1920-020
Nansemond Co (Suffolk) Chancery Causes: Ida Holland et al vs Maggie L. Smith et al

Pierce, Lawrence, Piker, Eley, Lassiter, Willie

IN THE CIRCUIT COURT OF NANsemond County, Virginia:

Ida Holland and Sam. Holland, her husband _____Complainants
versus
Maggie L. Smith and Kelly Smith, her husband;
Sallie L. Pierce and Vilts Pierce, her husband;
William A. Lawrence and Effie Lawrence, his wife;
Tiny L. Piker and Ned Piker, her husband;
W. Hatcher Eley, Trustee, and J. M. Lassiter, _____Defendants

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The object of the above-styled suit is to have a partition of the following real estate:

First: A tract of land situated in Sleepy Hole District, Nansemond County, Virginia, containing seventeen (17) acres, more or less, adjoining or contiguous to Prospect Land and adjoining the lands of Daniel Bell and others, and being the part of the old Albert Copeland tract of land set apart as a portion of William Lawrence on a plat made by George M. Stever, and recorded in the Clerk's Office of Nansemond County Court.

Secondly: A small tract of land containing seven (7) acres, more or less, and lying immediately on the West of the afaresaid tract, said tract being the same tract that was surveyed and laid off by metes and bounds and marked trees by John P. Cowling, and being the first line of survey made by the said Cowling.

These are the same tracts of land conveyed to William J. Lawrence and Mary Lawrence by Daniel Bell and Ann M. Bell, his wife, by their deed dated November 8, 1894, and recorded November 12, 1894, in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, in D. B. 34, page 511, and which said tracts of land said William J. Lawrence and Mary Lawrence died intestate, seized and possessed.

And it appearing by affidavit filed according to law that Maggie L. Smith and Kelly Smith, her husband; William A. Lawrence and Effie Lawrence, his wife; Tiny Piker and Ned Piker, her husband, of the above named defendants are not resident of this State, it is therefore ordered that the said Maggie L. Smith, Kelly Smith, William A. Lawrence, Effie Lawrence, Tiny L. Piker and Ned Piker, do appear within fifteen days (15) after publication of this order in the Clerk's Office of our said Court and do what is necessary to protect their interests, and it is further ordered that this order be published once a week for four (4) consecutive weeks in the Suffolk Herald, a newspaper printed in the City of Suffolk, Virginia.

A Copy Tests:
G. E. BUNTING,
Hugh L. Holland, p. q. Clerk
Apr. 16-23-30-May 7

OFFICE OF SUFFOLK HERALD

SUFFOLK, VA., June 17th 1920

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 weeks. beginning April 16th 1920 and ending May 7th 1920

C. L. Leach

Editor Herald

Per E. A. Morrison

~~Manager~~ Secy

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA:

Ida Holland and
Sam Holland, her husband, ...COMPLAINANTS

VS.....ORDER OF PUBLICATION .....

Maggie L. Smith and Kelly Smith, her husband;
Sallie L. Pierce and Vilts Pierce, her husband;
William A. Lawrence and Effie Lawrenee, his wife;
Tiny L. Piker and Ned Piker, her husband;
W. Hatcher Eley, Trustee, and
J. M. Lassiter.....DEFENDANTS

The object of the above styled suit is to have a partition of the following real estate:

First: A tract of land situated in Sleepy Hole District, in Nansemond County, Virginia, containing Seventeen (17) acres, more or less, adjoining or contiguous to Prospect Land and adjoining the lands of Daniel Bell and others and being the part of the old Albert Copeland tract of land set apart as a portion of William Lawrence on a plat made by George M. Stever and recorded in the Clerk's Office of Nansemond County Court.

Secondly: A small tract of land containing seven (7) acres, more or less, and lying immediately on the West of the aforesaid tract said tract being the same tract that was surveyed and laid off by metes and bounds and marked trees by John P. Cowling and being the first line or survey made by the said Cowling.

These are the same tracts of land conveyed to William J. Lawrence and Mary Lawrence by Daniel Bell and Ann M. Bell, his wife, by their deed dated November 8, 1894 and recorded November 12, 1894 in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, in Deed Book 34, page 511, and which said tracts of land said William J. Lawrence and Mary Lawrence died intestate, seized, and possessed.

And it appearing by affidavit filed according to law that Maggie L. Smith and Kelly Smith, her husband; William A. Lawrence and Effie Lawrence, his wife; Tiny L. Piker and Ned Piker, her husband; of the above named defendants are not residents of this state, it is therefore ordered that the said Maggie L. Smith, Kelly Smith, William A. Lawrence, Effie Lawrence, Tiny L. Piker, and Ned Piker, do appear within fifteen (15) days after publication of this order, in the Clerk's Office of our said Circuit Court, and do what is necessary to protect their interests, and it is further ordered that this order be published once a week for four (4) consecutive weeks in the Suffolk Herald, a newspaper printed in the City of Suffolk, Virginia.

Ida Holland et al

v. Order of Publication

Maggie L. Smith et als.

VIRGINIA: IN THE CIRCUIT COURT OF NANSEMOND COUNTY,

VIRGINIA, TO CLERK OF SAID COURT:

Ida Holland and
Sam Holland, her husband, ...COMPLAINANTS

VS. .....M E M O R A N D U M .....

Maggie L. Smith and Kelly Smith, her husband;
Sallie L. Pierce and Vilts Pierce, her husband;
William A. Lawrence and Effie Lawrence, his wife;
Frank Lawrence and Jeanette Lawrence, his wife;
Tiny L. Piker and Ned Piker, her husband;
W. Hatcher Eley, Trustee and
J. M. Lassiter .....DEFENDANTS.

Please summon defendants for complainants to second April (1920) rules, in chancery.

Hugh A. Holland p. q.

Sallie L. Pierce and Vilts Pierce, her husband; Frank Lawrence and Jeanette Lawrence, his wife; live and can be located near Magnolia, Nansemond County, Virginia.

W. Hatcher Eley, Trustee, and J. M. Lassiter live in the City of Suffolk.

All of the remaining defendants are non-residents.

Ida Holland et al

v. Memorandum

Maggie L. Smith et als.

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

April 5, 1920.

Mr. George E. Bunting, Clerk,

Suffolk, Virginia.

Dear Mr. Bunting: IN RE: IDA HOLLAND VS.
MAGGIE L. SMITH ET ALS.

I herewith enclose Memorandum, Affidavit as to non-residents, Order of Publication and Bill of Complaint. You will see necessary information for service of resident parties at the bottom of Memorandum. Please have Order of Publication as to non-resident parties.

I enclose you my check for $7.50 to cover Writ tax and Deposit.

Yours very truly,

Hugh L. Holland

HUGH L. HOLLAND.

HLH:W.

ENC.

Office of
George E. Bunting
County Clerk, Nansemond County
Suffolk, Virginia

Rule Notes

Ida Holland and Sam Holland, her husband — Plfts.

V In Chancery

Maggie L.Smith and Kelly Smith, her husband;

Sallie L.Pierce and Vilts Pierce, her husband;

William A.Lawrence and Effie Lawrence, his wife;

Frank Lawrence and Jeanette Lawrence, his wife;

Tiny L.Piker and Ned Piker, her husband;

W.Hatcher Eley, Trustee and J.M.Lassiter. — Defts.

April 6, 1920. Process issued against Sallie L.Pierce and Vilts Pierce, her husband; Frank Lawrence and Jeanette Lawrence, his wife; W.Hatcher Eley and J.M.Lassiter.

Affidavit of non-resident as to Maggie L.Smith and Kelly Smith, her husband; William A.Lawrence and Effie Lawrence, his wife; Tiny L.Piker and Ned Piker, her husband, filed; order of publ'n. to Suffolk Herald and copy posted at C.H.door.

Apr. 19, 1920.
Dec'd.

Ida Holland and
Sam Holland, her husband,.....COMPLAINANTS

VS.....AFFIDAVIT.....

Maggie L. Smith and Kelly Smith, her husband;
Sallie L. Pierce and Vilts Pierce, her husband;
William A. Lawrence and Effie Lawrence, his wife;
Frank Lawrence and Jeanette Lawrence, his wife;
Tiny L. Piker and Ned Piker, her husband;
W. Hatcher Eley, Trustee, and
J. M. Lassiter .....DEFENDANTS

State of Virginia,

City of Suffolk, ...to-wit:

This day Ida Holland, one of the above named complainants, personally appeared before me, Hugh L. Holland, a Notary Public in and for the City of Suffolk, in the State of Virginia, in my city aforesaid, and made oath that Maggie L. Smith and Kelly Smith, her husband; William A. Lawrence and Effie Lawrence, his wife; Tiny L. Piker and Ned Piker, her husband; of the defendants in this suit, are not residents of this state.

Given under my hand this 30th day of March, 1920.

Hugh L Holland

Notary Public.

My commission expires on the 26 day of September 1923.

Ida Holland et al

v. Affidavit

Maggie L. Smith et als.

CHANCERY SUMMONS.

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON...Maggie.L.Smith.and.Kelly.Smith, her husband;Sallie L.Pierce and Vilts Pierce,her husband;William A.Lawrence and Effie Lawrence,his wife;Frank Lawrence and Jeanette Lawrence,his wife; Tiny L.Piker and Ned Piker,her husband;W.Hatcher Eley,Trustee and J.M.Lassiter.

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...Third.....Monday in..April,1920....., to answer.....a.....Bill in Chancery, exhibited against.....them..... in the said Court by.....Ida Holland and Sam Holland,her husband

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this.....6th.....day of April,....., 19.20.., in the ~~143~~ 144th year of the Commonwealth.

~~A copy—Teste~~:

.....Clerk.

Teste: G. E. Bunting

....., Clerk.

Executed this 8 day of April, 1920 by delivering a true copy of the within process to W. Hatcher Tilley & J. M. Lassiter in person at their usual place of abode, By delivering a true copy to Sallie L. Price for her self and Willis Price her husband Willis Price not being found at his usual place of abode, Willis Price being over 16 years of age and having explained its purport to her in person, in the County of Nansemond, State of Virginia.

E. B. Rawles ..... Sheriff.

Virginia

Hugh O. Holland, p. q.

vs. } In Chancery.

Ada A. Holland & Bro., ...

Wm. H. Smith et al .....

19 20

Rules.

Monday.

NANSEMOND COUNTY COURT,

Process Book, No. 3

Page 115

Executed this 8th day of April 1920
By delivering a true copy in person to
Frank Lawrence and by delivering a true copy
for Jeanette Lawrence to Frank Lawrence her husband
who is over 16 years of age who was found at her
usual place of abode and having explained its purport
to him in Nansemond County, Virginia

E B Rawles Sheriff

EVERETT WADDEY CO.
STATIONERS AND PRINTERS,
RICHMOND, VA.
Form No. 311.

Virginia: In the Circuit Court of the County of Henrico,

the 7th day of Sept. 1920

S. E. Everett and Hugh L. Hoeland

named as Special Commissioners under a decree rendered on the 7th day of Sept.,
1920 in the chancery cause of Ida Hoeland &c.

vs.

Maggie L. Smither &c.,

this day, in open court, together with New Amsterdam Casualty Co.

as surety,

who first testified on oath as to the sufficiency of estate, entered into and acknowledged a bond in the penalty of $ 2,000.00, conditioned according to law as required by said decree.

By J. Ruby N. Burton D.C.

Form No. 311.

vs.

CERTIFICATE OF COURT
THAT COMMISSIONER
HAS GIVEN BOND.

65, 197
Nov. 21, 1908
Nov. 21. 1908

William J. Lawrence & Mary Lawrence his wife,
to
W. Hatcher Eley, Trustee
same. sold ~~by~~ Daniel Bell & Ann M. Bell D.B. 34, p. 512.
to secure James O. Savage $330., note of even date with ded & payable 3 yrs. from date. with int, from date payable annually & waiver homestead.

3, 61
Dec. 3, 1907 Rendered
Jan. 31, 1908 docketed

E. L. Polk & Co.
v.
Frank Lawrence
$3.75 with int. from Dec. 1. 1905 till paid & $1.00 costs. Waiver homestead.

1, 75
Nov. 1. 1875

Exum B. Britt.
v
Frank Lawrence
$98.35, int. from 1st. Jan. 1873. & $7.60 costs.

To Ida Holland and Sam Holland,her husband,

and

Maggie L. Smith,and Kelly Smith,her husband, Sallie L. Pierce and Vilts Pierce,her husband,Tiny L. Piker and Ned Piker,her husband,W. Hatcher Riley,Trustee and J. M. Lassiter.

You are hereby notified that on the _____day of July 1920,at the office of Hugh L. Holland,in the American Bank and Trust Company Building in the City of Suffolk,Virginia,between the hours of 10 A.M. and 5 P.M.,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,settled and reported to Court in pursuance of the decree of the Circuit Court of Nansemond County,Virginia, rendered June 10th.1920,in the suit in chancery pending in said Court to which you are parties plaintiff and defendant,to-wit:

1. An account of the real estate of which William J. Lawrence and Mary Lawrence,his wife,died seized and possessed,with an accurate description thereof,together with the annual and fee-simple value of the same and any liens of record binding said property,or the interest of any of the parties entitled thereto.

2. The heirs and distributees at law of the said William J. Lawrence and Mary Lawrence,his wife,deceased,together with their respective interests and shares in the said decedent's estate.

3. Whether partition can be conveniently made of the said property,and if not,whether any party will accept the entire property and pay therefor to the others such sums of money as their interest shall entitle them to receive,and if partition can not be conveniently made and no party will accept the entire subject matter whether the interest of the parties will be promoted by a sale of the entire subject matter and a division of the proceeds of the same or whether it would be to the interest of the parties that there should be an allotment of a part and a sale of the residue.

4. Whether there are any delinquent taxes against the said real estate described in the Bill of Complaint.

5. Whether there is any balance due on the deed of trust or mortgage mentioned in the Bill of Complaint,and if the said deed of trust is unpaid,what the balance due on the said deed of trust is.

6. To inquire and report to Court whether all parties interested are properly before the Court.

7. Any further matter deemed pertinent by the Commissioner or required to be stated by any party in interest.

Given under my hand as Commissioner in Chancery of said Court the 10th.day of July,1920.

Bradford Tilley

Commissioner in Chancery.

65, 197
59, 500
62, 169

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA:

IDA HOLLAND ET AL.....COMPLAINANTS

vs. REPORT OF SPECIAL COMMISSIONERS.

MAGGIE L. SMITH ET ALS.....DEFENDANTS

The undersigned commissioners in the above-styled cause report that, as directed by a decree entered herein on the 20th day of November, 1920, they have collected from the purchaser of the land in the bill and proceedings mentioned the sum of $1900.00, and have distributed the proceeds arising from said sale as follows:

By proceeds of sale.....			$1900.00
To J.M.Lassiter for D.of T. bond on property,	per voucher.....	$517.50	
to Suffolk Herald Ord. Pub.	" "	27.00	
to Bradford Kilby,Com. for Commissioner's fee	" "	35.00	
to G.E.Bunting, Clerk, writ tax,sheriff's and clerk's fees	" "	18.74	
to INS.DEPT.AM. BK. & TR. CO. for Prem. on bond	" "	10.00	
to taxed att'y's fees	" "	15.00	
to commissions of Special Com.	" "	47.00	
to fee for drawing deed	" "	10.00	
to war stamp on deed	" "	2.00	
to J.J.S.Branch, Auctioneer's fee	per voucher.	10.00	
to Piland Prt. Co. for printing handbills	per voucher.....	6.00	
to C.R.Fulgham, Co. Tr. for 1920 taxes	" "	7.20	
to Ida Holland 1/5 proceeds	" "	$238.91	
to Maggie L.Smith 1/5 proceeds	" "	$238.91	
to Sallie L. Pierce 1/5	" " "	$238.91	
to Wm. A. Lawrence 1/5	" " "	$238.91	
to Frank Lawrence 1/5	" " "	$238.92	
		$ 1900.00	1900.00

Respectfully submitted

S. E. Lawrence
Ida J. Holland
Special Commissioners

$330.

Three years after date we
promise to pay to James C Savage
his heirs executors & assigns the
just and full sum of Three Hundred
and Thirty dollars for value receive.
and bind ourselves our heirs executors
and assigns by these presents and waive
our homestead Exemption as far as
this Contract is assigned. for which
we witness our hands and seal this
the 21st day of November 1908.
This is Secured by a deed of trust.

~~William~~ William J his X Laurence mark Seal

Mary for X Laurence mark Seal

Witness
A. L. Loney

Bond of
William J Laurence
$330.00

Secured by Deed of Trust on Farm

1912 May 28th, For value received in the sum of $409.30, I hereby transfer and assign this bond and the deed of trust securing the same, unto Hattie B. Lassiter, without recourse to me or the estate of James O. Savage.
Ellie E. Savage, in ~~her own right and~~ as Executrix of James O. Savage.
Consideration of this bond is as follows:

Principal	330.
Int. to May 28. 1912	69.30
Cost of Examination of title	10.
	$409.30

over

Nov. 20/1914
Received from Frank Laurence $80.00 on the within note
J M Lassiter
~~Interest to Nov 20/14 $16.71~~

Dec. 30/16
Received from Frank Laurence $20.00 on the within note
J M Lassiter

Received $17.50 on the within Bond
Dec. 20-1920

Received of S. E. Everett and Hugh L. Holland, Special Commissioners in the suit of Ida Holland et al vs. Maggie L. Smith et als payment of the sum of

$ 27.00 , for printing order of publication.

HERALD PRINTING CORPORATION

By E. A. Morrison, Secy

November 22nd, 1920.

Please sign and return

Received of S. E. Everett and Hugh L. Holland, Special Commissioners in the suit of Ida Holland et al vs. Maggie L. Smith et als payment of the sum of

$ 30.00, for commissioner's fee.

Bradford Kilby

November 22nd, 1920.

Please sign and return

Received of S. E. Everett and Hugh L. Holland, Special Commissioners in the suit of Ida Holland et al vs. Margie L. Smith et als payment of the sum of

$ 18.74, for writ tax, sheriff's and clerk's fee.

G. O. Smith, Clerk

November 22nd, 1930.

18.74
7.50 Deposit
$ 11.24

Please sign & return

Atty. H. L. Holland

Received of S. E. Everett and Hugh L. Holland, Special Commissioners in the suit of Ida Holland et al vs. Maggie L. Smith et als payment of the sum of

$ 10 00 , for premium on bond, of special commissioners

November 22nd, 1920.

American Bank & Trust Co.
Insurance Department
NOV 24 1920

W. H. Jones

Please sign and return
Thank you

Received of S. E. Everett and Hugh L. Holland, Special Commissioners in the suit of Ida Holland et al vs. Maggie L. Smith et als payment of the sum of

$ 15-00 , for taxed attorney's fees.

Hugh L. Holland

November 22nd, 1920.

Received of S. E. Everett and Hugh L. Holland, special commissioners, in the suit of Ida Holland et al vs. Maggie L. Smith et als payment of the sum of $47.00 to cover commissions of special commissioners.

S. E. Everett

Hugh L. Holland

Nov. 22nd, 1920.

Received of S. E. Everett and Hugh L. Holland, Special Commissioners in the suit of Ida Holland et al vs. Maggie L. Smith et als payment of the sum of

$ 10 00 , for drawing special commissioners' deed.

Hugh L. Holland.

S. E. Everett

November 28th, 1920.

Received of S. E. Everett and Hugh L. Holland, Special Commissioners in the suit of Ida Holland et al vs. Maggie L. Smith et als payment of the sum of $2.00, for war stamp on deed of special commissioners.

Hugh L. Holland

November 22nd, 1920.

Received of S. E. Everett and Hugh L. Holland, Special Commissioners in the suit of Ida Holland et al vs. Maggie L. Smith et als payment of the sum of $10.00 for auctioneer's fee

John F. Brooks
auctioneer

November 22nd, 1920.

Received of S. E. Everett and Hugh L. Holland, Special Commissioners in the suit of Ida Holland et al vs. Maggie L. Smith et als payment of the sum of $6.00, for printing hand-bills.

Piland Printing Co
Ragsdale

November 22nd, 1920.

Please sign and return

M. Mary P. Lawrence

TAXES AND LEVIES, 1920

SLEEPY HOLE DISTRICT

Land.....Page.....Line.....

Personal Property...Page.....Line.....

Income.....Page.....Line.....

To C. R. FULGHAM, Treasurer of NANSEMOND COUNTY, VIRGINIA, Dr.

No. 7992

LOCAL RATES — REAL ESTATE AND TANGIBLE PROPERTY

County and District				
County Levy	$ .60			
County School Levy	.35			
District School Levy	.40			
District Road Levy	.20			
Total				$ 1.55

Local Rates on Intangibles (Classes 6, 1, 5, 3 and 2) for Roads, 30c. on $100	Valuation	Rate of State Tax on $100	State Tax	Rate of Local Levies on $100	Local Levies	Total Tax and Levies
Real Estate..... 27 Acres	$ 400	.25	1 00	$ 1 55	$ 6 20	$ 7 20
Real Estate..... Acres		.25		1 55		
Real Estate..... Acres		.25		1 55		
Real Estate..... Acres		.25		1 55		
Tangible Property.....		.25		1 55		
Class 4 (Money).....		.20		....NO NE..	.....NO NE..	
Clas 6 (Bonds of Counties, Cities and Towns of this State).....		.35		30		
Class 1 (Bonds, Notes and other evidences of debt).....Value $		.80		30		
Class 5 (Shares of Stock).....Value $		.80		30		
Class 3 (Fiduciary).....		.80		30		
Class 2 (Capital).....		.85		30		
Income.....		1% up to $3,000; 2% on excess		....NO NE..	.....NO NE..	
.....		...NONE...	.....NO NE..			
State Poll (or Capitation) Tax.....	.....		1 50	....NO NE..		
		Total Taxes and Levies.....	$		$	$ 7 20

CREDITS

Date	Account	Amount
		$

NOV 2 1920

Received payment:

Five per cent. Penalty.....

Total Taxes, Levies and Penalty..... $

W. W. Artman Deputy, Treasurer.

Received of S. E. Everett and Hugh L. Holland, Special Commissioners in the suit of Ida Holland et al vs. Maggie L. Smith et als payment of the sum of $ 23891 for my full share of the proceeds of sale of land in said suit.

Ida Holland
~~by Hugh L. Holland~~
her atty

Suffolk, Virginia.

Nov. 1920.

Ida Holland

Received of S. E. Everett and Hugh L. Holland, Special Commissioners, in the suit of Ida Holland et al vs. Maggie L. Smith et als payment of the sum of $238.91 for my full share of the proceeds of sale of land in said suit.

Maggie L Smith
by S E Everett Jr Atty

Suffolk, Virginia.

Nov. 1920.

Received of S. E. Everett and Hugh L. Holland, Special Commissioners, in the suit of Ida Holland et al vs. Maggie L. Smith et als payment of the sum of $ 238.91 for my full share of the proceeds of sale of land in said suit.

Jackie L. Pierce
by S E Everett her Atty

Suffolk, Virginia.

Nov. 1920.

Received of S. E. Everett and Hugh L. Holland, Special Commissioners in the suit of Ida Holland et al vs. Maggie L. Smith et als payment of the sum of $ 238.91 for my full share of the proceeds of sale of land in said suit.

Wm A Lawrence
by S E Everett Jr Atty

Suffolk, Virginia.

Nov. 1920.

Received of S. E. Everett and Hugh L. Holland, Special Commissioners in the suit of Ida Holland et al vs. Maggie L. Smith et als payment of the sum of $ 238.92 for my full share of the proceeds of sale of land in said suit.

Francis Lawrence
by S. E. Everett his Atty

Suffolk, Virginia.

Nov. 1920.

IDA. HOLLAND ET AL...
COMPLAINANTS

vs. SPECIAL COMS' REPORT

MAGGIE L. SMITH....
DEFENDANTS

1920 Dec 4. filed
J.R.M.

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA:

IDA HOLLAND ET AL.....COMPLAINANTS.

vs. REPORT OF SPECIAL COMMISSIONERS

MAGGIE SMITH ET ALS.....DEFENDANTS.

The undersigned, S. E. Everett and Hugh L. Holland, special commissioners, respectfully represent to court:

That pursuant to a decree entered in the above-styled cause on the 7th day of September, 1920, your commissioners executed the bonds required by said decree and, after having duly advertised the time, terms and place of sale in accordance with the terms of said decree, as shown by a copy of advertisement hereto attached, exposed to sale at public auction in front of the National Bank of Suffolk Building in the City of Suffolk, Virginia, on the 18th day of November, 1920, the land in the bill and proceedings mentioned, being described as follows:

"(1) A tract of land situated in Sleepy Hole Magisterial District, in Nansemond County, Virginia, containing Seventeen (17) acres, more or less; adjoining or contiguous to Prospect Land and adjoining the lands of Daniel Bell and others and being the part of the old Albert Copeland tract of land set apart as the portion of William Lawrence on a plat made by Geo. M. Stever and recorded in the clerk's office of Nansemond County Court.

(2) A small tract of land containing Seven (7) acres, more or less and lying immediately on the West of the aforesaid tract, said tract being the same tract that was surveyed and laid off by metes and bounds and marked trees by John P. Cowling and being the first line of survey made by the said Cowling". The said land is the same which by deed recorded in D. B. No. 34, page 512 in Nansemond County clerk's office, Va., was sold to the said William J. Lawrence, and Mary Lawrence, his wife, by Daniel Bell and Ann M. Bell, his wife.

At said sale Frank Lawrence became the purchaser of the said real estate for the price of $1900.00. He states that he is ready to pay the money cash and to receive a deed for the property. This purchase price is considerably more than the appraised value under the commissioners' report.

Your commissioners would further report that said sale in their opinion is an excellent one; and would, therefore, recommend the confirmation of same and request that they be authorized to execute and deliver to the said purchaser a deed, with special warranty conveying the said land upon the payment of the purchase price for same.

Respectfully submitted.

SPECIAL COMMISSIONER.

SPECIAL COMMISSIONER.

IDA HOLLAND ET AL....
COMPLAINANTS.

vs. SPECIAL COMMISSIONERS' REPORT

MAGGIE SMITH ET ALS....
DEFENDANTS.

1920 Nov. 20. Filed
J.L.M

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

IDA HOLLAND ET AL.....COMPLAINANTS.

vs. DECREE

MAGGIE SMITH ET ALS.....DEFENDANTS

This cause came on this day to be again heard on the papers formerly read as well as on the report of S. E. Everett and Hugh L. Holland, Special Commissioners, duly appointed as such by decree entered herein on the 7th day of September, 1920, directing said commissioners to make sale of the real estate in the bill and proceedings mentioned, which said report was this day filed by leave of court ~~and by consent of all parties, complainants and defendants~~, and to which said report no exceptions have been taken and was argued by counsel.

It appearing from said report that said special Commissioners, S. E. Everett and Hugh L. Holland, having executed the bond required of them by said decree, have sold the real estate in the bill and proceedings mentioned strictly in accordance with the terms of said decree, to Frank Lawrence, for the sum of $1900.00.

On consideration whereof, the court, approving and confirming the said report, doth adjudge, order and decree that the sale therein reported, to-wit:

" (1) A tract of land situated in Sleepy Hole Magisterial District, in Nansemond County, Virginia, containing Seventeen (17) acres, more or less; adjoining or contiguous to Prospect Land and adjoining the lands of Daniel Bell and others and being the part of the old Albert Copeland tract of land set apart as the portion of William Lawrence on a plat made by Geo. M. Stever and recorded in the clerk's office of Nansemond County Court.

(2) A small tract of land containing Seven (7) acres, more or less and lying immediately on the West of the aforesaid tract, said tract being the same tract that was surveyed and laid off by metes and bounds and marked trees by John

P. Cowling and being the first line of survey made by the said Cowling". The said land is the same which by deed recorded in D. B. No. 34, page 512 in Nansemond County clerk's office, Va., was sold to the said William J. Lawrence, and Mary Lawrence, his wife, by Daniel Bell and Ann M. Bell, his wife,"

to Frank Lawrence for the sum of $1900.00, be, and the same is hereby declared to be firm and binding.

And it further appearing to the court that the said purchaser desires to pay the entire purchase price in cash, the court doth adjudge, order and decree that S. E. Everett and Hugh L. Holland, special commissioners as aforesaid, be, and hereby are authorized and directed, upon the receipt of the said purchase money, to execute and deliver to the purchaser a deed with special warranty for the said property, and out of the proceeds of said sale said special commissioners are directed to pay, first, all cost and expenses of this suit and sale, and to distribute the balance among the parties entitled thereto.

And said commissioners are directed to make report of all their proceedings hereunder to this court, and this cause is continued.

IDA HOLLAND ET AL....

COMPLAINANTS

vs. DECREE

MAGGIE SMITH ET ALS

DEFENDANTS.

Entr Nov. 20.1920

Jas. L. Whitmore

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

Ida Holland
Fern Holland

Sallie Pierce
Wilson Pierce

Maggie Smith
Kelly Smith
Boston

Wm Albert Lowery
Eudelia Lowery

Frank L. Lowery
Jennette Lowery

IN THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND, VIRGINIA:

IDA HOLLAND and
SAM HOLLAND, her husband.....COMPLAINANTS.

VS.....DECREE.

MAGGIE L. SMITH and KELLY SMITH, her husband;
SALLIE L. PIERCE and VILTS PIERCE, her husband;
TINY L. PIKER and NED PIKER, her husband; Frank Lawrence and Jeanette Lawrence his wife
W. HATCHER ELEY, TRUSTEE, and J. M. LASSITER.....DEFENDANTS.
William J Lawrence and Effie Lawrence his wife

This cause came on this day to be heard on the Bill of Complaint, it appearing that the resident defendants having been legally served with process, and the non-resident defendants legally proceeded against by order of publication, in the absence of answers by the defendants, the said bill is taken confessed as to them all of whom are adults, and was argued by counsel.

On consideration whereof, the Court doth adjudge, order and decree that one of the commissioners of this court take, state, and report to Court the following inquiries:

FIRST- An account of the real estate of which William J. Lawrence and Mary Lawrence, his wife died seized and possessed, with an accurate description thereof, together with ~~the~~ annual and fee simple value of the same, and any liens of record binding said property, or the interest of any of the parties entitled thereto.

SECOND- The heirs and distributees at law of the said William J. Lawrence and Mary Lawrence, his wife, deceased, together with their respective interests and shares in the said decendents' estate.

THIRD- Whether partition can be conveniently made of the said property, and if not, whether any party will accept the entire property and pay therefor to the others such sums of money as their interest shall entitle them to receive, and if partition cannot be conveniently made, and no party will accept the entire subject matter, whether the interest of the parties will be promoted by a sale of the entire subject matter, and a division of the proceeds of same, or whether it would be to the interest of the parties that there should be an allotment of a part and a sale of the residue.

FOURTH- Whether there are any delinquent taxes against the said real estate described in the Bill of Complaint.

FIFTH- Whether there is any balance due on the deed of trust or mortgage mentioned in the Bill of Complaint; and, if the said deed of trust is unpaid, what the balance due on the said deed of trust is.

SIXTH- To inquire and report to Court whether all parties interested are properly before the Court; and

SEVENTH- Any further matter deemed pertinent by the commissioner or required to be stated by any party in interest.

IDA HOLLAND ET AL
.....COMPLAINANTS.

vs. DECREE.

MAGGIE L: SMITH ET ALS
.....DEFENDANTS.

Entered June 10, 1925.

J. L. McLemore

#5- Pg. 271

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

VIRGINIA: IN THE CIRCUIT COURT OF NANSEMOND COUNTY:

IDA HOLLAND and
SAM HOLLAND, her husband.....COMPLAINANTS.

vs.....DECREE

MAGGIE L. SMITH AND KELLY SMITH, her husband;
SALLIE L. PIERCE AND VILTS PIERCE, her husband;
TINY L. PIKER AND NED PIKER, her husband;
FRANK LAWRENCE AND JEANETTE LAWRENCE, his wife
W. HATCHER ELEY, TRUSTEE, and J. M. LASSITER.....DEFENDANTS.
and William A. Lawrence and Effie Lawrence, his wife.

This cause came on this day to be again heard on the papers formerly read and the report of the commissioner, Bradford Kilby, dated on the 30th day of July, 1920, which report has been returned and filed July 30th 1920 more than ten days from the date of this decree, and to which no exception has been taken, and was argued by counsel.

On consideration whereof, the Court doth approve and confirm the said report, and doth adjudge, order and decree that S. E. Everett and Hugh L. Holland, who are hereby appointed Special Commissioners for that purpose, do proceed, after having advertised the time, place and terms of sale, for at least ten days prior to the day of sale by printed hand bills conspicuously posted in the County of Nansemond, and in the City of Suffolk, Virginia, and in such other manner as deemed advisable by the said commissioners, to sell the real estate in the bill and proceedings mentioned of which William J. Lawrence and Mary Lawrence, his wife, died seized and possessed, situated, lying and being in the County of Nansemond

State of Virginia, and described as follows, to-wit:

" FIRST: A tract of land situated in Sleepy Hole Magisterial Distrtict, in Nansemond County, Virginia, containing Seventeen (17) acres, more or less, adjoining or contiguous to Prospect Land and adjoining the lands of Daniel Bell and others and being the part of the old Albert Copeland tract of land set apart as the portion of William Lawrence on a plat made by George M. S tever and recorded in the Clerk's Office of Nansemond County Court".

SECOND: A small tract of land containing seven (7) acres, more or less and lying immediately on the West of the aforesaid tract, said tract being the same tract that was surveyed and laid off by metes and bounds and marked trees by John P. Cowling and being the first line of survey made by the said Cowling".

The said land is the same which by deed recorded in Deed Book No. 34, page 512 in Nansemond County Clerk's Office, Virginia, was sold to the said William J. Lawrence and Mary Lawrence, his wife, by Daniel Bell and Ann M. Bell, his wife.

TERMS OF SALE: C A S H:

But the said commissioners shall have no power to execute this decree until they shall enter into a bond with sufficient security to be approved by the clerk of this Court, payable to the Commonwealth of Virginia, in the penalty of $2000- and conditioned for the faithful discharge of their duties hereunder.

And the said commissioners shall report to the Court.

IDA HOLLAND ET AL ...COMPLAINANTS

vs. DECREE

MAGGIE L. SMITH ET ALS...
DEFENDANTS.

Entd Sept 7. 1920.
Jas L. McKinney
#5-Fg. 331

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

To Ida Holland and Sam Holland,her husband,

and

Maggie L. Smith,and Kelly Smith,her husband, Sallie L. Pierce and Vilts Pierce,her husband,Tiny L. Piker and Ned Piker,her husband,W. Hatcher Eley,Trustee and J. M. Lassiter, Frank Lawrence and Jeannette Lawrence, his wife,

You are hereby notified that on the 30th day of July 1920,at the office of Hugh L. Holland,in the American Bank and Trust Company Building in the City of Suffolk,Virginia,between the hours of 10 A.M. and 5 P.M.,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,settled and reported to Court in pursuance of the decree of the Circuit Court of Nansemond County,Virginia, rendered June 10th.1920,in the suit in chancery pending in said Court to which you are parties plaintiff and defendant,to-wit:

1. An account of the real estate of which William J. Lawrence and Mary Lawrence,his wife,died seized and possessed,with an accurate description thereof,together with the annual and fee-simple value of the same and any liens of record binding said property,or the interest of any of the parties entitled thereto.

2. The heirs and distributees at law of the said William J. Lawrence and Mary Lawrence,his wife,deceased,together with their respective interests and shares in the said decedent's estate.

3. Whether partition can be conveniently made of the said property,and if not,whether any party will accept the entire property and pay therefor to the others such sums of money as their interest shall entitle them to receive,and if partition can not be conveniently made and no party will accept the entire subject matter whether the interest of the parties will be promoted by a sale of the entire subject matter and a division of the proceeds of the same or whether it would be to the interest of the parties that there should be an allotment of a part and a sale of the residue.

4. Whether there are any delinquent taxes against the said real estate described in the Bill of Complaint.

5. Whether there is any balance due on the deed of trust or mortgage mentioned in the Bill of Complaint,and if the said deed of trust is unpaid,what the balance due on the said deed of trust is.

6. To inquire and report to Court whether all parties interested are properly before the Court.

7. Any further matter deemed pertinent by the Commissioner or required to be stated by any party in interest.

Given under my hand as Commissioner in Chancery of said Court the 10th.day of July,1920.

Bradford Kilby

Commissioner in Chancery.

Sufficient and legal service of the within notice is hereby accept-
ed by us.

J E Evans, atty. for
Defendants. Maggie L. Smith, Lilly Smith, Sallie L
Pierce, Vetto Pierce, Tiny Pitts & Red Pitts, Frank
Lanphear & Jeannette Lawrence.
W. Lankster.

W S Holaday, Exley Stokes
Hugh Holland & atty
for Ada Holland
and Sam Holland.

Virginia,

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

Ida Holland and other	)	
	)	
v.	)	In Chancery.
	)	
Maggie L. Smith and others	)	

Commissioner's office,

Suffolk, Va. July 30th.1920.

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 10th.day of June 1920 in the suit in chancery pending in said court between Ida Holland and other,Complainants, against Maggie L. Smith and others,Defendants,the undersigned,Bradford Kilby,one of the Commissioners in Chancery for said Court,respectfully reports as follows:

That on the 10th.day of June 1920,your commissioner gave notice to the parties to the said suit that he would proceed,at the office of Hugh L. Holland,in the American Bak and Trust Company Building in the City of Suffolk, Va. between the hours of 10 A.M. and 5 P.M. to make the several inquiries required by said decree to be made by one of the Commissioners in Chancery for said Court.

That sufficient and legal service of the said notice was duly accepted by the parties to said suit,some in person and others by their attorneys as will appear by the endorsations on the said notice herewith returned.

That on the 30th.day of July 1920,at the office of your commissioner in the City of Suffolk,Va. to which place adjournment by consent of all parties was made,your commissioner took the depositions of Frank Lawrence,J.M.Lassiter and Edward Willie touching said inquiries,which depositions are herewith returned as a part of this report.

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

(1)

The real estate of which William J. Lawrence and Mary Lawrence, his wife, died seised and possessed is described as follows:

"First: A tract of land situated in Sleepy Hole Magisterial District in Nansemond County,Virginia, containing seventeen (17) acres,more or less,adjoining or contiguous to Prospect Land and adjoining the lands of Daniel Bell and others and being the part of the old Albert Copeland tract of land set apart as the portion of William Lawrence on a plat made by George M. Stever and recorded in the Clerk's office of Nansemond County Court".

"Second: A small tract of land containing seven (7) acres, more or less, and lying immediately on the West of the aforesaid tract,said tract being the same tract that was surveyed and laid off by metes and bounds and marked trees by John P. Cowling and being the first line of survey made by the said Cowling."

The said land is the same which by deed recorded in Deed-book No. 34,page 512 in Nansemond County Clerk's office,Va. was sold to the said William J. Lawrence and Mary Lawrence, his wife, by Daniel Bell and Ann M. Bell,his wife.

The fee-simple value of this land is about $1.500.

The annual value is between $50. and $75.

The following liens of record are found against the said land.: First: A deed of trust executed by William J. Lawrence and Mary Lawrence his wife,to W. Hatcher Eley,Trustee to secure to James O. Savage ,the payment of the sum of $330. evidenced by a negotiable note for that sum,dated November 21st.1908 and payable three years after its date,with interest from its date,payable annually,and waiving the homestead exemption.

This deed of trust is dated November 21st.1908 and is recorded in Deed-book No.65,page 197 in the Clerk's office of the Circuit Court of Nansemond County,Virginia. The present holder of said bond is J. M. Lassiter

Second: A judgment against Frank Lawrence in favor of E. L. Folk and Co. rendered December 3,1907 and Docketed January 31,1908 in Judgment Docket No. 3,page 61 in Nansemond County Clerk's office,Virginia,for the sum of $3.75 with interest thereon from December 1st.1905 until paid,ahd $1. costs. This judgment is upon an instrument waiving the homestead exemption.

(2)

The heirs and distributees at law of the said William J. Lawrence and Mary Lawrence,his wife,and:their respective interests and shares in said decedent's estate,are:

Ida Holland,a daughter,one-~~fourth~~ fifth fee-simple interest.

Maggie L. Smith,a daughter,one-~~fourth~~ fifth fee-simple interest.

Sallie L. Pierce,a daughter,one-~~fourth~~ fifth fee-simple interest.

Frank Lawrence,a son,one-~~fourth~~ fifth fee-simple interest

William A. Lawrence, a son, one-fifth fee-simple interest

Tiny L. Piker,a daughter,who was made a party to this suit and was living at the time of its institution,has since died,leaving no children,and never having had any children born alive.

(3)

Partition can not be conveniently made of the said property. It is too small and will lose value by so doing. No party in interest will take the entire property and pay the others for their shares such sums of money as their interests may entitle them to.The interests of the parties will be promoted by a sale of the whole property and a division of the proceeds of sale,rather than by an allotment of part and sale of the residue.

(4)

(4)

There are no delinquent taxes against the said real estate in the bill mentioned in this cause.

(5)

The original note,made by William J. Lawrence,and payable to James O. Savage and secured by the deed of trust herein before mentioned,was for the sum of $330. The amount of $80.30 interest had accrued on this note when James O. Savage died,and J. M. Lassiter bought this note for the sum of $410.30,when the estate of James O.Savage was settled,and is the present holder of the said note. According to the testimony of J. M. Lassiter,the sum of $98.56 additional interest has accrued on this note since,he purchased the same,the said $98.56 interest being computed on $410.30 as a principal,instead of the original $330.

(6)

All proper parties in interest are before the court in this cause.

(7)

There is no other matter deemed pertinent by your commissioner or required by any party in interest to be so stated.

Respectfully submitted this 30th.day of July 1920.

Bradford Kilby

Commissioner in Chancery.

Comr's fee $35.00

Frank Lawrence being duly sworn,deposes as follows:

Q. What is your name,age,residence,occupation and do you know the land mentioned in the Bill in this cause?

A. Frank Lawrence,age 37 years,occupation farmer. I live on the land mentioned in this cause. It belonged to my father,William J. Lawrence,

Q. The following people are made parties to this suit for partition of this land;Ida Holland and Sam Holland,her husband,Maggie L. Smith and Kelly Smith,her husband,Sallie L. Pierce and Vilts Pierce,her husband,Tiny L. Piker and Ned Piker,her husband, W. Hatcher Eley,Trustee, and J. M. Lassiter. Are they all who have any interest in said land?

A. Yes. They are all. Tiny L. Piker died this year,leaving no children. She never had any born alive. She died after her father,William J.Lawrence.

Q. What in your opinion is the fee-simple value of this land?

A. About $1.000.

Q. What is the annual value?

A. I rent the open land now for $25. per year. There are only about 7 acres cleared. The whole farm should rent for about $35. per year.

Q. Can this land be conveniently divided in kind among those entitled to share therein?

A. No. Some would get marsh land. Only about 7 acres are cleared. There is no good timber on the land,only small stuff and this was burned over this Spring. The houses are in bad repair.

Q. Will any party take the entire property and pay the others for their shares?

A. No.

Q. Would it be better to sell the land as a whole or to allot a part and sell the residue?

A. It would be better to sell as a whole.Everybody would get more out of it that way. It will bring more money sold as a whole.It has only 24 acres,and it too small to divide in any way,to any advantage.

And further this deponent saith not.

Frank Lawrence

Edward Willie being duly sworn deposes as follows:

Q. What is your name,age,residence,occupation and do you known the land mentioned in the Bill in this cause?

A. Edward Willie,age 46 years,residence Nansemond County in Sleepy Hole District,occupation farmer. I know the land well. It adjoins mine.

Q. What is your opinion as to the fee-simple value of this land?

A. I think it is worth $2.000.

Q. What is its annual value?

A. It ought to rent for $100. per year.

Q. The following are made parties to this suit: Ida Holland and Sam Holland,her husband,Maggie L. Smith and Kelly Smith,her husband,Sallie L. Pierce,and Vilts Pierce,her husband,William A. Lawrence and Effie Lawrence,his wife,Tiny L. Piker and Ned Piker,her husband,W. Hatcher Eley,Trustee and J.M.Lassiter, are these all who have any interest in this land?

A. Yes,they are all. Tiny L. Piker is now dead,having died this year after this suit was brought.

Q. Do you think this land could be conveniently divided in kind among those entitled to share therein?

A. No. There are about 24 acres of which about ten are cleared. There are two small dwellings on the land,both in bad condition and the outhouses are also in bad repair. The woodland is set in small scrubby stuff,no good timber,but mostly underbrush,and there is somee of it swampy and in ravines. This would make it hard to divide equally among five parties and give each an equal share.

Q. Would it promote the interest of all parties to sell the land and divide the proceeds or allot a part and sell the residue?

A. It would be better to sell the whole land.They would get more out of it that way.

Ed Willie

J. M. Lassiter,being duly sworn,deposes as follows:

Q. What is your name,age,residence,occupation and do you know the land mentioned in the Bill in this cause?

A. J. M. Lassiter,age 59 years,residence,Suffolk,Va.;occupation farmer and merchant. I know the land well. It adjoins mine and I have a mortgage on it.

Q. What is the amount of your mortgage on this land and who is the Trustee in your deed of trust?

A. W. Hatcher Eley is the Trustee,and the amount of the principal of my mortgage is $410.30,and the interest up to August 28th.1920 is $98.56,making a total of $508.86 due me on that date.

Q. What in your opinion is the fee-simple value of this land?

A. About $1.500.

Q. What is the annual value?

A. About $ 75.00

Q. Do you think this land could be conveniently divided in kind among five parties?who are interested therein?

A. No. It too small. There are only 24 acres,of which about 7 acres are under cultivation,and the balance is in marsh,ravines,and small scrubby timber. Two small houses on the land are in bad condition.

Q. Would it be better to sell the land as a whole or to allot a part and sell the residue?

A. It would be better to sell the whole land. That is the only way it would bring the most money for all concerned

And further this deponent saith not.

J M Lassiter

Comr's Report

Ida Holland et al.

v.

Maggie L. Smith et als

Report of Bradford Kilby,
Commissioner in Chancery
under decree of July 10th.
1920.
Filed July 30, 1920
G. D. Holmes
Clerk

BRADFORD KILBY
Attorney at Law
SUFFOLK, VIRGINIA.

Baltimore Office Supply Company, Baltimore, Md.

IDA HOLLAND ET AL.....COMPLAINANTS.

vs. DECREE.

MAGGIE L. SMITH ET ALS.....DEFENDANTS.

This cause came on this day to be finally heard on the papers formerly read and on the report of S. E. Everett and Hugh L. Holland, Special Commissioners, this day filed by leave of Court, to which report there is no exception, and was argued by counsel.

On consideration whereof, it appearing to the Court that the said special commissioners, S. E. Everett and Hugh L. Holland, have collected the purchase price of the tract of land mentioned and described in the bill and proceedings: have conveyed said land to the purchaser thereof by deed with special warranty; have paid the costs of this suit and the expenses of sale; and have distributed the balance of the proceeds arising from said sales in accordance with a decree heretofore entered in this cause on the 20th day of November, 1920, all of which disbursements being accompanied by proper vouchers, the Court doth ratify, approve and confirm the said report of said sale, and there being nothing remaining to be done in this suit, it is ordered that the same be stricken from the docket.

IDA HOLLAND ET AL...

COMPLAINANTS

vs. DECREE

MAGGIE L. SMITH ET ALS....

DEFENDANTS

1920 Dec 4, Enter.

J. L. W. Lemmore

#5 Pg. 313

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

TO THE HONORABLE CIRCUIT COURT OF NANSEMOND COUNTY:

Your complainants, Ida Holland and Sam Holland, respectfully represent:

(1) That William J. Lawrence and Mary Lawrence, his wife, were in their lifetime, seized and possessed of certain real estate lying in the County of Nansemond, State of Virginia,

"First: A tract of land situated in Sleepy Hole District in Nansemond County, Virginia, containing Seventeen (17) acres, more or less, adjoining or contiguous to Prospect Land and adjoining the lands of Daniel Bell and others and being the part of the old Albert Copeland tract of land set apart as a portion of William Lawrence on a plat made by George M. Stever and recorded in the Clerk's Office of Nansemond County Court.

Secondly: A small tract of land containing seven (7) acres, more or less, and lying immediately on the West of the aforesaid tract said tract being the same tract that was surveyed and laid off by metes and bounds and marked trees by John P. Cowling and being the first line or survey made by the said Cowling." And while so seized and possessed, said William J. Lawrence and Mary Lawrence, his wife, died intestate, leaving your complainant, Ida Holland, and Maggie L. Smith, Sallie L. Pierce, William A. Lawrence, Frank Lawrence, and Tiny L. Piker, his only children and heirs at law; and,

(2) That Sam Holland is the husband of said Ida Holland, Kelly Smith is the husband of said Maggie L. Smith, Vilts Pierce is the husband of Sallie L. Pierce, Effie Lawrence is the wife of William A. Lawrence,

Jeanette Lawrence is the wife of Frank Lawrence, and Ned Piker is the husband of Tiny L. Piker.

(3) That the said property is subject to a deed of trust from said William J. Lawrence and Mary Lawrence, his wife, to W. Hatcher Eley, Trustee, dated November 21, 1908, recorded November 21, 1908, in Deed Book 65, page 197, of which deed of trust James O. Savage was the original holder and beneficiary, but said deed of trust is now being held by said J. M. Lassiter, as assignee of said James O. Savage, the original amount of which said deed of trust was $330.00, the amount due on the same now being $_____ with interest from the _____ day of _____, 19_____.

(4) That all of the parties of this suit are adults; and,

(5) That the said real estate is, as he believes, susceptible of partition among the parties entitled thereto; but should the property not be divisible in kind, complainants believe, and here state, that the interests of those who are entitled to the said real estate, or its proceeds, will be promoted by a sale of the whole of the same, or by an allotment of part and the sale of the residue:

In consideration whereof, and forasmuch as your complainants are remediless in the premises save by the aid of a court of equity, they pray that the said Maggie L. Smith, Kelly Smith, Sallie L. Pierce, Vilts Pierce, William A. Lawrence,Effie Lawrence, Tiny L. Piker, Ned Piker, W. Hatcher Eley, Trustee, and J. M. Lassiter, may

be made parties defendant to this bill and required, but not on their oaths, to answer the same, the oaths being hereby waived, that the said real estate be divided between the parties entitled thereto, or else, if it cannot be so devised, that it may be sold and the proceeds divided among the parties according to their respective rights; that all proper orders and decrees may be made, accounts taken, and inquiries directed; and that your complainants may have all such further and other and general relief in the premises as the nature of their case shall require, or to equity shall seem meet.

Ida Holland and
Sam Holland her husband Complainants.

Hugh M. Holland, Counsel.

IDA HOLLAND ET AL

VS. BILL.

MAGGIE L. SMITH, ET ALS.

Filed Oct. 19, 1920

G. D. Martin, Clerk

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA