1876-013
Nansemond Co. (Suffolk) Chancery Causes: Anthony R. Boykin, A.M. Lee & wife Anna, Richard E. & Mary E Boykin, infants vs James R. King & Thomas Langston

Riddick, Elliott

At a Circuit Court held for Nansemond County, the 11th day of October, 1875.

Anthony R. Boykin, A. M. Lee and Anna, his wife, formerly Boykin, and Richard E. Boykin and Mary E. Boykin, infants, suing by said Anthony R. Boykin, their next friend; . . . . . Complainants.

Against } In Chancery

James R. King and Thomas Langston. . . . Defendants.

This Cause, in which it is suggested, that since the last decree herein, the plaintiffs, R. E. Boykin and Mary E. Boykin have attained twenty-one years of age, it is ordered, that this suit proceed in their names, came on this day to be again heard on the papers formerly read, and on the second report of Commissioner Hayden under the decree herein of June Term, 1870, and was argued by Counsel: on consideration whereof, the Court confirming said report, to which no exception was filed, doth adjudge, order and decree, that unless, within Sixty days from the date of this decree, the defendant, Thomas Langston, shall pay to C. B. Hayden, who is hereby appointed special Commissioner to collect the same, the sum of Seventeen dollars and fifty cents, shewn by the report aforesaid to be due by him, and the unpaid Costs of this suit, that the Sheriff of this County, proceed to rent out at public Auction, at the Court House Door of this County, on some Court day, the tract of land in these proceedings mentioned, purchased by the said Thomas Langston, to wit: one moiety of the tract of land of Fifty acres lying in the County of Nansemond, adjacent to the lands of John Ravls and others, being the tract of land conveyed by Wilson Harrell to J. R. Elliott and James R. King, for such time as will pay the amount due by

the said Thomas Langston, under this decree, with interest thereon from the date of this decree, and the costs of said renting. taking from the renter, bond with sufficient security, with waiver of the Homestead for the amount of the rent payable to himself as Sheriff, at the end of the term, which bond he shall return to Court with his report of his proceedings under this decree. And the Court doth further adjudge, order and decree, that on the payment by the said Thomas Langston of the amount due by him under this decree, that C. B. Hayden, who is hereby appointed Special Commissioner for that purpose, shall execute and deliver to the said Thomas Langston, a good and sufficient deed, in fee simple, with special warranty for the tract of land aforesaid as in this decree mentioned. And the Court doth further adjudge, order and decree, that C. B. Hayden, out of the sum shown by his report aforesaid to be in his hands and the sum herein directed to be ~~made~~ paid by the said Langston, pay the unpaid costs of this suit, and pay the balance thereof (or one fourth, each), equally, to A. M. Lee and wife, Anna A. R. Boykin, R. E. Boykin and Mary E. Boykin, taking the receipts of said parties therefor, and return the same to Court with his report of his proceedings under this decree. And the Court doth further adjudge, order and decree, that a copy of this decree be served on said Thomas Langston.

A Copy:

Teste,

Peter B. Prentis. Clerk

Unpaid Costs

Clk. ~~1875~~ 1876 $ 6.00 (Paid) Peter B. Prentis. clk.

Sheff. 50 (Paid) J. L. Feighan Sheff

$ 6.75

Rec'd Feby 17th 1876 of C.B. Hayden Esqr as Supt of Boyken

& Young Fifty cents for recording deed.

Geo. R. Wilkinson Recr

Anthony R. Boykin xmd
Xal:
vs } Copy decree, Oct 11th
1875
James R. King Xal:

We the undersigned have respectfully received from C B Hayden Commissioner in A R Baykin & als vs King & als the sums opposite our respective Names -

A M Lee Mrjo -	Paid C B Hayden Atty		17 01 1/4
Mary E Baykin	" C B Hayden "		17 01 1/4
A R Baykin	" W. F. Baykin		17 01 1/4
R E Baykin -	" R. E. Baykin		17 01 1/4
			$68 03

To the Circuit Court of Nansemond County:

The undersigned Special commissioner under the annexed decree of said Court of October Term 1875 in the suit of Anthony R. Baykin & als vs James R King & als respectfully reports to the Court that pursuant to said decree he collected from Thomas Langhorne the sum of $17.30 with interest thereon from the date of said decree to Feb 14th 1876, when said amounts as that date to $17.83 & $6.75 Costs of suit - which amounts with the sum of $56.93 shown by his last report herein to be in the hands of your commissioner, he after paying thereout the costs of this suit - paid the balance of $68.03 remaining in his hands as shown by the annexed Statement A equally among the parties as directed by said decree -

Statement A -

To Paid Sheriff Fulghum -		30
" " P B Hankins Clk fee -	6 00	
" Commissions on $24.60 -	1 23	
" Retained by H E Cohen Clk fee	25	
" Read & Copy Fees -	5 50	
" Balance in hands of Commissioner	68 03	$81 93
By Balance in hands of Commissioner per last Report - - - -	56 93	
" Amount collected from Thomas Langhorne Debt	17 85	
" do Costs -	6 75	$81 93

over -

Statement B -

By Balance in hands of Commissioner
as per Statement B - 68 03

Paid Mary E Bayless - 17 01 1/4
" A M Leverson - 17 01 1/4
" A R Bayless - 17 01 1/4
" R E Bayless - 17 01 1/4 68 03

That on the payment of said amount by said Thomas Langdon your Commissioner executed & delivered to him a good & sufficient deed as by said decree directed for the land therein mentioned - The receipts of the parties for said payments are herewith filed -

All of which is respectfully submitted -

Signed C B Hayden

C. B. Hayden
to
Mary E Bayless

Commissioner's
Hayden & Bayless
Deed

A. R. Baykin &c —

v

King &c. —

The undersigned Commissioner under the decree herein of June Term 1870 — reports to the Court that Thomas Langdon the purchaser named in said decree has made the Cash payment required on his purchase, but has failed to execute the Bond required by said decree —

All of which is respectfully submitted

C. B. Hayden

A. R Byke
.
Rec'd Dec

C B Hayden
Repair

Feb 13 Jany 1813

Pursuant to a decree of a Monthly Court held for Nansemond County on the 16th day January 1870, and hereunto annexed, in a suit depending in said Court, in which Anthony R Boykin and others are Complainants, and James R King and Thomas Langston are defendants, the undersigned, Commissioners named in said decree, proceeded to Set apart One equal half of the tract of land in the proceedings mentioned, to Thomas Langston, (he being one of the parties) upon the condition that he pay therefor One Hundred dollars, being as we verily believe, the full Cash Value of said One half of said tract of land. The said Thomas Langston proposes to pay Fifty dollars Cash, and the remainder in twelve Months, with bond and approved security. which in our opinion is the best disposition that could be made of said land.

The above is respectfully submitted as our report.

Edwin Smith

L. R. Hunter

Fred: W. Hunter

At a Monthly Court held for Nansemond County the 10th day of January 1870:
Anthony R. Boykin, A M. Lee and Anna his wife, formerly Boykin and Richard E. Boykin and Mary E. Boykin, infants, suing by said Anthony R. Boykin their next friend ..... Complainants

against } In Chancery

James R King and Thomas Langston Defendants

This Cause, in which the Bill is taken for confessed as as to the Defendants, James R King and Thomas Langston, on whom process has been duly served, they still failing to plead, answer or demur, came on this day to be heard on the said bill and exhibit filed and was argued by Counsel: On consideration whereof the Court doth adjudge order and decree, that Edwin Smith Holloway Byrd Samuel R. Hunter, Frederick W. Hunter and Jesse W Rogers, who are hereby appointed Special Commissioners for that purpose, any three of whom may act, proceed to divide into two equal moieties, having regard to quantity and quality, the land in these proceedings mentioned containing by estimation Fifty acres, lying in the County of Nansemond, adjacent to the lands of John Rawls (of H) Jerry Reed and others, being the tract conveyed by Wilson Harrell to J.R. Elliott and James R King, and assigned one of said parts, to the Estate of said J.R. Elliott, and the other, to said James R King, but if such partition cannot be conveniently made, the

said Commissioners may allot the whole subject to any party who will accept it and pay therefor to the other parties such sums of money as their interests therein may entitle them to; or if the interests of all parties will be most promoted by a sale of the whole subject, or allotment of part and sale of the residue, they will so report to Court, with the reasons for their opinion, together with the fee simple value of the whole tract.

a Copy:
Test:
Peter B. Prentis. D.C.

William R. Boykin Exr. &c.
vs
James R. King & Thomas Langston

Copy Decree &
Report

June 13th 1870
Filed
Clk.

In Nansemond County Court January 1873.

A R Boykin A M Lee and Anna his wife formerly Boykin Richd E Boykin and Mary E Boykin the last two infants suing by the said A R Boykin their next friend. Pltffs } In Chancery

V S.

James R King and Thomas Langston — Defts

This cause this day came on to be again heard on the papers formerly read and on the report of C B Hayden under the decree herein of the June Term 1870, this day filed, and was argued by Counsel on consideration, whereof the Court Confirming said report, to which no exceptions were filed, doth on motion of the Complainants adjudge order and decree that Thos Langston (Colored) be summoned to appear at the next Term of this Court to shew Cause if he can, why an attachment should not issue against him for failing to Comply with the decree herein of the June, Term 1870.

Test

Willis E Cohoon Clk

Executed June 18th 1813 by delivering a copy to Thos Langston

Wm Eday
Sheff

A Copy Teste
D.C.

James Pettigrew

The Commonwealth of Virginia

To the Sheriff of Nansemond County Greeting

We Command you that you attach Thomas Longston (colrd) so that you have his body before the Judges of our County Court of Nansemond County on the 9th day of June 1873 to answer as well of a certain Contempt by him to us offered as it is said as upon those things which to him shall be then and there objected, and further to do and receive what our said Court shall in that part Consider, And this you shall in no wise omit, And have then there this writ.

Witness Willis E Cohoon Clerk of our said Court at his Office this 23d day of May 1873 in the 97th year of the Commonwealth.

Teste

Willis E. Cohoon Clerk

For refusing or failing to obey a decree of the County Court of Nansemond entered in said June Term 1870 in a Suit pending in said Court under the style of "A A. Boykin vs A R King et al

Teste W. E. Cohoon Clerk

Rec from

vol 1 pg 39

A K Baylor

Vs { Attachment
vs
Thos Langston et al

J R King et al

To. June Term 1873

Executed June
6th 1873.
W H Eley
Shff.

The Commonwealth of Virginia.

To the Sheriff of Nansemond County Greeting

We command you that you attach Thomas Langston (colored) so that you have his body before the Judges of our County Court of Nansemond County on the 10th day of March 1873 to answer us as well of a certain contempt by him to us offered, as it is said, as upon those things which to him shall be then and there objected; and further to do and receive what our said Court shall in that part consider, And this you shall in no wise omit, And have then there this writ,

Witness Willis E Cochran Clerk of our said Court at his office, this 17th day of Feby 1873 in the 97th year of the Commonwealth,

Test. Willis E Cochran Clk

For refusing or failing to obey a decree of the County Court of Nansemond entered at the June Term 1870 in a suit pending in said Court under the style of "AR Boyhm Vs JK Ivins Et al"

Test. W E Cochran Clerk.

Rob. Jones

Vol. p 37.

A. R. Boyton

v. Attachment
vs
Thos Langston et al

J. R King et al

In March Term 1873

Abstd. Issued. Wm Ely Sheriff

PB108

A. R Boykin

v

James R King & als.

This cause this day came on to be again heard on the papers formerly read & on the return of the Sheriff of this county of "Not found" made on the attachment against Thomas Sanpter Colored issued herein at Feb Term 1873 & on motion of the plaintiff it is ordered that the attachment issue against said Thomas Sanpter Colored for failing to comply with the decree herein at June Term 1870,

A. R. Boyd Esq
&
James R. Lloyd
Esq.

Ordered 1st May 1873
To be inserted.
Peter B. Brooks

Returned

A. R. Bayhis &as

vs

Rinp & al. -

This cause this day came on to be again heard on the papers formerly read & on the Report of Edwin Smith & R. Henley & Fred'k H Henley, three of the commissioners for partition, under the decree herein of January Term 1870, & was argued by counsel, on consideration whereof, the court doth adjudge order & decree that said Report to which no exceptions were filed be confirmed, & that C B Hyden who is hereby appointed special commissioner for that purpose proceed to collect from Thomas [illegible] Langston the sum of Fifty Dollars & ~~take~~ from the said Thomas [illegible] Langston his Bond for Fifty Dollars, with sufficient security payable on the 13th day of June 1871, with interest from the date of this decree to himself as commissioner & return said Bond with this report to court of his proceedings under this decree - But the effect of this decree shall be suspended as to the collection of said money & the taking of said bond until the said C B Hyden shall execute & deliver in the clerk's office of this court a Bond with sufficient security in a penalty of $200.00 payable to the Commonwealth of Virginia conditioned for the faithful performance of this & any future decree herein -

Report of the said sum of $3000 pay
the cost of this suit, including a reasonable attorney's fee of $20.00 to C B Hyden for his services in the cause -

A. R. Baskerville
vs
Kenyon et als —

Rough Clerk
Term Time 1879
To be entered —
Thomas A. Crawford Jr.

Baskin & als

vs

James R King & als.

This cause in which the Bill is taken for confessed as to the defendants James R King & Thomas Langston on whom process has been duly ~~served~~, they still failing to appear plead answer or demur, came on this day to be heard on said Bill & exhibit filed & was argued by counsel, on consideration whereof the Court doth adjudge order & decree that Edwin Smith, Holloway Byrd, Samuel R Hunter, Frederick W. Hunter & Jesse W. Rogers — who are hereby appointed Special Commissioners for that purpose, any three of whom, may act proceed to divide into two equal moieties, having regard to quantity & quality the land in the proceedings mentioned containing by estimation Fifty Acres - lying in the County of Hanover, adjacent to the lands of John Rawls (of H), Jerry Reed & others - being the tract conveyed by Wilson Harwell to I R Elliott & James R King, & assign one of said parts to the Estate of said I R Elliott & the other to said James R King, but if such partition cannot be conveniently made, the said Commissioners may allot the whole subject to any

party who will accept it, & pay thereof to the other parties such sums of Money, as their interests therein may entitle them to, or if the interests of all parties will be most promoted by a sale of the whole subject, or allotment of parts, & sale of the residue, they will so report to Court with the reasons for their opinion, together with the fee simple value of the whole tract —

Bk Rec'ds
&
Rec'ds

Powhatan Chancery Court
January Term 1870
Tobacco Case —

Filed

A R Boykin
James R Kirby & als -

This cause this day came on to be again heard on the papers formerly read & on the return of the Sheriff of this county shewing the service of the rule ordered at the last term of this court against the defendant ~~Edmund B Hart~~ Thomas Langston colored for failure to comply with the decree herein of June Term 1870 & the said Thomas Langston not appearing in obedience to said rule on motion of the plffs. it is ordered that an attachment issue against him

A. R. Boykin
Lieut
vs
James R Knight
Lieut —

Feb Term 1873
Volunteered
Geo. S. Garnett Jr.

Entered Feb 25
226

A. R Baskin
vs
Kinkead —

On Motion of the Complt'y by Counsel
it is ordered that Thomas Langston be summon-
ed to appear at the next term of this court
to shew cause if any he can why an attach-
ment should not issue against him
for failing to comply with the decree
herein of June Term 1870 —

Boykin
vs
Knights —

Order of Sept Term 1870

Volantum —

Thos Garnett Jr

A. R. Baykin et al.
vs
Kirk et al. &c

This cause this day came on to be again heard on the papers formerly heard on the Report of C. B. Hayden this day filed under the decree herein of June Term 1870, & was argued by counsel, on consideration whereof the court confirming said Report to which on motion of no exceptions were filed, doth adjudge the complainants order & decree that Thomas Langston (colored) be summoned to appear at the next term of this court, to shew cause if any he can why an attachment should not issue against him for ~~failing to comply~~ with the decree herein of June Term 1870.

A. R. Baylis
vs
Reis Lab

Rough Abstract
Jany Term 1873
Filed on Court
Theodore J. Garnett Jr.

Entered page 217

At a Circuit Court held for Nansemond County, the 11th day of October, 1875.

Anthony R. Boykin, A. M. Lee and Anna, his wife, formerly Boykin, and Richard E. Boykin and Mary E. Boykin, infants, suing by said Anthony R. Boykin, their next friend. . . . . Complainants.

Against } In Chancery

James R. King and Thomas Langston . . Defendants.

This Cause, in which it is suggested, that since the last decree herein, the plaintiffs. R. E Boykin and Mary E. Boykin, have attained twenty-one years of age: it is ordered, that this suit proceed in their names, came on this day to be again heard on the papers formerly read, and on the Second Report of Commissioner Hayden under the Decree herein of June Term, 1870, and was argued by Counsel: on Consideration whereof, the Court confirming said report, to which no exception was filed, doth adjudge, order and decree, that unless, within Sixty days from the date of this decree, the Defendant, Thomas Langston, shall pay to C. B. Hayden, who is hereby appointed Special Commissioner to collect the same, the sum of Seventeen dollars and fifty cents, shown by the report aforesaid to be due by him, and the unpaid costs of this suit, that the Sheriff of this County, proceed to rent out at Public Auction, at the Court House Door of this County, on some Court day, the tract of land in these proceedings mentioned, purchased by the said Thomas Langston, to wit: one moiety of the tract of land of Fifty acres

lying in the County of Nansemond, adjacent to the lands of John Ravls and others. being the tract of land conveyed by Wilson Harrell to J. R. Elliott and James R. King for such time as will pay the amount due by the said Thomas Langston under this decree, with interest thereon from the date of this decree, and the costs of said renting - taking from the renter bond with sufficient security, with waiver of the Homestead for the amount of the rent, payable to himself as Sheriff at the end of the term, which bond he shall return to Court, with his report of his proceedings under this decree. And the Court doth further adjudge, order and decree, that on the payment by the said Thomas Langston, of the amount due by him, under this Decree, that C. B. Hayden, who is hereby appointed Special Commissioner for that purpose, shall execute and deliver to the said Thomas Langston, a good and sufficient deed in fee-simple with special warranty, for the tract of land aforesaid, as in this decree mentioned. And the Court doth further adjudge, order and decree, that ~~the said~~ C. B. Hayden, out of the sum shown by his report aforesaid to be in his hands, and the sum herein directed to be paid by the said Langston, pay the unpaid costs of this suit, and pay the balance thereof (or one fourth each) equally to A. M. Lee and wife Anna, A. R. Boykin, R. E. Boykin and Mary E. Boykin, taking the receipt of said parties therefor, and return the same to Court, with his report of his proceedings under this

decree. And the Court doth further adjudge, order and decree, that a Copy of this decree be served on said Thomas Langsdon.

A Copy:

Teste,

Peter B. Prentis. Clerk

Richard Costs

Clk. P.B.P.b-00

" W.E.C. 2.

Sheff. . 50

$1.75

Anthony R. Boykin Dal

vs } Copy Decree Oct: 11th 1875

James R. King Dal:

On the 4th day of December 1875
I served the defendant, Thomas
Longstreet, with a copy of this
Decree. J. L. Fulgham Sheriff

Baykin Vals
vs
Kenyon Vals.

This cause in which it is suggested, that since the last decree herein the plaintiffs R E Baykin & Mary E Baykin have attained twenty one years of age it is ordered that this suit proceed in their names, came on this day to be again heard on the proper papers and record & on the 2nd repat of Commissioner Hayden under the decree herein of June Term 1870, was argued by Counsel, on consideration whereof the court confirming said repat, to which no exception was filed doth adjudge order & decree that unless within Sixty days from the date of this decree the defendant Thomas Langton shall pay to C B Hayden, who is hereby appointed Special commissioner to collect the same the sum of $17.50 - Sheriff's the repat aforesaid to be duely levied & the unpaid Cats of this suit; that the Sheriff of this County proceed to rent out at public auction at the C H door of this county on same court day, the tract of land in these proceedings mentioned purchased by the said Thomas Langton to wit One Moiety of the tract of land of 50 acres lying in the County of Nanemond. adjacent to the lands of John Rawls Sen, being the tract of land conveyed by Wilson Harrell to I R Elliott & James R Kenyon for such time as will pay the amount due by the said Thomas Langton under this decree with interest thereon from the date of this decree & the cats

of said rentals - taking from the renter Bond with sufficient security with waiver of the Homestead for the amount of the rent payable to himself as Sheriff Commissioner at the end of the term, which bond he shall return to court with his report of his proceedings under this decree - & the court doth further adjudge order & decree that on the payment by the said Thomas Langston of the amount due & him under this decree that C B Hayden who is hereby appointed special commissioner for that purpose shall execute & deliver to the said Thomas Langston a good & sufficient deed in fee simple with special warranty for the tract of land aforesaid as in this decree mentioned - & the court doth further adjudge order & decree that C B Hayden out of the sum thereby his report aforesaid to be in his hands & the sum herein directed to be paid by the said Langston pay the unpaid cost of this suit & pay the balance thereof (in one fourth each) equally to A M Gee & wife - A R Bayless R E Bayless & Mary E Bayless, taking the receipt of said parties therefor & return the same to court with his report of his proceedings under this decree - & the court doth further adjudge order & decree that a copy of this decree be served on said Thomas Langston -

T. Boykin Exrs
vs
Kemp & als —

Rough Draft
Oct Term 1875
To be entered —

Ord'd & Sold.

Entered O.B. No. 1 - p. 285.

By Rivers Judg
et
Kinkead.

This cause this day
came on to be again heard on the
Papers formerly read & on the 3d Report
of Commissioner Hayden under the
decree herein of October Term 1875
& was argued by counsel, On consideration
whereof the Court confirming said
Report to which no exceptions were
filed, doth adjudge order & decree that
this cause be removed from the docket
& nothing further remaining to be done herein

Boyknin Lode
to
Kinglode —

Rough Decree
" April Term 1876
" To be entered —

Geo. Wilson.

Final Decree

Entered

Bk. 20 1- p - 303-

This Deed made this fourteenth day of September 1868. between Washington L. Riddick, assignee in Bankruptcy of James R. King, of the County of Nansemond and State of Virginia, of the one part, and James R. King of the other part: Witnesseth that in consideration of the sum of One Hundred Dollars, paid to the said party of the first part, the said Washington L. Riddick, assignee as aforesaid, doth grant with special warranty to the said James R. King, all that piece or parcel of land, lying in Nansemond County, and adjoining the lands of John Rawls (of H.) Estate, Jerry Read and others - Containing (25) Twenty-five acres, more or less, and being one undivided half of a tract of land formerly owned by the late Dr. J. R. Elliott and James R. King.
The said moiety having been sold at public auction on the 14th. day of September, 1868, by authority of an order of sale made by the Judge of the United States District Court, for the District of Virginia, sitting in Bankruptcy, on the 2nd day of June, A.D. 1868, and purchased by the said James R. King, as the highest bidder.

Witness the following signature and seal

W. L. Riddick, assignee &c. (Seal)

In the Clerk's Office of Nansemond County Court, the 18th. day of September 1868.

This Deed was acknowledged by Washington L. Riddick, assignee in bankruptcy, and was thereupon admitted to record.

Teste,

Peter B. Prentis, Clerk

A Copy:

Teste,

Peter B. Prentis, D.C.

Xmid

Washington L. Riddick, a/s etc

vs

Copy Deed

James R. King.

Exhibit

"A"

To The Worshipful County Court of Nansemond County in Chancery sitting;
Humbly complaining sheweth to the Court your Complainants A. R. Boykin, A. M. Lee, & Anna his wife, formerly Boykin, & Richard E. Boykin & Mary E. Boykin the last two infants suing by said A. R. Boykin as their next friend, that on or about the day of 1861 one J. R. Elliott departed this life intestate in the County last aforesaid. That at the time of his death the said intestate and one James R. King were jointly seized in fee simple of a tract of land containing by estimation Fifty Acres, adjoining the lands of John Rawls (of H.) estate, Jerry Reed & others, being the tract conveyed by Wilson Harrell to the said J. R. Elliott & the said James R. King. That the said J. R. Elliott & J. R. King were each entitled to a moiety of said land. That since the death of the said J. R. Elliott, the said James R. King has been adjudicated a Bankrupt, and one W. L. Riddick appointed his assignee in Bankruptcy. That the said Assignee on the 14th day of September 1868, under an order of the United States District Court for the District of Virginia sitting in Bankruptcy

made a judicial sale of James R. King's moiety of said land, at which sale the said James R. King became the purchaser of said moiety as will appear from the deed of said Assignee conveying the same to the said James R. King marked "A" herewith filed prayed to be taken as a part of this Bill.

Exhibit A

That since the said purchase the said James R. King has made a parol agreement for the sale of his moiety of said land to one Thomas Langston, who under said agreement has entered on said land & now occupies the same & under said agreement the said Langston has acquired an equitable title to the moiety of said land purchased by him as aforesaid. That on the death of the said J. R. Elliott his moiety of said land, descended upon the complainants, nephews & nieces of the said J. R. Elliott & his sole heirs at law, That your complainants are informed, & so charge, that they are entitled to have partition made of said land, and one moiety thereof allotted to the said Thomas Langston, and the other moiety equally divided among your said complainants; In tender consideration whereof,

and for as much as your complainants are without remedy at law, and can only be relieved by the aid of this Worshipful Court of Chancery, where matters of this sort are cognizable.

To this end your complainants pray that the said James R. King & Thomas Langston may be made parties defendant to this Bill, and be required to answer the same, and that by the decree of this Worshipful Court commissions may be appointed to make partition of said land according to the rights of the parties as aforesaid, and that such other and further relief may be granted in the premises as to the Court may seem meet, and may suit the equity of the case, and your complainants will ever pray &c.

Hayden p.q.

Hayden. pg

Anthony R. Beyknie Esq

To & Bill

James R. King and

Thomas Langston

Anthony R. Boykin Sol.

27th Eq Chy: Notes

James R King and Thomas Langston

1869. Nov: 12th: Sum. issd in Chy: to Dec: Rules 1869

" Dec: 6th: Bill & Exhibit filed & Decree Nisi vt defendants

1870. Jany: 3rd: Decree Nisi confirmed & Cause set for hearing on Motion of Dfts Claimants' Counsel

" " 10th: Decree for partition

" June 13th: Report filed

" " " Decree to confirm

" July 11th Bond Executed & filed

" Sept: 12th Rule to show cause &c served

1871 Aug 15: Contd

1872 Mar Contd

" June 11 "

1873. Jany 13. Report filed + rule against Thomas Langston

" July 12, Rule ret'd executed + alleged ordered

" May " Another alleged ordered,

1875. Octo: 11th Decree to sell on 1st Sale. Amendment costs be not kept in the

1876 Apl: 10th Report (85) Sale + Final Decree

Sol: Rodes

To the Circuit Court of Nansemond County:

The undersigned Special Commissioner under the annexed decree of said Court of June Term 1870, in the suit of Baker &c vs King &c reports to the Court, that the purchaser of the lands in these proceedings mentioned, has never complied with the terms of sale by executing Bond with Surety for the credit payment of $50.00 with interest from June 13/70. as required by said decree, but on the 13th day of January 1874, made a further payment of $3.00 in addition to the Cash payment of that amount previously reported by your Commissioner. That out of the said sum of $100.00, your Commissioner has paid Costs of Suit & Sale amounting to $43.07 leaving in his hands a balance of $56.93 as per Statement A

Amount Collected — 100.00

Atty. Fee & Tax — 20.50
P.B. Prentis Clk fee — 10.00
Sh'ff — 1.50
W.E. Cohoon - Clk fee 4.57 — 3 — 43.07
Comm'rs on $100.00 — — 43.07
Balance in Commissioner's hands — $56.93

That the said purchaser is in arrears in the amount of interest on $50.00 from June 13th 1870 to Jan. 13/74 amounting

to $10.75 & that of the interest calc $4.57
have accrued in account of said purchasers
delinquency & further calc still unpaid
have been caused by his delinquency -
The receipts of the parties for said
payments are herewith filed
All of which is respectfully submitted
Signed C. B. Hayden

6 Oct 1875

Bayfield
Co
Receipts

2nd Report of
Commissioner Hayden

Mr; Daly Dear sir you;
will please see the Lawyer.
Say to him please Wait on me un
till may Cant; I shall Be Back
By that time and meet him and
Pay him; also let my Wife know ho
Mind What he Says By so doing
you Will Reny much oblige me
yours Respectfully
Thos Youngston

43.17

June 13/'20

May 13/14

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3.00 -
3
900
1.50
25
10)5

Boykin C. H.

96

Wadesboro

A. R. Boyhin

1873		To Clerk Nansemond Co Co	$	
Aug	To removing Cause & Trig to Ci Co			96

W E Cochoon e

Haden

Boyton AR

$3.78

1 2 1

6 1

96

65.51

47.4

183

A. R. Boykin et al

To Clerk Namosmond Co Co

1873

July	To attch v Langston 30 no 18		68
Jany	" Ent cop decree v Wray		36
July 10	" Ent & decree 36 rule 36 Co 70 no 18	1	30
May	" Ent decree 36 attch 30 no 18	1	24
		3	58

3 15
96
4) 44

W E Cohoon C

Hooven

A K Baykin

$1,24
6
1,53

A R Baykin and A McSe and wife, Richard E Baykin & Mary E Boykin the last two of whom are infants who sue by A R Boykin their next friend

1872	To the Clerk of Lauderdale County Court Dr	
Mar	Order 36 Continuance 25 00 King	61
June	Order 36 Continuance 25 00 "	61
	Willis & Cohoon Clerk	$1 22

Mr. Anthony R. Boykin + u/ a/ps in Chy's
Jdgmt

186?. To WM. ELEY, Sheriff of Nansemond Co., Dr.

Dec'r 1 To Ex't'ng Summons on James P. King + Wm. P. Langston 1 00

Rec'd payment Wm Eley for A S Eley Sh'ff

Hayden

A R Baykin and A M Leland wife and Richard E
Baykin, Mary E Baykin the two last of whom are
infants who sue by A R Baykin their next friend
1871 } The Clerk of Hardeman County Court
Aug Order 36 Continuance 25th Inst 61
Willis E Colvin Clerk

A R Boykin &c

Isle of Wight

61

Suffolk Jany 20th 1873.

Dear Mr Hayden,

Smithfield.-

I saw Thos. Langston since court day, and he expressed a wish to see you very much, and would of been at court, but for sickness of his wife, he will undoubtedly be here (Suffa) Feby court day.

No news of any consequence,

Respt—

W. H. Eley.

W. H. Eley

Boykins Tenpike

At a Quarterly Court held for Nansemond County the 13th: day of June 1870:

Anthony R. Boykin, A. M. Lee and Anna, his wife, formerly Boykin, and Richard E. Boykin and Mary E. Boykin, infants, suing by said Anthony R. Boykin their next friend - - - - - - - - - - Complainants.

Against } In Chancery

James R. King and Thomas Langstun . . Defendants . .

This Cause this day came on to be again heard on the papers formerly read, and on the report of Edwin Smith, L. R. Hunter and Fred: W. Hunter, three of the Commissioners for partition, under the decree herein of January Term 1870, and was argued by Counsel: on consideration whereof, the Court doth adjudge, order and decree that said report, to which no exceptions were filed, be confirmed and that C. B. Hayden, who is hereby appointed special Commissioner for that purpose, proceed to Collect from Thomas Langstun, the sum of Fifty Dollars, and take from the said Thomas Langstun his bond for Fifty Dollars, with sufficient security, payable on the 13th: day of June 1871, with interest from the date of this decree, to himself as Commissioner, and return said bond with his report to Court of his proceedings under this decree, and out of the said sum of Fifty Dollars, pay the Costs of this suit inclusive of an Attorney's fee of Twenty Dollars to C. B. Hayden, for his services in this Cause. But the

effect of this Decree shall be suspended as to the Collection of said money and the taking of said bond, until the said S. B. Hayden shall execute and deliver in the Clerk's Office of this Court, a bond with sufficient security, in a penalty of Two Hundred Dollars, payable to the Commonwealth of Virginia conditioned for the faithful performance of this or any future Decree herein —

A Copy
Teste,

Peter B. Prentis. Clerk

Costs.

Clerk . $10:00 (Paid P. B. Prentis)
Mo. Stay . 20.50
Shff . . 1.50
$32:00

Anthony R. Boykin & al. vs Copy Decree
James R. King & al.

D. D. Fiske, Printer & Stationer, Portsmouth, Va.

Know all Men by these Presents,

That we, C. B. Hayden and Peter B. Prentis

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA, *in the just and full sum of* Two Hundred ——— *Dollars, to the payment whereof, well and truly to be made to the said Commonwealth, we bind ourselves, and each of us, our, and each of our heirs, executors and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this* 14th: *day of* July *in the year one thousand eight hundred and* Seventy, *and in the* 95th: *year of the Commonwealth.*

The Condition of this Obligation is such, That if the above bound C. B. Hayden, who was by a Decree of the Court of the County of Nansemond pronounced on the 13th: day of June 1870 in the Cause of Nathan R. Boykin & al: against James R. King & Thomas Langston, appointed Commissioner to collect from said Langston certain funds &c under said Decree or any future decree made in said Cause shall faithfully discharge the duties of his said trust, then the above obligation to be void, or else to remain in full force and virtue.

Executed in presence of

C. B. Hayden L.S.

Peter B. Prentis L.S.

L.S.

L.S.

L.S.

C. B. Hayden, Comm^r

Jo. } Bond
Commonwealth.

1870
July 11th: Executed & filed

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY,—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON James. K. King & Thomas Langston

to appear at the Clerk's office of our County Court for the County of Nansemond, on the first Monday in December next, 1869, being rule day, to answer a bill in chancery, exhibited against them by

Anthony R. Boykin, A. M. Lee & Anna his wife, & Richard E. Boykin & Mary E. Boykin infants by said A. R. Boykin as next friends

and unless they shall answer the said bill by the next rule day thereafter, the Court will take said bill for confessed, and decree accordingly. And have then and there this writ. Witness, ~~PETER R. PRENTIS~~ E. F. Williamson, Clerk of our said Court, at his office, this 12th day of November 1869, and in the 94th year of the Commonwealth.

E. F. Williamson Clerk.

☞ The Sheriff will, in his return, note the day on which this process is executed on each defendant.

Hayden. f. 9

Anthony R. Boyle and al.

vs. } Sum. in Chy.

James R. King and
Thomas Langston

To Decr. Rules 1849

Pro: B. No: 1. page 44

Co: Co:

Executed Nov. 25th 1849 & returned Copy & Subpoena
to James R King & Thos Langston, each.

Wm Ellis Sh

Anthony R. Boykin Jr. et al

vs

Rule to

James R. King & al.

To 1st: day Octo: Court

1870.

Pro: & No: to Aug Ct

44 Ca:

Executed & a true copy hereof delivered to
Thos Langston
This 7th Sept 1870

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY, GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Thomas Langston

if he be found within your bailiwick, to appear ~~before the Judge of the Court for our said County of Nansemond, at the Court House thereof, on the~~ before the Judge of the Court House thereof on the Second Monday in October next, to shew cause, if any he can why an Attachment should not issue against him for failing to comply with the decree made at the June Term 1870 of said Court in the Chancery cause therein pending wherein Anthony R. Boykin & Others are Plaintiffs and James R. King and Thomas Langston are Defendants

And have then and there this writ. Witness, PETER B. PRENTIS. Clerk of our said Court at his office, this 15th day of September 1870, and in the 95th year of our foundation.

Peter B. Prentis. Clerk