1909-055
Nansemond Co (Suffolk) Chancery Causes: Edwin L. Ballard & wife vs Mary E. Holland, widow et al
Virginia
C

Edwin L. Ballard &
Virginia C. Ballard } Pltffs

vs

Mary E. Holland, widow of Benj. Holland Decd
Jno. H. Holland
Elliott W. Holland
Joseph B. Holland & } these three being infants under the age of twenty one years — } Dfts

Clerk of Circuit Court, Nansemond County —

Issued

Summons in Chancery to Mch Rules (1st Monday)
for Plaintiffs vs Defendants —

Jno H. Wright p. q —

Jap $1.50

1890. July 24th
Came to hand & at once
Complied with

Memorandum

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Mary E Holland Widow of Beverly Holland Decd. Jno. H. Holland Elliott W Holland, Joseph B Holland and Lillie J Holland the last three being 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 March next, to answer a Bill in Chancery, exhibited against them in the said Court by Edwin L Ballard and Virginia C Ballard

and have then and there this summons.

Witness, ~~PETER B. PRENTIS~~, Clerk of our said Court, at his office, this 24th day of February 1890, in the 114th year of the Commonwealth.

A P Gomer

Teste:

A P Gomer Clerk.

Executed This 27th day of February 1890 by delivering a true Copy of this process to the within named Mary E Holland. widow & Beverley Holland Dec'd. Elliott W. Holland. Joseph B. Holland. and Lillie J Holland- Each in person- The within named John H Holland is not found in my County.

Wm H Howell Shff-

Fee Allowed $1.50

Edwin S Ballard & Ano
vs
Wayne C Ballard &
Mary E Holland widow &
Beverly Holland Dec'd &c
Fee $1.50 Paid
Feb 28th 1890
Rec'd Rule,
Filed Dec'd.

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Mary E. Holland Widow of Beverly Holland Decd. Jno. A. Holland, Elliott W. Holland, Joseph A. Ballard and Lilli I. Holland. The last three being 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 3rd Monday in July 1890 ~~next~~, to answer _____ a Bill in Chancery, exhibited against them _____ in the said Court by Edward A. Ballard and Virginia C. Ballard

and have then and there this summons.

Witness, PETER C. GOMER, Clerk of our said Court, at his office, this 9th day of July 1890, in the 115th year of the Commonwealth.

Teste:

A. P. Gomer Clerk.

Per Sheriff

Edwin L Ballard

&

Mary E Ballard

vs

Summons

Mary E Holland & Others

1890

July Rules 3rd Monday

Executed this 12th day of July 1890
by leaving a true copy of the
within writ with Mary E Holland
Wife of Wassell Holland
for Mary E Holland

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Mary E Holland Widow of Beverly Holland Decd. Jno. A Holland, Elliott W Holland Joseph B Holland and Lilie J Holland the last three being 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 March next, to answer a Bill in Chancery, exhibited against them in the said Court by Edwin A & Ballard and Virginia C Ballard

and have then and there this summons.

Witness, ~~PETER B. PRENTIS,~~ C A P Gomer Clerk of our said Court, at his office, this 24th day of February 1890, in the 114th year of the Commonwealth.

Teste:

C A P Gomes Clerk.

Edwin L Ballard

Mary E Ballard

vs

Summons

Mary E. Holland & Oth

Jno H Holland

Not found

Issue subpoena to Lucky
Ruled 3d Monday for Jno H
Holland - give to Sheriff
for Execution -

To Hon C.W. Hill Judge of the Circuit Court of Nansemond County.

Your Complainants Edwin L. Ballard and Virginia C. Ballard his wife, formerly Virginia C Holland, respectfully represent and show unto Your Honor that Beverly Holland, the father of said Virginia C Holland, departed this life, intestate, more than ten years since, leaving a considerable Real and Personal Estate in said County. After his death, his widow Mary E. Holland, qualified in the County Court of Nansemond as administratrix of his personal Estate, and has long since paid off and discharged all debts against said Estate and settled her accounts as such Administratrix, so that the Real Estate of which said Beverly Holland died seized, now remains for distribution among his heirs. Said Real Estate consists of a large tract of land, containing about 300 acres in the said County, on which the widow and children of said Beverly Holland Dec'd. have been living since his death. The said Beverly Holland left as the sole heirs and distributees of his Estate, Mary E. Holland, his widow, and the following Children, to wit- Virginia C Holland, who afterwards married the said Edwin L. Ballard, Ira N. Holland, Elliott

W. Holland, Joseph B. Holland, and Lillie J. Holland, the three last named being infants under the age of twenty one years. Your Complainants allege that since the death of said Beverly Holland, there has been no assignment of Dower out of said Real Estate to his widow, and no partition of the same among the heirs. Your Complainants are anxious that said Real Estate should be partitioned, that they may receive their share thereof in severalty; and they are advised that the said land is susceptible of partition in kind without detriment to any of the heirs. But being without remedy in the premises save in a Court of Chancery, where matters of the kind are properly cognizable and relievable, to the End &c. Your Complainants pray that said Mary E. Holland, widow as aforesaid, Jno A. Holland, Elliott W. Holland Joseph B Holland and Lillie J. Holland, (the three last named being infants under the age of twenty one years) may be made parties defendant hereto and required to answer the allegations hereof (answer under oath being waived), and the said infants to answer by a Guardian ad litem to be assigned them; that ~~one of the~~ Your Honor will

require one of the
~~appointed Commissioners~~ Commissioners of
~~the State~~ the Court to report to Court an account of the
Real Estate of which said Beverly Holland
died seized, giving its fee simple and annu-
al values; that Commissioners may be
appointed to assign to said Mary E. Holland,
widow &c, her dower in said land, and to ~~set~~
~~apart~~ and divide said Real Estate into
five parts of Equal value, assigning one
of said parts to each of the five Children
named herein of said Beverly Holland Dec'd.
Or if they find that partition in kind can
not be made, that they may report to Court
any facts or Evidence upon which such
opinion may be based. And that Your Honor
will grant to Your Complainants such other,
further and general relief in the premises
as their Cause may require or to Equity
may seem meet; and Your Complainants
will Ever pray &c -

Jno. H. Wright. D. C

Nansemond Co, to wit:

E. L. Ballard, one of the
Complainants in the foregoing Bill, person-
ally appeared before me in my said County and
made oath that the Statements therein are true to
the best of his information & belief - Given under my
hand this 20th day of Feb 1890 -

Jno. H. Wright N. P.

E. L. Ballard &
Virginia C. Ballard
vs - J. D. Chauncey
Mary E. Hollandsals

Bill

E L Ballard & Virginia C Ballard Plaintiffs

vs } In Chy

Mary E Holland et al Defendants

1890	Feby 24.	Process issued returnable first Monday in March
"	Mar 3d.	Process returned executed on all the parties except one. Rule to file Decree Nisi Pro Confesso against the defendants.
"	" 17th.	Decree Nisi confirmed and cause set for hearing

E L Ballard &
Virginia L Ballard

vs } In Chy

Mary E. Ballard &al

Chancery Rules

J. N. Wright - Pro.

E L Ballard & others

vs } In Chancery

Mary E Holland & others

1909

July 16th

Final Decree

Ballard & others vs Holland & others