

1906-023
Nansemond Co (Suffolk)

Chancery Causes: Silvia Brown et al vs James Edward Holland et al

Ricks, Baugh

Mr. *Exum L. Holland*

Dr.

1905

To S. T. ELLIS, Treasurer of Nansemond County, Virginia.

No. 454	STATE TAXES.					County Levy, 20c. on \$100.	County Road Tax, 15c. on \$100.	County School Tax, 15c. on \$100.	District School Tax, 15c. on \$100.	Parish Levy, 8c. on \$100.	TOTAL TAX.
	State Tax Support Gov. 20c. on \$100. R. E. and P. P. Schedule B.	State Tax Support Gov. 25c. on \$100. P. P. Sched. C	State School Tax 10c. on \$100. R. E. & P. P. Sched. B. & C	State Tax for Pensions 5c. on \$100. R. E. & P. P. Schedule B.							
Real Estate, acres <i>9 1/4</i> valued \$ <i>88</i>	<i>18</i>		<i>9</i>	<i>5</i>	<i>18</i>	<i>14</i>	<i>14</i>	<i>13</i>	<i>7</i>	<i>98</i>	
Personal Property, schedule B. val. \$											
Personal Property, schedule C. val. \$											
Value \$											
Poll-Tax for State and County											~~<i>1.50</i>~~
Total											<i>98</i>
5 per cent. penalty											
Total											

Received payment

18

day of

Kee

190

5

S. T. Ellis

Treasurer.

Ad by R. H. Rawls

A. EDWARDS & Co.,
DEALERS IN HAY, GRAIN, FEED, FLOUR, PEANUTS,
GUANO, LIME, PLASTER, ETC.

E. JOYNER, MANAGER.

HOLLAND, VA.,

Sept 15 - 1905

Mr. R. H. Rawles,
Suffolk, Va.

Dear Sir:-
Enclosed you will find a list
of witnesses summoned in favor
of Sylvia Brown to appear at your office
at 10 o'clock on the 16th. Cost \$1.80.

Yours truly,
W. Edwards

R. H. Heenan - Pat -
Edith Heenan
Amanda Edwards
A. Howell
P. E. Jones
Geo. W. Brown
William T. Brown
J. H. Brown -

Frank Gordon

R. R. Smith Esq Clerk of the
Circuit Court of Maryland
County:-

Silvia Brown and Geo. W. Brown
her husband, plaintiffs
 $\frac{11}{25}$

✓	James Edward Holland ✓	} Defendants
✓	Henry Holland ✓	
✓	William Jackson Holland ✓	
✓	Anthony Holland ✓	
✓	Olivia Ricks ✓	
✓	Floyd Holland ✓	
✓	Meta Holland ✓	
	Mary Holland ✓	
	Lucinda Baugh, the last ✓	

two being infants under 21
years of age.

Issue summons for plaintiffs vs defendants
to 1st May Rule 1905 to answer a
Bill in chancery.

R. R. Rawder f.g.

Those checked are non-residents, send
their summons to me.

The last two are infants, put them in
papers.

R H Rawles Jr of
Silvia Brown Tolher
vs Juchancery
Jas Ed Hall and Tolher
Memo. for Clerk

Virginia: Fauquier County, to wit:-
In the Clerk's Office of said County
on the 14th day of April 1905.

J. R. Rawles agent
and attorney for Sileria Brown do
solemnly swear that to the best of
my knowledge information and belief
the defendant Henry Holland is a
non resident of the State of Virgin-
ia; and I do further swear that to
the best of my information and belief
the due diligence has been used by
or on behalf of the plaintiffs to ascen-
tain in which County or Corporation the
defendants Olivia Ricks, Floyd Holland
Meta Holland and Lucinda Bangh
are, without effect.

J. R. Rawles.

Sworn to before me by J. R. Rawles this
14th day of April 1905.

A. P. Gomez, J. C.

Sileria Brown et als

vs

James Edward Holland et als

In Chancery.

Affidavit of
Non residents.

VIRGINIA: In the Clerk's Office of the Circuit Court of Nansemond, in vacation, on the 17th day of April, 1905.

Silvia Brown and George W. Brown, her husband..... Plaintiffs
vs. In chancery

James Edward Holland, Henry Holland, William Jackson Holland, Anthony Holland, Olivia Ricks, Floyd Holland, Meta Holland, Mary Holland and Lucinda Baugh, the last two being infants under the age of twenty-one years. Defendants

The object of this suit is to ask the court for a partition and division of the real estate, of which Exum Holland died, seized and possessed, among his heirs-at-law, said real estate consisting of a tract of about six acres of land, in Holy Neck District, in said county and State. If a partition in kind be impracticable, the court will be asked to have the said real estate sold and the proceeds divided among the said heirs-at-law. And, affidavit having been made and filed that the defendant, Henry Holland is not a resident of this State, and that due diligence has been used by, or on behalf of the plaintiffs to ascertain in what county or corporation the defendants, Olivia Ricks, Floyd Holland, Meta Holland and Lucinda Baugh, are, without effect, it is ordered that the said Henry Holland, Olivia Ricks, Floyd Holland, Meta Holland and Lucinda Baugh appear within fifteen days after due publication of this notice in the clerk's office of our said court, and do what is necessary to protect their interest.

Teste: A. P. GOMER, D. C.

A Copy—Teste:

A. P. GOMER, D. C.

P. H. RAWLES, p. q.

ap21

The above order of publication was posted at the front door of the Court House of Nansemond County on April 21st and remained posted until Wednesday the 3rd day of May, it being the 3rd day after the first May Rules.

A. P. Gomer D. C.

Order of
Publication

Brown & others
vs

Jas Ed Hall and
and others,

Virginia; ⁹ In the Clerk's Office of the Circuit Court of Nansemond County;
in Vacation, on the 17th day of April, 1905.

Silvia Brown and George W. Brown, her husband,

Plaintiffs.

vs. } *In Lohancus*

James Edward Holland, Henry Holland, William Jackson Holland, Anthony Hol-
land, Olivia Ricks, Floyd Holland, Meta Holland, Mary Holland and Lucinda
Baugh, the last two being infants under the age of twenty-one years.

Defendants.

The object of this suit is to ask the court for a partition and
division of the real estate of which Exum Holland died, seized and possess-
ed, among his heirs-at-law, said real estate consisting of a tract of
about six acres of land in Holy Neck District, in said county and State.
If a partition in kind be impracticable, the court will be asked to have
the said real estate sold and the proceeds divided among the said heirs-at-
law. And affidavit having been made and filed that the defendant Henry
Holland is not a resident of this State and that due diligence has been
used by, or on behalf, of the plaintiffs to ascertain in what county or
corporation the defendants Olivia Ricks, Floyd Holland, Meta Holland and
Lucinda Baugh are, without effect, it is ordered that the said Henry Hol-
land, Olivia Ricks, Floyd Holland, Meta Holland and Lucinda Baugh appear
within fifteen days, after due publication of this notice, in the clerk's
office of our said court, and do what is necessary to protect their inter-
est.

Teste:

A. P. Gomer D.C.

Order Publication

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

James Edward Holland
Nerry Holland William Jackson Holland
Anthony Holland Olivia Ricks Floyd
Holland Meta Holland Mary Holland
Lucinda Baugh the last two being infants
under the 21 year of age

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
 for the said Court, on the *First* Monday in *May 1905*, to answer

a Bill in Chancery, exhibited against *them*
 in the said Court by *Silvia Brown and Geo W Brown*
her husband

and have then and there this summons.

Witness, R. R. SMITH, Clerk of our said Court, at his office, this *17th* day of

April, 190*5*, in the *129*th year of the Commonwealth.

A copy Teste:

Teste:

A. Gomer D.C.
 CLERK.

A. Gomer D.C.
 CLERK.

R N Rawles p. q.

*A Copy for
Mary Holland*

vs.

In Chancery.

Infant

190 *5*

May Rules.

First Monday.

Nansemond Circuit Court

Process Book No. 2

Page 266

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *James Edward Holland*
Nerry Holland William Jackson Holland
Anthony Holland Olivia Ricks, Floyd
Holland Meta Holland Mary Holland
Lucinda Baugh, the last two being
infants under 21 years of age

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
 for the said Court, on the *First* Monday in *May 1905*, to answer
a Bill in Chancery, exhibited against *them*
 in the said Court by *Silvia Brown and Geo. W*
Brown her husband

and have then and there this summons.

Witness, R. R. SMITH, Clerk of our said Court, at his office, this *17th* day of
April, 190*5*, in the 1*29th* year of the Commonwealth.

A copy—Teste:

CLERK.

Teste:

W. B. Gomer D. C. CLERK.

Filed this 21 day of
April 1903 by delivery of
a true copy of the within
process to J. E. Holland
Wm. Jackson Holland and
Anthony Holland in person
J. W. McKee Clerk

R. M. Baubles p. q.

Delia Baubles
and others

vs.

In Chancery.

Jas. Edward Holland
and others

1903

Mary
Hunt Rules.
Monday.

Namensmond Circuit Court

Process Book No. 2

Page 266.

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

James Edward Holland
Nemry Holland William Jackson Holland
Anthony Holland Olivia Ricks Floyd Holland
Meta Holland Mary Holland Lucinda
Baugh the last two being infants under
21 years of age

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
 for the said Court, on the *First* Monday in *May 1905*, to answer

a Bill in Chancery, exhibited against *them*
 in the said Court by *Sylvia Brown and Geo. W. Brown*
her husband

and have then and there this summons.

Witness, R. R. SMITH, Clerk of our said Court, at his office, this *17th* day of
April, 190*5*, in the *129*th year of the Commonwealth.

A copy Teste;

Teste:

R. R. Smith, CLERK

R. R. Smith, CLERK.

R N Rawles p. q.

A copy for
Lucinda Baugh

vs.

In Chancery.

Infant

1905

May Rules.

First Monday.

Nansemond Circuit Court

Process Book No. 2

Page 266

Know All Men by These Presents,

That we,

R N Rawles
and E E Holland and The United States
Fidelity and Guaranty Company

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of
Five Hundred DOLLARS,

to the payment whereof, well and truly to be made to the Commonwealth of Virginia, we bind ourselves, 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 Commonwealth arising under this bond, or by virtue of the office, post or trust herein mentioned, with coupons detached from bonds of said State.

Sealed with our seals, and dated this _____ day of _____ in the year of our Lord one thousand nine hundred and _____, and in the _____ year of the Commonwealth.

In Testimony Whereof, the said *R N Rawles and E E Holland* have hereto set ^{their} hands and seals, and the said *The United States Fidelity and Guaranty Company* has caused its corporate name to be hereto signed, and its corporate seal to be hereto affixed, this *12th* day of *October* in the year of our Lord, one thousand nine hundred and *five*, and in the *1301st* year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That ~~if the above bound~~
Whereas by a decree of the Circuit Court for the County of Nansemond, pronounced on the 9th day of October 1905 in the Chancery Cause pending in said Court between Sylvia Brown & others Complainants and J E Holland & others defendants it was adjudged, ordered and decreed that the land in the bill and proceedings mentioned be sold and that R N Rawles and E E Holland were appointed Special Commissioners by said decree for selling the same. Now therefore if the said R N Rawles and E E Holland shall faithfully discharge their duties under said decree and all other decrees they may be required to execute in said Cause then the above obligation to be void, otherwise to remain in full force and effect.

R N Rawles

E E Holland

The United States Fidelity and Guaranty Company

By R L Woodward
its Attorney in fact.

SEAL

SEAL

SEAL

SEAL

SEAL

VIRGINIA:

In the Clerk's Office of the Circuit Court of Nansemond County, on the *12th* day of *October*, 190*5*:

The above bond was executed and acknowledged before me by the obligors to the same ~~(the same)~~ *(justifying)*, and ordered to be recorded.

A copy Teste:

Teste:

A. P. Homer D.C.

A. P. Homer D.C.

Rich Rawles &
E E Holland

To Spec. Commrs
Bond
The Commonwealth.

1905-

Oct 12th

Recorded in
Official Bond
Book No 1 Page 441

A Copy

Sylvia Benson Foster
PS

E E Holland & Co

Virginia, Wanssemond County, To-wit:

In the Clerk's Office of the Circuit Court of said County, on
the 3rd day of July, 1905. *At Rules:*

Sylvia Brown, et als

vs.

J. E. Holland, et als

On motion of the complainants, John P. Lee, a competent and
discreet attorney at law, is assigned as guardian ad litem for the infant
defendants, Mary Holland and Lucinda Baugh, and required to defend their
interest in this suit.

A. P. Gomez D.C.

Order appointing
Guendoin as liter

EDWARD E. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VA.

BOTH PHONES,

BOOTHE BUILDING.

Received of R. H. Rawles and E. E. Holland, Special Commissioners in the Chancery suit of Sylvia Brown and Others against J. E. Holland and Others, the sum of One Hundred and Ninety-three Dollars (\$193.59) and fifty-nine cents, being the amount to which James Edward Holland, William Jackson Holland, William Henry Holland, Olivia Ricks and Anthony T. Holland are entitled to receive from the proceeds of sale of the land sold in said suit. I have a deed for the interests of James Edward Holland, William J. Holland, Olivia Ricks, and Wm. Henry Holland, heirs at law of Exum Holland, deceased, which I agree to file with the papers in this suit.

Anthony T. Holland

\$43 $\frac{02}{100}$

Rec'd of R.H. Rawles on E.E. Holland forty three
 $\frac{02}{100}$ dollar in full payment of my share of the
proceeds of the sale of the Exum Holland land in
the chancery suit of Sylvia Brown et al. vs.
J.E. Holland et al. in the Circuit Court of
Harrison County. Nov. 25, 1905.

Witness:
G. W. Brown

Sylvia ^{her} Brown
ma

#21.51

Recd of R. H. Rawley and E. E. Holland special
Comptroller in the chancery cause of Sylvia
Brown et al vs J. E. Holland et al the
sum of twenty one $\frac{57}{100}$ dollars in full
payment of the amount due to me from
the sale of the Exum Holland land per
mail cert. Nov-27. 1905.

Troy Holland

#21,51 Recd of R H Rawler & E. E. Holland Special Commrs
in the Chancery Cause of Sylvia Brown et al vs
J. E. Holland who twenty one $\frac{57}{100}$ dollars in full
payment of the amount due & coming to her
from the sale of the Exem Holland land in
said suit. Nov. 27, 1905. M E Holland

Witness:

\$ 21 $\frac{57}{100}$

Recd of R. H. Rawles & E. E. Holland special
Commission in the chancery cause of Sylvia Brown et al
vs J. E. Holland et al the sum of Twenty one $\frac{57}{100}$
dollar in full settlement of amount due Mary
Holland who is my only daughter & my
first husband Wm. Hos. Holland and a
grand daughter of Maria Ann Holland, said money
to be used by me for the maintenance, education & support
of said Mary Holland who is an infant of tender
years and incapable of handling said fund, Dec. 6. 1805

Witness:

Ethel Darby

Lulie Outlaw.

$\$ 8.06$
 $\underline{2.50}$
 $\$ 10.56$
 $\underline{1.50}$
 $\$ 12.06$

Recd of R. H. Rawley & E. E. Holland Twelve
 dollars & $\frac{06}{100}$ — being clerks costs of $\$ 8.06$
 with tax $\$ 1 \frac{50}{100}$ and Sheriffs fee of $\$ 2 \frac{50}{100}$
 in the Chancery cause of Sylvia Brown
 vs J. E. Holland et al. Dated July 15. 1905.

with day paid
 July 15th 1905

J. P. Gomey D. C.

\$5⁰⁰

Rec'd of R.H. Cantor & E. E. Hollomel Special
Concurrence in chancery cause of Sylvia Brown
vs J.E. Hollomel at the fee of \$10.00 for making
up report in said cause. Nov. 15. 1905.

R.H. H. Hieters
Concurrence.

#1 80

Recd of R. H. Rawles & E. E. Holland special
Commission in chancery cause of Sylvia Brown.
to J. E. Holland et al for summoning witnesses
in said cause to attend taking of depositions.
Nov. 15. 1905-

Sign & return to
R. H. Rawles

W. E. Whitfield Const
Thanks

\$ 3⁵⁰ — Recd of R. H. Rawles & E. E. Holland three $\frac{50}{100}$
dollars in full payment of fees for my witnesses
Amanda Edwards, W. S. Brown, R. H. Holland, J. H. Brown
P. E. Jones J. F. Gmelin and Edith Holland in the
chancery suit of Sylvia Brown vs J. E. Holland
et al. — Nov. 25, 1885 —
Witness: —
G. W. Brown
Sylvia ^{her} Brown
mark

ESTABLISHED 1873.

Suffolk, Va., Oct 28

1905

M R H Rawles

Return to RHR

city

TO SUFFOLK HERALD, DR.
NEWSPAPER AND JOB PRINTING ESTABLISHMENT.
NO. 912 WASHINGTON STREET.

TERMS OF THIS BILL, NET CASH.

May	5	4 inch notice 4 times Cause Silvia Brown vs. J. E. Stollman	2 50
Oct	14	100 Stands bills Sale of property	1 00
		Paid Nov 15/05	4 50
		Suffolk Herald	
		K	

\$5.00

Recd of R. H. Rawler & E. E. Holland five
dollars for selling land at auction
in Chancy Cause of Sylvia Brown vs
J. E. Holland et al. Nov. 15, 1905.

J. Walter Harris

\$ 5.00

Rec'd of R. H. Rawley & E. E. Holland
Special Amount in charity cause of
Sylvia Brown is J. E. Holland for five
dollar premium on bond in said cause.
Nov. 15. 1905.

Woodward & Cream -
agents

EDWARD E. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VA.

BOTH PHONES,

BOOTHE BUILDING.

Received of R. H. Rawles, and E. E. Holland, Special Commissioners in the Chancery Suit of Sylvia Brown and Others v. J. E. Holland and Others, the sum of Twenty-five Dollars (\$25.00), being the amount allowed me by the Commissioners in said cause as a debt against the estate of Exum Holland, deceased.

Nov. 15, 1905.

Anthony G. Holland

Know All Men by these presents, That I, Axa Holland, of the county of Nansemond and State of Virginia, in consideration of the natural love and affection which I bear to my son Exum Holland, of the County and State aforesaid, and also other good causes and considerations, I give, grant and confirm unto the said Exum Holland a certain piece or parcel of land containing six acres more or less, and bounded by lands of Mary E. Lee Eley Holland and the lands of me, the said Axa Holland, and situated in the upper part of the aforesaid county and in said state, to have and to hold the said land with all its appurtenances &c free from the claim or claims of me the said Axa Holland or any other person whatever. Shall and will warrant and forever defend by these presents of which said land I the said Axa Holland have put the said Exum Holland in full possession. In Witness Whereof I have hereunto set my hand and seal, this 3d day of April, 1874.

Signed, sealed and delivered in our presence.

Ro. H. Holland.
Z. E. Holland.

Axa (his X mark) Holland (SEAL)

In the Clerk's Office of Nansemond County Court the 14th day July, 1874.
This Deed was proved by the Z. E. Holland one of the subscribing witnesses thereto on the 19th June, 1874, and on the 14th July, 1874, was fully proved by Ro. H. Holland the other witness thereto and thereupon admitted to record.

Teste: Willis E. Cohoon,
Clerk.

Axa Holland. *Exhibit*
To } Deed *"A"*

Exum Holland.

*Recorded in Deed
Book No 4 Page 221*

50¢

To the Honorable Robert B. Prentiss, Judge of the Circuit Court of Hanson-
mond County.

The undersigned special commissioners, in the Chancery cause of
Selvia Brown vs. J. E. Holland, et als, now pending in said court, respect-
fully report that they have collected of Lucy C. Holland the sum of Four
Hundred Dollars, being the whole of the amount of the purchase money for
the tract of land heretofore sold her, as appears by a previous report
made by said commissioners; and they further report that they have made to
the said purchaser, Lucy C. Holland, a good and sufficient deed for said
tract of land, and out of the proceeds of the sale they have first paid
the cost and expenses of this suit and sale, and the remainder of the
purchase money they have paid to the heirs and distributees of Exm Hol-
land, deceased, taking for all their disbursements proper vouchers, which
are herewith filed. All of which will more fully appear from a stated
account, hereto annexed, and made a part of this report.

All of which is respectfully submitted.

RH Rawles
Special Commrs.

Amount of purchase money Collected of Lucy C. Holland \$400.

Paid out:

R. R. Smith Clerk Court	\$8.06
R. R. Smith with tax	1.50
A. H. Baker Sheriff	2.50
R. W. Withers, Comptroller	5.00
W. E. Whitfield, Constable	1.80
7 Witnesses	3.50
Atty tax fee	15.00
Supper Herald	4.50
J. W. Horin, Crier	5.00
Woodward & Elam, bond	5.00
Printing deed to purchase	17.00
Commissions	25.00
Anthony J. Holland's bill	
	<u>\$ 98.86</u>

Paid Anthony J. Holland for himself and as assignee of J. E. Holland, Wm J. Holland Wm H. Holland and Olivia Ricks	193.59
Sylvia Brown	43.02
Floyd Holland	21.51
Meta Holland	21.51
Lula outlaw (mother) for Mary Holland	21.51
	<u>\$ 400.00</u>

Report of Distribution

Filed Dec. 23. 1905.
A. G. D. C.

To the Honorable Robert R. Prentiss, Judge of the Circuit Court of
Harrison County.

The undersigned special commissioners, appointed by a decree of
this court, on the 9th day of October, 1905, in the chancery cause of
Sylvia Brown, et als, ^{vs.} J. E. Holland, et als, to sell the land, mention-
ed in the bill and proceedings in said cause, of which J. E. Holland died,
seized and possessed, beg leave to respectfully report, as follows:

Pursuant to said decree, your special commissioners having advertised
the said land, as required by said decree, and given bond before the Clerk
of this Court, as required, and having, in all other respects, complied
with all the terms and conditions of said decree, offered the said land for
sale, at public auction, before the Postoffice, in Suffolk, Virginia, on
Saturday, the 28th day of October, 1905, and the same was struck off to
Lucy C. Holland, for the sum of Four Hundred Dollars, that being
the highest bid made for the same.

Your commissioners further report that, after the sale, the purchaser
elected to pay the whole of the purchase money, in cash, and has done so.
Your commissioners are of opinion that the sale is a good one, for the
reason that the said land was reported by Commissioner, Robert W. Withers,
as being of the fee simple value of Three Hundred and Fifty Dollars.
We therefore recommend that the sale be confirmed.

All of which is respectfully submitted.

E. E. Howard

R. W. Rawls

Special Commrs.

Report of Sale.

Filed October 28, 1906.
C. P. Gomer, D.C.

Commissioner's Office, Sept. 23rd, 1905

The undersigned, in pursuance of a decree entered in the cause of Sylvia Brown and others against J. E. Holland and others, by the Circuit Court of Nansemond County on the 10th day of July 1905, whereof the following is an extract:

On consideration whereof, the court doth adjudge, order and decree that one the Commissioners of this court shall proceed to take and state the following accounts:

1. An account of the real estate of which Exun Holland dies seized and possessed, together with its annual and fee simple values.

2. The liens thereon, if any, together with their amounts, dignities and priorities, and specially whether the said real estate has ever been sold for delinquent taxes.

3. Whether the said real estate is susceptible of a partition in kind among those entitled to the same, without a sacrifice of interest.

4. Whether any of the heirs, entitled to the said real estate, will take the whole thereof, by allotment, and pay to the other heirs their share of the same.

5. If the said real estate be not susceptible of a partition in kind without a sacrifice of interest, and, if none of the heirs will take the same, by allotment, paying to the other heirs for their interest in the same, whether the interest of all parties will be promoted by a sale of the entire real estate and a division of the proceeds among those entitled to receive the same.

6. Any other matter deemed pertinent by the commissioner or which any party in interest may require to be stated.

Having given due notice to all the parties concerned, as will appear by the return of said notice hereto attached, proceeded on the 16th day of September, 1905, to execute the said decree; and the proceedings having been thenceforward regularly adjourned from time to time, the undersigned master Commissioner reports as follows:

First,- Exum Holland died seized and possessed of the tract of land mentioned in the bill and in Exhibit A filed therewith. Its fee simple value is Three Hundred and Fifty (\$350.00) Dollars and its annual value is about Thirty (\$30.00) Dollars.

Second,- There are no liens on the land and the land has not been sold for delinquent taxes.

Third,- The land consists of about six (6) acres and there seem to be about ten heirs. The land being farm-land is not, in the opinion of the Commissioner, susceptible of partition.

Fourth,- None of the heirs entitled to the said estate will take the whole thereof, by allotment, and pay to the others their share of the same.

Fifth,- The interest of those interested will be greatly promoted by the sale of the land and division of the proceeds; there being no other way to equally divide the property amongst those entitled to share therein.

Sixth,- At the request of the parties interested the Commissioner reports that the estate of Exum Holland is indebted to Anthony T. Holland in the sum of Twenty-five (\$25.00) Dollars, said amount being arrived at by agreement of the parties in interest who appear^{ed} and through the Attorneys representing both sides in this issue, and that Exum Holland left no personal estate whatever.

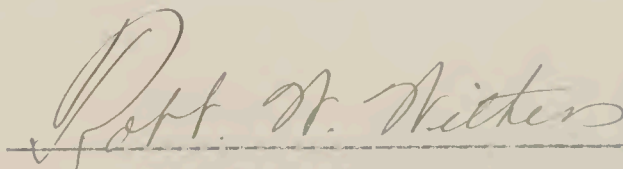
Respectfully submitted.

Wm. H. Hiltner
Master Commissioner

See \$500

Commissioner's Office, Suffolk, Va., Aug. 26th., 1905.

The parties in the suit of Sylvia Brown and George Brown, versus James E. Holland, William Jackson Holland, Henry Holland, Anthony Holland, Olivia Ricks, Floyd Holland, Meta Holland, Mary Holland and Lucinda Baugh, the last two being infants represented by John P. Lee their Guardian ad litem, will take notice, that on the 16th. day of September, 1905, at my office, in the town of Suffolk, I will proceed to execute the decree rendered in said cause by the Circuit Court of Nansemond County on the 10th. day of July, 1905, when and where they are required to attend with such books, papers, vouchers and evidence, as will enable me to comply with the said order of court.

A handwritten signature in cursive script, reading "Robt. W. Kitter", written over a horizontal line.

Master Commissioner of the Circuit Court of Nansemond

~~Due legal and~~
~~sufficient service of~~
~~the within notice is~~
hereby accepted

Original

The within notice
was executed by
me in my county of
Nauvemonah by delivering
a true copy thereof
to James E. Halland
and William Jackson
Halland in person
this 28th day of

August 1885

J. H. Berry Deft
For Asst. Secy. Shiff

Commissioner's Office, Suffolk, Va., 26th day of August, 1965.

The parties in the suit of Sylvia Brown and George Brown versus James E. Holland, William Jackson Holland, Henry Holland, Anthony Holland, Olivia Ricks, Floyd Holland, Meta Holland, John P. Lee, Guardian ad litem, Mary Holland and Lucinda Baugh, the last two being infant defendants, will take notice, that on the 16th. day of September, at my office, in the town of Suffolk, I will proceed to execute the decree rendered in said cause by the Circuit Court of Nansemond County on the 10th. day of July, 1905, when and where they are required to attend with such books, papers, vouchers and evidence, as will enable me to comply with the said order of court.

Raff N. Skithers

Master Commissioner of the Circuit Court of Nansemond County.

Due, legal and
sufficient service
of the within notice
is hereby accepted

E. E. Hall and
Att. for Anthony Halland
John Lee
Guardian ad litem
for infant defendants
W. R. Auler atty
in Plaintiff

Original

The within notice
was executed by
me in my county
of Nassauward by
delivering a true
copy thereof to
James E. Halland
and William Jackson
Halland in person
this — day of

1905.

Commissioner's Report

1905 Sept 25th
Filed J. P. Humey DC

ROBT. W. WITHERS,

ATTORNEY AT LAW.

SUFFOLK, VA.

PRACTICING IN ALL COURTS IN
FIRST JUDICIAL CIRCUIT.

JEWELL & COMPANY, PHILADELPHIA.

Suffolk, Va., Dec. 9, 1905.

#####

Sylvia Brown, et. al., #

vs # In Chancery.

J. E. Holland, et. als, #

#####

In vacation on the 9th day of December 1905.

This cause came on this day to be again heard ^{in vacation} on the papers ^{formerly} ~~formerly~~ read and was argued by counsel.

On consideration whereof it appearing to the court that Mary Holland, one of the distributees in this cause is an infant of tender years, being under the age of ten years, and is therefore incapable and incompetent to handle said fund, the court doth order and decree that the amount ^{and which is less than \$100—} due to the said Mary Holland from the said proceeds of the sale of the real estate in the bill and proceeds ^{ings} mentioned be paid to Lulie Outlaw the mother of the said Mary Holland, for the ^{education} maintenance and support of said Mary Holland. And this cause is continued. All of which is certified to the Clerk of this Court to be entered in the chancery order book.

Robert R. Dennis

Alene.

Enter Dec 9, 1905

Robert R. Rents

Entered in Chancery
Order Book No 4 Page 24

for consent

RH Lawler atty for
C. E. Haeckel atty

for direct defendants
John Lee
Guardian ad litem

Sylvia Brown, et als	#	
vs.	#	In Chancery.
J. E. Holland, et als	#	

This cause came on this day to be again heard on the papers, formerly read, as well as on the report of R. H. Rawles and E. E. Holland, special commissioners, who were appointed as such by decree of the 9th. day of October, 1905, and required to sell the land in the bill and proceedings mentioned; which said report was filed on the 28th day of October, 1905, and to which no exception was filed, and was argued by counsel.

On consideration whereof, the court doth confirm the said report and doth also confirm the said sale, of the land therein mentioned of which Exum Holland died, seized and possessed. And, it appearing from said report that the purchaser of the said land has paid the whole of the purchase money, in cash, to the said commissioners, the court doth order, adjudge and decree that the said R. H. Rawles and E. E. Holland, special commissioners, shall make to the said purchaser *Lucy C. Holland*, a deed for the said land, with *special warranty.* ~~the usual covenants of title.~~ Out of the proceeds of the sale the said special commissioners are directed first to pay all the cost and expenses of this suit and sale; secondly to pay to Anthony T. Holland the sum of Twenty-five Dollars, and then to pay the remainder of the money over to the heirs-at-law of the said Exum Holland, deceased, according to their respective interest therein. The said commissioners are directed to take vouchers for all disbursements made under this decree, and to report their actions, under this decree, to this court, and this cause is continued.

* But the shares of the infants shall be paid to their guardians when this court shall be first satisfied that such guardians have given bonds in penalty and with sureties sufficient for the security of the same.

Decree Confirming
Sale.

Enterd Nov 10 1905
Wm H. H. H. H.

Entered in Chancery
Order Book No 4 Page 18.

We consent to this
decree.

R H Rawls atty
for plaintiffs.

E. E. H. H. and atty
for defendants

John H. H.
Guardian ad litem for infants

Silvia Brown, et als

vs.

J. E. Holland, et als.

In Chancery.

This cause came on this day to be again heard on the papers formerly read, as well as on the report of Commissioner, Robert W. Withers; which said report was filed on the 25th day of September, 1905, and to which no exception has been filed, and was argued by counsel.

On consideration whereof, the court doth confirm the said report and doth order, adjudge and decree that R. L. Rawles and E. E. Holland, who are hereby appointed special commissioners for the purpose, shall proceed to sell the land in the bill and proceedings mentioned, of which Exum Holland died seized and possessed, at public auction, before the Post Office, in Suffolk, Virginia, after first having advertised the same for fifteen days, by hand bills posted in many places in the town of Suffolk and in the county of Nansemond; the terms of said sale to be one-half cash and the remainder in six months, the title to be retained until the whole of the purchase money has been paid, and until the further order of court; but with the option to the purchaser to pay the whole of the purchase money in cash, should it be so desired. But, before the said commissioner~~s~~ shall act, under this decree, they shall enter into a bond in the penalty of Five hundred (\$500) ^{before the clerk of this court} Dollars, with security deemed sufficient by the clerk of this court, conditioned for the faithful discharge of their duties as commissioners under this and all other decrees that may hereafter be rendered in this cause; and the said commissioners are required to report all their proceedings under this decree to this court, and this cause is continued.

Decree for Sale.

Entered Oct 9, 1905

Robert R. Hawks

Entered in Ex. Order
Book No. 3 - Page 690.

We consent to this de-
cree.

R. H. Rawler atty for
plaintiffs.

E. E. Haeckel atty
for adult defendants
J. H. Haeckel
Guardian ad litem for
infant defendants

In the Circuit Court of Mansemond County:

Sylvia Brown, et als #

vs. #

In Chancery.

J. E. Holland, et als #

#

This cause came on this day to be heard on the bill and exhibits filed, the answer of John P. Lee, guardian ad litem for the infant *Mary Holland and Lucinda Daugh, duly assigned at rules to defend them in this suit* defendants; and the adult defendants, who appear to have been proceeded against regularly in the manner prescribed by law, failing to plead, answer, or demur, *James E. Holland, William Jackson Holland and Arthur Holland,* the bill was taken for confessed *on whom process has been duly served and was* as to them and was argued by counsel.

On consideration whereof, the court doth order, adjudge and decree that one of the commissioners of this court shall proceed to take and state the following accounts:

1. An account of the real estate of which Exum Holland died seized and possessed, together with its annual and fee simple values.
2. The liens thereon, if any, together with their amounts, dignities and priorities, and specially whether the said real estate has ever been sold for delinquent taxes.
3. Whether the said real estate is susceptible of a partition in kind among those entitled to the same, without a sacrifice of interest.
4. Whether any of the heirs, entitled to the said real estate, will take the whole thereof, by allotment, and pay to the other heirs their share of the same.
5. If the said real estate be not susceptible of a partition in kind without a sacrifice of interest, and, if none of the heirs will take the same, by allotment, paying to the other heirs for their interest in the same, whether the interest of all parties will be promoted by a sale of the entire real estate and a division of the proceeds among those entitled to receive the same.
6. Any other matter deemed pertinent by the commissioner or which any party in interest may require to be stated.

Heaven for
Accounts

Enter July 10, 1905
Robert H. H. H.

Entered in the Cedar
Book No. 3. Page 668.

1903 ~~The~~ The E. J. Holland estate
To Anthony J. Holland Dr

To Anthony J. Holland

To one full wire length of S. Luke

To putting up the sail wire

1904

⁰⁴
A $\frac{1}{3}$ of 4 bags gears used on land in
the year 1904

210

1. $\frac{1}{2}$ of 4 " Plaster " " "

107

11-30-11 bill paid Holland & Hardy for more

437

3-20¹⁹⁰⁵ " " w/ Noe and - pots pants

135

" " " ~~Dr~~ Holland - mother

900 ✓

12-1 " " " Hecout Shan 5000. Laurel cloth

475

1941
3-21- " " S. W. Hecand, for Laffin, Mathis, Father

6000 ✓

2 Parks for 1903 & 1904

156

No hard working and attention for father
during illness of one and half month

2250

To good washing and attention for mother
during illness of 8 1/2 months

12750

\$252.45

Credits

synth
To picking up & Boys

513

~~\$ 257.68~~

By $\frac{1}{3}$ of Pearls made on land during
the year 1904 872# @ $3\frac{1}{2}\%$

3052

By $\frac{1}{3}$ of Folder. raised 280# @

210

" / " / The Com-⁻ and land

300

6 Chickens @ 30

180

" 1 Saw

500

" 3 sheets @ 3

900

" 3 Pip 1

200

15 of 7

To Bal due R. Holland

~~\$203.16~~

25 compromise

\$350 for simplified value
30 annual.

Sum Hollands estate.
to
A. J. Holland D.

\$203.16

In Note This is what my
 Bro Anthony has in his household
 that certainly belong to my father and mother.
 he has seven or eight Quilts 5.00
 And six or seven sheets. 1.00
 two feather Beds. 10.00
 two large pillows. 1.00
 one Counterpane. .50
 two pair of pillow slips. .10
 two mattresses. .50
 three Bed steds 3.00
 one Tin Sack. one Table. 1.00
 one Rocking Chair. .50
 4 chairs. .50
~~And one Rocking Chair.~~
 one clock. two Trunks. 1.00
 one Green Table cloth. .10
 6 plates. one dish. .10
 four cups and saucers. .10
 one Bowl one Sugar dish. .10
 and one Butter dish. .10
 6 Silver spoons, half dozen Knives and forks 2.00
 one Butcher Knife. .10
 one large pot and two smaller ones 1.00
 one tin. one tobacco tub. 1.00
 half dozen glass. 1.00
 half dozen fruit cans. .10

one drawing knife. one Cross cut Saw 1.00
and one Chisel and one wedge .50
one bread tray. .25-

13th August / Six children
And five hens And one Rooster
3 hogs.

at the time the Saw would weigh 140 lbs
And the shears would weigh one
hundred apiece.

one small house ~~for~~ ~~was~~ for furniture
he tore down and carried it away.

Mr. Rawley he told me that
he takes one third of the crop
And pays father Bump the balance
he told me so

\$20.65-

I cook my own chickens
and something that and
carried it to them as
long as he lived there
is my son Pat his wife
carried them any thing
that she had to eat
as long as he lived
there was 2 weeks I don't
think he eat 10 or more.
he only drink a little spirits
Mr. Pauls son simply
ask him didn't he have
meat and fish when he died

Cont. Time

he claimed that he had
to do ~~very~~ things for her
and they had chickens
eggs and they even
picked the grass and
scold them. Mandie
Edward and Edith
Holland and all
of the grown boys
stayed 2 night and
day when he did not
stay the other did stay
Edith and Mandie
and I ~~was~~ washed
and waited on them
but it was Jackson Howell
Frank Jordan and P. E.
Jones know that
we did wait on them

At night and day they
saw one with the air
own eyes he sold 4 of
her young pigs and she
gave him out for tending
to the rest for her
we give her 50 ct and a
new pair of under shirts
15 a pair while she was
at his house and her
grand daughter give her 20 ct
when they was so sick
Olivia sick his grand
son and stayed 2 ^{days} ~~night~~
and cooked and took wash
for her and after he dyed
she con and stayed 1 week
with her grand mother
and waited on her

In the Circuit Court for the County of Nansemond
to wit:

THE ANSWER OF Mary Holland and Lucinda
Baugh

infants under the age of twenty-one years, by John P. Lee
guardian *ad litem*, assigned to defend them in this suit, to a bill of complaint exhibited against
them and others in the Circuit Court for the County of
Nansemond, by Silvia Brown and others.

The respondents, reserving to themselves the benefit of all just exceptions to the said bill, for
answer thereto, answering by said guardian *ad litem*, say, that they are infants of tender
years, and by reason of such disability are incapable of understanding, or of taking care of their
rights and interests, they therefore commend the same to the protection of the court, and prays that
no decree may be pronounced which will tend to their prejudice.

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

John P. Lee

Guardian *ad litem*.

p. d.

Virginia, Nansemond County, To-wit:

I, L. D. Jacobs, a notary public for the county aforesaid, in the
State of Virginia, do certify that John P. Lee, guardian *ad litem* of
Mary Holland and Lucinda Baugh, whose name is signed to the foregoing
answer, has this day personally appeared before me in my county aforesaid,
and made oath that the statements contained in the said answer are true
to the best of his knowledge and belief.

Given under my hand this 5th day of July, 1905.

My commission expires on the 23rd day of February, 1909.

L. D. Jacobs

Notary Public.

Holland et al

adv.

}

ANSWER
OF
INFANT DEFENDANT.

Brown et al

Sylvia Brown, et al, #

vs. #

In Chancery.

J. E. Holland, et als. #

This cause came on this day to be again heard on the papers formerly read, as well as on the report of Special Commissioners, E. H. Holland and R. H. Rawles; which said report was filed on the 23rd day of December, 1905, and to which no exception has been filed, and was argued by counsel.

On consideration whereof, it appearing from said report that the special commissioners ~~had~~ collected the whole of the purchase money for the land heretofore sold by them, in this cause; that they have made a deed to the purchaser for the same; that they have paid all the cost and expenses of this suit and sale; and they have paid all the remainder of the purchase money to the parties, properly entitled thereto, being the heirs and distributees of Luxu Holland, deceased, as shown by proper vouchers for all of said payments and disbursements, the court doth confirm the said report.

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

Final Decree.

Enter Jan. 8, 1906
~~White House~~

Entered in Chy. Order
Book No. 4. Page 29.

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

Humbly complaining sheweth unto the court, your complainants, Silvia Brown and George W. Brown, her husband, of Nansemond County, Virginia, the following case:

Your complainants say that Exum Holland, the father of the said Silvia Brown, departed this life in October, 1904, leaving a widow, Lucinda Holland, who also died in February, 1905; your complainants say that, at the time of his death, the said Exum Holland was seized and possessed in fee simple of a certain tract of land, situated in Holy Neck District, in Nansemond County, Virginia, containing about nine acres, more or less, and bounded by the lands formerly belonging to Mary E. Lee, Eley Holland and Axa Holland and others, and being the same land which was conveyed to the said Exum Holland by Axa Holland by deed dated the _____ day of _____, in the year _____, and recorded in D. B. No. 4 page 221 in the clerk's office of Nansemond County Court, a copy of which is herewith filed marked exhibit "A" and prayed to be read as a part of this bill.

Your complainants further say that the said Exum Holland died intestate leaving as his only heirs-at-law his daughter, Silvia Brown, and his sons, James Edward Holland, Henry Holland, William Jackson Holland and Anthony Holland; he also had one ^{daughter} ~~sister~~, Disa Ann, who departed this life before her father, but left one daughter only, Olivia Ricks; he also left one son, William Thomas Holland, who also died before his father leaving one child only, Mary Holland, who is an infant of the age of six years; he also died leaving one daughter, Racheal Baugh, who died before her father, leaving three children, to-wit, Floyd Holland, Meta Holland and Lucinda Baugh, the last named being an infant under the age of twenty-one years.

Now your complainants say that the said tract of land is not susceptible of a division in kind among the various heirs, owing to the fact that it is such a small tract, but, if it be divisible in kind, then your

complainants desire that it be divided among the heirs-at-law of the said Exum Holland, and the part of the said Silvia Brown be assigned to her. But, if it be not susceptible of a division in kind, then your complainants desire that it be sold and the proceeds be divided among those entitled to share in the same.

In tender consideration whereof, and forasmuch as your complainants are remediless in the premises, save by the aid of a court of equity where such matters are alone and properly cognizable, your complainants pray that the said James Edward Holland, Henry Holland, William Jackson Holland, Anthony Holland, Olivia Ricks, Mary Holland, Floyd Holland, Meta Holland and Lucinda Baugh may be made parties defendant to this suit and required to answer the same, though an answer under oath is expressly waived; that proper process may issue; that all proper accounts may be taken; that the real estate, of which the said Exum Holland died seized and possessed, may be divided in kind among his heirs-at-law, if such division be practicable and if not practicable, that the said real estate may be sold and the proceeds thereof be divided among those entitled to the same; and for all such other, further and general relief, as this case requires, or which to equity may seem meet, and your complainants will ever pray, &c.

Notice is hereby given that the court will be asked to allow a reasonable fee for counsel, for services rendered in prosecuting this cause.

Witness:-
Fatharine Cofie:

Silvia ^{her} Brown
mark
Geo. W. ^{the} Brown
mark

Virginia, Nansemond County, To-wit:

I, RA Rawles, a notary public for the county aforesaid, in the State of Virginia, do certify that Silvia Brown, whose name is signed to the foregoing bill has this day personally appeared before me in my said county, and being duly sworn, made oath that the statements, contained in the said bill, as coming of her own knowledge are true and all other statements, therein contained, made as coming from knowledge or information received from others she believes to be true.

Given under my hand this 17th day of April 1905.

My commission expires on the 28th day of January, 1907.

W. M. Charles Notary Public.

Bill.

Silvia Brown v. thes

VS. In Chancery

Gas Edward Holland v. thes

1905 April 17th. Process issued returnable to

May Rules first Monday.

" " " Order of Publication as
to non residents.

" May 1. Process returned executed
on home defendants
Bill filed and decree nisi
as to them.

" June 4th Set for hearing on order
of publication

Chaucery Notes

R. N. Rawles & g
Silvia Brown & others
vs In Chancery
J. E. Nolland & others

1906
January 8th
Final Decree

1887
\$ 0.36

Costs
Clerk 8.06
Shff 2.50
Comr. 5.00
wt- 3.50
ally 15.00

\$ 34.06

Day 1.50

\$ 35.56

Printing 8.00

\$ 43.56