

**Extracts from Google Books: May 2008**

**Baptist Biography**  
**edited by Balus Joseph Winzer Graham 1920**

<http://books.google.com/books?id=QxwRAAAIAAJ&printsec=frontcover&dq=Baptist+Biography>

Levi Ballard (Page 15)

The Ballard family is traceable as far back as the fourteenth century. Levi Ballard, the subject of this sketch, is a son of Joshua and Elizabeth Ballard, and was born on November 22, 1833, in Gwinnett county, Georgia. Benjamin Ballard, his grandfather, moved from Princess Anne county, Virginia, in 1783, and settled on Cam Creek, in Wilkes county, Georgia. The wife of Benjamin Ballard, the grandmother of Levi, was Katherine Hammond, a native of Wilkes county, Georgia. Elizabeth Bennett, who married William Bryant, in Oglethorpe county, Georgia, was his maternal grandmother. Benjamin Ballard was the grandson of Captain John Ballard, of Yorktown, Virginia, whose father was Col. Thomas Ballard, a vestryman of Bruton Parish, and was one of the makers of the early history of Virginia. His father was named Thomas, who came from Greenwich, England, to America with his father, William Ballard, in 1627, when he was only ten years old. William Ballard was a direct descendent of Thomas Ballard, High Sheriff of Kent, England, whose father was Sir George Ballard, butler to King Richard II. Sir George Ballard was the son of Fulco Ballard, who came to England in the train of Queen Phillipa in the fourteenth century. The family name Ballard is derived from the Flemish proper name, Ballat.

The ancestry of Levi Ballard has been distinguished for four centuries. In each generation the men of his family have occupied positions of honor and trust, both in Church and State. In England they were favorites of crowned heads, and in America they have stood to the front in business, politics and religion. Levi inherited the essential qualities of a business genius and of tactful leadership. In his long and useful life both of these qualities have been developed to a high degree.

Mr. Ballard received his early training, outside of the home, in the local schools of his community. The schools in his boyhood were very limited in their courses of instruction, and the terms were of short duration. Opportunities for high school and college education were few in those days. It was not his good fortune to enjoy the advantage of either. Having a strong mind, and not being afraid of hard work, he mastered the elementary branches of a liberal education. In his young manhood he entered the profession of teaching, first in Georgia and then in the West. His commanding personality won the respect of his students, and he was a success as a teacher from the very start.

At the beginning of the Civil War Mr. Ballard was teaching in the West. At the call of his country he laid down his profession and first became a member of the State troops. Later he joined the Fifty-sixth Georgia Regiment, and throughout the entire war was a gallant soldier. During the first period he was in the Western army, but during the latter part of that bitter struggle he was in Bragg's army, under the command of Johnston and Hood. The scenes of the campaign through Georgia and Kentucky and his experiences at

Vicksburg have been the topics of many fireside conversations. It was at Greensboro, North Carolina, that he surrendered at the close of the war.

After the war Mr. Ballard settled on a farm in Campbell county, Georgia. Only those who lived through it can appreciate the difficulties of the Reconstruction Period. In spite of these and of the impoverished condition of the South, Mr. Ballard followed his agricultural pursuits with persistence and determination. In ten years he became one of the most substantial farmers in his section. His business ability led him to turn aside from tilling the soil and to enter the mercantile business. For ten years he was a successful merchant and dealer in real estate. While in the mercantile business he continued his farming interests. After ten years of confinement in the store he went back to the freedom of the farm, and from then until now he has farmed on an extensive scale. Knowing how to save as well as how to make money, he is interested in a number of financial enterprises, being president of the Bank of Palmetto, stockholder in the Palmetto Cotton Mill and in the Fairburn Oil Company. Though eighty- five years old, his business judgment was never better, and he finds his highest temporal pleasure in looking after his various business interests.

Mr. Ballard is a staunch Democrat, but has not been obsessed with political aspirations. The people of his community and county have delighted to honor him by putting him in positions of responsibility and trust. In 1884-85 he represented his county in the Georgia Legislature. In 1888-89 he was a member of the State Senate. In the halls of legislation, as in his private business, he showed himself a man of superior judgment. It was known by his colleagues that he would be on the right side of every moral question. As the representative of the people he served them faithfully and well. It has been the habit of his long life to guard the interests of his community, county and State, and to be no less loyal to his national government. When he surrendered at Greensboro, North Carolina, after four years of gallant service in the interest of the Confederacy, he returned to the stars and bars with as unswerving devotion as if there never had been a Confederacy. The sincerity of that devotion has stood the tests of more than a half century.

Mr. Ballard was converted in 1858 and united with the Ramah Baptist church, being baptized by Rev. John S. Dodd. On a beautiful plat of ground, almost in front of his stately home, is the Ramah Baptist church, of which he has so long been a devoted member. Ramah is a member of the Western Association. When the Fairburn Association was formed, Mr. Ballard was unwilling for his church to go into its constitution. The ties of friendship between him and such men as Rev. H. S. Reese, J. B. Ware, John D. Simms, A. D. Freeman, L. N. Orr and others were too strong and of too long standing to be broken. These men, with Mr. Ballard, have been familiar figures in the Western Association for more than forty years, and those who survive still attend its annual sessions. Ramah church has occupied a conspicuous place in the community in which it is situated and in the town of Palmetto, near the incorporate limits of which it stands. It has been the mother of nearly all the churches in that immediate section, including the Palmetto church. For more than twenty-five years the lamented Reuben C. Rhodes was its honored pastor. It was his dream to erect for the church a stone structure adequate to accommodate the large congregations which attended its monthly services. Reuben Rhodes found in Mr. Ballard a staunch friend and supporter. But for his generosity the

stone building would have been a practical impossibility. Strong preachers from the early years have been pastors of Ramah, and Mr. Ballard has been one of the chief instruments in securing their services and in giving them material support. He is a Baptist of the old school and does not hesitate to stand for the defense and proclamation of Baptist principles.

On December 18, 1861, Mr. Ballard married Miss Sarah Smith Harrison, daughter of Nathaniel and Sarah Harrison, of North Carolina. Of this union twelve children were born, the following of whom are living : Villeta, now Mrs. Chas. B. Moseley ; Nathaniel H. Ballard, one of the leading educators of Georgia; Cora V., now Mrs. T. P. Arnold; Maude, now Mrs. C. W. Hudson; Mabel, now Mrs. Rush Irwin, and Jacob H. Ballard. The Ballard home has been a favorite place of entertainment, not only for the pastors of Ramah, but for hosts of others, preachers and friends.

Mr. Ballard is a high type of the old Southern gentleman. In his long and useful life he has helped many of his fellows on the way to success. The less fortunate have shared his benefactions and he has been a generous contributor to Christian and benevolent institutions. As he faces the setting sun of his earthly career he can look back over a well spent life and forward to a happy reunion with those who have gone on before.

**Men of Mark in Georgia: A Complete and Elaborate History of the State  
By William J. Northern, Published 1912**

<http://books.google.com/books?id=Bfp5aweLNr0C&printsec=frontcover&dq=Men+of+Mark+in+Georgia>

Levi Ballard (Page 41)

The family name of Ballard is of Flemish origin, being derived from the proper name Ballat. The English Ballards are descended from Fulco Ballard of Hainault, Flanders, who came to England in the fourteenth century in the train of Queen Phillipa. He was given Horton, near Canterbury. Here lived his son, Sir George Ballard, butler to King Richard II, who showered many favors upon the family, especially in gifts of land, such as West Combe, Spittel Combe, East Combe, and lands in Carlton, Lewisham, and Deptford. Thomas Ballard, third in descent from Fulco, was High Sheriff of Kent and married Phillipa, the only daughter of Thomas Walsingham and sister of the great Minister under Queen Elizabeth. The grandmother of the Virginia immigrant was Mary, the youngest daughter and coheir of John Spencer of Castle Ashby, giving the Virginia Ballards the deSpencer quartering on their coat of arms. Hasted, in his History of Black Heath, Kent, states that Black Heath furnished two chiefs and two of the principal officers at Agincourt, viz., Gloucester and Exeter, Ballard and Chaucer (father of the poet).

The Virginia Ballards are descended from William Ballard, of Greenwich, England, who came to Virginia in 1627 accompanied by his son, Thomas Ballard, a lad of ten years. Father and son differed upon all the absorbing issues of the day, the father becoming Puritan in his views, and the son remaining steadfast to the faith of his forebears. William

Ballard, the immigrant, moved to Massachusetts, where he again married and reared a family from whom most of the New England Ballards are descended. He lies buried in the old cemetery at Andover, Massachusetts. Thomas Ballard, the son, was an important personage in the early history of Virginia. A man of means, a lawyer of distinction, repeatedly a Member of the House of Burgesses and for a term Speaker of the same, and Member of the Council. His son, Colonel Thomas Ballard, was vestryman of Bruton Parish, and was a man of importance in the early history of Virginia. His son, Captain John Ballard, of Yorktown, was the grandfather of the Georgia immigrant from whom the subject of this sketch is descended.

The Ballard arms brought from Flanders were sable, a griffin segreant ermine, crest a demi-griffin sergreant ermine. The Sussex Ballards from whom the Virginia immigrant was derived had quartering, argent and gules, in second and third quarter a fret, or, over all; on a bend sable three flours de lis, or.

The subject of this sketch, Levi Ballard, a prominent citizen and business man of Palmetto, is descended from the Virginia Ballards. His grandfather, Benjamin Ballard, moved from Princess Anne county, Virginia, in 1783, and settled on Camp Creek, in Wilkes county, Georgia. The subject of this sketch was born in Gwinnett county, Georgia, on November 22, 1833, son of Joshua and Elizabeth (Bryant) Ballard. His grandmother Ballard was Katherine Herman or Hammond of Wilkes county, Georgia. His grandmother Bryant was Elizabeth Barnett, who married William Bryant in Oglethorpe county, Georgia.

Young Ballard was educated in local schools for several years, and as a young man taught school for several years, first in Georgia and later in the West. The outbreak of the Civil War found him in the West, and he first became a soldier as a member of the State troops, later becoming attached to the Fifty-sixth Georgia Regiment. He served through the entire war, the first period in the Western armies, and the latter period attached to Bragg's Army commanded by Johnston and Hood. He went through the Georgia and Kentucky campaign; was at Vicksburg and finally surrendered at Greensboro, North Carolina.

At the close of the war he engaged in farming, which he followed for ten years, and then became a merchant and land dealer. He gave ten years to that; then returned to farming, to which he added various financial interests.

In 1884-85 he represented his county in the Lower House of the General Assembly; and in 1888-89, served a term as member of the Senate. Mr. Ballard's business operations have been successful, and he is now one of the leading men of his section, having large farming interests; being president of the Palmetto Banking Company; stockholder in the Palmetto Cotton Mill, and in the Fairburn Oil Company.

He married Sarah Smith Harrison, a daughter of Nathaniel and Sarah Harrison, of North Carolina; and of this marriage twelve children have been born, of whom the following are living: Villeta, now Mrs. Chas. B. Mosely; Nathaniel H. Ballard, a leading educator in the

State, located at Brunswick; Cora V., now Mrs. T. P. Arnold; Maude, now Mrs. C. H. Hudson; Mabel, now Mrs. Rush Irwin, and Jacob H. Ballard.

Mr. Ballard is a Democrat in his political affiliations; a Mason in fraternal circles; and a Baptist in his church relations. He has lived a long and useful life; fought the battles of his country in war, and contributed faithfully to the development in peace. He will be best remembered for the aid and assistance he has given so many people in acquiring independence. Hundreds of people living in his section owe their home and success to the aid received from him. He knows of no better platform upon which to build the State in a moral and material way than industry and honesty in personal life, and the improvement of our farming methods—as, in its last analysis, the prosperity of Georgia rests upon the land.

N. H. BALLARD.

The Majors and Their Marriages  
By James Branch Cabell 1915

<http://books.google.com/books?id=puQ1AAAAMAAJ&pg=PA101&dq=john+ballard+nansemond>

EDWARD MAJOR OF NANSEMOND 15

Major had meanwhile also patented 300 acres in Warwick county, 24 September 1646.

Edward Major was evidently a Puritan, one of the many whom the Bennetts brought to Virginia; and it was most natural he should have made his home in Nansemond, which was then a stronghold of the non-conformists. It was this Nansemond colony of dissenters from the Church of England which in 1642 sent letters to Boston requesting that Puritan clergymen be assigned them, to minister to their spiritual wants. John Winthrop, then Governor of Massachusetts, sent in reply three eminent divines; and Sir William Berkeley, then Governor of Virginia, and whatever his other virtues a staunch churchman, caused the Assembly forthwith to decree: "FFOR the preservation of the puritie of doctrine & vnitie of the church, It is enacted that all ministers whatsoever which shall reside in the collony are to be conformable to the orders and constitutions of the church of England, and the laws therein established, and not otherwise to be admitted to teach or preach publicly or privatly; And that the Gov. and Counsel do take care that all nonconformists, vpon notice of them, shall be compelled to depart the collony with all conveniencie." An appalling massacre of the colonists by the Indians followed hard upon the putting into effect of this law, in 1644: and was heralded by the Puritans as an evincement of Heaven's indignation at the persecutions to which they were being subjected. Thomas Harrison, Governor Berkeley's own chaplain and spiritual adviser, was converted to Puritanism by the manifest miracle. But other churchmen moralized with a difference, and in the massacre divined an evidence of the Deity's condemnation of their sin in ever having permitted Virginia to be contaminated by the admittance of Puritans.

In Nansemond, the county was formed from Norfolk in 1646. Edward Major was for many years a justice of the peace, remaining in commission until his death. The county justices, it may be specified, were appointed by the Governor from among the "most able, honest, and judicious" citizens of their respective counties: in addition to requiring these qualities, a politic governor most naturally sought to place the laws' administration in the hands of persons of sufficient fortunes to render them immune to bribery, and of enough influence, in one way or another, to render their goodwill of importance to himself. The dignity, following the English precedent, was honorary, and carried no salary in any strict sense of the term; somewhat later, by an act passed in 1661-2, it was ordered that thirty pounds of tobacco be paid toward the maintenance of the county judges by every litigant in their respective courts who failed to win his suit.

Edward Major was likewise long an officer of the Nansemond militia, being named Lieutenant-Colonel thereof in 1653. Membership in the militia was not in those days of continual Indian warfare a gaudy matter of marching in a parade; all freemen between sixteen and sixty were liable to service; and officership therein was so highly esteemed that the honor and responsibility were awarded, by the Governor, to each county's most prominent men, and to such alone. To abridge from Mr. Bruce's invaluable Institutional History of Virginia in the Seventeenth Century: "The reason for this is quite simple — serving as officers in the militia did not merely create an opportunity for personal display on occasions when an entire county's inhabitants were present to take part in the muster drill; it meant far more even than the gratification of a taste for military exercises, for in the end, every officer was certain to have an experience of warfare in its harshest forms . . . The most ordinary foresight, therefore, dictated that, when the appointment of these officers was to be made, the most capable men whom each county could furnish should be chosen, if for no other reason, to strengthen the confidence of the common soldiers, when the hour for fighting arrived . . . The prospect of personal peril must in itself have been a powerful inducement to the younger members of the principal families to seek a position higher than the file ... The appalling features of warfare with a foe regardless of all the amenities of civilized combat must also have had its effect in stimulating that patriotic feeling which was no small factor among the motives causing the foremost citizens to apply for positions of command in the militia. And appointments to such a position as involving the defence of every fireside, tended also to enhance that general influence in the community at large already enjoyed by the man filling it."

Then, too, in the Virginia House of Burgesses — corresponding roughly to our modern Legislature, and modeled upon the English House of Parliament — Edward Major served five terms. He represented Upper Norfolk for the sessions beginning 20 November 1645 and 1 March 1645-6; and Nansemond county for the sessions beginning 5 October 1646, and 26 April 1652, and 5 July 1653, being Speaker of the House in 1652.

It is noticeable that he was made Speaker coincidentally with Richard Bennett's accession to the governorship, 30 April 1652. This, of course, marked the reluctant surrender of Virginia, in March 1652, to the Commonwealth and Puritan supremacy. Through this momentous turn of affairs was Richard Bennett — who received the surrender, as the Commonwealth's commissioner and representative — made Governor of Virginia,

and his friend Edward Major promoted to the most important position within the gift of the House of Burgesses. In passing, the speakership was an office no less lucrative than influential : and the Speaker's: salary was obtained in the same way as the Governor's,, every county being required to contribute thereto in proportion to the number of tithables.

The Speaker elected for the next Assembly, that of 25- November 1652, was Colonel Thomas Dew, the other burgess, from Nansemond: and the following session, that of 5 July 1653, was inaugurated with perhaps the solitary instance of a governor's attempt to interfere with the choice of th& Burgesses for Speaker. Bennett's curious letter to the House (given in Hening, I, 377) to protest against the election of Walter Chiles, is at least capable of being con- strued as a suggestion that Bennett would be glad to see, instead of Chiles, the Governor's friend Edward Major, again a member of the House, re-elected to the Speakership. But this is of necessity guess-work; and at all events, the Burgesses chose William Whitby of Warwick.

Edward Major was during this session named for the important office of one of the commissioners to be sent to Northampton, to suppress the discontent there against Parliamentary rule. The appointments of the Assembly are hereinafter quoted; and this seems to have been his last appearance in public life.

Colonel Edward Major died either in the latter part of 1654 or in the January of 1655: he was, according to the Norfolk records, among the justices of the peace sitting at a court held in Nansemond 24 April 1654, and among the Charles City records is a deed, dated 24 April 1655, from "Susanna Major, relict of Lieutenant-Colonel Edward Major", confirming her deceased husband's gift of "a mare fole, that fell last August, of a bay Collor, unto my brother Mr. Walter Aston," which document was recorded 21 April 1656.

Edward Major had married twice: first, circa 1635, Martha, probably a daughter of William Butler; and, second, very probably in November 1652, Susanna, daughter of Lieutenant-Colonel Walter Aston of Charles City. In Charles City county is recorded a deed by Edward Major, dated 17 November 1652, releasing Lieutenant-Colonel Walter Aston from all past, present or futurely incurred indebtedness touching the estate of Humphrey Leisher: this puzzling document, hereinafter given, seems to mark a relinquishment of dower rights on the occasion of Edward Major's second marriage; and it was endorsed by Susanna Major, 23 April 1655, and recorded 16 February 1655-6. By this second wife, who as has been seen survived him, he appears to have had no children.

Page 57

THOMAS BALLARD was the second son of Colonel Thomas Ballard of James City county, as to whom a note is given on page 90. The younger Thomas Ballard was, therefore, probably born in York county circa 1655, and reared at his father's home at Middle Plantation, which more lately became Williamsburg. That he eventually returned to York county was due to his parents' wise choice of his godfather in Major Robert Baldrey. Baldrey had come to Virginia in 1635, being then aged eighteen, had married,

and had acquired a considerable plantation in York, where has been said, but had no children: and in his will, (dated 1 May 1668, recorded in York 30 December 1676), he bequeathed, with the exception of 130 acres left outright to Thomas Greene, a life interest in all the testator's property to his wife, Elizabeth, with reversion at her death to Baldrey's godson, Thomas Ballard. Baldrey's widow seems to have died before 1684, at latest, as in that year Thomas Ballard, Junior, removed to York and took possession of his godfather's estate. He was certainly still living in James City 28 March 1683-4, when he witnessed a power of attorney from John Suckell to Joseph Topping; but he was a member of the grand jury in York in November 1684.

He married about this time Katherine, daughter of John Hubbard of York (then deceased); the marriage must have taken place at all events before 9 May 1685, as Ballard and his wife were witnesses on that date to a deed given by Thomas and Sarah Aylett to Thomas Wade. Ballard's succinct power of attorney to represent Mrs. Aylett on this occasion is likewise preserved in the York records. "

COUZEN BALLARD — After my service to yo'rself and Lady, this is to request the favo'r of you in my behalfe to acknowledge the land to Mr Wade w'ch he hath bought of my husband, and this shall discharge me from any Right or tittle any more. I am yo'r Servant & Kinswoman — SARAH AYLETT.

Among the York records for these years is also to be found an entry which, omitted her as without genealogical significance, affords a sufficiently vivid glimpse of the young couple's menage and the immemorial liability to have trouble with servants, common to all young couples, even then, to warrant its citation on page 67.

The death of Thomas Ballard's older brother, John Ballard of Nansemond, without issue, and the death in 1689 of his father, Colonel Thomas Ballard of James City, had presently made Thomas Ballard the head of his prominent and wealthy family. He was appointed a justice of the peace for York, and retained that honorable position until his death: and figures extensively in the contemporaneous York records as the Foeffee in trust, with Joseph Ring, under the Act for Ports, passed by the Assembly in April 1691 — through which important law Thomas Ballard became, with Ring, the founder of historic Yorktown.

The statement demands a word of explanation. In Virginia at this period there was nothing anywhere resembling a city, with the solitary exception of Jamestown; and it required some stretch of the conscience to describe Jamestown as anything more than a village. The exigencies of their life, and in particular the fact that the colonists were for the most part dependent upon tobacco raising for their sustenance, tended inevitably toward the establishment instead of innumerable widely scattered plantations. There was no need of harbor towns, since each plantation adjoined a navigable stream; the planter shipped his tobacco and unloaded his foreign supplies at his own wharf; and such articles as were not imported from abroad were manufactured by his own servants on his own land. The authorities in England could not, however, view with equanimity the spectacle of a vast colony wherein, after nearly a century of existence, there was

nowhere to be found a town; it was so un-English; and they had made numerous efforts, all unsuccessful, to remedy the defect.

By this Act for Ports which nominally, and with a deal of beclouding verbiage, aimed merely to increase the facilities for storing and shipping tobacco, fifty acres were set aside in each county as a site for the county port. In York the Read plantation was selected, and laid off into eighty- five lots. By the Feoffees (Ballard and Ring) these lots were granted to such persons as requested it, in fee simple, but "under such consideration, that such grantee, his heires and assignes shall within the space of four months next ensuing such grant, begin and without delay proceed to Build and finish on each halfe acre granted to him one good house, to containe twenty foot square at the least." The experiment, while it failed in most of the counties, proved in York a success, very largely through the number of mechanics who chanced to acquire lots there, whereon they set up shops; the Feoffees reserved for themselves two of the most desirable plots in numbers 16 and 10, fronting on the river; several persons had presently opened inns for the entertainment of visitors to the new town; and in the outcome York- town was in 1705 formally incorporated. Of its former glories there survives to-day only its admirable view of the river; but Thomas Ballard is entitled, none the less, to the credit of having had the chief part in the town's establishment.

Ballard meanwhile had been chosen to represent York county in the Virginia House of Burgesses for the sessions beginning 1 April 1692 and 2 March 1692-3. And in the last-mentioned year he had a hand in founding yet another famous and enduring institution, when Thomas Ballard sold to the trustees of the proposed College of William and Mary a tract of land, inherited from his father, whereon the college buildings were afterward erected, and stand to-day.

The original deed from Ballard was long preserved, but mysteriously disappeared from the college archives some twenty years ago. The first expense accounts of the college, from its opening in 1693 to April 1697, sent by Governor Andros to England and still to be seen there, contain under the heading The College of William & Mary is D'r, 1694 the item: "To CAPT THOMAS BALLARD, for 330 acres of land, whereon ye Colledge is built £170." The Thomas Ballard of James City in 1674-5, and sold for £170 by Captain Thomas Ballard of York in 1693, was thus owned by the Ballards not quite twenty years.

In 1694 Captain Thomas Ballard was chosen High Sheriff of York. His commission, given in full in the York records, was dated 27 April 1694, and granted by Edmund Andros, who as has just been said, was then Governor of Virginia. In consequence, as is duly narrated likewise in the York records for the edification of posterity, "CAPT THO: BALLARD, aduceing his Ex'lly ye Governour's Comision to this Court appoynting him High Sherr: of this Countie this present year, which being accordingly sworne, entered into bond, with seecurity, for ye due p'formance of his Office therein according to Law." He selected his brother, probably his only surviving brother, as sub-sheriff; and " Mr FRAUNCIS BALLARD, p. appoyntm't of ye High Sherr: was accordingly sworne sub. sherr: as afores'd."

The Governor by ordinary chose the sheriff, every year, from among the justices of each county, who filled the office in turn, as it was not found equitable to impose its burdens on any one magistrate for more than a twelvemonth. Yet it was a very remunerative position. In consequence, the justice whose proper year it was to be sheriff would not infrequently cede his right to a fellow magistrate who chanced at the time to be financially embarrassed, — as when in 1665 the York justices unanimously requested that Colonel Ralph Langley be nominated sheriff of that county, out of his turn, on the grounds that he had recently lost his house by fire. Some of the sheriff's fees, as fixed by a law enacted in 1661-2, amounted to five pounds of tobacco for delivering a summons to court or for issuing a bond to keep the peace; ten pounds for every arrest he made, for every subpoena served, and for every commitment to prison or release therefrom; twelve pounds for impanelling a jury; and twenty for placing a culprit in the pillory or for whipping him. In serving an execution the sheriff worked on a commission basis, according to the amount of the judgment: if the latter was less than a hundred pounds of

#### THOMAS BALLARD OF YORK (Page 61)

tobacco, his fee was ten pounds; if between one hundred and five hundred, twenty pounds; if between five hundred and a thousand, forty pounds; and if more than a thousand, sixty pounds ; and so on. These fees in a locality like seventeenth century Virginia, where everyone appears to have been more or less litigiously inclined, added up at the year's end to a tidy sum; and Captain Thomas Ballard, as will be seen, was ready enough to resume the office when his turn came about once more.

Ballard returned to the House of Burgesses for the session of 1696-7, and again for the sessions of 28 September 1698, of 27 April 1699, and of 5 December 1700, which last was prorogued to 30 May-14 August 1702. He was again High Sheriff of York in 1699; was for years one of the leading lawyers of Virginia, and was long an officer of the York militia, ranking as captain in 1693, and being commissioned lieutenant-colonel on 3 June 1699, — Edmund Jennings being then made colonel and commander-in-chief, and William Buckner, afterward Ballard's son-in-law, major.

JOHN MAJOR, thus, married circa 1705 the daughter of one of the Colony's most prominent men. John Major and his wife appear to have lived near her father's big plantation for some five years after their marriage, and then to have removed from York to Charles City county, just as Colonel Thomas Ballard was preparing, after seven years retirement, to return to the House of Burgesses. It is noticeable that Ballard's will, hereinafter given, drawn up in 1706, states that he was then "weak of body"; and he probably never recovered robust health, as for the ensuing four years, beyond occasionally sitting as justice of the peace, he seems to have held no public office. Now, however, he was elected to represent York county once more as burgess, for the session beginning 25 October 1710, but died in the preceding September. A note as to his death, will and descendants is given on page 71.

#### SUPPLEMENTARY NOTE AS TO BALLARD OF YORK (Page 71)

COLONEL THOMAS BALLARD of York, John Major's father-in-law, was among the magistrates who sat at a court held in York 24 June 1710: he did not sit at the July court,

nor after: but at a court held 5 October 1710, "Matthew Ballard, as executor of the last will and testament of Lt: Coll: THOS BALLARD, deceased, presenting a Certificate under the hand of Wm Barbar, Gent, for the said BALLARD'S taking up a runaway Indian Woman, & it appeareing by the sd Certificate that the sd Indian Woman was apprehended twenty miles distant from her Master's dwelling, it is odered to be transmitted to the Assembly for allowance." This entry shows that Colonel Thomas Ballard was dead by October 1710; yet, rather curiously, his will, dated 26 September 1706, was not recorded until 18 June 1711.

On the same date Edward Powers, William Lee and Bassett Wagstaff were named to appraise the estate. Their inventory, returned and recorded 16 July 1711, amounts in all to £603, 12s, 8d. It includes eighteen negroes, six horses, fifty-one head of cattle, seventy ounces of plate, and "a parcell of Bookes, val'd at £2, 10s." The inventory is not unlike, in the general nature of its contents, the inventory of William Major, previously given, although of course Colonel Ballard was by far the wealthier of the two.

Indeed, it should be borne in mind that Colonel Ballard was one of the wealthiest men of his time and neighborhood. For that reason his will is especially worthy of careful consideration, and a copy is in consequence appended.

In the Name of God, Amen: I, Thomas Ballard of the parish of \_\_\_\_ in the county of York, Gentlemen, being weak of body, but in perfect mind & memory, thanks be to almighty God, do hereby revoke all former wills & testaments by me hitherto made, and make & ordain this my last will & testament, in manner & form ollowing, my just debts being first paid Imp's, I freely resign up my pretious Soul into the hands of my most gracious redeemer & mercifull Saviour, on whom always I trust for Justification & Salvation, and my body for Xtian buriall according to the discretion of of (sic) my Executors hereafter named, in hope of a glorious Resurrection : and as for my worldly Estate which God hath lent me, I dispose of as followeth:

Imp's, I give & devise the plantacon or tract of Land I now live on, — begining its bounds on York River, runing up the North west side of the Creek that parts it from the Land late of one Walner to a Spring called Oxespring, and from thence North west to the great Road, down to the marked white oake near the Road that devides it from the Land of Colo: Diggs, so from thence along the line of the said Diggs down to a pasetur on the River Side, & so along by the said River to the Corner where it begun, — unto my son Matthew & to the heirs of his body Lawfully begotten; and in case my said son Matthew dye without issue, I give it to my son Thomas & to the heirs of his body lawfully begotten; and if my son Thomas dye without issue, then I give it to my son Robert & to the heirs of his body lawfully begotten; and if Robert dye without issue, I give it to my son John & the heirs of his body lawfully begotten; and if he leave no issue, then to remain to my son William & his heirs forever.

Item, I give & devise my tract of Land whereon one John Brookes now Lives, — begining its bounds at the deviding line of one John Potter from the Land once of Major Robert Baldrey, & now mine, so down the main Road toward the said Colo : Diggs' to the

af oremencioned white oake, so from thence up into the woods along the said Diggs' line near South west, & so along my line bounding the land of Charles Colleir untill it come to the land of Thomas Jefferson, and along the said Jefferson's line to the main Road where it begun, — unto my son Thomas & to the heirs of his body; and if he, my son Thomas, dye without issue, then I give it to my son Robert & the heirs of his body; and if Robert dye without issue, then to my son John & the heirs of hisbody; and if John dye without issue, then to my son William & his heirs forever: and my will & meaning further is, if my tract of land above devised to my son Matthew shall descend or come to my son Thomas or his heirs, that then 4 from thenceforth the tract of Land herein-menconed to be devised to my son Thomas shall be & remain unto my son William & the heirs of his body Lawfully begotten, anything above s'd to the Contrary notwithstanding.

Item, I give & devise the tract of Land on w'h I formerly dwelt, — and begining its bounds at the mam Road & runing along the line of the abovenamed Potter to the head of a Swamp called White Marsh, so along the Swamp to the line of the Land late belonging to one Walners, and along the said Line to a Creek, and up the Same to the Spring called Oxespring, and thence Northwest to the great road that leads from Colo: Diggs's to Williamsburgh, and thence up to Potter's Corner where it begun, — to my son Robert & the heirs of his body Lawfully begotten; and if Robert dye without issue, then I give it to my son William & to his heirs forever.

Item, I give & devise unto my son John all my Land on the South side of the Swamp called Whitemarsh. to him & to his heirs forever.

Item, I give to my daughter Elizabeth, the wife of William Smith, twenty shillings to buy her a Ring, I haveing given her her portion already in marryage.

Item, I give unto my daughter Anna, the wife of JOHN MAJOR, my negro Sue and the boy Larence, or fifteen pounds Sterling in Lieu of the said Larence, at the Choice of my Executors, to be delivered or paid within six months after my decease.

Item, I give unto my daughter Katherine Molotto Susanna & her Increase, twenty pounds Sterling, the negro boy Tom Puding, my Second best featherbed, Bedstead, bolster, Pillows, blankets, Sheets, Covering, Curtains, Vallens thereto appertaining, & the young horse now breaking called Ring.

Item, I give to my son Thomas, Negro Frank, four young cows & a Steer of four or five years old, a featherbed, bolster, Pillows, Blanketts, Sheets, Covering, & bedstead, three pewter dishes worth eighteen shillings, six plates, & four Cain Chairs, to be paid & delivered to him when he comes of age.

Item, I give to my son Robert negro Jane with her increase, ten pounds Sterling, three young Cows & a Steer of four years old, to be paid & delivered to him when he comes of age.

Item, I give unto my son John, negro Madge & her Increase, ten pounds Sterling, & three young Cows, to be delivered him when he comes of age.

Item, I give unto my son William negro Giles, Molatto Kate with her Increase, & ten pounds Sterling, to be delivered & paid when he comes of age.

Item, I give unto my daughter Mary my two Molattoes called Betty & Anne & their Increase, & a good featherbed performed as the beds above-menconed; and my will further is, that if any of my said five Children dye before they come to the age of one & twenty years, & not married, that this & their portions be Equally divided amongst the survivors of them.

Item, I give to my three sons Robert, John & William, to every of them, a young horse, to be delivered when they come of age.

Item, my mind & will is, that my Exec'r shall have the Benefitt of the Labour of all the negroes & Molattos given to my last named five Children, (Vizt:) To Thomas, Robert, John, William & Mary : he therefore to give & allow them a Sufficien & proper Maintenance & Educacon, the s'd Mary till She come to age or be married, and the boys till they come of age or be by him putt to Lawfull Callings, as apprentices, w'ch I hereby Impower him to doe.

Item, all the rest of my goods & Chattles not before given nor disposed of I give unto my son Matthew, whom I make & appoint whole & sole Exec'r of this my last will & testament; and I hereby request my trusty & well beloved friends Mr. Lawrence Smith and Major William Buckner to direct, assist & advise my said Exec'r in the Execution of this my will. In Witness & Confirmacon of all which I have hereunto set my hand & seal, this 26th day of Septem'r 1706.

THOS: BALLARD (Seal)

Attested in the presence of the Testator: (Signed) Jer: Ham, John Brooke, Solomon Harmon (the mark of), Sam'l Seldon.

This will & Testam't was presented in Court by Matthew Ballard, the Exec'r therein named, who made Oath to it, and the same being proved by the Oaths of John Brook & Sam'l Selden, is admitted to Record; and on the mocon of the said Matthew, & his performing what is usuall in such Cases, Certificate is granted him for obtaining Probate thereof in due form. Test, Phi: Lightfoot, C: Cur. Trudy Recorded.

Colonel THOMAS BALLARD had married, as previously recorded, Katherine Hubard, who died before her husband's will was drawn up in 1706. They had issue:

I. MATTHEW BALLARD, born 1685, who married Jane , and died in 1720 without issue. His widow married, second, in 1726, Matthew Hubard, for years clerk of York county, who died in 1745.

II. ELIZABETH BALLARD, born 1687, who married and left issue by William Smith of

York.

III. ANNA BALLARD, born 1689, who married John Major of York and Charles City counties.

IV. KATHERINE BALLARD, who married and left issue by William Buckner of York.

V. THOMAS BALLARD, who settled in Charles City county, and of whom an account is more conveniently deferred to page 86.

VI. ROBERT BALLARD, who married Jane . Robert Ballard, Carpenter, and his wife Jane Ballard conveyed Plot 24 in Yorktown to Vincent Pearse of the Kingdom of Great Britain, Gentleman, by deed dated 15 October 1725. Robert Ballard died intestate, according to the petition to administer his estate, presented by his widow 19 May 1735: and records of the Orphans Courts in York show he left issue: Henrietta Ballard; and Charlotte Ballard.

Page 76

VII. JOHN BALLARD, who died in Yorktown in 1745. He had married Elizabeth , and left issue: Thomas Ballard; John Ballard; Robert Ballard; William Ballard; Catherine Ballard; Elizabeth Ballard; and Anne Ballard.

VIII. WILLIAM BALLARD, who seems to have died unmarried.

IX. MARY BALLARD, of whose marriage or descendants no record has been preserved. It is probable that she, as well as her brother William, died before reaching maturity.

Page 81

James Major and Mary Ballard had issue:

I. JOHN MAJOR, apparently the oldest son, of whom an account will be given hereafter.

II. SARAH MAJOR, who married Wilcox. She seems to have been the second child.

III. BALLARD MAJOR, who in 1797 married Ann Hilliard, but left no issue. He sold his lands in Charles City to William Graves, in 1797-8, by three deeds hereinafter described, and appears then to have quitted the county.

IV. JAMES MAJOR, living in 1793, of whose issue likewise there is no record. He, as well as his father, served in the Revolution, and concerning his military career a word follows.

V. ELIZABETH MAJOR, who married Gill.

VI. MARY DANCY MAJOR, unmarried in 1780.

VII. MARTHA MAJOR, unmarried in 1792, when she gave Furnea Southall a receipt, hereinafter quoted, for her share in her father's estate.

VIII. Another daughter, Christian name unknown, who married Stephen West, and died in or before 1779, leaving issue: John West; Sarah West; and Elizabeth West.

As has been said, James Major's son of the same name was a Revolutionary soldier, and it is a thought difficult to disentangle the two records. The younger James Major, however, some five years after his father's death, was granted a Bounty Warrant, as follows: "Council Chamber, April 29th, 1785. "

No. 3833 — JAMES MAJOR is entitled to the proportion of Land allowed a Private of the Continental line, who inlisted for the War and served to the end thereof.

THOMAS MERIWEATHER

"A Warrant for 200 Acres Issued to JAMES MAJOR, April 29th, 1785."

And in the Virginia State Library, among the Bounty Warrant manuscripts, is still preserved a certificate that James Major enlisted previous to January 1777 in the Eighth Virginia, for three years; and afterward re-enlisted for the war — evidently in the First Virginia, as there is an accompanying certificate that James Major was furloughed from that regiment, at Charles Town, 2 July 1783, and never again called on. The Eighth Virginia, it should again be said, was in September 1778 absorbed by the Fourth, as was the Ninth by the First. These two certificates were copied by Philip Southall, a justice of the peace for Charles City, and with them is filed the following note :

"Gentlem'n Auditors — I request Capt. Nath'l Ashby to settle my acc't with you: please to send my Land Warrant and Depreciation by him, as I served a Land time for it, and have a just right to it. I am yours &c, JAMES MAJOR— A copy, Ph'p Southall." A manuscript volume among the archives — known as War 4 — shows that on 28 April 1785 Nathaniel Ashby was paid, for James Major, £57, 7s.

#### ILLUSTRATIVE DOCUMENTS

Page 86

#### BALLARD OF CHARLES CITY: WITH DANCY OF CHARLES CITY

JAMES MAJOR of Charles City, as has been said, married his first cousin Mary, daughter of Thomas Ballard of Charles City. This Thomas Ballard, as also has been recorded, on page 75, was the second son of Colonel Thomas Ballard of York.

The younger THOMAS BALLARD was born circa 1695, and was in consequence fifteen or sixteen years old at the time of his father's death. He seems to have been bound apprentice, under the terms of Colonel Ballard's will, to his brother-in-law John Major, and to have been reared in the latter's household in Charles City. He was at all events married and living in Charles City in 1737, prior to which year, as has been said, there are no coherent records pertaining to that county.

A deed from John Side and his wife Sarah to Thomas Ballard was acknowledged at the August court 1739. Thomas Ballard and his wife Mary had a suit against Francis Dancy in April 1742, which was prolonged until December 1742. The verdict in this case, (hereinafter given), shows that Ballard's wife was the elder daughter of Francis Dancy and his wife Amy, who had left issue: Francis Dancy, the eldest son, defendant in the suit; Mary Dancy, the elder daughter, married to Thomas Ballard, and, with her husband, one of the complainants; Samuel Dancy, dead without issue in 1742; Ann Dancy, dead without issue in 1742; and Edward Dancy. William Dancy, and Benjamin Dancy, these last-named three being plaintiffs with Mary Ballard. The older Francis Dancy had by his will left certain slaves to his wife, to be divided at her death among his children equally, excluding his eldest son, Francis, and his elder daughter, Mary: and the main question at issue was, Amy Dancy being dead, what disposition was to be made of these slaves, now that two of the younger children had died intestate. It was ruled that the limitation held, excluding Mary Ballard and Francis Dancy from any interest in the slaves; but that, none

the less, Francis Dancy, as the heir at law, inherited after Samuel and Ann, and so was entitled to their two shares in the division.

Thomas Ballard was appointed inspector at Kennon's Warehouse in August 1742. At the May court 1743, "On the petition of THOMAS BALLARD, he is permitted to keep an ordinary at his house, he having given bond as the law directs." The license was renewed 14 March 1743-4, and several times afterward; and Thomas Ballard appears to have maintained this inn until the close of his life.

At a court held the first Wednesday in September 1750 he brought suit "on behalf e of himself & our Lord the King" against Daniel Boyce, for retailing liquor illegally— an infringement of the law which touched Ballard professionally. The outcome is not recorded. Thomas Ballard died not very long afterward, as in March 1756, and again in June 1756, his administratrix, Elizabeth Ballard, was bringing a Chancery suit against Richard Weir.

He had married, first, Mary, daughter of Francis Dancy, and, second, Elizabeth , by whom he had no children.

By his first marriage Thomas Ballard of Charles City had issue:

I. ELIZABETH BALLARD, who married Henry Talman.

II. MARY BALLARD, who, as previously recorded, circa 1740 married James Major of Charles City.

III. THOMAS BALLARD, died in Charles City November 1790, who married Sarah , and had issue: William Talbot Ballard, will dated 6 August 1798, recorded in Charles City 21 February 1799, who died unmarried; John Ballard, will dated 18 May 1809, recorded in Charles City 21 April 1814, who likewise died unmarried; Francis Dancy Ballard, living in 1804, mentioned in the will of his brother Thomas; Thomas Ballard, will dated 13 August 1804, recorded in Charles City 20 September 1804; Lucy Ballard, who married Peter Eppes; Elizabeth Ballard, who married Moses Fontaine; and Sarah Ballard, who married Abraham Fontaine.

The first wife of Thomas Ballard of Charles City, as has been said, was Mary Dancy, whom he married before 1725. Little data is available concerning the Dancy family, but she was a descendant of the JOHN DANSEY who patented 100 acres near Checkroes Neck, 4 June 1636, described as adjoining land granted him by an earlier patent; and on the same date patented 350 acres in James City county — "A mile up Chickahomony river, on the north side, and bounded by a creek called Tanks Pasby hayes creek. Due, 50 acres for the personal adventure of his wife Alice Dansey, and 300 for the Transportacon of six p'sons," whose names are given. He patented another 100 acres in James City county, 25 May 1637— "on Tanks Pasby e hayes Creeke"

The second grant comprised what was then known as Dansey's Point, to-day called Dancing Point, on the Chickahominy river. On Fry and Jefferson's map of Virginia the place is called Dance's Point, which was readily corrupted into Dancing Point, and the well-known story invented to explain its name, of how the devil and Mr Lightfoot of Sandy Point once held a dancing contest there, with a quantity of marsh land as the stake.

Mr Lightfoot, as is notorious, is reputed to have outdanced the devil, and thus to have won the Lightfoot plantation,

FRANCIS DANCEY, or Dancy, son to the preceding, patented 282 acres in James City county, 30 October 1686, and left, with other issue, a son FRANCIS DANCY. The latter, as has been seen, married Amy , and died in Charles City ante 1742, having had issue:  
I. FRANCIS DANCY, sheriff of Charles City County, 1741, living in 1771, who had issue: William Dancy; Benjamin Dancy; John Dancy; Francis Dancy; Edward Dancy; Hardyman Dancy; and Mary Dancy, who married Davidson.  
II. SAMUEL DANCY, who died without issue before 1742.  
III. WILLIAM DANCY, who likewise seems to have died unmarried.

IV. Edward Dancy, will dated 11 February 1771, recorded in Charles City 3 April 1771, who married Rebecca - , but had no issue.

V. BENJAMIN DANCY, will dated 1 February 1771, recorded in Charles City 6 March 1771, who died unmarried.

VI. MARY DANCY, who as previously recorded, was the first wife of Thomas Ballard of Charles City.

VII. ANN DANCY, who died unmarried before 1742. The verdict in Chancery in the Ballard-Dancy suit ' aforetime mentioned, is appended verbatim:

THOMAS BALLARD and Mary, his wife, et als, complainant ag't FRANCIS DANCY, Respondent, in Chancery: on hearing the bill, answer, & other pleading &tc, It is Decreed by the Court, that the remainder of the Slaves, in the will of Fran: Dancy (Namely, Jone, Betty & Bristow) Devised to Amey Dancy for life, & after her death to be equally divided amongst his Children, his eldest Son & Daughter excepted, is a good limitation to those in remainder, & that Mary, the wife of THOMAS BALLARD, the complain't, hath not any right to any part of the distribution of Such Slaves; & it is also further decreed, that the complain'ts have not any right to any of the Slaves of Sam'l or Ann Dancy, dec'ed, & that the property of Such Slaves were absolutely Vested in the respondent, FRANCIS DANCY, as heir at law to the s'd Sam'l & Ann. Therefore it is ordered, that Capt Sam'l Harwood, Capt Edward Brodnax, Mr Richard Kennon & Mr John Williams, or any three of them, doe audit & Settle the Several personal estates of Amey Dancy, Sam'l Dancy & Ann Dancy, & doe ascertain & adjust what part of the said personal estates is due unto the Complainants (Vizt, THOMAS BALLARD and Mary, his wife, Edward, William & Benjamin Dancy), & make their report to the Next Court."

Page 90

#### SUPPLEMENTARY NOTE AS TO BALLARD OF JAMES CITY

IT HAS SEEMED expedient to defer until this the giving of an account of the founder of the Kalian I family in Virginia. As is the case with most families of distinction, the founder was by no means the least notable member thereof.

THOMAS BALLARD of James City county, born in 1630, was in all likelihood a son of the Henry Ballard who is named as a headright in Captain Christopher Calthropp's land-patent of 1,000 acres in Charles River county, dated 6 May 1636, and who himself patented fifty acres in Warwick county, 31 October 1642. There are divers other circumstances, here irrelevant, which indicate that Thomas Ballard had interests in Warwick, and was presumably born there.

It is certain, at all events, that he was in 1652 clerk of York county, and retained this office for eleven years afterward. Ballard was thus already upon the road to preferment. To quote once more from Mr. Bruce's Institutional History of Virginia: "There are numerous indications that the clerks of the county courts were frequently men belonging to families of conspicuous influence. . . . As it was permissible to combine the office with other positions perhaps more lucrative, it was not considered even by men of good estates and of great political importance to be unworthy of their acceptance. It shows how far this combination of other offices with a clerkship was carried during the years preceding the Insurrection of 1676 that one man was allowed to perform, in addition to its duties, the duties of county surveyor, escheat master, and public notary, all places of decided profit. The office of clerk by itself must have been the source of a large income to the incumbents." At this time they were authorized to practise as attorneys in their respective courts — "and independently of these services, the fees which they were permitted by Act of Assembly to charge for their ordinary duties as clerks assured them an ample return for their labor." For the clerk's fees at this time compare Hening, I, 266; and, as altered during Ballard's tenure of the office, I, 464.

On 16 July 1655 Thomas Ballard patented 1,000 acres in "Gloucester county, now called Kent", his tract lying east of the Mattaponi river, bordering William Wyatt's land, and being due for the importation of twenty persons. He seems, however, never to have seated this land; and indeed, a marginal note is appended to the land-grant, "This Patient is relenquished for ye right to make good a pattend of 1,300 Acres of the said Bollard's Dated ye 6th: October 1658." He a little later, on 15 October 1657, patented 600 acres "on South Peanketanke", assigned to Ballard by Abraham Moon (who had patented the land 1 November 1634), but this tract Ballard sold shortly afterward to Major David Cant. He then patented, 6 October 1658, some 1,300 acres "on Whorecock swamp" in New Kent county, due for the importation of twenty-six persons, and 290 acres in York, 13 January 1661; but these lands Ballard also sold, and, apparently in 1663, removed to James City county, where for the remainder of his life he made his home.

While a resident of York Ballard had married Anna, daughter of William Thomas of that county, this event taking place probably circa 1650, and at least as early as 1658, as is shown by a deed of gift by William Thomas, conveying to "Jane Hillier, wife of John Hillier" — daughter to Thomas's wife by an earlier marriage — a heifer, "named Tittymouse," wherein Thomas mentions his "son-in-law Thomas Ballard": the deed being dated 20 March 1658-9, and recorded in York 24 June 1659. There is also recorded in York a deed from Thomas Ballard and Anna Ballard, his wife, conveying to Matthew Hubbard the land Ballard patented in 1661; which deed Anna Ballard signed on 28 March 1662, her witnesses being John Hillier and Jane Hillier.

Thomas Ballard, then removed to James City circa 1663, and was chosen to represent that county in the Virginia House of Burgesses for the session beginning 4 June 1666 and prorogued to 23 October 1666. He seems from the outset to have played no inconspicuous part in the Assembly. He was appointed, 31 October 1666, one of the "Committee to regulate the price of Ordinary Keepers", for in those days the rates charged by innkeepers was not a matter beyond the deliberation of the lower house. On 2 November Ballard was named one of the committee "to attend the Governor about a treaty with Maryland and the Incident Instructions", and, 6 November 1666, to "attend the Honourable Governor for drawing the Instruments for Wm Drum (Drummond), Governor of Carolina, and the Instructions for the Commissioners for Maryland, and to treat also with his Honour concerning his Satisfaction for the Silk presened to this Country by his Sacred Majesty." This marks almost the last gasp of the long-continued effort to make silk in Virginia profitably. On the same date Ballard was also one of the committee to attend the Governor "to request his Honour to consider some Hon'ble persons that might be fit and would please to accept the Managing the Affairs of the Country in England."

In the same year Ballard was named a member of the Council by Sir William Berkeley, then Governor of Virginia, with whose turbulent fortunes all Ballard's future was henceforward linked. Ballard seems to have served only one term in the House of Burgesses, just now; but he remained a member of the Governor's Council for thirteen years.

It is difficult to overestimate the dignity of this position, and its importance justifies another (abridged) citation from Mr. Bruce.

"Members of the Governor's Council were invariably chosen from the wealthiest, most capable and most influential citizens of Virginia. This discrimination as to wealth did not have its origin in such a purely sentimental cause as the desire to maintain the extraordinary dignity of the office by choosing to fill it only men enjoying the highest consideration in the community; the care in selecting members of the Board among persons of property was attributable to the very practical fact that the Councillor served both as naval officer and as collector of customs for the district in which he resided; that as such he had the custody of very large sums of money; and that unless he owned a competent estate, any default on his part would entail a permanent loss to the Colony. Should he, however, possess a large property, any deficit in his accounts could soon be covered by its sale.

"Wealthy and prominent both socially and politically as the citizen must be to become a member of the Council, his nomination to that office at once greatly enhanced his importance. Appointment to the Board was one of the surest means of trebling and quadrupling a fortune, owing to the large salaries of the numerous very lucrative offices that went with it. The Councillors constituted the Upper House of the General Assembly, and in the various powers exercised by them in that character closely resembled the English House of Lords; in association with the Governor, they formed the General Court, which concentrated in itself the several jurisdictions of the Chancery, King's

Bench, Common Pleas, Exchequer, Admiralty and Ecclesiastical Courts of England; they served as commanders-in- chief or colonels of their respective groups of counties, and as such possessed privileges closely analogous to those of the English Lords-Lieutenants; they acted as naval officers, and in that capacity were called on to enforce all laws passed by Parliament and the General Assembly for the advancement of trade and navigation, and as naval officers, they also entered and cleared all vessels; they were the collectors of the export duty of two shillings a hogshead and of all other duties of the like nature, such, for instance, as the one penny a pound imposed on tobacco shipped from Virginia to another English Colony in America; they were the farmers of the quitrents, which they obtained from the Auditor on very low bids; and they acted as escheators, an office very lucrative in itself and offering unusual opportunities for profitable investment.

“It is not going too far to say that the members of the Council appropriated to themselves all those higher offices

Page 94 BALLARD OF JAMES CITY

of the Colony which were attended with the largest salaries, or presented the most numerous chances for money-getting. They deliberately disregarded the fact that the concentration of these offices in so few hands brought about serious damage to the public interests whenever the Councillor was required by his incumbency of two separate positions to perform two sets of duties really in conflict with each other : a Councillor, for instance, was called upon to pass upon the correctness of his own accounts as collector; as collector, he was obliged, for his own enlightenment as a judge of the General Court, to inform himself of all violations of the Navigation Acts; as fanner of the quitrents, he practically owed the success of his bid to himself as Councillor; as escheator, who was a ministerial officer, he took and returned the inquisitions of escheats to himself as a judicial officer, and as such, passed upon points of law coming up in his own inquisitions. It is no cause for surprise that Bacon denounced the Councillors as 'sponges to suck up the public treasury', as a 'powerful cabal' full of wiles for their own enrichment, and as traitors to the people in their greedy determination to appropriate to themselves all the official fat of the unhappy Colony."

So much for Thomas Ballard's new responsibilities and opportunities. Meanwhile, he was named as one of the Virginia Commissioners appointed by Berkeley to treat with the Commissioners of Maryland and Carolina on 8 November 1666, about the proposed scheme to force up the price of tobacco by refraining from planting any during the year 1667. The articles of agreement, binding all three colonies to raise no tobacco whatever during this twelvemonth, had been signed at James City, 12 July 1666, by all the commissioners save Ballard alone, who evidently had no faith in the makeshift. His scepticism was shared by the more powerful Lord Baltimore, then Governor of Maryland, who eventually persuaded the Privy Council to declare the agreement of no effect.

As a member of the Council, Ballard now made his home at Middle Plantation, afterward Williamsburg, where he was living certainly as early as 1668; and where on 28 January 1674-5 he purchased from Thomas Ludwell a considerable tract of land, including, as has been said, all the ground whereon stands the present College of William and Mary.

Ballard's home seems to have been just east of the College, at the western end of Francis Street.

In York, 24 April 1673, Thomas Ballard was appointed guardian of Anne Broomfield, the daughter of Mrs. Mary Marsh, deceased; and it is possible that this Mary Marsh was his sister. She had married, first, Thomas Broomfield, and, second, Joseph Croshaw (being his fifth wife), and, third, Clement Marsh.

The outbreak of Bacon's Rebellion, in 1676, found Ballard high in Governor Berkeley's grace and counsel. In 1673 he had been among the nine signers of the remarkable letter "on behalf e of Sr William Berkeley", sent by members of the Council to King Charles II, defending the Governor against responsibility for the recent captures of many merchantmen off the Virginia coasts by the Dutch; and Berkeley, in a letter to Thomas Ludwell, dated 1 April 1676, when trouble with Bacon was plainly imminent, writes of "Coll: Bacon (cousin to the rebel), Mr Ballard, your brother (Philip Ludwell), and Mr Bray" as "al I have left to assist me."

It is impossible to give any intelligible account of Thomas Ballard without introducing therein some account of Bacon's Rebellion. This miniature civil war was brought on, primarily, by troubles with the Indians, some of whom uncivilly objected to making a present of their native land to Englishmen, and committed many murders on the frontiers of the settlements. Nathaniel Bacon, Junior, of Curies, in Henrico county, petitioned the Governor for a commission to fight against them, and, not receiving it, marched with a company of other malcontents up Roanoke river, attacked a camp of unprepared and hitherto friendly Indians, killed a hundred and fifty of them, and returned home. The inhabitants of Henrico, at least, were so well pleased by this rather dubious exploit that they elected Bacon to represent them in the next Assembly, which convened at Jamestown 5 June 1676.

Bacon came to take his seat, and was arrested for high treason; but his friends were powerful, and a conciliation was patched up, whereby Bacon professed repentance for his late violations of the law and implored forgiveness of the Governor, which formally was granted. In this arrangement Thomas Ballard was one of the prime movers; and he was among the members of the Council who endorsed Bacon's application for a pardon, dated 9 June 1676. Yet, in passing, Ballard had been explicitly denounced by Bacon in his proclamations, as the Governor's "wicked and pernicious Counsellor."

Very shortly, however, Bacon declared his life to be in danger if he remained in Jamestown, and fled by night to his home in Henrico. Here he gathered together five hundred adherents and at their head marched back into Jamestown, unresisted. The Governor was for defying him even then, for all that Berkeley had scarcely a hundred men to back him against Bacon's half-thousand; but the Governor was overruled by the Council — Ballard being a leader in this also,— and, yielding to force, gave Bacon his long-sought commission to fight Indians. Ballard, for one, evidently thought they were well rid of Bacon on almost any terms. The English

Commissioners, who afterward investigated this rebellion, record: "The Assembly also did passe orders to raise or presse 1,000 men, and to raise Provisions &c, for this intended service ag't the Indians, wherein severell of the councill and assembly members were concerne'd and acted in the promoting this dcsigne, encouraging others to list themselves into Bacon's service, and particularly one BALLARD, who endeavoured to perswade some (who scrupled the Legality of Bacon's commission) that it was fairly and freely granted by the Governor, Councill and Burgesses, this BALLARD being one of the councill, and of those that both tooke and administered Bacon's Oath." Of the later clause an explanation will be made later.

Bacon now returned to Henrico, and was on the eve of going out a second time against the Indians, when news arrived that Berkeley was in Gloucester county endeavoring to raise forces wherewith to uphold his authority as Governor. This caused Bacon to give up his expedition, and to direct his march into Gloucester, where he found the harried Governor had fled to Accomac. Bacon, thus left supreme, summoned the leading men of the Colony to Middle Plantation, and there, 1 August 1676, made them swear to stand by him, even against soldiers sent from England. His next move was really to lead his troops against an unfriendly tribe of Indians — some Pamunkeys, whom he discovered and seems to have had little difficulty in killing off, in the recesses of the Dragon Swamp, in King and Queen county. He returned to the settlement, and found the Governor once more established at Jamestown.

Now the charge of having been among those who at Middle Plantation swore to support Bacon against the Governor or, if need be, against troops sent from England, is elsewhere laid against Thomas Ballard. In "A List of the names of those worthy persons, whose services and sufferings by the late Rebell Nathaniel Bacon, Junior, & his party, have been Reported to us most signal and Eminent, during the late unhappy troubles in Virginia" — this list being drawn up by the aforementioned Commissioners — are enumerated "Col. THOMAS BALLARD & Lt-Col Edward Hill, both which (as wee have heard) lost considerable by the Rebell party. The first of whom, both took and gave Bacon's unlawfull Oath." It is, in fact, indisputable that, when Berkeley fled to Accomac, Ballard was captured by Bacon's men, when they assembled at Middle Plantation — where Ballard's home was, — and cheerfully took the oath required of him, without any very earnest intention of keeping it. At all events, the moment Berkeley returned to Jamestown, Ballard rejoined him.

Bacon made straight for Jamestown also, and, having arrived at "Paspahegh Old Fields," across from the Island, found that Berkeley had fortified the isthmus on the Island side. Bacon caused his men to throw up some earthworks, and fortified them, as is well known, under shelter of the pre-eminently unchivalrous trick, that perculiarly touched Ballard. For Bacon had somehow managed to capture the wives of the leading Councillors — "Madam Elizabeth Bacon, wife of (his cousin) Colonel Nathaniel Bacon, Senior; Madam Anna Ballard, wife of Colonel THOMAS BALLARD; Madam Angelica Bray, wife of Colonel James Bray; & Madam Elizabeth Page, wife of Colonel John Page" — dressed them in white aprons, and stationed them under guard on his breastworks, so that he might not be molested by shots from the opposing

forces, commanded by these ladies' husbands, while Bacon was getting his cannon mounted to attack Jamestown.

After a brief engagement, wherein Berkeley's forces were worsted and William Hartwell, the captain of his personal bodyguard, was wounded, the Governor took ship and abandoned Jamestown; and Bacon, as is notorious, then entered and burned the city. He had matters his own way for a few weeks. But by October he was dead, smitten by a mysterious and horrible disease, wherein his opponents did not hesitate to find the judgment of heaven. The Rebellion collapsed with its leader's death; and the followers of Berkeley exacted a prodigal retaliation from Bacon's former adherents.

It does not appear that Ballard showed any especial leniency; and, his convictions apart, Colonel Ballard had the purely personal grievance that, beside the uncomfortable treatment of Ballard's wife already recorded, Bacon had just previous to the Rebellion bought lands and cattle from Colonel Ballard, for which Bacon had not paid anything save a promissory note for £500; and for which, now Bacon was dead and Bacon's estate was confiscated by the Crown, Ballard was not likely ever to get reparation. Ballard had thus been hurt both in pride and in pocket, when he sat as judge at the courts martial held 11 and 12 January 1676-7 "on board Captain John Martin's shipp, in York River" and "att the house of James Bray, Esq" 20 January 1676-7 — where they convicted and hanged out of hand Ballard's former fellow-commissioner, William Drummond, — and at Green Spring, the Governor's residence, 24 January 1676-7:

Page 99

and Ballard, with the other judges, voted death to all the adherents of Bacon they could lay hands on. He sat too at the courts held at Green Spring, 1, 3 and 15 March 1676-7, at which many other victims were either sent to the scaffold or heavily assessed. Curiously enough, he absented himself from the trial of Giles Bland on 8 March 1676-7. This can hardly have been by accident: and as Ballard sat at all the other trials, before and after, the conclusion is irresistible he had some personal reason for wishing to take no part in Eland's formal condemnation. It does not appear, on the other hand, that Ballard lifted a finger to save him.

Hard upon these "bloody assizes" followed the removal of Governor Berkeley from office, 27 April 1677. Ballard, in passing, was one of the witnesses to Berkeley's will, dated 2 May 1676, but witnessed 20 March 1676-7, less than a month before the old knight's downfall. Berkeley left for England 5 May 1677, Colonel Herbert Jeffreys succeeding him as Governor: and now the three Commissioners — Jeffreys, with Colonel Francis Moryson and Sir John Berry, — set about investigating the causes of the recent disturbances. The counties sent in their several "grievances"; and there was no lack therein of lurid verbal delineation of the tyrannous conduct of Captain William Hartwell, who as has been said commanded Berkeley's bodyguard, and of the misdoings of the deposed Governor's chief adherents, Thomas Ballard, Philip Ludwell, Robert Beverley and Edward Hill. These men were presently, in consequence, at daggers drawn with the Commissioners: but in the meanwhile, hardly had the "grievances" been handed in,

before the Commissioners were generally considered to have exceeded reasonable limits in meddling at all with Virginian affairs, so touchy had the settlers grown in matters affecting their independence; and popular opinion, suddenly veering, now looked to Ballard and Ludwell and the others whom only yesterday popular opinion had stigmatized as Virginia's oppressors, to defend outraged colonial rights against unwarrantable English aggression.

#### 100 BALLARD OF JAMES CITY

Thus, as a result of the Commissioners' reports, the Lords of Trade and Plantation, on 10 February 1678-9, ordered Philip Ludwell and Thomas Ballard to be excluded from the Council, and this was done: but public dissatisfaction in Virginia speedily forced Lord Culpeper (who followed Jeffreys' successor Chicheley as Governor, in 1680) to re-instate Ludwell; and the people had meanwhile given Ballard the highest office in their power, by electing him burgess for James City county, for the session beginning 6 June 1680, and making him Speaker of the House. Ballard was re-elected burgess for the sessions of November 1682, 10 November 1683, 16 April 1684, 2 November 1685, and 20 October 1686; and was Speaker in 1680, 1682, 1683 and 1684.

He thus retired from public life, rather irrationally converted into a popular hero, at what was then considered the ripe age of fifty-six; and of the remaining two years of his life appears no record. Colonel Thomas Ballard was buried in James City county, where he had long been a vestryman of Bruton parish, 24 March 1689.

In 1686 his ten-year-old claim against the forfeited estate of Nathaniel Bacon was taken up, and Ballard's case as creditor was represented to the King by the Council. No record exists as to whether or no Ballard was ever paid: but in the Virginia State Archives is still preserved Ballard's unreceipted bill and Bacon's uncanceled promissory note.

Ballard's first wife, Anna Thomas, had died some years before him, on 26 September 1678. He had evidently remarried, as in York was recorded, 24 July 1691, "An order ag't Mr Thomas Barbar, High Sheriff, is granted Mr Tho: Ballard, Assigne Alice Ballard, Ex'c'r'x of Coll: Tho: Ballard, Assigne Henry Waring, being for ye non-appearance of Jno Eaton." This suit was dismissed 24 September 1691, the case being dropped. The entry, in connection with the hereinafter mentioned suit brought by William Ballard at the last-named court, would indicate that Colonel Ballard married, second, Alice, who survived him and acted as his executrix. By this second marriage there were no children.

#### BALLARD OF JAMES CITY 101

Colonel Thomas Ballard and his first wife, Anna Thomas, had issue :

I. JOHN BALLARD, who settled in Nansemond county, where he patented 300 acres, 2 June 1673. It is stated on excellent authority that he died without issue before 1694: yet it would be interesting to know who were the Joseph, Elisha and Elias Ballard who patented 250 acres in Nansemond, 20 April 1694, and took out other land-grants in that county later.

II. Colonel THOMAS BALLARD of York, of whom an account has been given elsewhere, on page 57.

III. LYDIA BALLARD, who married Thomas Harwood. He survived her, and married, second, Elizabeth, daughter of Thomas Read, and died in 1700, without issue by either marriage.

IV. ELIZABETH BALLARD, who married Ladd, and had, with other issue: James Ladd of Charles City county, who married Judith Christian. Compare page 54.

V. MARTHA BALLARD, who married John Collier, but left no issue.

VI. WILLIAM BALLARD, of whom very little is known. He figured in the York records, shortly after his father's death, in a suit he brought against James Harrison, William Ballard being then described as "assignee of Benj : Goodrich, Attorney of Alice Ballard, Exorx Coll: Tho. Ballard, dec'ed": this suit, begun at a court held 24 September 1691, was dismissed at a court held 24 November 1691, the defendant making oath the debt had been paid through Jerome Ham.

VII. Francis Ballard, sub-sheriff of York in 1694, and sheriff of Elizabeth City county in 1705. He married Mary, daughter of Betrand Servant, and died 12 March 1719, living issue: Francis Ballard; Servant Ballard; Frances Ballard; Mary Ballard; Luey Ballard and Anne Ballard.

Page 102

John Major of Charles City JOHN MAJOR, the eldest son as far as ascertainable of James Major of Charles City, was born before 1748, as he witnessed a deed by Francis Tyree dated 30 January 1769, and recorded in Charles City. Upon the other side, John Major could scarcely have been born before 1745. He was thus in the neighborhood of thirty at the outbreak of the Revolution, and was one of the first to enlist — or to speak to the foot of the letter, one of the first to be enlisted, — in Charles City. John Major's name is therefore to be found in the unique manuscript list, discovered in the Capitol in 1852, and now to be seen in the Virginia State Library, of "Militia draughted from Charles City on 25 Nov'b'r, & put under the command of Benj. Harrison Ju'r." John Major's autograph likewise is preserved in this document, signed to two receipts. "

WE THE SUBSCRIBERS have received of Capt Benj Harrison Ju'r the several sums mentioned next to our names, & dated on the day Received, in Williamsburg. . . .

Received 2 Dec'r, Ten Shillings— JOHN MAJOR." "JOHN MAJOR, Cr.

1776 Dec 19 By 19 days Service in the Militia 16d

pr & 5 Rations at 7Jd. £1 8 5J "

JOHN MAJOR, Dr.

1776 Dec'r 2d To Cash p. Rec't 0 10 0

To Bal. due... 0 18 5J

Rec'd Jan'ry 5th of Capt Harrison the above Acc't in full

The roster of this company is hereinafter given, on page 106. As will be seen, the company consisted of forty-four men and nine officers, and embraced among its

membership representatives of practically all the oldest and best-known families of Charles City. The fifty-three men, to all appearances, were equipped with twelve muskets and six borrowed guns, which scarcely constituted a formidable armament: but it does not seem they saw anything of actual warfare for a year or two. The movements of the Charles City militia, however, between 1776 and 1780 have not been preserved on record.

There is a family tradition that John Major took part in the battle of Monmouth, serving in one of the Virginia regiments; but research, unluckily, affords no proof of this. There was very certainly a John Major who enlisted 15 February 1777 in Captain James Quarles' company in the Second Virginia State Regiment, for three years, and was a member of Captain William Long's company therein as late as November 1779; and as such, he must have been present at Monmouth and under fire of General Washington's historical profanity. But for the services of this John Major, Bounty Warrant No. 3830 (for 100 acres) and £57, 7s, was granted, in April 1785, to William Bigger, as assignee of William Major, then the heir and legal representative of John Major, deceased. So that this was evidently one of the King William county Majors, several of whom were in the Revolution, and of whom at least two (compare the Journal of the Virginia House of Delegates, for 11 December 1779) died in service: and could not possibly have been John Major of Charles City, since the latter had no son named William, and survived, as will be seen, until 1810.