

1877 - 27

Southampton County - Chancery

Vick, M. Council vs Holland, Narcissa
et al

2. Expense due pursuant
to agreement of M.C. Vick
+ Carr Holland

inft
Narcissa Holland
Margaret Holland
Livia Holland
Helen J. Holland
Shes. C. Holland
Willie E. Holland
Lucy J. Holland
Lenora Holland
+
Jack Holland

Vick,
vs $\frac{3}{4}$ Pile & Exhibit
Holland

1876 October Rules

J. B. Amice & Co.

To the Hon. Geo. Blom, Judge of the Circuit Court
of Southampton. In Chancery.

Humbly complaining thereof unto your
Honor. your Complainant M. Council
Vick - as follows..

That on the 1st day of April 1873, your
Complainant entered into a written
agreement with one Carr Holland for
the purchase of a parcel of land from
the said Holland, upon terms indicated
in the said agreement. as will more
fully appear from the said Agreement,
herewith filed, marked (A) & proposed to be
taken as part of this bill.. That before
the said agreement was complied with
by your Complainant, the said Carr
Holland departed this life, leaving
the following devisees & heirs at Law.
To-wit. his widow, Narcissa Holland,
and the following children all minors,
viz - Margaret, Louisa, Lillie J. Thomas.
Willie E. Lucy F. Geneva & Jack Holland.
That by the terms of said agreement,
it was provided, if your Complainant
paid to said Holland by 1st day of April
1876, the sum of \$130. then the said
Holland would execute to your
Complainant a deed for the said
parcel of land. That on the 1st day of
April 1876, your Complainant did
pay to Narcissa Holland, Ex^{te} of
Carr Holland the said sum of \$130.
as will appear by her receipt, here-

with filed, marked (B) and hoped to be taken as part of this bill.

That the said Holland died testate, but made no provision in his will authorizing his Ex^{rs} to execute a deed for this land; and that your complainant has no remedy, except by the aid of a Court of Chancery.

In consideration whereof, and forasmuch as your complainant is remediless, except in a Court of Chancery, where matters of this kind are properly

coincident, to the end therefore that justice may be done, he prays that Narcissa Holland, Maryant, Louisa, Lillie J. Morb, Willie E. Lucy G. Geneva, & Jack Holland the last eight minors, may be made parties defendant to this bill & compelled to answer the allegations thereof. That some fit & proper person may be assigned for ad litem for the infant defendants. And that your Honor will make an order appointing some special Com^{rs} to execute a deed, with Narcissa Holland, widow of Carr Holland, to your complainant for the land aforesaid. And that your Honor will grant such other justice & general relief as equity may demand, or the nature of this case may require. And as in duty bound, your complainant will ever pray. May it please the Court &c.

J. B. Prince &c.

The Joint General Answer of Margaret,
Louisa, Lillian J. Thomas C, Willie E, Lucy
F. Geneva & Jack Holland, Minors, by
J.R. Edwards, their Guardian ad litem to a
bill of Complaint, exhibited against
them & Narcissa Holland, in the Circuit
Court of Southampton by M. Com. al Vick.
These respondents, saving & reserving all
just ground of Exception to said bill, for answer
thereto, say - That they are infants under
age of 21. and being such, they know
nothing of the facts charged in the said
bill - They therefore submit their rights
to the protection of this Honorable Court.
And having answered, they pray
hence to be dismissed &c.

J.R. Edwards
Guardian ad litem.

Recd of M^r C Vick One hundred
and thirty dollars in full payment
for thirteen acres of land, situated on
L & R R. adjoining lands, of Jesse Rogers &
Lawson Beal. Said land was sold.

M C Vick according to written agreement by
Carr Holland Decd, 1st April 1873. Given
under my hand this 1st day of
April 1876.

Witness

P. B. Leitch

her
Nanissa P Holland
mark
Executrix

Heir

Lillie J. Holland.

Thomas B. Holland.

Hillie E. Holland

Lucy O. Holland

Geneva Holland

Jack Holland.

Exhibit (B)

Exhibit (A)

Agreement Between
Larr Holland and
Mr. C. Vick.

Witnessed by

Vick }
Ex: with bill

Articles of Agreement, Made this the 1st day
of April 1873, between Cass Holland
of the County of Southampton, State of Virginia
of the first part, and McBurnie with
of the County and State aforesaid of
the second part.

Witnesseth That the party of the first
part, hereby Covenants and agrees, that
if the party of the second part
shall first make the payment, and
perform the Covenants herein after
mentioned on his part, to be made
and performed, the said party of the first part
will, make to the ^{said} party of the second part
a full warranty deed, for a parcel
of land lying on the Roberson & Roanoke
Rail Road North Side, containing by
actual survey Thirteen acres, adjoining
the lands of Jesse Rogers, Lawson Neal
&c. and others,

And the said party of the second part
hereby Covenants and agrees to pay to
said party of the first part, the
sum of One hundred & thirty
dollars, on the 1st day of April
1876, without interest. And in
Case of the failure of the said
party of the second part, to make
the payment, or perform any of the
Covenants on his part hereby made
and entered into, this Contract
shall at the option of the party
of the first part, be forfeited.

and all improvements, put up on said
parcel of land ^{by the party of the second part} shall revert back
along with said parcel of land
to the party of the first part.

It is mutually agreed that all the
Covenants and agreements herein contained
shall extend to, and be obligatory
upon the heirs, executors, administrators
and assigns of the respective parties.

In witness whereof, the parties to these
present - have hereunto set their
hands and seals, this 21st day
of May 1875.

Signed, sealed, and delivered in presence of
of - William E. Barnes. } Charles H. McKim
Walter Boone } M. C. Vick

Vick

to { Sum. Chy

Holland &

1876 October Rules

Executed by delivering
Honoraria Holland
a copy of the Sum-
mons on the 23^d day
of September 1876.

W. W. Gregg S. H.

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON

*Narcissa Holland, Margaret Louisa
Lillie J. Thomas Co. Nellie E. Lucy F. Geneva & Jack Holland*

if *they* be found within your bailiwick, to appear at the Clerk's Office of our Circuit Court of Southampton County
at the rules to be holden for the said Court, on the first Monday in *October next* — to answer —

*a bill in chancery exhibited against them in our said Court by
W. C. Wick*

And have then there this writ.

WITNESS, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this *20th*
day of *September*, 187*6*, in the *10th* — year of the Commonwealth.

L. R. Edwards

~~122~~ 116-

Vick

v } Stat Rules

Holland &c

Colks Cook	\$ 8.08
<u>P. W. B. Th.</u>	50
Law 1 ^{re}	16.50
	\$ 25.08

1877. May. Removed from docket.

In Southampton Circuit Court

vs. Council Wick

against

Narcissa Holland, & Margaret, Louisa, Lillie J. Tho^s C.
Willie E. Lucy F. Geneva & Jacob Holland the last eight minors
by S R Edwards their Guardian ad litem

1876 Sep. 20. Summons issued

" Oct R. Sum^s ret. Executed - Bill filed S R Edwards
assigned Gen ad litem to infant Depts ans^r of
infants G R. Deane Wise v Dpt. Narcissa Holland
" Nov R - Bill taken for confessed as to Dpt. Narcissa
Holland. Cause set for hearing &c.

Rich
m & Report
Hollands

1877 Jan. 16

Vick
vs $\frac{1}{3}$ Report of Comr. Prince
Holland &c.

In obedience to decree entered
in this cause at Nov Term 1876, I
have made a deed with special
warranty to M. Council Vick for the
land in the proceedings mentioned,
in which the order of Comr. Holland
joined. There is nothing further to be
done in this cause.

Receipt submitted.

Jan'y 16. 1877.

To Judge Circuit Court

J. B. Prince

Vick
vs. 3 Deere
Holland

Nov Term 1896

To be entered

Geo. Blow

Vick
vs $\frac{1}{3}$ Deere.
Holland & H.

This day this Cause came on to be heard on the Complainant's bill, the petition for Compulsion as to the deposit, Narcissa Holland, the answer of the infant defendants by J. R. Edwards, who is hereby assigned their guardian ad litem, Exhibits filed, with general upbraidings, and was argued by Council. On consideration whereof, and it appearing to the Court that the plaintiff, M. Council Vick, has fully complied with the terms of the agreement entered into between himself & Carr Holland, in the lifetime of the latter, the Court doth adjudge and decree that J. B. Rome, who is hereby appointed a special Counsel for the purpose, execute to the said Vick a deed with special warranty for the land in the proceedings mentioned, and make report to Court.

Vick

on 3 Decree

Holland & Co.

May 2nd 1897

To be entered.

Geo. V. Blood.

Nick

vs 3 Deere.

Holland & Co.

This day this cause came on to be further heard on the papers formerly read & the report of Comr. Prince filed Jan'y 16. 1877. and was argued by counsel. On consideration whereof, and no exceptions being filed to the said report, the same is affirmed. And nothing further appearing necessary to be done in this cause, it is ordered to be removed from the docket.