1909-026
Nansemond Co (Suffolk) Chancery Causes: Anna Coleman vs Charles Holt et al

Edwards, Pinner, Guy, Garey, Nurney, Boothe, Herrell

1.50 fee

Off
1.50
2.00
3.50

.75 Summons 25 4 Copies 50
.28 Receipt 18 Atty 10
.68 Docketing 18 Rule 50
.15 Bill filed 15
.15 Common Right filed 15
.15 Rule to Non-Res 15
.15 Filing affidavit 15
.20 Copy Order Book 20
.20 Same to post 20
.50 Rule 50
.15 Filing Certificate of Service 15
.36 Decree 36
.50 Decree 50
.15 Filing Report of Sale 15
.36 Decree 36
.25 Certificate 25
1.00 Bond 50 Copy 25 Copy 25
.40 Law Cost 20 Copy 20

6.38
.72 Decree yet to be entered
.15 Filing report yet to come
.25 Filing papers away

7.50

Common Fee
10.00

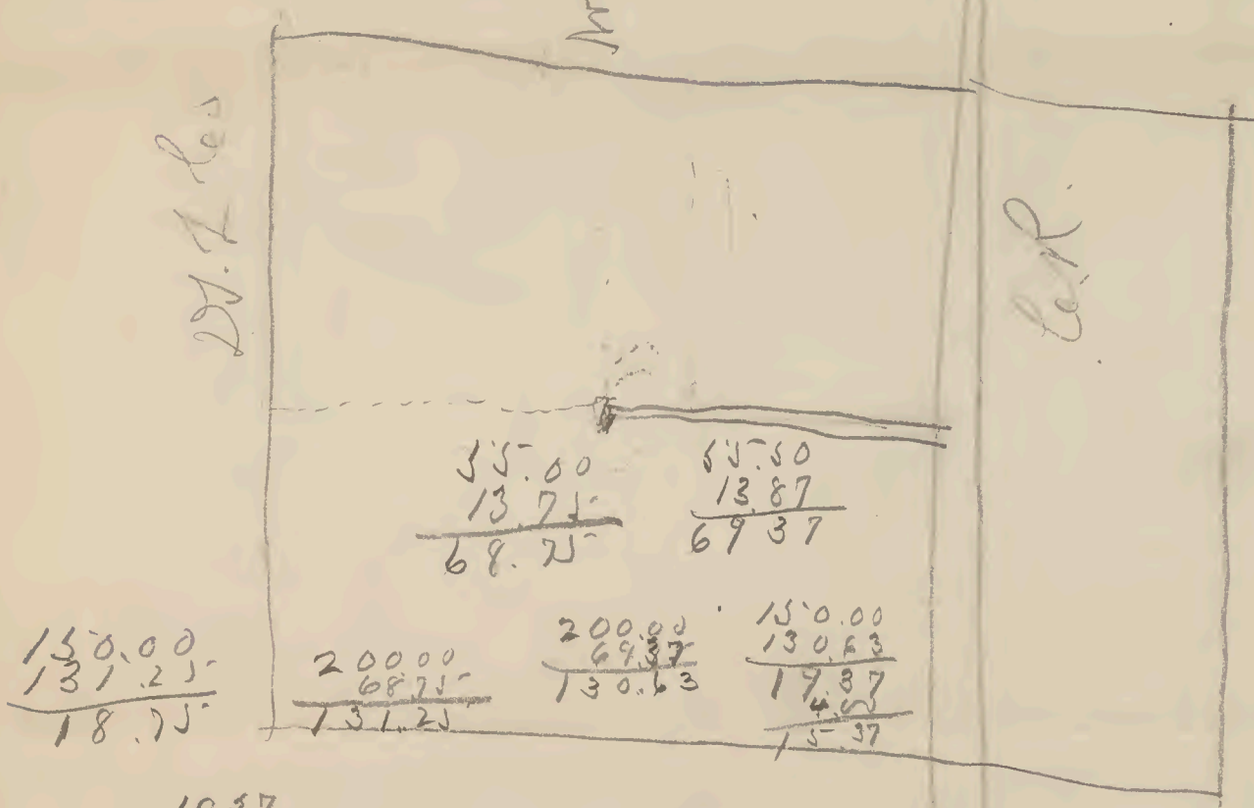
Atty
$15.00

Costa

200.00
89.00
2 | 111.00
55.50

4 | 55.50
13.87

25 —
15 —
10
5 —
55.00
ad. 1.50
Hosiery 5.00
Clerk 9.00
Bond 5.00
cam 10.00
Staff 3.50
.00
55.00
1.50
5.00
9.00
5.00
10.00
3.50
89.00



55.00
13.75
68.75

55.50
13.87
69.37

150.00
131.25
18.75

200.00
68.75
131.25

200.00
69.37
130.63

150.00
130.63
19.37
4.00
15.37

19.37
41.61
60.98
89.00
149.98

18.75
41.25
60.00
89.00
149.00

15.37
4.00
13.88
13.88
13.88
61.00
89.00
150.00

R. H. RAWLES
Attorney at Law and Notary Public

Administrator of the Estate of
Z. T. Holland

SUFFOLK, VA.,_____, 1908.

DEAR SIR:

As Administrator of the estate of the late Z. T. Holland I hold a bond against you secured by deed of trust on your land. The heirs are demanding that I shall proceed to collect all indebtedness at once, so that a settlement may be made. Therefore, I will not be able to continue the loan for you any longer, and you must make arrangements to take up the same.

Come right down to see me and bring enough to pay the interest to date and as much as you can on the principal. The whole must be fully paid up by the Fall of the year. I would suggest that you look around and see if you cannot get some one to take it up for you.

I am always at home on Saturday.

Very truly,

R. H. RAWLES, Administrator.

R. H. Rawles, Atty.

1909
Mch. 19.

To R. R. SMITH, Clerk Circuit Court of Nansemond County, Dr.

Tax and Clerk Fees ~~in Suit~~ qualification of Willie Powell as Admr. of Estate of Jos. Holt, decd $ 2.50

Paid

A. L. Smith, D.C. Clerk.

Anna Coleman

vs

Charles Holt + others

Costs-

Writ Tax	1.50 pd 1/20/09-
Clerk	7.50
Sheriff	3.50
Commissioner	10.00
Attorney	15.00
	$37.50

Herman	1.50
Horan	5.00
Smith	7.50
Kelly	10.00
Wirth	5.00
Bath	3.50
Bath	4.00
Clark	
Coleman	15.37
Follmer	13.87
Eaton Hall	13.88
Jos Hirsch	13.88
	96.50
R.F.R.	1.50
"	55.00
	150.00

Kenilworth Echoes
Jeanne Echoes
Illinois

W. J. KENDRICK, President | C. GUY BELL, Business Manager | J. C. HOLLADAY, Sec. and Treas.

Suffolk, Va., Mch 13 1909

M R H Rawles & Trail Clerks
Annie Coleman in Chas. Hotel.

To SUFFOLK HERALD CORPORATION, Dr.

NEWSPAPER AND JOB PRINTING.

No. 912 Washington Street.

TERMS OF THIS BILL—NET CASH

Both Phones

July	2	100 Bills	150

PAID
Mch 13 09
THE SUFFOLK HERALD CORPORATION
By J. C. H.

$5.00 Rec'd of R.H. Rooker special Commr in the chancery cause of Anna Coleman &c &c Pltf's. Five dollars fee for selling land at public auction March 13. 1869.

J. Wallace Kerr
Clerk

170

R A Rawles Jrq

1908 To R. R. SMITH, Clerk Circuit Court of Nansemond County, Dr.

Aug 18 Tax ~~and Clerk Fees~~ in Suit In Chancery of Anna Coleman
Vs Charles Hoet-Hottes $ 1.50

Paid Jan 20/09

Duplicate

M. M. Watkins D.Q., Clerk.

$7.50 Rec'd of R.H. Reeves special Commr in the chancery cause of Emma Coleman vs Chas. Holt Leave 50/100 Dollars in full payment of her clerks fees in said cause.
March 16. 1909.

R. R. Smith, Clerk
By M. M. Watkins D.C.

#10. Reid of R.H. Macon Special Commr
in the chancery cause of Anna Coleman
vs Chas. Hoel Ten dollars for services as
Commr in said cause. March 13. 1909

Bradford Kilby, Comr.

R. L. WOODWARD,
W. G. ELAM,

SUFFOLK, VA., March 13 1909

M R L H Raines
Suffolk

To WOODWARD & ELAM, Dr.

Fire, Life, Accident,
Steam Boiler,
Employers' Liability,
Fidelity, Health.

Insurance

OFFICE--No. 526 MAIN STREET.

Date	Policy No.	Company	Property Insured	Term	Amount	Premium
1909						
Feb 1	451648-9	M S Fog Co	Brick Dwl Ho Corner Columbia Vs Chas Thos	1 yr	800	5

WOODWARD & ELAM
PAID
MAR 13 1909
SUFFOLK, VA.

$3.50 Rec'd of R H. Rawles special Deputy
in the Chancery cause of Anna Coleman
vs Chas Hoch Chas 50/100 in full for work
& all sheriffs fees in said cause.
March 13 1909.

A. H. Baker Sheriff
J.R.C.

Sign & return to
R H Rawles by mail.

$55.50 Recd of R. H. Rawles Special Commissioner in the chancery cause of Anna Coleman vs Chas. Hoch the sum of fifty five $\frac{50}{100}$ dollars in payment of my half the proceeds of sale of the real estate sold by him in said cause; this being due to me as my share of the estate.

March 13. 1909

her
Anna X Coleman
mark

Witness:
Mary Andrews.

$13.87. Recd of R. H Rawles special Commiss in the chancery cause of Anna Coleman vs Chas. Hall &c thirteen 87/100 dollars in full payment of the debt due me or one of the heirs at law of the estate of Annie Hall deceased.

March. 13. 1909.

her
Anna + Coleman
mark

Witness:
Mary Anderson.

$13.88 Recd of R. H Rawles Special Commr
in the chancy cause of Anna Coleman vs
Chas. Hoch et als. thirteen 88/100 dollars in full
payment of the amt due to me from the
Sale of the real estate in said cause.

Witness:
Mary Andrews.

X Virginia Edwards X

$13.88 Reid of R. H. Rawles Special Commr
in the chancery cause of Anna Coleman vs
Chas Hoch et al. thirteen 88/100 dollars in full
payment of the amount due to me from the sale of
the land of Anna Hoch sold under decree in
said cause. March 13 1909.

Witness:
E C Beale

his mark
Chas X Hoch

$13 88/100 Recd of R A Rawles Special Commr in the chancery cause of Anna Coleman vs Chas. Boeh et als thirteen 88/100 dollars in full payment of the amount due to the estate of Jos. Boeh from the sale of the real estate sold under decree in said cause. March 18. 1909.

Willie D. Wells

Witness
Mary Andrews.

Admr Jos. Boeh deceased

Virginia, in the Clerk's Office of the Circuit Court of Nansemond County, in vacation, on the I7th day of August, I908:

Anna Coleman Plaintiff

vs.

Charles Holt, Joseph Holt, Jennie Edwards, and all other heirs at law, of Annie Holt, deceased, to the plaintiff unknown, and John B. Pinner , Defendants.

The object of this suit is to have a partition of certain real estate, of which Annie Holt, died, seized and possessed, consisting of a lot in West Jericho, near Suffolk, among the heirs at law of Annie Holt, and to ascertain and pay off the indebtedness on said lot; and an affidavit having been made and filed that due diligence has been used by or on behalf of the plaintiff to ascertain in what county or corporation the defendant, Joseph Holt is, without effect, and that there are, or may be, persons interested in the said real estate, to be divided or disposed of, whose names are unknown to the plaintiff, it is ordered that the said Joseph Holt and all other of said unknown parties, interested in said estate, or in this suit, appear at the clerk's office of said county, within fifteen days , after due publication hereof, and do what may be necessary to protect their interest.

R R Smith Clerk
By A P Gomey D.C

A Copy of this Order of Publication was posted at the Courthouse Door on Friday the 21st day of August 1908

A P Gomey D.C

Sept 26 05.

Order of
Publication

NOTICE !

Virginia, in the Clerk's Office of the Circuit Court of Nansemond County, in vacation, on the 17th day of August 1908:

Anna Coleman Plaintiff

vs.

Charles Holt, Joseph Holt. Jennie Edwards and all other heirs at law, of Annie Holt, deceased, to the plaintiff unknown, and

John B. Pinner, Defendants.

The object of this suit is to have a partition of certain real estate, of which Annie Holt, died, seized and possessed. consisting of a lot in West Jericho, near Suffolk, among the heirs at law of Annie Holt, and to ascertain and pay off the indebtedness on said lot, and an affidavit having been made and filed that due diligence has been used by or on behalf of the plaintiff to ascertain in what county or corporation the defendant, Joseph Holt, is, without effect, and that there are, or may be. persons interested in the said real estate, to be divided or disposed of, whose names are unknown to the plaintiff, it is ordered that the said Joseph Holt and all other of said unknown parties, interested in said estate, or in this suit, appear at the clerk's office of said county, within fifteen days after due publication hereof, and do what may be necessary to protect their interest,

A copy. teste,

By. A. P. Gomer, DC.

R. R. Smith, Clerk,

R. H. Rawles, pq. Aug.21-4t.

Office of SUFFOLK HERALD.

SUFFOLK, VA., Oct 8 *190* 8

I hereby certify that the order of which the annexed is a copy has been published in THE SUFFOLK HERALD in the manner prescribed by law---once a week for four successive weeks. beginning Aug 21st *and ending* Sept 18th 08

P Halladay Secty & Treas

~~Editor Herald~~

W. J. KENDRICK, President | C. GUY BELL, Business Manager | J. C. HOLLADAY, Sec. and Treas.

Suffolk, Va., Oct 8 1908

M R H Rawles Esq.

To SUFFOLK HERALD CORPORATION, Dr.

NEWSPAPER AND JOB PRINTING.

No. 912 Washington Street.

TERMS OF THIS BILL—NET CASH

Both Phones

Pub notice 4 trials, Anna Coleman plaintiff & Chas Hoet and others defendants	$4 80

R. R. Smith clerk of the Circuit Court of Nansemond Co:

Anna Coleman — Pltff

vs

Charles Holt ✓
Joseph Hoch
Jennie Edwards and ✓
all other heirs at law of
Annie Hoch deceased & the
plaintiff unknown: and
John B. Pinner ✓ — Defts.

Issue summons for plaintiff against defendants to 1st Saturday in September rules 1908 to answer a Bill in chancery.

R. H. Rawles J.C.

Jennie Edwards (colored) lives near Deans. Va.
Her husbands name is Kindred Edwards.

Memo. for Clerk

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON Charles Holt Joseph Holt Jennie Edwards and all other heirs at law of Annie Holt deceased to the plaintiff unknown and John B Pinner

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 September 1908 to answer a Bill in Chancery, exhibited against them in the said Court by Anna Coleman

And have then and there this summons.

Witness, R. R. SMITH, Clerk of our said Court, at his office, this 18th day of August, 1908, in the 133rd year of the Commonwealth.

A copy—Teste:
R R Smith, CLERK.
By A L Gomer D.C

Teste:
R R Smith, CLERK.
By A L Gomer D.C

R. A. Rawles, p. q.

A Copy for
Joseph Holt

VS. } IN CHANCERY:

Non-Resident

1908

September Rules.

First Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 3

Page 57

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON Charles Holt Joseph Holt Jennie Edwards and all other heirs at law of Annie Holt deceased to the plaintiffs unknown: and John B Pinner

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 September 1908 to answer a Bill in Chancery, exhibited against them in the said Court by Anna Coleman

And have then and there this summons.

Witness, R. R. SMITH, Clerk of our said Court, at his office, this 18th day of August, 1908, in the 133rd year of the Commonwealth.

A copy—Teste:

_____, CLERK.

Teste: R. R. Smith, CLERK.

By A. D. Turner D.C.

Executed this the 20th day of August 1908 by delivering a true copy to the within named Jennie Edwards ~~Davis~~ in person

A. H. Backus, Shff
By E. E. Jordan Dep.

Executed this the 28 day of Aug 1908 by delivering a true copy to Chas Holt & John B Pinner in person

A. H. Boykin Shiff
By W. J. Johnson, Deputy

R. N. Rawles, p. q.

vs. } In Chancery.

Anna Coleman

Charles Holt and others

1908

September Rules.

First Monday.

Nansemond Circuit Court.

Process Book No. 3

Page 57

Know All Men by These Presents, That we, R. H. Rawles and The United States Fidelity and Guaranty Co., by Richard L. Woodward, its Attorney in fact.

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. H. Rawles has hereto set his hand and seal, and the said The United States Fidelity and Guaranty Co. has caused its corporate name to be hereto signed, and its corporate seal to be hereto affixed, this 1st day of February in the year of our Lord, one thousand nine hundred and nine, and in the 133rd year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That ~~if the above bound~~ Whereas, R. H. Rawles, by a decree of the Circuit Court for the County of Nansemond, in the Chancery cause pending of Anna Coleman against Charles Holt & others, entered on the 11th day of January, 1909, it was adjudged, ordered and decreed that R. H. Rawles, who was appointed Commissioner by said decree, to sell the real estate named and described in the bill according to terms named in said decree. Conditioned for the faithful performance of his duties as such Commissioner under said decree and all other decrees which may be rendered in said cause.

The United States Fidelity & Guaranty Company Incorporated 1896

R. H. Rawles. SEAL

The United States SEAL

Fidelity and Guaranty Co. SEAL

by Richard L. Woodward, SEAL

its Attorney in fact SEAL

VIRGINIA:

In the Clerk's Office of the Circuit Court of Nansemond County, on the 1st day of February, 1909.:

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

Teste:

R. R. Smith, Clerk.
By M. M. Watkins, D. C.

A Copy- Teste:
R. R. Smith, Clerk
By M. M. Watkins D. C.

R. H. Rawles

To } Commissioners Board.

The Commonwealth.

1909

Feby 1st.

Copy -

To the Honorable James L. McLemore, Judge of the Circuit Court of Nansemond County.

The undersigned, Special Commissioner, in the Chancery cause of Anna Coleman vs. Chas. Holt and others, now pending in this court, respectfully begs leave to report that pursuant to a decree in said cause entered on the 8th day of March, 1909, directing him to collect the purchase money from Anna Coleman for the real estate sold in said cause, and to make her a deed for same, to pay off the cost and expenses of the suit and sale, and then to distribute the remainder of the purchase money, that he has collected the whole of the purchase money and has made to the purchaser, Anna Coleman a deed for the real estate above mentioned, with the covenants of title usual in such cases; that he has paid off all the cost and expenses of the suit and sale; and has distributed the remainder of the purchase money in accordance with the terms of the last decree; he herewith submits an itemized statement of his disbursements, accompanied by proper vouchers, all of which is respectfully submitted.

R. H. Rawles
Special Commr.

Amount received of Anna Coleman for real estate $200.00

Paid out.

Suffolk Herald, advertising.	$ 1.50
J. W. Hosier, crier.	5.00
R. R. Smith, Clerk of Court.	9.00
Bradford Kilby, Commissioner.	10.00
Woodward & Elam, Premium on bond.	5.00
A. H. Baker, Sheriff.	3.50
Commission on sale. (Resaved)	10.00
Writing deed, R. H. R. "	5.00
Tax fee. " "	15.00
Fee allowed Counsel by Court.	25.00
Total.	$89.00

200.00
89.00
2 | 111.00
55.50

89 00

Anna Coleman one-half of remainder.	$55.50
Anna Coleman one-fourth of balance	13.87
Jennie Edwards one-fourth of balance	13.88
Chas. Holt, one-fourth of balance	13.88
Willie Powell, Admr. Joseph Holt, deceased, one-fourth of balance	13.87
Total	$200.00

R H Rawles
Special Commr

Final Report

of

Distribution &c

Filed May. 10th 1909.

J.L.M.

To the Honorable James L. McLemore.,
Judge of the Circuit Court of Nansemond County.

The undersigned special commissioner, appointed as such by a decree of said Court rendered on the 11th day of January, 1909, in the Chancery cause therein pending under the style of Anna Coleman vs. Charles Holt and others and required by said decree to sell the real estate in the bill1 and proceedings mentioned, respectfully begs leave to report that pursuant to the said decree, after having advertised the said real estate as required by the said decree, and after having given bond as required by said decree, and having in all other respects complied with all the terms and conditions of said decree, he offered the said real estate for sale before the Post Office, in Suffolk, Va. on Saturday, Februar , 20th, 1909, at Public Auction, and the same was struck off to Anna Coleman for the sum of $200.00 she being the highest bidder. Full notice was given of the sale, not only by advertising, but all of the defendatns were given person al notice of the same, and your Commissioner is of the opinion that the said real estate sold for all it was worth, and he therefore respectfully requests that the sale be confirmed. The purchaser expressed a desire to pay the whole of the purchase money in cash; all of which is respectfully submitted.

R. H. Rawles
Special Comm'r

Report of Sale.

Filed Mr 22nd 1909.
A. D. Gomez D.C.

Virginia,

Circuit Court for the County of Nansemond, to-wit:

Anna Coleman — Complainant.

vs. In Chancery.

Charles Holt et als. — Defendants.

Commissioner's Office,

Suffolk, Va. December 16, 1908.

To Honorable James L. McLemore, Judge of the Circuit Court for the County of Nansemond:

In pursuance of the decree of the Circuit Court for the County of Nansemond pronounced on the 13th. day of October 1908, in the suit in chancery pending in said court between Anna Coleman, Complainant, and Charles Holt et als, Defendants, the undersigned, Bradford Kilby, one of the Commissioners in Chancery of said court respectfully reports as follows:

That on the 12th. day of November 1908, your commissioner gave notice to the parties to the said suit that he would he proceed on the 27th. day of November 1908, at his office in Suffolk, Virginia, to make the several inquiries required by said decree to be made by one of the commissioners in chancery of said court.

That sufficient and legal service of the said notice was duly accepted by the complainant and served on the defendants in said suit, as will appear by the endorsations on the notice herewith returned.

That on the 11th. day of December 1908 at his said office, your commissioner took the depositions of Jennie Edwards, Anna Coleman, J.H. Nurney, Iverson Coleman, Charles Holt, John M. Boothe, and C.O. Harrell (the taking of said depositions having been duly adjourned to that date from the 27th. of November 1908), touching said inquiries which depositions are returned herewith.

That from the testimony of said witnesses and from information otherwise obtained, your commissioner reports as follows:

I.

The real estate in which Annie Holt ~~####~~ had an equitable interest at the time of her death is that described in the bill in this suit as follows: "That certain lot or tract of land situated on the West side of Fifth Street in what is known as West Jericho,a suburb of Suffolk,in the County of Nansemond and State of Virginia,and described as follows: being known as Lot No.125 in West Jericho,first addition,as shown on a plat of said lots recorded in Deed-book No.38,page 687 in the Clerk's office of Nansemond County.

Its fee simple value is about $300. and its annual value from $25. to $30.

2.

The said Annie Holt had purchased the real estate above described from John B. Pinner,but had not fully paid for the same at the time of her death,and hence had not received a deed for the same. Anna Coleman completed the payment of the purchase price for said land,after the death of Annie Holt,as the receipt of John B. Pinner for $12.27,dated the 29th. May 1908,and filed ~~###~~ as an exhibit with the depositions,shows. Anna Coleman had an equitable interest in this land by reason of furnishing about one-half of the purchase price, also by reason of being one of the heirs at law (a legal interest) of Annie Holt,her Aunt,who died leaving four heirs at law whose interests are equal. Thus Anna Coleman has a one-half equitable interest in said land by virtue of paying for (that) proportion of it, and a one-fourth legal interest in Annie Holt's (one-half) equitable interest in said land by virtue of being an heir at law of said Annie Holt.

3.

Anna Coleman contributed,as far as your commissioner has been able to ascertain,about one half of the purchase price of the said land and the building and erecting of the houses thereon.

4.

4.

There are no liens on the said real estate,and the said Anna Coleman has no lien thereon for any of the purchase money she may have paid nor for the erection of dwellings on the same,but the said Anna Coleman has an equitable title to one half-interest in both the land and the dwellings thereon by reason of furnishing one half of the purchase price for each,as mentioned under caption No. 3.

5.

The said real estate can not be conveniently divided in kind because it is a small lot with only one small dwelling on it. The interest of all parties would be promoted by a sale of the entire property and a division of the proceeds.

6.

All the parties,so far as your commissioner has been able to ascertain,are properly before the court.

7.

There are no delinquent taxes and there is no other matter which your commissioner deems pertinent or which any party in interest requires to be so stated.

Respectfully submitted this I6th. day of December I908.

Bradford Kilby

Commissioner in Chancery.

Commissioner's fee. $I0.
Sheriff's fee 2.
$12.00

Commissioner's Office,
Suffolk, Va.

To Anna Coleman — Complainant.

and

Charles Holt, Joseph Holt, Jennie Edwards, and all other heirs at law of Annie Holt, deceased, and John B. Pinner — Defendants.

You are hereby notified that on the ~~24th~~ 27th. day of November I908 at my office in Suffolk, Va. (at which time and place you are required to attend), I shall take, state and settle the following accounts which are to be taken, stated and settled and reported to Court in pursuance of the decree of the Circuit Court of Nansemond County, Va. rendered on the I3th. day of October I908, in the suit in chancery pending in said court to which you are parties plaintiff and defendant, to-wit:

I. The real estate of which Annie Holt died, seised and possessed or in which she had any equitable interest at the time of her death together with its annual and fee-simple values.

2. Whether she had purchased any real estate from John B. Pinner and had fully paid for the same, but had failed to take a deed for the same at the date of her death, also whether the said Annie Coleman had any legal or equitable interest in said real estate, and if so, its nature and amount.

3. Whether the said Annie Coleman contributed anything toward the purchase of the said real estate and the building and erecting of the houses thereon, and if so, how much.

4. The liens on the said real estate, if any, together with their amounts, dignities and priorities, and especially whether the said Annie Coleman is entitled to a lien on said real estate for any of the purchase money which she may have paid for the same or for the erection of buildings on the same.

5. Whether the real estate can be conveniently divided in kind among the parties entitled to receive the same. If it can not be divided in kind,whether the interest of all parties will be promoted by a sale of the entire property and a division of the proceeds.

6. Whether or not all parties are properly before the court.

7. Any other matter deemed pertinent by the commissioner or which any party ininterest may require to be stated.

Given under my hand as Commissioner in Chancery of said Court the I2th. day of November I908.

Bradford Kilby.

Commissioner in Chancery.

I accept service of the within notice. Nov. 13, 1908
Anna Coleman
by N A Remby

Executed the within process this 16th day of Nov 1908
by delivering a true copy thereof in writing to
Jennie Edwards in person, in Nansemond County, Va

A.H. Baker Sheriff,
By J.E. Jordan Deputy

Executed the within process this 16th day of Nov 1908
by delivering a true copy thereof to Jno B Pinner and Charles Holt
in person, in my county

A H Baker Sheriff

Joseph Holt not being found at his usual place of abode
no one to whom service could be legally had I executed
this process, this 20th day of Nov 1908 by tacking a true
copy thereof to the front door of Joseph Holt's dwelling, within
my county

A H Baker Sheriff

Anna Coleman
v. } Comm'd Notice
Charles Holt et als

Original

Sheriff's Fees
1.00

AUCTION SALE

—OF—

Valuable Real Estate

By virtue of a decree entered in the Circuit Court of Nansemond County, in the chancery cause of Anna Coleman vs. Charles Holt et als, therein pending, on the 11th day of January, 1909, I shall sell at public auction, to the highest bidder,

Before the Postoffice in Suffolk, Va.

On Saturday, February 20, '09

AT 12 O'CLOCK M., THE FOLLOWING REAL ESTATE, TO WIT:

All that certain lot of land, with the building thereon, situated in "West Jericho," in the eastern suburbs of Suffolk, and bounded and described as follows: Being lot number 125 in said "West Jericho," first addition, as shown on a plat of said lots recorded in D. B. 38, page 687, in the Clerk's Office of Nansemond county.

TERMS--One-half cash, the remainder in six months, and title to be retained until the whole of the purchase money has been paid; but with the option to the purchaser to pay the whole in cash if so desired.

R. H. RAWLES,
Special Commissioner.

I, R. R. SMITH, Clerk af the Circuit Court of Nansemond County, do certify that R. H. Rawles, Special Commissioner in the above entitled chancery cause, has this day given bond as such, and as required by the decree of sale, with security deemed sufficient by me.

Given under my hand this 1st day of February, 1909.

R. R. SMITH, CLERK.
By M. M. WATKINS, D. C.

Anna Coleman.

vs.

Charles Holt, et als.

In Chancery.

This cause came on this day to be heard again on the papers formerly read as well as on the report of R. H. Rawles, Special Commissioner who was required to sell the real estate in the bill and proceedings mentioned, showing sale of said real estate to Anna Coleman for $200.00, which said report was filed on the 22nd day of February, 1909, and to which no exception has been filed, and was argued by counsel.

On consideration whereof the court doth approve and confirm the said report and doth also approve and confirm the sale of the real estate therein mentioned. The court doth further order and decree that the said R. H. Rawles, special commissioner shall proceed to collect the whole of the purchase money in cash, the purchaser having expressed a desire to pay the whole in cash, and when it shall have been collected in full, then the said R. H. Rawles, s special commissioner is ordered and directed to make her a deed for the real estate in the bill and proceedings mentioned with the covenants of title usual in cases of this kind, in which said deed John B. Pinner is hereby ordered and directed to join; and out of the proceeds of the sale the said special commissioner is directed, first, to pay off all the costs and expenses of this suit and sale, including a fee of $25.00 ~~dollars~~ to counsel for services rendered in this cause; of the remainder of the purchase money he shall pay one-half to the said Anna Coleman; and the other half shall be equally divided and paid over to the heirs at law of Annie Holt, deceased, according to their respective interest therein. And the said special comissioner is directed to report all of his proceedings under this decree to this Court, and this cause is continued.

Decree Confirming Sale.

Entered March 8, 1909.
James L. McLemore.

Entered in Chancery Order Book No. 4. Page 363.

Anna Coleman	#	
	#	
vs.	#	In Chancery
	#	
Charles Holt et als.	#	

This cause came on this day to be heard again ~~that~~ on the papers formerly read as well as on the report of Bradford Kilby, a commissioner of this court, to whom the papers in said cause has been referred which said report was filed on the 18th day of Dec., 1908., 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. H. Rawles who is hereby appointed a commissioner for that purpose shall after having first advertised the same for 15 days in such manner as he may deem best, proceed to sell the real estate named and described in the bill, at public auction to the highest bidder before the Post Office in Suffolk, Va., on some day to be named in said advertisement, on the following terms to-wit: One-half of the purchase money to be paid in cash and the remainder in 6 months, and the title to the real estate to be witheld until the purchase money has been fully paid. But with the option to the purchaser to pay the whole in cash if it be so desired. But before the said appointed commissioner shall act he shall enter into a bond before the Clerk of this court in the penalty of $500 --- conditioned for the faithfull perfor-mance of his duties as such commissioner under this and all other decrees which may be ~~rendered~~ rendered in this cause, with security deemed sufficient by said ~~Court~~ Clerk. And the said commissioner is directed to report his proceedings under this decree to this court.

And this ~~case~~ cause is continued

Coleman is Sheh.

Decree for Sale.

Enter. January 11th. 1909

Arthur S. McDowell

Entered in Chancery Order Book No. 4. Page 303.

R. H. RAWLES
ATTORNEY AT LAW
SUFFOLK, VA.

ALVAH BUSHNELL CO., LAW STATIONERS, 942 MARKET ST., PHILADELPHIA, PA.

Anna Coleman	#	
vs.	#	
Charles Holt, et als.	#	In Chancery.
	#	

This cause came on this day to be heard on the bill of the complainant and the non-resident defendants, who appear to have been proceeded against in the manner prescribed by law against absent defendants, failing to plead, answer or demur, the said bill is taken for confessed, as to them, and was argued by counsel.

On consideration whereof, the court doth order, adjudge and decree that the papers in this cause shall be referred to one of the commissioners of this court, who is hereby directed to ascertain and report to this court as follows:

First: The real estate, of which Annie Holt died, seized and possessed, or in which she had any equitable interest at the time of her death, together with its annual and fee simple value.

Second: Whether she had purchased any real estate from John B. Pinner and had fully paid for the samebut had failed to take a deed for the same at the date of her death; also whether the said Anna Coleman had any legal or equitable interest in said real estate, and, if so, its nature and amount.

Third: Whether the said Anna Coleman contributed anything toward the purchase of the said real estate and the building and erecting of the houses thereon, and, if so, how much.

Fourth: The liens on the said real estate, if any, together with their amounts, dignities and priorities, and, especially, whether the said Anna Coleman is entitled to a lien on said real estate for any of the purchase money which she may have paid for the same or for the erection of dwellings on the same.

Fifth: Whether the real estate can be conveniently divided in kind among the parties entitled to receive the same. If it cannot be divided in kind, whether the interest of all parties will be promoted by a sale of the entire property and a division of the proceeds.

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

Whether or not all parties are properly before the Court.

And the said commissioner is directed to report all his proceedings under this decree t this court and this cause is continued.

Decree for Accounts

Entr. October 12th. 1908.

Miller D.C.

Entered in Chancery Order Book No. 4 Page 284

R. H. RAWLES
ATTORNEY AT LAW
SUFFOLK, VA.

ALVAH BUSHNELL CO., LAW STATIONERS, 942 MARKET ST., PHILADELPHIA, PA.

STATE OF VIRGINIA,

County of Nansemond, To-wit:

Annie Coleman, plaintiff, vs. Charles Holt, Joseph Holt, Jennie Edwards, and all other heirs at law of Annie Holt, deceased, to the plaintiff unknown, and John B. Pinner, defendants; this day personally appeared before me, A. P. Gomer, Deputy for R. R. Smith, Clerk of the Circuit Court of Nansemond County, Virginia, R H Rawles and made oath, as agent for the plaintiff in the above suit, that due diligence has been used by and on behalf of the plaintiff, to ascertain in what county or corporation the defendant, Joseph Holt, is, without effect; and also that there are, or may be, persons ~~his~~ interested in the real estate of which Annie Holt died, seized and possessed, and in this suit, whose names are unknown to the plaintiff.

Given under my hand this I7th day of August, I908.

A P Gomer D.C

Affidavit-

R. R. SMITH,
County Clerk of Nansemond County,
SUFFOLK, VA.

Anna Coleman
vs
Chas. Shelt.

R. H. Rawles, Atty

Atty

Jennie Edwards.

Jennie Edwards being duly sworn, deposes and says as follows;
I am about 30 years old and live near Dean, Va., in Nansemond County. My anut Annie Holt died in May, 1908. She left 2 brothers, Charles Holt who now lives in Suffolk, and Joseph Holt. I do not know where Joseph is. She had 2 sisters Kate Garey who is dead leaving only 1 child, myself, and Caroline Jones who is dead leaving only 1 child, Anna Coleman. My anut Annie Holt visite d me and lived with me some. She raised Anna Coleman from a little child. They lived together for several years. Annie Holt told me before she died that she and Anna Coleman had bought a lot and paid for it together, also that they had been building a house on it at their joint expense. And further this deponent saith not.
Signature waived.

Anna Coleman.

Anna Coleman being duly sworn deposes and says as follows;
My aunt Annie Holt and I lived together for many years. She raised me from a little child, and she was the only mother I ever knew ~~After~~ Before, I was married both of us worked out for wages. We then rented a small house, but decided we would rather have a house of our own, and we bought a lot from Mr. John B. Pinner in West Jerico, which cost us all told $112.00 . I helped pay the first payment on it and then helped pay some more, and I finished paying for it after her death the sum of $34.00. When I drew my money for my wages I would give it to her and she made the other payments to Mr. Pinner herself, but we both worked in partnership. I furnished most of the money to build the house and bought the bricks from Mr. C. O. Harrell, bought the lumber and then had the house built by Andrew Short, John Boothe hauled the lumber for me and I paid him. The year before my Aunt's death she lived around with her people, staying some with Jennie Edwards, and some with friends in Suffolk, and about a month before she died she went to the house of Charles Holt and died there.

(continued)

No. _____ May 29 1908

Received of Anna Coleman

Twelve 27/100 Dollars

In full acct of Annie Holt. Lot No. 12 W. West Jericho

$12 27/100

John B. Pinion P.A.J.

No. _____ May 21 1908

Received of Annie Holt

Twenty 100 Dollars

on part payment on lot No 125 W.J.

$20.00 John B Penner

Anna Coleman. (continued)

The house and lot is I think worth about $300.00 and has an annual value of about $25.00 or $30.00. I worked with Mr. J. H. Nurney for wages and often when my bills were due for work or material on the house I would ask him to advance me money to pay them which he often very kindly did. I certainly paid a good part of the purchase money and paid nearly all of the money for the house. My annt Annie Holt left much personal property including 3 good beds and 2 rooms full of furniture which Uncle Charles Holt, took himself after her death. My husband and Chas. Holt paid her burial expenses jointly.

I file herewith two (2) receipts marked A. & B., with my testimony showing the last two amounts I paid Mr. Pinner myself. The first is dated May 21st, 1908. and is for $20.00, this was my money, but he gave me a receipt in the name of Annie Holt as his booksshowed that she was the person whom she had been dealing with. The other receipt is dated May 29th, 1908., thus completing the payment. It is for $12.27: And further this deponent saith not.

J. H. Nurney.

J. H. Nurney being duly sworn deposes and says as follows:

I know Anna Coleman very well, she cooked for my wife and myself for several years, and was an industrious person who made good time. She was building a house while at my house and often asked for her wages in order to pay the bills for material and work on said house She sometimes asked me to advance her wages before they were due when she had a bill to pay for nails, lumber or bricks, for said house, and I often advanced her as much as $8.00 at the time for such purposes. I think the house is woth about $250.00 or $300.00 and has an annual value of about $36.00. It cannot be divided in kind among 4 heirs without sacrifice as it is a small lot and the only way in which it could be divided, is to seel it and divide the money. And further this deponent saith not. Signature waived.

Iverson Coleman.

Iverson Coleman being duly sworn deposes and says as follows;
I know the house and lot. It is worth about $300.00, and would rent for about $24.00 per year. Annie Holt often told me that it belonged to two (2) persons, herself and Anna Coleman. She said they were working together. And further this deponent saith not.

Charles Holt.

Chas. Holt being duly sworn deposes and says as follows;
I am about 50 years old and reside in Suffolk. Annie Holt died in May, 1908. leaving 2 brothers, myself and another brother, Joseph Holt. I do not know where he is, I have not heard from him in many years. She also had a sister named Kate Garey who is dead leaving only one child, Jennie Edwards. She also had another sister named Caroline Jones who is dead leaving only one child named Anna Coleman. I do not know anything about who built the house or who bought the lot nor do I know what either of them cost. My sister Annie Holt died at my house, she came there about one month before her death, and remained there until she died. She did not make a will as I know of, but she said she wanted me to have her property. She left some personal property, 3 beds and some household furniture, this I took charge of after her death and now have it myself. The burial expenses were paid by myself and Iverson Coleman. And further this deponent saith not.
Signature waived.

John M. Boothe.

John M. Boothe being duly sworn deposes and says as follows; I am about 45 years old, and reside in Suffolk, have lived here for about 20 years or more. I know Anna Coleman quite well, I knew her before she was married when she was Anna ~~Holt~~ Jones. I remember when she was building a house on the lot which she purchased from John B. Pinner in West Jerico. I hauled all the lumber and materials for the construction of her house for her, and she paid me for it herself. And further this deponent saith not.

Signature waived.

C. O. Harrell.

C. O. Harrell being duly sworn deposes and says as follows; I reside in Suffolk, Va. and have lived here many years. I know the plaintiff Anna Coleman quite well, I knew her before she was married, then her name was Anna Jones. At that time she and her Aunt Annie Holt lived together. When they built a residence on the lot of John B. Pinner in West Jerico I furnished all the bricks used in the building and construction of the house, and the plaintiff Anna ~~Holt~~ Coleman paid me for them herself. And further this deponent saith not. Signature waived.

Commissioner's Report.

Anna Coleman

vs. } In Chancery.

Charles Holt et als

Report of Bradford Kilby, Commissioner under decree of Oct. 13th. 1908.

Filed Dec 18. 1908.

A P Gomer D.C

Bradford Kilby,

[redacted] KILBY,

ATTORNEY AT LAW,

SUFFOLK, VIRGINIA.

Anna Coleman.	#	
vs.	#	In chancery.
Chas. Holt 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, Special Commissioner, which said report was filed on the 10th day of May 1909, and to which no exception has been filed, and was argued by counsel.

On consideration whereof, it appearing to the court from said report that the said R. H. Rawles, Special Commissioner, had collected the whole of the purchase money for the land heretofore sold in this cause; that he had paid off and discharged all the expenses of the suit and sale; that he had paid one-half of the remainder to Anna Coleman, and the other one-half he had distributed among the heirs at law of Annie Holt, deceased, according to their respective interest; all of said disbursements being accompanied by proper vouchers filed with the papers in this cause, the Court doth confirm the said report. And nothing further remaining to be done in this case it is ordered that it be stricken from the docket.

Final Decree.

Enter May 27. 1909.

J. Thos L. McSmore.

Entered in Chancery
Order Book No. 4 Page 335.

To the Honorable James L. McLemore, Judge of the Circuit Court of Nansemond County:

Humbly complaining, showeth unto your honor, your oratrix, Anna Coleman, the following case:

Your oratrix says that Annie Holt, of Nansemond County, Virginia, died on the I8th day of May, I908, intestate, unmarried and without children, leaving as her heirs-at-law, as far as your oratrix can ascertain, the following persons, to-wit, two brothers, Charles Holt and Joseph Holt, Jennie Edwards, a daughter of a deceased sister, Kate Gay, and your oratrix, Anna Coleman, only daughter of Caroline Jones, another deceased sister.

Your oratrix further says there may be other heirs of the said Annie Holt, but, if so, they are, to your oratrix, unknown.

Your oratrix further says that, in her life time the said Annie Holt owned an equitable interest in a certain lot or tract of land situated on the west side of Fifth street, in what is known as West Jericho, a suburb of Suffolk, in the county and State aforesaid, and bounded and described as follows: being known as Lot No. I25 in West Jericho, first addition, as shown on a plat of said lots recorded in D. B. 38, page 687, in the clerk's office of Nansemond County. Your oratrix says that the price of the said lot was One Hundred and Twelve Dollars; John B. Pinner being the owner thereof. And she further says that the said John B.Pinner has now been paid in full for said lot, but that he has not yet made a deed to the purchaser for same, but she is informed that he is ready to make a deed at any time when the court shall direct to whom said deed shall be made.

Your oratrix further says that, while the said Annie Holt was the ostensible purchaser of said lot and the only person known, in the transaction, to the said John B. Pinner, yet it is true, however, that your oratrix paid at least one-half of the purchase money for the same, to the said John B. Pinner.

Your oratrix further says that many years before the death of the said Annie Holt, your oratrix lived with her said aunt, Annie Holt, and was considered her adopted daughter, although not legally so. That the two worked together and paid for said lot. She further says that she and the said Annie Holt, at their joint expense and cost, erected a small dwelling house on the said lot, at a cost of about Two Hundred Dollars. Your oratrix therefore says that she owns at least one-half equitable interest on both the said house and the said lot.

Your oratrix further says that the said real estate is not susceptible of a division in kind among the heirs at law of the said Annie Holt, without a great sacrifice of interest, and that the only manner in which a partition can be had of the same, will be a sale of the said property and a proper division of the proceeds of sale. She therefore prays that the same may be sold and the proceeds divided among those entitled to receive the same.

She further says that there are, or may be, persons interested in the said real estate, to be divided or disposed of, whose names are unknown, and she prays that such persons may be made defendants to this suit by the general description of parties unknown.

In tender consideration whereof, and forasmuch as your oratrix is remediless in the premises, save by the aid of a court of equity, where such matters are alone and properly cognizable, your oratrix prays that the said Charles Holt, Joseph Holt, Jennie Edwards and John B. Pinner may be made parties defendant to this bill and required to answer the same, though an answer under oath is hereby waived. That proper process may issue; that all proper accounts and depositions may be taken; that it may be ascertained how much is due to your oratrix for what she has spent in the purchase of the said lot and for what she has spent in the erection of the dwelling on said lot, and that this amount may be set apart and paid over to her, and that the said real estate may be sold and the proceeds of the same, after paying the expenses of this suit and the indebtedness

of the said Annie Holt to your oratrix and other persons, may be divided among the heirs-at-law of the said Annie Holt. That the said John B. Pinner may be required to make a deed for the said real estate, in which his wife shall join, conveying the same to such persons as your honor may designate.

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

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

Annie Coleman

STATE OF VIRGINIA,

County of Nansemond, To-wit:

I, R A Rawles, a Notary Public for the county aforesaid, in the State of Virginia, do certify that Anna Coleman, whose name is signed to the foregoing bill, has this day personally appeared before me, in my county aforesaid, and made oath that the statements contained in the said bill, as coming of her own knowledge, are true, and that all other statements, therein contained, as coming from knowledge or information derived from others, she believes to be true.

Given under my hand this 1st day of September 1908.

My commission expires on the 30 day of Jan. 1911.

R A Rawles

Notary Public.

Bill.

R. H. RAWLES
ATTORNEY AT LAW
SUFFOLK, VA.

ALVAH BUSHNELL CO., LAW STATIONERS, 942 MARKET ST., PHILADELPHIA, PA.

Anna Coleman
vs } In Chancery
Charles Bolt + Others

1908. August 18th Process issued returnable September Rules First Monday.

" ~~September~~ 18. Order of Publication against non residents

" " 21 Process returned executed on home defends. Bill filed and decree Nisi against them

" " 26 Decree Nisi confirmed and Cause set for hearing on Order of Publication

Chancery Notes

R N Rawles Sol

Anna Coleman

Vs } In Chancery

Charles Holt & others

1909

May 27th

Final Decree

Costs

Writ & Tax	1.50 paid
Serve	7.50
Sheriff	3.50
Commissioner	10.00
Attorney	15.00
	37.50