1912-006
Nansemond Co (Suffolk) Chancery Causes: I.A. Luke vs R.L. Holland

To the Clerk of the Circuit Court of Nansemond County, Virginia.

I. A. Luke.....Complainant.

vs. In Chancery.

R. L. Holland.....Defendant.

Issue summons to Second Rules (Third Monday) in

April, 1912.

Everett Hutton

P.Q.

MEMORAND UM.

I. A. Luke

vs. In Chancery.

R. L. Holland

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON R. L. Holland

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the Third Monday in April 1912, to answer Bill in Chancery, exhibited against Lucas in the said Court by J. A. Luke

and have then and there this summons.

WITNESS, G. E. BUNTING, Clerk of our said Court, at his office, this 4th day of April, 1912, in the 136th year of the Commonwealth.

~~A copy—Teste~~:

~~CLERK~~

Teste: G. E. Bunting, CLERK.
By A. L. Pruitt, D.C.

Everett v. Hutton p. q.

I. A. Luke

vs. } In Chancery

R. L. Holland

1912

April Rules,

Third Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 3

Page 104

Executed this 12th day of April 1912 by delivering a true copy of the within process in writing to R. L. Holland in person in Nansemond County.

A. H. Parker Sheriff
By Hans Adams Deputy.

I. A. Luke.....Complainant,

VS:

R. L. Holland..... Defendant.

On motion of the complainant it is ordered that this cause be stricken from the docket.

I. A. Luke
Vs.
R. L. Holland

Enter May 13, 1912.

John L. McGuire

Entered May 13 _, 1912
in Chancery Order Book
No 4 Page 513.

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

I. A. Luke.....Complainant.

vs. In Chancery. Second April Rules.

R. L. Holland.....Defendant.

Your complainant, I. A. Luke, humbly complaining, showeth unto your honor the following facts:

That on the IIth. day of April, I908, your complainant recovered judgment before a Justice of the Peace in and for the County of Nansemond against R. L. Holland, the said defendant, for $7I.45, with interest from the IIth. day of April, I908, until paid, and $I.45 cost, which judgment was duly docketed in the Clerk's Office of the Circuit Court of Nansemond County on the 30th. day of March, I909, in Judgment Docket Book, #3,page III, and which said judgment still remains unsatisfied.

That R. L. Holland, the said Defendant, filed in the Clerk's Office of the Circuit Court of Nansemond County three homestead deeds, dated respectively, March I4th., I908, November 3rd., I908 and December 5th., I9II. The said homestead deed , dated December 5th., I9II, which is the last assignment, claims as exempt from creditors certain real estate, to-wit, eighty acres of land situated in Holy Neck Magisterial District, Nansemond County, Virginia, and certain designated personal property. The said real estate is valued in the said deed at $I500.00 and the said personal property at $220.00, making the entire exemption amount to $I720.00.

Your complainant affirms that at the time of recording the said deed dated December 5th., I9II, the said real estate and personal property covered by the terms of the said deed exceeded and now exceeds in value the sum of $2000.00, which sum is the

maximum amount which may be set apart in a homestead deed under the laws of Virginia pertaining to homestead exemptions. Your complainant further affirms that the real estate described in deeds dated respectively March I4th., I908 and December 5th., I9II, exceeded at the time of recording the said deeds and now exceeds in value the sum of $2000.00.

Your complainant knowing well the value of the real estate set apart in the said homestead deeds affirms that its said value is at least $2500.00 and your complainant offers and continues to offer to the said defendant the sum of $2000.00 together with the amount of the judgment debt in favor of your complainant for the said real estate alone.

In tender consideration whereof and for as much as your complainant is remediless in the premises save by the aid of a court of equity, where matters of this kind are alone and properly cognizable, your complainant prays that the said R. L. Holland be made a party defendant to this bill and required to answer the several statements thereof; that proper process issue; that all proper orders and decrees be made and enquiries directed; that such decree or order be made as may be necessary to subject the estate set apart, so far as it exceeds in value the sum of $2000.00, to the payment of the judgment debt set out in this bill; that all proper allowances of counsel fees be made in this suit, and that all such further and general relief may be afforded your complainant as the nature of his case may require, or to equity shall seem meet, and your complainant will ever pray, etc.

Counsel;
Everett & Hutcheson

I. A. Luke
complainant

State of Virginia,
County of Nansemond, to-wit;

This day I. A. Luke personally appeared before me, S. E. Everett, _____, a Notary Public in and for the County and State aforesaid, and made oath that the statements contained in the foregoing bill are true.

Given under my hand 17th day of April, 1912.
S. E. Everett N.P.

BILL OF PARTICULARS.

I. Description of property in homestead deed recorded March I4th., I908, in D. B. 64, page 490.

Eighty acres of land in Holy Neck Magisterial District, Nansemond County, Virginia, being the home place of said Robert L. Holland, and bounded by the lands of Martha E. Wm. L. Holland's estate, Wm. Folk and John R. Holland

value	$I500.00
I buggy	$ I0.00
20 bags of peanuts	$ 60.00
9 hogs	$ I0.00
I cart and wheels	$ I0.00
I peanut planter	$ 4.00
I clock	$ I.00
I gun	$ 2.50
I safe	$...2.00
2 lamps	$ .50
2 tables	$ 3.00
Total value	$I603.00

2. Description of property in homestead deed recorded in D. B. 66, page 27I.

300 shocks of peanuts	$ 300.00

3. Description of property in homestead deed recorded December 5th., I9II, in D. B. 72, page 50.

Value of real estate described in deed #I	$I500.00
I buggy	$ I0.00
9 hogs	$ I0.00
I0 bags of peanuts	$ 30.00
I cart and wheels	$ I0.00
I peanut planter	$ 4.00
I Clock	$ I.00
I gum	$ 2.50
I safe	$ 2.00

2 lamps.....$ .50

2 tables.....$ 3.00

I5 barrels of corn.....$ 45.00

65 shocks of peanuts.....$ 75.00

I200 lbs. fodder.....$ I2.00

30 bushels of potatoes.....$ I5.00

Total value.....$I720.00

JUDGMENT DEBT.

Amount of judgment.....$7I.45

cost.....$ I.45

Interest from April II, I908, until paid.....$_____

Everett Hutton

J. A. Lukes

& Bill

R. L. Holland

CIRCUIT COURT

Second Monday in January, March, May July and October

HON. JAMES L McLEMORE, Judge
GEO. E. BUNTING, Clerk
J. U. BURGES, Commonwealth's Attorney
ALEX. H BAKER, Sheriff
C. R. FULGHAM, County Treasurer
LEE BRITT, Commissioner of Accounts

Nansemond County Clerk's Office

SUFFOLK, VA.,

P. A. Lucke — Plff.

Vs In Chancery

R. S. Holland — Deft.

1913 Apr. 4. Sum. issued to 2nd April Rules, 3rd Monday

" " 15 Sum. returned executed, bill filed and decree nisi.

May 6 Bill taken for confessed.

(Set for hearing by Clerk and put on docket of new cases)

Clerk's Notes

Extracts from Notebook pg

J. A. Locke
Wm E. Chauncey
R. L. Holland.

Notebook

1912 May 13.
Lands Duane

Writ Tax 8/30