

1841-004

SOUTHAMPTON COUNTY  
CHANCERY PAPERS

DILLARD

VS.

HARRISON et al

4/1841

other surnames: Darden

Dillard

v. } Papers.

Harrison &c

1810 July. R. Will filed. Sp<sup>o</sup> ret.  
Ex<sup>o</sup> on Harrison. Darden wife no  
inhabitants - C. Pub. & Dyl's Darden  
wife.

" Aug. R. Am<sup>o</sup> Harrison

" Sep. R. Gen. Repr &c

" Nov. Set for hearing -

1811 Apr. Dismissed with Costs &c

Dyl's Costs etc \$4 41

Law fee 16 66

\$ 21 07

Lillie

to E. B. C. M.  
Harris &

Heavenly

The subject of this  
1840 June 10<sup>th</sup> is the course, course  
as given by Miss.

1000.

1000.

At Home

1  
To the Judge of the circuit Superior Court of  
Law and Chancery for Southampton County,  
sitting in chancery, humbly complaining, shew  
to your honour your ~~deceased~~ William Dillard  
of the County of Surry, that some years ago  
James Dillard of Surry County then residing  
- first in the County of Southampton or guardian  
of Nancy Dillard and resid. here at, and  
and afterwards to wit, about the day of  
June 1832, he departed this life, having  
made his last will and testament appointing  
your estate his executor and as soon  
thereafter made by the County Court of Southampton  
directing Mr. Wm. Prigg Cor. of the Court of Surry County  
to examine, state and settle the transaction  
of said ~~estate~~ estate of late J. D. of Nancy Dillard,  
one E. H. Hannon having become his  
guardian before the County Court of Southampton  
as will appear by exhibit A which is  
prayed to be taken as part of this bill. The  
Master Cor. Wm. Prigg on the day of  
Feb. in the presence of the said  
E. Hannon and your estate, made up  
the said guardian account, and after  
finishing the account from the estate of the  
said James Dillard, your estate believed  
you in the presence of the Cor. to Hannon  
bona fide taken to the late guardian amounting  
to the sum of \$1044.26, and paid him  
at the same time in cash the sum of \$  
making within \$50.74, the whole amt. of  
debit from said estate to the ward. It seems  
that the sum of \$1012.78 was found in the error;  
& then the same was charged with Cor. per \$5.  
Clerk's list  
and balance in of paid by the error to Hannon - 1812.78.  
- 1812.78

the account so as afterwards made up by the commissioners, after entering the same in the paper then made by you orator in honor and money, ~~but~~ left the sum of \$50.74 appearing to be due from the estate of the said James Dillane, as will appear by a copy of the account taken from the records of Jackson County, which account marked B. and prayed to be taken and considered as part of this bill. You orator begs leave to state, that among the claims paid by him or to the said E. Harrison as guardian of Nancy Dillane, was one against one John Hart, to which there was no security, or not such as to be satisfactory to said Harrison who objected to receiving it because there existed some connection by marriage between him & the said John Hart, and it was apprehended a suit might be necessary to enforce payment thereof. You orator therefore took back a recd. from the said E. Harrison the said claim on Hart and agreed in writing that he would get John Hart note and security for \$156.15, or account for so much, or he might fail to get security. The said agreement as well as the list of claims paid to said E. Harrison will appear to the Court by exhibit D. which is hereto annexed and prayed to be taken as part of this bill. At the time of the settlement between you orator and Harrison, the said Harrison executed his receipt ~~and~~ as follows: "1832 October 17. This day received of Mr Dillane executor of James Dillane

decd. who was late guardian of Nancy Dillane the sum of one thousand six hundred and seventy eight cents in full as per order to Court report.

Teste " E. Harrison "

Will: Briggs Secy.

all which will fully appear by the said receipt marked F. and prayed to be taken as part of this bill. You orator afterwards proceeded to collect of Hart the amt. of his note, and applied to E. Harrison to pay it over to him, you orator claims to be entitled to deduct therefrom the sum of \$50, due for the board of said Nancy Dillane for the year 1832, the same not having been charged in the settlement. Harrison informed you orator that there was some \$50 or thereabouts due from the estate of James Dillane to his estate, and that could go towards discharge of the claim for board. The case was brought before the Court was not then before them, and Harrison believing that the true amt. could not then be ascertained, the settlement was deferred to some more convenient time. A considerable time elapsed before anything more was said or done on the subject, and on the day of the settlement you orator being on a visit to his stepfather in the County of Sussex, he recd. a note from Mr Harrison requesting him to meet the said Harrison at St. Lawrence in the neighborhood where we met them, and Harrison pulled out the afore said latent note marked D, and said that you orator's account owed him the \$568.52

appearing on said paper, beside the amt. of  
Hart's note. Your note was struck with  
surprise at the demand, and declared that  
all had been paid at the time the ap. was  
made up, except the amt. of Hart's debt. Your  
note left home in hurry without capacity  
to see Harniss and ask for paper with  
line, and such was the apparent confidence  
of the S. & H. Harniss in his demand, & such  
the faith of your note in the integrity of  
the same, that he actually went into a  
brief settlement with him, deducting from  
the price of horse say \$50, the supposed  
amt. that Harniss alleged was a mistake  
in the ap. made up by Com. Briggs, &  
you gave his horse to Harniss for the  
sum of \$50 as though it were true  
that he had not paid in money the  
sum of \$508.52 on the day of settlement.  
The whole transaction was conducted in a  
few minutes at Mr. Davis's  
or not to give your complainant time  
for reflection about the old transaction;  
the horse having been delivered by him to  
Harniss, your note went home in hurry  
and the impression still being upon you  
that he had paid the money, he exam-  
ined his paper and soon found the receipt  
of R. Harniss which is before mentioned  
and filed herewith as exhibit F. which  
receipt he had forgotten at the time his  
bond was executed. All doubt then  
having subsided, he concluded that R.  
Harniss like himself had forgotten the  
receipt, and that it was only to pay

that he should show the receipt to R.  
Harniss, to satisfy him of the error  
under which the horse had been taken,  
and to obtain the same by paying  
the sum of \$156.15 with intent there-  
by to pay the amt. recd. of Harniss, & to  
have an abatement in the \$10  
difference between \$50 for horse & the  
supposed amt. due or due of Harniss, &  
which your note supposed was correct  
and proper, and which he supposed would  
do over he acceded to. Your note  
soon went to the house of Abraham  
Piddick in North Carolina in the neigh-  
borhood of Harniss, and got Piddick  
to accompany him to the house of  
Mr. Harniss, to whom he communicated  
the fact of the receipt having been found  
the error which they had fallen into &  
offered to pay what was really due  
and to take in his bond & cancel it.  
Mr. Harniss said he admitted the  
genuineness of the receipt, but that  
he had forgotten all about it, that he  
wished the matter settled amicably,  
that he was then too concerned to transact  
business, and that it should soon be again  
some time then after your note and  
Harniss met at S. & H. Harniss Court, & they  
referred the matter to dep. French & Thibb  
attorneys at law, who came to the conclu-  
sion as he arranged to do, that your note  
was right and that upon paying the amt.  
which he stated to be due to Harniss, the  
latter should deliver up the horse. But



and instructions from paying away, non-  
-tip, or for it, or in any way, nor any  
case bonds until the matter in dispute  
can be adjusted in this Court;  
that your honor will allow your order  
to discharge the said obligation by  
paying \$1 to 5 with intent the same for  
17 Decr 1832 the said, and that the  
person holding the same may be com-  
-pelled to deliver <sup>it</sup> up to be cancelled,  
and that you will make any other or  
further order in the premises that may  
tend to the relief of your order and  
as in any bond he will pay to in  
the Court: witness my hand and seal  
this 17th day of Decr 1832. A. A. A. A. A.

Lillard. Esq  
or?

Harrison & Co

Answer of E. Harrison

1840 July 21

Dillard, Exr  
vs. 3  
Harrison & others

The separate answer of Edwin Harrison to a Bill of complaint exhibited against him, Sethus R. Sanders & Nancy his wife, late Dillard, by William Dillard in the Circuit Sup. Court of Lane & Chancery in and for the County of Southampton:

The said defendant answering to himself all fit, and proper exceptions to the manifold errors and mis-statements in said Bill contained, for as much as he is advised it is material for him to answer, answereth, and saith. It is true as charged in the Complainant's Bill, that James Dillard in his life time, acted as the Guardian of Nancy Dillard, and that some time after the death of the said James Dillard, ~~he~~ he (Edwin Harrison) qualified in Southampton County as <sup>her</sup> Guardian, & and attended before Master Commissioner Briggs, with William Dillard Exor of James Dillard, in order to have a settlement of James Dillard's guardianship of Nancy Dillard. That the Commissioner proceeded to state the account, and found a balance due the Ward of \$1619.78<sup>100</sup>/<sub>100</sub> which William Dillard avowed he was ready to settle, and began to look over his bonds to make out that amount. That the said Dillard did produce bonds to the amount of \$1044.26<sup>100</sup>/<sub>100</sub> against persons known to the said Edwin Harrison, which the said Harrison agreed to accept, requiring however that a note against John Hart for \$156.15<sup>100</sup>/<sub>100</sub> should be secured and ~~then notes were~~ retained by Dillard for the purpose of getting Hart to give security to ~~them~~ when ~~they were~~ to be returned to the said E. Harrison. That the said William Dillard did at the same time produce other bonds against persons in Sussex County, sufficient to pay the remaining sum of \$568.52<sup>100</sup>/<sub>100</sub> and prepared the said

Edwin Harrison to accept them, who refused saying their collection would be very inconvenient to him, and that he did not know the persons whom they were against. The said Edwin Harrison denies positively that he received of Sillard in the settlement before Briggs any money, or bonds in payment of the \$568.52 - ~~The~~ Bonds against persons in Super were prepared upon him, but he refused to accept them, and Sillard left the Commissioner promising to collect money enough in Super on the bonds which he tendered, to pay the \$568.52, and also to secure the payment of John Hart's notes which would make a final settlement of the whole matter.

GIVEN under my hand & seal this  
21<sup>st</sup> day of July 1840 *P. Nicholas Beal*

Dillard

$\pi$  } Dr. Pub:

Harrison &

Leop. part. at B. House door

July 8/1840.

At Rules holden in the Clerks Office of the Circuit Superior Court of Law and  
Chancery for the County of Southampton on the first Monday in July 1840-

William Dillard

Plff.

against

In Chancery

Edwin Harrison and Sethro R Darden and his wife Nancy Dft.

The defendants Sethro R Darden and his wife Nancy not having entered their  
appearances and given security according to the Act of Assembly and the rules of  
this Court and it appearing by satisfactory evidence that they are not inhabitants of  
this country. It is ordered that the said defendants do appear here on the first day  
of the next Term and answer the bill of the plaintiff and that a copy of this order  
be forthwith inserted in some newspaper published in the Borough of Norfolk  
for two months successively and posted at the front door of the Court house of this  
County -

Dillard  
or - note  
Harrison  
Apr. 1841

To be entered.

RAB

Hillard

at 3

Note for decree.

Harrison

This cause came on this day to be heard on bill & answer with general replication thereto, & exhibits and was argued by counsel. on consideration whereof the court disposing of this case on its merits, doth adjudge order and decree that the bill of the plaintiff be dismissed, and that he pay to the defendant his costs by him about his defence in this behalf expended —

June 26

Executed on Edwin Harrison by receiving & true

copy June 26/1840

Thos. Patton shiff

Dillard

Sp<sup>rs</sup> in Chy

Harrison &c

1840 July Rules

At

The within named  
John R. Darden  
and Nancy his  
wife are not  
inhabitants of this  
Commonwealth  
as I am advised  
Edw. D. Butts deputy of  
Thos. Patton shiff

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon *Rowin Harrison, &*  
*John A. Darsen and his wife*  
*Staney formerly Dillard*

to appear at the Clerk's Office of our Circuit Superior Court of Law and Chancery for the County  
of Southampton, at the Rules to be holden for the said Court on the first Monday in *July*  
next, to answer a Bill in Chancery exhibited against *them* in the said Court by  
*William Dillard*

And unless *they* shall answer the said Bill within <sup>*two*</sup> ~~four~~ months thereafter, the Court will take  
the same for confessed, and decree accordingly. And this <sup>*each*</sup> ~~they~~ shall in no wise omit, under  
the penalty of £ 100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk  
of our said Court, at the Court-house, the *15* day of *June* 18*40*, in the  
*64* year of the Commonwealth.

*L. R. Edwards*

[One Copy to be delivered each Defendant.]

To  
The Clerk of the Circuit Sup: Court  
of Law & Chancery  
Jerusalem  
Hampton Co.  
Va.



1840 Dec 10

Johnson &

2 Bank Bldg

Richmond

T. Rules holden in the Clerk's Office of the Circuit Superior Court of Law and Chancery for the County of Southampton, on the first Monday in July 1840,

William Dillard  
against  
Edwin Harrison and Jethro R. Darden and his wife Nancy, Dfts. } In Chancery.

The defendants, Jethro R. Darden and his wife Nancy, not having entered their appearance and given security according to the act of Assembly and the Rules of this Court, and it appearing by satisfactory evidence that they are not inhabitants of this country, it is ordered that the said defendants do appear here on the first day of the next Term and answer the bill of the plaintiff, and that a copy of this order be forthwith inserted in some newspaper published in the Borough of Norfolk, for two months successively, and posted at the front door of the Courthouse of this county.

A Copy.

TESTE. L. R. EDWARDS, C. C.  
jy 13 m2m

I CERTIFY that the annexed Notice, in the case of *Wm Dillard*  
*W. Edwin Harrison and Jethro R. Darden Wife* has been inserted  
*Two Months* successively,  
in "THE AMERICAN BEACON," Newspaper, published in Norfolk, Va.  
commencing *July 13th 1840*

*H B Bagnall*  
*H B Grigsby & Co*  
of ~~XXX XXX & Co~~  
Publishers of the Beacon.

Sworn to before me, an Alderman of Norfolk Borough, by *Henry*  
*B Bagnall* this *Second* day of *December*  
*1840*

*Wm Cunningham*

*Arch<sup>r</sup> Atkinson Esq.*

*To Hugh B. Grigsby & Co.*

~~To HENRY, ASHBY & CO. D.~~

Office of the American Beacon and Norfolk and Portsmouth Daily Advertiser,

*1840*

*July 13* To publishing Notice in the Case of *Wm Dillard*  
*W. Edwin Harrison and* } & J.  
*Jethro R. Darden Wife*

*Norfolk Dec. 2. 1840* Recd payment  
*H B Grigsby & Co.*

Beacon Office Dec. 2nd 1840

Dear Sir

Your favor of 28th ult. to Mr. Broughton  
requesting him to forward Certificate of Publication  
in the Case of, Wm. Lillard as Edwin Garrison was, has  
been just now, by him, the notice having been pub-  
lished in the Beacon and Mr. the Herald, we hasten  
to forward the Certificate with Receipt for publish-  
ing the same

Yours Very Respectfully  
J. B. Briggs & Co.

To Arch<sup>d</sup>. Atkinson Esq.



Dillard

& { Rough Record

Harrison

At a Circuit Superior Court of Law & Chancery for Southampton County holden  
at the Court house thereof on the 6 day of April 1840 ~~at~~ thousand eight hundred  
and forty one.

Be it remembered that heretofore to wit. on the 15 day of June 1840 came William  
Dillard by his Counsel and sued out of the Clerk's Office of the said Circuit Superior Court  
a Subpoena and decree nisi against Edwin Harrison & Jethro R Darden and his  
wife Nancy formerly Dillard, which Subpoena and decree nisi together with the  
return thereon made is in these words & figures to wit. (here insert sp. 78)

And afterwards to wit. At Rules holden for the said Court on the first Monday in  
July 1840 came the plaintiff by his Counsel & filed his bill in these words to wit

And afterwards at Rules held for the said Court on the first Monday in August in  
the year aforesaid. came the Defendant Edwin Harrison by his Counsel & filed his answer  
to the plaintiff's bill in these words to wit

And afterwards to wit. At Rules held for the said Court on the first Monday in  
September in the year aforesaid came the plaintiff by his Counsel and replied generally  
to the answer of the Defendant Harrison.

And afterwards. To wit. At Rules held for the Court aforesaid on the first Monday in  
November in the year aforesaid. on the motion of the plaintiff by Counsel this  
cause was set for hearing.

And now at this day to wit. At a Circuit Superior Court of Law and Chancery  
held for the County aforesaid on the day & year first herein aforesaid to wit the 6<sup>th</sup>  
day of April 1842. This cause came on this day to be heard on the bill and  
answer with general replication assets and exhibits and was argued by Counsel.

On consideration whereof the Court doth adjudge order and decree that the bill  
of the plaintiff be dismissed and that he pay to the defendants their costs by them  
about their defence in this behalf expended.

Costs £21.07.

Lillane

3/4 note for  
Hanna

the Lady

W. J. Corns

10

Samy Dillard was pd. of Nancy Dillard  
- he did and Wm. Dillard his son:  
now of Court to audit the pd. 1/3

17th Octob 1832, the ap. made up by Com.  
Wm. Briggs - got ascertained to be due by  
the late pd. J. Dillard

The Com. states in same ap. that  
Wm. Dillard son of James Dillard  
paid then to Enoch Harrison  
then paid in  
leaving due on the pd. ap. \$1070.52  
1619.78  
\$ 50.74

On 17th October 1832 - The day of the settle-  
ment, E. Harrison makes a receipt to Wm.  
Dillard son of James Dillard for \$1612.78,  
paid by Dillard to dr. Com.

Club, tickit, - - - - - 2  
1619.78

on the receipt makes F. -

of this sum \$1044-26 was pd. in Bonds  
and in cash \$68.52.

Among the claims transferred to E. Harrison  
by this settlement, was one on John Hart for  
\$156.15 - and Harrison not being satisfied  
with that claim, it was agreed in writing  
at the foot of the schedule of the bonds as follows

"It is hereby understood that Wm. Dillard is  
to get John Hart, note and security for \$156.15,  
on account for so much as he fails to get  
secured, Wm. Dillard"

To the  
Wm. Briggs -

This transaction took place 17th October 1832,  
- some years thereafter, (the pl. can't state the  
precise time) Harrison and Dillard were  
in supper, and Harrison took out the schedule  
of claims, and claimed that Dillard owed the  
sum of \$568.52 with some addition on ap.  
of Hart, note &c. - Dillard said he had pd. it  
entirely, but had no paper with him; was  
induced to make his home to Harrison as the  
the money was due and on going home found  
Harrison's receipt. He says that it was pd. in Octo.  
1832 - Dillard owed \$146.15 with int. from 17th  
Octo: 1832 till paid, in lieu of the Bonds.

and perf. ask, that he shall be relieved  
by having his bond set. up, or paying the  
last named sum. Harrison has paid this  
bond over to defendant Bonded - and altho  
they come often requesting to see on it, the supd.  
could procure no suit, & ask relief in this  
Court of Equity.

The complt. produces the account of the  
sd. transaction with an entry of the pay.  
of the balance due - also Harrison's  
rept. which he admits to be genuine.

It must be clear that Wm. Dillane did pay  
the sum of \$588.52 in money or such on the  
bond on October 1832 - first, because  
It is so entered in the Com. a/c -

2. Harrison's receipt -

3. The fact that at the time of settlement  
Dillane made the payment in equity as  
to the claim he retained on Hart.

Now it is not reasonable to suppose that  
Harrison would have given his receipt -  
allowed the Com. to enter the pay. in  
the a/c, and have waited 2 or 3 years  
without any evidence of the debt. if  
in truth the rept. was not properly passed.

It will be perceived by the a/c of J. J.  
Dillane, that he had an abundance  
of money and bonds in hand to pay  
at the settlement. The Ct. is asked to  
set on the bond of Dillane to be set  
up &c. - and to make any other order  
that may seem proper in the case.

S. Atkinson p. 9

Apr 2. 1841.

Notes by ~~Smith~~ <sup>Smith</sup>  
counsel

Bill is miped with  
cost. R. H. B.

Holland

or

Harrison

} Notes by Hefth's counsel -

The charges in the Pffs bill, when they are not admitted by the defts answer must be proved - When they are denied - by one witness & strong corroborating circumstances, or two witnesses - What is the question involved in this case? It is, whether the bond named in the bill is or is not due from the Pff. This is the whole question - What is the testimony on the part of the Pff, it is his simple assertions, accompanied by the settlement and receipt acknowledged - On the part of the defts, there is the bond subsequently executed - (when all the circumstances were fresh, and it was not reasonable that the payment of \$600 in money should have escaped the recollection of plain men) and the positive denial by the defts of every material allegation of the bill. The defts counsel will not stop to ask, with this evidence, how this question must be decided. There can be no difficulty -

The circumstance that the bond was due for several years, and then transferred to Horden, is easily explained.

if explanation were necessary - The bond in fact belonged to defots word, and he did not care to collect it - When she married he transferred it to her husband -

But it is submitted, if this case should not be continued - The bill was filed at July <sup>July</sup> 1840 - Harder has is a non accident, and has not answered - There has been not delay - and no injury come next to the ~~fact~~ Pyff.

Dillard

2 } Exhibit with  
Bill

Harrison &

A.

Southampton County Court - July the 16<sup>th</sup> 1832.

Nancy Dillard orphan of Richmond Dillard dec<sup>d</sup> with the approbation of the Court made choice of Edwin Harrison for her guardian who together with William Harrison and Edwin Daughtry his securities entered into and acknowledged a bond in the penalty of five thousand dollars & on default according to Law -

Teste I R Edwards J. C. C.

James Dillard's Est.  
with <sup>3</sup>/<sub>4</sub> Copy acct. Current.  
Wm Dillard & Wm Briggs  
Jr. Executors. —

Superior County Court.

February Term 1834.

Ordered that Masters Commissioners Prince and St. John, do and to the Court report an account of the Executorial transactions of William Dillard and William Briggs Jr. on the estate of James Dillard dec'd.

Attest J. L. Linnick clk.

The Estate of James Dillard dec'd

In account with William Dillard & William Briggs Jr. Executors.

| 1832    |                                                           | \$ | ¢  | \$ | ¢ | \$     | ¢      |
|---------|-----------------------------------------------------------|----|----|----|---|--------|--------|
| June 16 | By Cash found in the house.                               |    |    |    |   | 1540   | 83     |
|         | To Cash paid Russell Barrett for preaching funeral sermon | 10 | 00 |    |   |        |        |
| 26      | By Cash rec'd of George Davis for Corn                    |    |    |    |   | 225    |        |
| 29      | To Cash paid for studies &c                               | 1  | 00 |    |   |        |        |
| July 5  | " " " George B. Laine for Vinegar                         | "  | 50 |    |   |        |        |
| 7       | " " " White & Cook                                        | 2  | 30 |    |   |        |        |
| 14      | " " " Elijah Hamlin for                                   | 3  | 06 |    |   |        |        |
|         | " " " Ellis for                                           | 3  | 50 |    |   |        |        |
|         | " " " John R. Jenkins                                     | 1  | 50 |    |   |        |        |
| Aug. 21 | " " " John H. Jones                                       | 8  | 00 |    |   |        |        |
| 19      | " " " John Paine                                          | 7  | 88 |    |   |        |        |
| 20      | " " " Bryant & Williams                                   | 82 | 00 |    |   |        |        |
| 31      | By Cash rec'd of Hudson & Rogers for 20 bbls              |    |    |    |   |        |        |
|         | To Cash paid of Corn                                      |    |    |    |   | 61     | 00     |
| Sept. 1 | To Cash paid Ely & Caperton                               | 16 | 18 |    |   |        |        |
|         | " " " Pragg & Jones                                       | 1  | 30 |    |   |        |        |
|         | " " " J. C. Swan                                          | 2  | 75 |    |   |        |        |
| 6       | " " " William H. Clanton                                  | 25 | 00 |    |   |        |        |
|         | By Cash rec'd of Thomas Lott for 10 bbls. Corn            |    |    |    |   | 35     | 00     |
|         | " " " Littleberry Whitfeld for Corn                       |    |    |    |   | 25     | 00     |
|         | " " " Mr. Lilly for Corn                                  |    |    |    |   | 3      | 50     |
| 10      | To Cash paid E. G. Hart                                   | 79 | 25 |    |   |        |        |
|         | " " " John W. Southale                                    | 60 | 24 |    |   |        |        |
| 18      | By Cash rec'd of J. Punch for Corn & fodder               |    |    |    |   | 8      | 00     |
| 29      | To Cash paid W. & E. P. Spratley                          | 16 | 35 |    |   |        |        |
| Oct. 3  | " " " Sheriff Super                                       | 92 | 83 |    |   |        |        |
|         | By Cash rec'd of same                                     |    |    |    |   | 119    | 15     |
|         | Carried forward                                           |    |    |    |   | \$1404 | 173473 |

| 1832                    |                                                                               | \$   | ¢  | \$   | ¢  | \$   | ¢  |
|-------------------------|-------------------------------------------------------------------------------|------|----|------|----|------|----|
| Amounts brought forward |                                                                               | 414  | 04 | 1794 | 73 |      |    |
| Oct. 3                  | To Cash paid Sails of Super                                                   | 6    | 75 |      |    |      |    |
| 17                      | " " " Emily Harrison Guard of<br>Nancy Gillard balance due<br>as her guardian | 1612 | 78 |      |    |      |    |
| "                       | " " " M. C. Briggs                                                            | 5    | 00 |      |    |      |    |
|                         | By Cash rec. of J. Parker, note & interest                                    |      |    | 482  | 21 |      |    |
| "                       | " " " R. H. Baker                                                             |      |    | 276  | 47 |      |    |
| "                       | " " " Hunter & Gardiner                                                       |      |    | 67   | 95 |      |    |
| "                       | " " " E. Harrison                                                             |      |    | 47   | 85 |      |    |
| "                       | " " " J. Boykin                                                               |      |    | 12   | 27 |      |    |
| 31                      | " " " Rail Road Company for freight                                           |      |    | 82   | 75 |      |    |
|                         | To Cash paid J. P. Moore for H. A. S. S. S.                                   | 5    | 75 |      |    |      |    |
| "                       | " " " Robinson & Anderson                                                     | 1    | 50 |      |    |      |    |
| "                       | " " " Dyle & Caperton                                                         | 26   | 54 |      |    |      |    |
| "                       | " " " Paul & Mollan                                                           | 10   | 50 |      |    |      |    |
| "                       | " " " for small articles to                                                   | 3    | 50 |      |    |      |    |
| Nov. 1                  | " " " William Robinson                                                        | 5    | 00 |      |    |      |    |
| "                       | " " " Frances D. Briggs                                                       | 11   | 20 |      |    |      |    |
| 2                       | " " " for sewing blank for Porches                                            | 4    | 44 |      |    |      |    |
| 13                      | By Cash rec. of Myche & Parker for Cotton seeds                               |      |    | 617  | 93 |      |    |
| "                       | " " " of J. Riddle for Cotton                                                 |      |    | 649  | 14 |      |    |
| 16                      | " " " of J. Purkin for do                                                     |      |    | 624  | 99 |      |    |
|                         | To Cash paid for sundry articles for the family                               | 10   | 00 |      |    |      |    |
| Dec. 6                  | By Cash rec. of Ruffin M. S. for 1 bar. Comd                                  |      |    | 3    | 50 |      |    |
| 8                       | To " " paid H. Briggs                                                         | 22   | 43 |      |    |      |    |
| 13                      | By " " rec. of L. Whitfield for Comd                                          |      |    | 10   | 00 |      |    |
| "                       | To " " paid for Oysters for family                                            | 2    | 61 |      |    |      |    |
| 18                      | " " " Robert L. Downman                                                       | 10   | 00 |      |    |      |    |
| 19                      | " " " Walter Blunt                                                            | 45   | 00 |      |    |      |    |
| "                       | " " " Robert Berard                                                           | 9    | 00 |      |    |      |    |
| 20                      | " " " Nanny Hin                                                               | 35   | 77 |      |    |      |    |
|                         | By Cash rec. of same                                                          |      |    | 10   | 50 |      |    |
| 22                      | To " " paid Dyle & Caperton                                                   | 59   | 00 |      |    |      |    |
| "                       | " " " H. Henderson                                                            | 15   | 00 |      |    |      |    |
| "                       | " " " William Gillard's services this year                                    | 250  | 00 |      |    |      |    |
| "                       | " " " 5 per Cent Commissions on \$4680.34 amt.<br>of receipts this year       |      |    | 234  | 01 |      |    |
|                         | " " " balance due the Estate                                                  |      |    | 1880 | 52 |      |    |
|                         | Carried forward                                                               |      |    | 4680 | 34 | 4680 | 34 |

| 1832                              |                                                                           | \$  | ¢  | \$   | ¢  | \$   | ¢  |
|-----------------------------------|---------------------------------------------------------------------------|-----|----|------|----|------|----|
| Dec. 31 By balance due the Estate |                                                                           |     |    |      |    | 1880 | 52 |
| 1833                              |                                                                           |     |    |      |    |      |    |
| Jan. 2                            | To Cash paid Miles L. Elden 2 notes                                       | 137 | 50 |      |    |      |    |
| "                                 | " " " William A. Elden                                                    | 500 | 00 |      |    |      |    |
| 3                                 | By Cash rec. of William S. Myche                                          |     |    | 150  | 00 |      |    |
| "                                 | " " " of Myche & Parker for brandy                                        |     |    | 192  | 32 |      |    |
| "                                 | " " " of Davis G. Potts for Comd                                          |     |    | 123  | 50 |      |    |
|                                   | To Cash paid William Parker                                               | 2   | 00 |      |    |      |    |
| "                                 | " " " Harry Harris                                                        | 29  | 50 |      |    |      |    |
| "                                 | " " " John E. Nicholson                                                   | 13  | 12 |      |    |      |    |
| 18                                | " " " William S. Pilsen                                                   | 4   | 45 |      |    |      |    |
| 21                                | By Cash rec. of Thos. D. Brown for Comd                                   |     |    | 66   | 50 |      |    |
| March 12                          | To Cash paid E. P. Miller                                                 | 505 | 83 |      |    |      |    |
| April 1                           | By Cash rec. of Miles Pimney                                              |     |    | 1    | 34 |      |    |
| "                                 | " " " of same, note & int.                                                |     |    | 19   | 74 |      |    |
| 26                                | " " " for Cotton sold J. Purkin                                           |     |    | 1112 | 94 |      |    |
| June 23                           | To Cash paid J. V. Gillard                                                | 166 | 66 |      |    |      |    |
| July 30                           | " " " Crumpler & Brothers                                                 | 24  | 84 |      |    |      |    |
| Sept. 24                          | By Cash rec. of Robt. Hood, note & int.                                   |     |    | 80   | 82 |      |    |
| "                                 | " " " of same for work of hands                                           |     |    | 5    | 67 |      |    |
|                                   | To Cash paid same for Carpenters work                                     | 6   | 75 |      |    |      |    |
| Oct. 24                           | " " " Sheriff Super                                                       | 31  | 13 |      |    |      |    |
| Nov. 10                           | " " " Gillard & Potts                                                     | 53  | 40 |      |    |      |    |
|                                   | By amount Sales due this day                                              |     |    | 71   | 10 | 07   |    |
| Dec. 6                            | " " Cash rec. of Cyrus Gillard                                            |     |    | 27   | 49 |      |    |
| "                                 | " " " of Robt. L. Downman on notes<br>owed upon                           |     |    | 122  | 93 |      |    |
| 31                                | To Cash paid William A. Elden, bond                                       | 500 | 00 |      |    |      |    |
| "                                 | " " " 5 per Cent Commissions on \$4680.34<br>amount of receipts this year |     |    | 452  | 11 |      |    |
|                                   | " " " balance due the Estate                                              |     |    | 6615 | 05 |      |    |
|                                   |                                                                           |     |    | 9042 | 34 | 9042 | 34 |
| "                                 | By balance due the Estate                                                 |     |    |      |    | 6615 | 05 |
| 1834                              |                                                                           |     |    |      |    |      |    |
| Jan. 2                            | By Cash rec. of George Graves, note & int.                                |     |    | 245  | 37 |      |    |
| "                                 | " " " of same, for 500 lbs. Comd                                          |     |    | 50   | 00 |      |    |
|                                   | To Cash paid same, note & int.                                            |     |    | 13   | 37 |      |    |
|                                   | Carried forward                                                           |     |    | 13   | 37 | 263  | 57 |

|          |                                                           | \$     |    | \$      |    | \$ |    |
|----------|-----------------------------------------------------------|--------|----|---------|----|----|----|
| 1834     | Amounts brought forward                                   | 13     | 37 | 265     | 57 |    |    |
| Jan'y. 2 | To Cash paid Crocker Graves, acct.                        | 3      | 75 |         |    |    |    |
| "        | " " John St. Torforn, County Surveyor                     | 55     | 05 |         |    |    |    |
| "        | " " same for Perry St. & Priggs Carriage                  | 20     | 00 |         |    |    |    |
| 15       | By Cash rec <sup>d</sup> of E. J. Spratly for brandy      |        |    | 240     | 00 |    |    |
| Feb'y. 4 | " " " George Atkins for bacon                             |        |    | 15      | 80 |    |    |
| 18       | " " " Wm M. Blane                                         |        |    | 68      | 60 |    |    |
|          | To " paid same                                            | 23     | 93 |         |    |    |    |
| 19       | " " " Griffin Ogden, bond & int.                          | 504    | 06 |         |    |    |    |
| April 3  | " " " Samuel Pains? admin.                                | 6      | 00 |         |    |    |    |
| 4        | By Cash rec <sup>d</sup> of Cyrus Dillard                 |        |    | 2       | 50 |    |    |
| 30       | To Cash paid W. & E. J. Spratly                           | 31     | 63 |         |    |    |    |
|          | By balance due the Executors                              |        |    | 65      | 32 |    |    |
|          |                                                           | 657    | 79 | 657     | 79 |    |    |
| May 1    | To balance due the Executors                              |        |    |         |    | 65 | 32 |
| 1832     | By balance due the estate this year, Principal            |        |    | 1880    | 52 |    |    |
| 1833     | " " " " same " "                                          |        |    | 6615    | 05 |    |    |
| 1834     | To " " the Executors as                                   |        |    | 65      | 32 |    |    |
|          | " balance of Principal due the estate                     | 8480   | 35 |         |    |    |    |
|          |                                                           | 8495   | 57 | 8495    | 57 |    |    |
| 1834     |                                                           |        |    |         |    |    |    |
| May 1    | By Interest on \$1880.52 from 31 <sup>st</sup> Decr. 1832 |        |    | 150     | 44 |    |    |
| "        | " " on \$6615.05 from 31 <sup>st</sup> Decr. 1833         |        |    | 132     | 30 |    |    |
|          | To balance of Interest due the estate                     | 282    | 74 |         |    |    |    |
|          |                                                           | \$ 282 | 74 | 282     | 74 |    |    |
| 1834     |                                                           |        |    |         |    |    |    |
| May 1    | By balance of Principal due the estate this day           |        |    | 8480    | 35 |    |    |
| "        | " " of Interest " " " "                                   |        |    | 282     | 74 |    |    |
|          |                                                           |        |    | \$ 8712 | 99 |    |    |

Commissioner's Office.

Superior County - 4<sup>th</sup> June 1834. —

In obedience to the foregoing order of Court, I have stated an account of the executorial transactions of William Dillard and William Priggs Jr. on the estate of James Dillard dec<sup>d</sup>. which is hereto annexed; and find a balance due the estate on the 1<sup>st</sup> day of May 1834 of Eight thousand, seven hundred and twelve dollars and ninety nine cents,

with interest on eight thousand, four hundred and thirty dollars and twenty five Cents, apart thereof from that day until paid.

Respectfully Submitted

Commissioner's fee \$7.50.  
+ a Copy. -

Geo. Prince M. C. -

Attest Geo. Prince M. C. -  
