

1833-006 Chancery Causes: John Shivers 'admr & al vs James Shivers & al

Sale of Wight County

other SURNAMES: Jordan, Pitt
Williams, Godwin, Whitehead,
Hutson, King, Hudson

shires and Towns. Ratson as absent excepts,
by publication & a. conf to law and
that you will make any order on
for the decree in the premises or disj
a sale, appointing Com. & as to the Comt
shall appear right and just, and
as in entry bound they will pay to
Q. Alkerson p. 5

Shires &

in 2/3 paid

Shires &

June 1832

June 14th 1832 Bill filed & order
of publication & a.

June 20th 1832 alias Sp. to law
Pett & Meril Pett.

Nov. 5th 1832 interlocutory
decree & Court

February 4th 1833 report of
Comm. ref. & a.

December 2nd 1833 report of com-
missioner & conf. & final decree
entered

C. B.

land called "Mowry place" containing by
estimation 100 acres, on ~~half of the~~
~~plantation where the potatoes are~~
on which the ~~potatoes~~ raised at the time
of the ~~war~~, which ~~are~~ ~~in~~ ~~the~~ ~~to~~
contains about — — — likewise a
piece of land called "popo", by estimation
containing 100 — — — acres. and the
following slaves to wit will the Elmer, Stephen
(the Elmer, Charles, Robert, John, all in a day,
Lenny & child name unknown, Jane, Bill,
(the Hanger, & Stephen, the younger, Hester

after the making of the testator's will his wife was
sick of ^{legit} the child for which she was
~~by his will and she is now~~ now forming
to visit Kamahe Hawaii. Kamahe is now
Kamahe Hawaii Hawaii married ~~the~~ James
Kutson said having a child but no husband. the
child is Frank Kutson who left this state some years
ago & is beyond the reach.

John Shivers, and about the year 1840, ^{intentionally} leaving the said estate of Shivers, John Shivers, his heirs at law & they claim his interest in said estate & estate of Shivers is his a son-in-law, Nancy married Jordan and has begotten her husband, in the life of the said Jordan whose name was William, they conveyed their interest in said estate to Sarah Shivers ^{and wife B. Whitbread in her exor.} who has since died, ^{and for the use of the said} the same property to, ^{the said} Nancy Jordan ^{now} a widow; so that her rights are the same in respect to this property as originally they were; Sally married James Pitt, and she died his wife, leaving a child called Meril Pitt, James Pitt the late husband by right of survivorship &c. is entitled to his proportion of the personal estate & the child to her share of the lands, & the said Meril is an infant & the Court are requested to appoint a guardian to expend his interest in this trust; Geo Shivers is dead testate,

and his share ~~by his wife~~ share so to state
Purden Sen in his account —

Charlotte now the widow of Aaron Williams
is entitled to one whole share; James Shivers
left this state some years ago and is
now supposed to be in some place beyond
the State of Virginia and against him an
order of publication is asked; & then Shivers
now living and entitled to his share. But
Shivers is dead intestate & that of Shivers is
his admor. or home, now, and his share
goes to his brother and sister aforesaid
Rannah married child, & so in law his
widow is entitled to his share of the said
estate

Your complainants are that there is take of service
 can't be service in time, and therefore
 they without remedy else they ask the
 Court to order a take of service of the
 proceeds - that you will cause the said
 James Shivers who is out of the state, John
 Pinner who is a slave of John Shivers who
 is dead, and James Pitt and Meril Pitt
 and Frank Rutson who is out of the state,
 and Joseph B. Whithead executor of Sarah Shivers
 to be made defendants to this bill, and require
 them to answer the same upon oath
 fully and unceasingly. that you comply
 may be permitted to proceed in the said James

To the justice of the County Court of Elbert County
in chancery sitting, humbly complaining, shew
unto your worship, your complainant Albert G.
Shivers a minor: of John Shivers, Albert G. Shivers
and John Shivers the last deceased the age of 21
years being by Albert G. Shivers his next
friend & they are children and heirs at law
of John Shivers decd: Stacey Jordan late Stacey
Shivers, Charlotte Williams late Charlotte Shivers,
Isabel ^{King late Shivers} ~~Shivers~~, Albert G. Shivers a minor: of Robt.
Shivers and Hannah Goodever late Shivers,

that one William Shivers, late of this County
departed this life testator a copy of which will
is to the Court here exhibited marked A & B
is prayed to be taken as part of this record,
the said will bears date on the 24th March
1796 & was recorded in the County Court of
Elbert County the 30th of February 1801, by
which after disposing of various articles of
property the testator gives "the residue
of his estate to be equally divided between
his 9 youngest children named John Shivers,
Stacey Shivers, Sally Shivers, George Shivers,
Patsy Shivers, Charlotte Shivers, James Shivers,
Isabel Shivers and Robert Shivers their heirs
forever - That soon after the recording of the
will, the widow of the testator removed
the will & took one third part of the estate
during her widowhood which by law
she was entitled to for her life, & in the
division or allotment of & over, the property
included in the residuum was set apart
to her and held until the day of
her death when she died in said County
of Elbert County, whereupon the said property
with the increase becomes subject to a divi-
sion under the last clause of the testator's
will and the property now consists of
the following real estate, to wit, one tract of

Shirley

Shirley

Amos A. M.

B. Whitehead

exor. Sarah Shirley

Shirley

The answer of Joseph B. Whithead exor. of
Sarah Shivers to the bill of complaint against
him and others exhibited in the County Court of
Richmond ~~against them~~ by Albert G. Shivers
and others - This bill says &c. for reasons says
that he is the exor. of Sarah Shivers dec'd. &
believes that the outstanding debts against the
estate of his testatrix, will require a part of
the whole of the personal estate belonging to
the estate of his testatrix in the bill mentioned,
and insists that of right the same under
the order of this Court shall be paid over to
him - He has no objection to merge against
the propriety of the sale asked for by the
plaintiffs, and when the debts of his testa-
trix shall have been discharged, he
will settle the said estate & dispose of the
residue accordg to the will of said
Sarah Shivers - He asks to be dismissed.
&c. -

(signed,

J. B. Whithead
exor. Sarah Shivers -

Pitt. Colles

and Zamm
Shivers &

The joint and separate account of James
Pitt in his own right and as Guardian
appointed by the Court to defend the
interest of Daniel Pitt the infant
defendant to the bill of complaint
exhibited in the County Court of
Middlesex against them & others by
Robert G. Shivers and others -

These defendants say & for answer
say they cannot deny the allega-
tions contained in the bill of
the plaintiff, and the said James
Pitt consents that the Court should
make any order for a division
of the estate which may be correct
and as Guardian aforesaid he
says the said infant is of tender
years and asks the Court to take
care of his interest - and
having answered peragis he
to be dismissed by - James Pitt
Signed -

Executed on James Pitt July 16. 1832
and merit Pitt is no inhabitant

Darren D Hall Dpty for
Erasmus Eley Sheriff

Amicus Pro
vs.
Pitt Pro
vs.
The Court
City.
To Court - Court 1832

Off the Commonwealth of Virginia —

To the Sheriff of Isle of Wight County, Greeting
You are hereby commanded to summon on James Pitt and
Merit Pitt as heretofore commanded, to appear before the
Justices of the County Court of Isle of Wight, at the Court
House of Isle of Wight County on the first Monday in
August next; to answer a bill ^{in chancery} exhibited against them
and others by Albert G Shivers Admr. of John Shivers,
Albert G Shivers & John Shivers, the last an infant by Albert G
Shivers his next friend, Stanley Jordan, Charles M. Mendenhall
Walter Shivers, Albert G Shivers Admr. of Ro: Shivers & Hannah
Bodwin in the said court — and unless the said defendants
shall answer the said bill within four months thereafter, the
Court will take the same for confessed and decree the matter
thereof accordingly. And this they shall in no wise omit,
under the penalty of £100 each, and have them there this —
writ: Witness Nathaniel Young, Clerk of our said Court,
at the Court House, the 20th day of June 1832 and in
the 5th year of the Commonwealth.

Nathl. Young

Not Executed for the want of time
Darden D Wall Sp
for Exam Eley Sher

Amos
or 3 Mar 45
Amos to
To Aug 1832
Cott

The Commonwealth of Virginia,

To the Sheriff of *Isle of Wight* County, GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *James Pitt and Merit Pitt* as *under-fow* commanded

Lawyer of the County Court

to appear before the ~~Judge of the Circuit Superior Court of Law and Chancery for the County of Isle-of-~~

Wight, at the Court-House of Isle-of-Wight County, on the first day of *Monday in July* term next;

to answer a bill exhibited against *them and others by Albert G. Shuman, admr.*

of John Shuman, Albert G. Shuman, & John Shuman, the last an infant
by Albert G. Shuman, his next friend, Nancy Jordan, Charlotte Mil-
lams, Esther Shuman, and Albert G. Shuman, admr. of Ro. Shuman & Hannah
Gordon ~~in the said Court, by~~ *in the said court.*

and unless the said defendant^s shall answer the said bill within four months thereafter, the Court will take the same for confessed, and decree the matter thereof accordingly. And this *they* shall in no wise omit, under the penalty of £100 *each*, and have then there this writ: Witness NATHANIEL YOUNG, Clerk of our said Court, at the Court-House, the *20th* day of *June* 1832, and in the *56th* year of the Commonwealth.

Nathl. Young

The Commonwealth of Virginia,

To the Sheriff of *Isle of Wight* County, GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

Amil Pittucko
is a son of James Pitt

Justice of our County Court

to appear before the ~~Judge of the Circuit Superior Court of Law and Chancery~~ for the County of Isle-of-

Wight, at the Court-House of Isle-of-Wight County, on the first day of *October* term next;

to answer a bill exhibited against

him and others

in the said Court, by

Albert G. Shivers, a son of John Shivers
Albert G. Shivers and John Shivers, the last an infant
by Albert G. Shivers, his next friend, Nancy Jordan
Charlotte Williams, Esther Shivers, and Albert G.
Shivers, a son of Albert Shivers & Hannah Jordan

and unless the said defendant - shall answer the said bill within four months thereafter, the Court will take the same for confessed, and decree the matter thereof accordingly. And this ~~shall~~ shall in no wise

omit, under the penalty of £100 — and have then there this writ: Witness NATHANIEL

YOUNG, Clerk of our said Court, at the Court-House, the *3^d* day of *September*

183 *2*, and in the *5th* year of the Commonwealth.

Nathl. Young

Shivers

vs.

Shivers H.

Sp. in
Chy

20 Oct. Court 1832

Read by order of county court of Isle of Wight
 two bonds one of \$100 Edward King & Esther King
 in favour of Francis Hudson for the sum
 of one hundred and ^{ninety} nine dollars dated 21st
 december 1832 to be paid six months after
 date \$ (199.00) - also one other bond
 in Esther King's debt for shives ~~the~~
 payable to said Hudson for rent ~~of~~
 cellar 49 Cents payable at the time
 aforesaid. which bonds are
 the same mentioned in his
 report as being the part of
 Francis Hudson in the property
 sold. -

Joseph Prentiss att.
 for Edward King.
 May 1st 1833.
 High Wight C. House

Shivers &
 att. 3 com. in report
 Pitt to Shivers.

Shivers &
 att. 3 com. in report
 Pitt to Shivers.

$\frac{1}{10}$ to Charlotte Williams $\frac{1}{10}$ to Esther King $\frac{1}{10}$ to Albert
& Shivers admr of Robert Shivers $\frac{1}{10}$ to Hannah
Godwin $\frac{1}{10}$ to James Shivers $\frac{1}{10}$ to Nath. Shivers
Snr. admr of George Shivers $\frac{1}{10}$ to James Pitt
admr of his late wife Sally & $\frac{1}{10}$ to Francis
Hutsan and he furthermore reports that he
has lodged the bond taken for Francis
Hutsan proportion in the office being
the bonds of Edmund & Esther King for
\$199 & Esther King & Albert & Shivers
for \$67-19 cents.

Hannah Godwin became the Purchaser
of the land for the sum of \$102 from
which deduct \$5.10 Comp ^{healed} leaves \$96.90
 $\frac{1}{4}$ of which being \$13.84, to Albert & God
John Shivers $\frac{1}{4}$ to Nancy Jordan $\frac{1}{4}$ to
to Charlotte Williams, $\frac{1}{4}$ to Esther King,
 $\frac{1}{4}$ to Hannah Godwin, $\frac{1}{4}$ to James Shivers,
and $\frac{1}{4}$ to merit Pitt, all of which is
respectfully submitted Aug 30th 1833

Alfred S. Shivers com^{on}

The Commissioners named in the amended decree
after having advertised the time and place
of such sale according to the directions of the
decree proceeded on the 21st day of December
1832 to sell the Slaves and land therein
named at which sale Nathaniel Pruden
Jr. became the Purchaser of Mary & Child
for \$310, with the younger for \$465 & Robert
for the sum of \$324 James Shivers became
the Purchaser of John for \$250 and Jane the
younger for \$445; Charlotte Williams became
the Purchaser of Minerva for the sum
of \$330; Hannah Godwin became the Pur-
chaser of Lina for \$117 of with the Elder
for \$50; Stephen the Elder for \$23 John
D Day became the Purchaser of Charles for
the sum of \$450 and Jos. B. Whitehead
became the Purchaser of Stephen the youn-
ger for the sum of \$304 and Ed. Reed
became the Purchaser of Jane
the Elder for the sum of \$199 and Han-
nah Godwin became the Lowest bidder
for Catharine at the sum of \$150
which sums being added together the
amount for buying Catharine excepted makes
the sum of \$2971 from which deduct
\$179.12 Cost & Commissions & one hundred
fifty dollars paid for buying Catharine
leaves the sum of twenty six hundred & sixty
one dollars & 8 cents one tenth of which being
\$266.18 3/4 he allotted to Albert & Thos Shivers
1/10 to Jos. B. Whitehead Executor of Sarah Shivers

Shivers &

vs 3 Decem

Pitt &c

Shivers &
vs 3 Decem
Pitt &c

estate in the will named, ~~but~~
to wit, the plantation called Brown,
it contains 100 acres more or less,
~~half of the plantation which~~
~~which said John Shivers~~
~~also~~ also a piece of land called
Popo containing by estimation 100 ^{any} more
or less all which real estate belongs to the
said Mr. Shivers at his death. That if the
purchaser or purchasers he take bonds with
good secy. so as to make a distribution
as herein after named. & that he make to
the purchasers dues for said land but
without warranty of title. That he pay
over ~~to~~ to Albert Shivers and John Shivers
equally between them to be decided, ~~to~~
to Nancy Jordan, ^{Mr. J.} to Charles William,
~~to~~ to the King, ~~to~~ to Hannah Jordan,
~~to~~ to James Shivers, ~~to~~ and one seventh
~~to~~ to Daniel Pitt.

~~That~~ The d. c. doth also order that the Court after
executing the sale do bring into Court the shares of
Auction or of any other who may be out of
the state but apply for his share & the said
bond shall be filed subject to the further
order of this Court - and that the shares of the
infant be paid to their guardians -
and that he make report to this Court of
his actg in this matter in order to a
final decree - And liberty is reserved to the
infant or parent to show cause if any he
can against this decree in a year & a day
after he shall have arrived to the age of 21 years.

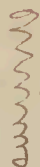
Albert G. Shivers & others vs. John Shivers - by.

The said James Shivers and Francis Rutson who are out of the County and against whom the bill is, appear to have procured in the most presumable by law against Albert G. Shivers & others, still failing to appear before the Court on writ of the bill, by Counsel for the Court both take their Bill for confessed, as to those defendants in the cause, come on to be heard as to the other defendants on the Bill, their answers and exhibits were argued by Counsel on consideration whereof the Court ordered that Albert G. Shivers who is appointed a Com. for that purpose after advertising the time of sale for at least one month previous to the day of sale, sell to the highest bidder the same on a credit of 6 months except for so much as will pay the expenses of this suit and of the sale which will be for Cash, the slaves in the bill named J. C. Karmah, Mike the Elder, Stephen (the Elder), Charles, Robert, John, Mary, Mary, and her daughter, child, Jane, Mike the younger, Stephen (the younger), & Catharine which were of the down estate of the said Sarah Shivers in the estate of her son, James William Shivers. That of the purchase money the purchaser take bonds with good security so as to secure them according to the principles of this order that the Com. shall pay over 1/10 to Albert G. Shivers, between them equally to be divided, 1/10 to ~~James Shivers~~ ^{Joseph B. Whitehead}, 1/10 to Charlotte Williams, 1/10 to Ethan King, 1/10 to Albert G. Shivers in the character of a donor of Robert Shivers; 1/10 to Karmah Lewis; 1/10 to James Shivers; 1/10 to Catharine Lewis; 1/10 to John Shivers; 1/10 to Sarah Shivers; 1/10 to Francis Rutson - and that after the same shall be sold, the said Com. do sell to the highest bidder on a like credit the same

Shivers #10

vs.

Pett. & others



Copy into

decease

his death; also a piece of land called *popus* containing by estimation one hundred
Acres more or less, all which real estate belonged to the said William Shivers at
his death - that of the purchaser or purchasers he take bonds with with good
security, so as to make a distribution as herein after named - and that he
make to the purchasers deeds for said land but without warranty of title -
that he pay over $\frac{1}{4}$ to Albert G. Shivers and John Shivers equally between them
to be divided; $\frac{1}{4}$ to Nancy Jordan, $\frac{1}{4}$ to Charlotte Williams; $\frac{1}{4}$ to Esther King -
 $\frac{1}{4}$ to Hannah Goswin $\frac{1}{4}$ to James Shivers, and one seventh to Mervin Pitt.

The court doth also order that the commissioner after executing
the sale &c bring into court the shares of Nutson or of any other who may
be out of the state & not applying for his share, & that said share shall
be filed subject to the further order of this court - And that the shares
of the infants be paid to their guardians, and that he make report
in order to a final decree of his doings in this matter - and liberty is
reserved to the infant &c

Att^y fee \$10.00

Printer 5.00

Shipp. fee 1.32

Clk. fee 5.74

Total costs \$22.06

Attest Justs

Wm. H. H. H. H.

Isle of Wight County November Court 1832

Albert G. Shivers Administrator of John Shivers
Albert G. Shivers and John Shivers the last under
the age of Twenty One years suing by Albert
G. Shivers his next friend. Nancy Jordan late
Nancy Shivers, Charlotte Williams late Charlotte
Shivers, Esther King late Shivers, Albert G. Shivers
administrator of Robert Shivers and Hannah
Goodwin late Shivers

3. Compts

against

James Shivers, Nathaniel Pruden Sen. Adminor. of
George Shivers decd. James Pitt & Muris Pitt and
Francis Hutson

Defend^{ts}

In Chancery

The defendants James Shivers and Francis Hutson
these failing to answer who are out of the country and against whom the
plaintiffs appear to have proceeded in the mode prescribed by Law
against absent defendants still failing to appear and answer, On motion
of the plaintiffs by counsel the court doth take their oaths for confession as
to those defendants, and the cause coming on to be heard as to the other
defendants on the file, their answer and exhibits being argued by
counsel; on consideration whereof the court doth as judge order and
decree that Albert G. Shivers who is appointed a commissioner for that
purpose after advertising the time and place of sale for at least one
month previous to the day of sale, sell to the highest bidder on a credit
of six months except for so much as will pay the expenses of this
suit and of the sale which will be for cash, the slaves in the be named
trust, Hannah, Will the elder, Stephen the elder, Charles, Robert, John,
Minerva ellary & her infant youngest child, Jenny and her youngest
child, Jane, Will the younger, Stephen the younger, and Catharine, which
were of the dower estate of Sarah Shivers in the estate of her husband W^m
Shivers - that of the purchaser or purchasers he take bonds with good
security so as to divide them according to the principles of this order, that
the commissioner allot & pay over $\frac{1}{10}$ to Albert G. Shivers & John Shivers between
them equally to be divided; $\frac{1}{10}$ to ^{Joseph D. Phillips executor of Sarah Shivers} ~~James Shivers~~ $\frac{1}{10}$ to Charlotte Williams,
 $\frac{1}{10}$ to Esther King, $\frac{1}{10}$ to Albert G. Shivers in the character of administrator of
Robert Shivers - $\frac{1}{10}$ to Hannah Goodwin $\frac{1}{10}$ to James Shivers, $\frac{1}{10}$ to Nathaniel
Pruden Sen. Administrator of George Shivers, $\frac{1}{10}$ to James Pitt administrator
of his late wife Sally, and $\frac{1}{10}$ to Francis Hutson; and that same & like
notice, the said commissioner do sell to the highest bidder on a like
credit the real estate in the be mentioned trust, the plantation called
Brows containing one hundred acres more or less; ~~one half the plan-~~
~~tation between William Williams Shivers and Hutson on his own residence~~

Shivers & Shivers
H. L. Linal over

which is which - This case came on
again to be heard on the paper formerly read
and the report of the Court made pursuant
to the order of the 5th day of Nov. AD
'832 to which no exception was filed &
was argued by counsel; On consideration
whereof the Court doth order that the said
rule be confirmed and that the costs be
mutually borne by the parties - &
liberty is reserved to the infant defendants
to shew cause if any they can and wish this
occur within one year after they shall
respectively arrive to the age of 21 years.

Item I give the use of all my beaver baskets to my wife and when my son William Shivers shall come of age my will is that he shall have one half of them and at his death he shall have them all, I give them to him and his heirs.

Item I give to my son William Shivers two negroes named Milce and Cader to him and his heirs forever.

Item I give to my wife four cows and twenty three shoats I give them to her to use as she may think proper.

Item I give to my son Jonas Shivers six powder plates to him and his heirs.

Item the rest and residue of my estate ~~that~~ heretofore given be it of what kind or nature soever I give to be equally divided between my nine youngest children named John Shivers, Nancy Shivers, Sally Shivers, George Shivers, Paddy Shivers, Charlotte Shivers, James Shivers, Ester Shivers and Robert Shivers and their heirs forever.

Item I do hereby constitute and appoint my loving wife and my friend Thomas Smiley Receivers of this my last will and testament, hereby revoking all other wills by me made.

In witness whereof I have hereunto set my hand and seal this evening fourth day of March one thousand seven hundred and ninety six.

Signed Sealed & delivered

On the premises of

Wm

William Dixon

Shank & Co. Secy
mark

William Shivers ^{his} mark

At a Court held for the Night Commencing the 3rd day of February 1804 the foregoing Will was presented in court, and proved by the oaths of William Dixon and Stephen Everett the Principals thereto, and ordered to be recorded.

A Copy Teste Nathl. Young & Co.

be pregnant my wife is that it shall share as is before mentioned.

Item I give the use of my buffet and all the furniture therein to my wife and after her death I give it all to my son William Shivers and his heirs.

Item I give the use of my plow mare to my wife and after her death I give her to my son William Shivers and his heirs, also I give the use of the said plow mare colt to my wife until my son William Shivers is of age. Then I give the colt to him and his heirs.

Item I give the use of four axes and one pair of wedges to my wife during her life, and after death I give them to my son William Shivers and his heirs.

Item I give the use of the plantation I live on with thirty acres of land purchased of Thomas Dixon to my wife until my son William Shivers comes of age. Then my will is that my son William Shivers shall have one half the land and half the orchard and my wife is that he shall have the carrying house and weaving house, and my wife is that my wife shall have the use of my big stile until my son William Shivers comes of age. Then he and my son Jonas Shivers when he comes of age shall have the liberty of stacking their own logs in the said stile, and after my wife's death I give the said stile to my son William Shivers and his heirs, only my son Jonas Shivers shall have liberty to stack his own logs in the said stile.

Item I give the land I now live on with thirty acres I purchased of Thomas Dixon to my son William Shivers after his mother's death I give it to him and his heirs forever.

Item I give the use of the plantation I purchased of Bradley to my wife until my son John Shivers comes of age. Then I give unto my son John Shivers all the land and plantation that I purchased of Bradley. I give it to him and his heirs forever and my wife is, when my son John Shivers comes of age, then my wife is to give up three of the negro women that was sent to her, and take one for her choice during her life.

Item I give unto my son James Shivers all the land and plantation that I purchased of Richard Parr. I give it to him and his heirs forever.

Item I give to my son George Shivers all the land and plantation I purchased of Thomas Wakefield, I have bebeland and Matthew Godwins land, I give it to him and his heirs forever.

Item I give to my son Jonas Shivers all the land and plantation that I purchased of my brother Jonas Shivers. I give it to him and his heirs forever.

Now I give the use of a square walnut table and one pine table and desk to my wife, and after her death I give them to my son William Shivers and his heirs also I give the use of great Hill and Merry and old man, and Suzek, Hannah and Miley to my wife and after her death to be equally divided between my son John Shivers and daughter Nancy Shivers and Sally Shivers and son George Shivers and daughter Nancy Shivers and son James Shivers and Charlotte Shivers and Esther Shivers and Robert Shivers and their heirs forever.

Now I give and bequeath to my son Jonas Shivers six small hogheads and eight barrels he is to take choice of hogheads and and barrels and one cyper press I give them to him and his heirs, also I give to my son Jonas Shivers two cows and calves to him and his heirs, but my will is that my wife shall have the use of them until he arrives to the age of nineteen years also I give my coldest to my son Jonas Shivers and his heirs, also I give to my son Jonas Shivers one sow and pigs, and six barrels of corn, to feed them also I give to my son Jonas Shivers one plow and good hoe, and two working hoes also I give unto my son Jonas Shivers on foot that I purchased of Thomas Everde and three barrels corn to feed him I give it to him and his heirs, and my will is that my wife shall have the use of it until he comes to the age of nineteen years.

Now I give the use of my negro woman Dolphin to my wife until my son Jonas Shivers comes of age, and then I give the said negro Dolphin to my son Jonas Shivers and his heirs forever, and also one negro girl named Lutha to him and his heirs forever.

Now I give and bequeath to my son Thomas Shivers one negro man and his daughter named Peggy to him and his heirs forever.

Now I give and bequeath to my daughter Elizabeth Everde one girl named Peggy to her and her heirs forever.

Now I give and bequeath to my daughter Abby Best one negro boy named Bird to her and her heirs forever.

Now I give unto my daughter Temper Sherrad one negro woman named Luan to her and her heirs forever.

Now my will is that my two negro men named Little Will, and Stephen shall be hired, it annually until a division shall be required and then my will is that if my wife should be with child, that it shall share equal in the division with the rest, and my will is that the division shall be when my son John Shivers shall come at the age of twenty one years.

Now I give the use of my negro man named Tom beal to my wife until my son John Shivers comes to the age of twenty one years then he is to have the use of the said negro until the division shall be required, and then if my wife should be

In the name of God amen I William Shivers being sick of body but in perfect sense and memory thanks be to God for it, do make and declare this writing to be my will in manner and form following. - I give and bequeath to my loving wife two beds and furniture to dispose of as she may think proper also I lend to my wife the use of three beds and furniture and when my son William Shivers and John Shivers shall arrive to the age of nineteen years of age and daughter Nancy Shivers do arrive to the age of eighteen years then I give unto them a bed and furniture to each of them one of the above last beds as they do arrive to age above mentioned, also I do give unto my wife the use of one dozen leather bodicins, also all my flax cottoned lappets in like manner and two chests, and at her death I give the chairs to my son William Shivers and his heirs.

I then I give the use of my looking glasses to my wife and after her death I give the said glasses to my son William Shivers and his heirs and also I lend the use of my copper kettle and one large pot, and two small pots to my wife and after her death, I give the kettle and pots to my son William Shivers and his heirs, also I lend the use of all my dishes, basins, plates, spoons, and knives and forks to my wife and after her death, I give them to my son William Shivers and his heirs also I lend the use of two pair of iron dog, and of iron pincers and spits and two iron pole racks and seven broad hoes and three hilling hoes, and two good plows with hoes to my wife and after her death I give them all to my son William Shivers and his heirs also I lend the use of horses of cattle that I raise on this plantation I live on, and two horses that I purchased Thomas Dixons sale to my wife to use in reason when she may use and after her death I give them to my son William Shivers and his heirs, also I lend the use of some cows and Ram to my wife, and after her death I give them to my son William Shivers and his heirs, also I lend the use of all my baskets and one horse cart and wheels and ox cart and wheels and one double yoke and two single yokes, and pair of collar and hams for a horse and one meal chest and flour tub to my wife and after her death I give them to my son William Shivers and his heirs.

Now I lend the use of my apple mill to my wife until my son William Shivers arrives to the age of nineteen years, then I give half the mill to him, and my wife is that my son Jonas Shivers shall have the use of the mill with him, and after my wifes death I give the mill to my son William Shivers, only Jonas Shivers is to have the use of her with him also my presses I lend the use of them to my wife until my son William Shivers arrives to the age of nineteen, and then I give half of them to him, and after her death I give them all to him and his heirs, also I lend the use of all my linen and bedding to my wife and after her death I give them to my son William Shivers and his heirs.

The within named James Shivers
and Frank Buton are not
inhabitants of this state or I am
advised. I have and they appear
on the gift. provided I have
not time to execute it on
the other gift

W. Whithead
As for Exam Chy Giff

Shivers & others

vs. M. S. P. A.

Shivers & c.

To James Co. & c.

1832-

Let an alias return
be taken & in favor
of the above & proba

At the court by

The Commonwealth of Virginia to the Sheriff
of the County of Wight County, greeting; In com-
-mand you that you summon James Shivers,
~~and~~ Nathaniel Prager senior, ~~advs.~~ of from
Shivers, ~~and~~ James Pitts, ~~advs.~~ with different Pitts & Prager
to appear before the justices of the Court of our
said County, at the Court House, on the first
day of the next term, to answer a bill in
chancery exhibited against them in the
said Court by Albert G. Shivers, ~~advs.~~ of from Shivers,
Albert G. Shivers, ~~and~~ John Shivers the last day infant by
Albert G. Shivers his next friend, Nancy Jordan, Charles
William, Esther Shivers, and Albert G. Shivers, ~~advs.~~
of from Shivers, and Hannah Jordan in
and unless they shall answer the said bill
within four months thereafter, the Court will
take the same for confessed, and decree
accordingly - ~~and have then the~~
~~summons~~ and this they shall in no
wise omit under the penalty of £100
each. I have then then this subpoena
Witness Nathl. Young Clerk of our said
County Court this second day of June
1832 in the 36th year of the Com-
-monwealth. -

Nathl. Young
Clerk

as to the Court.

As the undersigned, executrices of the dower estate of the late Sarah
Shoens dead: desire that Albert S. Shivers may be appointed Sole com=
missioner to make Sale ^{of land} and Slaves of said estate for the purpose
of distribution given under Hands this day of June 1833

Esther King

Charlotte Williams

Nancy ^{See} Jordan
mark

Hannah Godwin
James Pitt

Altut & Lhu on 1/10 share			}	personal
Nancy Gordon on "	20			
Salute Williams on "	20			
R. the kid - on "	20			
Rob. Shinn on "	20			
Hamish Jones on -	20			
Sam Shinn - on -	20			
Geo. Shinn on -	20			
Sam Pitt on -	20			to land
Thos. Butler - on -	20			of <u>personal</u>

Land -

At Rules holden in the Clerk's Office of 1st of
Wight County Court on the 4th day of June, 1832,
Albert G. Shivers, Adm'r of John Shivers,
Albert G. Shivers and John Shivers, the
last an infant, suing by Albert G. Shivers
his next friend, Nancy Jordan, Charlotte
Williams, Esther Shivers, Albert G. Shi-
vers, Adm'r of Robert Shivers, and Han-
nah Godwin,
Plsfe.

AGAINST

James Shivers, Nath'l Pruden, Sen'r. Adm'r
of George Shivers, James Pitt, Merit Pitt
and Francis Hutson,
Dfs.

The defendants James Shivers and Francis Hut-
son, not having entered their appearance and gi-
ven 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 defen-
dants do appear here on the first day of Septem-
ber court next, and answer the bill of the com-
plainants, and that a copy of this order be forth-
with inserted in some newspaper published in the
Borough of Norfolk for 2 months successively,
and posted at the front door of the Court House
of this county. A Copy. Teste,

NATH'L YOUNG, C.

June 26

ru2m

IN CHANCERY.

I CERTIFY that the annexed Notice, in the case of *Albert G. Shivers & others vs Jas Shivers, &c* has been inserted for *eight weeks* successively, in "THE AMERICAN BEACON," Newspaper, published in Norfolk, Va. _____

Wm & Shields

of Shields & Ashburn,

Publishers of the Beacon.

Sworn to before me, an Alderman of Norfolk Borough, by *William Shields*, this *11th* day of *October* 1832.

Wm. N. Dazewell

Alderman

Archibald & Atkinson Esq

TO SHIELDS & ASHBURN,

Office of the American Beacon and Norfolk and Portsmouth Daily Advertiser, } Dr.

1832

July 10 To publishing Notice in the Case of *Shivers vs Shivers* 8 weeks

} \$5-

E. E.

I consent that the Ct. may order a sale
and distribution accordg to law of
the slaves when of Sarah Shivers at her
death was seized in down as the estate
of Mr. Shivers - Signed,

Octo. 1832

admr. for Shivers

Nathl. Bruden. Secy

Thos D. Wiley 75 dollars .5

Albathosheim, donor: of John Shein, Albathosheim &
John Shein, the last an infant son by Ch. f. Shein
his wife ~~John Shein~~ Mary Jordan, wife
Charlotte ~~Shein~~ William, & the Shein, & Albathosheim
f. Shein donor: of Robt. Shein decd. & Annal Jordan
or James Shein, Nathl Jordan a ds. of Geo. Shein
and Ann, Pitt killed Pitt the last an infant -
& John Haffon (above apt,
who in city -

Albathosheim p 3

1st to her 1832

~~Albathosheim~~

June	Sup ^d in Chy	18
	doct ^y	8
	Att ^o	8
July	Rule	25
	all ^s Sp ^d	18
Aug.	Rule	75
	fil ^g Sp ^d	18
Oct ^o	Rule	25
	all ^s Sp ^d	18
	Cont ^o at Rules	25
June x	filing Bill	15
	do ^o Ans ^r	15
	filing other exhibits	15
	Deort.	15
	Order of Publication	18
	2 copies 18 each	36
Nov ^r	Deort.	15
	Interutory decree	54
	copy	37 ¹ / ₂
	cont ^o	18
		476 ¹ / ₂
To be Charge	ent ^y right	18
	rec ^d g. S ^d	18
	Cont ^o for ex ^{ts}	18
	final decre	18
	fil ^g papers	15
	Tax costs	20
	clks fee	5:74 ¹ / ₂
	Sh ^{ts} for 6 ch ^o J. Sup ^d }	1.32
	Printer	5.00
	Att ^o	10.00
		22:06 ¹ / ₂

attitude to \$10 of real ⁸ ~~fiction~~ ^{fiction} or a

Tam, skin, big, part of the state \$10 -

Esch skin (vicar of Mr. Tip, now living)
Hates \$10 -

Not skin, is dead & S. f. skin is a sword or
honor this estate goes to the others -

Kamak skin, married ill, & skin is a
skin living, sold to \$10 -

skin
skin
skin

11.5.11

4.00

4.00

2.00

4.41

1.12

3.00

80

1.00

14.3.47

13.47

5.39

232.51

238.99

11.30

227.33

52.82

194.49

232.51

195.11

40.00

194.30

96

88

173

88

88

3.32

87

86

88

100.55

18.79

19.43

29.11

20.91

17.31

24.80

the of the second part of the evidence of
Nath. Moody, fifty or sixty barrels of corn in the state of the forest
to destroy an extensive and in favor of the state of the forest
Nath. Moody, fifty or sixty barrels of corn in the state of the forest
Nath. Moody, fifty or sixty barrels of corn in the state of the forest

Mr. Shinn by will dated 24 March 1796 decreed
after various bequests, ~~bequeathing~~ giving "the rest &
residue of his estate to be equally divided
between his children on wife. (widow took $\frac{1}{3}$
& it comprised the residue. After from the wife
in this residue is to be paid is tract called
Brown place by estimation acres, one
half plantation on which testator
died for which Sarah Shinn his widow
lately died; place called Poplar by estima-
tion acres - slave, Will^{sr} Stephen &
Charles, Robert, John, Minerva, Mary, Leamy
& child - Jane, Will^{jr} Stephen^{jr}
to be sold. - Shinn to sell - Hannah
now Hannah for her share after her - so the
estate is to be in 10 shares -

John Shinn is dead & A. F. S. his executor. &
2 children A. F. & John - one share;
Mary Shinn now Nancy Lorens married
Mr. Jordan & they conveyed their int. in this
estate to Sarah Shinn John by will devised
it to Nancy - 2^d share

Sally Shinn married James Pitt who is living
destitute as executor. John share of the share
& child Meril Pitt who takes her $\frac{1}{2}$ of the
land he is an infant & under by James Pitt his
mother.

Geo. Shinn is dead (testator, on his will & by her
 $\frac{1}{10}$
Patsey Shinn
Charlotte Shinn now ^{widow} of Aaron Williams is

Huason

To

King

Bill of Sale and
Assignment &c

Title claim and interest in and to the slaves and
other personal estate to which I am entitled
as above set forth; To have and to hold the
same to him said Edward King his execut-
or administrators and assigns forever and
I said Francis K Hudson for myself my heirs
executors and administrators the aforesaid in-
terest to and in the slaves and other person-
al estate aforesaid, to the said Edward King
his executor, administrators & assigns, shall
I will warrant against all & every person
& persons whatsoever:

In Witness whereof I have hereto
signed my name and affixed my Seal this
twenty second day of September in the year
One thousand eight hundred and thirty two:

Sealed & delivered
in presence of 3

Francis K. Hudson.

(Seal)
C. H.

Wm C Terry

Josh Balfour

Elizabeth City County Court

Personally appeared before me William
Hope one of the commonwealth justices of the peace
in and for the County aforesaid. William C King
& Edward Williams and made oath that
the within named Francis K Hudson, signed
& acknowledged the within deed in their presence

Given under my hand and
Seal at Hampton in the County
aforesaid this 22 day of April
in the year of Our Lord 1833.

Wm Hope J.P.

Elizabeth City County Court

Personally appeared before me James
Mc Vaughan one of the commonwealth Justices of the
Peace in and for the County aforesaid James B.
Belfour, and made oath that the within
named Francis K. Hudson signed & acknow-
ledged the within deed in his presence,

Given under my hand and Seal
in the County aforesaid this 6.
day of April 1833

James Mc Vaughan J.P.

Whereas I Francis H. Hudson of Alexandria
in the District of Columbia, as sole distributee
of my deceased infant sister — Louisa Hudson,
who was sole distributee of her mother Louisa Hud-
son, who was Louisa Shivers, one of the distributees
of William Shivers deceased, am entitled
to the distributable portion or share of said Louisa Hud-
son in the slaves and other personal estate of
William Shivers deceased, the father of said
Louisa, which upon his death, were allotted and
assigned to Sarah Shivers the widow
and relict of said William Shivers deceased.
Now know all Men by these presents That I Fran-
cis H. Hudson, for and in consideration of
the sum of One hundred dollars to me, in
hand paid by Edward King of Hampton, at and
before the sealing and delivery of these pre-
sents, the receipt whereof is hereby acknowl-
edged, have bargained, granted, sold assigned
transferred and set over, ~~and~~ by these presents
do bargain, grant, ~~sell~~ ~~assign~~ ~~transfer~~ and
set over to the said Edward King, all my right