

1931-009
Nansemond Co (Suffolk) Chancery Causes: Asgn of Crocker-Boykin Inc. vs Admro of Johnson Ballard et al

Darden, Britt, Norfleet, Bailey, Morgan

VIRGINIA: IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF NANSEMOND COUNTY.

Lizzie Ballard, Assignee of Crocker-Boykin, Incorporated,

v.

W. H. Crocker, Administrator of the Estate of Johnson Ballard, deceased, Lizzie Ballard, George Ballard, Lee Ballard, Johnnie Ballard, Frederick Darden, and all unknown parties who may be heirs at law of Johnson Ballard, deceased.

ORDER OF PUBLICATION

The object of the above-styled suit is to have settlement of the estate of Johnson Ballard, deceased, and to subject to the payment of his debts, particularly the debt of the complainant, the real estate of which the said Johnson Ballard died seized and possessed, particularly that certain lot or parcel of land situate in Nansemond County, Virginia, in Cypress Magisterial District, in what is known as "Lloyd's Addition," fronting fifty (50) feet on the West side of Division Street, and running back between parallel lines one hundred and fifty (150) feet, more or less, and being bounded on the North by property of Lee Blitt, or that which was his, on the East by Division Street, on the South by property of Martha Jane Bond, or that which was hers, and on the West by Lot No. 15 on the plat of the Lloyd property. And it appearing by affidavit filed according to law that George Ballard, Johnnie Ballard and Frederick Darden are not residents of this State, and that there are or may be persons interested in the subject to be disposed of whose names are unknown, it is, therefore, ordered that the said George Ballard, Johnnie Ballard and Frederick Darden, and all such unknown parties, do appear, within ten days after due publication of this order, in the Clerk's Office of our said Circuit Court and do what is necessary to protect their interests. And the court not having prescribed a newspaper in which this order shall be published, it is further ordered that this order be published once a week for four successive weeks in The Suffolk News-Herald, a newspaper printed and published in the City of Suffolk, Virginia. And it is further ordered that a copy of this order be posted at the front door of the Court House of the County of Nansemond, Virginia, on or before the next succeeding rule day.

PAUL J. POWELL, Clerk.

By Olivera Whitehurst, D. O.

James H. Corblitt,

Marshall Andrews, p. q. 6-21,23;7-5,11

VIRGINIA:

In the CLERK'S OFFICE of the CIRCUIT COURT of the COUNTY OF NANSEMOND,

on the 6th day of May 1929

I, PAUL J. POWELL, Clerk of the Circuit Court of the County of Nansemond, in the State of Virginia, do certify that it appears from the records of the said Court, on file in my office, that W. H. Crocker

duly qualified on the 21 day of March 1929, as

Administrator
of the estate of John W. Ballard, deceased

and that he executed and acknowledged a bond as prescribed by law, in the penalty

of \$ 500.00, with United States Fidelity and

Guaranty Company as surety

GIVEN UNDER MY HAND 6 days of

May 1929 the day and year first

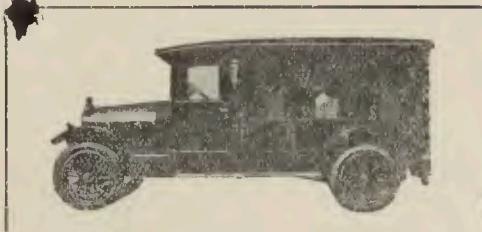
herein above written.

Paul J. Powell Clerk,
By M. K. Gardner D. C.

"Exhibit 1"

W. H. CROCKER

E. A. BOYKIN



CROCKER & BOYKIN UNDERTAKERS, INC.

AUTHORIZED CAPITAL STOCK \$10,000

Funeral Directors and Embalmers



321 EAST WASHINGTON STREET

TELEPHONES: OFFICE, 234; RESIDENCE (CROCKER 416-W)
(BOYKIN 784)

SUFFOLK, VA., June 19, 1929

SOLD TO M Estate Of Johnson Ballard
Suffolk, Va.

Feb.	26	To Embalming (Johnson Ballard)	\$15 00		
"	"	" City Permit	50		
"	"	" Hearse	5 00		
"	"	" Opening Grave	3 00		
"	"	" Flowers	14 00		
"	"	" 3-6 Cars	13 50		
"	"	" Casket & Box	165 00		
"	"	" $\frac{1}{2}$ Cemetary Lot	15 00	\$231 00	-

April 27¹⁹²⁹ For Value Received we hereby assign the within
Bill to Lizzie Ballard.

Crocker & Boykin Inc.

By J. H. Boykin Secy.

"Exhibit 2"

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

v.

W. H. Crocker, Administrator of the
estate of Johnson Ballard, deceased,
Lizzie Ballard, George Ballard,
Lee Ballard, Johnnie Ballard,
Frederick Darden, and all unknown
parties who may be heirs at law
of Johnson Ballard, deceased.

I, W. C. Huntington, the Editor of The
Suffolk News-Herald, a newspaper printed in the City of
Suffolk and County of Nansemond, Virginia, do hereby
certify that the order of publication in the above matter,
a copy of which is hereto attached, was duly published in
the said newspaper for four successive weeks from and after
the 21st day of June, 1929.

W. C. Huntington
Editor of The Suffolk News-Herald.

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Nansemond.

Lizzie Ballou, assignee et al Pltff. }
vs. } In Chancery
H. W. Crocker, adm. et al Dft }

I hereby certify that on the 20 day of June 1929

I posted a copy of the order of publication entered herein, at the front door of the Courthouse of the County of Nansemond; that being on or before the next succeeding rule day after said order was entered, and I further certify that I have mailed a copy of same to the last known address of the defendant.

Given under my hand this 20 day of June 1929
Paul J. Powell, Clerk.

By Olivera Whitehurst, Deputy Clerk.

VIRGINIA:

IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF NANSEMOND
COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

v.

W. H. Crocker, Administrator of the
estate of Johnson Ballard, deceased,
Lizzie Ballard, George Ballard,
Lee Ballard, Johnnie Ballard,
Frederick Darden, and all unknown
parties who may be heirs at law
of Johnson Ballard, deceased.

ORDER OF PUBLICATION.

The object of the above-styled suit is to have
settlement of the estate of Johnson Ballard, deceased, and
to subject to the payment of his debts, particularly the
debt of the complainant, the real estate of which the said
Johnson Ballard died seized and possessed, particularly that
certain lot or parcel of land situate in Nansemond County,
Virginia, in Cypress Magisterial District, in what is known
as "Lloyd's Addition", fronting fifty (50) feet on the West
side of Division Street, and running back between parallel
lines one hundred and fifty (150) feet, more or less, and
being bounded on the North by property of Lee Britt, or that
which was his, on the East by Division Street, on the South
by property of Martha Jane Bond, or that which was hers, and
on the West by Lot No. 15 on the plat of the Lloyd property.
And it appearing by affidavit filed according to law that
George Ballard, Johnnie Ballard and Frederick Darden are not
residents of this State, and that there are or may be persons
interested in the subject to be disposed of whose names are
unknown, it is, therefore, ordered that the said George
Ballard, Johnnie Ballard and Frederick Darden, and all such

unknown parties, do appear, within ten days after due publication of this order, in the Clerk's Office of our said Circuit Court and do what is necessary to protect their interests. And the court not having prescribed a newspaper in which this order shall be published, it is further ordered that this order be published once a week for four successive weeks in the Suffolk News-Herald, a newspaper printed and published in the City of Suffolk, Virginia. And it is further ordered that a copy of this order be posted at the front door of the Court House of the County of Nansemond, Virginia, on or before the next succeeding rule day.

<u>James H. Corbitt</u>	}	p. q.	<u>Paul J. Powell</u>
<u>Marshall Andrews</u>			Clerk.
			By Olivera Whitcomb, D.C.

VIRGINIA:

IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

v.

W. H. Crocker, Administrator
of the estate of Johnson
Ballard, deceased, et als.

ORDER OF PUBLICATION

Filed June 20-1929
Olin W. Whitcomb
DC.

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

v.

W. H. Crocker, Administrator of the
estate of Johnson Ballard, deceased,
Lizzie Ballard, George Ballard,
Lee Ballard, Johnnie Ballard,
Frederick Darden, and all unknown
parties who may be heirs at law
of Johnson Ballard, deceased.

AFFIDAVIT.

Lizzie Ballard

STATE OF VIRGINIA,
~~County~~ Nansemond
~~CITY OF SUFFOLK~~, To-wit:

This day Lizzie Ballard personally appeared before
me, W. H. Crocker, a notary public in and
for the ~~City~~ County and State aforesaid, in my ~~City~~ County aforesaid, and
made oath that George Ballard, Johnnie Ballard and Frederick
Darden, defendants named in the above cause, are not residents
of the State of Virginia and that their last known postoffice
addresses are unknown.

And the said Lizzie Ballard further made oath before
me that there are, or may be, persons interested in the
subject to be disposed of whose names are unknown.

Given under my hand this 19 day of June 1929
1929.

My commission expires

Aug. 1st 1932

W. H. Crocker

NOTARY PUBLIC.

VIRGINIA:

IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

v.

W. H. Crocker, Administrator
of the estate of Johnson
Ballard, deceased, et als.

AFFIDAVIT

Filed June 20-1939
Oliverq Whitcomb, Jr.

TO THE CLERK OF THE CIRCUIT COURT OF NANSEMOND COUNTY,
VIRGINIA:

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

v.

W. H. Crocker, Administrator of the
estate of Johnson Ballard, deceased,
Lizzie Ballard, George Ballard,
Lee Ballard, Johnnie Ballard,
Frederick Darden, and all unknown
parties who may be heirs at law
of Johnson Ballard, deceased.

Issue summons in Chancery to 1st July Rules.

James H. Corbitt
Marshall Cuyfrews } p. q.

MEMORANDUM FOR CLERK:

Please direct summons for Lizzie Ballard to the Sheriff
of Nansemond County, Virginia; summons for Lee Ballard to the
City Sergeant of Portsmouth, Virginia; and summons for W. H.
Crocker to the City Sergeant of Suffolk, Virginia.

VIRGINIA:

IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

v.

W. H. Crocker, Administrator
of the estate of Johnson
Ballard, deceased, et als.

MEMORANDUM

The Commonwealth of Virginia,

To the ~~Sheriff of the County of~~ ^{Sergeant of City of Suffolk}, Greeting:

WE COMMAND YOU, That you summon W. H. Crocker, Administrator of the
estate of Johnson Ballard, deceased, Lizzie Ballard, George Ballard,
Lee Ballard, Johnnie Ballard, Frederick Darden, and all unknown
parties who may be heirs at law of Johnson Ballard, deceased.

to appear at the Clerk's office of the Circuit Court of the Co. of Nansemond
at the rules to be held for the said Court on the 1st Monday in July, 1929,
to answer a bill in chancery, exhibited against them in our said Court by
Lizzie Ballard, Assignee of Crocker-Boykin, Incorporated

And have then there this writ. Witness Paul J. Powell, Clerk of our said
Court, at the court-house, the 20th day of June, 1929, and in the
153rd year of the Commonwealth.

Paul J. Powell, Clerk

By Oliver Whitehurst, D.C.

Original

No. 300

Lizzie Ballrad, assignee etc.

vs.

}

SUBPOENA IN CHANCERY

W. H. Crocker, Admin. et als

Corbitt & Andrews p.q.

To 1st July Rules,

Nansemond County Circuit Court.

I hereby acknowledge
receipt of the within
process.

H. H. Coe
Administrator of the
Estate of John
Ballard, deceased.

The Commonwealth of Virginia,

To the Sheriff of the County of Nansemond, Greeting:

WE COMMAND YOU, That you summon W. H. Crocker, Administrator of the
estate of Johnson Ballard, deceased, Lizzie Ballard, George Ballard,
Lee Ballard, Johnnie Ballard, Frederick Darden, and all unknown
parties who may be heirs at law of Johnson Ballard, deceased.

to appear at the Clerk's office of the Circuit Court of the Co. of Nansemond
at the rules to be held for the said Court on the 1st Monday in July, 1929,
to answer a bill in chancery, exhibited against them in our said Court by
Lizzie Ballard, Assignee of Crocker-Boykin, Incorporated

And have then there this writ. Witness Paul J. Powell, Clerk of our said
Court, at the court-house, the 20th day of June, 1929, and in the
153rd year of the Commonwealth.

Paul J. Powell, Clerk.

By Oliver Whitehurst, D.C.

Original

No. 300

Lizzie Ballard, Assignee etc.

vs.

} SUBPOENA IN CHANCERY

W. H. Crocker, Adm. et als

Corbitt & Andrews p.q.

To 1st July Rules,

Mansemond County Circuit Court.

I hereby acknowledge
service of the within
process.

Lizzie Ballard

The Commonwealth of Virginia,

Sergeant of City of Portsmouth,
To the Sheriff of the County of _____, Greeting:

WE COMMAND YOU, That you summon W. H. Crocker, Administrator of the
estate of Johnson Ballard, deceased, Lizzie Ballard, George Ballard,
Lee Ballard, Johnnie Ballard, Frederick Darden, and all unknown
parties who may be heirs at law of John Ballard, deceased.

to appear at the Clerk's office of the Circuit Court of the Co. of Nansemond
at the rules to be held for the said Court on the 1st Monday in July, 19 29,
to answer a bill in chancery, exhibited against them in our said Court by
Lizzie Ballard, Assignee of Crocker-Boykin, Incorporated

And have then there this writ. Witness Paul J. Powell, Clerk of our said
Court, at the court-house, the 20th day of June, 19 29, and in the
153rd year of the Commonwealth.

Paul J. Powell, Clerk
By Oliver Whitehurst, D.C.

Original

No. 300

Lizzie Ballard, Assignee etc.

vs.

} SUBPOENA IN CHANCERY

W. H. Crocker, Admin. et als.

Corbitt & Andrews p.q.

To 1st July Rules,

Nansemond County Circuit Court.

Executed this 25th day of June
1899 in the City of Portsmouth, Va. by
delivering copy of the within to
Lee Ballard.

in person.

R. G. How City Supt.

by J. F. Felt Deputy Supt.

Let True Bill

August 27, 1929.

Mr. R. E. Glover, City Sergeant,
Portsmouth, Va.

Dear Sir:-

Enclosed herewith you will find original and copy of commissioner's notice in the suit of Lizzie Ballard, Assignee of Crocker-Boykin Inc. v. W. H. Crocker, Admr. et als. Please serve the notice on Lee Ballard, (colored) who lives at 1116 London Street, in Portsmouth, and return your original with your return endorsed thereon to me.

Enclosed you will find check to cover your fee for the service.

Yours very truly,

Know all Men by these Presents, That we James H. Corbitt, and
Fidelity & Deposit Company of Maryland

are held and firmly bound unto the Commonwealth of Virginia in the sum of

Fifteen hundred Dollars

to the payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents, hereby waiving the benefit of our Homestead Exemptions as to this obligation.

Sealed with our seals, and dated this 30th day of November,
one thousand nine hundred and twenty-nine.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound

James H. Corbitt
shall faithfully discharge his duties as Special Commissioner, under decree of the Circuit
Court of the County of Nansemond
pronounced on the 27th day of November 19 29; in the suit
therein depending under the name and style of

Lizzie Ballard, Assignee of Crocker-Boykin, Incorporated

vs

W. H. Crocker, Administrator, etc., et als

and shall account for and pay over, as the Court may direct, all money that may come into
his hands as such Commissioner,
then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in
the presence of

J. M. Lawrence
Olivera Whitehurst

James H. Corbitt [SEAL]
Fidelity & Deposit Co. of Md. [SEAL]
by J. T. Withers, Atty. in fact [SEAL]

In the Clerk's Office of the Circuit Court of the County of Nansemond

This day James H. Corbitt and Fidelity & Deposit Company of Maryland
surety on the above bond, made oath before me Olivera Whitehurst, Deputy, Clerk
of the Circuit Court of the County of Nansemond
that the estate, after the payment of all the just debts and those for which he is
bound as security for others and expect to have to pay worth the sum of fifteen
hundred dollars.

Given under my hand, this 30th day of November 19 29

Olivera Whitehurst, Deputy Clerk.

a true copy

Teste: Oliver J. Powell, Clerk
By, Olivera Whitehurst, etc.

Copied
Form No. 309.

Jas H. Corbett

to } SPECIAL
COMMISSIONER'S BOND

Commonwealth

Olivera Whitehurst, Deputy Clerk.

Form No. 309.

Jas. H. Corbett

to

}

SPECIAL
COMMISSIONER'S BOND

Commonwealth

9

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

v.

W. H. Crocker, Administrator of the
estate of Johnson Ballard, deceased,
Lizzie Ballard, George Ballard,
Lee Ballard, Johnnie Ballard,
Frederick Darden, and all unknown
parties who may be heirs at law of
Johnson Ballard, deceased.

I, Paul J. Powell, Clerk of this Court, do certify
that the bond required of the Special Commissioner by the
decree rendered in this cause on the 27th day of November,
1929, has been duly given.

Given under my hand as Clerk of this Court this
30th day of November, 1929.

Paul J. Powell

Clerk.

By Olivia Whitehurst, Sec.

To Lizzie Ballard, Assignee of Crocker-Boykin, Incorporated.

and

W.H. Crocker, Administrator of the estate of Johnson Ballard, deceased, Lizzie Ballard, George Ballard, Lee Ballard, Johnnie Ballard, Frederick Darden, and all unknown parties who may be heirs-at-law of Johnson Ballard, deceased.

You are hereby notified that on the 11th. day of September 1929, between the hours of 10 A.M. and 5 P.M., at the office of James H. Corbitt, in the National Bank of Suffolk, in Suffolk, Virginia, at which time and place you are required to attend, I shall take, state and settle the following accounts which are to be taken, stated, settled and reported to Court in pursuance of the decree of the Circuit Court of Hansemond County, Virginia, rendered the 19th. day of August 1929 in the suit in chancery pending in said court to which you are parties complainant and defendant, to-wit:

(1) What real estate was owned by Johnson Ballard, at the time of his death, and what is its fee-simple and annual value.

(2) What delinquent taxes, if any, are against the said real estate.

(3) What other liens, if any, are on the said real estate, and their priorities.

(4) What other debts, if any, the said decedent died owing and are still unpaid by W.H. Crocker, Administrator of the estate of the decedent.

(5) Who are the heirs of the said decedent, Johnson Ballard; their respective interests in the said real estate and whether or not all such persons are properly before the court in this cause.

(6) What liens, if any, are on the respective interests of the said heirs.

(7) An account of the transactions of the said W.H. Crocker, Administrator aforesaid.

Given under my hand as Commissioner in Chancery of the said Court this 23rd. day of August 1929.

Bradford Kilby
Commissioner in Chancery.

To Lizzie Ballard, Assignee of Crocker-Boykin, Incorporated.

and

W.H. Crocker, Administrator of the estate of Johnson Ballard, deceased, Lizzie Ballard, George Ballard, Lee Ballard, Johnnie Ballard, Frederick Darden, and all unknown parties who may be heirs-at-law of Johnson Ballard, deceased.

You are hereby notified that on the 11th. day of September 1929, between the hours of 10 A.M. and 5 P.M., at the office of James H. Corbitt, in the National Bank of Suffolk, in Suffolk, Virginia, at which time and place you are required to attend, I shall take, state and settle the following accounts which are to be taken, stated, settled and reported to Court in pursuance of the decree of the Circuit Court of Nansemond County, Virginia, rendered the 19th. day of August 1929 in the suit in chancery pending in said court to which you are parties complainant and defendant, to-wit:

- (1) What real estate was owned by Johnson Ballard, at the time of his death, and what is its fee-simple and annual value.
- (2) What delinquent taxes, if any, are against the said real estate.
- (3) What other liens, if any, are on the said real estate, and their priorities.
- (4) What other debts, if any, the said decedent died owing and are still unpaid by W.H. Crocker, Administrator of the estate of the decedent.
- (5) Who are the heirs of the said decedent, Johnson Ballard; their respective interests in the said real estate and whether or not all such persons are properly before the court in this cause.
- (6) What liens, if any, are on the respective interests of the said heirs.
- (7) An account of the transactions of the said W.H. Crocker, Administrator aforesaid.

Given under my hand as Commissioner in Chancery of the said Court this 23rd. day of August 1929.

Bradford Kilby
Commissioner in Chancery.

To Lizzie Ballard, Assignee of Crocker-Boykin, Incorporated.

and

W.H. Crocker, Administrator of the estate of Johnson Ballard, deceased, Lizzie Ballard, George Ballard, Lee Ballard, Johnnie Ballard, Frederick Darden, and all unknown parties who may be heirs-at-law of Johnson Ballard, deceased.

You are hereby notified that on the 11th. day of September 1929, between the hours of 10 A.M. and 5 P.M., at the office of James H. Corbitt, in the National Bank of Suffolk, in Suffolk, Virginia, at which time and place you are required to attend, I shall take, state and settle the following accounts which are to be taken, stated, settled and reported to Court in pursuance of the decree of the Circuit Court of Kansemond County, Virginia, rendered the 19th. day of August 1929 in the suit in chancery pending in said court to which you are parties complainant and defendant, to-wit:

- (1) What real estate was owned by Johnson Ballard, at the time of his death, and what is its fee-simple and annual value.
- (2) What delinquent taxes, if any, are against the said real estate.
- (3) What other liens, if any, are on the said real estate, and their priorities.
- (4) What other debts, if any, the said decedent died owing and are still unpaid by W.H. Crocker, Administrator of the estate of the decedent.
- (5) Who are the heirs of the said decedent, Johnson Ballard; their respective interests in the said real estate and whether or not all such persons are properly before the court in this cause.
- (6) What liens, if any, are on the respective interests of the said heirs.
- (7) An account of the transactions of the said W.H. Crocker, Administrator aforesaid.

Given under my hand as Commissioner in Chancery of the said Court this 23rd. day of August 1929.

Bradford Tilby
Commissioner in Chancery.

RECEIVED, December 19, 1930, of James H. Corbitt, Special Commissioner in the matter of Lizzie Ballard, Assignee of Crocker-Boykin, Incorporated, v. W. H. Crocker, Administrator of the Estate of Johnson Ballard, deceased, et als., the sum of FIVE DOLLARS (\$5.00), in payment for services as auctioneer at the sale of real estate belonging to the estate of Johnson Ballard, deceased.

H. H. Blum

RECEIVED, December 19, 1930, of James H. Corbitt,
Special Commissioner in the matter of Lizzie Ballard, Assignee
of Crocker-Boykin, Incorporated, v. W. H. Crocker, Administrator
of the Estate of Johnson Ballard, deceased, et als., the sum
of ONE HUNDRED, TWENTY-FOUR and 56/100 DOLLARS (\$124.56),
(less 10% thereof, that is, \$12.46, paid James H. Corbitt,
Attorney, for his services according to decree of the court),
in full payment of the dower interest of Lizzie Ballard,
widow of Johnson Ballard, deceased, in real estate of the
said Johnson Ballard sold by the said Special Commissioner.

Lizzie Ballard

RECEIVED, December 19, 1930, of James H. Corbitt,
Special Commissioner in the matter of Lizzie Ballard, Assignee
of Crocker-Boykin, Incorporated, v. W. H. Crocker, Administrator
of the Estate of Johnson Ballard, deceased, et als., the sum
of TWO HUNDRED DOLLARS (\$200.00), (less 10% thereof, that is
\$20.00, paid James H. Corbitt, Attorney, for his services
according to decree of the court), in part payment of the
burial expenses of Johnson Ballard, deceased, as provided
in a certain decree entered in the said cause on December 17,
1930.

Lizzie Ballard

RECEIVED, December 19, 1930, of James H. Corbitt,
Special Commissioner in the matter of Lizzie Ballard, Assignee
of Crocker-Boykin, Incorporated, v. W. H. Crocker, Administrator
of the Estate of Johnson Ballard, deceased, et als., the sum
of FIFTEEN DOLLARS (\$15.00) in payment of premium for two years
on the bond as surety of the said Special Commissioner.

Walter H. Hathers
By W. H. Hathers

Copy of Costs
Taxed in the Suit of:

Marshall Andrews p. q.

Lizzie Ballard v als

vs.

H. H. Crocker Admr. v als

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA

Writ Tax

Clerk

Sheriff *Serving subpoena & serving notice*

Attorney

Commissioner

Printer, for Order of Publication, etc.

Deposit

1 50
14 80
1 00
15 00
32 30
25
32 55

Releasing judgment

Date of Judgment or Final Decree

Jan. 29 1921

Paid

Jan. 29 1921

John H. Powell Clerk
By Olivera Whitehurst, DC.

RECEIVED, December 19, 1930, of James H. Corbitt,
Special Commissioner in the matter of Lizzie Ballard, Assignee
of Crocker-Boykin, Incorporated, v. W. H. Crocker, Administrator
of the Estate of Johnson Ballard, deceased, et als., the sum
of THIRTY-FIVE DOLLARS (\$35.00), for services as Commissioner
in Chancery in the above-styled cause.

Bradford Tilby
Com. in Chancery.

RECEIVED, December 19, 1930, of James H. Corbitt,
Special Commissioner in the matter of Lizzie Ballard, Assignee
of Crocker-Boykin, Incorporated, v. W. H. Crocker, Administrator
of the Estate of Johnson Ballard, deceased, et als., the sum
of TWO DOLLARS AND FIFTY CENTS (\$2.50), for services in
transcribing the record of hearing before the Commissioner
in Chancery in the above-styled cause.

Patricia Windley.

RECEIVED, December 19, 1930, of James H. Corbitt,
Special Commissioner in the matter of Lizzie Ballard, Assignee
of Crocker-Boykin, Incorporated, v. W. H. Crocker, Administrator
of the Estate of Johnson Ballard, deceased, et als., the sum
of TWO DOLLARS AND FIFTY CENTS (\$2.50), for services in view-
ing and appraising real estate and testifying at the hearing
before the Commissioner in Chancery in the above-styled cause.

R. J. Norfleet

STATEMENT

Suffolk, Va., Aug. 25, 1930.

M James H. Corbett, atty.
city.

SUFFOLK NEWS COMPANY, Inc.

PUBLISHERS OF
 THE SUFFOLK NEWS-HERALD

A LOCAL PAPER

EVERY AFTERNOON EXCEPT SUNDAY

1929

July 31	Johnson Ballard's Estate	\$ 18.00
Dec 31	" " Commissioner's Sale	5.50
		<u>\$ 23.50</u>

*Paid
 Suffolk News Co. Inc.
 By G. J. Rissell Jr.
 8/29/30.*

Commissioner's Sale of Real Estate

By virtue of a decree entered on the 27th day of November, 1929, in the Chancery cause of Lizzie Ballard, Assignee of Crocker-Boykin, Incorporated v. W. H. Crocker, Administrator of the estate of Johnson Ballard, deceased, et als., pending in the Circuit Court of Nansemond County, Virginia, the undersigned will sell, at public auction, in front of the National Bank of Suffolk Building, Suffolk, Virginia, on

THURSDAY, DECEMBER 12, 1929,
at 12:00 o'clock, M., all that real estate of which Johnson Ballard died seized and possessed, to-wit:

All that certain parcel of land situate in Nansemond County, Virginia, which was conveyed to Johnson Ballard by deed from Lee Britt and Lula V. Britt, his wife, dated September 21, 1909, and recorded September 22, 1909, in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, in Deed Book 68, page 106, and described in said deed as follows:

"All that certain lot or parcel of land situate in 'Lloyd's Addition' in Cypress Magisterial District, in the County of Nansemond and State of Virginia, and near the Southeastern boundary of the Town of Suffolk, in said county, fronting fifty (50) feet on the West side of Division Street, and running back between parallel lines one hundred and fifty (150) more or less, being Lot Number Seventeen, which M. F. Lloyd and wife sold and conveyed to the said Lee Britt by deed dated the 30th day of July, 1889, and recorded in D. B. No. 82, page 268 in the Clerk's Office of Nansemond County,—the said lot being bounded on the North by Lot Number Sixteen, and the property of said Lee Britt, on the East by said Division Street; on the South by Lot Number Eighteen, the property of Martha Jane Bond, and on the West by Lot Number fifteen on the plat of the Lloyd property,—it being the purpose of this deed to convey to the grantee all the land, no more or no less, embraced in Lot Number Seventeen conveyed to said Lee Britt by said M. F. Lloyd and wife in the aforesaid deed."

Terms: CASH, subject to confirmation by the court.

JAMES H. CORBITT,
Special Commissioner.

VIRGINIA: In the Clerk's Office of the Circuit Court of Nansemond County.

I, Paul J. Powell, Clerk of the said Court, do certify that the bond required of the Special Commissioner by the decree rendered in the said cause on the 27th day of November, 1929, has been duly given.

Given under my hand as Clerk of the said Court this 30th day of November, 1929.

PAUL J. POWELL, Clerk.

DEC 31 1929

Suffolk, Va.,....., 192....

...Jas. H. Corbitt, Atty.,.....

...City.....

To **Suffolk News Company, Inc., Dr.**

153 S. Main Street

Publisher THE SUFFOLK NEWS-HERALD

MONTH

DEC 31 1929

Date	Inches	Words	Lines
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Total	11		

To Balance.....\$.. 18.00
 To Inches..... 11.....@ 50 \$.. 5.50
 To Words.....@.....\$.....
 To Lines.....@.....\$.....
 To\$.....
 To\$.....
 TOTAL.....\$ 23.50

*Paid
 Suffolk News Co. Inc.
 By G. F. Binkley
 8/29/30.*

Suffolk, Va.,....., 192....

.....James H. Corbitt, Atty.,.....

.....City.....

To **Suffolk News Company, Inc., Dr.**

153 S. Main Street

Publisher THE SUFFOLK NEWS-HERALD

MONTH

July 1929.

Date	Inches	Words	Lines
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Total	18		

DUPLICATE

To Balance.....\$...9.00...

To Inches...18.....@...~~50¢~~...9.00...

To Words.....@.....\$.....

To Lines.....@.....\$.....

To\$.....

To\$.....

TOTAL.....\$...18.00...

*Paid
Suffolk News Co Inc.
By [Signature] 8/29/30*

Suffolk, Va.,.....Nov. 14, 1929.

James H. Corbitt, Atty.,.....

.....City.....

To **Suffolk News Company, Inc., Dr.**

153 S. Main Street

Publisher THE SUFFOLK NEWS-HERALD

MONTH

June 1929.

Date	Inches	Words	Lines
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Total	18		

DUPLICATE

To Balance.....\$.....

To Inches.....**18**.....@.....**.50¢**.....**9.00**.....

To Words.....@.....\$.....

To Lines.....@.....\$.....

To\$.....

To\$.....

TOTAL.....\$.....9.00.....

VIRGINIA: IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF NANSEMOND COUNTY.

Lizzie Ballard, Assignee of Crocker-Boykin, Incorporated,

v.

W. H. Crocker, Administrator of the Estate of Johnson Ballard, deceased, Lizzie Ballard, George Ballard, Lee Ballard, Johnnie Ballard, Frederick Darden, and all unknown parties who may be heirs at law of Johnson Ballard, deceased.

ORDER OF PUBLICATION

The object of the above-styled suit is to have settlement of the estate of Johnson Ballard, deceased, and to subject to the payment of his debts, particularly the debt of the complainant, the real estate of which the said Johnson Ballard died seized and possessed, particularly that certain lot or parcel of land situate in Nansemond County, Virginia, in Cypress Magisterial District, in what is known as "Lloyd's Addition," fronting fifty (50) feet on the West side of Division Street, and running back between parallel lines one hundred and fifty (150) feet, more or less, and being bounded on the North by property of Lee Britt, or that which was his, on the East by Division Street, on the South by property of Martha Jane Bond, or that which was hers, and on the West by Lot No. 15 on the plat of the Lloyd property. And it appearing by affidavit filed according to law that George Ballard, Johnnie Ballard and Frederick Darden are not residents of this State, and that there are or may be persons interested in the subject to be disposed of whose names are unknown, it is, therefore, ordered that the said George Ballard, Johnnie Ballard and Frederick Darden, and all such unknown parties, do appear, within ten days after due publication of this order, in the Clerk's Office of our said Circuit Court and do what is necessary to protect their interests. And the court not having prescribed a newspaper in which this order shall be published, it is further ordered that this order be published once a week for four successive weeks in The Suffolk News-Herald, a newspaper printed and published in the City of Suffolk, Virginia. And it is further ordered that a copy of this order be posted at the front door of the Court House of the County of Nansemond, Virginia, on or before the next succeeding rule day.

PAUL J. POWELL, Clerk.

By Olivera Whitehurst, D. C.

James H. Corblitt,

Marshall Andrews, p. q. 6-21,23;7-5,11

THE SUFFOLK NEWS-HERALD

Published Every Afternoon

By

THE SUFFOLK NEWS CO., Inc.

Full Leased Wire of the Associated Press

CHANNING P. HAYES
General Manager

W. C. JOHNSTON
Editor

Only Associated Press Member in the
Counties of Nansemond, Isle of Wight,
Southampton and Surry, Virginia, and
Gates, N. C.

SUFFOLK, VA. Nov. 14, 1929~~x~~.

This is to certify that the attached order of publication
in the suit of Lizzie Ballard, Assignee of Crocker-Boykin,
Incorporated, against W. H. Crocker, Administrator of the Estate
of Johnson Ballard and others was published in The Suffolk News-
Herald once a week for four successive weeks, namely, June 21, 28,
July 5, 12, 1929.

CJR:R.

The Suffolk News-Herald,

By

C. M. Riddick Jr.



Call 1123

RECEIVED, December 19, 1930, of James H. Corbitt,
Special Commissioner in the matter of Lizzie Ballard, Assignee
of Crocker-Boykin, Incorporated, v. W. H. Crocker, Administrator
of the Estate of Johnson Ballard, deceased, et als., the sum
of FIVE DOLLARS AND FIFTY CENTS (\$5.50), for 1930 taxes due
on property assessed for taxation in the name of the Estate
of Johnson Ballard, pro-rated to July 30, 1930.

DEC 31 1930

J. P. Dalton By J. H. A.

RECEIVED, December 19, 1930, of James H. Corbitt,
Special Commissioner in the matter of Lizzie Ballard, Assignee
of Crocker-Boykin, Incorporated, v. W. H. Crocker, Administrator
of the Estate of Johnson Ballard, deceased, et als., the sum of
TWENTY-FIVE CENTS (\$.25), (less 10% thereof, that is 3¢, paid
James H. Corbitt, Attorney, for his services according to decree
of the court), in full payment of account due for drugs furnished
the said Johnson Ballard, deceased, during his last illness, the
said payment being authorized by a certain decree entered in
the above-styled cause on December 17, 1930.

Jos. A. Hall, Jr.
By W.S. Ridark, Jr.

RECEIVED, December 19, 1930, of James H. Corbitt,
Special Commissioner in the matter of Lizzie Ballard, Assignee
of Crocker-Boykin, Incorporated, v. W. H. Crocker, Administrator
of the Estate of Johnson, Ballard, deceased, et als., the sum
of THREE DOLLARS AND FIFTY CENTS (\$3.50), (less 10% thereof,
that is, 35¢, paid James H. Corbitt, Attorney, for his services
according to decree of the court), for medical services rendered
during the last illness of the said Johnson Ballard, deceased,
the said payment being authorized by a certain decree entered
in the above-styled cause on December 17, 1930.

A. R. Fleming.

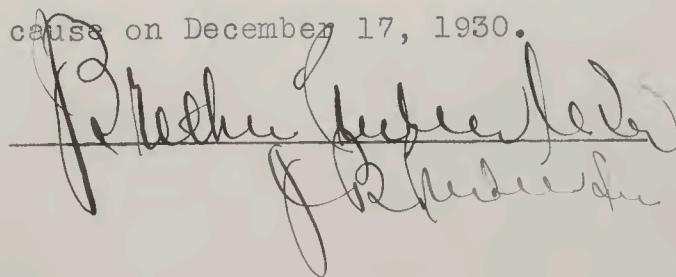
RECEIVED, December 16, 1930, of James H. Corbitt,
Special Commissioner in the matter of Lizzie Ballard,
Assignee of Crocker-Boykin, Incorporated, v. W. H. Crocker,
Administrator of the estate of Johnson Ballard, deceased,
et als., the sum of TWO HUNDRED, TWENTY-THREE DOLLARS AND
TEN CENTS (\$223.10), in full settlement of a certain judg-
ment in favor of E. D. Crocker, trading as Suffolk Lumber
Company, against William Cobb, Napoleon Spencer and Johnson
Ballard, which said judgment is recorded in the Clerk's
Office of the Circuit Court of Hansemond County, Virginia,
in Judgment Lien Docket No. 6, at page 15.

*B. D. Crocker, trading as
Suffolk Lumber Co
By Thos. L. Woodward
His ally*

RECEIVED, December 19, 1930, of James H. Corbitt, Special Commissioner in the matter of Lizzie Ballard, Assignee of Crocker-Boykin, Incorporated, v. W. H. Crocker, Administrator of the Estate of Johnson Ballard, deceased, et als., the sum of ONE and 94/100 DOLLARS (\$1.94), (less 10%, that is, 19¢, paid James H. Corbitt, Attorney, for his services according to decree of the court), representing a pro-rata payment of 56.13 per cent to the ordinary creditors of Johnson Ballard, deceased, as provided in a certain decree entered in the above-styled cause on December 17, 1930.

Mrs E. G. Privitt

RECEIVED, December 19, 1930, of James H. Corbitt, Special Commissioner in the matter of Lizzie Ballard, Assignee of Crocker-Boykin, Incorporated, v. W. H. Crocker, Administrator of the Estate of Johnson Ballard, deceased, et als., the sum of SEVEN AND 4/100 DOLLARS (\$7.04), (less 10%, that is 70¢, paid James H. Corbitt, Attorney, for his services according to decree of the court), representing a pro-rata payment of 56.13 per cent to the ordinary creditors of Johnson Ballard, deceased, as provided in a certain decree entered in the above-styled cause on December 17, 1930.

A handwritten signature in dark ink, appearing to read "J. H. Corbitt", is written over a horizontal line. The signature is fluid and cursive, with the first initial being particularly large and stylized.

RECEIVED, December 19, 1930, of James H. Corbitt,
Special Commissioner in the matter of Lizzie Ballard, Assignee
of Crocker-Boykin, Incorporated, v. W. H. Crocker, Administrator
of the Estate of Johnson Ballard, deceased, et als., the sum of
THIRTY-TWO and 56/100 DOLLARS (\$32.56), (less 10% thereof, that
is \$3.25, paid James H. Corbitt, Attorney, for his services
according to decree of the court), representing a pro-rata payment
of 56.13 per cent to the ordinary creditors of Johnson Ballard,
deceased, as provided in a certain decree entered in the above-
styled cause on December 17, 1930.

Shore Bank of New York
by John W. Richardson
Pres

RECEIVED, December 19, 1930, of James H. Corbitt, Special Commissioner in the matter of Lizzie Ballard, Assignee of Crocker-Boykin, Incorporated, v. W. H. Crocker, Administrator of the Estate of Johnson Ballard, deceased, et als., the sum of TWO AND 81/100 DOLLARS (\$2.81), (less 10% thereof, that is 28¢, paid James H. Corbitt, Attorney, for his services according to decree of the court), representing a pro-rata payment of 56.13 per cent to the ordinary creditors of Johnson Ballard, deceased, as provided in a certain decree entered in the above-styled cause on December 17, 1930.

Receivd & Paid to
By N. S. Pearson

12/10/57

5471

RECEIVED, *January 14, 1931*
~~December 19, 1930~~, of James H. Corbitt, Special
Commissioner in the matter of Lizzie Ballard, Assignee of Crocker-
Boykin, Incorporated, v. W. H. Crocker, Administrator of the
Estate of Johnson Ballard, deceased, et als., the sum of SIXTY AND
79/100 DOLLARS (\$60.79), (less 10% thereof, that is \$6.08, paid
James H. Corbitt, Attorney, for his services according to decree
of the court), representing a pro-rata payment of 56.13 per cent
to the ordinary creditors of Johnson Ballard, deceased, as provided
in a certain decree entered in the above-styled cause on December
17, 1930. Fifty-four and 71/100 (\$54.71) Dollars paid to us.

Alfred H. Crocker
James H. Corbitt
James H. Corbitt

RECEIVED, December 19, 1930, of James H. Corbitt,
Special Commissioner in the matter of Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated, v. W. H. Crocker, Administrator
of the Estate of Johnson Ballard, deceased, et als., the sum of
TWENTY-ONE and 22/100 DOLLARS (\$21.22), (less 10% thereof, that
is \$2.12, paid James H. Corbitt, Attorney, for his services
according to decree of the court), representing a pro-rata
payment of 56.13 per cent to the ordinary creditors of Johnson
Ballard, deceased, as provided in a certain decree entered in the
above-styled cause on December 17, 1930.

Lizzie Ballard

RECEIVED, December 19, 1930, of James H. Corbitt, Special Commissioner in the matter of Lizzie Ballard, Assignee of Crocker-Boykin, Incorporated, v. W. H. Crocker, Administrator of the Estate of Johnson Ballard, deceased, et als., the sum of FIFTY-EIGHT AND 64/100 DOLLARS (\$58.64), (less 10% thereof, that is \$5.86, paid James H. Corbitt, Attorney, for his services according to decree of the court), representing a pro-rata payment of 56.13 per cent to the ordinary creditors of Johnson Ballard, deceased, as provided in a certain decree entered in the above-styled cause on December 17, 1930.

Brady & Co.
By J. H. Brady

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

v.

W. H. Crocker, Administrator of the estate of Johnson Ballard, deceased, Lizzie Ballard, George Ballard, Lee Ballard, Johnnie Ballard, Frederick Darden, and all unknown parties who may be heirs at law of Johnson Ballard, deceased.

DECREE.

This cause in which the plaintiff has proceeded against the defendants, George Ballard, Johnnie Ballard and Frederick Darden, in the manner prescribed by law against non-resident defendants and as to the unknown heirs at law and distributees of Johnson Ballard, deceased, in the manner prescribed by law against unknown defendants, came on this day to be heard on the bill taken for confessed as to the non-resident defendants, George Ballard, Johnnie Ballard and Frederick Darden, and the unknown heirs at law and distributees of Johnson Ballard, deceased, and also taken for confessed as to the defendants, W. H. Crocker, Administrator of the estate of Johnson Ballard, deceased, Lizzie Ballard and Lee Ballard, on whom process has been duly served, they still failing to appear and plead, answer or demur to the said bill.

On consideration whereof the Court doth adjudge, order and decree that this cause be referred to one of the Commissioners in Chancery of this Court to inquire into and report to the Court the following:

1. What real estate was owned by Johnson Ballard

at the time of his death, and what is its fee simple and annual value.

2. What delinquent taxes, if any, are against the said real estate.

3. What other liens, if any, are on the said real estate, and their priorities.

4. What other debts, if any, the said decedent died owing and are still unpaid by W. H. Crocker, Administrator of the estate of the decedent.

5. Who are the heirs of the said decedent, Johnson Ballard, their respective interests in the said real estate and whether or not all such persons are properly before the Court in this cause.

6. What liens, if any, are on the respective interests of the said heirs.

And it is further ordered that the defendant, W. H. Crocker, Administrator of the estate of Johnson Ballard, deceased, do render an account of the transactions of the said W. H. Crocker as administrator as aforesaid, before one of the Commissioners in Chancery of this Court.

VIRGINIA:
IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

v.

W. H. Crocker, Administrator
of the estate of Johnson
Ballard, deceased, et als.

DECREE

Enter Aug. 19. 1929.
James L. McNamee

Chancery Order Book
No. 6 Page 264

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

v.

W. H. Crocker, Administrator of the
estate of Johnson Ballard, deceased,
Lizzie Ballard, George Ballard,
Lee Ballard, Johnnie Ballard,
Frederick Darden, and all unknown
parties who may be heirs at law of
Johnson Ballard, deceased.

REPORT OF
SPECIAL COMMISSIONER.

To the Honorable James L. McLemore, Judge of the Circuit
Court of Nansemond County:

The undersigned Special Commissioner reports that,
pursuant to the decree entered in this cause on the 17th day
of December, 1930, he has distributed the sum of \$837.46
coming into his hands, after paying costs of the sale of
real property described and conveyed in these proceedings,
as shown by vouchers held by your Special Commissioner; and
your Special Commissioner prays that he be discharged from
all duties in this cause and that the Fidelity and Deposit
Company of Maryland be discharged from all liability as
surety on his bond as such Special Commissioner.

Respectfully,

James H. Carlett
SPECIAL COMMISSIONER.

*Vouchers filed
J.H.M.*

March 7, 1931.

VIRGINIA:
IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

v.

W. H. Crocker, Administrator
of the estate of Johnson
Ballard, deceased, et als.

REPORT OF
SPECIAL COMMISSIONER

*1931. March 7. Filed
J.L.M.*

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

v.

DECREE

W. H. Crocker, Administrator of the
estate of Johnson Ballard, deceased,
Lizzie Ballard, George Ballard,
Lee Ballard, Johnnie Ballard,
Frederick Darden, and all unknown
parties who may be heirs at law of
Johnson Ballard, deceased.

This cause came on this day to be again heard on
the papers formerly read and on the report of James H.
Corbitt, Special Commissioner, this day filed, to which
report there is no exception, and was argued by counsel,
and upon the petition of W. H. Crocker, Administrator of the
estate of Johnson Ballard, deceased, also this day filed.

On consideration of the report of James H. Corbitt,
Special Commissioner, it appearing that he has in hand
arising from the sale of the real estate the sum of Six
Hundred and Eighty-two Dollars (\$682.00), as shown by his
account as follows:

Amount received from Frank Hall.....\$750.00

5% commissions to Special Com-
missioner.....\$ 37.50

Paid James H. Corbitt for deed
to purchaser..... 10.00

Paid West & Withers premium on
Special Commissioner's bond..... 10.00

Paid H. W. Churn, Auctioneer..... 5.00

Paid Suffolk News Co. for adver-
tising sale..... 5.50 68.00

Balance in hands of Special Commissioner..\$682.00

the said report is confirmed; and it appearing from the report
of the said James H. Corbitt, Special Commissioner, and the

petition of W. H. Crocker, Administrator of the estate of Johnson Ballard, deceased, that the said administrator has paid to the said James H. Corbitt, Special Commissioner, the sum of One Hundred, Fifty-five Dollars and Forty-six Cents (\$155.46), the balance in the hands of the said administrator, as shown by the administrator's report, as follows:

Cash received from sale of chattel property at public auction.....	\$153.25
Cash received from sale of ten shares of Phoenix Bank stock.....	50.00
To amount paid Paul J. Powell, Clerk, fee and state tax on qualification....	\$ 5.00
To amount paid U. S. Fidelity & Guaranty Co. for premium on bond, 2 years	10.00
To amount paid Suffolk News Co., Inc., for administrator's notice.....	3.00
To amount paid Piland Printing Co. for printing handbills for sale.....	3.25
To amount paid W. T. Crocker for costs of sale.....	5.15
To amount paid J. P. Dalton, Treasurer, for 1929 taxes.....	11.23
To commissions of administrator.....	10.16
To amount of balance paid to James H. Corbitt, Special Commissioner, to be disbursed by decree of court.....	155.46
	\$203.25 \$205.25

the court doth confirm the payments made by the said administrator, and, it appearing that no other funds will come into the hands of the said administrator, the court doth order and decree that the said administrator, as principal, and the United States Fidelity & Guaranty Company, as surety on his bond, be released from any further liability thereon.

The court doth further order, adjudge and decree that the said sum of Six Hundred and Eighty-two Dollars (\$682.00) in the hands of the said Special Commissioner from the sale of the real estate, and the sum of One Hundred, Fifty-five Dollars and Forty-six Cents (\$155.46) in his hands received from W. H. Crocker, Administrator of the estate of Johnson Ballard, deceased, making a total of Eight Hundred, Thirty-seven Dollars and Forty-six Cents (\$837.46), be distributed as follows:

Total amount in hands of Special Commissioner.....	\$837.46
To Lizzie Ballard, widow of Johnson Ballard, for her dower in said real estate.....	\$124.56
To Lizzie Ballard, Assignee of Crocker- Boykin, Incorporated, part payment of burial expenses of Johnson Ballard, deceased..	200.00
To West & Withers, additional premium on Special Commissioner's bond.....	5.00
To John H. Powell, Clerk, Circuit Court of Nansemond County, court costs.....	32.55
To Bradford Kilby, Commissioner's fee.....	35.00
To Miss Pattie Windley, fee for transcribing record of hearing before Commissioner in Chancery.....	2.50
To R. J. Norfleet, fee for viewing and appraising real estate and testifying at hearing before Commissioner in Chancery.....	2.50
To Suffolk News Co., Inc., cost of adver- tising order of publication.....	18.00
To J. P. Dalton, Treasurer of Nansemond County, 1930 taxes pro-rated to July 30, 1930..	5.50
To debts due by the estate of Johnson Ballard shown in the report of Bradford Kilby, Commissioner in Chancery, and in the petition of W. H. Crocker, Administrator, as follows:	
Jos. P. Hall, Inc., open account for drugs furnished during last illness.....	.25
Dr. A. R. Fleming, open account for medical services rendered during last illness.....	3.50
Suffolk Lumber Company, judgment.....	223.10
Balance in hand.....	\$185.00
	<u>\$682.46</u>

It appearing that the balance of \$185.00 will pay only 56.13 per cent to the ordinary creditors, it is ordered that it be distributed on that basis, as follows:

Balance in hand.....	\$185.00
To Mrs. E. G. Privott (money loaned \$3.45).....	\$ 1.94
To Brothers-Pruden Co., Inc. (open account \$12.55).....	7.04
To Phoenix Bank of Nansmond (note \$58.00).....	32.56
To Holland & Seamon Co., (open account \$5.00).....	2.81
To American Bank & Trust Company (note \$108.30).....	60.79
To Lizzie Ballard (additional burial expenses \$37.80).....	21.22
To Bradshaw Hardware Co. (note \$104.47)	58.64
	\$185.00 \$185.00

In making the aforesaid payments to the widow and creditors of Johnson Ballard, deceased, not represented by counsel, the said James H. Corbitt, Special Commissioner, shall deduct a fee of ten per cent (10%) for his services.

And the said Special Commissioner shall report to court.

VIRGINIA:
IN THE CIRCUIT COURT
OF HENRICH COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

v.

W. E. Crocker, Administrator of
the estate of Johnson Ballard,
deceased, et als.

DECREE

I have seen this
deed
G. M. Harris, Atty,
Le Bunch,

Enter Dec. 17, 1930
J. L. M. Linn

Chancery Order Book
No. 6 Page 367

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

v.

W. H. Crocker, Administrator of the
estate of Johnson Ballard, deceased,
Lizzie Ballard, George Ballard,
Lee Ballard, Johnnie Ballard,
Frederick Darden, and all unknown
parties who may be heirs at law of
Johnson Ballard, deceased.

REPORT OF
SPECIAL COMMISSIONER

To the Honorable James L. McLemore, Judge of the Circuit
Court of Nansemond County:

The undersigned Special Commissioner reports that, pursuant to the decree entered in this cause on the 30th day of July, 1930, he has executed and delivered to Frank Hall, as directed by Luther Colden, the purchaser, a deed conveying the property sold by him as Special Commissioner, and that he has received from the purchaser the sum of SEVEN HUNDRED AND FIFTY DOLLARS (\$750.00), the purchase price; and that, after deducting the costs and expenses of sale, he has in hand the sum of Six Hundred and Eighty-two Dollars (\$682.00), shown as follows:

Amount received from Frank Hall.....	\$750.00	
5% commissions to Special Commissioner.....	\$ 37.50	
Paid James E. Corbitt for deed to purchaser.....	10.00	
Paid West & Withers premium on Special Commissioner's bond.....	10.00	
Paid H. W. Churn, Auctioneer.....	5.00	
Paid Suffolk News Co. for advertising sale.....	5.50	68.00
Balance in hands of Special Commissioner...	\$682.00	

that W. H. Crocker, Administrator of the estate of Johnson Ballard, deceased, has paid to your said Special Commissioner the sum of One Hundred Fifty-five Dollars and Forty-six Cents (\$155.46), the balance in the said administrator's hands as shown by his petition this day filed; that the cash value of the dower of Lizzie Ballard in the said real estate sold by the Special Commissioner, she being sixty years of age when the property was sold, computed according to the law in such cases provided, amounts to One Hundred, Twenty-four Dollars and Fifty-six Cents (\$124.56), which sum should be paid the said Lizzie Ballard.

Your Special Commissioner further reports that the assets coming into his hands, after the payment of \$200.00 on the funeral expenses of \$237.80, and charges of administration, are not sufficient for the satisfaction of all demands against the said Johnson Ballard, deceased, and, your Special Commissioner further recommends that the costs taxed in this cause and the debts due by the estate, as shown by the reports of Bradford Kilby, Commissioner in Chancery, and W. H. Crocker, Administrator, be paid, according to the statute in such case made and provided.

Respectfully,


Special Commissioner.

VIRGINIA:
IN THE CIRCUIT COURT
OF HANSENOMD COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

v.

W. H. Crocker, Administrator
of the estate of Johnson
Ballard, deceased, et als.

REPORT OF
SPECIAL COMMISSIONER

1930. Dec 17. filed
J-Lm

MR. Wiley H. Crocker

TO PAUL J. POWELL, CLERK CIRCUIT COURT
OF NANSEMOND COUNTY
SUFFOLK, VA..

1929 Mar. 21

TAX, \$

TRANSFER, \$

FEE, \$

RECORDING

DEED FROM

TO

Qualifying as Estate of Johnson Ballard
deceased 5.00

Paid

March 21

1929

By

Paul J. Powell Clerk
M. K. Laddie D. C.

R. L. WOODWARD
W. G. ELAM

Suffolk, Va., March 21st, 1929

M W. E. Crocker,

Suffolk, Va.

To **WOODWARD & ELAM, Dr.**

Life, Fire, Accident,
Auto Liability, Steam Boiler,
Workmen's Compensation
and Security Bonds.

Insurance

OFFICE—No. 113 NORTH MAIN STREET

1929

DATE	POLICY NO.	COMPANY	PROPERTY INSURED	Term	AMOUNT	PREMIUM
------	------------	---------	------------------	------	--------	---------

Mar 21	Bond	U. S. F. & G.	Bond as Admr. of Johnson Ballard	1yr	\$500	\$5.00
--------	------	---------------	-------------------------------------	-----	-------	--------

WOODWARD & ELAM

PAID
6/17/29

By

Shaw
Shaw

R. L. WOODWARD,
W. G. ELAM

Suffolk, Va., March 20th, 192/30

M Wiley H. Crocker,

Suffolk, Va.

To **WOODWARD & ELAM, Dr.**

Life, Fire, Accident,
Auto Liability, Steam Boiler,
Workmen's Compensation
and Security Bonds.

Insurance

OFFICE—No. 113 NORTH MAIN STREET

DATE	POLICY NO.	COMPANY	PROPERTY INSURED	Term	AMOUNT	PREMIUM
------	------------	---------	------------------	------	--------	---------

Bond No.
Mch 21 48-16-517-29 U. S. F. & G. Bond as Admr. of 1yr \$500 \$5.00
Johnson Ballard

WOODWARD & ELAM

3/26/30

Loore

STATEMENT

Suffolk, Va., Apr. 18 1929

M Johnson Ballard, Estate

Today

SUFFOLK NEWS COMPANY

Incorporated

1929

Mar 31 To Administrative Notice \$ 3.00

SUFFOLK NEWS CO. INC.,



BY

ADMINISTRATORS NOTICE

Having qualified on the estate of Johnson Ballard, deceased, all persons owing the estate, please come and settle. All persons having claims against the estate, please present them properly verified.

W. H. CROCKER,
Administrator.

321 E. Washington St.,
Suffolk, Va.

mon. wed. fri.

R. T. PILAND

C. A. RAGSDALE

PILAND PRINTING COMPANY

PRINTERS - PUBLISHERS - BINDERS

Loose Leaf Work A Specialty

125-127 South Main Street

PHONE 428

SUFFOLK, VA., Nov. 30, 1929

SOLD TO W. H. Crocker, Adm. J. Ballard

Aug. 22, --350 Hand Bills

\$3.25

*Paid 12/3/29
Pilaud & Co.
Pilaud*

OFFICE PHONE
RESIDENCE PHONE 416-W

SUFFOLK, VA..

Sept. 7

1929

M

H. T. Crocker & others
ally

To W. H. Crocker, Dr.

OFFICE: 321 E. WASHINGTON STREET

Aug	31	Paying bills	\$ 1.15
Sept	7	for selling personal property	3.00
"	7	check fee at sale	1.00
			\$ 5.15

Paid in full
H. T. Crocker

COMMONWEALTH OF VIRGINIA STATE TAXES AND LOCAL LEVIES 1929

CYPRESS DISTRICT

Land.....Page 167 Line 20

Personal Property...Page.....Line.....

Income.....Page.....Line.....

To J. P. DALTON, Treasurer of NANSEMOND COUNTY, VIRGINIA, Dr.

No. **1019**

SUBJECTS OF TAXATION

VALUE

STATE RATE
ON \$100

STATE TAXES

LOCAL RATE
ON \$100

LOCAL LEVIES

TOTAL STATE TAXES
AND LOCAL LEVIES

FOR STATE TAXATION ONLY:

State Capitation Tax.....

Bonds, Notes, and Other Evidences of Debt.....

Money.....

Moneyed Capital in Competition with National Banks.....

Capital Not Otherwise Taxed.....
Income: 1½% on first \$3,000; 2½% on next \$2,000; 3% on
excess over \$5,000.....

FOR LOCAL TAXATION ONLY:

Tangible Personal Property.....

Machinery and Tools.....

Merchants' Capital (Schools).....

Real Estate..... Acres

Real Estate..... Acres

Real Estate..... Acres

Real Estate..... Acres

CREDITS

Date

Account

Amount

TOTAL STATE TAXES.....

5% Penalty December 6, 1929.....

Total Taxes, Levies and Penalty.....

5% Penalty June 16, 1930.....

Total Taxes, Levies and Penalties to June 16, 1930.....

6% Interest from June 16, 1930, to date of payment.....

Total Taxes, Levies, Penalties and Interest.....

Received Payment:

Date.....

Treasurer

LOCAL RATES—REAL ESTATE AND TANGIBLE PROPERTY

County and District

County Levy.....\$.65
County School Levy.....1.00
Interest and Sinking Fund (School)......25
District Road Levy......30
Total.....\$ 2.20

DEC

3 1929

J. P. Dalton

County Levy.....\$.65
 County School Levy.....1.00
 Interest and Sinking Fund (School)......25
 District Road Levy......30
 Total.....\$ 2.20

COMMONWEALTH OF VIRGINIA STATE TAXES AND LOCAL LEVIES, 1930

No. **1138**

CYPRESS DISTRICT

Land.....Page.....Line.....

Personal Property.....Page.....Line.....

Income.....Page **138** Line **10**

To J. P. DALTON, Treasurer of NANSEMOND COUNTY, VIRGINIA, Dr.

SUBJECTS OF TAXATION	VALUE	STATE RATE ON \$100	STATE TAXES	LOCAL RATE ON \$100	LOCAL LEVIES	TOTAL STATE TAXES AND LOCAL LEVIES
FOR STATE TAXATION ONLY:						
State Capitation Tax.....			\$ 1 50	...NONE...	...NONE...	\$ 1 50
Bonds, Notes, and Other Evidences of Debt.....	\$ 113 -	\$.50		...NONE...	...NONE...	
Money.....		.20		...NONE...	...NONE...	
Moneyed Capital in Competition with National Banks.....		1.00		...NONE...	...NONE...	
Capital Not Otherwise Taxed.....		.75		...NONE...	...NONE...	
Income: 14% on first \$3,000; 24% on next \$2,000; 8% on excess over \$5,000.....				...NONE...	...NONE...	
FOR LOCAL TAXATION ONLY:						
Tangible Personal Property.....		...NONE...	...NONE...	\$ 2.20		
Machinery and Tools.....		...NONE...	...NONE...	2.20		
Merchants' Capital (Schools).....		...NONE...	...NONE...	1.25		
Real Estate..... Acres		...NONE...	...NONE...	2.20		
Real Estate..... Acres		...NONE...	...NONE...	2.20		
Real Estate..... Acres		...NONE...	...NONE...	2.20		
Real Estate..... Acres		...NONE...	...NONE...	2.20		
CREDITS						
TOTAL STATE TAXES.....			\$ 23	TOTAL LOCAL LEVIES.....		\$ 23
Date NOV 17 1930	Amount	Received Payment:		5% Penalty December 6, 1930.....		
		Date		Total Taxes, Levies and Penalty.....		
		J. P. DALTON, Treasurer		5% Penalty June 16, 1931.....		
		By a		Total Taxes, Levies and Penalties to June 16, 1931.....		
				6% Interest from June 16, 1931, to date of payment.....		
				Total Taxes, Levies, Penalties and Interest.....		

Received on W. H. Crocker, Administrator of the
Estate of Johnson Ballard, deceased, the sum of of \$155.46,
which sum is to be disbursed by decree of court in the matter
of Lizzie Ballard, Assignee of Crocker-Boykin, Inc., v. W. H.
Crocker, Administrator of the Estate of Johnson Ballard, de-
ceased, et al.

Dec. 17, 1930

James H. Whitte
Special Commissioner.

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,
v.
W. H. Crocker, Administrator of the
estate of Johnson Ballard, deceased,
Lizzie Ballard, George Ballard,
Lee Ballard, Johnnie Ballard,
Frederick Darden, and all unknown
parties who may be heirs at law
of Johnson Ballard, deceased.

To the Honorable James L. McLemore, Judge of the said Court:

Your petitioner, W. H. Crocker, represents as
follows:

That he was duly appointed administrator of the
estate of Johnson Ballard, deceased, on March 21, 1929, that
he gave bond and qualified as such administrator, and has
been and is now acting as such administrator; and that he now
submits the following account of his administration:

Cash received from sale of chattel property at public auction.....	\$153.25
Cash received from sale of ten shares of Phoenix Bank stock.....	50.00
To amount paid Paul J. Powell, Clerk, fee and state tax on qualification.....	\$ 5.00
To amount paid U. S. Fidelity & Guaranty Co. for premium on bond, two years.....	10.00
To amount paid Suffolk News Co., Inc., for administrator's notice.....	3.00
To amount paid Piland Printing Co. for printing handbills for sale.....	3.25
To amount paid W. T. Crocker for costs of sale.....	5.15
To amount paid J. P. Dalton, Treasurer, for 1929 taxes.....	11.23

To commissions of administrator.....	\$ 10.16	
To amount of balance paid to James H. Corbitt, Special Commissioner, to be disbursed by decree of court.....	155.46	
	\$203.25	\$203.25

Your petitioner further states that the amount due Dr. A. R. Fleming is stated in the report of Bradford Kilby, Commissioner in Chancery, filed in this cause on October 25, 1929, to be \$8.50, but the said claim is subject to a credit of \$5.00, and that the amount due is \$3.50; and your petitioner further states that in addition to the debts listed in the said report of the said Commissioner in Chancery, there is due Lizzie Ballard the sum of \$6.50 for expenses incurred by her in preparing the house for the funeral of Johnson Ballard.

Your petitioner further represents that there will be no other funds coming into his hands as such administrator, and, therefore, prays that his account as administrator of the estate of Johnson Ballard, deceased, be approved, and that he be discharged from all duties as such administrator, and that the United States Fidelity & Guaranty Company be discharged from all further liability as surety on his bond as such administrator.

And your petitioner will ever pray, etc.

J. H. Casella

Administrator of the Estate of
Johnson Ballard, Deceased.

VIRGINIA:

IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

v.

W. H. Crocker, Administrator
of the estate of Johnson
Ballard, deceased, et als.

REPORT OF ADMINISTRATOR

1930 Dec. 17. filed J.H.M.

VIRGINIA:

IN THE CIRCUIT COURT OF HANSEMOND COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

V.

W. H. Crocker, Administrator of the estate of Johnson Ballard, deceased, Lizzie Ballard, George Ballard, Lee Ballard, Johnnie Ballard, Frederick Darden, and all unknown parties who may be heirs at law of Johnson Ballard, deceased.

DECREE.

VIRGINIA:
IN THE CIRCUIT COURT OF
HANSEMOND COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

v.

W. H. Crocker, Administrator
of the estate of Johnson
Ballard, deceased, et als.

D E C R E E

Enter Dec. 11. 1930
Jas. L. McQuinn

Chancery Order Book
No. 6 Page 366

VIRGINIA:

IN THE CIRCUIT COURT OF HANSEMOND COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

V.

W. H. Crocker, Administrator of the estate of Johnson Ballard, deceased, Lizzie Ballard, George Ballard, Lee Ballard, Johnnie Ballard, Frederick Darden, and all unknown parties who may be heirs at law of Johnson Ballard, deceased.

DECREE.

This cause came on this day to be again heard on the papers formerly read and on the report of James H. Corbitt, Special Commissioner, this day filed, to which report there is no exception, and was argued by counsel.

On consideration whereof, it appearing to the Court that the said James H. Corbitt, Special Commissioner, offered for sale, at public auction, in front of the National Bank of Suffolk Building, Suffolk, Virginia, on Thursday, December 12, 1929, at 12:00 o'clock, M., the parcel of land described in the decree entered herein on the 27th day of November, 1929, after having advertised the time, place and terms of sale in the manner provided in the said decree, and that at the said sale Luther Colden, of Suffolk, Virginia, became the purchaser of the said parcel of land for the sum of Seven Hundred and Fifty Dollars (\$750.00), the Court doth approve and confirm the said sale and doth adjudge, order and decree that the said James H. Corbitt, Special Commissioner, do execute and deliver to the said Luther Colden, or to whomever he may direct, a deed conveying the said parcel of land, with Special Warranty, upon receipt by the said Special Commissioner

of the sum of Seven Hundred and Fifty Dollars (\$750.00),
the purchase price.

And the said Special Commissioner will report to
Court.

VIRGINIA:
IN THE CIRCUIT COURT
OF MANSEMOND COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

v.

W. H. Crocker, Administrator,
et als.

DECREE

Enter July 30. 1930.
J. L. McGinnis

Chancery Order Book
No. 6 Page 339

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

V.

W. H. Crocker, Administrator of the estate of Johnson Ballard, deceased, Lizzie Ballard, George Ballard, Lee Ballard, Johnnie Ballard, Frederick Darden, and all unknown parties who may be heirs at law of Johnson Ballard, deceased.

REPORT OF
SPECIAL COMMISSIONER.

To the Honorable James L. McLenore, Judge:

The undersigned Special Commissioner reports that, pursuant to the decree entered in this cause on the 27th day of November, 1929, he offered for sale, at public auction, in front of the National Bank of Suffolk Building, Suffolk, Virginia, on Thursday, December 12, 1929, at 12:00 o'clock, M., for cash, the parcel of land mentioned in the said decree, after having advertised the time, place and terms of sale in the manner in the said decree provided, and that at the said sale Luther Colden, of Suffolk, Virginia, became the purchaser thereof for the sum of Seven Hundred and Fifty Dollars (\$750.00), and that the said purchaser desires to pay the purchase price in cash and to take a deed for the said parcel of land. Your Commissioner recommends that the said sale be confirmed and that he be authorized to give a deed to Luther Colden, or to whomever he may direct.

Respectfully,

James H. Corlitt
Special Commissioner.

VIRGINIA:

IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

v.

W. H. Crocker, Administrator,
et als.

REPORT OF
SPECIAL COMMISSIONER.

1930 July 30. Filed
J. L. M.

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

V.

DECREE.

W. H. Crocker, Administrator of the estate of Johnson Ballard, deceased, Lizzie Ballard, George Ballard, Lee Ballard, Johnnie Ballard, Frederick Darden, and all unknown parties who may be heirs at law of Johnson Ballard, deceased.

This cause came on this day to be again heard on the papers formerly read and the report of Bradford Kilby, one of the commissioners of this court, dated October 23, 1929, and filed in the Clerk's Office of this court on October 23, 1929, made in pursuance of the interlocutory decree entered herein on the 19th day of August, 1929, and the several papers referred to in and returned with said report, including the depositions of witnesses before the said commissioner, to which report there is no exception filed, and was argued by counsel.

On consideration whereof, it appearing from the said report that at the time of his death, Johnson Ballard owned the following real estate:

That certain parcel of land situate in Nansemond County, Virginia, which was conveyed to him by deed from Lee Britt and Lula V. Britt, his wife, dated September 21, 1909, and recorded September 22, 1909, in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, in Deed Book 68, page 135, and described in said deed as follows:

"All that certain lot or parcel of land situate in 'Lloyd's Addition' in Cypress Magisterial District, in the County of Nansemond and State of Virginia, and near the Southeastern boundary of the Town of Suffolk, in said county, fronting fifty (50) feet on the West side of Division Street, and running back between parallel lines one hundred and fifty (150) more or less, being Lot Number Seventeen, which M. F. Lloyd and wife sold and conveyed to the said Lee Britt by deed dated the 29th day of July, 1889, and recorded in D. B. No. 22, Page 268 in the Clerk's Office of Nansemond County,- the said lot being bounded on the North by Lot Number Sixteen, the property of said Lee Britt, on the East by said Division Street; on the South by Lot Number Eighteen, the property of Martha Jane Bond, and on the West by Lot Number Fifteen on the plat of the Lloyd property,- it being the purpose of this deed to convey to the grantee all the land, no more or no less, embraced in Lot Number Seventeen conveyed to said Lee Britt by said M. F. Lloyd and wife in the aforesaid deed.";

that Lizzie Ballard, the widow of Johnson Ballard, deceased, is entitled to dower in the said real estate, and that the fee-simple title to the said real estate is now owned by Lee Ballard, George Ballard, Johnnie Ballard and Frederick Darden, each owning an undivided one-fourth interest in the said real estate, the said real estate being subject to the payment of the debts of Johnson Ballard, deceased; that the estate of the said Johnson Ballard, deceased, is largely indebted, and that there is not sufficient personal property belonging to his estate and in the hands of his administrator, W. H. Crocker, out of which to pay the said debts of his estate;

The court doth adjudge, order and decree that James H. Corbitt, who is hereby appointed a special commissioner for the purpose, do expose to sale at public auction, in the City of Suffolk, Virginia, to the highest bidder, for

cash, the above-described real estate, after first advertising the time, place and terms of sale for ~~one~~ ^{two} days in the Suffolk News-Herald, a newspaper published in the City of Suffolk, Virginia, and by posting handbills of the sale, ^{for at least ten days} in two or more public places in the City of Suffolk. And the said James H. Corbitt, Special Commissioner, is directed to report his proceedings hereunder to the court. But the said James H. Corbitt, Special Commissioner, shall not receive any money from the purchaser at such sale or under this decree until he shall enter into bond, with sufficient security, in the Clerk's Office of this court, payable to the Commonwealth of Virginia, in the penalty of \$1,500. > and conditioned for the faithful discharge of his duties as such commissioner.

VIRGINIA:

IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

v.

W. H. Crocker, Administrator,
etc., et als.

DECREE

Have seen this decree
by Attorney's atty
for L. Ballard &
George Ballard

Entered Nov. 27. 1929.
J. L. McNamee

Chancery Order Book
No. 6 Page 293

Virginia,

In the Circuit Court for the County of Nansemond;

Lizzie Ballard, Assignee of Crocker-Boykin Inc.)

v.)

In Chancery.

W. H. Crocker, Administrator of Johnson Ballard)
et als.)

COMMISSIONER'S REPORT.

To Honorable James L. McLemore, Judge of the Circuit Court for the County of Nansemond:

In pursuance of the decree of the Circuit Court for the County of Nansemond pronounced on the 19th. day of August 1929 in the suit in chancery pending in said court between Lizzie Ballard, Assignee of Crocker-Boykin Inc., Complainant, and W.H. Crocker, Administrator of Johnson Ballard, et als., Defendants, the undersigned, Bradford Kilby, one of the Commissioners in Chancery of said Court, respectfully reports as follows:

That on the 23rd. day of August 1929, your commissioner gave notice to the parties to the said suit that he would proceed on the 11th. day of September 1929, between the hours of 10 A.M. and 5.P.M. at the office of James H. Corbitt in the National Bank of Suffolk Building in Suffolk, Virginia, to make the several inquiries and accounts required by said decree to be made by one of the commissioner's in chancery of said court.

That sufficient and legal service of the said notice was served on Lee Ballard, one of the parties to said suit, and accepted by the others, as will be seen from endorsements and sergeant's returns on the notice herewith returned.

That at the aforesaid time and place, your commissioner took the depositions of R.J. Norfleet, W. H. Crocker, Lee Ballard, J. W. Morgan and Elijah Bailey which depositions are herewith returned as a part of this report.

That from the testimony of said witnesses and from information otherwise obtained, your commissioner reports as follows:

(1)

At the time of his death, Johnson Ballard owned the following real estate:

A certain parcel of land situate in Nansemond County, Virginia, which was conveyed to him by deed from Lee Britt and Lula V. Britt, his wife, dated Sept. 21, 1909, and recorded Sept. 22, 1909 in the Clerk's office of the Circuit Court of Nansemond County, Virginia, in Deed-Book No. 68 at page 135, and described in said deed as follows:

" All that certain lot or parcel of land situate in 'Lloyd's Addition' in Cypress Magisterial District, in the County of Nansemond, and State of Virginia, and near the Southeastern boundary of the Town of Suffolk, in said county, fronting fifty (50) feet on the West side of Division Street, and running back between parallel lines one hundred and fifty (150) feet, more or less, being lot number seventeen which M.F. Lloyd and wife sold and conveyed to the said Lee Britt by deed dated the 29th day of July 1889, and recorded in D.B. No. 22 page 268 in the Clerk's office of Nansemond County, - the said lot being bounded on the North by Lot Number Sixteen, the property of said Lee Britt; on the East by said Division Street; on the South by lot Number Eighteen, the property of Martha Jane Bond, and on the West by Lot Number Fifteen on the plat of the Lloyd Property, - it being the purpose of this deed to convey to the grantee all the land, no more or no less, embraced in lot Number Seventeen conveyed to the said Lee Britt by said M.F. Lloyd and wife in the aforesaid deed."

The fee-simple value of the above described property is between \$800. and \$1,000., and its annual value about \$150. ~~per \$150r~~

(2)

There are no delinquent taxes against this real estate. The taxes for 1929 amount to the sum of \$11.00. and are not yet paid.

(3)

Your commissioner finds one judgment lien against the said land, viz; A judgment in favor of B. D. Crocker, trading as Suffolk Lumber Company against William Cobb, Napoleon Spencer and Johnson Ballard for the sum of \$185. upon a instrument waiving the homestead exemption, with 10% attorney's fee for collection and bearing interest from May 3, 1927 until paid, together with \$6.75 costs. This judgment was rendered on Oct. 29, 1927 and docketed on Dec. 28, 1927 in Judgment docket No. 6 at page 15 in the Clerk's office of the Circuit Court of Nansemond County, Virginia. An execution was issued on said judgment on Oct. 29, 1927, returnable in 90 days, but no returns have been noted on said Judgment Docket.

There are no other liens of record against the said land.

(4)

What other debts, if any, the decedent died owing and are still unpaid by W. H. Crocker, Administrator of the estate of the decedent, will be shown under section seven of this report, which calls for an account of the transactions of said administrator.

(5)

The heirs of the said decedent, Johnson Ballard are as follows:

- (1) Lizzie Ballard, his widow, (same being decedent's second wife).
- (2) Lee Ballard, a son.
- (3) George Ballard, a son.
- (4) Johnnie Ballard, a son.
- (5) Frederick Darden, a grandson of Johnson Ballard, and only child of Phyllis Eva Darden, a deceased daughter of said Johnson Ballard.

All of the aforesaid parties are adults and are properly before the court in this cause. Their respective interests are as follows: Lizzie Ballard, the widow, has a dower interest in said land, same being one-third for her life, and Lee Ballard, George Ballard, Johnnie Ballard and Frederick Darden, each have an undivided one-fourth fee-simple interest

in said land, subject to the dower right of the said widow, Lizzie Ballard.

(6)

There are no liens against the respective interests of the said heirs.

(7)

The following is an account of the transactions of W.H. Crocker, Administrator of Johnson Ballard:

The Administrator qualified as such on March 21, 1929, in the Clerk's office of the Circuit Court of Nansemond County, Virginia, and gave bond in the sum of \$500. with the United States Fidelity and Guaranty Co. as surety. Receipts and disbursements of the Administrator are as follows:

1929			
Sept. 7.	By cash from the public auction sale of the chattel estate of the decedent.		\$153.25
"	To paid Paul J. Powell, Clerk, fee and state tax on qualification.	\$5.00	
"	To paid United States Fidelity and Guaranty Co. premium on bond of the Admr.	\$5.00	
"	To paid Suffolk News Co. for advertisement by the Administrator.	\$3.00	
		<u>\$13.00</u>	
"	To cash balance due the estate.	\$140.25	
		<u>\$153.25</u>	<u>\$153.25</u>

The Administrator has in hand ten shares of the Phoenix Bank of Nansemond of the par value of \$7.50 each which he has been unable to sell up to the present time. The market value of this stock is about \$5. per share. Aside from the \$140.25 cash balance above indicated and the 10 shares of Phoenix Bank of Nansemond stock, the Administrator has no other assets in hand belonging to this estate.

The following bills have been presented to the Administrator for payment, but have not been paid:

Mrs. E.G. Privott, for money lent to decedent.	\$3.45
Jos. P. Hall Inc. drug account.	.25
Brothers-Pruden Co. Inc. hardware acct.	12.55
Note of the decedent due the Phoenix Bank of Nansemond.	48.00
Holland and Beamon Co. acct.	5.00
Dr. A.R. Fleming for services.	8.50
Note of decedent due American Bank and Trust Co.	90.00
Piland Printing Co. for handbills.	3.25
W.H. Crocker, cost of chattel sale.	5.15
Lizzie Ballard, Assignee of Crocker-Boykin Inc. for burial expense of decedent.	231.00
	<u>231.00</u>
Total.	<u>\$407.15</u>

In addition to the debts listed above, the Bradshaw Hardware Co. holds a note for \$84.75 signed by Johnson Ballard. This covers the balance due on the purchase price of a stove for the Allen's Temple, A.M.E.Z. Church and the officers of said church, as shown in their testimony herewith returned, have indicated their intention of assuming and paying this note and relieving the estate of Johnson Ballard of this obligation.

The judgment of the Suffolk Lumber Company, herein before mentioned, against William Cobb, Napoleon Spencer and Johnson Ballard, for the sum of \$185. is for pews purchased for the said Allen's Temple, A.M.E.Z. Church, as shown in the testimony herewith returned, and this debt also said church or its officers have indicated their intention of assuming and paying.

There is no other matter deemed pertinent by your commissioner or required by any party in interest to be stated.

Respectfully submitted this 23rd. day of October 1929.

Commissioner in Chancery.

Comr's fee: \$ _____

Fee for R.J. Norfleet for viewing and appraising the land belonging to the estate of Johnson Ballard and for giving his testimony relative thereto: \$2.50.

To Lizzie Ballard, Assignee of Crocker-Boykin, Incorporated.

and

W.H. Crocker, Administrator of the estate of Johnson Ballard, deceased, Lizzie Ballard, George Ballard, Lee Ballard, Johnnie Ballard, Frederick Darden, and all unknown parties who may be heirs-at-law of Johnson Ballard, deceased.

You are hereby notified that on the 11th. day of September 1929, between the hours of 10 A.M. and 5 P.M., at the office of James H. Corbitt, in the National Bank of Suffolk, in Suffolk, Virginia, at which time and place you are required to attend, I shall take, state and settle the following accounts which are to be taken, stated, settled and reported to Court in pursuance of the decree of the Circuit Court of Nansemond County, Virginia, rendered the 19th. day of August 1929 in the suit in chancery pending in said court to which you are parties complainant and defendant, to-wit:

(1) What real estate was owned by Johnson Ballard, at the time of his death, and what is its fee-simple and annual value.

(2) What delinquent taxes, if any, are against the said real estate.

(3) What other liens, if any, are on the said real estate, and their priorities.

(4) What other debts, if any, the said decedent died owing and are still unpaid by W.H. Crocker, Administrator of the estate of the decedent.

(5) Who are the heirs of the said decedent, Johnson Ballard; their respective interests in the said real estate and whether or not all such persons are properly before the court in this cause.

(6) What liens, if any, are on the respective interests of the said heirs.

(7) An account of the transactions of the said W.H. Crocker, Administrator aforesaid.

Given under my hand as Commissioner in Chancery of the said Court this 23rd. day of August 1929.

Bradford Kilby
Commissioner in Chancery.

Acknowledge legal service of the above notice.
W.H. Crocker
Administrator of the estate of Johnson Ballard, deceased.
Lizzie Ballard,
By Marshall Andrews, attorney.

Lizzie Ballard, Assignee etc.

v.

W. H. Crocker, Admr. et als.

Commissioner's Notice.

ORIGINAL.

Executed in the City of Portsmouth
Virginia, this the ^{29th} day of August
1929 by calling at the usual place of
abode of Lie Ballard and
not finding him there or any other
person upon whom service could be made
I left a copy of the within Notice
posted upon the front door of the usual
place of abode of the said Lie
Ballard at 1116 - London St.
R. H. Brown City Serg.
by J. B. Taylor Deputy Serg.

247 Fee Paid.

Virginia,

In the Circuit Court for the County of Nansemond;

Lizzie Ballard, Assignee of Crocker-Boykin Inc.)

v.)

In Chancery.

W. H. Crocker, Administrator of Johnson Ballard)
et als.)

COMMISSIONER'S REPORT.

To Honorable James L. McLemore, Judge of the Circuit Court for the County of Nansemond:

In pursuance of the decree of the Circuit Court for the County of Nansemond pronounced on the 19th. day of August 1929 in the suit in chancery pending in said court between Lizzie Ballard, Assignee of Crocker-Boykin Inc., Complainant, and W.H. Crocker, Administrator of Johnson Ballard, et als., Defendants, the undersigned, Bradford Kilby, one of the Commissioners in Chancery of said Court, respectfully reports as follows:

That on the 23rd. day of August 1929, your commissioner gave notice to the parties to the said suit that he would proceed on the 11th. day of September 1929, between the hours of 10 A.M. and 5.P.M. at the office of James H. Corbitt in the National Bank of Suffolk Building in Suffolk, Virginia, to make the several inquiries and accounts required by said decree to be made by one of the commissioner's in chancery of said court.

That sufficient and legal service of the said notice was served on Lee Ballard, one of the parties to said suit, and accepted by the others, as will be seen from endorsements and sergeant's returns on the notice herewith returned.

That at the aforesaid time and place, your commissioner took the depositions of R.J. Norfleet, W. H. Crocker, Lee Ballard, J. W. Morgan and Elijah Bailey which depositions are herewith returned as a part of this report.

That from the testimony of said witnesses and from information otherwise obtained, your commissioner reports as follows:

(1)

At the time of his death, Johnson Ballard owned the following real estate:

A certain parcel of land situate in Nansemond County, Virginia, which was conveyed to him by deed from Lee Britt and Lula V. Britt, his wife, dated Sept. 21, 1909, and recorded Sept. 22, 1909 in the Clerk's office of the Circuit Court of Nansemond County, Virginia, in Deed-Book No. 68 at page 135, and described in said deed as follows:

" All that certain lot or parcel of land situate in 'Lloyd's Addition' in Cypress Magisterial District, in the County of Nansemond, and State of Virginia, and near the Southeastern boundary of the Town of Suffolk, in said county, fronting fifty (50) feet on the West side of Division Street, and running back between parallel lines one hundred and fifty (150) feet, more or less, being lot number seventeen which M.F. Lloyd and wife sold and conveyed to the said Lee Britt by deed dated the 29th day of July 1889, and recorded in D.B. No. 22 page 268 in the Clerk's office of Nansemond County, - the said lot being bounded on the North by Lot Number Sixteen, the property of said Lee Britt; on the East by said Division Street; on the South by lot Number Eighteen, the property of Martha Jane Bond, and on the West by Lot Number Fifteen on the plat of the Lloyd Property, - it being the purpose of this deed to convey to the grantee all the land, no more or no less, embraced in lot Number Seventeen conveyed to the said Lee Britt by said M.F. Lloyd and wife in the aforesaid deed."

The fee-simple value of the above described property is between \$800. and \$1,000., and its annual value about \$130. or \$150.

(2)

There are no delinquent taxes against this real estate. The taxes for 1929 amount to the sum of \$11.00. and are not yet paid.

(3)

Your commissioner finds one judgment lien against the said land, viz; A judgment in favor of B. D. Crocker, trading as Suffolk Lumber Company against William Cobb, Napoleon Spencer and Johnson Ballard for the sum of \$185. upon a instrument waiving the homestead exemption, with 10% attorney's fee for collection and bearing interest from May 3, 1927 until paid, together with \$6.75 costs. This judgment was rendered on Oct. 29, 1927 and docketed on Dec. 28, 1927 in Judgment docket No. 6 at page 15 in the Clerk's office of the Circuit Court of Nansemond County, Virginia. An execution was issued on said judgment on Oct. 29, 1927, returnable in 90 days, but no returns have been noted on said Judgment Docket.

There are no other liens of record against the said land.

(4)

What other debts, if any, the decedent died owing and are still unpaid by W. H. Crocker, Administrator of the estate of the decedent, will be shown under section seven of this report, which calls for an account of the transactions of said administrator.

(5)

The heirs of the said decedent, Johnson Ballard are as follows:

- (1) Lizzie Ballard, his widow, (same being decedent's second wife).
- (2) Lee Ballard, a son.
- (3) George Ballard, a son.
- (4) Johnnie Ballard, a son.
- (5) Frederick Darden, a grandson of Johnson Ballard, and only child of Phyllis Eva Darden, a deceased daughter of said Johnson Ballard.

All of the aforesaid parties are adults and are properly before the court in this cause. Their respective interests are as follows: Lizzie Ballard, the widow, has a dower interest in said land, same being one-third for her life, and Lee Ballard, George Ballard, Johnnie Ballard and Frederick Darden, each have an undivided one-fourth fee-simple interest

in said land, subject to the dower right of the said widow, Lizzie Ballard.

(6)

There are no liens against the respective interests of the said heirs.

(7)

The following is an account of the transactions of W.H. Crocker, Administrator of Johnson Ballard:

The Administrator qualified as such on March 21, 1929, in the Clerk's office of the Circuit Court of Nansemond County, Virginia, and gave bond in the sum of \$500. with the United States Fidelity and Guaranty Co. as surety. Receipts and disbursements of the Administrator are as follows:

1929

Sept. 7.	By cash from the public auction sale of the chattel estate of the decedent.		\$153.25
✓ "	To paid Paul J. Powell, Clerk, fee and state tax on qualification.	\$5.00	
✓ "	To paid United States Fidelity and Guaranty Co. premium on bond of the Admr.	\$5.00	
✓ "	To paid Suffolk News Co. for advertisement by the Administrator.	\$3.00	
		<u>\$13.00</u>	
"	To cash balance due the estate.	\$140.25	
		<u>\$153.25</u>	<u>\$153.25</u>

The Administrator has in hand ten shares of the Phoenix Bank of Nansemond of the par value of \$7.50 each which he has been unable to sell up to the present time. The market value of this stock is about \$5. per share. Aside from the \$140.25 cash balance above indicated and the 10 shares of Phoenix Bank of Nansemond stock, the Administrator has no other assets in hand belonging to this estate.

The following bills have been presented to the Administrator for payment, but have not been paid:

✓ Mrs. E.G. Privott, for money lent to decedent.	\$3.45
✓ Jos. P. Hall Inc. drug account.	.25
✓ Brothers-Pruden Co. Inc. hardware acct.	12.55
✓ Note of the decedent due the Phoenix Bank of Nansemond.	48.00
✓ Holland and Beamon Co. acct.	5.00
✓ Dr. A.R. Fleming for services.	8.50
✓ Note of decedent due American Bank and Trust Co.	90.00
✓ Piland Printing Co. for handbills.	3.25
✓ W.H. Crocker, cost of chattel sale.	5.15
✓ Lizzie Ballard, Assignee of Crocker-Boykin Inc. for burial expense of decedent.	
	<u>231.00</u>
Total.	<u>\$407.15</u>

In addition to the debts listed above, the Bradshaw Hardware Co. holds a note for \$84.75 signed by Johnson Ballard. This covers the balance due on the purchase price of a stove for the Allen's Temple, A.M.E.Z. Church and the officers of said church, as shown in their testimony herewith returned, have indicated their intention of assuming and paying this note and relieving the estate of Johnson Ballard of this obligation.

The judgment of the Suffolk Lumber Company, herein before mentioned, against William Cobb, Napoleon Spencer and Johnson Ballard, for the sum of \$185. is for pews purchased for the said Allen's Temple, A.M.E.Z. Church, as shown in the testimony herewith returned, and this debt also said church or its officers have indicated their intention of assuming and paying.

There is no other matter deemed pertinent by your commissioner or required by any party in interest to be stated.

Respectfully submitted this 23rd. day of October 1929.

Bradford Kilby
Commissioner in Chancery.

Comr's fee: \$ 35.⁰⁰

Fee for R.J. Norfleet for viewing and appraising the land belonging to the estate of Johnson Ballard and for giving his testimony relative thereto: \$2.50.

W. H. CROCKER, being duly sworn, deposes as follows:

Examined by Mr. Kilby:

Q. What is your name, age, residence, and occupation?

A. W. H. Crocker, age 51 years, Suffolk, Virginia, real estate.

Q. Are you the Administrator of Johnson Ballard, and party to the suit of Elizabeth Ballard, assignee of Crocker-Boykin, Inc., Lee Ballard, et als?

A. I am.

Q. Do you know what real estate was owned by Johnson Ballard at the time of his death? If so, please state what, and where it is located?

A. At the time of his death he owned one house and lot, said Lot #17 on the West side of Division Street, in what is known as Lloyd Place, Nansemond County, Virginia. Size of the lot being fifty (50) by one hundred and fifty (150) feet.

Q. Did he own any other real estate besides this?

A. Not to my knowing.

Q. What, in your opinion, is the fee simple value of this property?

A. About \$800.00.

Q. Describe the best you can. I mean the condition of the house and lot.

A. The house is a one story cottage building with five rooms, and is not in a very good state of repair. The lot is in fairly good condition.

Q. What, in your opinion, is the annual value of it? What would it rent for by the week?

A. I think it would rent for \$2.50 per week.

Q. Please give an account of your transactions as Administrator up to the present time.

A. On the 7th day of September, 1929, I sold at public auction, all the personal estate belonging to Johnson Ballard, and it brought the sum of \$153.25. Out of this, the following bills have already been paid:

- | | |
|---|--------|
| 1. Charles L. Hutchins, Clerk of the Court, fee for qualification | \$5.00 |
| 2. Woodward & Elam, premium on Administrators bond | 5.00 |
| 3. Suffolk News Company for Administrators Notice | 3.00 |

The following bills have been presented to me for payment:

- | | |
|---|--------|
| 1. Mrs. E. G. Privott, for money lent, | \$3.45 |
| 2. Joseph P. Hall, Inc. | .25 |
| 3. Brothers-Pruden Co. | 12.55 |
| 4. A note due at the Phoenix Bank of Nansemond | 48.00 |
| 5. Holland & Beamon Co. | 5.00 |
| 6. Dr. A. R. Flemming, medical service, | 8.50 |
| 7. A note due at the American Bank & Trust Company | 90.00 |
| 8. Piland Printing Company, for advertisement of this sale | 3.25 |
| 9. W. T. Crocker, Administrator's cost of sale | 5.15 |
| 10. Lizzie Ballard, assignee of Crocker-Boykin, Inc., burial expenses | 231.00 |

There are two other bills, which apparently on the face, are due by the estate, but are really due by others. The first is a bill of The Suffolk Lumber Company against Johnson Ballard, et als, for the sum of \$165.75. This was for part purchase price of pews in the Allen's Temple Church. Although Johnson Ballard's Estate, along with W. M. Cobb and Napoleon Spencer are responsible for this

debt, the officers of the church have indicated their intention of assuming the obligation, and relieving the estate from this liability.

The next is the bill of Bradshaw-Hardware Company for the sum of \$84.75. This was for a stove in the same church, and the officers of the church have also indicated their intention of assuming this obligation, and relieving the estate of Johnson Ballard from this liability.

Q. Are there any other bills due by the estate besides those listed on this statement?

A. Not to my knowing.

And further this deponent saith not.

R. J. Norfleet

R. J. NORFLEET, being duly sworn, deposes as follows:

Examined by Mr. Kilby:

Q. What is your name, age, residence, and occupation?

A. R. J. Norfleet, legal age, Suffolk, Virginia, real estate.

Q. Mr. Norfleet, are you acquainted with a certain piece of real estate situated on the West side of Division Street, in what is known as Lloyd Place, Nansemond County, Virginia, of which Johnson Ballard died seised and possessed?

A. Yes.

Q. Have you seen this property recently?

A. I saw it today.

Q. Please state the condition of the property, and what, in your opinion, is the fee simple value?

A. The house, from my knowledge, has some age, and looks like it needs right much repair; but the lot, of course, is a good one, and I think it is worth \$1000.00.

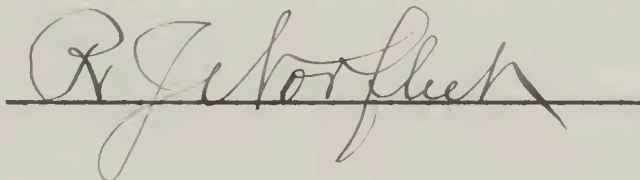
Q. What, in your opinion, is the annual value of the property?

A. \$3.00 per week, or, \$156.00 per year.

Q. What is the size of the lot?

A. Fifty (50) by one hundred and fifty (150) feet.

And further this deponent saith not.



LEE BALLARD, being duly sworn, deposes as follows:

Examined by Mr. Kilby:

Q. What is your name, age, residence, and occupation?

A. Lee Ballard, 37 years of age, 1116 London Street, Portsmouth, Virginia.

Q. Are you the son of Johnson Ballard?

A. Yes.

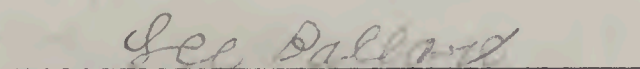
Q. Please state who are the heirs of Johnson Ballard.

A. George Ballard, a son; Johnnie Ballard, a son; Frederick Darden, the son and only child of Phyllis Eva Darden, who is the deceased daughter of Johnson Ballard; Johnson Ballard's widow, who is my step-mother, Lizzie Ballard, and myself, Lee Ballard.

Q. Are there any children by Johnson Ballard and Lizzie Ballard, his second wife?

A. No.

And further this deponent saith not.



J. W. MORGAN, being duly sworn, deposes as follows:

Examined by Mr. Kilby:

Q. What is your name, age, residence, and occupation?

A. J. W. Morgan, legal age, Suffolk, Virginia, Pastor of Allen's Temple, A.N.E.Z. Church.

Q. You have heard the testimony of W. H. Crocker, Administrator of this estate, that the judgment against Johnson Ballard, Napoleon Spencer and W. M. Cobb, for the sum of \$165.75, was for part of the purchase price of pews for your church. Please state whether this is correct, and what is the attitude of your church towards assuming this debt?

A. This debt is for pews in the church, of which I am pastor. I am sure that my church will recognize its obligations in this matter, and relieve the estate of Johnson Ballard from the payment of this debt.

Q. There is also a note of the Bradshaw-Hardware Company against Johnson Ballard for the sum of \$84.75. It has been stated that this was for a stove now used in your church. Is this correct, and if so, what is the attitude of your church towards assuming this obligation?

A. This is correct. The stove, at the present time, is used in the church of which I am pastor, and I am sure that my church will assume the payment of this note, and relieve the estate of Johnson Ballard from this obligation.

And further this deponent saith not.

J. W. Morgan

ELIJAH BAILEY, being duly sworn, deposes as follows:

Examined by Mr. Kilby:

Q. What is your name, age, residence, and occupation?

A. Elijah Bailey, 35 years of age, Suffolk, Virginia, rail-
roading.

Q. Are you a trustee of Allen's Temple, A.N.E.Z. Church,
Suffolk, Virginia?

A. I am.

Q. How long have you been a trustee?

A. About ten years.

Q. Were the pews and the stove, which now are in use in this
church, purchased since you have been a trustee?

A. Yes. .

Q. You have heard the testimony here this morning that the
estate of Johnson Ballard appears to be responsible for
the balance due on the purchase price of these pews and
this stove, and you have heard the testimony of your pastor
expressing his opinion as to the attitude of your church
in assuming this obligation. Please state, so far as you
know, whether your church will assume these obligations.

A. Yes, so far as I know, it will.

And further this deponent saith not.

Elijah Bailey

In the Circuit Court of Nan-
semond County, Virginia:

Lizzie Ballard, Assignee of
Crocker-Boykin Inc.

v.

W. H. Crocker, Admr. of John-
son Ballard.

COMMISSIONER'S REPORT.

Report of Bradford Kilby, Com-
missioner in Chancery, under
decree of August 19, 1929.

Filed October 23rd. 1929.

Paul J. Powell

Clerk.

BRADFORD KILBY
ATTORNEY AT LAW
SUFFOLK, VA.

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

V.

DECREE.

W. H. Crocker, Administrator of the estate of Johnson Ballard, deceased, Lizzie Ballard, George Ballard, Lee Ballard, Johnnie Ballard, Frederick Darden, and all unknown parties who may be heirs at law of Johnson Ballard, deceased.

This cause came on this day to be again heard on the papers formerly read and on the report of James H. Corbitt, Special Commissioner, this day filed, to which report there is no exception, and was argued by counsel.

On consideration whereof, it appearing to the Court that the said James H. Corbitt, Special Commissioner, has distributed the sum of \$837.46 coming into his hands, after paying costs of the sale of real property described and conveyed in these proceedings, as shown by vouchers submitted by the said Special Commissioner, the Court doth confirm the said report of James H. Corbitt, Special Commissioner, and the distribution made by him, and doth order and decree that the said Special Commissioner, as principal, and the Fidelity and Deposit Company of Maryland, as surety on his bond as Special Commissioner, be released from any liability accruing hereafter herein.

And nothing further remaining to be done in this cause, it is ordered that it be removed from the docket.

VIRGINIA:
IN THE CIRCUIT COURT
OF HANSEMOND COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

v.

W. H. Crocker, Administrator
of the estate of Johnson
Ballard, deceased, et als.

D E C R E E

Enter March 7, 1931.
J. L. M. Ginn

Admitted to
record this 10th
day of March
1931

See Chancery Order
Book No. 6, Page 397

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Lizzie Ballard, Assignee of
Crocker-Boykin, Incorporated,

V.

B I L L .

W. H. Crocker, Administrator of the
estate of Johnson Ballard, deceased,
Lizzie Ballard, George Ballard,
Lee Ballard, Johnnie Ballard,
Frederick Darden, and all unknown
parties who may be heirs at law
of Johnson Ballard, deceased.

TO THE HONORABLE JAMES L. McLEMORE, JUDGE OF THE SAID COURT:

The bill of Lizzie Ballard, assignee of Crocker-Boykin, Incorporated, respectfully represents:

1. That she brings this suit on behalf of herself and all other creditors of the estate of Johnson Ballard, deceased.

2. That on the 26th day of February, 1929, the said Johnson Ballard died intestate, and that W. H. Crocker was, on the 21st day of March, 1929, duly appointed administrator of his estate, gave bond and qualified as such, as will appear from a certificate of the clerk of this Court filed herewith, marked "Exhibit 1", and asked to be read as a part of this bill, and that ever since the said date the said W. H. Crocker has been and is now acting as such administrator.

3. That your complainant, as assignee of Crocker-Boykin, Incorporated, is the owner of a debt due by the estate of the said Johnson Ballard, deceased, for the necessary expenses incident to the burial of the said

Johnson Ballard, amounting to Two Hundred and Thirty-One Dollars (\$231.00), as will appear by the assignment of the said debt filed herewith, marked "Exhibit 2", and asked to be read as a part of this bill.

4. That the estate of the said Johnson Ballard, deceased, is largely indebted, and that there is not sufficient personal property belonging to the said estate out of which to pay the said debts of the estate.

5. That the said Johnson Ballard died seized and possessed of a certain parcel of land situate in Nansemond County, Virginia, which was conveyed to him by deed from Lee Britt and Lula V. Britt, his wife, dated September 21, 1909, and recorded September 22, 1909, in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, in Deed Book 68, page 135, and described in said deed as follows:

"All that certain lot or parcel of land situate in 'Lloyd's Addition' in Cypress Magisterial District, in the County of Nansemond and State of Virginia, and near the Southeastern boundary of the Town of Suffolk, in said county, fronting fifty (50) feet on the West side of Division Street, and running back between parallel lines one hundred and fifty (150) more or less, being Lot Number Seventeen, which M. F. Lloyd and wife sold and conveyed to the said Lee Britt by deed dated the 29th day of July, 1889, and recorded in D. B. No. 22, Page 268 in the Clerk's Office of Nansemond County, - the said lot being bounded on the North by Lot Number Sixteen, the property of said Lee Britt, on the East by said Division Street; on the South by Lot Number Eighteen, the property of Martha Jane Bond, and on the West by Lot Number Fifteen on the plat of the Lloyd property, - it being the purpose of this deed to convey to the grantee all the land, no more or no less, embraced in Lot Number Seventeen conveyed to said Lee Britt by said M. F. Lloyd and wife in the aforesaid deed."

So far as your complainant is informed and believes, the foregoing is a complete list of all the real estate owned by the said Johnson Ballard at the time of his death.

6. That the said Johnson Ballard left surviving him his widow, your complainant, Lizzie Ballard, three children, Lee Ballard, of Portsmouth, Virginia, George Ballard, of Boston, Massachusetts, and Johnnie Ballard, of Arizona, and Frederick Darden, of New York, New York, the only child of Phyllis Ballard Darden, a deceased daughter of the said Johnson Ballard, all of the said heirs at law of the said Johnson Ballard being more than twenty-one years of age; but there may be other heirs at law of the said Johnson Ballard, deceased, whose names are unknown.

7. Your complainant therefore prays that the said W. H. Crocker, administrator of the estate of the said Johnson Ballard, deceased, the said Lizzie Ballard as his widow, the said Lee Ballard, George Ballard, Johnnie Ballard,^{and Frederick Darden,} and all unknown parties, if any, who are heirs at law of the said Johnson Ballard, deceased, be made parties defendant to this bill, and required, but not on oath, to answer the same, the oath being hereby waived; that the administration accounts of the said W. H. Crocker may be stated; that an account of all debts and liabilities of the estate of the said Johnson Ballard may be taken and their priorities ascertained and determined; that the amount and value of the real estate owned by the said Johnson Ballard at the time of his death may also be ascertained and determined; that all other accounts and orders which are proper may be taken and made in this cause; and that the court will grant such other, further and general relief as to equity and good conscience may seem meet, and as in duty bound she

will ever pray, etc.

Notice is hereby given that in the progress of the suit the court will be requested to allow proper counsel's fees to complainant's counsel.

LIZZIE BALLARD, ASSIGNEE OF
CROCKER-BOYKIN, INCORPORATED,

By James N. Corbitt
Marshall Andrews
Counsel

VIRGINIA:
IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

LIZBIE BALLARD, ASSIGNEE OF
CROCKER-BOYKIN, INCORPORATED,

V.

W. H. CROCKER, ADMINISTRATOR
OF THE ESTATE OF JOHNSON
BALLARD, DECEASED, ET AL.

B I L L

*Filed July 1st, 1911
Alvin Whitmarsh, Jr.*

LAW OFFICES OF
JAMES H. CORBITT
SUFFOLK, VIRGINIA