

1876-010
Nansemond Co. (Suffolk)

Chancery Causes: Admrof William R. Lawrence, Thomas H. Cross, Gdn of heirs of Wilson Darden vs Henry Austin

Darden, Rawls, Daughtrey, Lawrence

oversize box 2
- 1 broodside

Laurens Adams & Vashu;

Sum 25-

Copy 12-

at 10

3 & 1 36

Bel 15-

pa 25-

Ref 15-

2 Rules 1.00
\$2.58

Dec 10 1.00

Contro 36

Tel rep 30

Dec 10 1.00

Copy rights 1.05

\$6.29 cch to mar 4 1/2

Dec 10 1.00

Cost 40

pa 20

Ex 53

Reg ret 50

Statement 1.00

\$9.97

Costs

cch - - \$9.97

Shff - - 50

ally - - 15.00

Tax - - 1.00

Comm - 10.00

\$36.47

sk costs

To the Circuit Court of Ansonand Co. W^a.

The undersigned. reports to Court, that pursuant to the Decree of said Court, made at the Oct.^o Term 1873, in the cause of Lawrence, adm^r, sal., plaintiff against Henry Austin, he has completed the collections as directed by said Decree. I now make this, his second report, & final, to wit: By 2^d. & 3^d. Bonds of David Boytt

and Arthur E. Hall, each

for \$41.66 $\frac{2}{3}$ = making \$83.33 $\frac{1}{3}$

By Interest from 9 Dec 1872 to

9 Dec 1875, 3 years

Total

\$ 15.00 $\frac{2}{3}$

\$ 98.34

To paid adv^c costs

5.34

\$ 95.00

To paid in further part of Judgment in favor of Jona^s W. Lawrence adm^r of W^o R. Lawrence dec^d as directed by said Decree, the sum of \$95.00

Rec^d with special warranty have been made to David Boytt for 62 $\frac{1}{4}$ acres & to Arthur E. Hall for 25 $\frac{1}{4}$ acres as directed. by said Decree

1875, Dec 9th.

Respectfully submitted
John R. Kilby, Com^r

1875 Dec. 9. Rec^d of John R. Kilby Com^r. the sum of Ninety five dollars, as above in part of claim referred to.

John R. Kilby atty
for Jona^s W. Lawrence adm^r
of W. R. Lawrence dec^d

Laurence, adm to

M

Austin

2^d final report
of payments

Filed Dec. 31st 1875. *ek*

Virgo: In the Circuit of Evansmond Octo Term 1873

Jonas W. Lawrence admr W^rR Lawrence sol. Deft

"

Henry Austin

In Chancery
Deft

This cause came on this day to be again heard on the papers formerly read, and on the report of sale made by Geo R. Tibby Com^r under the decree of the County Court of Evansmond County of 12 Octo 1872 (to which report there is no exception) and on paper signed by David Boytt purchaser of one of the parcels of land sold under proceedings herein directing a deed to be made to Arthur E Hall for $25\frac{1}{4}$ acres therein described and which paper is marked (S) and filed in the cause, and was argued by Counsel: On consideration whereof the Court doth confirm the said report and doth adjudge order and decree that Geo R. Tibby Com^r as aforesaid receiver of the Clerk of this Court (who will deliver the same to him on his leaving a receipt therefor) the 3 bonds of David Boytt and Arthur E Hall for \$41. 66 $\frac{2}{3}$ each, and the 2 bonds of B Elcrof and Frank W Crof for \$71. 75 each and collect the same when due, with all interest thereon and with the sum of \$12. 58 in the hands of said Com^r as appears by his said report pay any costs that may remain unpaid and then pay the proceeds as follows: to Tho^s H Crof \$76. 48 with Int on \$41. part thereof from the 12

day of Octo 1872, and to said Thos H. Croft \$181.07
with Interest on \$103 00 part thereof from 12 Octo
1872, being the 1st lien on said funds as
appears by report of Wilbur J. Tulby Court of the
18 Sept 1872, Then pay the residue of said funds
to Jonas W Lawrence adms of W^m R Lawrence decd the
sum of \$430.18 with Interest on \$244.26 part
thereof from the 12th Octo 1872 till paid and
make a deed to the said B. E. Croft for the tract
of 190 acres purchased by him and to Archus E Hall
a deed for $25\frac{1}{4}$ as directed in said paper marked
(B) and to said David Boytt a deed for the residue
of the tract of $8\frac{1}{2}$ acres as purchased by him, all
of which deeds are to be with special warranty and
in the usual form; and the said J^{nr} R Tulby Court
as aforesaid is authorized to report from time
to time as he may progress in executing this
decree and make report to Court

at Copy

Test W. E. Cothran C

Lawrence's "Bm"

Copy shown

at Oct 1873

Henry C. Cothran

To the Circuit Court of Hansemond County.

The undersigned reports to the Court, that under the decree of the October Term 1873 of said Court made in the cause of Jno. W. Lawrence admr of W. R. Lawrence decd plaintiff & Henry Austin Defendant, he has received of the Clerk of this Court the 1st Bond of David Boytte & Arthur E. Hall of \$41.66 2/3 due 9 Dec. 1873, & the 1st Bond of B. E. Croft & Frank W. Croft of \$77.75. due 9 Dec 1873, and has disposed of the sum of \$112.58, referred to in said ^{& said Bonds} decree, as follows.

By cash in Comm. hands as above	\$112.58
" bond of B. E. Croft & Frank W. Croft	77.75
" Int. on \$77.75, 1 year to 9 Dec 1873	4.66
By bond of David Boytte & Arthur E. Hall as above (p. by W. Hall)	41.66 2/3
" Int. on \$41.66 2/3 - 1 year to 9 Dec 1873	2.50 1/3
	\$239.16

Repaid Mr. H. Croft Judgment \$76.48.

& Int. on \$41. from 12th Oct. 1872

to 9 Dec 1873 - 1 y. 1 m. 28 d } $\frac{3.05}{\$79.53}$

Repaid Mr. H. Croft Judgment

for \$181.67 p. 1st } \$159.63 } \$239.16

Mr. H. Croft Judgment \$181.67

Int. on \$103. past thereof from

the 12 Oct. 1872 to 9 Dec 1873 } $\frac{7.19}{\$188.86}$

or as above 159.63

Due Croft \$29.23

9 Dec 1873

Respectfully submitted
John R. Kilby, Court.

(over)

1873 Dec. 9. Rec^d. of John R. Kilby Com. seventy
nine dollars & 53^c. in full of one Judgment &
one hundred & fifty nine dollars & 63^c. in part of
another Judgment in favor of Mrs. H. Croft.

John R. Kilby
att^y for Mrs. H. Croft.

Report continued

1873

Dec 9 } Ar^d 2^d & 3^d Bonds of B. E. Croft & of \$77.75 each = \$ 155.50

" Int. from 9 Dec 1872 to 9 Dec 1873, 1 year. 9.33
\$ 164.83

Unpaid Balance of Judgment to J. H. Croft, as above 29.23
\$ 135.60

" Paid Jonas W. Lawrence adm^r of Wm R. Lawrence
decd. in part of his Judgment Judgment trust. \$ 135.60

A deed has been made to Benjⁿ E. Croft for
the Land purchased by him, as directed by the Decree

Respectfully submitted

John R. Kilby Com

1873 Dec. 9. Rec^d. of John R. Kilby Com. one hundred
and thirty five dollars & 60^c. in part of Judgment of Jonas W.
Lawrence adm^r of Wm R. Lawrence decd. John R. Kilby att^y.

for Jonas W. Lawrence adm^r to

and for Thos. H. Croft, Balance of \$29.23

John R. Kilby att^y.

Laurence &

h

Austin

1st Report under
Decree of Oct. 11, 1873

Filed 13 Jan 1874

Confirmed Sep 16
1874

Decr. 12th 1872 Rec^d of Geo. R. Kelley Comr.
Ten dollars for Selling the Austin Land
at Auction
\$10.⁰⁰
Wm. D. McGuire Comr.

BOOK, JOB, AND ORNAMENTAL PRINTING EXECUTED WITH DISPATCH.

SUFFOLK, Va.

Decr 12th 1872

Mr John R. Kilby

W. B. Wellons.
D. B. Dunbar.
N. F. McCann.

W. B. WELLONS & CO., Dr.

TERMS CASH.

KILBY STREET.

Nov 4 20 30 80th Street - Bills Land near Holy Neck \$1.50
Decr 13th 1872 Received Payment
W B Wellons & Co
Per C. M. W. W.

Adm. Exp.

1.50

1861

1861

J. D. A. E. METCALY & CO.

1861

Virga: In the County Court of Vansemond Octo 11, 1872

Lawrence act^{ua} &c

v^r

Henry Austen

Plffs,

Defd

In Chancery

This cause came on this day to be again heard on the papers formerly read, and on the report of Wilbur & Tilly commissioner, made pursuant to the decree of the 13 March 1872, to which report there is no exceptions and was argued by counsel: On consideration whereof the Court doth confirm the said report, and doth adjudge order and decree that John R Tilly who is hereby appointed a commissioner for that purpose, proceed to sell at auction before the Court house door of Vansemond County, on some Court day, the land referred to in the proceedings, belonging to said defendant (subject to any prospective right of dower the wife of said Henry Austen, may have therein) and describe as follows: One parcel containing 194 acres more or less adjoining the lands of E. H. Darden & others; the other parcel containing 87½ acres more or less adjoining the lands of R. W. H. Darden & others, The said sale to be on a credit of one, two and three years with Interest from date, the purchaser to give bond & good security and the title to be withheld till the future order of the Court, which sale the said John R. Tilly is directed to advertise for at least twenty days by advertisement at the Court House door of

Norfolk County and by printed hand bills
near the premises, and once a week for three weeks
in the "Christian Sun" a newspaper published at
Suffolk, and make report to Court, But no sale
is to be made hereunder, until the said John
R. Tilley shall execute before the Clerk of this Court
in his office a bond in the penalty of \$1,000 payable
to the Commonwealth of Virginia and conditioned
faithfully to execute this decree and any other
decree he may be required to execute in this
Cause.

At Copy.

Teste: Willis E. Cochran Clerk

Costs

\$9.97 cl^{ck}
30 sep^r
15.00 att^y
1.00⁰⁰ 7th
10.00⁰⁰ ^{cl^{ck}} Court
36.47

Source ad^{vs}

Copy Decree


Execution to

Copy Decree

State of Virginia

Transmont County 3 To Wit

I Willis E. Cochran clerk of the County Court
of said County do certify that Henry Foster is assessed on
the land books filed in my office, with a tract of land
in said County containing one hundred and ninety six
acres, valued at \$5110.40; also a tract containing $5\frac{1}{2}$
acres valued at \$175.00. Given under my hand this
1st day of November 1872

Willis E. Cochran Clk.

5216

135

408

175

4375

13525

192

Austin Henry's
apartment

Get Brown

St. Lawrence County Court.

The undersigned respectfully reports to the Court, that pursuant to the Decree of said Court made on the 14th day of October 1872, in the cause therein pending wherein, Samuels' and R. is plaintiff and Henry Austin is Defendant, he proceeded to advertise for sale the Land, therein named belonging to the said Henry Austin, as directed by said Decree, and did on Monday the 9th day of December 1872, (being Court day) before the Court house door of said County, sell at auction on the terms named in the said Decree the said Land, subject to the prospective right of Dower of the wife of said Henry Austin therein, when the same were purchased as follows -

The Tract of 196 acres, more or less, adjoining the Land of E. H. Darden's estate & others, was purchased by Benj. E. Crisp for \$360.00 and the Tract of 87 1/2 acres, more or less adjoining the Land of the late

R. W. H. Darden & others was purchased by David Boytt for the sum of \$200.00
Total \$560.00

To 5 per cent Com. on \$300 -	\$15.00
" 2 do. on \$260. Balance	5.20
" paid Wilson's advertising	1.50
" " Wm. H. McGuire, Crier	10.00
Carried on	\$317.00
	\$560.00

ans. h. on	\$31.70	\$560.00
" paid Clerk's fees	9.97	
" " Sheriff "	.50	
" " Comm (W. J. K.)	10.00	
" " attor. fees & day	31.00	
" " resumed for deed to	5.00	
" " ~~done~~		\$88.17
		\$471.83

The said Land sold for over three fourths of their appraised value, as required by law.

By above amount Bt. on \$1,711.83
 For which the said Bt. & E. Corp
 gave 3 Bonds with
 security, each \$77.75 \$233.25
 and the said Land Bt. & E. Corp,
 executed 3 Bonds with Arthur
 E. Hall, security, each \$41.66 2/3 \$125.00 \$358.25
 Cash in Comm hands. \$112.58

Respectfully submitted
 John R. Kilby Com.

1872 Dec, 11. Paid our fees in above case

Willur J. Kilby Counr. \$10.00

1873 Nov. 25 Recd of the clerk of the Court, the 1st Bond of
and Boyle & Co. for \$41.⁶⁶ & the ~~2nd~~ ^{three} Bond of B. E. Croft of
\$77.75 each delivered under decree of Nov. term Cir. Ct. 1873

John R. Kelly Com

1874 Dec 11, Recd as above the Bond of David Boyle & Co. for
\$41.⁶⁶ due 9th Dec. 1874

John R. Kelly Com

1875 Dec 20 Recd as above the Bond of David Boyle
for \$41.⁶⁶ due 9 Dec 1875

John R. Kelly Com

Lamson's advt &

n {

Henry Austin

Report of sale

filed 11. Dec. 1872.

(Co. Ct.)

In Chancery Court March 13th 1872
Jonas W Lawrence Administrator of W R Law-
rence deceased, Thomas A Croft, John B Jen-
kins guardian for the heirs of Wilson
H Darden deceased who sue for themselves
and all other Judgment Creditors of Henry
Austin

Plaintiffs
against
Henry Austin

} In Chancery
Defendant

This Cause came on this day to be heard
on the complainant's bill taken for Com-
pelled at rules, as to the said Defendant
on whom process had been duly executed and
he still failing to appear and make defence
and on the exhibits filed with the said
bill and was argued by counsel, on Con-
sideration whereof the Court doth adjudg-
e and decree that a commissioner of
this Court take and state the following ac-
counts.

First. An Account of all judgments against said
Henry Austin and their priority of lien.

Second. An account of the fee simple and an-
nual value of the lands of said Austin referred
to in the bill and a description thereof and
report to Court with any matters specially stated
deemed pertinent by himself or that any one of
the parties may require so to be stated

A Copy For R O Dorwell DC NC

Lawrence A. ^HDon

no } Co. Beebe

Austin

16 Sep

2

Commissioner's Office,

SUFFOLK, NANSEMOND COUNTY, VA.

Aug. 16. 18 72

To Jonas W. Lawrence, administrator of W. R. Lawrence deceased, Thomas H. Cross, John B. Jenkins guardian for the heirs of Wilson H. Parden deceased, who sue for themselves and all other judgment creditors of Henry Austin — Plaintiffs.

and

Henry Austin

Defendants.

You are hereby notified that I have fixed upon the 16 day of September next, to take and settle, at my office, the following accounts, to-wit: first, an account of all judgments against said Henry Austin and their priority of lien; second, an account of the fee-simple and annual value of the lands of said Austin referred to in the lile, and a description thereof, with any matters specially stated, deemed pertinent by himself, or that any one of the parties may require so to be stated.

required to be taken by the decree of Nansemond County Court, rendered on the 13 day of March 18 72 in a suit in Chancery depending in said Court, in which you are parties, plaintiffs and defendants; at which time and place you are required to attend.

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

Willbur J. Kilby
Com.

Laurence Adm^{str}
vs } Com^r notice
Austin

Executed 17 Aug,
1872 by delivering
copy to Henry Austin

W H Eley
Shff

Account no. 1
Of all judgments against Henry
Austin and their priority of lien.

First Liens.

Martha C. Cross & Edwin Smith
executrix & executor of Hardy Cross
decd. for the benefit of Thomas H.
Cross

Kelly p. 4

vs.

Dempsey H. Pardon & Henry Austin
Judgment in Chaussemond County Court
March 13th 1868, & docketed
March 20th 1868 for

Said

Int. from 28 Dec. 1860 to 12 Oct. 1872.

Costs of Judgment

\$ 41.00
29.00
6.48
\$ 76.48

Kelly p. 4.

H. Cross, who sues for the benefit
of Thomas H. Cross

vs.

Henry Austin.

Said

Judgment in Chaussemond County Court

March 13, 1868 & docketed

March 20 1868 for \$103.00

Int. from 1st Jan 1861 to 12 Oct. 1872 72.79

Costs of judgment	5.88	\$ 181.67
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Total 1 st Lien	258.15
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Second Lien

Jonas W. Lawrence admr. of William

Kelly p. 4

R. Laurence decd.

258 15

vs.

Dempsey H. Darden & Henry Austin

Judgment in Circuit Court of Chaussemond County Oct. 14, 1868 &

docketed Nov. 2, 1868 for \$244.26

Int. from 25 Dec. 1860 to 12 Oct. 1872 179.00

Costs of judgment

6.92 \$430.18

Third Lien

John B. Jenkins guardian for the
heirs of Wilson Darden decd.

Kelly p 9

vs.

Henry Austin

Judgment in Chaussemond County
Court June 14, 1870 & docketed

June 25, 1870 for \$25.05

Int. from 14. June 1870 to 12 Oct. 1872 3.38

Costs of judgment

6.66 \$35.09

Fourth Lien

Kelly p 9

E. R. Daughtry assee. of E. Rawls & als.

vs.

Henry Austin.

Judgment in Chaussemond Circuit Court

Apr. 12, 1872 & docketed Apr. 20, 1872 for \$75.89

Int. from 10. Feb. 1861 to 12 Oct. 1872 53.13

Costs of judgment

7.45 \$136.47

Total Liens

\$859 89

4

Account No. 2,
Of the fee-simple and annual
value of the lands of Henry Austin

196 acres more or less in
Chausemond County, adjoining the
lands of E. H. Darden & others,
fee-simple value \$ 540.40

87 1/2 acres, more or less in
said County adjoining the lands
of R. W. H. Darden & others,
fee-simple value \$ 175.00

Total value of lands \$ 715.40

Annual value of said lands \$ 50.00

Commissioner's Office
Suffolk, Va., Sept. 18, 1872.
Commissioner's Report, -

The undersigned in pursuance of a de-
creetal order of the County Court of Chausemond
County pronounced March, 13, 1872, in a
cause, in Chancery, in the said Court, depending
between Jonas W. Lawrence administrator of W.
R. Lawrence dec'd. Thomas H. Cross & Jno. B. Jenkins
guardian for the heirs of Wilson H. Darden, against
Henry Austin, a copy of which decree is herewith
annexed, having given notice to the parties, as
will appear by the notice herewith returned, pro-

ceeded on the 16. day of Sept, instant to execute the order, the result of which is herewith respectfully submitted,

The undersigned, as will appear by Account No. 1. above, ascertains that the amount of the first judgment liens on the lands of Henry Austin, is \$258.15, — of the second lien \$430.18, — of the third \$35.09 — and of the fourth \$136.43

The undersigned, as will appear by Account No. 2. above, further ascertains that the fee-simple value of the lands of said Austin is \$715.40 and that their annual value is \$50.

Respectfully Submitted
Willis J. Kilby Comr.

Comr.'s fee \$10.

Lawrence's admr, tal.)
vs.
Henry Austin } dry,
comr
Report of
city &

filed 27 Sep. 1872

Co. Ct.

Laurence Jr.

n

Austin

This cause came ^{again} on, to be heard, ~~the day~~
on the papers formerly read & on the first report of
John R. Kilby, Comr, made under the decree
of Octo. Term of this Court 1873, to which report
there is no exception, and was argued by
Counsel; On consideration whereof the
Court doth confirm the said Report, and
the cause is continued

Laurens H.

W.

austin

1874

Sep. 1st

order

He entered

Geo. P. Wood.

Entered

Laurence adw

21

Austin #

This cause came on this day to be again heard on the papers formerly read on the report of sale made by John R. Kilby Comr. under the decree of the County Court of Tarrant County of 12th Oct. 1872 (to which report there is no exception); and on paper signed by David Boyth purchaser of one of the parcels of land sold under proceedings herein, directing a deed to make to Arthur E. Hall for twenty five & a quarter acres, as therein described, which paper is marked (S), filed in the cause, and was argued by counsel. On consideration whereof the Court doth confirm the said Report and doth adjudge, order and decree that John R. Kilby Comr. as aforesaid receive of the clerk of this Court (who will deliver the same to him on his leaving a receipt therefor) the three Bonds of David Boyth and Arthur E. Hall of \$41.66²/₃ each, & the two Bonds of B. E. Corp & Mark W. Corp of \$77.75 each, and collect the same when due with all interest thereon, and with the sum of \$112.58 in the hands of said Comr. as appears by his said report, pay any cuts that may remain unpaid, and then pay the proceeds as follows - to Thomas H. Corp \$76.48, with interest on \$41.00 part thereof from the 12th Oct. 1872 & 4 said Thomas H. Corp \$181.67, with interest on \$103.00 part thereof from the 12th Oct. 1872, being the first liens on said fund as appears by report of William J. Kilby Comr. of the 18th Sep. 1872 - Then pay of the said fund the residue of said fund ~~and~~ ^{the residue of said fund} ~~and~~ ^{the residue of said fund} to Mark W. Laurence adw of W.R.

Lamman Decd, the sum of \$430. 18, with Interest on \$244.26
 part thereof from the 12 Oct. 1872 till paid, and make
 a deed to said B. E. Croft for the tract of 196 acres
 purchased by him, and to Arthur E. Hall a deed for
 25 1/4 acres as described in said paper marked (8),
 and to said David Borth a deed for the Residue of the
 tract of 87 1/2 acres as purchased by him, all of which
 deeds are to be with special warranty in the usual
 form; and the said Kelly, Clerk as aforesaid is
 authorized to report from time to time as he may
 progress in ~~making~~ executing this Decree, and
 make report to Court.

Lamman adms

to

Arthur

1873

Oct. 1873.

Decree to collect for

to be entered.

Geo. B. Low.

See St. on det.

Laurence adwt tal.

n.

Henry Austin

This cause came on this day to be again heard on the papers formerly read on the report of William J. Kelly, Commissioner made pursuant to the decree of the 13th March 1892 to which report there is no exception, and was argued by Counsel. On consideration whereof the Court doth confirm the said Report and doth adjudge, order and decree that, John R. Kelly, who is hereby appointed a Commissioner for that purpose proceed to sell at auction before the Court house door of Stauwemund County, on some Court day, the Land referred to in the proceedings belonging to said defendant (subject to any prospective rights of Dower, the wife of said Henry Austin, may have therein), and described as follows. One parcel containing 196 acres more or less, adjoining the Land of E. H. Warden & others; & the other parcel containing 87 1/2 acres more or less, adjoining the Land of R. W. H. Warden & others, — the said sale to be on a credit of one, two and three years, with Interest from date, the purchaser to give Bond & good security, & the title to be withheld till the further order of the Court — which sale, the said ~~Commissioner~~ John R. Kelly is directed to advertise for at least twenty days

by advertisement at the Court house door
of Anson County, the printed handbills
near the premises & once a week for three
weeks in the "Christian Sun," a newspaper
published at Suffolk, and make report
to Court.

But no sale is to be made
hereunder, until the said John R. Kelly
shall execute before the clerk of this Court
in his office, a Bond in the penalty of \$1000,
payable to the Commonwealth of Virginia and
conditioned faithfully to execute this decree
and any other decree he may be required to
execute in this cause.

Lawrence address

W

Ham, Austin

1872

Oct. 20th decree

for sale

to be entered

Theodore J. Garnett &c.

Entered & Copied

Jonas W. Lawrence adm^r of W. R. Lawrence
decd, Thomas H. Corp, John B. Jenkins, guardian
of the heirs of Wilson H. Leaven decd, who sue
for themselves and all other judgment creditors
of Henry Austin

Complainants

against
Henry Austin

Defendants

This cause came on this day to
be heard on the Complainants' Bill taken
for confessed at rules, as to the said Defendant,
on whom process had been duly executed the
still failing to appear and make defense,
and on the Exhibits filed with the said
Bill, and was argued by Counsel. On con-
sideration whereof, the Court doth adjudge, order
and decree that a Commissioner of this Court
take and state the following accounts -

First an account of all judgments
against said Henry Austin, and their
priority of time.

2^d. an account of the fee simple and
annual value of the Land of said Austin
referred to in the Bill, and a description
thereof. and report to Court with any
matters specially stated deemed pertinent
by himself, or that any one of the parties
may require to be so stated.

Laurence &

of

Austin

1872

March Court
decree for
accounts

To be entered.

Theodore T. Gamble

Whereas on the 9th day of December 1872 John R Kelly acting
as commissioner under decree of the County Court of Hanson
County did sell before the Court-house door of said county the
lands of Henry Austin, and whereas David Boytt became
the purchaser of the tract containing eighty seven and half
acres for the sum of Two Hundred Dollars, said Boytt, paying
in cash the sum of Seventy five Dollars, and executing three
bonds for the sum of Forty One ^{66 2/3} ~~100~~ each, payable in one,
two and three years, with interest from date, with Arthur
& Hall as security; and whereas the said David Boytt having
consented and agreed with the said Arthur & Hall, that he
the said Arthur & Hall shall have Twenty five and a quarter
acres adjoining the one hundred acre tract of land formerly the
property of Richard W H Darden decd, and running parallel
with the line, running from the branch toward the South
Leroy road, of said Darden's line, Now this writing is to au-
thorize the said John R Kelly, Commissioner aforesaid
to make the title to the aforesaid Twenty five and a quarter
acres unto the said Arthur & Hall and his heirs and assigns
forever, upon condition that the said Arthur & Hall shall
pay or cause to be paid upon either of the afore-said bonds,
bonds, which the said Boytt has given for the land aforesaid,
the sum of Forty five Dollars and seventy two cents with
the interest thereon, from the 9th day of December 1872, until
paid; the said Hall agreeing, that in addition to the above
sum of Forty five dollars and seventy two cents, to cause a title
to be made said Boytt to five and one quarter acres of land
adjoining, whenever the title to the above twenty five and a
quarter acres is confirmed to said Hall, Witness the following
signature and seal this 7th day of February 1873.

Witness

David C. Boytt

(Seal)

Benjamin Ball

Land Boyalty
direction to make
deed to Arthur E
Hale Jr

(5)
filed Oct. 11. 1873

A. E. Hale

Laurences adw &

v

austin

This cause came on this day to be again heard on the papers formerly read & on the 2^d, report of John R. Kelly, Com^r, made pursuant to the order of this Court of October Term 1873 - to which report there is no exception and was argued by Counsel. - On Consideration whereof the Court doth confirm the said Report & doth adjudge, order & decree that the proceedings had in the case be confirmed & made final & binding between the parties - and nothing further remaining to be done in the case, it is ordered that the same be removed from the Docket.

Laurence, and so

no.

Austin

1876

Apr. 24.

Final decree

To be entered

Geo. B. Lord

Entered

O.B. No. 1- p-298

In Transylvania County Court June 14th 1870
John B Jenkins Guardian for the heirs of
Wilson Darden dec'd

against

Harry Austin

} Plaintiff
} In Debt
} Defendants

Judgment for \$25.05 with legal interest there-
on from the 14th day of June 1870 till paid. And
~~Doctored~~ And Plaintiffs Costs \$6.66. And
Docketed in Transylvania County Court
June the 25th 1870

Attest

Teste

R. A. Dornwell D. C. M. C.

104
Darden Con

vs } Co Judge

Austin

See 33-c

In housewoud County Court March 13: 1868
Martha H Croft and Edwin Smith Executors
and Executor of Hardy Croft deceased (for
the benefit of Thomas H Croft)
against } Peto
} In Debt

Dempsey H Darden and Henry Austin Left
Judgment for \$41 with Interest thereon from
the 28th day of December 1860 till paid, and
Plaintiffs costs \$6.48.

Docketed in Hansemond County Court
 March 20th 1868

An Extract

Parte

R. Q. Downell D. B. M.

1 c 4

Leopold Executor &c

vs } Co Judge

Barden &c

Fee 33¢

In Housemond County Court March 13th 1868
H Croft (who sues for the benefit of Thomas &
Croft)

against
Henry Austin

Plaintiff
} In Debt
Defendant

Judgment for \$103 with interest thereon from
the 1st day of January 1861 till paid and
Plaintiffs Costs \$3.88.

Docketed in Housemond County Court
March 20th 1868

An Extract

File

R O Dornell D.C. & C

Crop to ^{"B"}
—

vs } Co Judge

Austin

Fee 33¢

In ~~Handerson~~ ^{Boonville} County Court Oct 14. 1868
Jonas W Lawrence Adm^r of William R
Lawrence deceased

against } In Debt
Sam^l Key & Barden and Henry Austin Defts
Judgment for \$244. 26 with interest from
the 25th day of December 1860 till paid
Plaintiffs Costs \$6.92 -

Docketed in Handerson County
Court. November 2^d 1868.

An Extract

From

R O Dorell D. C. H. C.

"A"

Lawrence thAdmiral

vs { Co Judge

Barden &c

Fee 36¢

Lamencr

(V)

Antew

43 Exhibits
filed with
Bills

To the Hon. • Theodore S. Garrett Jr. Judge
of the County Court of Nausumund County

Complaining, shew unto the Court
your complainants, Jmay W. Laurence admr.
of W. R. Laurence decd, Thomas H. Crof, John
B. Jenkins guardian for the heirs of Wilson H.
Warden decd, who sue for themselves and
all other Judgment Creditors of Henry Austin.

Your complainants respectfully represent
to the Court and say, That they have obtained
Judgments in Nausumund County Court against
the said Henry Austin as follows —

(1) Your Complainant Jmay W. Laurence admr.
^{in Circuit Court of Nausumund County}
of W. R. Laurence, on the 14th day of Oct. 1868 for
\$244.26 with Interest thereon from the 25th day
of December, 1860 to \$6.92 cts, which Judgment
was rendered against one Wilson H. Warden & the
said Henry Austin — and was docketed in
^{in the clerk's office of said}
the ~~said~~ County Court on the 2^d day of Nov 1868
as may be seen by certificate of the Clerk of said
Court filed herewith marked A^o.

(2) — H. Crof, for the benefit of your Complainant
^{in Nausumund County Court}
Thos. H. Crof, on the 13th day of March 1868
for \$100: with Interest from the ^{1st day of January 1861} ~~1st day of January 1861~~
to \$5.88 cts — ~~subject to a caveat filed on the~~
~~1st day of Jan 1861~~ — which Judgment was docketed
^{in the clerk's office of}
in said Court on the 20th day of March 1868
as may be seen by a certificate of the Clerk

of said Court filed herewith marked 'B'.

(3) Martha A. Crisp Ex^t. & Edwin Smith Ex^r. of
Hardy Crisp dec^d. for the benefit of your Complain-
ant; ^{against Lemmy H. Warden & said Austin} ~~Martha H. Crisp~~ on the 13th day of March 1868
in ⁱⁿ ~~Wauzemin~~ ^{Wauzemin} County Court
for \$41. with interest from the 28th Dec 1860
which was docketed in said Court on the 20th
day of March 1868 as may be seen by the
Certificate of the Clerk of said Court filed
herewith marked 'C'—

(4) John B. Jenkins, guardian of the heirs
of Wilson H. Warden dec^d, ^{in Wauzemin County Court} on the 14th day of
June 1870 against said Henry Austin, for the
sum of \$25.55, with interest on \$9.05 part
thereof from the 25th Dec 1860 & on \$16.50 further
part thereof from the 25th Dec 1861. & \$6.66
cents — which Judgment was docketed in the
^{Clerk's Office of} said Court on the 5th day of June 1870 as
may be seen by the Certificate of the Clerk of
said Court filed herewith marked 'D'.

That the said Lemmy H. Warden is dead
& died insolvent never having paid any portion
of said Judgments —

That the said Henry Austin is the
owner of the following land in Wauzemin
County to wit: Two tracts of land — one tract
containing 196 acres more or less adjoining the
land of E. H. Warden and others — The
other tract containing 87 1/2 aces, more or less

and adjoining the Land of R. W. H. Carson
and others

That the said Henry Austin is Insolvent,
& that executions have been heretofore
issued against him returned Insolvent.

That the said Land will have to be
sold to pay your Complainants Demands -

That the judgments aforesaid are Liens
on said Land, and that the said Henry
Austin is not entitled to any Homestead or
other exemption thereon, & that the rents
for five years will not pay the said Demands.

Your Complainants therefore pray that
the Land aforesaid may be sold.

In consideration whereof ~~that~~ as this Court
has jurisdiction to grant all adequate relief -
To the End your Complainants pray that the
said Henry Austin may be made defend-
ant hereto & be compelled to answer the al-
legations herein - That the Land aforesaid
may be sold to pay the Liens thereon, and that
a Commissioner of this Court may be directed
to ascertain said Land, & the fee simple
and annual value of said Land, & that the
Court will grant all further proper relief to

And to

John R. Kilby p. v.

Kelly p. v

Laurencey adm tal.

M J Bice

Henry Austin

1872 July 7. Bice & Exhibits filed

" " " Decree nisi

" Mar 6. Bice Pro Confesso &

" " " Set for hearing

" " 13. Decree according

" " " To ranch filed with

" " " papers

" June 11 Court

1872 Oct 14. Shepts confirmed return to sell
land

1872 Dec 11 Rep't. of sale filed

1873 Oct 7. Term, Decree to
collect

1873 Aug Term Removed

to Cir Co

1873 Oct. Ct. David Boyle's writing
filed.

Naumound Co. Ct.

1874 Sept Term

Repts confirmed

1875 Dec 31. 2^d final report of Surveyors
filed

1876. Sept. 10. Final Decree

Case
Austin

LAND NEAR HOLY NECK

Nansemond County, Va.

FOR SALE.

By virtue of a decree of the County Court of Nansemond county, made on the 14th of October, 1872, in the cause of Lawrence's adm'r against Austin, &c., I shall sell at auction, before the court-house door of Nansemond county, on

MONDAY, December 9th, 1872,

the following parcels of land, belonging to Henry Austin (subject to any prospective right of dower therein of the wife of said Henry Austin,) to-wit:

1st. 196 ACRES, more or less, adjoining the lands of E. H. Darden's estate, and others.

2d. 87 1-2 ACRES, more or less, adjoining the lands of the late R. W. H. Darden, and others.

These lands have ordinary houses and improvements.

TERMS.—Costs and expenses cash; the residue on a credit of one, two and three years, with interest from date, to be secured by bond and good security, and the title of said land to be withheld till the future order of the Court.

JOHN R. KILBY, Com'r.

November 1, 1872.