

1887-20

Southampton County - Chancery

Hallard, Eugene E. vs Hallard, A. A. et al

" Is got title to
Real Estate

defendant money used to
purchase "

Edwards, Galus H +
Edwards, Emma by wife

Cobb, G. H. +
Cobb, Nellie by wife
Hallard, A. A.
Hallard, Willie H.
Hallard, Gertrude
Hallard, Bertie
Maare, Leah
Maare, Leisile by wife
Maare, Arthur
Maare, Bertha
Murey
Henriette Hallard

To the Honorable George Blow,
Judge of the Circuit Court of Southampton
County, Virginia.

Complaining sheweth unto the
Court your complainant, Eugene,
E. Halland, that your complainant's
mother, Henrietta Halland, was
during her lifetime the guardian
duly appointed by the Court in Isle
of Wight Co. of your complainant who
was then an infant. That on the
28th day of January 1886 the said Hen-
rietta Halland was possessed of a cer-
tain sum of money as guardian
for your complainant, to wit. the
sum of One Thousand Dollars, which
said sum lawfully & rightly belonged
to your complainant. That on the
day & date last mentioned the said Hen-
rietta Halland, purchased a certain
lot of land lying in the town of
Franklin, Va. containing one fourth
of an acre by estimation, (and bounded
by the land of A. A. Halland, the Baptist
church & others, as set forth in deed
marked exhibit "A" & herewith filed
& prayed to be read as a part of this
bill) from John Pettow, Jr. paying

for the same the sum of Two Hundred & fifty Dollars, said amount being paid out of the said sum of One Thousand Dollars belonging to your complainant, and taking a deed for the same in her own name which deed was duly recorded & is herewith filed & marked exhibit "A". That afterwards the said Henrietta Halland caused to be built on said lot a house, paying therefor the sum of Seven Hundred & fifty Dollars, which said sum she also paid out of the One Thousand Dollars she had in hand belonging to your complainant; that the said Henrietta Halland controlled said property for your complainant until her death, at which time your complainant being nearly of age, took quiet possession of said house & lot & has held it peaceably ever since, but the said Henrietta Halland never made him a deed therefor, though it was paid for with his money. By reason of these premises, your

complainant says that he has an equitable title to the said house & lot, and that he has the right to have the legal title conveyed to him.

In order consideration whereof, & forasmuch as your complainant is remedyless in the premises, and whereas Henrietta Halland is now dead, your complainant prays that A. A. Halland, Robert A. Edwards & Emma his wife, R. H. Cobb & Nellie his wife, Willie T. Halland, Gertrude Halland, Berrie Halland, & Lucille, Loby, Arthur, Bertha & Henrietta, Moore, the lawful heirs of Henrietta Halland, may be made parties to this bill as defendants & required to answer the same. That a guardian ad litem be appointed to the said Willie T. Halland, Gertrude Halland & Berrie Halland & Lucille, Loby, Arthur, Bertha & Henrietta, Moore, (the same being infants) to defend their interests in this suit, who shall also answer this bill: that proper process issue: that a proper commissioner be appointed by the court to execute a good & sufficient deed for the said house

& Cat. to your complainant (the said
 E. E. Holland) in fee simple: That all
 proper orders & decrees may be made
 & inquiries be directed, & that all
 such other further & general relief
 may be afforded your complainant
 as the nature of his case may
 require, or to equity shall seem
 meet, and your complainant will
 ever pray, etc.

E. E. Holland

J. C. Parker. S. G.

Holland. E. E.

Bill

as } Ex Chancery.

Holland. E. E. Holland

Holland

$\frac{1}{4}$ } Sum

Holland's Heirs

1886. Oct. Rules

✓ Civ. Ct.

Executed by delivering
to the within named R. A.
Edwards & Emma his wife
each a true copy of the
within ~~agreement~~ ^{agreement}. Sept 20th
1886.

A. B. Edwards Depy.
For R. A. Edwards Off.

The Commonwealth of Virginia,

Isle of Wight
TO THE SHERIFF OF ~~SOUTHAMPTON~~ COUNTY—Greeting:

WE COMMAND YOU TO SUMMON *R. A. Edwards and Emma Edwards, his wife*

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 & others* in our said Court by

Eugene E. Hollands

And this *they* shall in no wise omit; and have then there this writ.

Witness, J. B. PRINCE, Clerk of our said Court, this *21* day of *Sept* 188*6*, in the *1111* year of the Commonwealth.

J. B. Prince

C. C.

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON *R. A. Cobb & Nettie Cobb his wife.*
A. A. Holland, Willie V. Holland, Gertrude Holland,
Bertie Holland. Lucile Moore, Toby Moore, Arthur
Moore, Bertha Moore and Henrietta Moore. the Eight last
named being infants.

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

Eugene E. Holland

And this *they* shall in no wise omit; and have then there this writ.

Witness, J. B. PRINCE, Clerk of our said Court, this *21st* day of *Sept*
1886, in the *111th* year of the Commonwealth.

J. B. Prince

C. C.

Holland

" Sum

Holland's heirs

1886. Oct: Rules

Oct: Oct:

Executed Oct 4th
1886 by delivering a
copy of the ^{within} Summons
to each of the within
named parties,

RATB and
Deputy Sheriff

Holland, E. L.
as { deposition of
A. A. Holland.
Holland, H. L.

The deposition of A. A. Halland taken before me L. R. Edwards a notary public for the county of Southampton pursuant to notice hereto annexed at the office of J. C. Parker in the town of Franklin on the 23rd day of Oct 1886 to be read in evidence in behalf of the plaintiff in a certain suit depending in the Circuit Court of Southampton County wherein E. E. Halland is plaintiff & R. A. Edwards & others are defendants.

Present J. C. Parker, counsel for plaintiff.

A. A. Halland, a witness of lawful age & one of the defendants in this case, being duly sworn, deposes & says as follows.

1st Question by counsel - State what you know about the purchase of a lot in the town of Franklin by your mother Mrs. Minella Halland, with whose money it was bought & who it was bought for?

1st Answer: I am perfectly familiar with all the circumstances. My mother Minella Halland, was during her lifetime guardian for my

brother Eugene E. Holland, & had in
hand for him one thousand dollars
which my father left him in his
will; about she bought
the lot in Franklin road in possession
of said Eugene & paid for it about
\$280, out of the money she had
belonging to Eugene; she bought
it for him & with his money; she
then took the balance of his
money & built on the lot a
house; she also built this for
him & with his money; I know
all this because I & my brother
Walter Holland who is now dead,
advised her to buy this property for
Eugene & assisted her in buying
it for him.

2nd Question - what is about the
value of said house & lot now?

2nd Answer - Between thirteen &
fifteen hundred dollars; but
Eugene has put a piece to the
house since he came of age worth
from three to four hundred dollars.

and further this deponent saith not,

A. A. Holland

J. L. R. Edwards a notary public
for the Town of Franklin Pa. do
hereby certify that the foregoing dep-
osition of A. A. Halland was duly
taken sworn to & subscribed before
me at the place & time mentioned
therein & in the caption thereof
pursuant to the annexed notice.
In witness whereof I have hereunto
set my hand this 23rd day of Oct.
1886 at the Town of Franklin aforesaid.

J. L. R. Edwards N. P.

To Robt. A. Edwards & Emma his wife
& R. H. Cobb & Nettie his wife: A. A. Hol-
land & J. P. Prince. Exr ad litem

Take notice that on the 23rd day
of Oct 1866 at the office of J. C. Parker
in the Town of Franklin. I shall
proceed to take the depositions of
A. A. Holland and

to be read as evidence in my behalf
in the suit in chancery depending
in the Circuit Court of Southampton
County in which I am Plaintiff
& you are defendants

Respectfully,

E. E. Holland.

Per J. C. Parker. Esq.

I hereby acknowledge service of the within
notice on me as Guardian ad litem for the infand
defendants in the suit of Holland vs Holland Heirs.

J. B. Prince Esq
ad litem

I hereby certify & solemnly swear that I served an exact
copy of the within notice on the parties named therein several
days before the time therein named for taking the
depositions of a. a. Holland.

J. C. Parker

Sworn to & subscribed before me this 5 day of Nov
1886.

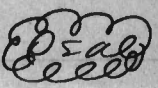
T. F. M. Leasure
Clerk in Chy

I, John M. Halland, do hereby make my last will and testament, in manner and for me following:

I give to my wife Henrietta Halland all my land lying South of the S. & P. R. Road, including the mansion House, for and during her natural life after her decease to my son Eugene Emmett Halland, also to him, one thousand dollars, and my good watch to him & his heirs forever, but if my wife should marry again then she is to be thirded in the above named land. Also I give to my wife Henrietta Halland all the balance of my estate, whatever nature or kind it may be not herein before disposed of, to dispose of between her children as she may think proper. I give to my two sons Algernon A. Halland and Alexander J. Halland all the land I own lying north of the Seaboard & P. R. Road to be equally divided between them to them and their heirs forever.

And lastly I do hereby constitute and appoint my wife Henrietta Halland my executor of my last will and testament.

In witness whereof I have hereunto
set my hand and affixed my seal
this 14th day of February 1870

John M. Halland 

Signed, Sealed and
acknowledged in the
presence of —
— — —

In Superior County Court,
March 6th, 1871.

A paper purporting to be the will of
John M. Halland decd. was presented
in Court for probate, dated the 14th
day of Feb'y. 1870, and there being no
subscribing witnesses thereto, Alfred
R. Butler, T. J. Clements, and Josiah P. Gay,
were sworn and severally deposed that
they are well acquainted with the hand
writing of the said testator and veracily
believe that the said will and the name
thereto subscribed, to be in the true hand
writing of said John M. Halland
decd. And thereupon the said will
is ordered to be recorded.

Test. A. P. Young cell.
per C. A. Hart D.C.

at copy.

Test. A. P. Young cell.
by G. M. Cochrane D.C.

Dr. The Estate of John M. Holland decd.
In account with Henrietta Holland
his executrix.

1871

March

To paid Dr. J. H. Barnes's account 97 00

" " Do. bond & int. 10 41

" " E. Rauls & Son acc. 1 82

" " Chas Smith, Coffin &c. for testator 62 00

" " Do. Do. ord. by testator for Mr. Sue Holland 56 00

" " Do. Coffin for W. H. Holland 6 50

" " Liss & Lawrence acc. 9 29

" " E. Rauls & Son. 9 00

" " Clerk's fees 41 25

" Retained to pay comm. and

Clerk's fees for this acc. &c. 4 50

" Balance per Contra 1020 77

1872

Mar 6

1871

Mar: 6.

By this account no money is known 600 00

" " bond & collected 681 44

~~1281 44~~ 1281 44

1875

Oct. 4.

To this aut. being legacy to August
Emerson Holland under will
of testator & frd. gdn. 1000 00

" interest thereon from 6. Mar 1871
being 12 mos. from gulf. of
Executrix, paid gdn. 205 00

" Balance per contra, which by the
will is given to the Ex^{rs} & is mid of testator 25 10

1872
Mar. 6
1875
Dec. 4.

By balance per contra to date
" interest on same 3 yrs. & 6 mos.

1030 77
269 23

\$1330 10 / \$1230 10

Commissioner of the Isle of Wight Cts.
December 25. 1875

To the County Court of Isle of Wight County:
Your Commissioner reports to the Court
that on the day of Nov. 1875, Hercules
Haccand Esq. of John T. Haccand
ass. Exhibited before him a state-
ment of all the money he has re-
ceived, become chargeable with, or
has disbursed during the period em-
braced in the foregoing accounts, together
with the vouchers for the disbursements.
That your Commissioner included
the said Esq. in the List of Judi-
ciaries whose accounts were before
him for settlement which was posted
at the Court House door of said
County, on the first day of Nov. term
1875, and on the date of this report
ten days having elapsed since the
said list was so posted, made up
and completed the said account,
on the 4th day of October 1875

finds a balance of \$25.10 which
by the will of the Testator is given to
the executor. Given under my
hand as Commissioner of Accounts
for said County the day and year first
aforesaid.

O. P. Young comm.
In the County Court of Isle of
Wight County, the 7th day of February
1896, the foregoing account and re-
port the under of the transactions of
Henricus Haeckel, Executor of John
M. Haeckel having been filed in
the Clerk's Office of said Court for
our month and no exception being
filed thereto, was confirmed by the
Court and ordered to be recorded

Test: C. H. Watt D.C. for

O. P. Young atty.

copy

Test: O. P. Young atty.
by J. H. Haeckel D.C.

Dr. Eugene Halland orphan of
John M. Halland decd.
In account with Henrietta Hal-
land his guardian.

1876

Oct. 4.

To paid for board & tuition from
1. Jan'y. 1872, to date & costs of this acc't

365.00

1875
Oct. 4

By this sum being legacy in father's
will recd. from Executors

10.00.00

" "

" Do. being interest in said legacy
as received

305.00

1876
Oct. 4.

" Int. on \$1000.00 from 4. Oct. 1875
to this date -

60.00

" "

To Balance for contra

10.00.00

\$1365.00 \$1365.00

1876

Octo: 4.

Balance due the ward

\$1000.00

Commissioner's Office, Sec. of
High Court. Augt. 25th 1877.
To the County Court of Said County:
Your Commissioner reports to the
Court that on the 6th of this month
Henrietta Halland, guardian of
Eugene E. Halland, orphan of John
M. Halland decd, exhibited before
your Commissioner a statement

of all the money she has received
became chargeable with or had
disbursed during the period embraced
in the foregoing account, together
with the vouchers for the disburse-
ments. That your commr. includ-
ed the said guardian in the list
of fiduciaries whose accounts
were before him for settlement,
which was posted at the C. H.
court on the first day of the last
term, and on the date of this
report made up and compared
the said account. And on the 4th
day of October 1876, finds a bal-
ance of \$1000. 00 due from the
guardian to her said ward. Your
Commissioner finds and reports
that the guardian has given such
a Bond as the law requires in a
penalty and with security ample
and sufficient. Given under my
hand as commr. of accounts of
said county the day and year
first aforesaid.

A. P. Young Commr.
In the County Court of El Paso
County, the 1st day of October 1877.

The above account was admitted
to record after having been filed
in the Clerk's Office for one month,
and no exceptions being filed thereto.

Test: N. A. Edwards D.

Copy.

Test: Ch. Younger

by J. M. Coon D.

for \$1.80

Ans. W. Holland's will,
admt. account, &
acct. of Heurien
Holland as adm. of
Estate E. Holland.

Copies-

\$1.80 for

Holland

Mr. J

Holland & Keis

Answer of
Infants by
God as titen

The joint and several answer of Bertie
Holland, Lucile, Toby, Arthur, Bertha &
Henrietta More, Willie & Gertrude
Holland, all minors - by J. W. Price
their Son as litig to a bill of Complaint
Exhibited in the Circuit Court of Southamp-
ton County against them others by
Eugene S. Holland.

These respondents saving and reserving
all just ground of exception, for answer
to said bill say -

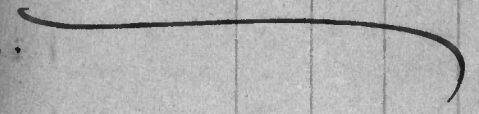
That they are infants and being
such know nothing of the facts as
set forth in the bill of the complain-
ant. They therefore submit their
rights to the protection of this Court
and having answered pray hence
to be dismissed &c.

J. W. Price
Son as litig

~~132~~
Holland S. S.

27 3 Stat. Miles

Heuritta Holland Heir



In Southampton Circuit Court.
Eugene E. Holland

Plff

against

R. Cobb, Nettie Cobb his wife, A. A. Holland
Minnie V. Holland, Gertrude Holland, Bessie
Holland, Lucile Moore, Toby Moore, Arthur
Moore, Bertha Moore and Henrietta Moore Defts.
^{last eight infants}

1886

In Chancery.

Sept 21.

Summons to Oct. Rules.

Oct Rules.

Summons ret'd. Dec'd. Bill filed, J. B. Priner ex'pt'd
Gov ad litem for Infant Defts. Answer of Infants
by Gov ad litem filed. Genl. Replication - and
Decree nisi vs adult defts.

Nov Rules.

Bill taken for compassed as to adults.
and Cause set for hearing.

Holland E. G.

Answer A. A.

vs Holland return

Holland's Heir

The joint & separate answer of A. A. Holland, Robt. A. Edwards & Emma his wife, R. H. Cobb & Nellie his wife, to a bill in equity exhibited against them & others in the Circuit Court of Southampton County by Eugene E. Holland.

These respondents, saving & reserving, etc. for answer to the said bill answer & say that they believe the statements made in the said bill are true.

These respondents do not object to the conveyance of the said house & lot to the said E. E. Holland the complainant in said bill, as prayed for in the said bill. And now having fully answered, they pray hence to be dismissed with their costs, etc.

A. A. Edwards
E. E. Edwards
R. H. Cobb
Nellie Cobb.
A. A. Holland.

~~Port~~
Holland

as
Holland's Miss.

Report Special Train

To the Hon C. W. Hill, Judge of
the Circuit Court of Southampton, Pa.

In pursuance of a decree rendered by
this court at the November Term
1886 in the cause of Holland vs
Holland's Heirs, I, J. C. Parker, a
special commissioner appointed
by said decree, respectfully report
to the court that in accordance
with directions in said decree I have
made a good sufficient deed
with special warranty to E. E. Hol-
land for the house & lot in Franklin
mentioned in said Bill & Readings.
And now having fully executed the
order of the court, he prays to be
hence dismissed.

Respectfully,

J. C. Parker
Special Commissioner

Engene. E. Holland.

vs

Hennietta Hallands. heirs

This cause came on this day to be heard upon the bill & the answers of J.B. Prince who was assigned at rules for guardian ad litem to the infant defendants & the answers of the infant ^{by their guardian ad litem} defendants, & upon the answers of Robt. A. Edwards & Emma his wife, Robt Cobb & Nellie his wife. & A. A. Holland: & the general replications thereto & upon the depositions of witnesses & was argued by counsel. All consideration whereof the court doth adjudge order & decree that J.C. Parker. who is hereby appointed a special commissioner for the purpose. do forthwith convey by good & sufficient deed, with special warranty unto the said Engene. E. Holland the house & lot mentioned in the bill & pleadings as aforesaid, as follows, a house & lot in the town of Franklin sold by John Pettaw, Jr. to Mrs Hennietta Holland by deed dated 28th Jan 1875 & bounded as follows on the south by Third Avenue, on the west by the land

of A. A. Halland. & the Baptist Church
on the north by 4th Avenue & on the
east by the land of John Pettus Jr
& containing by estimation one fourth
of an acre. & he shall make report
to this court at the next term thereof

Halland, E. E. 1882

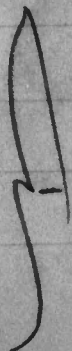
as } Decree

Halland, E. E. 1882

Nov Term 1882

To be entered

Geo T. Blom

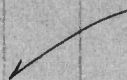


Holland

as } Decree
Holland & Hino

May Term 1887
To be mixed.

C. M. Hill



Halland.

vs

Hallands Heirs.

This day this cause came on to be further heard on the papers formerly read, & upon the report of J. Parker, special commissioner, showing that a deed has been made to E. E. Halland in accordance with a former decree, to which no exceptions ^{have been} ~~being~~ filed, & was argued by counsel. On consideration thereof, the court doth ~~adjudge~~ approve & confirm the said report, & nothing further remaining to be done in this cause, it is ordered that the cause be removed from the docket.