1892-010 Chancery Causes: W. S. Holland, assignee of Charles Fulgham vs J. H Nelms
Isle of Wight County + al

other SURNames: Bunkley
Gibbs Jones, Chapman

To C. H. Helms, E. E. Chapman trustee,
W. J. Helms spe. com. in the suit of
Gibbs o.s. Gibbs, W. J. Helms trustee, Henry
Jones and Geo. T. Helms.

Gentlemen.

Please take notice
that on the 15th day of Sept. 1889. I
shall ask the Hon. C. W. Hill judge
of the circuit court of Isle of Wight
County in vacation in the city of
Norfolk to enter an interlocutory
decree for enquiries and accounts
in the suit pending in the circuit
court of said county in which you
are defendants and I am plaintiff

Respectfully
W. S. Holland in his
own right and as assignee
of Charles Fulgham.

Copy for Hens Jones

Holland
vs. Notice
Nelson et als.

Mr Young
Dear Sir,

Please file
these papers
in the cause

Filed 1. July, 1890.
clk.

Commissioner's Office,

Isle of Wight Courthouse, Janry. 7th 1890.

To W. S. Holland

Plaintiffs,

And to J. H. Nelms; W. J. Nelms, trustee; Geo. T. Nelms and Henry Jones

Defendants:

You are Hereby Notified that I have fixed upon the 10th day of Janry. next, if fair, if not, the next fair day thereafter (Sunday excepted), to take and settle, at my office, aforesaid, the following accounts: 1. An account of the liens on the real estate in the bill & proceedings mentioned, with their priority & dignity, respectively what payments have been made on the debt secured by deed of trust to R. K. Cheatwood trustee.

2nd. What is the annual and fair rental value of said land,

Required to be taken by decree of Isle of Wight Circuit Court, rendered on the 23d. day of Octo., 1889, in a suit in chancery depending in the said court, in which you are parties, plaintiffs and defendants, at which time and place you are required to attend.

Given under my hand, as Commissioner of the said Court, the day and year first aforesaid.

A. P. Young

Commissioner.

Holland

No. 3 Court Notes

Nelms et als.

vs.

To 10. Jany. 1890.

2 - N
3 - "
4 - "

Legal services of Atty ordered
by Court, Feb 1st 1890.
Geo D Nelms
Clerk

To J. H. Selms. H. H. Chapman trustee
W. J. Selms & pe. comr. in the suit of
Gibbs vs. Gibbs, W. J. Selms trustee,
Henry Jones and Geo. T. Selms.

Gentlemen,

Please take notice that on the 10th day of Sept. 1889 I shall ask the Hon. C. W. Hill judge of the circuit court of ~~Wright~~ Isle of Wight county in vacation in the city of Norfolk to enter an interlocutory decree for enquiries and accounts in the suit pending in the circuit court of said county in which you are defendants and I am plaintiff.

Respectfully

W. L. Holland in his own right and as assignee of Charles Tulyham.

I hereby waive the service of this note in by an officer and I hereby accept service thereof.

Aug. 31st 1889.

J C Chapman

Trustee

To J.H. Nelms, K.K. Chapman trustee, W.J. Nelms Spc. Comr. in the suit of Gibbs vs Gibbs, W.J. Nelms trustee, Henry Jones and Geo. T. Nelms:

Gentlemen,

Please take notice that on the 10th day of Sept. 1889 I shall ask the Hon. L.W. Hill judge of the Circuit Court of Isle of Wight County in vacation in the City of Norfolk to enter an interlocutory decree for enquiries and accounts in the suit pending in the Circuit Court of said County in which you defendants and I am plaintiff

Respectfully
W.S. Holland in his
own right and as assignee
of Charles Fulghum.

1889. September 4th I have Served a Copy
of this process in writing upon the
within named George T Helms in person
the within named Henry Jones is not
found in my County. Wm H Howell Shff

To J.H. Nelms, K.K. Chapman trustee, W.J. Nelms Spc. Comrs. in the suit of Gibbs vs vs. Gibbs W.J. Nelms Trustee, Henry Jones and Geo T. Nelms:

Gentlemen,

Please take notice that on the 10th day of Sept. 1889 I shall ask the Hon. C.W. Hill judge of the circuit court of Isle of Wight County, in vacation in the City of Norfolk to enter an interlocutory decree for enquiries and accounts in the suit pending in the circuit court of said County in which you are defendants and I am plaintiff.

Respectfully
W.S. Holland in
his own right and as
assignee of Charles Fuller
Plaintiff

Executed by delivering
a true copy of the
within Summons on
the within named
W P Hopkins this 2
day of September
1889 D T Clayton
Dep't Sh'ff
E Clayton.
Sheriff

Return on Writ

"HOTEL WARWICK" BUILDING. NOTARY IN OFFICE.

Law Offices of

J. H. & W. J. Helms,

Newport News, Va., Jany. 6th 1890

Mr. L. I. Young,
Isle of Wight C.H.

Dear sir:—

Replying to your favor of a few days since, I beg to say that Hayning advises me that he fully impressed his views to you and desires to see you when at Isle of Wight C.H. Upon, and that it will therefore be unnecessary for me to be present. I have received interest on the amount secured by the deed of trust on the Gibbs tract (£747.50) to Jany 1st/90, and have paid the same to J.H. Helms guardian for

"HOTEL WARWICK" BUILDING. NOTARY IN OFFICE.

Law Offices of

J. H. & W. J. Helms.

Newport News, Va., ... 18

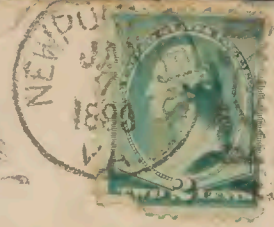
R. W. Gibbs. I hold J. H. Helms receipt for same. You can therefore make up your report upon this basis. Should you desire further information in this matter advise me & I will be glad to reply.

Yours truly

W. J. Helms

3.7 3.88

J. H. & W. J. NELMS,
ATTORNEYS AT LAW,
NEWPORT NEWS, VA.



Mr. N. P. Young
Isle of Wight Co
Va

There are some
papers belonging in
the papers in the
case of Holmes
Nelms et. als. left
at my office by
Clerks. Yrs
W. S. H.

3 1/2 1/2
12 1/4 1/8
1 5/8 1/8
13.2.5 1/4

This deed made this 12. day of Jany, 1884, between J. N. Nelms party of the first part and K. K. Chapman trustee party of the second part: Witnesseth, that the said party of the 1st in and for a valuable consideration doth grant, bargain, sell & convey with general warranty unto the said trustee the following property, viz: All of that certain tract or parcel of land lying and being in the County of Isle of Wight in the State of Virginia, described in the will of the late W. W. Gibbs recorded in said County, as that part of the Green farm lying between James river and the Smithfield road, at Burwells Bay. To have and to hold to him the said K. K. Chapman Trustee; In trust to secure the payment of a certain Bond of even date herewith for the sum of $1147.50 executed by said J. N. Nelms and payable to W. J. Nelms & Co. and assigned in the suit of Gibbs vs. Gibbs on demand with interest from date. And it is expressly understood by the parties interested that whenever said trustee shall be requested by said W. J. Nelms & Co. to sell said property at public auction after duly advertising the time, place, terms of sale for cash and apply the proceeds accordingly to law, said request only being made by said W. J. Nelms & Co. or his substitute in said suit, Within the following regulations

and seal this day & year first above written.

J. N. Nelms (Seal)

State of Virginia

County of Isle of Wight, to wit:

I Geo. R. Atkinson a Comd of said County the Clerk of the Circuit Court of Isle of Wight County do certify that J. N. Nelms whose name is signed to the writing above bearing date the 17 January, 1888 & has acknowledged the same before me in my said County. Given under my hand this 26 day of Dec, 1887.

Geo. R. Atkinson Comd,

In the Clerk's office of Isle of Wight County Court the 17 day of January, 1888. This deed of trust was received and with the certificate thereon admitted to record.

Test, A. P. Young clk

a copy. Test, A. P. Young clk

Copy of Deed of Trust from J. N. Nelms to R. B. Holladay Trustee,

Exhibit "D", filed with Bill

Holland & Co. vs. J. N. Nelms et als.

This Indenture made this 12th day of January 1887 between W. J. Helms special commissioner [illegible] of the first part and J. H. Helms party of the second part: Whereas, on the 8th day of January 1887, it was decreed and ordered by the Circuit Court of the City of Richmond in a certain cause therein depending on the Chancery side of the said Court between R. W. Gibbs by W. J. Helms his next friend complainant and Minnie S. Gibbs an infant under 21 years of age defendant, that the report of the commissioner George R. Atkinson filed in said cause be confirmed and the recommendation therein contained be adopted, that the offer of J. H. Helms of Seventeen Hundred ($1700.00) dollars in cash be accepted for the land in the said proceedings mentioned of which portion was excepted to be made and which is described in the will of the late Robt. W. Gibbs deceased as that part of the Cowan farm lying between the James River and the Smithfield road to have and to hold to him the said J. H. Helms to him and his heirs forever, that W. J. Helms who was by said decree appointed a special commissioner for that purpose [illegible] of said J. H. Helms as per said

in full for said real estate the said sum of Seventeen Hundred dollars ($1700.00) and upon his so receiving it to make to the said J. H. Helms a good and sufficient deed to the said premises for the said real estate in fee simple. And whereas the said J. H. Helms has paid to the said W. J. Helms Special Commissioner as aforesaid the said sum of Seventeen Hundred dollars ($1700.00) as aforesaid for said real estate as decreed by said Court. Therefore this deed made this 12th day of January 1887 A.D. Witnesseth the parties first aforesaid, Whereas - that the said W. J. Helms Special Commissioner as aforesaid in order to carry into effect the said sale in accordance of said decretal order in consideration of the premises and of the said sum of Seventeen Hundred dollars ($1700.00) to him in hand paid in cash by said J. H. Helms, the receipt whereof is hereby acknowledged, at and before the ensealing and delivery of these presents, doth grant, bargain, sell and convey unto the said J. H. Helms his heirs and assigns forever the said tract or parcel of land with all privileges and appurtenances thereto belonging, situated and lying

in the County of Isle of Wight in the state of Virginia at Burwells Bay, it being the same tract or parcel of land described in the will of the late R. W. Gibbs as the part of the Cawson farm lying between the James River and the Smithfield road said will is of record in the clerk's office of the county court of Isle of Wight County And the said W. J. Helms Spl Com- missioner as aforesaid doth title to said tract or parcel of land against himself & his heirs and all persons claiming by through or under him or them will forever warrant and defend.

Witness the hands and seals of the parties this day and year first above written

W. J. Helms Spl Comm'r (Seal)

J. H. Helms (Seal)

State of Virginia, Warwick County, To wit:

I, W. A. Cast a justice of the peace for the County of Warwick do hereby certify that W. J. Helms Spl Comm'r whose name is signed to the writing above bearing date the 17 day of January 1887, has acknowledged the same before me in my County aforesaid.

Given under my hand this 17 day of January 1887.

W. A. Cast J.P.

In the Clerk's office of the County Court of Isle of Wight County, the 13th day of January 1887. This deed was received and with certificate thereon admitted to record.

Teste, J. P. Young Clk.

A copy.

Teste, J. P. Young Clk.

Copy deed from Co. Court to U. States.

Exh. "B", Substitute Deed.

Holland U. S. Sub.

B. 3 Jan 1887

Release

Everett Waddey, Stationer and Printer, Richmond, Va. } Form No. 213.

Virginia: In the Circuit Court of the County of Isle of Wight

the 23 day of October 1888.

A. R. White Lead Constable of Isle of Wight County
suing at the relation and for the benefit of
Charles Pulgham and Plaintiff

Against

W. G. Brinkley and J. H. Nelms

Defendant

Judgment in favor of the plaintiff against the defendant for the sum of Eighty Five
dollars and cents,
~~with interest thereon, to be computed after the rate of six per centum per annum, from the day~~
~~of , 18 ,~~

till payment, and the costs. Plaintiff's costs $14.65.

An extract—Teste.

N. O. Young Clerk.

W. S. Holland Plaintiff's Attorney.

Holland, W. S.

vs. In Chy. EXTRACT JUDGMENT.

Nelms et al.

Abstract of Judgt. V. H.
in Bexar Co. Nelms

Exhibit "B" filed with
Bill.

Everett Waddey, Stationer and Printer, Richmond, Va. } Form No. 213.

Virginia: In the Circuit Court of the County of Isle of Wight

the 29th day of April 1889.

W. S. Holland

Plaintiff

Against

J. H. Nelms

Defendant

Judgment in favor of the plaintiff against the defendant for the sum of One Hundred and Twenty Five dollars and ~~~ cents, with interest thereon, to be computed after the rate of six per centum per annum, from the ~~~ day of ~~~ on $87.50 part thereof from the 24th day of Octo. 1887, and on $87.50 the residue thereof from the 23d day of Janr. 1888, till payment, and the costs. Plaintiff's costs $19.00.

An extract—Teste.

J. P. Harvey Clerk.

R. S. Stevens Plaintiff's Attorney.

87.50 (27 1/5 11-111-1/5
18
26250 13 1/2
8750 1/10
437 5
875
11.900.00 11-7

1,416 87.50
12
105000
875
10.587.5

Holland et al
vs. In Chy, EXTRACT JUDGMENT
Noland et al

Extract from Jdgt, D.C.
Exhibit "A" Exhibit B

Holland W. S

v

Nelms S. H. et al

This cause came on this day to be again heard on the papers formerly read and on the report of payments by R. S. Thomas special commissioner bearing date June 10th 1891 to which no exceptions are filed and was argued by Counsel: On consideration Whereof, it appearing to the Court from the checks and receipts filed with the said report that the whole sum of money received by the said R. S. Thomas as special Commissioner has been paid out by him as such and that there is nothing further remaining to be done in this Cause it is ordered adjudged, ordered and decreed that this cause be removed from the docket.

Holland W. S

v.

Stelms et-al

Rec'd Decree

April 20th 1892

To be entered

C.D.S.

Exhibit #4

Holland W.S.&c.

vs.

Nelms, J.H.et.als.

This cause came on this day to be again heard on the papers formerly read and on the report of sale by R.S.Thomas Spe. Com'r. and was argued by counsel; on consideration whereof the Court doth adjudge, order and decree that said report of R.S.Thomas Spe. Commissioner, be and the same is hereby ratified and confirmed, that said R.S.Thomas who is hereby appointed a special commissioner for that purpose, do make, execute and deliver to W.E.Hawle a good and sufficient deed with special warrenty for the lands in the bill and proceedings mentioned upon the payment by said W.E. Hawle or his attorney to R.S.Thomas Spe.Commissioner the sum of thirteen hundred and fifty dollars, the purchase price of said land; and the Court doth further adjudge, order and decree, that said R.S.Thomas special commissioner pay out of said sum first the costs of this suit and sale, secondly pay off the debts and liens in accordance with the report of N.P.Young, Master Commissioner, filed herein January 20th,1890, observing the priorties in said report of N.P.Young Master Commissioner in the payment of said debts and liens. and report to Court.

Costs since decree for sale including estimate for final report + decree - is $72.04 Clerks fees.

Teste, N.P.Young Clk

Holland W.S.&c.

vs.

Nelms J.H.et.als.

DECREE.

To be entered:

In the County Court of Isle of Wight County
Oct term 1890.

Hallenan Plff

v. Z In chy.

Hallenan's admr. etals Defts

This cause came on this day to be again heard on the papers formerly read and was argued by counsel, on consideration whereof the court doth adjudge order and decree that H. S. Holland special commissioner withdraw from the papers in this cause the certificate of deposit of R. E. Baykin admr. of Jno P. Hallenan, payable to H. S. Hallenan comr. on the F. & M. S. Bank leaving a receipt therefor, and collect the same and place the funds in same bank to his credit as special commissioner and direct the cashier to pay the checks already drawn pursuant to former orders herein, that by consent of parties entered of record in open Court, it is ordered that this cause be made a vacation cause to be heard as fully in vacation as in term time, that R. P. Young master commissioner make and state a report recommending or refusing to recommend any reasonable application for the fund deposited in bank or any part thereof, or in case said commissioner may know at any time of

any good investment that can be made he is hereby directed to report it with such facts as he may deem proper.

A Copy Teste

N. T. Young Deputy
for N. T. Young Clk.

Ballenian
vs. } In Chy
Ballenian's absentees

Decree of Oct Term 1890

Master

In the circuit court of Isle of Wight
County April term 1890.

Holland R. S. &c. Pltfs

vs. } In Chancery.

Nelms J. H. et als Deftes

This cause came on this day to be
again heard on the papers formerly
read, and on the report of R. T. Young
commissioner filed herein on the 20th
of January 1890. and was argued
by counsel, on consideration whereof
the court doth adjudge, order and decree
that said report of R. T. Young com-
missioner to which no exceptions has
been filed, be and the same is hereby
confirmed; and the court doth further
adjudge order and decree that R. S.
Thomas who is hereby appointed a special
commissioner for that purpose, proceed
to sell the lands in the bill & proceedings
mentioned (after first having adver-
tized by printed hand bills the time
terms and place of sale for at least
thirty days) before the court-house
door of Isle of Wight county on some
court day, subject to a lien of first
dignity as reported by said Com-
missioner Young, which was created
by a deed of trust on said property
recorded on the 12th day of January

in the year 1888, to secure a debt of $747.50, with interest thereon at the rate of six per centum per annum from the first day of January 1890. till paid, due to N. J. Nelms Special Commissioner in the suit of Gibb vs. Gibb. on the following terms. one third cash, and the rest in two equal instalments six and twelve months after date, taking from the purchaser his bonds for deferred payments with good personal security with the right to the purchaser if he elects so to do, to pay in cash the said sum of $747.50 with interest thereon from the first day of Jan. 1890 in addition to the said one third cash or to pay the whole purchase money in cash, or to pay the whole purchase price except the said lien of $747.50 with interest as aforesaid created by the deed of trust aforesaid, but before the said R. S. Thomas shall enter upon his duties under this decree, he shall enter into bond in the penalty of $2,000 before the clerk of this court with surety by said Clerk deemed sufficient payable to the commonwealth of Virginia and conditioned for the faithful performance of his duties under this and all subsequent decrees entered herein & shall make report to court.

A Copy Teste N. J. Young Deputy
for N. B. Young Clk

Attys. fee and taxes	10.00
Clk. Circ. Ct. fees in suit	12.25
Clk. " " & Sec. Ct. for Exhibits	2.45
Sheff. Sof Wright	.50
" Hounsell	.50
" Warrant for Costs	.50
Coroner Young fee	6.00
Clk. Co. Ct. for endorsing before Cond.	.80
Costs & dc. for sale	39.77

Holland N. S. &c
vs.
Nelms J. W. et als

Decree of April term 1890

Henry

Holland W.S. &c.

Vs.

Nelms J.H. et.als.

This cause came on this day to be again heard on the papers formerly read and on the report of N.P.Young commissioner, filed herein on the 20th day of January I890 and was argued by counsel, on consideration whereof the Court doth adjudge, order and decree that said report of N.P.Young commissioner to which no exception has been filed, be, and the same is hereby confirmed; and the court doth further adjudge, order and decree that R.S.Thomas who is hereby appointed a special commissioner for that purpose , proceed to sell the lands in the bill and proceedings mentioned (after first having advertised by printed hand-bills the time, te terms and place of sale for at least thirty days) before the court house door of Isle of Wight County on some court day subject to a lien of first dignity as reported by said commissioner Young, whic was created by a deed of trust on said property recorded on the I2 day of Jan. in the year I888 to secure a debt of $747.50, with interest thereon at the rate of six per centum per annum from the first day of January I890 till paid, due to W.J.Nelms special commissioner in the suit of Gibbs Vs. Gibbs on the following terms; one third cash and the rest in two equal installments six and twelve months after date taking from the purchaser his bonds for deferred payments with good personal security with the right to the purchaser if he elects so to do, to pay in cash the said sum o $747.50 with interest thereon from the first day of Jan. I890 in addition to the said one third cash or to pay the whole purchase money in cash, or to pay the whole purchase price except the said lien of $747.50 with interest as aforesaid created by the deed of trust aforesaid, but before the said R.S.Thomas shall enter upon

his duties under this decree , he shall enter into bond in the penalty of $2500 before the clerk of this court with surety by said clerk deemed sufficient, payable to the Commonwealth of Virginia, and conditioned for the faithful performance of his duties under this and all subsequent decrees entered herein and shall make report to court.

Holland W.S. &c.
)
Vs.)
)
Nelms J.H. et.als.

April 22nd 1890

DECREE.

To be entered:
C A Hill

Entered #7

Halland W.S. Vc.

vs.

J.H. Nelms, et. als.,

This cause Come on this day in vacation in the bill of Complaint exhibits filed therewith and upon notices duly executed on all defendants except J.H. Nelms and waived as to him and on motion of the plaintiff the Court doth ~~or dec~~ adjudge, order, and decree, that one of the Master Commissioners of this Court take and report the following enquiries and accounts:

(1) What is the annual and fee simple value of the Lands in the bill and proceedings mentioned:

(2) Ascertain and report whether or not there are any liens on said land; and if so, state their amount, priorities and dignities and whether by deed of trust, judgment or otherwise:

(3) Specially to ascertain and report what has been paid on the debt to W.J. Nelms Spe. Comr. in the suit of Gibbs vs. Gibbs secured by a deed of trust from said J.H. Nelms to R.K. Chapman trustee.

(4) State Amount of plaintiffs debt including int. to Oct. 20th 1889 and all costs &c.

(5) State any other matter deemed pertinent and proper by the Comr. or by any of the parties.

Holland W.S. &c

V.S. & In chancy

Selma J. H. et. als.

Decree

Sept. 10th 1889, Clerk cir. cuit court Isle of Wight county will enter this decree.

Holland W. S. &c.

Vs.

Helms J. H. et. als.

This cause came on this day to be heard on the bill taken for confessed, to which the defendants have been summoned to answer, they still failing to plead, answer or demur, and exhibits therewith filed, and was argued by counsel on consideration whereof the court doth adjudge order and decree that one of the Master Commissioners of this court enquire, take, and report the following enquiries, accounts &c.

(I) An account showing the liens on the real estate in the bill mentioned, their priority and dignity, and especially to enquire what payments have been made on the debt secured by deed of trust to K. K. Chapman trustee.

(2) What is the annual and fee simple value of said land, and

(3) Any other matter deemed pertinent by said Commissioner or any of the parties to this suit.

In 10. Jan 1896

Holland W. S. &c.

Vs.

Nelms J. H. et. als.

---------000---------

D E C R E E .

To be entered.

To be entered
C M Shell
Oct 23. 1895

Entered 16

N. S. Kansas Special Com. Holland Vs Nelms
In acc with Firm Law Cash

June	8			60	58	1891 May 27	C/F	1350
	10			5	00			
	11		809	44				
			93	99				
			24	41	927	84		
	13				177	98		
					228	10		
						30		
					1350	00		1350 00

Dat

Balance

50

$747.00

On the demand day of ——— 188 , with interest from date, I promise to pay to W. J. Nelms Special condition suit J. J. Gibbs vs Gibbs the sum of Seven Hundred forty seven 50/100 Dollars

I hereby waive the benefit of my Homestead Exemption as to this obligation. Given under my hand and seal this 12th day of January 1887

Witness ——— Tommy Nelms {SEAL.}

{SEAL.}

Paid in full

Int. his. & Jan.
1 2 1 4 5 0
D. J. Hyla

Credit Account
Bank of Newport News,
NEWPORT NEWS, VA.
T. E. Morris, Cashier.

NO PROTEST.

Bank of Newport News,

NEWPORT NEWS, VA. June 4th 1891 No.

At sight PAY TO THE ORDER OF Myself $ 809.54

Eight hundred & nine and 54/100 DOLLARS.

To R. L. Thomas
four attached
Smithfield, Va.

D. J. Nelson

FARMERS & MERCHANTS SAVINGS BANK SWITCHMEN'S

D. J. Selma

Credit Account
Bank of Newport News,
NEWPORT NEWS, VA.
T. E. Morris, Cashier.

No. ..... Smithfield, Va. 18 96

Farmers and Merchants' Savings Bank,

Pay to the order of R. S. Hunnes

Sixty-58/100 ..... Dollars.

ally for, work-cap, cuns &c

$60.58/100

R.S. Hunnes Spec 100 Court in Holland W.S.V. Nelms J.H. d-al

W. MANN, PRINTER PHILADA.

R. S. Thomas

W. J. Helms

Smithfield, Va. May 27 1896 No.

Farmers & Merchants' Savings Bank,

PAY TO THE ORDER OF

W. J. Helms, Special Comr $809.44

Eight Hundred and Nine 44/100 Dollars.

in payment of the debt of the said Helms as said Special Comr is as aforesaid as per report of Comr Young of Jany 20th 96 & decree Cir. Ct. in Holland vs. Helms &c. of date of May 18th 1896

R. S. Thomas Spl Comr in Holland W.S v. Helms J. H. &c al

W. MANN - PRINTER PHILADA.

Smithfield, Va., May 1891 No.

Farmers & Merchants' Savings Bank

PAY TO THE ORDER OF

W. S. Holland $127.95/100 Dollars.

One Hundred and Twenty Seven 95/100
in payment of debt as assumed, interest & taxes as per statement
T. S. Thomas, Sht Comm in
Holland W. S. v. Nelms J. H. et al

W. S. Holland

CREDIT
The Farmers Bank of Nansemond
SUFFOLK, VA.
W. H. JONES, JR., Cashier.

credit
W. S. Holland

Smithfield, Va., May 29th 1891 No.

Farmers & Merchants' Savings Bank

PAY TO THE ORDER OF

W. S. Holland $228 00/100

Two Hundred and Twenty Eight 00/100 Dollars.

In payment of his dividend upon H. Pedigo as the 3rd Debt assigned by Comm. P. Young Jan 20th 1890 & paid under the decree of May 18th 1891

R. S. Hunnar Special Commissioner in Holland W. S. V. Pelham A. H. et al.

W. S. Halland

CREDIT
The Farmers Bank of Nansemond
SUFFOLK, VA.
W. H. JONES, JR., Cashier

Smithfield, Va. May 1 18[illegible] No.

Farmers & Merchants' Savings Bank,

PAY TO THE ORDER OF

R. S. Thomas $ 93.99/100

Ninety three 99/100 Dollars.

for Henry Jones

R. S. Thomas Spl Comm'r in
Holland v. S. v. Helen J. Hol[illegible]

Wm. MANN, PRINTER PHILADA.

R. S. Thomas

Smithfield, Va., May 1891 No.

Farmers & Merchants' Savings Bank

PAY TO THE ORDER OF

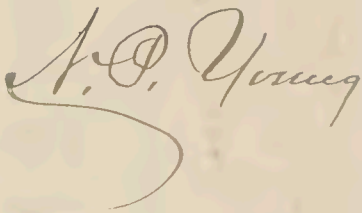
N. P. Bunn $24.41/100

Twenty Four 41/100 Dollars.

Clerks fees in Holland v. Nelms

100

R.S. Turner, Sht Comm in Holland W.S. v. Nelms I.H. et-al.



$17.19 W.S. Holland

Dec 1st 1890 $

19/100 dollars in redemption of

I. A. Holland Lot 14 Sec 12

at Burnt River Bay which was

returned delinquent for the

taxes of 1889

J. D. Brennah

Treas

Add to this
receipt a fee
for drawing
deed
W. S. Haskins

R. S. THOMAS,
ATTORNEY AT LAW.

No. 196 Smithfield, Va., June 18th 1891

Farmers & Merchants Savings Bank

Pay to the order of W. S. Holland

One ——— Dollars

for fee as Sheriff of Isle of Wight & of Warwick in Holland v. Holland

$1.00

R. S Thomas

W. S. Holland

CREDIT
The Farmers Bank of Nansemond
SUFFOLK, VA.,
W. H. JONES, JR., Cashier.

Credit
W. S. Holland

No. Smithfield, Va. May 18 91

Farmers and Merchants' Savings Bank,

Pay to the order of A. R. Whitehead

Five ——— Dollars.

for Services as Chair

R. S. Thomas Sec Bd Commissioners

$5.00 in Holland W. S. Va Archives I. H. [illegible]

WM. MANN, PRINTER PHILADA.

c J. R. Whitehead

PRINTING.

Norfolk, Va., Sept 20 1890

M R. S. Thomas, Special Commissioner
U. S. Holland against S. H. Nelms & others

To Norfolk Landmark Publishing Company, Dr.

STEAM BOOK and JOB PRINTING HOUSE,

'PHONE 163.

83 and 85 Main Street.

To 100 5 shut Bills		1 50
Postage		8
		$ 1.58
Oct 3/90 Paid Landmark		
Wmm		

Please receipt, & return, R. S. T.

An account of the money received by R. S. Thomas Special Commissioner in the case of W. S. Holland & V. Stelzer D. H. et al under the decree of May 18th A. 1891 in that cause and of the payments made under that decree

To amount received under that decree as specified therein				1350 00
By Costs as taxed in the decree of April 1890				
Atty fee & Writ-tax, Paid R.S. Thomas		16	50	✓
Clerk of Circ. Ct.	N.P. Young	12	22	✓
Do	N.P. Young	2	75	✓
Sheriff of Darke Writs			50	✓
" " Auglaize Pd R.S. Thomas			50	✓
" " Warwick Pd R.S. Thomas			50	✓
Comm'r Young Clerk	N.P. Young	6	00	✓
	N.P. Young		80	✓
R.S. Thomas, Com'r & Sale, Paid R.S. Thomas		36	00	✓
Paid Notices of Sale. Paid R.S. Thomas		1	58	✓
N.P. Young, Costs in Decree of 1887	N.P. Young	2	64	✓
Paid for Deed & Notary	Pd R.S. Thomas	5	50	✓
Paid Taxes & D.O. Branch, See Receipts)		12	19	
Paid Clerk, See check.		5	00	N 107 68
Balance for Distribution				1242.32
Paid Dept of W. J. Stelzer, Special Comm as per Comm Young's report of Jany 20th A. 1890		757	25	
Interest on the same from Feby 1st 1840 to which date interest was in that report calculated to May 18th A. 1891 Date of the decree under which said payments are made		58.	19	
		809	44	
Amount due W. S. Holland assignee as per the said report of Commissioner Young		99	65	

		809	44		
	Brought forward	99	65	1242	32
	Interest on $85, on part of the $99.65 from October 23d 88 to May 18th 1891	11	14		
	By Land W. S. Holland on his Judgment v. L. H. Nelms as per Sand Report & Chas Henry	216	47		
	Interest on $175. from July 1st 1890 to May 1st. 1891	11	63		
Received payment R. S. Herman atty.	Paid in part on the Debt of Henry Jones reported on Said report of Chas Henry as $314.82, the balance in hand	93	99	1242	32

Holland W. S. et
v
Wilcox D. H. et-al

The undersigned who was directed by the decretal order herein of May 18th, 1890 to make to W. E. Hovell" a good and sufficient deed with special warranty for the lands in the bill and proceedings mentioned upon the payment by the said W. E. Hovell or his attorney to the undersigned as special commissioner the sum of fourteen hundred and fifty dollars the purchase price of the said land" and that the undersigned should out of the same" pay out first the cost of suit and sale and then pay off the debts and liens in accordance with the report of R. P. Young Master Commissioner filed herein January 20th, 1890 observing the priorities in the said report in the payment of the said debts and liens" does have now respectively to report that out of the said sum of $1350. to be paid out the costs of suit to be $107.68 which left a balance of $1242.32 for distribution amongst the creditors as named in the said report of Commissioner Young, out of which the

undersigned fund from - to

1 W. J. Stelms Special Comr $809.44

2 to W. S. Holland receiver $10.79

3 to W. S. Holland on his Judgment- $228.10

and the balance to Henry Jones $93.99

$1242.32

as will more fully appear from statement - "A" hereto annexed which shows the sums severally & respectively due to each party & the receipt for the same.

June 10th 1891. R. S. Thomas
the Court

Holland W. S

v

Johns J. H.

Report of
R. S. Thomas
Sheriff
of Payne Co

Filed 20th March
1892.

To the Hon: C. W. Hill
Judge of the Circuit Court of Isle of
Wight County in Chancery sitting

The undersigned begs the honor to
report that under and by virtue of the decree of
this honorable Court in the Chancery cause of
W. S. Holland vs his own right and as Receiver
of Charles Fulghum v. J. H. Helms and others pend-
ing at its April Term 1890 he exposed to sale
at public auction at Isle of Wight Court House
on Monday the 3rd day of November 1890 all that
certain piece and parcel of land lying and being in
the County of Isle of Wight at Burwells Bay which
is described in the bill of the late R. W. Gibbs as
that part of the Cawson farm lying between
James River and the Smithfield road, after
the undersigned had given the bond, and
posted the notice and done all other things
required to be done, whereat was sold on the
terms of the ~~said~~ said decree for one third
Cash and the balance in two installments
payable in Six and twelve months from date
with interest from date with a waiver of the
with the right of election as more appears from a copy of the advertisement herewith filed
homestead with bond and good security.
At which said Sale the said tract & parcel
of land was bid off by W. E. Howle and Knocked down to him for the sum of $1350.00 One thousand three hundred and fifty dollars
who prefers to pay
in Cash the said sum of One thousand and fifty
dollars and is ready so to do. Respectfully submitted

R. S. Thomas
Special Commissioner

Nov. 6th 1890

Holland W. S

Nelms et al

Report of Sale

by

R. S. Thomas

Sheriff

SALE OF LAND

Under and by virtue of the decree of the Circuit Court of Isle of Wight county, rendered at its April term, 1890, in the Chancery suit of W. S. Holland, in his own right, and as assignee of Charles Fulgham, against I. H. Nelms and others, I shall offer for sale at public auction, at Isle of Wight Courthouse, on

Monday, the 3d day of November, 1890

(that being County Court day), "All of that certain piece and parcel of land lying and being in the county of Isle of Wight, in the State of Virginia, at Burwell's Bay, it being the same tract or parcel of land described in the will of the late R. W. Gibbs as that part of the Cawson farm lying between the James river and the Smithfield road"; it being also the same that was conveyed to the said J. H. Nelms by W. J. Nelms, Special Commissioner, by his deed of January 12th, 1887, and described in the suit above mentioned. The land to be sold subject to the debt of $747.50, due by bond secured by a deed of trust recorded January 12. 1888, on which interest has been paid up to January 1, 1890.

TERMS OF SALE: One-third cash, and the balance in two equal instalments, payable respectively in six and in twelve months from day of sale, with interest from date, for which deferred payments, bonds, with good security, with interest from date, and with a waiver of homestead exemptions, will be required, with the right to the purchaser, if he elects so to do, to pay in cash the sum of $747.50, with interest thereon from the first day of January, 1890, in addition to the one-third cash; or to pay the whole purchase money in cash; or to pay the whole purchase price, except the said lien of $747.50, with interest, as aforesaid, created by the deed of trust aforesaid. The title to the land to be retained till the whole purchase money is paid.

R. S. THOMAS,
Special Commissioner.

Sept. 15, 1890.

I, N. F. Young, Deputy Clerk of the Circuit Court of Isle of Wight county, hereby certify that the bond required by the above-mentioned decree has been executed according to law.

Teste: N. F. YOUNG, Deputy,
for N. P. YOUNG, Clerk.

Sept. 15, 1890.

$$3\overline{)37.5}\quad \frac{247.5}{5}$$

SALE OF LAND

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Special Commissioner.

Sept. 15, 1890.

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Teste: N. F. YOUNG, Deputy,
for N. P. YOUNG, Clerk.

Sept. 15, 1890.

Holland a/c

v

Helms

Judgment - Dismissed, costs - 85:00 / 14 65 = 99.65

Holland

v

Helms

Int-to Feb 1st-90 1190 / 105.47 = 2.47

Costs -

175:00

23 47

1500

21 6 47 = 216.47

316.12

1190 / 23 47

Int-on £175:0 from Feb 1st-1890 to November 1st 1890

13.22

329.34

Costs -

3977

36911

78467

747.50

Int from January 1st 1890 to Nov 1st 1890

8232 / 78467

115398

135 -

Int 5

SALE OF LAND

Under and by virtue of the decree of the Circuit Court of Isle of Wight county, rendered at its April term, 1890, in the Chancery suit of W. S. Holland, in his own right, and as assignee of Charles Fulgham, against I. H. Nelms and others, I shall offer for sale at public auction, at Isle of Wight Courthouse, on

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R. S. THOMAS,
Special Commissioner.

Sept. 15, 1890.

I, N. F. Young, Deputy Clerk of the Circuit Court of Isle of Wight county, hereby certify that the bond required by the above-mentioned decree has been executed according to law.

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Sept. 15, 1890.

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R. S. THOMAS,
Special Commissioner.

Sept. 15, 1890.

I, N. F. Young, Deputy Clerk of the Circuit Court of Isle of Wight county, hereby certify that the bond required by the above-mentioned decree has been executed according to law.

Teste: N. F. YOUNG, Deputy,
for N. P. YOUNG, Clerk.

Sept. 15, 1890.

A.

An account of the liens on the realestate of J. Hemingway Helms mentioned in the Bill and proceedings in the suit of W. S. Holland vs. J. Hemingway Helms & others, pending in the Circuit Court of Yalobusha County.

1st. Priority	A debt due to W. J. Helms comd. in suit of Gibbs vs. Gibbs & Bro and secured by deed of trust on said land, recorded the 17. day of Janry. 1888, for	$147 50
	Interest thereon from 1st day of Janry. 1890, to 1st. Feby, 1890	0 75
	(all interest paid to 1. Jan. 1890)	7 50
2nd. "	A judgment in favor of W. S. Holland, also in the assignee of Chs. Tulghman & judgt. in favor of A. K. Blackwood & assigned for said Tulghman & Buckley & Helms rendered Oct. 23. 1888 & entered Jan. 23. 1889	85 00
	Interest & Costs of suit	14 65 99 65
3rd. "	A judgment in favor of W. S. Holland rendered in Cir. Ct. 29. April, 1889.	175 00
	Int. on $87.50 part, from 24. Oct. 1889 to 1. Feby. 1890	1 90
	Int. on $87.50 bal. from 23d Janry. 1888 to 1. Feby, 1890.	10 57
	Costs of suit	19 00 207 47
	Amt. carried on	$ 1067 37

	Amt. of lien last Book. on		1067 37
4th priority	Debt due Henry Jones by bond secured by deed of trust to W. J. Trustee, recorded 6 July 1889	312 70	
	Int. thereon from 26. Dec. 1889 to the 1st. Feby. 1890	1 83	314 53
	Total lien as ascertained & found		$1381 90

The deed of trust aforesaid of fourth priority, secures and indemnifies George T. Helms as surety for J. H. Helms in his bond given inside of Wright County Court as the administrator d. b. n. of Sarah D. Joyner. Liability unknown.

B.

An account of the annual and fee simple values of the said land in the proceedings mentioned.

148½ acres near Banks Bay, annual value of which is	$ 120 00	
Fee simple value of same		$1600 00

Commissioners office, Isle of Wight Court
House, the 10th day of Janry. 1890.

To the Circuit Court of Isle of Wight County.

Pursuant to a decree of the said Circuit Court rendered on the 23rd. day of October 1889, in a suit in Chancery therein pending in which W. S. Holland is plaintiff and J. K. Nelms & others are defendants, directing a commission of the said Court to take and report to the Court an account of the liens on the real estate in the Bill and proceedings mentioned, with their priority & dignity, and especially what payments have been made on the debt secured by deed of trust to R. H. Chapman and trustee. And an account of the annual and fee simple value of said land, Your Commissioner reports that on the 2nd. day of Janry. 1890, he issued notices to the parties that he had fixed upon the 11. day of Janry. 1890, to take and state said accounts, and that service of said notices was acknowledged. That on the day so appointed, from the evidence adduced, your commissioner has made up and completed the foregoing accounts marked respectively, A. and B. Account A. is of the liens on the land in the proceedings mentioned and shows the total amt. of liens to be $381.90. of which, the debt due to W. J. Nelms Trustee has first priority by the judgment in favor of W. S. Holland, assignee of Mahoney, has the second priority; the

Judgment of W. S. Holland has third priority, and the debt due to Henry Jones, and the pro ascertained liability of Geo. T. Nelms for J. H. Nelms adm. of S. D. Joyner has fourth priority. All said debts are of same dignity.

Account B. is of the real estate aforesaid and shows the annual value to be $175.00 and the fee simple value $1600.00

Given under my hand as Commissioner of the said Court the day & year first herein written.

N. P. Yancey Com.

Time & Leave.

Court fee . $6.00

Clk. for record .80

$6.80

Holland adm. &c.

vs. Ex parte &c.

Nelms J. H. et als.

Report of Com. Yancey and exhibits of Oct. 1889.

Filed 27th Jany. 1890.

Suffolk Dec 31/89

Mr Young

I saw Mr J. Hunnicutt Selonns on the 26th of the present month & he paid me all the interest he was owing me to that date leaving a balance due me of three hundred & twelve dollars & seventy cents & requested me to inform you of the fact

Yours Truly
Henry Jones

$312.70

156 35
26 05
1.87.40

Date 20 June 1859.
Rec'd. 5. July 1859
to Comm Board of N. Jersey, &
indorsed by Geo. F. Nelson,

888		P. K. & H. J. Helms	
Oct 12		To the Chgf. & A. Right Co.	
		" Ex Exp. of A. Inmes Goodrich	20
		Ro. A. Savarese Chgf.	

Ro. W. Gibbs (per fees W. J. Helms)

1886 To the Shff. of Dougherty Co. Dr.

Nov. 10, " Exi. writ on Minnie S. Gibbs .50

R. A. Edwards Shff.

Ro. C. Gibbs,

Sec. C. J. Molina
will pay.

50

J. H. Nelms adm A. G. Spratley decd.

1884 To R. A. Edwards Shff. of Isle of Wight Co. Va. Dr

Mar. 18 " Ex. Spa. on A. Baker. Edwin Drewry W. G. Rouse. L. M. Spratley & R. B. Adams @ 20¢ each 1 00

" " " " Do. Do. on A. G. Spratley 20

July 5 " " " " A. Baker. Edwin Drewry. W. G. Rouse & R. B. Adams @ 20¢ 80

1885 " " Ex. Spa. on A. G. Spratley 20

Feby 16 " " Do. " Do. 20

R. A. Edwards Shff. $2.40

Ind. w. L. F.

2.40

1.20

.80

.30

.30

4.80

J. H. Holmes

1885		To R. A. Edwards Shff. Dolright Co. Va		Dr.
Octo.	15	" Ex: Spds on Ro: Minns		20
"	"	" " " " A. R. Whitehead		20
1886				
mar.	15	" " " " Ro. Minns & A. R. Whitehead		40
Augt.	31	" " " " Do. Do. vs. C. B. Turner		40
		R. A. Edwards Shff.		1.20

Nelson J. C.

4.20

1885-
Feby 27th

L. H. Nelms Esqr (W. L. Nelms atty.)
To R. A. Edwards Shff. Isle of Wight Co: Va 2 Drs.
" Ex: writ vs R. W. Gibbs .50¢

R. A. Edwards Shff.

Nelson's Log

558

The Commonwealth of Virginia,

To the Sheriff of ~~Isle of Wight~~ Bedford County, Greeting:

WE COMMAND YOU TO SUMMON J. N. Nelms, R. R. Chapman trustee; W. J. Nelms special commissioner in the suit of Gibbs vs. Gibbs; W. J. Nelms trustee; Henry Jones and George T. Nelms

to appear at the Clerk's Office of the Circuit Court of Isle of Wight county, at Rules to be holden for the said Court, on the first Monday in August next, to answer the Bill in Chancery of W. S. Holland and W. S. Holland assignee of Charles Pelgham

~~of a plea of~~ ~~for $~~ ~~Damages $~~ And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Courthouse, the 29th day of July, 1889, in the 114th year of the Commonwealth.

N. P. Young Clk.

July 30th. 1889,

Executed on Henry Jones by delivering to him a true copy of the within summons.

W. J. Fitzpatrick D. S.

for J. E. Fitzpatrick, S. B. C.

Holland & Holland et al.
vs.
Peleus J. Hall et al.

To Aug. Term 1889.
(First Monday)
Circuit Court
Del. & Ulster Co.
N. Y.
D. O. Holland
N. Y.

Sheriff's Fees $2.50

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON J. H. Nelms; R. R. Chapman trustee; W. J. Nelms special commissioner in the suit of Gibbs v. Gibbs; W. J. Nelms trustee; Henry James and George T. Nelms

to appear at the Clerk's Office of the Circuit Court of Isle of Wight county, at Rules to be holden for the said Court, on the first Monday in August next, to answer the Bill in chancery of W. S. Holland and W. S. Holland agt. of Charles Fidyleau

of a plea of ~~of a plea of~~ for $ ~~Damages $~~ And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Courthouse, the 7th day of July, 1889, in the 114th year of the Commonwealth.

N. P. Young clk.

I hereby acknowledge service of this process and I hereby waive further notice of the institution and prosecution of this suit and I hereby waive notice that said plaintiff may apply to the Hon. E.W. Hill in vacation for a preliminary decree for enquiries and accounts and such other orders and decrees as may be had upon proper notice to a resident party.
Witness my hand and seal this 27th day of July 1889.

J.H. Kelsey (Seal)

Kelsey Rec'd &c
Vs
Vs
Kelsey Sub. etals
Decree entered Aug 1889
Ent. appealed
W.S. Holland
C.C.
Dec. transcribed &
to execution of
this happen —

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON J. N. Nelms; N. K. Cheatwood, trustee; W. J. Nelms special commissioner in the suit of Gibbs vs. Gibbs; W. J. Nelms trustee; Henry Jones & George W. Nelms

to appear at the Clerk's Office of the Circuit Court of Isle of Wight county, at Rules to be holden for the said Court, on the first Monday in August next, to answer the Bill in chancery of W. S. Holland and W. S. Holland & apiqua of Charles Pulgham

~~of a plea of~~ ~~for $~~ ~~Damages $~~ And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Courthouse, the 25. day of July, 1889, in the 114th year of the Commonwealth.

N. P. Young clk

Executed by delivering to the within
named K. K. Chesnutt a true
copy of the within Summons.
July 20th 1887. Ro. A. Edwards Sh'ff

Noble and Wm. A. Guthrie

vs.

K. Chesnutt et als.

Affidavit for Attachment.

Filed Aug. 20th 1887.

Att'y for Plaintiffs

W. A. Guthrie

P.O. Address

Att'y.

The Commonwealth of Virginia, Warwick

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON J. H. Nelms, K. K. Chapman trustee; W. J. Nelms special commissioner in the suit of Gibbs v. Gibbs; W. J. Nelms trustee; Henry Jones and George T. Nelms

to appear at the Clerk's Office of the Circuit Court of Isle of Wight county, at Rules to be holden for the said Court, on the first Monday in August next, to answer the Bill in Chancery of W. S. Holland and W. S. Holland assignee of Charles Fulgham

of a plea of ~~of~~ for $ Damages $ And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Courthouse, the 23rd day of July, 1889, in the 114th year of the Commonwealth.

N. P. Young Clk.

Holland W. S. P.

vs. Summons To
Ans. Bill

Nelms J. N. Stah

To August Rules
1889.

1st. Monday
R. S. Thomas
W. S. Holland
p. q.

Executed this 27 day of
July 1889 by diverting a
true copy of the within
Summons to W. L. Nelms
D. S. Clayton. Defts
Jos. E. Clayton
50 cts. fee for Sheriff. Sheriff

The Commonwealth of Virginia, Nansemond

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON J. S. Nelms; K. K. Chapman trustee, W. J. Nelms special commissioner in the suit of Gibbs vs. Gibbs; W. J. Nelms trustee; Henry Jones and George W. Nelms

to appear at the Clerk's Office of the Circuit Court of Isle of Wight county, at Rules to be holden for the said Court, on the first Monday in August next, to answer the Bill in Chancery of W. S. Holland and W. S. Holland assignee of Charles Fulghum

~~Plea of~~ for $ Damages $ And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Courthouse, the 23rd day of July, 1889, in the 114th year of the Commonwealth.

N. P. Young Clk

July 26th 1889. I have served a copy of this
writs on the within named G T Helms. The
within named ~~[illegible]~~ Henry Jones is not found in
my County.

Wm H Howell
Shff-

Holland Ky. Sept 1st
1889

Wm H Howell
Shff Ky
Present

Dear Sir
Please find enclosed
Post Office order for
$1.00 to pay for
Return of Writ
issued from
Circuit Court
Yours Truly
G T Helms

To the Hon. E. St. Hill judge of circuit court of Isle of Wight county:

W. S. Holland in his own right and as assignee of Charles Fulgham hereby complaining respectfully represents to the court that on the 29th day of April 1889 he recovered in the circuit court of Isle of Wight County a jindgment against J. H. Helms for one hundred and seventy five dollars with interest on eighty seven and 50/100 dollars part thereof from the 24th day of October 1887 till paid and on eighty seven and 50/100 the remainder from the 23rd day of January 1888 till paid and for $19.00 dollars costs an abstract of which jindgement is herewith filed as an exhibit marked "A" and prayed to be read as a part of this bill, and that at the October term 1888 of said court Mr Charles Fulgham recovered in said court a jindgement for eighty five dollars with interest thereon from the 23rd day of October 1888 till paid against W. G. Binkley and said J. H. Helms, that a jindgment was also rendered for $14.65 costs, an abstract of which jindgment is herewith filed as an exhibit marked "B" and prayed to be read as a part of

this bill. Your complainant avers that said last judgment and debt was assigned to himself for valuable consideration and that your complainant now owns the same and is entitled to receive the amount of the judgment including costs. Your complainant avers that said judgments were duly docketed according to law and are a lien on all the real estate of said J. H. Stelus, lying, being and situate in the county of Isle of Wight. of these judgments, though executions issued thereon no part thereof has been paid, the officer to whom the executions were delivered not finding any property belonging to the defendants in execution to satisfy the same.

Your complain says that said J. H. Stelus owns a tract of land lying and being in the county of Isle of Wight known as that part of the Cowan farm lying between the James River and the Smithfield road purchased by said J. H. Stelus from N. J. Stelus & special Comr. in the suit of Gibbs vs. Gibbs as will appear by a certified copy of the deed from

W. J. Helms Spe. Comr. to J. H. Helms
herewith filed as an exhibit marked
"C" and prayed to be read as a part
of this bill. Reference to which deed is
here by marked for better description,
he says there was a deed of trust on
said farm to K. K. Chapman trustee
to secure the payment of the sum of
$747 50/100 to said W. J. Helms Special Com-
missioner in said suit of Gibbs vs. Gibbs.
A copy of said deed of trust is here with
filed as an exhibit marked "D" and prayed
to be read as a part of this bill. Your
complainant is informed and believes
that said debt has been paid or at least
the greater part thereof has been paid
and satisfied and that said lien
created by said deed of trust has been
in part if not in whole extinguished.

This complainant avers that long
since the rendition and docketing of said
judgments he has been informed that
said J. H. Helms has conveyed said
land to said W. J. Helms trustee for the
benefit of Henry Jones and Geo T. Helms
that nothing is admitted but the
strictest proof is called for. This lien if
such it can be called is subsequent to the
lien of said judgments.

In tender consideration whereof your complainant prays that the said L. H. Selms, E. K. Chapman, trustee, W. J. Selms, Special commissioner, in the suit of Gibbs vs. Gibbs, W. J. Selms, trustee, Henry Jones and George T. Selms may be made parties defendants to this bill and required to answer the same, an answer on oath being hereby waived according to the statute in such cases made and provided - that said tract of land may be sold and that said judgments be paid off and satisfied that the costs of this suit including an attorney's fee to E. S. Thomas for his services in conducting this suit for the complainant; that all accounts, enquiries, orders, and decrees, may be made and entered as the nature of this case may require or to equity shall seem meet; that an enquiry be directed requiring the master to enquire and report whether said Selms owns any other land or other property in this County or in the State of Virginia which can be subjected to the payment of these said judgments, that a commissioner carefully enquire and report what part of the lien created by the deed of trust from L. H. Selms to W. J. Selms in Gibbs vs. Gibbs, a copy

of which is herewith filed: That all such other and further and general relief may be offered your complainant as the nature of this case may require or to equity shall seem meet. And he will ever pray.

W. S. Holland

R. S. Thomas
W. S. Holland

R. S. Hamas W.S. Hallam, N.Y.

Holland W, S, & C,

vs

J. H. Nelms & als.

Bill of Complaint

Aug. 1st Rules. Bill filed with exhts: Summs. & dd & decree nisi &c. Defts.

Aug. 2d. Rules - Bill taken for confd. & cause set for hearing

Oct term 1889. decree for accounts

April Term 1890
de. for sale &c.

VII exhts. came with Trans. Rec'd