

1919-024
Nansemond Co (Suffolk) Chancery Causes: Mary L. Trotman et al vs George Thomas Faulk & wife et al

Leathers, Benk of Holland, Jordan, White, Howell

88, 157.

24 Jan. 1918

Josephine Faulk, Lucius Faulk, Josephine White,
Mary L. Prattman & W. T. Prattman, her husband, all
of Mass. Co., Va., Juliana Jones, & Harry Jones, her
husband, of Phila. Pa.,
to

Geo. T. Faulk, of Mass. Co. Va.,
\$250. ⁰⁰

87, 186

Feb. 27, 1918

Geo. T. Faulk & Vistley Faulk

to

W. V. Leathers, Trustee for Bank of Holland
\$ 865., bond, payable 12 mos. after date, with
int from date till paid.

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

March 28th, 1918.

Mr. Geo. E. Bunting, Clerk,
Suffolk, Virginia.

Dear Mr. Bunting:-

IN RE: MARY L. TROTMAN

VS. GEO. THOS. FAULK. ET ALS:

I herewith enclose you memorandum
in the above-styled chancery suit and my check for \$7.50
to cover deposit and writ tax. The defendants live in
and near Holland, Virginia.

Yours very truly,

HLH:B

Enc. 2.

Hugh L. Holland
B.

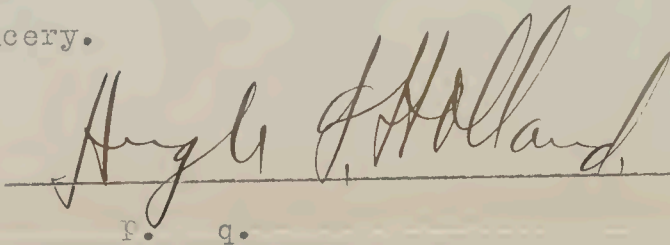
IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA:

Mary L. Trotman and Watkins Trotman her husband--Complainants.
vs. Memorandum.

Goerge Thomas Faulk and Virtley Faulk, his wife; W. V.
Leathers, Trustee; and the Bank of Holland, Incorporated,
-----Defendants.

To George E. Bunting, Clerk of the said court:

Please summon defendants for complainants to Second
April (1918) Rules, in Chancery.


p. q.

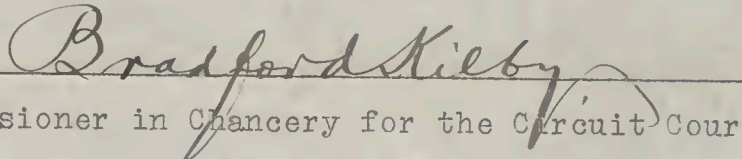
Commonwealth of Virginia,

County of Nansemond, to-wit:

To the Sheriff of said County:

We command you that you summon Sam. Howell and ~~Kemp~~ Jones to appear before me, at the office of Hugh L. Holland in the City of Suffolk, Va. on Tuesday July 16th. 1918, ~~at 10 o'clock A.M.~~ at 10 o'clock A.M. to testify and the truth to say on behalf of Mary L. Trotman and others in a certain suit in equity in the Circuit Court of Nansemond County, now depending and undetermined, wherein said Mary L. Trotman and others are Complainants and George Thomas Faulk and others are Defendants, and that you have then and there this writ and make return how you have executed the same.

Witness my hand this 5th. day of July 1918.



Commissioner in Chancery for the Circuit Court
of Nansemond County, Virginia.

Sam Howell
could not be found at his
usual place of abode on the
14 day of July
1918. so the within process
was executed on the said
12 day of July 1918
within the county of Nans-
mond by delivering a true copy
of the same, in writing, and
giving information of its pur-
port to

...Bell Howell...

who was found at

Sam Howells
usual place of abode, and who
is a member of

Sam Howells
family, and above the age of
sixteen years.

E. E. Wagner
Sheriff of Nansmond County.

ed on the 12 day of
July 1918 within the county of
Nansmond, by delivering a
true copy of the within process,

in writing, to Kemp Jones

in person

E. E. Wagner
Sheriff of Nansmond County.

Mary L. Trotman et als
v. J. In Chancery
George Thomas Faulkner
et als,

Summons

Original

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON—George Thomas Faulk, Virtley Faulk, his wife
W.V. Leather, Trustee, and the Bank of Holland, Incorporated.

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, 1918, to answer a
Bill in Chancery, exhibited against Them
in the said Court by Mary L. Trotman and Watkins Trotman, her husband

and have then and there this summons.

WITNESS, G. E. BUNTING, Clerk of our said Court, at his office, this 30th day of
March, 1918, in the 34th year of the Commonwealth.

A copy Teste:

CLERK

Teste:

CLERK.

Geo. Thomas Faulk
could not be found at his
usual place of abode on the
15th day of April
1918, so the within process
was executed on the said
15th day of Apr. 1918
within the county of Nanse-
mond by delivering a true copy
of the same, in writing, and
giving information of its pur-
port to

Virtly Faulk
his wife
who was found at

Geo Thomas Faulk
usual place of abode, and who
is a member of

Geo Thomas Faulk
family, and above the age of
sixteen years.

E. E. Wagner
Sheriff of Nansemond County.

Page -----

Process Book No. 3

NANSEMOND CIRCUIT COURT.

Monday

April

Rules

1918

Mary L. Trotman et als

vs. { In Chancery

Mary L. Trotman & Husband

Hugh L. Holland

p. 9.

Original

Executed on the 15th day of
April 1918 within the county of
Nansemond, by delivering a
true copy of the within process
in writing, to Virtly Faulk
W. V. Leathers in person
E. E. Wagner
Sheriff of Nansemond County.

Executed on the 15 day.
April 1918 within the County
of nansemond, by
delivering a true copy
of the within summons
in writing to W. V. Leathers
in person, who is Cashier
of the within mentioned
defendant Corporation,
in the County of nansemond
in which the W. V. Leathers
resides, served in the
office of said defendant
corporation, in the County of
Nansemond. State of Va.
E. E. Wagner Sheriff

To George Thomas Faulk, Virtly Faulk, W. V. Leathers,
Trustee, and the Bank of Holland:

Take notice that on the 16th day of July
1918 at the office of Hugh L. Holland, American Bank & Trust Co.
Building, Suffolk, Virginia between the hours of 10 A. M. and
5 P. M. of that day we shall proceed to take the depositions
of Sam Howell and others, to be read as evidence in our be-
half, in a certain suit in equity depending in the circuit
court of Nansemond County, wherein we are complainants and you
are defendants; and if from any cause the taking of the said
depositions be not commenced, or, if commenced, be not concluded
on that day, the taking thereof will be adjourned from time to
time at the same place and between the same hours until the same
shall be completed.

Given under our hands this 5th day of July
1918.

Mary J. Trotman
and William Trotman
by H. B. Boone their atty

Executed on A.B.
Boone for Bank of Holland
whom I found in charge
This 12. Day of July 18.
C. E. Wagner
Shirley

W. V. Leathers
could not be found at his
usual place of abode on the
12th day of July
1918. so the within process
was executed on the said
12th day of July 1918
within the county of Nanse-
mond by delivering a true copy
of the same to him, and
giving information of its pur-
port to
H. B. Boone

who was found at
Bank of Holland
place of abode, and who
C. E. Wagner
the age of

Executed on the 12 day of
July 1918 within the county of
Nansemond, by delivering a
true copy of the Howell
Bill in writing, to Geo. T. Faulk,
Virley Faulk ^B in person
E. E. Wagner
Sheriff of Nansemond County.

Mary L. Protman et al
v. In Chancery -
George Thomas Faulk et al
Original
Notice to take
Depositions.

Executed on the 12 day of
July 1918 within the county of
Nansemond, by delivering a
true copy of the Bank of
Holland. in person
Sheriff of Nansemond County.

IN THE CIRCUIT COURT OF THE COUNTY OF HANSEMOND, VIRGINIA.
NOVEMBER 25th, 1918.

MARY L. TROTTER ET AL.....COMPLAINANTS.

VS. REPORT OF SPECIAL COMMISSIONERS.

GEORGE THOMAS FAULK ET ALS.....DEFENDANTS.

To the Honorable Circuit Court of the
County of Hansemond:

The undersigned Commissioners in the above-
styled cause report that as directed by a decree entered here-
in on the 24th day of October, 1918, they have collected from
George Thomas Faulk, the purchaser of the land in the bill
and proceedings mentioned the sum of Four Hundred (\$400.00)
Dollars and have distributed the proceeds arising from the said
sale as follows:

By proceeds of sale of land.....\$400.00

✓ To Woodward & Elam, Agents,
premium on bond.....\$5.00

✓ To Herald Printing Corpn. for
printing hand-bills..... 4.00

✓ To C.E. Bunting writ tax,
Clerk's fees and Sheriff's fees.9.40

2 To Hugh L. Holland, taxed
attorney's fee.....15.00

2 To S.E. Everett and Hugh L. Hol-
land for drawing Commis-
sioner's deed.....10.00

2 To S.E. Everett and Hugh L.
Holland commissions as Spe-
cial Commissioners.....17.00

x To Bradford Wilby Commis-
sioner's fee as Commissioner
in Chancery.....15.00

✓ To J. Walter Hosier Auction-
er's fee..... 3.50

By brought forward..... 400.00

To carried over..... \$78.90

✓ To war stamp for deed..... .50

✓ To Mary L. Trotman for her in-
terest as directed by decree
(1/8 interest)..... \$40.08

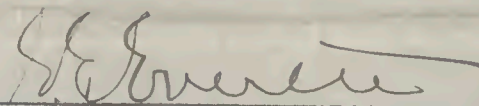
✓ To George Thomas Faulk for his
interest as directed by decree
(7/8 interest)..... 280.52

\$400.00

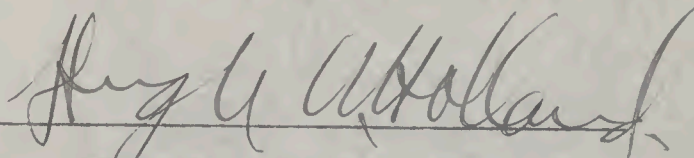
\$400.00

.....

Respectfully submitted:



SPECIAL COMMISSIONER.



SPECIAL COMMISSIONER.

July 1919

\$5.00

Received of S. E. Everett and Hugh L. Holland,
Special Commissioners in suit of Mary L. Trotman et al
vs. Geo. Thomas Faulk et als payment of the sum of Five
(\$5.00) Dollars for premium on Special Commissioners'
bond.

Amos Selman

Please Receipt & Return

Feb- 4- 1919.

\$4.00

Received of S. E. Everett and Hugh L. Holland,
Special Commissioners in suit of Mary L. Trotman et al
vs. Geo. Thomas Faulk et als payment of the sum of
Four (\$4.00) Dollars for printing hand-bills.

THE HAND PRINTING CORPORATION

M. Osborne

Please sign & Return this

\$9.40

Received of S. E. Everett and Hugh L. Holland,
Special Commissioners in suit of Mary L. Trotman et al
vs. Geo. Thomas Faulk et als payment of the sum of
Nine (\$9.40) Dollars and forty cents, for writ tax,
clerk's fees, and sheriff's fee.

G. E. Dymally

Feb. 7-1919

\$15.00

Received of Hugh L. Holland and S. E. Everett,
Special Commissioners in suit of Mary L. Trotman et al
vs. Geo. Thomas Faulk et als payment of the sum of
Fifteen (\$15.00) Dollars, taxed attorney's fee.

Hugh L. Holland

Feb. 7-1919

\$10.00

Received of S. E. Everett and Hugh L. Holland,
Special Commissioners in the suit of Mary L. Trotman et
al vs. Geo. Thomas Faulk payment of the sum of Ten (\$10.00)
Dollars for drawing commissioner's deed.

S E Everett & H L Holland
by H L Holland,

Feb. 7-1919

\$17.00

Received of S. E. Everett and Hugh L. Holland,
Special Commissioners in the suit of Mary L. Trotman et
al vs. Geo. Thomas Faulk et als payment of the sum of
Seventeen (\$17.00) Dollars for commissions as Special
Commissioners.

S. E. Everett
+ H. L. Holland
by H. L. Holland,

February 7th, 1919.

\$15.00

Received of S. E. E. Everett and Hugh L. Holland,
Special Commissioners in the suit of Mary L. Trotman et
al vs. Geo. Thosl Faulk et als payment of the sum of
Fifteen (^{15.00}~~\$11.00~~) Dollars for commissioner's fee as com-
missioner in chancery in this suit.

Bradford Kilby,

\$3.50

Received of S. E. Everett and Hugh L. Holland,
Special Commissioners in the suit of Mary L. Trotman et
al vs. Geo. Thomas Faulk et als payment of the sum of
Three (\$3.50) Dollars and fifty cents for auctioneer's
fee.

James H. Hering

Please sign & return this.

Feb. 7-1919

\$.50

Received of S. E. Everett and Hugh L. Holland,
Special Commissioners in the suit of Mary L. Trotman
et al vs. Geo. Thomas Faulk et als payment of the sum
of fifty cents (\$.50) for war stamp for deed.

Hugh L. Holland

Feb 7 - 1919

\$40.08

Received of S. E. Everett and Hugh L. Holland,
Special Commissioners in the suit of Mary L. Trotman et
al vs. Geo. Thomas Faulk et als payment of the sum of
Forty (\$40.08) Dollars and eight cents for her interest
as directed by decree of court, a one-eight interest.

Mary L. Trotman
by H. L. Holland
her atty

Dec 10 1918.

Received of S. E. Everett and Hugh L. Holland,
Special Commissioners in suit of Mary L. Trotman et al
vs. George Thomas Faulk et als, payment of sum of \$280.52
for the interest of the undersigned, George Thomas Faulk,
in the proceeds of the sale of the land in the bill and
proceedings mentioned, after deducting cost and expenses
of suit on sale.

Geo. Thomas Faulk
by S. E. Everett his atty

MARY L. TROTMAN ET AL

VS.....REPORT OF S. COM.

GEORGE THOMAS FAULK ET ALS.

Filed Feb. 3, 1879
G. L. Holland
We consent to this
report and waive time
allowed for exceptions
Hoffland & Gately
for complainants
H. L. Holland
atty for Defendants

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

IN THE CIRCUIT COURT OF THE COUNTY OF HANSMOND, VIRGINIA:

MARY L. WOOTMAN ET AL.....COMPLAINANTS.

VS.....DECREE.....

GEORGE THOMAS FAULK ET ALS.....DEFENDANTS.

This cause came on this day to be again heard on the papers formerly read as well as on the report of S. E. Everett and Hugh L. Holland, Special Commissioners, duly appointed as such by a decree entered herein on the 24th day of October, 1918, directing said Special Commissioners to make sale of the real estate in the bill and proceedings mentioned, which said report was this day filed by leave of Court and by consent of all parties, complainant^s and defendants and to which report no exceptions have been taken and was argued by counsel.

It appearing from the said report that the said Special Commissioners, S. E. Everett and Hugh L. Holland, having executed the bond required of them by said decree, have sold the real estate in the bill and proceedings mentioned strictly in accordance with the terms of the said decree for the sum of Four Hundred (\$400.00) Dollars to George Thomas Faulk.

On consideration whereof, the Court, approving and confirming the said report, doth adjudge, order and decree that the sale therein reported, to-wit:

" All that certain piece or parcel of land containing by estimation Ten (10) acres, bounded and described as follows: Lying on the West side of the County

Road leading from Holland to Jones' Swamp, the said road being the line from the estate of the late William T. Jones' line by the line of Lucius Faulk and others, it being the same piece of land conveyed to George Thomas Faulk by deed dated January 24th, 1918, and recorded in Deed Book Number 88, page 157, in Nansemond County Clerk's Office, Virginia, from Josephine White and others. Said land lies in Holy Neck Magisterial District in Nansemond County, Virginia. The said real estate is sold however, subject to the life right of the said Josephine White to the whole of her life, which said right is owned by the said George Thomas Faulk", to George Thomas Faulk for the sum of Four Hundred (\$400.00)

Dollars, be and the same is hereby confirmed and declared to be firm and binding.

And it further appearing to the Court that the said purchaser desires to pay the entire purchase price in cash, the Court doth adjudge, order and decree that S. E. Everett and Hugh L. Holland, Special Commissioners, as aforesaid, be, and hereby are, authorized and directed, upon the receipt of the said purchase money for the said real estate, to execute and deliver to the said purchaser a deed, with Special Warranty, for the property purchased by him as aforesaid, and out of the proceeds of the said sale, said Special Commissioners are directed to pay first, all costs and expenses of this suit and said sale, ~~including the sum of~~ (\$) Dollars to S. E. Everett and Hugh L. Holland, Special Commissioners, ~~for their services as counsel in conducting this suit,~~ as well as any taxes that may be due upon the said land.

The balance of the proceeds of the said sale shall be divided among the parties as their interests may entitle them, as shown by the report of Commissioner in Chancery, Bradford Kilby, filed in this cause, namely seven-eighths to George Thomas Faulk and one-eighth to Mary L. Trotman.

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And said Special Commissioners are directed
to make report of all of their proceedings hereunder to
This Court and this cause is continued.

MARY L. TROTMAN ET AL

.....COMPLAINANTS.

VS. DECREE.....

GEORGE THOMAS PAULK ET ALS

.....DEFENDANTS.

H. L. Holland
Hugh L. Holland
attys for Defendants
and Plaintiffs respectively
Enter Nov. 19th 1918.
Jas. W. Moore.

HUGH L. HOLLAND

ATTORNEY AT LAW

SUFFOLK, VIRGINIA

Chancery Order

Book No 5 Page 170

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

MARY L. TROTMAN ET AL.....COMPLAINANTS.

VS. REPORT OF S.E. EVERETT AND HUGH L. HOLLAND, SPECIAL
COMMISSIONERS, NOVEMBER _____, 1918.

GEORGE THOMAS FAULK ET ALS.....DEFENDANTS.

The undersigned, S. E. Everett and Hugh
L. Holland, Special Commissioners, respectfully report to
Court:

That pursuant to a decree entered in the
above-styled cause on October 24th, 1918, your Commissioners
executed the bond required by said decree and, after having
duly advertised the time, terms and place of sale in accordance
with the terms of the said decree, as shown by a copy of ad-
vertisement hereto attached, did expose to sale, at Public
Auction, in front of the National Bank of Suffolk Building,
Corner of Main and Washington Streets, in the City of Suf-
folk, Virginia, at 12 o'clock M. on Tuesday, November 12th,
1918, the land in the bill and proceedings mentioned, at
which sale George Thomas Faulk became the purchaser of the
said real estate for the sum of Four Hundred (\$400.00) Dol-
lars.

Your commissioners also report that
the above-named purchaser desires to pay the entire purchase
price in cash so that he may receive a deed for the property
purchased by him, which is described in the bill and proceedings

mentioned, upon confirmation of said sale by the Court.

Your commissioners would further report that the price bid for the property is a fair and reasonable one and would therefore recommend the confirmation of the same and request that they be authorized to execute and deliver to the said purchaser a deed, with Special Warranty conveying the said property to the said George Thomas Faulk upon the payment of the purchase price for the same.

Respectfully submitted.



SPECIAL COMMISSIONER.



SPECIAL COMMISSIONER.

SALE

of Valuable Real Estate

At Public Auction

Under authority of a certain decree entered in the chancery suit of Mary L. Trotman et al. vs. George Thomas Faulk et al. now pending in the Circuit Court of the County of Nansemond, State of Virginia, on October 24th, 1918, we shall sell at Public Auction in front of the National Bank of Suffolk Building, corner of Main and Washington streets in the City of Suffolk, State of Virginia, at 12 o'clock M. on

Saturday. Nov. 16, 1918

the following property, to-wit:

"All that certain piece or parcel of land containing by estimation ten (10) acres, bounded as follows: Lying on the West side of the County Road leading from Holland to Jones Swamp, the said road being the line from the estate of the late Wm. T. Jones' line by the line of Lucius Faulk and others, it being the same piece of land conveyed to George Thomas Faulk by deed dated January 24th, 1918, and recorded in Deed Book Number 88, page 157, in Nansemond county Clerk's Office, Virginia, from Josephine White and others. Said land lies in Hop Neck Magisterial District in Nansemond county, Virginia. The said real estate is sold, however, subject to the life right of the said Josephine White to the whole for her life, which said right is owned by the said George Thomas Faulk."

The terms of sale shall be one-half cash, and the remainder one-half in one installment, payable twelve months from date of sale, said deferred payment to be evidenced by a note of the purchaser, with six per centum interest from the date of sale, with the title of the property retained as security for the said note until the whole of the purchase money is paid, and a conveyance directed by the court, provided the purchaser shall have the right to pay the whole of the purchase money in cash, and to receive a deed for the said property on confirmation of said sale by the court, and upon the payment of the purchase money.

S. E. EVERETT,
Special Commissioner.

HUGH L. HOLLAND,
Special Commissioner.

Suffolk, Virginia. October 26th, 1918.

COMMONWEALTH OF VIRGINIA:—In the Clerk's Office of the Circuit Court of the County of Nansemond, State of Virginia. I, G. E. Bunting, Clerk of the Circuit Court aforesaid, do hereby certify that on the 26th day of October, 1918, S. E. Everett and Hugh L. Holland have duly qualified in said Circuit Court as Special Commissioners in suit of Mary L. Trotman et al. vs. George Thomas Faulk et al., and gave bond as such according to law.

SUFFOLK HERALD PRINT

G. E. BUNTING, Clerk.

MARY L. TROMAN ET AL

.....COMPLAINANTS.

VS. REPORT OF S.E. EVERETT AND

HUGH L. HOLLAND, SPECIAL

COMMISSIONERS.

GEORGE THOMAS FAULK ET ALS

.....DEFENDANTS.

*We consent to this
and waive time for
exceptions.*

*1918 Nov. 19th filed
J.L.M.*

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

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

Mary L. Trotman et al.....Complainants.
vs. Decree.....

George Thomas Faulk et als.....Defendants.

This cause came on this day to be again heard on the papers formerly read, and on the report of Commissioner, Bradford Kilby, dated July 23rd, 1918, and filed on the 2nd day of September 1918, to which report there is no exception, and was argued by counsel.

On consideration whereof, it appearing to the court from the said report, that the real estate mentioned in the bill of complaint is not susceptible of partition in kind among the parties entitled to share therein, and that no party in interest will take the whole of the real estate, and pay to the others their respective interests therein, and that it will be to the interest of the parties entitled to said real estate to have the same sold for division among the parties entitled to share therein, that all parties in interest are properly before the court, the court doth approve and confirm said report; the court doth further adjudge, order and decree that S. E. Everett and Hugh L. Holland, who are hereby appointed Special Commissioners for the purpose, do, after having advertised the time, place and terms of sale, by printed handbills conspicuously posted at ten or more places in the County of Nansemond, and in the City of Suffolk, for a period of not less than fifteen days, and by any other advertisement that the said Special Commissioners may think proper, proceed to sell at Public Auction ^{in front of State Bank building Suffolk Va} the real estate mentioned in the bill of complaint, and described as follows:

"All that certain piece or parcel of land containing by estimation ten (10) acres, bounded as follows: Lying on the West side of the County Road leading from Holland to Jones' Swamp, the said road being the line from the estate of the late Wm. T. Jones's line by the line of Lucius Faulk and others, it being the same piece of land conveyed to George Thomas Faulk by deed dated January 24th, 1918, and recorded in Deed-Book Number 88, page 157, in Nansemond County Clerk's Office, Virginia, from Josephine White and others. Said land lies in Holy Neck Magisterial District in Nansemond County, Virginia. The said real estate is sold, however, subject to the life right of Josephine White to the whole for her life, which said life right is owned by the said George Thomas Faulk".

The terms of sale shall be one-half cash, and the remaining one-half in one installment, payable twelve months from date of sale, said deferred payment to be evidenced by a note of the purchaser, with six per centum interest from the date of sale, with the title of the property retained as security for the said note until the whole of the purchase money is paid, and a conveyance directed by the court, provided the purchaser shall have the right to pay the whole of the purchase money in cash, and to receive a deed for the said property on confirmation of said sale by the court, and upon the payment of the purchase money.

But said Special Commissioners shall have no power to execute this decree until they shall enter into a bond with sufficient security in the Clerk's Office of this court, payable to the Commonwealth of Virginia, and under the penalty of \$500-, and conditioned for the faithful discharge of their duty hereunder.

And this cause is continued.

MARY L. TROTMAN ET AL

VS. DEC REE....

GEORGE THOMAS FAULK ET ALS.

Enter Dec. 24, 1918.
Jas. S. Moore.

Chancery Order Book
No. 5, Page 165

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

VIRGINIA:

IN THE CIRCUIT COURT OF THE COUNTY OF HANSEMOND:

Mary L. Trotman and Watkins Trotman, her husband

-----Complainants.

vs. Decree

George Thomas Faulk and Virtley Faulk, his wife; W. V. Leathers,
Trustee; and the Bank of Holland-----Defendants.

This cause came on this day to be heard on the Bill of Complaint, it appearing that the defendants having been legally served with processes, and have failed to plead, answer, or demur, and was argued by counsel.

On consideration whereof the Court doth adjudge, order, and decree that one of the commissioners of this Court take, state, and report to court the following inquiries:

(1) An account of the real estate in the Bill of Complaint mentioned, with an accurate description thereof, together with ~~the~~ annual and fee simple value of the same, and any liens of record binding said property, or the interest of any of the parties entitled thereto.

(2) What are the respective rights, interests and shares of the parties to this suit in said real estate.

(3) Whether partition can be conveniently made of the said property, and if not, whether any party will accept the entire property and pay there for to the others such sums of money as their interest shall entitle them to receive, and if partition cannot be conveniently made, and no party will accept the entire subject matter, whether the interest of the parties will be promoted by a sale of the entire subject matter, and a division of the proceeds of the same, or whether it would be to the interest of the parties that there should be an allotment

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of a part and a sale of the residue.

(4) Whether there are any delinquent taxes against the said real estate described in the Bill of Complaint.

(5) To inquire and report to the Court whether all parties interested are properly before the Court.

Mary L. Trotman et al
vs. Decree of Reference
Geo. Mos. Paulk et als

Enter May 13. 1918.
Jas L. McNamee

Chancery Book 5
Page 148

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

To Mary L. Trotman and Watkins Trotman

and

George Thomas Faulk and Virtley Faulk and W.V. Leathers, Trustee
for the Bank of Holland, Holland, Va.

You are hereby notified that on the 16th. day of July 1918 at the office of Hugh L. Holland in the City of Suffolk, Va. at the American Bank and Trust Co. Building, between the hours of 10 A.M. and 5 P.M., 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, settled and reported to Court in pursuance of the decree of the Circuit Court of Nansemond County, Va. rendered the 13th. day of May 1918 in the suit in chancery pending in said court to which you are parties plaintiff and defendant, to-wit:

(1) An account of the real estate in the Bill of Complaint mentioned, with an accurate description thereof, together with the annual and fee-simple value of the same, and any liens of record binding said property, or the interest of any party entitled thereto.

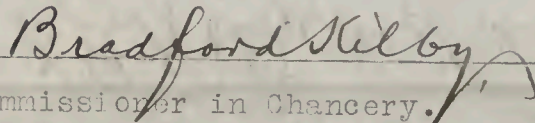
(2) What are the respective rights, interests and shares of the parties to this suit in said real estate.

(3) Whether partition can be conveniently made of said property, and if not, whether any party will accept the entire property and pay therefor to the others such sums of money as their interest shall entitle them to receive, and if partition can not be conveniently made, and no party will accept the entire subject matter, whether the interests of the parties will be promoted by a sale of the entire subject matter, and a division of the proceeds of the same, or whether it would be to the interests of the parties that there should be an allotment of part and a sale of the residue.

(4) Whether there are any delinquent taxes against the said real estate described in the Bill of Complaint.

(5) Whether all parties interested are properly before the Court.

Given under my hand as Commissioner in Chancery of said Court this 5th. day of July 1918.


Commissioner in Chancery.

Sufficient and legal service of the within notice is hereby accepted
by us.

J. E. Green Attorney
for Geo Thomas Smith
Walter Smith and
W. V. Leather Smith
for the Bank of Holland

H. G. Holland atty. for
Plaintiffs.

Virginia,

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

Mary L. Trotman et al.	)	
	)	
v.	)	In Chancery.
	)	
George Thomas Faulk et als.	)	

Commissioner's Office,

Suffolk, Va. July 23, 1918.

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 May 1918 in the suit in chancery pending in said court between Mary L. Trotman et al. Complainants and George Thomas Faulk et als., Defendants, the undersigned, Bradford Kilby, one of the Commissioners in Chancery of said Court, respectfully reports as follows:

That on the 5th. day of July 1918 your commissioner gave notice to the parties to said suit that he would proceed on the 16th. day of July 1918, at the office of Hugh L. Holland in the American Bank and Trust Building in the City of Suffolk, Va. between the hours of 10 A.M. and 5 P.M. of that day, 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 said notice was duly accepted by the parties to said suit as will appear by the endorsements on the notice herewith returned.

That on the 16th. day of July 1918, at the office of Hugh L. Holland in Suffolk, Va. between the hours of 10 A.M. and 5 P.M., your commissioner took the depositions of S. R. B. Howell, Watkins Trotman and J. K. Jones, touching said inquiries, which depositions are herewith returned.

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

(1)

The real estate mentioned in the Bill of Complaint is described as follows: "All that certain piece or parcel of land containing by estimation ten (10) acres, bounded as follows: Lying on the West side of the County Road leading from Holland to Jones' Swamp, the said road being the line from the estate of the late Wm. T. Jones' line by the line of Lucius Faulk and others, it being the same piece of land conveyed to George Thomas Faulk by deed dated Jan. 24, 1918 and recorded in Deed-book No. 88, page 157 in Nansemond County Clerk's office, Va. from Josephine White and others. Said land lies in Holy Neck Magisterial District in Nansemond County, Va.

The fee-simple value of said land is about \$400. and its annual value is about \$20. *The remainder subject to life-right of Josephine White is worth about \$250. Her age is 70 yrs.*

There is a lien on the interest of George Thomas Faulk in this land by a deed of trust dated Feb. 27, 1918 and recorded in Deed of Trust Book No. 87, page 186 in Nansemond County Clerk's office, Va. executed by George Thomas Faulk and Virtley Faulk, his wife, conveying their interest in this land, along with other land, to W. V. Leathers, Trustee, to secure to the Bank of Holland the sum of \$865. evidenced by a bond of even date with said deed, and payable 12 months after its date, with interest from its date,

(2)

George Thomas Faulk owns seven-eighths interest in this real estate and Mary L. Trotman owns the other one-eighth interest subject to the life-right of Josephine White. The seven-eighths interest of George Thomas Faulk is not subject to the life-right of Josephine White, she having conveyed her right in said interest to him.

(3)

Partition of this property can not be conveniently made. It is too small. No party in interest will take the entire property and pay therefor to the other such sums of money as their interests may entitle them to. The interests of the parties will be promoted by

a sale of the entire property and a division of the proceeds rather than by an allotment of part and sale of the residue.

(4)

There are no delinquent taxes against the said real estate.

(5)

All parties interested are properly before the Court.

Respectfully submitted this 16th.day of July 1918.

Bradford Kilby
Commissioner in Chancery.

Comr's fee \$15.

S. R. B. Howell being duly sworn deposes as follows:

Q. Please state your name, age, residence and occupation:

A. S. R. B. Howell, I am 62 years old, I live in Nansemond County, Virginia, and my occupation is farming:

Q. Please state whether you are familiar with the land in the Bill and proceedings mentioned.

A. Yes, sir.

Q. Please state what in your opinion is a fair annual and a fair fee simple value of the same.

A. I think a fair fee simple value of the land is Four Hundred (400.00) Dollars, and I think a fair annual value of the land is Twenty (\$20.00) Dollars.

Q. Please state whether you think partition can be conveniently made of the said property.

A. It can be done physically but it cannot be done satisfactorily to the parties or conveniently in my opinion.

Q. Please state whether any party interested will accept the entire property and pay there for to the others such sums of money as their interest shall entitle them to receive.

A. Not that I know of.

Q. Please state whether the interest of the parties will be promoted by a sale of the entire subject matter, and a division of the proceeds of the same.

A. Yes, sir.

Q. Please state whether it would be to the interest of the parties concerned that there should be an allotment of a part and a sale of the residue.

A. No, I do not think so, I think that it would be to the best interest of the parties to sell it as a whole.

Q. Please state who are the children and heirs-at-law of Sarah Jordan.

A. Geo. Thos. Faulk, Josephine Faulk, Lucius Faulk and Mary L. Trotman.

J R B Howell

And further this deponent saith not.

Watkins Trotman being duly sworn deposes as follows:-

- Q. Please state your name, age, residence and occupation.
- A. Watkins Trotman, 31 years old, I farms in the summer and sells horses in the winter.
- Q. Please state the age of Josephine Jordan, formerly Josephine White.
- A. I do not know exactly.
- Q. Please state the names of the parties interested and what their interest is and how they get it.
- A. Josephine Jordan, (now Josephine White) conveyed this land to Julis Anna Jordan and Sarah Jordan, reserving in the same, a life right for herself. Since that deed Sarah Jordan has died without a will, leaving four children, George Thomas Faulk, Josephine Faulk, Lucius Faulk and my wife, Mary L. Trotman. These children are the only children and heirs-at-law of Sarah Jordan. Since the death of Sarah Jordan, Josephine White, Julia Ann Jordan, Josephine Faulk, and Lucius Faulk have conveyed all of their interest to George Thomas Faulk.
- Q. Please state whether any party interest will accept the entire property and pay to the others such sums of money as their interest shall entitle them to receive.
- A. No, sir, my wife has tried to sell out or buy out several times from George Thomas Faulk, but could not do so.

And further this deponent saith not.

Watkins ^{his} Trotman
mark

Witness:

J. E. Beale

J. K. Jones being duly sworn deposes as follows:

Q. Please state your name, age, residence and occupation.

A. J. K. Jones, 44, Holland, Virginia, farming.

Q. Please state whether you are familiar with the land in the Bill and proceedings mentioned.

A. Yes, sir.

Q. Please state what in your opinion is a fair annual and a fair fee simple value of the same.

A. Three Hundred (\$300.00) Dollars in my opinion is a fair fee simple value for this land and I think a fair annual value would be Ten or Fifteen Dollars, say not more than \$15.00.

Q. Please state whether you think partition can be conveniently made of the said property.

A. I do not think so because only three acres are clear and about five acres are set in young oaks and pines and about two acres are in low land which could not be cleared without a great deal of trouble and expense, and if such a small piece of land in the condition just described should be divided, it would take away its value largely, I think.

Q. Please state whether any party interested will accept the entire property and pay to the others such sums of money as their interest shall entitle them to receive.

A. I do not know.

Q. Would it promote the interest of the parties concerned in this land to allot a part and sell the residue, or to sell it as a whole.

A. I think it would be best to sell it as a whole, if it would bring greater money value to all parties interested, I think to divide it would make it worth less.

J. K. Jones
And further this deponent saith not.

IN CHANCERY.

Mary L. Trotman et al

v.

George Thomas Faulk et als.

Report of Bradford Kilby, Com-
missioner in Chancery, under
decree of May 13th. 1918.

Filed

Sept. 2, 1918

Reley O. Burton

J.P. Clerk.

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

IN THE CIRCUIT COURT OF THE COUNTY OF HANOVER, VIRGINIA:

MARY L. TROTTER ET AL.....COMPLAINANTS.

VS. DECREE.

GEORGE THOMAS PAULK ET ALS.....DEFENDANTS.

This cause came on this day to be again heard on the papers formerly read as well as on the report of S. E. Everett and Hugh L. Holland, Special Commissioners, duly appointed as such by a decree entered herein on the 24th day of October, 1918, directing said Commissioners to make sale of the real estate in the bill and proceedings mentioned, which said report was this day filed by leave of Court and by consent of all parties, complainants and defendants, and to which said report no exceptions have been taken and was argued by counsel.

On consideration whereof, it appearing to the Court that the said Special Commissioners, S. E. Everett and Hugh L. Holland have collected the purchase price of the land mentioned and described in the bill and proceedings; have conveyed the said land to the purchaser thereof by deed with Special Warranty; have paid the cost of this suit and the expenses of sale; and have distributed the balance of the proceeds arising from the said sale in accordance with a decree heretofore entered in this cause on the 19th day of November, 1918, all of which disbursements have been accompanied by proper vouchers, the Court doth ratify, approve, and confirm the said report of the said sale, and there being nothing remaining to be done in this suit, it is ordered that the same be stricken from the docket.

MARY L. TROTMAN ET AL

VS.....DECREE.....

GEORGE THOMAS FAULK ET ALS.

Enter Feb. 18. 1919.

Jas L. McNamee
Chancery Order Book No. 5
Page 189
We consent to this
decree
H. L. Holland atty
for complainants
H. L. Holland
att'y for defendants

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

Mary L. Trotman and Watkins Trotman, her husband

-----Complainants.

vs. Bill.

George Thomas Paulk and Virtley Paulk, his wife; W. V. Leathers, Trustee; and the Bank of Holland-----Defendants.

To the Honorable Circuit Court
of Hansemond County:

Your complainants, Mary L. Trotman,
and Watkins Trotman, her husband, respectfully represent:

(1) That Josephine Jordan, (now Josephine White) was seised and possessed of certain real estate lying in the County of Hansemond, State of Virginia, and described as follows: "All that certain piece or parcel of land containing by estimation ten (10) acres, bounded as follows: Lying on the West side of the County Road leading from Holland to Jones' Swamp, the said road being the line from the estate of the late Wm. T. Jones' line, by the lands of the estate of Lucius Paulk and others, it being same piece of land conveyed to George Thomas Paulk by deed from Josephine White, Josephine Paulk and others dated the 24th day of January, 1918; that by deed duly recorded in the clerk's office of the circuit court of the County of Hansemond, State of Virginia the said Josephine Jordan (now Josephine White) conveyed said property to Julia Anna Jordan and Sarah Jordan, reserving thereto a life right for herself; that since said conveyance from Josephine Jordan (now Josephine White) to Julia Anna Jordan and Sarah Jordan, the said Sarah Jordan has died intestate, leaving four children, namely George Thomas Paulk, Josephine Paulk, Lucius Paulk, and your complainant, Mary L. Trotman, her only children and heirs at law; that since the death of said Sarah Jordan, the said Josephine Jordan (now Josephine White)

Julia Inna Jordan, Josephine Faulk and Lucius Faulk who were all of the parties interested in said property except George Thomas Faulk and the said Mary L. Trotman, have sold and conveyed to the said George Thomas Faulk their right in said property; that the said George Thomas Faulk now owns the property, except a one-eighth ($1/8$) interest therein subject to the life right of the said Josephine Jordan (now Josephine White) which said one-eighth ($1/8$) interest to said real estate subject to the life right of Josephine Jordan (now Josephine White) is now owned by Mary L. Trotman; and

(2) That all of the rights of the said George Thomas Faulk in the said property are subject to a certain deed of trust from George Thomas Faulk and Virgley Faulk, his wife, to W. V. Leathers, Trustee for the Bank of Holland Incorporated, said deed of trust being dated February 27th, 1918, and recorded in Deed Book number 87, on page 186 in said clerk's office on March 1st, 1918, said deed of trust being given to secure a certain amount of money therein mentioned; and,

(3) That the said real estate is, as they believe, susceptible of partition among the parties entitled thereto; but should the property not be divisible in kind, 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 the same, or by an allotment of part and the sale of the residue:

In consideration whereof, and forasmuch as your complainants are remediless in the premises save by the aid of a court of equity, they pray that the

said George Thomas Faulk and Virtley Faulk, his wife;
W. V. Leathers, Trustee; and the Bank of Holland may be
made parties defendant to this bill and required, but not
on their oaths, to answer the same, the oaths being hereby
waived; that all of the said parties defendant are adult
persons except the Bank of Holland Incorporated, which is
a corporation duly chartered under the laws of the State of
Virginia; that proper process issue; that the said estate
be divided between the parties entitled thereto, or else,
if it cannot be so devised, that it may be sold and the
proceeds divided among the parties according to their
respective rights; that all proper orders and decrees may
be made, accounts taken and inquiries directed; and that
your complainants may have all such further and other and
general relief in the premises as the nature of their case
may require, or to equity shall seem meet.

Mary J. Trotman
by *Hugh J. Holland* her atty
Complainant.

Walter J. Trotman by
Hugh J. Holland her atty
Complainant.

Hugh J. Holland,
Counsel.

Mary F. Trotman
et al

vs- In Chancery
Geo. Thos. Faulk
et als

Bill of Complaint

Filed April 15, 1888
G. B. Dwyer, Clerk

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

3-2-18

Deposit

250

Hugh R. Howard, Jr.,

Mary B. Johnson.

175