

1835-023 Chancery Causes
Isle of Wight County

Albert B. Shivers & John Shivers, by & c vs Charles Roundtree, executor of Jacob
Waterfield & al

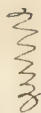
Albert B. Shivers & al vs Joseph B Whitehead,
admin of Charles Roundtree & al

other surnames: Murphrey,
Mitchell, Gray, Johnson, Wills,
MURFREE, Williams, Murphey,
Pruden, Askew

Shivers v.

vs.

Rountree & others



Chy: —

Jan^y. 2^d. 1832. Bill filed

May 3^d. 1832 set for hearing

September 3^d. 1832 by consent of the complainants Att^y the answer of Charles Rountree was filed as of in due time —

Oct.^o 9th 1832 for reasons shown to the court, the def^t Willis Williams was permitted to file his ans^r. Which was accordingly filed —

Nov^r. 1832 replication to Rountree's & Williams's answers —

ap^r. 1833 set for hearing —

May 7th. 1833 Decree for acct^s: rendered
see decree in chy: order book page 19 —

July 31st 1833 com^r report with secondary documents
inclosed therein with this day ret^d: & filed —

Oct. 8th: 1833 Deeree for account recommended
See Deeree chg: enter book page 28 N^o 1

February 3rd 1834 Congress presented report
with sundry documents related to the

Sept: 15th: 1834 Sci. to revive in the
name of Jos. B. Whiteland Governor of Cal.
Pennsylvania

October 1834 Order of reference

Shivers &

vs Rice

Return to Court

Sup Court Sany. only
1832

January 2^d 1832 Bill
filed

May 3^d 1832 set for hearing
as to all the parties

September 3^d 1832
by consent of the compts Att^y the
Ans^r of Charles Rountree filed as
if in due time

Oct^r 9th 1832 for reason
above set for the 11th
Dec^r 11th 1832, but omitted to file
his Ans^r, which was filed
accompanied

Nov^r 1832 report made to Rountree
Ans^r filed for the 11th
2^d Rules 1833
set for hearing

for acct.
July 11th 1833 Decree entered
as decreed in chg. order book page

19th
July 31st 1833. com^rs report
with sundry documents enclosed
therein was this day ret^d filed

October 8th 1833 Decree for report of com^rs to be
recommended to the court chg. order
book page 23. A. 1.

February 3rd 1834 commissioners report &
return ret^d filed

Sept. 15th 1834 Joise^a to revive in the name
of Jos. B. Whelch and assign^r of R. Rountree

October 1834 referred to Willis A. Woodley
and Arthur Smith

May 4th 1835 it being suggested to the court
that since the institution of this suit Jos^a Shivers
or both attained his full age, on motion of
A. G. Shivers by counsel it is ordered that his
services be discontinued in the subsequent pro-
ceedings as next friend & that this suit be here-
after prosecuted in the name of said Jos^a Shivers
or one of the plaintiffs.

October 1835 Final decree entered

have again repeated and interrogated them
the said Noontown set forth whether he qualified
as exor. of said Watupfield who was exor.
of John Shivers, to be the in consequence
thereof he did not venture to possession a large
amount of personal property; whether his testator
did not venture into his possession a large amt.
of personal property of John Shivers, to whom
it consisted - when that the defendants Mills,
Williams and James Johnson as Curator of the
estate of J. Mitchell state whether their testator
and intestate did not become securities for
the said Mr. Murphy or his inheritance
that the said Johnson as curator of Murphy
pay whether he the said Murphy was or not
exor. of the estate of John Shivers left an admn.
- trust by Watupfield aforesaid - now orator
further pray that your Honor will decree
that the defendants Noontown pay to the
sum of money so found due upon the said
settlement of the admn. of Watupfield
as exor. of John Shivers, ^{with interest} or if it shall be found
that the said account is not settled upon
correct principles, that the said Noontown
be required to settle the transactions of the
said Watupfield as aforesaid before a
Com. of this Court, and that the Court will
award to now orator what upon the settle-
ment may appear to be due - That the said
Noontown exor. of Watupfield, James Johnson as
Curator of the estate of J. Mitchell, Mr. Murphy
Mr. Williams exor. of Nathl. Mills & Lewis
pray unless they will admit of its sufficiency
to pay now orator demand, he agrees to
settle their respective transactions upon the
said testator and intestate estate, that unless
they be admitted as aforesaid, that the said
Williams settle the ~~of~~ transactions of his testator

on the estate of Mrs. May; and the said
James Johnson settle the transactions of
Mr. Murphy on estate of James Mitchell;
that the said Johnson exhibit an acc.
of the transactions of his intestate Murphy
as exor. de bonis non of now orator father
John Shivers, and that the respondents &
proper persons be decreed to pay to
now orator what upon such settlement
may be found to be due - and that your
Honor will make such other order or
decree in the premises as may seem
consistent with the principles of Equity
Do pray it please the Court to grant the

Archd. Atkinson
atto: for plffs.

20m orators for the state that they have frequently
applied to the said Rountree exor: of Waterfield
for payment of the said balance due from
Waterfield as representative of their father
but this he has refused to pay. and they
have in vain applied of the said Willis William
exor: as aforesaid, to the present representa-
tive of Murphy who was exor: exhoris
nor of John Shivers and to the other
responsible parties to pay to them the
amount due by reason of the adminis-
tration of said Mr. Murphy on the
unadvised estate of their father
for a settlement of their respective accounts
in order to ascertain the liability of
each, especially as the estate of Murphy
is represented to be insolvent & unable to
pay the amt. due you orators, all which
reasonable requests have been refused.
In tender consideration whereof, & for as
much as you orators are without remedy
except by the assistance of a Court of Equity
where matters of this kind are properly
cognizable - To the end therefore that the
said Charles Rountree exor: of Waterfield,
James Johnson as Curator of the estate of Mr.
Murphy, of will as of the estate of James
Mitchell, Jane Murphy
and the said Willis William exor: of Nathl.
Willis who was exor: of Miles W. Gray (who
are prayed to be made defendants hereto)
may upon their corporate oaths, full & perfect
oath make to all and singular the said
petitioners, and that as fully as if the same were

or upwards; Nathl. Mills departed
his life about the year 1823 intestate. His will
was duly recorded in the Court of Probate of Wright
County and one Willis Williamson qualified as his exor:
as will appear by a certificate of the probate
court annexed marked & appeared to him
received as part of this will, and he has
recd. or by due diligence might have received
property to the value of \$ or upwards
which, said Mills at his death had title, &
having qualified as exor. of Mills, who was
exor. of Mills Wray, the said Williamson
of course became, and is exor. of the
said Mills Wray and since the death
of Nathl. Mills the first exor., the said
Willis Williamson has recd. property of the
value of \$ or upwards, which the
said Mills Wray was entitled to
not administered by said Mills.

Now orator for the respondent that their father left a
widow or aforesaid whose name was Jane, she inter-
married with William Humphreys aforesaid and
died in this County in the year 1831 intestate, a single
woman, having survived the said husband and the
estate has been committed to the aforesaid Jane Johnson
Exor. of the said Humphreys, a certificate of which is annexed to the name part of this bill.
It is true that the said Jane Humphreys, as widow of
now orator's father was entitled by law to one third
part of the chattel estate of her said husband & heirs
after the payment of the debts, but if such estate to which
she was so entitled was not by Humphreys in his
lifetime reduced into possession, or received to him, if
any part thereof it into possession, it belongs to his estate, & is subject
to the payment of his debts, but she could be entitled in part
to no part save the chattel estate over & above what was
necessary to pay the debts of the intestate.

in the said Noventine qualified on the estate of
Waterfield, a settlement of the said Noventine
of the said Waterfield as a son: of the said
John Shiver was made by an order of the
County Court of Allegheny, which is a
report to the County Court of Allegheny by the
authorities to settle the same, an attested
copy of which settlement is herewith filed as
a part of this bill, which shows the sum of
to be due to the estate of the said
John Shiver, no part whereof has ever been
paid to your orators who are the only
heirs at law and children of the said
John Shiver. That after the death of Waterfield,
one William Murphy who had intermarried
with the widow of said intestate Shiver, qual-
ified before the County Court of Allegheny
as administrator of the goods, chattels and
estate of John Shiver aforeaid at the time
of his death, left a considerable sum by the
said Jacob Waterfield, and gave as his secu-
rities, in his administration bond which
was for the penalty of \$10,000, James Mitchell
and Miles M Gray - an attested copy of which
bond is also herewith annexed & prayed to be
considered as a part of this bill & marked 2 -
since the qualification of the said Murphy
as administrator, nor as aforeaid, he recd. into
his possession, or by some diligence might have
recd. into his possession a large personal estate
not administered by the said Waterfield
in his lifetime, to which the intestate Shiver
at his death had title, to a large amount,
to wit to the value of \$ or upwards, con-
sisting of slaves & other property before the settle-
ment of the transaction of the said Murphy

the said Murphy, as also his securities of
the this life in the County of Allegheny; a
certain James Johnson of Allegheny
is by an order of the County Court of the
said County, administrator of the estate of the
said Murphy, as will appear by an
attestation herewith annexed of the Clerk
of the Court of Allegheny & also prayed to
be considered as a part of this bill, that
recd. into his possession considerable estate
left by said Murphy. The said Murphy
in his lifetime, before the County Court of
Allegheny, qualified as a son: on the estate
of James Mitchell decd. and gave bond in
the penalty of \$200 with
his securities as will appear by exhibit 9
which is prayed to be recd. as a part of
this bill & marked 3 - diligence might have
recd. estate of said decd. to the amt. of \$ or
upwards - the said Murphy having decd. as aforeaid
the estate of said Mitchell not administered by
Murphy has been committed to the hands of
James Johnson of Allegheny of the County of Allegheny
might as will appear by exhibit 10 which is
prayed to be taken as a part of this bill, &
he has recd. the estate of Mitchell not adminis-
tered by Murphy to the value of \$
Miles M Gray aforeaid, departed this life
about the year 1821, this will was
committed to record in the County Court
of Allegheny, and one Nathl. Mills qualified
as his executor as will appear by a copy of
said will & Certificate of probate hereto
annexed & prayed to be likewise received
as a part of this bill, recd. into his possession
or by diligence might have recd. property as
part of said estate of said Gray to the value of

To the Honorable the Judge of the Superior
Court of Law and Equity for the County
of Bl. of Wight, humbly complaining, Shesher
your Honor, your orator, Albert G. Shivers and
John Shivers, the latter an infant of tender years,
who were by Albert G. Shivers his next friend,
that sometime about the year 1814, ~~or thereabouts~~, —
John Shivers the father of your orator, departed
this life in the County of Bl. of Wight, intestate,
seized and possessed of a considerable personal
estate; ~~the estate~~ At a Court in the month of
January 1815, held for the County of Bl. of
Wight, one Jacob Waterfield then a resident
of Bl. of Wight County and since dead, "qua-
lified as an administrator of the estate
the said John Shivers, as will appear by exhibit
which is prayed to be considered a part
of this bill, and the said Waterfield, ~~as~~
into his possession, or by due diligence
might have reduced into his possession
the personal estate, ~~by~~ ^{by} ~~virtue of~~ ^{virtue of} ~~the~~
of ~~the~~ ^{or upwards}, to be his
the intestate died intestate; that the said Water-
field sometime after his qualification as administrator,
departed this life in the County of Bl. of Wight
without having settled his account of the
administration of Shivers's estate. Water-
field having left a will which was admitted
to record in the County Court of Bl. of Wight
and Charles Rowntree of the County qual-
ified as his executor in said County,
reduced into his possession, or by due diligence
might have reduced into his possession
all the personal estate of said Water-
field amounting to the sum of \$ ~~or~~
upwards, a certificate of the qualification
of said executor is herewith filed, marked B &
prayed to be considered a part of this bill —

Shion

an answer of
John on.

Round the Val.

Rever.

April 24th. The answer of
James Johnson filed.

Isle of W. sup. C.

especially to any other matter than he has heretofore
before answered unto. Without that &c. And
this respondent having answered &c. denies all fraud
charged against him & prays to be hence dismissed
with his reasonable costs in this behalf sustained &c.

Baker p. d

W. Whitbread
for James Johnson
late Sheriff &c

Isle of Wight County, to wit: This day ~~before~~ ^{at the Court}
~~Johnson~~ ^{late Sheriff &c} appeared before the subscriber a justice
of the peace for the county aforesaid and made
~~oath that the statements contained in the answer~~
answer so far as they depend upon his own know-
ledge are true, & so far as they depend upon
the knowledge of others he believes them to be
true - Given under my hand this 24th day of
April a. d. 1833.

J. H. Jordan. J.

The separate answer of James Johnson to the bill of complaint exhibited against him & others in this court by Albert G. Shivers and John Shivers complainants - This respondent saving and reserving to himself every benefit and advantage of exception to the many errors & insufficiencies in the said bill contained, for answer thereto saith he admits that the estates of William Murphy, James Mitchell & Lane Murphy have been committed to his hands for settlement & administration as charged by the complainants - This respondent has received no property whatever belonging to the estates of the said James Mitchell & Lane Murphy or either of them, and as to the estate of the said William Murphy which has come to the hands of this respondent to be administered he has made ~~two~~ a settlement, & attested copy of which ~~he~~ ^{he} ~~will promptly send a full & faithful account~~ ^{refused to, & prayed to be considered a part of this answer} ~~under~~ ~~hand~~ ~~in~~ ~~response~~ ~~to~~ ~~the~~ - And this respondent further answering states he has understood & therefore believes it to be true that James Mitchell & Miles W. Gray did become the securities of the said William Murphy as set forth in the said bill - as to the many other facts charged in the said bill, this respondent has no personal knowledge, and therefore can make no answer either admitting or denying the same, nor is he advised that he is in duty bound to answer

respects - without that &c. And this denies all fraud &c.
sprays to be hence dismissed with his costs &c.

Walter R. d.

Jale of Wright county, to wit: This day Charles Roundtree
appears before the subscriber a justice of the peace
for the county aforesaid, and made oath that the
statements contained in the foregoing answer are
true to the best of his knowledge & belief - Given
under my hand this 3rd day of Sept^r 1832 -

W. T. Jordan P.

Shew
as. In answer of
Roundtree.

This answer may be
filed as if in a term.
Q. Atkin
Atto. for W. T.

Sept 3. 1832

Sept 3. 1832 filed by
Circuit as in time

the only children and heirs at law of the said John Shivers - that William Murphy intermarried with the widow of the said John Shivers & subsequently qualified as his admor. de bonis non & in that character executed bond with James Mitchell and Miles W. Gray securities: that the said William Murphy has since died & James Johnson is the comor. or admor. of his estate: that the said James Mitchell is also dead, that the said Murphy in his lifetime was his admor. & that since the said Murphy's death the unadministered estate of the said Mitchell has been committed to the hands of the said James Johnson for administration - and this respondent admits that Miles W. Gray departed this life testate as charged by the complainants, that Nathl. Wills afterwards qualified as the exor. &c. of the said Miles W. Gray, and that since the death of Nathl. Wills testate, Willis Williams has duly qualified as the exor. &c. of Nathl. Wills: whether under these circumstances, the said Williams is the exor. of the said Gray, as set forth in the said bill, is a ^{matter} which this respondent submits to the judgment of the court: and this respondent also submits to the court upon the proof which may be produced, whether the said Murphy, ^{at the time of his death} did not hold & claim title to a part of the money received by him as admor. &c. of John Shivers in his character of husband & not as admor. &c. and this respondent moreover submits to the court whether

as the complainants are seeking to recover in this case both as heirs of John Shivers & as heirs of his widow the bill of the complainants is not therefore multiparous & ought not to be dismissed - and this respondent further answering states, that after the settlement of the said Waterfield's transactions on the estate of the said John Shivers, he, this respondent, as he was advised he was bound to do, paid over the full balance found due on the said account to the said William Murphy & took his receipt for the same: that the said William Murphy, as this respondent is informed, was at that time the admor. de bonis non of the said John Shivers and the guardian of the comp. John Shivers: and this respondent further states that long before & at the period at which the said payment was made, the authority of admor. de bonis non to receive and give discharges for money under such circumstances was generally considered unquestionable; but be this as it may, this respondent is advised and therefore contends that he ought not in Law or justice to be again made liable for the demand in question, because having once paid the said debt, and that too before the comp. pretended to assert their claim against this respondent by suit or otherwise, it ought to be presumed that the money so paid by this respondent consisted of unconverted

The separate answer of Charles Roundtree to the Bill of complaint exhibited against him in this court by Albert G. Shivers and John Shivers complainants.

This respondent saving and reserving to himself every benefit and advantage of exception to the many errors and insufficiencies in the said bill contained, for answer thereto says, that John Shivers died intestate, possessed of personal property, as charged in the said bill: that Jacob Waterfield afterwards obtained Letters of administration on the estate of the said intestate & by virtue thereof possessed himself of some part or all of the said personal estate: that the said Jacob Waterfield afterwards died without making or returning any account of his transactions on the estate of the said John Shivers: that this respondent, as is alleged by the complainants, has since qualified as the executor &c. of the said Waterfield & has returned to the court of Isle of Wight, under an order or decree of that court, an account of the said Waterfield's transactions on the estate of the said John Shivers: a copy of the said account is referred to by the complainants & is relied upon by this respondent as a full & final settlement of the said transactions. It is also true as your respondent believes that the complainants, with their mother, were

Williams Esq

at

Livingston

arrived

Oct. 9th 1832 This Ans. filed

Under these circumstances as the complainants are seeking to recover two separate and distinct funds, & from separate and distinct persons, to wit from Roundtree Ex. of Naterfield who was adms. of Thivers, the assets converted by Naterfield; and from the representatives of Murphy the adms. all bonds now of Thivers, and his representatives, the assets unconverted by Naterfield, which came into the possession of Murphy, adms. all bonds now as principals; this respondent submits to the court, whether the complainant's bills can be maintained and ought not to be dismissed.

This respondent further averring, says that as the executor of Nott Mills who was the executor of Miles M Gray he has returned returned an acct of Mills' transactions as executor of Gray which shows a balance of about \$22. ^{the} due to Estate of Gray, which said sum of \$22 together with three negroes valued at \$360 was reduced into the possession of the said Mills as executor & devisee of Gray, and the same were paid over to the said and devisee of said Mills, ^{as his estate,} and refunding bonds taken from them by this respondent as executor of said Mills.

This respondent relies on the account of Naterfield's transactions on Thivers, etc. as returned by Roundtree, to show that the ~~same~~ balance seen thereon was assets converted by Naterfield, and which Murphy the adms. all bonds now had no control and which he had no right to receive in that character.

If it can be shown on the proof to be produced that Murphy received

any estate legally as adms. all bonds now of Thivers, the respondent prays that an account may be decreed on correct principles so that he may be charged with legal receipts only and allowed all proper disbursements.

This respondent moreover avers that one of the complainants the infant John Thivers was the son of his mother Jane at the time she intermarried with the said Murphy, and as guardian of said John, Murphy & wife returned several accts to the county court of Mississippi in which a large balance appears to be due and unpaid to said Murphy & wife, which ought to be allowed in any decree against said Murphy & adms. ^{or} of his receipts on this leg. or adms. to wit a balance of \$.... Copies of said accounts are herewith filed and prayed to be considered by the court in any decree to be made against them.

Nottant that as to this respondent denies all fraud & prays leave to be dismissed with his costs &c in this &c appended.

Holloman pels

Mississippi county to wit

This day Nillis Milliner appeared before me a justice of the peace for said county and made oath that the statement in the foregoing answer are true according to the best of his knowledge and belief given under my hand this 8th day of October 1832

Amos B. Baccand J.

The separate answer of Willis Williams to a bill of complaint exhibited against him & others in the Superior court of Luc. & Chancery for the county of Bluffington by Albert G. Thives & John Thives complt.

This respondent raising & removing all advantage of exceptions to the errors & insufficiencies of said bill for answer to said bill, answers said reply, that so far as he knows, it may be true as charged by the said complainants that John Thives said intestate possessed of personal property, that Jacob Matefield qualified as his administrator possessed himself of said property; that the said Matefield died ^{testate} without having returned an asset account of his transactions as said Thives' estate; that Charles Rappentree qualified as Executor of said Matefield, and has returned to the county court of Bluffington an asset of said Matefield's transactions as administrator of said Thives; that William Murphy married the widow of said Thives and qualified as administrator of said Thives; this respondent admits that Miles M. Gray was one of the members of the said Murphy in his administration bond; that the said Gray said testate and Nathaniel Mills qualified as his executor; that the said Nathaniel Mills said testate and this respondent qualified as his executor.

This respondent ^{also} believes that the complainants, together with their mother who afterwards married the said Murphy, were the only heirs of said Thives;

Exeunte Jan. 2. 1842

W. Whitehead Esq
for Jas. Johnson Esq

Adm. di

3 m 1/2

Proctor di

Adm. di 1/2

The Commonwealth of Virginia,

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

YOU ARE HEREBY COMMANDED TO SUMMON

Charles Nocentra executor of
Isaac Waterfield who was admor. of John Shivers, James John
Shivers of Isle of Wight and Committee of the estate of John Shivers,
who was admor. of John Shivers, of James Shivers
James Shivers, who was admor. of the estate of John Shivers
 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 *January*
 to answer a bill exhibited against *them*

in the said Court, by

Albert G. Shivers & John Shivers
an infant under the age of twenty one
years

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 *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 *31st* day of *December* 183*1*, and in the year of the Commonwealth.

Nath. Young

being taken by me clerk by Albert G. Shivers & John Shivers
James Shivers
Isle of Wight

Math. Pridem
affidavit

6

24
The deposition of Nathaniel Pruden Sen. of lawful age taken before me Bartholo-
-mew Lightfoot. a Commissioner appointed by the Judge of the Circuit Superior Court
of Law and Chancery for the county of Isle of Wight after being sworn on the holy
Evangelist of Almighty God, this 23^d day of December 1833. deposes and saith that
some time after the death of John Shivers, he the deponent, with Joseph Catchin
& others were appointed by the County Court of Isle of Wight to set a part and assign
unto Sam Shivers the widow of the said John Shivers one third of the slaves of which
the said John Shivers died seized and possessed ^{as her dower for life} & that by the Virtue of said decree
of said Court they proceeded to said division, that among the negroes allotted
to said Sam, was a negro woman named Bester - that some time after
the division aforesaid the said Sam intermarried with one William Murphy
& further this deponent saith not -

Nathl. Pruden, Sen

John Askew
Affidavit

D

The deposition of John Askew of lawful age, taken before me Bartholomew Lightfoot a Commissioner appointed by the Judge of the Circuit Superior Court of Law and Chancery for the County of Isle of Wight after being sworn on the holy Evangelist of Almighty God this 23^d day of December 1833. deposes & saith that he was well acquainted with the negro slaves of John Shivers decd. that among them was a woman named Hester, that after the death of the said John Shivers the said Hester was allotted & set apart to Jane Shivers the widow of said John Shivers as a part of her dower for life, that the said Jane intermarried with one William Murphy who sold the said woman Hester, & further this deponent saith not.

Witness
E. Morrison

John Askew
made

Executed October 6th 1834

Henry Reynolds Esq
for Bts. Wrentham

Shivers &

17 3/4 Sec'd

Power also adms: 1834

To October Superior
Court 1834

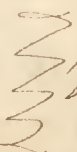
The Commonwealth of Virginia.

To the Sheriff of Stafford County, Gauley.

Whereas, Albert G. Shivers, and John Shivers, the latter an infant under the age of twenty one year, who sues by Albert G. Shivers his next friend, heretofore exhibited, to our circuit Superior Court of Law and Chancery for the said county, their bill of complaint against Charles Rowntree executor of Jacob Watersford deceased: James Johnson, ^{the Sheriff} Caretaker of the estate of William Murphy, James Mitchell and Sam. Murphy and ~~William~~ William Williams executor of Nathaniel Mills deceased: Senor of Miles B. Gray deceased: whereupon sundry proceedings have been had, as appears from the records and files of the said court, but before a final decree could be pronounced in the cause the said Charles Rowntree departed this life intestate, and administration of all and singular the goods, chattels, rights and credits of the said Charles Rowntree hath been and are from granted to Joseph B. Whitehead. And the said Albert G. Shivers in his own right and as guardian to John Shivers, having supplicated us for a proper remedy in this behalf; and we being willing that what is right and just should be done: Therefore we command you that you make known according to Law to the said Joseph B. Whitehead, that he be before the Judge of the said Superior Court of Chancery at the courthouse of Stafford County aforesaid, on the first day of the next term, to shew, if any thing for himself he have or know to say, why the said suit should not be proceeded in to a final decree against him in his character aforesaid, and be in all things in the same plight and condition as it was at the time of the decease of the said Charles Rowntree; and further to do and receive what our said court shall in that part consider. And have there then this writ: Witness Nathaniel Young clerk of our said court at the courthouse, the 15th day of September 1834 in the 5th year of the commonwealth.

Nathl Young
Clerk

Shivers &c

vs.  Report

Rountree &c

July 29th 1833 this report &
the enclosed documents rec^d
Filed

and Jane Murphy, and by consent of the plaintiffs leave is given him to file his answer, with liberty notwithstanding the foregoing decree to sustain the allegations thereof by proof or otherwise as if the same had been filed herebefore.

Alcopy Teste
Bath. Young Esq. S. B. L. E.

Alcopy Teste
Bath. Lightfoot Commr.

Smithfield Commissioners Office July 2^d 1833

Notice having been served on the respective parties in this cause, on this 2^d of July 1833 I proceeded to execute the decree of the Court. The account of William Murphys administration on the estate of John Shivers made up the 9th day of June 1833 by a Commr. of the Court of Isle of Wight County, is taken as correct. At the request of the Plaintiff, your Commissioner has stated an account of the said William Murphys transactions on the estate of John + Shivers, omitting in said account to charge the said Murphy with the \$202.05 received of Charles Ruxapthe execr. of Jacob Waterfalls marked B. Upon the settlement of Jas. Johnsons admon. on the estate of Wm. Murphy marked C. the said Johnson has in his hands belonging to the estate of Wm. Murphy \$87.41.

An account of William Murphys transactions on the estate of James Mitchell, marked D shows that on the 10th of Dec 1829 there was due from the said William Murphy to the estate of Jas. Mitchell \$24.95 1/2.

Upon the settlement of Nathaniel Wills transactions on the estate of Miles W. Gray decd. marked E. there was on the 18th of May 1825 due from the said Nath. Wills to the estate of the said Gray \$17.02 prin. & \$4.49 Interest - making \$22.11 prin. & Int. Upon the settlement of Willis Williams transactions on the estate of Nath. Wills decd. marked F. there was on the 29th day of July 1825, the sum of \$109.86 1/2 in the hands of the said Willis Williams belonging to the estate of the said Nath. Wills decd. It was not in evidence before your Commissioner that any estate of Miles W. Gray has come to the

hands of Willis Williams: other than the \$22.11 due from the estate of Nath. Wills of account marked E. All of which is respectfully submitted to the Court.

Bath. Lightfoot Commr.

Commissioners fee
Time employed 11 hours - \$11.00
charged to P^t

Smithfield Isle of Wight County to wit

Bath. Lightfoot made oath before me ~~Magistrate~~
of said County that the fee charged by him for this report is just & proper - Witness my hand this 17th of July 1833 -

M. J. Jordan J.P.

The foregoing accounts were made up & remained in my office more than ten days before returned to the Clerk's office of this County. B. Lightfoot Commr.

At a Circuit Superior Court of Law and Chancery continued and held for the County of Isle of Wight the 7th day of May 1833.

Albert G. Shivers and Int. Shivers, the last an infant under the age of twenty one years who sues by Albert G. Shivers his next friend

against

Charles Rountree executor of Jacob Waterfield decd. James Johnson Curator of the estate of William Murphy as also of the estates of James Mitchell and Isaac Murphy. Willis Williams exor. of Nathl. Mills & exor. of Miles W. Gray

Complts

In lity

Defts

This cause in which the bill of the complainants is taken for confessed against the Defendants James Johnson on whom the Subpoena in this cause seems to have been duly executed, and the bill filed more than four months) came on to be heard on the bill, the answers of the Defendants Rountree & Williams, replications thereto, and the exhibits thereto to wit, papers endorsed by the clerk and filed in the cause, and was argued by counsel; On consideration whereof the Court (not definitively deciding, but reserving for future decision the question of law as to the authority of Murphy as Administrator de bonis non to receive the money in that capacity, doth as judge, order and decree that a Commissioner of this Court take the following accounts -

- 1st. An account of the estate of John Shivers as Administred by W^m Murphy -
- 2^d. An account of the estate of W^m Murphy as Administred by Jas. Johnson -
- 3^d. An account of the estate of Jas. Mitchell as Administred by W^m Murphy -
- 4th. An account of the estate of Miles W. Gray as Administred by Nathl. Mills -
- 5th An account of the estate of Miles W. Gray as Administred by Willis Williams -
- 6th An account of the estate of Nathl. Mills as Administred by Willis Williams -

In taking which accounts the Commissioner may take as prima facie correct, subject to be surcharged and falsified, the accounts heretofore audited and reported to the County Court of Isle of Wight by any of the aforesaid Defendants relative to their respective Administrations: which said several accounts the Commissioner is directed to examine, state & settle and to the Court report with any matters specially stated deemed pertinent by himself, or required by the parties to be so stated: And on the motion of the defendant James Johnson Administrator of the estates of William Murphy, James Mitchell

Shivers &c

vs. 3 Report

Waterful, ex. v. ad

1834

February 3^d Report ret. Office

Smithfield, Commissioners Lightfoot's Office Dec. 23^d 1833.

Pursuant to the foregoing order, and at the instance of the plaintiffs a notice was issued on the 2^d of December 1833. appointing this 23^d December 1833 at this Office, the time and place for commencing the accounts ordered - The notice was returned with the service thereof acknowledged by all the parties interested as marked B - On the day set, the account was commenced, and account of William Murphy's Administration on the estate of John Shivers decd. made up, showing the sum of one hundred and fifty seven dollars and sixty three cents was found due from the estate of the said John Shivers to the said William Murphy the Admor. de bonis non, with Interest thereon from the 31st day of December 1824. ^{marked A} In making up said account your Commissioners omitted to charge the Admor. with the amount received from the executor of Waterfield, as also the amount received for sale of negro Steeter, because it was in evidence before your Commissioners that the said Negro Steeter was held by the wife of the said Murphy as late Widow of John Shivers decd. as a dower slave, by the Testimony of Nath^l. Pruden & John Ashed marked C. & D. - all of which is respectfully submitted to the Court -

Barth. Lightfoot Com.

Commissioners fees
Time employed 9 hours
charged to Pth

Smithfield Isle of Night County to wit

Barth. Lightfoot made oath before me a magistrate of said county that the fee charged by him for this report is just & proper - Witness my hand this 30th day January 1834

W. T. Jordan Jr.

The foregoing accounts were made up & remained in my office more than ten days before returned to the Clerk's Office of this County -

Barth. Lightfoot Com.

In the County Circuit Superior Court of Law and Chancery Oct. term 1833.
Albert G. Shivers and John Shivers, the last an infant under the
age of twenty one years, who sue by Albert G. Shivers his next friend ³ Compts.

against
Charles Roundtree executor of Jacob Waterfield's decd. James Johnson
Guardian of the estate of William Murphy, as also of the estates of
James Mitchell & Jane Murphy - Miles Williams exor. of Nathl.
Miles & exor. of Miles W Gray decd.

In Chy.

Defts

This cause came on this day to be again heard on the papers formerly read,
and the report of the Commissioner made pursuant to a decree made the fourth day of
May 1833, and was argued by counsel. On consideration whereof the Court is of opinion
that the sum due at Waterfield's death by him as Administrator of John Shivers, when
paid by Roundtree executor of Waterfield to Murphy who was then Administrator de
bonis non of Shivers was intended by the parties as a payment to the latter in his character
of Adminr. de bonis non, and not as Guardian in right of his wife of one of the distributives
or a payment to him as husband of his wife's distributive share - that altho Murphy
individually is responsible for the money thus received, he has Administrator de bonis
non had no legal authority to receive it - it being clearly not a part of the original
estate of John Shivers unconverted and unadministered by Waterfield, and that his
security on his Administration bond cannot be chargeable beyond the unconverted
estate which alone it was within his authority to administer, and in the event of
Murphy's estate being insufficient to satisfy that amount, Waterfield's estate will
be responsible, notwithstanding such payment. The Court is also of opinion that
not only that sum is to be struck out of the Administration account of Murphy
on Shivers estate, but that the charge of four hundred dollars for the Sale of negro Hester,
is not chargeable to Murphy in his character of Administrator de bonis non of John
Shivers so as to bind his securities (tho Murphy himself may be individually liable
therefor if that debt was paid by his wife in right of dower of her deceased husband
& tho that fact sufficiently appears on the face of the account, it may be more satisfactory
that it shall be more distinctly ascertained by a Commissioner on the reference of
accounts, which for other reasons has become necessary. It is therefore ordered that
the report be recommended so far as relates to the matters of this decree, and with directions
to the Commissioner to make up accounts conformable to the principle of this decree.

Attest Test Nathl. Young Clk

Attest Test Barth. Lightfoot Comr.

Shivers in
Waterfields

exor: Notoja
Owen in Novem-
-ber de-

Report of the
Cous. under
lost road &
other papers

Shivers Norenten.

amt. found due by ~~Shivers' estate~~ Norenten to
Shivers' estate - - - - - \$262.05
indent Shivers from the 22. Apr. 1817 to
31 Dec. 1824, say for y^y 9 } 106.36
368.41

pd. by supply by advances to the
estate of Shivers to pay ~~as he due to~~ } 157.83
in default of the Norenten had he }
on ap. it. reported by Corv. } 210.78

due to the plffs: with int. Shivers from the 31
Dec. 1824 till paid. - then should be then -
- for account for the sum of \$210.78, to be
pd. the plffs: by W. B. Whitbread adv. of Chs.
Norenten who was exor: of Jacob Matfield
who was exor: of John Shivers, ^{with int.} from the
31 Dec. 1824 till paid - ~~and the estate of appts of the~~
out of the ~~estate of appts of the~~
said Norenten in the hands of the S.
Whitbread to be administered - & that
the ex^{Whitbread} out of the said appts pay to the plffs,
their costs &c - C. Atkinson J. G.

Apr. 9. 1835

An op of the estate of Nathl. Mills as
owned by Miller Williams - in taking
which accounts the Court may
take as prima facie correct,
subject to be searched and
false if, the accounts filed
heretofore audited and reported to the
County Court of Isle of Wight
by any of the aforesaid defend-
ants relating to their respective

administrations which said
annual accounts they consent to
submit to the examining state and settle, and to the ex-
hibit with any matter specially stated,
deem'd pertinent by himself or against
by the parties to be so stated; for the making
of the afd. James Colburn adv. of
the estate of Wm. Deafre, James Mitchell
and John Murphy, they consent of
the plff: has. is given him to
file his answer, with liberty
notwithstanding the foregoing
decree, to sustain the allegations
charged by proof or otherwise
in the same way as if the
same had been filed heretofore
for

James

James
Colburn

accounts heretofore accented and reported to the court
 of record of Salsburg by any of the aforesaid
 defendants, relative to their respective administra-
 tions, which said several accounts, the court
 is directed to examine, state and settle and to
 the court report with any matters specially state
 decreed pertinent by himself or required by the
 parties to be so stated; And on the motion of the
 defendant ^{the estate} of Mrs. Murphy. Cal.
 Sams Johnson administrator of Mrs. Murphy. Cal.
 Mitchell and Sam Murphy and by consent of
 the plaintiff leave is given him to file his an-
 swer with liberty notwithstanding the foregoing
 decree to sustain the allegations thereof by proof
 or otherwise as if the same had been filed hereto-
 fore

Attest

Wm. D. Young Ch. C. S. C. C.

Shivers &

vs 5 Copy of

3 Decree

Remitted to them

At a circuit Superior Court of Law and Chancery court
held for the county of Salisburgh the 7th day of May 1833.

Albert G. Shivers and Lu^d. Shivers the last an
infant under the age of twenty one years
who dies by Albert G. Shivers his next friend & Compt^l.

against

Charles Rountree Exor^r of Jacob Waterfield
James Johnson Curator of the Estate of W^m
Murphy as also the Estates of James Mitchell
and Jane Allurphy, Millis Williams
Exor^r of Nath^l. Mills & Exor^r of Ellis
W. Gray

in Chancery

This cause (in which the bill of the Compt^l is taken
for confessed against the deft. Jas. Johnson on whom the sub-
=poena in this cause seems to have been duly executed,
and the bill filed more than four months & came on
to be heard on the bill, the answers of the defendants
Rountree and Williams, replications thereto and
the exhibits, to wit. papers endorsed by the Clerk and filed
in this cause and was argued by counsel. On con-
=sideration whereof, the Court (not definitively desi-
=ding but reserving for future decision the question
of Law as to the authority of Allurphy as admor^r de
bonis non to receive the money in that character)
doth adjudge ordered decree that a Com^r of this court
take the following accounts, first an account
of the Estate of Lu^d. Shivers as administered by William
Allurphy - 2^d an acct. of the Estate of W^m. Murphy
as administered by Jas. Johnson, 3rd an acct. of the
Estate of James Mitchell administered by W^m. Mur-
=phy - 4th an acct. of the Estate of Mills W. Gray
as adm^r by Nath^l. Mills - 5. an acct. of the Estate of
Mills W. Gray as adm^r by Millis Williams, 6th an acct.
of the Estate of Nath^l. Mills as adm^r by Millis Williams
in taking which accts. the Com^r may take as prima
facie correct: subject to be surcharged & falsified. the

~~then the sum of \$29.39, the balance was~~
~~the same as the sum of the same.~~ the same as the
~~receiving of same.~~ 1847 the same as the
~~balance of the same as the same.~~

The p^{er} asks for the following accounts -

- 1 - an ac^t of the transactions of Waterfield
as admor^r of John Shivers. -
 - 2 - an ac^t of Noontree adm^r on Waterfield's
estate. - *revised*
 - 3 - an ac^t of the transactions of William
Shivers as admor^r of John Shivers. -
 - 4 - an ac^t of the estate of Wm Shivers as
adm^r by James Johnson. - *revised*
 - 5 - an ac^t of the estate of Mitchell adm^r by James
Johnson. -
 - 6 - an ac^t of the estate of Mitchell adm^r by
Johnson. -
 - 7 - an ac^t of the estate of Mil^l Spray adm^r.
by Nathl. Mills, or also as adm^r by William
Mills. -
 - 8 - an ac^t of the estate of Nathl. Mills as
adm^r by Miller Williams. -
- Such other accounts as to the cl^o share
 seen proper -

The Court not ~~very~~ ^{definitely} deciding but ~~receiving~~ ^{perfection} ~~perfection~~ ^{accounts}
 the question as to the ~~authority~~ ^{of the property} of the same ~~by the same~~ ^{to the same}
 the money of the same ~~the same~~ ^{the same}

at the p^{er}

Shivers
 Noontree
 for the Court

Albert G. Shivers, and John Shivers the latter seen and
suing by Albert G. Shivers, his next friend
Nocentree &c. -

The plffs: are the children of John Shivers, who died
intestate about the year 1874. -

Watsonfield was his administrator; he died without
settling his affairs; Nocentree qualified as ad-
m^r of Watsonfield and had an ac^t of his intestate's
admⁿ on Shivers' estate made up - it is an
exhibit in this cause marked B, it shows a
balance of \$239.37 to be due the estate; it is
erroneous, so this, that the ac^t is not balanced
annually, and a Cov^t of 6 is for it is allow-
ed the representative. - John Shivers the widow
married Murphy, ~~and~~ ^{he died, after which she} died without making
into possession her share of the money due by
Watsonfield - the plffs: being her heirs at law
are entitled to take her share of the estate.

The plffs: ~~charge~~ ^{charge} that Nocentree as adm^r of
Watsonfield whose estate was ample, should
pay to them, the balance which may be
found against Watsonfield -

The ex^t Watsonfield in his account, says
relies on an ac^t reported as correct & proper
& that he paid the balance found due
upon that ac^t, to Murphy the adm^r as
heir, son of Shivers the father of the
plffs: - The plffs: say that the pay^t. if
made (& of this proof is required) was made
improperly, as the balance found due
against the first adm^r can't legally
be paid to the adm^r or heir, son; it
being an admⁿister's, & which balance
should have been paid to the ex^t respecting
in which full claim was

Shine
as
Waterfield's exor. &

B

Satisfactory that it shall be more distinctly ascertained by a Commissioner
on the reference of accounts, which for other reasons has become necessary -
It is therefore ordered that the report be recommended so far as relates to the
matters of this decree, and with directions to the Commissioner to make up
accounts conformable to the principle of this decree -

Attest
Barth. Lightfoot Comr.

Attest
Barth. Lightfoot Comr.

Commissioner's Office Smithfield December 2^d 1833

The parties interested in the foregoing order are hereby
notified that I have appointed Monday the 23^d Instant, to commence the
settlement of the accounts directed by the preceding order of Court, on which
day they are requested to attend at my Office at 9 O'clock in the forenoon
with such papers, accounts & other evidence as will enable me to execute
the foregoing decree -

Barth. Lightfoot Comr.

Legal Service acknowledged

Albert S. Shown for self and brother
Charles Rowntree Exor of Horatio

Butt
James Johnson Shiff &
adm'r of Wm Murphy
Jame Murphy & James
Mitchell

Willis Williams Exor of Nathl
Wills & Exor of Wm W. Gray

In Isle of Wight County Circuit Superior Court of Law and Chancery October term 1833

Albert G. Shivers and John Shivers, the last an infant under the age of twenty one years, who sue by Albert G. Shivers his next friend

Plaintiffs

against

Charles Rountree executor of Jacob Waterfield decd. James Johnson executor of the estate of William Murphy, as also of the estates of James Mitchell and Jane Murphy - Willis Williams exor. of Nathaniel Mills and exor. of Miles W. Gray decd.

In Chancery

Defendants

This cause came on this day to be again heard on the papers formerly read, and the report of the commissioners made pursuant to a decree made the fourth day of May one thousand eight hundred and thirty three, and was argued by counsel, on consideration whereof the Court is of opinion that the sum due as Waterfield's debt by him as Administrator of John Shivers when paid by Rountree executor of Waterfield to Murphy who was then Administrator de bonis novis of Shivers was intended by the parties as a payment to the latter in his character of Administrator de bonis novis, and not as Guardian in right of his wife of one of the distributees or a payment to him as husband of his wife's distributive share - that altho Murphy individually is responsible for the money thus received, he as Administrator de bonis novis had no legal authority to receive it, - it being clearly not a part of the original estate of John Shivers unconverted and unadministered by Waterfield, and that his security on his Administration bond cannot be chargeable beyond the unconverted estate of his Intestate which alone it was within his authority to administer, and in the event of Murphy's estate being insufficient to satisfy that amount, Waterfield's estate will be responsible, notwithstanding such payment. The Court is also of opinion that not only that sum is to be stricken out of the Administration account of Murphy on Shivers estate but that the charge of four hundred dollars for the sale of negro Aster, is not chargeable to Murphy in his character of Administrator de bonis novis of John Shivers so as to bind his securities, tho Murphy himself may be individually liable therefor if that slave was held by his wife in right of Dower of her deceased husband. & tho that fact sufficiently appears on the face of the account, it may be more

Satisfactory that it shall be more distinctly ascertained by a Commissioner on the reference of accounts, which for other reasons has become necessary. It is therefore ordered that the report be re-examined so far as relates to the matters of this diocese, and with directions to the Commissioner to make up accounts conformable to the principles of this diocese.

a Copy to the Math. College

a Copy to the Bath Lightfoot

Math. College C.R.

Shivers &c
vs
Waterfield &c &c

Report

In the of Wright County Circuit Superior Court of Law and Chancery October 1833
Albert G Shivers and John Shivers, the last an infant under the
age of twenty one years, who sue by Albert G Shivers his next friend ³ Com. Pl.
Against

Charles Reuntra executor of Jacob Waterfield decd. James Johnson
curator of the estate of William Murphy, as also of the estates of ³ In Chap
James Mitchell & Jane Murphy - Miles Williams exor. of Math
Wells & exor. of Miles W Gray decd. ³ (Deft

This cause came on this day to be again heard on the
papers formally read, and the report of the Commissioner made pursu-
-ant to a decree made the fourth day of May 1833, and was argued
by Counsel. On consideration whereof the Court is of the opinion
that the sum due at Waterfield's death by him as administrator of
John Shivers, when paid by Reuntra executor of Waterfield to Mur-
-phy who was then administrator de bonis non of Shivers was intended
by the parties as a payment to the latter in his character of admini-
-strator de bonis non, and not as Guardian in right of his wife of one of the
distributions or a payment to him as husband of his wife's distribution
share - that although Murphy individually is responsible for the
money thus received, he as administrator de bonis non had no legal
authority to receive it - it being clearly not a part of the original
estate of John Shivers unconverted and unadministered by Water-
-field, and that his security on his administration bond cannot be
chargeable beyond the unconverted estate which alone it was within
his authority to administer, and in the event of Murphy's estate
being insufficient to satisfy that amount, Waterfield's estate will
be responsible, notwithstanding such payment. The Court is also
of opinion that not only that sum is to be struck out of the admini-
-stration account of Murphy on Shivers estate, but that the charge
of four hundred dollars for the sale of negroes & slaves is not chargeable
to Murphy in his character of administrator de bonis non of John
Shivers so as to bind his securities (tho Murphy himself may be
individually liable therefor if that slave was held by his wife
in right of dower of her deceased husband and tho that fact suffi-
-ciently appears on the face of the account, it may be more

Shivers P.

vs 2 Cider
19 Gen 18
Watsonfield Inc. P.

Alleg

At a circuit Superior Court of Law and Chancery held for
the County of Allegheny the eighth day of October eighteen
hundred and thirty four. —

Albert G Shivers and John Shivers the last
an infant under the age of twenty one
years, who sue by Albert G Shivers his nat-
frien

Complainants

Against

Joseph R Whithead admor. of Charles
Pountre decd. who was executor of Jacob
Waterfield decd. James Johnson late
Sheriff and Comissioner of the estate of
William Murphy, as also of the estate
of James Mitchell and James Murphy
Willis Williams exor. of Nathaniel Mills
and exor. of Miles W Gray decd.

Defendants

in the County of Allegheny
Chancery

The parties by their attorneys, mutually sub-
mit all matters in difference between them in this suit to the
final determination of Willis H Woodley and Arthur Smith
and their award, or the award of such person as they shall
choose for an umpire thereupon, is to be made the Judgment
of the Court, and the same is ordered accordingly. —

A Copy &c

Wm H Woodley Clerk

Jan 21

Order
Octo: Term 1834.

Order of
Reference

Shivers &c. v. Roundtree & al.

Shivers &c. v. Rouse &c. & al:
 matter in difference between them in this suit to the final determination of ~~Wm. H. Wadley~~
 and either small and their award, or the award of such person as they shall choose
 or an umpire thereupon, is to be made the judgment of the Court: and the
 same is ordered accordingly.

Shwin

o 3

Mounton

near to

let suit pro.

- cur in name

of John Shwin

May 1835

Shivers or Nocentree - Whip suggested to the ct
that since the institution of this suit, John Shivers
hath attained his full age, on motion of Atty
General by counsel, it is ordered that his
name be discontinued in the subsequent
proceedings, ^{as next friend} and that this suit be hereafter
prosecuted in the name of the said John
Shivers as one of the plffs. -

apt of his interest in his hands to be
 administered, pay to the p^lff: the cost
 by them expended in the prosecution of
 this suit - and we so awarded that
 the same be entered as the judgment of
 the Circuit Superior Court of Law and
 Chancery for the County of H^l of N^h &
 and that ~~and~~ the said award be
 final between the parties in the case.
 Given under our hands & Seal, this 22^d
 of June 1835 -

Wm. A. Woodley 
 Arthur Smith 

Given
 at $\frac{2}{3}$ An Award.
 Remitted to

Wm. Clerk of the Circuit Superior
 Court of Law & Chancery for
 the County of H^l of N^h

At Night Court Room - June 22. 1835 -

John Shivers and Albert G. Shivers - p^lffs.

Joseph B. Whitbread a^dmor^t of Charles Kocentree
who was a^dmor^t of Jacob Waterfield who was
a^dmor^t of John Shivers, James Johnson a^dmor^t
of Mr. Murphy and others

Agreeably to an order of the Circuit Superior
Court of law and chancery for the County of
Bedford made the day of October 1834,
in the undersigned have proceeded to inven-
tary the same as follows, and as appears
follows to wit: We are and that the respondent
James Johnson a^dmor^t of Mr. Murphy a^dco. out of
his own goods and chattels pay to the p^lffs. John
Shivers and Albert G. Shivers each the sum of
thirty one dollar and twenty cents with
interest thereon from the first day of January
1832 till paid; that the respondent Joseph B.
Whitbread a^dmor^t of Ch. Kocentree out of
the goods and chattels of his intestate in his
hands to be administered pay to the p^lffs.
Albert G. Shivers sixty eight dollars & fifty
six cents with interest thereon from the
first day of January 1832 till paid; that
out of the profits of his intestate in his hands
to be a^dmor^t the said Joseph B. Whitbread a^dmor^t of
Kocentree pay to the p^lffs. John Shivers the
like sum with interest as aforesaid,
and that the said James Johnson a^dmor^t
of Mr. Murphy out of the estate of his intestate
in his hands to be administered pay to
the p^lffs. Albert G. Shivers the sum of \$200
with interest thereon from the first day of September
1832 till paid - and that the said Johnson out
of the estate of his intestate Murphy in his hands
to be administered pay to the p^lffs. John
Shivers the sum of \$200 with interest as aforesaid
and that the respondent Joseph B. Whit-
bread a^dmor^t of Ch. Kocentree out of the

Shower Sal.

n. $\frac{3}{4}$ Final deed

Whelken Sal.

to be entered.

Baker.

John Shivers Int.

n 3 Fi. Decem

Joseph B. Whitehead admor^r.

} This cause came
} on this day to
} be heard, on the

papers formerly read in ~~the court~~, and on the
award of the commissioners under an order
of this Court made on the day of October
1834, ~~and was~~ to which no exception was
taken, and was argued by counsel; on consid-
eration whereof the Court, confirming the said
award, doth adjudge, order, and decree
that the defendant James Johnson, adm^r
of Wm Murphy dec^d, out of his own goods and
chattels, pay to the plaintiffs John Shivers &
Albert G. Shivers each, the sum of thirty one
dollars and twenty cents, with interest thereon
from the 1st day of January 1832, till paid;
that the defendant Joseph B. Whitehead, adm^r
of Charles Roundtree dec^d, out of the goods &
chattels of his intestate in his hands to be
administered, pay to the said plaintiffs each
the sum of sixty eight dollars and fifty six
cents, with interest thereon from the 1st day
of January 1832, till paid; that the defend^t
James Johnson, adm^r as aforesaid, out of the
goods and chattels of his intestate, in his
hands to be administered, pay to the said
plaintiffs each the sum of two hundred dol-
lars with interest as aforesaid from the 1st
day of Sep. 1832 till paid; and that the de-
fendant Joseph B. Whitehead, out of the goods
and chattels of his intestate Chas Roundtree,
pay to the said plaintiffs their costs by them
incurred in the prosecution of this suit.

this decree and with direction to the
 Cor. to make up acct. conformable to the
 principles of this decree —

Shivers }
 vs. } decreed
 Rountree & Co }

I. What was the estate of Shivers
 at the time of his death in 1817 and
 how was it disposed of by his
 executors and administrators
 1817-1818

27525
 1. The charge of \$762.55 out of Northen original
 And to be apportioned
 2. The charge of \$400 for revenue share lot of
 people amongst many former intended -

The Ct. is of opinion that the sum due by at W
 a with by him or ad. In Shierson when paid by the exec
 of M. to deupen who was then ad. de honis non of
Shierson, was intended by the parties as a pay to him
the latter in his character of ad. d. b. in trust
on behalf of in right of his wife of one of the share
distributors or a pay to him as her share
of his wife's distribution share. That all the deupen
individually is responsible for the money thus
received: he as ad. d. b. has no by de authority
to receive it if it is clearly not a part of the
original estate of Ina Shierson can converted &
can administered by Watupine - It is his deuty
on his ad. bond cannot be chapeable beyond
the unconverted estate of his voluntary estate which
alone it was within his authority to administer
and in the event of deupen estate being insuffi-
cient to satisfy the ad. Watupine estate
will be responsible not with standing of such
pay -

The Ct. is also of opinion that not only that
sum is to be stricken out of the ad. of de
deupen on Ina Shierson estate but that the
charge of \$400 for the sale of negro Keaton is
not chapeable to deupen in his character of
ad. de honis non of Ina Shierson so as to
bind his deuty (tho deupen himself
may be individually liable therefor)
if that slave was held by his wife as her
share in right of some of her husband
tho that fact perhaps sufficiently appears
on the face of the ap. it may be more satis-
factory that it shall be more distinctly
ascertained by a com. on the reference of ac.
which for other reasons has become necessary
It is therefore ordered that as much of the ap.
be recovered so far as relates to the matter

I Waterfalls account

1. There seems no doubt that Waterfalls is owner of John Shivers at his death owed to Shivers estate by will. \$239.77
 Some refers to Audit
 Act of Providence - one of Waterfalls
 better report

The chief question is who shall now pay it.

1817. Apr 2. It was paid by John Rowland - owner of Waterfalls to Murphy - by Receipt, referring to the audit by that date of Waterfalls account

1816. Aug 12. John Shivers. guardian of John's estate of John
 May 20th Murphy probably named here, name of one of that date

1817. Aug 8th. Murphy became own of John Shivers -
 age 2 into the care of Murphy

2. Murphy received the money as shown in the balance now, and as guardian

1. Rowland was saying that it was the balance now as shown
2. may not be proven here into money
3. The words of this Receipt - Balance now to the Estate of John
4. Shivers from the estate of Waterfalls only and now the day made by Audit now

3. After guardian, then only 70 was on that account as reported
of guardianship except for John and for John Shivers, and the rough figures idea that was one other called of John and his

4. Not included in any of the Guardian Act of 1817 to 1826.
think balance due the guardian

And the facts are not to show motion either for the benefit of
the estate on Murphy and now and of Waterfalls estate
to pay a responsibility on the estate of John Shivers and now
under but the motion must be fully interpreted and the responsibility left where it falls

3. But Murphy's service on the above board was not leading

on the authority of Warrant or the trust so

1. That since only liable for the estate of John Shivers
which Murphy as also as Shivers now might not fully
know that of the estate of Shivers was committed and was managed by Waterfalls

The idea in Providence was, that it will be proven
that the money was unconnected with John Shivers is
proven by the Act of Waterfalls and now which proves
beyond all doubt, that it was not unconnected with John

Conclusion -

Murphy's estate whether if any after paying for John Shivers both as
shown which are to be proven if none

Waterfalls estate now Providence has for which seems
to be based on these provisions he is indeed \$239.77

Certif. of Jacob Waterstein
abolish. of John Shivers
died

Shivers
in Elizabeth A
Roentgen de

June 12 1832 filed by
J. W. A. de

Jol. of Wright County (Iowa)

I do hereby certify that at a Court held for the said county the 2^d day of January 1831. On the motion of Jacob Waterfield who made oath thereof according to Law, and having entered into and acknowledged a bond in the penalty of five thousand dollars with a condition as the law directs, and having given security satisfactory to the court, certificate was granted him for obtaining letters of administration of the estate of John Shivers dec^d in due form — Given under my hand this 15th day of December 1831.

Nath^l Young. C. C.
"Clerk"

certif. of Rountree
qualification as exor. on
Waterfield estate

Shivers &

exhibit 13.

Rountree &

Jan. 2^d 1832 filed by
J. W. C. C.

Isle of Wight County Court,

I do certify that at a court held for the county aforesaid the 14th day of November 1831 The last will and testament of Jacob Waterfield decd: was presented in court by Charles Bountree the executor therein named, who made oath thereto according to law: and entered into and acknowledged a bond in the penalty of five thousand dollars, with a condition as the law directs, and having given security satisfactory to the court; certificate was granted him for obtaining probat thereof in due form. — Given under my hand this 13th day of December 1831

Nath^l Young Clk.
" " " "

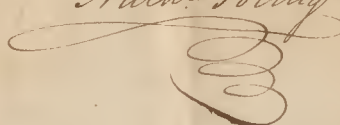
Certify that Jane Murphy's
Est. put in the hands of Shff.

Shurin H. }
vs. } exhibit
Rountree }

Jan'y. 2^d 1832 filed
by pett. atty. —

File of Wright County, Se.

I do hereby certify, That at a court held for the said county the
2nd day of January 1832, on the motion of Albert G. Shivers, the estate of Jane
Murphy formerly Jane Shivers decd. was committed to the hands of James
Coluson Sheriff to be administered according to law. Given under my
hand this 16th day of January 1832.

Nathl. Young, cl.


Certif: of William
Munphreys aduocat: or
John Skivers est.

Skivers
~ $\frac{2}{3}$ exhibit to
Noventra &

June 2^d 1832 filed by
pub. att.

Jos. of Wright County Court,

I do hereby certify that at a Court held for the said county
the 6th day of January 1817. On the motion of William Murphy who made
oath thereto according to Law; and having entered into and acknowledged a bond
in the penalty of Ten thousand dollars with a condition as the law directs, and
given security satisfactory to the court, certificate was granted him for obtaining
letters of administration de bonis non on the estate of John Shivers dec'd in due
form. — Given under my hand this 25th day of November 1831 —

Wm C. Edwards J. C.
"cc"

William Murphy bond
as adm. de bonis non of the
Shiavo dec^d

Shiavo dec^d
No. 10000 dec^d
exhibit B.)

Jan. 17th 1832 filed by
J. C. A. A.

Know all men by these presents that we William Murphy, James Mitchell,
and Miles W. Gray are held and firmly bound unto James Johnson, Thomas Pierce,
Robert Ayres, & Charles Wrenn Gentlemen Justices of the court of Sole & Right, now
sitting in the sum of Ten thousand dollars to the payment whereof well and truly
to be made to the said Justice or their successors we bind ourselves and each of our
heirs, executors and administrators jointly and severally firmly by these presents,
sealed with our seals and dated this 6th day of January 1817 in the 11th year of
the Commonwealth.

The condition of the above obligation is that if the said William Murphy,
administrator de bonis non of the goods chattels and credits of John Shivers 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 William Murphy or in the hands or possession of any
other person or persons for and the same so made do exhibit into the county
court at such time as he shall be thereto 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 doings and doings therein when thereto re-
quired by the Justices of 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 by law and if it shall hereafter appear that any tax will and testament
was made by the said deceased and the executors obtain a certificate of the
probate thereof, and the said William Murphy do in that case being required
render and deliver up letters of administration, the above obligation to be void else
remain in full force and virtue.

Signes sealed and acknowledged
In presence of

Wm^{his} Murphy (Seal)
mark

James Mitchell (Seal)

Miles W. Gray (Seal)

Attest John Stalk^{Wrenn} Secy

Gift of William
Murphy to adm. on
James Mitchell's col:

Shewen V. 3
Rimney 3
~~exhib~~

J.

Jan 4. 22. 1882 filed
for J. W. Atto

Isle of Wight County, Iowa,

I do hereby certify that at a court held for the said county
the 6th day of March 1876. On the motion of William Murphy who made oath
thereto according to law, and having entered into and acknowledged a bond in
the penalty of Two hundred dollars, with a condition thereto ~~as then law directs~~
and given security satisfactory to the court, certificate was granted him for
obtaining letters of administration on the estate of James Mitchell dec'd in due
form. Given under my hand this 15th day of November 1831

Wm C. Edwards J. C.
"ccp"

Order committing
Mitchello est: to
Shff: hands

1/2

exhibit

Shivers &
vs. } exhibit
Roumbra } H.

Jan 4. 20 1832 filed
by J. W. Atter

Isle of Wight County November Court 1831.

On the motion of Albert G. Stivers: It is ordered that the estate of James Mitchell unadministered by William Murphy, be committed to the hands of James Johnson Shiff for administration according to Law.

A Copy Test
Wm. C. Edwards J. C. C.

Cont: of Willis Williams
qualification as exor. of
Nathl. Mills dec'd.

Shewing &c.

Noventh &c.

Exhibit

I

2^d Jan^y. 1832 filed
by J^{as}. W. Atty.

Jct. of Wright County, Tenn.

I do hereby certify that at a Court held for the said county the 1st day of September 1823, The last will and Testament of Nathaniel Millican was presented in Court by Willis Williams the executor therein named, who made oath thereto according to Law; and entered into and acknowledged a bond in the penalty of fifteen thousand dollars, with a condition as the Law directs, and having given security satisfactory to the Court, certificate was granted him for obtaining probat thereof in due form — Given under my hand this 13th day of December

1831

Nath^l Young Jcl.

Miles M. Gray's

Mill

Adopted

Shew's &

"

Roventon &

exhibit

Jan. 7th 1832 filed by
per ans

In the name of God amen I Miles M. Gray of the county of Isles of Night do hereby make this my last will and testament in manner and form following that is to say I Give unto Nathaniel Mills and my sister Elizabeth S. Mills wife of the said Nathaniel Mills all of my lands of every description which was given to me by the last will and Testament of my grandfather Miles Mills dec^d and my father Josiah Gray dec^d and all the residue of my estate be it of whatever nature it may be to them and their heirs forever. I constitute and appoint Nathaniel Mills executor to this my last will and testament. — Given under my hand and seal this 30th day of November 1819 —

Miles M. Gray (Seal)

Witness

William Godwin
Nicholas Mail
Josiah G. Reynolds

At a Court held for Isles of Night County the 14th day of June 1821 The above will was presented in court by Nathaniel Mills the executor therein named, who made oath thereto according to law and the same being proved by the oaths of William Godwin, Nicholas Mail, and Josiah G. Reynolds the court thereunto and ordered to be recorded — and on the motion of the said executor who together with William Holsteman his security entered into and acknowledged a bond in the penalty of five thousand dollars conditioned as the law directs, certificate was granted him for obtaining probat thereof in due form —

Attest Nathl. Young Esq.
#

Certif. of Nathl. Mills qual-
ification as exor. of ~~Miles~~
W Gray ad. —

Shivers T.
D. } exhibit
Rountree }

Jan. 2^d 1832 filed by
J. H. A. —

File of Wright County, &c.

I do hereby certify that at a court held for the said county the 14th day of June 1821 The last will and Testament of Miles W Gray was presented in Court by Nathaniel Mills the executor therein named who made oath thereto according to Law, and returned and acknowledged a bond in the penalty of five thousand dollars, with a condition as the law directs, and having given security satisfactory to the Court, Certificate was granted him for obtaining probat thereof in due form. — Given under my hand this 16th day of January 1832,

Mathl. Young ct.

John Shivers

Account Current

Albany

for

A. Atkinson Esq.

Shivers &

~ 3

Rooster &

3

1824
Octo.

15 Albert G. Shivers To William Murphy admr. of Jm. Shivers. Dr.
To this sum paid Ellis Gordon your guardian - - - - - 24 56
Int. on ditto from Oct. 15th 1824 to July 1st 1830 - - - - - 8 57
33 07
By the said Albert G. Shivers pro: of the foregoing amt. - - - - - 267 60
due to A. G. Shivers - - - - - \$233 53

1830
July

1 By this sum balance due 31st Dec. 1824 - - - - - 524 10 30 35
By interest on \$124.10 bal. in hand exclusive of the
\$400 the sale of girl Hester to this day 6 years & 6 mos. - - - - - 48 36
524 10 78 71
524.10 from
78.71 Int.
due the est. 502.81

Due the estate exclusive of sale of girl Hester \$124.10
ditto of interest - - - - - 78.71
\$202.81

Wm. Murphy in right of his wife is
intitled to 1/3 of the \$202.81 - - - - - 67.60
Albert G. Shivers to 1/3 do. - - - - - 67.60
John Shivers to 1/3 do. - - - - - 67.60
202.80

Albert G. Shivers pro: of the \$202.81 - - - - - \$67.60
Albert G. Shivers pro: of sale of Hester - - - - - 200.00
\$267.60
John Shivers pro: of the - - - - - \$202.81 67.60
do. sale of Hester - - - - - 200.00
\$267.60

Commissioner's office, June 8th 1831.

Pursuant to an order of the court of Isle of Wight county, I
have made up an account of William Murphy's administration on
the estate of John Shivers dec'd from papers and evidence laid before
me by Jos. B. Whitbread Esq. for James Johnson Esq. & admr. of William
Murphy dec'd. and by Albert G. Shivers; which I have carefully exam-
ined and stated, and find the sum of six hundred and two dollars
and eighty one cents, due by the estate of said Murphy to the estate
of John Shivers. Two hundred and two dollars & eighty cents is exclusive
of the sale of a down slave Hester on which I have charged no inter-
est, because the widow of John Shivers with whom the admr. inter-
married, was entitled during her life, which terminated about
June 1830 - Out of said two hundred and two dollars and 81 cents
the admr. in right of his wife is entitled to sixty seven dollars and
sixty cents - Albert G. Shivers one of the children & heirs of the said account
is entitled to sixty seven dollars & sixty cents & to two hundred dollars half
the sale of girl Hester, making two hundred and sixty seven dollars
and sixty cents - out of which the said Murphy in his life time ad-
vanced to the Guardian of said Albert G. Shivers \$24.56 with interest
from the 15th of Oct. 1824 making \$33.07 which deducted from the
267.60 leaves the sum of \$233.53 due from the estate of said Mur-
phy to said Albert G. Shivers with interest thence from the 1st day of
July 1830 - John Shivers another child & heir of said John Shivers
is entitled to sixty seven dollars and sixty cents & to two hundred
dollars the other half of the amount of sale of girl Hester. Making
\$267.60 due from the estate of said Murphy to said John Shivers with
interest thence from the 1st of July 1830 - All of which is submitted
to the court.

Wm. Lightfoot Comr.

At a court held for Isle of Wight County the 11th day of July 1831 the foregoing
account current was returned by commissioner Lightfoot and together with his
report thereon endorsed and ordered to lie for a fortnight - and at another court
held for the said county the 3rd day of October 1831 the said account having remained
for more than two months and no exceptions being filed thereto & ordered to be recorded

Alfred Tate Clerk

*D^r The Estate of John Shivers decd. In account with William Murphy Esq
 admor. de bonis non Cr*

1817									
Apr	2	To 5 percent commissions on \$262.05 receipt	13	10					
Dec	31	" Balance due the estate J ^r contra	248	95					
		<i>Cr</i>	262	05					
1817									
Apr	2	By this sum received of Charles Kountree exor. of Jacob Waterfield decd. who was admor. of said Shivers - balance on admon. account	262	05					
1818									
Jan	5	To paid Robert Harris Att ^r at Law	10	--					
Feb	12	" paid Edmund Peain admor. of Barber Surgt.	21	00					
"	"	" paid Nathaniel Pruden - bal. of bond	7	00					
Mar	2	" paid Henry Whitfield bond	13	70					
Apr	11	" paid Joseph Brasley bond	20	02					
July	10	" paid A. Atkinson for Sally Shivers Inspt.	132	25					
"	"	" paid Sheriff of Isles of Wight tickets	8	02					
Dec	31	" 5 percent comm ^s on \$470.24 receipt	23	57					
"	"	" Balance due the estate J ^r contra	465	09	14	93			
		<i>Cr</i>	719	19	14	93			
1818									
Jan	1	By this sum balance due last year	248	95					
Mar	7	By this sum received of W ^m & Es. Godwin admon. of W ^m Shivers decd.	70	24					
July		this sum received from sale of negro girl Hester one of the lower slaves of Jane Murphy the wife of the admor. who was the widow of the intestate John Shivers	400	--					
Dec	31	By interest on \$248.95 last years balance			14	93			
			719	19	14	93			
1820									
May	11	To paid Thomas Smully bond	15	00					
Aug	"	" paid Sheriff of Isles of Wight	1	42					
Dec	31	" Balance due the estate J ^r Contra	448	07	18	83			
		<i>Cr</i>	465	09	18	83			
1820									
Jan	1	By this sum balance due 31 st Dec. 1818	465	09	14	93			
Dec	31	By interest on \$65.09 the remainder of the \$465.09 after deducting \$400 the amount for sale of negro Hester, who was a lower slave on which no interest is to be calculated during the lifetime of said Jane the intestates widow			3	90			
			465	09	18	83			
1824									
Oct	15	To paid Sheriff of Isles of Wight tickets	2	07					
"	"	" 5 percent comm ^s on \$82.84 receipts	4	14					
Dec	31	" Balance due the est. J ^r Contra	524	10	30	35			
		<i>Cr</i>	530	91	30	35			
1824									
Jan	1	By this sum balance due the 31 st Dec. 1820	448	07	18	83			
Oct	15	By this sum received of Josiah Holman exor. of W ^m Godwin decd. who was one of the admons. of W ^m Shivers decd.	3	82	84	--			
Dec	31	Interest on \$48.07 from Jan. 1 st 1820 to this day being the bal. of the \$448.07 exclusive of the \$400 sale of girl Hester on which no interest is calculated			11	52			
			530	91	30	35			

An account of William
Murphy's admon: on
John Stivers est.

A

The Estate of John Shivers decd.

In account with William Murphy Administrator de bonis non

63

1818					10100				
Jan	5	To paid Robert Bines	tithe at Law	grnt.	10 00	Mar	7	By this sum received of Mr & Mrs. Goodwin Admors. of	
Feb	12	" paid Edmund Pedin Admor. of John Barber	Suspt.		21 00			William Shivers decd.	70 24
"	"	" paid Natl. Pruden	bond		13 70				
Apr	11	" paid Joseph Brasley	"		20 02				
July	10	" paid A. Atkinson for Sally Shivers	Suspt.		152 25	Dec	31	By this sum balance due the Admor.	156 86
"	"	" paid Sheriff of Isle of Wight	tickets		6 82				
Dec	31	" 5 pcent comm. on \$70.24. receipts			3 57				
					<u>\$227 10</u>			due the Admor. \$156.86	<u>\$227 10</u>

1820									
Jan	1	To this sum bal. due 31 st Dec. 1818			156 86				
May	11	" paid Thomas Smiley	bond		15 00				
Aug	"	" paid Sheriff of Isle of Wight	tickets		1 42				
Dec	31	" Interest on \$156.86 from Jan. 1 st 1819 to this day - 2 Years		\$10.02					
					<u>\$173 28</u>				

1024						1024			
Jan	1	To this sum due the Admor. 31 st Dec. 1820	\$18.82 Int.		173 28	Oct	15	By this sum received of Mr. Holliman exor. of Mr. Goodwin	
Oct	"	" paid Sheriff of Isle of Wight	tickets		2 67			who was one of the exors. of William Shivers	82 84
"	"	" 5 pcent comm. on \$82.84. receipts			4 14				
Dec	31	" Interest on \$173.28 from Jan. 1 st 1820 to this day - 4 Y ^s		41.56		Dec	31	" Balance due the Administrator & debits	157 63
"	"	" amount of Int. for 1819 & 1820 brought forward		10.02				due the Admor. \$157.63	
					<u>\$240 47</u>				<u>\$240 47</u>

An account of William
Murphy's Adm on. on Sh:
Shivers estate - leaving
out of said account the
money received by the Admor
de bonis non, from Charles
Roanthe exor. of Waterfield

VB

Dr. The Estate of John Shivers decd. In account with William Murphy Administrator de bonis non

62

[illegible]

1818			
Mar 7	By this sum received of Wm. Jos. Goodwin Admors. of Wm Shivers decd.	70	24
July	By this sum received from Sale of Negro Girl Bester one of the dooer slaves of Sam. Murphy the Wife of the Admors. who was the Widow of the Intestate J. Shivers	400	00
		470	24

1820			
May 11	To paid Thomas Smalley	bond	15 00
Aug	" paid Sheriff of Isle of Wight	tickets	1 42
Dec 31	" Balance due the estate	of contra	199 72
			<u>\$ 210.14</u>

1820		
Jan 1	By this sum bal. due 31 st Dec. 1818	210 14
		<u>210 14</u>

1824			
Oct.	To paid Sheriff of Isle of Wight	tickets	2 87
"	5 Cent Commissions on £ 82. 34.	receipt	4 14
Dec 31	" Balance due the estate	£ Contra.	2 73 73
			<u>2 82 50</u>

1824			
Jan 1	By this sum balance dec 31 st 1820		199 72
Oct 15	By this sum rec ^d of Josiah Holliman exor. of Wm Goodwin one of the exors. of Wm Shivers		82 84
			282 56

Bal. due the estate . . . \$275.25

Albert G. Shivers pro. of said bal. say $\frac{1}{2}$ of \$137.02\frac{1}{2}

1824
Oct. 15 To paid Mills Godwin Gen. to said A. G. Shivers 24.50
due A. G. Shivers \$ 113:00 $\frac{1}{2}$

John Shivers pro. of said bal. say $\frac{1}{2}$ \$137.02 $\frac{1}{2}$

No Interest charged on the above bal. of \$275.25 because that ~~same~~
balance is made out of sale of Dover slave, to which the Annor, in
right of his wife was entitled during his life whose death took place
about 1831

Commissioners Office March 28th 1832

Pursuant to an order of the Court of Isle of
Wight County - I have made up an acct. of James
Johnson's administration on the Estate of
William Murphy decd. from papers and
evidence laid before me, which I have
examined & stated and find the sum of
eighty seven dollars and forty one cts. due
from the said James Johnson Shff. & admr.
as afore said, to the estate of ^{said} William
Murphy - I have not charged the admr.
with Int. on the money ^{of the estate} in his hands, because
he is holding the same to meet the result of
a suit pending against in favour of John
Shivers heirs - all of which is submitted
to the Courts -

Barth. Lightfoot Comr.

at a court held for Isle of Wight County the 2nd day of April 1832
the foregoing acct. current of William Murphy decd. was returned by
Commissioner Lightfoot and ordered to be filed for acceptance
and at another court held for said County the 4th of June
1832 - the said acct. having been returned and no objections
filed the acct. and report are confirmed and ordered to be
recorded -

Test Math Young & J. M.

William Murphy's
acc't by James Johnson
March 28th 1832

6

The Estate of William Murphy dec'd. In acct. with James Johnson Shff. & administrator. CR.

1831	May 20	" paid Samuel Carrol for Coffin - - -	5	00
		" paid Henry Pitt for crying the estate	1	00
		" paid clerk tickets & taxes - - - -	4	25
Dec. 31		" 5 pre. Comm's. on \$102.81 - - - -	5	14
Dec. 31		Balance due the Estate - - - -	87	41
			<u>\$102</u>	<u>81</u>

1831
Feb 20 By amount of Sales of the estate due this day 102 81

1832	Mar 27	To this sum to pay the Clerk of Isle of Right for order for settlement, recording Inventory, acct. of sales & this acct. - -	2	7
		" this sum for making up this acct. - -	1	00
		" this sum for making up this acct. - -	84	34
		" Balance due the Estate for contract - -	<u>\$ 87</u>	<u>41</u>

1832
Jan 1 By this sum balance due last year \$102.81 87 41

Due the Est. \$44.34 \$87 41

Adms 22/1832 filed by JST

Shivers
no
admitted to
Doubtful

John Shivers'
acc^t levied.

By Waterfield

rehabilit C

A copy

Pursuant to an order of the worshipping court of
Salisbury County bearing date March 1817. to us di-
rected & which is hereto annexed. We the under-
signed have this day examined, stated and settled
an account current of the estate of John Shivers
decd. as administered by Jacob Waterfield decd. and
find a balance due the estate of two hundred &
thirty nine dollars and thirty seven cents. Given under
our hands this 2nd day of April Eighteen hundred &
seventeen.

Edmund Pedin

Harold Buttrick

John G. Mills

At a court held for Salisbury County the 4th
day of Augt. 1817. The foregoing acc^t. current was
returned in court by the Auditor and together with
this report was ordered to be recorded.

Teste Nathl Young CB.

cc

Copy Teste

Nathl Young CB.

The estate of John Shivers in acct. current with Charles Rowntree
 execr. of Jacob Waterfield, who was ^{the} adm^r. of John Shivers dec^d.

				\$	cts		
1815 Sept	To Cash paid Mrs. Mearns by Coffin acct. for need			6	—		
"	20 — paid Pro. Tynes Court		00	"	75		
"	20 — pd. Mr. Pitt			"	50		
"	20 — pd. Nathl. Pomeroy for trying the estate			2	—		
"	20 — pd. Sam ^r Leachell		for need	80	—		
"	20 — pd. Jas Barber		00	12	36		
"	20 — pd. Joshua Whitfield		00	269	20		
"	20 — pd. N. Young clk. for drawing, recording & copying a power of attorney — for rect			6	—		
"	20 — pd. postage of a double letter — (N.C.)			"	37½		
"	20 — pd. Charles de Broadfield		paid	32	75		
"	20 — pd. B. Lightfoot		00	10	84		
"	20 — pd. Eliza Bullock		00	1	50		
1816 Jan 7 13	" 20 — pd. Eliza Saunders		00	2	25		
"	20 — pd. Sally Shivers (wid)		00	70	—		
"	20 — pd. Eidean Powell (court)		00	11	41		
"	20 — pd. clerks and sheriffs tickets			23	85		
Jan 7 1	" 20 — pd. Sam Shivers for keeping Lucy & children &c			40	—		
"	20 — pd. ditto for ditto		ditto	42	33		
"	20 — pd. 00 for 00		00	40	—		
"	20 — pd. 00 for the hire of Hester			15	—		
"	20 — pd for recording this acct. current			4	37		
"	Comm ^{rs} on \$942.40 @ 5% pr ct			36	54		
1815 —	By Amt. of sales of the estate — (br)			743	11		
"	Cash received from John Phillips			"	12½		
"	Joseph Cutchins bond			12	22		
"	Mrs Jordan's note			9	—		
"	hire of Castella the year 1815			33	—		
"	hire of Barshaba — 00			19	95		
"	hire of Harry — 00			20	—		
"	hire of Hester — 00			10	—		
1816	" hire of Harry — 1816			40	—		
"	hire of Castella — 00			40	—		
"	00 of Hester — 00			15	—		
"	Barshaba & Bay Harrison for victuals & clothes			"	"		
	Balance due the estate			"	"	239	37
				\$942	40	\$942	40

James Mitchell's

Account Current

9

Dr The estate of James Mitchell decd in account current with William Murphy adm.

Cr

1826			
Feb 20	To Board & attendance ^{30 days} in the last sickness that greater part of the time he was helpless	15 00	
	To paid for black & cotton & for a shroud for the remains of the decd.	2 38	
	To paid Thomas Cowling for Coffin	7 00	
Mar	To my services including hire of horse & cart 2 days to go to Surry for & parts his tools &	2 00	
	To ditto to go to Warwick 2 days for the bal of tools	3 00	
	To pay the clerk for recording this account	1 87	
	To pay Commissioner for this acct	1 00	
	To Commission upon of 59. 15 1/4 at 5 %	2 95	
	Balance due the estate	24 95 1/4	
		59 15 1/4	

1826

Oct 8

By amount of sales due this day

59 15 1/4

Balance due the estate for debit

24 95 1/4

Lib of Wright County Decr 10th 1829

Pursuant to the annexed order of the honorable court
of Wright county William Murphy admr of James
Mitchell decd. has laid papers & vouchers before me relative
to his administration of the deced estate which I
have examined and considering the unusual tro-
ble that the admr had with the decd in his sick-
ness and collecting his property for to be sold I have
allowed all the charges in the said acct which
shows a balance of 24. 95 1/4 due to the estate
and interest from the 31st day of Decr 1826 till paid
which is reported to the Court
fee of 1. 00

Thos Smalley Court.

At a Court held for the County of Wright the 1st day of
March 1830. The foregoing account current was returned
by Commissioner Simley together with his report thereon
endorsed and ordered to be recorded

Test Wm. H. Young A

Commissioners Office May 18th 1825

Pursuant to the annexed order of the honourable court of Suffolk
County Mills Williams executor of Nathaniel Mills dec^d who was exor. of
Miles M Gray dec^d hath laid before me papers relative to Nathaniel Mills admin-
istration of the estate of Miles M Gray dec^d which papers I have examined and
stated the annexed account current, showing a balance of \$72.11 Including prin-
ciple & interest due the estate, which is reported to the court.

Commissioners fee 3
4 hours @ 75 cents of \$3.00

Thos. Soulely M.C.
//

At a Court held for Suffolk County the 6th day of June 1825 the foregoing ac-
count was returned by Commissioner Soulely together with his report thereon
endorsed was ordered to lie for exceptions — and at another court held for the said
county the 5th day of September 1825 the said account & commissioners report
having been returned for more than two months & no exceptions being filed thereon,
the same is confirmed & ordered to be recorded.

Miles M. Gray's

Acct. Current

A Copy for

Barth. Lightfoot

E

Dr The Estate of Miles M Gray decd. In account current with Nathaniel Mills
Executor.

1871		12 20	
June 29	To cash paid Thomas Barnell acct.	12 00	
Nov. 16	" paid William J. Darrow for coffin	15 05	
29	" paid Sheriff & clerks tickets	3 00	
"	" paid 3 appraisers & met.	1 00	
"	" paid Arthur Chidwell for enging the estate	4 41	
"	" commissions on \$88.74 @ 5 %	40 63	
Dec. 31	Balance due the estate	<u>\$ 88 74</u>	
	<i>Cr</i>		
1871		<u>\$ 88 74</u>	
Nov. 27	By amount of sales	6 39	
1872		3 00	
Sept. 13	To paid clerks tickets	31 24	
Nov. 26	" paid the Reverend Mills Barnell & met.	<u>40 63</u>	
Dec. 31	" balance due the estate		
	<i>Cr</i>		
1872		40 63	
	Balance of debit		1 87
Dec. 31	By Interest on \$31.24 one year	8 75	
1873		22 49	
Oct. 18	To paid Atkinson & Wilson bond	<u>31 74</u>	
Dec. 31	Balance due the estate		
	<i>Cr</i>		
1873		31 74	
	Balance of debit		1 34
Dec. 31	By Interest on \$72.49 one year		
1874		1 00	
Oct. 18	To paid clerks tickets	71 49	
Dec. 31	Balance due the estate	<u>72 49</u>	
	<i>Cr</i>		
1874		72 49	
	Balance of debit		1 28
Dec. 31	By Interest on \$71.49 one year		
	This sum to pay for recording this acct.	87	
	ditto to pay commissioners	3 00	
	Balance due the estate	17 62	
	<i>Cr</i>	<u>21 49</u>	
	Balance of debit		
	Balance of debit		17 62
	amount of principle & interest due the estate	<u>\$ 22 11</u>	

Nathaniel Wills

Account Current

A Copy for
Bark Lightfoot

H

1824	Oct 6	To amount brought over	324 82 1/2
		To cash paid Bartho. Lightfoot acct.	15 00
	27	" paid Doct. Southgate medical acct.	72 50
			50 00
Nov.	9	" paid Richard A. Baker	57 50
Dec.	10	" paid Nathl. P. Gray acct.	89 84
		" commission on \$1498.31 1/2 @ 6 1/2 % cent	888 54 3/4
		" balance due the estate	\$1498 31 1/2

1824		Balance of debit	120 24
Jan.	5	By cash of George Wrench & Sons	70 00
	16	By cash of Wickham Whitfield	12 40
		By cash of Matthew Powell admr of Penelope Pitt	5 00
Feb.	14	By cash of George E. Hines	82
Mar.	20	By cash of George Murphy	1 25
		By cash of Edmund Jordan	4 26
		By cash of John Jordan	1 75
		By cash of Ben. Phillips	8 7 1/2
Aug.	3	By cash of Josiah Mills	2 12 1/2
	18	By cash of Mills Grace	8 7 1/2
	20	By amount of sales due this day	1269 87 1/2
Sept.	8	By cash of William Dixon	1 00
		By Scotland Matthews	37 46
	15	By John A. Parker	4 3 1/2
		By cash of Bluma Matthews	3 1/4
	25	By cash of Martha Tins	14 8 1/2
		By cash of Pleasant Purnell	1 12 1/2
Nov.	1	By cash of Anna Mettill on bond	27 48
	15	By cash of Thomas P. Jordan	2 8 1/2
		By cash of William Murphy	26 06 1/2
			\$1498 31 1/2

1825	Mar.	17	To paid Atkinson & Wilson upr. of Sam. P. Jordan & bond	84 06
	June	9	To paid Atkinson & Wilson 2 bonds	590 35
		15	" paid Shff. & committee of John Jordan Trsd. of whom every 23	871 92
			Testator was admr.	7 8 1/2
	July	29	" paid Henry Pitt acct.	4 37
			" this sum to pay for recording appraisement	4 37
			" ditto to pay for recording this acct.	62
			" order for settlement	10 50
			" pay commission	42 39
			" commission on \$706.67 1/2 @ 6 1/2 % et.	104 86
			" Balance due the estate	\$1726 32 1/2

1825		Balance of debit	888 54 3/4
Jan.	14	By cash of James Gray & acct.	11 00
	20	By cash of Henry Gray	3 00
Feb.		By cash for upr. Rose & Childs sold to Mr. Mills	100 00
Apr.	4	By cash of Geo. Holliman & ex. of M. Jordan	18 12 1/2
June	15	By cash of Rich. B. Biddowood bond	50 74
		By cash of Bodwens bond	33 12
		By Stephen Smiths bond	33 62
		By cash of M. Holliman bond	113 50
		By cash of Henry Whitfield bond	21 12
		By cash of Joseph Bodwin bond	45 04

1825	June	15	By cash of Nathaniel Hening bond	32 32	888 54 3/4
			By cash of Eastright & Sons bond	14 04	
			By cash of Josiah Holliman bond	211 50	706 67 1/2
			Balance for 1823 brot forward		170 24
			By Interest on \$170.74		10 81
					1776 32 1/2

1825	July	29	Balance of debit due the estate	104 86 1/2
------	------	----	---------------------------------	------------

Commissioners Office August 29th. 1825

Respectfully to the undersigned Mr. William exor. of Nathaniel Mills dec'd hath produced to me papers and vouchers relating to his administration of the estate of the said Nathaniel Mills dec'd which papers I have examined, and stated the foregoing acct. current and find a balance of \$104.86 1/2 due to the estate from the exor. with interest from the 24th day of July 1825 till paid. I have allowed the exor. a commission of 6 Cts. for his extraordinary trouble in consequence of his testator being the representative of several estates which were unsettled, and in a confused state at his death which is reported to court.

Commissioners fee 3
14 house 2 75 et. \$10.50 1/2
Tho. Smedley Spl. com.

At a Court held for Salisbury County the 5th day of September 1825 the foregoing acct. current was returned by Thomas Smedley Special Commissioner, examined & allowed by the court and ordered to lie for exceptions. and at another court held for the said county the 11th day of November 1825 the said acct. having been made up and returned for more than two months & no exceptions being filed the same is ordered to be recorded.

Dr The Estate of Nathaniel Mills decd. In account current with Willie Williams Executor

1823			
Sept.	15	To paid Clary V. Jordan acct.	28 56 ⁴
	24	" paid Seagr. Heath for bricking grave	12 00
		" paid Joseph B. Whitehead off acct.	17 29
		" paid ditto Taxes &c	31 70
Oct.	13	" paid Parson Keeling for preaching funeral	10 00
	20	" paid Mourning Bells (midwifery fee)	2 00
Nov.	6	" paid Jacob Jordan acct.	3 04
		" paid Nicholas Gordon acct.	3 00
	8	" paid William Harvey acct.	75
		" paid Nathaniel P. Phillips for buying acct. of sales	4 00
		" paid John G. Holladay for engraving up estate	5 00
	28	" paid Richard A. Baker for advice on the will of the Testator, ^{2/3} also the will of John Mills	10 00
		" paid this amount for provisions & expenses of the family since ^{2/3} the death of the decd.	69 92 ⁴
Dec.	16	" paid Ed. Powell acct.	1 50
		" commissions on \$339.35 ⁴ at 4 Point	20 35
		balance due the estate	120 24
			<u>\$ 339 35⁴</u>

1823			
Sept.	24	By this sum on a forthcoming bond from Davis Gray to the ^{2/3} decd. in his lifetime	316 33
		By cash received of Seagr. Heath on acct.	1 71
Oct.	18	By cash received of Thomas Gray on acct.	10 12 ⁴
		By cash received of Joseph B. Whitehead	4 00
Nov.	6	By cash of Jacob Jordan on acct.	6 19
		By cash of William Harvey	1 00
			<u>339 35⁴</u>

1824			
Jan.	5	To cash paid William A. Jordan for coffin	40 00
		" paid Charles Rowntree bond	20 79
	20	" paid Joseph Holladay acct.	6 00
Feb.	3	" paid Caswell & Bagwell acct.	12 20
	21	" paid John Pitt acct.	1 56
Mar.	8	" paid Joseph Proutis acct.	12 00
	20	" paid James Gray acct.	4 24 ⁴
		" paid George Whiskelous acct.	1 18 ⁴
	27	" paid Nicholas Mail acct.	3 50
		" paid Powell & Phillips acct.	26 11
Apr.	10	" paid Dixon Pomer acct.	17 32
May	13	" paid Robert B. Taylor for advice on Hall's will	5 00
		" paid Sailor for the prison fees of B. M. Benill, Sep. Matthews, ^{2/3} & Mr. Reynolds who were imprisoned for a debt due to my estate as executor of John Jordan decd.	25 32
		" paid for a copy of John Mills will	50
Aug.	18	" paid John Wasmadell acct.	13 00
Sept.	9	" paid Josephland Matthews acct.	102 00
	11	" paid George Gordon Judgment	8 45
Oct.	6	" paid off Taxes &c	8 12
		" paid Clerks tickets	16 82
		amt. carried over	<u>\$ 324 82⁴</u>

Copy of Sam Shivers'
bond as guardian to Mr.
Shivers orphan of Mr.
Shivers died.

Jan 9. 181-1816

£u—.18cents—

KNOW ALL MEN BY THESE PRESENTS, That we *Jane Shivers*
and *James Mitchell*

are held and firmly bound unto *James Johnson, Isham Jordan Charles*
Wren and John Blunt

Gentlemen, Justices of the Court of Isle-of-Wight County, now sitting, in the sum of *three*
thousand Dollars, to which payment
well and truly to be made to the said Justices, and their Successors, we bind ourselves, and each of us,
our and each of our Heirs, Executors and Administrators, jointly and severally, firmly by these
presents—Sealed with our Seals, and dated this *first* day of *January*
one thousand eight hundred and ~~thirty~~ *sixteen* and in the _____ year of the
Commonwealth.

THE CONDITION of the above obligation is such, That if the said *Jane*
Shivers Guardian of
John Shivers Orphan of
John Shivers deceased, or *her* Executors and
Administrators, shall well and truly pay and deliver, or cause to be paid and delivered
unto the said Orphan, all such estate or estates as now is, or may hereafter appear to
be due to the said Orphan, from the said Guardian, when thereto required by the
Justices of the said Court, as also keep harmless and indemnify the above named Justices
from all trouble and damages, costs and charges, that shall or may arise or happen to
them, or any, or either of them, about the said estate—then this obligation to be void,
or else to remain in full force and virtue.

Signed, sealed and acknowledged }
in presence of

W. Lightfoot

Jane Shivers
James Mitchell



A copy of the

Nathl. Young Ch. J. Mc
Lee

Shelby Wright County (Tenn) I certify that on the register of
marriages it appears that William Murphy and
Jane Shivers was married on the 30th day of May 1830
by Miles Barrett a minister of the gospel - Given
under my hand this 9th day of October 1833 -

Nath Young, C. D. W. C.
- Co

A copy of W. Murphy
marriage license bond
and cert. of his marriage

Know all men by these presents that we W^m Murphy & John F. Wills
are here and firmly bound unto Wilson C. Nicholas esquire governor of
Virginia in the sum of One hundred and fifty dollars to the payment
whereof well and truly to be made to the said Wilson C. Nicholas or his
successors in office we bind ourselves and each of us our and each of
our heirs executors and administrators jointly and severally firmly by
these presents sealed with our seals and dated this 29th day of May
1810 in the 40th Year of the commonwealth —

The conditions of the above obligation is such that whereas there
is a marriage shortly intended to be had and solemnized between
the above bound William Murphy and M^{rs} Jane Shivers now if
therefore there shall be no lawful cause to obstruct said marriage
then the above obligation to be void else remain in full force &
virtue —

Signed sealed & acknowledged
in presence of

B. Lightfoot

W^m Murphy ^{his} Seal
mark

John F. Wills Seal

Attest

Nath. Young C^l

Murphy No 7
To
Rowntree & Receipt

\$243-79½

Apr 2nd 1897

April 2nd 1817— Rec^d from Charles Rowntree, Ex^r of Jacob
 Waterfield dec^d— who was the administrator of John Shivers
 dec^d— The just sum of two hundred & forty three dol-
 -lars & Seventy nine ¹/₂ cents, being a balance due to the
 estate of J^r Shivers, from the estate of S^r Jacob Waterfield
 dec^d— as of account current this day made up by Edm^d
 Peain, Horatia Butte & John G. Wells —

Witness

his
 William + Murphy
 Mark

Edmund Peain

243.80
 0
 14 62
 3 63
 18 25

121
 3
 263
 243.80
 100.25
 262.05

A copy of —

Miles M. Gray's

Will —

#-18cts-

In the name of God amen I Miles W. Gray of the county of Isle
= of Wight do hereby make this my last Will and testament in
maner and for in following. that is to say -

I give unto Nathaniel Mills and my sister Elizabeth S Mills
wife of the said Nathaniel Mills all of my lands of every des-
cription which was given to me in the last will and testament
of my grandfather Miles Mills decd. and my father Josiah
Gray decd. and all the residue of my estate, be it of whatsoever
nature it may be, to them and their heirs forever. I
constitute & appoint Nathaniel Mills Exor: to this my last will
and testament - Given under my hand and seal this 30th day
of November 1819 -

Miles W. Gray. Real

Witness -

Wm^l Godwin - Nicholas Nail

Josiah G. Reynolds -

at a court held for Isle of Wight County the 4th day of June
1821. the foregoing Will was presented in Court by Nath^l Mills
the Exor: therein named, who made oath thereto accor-
=ding to Law & the same being proved by the oaths of Wm^l Godwin
Nicholas Nail & Jos: G. Reynolds the witnesses thereto and ordered
to be recorded? - - -

Teste Nath^l Young Esq^r & Wm^l

a Copy Teste
Nath^l Young Esq^r -

Alcopy of
Jacob Waterfalls'
acct. levying

For -- 90 cents --

1816	Jan 24	To this sum paid Edwin Gray. Const. on lsdgt -	4 37
	Mar: 5.	" paid Doratio Butts. account -	4 79
	ap: 1.	" paid land: Whitfield balance of bond -	3. 26
	Augt..	" paid No: Hines atts: - acct. -	5. 00
	Sept. 1	" paid W ^m Halleman Dy shipp clerks tickets -	10. 33
		" amt. of an acct. in favour of the exor. for boarding & clothing the testator's daughter & for maintaining an expensive negro woman this year. -	102 56
		" 5 pr: ch. comm: on \$85.18. recpts for this year. -	4. 25
	Dec: 31.	" this sum due the estate for: contra -	1932. 37
	1818		2069. 93
	Jan: 7.	By balance due for last year. -	1984 75. 47. 63
	Augt.	" cash recd. of James Mitchell son: to the orphan of Aaron M. Footitt died. for a debt against said orphan, upon a son: acct. after deducting \$120. an error in the acct. to that amt. -	33. 84
		" cash recd. of James Mitchell son: to the orphan of A. M. Footitt this proportion of a debt as Footitt's est. paid by Waterfield and not charged in the settlement of his estate. -	49. 34
		" bal: on \$1984.75 last year's balance upto 1 st Jan: 1819. -	" " 110. 82
			2069. 93. 158. 45
1821		To this sum retained to pay the clerk of this county for recording an acct. of sales of the estate, this acct. current. -	10. 06
		" this sum retained to pay Master Court: Lightfoot for making up this account -	4. 25
		" this sum due the estate for contra -	1918 06
			1932 37
1821		By Balance due the 31 st Dec: 1810. -	1932 37 158. 45
July 25		" bal: on \$1932.37 from 31 st Dec: 1818 to the 25 th July 1821. -	299. 61
			1932. 37: 458. 06

Principal \$1932.37
Interest 458.06
\$2390.43 from: Subt

Commissioner's office July the 25th 1821
Pursuant to an order of the court of Saloplight county. Charles Rountree Exor. of Jacob Waterfield died. laid before me his papers and vouchers relative to his transactions on the said Waterfield's estate which I have carefully examined and stated as above, I find that the said Rountree is indebted to the said Estate on this day the sum of nineteen hundred and thirty two dollars and thirty four cents principal and four hundred and fifty eight dollars. and six cents

of interest. making two thousand three hundred and ninety dollars - and forty three cents principal and interest. which Your Commissioner reports to the court -

W^m Lightfoot M.C.

At a court held for the county of Saloplight the 4th day of September 1821 - The foregoing acct. current was returned into court by ~~the~~ master Commissioner Lightfoot and together with his report thereon endorsed. was ordered to be recorded. -

Teste Nath: Young. ck. M.C.

Alsepy Teste Nath: Young ck -

The Estate of Jacob Whitfield decd. In acct. with E. H. Norcross Esq.

1816	To this sum paid Atkinson & Hatchell for coffin for the decd.	20. 00
Oct. 15.	" paid Wm. Coleman & Co. for elks tickets	7. 33
28.	" paid Benj. A. Brown acct.	31. 81
1817	" paid Henry W. Mills for direct tax	2. 70
Jan. 7.	" paid Benj. A. Brown on bond	120. 30
11.	" paid Edmund Pedin for land rent for 1816	80. 00
Apr. 2.	" paid Wm. Murphy admor. de bonis non of John Shivers ad. admor. acct. due from the Testator to said Shivers	243. 79
May 30.	" paid Arthur Channell for erasing the estate	5. 00
July 8.	" paid Robert Sims acct.	5. 00
Dec. -	" paid James B. Southall - "	10. 20
9.	" paid James Moody adm. of And. Moody Exor. of Beavert allison decd. bond	32. 86
	" amt. of an acct. in favour of the Exor. for articles furnished and services rendered the family of the Testator for part of the year 1816 and for boarding and clothing his daughter, for keeping expensive negro woman & children 1817 -	194. 34
	" 3 rd pr. et. com. on \$2882.25 receipts for 1816. & 1817	144. 11
Dec. 31.	" this sum due the estate for contra	1994. 75
1816 -	Cr.	\$2882.25
Dec. -	By amt. of acct. of sales due the estate the day of Oct. 1817	1190. 87
1817		
Jan -	By Benj. A. Brown's bonds and interest	1000. 00
	" Ed. Atkinson's do " do	40. 00
	" Horatia Butts do " do	343. 95
	" Matthew Powell do " do	50. 12
	" James Shivers do " do	194. 08
	" Benj. A. Weston do " do	40. 00
	" William Jordan do " do	9. 00
	" Cash received of Edmund Pedin	1. 72
	" " " " Joshua Whitfield	1. 55
	" " " " John J. Mills	3. 13
	" " " " N. Pender	1. 20
	" " found in the house	7. 31
	" Int. on \$793.88. amt. of bonds and cash received exclusive of the sales of the estate after deducting \$899.50 debts for 1816. & 1817.	47. 63
		\$47.63.2882.25

It is my will and desire that there be no public sale of
personal estate but that the legates divide it agreeable to this
Will —

I constitute and appoint Willis Williams Exor: to this my last
Will and Testament. Given under my hand and seal this
twenty fifth day of October 1821 —

signed, sealed, ack'd and published
at the last will and testament of
Nathl. Mills in presence of

Nathl. Mills. Seal

William Hallerman

B. W. Beville —

at a court held for Guilford County the 14th day of Sept^r 1823 the
foregoing will was presented in court by Willis Williams the Exor: there
in named. who made oath thereto according to Law. and the
same being proved by the oaths of William Hallerman and Brand
W. Beville the court per the will and was ordered to be recorded —

Teste Nathl. Loring Esq: M^o
a copy Teste
Nathl. Loring Esq:

A copy of

Nathaniel Mills:

Will —

Lu ff. - 38th

In the name of God Amen. I Nathaniel Mills of the county of Litchfield do hereby make this my last will and testament in manner and form following to wit.

1st: I give unto my beloved wife Elizabeth S. Mills my plantation adjoining Smiths Mill the land devised to me in the last will and testament of Miles W. Gray dec^d and the following negroes (to wit) Dany. Lem. Pegg. Cother. Nancy. Maser. Amy Buldy and her two children Mills & Lee. Nanny and Cherry and their manse the three negroes last named were devised to me in the last will and testament of Miles W. Gray dec^d half of the corn. half of the stock of every description - half of the house hold and kitchen furniture, one horse and gig - and two hundred dollars to her and her heirs forever.

2nd: I give unto Mary Ann Mills daughter of Parker Mills one negro man Dennis. to her & her heirs forever.

3rd: I give unto Nathaniel Mills son of Parker Mills all the land lying over the large Swamp adjoining the land of Elizabeth Godfrey. John F. Mills. my manse plantation and Willis Grove which said land I purchased of Mrs. Godfrey wife of the said (see the deed) to him and his heirs forever.

4th: I give unto my mother Prudence Halladay two negroes Boafrey and Charlotte to her & her heirs forever.

5th: I give unto Nathl. Mills Norwotthy two hundred dollars to him and his heirs forever.

6th: I give unto Christopher Reynolds two hundred dollars to him & his heirs forever.

7th: I give unto my brother Willis Williams my manse plantation. I purchased of Applewhaite and wife and one negro man back to him and his heirs forever.

I give all the residue of my estate of what nature soever it may be, to be equally divided between my brother Willis Williams and Mary Bodwin wife of Joseph Bodwin to them & their heirs forever.

1820
January

Dr.

By hire of negro man last year	115. 00
" ditto " woman " "	15. 00
" rent of land	6. 00
" this sum due the guardian	90. 74 1/2
	<u>\$126. 94 1/2</u>

At a court held for Islip, N.Y. County the 6th day of February 1820. The foregoing guardian account was returned, examined & allowed. Sworn to, and ordered to be recorded.

Teste Nathl. Young C.S. J.N.C.

A copy teste Nathl. Young C.S.

M^{rs} Murphy -
vs. $\frac{2}{3}$ 3. Son: acct.
John Throers -

E. copy

Feb - 75 -

At a court held for Islop Night County the 1st day of October 1821- the foregoing guardian account was returned examined and allowed by the court. Sworn to by the guardian and ordered to be recorded.

Teste Nathl. Young Esq. JWC
 A copy Teste Nathl. Young Esq.

Dr. John Thiviers orphan of John Thiviers decd. In account with Mrs. Murphy and Jane his wife his guardian

1822			
Jan. 1-	To board and clothing said orphan last year.	\$	50.00
	" 6 pr. cent commissions on receipts		1.92
			51.92
			32.00
			\$ 19.92
	Or		
Jan. 1-	By hire of negro man for 1821		22.00
	" rent of land		10.00
			32.00
	By this sum due the guardian		\$ 19.92

At a court held for Islop Night County the 5th day of February 1826. the foregoing guardian account was returned examined, and allowed, sworn to, and ordered to be recorded.

Teste Nathl. Young Esq. JWC
 A copy Teste Nathl. Young Esq.

Dr. Jn. Thiviers orphan of Jn. Thiviers decd. In account with Mrs. Murphy and Jane his wife his guardian

1823			
Jan. 1.	To board and clothing said orphan last year.		50.00
	" 1 grandy's fee		2.00
			\$ 52.00

(b) (continued)

1823

January	By hire of negro man Castilia for last year (1822)		25.00
	" rent of his part of land		6.00
	" negro woman and child. victuals and clothes		" "
	" this sum due the guardian		21.00
			\$ 52.00

1824	To balance for contra	Dr.	21.00
January	" board and clothes		50.00
	" cash paid Hardy Pope for schooling		1.25
	" " " spelling book		" 25
	" Interest on \$21. for 1 year		1.26
	" 6 pr. ct. com. on receipts		2.70
	" ditto - & omitted in last years account		1.76
			\$ 78.22

1824			
January	By hire of negro man for 1823		15.00
	" rent of land		6.00
	" Cash recd of Josiah Hollenman favor of Mrs. Goodwin		24.00
	" woman and child. victuals &c.		" "
	" this sum due the guardian		33.22
			\$ 78.22

1825	To balance for contra	Dr.	33.22
January	" Interest on ditto 1 year		1.38
	" board and clothes		50.00
	" cash pd. Jos. G. Jordan for schooling said orphan		12.00
	" 1 spelling book & 1 murray's introduction 2/3		0.62 1/2
	" 6 pr. ct. com. on receipts		2.16
			\$ 99.38 1/2

1825			
Jan. 1-	By hire of negro man for 1824		15.00
	" rent of land		6.00
	" hire of negro woman		13.00
	" this sum due the guardian		63.38 1/2
			\$ 99.38 1/2

1826	To balance for contra	Dr.	63.38 1/2
January	" Interest on ditto one year		3.90
	" board and clothes for last year		50.00
	" paid Jos. G. Jordan for schooling said orphan		7.50
	" 6 pr. ct. com. on receipts		2.16
			\$ 126.94 1/2

(b) (continued)

D. John Shivers orphan of John Shivers decd. In account with
William Musgrave and Jane his wife his son: —

		\$	¢
1817			
Jan. 1. 1817	To board and clothing said orphan last year.	50.	00
1818	To amount for debit	50.	00
Jan. 1. 1818	" Interest on \$50. one year.	3.	00
	" boarding and clothing said orphan last year.	50.	00
	" 6 pr. ct. commissions on receipts.	2.	40
	Cr.	105.	40
1818	By hire of negro man for 1817	40.	00
Jan. 1. 1818	" this sum due the guardian	65.	40
	Dr.	105.	40
1819	To balance for contra	65.	40
Jan. 1. 1819	" Interest on \$65.40. one year.	3.	92
	" boarding and clothing said orphan last year.	50.	00
	" 6 pr. ct. com. on receipts	2.	40
	Cr.	121.	72
1819	By hire of negro man for 1818	40.	00
Jan. 1. 1819	" this sum due the guardian	81.	72
	Dr.	121.	72
1820	To balance for contra	81.	72
Jan. 1. 1820	" Int. on \$81.72. one year.	4.	90
	" boarding and clothing said orphan last yr.	50.	00
	" paid for keeping negro woman & children last yr.	25.	00
	" 6 pr. ct. com. on receipts.	3.	30
	Cr.	164.	92
1820	By hire of negro man for 1819	40.	00
Jan. 1. 1820	" Cash of James Shivers	15.	00
	" this sum due the guardian	109.	92
	Dr.	164.	92
1821	To balance for contra	109.	92
Jan. 1. 1821	" Int. on \$109.92. one year.	6.	59
	" boarding and clothing said orphan last year	50.	00
	" paid for keeping negro woman & children last year	25.	00
	" 6 pr. ct. com. on receipts.	2.	40
	Cr.	193.	91
1821	By hire of negro man for 1820	40.	00
Jan. 1. 1821	" this sum due the guardian	153.	91
		193.	91

chiefly ad. of

Shivers —

with Spasms —

to it. —

Mr. Murphy in ac with John & Albert Goshier
the H^{rs}. heirs of John Shivers decd. —

To sale of negro Master by you when held.
in down, & which right on your side acc'd
at the death of Mr. Murphy — \$400.

Retention from the day of
to the 15 day of Octo 1824 }

say for
~~to the day~~

1/2 to A. Goshier of same sum \$
amount to his son forever —
bal. to A. Goshier own by Murphy

1/2 to John Shivers of same sum — \$

Int on same sum from the day of
a.d. to 6 July 1826 — }

By act in record on sd. ac to amount of — 90.94
Balance due John Shivers from the
estate of Murphy with int. from the
6 day of July, a.d. 1826 to p.d.

James Johnson stth. ad. of Murphy over the estate
of Murphy — \$87.41

For this sum Johnson or his assigns is to
account to H^{rs}: pari passim.

A. Alkinson

99.76
<u>599.56</u>
1798.68
<u>299.78</u>
1088.46

Statement of
 the Paper
~~the~~
 Sherry
 in
Account

L. Chs. Probstner exor. of Matilda who was adm. of Shurin's b.
 To amt. found due to Shurin Estate by Probstner - 262.45

Int. from 2^d April 1897 to the 31st Dec. 1898 -
 7 years + 9 months - - - - - 108.36
 368.41

By F. J. Murphy in the course of adm. -
 on old Shurin - - - - - 157.63
 210.78

By Murphy's distributable share of his
 wife's portion - - - - - 70.26
 140.52

Int. therefrom from Dec. 31st 1898 to the 1st Jan'y
 1900 - - - 7 years - - - - - 59.01
 199.53

Direct bal. in hand of John or adm.
 of Murphy - - - - - 262.41
 137.12

This balance to be equally divided
 between Albert & John Shurin the heirs
 with interest from Jan'y 1st 1900 till paid

31.20
 68.56
 99.76

31.20

~~68.56~~

~~99.76~~

Copy of Mr. Mur-
-phy's acct. current.
by P. P. Johnson Shpp.
10

For 28 cents

D. the Estate of M^{rs}. Murphy ad^{or}. In account with James
Johnson Sheriff and administrator. — Cr. —

1831.		
May 20.	To paid Sam ^l . Carrell for coffee. —	\$5.00
"	" " paid Henry Pitt for crying the estate. —	1.00
"	" " paid clerk's tickets and taxes —	4.26
"	" " 5 th for ch. comm ^s on \$102.81 —	5.14
		87.41
Dec. 31.	" balance due the estate —	\$102.81
1831.	Cr.	102.81
Feb. 7.	By amt. of sale of the estate due this day. —	

1832	D.	
mar. 27.	To this sum to pay the clerk of Isle of Wight for	
	according Inventory, acct. sale, & this account order &c.	2.07
"	" " this sum for making up this account. —	1.00
"	" " balance due the estate for contract —	84.34
		\$87.41
1832	Cr.	\$87.41
Jan. 1.	By this sum balance due last year —	
	Due the estate \$84.34 —	

Commissioner's office March 28th 1832

Pursuant to an order of the court of Isle of Wight county
I have made up an account of James Johnson's ad^{or}. on
the Estate of M^{rs}. Murphy ad^{or}. from papers and evidence
laid before me, which I have examined and stated and
find the sum of Eighty seven Dollars and forty one cents.
due from the said James Johnson Sheriff and ad^{or}. as afore-
said to the estate of the said M^{rs}. Murphy —

I have not charged the ad^{or}. with interest on the money
of the estate in his hands because he is holding the same to
meet the result of a suit pending against him, in favour
of John Sherry heirs — all of which is submitted to the
Court. — — — — — B. Lightfoot-learn^r.

At a court held for Isle of Wight County the 2nd day of April
1832 the foregoing acct. current was returned by Com^r. Light-
foot and with his report is ordered to be filed for exceptions —
And at another court held for the said county the 4th day
of June 1832. the said acct. kept. having been returned
for more than two months and no exceptions filed thereto
the same is confirmed and ordered to be recorded —

Teste Nath^l. Courney Ek. S. M. C.
A. Copy Teste Nath^l. Courney Ek.

But Mumpkins security on his adm. bond are not liable
on the authority of (a case, name not ascertained)

They are only liable for the estate of John Shwin, which
Mumpkins as adm. de bonis non might rightfully receive
that of the estate of Shwin unconverted & undistributed
by Wainfield. -

The idea in Rommatus' answer. that it will be presumed
"that the money was unconverted assets" of John Shwin, is
forbidden by the acct. of Wainfield adm. which shows
beyond all doubt, that it was not unconverted assets.
Conclusion. -

Mumpkins' estate liable, if any after paying
his prior debts as adm. which are to be preferred; if
none, Wainfield estate in Rommatus' hands. for which
assets to be paid de bonis propriis as he is indebted
\$2390-43. -

Bal: I can't make out intelligibly. -

Shwin

Rommatus

Order of
the Judge

Malinsfield admr.

1st -

There seems no doubt that Malinsfield as admr. of John Shivers at his death owed the estate by audit

£239.37

But refers to audit -

Amr. of Normanton admr. of Malinsfield commr. report. -

The chief question is who shall now pay it. -

1817 apr. 2 - It was paid by Chs. Normanton admr. of Malinsfield to Wm. Murphy as & not referring to the audit of that date of Malinsfield comr. -

1816 Jan. 12. Sam Shivers Guardⁿ of John Shivers of John May 29. Murphy probably married his. Marriage bond of that date. -

1817 Jan 5. Murphy became admr. de bonis non of Shivers -

Apr. 2 He rec^d the money of Normanton

2. Normanton paid the money to Murphy as admr. de bonis non, not as Guardⁿ. -

1st Normanton amr. states that it was then believed admr. de bonis non was proper person to receive. -

2. The words of the Report: "balance due to the estate of John Shivers from the estate of Malinsfield as by acct. current that day made by Bednits" -

3. - If as Guardⁿ. then only 1/3 was in that character as reported, & of guardianship of John & not for Abbott. This report forbids idea first in one character spirit in another. -

4. Not credited in any of the Guardⁿ. acct. from 1817 to 1826 though balance due the Guardⁿ. -

And the comr. are not to share notion either for the benefit of the security on Murphy's admr. bond, or of Malinsfield's estate to give a responsibility on the security of John Shivers's Guardian bond, but the matter must be fairly interpreted & the responsibility left where it falls. -

Exemptions of
Mr. Williams

the defendant.
Exception of J. Mills: Millman, Ex. of Mills,
who was Ex. of Gray who was Ex. of
Mills of Murphy to ^{two} accounts
current of ~~the defendant~~ ~~the defendant~~ ~~the defendant~~
Hines at
and cited under a decree of the
court in the suit of Hines
vs. Roundtree & Co

The said defendant excepts to
the issue of \$400 the amount
for which a negro ~~butler~~ was
sold, because the said ne-
gro was according to the de-
cree a slave which
came into the possession of
Murphy as husband and not
as owner or possessor, and
therefore his executors were not
responsible, though Murphy
might be an individual

~~of the defendant~~

~~Holliman~~

Could Murphy be charged
as owner, he would then
be entitled to one third of
the amount in right of
his wife

~~Holliman~~

8.85

Recy: rpt: 30

Cost: 8⁰⁰ 30

Fil pa . . . 26

tax: costs . 40

10.31

Copies 7.79

18.10

N^t: tax 75

alto: for 16. 66

33.51

Com? 20.00

Shff 1.20

\$ 56.71