

1885-008
Nansemond Co. (Suffolk)

Chancery Causes: Grant & Folsom vs Elisha Laycock et al

Parker, Nash, Ames, Wilby

OVERSIZE
Box 1
- 2 broadsides



A. C. Withers Esq
Suffolk
Hanseatic Co Bn

C. A. Parker
Pittsboro
Belmont Va
At the request of
Rep. in Grant
Parker & Foye etc

Spinn ^d	25
Cash (15)	38
Notes 15. dec: 18. Att: 10	46
filg. bill 15. 111y: 4 x hr 20	38
ent: 70 Ten	38
Rule 511 - etc 50	100
Cash for X 65	3.00
2 Conters	72
etc	40
Alcun & Copy	1.00
Cont. & 300	56
11 - 150y	1.50
filg. Water land 4 x 6	2.0
Chy for X 67	1.00
Comm & Copy	1.50
fy: ut	15
Alcun & Copy	2.00
2 bands (+ Comm)	1.00
ced	\$16.32
alt. the	16.50
5116	2.50
Comm (R. R. 100)	15.00
	~~50.32~~

Costs of to & including
dean Levy, & the 14th
Octo: 1882. & tally the Court's
Bonds thereon, to Sell

Clerk	\$16.32
Atto: Stay	11.50
Self	2.50
Consur: (No. R. P. Rents)	15.00
	\$50.32

Clara Faycock

Home place - 1600.

Annual 100

~~250~~
~~400~~ -

Wright -

50.

Annual

Margaret E. Haig names &c vs Elsie Lay cash
\$350.00 bond for rent & interest from Jan 1st 1867
warrant of distress & forth coming bond given. —
Apr. 11th 1867. \$180.00 & 7 Dec. 1867. \$95.46. ~~13 Jan 1868. \$168. Feb. 10 1868~~
~~bal. in full \$110.00~~

Sol Richardson Edw^d T Hall & wife
Martha Shephard -

to

Eliza Laycock -

22 Octo 1879 - AR. 11 Nov 1879 -

W.B. 7. p. 647 -

Co. Cr. 13 June 1867 -

S. J. Brown -

\$50. 1 Jan. 1861

EL and Thos St. Taylor -
17 June -

Costs \$6.98

Cr. Cr. Octo 1867
Jas St Deco -

EL & Jack Winslow -
4 Nov '67 -

35-12 1/2 14 Oct 1867
Costs ~~7.86~~
\$11.02

Cr. Cr. Nov 11. 1867
Thos A. Hargreaves
EL & Thos Knott
15 Nov 1867.

\$275- 1 Jan. 1867 -
Price as shown
by Kelly's book.

Cr. Cr. Mar 11. 1871
E Smith for Thos St. Taylor

EL & Thos J. Hargreaves
27 April 1871 -

\$76.46 10 Mar 1862
9.42 776
Cr. \$35-50 14 Aug. 1876
11.25 27 Sept. 1876

Do.

R. F. Dillman Gen. for J. H. C. (for J. H. C.) \$70. 30 Dec '62

EL & Thos Kelly -
Do

~~\$125-00~~ ~~10 Mar 1862~~
1125 in addition
23 Sept 76 (\$35-50 Aug 14 1876 Recd)
Int. from Jan. 1863 \$9.42

Cr. Cr. 11 June 1873
Jas. Jones

EL
15 June 1873

\$153.59 29 July 1868
8.38 -

Real Est.
226 a. 13m E from CH n. \$8,750.00
ad. Parker H. Hargrove - 5/19/84. 28

40 a 18m E from CH. n. \$7,500.00
\$300.00

Deed of Trust -

Ch. Surfer

to Secure \$240. -
Wm Ames Tr for Chas A.P.
Date & AR. 11. Nov. 1879 -
D.B. 7. p. 648 -

Ch. & ux

To Do of 7.
Jno R. K. Twinn for Jno Nash \$1400. -
Date 12 Sep 1873 A.R. 13 Sept. 1873
226 a cu tract -

Ch. & ux

To Do of 7.
~~J. R. K. Tr.~~
Jno J. Stubbs

Release
No 3. P. 105
13 Sep 1873

Trustee for Wm Knott \$98.00
\$257.40 to Almyra Latimer.
\$1235.15 to Same Edw of
Moyd W. Latimer.

1869
D. 28 Jan 1870
A.R. 5. Feb 1870

John Cash

^{vs.}
Elisha Gaycock
\$1400. ⁰⁰

1874 Mar. 12. Paid half year's interest
to this date, to wit \$56. 00

1874 Sept. 12 Paid \$56.00 interest for
half year to this date.

1875 Sept. 12th, Paid \$112.00 interest
for one year to this date.

1877 Mar. 12, Paid \$100. in part hereof.

1877 Aug. 11 Paid \$110. in part hereof

1879 Octo. 11 Paid \$150. " " "

1880 Octo. 9 Paid \$100. " " "

1881 Sept. 24 Paid \$150. " " "

Elisha Laycock & al.

To

John Nash

To Amt. of Bond dated 12th.
Sept. 1873 and due 12 months
after date with interest from
date @ 8 per cent.

\$1400 00

All interest paid to
12 Sept. 1875.

Int. from 12 Sept. 1875 to 12
Mar. 1877 - 1 y. 6 m.

\$168 00

✓ Paid 12 Mar. 1877

100 00

68 00

Int. on \$1400. from 12 Mar. 1877
to 11 Aug. 1877 - 5 m.

46 67

\$114 67

✓ Paid 11 Aug. 1877

110 00

4 67

Int. on \$1400. from 11 Aug. 1877
to 11 Octo. 1879 - 2 y. 2 m.

242 67

\$247 34

✓ Paid 11 Octo. 1879

150 00

97 34

Int. on \$1400 from 11 Octo. 1879 to
9 Octo. 1880 - 11 m. 28 ds.

111 35

~~107 27~~

204 61

~~208 89~~

✓ Paid 9 Octo 1880

100 00

108 69

Int. on \$1400. from 9 Octo. 1880
to 24 Sept. 1881 - 11 m. 15 ds.

107 30

215 99

✓ Paid 24 Sept. 1881

150 00

65 99

Balance

\$1465 99

Int. on \$1400. from 24 Sept.
1881 to .

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *Elisha Laycock, John W. Ames Trustee and Charles A. Parker*

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the first Monday in *January* — next, to answer a

Bill in Chancery, exhibited against them
in the said Court by *Robinson Grant and W. R. Folsom late merchants and partners under the firm and style of Grant and Folsom*

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this *20th* day of *December* 1879, in the *104th* year of the Commonwealth.

Teste:

Peter B. Prentis Clerk.

Copy for
Charles A. Parker

1881. ~~Oct 1st~~^{5th} Service acknowledged in the presence
of Jno W. Ames =
O. H. Leary

CHANCERY SUMMONS.

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to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the first Monday in *January* next, to answer a *Bill in Chancery, exhibited against them* in the said Court by *Robinson Grant and H. R. Folsom, late merchants and partners, under the firm and style of Grant and Folsom,*

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this *20th* day of *December* 187*9*, in the *104th* year of the Commonwealth.

Teste:

Peter B. Prentis Clerk.

Causey Rules p. 9

Grant & Folsom

vs { Sum. in Chy:

Elisha Laycock Hali

In January Rules, 1880.

Pro: B. No: 1. Page 138
Cir: Co.

1880. Jan'y. 2nd: Exec'd, and a true copy herof delivered to
Elisha Laycock and John W. Ames Trustees, each
the within named Charles R. Parker, is not a record
of Nassau County.

J. L. Highman Shiff

Grant & Folsom

^{et}
vs
Laycock

By consent of parties by their
attorneys here entered of record in
open Court it is considered that
decree or order may be entered
in vacation in this cause.

Grant & Tolson
to
Laycock

We consent to this
Cable usage atty for
depts & creditors
Wilbur J. Kilby
Atty. for defend-
ents & creditors

1881

Octo Term

To be entered

Geo. B. Blood.

Entered 883 No 1 page 549

Know all Men by these Presents,

THAT WE, Charles H. Causey and James C. Causey.

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA, in the just and full sum of Five thousand (2000) 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 26th day of October in the year one thousand eight hundred and eighty-two and in the 107th year of the Commonwealth. And we hereby waive our Homestead exemption, as to this obligation.

THE CONDITION OF THIS OBLIGATION IS SUCH, That if the above bound Charles H. Causey,

who has, this day qualified before the by a Decree of the Circuit Court of Nansemond County pronounced on the 14th day of October, 1882, in the Chancery Cause of Grant & Tolson, Plaintiffs, against Elisha Laycock & others, Defendants, been appointed one of the Special Commissioners to sell certain Real Estate, in said Cause described shall faithfully perform his duties as such Commissioner under said Decree, and all other Decrees which he may be required to execute 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 }
~~the Court~~

C. H. Causey (Seal.)
J. C. Causey (Seal.)
(Seal.)
(Seal.)
(Seal.)

Charles F. Cansey,
Sp. Commr.

To Bend

Commenced at the

Octo: 25th 1882

Know all Men by these Presents,

THAT WE, *Wilbur J. Kilby and L. Clay Kilby*

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA, in the just and full sum of *Five thousand (2000)* _____ 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 *25th* day of *October* in the year one thousand eight hundred and *eighty - two* and in the *107th* year of the Commonwealth. And we hereby waive our Homestead exemption, as to this obligation.

THE CONDITION OF THIS OBLIGATION IS SUCH, That if the above bound *Wilbur J. Kilby* _____

who has, ~~this day qualified before the~~ by a Decree of the Circuit Court of Nansemond County pronounced on the *14th* day of *October* *1882* in the Chancery Cause of *Grant & Tolson*, Plaintiffs, against *Elisha Laycock & others*, Defendants been appointed one of the Special Commissioners, to sell certain Real Estate, in said Cause described, shall faithfully perform his duties as such Commissioners, under said Decree, and all other Decrees which he may be required to execute 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
the Court. }

Wilbur J. Kilby (Seal.)

L. Clay Kilby (Seal.)

(Seal.)

(Seal.)

(Seal.)

Wilbur J. Kilby, Spl: Commr.

To { Bond

Commonwealth.

Octo: 25th. 1852

Know all Men by these Presents,

THAT WE, Charles H. Causey and James C. Causey

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA, in the just and full sum of Two Thousand (2000) ————— 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 25th: — day of October in the year one thousand eight hundred and eighty-two and in the 107th year of the Commonwealth. And we hereby waive our Homestead exemption, as to this obligation.

THE CONDITION OF THIS OBLIGATION IS SUCH, That if the above bound Charles H. Causey

who has, ~~this day qualified before the~~ by a Decree of the Circuit Court of Nansemond County pronounced on the 14th day of October, 1882, in the Chancery Cause of Grant & Folsom, Plaintiffs, against Elisha Laycock Sotters, Defendants, been appointed one of the Special Commissioners to sell certain Real Estate, in said Cause described, shall faithfully perform his duties as such Commissioner under said Decree and all other Decrees which he may be required to execute 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 }
~~the Court.~~

C. H. Causey (Seal.)
J. C. Causey (Seal.)
(Seal.)
(Seal.)
(Seal.)

Charles H. Causey, S.H.
Comm^r.

To { Bond

Commonwealth.

~~~~~  
Octo: 25<sup>th</sup>. 1882. Executed by

To the Circuit Court of Cause-  
mond County, Va.

In pursuance of the decree  
of said Court pronounced the 17th.  
day of October 1884 in the Cause  
in Chancery in said Court depend-  
ing between Grant & Folsom, Plain-  
tiffs and Elisha Laycock and  
others, Defendants, the undersign-  
ed, Wilbur J. Kilby and Chas. H.  
Causey, the Special Commissioners  
mentioned in said decree, respect-  
fully report to Court that, as di-  
rected by said decree, they have  
paid to Elisha Laycock, the bal-  
ance of \$36<sup>26</sup>, specified in said  
decree as being in their hands,  
together with the sum of \$2<sup>40</sup>,  
the accumulated interest thereon,  
making the sum total of \$38<sup>66</sup>,  
paid to said Laycock, as will  
appear by the receipt hereto at-  
tached

Respectfully submitted

Wilbur J. Kilby

C. H. Causey

} Comrs.

Nov. 12th. 1884,

(over)

1884 Nov. 12th. Received of Wilbur  
J. Kilby and Chas. H. Causey, Comrs.  
the sum of Thirty-eight and  $\frac{66}{100}$   
dollars, specified in the forego-  
ing Report as paid to Elisha  
Laycock.

\$38.  $\frac{66}{100}$

Wilbur J. Kilby  
Atto. for Elisha Laycock

Grant & Folsom

vs. } In Chy.

Laycock & al.

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Report of Payment  
to Elisha Laycock  
under decree of  
17 Octo. 1884.

1884. Nov. 12th. Filed.  
clk.



A Circuit Court continued and held for Harford County on the 13th day of April 1883.

Grant & Folsom

Plaintiffs

Against } In Chancery.

Elisha Laycock & als

Defendants.

This cause came on this 13th day of April AD 1883. to be again heard on the papers formerly read therein and on the report of Special Commissioners William J. Kelly and Chas W. Hauser, filed the 16th day of January AD 1883. being a report of the sale of the lands of Elisha Laycock in pursuance of the decree entered in this cause the 14th day of October AD 1882. and was argued by counsel.

On consideration whereof, the Court doth confirm the said report, to which no exception has been filed and doth adjudge order and decree that said Commissioners William J. Kelly and Chas W. Hauser, receive of the Clerk of this Court (who will deliver to them and take of them and file in the papers in this cause a receipt for), the two bonds of James Wagner, filed with said report each for the sum of \$1031<sup>12</sup> with Robt T. Bain and James G. Bain security thereto and dated the 11th day of December AD 1882. and payable to said Commissioners six months and one year respectively after the date thereof with interest from their dates, and also the Bond of Mollan Pinner also filed with said report, for the sum of \$385<sup>00</sup> with W. Morris security thereto and also dated the 11th day of December AD 1882. and payable to said Commissioners six months after its date with interest from its date, and that the said Commissioners collect the

principal sums of said bonds at their maturity, or receive the money before their maturity if the obligors should desire to pay the money before their maturity together with all interest due thereon to the day when said money shall be collected or paid, and pay all unpaid costs of this cause first out of said money and then out of the remainder pay the following claims against said Elisha Laycock which were liens on the real estate of said Elisha Laycock which has been sold under proceedings had in this cause each in full in the order named before any subsequent one shall be paid according to their respective priorities, as specified in the report of Commissioner Robert R. Prentiss filed in this cause the 30th day of September AD. 1881. Namely; To S J Brown or his personal representative, the sum of \$119<sup>48</sup> with interest on \$50. part thereof from the first day of November AD 1881: to James A DeBernis the sum of \$76<sup>67</sup> with interest on \$35.<sup>62½</sup> part thereof from the first day of November AD 1881: to Thomas A Croft. the sum of \$129<sup>18</sup> and the sum of \$158.<sup>53</sup> with interest on the sums of \$76.<sup>32</sup> and \$70 parts thereof from the first day of November AD 1881: to James E Jones the sum of \$288<sup>50</sup> with interest on \$153<sup>89</sup> part thereof from the first day of November AD 1881. and to John Nash the sum of \$1465<sup>77</sup> with interest at eight per cent per annum on \$1400 part thereof from the 24th day of September AD 1881: and that said Commissioners retain in their hands any balance of said money that may <sup>then</sup> be left subject to the future order of Court and make report to Court of their proceedings under this decree

And the Court doth further adjudge order and decree  
that said Commissioners Willbur J Kelly and Chas H Causy.  
make to said James Wagner and Wallace Pinner separate  
deeds with special warranty in the usual form, conveying  
to said James Wagner by the deed to him, the parcel of land  
purchased by him under proceedings had in this cause,  
and to said Wallace Pinner, by the deed to him the parcel  
of land purchased by him under proceedings had in  
this cause, subject to the contingent right of dower  
therein of Dora D the present wife of <sup>said</sup> Elisha Laycock,  
that is to say, subject to <sup>her</sup> right to have dower alone in  
said land sold to said Wallace Pinner if she should  
survive her husband, said Elisha Laycock as specified  
in the above mentioned report of said Commissioners  
Willbur J Kelly and Chas H Causy, when they the said James  
Wagner and Wallace Pinner shall have paid their said  
bonds and all interest due thereon in full as above  
specified.

A copy

List:

Peter B. Prentiss, Clerk

Grant & Folsom

vs. } In Chy

Laycock, & al.



To the Circuit Court of Cause-  
mond County, Virginia,

In pursuance of the decree  
of said Court pronounced the 13th. day  
of April A.D. 1883 in the Cause in  
Chancery in said Court depending  
between Grant and Folsom, Plain-  
tiffs and Elisha Laycock and  
others, Defendants, a copy of which  
decree is hereto attached; the under-  
signed, Wilbur J. Kilby and Charles H.  
Causey, the Special Commissioners men-  
tioned in said decree, respectfully re-  
port to Court that, having received of  
the Clerk of said Court and given him  
a receipt, as directed by said decree,  
for the two Bonds of James Wagner  
mentioned in said decree, each for the  
sum of \$1031<sup>18</sup> with Robt. T. K. Bain  
and James G. Bain securities thereto, dated  
the 11th. day of December A.D. 1882 and  
payable one six months and the other one  
year after its date with interest from date,  
and also the Bond of Wallace Primer,  
also mentioned in said decree for the  
sum of \$385<sup>00</sup> with W. H. Morris security  
thereto and dated also the 11th. day of

December A.D. 1882 and payable six months after its date with interest from its date, they, the said Commissioners have collected the principal sums of all said Bonds and all interest due thereon, and, (there being no unpaid costs to be paid), have disbursed the money so collected, as directed by said decree, in payment of the claims against said Elisha Laycock, mentioned in said decree and constituting liens on the lands of said Laycock, which have been sold under proceedings had in said cause, - each claim having been paid in full in the order named in said decree before another or any subsequent one was paid; and that after having paid said claims as aforesaid, there is left in the hands of said Commissioners a balance of \$36. <sup>26</sup>/<sub>100</sub>; and that all the foregoing or above-mentioned facts will more clearly appear by the following statements and the vouchers hereto attached, namely:

Statement No. 1

Statement of the claims of creditors of Elisha Laycock, constituting liens upon his real estate, which under the decree of the 13th day of April A.D. 1883 in the Cause in Chancery in the Circuit Court of Chaussemond County, Va. pending between Grant and Folsom, Plaintiffs and said Laycock and others, Defendants, Special Commissioners, Wilbur J. Kilby and Charles H. Causey, were directed to pay, namely:

|                                                                                                   |           |            |
|---------------------------------------------------------------------------------------------------|-----------|------------|
| To Saml. J. Brown                                                                                 |           | \$ 119 48  |
| " Interest on \$50. <sup>00</sup> part thereof from 1 Nov. 1881 to 1 July 1883 1 y. 8 m.          |           | 5 00       |
| To James H. Decormis                                                                              | \$ 76 67  | \$ 124 48  |
| " Interest on \$35.62½ part thereof as above.                                                     | 3 56      | \$ 80 23   |
| To Thomas H. Cross.                                                                               | \$ 129 18 |            |
| " Interest on \$96. <sup>39</sup> as above.                                                       | 9 64      | \$ 138 82  |
| To Thomas H. Cross.                                                                               | 158 53    |            |
| " Interest on \$70. <sup>00</sup> as above.                                                       | 7 00      | 165 53     |
| To James E. Jones                                                                                 | 288 50    |            |
| " Interest on \$153.89 as above.                                                                  | 15 39     | 303 89     |
| To John Nash                                                                                      | 1465 99   |            |
| " Interest on \$1400. at 8 per cent per annum from 24 Sept. 1881 to 1 July 1883 - 1 y. 9 m. 7 ds. | 198 20    | 1664 19    |
| Total due 1 July 1883                                                                             |           | \$ 2477 14 |

## Statement No. 2

Statement showing the amount of principal and interest of said Bonds collected as aforesaid and the disbursement of the money on account of said claims as aforesaid, to wit:

|                                                                                                                        |          |            |
|------------------------------------------------------------------------------------------------------------------------|----------|------------|
| By Amount of James Wagner's said two Bonds each for the sum of \$1031.18.                                              | =        | \$ 2062 36 |
| " Interest on \$2062.36 from 11 Dec. 1882 to 15 June 1883 - 6m. 4ds.                                                   |          | 63 24      |
| " Amount of Wallace Pinner's said Bond                                                                                 |          | 385 00     |
| " Interest on \$385.00 from 11 Dec. 1882 to 30 June 1883 - 6m. 19ds.                                                   |          | 12 80      |
| To paid for writing two deeds, conveying to said Wagner and Pinner, the land purchased by them respectively, per acct. | \$ 10 00 |            |
| " Balance                                                                                                              | 25 13 40 |            |
|                                                                                                                        | 2523 40  | 2523 40    |

|                                                             |           |            |
|-------------------------------------------------------------|-----------|------------|
| By Balance brought on                                       |           | \$ 2513 40 |
| To paid Saml. J. Brown's Personal Representative, per acct. | \$ 124 48 |            |
| " " Jas. H. Decormis "                                      | 80 23     |            |
| " " Thos. H. Cross "                                        | 138 82    |            |
| " " Thos. H. Cross "                                        | 165 53    |            |
| " " James E. Jones "                                        | 303 89    |            |
| " " John Cash "                                             | 1664 19   |            |
| " Balance                                                   | 36 26     |            |
|                                                             | 2513 40   | 2513 40    |

By Balance in the hands of the Commissioners subject to the order of Court, brought on. — \$ 36 26  
and deposited at The Commercial Bank of Suffolk, Va. to the credit of the Courts.

The said Commissioners further report  
to Court that they have made, as directed  
by said decree, separate deeds respectively  
to said James Wagner and Wallace  
Pinner conveying to them the respective  
parcels of land purchased by them  
under proceedings had in said cause

Respectfully submitted

Wilbur J. Kilby } Comrs.  
Charles H. Causey }

2 July 1883

1883 July 2d.

Received of Wilbur J. Kilby and Chas. H.  
Causey Comrs. the respective sums of money  
charged in the foregoing report as paid to us  
and set opposite our names as follows:

|                                                                            |            |
|----------------------------------------------------------------------------|------------|
| Wilbur J. Kilby Atto. for Saml. J. }<br>Brown's Personal Representative. } | \$ 124.48  |
| Wilbur J. Kilby for deeds. —                                               | \$ 10.00   |
| Wilbur J. Kilby Atto. for Jas. H. Decornis —                               | \$ 80.23   |
| Wilbur J. Kilby Atto. for Jas. E. Jones —                                  | \$ 303.89  |
| Wilbur J. Kilby Atto. for John Cash —                                      | \$ 1664.19 |
| Charles H. Causey att for Tho <sup>s</sup> H. Cross                        | \$ 138.82  |
| Charles H. Causey att for Tho <sup>s</sup> H. Cross                        | \$ 165.53  |

Grant & Folsom

vs. } In Chy.

Elisha Gaycock & al.

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Report of  
collections and dis-  
bursements,  
2 July 1883

Confirmed 17 Octo. 1884

1883. July 10th. Filed  
clk

Mr. Wisham Laycraft Dr.

1882.

To H. E. SMITH, Treasurer of Nansemond County, Virginia.

| No. <u>340</u><br><u>22 1/2 acres</u>                 | State Tax,<br>40 cents on<br>the \$100. | County Levy<br>20c. on<br>the \$100. | Parish Levy,<br>12 1/2 c. on<br>the \$100. | Co. School<br>Tax, 3 1/8 c. on<br>the \$100. | Dis. School<br>Tax, 3 1/8 c. on<br>the \$100. | TOTAL<br>AMOUNT OF<br>TAXES. |
|-------------------------------------------------------|-----------------------------------------|--------------------------------------|--------------------------------------------|----------------------------------------------|-----------------------------------------------|------------------------------|
| To Real Estate, value \$ <u>1984.28</u>               | 7.94                                    | 3.97                                 |                                            | 62                                           | 62                                            | 13.13                        |
| " Personal Property, value \$ <u>240<sup>ci</sup></u> | 96                                      | 48                                   |                                            | 07                                           | 08                                            | 1.59                         |
| " Income, &c., value \$                               |                                         |                                      |                                            |                                              |                                               |                              |
| " Poll Taxes                                          | 1.01                                    |                                      |                                            |                                              |                                               | 1.50                         |
| Total                                                 |                                         |                                      |                                            |                                              |                                               | \$16.24                      |
| Five per cent. additional                             |                                         |                                      |                                            |                                              |                                               | 83                           |
| Total                                                 |                                         |                                      |                                            |                                              |                                               | \$17.07                      |

Received Payment.

22 Dec. 1882

H. E. Smith, Treasurer.

Suffolk, Va., Dec 17<sup>th</sup> 1882  
Mr Wilbur J Kilby - and C H Causey Comrs,  
To The Suffolk Herald, D<sup>r</sup>

Time Book and Job Printing at Moderate Prices.  
1882

|        |                                                                            |          |
|--------|----------------------------------------------------------------------------|----------|
| Nov 9  | To Printing 100 $\frac{1}{4}$ Sheet Bills Sale of Laycocks Land            | 2.25     |
| Nov 22 | " Advertising Sale of Elisha Laycocks Land<br>in "Herald" 8 inches 3 Times | 10.00    |
|        | Received Payment H E Booker manager                                        | \$ 12.25 |

Suffolk<sup>a</sup> Dec 11/82  
Received of W<sup>m</sup> Kilby & Co. & Co. & Co.  
Twelve dollars for copying and selling for  
them by Public Auction 11 Dec 1882  
Before the Court House door of New Bedford  
Co. Vt. under the direction of Court. Two parcels  
of Elisha Lagcock land in said County  
\$12 <sup>00</sup>  
Parker & Brinkley Cnry

At a Circuit Court, continued and held for  
 Naumond County the 14th: day of October, 1882.

Grant & Tolson Plaintiffs.

Against E. L. Chaucery

Laycock & al.

Defendants.

This cause came on this  
 day to be again heard on the papers formerly  
 read therein and on the petition of John Nash  
 and Hilbur J. Kille, Executors of John R. Kelly, de-  
 ceased, filed by leave of the Court the 11th: day  
 of April 1882, and the exhibit therewith filed  
 marked No. 10, and on the Report of Commis-  
 sioner, Robert R. Prentiss, filed the 30th: day of  
 September, 1881, and was argued by Counsel.

On consideration whereof the Court doth  
 confirm the above-mentioned Report, to which  
 no exception has been filed, and being of the  
 opinion that the tract of land containing forty  
 acres, which was conveyed by said Elisha Lay-  
 cock and his wife to John M. Ames Trustee, to secure  
 to Charles A. Parker, the payment of the sum of  
 \$210.<sup>00</sup> by deed of trust dated the 11th: day of Novem-  
 ber 1879 and recorded the same day in the Clerk's  
 Office of Naumond County Court, was sub-  
 ject to the liens of the several judgments dock-  
 eted in said Clerk's Office against said Elisha  
 Laycock prior to the execution of said deed of  
 trust for said Charles A. Parker's benefit,

which said judgments are stated in said Report of Commissioner, Robert R. Pruit, and being also of the opinion that the sale of said forty acres of land made by said John H. Ames, Trustee, on the 14th day of February, 1887, under the above-mentioned deed of trust and the deed made by said John H. Ames, Trustee, dated the same day and recorded the same day in said Clerk's Office, conveying said forty acres of land in pursuance of said sale to said Charles A. Parker, as the purchaser thereof, should be set aside and said tract of land of forty acres sold and the proceeds of the sale applied in payment of said judgments, the Court doth adjudge, order and decree that said deed of trust and said sale made thereunder, by said John H. Ames, Trustee, and said last above-mentioned deed conveying the said land to said Charles A. Parker, as the purchaser thereof, be and they are all hereby set aside and cancelled.

And the Court being also of the opinion and deciding that said tract of forty <sup>1</sup>/<sub>2</sub> acres of land should be subjected first to the satisfaction of said judgments against said Elizabeth ~~Laycock~~ Laycock, according to their respective priorities, before the parcel of said Laycock's land should be subjected to the satisfaction

thereof, which contains two hundred and twenty-six (226) acres, more or less, and which was conveyed by said Laycock and wife to said John R. Kilby, as trustee for the benefit of said John Nash by the deed of Trust dated the 12th day of September 1873, and recorded the next day in the said Clerk's Office, a copy of which is filed with said petition and marked "Exhibit C to 18, and being also of the opinion that it is necessary to sell both said parcels of land for the satisfaction of the liens thereon, reported in this cause, The Court doth further adjudge, order and decree, That Wilbur C. Kilby and Charles H. Causby, who are hereby appointed special Commissioners for that purpose, do proceed to sell, subject to the contingent right of dower of Deza D. the wife of said Elisha Laycock, by public auction to the highest bidder before the Court House of said County, on some County Court day, on a credit of six months except as to enough of the purchase money to pay the costs of this suit and expenses of the sale, which they will require in case, and apply in payment of said costs and expenses, the above mentioned parcel of land containing forty acres, more or less, situated in Slake Hole Magisterial District in said County, and take of the purchaser for the balance

of the proceeds of the sale a Bond with <sup>good</sup> personal security payable to themselves six months after date and bearing interest from the day of sale, And that said Commissioners do also sell by public auction to the highest bidder before said Court House on some County Court day, but on a credit of six and twelve months, The said parcel of land containing 226 acres, more or less, conveyed by said Laycock and wife by their deed of trust dated the 12th day of September 1873, for the benefit of said John Nash making the sale according to the terms of the deed except as ~~is~~ herein provided and requiring of the purchaser in cash a sufficient part of the purchase-money to pay the expenses of the sale, and for the balance, two Bonds in equal sums with good personal security payable to themselves six and twelve months respectively after date with interest from the day of sale.

But, before proceeding to make said sale, the said Commissioners will give notice thereof in a newspaper, published in the Town of Suffolk, Virginia, and by printed notices to be posted in public places in said County and in the neighborhood of said lands and at the Court House door of said County for at least twenty days prior to the

day of sale, and will execute before the Clerk of this Court in his Office separate Bonds each in the penalty of the sum of two thousand dollars with good personal security and waiving the benefit of the homestead exemption and payable to the Commonwealth of Virginia and conditioned for the faithful execution of this decree and all other decrees they may be required to execute in this cause, and will make report ~~report~~<sup>to</sup> Court of their proceedings under this decree filing said Bonds Therewith and all proper vouchers and retaining the title to said parcels of land until the further order of Court.

a copy  
veste:

Peter B. Prentiss Clerk

Costs including this Decree & Copy {  
2 each of the two (2) Bonds }  
Clerk . . . . . \$16.32  
Atto. Gen. . . . . 16.50  
Shff. . . . . 2.50  
Commt. (P. B. Prentiss) 15.00  
\$50.32

Grant & Folsom <sup>Xms</sup>  
25<sup>th</sup> { City Dec 14. <sup>th</sup> Octo: '82  
Laycock & Co

To the Circuit Court of Hansemond  
County, Va: -

In pursuance of the decree  
of said Court, pronounced the 14th day of  
October 1882 in the cause in Chancery in  
said Court depending <sup>between</sup> Grant and Polson  
Plaintiffs, and Elisha Laycock and others,  
Defendants, a copy of which decree is hereto  
attached; the undersigned, Wilbur J. Kilby  
and C. H. Causey, appointed Special Com-  
missioners for the purposes named in said  
decree, respectfully report to Court that, after  
having first executed before the Clerk of said  
Court in his office, the separate Bonds requir-  
ed of them, as Commissioners aforesaid un-  
der said decree, they proceeded to advertise  
and did, on the 2nd day of November A.  
D. 1882, advertise the lands of said Elisha  
Laycock, mentioned and described in said  
decree, for sale on the terms and conditions  
named in said decree, by posting printed  
notices of the sale for more than twenty days  
prior to the day of sale at the Courthouse door  
of said County and at various public places  
in said County and in the neighborhood of  
said lands and by publication of said no-  
tice once a week for three successive weeks  
in "The Suffolk Herald", a newspaper printed  
in the Town of Suffolk, in said County, a  
copy of which notice is hereto attached; and  
and that in pursuance of said decree and  
notice, they offered for sale and on the 11th  
day of December 1882 (being County Court  
day of said County), did sell the said lands  
by public auction before the Courthouse door  
of said County on the terms and conditions  
named in said decree; and that at said

sale, Wallace Primer, as the highest bidder, became the purchaser for the sum of \$450.<sup>00</sup> of one parcel of said lands, subject to the contingent or prospective right of dower therein of Liza D. the present wife of said Elisha Laycock, said sum of \$450. being a fair and adequate price for said parcel of land, which is situated in Knott's Creek in Sleepy Hole Magisterial District in said county and contains 40 or 41 acres, more or less, and is bounded on the North and West by the land of John W. Ames Sr. and a branch of Bennett's Creek, on the east by the land of W<sup>m</sup> J. Wright's estate at present held by his widow, Martha A. Wright as part of her homestead and known as part of the Laycock land, and by the land of Amanda C. the wife of Dr. W<sup>m</sup> T. Jordan, formerly the land of Charlotte Arthur deceased, called the P. H. Arthur place, and on the South by the land owned jointly by John T. Griffin, Henry Kim and Robt. T. K. Bain, formerly the land of W<sup>m</sup> J. Wright, deceased; and that at said sale and at the same time, James Wagner, as the highest bidder, became the purchaser for the sum of \$2150.<sup>00</sup> of the other parcel of said lands the same being a fair and adequate price for said other parcel of land, which is situated also in said Sleepy Hole Magisterial District in said County and contains 226 acres, more or less, and is bounded on the North by the lands of James Hargrove and others, on the east by the land owned jointly by W<sup>m</sup> H. Miars and Mary F. King, on the South by the lands of W<sup>m</sup> G. W. Parker and W. S. J. Parker, formerly the lands of Alpheus Wilson, and on the West by the

head of Bennett's Creek; and that of said sum of \$450.<sup>00</sup> the said Wallace Pinner paid in cash the sum of \$65.<sup>00</sup>, (the same being necessary for the payment of the expenses of the said sale to him and the costs of said cause or suit), and for the balance, executed his Bond, according to the terms of said sale, for the sum of \$385.<sup>00</sup> with W. H. Morris security (deemed good and sufficient) and dated the said 11th. day of December 1882 and payable six months after the date thereof with interest from date; and that of said sum of \$2150.<sup>00</sup>, the said James Wagner paid in cash the sum of \$87.<sup>64</sup> (the same being necessary for the payment of the expenses of said sale to him), and for the balance, executed his two separate Bonds, according to the terms of said sale, each for the sum of \$1031.<sup>18</sup>, with Robt. P. K. Bain and James G. Bain securities to each (deemed good and sufficient) and both dated the said 11th. day of December 1882 and payable, - one six months after date and the other one year after date, with interest from the date of each, all of which said three Bonds are herewith filed; and that with said sum of \$65., and said sum of \$87.64 paid in cash respectively by said Wallace Pinner and said James Wagner as aforesaid, the said Commissioners have paid, as directed by said decree, the expenses of said sales and the costs of said cause, as will fully appear by the several receipts herewith annexed and the following statement showing the disbursement of said said sums of \$65., and \$87.64 paid in cash to said Commissioners as aforesaid;

Statement  
By Cash of said Wallace Pinner as above stated.

\$ 65 00

" Cash of said James Wagner as above stated.

87 64

Total

\$ 152 64

Do 5 per cent coms. on \$300. = \$ 15.00

" 2 ditto on \$2300. 46.00 \$ 61 00

" paid Parker & Brinkley, Criers, per rect. 12 00

" " Taxes for the year 1882. " 17 07

" " "The Suffolk Herald" for printing notices of sale, per bill & rect. 12 25

" " Peter B. Prentiss, Clerk's fees, per rect. 16 32

" " Robt. R. Prentiss, Comr. " 15 00

" " C. H. Causey, Atty. for Plaintiff " 16 50

" " John L. Fulgham, Sheriff, his fees " 2 50

\$ 152 64 \$ 152 64

The Title to the two parcels of land sold as aforesaid, was retained until the further order of Court,

Respectfully submitted this 21st day of December A. D. 1882.

Wilbur J. Kilby } Comrs.  
C. H. Causey }

Received of Wilbur J. Kilby and C. H. Causey, Comrs, the respective sums of money charged in the above Report as paid to us and set apposite our several names as follows:

Peter B. Prentiss, Clerk \$ 16 32

J. L. Fulgham Sheriff \$ 2 50

Robt. R. Prentiss, Comr. \$ 15 00

C. H. Causey Atty for plffs. \$ 16 50

1883 May 14th, Received of Peter B. Prentiss, Clerk of the Circuit Court of Hansemond County, Va. under the decree of said Court of the 13th day of April 1883 in the cause in Chancery pending in said Court between Grant & Folsom Plaintiffs and Elisha Laycock & al. Defendants, the two bonds of James Wagner each for the sum of \$1031<sup>18</sup> with Robt. J. K. Bain and James G. Bain securities thereto, dated the 11th day of December 1882 and payable to the undersigned six months and one year respectively after the date thereof with interest from date, and also the bond of Wallace Primer for the sum of \$385.<sup>00</sup> with W. H. Morris security thereto, dated the 11th day of December 1882 and payable to the undersigned six months after date with interest from date, - which said bonds were filed with this report and are herein described and mentioned and have been received by the undersigned for the purposes named in said decree

Wilbur J. Kilby }  
C. H. Consey } Court.

Grant & Folsom

vs. } In loby.

Elisha Laycock & al.

Report of sale of land

11 Dec. 1882

Confirmed 13 April 1883

1883. June 16th. Filed  
C.H.

Virginia:

At a circuit court begun and held for the  
County of Hanseman on the 11th day of April. 1881.

Grant and Holman

Plaintiffs

vs } In chancery

Elisha Laycock & al.

Defendants

This cause came on this day  
to be heard on the bill of the complainants taken  
for confessed, as to the defendants thereto (all  
adults) upon whom process had been duly  
served, and they still failing to appear and  
plead, answer and show cause, and on ex-  
hibits filed and was argued by counsel.

On consideration whereof the Court doth  
adjudge, order and decree,

1st. That one of the Commissioners of this  
Court take and state for the information of  
the Court an account of the complain-  
ants judgment and of all other liens  
on the lands of the defendants in this  
cause, their amount and their  
priorities

2nd: An account of the lands owned  
by the said defendant at the date of  
complainants judgment or subse-  
quently acquired, and the fee-simple

and annual values thereof, together  
with any other matter specially stated  
deemed pertinent by himself or that  
any one of the parties may require  
to be so stated and make report  
to Court of his proceedings under  
this decree.

Attest,  
Lester,

Peter B. Prentiss, Clerk.

Grant & Folsom

as } Chz - Court decree

Eliza Faycock and

**Commissioner's Office,**

**SUFFOLK, NANSEMOND COUNTY, VA.**

26 July 1881

To

Robinson Grant and H.R. Tolson late merchants  
and partners under the name, firm and style of  
Grant & Tolson

Plaintiffs,

and

Elisha Lugoock, John W. Ames, Trustee, and Charles  
Parker

Defendants.

Thursday seventh day of September 1881  
You are hereby notified that I have fixed upon the  
next, to take and settle, at my office, the following accounts, to-wit:

An account of the Complainants' judgment and of all  
other liens on the lands of the Defendants in the case  
their amounts and their priorities

An account of the lands owned by said Defendant  
at the date of Complainants' judgment or subsequently  
acquired, and the fee simple and annual values thereof,  
together with any other matter specially stated deemed  
pertinent by myself, or that any one of the parties  
may require to be so stated.

required to be taken by the decree of Nansemond  
eleventh day of April 1881 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.

Robert P. Prentiss  
Commissioner

Executed and a copy hereof delivered to John  
W. Ames, Elisha Laycock, Charles Parker  
each.

J. L. Fugham. Spt

Grant + Tolson

10 days or less  
v. Comm. Notice

Elisha Laycock &c

7 Sept. 1881

Executed only on

Elisha Laycock

John W. Ames, Justice

Charles Parker

I

An account of the Complainants judgment and  
of all other liens on the lands of the defendant  
Elisha Laycock, stated in the order of their  
priority. -

Kilby 1. Judgment County Court of Mansfield 13 June 1867. -  
S. J. Brown  
v. Docketed 17 June 1867. -  
Elisha Laycock and Thomas H. Taylor -  
Principal 50.  
Int. 1 Jan. 1861 to 1 Nov. 1881 20 y 10 m 62.50  
Costs (7.56) 5.98  
Amt. due 1 Nov. 1881 119.48

Kilby 2. Judgment Circuit Court of Mansfield 14 Oct. 67  
James H. McCormick  
v. Docketed 4 Nov. 1867. -  
Elisha Laycock and Jack Winslow -  
Principal 35.62 1/2  
Int. 14 Oct. 1867 to 1 Nov. 1881 14 y 2 m 30.02 1/2  
Costs 11.02  
Amt. due 1 Nov. 1881 76.67

3  
 Causey  
 Judgment County Court of Maudslond March 1871 -  
 E. Smith for benefits of Thomas H. Cross.  
 v. Docketed 27. April 1871 -  
 Elisha Laycock and W. J. Arthur -  
 Principal 76.46  
 Int. from 10. Mar. 1862 to 14. Aug. 1876.  $\frac{3}{14} \frac{m}{5} \frac{d}{4}$  66.15  
 142.61  
 1876. Aug. 14. Credit off 35.50  
 " " " Balance 107.11  
 Int. from 14 Aug 1876 to 27. Sept. 1876.  $\frac{m}{13} \frac{d}{13}$  .53  
 107.64  
 1876. Sept. 27. Credit off 11.25  
 " " " Bal. Prin & Int. 96.39  
 Int. on Prin 27. Sept. 1876 to 1. Nov. 1881.  $\frac{3}{5} \frac{m}{1} \frac{d}{4}$  23.37  
 Costs 9.42  
 Amt. Due 1. Nov. 1881 129.18

Causey  
 Judgment County Court Maudslond March 1871 -  
 R. F. Dillard Son for T. H. (for Thos. H. Cross.)  
 v. Docketed 27. April 1871 -  
 Elisha Laycock and E. J. Kelly -  
 Principal 70.  
 Int. from 30 Dec 1862 to 1. Nov. 1881.  $\frac{3}{18} \frac{m}{10} \frac{d}{1}$  79.11  
 Costs 9.42  
 Amt. Due 1. Nov. 1881 158.53

Kilby.

4 Judgment County Court Mansfield. June 1873.  
James E. Jones

v.

Docketed 18. June 1873.

Elisha Laycock.

Principal

153.89

Int. from 29 July 1868 to 1 Nov 1881.  $\frac{y}{13} \frac{m}{8} \frac{d}{2}$

126.23

Costs

8.38

Ant. Due 1. Nov. 1881

288.50

Kilby

5 A Deed of Trust. - Dated 12 Sept. 1873.

Elisha Laycock & wife

to

Admitted to record 13 Sept. 1873.

Jno. R. Kilby Trustee for John Nash.

Conveying 22 1/2 acre tract of land in  
order to secure bonds for \$1400. bearing  
interest at rate of 8% per annum.

Principal and Int. due 24. Sept. 1881.

1465.99

with 8% interest on \$1400. from 24. Sept. 1881 till pd.  
(see statement filed).

Causey

6 Judgment Circuit Court Mansfield. April 1877.  
Grant & Folsom

v.

Elisha Laycock.

Principal

125.89

Int. from 1. Dec. 1876 to 1. Nov 1881  $\frac{y}{4} \frac{m}{11}$

37.13

Costs

7.85

Ant. Due 1. Nov. 1881

170.87

2407.22

## II.

An account of the lands owned by the Defendant Elisha Laycock at the date of Complainant's judgment or subsequently acquired, and the fee simple and annual values thereof.

- 1 At the date of Complainant's judgment Elisha Laycock owned the tract of land upon which he resides containing 226 acres situated 13 miles East from the Courthouse, the assessed value of which is \$8.<sup>78</sup> per acre. This tract adjoins the lands of Parker and Hargroves. \$1984.28

Annual value (estimated)

100.

This tract has been conveyed by Deed of Trust to secure \$1400.- as will be seen from the Account of liens on preceding pages of this report.

The equity of redemption of the Defendant Laycock in this tract of land, subject to prior liens is subject to the lien of the Complainant's judgment. And this equity of redemption has been claimed by the Defendant Laycock as a part of his Homestead Exemption. - Homestead Deed dated 19. January 1871. - Admitted to record 25. January 1871. -

- 2 After the Complainant's judgment was obtained the Defendant Elisha Laycock acquired fee simple

title (he previously owned an undivided one-fourth interest) to 40 acres of land, situated 18 miles East from Courthouse, in Sheepy Hole District the assessed value of which is \$7.<sup>50</sup> per acre. \$300.<sup>00</sup>

Annual value (estimated) 50.

This 40 acre tract was conveyed by Elisha Laycock wife to John W. Ames Trustee in order to secure to Charles A. Parker the sum of \$210. - which Deed was dated and admitted to record on the 11th. Day of November 1879. - By virtue of this Deed of trust the said John W. Ames Trustee has sold and conveyed the said 40 acre tract of land to Charles A. Parker, and the said Parker is now in possession of the same. -

Commissioner's Office -

Suffolk Va. 23 September 1881

To the Hon. George Blon Judge  
of the Circuit Court of Hansemond  
County:

Your Commissioner respectfully reports to the Court that in obedience to a Decree entered in the Chancery cause of Grant & Tolson v. Elisha Laycock & others, on the 11. Day of April 1881 (a copy of which is hereto annexed) he, on the 26 Day of July 1881 issued

notice to the parties in interest stating that I had fixed upon Wednesday the 7 day of September 1881, ~~at my~~ as the time, and my office as the place for proceeding to execute the said decree. Which notice was duly executed and is herewith returned. - On the day fixed the report was not concluded and the same has been kept open and continued from day to day until today when the same is completed. - Account I. is an account of liens and needs ~~specifies~~ no explanation. -

Account II shows the real estate affected by the judgments against Elisha Laycock. - As the Court readily sees, very nice questions arise as to which tract of land is to be first subjected to sale in order to satisfy liens. - But inasmuch as there still remains in Elisha Laycock an equity of redemption in the 226 acre tract your Commissioner inclines to the opinion that this tract should be first subjected, and in case this fails to satisfy all the liens, then the 40 acre tract now in the possession of Charles Parker bought by him of John W. Cures Trustee must be sold to satisfy the judgment liens then remaining unpaid. -

Given under my hand this 23rd.

Day of September 1881.

Fee \$15

Shff. 1.50

\$16.50 -

Robt. D. Prentiss.  
Counsel in Chancery.

Note

1882 July 27. The Commission found it best not to say that the said proceeds of the lands sold the 22<sup>d</sup> were such as to be sufficient for a fund sufficient to satisfy all the claims asserted by and no facts except those in the body of the report upon which to base an opinion. That of course if the proceeds of the lands are insufficient to satisfy the claims asserted it is a matter of indifference ~~whether~~ <sup>whether</sup> which is sold first in point of time, though the proceeds of each tract should be kept and distributed separately.

Robt. D. Prentiss.

Counsel in Chancery.

Grant Folsom

N.  Report  
Dated 23 Sept. 1881.  
Comm. R.R. Prentiss.

Laycock & others.

Confirmed 14 Octo. 1882

1881. Sept. 30th. Filed  
clk.

Grant & Folson

vs

Laycock

This Cause came on this day to be again heard on the paper formerly read herein, on the Report of Comm<sup>r</sup> R.R. Prentiss filed on the 30th day of September 1881 in said cause, and on the petition of John Nash and W.F. Kelly Exors of Jno. R. Kelly decd and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that said John Nash and W.F. Kelly be made parties defendant to this suit and that in all future orders or decrees entered herein they be named as such.

And the Court doth further adjudge, order and decree that the Report of Comm<sup>r</sup> R.R. Prentiss to which no exceptions have been filed be confirmed.

Grant & Folsom

vs.

Laycock & al.

This Cause came on this day to be again heard on the papers formerly read ~~therein~~ and on the Report of Special Commissioners Milbur J. Kilby and Chas. H. Causey filed the 10th. day of July A.D. 1883, being a Report of collections and disbursements, made in pursuance of the decree entered in this Cause the 13th. day of April A.D. 1883 and on the Petition of ~~said~~ Elisha Laycock and the Exhibit therewith filed the 4th. day of September A.D. 1883 and was argued by Counsel

On consideration whereof the Court doth confirm the said Report to which no exception has been filed <sup>with the consent of parties</sup> and doth adjudge order and decree that said Commissioners pay to said Elisha Laycock the balance of \$36<sup>26</sup> in their hands as appears by said Report, - he being entitled to the same <sup>on account of his homestead exemption as</sup> ~~as against the claim~~ set forth in his said Petition, ~~against the claim~~ and by virtue of his homestead deed, a copy of

which is filed with the Bill in this cause and marked "Exhibit  
C" against the claim  
and judgment reported in this  
cause against him in favor  
of the Plaintiffs: Grant & Folsom,  
~~as set forth in said Petition~~  
~~by virtue of his homestead deed~~  
~~which does not waive the benefit of his~~  
~~which was dated the 19th day~~  
~~homestead exemption.~~  
~~of January A.D. 1871 and recorded~~  
~~in the Clerk's office of Hausenwald~~  
~~County Court the 25th day of Janu-~~  
~~ary A.D. 1871 a copy of which~~  
~~is filed as "Exhibit C" with the~~  
~~Bill in this cause~~ and <sup>that</sup> make  
said Commissioners make  
report to Court of their proceedings  
under this decree.

Grant & Folsom

vs. } In Chy

Elisha Gaycock

Hausenwald County  
Circuit Court

Octo. 17th, 1884

Decree

To be entered

Geo. B. Brown.

Filed 03/20/2/18

~~We consent to this~~

~~decree~~

~~William J. Kilby Atty.~~

~~for Elisha Gaycock~~

Grant & Folsom

vs.

Laycock & al

This Cause came on this 13th day of April A.D. 1883 to be again heard on the papers formerly read therein and on the report of Special Commissioners, Wilbur J. Kilby and Chas. H. Causey filed the 16th day of January A.D. 1883, being a report of the sale of the lands of Elisha Laycock in pursuance of the decree entered in this cause the 14th day of October A.D. 1882, and was argued by counsel.

On consideration whereof the Court doth confirm the said report to which no exception has been filed and doth adjudge, order and decree that said Commissioners, Wilbur J. Kilby and Chas. H. Causey, receive of the Clerk of this Court (who will deliver to them and take of them and file in the papers in this cause a receipt for), the two Bonds of James Wagner, filed with said report, each for the sum of \$1031.<sup>18</sup> with Robt. T. K. Bain and James G. Bain security thereto and dated the 11th day of December A.D. 1882 and payable to said Commissioners six months and

one year respectively after the date thereof with interest from their dates, and also the Bond of Wallace Primer also filed with said report, for the sum of \$385<sup>00</sup> with W. H. Morris security thereto and also dated the 11th. day of December A. D. 1882 and payable to said Commissioners six months after its date with interest from its date, and that said commissioners collect the principal sums of said bonds at their maturity or receive the money before their maturity if the obligors should desire to pay the money before their maturity together with all interest due thereon to the day when said money shall be so collected or paid, and pay all unpaid costs of this cause first out of said money and then out of the remainder <sup>pay</sup> the following claims against said Elisha Laycock which ~~constituted~~ were liens <sup>on</sup> ~~of~~ the real estate of said Elisha Laycock which has been sold under proceedings had in this cause, each ~~according to its priority~~ in full ~~before any~~ in the order named before any subsequent one shall be paid according to their respective priorities, as specified in the

Report of Commissioner, Robert R. Prentiss, filed in this cause the 30th day of September A.D. 1881, namely: to S. J. Brown or his Personal Representative, the sum of \$119.<sup>48</sup> with interest on \$50. part thereof from the first day of November A.D. 1881 ~~in full of the judgment in his favor~~; to James H. McCormick the sum of \$76.<sup>67</sup> with interest on \$35.62<sup>1</sup>/<sub>2</sub> part thereof from the first day of November A.D. 1881; to Thomas H. Cross the sum of \$129.<sup>18</sup> and the sum of \$158.53 with interest on the sums of \$96.<sup>39</sup> and \$70. parts thereof from the first day of November A.D. 1881; to James E. Jones the sum of \$288.<sup>50</sup> with interest on \$153.89 part thereof from the first day of November A.D. 1881; and to John Nash the sum of \$1465.<sup>99</sup> with interest at eight per cent per annum on \$1400 part thereof from the 24th day of September A.D. 1881; and that said Commissioners retain in their hands any balance of said money that may then be left subject to the future order of Court and make report to Court of their proceedings under this decree.

And the Court doth further adjudge order and decree that said Commissioners, Wilbur J. Kilby and Chas. H.

Causey, make to said James Wagner  
and Wallace Primer separate deeds  
with special warranty in the usual  
form, conveying to said James Wagner<sup>by the deed to him</sup>  
the parcel of land purchased by him  
under proceedings had in this cause,  
and to said Wallace Primer, by the  
deed to him, the parcel of land pur-  
chased by him under proceedings had  
in this cause, subject to the contingent  
right of dower therein of Diza D. the  
present wife of said Elisha Laycock  
that is to say subject to her right to have  
<sup>alone in said land sold to said Wallace Primer</sup>  
dower ~~therein~~ if she should survive  
her husband, said Elisha Laycock,  
as specified in the above-mentioned  
Report of said Commissioners, Wilbur  
J. Kilby and Chas. H. Causey, when they  
the said James Wagner and Wallace  
Primer shall have paid their said  
bonds and all interest due thereon in  
full as above-specified.

Grant & Folsom <sup>vs.</sup>

vs. } In

Laycock tal.

Hausenmond County  
Circuit Court

April Term 1883

Decree

To be entered

Geo. Blom.

Copied

Entered O.P. Aug 6/14

Grant & Polson

vs.

Laycock & al

This cause came on this day to be again heard on the papers formerly read therein and on the ~~Report~~ Petition of John Cash and Wilbur J. Kilby, <sup>executors of John R. Kilby</sup> deceased filed by leave of the Court the 11th. day of April 1882 and <sup>the</sup> exhibit therewith filed marked No 10 and on the Report of Commissioner, Robt. R. Prentiss, filed the 30th. day of September 1881 and was argued by counsel.

On consideration whereof the Court doth confirm the above-mentioned Report to which no exception has been filed, and being of the opinion that the tract of land containing forty acres, which was conveyed by said Elisha Laycock and his wife to John W. Ames, Trustee to secure to Charles A. Parker, the payment of the sum of \$210.<sup>00</sup> by deed of trust dated the 11th. day of November 1879 and recorded the same day in the Clerk's office of Chautauque County Court, was subject to the liens of the several judgments docketed in said Clerk's office against said

~~Elisha~~ Elisha Laycock prior to the execution of said deed of trust for said Chas. A. Parker's benefit, which said judgments are stated in said Report of Commissioner, Robt. R. Prentiss; and being also of the opinion that the sale of said forty acres of land made by said John W. Ames trustee on the 14th. day of February 1881 under ~~said last~~<sup>the</sup> above mentioned deed of trust and the deed made by said John W. Ames, trustee dated the same day and recorded the same day in said Clerk's office, conveying said forty acres of land <sup>in pursuance of said sale</sup> to said Chas. A. Parker, as the purchaser thereof, should be set aside and said ~~for~~ tract of land of forty acres ~~be~~ sold and the proceeds of the sale applied in payment of said judgments, the Court doth adjudge, order and decree that said deed of trust and said sale <sup>made</sup> <sup>by said John W. Ames trustee</sup> <sup>hereunder</sup> and said last above-mentioned deed <sup>conveying the</sup> <sup>said land</sup> <sup>as the purchaser thereof</sup> ~~to~~ to said Chas. A. Parker, <sup>be</sup> and they are <sup>all</sup> ~~both~~ hereby set aside and cancelled.

And the Court being also of the opinion and deciding that said tract of forty acres of land should be subjected first to the satisfaction of said judgments a-

according to their respective priorities  
against said Elisha Laycock before the  
~~parcel~~ <sup>parcel</sup> of said Laycock's land, containing  
~~two~~ <sup>two</sup> hundred and twenty six (226)  
acres, more or less, <sup>and</sup> which was conveyed  
by said Laycock and wife to said John  
R. Kilby as trustee for the benefit of said  
John Cash by the deed of trust dated ~~the~~  
the 12th. day of September, 1873 and record-  
ed the next day in the <sup>said</sup> clerk's office, ~~of the~~  
a copy of which is filed with said Peti-  
tion and marked "Exhibit No 10, ~~should~~  
~~be subjected to the satisfaction of said~~  
~~and being also of the opinion that it is necessary to sell both said parcels of~~  
~~land by the satisfaction of said judgment which the Court doth further adjudge~~  
order and decree, that Wilbur J. Kilby  
and Chas. H. Causey, who are hereby ap-  
pointed special Commissioners for that  
purpose, do proceed to sell, subject to  
the contingent right of dower of Lizad.  
the wife of said Elisha Laycock, by  
public auction to the highest bidder be-  
fore the courthouse of said county on some  
county court day, on a credit of six months  
except as to enough of the purchase money  
to pay the costs of this suit and expenses  
of the sale, which they will require in cash,  
~~and apply in payment of said costs and expenses,~~  
the above mentioned parcel of land con-  
taining forty acres, more or less, situated  
in Sleepy Hole Magisterial District in

ported in  
this cause,

said county, ~~after having first given~~  
~~at least twenty days' notice by printed~~  
~~notices to be~~ and take of the purchaser  
for the balance of the proceeds of the sale  
a Bond with good personal security pay-  
able to themselves, six months after date  
and bearing interest from the day of sale.

And that said Commissioners do also  
~~on the terms and conditions mentioned above~~  
sell, but on a credit of six and twelve

by public  
auction to  
the highest  
bidder before  
said court  
on some court  
day

months, the said parcel of land con-  
taining 226 acres, more or less, con-  
veyed by said Laycock and wife by

their deed of trust dated the 12th day  
of September 1873 for the benefit of said  
John <sup>making the sale according to the terms of said deed</sup> <sup>except as herein provided and</sup> <sup>in cash</sup> ~~last~~ <sup>requiring</sup> of the purchaser, a

sufficient part of the purchase-money  
to pay the ~~the~~ expenses of the sale, and  
for the balance, two Bonds in equal  
sums with good personal security  
payable to themselves six and twelve  
months ~~resp~~ respectively after date with  
interest from the day of sale.

But, before proceeding to make said  
sales, the said Commissioners will ~~ex-~~  
~~ecute~~ <sup>thereof</sup> give notice of said sale in a  
newspaper, published in the town of  
Suffolk, Va. and by printed notices  
to be posted in public places in said

county and <sup>in</sup> the neighborhood of said  
lands and at the courthouse door  
of said county for at least twenty  
days prior to ~~the~~ ~~see~~ the day of sale,  
and will execute before the Clerk of  
this Court in his office separate Bonds  
each in the penalty of ~~of~~ the sum of  
two thousand dollars with good  
personal security and waiving the  
benefit of the homestead exemption  
and payable to the Commonwealth  
of Virginia and conditioned for the  
faithful execution of this decree  
and all other decrees they may be  
required to execute in this cause,  
and will make report to Court of  
their proceedings under this decree  
filing ~~therewith~~ said Bonds there-  
with and all proper ~~see~~ vouchers and  
retaining the title to ~~sale~~ said parcels  
of land until the further order of  
Court.

Grant & Polson

vs.

Laycock & al

Nausemond County

Circuit Court

Octo 14th, 1882

Decree

To be entered

Geo. B. Wood

Entered Chancery Order

Book No. 1 - Page 592

Copied

C. P. W. B.

Grant & Tolson

vs.

Laycock & al

This day John Cash and Wilbur J. Kilby Executor of John R. Kilby deceased presented their joint and several Petition to Court, together with an exhibit marked No. 10, praying to be admitted as parties defendant in this suit, which said Petition with said exhibit by leave of the Court is filed; and it is accordingly ordered that the said John Cash and Wilbur J. Kilby, the latter as the executor of John R. Kilby deceased, be and they are hereby admitted as parties defendant in this suit and that this suit be hereafter prosecuted in their names as two of the defendants therein. And with the consent of the parties given in open court by their counsel and here entered of record, it is ordered that this suit may be submitted to the Judge of this Court for decision or decree to be made therein in vacation.

Grant & Folsom

vs. } In chy

Laycock & al

Nauvoo County  
Circuit Court  
April 11<sup>th</sup> 1882

Order

To be entered

Geo. Blow.

Entered Order Book No 1  
Page 326

Grant & Tolson

Plaintiffs

vs J. In chey

Elisha Laycock &c

Defendants

This cause came on this day to be heard on the "Bill" of the complainants taken for confessed as to the defendants thereto, (all aduets) upon whom process had been duly served, and they still failing to appear and plead, answer and demur thereto and on exhibits filed and was argued by counsel.

On consideration whereof the Court doth adjudge, order and decree  
1st: That one of the Commissioners of this Court take, and state for the information of the Court an account of the complainants judgment ~~and~~ and of all other liens on the lands of the defendants in this cause, their amounts and their priorities  
2nd: An account of the lands owned by said defendant at the date of complainants judgment or subsequently acquired and the fee-simple and annual value thereof, together with any other matter specially stated, deemed pertinent by himself or that any one of the parties may require to be so stated and make report to Court of his

Grant & Foleum  
to John  
Elisha Laycock & al

1881  
April Term <sup>11<sup>th</sup></sup>  
Rough draft  
To be entered  
Geo. B. Shaw.

Entered O.B. No 1  
p. 572

Copied

Proceedings under this decree

Grant & Folsom

<sup>vs.</sup>  
Elisha Laycock & al.

This Cause Came on this day to be again heard on the papers formerly read and on the Report of Special Commissioners, Wilbur J. Kilby and Chas. H. Causey, filed the 12th. day of November 1884, - being a Report of payment to Elisha Laycock under the decree entered in this Cause the 17th. day of October 1884; - and was argued by Counsel.

On consideration whereof the Court doth confirm the said Report to which no exception has been filed and doth adjudge, order and decree, that the proceedings had in this cause be final and binding between the parties thereto; and nothing more remaining to be done therein, doth order that this cause be removed from the docket.

Grant & Folsom

vs. } In Chy.

Elisha Gaycock & al.

In Hausenrond County  
Circuit Court,

April 27<sup>th</sup> 1885

Final Decree

To be entered

Levi B. Snow.

Entered 4/30/85 by 22

Expts. Va. May 21. 1875-

Elisha Laycock,

To Grant & Folsom Dr.

|                         |               |
|-------------------------|---------------|
| To 492 Boxes @ 17       | \$83.64       |
| June 11. " 56 bbls " 35 | 19.60         |
| " 24 By Cash            | 103.24        |
|                         | <u>34.00</u>  |
|                         | 69.24         |
| July 1. " 239 bbls      | 83.65         |
|                         | <u>152.89</u> |
| Oct. 11. Rec Cash       | 6.00          |
|                         | <u>146.89</u> |
| Dec. 13 Rec Cash        | 21.00         |
|                         | <u>125.89</u> |

with interest from 1. December 1876, till paid.

I, Peter B. Prentiss, Clerk of the Circuit Court of Newsumund County, do hereby certify, that the foregoing is a copy of the account, upon <sup>which</sup> the judgment obtained, in the said Court was founded, on the 14th day of April, 1877, for the sum of \$125<sup>89</sup> with interest thereon from the 1st day of December, 1876, till paid - and \$7<sup>85</sup> Costs, at the suit of Robinson Grant and H. R. Folsom, merchants and partners under the firm and style of Grant & Folsom, Plaintiffs, against Elisha Laycock, Defendant.

Certified under my hand, at my Office, this 22nd day of September, 1883.

Peter B. Prentiss, Clerk.

Grant & Folsom  
vs. } In Chy.

Elisha Laycock & al

Exhibit No. 20  
filed with the  
Petition of Elisha  
Laycock  
22 Aug. 1883

1883: Sept: 4th: Filed  
c.l.k.

In the Circuit Court of Cause-  
mond County, Va.

Grant and Folsom

against

} In Chancery

Elisha Laycock & al

To the Hon. Geo. Blow, Circuit  
Court Judge in and for the County of  
Causemond, State of Virginia;

Humbly complaining respects-  
fully represents and shows unto your  
Honor, Your Petitioner, Elisha Lay-  
cock,

That on the 20th. day of Decem-  
ber A.D. 1879 there was instituted  
a suit in Chancery against him  
and others by Robinson Grant and  
H. R. Folsom, late merchants and  
partners in trade under the firm  
and style of Grant and Folsom  
Plaintiffs, in the Circuit Court of  
Causemond County, Virginia, having  
for its object the subjection of his  
real estate in said County to the  
satisfaction of sundry judgments

and claims secured by deeds of trust thereon, constituting liens on said real estate in favor of sundry of his creditors including the said Grant and Holson.

That under proceedings had in said suit, his said real estate was sold and the proceeds of the sale have been applied in payment and satisfaction in full of all said liens, except the judgment for the sum of \$125.<sup>89</sup> reported in said suit as a lien on said real estate in favor of said Grant and Holson bearing interest from the first day of December 1876 and for \$7.85 costs; all said liens so paid and satisfied in full being liens on said real estate prior to the lien of said judgment in favor of said Grant and Holson.

That it appears by the Report of Special Commissioners, Wilbur J. Kilby and Chas. H. Causey filed in said suit the 10th day of July 1883, that after the payment of said liens and claims upon said real estate, paid as aforesaid, there

is left a surplus of said proceeds of the sale of said real estate, amounting to the sum of \$36.<sup>26</sup> in the hands of said Commissioners subject to the order of said Court,

That all the claims paid as aforesaid waived the benefit of the homestead exemption, and therefore, your Petitioner could <sup>not</sup> claim the benefit of his homestead exemption against them or hold his said real estate or the proceeds of the sale thereof against them under and by virtue of his right to said homestead exemption.

That the said judgment in favor of said Grant and Folsom is, however, or was, based upon an open account, a duly certified copy of which is herewith filed as a part of this Petition and marked Exhibit No 20, and, therefore, as against it, the only remaining judgment and lien on said real estate against him, outstanding and unpaid, your Petitioner, has the right to claim the said sum of \$36.<sup>26</sup>, surplus proceeds of said sale, under

and by virtue of his homestead deed dated the 19th day of January 1871 and recorded in the Clerk's office of Chautauque County Court the 25th day of January 1871, a copy of which is filed with the bill in said suit and marked "Exhibit C",

That your Petitioner is entitled to said sum of \$36.<sup>26</sup> under and by virtue of said homestead deed because he is still the householder and head of a family and because the account or debt upon which said judgment in favor of said Grant and Folsom is based, does not waive the benefit of his homestead exemption and because the said sum of \$36.<sup>26</sup> is the surplus of the proceeds of the sale of the real estate, which was set apart and claimed by him under his said homestead deed as part of his homestead exemption,

Your Petitioner prays, therefore, that said sum of \$36.<sup>26</sup> may be decreed to him and paid to him as part of the homestead to which he is entitled under and

by virtue of his homestead deed  
aforesaid, and that all further  
and general and adequate re-  
lief may be granted consistent  
with Equity and, as in duty bound,  
he will ever pray &c.

Wilbur J. Kilby  
Atto. for Elisha Laycock

22 August 1883

Grant & Folsom

vs. } In lby

Elisha Laycock & al

---

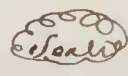
Petition of  
Elisha Laycock

Granted 17 Octo, 1884

1883. Sept. 4<sup>th</sup>. Filed ck.

This Deed, made the 12th: day of Sept. 1873, between Elisha Laycock and Diza D. his wife, of the first part, and John R. Kelly, Trustee, of the other part, Witnesseth: that the said Elisha Laycock & Diza D. his wife do grant with general warranty unto the said John R. Kelly, the following property, to wit: all that certain tract of land with its appurtenances, located in Sleepy Hole Township, in the County of Hanssmand, containing two hundred and twenty-six acres, more or less, and bounded as follows: on the North, by the lands of James Hargroves, on the East, by the lands of E. F. Williamson, on the South, by the lands of Wm. G. W. Parker, and on the West, by the head of Bennett's Creek & is the same tract of land which the said Laycock purchased under decree (Wm. Knott, Commissioner) on the 12th: day of November, 1869 - Deed duly recorded in the Clerk's Office of Hanssmand County Court; In Trust to secure to the payment of a certain bond for One thousand & four hundred dollars, made by the said Elisha Laycock, as principal, and John W. Ames <sup>and</sup> <sup>A</sup> <sup>sureties</sup> ~~as~~ <sup>and</sup> Elisha F. Williamson as ~~sureties~~ <sup>from date</sup> <sup>interest</sup> payable to John Nash, twelve months after its date with <sup>interest</sup> from date at the rate of Eight per cent per annum, to be paid semi-annually, and dated of even date with this deed.

Witness the following signatures and seals.

Elisha <sup>his</sup> Laycock 

Diza D. Laycock 

State of Virginia - City of Portsmouth, to wit:

J. D. J. Godwin, a Notary Public for the Corporation aforesaid

in The State of Virginia, do certify, that Elisha Laycock, whose name is signed to the writing above, bearing date on the 12th day of Sept. 1873, has this day acknowledged the same before me, in my Corporation aforesaid; And, I do further certify, that Dora D., the wife of the said Elisha Laycock, whose name is signed to the said writing above, bearing date as aforesaid, personally appeared before me, in my Corporation aforesaid, & being examined by me privily & apart from her husband & having the writing aforesaid fully explained to her, she, the said Dora D., acknowledged the said writing to be her act & declared that she had willingly executed the same & does not wish to retract it.

Given under my hand this 12th. Sept. 1873.

W. J. Godwin  
Notary Public

In The Clerk's Office of Nausemound County Court the ~~12th~~  
Sept. <sup>13th</sup> 1873.

The foregoing Deed of Trust was received, duly certified, and thereupon admitted to record.

Teste:

Willis E. Cochran, Clerk

A Copy:

Teste:

Peter B. Prentiss, Clerk.

Nausemound County Court Clerk's Office, {

October the 6th. 1881 }

Elisha Laycock Kay: <sup>X<sup>ind</sup></sup>

To { Copy Deed of Trust  
John R. Kilby, Trustee for  
John Noddy.

Exhibit No. 10

To The Hon. Geo. Blow, Circuit  
Court Judge in and for the County  
of Chausmond, State of Virginia;

Respectfully represent and  
show unto Your Honor, Your Petition-  
ers, John Nash and Wilbur J. Kilby  
Executor of the last will and testa-  
ment of John R. Kilby deceased,  
that there is now pending in said  
Court a ~~cause~~<sup>suit</sup> in Chancery ~~XX~~  
~~which~~ between Grant & Folsom  
Plaintiffs and Elisha Laycock  
and others, Defendants: That  
the object of said suit is <sup>to</sup> en-  
force the liens of various judg-  
ments ~~against and other liens~~  
against the real estate of said  
Elisha Laycock and to subject  
said real estate to a sale and  
the proceeds of the sale to the pay-  
ment of said judgments: That  
under the decree of the 11th day  
of April A.D. 1881 in said cause,  
Robt. R. Proutis, one of the Commis-  
sioners of said Court has made  
a report to Court of said judgment  
~~and other liens on said real~~

estate, which said Report was filed on the 30th day of September A. D. 1881: That among said liens there is reported a claim or debt in favor of your Petitioner, said John Nash, amounting to \$1400, which is secured by a deed of trust on ~~the largest and most valuable parcel of~~ said real estate, executed by said Laycock & wife to John R. Kilby trustee and dated the 12th day of September 1873 and recorded the 13th day of September 1873 in the clerk's office of the County Court of said County as will appear by a duly authenticated copy of said deed of trust filed herewith as a part of this petition and marked Exhibit No 10. That said John R. Kilby departed this life on the 5th day of December 1878 and said Wilbur J. Kilby is the executor of his last will and testament, that no part of said debt of \$1400, has been paid, the same being still due and unpaid: That ~~said~~ your Petitioners are, therefore, largely interested in the result of said suit and all the proceedings that may

be had therein, while they are, nevertheless, not parties to said suit, that the object of said suit in part is to subject the real estate of said Laycock which is conveyed by said deed of trust as security for said sum of \$1400. to the payment of <sup>the</sup> various judgments, <sup>reported as above against said Laycock</sup> in favor of other parties, and among them, that of the Plaintiffs, in said suit, Grant & Folsom.

Your Petitioners, therefore, pray that they may be admitted as parties, defendant to said suit, that no order nor decree may be made in said suit inconsistent with their rights and interests, and that such relief may be granted them in the premises as to the Court may seem meet and the nature and circumstances of the case may require. And as in duty bound, Your Petitioners will ever pray &c.

John Nash  
Wilbur J. Kilby, Executor  
of John R. Kilby deceased  
By counsel.

Grant & Folsom

vs. } In Chy

Elisha Gaycock & al.

Petition of John Nash  
and Wilbur J. Kilby  
Executor of John R. Kilby  
deceased.

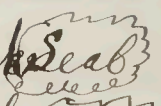
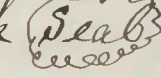
Filed by leave of the  
Court 11th. April 1882

This deed made the 11<sup>th</sup> day of Nov. 1879 between Elisha Laycock and Giza his wife of the one part and John W. Ames Trustee of the other part, Witnesseth, that the said Elisha Laycock and Giza his wife do grant with general warranty unto the said John W. Ames Trustee as aforesaid, a certain tract or parcel of land situated in Knoll's Neck, Nansemond County Va; bounded on the South by the lands of W. J. Wright dec<sup>d</sup>, on the North & West by a branch of Bennett's Creek and John W. Ames and on the East by Mrs Charlotte Arthur and W. J. Wright containing forty one acres more or less, and being the same land which was assigned to Mrs Ann Laycock dec<sup>d</sup>, out of the lands of her husband William Laycock dec<sup>d</sup>. Also the said Elisha Laycock having purchased all the undivided interest in said land of Mrs S. S. Richardson E. T. Hall and Mary C. his wife and Mrs Martha L. Shipperd, as will appear by their deed ~~dated~~ dated Oct. 22<sup>nd</sup> 1879 and duly recorded in the Clerks Office of Nansemond County. Do Trust to secure to Charles A Parker the payment of the sum of Two hundred and ten dollars due him by bond and ~~bearing~~ interest from date payable the 11<sup>th</sup> day of Nov. 1880. With power to the said John W. Ames Trustee as aforesaid at any time after default in the payment of said sum of Two hundred & Ten dollars and the interest that may have accrued and when directed by the said Charles A Parker his heirs & assigns to sell said land according to laws:

Witness the following signatures & seals

Witness

Salts. G. Norfleet -

✓ Elisha <sup>his</sup> ~~mark~~ <sup>Seal</sup>   
✓ Diza D. Gaycock <sup>Seal</sup> 

In the Clerk's Office of Nauset County Court,  
the 11th day of November, 1879.

This Deed of Trust was presented and acknowledged  
by Elisha Gaycock and Diza D. his wife  
to be their act and deed and the said Diza D. Gay-  
cock being duly examined by me privately and apart  
from her husband and having said Deed fully  
explained to her ~~act~~ - acknowledged that she had  
willingly executed the same and wished not to retract  
it. Whereupon said Deed of Trust is admitted to  
record.

Teste

Peter B. Prentiss. Clerk

a copy:

Teste:

Peter B. Prentiss. Clerk

(Copy)

Elisha Laycock Aug

To J D of L.

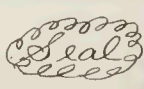
For W. Amos Lusk  
for Chat Parker

---

Xbl - "D"

This Deed made the 19<sup>th</sup> day of January A.D. 1891. by Elisha Laycock of the County of Henric & State of Virginia (a householder and head of a family) Witnesseth: that the said Elisha Laycock doth hereby declare it to be his intention to claim the benefit of the Homestead Act, approved June 27<sup>th</sup> 1890, and that he, therefore, doth designate & describe the following property, which he claims as his said Homestead under the said Act, to wit: All that certain tract of land located in the Lower Parish of Stansemond County, called the Lattimore tract & bounded as follows, to wit: On the North by the lands of on the East by said Hargroves James Hargroves, <sup>O<sup>n</sup></sup> the South by the lands of Dr. Ashville Wilson deed, And on the West by the said Wilson & Hargroves, Containing Two Hundred and twenty-six (226) Acres, it being the same bought by the said Laycock, under decree of Court, (Jno: S. Stubbs Spl: Commis: in <sup>County</sup>) in 1869, & of record in Stansemond <sup>County</sup> Court, in suit by William Knott & wife vs. Almira H. Latimer & others. The said property is valued at \$2,250<sup>00</sup> and now under Deed of Trust, for the purchase money to Amount of Sixteen Hundred Dollars together with the following personal property, to wit: Two beds, bedsteads & necessary furniture One Side-board, three tables, 1/2 Doz. Chairs, One Clock, one Gun, 1 pr. andirons & tongs. 1 Looking-glass. 2 Washstands. 2 Carts & wheels, one Buggy &

harnes. 4 Plows & 2 Sets ~~H~~ Harnes. 5 hoes. 2 Shovels.  
2. Pitch forks, 1 Corn sheller. 1 Fan Mill. 3 Akes. 2  
Rail-Carts. 15 barrells corn, 1500 lbs. Fodder, 1 cow  
& calf. 3 Sows & 15 Pigs. 1 Horse. 1 Mule & 800 lbs. Ba-  
con. Said personal property valued at four  
hundred (\$400<sup>00</sup>) Dollars - Witnefs the following  
signature & Seal

✓ Elisha <sup>his</sup> <sub>mark</sub> Laycock 

In the Clerks Office of Nansemond County  
Court, the 25th: day of January 1871.

This Deed, claiming Homestead and Personal  
Property, was acknowledged by Elisha Lay-  
cock. and thereupon admitted to record.

Teste,

Peter B. Prentiss. Clerk

A Copy  
Teste,

Peter B. Prentiss. Clerk

(Copy)  
Elisha Lacycock's  
Homestead  
Deed

---

"Xbt" "C"

# The Commonwealth of Virginia,

To the SHERIFF OF NANSEMOND COUNTY, Greeting:

WE COMMAND YOU, that of the Goods and Chattels of *Elisha Laycock*

in your bailiwick, you cause to be made the sum of *One Hundred and twenty-five* Dollars and *eighty-nine* Cents, with interest thereon at the rate of *Six* per centum per annum, from the *1st* day of *December*, 187*6*, till paid, which *Robinson Grant and N. R. Holman, merchants and partners under the firm and style of Grant and Holman,*

lately in our *Circuit* Court of Nansemond County, recovered against *them* for damages

Also, *Seven* Dollars and *eighty-five* Cents, which to the said *Grant and Holman*

in the same Court were adjudged for *Their* costs, by *them* about *Their* suit in that behalf expended; whereof ~~of~~ the said *Elisha Laycock* is

convict, as appears to us of record, and that you have the same at the Clerk's office of our *Circuit* Court, at Rules directed by the law to be held in and for Nansemond County, on the first Monday in *July* next, to render unto the said *Grant and Holman*

of the *Debt* and costs aforesaid. And then and there have this writ.

Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this *25th* day of *April*, in the year of our Lord 1877, and in the *10th* year of our Independence.

## COSTS:

|               |                 |
|---------------|-----------------|
| Clerk.....    | \$ 3.85-        |
| Attorney..... | 2.50            |
| Sheriff.....  | 50              |
| Witness.....  |                 |
| W. T.....     | 1.00            |
|               | <u>\$ 7.85-</u> |

TESTE:

*Peter B. Prentis* C. C.

*a copy.*

*Teste,*

*Peter B. Prentis* Clerk

Grant & Holman

is { Copy His Ha

Elisha Laycock

(Return)

I can find no property upon  
which to lay the within execu-  
tion nor any part thereof  
J. L. Fulgham shff.

-Xbt- "B"-

1877 July 14th Returned  
& Recorded

Peter B. Prentiss clerk

Copy: To be

Peter B. Prentiss Clerk

A judgment obtained in the  
Clerk's Office of the Circuit Court  
of Hanneman County, and con-  
firmed at a Court held and closed  
for the said County, on Saturday the  
14th day of April, 1877

Robinson Grant and H. R. Folsom merchants and  
Partners under the firm and style of Grant and  
Folsom . . . . . Plaintiffs

Against E. M. Trespere on the case in Assumpsit-  
Elisha Teycock . . . . . Defendant.

The judgment obtained at the

Rules not having been set aside and the plain-  
tiffs being now entitled to a final judgment:  
it is therefore considered that the plaintiffs recov-  
er against the Defendant, One hundred and  
twenty-five dollars and eighty-nine cents, the  
sum in the declaration mentioned, with in-  
terest at the rate of six per cent per annum,  
from the 1st day of December, 1876, till paid, and  
their costs, by them, about their suit in this  
behalf, expended

And the said defendant in mercy &c  
a copy,

Teste,

Peter B. Prentiss, Clerk

Costs, \$ 3.85

Clerk, \$ 3.85

Notary, 3.50

Shff - 50

\$ 7.85

Grant & Folsom

to J City

Elisha Laycock

Xht "a"

In the Circuit Court of Hansonwood County  
To The Hon<sup>ble</sup> George Blow, Judge of said  
Court.

Humbly complaining, respectfully re-  
scent and shew unto your Honor, your  
Orators Robinson Grant and N. R. Folsom late  
merchants and partners under the name, firm  
and style of Grant & Folsom, that on the 14th  
day of April 1877, the said Grant & Folsom,  
obtained a judgment in a certain action  
of assumpsit in the Circuit Court of Han-  
sonwood County, against Elisha Laycock  
then and now a resident of the said County  
of Hansonwood, for the sum of \$125.89. with  
interest thereon from the 1st day of December,  
1876, till paid and \$7.85; costs, in that  
behalf expended, which said judgment was  
docketed in the Clerk's Office of said County on  
the 25th day of April, 1877; and on said  
judgment a writ of fieri facias was duly  
issued from the Clerk's Office of said Court  
directed to the Sheriff of the said County re-  
turnable to July rules, 1873, which was placed  
in the hands of the said Sheriff to be executed  
and was on the return day thereof returned  
by the said Sheriff with the following enclau-  
ment thereon, to wit: "I can find no property  
upon which to levy the within Execution nor  
any part thereof. J. L. Fulgham Shff". A copy

of said judgment marked "A" is herewith filed  
and a copy of the fieri facias and return thereon  
marked "B" is also filed herewith both of which  
are prayed to be taken as a part of this "Bill"

That no part of said judgment has been paid  
by the said Elisha Laycock nor any one for him.

That the said judgment is a lien and  
binding upon the real estate of said Elisha  
Laycock which consists of two tracts of  
land in the County of Nansemond de-  
scribed as follows. First - a piece or par-  
cel of land containing 226 acres,  
more or less, and adjoining the lands of  
James Hargroves and Dr. A. Wilson dec'd  
and known as the "Luttimore" Tract (which  
Tract of land is now set apart together with  
certain personal property as the homestead  
of said Elisha Laycock, a copy of which  
said Homestead Deed is herewith filed,  
marked "C." as a part of this Bill)

Second. A tract of land situated in  
Knott's Neck, Nansemond County Va,  
adjoining the lands of Jno. W. Ames, Mrs.  
Charlotte Arthur and the lands of the  
late Wm. J. Wright dec'd, containing  
(41) acres, more or less

Your Orator believes and so alleges that  
the annual rents and profits of said  
last named Tract of land will be

Sufficient to satisfy the said judgment  
within five years.

That the said tract of land is however sub-  
ject to a subsequent lien by reason of a  
deed of ~~trust~~ <sup>conveyance</sup> executed by said Elsie  
<sup>to John W. James, trustee for the benefit of Charles Parker</sup>  
Laycock (and wife), and of record in the  
Clerk's Office of Harsemond County  
Court on the 11th day of November, 1879, a copy  
of which deed is herewith filed marked "D"

In consideration whereof your complain-  
ants being without remedy save in a  
Court of Equity pray that said Elsie  
<sup>John W. James, trustee and Charles Parker</sup>  
Laycock, be made ~~a~~ parties defendant to  
this Bill and be required to answer all  
the allegations herein contained on oath  
in ~~the~~ proper persons; that a commis-  
sioner of this Court may be required to  
state and settle an account of your  
complainants' judgment aforesaid and  
of all other liens on said lands and their  
respective priorities. Also an account  
of the fee-simple and annual values  
of the same and that all further and  
adeguate relief consistent with Equity  
may be granted.

And your complainants will ever pray &c.

Robinson Grant &

A. R. Holman } per

Causey & Rawley  
attys

Causey Rawles, Jr.

Grant & Folsom

to E. In chg

Elisha Lycock & Co

"Bill"

Grant & Tolson

25 { Chy: Notes

Elisba Laycock & al:

1879. Decr: 20th: Sumt. in Chy: issued to Jany: Ruled, 1880

1880. Jany: 5th: Bill & Exhibits filed - Conditional Decree vs the depts: Laycock  
Parker & mas. Trusts

" Feb: 2nd: Conditional Decree confirmed, and Cause set for hearing, as  
to them.

" April: 13th: Continued

" Oct: 16th: Continued

1881. Apr: 11th: Decree for access:

" Sept: 30th: Report of Lewis filed

" Oct: order for Cause to be heard in vacuo

1882. Apr: 11th: Leave to file petition & Wash for file

" Decree making new parties & Cause to be heard in vacuo

" Oct: 14th: Decree for sale &

" 25th: Commr. of Sales' bond executed & filed

1883. Jany: 16th: Report of Sale filed - 1883. Jan: 10. Report of Collection, &  
and balance in cash, &c.

1883 Sept. 4<sup>th</sup>. Petition of Elisha Laycock filed, 1<sup>st</sup> 1 X67.

~~Dec. 12<sup>th</sup> 1883. Report of Elisha Laycock filed.~~

" Oct. 17<sup>th</sup> Decur h

" Nov. 12<sup>th</sup> <sup>Report of</sup> payt. to Elisha Laycock filed

Chy: Notes

# **PUBLIC SALE**

## **OF**

# **Elisha Laycock's Lands**

### **IN NANSEMOND COUNTY!**

By authority of a decree of the Circuit court of Nansemond county, Va., pronounced the 14th day of October, 1882, in the cause in chancery in said court depending between Grant & Folsom, plaintiffs, and Elisha Laycock and others, defendants, the undersigned, appointed special commissioners for that purpose, will sell to the highest bidder, by public auction, on court day,

## **Monday, December 11th, 1882,**

before the Courthouse of said county, in Suffolk, Va., the following parcels of land of which said Laycock is seised and possessed, to wit:

1. All that parcel of land situated in Knott's Neck, in Sleepy Hole Magisterial district, in said county, and containing 40 or 41 acres, more or less, and bounded on the north and west by the land of John W. Ames, Sr., and a branch of Bennett's creek; on the east by the land of William J. Wright's estate at present held by his widow as part of her homestead and known as a part of the Laycock land, and by the land of Amanda C., wife of Wm. T. Jordan, formerly the land of Charlotte Arthur, deceased, called the P. H. Arthur place; and on the south by the land owned jointly by John T. Griffin, Henry Kirn and Robert T. K. Bain, formerly the land of William J. Wright, deceased. This parcel of land will be sold subject to the CONTINGENT RIGHT of dower therein of Diza D., the wife of said Elisha Laycock: that is to say, she will have dower in it if she should survive him, otherwise she will have no interest in it. *Wallace Primer \$450*

2. All that other parcel of land, being the home place of said Laycock, which, in pursuance of said decree, will be sold under the deed of trust executed by said Laycock and his wife the 12th day of September, 1873, and recorded the next day in the Clerk's office of said county, conveying the same for the benefit of John Nash, and which is situated in said Sleepy Hole Magisterial district, in said county, and contains 226 acres, more or less, and is bounded on the north by the land of James Hargroves, on the east by the land owned jointly by Wm. H. Miars and Mary F. King, on the south by the land of Wm. G. W. Parker and W. & J. Parker, formerly the land of Alpheus Wilson, and on the west by the head of Bennett's creek. *Las Wagon 2150*

## **TERMS:**

Enough of the purchase-money for the first above-mentioned parcel of land will be required in cash to pay the costs of the above-named cause or suit and the expenses of the sale of that parcel of land, and the balance at the end of six months, with interest from the day of sale.

Of the purchase-money for the second above-named parcel of land enough will be required in cash to pay the expenses of the sale of it, and one-half the balance at the end of six months and the other half at the end of twelve months, with interest from the day of sale.

The purchaser of each parcel of land will execute bonds in evidence of the deferred payments, with good personal security, and bearing interest from the day of sale.

The title to each parcel of land will be retained until the further order of Court, but the purchasers will be entitled to possession at once.

**WILBUR J. KILBY,** } COMMISSIONERS.  
**C. H. CAUSEY,** }

**PARKER & BRINKLEY, Criers.**

**November 2, 1882.**

# **PUBLIC SALE**

OF

# **Elisha Laycock's Lands**

## **IN NANSEMOND COUNTY!**

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By authority of a decree of the Circuit court of Nansemond county, Va., pronounced the 14th day of October, 1882, in the cause in chancery in said court depending between Grant & Folsom, plaintiffs, and Elisha Laycock and others, defendants, the undersigned, appointed special commissioners for that purpose, will sell to the highest bidder, by public auction, on court day,

## **Monday, December 11th, 1882,**

before the Courthouse of said county, in Suffolk, Va., the following parcels of land of which said Laycock is seised and possessed, to wit:

1. All that parcel of land situated in Knott's Neck, in Sleepy Hole Magisterial district, in said county, and containing 40 or 41 acres, more or less, and bounded on the north and west by the land of John W. Ames, Sr., and a branch of Bennett's creek; on the east by the land of William J. Wright's estate at present held by his widow as part of her homestead and known as a part of the Laycock land, and by the land of Amanda C., wife of Wm. T. Jordan, formerly the land of Charlotte Arthur, deceased, called the P. H. Arthur place; and on the south by the land owned jointly by John T. Griffin, Henry Kirn and Robert T. K. Bain, formerly the land of William J. Wright, deceased. This parcel of land will be sold subject to the CONTINGENT RIGHT of dower therein of Diza D., the wife of said Elisha Laycock: that is to say, she will have dower in it if she should survive him, otherwise she will have no interest in it.

2. All that other parcel of land, being the home place of said Laycock, which, in pursuance of said decree, will be sold under the deed of trust executed by said Laycock and his wife the 12th day of September, 1873, and recorded the next day in the Clerk's office of said county, conveying the same for the benefit of John Nash, and which is situated in said Sleepy Hole Magisterial district, in said county, and contains 226 acres, more or less, and is bounded on the north by the land of James Hargroves, on the east by the land owned jointly by Wm. H. Miars and Mary F. King, on the south by the land of Wm. G. W. Parker and W. & J. Parker, formerly the land of Alpheus Wilson, and on the west by the head of Bennett's creek.

## **TERMS:**

Enough of the purchase-money for the first above-mentioned parcel of land will be required in cash to pay the costs of the above-named cause or suit and the expenses of the sale of that parcel of land, and the balance at the end of six months, with interest from the day of sale.

Of the purchase-money for the second above-named parcel of land enough will be required in cash to pay the expenses of the sale of it, and one-half the balance at the end of six months and the other half at the end of twelve months, with interest from the day of sale.

The purchaser of each parcel of land will execute bonds in evidence of the deferred payments, with good personal security, and bearing interest from the day of sale.

The title to each parcel of land will be retained until the further order of Court, but the purchasers will be entitled to possession at once.

**WILBUR J. KILBY, } COMMISSIONERS.  
C. H. CAUSEY, }**

**PARKER & BRINKLEY, Criers.**

November 2, 1882.

# PUBLIC SALE

OF

## Elisha Laycock's Lands

IN VANSEMOND COUNTY!

By authority of a decree of the Circuit Court of Vansemond County, Va., pronounced the 14th day of October, 1882, in the cause in chancery in said court depending between Grant & Tolson, plaintiffs, and Elisha Laycock and others, defendants, the undersigned, appointed special commissioners for that purpose, will sell to the highest bidder, by public auction, on court day,

*Wm Wagner*  
*per 206*  
**Monday, December 11th, 1882.**

before the Courtroom of said county, in Norfolk, Va., the following parcels of land of which said Laycock is seized and possessed, to wit:

1. All that parcel of land situated in Knott's Neck, in Steep Hole Magisterial district in said county, and containing 10 or 41 acres, more or less, and bounded on the north and west by the land of John W. Ames, Sr., and a branch of Bennett's creek; on the east by the land of William J. Wright's estate at present held by his widow as part of her homestead and known as a part of the Laycock land, and by the land of Amanda C. wife of Wm. T. Jordan, formerly by the land of Charlotte Arthur, deceased, called the P. H. Arthur place; and on the south by the land owned jointly by John T. Griffin, Henry Wirt, and Robert T. K. Bain, formerly the land of William J. Wright, deceased. This parcel of land will be sold subject to the contract right of dower therein of Eliza E., the wife of said Elisha Laycock; that is to say, she will have dower in it if she should survive him, otherwise she will have no interest in it.

2. All that other parcel of land, being the home place of said Laycock, which in pursuance of said decree, will be sold under the deed of trust executed by said Laycock and his wife the 12th day of September, 1873, and recorded the next day in the Clerk's office of said county, containing the same for the benefit of John Nash, and which is situated in said Steep Hole Magisterial district, in said county, and contains 256 acres, more or less, and is bounded on the north by the land of James Hartgroves, on the east by the land owned jointly by Wm. H. Mairs and Mary F. King, on the south by the land of Wm. G. W. Parker and W. & J. Parker, formerly by the land of Alpheus Wilson, and on the west by the head of Bennett's creek.

### TERMS:

Enough of the purchase-money for the first above-mentioned parcel of land will be required in cash to pay the costs of the above-named cause or suit and the expenses of the sale of that parcel of land, and the balance at the end of six months, with interest from the day of sale.

Of the purchase-money for the second above-named parcel of land enough will be required in cash to pay the expenses of the sale of it, and one-half the balance at the end of six months and the other half at the end of twelve months, with interest from the day of sale.

The purchaser of each parcel of land will execute bonds in evidence of the deferred payments, with good personal security, and paying interest from the day of sale.

The title to each parcel of land will be retained until the further order of Court, but the purchasers will be entitled to possession at once.

WILBUR J. KILBY,  
C. H. CAUSEY,  
COMMISSIONERS.

November 2, 1882.

Parker & Brunner, Printers.