. A. F. Holland being duly sworn deposeth and says as follows ;

Q. Please state your name, age, residence, and occupation;and do you know the parties to this suit ?

A. A. F. Holladay, 56 years, residence Nansemond County, farmer and I know the parties to this suit.

Q. Please state if you are familiar with the lands belonging to the estate of Mills H. Holland, Sr., known as the "Kilby "tract of land ?

A. I am familiar with it . I have been knowing it for fifteen or twenty years.

Q. Please state, from what you know of the land, whether or not, in your judgment, it would be to the interests of the parties to whom the property belongs to make sale thereof and invest the proceeds of sale under the direction of the Court, and if you believe it would be to their interests give your reasons therefor ?

A. Undoubtedly I think it would be to their interests to sell. Mrs. M. O. Holland living some distance from the piece of land, other parties are constantly depredating upon it. I know this to be true. For this reason the property is depreciating in value. It will sell for a bigger price now than if the estate continues to hold it and the depredations now upon it continues, and I am sure it will.

Q. Please state, whether or not, in your judgment, the interests of the infant defendant, Joseph Edwin Holland, would or not be promoted by a sale of the property in the bill mentioned and the investment of the proceeds of sale under the direction of the Court ?

I think it would be to the interest and advantage of the infant defendant to have the property sold, and I do not think the interests of any other parties will suffer thereby.

Q. Please state whether the rights of any other persons, so far as you know, will be violated by a sale of the property ?

A. None within my knowledge.

Q. While you are not acquainted with the "Carr Raiford" tract of land or the "James Harrison Holland " tract of land mentioned in the bill, yet if these two tracts of land are situated some distance from the home of Mrs. M. O. Holland and are subject to like trespasses what would your opinion be with reference to the interests of all parties by a sale thereof ?

A. I should think it would then be to the interests and advantage of all parties to have a sale of same.

Q. Please state what, in your judgment, the "Kilby" tract of land is worth ?

A. I should think it ought to be worth five dollars ($5.00) an acre, but I do not know the number of acres in it.

Further this deponent sayeth not.

Signature waived by consent.

Mr. A. W. Ballard being duly sworn deposeth and says as follows :

Q . Please state your name, age, residence, and occupation,; and do you know the parties to this suit?

A. A. W. Ballard, 48 years, Nansemond County, merchant and farmer and I know the parties to this suit .

Q. Are you acquainted with the lands in the bill mentioned ?

A. Yes.

Q. Give a general description of same, together with the acreage in each tract, in so far as you can.

A. The "James Harrison Holland" tract is eight or nine miles from Mrs. M. O. Holland, and contains about thirty-nine (39) acres. It is partly clear and partly wood land. I suppose it would sell for three or four hundred dollars; the buildings on it are very common. The "Carr Raiford" tract of land contains about six (6) acres and is about three miles from Mrs. M. O. Holland. Its value is about one hundred dollars. The "Kilby" tract of land is about six (6) miles from Mrs. M. O. Holland's and contains about two hundred and fifty (250) acres, and is worth from two to three hundred dollars;the same having recently been burned over.

Q. What relation do you bear to these proceedings ?

A. I am one of the defendants; having married the daughter of the late Mills H. Holland, Sr.

Q. Are you in any otherwise interested in these proceedings other than stated in your last answer ?

A. No.

Q. In your judgment, please state whether or not it would be to the interests of the infant defendant, Joseph Edwin Holland, to sell the lands in question and invest the proceeds arising from the sale thereof under the directions of the Circuit Court of Nansemond County ?

A. I would think that a sale of the property would be a benefit to the interests of the infant defendant.

Q. Please state your reason therefor ?

A. Owing to the fact that the various pieces of property are located some distance from the home of Mrs. M. O. Holland,the mother of Joseph Edwin Holland, the infant defendant, she cannot give them such care and attention as should be ordinarily bestowed upon them ,and,

in my judgment, the properties are depreciating rather than increasing in value as now looked after.

Q. Would the interests of any other parties likely to be interested be seriously effected by a sale of the real estate referred to ?

A. I don't see that it would be detrimental to the interests of any to have a sale of the property.

Further the deponent sayeth not.

Signature waived by consent.

And the further taking of depositions in this cause is hereby continued until June 16th.

C. H. Causey Jr.
Commissioner in Chancery

Commissioner's Office, Suffolk, Va.,

June 16, 1902.

Pursuant to adjournment had in these proceedings June 14th, the further raking of depositions is hereby ~~begun~~ resumed.
Present John ~~W~~. Lee, Atty. Guardian ad litem.

Mr. R. A. BAINES, being first duly sworn deposeth and says as follows:

Q. Please state your name, age, residence and occupation; and do you know the parties to this suit ?

A. R. A. Baines, 35 years, Suffolk, Virginia, timber buyer, and I know the parties to this suit.

Q. Are you acquainted with any or all of the lands in these proceedings ?

A. I know the "Kilby" tract and the "Carr Raiford" tract, but am not familiar with the "James Harrison Holland" tract of land.

Q. Please state, in your judgment, the value of the "Carr Raiford" tract, supposed to contain about six acres ?

A. I should think it ought to be worth a hundred dollars.

Q. Is the "Kilby" tract open or wood-land ?

A. It is wood-land.

Q. Do you know, of your own knowledge, whether or not the "Kilby" tract of land has been recently burned over ?

A. I do not.

Q. If it has been burned over would it not necessarily materially decrease the value of same ?

A. I should think it would.

Q. Do you know whether or not there is a fair size body of merchantable standing timber on this land ?

A. The last time I was by this property there was fair merchantable standing timber on it. I had tried to purchase it for the Gay Manufacturing Company. I do not think that the timber has been cut off.

Q. If the timber has not been cut off and the land has been recently burned over, as a matter of fact, wouldn't the value of the timber be materially effected by a fire extending over the entire tract of land ?

A. I should think so, in fact I know it would.

Q. In the light of surrounding cirsumstances, being acquainted with the parties to this cause as you are, would it ~~xmx~~, in your judgment, be advantageous or detrimental to the interests of the infant defendant to sell the lands in question and invest the proceeds arising from the sale thereof under the directions of the Circuit Court of Nansemond County or allow the lands to remain in tact until such infant defendant arrives at the age of his majority ?

A. I think it would be better to sell it and invest the proceeds of sale under the direction of said court.

Q. What, in your opinion, is the present value of the "Kilby" tract of land ?

A. I cannot say, not knowing how badly it has been damaged by recent fire. Prior to the fire, however, it was worth as much as three or four hundred dollars.

Further this deponent sayeth not.

Signature waived by consent.

Here depositions are hereby Concluded.

C. H. Causey Jr.
Commissioner in Chancery

Holland, Martha O.

vs. Report of Commissioner Causey

Dated June 18, 1902

Holland, Jos. Eulevia

Default &c

Filed Sept 30, 1902

A. P. Gonn Clk

IN THE CIRCUIT COURT OF NANSEMOND COUNTY:

M. O. HOLLAND,

v.

JOSEPH E. HOLLAND AND OTHERS.

This cause came on this day to be again heard on the papers formerly read, and on the report of E. E. Holland, Special Commissioner, reporting that he has paid to Joseph E. Holland and M. O. Holland the sum of Twelve Hundred and One 0 10/100 Dollars ($1201.10), being the balance of the proceeds of sale of real estate in his hands to the credit of this suit, to which report there is no exception, and was argued by counsel.

On consideration whereof the court doth ratify, approve and confirm said report. And there being nothing further to dispose of in this suit, the court doth adjudge, order and decree that the same be struck from the docket.

Entd May 9, 1905

Robt Adams

Entered in Chy. Order
Book No. 3 - Page 650.

The answer of Joseph Edwin Holland, an infant defendant over the age of fourteen years, to a bill in equity exhibited against him and others in the Circuit Court of Nansemond by Martha O. Holland.

For answer to the said bill the said Joseph Edwin Holland answers and says:

That although under full age ~~that~~ he believes ~~that~~ he knows what are his interests in the matters referred to in the bill. He believes the statements in said bill are true, and that it will be to his advantage to sell the land as therein prayed for, and invest the proceeds of sale under the direction of this court.

And now having fully answered he prays hence to be dismissed, etc.

Joseph Edward Holland

County of Nansemond, To-wit:

This day personally appeared before me the undersigned, a Notary Public of the said County, Joseph Edwin Holland and made oath that he believes the several statements made in the foregoing answer to be true.

Given under my hand this 12 day of March 190 2.

E. E. Harrell

N P

Yours sincerely,

Jos. Eastwood

The answer of John P. Lee, Atty. at Law, Guardian ad litem to the infant defendant, Joseph Edwin Holland, and the answer of the said infant defendant, Joseph Edwin Holland, by the said John P. Lee, his guardian ad litem, to a bill in equity, exhibited against the said Joseph Edwin Holland and others in the Circuit Court of Nansemond County, by Martha O. Holland.

For answer to the said bill the said Guardian ad litem answers and says.

That he does not know whether the interests of the infant defendant would be promoted by the sale of the property as prayed for in the said bill or not, and the said infant defendant, by his said Guardian ad litem, answers and says that being an infant of tender years he knows his interests to nothing of the matters mentioned in the bill and commits the protection of the court. And now having answered he ever prays etc.

John P. Lee

Guardian ad litem to Joseph Edwin Holland, and the said Joseph Edwin Holland, an infant defendant by the said John P. Lee, his guardian ad litem.

County of Nansemond, To-wit:

This day personally appeared before me the undersigned, a Notary Public for the county aforesaid, John P. Lee, Guardian ad litem, of Joseph Edwin Holland and made oath that he believes the several statements made in the foregoing answer to be true.

Given under my hand this 12 day of March 1902.

E. Edwards

N.P.

Cramer
Gd. ad Brem

To the Honorable Robert R. Prentis,Judge of the Circuit Court of the County of Nansemond.

Your Complainant, Martha O. Holland, respectfully complains and shows unto the Court the following case:

That some time in the year 1897,M. H. Holland, Sr., died,seized and possessed of certain real estate,in the County of Nansemond,and by his last will and testament,which was duly probated in the County Court,of the County of Nansemond,on the 12th day of April,1897,a copy of which is herewith filed and prayed to be read as a part hereof ,he divised said real estate as follows;

"I loan unto my wife,Martha Odelia,for her life,with no restrictions as to her remarrying,one half of my estate,real, personal and mixed,including life Insurance policies,and the other half I give unto my son Joseph Edwin Holland, and in the event that he should die before his mother,being unmarried and under the age of twenty-one years,then s she is to inherit his portion upon the same condition that she does the other moiety,and if at her death my said son Joseph Edwin Holland survives, or shall have lawful heirs, then he or they shall inherit her moiety in fee-simple,and if at the death of my said wife my said son Joe shall be dead and be left no lawful heir or heirs,then it is my intention,wish, purpose, and desire that the property be divided between my heirs per stirpes"

That the said M. H. Holland, Sr. left your complainant,his widow, and the said Joseph Edwin Holland, Fannie A. Ballard,the wife of A. W. Ballard,and Mills H. Holland, Jr., as his only children and heirs at law.

Your complainant is advised that she is at present entitled to a life interest in one half of the undivided real estate of which the said M. H. Holland, Sr., died, seized and possessed,and that the said Joseph Edwin Holland is entitled to a vested remainder in one half of said undivided estate,and is entitled to a fee-simple interest in and to the other undivided one half thereof. That the said Joseph Edwin Holland is an infant over the age of fourteen years ,and under the age of twenty-one years. That the said M. H. Holland, Sr. at the time of his death was seized and possessed of a large number of tracts of real estate and among others the following:

FIRST: All that certain tract of land in Holy Neck Magisterial District, in Nansemond County, Virginia, known as the "James Harrison Holland" land, purchased of James H. Holland by deed duly recorded in Nansemond County Court Clerk's Office, and adjoining the lands of W.H. Holland, Elvey Byrd's estate, Pompey Holland, and others.

SECOND: All that certain tract of land in said County and State known as the "Carr Raiford" tract, purchased of Carr Raiford by deed duly recorded in Nansemond County Court Clerk's Office, and adjoining the lands of James S. Holland, Mills H. Holland, Jr., and the S. A. L. Railroad.

THIRD: All that certain other tract of land in said County and State known as the "Kilby" tract of land, purchased of Walter Eley by deed duly recorded in Nansemond County Court Clerk's Office, and adjoining the lands of S. F. Holland and others.

That the said tracts of land are depreciating in value, and if sold at this time would command a better price than if same should be continually rented till the said Joseph Edwin Holland arrives at the age of twenty-one years, and that the amounts realized from said sales, if safely invested, would yield a larger annual return than is now obtained in gross for its renting. Your complainant has not been able to get satisfactory tenants for said property and has been unable to realize but little from rental thereof. That the timber on some of said property is constantly being cut and carried away by parties unknown to your complaiant. That she is unable to give to the property the attention necessary to prevent depredations thereon. Your complainant, therefore, believes and charges that it will be greatly to the interest of your complainant, of the said Joseph Edwin Holland and of all other parties in interest to sell the said land and to invest the proceeds of sale under the decree of this court for the use and benefit of the pefsons holding the estate and subject to the limitations of the ~~law~~ case creating the same. Should the said Joseph Edwin Holland die leaving

no lawful heir or heirs then under certain contingencies which are provided by said will ~~that~~ Fannie A. Ballard, wife of A. W. Ballard, and M.H. Holland, Jr. should be entitled to the said estate. In the progress of this suit the court will be asked to decree that proper Counsel fees be allowed and paid for the preparation of this bill and the conduct of these parties. In tender consideration whereof your complainant prays that Joseph Edwin Holland, ~~the~~ infant under the age of twenty-one yea rs, the said Fannie A. Ballrd, wife of A. W. Ballard, and said A. W. Ballard, and the said Mills H.?Holland, Jr. may be made parties defendant to this bill and required to answer the several statements thereof but answers under oath, are waived, that a guardian ad litem be assigned to the said infant defendant, Joseph Edwin Holland, to defend his interest in this suit, who shall also answer the said bill; that the said land be decreed to be sold and the proceeds of sale invested as the court shall direct; that all proper allowances of Counsel fees be made in this suit, that proper process issue and all proper orders and decrees may be made and inquiries may be directed, and that all such other, further and general relief may be afforded your complainant as the nature of the case may require, or equity may seem meet. And your complainant will further pray and etc.

E. E. Holland, p.q. M. O. Holland

VIRGINIA,

To-wit:

NANSEMOND COUNTY

This day personally appeared before me the undersigned, a Notary Public, for the said County, M. O. Holland and made oath that she believes that the several statements made in the foregoing bill to be true.

Given under my hand this the 27th day of January 1902.

_____ N.P.

M. O. Haaland

vs Bill

J. Edwin Haaland et al

M O Holland
against } In Chancery
Joseph Edwin Holland & others
Chancery Notes

1902 Feby 4th. Process issued returnable
February Rules Third Monday

" " 17th Process returned executed on
adult defendants

" " " Bill filed and decree nisi against
them
Guardian ad litem appointed
for infant defendant.

" March 3 Decree nisi confirmed and cause
set for hearing.

Chancery Notes

Coals

Clerk	7 22
Jay	1.50
Sl. ft	3.00
Atty.	15.00
Cmr.	15 00
	41.72