1883-008 Chancery Causes: C. B. Haydon, Commissioner, for VC vs Willis Spivey's Folder 1
Dsle/Wright County admr et al

Plat

other surnames: Boykin, Bagnall, Roberts, Holland, Harris, Spivy, Galt, Barrett, C.W.F. Jordan v Company Jordan

of this honorable Court where matters of this sort are cognizable; To this end your Complainant prays that the said B & Roberts, Admr with the will annexed of Willis Spivey, Mary Spivey, widow of said Willis Spivey, Junius W. Spivey, Robert L. Harris and Elizabeth his wife, formerly Spivey, may be made parties defendant to this bill, and be required to answer the same; that an account may be taken of the transactions of said Admr and the balance in his hands ascertained and that the same may be applied in payment of your Complainants demand and of those of all other Creditors of said Willis Spivey who may choose to Contribute to the cost of this suit, and that if the personal apets of said testator should prove insufficient for the payment of his debts that resort may be had for that purpose to his aforesaid real estate, and that such other and further relief may be granted in the premises as may suit the equity of the case, and to the Court may seem meet, and Your Complainants will ever pray &c

Hayden p.q.

Willis Spivey's Admr &c Bill

Complainants Bill

Hayden, Commissioner &c

Oct. 24. 1878. Rec. appointing Com. Answer required. Admr &c. Answer &c.

Dec. 1878. Rec. Answer of Admr.

Dec. 1878. Rec. Exhibits.

Dec. 1878. Rec. Report of Com. & Exhibits filed.

Dec. 1878. Rec. Exceptions to Report.

Dec. 1878. Rec. Exceptions overruled.

Dec. 1878. Rec. Decree.

Dec. 1878. Rec. Petition for appeal.

Dec. 1878. Rec. Appeal bond.

Dec. 1878. Rec. Transcript filed

Harris, as his sole distributee at law.
That the said testator, by his said will, gave the said tract of land and certain Chattel property in said will specifically named, to said Junius M. Spivey, reserving to his said wife her right of dower in said property, real and personal.
The balance of his property, the said testator directs to be sold and the proceeds, after the payment of his debts, equally divided between his said wife and two children.
That said testator owed other debts besides those mentioned as aforesaid due your Complainant.
That the personal estate of said testator is insufficient for the payment of his debts, and resort will be necessary for that purpose to his real estate.
That the said tract of land devised by said will to said Junius M. Spivey, subject to the dower of said widow is subject to the lien of your Complainants said judgment in the hands of said Junius M. Spivey.
That said admr has returned no account of his transactions as his testators estate.
That your Complainants said judgment and other debts aforesaid are wholly unpaid, having never been paid by the said Willis Spivey, or the said Junius M. Spivey or the said Admr, although often requested so to do.
In tender Consideration whereof and for asmuch as your Complainant is without remedy at law and can only be relieved by the aid

against the said Junius W. Spivey surviving obligor, the said Willis Spivey having departed this life, after the institution of said suit, and before judgment therein.

That execution issued on said judgment and was returned "no effects". The said bonds, and Certified Copies of said judgment execution and return are herewith filed marked "B" "C" & "D" and prayed to be taken as a part of this bill.

Exhibit "B" C & D.

That the said Willis Spivey in his life time made and published his last will and testament, which at the March term, 1877, of the County Court of this County was admitted to probate as will appear from a certified copy of said will with certificate of probate annexed marked "E" herewith filed and prayed to be taken as a part of this bill.

Exhibit "E"

That at the term of the County Court of this County one B. C. Roberts qualified therein, as the adm'r with the will annexed of said Willis Spivey, as will appear from the Certificate of said qualification marked "F" herewith filed and prayed to be taken as a part of this bill.

Exhibit "F"

That the said testator left a very small personal estate and a small tract of land lying in this County, containing by estimation 15½ acres, bought by said testator of James R. Holland.

That said testator left a widow, Mary Spivey, a son, the said Junius W. Spivey and a daughter, Elizabeth who has intermarried with one Robert L.

To the Honorable George Blow, Judge of the Circuit Court of Isle of Wight County, in Chancery sitting; Humbly complaining, sheweth to the Court your Complainant C B. Hayden, sometimes called Commissioner of Sale in Boykins Administrator versus Bagnall et als, who sues on his own behalf and that of all other creditors of Willis Spivey who may choose to contribute to the cost of this suit

that on the 4th day of October A.D. 1875, at a decretal Sale in the said suit of Boykin's Adm'r vs Bagnall et als, one Willis Spivey became the purchaser of a tract of land in the proceedings of said suit mentioned, for the credit portion of the purchase money, of which, the said Willis Spivey with one Junius M. Spivey as his surety, executed two bonds for $513.39 each; payable respectively 1 & 2 — years from the 4th day of October, 1875, with interest from that date;

That at the October term, 1875 of this Court, in said suit as will appear from the certified Copy of said decree herewith filed, marked "A", and prayed to be taken as a part of this bill, your Complainant was appointed Commissioner to collect said bonds on maturity or before should payment of the same be tendered.

Exhibit "A"

That in pursuance of said decree your Commissioner being unable to collect the first of said bonds on maturity brought suit on the same on the Common law side of this Court, and obtained judgment thereon, at the April term, 1877. of said Court,

Hayden C. B. Cond.

Sum. &c
Ack. to
& Bill

Spivey Willis' adm.
et als.

Sd Supt. Ct. 1877

Hayden p.q.

Executed by delivering to the within named R. B. & Roberts R. L. Harris & wife each a true copy of the within Summons, Augt. 28th 1877.

R. A. Edwards Shff for
G. B. Edwards Shff

Hayden Fees 1.50

Bugenheimer & Wait, Stationers, Baltimore.

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON B. C. Roberts admr. with the will annexed of Willis Tivey dec'd, Jeremiah W. Tivey, Robert L. Harris & Elizabeth his wife

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 C. W. Hayden (sometimes called commissioner in Bankruptcy Admr. vs. Wagnall Adm'r, who sues for the benefit of himself & all other creditors of Willis Tivey dec'd.

~~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 20th day of August 1877, in the 102nd year of the Commonwealth.

N. P. Young clk.

Executed by delivering to the
within named Mary Story a true
copy of the within Summons Act
18th 1878

L. P. Edwards
Sheff

Guggenheimer & Weil, Prs. Balto.

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County—Greeting:

WE COMMAND YOU TO SUMMON Mary E Spring

to appear before the Judge of the ~~County~~ Circuit Court of the County of Isle of Wight aforesaid, on the first day of October Term next, to show cause why an Information should not be filed against ~~in said Court, on the day of 18~~, on a ~~presentment for~~ relay the Commonwealth claim to assigned & her under an order of the county Court of Isle of Wight County out of her husband Willis Spring's estate, should not be set aside

and have then and there this Writ. Witness, NATHANIEL P. YOUNG, Clerk of our said Court, at his Office, the 25th day of Sept. , 1878, and in the 103 year of the Commonwealth.

N. P. Young Clk

$513.39 Two years from date, with interest from date, We Willis Spivy as principal & J. W. Spivy as surety promise to pay unto C. P. Hayden, Commissioner of sale in Boyette's adm'r & Bagnall vs. Five Hundred & Thirteen Dollars & Thirty Nine cents, second payments on Bagnall land. We hereby waive our Homestead exemption as to this obligation. Witness our hands and seals this Fourth day of October A.D. Eighteen Hundred & Seventy Five

Willis Spivy Seal

Junius W. Spivey Seal

D. Gall

act.

v. willis Spring

Osmund

6. 22

4/0 30 — 2x .6.

#6.62

Jas A Wright Co. Dr.,
December 1st 1877

Estate of Willis Spivey,
To G. W. D. Galt Dr.

To amount of Medical
account $6.00

Sworn to before me this
1st day Dec 1877
Benj L Roberts
Notary Public

State of Virginia }
Isle of Wight County } ss.

This day personally appeared before me, a Notary Public, of the County aforesaid, R. F. Bamett who made oath to the correctness of the within acct of Eight 48/100 Dollars against the Est of Alfred Cherry. Given under my hand this 27 July 1898

R. K. Chapman
Notary Public

Estate of Alfred Cherry
To R. F. Bamett
Dr.
To Services rendered
as Bailiff 1898 $8.48

Estate

1875 Estate of Willis Spivey & Son Lewis
in Cy with R. H. T. Barnett

Aug 17 Speck meal — " 75
" 25 Flour 100 Bacon 125 2.25
1 Coffee 25 (2 Sugar 20 " 45
Tobacco 33 " 33
24 6 Mill tobacco " 25
29 1 Bushl Meal - 60 1.00
Bacon 302 Flour 50 2.52
Tobacco 10 Sugar 11 Malchy 5 " 26
Aug 5 Tal Sugar 25 Rice 13 " 38
7 Dlr Bacon 217 Sugar 11 2.28
379 Flour 150 " 472 Meal 75 2.45
Tobacco 25 " 25
22 5 - 2 Cy Bacon 82 Tobacco 25 1.10
Cash Loan 1.63 " 2 Sugar Shot 35 1.98
Tobacco 1 33
$16.58

Cr Rec'd in Mony. Cattoys Lambe 7.10
$8.48
Rest. Dues.

James H. Spivey

Alex. Scott Hasfield
Cond.

Cost of Boiler Shop Cont. in acct with H. Cleaveland

1877

Sept 1st	Balance			By cash a/c	281	87
"	3 Coffin Pl	3	00	" Cont. on C. H.		
				Work done not yet		
May 1	Exp. in favor of K.P.			charged		
	Proceeds in Portable Office	35	93	Bal. to N.L. account	3	110 42
"	Exp. for 76 in Hitchcock	28	92		$	392 29
"	Pd. Coll. for	6	47			
"	Outstanding by Cleaveland	18	88			
"	Exp. for 1877	24	73			
	Cont. on $392.29 account	19	61			
	Bal. for contra	228	63			
		$ 392	29			

Willis Spivey

W. L. Jordan & Co

Smithfield, Va., Mar 8th 1878

Mr Willis Spivey

HANZSCHE & Co. PRINT

Always on hand Patapsco, Orange Grove, Severn Mills, and other Choice Brands of Flour..

Builders' Hardware and Family Groceries a Specialty.

TERMS CASH.

BOUGHT OF

W. F. JORDAN & CO.

DEALERS IN

Dry Goods, Groceries, Hats, Boots, Shoes, Hardware, Notions,

AND MERCHANDISE GENERALLY.

1875					
Nov	22	To 1 pr Shoes		2 25	
1877					
Feb	15	By Cash			50
		" Bal			1 75
				$2 25	$2 25
		due W F J.		1 75	
		Bal		50	$2 25

Smithfield, Va
Mar 8th 1878.

Mr A. D. Young.

Dear Sir.

At Mr Jordans request I enclose Mr Willis Spivey's Affr. Says he certified before you Wednesday, as to the Correctness of the Signature

Yours Respectfully
E. A. Morrison.

Willis Spivey.

Willis Spiveys Estate

To C.B. Hayden

1877

Mar 5 To fee for Probat Will 5 00

Gross resale of Goodwin's Point	527	00
Costs to date	47	17
Amt to be credited on Spivey Bonds	$479	83
	289	91

or his estate - who may choose to contribute to the cost of this suit & of their respective dignities

An account of the real estate of which the said Willis Blaney died, seized and possessed & of the fee-simple and annual value thereof, which occt said Commrs. shall take state and report to Court, with any matters specially stated, deemed pertinent by him-self or required by the parties to be so stated.

A Copy

Teste. W. A. Edwards D.C.
for A. R. Young D.C.

3 8

Copy exec Comm.

Wm. Blaney et als
vs
Wm. Blaney, Copy Dec
of Decs. Cir. Ct. 1877

Copy
Filed in Clerk's Office
July 2nd 1877
Wm. A. Edwards
Clerk

In the Circuit Court of Scioto County
October 20th 1877.

C.B. Hayden — sometimes called Comm'r. in Hopkins adm'r. vs. Jaquess et als. — who sues for the benefit of all other creditors of Willis Shivey dec'd. Pltff.

Against } In Chancery

B.L. Roberts adm'r. with will annexed of Willis Shivey dec'd. Junius N. Shivey Robert L. Harris and Elizabeth his wife Defts.

This cause in which the bill is taken for confessed, as to the defendants B.L. Roberts adm'r. with the will annexed of Willis Shivey, Mary Shivey, Junius N. Shivey, Robert L. Harris and Elizabeth his wife, on whom process has been duly served, they still failing to appear, plead, answer, or demur, came on this day to be heard on the complainants bill, and exhibits filed, and was argued by counsel, on consideration whereof the Court doth adjudge order and decree that a Comm'r. of this Court take the following accounts.

1st An acct. of the transactions of B.L. Roberts as adm'r. with the will annexed of Willis Shivey dec'd.

2d An account of the plaintiffs demands, & of the debts and demands of all other creditors, against the said Willis Shivey

the fee simple value thereof $1110.00 and the annual value thereof $ 75.00

Given under my hand as a Commissioner of the said Court, the day and year first aforesaid.

S. P. Young Comr.

Time employed 9 hours,
Comrs. fee $9.00
Clerks " 2.50
$11.50

Hayden Cleveland
vs.
Jacob Allen
Sheriff's Admr. et al

Report of Comr. Young
under Dec. of Oct 1867.

Filed 9th March 1868

Allowed, and ordered, and decreed accordingly Oct. 1868

Book 'M' No. 31, Page 26.

C. Roberts admr. with the will annexed of Willis Spivey decd. + als. defendants, directing a Commissioner of the Court to take and report, 1st. An account of the transaction of B. C. Roberts as admr. with the will annexed of Willis Spivey decd. - 2nd. An account of the debts and demands against the said Willis Spivey decd. or his estate, and their dignities. And third An account of the real Estate of which the said Willis Spivey died seized & possessed with the fee simple and annual Values. Your Commissioner reports to the Court that on the 21st. of May. last he issued notices to the parties plaintiff & defendants & posted at the Court House door notice to the Creditors that he had fixed upon this 8th day of March 1878, to take and state at his office, the said accounts. That said Notices were executed & returned to your Comm'r. And that from the vouchers & other evidence laid before Your Commissioner which he has examined, he has made up and completed the foregoing accounts marked respectively, A. B. & C.

Sch. A. This account shows the balance in the hands of B. C. Roberts as administrator of said Willis Spivey on the 6th July 1875 of $223.63

Sch. B. This account shows the debts proved against the said Willis Spivey or his Estate which Of which the debt due to Jacob Spivey $1. is of first dignity, and amount to $ 58.13⅓ the balance of equal dignity.

Sch. C. This account is of the real estate of which said Willis Spivey died seized and possessed and shows the number of acres 8 & 152,

	Amt. of debts brought forwd			$ 709	16
	Acct. due Doct. G. A. D. Galt	6	00		
	Int. thereon to 20. Apl. 1878		60	6	60
	Account due Co. T. Daniel	8	48		
	Int. thereon fm. 1. 78/76 to do.		76	9	24
	On acct due A. T. Jordan, bal:	1	91		
	Int. thereon from 18. Feb. 1877 to		13	2	04
A	a balance due by Willis Spivey on his acct. as Comm: of Jacob Spivey Dec'd	22	16		
	Interest thereon from 7th Sept. 1875	3	51	25	67
	Note due C. B. Hayden 8th Dec. 1876	5	00		
	Int. thereon		42	5	42
	Total Amount			$ 958	13

B.

An account of the real estate of which Willis Spivey died seized and possessed, and its fee simple & annual Value.

	Tract of acres on S. s.		
	right a. adjoining Geo. F.		
	Hoall, W. P. Atkins & others,		
	valued in fee simple at	$ 1000	00
	Annual value of same	$ 75	00

Commissioners Office, Isle of Wight C. H.
March 8th 1878.

To the Circuit Court of Isle of Wight County.

Pursuant to a decree of the said Court, rendered on the 7th day of Feb. 1878, in a suit in Chancery therein depending between C. B. Hayden Commissioner &c. Plaintiff and W.

A.

Dr. The Estate of Willis Spivey dec'd.
In account with Benjamin C. Roberts Exr & admr c.t.a.
with the will annexed.

1876			
May	To Paid Rouse for coffin &c	35	00
	" " 3 appraisers	3	00
	" " Clerk in favor of W.P. Powell		
	fs. in Probate Collection	35	93
	" " taxes for 1876 " "	28	92
	" " Clerks fees & Exp on probate	6	47
	" retained to pay J.H. Underwood		
	Crier at sale	10	00
	" " taxes for 1877	21	73
	" " Comm's on $302.29 receipts	10	61
	" retained to pay C.B. Hayden Esq for admr.	5	00
July 6	" Balance per contra	223	63
1876			
July 6	By Amt. of sales of chattels		
	estate due this day		281 87
	" Amt. rec'd. on C.H. Harris		
	bond of $125.00, less $14.50 offset		110 42
		$392 29	$392 29

B.

In account of the plaintiffs demand and that of all other creditors of Willis Spivey dec'd. or his estate, who choose to contribute to the costs of this suit.

for $573.39, less credit of $239.91 on 4. Mar. 1878		
Bal. bond due 4th Oct. 1876	347	97
Int. thereon from 4th Mar. 1878 to 4th Apl. 1878	2	61
for $573.39, less credit of $239.91 on 4. Mar 1878		
Bal. bond due 4 Oct. 1877	347	97
Int. thereon from 4. Mar. 1878 to 4th Apl. 1878	2	61
Costs of Suit on first named bond	8	10
		$709 16

695.84

Hayden Com

vs

Spring et als

Report
of
Benj. C. Roberts
Admr of Willis
Spring under
the Decree of
April Term 1878

April 20th 1879.
Filed.

To the Circuit Court of Wood County W. Va.

The undersigned Administrator of Willis Spivey deceased respectfully represents to the court, that pursuant to the order & decree of said court of April Term 1879, in the suit of Hayden Com'r. &c. vs Heirs & Creditors of Spivey &c. &c, he on the 6th day of Jany 1879, paid the sum of $223.63, with interest to that date from the 20th day of April 1878, the date of said decree amounting on that date to $233.67 as directed by said decree: first paying the costs of said suit, amounting to $35.11 leaving a balance in his hands of $198.06; that after paying thereout the suit due the Committee of Jacob Spivey a lunatic debt of $26.62, there remained for general distribution among the creditors the sum of $171.44 which he paid pro rata as further appears thereto annexed.

All of which is respectfully submitted

Benj C Roberts Admr of
Willis Spivey dec'd

and return the same to Court with his report of his proceedings under this decree.

A Copy
Test
W. A. Edwards D.C.
for W. P. Young C.C.

Costs taxed:

Atto. fee Hay	16.50	Paid C B. Hayden
Clerks fees	5.11	Paid W P Young
Shff. " for Sumd.	2.00	W. A. Edwards p/d
Comr. in chy.	9.00	Paid W P Young
Shff. for notice	2.50	W. A. Edwards p/d
	$35.11	

Hay and Crump Sts.
vs. } Copy Dec. of Apl.
C. } 1878.
Jennings adms. &c. als.

Fee for Copy 25c

In the Circuit Court of Isle of Wight County the 20th day of April 1878.

Hay and Commr. &c. Pltff.

against &c In Chy.

Spivey's admr. et als Defts.

This cause this day came on to be again heard on the papers formerly read, and on the report of Comm. M. P. Young under the decree of October term 1877. and was argued by counsel, on consideration whereof the Court confirming said report to which no exceptions were filed, doth adjudge, order and decree that B. L. Roberts pay the sum of $223.63 shown by report aforesaid to be due by him as admr. of Willis Spivey dec'd: rata ben among the several Creditors of Willis Spivey named in the Report aforesaid, according to the amts. shown thereby to be due. after first paying thereout the Costs of this suit. And to the Committee of Jacob Spivey $25.67 with int. on $22.16 part thereof from the 20th of April 1878. due by him as late Committee of Jacob Spivey. taking the receipts of the parties therefor

Hayden Commissioner

vs

Spivey's Admr. & als

Amount due by Administrator	223	63	
Interest on do from April 20th 1878, to January 6th 1879	9	54	233 17
Costs			
Paid C. B. Hayden Atty's fee & tax	16	00	
" " Clerks fees	5	11	
" Commissioner in Chancery	9	00	
" Sheriff	2	00	
" "	2	00	35 11
			198 06
Paid Jacob Spivey's committee	25	67	
Int on $22.16 Apr 20th 1878 & Jan 6th 1879.		95	26 62
Amt. for distribution among creditors generally			$171 44
Plaintiffs debt	709	16	165 95
Dr G W D Galt	5	60	1 55
R. F. Barrett	9	24	2 17
W. F. Jordan	2	14	49
C. B. Hayden	5	42	1 28
	$732	46	$171 44

We the undersigned have respectively received of R. C. Roberts Admr of Wilds Spivey through C. B. Hayden the amounts opposite our names as of Jan 6th 1879

Plaintiffs debt		C B Hayden Atty	165 95
Dr G. W. D Galt		G. W. D. Galt	1 55
R. F. Barrett	Rec'd	R. F. Barrett	2 17
W. F. Jordan	Paid	W. F. Jordan	49
C. B. Hayden		C B Hayden -	1 28
			$171 44

Zachariah Spivey Committee of
Jacob Spivey - C B Hayden Atty — $26 62

Hayden Comr

5

Spicy

Comr Hayden

1st Report of

Collection

&

Payment

"

Dues, Jan'y. 1st

1881

debonis now with the Will an-
nexed of A. G. Boynton deceased
The said payment being on
account of the debt due the estate
of said A. G. Boynton secured
by a Deed of Trust in said
suit mentioned on the tract
of land known as "Goodwin's
Point" purchased by the said
Willis Spivey.
All of which is respectfully submitted
Jan 18 1881 C B. Hayden Comr

Wilkes Spivey as shown by two re-
port herein.
As the other claims excepting
the plaintiffs were Dismissed & be-
scaled except with great in-
convenience the amount col-
lected being too small to pay
them in full, and the uncol-
lected bond being sufficient
to pay them in full your Com'r
paid all the debts except the
plaintiffs in full and paid
the balance in his hands on the
plaintiffs debts as shown by
Statement B.
The payment made on the plain-
tiffs debt left a balance due
thereon of $61.25 with interest from
Jan 3rd 1881. as shown by State-
ment C hereto annexed.
The receipts of the parties for said
payments are herewith filed
All of which is respectfully
submitted
Jan 18th 1882 C. B. Hayden Com'r
Your Commissioner by way of
supplement to the above report
begs leave to file herewith the
decree of Oct Term 1870 in the
suit of R. B. Boykin Adm'r vs Boy-
nall in explanation of his
payments mentioned in the above
report & L. B. Edwards Adm'r

J. B. Lippincott & Co.,
Booksellers and Stationers,
Philadelphia, Pa.

To the Honorable Henry Bleakley Judge
of the Circuit Court of Isle of Wight
County:

The undersigned Special
Commissioner under the anne-
dexed decree of said Court of Oct Term
1887 in the suit of Hayden &c &c
&c Thirsty Respectfully reports to
the Court that in pursuance of
said decree he on the 3rd day of
January 1891 collected of Chas
Feighan on full of his bond for
$678.00 with interest from Oct 6, 1887
amounting on the day of collec-
tion to $ 62.67.

Statement "B" hereunto annexed
shows that after paying thereout
the unpaid costs of suit there
there remained the sum of
$600.00 for distribution among the
creditors, and the same was
accordingly paid to the creditors
on the amounts shown by said
Statement B.

Statement A. hereunto annexed
shows the amount due the
several creditors whose claims
are reported by your Commissioner
report of debt herein with in-
terest to Jan 3rd 1891 after crediting
said debt with the amounts
paid them by the Commissioner

Statement B.

	Balance due Commissioner per last report		16	30	
1881 Jan 3	Amount paid by Charles Fulgham in full of first bond for $578.50 with interest from Oct 6th 1879				621 67
	Commissions on $ 43.17 Int		2	16	
	Clk's fees as taxed on Decree of Oct 1879		2	20	
	Balance in Commissioners hands		601	01	
		$	621	67	$ 621 67
	Balance for distribution among creditors				601 01
	Plaintiffs Debt (in part)		580	10	
	Dr G. A. D. Galt (in full)		5	90	
	R. F. Barrett " "		8	31	
	W. F. Jordan " "		1	83	
	C. B. Hayden " "		4	87	
		$	601	01	$ 601 01

We the undersigned have received of C B Hayden, Comr in Hayden Comr's Spicy the sums opposite our respective names as of Jan 3rd 1881.

Plaintiffs Debt	C B Hayden Atty for C B Hayden.	580 10
Dr G. A. D. Galt	G. A. D. Galt	5 90
R. F. Barrett	R. F. Barrett	8 31
W. F. Jordan	[illegible] Executrix	1 83
C. B. Hayden	C B Hayden	4 87
		$ 601 01

Statement "C"

1881 Jan 3	Amt of Plaintiffs Debt as per Statement A	641	35
" "	Paid as per Statement "B"	580	10
" "	Bal due on Plaintiffs Debt	$ 61	25

Statement A

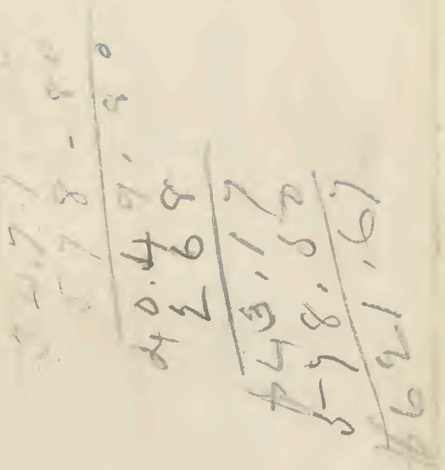
	Plaintiffs Debt & Int to Apr 20. 1878			
	per Comr Youngs Report	709	16	
	Int on $695.84 from Apr 20th 1878			
	to Jan 6th 1879. (time 8 mo. & 16 da)	29	68	
		738	84	
1879 Jan 6	Paid	165	75	
		572	89	
	Int on $572.89 from Jan 6th 1879			
	to Jan 3rd 1881, (time 1 yr 11 mo 27 da	68	46	641 35
	Dr G. A. W. Galt	6	60	
	Int on $6.00 from Apr 20. 1878		22	
		6	82	
" "	Paid	1	55	
		5	27	
	Int on $5.27 from Jan 6. 1879 to			
	Jan 3rd 1881.		63	5 90
	R. F. Barnett	9	24	
	Int on $8.48 from Apr 20th 1878		35	
		9	59	
" "	Paid	2	17	
		7	42	
	Int on $7.42 from Jan 6 1879			
	to Jan 3 1881.		89	8 31
	W. F. Jordan	2	04	
	Int on $1.91 from Apr 20th 1878		09	
		2	13	
" "	Paid		49	
		1	64	
	Int on $1.64 from Jan 6. 1879			
	to Jan 3 1881.		19	1 83
	C. B. Hayden	5	42	
	Int on $5.00 from Apr 20 1878		21	
		5	63	
" "	Paid	1	28	
		4	30	
	Int on $4.30 from Jan 6. 1879			
	to Jan 3 1881		52	4 87
				$662 26

Hoyden Comm

v { Dunlop
Colony Dec.

Springer et als

Cleto. Ct. 18/9



execute and deliver to the said Charles Trughan a good and sufficient deed with special warranty ~~similar~~ for the tract of land in these proceedings mentioned when of the said Willis Spivey died, seized and possessed in the County of Isle of Wight, containing by estimation 152 acres, be the same more or less adjacent to the lands of Lee F. Hall and W.T. Atkins bid off by him under a decretal sale herein on the 6th day of Octo. 1879 for $1120.

A Copy
Teste
W. A. Edwards D.C.
N.S. Young cl

Addl. Cl. fee 2.00
Octo. 79.
Paid, N.S. Young cl

1879. with interest from that date which bonds he is hereby authorized and required to collect on maturity, ~~as~~ or before thereof payment be tendered, and the surplus thereof after paying thereout the unpaid costs of suit and sale, pay ratably among the creditors of said Willis Spivey named in Comm. Ymmr's former report of debts herein in proportion to the amts. therein shown to be respectively due them, taking the receipts of the parties therefor and return the same to court with his report of his proceedings under this decree.

And the Court doth further adjudge, order and decree that on the payment of said bonds in full the said C.B. Hayden who is hereby appointed special Comm. for that purpose shall

In the Circuit Court of Isle of
Wight County - Oct. 20th, 1879.

" " "

C. B. Hayden Comr. &c, Complts
v. } In Eq
Willis Spivey admr. &c. Defts.

This cause this day came on to be again heard on the papers formerly read, and on the report of sale of C. B. Hayden Comr. under the decree herein of April term 1879, and was argued by Counsel, on consideration whereof the Court confirming said report to which no exceptions were filed, doth adjudge and decree that the Clerk deliver to C. B. Hayden on his filing his receipt therefor the two bonds of Charles Freeland and Sherman J. Simmons for $578.50 each payable respectively one and two years from the 6th day of October

Feby 9th 1881 Received of C B Hyde Atty
for C B Hyde Com in Bankruptcy Baynard
for Lucius L Spring Five Hundred &
Fifty Dollars & Ten Cents —

L. B. Edwards Admr
Of A. G. Boylan Dec'd

Decree for its payment and because C. W. Spivey who claims the said balance by an Order filed herein directs your Commissioner to pay to Charles Fulgham such portion of it as might belong to him on conditions throwing the responsibility of said payment on your Commissioner.

After the payment in full on the last Bond by the said Charles Fulgham, your Commissioner executed and delivered to him a Deed as directed by said Decree. The Certificate of the Cashier of the "Marine Bank" for said Deposit, and the receipts of the parties for said payments are herewith filed.

All of which is respectfully submitted.

Dec 20th/882. C B Hayden - Com:

To the Honorable George Hoon
Judge of the Circuit Court of Isle
of Wight County;

The undersigned
E. B. Hayden Special Commissioner
under the Annexed Decree of said
Court of October Term 1879 in the
suit of Hayden Commissioner &c.
Shivey, respectfully reports to the
Court that in further execution
of said Decree he has collected in
full the Second Bond of Charles
Bridgham on the several dates and
in the several payments mentioned
in Statement A. hereunto annexed.
That out of the proceeds of said Bond
he paid the balance of the debt
due A. G. Boykins estate as shown
by your Commissioners first report
of Collection and payments, filed
herein January 18th 1881, and the un-
paid costs of this suit leaving a balance
in your Commissioners' hands of
$598.34, as shown by said Statement A.
That your Commissioner Deposited said
balance in the "Marine Bank of Norfolk"
subject to the order of this Court
in this suit, because there was no

more than 3/4 of its assessed value, although the sale is not within the provisions of the 4th section of Chap 174 of Code of 1873.

All of which is respectfully submitted

Oct 13th 1879

C B Hayden
Commissioner

Oct 15th 1880 - Recd of the clerk of the Circuit Court of Isle of Wight County the within named Bond of Charles Fulgham & Thos J Clements for $578.50 due Oct 6th/80 to collect under decree of Oct Term 1879-

C B Hayden Commissioner

Nov 24th/81. Recd of the Clerk of the Circuit Court of Isle of Wight County the within named Bond of Chas Fulgham & Thos J. Clements for $578.50 due Oct 6th/81. to collect under Decree of Oct Term 1879.

C B Hayden Comm

Hayden Comm
vs
Spruce's Comm etc

Comm Hayden's
Report of Sale

To the Honorable George Blow Judge of the Circuit Court of Isle of Wight County;

The undersigned Special Commissioner of Sale under the annexed decree of said court of April Term 1879 in the suit of Hayden Comr vs Spivey's Admrs respectfully reports to the court that he pursuant to said decree on the 6th day of Oct 1879 after having given notice of the time place & terms of sale as required by said decree offered the land in these proceedings mentioned for sale, at which time, Charles Fulgham, being the highest bidder bid it off at $190 00, making a cash payment of $33.00 & for the balance with Thos L Clements as surety gave two bonds for $578.50 each, payable respectively in 2 years from the 6th day of Oct 1879 with interest from that date. The said cash payment & bonds make up the amount at which the land was bid off as per Statement A, hereunto annexed.

The said cash payment of $33.00 was applied in part payment of the costs of suit & sale, leaving a balance of $16.30 due your Commissioner as per Statement B hereunto annexed. The receipts for said payments, and the two bonds aforesaid are herewith filed.

The assessed value of said land as appears by the annexed certificate of the Clerk of said court is $1215.00, & hence the said sale was for

Statement A

1879					
Oct 6	Amt at which the land was bid off			$1190	00
"	Cash Payment	33	00		
"	7 Bond at 1 year from date	578	50		
"	1 " 2 years " "	578	50	$1190	00

Statement B

1879					
Oct 6	Amt of cash payment			33	00
	Clks fees Paid S.D. Young Clk.	3	75		
	Sheriffs fee (separate receipt)		50		
	Comr Hart Paid C.H. Hart	2	00		
	" Waddell Paid W. Waddell	2	00		
	" Womble Paid W. Womble	2	00		
	Auctioneer L. B. Edwards	5	00		
	Printer (separate receipt)	1	25		
	Commissions on $300.00 @ 5%	15	00		
	" $890.00 " 2%	17	80		
	Bal due Commissioner			16	20
		$49	30	$49	30
	Bal due Commissioner	$16	20		

Etab On a credit of one and two years in two equal payments with interest from day of sale, & cept so much for cash as will pay cost of suit and sale taking for the credit portion of said sale two bonds in equal ~~bonds~~ amounts with sufficient security with waver of homestead payable to himself as Comr respectively in one and two years from day of sale with interest from that day which bonds he shall return to court with his report of his proceedings & proposing to be given under this decree the 1 day of January 1880 but the effect of this decree as to said sale shall be suspended until the said C B Hayden shall execute and deliver in the Clerks Office of this court a bond with sufficient security & waver of the homestead payable to the Commonwealth of Va in a penality of One Thousand dollars conditioned for the faithful performance of this or any future decree herein

Copy Test. W. A. Edwards D.C.

Clerks fees as per ~~bill~~ $3.75
Hart Comr. Sheet 2.00
Waddill " 2.00
Womble " 2.00
Costs $9.75

Hay Com. &c.
vs. } Chy Ct.
Colby &c.

Plaintiffs' attorneys.

"

"

Spivy or Elizabeth Harif or some one
for them pay the several creditors of Willis
Spivy named in Comr Ymps Rpt of debts
herein the sums shown to be due them after
crediting the same with the payments made
thereon by B. L. Roberts admr of Willis Spivy
shown by his Rpt aforesaid after crediting
the General Creditors named therein with their
Prorata shares of the Bond herein directed
to be collected that C B Hayden who is hereby
appointed Special Comr for that purpose shall
& Expose for Sale at Public Auction at Shoppys
Co House, on some Court day after having
given at least Twenty days notice of the time
Place and Term of Sale by advertisement
at the Court House door of said County on
some Court day previous of the day of Sale
and at other Public Places in said County the
land in these proceedings mentioned whereof the
said Willis Spivy died seized & possessed in said
County containing by estimation One Hundred
and fifty Two Acres being more or less lying
adjacent the lands of G. F. Hall & others

the Court confirming said
report to which no exceptions
were filed doth adjudge, order
and decree that that the
Clerk of this Court deliver to
said L. B. Edwards Receiver,
the bond of J. W. Skinner, John R.
Bradshaw, A. J. Turner and J. H.
Thorn for $130.00 payable to him
as Receiver in this suit on the
31st day of December 1879, returned
by him with his report aforesaid which
bond is hereby authorized and required to collect
on maturity and the proceeds thereof after
paying thereout the complainants cost of this suit
deposit in the farmers & Merchants Saving
Bank, Huntsville to the credit of this cause
taking the certificate of deposite of the Cashier
of said bank and return the same to Court with
his report of his proceedings under this decree
and the Court doth further adjudge order
and decree that he notify within ninety days
after the date of this decree Simeon H

Pendleton Circuit
Court - May 22nd 1879

L. B. & L. Co. &c. Pltff
agst. } Dft
Willis Spivey's adm'r. }

This cause in which it is suggested that since the last adjournment, the defendant Mary Spivey, Widow of Willis Spivey dec'd: has departed this life, it is ordered that this suit be dismissed as &c. This cause coming on this day to be heard upon the papers formerly read, and on the report of B. L. Roberts adm'r. of Willis Spivey, under decree herein of April term 1878 & of L. B. & L. Co. vs. the Receiver of Pendleton under the decree herein of October term 1878. And was argued by Counsel, on consideration whereof

PUBLIC SALE OF
Willis Spivey's Land!

By virtue of a Decree of the Circuit Court of Isle of Wight County, of April Term 1879, in the suit of Hayden, Commissioner vs. Spivey's Administrator et. als., I will offer for sale at public Auction at ISLE OF WIGHT COURTHOUSE,

On Monday October 6, 1879,

BEING COUNTY COURT DAY,

The Tract of Land whereof the said Willis Spivey died, seized and possessed in said county, containing by estimation

152 ACRES,

be the same more or less, adjacent to the lands of G. F. Hall and M. T. Atkins.

IMPROVEMENTS:---A Good Dwelling House, Barn, Stable, and Usual Outhouses.

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

C. B. HAYDEN,
Special Commissioner.

August 15th, 1879.

Smithfield News Job Print.

C. B. Hayden

50¢

Wills Survey Stand

C. B. Kay dec'd Cour

1870		
Sept 3	To Sheffield Coal Co Vo	
	To Ex. Summons on Inq.	
	Mary Sprowle Thos Cain	50
	Pair C B Edwards Pltf	

Mr. C. B. Hayden,

To "The Smithfield News" Dr

1879

Aug 15 To Printing 25 hand bills in the suit of Hayden Comm'r vs Spivey's Admr et als $1.25

Oct 3'79 Received Pay'mt

H B Rawls

$$4\overline{)1216}$$

$$304$$

$$912$$

I A.P. Young clerk of the county court of Isle of Wright county, do certify that the tract of land on the land book of said county now charged to Jno W. Spivey of 182 acres valued at $216.00 is the same land of which Willis Spivey died seized and which subsequent to his death has been transferred to said Jno W. Spivey and for the use of said Willis D. Spivey.

Test, A.P. Youngclerk

JUNE 11, 1877.)

TERNAL REVENUE.

PLES, PEACHES, OR GRAPES, EXCLUSIVELY.

ndy distilled from Apples, Peaches, or Grapes, exclusively, by .....

....., and State of ....., during the Month of ....., 187 .

y of each month, and the tax to be paid to the Collector at the same time.

ERIAL USED, (TO BE STATED IN GALLONS.)								No. of Boilings in Each Still.				SINGLINGS.			BRANDY DISTILLED.		AMOUNT OF TAX.	
.	Cider.	Must.	Sour Wine.	Wash.	Cheese.	Lees or piquette.	Other material.	No. 1.	No 2.	No. 3.	No. 4.	On hand first of month.	Produced during the month.	On hand last of month.	Wine Gallons.	Proof Gallons.	Dollars.	Cts.

All Available Text Successfully Captured

Hayden Comr.

Copy Dr.
Oct. 1878

Spivey: adm.x &c

Decree and Report of Comrs assigning Dower &c

Filed Oct. 20th 1879.

In Isle of Wight Circuit Court.

Oct. 24th 1878.

L. B. Standard &c. &c. Complts.

against &c. &c.

Willis & Pinner admr. &c. Defts.

This cause this day came on to be again heard on the papers formerly read, and on the return of summons with proof of the service, directed by the decree herein of the last term to be served on Mary E. Pinner the widow of Willis E. Pinner, requiring her to show cause if any she can why the order of assignment of homestead in said decree mentioned should not be set aside as to the plaintiffs demand, and upon argument by counsel, on consideration whereof the Court doth adjudge, order and decree that said assignment of homestead to said widow as to the plaintiffs demands, and the debt due by said Willis E. Pinner as Committee of Jacob E. Pinner be declared void and void. And the Court doth further adjudge, order and decree that Lewis Waddill

Wills

Test. Hon James P. Whitley W. A. Wimberly and B. L. Hart who are hereby appointed Special Commrs. for that purpose, any three of whom may act, proceed to allot to Mrs Ann J. Spivey, widow of J. Spivey, one equal third part, having regards to quantity & quality of the land of lands in said report mentioned which said Willis Spivey died seized and possessed in the County of Sheroke aforesaid containing by estimation 152 acres more or less, adjacent to the land of Test. Hall, Mrs. Atkins, & others as her dower in said lands.

An Extract
Teste.
W. A. Edwards D. Clerk
Jas. F. Young D.C.

To the Circuit Court of Isle of Wight Co.

The undersigned three of the Comrs named in the foregoing Commissioned decree, most respectfully report to the Court, that pursuant to said decree, they have assigned to Mrs Mariah Spivey the widow of Willis Spivey dec'd: about thirty acres of land, it being one third in value and quantity as near as they could come to it, of the whole tract of 152 acres belonging to said Willis Spivey's Est. as per the annexed Diagram of said tract of land, they would state specially that within a few days after laying off the said dower that Mrs Spivey died.

Rent, due Comrs Fees

Mar. 10th 74

Signed

W. A. Stowe

Geo. M. Waddill

Wm. T. Hunt

Comrs

Coal Hall's Lane

Back gate

Oak bush

Pine

Part taken by Mr. Stevens about 30 acres

Garden

Road to Coal Hall's Lane

Money deposited
in
Bank

The above order was made by my order and
tested before W. A. Edwards and bearing
Date November 14th A. D. 1879 Directing the Sale
as of the land that might be due me
as by the prom Willis Spivey to be paid to Charles Faulkham was based
on the agreement of the said Charles
Faulkham to sell me the Brickwell
& Lassiter Farm which he has not
yet done. If this Farm is not conveyed
to me and a copy of the deed filed in
These papers I revoke the order to be
S. Hayden Commissioner to pay to
the said Faulkham the said balance
or due me as stated. Witness my
hand and seal this 20th day of March
A. D. 1882

Francis W. Spivey Seal

Hayden Ann.

Order of Jur.
Spivey to pay
v. balance to
Fairbanks

Spivey et als

Isle of Wight Co. Nov. 14th 58th G.

Mr. C. B. Hayden, Commissioner.

Dr Sir)

If there should be left in your hands, from the sale of the land of Willis Spivey dec'd. a balance after satisfying the debts against said dec'd. Willis Spivey & the costs of suit &c I hereby authorize you to pay over said balance to Charles Pulgham all of the said balance to which I, as the legatee of said Willis Spivey, may be entitled. Given under my hand and seal this day & year aforesaid.

Witness

J. W. Spivey (Seal)

M. A. Edwards

Hayden Comr

vs

Spivey

Comr Hayden's
2nd Report of Collection & Payment
Filed
Filed June 1st 1885

Statement A.

1881					
Dec. 1	5th	By this amount from Charles Fulgham in part of this 2nd Bond for $ 5-70.50. Due Oct. 6th 1881 with interest from Oct. 6th 1879.			52 00
"	17th	By amount from do in part of do.			48 00
1882 Nov	3rd	By amount of Check from do in full of do. payable Oct. 21st but collected on this date			371 32
1881		Dr.			
Dec.	17th	To pd. L. B. Edwards Admr for A. G. Boykin in full of balance due A. G. Boykins estate on Bagnall Debt.	64	77	
Nov	8th	Commissions on $ 1,02. 32. cts.	5	14	
		To fee for drawing Deed to Charles Fulgham	10	00	
		Paid Notary's fee for do		50	
		Paid A. P. Young, Clerk's fees	2	50	Pd. A. P. Young Cc
		To amount Deposited in Marine Bank of Norfolk, subject to the order of Court in this suit as per Certificate of Deposit herewith filed	598	34	
			$ 681	32	$ 681 32

Marine Bank.

Norfolk, Va., Dec 20th 1882

W. C. & R. Hayden

Commissioners

have this day deposited in this Bank Five

hundred and ninety

eight 34/100 Dollars,

U. S. currency, under a decree of the Circuit

Court of Isle of Wight, in a suit therein depending

between Hayden, Comp'rs

Plaintiffs, and Spivey

Defendants, subject to the order of said Court.

W. N. Taylor

$598.34

Recd of C B Hayden Com'r Hayden Com'r

1 in Silver Sixty Four Dollars & Seventy

2 Seven Cents, Tobacco due A G Boykin Estate on Bayside

3 debt

4 Dec 17th 1888 Lt D. Edwards Shff Walton

5 Co. A C.S. Boykin Rangers

Received of C B Hayden Commissioner
in Hayden Commissioner 10 S Spivey
Fifty cents for certifying Deed to Charles
Fulgham—

5834

Commissioner

Hayden Comm.

vs. In Chy.

Spring et als.

Costs unpaid to date of this day)
Acts. Term 1887. to wit:

Clerks fee $2.50

Teste, J. P. Springer Clk.

RETURN TO

MARINE BANK,

NORFOLK, VA.

If not called for within 5 days.

NOR...LK
MAY
10
5PM
VA.

R. S. Thomas Esqr

Smithfield

Va

Hayden Conn

vs.

Spivey

Report of
R. S. Thomas
the Comr
of Collection & Payment-

Apl. 20th - 1853
Filed.

Hayden Com^r
v.
Spivey et-al.

The undersigned who was directed by the decree aforesaid of April Term 1883 to collect of the Marine Bank of Norfolk Va the sum of $598.34 on its certificate filed in the cause and after paying thereout the unpaid costs of the suit- to pay the balance over to D. W. Spivey & to Charles Fenham as might be agreed on in writing between them has the honor to report- that he collected of the said Bank on the said certificate the sum of $609.94 and after paying thereout the unpaid costs of this suit- paid the same to the said Dennis W. Spivey as will appear by his receipt- herewith filed marked A. The said Charles Fenham agreed in writing signed and acknowledged before a Notary public that the money should be paid to the said Spivey as the agreement herewith filed marked B shews.

All of which is respectfully submitted

R. S. Hunnicutt Spl Comr

Virginia:

[illegible] County to-wit

I Thomas

L. Clements a notary public in and
county aforesaid in the State of Virginia
duly qualified Do hereby certify that
Wm Farnham whose name is signed to the writing above
bearing date April 19th 1883 hereunto
by, appeared before me in my County
aforesaid on the 7th day it was signed and
again on this day the 7th day of May and
acknowledged the same before me in my county
aforesaid. Given under my hand this 7th
7th day of May A. D. 1883.

Thos L. Clements
Notary Public

Farnham
2 3 Release
Slaves

Whereas J. W. Shivey did upon the 4th
day of November A. D. 1879 address
a note to C. B. Hayden commis-
sioner directing him "If there should
be left in my hands from the sale
of land of Willis Shivey deceased a bal-
ance after satisfying the debts against
said deceased Willis Shivey the costs
of the suit on said bond and charges in
any way or form said to Charles Ful-
sham all of the said balance which
said legatee of said Willis Shivey may
be entitled" And signed the same met
his hand & seal the day & year aforesaid"
Now Therefore, Know all men, by
these presents that I, Charles Ful
sham do hereby relinquish & release
any and all claim to any and said
funds that may be due, or owing, or com-
ing to the said J. W. Shivey from the es-
tate of the said Willis Shivey & from any
other source. Witness my hand & seal
this 19th day of April A. D. 1883.

Charles. X His Fulgham (Seal)
Mark

Test
Hiv. Helvenston
11

proceedings under this decree. But the said R. D. Thomas Special Comr. as aforesaid shall not execute this decree until he shall have executed a good and sufficient bond before the Clerk of this Court in a penalty of $1200.00 conditioned for the faithful performance of his duties under this decree.

a Copy.

Teste, R. D. Youngclerk.

Clks. fees unpaid & estimated to fl. decree $4.00

Hamilton Comr.
vs.
Hamilton &c
Decree

Dec. of Apl. 1853.

Wm. Thomas

In the Circuit Court of Isle of Wight County, April 21st 1883.

E. B. Haydon Comr.

vs } In Chy.

J. W. Spivey et als.

This cause came on this day to be again heard on the papers formerly read, on the report of E. B. Haydon filed herein Jany. 1st. 1882. to which report there are no exceptions, and was argued by counsel. On consideration whereof the Court confirming the said report doth adjudge order & decree that R. S. Thomas who is hereby appointed a special comr. for that purpose withdraw from the papers in this cause on leaving his receipt with the Clerk of this Court therefor the certificate of W. H. Taylor President of the Marine Bank shewing that E. B. Haydon Comr. hs. deposited in that bank on the 20th of December 1882 the sum of $598.34 which said certificate he shall collect and after paying thereout the costs of this suit pay over the balance to J. W. Spivey or to Charles Fulghum as may be agreed on by them in writing certified to by a Notary Public, which said agreement the said R. S. Thomas shall return with his report of his

W. H. Taylor, President. Hugh. V. Page, Acting Cashier.

Marine Bank

Norfolk, Va., May 10th 1883

R. V. Thomas Esq.
Smithfield Va

Dear Dick

There is to the credit of cause "C B Hayden Comr vs Spivey" $598.34 and $11.60 accrued int: subject to check on 20th inst. Bear in mind, however, we must have decree of Court before we can pay out any portion of it. We know nothing of the matter of S. F. Stout adm^x no such name appears on our books: unless in some cause in wh: she is defdt.

Yours truly
W. H. Taylor

59.34
11.60
609.94

S Spivey

do

Thomas

Received June 1st, 1883 of R. S.
Thomas special commissioner
in Hayden Commissioners v.
Spivey et al the sum of Six
Hundred and nine dollars and ninety
four cents ($609.94) for charges
expenses according to statement ren-
dered.

Junius W. Spivey

Haydon, Commissioner et al

vs

Willis Shivey admr &c

Rough Decree

Acts Term 1877

To be Entered

Geo. Bloxom.

(Entered 6)

Hayden Comissioner et als
vs
Willis Spivey's Admr et als

This cause, in which the bill is taken for confesed, as to the defendants, B C Roberts, admr with the will annexed of Willis Spivey, Mary Spivey, Junius M. Spivey, Robert L Harris and Elizabeth, his wife, on whom proces has been duly served, they still failing to appear, plead, answer or demur, came on this day to be head on the Complainants bill and exhibits filed, and was argued by Counsel; on Consideration whereof the Court doth adjudge, order and decree that a Commissioner of this Court take the following accounts:

1st An account of the transactions of B C. Roberts, as Administrator, with the will annexed of Willis Spivey, decd;

2nd An account of the plaintiffs demand, and of the debts or demands of all other Creditors, against the said Willis Spivey or his estate, who may choose to contribute to the Cost of this suit, and of their respective dignaties:

3rd An account of the real estate of which the said Willis Spivey died seized an possessed, and of the fee simple and annual value thereof; which accounts, the said Commissioner shall take, settle and report to Court, with any matters specially stated deemed pertinant by himself or required by the parties to be so stated.

Hayden Comr. &c

vs

Spivey's Admr. etals

Rough Decree April 1878
To be entered

Geo. T. Blow.

(Entered 11)

some court day previous to the day of sale, at other public places in said county, the land in these proceedings mentioned whereof the said Willis Spivey died seized & possessed in the said county containing by estimation 157 acres lying adjacent to the lands of Geo. D. Hall, M. D. Atkins

subject to the dower therein of Mary L Spivey widow of said Willis Spivey as already allotted her on a credit of nine & eighteen months in 2 equal payments, with interest from day of sale, except so much for cash as will pay costs of sale, taking for the credit portion of said sale, bonds in equal amount with sufficient security & with waiver of homestead, payable to himself as Commissioner respectively 9 & 18 months from the day of sale with interest from that date, which bonds he shall return with his Report to court of his proceedings under this decree. But the effect of this decree shall be suspended as to said sale until said C. B. Hayden shall execute & deliver in the Clerks office of this court a bond with sufficient security & with waiver of the homestead payable to the Commonwealth of Virginia in the penalty of $600.00 conditioned for the faithful performance of this or any future decree herein

Hayden Comr &c
vs
Spivey's Admr. rals.

This cause this day came on to be again heard on the papers formerly read, on the Report of Commissioner N.P Young under the decree herein of October Term 1877 & was argued by counsel, on consideration whereof the Court confirming said Report to which no exceptions were filed, doth adjudge Order & decree, that B.C. Roberts pay the sum of $ 22363 shewn by the Report aforesaid to be due by him as Admr. of Willis Spivey deceased ratably among the several creditors of Willis Spivey named in the Report aforesaid according to the amounts shewn thereby to be due, after first paying thereout the costs of this suit, taking the receipts of the parties therefor & return the same with his Report to court of his proceedings under this decree. ~~And the court doth further adjudge order & decree that~~ unless Lewis W Spivey or Elizabeth Harris, or some one for them pay the several creditors of Willis Spivey named in said Report the sums shewn thereby to be due them, after deducting therefrom the amount paid them under ~~this~~ decree, that C.B. Hayden, who is hereby appointed special commissioner for that purpose shall expose for sale at public auction at the C.H. door of said County on the first Monday in March 1878, due by him as late committee of Jacob Spivey.

$22.10

Vs the committee of Jacob Spivey $23.52 with interest on

Hayden Comr &c
vs
Spivey's Admr. rals.

This cause this day came on to be again heard on the papers formerly read, on the Report of Commissioner N.P Young under the decree herein of October Term 1877 & was argued by counsel, on consideration whereof the Court confirming said Report to which no exceptions were filed, doth adjudge Order & decree, that B.C. Roberts pay the sum of $ 22363 shewn by the Report aforesaid to be due by him as Admr. of Willis Spivey deceased ratably among the several creditors of Willis Spivey named in the Report aforesaid according to the amounts shewn thereby to be due, after first paying thereout the costs of this suit, taking the receipts of the parties therefor & return the same with his Report to court of his proceedings under this decree. ~~And the court doth further adjudge order & decree that~~ unless Lewis W Spivey or Elizabeth Harris, or some one for them pay the several creditors of Willis Spivey named in said Report the sums shewn thereby to be due them, after deducting therefrom the amount paid them under ~~this~~ decree, that C.B. Hayden, who is hereby appointed special commissioner for that purpose shall expose for sale at public auction at the C.H. door of said County on some court day after having given at least 30 days notice of the time place & terms of sale by advertisement at the C.H. door of said county on

Hayden Coll.

Spring Adm.

Appointed 1878
Rank Ensign
In the service

Geo. Blow.

Ended 43

Hayden Com:

vs

Spivey's Admi et al

This cause this day came on to be again heard, on the papers same & read & was argued by counsel, on consideration whereof it appearing to the court that the defendant Mary Spivey widow of Willis Spivey has ~~had an~~ had her Homestead in the lands in these proceedings mentioned ~~it is ordered that~~ & that the complainant debt pre-dates the Homestead, it is ordered that the said Mary Spivey be summoned to appear at the next Term of this court & then came if any she can why the said assignment shall not be set aside and declared null & void as to the complainant debt & de-

Hayden Comr.

vs

Spivey & als

Rough decree
Oct Term 1878
To be entered

Geo. T. Clow

Recd 39

97

the Balance of $223.13 as directed
by the decree herein of April Term 1878
with interest from that date, the
Court doth further adjudge and
decree that L B Edwards Sheriff
of this County collect of the said
B C Robert the said sum of $223.13
with interest thereon from the date of this decree
and collected the same and that
execution issue for such
sum as
Such Receiver against the said
B C Robert for said amount
with interest as aforesaid & that
said Receiver after paying thereout
the costs of this suit, pay the balance
thereof as directed by the decree
herein of April Term 1878
taking the receipt of said parties
therefor & return the same to
Court with his report of his
proceedings under this
decree —

third paragraph regarding quality & quality of the tract of land in these proceedings mentioned owned of said Wallis Spivey died seized & possessed in the County of Isle of Wight Containing & eleven hundred

152 acres more or less adjacent to the lands of Benj F Holt, Mr T A Rives & others as laid down in said plat & that E L B Edwards Sheriff of this County who is here appointed

Receiver in this cause proceed to rent out said land subject to said assignment of dower for the year 1879 at public auction at Isle of Wight C H on some court day after bond is advertised the said term in some county paper for the day of sale & at other public places in said County, Taking Bond with sufficient security payable to himself as Receiver on the 31st of Dec 1879 - & return the same with his report to court of his proceedings under this decree - And the defendants to the cause that the defendant B C Robert Adams has and paid

Hayden Cur
vs
Spivey. Sci fa &c.

This cause this
day came to be heard on the
papers, fyles & read & on the return
with proof of service
of the summons directed & the
decree herein of the last term
to be viewed on May Spivey
the widow of Willis Spivey, requir-
ing her to shew cause if any she
could why the order of survivorship
of homestead in said decree mentioned
as to the Plff's demand
should not be set aside, & was
argued by counsel, on considera-
tion whereof the court doth adjudge
order & decree that said survivor-
ship of ~~dower~~ homestead in said widow as to the
Plff's demand & the ~~demanded~~
debt due by the said Willis Spivey
as counsellor of Jacob Spivey
be declared null & void & the
court doth further adjudge order
& decree that Geo. M. Waddle
Geo T Hall Jas T Whitley. W S Womble
C H Hart
who are here by appointed Special
Commissioners for that purpose
any three of whom may act
proceed to allot to May Spivey
widow of Willis Spivey one equal

Harden Cave
&
Spring dale

Tenth Census
Aug 1st Jan 1880
Ind Schedule

Geo. V Brown.

82

Edward 32

152 Acres be the same more or less
Lying adjacent to the lands of Geo T
Hall, Wm Atkins et als, on a credit of
one & two years in two equal
payments with interest from
day of sale, except so much for
Cash as will pay cost of suit &
sale, & the purchaser credit portion of
said sale, & two bonds in equal amount
with sufficient security, with waiver of
the Homestead, payable himself as
Commissioner respectively 1 & 2 years
from the day of sale with interest from
that date, which bonds he shall return
with his report to Court & his proceed-
ings under this decree. But the effect
of this decree shall be suspended as to
said sale until the said C B Hayden
shall execute & deliver to the Clerk
of this Court, a bond with
sufficient security with waiver
of the Homestead payable to the Com-
monwealth of Virginia in the
penalty of $1000.00 conditioned
for the faithful performance of this
or any future decree herein

Supreme Ct of Appeals of Va. Nov 1880

deposit in the Farmers Exchange Savings Bank
Isom Spivey to the credit of this cause
taking the certificate of deposit of the
Cashier of said Bank & return the
same to Court with his report of his
proceedings under this decree.

And the Court doth further adjudge ordered and decreed
that unless within 20 days from date of this decree
~~[illegible]~~ Junius W Spivey or Elizabeth Harris or
some one for them pay the several creditors of
Willis Spivey named in Commissioner Young's
report of debts herein the sums therein
to be due thereafter crediting the same
with the payments made thereon by B.C.
Roberts Admr of Willis Spivey shewn by
his aforesaid report & after crediting the gen-
eral creditors named therein with their pro-
rata share of the bond herein directed to be
collected, that C.B. Hayden who is hereby ap-
pointed Special Commissioner for that pur-
pose shall expose for sale at public auction
at Isle of Wight C.H., on some court day after
having given at least 20 days notice of the
time place terms of sale by advertisement
at the C.H. door of said County on some court
day previous to the day of sale, & at other
public places in said County, the land in
these proceedings mentioned whereof the
said Willis Spivey died seized & possessed
in the said County Certificate of Publication

Hayden Comm

Spring et al -

This cause coming on this day to be heard upon the petition of Mary Spring widow of Willis Spring deceased that since the last decree herein the defendant Mary Spring widow of Willis Spring has departed this life ~~and that~~ and it is prayed that this suit be dismissed as to her, came on this day to be heard upon the papers formerly read & on the report of B. C Roberts Admr of Willis Spring under the decree herein of April Term 1878, & of L. B Edwards Receiver ~~of the Circuit Court~~ of Hardin under the decree herein of October Term 1878, & was argued by Counsel on consideration whereupon the court confirms said report, to which no exceptions are filed, doth adjudge order & decree that the Clerk this Court deliver to said L. B Edwards Receiver ~~aforesaid~~ the Bond of W. H Spring Robt Bradshaw & Jno Turner & C. H Thorn for $130.00 payable to said Receiver in this suit on the 31st day of December 1879 returned herein with his report aforesaid & which Bond he is hereby authorized & required to collect at Maturity & the proceeds thereof after paying & discharging the unpaid costs of this suit -

cedings under this decree.

And the court doth further adjudge order & decree that on the payment of said bonds in full the said C. B. Hayden who is hereby appointed Special Commissioner for that purpose shall execute & deliver to the said Chas Fulgham a good & sufficient deed with special warranty for the tract of land in these proceedings mentioned, whereof the said Willis Spivey died, seized & possessed in the county of Isle of Wight containing by estimation 152 Acres be the same more or less, adjacent to the lands of Jo F. Hall & W. T. Atkins, bid off by him under a decretal sale herein on the 6th day of Oct 1879. for $1190.00

Hayden Comr
vs
Spivey's Admr

Rec'd through Decree
Oct Term 1879.
To be entered

Entered.

Hayden Comr

vs

Spivey's Admr &als

This cause this day came on to be again heard on the papers formerly read & on the report of sale of C B Hayden, Commissioner, under the decree herein of April Term 1879, & was argued by counsel on consideration whereof the court confirming said report to which no exceptions were filed doth adjudge order & decree that the Clerk deliver to the said C. B. Hayden on his filing his receipt therefor the two bonds of Charles Fulgham & Thos J. Clements for $578.50 each, payable respectively, & 2 years from the 5th day of Oct 1879 with interest from that date, which bonds he is hereby authorized & required to collect on maturity, or before should payment be tendered, & the proceeds thereof after paying thereout the unpaid costs of suit & sale pay ratably among the creditors of said Willis Spivey named in Comr Young's, former, report of debts herein in proportion to the amounts thereon shown to be respectively due them, taking the receipts of the parties therefor & return the same with his report & account of his pro-

Hayden Conn
vs
Spivy

Rough Docket
April Term 1881
To be entered.

Geo. T. Blow.

Entered 6

J. B. Lippincott & Co.
Booksellers and Stationers,
Philadelphia, Pa.

Hayden Comr

vs

Spivey

This cause this day coms on to be again heard on the papers formerly read and on Comr Hayden's Report of Collection and Payment under the decree herein of Oct Term 1879. and was argued by counsel on consideration whereof the Court doth adjudge order and decree that said Report be which no exceptions were filed be confirmed and that for all other purposes this cause be continued

J. W. Spivey, and Charles Fuel-
ham as may be agreed on by them
in writing certified to by a notary pub-
lic which said agreement the said
R. S. Thomas shall submit with his
report of his proceedings under this
decree. But the said R. S. Thomas
special commissioner as aforesaid shall
not execute this decree until he shall
have executed a good & sufficient bond
before the clerk of this court in the penal
sum of Twelve Hundred Dollars
conditioned for the faithful performance
of his duties ~~aforesaid~~ under this decree

Hayden Conn
v. Decree
Spivey

Filed June 1883
To be entered

West Blood
Clerk

Entered 28

Hayden Comr

v

Spivey

This Cause came on this day to be again heard on the papers formerly read and on the report of C. B. Hayden filed herein January 1st. 1883 to which report there are no exceptions and was argued by Counsel: On consideration whereof the Court confirming the said report doth adjudge order and decree that R. S. Thomas who is hereby appointed Special Commissioner for that purpose withdraw from the papers in this Cause on leaving his receipt with the clerk of this Court therefor, the Certificate of deposit of W. H. Taylor President of the Marion Bank showing that C. B. Hayden Commissioner deposited in that Bank on the 20th. of December 1882 the Sum of $598.34 which said certificate he shall collect and ~~payment~~ after paying thereout the unpaid costs of this suit including ~~an attorney fee of Twenty Five Dollars to R. S. Thomas for his services in this Cause~~ pay over the balance to

Hayden Court

v

Spivey et-al

Rough Decree

October Term 1883

To be entered

Geo. T. Glow.

Entered Vol. 4

Hayden Conn

v.

Spivey.

This cause came on this day to be again heard on the papers formerly read and on the report of R. S. Thomas Special Commissioner herein under the decree of April Term 1883 to which no exceptions are filed and was argued by counsel: On consideration whereof the court confirming the said report to which no exceptions are filed doth adjudge order and decree, nothing further remaining to be done in this cause, that it be removed from the docket.

Hayden Comt.

vs. Dep.

Shirley Esq.

Certy Judgmt.

Exd.

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY, April 20th 187[illegible].

C. B. Hayden (sometimes called Commissioner of sale in the suit of Boykin adm. vs. Pegnall), Plaintiffs,

against

James A. Spivey surviving obligor of Willis Spivey & James A. Spivey, Defendants.

Judgment was granted the Plaintiff against the Defendant for the sum of Five Hundred Dollars and [illegible] cents, *with interest thereon, to be computed after the rate of* [illegible] *per centum per annum, from the* 4th *day of* October, 18[illegible], *till payment and the costs.*

Plaintiff's costs, $8.10

An Extract.

Teste: [illegible] Clerk.

Sheriff's Return "No property found to satisfy this execution or any part thereof"
L. D. Edwards Sheff.

a copy.

Teste J. P. Young Clk.

)

Chapman Bond

Sheriff's Bond

Surety Bond

Copy Bond

Guggenheimer & Weil, Stationers, Baltimore.

The Commonwealth of Virginia,

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

We command you that of the goods and chattels of James W. Spivey, executor of Elizabeth Willis, deceased,

late in your bailiwick. you cause to be made the sum of Five Hundred and Thirty-two dollars and Thirty cents with interest thereon from the 4th day of October 1870, till paid, which to the Plaintiff in Error in the suit of Hayden, Conner & Co. against the said James W. Spivey, executor

lately in our Circuit Court of the County of Isle of Wight, recovered against said

for debt, also the sum of Eight Dollars and Cents,

which to the said Hayden, Conner & Co. in the same Court were adjudged

for damages, as well by reason of detaining the said debt, as for Costs

cost in that suit expended, whereof said Spivey convicted as appears to us

of record; and that you have the said debt and damages before the Judge of our Circuit

Court, at the Courthouse, on the first Monday in July next, to render unto the

said Hayden, Conner & Co. of the debt and damages aforesaid.

And have then there this writ

Witness, NATHANIEL P. YOUNG, Clerk of our said Court, this 24th day of

April A. D. 1871, and in the 102nd year of the Commonwealth.

J. P. Young, clk.

Cir. A. No. 42

Hayden Comm.

vs. Fi. fa.

Spivey J. P.

"

To July 1877.

Hayden D. C.

No property found to satisfy this execution or any part thereof

July 22 - 1877

S. B. Edwards

Shff.

Allo. & Lot - 3.60

Clk - 3.50

Shff - 1.06

$ 8.16

Guggenheimer & Weil, Stationers, Baltimore.

The Commonwealth of Virginia,

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

We command you that of the goods and chattels of Jarvius N Stoivey. Surviving obligor of Willis Stoivey and himself late in your bailiwick. you cause to be made the sum of Five hundred and Fifteen Dollars and Sixty nine cents with interest thereon from the 4th day of October 1875. Cost payment, which B. J. Hayden Commr. of sale in Boykins admr or. Bagnall lately in our Circuit Court of the County of Isle of Wight, recovered against him for debt, also the sum of Eighth Dollars and 10 Cents, which to the said Hayden Commr, in the same Court were adjudged for his damages, as well by reason of detaining the said debt, as for his cost in that suit expended, whereof said Stoivey is convicted as appears to us of record; and that you have the said debt and damages before the Judge of our Circuit Court, at the Courthouse, on the first Monday in July next, to render unto the said Hayden Commr. of the debt and damages aforesaid. And have then there this writ

Witness, NATHANIEL P YOUNG, Clerk of our said Court, this 24th day of April A D. 1877, and in the 101st year of the Commonwealth.

A Copy Teste. N. A. Edwards D.C. N P Young clk

Hoyden Comm.

or Extract of Judgment

Spivey J.M.

"

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY, Sept. 6th 1877

W. B. Hayden Comr. of Sale in Boykins
Admr. of B. Bagnall, *Plaintiffs,*

against

Junius N. Spivey surviving obligor of
Willis Spivey and himself. *Defendants.*

Judgment was granted the Plaintiff against the Defendant for the sum of Five hundred & Thirteen *Dollars and* Thirty nine *cents, with interest thereon, to be computed after the rate of* — *per centum per annum, from the* 4th *day of* October *, 1875, till payment and the costs.*

*Plaintiff's costs, $*8.10

An Extract.

Teste: W. A. Edwards D.C. for
A. R. Young Clerk.

Willis Slaivey's

Will

A Coles

"

Exhibit "E"

I, Willis Spivey of the County of Isle of Wight, do make this writing as and for my last will & testament to wit: I give to my son Junius N. Spivey the plantation on which I now reside, and which I bought from James K. Holland, supposed to contain one hundred and fifty two acres, also two beds, steads and furniture, two cows, one double barrel gun, one steer and fixtures-complete, apple mill and presses & cider casks of all kinds; but reserving to my wife her right of dower in said property real and personal. The balance of my property, I wish sold, & after paying my just debts, I desire the remainder divided equally among my wife and two children.

Witness my hand and seal, this 30th day of May 1870.

Witness.
N.P. Young.
C.H. Hart.

Willis Spivey (Seal)

In Isle of Wight County Court, March 5th 1877.
The last will and testament of Willis Spivey dec'd. was proved by the oaths of N.P. Young and C.H. Hart the witnesses thereto; and thereupon admitted to record. Teste.

A copy Teste.
N.A. Edwards D.C.

N.A. Edwards Deputy for
N.P. Young Clk

Boyskins adm.

v Copy Dec

Bagnall et al

=

Copy Dec of

Oct 1875. Sec

Mem. in suit

"

Exhibit "

Fee for Copy 50¢

of Isle of Wight, containing by estimation 150
acres more or less, being the same tract of land
sold by Stephen H. Jones to the said Sabrah
Bagnall, & conveyed in the Deed of Trust in
these proceedings mentioned of Henry Bagnall
& Sabrah his wife bearing date January 1st
1854, lying in Smiths Neck, known as "Gradwin
Point" bid off by the said Willis Spivey under
a decree sale herein for the sum of $1150.00 —
And the court doth further adjudge order & decree
that a commissioner of this court ascertain &
report to court the amount for which the
former purchaser Charles H. Wilson is liable on
account of the resale of said land owing to
his failure to pay the purchase bonds given by
him for said land.

for $513.39 each payable respectively 1 & 2 years from the 4th day of October 1875 with interest from that date, returned with his report of sale aforesaid, which bonds the said C. B. Hayden who is hereby appointed special commissioner for that purpose is authorized & required to collect on maturity, or before should the said Willis Spivey desire to pay the same, & the proceeds thereof after paying thereout the unpaid costs of suit & sale, pay the balance thereof to L. B. Edwards Administrator debonis non with the will annexed of A. G. Boykin deceased in part satisfaction of the Bond of $900.00 with interest from the 1st day of January 1876, subject to the credits thereon endorsed; received by the Deed of Trust on said land, in the proceedings mentioned, taking the receipts of said administrator therefor & return the same to court, with his report of his proceedings under this decree to court.
& the court doth further adjudge, order & decree that on the payment of said bonds the said C. B. Hayden, who is hereby appointed special commissioner for that purpose shall execute and deliver to the said Willis Spivey a good & sufficient deed in fee simple, with special warranty for the tract of land in these proceedings mentioned, whereof Sarah Bagnall died seized & possessed in the county

In the Circuit Court of
Isle of Wight County
October term 1875.

A. G. Boykins admr &c Pltff

v 3 Decree

Henry Bagnall's admr &c Defts

(This cause in which it is suggested that since the last decree herein, the plaintiff E. L. Ely administrator of A. G. Boykin has departed this life & that the estate of said A. G. Boykin has been committed for administration debonis non to L. B. Edwards sheriff of this county, it is ordered that this suit proceed in his name as such admr & that the defts- E. J. Chapman admr of Sal'r Bagnall has been removed & that the estate has been committed for administration debonis non to L. B. Edwards sheriff of this county it is by his consent ordered that this suit proceed against him as such defendant this day came on to be again heard on the papers formerly read & on the report of Sale of Commr Hayden under the decree herein of May Term 1874, and was argued by counsel, on consideration whereof the court confirming said report to which no exceptions were filed doth adjudge, order and decree that the clerk of this court deliver to C. B. Hayden on his filing his receipt therefor the two bonds of Willis & Spivey & J. W. & Spivey

Hayden Cont.

Cont.
Notice

vs.

Spelvey &c.

8th March
1878.

Executed March
4th 1878.

L. B. Edwards
Shff

Recd. 2 Writs

Ret. Sold &c 6 Apl 78

Acknowledge service of the within notice.
C. B. Hayden

Commissioner's Office,

Isle of Wight C. H. Va. Febuy 21st 1878.

To C. B. Hayden Comm'r in suit Day Ran
vs Bogwalt &c

.....Plaintiffs.

and to B. C. Roberts adm'r with the will annexed
of Willis J Spivey Ed. Junius W Spivey and Robert
H. Harris and Elizabeth his wife

.....Defendants.

You are hereby notified that I have fixed upon the Eighth day of
March 1878 to take and settle at my office aforesaid, the
following accounts to wit: 1st. An account of the
transactions of B. C. Roberts as adm'r
with the will annexed of Willis
J Spivey dec'd. 2nd. An account
the plaintiffs demands, and of the debts
and demands of all other creditors and
against the estate said Willis J Spivey
or his estate who may choose to contribute
to the costs of this suit and their respective
priorities. 3rd. An account of the real
estate of which the said Willis J Spivey
died seized and possessed and of the
partition thereof according to the rights

Required to be taken by a Decree of the Circuit Court of Isle of Wight County, rendered
on the 20th day of October 1877 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.

C. B. Hayden Commissioner.

C. B. Heyden comr

vs. } Copy of Canc. Bond

Livey. Willis' adm'r &c.

Recorded in Bond book
Page 63

Know all Men by these Presents, That we E. B. Hayden & N. P. Young are held and firmly bound unto the Commonwealth of Virginia in the sum of One Thousand Dollars to the payment whereof, well and truly to be made, we bind ourselves, our Heirs, Executors and Administrators, jointly and severally, firmly by these presents. As witness our Hands and Seals, this 6th day of October in the year of our Lord, one thousand eight hundred and seventy nine, and we each waive homestead as to this obligation

The Condition of the above Obligation is such, That whereas, by a Decree of the Circuit Court of Isle of Wight County, pronounced on the 22nd day of April 1879, in a cause depending in the said Court, in which E. B. Hayden commissioner in the suit of Boykin's admr vs Bagnall's admr &als, is Plaintiff, and B. E. Roberts admr of Willis Spivey dec'd &als, are Defendant, the above bound E. B. Hayden was appointed a special Commissioner to sell the land in the proceedings mentioned whereof said Willis Spivey died seized and possessed in the said county containing by estimation 152 acres more or less, adjacent to the lands of Geo. St. Veale and others, and make report to court &c,

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

Signed, Sealed and Delivered in the presence of

E. B. Hayden [SEAL.]

N. P. Young, [SEAL.]

[SEAL.]

In the clerks office of Isle of Wight circuit court the 6th day of October 1879, this bond was signed, sealed and acknowledged by the obligors and admitted to record,

Teste,

N. P. Young clk

A copy

Teste, W. A. Edwards D.C.

C. B. Hayden Com.

Comm.
vs.
Bond.

Survey. Willis's road
etc.

Octo. 6 th. 1849.

Acknd. & A.K.D.

Recorded in Book
page 63

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

are held and firmly bound unto the Commonwealth of Virginia in the sum of One Thousand Dollars to the payment whereof, well and truly to be made, we bind ourselves, our Heirs, Executors and Administrators, jointly and severally, firmly by these presents. As witness our Hands and Seals, this 6th day of October in the year of our Lord, one thousand eight hundred and seventy nine and we each waive homestead as to this obligation.

The Condition of the above Obligation is such, That whereas, by a Decree of the Circuit Court of Isle of Wight County, pronounced on the 27th day of April 1879 in a cause depending in the said Court, in which C. B. Hayden Commissioner in the suit of Boykin and others against [illegible] and others

Plaintiff, and

B. C. Roberts adm. of Willis Young dec'd. and others

Defendant, the above bound C. B. Hayden was appointed a special Commissioner to sell the land in the proceedings mentioned whereof said Willis Young died seized and possessed in the said county containing by estimation 152 acres, more or less, adjacent to the land of Geo. T. Hall & others, and made report to said Court,

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

Signed, Sealed and Delivered in the presence of

C. B. Hayden [SEAL.]

N. P. Young [SEAL.]

[SEAL.]

In the Clerk's office of Isle of Wight Circuit Court the 6th day of October 1879. This bond was signed, sealed and acknowledged by the obligors and admitted to record.

Teste, N. P. Young Clk