

1883-006 Chancery Causes: Elisha W. Ballard, by v c vs Thomas Spivey v ux v ad
Isle of Wight County

other SURNAMES: Carr,
Smith, Duck, Edwards,
Rawls, Barnes

Kilby p. 8
dm

Baleant p. p?

n. } Bice

Spiny wife sal.

Oct. Dec. 1877. Bill & Egle
Jed. Tenn. Rec. M. L. Henry of?
gen. ad. let. to the rights. their
acc. filed & also the acc. of the
Dep. Spiny & wife & rep. & gen.

Octo. Rules 1877. Set for
the arrival.

Acto. 1877. De. for
partition & acco

"Cons. since then

L. of W. Cir. ch.

Acto. 1879. Rep. Conf. De.
and De. for a
further acco.

Octo. 1880. Rep. Conf. De.
for acco &c.

Apr. 1881. Rep. Conf. De.

"
Octo. 1881. Rep. Conf. De. to collect
Bureau pay out, make deed &c

"
Apr. 1883. Final deed

Charles is nothing as the marriage of said
Lemuel. and her right in said marriage
and that the progeny of John Complainant may
be reunited, and your Complainant wish

Eliza A. Baleant

by Spencer & Co.

by John W. Kilby & Co.

+ That there may be some small debts due by said
dec'd, & your Complainant prays that an act may
be had to ascertain the same & whatever may be due
may be paid out of the proceeds of the said sale made

and says, that if such homestead will be surrendered
as stated that he prays that the said Land
may be divided among those entitled, or allotted to
some one or more of the heirs who can twice accept
the same & pay therefor to the other parties such
amount as they may be entitled to, or sold
if more convenient & to the interest of the parties
entitled ^{to do so} as your Complainant says it will -

That these Lands are to a great extent in
woods not far from the Seaboard & Roanoke
Rail road & would sell for a fair price, &
it is better to sell the same, & the fee simple
in the lower Land, so that the said children may
not only be supported but to some extent educated,
rather than grow up in ignorance & have when
they become of age a small piece of poor Land
without improvements. +

In Consideration whereof and as this Court has
power to grant all adequate relief: To the end
your Complainant prays that the said
~~Wm. H. Ballou~~ Mrs. Spirey and Louisa C. his
wife, Wm. H. Ballou, Pl. See Ballou, Sarah
Elizabeth Ballou & Mary Etta Ballou, (the
four being infants) may be made defendants
hereto and be required to answer the alle-
gations herein, and that the said ^{Mrs. Spirey &} Louisa C. his
wife may answer and say whether they are
willing to surrender any right they may
have in the same (which your Complainant

with all the buildings, orchards, &c. or, her
share in the Land of her said husband - the
same being a part of the Homestead of said
deceased & valued at (in fee simple) \$1490.00
That under said decree & by said report there
~~was~~ ^{was} set apart to said Louisa C. Ballaw for herself
& Infant children the remainder of the Land
of said dec'd, the whole in one body but known
by different parcels, to wit: one parcel of 101 acres,
one of 189 acres, one of 31 acres, beside, the
part assigned as above which contains 298 acres,
more or less, ~~that the remainder of said Land~~
~~were by said decree report assigned to said~~
~~Louisa C., for a homestead for her & infant~~
children aforesaid, and with from \$500. to
\$700 -

Your complainant says, That there is
no estate to support the children of said dec'd,
none to clothe & school them, unless they can find
relief from the sale of the Land.

That the said Louisa C. has married & is
now the wife of Mr. Spivey, and that your
Complainant has been informed that the said
Louisa C. & her present husband the said Mr.
Spivey, are willing to relinquish any right in
the Land assigned as "homestead", without com-
pensation, for sale, if the Court will decree the
sale thereof, to enable the said children to be
supported & schooled & clothed: That your Complainant

Virginia

To the Hon. Geo. Blow, Judge of the Circuit Court
of the County of Isle of Wight.

Complaining shew unto the Court, Your Com-
plainant Elisha W. Ballard, an infant suing by
Spencer Carr his next friend.

Your Complainant respectfully represents to
the Court and says that Ro. H. Ballard of said County
died on the day of May 1869, Intestate, and
leaving a widow named Louisa C. and five children
now all infants, under the age of Twenty one years, to
wit: Your Complainant Elisha W. Ballard & Ann H;
No. Lee; Sarah Elizabeth; & Mary Etta Ballard,
the heirs at law of said decd.

That the estate of said Ro. H. Ballard was
administered on by Francis Smith the Sheriff,
of said County, who ^{duly} administered the same;

That the deceased left but a small chattel
estate, which was assigned to said Louisa C. Ballard
under a decree of the County Court of said County of
May Term 1871 & amounting to \$668.90. as may
be seen by the report of the Commissioners made under
said decree, (a copy of which decree & report is filed
herewith as part of this bill marked "A").

That the said deceased did seized and
possess of certain Land in said County, and
that by virtue of said decree, there was set
apart to said Louisa C. "all the Land on the
South side of the Western Branch road, together

Ballards per fd.

or.  in clay.

Spring & wife & abt,

The answer of Thomas
Spring & wife.

Filed Sept. 18th 1877.

The joint and separate answer of Thos. Spivey
and Louisa C. his wife, to a Bill in chancery
exhibited in the Circuit Court of the County of
Isle of Wight by Elisha W. Ballant an Infant
by Spencer Leare his next friend, against said
Spivey wife and others.

These Respondents say that the facts
set forth in said Bill are true, and that
all interest or right that they or either of them
may have in the Land of said Ro. H. Ballant
decd, referred to in the said Bill as the Land,
set apart & assigned to said Louisa C. (late the
widow of ^{said} Ro. H. Ballant decd, they are willing
to relinquish & surrender, and that it is true
the Land referred to in said Bill, and the
fee simple in the Land held as dower by
said Louisa C. should be sold to support
the said Infant children of said Ro. H. Bal-
lant decd. & that they are willing, if necessary
to join in any writing necessary to secure the
ends sought by said Bill.

(Signed.)

Louisa C. Spivey
Thomas X Spivey

Balleau & Co

n.

Spirey, Saviour, & Co,

owner of
Infant left,

Sept. 1841, 1842,
Held.

The joint and separate answer of Wm H. Ballou
No. Lee Ballou, Sarah Elizabeth Ballou & Mary
Etta Ballou, Infants, by A. P. Young, guardian
ad litem, to a bill in Chancery Exhibited in the
Circuit Court of Deafwight County by Elsie
A. Ballou by Officer Leary next friend

These Respondents, say, that the facts
set forth in said bill are true so far as they know
but being infants and ignorant of their rights,
submit the same to the Court and pray that no
order or decree may be made in the said cause
inconsistent with their interests

signed

A. P. Young, gov.
ad litem

Ballard E. W. J. & Co.

vs. ³
James. in
Chuf.

Tracy Tho. et al.
et al.

Do. Sept. Rules 1847.

Kelby & Co. J. & Co.

Executed by delivering
to the within named
Thomas Tracy and
Louisa C. Tracy
each a true copy
of the within
Summons August
16th 1847

L. B. Edwards
Shff

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON *Thomas Fiver and Louisa C.*
his wife, and Wm H Ballard, R. Lee Ballard, Sarah Elizabeth
Ballard & Mary Etta Ballard (the last four being infants)

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 Elisha W Ballard (an infant) by Spencer Carr
his next friend

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*7*, in the *10th* year of the Commonwealth.

N. P. Young clk.

Ballard
vs. $\frac{3}{4}$ In clay.

Spices & wife chas.

Depositions

Sept. 24th 1880.

Came to hand
under seal & filed.

I, J. S. Young, a commissioner in
chancery of the Circuit Court of the
Wright County, do certify that the fore-
going dispositions were taken and subscribed
before me on the day and place mentioned
in the caption.

Given under my hand this 23rd day
of September, 1880, as commissioner aforesaid.

J. S. Young Com.

Attorneys attendance

Mr. M. Ballard 1 day .50[¢]

J. W. Duck " " .50

G. A. Spivey " " .50

L. B. Edwards " " .50

Due witnesses \$2.00

Comm. fee 5.00

\$7.00

Shff. 3.60

\$10.60

interest of Mrs. Pearson will be
impaired by such sale).

And further the deponent saith not.

J. M. Ballard

The deponents being W. Duck, Jackson
A. Shivers and James B. Edwards,
being first duly sworn, to questions
by self. composed depose as follows.
That they are all above the age of 40
years, that they all reside in the county
of Washington, and are well acquainted
with the parties to this suit and with
the land owned by them. That they
have, each, heard read the questions
and answers asked of and answered
by the deponent John M. Ballard in
his preceding deposition as to the
said land, ^{and the ability & interests of the parties} and they, each, fully
concur with him in what he
has said therein in regard to the
title & the propriety of ~~selling~~ dividing
or selling said land.

And further the deponent saith not.

W. Duck

A. Shivers
J. B. Edwards

200 acre tract with their mother & step father
or Thomas Sprou, except ^{him with his uncle not related.} W. H. Ballou who
The 400 acre tract is principally pro-
cessed land in the most part, and
yields no income nor is it capable
of yielding any except a small rent
annually, of about \$10.⁰⁰ This
land is not, in my opinion, susceptible
of being divided amongst the
heirs judiciously. There are five of them,
& to give each 80 would necessarily
give to some of them unproductive
process land, uncleared & if
cleared, which from my knowledge of
the ability of the parties could not be
done by them, would not repay the
cost. It would cost at least \$20.⁰⁰
per acre to clear the land & it would
not then sell for more than \$4.⁰⁰
per acre. All the timber which was
worth cutting into lumber has
been cut from this land. In view of
the foregoing facts which I have
given from my knowledge, I am of
the opinion that it would be to the
interest of the parties, and that their
interest would be promoted by a
sale of the land, and that the

2nd Quest. by the same.

Do you know the parties to this suit & are you acquainted with the land owned by them in Isle of Wight county? Answer. I know the parties to this suit. I am very well acquainted with said land.

3^d Quest. by same.

State all the facts, within your knowledge, as to the condition of the said land, and all facts as to whether a sale of the said land would be to the advantage of the parties in interest?

Answer.

The land is composed of two parcels, one of about 400 & the other 200 acres; the four hundred acres tract on one side of a public road, & the 200 acres tract on the other side, and is the parcel now held by Mrs. Louisa C. Sperry as her dower in the land of her first-husband, Dr. H. Ballard; and constitutes of itself, a compact & good farm & has on it the dwelling & other houses. This parcel of 200 acres, is a good & compact place detached from & independent of the 400 acre tract. All the parties to this suit reside on & have comfortable homes on said

The depositions of John M. Ballard,
Irvin W. Duck, Thomas J. Clements and
Zachariah A. Spevey, ^{and Lemuel B. Edgwood} witnesses of lawful
age, taken on this 23rd day of September
1880, before A. O. Young one of the com-
missioners in chancery of the High
court, at Windsor in the said
county, at the instance of E. W. Ballard
pursuant to notice hereto annexed
and adjournment from the 9th day of
Sept. 1880, ^{in the presence of the guardian ad litem of the infant} to be read as evidence in
favor of the said E. W. Ballard plaintiff
in a suit in Chancery depending in
the said Court in which he is plaintiff
against and Thomas Spevey & wife
and others are defendants.

The deponent John M. Ballard being first duly
sworn, deposes and says:

1st. Question by W. J. Kelley Counsel for plaintiff:
What is your name, age, occupation &
where do you reside.

Answer.

My name is John M. Ballard, my age
is twenty six on 13. Dec. next. my
occupation is that of a farmer and
reside in Isle of Wight county within a
half mile of the land owned by the parties
to this suit.

1 Galland et al.

v { sums to
State Deposi-
tories &c

Spivey et al.

No. Sept. 9th 1880
an indorse

Executed on each
of the within named
Aug 21. 1880

L. D. Edwards
Shy

The Commonwealth of Virginia,

TO THE SHERIFF OF THE COUNTY OF ISLE OF WIGHT—GREETING:

WE COMMAND YOU TO SUMMON,

to appear before the _____ of the _____ Court, of the County of Isle of Wight, at
the Courthouse, on the 9th day of September, 1882, to testify and the truth to say
in behalf of Charles W. Ballard.

in a certain matter of controversy in said Court pending and undetermined, between said E. W.
Ballard Plaintiff
and Thomas C. Young and his wife Estelle Defendant.

and this _____ shall in no wise omit, under the penalty of the law. And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, this 18th day of August, A.D.
1882, in the 20th year of the Commonwealth.

NOTE.—Witnesses who desire their attendance entered, will inform the Clerk before leaving the Court.

Ballard per fd.

vs.

Spivey & al

Original

Returnable on
9th Sept. 1880.
at Windsor
before H. P. J. J. J.
Comm. in Ch.

Executed on each
of the within named
Aug 24. 1880

L. P. J. J. J.
Sept. 9th 1880. Shiff
cond. to 23rd inst. at the
pau. place. &c.

1880 August 21st Service of the within us=
the is hereby acknowledged for the infant
defendants: Wm. H. Ballard, R. Lee Ballard
Jarah E. Ballard and Mary E. Ballard.

J. O. Spencer & Son
attorneys

To { Thomas Spirey and Louisa b. his wife, Wm
H. Ballard, Ro. Lee Ballard, Sarah E. Ballard
and Mary E. Ballard, the last four being infants

Take notice that I shall on the 9th day of September 1880, next, at
~~the Clerk's Office~~ Windsor in Isle
of Wight County between the hours of 8 a. m. and 6 p. m. of that day, proceed to
take the Depositions of Thomas J. Clements, I W. Duck

and others, to be read as evidence in my behalf, in a certain suit
in Equity, depending in the Circuit Court of Isle of Wight
County, wherein I am

are plaintiff, and you
are defendants; and if from any cause the taking of the said Depositions be
not commenced on that day, or if commenced be not concluded on that day, the taking of the same will
be adjourned and continued from day to day or from time to time, at the same place and between the
same hours, until the same shall be completed,

To the Sheriff of Isle of Wight }
County to execute.

14 Aug. 1880

Respectfully,

Elisha W. Ballard
By his attorney,

Ballard & wife

vs. $\frac{3}{8}$ Day.

Spiving & wife vs.

Notice of 22nd Jan.

1848, to 1. March

1848 - to take ad.

debts under ad. of

Dec. 1847.

add. to self.

Ballard & wife vs. Spiving & wife - Dec. 1847 for ad.

.33

4.53

2.50

1.50

.25-

.25-

4.90

2.50

5.00

.59

1.05

.71

.56

1.31

.85

6.50

.71

1.76

.15-

6.56

3.60

2.50

8.13

.66

.45-

3.60

141.00

11.00

85.99

13.91

799.90

20.00

19.31

6.71

.71

3.10

1.31

2.51

13.91

JOHN R. KILBY.

WILBUR J. KILBY.



JOHN R. KILBY & SON,

COURTS:
Nansemond, Isle of Wight, Southampton
and Norfolk Counties,
And United States District Court
at Norfolk, Va.

Attorneys at Law.

Suffolk, Va., 8 Mar. 1878

Mr. A. P. Young.

Dear Sir: I would like for
you to ascertain & report specially
as Court in the Ballard - Spring
case. the quantity of timber or
wood cut of the Ballard land
by Mrs. Spring. the amt. she sold
it for, how much she was
entitled to as her share and
how much Ballard's estate is
entitled, it may be that the
proceeds of sale of this wood will
be sufficient to pay debts &
if so, the money should be ap-
plied that way & the land not
sold.

I suppose you will have to have
summoned before you, Mrs. Spring

her husband, & such other parties as
may have knowledge of the quantity
of timber cut, - possibly Edward
Rauhs can tell you a good deal
about it.

Respect
Wilbur F. Kilby

P. S. Although the decree does not
direct you to make this inquiry, I
suppose as is usual you can do so
when requested

W. F. K.

Barclay Stables
Conn.

Statement of Robert B. Ballant de^d

1869

To Edgar R. Ballant de

Sept 30th To 1st Jan shoes \$ 1.65

Nov 8 " 87 lbs Flour @ 5 $\frac{1}{2}$ 4.78

Dec 18 " 4 Pairs Blk Eye peas 5.00

23 " 11 lbs of Grey @ 75 8.25

" Thread & Sugar 58

1870

June 4th My Receipt Cr. \$ 20.26

\$ 8.93

bal. due \$ 11.33

1877

Dec 30 To Int on acct 4.75

\$ 16.08

Ward by Stalder
Count.

Mr. Ro. H. Ballard

D. Thos. H. Bams, A.

1869 - To med. attendance family \$ 18.00

1870 do. " self 8.00

\$ 26.00

1871

Feb 11th By cash for wedding 10.00

\$ 16.00

St. of Wight Co., Va;

Mar 1st 1878

This day D. Thos. H. Bams
personally appeared before me a Justice of
the Peace for said County and affirmed that
the above act. is correct.

J. H. Eley

J. P.

1870

July 20 To Amt brought over \$47.88

" Sugar for son 1.00

\$18.88

Aug 4th By Recd \$11.75

\$37.15

46 Amt on acct 10th 48

16.89

\$54.04

Dare & Son

Feb 20 1878 Argel Smith personally
appeared before me and made oath to the
correctness of the above acct of fifty four dollars and
four cts

J. F. Day, J.P.

Robert M. Jallard & Co.

To Cash on Hand 100

1869			
Sept. 30 th	To 1 lb Coffee	for	\$ 1.12
	" Sugar		1.00
	" 3 Ounces #3 Match	5.	3.05
	" 1 Ball Thread		20
Nov 8	" Sugar 1 lb.	4 lbs Coffee 25	2.10
11	" 1 lb shoes 2.25	Wool 9.	2.32
	" Sp. Coffee		25
Nov 31	" 1 lb Cotton 30	Wool 19.	49
1870 Jan 8 th	" 1 lb. on shoes 30	1 Advance 10	40
	" 1 lb shoes 1.55	3 lbs Shoes 1.75	3.30
26 th	" 8 1/2 Cans Sky Lanes 25.		2.12
	" 4 1/2 Cottons 10.	4 do 1.	1.07
	" Cotton 8.	Match 7	17
	" Tobacco 5.	1 lb Sky Lane 1.5	50
Feb 16 th	" 4 1/2 Cans Sky Lane 25		1.13
	" Sp. Coffee 25.	Coffee 90	1.15
	" 4 lbs Sugar		66
	" 1 Bbl Flour		10.00
	" 3 lbs Sugar 50.	2 lbs Powder 25	75
March 17 th	" 4 Gall Molasses @ 70.		2.80
25	" 1 Gall for order for Henry Holland		1.50
April 16	" " " " Mitchell		1.00
May 3	" 1 lb shoes		4.00
	" 1 Vest	for order	5.00
	" 1 lb shoes 25.	1 box Cotton 25	50
May 10	" 1 " shoes for order		2.00
		Cr.	\$ 48.60
May 3	My 1 lb shoes ut?	\$ 4	\$ 44.60
June 11	To 1 lb on Flour		3.00
24 th	" Coffee for night		28
	(Carried over)		\$ 47.88

Ballard per Ad.
vs. $\frac{2}{3}$ Chy.
Macey & wife & as,

Report under Wm.
of Acts. 18th 71.

Mar. 15th 1898. Filed

Confirmed Acts, Ch.
1879

account were based by the Article
of limitations and disallowed by
Your Commissioner.

At the request of Counsel for the complainant
Your Commissioner reports especially that since
the lands of the said H. A. Ballard, never
been sold by him since the day of
March 1, 1894, there was been cut from
the said lands 7710 1/4 feet of lumber worth
in money \$859.24 that being the amt. it sold
for, of which amount the said H. A. Ballard
received \$77. Your Commissioner has
not herein stated the amt. received from
said lumber because he has been unable
to obtain records thereof.

Hein under my hand as Commissioner
of the said Court, the day before first
aforesaid.

A. S. Young, Clerk

Com. I. fee \$10.00

Commissioner's Office, Isle of Wight C. H.
March 13th, 1878.

To the Circuit Court of said County.

Your Commissioner reports to the Court that
Pursuant to a decree of the said Court
rendered at Oct. term 1877, in the case
of Elisha W. Ballard, an infant, by Spencer
Carr his next friend, plff. against Thomas
Spivey & wife als. defrs. directing a com-
missioner of the Court to take and report
"an account of debts outstanding and
due by Robert W. Ballard, decd. and their
priority;" Your Commissioner issued notices
to all the parties interested, which were
served, and also posted notice at the
great door of the Court House on two
Court days that he had fixed upon the
first day of March 1878 to take and
settle the said account. That on the day
so fixed upon, for good cause shown the
taking of the account was continued and
remained so until the date of this report.
where Ethelbert Kach presented a claim
amount \$37.15 - Edgar Kach's representation
presented a similar act, amounting to \$11.30,
and Dr. Thomas H. Barnes a medical act
amounting to \$16.00 against the said
Ro. W. Ballard, all of which said



WRITE THE ADDRESS ON THIS SIDE - THE MESSAGE ON THE OTHER

Nathaniel P. Young Esq
I. ofc Weymouth C. H.

Ma

228

Concord Mass March 14th 78

Dr Sir in reply to your inquiry
relative to the timber sold by Mr
Ballan now lying from the lands of
Roth Ball and Co. I have since Mr
J. T. Bradshaw who cut the timber
so you may take the account as
List 774.84. It will be amounting in
money to 8.59.24. Eight hundred &
fifty nine dollars & twenty four cts
Yrs Very Truly

Edw. A. Paul

quantity of wood or lumber cut by
 Louisa C. Spivey or her husband,
 Thomas Spivey of the land of which
 said Ro. Mc. Ballard died seized
 and possessed and what disposition
 she or he may have made of the same,
 and for what sum of money the same
 was sold, if it has been sold, and what
 disposition has been made of the
 money, and that said commissioner
 make separate statements showing
 the respective shares of the proceeds
 of the sale of said wood to which each
 of said Ro. Mc. Ballard's heirs may be
 entitled by reason of their respective
 interests in said lands and how
 much thereof is due and by whom
 due and payable to each of them.

Attest

Teste W. A. Edwards D.C.

Ballard per f.d.

15 } ending.
 Copy given

Spivey et al.

"

Act. ch. 1849

Dec. 18th / 49 notice f.d.
 & 13th - Feb. / 80.

Mr. Kelly

For acts

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

E. W. Ballard per ~~for~~

Plff

v. J. D. Dwy

Thos. Spivey et als.

Def'ts.

This cause came on this day
to be again heard on the papers formerly
read therein and on the report of
Commr. M. B. Young filed on the 15th day
of March 1878, and was argued by
counsel. On consideration whereof
the court doth confirm the said report
to which no exception has been
filed and doth adjudge, order
and decree that a Commr. of
this Court after legal notice to the
parties proceed to ^{take} state and report to
Court.

- 1st. An account of all out-standing
debts due by A. W. Ballard decd.
or his estate.
- 2^d. An account showing the

Ballard
vs. $\frac{3}{4}$ in chq.
Spivey & wife & as.

Report of court.
Term under Decr.
of Oct. term 1879.

Filed May 16th
1880.

Confirmed Oct.
Court 1880

Upon consideration was obtained, to wit: the act
of an order of the County Court authorizing
the said Boardman to construct a new road
from the his own mill on the land of said
Ballard to Camasville, which was made at the
city: term, 1879, of the County Court, upon con-
sideration and concluded that the said term,
be was sustained for clearing the year
1879. Wherein under was heard as a com-
plaint of said court the day upon first
affirmed.

Comm. fee \$10.00

Ball. . 1.00
Com. 67.00

A. J. Spivey Com.

said Ballard or his estate. That the said
Louisa C. Spivey being examined in the pres-
ence of her said husband admits and declares
that whilst a widow and before her marriage
with said Thomas Spivey, she sold from
the lands of the said infants $77\frac{1}{4}$ ft
of lumber for which there was paid by J. T.
Bradshaw who cut the said lumber the sum
of \$859. 24, and that she expended the said
sum towards the joint, and as near as she
could, equal support and maintenance of
her infant children who were of tender
age & without guardian and entirely dis-
tute of any other means of support.
That the said children were as follows,
E. W. Ballard, the Plaintiff in this suit,
and W. H. Ballard, R. L. Ballard, Sarah
E. Ballard and Marietta Ballard the
infant Defendants in this suit.

Dividing the said sum, of \$859. 24
between the said infant children, they
would be entitled, each, to one fifth
or \$171. 84 $\frac{4}{5}$. From the best information

proceeds of the sale of said woods which each of said R. H. Ballards heirs may be entitled by reason of their respective interests, and how much thereof is due and by whom due payable to each of them. Your Commissioner reports to the court, that on the 18th day of Dec. 1879 he issued notices to the parties that he had fixed upon the 13th day of February, 1880, to take and settle the said accounts. That the said notices were duly executed & returned to your Commissioner. That on the day fixed upon, being the date of this report, the plaintiff E. W. Ballard who has attained the age of twenty one years, and the Defendants Spincy & wife, the latter, on her marriage with Thomas Spincy being the widow of said Robert H. Ballard and the mother of the said Plaintiff and of the infant defendants aforesaid, appeared before your Commissioner. That due notice was given to the creditors of said R. H. Ballard of the time and place of settling the said accounts, and that no claim nor demand was proved against the

Commissioners Office, Isle of Wight Co. Va.

February 13th 1880.

To the Circuit Court of said county.

Pursuant to a decree of the said court, rendered on the 20th day of October, 1879, in a chancery suit therein depending between E. W. Ballard for friend, Plaintiff against Thomas Spivey and Louisa C. his wife, W. H. Ballard, Ro. L. Ballard, Sarah E. Ballard & Maria M. Ballard defendants, directing a commissioner of the said court to take the following accounts, First - An account of all outstanding debts due by Robert H. Ballard decd. or his estate. - Second - An account showing the quantity of woods or lumber cut by Louisa C. Spivey or her husband Thomas Spivey off the land of which said Robert H. Ballard died seized and possessed, and what disposition she or he may have made of the same; and for what sum of money the same was sold, if it has been sold, and what disposition has been made of the money. And that the commissioner make separate statements showing the respective shares of the pro-

Ballard per fd.

vs.

Spivey tal.

Report.

"
Filed Apr. 5th 1880
"

Confirmed Acts

Cont 1880

if divided, it would best promote the interests of all parties and afford said children some means of support and maintenance which they now are without, except by the bounty of their mother, to sell said parcel of 400 acres, of land and divide the proceeds thereof among them, especially as said dower land with all conveniences of houses wood &c. will remain for their future home. Your Commissioners therefore, recommend the sale as the best course under all the circumstances.

Respectfully submitted,

Edward Tracy	} Commrs.
Wm. L. Davis	
J. J. Council	
Wm. Carr of Jr.	

Comm's fee \$2.⁵⁰ each

by said decree among the children and heirs of said Robt. H. Ballard, to wit, Elisha W. W^m H. Robt. L. Sarah E. and Mary E. Ballard, nor have your Commissioners allotted the same to any one or more of them, because no one of them was willing or able to accept the same in whole or in part and pay to the others in money the value of their respective interests therein.

And if your Commissioners had found it convenient, to divide said land among said heirs, such division would have operated to destroy the value of the land and to leave it in small parcels of no value to said heirs because of its inferior quality and unimproved state.

Your Commissioners conclude, therefore, that as said children have no income from said land and none from any other source, and that as said land as an entire tract affords them none and would afford them none if divided and would have no market and but little other value

land, will have ^{also} the exclusive possession thereof, and it will be a comfortable and convenient home and farm for them as it is now, with all necessary houses and conveniences.

That the second parcel of land above-named as containing 400 acres, more or less is a low, wet, and spongy tract of land, mostly unimproved woodland productive of no profits or rents, not enough scarcely to pay the taxes on it, and the children of said Robt. H. Ballard, all infants except one living with their mother, said Louisa C. Spivey, are unable to improve it, or cultivate it for want of the necessary means; that it is not necessary to retain or reserve the same to go with the said dower land, (both of which belong to said children), as said dower land is a complete farm in itself.

And your Commissioners find ~~it~~ that they cannot conveniently divide said parcel of land of 400 acres, more or less, in any one or more of the modes prescribed by ~~land~~ law and find it impracticable and inconvenient to do so, as directed

on the West, its fee-simple value being \$1000. dollars: and

2. A parcel of land containing 400 acres, more or less, and bounded on the North by the lands of A. W. Ballard and John Carr, on the East by the Sally Duck land, on the South by the County road and on the West by the lands of David Darden and others its fee-simple value being \$500.

That all said lands are situated in Isle of Wight County, Va. and constituted the home place, where said Robt. H. Ballard lived in his lifetime.

That said first parcel above named is separated from the last parcel above named by the County road, thus making the latter no necessary part of the former, the dower land being in itself a compact and good farm having on it the dwelling house and all necessary outhouses, occupied and used by said Louisa C. Spivey and her children by said Robt. H. Ballard, which children live with her. That after the death of said Louisa C. Spivey, her ^{children} Ballard, holding the fee-simple of said dower

To the Circuit Court of Isle of Wright
County, Virginia

In pursuance of a decree of
said Court pronounced on the 22nd.
day of October 1877 in a cause in
Chancery in said Court depending
between Elisha W. Ballard an in-
fant suing by Spencer Carr his next
friend, Plaintiff and Thomas Shirey
and others, Defendants, a copy of
which decree is herewith annexed;
the undersigned, appointed Special
Commissioners for the purposes named
in said decree respectfully report
to Court.

That they find the land of which
Robt. H. Ballard died seised and
possessed, to consist at present
of two parcels as follows:

1. The dower land, or that part
which has been assigned to Lomisa
C. late widow of said Robt. H. Bal-
lard, but now the wife of said Thomas
Shirey, as her dower, containing 300
acres, more or less, and bounded
by the County road on the North, by the
lands of William Carr and others on
the East, by the land of Jesse D. Coun-
cil ^{on the South} and by the land of David Darden

Found for file
of { lucky, copy, etc.
{ photo. etc. 1877

Revised at 20

"copy"

Revised
at 20
copy

would best promote the interest of
all parties, and especially report
the necessity for such sale, to support
and maintain the said infant
defendants and p'ts. and what in
their opinion the said lands would
see for, with a description of the
same, showing whether cleared
land is improved, or wood and
timbered land and general
boundaries, and make report
of their proceedings hereunder
to Court.

Attest

Teste

M. A. Edwards D. C. Pro

A. D. Young atty

of the land of said Robert H. Gallard
and: (not heretofore assigned to said
Louisa L. late widow of said dead;
as her dower therein among the several
children of the said dead, in equal
proportions having regard to quantity &
quality, that is to say, to each of said
Elisha W. Gallard, Wm. H. Gallard,
Robert Bee Gallard, Sarah Elizabeth
Gallard and Mary Etta Gallard
(all infants) which lands are referred
to in these proceedings, as all the
lands of said dead, including
the balance of the home place
over and above the dower aforesaid
of 298 acres more or less; another
parcel of 101 acres, & another of ~~104~~
31 acres more or less - if such
partition be convenient, and
practicable, and if not, make
and allotment of the whole
or any part thereof among of the
parties, who may be willing to
accept the same, and pay to the
other parties, such part as they may
be entitled thereto, and if neither
partition nor allotment can be made
as above, then report whether or all

Isles of Wight Circuit Court. October 22nd 1777.

Elisha M. Gallard, an infant by Stewens
Baro his next friend. Petffs.

Against Forches.

Thomas Spivey & Louisa C. his wife, and
W. H. Gallard, Robert E. Gallard, Sarah
Elizabeth Gallard and Mary Ester Gallard
(the last four being infants) Defts.

This cause came on this day to be heard
on the bill of the complainants & exhibits
filed therewith, and on the answer
of the adult defendants, Thomas Spivey
and Louisa C. Spivey his wife, and on the answer
of the infant defendants by their guardian
ad. litem, and was argued by counsel,
on consideration whereof the Court
doth adjudge order and decree, That
a committee of this Court take an acct. of
debts outstanding, and due by Robt.
H. Gallard decd; & their dignity, and
make report to Court, and the Court
doth adjudge order and decree
that Edward Hawes, W. E. Gaines &
Jesse Converse and William Baro
be and they are hereby appointed
committees for that purpose, (any three
of whom may act) to make division

Recapitulation,

Cash paid by purchasers.		\$ 168 94
J. J. Shirey's two Bonds each \$128.02 =		256 04
Washington R. Darden's ditto " \$ 98.02 =		196 04
Jas. A. Carr's " " \$121.99 =		243 98
Total amt. of sales =		<u>\$ 865 00</u>

By cash brought on	\$ 168 94
To cash paid out as above	<u>124 70</u>
By Bal. of cash on hand.	<u>\$ 44 24</u>

Respectfully submitted this 4th. day
of October A. D., 1881.

L. B. Edwards
Supt

ment, showing the disbursement by him of part of the cash paid him as above-mentioned on account of said sales, in payment of part of the costs and expenses of said sale and said cause and the balance of said cash still in his hands, as follows:

Statement

By cash of J. J. Spivey as stated above		\$	53	96
" " of Washington R. Darden " "			53	96
" " of Jas. A. Carr " "			61	02
Total =		\$	168	94
To 5 percent coms. on \$300. part of 1st. sale	\$	15	00	
" 2 do. " " \$260 balance of ditto.		5	20	
" 5 " " on \$300. part of 2nd. sale		15	00	
" 2 " " on \$ 5. bal. of ditto		10		
" paid Wilbur J. Kilby, taxed fee & unit tax, per rect.		31	50	
" " A. P. Young Comr " "		17	00	
" " A. P. Young, Clerk, fees in part " "		6	93	
" " L. B. Edwards, shff. his fees " "		6	10	
" " L. B. Edwards, witness " "		50		
" " Taxes for the year 1880. " "		12	87	
" " Crier at first sale. " "		5	00	
" " Crier at second sale " "		3	00	
" " Thos. G. Elam for advertisement of sales in "The Suffolk Herald" and for printing notices per rect.	6	50		
By Balance of cash in hands of Comr.				\$ 44 24
" Two Bonds of J. J. Spivey each for	128.	02	=	256 04
" " " of Washington R. Darden " "	98	02	=	196 04
" " " of Jas. A. Carr " "	121.	99	=	243 98
				\$ 740 30

A copy of the notice or advertisement of said sale and said Bonds are herewith filed as well as proper vouchers for disbursements.

ively by said J. J. Spirey and Washington R. Darden on account of the parcels of land sold to them respectively as above mentioned.

And the undersigned, said L. B. Edwards, further reports to Court that failing to find a bidder on said 6th day of December A. D. 1880 for the remainder of said tract of 400 acres of land, to wit, a parcel of 190 acres, more or less, he adjourned the sale thereof from each successive county Court day of said County ~~to~~ after said 6th day of December 1880, until the 3d. day of September A. D. 1881 and that on the last named day being county Court day, he sold the remainder of said parcel of 400 acres of land, to wit, said parcel of 190 acres, more or less, bounded by the lands of Daniel Darden, J. W. Duck Zachariah Mumford Jethro Raiford, John M. Ballard and Washington R. Darden, to James A. Carr, as the highest bidder by public auction for the sum of \$305.00, of which he paid in cash the sum of \$61.02 and gave his two Bonds for the residue, each for the sum of \$121.99, with James Joyner, Catho. F. Bradshaw and Mills Carr security to each, payable respectively six and twelve months after date with interest from date; that having thus as above set forth sold all of said parcel of 400 acres of land in three separate parcels as above mentioned, the undersigned, said Sheriff, L. B. Edwards, submits the following state-

before said Courthouse, on the terms and conditions mentioned, and prescribed in said decree, to J. J. Spivey, a parcel or part, estimated to be one hundred and ten (110) acres, more or less, of the above-described parcel of 400 acres of land, and bounded by the lands of James Crask, Washington R. Darden, Spencer Carr and the lower land of Louisa E wife of Thomas Spivey, late widow of said Robt. H. Ballard; and to Washington R. Darden a part estimated to be 100 acres, more or less of said tract of 400 acres of land and called the Butler tract and bounded by the lands of J. J. Spivey, John Carr, John M. Ballard, David Darden ^{and others}; that said parcel of 110 acres of land was sold to said J. J. Spivey as the highest bidder for the sum of \$310.⁰⁰, and said parcel of 100 acres to said Washington R. Darden as the highest bidder for the sum of \$250.⁰⁰, that said J. J. Spivey paid the sum of \$53.96 part of said sum of \$310. in cash and gave his two Bonds each for the sum of \$128.⁰² with J. J. Duck, I. W. Duck and M. L. Watkins security to both, payable six and twelve months after date with interest from date; and that said Washington R. Darden paid the sum of \$53.96 part of said sum of \$250.⁰⁰ in cash and gave his two Bonds each for the sum of \$98.02 with I. W. Duck security to both, payable six and twelve months after date with interest from date - said Bonds being in evidence of the deferred payments of the purchase-money to be made respect-

To the Circuit Court of Isle of Wight
County, Virginia:

In pursuance of a decree of said Court pronounced the 20th. day of October A.D. 1880 in a cause in Chancery in said Court depending between Elisha W. Ballard, Plaintiff and Thomas Spirey and others, Defendants, a copy of which decree is hereto attached: the undersigned, L. B. Edwards, Sheriff of said County, respectfully reports to Court that, as directed by said decree he did, on the 25th. day of October A.D. 1880, advertise for sale to be sold before the Courthouse of said County by public auction on County Court-day of said County, the 6th. day of December A.D. 1880, all that certain parcel of land of which Robert H. Ballard died seized and possessed situated in said County and containing by estimation four hundred (400) acres more or less and bounded by the lands of A. W. Ballard, John Carr and Daniel Darden and others, and that he gave notice of said sale by printed notices posted in the neighborhood of said land and at said Courthouse for more than thirty days and by publication of said notice once a week for three successive weeks in the "Suffolk Herald" a newspaper printed in the Town of Suffolk, Va. and that in pursuance of said advertisements and notices, he sold on said 6th. day of December A.D. 1880 by public auction

Ballard pr. f d.
v. 3 Sulby
Copy Dec.

Spivey et als.

"
Dec. term 1880

Shiff.
Five cents

A paper
Note.

(W. A. Edwards D.C.
for N. D. Young & Co.)

Costs, to wit.

Atto. fee for filg. & del. & writ tax	\$31.50	paid W. J. Kilby Atty.
Clerk's fee co. & cir. ct.	10.12	pd. \$8.91
Shff. "	6.10	pd
Comm. in chf.	17.00	pd.
J. M. Ballard	irts. .50	
J. W. Duck	" .50	
Z. A. Spiving	" .50	pd
L. B. Edwards	" .50	pd
Edwards Rawls com.	2.50	pd
Wm. C. Barnes	" 2.50	pd
J. D. Cancell	" 2.50	pd
Wm. Carr	" 2.50	pd
	<u>\$76.72</u>	

North by the lands of A. W. Ballard
and John Carr, on the East by the
Sally Duck land, on the South
by the county road, and on the
West by the lands of David Darden
and others, and that said sheriff sell
said land on the terms of payment
in cash of enough of the purchase-
money to pay the costs of this cause
and the expenses of the sale, and the
residue at the end of six and twelve
months from the day of sale, and that
said sheriff take of the purchaser two
Bonds in equal sums for the deferred
payments with good personal security
payable to him self six and twelve
months after date with interest from
the day of sale, and that said sheriff
give notice of said sale by printed
notices to be posted in the neighborhood
of said land and at the court house
door of said county for at least twenty
days, and by publication of said notice
once a week for three successive weeks
in a newspaper printed in the Town of Suffolk
Va, and make report to court of his
proceedings under this decree.

In the Circuit Court of Isle
of Wright County - Octo 20th, 1880.

E. B. Ballard as adm. et al.

Plffs

v 3 Indes.

Thomas Spivey et ux et al.

Defts

" This cause came on this day to be again heard on the papers formerly read, therein and on the report of Commissioner A. P. Young filed on the 16th day of February 1880 and on the report of commissioners, Edward Rawls, Wm E. Barnes, J. D. Council & Wm Carr, filed on the 5th day of April 1880, and the examinations of witnesses, and was argued by counsel.

On consideration whereof the court doth confirm the said two reports to which no exceptions has been filed and doth adjudge, order and decree that L. B. Edwards Sheriff of Isle of Wright County, Virginia, proceed to sell at public auction on some county court day, before the courthouse of said county all that certain parcel of land of which Robt. H. Ballard died seized & possessed, situated in said county containing by estimation four hundred acres, more or less, and bounded on the

—LAND—

In Isle of Wight County

FOR SALE!

In pursuance of a decree of the Circuit court of Isle of Wight county, Va., pronounced at the October term of said court, in the year 1880, in the cause in chancery in said court depending between Elisha W. Ballard, plaintiff, and Thomas Spivey and others, defendants, I shall offer for sale at public auction, before the Courthouse door of said county,

On Monday, December 6, 1880

(that being County court day), all that certain parcel of land of which Robert H. Ballard died seised and possessed, situated in said county, about two and a half miles from Carrsville, and containing, by estimation,

400 ACRES,

more or less, and bounded on the north by the lands of A. W. Ballard and John Carr, on the east by the land of Sally Duck, on the south by the county road, and on the west by the lands of David Darden and others.

—TERMS—

Cash sufficient to pay the costs of suit and expenses of sale, the balance on a credit of 6 and 12 months, the purchaser to give two bonds in equal sums for the deferred payments, with good personal security, and waiving the benefit of the homestead exemption.

Title will be retained until the further order of the Court.

L. B. EDWARDS, Sheriff.

OCTOBER 25, 1880.

L B Ewing

Suffolk, Va., Oct 27 1880

Mr L B Edwards

TO SUFFOLK HERALD, Dr.

Book and Job Printing Neatly Executed.

THE HERALD, \$1.50 A YEAR.

Orders Solicited.

	100 Bills Sale	Robt Ballard	Land	150
Nov 10	To Ad. Land of R H Ballard			
	3 in 3 times			
	Dec 6 1880			
		Recd Payment		5.00
		Thos. E. Elam		6.50

5.47
 - 50
 96
 5.00
 12.00

 23.93

~~23.93~~

✓

Ballard Elisha W.
 infant of
 Ballard & Co.

\$5.47
 5.00

5.00

 \$10.47
 96

 \$11.43

pd. 5.28.87
 Ballard & Co.

June 1/88 No one will pay
 this bill or
 Ballard & Co.
Balance of right less

Elisha W. Ballard infant of Ro. H. Ballard

by Spencer Carr his next friend. ... D.

1844. To the Clerk of the High Circuit Court.

Acq. Jan. 1. in Chy. 21. Spicy tal. 25, Asst. 25.

Noting 18, entering atts. 10. Sept. returning

return 35, filing bill & exhibit, 40, Rule

for plf. 50. Rule for inf. def. 50. att. 10.

filing info. and 15, Rule for adult def. 50.

filing their and 15. Oct. another R. for plf. 50.

1845. Docketing suit 18. Dec. 1. 1.50

\$ 5.11

Apr. Continuing suit

36

J. P. Young, cl. \$ 5.47

Ballard E. W.

- 90¢

Pr 5728181

Edw. H. H. Co

<

Elisha W. Ballard, pr. Specimen Learr. next fd.	Dr.
1879 - To the Leith. of Isle of Wight Leir. let.	
Oct. - Silg. Comm's. rept. vs. Spirey Hoise &c. 1.5. Ac. copy. 36	.71
1880 - Apr. - Conto: vs. Same on docket	.23
N. P. Young, clk.	.96

Ballards
for pd
vs. Trivney

50

PD 5.28, 87
C. St. Hart Co.

~~June 1 '88 no one will
pay this bill or
C. St. Hart Co.,
Isle of Wight Co. Va.~~

The List of Ballerinae & Spiny
To the List of Islets & Light Br. H.
Contents. Spiny re. at 1848. and
April 1849. See Docket. }
U.P. Spiny etc.

Ballard E. &
Sut of
Ballard's Spicy

\$6.00

6	00
6	00
5	00
17	00

1880

{ }

July.

The suit of Ballard vs. Sweeney & wife et al.
To A. P. Young Comr. of Circuit Court of flight. D.
Making & reporting account under
decree of Octo. 1874.

3 1/2 00

A. P. Young Comr.

Suit of Ballard vs. Spring & wife
vs. also

L. B. Edwards shff. & cons.
to pay.

\$ 6.00

Suit of T Ballard vs. Spiving wife &c. - D.

(L. B. Edwards Off. & court to pay)

1857.
Sept. To the ~~alt.~~ court. of Cir. Ct. Isl. of flight, Co.
Going to Windsor & taking depositum
in suit per request of court \$10.00
Fate, L. B. Spiving court.

Ballard infant
by
Carr next fid -

\$5.00

P^d 5,28,81,
A. H. Hart Co

June 1/80 no one will
pay this bill &c,
A. H. Hart Co,
Isle of Wight Co Va

Elisha W. Ballard inst; by Spencer Carr notified
1848. To A. P. Young Court in aid of S. Wright's ex. est. . . 15.
Mar. Making acct. & rept. in suit n. Th. Spring twigs &c. }
under Decree, and taking evidence &c. } 15. 50
A. P. Young Court.

Sept 10th 1887 Received
of J. B. Edwards Sheriff
in the suit of Ballard & Ballen
Twelve Dollars & Eighty
Seven Cents the Tax on
Ballard Land for 1884

G. E. Johnson Jy. Secy

Spencer Bar &
E. W. Ballard

\$ 400

1880 Mr. Spencer Carr, next friend of E. W. Ballard
Jan 1 L. B. Shuff. of DeKalb County Ga. Dr.
Ex. Court's notice on W. J. Kelby att
Thomas Spivy & wife E. W. Ballard
for Spencer Carr next friend 2 00
L. B. Edward Shuff

C. W. Haskell
Spencer, Mass.
to pay

2.50

June 1880 No one
will pay this bill
to,

Asst Secy Ex,
Telegraph & Light Co. Va.

Mr. Elisha Cobland by Spencer Carr
 1877 Co. Sheriff of West Wright County
 Aug 16 To Exp. paid on Thomas.
 1878 Spevy & Loresa & his wife 1.00
 Jan 1 " Exp. Com. Notice on the
 Parno & Spencer Carr. 1.50
 2.50

A. B. Edwards Supt.

Ballard

NS.

} In Chy.

Spirey Fal.

Report of Collections
and distributions

22 March 1882

Filed, 22^d March 1882

No. 1

Confirmed 20th Apr.
1882

1882 March 21nd. Received of L. B. Edwards
 Sheriff, the respective sums of money charged
 in the foregoing Report as paid to us and
 set off opposite our names as follows:

Edward Rawls Court. by Wilbur J. Kilby, Atty.	\$ 2 50
W ^m E. Barnes Court. by Wilbur J. Kilby, Atty.	2 50
J. L. Council Court. by Wilbur J. Kilby Atty.	2 50
W ^m Carr Court. by Wilbur J. Kilby Atty.	2 50
Elisha W. Ballard by Wilbur J. Kilby Atty.	87 52
W ^m H. Ballard by Wilbur J. Kilby Atty.	87 52
L B Edwards yard for Robt L Ballard	87 52
L B Edwards " Sarah E. Ballard	87 52
L B Edwards " Mary Etta Ballard	87 52

brought on	\$ 73 43	\$ 524 53
Do paid Edward Rawls, Comr. per rect	2 50	
" " W ^m E. Barnes " "	2 50	
" " J. D. Council " "	2 50	
" " W ^m Carr " "	2 50	
" Amount retained to pay A. P. Young future clerk's fees.	2 50	
" J. M. Ballard's witness fee retained.	50	
" J. W. Duck's ditto " "	50	
" Balance	437 60	
	<u>\$ 524 53</u>	<u>\$ 524 53</u>

By Balance brought on.		\$ 437 60
Do paid Elisha W. Ballard 1/5 of said sum of \$437. ⁶⁰ per decree & rect.	\$ 87 52	
" " W ^m H. Ballard 1/5 of said sum of \$437. ⁶⁰ per said decree & rect.	87 52	
" " L. B. Edwards, guardian of Robt. Lee Ballard 1/5 of said sum of \$437. ⁶⁰ per said decree & rect.	87 52	
" " L. B. Edwards, guardian of Sarah E. Ballard, ditto, per decree & rect.	87 52	
" " L. B. Edwards, guardian of Mary Etta Ballard, ditto per said decree & rect.	87 52	
	<u>\$ 437 60</u>	<u>\$ 437 60</u>

The undersigned has not yet collected the two Bonds above mentioned of Jas. A. Carr for the sum of \$121⁹⁹ each, but will do so and make report thereof hereafter.

The undersigned has made to said James J. Spirey and Washington R. Garden, respectively, separate deeds with special warranty in the usual form, conveying to each of them the respective parcels of land purchased by them under proceedings had in said cause.

Respectfully Submitted this 23rd day of March 1882

L. B. Edwards Sheriff

(over)

of said cause and taxes heretofore not paid including a fee of \$30.00, to Wilbur J. Kilby, Atto. for the Complainant and defendants in said cause, as directed by said decree, and has paid out and distributed the balance, as directed by said decree in equal sums to Elisha W. Ballard, Wm H. Ballard, Ro. Lee Ballard, Sarah E. Ballard, and Mary Etta Ballard, the shares of the first two named having been paid to their attorney they being over 21 years of age, and the shares of the last three named to their guardian, they being under the age of 21 years, and that all the foregoing will more fully appear by the following statement and the receipts hereto attached:

Statement		
By Cash in the hands of said Sheriff as per said decree.		\$ 44 24
" Amount said Jas. J. Spiney's two Bonds each for \$128.02 =		256 04
" Interest on said sum of \$256.04		14 49
" Amount of Washington R. Darden's said two Bonds each for \$98.02,		196 04
" Interest on said sum of \$196.04		13 72
Total		\$ 524 53
Do paid Wilbur J. Kilby, atto. per rect.	\$ 30 00	
" " Ch. P. Young, clerk costs "	1 98	
" " J. A. Spiney, witness fee "	50	
" " Taxes for the years 1876 and 1877 on the land sold, per rect.	26 40	
" " Taxes for the year 1881 "	4 55	
" " Wilbur J. Kilby, atto. for writing two deeds per rect.	10 00	
	\$ 73 43	\$ 524 53

To The Circuit Court of Isle of Wight
County, Virginia:

In pursuance of a decree of
said Court pronounced the 24th. day of
October A.D. 1881 in the cause in Chancery
in said Court depending ^{between} Elisha W. Ballard
Plaintiff and Thomas Spivey and others,
Defendants, a copy of which decree is
herewith annexed, the undersigned, L. B.
Edwards, sheriff of said County, respectfully
reports to Court, that he has received of the
Clerk of said Court and given him a receipt
for the several Bonds mentioned in said
decree, namely, the two Bonds of Jas. J. Spivey
with J. W. Duck, and M. L. Watkins security,
each for the sum of \$128.⁰² dated the 6th.
day of December A.D. 1880 and payable six
and twelve months respectively after date
with interest from date, and also the two
Bonds of Washington R. Darden with J. W.
Duck security each for the sum of \$98.⁰²
and dated the 6th. day of December A.D.
1880 and payable six and twelve months
after date with interest from date, and
also the two Bonds of James A. Carr, with
Jas. Joyner, Cathel. P. Bradshaw and Mills
Carr security and each for the sum of
\$121.⁹⁹ and dated the 3d. day of September
A.D. 1881 and payable six and twelve
months after date with interest from date,
and that he has collected the principal
sums of said two Bonds of Jas. J. Spivey
and said two Bonds of Washington R.
Darden and all interest due thereon
and out of the same together with the
sum of \$44.²⁴ in his hands as named
in said decree, has paid certain costs

Ballard for f d

v J In chng
v J Copy Dec

Spencer et al.

Dec. ch. 1881.

86th

required by this decree, to-
gether with all interest due
thereon.

Attest

Test.

J. W. A. Edwards S. C. for

M. D. Young cler.

infants to their respective
guardians, who shall first
be appointed by a court of
competent jurisdiction and
give each a bond in the
penalty of at least \$300⁰⁰, and
that said Sheriff make report
to court of his proceedings
under this decree and file
with his report proper
vouchers for all payments he
is required to make hereunder.
And the court doth further
adjudge, order and decree
that said L. B. Edwards Shff.
as aforesaid to make to
said J. J. Spivey, Washington
A. Darden and James A. Barr
respectively separate deeds
with special warranty
in the usual form, conveying
to each of them the respective
parcels of land purchased
by them under proceedings
had in this cause after
the above mentioned
bonds shall all have
been paid in full as

date, and that said Sheriff
proceeds to collect the principal
sums of said bonds at their
maturity, and all interest
due thereon, or receive the same
before the maturity of said
bonds, if the obligor should
desire to pay the same before
maturity with interest to the
day of payment, and out
of the money that may be thus
collected or received, and the
sum of \$44)²⁴ already in his
hands, pay first all unpaid
costs of this suit, and expenses
incurred under proceedings
had in this cause including
a fee of \$30)⁰⁰ to Wilbur J. Hilby
Counsel for the complainant
and defendants, and then
pay out and distribute the
residue in equal sums to
Elisha W. Balland, Wm. St. Balland
Ro. Lee Balland, Sarah E. Balland
and Mary Etta Balland who
are entitled to the same as the
heirs of Robt. St. Balland decd.
paying the shares of the

for the two bonds (filed with
the above mentioned report)
of J. J. Spivey, J. W. Duck and
Mr. S. Watkins security, each
for the sum of \$128⁰², dated 6th
day of Decr. A.D. 1880. and payable
to said L. B. Edwards Sheriff
six and twelve months respec-
tively after date, with int.
from date; and also the two bonds
(also filed with said report)
of Washington R. Darden, with
J. W. Duck security each for
the sum of \$98⁰², and dated
the 6th day of Decr. A.D. 1880. and
payable to said L. B. Edwards
Sheriff. Six and twelve months
respectively after date, with int.
from date; and also the two
bonds (also filed with said
report) of James A. Barr with
James Joyner, Nathaniel F. Goodhue,
and Miles Barr securities
each for the sum of \$125⁹⁹, and
dated 3rd day of September A.D.
1881. and payable to said Sheriff
six and twelve months respectively
after date with interest from

In the County Circuit Court
of DeKalb County Georgia.

October 24th 1881.

E. W. Ballards pr. fd.

Compt.

v. J. du Chaucery

Thomas Spivey ex. et al.

Deft.

This cause came on this day
to be again heard on the papers
formerly read therein, and
on the report of sale of land
made by E. B. Edwards Sheriff
of DeKalb County in pur-
suance of the decree of this
Court in this cause of the
20th day of October A.D. 1880. and
was argued by Counsel, on
considerations whereof, the
Court doth confirm the above
mentioned report to which
no exception has been filed &
doth adjudge, order and
decree that said E. B. Edwards
Sheriff receive of the Clerk
of this Court who will deliver
to him, and take receipt of
him, and file said receipt
with the papers in this cause

1882 Feby. 6th. Received of L. B. Edwards
Shff. Ten dollars for writing for him
two deeds — one conveying to Washington
R. Darden and the other to Jas. J. Spirey
the lands purchased by them respect-
ively of said Sheriff under proceedings
had in the Chancery Cause of Elisha
W. Ballard vs. Thos. Spirey & others
in Isle of Wight Co. Va.

\$10 ⁰⁰/₋

Wilbur J. Kilby
Atty.

1881 Apr. 14th. Received of L. B. Edwards
sheriff, Thirty dollars in full of fee
allowed me by decree dated 24th,
Octo. 1881 in the Chancery suit of
Elioba W. Ballard against Thos.
Shirley and others in the Circuit Court
of Isle of Wight County, Va.
\$30 00

Wilbur J. Kilby
Atty.

Edward L B
Cour,

MR.

1881.

Warrant of Ballard W. Spivey

Magisterial District,

To C. H. HART, Treasurer of Isle of Wight County, Va., Dr.

LAND.	
No. Acres.	Value.

To State Capitation Tax.....	~~1~~ 00	
To State Revenue on.....acres Land, value \$....., at 50c. per \$100...		
To State Rev. on Pers'l Prop'y, Bonds, &c., value \$ <u>400</u>, at 50c. per \$100...	230	
Amount of State Taxes.....		230
To County Capitation Tax.....	50	
To County Levy on.....acres Land, value \$....., at 33 $\frac{1}{3}$ c. per \$100...		
To Co. Levy on Pers'l Property, Bonds, &c., value \$ <u>46.0</u>, at 33 $\frac{1}{3}$ c. per \$100...	154	
To Co. School Tax on Real & Pers'l Prop'y, value \$....., at 10c. per \$100....	46	
To Dist. " " " " " value \$....., at 5c. per \$100....	23	
Amount of County Taxes.....		225
Total amount of State and County Taxes.....		455
December 1st—5 per cent. added.....		

Received Payment.

Treasurer.

Deputy Tr.

Gullard Co. No 624,

\$19.79

Mr. Robert H. Ballard's Est. Windsor Magisterial District,
TO J. C. Garden, Jr. Isle of Wight Co., Va., Dr.

1877.

LAND.				
No acres	Value.			
101	303	To State Capitation Tax.....	1 00	
189	567	To State Revenue on 619 acres Land, value \$ 2093 at 50c per \$100.....	10 47	
298	1192	To State Rev. on Pers'l Property, Bonds, &c., value " " per \$100..		10 47
31	31	Amount of State Taxes.....		
619	2093	To County Capitation Tax,.....	50	
		To County Levy on 619 acres Land, value \$ 2093 at 25c per \$100.....	5 24	
		To Co. Levy on Pers'l Property, Bonds, &c., " \$ at 25c per \$100.....		
		To Co. School Tax on Real and Pers'l Prop'ty, " \$ 2093 at 10c per \$100.....	2 09	
		To District " " " " " " \$ 2093 at 5c per \$100.....	1 05	
		Amount of County Taxes,.....		\$ 8 38
		Total amount of State and County Taxes.....		18 83
		December 1st, 5 per cent. added,.....		94
		Received Payment, of Thomas Spry		19 79
		J. C. Garden		Treasurer.
		J. J. Garden		Deputy Tr..

Richard R. Ho C.

$$\begin{array}{r} 18,86 \\ .94 \\ \hline 19,80 \\ 51 \\ \hline 2031 \end{array}$$

Mr. Robert H. Ballard Esq., Windsor District,
1876. **To** J. C. Darden, Jr. Sale of Wight Co., Va., **Dr.**

To State Capitation Tax.....	~~1.00~~		
To State Revenue on 619 acres Land, value \$2093 at 50c per \$100.....	10	47	
To State Revenue on Personal Property, Bonds, &c., value " " per \$100.....			
Amount of State taxes.....			10 47
To County Capitation Tax.....	~~5~~		
To County Levy on 619 acres Land, value \$2093 at 25c per \$100.....	5	24	
To County Levy on Personal Property, Bonds, &c., value \$ " at 25c per \$100.....			
To County School Tax on Real and Pers'l Property, value \$2093 at 1c per \$100.....	2	10	
To District " " " " " " " " \$2093 at 5c per \$100.....	1	05	
Amount of County Taxes.....			8 34
Total amount of State and County Taxes.....			\$ 18 86
December 1st, 5 per cent. added.,.....			94

Received payment,

J. H. Spivey Son 19, 80
J. R. H. Ballard Treasurer.
J. H. Ballard Deputy.

101 303
189 567
298 1192
31 31
619 2093

Dec. 3rd 1881 Records of
L. B. Edwards Shff in the sum
of Ballou vs. Ballou forty Twenty
six dollars and forty Cents
two third of the taxes paid by me
on the Robert Ballou land for the
years 1876 and 1877.

colling Thomas ^{his} ~~x~~ Spivey
J. B. Johnson Mark

\$26 40

Dec 10th 1881 Received of L B &
Edwards. Shff. in the case of Ballard
vs. Ballard 50c. Fifty Cents My attention
as a witness

50^c

J. H. Kelley

Sept. 10. 81.
Ballard Clieha
N.

\$7.98

pd 12.24.81.
C. H. Hart, Ch.

Elisha W. Ballard per Spencer leave next fid. 19th
1880 To the Clerk of Isle of Wight leir. leir.
Octo. Filg. rept. of com. Young 15; do. of com. of Patr. 15;
do. defu 15; Decree & co. to sell 83. Tagg. costs & co 70 rs. (Spencer & co) } \$1.98
N. P. Young clk

Ballard
vs. ³/₄ Inch
Spicer et al. et al.

Second Report of
S. B. Edwards et al.
under decree of
Oct. 1881.

Augt. 26th 1887
Filed.
=

To Auth. book. over

\$237.08

" " "

\$142.24 3/5

L. B. Edwards gdn. Sarah E.

Ballard

47.41 3/5

L. B. Edwards gdn. of

Maryetta Ballard

47.41 3/5

\$237.08 \$237.08

The payments made as per foregoing statement are evidenced by the receipts hereunder written -

The undersigned reports further that he has made and delivered to Jas. A. Carr, a deed in fee simple, for the land purchased by him under proceedings in this cause, as by the decree aforesaid he was directed to do.

Respectfully submitted, this
30th day of June, 1882.

L. B. Edwards Shff

Received of L. B. Edwards Sheriff
of Wash. County the amount
opposite to our respective names,
being the amount reported as
paid to each of us by the
foregoing report of said sheriff.

Signed. June 30th 1882.

A. J. Young clk.

5.93

A. C. Young Crst.

1.50

Wilbur J. Kilby atty. for writing deed }
to Jas. A. Carr. } \$5.00

Elisha W. Ballard by Wilbur J. Kilby. atty. \$47.41 3/5

Wilbur J. Kilby atty. for Wm. H. Ballard — \$47.41 3/5

L. B. Edwards paid for R. E. Ballard

47.41 3/5

L. B. Edwards paid for Sarah E. Ballard 47.41 3/5

L. B. Edwards " " Maria E. Ballard 47.41 3/5

Elisha W. Ballard Pltff.
 vs. 3 In Chancery
 Thomas Mivey wife & al. Defs.
 To the Circuit Court of Isle of Wight
 County.

Pursuant to a decree of the said court,
 rendered in the above cause, at the Octo.
 term, 1881, the undersigned, sheriff of the
 said county, makes this further report.

On the 14th day of June, 1882, he collected
 the principal & interest due on the two bonds
 of James A. Carr for the sum of \$121.⁹³ each
 which by said decree he was ordered to collect,
 but which, by his report of the 22^d of March
 1882, it was shown he had not then col-
 lected - which said bonds with the
 interest to the said day of collection
 amounted to

255. 36

From which he has deducted

Comm. on \$11.38 of int. collected \$ - .22

Additional clerks fees 5.93

Paid for making this rept. 1.50

Paid for paper on bond due at date of sale 5.63

Paid for writing deed to Carr 5.00

18.28

Am't for distribution

\$237.08

And which has been distributed

To Elisha W. Ballard 1/5 \$47.41³/₅

" W. H. Ballard 1/5 47.41³/₅

" S. B. Edwards & Co. 1/5 47.41³/₅

142.24³/₅

Balcanis p p

27

Spiny knife toe

1899

Oct. 21.

10 p.m.

To be entered

10 p.m.

(Entered 15)

of 31 acres more or less, if such partition be convenient and practicable; & if not make allotment of the whole or any part thereof, ~~also~~ to any of the parties who may be willing to accept the same & pay to the other parties, such part as they may be entitled to, and if neither partition nor allotment can be made as above then report whether a sale would best promote the interests of all parties & especially report the necessity for such sale to support & maintain the said Infants Defendants & Plaintiff, and what in their opinion the said land would sell for, with a description of the same, showing whether cleared land, or improved or wooded & timbered land & general boundaries, and make report of their proceedings hereunder to Court.

Ballard for friend

M

Spivy wife

This cause came on this day to be heard on the Bill of the Complainant ~~Case~~ and Exhibit filed therewith, and on the answer of the adult defendants Thomas Spivy and Louisa C. his wife, and on the answer of the Infant defendants by their guardian ad litem I was agreed by counsel, on consideration whereof the Court doth a Judge, order & decree that ~~a~~ ^{Commissioners} ~~Commissioners~~ of this Court, take the ~~following accounts~~ ^{and make report to Court} ~~on account of the~~ an account of debts outstanding & due by No. H Ballard dec'd, & their dignity. ~~on account of the~~ And the Court doth a Judge, order & decree that Edward Rawls, Wm. E. Barnes, ~~Edward Rawls~~ and Ipe Combee stem barr, be and they are hereby appointed Commissioners for that purpose (any three of whom may act) to make division of the Land of said No. H. Ballard dec'd (not hitherto apportioned to said Louisa C. late widow of said deceased as he leaves therein) among the several children of said deceased, in equal proportions, having regard to quantity & quality that is to say to each of said Eliza W. Ballard, Wm. H. Ballard, No. Lee Ballard, Sarah Elizabeth Ballard & Mary Etta Ballard, (all Infants) ~~that is~~ which Land, are referred to in these proceedings as all the Land of said deceased ^{including the} ~~by the~~ Balance of the Home place (over & above the Land aforesaid) of 298 acres more or less; another parcel of 107 acres, & another

Bailard

No.

Shirley

October Term 1879

Decree

To be entered

Geo. V. Bledsoe,

Entered 31

X²

land of which said Ro. H. Bailard died seized and possessed and what disposition she or he may have made of the same, and, if the same has been sold, for what sum of money the same was sold, if it has been sold, and what disposition has been made of the money, and ~~that said Commissioner make~~ ^{the respective} separate statements shewing the respective shares of the proceeds of the sale of said wood to which each of said Ro. H. Bailard's heirs may be entitled by reason of their respective interests in said lands and how much thereof is ~~now~~ due and by whom due and payable to each of them, and said Commissioner will make report to Court of his proceedings.

Ballard her fd.

^{vs.}
Spivey & wife tal.

This cause came on this day to be again heard on the papers formerly read therein and on the Report of Commissioner A. P. Young, filed on the 15th day of March 1878 and was argued by counsel.

On consideration whereof the Court doth ~~adjudge~~ confirm the said Report to which no exception has been filed and doth adjudge order and decree that a Commissioner of this Court after legal notice to the parties, proceed to take, state, and report to Court

1. An Account of all outstanding debts due by said R. H. Ballard deceased or his Estate
2. An account shewing the quantity of wood or lumber cut by Louisa C. Spivey or her husband, Thomas Spivey off the

Ballard

vs.

Shirley Tal

October

~~1880~~ Term 1880

Decease

To be entered

Geo. T. Blood

(Entered No. 1)

once a week for three successive
weeks in a newspaper printed
in the Town of Suffolk Va,
and make report to Court
of his proceedings under this
decree.

bounded on the North by the lands of A. W. Ballard and John Carr on the East by the Sally Duck land, on the South by the county road and on the West by the lands of David Darden and others, and that said Sheriff sell said land on the terms of payment in cash of enough of the purchase-money to pay the costs of this cause and the expenses of the sale and the residue, at the end of six and twelve months from the day of sale and that said Sheriff take of the purchaser two Bonds in equal sums for the deferred payments with good personal security payable to himself six and twelve months after date with interest from the day of sale, and that said Sheriff give notice of said sale by printed notices to be posted in the neighborhood of said land and at the court house door of said County for at least twenty days and by publication of said notice

Ballard &c
vs.

Spivey &c

It being suggested to the Court that since the institution of this suit Elisha W. Ballard has attained ~~the~~ his full age, on motion of Spencer Carr by Counsel it is ordered that his name as next friend be discontinued in the subsequent proceedings and that this suit be hereafter prosecuted in the name of Elisha W. Ballard as Plaintiff only

And this cause came on this day to be again heard on the papers formerly ^{read} therein and on the Refert of Commissioner. A. P. Young filed on the 16th. day of February 1880 and on the Refert of Commissioners, Edward Rawls, Wm E. Barnes, J. D. Council and Wm Carr filed on the 5th. day of April 1880, ^{and the examinations of witnesses} and was argued by counsel.

On consideration whereof the Court doth confirm the said two Referts to which no exception has been filed and doth adjudge, order and decree that L. B. Edwards Sheriff of Isle of Wight County, Virginia, proceed to sell at public auction on some County Court day before the Courthouse of said County all that certain parcel of land of which Robt. H. Ballard died seised and possessed ^{situated in said County} containing by estimation four hundred acres, more or less, and

Ballard

Alfred 1881

vs. } In Chy.

Spirey & Co.

Isle of Wight County
Circuit Court

October Term 1881

Decree
To be entered.

Geo. V. Benson

Entered 28

as required by this decree together
with all interest due thereon.

Wilbur J. Kilby, Counsel for the Com-
plainant ^{and defendants,} and then pay out and
distribute the residue in equal sums
to Elisha W. Ballard, Wm H. Ballard
Ro. Lee Ballard, Sarah E. Ballard
and Mary Etta Ballard, who are
entitled to the same as the heirs of Robt.
H. Ballard deceased, paying the shares
of the infants to their respective guard-
ians, who shall first be duly appointed
by a Court of competent jurisdiction and
give ~~Bonds~~ each a Bond in the penalty
of ~~\$300~~, at least \$300.00, and that
said sheriff make report to Court
of his proceedings under this decree
and file with his Report proper vouchers
for all payments he is required to make
hereunder, And the Court doth further, adjudge, or-
der ~~and decree~~ ^{that}, ~~that~~ said L. B. Edwards Sheriff
as aforesaid, do make to said J. J. Spirey
and Washington R. Darden and James
A. Carr respectively separate deeds with
special warranty in the usual form
conveying ^{each of} them the respective parcels
of land purchased by them under
proceedings had in this cause, after
~~they shall~~ the above-mentioned Bonds
shall all have been paid in full

filed with said Report) of Washington R. Darden with J. W. Duck security, each for the sum of \$98.⁰² and dated the 6th, day of December A.D. 1880 and payable to said Sheriff, six and twelve months respectively after date with interest from date, and also the two Bonds (also filed with said Report), of James A. Carr with James Joyner, Nathl. F. Bradshaw and Mills Carr security, each for the sum of \$121.⁹⁹ and dated the 3d. day of September A.D. 1881 and payable to said Sheriff six and twelve months respectively after date with interest from date, and that said Sheriff proceed to collect the principal sums of said Bonds at their maturity and all interest due thereon, or receive the same before the maturity of said Bonds if the obligors should desire to pay the same before maturity with interest to the day of payment, and ~~with~~ out of the money ^{that may be} thus collected or received and the sum of \$44.24, already in ~~said Sheriff's~~ his hands, pay ~~see~~ first all unpaid costs of this suit and expenses incurred under proceedings had in this cause including a fee of \$30.00 to

Ballard,

vs.

Spivey & al

This cause came on this day to be again heard on the papers formerly read therein and on the Report of the sale of land, made by L. B. Edwards, Sheriff of Isle of Wight County, in pursuance of the decree of this Court in this cause of the 20th. day of October A.D. 1880, and was argued by counsel.

On consideration whereof the Court doth confirm the above-mentioned Report to which no exception has been filed and doth adjudge, order and decree that said L. B. Edwards, Sheriff, receive of the Clerk of this Court, who will deliver to him and take receipt of him and file said receipt with the papers in this cause, for the two Bonds (filed with the above-mentioned report), of J. J. Spivey, with J. J. Duck, J. W. Duck and M. L. Watkins security, each for the sum of \$128.⁰², dated the 6th. day of December A.D. 1880 and payable to said L. B. Edwards, Sheriff, six and twelve months respectively after date with interest from date, and also the two Bonds, (also

Ballard S^r

vs.

} In Chy.

Shirley Sal

Isle of Wight County
Circuit Court

20th. April 1882

Decree

To be entered

Geo. B. Blow.

Entered

29

Elisha W. Ballard & Co.

vs.

Spivey & Co.

This cause came on this day to be again heard on the papers formerly read therein and on the Report of collections and disbursements as made by Commissioner, L. B. Edwards, filed the 22nd. day of March A. D. 1882, and was argued by counsel.

On consideration whereof the Court doth confirm the above-mentioned report to which no exception has been filed and doth order that this cause be and it is hereby continued.

Ballard

vs.

} In Chy.

Spring Sale

Judge of Wright County

Circuit Court

April Term 1883

Final decree

To be entered.

L. W. Brown.

Entered 16.

Ballard

^{vs.}
Shirley Sal.

This cause came on this 20th. day of April A. D. 1883 to be again heard on the papers formerly read therein and on the Report of L. B. Edwards, Sheriff, filed the 26th. day of August A. D. 1882, being the final report of the collection and distribution of money in pursuance of the decree entered in this cause the 24th. day of October A. D. 1881 and was argued.

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

In the County Court of Isle of Wight May term, 1841.
Louisa C. Ballard

Plff.

vs.

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

J. Smith adm. of Ro. H. Ballard decd. and the
infant Children of said Ro. H. Ballard, Def.

This cause came on this day to be again heard
on the papers formerly read, and on the report of
Jesse W. Duck, J. D. Council, Elam Rhodes, & David
Borden made pursuant to the decree of the 2.^d Jan'y,
1841, made in this cause - to which report there is
no exception, and was argued by counsel; on
consideration whereof, the Court doth confirm the said
report, and doth adjudge, order & decree that the
said Louisa C. Ballard take & hold the real estate
assigned to her as dower in the estate of her husband
the said Ro. H. Ballard decd; for life, and that the
estate assigned to her as homestead ^{be} be held by her
according to law. And that she, the said Louisa C.
Ballard pay the costs of this suit. And nothing more
remaining to be done in this cause, it is ordered to be
removed from the docket.

A copy. Test,

A. J. Young clk.

Louisa C. B. Ballard

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

Ro. H. Ballard adm. decd.

Copies of, Decrees
& Report of dower
& Homestead.

"A"

to Mrs. Louisa C. Ballard as a dowry, valued
at one thousand dollars, it being a portion of
the Homestead which was valued at \$1490.00.
We then appraised all the chattel estate
estate of said decd. which amounts to
\$668.90, we then add \$1490.00 the balance
on the Homestead, also 101 acres which is
valued at \$606.00, also thirty one acres
valued at \$93.00, and the several amounts
of which together with the chattel estate
makes the aggregate amt. of \$1856.00.
which amount we report as being per-
fectly satisfactory with the said Louisa
C. Ballard as a homestead. And furthermore
your commission report not. All of which
is most respectfully submitted to your
worship.

John W. Duck
J. H. Council
Elihu Rhodes
David Darden

a copy.

Test, J. P. Young & Co.

lands or other estate, taking care to value every article, a Homestead not exceeding two thousand dollars in value, to said Louisa C. Ballard, widow as aforesaid, and said infant children, to wit: Elisha W. Ballard, Wm. H. Ballard, Ro. Lee Ballard, Sarah E. Ballard and Marietta Ballard, to be held by them according to law, which lands are described and valued, on the above books, as follows, one tract of 101 acres valued at \$606.00 - one tract of 189 acres valued at \$870.00 - one tract of 298 acres valued at \$1490.00 - one tract of 31 acres valued at \$93.00 - making a total value of \$3059.00. And said commissioners will report to court.

A copy. Test,

J. J. Young clk.

To the Honl. Court of the County of Ish of Wight.

We, your undersigned commissioners, appointed to set apart the dower and Homestead of Mrs. Louisa C. Ballard widow of Robert Ballard decd. have accomplished the same, and beg leave to report as follows - In the first place, we set apart all the lands on the south side of the western branch road, together with all the buildings, orchards

In Isle of Wight county court Jan'y. 2nd 1841.

Louisa C. Ballard, widow, ... Plff.
vs. $\frac{2}{3}$ M. Chy.

F. Smith shff. & committee: of Ro. H. Ballard decd.
and E. W. Ballard, W. H. Ballard, Ro. Lee Ballard,
Sarah E. Ballard & Marietta Ballard, the
last five infants of said Ro. H. Ballard decd. Dfs.
This cause came on this day to be heard
by consent of parties, on the complainant's
bill and exhibits filed with said Bill, and
on the answer of Francis Smith shff. and
committee of Ro. H. Ballard decd. and the
answers of the defendants by N. P. (Henry)
their guardian ad litem, with general
replication to said answers, and was
argued by counsel; on consideration
whereof, the court doth adjudge, order
and decree that John W. Duck, Jesse D.
Council, Eliza Rhodes and David Darden,
three of whom may act, be and they
are hereby appointed commissioners for that
purpose, proceed to set apart for life,
one third in value of the lands whereof
said Robert H. Ballard died seized and
possessed, to said Louisa C. Ballard, his
widow, as and for her dower therein. And
then proceed to set apart and assign in

Ball and people

is. ^{of} Court.
Notes

Every week since
the first day of March 1878

Executed by delivering
Spencer Carr and
Thomas. Spivy a true
copy of the within
notice Jan 25th
1878.

L. B. Edwards
Shiff

R. H. Ballard dect
May 8, 1876.

Commissioner's Office,

Isle of Wight C. H. Va. *January 22* 1878.

To *Elisha W. Ballard*, an infant, by *E. J. [unclear]*
Carroll his next friend.

Plaintiffs.

and to *Thomas J. Sweet* and *Louisa C. his wife*
Wm. Ballard, *Robert L. Ballard*, *Sam*
E. Ballard & *Mary C. Ballard*, the last
four being infants.

Defendants.

You are hereby notified that I have fixed upon the *first*
March 1878 to take and settle, at my office aforesaid, the

following accounts to wit: *An account of debts out-*
standing and owing Robert L. Ballard
etc. and their heirs.

Required to be taken by a Decree of the Circuit Court of Isle of Wight County, rendered
on the *20th* day of *October* 187*7* 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.

E. J. [unclear] Commissioner.

Ballard per f. a.

vs. 3/4 Cond.
notes

Spivey wife et al.

to 13th July. 1880.

Ex parte Jan. 20th 1880

R. A. Edwards Dep. for.

L. B. Edwards Siff.

1. Name

2. Name

4. "

Commissioner's Office,

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

To E. W. Ballard for Spencer Carr his
next friends

Plaintiffs,

and to Thomas Spivey & Louisa C. his wife; W. H. Ballard
R. H. Ballard, Sarah E. Ballard & Mariah Ballard
infants & v. P. Hemmingsdale ad litem for
said infants.

Defendants:

You are hereby notified that I have fixed upon the 13th day
of February, 1880, to take and settle, at my office aforesaid,
the following accounts, to wit: 1st. An account of all out-
standing debts due by R. H. Ballard's Est. or
his estate - 2nd. An account showing the
quantity of wood or lumber cut by Louisa C.
Spivey or her husband Thomas Spivey off the land
of which said R. H. Ballard died seized and
possessed; and what disposition she or her may
have made of the same, and for what sum of money
the same was sold, if it has been sold and
what disposition has been made of the money. And
that the commissioners make separate statements showing the
respective shares of the proceeds of the sale of said wood to which each
of said R. H. Ballard's heirs may be entitled by reason of their re-
spective interests therein, and who thereof is due & by whom due & payable to
each of them.

Required to be taken by a decree of the Circuit Court of Isle of Wight County, ren-
dered on the 20th 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.

A. J. Young

Commissioner.