

1907-007 Chancery Causes, Richetta Holloway & John W. Holloway vs Mrs H. Davis & al
Dist of Wright County

other surnames: Thomas
Holland, Chapman, Bluford

Richetta Holloway et als.

VS

Enos H. Davis et als.

Wm. S. Holland, attorney for the plaintiffs in the above named suit do solemnly swear to the best of my information, knowledge and belief that Enos H. Davis and Walter E. Davis, defendants in the said suit do not reside in the State of Virginia, and the object of this suit is to partition a small tract of land of which Bouldin E. Davis, Colored, died seized and possessed, situate near Smithfield in the County of Isle of Wight and State of Virginia.

Wm S. Hall and

Subscribed and sworn to before me, Odessa O. Lincoln, a Notary Public for the County of Isle of Wight in the State of Virginia in my said county. Given under my hand this 2nd day of February, 1905.

Odessa O. Lincoln
My term of office expires Oct. 3, 1908

My term of office expires Oct. 3, 1908

said county. Given under my hand this 2nd day of February, 1908.

Public for the County of Isle of Wight in the State of Virginia in my
Subscribed and sworn to before me, Odeas O. Lincoln, a Notary

the County of Isle of Wight and State of Virginia.

Dated, Colored, witnessed and possessed, atuate near Smithfield in

this and to partition a small tract of land of which Bourdin H.

said and to partition in the State of Virginia, and the object of

and believe that the said E. Davis and Walter W. Davis, defendants in the

newly said do solemnly swear to the best of my information, knowledge

Richetta Holloway, et als
Vs. Affidavit for Publication
Elios H. Davis et als

Filed Feb. 28, 1908

being, attorney for the plaintiffs in the above

Elios H. Davis et als.

as

Richetta Holloway et als.

The Commonwealth of Virginia,

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

WE COMMAND YOU that you summon *Emas H. Davis, Walter E. Davis,*
Isaac Thomas, Essie B. Davis, John W. Davis and Ethel Davis, the
last three of whom are infants under the age of twenty one year.

to appear at the Clerk's office of the *ircuit* Court of the *County* of *Isle of Wight*
at the rules to be held for the said Court, on the *First* Monday in *February* 1905,
to answer a bill in chancery, exhibited against *them* in our said court for
by *Richetta Hallaway and John W. Hallaway her husband.*

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at
the court-house, the *30* day of *February* 1905, and in the 12th
year of the Commonwealth.

N. F. Young clerk

Rebecca Holloway et als

vs.

}

SUBPOENA
IN
CHANCERY.

Emas N. Davis et als

✓

Wm S. Halland

p. 9

To Just. February

Rules,

Viscount

Court.

Executed by delivering a
Copy to Isaac Thomas
Filed 6th 1905. Emas N. Davis &
Walter E. Davis not named
in my Co. Filed 6th 1905

Ro A. Edwards
Shff.

The Commonwealth of Virginia,

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

WE COMMAND YOU that you summon Enos H. Davis, Walter E. Davis, Isaac Thomas, Essie B. Davis, Jno. W. Davis and Ethel Davis, the last three of whom are infants under the age of twenty one years.

to appear at the Clerk's office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court, on the First Monday in February 1905, to answer a bill in chancery, exhibited against them in our said court for by Richetta Holloway and Jno. W. Holloway her husband.

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 3rd. day of February, 1905, and in the 129 year of the Commonwealth.

N. F. Young, Clerk.

A Copy, TESTE:

N. F. Young C. C.

vs.

{

SUBPOENA
IN
CHANCERY.

p. 9

To..... Rules,

Court.

B 33119

The Commonwealth of Virginia,

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

WE COMMAND YOU that you summon Enos H. Davis, Walter E. Davis, Isaac Thomas, Essie B. Davis, John W. Davis and Ethel Davis, the last three of whom are infants under the age of twenty one years.

to appear at the Clerk's office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court, on the First Monday in February 1905, to answer a bill in chancery, exhibited against them in our said court ~~for~~ by Richetta Holloway and Jno. W. Holloway her husband,

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 3rd. day of February 1905, and in the 129 year of the Commonwealth.

N. F. Young, Clerk.

A Copy, TESTE: N. F. Young C. C.

vs.

}

SUBPOENA
IN
CHANCERY.

p. q

To..... Rules,

Court.

B 33119

In the Circuit Court for the County of Isle of Wight,
to wit:

THE ANSWER OF Essie B. Davis, Ethel Davis and Jas W. Davis

infants under the age of twenty-one years, by A. S. Johnson, an attorney at law
guardian *ad litem*, assigned to defend them in this suit, to a bill of complaint exhibited against
themselves and others in the Circuit Court for the County of
Isle of Wight, by Rebecca Holloway and others.

The respondents, reserving to themselves the benefit of all just exceptions to the said bill, for
answer thereto, answering by said guardian *ad litem*, say that they are infants of tender
years, and by reason of such disability they are incapable of understanding, or of taking care of their
rights and interests, they therefore commend the same to the protection of the court, and pray that
no decree may be pronounced which will tend to their prejudice.

And having answered, the respondents pray to be hence dismissed with their reasonable costs,
in this behalf expended; and they will ever pray, &c.

A. S. Johnson Guardian *ad litem*.

Wm. S. Hall and p. d.

OF

ss.

This day, _____, whose name is signed to
the foregoing answer, personally appeared before me,
and made oath that the statements made therein, so far as they depend upon his own knowledge, are true,
and so far as they depend upon knowledge derived from others he believes them to be true.

Given under my hand, this _____ day of _____ 189 _____

Quas H. Davis et. al.

adv. {

ANSWER
OF
INFANT DEFENDANT.

Rushetta Holloway et. al.

TO THE HONORABLE ROBERT R. PRENTIS,
JUDGE OF THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

TO FIRST FEBRUARY RULES 1905.

Richetta Holloway and John W. Holloway, complainants in this cause, respectfully represent to the court that on the 29th day of January 1887 Bolling E. Davis departed this life intestate, seized and possessed of a certain tract of land situate in the County of Isle of Wight and in the State of Virginia, and containing nine acres, more or less, and bounded by the lands now of late of George Holloway, Edwin Chapman and Albert Tynes, it being the same land once belonging to John Briggs from whom it descended to the said Bolling E. Davis.

The said Bolling E. Davis died leaving five children, to-wit: Your complainant, Richetta Holloway who was Davis, Enos H. Davis, Walter E. Davis, Eliza Davis who married Isaac Thomas and died intestate in the year 1897, leaving said husband, but no children and leaving her said brothers and sister as her only heirs at law, and John F. Davis; that said John F. Davis died intestate January 14, 1900, and his only children and heirs at law are, Ethel Davis, Essie B. Davis and John W. Davis.

Your complainant, Richetta Holloway avers that she has bought the interest of her two brothers, Enos H. Davis and Walter E. Davis in the said tract of land, but up to this time has no deed for the same. .She has recently had deeds prepared and sent the same to the parties, and believes in a short time ^{she will} ~~to~~ be able to file said deeds with the papers in this cause.

Your complainants say that the said tract of land cannot be partitioned in kind among the parties thereto entitled, and they are advised that they have the right to have the said land sold and the proceeds of sale applied to the payment of costs, including a reasonable fee to the attorney conducting this suit, and the rest of the proceeds divided among the parties entitled. Your complainant, Richetta Hollo-

way says that she is willing to pay a fair price for the interest of the other parties and take the whole parcel of land.

In tender consideration whereof and whereas your complainants are remediless save in this honorable court where matters of this sort are alone and properly cognizable, they pray that Enos H. Davis, Walter E. Davis, Isaac Thomas, Essie B. Davis, Ethel Davis, and John W. Davis, the last three of whom are infants under the age of twenty-one years be made parties defendants to this cause and required to answer this bill of complaint, but an answer on oath is expressly waived; that a proper guardian ad litem be assigned to represent the interest of the infant defendants; that the said tract of land be sold; that the proceeds of sale be distributed under orders of this court; that all such other and further general relief be afforded your complainants as the nature of their case may require and as to equity and good conscience may seem meet. And they will ever pray.

*Richetta Hallaway
by Wm. Hall and her
attorney.*

Richetta Halloway et. al.

vs } In Chancery

Enas H. Davis et. al.

~~~~~

Bill of Complaint

1st Feby rules 1905. Bill filed  
Chf. filed. ord. sub. as to Enas H.  
Davis and Walter E. Davis, sum executor  
on Isaac Thomas. de nisi as to him. Q. Ch.  
Johnson apt. adm. attm.

28 Feby rules 1905. Bill taken for  
confess and set for hearing as to all  
parties except Enas H. Davis & Walter E.  
Davis

March 6th 1906. Do for accounts

## THE J. P. HOLLAND PUBLISHING COMP'Y, INC.

PRINTERS, ENGRAVERS

K WORK A SPECIALTY.

IN THE CLERK'S OFFICE OF THE  
CIRCUIT COURT of the County of  
Isle of Wight on the 3rd day of Feb.  
1905.

Richetta Holloway and Jno. Holloway,  
her husband,.....Plaintiffs,  
against

Enos H. Davis, Walter E. Davis, Isaac  
Thomas, Essie B. Davis, Jno. W.  
Davis and Ethel Davis, the last three  
of whom are infants under the age of  
twenty-one years,.....Defendants

The object of this suit is to partition  
a small tract of land of which Bauldin  
E. Davis, colored, died, seised and pos-  
sessed, situated near Smithfield in the  
County of Isle of Wight and State of  
Virginia.

And an affidavit having been made  
and filed that the defendants Enos H.  
Davis and Walter E. Davis are not res-  
ident of the State of Virginia, it is or-  
dered that they do appear here within  
15 days after due publication hereof, and  
do what may be necessary to protect  
their interest in this suit. And it is  
further ordered that a copy hereof be  
published once a week for four weeks  
in THE GRAPHIC a newspaper published  
in the town of Franklin, Va., and a  
copy be posted at the front door of the  
court-house of this County on the first  
Monday in Feb. 1905.

A copy—Teste:

N. F. YOUNG, Clerk.

Wm. S. Holland, p. q.  
f10-4t

Va.,

I hereby certify that the above Court Order was published for four  
successive weeks in The Graphic, a newspaper published in Franklin  
Southampton County Virginia, beginning February 10th. 1905, ending  
March 3rd. 1905.

*J. P. Holland*  
.....Editor The Graphic.

In the Clerk's Office of the District Court of the County of  
Isle of Wight on the 3<sup>rd</sup> day of February 1905 ~~189~~.

Richetta Holloway and John W. Holloway her  
husband

Plaintiff ,  
against

Emos H. Davis, Walter E. Davis, Isaac Thomas  
Essie B. Davis, John W. Davis and Ethel Davis, The  
last three of whom are infants under the age of  
twenty-one years

Defendant .

The object of this suit is to partition a small tract of land of which  
Baudine E. Davis, colored, died seized and possessed situated near  
Smithfield in the county of Isle of Wight and State of Virginia

And an affidavit having been made and filed that the defendants Emos H. Davis and  
Walter E. Davis are

not residents of the State of Virginia, it is ordered that they do appear here within 15<sup>th</sup>  
after due publication hereof, and do what may be necessary to protect their interest in this  
suit. And it is further ordered that a copy hereof be published once a week for four weeks in the  
"Graphic" a newspaper published in the town of Franklin Va. and that a copy be posted at the front door of the court-house  
of this County on the first day of the next term of the Monday of Feb'y 1905 Court.

A copy—Teste:

p. q.

N. G. Gannay

Clerk.

VS. { ORDER OF PUBLICATION.

B 21568

Richetta Hallaway et al  
vs. { Copy of ord. of Pub. postal at  
Court house closed  
Erno A. Davis et al

Paid to Emie Davis 40.00

Paid to Maggi Bluford 40.00

Promised to pay Halland 40.00 He to pay  
can't see to -

Commissioner's Office, Isle of Wight, Va.

Oct. 6th. 1905.m

Richetta Holloway et als.

To) Commissioner's notice to take depositions.

Davis et als.

To Isaac Thomas, Essie B. Davis, Jno. W. Davis and Ethel Davis, the last three of whom are infants under the age of twenty one years; and A. S. Johnson, guardian ad litem.

You are hereby notified that I have fixed upon the ~~18th~~<sup>19th</sup> day of October, 1905, if fair; if not, the next fair day thereafter (Sunday excepted) to take and settle at my office, the account of-----

1st. The annual and fee simple value of the land in the bill and proceedings mentioned.

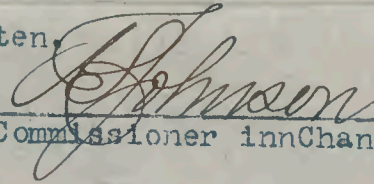
2nd. Whether or not there are any liens on the land in the bill and proceedings mentioned for delinquent taxes, or otherwise, and if so state the same with their priorities and dignities.

3rd. Who are entitled and in what proportion to the land in the bill and proceedings mentioned.

4th. Whether or not the land in the bill and proceedings mentioned can be partitioned in kind?

5th. Any matter deemed pertinent to be so taken, stated, and reported to Court by any party in interest, or by the Commissioner acting,----- required to be taken by a decree of the Circuit Court of the County of Isle of Wight rendered on the 6th. day of March, 1905 in a suit in chancery depending in said Court between Richetta Holloway et als vs. Davis et als, at which time and place you are required to attend.

Given under my hand as Commissioner in Chancery for the said Court the day and year first above written.

  
Commissioner in Chancery.

Executed on the within named. Isaac Thomas  
and A. S. Johnson Good and true  
20th, 2d, 1900

Geo. A. Edwards  
Sgt.

NOTICE TO TAKE DEPOSITION

*[Signature]*

Richetta Holloway, et als.  
vs) Notice to take deposition  
Davis, et als.

Richetta Holloway et als.

vs)

Davis et als.

The depositions of T. J. Chapman, and others, taken on the 13th. day of October, 1905 before A. S. Johnson, a Commissioner in Chancery for the Circuit Court for the County of Isle of Wight, at his office, at Isle of Wight Court House, Virginia, to be read as evidence in a certain suit styled generally as in the caption hereto, and referred to one of the Commissioners of this Court for certain inquiries and accounts, and report:

Present, Wm. S. Holland, Counsel for the Plaintiffs  
A. S. Johnson, Guardian ad litem.

T. J. Chapman being duly sworn, deposes and says:

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

Ans. My name is T. J. Chapman, I am fifty nine years old, live in Isle of Wight County and am Commissioner of the Revenue for the County of Isle of Wight and farmer.

Q. State whether or not you know the land in the bill and proceedings mentioned, formerly owned by Bolling E. Davis, colored, and now occupied by Richetta Holloway and her husband, and if so, state its annual and fee simple value.

Ans. I do know the land in the bill and proceedings mentioned, and I think it would rent for thirty dollars a year / and two hundred and fifty dollars fee simple value?

Q. Can this land be divided in kind to the parties entitled advantageously?

Ans. No si. It could not be done?

Q. It appears, from the record, and deeds filed, including one filed to day from Maggie E. Bluford and her husband to Richetta Holloway, that Richetta Holloway has bought all the parties except the interest of Ethel Davis, Essie B. Davis and John W. Davis, children of John F. Davis, deceased, and these children own a one twelfth interest subject to the dower right of their mother who has married Luther Bluford. Now what do you think would be a fair price for the interest of each of these infants?

Ans. About twenty dollars. I think that would be the full value?

And further this deponent saith not.

L. L. Chapman

Richetta Holloway being duly sworn, deposes and says:

Q. Please state who are the heirs at law of Bolling E. Davis, deceased, as fully as you can.

Ans. The oldest child of Bolling E. Davis is John F. Davis, now dead, and he left three children as follows: Essie B. Davis, Ethel M. Davis, and John W. Davis, who are the grand children of Bolling E. Davis, deceased.

Enos Davis, and I have bought his interest and have a deed in the papers.

Walter E. Davis, whose share I have bought and have a deed in the papers:

Richetta Holloway, who was Davis, and I am the complainant in this suit.

Q. How old are the children are the children of John F. Davis, deceased

Ans. Essie is sixteen years old; Ethel is nine years old, and John is eight years old.

Ans.

Q. Essie lives with her uncle, my brother, Enos Davis, in Newport News, and the other two live with their mother and in Rascoe Neck, Carrollton Post Office .

Q. Do you think the mother of these children, I mean the two younger children, would be a proper person to trust with the money for their share, and would she spend it in their support and education?

Ans. Yes sir, I do.

Q. Do you think Essie has got sense to handle her own money properly, without the intervention of a guardian?

I think she would.

And further this deponent saith not.

Richetta Holloway

In the Circuit Court for the County of Isle of Wight.

Richetta Holloway et al.-----Complainants.

vs. In Chancery.

Enos H. Davis, et als.-----Defendants.

Commissioner's Office, Isle of Wight, Va.

October 13th. 1905.

To the Honorable Robert R. Prentis, Judge of the Circuit Court for the County of Isle of Wight.

In pursuance to a decree of your Honor's Court, entered in the suit of which the above is the general style, on the 6th. day of June, 1905, I gave notice to the parties that on the 13th. day of October, 1905, at my office aforesaid, I should proceed to execute the said decree. The said notice, with the service thereon, is herewith filed.

I attended at the time and place appointed, and in the presence of Mr. Wm. S. Holland, Counsel for the complainants, and of Mr. A. S. Johnson, the guardian ad litem of the infant defendants, I took the depositions of Mr. T. J. Chapman, Commissioner of the revenue for the County of Isle of Wight.

The said depositions are herewith returned, and after consideration of the same, together with the pleadings in this cause, I respectfully report:

1st. That the annual value of the land in the bill and proceedings mentioned is thirty dollars, and that the fee simple value thereof is two hundred and fifty dollars.

2nd. That there are no liens, for taxes or otherwise, on the land in the bill and proceedings mentioned.

3rd. Ethel M. Davis, Essie B. Davis and John W. Davis, infants of the oldest son of the said Bolling E. Davis are entitled to one fourth, that is to say, each is entitled to one twelfth.

Enos Davis, the second son of the said Bolling E. Davis, is entitled to one fourth. (This interest has been conveyed, as will appear by a deed filed with the papers in this cause, to Richetta Holloway).

Walter E. Davis, the third son of the said Bolling E. Davis is entitled to one fourth. (This interest has been conveyed to the said Rich-

etta Holloway, as will appear by a deed filed with the papers in this cause).

Richetta Holloway, who was Davis, the daughter and fourth child of the said Bolling E. Davis, one of the complainants in this cause, is entitled to one fourth.

4th. The land in the bill and proceedings mentioned, from the evidence before your Commissioner, cannot be advantageously divided in kind.

5th. Your Commissioner, for the reasons above stated, recommends that, since Richetta Holloway has purchased all of the interests in the land in the bill and proceedings mentioned, that she be made a deed for the balance of the land (the interest of the infant defendants) at the sum and price of twenty dollars, and that the sum so paid for the said land, or the interest therein as aforesaid, be paid by the Commissioner appointed by this Court to sell the said interest and make a deed therefor and collect the proceeds of sale, over to the mother of the said infant defendants as to the share of Ethel and John Davis, who, from the evidence, lives with their mother, and she is a fit and proper person to receive the same, and that the sum and amount accruing to Essie, who is sixteen years of age and competent to receive the same, be paid to her, the proper receipts being taken therefor and filed with the papers in this cause.

Respectfully submitted:

C. Johnson Commissioner in Chancery for the Circuit Court for the County of Isle of Wight.

Commissioner's Fee, \$<sup>1</sup>0.00

Holloway et al.

vs) Commissioner's report.

<sup>and depositions</sup>  
Davis et als.

In the Court of the  
Circuit Court

COUNTY OF HARRIS, TEXAS

13<sup>th</sup> day of Oct. 1905

the report  
filed

Att. A. Johnson, cler

CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

Richetta Holloway et al

vs.) Chancery.

Enos H. Davis et als.

TO HONORABLE R. E. BOYKIN, JUDGE OF THE CIRCUIT COURT OF  
THE COUNTY OF ISLE OF WIGHT.

The undersigned, a Special Commissioner appointed in a decree herein of October 24th. 1905, to execute and deliver to the said Richetta Holloway a good and sufficient deed, with Special Warranty, for the interests of the infant defendants, Ethel Davis, John W. Davis and Essie B. Davis, in the tract of land in the Bill and proceedings of this suit mentioned when the said Richetta Holloway, should produce before the said commissioner a receipt for the unpaid costs of this suit, and a receipt from the mother of the said Ethel Davis and John W. Davis (Maggie E. Bluford) for the sum of forty dollars, that being the amount shown to be a fair price for the interests of the said infant defendants by the report of Commissioner Johnson, filed herein, and a receipt from Essie B. Davis for the sum of twenty dollars, it being the amount found proper to pay her for her interest in the said property by the same commissioner in the same report, said receipts being executed in accordance with the said decree; and the said Richetta Holloway having paid out the amounts aforesaid and produced the said receipts to you commissioner, he, the said commissioner executed and delivered to the said Richetta Holloway, a deed, with Special Warranty, for the interests of the said infant defendants in the said tract of land; and has further withdrawn from the papers of the said suit the original deeds mentioned in said decree and has delivered the same to the said Richetta Holloway.

The receipts for the costs of this suit, and the receipts from the said parties for the amounts due and directed to be paid for the said infant defendants as aforesaid, are

herewith filed.

And your commissioner further reports that there appears to be nothing further remaining to be done in this cause.

Respectfully submitted,

*Test, A. Johnson*

*Louis S. Holland*  
Special Commissioner.

Richetta Holloway

vs) Chancery

Enos H. Davis et als.

Report of Special Commiss-  
ioner.

Filed October 8th. 1907.

*R. E. Boykin*

Received of Richetta Holloway the sum of \$5, it being the amount due Commissioner Johnson for report and depositions in the suit of Richetta Holloway et als vs. Davis et als, pending in the Circuit Court of the County of Isle of Wight.

  
\_\_\_\_\_  
Commissioner.

September 16th. 1907.

Received of Richetta Holloway the sum of \$5.49 in full  
payment of Clerk's fees due to dismissal of suit of  
Richetta Holloway et als vs. Davis et als, pending in the  
Circuit Court of Isle of Wight County.

*A. Johnson* Clerk.

September 16th. 1907.

RECEIVED November 28, 1905 of Richetta Holloway the sum of twenty (20) dollars, it being the amount mentioned as the share of Essie B. Davis in the land in the suit of Richetta Holloway et als VS Enos Davis et als, and it is required to be paid to ~~Essie~~ Essie B. Davis by a decree entered in the said suit in the Circuit Court of Isle of Wight County on the 24th day of October 1905.

Essie Bell Davis

Witness

Lizzie Davis  
Enos. H. Davis

RECEIVED November 28, 1905 of Richetta Holloway the sum of forty (40) dollars, it being the amount mentioned in a decree of the Circuit Court of Isle of Wight County entered October 24, 1905, in the Chancery Cause of Richetta Holloway et als VS Enos Davis et als, as the share of the said Ethel Davis and John W. Davis in the land in the bill and proceedings mentioned. I am the mother of the said Ethel Davis and John W. Davis.

Maggie E. Bluford.

Witness

W. F. Shivers

J. E. Crawley

Commissioner's Office,

May 11th. 1905.

189

To Isaac Thomas, Essie B. Davis, and Jno. W. Davis, and ~~Richetta~~ Ethel  
Davis, the last three of whom are infants under the age of twenty  
one years, defendants-----

And Richetta Holloway and Jno. W. Holloway, her husband, ~~Richetta~~  
~~Richetta~~ Plaintiffs.

You are hereby notified that I have fixed upon the 18th day of May, 1905, next,  
if fair; if not, on the next fair day thereafter (Sunday excepted), to take and settle, at my office, the account  
of 1st. The annual and fee simple value of the land in the bill and pro-  
ceedings mentioned. 2nd: Whether or not there are any liens on  
the land in the bill and proceedings mentioned, for delinquent tax-  
es, or otherwise, and if so, state the same with their priorities  
and dignities. 3rd: Who are entitled and in what proportion to  
the lands in the bills and proceedings mentioned. 4th: Whether  
or not the land in the bill and proceedings mentioned can be parti-  
tioned in kind. 5th: Any matter deemed pertinent to be so taken,  
stated and reported to court by any party in interest, or by the  
Commissioner acting.  
required to be taken by a decree of the Circuit Court of the County of Isle of Wight  
rendered on the 6th day of March, 1905, 1891, in a suit in chancery depending in said  
Court between Richetta Holloway et als. vs. Davis et als.

at which time and place you are required to attend.

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

A. J. Young Clerk

Richetta Holloway et al

vs. }

COMMISSIONER'S NOTICE.

Lewis et al

Executed on  
Isaac Thomas  
May 17 1905-

W. A. Edwards  
Shiff

Commissioner's Office,

May 11th. 1905.

189

To Isaac Thomas, Essie B. Davis, and Jno. W. Davis, and ~~Ethel~~ Ethel  
Davis, the last three of whom are infants under the age of twenty  
one years, defendants-----

Richetta Hol oway and Jno W. Holloway, her husband, plain-  
tiffs.

You are hereby notified that I have fixed upon the 18th. day of May, 1905, ~~next~~

if fair; if not, on the next fair day thereafter (Sunday excepted), to take and settle, at my office, the account

of 1st. The annual and fee simple value of the land in the bill and pro-  
ceedings mentioned. 2nd: Whether or not there are any liens on  
the land in the bill and proceedings mentioned, for delinquent tax-  
es, or otherwise, and if so, state the same with their priorities  
and dignities. 3rd: Who are entitled and in what proportion to  
the lands in the bills and proceedings mentioned. 4th: Whether  
or not the land in the bill and proceedings mentioned can be parti-  
tioned in kind. 5th: Any matter deemed pertinent to be so taken,  
stated and reported to court by any party in interest, or by the  
Commissioner acting.  
required to be taken by a decree of the Circuit Court of the County of Isle of Wight

rendered on the 6th. day of March, 1905, ~~1895~~ in a suit in chancery depending in said

Court between Richetta Holloway et als. vs. Davis et als.

at which time and place you are required to attend.

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

A. J. Young clerk

Richetta Halloran et al.

vs.

COMMISSIONER'S NOTICE.

Davis et al.

We accept service of the  
within notice as were  
served by an officer  
May 11<sup>th</sup> 1905

W. H. Halloran et al.

for plaintiffs

Attorneys,

909 ad literam for  
Emil B. Davis, Jas. W.  
Davis & Ethel Davis

Richetta Holloway, et als.,

Vs.

Davis, et als.

M E M O R A N D U M.

There is a decree for accounts in this suit which have never been executed because Richetta Holloway said she could buy out the interests of the other parties and I have been waiting for that to be done.

Ethel Davis, Essie B. Davis and John W. Davis, are the children of John F. Davis and grandchildren of Bolling E. Davis, and they are infants under the age of twenty-one years.

RECORDED

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FILED IN

Richetta Holloway, et als.

Vs.

Davis, et als.

MEMORANDUM.

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VIRGINIA, CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

Richetta Holloway et al.

vs) Chancery.

Enos H. Davis, et als.

This cause came on this day to be again heard on the papers formerly read, and upon the report of Special Commissioner, Wm. S. Holland, this day filed by leave of court, and was argued by counsel: On consideration whereof, the court doth confirm the said report of the said Special Commissioner, which shows that the decree herein of October 24th. 1905 has been fully complied with.

And it appearing that there is nothing further remaining to be done in this cause it is ordered that the same be stricken from the docket.

Richetta Holloway

vs) Chancery

Enos F. Davis et als.

~~Rough decree~~

~~Enter this~~

October 8<sup>th</sup>, 1907. *Enter*

*This* R. E. Roykin

C.O.B. No. 6, page 577

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RICHETTA HOLLOWAY AND JOHN HOLLOWAY vs ENOS H. DAVIS, WALTER E. DAVIS, ISAAC THOMAS, ESSIE B. DAVIS, ETHEL DAVIS AND JOHN W. DAVIS, AND A. S. JOHNSON, GUARDIAN AD LITEM for the three last named parties who are infants under the age of twenty-one years.

Your petitioner, Richetta Holloway, party <sup>Complainant</sup> ~~defendant~~ in this suit, respectfully represents to the court that since the institution of this suit she has received a deed from the defendants Walter E. Davis, an unmarried man, and Enos H. Davis and wife, conveying to her all their interest in the land in the bill and proceedings mentioned. She respectfully represents that she had bought these interests long ago, but had never secured any deed until after the institution of this suit. She respectfully prays that this suit be dismissed as to said Walter E. Davis and Enos H. Davis, and that the cause proceed as if they had never been parties defendants. And your petitioner will ever pray.

Richetta Holloway

by

Wm. Hall and

Her attorney.

Richetta Holloway et als

vs

Davis et als.

#####

Petition of

Richetta Holloway.

#####  
# Richetta Holloway et als #  
# vs #  
# Enos H. Davis et als. #  
#####

This cause came on this day to be again heard on the papers formerly read and on the report of commissioner A. S. Johnson filed herein on the 13th day of October, 1905, to which no exception has been filed, and was argued by counsel.

On consideration whereof, the court doth adjudge, order and decree that the said report of commissioner Johnson be, and the same is, hereby approved, ratified and confirmed.

And it appearing that the land in the bill and proceedings cannot be partitioned in kind, and that all the adults, including Maggie Blueford who was Davis, have conveyed their entire interest in the said land to the complainant, Richetta Holloway as shown by deeds filed with the papers in this cause and by said report of commissioner Johnson, and it further appearing that twenty (20) dollars each is a fair price for the interest in the said land of each of the infant defendants, Ethel Davis, John W. Davis and Essie B. Davis, the court doth further adjudge, order and decree that Wm. S. Holland, who is hereby appointed a Special Commissioner for that purpose, make, execute and deliver to the said Richetta Holloway a good and sufficient deed with special warranty conveying to her the interests in the lands in the bill and proceedings mentioned of the said infant defendants, Ethel Davis, John W. Davis and Essie B. Davis, but before the said special commissioner shall execute or deliver the said deed, the said Richetta Holloway shall produce before, and deliver to him a receipt for the unpaid cost of this suit and also a receipt from the mother of Ethel Davis and John W. Davis for forty (40) dollars, the price of their interest, and also a receipt from Essie B. Davis who appears to be over the age of sixteen years, for twenty (20) dollars, the said two last named receipts shall be witnessed by at least two witnesses who can read and write, ~~and the said Richetta Holloway is hereby authorized to deduct from the share of each of the said infant defendants the sum of three (3) dollars and thirty-three (33) cents to~~

~~help out in the payment of the cost of this suit.~~

And the said Richetta Holloway is authorized to withdraw from this cause the original deeds to her mentioned in the proceedings of this suit for the purpose of having the same recorded.

And the said Special Commissioner, Wm. S. Holland shall report to court filing therewith said receipts delivered to him by said Richetta Holloway.

RECORDED  
INDEXED  
OCT 11 1881

TO BE ENTERED

DECEMBER

ALL TO VERNON L. STODOLIN  
BY  
JESSE G. STODOLIN . H. BOND

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 # Richetta Holloway et als. #  
 # vs #  
 # Enos H. Davis et als. #  
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D E C R E E .

To be entered

October 24, 1905.

*Robert H. Davis*

Richetta Holloway.

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*Complainants*

RICHETTA HOLLOWAY AND JOHN HOLLOWAY vs ENOS H. DAVIS, WALTER E. DAVIS, ISAAC THOMAS, ESSIE B. DAVIS, ETHEL DAVIS AND JOHN W. DAVIS, AND A. S. JOHNSON, GUARDIAN AD LITEM for the three last named parties who are infants under the age of twenty-one years. *Defendants*

This cause came on this day to be heard on the bill of complaint taken for confessed as to Isaac Thomas, on whom process has been duly served, and he still failing to appear, plead, answer or demur; on the answer of the infant defendants by A. S. Johnson, guardian ad litem duly assigned at Rules with general replication thereto; on the petition of Richetta Holloway filed this day by leave of court, and was argued by counsel.

On consideration whereof, it appearing to the court by the petition of Richetta Holloway and deeds filed therewith from Enos H. Davis and wife and Walter E. Davis conveying their interest in the land in the bill and proceedings mentioned to the said Richetta Holloway, the court doth adjudge, order, and decree that the said Enos H. Davis and Walter E. Davis be dismissed from this suit as parties defendants thereto; and that one of the commissioners of this court take, state, and report to court the following inquiries and accounts:

(1) The annual and fee simple value of the land in the bill and proceedings mentioned?

(2) Whether or not there are any liens on the land in the bill and proceedings mentioned for delinquent taxes or otherwise, and if so state the same with with the priorities and dignities?

(3) Who are entitled and in what proportion to the lands in the bill and proceedings mentioned?

(4) Whether or not the land in the bill and proceedings mentioned can be partitioned in kind?

(5) Any matter deemed pertinent to be so taken, stated, and reported to court by any party in interest, or by the commissioner acting.

*Richetta Holloway is allowed to withdraw the original deeds herein mentioned for the purpose of having them re-recorded.*

#####  
# Richetta Holloway et als  
# vs  
# Davis et als  
#  
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D E C R E E .

*D. O. B. M. 6, page 15*

To be entered.

March 6, 1905.

*Robert C. Reuter*