

1913-008
Nansemond Co (Suffolk)

Chancery Causes: E. Lucille Holland, gdn vs Waverley Norfleet Holland, infant et al

Williams

Plot

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

E. Lucile Holland, Guardian, etc-----Complainant.

vs.

Holland Infants' et als-----Defendants.

TO THE HONORABLE JAMES L. MCLEMORE, Judge of said Court:

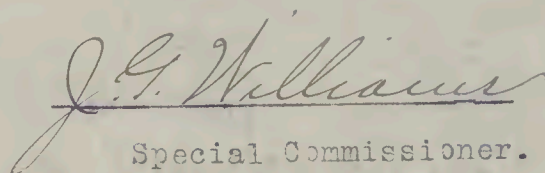
Having been appointed Special Commissioner in this cause by a decree entered on the _____ day of _____, 1913, and having given the bond required of me by said decree, I have made certain investigations in regard to the description and boundaries of the two lots of land mentioned and described in said decree and beg to report as follows:

1st. The exact dimensions of the lot of land proposed to be conveyed to Camp No. 23 Woodmen of the World for the sum of five hundred and fifty dollars (\$550.00) are as follows: Said lot fronts forty (40) feet on the West side of Main street, in the town of Holland, in the County of Nansemond, and State of Virginia, and runs back therefrom in a Westwardly direction one hundred and sixty-seven feet on the North side of said lot and one hundred ~~and one hundred~~ and thirty-two feet on the South side thereof, the rear boundary connecting these two lines and being fifty-three feet in length. A plat of said lot is herewith filed and made a part of this report. The contiguous owners of the property given in said decree are correct.

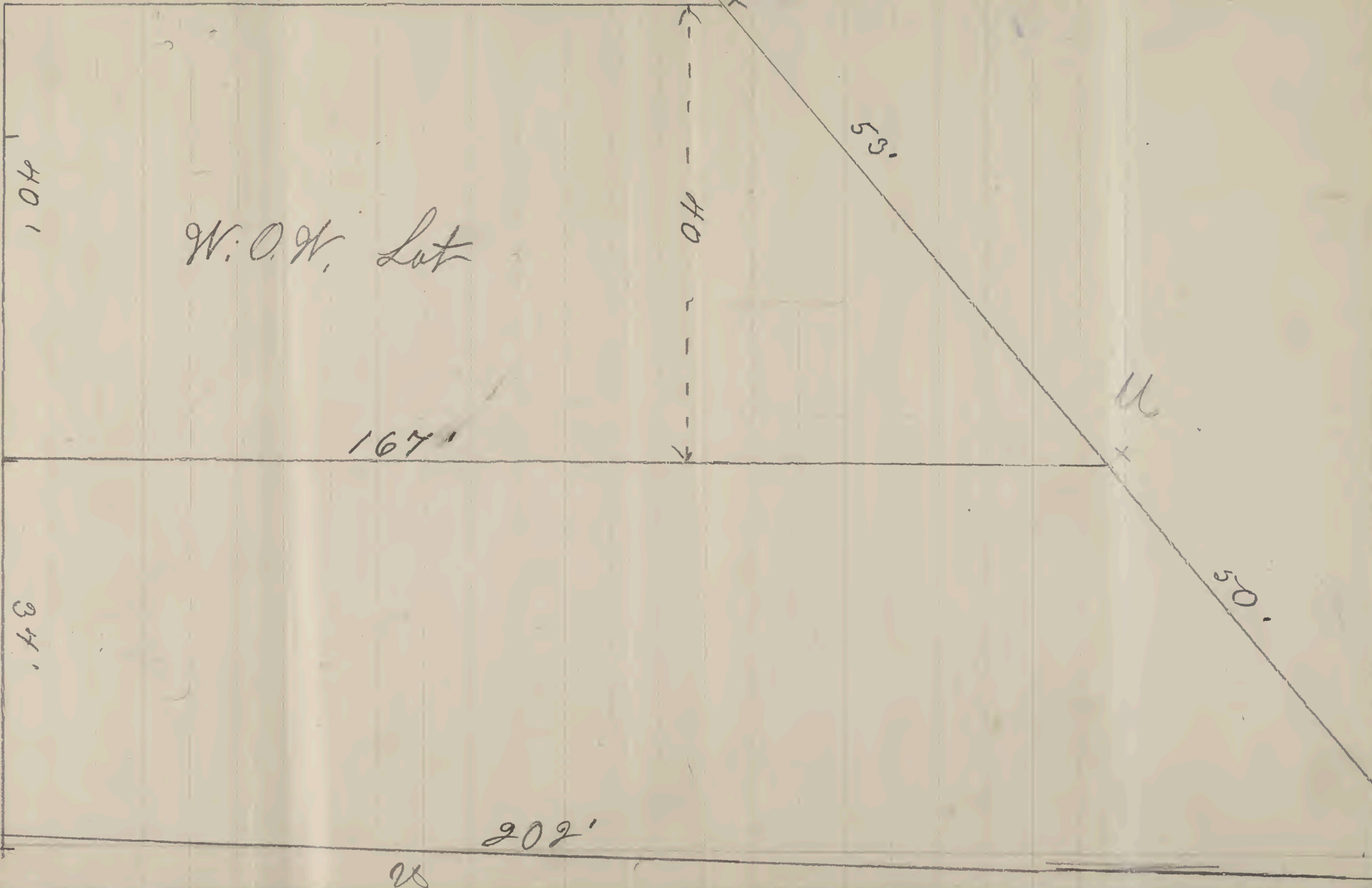
2nd. The exact dimensions of the lot proposed to be conveyed to J. P. Dalton, or his assigns, for the sum of five hundred dollars (\$500.00) are as follows: Said lot of land fronts thirty-four feet (34) on the West side of

Main street, in said town, county and State, and runs back therefrom in a Westwardly direction two hundred and two feet on the North side of said lot and one hundred and sixty-seven feet on the South side thereof, the rear boundary connecting these two lines and being fifty feet in length. A plat of said lot is herewith filed and made a part of this report. The contiguous owners of the property given in said decree are correct. Your Commissioner further reports that the said J. P. Dalton has requested that said lot of land herein mentioned be conveyed to E. Lucile Holland in stead of to him.

Respectfully submitted,


Special Commissioner.

132' S



W.O.W. Lot

167'

202'

W

53'

50'

W

E. Lucile Holland, Guardian,

vs. Report of Special
Commissioner in
regard to bound-
aries of lots.

Holland Infants' et als.

Filed Mar. 19, 1913
G. E. Burges, Jr.
for Clerk.

JAMES U. BURGESS
ATTORNEY AT LAW
SUFFOLK, VA.

SUFFOLK PRINTING AND STATIONERY CO.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

E. Lucile Holland, guardian-----Complainant.

vs.

Holland et als-----Defendants.

This cause came on this day to be again heard on the papers formerly read, on the report of Commissioner Bradford Kilby, dated the 24th day of January, 1913, and filed in the Clerk's Office of this Court on the 28th day of January, 1913, to which report there is no exception taken, on the testimony of witnesses returned therewith, and was argued by Counsel.

On consideration whereof, it being clearly shown from said report and the evidence returned therewith, independently of any admissions in the answers, that the interests of the infant defendants will be promoted by a sale of the real estate hereinafter mentioned and the re-investment of the proceed therefrom in other property, and the Court, being of the opinion that the rights of no person will be violated thereby, doth approve and confirm the said report, and doth adjudge, order and decree that J. G. Williams, who is hereby appointed a Special Commissioner for the purpose, shall, upon the payment to him by Camp No. 23 Woodmen of the World of the sum of five hundred and fifty dollars (\$550.00) in said report mentioned convey to J. R. Holland, W. J. Holland, Job G. Holland, R. H. Reidell and J. T. Rawles, duly appointed trustees of said Camp No. 23 Woodmen of the World, by deed with special warranty that certain lot of land located on the West side of Main street in the town of Holland, Virginia, which fronts on said street forty

feet and runs back between parallel lines one hundred feet and is bounded on the North by the lot hereinafter described, on the East by Main street, and on the South and West by the land of E. G. Howell.

And the Court doth further adjudge, order and decree that the said J. G. Williams, Special Commissioner as aforesaid, shall, upon the payment to him by J. P. Dalton of the sum of five hundred dollars in said report mentioned, convey to the said J.P. Dalton, or his assigns, by a good and sufficient deed with special warranty that certain lot of land located in the town of Holland, Nansemond County, Virginia, lying in the West side of Main street, on which it fronts thirty-five feet and runs back therefrom between parallel lines about one hundred and twenty-five feet, and is bounded on the North by the land of J. E. Holland, on the East by Main Street, on the South by the lot hereinabove described, and on the West by the land of E. G. Howell.

And the Court doth further adjudge, order and decree that said J. G. Williams, Special Commissioner as aforesaid, shall, out of the proceeds derived from the sale of the property hereinabove described, pay off and discharge all the costs and expenses of this suit, including a fee of 50 to James U. Burges, attorney-at-law, for his services as Counsel in this cause, and also pay all taxes that may be due on said land.

And it further appearing to the Court that the said E. Lucile Holland, widow of said Jesse W. Holland, who is thirty-four years of age, desires her dower interest in said land to be commuted and paid over to her and that it is to the interest of all parties that said dower interest be so commuted, and paid over to her and that the respective interests of each of the infant defendants is less than three hundred dollars, the Court doth adjudge, order and decree that J. G. Williams, Spec-

ial Commissioner as aforesaid, do pay to E. Lucile Holland, widow of said Jesse W. Holland, her commuted dower interest in the proceeds of said sale and also pay over the interest of Waverley Norfleet Holland, Virginia Louise Holland and Frances Elizabeth Holland, infant defendants, to E. Lucile Holland, mother of said infants, for their maintenance and support, but the said J. G. Williams, Special Commissioner as aforesaid, shall do no act under this decree until he shall enter into a bond with sufficient surety in the Clerk's Office of this Court, payable to the Commonwealth of Virginia in the penalty of fifteen hundred dollars and conditioned upon the faithful discharge of his duties hereunder.

And this cause is continued.

Holland, guardian,

vs. DECREE.

Holland's Infants et als.

Enter Feb. 8 1913.

James L. L. Moore

Entered in Chancery Order
Book No. 4, page 556.

JAMES U. BURGESS
ATTORNEY AT LAW
SUFFOLK, VA.

SUFFOLK PRINTING AND STATIONERY CO.

IN THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND, VIRGINIA.

E. Lucile Holland, guardian of Waverley Norfleet
Holland, Virginia Louise Holland and Frances
Elizabeth Holland, infants under the age of twenty-
one years-----Complainant.

versus

Waverley Norfleet Holland, Virginia Louise Holland
and Frances Elizabeth Holland, infants under the
age of twenty-one years, E. Lucile Holland, in her
own right, Annie L. Holland, E. T. Holland, her
husband, Mamie Holland, J. R. Holland, her husband,
Tillie L. Williams, J. G. Williams, her husband,
and Hardy J. Holland-----Defendants.

This day came E. Lucile Holland, guardian of Waverley Norfleet Holland, Virginia Louise Holland and Frances Elizabeth Holland, and by leave of Court filed her bill, verified by her affidavit thereto and the exhibits filed therewith; and on her motion, W. P. Lipscomb, a discreet and competent attorney-at-law, is assigned as guardian ad litem to the infant defendants, Waverley Norfleet Holland, Virginia Louise Holland and Frances Elizabeth Holland, to defend their interests in this suit; and thereupon the said guardian ad litem filed the answer of the infant defendants, and his own answer on oath, to the bill of complainant; and Annie L. Holland, E. T. Holland, her husband, Mamie Holland, J. R. Holland, her husband, Tillie L. Williams, J. G. Williams, her husband, E. Lucile Holland, in her own right, and Hardy J. Holland, filed their own answers to said bill; to which several answers the complainant replied generally; and thereupon by consent of all parties, this cause is set for hearing and docketed; and by like consent came on this day to be heard on the bill of complaint; the exhibits therewith filed, the several answers of defendants to the said bill as above set out and

the general replication of the complainant to every one of said answers, and was argued by Counsel.

and by consent of all parties, the guardian ad litem consenting for the infants
On consideration whereof, the Court doth adjudge, order and decree that this cause be referred to one of the Commissioners of this Court, who is directed to report to Court as follows:

(1)

Of what estate, real and personal, the said infant defendants are possessed or entitled and what are their respective shares or interests therein. Where said real estate is situated and what is the annual and fee simple value thereof.

(2)

Whether the interests of the said infant defendants will be promoted by a sale of the real estate in the bill and proceedings mentioned, or any part thereof, and the investment of the proceeds of sale in other property.

(3)

Whether the rights of any person will be violated by such sale and investment.

(4)

Who would be the heirs-at-law or distributees of said infant defendants if they were dead and whether such persons are properly before the Court in this cause.

(5)

A statement of the lien indebtedness, if any, existing against said land with priorities.

(6)

Whether it will be to the interests of all parties to commute the dower interest of E. Lucile Holland, widow of Jesse W. Holland, deceased.

(7)

Whether the interests of the infant defendants will be promoted by a sale, to Camp No. 23 Woodmen of the World for five hundred and fifty dollars cash, of the Southern lot which fronts on Main street forty-feet and runs back between parallel lines about one hundred feet as set forth in proposal filed with complainant's bill marked Exhibit "B".

(8)

Whether the interest of the infant defendants will be promoted by a sale, to J. P. Dalton for five hundred dollars, cash, of the Northern lot which fronts on Main street thirty-five feet and runs back between parallel lines about one hundred and twenty-five feet as set forth in proposal filed with complainant's bill marked Exhibit "C".

Which said inquiries the said Commissioner shall make after first giving notice of the time and place thereof to all parties, or their counsel, and report the same to Court along with any matter specially stated deemed pertinent by himself or required by any party to be so stated.

And by consent of all parties entered of record in this cause, in term time, it is ordered that the papers in this cause may be submitted to the Judge of this Court in vacation for such decisions and decrees, judgments or orders in vacation as might be made in term.

- 6 -
E. Lucile Holland, Guardian,

versus-----DECREE

Holland Infants' et als.

Entered July 13. 1913

Amy L. McSewore,

He consent to the within
decree:

James C. Dugan -

Specimen for Sampled
Edw. Holland

Annie L. Holland

E. S. Holland

Hardy J. Holland
Maudie Holland

J. R. Holland

Fillie L. Williams

J. G. Williams
JAMES U. BURGES

W. P. Lipscomb
ATTORNEY AT LAW
SUFFOLK, VA.

Guardian ad Litem of in-
fant defendants
SUFFOLK PRINTING AND STATIONERY CO

TO THE HONORABLE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

Holland, Guardian,-----Complainant.

versus

Holland et als-----Defendants.

The undersigned, J. R. Holland, W. J. Holland, Job G. Holland, R. H. Reidell and J. T. Rawles duly appointed Trustees of Camp No. 23 Woodmen of the World respectfully represent that at a regular meeting of said Camp, held on November 5th, 1912, the following resolution was unanimously adopted:

BE IT RESOLVED by Camp No. 23 Woodmen of the World

1st. That the Trustees of this Lodge be and hereby are authorized and directed to offer the sum of five hundred and fifty dollars cash for that certain lot of land located on the West side of Main street in the town of Holland, Virginia, which fronts on said street forty feet and runs back therefrom between parallel lines one hundred feet and is bounded on the North by other land of Jesse W. Holland, on the East by Main street, and on the South and West by the land of E. G. Howell.

2nd. That in the event that said offer is accepted and approved by the Circuit Court of the County of Nansemond that said lot be purchased for said sum and that payment therefor be made in cash.

That in pursuance of said resolution the undersigned trustees respectfully offer the sum of five hundred and fifty dollars cash for said lot to be paid upon the execution and delivery of a proper deed conveying said lot to the said trustees for the benefit of said Camp in fee simple, free of all encumbrances.

Respectfully submitted,

J. R. Halland,
W. J. Hoceord
J. G. Halland
R. L. Riedel
J. T. Rawles

Trustees of Camp No. 23
Woodmen of the World.

-2-
Holland, Guardian,

Offer of sale
versus--- from Camp No. 23
Woodmen of the World

Holland et als.

Exhibit - "D"

JAMES U. BURGESS
ATTORNEY AT LAW
SUFFOLK, VA.

SUFFOLK PRINTING AND STATIONERY CO.

TO THE HONORABLE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA:

Holland, Guardian-----Complainant.

versus

Holland et als-----Defendants.

I offer to purchase for the sum of five hundred dollars that certain lot of land located on the West side of Main street, in the town of Holland, Virginia, which fronts on said street thirty-five feet and runs back therefrom between parallel lines about one hundred and twenty-five feet, and is bounded on the North by the land of J. E. Holland, on the East by Main street, on the South by other land of the estate of Jesse W. Holland, and on the West by the land of E. G. Howell, and promise to pay said sum of five hundred dollars cash upon the execution and delivery to me of a proper deed conveying said land to me in fee simple , free of all encumbrances.

Respectfully submitted,

G. B. Dalton

Holland, Guardian,

Offer for sale
versus----
from J.P.Dalton.

Holland et als.

Exhibit "A"

JAMES U. BURGESS
ATTORNEY AT LAW
SUFFOLK, VA.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

E. Lucile Holland, Guardian, etc.....Complainant.

vs. In Chancery.

Holland Infants et als.....Defendants.

TO THE HONORABLE JAMES L. MCLEMORE, Judge of said Court:

As Special Commissioner, appointed by a decree entered on the 8th day of February, 1913, I beg to make this my final report:

1st. Pursuant to decretal directions I ~~have~~ executed a deed of bargain and sale, conveying to J. R. Holland, W. J. Holland, Job G. Holland, R. H. Reidell and J. T. Rawles, duly appointed trustees of Camp No. 23 Woodmen of the World, the ^{40 feet} lot fronting on the West side of Main Street, in the town of Holland, in the County of Nansemond, Virginia, and running back therefrom in a Westwardly direction 167 feet on the North side of said lot and 132 feet on the South side thereof.

Upon receipt of the purchase price, to-wit, \$550.00, the deed was delivered to grantees.

2nd. The other ^{lot}, fronting 34 feet on the West side of Main Street, in said town, and running back Westwardly 202 feet on the North side of said lot and 167 feet on the South side thereof, was conveyed by me, as Special Commissioner, to E. Lucile Holland, upon request of J. P. Dalton; this deed was delivered to her upon receipt of the purchase price of \$500.00.

3rd. The total purchase price of both lots was \$1050. This money was disbursed in the following manner:

G. E. Bunting, Clerk of Court. Costs taxed in suit. \$31.16

James L. McLemore, Administrator of J. U. Burges,
counsel fee of J. U. Burges, dec'd. 50.00

E. Lucile Holland. Commuted dower interest in sales. \$245.60

E. Lucile Holland, Guardian of Waverley N. Holland,
Virginia L. Holland and Frances
E. Holland.

Their aggregate interests in
proceeds of sales. 723.24

Total amount disbursed \$1050.00

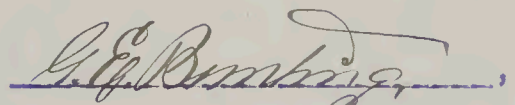
4th. Vouchers are herewith filed, showing distribution.

Respectfully submitted,

J. G. Williams
Special Commissioner.

Received of J. G. Williams, Special Commissioner in the
suit of E. Lucile Holland, Guardian, etc. v. Holland Infants
et als., the sum of \$31.16, same being the costs taxed in the
said suit.

Dated: April 4, 1913.

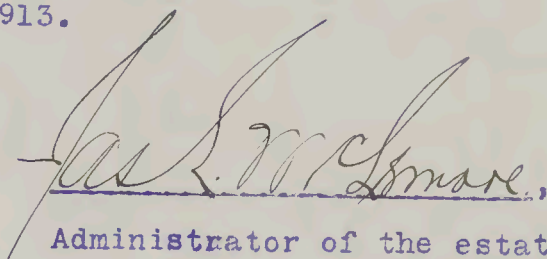


Clerk of the Circuit Court

of Nansemond County, Va.

Received of J. G. Williams, Special Commissioner in the
suit of E. Lucile Holland, Guardian, etc. v. Holland Infants
et als., the sum of \$50.00, same being the fee allowed James
U. Burges as Counsel in said cause, said allowance having been
made by decree entered February 8th, 1913.

Dated: April 5th, 1913.


Jas. R. McElmore,

Administrator of the estate of
James U. Burges, deceased.

Received of J. G. Williams, Special Commissioner in the
suit of E. Lucile Holland, Guardian, etc. v. Holland Infants
et als., the sum of \$245.60, same being my commuted dower
interest in the proceeds of sale of land in said suit mentioned

Dated: April _____, 1913.

E. Lucile Holland

Widow of Jesse W. Holland, de-
ceased.

Received of J. G. Williams, Special Commissioner in the
suit of E. Lucile Holland, Guardian, etc. v. Holland Infants
et als., the sum of \$723.24, same being the aggregate of the
interests, respectively, of Waverley N. Holland, Virginia L.
Holland and Frances E. Holland, in the proceeds of sale of land
in said suit, ~~the~~ said sum so received to be used by me, as
mother and guardian of said infants, above-mentioned, for
their maintenance and support as directed by decree entered in
said suit, each of the said infants being entitled to one-
third of the said sum of \$723.24.

Dated: April _____, 1913.

E. Lucile Holland

Mother and Guardian of Waverley

N. Holland, Virginia L.

Holland and Frances E.

Holland, infants.

E. Lucile Holland, Guardian, etc.

✓

Holland Infants et als.

Final Report of special
Commissioner.

Dated April 12, 1913

H. E. Bunker,
Clerk

W. P. LIPSCOMB
ATTORNEY AT LAW
SUFFOLK, VA.

To E. Lucile Holland, Guardian of Eaverly Norfleet Holland, Virginia Louise Holland and Frances Elizabeth Holland, infants under the age of 21 years.
Complainants.

and
Eaverly Norfleet Holland, Virginia Louise Holland and Frances Elizabeth Holland, infants under the age of 21 years, E. Lucile Holland in her own right, Annie L. Holland, E. T. Holland, her husband, Mamie Holland, J. R. Holland, her husband, Tillie L. Williams, J. C. Williams her husband, Harriet L. Holland, and W. P. Lipscomb, Guardian ad Litem to said infants.
Defendants.

You are hereby notified that on the 24th. day of January 1913 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 for the County of Nansemond County, Virginia, rendered the 13th. day of January 1913 in the suit in chancery pending in said court to which you are parties plaintiff and defendant.

(1.) Of what estate, real and personal, the said infant defendants are possessed or entitled and what are their respective shares or interests therein. Where said real estate is situated and what is the annual and fee-simple value thereof.

(2) Whether the interests of the said infant defendants will be promoted by a sale of the real estate in the bill and proceedings mentioned, or any part thereof, and the investment of the proceeds of sale in other property.

(3) Whether the rights of any person will be violated by such sale and investment.

(4) Who would be the heirs at law of the said infant defendants or their distributees, if they were dead, and whether such persons are properly before the court in this cause.

(5) A statement of the lien indebtedness, if any, existing against said land with priorities.

(6) Whether it will be to the interest of all parties to commute the dower interest of E. Lucile Holland, widow of Jesse W. Holland deceased.

(7) Whether the interests of the infant defendants will be promoted by a sale to Camp No. 33 Woodman of the World for \$550. cash of the Southern lot which fronts on Main Street 40 feet and runs back between parallel lines about 100 feet as set forth in proposal filed with complainant's bill, marked exhibit "B".

(8) Whether the interests of the infant defendants will be promoted by a sale to J. F. Salton for \$500. cash of the Northern lot which fronts on Main St. 35 feet and runs back between parallel lines about 125 feet, as set forth in proposal filed with complainant's bill marked exhibit "C".

(9) Any matter specially stated deemed pertinent by your commissioner or required by any party to be so stated.

Given under my hand as Commissioner in Chancery of said Court the 14th. day of January 1913.

Bradford Kilby
Commissioner in Chancery.

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

Harold H. Hensley Jr.

To E. Lucile Holland, Guardian of Eaverly Norfleet Holland, Virginia Louise Holland and Francis Elizabeth Holland, infants under the age of 21 years.

Complainants.

and
Eaverly Norfleet Holland, Virginia Louise Holland and Francis Elizabeth Holland, infants under the age of 21 years, E. Lucile Holland in her own right, Annie L. Holland, E. T. Holland, her husband, Fernie Holland, J. R. Holland, her husband, Tillie L. Williams, J. C. Williams her husband, Harry J. Holland, and W. P. Lipscomb, Guardian ad Litem to said infants.

Defendants.

You are hereby notified that on the 24th. day of January 1913 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 for the County of Nansemond County, Virginia, rendered the 13th. day of January 1913 in the suit in chancery pending in said court to which you are parties plaintiff and defendant.

(1.) Of what estate, real and personal, the said infant defendants are possessed or entitled and what are their respective shares or interests therein. Where said real estate is situated and what is the annual and fee-simple value thereof.

(2) Whether the interests of the said infant defendants will be promoted by a sale of the real estate in the bill and proceedings mentioned, or any part thereof, and the investment of the proceeds of sale in other property.

(3) Whether the rights of any person will be violated by such sale and investment.

(4) Who would be the heirs at law of the said infant defendants or their distributees, if they were dead, and whether such persons are properly before the court in this cause.

(5) A statement of the lien indebtedness, if any, existing against said land with priorities.

(6) Whether it will be to the interest of all parties to commute the dower interest of E. Lucile Holland, widow of Jesse W. Holland deceased.

(7) Whether the interests of the infant defendants will be promoted by a sale to camp No. 23 Woodman of the World for \$550. cash of the Southern lot which fronts on Main Street 40 feet and runs back between parallel lines about 100 feet as set forth in proposal filed with complainant's bill, marked exhibit "B".

(8) Whether the interests of the infant defendants will be promoted by a sale to J. P. Dalton for \$500. cash of the Northern lot which fronts on Main St. 35 feet and runs back between parallel lines about 125 feet, as set forth in proposal filed with complainant's bill marked exhibit "C".

(9) Any matter specially stated deemed pertinent by your commissioner or required by any party to be so stated.

Given under my hand as Commissioner in Chancery of said Court the 14th. day of January 1913.

Bradford Kilby
Commissioner in Chancery.

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

W. P. Lipscomb,
Guardian ad Litem for
Waverley N. Hallord, Virginia L.
Hallord + Frances B. Hallord, infant defendants
Tillie L. Williams
J. G. Williams

To E. Lucile Holland, Guardian of Waverly Norfleet Holland, Virginia Louise Holland and Frances Elizabeth Holland, infants under the age of 21 years. Complainants.

and
Waverly Norfleet Holland, Virginia Louise Holland and Frances Elizabeth Holland, infants under the age of 21 years, E. Lucile Holland in her own right, Annie L. Holland, E. T. Holland, her husband, Mamie Holland, J. R. Holland, her husband, Tillie L. Williams, J. S. Williams her husband, Harry J. Holland, and W. P. Lipscomb, Guardian ad Litem to said infants. Defendants.

You are hereby notified that on the 24th. day of January 1913 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 for the County of Nansemond County, Virginia, rendered the 13th. day of January 1913 in the suit in chancery pending in said court to which you are parties plaintiff and defendant.

(1.) Of what estate, real and personal, the said infant defendants are possessed or entitled and what are their respective shares or interests therein. Where said real estate is situated and what is the annual and fee-simple value thereof.

(2) Whether the interests of the said infant defendants will be promoted by a sale of the real estate in the bill and proceedings mentioned, or any part thereof, and the investment of the proceeds of sale in other property.

(3) Whether the rights of any person will be violated by such sale and investment.

(4) Who would be the heirs at law of the said infant defendants or their distributees, if they were dead, and whether such persons are properly before the court in this cause.

(5) A statement of the lien indebtedness, if any, existing against said land with priorities.

(6) Whether it will be to the interest of all parties to commute the dower interest of E. Lucile Holland, widow of Jesse W. Holland deceased.

(7) Whether the interests of the infant defendants will be promoted by a sale to camp No. 23 Woodman of the World for \$550. cash of the Southern lot which fronts on Main Street 40 feet and runs back between parallel lines about 100 feet as set forth in proposal filed with complainant's bill, marked exhibit "B".

(8) Whether the interests of the infant defendants will be promoted by a sale to J. P. Dalton for \$500. cash of the Northern lot which fronts on Main St. 35 feet and runs back between parallel lines about 125 feet, as set forth in proposal filed with complainant's bill marked exhibit "C".

(9) Any matter specially stated deemed pertinent by your commissioner or required by any party to be so stated.

Given under my hand as Commissioner in Chancery of said Court the 14th. day of January 1913.

Bradford Kilby
Commissioner in Chancery.

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

E. Lucile Holland

Minnie L. Holland

E. L. Holland

Minnie Holland

J. P. Holland

Virginia,

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

E. Lucile Holland, Guardian }

v. }

Holland's Infants et als. }

In Chancery.

Commissioner's Office,

Suffolk, Va. Jan. 24th. 1913.

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 January 1913 in the suit in chancery pending in said court between E. Lucile Holland, Guardian, Complainant, and Holland's Infants, et als, Defendants, the undersigned, Bradford Kilby, one of the Commissioners in Chancery of said Court, respectfully reports as follows:

That on the 14th. day of January 1913, your commissioner gave notice to the parties to the said suit that he would proceed on the 24th. day of January 1913, at his office in Suffolk, Va. 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 parties to said suit as will appear by their endorsements on the notice herewith returned.

That on the said 24th. day of January 1913, at his said office, your commissioner took, in the presence of W. P. Lipscomb, Guardian ad Litem for the infant defendants, the depositions of J. R. Holland and J. G. Williams touching said inquiries, which depositions are herewith returned and made a part of this report.

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

(1)

The infant defendants are entitled and possessed of the following estate, the house and lot in which they reside in the Town

of Holland, Va. worth about \$2000., \$700. cash in bank, and the two lots situated in said Town of Holland, lying adjacent to each other and on the West side of Main Street, and bounded on the North by the land of J.E. Holland; on the East by said Main St.; on the South and West by the land of E.G. Howell, The Southern lot fronts on Main Street forty feet and runs back between parallel lines about 100 feet. The Northern lot fronts on Main St. thirty-five feet and runs back between parallel lines 125 feet.

Each infant has an one-third undivided fee-simple interest in said land, subject to the dower of their mother, E. Lucile Holland.

The said two lots more particularly above described have no annual value, being vacant. The fee-simple value of the Southern lot is about \$500. or \$550. The fee-simple value of the Northern lot is about \$500.

(2)

The interests of the infant defendants will be promoted by a sale of the said two lots, and the investment of the proceeds of sale in other property, inasmuch as they are vacant, are producing no revenue and the said infants have not sufficient funds to improve said property so that it might produce an income. The taxes each year are probably about off-setting the increase in the value of the land, and in the mean time the payment of said taxes ~~are~~^{is} decreasing the resources of said infants which are limited.

(3)

The rights of no person will be violated by such sale and investment.

(4)

The heirs-at-law and distributees of said infant defendants, if they were dead, would be Annie L. Holland, wife of E.T. Holland, Mamie Holland, wife of J.R. Holland, Tillie L. Williams, wife of J. G. Williams, and Hardy J. Holland. All such persons are properly before the court in this cause.

(5)

There is no lien indebtedness, either by way of taxes or other-

wise against said land.

(6)

It would be to the interest of all parties to commute the dower interest of E. Lucile Holland, widow of Jesse W. Holland, deceased. It would be impossible to assign it to her in kind in these two small town lots. To do so, would render the lots valueless.

(7)

The interests of the infant defendants would be promoted by a sale to Camp No. 23, Woodman of the World for \$550. cash of the Southern lot which fronts on Main St. 40 feet and runs back between parallel lines about 100. feet, as set forth in exhibit "B" in this cause.

(8)

The interests of the infant defendants would be promoted by a sale to J.P. Dalton for \$500. cash of the Northern lot which fronts on Main St. 35 feet and runs back between parallel lines about 125 feet as set forth in exhibit "C" in this cause.

(9)

There is no other matter specially stated deemed pertinent by your commissioner or required by any party to be so stated.

Respectfully submitted this 24th. day of January 1913.

Bradford Kilby
Commissioner in Chancery.

Comr's fee: \$12.50.

J. R. Holland, being duly sworn, deposes and says, as follows:

Q. State your name, age, residence and occupation, and do you know the parties to this suit?

A. J. R. Holland, forty-six, Holland, Virginia, carpenter, and I am the husband of Mamie Holland, one of the parties to this suit.

Q. Are you acquainted with the real estate mentioned and described in this suit?

A. Yes sir.

Q. How long have you known it?

A. Ever since Holland was established. I have known it for the last twenty-five years.

Q. What in your opinion is the fee simple value of each lot?

A. The lot which the Woodmen of the World have offered to buy is worth not to exceed \$550.00. In fact, I think that is an excellent price.

The lot which J. P. Dalton has offered to buy for \$500.00 I think a good sale.

Q. What is the annual value of said lots?

A. Nothing at all. They are both vacant lots.

Q. Do you think the interest of the infant defendants in this suit will be promoted by a sale of said lots and the investment of the proceeds in other property?

A. Yes sir. My reasons for this are, that the property has no buildings on it and has no rental value. I do not believe that the increase in the value of the land will be as much as taxes will amount to if the property were permitted to lie idle. Again, it would not be long before this property would have to sold for the maintenance and support of the said children.

Q. What other estate, real and personal, is ~~owned~~ by these children?

A. The house and lot on which they live in Holland, which is worth about \$2000.00 and seven hundred dollars in bank. That is all they own except these two lots mentioned in this suit.

Q. Who would be the heirs at law of said infants if they were dead?

A. My wife, Mamie Holland, Tillie L. ^{Williams} ~~Holland~~, Annie L. Holland, and Hardy J. Holland ~~and their mother, E. Lucile Holland.~~

These parties are all before the Court and are all of age.

With the exception of E. Lucile Holland, the ^{widow} ~~wife~~ of Jesse W. Holland, they are all brothers and sisters of said Jesse W. Holland; deceased.

Q. Do you think it would be to the interest of all of said parties to commute the dower interest of said E. Lucil Holland, widow of Jesse W. Holland, deceased?

A. It would be impossible to do anything else. To attempt to assign the dower would render at least one lot if not both unsalable.

And further this deponent saith not.

J. R. Holland

J. G. Williams, being duly sworn, deposes and says, as follows:

Q. State your name, age, residence and occupation?

A. J. G. Williams, forty-five years old, Suffolk, Virginia, and Supt. for Holmes & Dawson.

Q. Do you know the parties to this suit?

A. Yes sir. I am the husband of Tillie L. ^{Williams}~~Holland~~, who is one of the parties.

Q. State if you know what estate, real and personal, the infant children of E. Lucile Holland and Jesse W. Holland, dec'd, are possessed of.

A. They own the two lots mentioned in this suit, the house and lot on which they live in Holland, Virginia, and some little cash.

Q. Do you think it is to the best interest of the said infants to sell the Southern part of the lot in Holland, mentioned in this suit, which fronts on Main street forty feet and runs back between parallel lines about one hundred feet for the sum of \$550.00.

A. I think that is a fair and a good price.

Q. Do you think it is to the best interest of said infants to sell the Northern part of said lot which fronts thirty-five feet on Main street and runs back between parallel lines about one hundred and twenty-five feet for the sum of \$500.

A. I do.

Q. State if you think it is to the best interest of these children to sell the lots mentioned and invest the proceeds in other property.

A. I do, because these lots are both vacant and have no revenue at all. If they are sold and the money invested it will double itself in about twelve years. While this property

would not increase in value anything like twice as much in that time. Then the taxes would have to be paid on it.

Q. What is the fee simple value of both lots?

A. I don't think they would bring the price they are offered for them.

Q. What is the annual value?

A. They have none.

Q. Who would be the heirs at law of said infants if they were dead?

A. ~~Their mother, E. Lucile Holland,~~ ^{My} wife, Tillie L. ~~Holland,~~ ^{Williams} Mamie Holland, Annie L. Holland and Hardy J. Holland.

Q. Do you think it would be to the interest of all parties to commute the dower interest of E. Lucile Holland, widow of Jessée W. Holland, in said property?

A. I do. If the dower interest was assigned her it would hurt the sale of the lots. It would be impossible to sell them. I think best to sell the lots and give her one-third in cash. And further this deponent saith not.

J. G. Williams

E. Lucile Holland, Gdn.

v. | In chancery.

Holland's Infants et als

Report of Bradford Kilby

Comm. in Chancery under

decree of Jan. 13, 1913.

Filed in the Clerk's
of Harrison County

This 28th day January 1913

J. E. Perkins,
Clerk

Virginia In Vacation

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

April 27 1913.

E. Lucile Holland, Guardian, etc. Complainant.

vs. In Chancery.

Holland Infants et als. Defendants.

This cause came on this day to be again heard ^{*in vacation*} on the
Special
papers formerly read and on the report of Commissioner J. G.
Williams, filed in the Clerk's Office of this court on April
12, 1913, to which there is no exception taken, and was argued
by counsel.

On consideration whereof, it appearing to the court,
from said report, that , pursuant to decretal order of February
8th, 1913, the said Special Commissioner has conveyed the two
lots of land in the bill mentioned as directed, to-wit, one lot
to the duly appointed Trustees of Camp No. 23 Woodmen of the
World, for the sum of \$550.00, and the other lot to E. Lucile
Holland, at the request of J. P. Dalton, for the sum of \$500.00;
and that the proceeds of the sale of the said two lots have been
distributed according to directions of said decretal order of
February 8th, 1913, proper vouchers showing manner of distribu-
tion having been filed by said Special Commissioner along with
his said report; the Court doth hereby ^{*approve,*} ratify and confirm said
report.

And , the objects and purposes of this suit having been
accomplished and there appearing nothing further to be done there-
in, it is hereby ordered stricken from the docket.

*All which is hereby certified to the Clerk of this Court
to be entered in the Chancery order book.*

James L. McIsaac.

E. Lucile Holland, etc.

vs. In Chancery.

Holland Infants et als.

Final Decree.

ENTER: April 22-1913.

James L. Moore.

Entered in Chancery
Order Book No. 4.
Page 571.

W. P. LIPSCOMB
ATTORNEY AT LAW
SUFFOLK, VA.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

Holland, Guardian,-----Complainant,
vs.

Holland Infants' et als-----Defendants.

The answer of Waverley Norfleet Holland, Virginia Louise Holland and Frances Elizabeth Holland, infants under the age of twenty-one years, by W. P. Lipscomb, their guardian ad litem assigned to defend them in this suit, and the answer of the said W. P. Lipscomb, guardian ad litem of the said infant defendants, to a bill of complaint exhibited against the said infants and others by E. Lucile Holland, guardian, in the Circuit Court of the County of Nansemond, Virginia.

For answer to the said bill the said infant defendants by their said guardian ad litem answer and say that being of tender years they do not know what their true interests are in relation to the subject matter of the said bill, nor do they know whether the statements therein contained are true or not. They confide the protection of their interests therein to the care of the court. And the said guardian ad litem of the said infant defendants for answer to the said bill answers and says that he knows nothing as to the truth or falsity of the statements in the bill contained. He prays full protection for the infant defendants. And now, having fully answered, these defendants pray to be hence dismissed with their costs, etc.

By

W.P. Lipscomb

Guardian ad litem.

Waverley Norfleet Holland

Virginia Louise Holland

Frances Elizabeth Holland

W.P. Lipscomb

Guardian ad litem of said Infants.

STATE OF VIRGINIA,
To-wit:

County of Nansemond,

Sworn to before me in my county aforesaid by
W. P. Lipscomb, guardian ad litem as aforesaid, this the 7th day
of January, 1913

E. W. Jordan

Notary Public

my commission expires March 1, 1914.

Holland, Guardian,

vs. Answer of Guardian
ad litem.

Holland Infants' et als.

JAMES U. BURGESS
ATTORNEY AT LAW
SUFFOLK, VA.

IN THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND, VIRGINIA.

E. Lucile Holland, guardian,-----Complainant.

versus

Holland Infants' et als-----Defendants.

The separate answer of E. Lucile Holland, in her own right, to a bill in equity exhibited against her and others in the Circuit Court of the County of Nansemond by E. Lucile Holland, guardian.

This respondent saving and reserving, etc. for answer to the said bill says that she believes the statements therein made are true; that she does not object to the sale of the land as prayed for in said bill but concurs in the prayer thereof. This respondent further alleges that she is the widow of Jesse W. Holland and the mother of Waverley Norfleet Holland, Virginia Louise Holland and Frances Elizabeth Holland; that she will be 34 years old on the 3 day of May, 1913; and prays that in the event that said lots be sold that her dower interest therein be commuted and paid over to her.

And now having fully answered the said bill, she prays to be hence dismissed with her costs, etc.

E. Lucile Holland

Affidavit to the foregoing
answer waived.

James H. Dunsen

Counsel for complainant.

Holland, Guardian,

Answer of

vs.

E. Lucile Holland.

Holland Infants' et als.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

E. Lucile Holland, guardian-----Complainant.

versus

Annie L. Holland et als-----Defendants.

The joint and separate answer of Annie L. Holland, E. T. Holland, her husband, Mamie Holland, J. R. Holland, her husband, Tillie L. Williams, J. G. Williams, her husband, and Hardy J. Holland to a bill in equity exhibited against them and others in the Circuit Court of the County of Nansemond, Virginia, by E. Lucile Holland, guardian.

These respondents saving and reserving, etc. for answer to the said bill, answer and say that they believe the sale of the lots formerly owned by Jesse W. Holland, deceased, located on the West side of Main street in the town of Holland, Virginia, one forty feet by one hundred feet for the sum of five hundred and fifty dollars to the Woodmen of the World, and the other lot thirty-five feet by about a hundred and twenty-five ft. for the sum of five hundred dollars to J. P. Dalton manifestly to the interest of the infant defendants and do not object to said sale.

Said respondents further allege that said lots are now vacant and will be practically useless to the owners thereof until proper buildings are constructed thereon. These respondents, therefore, do not object to the sale of the land as prayed for in the said bill and concur in the prayer of said bill.

And now having fully answer the said bill, they pray to
be hence dismissed, etc.

Amie L. Holland

E. J. Halland

Mamie Holland

J. R. Halland

Fillie L. Williams

J. G. Williams

Harvey Halland

Affidavit to the foregoing answer waived.

James H. Bourgois
Counsel.

HOLLAND, Guardian,

Answer of
versus---
Defendants.

Holland et als.

JAMES U. BURGESS
ATTORNEY AT LAW
SUFFOLK, VA.

SUFFOLK PRINTING AND STATIONERY CO.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

E. Lucile Holland, Guardian, etc.....Complainant.

vs.

Holland Infants' et als.....Defendants.

TO THE HONORABLE JAMES L. MCLEMORE, JUDGE OF SAID
COURT:

Humbly complaining sheweth unto your honor your Com-
plainant, E. Lucile Holland, guardian of Waverley Norfleet Hol-
land, Virginia Louise Holland and Frances Elizabeth Holland,
infant children of your complainant and Jesse W. Holland, de-
ceased; that she was duly appointed and qualified as guardian of
said infants in the said Circuit Court of Nansemond County on the
_____ day of _____, 19_____, as will appear from
a certificate of the Clerk of said Court showing the same which
is herewith filed marked "Exhibit A" and prayed to be read as a
part of this bill; that said infants are aged as follows:

Waverley Norfleet Holland eleven years of age,
Virginia Louise Holland nine years of age,
Frances Elizabeth Holland four years of age.

That said infants are the owners in fee simple of two lots of
land hereinafter more particularly described, situated in the
town of Holland, in the County of Nansemond, and State of Vir-
ginia, lying adjacent to each other, which are located on the
West side of Main street and bounded on the North by the land of
J. E. Holland; on the East by said Main street; and on the South
and West by the land of E. G. Howell. The said real estate was
derived by said infants by inheritance from their father, Jesse

W. Holland, who departed this life on the 10 day of March 1909, leaving no other children or heirs-at-law than those named; that this is all the property, real and personal, which said infants own, except a house and lot in which they reside which is worth about two thousand dollars, and seven hundred dollars in cash which is now deposited in bank; if said infants were dead the following persons would be their heirs-at-law: Annie L. Holland, wife of E. T. Holland, Mamie Holland, wife of J. R. Holland, Tillie L. Williams, wife of J. G. Williams, and Hardy J. Holland.

Your complainant thinks that the interests of her wards will be greatly promoted by a sale of the real estate above mentioned and the investment of the proceeds in other property as provided by the statute of Virginia, and thinks the following facts are calculated to show the propriety of such sale and investment: the said lots are vacant, produce no revenue and must remain so for a number of years as the infants are not possessed of sufficient means to construct buildings or develop said property so it will produce any revenue whatever and for the further reason that your complainant has received two proposals for the purchase of said land, which in her opinion it is manifestly to the interest of the children to accept. These proposals are as follows: 1st, a proposal from Camp No. 23 Woodmen of the World to purchase the Southern lot, which fronts on Main street forty feet and runs back between parallel lines about a hundred feet for the sum of five hundred and fifty dollars cash, which proposal is in writing and herewith filed marked Exhibit "B" and prayed to be read as a part of this bill. 2nd, a proposal from J. P. Dalton to purchase the Northern lot which fronts on said street thirty-five feet and runs back be-

tween parallel lines about one hundred and twenty-five feet,
for the sum of five hundred dollars cash, which said proposal be-
ing herewith filed marked "Exhibit C" and prayed to be read as
a part of this bill.

Your complainant believes that the rights of no
person will be violated by such sale and investment.

In tender consideration whereof, and forasmuch as
your complainant is remediless therein, save in a court of equity
wherein such matters are cognizable and relievable, your complain-
ant prays that the said Waverley Norfleet Holland, Virginia
Louise Holland and Frances Elizabeth Holland, infants under the
age of twenty-one years, Annie L. Holland, E. T. Holland, her
husband, Mamie Holland, J. R. Holland, her husband, Tillie L.
Williams, J. G. Williams, ^{E. Lucile Holland in her own right} her husband, and Hardy J. Holland may
be made parties defendant to this bill and required to answer the
same; the infants by their guardian ad litem to be assigned them
and the adults in proper person, though not under oath, which is
heroby waived; that a guardian ad litem may be assigned the said
infants to defend their interests in this suit, and who may also
be required to answer this bill under oath; that the said lots
may be decreed to be sold and the proceeds invested as the court
shall direct; that all proper allowances and counsel's fees may
be made in this suit; that all proper accounts may be taken,
inquiries directed, and such other and further and general re-
lief may be granted, as to equity and good conscience may seem
meet and proper.

And your complainant will ever pray, etc.

State of Virginia,
County of Nansemond.

E. Lucile Holland
Complainant.

To-wit:
I, W. C. Leather, a Notary Public in and
for the County aforesaid, in the State of Virginia, do certify

that E. Lucile Holland, guardian, complainant in the above suit,
this day personally appeared before me in my County aforesaid,
and made oath that she believes the several statements made in
the foregoing bill to be true.

Given under my hand this 30 day of Dec,
1912.

W. O. Leathers

My Commission Expires
Sept. 30th, 1914.

Notary Public.

I

E. Lucile Holland, guardian,

versus-----BILL

Holland Infants' et als.

JAMES U. BURGES
ATTORNEY AT LAW
SUFFOLK, VA.

SUFFOLK PRINTING AND STATIONERY CO.

Wm Fox 150

Clark 216

Atty. 1500

Com. 1250

3116

Paul

J. V. Burges, p. 91

E. Lucile Holland

Gdn

v.

} In chancery

Holland Infants et al

Final Decree

Final Decree entered
April 22, 1913.