

1933-065
Nansemond Co (Suffolk) Chancery Causes: Josephene Holland vs Preston Holland et al

75

Byrd, Later, Dalton, Peele, Lewter, Norfleet

Josephine Holland

v.

Preston Holland, Etta W. Holland,

Rosa Byrd, Martha J. Holland, Reta

O. Luter, Eddie B. Holland, John

W. Holland, Everett Lee Holland,
an infant under the age of
twenty one years,

J. S. Dalton, Trustee, and

Judith Peele, Executrix of W. S.
Peele, deceased.

I N C H A N C E R Y

TO THE CLERK OF THE CIRCUIT COURT OF GALLATIN
COUNTY, VIRGINIA:

Kindly issue process in the above named cause
returnable to Second September term, 1925.

Chas. B. Godwin, Jr.
Solicitor.

CHANCERY SUMMONS

The Commonwealth of Virginia.

TO THE SHERIFF OF NANSEMOND COUNTY---GREETING:

You are Hereby Commanded to Summon Preston Holland, Etta V. Holland,
Rosa Byrd, Martha J. Holland, Math C. Luter, Eddie B. Holland, John W. Holland,
Everett Lee Holland, an infant under the age of twenty-one years, J.P. Walton,
Trustee, and Judith Peale, Executrix of W.D. Peale, deceased

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 Second Monday in September, 1923, to answer a
Bill in Chancery, exhibited against them
in the said Court by Josephine Holland

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this 15th day of
September, 1923, in the 14th year of the Commonwealth

A Copy---Teste:

G. E. Bunting Clerk }

Teste:

G. E. Bunting Clerk

Executed this _____ day of _____, 191____ by delivering a true copy of the with-
in process to _____

in person, in the County of Nansemond, State of Virginia.

Sheriff

p. q.

Ruth Q. Ruter

vs. } In Chancery

19_____

Rules

Monday.

NANSEMOND COUNTY COURT,

Process Book, No. _____

Page _____

Due sufficient and legal service of the within summons is
hereby accepted by me.

Ruth Q. Ruter.

CHANCERY SUMMONS

The Commonwealth of Virginia.

TO THE SHERIFF OF NANSEMOND COUNTY---GREETING:

You are Hereby Commanded to Summon Preston Holland, Etta V. Holland,
Rosa Byrd, Martha J. Holland, Ruth O. Luter, Eddie B. Holland, John W. Holland,
Everett Lee Holland, an infant under the age of twenty-one years, J. P. Dalton,
trustee, and Judith Peele, Executrix of W. Q. Peele, deceased

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 Second Monday in September, 1923, to answer a

Bill in Chancery, exhibited against them

in the said Court by Josephine Holland

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this 15th day of
September, 1923, in the 43th year of the Commonwealth.

A Copy---Teste:

G. E. Bunting

Clerk

Teste

G. E. Bunting

Clerk

Executed this _____ day of _____, 191____ by delivering a true copy of the with-

in process to _____

in person, in the County of Nansemond, State of Virginia.

Sheriff

p. q.

Copy for
Edwin B. Holland

} In Chancery

vs.

19_____

Rules

Monday.

NANSEMOND COUNTY COURT,

Process Book, No. _____

Page _____

Due sufficient and legal service of the within summons is
hereby accepted by me.

Edwin B. Holland

CHANCERY SUMMONS

The Commonwealth of Virginia.

TO THE SHERIFF OF NANSEMOND COUNTY---GREETING:

You are Hereby Commanded to Summon Preston Holland, Etta v. Holland,
Rosa Byrd, Martha J. Holland, Ruth O. Luter, Eddie B. Holland, John W. Holland,
Everett Lee Holland, an infant under the age of twenty-one years, J. P. Dalton,
Trustee, and Judith Peele, Executrix of W. Q. Peele, deceased

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 Second Monday in September, ¹⁹²³ to answer a

Bill in Chancery, exhibited against them

in the said Court by Josephine Holland

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this 15th day of
September, 1923, in the 148th year of the Commonwealth.

A Copy--Teste:

Teste:

Clerk

Clerk

201 May 1911

Executed this _____ day of _____, 191____ by delivering a true copy of the with-
in process to _____

in person, in the County of Nansemond, State of Virginia.

Sheriff

p. q.	
C. 64, for	
John W. Holland	
vs.	In Chancery
19	
Rules	
Monday.	
NANSEMOND COUNTY COURT,	
Process Book, No.	
Page	

Due sufficient and legal service of the within summons is hereby
accepted by me.

John W. Holland.

CHANCERY SUMMONS

The Commonwealth of Virginia.

TO THE SHERIFF OF NANSEMOND COUNTY---GREETING:

You are Hereby Commanded to Summon Preston Holland, Etta V. Holland,
Rosa Byrd, Martha J. Holland, Ruth O. Luter, Eddie B. Holland, John W. Holland, Everett
Lee Holland, an infant under the age of twenty-one years, J.P. Dalton, trustee and
Judith Peele, Executrix of W.Q. Peele, deceased

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 Second Monday in September, 1923, to answer a

Bill in Chancery, exhibited against them
in the said Court by Josephine Holland

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this 15th day of
September, 1923, in the 148th year of the Commonwealth

A Copy---Teste:

Teste:

Clerk

Clerk

Executed this day of , 1910 by delivering a true copy of the with

in process to

in person, in the County of Nansemond, State of Virginia.

Sheriff

Att. for <i>Rosa Byrd</i>	vs. } In Chancery	19<u> </u>	Rules Monday.	NANSEMOND COUNTY COURT,	Process Book, No. <u> </u>	Page <u> </u>
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Due sufficient and legal service of the within summons is hereby
accepted by me.

Rosa Byrd

CHANCERY SUMMONS

The Commonwealth of Virginia.

TO THE SHERIFF OF NANSEMOND COUNTY---GREETING:

You are Hereby Commanded to Summon ~~Irston Holland, Etta V. Holland,~~
~~Moss Byrd, Martha J. Holland, Ruth O. Luter, Edie B. Holland, John W. Holland, Everett~~
~~Lee Holland, an infant under the age of twenty-one years, J. B. Walton, Trustee and~~
~~Judith Reele, Executrix of W. H. Reele, deceased~~

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 ~~Second~~ ^{September, 1923} Monday in ~~the~~ ^a, to answer
Bill in Chancery, exhibited against ~~them~~
~~Josephine Holland~~
in the said Court by

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this ^{15th}
~~September~~ ²³ ~~14th~~ day of
_____, 19____, in the 13____ year of the Commonwealth.

A Copy---Teste:

Teste:

Clerk

Clerk

Executed this _____ day of _____, 191____ by delivering a true copy of the with-

in process to _____

in person, in the County of Nansemond, State of Virginia.

Sheriff

p. q.

a cert for
Martha J. Holland

vs. } In Chancery

19_____

Rules

Monday.

NANSEMOND COUNTY COURT,

Process Book, No. _____

Page _____

Due sufficient and legal service of the within summons is
hereby accepted by me.

Martha J. Holland

CHANCERY SUMMONS

The Commonwealth of Virginia.

TO THE SHERIFF OF NANSEMOND COUNTY---GREETING:

You are Hereby Commanded to Summon Preston Holland, Etta V. Holland,
Rosa Byrd, Martha J. Holland, Ruth O. Luter, Eddie B. Holland, John W. Holland,
Everett Lee Holland, an infant under the age of twenty-one years, J. P. Dalton,
Trustee and Judith Paele, Executrix of W. Q. Peelw, deceased.

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 September, 1923, to answer a
Bill in Chancery, exhibited against them
in the said Court by Josephine Holland

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this 15th day of
September, 1923, in the 148th year of the Commonwealth.

A Copy---Teste:

Teste:

Clerk

Clerk

Executed this _____ day of _____, 191_____ by delivering a true copy of the with-

in process to _____

in person, in the County of Nansemond, State of Virginia.

Sheriff

P. Q.

*At test for
Court Reg. Hallen*

} In Chancery

vs.

19_____

Rules

Monday.

NANSEMOND COUNTY COURT,

Process Book, No. _____

Page _____

Due, legal and sufficient service of the within summons is
hereby accepted by me.

CHANCERY SUMMONS

The Commonwealth of Virginia.

TO THE SHERIFF OF NANSEMOND COUNTY---GREETING:

You are Hereby Commanded to Summon ~~Preston Hollan, Etta V. Holland,~~
~~Rosa Byrd, Martha J. Holland, Ruth O. Luter, Eddie B. Holland, John W. Holland,~~
~~Everett Lee Holland, an infant under the age of twenty-one years, J. P. Dalton,~~
~~Trustee, and Judith Peele, Executrix of W. Q. Peele, deceased~~-----

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 ~~September,~~^{14th} to answer-----

Bill in Chancery, exhibited against-----
~~them~~-----

in the said Court by-----
~~Josephine Holland~~-----

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this ~~15th~~-----day of
~~September~~-----, 19~~23~~-----, in the ~~13th~~-----year of the Commonwealth.

A Copy---Teste:

G. E. Bunting

Clerk

Teste:

G. E. Bunting

Clerk

Executed this _____ day of _____, 191____ by delivering a true copy of the with-
in process to _____

in person, in the County of Nansemond, State of Virginia.

Sheriff

p. q.

Atty for
Nansemond

vs. } In Chancery

19_____

Rules

Monday.

NANSEMOND COUNTY COURT,

Process Book, No. _____

Page _____

Due, legal and sufficient service of the within summons is
hereby accepted by me.

Frederick Holland

CHANCERY SUMMONS

The Commonwealth of Virginia.

TO THE SHERIFF OF NANSEMOND COUNTY--GREETING:

You are Hereby Commanded to Summon....., Etta V. Holland,
Rosa Byrd, Martha J. Holland, Ruth O. Luter, Eddie B. Holland, John W. Holland,
Everett Lee Holland, an infant under the age of twenty-one years, J. P. Dalton,
Trustee and Judith Peelo, Executrix of W. O. Peelo, deceased.

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 September, 1923, to answer... a...
Bill in Chancery, exhibited against... them...
in the said Court by... Josephine Holland...

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this... 15th... day of
September..., 1923, in the 138th... year of the Commonwealth

A Copy--Teste:

Teste:

Clerk

Clerk

Executed this _____ day of _____, 191____ by delivering a true copy of the with-

in process to _____

in person, in the County of Nansemond, State of Virginia.

Sheriff

P. q.

*cc copy for
J. R. Galloway, Clerk*

} In Chancery

vs.

19____

Rules

Monday.

NANSEMOND COUNTY COURT,

Process Book, No. _____

Page _____

Due, legal and sufficient service of the within summons is hereby accepted by me.

J. R. Galloway

CHANCERY SUMMONS

The Commonwealth of Virginia.

TO THE SHERIFF OF NANSEMOND COUNTY---GREETING:

You are Hereby Commanded to Summon Preston Hollan, Etta V. Holland,
Rosa Byrd, Martha J. Holland, Ruth O. Luter, Eddie B. Holland, John W. Holland,
Everett Lee Holland, an infant under the age of twenty-one years, J. P. Dalton,
Trustee, and Judith Peele, Executrix of W. Q. Peele, deceased

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 14th Monday in September, 1923, to answer

Bill in Chancery, exhibited against

in the said Court by

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this 10th day of

September, 1923, in the 13th year of the Commonwealth.

A Copy--Teste:

G. E. Bunting

Clerk

Teste:

G. E. Bunting

Clerk

in process to _____

in person, in the County of Nansemond, State of Virginia.

Sheriff

p. d.

City for
 Judith Perkins, Ex-convict
 of W. & W. B. Co., Inc.

vs. } In Chancery

19

Rules

Monday.

NANSEMOND COUNTY COURT,

Process Book, No. 1

Page.

Due, legal and sufficient service of the within summons is hereby accepted by me.

Wm. A. Peck

Josephine Holland

v.

Preston Holland, Etta V. Holland, Rosa

Byrd, Martha J. Holland, Ruth O. Luter,

Philip B. Holland, John W. Holland,

Everett Lee Holland, an infant under the age of twenty-one years, and Thomas L. Woodward, Guardian ad Litem of said infant, and Josephine Holland, Guardian of Everett Lee Holland,

J. T. Dalton, Trustee, and Judith Peale, Executrix of W. Q. Peale, Deceased.

DECEASED

This cause came on this day to be heard upon the papers formerly read and on the report of Charles B. Godwin, Jr., Special Commissioner, this day filed, to which report there was no exception and was argued by counsel.

On consideration whereof it appearing to the court from the said report of the said Commissioner that the said commissioner has disbursed the THREE THOUSAND (\$3,000.00) DOLLARS deposited in the National Bank of Suffolk to the credit of the court in this cause in conformity with decree entered in this suit on March 15th, 1934. The Court doth adjudge, order and decree that the said report be confirmed.

And nothing further remaining to be done in this suit, it is hereby ordered that same be stricken from the Docket.

Enter, April 1924
Joe L. McNamee

Josephene Holland

v.

Preston Holland, Etta W. Holland, Rosa
 Byrd, Martha J. Holland, Ruth O. Luter,
 Nadie B. Holland, John W. Holland,
 Everett Lee Holland, an infant under
 the age of twenty-one years, and Thomas
 L. Woodward, Guardian ad Litem of said
 infant, and Josephene Holland, Guardian
 of Everett Lee Holland,

J. P. Dalton, Trustee, and Judith Peele,
 Executrix of W. Q. Peele, deceased.

R E P O R T

The undersigned Commissioner appointed by decree rendered by this Honorable Court in the above entitled cause, was by decree entered on the 15th day of March, 1924 ordered to disburse the THREE THOUSAND (\$3,000.00) DOLLARS deposited to the credit of the court in this cause by the following checks for the following purposes: One check in the amount of ONE HUNDRED SIXTY SEVEN DOLLARS AND EIGHTY FIVE CENTS (\$167.85), payable to Charles B. Godwin, Jr., to defray the costs incurred in this suit, which costs were as follows:

Clerk's Cost	\$11.60
Bradford Kilby, Commissioner in Chancery	30.00
A. H. Baker, Services of Process	1.00
C. B. Godwin, Jr., Writing Deed	10.00
Thomas L. Woodward, Guardian ad Litem	5.00
W. A. Chapman, Sheriff, Services of Process	.50
Anne Jones, Taking Depositions	5.00
Stamps on Timber Deed to Planters Nut & Chocolate Company	3.00
C. B. Godwin, Jr., Attorney's Fee	50.00
Recording Deed of Correction from Wilbur Wise Holland and Della Luter to Josephene Holland	1.75

Special Commissioner's Commission on \$3,000.00	\$50.00
Total	<u>\$167.85</u>

One check in the amount of THREE HUNDRED FIFTY FOUR DOLLARS AND TWO CENTS (\$354.02) payable to Josephene Holland, Mother and Guardian of Everett Lee Holland for the said Everett Lee Holland's one-eighth (1/8) interest of the proceeds from the sale of said timber, one check in the amount of ONE THOUSAND FIVE HUNDRED (\$1,500.00) DOLLARS payable to Judith Peele, Executrix of W. Q. Peele, Deceased, to be paid on the bond secured by Deed of Trust on real estate described in this suit, and one check in the amount of NINE HUNDRED AND SEVENTY EIGHT DOLLARS AND THIRTEEN CENTS (\$978.13) payable to Preston Holland, said check to be applied on the payment of bond in the amount of ONE THOUSAND (\$1,000.00) DOLLARS secured on real estate described in this suit.

Your Commissioner reports that out of the check in the amount of ONE HUNDRED SIXTY SEVEN DOLLARS AND EIGHTY FIVE CENTS (\$167.85) all costs incurred in this suit have been paid and receipts are herewith filed showing payment of same; that a check in the amount of THREE HUNDRED FIFTY FOUR DOLLARS AND TWO CENTS (\$354.02) has been given to Josephene Holland, Mother and Guardian of Everett Lee Holland, in payment of the one-eighth (1/8) interest of said Everett Lee Holland in the proceeds derived from the sale of timber in this suit, receipt for same is herewith filed; that a check in the amount of ONE THOUSAND FIVE HUNDRED (\$1,500.00) DOLLARS has been given to Judith Peele, Executrix of W. Q. Peele, Deceased, to be applied on the payment of the aforesaid bond, and aforesaid bond has been paid in full, released as of record and filed herewith; that a check in the amount of NINE HUNDRED SEVENTY EIGHT DOLLARS AND THIRTEEN CENTS (\$978.13) has been given to Preston Holland to be applied on the payment of the aforesaid bond in the amount of ONE THOUSAND (\$1,000.00) DOLLARS secured by Deed of Trust on real estate described in the bill filed in this cause, and the

said bond has been paid in full, released of record and filed
herewith.

Charles B. Godwin, Jr.
Special Commissioner,

MR.

G. P. Adams, Esq.

TO G. E. BUNTING, CLERK CIRCUIT COURT
OF NANSEMOND COUNTY

SUFFOLK, VA.,

19

VS.

TAX, \$

TRANSFER, \$

Fee, \$

RECORDING

DEED FROM

*Costs in drawing case of Joseph
Holland vs. Arthur Holland*

PAID

March 10,

19

24 G. E. Bunting

CLERK

\$ 11 60

Suffolk, Va.

March 19, 1924.

Received of Charles B. Godwin, Jr., Special Commissioner
in the chancery suit of Josephene Holland v. Preston Holland and
others the sum of \$30.00 for services rendered as Commissioner
in Chancery in the above matter.

Bradford Kilby
Comm. in Chancery.

SUFFOLK, VA.,

1923

M

To A. H. BAKER, Dr.

SERGEANT OF CITY OF SUFFOLK

VS.

OFFICE CITY HALL

COLLECTED ON CLAIM

COLLECTED ON COST

Judgment	Amt. Judgment, \$
Interest	
Clerk's Fee	
Attorney's Fee	
Sergeant's Fee---Executing Process	
Sergeant's Commissions	
Justice's Fee	
Expense of Sale	
Summoning Witnesses	
Returning Executions	
Levy Made	
Commissioner's Notices	2
Taking Bond	
To Cost	
Credit	

Day of April, 1923, Received Payment

Sergeant

Deputy

Suffolk, Va.

March , 1924.

Received of Charles B. Godwin, Jr., Special Commissioner in
the chancery suit of Josephene Holland v. Prouton Holland and
others the sum of \$10.00 for services rendered in writing Deed,
in the above matter.

Chas. B. Godwin Jr.

Suffolk, Va.

March , 1924.

Received of Charles B. Godwin, Jr. Special Commissioner
in the chancery suit of Josephine Holland v. Preston Holland
and others the sum of \$5.00 for services rendered as Guardian
ad Litem of Everett Lee Holland, in the above matter.

Rosa L. Goddard

MAGNET, VA., Nov. 19 1923

Mr. Chas. B. Loomis, Atty.,

IN ACCOUNT WITH W. H. CHAPMAN

Sheriff of the County of Isle of Wight, Va.

10% Commissions Charged on all Collections unless otherwise agreed upon

1923.

Nov. 19

To R. F. notice Josephine Hallard vs
Ruth O. Luter,

.50

Paid 4/1/24

W. H. Chapman, Sheriff

Suffolk, Va.

March , 1924.

Received of Charles B. Godwin, Jr., Special Commissioner
in the chancery suit of Josephene Holland v. Preston Holland
and others the sum of \$5.00 for services rendered in the taking
of depositions in the above matter.

Anne Jones.

Suffolk, Va.,

March , 1924.

Received of Charles B. Godwin, Jr., Special Commissioner
in the chancery suit of Josephene Holland v. Preston Holland
and others the sum of \$3.00 for Revenue stamps to go on Timber
Deed from Charles B. Godwin, Jr., Special Commissioner, to the
Planters Nut and Chocolate Company.

James H. Corlitt, Atty.

Suffolk, Va.

March , 1924.

Received of Charles B. Godwin, Jr., Special Commissioner in the chancery suit of Josephene Holland v. Preston Holland and others the sum of \$50.00 for services rendered as attorney for Josephene Holland and the adult defendants in the above matter.

Chas. B. Godwin, Jr.

MR. *C. B. Goddard, Cllg*

TO G. E. BUNTING, CLERK CIRCUIT COURT
OF NANSEMOND COUNTY

SUFFOLK, VA..

19

VS.

TAX, \$

X

TRANSFER, \$

X

Fee, \$

1.25

RECORDING

Correction

DEED FROM

Willa Brewster et al

TO

Josephine McDaniel

PAID

Jan 15;

19*24*

R. E. Bunting

CLERK

Suffolk, Va.

March , 1924.

Received of Charles B. Godwin, Jr., Special Commissioner
in the chancery suit of Josephene Holland v. Preston Holland
and others the sum of \$50.00 for Special Commissioner's commission
on \$3,000.00 collected on the purchase price of the timber in
the above matter.

Chas B Godwin Jr.

Suffolk, Va.

March , 1924.

Received of Charles B. Godwin, Jr., Special Commissioner in the chancery suit of Josephene Holland v. Preston Holland and others the sum of \$354.02 the one-eighth share and interest of Everett Lee Holland in the proceeds from the sale of the timber in the above matter.

Mrs Josephene Holland
Mother and Guardian of
Everett Lee Holland.

\$1500.00

On demand.....after date, with legal interest from date

until paid, payable.....~~semi-annually~~.....

.....we bind our.....sel.ves., our heirs, executors and administrators, jointly and severally, to pay

to W. C. Peele, his

.....heirs or assigns,

the sum of FIFTEEN HUNDRED AND NO/100.....DOLLARS

for value received; and we.....hereby waive the benefit of our.....Homestead Exemption as

to this debt, obligation and contract.

Secured by deed of trust on real estate in.....Nansemond County,.....Va.

J. P. Dalton.....Trustee.

Witness...our hands and seals this...28th...day of...February...1923.

Witness
Lucy L. Wells

Josephine Holland (Seal)
Preston Holland (Seal)
.....(Seal)

For and in consideration of the sum of
\$1500.00 thw within bond is hereby assigned
to Charles B. Godwin, Jr. Special Commissioner.

x Audith A. Peele
Executrix of W. Q. Peele Deceased.

March 18th 1924:

\$1,000... On demand... after date, with legal interest from date until paid, payable... semi-annually

I bind my self, my heirs, executors and administrators, jointly and severally, to pay to Preston Holland, his

heirs or assigns, the sum of One Thousand and no/100 DOLLARS

for value received; and I hereby waive the benefit of my Homestead Exemption as to this debt, obligation and contract.

Secured by deed of trust on real estate in Hennessy County Va. J. P. Dalton, Trustee.

Witness hand and seal this 28th day of February, 1923.

Witness Lucy L. Neale

Josephine W. Allen (Seal)
(Seal)
(Seal)

For and in consideration of the sum of
\$1,500.00 the within bond is hereby assigned
to Charles B. Godwin, Jr., Special Commissioner

Preston Hallen

March 19th, 1924:

In the Circuit Court of
Hampden County

Josephine Holland

v.

Preston Holland et als.

COMMISSIONER'S REPORT

1924 April
Filed
J. M.

CHARLES B. GODWIN, JR.
ATTORNEY AT LAW
SUFFOLK, VA.

Josephene Holland

v.

Preston Holland, Etta V. Holland, Rosa
Byrd, Martha J. Holland, Ruth O. Luter,
Eddie B. Holland, John W. Holland,

Everett Lee Holland, an infant under the
age of twenty-one years, and Thomas L.
Woodward, Guardian ad Litem of said
infant, and Josephene Holland, Guardian
of Everett Lee Holland,

J. P. Dalton, Trustee, and Judith Peele,
Executrix of W. O. Peele, Deceased.

D E C R E E

This cause came on this day to be heard upon the
papers formerly read and on the report of Charles B. Godwin, Jr.,
Special Commissioner this day filed, to which report there is no
exception and was argued by counsel.

On consideration whereof it appearing to the court
from the said report of the said Commissioner that the Planters Nut
and Chocolate Company has deposited in the National Bank of Suffolk
to the credit of the court in this cause the sum of Three Thousand
(\$3,000.00) Dollars for the purchase price of the timber mentioned
and described in the bill filed in this suit, and that the said
Charles B. Godwin, Jr., Special Commissioner has executed and delivered
to the Planters Nut and Chocolate Company a deed conveying the afore-
said timber to the Planters Nut and Chocolate Company. The court
doth adjudge, order and decree that the said report be confirmed, and
it further appearing to the court from the depositions filed in this
cause that the following expenses have been incurred in this matter:

Deposit with Clerk's <i>costs</i>	\$11.60
Bradford Kilby, Commissioner in Chancery	\$30.00
H. H. Baker, Service of Process	1.00

C. B. Godwin Writing Deed	\$10.00
Thomas L. Woodward, Guardian ad Litem of Everett Lee Holland	5.00
M. H. Chapman, Sheriff, Service of Process	.50
Anne Jones, Taking of Depositions	5.00
Stamps on Timber Deed to Planters Nut and Chocolate Company	3.00
C. B. Godwin, Attorney's Fee	50.00
Recording Deed of Correction from Wilbur Wise Holland and Della Luter to Josephene Holland	1.75
Special Commissioner's Commission on \$3,000.00	50.00
Total	\$167.85

It is hereby ordered and decreed that the above expenses be paid by the Special Commissioner in this suit, that the receipts be taken for same.

It further appearing to the court that after deducting the above One Hundred and Sixty-seven Dollars and eighty-five Cents (\$167.85) from the said Three Thousand (\$3,000.00) Dollars as aforesaid deposited in the National Bank of Suffolk, there is a balance in said Bank to the credit of the court in this cause in the amount of Two Thousand Eight Hundred and Thirty two Dollars and Fifteen Cents (\$2,832.15), of which said balance the infant Everett Lee Holland is entitled to a one-eighth (1/8) share which said share amounts to the sum of Three Hundred and Fifty-four Dollars and Two Cents (\$354.02). It is hereby ordered and decreed that the said sum of Three Hundred and Fifty-four Dollars and Two Cents (\$354.02) be paid by the said Special Commissioner to Josephene Holland, Guardian of said Everett Lee

to be used for the maintenance education and support of said infant - it appearing that the mother is a delinquent
Holland, and that a receipt be taken for same.

It further appearing to the court that after paying the aforesaid expenses in the amount of One Hundred and Sixty-seven Dollars and Eighty-five Cents (\$167.85) and the afore-

and computed to same

said interest and share of the infant in the amount of Three Hundred and Fifty-four Dollars and Two Cents (\$354.02), there will be a balance in said Bank to the credit of the court in this cause in the sum of Two Thousand Four Hundred and Seventy-eight Dollars and Thirteen Cents (\$2,478.13). It is hereby ordered and decreed that the aforesaid Two Thousand Four Hundred and Seventy-eight Dollars and Thirteen Cents (\$2,478.13) be applied to the payment of the two (2) existing liens upon the property described in the bill filed in this suit, one of which said liens is in favor of Preston Holland in the amount of One Thousand (\$1,000.00) Dollars, and the other in the favor of W. C. Peele, Deceased, in the amount of One Thousand Five Hundred (\$1,500.00) Dollars. It is further ordered that the said Special Commissioner report to the court his action under this decree and file with said report vouchers or receipts showing all expenditures made by him. It is further ordered and decreed that the National Bank of Suffolk honor the following checks drawn by Charles B. Godwin, Jr., Special Commissioner in the Matter of Josephene Holland v. Preston Holland et als; one check in the amount of One Hundred Sixty-seven Dollars and Eighty-five Cents (\$167.85), payable to Charles B. Godwin, Jr., to defray all costs and expenses incurred in this suit, one check in the amount of Three Hundred Fifty-four Dollars and Two Cents (\$354.02) payable to Josephene Holland, mother and guardian of Everett Lee Holland, one check in the amount of One Thousand Five Hundred (\$1,500.00) Dollars, payable to Judith Peele, Executrix of W. C. Peele, Deceased, said check to be applied on payment of the aforesaid bond in the amount of One Thousand Five Hundred (\$1,500.00) Dollars secured by deed of trust on real estate described in the bill filed in this suit, one check in the amount of Nine Hundred Seventy-eight Dollars and Thirteen Cents (\$978.13)

payable to Preston Holland, said sum to be applied on the payment of the aforesaid bond in the amount of One Thousand (\$1,000.00) Dollars secured by deed of trust on real estate described in the bill filed in this case.

Enter March 15. 1924.
Joe L. McEmore

5 79 462

THE NATIONAL BANK OF SUFFOLK

CREDIT

DATE

March 13th 1924

ACCOUNT

Circuit Court of Hammond County

DESCRIPTION

AMOUNT

in suit of Stephen Holland.

75 - Prestan Holland state.

Plaiden Met. + Chas. C. Ch #1638

an former Bank of Hammond.

\$ 3000⁰⁰

APPROVED BY

Kiss

TOTAL

Josephene Holland

v.

Preston Holland, Etta V. Holland, Rosa

Byrd, Martha J. Holland, Ruth O. Tuter,

Eddie B. Holland, John W. Holland,

Everett Lee Holland, an infant under the
age of twenty-one years, and Thomas L.
Woodward, Guardian ad Litem of said infant,
and Josephene Holland, Guardian of Everett
Lee Holland,

R E P O R T

J. E. Dalton, Trustee and Judith Peele,
Executrix of W. C. Peele, Deceased.

The undersigned Commissioner appointed by a decree rendered by this Honorable Court in the above entitled cause for the purpose of selling, executing and delivering to the Planters Nut and Chocolate Company a sufficient deed with covenants of SPECIAL WARRANTY conveying unto the Planters Nut and Chocolate Company all of the timber, except Oak, ten (10) inches and larger across the stump, outside measurement, ten (10) inches from the general level of the ground at the time of cutting, together with all rights granted in the option filed with the depositions in this cause upon the land in the bill and proceedings mentioned and described, reports that the Planters Nut and Chocolate Company has deposited the sum of Three Thousand (\$3,000.00) Dollars in the National Bank of Suffolk to the credit of the court in this cause, that the undersigned Commissioner has delivered to the Planters Nut and Chocolate Company a deed conveying the aforesaid timber.

The undersigned Commissioner returns herewith the certificate of deposit showing the deposit of the said Three Thousand (\$3,000.00) Dollars in the National Bank of Suffolk to the credit of the court in this cause.

Chas. B. Godwin Jr.
Special Commissioner.

1924 march 15. filed.
J.M.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

In re: Josephene Holland

v.

Preston Holland, Etta V. Holland,
Rosa Byrd, Martha J. Holland,
Ruth O. Luter, Eddie B. Holland,
John W. Holland, Everett Lee Holland,
an infant under the age of twenty-one
years, and Thomas L. Woodward, Guardian
ad Litem of said infant, J. P. Dalton, Trustee,
and Judith Peele, Executrix of W. Q. Peele,
deceased.

This day came the petitioner, Josephene Holland, Guardian of Everett Lee Holland, by her attorney, and leave is granted her to file her petition in the above entitled suit, now pending in said court.

It is hereby ordered that the said Josephene Holland, Guardian of Everett Lee Holland, be made a party defendant to this suit, and leave is hereby granted the said Josephene Holland, Guardian of Everett Lee Holland, to file her answer, and the said answer is accordingly this day filed.

Enter March 10 1924
J. L. W. Lunde

5-74 46A

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA

In Re: Josephene Holland

v.

Preston Holland, Etta V. Holland,

Rosa Byrd, Martha J. Holland,

Ruth O. Luter, Eddie B. Holland,

John W. Holland, Everett Lee Holland,
an infant under the age of twenty-
one years, and Thomas L. Woodward

Guardian ad Litem of said infant,

J. P. Dalton, Trustee, and Judith

Peele, Executrix of W. Q. Peele,
deceased.

This day came the petitioner, by her attorney,
and leave is granted her to file her petition in the above
entitled suit, now pending in said court, and the same is according
this day filed.

Center Jan 24. 1924

Gas & Mr. Moore,

\$ 5.45

Josephene Holland

v.

Preston Holland, Etta V. Holland,
 Rosa Byrd, Martha J. Holland,
 Ruth O. Luter, Eddie B. Holland,
 John W. Holland, Everett Lee
 Holland, an infant under the age
 of twenty one years, *and Thos L Woodward*
Guardian ad litem of the infant
 J. P. Dalton, Trustee, and Judith
 Peele, Executrix of W. Q. Peele,
 deceased.

This day came the complainant, Josephene Holland,
~~by attorney~~, and on her motion Thomas L. Woodward, a discreet
 and competent attorney at law, is assigned as the guardian ad
 litem to the infant Everett Lee Holland, to defend his interests
 in this suit; and thereupon the said guardian ad litem filed
 the answer of the said infant defendant and his own answer on
 oath, to the bill of the complainant; and the said Everett Lee
 Holland, an infant over fourteen years of age, filed his own
 answer to the said bill; and Preston Holland, Etta V. Holland,
 Rosa Byrd, Martha J. Holland, Ruth O. Luter, Eddie B. Holland,
 John W. Holland, J. P. Dalton, and Judith Peele the adult de-
 fendants, filed their own answer to the said bill; to which
 several answers the complainant replied generally; and there-
 upon by consent of all parties by counsel, this cause is set
 for hearing and docketed; and by like consent came on this day
 to be heard on the bill of complaint and the exhibits therewith,
 several answers of the defendants to said bill as above set out,
 and the general replication of the complainant to every one of
 said answers, and was argued by counsel.

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 enquire and

report to the court as follows:

1. Of what estate, real and personal, the infant defendant Everett Lee Holland, is possessed or entitled, and what are his shares or interests therein, where such estate is situated, and what is its fee-simple and annual value;

2. Whether the interests of the said infant defendant will be promoted by sale of the real estate in the bill mentioned, or any part thereof, and an 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 distributors of the said infant defendant if he were dead, and whether all such persons are properly before the court in this cause;

5. What will be a fair compensation to be allowed to the counsel for the complainant out of the proceeds of the sale of the infant's land for their services in instituting and conducting this suit."

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 the court, along with any matter specially stated deemed pertinent by himself or required by any party to be so stated."

Recd. - Clerk's Office
Jan. 9, 1884

Enter October 19th
1923.

Jas. S. McInnis

\$5 - by 453

Josephene Holland
v.
Preston Holland, Etta V. Holland,
Rosa Byrd Holland, Martha J. Holland,
Ruth O. Luter, Eddie B. Holland,
John W. Holland, Everett LEE Holland,
an infant under the age of twenty one
years, and *Mrs. L. Woodard guardian ad litem for the infant*,
J. P. Dalton, Trustee, and Judith
Peele, Executrix of W. Q. Peele, deceased.

D E C R E E

This cause came on this day to be again heard on the papers formerly read and on the report of Commissioner Bradford Milby dated the 1st day of December, 1925, and filed on the 1st day of December, 1923, to which report there is no exception taken and on the depositions of witnesses returned with the said report, 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 defendant will be promoted by a sale of the timber upon the real estate hereinafter mentioned, and a payment of the liens upon said property, and the court being of the opinion that the rights of no person will be violated thereby, the court doth approve and confirm said report and doth adjudge, order and decree that Charles B. Godwin, Jr., is hereby appointed Special Commissioner for the purpose of selling, executing and delivering to the Planters Nut and Chocolate Company a sufficient deed with covenants of SPECIAL WARRANTY, conveying unto the said Planters Nut and Chocolate Company all of the timber, except Oak, Ten (10) inches and larger across the stump, outside measurement, Ten (10) inches

from the general level of the ground at the time of cutting, together with all rights granted in the option filed with the depositions in this cause upon the land, in the bill and proceedings mentioned, to-wit:

All that certain tract, piece or parcel of land in Holy Neck Magisterial District, Nansemond County, Virginia, bounded and described as follows: Bounded on the North by that tract of land known as the "Carr Holland Tract", on the East by the property of Levia Boone and B. J. Beale, on the South by the property of Robert L. Holland, formerly known as the "Lemuel Holland Estate", and on the West by the property formerly owned by J. E. Vincent and known as the Z. E. Holland farm, and the property known as the "Hardy Holland Tract" containing One Hundred and Forty five (145) acres, more or less.

Upon the following terms, Three Thousand (\$3,000.00) Dollars cash upon delivery of the aforesaid Deed. *Beh*
the said ~~Commissioner~~ *Plauter & Co. Trustees* is directed to deposit the said sum of Three Thousand (\$3,000.00) Dollars in the National Bank of Suffolk, Virginia to the credit of the Court in this cause, *and present the certificate showing such deposit to the special Commissioner* *who shall* and to report his proceedings hereunder to the court, returning therewith ~~the~~ certificate of deposit ~~of such cash~~ *showing the deposit of said \$3000.*

Recd. in Cards Office
Jan. 8, 1924.

Enter Dec 28. 1923.

J. L. McNamee

#5 79 453

VIRGINIA:

IN THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND.

Josephene Holland	'
	'
v.	'
Preston Holland, Etta V. Holland,	'
Rosa Byrd, Martha J. Holland,	'
Ruth O. Luter, Eddie B. Holland,	'
John W. Holland, Everett Lee	'
Holland, an infant under the age	'
of twenty one years,	'
J. P. Dalton, Trustee, and Judith	'
Peele, Executrix of W. Q. Peele,	'
deceased.	'

Extract from decree entered the 19th day of
October, 1923.

"The court doth adjudge, order, and decree
that this cause be referred to one of the commissioners of this
court, who is directed to enquire and report to the court as
follows:

1. Of what estate, real and personal, the infant defendant,
Everett Lee Holland, is possessed or entitled, and what is his
respective share or interest therein, where such estate is sit-
uated, and what is its fee-simple and annual value;
2. Whether the interest of the said infant defendant will be
promoted by sale of the real estate in the bill mentioned, or
any part thereof, and an 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 distributors of the said
infant defendant if he were dead, and whether all such persons
are properly before the court in this cause;

5. What will be a fair compensation to be allowed to the counsel for the complainant out of the proceeds of the sale of the ~~infant's~~ land for their services in instituting and conducting this suit.

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 the court, along with any matter specially stated deemed pertinent by himself or required by any party to be so stated."

Suffolk, Va., October 30, 1923.

To the Parties to the Above Suit:

I have fixed on Monday, the 19th day of November, 1923, at 10:00 o'clock A.M., as the time and my office aforesaid as the place for executing the decree of which the foregoing is an extract. Given under my hand as commissioner in chancery of the Circuit Court of the County of Nansemond the day and year aforesaid. *Bradford Kelby, Comm. in Chancery.*

Due legal and sufficient service of the above notice is hereby acknowledged.

J. R. D. W. W.
Trustee.

x Mrs. Lucile A. Peele.
Executrix of W. Q. Peele, deceased.

VIRGINIA:

IN THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND.

Josephene Holland	'
v.	'
Preston Holland, Etta V. Holland,	'
Rosa Byrd, Martha J. Holland,	'
Ruth O. Luter, Eddie B. Holland,	'
John W. Holland, Everett Lee	'
Holland, an infant under the age	'
of twenty one years,	'
J. P. Dalton, Trustee, and Judith	'
Peele, Executrix of W. Q. Peele,	'
deceased.	'

Extract from decree entered the 19th day of
October, 1923.

"The court doth adjudge, order, and decree that
this cause be referred to one of the commissioners of this court,
who is directed to enquire and report to the court as follows:

1. Of what estate, real and personal, the infant defendant,
Everett Lee Holland, is possessed or entitled, and what is his
share or interest therein, where such estate is situated, and
what is its fee-simple and annual value;
2. Whether the interest of the said infant defendant will be
promoted by sale of the real estate in the bill mentioned, or
any part thereof, and an 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 distributors of the said
infant defendant if he were dead, and whether all such persons
are properly before the court in this cause;

5. What will be a fair compensation to be allowed to the counsel for the complainant out of the proceeds of the sale of the infant's land for their services in instituting and conducting this suit.

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 the court, along with any matter specially stated deemed pertinent by himself or required by any party to be so stated."

Office of Commissioner,

Suffolk, Va., October 30, 1923.

To the Parties to the Above Suit:

I have fixed on Monday, the 19th day of November, 1923, at 10:00 o'clock A.M., as the time and my office aforesaid as the place for executing the decree of which the foregoing is an extract. Given under my hand as commissioner in chancery of the Circuit Court of the County of Nansemond the day and year aforesaid. *Bradford Kilby, Com. in Chancery*

Due legal and sufficient service of the above notice is hereby acknowledged.

Preston J. Hallard

John W. Holland
Attorney at Law

VIRGINIA:

IN THE CIRCUIT COURT OF THE COUNTY OF HANOVER.

Josephene Holland

v.

Preston Holland, Etta V. Holland,

Rosa Byrd, Martha J. Holland,

Math O. Luter, Eddie B. Holland,

John W. Holland, Everett Lee

Holland, an infant under the age
of twenty one years,

J. P. Dalton, Trustee, and Judith

Peelo, Executrix of W. Q. Peelo,
deceased.

Extract from decree entered the 19th day of
October, 1925.

"The court doth adjudge, order, and decree
that this cause be referred to one of the commissioners of this
court, who is directed to enquire and report to the court as
follows:

1. Of what estate, real and personal, the infant defendant,
Everett Lee Holland, is possessed or entitled, and what is his
respective share or interest therein, where such estate is sit-
uated, and what is its fee-simple and annual value;
2. Whether the interest of the said infant defendant will be
promoted by sale of the real estate in the bill mentioned, or
any part thereof, and an 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 distributors of the said
infant defendant if he were dead, and whether all such persons
are properly before the court in this cause;

5. what will be a fair compensation to be allowed to the counsel for the complainant out of the proceeds of the sale of the ~~land~~'s land for their services in instituting and conducting this suit.

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 the court, along with any matter specially stated deemed pertinent by himself or required by any party to be so stated.

Suffolk, Va., October 30, 1923.

To the Parties to the Above Suit:

I have fixed on Monday, the 19th day of November, 1923, at 10:00 o'clock A.M., as the time and my office aforesaid as the place for executing the decree of which the foregoing is an extract. Given under my hand as commissioner in chancery of the Circuit Court of the County of Henric and the day and year aforesaid. *Bradford Tilby Com. in Chancery*

Due legal and sufficient service of the above notice is hereby acknowledged.

Nov 17 1923
By serving a true copy thereof on the
defendant in person.
in the City of Suffolk, Va.
A. M. Baker
City Sergeant

130
By serving a true copy thereof on the
defendant in person.
in the City of Suffolk, Va.
City Sergeant
Deputy Sergeant
A. M. Baker

Nov 17 1923
Executed By Pastor
By calling at the usual place of abode of the defende
Russ
Baker
and not finding him there, nor his wife nor an
member of his family above the age of sixteen years,
I posted a copy herof in writing at the front door of
his dwelling house, the said usual place of abode in
the city of Suffolk.
A. M. Baker
City Sergeant
Deputy Sergeant

VIRGINIA:

IN THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND.

Josephene Holland

v.

Preston Holland, Etta V. Holland,

Rosa Byrd, Martha J. Holland,

Ruth O. Luter, Eddie B. Holland,

John W. Holland, Everett Lee

Holland, an infant under the age
of twenty one years,

J. P. Dalton, Trustee, and Judith

Peele, Executrix of W. Q. Peele,
deceased.

Extract from decree entered the 19th day of
October, 1923.

"The court doth adjudge, order, and decree
that this cause be referred to one of the commissioners of this
court, who is directed to enquire and report to the court as
follows:

1. Of what estate, real and personal, the infant defendant,
Everett Lee Holland, is possessed or entitled, and what is his
respective share or interest therein, where such estate is sit-
uated, and what is its fee-simple and annual value;
2. Whether the interest of the said infant defendant will be
promoted by sale of the real estate in the bill mentioned, or
any part thereof, and an 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 distributors of the said
infant defendant if he were dead, and whether all such persons
are properly before the court in this cause;

8. What will be a fair compensation to be allowed to the counsel for the complainant out of the proceeds of the sale of the infant's land for their services in instituting and conducting this suit.

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 the court, along with any matter specially stated deemed pertinent by himself or required by any party to be so stated.

Suffolk, Va., October 30, 1923.

To the Parties to the Above Suit:

I have fixed on Monday, the 19th day of November, 1923, at 10:00 o'clock A.M., as the time and my office aforesaid as the place for executing the decree of which the foregoing is an extract. Given under my hand as commissioner in chancery of the Circuit Court of the County of Seneca and the day and year aforesaid. *Bradford Tilby Comm. in Chancery*

Due legal and sufficient service of the above notice is hereby acknowledged.

Martha J. Holland

VII. VII. :

Abies. L. canadensis

VII. VII. :

IN THE CIRCUIT COURT OF THE COUNTY OF HANESMOND.

Josephine Holland

Fredson Holland, Etta V. Holland, '

Wm. Byrd, Martha J. Holland,

Math O. Luter, Eddie E. Holland,

John W. Holland, Everett Lee

Holland, an infant under the age of twenty one years.

J. P. Dalton, Trustee, and Judith

Feelo, Excourtrix of A. S. Feelo,
deceased.

Peelo, Emmentrik of A. S. Peelo,
deceased.

decided.

Extract from decrees entered the 19th day of
October, 1923.

October, 1923.

"The court doth adjudge, order, and decree that this cause be referred to one of the commissioners of this court, who is directed to enquire and report to the court as follows:

this cause be referred to one of the commissioners of this court,
who is directed to enquire and report to the court as follows:

who is directed to enquire and report to the court as follows:

1. Of what estate, real and personal, the infant defendant, Everett Lee Holland, is possessed or entitled, and what is his share or interest therein, where such estate is situated, and what is its fee-simple and annual value;

Everett Lee Holland, is possessed or entitled, and what is his share or interest therein, where each estate is situated, and what is its fee-simple and annual value;

share or interest therein, where such estate is situated, and what is its fee-simple and annual value;

What is its fee-simple and annual value:

2. Whether the interest of the said infant defendant will be promoted by sale of the real estate in the bill mentioned, or any part thereof, and an investment of the proceeds of sale in other property;

2. Whether the interest of the said infant defendant will be promoted by sale of the real estate in the bill mentioned, or any part thereof, and an investment of the proceeds of sale in other property;

any part thereof, and an investment of the proceeds of sale in other property;

other property:

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

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

4. Who would be the heirs at law or distributors of the said infant defendant if he were dead, and whether all such persons are properly before the court in this cause;

infant defendant if he were dead, and whether all such persons are properly before the court in this cause;

are properly before the court in this cause:

5. What will be a fair compensation to be allowed to the counsel for the complainant out of the proceeds of the sale of the infant's land for their services in instituting and conducting this suit.

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 the court, along with any matter specially stated deemed pertinent by himself or required by any party to be so stated."

Office of Commissioner,

Suffolk, Va., October 20, 1923.

To the Parties to the Above Suit:

I have fixed on Monday, the 19th day of November, 1923, at 10:00 o'clock A.M., as the time and my office aforesaid as the place for executing the decree of which the foregoing is an extract. Given under my hand as commissioner in chancery of the Circuit Court of the County of Henric the day and year aforesaid. *Bradford Kilby, Comm. in Chancery*

Due legal and sufficient service of the above notice is hereby acknowledged.

Chas. E. Woodward
Guardian Ad Litem.

VIRGINIA:

IN THE CIRCUIT COURT OF THE COUNTY OF WARREN.

Josephene Holland

v.

Preston Holland, Etta V. Holland,

Rosa Byrd, Martha J. Holland,

Ruth O. Later, Eddie B. Holland,

John W. Holland, Everett Lee

Holland, an infant under the age
of twenty one years,

J. P. Dalton, Trustee, and Judith

Peele, Executrix of W. Q. Peele,
deceased.

Extract from decree entered the 19th day of
October, 1923.

"The court doth adjudge, order, and decree
that this cause be referred to one of the commissioners of this
court, who is directed to enquire and report to the court as
follows:

1. Of what estate, real and personal, the infant defendant,
Everett Lee Holland, is possessed or entitled, and what is his
respective share or interest therein, where such estate is sit-
uated, and what is its fee-simple and annual value;
2. Whether the interest of the said infant defendant will be
promoted by sale of the real estate in the bill mentioned, or
any part thereof, and an 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 distributors of the said
infant defendant if he were dead, and whether all such persons
are properly before the court in this cause;

5. What will be a fair compensation to be allowed to the counsel for the complainant out of the proceeds of the sale of the ~~infant's~~ land for their services in instituting and conducting this suit.

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 the court, along with any matter specially stated deemed pertinent by himself or required by any party to be so stated."

Suffolk, Va., October 30, 1923.

To the Parties to the Above Suit:

I have fixed on Monday, the 19th day of November, 1923, at 10:00 o'clock A.M., as the time and my office aforesaid as the place for executing the decree of which the foregoing is an extract. Given under my hand as commissioner in chancery of the Circuit Court of the County of Hennessand the day and year aforesaid. *Bradford Tilby Com. in Chancery*

Due legal and sufficient service of the above notice is hereby acknowledged.

E. B. Hill and

VIRGINIA:

IN THE CIRCUIT COURT OF THE COUNTY OF HANOVER.

Josephine Holland

v.

Preston Holland, Wife V. Holland,

Woon Byrd, Martha J. Holland,

Ruth O. Luter, Eddie B. Holland,

John W. Holland, Everett Lee

Holland, an infant under the age
of twenty one years,

J. F. Dalton, Trustee, and Judith

Peole, Executrix of W. F. Peole,
deceased.

Extract from decree entered the 15th day of
October, 1923.

"The court doth adjudge, order, and decree that
this cause be referred to one of the commissioners of this court,
who is directed to enquire and report to the court as follows:

1. Of what estate, real and personal, the infant defendant,
Everett Lee Holland, is possessed or entitled, and what is his
share or interest therein, where such estate is situated, and
what is its fee-simple and annual value;
2. Whether the interest of the said infant defendant will be
promoted by sale of the real estate in the bill mentioned, or
any part thereof, and an 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 distributors of the said
infant defendant if he were dead, and whether all such persons
are properly before the court in this cause;

5. What will be a fair compensation to be allowed to the counsel for the complainant out of the proceeds of the sale of the infant's land for their services in instituting and conducting this suit.

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 the court, along with any matter specially stated deemed pertinent by himself or required by any party to be so stated."

Office of Commissioner,

Suffolk, Va., October 30, 1923.

To the Parties to the Above Suit:

I have fixed on Monday, the 19th day of November, 1923, at 10:00 o'clock A.M., as the time and my office aforesaid as the place for executing the decree of which the foregoing is an extract. Given under my hand as commissioner in chancery of the Circuit Court of the County of Hansemond the day and year aforesaid.

Braford Kilby Corn. in Chancery.

Due legal and sufficient service of the above notice is hereby acknowledged.

Executed The within
note, in Sole of High
County, this the 19th
day of Nov. 1923 by
delivering a true copy
of the same to Ruth Q.
Luter, in person,
W. H. Chapman, Sheriff.

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

V.

In Chancery.

Suffolk, Va. Nov. 19, 1923.

In pursuance of the decree of the Circuit Court of Nansemond County pronounced on the 19th.day of October 1923 in the suit in chancery pending in said court between Josephine Holland,Complainant and Preston Holland and others,Defendants,the undersigned Bradford Kilby,a commissioner in chancery for said court,respectfully reports as follows:

That sufficient and legal service of the said notice was duly accepted by some of the parties to said suit and served on others as will appear from the endorsements on the notices herewith returned.

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

(1)

The infant defendant, Everett Lee Holland is possessed or entitled to the following real and personal estate:

- (1) An one-eighth undivided fee-simple interest in the following land: "All that certain tract, piece or parcel of land in Holy Neck Magisterial District, Nansemond County, Virginia, bounded and described as follows: Bounded on the North by that tract of land known as the Carr Holland Tract; on the East by the property of Levia Boone and B.J. Beale; on the South by the property of Robert L. Holland, formerly known as the Lemuel Holland estate, and on the West by the property formerly owned by J. E. Vincent and known as the Z.E. Holland farm, and the property known as the Hardy Holland tract, containing one hundred and forty-five acres, more or less."

The above interest is subject to the tenancy of said land by Josephine Holland, the mother of said infant, so long as she remains the widow of John G. Holland.

- (2) Two hundred (\$200.) ^{dollars} cash in bank.
- (3) An one-eighth undivided fee-simple interest, subject to the dower of his mother, Josephine Holland, in Lots No. 32, 34, 36 and 38 in Block Eleven as shown on the Plat of Glenwood Park recorded in Map-Book No. 86, page 1, in the Clerk's office of the Circuit Court of Norfolk County, Virginia.

The fee-simple value of the above described farm is about \$6,000. and its annual value about \$250. The fee-simple value of the Glenwood Park lots is not known to your Commissioner. They have no annual value.

(2)

The interest of the infant defendant, Everett Lee Holland, will be promoted by the sale of the timber on the farm above described for \$3,000. as per the offer of the Planters Nut and Chocolate Co. in the option which is herewith return as part of the evidence in this suit. The interest on the money received by the infant as his share in this \$3,000. will be more than his interest in the standing timber would increase in value. Your commissioner reports that

the price of \$3.000. for this standing timber appears to be an exceptionally good one and was made partly because the Planters Nut and Chocolate Company would have to acquire a right of way across this land, in any event, in order to reach other timber which they are acquiring in that neighborhood. An investment of the proceeds of the infant's interest in this timber at the above price would no doubt promote his interest.

(3)

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

(4)

The heirs-at-law ~~and distributees~~ of the said infant defendant Everett Lee Holland, if he were dead, would be his full brother, Preston Holland, and his half-brothers and ^{half} sisters who are Etta V. Holland, Rosa Byrd, Martha J. Holland, Ruth O. Luter, Eddie B. Holland and John W. Holland. The same parties together with his mother, Josephine Holland would be his distributees, if said infant were dead. All of such persons are properly before the court in this cause.

(5)

Your commissioner makes no report on what will be a fair compensation to be allowed to the counsel for the complainant out of the proceeds of sale of the infant's land for his services in instituting and conducting this suit, leaving that matter to the judgment of the court.

(6)

Your commissioner deems it pertinent to report that Thos. L. Woodward, Guardian ad Litem for the infant defendant, was present during the taking of the depositions herewith returned with this report.

to report
Your commissioner also deems it pertinent[^] that there are the following liens of record on the above described land:

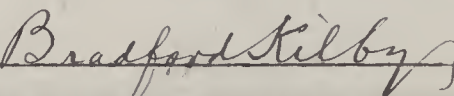
(1) A deed of trust executed by Josephine Holland and Preston Holland conveyed their interest in said land to J. P. Dalton, Trustee for W. Q. Peele to secure the payment of \$1.500. evidenced by a bond for that sum, dated Feb. 28, 1923, payable on demand, and bearing interest from the date thereof, payable semi-annually. The said deed is dated Feb. 28, 1923 and recorded in Deed of Trust Book No. 99 at page 252 in the Clerk's office of the Circuit Court of Nansemond County, Virginia.

(2) A deed of trust executed by Josephine Holland, dated Feb. 28, 1923 and recorded in Deed of Trust Book No. 99 at page 253 in the Clerk's office of the Circuit Court of Nansemond County, Virginia, conveyed to J. P. Dalton, Trustee for Preston Holland, all of her interest in said farm above described to secure the payment of a bond of even date with said deed for the sum of \$1.000. payable on demand, with interest thereon payable semi-annually from the date thereof and waiving the homestead exemption.

(3) There are no delinquent taxes and the taxes on said farm land for the year 1923 have been paid.

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

Respectfully submitted this 1st. day of December 1923.



Commissioner in Chancery.

Commissioner's fee: \$30.

Josephene Holland

v.

Preston Holland, Etta V. Holland

Rosa Byrd, Martha J. Holland,

Ruth O. Luter, Eddie B. Holland,

John W. Holland, Everett Lee

Holland, an infant under the age
of twenty one years, *Ans. Thos. L. Woodward*
Guardian ad litem for the infant.

J. P. Dalton, Trustee, and Judith

Peele, Executrix of W. Q. Peele,
deceased.

DEPOSITIONS OF JOSEPHENE HOLLAND, JUDITH PEELE,
EXECUTRIX AND LINWOOD J. NORFLEET AND OTHERS.

Taken on the 19th day of November, 1923 before
Bradford Kilby, Commissioner in Chancery of the Circuit Court
of the County of Nansemond, at the office of Bradford Kilby,
136 Washington Street, in the City of Suffolk, State of Virginia;
to be read as evidence in the above style suit pending in the
said Court and referred to the said Commissioner for certain
inquiries, accounts and report.

PRESENT: C. B. Godwin, Jr., Counsel for the Complainant
Thomas L. Woodward, Guardian ad Litem of the
infant defendant.

JOSEPHENE HOLLAND, having been first duly sworn, deposeth as
follows, to-wit:

Examined by Mr. Godwin:

Q. Please state your name and place of residence and age?

A. Josephene Holland, Holland, Virginia, R. F. D., age forty-five.

Q. Mrs. Holland you were the wife of Mr. John G. Holland,
deceased, were you not?

A. Yes Sir.

Q. He was the owner of the tract of land upon which you now reside, was he not?

A. Yes sir.

Q. Did he leave a will?

A. Yes Sir.

Q. This is a true copy of the will, is it not?

A. Yes Sir.

Q. Was Mr. Holland married prior to his marriage to you?

A. Yes Sir.

Q. How many children were there by his first wife?

A. Six children.

Q. What are their names?

A. Etta V. Holland, Rosa Byrd, Martha J. Holland, Ruth O. Luter, Eddie B. Holland, John W. Holland.

Q. How many children have you?

A. Two, Preston Holland and Everett Lee Holland

Q. You have been married only once?

A. Yes Sir.

Q. The property upon which you reside is the property upon which you desire to sell the timber, is it not?

A. Yes Sir.

Q. How was that property left?

A. Mr. Holland left it to me for my life and after my death was to be sold and equally divided between all of his children.

Q. How much interest have you in this piece of property?

A. I have a life right in the whole and a sixth-eight (6/8) fee-simple interest derived by deed from all the children of Mr. Holland's first wife.

Q. What interest has Everett Lee Holland?

A. A one-eighth (1/8) interest subject to my life right.

Q. Has Everett Lee Holland any property other than this piece of property?

A. No Sir, with the exception of \$200.00 left to him by his father which is in bank.

Q. Where is this property situated?

A. In Nansemond County within two or three miles of Holland.

Q. What is the fee-simple value of this piece of property?

A. The estimated value of the farm was around \$6,000.00.

Q. What is the annual value of this piece of property?

A. I cannot say it depends upon the price of farm products.

Q. Please state whether or not the interest of the infant will be promoted by the sale of the timber upon this property?

A. Yes Sir, I feel like it would.

Q. Please state why you think it would be to the interest of the infant to sell the timber at present?

A. Because it is a fair price for the timber and he will receive his share of the proceeds of the sale and interest on his share, while the timber pays him nothing at present.

Q. Please state whether or not the rights of any person will be violated by the sale of this timber?

A. No Sir, no one has any interest in this property besides Preston Holland, Everett Lee Holland and myself.

Q. What agreement have you made regarding the sale of this timber?

A. The option shows the agreement that was entered between Mr. Herbert and myself, with the exception of thirty Pines which were reserved.

A copy of the option given to the Planters Nut and Chocolate Company by Josephene Holland is herewith filed to be read as evidence in this case.

Questioned by Mr. Kilby:

Q. Are there any liens on the farm?

A. There are two Deeds of Trust on the place, one to secure Preston Holland \$1,000.00 and another to secure W. Q. Peele \$1,500.00, J. P. Dalton is Trustee in both Deeds of Trust.

Q. What is the purpose in selling this timber at present?

A. I want to pay Mrs. Peele and Preston who hold the Deeds of Trust.

Q. Will the interest of all parties be promoted by the sale of this timber?

A. Yes it will save interest on the bonds secured by the two Deeds of Trust and we are getting nothing out of the timber at present.

Questioned by Mr. Kilby:

Q. When did Mr. Holland die?

A. He has been dead twelve months this last March.

Q. Has his estate been settled, the account been filed with Mr. Lee Britt?

A. Yes Sir.

Josephus Holland

And further this deponent sayeth not.

MRS. JUDITH PEELE, being duly sworn deposeth as follows:

Examined by Mr. Godwin:

Q. State whether or not you are the Executrix of W. Q. Peele deceased.

A. I am.

Q. Please state whether or not you desire the bond paid that is secured by Deed of Trust on this piece of property?

A. I do, because I want to settle the estate by the first of the year.

Judith A. Peele

And further this deponent sayeth not.

PRESTON HOLLAND, being duly sworn deposeth as follows:

EXamined by Mr. Godwin:

Q. Please state whether or not you have any interest in the piece of property upon which this timber is to be sold?

A. I own a one-eighth ($1/8$) interest and hold a Deed of Trust of \$1,000.00.

Q. What interest has Everett Lee Holland in this piece of property?

A. He also has a one-eighth ($1/8$) interest in it.

Q. Please state whether or not the interest of Everett Lee Holland will be promoted by the sale of the timber?

A. It will be.

Q. You and Everett Lee Holland have the same interest in this piece of property, do you not?

A. Yes, with the exception of the Deed of Trust.

Q. Will the rights of any other person be violated by the sale of the timber on this property?

A. There will not be, my mother, Everett Lee Holland and myself are the only ones who have any interest in it.

Q. Is the price offered for this timber a fair price?

A. Yes Sir.

Questioned by Mr. Kilby:

Q. Do you live on this farm?

A. Yes Sir.

Q. Do you farm it yourself?

A. Yes Sir.

Q. What is the fee-simple value of this farm in your opinion?

A. About \$6,000.00.

Q. What do you think that the rental value of it by the year is?

A. About \$250.00 or \$300.00 a year.

Q. Is your brother going to school?

A. Yes Sir.

Q. Where is he going to school?

A. Holland, Virginia.

Q. At the High School there?

A. Yes Sir.

Q. How old is he?

A. Seventeen.

Preston Holland

And further this deponent sayeth not.

MR. LINWOOD J. NORFLEET, being duly sworn deposeth as follows:

Examined by Mr. Godwin:

Q. Please state your name, age and occupation?

A. Linwood Jones Norfleet, forty nine years of age, a lumberman.

Q. Are you acquainted with this land?

A. Mr. Preston Holland came out and we went over this timber and I was shown the lines by him and I put an estimate and a value on the timber.

Q. Are you a timber estimator?

A. Yes Sir.

Q. What experience have you had?

A. I have been engaged in this line of work for fifteen years and up until the last of October I was employed by the Argent Lumber Company as General Superintendent of the Logging Department. Prior to obtaining the position which I have just referred to, I estimated lumber for the Ackerly Lumber Company of Cuban, New York.

Q. Where do you live?

A. I am at present at Holland, Virginia.

Q. What is your estimate as to the number of feet of lumber on this property, larger than ten inches across the stump, twelve inches from the general level of the ground?

A. From 275,000 to 300,000 Feet.

Q. It is proposed in the option filed in this case, to give the owner the sum of \$3,000.00 for this timber, Please state whether or not in your opinion this is a fair price for it?

A. Yes it is unusually good and better than the present market price for this kind and grade of timber.

Q. You have no interest in this timber?

A. Not any at all.

Q. Is there any reason why such a good price was offered for this property?

A. It was conveniently located and the Planters Nut and Chocolate Company would have to get a right-of-way across this land anyway to get to other timber that they have bought. This right-of-way would lead up to the largest body of timber that they expect to acquire in this neighborhood.

Q. Mr. Norfleet do you think it would promote the interest of the infant to sell this timber at this price?

A. I do.

Q. Why?

A. The interest that the infant and other parties would receive on the money derived from the sale of this timber is more than the timber will grow in value, as the timber will not grow in value more than 3%.

Lynwood J. Norfleet
And further this deponent sayeth not.

MR. EVERETT LEE HOLLAND, being duly sworn deposeth as follows:

Examined by Mr. Godwin:

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

A. Everett Lee Holland, 17 years of age, student and live near Holland, Virginia.

Q. You are the son of Mrs. Josephene Holland and the brother of Preston Holland are you not?

A. Yes Sir.

Q. You live on the farm upon which this timber is located do you not?

A. Yes sir.

Q. Are you familiar with it?

A. Yes Sir.

Q. Do you desire that the timber be sold?

A. Yes Sir.

Q. Do you think that it will be to your interest to sell it?

A. Yes Sir.

Q. Do you think that it has brought a fair price?

A. Yes Sir.

Ernest Holland

And further this deponent sayeth not.

STATE OF VIRGINIA,

CITY OF SUFFOLK, to-wit:

I, Bradford Kilby, a Commissioner in Chancery for the Circuit Court of the County of Nansemond, Virginia, do hereby certify that the foregoing depositions were duly taken, reduced to writing, and signed by the witnesses, respectively before me, at the place and at the time therein mentioned, pursuant to the annexed notices, in witness whereof, I have hereunto set my hand this ____ day of _____, 1923.

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

RECEIVED, this 6 day of August, 1923, of the
Planters Nut & Chocolate Company, a corporation organized and
existing under the laws of the State of Pennsylvania, \$ 1.00
for which I grant unto it the exclusive option of buying from
me at any time on or before November 6/23, for the
sum of Three Thousand ~~& no more~~ DOLLARS (\$ 3000⁰⁰),
all the ~~Pine and Poplar~~ timber ten (10) inches and larger across
outside measurement,
the stump, ten (10) inches from the general level of the ground at
the time of cutting, on all that certain tract of land in _____
Holly Neck Magisterial District, Nonsenwood County,
Virginia, containing 150 acres, more or less, and
bounded as follows: North by Carr Holland
tract, East by Levi Boone & B. J.
Beal, South by Robert L. Holland,
West by land formerly owned
by John E. Vincent and known
as J. E. Holland land.
Reserve one acre on West
corner for pine straw

upon the following terms and conditions, to-wit:

That the said Planters Nut & Chocolate Company, its successors
or assigns, shall have the right to erect such buildings on said
land as it sees fit, and to build, use and operate railroads, tram-
ways or bogy roads across the ^{land} lands of the said Mrs Josephine Holland
for the purpose of removing said timber, or anything else which it
now, or may hereafter, wish to carry over said railroads, tramways,
etc., and it may use such material from said land along said roads,
tramways, etc., as may be necessary or proper to build and maintain
the same on said land, and it shall have the right to remove the said

buildings, railroads, tramways, etc., from said land within Two years after ceasing to operate, use or occupy said buildings, railroads, tramways, etc. That the Planters Nut & Chocolate Company, its successors or assigns, shall have the right to pass over and upon the said land with their teams, wagons, carts and employees for the purpose of cutting and removing the said timber, and that it may use such small trees and other material from said land, free of charge, as may be necessary or proper to use for car stakes in removing the said timber. The Planters Nut & Chocolate Company, its successors or assigns, shall have Four years from the date of deed conveying said timber in which to remove the same, and if it shall fail to remove said timber in said time, it may have

Five years further time in which to remove the same, provided, however, that it pays interest to the said Mrs. J. Holland at the rate of six per-cent per annum on the amount of the purchase price hereinafter mentioned, from the expiration of the said first Five years until it removes the said timber. The said

Mrs. J. Holland shall pay all levies, taxes, assessments and dues upon said land or timber until the same shall be removed.

And I bind myself upon the request of the said Planters Nut & Chocolate Company, at any time on or before November 6/23 to properly execute and deliver to it a good and valid deed conveying the said timber on said property, with general warranty, free from all encumbrances; at which time the Planters Nut & Chocolate Company is to pay Mrs. J. Holland the sum of Three Thousand DOLLARS (\$ 3000⁰⁰) less the amount paid for this option, which is to be allowed as a credit.

WITNESS the following signatures and seals:

Mrs. Josephine Holland (SEAL)

(SEAL)

Commissioner's Report.

Josephine Holland

v. In Chancery.

Preston Holland and others

Report pf Bradford Kilby
Commissioner in Chancery ,
under decree of October 19,
1923.

1923 Dec. 1.

Filed

Bradford Kilby

BRADFORD KILBY
Attorney at Law
SUFFOLK, VIRGINIA.

Josephene Holland

v.

Preston Holland, Etta V. Holland,

Rosa Byrd, Martha J. Holland,

Ruth O. Luter, Eddie B. Holland,

John W. Holland, Everett Lee

Holland, an infant under the age
of twenty-one years, and Thomas

L. Woodward, Guardian ad Litem
of said infant,

J. P. Dalton, Trustee, and Judith

Peele, Executrix of W. Q. Peele,
Deceased.

ANSWER OF JOSEPHENE HOLLAND

GUARDIAN OF INFANT.

The answer of Josephene Holland, guardian of Everett Lee Holland to a bill of complaint exhibited against the said infant and others by Josephene Holland in her own right in the Circuit Court of Nansemond County, this respondent saving and reserving, etc., for answer to the said bill says that she believes the statements made therein are true. This respondent does not object to the sale of timber as prayed for in the said bill and concurs in the prayer of said bill and consents to and approves of decree for sale entered December 28, 1923; and now having fully answered, she prays to be hence dismissed with her costs, etc.

Signed:

Josephene Holland!
Guardian of Everett Lee
Holland.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

Josephene Holland	:	
	:	
V.	:	
	:	
Preston Holland, Etta V. Holland,	:	
	:	
Rosa Byrd, Martha J. Holland,	:	
	:	
Ruth O. Luter, Eddie B. Holland,	:	PETITION
	:	
John W. Holland, Everett Lee Holland,	:	
an infant under the age of twenty-	:	
one years, and Thomas L. Woodward	:	
	:	
Guardian ad Litem of said infant,	:	
	:	
J. P. Dalton, Trustee, and Judith Peele,	:	
Executrix of W. Q. Peele, deceased.	:	

TO THE HONORABLE JAMES L. McLEMORE, JUDGE:

The undersigned, your petitioner, respectfully represents that she is the guardian of Everett Lee Holland, that she was appointed and qualified as the guardian of said infant in your honorable court, on the 30th day of March, 1922 as will appear from a certificate of Clerk of the court showing the same herewith filed, marked Exhibit "A" and prayed to be taken as a part of this petition; that your petitioner in her own right filed a bill in the above entitled cause now pending in said court on the 1st day of October, 1923 praying that certain timber therein described be sold and the proceeds from said sale applied to the payment of existing liens, which said timber Everett Lee Holland has a one-eighth (1/8) fee simple interest subject to the life right of your petitioner; that your petitioner as guardian of Everett Lee Holland was not made a party to said suit.

Your petitioner, therefore, prays that she, as guardian of Everett Lee Holland, may be made a party defendant to said suit and grant unto your petitioner such other and further relief as the nature of your petitioners case may require, and she will ever pray, etc.

Chas. B. Godwin, Jr.
Solicitor for the Petitioner

Ms. Josephene Holland
Petitioner.

VIRGINIA:

Josephine Holland mother

In the CLERK'S OFFICE of the CIRCUIT COURT of the COUNTY OF NANSEMOND,
on the ...19th....day of.....January....., 1924..

I, G. E. BUNTING, Clerk of the Circuit Court of the County of Nansemond, in the
State of Virginia, do certify that it appears from the records of the said Court, on file in my office
thatJosephine Holland.....

.....
duly qualified on the.....30th.....day of.....March....., 1922, as
Guardian of Preston J. Holland and Everett Lee Holland, infants over the
.....
~~of the estate of age~~ of fourteen years.....~~deceased~~
and that.....she.....executed and acknowledged a bond as prescribed by law, in the penalty
of \$2,000....., with.....United States Fidelity & Guaranty Co.....
.....as suret *Y*.....

GIVEN UNDER MY HAND ..this 19th day of January,
.....1924..... the day and year first
herein above written.

.....*G. E. Bunting*..... CLERK,
By *D. C.*

Josephine Holland, Cal.

Per 50

IN THE CIRCUIT COURT OF
NANSEMOND COUNTY

Josephene Holland

v.

Preston Holland, Etta V.
Holland, Rosa Byrd, Martha
J. Holland, Ruth O. Luter,
Eddie B. Holland, John W.
Holland, Everett Lee Holland,
an infant under the age of
twenty-one years, and Thomas
L. Woodward, Guardian ad
Litem of said infant,
J. P. Dalton, Trustee, and
Judith Peele, Executrix of
W. J. Peele, deceased.

PETITION

Filed for J. P. Dalton
1924 March 13. Filed
J. Y. M.

CHARLES B. GODWIN, JR.
ATTORNEY AT LAW
SUFFOLK, VA.

Josephene Holland
v.
Preston Holland, Etta V. Holland,
Rosa Byrd, Martha J. Holland,
Ruth C. Euter, Madie B. Holland,
John W. Holland, Everett Lee
Holland, an infant under the age
of twenty one years,
J. F. Dalton, Trustee, and Judith
Peele, Executrix to W. G. Peele,
deceased.

ANSWER OF INFANT DEFENDANT
EVERETT HOLLAND.

In the Circuit Court of the County of Hanover,
Virginia:

The answer, under oath, of Everett Lee Holland, infant
under the age of twenty-one, but over the age of fourteen, to
a bill of complainant exhibited against him and others by
Josephene Holland, in the Circuit Court of Hanover.

For answer to the said bill this defendant says that
he is seventeen years of age; that he, by reason of his tender
years, knows but little of the allegations of the said bill;
so far as he does know he believes the same to be true, and he
sees no reason why the prayer of the bill should not be granted
and accordingly he consents therein, but he relies upon the court
to protect his interests, and now, having fully answered, he
prays to be hence dismissed, with his costs, And he will ever
pray, etc.

Everett Lee Holland
Infant Defendant.

STATE OF VIRGINIA,

COUNTY OF HANOVER;

Sworn to before me in my

Court

aforesaid by Conny Lee Holland, this 27th day of September, 1925.

My commission expires on the 14th day of April, 1926

Chas B Godwin
Notary Public.

Oct 19. 1923.

Blair
Clee

CONTRACT BOND

Josephene Holland	'	
v.	'	
Preston Holland, Etta V. Holland,	'	
Rosa Byrd, Martha J. Holland,	'	
Ruth C. Luter, Eddie B. Holland,	'	
John W. Holland, Everett Lee	'	ANSWER OF INFANT DEFENDANT
Holland, an infant under the age	'	BY GUARDIAN AD LITEM AND
of twenty one years, and Thomas L. Woodward	'	OF GUARDIAN AD LITEM
Thomas L. Woodward	'	
J. P. Dalton, Trustee, and Judith	'	
Peelo, Executrix of W. J. Peelo,	'	
deceased.	'	

In the Circuit Court of the County of Nansemond,
Virginia:

The answer of Everett Lee Holland, infant under the age of twenty-one years, by Thomas L. Woodward, (a discreet and competent attorney at law), his guardian ad litem assigned to defend him in this suit, and the answer of the said Thomas L. Woodward guardian ad litem of the said infant defendant to a bill of complaint exhibited against the said infant and others by Josephene Holland, in the Circuit Court of the County of Nansemond.

For answer to the said bill the said infant defendant by his guardian ad litem answers and says that being of tender years he does not know what his true interests are in relation to the subject-matter of the said bill, nor does he know whether the statements therein contained are true or not. He confides the protection of his interests therein to the care of the court. And the said guardian ad litem of the said infant defendant 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 defendant. And now,
having fully answered, this defendant prays to be hence dismissed
with his costs, etc.

Thos. L. Woodward
Guardian ad litem.

Thos. L. Woodward
Guardian ad litem of the said infant.

STATE OF VIRGINIA,

COUNTY OF HANOVER:

Sworn to before me in my County aforesaid by
Thos. L. Woodward guardian ad litem as aforesaid, this
the 12th day of October, 1923.

My commission expires on the 14th day of April, 1926.

Chas. B. Godwin
Notary Public.

Pr. I

October 19, 1923

H. E. Ambrose

COMPLAINT
FILED IN THE A

Josephene Holland	:	
	:	
v.	:	
Preston Holland, Etta V. Holland,	:	
Rosa Byrd, Martha J. Holland,	:	
Ruth O. Lewter, Eddie B. Holland,	:	
John W. Holland, Everett Lee	:	ANSWER OF ABOVE DEFENDANT.
Holland, an infant under the age	:	
of twenty-one years,	:	
J. P. Dalton, Trustee, and Judith	:	
Peele, Executrix of W. C. Peele,	:	
deceased.	:	

In the Circuit Court of the County of Nansemond,
Virginia:

The separate answer of Etta V. Holland to a bill in
equity exhibited against her and others in said court by
Josephene Holland.

This respondent saving and reserving, etc., for
answer to the said bill says that she believes the statements
therein made are true. This respondent does not object to the
sale of timber as prayed for in the said bill, and concurs in
the prayer of the said bill.

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

(Signed) Etta V. Holland.

Bibi
October 19, 1925

J. B. Ambrose
Cura

Josephene Holland
v.
Preston Holland, Etta V. Holland,
Rosa Byrd, Martha J. Holland,
Ruth O. Luter, Eddie B. Holland,
John W. Holland, Everett Lee
Holland, an infant under the age
of twenty-one years,
J. P. Dalton, Trustee, and Judith
Peele, Executrix of W. Q. Peele,
deceased.

ANSWER OF ADULT DEFENDANT.

In the Circuit Court of the County of Nansemond,
Virginia:

The separate answer of Eddie B. Holland to a bill
in equity exhibited against him and others in said court by
Josephene Holland.

This respondent saving and reserving, etc., for
answer to the said bill says that he believes the statements
therein made are true. This respondent does not object to
the sale of timber as prayed for in the said bill, and concurs
in the prayer of the said bill.

And now having fully answered, he prays to be hence
dismissed with his costs, etc.

(Signed) E B Holland

Peleo
October 19, 1923.
H. B. Moore

Josephene Holland
v.
Preston Holland, Etta V. Holland,
Rosa Byrd, Martha J. Holland,
Ruth O. Lewter, Eddie B. Holland,
John W. Holland, Everett Lee
Holland, an infant under the age
of twenty-one years,
J. P. Dalton, Trustee, and Judith
Peelo, Executrix of W. Q. Peelo,
deceased.

ANSWER OF ADULT DEFENDANT.

In the Circuit Court of the County of Henric, Virginia:

The separate answer of Martha J. Holland to a bill in equity exhibited against her and others in said court by Josephene Holland.

This respondent saving and reserving, etc., for answer to the said bill says that she believes the statements therein made are true. This respondent does not object to the sale of timber as prayed for in the said bill, and concurs in the prayer of the said bill.

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

(signed) Martha J. Holland.

Paid
October 19, 1928
J. E. Ambrose
Roa

Josephene Holland
v.
Preston Holland, Etta V. Holland,
Rosa Byrd, Martha J. Holland,
Ruth O. Lewter, Eddie B. Holland,
John W. Holland, Everett Lee
Holland, an infant under the age
of twenty-one years,
J. B. Dalton, Trustee, and Judith
Peele, Executrix of W. C. Peele,
deceased:

ANSWER OF ADULT DEFENDANT.

In the Circuit Court of the County of Hansemond,
Virginia:

The separate answer of Ruth O. Lewter to a bill in
equity exhibited against her and others in said court by
Josephene Holland.

This respondent saving and reserving, etc., for
answer to the said bill says that she believes the statements
therein made are true. This respondent does not object to the
sale of timber as prayed for in the said bill, and concurs in
the prayer of the said bill.

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

(signed) Ruth O. Lewter

Dec October 19, 1923.

H. E. Ambrose

P. O. Oehl

Josephene Holland
v.
Preston Holland, Etta V. Holland,
Rosa Byrd, Martha J. Holland,
Ruth O. Luter, Eddie B. Holland,
John W. Holland, Everett Lee
Holland, an infant under the age
of twenty one years,
J. F. Dalton, Trustee, and Judith
Peele, Executrix of W. Q. Peele,
deceased.

ANSWER OF ADULT DEFENDANTS.

In the Circuit Court of the County of Hanover,
Virginia:

The joint and separate answers of John W. Holland
and Rosa Byrd to a bill in equity exhibited against them
and others in said court by Josephene Holland.

These respondents saving and reserving, etc., for
answer to the said bill say that they believe the statements
therein made are true. These respondents do not object to
the sale of timber as prayed for in the said bill; they concur
in the prayer of the said bill.

And now having fully answered, they pray to be hence
dismissed with their costs, etc.

(Signed)

John W. Holland
Rosa Byrd

Recd October 19. 1923

H. B. M. C. C.

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Josephine Holland

v.

Preston Holland, Rita V. Holland,

Rosa Byrd, Martha J. Holland,

Ruth O. Luter, Eddie B. Holland,

John W. Holland, Everett Lee,

Holland, an infant under the age
of twenty one years,

J. P. Dalton, Trustee, and Judith

Peale, Executrix of W. A. Peale,
deceased.

ANSWER OF ABOVE DEFENDANTS.

In the Circuit Court of the County of Harrison,
Virginia:

The joint and separate answers of Preston Holland,
J. P. Dalton, Trustee, and Judith Peale, Executrix of W. A.
Peale, deceased, to a bill of equity exhibited against them
and others in said court by Josephine Holland.

These respondents saving and reserving, etc., for
answer to the said bill say that they believe the statements
therein made are true. These respondents do not object to the
sale of land as prayed for in the said bill; they concur in the
prayer of the said bill.

And now giving fully answered, they pray to be hence
dismissed with their costs, etc.

(Signed)

Preston Holland

J. P. Dalton Trustee

Judith A. Peale

Respectfully W. A. Peale

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Recd
October 19th 1923

H. C. Rimbey

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Oct 24. 1923. H. C. Rimbey

Josephene Holland

v.

Preston Holland, Etta V. Holland,

Rosa Byrd Holland, Martha J. Holland,

Ruth C. Lewter, Eddie B. Holland,

John W. Holland, Everett Lee Holland,
an infant under the age of twenty one
years,

J. P. Dalton, Krustee, and Judith

Peele, Executrix of W. Q. Peele, deceased!

B I L L

TO THE HONORABLE JAMES L. McLEMORE, JUDGE OF THE
CIRCUIT COURT OF HANESMOND COUNTY:

Your complainant respectfully represents:

(1) That John G. Holland, deceased, during his
life time was the fee simple owner of the following described
property:

"All that certain tract, piece or parcel
of land in Holy Neck Magisterial District,
Hanesmond County, Virginia, bounded and
described as follows: bounded on the
North by that tract of land known as the
"Carr Holland Tract", on the East by the
property of Levia Boone and B. J. Beale,
on the South by the property of Robert
L. Holland, formerly known as the "Lemuel
Holland Estate", and on the West by the
property formerly owned by J. E. Vincent
and known as the E. E. Holland farm, and
the property known as the "Hardy Holland
Tract" containing one hundred and forty
five (145) acres more or less."

(2) That by his last will and testament, duly
probated in the Circuit Court of Hanesmond County, the said
John G. Holland devised the above described property unto
your complainant, Josephene Holland for life, and after her
death, directed that said property to be sold to the highest

bidder and the money be equally divided among all of his heirs, a copy of which will is herewith filed, marked Exhibit "A", and made a part of this bill; and

(3) That the said John G. Holland left surviving him the following children, by his first wife, namely to-wit: Martha Holland, Etta Holland, Della Lester, formerly Holland, Rosa Byrd, formerly Holland, Edward B. Holland, Wilbur Holland, and the following children by his second wife, your complainant, Preston Holland and Everett Lee Holland; and

(4) That by deed dated the 23th day of February, 1923 and recorded in the Clerk's Office of the Circuit Court of Henric County, the 12th day of March, 1923, in deed book 100, page 570, reference to which is hereby made, the said Martha Holland, Etta Holland, Della Lester, Rosa Byrd, Edward B. Holland and Wilbur Wise Holland conveyed unto Josephene Holland all their right and title interest in and to the above described property, giving to your complainant in addition to the life right devised unto her by John G. Holland, deceased and an undivided six-eighth ($6/8$) fee simple interest in and to the said property. The said Preston Holland and Everett Lee Holland each holding an undivided one-eighth ($1/8$) fee simple interest in said property subject to the life right of Josephene Holland; and

(5) That there are two liens upon the said property at present aggregating the amount of Two Thousand Five Hundred (\$2,500) Dollars, to-wit: by deed dated the 23th day of February, 1923 and recorded in the Clerk's Office of the Circuit Court of Henric County, in Deed Book 99, page 252, Josephene Holland and Preston Holland conveyed to J. P. Dalton, Trustee, the above described property in trust to secure W. Q. Peels the payment of the sum of One Thousand Five Hundred (\$1,500) Dollars, evidenced by one (1) bond in said amount of

even date with said deed, payable on demand, and waiving their Homestead Exemption. By deed dated the 28th day of February, 1923 and duly recorded in the Clerk's Office of the Circuit Court of Hanover County, in Deed Book 99, page 253, Josephene Holland conveyed unto J. F. Dalton, Trustee, the said property in trust to secure to Preston Holland payment of the sum of One Thousand (\$1,000) Dollars, evidenced by one (1) bond in said amount of even date with said deed, payable on demand, and waiving her Homestead Exemption; and

(6) That your complainant has been offered the sum of Three Thousand (\$3,000) Dollars for all of the timber upon the above described property, Ten (10) inches and larger across the stump, ten (10) inches from the general level of the ground at the time of cutting, outside measurement, save and except the Oak, with the right of five (5) years to cut and remove same and the farther right of five (5) additional years to cut and remove same by paying six (6) per cent upon the total purchase price; and

(7) That your complainant is desirous of selling said timber upon said property in order that she may pay off the liens existing against said place and the interest that has accrued on said liens; and

(8) That said Everett Lee Holland is of the age of seventeen years; and

(9) That said Everett Lee Holland is the owner of the interest in the above described property as hereinabove set out, and also the owner of an undivided one-eighth (1/8) interest subject to the life right of Josephene Holland in and to lots No. 32-34-36-38 in Block Eleven on the plat of Glenwood Park, duly recorded in Map Book 86, page 1, in the Clerk's Office of the Circuit Court of Norfolk County; and

(10) That the following facts are calculated

to show the property of said sale;

(A) The offer made for the timber upon said property is a good offer and a fair price for same:

(B) That the proceeds from the sale of said timber will be applied to the payment of liens and interest,

(C) That the lien holders desire payment of the liens,

(D) Your complainant desires to stop the running of interest on said liens; and

(11) That the interest of the said infant will be promoted by the sale of the aforesaid timber, and that the rights of no person will be violated by said sale; and

(12) That the heir and distributee of the said infant if he were dead would be Josephine Holland, Preston Holland, Etta V. Holland, Rosa Byrd, Martha J. Holland, Ruth O. Luter, Eddie B. Holland and John W. Holland, and that the said Preston Holland, Everett Lee Holland, J. P. Dalton, Trustee, and Judith Peele, Executrix are all of the persons who are, or can be in any way interested in this suit.

In consideration whereof, and forasmuch as your complainant is remediless in the premises, save in a court of equity, your complainant prays that the said Preston Holland, Etta V. Holland, Rosa Byrd, Martha J. Holland, Ruth O. Luter, Eddie B. Holland, John W. Holland and Everett Lee Holland, J. P. Dalton and Judith Peele will be made parties defendant to this bill; that a guardian ad litem be appointed to defend the rights of said infant, Everett Lee Holland; that Preston Holland, Etta V. Holland, Rosa Byrd, Martha J. Holland, Ruth O. Luter, Eddie B. Holland, John W. Holland, J. P. Dalton and Judith Peele the adult defendants and Everett Lee Holland and the said guardian ad litem, be required to answer the allegations herein contained; that the said infant may answer by his said guardian ad litem to be assigned to him, who as well as the said

infant shall answer the said bill on oath in proper person; that the said Preston Holland, Etta V. Holland, Rosa Byrd, Martha J. Holland, Ruth O. Luter, Eddie B. Holland, John W. Holland, J. E. Dalton and Judith Peele be required to answer in proper person, but not on oath, the oath being hereby waived as to them; that the aforesaid timber upon the aforesaid property may be decreed to be sold upon the terms as hereinabove set out, and the proceeds from said sale applied upon the payment of the aforesaid described liens existing upon said property; that all proper allowances and counsel fees may be made in this suit; and that all proper account may be taken, inquiries directed, and orders entered; and that your complainant may have all such further and other and general relief in the premises as the nature of the case may require, or to equity shall seem meet.

Mrs Josephine Holland
Complainant.

Chas B. Godwin Jr
Counsel.

STATE OF VIRGINIA,

HANSPHORD COUNTY, TO-WIT:

Josephine Holland the complainant named in the foregoing bill, being duly sworn, says that the facts and allegations therein contained are true, except so far as they are therein stated to be on information, and that so far as they are therein stated to be upon information she believes them to be true.

Mrs Josephine Holland
Complainant.

Taken, sworn to and subscribed before me Chas B. Godwin Jr
a notary public of and for the county and state aforesaid in

my county aforesaid, this 27th day of September, 1923.

My commission expires on the 14th day of April, 1926

Chas B. Godwin Jr
Notary Public.

LAST WILL AND TESTAMENT OF JOHN G. HOLLAND.

I, John G. Holland of Nansemond County, Virginia, hereby
revoking all former wills by me at any time made, do hereby
make my last will and testament as follows:

- 1st. I direct that all my just debts shall be paid first.
- 2nd. I give and bequeath unto my beloved wife Josephene Holland
my farm on which we live so long as she is my widow.
- 3rd. I give and bequeath to my beloved wife Josephene Holland all my
bank stock in both banks located in Holland, Va. all house-hold
and kitchen furniture, all cows, hogs, horses, mules, corn, fod-
der, growing crops if any, all food stuff of every
kind located on my farm, all money except as will be mentioned
below on said will and testament.
- ✓4th I give and bequeath unto my daughter Martha Holland, wife of
James M. Holland, Duckhorn, Va. R.D. #1, One hundred and
seventy five dollars.
- ✓5th I give and bequeath unto my daughter Etta Holland, wife of
John R. Holland, deceased, Holland, Va. R.D. #3 One hundred and
twenty five dollars.
- 6th I give and bequeath unto my daughter Della Lewter, wife of
Clyde Lewter, Suffolk, Va. One hundred and seventy five dollars.
- ✓7th I give and bequeath unto my daughter Rosa Byrd, wife of James
Byrd, Suffolk, Va. One hundred twenty five dollars.
- 8th I give and bequeath unto my son Edward B. Holland, Portsmouth,
Va. Five dollars. *1516 Laurel Ave. Portsmouth, Va.*
- 9th I give and bequeath unto my son Wilber Wise Holland, Suffolk,
Va. One hundred and seventy five dollars.
- 10th I give and bequeath unto my son Preston Holland, Holland, Va.
R.D. #1 Five hundred dollars.
- 11th I give and bequeath unto my son Everett Holland, Holland, Va.
R.D. #1 all my stock in a land corporation located in or near
Norfolk, Va., known as Glenwood Park Corporation, and two
hundred dollars.
- 12th After my wife's death Josephene Holland, Holland, Va. R.D. #1
I direct that my farm on which I now live be sold to the
highest bidder and the money be equally divided among all
my heirs.
- 13th I name and appoint Job. G. Holland, Holland, Va. my executor of
this my will.

Witness my hand and seal this 30th day of November, nineteen
hundred and twenty.

John G. Holland.

Signed sealed and acknowledged by John G. Holland, as and for
his last will in our presence who in his presence at his request
and in the presence of each other have subscribed our names
as witnesses.

W. V. Leathers,
Joseph J. Waff,
G. H. Vaughan.

VIRGINIA:
IN THE CIRCUIT COURT OF
NANSEMOND COUNTY.

Josephene Holland

v.

Preston Holland, Etta V.
Holland, Rosa Byrd, Martha
J. Holland, Ruth O. Luter,
Eddie B. Holland, John W.
Holland, Everett Lee
Holland, an infant, J. P.
Dalton, Trustee, and Judith
Peele, Executrix of W. Q.
Peele, deceased.

BILL.

Filed October 1, 1923
H. B. Duntz
Clerk

CHARLES B. GODWIN, JR.
ATTORNEY AT LAW
SUFFOLK, VA.

Jasplum Hallen

Prima Hallen

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