1843-003 Chancery Causes: Margaret E. Ballard, Evaline C. Ballard et al VS Benjamin Bradshaw's admr et al

Dale of Wright County

Plat in Oversize Box 2

other surnames: Lawrence, Duck, Vaughan, Eley, Holland

$50.

On demand the 25th day of December 1838. We Benjamin Bradshaw and Mills E. Lawrence do bind ourselves our heirs exrs and admrs to pay or cause to be paid unto Margant E. Ballard Guardian to Evilina C. Ballard her heirs or assigns the Just and full Sum of Fifty dollars good and lawful money of Virginia it being for the hire of a Negro Man Leavy the said negro is to have two good Suits of Clothes say Summer and Winter including Shoes and Socks and to heal the said negro Well and return him at the end of the year if living. Given under our hands and Seals this 4th day of January 1838.

Wilness
William G. Stephenson.

Benjamin his X mark Bradshaw (Seal)
Mills E. Lawrence (Seal)

$50.

On demand the 25th day of December next We Benjamin Bradshaw and Mills E. Lawrence do promise and oblige ourselves our heirs exrs and admrs to pay or cause to be paid unto Evelina C. Ballard her heirs or assigns the just and full Sum of $50 good and Lawful Money of Virginia or Value received it being for the hire of a Negro Man Leavy the said Negro is to have Two good Suits of Clothing Say Summer and Winter Including Shoes, Socks, Blanket and Hat and to heal the said negro Well and return him at the end of the year if living. Given under our hands Seals this 11th day of April 1839.

Witness
Mills Bridges.

Benj his X mark Bradshaw (Seal)
Mills E. Lawrence (Seal)

With Interest from the date hereof We the undersigned or either of us do promise to pay or Cause to be paid unto Elbert D. Vaughan or his heirs the just and full Sum of Seventy Seven dollars and twenty five Cents Current money of Virginia and for the true payment hereof We bind ourselves our heirs exrs administrators and assigns firmly by these presents Sealed with our seals and dated this 23rd day of April 1840.

Witness
Samuel Vaughan.

Benjamin his X mark Bradshaw (Seal)
Archibald Fowler (Seal)

1841. July 30. Rec'd Fifty dollars in part of the Within.

Elbert. D. Vaughan

$26.50. On demand I promise to pay to James Elay Order or assigns the Just Sum of Twenty Six dollars and fifty Cents for Value received for which payment well and truly to be Made I bind my selfs my heirs exors: and admors: jointly and Severally, firmly by these presents As Witness My hand and Seal this 1st day of January 1841.

his
Benjamin x Bradshaw Seal
mark

Teste
M. D. Butler.

Copies Teste
Wm. J. Banks D.C.

Ballard &
Bradshaw

Com? Dig? Ind. Cost

Dec 30 ch

R. D. Vaughan Broadway
Kris Co. ——— Ford

James Elgin vs. &c

Chas. claims as to the
Lots in Chy. of Ballard Co.
& Broadway Kris Co.
Chy. Sup. Ct. Interpl. &c.
& Atkins

Ballanch

7

Bradshaw

Bond to
be filed in
C. Ch.

$ 26.50 On demand I promise to pay to

James Elgett order or Assigns, the just sum of Twenty Six

Dollars and fifty Cents, for value received; for which payment well and truly to be made, I

bind myself my Heirs, Executors and Administrators, jointly and severally, firmly by these

presents; as witness my hand and seal this 1st day of January 1841

TESTE,

M. S. Butler

his
Benjamin + Bracklan
mark

Printed and sold at the Beacon office.

Benja. Bradshaw

To } note
$26.37

James Elwell

Ballard & Bradshaw &c.

On motion of the complt. Atty. Pro. Jones
& appointed commission ad litem to take
inquest of lunacy & idiocy, Mary B. and
Margaret O. Bradshaw ——

Balance

of Hydra

Broadhead

Ld. ad

Letter

With Interest from the date hereof we the Under signers or Either of us promise to pay or cause to be paid unto Elbert. Dr Vaughan or his heirs the just and full sum of Seventy seven Dollars and Twenty five cent current money of Virgina and for the true payment hereof we bind our selves our heirs Executors administrators and assigns firmly by these presents, sealed with our seals and dated This 23rd day of April 1840

Witness

Samuell Vaughan

his
Benjamin × Bradshaw (Seal)
mark

Archabird Fowler (Seal)

1841. Aug 30th Rec'd Fifty Dollars in
Bank [illegible] Vaughan $50

Benjamin Bradshaw
Note to
P. D. Vaughan
$77.25

$50. On demand the 25th day of December next We Benjamin Bradshaw and Mills E Lawrence do promise and oblige ourselves our heirs Executors and admrs. to pay or cause to be paid unto Evelina C Ballard her heirs or assigns the just and full sum of Fifty Dollars good and Lawful Money of Virginia for Value Rec.d it being for the hire of a negro man Leavy the said negro is to have two good suits of clothing say Summer and Winter Including shoes socks Blanket and hat and to treat the said negro well and return him at the end of the year if Living given under our hands and seals this 11th day of April 1839

Witness
Mills Bridger

Benjamin his X mark Bradshaw (Seal)

Mills E. Lawrence (Seal)

Bryanin Bradshaw

to 3 note

Evelina C Ballard

$50.

due the 25th Decr 1839

Ballard

Bradshaw

$50. An dumand the 25 day of December 1838 Wm Benjamin
= Bradshaw and Mills E Lawrence ——— do bind ourselves our hiers Executors and admrs to pay or cause to be paid unto Margarets E Ballard Guardian to Evilina E Ballard her hiers or assigns the just and full sum of Fifty Dollars good and lawful money of Virginia to bring for the hire of a negro man Leavy the said negro is to have Two good suits of clothes coy summers and winter including shoes and socks and to treat the said negro well and return him at the end of the year if living given under our hands and seals this 4th day of January 1838

Wm S. Stephenson

his
Benjamin X Bradshaw (Seal)
mark

Mills. E. Lawrence (Seal)

Benjamin Bradshaw

to

State

Margaret E. Ballard

$50—

due 25th Decr 1838

Ballard & others - Broadhead &
This bill is to subject the real estate
the only fund to pay the debts
of Jeremiah Post insufficient
- The Plff asks an acct of the personal
an acct of the real estate.

an acct of the Plff's demand &c

A. Allen Plff's

Ballarat
Geelong
Bradshaw
~~Bayles~~
for the st.

Ballard &c vs Broadhaus adv. &c

This suit seeks to subject the real estate of the ancestor to payt of debts, in default of personal funds, and for that purpose to a decree for the sale; to account for an use of the annual profits of the real estate, & some use of the pers. estate, with liberty on account to other creditors — A. Atkinson p.q.

Margaret E Ballard and Caroline C Ballard

vs

Jacob H Buckadew: & Benja Broadhaus, Mary Broadhaus, Mary B. Broadhaus, Margaret Broadhaus and Milly — Broadhaus the last 3 infants defts.

This cause in which the Bill is taken pro confesso as to Jacob H Buckadew & Benja Broadhaus & Mary Broadhaus & upon the exhibition to have been served more than 2 months and who still fail to appear & answer came on to be heard on the bill, exhibits, the answer of the infant defendants, replication thereto and proofs taken & read, & upon the motion of Counsel, & consideration whereof the Court doth order that the defendt Jacob H Buckadew do render an acct of his transactions as the acting Executor of his late father Benjamin Broadhaus, before a Comr. of this Court, to be by him directed to examine, state and settle the same & that the said Comr. do report unto this Court as soon as an account of the rents, issues & profits of the said Benja Broadhaus dec'd which have come to the hands of the said Jacob H Buckadew, or to the hands of any other person by his order or for his use, or which without his wilful default or neglect might have come to his hands, since the death of the said Benjamin Broadhaus, deceased, and also the personal estate of the said Benjamin Broadhaus, deceased, which have come to the hands of the said Jacob H Buckadew, or to the hands of any other person by his order or for his use, or which without his wilful default or neglect might have come to his hands, since the death of the said Benjamin Broadhaus, deceased, and also the debts of the said Benjamin Broadhaus, deceased, which have been paid out of the personal estate by the said Jacob H Buckadew, and also what debts are owing to the said Benjamin Broadhaus, deceased, which have been lost by the neglect of the said Jacob H Buckadew, and also what debts are owing to the said Benjamin Broadhaus, deceased, which are desperate and cannot be collected, and also what debts are owing to the said Benjamin Broadhaus, deceased, which are doubtful and may be collected, and also what debts are owing to the said Benjamin Broadhaus, deceased, which are good and may be collected, and also what debts are owing to the said Benjamin Broadhaus, deceased, which are bad

before said Court this claim of the estate of said Benjamin Broadhead, upon their agreeing to contribute to the expenses of this suit and the Court is to make out & certify any remarks deemed pertinent by them & as required by the parties to be so stated in order to a final decree —

Balance $ 211
Broadhead &c
Debts & claims
against deceased
Ex Rec'd. & Rec'd
the Court —

Ballard & al vs Broadhead & al

This cause, this day came on to be heard on the papers formerly read, & the report of the Com. made pursuant to the order of the 10th of October 1842 to which no exception was filed, and was argued by counsel; On consideration whereof the Court doth confirm the said report and direct the same to be here filed between the parties - and that the costs of this suit be paid by the parties in this cause -

Ballard

v

Bradshaw &c.

Royle &c. on

for the Court

Entered

Margaret E Ballard & others
vs.
Jacob H Duck. admr of Benja
mine Bradshaw dec'd &c

This cause came on this day again
to be heard on the papers formerly
read in the cause and on the
report of the commissioner to
which no exception is filed ~~&~~
~~&~~ and was argued by counsel
on consideration whereof the court
confirming said report ~~&~~ which
shows a balance due from the
admr. Jacob H Duck to the estate
of Benjamin Bradshaw of the sum
of 123.43 on the 8th August 1842
which with interest to the first of
October makes the sum of $124.50
do the adjudge order and decree
that the said Jacob H Duck of
his own proper goods do pay
to the plaintiff Margaret E Bal-
lard the sum of $16.50 the com-
missioners fee charged to her
that he then pay to the said
Margaret E Ballard the sum of
$36.45 in part of his debt of $64.30
that he pay to the plaintiff Eve
line Ballard the sum of $34.77
in part of her debt of $61.30, that
he pay to the plaintiff Elbert D
Vaughan the sum of $20.14 in
part of his debt of $35.50, and
that he pay to the plaintiff James
Eley $16.61 in part of his

debt of $29.26 and the court further adjudging, decreeing and decreeing that Jack H Lynch, David Roberts, Dempsey D Watkins & Jno B Lawrence or any three of them who are appointed Comrs for that purpose with the aid of the county surveyor if necessary do divide and set apart to Mary Bradshaw the widow of Benjamin Bradshaw dec'd one third part of the tract of land lying in said county of which the said Benjamin Bradshaw died seized and possessed containing 200 acres & three rods having regard to quality and quantity and designate the same by proper metes and bounds to be held as dower by the said Mary Bradshaw for life, and after having advertised the time and place of sale for at least 30 days at the Courthouse and three convenient places that the said Comrs or such as may act do sell by public auction to the highest bidder for cash the said tract of land subject to the dower aforesaid and out of the proceeds of sale pay first the expenses of sale and the costs of this suit, except the Comrs fee aforesaid and out of the note balance that they pay to Marguite E Ballard the $27.92 with interest thereon from the 1st day of October 1942 to Eberline Ballard the sum of $26.53 with int from the 1st October 1942, to Elbert D Vaughan the sum of $15.36 with interest from the said 1st October 1942 and to James Eley the sum of $12.65 with interest from the said 1st Oct 1942 till paid if the note balance of sale be not sufficient to pay the full amount of said several sums then they are to be paid pro rata, and if there be any balance of the paying said sums as aforesaid that the said Comrs. bring the same into court with a report of their proceedings, that they convey the said to the purchaser by deed without warranty and title is vested to the infant defendants to them come if any they are in a few after they arrive to the age of 21 years

Ballard &
Co
Bradburn

Lucas

to be ent.

Margaret E Ballard & ux Benjamin Bradshaw admr &c

This cause came on to be again heard on the hearing
formerly made & the report of the Com. made pursuant to
the order of the 5th of May 1862, to which no exception
has been filed, and was argued by Counsel; On consid-
-eration whereof, the Court doth confirm said report &
doth adjudge, decree and order that the def. Jacob
H Burk Admr. of Benjamin Bradshaw, out of the
assets of $124.66 which appears to be in the hands
of his intestate on the 8th of August 1862, pay to Margaret
E Ballard $64.30 with interest on $50 part thereof from
the 1 October 1862 till paid, and that he likewise pay
to Evelina C Ballard the sum of $60.20 with interest
on $50 part thereof from the 1 October 1862 till paid
and the Court doth also adjudge, decree and order

Ballard &
Dam
Broad Lane &
to the Lodge

Virginia

At a Circuit Superior Court of Law & Chancery held for Isle of Wight County the 5th day of May 1842.

Margaret P. Ballard, Evelina C Ballard who sues as well for themselves as for other creditors of Benjamin Bradshaw decd. Plaintiffs

against

Jacob B. Duck Admor. of Benjamin Bradshaw decd: Mary Bradshaw widow of the said Benjamin Bradshaw, & Miles Bradshaw, Mary B. Bradshaw & Margaret Bradshaw infants by Nathaniel B. Young assigned their Guardian ad litem to defend them in this suit Defts:

In this cause the bill having been filed and the Subpoena executed on the Defendants Jacob B. Duck and Mary Bradshaw more than two months and they still failing to file their answers, On the motion of the Plaintiffs by Counsel their bill is taken for confessed as to those defendants — and the cause coming on to be heard on the bill and answer of the infants by their Guardian ad litem, the replication thereto & exhibits filed, and was argued by Counsel; On consideration whereof the Court doth adjudge, order & decree that the defendant Jacob B. Duck do render an account of his transactions of his Intestate Benjamin Bradshaw before a Commissioner of this Court who is directed to examine, state & settle the same — and that the same Commissioner take an account of the real estate whereof the said Benjamin Bradshaw died seized, stating forth the fee simple value thereof, as also the annual value thereof; subject to the Widows dower — that he state an account plaintiffs demands as also what debts of the Intestate binding the heirs, have been paid out of the personal fund: and liberty is reserved to all the other creditors of the said Benjamin Bradshaw to shew & prove before said Commissioner their claims against the estate of the said Benjamin Bradshaw upon their agreeing to contribute to the expenses of this suit. & the Commissioner is directed to make report with any remarks deemed pertinent by himself or required by the parties to be so stated in order to a final decree —

A Copy Teste

Wm T. Barnes DC

A Copy Teste

Barnes Lightfoot Com.

Smithfield June 11th 1842

The parties interested in the foregoing decree are notified that I have appointed Friday the 22d. day of July next at 10 Oclock A.M. at Isle of Wight Courthouse to commence taking the accounts directed by said decree. & they are hereby directed to attend on that day with their accounts, vouchers & proofs to enable me to carry said decree into effect

Benth: Lightfoot Com. C. S. C. L. V6

Service acknowledged by me
A. Atkinson atty for Pltff.

Service acknowledged by us.
Lewis W. Duck Admr. of J. B.
Mary her + Bradshaw
mark

N. P. Young Gr. Oldham

Ballard &c
vs
Bradshaws admrs &c

3 Copy Decree

Virginia. At a Circuit Superior Court of Law and Chancery held for Isle of Wight County the fifth day of May 1842.

Margaret E. Ballard, Evelina C. Ballard who Sue as well for themselves as for other creditors of Benjamin Bradshaw decd

against

Plaintiffs

Jacob H. Duck admor. of Benjamin Bradshaw decd. Mary Bradshaw widow of the Said Benjamin Bradshaw, and Mills Bradshaw, Mary B. Bradshaw and Margaret Bradshaw infants by Nathaniel P. Young assigned their guardian ad litem to defend them in this Suit . . . . . Defendants

In this cause the bill having been filed and the Spa: executed on the defendants Jacob H. Duck and Mary Bradshaw more than two months and they Still failing to file their answers; On the motion of the plaintiffs by Counsel their bill is taken for Confessed as to those defendants - And the Cause coming on to be heard on the bill, and answer of the infants by their guardian ad litem, the replication thereto and exhibits filed, and was argued by Counsel; On Consideration whereof the Court doth adjudge order and decree that the defendant Jacob H. Duck do render an account of his transactions of his intestate Benjamin Bradshaw before a Commissioner of this Court who is directed to examine State and settle the Same - And that the Same Commissioner take an account of the real estate whereof the Said Benjamin Bradshaw died seized setting forth the fee Simple value thereof as also the annual value thereof Subject to the Widows dower - that he State an account of the plaintiffs demands and also what debts of the intestate binding the heirs, have been paid out of the personal fund - And liberty is reserved to all the other Creditors of the Said Benjamin Bradshaw to Shew and prove before Said Commissioner their Claims against the estate of the Said Benjamin Bradshaw upon their agreeing to Contribute to the expenses of this Suit. And the Commissioner is directed to make report with any remarks deemed pertinent by himself or required by the parties to be So Stated in Order to a final decree.

A Copy Teste

Wm. T. Banks D.C.

Ballard & others

vs Decree

Broadshaws Admor &c

Notice to Friday the 22d July 1842 at Isle of Wight Court house

July 22d 1842. Court rose

Thursday 11th Aug. 1842

Service on Atty. for Defts.

Ballard &c. vs Bradshaw adm &c.

The defts in this cause having answered, and the Bill filed more than 2 months, and the depts Sarah & Beuchadon. of Bradshaw and Bradshaw two of the defendants having failed to appear and file their answers, thereto as by Law required agst. them, and the same coming on to be heard on the Bill of the pltff: the answers of the infant defendants, application thereto, exhibited & filed, and was argued by Counsel, On consideration whereof, the Court doth adjudge order and decree that a com. of this cause take an acct of the administration of Sarah & Beuchadon the testator of pltff Ballard, in taking which, he is to ascertain what debts have been paid by the said adms: beyond the assets - that he also enquire of what real estate the said Bradshaw died seized and possessed, and the rents & profits thereof, which has come to the hands of the said adms or to any other person - and if the same has been disposed of, by whom and for what purpose, and an acct of the proceeds and value thereof if destroyed - that he also take an acct of the pltff's demand - and liberty is given to all creditors of the said deed: to come before the com. this appointed to claim, & prove such their debts, and such as do not, upon the said creditors applying to contribute rateably to the expenses of this suit - which Master accordingly, the com. is to examine, state and settle, and report with any remarks,

demand settlement by herself, or
agreed by the parties to be stated.

Ballard &
Barclay &
Fowler &

Ballard &c
vs. } In Chancery
Bradburn. } adams &c

Claims against the estate
with interest to 1st October 1842

Margaret E Ballard	℔ 64.30
Evelina Ballard	61.30
Elbert S Vaughan	35.50
James Eley	29.26
	℔ 190.36

Due from Jos B Dick the
Ex of B. Bradburn on acct
current 123.43
Int to oct 1842 1.07
124.50
Com. for administ } 16.50
being charged to Marg } ℔ 108.00
aret E Ballard }

Paying pro rata at the
rate of .56.7 per cent

Margaret Ballard	36.48
Evelina Ballard	34.77
E. S Vaughan	20.14
James Eley	16.61
	℔ 108.00

Leaving due
to M. B. 27.82
E. B. 26.53
E & V 15.36
J. Eley 12.65
Total debts as above ℔ 190.36

Ballard
vs
Bradshaw
Statement
of debts

A

Dr. The Estate of Benjamin Bradshaw decd. — In account with Jacob B. Duck, Administrator — Cr.

1841					1842				
Nov	19	To paid Hardy Lawrence for making Coffin	$	1	00	May 18	By amount of Sales of the Estate due this day	$	696 78
Dec	1	" paid Thomas Hall for crying the est.		4	00		By cash received of Joseph Turner		52
1842							By cash received of Spikes Bias		1 50
Feb	23	" paid for funeral Sermon		2	00		By cash received of J. M. Holland		1 00
"	25	" paid Miles Bridger for appraising the est.		1	00		By cash received of N. Councile		12
May	15	" paid Alfred R. Butler for ditto		1	00		By cash received of Robert Griffin		5 00
"	"	" paid John B English for ditto		1	00		By cash received of Wm. T. Beaton, Coron. on T. Gays claim		5 50
"	18	" paid James Guy . . . note		3	70		By cash received of Whitmel Jones		1 25
"	"	" paid A. J. G Butt Dyer. Fees for 1841		5	39		By cash received of James Lawrence		1 38
"	"	" amount of bond due the Admor.		7	45		By cash received of L. Parker Bal of note		9 41
"	"	" amount of bond due the Admor.		16	42		By cash received of Elias Lister		25
"	"	" amount of account due the Admor		12	70		By cash received of A. Holland		1 88
July	11	" paid James M Holland . in settlement of acct			75		By cash received of Eliz. Ballard		12
		" this sum retained by the Admor. who is					By cash received of Reddick Daughtrey		1 13
"	"	Gen. to Barbary Ann Holland - bal. due on					By cash received of John B English		1 42
		settlement of Gen. acct.		319	12		By cash received of Thomas English		46
		" This sum retained by the Admor. who is					By cash received of James M Holland		2 75
"	"	Gen. to Sally Bradshaw - balance due on					By cash received of Riley Bradshaw		5 25
		settlement of Gen. acct.		158	49		By cash received of Benson Deal		37
"	"	" paid John B English . . . acct		3	21		By cash received of Wm. Sutton		5 25
"	"	" paid Miles E. Lawrence bond		19	75				
"	"	" paid John B English . . acct		2	00				
"	"	" paid James M Holland bal of bond		5	33				
"	"	" paid for clothing Negro Washington		1	00				
		" 5 P cent Comm. on $ 741: 64 receipts		44	49				
		" this sum retained to pay the bond for							
		Admon: recording Appt. order for settlement							
		& recording — acct. . . .		4	75				
		" this sum to Comm. for making up acct		3	00				
		" Balance due the estate & Contra		123	43				
			$	741	64		Due the est.	$	123 43
								$	741 64

Isle of Wight County Commissioners Office August 8th 1842

Pursuant to a decree of the Circuit Superior Court of Law & Chancery for the County of Isle of Wight pronounced the 5th day of May 1842 in the suit of Margaret E. Ballard Evelina C Ballard & others Plaintiffs against Jacob H Duck Admor of Benjamin Bradshaw, Mary Bradshaw & others Defendants: on the 11th day of June 1842 I issued notices to the parties, appointing Friday the 22d of July 1842 as the day for making up the accounts directed by said decree at the Courthouse of said County — on the said 11th day of July 1842 none of the parties appeared before me — the settlement of said accounts was continued from day to day till this 8th day of August 1842 when Jacob H Duck laid before me his papers & vouchers relative to his administration on the estate of the said Benjamin Bradshaw dec'd which I examined, stated & settled & the annexed account marked A — which account shews the sum of One hundred & twenty three dollars & forty three cents to be in the hands of the said Jacob H Duck the Admor belonging to the estate of the said Benjamin Bradshaw dec'd with Interest from the 8th of Aug: 1842.

I have ascertained from the affidavit of Wm T. Beaton that the said Benjamin Bradshaw died seized of a tract of land containing about two hundred acres, & that the fee simple value of the said land subject to the Widows Dower is $300 — & that the annual value thereof, subject as aforesaid is worth twenty dollars —

The demand of the Plaintiff Margaret E. Ballard is founded on a bond executed on the 4th day of January 1838 by Benjamin Bradshaw & Willis G. Lawrence payable on the 25th day of December 1838 to the said Margaret E. Ballard & Co to Evelina C. Ballard for the sum of fifty dollars - the said bond was given for the hire of a negro man named Leany — the said Negro was to have two good suits of clothes say Summer & winter, including Shoes & Socks & to be returned to the said Margaret E. Ballard at the end of the year of living — which bond including interest to this 1st of October 1842 amounts to the sum of $64:30 — Prin. $50.00 Int. 14.30 $64.30

The demand of the Plaintiff Evelina C. Ballard is founded on a bond executed the 11th day of April 1839 by Benjamin Bradshaw and Willis G. Lawrence payable on the 25th day of December 1839 to the said Evelina C Ballard for the sum of $50. the said bond was given for the hire of a negro man Leany — the said Negro was to have two good suits of clothes say Summer & winter — including shoes, socks, blanket Hat & to be returned to the said Evelina Ballard at the end of the year of living — which bond including interest to this 1st day of October 1842 amounts to the sum of $61.30 — Prin. $50.00 Int. 11.30 $61.30

The demand of the plaintiff Elbert G. Vaughan is founded on a bond executed on the 23d day of April 1840 by Benjamin Bradshaw and Archibald Fowler for the sum of Seventy seven dollars & twenty five cents with Interest from the date — on the said bond is endorsed a credit of $50 paid on the 30th day of July 1841 — which bond including interest, subject to the credit aforesaid amounts to the sum of $35:50 to Oct. 1. 1842 Prin. $33.02 Int. 2.48 $35.50

The demand of the plaintiff James Eley is founded on a bond executed on the 1st day of January 1841 by Benjamin Bradshaw for the sum of $26:50 with Interest from the date: which bond including interest thereon to this 1st day of October 1842 amounts to the sum of $29:26 — Prin. $26.50 Int. 2.76 $29:26

The bond of $7:45 as well as the bond of $15:42 returned by the Admor are bonds binding the heirs of the said Benjamin Bradshaw —

The bond of $19:75 paid by the Admor to Willis Lawrence, binds the heirs of said Benjamin Bradshaw —

The payment of $5.33 made by the Admor to James R. Mallard, the said sum of $5.33 being the balance due on a bond executed by said Benjamin Bradshaw binds the heirs of said Bradshaw —

I am requested to state to the Court that there are several unsettled open accounts against the estate of his Intestate, to the amount of about $50 — J. Barrett : Lightfoot Counsel

Time employed 16½ hours @ 10:50 charged to Pltf: Margaret E. Ballard
Isle of Wights County to wit. } Bartholomew Sightfoot this day made oath
before me a Justice of the peace for the said County that the fee charged
by him for this report is just & proper — Given under my hand this 31st
day of August - 1842 —

Jas. A. C. Jordan

Sam Jno Brown. Sheriff 8 Act 1842 - 123-43
Int to 1 Oct 1842 ——— 1.07
124.50

M E Ballard — 1 Oct 1842 - 64.30 - 64.30
~~D. C. Holland~~ ——— 61.30 60.20
61.30
125.60 1:10

Ballard & others

vs Report

Brashears admor.

August 31st 1842 respectfully

BLAND & HILL, PRINTERS, PORTSMOUTH.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Isle of Wight *County,* GREETING:

WE COMMAND YOU to summon Jacob H Peckham of Benjamin Bradshaw dec'd; Mary Bradshaw widow of said dec'd; and Lilly Bradshaw, Mary B. Bradshaw and Margaret Bradshaw the last 3 infants

to appear before the Judge of the Circuit Superior Court of Law and Chancery for the County of Isle of Wight, at the Court House of said County, on the first Monday in Decem next, being Rule day, to answer a bill in Chancery in the said Court exhibited against them by Margaret Ballard, Rufina Ballard & the creditors of said Benjamin Bradshaw

and if they shall fail to answer the Bill within ~~four~~ two months thereafter, the Court will take the said Bill for confessed, and proceed to decree the matter thereof accordingly. And have then there this Writ.—Witness NATHANIEL P. YOUNG, Clerk of our said Court at the Court House, the 16 day of Novem 184[illegible] in the 66 year of the Commonwealth.

Nath[l] P. Young

Executed Nov. 18th 1841 by delivering Notice copies to the Defendants Wife and Family

J. P. Ballard D. Sheriff

for Ensign Constable

Ballard &

- Ezra

Bradshaw

and a.

---

to be served on

Duck Lake

Bradshaw

- and others

a. a

To the Judge of the Circuit superior Court of
Law and Chancery for the District of
The application of Mary Broadhead, Mary
B. Broadhead and Margaret Broadhead
infants of tender years by Matthew P. Young
who has been appointed to defend
the said infants pro forma to the suit
in which this application is filed of
Margaret E Ballard and others in the
said Court against them & others.
The defendants says that the application
may they are of tender years, and
unable to protect their rights in
their just rights - they deny the allega-
-tions in the Bill, and call for proof -
and pray a reference they may
have to be heard, ripe &c.

(Signed) M. P. Young Sr.
att'y

Brooklyn
August
25
Ballou
Camp

To the Judge of the Circuit Superior Court of Law and Chancery for Isle of Wight County humbly complaining - shew to the Court your complainant Margaret E Ballard, Eulina C Ballard of the said County unknown, an infant for thereby, as for the infant by Benjamin Bradshaw and: - that the said Benjamin Bradshaw in his lifetime ~~[illegible]~~ ~~and by your complainant~~ at the said County, on the 4th of January 1838, together with one Addy Edwards as his security made a certain writing obligatory which is to the Court now here produced marked A & prayed to be considered part of this Bill, whereby they bound themselves and their to pay to said Margaret E Ballard (by the description to Eulina C Ballard) the sum of $50 for hire of negro man - to be paid the 25th of December 1838 - and the said Benj. Bradshaw hire also indebted to Eulina C Ballard, he together with his security Addy Edwards on the 11th of April 1839 made a certain writing Bill under their hands & seals whereby they bound themselves and their to pay to the said Eulina C Ballard on the 25th December next after the date of said Bill, the sum of $50 which said obligatory is here with the Bill marked B. and is prayed to be taken as part of this Bill - which said two Bills are still due and unpaid - and the said Bradshaw at his death was indebted to some other persons in divers sums of money. and being so indebted, the said Bradshaw departed this life in the said County, intestate, about the day of October 1841, seized & possessed of and personal estate in the county and having a widow named Mary Bradshaw and 3 infant children to wit, Addy Bradshaw,

Mary B. Bradshaw and Deagat Bradshaw of Londa grant and one Jacob Peck of said County has qualified in the County Ct. of Isle of Wight as admrs. of the said Benjamin Bradshaw, as doth appear by exhibit C which is prayed to be made a part of this Bill - and the said admrs. has possessed himself of, or by due diligence might have possessed himself of goods & chattels of the intestate to a large amount to wit, to the value of $ ——— and upwards - and the only take at the time of his death was possessed as aforesaid of in fee simple of a valuable tract of land containing about one a ten hundred acres in said County and bounded by the lands of

which lands are now in the possession of the said Deagat the widow and of the children and heirs of the intestate - to wit, Deagat B. Bradshaw, Milly Bradshaw and Deagat Bradshaw who are in the occupation of the rents and profits thereof - And your complainants say that the debts due & owing by the said Bradshaw & Lawrence are yet unpaid, and they have applied to the said Peck as admr. of the said Bradshaw, and requested him payment of the said demands but he has refused, alledging that he has in his hands, no estate out of which he can pay your complainants any, and they have applied to the said Deagat Bradshaw the widow, and to the heirs of the intestate for payment of said debts, to which said heirs and bound to the extent of the real assets descended, and they refuse to pay your orators, they allege that the same must be paid out of the personal fund; and so they keep your complainants out of their just and lawful money which is in equity & good conscience, they say that the said Jacob Peck admr. of the said Benjamin Bradshaw, Deagat Bradshaw the widow and the said infant children & heirs to wit, Milly, Deagat B. and Deagat Bradshaw may be made defendants to this bill, and be compelled to answer the same upon their oaths fully & particularly - that your orators may have process & letter to the infant defendants - that they shall put out and answer unto the said Benjamin Bradshaw in his life and at the time of his death, was possessed in fee or otherwise of real estate, and of what nature & quality such estate, and of what clear value subject to the widow's dower whether the said Benja Bradshaw was not in his lifetime and at the time of his death, indebted to the said Deagat, Deagan Bakeard, in the account herein before set forth, or in any other, and what amount they have heard & believe, and what the said debts have been paid - that the said Peck may set forth whether he has possessed himself of any personal estate of his intestate and may if he admit assets sufficient to pay the claims of your complainants or otherwise may set forth a true & full account of his proceedings therein that the said widow and heirs may set forth whether they have possessed themselves of any, and what value of the said Benjamin Bradshaw - and also a particular

account of the same, and when the same has,
and also a particular account thereof,
together with the names of the persons in whose
hands the same now is - that your orator
may know that in case the personal estate shall
be insufficient to pay your orator's demand,
that then the said real estate may be sold
and that out of the money arising from the sale
your complainant, and other
creditors of the intestate who may come in
and contribute to his suit, may be paid
their said demands with costs. And
that your complainants may be relieved
by such other or further order in
the premises - as to your honor shall seem
meet.

A. Alexander for
complts.

Ballance A.
Bruce Exrs A.
Dec'd July 1841.

1842. March rules Set for
hearing.
1842. May Term. Bruce
for acct & rep.
1842 August 3rd Report rec'd
Oct: Term 1842.
Plea for Set & Cont'd
1843 May Term.
Final Decree.

1841 Dec'r Bill filed and
Sub. to Bruce exr's and Wilson
to the inhabitants &c. Subs'd &c
Dec'r Sta. ep. & Nov'r 10th &c
1842. March Set for hg

Court house and other convenient places - that the said Commissionus or Such of them as may act do sell by Public auction to the highest bidder for Cash the said tract of Land Subject to the dower aforesaid and out of the proceeds of Sales pay first the expences of sale and the Costs of this Suit except the Commissionus fee aforesaid and out of the nett balance ~~of~~ this Court that they pay to Margaut E. Ballard twenty Seven dollars and eighty two cents with interest thereon from the 1st day of October 1842. To Evelina Ballard the sum of twenty Six dollars and fifty three cents with interest from the said 1st October 1842. To Elbert D. Vaughan the sum of fifteen dollars and thirty six cents with interest from the said 1st October 1842 and to James Eley the sum of Twelve dollars and Sixty five cents with interest from the said 1st October 1842 till paid, if the nett balance of Sales be not Sufficient to pay the full amount of said Several Sums, then they are to be paid pro rata, and if there ... be any balance after paying said sums as aforesaid that the said commissionus bring the same into Court with a report of their procedings - That they convey the said Land to the purchaser by and without Warranty - And Liberty is reserved to the infant defendants to Shew Cause if any they can in a year after they arrive to the age of twenty One years against this decree.

A Copy
Teste
W. J. Banks D.C.

February 20th 1843 Recd of Lewis H Duck one of the commissioners named in the above decree the sum of twelve dollars and forty nine cents being the amt due me in said decree in chancery Int &c.

February 20th 1843 Recd of Jacob H Duck one of the commissioners named in the above decree the sum of ~~Twelve~~ fifteen dollars thirty six cents being the amount due me in the said decree including Int &c

James Eley

W Amp

Elbert D Vaughan

Lysander Beamen

February 20th 1843 Recd of Lewis H Duck one of the commissioners named in the above decree the sum of twenty ~~eight~~ Seven dollars and thirty six cents given under my hand &c

M. E. Ballard

Feby 20th 1843 Recd of Lewis H Duck one of the commissioners named in the above decree the sum of twenty six dollars 12/100 given under my hand &c

Evelina C Ballard

Recd of Jacob H Duck one of the Commissioners appointed to sell the land of Benja Bradshaw under a decree of the Superior Courts of Law & Chancery held for the county of Isle of Wight, eight dollars and five cents in full of my services for running & dividing said land, also two dollars for the services of Chainbearers. Janry 3rd 1843

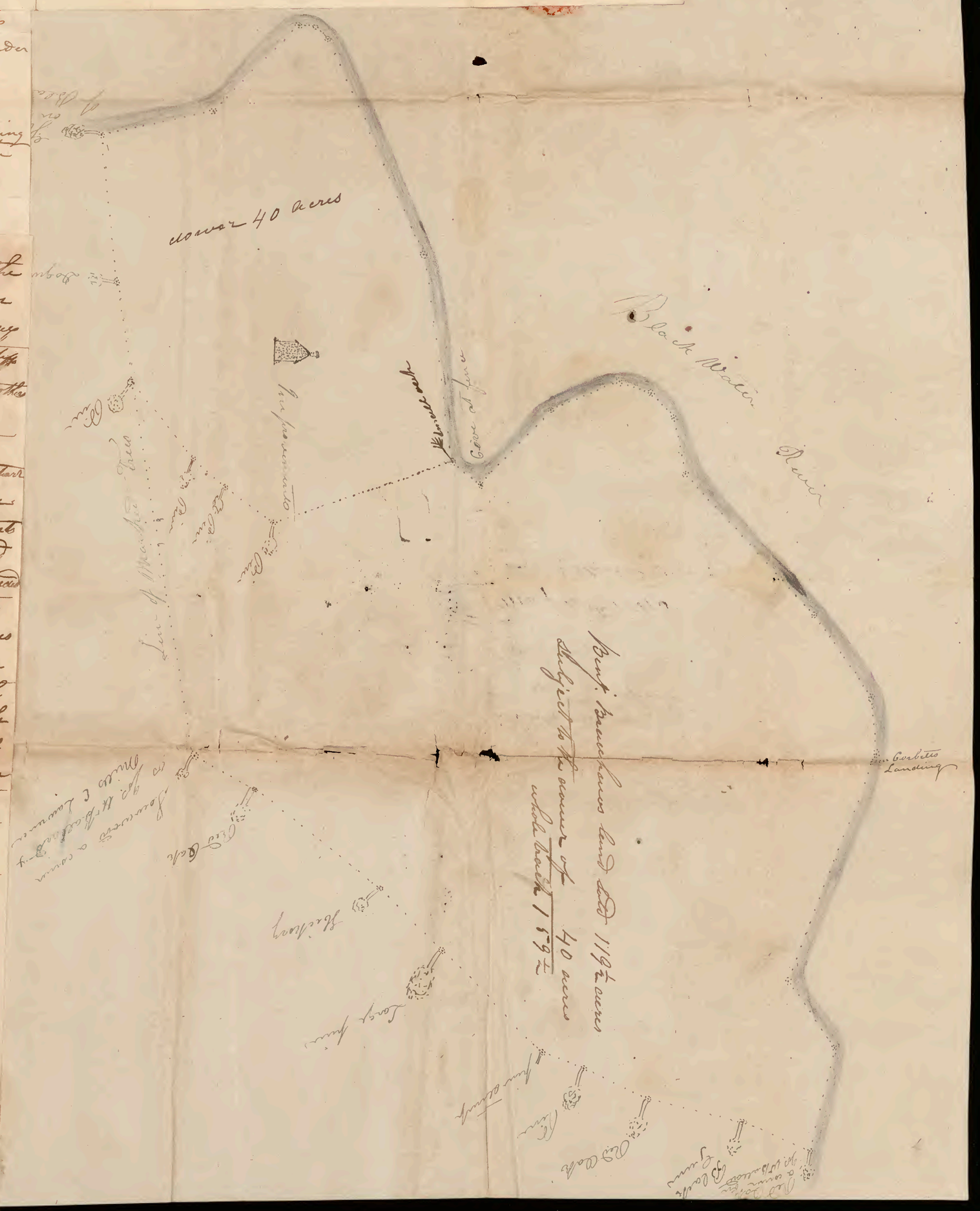
Irwin W Duck

In obedience to the annexed decree of the Circuit Superior court of law and chancery for the county of Isle of wight bearing date the 16th day of October 1842 Margaret E. Ballard and others plaintiffs against Lewis H Duck Admr &c. of Benj. Bradshaw dec'd. and others defendants and to us the undersigned directed, your commissioners thought it necessary to call on the county surveyor to enable them with more correctness to ascertain the dower of the Widow Mary Bradshaw which was given her forty acres including the dwelling which metes and bounds are laid down on the annexed plat and are fully explained, and your said commissioners proceeded after giving at least thirty days notice as directed to sell the remainder of the land for cash on the premises 119½ acres which John Carr became the purchaser for the sum of $112. which we gave him a deed with out warrenter as directed and after deducting all the expenses which was $30.60 expenses of the decree & left a balance of $81.40 to be paid over to the complainants and others named in said decree which is the nett proceeds not being sufficient to pay the amounts with Interest as the receipts on the annexed decree will more fully shew and explain and further your commissioners aforesaid report not. given under our hands this 10th day of December 1842

Lewis H Duck
Dempsey D Watkins
David Roberts

Rec'd fee of ten dollars
A. Aikin

Rec'd of 5 any cents
N. P. Conigleb


Lower 40 acres
Black Water River
Gum Swamp
Gum Swamp
Gum Swamp

At a Circuit Superior Court of Law & Chancery held for Isle of Wight County the 10th day of October 1842.

Margaret E. Ballard Evelina L. Ballard who Sue as well for themselves as for other creditors of Benjamin Bradshaw dec'd. Plts.

against

Jacob H. Duck Adm. of Benjamin Bradshaw decd: Mary Bradshaw widow of the Said Benjamin Bradshaw & Mills Bradshaw Mary B. Bradshaw infants by Nathaniel P. Young assigned their guardian ad litem to defend them in this suit. . . . . Defts

This Cause came on this day to be again heard on the papers formerly read in the cause and on the report of the Commissioner to which no exception is filed and was argued by Counsel; On Consideration whereof the Court confirming the said report which Shews a balance due from the Administrator Jacob H. Duck to the estate of Benjamin Bradshaw of the Sum of $123.43. On the 8th of Aug.t 1842 which with interest ~~from~~ to the 1st of October makes the Sum of One hundred and twenty four dollars and fifty cents - doth adjudge Order and decree that the said Jacob H. Duck of his own proper goods do pay to the plaintiff Margaret E. Ballard the Sum of Sixteen dollars and fifty Cents the Commissioners fee charged to her, that he then pay to the said Margaret E. Ballard the Sum of Thirty Six dollars and forty eight cents in part of her debt of Sixty four dollars and thirty cents - that he pay to the pltf Evelina Ballard the Sum of Thirty four dollars and Seventy four Cents in part of her debt of Sixty One dollars and thirty Cents that he pay to the plaintiff Elbert D. Vaughan the Sum of twenty dollars and fourteen Cents in part of his debt of thirty five dollars and fifty cents and that he pay to the plaintiff James Ebey Sixteen dollars and Sixty one Cents in part of his debt of twenty nine dollars and twenty six cents - And the Court further adjudging doth Order and decree that Jacob H. Duck, David Roberts, Dempsey D. Watkins and John B. Lawrence or any three of them who are appointed Commissioners for that purpose with the aid of the County Surveyor if necessary do divide and Set apart to Mary Bradshaw the widow of Benjamin Bradshaw dec'd: One third part of the land of Land lying in said County of which the said Benjamin Bradshaw died seized and possessed containing 200 Acres or thereabouts having regard to quality and quantity and designate the same by proper meets and bounds to be held as dower by the said Mary Bradshaw for life, and after having advertised the time and place of Sale for at least thirty days at the

Dower assigned
Chas. A. Lawrence
Dec'r. 28/1842

Ballard &c
vs
Bradshaw's Adm. &c

(111)

Ballard &c
vs
Bradshaw's Adm. &c

Mary 4th 1843

Interlocutory Decree

All Available Text Successfully Captured