

1926-022

Nansemond Co (Suffolk)

Chancery Causes: Farmers Bank of Nansemond et al vs Adams, Payne & Hall Inc

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Standard Brick Co I, Larson, Jakeman, Lawrence, Vincent

Note: No further documentation found.

VIRGINIA:

IN THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND.

Farmers Bank of Nansemond, et als.....Complainants.

v.

Adams, Payne & Hall, Incorporated.....Defendants.

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

The undersigned, L. P. Holland, Special Commissioner respectfully reports:

That pursuant to decree entered in this cause on the 17th day of June, 1926, on payment to him by the Farmers Bank of Nansemond of the full amount of Four Thousand (\$4,000) Dollars, the purchase price for the property in the bill and proceedings mentioned, sold to the said Farmers Bank of Nansemond, on June 12, 1926, and confirmed by the court on June 17, 1926, he has executed to the Farmers Bank of Nansemond, with Special Warranty, a good and sufficient deed for the said property.

Your commissioner further reports that he has paid the following liens and costs in this suit, as directed by said decree of June 17, 1926, as follows:

|                                                                                 |            |
|---------------------------------------------------------------------------------|------------|
| Taxes.....                                                                      | \$118.26 ✓ |
| Labor Lien of John T. Jessup.....                                               | 50.50 ✓    |
| Commissions for obtaining judgment in Corporation Court, City of Lynchburg..... | 400.00 ✓   |
| Court Costs for obtaining said judgment.....                                    | 10.80 ✓    |
| Fee of H. W. Churn, Auctioneer.....                                             | 10.00 ✓    |
| Advertising in Virginian-Pilot.....                                             | 10.80 ✓    |

|                                              |                 |
|----------------------------------------------|-----------------|
| Bond of Special Commissioner.....            | 21.00 ✓         |
| Artercraft Press for printing handbills..... | 10.00 ✓         |
| Costs of Court.....                          | 70.00 ✓         |
| Fee for writing deed.....                    | 10.00 ✓         |
| Commissions of Special Commissioner.....     | 89.00 ✓         |
| Total.....                                   | <u>\$800.36</u> |

receipts for which amounts are herewith filed and made a part of this report.

Your Commissioner further reports that he has shown credit on the Miscellaneous Lien Book of the Corporation Court of the City of Lynchburg for a labor lien of John T. Jessup, which accrued prior to October 16, 1925, the date on which the judgment of the Farmers Bank of Nansemond was obtained in said court, and that he has also shown a credit on the Judgment Lien Docket in the County of Nansemond and also in the Clerk's Office of the Corporation Court of the City of Lynchburg of the balance due from the said proceeds of sale, after paying the above costs and liens, for \$3,199.64.

Respectfully submitted.

L. P. Holland -  
Special Commissioner.

July 26, 1926.

M.

## TAXES AND LEVIES, 1925

SLEEPY HOLE DISTRICT

Land.....Page.....Line.....

Personal Property...Page 33 Line 1

Income.....Page.....Line.....

To C. R. FULGHAM, Treasurer of NANSEMOND COUNTY, VIRGINIA, Dr.

No. **11351**

LOCAL RATES—REAL ESTATE AND TANGIBLE PROPERTY

County and District

County Levy.....\$ .65  
 County School Levy.....\$ .80  
 District School Levy.....\$ .05  
 District Road Levy.....\$ .35  
 Parish or Poor Levy.....\$ .05  
 Total.....\$ 1.90

Local Rates on Intangibles  
 Class 1.....for Roads, 20 cents on \$100  
 Classes 5, 2.....for Roads, 30 cents on \$100

Real Estate.....45 Acres \$ 3850-  
 Real Estate.....Acres  
 Real Estate.....Acres  
 Tangible Property.....  
 Class 4 (Money).....  
 Class 6 (Bonds of Counties, Cities and Towns  
 of this State).....  
 Class 1 (Bonds, Notes and other  
 evidences of debt).....Value \$  
 Class 5 (Shares of Stock) Value \$  
 Class 2 (Capital).....2595-  
 Income.....  
 Merchandise.....  
 Banks.....  
 State Poll (or Capitation) Tax.....

Valuation

Rate of  
State Tax  
on \$100

State Tax

Rate of  
Local Levies  
on \$100

Local Levies

Total  
Tax and  
Levies

(1% up to  
\$3,000; 2%  
on excess)

Total Taxes and Levies.....\$

Received payment:

Five Per Cent. Penalty.....

Total Taxes, Levies and  
Penalty.....

Treasurer

JUN 19 1926

Date

Account

Amount

J. P. Dalton

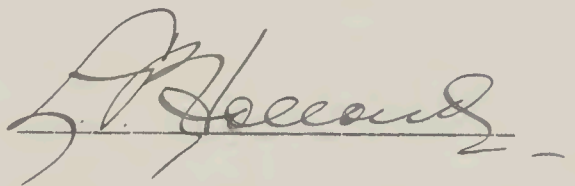
RECEIVED of L. P. Holland, Special Commissioner, in the suit of The Farmers Bank of Nansemond et als v. Adams, Payne & Hall, Incorporated, the sum of \$50.50, being the amount of a certain labor lien obtained by me, as attorney for John T. Jessup, which constitutes a lien on the property sold in the above proceeding, the said \$50.50 being the full amount due and owing to the said John T. Jessup on the date when judgment was obtained by the Farmers Bank of Nansemond v. Adams, Payne & Hall, Inc., and which is the full amount due the said John T. Jessup against the property sold in the bill and proceedings mentioned.

Cha. B. Goddard  
Attorney for John T. Jessup

June 19, 1926.

RECEIVED from the proceeds of the sale of Adams, Payne &  
Hall, Inc. property the followings amounts:

|                                                                                                     |         |
|-----------------------------------------------------------------------------------------------------|---------|
| Writing deed.....                                                                                   | \$10.00 |
| Fee as Special Commissioner.....                                                                    | 89.00   |
| Commissions for obtaining judgment<br>in the Corporation Court of the City<br>of Lynchburg, Va..... | 400.00  |



June 17, 1926.

Octo. 16th 1925.

VIRGINIA:

In the Clerk's Office of the Corporation Court for the City of Lynchburg.

RECEIVED OF Mess. Caskie & Caskie  
Eight &  $\frac{30}{100}$  DOLLARS (\$8.30)

For writ tax 4.50 and Clerk's fees 3.80: Farmer's Bank  
of Nausemond v. Adams, Payne & Hall, Inc. &c.

Hubert H. Martin Clerk.

Received  
Lynchburg, Va. October 16  
~~June~~ #7 1926  
from E. E. & L. P. Holland attys  
Two and 50/100 ————— Dollars  
Joint attys <sup>for judgment</sup> for in former Bond of

For Thomasmond & Adams, Payson Hall

Castle & Castle  
attys



J.P. Bell Co. (Inc.) Stationers & Lynchburg, Va.

E. E. & L. P. HOLLAND  
ATTORNEYS AT LAW  
SUFFOLK, VIRGINIA

RECEIVED of L. P. Holland, Special Commissioner, in the  
suit of the Farmers Bank of Nansemond v. Adams, Payne &  
Hall, Incorporated, the sum of TEN (\$10.00) Dollars, as  
Auctioneer's fee, for selling the property of above named  
defendant on June 12, 1926, in the above matter.

H. W. Churn.  
H. W. CHURN

Date

6/24-26

E. E. & L. P. HOLLAND  
ATTORNEYS AT LAW  
SUFFOLK, VA.

SUFFOLK, VA.

June 14<sup>th</sup> 1926

No. 639

THE FARMERS' BANK OF NANSSEMOND 68-123  
5

SUFFOLK, VA.

PAY TO THE  
ORDER OF

Virginia-Chestnut Co.

\$ 10 80

Less + 80/100

DOLLARS

Re: Adams, Payne & Hall, Inc.

HOLLAND & HOLLAND, ATTORNEYS

BY

*E. E. Holland*

Va Pilot  
Daisy Murray

PAID TO THE ORDER OF  
AMERICAN BANK & TRUST CO  
All Prior Endorsements Guaranteed  
JUN 16 1926  
AMERICAN BANK & TRUST CO  
SUFFOLK, VA.  
E. E. JONES, Cashier  
38-125

L B O M  
407030  
6410

FOLIO 1827 TERMS---CASH

SUFFOLK, VA.,

May 21 at

1926

Mr. L. P. Holland, Special Commis - Adams Ogden & Hill  
May 1. City

May

V. Lortz

TO WEST & WITHERS, DR.

*Fire, Life, Marine, Accident, Health, Workmens Compensation,  
Steam Boiler Insurance and Surety Bonds*

P. O. BOX 103  
10M 12-2-24

OFFICE No. 117 N. MAIN STREET

PHONE No. 10

[illegible]

E. E. & L. P. HOLLAND  
ATTORNEYS AT LAW  
SUFFOLK, VA.

SUFFOLK, VA.

June 18th 1926

No. 657

THE FARMERS' BANK OF NANSEMOND  
SUFFOLK, VA. 68-123  
5

PAY TO THE  
ORDER OF

The Aircraft Press - \$ 10<sup>00</sup>

Less + no/100

DOLLARS

Re: Printing handbills Adams, Sawyer Hall matter

HOLLAND & HOLLAND, ATTORNEYS

BY

L. P. Holland

Pay to the Order of  
The Farmers Bank of Nansemond  
341 Suffolk, Va.  
R. C. GURLEY,  
The Artcraft Press,

L B O M  
+ O T A S E  
B W I O

L.P.Holland .....p. q.

Copy of Costs

Taxed in the Suit of:

...Farmers Bank of Nansemond, et als.....

vs.

Asams, Payne & Hall, Inc.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA

Writ Tax

1.50

Clerk

12.00

Sheriff

1.00

Attorney

15.00

Commissioner

40.50

Printer, for Order of Publication, etc.

~~\$~~ 70.00

Deposit 3-4-24

7.50

Date of Judgement or Final Decree

192

Paid

1926

Clerk

REPORT OF SPECIAL COMMISSIONER.

Farmers Bank of Nansemond  
et als.

v.

Adams, Payne & Hall, Inc.

1926 July 26. filed.  
J.L.M.

E. E. & L. P. HOLLAND  
SUFFOLK, VIRGINIA

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

Farmers Bank of Nansemond, et als.....Complainants

v.

Adams, Payne & Hall, Incorporated.....Defendants

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This cause came on this day to be again heard on the papers formerly read and on the report of L. P. Holland, Special Commissioner, dated the 16th day of June, 1926, and this day filed, to which report no exceptions have been taken, and was argued by counsel.

On consideration whereof, it appearing to the court, from the said report of L. P. Holland, Special Commissioner, that pursuant to a decree entered therein on the 21st day of May, 1926, he sold on June 12th, 1926, at public auction, in front of the National Bank of Suffolk building, in the City of Suffolk, Virginia, the property in the bill ~~of~~ proceedings mentioned, after having first advertised the time, place and terms of sale for fifteen days, by posting notices of same in numerous public places in the City of Suffolk, Virginia, by forwarding copy of said notice to the defendants in this cause, and by advertising the sale of the said property on Sunday, May 23, 1926, and Sunday, May 30, 1926, in the Virginian-Pilot, a newspaper published in the City of Norfolk, but having general circulation in the City of Suffolk, said sale having been made upon the terms set forth in said decree of May 21, 1926, and at said sale the following described property was sold to The Farmers Bank of Nansemond for Four Thousand (\$4,000) Dollars:

1. That certain tract or parcel of land in Sleepy Hole Magisterial District, in the County of Nansemond, State of Virginia, containing forty and three-fourths ( $40\text{-}\frac{3}{4}$ ) acres, more or less, and bounded and described as follows: Beginning at a point on the right-of-way of the Southern Railway on the East side one thousand five hundred and sixty-one (1561) feet from Shingle Creek, and running East sixty-four poles and twenty (20) links to the road to Stevers Station; thence along said road forty three (43) poles to a path; thence along center of said path South fifty-five (55) degrees, West thirty and one-fourth ( $30\text{-}\frac{1}{4}$ ) poles, thence South fifty seven (57) degrees West twenty-two (22) poles and twenty (20) links to a point in the center of said path; thence South twenty-three (23) degrees East four hundred and thirty (430) feet to the land of Ira P. Brinkley, or that which was his; thence along the land of the said Ira P. Brinkley South seventy three and one-half ( $73\text{-}\frac{1}{2}$ ) degrees West fifty (50) poles and seven (7) links to Shingle Creek at low water mark to the right-of-way of the said Southern Railway; thence along the right-of-way of the said Southern Railway one thousand five hundred and sixty-one (1561) feet to the point of beginning, together with all and singular the buildings thereon and the appurtenances thereto belonging, and being the same land which was, by deed dated February 27, 1913, and admitted to record on March 21, 1913, in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, in Deed Book 74, page 297, conveyed to Louis Larson by A. C. Larson and wife, save and except a certain portion of the said land, which by deed dated September 15, 1914, and recorded in Deed Book 80, page 205, in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, was conveyed by said Louis Larson and wife to Ira P. Brinkley. The said land so sold to Ira P. Brinkley contains four and three-fifths ( $4\text{-}\frac{3}{5}$ ) acres, and is bounded on the North by other land of Louis Larson (herein conveyed) on the East by the land of W. A. Jakeman, on the South by other land of the said Ira P. Brinkley, and on the West by Shingle Creek. For a plat of this four and three-fifths ( $4\text{-}\frac{3}{5}$ ) acre tract of land see Plat Book No. 1, page 79, in the Clerk's Office of the Circuit Court of Nansemond County, Virginia. The said land herein conveyed formerly consisted of three separate tracts, which are described individually in the deed from The Standard Brick Company to A. C. Larson, in Deed Book 72, page 127, in the Clerk's Office of the Circuit Court of Nansemond County, Virginia.

2. That certain tract or parcel of land in Sleepy Hole Magisterial District, County of Nansemond, State of Virginia, containing four and thirty-four hundredths ( $4\text{-}\frac{34}{100}$ ) acres, by survey, and bounded and described as follows: Beginning at a certain point on the Eastern right-of-way line of the Southern Railway in the center of a ditch, the dividing line between the land of Louis Larson and the land hereby conveyed; thence running from said beginning point Northwardly along the Eastern right-of-way two hundred and fourteen and five-tenths (214.5) feet to a stake; thence running Eastwardly along the line of W. A. Jakeman South eighty-five and one-half ( $85\text{-}\frac{1}{2}$ ) degrees East eight hundred and twenty-seven (827) feet to the Muskrat County Road; thence running Southeastwardly along said "Muskrat" County Road two hundred and sixty-six (266) feet to a stake on said "Muskrat" County Road; thence running Westwardly along the line of Louis Larson one thousand and forty (1040) feet to the point of beginning; and bounded on the North by the land of W. A. Jakeman, South by the land of Louis Larson, East by the said "Muskrat" County Road, and West by the Eastern right-of-way line of said Southern Railway, together with all and singular the appurtenances thereto belonging. The said land is the same which, by deed dated August 23, 1919, recorded in Deed Book No. 92, at page 148, in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, was conveyed

to Louis Larson by W. A. Jakeman and wife and S. M. Lawrence, Trustee, and John E. Vincent. For a plat of said tract of land, which said plat is a part of said deed from Jakeman and others to Louis Larson, see Plat Book 2, page 27, in the Clerk's Office of the Circuit Court of Nansemond County, Virginia.

3. All the brick-making machinery and equipment necessary to the operation of the brick-making plant above conveyed and used in the manufacture of bricks.

4. All the right, title and interest of Louis Larson and wife in a certain right-of-way conveyed to them by Simon M. Lawrence and wife by deed dated November 3, 1919, and admitted to record on November 12, 1919, and recorded in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, in Deed Book 92.

All of which said tracts of land, together with the appurtenances situated thereon or in any wise appertaining thereto, were conveyed to Adams, Payne & Hall, Incorporated, by Louis Larson and wife, by deed dated November 17, 1919 and admitted to record in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, on the 26th day of November, 1919, in Deed Book 92, page 298.

The Court doth order, adjudge and decree that, upon delivery to the said L. P. Holland, Special Commissioner, of deposit tickets, showing the above named purchasers, or its assigns, has deposited in the Farmers Bank of Nansemond, to the credit of L. P. Holland, Special Commissioner <sup>subject to the order of the Court</sup> in this cause, the amount bid by it for the above described land, he, the said L. P. Holland, Special Commissioner, shall execute and deliver to the said purchaser, or to whomsoever it may direct, a deed, conveying, with Special Warranty, the above tract of land so purchased by it.

The Court doth further order, adjudge and decree that after the said deed shall have been executed and delivered to the purchaser by your Commissioner, and after the said purchaser shall have deposited to the credit of L. P. Holland, Special Commissioner in this cause, the full amount of the purchase price, then the said Special Commissioner, after paying taxes on this property, amounting to \$118.26, reported by the Commissioner in Chancery in his report, together with the costs in this suit, including fee for counsel, amounting to \$ and costs of suit in a certain judgment obtained by the Farmers Bank of Nansemond against

Adams, Payne & Hall, Incorporated, and J. Ellis Hall and E. C. Deacon, for the sum of \$4,000.00, with interest thereon from May 2, 1925, which judgment was rendered on October 16, 1925, in the Corporation Court of the City of Lynchburg, and recorded in Judgment Lien Docket 5, at page 93, in the Clerk's Office of Nansemond County, Virginia, on October 19, 1925, and execution on which was issued on December 4, 1925, and again on December 21, 1925, and returned to said Clerk's Office, marked, "No effects", which judgment was also reported by the Commissioner in Chancery in this cause, and after paying to C. B. Godwin, attorney for John T. Jessup, and taking proper receipt therefor, and also showing credit for same on the Miscellaneous Lien Book in the Corporation Court of the City of Lynchburg, a labor lien of said John T. Jessup, amounting to \$50.50, which accrued prior to October 16, 1925, the date on which the judgment of the Farmers Bank of Nansemond was obtained in the Corporation Court of the City of Lynchburg, all of which is fully explained in the report of L. P. Holland, Special Commissioner, filed in this cause on the 16th day of June, 1926, then the said L. P. Holland, Special Commissioner, shall credit on the Judgment Lien Docket above mentioned in the County of Nansemond and also in the Clerk's Office of the Corporation Court of the City of Lynchburg, the balance due from the said proceeds of sale.

And this cause is continued.

VIRGINIA: IN THE CIRCUIT  
COURT OF THE COUNTY OF NAN-  
SEMOND.

FARMERS BANK OF NANSEMOND  
ET ALS

V.

ADAMS, PAYNE & HALL, INC.

DECREE

ENTER: June 17, 1926.

James S. McElmore

# 6 Page 17

VIRGINIA:

IN THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND.

FARMERS BANK OF NANSEMOND ET ALS.....COMPLAINANTS

V.

ADAMS, PAYNE & HALL, INCORPORATED.....DEFENDANTS

This cause came on this day to be again heard on the papers formerly read, and on the report of L. P. Holland, Special Commissioner, dated the 20th day of July, 1926, and this day filed, to which report no exceptions have been taken and was argued by counsel.

On consideration whereof, it appearing to the court from said report that there is nothing further to be done in said cause, it is ordered, adjudged and decreed that the same be, and it is hereby, stricken from the docket.

Farmers Bank of Nansemond  
et als

v.

Adams, Payne & Hall, Inc.

.....

DECREE

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Enter:

*July 26, 1926*  
*A. L. McInnis*

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