

1852-038

SOUTHAMPTON COUNTY  
CHANCERY PAPERS

BANK OF VIRGINIA VS. BISHOP'S ADM'R et al

5/1852

other surnames: Portsmouth +  
Roanoke Rail Road Company,  
Howell, Mahone, Riddick,  
Smith, Reddick

~~20~~ 19 12.

Bank of Va.

iv. } Papers.

Bishops and

1852 May Dampier

Bank of U<sup>a</sup>. spec.

v } Stat. Rules

Bishops ad.

The President Directors & Company of the Bank of Virginia assignees of the  
Portsmouth & Roanoke Rail Road Company  
against

Henning J. Smith admor: of Lewis W. Bishop dec<sup>d</sup>. A. M. Howell. F. J. Mahone  
and Abram Riddick.

1850 Jan'y 31<sup>st</sup>. Subp<sup>a</sup>. issued.

" Feby. Rules. Subp<sup>a</sup>. ret<sup>d</sup>. "executed on Mahone & Howell. Smith not found.  
Riddick no inhabitant - <sup>Bill filed</sup> New subp<sup>a</sup>. awarded to Smith.

" March Rules. Subp<sup>a</sup>. ret<sup>d</sup>. "executed on Smith". Cause set for hearing as to  
Dfts. Howell & Mahone.

" April Rules. Cause set for hearing as to Dfts. Howell & Mahone.

" May T. Answer of Dft. Smith Rep: & cont<sup>d</sup>.

" June R. Order publication to Dft. Riddick.

" Nov T. Order for account.

1851 May T. Continued

Bank of No. apu

or } Bill.

Bishops ad & P

1850 February Rules

To the Honorable Richard H Baker Judge of the  
Circuit Superior Court of Law and Chancery for  
the County of Southampton.

The Bill of your orator. The President Directors  
and Company of the Bank of Virginia a firm of  
the Portsmouth and Roanoke Rail Road Company  
respectfully represents to your Honor.

That in the year 1843 they instituted on the  
law side of this Court as assignees as aforesaid an  
action of debt against <sup>Lewis</sup> ~~Lewis~~ Dr. Bishop to recover  
of him the amount of his bond executed to  
the said Rail Road Company & assigned to your  
orator and that during the pendency of said  
suit before judgment thereon the said Lewis  
Dr. Bishop died intestate. That on the 15<sup>th</sup> day  
of March 1847. Fleming C. Smith was duly  
appointed by the County Court of Southampton  
Administrator of the goods, chattels & credits  
of the said Lewis Dr. Bishop dec'd & gave bond  
according to law in the penalty of twenty  
thousand dollars with A. M. Howell, F. C.  
Mahone, Abram Reddick as his Securites  
an office copy of which said bond is herewith  
filed as an Exhibit marked A. prayed to be  
taken as a part of this bill. Your orator  
charge that the said Fleming C. Smith  
had notice of the existence of the debt of  
your orator & of the pendency of the suit  
aforesaid when he qualified as administrator  
that soon after his qualification to wit on  
22<sup>nd</sup> day of March 1847 Your orator sued out  
a "scire facias" to revive the said suit against  
the said Smith as administrator of the said  
Lewis Dr. Bishop. and that on the 10<sup>th</sup> day of Nov<sup>r</sup> 1848

They obtained judgment at Said in this Court against the said Skinning & Smith admors: as aforesaid for the sum of One hundred & fifty dollar with interest thereon from the 14<sup>th</sup> day of June 1841 till paid & fourteen dollars & fifty three cents their costs to be levied of the goods & chattels of the said Intestate in the hands of the said Smith who administered upon which said judgment an execution of "fifa" was issued & returned "no effects" all which will appear by a copy of said judgment & execution herewith filed as Exhibit marked B & prayed to be taken as a part of this bill. Your orators charge that no part of said judgment has been paid by the said administrator - but the actual amount due thereon is the sum of One hundred & twenty dollars with interest from 13<sup>th</sup> April 1843 till paid & the costs aforesaid as by memorandum enclosed on the said execution. Your orators charge that the said Skinning & Smith administrator as aforesaid duly professed himself or by due diligenced might, off all the estate of the Intestate which from the amount of the administration bond Your orators may fairly presume must have been estimated at not less than Ten thousand dollars and they charge that the said administrator has or ought to have in his hands in due course of administration assets sufficient to satisfy your orators said judgment. Your orators charge that the said Smith administrator as aforesaid has recently returned to the County Court of Southampton an audited account of his transactions as administrator showing a balance due him of Twelve hundred & thirty

seven dollars & eighty six cents as will be seen by an office copy of said accounts filed herewith as Exhibit marked C. & prayed to be taken as part of this bill. Your orators charge however that the said audit is manifestly erroneous & illegal upon the facts thereof so far as the rights of your orators are concerned. They assign for errors the following:  
1<sup>st</sup> In the debit of \$862.52. amount of administrators account retained and  
2<sup>d</sup> The debit of \$20 - Amount of J. M. Deals account which they insist the administrator has not right to claim credit for as against your orators demand which is a debt of Superior dignity.  
Secondly - Your orators object to the items debited in said account & by 1849 viz:  
Amount paid Mary Crofts bond & interest \$245.67.  
Amount paid L. Gray Exor: 260.50.  
These debts your orators insist <sup>having been paid</sup> after the judgment obtained by them & without judgment of Said can not be claimed by the said administrator as legal payments in opposition to your orators demand. Your orators also charge & insist that as suit was instituted on their demand against ~~the~~ said Bishop in his life time which was pending at his death & of which the said Smith had notice as aforesaid that no payment made by him on account of bonds due by his intestate on which judgments at Said were not recovered ~~from~~ prior to the recovery of your orators judgment can be legally claimed by the said administrator in bar of your orators demand & they therefore object to every <sup>other</sup> item of debit in said account except the three items shown by said account to have been paid under execution & the bill for the coffin and

the charge for commissions. Your orators also would  
remark that the credits in said account, very dis-  
proportionate to the penalty of the bond amounting  
only to two thousand six hundred & sixty four dollars  
& sixty four cents and they call upon the said  
administrator to exhibit with his answer an In-  
ventory, appraisement of said Estate if any there  
be and to explain & account for if he can the reason  
of the great disproportion between the assets received  
& those expected at the time of qualification as may be  
inferred from the penalty of the bond. Your orators  
do not charge however that the said Smith has  
not credited all the assets he has received but they  
deem the circumstances mentioned sufficient ground  
to make the inquiry & claim the benefit of any ~~dis-~~  
~~covery~~ <sup>discovery</sup> which may hereafter be made in regard to  
the assets & require the said Smith to make a full dis-  
closure in relation thereto. In tender consideration whereof  
Your orators pray that the said Kenning C. Smith and  
administrator of the said Lewis W. Bishop dec'd - A. M. Skawell  
J. Q. Mahone & Abram Riddick may be made parties  
defendants to this bill & required to answer the same  
that the said Smith may be required to render an account  
of his administration on said Estate before a commission  
of this Court in which the errors complained of in the  
said Audit such other errors as may hereafter be dis-  
covered may be corrected and that the said Smith may  
be required to pay to your orators their said demand in  
default thereof, his securities & the other defendants. And  
that your Honor would grant such other relief to your  
orators in the premises as may be right & proper.  
May it please the Court to grant a subpoena re

J. Taylor Esq

This answer is excepted to by Plaintiff for the following grounds -

1<sup>st</sup> For failing to answer the charge in the Bill that the respondent had notice <sup>when he was appointed an executor</sup> of the existence of the Plaintiff's debt or demand against the Estate of the intestate and that a suit had been instituted to recover the same on the intestate's life time -

2<sup>nd</sup> For failing to exhibit with his answer an inventory of the Estate of the intestate.

Nov. 7 1850 - J Taylor

Bartholomew  
Bishop's Court  
Answer

1850 May 2<sup>nd</sup>

The answer of H. J. Smith administrator of Lewis W. Bishop to a bill of complaint exhibited against him by The Bank of Virginia assignee of the Portsmouth & Norfolk Rail Road Company

This Defendant now and at all times saving and reserving &c, for answer to the said bill or so much thereof as he is advised it is material for him to answer, he answers &c &c: That it is true he was on the 15<sup>th</sup> day of March 1847 appointed by the County Court of Southampton administrator of the goods & chattels &c of Lewis W. Bishop did and gave bond & security as alleged in the Complainant's bill; That he has proceeded to administer the estate of said Bishop so far as he has been able, and returned to the County Court of Southampton an account of his transactions up to the 1<sup>st</sup> of February 1849 a copy of which has been filed with the bill; Since that time he has been endeavoring to recover claims due the estate which are still outstanding. Several of the specialty debts were paid by this Defendant before notice of the Complainant's demand, the said Lewis W. Bishop not having been executed on him until some time after his qualification; and on the other specialty debts paid by this Defendant he was bound as surety for said Bishop and was advised that such being the fact he was authorized to pay them in preference to the demand of the Complainant. This Defendant further answers in &c, that the demand of the Complainant

nant against the estate of the said Lewis  
W Bishop is on a voluntary bond execu-  
ted by said Bishop to the said Rail Road  
Company without consideration, and  
as such he is advised that in the admin-  
istration of his intestate's effects, it is to  
be postponed to all debts of whatever  
dignity and having answered he prays  
to be discharged with his reasonable  
costs.

H J Smith by  
Chambliss Chapman & atty

Southampton County, Va. wit:  
H J Smith made oath before me a Justice  
of the Peace in and for the said county,  
that the matters contained in the forego-  
ing answer are true. Given under  
my hand this 2 day of May 1850

E Bland JP

Bank of Va.

to } Cr: Pub:

Bishops are of

to pay posted at front door of the  
L<sup>d</sup>. House. June 3<sup>d</sup>. 1850

Virginia:

At Rules held in the Clerks Office of the Circuit Superior Court of Law  
and Chancery for the County of Southampton on the 3<sup>rd</sup> day of June 1850.

The President, Directors & Company of the Bank of Virginia assignees of the Portsmouth and  
Roanoke Rail Road Company

Plffs:

(In Chancery)

against  
Henning T Smith admor. of Lewis W. Bishop dec<sup>d</sup>, A. M. Howell Defts.  
F. S. Mahone and Abram Reddick

The defendant Abram Reddick not having entered his appearance and given security according  
to the act of Assembly and the Rules of this court, and it appearing by satisfactory evidence that  
he is not an inhabitant of this country, it is ordered that the said defendant do appear here on  
the first day of the next term and answer the bill of the plaintiffs, and that a copy of this  
order be forthwith inserted in some newspaper ~~paper~~ published in the City of ~~Richmond~~  
for two months successively and posted at the front door of the Court house of this County.

Teste. L R Edmunds Clk

Bank of Mass.

to

Mrs. J. A. A. A.

Re: Term -

New Term 1850

F. Taylor & Co.

Enter this

R. H. Baker

Nov. 10. 1850

1850 November Term

Bank of Virginia after in in Berkeley, and

The Bill in this cause having been filed and the  
subpoena executed on the defendants A. M. Howell  
and F. J. Mahone more than two months and they  
still failing to appear and answer the Bill and  
the defendant Abram Redick who is out of the  
country and against whom the plaintiffs have  
proceeded in the mode prescribed by law as usual  
absent defendants also still failing to appear  
and answer the same on motion of the plain-  
tiffs by their attorneys the same is taken for  
confessed as to those defendants - And the  
cause comes on this day to be heard on the  
Bill and exhibits and on the answer of the  
defendant Henry J. Smith attorney of Lewis W.  
Bishop fees and general replication facts con-  
sidered by counsel on consideration whereof  
the Court doth advise order and decree  
that the defendant Henry J. Smith attorney of  
the said Lewis W. Bishop do set forth before  
a Commissioner of the Court an account of  
his transactions as a Commissioner of the said  
Lewis W. Bishop deceased in <sup>status</sup> taking which account  
the said Comptroller can only take the audit return-  
ed by the said defendant to the County Court  
of Southampton as prima facie correct but  
subject to be searched and falsified by the  
plaintiffs and the ~~said~~ defendant is hereby required  
to produce before the said Commissioner the books  
vouchers and other papers in his possession con-  
cerning the matter of refusal to in the said audited  
account and to submit it to be examined in solemn  
form before the said Commissioner in relation  
to the <sup>matter in controversy between the parties</sup>  
~~matter~~ and the Comptroller will also ascertain  
and report the same what debts are due to the said  
estate but the probability of recovering the same & whether  
any other ~~defendants~~ of the said estate are likely to  
coincide with the debts of the said defendant which can  
be ascertained by the said Commissioner shall be set forth in  
the report of the Court & report with such other matters deemed

pertinent by himself or requested by any of the  
parties to be stated.



**THE COMMONWEALTH OF VIRGINIA,**

To the Sheriff of Southampton County, Greeting:

We command you that you summon

*Henning J. Smith admr.  
trustee of Rev. W. D. Bishop's Est. S. M. Howell  
J. S. Mahone and Abram Reddick*

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 *February* next, to answer a Bill in Chancery exhibited against *them* in the said Court by *the*

*President and Directors and Company of the  
Bank of Virginia a signers of the Portsmouth  
and Roanoke Rail Road Company*

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 *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 *31<sup>st</sup>* day of *January* 18*80*, in the *74<sup>th</sup>* year of the Commonwealth.

*L. R. Edwards*

[One Copy to be delivered each Defendant.]

C. 5.6

Bank of Virginia spec

to } Spec. Lch

Bishops ad. of

1850 March Rules

Executed March  
15- by James A. Gilman  
By of J. Garrison  
Shff

**THE COMMONWEALTH OF VIRGINIA,**

*To the Sheriff of Southampton County, Greeting:*

We command you that you summon *Henning T. Smith administrator of*  
*Lewis W Bishop dec'd*

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 *March*  
next, to answer a Bill in Chancery exhibited against *him and others* in the said Court by

*The President Directors Company of the Bank of Virginia officers*  
*of the Portsmouth & Roanoke Rail Road Company*

And unless *he* 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 *he* 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 *4<sup>th</sup>* day of *February* 1880, in the  
*7<sup>th</sup>* year of the Commonwealth.

*L R Edwards Clk*

[One Copy to be delivered each Defendant.]

Bank of W<sup>g</sup>

~ } Proof of pub

Bishops ad. 8<sup>d</sup>

1858 Oct. 16<sup>th</sup>

I Certify That the annexed notice in the case of *Ca. Bishop*  
*Lewis W. Bishop & others*

has been inserted Weekly 2 months successively in "  
 Newspaper published in Norfolk, Va. commencing *Aug 15<sup>th</sup> 1850*  
*Samuel T. Sawyer,*  
*James I. Hill* clerk of Samuel T. Sawyer,

Publisher of the *Argus*.

Sworn to before me, an Alderman of the City of Norfolk, by  
*James I. Hill* this 10<sup>th</sup> day of October 1850

*J. W. Parker J.P.*

**TO SAMUEL T. SAWYER,**

Office of the "*Daily Southern Argus*," } Dr.

To publishing notice in the case of *Bank of*  
*in Smith &*

} \$5.00

**IN CHANCERY—Virginia:** At rules held  
 in the Clerk's Office of the Circuit Superior  
 Court of Law and Chancery, for the county of  
 Southampton, on the 3d day of June, 1850—  
 The President, Directors and Company of the  
 Bank of Virginia, assignees of the Port-mouth  
 and Roanoke Railroad Company,      Pl'ts:  
 against

Henning T. Smith, adm'r of Lewis W. Bishop,  
 deceased, A. M. Howell, F. J. Mahone, and  
 Abram Riddick,      Dfd'ts.

The defendant Abram Riddick not having entered his appearance and given security according to the act of Assembly and the rules of this Court, and it appearing by satisfactory evidence that he is not an inhabitant of this country: It is ordered that the said defendant do appear here on the first day of the next term and answer the bill of the plaintiffs; and that a copy of this order be forthwith inserted in some newspaper published in the city of Norfolk for two months successively, and posted at the front door of the Court House of this county.

A copy—Teste:  
 je 15-2m      L. R. EDWARDS, C. C.

~~Bank of Va~~  
vs 3 Copy Bond  
Smith

Exhibit A. filed with  
bill.

KNOW ALL MEN BY THESE PRESENTS, That we *H. J. Smith*  
*A. M. Howell, F. J. Mahone and Abram Riddick*

are held and firmly bound unto the Commonwealth of Virginia, in the just and full sum of *Twenty thousand* Dollars: to the true payment whereof well and truly to be made, we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this *15<sup>th</sup>* day of *March* - 1847..

THE CONDITION of this obligation is, That if the said *H. J. Smith* Administrator of the goods, chattels and credits of *Lewis W Bishop* deceased, do make a true and perfect inventory of all and singular the goods, chattels and credits of the said deceased, which have or shall come to the hands, possession or knowledge of *him* the said administrator or in the hands or possession of any other person or persons for *him* and the same so made do exhibit into the County Court of Southampton when *he* shall be thereunto required by the said Court; and such goods, chattels and credits, do well and truly administer according to law; and further, do make a just and true account of *his* actings and doings therein when thereto required by the said Court; and all the rest of the said goods, chattels and credits which shall be found remaining upon the account of the said Administrator - the same being first examined and allowed by the Justices of the said Court for the time being, shall deliver and pay unto such persons respectively, as are entitled to the same by law; and if it shall hereafter appear, that any last Will and Testament was made by the deceased, and the same be proved in Court, and the Executor obtain a certificate of the probat thereof, and the said administrator do in such case, being required, render and deliver up *his* letters of administration, then this obligation to be void, else to remain in full force.

Signed, Sealed and acknowledged }  
in open Court.

*H. J. Smith* (SEAL.)

*A. M. Howell* (SEAL.)

*F. J. Mahone* (SEAL.)

*A. Riddick* (SEAL.)

(SEAL.)

*Copy*

*Teste.*

*J. R. Edwards* *clerk*

Bank of Va. spec.

v } copy judge J. J.

Bishop's advnc.

Exhibit B.

Southampton Circuit Superior Court. November the 10<sup>th</sup> 1848.

The President Directors and Company of the Bank of Virginia assignees of the Portsmouth and Roanoke Rail Road Company

Plffs.

against

In Debt

Henning J Smith administrator of Lewis W Bishop dec<sup>d</sup>. Def<sup>t</sup>

This day came the parties by their attorneys and the plaintiffs demurred to the second plea of the defendant being argued, it seems to the Court that the matters contained in the said second plea are not sufficient in law in bar or preclude the plaintiffs from having or maintaining their action against the defendant. Therefore it is considered by the Court that the said demurrer to the said second plea be sustained. And the defendant relinquishing his first plea acknowledgeth the plaintiffs action. Therefore it is considered by the Court that the plaintiffs recover against the defendant two hundred and fifty dollars, the debt in the declaration mentioned, with interest thereon from the 14<sup>th</sup> day of June 1841 till paid, and their costs by them about their suit in this behalf expended. To be seized of the goods and chattels of the decedent in the hands of the defendant to be administered. And the said defendant in obsequy &c

Plaintiffs Costs \$14.53

The Commonwealth of Virginia To the Sheriff of Southampton County Greeting.  
We command you that of the goods and chattels of Lewis W. Bishop dec<sup>d</sup> in the hands of Henning J Smith to be administered late in your bailiwick you cause to be made the sum of two hundred and fifty dollars with legal interest thereon from the 14<sup>th</sup> day of June 1841 till paid which the President Directors and Company of the Bank of Virginia assignees of the Portsmouth & Roanoke Rail Road Company lately in our Circuit Superior Court of Law and Chancery for Southampton County have recovered against the said Smith admor: as aforesaid for debt. also fourteen dollars and 53 Cents which to the said President Directors & Co. in the same Court were adjudged for their costs by them about their suit in that behalf expended. whereof the said Smith admor: is convict as appears to us of record. And how you shall have executed this writ make known at the Clerks Office of our Circuit Superior Court of Law and Chancery at the Rules to be holden for the said Court on the first Monday in February next.

And have then there this writ. Witness Lettison R. Edwards clerk of my said Court  
this 16<sup>th</sup> day of November 1848, in the 7<sup>th</sup> year of the Commonwealth.

L. R. Edwards *clerk*

This execution is to be credited for the interest up to 13<sup>th</sup> April 1843. for \$30. paid on that  
day.

L. R. Edwards *clerk*

Sheriff's Return - "No effects - M. J. Sebrill Esq of J. Darden Esq"

Copied.

Juste L. R. Edwards *clerk*

Account Current of  
Lewis W Bishop's est.

copy

Exhibit, C.

# Smith & Bishop partners &c

In account with Henning & Smith

1844

|                                            | Dr     | Cr      | Chd |
|--------------------------------------------|--------|---------|-----|
| To amt. paid Mary Wells hire 3 hands       | 120 00 |         |     |
| " " " H. S. Williams " 1 "                 | 40 00  |         |     |
| " " " J. Manry " 2 "                       | 170 00 |         |     |
| " " " Mr. Croft " 1 "                      | 50 00  |         |     |
| " " " Col. Croft " 1 "                     | 10 00  |         |     |
| " " " W. M. Jones " 1 "                    | 60 00  |         |     |
| " " " Henry Kinked " 2 "                   | 100 00 |         |     |
| " " " James J. Darden " 1 "                | 80 00  |         |     |
| " " " J. Person " 1 "                      | 80 00  |         |     |
| " " " G. A. W. Newson " 2 "                | 125 00 |         |     |
| " " " Furnished by Smith 3 "               | 240 00 |         |     |
| " " " 3 Waggon, Teams & drivers            | 450 00 |         |     |
| " " " 720 lb. bacon                        | 72 00  |         |     |
| " " " 10 Bbls. corn & meal                 | 30 00  |         |     |
| " " " Traveling expenses                   | 50 00  |         |     |
| " " " Taking runaway negro                 | 5 00   |         |     |
| " " " 4 Bar. pork                          | 48 00  |         |     |
| " " " J. H. Moore saw bill                 | 150 00 |         |     |
| " " " 10 Whip saws                         | 100 00 |         |     |
| " " " 20 axes at 25¢ 10 do at 18¢          | 50 00  |         |     |
| " " " 2000 lbs. fodder                     | 20 00  |         |     |
| " " " A Riddick for axes                   | 18 00  |         |     |
| " " " 6 broad axes                         | 18 00  |         |     |
| " " " 1 gross Saw files                    | 9 00   |         |     |
| " " " for extra work pr. order Bishop      | 33 50  |         |     |
| " " " L. W. Bishop Drundry Tins            | 518 00 |         |     |
| By amount with proceeds of cargoes timber. |        | 2131 10 |     |

Dec 31 To Balance due Smith

545 40

2676 50 2676 50

1845

|                           |        |  |  |
|---------------------------|--------|--|--|
| To amount paid Col. Croft | 545 40 |  |  |
| " " " Mr. Croft           | 45 00  |  |  |
| " " " Mr. M. Jones        | 50 00  |  |  |
| " " " W. M. Jones         | 60 00  |  |  |
| " " " Amt. Car forward    | 700 40 |  |  |

|                |                                    |         |
|----------------|------------------------------------|---------|
|                | Amount brot. forward               | 700 40  |
| To amount paid | A. H. Jones                        | 60 00   |
| "              | Mrs Wells                          | 120 00  |
| "              | H. L. Williams                     | 35 00   |
| "              | R. H. Baker                        | 320 00  |
| "              | Saml. Cloughan                     | 50 00   |
| "              | M. Holland                         | 150 00  |
| "              | Mr Johnson                         | 70 00   |
| "              | J. Manry                           | 280 00  |
| "              | J. J. Darden                       | 81 00   |
| "              | H. Hendred                         | 150 00  |
| "              | John Davis                         | 15 00   |
| "              | 10 bar. corn                       | 30 00   |
| "              | 240 lbs bacon                      | 24 00   |
| "              | 4 bar. pole pork                   | 24 00   |
| "              | Sepe Parker for saw                | 10 00   |
| "              | Saws & axes bot. at Rochelles sale | 31 00   |
| "              | traveling expenses                 | 61 00   |
| "              | Bishops order for extra work       | 105 00  |
| "              | A. Riddick for 5 bar. brandy       | 35 00   |
| "              | bot. crops 6 do old                | 150 00  |
| "              | Bagley act. at Portsmouth          | 11 45   |
| "              | expenses on loan from Princeton    | 52 00   |
| "              | Bishops order for extra work       | 26 00   |
| "              | Expenses to Richmond               | 17 00   |
| "              | W. D. McClenny for tools           | 77 65   |
| "              | J. E. Smith negro clothing         | 117 13  |
| "              | W. H. Reid act.                    | 652 07  |
| "              | 9 bar. pork sent to A. Edwards     | 130 00  |
| "              | 580 lbs bacon do do                | 58 00   |
| "              | 25 bar. corn & meal do             | 75 00   |
| "              | 32 days horse & cart do do         | 32 10   |
| "              | 3 miles from Rochelles act.        | 100 00  |
|                | Am't. brot. forward                | 3899 70 |

1845

|                                            |                     |                |
|--------------------------------------------|---------------------|----------------|
|                                            | Am't. Brot. forward | 3899 70        |
| To amt. paid for 5 muzzons teams & drivers |                     | 750 00         |
| " " " L. W. Bishop sundry times            |                     | 877 00         |
| By amt. proceeds of Carriage timber        |                     | 2301 49        |
| To Bal. due Smith                          |                     | 3225 21        |
|                                            | <u>5526 70</u>      | <u>5526 70</u> |

1846

|                                           |         |
|-------------------------------------------|---------|
| To bal. due Smith brot. down              | 3225 21 |
| " amt. paid W. D. Whitehead               | 126 50  |
| " " " J. B. Jenkins                       | 37 53   |
| " " " W. Murfee                           | 15 11   |
| " " " 14 months work of hands & funds     | 168 00  |
| " " " 4 four-horse waggons & 1 1/2 months | 300 00  |
| " " " Henry Hendred 2 bonds & Int         | 314 47  |

Dec 31

" " Int. on \$3225. 21 one year

193.57

1847

|                                        |         |
|----------------------------------------|---------|
| To bal. due Smith                      | 4186 82 |
| " amt. paid M. Holland                 | 108 51  |
| " " " G. Joyner                        | 13 15   |
| " " " A. Edwards                       | 390 88  |
| " " " Bagley                           | 104 50  |
| " " " J. H. Moore                      | 222 00  |
| " " " A. Drewry                        | 30 57   |
| " " " Ripsaw bond &                    | 106 38  |
| " " " J. Cooper act.                   | 100 61  |
| Dec 31 " Int. on bal. of 1846 one year | 251 20  |
| " Int. above brought down              | 193 57  |
| " Bal. due H. J. Smith                 | 5708 13 |

with Int. thereon from this day till paid.

W. S. Goodwyn Comr

Commissioners Office June 1849.

The vouchers referred to in the above account were not before the Comr. but it was made up from a list of them furnished by H. J. Smith

Respectfully Submitted

W. S. Goodwyn Comr

Smith & Bishop former partners

In account with Lewis W Bishop

|                    |                                                       | Dr.     | Cr.     |
|--------------------|-------------------------------------------------------|---------|---------|
| 1844 & 5           |                                                       |         |         |
| Dec 31             | To amt. expenditures for two years                    | 6888 39 |         |
|                    | By amt. rec <sup>d</sup> for timber sold in same time |         | 5566 39 |
| " "                | " " bal. timber on hand taken by Bishop               |         | 500 00  |
|                    | To Bal. due Bishop                                    |         | 822 20  |
|                    |                                                       | 6888 39 | 6888 39 |
|                    | To Bal. due Bishop brot down                          | 822 20  |         |
| 1847               | " Int. thereon two years                              | 98 66   |         |
| Dec 31             | Bal. due L. W. Bishop                                 | 920 86  |         |
|                    | with Int. thereon from this day                       |         |         |
| W. S. Goodwyn Comr |                                                       |         |         |

Commissioners Office June 1849.

The above account was made up from an extract furnished by H. J. Smith and L. W. Bishop, taken from a book containing the accounts of said Bishop with the concern and kept by Bishop. The several items were not specified because all contained in the book of accounts were allowed.

Respectfully Submitted

W. S. Goodwyn Comr

|                                |                                               | Dr.     | Cr. |
|--------------------------------|-----------------------------------------------|---------|-----|
| 1847                           | Henning J Smith former partner                |         |     |
|                                | In account with Lewis W Bishop former partner |         |     |
| Dec 31                         | To bal. due Smith as pr. account above        | 5708 13 |     |
|                                | " " " Bishop " "                              | 920 86  |     |
|                                |                                               | 4787 27 |     |
| "                              | To amt. due H. J. Smith one half the above    | 2393 63 |     |
|                                | with Int. thereon from this day till paid-    |         |     |
| W. S. Goodwyn Comr             |                                               |         |     |
| Comrs fee \$8.00               |                                               |         |     |
| ch <sup>d</sup> to H. J. Smith |                                               |         |     |
| Comr                           |                                               |         |     |

# Lewis W Bishops estate

In Account with Henning & Smith administrators

|          |                                          | Dr.     | Cr.     |
|----------|------------------------------------------|---------|---------|
| 1847     |                                          |         |         |
| March 15 | To amt. paid C. E. Knight 5 notes & Int. | 561 88  |         |
| "        | " " " A. W. Hall for coffin              | 12 00   |         |
| "        | " " " Sheriff for N. Francis bonds       | 129 99  |         |
| "        | " " " Same execution                     | 25 30   |         |
| "        | " " " Same do do                         | 380 66  |         |
| "        | " " " R. Darden 2 bonds & Int.           | 877 33  |         |
| June     | " " " Clerks tickets                     | 21 08   |         |
| "        | " " " adms. account returned             | 860 52  |         |
| "        | " " " J. M. Neale account                | 20 00   |         |
| July     | " " " N. Francis bond & Int.             | 123 09  |         |
|          | By amt. rec. M. A. Spark bond & Int.     |         | 2409 64 |
|          | " Sale of horse                          |         | 105 00  |
|          | " " " Sold with                          |         | 74 00   |
|          | " " " Saw & tools                        |         | 30 00   |
|          | " " rec Sale of pork                     |         | 46 00   |
|          | " Commissions on \$2664.64               | 133 23  |         |
| Decr 31  | To bal. due the adm.                     |         | 480 64  |
| 1848     |                                          | 3145 28 | 3145 28 |
| June     | To Bal due the admor. brot. down         | 480 64  | 2664 64 |
| "        | " Amt. paid Sheriff exm for J. Parker    | 222 22  |         |
| "        | " Int. on bal. of 1847 one year.         | 28 83   |         |
| 1849     | To Bal. due the admor.                   | 731 69  |         |
| Feby     | " Amt. paid Hardy Croft bond & Int.      | 245 67  |         |
| "        | " " " L. Inuy exm & Int.                 | 260 50  |         |
|          | To bal. due the admor                    | 1237 86 |         |

with Int. thereon from this day till paid

Respectfully Submitted

W. S. Goodwyn Comr

Commiss fee \$2.50

charged to adm

Comr

At a Court held for the County of Southampton on the 20<sup>th</sup> day of August 1849.

This account current and Comptrollers report of Henning J Smiths administration on Lewis W Bishops estate was returned and ordered to lie on the table for exceptions. And at a Court held for the County aforesaid on the 17<sup>th</sup> day of September 1849 the said account having lain on the table and no exceptions being filed, was confirmed and ordered to be recorded.

Teste

J R Edwards Ck

Attest

Teste

J R Edwards Ck