

1886-006 Chancery Causes, Susan P. Spivey vs Joseph W. Spivey + al
Isle of Wight County Petition / William A. Spivey

Other surnames, Rhodes,
Vaughan, Jenkins

Spivey et al.
vs. $\frac{3}{4}$ M. Chy.
Spivey et al.

Complete Bill

Sept. Rules 1881.
Bill to file. And of Jm.
W. Spivey & Jm. E. Spivey
filed & gen. del. Gen.
ad litem app. the inst
def. to. & their an. filed.
repe.

Octo. Rules 1881. Bill
to run for conf. and
or to admit def. & act
for hearing.

9th Apl. 1882 - De. for sale

Octo. term 1886

Final.

Hollander J. G.

And may a summons issue against
the several defendants heretofore
named, &c. And your Complain
ant will ever pray &c.

Susan P. Spivey W.S. Halland &c.
Virginia

Isle of Wight County to wit;

This day come Susan P.
Spivey named in the foregoing
bill before me a notary Public
in and for the county and State
aforesaid and made oath
that the allegations and state
ments in the foregoing bill are
true to the best of her knowl
edge information and belief.

Given under my hand this
31st day of August 1881

Bry. L. Roberts N. P.

And your complainant prays that the said tract or parcel of land be partitioned among the heirs at law of Jacob Shivey dec'd that since the only possible and advantageous mode of effecting this is by means of a sale, your complainant prays that a sale may be ordered of the aforesaid farm and after paying costs, including a reasonable fee to W. S. Hall and Atty for all the parties, and expenses of sale that one fifth part of the proceeds be paid to your complainant.

Horsing v. Long
26 Bratt. 500

And your complainant prays that all commissioners be appointed, all orders made, all accounts taken and all other and further steps be taken necessary to effect the partition which is the prayer of this bill.

1 V Min. 1213 (x)
as to costs.

And your complainant prays for equal partition amongst the heirs at law of Jacob Shivey dec'd. And that such other and further relief may be granted to your complainant as his case may require, and agreeable to equity and good conscience

ments of an education - that one of
your Complainant's infant brothers,
the youngest, is deeply afflicted and
needs medical treatment which
under existing circumstance is be-
yond his power. That a sale of
said farm would be decidedly
advantageous to all concerned
more especially to your complain-
ant and her infant brothers.

6th And whereas your complain-
ant is remediless save in Equity
where such matters are cognisable
she prays that the said Joseph W.
Spivey and the said Meredith E.,
Augustus B. and Blake E. Spi-
vey infants be made parties
defendant to this bill, and
they and the guardian ad litem
which your Complainant heretofore
prays may be assigned to said
infants to defend them in this
suit, be required to answer the
same on oath to the best of their
~~strictly~~ knowledge, information
and belief. Let a subpoena go.

4th That said form would be utterly
worthless if divided into five equal
shares. That while partition is nec-
essary and the object of this bill
yet partition in kind is utterly
impossible on account of the
situation, nature, and area of the
said form. That the whole tract
contains 60 Acres, one fifth of
which is 12 Acres. That such
lots would be worthless for any
use to which said land might
by any possibility be used, because,
in the first place, of the smallness
of the area and by reason of
the situation - that this, at least,
would be wholly covered by swamp
not arable - that the lots contain-
ing arable lands would neither
^{suffice} fence, bolt, cart, bote, hay, boteⁿ or fire
bote.

5th That your complainant is an unmar-
ried girl with no income whatever,
that her said infant brothers, moth-
ers as well as fatherless are
in the greatest need of clothing
and education - that they are
growing up without even the rudiments

asked to be read as a part of this bill, about "exhibit A."

2nd That, ^{by the death of} their father Jacob Spivey as aforesaid your complainant and her said four brothers become the fee simple owners in Coparcenary of the aforesaid tract or parcel of land.

3rd That by renting said land as heretofore its value is constantly being diminished by cultivating the soil every year and by not putting on the same, turf, trash and manures sufficient and suitable; by fences falling to decay and down without proper repair; by allowing the ditches and trenches used for drainage to fill up without being reopened and shrubbed; by houses and garden growing utterly worthless for want of necessary repairs &c. That unless a division or sale before said Meredith E. Spivey arrives at the age of twenty-one years the share of your complainant will be absolutely valueless.

To the Honorable George Blair Judge
of the Circuit Court of Isle of Wight
County Virginia:

Your complainant Susan P.
Spivey of the County aforesaid humbly
complaining represents to
Your Honor;

1st. That her father, ^{Jacob Spivey} deceased this
life intestate on or about the 29th day
of December in the year of Our Lord 1879
seized and possessed of a small
tract or parcel of land containing
sixty Acres be the same more or less
lying in the county and state aforesaid
bounded by the lands of Benjamin
Spivey, W. W. Roberts and others
and lying on side of the County
road leading from Knoxville to
Corrsville; leaving five children,
to wit your complainant and her
four brothers, to wit: Joseph W. Spivey
and Blake S. Spivey, Augustus W.
Spivey and Meredith S. Spivey,
three last named are infants
under the age of 21 years, his only
heirs at Law. That a copy of
the deed under which said Jacob
Spivey held is herewith filed and

And an additional sum sufficient
to pay all costs and expenses
of this suit if not more
than seventy-five dollars.

W. H. Spivy

W. H. Spivy

Spivy W. H. Spivy
Relator

W. H. Spivy -

Filed March 8th
1887

Susan P. Spivy vs. J. W. Spivy et al.

To the Honorable George Blow Judge
of the Circuit Court of Lee of Wight
County—

Your petitioner William A.
Spivy of the County of Lee of
Wight humbly complaining,
doth represent to your
Honor:

That he has purchased the
undivided shares of the adult
parties to the suit of Susan P.
Spivy vs. Jos. W. Spivy et al of and
to the lands in the bill men-
tioned and has a deed for
the same a copy of which
is herewith filed and asked
to be read as a part of this
petition. And that your peti-
tioner paid to said parties the sum
mentioned in said deeds (\$75)

And your petitioner prays that
a decree may be made directing
a deed be made ordering
a Commissioner to make a deed
to your said petitioner upon
paying to said Commissioner a like
sum to each of the said
infants as he paid to said adults

Sperry chas.

m. 3 h ch.

Sperry chas.

Ans. of Jos. W. Sperry

Filed Sept. Res.

1887.

The respondent denies all fraud,
unlawful combination and con-
federacy, and having fully answered
the complainant's bill prays to be dis-
missed with his reasonable
costs in this behalf expended and
he will ever pray &c.

W. S. Hallard J. d.
Virginia

Joseph W. Spivey

Isle of Wright County, to wit;
This day personally appeared before
me a Notary Public in and for the
County and State of Virginia, Jos. W.
Spivey whose is above written, and
made oath that the statements con-
tained in the said answer are
true to the best of his knowl-
edge information and belief.
Given under my hand & this 12th
day of September 1881
Bry. L. Roberts J. N. P.

for.

That your respondent is the elder brother of said infant children and feels every interest in their welfare that a brother can feel in orphan brothers and that he is ready to admit the statements of his sister the said complainant in that a sale of said tract or parcel of land would ^{be} decidedly advantageous for said infants by reason of the constant diminution of the value of said land from the causes alleged in the said bill of complaint, and more by reason of the absolute necessities of said infant children, and that here it is these children are suffering from want of the opportunity of attending some primary school and that the youngest of said infants is deeply afflicted and in need of medical aid and nursing and clothing to protect his body from the wintry winds. And hence your respondent unites in praying for a sale of said land and partition of the proceeds and that a reasonable fee be allowed to W. S. Hale and atty for all the parties.

The separate answer of Joseph W. Spivey to a bill of complaint exhibited against him and others, in the circuit Court for the County of Soli of Wight by Susan P. Spivey:

The respondent reserving to himself the right of all just exceptions to the said bill, for answer thereto, or to so much thereof as he is advised that it is material for him to answer, answers and says:

That true it is the said Jacob Spivey died at the time alleged in the bill leaving as his ~~only~~ heirs at law the parties named in said bill, and seized and possessed of the tract or parcel of land described in the bill.

That true it is the said tract of land for the reasons stated and others is utterly incapable of being equally partitioned in kind and ~~gain~~ respondent prays that a sale may be ordered and the proceeds thereof, after paying costs and a reasonable atty's fee as asked for in said bill, be equally divided between the said heirs at law or the said bill alleged and prayed

At Rules held in the Clerk's Office
of the Circuit Court for Isle of
Wight County on the 5th day of
Sept. in the year 1881:

Susan O. Spivey } Plaintiff
vs. } In Chancery

Gas. W. Spivey, Meredith E., Blake E. and
Augustus R. Spivey infants under
the age of twenty-one years, defendants.

On motion of the complainant
by counsel, M. L. Watkins is as-
signed guardian to the defendants
Meredith E. Blake E. and Augustus
R. Spivey who are infants under
the age of twenty-one years, to defend
them in this suit.

Spivey O.
vs.
Spivey E.

Infants and
Filed Sept. 11. 1881.

The joint and separate answer of
Meredith E., Blake E., and Augustus R.
Spivey infants under the age of twenty-one
years by M. L. Watkins their guardian ad litem as
signed to defend them in this suit, to a
bill of complaint exhibited by Susan
P. Spivey in the circuit Court for the Coun-
ty of Sale of Wight and state of Virginia:

The respondents reserving to themselves
the benefit of all just exceptions to said
bill, for answer thereto, or to so much
thereof as they are advised that it is materi-
al they should answer, by their guardian
ad litem, answers and says:—

That they are infants of tender years,
and by reason of their infancy, is incapa-
ble of understanding, or of taking care of
their rights and interests. They, therefore, by
their said guardian commend themselves, their
rights and interests to the protection of the
Court and pray that no decree may be en-
tered which will tend to their prejudice.

And having fully answered, the said
respondents pray to be hence dismissed with their
reasonable costs in this behalf expended
And they will ever say &c.

M. L. Watkins

W. S. Hall and p. d

And this respondent says that it true
said tract or parcel of land could
be partitioned in kind for reason
stated in said bill of complaint and
for other reasons.

That the said sale proposed for in
said bill would be greatly advan-
tageous to said infant children

And hence this respondent unites
in praying that said sale may
be ordered and after paying costs,
including a reasonable fee to
W. S. Hall and Atty for all the
parties, and expenses of sale the
proceeds be partitioned among said
heirs at Law of Jacob Spivey decd.

This respondent denies all fraud
combination and confederacy and
Loving fully answered says to be hon-
estly mixed with his reasonable costs
in this behalf expended and he
will ever pay.

W. S. Hall and J. B. M. E. Spivey

Virginia,

County of Isle of Wight, to wit:

This day personally appeared before me a Notary
Public in and for said County and State
Meredith E. Spivey whose answer is above
written and made oath that the statements
contained in said answer are true to
the best of his knowledge, information
and belief him under my hand this
1st day of Sept. 1851. Bury C. Roberts N.P.

The answer of Meredith E. Spivey who is an infant over the age of four teen years and under the age of twenty one years to a bill of complaint exhibited against him and others in the circuit court for Isle of Wight County by Susan P. Spivey:

The respondent reserving to himself the benefit of all just exceptions to said bill, for answer thereto, or to so much thereof as he is advised that it is material for him to answer, answers and says:

True it is the said Jacob Spivey died at the time alleged in the said bill leaving as his only heirs at law the parties named in said bill and seized and possessed of the tract or parcel of land named in said bill.

And this respondent says that without repeating the several allegations in the said bill of complaint that he fully agrees with his sister in her statements contained in said bill and this respondent admits said statements.

Spivey vs.
v.
Spivey et al.
Ans. of M. E. Spivey
Filed Sept. 18. 1891.

Susan O. Sperry

n. } Trans. in
} Chy.

W. Sperry et al.

To Sept. Rules 1887.

W. S. Holland per
r

Executed by delivering
to the common name
Joseph W Sperry
a true copy of the
Common Decisions
Aug. 31. 1887

L. A. Edwards
Styl

The Commonwealth of Virginia,

TO THE SHERIFF OF THE COUNTY OF ISLE OF WIGHT, GREETING;

We Command You, TO SUMMON *Joseph W. Spivey, Augustus R. Spivey, Meredith E. Spivey and Blake E. Spivey*
the last named three are infants under the age of 21 years

to appear at the Clerk's Office of the Circuit Court of Isle of Wight County, at Rules to be holden for the
said Court, on the first Monday in *September* next to answer *the Bill in*
Chancery of S. Susan P. Spivey

of a plea of _____ for \$ _____ Damages \$ _____

And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Court House, the *29th*

day of *August* 188*5*, in the *100th* year of the Commonwealth.

N. P. Young *cl.*

Given to the day.

Given to the day.

Depositions.

Came to hand under
seal Dec. 13th 1887.
and filed.
Test A. H. May

the county and state of Nevada
do certify that the foregoing dep-
ositions were duly sworn to and
subscribed before me at the
time and place mentioned
therein.

Given under my hand &
Seal this 11th day of Oct. 1881
Geo W. Atwood, J. P.

1st question by Atty's Counsel. State
your name, age, occupation
and how far you live from said
lands of Jacob Spivy dec'd and
whether you know the parties to
this suit.

Ans^r

Irvin Jenkins - 41 yrs - one mile I have
been knowing all the parties well for the
last Ten or Twelve years past -

Question to S by counsel - State
whether you have heard all
the questions and answers
put to & made by Jethro P.
Rhodes said first deponent
read and whether you can
fully endorse and adopt
as your own testimony what
he has answered?

Ans - I have heard the same Read and do hereby
endorse and adopt his answers as my own

And further this deponent said not.

Irvin Jenkins

State of Virginia

County of Isle of Wight
to wit.

I Geo. M. Waddilee a Notary
Public in and for

land of which said Jacob Spier
died seized and possessed and
whether you know all the
parties to this suit?

Ans. J. M. Vaughan, 39 yrs., — one half mile
and I have known the Parties for the last
five years past

question 200(2) by name —

State whether you have
carefully read all the ques-
tions and answers put to
and made by Jethro P. Rhodes
said first deponent and
whether you can fully
confirm what he says?

Ans. I have carefully Read all the questions
and answers put to and made by J. P. Rhodes
and do hereby endorse and adopt his answers as
my own Except that I have been living
directly in the neighbourhood only five years

And further this deponent swears not.

J. M. Vaughan

From Jethro P. Rhodes being sworn
by ~~himself~~ on the Holy
Evangelist of Almighty God
deposes and says:

Question no 8 by same, State
whether the children under age
to whom you last referred
have any estate and whether
they are in absolute need.
And state whether the youngest
infant child of said Joseph
Spivy said is afflicted and
in need of medical
aid.

Ans. no estate at all except the said
land. They are in great need.
I think the youngest child is
afflicted and needs aid.

Question no 9. by same - Do
you know this youngest
child well?

Ans. I do

And further this deponent
saith not.

J. P. Rhodes

Joe W. Vaughan being sworn on
the Holy Evangelist of Holy
Gospel - deposes and says:
1st question by Plff's Counsel -
State your name, age, how
far you live from the said

said land:

Ans. it is a small farm about one third cleared and is divided by a flat boggy Branch in to two parts

Question no. 5. by same State
value of said farm?

Ans. I think it worth \$350

Question no 6 by same. State
from your knowledge of
the parties and land whether
a sale at this time is
necessary and advantageous
to said infants, parties to
this suit?

from my knowledge of the said
land and parties I do think a
sale of a fore said land would
be decided advantageous

Question no. 7 by same. State
why you think a sale
would be advantageous?

Ans. because the land is depreciating
rapidly year by year, and also the parties
under age need money for clothing &
schooling

ques. 2 by some - ^{whether} ~~state~~ you know
the parties to this suit &
state whether you are acqu-
ainted with the land of
which Jacob Spivy died seized
& possessed?

Ans. I am intimately acquainted
with the parties. they were raised
about one mile from me. I am
acquainted with the land of the
fore said premises having lived
within one mile of the same for
the last fifteen years

Questions No 3 by some. State
whether a division in
kind among the heirs at
Law of Jacob Spivy decd. of
the said lands is practi-
cable?

Ans. I do not think the land of Jacob
Spivy could be divided among
his parties without each part
being worthless to each party

Question No. 4 by some.

State the nature of

The depositions of Irvin Jenkins
J^r. M. Vaughan and Jethro P.
Rhodes taken before me by
M^r. Waddille a Notary Public
in & for the county of Isle of
Wright pursuant to notice
hereto annexed, at the office
of M^r. Waddille on the
11th day of October 1887 between
the hours of 2 o'clock P.M. and
6 o'clock P.M. to be read as evi-
dence in a suit pending in
the circuit court of Isle of Wright
County Va. on behalf of Susan
P. Spiving, in which Susan P. Spiving
is plaintiff and J^r. W. Spiving
and others are defendants

Present: W. S. Holland, Counsel for Plaintiff.

Jethro P. Rhodes being sworn
on the Holy Evangelist of Almighty
God: deposes and says:
1st y. by Plffs. Counsel.

Please state your name &
and residence & occupation?
J. P. Rhodes Age 43 yrs. Isle of Wright
County. Farmer

L Susan P. Spring

Pltf.

vs.

Dft.

Residence *Jos. W. Spring, et. al.*

Date *1881*

Am't *\$4.95*

Salient Points *Partition*

*I find these ver-
bal report of
only
1794.*

IF NOT CALLED FOR IN TEN DAYS RETURN TO
W. S. HOLLAND.
ATTORNEY AT LAW,
WINDSOR,
ISLE OF WIGHT, COUNTY VA.

$$\begin{array}{r}
 495 \\
 70 \\
 \hline
 3425 \\
 85 \\
 \hline
 5 \\
 \hline
 5
 \end{array}$$

$$\begin{array}{r}
 85 \\
 2 \\
 \hline
 170
 \end{array}$$

$$\begin{array}{r}
 495 \\
 175 \\
 \hline
 325 \\
 225 \\
 \hline
 100
 \end{array}$$

Susan^Q Speyer

50¢

Lisaan P. Lyon.

1881
Aug

To. Dring of. Inc. of Light County - Va
N. E. Ex. Corri-er. Rev. J. D. P. of

50

Red Payment of \$105. Holland & Co.
L. H. & Co. & Co. & Co.

KRANICH & BACH PIANO AGENCY,

THE BEST, THE CHEAPEST, THE SWEETEST TONE, AND KEEP IN TUNE LONGER THAN ANY OTHER.

THOS. JOHNSTON,
M. WEST,
J. M. SKINNER,

Richmond, Va., April 26th 1882

Mr W. S. Holland

Bought of WEST, JOHNSTON & CO.,

Booksellers, Stationers, Blank Book Manufacturers, Binders, and Printers.

Orders Promptly, attended to.

We are not responsible for Goods Sent by mail

NO. 911 MAIN STREET,

BETWEEN NINTH AND TENTH STS.

300 Land Advertisements - forms.

3.00

Paid May 13/82

West Johnston & Co

Case No. 10000

FOR SALE

BEARING AUCTORIAL

ON MAY 24th 1885

AT TWO O'CLOCK P. M.

35
20
5

William A. Perry
\$121 95

\$495
~~475~~
~~80~~

GOOD EYERIN

W. H. HOFFMAN

General Commission

LAND FOR SALE

Pursuant to a decree entered at the April term of the Circuit Court for Isle of wight County, I shall offer
for Sale at

PUBLIC AUCTION

to the highest bidder at Windsor, Va.,

ON MAY 27th 1882,

AT TWO O'CLOCK P. M.,

All the land of which Jacob Spirey died seized and possessed,

A TRACT OF LAND!

lying on the road from **WINDSOR** to **CARRSVILLE,**

A GOOD FARM.

TERMS--Cash, a sum sufficient to pay costs of suit and expenses of sale. The rest on a Credit of six and twelve months—a bond and good personal security will be required of purchaser—title retained till purchase money is paid.

April 22nd 1882.

W. T. HOLLAND,
Special Commissioner.

Deposited in the

BANK OF WINDSOR, VA.

By _____

to credit of *Wm. Holland and Cr. S. Priddy*
vs. S. Priddy
Oct. 16th. 1882

as follows:

	Dollars.	Cents.
Currency - - -	250	37
Check - - -		
Draft - - -		
Note - <i>Supra</i> - - -		
Total, - - -	250	37

M. L. Watkins Cashier.

By _____

Receipt for
J. P. Rhodes
and others

Received Cash fifty \$ of W S Hallard
Witness fee in Lute Spring vs Spring
June 5th 1882

J P Rhodes for self and
Geo W Vaughan & Irving Jenkins

Received of W. S. Halland. Com - five
dollars for Selling the poet Spring Land
on the 24th of May 1882
Jenn 5th 1882 J. H. Eddy Secy

Spivey
or } some
Bond
Spivey
a copy

Know all Men by these Presents, That we William S. Holland
and W. P. Young,
are held and firmly bound unto the Commonwealth of Virginia in the sum of one
Thousand dollars to the payment whereof, well and truly to
be made, we bind ourselves, our Heirs, Executors and Administrators, jointly and
severally, firmly by these presents. As witness our Hands and Seals, this 1st day
of May in the year of our Lord, one thousand eight hundred and
eighty two. And we waive the benefit of Homestead exemption as to this obligation

The Condition of the above Obligation is Such, That whereas, by a Decree of
the Circuit Court of Isle of Wight County, pronounced on the 22^d day of April
1882 in a cause depending in the said Court, in which Susan P.

Spivey
is Plaintiff, and
and Joseph W. Spivey, et als heirs of Jacob Spivey decd
are Defendant, the above bound Wm S. Holland
was appointed a special Commissioner to sell the lands in
the proceedings mentioned whereof Jacob Spivey decd
possessed and possessed, and make report &c.

Now, if the above bound Wm S. Holland shall faithfully discharge
his duties as Commissioner under the said Decree, or any future Decree in said
cause, then the above Obligation to be void, otherwise to remain in full force and vir-
tue.

Signed, Sealed and Delivered }
in the presence of }

Wm S. Holland (SEAL.)
W. P. Young (SEAL.)
(SEAL.)

Phillips & Carter, Printers.

In the Clerk's office of the Circuit Court
County of Isle of Wight County the 1st day of May 1882
This bond was executed by the obligors and admitted to record
Teste
W. P. Young clk.

To amt brought forward \$45.71
 " J.P. Rhodes, witness .50
 " Irvin Jenkins " .50
 " Jos. M. Danyhow " .50
 " Waddell N.D. 2.50
 " Commissioners to ref 20.00
 " Common view 5.00
 " Printing advertisements 3.00
 " Total costs \$77.71
 " Paid Wm. A. Spring two shares owned
 by him as shown by exhibits &c
 filed in these papers \$166.92
 " By Cash paid \$495.00
 Balance in hand \$250.37
 which said balance your Com-
 missioner placed in bank as
 shown by the bookkeeper's certificate
 here with filed.

Respectfully submitted
 W. S. Holland
 Sp. Comr.

Spring
 1883 Sp. Comr.'s Report
 Spring

out \$1882

169.92
 250.37
 420.29

166.92
 77.71
 250.37
 495.00

495
 77.71
 516.92
 83.45
 186.91

Spivey
vs
Spivey et al

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

The undersigned your Commissioner
appointed by a decree of this
Honorable Court rendered at the
April term 1882 in the case of
Susan C. Spivey vs. Geo. W. Spivey et al,
begs leave to make the following
report: that on the 27th day of May
1882 your Commissioner, at Windsor in
said County, offered for sale at
public auction the lands in
then proceedings mentioned after
duly advertising in pursuance to
the terms of said decree, thereupon
William A. Spivey became the highest
bidder at four hundred and
ninety five dollars (\$495) and
according the said tract of land was
put down to ^{paid} William A. Spivey and
being unwilling or unable to give se-
curity the said William A. Spivey
paid the said sum of \$495 in
cash which your Commissioner dis-
posed of as follows

To Att. fee & writ tax to self	\$36.50
" Clerk's fees	8.71
" Sheriff's "	50

Spion $\frac{5}{3}$ Inch.
no. 3

Shoey also.

Bill of costs.

Spivey Susan P.

vs. $\frac{3}{4}$ In chq. Bill of costs to and
Spivey et als. including Apl. Term, 1887.

Atto. fee - all? by cot. + writ tot 36. 50

Clerk's fees - ~~and~~ including extra copy costs - 8. 71

Shff. fees . 50

J. P. Rhodes certifying . 50

James M. Vaughan " . 50

Irvin Jenkins " . 50

Waddell nfo. fee 2. 50

\$ 49. 71

Spring in Chem,
vs Spring at ab
secre
Oct term 1881

To be entered

Geo Brown.

This decree is unutilized
it was to be written out,
and cannot now be
entered. B.

Entered 29

Note - After this decree
was entered, the above decree
and report was made by
the judge & by his direction
it was effaced.
eff.

Spivy &
vs 3 In Chancery
Spivy et. als.

This cause come on this day
to be heard on the bill of complaint
Answer of Adult dfts, answer of infants
dfts over 14 yrs of age, answer of infant
dfts under the age of 21 years by
M. L. Watkins their f'dm, ad litem
And on exhibits filed and was argu-
ed by counsel. On consideration where-
of the Court doth order, a Judge
do decree that J. R. Rhodes, Jos. W.
Vaughan. Benj. Spivy, Irvin Jenkins
and R. Y. Butler who are hereby
appointed for that purpose proceed
to view the lands of which said Ja-
cob Spivy died seized and possessed and after
being duly sworn proceed to make
partition of said land in five equal
shares in ^{as possible} other wise a report
to court ^{with their reasons therefor with evidence taken}
^{and if one party will take any part of said land}
^{pay to the other party their respective}
partition and report their proceed-
ings to Court -

of this court. And the said W.T.
Holl and before the sale of said
shall give bond before the clerk
of this court in the penalty of
\$1000 payable to the common
wealth of Virginia conditioned
for the faithful discharge of
the duties imposed by this
decree or any other that may
be entered in this cause -

Shing
23

Shing 23-28

decree

To be entered
apl. term 1887.

Georgios J.



Entered 55-

Spivy

vs 3

Spivy et al -

This cause come on this day to be again heard on the papers formerly read and on the petition of W. A. Spivy who has purchased the ^{Suampt & Joseph H. Spivy} shares of the adult heirs, ^{as shown by books here with filed papers Jan 13} and exhibits filed there with and was argued by counsel on consideration whereof the court doth order, adjudge and decree that W. T. Holland who is hereby appointed a commissioner for that purpose shall sell at public auction to the highest bidder at Windsor in said County, near the premises, after giving thirty days notice by hand bills the lands in the proceedings mentioned on the following terms - To Cash a sum sufficient to pay costs of suit and expenses of sale including a fee ^{in addition to the fee allowed by law} of \$20.00 to W. T. Holland atty - for all the parties - the rest on six and twelve months credit the purchaser required to give a bond and security for deferred payments, retaining title till further order

Spivy
vs In Chancery
Spivy et al

Secur

Oct. 1882

To be entered

Geo. Blow.

The report of the
is not in the
proper Oct. 20/82
etc.

Entered 20

Susan P. Spivey

Self.

25

Chancery

Joseph W. Spivey

et al.

Sfts.

This cause come on
this day to be again heard on
the papers formerly read and on the
report of W.S. Holland Special Comm^r
to which no exceptions have been filed.
And was argued by counsel on consider-
ation whereof the Court doth order,
adjudge, and decree that said report
be and the same is hereby confirmed
that W.S. Holland who is hereby appointed
a Commissioner for that purpose make
and execute to William A. Spivey
his heirs and assigns for ever a good
and sufficient deed for the land
in these proceedings mentioned of
which Jacob Spivey died seized and
possessed for which the said W.S. Holland
shall be entitled to a fee of \$5 - And
that after paying costs in this suit
that he pay the money left to
the legally qualified guardian of
the three infant children in the
bill named. And there being
nothing further to be done in this
suit it is ordered to be dismissed
from the docket
and make report to Court

provided the Penalty of this Decree shall be less than \$100.
Copy shall not be less than \$100.

Spiny 10.00.

vs $\frac{2}{3}$ in chry

Spun to 08

20 Oct. 1886

To be entered

Y
L. B. 1300 2



Entered

#6-

Spiny it als

vs

Spiny it als

This case come on this
day to be again heard on the
papers formerly read and it
appearing that there is nothing
further to be done, it is ordered
that the case be removed
from the docket.

Spivey Blake W
To $\frac{3}{4}$ copy of
D. J. D. D. D.

Spivey Jacob

=

Spivey S. P.

vs. $\frac{3}{4}$ D. J. D.

Spivey et al.

Est. D. J. D. filed
with ref. to

See for search copy 60

In evidence whereof the said
Blake W. Spivey hath hereunto
set his hand and affixed
his seal the day and date
first above written.

Signed sealed &
delivered in the
presence of us
Jm. R. Watkins
Bright Roberts

Blake W. Spivey 

In the Clerk's office of
Isosfewight County Court
August 5th 1855, This Deed
was received and acknow-
ledged by Blake W. Spivey
to be his act and deed &
admitted to record.

Test.

A. L. Latimer



Copies

Test

W. A. Edwards



Danden, on the North; on the
East by John Danden deed
and others; on the South by
the lands of Jacob Spivey deed;
on the West by the County
Roads; it being a part of the
tract of lands formerly none
Mary Spivey deed: lands. This
Deed witnesses that the said
Blaise W. Spivey doth bargain
and ~~sell~~ unto the said Jacob
Spivey his heirs & assigns forever
all his right and title to said
tract of lands above named
with all and singular
its appurtenances thereto belong-
ing or in any-wise appertain-
ing unto the said Jacob
Spivey his heirs and assigns
forever, ~~all his right and title~~
~~to said tract of lands,~~ and
I the said Blaise W. Spivey
doth for my-self & my heirs
warrant and forever defend
the right and title to said tract
or parcel of land unto the
said Jacob Spivey his heirs
and assigns forever.

This Deed made this 4th day of
June 1855, between Blaise
W. Spivey of the first part
and Jacob Spivey of the second
part, and all of the County
of Shenandoah and State of
Virginia - witnesseth that the
said Blaise W. Spivey doth for
and in consideration of
the sum of One hundred
and twenty dollars current
money of Virginia to him
in hand paid by the said
Jacob Spivey on the sealing
and delivery of these presents,
the receipt whereof is hereby
acknowledged, have bar-
gained and sold, and by
these presents doth bargain
and release, ratify & confirm
unto the said Jacob Spivey
his heirs and assigns forever
a certain tract or parcel of land
lying and being in the County
aforesaid containing by estima-
tion fifty acres be the same
more or less and bounded
by the lands of Stephen G.