

1715-010
Nonsemond Co (Suffolk) Chancery Causes: Josephine Skinner et al vs I.A. Luke et al

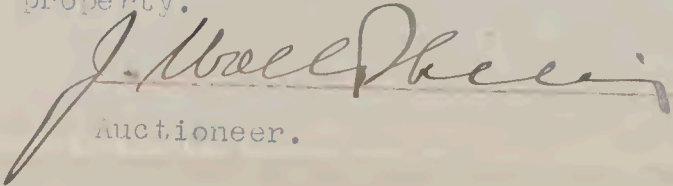
Holland, Matthias, Copeland, Whittfield, Britt

Received of John E. Hutton, Special Commissioner, in the
case of Josephine Skinner et als against I. A. Luke et als the
sum of \$70.38 this 29th. day of August, 1914, the same being
her share of proceeds of sale of land in said case.

J. Hutton
ccy for Josephine Skinner

Suffolk, Va. January 30, 1915.

Received of John W. Hutton, Special Commissioner, in the case
of Josephine Skinner et als vs. I. A. Luke et als., the sum of
\$5.00 for crying sale of property.


Auctioneer.

G.E. Bunting,

I, ~~ALFRED L. GOMER~~, Clerk of the Circuit Court of Nansemond County, Virginia,

do certify that the bond required of

John K. Hutton

as Special Commissioner under the decree of said Court
made on the 3rd day of June, 1914, ~~189~~, in the Chancery cause pending
in said court between

Josephine Skinner et als, , complainants, and

I. A. Luke et als,

, defendant,

has been executed with security deemed sufficient by me.

Given under my hand this 8th day of June, 1914. ~~189~~

G.E. Bunting,

BY

S. J. Parham, Clerk.

D. C.

Office of SUFFOLK HERALD.

SUFFOLK, VA., DEC 13 1913 190---

*I hereby certify that the order of which the annexed is a
copy has been published in THE SUFFOLK HERALD in the
manner prescribed by law---once a week for four successive weeks.
beginning* Nov-21-1913 *and ending*

Dec 12-1913

W J Kendrick

Editor Herald

VIRGINIA: In the Clerk's Office of the Circuit Court of Nansemond County, on the 19th day of November, 1913.

Josephine Skinner and James Skinner Complainants vs.)

I A. Luke, R. C. Holland, Sallie Pearl Matthias and Matthias, her husband, whose name is unknown, the unknown heirs at law of James Copeland and Sarah Copeland, and all parties unknown....Defendants.

The object of this suit is to have partition of a certain tract of land in Nansemond County, State of Virginia, of which James Copeland died seized and possessed, containing thirteen acres, bounded by the lands of Elisha Holland, James and Richard Lee, Jack Jones and Jack Norfleet.

And it appearing, by proper affidavit filed, that Sallie Pearl Matthias, R. C. Holland and Matthias, whose name is unknown, are not residents of the State of Virginia and that due diligence has been **used on** behalf of the Complainants to **ascertain** in what county or corporation the unknown heirs at law of James Copeland and Sarah Copeland and all parties unknown are, without effect, it is ordered that, R. C. Holland, Sallie Pearl Matthias and Matthias, her husband, whose name is unknown, and the unknown heirs at law of James Copeland and Sarah Copeland, and all parties unknown do appear at the Clerk's Office of this Court within fifteen days after due publication of this order in the Suffolk Herald, published at Suffolk, Virginia, and do what is necessary to protect their interest in this suit; and that this order be published and posted according to law.

Teste:

GEO. E. BUNTING, Clerk.

Everett & Hutton, p. q.

Nov. 21-4t.

W. J. KENDRICK, President and Editor
J. C. HOLLADAY, Secretary and Treasurer

Suffolk, Va., DEC 18 1913 1913

Mess *Crockett and Houston* Attys

City

To SUFFOLK HERALD CORPORATION, Dr.

:: Newspaper and Job Printing ::

No. 912 WASHINGTON STREET

TERMS OF THIS BILL—NET CASH

BELL PHONE 135

1913

Duplicate

*Dec 12 To Pub Notice suit of Skinner and
James Skinner vs J. A. Luke et al.
H. T. No 21-28 Dec 5-12*

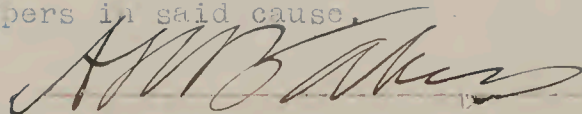
*40
30*

12 00

*This includes Land bills
Rec'd payment
of 1000.00
H. T. No 21-28*

January 25, 1915.

Received of John K. Hutton, Special Commissioner, in the case of Josephine Skinner et als vs. I. A. Luke et als the sum of fifty cents, that being my fee for executing appers in said cause.

A handwritten signature in dark ink, appearing to read "A. M. B. Myers", is written over a faint horizontal line. The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

After Five Days Return to
EVERETT & HUTTON,
ATTORNEYS-AT-LAW
SUFFOLK, VA.

Report & Receipts

VIRGINIA, IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF HANSEMOND COUNTY, ON THE 19TH. DAY OF NOVEMBER, 1913.

Josephine Skinner and James Skinner.....Complainants.

vs.

R. C. Holland

I. A. Luke, ¹ *R. C. Holland* ~~Matthias~~ and _____

~~Matthias~~, her husband, whose name is unknown,

the unknown heirs at law of James Copeland and

Sarah Copeland, and all parties unknown.....Defendants.

The object of this suit is to have partition of a certain tract of land in Hansemond County, State of Virginia, of which James Copeland died seized and possessed, containing thirteen acres, bounded by the lands of Elisha Holland, James and Richard Lee, Jack Jones and Jack Norfleet.

And it appearing, by proper affidavit filed, that ¹ *R. C. Holland* ~~Matthias~~ and blank ~~Matthias~~, whose name is unknown, are not residents of the State of Virginia and that due diligence has been used on behalf of the Complainants to ascertain in what county or corporation the unknown heirs at law of James Copeland and Sarah Copeland and all parties unknown are, without effect, it is ordered that ¹ *R. C. Holland* ~~Matthias~~ and blank ~~Matthias~~, her husband, whose name is unknown, and the unknown heirs at law of James Copeland and Sarah Copeland, and all parties unknown do appear at the Clerk's Office of this Court within fifteen days after due publication of this order in the Suffolk Herald, published at Suffolk, Virginia, and do what is necessary to protect their interest in this suit; and that this order be published and posted according to law.

A copy - Test.

Everett & Hutton J. J.

G. E. Brinkley,
Clerk.

Josephine Skinner and James Skinner.....Complainants.

vs.

R. L. Hoccane
I. A. Luke, Sallie Pearl Matthias and blank Matthias,
her husband, whose name is unknown, the unknown
heirs at law of James Copeland and Sarah Copeland,
and all parties unknown.....Defendants.

STATE OF VIRGINIA,

COUNTY OF NANSEMOND, TO-WIT:

This day personally appeared before me *Rockelle Harrell*,
a Notary Public in and for the County and State aforesaid, S. E. Everett
and made oath that upon his best information and belief Sallie Pearl
R. L. Hoccane
Matthias, and blank Matthias, whose name is unknown, are not residents
of the State of Virginia, and that diligence has been used on behalf
of the Complainants in the above entitled suit to ascertain in what
county or corporation the unknown heirs at law of James Copeland and
Sarah Copeland and all parties unknown are, without effect.

S. E. Everett

Sworn to and subscribed before me this 19th. day of November,
1913. My commission expires the 14th day of Sept, 1914.

Rockelle Harrell N.P.

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Nansemond.

Josephine Skinner & James Skinner
Pltff.

vs.

G. A. Ruker et al
Dft

In

Chancery

I hereby certify that on the *19th* day of *November* 191*3*

I posted a copy of the order of publication entered herein, at the front door of the Courthouse of the County of Nansemond; that being on or before the next succeeding rule day after said order was entered.

Given under my hand this *19th* day of *November*, 191*3*

G. E. Ambrose, Clerk,

~~By~~ _____, ~~Deputy~~ Clerk.

TO GEORGE E. BUNTING, ESQ., CLERK OF THE CIRCUIT COURT FOR COUNTY
OF NANSEMOND, VIRGINIA.

Josephine Skinner and James Skinner.....Complainants.

vs. In Chancery.

A. C. Holland
I. A. Luke, Sallie Pearl Matthias and _____
Matthias, her husband, whose name is unknown, the
unknown heirs at law of James Copeland and Sarah
Copeland, and all parties unknown.....Defendants.

Issue summons to First (First Monday) Rules in December, 1913.

Everett F. Hutton p.q.

1 orig.
4 copies

Process issued Nov. 19, 1913; returnable to Dec.
Rules, 1st Monday 1913. Affidavit of non-resident
filed, order of Return, in Suffolk Herald.

Dec. Rules, 1st, Monday 1913; Bill filed & decree nisi.
Dec. Rules, 3rd, Monday 1913. Decree nisi confirmed
and cause set for hearing on Order of publication.

Josephine Skinner
et al -
V3 Memorandum

J. A. Luttrell and
others -

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON I.A. Luke, R.C. Holland, Sallie Pearl

Matthias and Matthias, her husband, whose name is unknown, the
unknown heirs at law of James Copeland and Sarah Copeland, and all parties
unknown

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the
said Court, on the First Monday in December, 1913, to answer a
Bill in Chancery, exhibited against them
in the said Court by Josephine Skinner and James Skinner

and have then and there this summons.

WITNESS, G. E. BUNTING, Clerk of our said Court, at his office, this 19th day of
November, 1913, in the 13th year of the Commonwealth.

A copy—Teste:

Teste:

S. J. Parker, Deputy, CLERK.

G. E. Bunting, Clerk.
By S. J. Parker, Deputy, CLERK.

Everett v. Hutton -- p. q.

Copy for Dallis
Pearl Matthias

vs.

} In Chancery

1913-----

December----- Rules,

First----- Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 3-----

Page 119-----

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON I.A. Luke, P.C. Holland, Sallie Pearl
Matthias and Matthias, her husband, whose name is unknown, the
unknown heirs at law of James Copeland and Sarah Copeland, and all parties
unknown

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the
said Court, on the First Monday in December, 1913, to answer a
Bill in Chancery, exhibited against then
in the said Court by Josephine Skinner and James Skinner

and have then and there this summons.

WITNESS, G. E. BUNTING, Clerk of our said Court, at his office, this 19th day of
November, 1913, in the 13th year of the Commonwealth.

~~A copy~~ Teste:

~~CLERK~~

Teste:

G. E. Bunting, Clerk.

By J. Parker, Depy., CLERK.

Executed this 25 day of Nov. 1913 by delivering a true
copy of the within power to J. Luke in person in presence
of J. C. C.

L. C. Holland, Sallie Pearl Matthias, and her hus-

band not - present in presence of J. C.

J. B. Baker

Everett & Hutton p. q.

Josephine Skinner & James
Skinner

vs. } In Chancery

I. A. Luke, R. C. Holland, Sallie
Pearl Matthias and
Matthias, her husband, the
unknown heirs of Jas. Copeland
and Sarah Copeland, &c.
191-3-----

December----- Rules,

----- First----- Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 3-----

Page 119-----

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON

I.A. Luke, R.C. Holland, Sallie Pearl

Matthias and Matthias, her husband, whose name is unknown, the
unknown heirs at law of James Copeland and Sarah Copeland, and all parties
unknown

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the
said Court, on the First Monday in December, 1913, to answer
Bill in Chancery, exhibited against then
in the said Court by Josephine Skinner and James Skinner

and have then and there this summons.

WITNESS, G. E. BUNTING, Clerk of our said Court, at his office, this 19th day of

November 5, 1913, in the 13th year of the Commonwealth.

A copy—Teste:

Teste:

S. J. Parker, Deputy, CLERK.

G. E. Bunting, Clerk.

By S. J. Parker, Deputy, CLERK.

Everett & Hutton p. q.

*Acopy for R. C.
Holland*

vs. } In Chancery

191 *3*

December Rules,

First Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. *3*

Page *119*

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON-----I.A.Luke, R.C.Holland, Sallie Pearl
Matthias and ----- Matthias, her husband, whose name is unknown, the
unknown heirs at law of James Copeland and Sarah Copeland, and all parties
unknown-----

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the
said Court, on the-----First-----Monday in-----December, 1913-----, to answer-----a-----
Bill in Chancery, exhibited against-----them-----
in the said Court by-----Josephine Skinner and James Skinner-----

and have then and there this summons.

WITNESS, G. E. BUNTING, Clerk of our said Court, at his office, this-----19th-----day of
-----November-----, 191-3-, in the 13-8-th year of the Commonwealth.

A copy—Teste:

Teste:

G.E.Bunting, Clerk.

By S.F. Parker, Depy., CLERK.

S.F. Parker, Depy., CLERK.

Everett Hutton p. q.
A copy for ~~Matthias~~
Husband of Dallis
Pearl Matthias

vs. } In Chancery

191 3

December Rules,

First Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 3

Page 119

TO THE HONORABLE JAMES L. MCLEMORE, JUDGE OF THE CIRCUIT
COURT FOR HANDEDON COUNTY, VIRGINIA.

Josephine Skinner et als.....Complainants.

vs.

I. A. Luke et als.....Defendants.

The undersigned, Special Commissioner, duly appointed by your
Honor by decree entered in the above entitled cause on the 30th
day of March, 1914, respectfully submits the following report:

Your Commissioner, in accordance with your Honor's decree
entered on the 25th. day of July, 1914, upon payment to him by
I. A. Luke, purchaser at the sale duly reported in these proceedings,
of the sum of Four Hundred and Twenty (\$420.00) Dollars, conveyed
to the said I. A. Luke with special warranty the land described in said
said decree last above mentioned and disbursed the said sum of Four
Hundred and Twenty Dollars as follows:

Land sold on the 20th. day of June for.....	420.00	
Paid to George E. Bunting, Clerk.....	23.60	
Paid to Sheriff A. H. Baker.....	.50	✓
" Order of Publication.....	12.00	✓
" Commissioner in Chancery.....	10.00	✓
" Walter Hosier, Auctioneer.....	5.00	✓
" Commissions of Special Commissioner.....	17.40	✓
" Writing deed.....	10.00	✓
" Fee allowed by Court.....	35.00	✓
" R. C. Holland through his attorneys J. H. Corbitt and W. P. Lipsecomb.(Compromise) ..	25.00	✓
Balance.....	281.50	
	420.00	420.00
By Balance.....	281.50	
Paid Josephine Skinner.....	70.38	✓
" I. A. Luke.....	211.12	✓
~~Paid~~	281.50	281.50

Respectfully Submitted:

John D. Hutton, Special Commissioner.

Josephine Skinner et als.

vs. Report Special Commission
er.

I. A. Luke et als.

Filed the 23 day of January,
1915. J. L. M.

Josephine Skinner et als.....Complainants.

vs.

I. A. Luke et als.....Defendants.

This cause came on again this day to be heard on the papers formerly read, and on the report of John K. Hutton, Special Commissioner, filed the 25th day of July, 1914, to which report there is no exception, and was argued by counsel.

On consideration whereof, the Court, approving and confirming said report, doth adjudge, order and decree, that, upon payment by I. A. Luke, ^{the purchaser} at the said sale reported by the said Commissioner, of the sum of Four Hundred and Twenty (\$420.00) Dollars, the said sum being the amount for which the said land hereinafter described was struck off at said sale, the said Commissioner, John K. Hutton, convey, with special warranty, to the said I. A. Luke the following described property: All that certain tract of land containing fifteen acres, more or less, situated in Hansemond County, Virginia, and bounded by the lands of Elisha Holland, James and Richard Lee, Jack James and Jack Norfleet.

And it is further ordered that the said Special Commissioner, after paying the cost of this suit, including a fee of \$ 35 for counsel conducting same, disburse the remainder of the purchase price in accordance with the report of Bradford Kilby, Commissioner in Chancery, duly filed. And it is further ordered that the said Special Commissioner make report of his proceedings hereunder to this Court.

Josephine Skinner et als
vs. Decree confirming sale
I. A. Luke et als.

Enter the 25 day of July,

1914.

Jas. S. McInnere

Entered in Chancery Order

Book, No 4, Page 660.

TO THE HONORABLE JAMES L. MCLEMORE, JUDGE OF THE CIRCUIT
COURT OF NANSEMOND COUNTY, VIRGINIA.

Josephine Skinner et als.....Complainants.
vs. Report of Special Commissioner.
I. A. Luke et als.....Defendants.

Your Commissioner, John K. Hutton, appointed by your Honor
in the above-entitled cause, on the 30th. day of May, 1914, to
make sale of certain property mentioned in the bill and proceedings
in said cause respectfully submits the following report:

Having executed the required bond, your Commissioner adver-
tised the said property for sale. On the 20th. day of June, 1914,
at 12 o'clock M. on Saturday, in front of the Old Post Office Build-
ing, in Suffolk, Virginia, fifteen days notice of sale having been
given as required by decree entered in said cause on the 30th day
of May, 1914, the said property was put up at public auction and was
struck off to I. A. Luke for the sum of \$420.00, that being the
highest bid at said sale.

The said purchaser is ready to pay the whole purchase price
when the deed shall be delivered. Your Commissioner asks your Honor
to confirm the said sale as reported herein and to direct your Com-
missioner to make a proper deed conveying the said property to the
said I. A. Luke.

Respectfully submitted:


Special Commissioner.

Josephine Skinner et als.

vs. Report of Special Commission
er

I. A. Luke et als.

Filed 25 day of July, 1914.

James M. Moore

Josephine Skinner et als.....Complainants,
VS.

I..A. Luke et als.....Defendants.

This cause came on this day again to be heard on the papers formerly read, the report of Bradford Kilby, Commissioner in Chancery, filed on the 27th. day of January, 1914, in the Clerk's Office of this Court, to which report there is no exception, and on the deposition of witnesses returned with said report, and was argued by counsel.

On consideration whereof, the Court doth adjudge, order, and decree that John W. Hutton, who is appointed Special Commissioner for the purpose, do, after having advertised the time, place, and terms of sale for fifteen days by posting notices in numerous public places in said County, proceed to sell before the door of the old post office building in Suffolk, Virginia. for cash, the said land in the bill and proceedings mentioned. The said Commissioner is directed to make report of his proceedings hereunder to the Court, but the said Commissioner shall not proceed to act under this decree until he shall enter in a bond with sufficient security in the Clerk's Office of this Court payable to the Commonwealth of Virginia in the amount of \$400.00 and conditioned upon the faithful discharge of his duties hereunder and under further decrees in this cause.

Josephine Skinner et als,

Vs. Ordering Sale

I. A. Luke et als:

Enter May 30, 1914.

Has S. M. L. more

Entered in Chancery Order Book

No 4 Page 650

Josephine Skinner and James Skinner.....Complainants.

vs. Decree of Reference.

I. A. Luke, R. C. Holland, Sallie Pearl Matthias

and _____ Matthias, her husband, whose name

is unknown, the unknown heirs at law of James

Copeland and Sarah Copeland, and all parties un-

known.....Defendants.

The defendants, Sallie Pearl Matthias, R. C. Holland, and ~~blank~~ Matthias, whose name is unknown, against whom the complainants have proceeded in a manner prescribed by law against absent defendants, and the unknown heirs at law of James Copeland and Sarah Copeland, deceased, against whom the Complainants have proceeded in ~~the~~ manner prescribed by law against unknown defendants, still failing to appear and answer, on motion of the Complainants by counsel, the Court doth set the cause for hearing as to the said defendants. And the cause coming on this day to be heard as to the other defendant in the bill filed, the bill taken for confessed as to said defendant, I. A. Luke, he being an adult, and was argued by counsel.

On consideration whereof, the Court doth adjudge, order and decree that the papers in this case be referred to one of the Commissioners of this Court, who is directed to enquire into and report to Court:

I

Whether the real property in the bill mentioned can be conveniently divided in kind among the several parties entitled to share therein.

2.

If the same can not be conveniently divided in kind, whether any party will take the entire property and pay therefor to the other parties such sums of money as their interest therein may entitle them to.

3.

And if the same can not be conveniently divided in kind and if

Josephine Skinner &
James Skinner

vs -

J.A. Suber R.C. Holladay
Sallie Pearl Matthias

& — Matthias, her
hus. & als

no party will take the entire property and pay the others for their interest, whether the interest of those who are entitled to ^{said property} or its proceeds will be promoted by the sale of the property or by allotment of part and sale of the residue.

4.

Whether there are delinquent taxes due on said land, or any other liens.

5.

Whether all the parties in interest are before this Court, together with any other matter specially stated deemed pertinent by said commissioner or which may be required by any person interested to be so stated.

Josephine Skinner et als.
vs. Decree of Reference.
I. A. Luke et als.

Enter 17, day of January, 1914.

W. S. U. Moore

Entered in Chancery Order Book
No. 4, Page 612.

Commissioner's Office,
To Josephine Skinner and James Skinner, Complainants.

and I. A. Luke, R. C. Holland, Sallie Pearl Matthias, and ——— Matthias,
her husband, and the unknown heirs of James and Sarah Copeland.
Defendants.

You are hereby notified that on the 27th. day of January 1904,
at my office, in Suffolk, Va., (at which time and place you are required to attend), I
shall take, state and settle the following accounts which are to be taken, stated and settled and
reported to Court in pursuance of the decree of the Circuit Court of Nansemond County,
Va., rendered the 17th day of January, 1904, in the suit in chancery
pending in said Court to which you are parties plaintiff and defendant, to-wit:

- (1) Whether the real property in the bill mentioned can be conveniently
divided in kind among the several parties entitled to share therein.
- (2) If the same can not be conveniently divided in kind, whether any
party will take the entire property and pay therefor to the other
parties such sums of money as their interest therein may entitle
them to.
- (3) And if the same can not be conveniently divided in kind and if
no party will take the entire property and pay the others for their
interest, whether the interest of those entitled to said property or
its proceeds will be promoted by the sale of the property or by allot-
ment of part and sale of the residue.
- (4) Whether there are any delinquent taxes due on said land, or any
other liens.
- (5) Whether all the parties in interest are before the court together
with any other matter specially stated deemed pertinent by said com-
missioner or which may be required by any person interested to be so
stated.

Given under my hand, as Commissioner in Chancery of said Court, the 17th. day of
January, 1904

Bradford Kilby.
Commissioner in Chancery.

Sufficient and legal service of the within notice is hereby accepted
by us.

Josephine Skinner, James Skinner, and
J. A. Luke by Everett J. Sullivan,
Their attorneys.

James H. Corbitt (by W.P.L.)
Atty. for R. C. Holland.

Virginia,

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

Josephine Skinner et al)
v.)
I.A. Luke at als.)

In Chancery.

Commissioner's office,

Suffolk, Va. April 1914.

To Honorable James L. McLemore, Judge of the Circuit Court for the County of Nansemond:

In pursuance of the decree of the Circuit Court for the County of Nansemond pronounced on the 17th. day of January 1914 in the suit in chancery pending in said court between Josephine Skinner and others, Complainants, and I.A. Luke and others Defendants, the undersigned, Bradford Kilby, one of the Commissioners in Chancery of said Court respectfully reports as follows:

That on the 17th. day of January 1914, your commissioner gave notice to those parties to said suit who had not been proceeded against by order of publication, that he would proceed on the 27th. day of January 1914, at his office in Suffolk, Va., to make the several inquiries required by said decree to be made by one of the commissioners in chancery of said court.

That sufficient and legal service of the said notice was duly accepted by all the parties to said suit, except those who had been proceeded against by order of publication, as will appear by the endorsements on the notice herewith returned.

That your commissioner took the depositions of James Skinner, I.A. Luke, S.P. Whitfield and B.C. Britt and Hardy Holland touching said inquiries, which depositions are herewith returned.

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

(1)

The real property in the bill mentioned can not be conveniently divided in kind among the several parties entitled to share therein.

(2)

No party will take the entire property and pay therefor to the other parties such sums of money as their interests therein may entitle them to.

(3)

The interest of those entitled to said property will be promoted by a sale of the whole rather than by allotment of part and sale of the residue.

(4)

There are no delinquent taxes due on said property or any other liens. A deed of trust dated 15th. of February 1884 and recorded Nov.5,1884 in Deed-book No.13,page 625 in Nansemond County Clerk's office,executed by James Copeland and wife to secure Mills H. Holland a promissory note for the sum of \$110.due Dec.25,1884,is now out of date; It has been paid,but not so marked on the record.

(5)

Your commissioner deems it pertinent to say that the fee-simple value of said land is about \$150. to \$200.

(6)

All parties in interest are before the court in this cause. There is no other matter deemed pertinent by your commissioner or required by any person in interest to be so stated.

Respectfully submitted this 27th.day of January 1914.

Bradford Kilby
Commissioner in Chancery.

Comr's fee \$10.

Paid Dec. 7, 1914
Bradford Kilby, Comr.

3,174

S.E.E. Assignee of the Adm. of J. P. Holland
v. J. P. Holland

J. H. Copeland W. P. Copeland

\$7.50

Rendered Jan 26, 1911, docketed June 9, 1911.
\$2.45 costs, Homestead waived.

3,191

Walter Butler

v.

Henry Copeland

\$10. Int. thereon from 22 March 1913 till paid.
+ \$2.25 costs.

Rendered May 24, 1913

Docketed May 24, 1913.

74,267

8 June 1912

Sarah Copeland, John H. Copeland & James Copeland
to

J. A. Luke.

\$100.

Recorded March 11, March 1913.

13,625

15 Feb. 1884

\$110. promissory note, due Dec. 25, 1884.

James Copeland & Sarah, his wife,
to Mills H. Holland, Trustee.

Recorded 5 Nov. 1884.

Jas. Copeland of S.

1913 + 1912 Taxes

Paid by R. C. Holland
son of Mills H. Holland Jr.
Edenton N. C.

James Skinner, being duly sworn, deposeth as follows:

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

A. I am 30 years old. My name is James Skinner. I live at Suffolk and work in a factory.

Q. Are you the husband of Josephine Skinner?

A. I am.

Q. Are James and Sarah Copeland dead?

A. They are.

Q. Are they the mother and father of your wife?

A. They were.

Q. How many heirs were left by James and Sarah Copeland and what are their names?

A. Henry Copeland, James Copeland and Josephine Skinner and Pearl Matthias

Q. I have made I. A. Luke, Sallie Pearl Matthias, Josephine Skinner and

R. C. Holland and yourself parties to this suit. Are they the only parties interested in this land?

A. I don't know. If James and Henry have not sold their interest, they ought to have an interest in the suit. I understand James and Henry and Pearl have sold their interest to Mr. Luke. I understand Mr. Holland has nothing to do with it as that debt was paid.

Q. Do you think it would be to the interest of all concerned to have the land divided.

A. It is such a small tract, I think it ought to be sold. I and my wife want it sold and want our share of the money.

Q. What would the land sell for?

A. I do not know. I have heard it would sell for between \$100.00 and \$200.00.

And further this deponent says not.

James Skinner

I. A. Luke being duly sworn deposeth as follows:

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

A. My name is I. A. Luke. I live in Holland, Virginia, am 49 years of age, and am a merchant.

Q. Are the parties named in these proceedings all of the parties interested in the land described in the bill in this cause so far as you know?

A. All the parties interested are named in the proceedings so far as I know.

Q. Have the interests of all parties concerned been conveyed to you.

A. All the interests have been conveyed to me except that of Josephine Skinner.

Q. Can the real estate mentioned be conveniently divided in kind?

A. I do not think it at all feasible to divide the land in kind as it is a very small tract.

Q. How much do you think the land is worth?

A. Somewhere in the neighborhood of \$150.00.

Q. Do you know anything about a mortgage held by M. H. Holland.

A. I know there was a mortgage held by him, which is out of date, and I also know of my own personal knowledge that this mortgage has been paid in full. This is the mortgage which is claimed to have been assigned to R. C. Holland. I have witnesses to prove that the mortgage has been paid.

And further this deponent saith not.

A handwritten signature in dark ink, appearing to read "I. A. Luke". The signature is written in a cursive style with a large, sweeping initial "I" and a long, horizontal flourish extending to the right.

Paul Whitfield, being duly sworn, deposeth as follows:

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

A. I am 28 years of age. My name is Paul Whitfield. I live in Nansemond County and am a constable.

Q. Are you familiar with land in question in this suit?

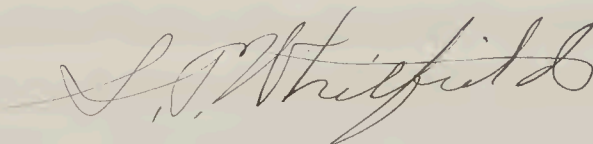
A. I am.

Q. Do you think it would be to the interest of all parties concerned to have this land divided in kind or do you think it would promote the interests of all to have the land sold and the proceeds divided among the parties entitled thereto?

A. I think it would ruin the value of the property to cut it up in that way. It is a very small tract and it would be better in my opinion to sell the whole thing and divide the proceeds.

Q. How much do you think the land is worth.

A. I would say it is worth from \$100 to \$200.00.



B. C. Britt, being duly sworn, deposeth as follows:

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

A. My name is B. C. Britt. I live in Suffolk, Virginia. I am an automobile salesman and am 31 years of age.

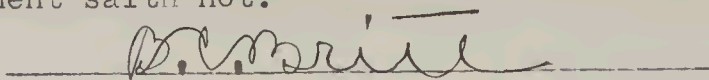
Q. Are you familiar with the land owned by James and Sarah Copeland and the land in question in this suit?

A. I am

Q. What would you regard as a fair valuation of this land?

A. I think it ought to sell for something between \$125.00 and \$150.00

And further this deponent saith not.



Josephine Skinner vs. I. A. Luke and others.

Hardy Holland being duly sworn deposes as follows:

Q. Give your names, age, residence and occupation.

A. Hardy Holland, 37 years old, Deputy Sheriff and salesman for Dixie Guano Company, Suffolk, Va.

Q. Do you know the little farm located near Holland that was owned by Jim and Sarah Copeland?

A. Yes sir.

Q. What would you consider its fee simple value to be?

A. Well worth \$200.00.

Q. If it should sell for \$250.00 would you be surprised or consider that a fair sale?

A. I think it would be a fair sale, and I would not be surprised if it did sell for that.

Q. There are several heirs interested in this property, do you think it would be to advantage to have it cut up in little lots and divided among them, or would it be the best to sell the entire and divide the profits?

A. Yes, I think their interest would be better protected by a sale of the whole.

Q. Do you know the heirs of James and Sarah Copeland?

A. I cannot say that I do, I used to know them all.

Q. I will name you the heirs as I have them given to me, and you can say whether you remember those or not. There are two boys, Henry and Jim, and two girls, Pearl and Josephine.

A. I know both the boys, but do'nt know the girls.

Q. Do you know whether there are any other heirs or not besides these?

A. Not that I know of.

And further this deponent saith not.

Josephine Skinner et als.

v. } In chancery.

J. A. Luke et als

Report of Bradford Kilby

Comm. in Chancery under

decree of January 17, 1914.

Filed January 27-14

D. J. Parker, R. C.

Bradford Kilby

ATTORNEY AT LAW,
SUFFOLK, VIRGINIA.

Josephine Skinner et als.....Complainants.

vs.

I. A. Luke et als.....Defendants.

This cause came on this day to be finally heard on the papers formerly read and on the report of John K. Hutton, Special Commissioner, filed on the 23rd day of January, 1915, to which report there is no exception, and was argued by counsel.

On consideration whereof, the Court doth approve and confirm the said report, and it appearing to the Court that a proper conveyance has been made to I. A. Luke, purchaser of the tract of land in the bill and proceedings mentioned, by the said special commissioner, that the proceeds of said sale have been properly disbursed, and there remaining nothing further to be done in this suit, the Court doth adjudge, order and decree that this cause be stricken from the docket.

Josephine Skinner et als.

vs.

I. A. Luke et als

Enter the 23. day of January,

1915.

as L. M. Moore

Entered in Chancery Order Book

No.

4

, Page 690

TO THE HONORABLE JAMES L. MCLEMORE, JUDGE OF THE CIRCUIT
COURT OF NANSEMOND COUNTY.

Josephine Skinner and James Skinner.....Complainants.

vs. First Rules in December, 1913.

I. A. Luke, R. C. Holland, Sallie Pearl

Matthias and _____Matthias, her husband,

whose name is unknown, the unknown heirs at law

of James Copeland and Sarah Copeland, and all

parties unknown.....Defendants.

Humbly complaining, sheweth unto the Court, your Complainants,
Josephine Skinner and James Skinner, her husband, the following facts:

James Copeland was in his lifetime seized and possessed of certain
real estate, situated in Nansemond County, Virginia, bounded by the lands
of Elisha Holland, James and Richard Lee, Jack James and Jack Norfleet.

Being seized and possessed as aforesaid, the said James Copeland
several years ago died intestate, leaving Henry Copeland, James Copeland,
Pear Matthias, Josephine Skinner and probably other heirs unknown as his
heirs at law.

The said Henry Copeland and James Copeland conveyed their interest
to I. A. Luke by deeds duly recorded in the Clerk's Office of the Circuit
Court of Nansemond County.

Your Complainants further state that on the 15th. day of February,
1884, the said James Copeland and Sarah Copeland, his wife, executed to
Mills H. Holland of Nansemond County, Virginia, a mortgage to secure a
note of \$110.00 executed by said Copeland and wife; that said debt secured
by said mortgage was paid in full by said James Copeland in his life time;
that said mortgage has never been foreclosed, and, having been executed
nearly thirty years ago is presumed to be satisfied. Your Complainants,
however, are advised that R. C. Holland claims to be assignee of the debt
and mortgage above mentioned although the same, as aforesaid, has been
fully satisfied. The said mortgage is filed along with this bill, marked

"Exhibit A" and prayed to be read as a part of the same.

Your Complainants further state that they desire the said real estate to be divided among the parties entitled thereto, if it be susceptible of such partition; but if not, then your Complainants desire the same to be sold and the proceeds divided among the parties entitled thereto, according to their respective rights. Should the property not be divisible in kind, your Complainants believe, and here state, that the interest of those who are entitled to said real estate, or its proceeds, will be promoted by the sale of the whole real estate, or by an allotment of part and a sale of the residue.

In tender consideration whereof and forasmuch as your Complainants are remediless in the premises save in a Court of Equity where alone such matters are properly cognizable, your Complainants pray that I. A. Luke, R. C. Holland, Sallie Pearl Matthias, _____ Matthias, whose name is unknown, and all the unknown heirs at law of James Copeland and Sarah Copeland, be made parties defendant to this bill and required to answer the same, answer under oath being hereby waived; that proper processes issue; that said real estate be divided among the parties entitled thereto, and your Complainants portion thereof be allotted to them, and in case said real estate can not be partitioned and divided in kind, that the same be exposed to sale and the proceeds thereof be divided among the parties entitled thereto; that all proper orders and decrees may be made and proper inquiries be directed; that the cause be referred to one of the commissioners of this Court for such inquiries; and that all such other, further and general relief may be afforded your Complainants as their case may require or to Equity shall seem meet. And your Complainants will ever pray, etc.

Josephine Skinner
James Skinner
By Counsel. *Emerson H. Hutton*

Josephine Skinner et al

vs. Bill in chancery

J. A. Luke et als.

Dated Dec. 15, 1913

G. E. Hutton

EVERETT & HUTTON

ATTORNEYS AT LAW

SUFFOLK, VA.

Dwight & Hutton, N. Y.

Josephine Skinner et al.

VS. In Chancery.

R. C. Duke et al.

Final decree entered

Jan. 23, 1864

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