

1885-002

Chancery Causes: Henry Tynes & al vs Jane Young (Johnson) & al

Dole of Wight County

Other surnames: Holladay,
Holloway, Smith, Holliway,
Delk

Henry Jones & cypals } May in
 " " } In
 " " } Chancery
 et als -

Octo. Ch. 1880. Report.
 Cont-S. De. to pay over
 re

" Octo. 1883. R. S. Thomas sub.
 for C. W. Hayden com. & de
 to sell land. &c.

" Apr. Ch. 1884 - Rept. Confm.
 & de. To make and
 and for distribution
 &c.

" Octo. Ch. 1884. Report. De. to
 sell land. &c.

Compendious Bill

Sept. Rules 1878 - Bill
 to. filed. Sent. exp. on
 adult depts. & de. on vice
 vs. them. G. de. addition
 app. to inst. depts. & de. on vice

Octo. Rules - Bill taken
 for confm. as to adult &
 set for hearing.

Acto. 1878 Decree for
 partition &c.

Apr. Ch. 1879. Rept.
 Cont do & de. for sale.

Octo. Ch. 1879. Rept. Cont.
 de. to collect. Bonds. made
 de. &c.

as may suit the spirit of the case send to
 the court may deem meet & may well deem
 Henry de 11

Hayden 115

as grantee of Samuel Smith making her
whole interest

Henry Ballard to $1/24 =$ to 3/72

Mrs O Ballard to 3/72

Mrs Smith to $1/18 =$ 4/72

James Smith to $1/18 =$ 4/72

8

That your complainants are informed,

that said coparceners are entitled to have
partition of said land made between

them according to the said respective
interests; in tender consideration whereof

& for as much as your complainants
are without remedy at law & cannot

be relieved by the aid of this Honorable
Court of Chancery where matters of this

sort are cognizable; to this end they
pray that the said Jane Young (sometimes

called Jane Johnson) John O Ballard,
John Smith, & James Smith, the last

three infants by some one appointed their
guardian ad litem to defend their interests

in this suit may be made parties defendant-
to this bill, & be required to answer the same,

& that if the decree of this Court commis-
sioners may be appointed to make

partition of said land among said
parties according to their respective

interests, & that such other further
relief may be granted in the premises

5th
I devised equally to his three daughters
as afore said, consisted of a tract of
land lying in said county of Isle of Wight
containing & containing 50 acres, be the
same more or less, situated in "Little Neck"
adjacent to the lands of said Nancy
Tues wife of Henry Tues.

6th
That the said Nancy Tues is entitled
by devise to $\frac{1}{3}$ of said land & premises.
That said heirs of Peggy a Mrs
Johnson are collectively entitled under
the said will to $\frac{1}{3}$ & by purchase
from the heirs of said Polly as afore said
to $\frac{1}{2}$ of $\frac{1}{3}$ or $\frac{1}{6}$ making their joint
interests as heirs at law of their mother
 $\frac{1}{2}$ of said land - That said Henry
Ballard has inherited from his deceased
child Marietta the said her $\frac{1}{2}$ of $\frac{1}{2}$ of
said land diminishing the portion of
the heirs of Margaret wife of John Johnson
($\frac{1}{2}$) to the extent of said $\frac{1}{2}$ of $\frac{1}{2}$ or to $\frac{1}{4}$

7th
The exact shares of said coparceners is as follows

Nancy Tues wife of Henry Tues

$\frac{1}{3}$ equal to

24/72

Mrs Robert, - Emma, Mary E, &
Frances Johnson to each $\frac{1}{12}$ or to $\frac{5}{72}$

& the said four to jointly -

24/72

Sarah Johnson a young to $\frac{5}{72}$

as heir of her mother & $\frac{1}{18}$ or $\frac{4}{72}$

3

as heirs at law of said Polly to wit:
 Samuel Smith, Jeremiah Smith, W^m A
 Johnson, Theophilus Johnson, and
 John Smith & James Smith, the last
 two infants. That the said W^m A, &
 Theophilus Johnson Survives, conveyed their
 interest (each 1/8) of said land of
 which Sampson Holloway died seized
 & conveyed to said ^{Peggy} Margaret Johnson
 wife of John Johnson, in fee simple -
 & the said Jeremiah Smith
 conveyed his like interest in said land
 to the said Peggy or Margaret Johnson -
 & the said Samuel Smith conveyed
 a like interest to the said Jane Johnson
 sometimes called Jane Young all of
 which last named three conveyances are
 by deeds duly recorded in the clerk's office
 of the county court of the county
 of said & duly certified copies of
 which marked respectively f, B, C, & D
 are herewith filed & prayed to be taken as
 a part of this bill -

Exhibits

B, C & D

4th

That the said Nancy Holloway devise
 of said Sampson Holloway has inter-
 married with one Henry Tyner son
 complainant as aforesaid -

5th

That the real estate of which Sampson
 Holloway died seized & conveyed

her husband the said John Johnson one
of your plaintiffs surviving & the following
heirs at law, Jane, who has intermarried
with George, who has died leaving
the said Jane surviving, Mrs Robert
Johnson who has intermarried with
Nancy - Mary E, who has
intermarried with Gary Wines,
Emma Johnson - Thomas Johnson who
has intermarried with Martha

- all of said heirs at law being
children of said Peggy & John Johnson
& two grand children Marietta
Ballard & Mrs E Ballard infants
children of Margaret, a daughter
of said John & Peggy, who predeceas-
ed her mother the said Peggy, having
previously married Henry Ballard
who with said Marietta & Mrs E survives
said Margaret - the said Marietta
has since died an infant leaving
her father the said Henry Ballard
as her sole heir at law -

3

The said Polly intermarried with
Johnson, who departed this life, & the said
Polly surviving, who afterwards intermarried
with Smith - that the said
Smith and Polly have both departed this
life, leaving the following six children

To the Honorable George Blair, Judge
of the Circuit Court for the County
of Isle of Wight in Chancery sitting;
Humbly complaining, Sheweth

To the court, your complainants,
Henry Tynes, and Nancy his wife,
John Robert Johnson & Nancy his
wife, Emma Johnson, Cary Tynes
& Mary Eliza wife, Thomas Johnson,
Martha his wife, Henry Ballard
and John Johnson;

1st That on or about the 1st day of February
1831, the Sampson Holloway departed
this life in the County aforesaid, having
previously made & published his last
will & testament, which at the April
Term 1831 of the County Court of said
County was duly admitted to probate
therein: an official copy of said will
with certificate of probate annexed, is herewith
Exhibit
A -
filed, & prayed to be taken as a part of
this bill marked A

2nd That by said will said testator devised
his real estate to his wife Lucy Holloway for
life, remainder in fee to his three daughters,
Peggy, Polly & Nancy Holloway -

3rd That said Lucy has departed this life -
That said Peggy intermarried with John
Johnson, & has departed this life, leaving

Hem. in Types
et up et al -
18

Young et al.

Infants & others

Sept. Rules 1848 filed

To the Honorable George Blaw Sudge of
the Circuit Court of Law & Chancery for
the County of Erie of N.Y., in Chancery
Sittings:

The joint and several answers of
Mrs W Ballard infant wife of Margaret
Ballard deceased, & of John Smith &
James Smith infants nephews of
Poly Smith deceased, by A. J. Young &
their Guardian ad litem to the Bill
of Complaint in said Court exhibited
by Henry Rogers wife et al, as shown
et al.

These Defendants jointly & severally
answering say that they are
infants under twenty one years of
age, & they respectfully submit
their interests in the premises, to the
protection of this Honorable Court,
& having answered many
times to be distressed they
will ever pray.

A. J. Young, gd. ad litem

Henry Synesdiefe
et als.

2 mcs. to
ps. 3 mcs. Hill

Jane Young, col. & als.

To Septs. Rules 1848.

Mayden sig.

Executed by delivering
to the within ^{as given} Jane
Young a true copy
of the within Surrender
Aug. 20th 1878.

R. A. Edwards &
For A B Edwards & ff.

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON

Jane Young, John B. Ballard, John Smith & James Smith the last three in face to

to appear at the Clerk's Office of the Circuit Court of Isle of Wight County, at Rules to be holden for the said

Court, on the first Monday in

September next to answer *the Bill in chancery of Henry Pryor & family his wife, John Robert Johnson & family his wife, Emma Johnson, David Pryor & Mary E. his wife, Thomas Johnson & Martha his wife, Henry Ballard and John Johnson*

of a plea of

for \$

Damages \$

And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Court House, the *14th* day of

August 187*8*, in the *10th* year of the Commonwealth.

N. P. Young clerk

James Huntley.

2 In clay.
3 Jams. to
W. 3 show
cove

James Huntley Cl. et al.

10 Octo. term 1883.

James Huntley

Specified by referring
to the within named
James Huntley & John W.
Johnson each a true
copy of the within
summons May 12th
1883.

V B. Edward Shiff

The Commonwealth of Virginia,

TO THE SHERIFF OF ISLE OF WIGHT COUNTY, GREETING

WE COMMAND YOU TO SUMMON

Jane Young and John B. Young
to appear before the Judge of

to appear at the Clerk's Office of the Circuit Court of Isle of Wight County, at Rules to be holden for the

day of Oct. 3rd
said Court, on the first ~~Monday~~ *term* next to answer *show cause*

why the tract of land purchased by him as
reported in the suit of Henry Tyner vs
John Young & Co. should not be
resold at their cost and charges

of a plea of _____ for \$ _____ Damages \$ _____ And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court at the Court House, the *5th*

day of *April* 188 *3*, in the *10th* year of the Commonwealth.

N. P. Young

of part & sale of the residue, they
will so report to the Court with the
reasons upon which their opin-
ion is founded, if they should
report that any parties were liable
the whole lands, or any part
of it, they will report what sum
of money are to be paid and
by whom paid.

A Copy

Teste.

W. A. Edwards Secy

J. P. Young

Tynes et al.

or Copy de.
J. P. Young: 1878

Young et al.

Report of Commissioners
For Partition
Under Order
of Oct. 1878

Held & July 4th
1879

one third of Jameson's Hallows
land they shall accot to the heirs
at law of Polly Smith, & subdivide
as follows: one sixth each to John
Smith, James Smith, & Jane Green
& the other $\frac{3}{6}$ or $\frac{1}{2}$ of Polly Smith's
 $\frac{1}{3}$ they shall divide equally
between the aforesaid Jane
Green, John Robert Johnson, Anna
Johnson, Thomas Johnson and
Mary E. Pyres wife of David Pyres
& Henry Ballant and Mrs. A. Ballant
dividing equally between the two
last one of said $\frac{1}{6}$; but if said
Commissioners shall be of opinion
that such partition cannot be
conveniently made they may
lay off the shares whether of 2 or
more of said parties who may
elect to leave their shares so laid
off, & may accot the value of
said lands to any party who
will accept it, and pay therefor
to the other parties such sums
of money as their interest therein
may entitle them to, ^{or} if in their
opinion the interest of the parties
will be promoted by a sale of
the whole lands, or allotment

James Wills, Jnr. Gd. Chapman
and T. J. Cox who are hereby appointed
Joint Commissioners for that purpose
any three of whom may act,
proceed to divide into three equal
parts, having regard to quantity
and quality the tract of land
in the proceedings of this Court
mentioned, whereof James Brown
Hacornway did seized & possessed
in the County of Shelburne
containing by estimation 50 acres
more or less lying in "Little Neck",
adjacent to the lands of Nancy
Turner, wife of Henry Turner - one of
said three parts to the heirs of
Peggy or Margaret Johnson, formerly
the wife of John Johnson, which
one third subject to the life interest
therein of John Johnson, they shall
divide as follows to wit: into 6 equal
parts, and allot one of said 6 parts
each to Jane Young, John Robert
Johnson, Emma Johnson, Thomas
Johnson and Mary E. Turner the
wife of David Turner, and the other
sixth part they shall divide equally
between Jnr. D. Ballard and
Henry Ballard. The other

In Sess of Wight Circuit Court
Dec. 21st 1878.

Henry Jones and Maney his
wife, John Robert Johnson and
Maney his wife, Emma Johnson,
and Mary E. his wife, Thomas
Johnson, and Martha his wife,
Henry Ballard and John Johnson.
Couples.

vs. J. L. L. L.

James Young, ad. John D. Ballard
John Smith and Jas. Smith the last
three infants. Deft.

This cause in which the bill
is taken for confessed as to the
defendant. James Young, on whom
process has been duly served, she
still failing to appear, plead, answer,
or demur, came on this day to be
heard on said bill, the answer
of the infant defendants, Jno. D.
Ballard, John Smith, and James
Smith by J. L. Young & their Guardian
ad litem, general replication
thereto, and exhibits filed and
was argued by counsel, on
consideration whereof the Court
doth adjudge, order and decree
that W. H. Stephens, Jas. D. Edwards

of part and sale of the residue, or by laying off
the shares together of two or more of the parties who
would so elect, but none of the parties would
so consent or elect, and no part of the land
could be allotted, and the rest sold without
injury to the unallotted shares, Your Commissioners
therefore recommend the sale of the whole subject
and the distribution of the proceeds of sale
among the parties, as most for the interest of all
parties.

July 4th 1879

All of which is respectfully submitted

Junius Wills

J. E. Chapman

James T. Edwards

The Commissioners were employed
two days in trying to make the said
partition

To the Honorable George Blow Judge of the
Circuit Court of Allegany County.

Your designated Commissioners for partition of
the land where Sampson Robinson dec'd
sized and possessed in the County of Allegany
under the annexed decree of said court
of October Term 1875 in the suit of Lyons
and al., respectfully report to the court that
they find it inconvenient and impracticable
to divide the said land in kind among the
Parties according to their rights because the
whole is only 50 acres and five (5) of the parties
are only entitled to $\frac{1}{18}^{\text{th}}$ each of said tract
which whole tract we assessed as of the value
of \$283.23. $\frac{1}{18}^{\text{th}}$ of which in value would be worth less
as more so as the Buildings could not be divided
and would be equal in value to $\frac{1}{3}$ the largest
~~share~~ and hence the unimproved land
of least value would have to be divided up
into the said small valuable fractional parts.
That your Commissioners in finding a partition
in kind have made two unsuccessful attempts
to otherwise satisfactorily to divide the land
among the parties either by allotting interest subject
to any party who would accept it, and pay the
other parties such sums of money as their interest
therein might entitle them to, or by the allotment

Tyrus leuife etals.
vs. $\frac{3}{8}$ in clay.

Am. Mus. Nat. Hist.

Report as to the value
of John Johnson's interest

Filed July 24. 1880.

Commissions for 4.00

Stiff.

2.00

\$ 6.00

day so filed upon your commission, from the
evidence before him finds that said John
Johnson was born on the 4th day of July, 1825,
and was on the day of sale seventy four years
and three months old. That the gross amount of
sales was

\$ 470. 00

That said John Johnson was entitled,
as tenant by curtesy to one half
of said land, To wit: $\frac{1}{3}$ held by
his wife Margaret or Peggy under
the will of her father Simpson
& Holloway decd. - $\frac{1}{8}$ held by her as
purchaser from Jeremiah Smith &
 $\frac{1}{8}$ held by her as purchaser from
Wm. A. Johnson wife, and Thomas
Johnson wife, equalizing in value of
sales

235. 00

That his portion of Castro's suit & sale is

\$ 5. 78

Leaving amt. to which he is entitled by curtesy \$ 199. 22

The present value of which sum on the day of sale
of the land is \$ 59. 13.

Given under my hand as a commissioner
of the said circuit court, at my
office, the 23^d day of February 1880.

A. J. Young com.

In the circuit court of Isle of Wight county.
Henry Tyner & wife et. als. Plffs.

vs.

$\frac{2}{3}$ In Chancery.

Jane Young et. als. Defts.

Pursuant to the decree of the said court rendered in this cause at October term, 1879, which directs a commissioner of said circuit court to take and report an account of the amount due John Johnson, a defendant in this suit, from the proceeds of the sale of the land in these proceedings mentioned as tenant by courtesy in part of said land, charging him with his due proportion of the costs of suit and sale - Your commissioner reports to the court that on the 18th day of December last, he issued notices to the parties, that he had fixed upon the 2^d day of February 1880, as the time, and his office at Isle of Wight Court House as the place for taking said account, and requiring them to attend. That said notice duly executed on Jane Young and service thereof acknowledged by C. B. Hayden the counsel for all other parties. And now the

Tyres et rex

v. { copy of
Dec

Young James

Oct. 18. 1879

Dec. 18. 1879

motion of. to V.B.

July, 1880.

For acc't.

In the Circuit Court of Lincolnshire
County - October 20th - 1879.

Henry Dymon and wife et al. Petrs
v. J. L. Dyer

John Young et al. Dfts

And the Court doth further adjudge,
order and decree that a
Commissioner of this Court ascertain
and report to Court the amt.
due the said John Johnson
from the said proceeds of sale
as directed by Court in part
of said land. as shown by
the proceedings in this suit
charging him with his due
proportion of costs of suit &
sale.

An abstract

Teste

W. A. Edwards D.C.

Types & Wife
 as
 Jane Young et al

31 30 29 28 27 26 25 24 23 22 21 20 19 18 17 16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1

Commissioner Hayden
 Report of Collection Payment
 Under license of Oct 1879 & 1880
 Filed Feb. 20th 1881
 =

1
 2

To the Hon George Blow Judge of the circuit court
of Isle of Wight County

The undersigned
C B Hayden special commissioner under the
annexed decree of said court of October term 1879
and October term 1880 in the suit of Tynes & wife
vs Jane Young et als, respectfully report to the
court That pursuant to said decrees & in part
execution thereof he on the 2nd day of June 1881
collected from John B Johnson surety in part
of her first bond \$47.00 & paid thereout to John
Johnson in satisfaction of his life interest
the amount directed by said decree as shown
by statement A, herunto annexed.

That being unable to collect further the
amounts due on the purchase bonds mentioned
in said decrees he has brought suit on the
same, but has not yet obtained judgment.
Your commissioner has paid the other
costs of suit as shown by said statement
leaving a balance in his hands of \$4.50. the
receipts of the parties for said payments are
herewith filed. All of which is respectfully
submitted.

C B Hayden Comr

Feb' 20th 1882

the costs incident to said decree; paying
 shares of the infants to their legal guar-
 dian, if any, if no legal guardian he shall
 deposit the same in the Farmers & Merchants
 Savings Bank of Smithfield to the credit
 of the several infants; paying the shares of
 the fees covert to such persons as they
 shall elect on their jury examination
 separate and apart from their husbands
 before a Justice of the Peace or a Notary
 Public, certified by him and filed in
 this cause; taking the receipts of the
 parties & the certificate of deposit of the
 cashier of said bank therefor & deliver
 the same with his report to court with
 the proceedings under this decree,
 In all other respects the said Commission-
 er shall execute the decree last aforesaid,

A Copy
 Teste,

W. A. Edwards D.C.

Genl. costs unpaid - to clk. \$3.50

Spec. costs to be paid incident to John Dig: clk. .40

Paid L B Edwards Com. Henry .40
 Diff. 2.00
 \$6.40

Paid A.P. Young clk & coin.

Tyres and wife
 v 3 in Oliver
 v 3 Copy 1880
 James Young
 et al
 Dec. 1880

For
 Wm. Haydon
 J. P. cost

In the Circuit Court of Isle
of Right County - Act. 22-1880

Henry Pyries et al. vs. et al.

Settled

v. J. D. Chas.

James Young et al.

Settled

" This cause this day came on to be again
heard on the papers formerly read & on the
report of commissioner A. P. Young, under
the decree herein of the October term, 1879,
& was argued by counsel on consideration
whereof the court doth adjudge, order &
decree that said report to which no
exceptions were filed, be confirmed, & that
commissioner C. B. Hayden instead of depositing
the proceeds of the bonds as directed by the
decree last aforesaid, shall pay thereof
the unpaid costs of this suit except a
commissioners fee for the report aforesaid
& the balance pay to the parties as ascertained
in the proceedings of this suit, paying to
John Johnson in satisfaction of his life
interest the amount ascertained by Commr.
Youngs report aforesaid, with interest
from the date of this decree, which shall
be paid out of the net proceeds of sale of
the land in which said life interest was
held, first paying out of said life interest

Tyner et my

v { in Aug.
Copy Dec.

James Youngster

Oct. term, 1879

collect Box

For Mr. Hapkins

Costs to be paid,

and possessed, containing by
estimation 50 acres by the same
man or less, being "Little Meek"
in Hordy Township in said
county, adjacent to the lands
of Mancy Tyner, wife of Henry Tyner
bid of by her under a decretal
sale herein on the 6th day of
October 1879. for the sum of
\$470.⁰⁰

An abstract

Teste. W. A. Edwards D.C.

Add. Costs: viz:

Clk's: fee \$1.95

bonds the said C. B. Hayden is hereby
authorized and required to collect on
maturity or before should payment
be tendered & the proceeds thereof
after paying the unpaid cost of suit
and sale, deposit in the Farmers &
Merchants Savings Bank Smithfield
Va. to the credit of this suit, subject
to the future order of the court herein,
taking the certificate of deposit of
the cashier of said Bank therefor
& return the same with his report
to court of his proceedings under
this decree. And the court doth
further adjudge order & decree, that
on the payment in full of said bonds,
the said C. B. Hayden who is hereby
appointed a special comr- for that purpose
shall execute & deliver to the said Jane Young
a good & sufficient deed in fee simple, with
special warranty for the tract of land
in the proceedings of this suit mentioned
whereof Sampson Hollaway died, seized

In the Circuit Court of Lincoln
County - October 20th 1879

Henry Turner et al. et al. Plffs
v. Duchy

Jane Young et al. Deft

~~This case~~ This day came on
to be again heard on the papers
formerly read and on the report of
sale of C. B. Hayden Commissioner
under the decree herein of said court
of April Term 1879, and was argued
by counsel, on consideration whereof
the court confirming said report
to which no exceptions were filed
doth adjudge, order and decree that
the Clerk of this court deliver to
the said C. B. Hayden on his filing
his receipt therefor the two bonds of
Jane Young and John R. Johnson for
\$204.00 each, payable respectively 1 & 2
years from the 6th day of Oct 1879,
with interest from that date, which

9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

Received of C. B. Hayden Com-
missioner in Lynes and wife vs
Young, Fifty Eight Dollars and Six-
ty One Cents being the value of
my life interest in the land
sold in said suit as reported
by Commissioner Young (\$59.13)
with interest thereon from Oct
6th 1879 to June 2nd 1881, less my share
of costs incident to said Report
\$6.40 as per Statement below
W. L. W. John^{hu} Johnson
m. J. h.

1879 D. B. Edwards

Oct 6 th	Value on this date of		
	John Johnsons life		
	interest as per Comr.		
	Youngs Report	59.13	
	Int on \$59.13 from Oct		
	6 th 1879 to June 2 nd 1881	5.88	65.01
	Costs incident to report		6.40
			<u>\$ 58.61</u>

1879

Statement A -

Oct. - " To Balance due Commissioners
per last Report 899

1881

June 2 By this amount from Geo R Johnson
in part of Jane Youngs 1st Bond 97 00

" To this and paid John Johnson
in satisfaction of his life interest 58 11

" do L B Edwards Sheriff fees 2 00

" N P Youngs Clerks fees (incident) 40

" " Comons fees incident to this proceeding 4 00

" " Clks fees - 3 50

1881

Oct

" C B Hayden fees with tax in suit 1st Bond 7 50

1882

July

" do " 2^d Bond - 7 50

" Balance as per contra - 4 50

\$97 00 \$97 00

Balance in Commissioners hands \$ 4 50

The two bonds of Jane Young & John R. Johnson
for \$204.09 each, payable respectively 1 & 2 years from
Oct 5 1879, with interest from that date, & the receipts of
the parties for said payments are herewith filed.

All of which is respectfully submitted
Oct 9th 1879 - C. B. Hayden

June 2^d 1881 - Received of the clerk of the Circuit
Court the first named of the within Bonds -

C. B. Hayden Comr

Feb 22 1882 - Recd of same the second of the within
named bonds

C. B. Hayden Comr

Comr Hayden's
Report of Sale

at
Jane Young

The undersigned Special Commissioner under the annexed decree of said court of Apr Term 1879 in the suit of Tynes et ux et als vs Jane Young et als, respectfully reports to the court that pursuant to said decree, he after giving the notice of the time, place & terms of sale as required by said decree on the 6th day of October 1879, ^{at the office of W. Wright C. H.} offered for sale, the land whereof Sampson Holloway died seized & possessed mentioned in said decree, at which time Jane Young being the highest bidder bid it off at \$470.00 making a cash payment of \$60.62 and for the balance gave with John R. Johnson as surety two bonds for \$204.69 each, payable respectively 1 & 2 years from October 6th 1879, with interest from that date, which said bonds & the said cash payment make up the amount at which it was bid off as per Statement A

Your Commissioner further reports that the said cash payment was applied in part payment of costs of suit & sale leaving a balance of \$8.99 due your Commissioner as per Statement B

Cash Payments		50	52
Clks fees Cir Ct \$6.75 & Co Ct \$3.20, Paid A. J. Haydel	9	96	
Sheriff .50, Auctioneer \$2.00. Printer \$1.25	4	25	
Cornrs. Junius Wills, J. E. Chapman and Jas D. Edwards \$2.00 each	5	00	
Taxed Atty fee & tax for plaintiff & defendant	31	00	
Commissions on \$800.00 @ 5%. & on 70.00 @ 2%	18	40	
Bal due Commissioner			8 99
	\$ 69	51	\$ 69 51
Bal due, Cornr Hayden	\$ 8	99	

Dynes chart:

to. John Chrys-
Coburn Dec.

John Younger & Co.

Oct. 1879

Hayden

Cable Ties

Tax costs.

from the day of sale with
interest from that day which
bonds he shall return to Court
with his report at his parents
in as much as this decree.
But the effect of this decree
shall be suspended as to said
sale until the said Commr.
shall execute in the Clerk's
office of this Court a bond
with sufficient security
and with waiver of homestead
payable to the Commr. of Va.
in a penalty of \$4000⁰⁰ Con-
ditioned for the faithful per-
formance of this or any
future decree herein.

H. C. P.
Teste.

W. A. Edwards D.C.
for N. P. Young & Co.

Atto. fee & tax for plffs & deffs. 31.00

^{\$6.76 & 3.20}
Atto. fees Ar. & Co. et 9.96

Shff. " .50

Junius Wills comm. 2.00 paid J. Wills

J. E. Chopin " 2.00 paid J. E. Chopin 9.40

Jas. P. Edwards et al. 2.00

Costs to app. et. 179 47.46

Teste, N. P. Young & Co.

60.61

at the 12 o'clock door of said
Court on some Court day
previous to the day of sale and
at other public places in
said County, a tract of land
in these proceedings mentioned
whereof Sampson Holloway
died, seized and possessed
in the County of Ischofright,
containing by estimation
fifty acres more or less, lying
in Little Neck, in Hanover
Township, adjacent to the
lands of Nancy Tynes wife
of Henry Tynes, on a credit
of one and two years in two
equal payments from day
of sale with int. from day
of sale, except so much for
costs as will pay costs
of suit and sale, taking
for the Credit portion of
said sale two bonds in equal
amounts, with sufficient
security and waiver of
homesteads payable to
himself as Comms. respec-
tively in one and two years

In Island of the Virgin Court
April Term 1879.

Henry Tyner et ux et als. Compl.

vs. In Chy

James Young Cold. et als. Defts

This cause this day came
on to be again heard upon
the papers formerly read, &
on the report of James Wills,
John Edwin Chapman,
and James P. Edwards, three
of the Commrs. of partition
under decree herein of Octo.
Term 1878, and was argued
by Counsel, on consideration
whereof the Court confirming
the said report to which no
exceptions were filed, doth
adjudge, order and decree
that he, B. Stoddard who is hereby
appointed special Commr.
for that purpose, proceed
to sell at public auction,
at Island of the Virgin Islds. on
some court day, after having
given at least 20 days notice
of the time and place of
sale by advertisement

PUBLIC SALE

—OF—

Sampson Holloway's Land.

By virtue of a Decree of the Circuit Court of Isle of Wight County, of April Term 1879, in the suit of Tynes, et. als., vs. Jane Young, et. als., I will offer for sale at Public Auction at ISLE OF WIGHT COURTHOUSE,

On Monday October 6, 1879,

BEING COUNTY COURT DAY,

The Tract of Land whereof Sampson Holloway died, seized and possessed, containing by estimation

50 ACRES,

be the same more or less, lying in "Little Neck," in Hardy Township, in said county, adjacent to the lands of Nancy Tynes, wife of Henry Tynes.

IMPROVEMENTS:---Two Story Dwelling House, and Usual Out-buildings.

TERMS :---A credit of 1 and 2 years, in two equal payments, with interest from the day of sale, except so much for cash as will pay costs of suit and sale. Bond with sufficient security, and with waiver of the Homestead required of the purchaser. Title retained until payment in full of the purchase money.

C. B. HAYDEN,
Special Commissioner.

August 15th, 1879.

Mr. C. B. Hayden,

1879

Aug

15

To printing 25 hand bills in
the suit of Tynes, et al vs Jane Young
et al

To "The Smithfield News" Dr

Oct 3 '79

Recd pay A B Pawlett

\$ 1 25

We the undersigned Commissioners for
Partition in the suit of Tynes et ux et als vs
Jane Young et als have received of C. B. Hayden
Commissioner in said suit the sums opposite
our respective names

Jimmie Wills	2. 00
J. E. Chapman	2. 00
Jas. D. Edwards	<u>2. 00</u>
	<u>\$ 6. 00</u>

Auc 2.50 Received of C. B. Hayden Comr in the suit
Sheriff .50 of Tyner vs wife vs Jane Young, Two Dollars
\$ 3.00 and Fifty Cents Auctioneers fee and Fifty
Cents Sheriffs fee

L. B. Edward Shff

Zuer

v.

Jane Young.

Report of

R. S. Thomas

under Decree of

October 1883.

April 1884. emj^s

Received May 12th 1884.
of A. D. Young, Clerk of
Salem District Court and
the entry of deposit of
\$405.89 in the Marine
Bank Norfolk Va. which
was filed with this report
& delinquent to me by decree
of April term 1884 in
this suit.

R. S. Thomas
S. C. C.

1	Bond of Jane Young	204 69	
	Interest - to June 1 st - '81 as		
	calculated by C. B. Hayden	<u>20 32</u>	4225 01
	Credited by C. B. Hayden by an		
	endorsement - on the bond June 1 st - '81.		<u>97 00</u>
	Balance due as Calculated by C. B. H.		128 01
	Interest on the same from June 1 st -		
	1881 to Nov. 20 th 1883. 2.6. 20		19 60
	Costs of suit - at Law		8 20
	Interest on same		<u>1 30</u>
			157 11
2	Bond dated October 6 th 1879	204 61	
	Interest on same to Nov. 20 th		
	1883. 4. 1. 14.	50 63	
	Costs of suit - at Law	8 20	
	Interest on same	<u>1 30</u>	264 74
			421 85
	Advertisement of Sale		<u>1 50</u>
			423 35
	To commissions on collections	17 46	
	Balance due	<u>405 89</u>	423 35
	Balance for Distribution		405 89

Thurs v. Jane Gunn

To the Honorable Circuit Court of
Suffolk County

The undersigned who was appointed
Special Commissioner under the de-
cree of ~~the~~ October Term 1883 to make
sale of the land in the Bill and proceed-
ings mentioned bought by Jane Gunn
unless she within 30 days from the date
of the said decree made payment of the
purchase bonds has the honor to re-
port that on the 20th day of Novem-
ber 1883 she paid up the unpaid
purchase money. As the decree did
not direct a dividend has been
made and as it did not direct a
distribution of the proceeds by the
undersigned he deposited the same
as will appear from Statement A⁴
hereto attached and the certificate
of deposit of the Cashier of the
Marine Bank in the Marine
Bank of Norfolk Virginia. It
will appear from a memorandum of
the clerk that the said Jane Gunn
was \$3.70 the unpaid costs in the
Suits at Law.

Respectfully submitted

R. S. Thomas

spe. Comm.

Nov: 20th 83

Com. I am
Sister of the
Each

In the case of ~~James~~ ^{James} wife v. Jan Gray
et al. Jan should pay the costs
imposed by her atty. to \$2. 75
clks. fees - and

Shff. fees 1. 00

The shff. fee has been paid to
Shff. by Amy James & should be refunded
to him. Clks. fees are due to
A. P. Younger.



NOTHING BUT THE ADDRESS CAN BE PLACED ON THIS SIDE.

R. S. Thomas, Esq.^r
Smithfield Va

Tynes v. Yarny

Pch. \$405.89

Int: 5.01

\$410.90

Yrs truly

W H Dayler

PH

May 13/84

Henry Jones

\$1.00

This is a part
of the cost to
be paid on the
sale of the
land ordered to
Oct. 1. 1885
Sept. 1.

Mr Young & Sons

1883

To George Lloyd & Co.

May

7

To Dr. Mamm. on Jan 5

Young & Son. R. Johnson 3

\$ 1.00

Recd Payment of Henry
A B Edwards

Thurs

Sept 21st 1883

For H. B Edwards

Received May 20th 1884 of R. S. Thomas
 Special Com missioner in the suit of
 Tynes & wife v. Jane Young et al the
 sum set opposite to each of our names
 respectively

Nancy Tynes	by R. S. Thomas acty.	123.84
John Robert Johnson	" " "	30.96
Emma Dell formerly Johnson	do, do	30.96
Mary E. Tynes formerly Johnson	do, do,	30.96
Thomas Johnson	by R. S. Thomas, his acty	30.96
Jane Johnson		57.60
Henry Ballard	by R. S. Thomas, his acty	15.48
John D. Ballard	" " "	15.48
John Smith	In Asylum	
James Smith	(Receipt -)	15.48

Dr. Kinkaid

For collect. sent to

you this week

see by express

Wellingborough

at the same time

for adv. - L.P.S.

Aug. 28/83

Thomas H. Johnson, now lives
at Orange New Jersey.

~~and~~ and John D. Ballard
the son of Margaret (F.) Bal-
lard, who was Margaret F. John-
-son, lives at Orange New
Jersey. Margaret is dead,

so is Mary Ella Ballard.

John D. Ballard is the only
child & John is now 15
& will be 16 on the 17th
of next November.

Tynes & Wife

v

Jane Young

Receipt of Payment
under Decree of Affidavit
1884.

Filed Oct. 8th 1884.

Col. J. B. 1884

leaving hand (brought over)

20 64

the share of James Smith
which could not be paid because
it was said by all his family and friends
that he was in the insane asylum.

The receipts of the payments for the sev-
eral payments made to each respec-
tively are herewith filed.

Respectfully submitted

R. S. Thomas

He born

Zynes

v

Jane Henry

To the Honorable George Blinn

Judge of the Circuit-Court of Sale of
Wright County

The undersigned has
the honor most respectfully to report-
that under and by virtue of the decree
rendered at the April Term of this hon-
orable Court he withdrew the certificate
of the Cashier of the Marine Bank of
Norfolk Virginia for \$405 89
and collected it and interest-
thereon to May 13th 84 5 01
making a total of Principal & Interest of \$410 90
and that he paid Taxes &c to \$38.95
and reserved 43 39 38
which being deducted from the \$410.90 leaves 371.52
for distribution

That out of this he paid

Nancy Zynes	24/72	123.84	
John Robert Zynes	6/72	30.96	
Emma Deek	6/72	30.96	
May E. Zynes	6/72	30.96	
Thomas Johnson	6/72	30.96	
Jane Johnson	10/72	57.60	
Henry Ballard	3/72	15.48	
John P. Ballard	3/72	15.48	
Jambs Smith	4/72	<u>20.64</u>	<u>350.88</u>
			20.64

Record of R. S. Thomas special commis-
sioner in *Jones & Wife v. Jane Gentry*
the sum of Fifty one dollars and sixty
cents, balance of the fund in his
hands to be distributed under the de-
cree of the Circuit-Court of Loudon County
entered at its April Term 1884.

Jane Gentry
By *J. H. [illegible]* her
attys.

R. S. Thomas
Attorney at Law

Practices in the Courts of Isle of Wight, Surry, Southampton, and Hansemond Counties

Smithfield, Va., ... 188

Received May 20th 84 of R. S. Thomas the
cash balance due in Tyner & Wife v. Jane
Young et al the sum of which we were
specifically entitled under the Decree of the
April Term 1884 of the Circuit Court of Isle
of Wight County in that cause

Thomas Johnson

Henry Balland

John D. Balland

by R. S. Thomas

their attys.

as aforesaid shall not execute this decree until he shall enter into bond in the Clerk's Office of this Court in the penalty of say hundred dollars with good and sufficient security conditioned according to law for the faithful performance of his duties under this decree.

Attest.

J. D. Young clk.

costs unpaid.

att. for alienation \$30.00

clks. fees 7.95

sliff. " 1.00

\$38.95

of the clks fees \$2.70 is included in fees to be paid by J. D. Young to the sliff. fees \$1.00 to be paid by her making the \$3.70 which is to pay the bal. of costs to come out of deposit.

James & wife
vs.
J. D. Young et al.

Co. re. of Apr. 1884.
for coln. of deficiency
of payments in

James & wife

James & wife

John Roberts Emma, Mary E., and
Thomas Johnson to each $\frac{1}{2}$ equal to
 $\frac{1}{2}$, and to the said true worth 24.72
Jane Johnson or George 6.72 as heir
of her mother 18 or 4.72 as grantee of
Samuel Smith making her whole inter-
est 10.72 Henry Ballard $\frac{1}{4}$ = 3.72,
John D. Ballard $\frac{1}{4}$ = 3.72, John Smith
 $\frac{1}{8}$ = 4.72, James Smith $\frac{1}{8}$ = 4.72, pay-
ing the shares of the infants to their
legal guardian if any if no legal
guardian he shall deposit the same
in the Marine Bank of Norfolk
Virginia, to the credit of the several
infants paying the shares of the fe-
ces credits to them or to such persons
as they shall elect, on their being
examination separate and apart
from their husbands before a Justice
of the Peace or a Notary Public,
accepted by him and filed in
this cause, taking the receipts of
the parties, and the certificate of
deposit of the Cashier of said Bank
thereof and return the same with
his report to Court of his proceedings
under this decree. But the said R.
S. Thomas Special Commissioner as

and the Court by its decree at the October Term 1880, having decreed payment "to the parties as ascertained in the proceedings of this suit" and the interest of the parties having been stated with great care in the bill filed in this suit; the Court doth adjudge order and decree that R. S. Thomas who is hereby appointed Special Commissioner for that purpose withdraw from the papers of this suit the certificate of deposit of the Cashier of the Marine Bank of Norfolk Va for \$405.89. on filing his receipt with the Clerk of this Court for the same, collect + receive of and from the Marine Bank of Norfolk Virginia the sum of (\$405.89) Four Hundred and Five Dollars and eighty nine cents and all interest due thereon, and after paying thereout, the unpaid costs of this suit inclusive of an attorney's fee of Thirty dollars for his services in this cause, he will pay over the balance in his hands as follows: To Nancy Tynes wife of Henry Tynes $\frac{1}{3}$ equal to 24/72

In the Circuit Court of Isle of Wight
County the 31st day of April 1884.
Henry Tynes and wife. Plffs.
vs }
Jane Young et al. Defts.

This cause came on this day to be
again heard on the papers former-
ly read and on the report of R. S. Thom-
as Special Commissioner herein un-
der the decree of the October Term 1883
to which report no exceptions are
filed and was argued by Counsel:
On consideration whereof, the Court
confirming the said report doth ad-
judge, order and decree that R. S. Thom-
as who is hereby appointed a Special
Commissioner for that purpose shall
on the payment by Jane Young
of \$3.70 the unpaid costs by her,
make to her a good and sufficient
deed in fee simple for "the tract
of land whereof" Sampson Hall-
oway died seized and possessed con-
taining by estimation 50 acres be
the same more or less, lying in
Little Neck in Hardy Township in
said County, adjacent to the land
of Nancy Tynes wife of Henry Tynes

Zyres
v
Jane Barry

Receipt of
James H. Smith

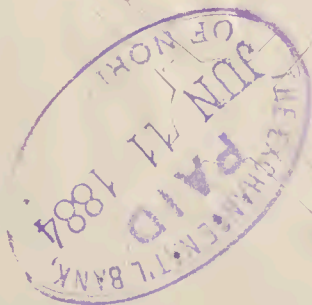
Received of R. S. Thomas Special
Commissioner in Tynes & Wife v
Jane Young & others this 12th day
of May A. D. 1884 the sum of
Twenty dollars and sixty five
cents due me as my pro rata share
of the fund to be distributed in the
said suit - Tynes & Wife v. Jane
Young & others under the decree of
the Circuit Court of Sanj Wright
County at its October April Term
1884. James H. Smith.

Teste

Willard D. Tynes

J. H. Nelson & Co.
J. H. Nelson

PAY *G. M. Bain* Cashier.
Or Order, for Account of
Farmer's & Merchants Savings Bank,
SMITHFIELD, VA.
R. K. Chapman Cashier.



Smithfield, Va.

Smithfield, Isle of Wight Co., Va.,

June 7th 1884

Marine Bank,

NORFOLK, VA.

Pay to J. H. Melius & Bro, attorneys in Law Order,
Forty ^{years} Eight ————— Dollars.

in payment of her share of fund in Tynes v. Wife v. Jane Gung

\$48.42

R. S. Thomas

may

Received of R. S. Thomas Special Comm-
missioner in the suit of Jynes & Wife v
Jane Barry & others the sum of \$30.96
Due me under the Decree of the April
Term 1884 of the Circuit Court of Lake
of Wright County in the case.

Mary E. Jynes
Jany ^h Jynes
mark

Emma

Received May 20th 1884 of R. S. Thomas
special commission in Tynes &
Wife v. Jane Gunning the sum of
Thirty dollars and ninety six cents due
me under the decree of the April Term
1884 of the Circuit Court of Loup County in
the said cause.

Emma Delk formerly Johnson

John R

Received May 20th 1884 of R. S. Thomas as
Special Commissioner in *Thyres & Wife v*
John Barry et al the sum of \$30.96 due
me under the Decree of the April Term 1884
of the Circuit Court of Lee of West-Carroll
in that said cause

John R. John son

Nancy

Received May 20th 1884 of R. S.
Thomas Special Commissioner in
Tynes & wife v. Jane Bump for the
sum of one hundred and twenty three
dollars and eighty four cents ^{up charges} \$123.84 due
us under the April Decree for distribu-
tion as the April Term 1884 of the Circuit
Court of Deaf Wright County -

Nancy X Tynes

Henry Lynes & wife
v
Jane Goring.

Report of Filing
of Certificate to
Credit of James
Smith
Nov 17th 84

Apr. 21st 1888 —
Confession of debt
Vermons for Doene

Henry Lynes & wife

James Barry

The undersigned has
the honor to enclose & to fill the
Certificate of the Cashier of the Farmers
& Merchants Savings Bank
for \$20.64 to the credit of James
Smith, his committee, or adminis-
trator.

Respectfully

R. S. Thomas

Nov: 17th 1884.

Harry Tynes wife
vs 3rd in chcy.

Jane Young et als.

" Copy & receive

Octo. term 1884

In the Circuit Court of Shropshire
County, the 20th day of October 1884.

Henry Symes & wife
vs. $\frac{3}{3}$ In Chancery.

Plffs.

James Young et als.

Defts.

This Cause came on this day to be
again heard, and on the report of
W. S. Thomas, Special Commissioner
under the decree herein of April term
1884, to which no exceptions are filed
and was argued by Counsel. On Consider-
ation whereof the Court confirming
the said report doth ad judge order
and decree that the sum of Twenty
dollars and sixty four cents \$20.64
the amount due to James Smith accord-
ing to the said report, be deposited to
his credit in the Farmers and Merchan-
ants Savings Bank Smithfield Va.
to the Credit of the said James Smith
taking the receipt of the Cashier thereof
& filing the same in the papers of this
Cause, and that on the filing of the
same in the papers of this Cause, this
suit be removed from the docket.

at test, J. S. Young att.

CERTIFICATE OF DEPOSIT.

Farmers and Merchants' Savings Bank,

\$ 20⁶⁴

SMITHFIELD, VA. 17 Nov 1884

R. J. Thomas Esq. has deposited in this Bank,
Twenty ⁶⁴/₁₀₀ Dollars,
payable to the Order of James Smith, his committee and admi-
on return of this Certificate, properly endorsed.

No.

R. K. Chapman
Cashier.

Henry Dymond & Co.

32

James Young & Co.

Rough Draft

Oct 20 1875

To be entered

Geo. B. How,

—

Entered 15

court with the reasons upon which their opinion
is founded, & then shew what that said par-
ties will take the whole land or any part of it
they will shew what sum of money are to
be paid & to whom paid

111
Johnson which one third subject to the life interest therein of John Johnson they shall divide as follows, to wit in to 6 equal parts & allot one of said six parts each to Jane Young, John Robert Johnson, Emma Johnson, Thomas Johnson & Mary E. Pyres, the wife of David Pyres & the other sixth part they shall divide equally between John A. Ballard & Henry Ballard—

The other one third of Johnson's Homestead Land they shall allot to the heirs at law of Polly Smith & subdivide as follows, one sixth each to John Smith, James A. Smith & Jane Young & the other 3 or 1/2 of Polly Smith & they shall divide equally between the aforesaid Jane Young, John Robert Johnson, Emma Johnson, Thomas Johnson & Mary E. Pyres wife of David Pyres & Henry Ballard & John A. Ballard dividing equally between the two last one of said 5 parts; but if said Commissioners shall be of opinion that such partition cannot be conveniently made they may lay off the shares together of two or more of said parties who may elect to have their share so laid off, or may allot the whole of said land to any party who will accept it & pay therefor to the other parties such sum of money as their interest therein may entitle them to or if in their opinion ~~the~~ the interest of the parties will be promoted by the sale of the whole land or allotment of part and sale of the residue they will so report to the

Henry Tynes & wife et al

vs

Came Young et al

This cause in which the Bill is taken for confessed as to the Defendant Came Young, on whom process has been duly served, she still failing to appear, plead answer or demurr, came on this day to be heard on said Bill, the answer of the infant defendants John D Ballard, John Smith & James Smith by N. P. Young their Guardian ad litem, several replications thereto, & exhibits filed & was argued by counsel on consideration whereof, the court doth adjudge order & decree that Wmth Stephenson

J. D. Edwards Mrs Ed Chapman
Lucius Wells & J. J. Cox

who are hereby appointed commissioners for that purpose, any three of whom may act proceed to divide into three equal parts having regard to quantity & quality the tract of land in the proceedings of this suit mentioned when of Sampson Holloway died seized & possessed in the county of Sullivan & Wright, containing by estimation 50 Acres & the same more or less lying in Little Rock adjacent to the lands of Nancy Tynes, wife of Henry Tynes, & allot one of said third parts to Nancy Tynes wife of Henry Tynes - one of said third parts to the heirs of Peggy or Margaret Johnson formerly the wife of John

Spence v.als

70

Young v.als

Rough Decree

April Term 1879

To be entered.

Wm. B. Brown.

(Entered)

107

equal payments of ~~12 1/2~~ years from day of
Sale with interest from that time, except so
much for cash as will pay the costs of said
Sale including of an attorney fee
of ~~\$25.00~~ to C. B. Brown for his services
in that case, and for the credit
portion of said sale, two bonds in equal
amount, with sufficient security,
with manner of the Homestead payable to
himself as Commissioner respectively
12 1/2 years from the day of Sale with
interest from that date, which bonds
he shall return to Court with his
report of his proceedings under this
decree; ~~But~~ the effect of this decree
shall be suspended as to said
Sale until the said Commissioner
shall execute in the clerk's office of this
Court a Bond with sufficient security
with manner of the Homestead
payable to the Commonwealth of Virginia
in a penalty of \$400.00 conditioned
for the faithful performance of his
or any future decree herein.

Tynes et al
vs
Long et al.

This cause this day came on to be
again heard on the papers formerly read
& on the report of James Wells, J Ed
Chapman & James J Edwards three of
the Commissioners of Partition under the
decree herein of October term 1878,
was argued by counsel, on considera-
tion whereof the court confirmed the
said report to which no exceptions
were filed be confirmed, doth adjudge
order & decree that C B Boyden who is
herely appointed Special Commissioner
for that purpose proceed to sell at
public auction at Isle of Wight Court
House on some Court day, after having
^{at least 20 days} given notice of the time & place of sale
by advertisement at the Court house
door of said County on some Court
day previous to the day of sale & at other
public places in said County. The
tract of land in these proceedings
mentioned whereof Sassafras Holla-
may died seized & possessed in the
County of Isle of Wight, containing by
estimation 50 Acres, more or less lying
in Little Neck, adjacent to the lands of
Nancy Jones, wife of Henry Tynes, on a
Credit of one and two years in two

Tynes & wife rals

or

Jane Young rals

Rough Creech
Oct Term 1879.
To be entered

Geo. B. Low.

Entered 26

in the proceedings of this suit mentioned whereof John Johnson died, seized & possessed, containing by estimation 20 Acres be the same more, or less, lying in "Little Neck, in Hardy Township,

in said County, adjacent to the lands of Henry Tyner, wife of Henry Tyner, bid off by her under a decree of sale herein on Dec 6/1879, for the sum of \$470.00. And the Court doth further adjudge & decree that a Commission be appointed to

court ascertain & report to court the amount due the said John Johnson from the said proceeds of sale as tenant by curtesy in part of said land as shown by the proceedings in this suit charging him with his due proportion of costs of suit & sale Tyner's wife & als

vs

Jane Young & als

This cause this day came on to be again heard on the papers formerly read and on the report of sale of C. B. Hayden Commissioner under the decree herein of said court of April Term 1879, & was argued by counsel, on consideration whereof the court confirming said report to which no exceptions were filed doth adjudge order & decree that the Clerk of this court deliver to the said C. B. Hayden on his filing his receipt therefor the two bonds of Jane Young and John R. Johnson for \$204.69 each, payable respectively 1 & 2 years from the 6th day of Oct 1879, with interest from that date, which bonds the said C. B. Hayden is hereby authorized and required to collect on maturity or before should payment be tendered & the proceeds thereof after paying the unpaid cost of suit & sale deposit in the Farmers & Merchant Savings Bank Springfield Va. to the credit of this suit. Subject to the future order of the Court herein, taking the certificate of deposit therefor & return the same with his report to Court of his proceedings under this decree. And the Court doth further adjudge order & decree, that on the payment in full of said bonds, the said C. B. Hayden who is hereby appointed a Special Comr, for that purpose shall execute & deliver to the said Jane Young a good & sufficient ^{my fee simple} deed with special warranty for the tract of land

husbands before a Justice of the Peace or a
Notary Public, certified by him and filed
in this cause; taking the receipts of the parties
+ the Certificate of deposit of the Cashier
of said bank therefor + return the same with
his report to Court with the proceedings
under this decree. In all other respects
the said Commissioners shall execute the decree
last aforesaid

Agnes + wife
vs
Jared Young et al

Rough Decree
October Term, 1880
To be entered

Geo. Brown

Entered 7-9

Tynes & wife et als

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vs
Jane Young et al,

This cause this day came on to be
again heard on the papers formerly read & on
the report of Commissioner, N. P. Young, under
the decree herein of the October term, 1879, &
was argued by Counsel on consideration whereof
the Court doth adjudge, order & decree that said
report to which no exceptions were filed, be
confirmed, & that Commissioner D. B. Hayden
instead of depositing the proceeds of the bonds
as directed by the decree last aforesaid,
shall pay thereout the unpaid cost of this
suit except a Commissioners fee for the report
aforesaid & the balance pay to the parties as
ascertained in the proceedings of this suit;
paying to John Johnson in satisfaction of his
life interest the amount ascertained by
Commissioner Young's report aforesaid,
with interest from the date of this decree,
which shall be paid out of the ^{net} proceeds of
Sale of the land in which said life interest
was held, first paying out of said life interest
the costs incident to said decree; paying shares
of the infants to their legal guardians, if any,
if no legal guardian he shall deposit the
same in the Farmers & Merchants Savings
Bank of Smithfield to the credit of the several
infants; paying the shares of the James Covert
to such persons as they shall elect on their
privity examination separate & apart from their

Tyres & Wife
 " Jane Young et al -

7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

Amie Turner 1882

To be entered

Ge. S. Brown.

(Entered 4)

Tynes Wife
vs

Jane Young, et al.

This cause this day came on to be again heard on the papers filed & read & on the report of collection & payment under the decrees herein of October Term 1879 & 1880 was argued & counsel on consideration whereof the court doth adjudge order & decree that said report, to which no exceptions were filed be confirmed, & that said C B Hayden complete the execution of the decree herein of Oct Term 1879, in all respects, except as to the deposits therein directed, which he shall make on the Marine Bank of Norfolk, taking the certificate of deposit of the Cashier of said Bank therefor. Return the same to court with his report of his proceedings under this decree —

Thyres & wife
v. Secor

Jane Young

April Term 1883

To be entered

Geo. B. Snow

Entered 5

Tynes & Wife

v.

Jane Gentry;

The death of G. B.

Hayden Special Commissioner in
^{since the last decree herein}
this cause, having been suffered to
this cause came on this day to be again
heard and was argued by counsel:

On consideration whereof the court
doth adjudge order and decree that
a rule issue against Jane Gentry
and John R. Johnson to shew
cause if any they come why the
tract of land be purchased by them
as heretofore reported in this cause
should not be resold at their cost
and charges

Tynes & Wife

✓

Jan 1883

Run & Deere

October Term 1883

To be entered.

Geo. Brown



Entered Feb 15

the said Commissioner shall execute
in the clerk's office of this court a bond
with sufficient security - with
waiver of the homestead payable to
the Commonwealth of Virginia in
the penalty of \$400 - conditioned for
the faithful performance of his duties
under this or any future decree
herein.

sale by advertisement - at the Court house
door of the said County on some Court-
day previous to the day of sale & at other
public places in the said County the
tract of land in the proceedings mentioned
whereof Sampson Holliday died seized
and possessed in the County of Sol. of West-
Virginia by Estimation 50 acres more
or less lying in Little Neck in Hardy
District - adjacent to the lands of Nancy
~~Tynes~~ Tynes wife of Henry Tynes on a
credit of one & two years in two equal pay-
ments from day of sale with interest
from that time except for so much
cash as will pay for the costs of suit
& sale inclusive of an attorneys fee
of \$25.00 to R. S. Thomas for his ser-
vices in this cause taking for the credit
portion of said sale two bonds in equal
amounts with sufficient security
with waiver of the husband with in-
terest as aforesaid payable to himself
as creditor in one & two years
from the day of sale which bonds he
shall return to Court with his report
of his proceedings under this decree

But the effect of this decree shall
be suspended as to the said sale until

+ paid within 30 days from the date of
this decree that

Henry Zuer & wife

Jane Zuer, et al.

This cause came on
this day to be again heard on the pa-
pers formerly read and on the return of
the jury on Jane Zuer & John R.
Johnson under the April term 1883
to show cause if any they can why the
tract of land ~~hereby~~ purchased by them
under the proceedings of this cause should
not be resolved at their cost & charge
and was argued by counsel; On consider-
ation whereof the said Jane Zuer
and John R. Johnson not having
shown any cause why the said tract
of land should ~~not~~ be resolved at their
cost and charge the court doth adjudge
^{unless the payment due by the said defendants be not paid}
order and decree that the same be
resolved at their cost and charge on the
same terms and conditions of the sale
made by C. B. Hayden and the court-
doth appoint R. S. Thomas special com-
missioner in the name place & stead
of C. B. Hayden deceased who shall sell
at public auction at Iowa of Wright Co. It
on some court day after having given at-
least 20 days notice of the time & place of

Tyros Hoife
to John C. M.
Sum
Oct. 1883.
Jan Young sl^or

1883.

suspended as to the said sale until
the said Commissioner shall execute in
the Clerk's office of this Court a bond
with sufficient security and with waiver
of the homestead payable to the Com-
monwealth of Virginia in the penalty
of \$400. Conditioned for the faithful per-
formance of his duties under this or
any future decree herein.

A copy.

Test, A.D. Spring clk.

days notice of the time and place of sale by advertisement at the Court House door of the said County on some Court-day previous to the day of sale, and at other public places in the said County. the tract of land in the proceedings mentioned whereof Sampson Halladay died seized and possessed in the County of Isle of Wight containing by estimation 50 acres, more or less, lying in Little Neck in Hardy district adjacent to the lands of Nancy Tyner, wife of Henry Tyner, on a credit of one and two years in two equal payments from day of sale with interest from that time, except for so much cash as will pay the costs of suit and sale inclusive of an attorney's fee of \$25.00 to R. S. Thomas for his services in this cause taking for the credit portion of said sale two bonds in equal amounts with sufficient security, with waiver of the homestead, with interest as aforesaid payable to himself as commissioner in one and two years from the day of sale which bonds he shall return to Court with his report of his proceedings under this decree.

But the effect of this decree shall be

Henry Tynes and wife
vs. }

Plffs.

Jane Young et al.

Defts.

This cause came on this day to be again heard on the papers formerly read and on the return of the rule on Jane Young and John R. Johnson under the April Term 1883, to show cause, if any they can, why the tract of land purchased by them under the proceedings of this cause should not be resold at their cost and charge, and was argued by counsel: On consideration whereof the said Jane Young and John R. Johnson not having shown any cause why the said tract of land should not be resold at their cost and charge, the court doth adjudge, order and decree that unless the full amount due by the said defendants be paid within 30 days from the date of this decree that the same be resold at their costs and charge on the same terms and conditions of the sale made by C. B. Hayden and the court doth appoint R. S. Thomas Special Commissioner in the name, place and stead of C. B. Hayden deceased, who shall sell at public auction at Isle of Wight Co. Va. on some court day after having given at least 20

Tyner & Wife

v.

James Henry

Rough Decm

April Decm 1884

To be entered

Geo. Brown

Entered 49

Amount paid to be given

credit of the several infants - paying
the shares of the femer ^{to them} ~~Covered~~ ^{or} to such
persons as they shall elect - on their
being examination separate and
apart from their husbands before a
Justice of the Peace or Notary public
authorized by him and filed in this cause
taking the receipts of the parties and
the Certificate of Deposit - of the Cashier
of said Bank therefor and return the
same with his report - to Court - of his
proceedings under this Decree.

But the said R. S. Thomas, special com-
missioner as aforesaid shall not execute
this ~~decree~~ decree until he shall enter into
bond in the clerk's office of this Court in the
penalty of six hundred dollars with good &
sufficient security and conditioned
according to law for the faithful perform-
ance of his duties under this Decree.

~~Apparatus to be used~~
 with drawn from the papers of this suit - the
 certificate of deposit - of the Cashier of the
 Marine Bank of Norfolk Va for \$405.89
 in place his receipt with the clerk of the court - for
 the same

~~under the sum of \$405.89 with interest thereon put~~
~~shall after his death have paid~~
~~the unpaid costs of this suit inclusive~~
~~of an attorney's fee of thirty dollars for~~
~~his services in this case and the bal-~~
~~ance pay as follows~~
 who is hereby appointed special commissioner to collect
 collect & receive of and from the Marine
 Bank of Norfolk Virginia the sum of
 (\$405.89) Four Hundred and Five Dollars
 and eighty nine cents and all interest due
 thereon and after paying thereon the un-
 paid costs of this suit - inclusive of an attor-
 neys fee of thirty dollars for his services
 in this cause he will pay over the bal-
 lance in his hands as follows

- To Nancy Tyne wife of Henry Tyne
 1/3 equal to 24/72
 John Robert: Emma, Mary &
 & Thomas Johnson each 1/12 = 6/72
 & to the said from jointly 24/72
 Jane Johnson or Henry 6/72
 as heir of her mother & 1/18 or 4/72
 as grantee of Samuel Smith
 making her whole interest 10/72
 Henry Ballard 1/24 = 3/72
 John D. Ballard 3/24 3/72
 John Smith 1/18 4/72
 James Smith 1/18 4/72

paying the shares of the infants to their
 legal guardian, if any, & if no legal guar-
 dian he shall deposit the same in the
 Marine Bank of Norfolk Virginia to the

Tynes & Wife

vs
Jane Tynes:

This cause came on this day to be again heard on the papers formerly read and on the report of R. S. Thomas special Commissioner heretofore under the decree of the October Term 1883 to which report no exceptions are filed and was argued by Counsel: On consideration whereof the Court confirming the said report doth adjudge, order and decree that R. S. Thomas who is hereby appointed a special Commissioner for that purpose shall on the payment by Jane Tynes of \$3.70 - the unpaid costs by her made to her a good and sufficient - deed in fee simple in "the tract of land whereof 'Sampson Holloway' died seised and possessed containing by estimation 50 acres be the same more or less lying in Little Neck in Hardy Township in said county adjacent to the lands of Nancy Tynes wife of Henry Tynes and the Court having by its decree at the October Term 1880 having directed payment to the parties as ascertained in the proceedings of this suit" and the interest of the parties having been stated with great care in the bill filed in this suit the Court doth adjudge order and decree that R. S. Thomas

Zyner & wife

v

Jane Berry
Rough Decm.

October Term 1884

To be entered

Geo. V. Blow,

Final

Entered No. 4.

Zynes + Wife
v

James Zenny.

This cause came
on this day to be again heard and on the
report of R. S. Thomas, Special Com-
missioner under the decree herein of
April Term 1884, ^{to which no exceptions are filed} and was argued by
counsel; on consideration whereof
the Court confirming the said report-
with adjudg order and decree that
the sum of Twenty dollars and six
pence \$20.64. the amount due
to James Smith according to the said
report - be deposited to his credit in
the Farmers & Merchants Savings
Bank Smithfield Va to the credit of
the said James Smith taking the
receipt of the Cashier therefor & filing
the same in the papers of this cause
and that on the filing of the same
in the papers of this cause this suit
be removed from the docket.

Jones & Wife

W

Jane Young

Rough Decm

April Decm 1885-

To be entered

Geo. Blow, J.

Entered 1884

Zyner & Wife
v

Jane Young

This cause came on this day
to be again heard on the papers formerly read and
on the report of R. S. Thomas Special Commissioner
herein, ^{filed Apr. 17th 84} of the deposit of \$20.64 to the credit of
James Smart in the Merchants & Mechanics
Savings Bank pursuant to the decree herein
of October Term 1884 to which report no exceptions
are filed and was argued by counsel. On consid-
eration whereof ^{the court affirming the said report} the court doth adjudge, order and
decree that nothing further remaining to be
done here in that this cause be removed from
the docket.

Saml. Smith.
To 3 Copies of
Deed

Sam. Johnson

Archib

See for Apr 60

In the Clerk's office at Salem Ju-
dicial Circuit Court, the 13th day
of May 1878. This Deed from
Samuel Smith to Jane Johnson
was received & admitted
to record upon the annexed
certificate of C. W. May, and
a Notary Public

Test.

A. P. Younger

Attest

Test.

W. A. Edwards D. C.

being a daughter of John Johnson
and his late wife Margaret
Johnson, together with all and
singular the appurtenances
belonging to the same. And
he said Samuel Smith Avoweth
that he has the right to convey
the said lands to the said Grant
that the said Grant shall have
quiet possession of the said land;
that he has done no act to encumber
the said land, and that he will
execute such further assurances
of the said land as may be
required.

Witness the following signature & seal.
Samuel Smith Seal

Virginia

Shelburne County Court to wit:

J. L. B. Hayden a Notary Public
in and for the said County, in
the State of Virginia, do Certify
that Samuel Smith whose name
is signed to the writing above
bearing date 8th day of August
1877, has acknowledged the same
before me in the County aforesaid,
Given under my hand this 9th
day of August 1877.

J. L. B. Hayden Notary

This Deed made the 18th day
of August A.D. 1877. between Samuel
Smith of the County of Isle of Wight
and State of Virginia, of the one
part, and Jane Johnson of the
said County & State of the other
part: Witnesseth: that the said Samuel
Smith, in consideration of the
sum of \$75.⁰⁰, doth grant with
general warranty unto the said
Jane Johnson her heirs and
assigns, the following real estate
to wit: One eighteenth of the tract
of land whereof Sampson Holloway
died, seized & possessed in the
said County & State, containing
by estimation fifty acres, be the
same more or less, lying in Little
Mexico, adjacent to the lands of
Nancy Dynes wife of Henry Dynes
being the same tract devised
by the said Sampson Holloway
to his wife for life, remainder to
his children, the said grantor
Samuel Smith being a son of
Polly, a deceased child of said
Sampson Holloway, and
the said grantee Jane Johnson
(sometimes called Jane Young)

At a court held for Essex County Court
the 4th day of Apr. 1831. The foregoing last
will & testament of Sampson Sawyer
decd: was presented in Court by America
Sparrow the Exor. there named, who made
oath there to, and the same being proved
by the oath of Sarah Lightfoot & Doreen D.
Hill the witnesses thereto, was ordered
to be recorded. And on motion of
the said Exor. he was permitted to
enter into bond without security
in the penalty of \$1000. Conditioned
as the law directs, certificate was
therefore granted him to obtain a probate
thereof in due form.

Test. Nathaniel Young cc. J. W. C.

Copy

Test W. A. C. de v. de J. de J.
W. Young cl.

Sampson Sawyer

will

Copy

For Copy 36

In the name of God Amen, I
Sampson Halloway of the County
of Eschewright & State of Virginia
do make and ordain this my
last will and testament in
manner and form following
to wit: I bequeath unto my loving
wife Lucy Halloway, during her
natural life all my estate both
real and personal, and after her
death, I give my said estate to my
children Peggy, Polly and Nancy
Halloway to have and this mine
forever - I appoint my friend
America Sparrow, Executor
of this my last will & testament,
and as I have full confidence
in his honesty and faithful
administration over my estate,
request that the Court will not
require sureties of him for the
discharge of his duties as Ex^r
as aforesaid. In witness whereof
I have hereunto set my hand & seal
this 27th day of June 1881.

Witness

(Sampson^{his} Halloway^{deced})
Baith Lightfoot }
Darden & Hill }

Smith Jeremiah
To copy of
Deed
Might Johnson

Exhibits

For Copy 60¢

Deaf
Fate.

Wm. Edwards M.

and seventy five. personally
appeared before me in the
City of Boston, in the County
of Suffolk, aforesaid, Jeremiah
Smith who is personally known
to me as the individual
described in and who has
executed the foregoing deed, &
he then and there acknowl-
ged to me that he executed
the said deed & it was his free
voluntary act. In witness whereof
I have hereunto set my hand
and official seal, at Boston
in the County & Commonwealth
aforesaid
this 3rd day of March, one thousand
eight hundred & seventy five

Edward J. Jones a
Comm. for the State of Virginia.
E. J.

In the Clerk's Office of the County and
at Essexburg, the 7th day of Feb'y.
1876. This Deed from Jeremiah Smith
was received and being duly
according to law, was thereupon
admitted to record.

Test. Test. Test. D. C. for
Mr. Young and

to the grant; that he has done no
act to encumber the said land;
That the grant shall have quiet
possession of said land free
from all encumbrances &
that the said Jeremiah Smith
will execute such further assur-
ances of the said land as may
be requisite.

In testimony whereof the said
Jeremiah Smith has hereto
set his hand & affixed
his seal this 25th day of Janr.
A.D. eighteen hundred and
seventy five
Signed and sealed Jeremiah Smith Esq.
in presence of
F. S. Hesselton.
A. P. Cherry.

Commonwealth of Massachusetts
County of Suffolk City of Boston S.S.
I Edward J. Jones a Commissioner
for the State of Virginia, residing
in the City of Boston in the County
of Suffolk and Commonwealth
of Massachusetts, do certify
that on the eighth day of March
one thousand eight hundred

Know all men by these presents
that I, Jeremiah Smith of the City of
Boston in the State of Massachusetts
in consideration of the sum of
twenty five Dollars to me in hand
paid by Margt. Johnson wife of Jas.
Johnson of the County of Essex in
the State of Virginia the receipt
whereof is hereby acknowledged,
do hereby ^{in the simple} grant with general
warranty unto the said Margt.
Johnson all of my interest (being
one eighth part) whereof Sampson
Halloway died seized and
possessed, containing by estim-
ation or acres, be the same more
or less, lying in Little Neck, ad-
jacent to the lands of Nancy
Bynes wife of Henry Bynes being
the same tract devised by the
said Sampson Halloway to his
wife for life, remaining to his
children; the said Jeremiah
Smith being a son of Polly
a deceased child of said Sampson
Halloway. The said Jeremiah
Smith covenants that he has
the right to convey the said
interest in the said land

W. A. Johnson et al.

To Copies of
Deed.

Maugh. Johnson

Exhibit

See for Copies 908

wish to retract it. Given under
my hand this 17th day of Feb. 1875.

Henry E. Turner
Notary Public

In the Clerk's Office of the County
Court of Deuel County
the 4th day of Feb. 1876. This
Deed from C. A. Johnson & wife
and Theophilus Johnson & wife to
Margaret Johnson was received
and admitted to record upon
the annexed Certificate of
Henry E. Turner & C. B. Hayden
Notaries Public.

Teste, Clerk of Court
C. B. Younger

Copy

Teste

W. A. Edwards D.C.

husband and does not wish to retract
it. Given under my hand this 25th
day of Jan'y 1875.

Wm. J. Hayden N.B.

Norfolk City. To wit:

I, Henry L. Turner a Notary Public
for the City aforesaid in the State of
Va., do certify that Theophilus Johnson
whose name is signed to the writing
hereunto annexed, bearing date
on the 25th day of Jan'y 1875, was
acknowledged same before me
in my said City, and I further
certify that Sarah Johnson wife
of Theophilus Johnson whose name
are signed to the writing above
bearing date 25th Jan'y 1875, personally
appeared before me in my
said City, and being examined
by me in my said City personally
+ apart from her said
husband, & having to writing
aforesaid fully explained to
her, she the said Sarah Johnson
acknowledged the said writing
as her act, & declared that
she had willingly executed
the same and does not

hereunto set our hands & affixed
our seals this 25th Janry. 1875.

Witness. Wm. A. Johnson (Seal)
S. T. Flanagan Archie A. Johnson (Seal)
Theophilus ^{ais} ~~min~~ Johnson (Seal)
Sarah ^{his} ~~min~~ Johnson (Seal)

Sussex County. To wit:

I, B. H. Hays, a Notary Public for
the County aforesaid in the State
of Virginia do hereby certify that William A. Johnson
whose name is signed to the writing
hereunto annexed, bearing date on
the 25th day of Janry. 1875, has ack-
nowledged the same before me in
my said County; and I do further
certify that Archie A. Johnson wife
of William A. Johnson whose names
are signed to the writing above
bearing date on the 25th day of
Janry. 1875, personally appeared before
me in my said County, & being examined
by me privately and apart from
her said husband, showing the
writing aforesaid fully explained
to her, she the said Archie A. Johnson
acknowledged the said writing
as her act, & declared that
she had willingly executed

Tynes wife of Henry Tynes, et al,
being the tract of land devised
by said Sampson & Alloway to
his wife for life, remainder
to his children, The said
Wm. A. & Theophilus being chil-
dren of Polly, a deceased child
of said Sampson and entitled
to a fee simple interest in
1/8 respectively, in said land.
The said William A. & Theophilus
Johnson covenant that they
have the right to convey
their said interest in the said
land to the grantee, that they
have done no act to encumber
said land; that the grantee
shall have quiet possession
of said land free from all
encumbrances, and that they
the said William A. and
Theophilus Johnson will execute
such further assurances of the
said land as may be requisite
in testimony whereof, we the said
William A. Johnson, Arthur A. Johnson,
Theophilus Johnson and
Susan Johnson have

Know all men by these presents, that we
William A. Johnson & Orrille A. Johnson
his wife, residents of 3 ^{acres or less} ^{but now present in the County of Sagadahoc State of Me.}
the State of Maine, And Theophilus
Johnson & Sarah his wife of the
City of Norfolk in the State aforesaid,
for and in consideration of the
sum of \$25.00 to us the said W^m A.
Johnson & Orrille A. his wife
and Theophilus Johnson, and
Sarah A. his wife, severally in
hand paid by Margaret Johnson
wife of John Johnson of the said
County of Sagadahoc, the receipt
whereof we do hereby respectively
acknowledge, we the said William
A. Johnson and Orrille A. his
wife, and Theophilus Johnson &
Sarah A. his wife, do hereby grant
with general warranty in fee simple
unto the said Margaret Johnson
all of our respective interests in the
tract of land whereof Sampson
Halloway died seized and
possessed in the County of
Sagadahoc, containing by
estimation 50 acres or thereabouts
adjacent to the lands of Nancy

Gyres & wife T.

vs } Cobey
} Cour. Bond

Jane Young also,

Recorded in Bond Book
Page 64

Know all Men by these Presents, That we E. B. Hayden & A. P. Young

are held and firmly bound unto the Commonwealth of Virginia in the sum of Four
Hundred Dollars to the payment whereof, well and truly

to be made, we bind ourselves, our Heirs, Executors and Administrators, jointly and severally, firmly
by these presents. As witness our Hands and Seals, this 6th day of October

in the year of our Lord, one thousand eight hundred and seventy nine. And
we each waive the benefit of homestead exemption as to this obligation.

The Condition of the above Obligation is such, That whereas, by a Decree of the Circuit
Court of Isle of Wight County, pronounced on the 21st day of April 1879,
in a cause depending in the said Court, in which Henry Gynes & wife &
others are

Plaintiff, and

Jane Young and others are

Defendant, & the

above bound E. B. Hayden was appointed a special

Commissioner to sell a tract of land in the proceedings
mentioned whereof Sampson Holmway died seized
and possessed in the county of Isle of Wight containing
by estimation fifty acres more or less, lying in "Little Neck",
adjacent to the land of Nancy Gynes wife of Henry Gynes,
and make report to court &c,

Now, if the above bound E. B. Hayden shall faithfully discharge
his duties as Commissioner under the said Decree, or any future Decree in said cause, then the above
Obligation to be void, otherwise to remain in full force and virtue.

Signed, Sealed and Delivered }
in the presence of }

E. B. Hayden [SEAL.]

A. P. Young [SEAL.]

[SEAL.]

In the clerk's office of the county court of Isle of
Wight county, the 6th day of October 1879, this
bond was signed, sealed & acknowledged by the
obligors, and admitted to record.

Wm. A. Edwards
Test, W. A. Edwards &c

A. P. Young, clk

James Hodge &

vs. } Com. Bond

James Hodge &

Oct. 6th. 1879 -
At King - Bond

Remained in 1300
page 64

Know all Men by these Presents, That we *C. B. Hayden*

are held and firmly bound unto the Commonwealth of Virginia in the sum of *Four*
Hundred and Dollars to the payment whereof, well and truly

to be made, we bind ourselves, our Heirs, Executors and Administrators, jointly and severally, firmly
by these presents. As witness our Hands and Seals, this *6th* day of *October*

in the year of our Lord, one thousand eight hundred and *eighty nine*. And
we each, waive the benefit of homestead exemption as to this obligation.

The Condition of the above Obligation is such, That whereas, by a Decree of the Circuit
Court of Isle of Wight County, pronounced on the *21st* day of *April*, 18*89*,
in a cause depending in the said Court, in which *Henry Sykes wife &*
others are

Plaintiff, and

Jan. Young and others are

Defendant, the

above bound *C. B. Hayden*

was appointed a special

Commissioner to *sell a tract of land in the proceedings*
mentioned whereof Sampson Holloway
did seized and possessed in the county of Isle
of Wight, containing by estimation fifty
acres more or less, lying in "Little Neck" adjacent
to the land of Henry Sykes wife of Henry Sykes
and make a part to Court.

Now, if the above bound *C. B. Hayden* shall faithfully discharge
his duties as Commissioner under the said Decree, or any future Decree in said cause, then the above
Obligation to be void, otherwise to remain in full force and virtue.

Signed, Sealed and Delivered }
in the presence of }

C. B. Hayden [SEAL.]

H. P. Young [SEAL.]

[SEAL.]

In the clerk's office of the county court of Isle of
Wight County, the *6th* day of *October* 18*89*,
this bond was signed, sealed & acknowledged
by the obligors, and admitted to record.

Attest, H. P. Young clk.

Tynes et ux, et al,

vs. $\frac{3}{3}$ Cont.
Noted.

James Young et al,

To 2^d - July. 1880

Executed by deliver-
ing a true copy of
the within summons
to James Young.
July 15th 1880

R. T. Edwards Deputy

L. B. Edwards, Sheriff

James et ux et al vs. Tynes et ux et al
C. 1880
Also for 1880.
A. B. Edwards

Commissioner's Office,

Isle of Wight Co. Va., Dec. 18th 1879.

To Henry Dyer & Nancy his wife; Jno. B. Johnson &
Nancy his wife; Emma Johnson; Mary Dyer & Mary E. his wife;
Thomas Johnson & Martha his wife; Mary Ballard and
John Johnson Plaintiffs,

and to Jane Young, John D. Ballard, John
Smith & James Smith, the last three infants,
by M. P. Young their guardian Defendants:

You are hereby notified that I have fixed upon the 23rd day
of February, 1880, to take and settle, at my office aforesaid,
the following accounts, to wit:

An account of the amount
due the said John Johnson from proceeds
of sale of the land in these proceedings
mentioned, as granted by the court of
in part of said land, charging
him with his due proportion of
the costs of suit and sale,

(Jno. Johnson was born 4th July 1808)

Required to be taken by a decree of the Circuit Court of Isle of Wight County, ren-
dered on the 21st day of October, 1879, in a suit in
Chancery depending in the 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 a Commissioner in Chancery of said Court, the day
and year first aforesaid.

M. P. Young Commissioner.