

1909-029
Nansemond Co (Suffolk)

Chancery Causes: Solomon J. Oliver et al vs Lula Smith et al

Sullivan, Cornell, Holland

PLAT



E. E. Halland Esq

Stafford
Va



J Oliver & others E E Holland atty

1899--

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

Tax and Clerk Fees in suit in Chancery vs Lula

April Term

Smith and others \$ 8.71

May 4th 1899 Paid A. P. Gomer, Clerk.

E E Holland acy
Oliver to the vs Smith &c
\$8,71

1899-Jan.31st, Received of E.E.Holland, Special Commissioner Oliver vs
Smith the sum of Four dollars fees in said cause-

A. W. Baker
Sheriff

1899, JFeb 23rd-Received of E.E.Holland, Special Commissioner in Oliver vs
Smith and others the sum of Fifteen dollars as auctioneer.

John J. S. Breck

ESTABLISHED 1873.

Suffolk, Va., Jan 1899

Mr E E Holland Adm A Oliver

TO SUFFOLK HERALD, Dr.
Newspaper and Job Printing Establishment,
No. 9 WASHINGTON SQUARE.

Terms of this Bill.....

1898

~~Recd for Pub Notice as Adm~~	~~75~~
~~for Bill Sale of Chattel Property~~	~~1.00~~
259 100 " " of Land -	1.50
Jan 18 Advertising Sale of Farm & Real Estate in Suffolk & AMO 10 inch - -	6.00
Recd Payt Mar 3 99	7.50
J E Book	

1899, Jan-31st-Received of E.E.Holland, Special Commissioner Oliver vs
Smith the sum of Seven hundred and fifty dollars and sixty one cents in
payment of interest in proceeds of sale of lands sold in the said suit
of Oliver vs Smith on the 9th day of January, 1899

Mrs. M. J. Sullivan

I 899, Jan. 20th-Received of E. E. Holland, Special Commissioner suit of Oliver
v s Smith and others the sum of Seven hundred and fifty dollars and sixty
one cents on account of interest in proceeds of sale of lands sold in
said suit by said Special Commissioner.

\$ 750.61

Lula V. Smith

I 899, Jan. 31st - Received of E. E. Holland, Special Commissioner Oliver vs
Smith the sum of Seven hundred and fifty dollars and sixty one cents in
payment of interest of proceeds of sale of real estate sold in said suit.

S. J. Oliver.

/ 24⁰⁹

Recd of E. E. Halland
Twenty four - ⁰⁹/₁₀₀ dollars in full
of Judgment held against - J. F. Oliver
A. C. Ramsay

Thank you

1899, Jan-17th-Received of E.E.Holland, Special Commissioner in the chancery suit of Oliver vs Smith and others the sum of \$750.61 each in payment of our respective portions of the proceeds of sale of the real estate sold by said Commissioner in said suit on the 9th day of January, 1899

Sam. L. Oliver &
Ar. Oliver Jr.

1899, Jan. 17th-Received of E.E.Holland, Special Commissioner the sum of Five hundred dollars in part of interest in proceeds of sale of said suit.

Sam. L. Oliver

Received of E.E.Holland, Special Commissioner Two hundred and fifty dollars and sixty one cents in payment in full of my interest in said lands.

A. L. Oliver

Judgement: J. H. Stewart vs. S. J. Oliver

Principal

\$ 20.55-

Int. Aug 3-92 to
Feb 3-99.

7.39

\$ 27.94

Costs

1.25-

\$ 29.19

S. J. Oliver

E. Ramsey \$24.09 Ramsey

29.19 Stewart

\$ 53.28

E. E. Hubbard

26.50 Hubbard

\$ 79.78

33.55 Hubbard

113.33

185.28

\$ 298.61

113.33

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782.48

-1899-

Farmers Bank of Nansemond
SUFFOLK, VA.

In Account with
E. E. Hall and Spl.
Com'r Oliver vs. Smith,
City.

FARMERS BANK OF NANSEMOND,
SUFFOLK, VA.

Dr.
1894

IN ACCOUNT WITH

Mayor Dept

\$300224

E. E. Hall and J. H.
Comr Oliver & Smith Cr.

**Blank Pages
Not
Scanned**



E. H. HOLLAND,

ATTORNEY AT LAW.

Commonwealth's Attorney for Nansemond
County.

SUFFOLK, VA.,

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

Sol.J.Oliver, Samuel C.Oliver, Alex.W.Oliver and Augustus Oliver-

vs-

Lula Smith and Jas.H.Smith, her husband, Mollie Sullivan and W.J.Sullivan,
her husband, Celia Oliver, Effie Oliver, Andrew Oliver and Herbert Oliver,
the last four infants under the age of twenty one years.

Issue summons in Chancery to Rules on the 1st Monday in December,

1898.

Pay \$1.50

E. H. Holland
H. G.

Memorandum

150

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

*Lula Smith and
Jas N Smith her husband, Mollie
Sullivan and W J Sullivan her hus-
band Celia Oliver, Effie Oliver, Andrew
Oliver and Nerbut Oliver the last four
infants under the age of twenty one
Years.*

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
for the said Court, on the *First* Monday in *December 1898*, to answer

a Bill in Chancery, exhibited against *them*
in the said Court by *Sol J Oliver Samuel C Oliver
Ally W Oliver and Augustus Oliver*

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this *23rd* day of
November, 189*8*, in the 12*3rd* year of the Commonwealth.

A copy—Teste:

Teste:

CLERK.

CLERK.

Executed this 26th day of Nov 1898 by
Serving a true Copy of the within
process on each of the within named
parties

R. E. Noyes Secy
For A. H. Baker Shff

E. E. Halland p. q.

Solomon & Oliver
and others

vs.

In Chancery.

Lula Smith husband
and others

1898

Decennial Rules.

First Monday.

Nansemond Circuit Court.

Process Book No.-----

Page-----

Know All Men by These Presents, That we, *Edward E Holland and William A Jones Jr*

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of *Ten Thousand* DOLLARS, to the payment whereof, well and truly to be made to the said Commonwealth, we bind ourselves, and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

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

Sealed with our seals, and dated this *23rd* day of *December* in the year of our Lord one thousand eight hundred and *ninety eight*, and in the *123rd* year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas *by a decree of the Circuit Court of Nausemond County Virginia pronounced on the 23rd day of December 1898 in the Chancery Cause pending in the said Court between S J Oliver Plaintiff against Lula Smith and others defendants, the above bound Edward E Holland was appointed Special Commissioner for the purposes specified in said decree. Now therefore if the said Edward E Holland shall faithfully discharge his duties under said decree and all other decrees he may be required to execute in said cause then the above obligation is to be void, otherwise it is to remain in full force and effect.*

Edward E Holland
Wm A Jones Jr

SEAL

SEAL

SEAL

SEAL

SEAL

In the office of the Clerk of the *Circuit* Court of Nausemond County, on the *23rd* day of *December* 1898

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

Copy Teste: *A P Gomer* clerk

Teste:

A P Gomer

CLERK.

Edward E. Holland

To } Spec. Comr Bond

The Commonwealth.

1898

Decr 23rd

Recorded in Official
Bond Book No 1

Page 174

A Copy

Oliver W. Smith & others

Know All Men by These Presents, That we, Luther R Britt
and Lee Britt

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of Fifteen hundred DOLLARS, to the payment whereof, well and truly to be made to the said Commonwealth, we bind ourselves, and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

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

Sealed with our seals, and dated this 27th day of May in the year of our Lord one thousand ^{nine}~~eight~~ hundred and One, and in the 125th year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas by a decree of the Circuit Court of Nansemond County Va pronounced on the 18th day of April 1901 in the Chancery cause of Solomon Oliver Alex M Oliver and Augustus Oliver Complainants against Lula Smith and James N Smith her husband Mollie Sullivan and W J Sullivan her husband Lelia Oliver Effie Oliver Andrew Oliver and Herbert Oliver defendants it was ordered that E E Holland Special Commissioner pay to Luther R Britt the duly qualified guardian of Effie M Oliver the sum of Seven hundred and fifty dollars and fifty six cents and all accrued interest thereon being the amount due the said Effie M Oliver as shown by the proceedings in said suit. But before the same shall be paid the said Luther R Britt was required to execute a bond in the penalty of fifteen hundred dollars with good security conditioned for the faithful application of the fund and for the management and preservation of any property or securities in which the same may be invested and for the protection of the rights of all persons interested therein whether such rights be vested or contingent. Now therefore if the said Luther R Britt shall faithfully discharge his duties as guardian aforesaid then the above obligation is to be void otherwise it is to remain in full force and effect.

SEAL

SEAL

SEAL

SEAL

SEAL

Luther R Britt
Lee Britt

In the office of the Clerk of the Circuit Court of Nansemond County, on the 27th day of May 1901

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

Teste:

A copy

Teste:

A P Gomez Clerk

A P Gomez

CLERK.

Luther R Britt
To } Guardian Bond
The Commonwealth.

1901
May 27th

Recorded in Official
Bond Book No 1 Page 249.

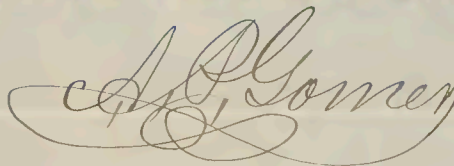
~~Smith vs~~
Olive vs Smith &c

In the Circuit Court of Nansemond County:

Oliver and others vs Smith and others.

At Rules on 1st Monday in Dec. 1898.

On motion of the complainants, by counsel, R.H. Rawles, an attorney at law, is hereby appointed guardian ad litem to the infant defendants Celia Oliver, Effie Oliver, Herbert Oliver and Andrew Oliver, to defend their interests in said suit.

A handwritten signature in cursive script, reading "C. P. Gomer". The signature is written in dark ink and is positioned to the left of the word "Clerk-".

Clerk-

EDWARD E. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VA.

BOTH PHONES.

BOOTHE BUILDING.

Suffolk, Va., July 15th, 1905

Received of E.E.Holland, Special Commissioner in the chancery cause of Oliver and others vs Smith and others the sum of Eight hundred and sixty five dollars and twenty five cents, less nine dollars and thirty five cents retained for taxes for year 1905, in payment of my part of the proceeds of sale of lands sold in said suit. I was twenty one years of age on June 2nd, 1905

Andrew J. Oliver.

TO THE HON. R. R. PRENTIS, Judge of the Circuit Court of Nan-
semond County.

OLIVER AND OTHERS

v.

SMITH AND OTHERS.

The undersigned Commissioner, appointed by a decree in
the above entitled cause, begs to report that, as authorized by
a decree entered in said cause at the July term, 1905, he has
paid to Andrew J. Oliver the amount to which he is entitled
out of the proceeds of the sale of land sold in said suit, which
said amount amounts to the sum of eight hundred and sixty-five
dollars and twenty-five cents (\$865.25), less nine dollars and
thirty-five cents (\$9.35) retained for taxes for the year 1905.
Your Commissioner begs to return herewith the receipt of Andrew
J. Oliver for said amount.

July 29th 1905

Respectfully submitted,
E. E. Hall and
J. E. Crum

Olive roches
On Paper
Smith roches

Mr.

E. E. Holland Commis Order 15 Smith

Chuckman dist

1902.

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

No. <u>166</u>	State Tax, 30c. on \$100.	State School Tax, 10c. on \$100.	County Levy, * 20c. on \$100.	Parish Levy, 8c. on \$100.	County School Tax, 5c. on \$100.	District School Tax, 5c. on \$100.	County Road Tax, 15c. on \$100.	TOTAL TAX
No. of Acres _____								
To Real Estate, value \$ _____								
" Personal Property, value \$ <u>1600.</u>	<u>480</u>	<u>160</u>	<u>320</u>	<u>128</u>	<u>80</u>	<u>80</u>	<u>240</u>	<u>1488</u>
" _____ value \$ _____								
" Poll Taxes _____		<u>100</u>					<u>50</u>	<u>1488</u>
Total _____								
5 per cent. additional _____								
Total _____								

Received payment 29 day of Nov 1902

Treasurer.

Per _____

Mr. E. E. Holland Commis, Dr. W. H. Davis & Smith & Son

1900.

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

No. <u>15-3</u>	State Tax, 30c. on \$100.	State School Tax, 10c. on \$100.	County Levy, 30c. on \$100.	Parish Levy, 8c. on \$100.	County School Tax, 5c. on \$100.	District School Tax, 5c. on \$100.	County Road Tax, 15c. on \$100.	TOTAL TAX.
No. of Acres-----								
To Real Estate, value-----\$								
" Personal Property, value-----\$ <u>3000.</u>	<u>9 01</u>	<u>3 00</u>	<u>9 01</u>	<u>2 40</u>	<u>1 50</u>	<u>1 50</u>	<u>4 50</u>	<u>30 92</u>
"-----, value-----\$								
" Poll Taxes-----		<u>1 00</u>					<u>5 0</u>	
Total-----								
5 per cent. additional-----								
Total-----								

Received payment 28 day of November 1900

W. A. King Deputy Treasurer,
Per-----

Mr. E. E. Holland Commiss Oloors Ori. VS Smith ^{Others}

1901.

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

No. <u>1651</u>	State Tax, 30c. on \$100.		State School Tax, 10c. on \$100.		County Levy, 20c. on \$100.		Parish Levy, 8c. on \$100.		County School Tax, 5c. on \$100.		District School Tax, 5c. on \$100.		County Road Tax, 15c. on \$100.		TOTAL TAX.
No. of Acres -----															
To Real Estate, value \$	3097		929		310		620		248		155		155		464
" Personal Property, value \$															2881
" ----- value \$															
" Poll Taxes															100
Total															2881
5 per cent. additional															
Total															

Dec 7

Received payment 30 day of Nov 1901

W. H. King ^{Seal} Treasurer.
Per

Mr. E. E. Halland Com - Oliver & S. Smith

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

No. <u>163</u> <u>1903</u>	STATE TAXES.				County Levy, 20c. on \$100.		County Road Tax, 15c. on \$100.		County School Tax, 5c. on \$100.		District School Tax, 5c. 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 Sup. 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.....valued \$.....															
Personal Property, schedule B. val. \$.....															
Personal Property, schedule C. val. \$ <u>1633</u>		<u>408</u>	<u>163</u>		<u>327</u>	<u>248</u>	<u>81</u>	<u>82</u>	<u>130</u>	<u>1436</u>					
Value.....\$.....															
Poll-Tax for State and County.....															<u>1 50</u>
Total.....															<u>1436</u>
5 per cent penalty.....															
Total.....															

Received payment 28 day of Dec 3 1903

W. A. King Deputy Treasurer.

Received of W. E. Holland, Special Commissioner in the Circuit Court of the County of Nansemond in the suit of Oliver & others v. Smith & others, the sum of \$750.61 in payment of the principal of my share of the proceeds of sale of real estate sold under decree in said suit.

Marcella Oliver

April 22nd., 1901.

SOUTHERN STATES PHONE, No. 2932.

SOUTHERN BELL PHONE, No. 124.

COMMISSIONER IN CHANCERY.

LAW OFFICES OF

LEE BRITT.

SUFFOLK, VA.,

June 8, 1901.

Received of E.E.Holland, Special Commissioner in chancery cause of
Solomon J.Oliver and Others against Lula Smith and Others pending
in the Circuit Court of Nansemond County the sum of *Seven Hundred Fifty three*
dollars (\$753¹⁶/₁₀₀)
being the amount due Effie M.Oliver infant child and heir of A.W.Oliver
deceased, and payable under decree of said Circuit Court entered
April 18, 1901.

(\$ 753¹⁶/₁₀₀)

LR Britt
Guardian of
Effie M. Oliver

TO THE HONORABLE ROBERT R. PRENTIS, Judge of the Circuit Court of
Nansemond County.

OLIVER,

PLAINTIFF

v.

SMITH and Others.

DEFENDANTS.

The undersigned Commissioner begs to report that, as shown
by his last report made in this cause, he had in hand the sum of
three thousand and two dollars and forty-four cents (\$3,002.44)
belonging to the infant defendants in said suit. Since that time
your Commissioner has paid out the following amounts :

To amt. due per last report.	\$3,002.44	
Nov.29,1900, By County taxes paid,		\$30.92
Apl.22,1901 By amt. paid Marcellia Oliver, one of the infant defendants who has arrived at the age of 21 years,		750.61
June 8,1901 By amt. paid L.R.Britt,Gdn. of Effie M. Oliver under a decree of this court,		755.16
Dec. 1,1901 By County taxes paid,		28.81
Dec.29,1903 By County taxes paid,		14.88
Dec.29,1903 By County taxes paid,		14.36
Jan. 1,1904 To interest received on deposit in bank to date,	\$230.71	
Jan. 1,1904 To balance now in the hands of the Commissioner,		1638.41
	\$3233.15	\$3233.15
Jan. 1,1904 To balance now in the hands of the Commissioner		\$1,638.41

Respectfully submitted,

E E Haeand
Jhl Comm

Mar. 1, 1904

Olinier
20 Report
Smith v. Allen

Filed Nov 1890

To the Hon. Robert R. Prentiss, Judge of the Circuit Court for the County of Nansemond-

The undersigned Special Commissioner appointed by decree heretofore entered in this cause begs to report as follows:

1st. That the purchasers of the lands in these proceedings mentioned have paid the entire purchase prices therefor and your commissioner, as directed, has executed to them deeds with special warranty.

2nd. That your commissioner has collected the purchase money, amounting to the sum of \$7781.00 and has distributed the same as follows:

To proceeds of sale	\$7781.00
By Commissions retained	\$164.62
By fee allowed and taxed fee	65.00
By amt paid A.P. Gomer, Clerk	8.71 ✓
By amt paid J.E. Booker, Advertising	7.50 ✓
By amt paid J.J.S. Branch, Crier	15.00 ✓
By amt paid A.H. Baker Sheriff	4.00 ✓
By amt paid for Rev. Stamps on Deeds <i>fees</i>	19.50
By amt paid M.J. Sullivan (heir)	750.61 ✓
By amt paid Lula V. Smith (heir)	750.61 ✓
By amt paid S.J. Oliver (heir)	750.61 ✓
By amt paid Sam.C. Oliver (heir)	750.61 ✓
by Amt paid A.W. Oliver, Jr (heir)	750.61 ✓
By amt paid A.C. Oliver (heir)	750.61 ✓
By amt of deposit in Bank	3002.24

The amount on deposit in Bank

7981.23

belongs to the infant children of A.W. Oliver, deceased.

Respectfully submitted,

E. E. Starnes
Spec Commr

• Ydruw'auw Ielennu Wely Glog medd o fedyddau
o Suddwedd, ym mhen ysgol a'r llysoedd a'r
llysoedd a'r llysoedd a'r llysoedd a'r llysoedd

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WAVE at 113000 to 120000

Урад ат класови до змова ент

• info@solidreview.org To request a printed or digital copy of the book

ИЗДАТЕЛЬСТВО «НАУКА»

—Lucy, 1911

Filed Sept 30, 1899
L. P. Gomerick

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

The undersigned Commissioners appointed by decree entered in the chancery cause of Oliver vs Smith and others on the 22nd day of December, 1898, to make partition of the lands of which A.W. Oliver, deceased, died seized and possessed among the parties entitled thereto, and to assign one of said parts of said real estate, so partitioned, to each of the ten children and heirs at law of decedent; or, if they should find it impracticable to divide said land among the said children and heirs at law, or should be of opinion that the interests of the said parties would be more promoted by a sale of the same, to report the facts upon which their opinion is based to the court, beg to report as follows: Having been first duly sworn, they proceeded to discharge the duties imposed by said decree, and beg to report, that they found it impracticable, after examination, to divide said land in kind among the parties entitled thereto. There are ten of the children. The real estate consists of a farm and certain lots in the Town of Suffolk, and it is impossible to divide the same into so many shares to any advantage to the parties. There is only one residence on the farm, and while this ^{farm} might be divided into two parts, it could not be divided to advantage into more than this. But as none of the heirs ^{are} ~~are~~ willing to take more than his part, and pay to the other parties such sum of money as their interests therein would entitle them to, the farm could not be thus divided. In fact the real estate cannot be divided in any way that would be of advantage to the parties. We are satisfied that the interests of all the said parties would be promoted by a sale of the property and so recommend. The property, if not sold, will depreciate in value. We believe the farm will sell for more money now than at any other time. The property in Suffolk will rapidly depreciate, if not sold promptly. It is occupied by tenants, one of it is not in the best of repair, and it needs attention. We recommend that a sale be made of the real estate at once. We are informed that the decedent before his death recommended to his children that the entire property be sold at once and the proceeds of sale divided among the parties entitled thereto. We have no doubt that

he believed, as we do, that the interests of all the parties would be better promoted thereby.

In our opinion the farm is worth \$5000.00 and the lots of land in Suffolk \$2800.

Respectfully submitted,

Wm. S. St. Wright
Thos. Whitfield
R. S. Dymkii
Commissioners

Virginia, Nansemond County, towit:

I, J. U. Burges, a notary public for the county aforesaid, in the State of Virginia, do certify that R. S. Boykin, W. S. N. Wright and Thos. J. Whitfield this day appeared in person before me and made oath that they would discharge the duties imposed on them by decree of the Circuit Court of Nansemond County entered in the chancery cause of Oliver and others vs Smith and others on the 22nd day of December, 1898, to the best of their ability. Given under my hand this the 22nd day of December, 1898.

J. U. Burges
Notary Public

1898 Decr 23rd

Filed

L. P. Gomer, clk

ability. Given under my hand this the day of December, 1898.
I with and others on the 22nd day of December, 1898, to the best of their
knowledge entered in the chancery cause of Oliver and others vs
Charles the duties imposed on them by decree of the Circuit Court of Man-
assas and appeared in person before me and made oath that they would do
Virginia, do certify that R. S. Hopkins, W. S. W. Wright and Thos. J. Whitfield
I, J. U. Burgess, a notary public for the county of Loudoun, in the State of
Virginia, Manassas County, to-wit:

AUCTION SALE

—OF A—

Valuable Farm on Nansemond River

AND TOWN LOTS IN SUFFOLK, VA.

By authority of a decree of the Circuit Court of Nansemond county, Virginia, entered on the 23d day of December, 1898, in the chancery cause of Oliver vs Smith and others, pending in said court, I shall proceed to sell at public auction, before the Courthouse door in said Nansemond county, Virginia,

On Monday, January 9th, 1899,

(court day), at 12 o'clock M., the following valuable real estate, to wit:

First. All that certain tract of land on the west side of Nansemond river, in Nansemond county, Virginia, containing three hundred and twenty-eight acres, more or less, bounded by said Nansemond river, and the lands of C. N. Pruden (formerly Erastus J. Pruden), Henry J. McCracken and others, and being the same land sold and conveyed to A. W. Oliver by John R. Cornell and wife by deed recorded in the Clerk's office of Nansemond County Court, in D. B. No. 10, page 16.

This is one of the most valuable farms on the west side of Nansemond river, and has on it a wharf, and good, large dwelling, with necessary outbuildings. The land is highly improved, capable of producing trucks and other crops, and is about two and one-half miles from the town of Suffolk.

Parties wishing to purchase are requested to examine the premises.

Second. All those certain lots of land on the west side of Main street, in the town of Suffolk, Virginia, commencing on the west side of said street, at a point about ninety feet and eight inches from First Cross street, and running thence along said street one hundred and thirty-nine feet to Johnson's lane, thence west along Johnson's lane one hundred and thirty-three feet, thence in a southerly direction along the rear boundary of Lots Nos. 156 and 158, thence west thirty-five feet and eleven inches to the lands of William Colden, thence south to a point ninety feet from First Cross street, thence east one hundred and seventy feet to said Main street at the beginning, and being Lots Nos. 154, 156 and 158 on said Main street and lot on Johnson's lane.

Third. All that other lot of land in said town, county and State, beginning at the line of Martha J. L. Kilby's estate, and running thence southerly to the lands of N. G. Norfleet, thence along said Norfleet's line about fifty-eight feet and five inches, thence northerly fifteen feet and three inches thence in a northwesterly course sixty-five feet, thence north twenty-four feet to said First Cross street, and thence east along said First Cross street one hundred and twelve feet and two inches to the beginning, and constituting Lots Nos. 42, 44, 46 and 48 on said First Cross street.

The foregoing lots of land will be sold separately, and intending purchasers are requested to examine the same before the day of sale.

←←TERMS OF SALE→→

One-third of the purchase money to be paid in cash, one-third on a credit of twelve months, and the residue on a credit of two years from the day of sale, the credit installments to carry interest from the day of sale, the purchaser to give bonds therefor, and the title to the property to be retained until the full purchase price is paid and a conveyance is directed by the Court. The purchaser will be allowed to pay the entire purchase price in cash, if he so desires.

DECEMBER 23, 1898.

E. E. HOLLAND, Special Commissioner.

I, A. P. Gomer, Clerk of the Circuit Court of Nansemond county, Virginia, do certify that the bond required of Edward E. Holland as special commissioner under the decree of said Court made on the 23d day of December, 1898, in the chancery cause pending in said court between S. J. Oliver, complainant, and Lula V. Smith and others, defendants, has been executed with security deemed sufficient by me.

Given under my hand this 23d day of December, 1898.

A. P. GOMER, CLERK.

5030

1800

~~3230~~ =

IN THE CIRCUIT COURT OF HANSEMOND COUNTY:

OLIVER AND OTHERS

v.

SMITH AND OTHERS.

This cause came on this day to be again heard on the papers formerly read and on the report of E. E. Holland, Special Commissioner, ^{*this day filed*} showing that he has paid to Andrew J. Oliver, one of the parties defendant to this cause, who became of age on the 2nd day of June, 1905, the sum of Eight Hundred and Sixty-five Dollars and twenty-five cents (\$865.25), less Nine dollars and thirty-five cents (\$9.35) retained for taxes for the year 1905, being Seven Hundred and Fifty Dollars and Sixty Cents (\$750.60) principal and One Hundred and Five Dollars and thirty cents (\$105.30 interest, to which report there is no exception and was argued by counsel.

On consideration whereof the court doth ratify, approve and confirm said report. And this cause is continued.

and approved

Oliver & others
vs Deere
Smith & others

Octo. 17, 1905

To be entered.

What is wanted

Entered in Chy. Order
Book No. 3. Page 697

IN THE CIRCUIT COURT OF NANSEMOND COUNTY:

OLIVER AND OTHERS,

PLAINTIFFS

v.

SMITH AND OTHERS,

DEFENDANTS.

This cause came on this day to be again heard on the papers formerly read, and was argued by Counsel.

On consideration whereof, it being suggested to the court that Andrew Oliver is now twenty-one years of age, the court doth adjudge, order and decree that E. E. Holland, Special Commissioner in this cause, shall pay to the said Andrew Oliver the sum of Seven Hundred and Fifty Dollars and sixty-one cents (\$750.61), being his proportion of the proceeds of sale of land sold in this suit, together with the accrued interest thereon, less any taxes which have been paid by the said Commissioner on said amount.

And the said Commissioner shall make his report to court.

OLIVER,

v.

SMITH.

July 10th. 1905.

To be entered.

Robert C. Hunt

Entered in Chy. Order
Book No. 3. Page 669.

IN THE CIRCUIT COUR OF NANSEMOND COUNTY:

OLIVER,

PLAINTIFF

v.

SMITH and Others,

DEFENDANTS.

This cause came on this day to be again heard on the papers formerly read and on the report of E. E. Holland, Special Commissioner, filed on the first day of March, 1904, showing that, since the last decree was entered in this cause, he has paid to Marcelia Oliver, one of the infant defendants who had arrived at the age of twenty-one years, \$750.61, to L. R. Britt, Guardian of Effie M. Oliver \$755.16, and that he had paid to date County taxes, aggregating in amount the sum of \$88.97; to which report there is no exception, and was argued by counsel.

On consideration whereof the court doth ratify, approve and confirm the said report. And this cause is continued.

Oliver vs Smith

Entered Mar. 16, 1904

White Plains

Entered in Chancery
Order Book No. 3
Page 571.

Lal. J. Oliver, et al.

vs In Chancery

Lula Smith, et al.

On the application of Luther R. Britt, the duly qualified guardian of Effie M. Oliver, infant child and heir at law of A. H. Oliver, deceased, the court doth adjudge, order and decree that O. E. Hallund, special commissioner in this suit, do pay to him, the said Luther R. Britt, guardian, the sum of Seven hundred and fifty dollars and fifty six cents, (\$750⁵⁶) and all accrued interest thereon, being the amount due to the said Effie M. Oliver as shown by the proceedings in this suit. Before the same shall be paid, however, the said Luther R. Britt shall execute before the clerk of this court a proper bond in the penalty of Fifteen hundred dollars (\$1500⁰⁰), with good

Security to be approved by
said clerk, conditioned for the
faithful application of the fund,
and for ^{the} management and
preservation of any property
or securities in which the
same may be invested, and
for the protection of the rights
of all ~~persons~~ persons interested
therein, whether such rights
be vested or contingent.

Sol. J. Oliver, et al.
Decree for
vs Distribution to
infant heir.

Lula Smith et al.

1901. April 18th

Enter
Robert Mantis

Entered in Chancery
Order Book No 3 Page 364

In the Circuit Court of Nansemond County:-

Solomon J.Oliver and others vs Lula Smith and others-

This cause came on this day to be again heard upon the papers formerly read, and upon the report of distribution made by E.E.Holland, Special Commissioner, showing the amount of his disbursements and separate vouchers for each disbursement, filed on the 30th day of Sept. 1899, to which report there is no exception, and was argued by counsel:

On consideration whereof the court doth approve, ratify and confirm said report in all respects.

Oliver & others
vs
Smith & others

1899 Dec. 11th.

To be entered.

Robert R. Reulick

Entered in Chancery
Order Book No. 3.
Page 230.

In the Circuit Court of Maryland County:—

—L'Espresso per il 1997. L'Espresso per il 1997. L'Espresso per il 1997.

Up to some code or API and in the future, how the code is written.

In the Circuit Court of Nansemond County: In Vacation on the 12th day of January, 1899-

Oliver and others vs Smith and others.

This cause came on this day to be again heard, pursuant to notice of the application for this decree, and with the consent of the parties, heretofore entered of record, making this a vacation cause, on the papers formerly read, and upon the report of sale of the real estate in the bill and proceedings ^{mentioned} made by E. E. Holland, Special Commissioner on the 9th day of January, 1899, this day filed, to which report there is no exception, and was argued by counsel: On consideration whereof, the court doth approve and confirm said report and said sales, and doth order, adjudge and decree that E. E. Holland, who is hereby appointed ^a Special Commissioner for the purpose, shall, upon the payment in cash of the entire purchase price paid therefor, convey by good and sufficient deeds, with special warranty, unto the respective purchasers of the real estate as reported, the tract or lots of land respectively purchased by them, to wit: To Samuel C. Oliver, A. W. Oliver, Jr and A. C. Oliver, jointly, the tract of land of 328 acres, more or less, to J. H. Smith Lot No. 156, to W. A. Bozman Lot No. 154, to Thomas J. Whitfield Lot No. 158, to J. H. Smith the lot on Johnson's lane, to Peter Smith Lot No. 42, to Jacob Corbell Lot No. 44 and to N. G. Norfleet Lots Nos. 46 and 48 in the Town of Suffolk, Virginia.

And upon the payment of the purchase price of the land as aforesaid, the said E. E. Holland, Special Commissioner, is authorized and directed, after the payment of the costs and expenses of sale and of this suit, including a fee to counsel who instituted this suit and now prosecutes the same of \$50. ^X/_X to distribute the residue of the purchase money among the several parties entitled thereto, taking their receipts therefor and filing the same in these papers. But the interests of the infant parties shall be held until the further order of the court, and in the mean time the same shall be deposited in the Farmers Bank of Nansemond to the credit

of the Special Commissioner in this cause, and a certificate of deposit therefor filed in these papers. And the said Commissioner is directed to report his proceedings hereunder to court.

To the Clerk of the Circuit Court of Nansemond County.

Robert D. Smith.

Source
1899, Jan. 10th- We acknowledge due and sufficient of the application for
the within decree, and consent that the papers in this case may be submit-
ted to the Judge of the Circuit of Nansemond County for such decision or
decree therein as might be made in term.

Mr. M. J. Sullivan

S. J. Oliver

Lelia V. Smith

W. J. Sullivan

James H. Smith

S. B. Oliver

A. B. Oliver

R. H. Newber Guardian
ad litem

Entered July 12/1899
R. H. Newber

Entered in Chancery
Order Book No 3
Page 187.

To the Hon. Robert R. Prentiss, Judge of the Circuit Court for the county of Nansemond:-

Oliver and others vs Smith and others-

The undersigned commissioner appointed by decree made in the above cause, proceeded to execute the duties thereby enjoined upon him. After advertising the time, terms and place of sale as directed by the decree entered in this cause, your commissioner proceeded to sell, at public auction to the highest bidder, at the front door of the court-house of Nansemond, on Monday, the 9th day of January, 1899, ^{Court day} upon the terms directed by said decree, the lands of which A.W. Oliver died seized and possessed.

For the tract of land containing 328 acres more or less *S.A. Oliver, A.C. Oliver and J.W. Oliver Jr.* made the highest bid and became the purchaser thereof at \$5030.00

Believing it would enhance the price obtained therefor your commissioner sold the real estate in the Town of Suffolk into separate lots.

For lot No. 154 W.A. Bozman made the highest bid and became the purchaser thereof at the price of \$476.00

For lot No. 156 J.H. Smith made the highest bid therefor and became the purchaser thereof at the price of \$650.00.

For Lot No. 158 Thomas J. Whitfield made the highest bid and became the purchaser thereof at the price of \$685.00.

For lot on Johnson's lane J.H. Smith made the highest bid and became the purchaser thereof at the price of \$120.00.

For Lot No. 42 Peter Smith made the highest bid and became the purchaser thereof at the price of \$200.00.

For lot No. 44 Jacob Corbell made the highest bid and became the purchaser thereof at the price of \$207.

For lot No. 46 N.G. Norfleet made the highest bid and became the purchaser thereof at the price of \$206.00.

For lot No. 48 N.G. Norfleet made the highest bid and became the purchaser thereof at the price of \$207.00.

None of the purchasers have as yet paid any part of the purchase price, but inform your commissioner that they prefer to pay the entire purchase

p rice in cash, and are ready to do so just so^p soon as the sales are confirmed. Your commissioner believes the property sold for a fair price, and recommends the confirmation of the sales.

Your Commissioner has given the bond required by the decree in this cause ^{and} and returns herewith a copy of the advertisement of sale.

Respectfully submitted,

E. C. Halland

Shelburne

1899 January 12th
Filed S. P. Gomer Clerk

Respectfully submitted,

and returns herewith a copy of the qualification of said

Your commission has been the past subject of the qualification of the
location of the commission of the said

times. Your commission, however the property sold for a time, which may
be in case in case, and the result to go to the said and soon as the said are con-

We hereby certify that the within and foregoing report of the Commissioners for this cause, was read and approved by the court in vacation, and the papers in this cause may be submitted to the Judge of this court in vacation for such decision and decree therein as might be made in term.

In the Circuit Court of Nansemond County, *in vacation, on the 23rd day of December 1898.* -
Oliver and others vs Smith and others

This cause came on this day to be again heard, pursuant to notice duly given to all the parties that this decree would be applied for, and with consent of the parties, on the papers formerly read, and on the report of R.S. Boykin, W.S.N. Wright and Thos. J. Whitfield, three of the Commissioners under the decree herein of December 22nd, 1898, *this day filed*, to which report there is no exception, and was argued by counsel: On consideration whereof, the court doth approve and confirm said report, and doth adjudge, order and decree that E.E. Holland, who is hereby appointed a *Special* Commissioner for the purpose, do proceed after having advertised the time, terms and place of sale, in the Suffolk Herald, a newspaper published in the Town of Suffolk, Virginia, at least one time, and by *for for fifteen days prior to the day of sale* posted hand-bills duly posted, to sell the real estate in the bill and proceedings mentioned, of which A.W. Oliver died seized and possessed, at public auction, in front of the courthouse door of Nansemond county, on some court day, upon the following terms to wit: - one third cash, one third on a credit of twelve months, and the residue on a credit of two years from day of sale, the credit installments to bear interest from the day of sale; taking from the purchaser bonds for the deferred payments, and the title to be retained until the *But the purchaser may pay entire purchase price in cash if desired so desired.* further order of the court. And the said commissioner is directed to report his proceedings hereunder to the court. But the said commissioner shall not advertise said land under this decree, and shall receive no money under this decree until he shall enter into bond with sufficient security in the Clerks Office of this Court, payable to the Commonwealth of Virginia, in the penalty of \$10,000. - , and conditioned for the faithful discharge of his duties under this, or any other decree, entered in this cause. And with the consent of the parties here entered of record it is ordered that the papers in this cause may be submitted to the judge of this court for such ~~for~~ such decision and decree therein as *in vacation* might be made in term.

To the Clerk of the Circuit Court of Nansemond County.

Robert R. Dentis.

We accept due, legal and sufficient service of the notice of application for this decree, we consent thereto, and we further consent that the papers in this cause may be submitted to the judge of this court in vacation for such decision and decree therein in vacation as might be made in term

Two slices. 1/2

S. J. Oliver.

S. G. Oliver

A. B. Chubb

Lida V. Smith

Mollie J. Sullivan

William
Ralph

ad item.

~~error that E. W. Hollard, who is a~~

also, in the British Herald, a

1944-1945

the real estate in the bill

...be...and...
...to...and...

twist-one third each, one third

any one to file a no subject

...to bear interest from 1/1/54

...for the defendant's bonds for the defendant's court. An

sent his proceedings before the
Federal Court of the County.

shall not advertise said land

National for the Tailfin Clinic

deed entered in this case.

There is no record of record

It is noted that the above information was made in the presence of the Judge of this Court.

100

To editor and to advise the public that the land, and the whole of the same, was sold by the court of the Circuit Court of Nansemond County, in vacation, on the 22d day of December 1898. S. J. Oliver and others - agnst-- Lula V. Smith and others.

In vacation. On the 22d day of December, 1898. This cause came on this day to be heard, pursuant to notice of the complainants' intention to apply for this decree, upon the bill taken for confessed as to the adult defendants, the answer of the infant defendants by their guardian ad litem, R. H. Rawles, duly appointed at Rules, and of the said guardian ad litem, with replications thereto, and was argued by counsel: On consideration whereof, the court doth adjudge, order and decree that R. S. Boykin, W. S. N. Wright, T. J. Whitfield, H. H. Williams and L. F. Bradshaw, who are hereby appointed commissioners for that purpose, any three or more of whom may act, having been first duly sworn, do proceed to lay off and divide the real estate of which A. W. Oliver died seized and possessed in the bill mentioned, into ten equal parts, having regard to quality and quantity, and should assign one of said ten parts to each of the heirs of said A. W. Oliver, deceased, namely; to S. J. Oliver, one-tenth part, to S. C. Oliver one-tenth part, to A. W. Oliver one-tenth part, to A. C. Oliver one-tenth part, to Lula V. Smith one-tenth part, to Mollie Sullivan, one-tenth part, to Celia Oliver, one-tenth part, to Effie Oliver one-tenth part, to Andrew Oliver one-tenth part, to Herbert Oliver one-tenth part. But, if the said commissioners should find it impracticable to divide said land among the aforesaid parties, or should be of the opinion that the interests of the said parties would be more promoted by sale of the same, in such case, they are required to report the facts upon which their opinion is based, to the court, and also what, in their opinion, is the fee simple value of the whole of the real estate of which A. W. Oliver died seized and possessed; and, in other cases, they are required to report their proceedings under this order to the court.

Robert R. Paulis.
To the Clerk of the
Circuit Court of
Nansemond County.

We hereby acknowledge due, legal and sufficient service of the notice of the application for the within decree, and consent that same may be entered, and also that this cause may be made a vacation cause for the purpose of confirming a partition of said land, if made, or for sale thereof if the Commissioners determine it best to sell the same.

S. J. Oliver
James H. Smith
Lula V. Smith
A. M. Oliver
S. J. Oliver
W. J. Sullivan
M. J. Sullivan
A. W. Oliver
R. H. Reeve, Guardian ad litem

Entered in Court
27 Dec 1884
Order Book No 3
Page 184
Order Book No 3
Page 184

156

158

48.6

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Ch. 10

170.

133.6

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$$\begin{array}{r} 52 \\ 5-4 \\ 41 \\ \hline 147 \end{array}$$

r. June

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\$926.55

Suffolk, Va., Feb. 17, 1909.

Received of E. M. Holland, special commissioner in the chancery cause of Oliver v. Smith, the sum of Nine Hundred and Twenty-six Dollars and Fifty-five Cents (\$926.55), being the amount of my interest, after deducting taxes, in the proceeds of sale of the real estate sold in the suit of Oliver v. Smith.

Herbert L. Oliver

IN THE CIRCUIT COURT OF THE COUNTY OF MANSEMOND.

OLIVER and OTHERS

Complainants.

vs.

SMITH and OTHERS.

Defendants.

—

This cause came on this day to be again heard on the papers for erly read and on the report of E. L. Holland, special commissioner, this day filed, showing that he has paid to Herbert L. Oliver, one of the parties complainant to this cause, who became of age on the 11th day of February, 1909, the sum of Nine Hundred and Twenty-six Dollars and Fifty-five Cents (\$926.55), being Seven Hundred and Fifty Dollars and Sixty Cents (\$750.60) principal and One Hundred and Seventy-five Dollars and Ninety-five Cents (\$175.95) interest, after deducting taxes, amounting to Nine Dollars and Thirty-five Cents (\$9.35), on said sum for the year 1909 and taxes paid on said sum since his last report in this cause, to which report there is no exception and was argued by counsel.

On consideration whereof, the court doth ratify, approve and confirm said report, and it appearing to the court that all the money received by the said commissioner from the sale of the lands sold in this suit has been distributed among the parties entitled thereto and that there is nothing further to be done in this suit, it is ordered that the same be removed from the docket.

Enter, March 20, 1909

James S. L. Moore

Entered in Chancery
Order Book No. 4-
Page 326.

TO THE HONORABLE JAS. L. McLE ORE, JUDGE OF THE CIRCUIT
COURT OF THE COUNTY OF MANSELLOND.

OLIVER and OTHERS.

vs.

SMITH and OTHERS.

The undersigned commissioner appointed by a decree entered in the above entitled cause, begs to report that, as authorized by a decree entered in this cause, he has paid to Herbert L. Oliver the amount to which he was entitled out of the proceeds of sale of the land sold in said suit, which said sum amounts to Nine Hundred and Twenty-six Dollars and Fifty-five Cents (\$926.55), after deducting Nine Dollars and Thirty-five Cents (\$9.35), retained for taxes for the year 1909 and other taxes paid on said sum since the last report made by said commissioner in this cause. The said Herbert L. Oliver became of age on the 11th day of February, 1909.

Your commissioner begs to return herewith the receipt of the said Herbert L. Oliver for said sum.

All of the money received by your said commissioner under the proceedings in this suit has now been distributed among the parties entitled thereto, and, as there is nothing further to be done in the suit, it is suggested that the same be dismissed from the docket.

Respectfully submitted.

E. E. Keenan
Sh. Connor

1909 March 20th
filed Am

In the Circuit Court of Nansemond County:

S.J.Oliver and others—

vs-In Chancery

Smith and others—

The answer of R.H.Rawles, guardian ad litem, to the infant defendants Celia Oliver, Effie Oliver, Herbert Oliver and Andrew Oliver, and of the said ~~XXXXXXXXXX~~ infant defendants, by said R.H.Rawles, their guardian ad litem, to a bill in equity exhibited against them and others in the Circuit Court of Nansemond County by S.J.Oliver and others—

For answer to said bill the said guardian ad litem answers and says that he does not know whether the interests of the infant defendants would be best promoted by sale of the real estate, or by partition thereof, but is informed that the father of said infants, before his death, expressed the wish to have all the real estate sold and the proceeds of sale divided among the parties entitled thereto. And the said infant defendants, by their guardian ad litem answer and say, that being infants of tender years they know nothing as to the matters mentioned in said bill, and commit their interests to the protection of the court.

And now having fully answered, they pray, &c.

R.H. Rawles

Guardian ad litem to the above named infant defendants, and the said infant defendants by R.H. Rawles, guardian ad litem.

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

Your complainants, Sol. J. Oliver, Samuel C. Oliver, Alex. W. Oliver and Augustus Oliver respectfully show unto the court the following case:

That your complainants father, Alex. W. Oliver, was in his life time, seized and possessed of the following real estate:

1st. All that certain tract of land on the West side of Nansemond River, in the county of Nansemond, Virginia, containing three hundred and twenty eight acres, more or less, bounded by the lands formerly belonging to Henry J. McCracken, Erastus J. Pruden and others and Nansemond River, and being same land conveyed to said Alex W. Oliver by Jno. R. Cornell and wife by deed duly recorded in Nansemond County Court Clerk's Office in Deed-Book No. 10, on page 16.

2nd . All that certain lot of land on the West side of Main Street in the Town of Suffolk, in the county of Nansemond, Virginia, commencing on the west side of said street, at a point about ninety feet and eight inches from 1st Cross Street, and running thence along said Main street one hundred and thirty nine feet to Johnson's lane, thence west along said Johnson's lane one hundred and thirty three feet, thence in a Southerly direction along the rear boundary of Lots Nos. 156 and 158, thence west thirty five feet and eleven inches to the lands of Wm. Colden, thence South to a point ninety feet from 1st Cross Street, and thence East one hundred and seventy feet to said Main street at the beginning, and constituting Lots Nos. 154, 156 and 158 on Main Street, and a house on Johnson's land.

3rd. All that other lot in the Town of Suffolk, in said county and State, beginning on 1st Cross Street at the line of Martha J. L. Kilby's estate, and running thence Southerly to the lands of N. G. Norfleet, thence along said Norfleet's line fifty eight feet and five inches, thence Northerly fifteen feet and three inches, thence in a North-westerly direction sixty five feet, thence North twenty four feet to said 1st Cross Street, and thence East along said 1st Cross Street one hundred and twelve feet and two inches to the beginning, and constituting Lots. Nos. 42, 44, 46 and 48 on said 1st Cross street. And being part of same property sold and conveyed to

to A.W.Oliver and R.R.Smith by E.E.Holland, trustee by deed duly recorded in Nansemond County Clerks Office in Deed-Book No.25, page 330; and being so seized and possessed of the said real estate, the said Alex.W.Oliver, in November, 1898, departed this life intestate, leaving your complainants, and Lula Smith, the wife of Jas.H.Smith, Mollie Sullivan, the wife of W.J. Sullivan, Celia Oliver, Effie Oliver, Andrew Oliver and Herbert Oliver, his only children and heirs at law. The said Celia Oliver, Effie Oliver, Andrew Oliver and Herbert Oliver are infants under the age of twenty one years.

And your complainants farther state, that the said real estate is, as they believe, susceptible of partition among the parties thereto; but if it be not, then your complainants desire the same to be sold and the proceeds divided among the adult and infant parties; according to their respective rights; the shares of the infant defendants to be held as directed by the statute in such case made and provided. Should the said real estate not be divisible in kind, your complainants believe, and here state, that the interests of those who are entitled to the said real estate, or its proceeds, will be promoted by a sale of the whole of said real estate, or by an allotment of part and sale of the residue.

In tender consideration whereof, and for as much as your complainants are remediless in the premises save by the aid of a court of equity, where matters of this kind are alone and properly cognizable, your complainants pray that Lula Smith and Jas.H.Smith, her husband, Mollie Sullivan and W.J. Sullivan, her husband, Celia Oliver, Effie Oliver, Andrew Oliver and Herbert Oliver may be made parties defendant to this bill, and required to answer the same, but answers under oath are hereby waived; that a proper guardian ad litem be assigned the infant defendants to defend their interests in this suit, who shall also answer this bill; that proper process issue; that proper counsel fees be allowed to the counsel instituting and prosecuting this suit; that the said real estate be divided between the several parties entitled thereto and your complainants respective portions allotted to them, and in case the said real estate cannot be partitioned and divided in kind, that the same be exposed to sale, and the proceeds of such sale be divided among the parties entitled thereto; that all proper orders and decrees may be made, and all proper enquiries be directed; and that all

such other, further and general relief may be afforded your complainants
as the nature of their case may require, or to equity shall seem meet.
And your complainants will ever pray, &c.

E. E. Kellum
P. G.

S. J. Oliver,

S. J. Oliver
Wm Oliver Jr
A. G. Oliver

Oliver val.
to } Bice

Oliver val.

S J Oliver & others
vs In Chancery
Lula Smith
J N Smith & others

1909
March 20th
Final Decree.

S J. Oliver & others vs Smith & others

Costs
Clerk 7.21¹⁵
Shff 4.00
Day 150⁰⁰
Atty 15.00

\$ 24.71

Solomon J Oliver & others
vs In Chancery
Lula Smith.

1898 Nov. 23rd, Process issued returnable
December rules first
Monday.

" Dec. 4th, Process returned executed
on all defendants
RNRawles appointed
Guardian ad litem for
infant defendants
Bill filed and decree
nisi against said
defendants.

" " 19th. Decree nisi confirmed
and cause set for hearing

Chancery
Notes.