1837-008 Chancery Causes. Liza [Elizabeth] Purdy vs Thomas Purdie 'o epton v al
Dale of Wight County

other SURNAMES: Smith
Thomas, Butler, Wickham
Chalmer

Purdie
v
Purdie exor: &c
27 Feby.

April 6th: 1835 Bill and exhibits filed.

May 4th: 1835 Nathaniel Young esq? gdn: ad litem to infant defts: & infants answer filed

June Rules 1835 cont?

July Rules 1835 answer of A. Smith exor: of Thomas Purdie dec? & exhibits referred to [illegible]

August 3? 1835 answer of Thomas Purdie filed, general rep? & cont?

September Rules 1835 cont?

October Rules 1835 answer of George L. Purdie filed

May 2? 1836 defts: filed depositions

To the Judge of the Circuit Superior Court of Law & Chy
for the County of Isle of Wight &c. humbly complaining
sheweth to your honor your orator Eliza Curle &
unmarried called Eliza Keith Pinner, that one Thomas
Pinner late of the County of Isle of Wight, departed this
life on or about the day of November 1829, having
first made and published his last will & testament,
which has been legally admitted to record in the
County Court of Isle of Wight, an office copy whereof is
to the Court now here exhibited, marked & this
prayed to be considered part of this bill: the said
testator was at his death seized & possessed of a
valuable real and personal estate in Isle of
Wight County and has large sums of money
due and owing to him: that one Arthur Taylor
was appointed executor, qualified before
County Court of Isle of Wight on the day of
1829 and
as will appears by a certificate of the
Clerk of the County Court aforesaid which is
to answer makes and prays to be
taken as part of this Bill and the said orator
receive into his possession, who due diligence
might have recovered into his possession, a large
estate much more than sufficient to pay
the debts of the testator and the legacies. The said
Thomas Pinner by his said will, disposed of his posses-
-sions real and personal, in certain places and
proportions, between his children, his grand
children and some relations, to whom (among
other things, which will appears in said will) he
gave to William and Peggy Pinner each
also one feather bed and furniture, including
mattress and counterpane, one mahogany
Liza Bed, bedstead and furniture, also black
walnut dining table, one black walnut tea
table, one black walnut dressing table, & black
walnut bedstead bottomed chairs, four silver tea

of room with a bill of them, six silver tea spoons
with the letter "P" on them, all his cups, saucers,
plates and dishes, knives and forks, one tea tray
and two waiters, three pair sheets, one pair of
blankets - all the household & kitchen furniture
(of which there was many of great value,
to wit, of the value of $ — dollars) also his
gig, harness and bay horse and also $300 -
with certain privileges and advantages
in the will aforesaid set forth. - Your orator
avers and charges, that the said Arthur
Smith without any benefit for so doing, did
shortly after the death of the said testator sell
and convey to some person unknown to
your complainant the said negro girl Maria
who (by virtue of the sale and conveyance
made by the said executor, has been carried into
the State of Virginia as she believes and he has
with held from him the amount for which the
female slave aforesaid was sold, & he has
refused to deliver to your orator the other
property specifically above taken, except
the man William the value of which your orator
who was put into his possession - Whereupon
your complainant thereupon applied to him
for payment to him of
the said to the legacies contained in the will of
testator, the executor refused, and offered as
a reason for refusing, that the estate of his
testator was so indebted to various persons,
as to make it improper for him to sell the pro-
perty given to him; and he alledges that the
said executor had no right to withhold
from him the amount for which the
female slave aforesaid was sold, because it is a
specific legacy and is in no way responsible for payment of the debts until after all
the other estate of the testator is absolved in
discharging the same of the said Thos pendie
and because he set apart a fund which
was deemed ample for the creditors -
The other persons interested in the estate are John
R. pendie, Richard & Thomas & Sarah his wife
late Sarah pendie, Ellen pendie and Geo.
Lemon pendie. - And your orator avers that
he has made frequent application to the
... to be paid his legacy but he has
hitherto refused so to do. All which is contra-
ry to equity. In tender consideration whereof,
&c, for as much as your orator is without
remedy in the premises save in this Court
he prays that the said Arthur Smith exor
as aforesaid, Richd & Thomas & Sarah his wife
late R pendie and Geo. James pendie &
Ellen pendie the two last infants, by some fit
person to be appointed to attend them, may be
made defendants hereto, and he requires of
their corporal oaths, full, true, perfect &
perfect answers to make to all & singular the
allegations aforesaid as fully as if the same
were here again repeated, and they thereto
more especially interrogated - Your orator
prays that the said legacy &c may be decreed
by the Court to be paid to him by the said
Arthur Smith as exor as aforesaid, and

(#7)

Pendie

Bill

Pendies exors &c.

Filed a copy of the
writ &c —

April 6th: 1835 Bill & exhibits
filed. —

May 4th: 1835 Nath: Young
appears & admission to the infants
defendants —

May 7th: 1835 answer of Nath:
Young Exr & admission to the infants
filed —

July Rules 1835 answer of A.
Sebastik exor of Thos: Pendie & exhibits filed

ans: of Thomas Davis filed
August 3: 1835 General repl: &
issue & cont: —

October Rules 1835 answer of George
L. Perdie filed — & replication
entered for plaintiff

May 6th
decree for [illegible]

Sept: 5th 1836
Com: rept: ref: &c
with the accompanying
documents filed this
day

Oct: 6th 1836
decree — See Order Book

Feby: 27th 1837
Com: Rept: ref: & filed
with exhibits A. B. —

May 6th 1837
Bill dismissed
with costs —

I have withdrawn
the copy of Thos: Pendie's
bill filed in this
cause. June 7th 1841

R. L. Thomas

Exhibits

To the Judge of the circuit Superior Court of Law & Chy. for Isle of Wight County - The ~~[illegible]~~ answer of Nathl. Young guardian ad litem by the Court appointed for Geo. Jas. Pendin, & Ellen Pendin infants, to the bill of compt. against them and others in the said Court exhibited by Elizabeth Pendin.

The defendants by &c. for answer say they are of very tender years, incapable of protecting their rights - know nothing of the claim set up by the complainant, deny the allegations to be true and call for strict proof &c.

(Signed, Nath'l. Young

Isle of Wight County to wit, This day came before the undersigned, a justice for said County & made oath to the truth of the foregoing answer so far as the same came to his knowledge.

(Signed,
Josiah - Holleman J.P.

Pendleton infants

a/c. Jason

Pendle

Of the infants.

filed 7th May 1835—

The answer of Arthur Smith executor of the last will and testament of Thomas Purdie decand to a bill exhibited against him and others in the circuit superior court of law and chancery for the county Isle of Wight by Eliza usually called Elizabeth Purdie Plaintiff. —

This Defendant now and at all times hereafter saving and reserving to himself all benefit of exception, which might be taken to the bill of the said Plaintiff, for answer thereto, as to so much thereof as he is advised is material for him to answer, answereth and saith: That it is true as stated in the bill of the said Plaintiff, that Thomas Purdie decased late of the county Isle of wight died about the day of November 1829 having first made and published his last will and testament, which has been legally admitted to record in the court of Isle of Wight, and that the said Thomas Purdie was possessed of a valuable real and personal estate, and had large sums of money due and owing to him, — that it is also true that this Defendant was appointed executor of the said will and duly qualified as such before the county court of Isle of Wight about the day of December 1829, and possessed himself of the estate of the said Thomas Purdie agreeably to the said will; but he denies that the said estate was more than sufficient to pay the debts of the testator and the legacies, on the contrary, after having exhausted all the estate not specifically devised or bequathed, a very large sum was necessary to be raised out of the specific legacies, and which has been done, to discharge the debts of his said testator, — that it is true the said Thomas Purdie by his said will disposed of his property real and personal amongst his children and grand child and the said Plaintiff, to whom he gave the articles in the said bill mentioned, and it is also true that the said negro girl Maria was sold and conveyed by this Defendant to a person, who, he believes, has taken her beyond

beyond the limits of the state, and that the amount for which the said girl was sold, to wit, $211.77½ has been withheld from the said Plaintiff; but he utterly denies that he has refused to deliver to the said Plaintiff the other property specifically devised or bequeathed to her, on the contrary this Defendant avers that she has received every article of it, of the value of $854.75; and the said Plaintiff has moreover received and enjoyed all the other priviledges and advantages set forth in the said will. that this Defendant has never refused his assent to any legacies bequeathed to the said Plaintiff (all of which she has received) except that of the said negroe girl Maria, and it is true that when applied to for the said girl, or for the amount for which she was sold he has refused on the grounds that it was necessary to sell some of the specific legacies of the several legatees (his said testator having disposed of nearly his whole estate in specific legacies) in order to pay the debts of his said testator the fund set apart for that purpose being entirely insufficient, as will more fully appear by by the accounts of his administration office copies of which are to the court now here exhibited Marked A. and B. and prayed to be taken as a part of this answer.

And this Defendant further answering saith, that so far from withholding from the said Plaintiff any thing to which he considered her entitled under the said will, and which the situation of the said estate would justify him in delivering or paying over to her, he thinks on the contrary, that he has acted towards her with much indulgence; inasmuch as he delivered to her all her said legacies, with the exception above stated, without requiring in a refunding bond that security which he had a right to demand, but which she alledged she was entirely unable to give.

And this Defendant further answering saith, that in the administration of the estate of his said testator, he has found it necessary to appropriate to the payment of the debts a portion of the specific legacies of the several legatees, to wit, from portions of George I. Purdie about the sum of $1599.40 he believes, from the portion of Sarah Robinson Purdie about the sum of $409.96, from the portion of the said Plaintiff about the sum of $211.77½ and from the portion of Ellen Purdie about the sum of $167.12½. For he considers the negroe boy slave Charles sold by him for that purpose, as specifically bequeathed to the said Ellen Purdie, tho in the will the name Charlotte is used, his testator possessing no such slave as Charlotte, and having enumerated in his will all his slaves if by the word Charlotte, Charles be understood, except two old superannuated slaves then in York county.

And this Defendant further answering saith, that he has delivered and paid over all the estate of his said testator, which has come to his hands except a small portion of the balance of $33.58 found in his hands by his additional account Marked B. and heretofore refered to, and $14.71 received since; and except also the sum of $318 accruing from the sale of real estate, the proceeds of which are specifically bequeathed to the said Ellen Purdie by his said testator. And as there may be some doubts as to the true construction of the said will and several parties entitled, this Defendant is desirous to act in the premises as executor of the said Thomas Purdie deceased, under the direction and indemnity of this honourable court. And this Defendant having thus answered, and denying all fraud and combination, if any be understood to be charged in the said bill, prays to be hence dismissed with his reasonable costs in this behalf expended &c.

Arthur Smith exr.
of Thos. Purdie

Isle of Wight county to wit:
Personally appeared before me a justice of the

the peace for the county aforesaid Arthur Smith and made oath that the above answer and the matters therein contained are true to the best of his knowledge and belief. Given under my hand this ninth day of July in the year 1835

J. H. Purdie J.P.

Purdies exor.

adv. Answer

Lizzy Purdie &c

July Rules 1835 answer of A. Smith exor. &c. filed Replication and exhibits A & B. referred to file.

The answer of Richard L Hooper and Sarah his wife to a bill exhibited against them and others in the superior court of law and chancery for the county of Watauga by Lizza who is usually called Elizabeth Pardie.

These respondents saving and reserving to themselves all benefit and advantage of exception to the many & insufficiencies of the said bill for answer thereto or to so much thereof as it is material for them to answer, answer and say, that they understand and believe that the said plaintiff has received of Arthur Smith exr of Hon. Pardie dec'd all the money, legacies and property of all kinds bequeathed to her in the will of the said Hon. Pardie except the negro girl Maria and they rely on the settlement between the said plaintiff and the executor, and be ready to give to them the same. your respondents are advised that a large amount of debts existed against the estate of the said Hon. Pardie, so that it became necessary for the said executor not only to sell all the other estate, but also to retain & sell some of the legacies specifically bequeathed for the purpose of satisfying the said debts. The said executor accordingly sold the negro girl Maria and applied the proceeds accordingly. he also sold other property specifically bequeathed to other legatees for the same purpose. The said executor now retains and withholds from your respondents the sum of four hundred and fifty dollars a part of the sum of eight hundred dollars due from Hon. C Russell to the said Hon. Pardie and specifically bequeathed to his daughter Sarah P. Pardie now the wife of your

inpondent R. L. Thomas by the sale of the
said Thos Pendie. your respondents have
not complained of this manner as they
believe the executor has endeavoured
to retain and withhold from each of the
legatees a proportional part of the amount
necessary to satisfy the debts of the testator
and that the said plaintiff is not more
injured by the sale of the said negro
slavie, than your respondents are
by the retaining from them four hun-
dred and fifty dollars by the said
executor. your respondents rely on
the answer and exhibit filed by the
said executor Arthur Smith and
ask that the same may be taken
and considered as part of this an-
swer. They also rely on the bill
of the said Thos Pendie filed by
the said plaintiff marked A to
shew that they were entitled to
the said specific legacy of eight
hundred dollars a part of which has
been withheld from them as aforesaid
and that the said plaintiff has no just
cause to complain of the said ex-
ecutors conduct in relation to his
acting & doings in relation to the
estate of the said Thos Pendie, or
to recover the value of said negro
slavie either from the said ex-
ecutor or your respondents. And
dsaid having thus answered they pray
hence to be dismissed with their cost
in this behalf expended &c

Signed

Rich.d L. Thomas

Hollemon p.q

Interrogt county to wit

This day personally ap-
peared before me a justice of the peace for the
county aforesaid, Richard L Thomas
and made oath that the fore
going answer and the matters
therein stated and contained
are correct and true accord-
ing to the best of his knowledge
and belief. Given under
my hand this 3rd day of
Aug. 1835

Parker Tilly P.

Thomas Swope
ats
Ligget
Answer

3d Aug. 1835 Ans. filed

The separate of George Lamy Purdie, an infant under the age of twenty one years, by Nathaniel Young his guardian specially appointed to defend him in this suit, to the bill of Compt exhibited against him and others in this Honorable Court, by Eliz.a Purdie, Complainant.

This defendant, saving and reserving to himself all manner of advantage he to the many errors and insufficiencies in the said bill of Complaint contained, for answer thereto, answering, says — That he knows nothing respecting the matters and things alleged by the Complainant in his said bill of Complaint, other than the fact that his father, as charged by the said Complainant, left a last will and testament wherein he he made sundry bequests to different legatees, and among others them mentioned by the Complainant; but whether any of the same were general or specific, and whether the general legacies, if any there be, have been broken upon by the executor in the payment of his testators debts, this defendant is ignorant how and to say. And this defendant further answers and says, that he has understood that several of the specific legacies, given to him under the will of his deceased father, equivalent in the whole to $14 or 1500, have been called by the said executor to pay the debts of his said testator; which sum is much more than equal, as this defendant believes, to the proportion he would have had to contribute if an equal and pro rata contribution had been made by the several specific legatees under the said will; and consequently, he can, under no circumstances, if the charges of the complainant be true, be required to abate any thing further from the interests devised by him to him from his said father in a view to the object sought to be effected by the institution of this suit. And this defendant further answers and says, that should it turn out to be true as charged by the complainant that ~~these remaining part~~

a part of the fund set apart and designated by the said testator for the payment of his debts, still remains unabsorbed, and that there are general or pecuniary legacies to which the said estate has not resorted, and which he should have exhausted prior to any recourse to the specific legacies, and that this defendant has contributed more than his proportion as a specific legatee, he prays that the Court will decree him contribution from for the excess over such proportion as may be ascertained to be in his favor. And this defendant having answered the several allegations of the complainant so far as they are charged with reference to himself, further answers and says, that he is an infant under the age of twenty one, and he therefore submits his interests to the protection of this Honorable Court.

Nath'l Young Gd'n. ad litem to Geo. I. Purdie

Wm. D. Hodges, J. P.

Isle of Wight County, to wit: This day came before the undersigned, a J. P. for the said County, Nath'l. Young, who made oath that the facts in the above answer are true to the best of his knowledge & belief. Given under my hand this 5th day of ~~Oct~~ Nov. 1835.

Edwin Eley J. P.

Purdie

vs

Parsons

Chancellal.

Oct To 5th 1835 Ans'r filed

The commonwealth of Virginia to the Sheriff of Isle of Wight County Greeting: We command you to summon Arthur Smith executor of Thomas Purdie dec'd, George James Purdie, and Ellen Purdie infants under the age of Twenty one years, Richard L. Thomas and Sarah his wife late Sarah K. Purdie, and John Everard Purdie — to appear before the Judge of the circuit Superior Court of Law & Chancery for the aforesaid County at the Clerks Office of the said county on the first monday in April next being Rule day to answer a Bill of complaint in the said Court exhibited against them by Liza sometimes called Elizabeth Purdie — and if the said Arthur Smith executor of Thomas Purdie, George James Purdie, Ellen Purdie, Richard L. Thomas and Sarah his wife, and John Everard Purdie shall fail to answer the said Bill within four months from the service of this subpœna the said Bill will be taken as confessed. And have then there this Writ, Witness Nathaniel Young clerk of our said court at the court House the 27th day of March 1835 in the 59th Year of the commonwealth —

Nath'l Young

Executed on the defendants by leaving copies
April 2nd 1835

Charles F. Wood D.S.

for Charles Wood D.H.S.

Lepro. Wood's Elegit Writ
Wood
vs
Perkins' exors. Hutchins
To March Rules, circuit
Sup. Court of Law & Chy.
1835

To Liza usually called Elizabeth Purdie.

Take notice, that I shall on saturday the 9th day of April 1836, at the house of James Wheadon in the town of Smithfield in the county Isle of Wight, between the hours of nine o'clock in the morning and six o'clock in the afternoon, proceed to take the depositions of James Chalmers John R. Purdie and others, to be read as evidence in a suit now depending and undetermined in the Circuit superior court of law and chancery for the county Isle of Wight in which you are Plaintiff and I as executor of Thomas Purdie, am one of the Defendants, - when and where you may attend if you think proper

Arthur Smith exr.
of Thos. Purdie

28th March 1836.

Legal notice acknowledged:
Arthur Smith exr of Thos Purdie

The deposition of John R. Purdie of lawful age taken, pursuant to notice on the 8th day of April 1836 at the house of James Wheadon in the town of Smithfield and county Isle of Wight between the hours of nine o'clock in the morning and six o'clock in the afternoon by Ja.s C. Jordan a justice of the peace for the county Isle of Wight and to be read as evidence in a suit now depending and undetermined in the circuit superior court of law and chancery for the county Isle of Wight in which Eliza usually called Elizabeth Purdie is Plaintiff and Arthur Smith exor. of Thos. Purdie and others are Defendants. This Deponent being first duly sworn deposeth and saith.

~~He is to testify~~ that professional duties required me to visit the plantation of the late Thos. Purdie during the year 1830 frequently; that Elizabeth, commonly called Liza Harris lived in one of the houses on said plantation, how long I cannot say, but suppose about twelve months after the death of said Purdie, that Milly Weaver & Beck two negroe women lived in the kitchen attaching to the house, a part of the time that Elizabeth lived in the said house, but whether they remained there the whole time I cannot say; I however, believe they did: it was generally understood they stood there to wait on Elizabeth, but in what manner they were supporting I cannot say; I suppose their yearly value at that time, ~~might~~ could & ought have been $65.00. Given under my hand this 7th day of April 1836.

Jno R Purdie

Teste/ Wm. Todd — This 8 day the above deposition of John R Purdie was taken & certified to me at the place aforesaid for the purpose mentioned as a justice of the peace this 8th April 1836.

Ja.s C. Jordan

Purdie

ads. depositions

Purdie's exor.

May 2d 1836 came to hand under seal, and filed in N.Y. cb.

The deposition of James Chalmers taken at Jas P. Rhodes's Tavern in the town of Smithfield County of Isle of Wight, ~~[illegible]~~ on the 9th day of April 1836, to be read as evidence in the suit in the Circuit Sup: Ct of Law & Chy. for Isle of Wight County in which Diza Pender is pltff: and Arthur Smith exor: of Thomas Pender and others are defendants. —

The deponent says that he was a subscribing witness to the agreement bond & deed by said Diza Pender and that the signature as he acted and seen it in his presence — and he says, that the said Diza occupied the Farm when the Pender died, but how long he does not recollect — as to the support he says, he knows nothing except that he furnished the said Diza with Loaf Sugar, brown Sugar, coffee, French Brandy to the value of ten dollars & 14 cents which was paid by Smith the exor: of the Pender — & to Billy Pearce and Beck — the deponent thinks the hire and support of Billy Pearce & Beck was worth for a year sixty five dollars. —

Jas Chalmers

(seal)

Isle of Wight County to wit: This day came before the undersigned a justice of the peace for said County, Jas Chalmers & he made oath to the above deposition & which was taken at the time & place aforesaid — Given under my hand and seal this 9th of April 1836. —

Jas C. Jordan Jr

All Available Text Successfully Captured

J. Chalmers

deposition

Know all men by these presents that
we Elizabeth Purdie and
are held and firmly bound unto Arthur
Smith executor of Thos. Purdie deceased
in the sum of eight hundred and fifty
dollars of lawful money of Virginia to be
paid to the said Arthur Smith; and to the
payment of which well and truly to be
made we bind ourselves our heirs &c.
jointly and severally firmly by these
presents. As witness our hands and seals
this 15th day of December 1830.

The condition of the above obligation
is such, that whereas the above bound
Elizabeth Purdie has received from
the said Arthur Smith executor as a-
foresaid all the articles of household
furniture bequeathed to her by the will
of the said Thos. Purdie deceased, also her
son William, the gig and horse, the whole
valued by the appraisers of the estate of the
said Thos. Purdie at five hundred and fif-
ty four dollars and 75 cents, and also the
three hundred dollars left in her possession
Now if the said Elizabeth Purdie shall
refund her proportions of any debts or de-
mands and the costs attending the recovery
thereof which may hereafter appear a-
gainst the estate of the said Thos. Purdie
deceased

Incase over and above the fund raised by the said Arthur Smith executor aforesaid for this payment, together with proportion of contributions by the other legatees, then this obligation to be void, otherwise to remain in full force and virtue.

Test
Ed. Chalmers

Elizabeth her + Purdie
mark

Elizabeth Purdie's
refunding bond

Commissioners Office February 2d 1837.

Pursuant to a decree of the Circuit Superior Court of Law and Chancery for the County of Isle of Wight pronounced in the suit of Elizabeth Purdie against Arthur Smith executor of Thomas Purdie decd: and others, which is herewith filed marked A — On the 19th day of November 1836 notice was issued appointing Thursday the 2d: day of February 1837. for carrying said decree into effect. which notice marked B. & herewith filed, was returned "Service acknowledged by Richard L. Thomas & Wife, Arthur Smith exor: of Thomas Purdie — & Young Gon. adultm — & A. Atkinson Atty. for Plt." —

On the day and at the place named in said notice Your Commissioner proceeds to make up an account of Arthur Smiths transactions on the Estate of Thomas Purdie decd: which account is marked at the head of the margin, with the letter C. in that account your Commissioner has on the debit side of the account ~~of the account~~ credited the Executor with all the monies paid out of his Testators estate, as well for the payment of debts, as advancements made to the Legatees for cash Legacies & for proceeds of sale of real estate — On the credit side of said account, your Commissioner has charged the said Executor with all the monies of his Testator, as well that for sale of chattle property monies received for out-standing debts, as for sale of real estate & sale of negroes bequeathed by the Testator: on that account there remains in the hands of the Executor fifty seven dollars and thirty eight cents subject to the payment of the debts of his Testator —

Your Commissioner has also made up an account of the said Arthur Smith's transactions on the estate of the said Purdie, marked at the head of the margin with the letter D. crediting on the debit side of said account to credit the Executor with payments made to the Legatees for cash Legacies and for the proceeds of sale of real property sold by the Executor and paid over to the Legatee — and crediting on the credit side of said account to charge the Executor with the proceeds of sale of real estate and of slaves which were bequeathed — which said account shews the sum of One thousand nine hundred and twenty five dollars and eighty one cents to be refunded by the several Legatees in proportion to the amount of their respective Legacies —

Your Commissioner has also taken an account of the several Legacies in the Will of the Testator, marked at the head of the margin thereof with the letter E. — The amount of the Legacy to Sarah R. Purdie is $4500: 00 All of which was delivered over to her Guardian by the Executor except the sum of $409: 96 being a part of Rufsels bond which was retained by the Executor for the payment of debts —

The amount of the Legacy to George I. Purdie is $3325.00 which amount in slaves was delivered over by the Executor, for retained by him as the Gon. to said George except "Negroes Solomon, Nancy, Sam, Beck Sebina, Eliza & old Sreas," which were sold by the Executor for the payment of debts for $1055:16 —

The amount of the Legacy to Eliza a Mulatto Woman is $1000: which was delivered over to her by the Executor, except Negro Girl Maria, which was sold by the Executor for the payments of debts for $157:12 —

The amount of the Legacy to Ellin Purdie amounts to the sum of $405:00 All of which was delivered over by the Executor to James Chalmers her Gon. in slaves — except Negro Charles which was sold by the Executor for the payment of debts for $107:12 —

The sum required to be refunded by Sarah R. Purdie as her pro: of the $1925:81. is . . . $945.28
retained out of her Legacy. (say pt. of Negroes bond) . . 407.96
$535.32

The sum required to be refunded by George I. Purdie . 689.27
Refunded in sale of Negroes bequeathed to him . 1055:16
over & above his pro: $765.89

The sum required to be refunded by Eliza . $207.29
Refunded by sale of Girl Maria . 157.12
$50.17

The sum required to be refunded by Ellin Purdie . $83.97
Refunded by sale of Negro Charles . 107.12
over & above her pro. $83.15

Your Commissioner has taken no account of the Legacy to John C. Purdie nor apportioned nothing for him to refund for the payment of the debts because the Legacy to him is to make exclusively out of the proceeds of the property bequeathed to George I. Purdie — All of which is submitted to the Court.

Commissioners fee
37½ Hours $37.50
fee charged to Smith exor of Purdie

Barth. Lightfoot Comr

Isle of Wight County to wit — Barth. Lightfoot this day made oath before me a Justice of the peace for the said County that the fee charged by him for this report is just & proper. Given under my hand this 15th day of February 1837.

W. P. Purdie J.P.

Dr. The Estate of Thomas Purdie deceased

1829					
Dec.	8	To paid Charles Winn	bond	$	400 63
"	"	" paid John Morrison for Coffin			12 00
"	14	" paid Richard H Baker	Acct.		17 00
"	22	" paid Rev. W. G. Jones for funeral services			10 00
"	28	" paid James Chalmers	bond		121 82
"	31	" 5 P cent Commissions on $1120			56 00
		" Balance due the Estate	To Contra		490 53
					$1120 00
1830					
Jan.	1	To paid Cartright Price	Acct.		3 08
"	4	" paid James Cunningham for bricking grave			10 00
"	"	" paid Gray Carroll — on an order & part of bond			425 00
"	"	" paid Nathaniel Norsworthy	Acct.		5 25
"	21	" paid Eliza, a Mulatto Woman, part of Cash Legacy			200 00
"	"	" paid Merit Jordan for crying the estate			15 00
"	22	" paid N. R. Reardon	Acct.		25 20
Feb	11	" paid Samuel Whitfield	"		144 02
"	18	" paid James Chalmers Gor. to Ellin Purdie on Gor. Acct.			200 00
"	"	" paid Catharine Sinclair	Acct.		1 00
Apl	15	" paid Thomas Margrave	"		2 00
"	"	" paid William Giles	"		2 00
June	23	" paid Thomas Rupsel	2 bonds		223 81
"	"	" this sum expended by the Exor. in going to, and returning from Warwick - on busines of the est.	To		7 50
July	19	" paid Joseph Atkinson	bond		220 55
"	21	" paid Barth: Lightfoot	Acct.		8 00
"	27	" paid Clayton & Coleman	"		14 75
"	29	" paid Sampson White	"		5 75
Aug	2	" paid Dorcas Aboytin	bond		139 82
"	6	" paid Merit Womble	"		90 44
"	7	" paid Julia Hayden	Acct.		34 31
"	9	" paid Sheriff of Accomack taxes for 1828 & 29			13 52
"	"	" paid Richard Barlow	Acct.		12 17
"	"	" paid A. G. Shivers Dyff. on execution			224 65
"	20	" paid Jas. Chalmers Gor. to Ellin Purdie for sale of Lot ½			130 00
"	"	" paid Ditto Gor. to Ditto for sale of two Lots			209 00
"	"	" paid James Chalmers Gor. to Sarah R. Purdie pt. of Legacy			450 00
		Amount of accts carried forward		$	2010 03

In account with Arthur Smith, Executor

6

1829					
Dec	3	By this sum in Cash found in the House of Testator		$	20 00
"	"	By this sum deposited in the hands of A. Smith (the exor.) by the Testator a short time before his death	To		100 00
					$1120 00
1830					
Jan	1	By this sum balance due last year			490 53
Jan	9	By this sum received of Nath[l] Norsworthy for Rent		$	60 00
		By this sum of Eliza a Mulatto Woman deposited with her by the Testator, in his lifetime	To		300 00
		By this sum received of Merit Jordan for rent of March			5 00
		By this sum received of Samuel Whitfield	on Acct		54 07
"	23	By this sum received of Thomas C Rupsel (in bonds) for Sale of Furniture at the half Way house	To		71 07
"	"	By this sum received of Thomas C. Rupsel			429 49
Aug	26	By this sum received of George Wilkinson			30 00
"	28	By this sum for Sale of Lot to Richard Matthews			200 00
"	"	By this sum for Sale of Lot to Jos. Atkinson			77 00
"	"	By this sum for Sale of Lot to James B. Southall			132 00
"	"	By this sum for Sale of March			180 00
"	"	By this sum for Sale of Chattle property			232 37
		Amount of Cr. accts carried forward		$	4422 49

1830					£	s	d
				Amount of debits brought forward	2010	03	
Aug	26	To paid	James Chalmers	Acct	102	44	
"	"	" paid	James Chalmers Gen. to Elkin Purdie bal on Gen. acct		64	32	
Sept	4	" paid	Comm. Lightfoot	Acct	2	00	
"	13	" paid	Thomas M. Cowling	"	1	50	
"	20	" paid	Gray Carroll	A/c Sundries	37	49	
Oct	10	" paid	James A Woodley	Acct	3	60	
"	13	" paid	WB Whitehead Dysff on execution in favour of Purdie		530	69	
"	"	" paid	Doct. G. L. Corbin	Acct	34	50	
Nov	8	" paid	W. G Cowling	"	3	36	
Dec	4	" paid	Merit Womble	"	10	75	
"	"	" paid	Tho: D Ripley Court on executions		24	87	
"	"	" paid	John Ross	Acct	20	94	
"	"	" paid	WB Whitehead Dysff taxes and tickets		21	57	
"	"	" paid	James Chalmers for articles furnished Elija		34	79	
"	"	" paid	Elija Mulatto woman — bal of cash Legacy		100	00	
"	31	" 5 ₰ cent	Comm[s] on £ 5073:27 receipts		253	68	
		" Balance	due the Estate	₰ Contra	1539	04	
					£ 5599	01	

1831					£	s	d
Jan	31	To paid	Gray Carroll	bal of bond	503	9	
Feb	3	" paid	John Barron	pt of bond	109	34	
Apl		" paid	William B. Lane	Acct	10	95	
		" paid	for Tomb stone & charges thereon		184	20	
May		" paid	Wm S Olseman	Bonds	20	11	
July	1	" paid	Jas Pedin Ex[r] for appraising the Negs		6	00	
"	"	" paid	Thomas D. Ripley Court		21	30	
"	"	" paid	Rich. B Baker Atto at Law	Acct	10	00	
"	"	" paid	Shemuel Godwin	"		72	
Oct		" paid	James Chalmers Gen. Elkin Purdie bal in full for sale of real estate	Ex[rs]	327	02	
"	"	" paid	Thomas C. Russel for money paid for taxes & tickets		21	53	
Nov	"	" this sum	expended in going to & returning from York County on busines of the estate	Ex[rs]	0	50	
Dec		" paid	for maintaining old negro man Ralph		15	00	
		" paid	for clothing for	ditto	2	69	
		" paid	Merit Womble	Acct	10	75	
"	31	" 5 ₰ cent	Comm[s] on £ 801:06	receipts	40	05	
		" Balance	due the Estate	₰ Contra	1127	72	
					£ 2432	44	

1830					£	s	d
				Amount of Credits brought forward	4422	49	
Aug	20	By this	sum for Sale of Negroes Edmund, Sam, Solomon, Nancy, & Sirus Sen[r] bequeathed to Geo. I Purdie	Ex[rs]	901	58	
		By this	sum for Sale of Maria - bequeathed to Elija		157	12	
Dec	4	By this	sum of Jordan on bond		8	65	
"	31	By Interest	on £ 496: 55 one year		29	79	
					£ 5599	01	

1831					£	s	d
Jan	1	By this	sum balance due last year		1539	04	
	4	By this	sum for Sale of Negroes bequeathed to Elkin Purdie		167	12	
Feb		By this	sum of Ishmael Uzzell		5	30	
June		By this	sum of Benj: Drew for money paid as Security		124	85	
		By this	sum for Carriage &c sold		88	52	
		By this	sum of Valet Floyd for house rent in 1829		7	02	
Nov	21	By this	sum of Thomas C Russel bal of bond		430	47	
Dec	31	By Interest	on £ 1539: 04 one year		92	34	
					£ 2432	44	

1832

Feb	21	To paid Albert G. Shivers Dyer for taxes & tickets		$ 2	11
"	"	" paid Barth. Lightfoot exor. of Hatton	Bal. of bond	1401	45
June	23	" paid Christopher Curtis for Coffin for old Nancy		8	00
"	"	" paid Clerks tickets		1	63
Nov	23	" paid Samuel Whitfield for Martha Morrow & Hy	bond	285	74
"	"	" paid Cox & Moir of Baltimore	Acct	3	38
Dec	"	" paid John H. Pollard for Coffin for old Ralph		2	50
"	"	" paid Robert Soutter of Norfolk	Acct	43	21
"	22	" paid Wm Whitehead land tax			49
"	"	" paid Barth. Lightfoot	Acct	10	50
"	"	" paid Clerks tickets		13	97
"	"	5 ℘ cent Comm.s on $790: 71 receipts		39	83
"	31	" Balance due the estate	℘ contra	51	02
				$ 1924	43

1832

Jan	1.	By this sum balance due last year	$	1127 72
Feb.	20	By this sum for Sale of Negroes Bock, Sebina & Eliza bequeathed to Geo. I. Purdie		673 50
		By this sum for Sale of a Book, loaned out by Testator		3 37
Mar		By this sum received of Benj Drew for money paid as Security		114 84
		By this sum for broken Corn Sheller		5 00
			$	1924 43

1835

June	20	To 5 ℘ cent Commissions on $ 332: 71 receipts	16 63
	"	Balance due the estate ℘ contra	375 38
			$ 392 01

1835

Jan	1	By this sum balance due 31st Dec. 1832	51 02
June	20	By this sum for sale of a tract of Land bequeathed to Ellen Purdie	318 00
		By this sum for Sale of old Fan mill & hand mill	14 71
		By Interest on $ 51. 02 from 1st of Jan. 1833 to June 20th 1835	7 68
			$ 392 01

Due the Estate $ 375: 38 June 20. 1835
of which 318. 00 is the proceeds of sale of Land given to Ellen Purdie
$ 57: 38. Subject to the payment of debts.

D: Dr. The Estate of Thomas Purdie deceased — In account with Arthur Smith, Executor — Cr.

1829							1029				
Dec	8	To paid Charles Munn	bond	$	400	63	Dec	3	By this sum in cash found in the house of Testator	$	20 00
"	"	" paid John Morrison for Coffin			12	00			By this sum deposited in the hands of A. Smith (the Exor:) by the Testator in his lifetime		1100 00
"	14	" paid Richard H Baker	Acct		17	00					
"	22	" paid Rev.d W. G. Jones for funeral Services			10	00					
"	28	" paid James Chalmers	bond		121	82					
"	31	" 5 P cent comm.s on $1120			56	00					
		" Balance due the Estate	P Contra		496	55					
				$	1120	00				$	1120 00
1030							1030				
Jan	1	To paid Cartright Price	Acct		3	68					
"	4	" paid James Cunningham for bricking grave			10	00					
"	"	" paid Gray Carroll on an order & pcent of bond			425	00					
"	"	" paid Nathaniel Norsworthy	Acct		3	25					
"	21	" paid Merit Jordan for laying the ct.			15	00					
"	22	" paid A. R. Reason	Acct		25	20					
Feb	11	" paid Samuel Whitfield	"		144	02					
"	10	" paid James Chalmers Gen. to Elvin Purdie pt. of Gen. Acct			200	00					
"	"	" paid Catharine Sinclair	Acct		1	00					
Apr	13	" paid Thomas Hargrave	"		2	00					
"	"	" paid William Giles	"		2	00					
June	23	" paid Thomas Ruffin	bond		187	65	Jan	1	By this sum balance due last year		496 55
"	"	" paid Ditto	"		30	16	Jan	9	By this sum received of Nathaniel Norsworthy for rent	$	60 00
"	"	" this sum expended in going to and returning from Norwich on busines of the estate 2/3			7	50			By this sum of Eliza (a mulatto Woman liberated by the Testator) which was deposited in her hands by the Testator in his lifetime 2/3		300 00
July	19	" paid Joseph Allenson	bond		220	55			By this sum M Merit Jordan for rent of marsh		5 00
"	21	" paid Barth: Lightfoot	Acct		8	00			By this sum of Samuel Whitfield		54 07
"	27	" paid Clayton T. Coleman	"		14	75	"	23	By this sum of Tho. C. Ruffin (in bonds) for sale of furniture at the hay stay house 2/3		71 01
"	29	" paid Sampson White	"		5	76	Aug	20	By this sum of George Williamson		30 00
Aug	2	" paid Borden & Boykin	bond		139	82	"	"	By this sum for Sale of Chattle property due this day		2327 37
"	6	" paid Merit Womble	"		90	44					
"	7	" paid Julia Hayden	Acct		34	31					
"	9	" paid Sheriff of Nansemond taxes for '20-'29			13	52					
"	"	" paid Richard Barlow	Acct		12	17					
"	10	" paid A. G. Shivers Sheriff. on execution as Surety for Brice			224	65					
"	20	" paid James Chalmers	Acct		102	44					
"	"	" paid James Chalmers Gen. to Elvin Purdie bal. of Gen. Acct			64	32					
Sept	4	" paid Comm.r Lightfoot	Acct		2	00					
"	13	" paid Thomas M. Cowling	"		1	50					
		Amount of debts carried forward		$	1999	35				$	3344 00

1030					
		Amount of debits brought forward		₰ 1999	35
Sept	20	To paid Gray Canole	assumpsit	27	49
Oct	10	" paid James A. Wooster	Acct	3	50
"	13	" paid Jos. B Whitehead Dyer. on execution in favor of Ms Pence		530	69
"	"	" paid Doct. G. L. Corbin	Acct	34	50
"	"	" paid W. G. Cowling	"	3	30
Nov	10	" paid Merit Womble	"	10	75
Dec	4	" paid Thos. D. Ripley, Coms. on executions		24	87
"	"	" paid John Ross	Acct	20	94
"	"	" paid Jos. B Whitehead Dyer. taxes and tickets		21	57
"	"	" paid James Chaemers	Acct	34	79
"	31	" 5 ₰ cent commissions on ₰ 2056:10 receipts		142	80
		" Balance due the Estate	₰ Contra	510	73
				₰ 3379	44

1030				
		Amount of Credits brought forward		3344.00
Dec	4	By this sum of Jordan	on bond	8 65
"	31	By Interest on ₰ 490.55 one year		29 79
			₰	3379 44

1031				
Jan	31	To paid Gray Canole	bal. of bond	503.96
Feb	3	" paid John Watson	pt. of bond	109 34
Apl.		" paid William S. Lane	Acct	16 97
May		" paid William Holeman	bond	26 11
June		" paid William St Lain for Tombstone Charges thereon		184 20
July	1	" paid Sol. Peace & Co for appraising the est.		6 00
"	"	" paid Thomas D Ripley, Coms.		21 30
"	10	" paid Richard H Baker Attn. at Law	Acct	10 00
"	"	" paid Shemuel Godwin	"	70
Oct.		" paid Thomas B. Rissel for advancements made for taxes and tickets	no	21 53
Nov		" this sum expended in going to & returning from York on business relating to the estate	no	10 50
Dec		" paid for maintaining old man Ralph		15 00
		" paid for clothing	Acct	2 69
		" paid Merit Womble	Acct	10 75
"	31	" 5 ₰ cent Commissions on ₰ 203:47 receipts		10 17
			₰	947 22

1031				
Jan.	1	By this sum balance due last year		₰ 510 73
Feb.		By this sum of Isham Tyree		5 30
June		By this sum of Benj. Drew for money paid as Security in part		124 65
		By this sum for Carrying to Pr. Sale		66 52
		By this sum of Violet Floyd for rent of house		7 00
Dec	31	By this sum balance due the Executor ₰ Orders		225 02
			₰	947.22

1832					
Jan 1	To this sum balance due the Executor last year			₰ 225	02
Feb. 21	" paid Barth: Lightfoot exor. of John Batton	bond		1481	45
	" paid Christopher Curtis for Coffin for old Nancy			8	00
June 23	" paid Curtis's tickets			1	63
"	" paid Curtis's tickets				
Nov 23	" paid Samuel Wheigfield for Martha Norsworthy	bond		285	74
"	" paid Cox & Moir of Baltimore			3	30
"	" paid John B. Pollard for Coffin for old Ralph			2	50
Dec	" paid Robert Souther of Norfolk		acct	43	21
"	" paid Jos B Whitehead Dyshff, Land tax				40
" 22	" paid Curtis's tickets			13	97
"	" paid Barth: Lightfoot Commr			10	50
" 31	" 5 P Cent Commr on ₰ 122.21 receipts			6	11
				₰ 2062	50

1832					
Dec. 31	By this sum for Sale of a Book, paid out by Testator			₰ 3	37
	By this sum of Benj: Drew for money paid as Security - balance			14	84
	By this sum for broken Corn Sheller			3	60
Dec 31.	By this sum balance due the Executor ₰ debts			1939	79
				₰ 2062	50

1835					
Jan 1.	To this sum balance due the Executor Dec 31. 1832			₰ 1939	79
June 30	" 5 P cent Commr on ₰ 14.71 receipts				73
				₰ 1940	52

1835					
June 30	By this sum for Sale of old Ham mill & hand mill			₰ 14	71
	By this sum balance due the Executor ₰ debts			1925	81
				₰ 1940	52

Due the Exor ₰ 1925.81. — which sum the Legatees are to contribute in proportion to their respective Legacies

E

An Account of the value of the several Legacies in the Will of Thomas Purdie deed. to the respective Legatees — What Legacies have been paid over by the Executor, — and what each Legatee should have contributed to the payment of the debts of the Testator —

To Sarah R. Purdie

Thomas C. Ruffels bond for £1000: Ross Wscotts bond for £2000:	£ 3000:00
Negroes " Aaron £100 — Judea £75. Stephens £175. Fanny £250	600.00
" Jack £120 — Patience £100	220.00
Gold Watch £90 — Books £5. Bed & furniture £25	140.00
	£ 4500:00

The above mentioned Negroes, Watch, Books, bed & furniture, Ross Wscotts bond & £450 of Ruffels bond were delivered over by the Executor to James Chalmers the Son of said Sarah R Purdie, the remaining part of Ruffels bond with Interest say £409:96 was retained by the Executor for the payment of debts

To George I. Purdie

Negroes — " Tom Carter £300 — Tom King £50. Edmund £350	£ 700:00
" Jenny £100 — Jack & old Nanny £100. Solomon £300	500.00
Eliza £100 — Rose £125 — Ramah £100 — Anthony £50	375.00
" Sam £150 — Silvis £300. Judy & old milley £250	700.00
" Hercules £150 — Jacob £200 — Betty £200	350.00
Nancy £75 — Sebina £150. Beck £250. Milly King £25	500.00
	£ 3325.00

All of the above named Negroes were delivered over by the Executor to the Guardian of George I. Purdie, except Solomon, Nancy, Sam, Beck, Sebina, Eliza & old Silvis — which were sold by the Executor for the payment of debts for £1055:10

To Eliza a mulatto Woman, liberated by the Testator

Negroes — " William £400. Maria £150. bed & furniture £20	£ 570.00
3 Tables £4.50. Silver table spoons & Tea spoons £9	13.50
Knives & forks £3.50. Cups & Saucers £5. plates & Dishes £15	23.50
Tea tray & waiter £3. Horse Big Thames £90	93.00
Cash Legacy £300	300.00
	£ 1000.00

The above named Negro William, and Chattle property and cash Legacy were delivered over to the said Eliza — The Negro Girl Maria was sold by the Executor for the payment of debts for £157.12 —

To Elsin Purdie

Negroes " Betty Carter £125. House Tom £50	£ 175:00
" " Charlotte or Charles £175. Nancy of Prince £60	230.00
	£ 405:00

The above named Negroes Betty Carter, House Tom, & Nancy of Prince were delivered over by the Executor, to James Chalmers Gdn. to Elsin Purdie — Charlotte or Charles was sold by the Executor for the payment of debts for £107:12 —

Amount of money to be raised by contribution by the Legatees £1025:81

Sarah R. Purdie's proportion to be contributed	£945:28
of which she has contributed out of Ruffels bond £409:96.	
George I. Purdie's proportion to be contributed	589:27
of which he has contributed in Sale of Negroes £1055:10.	
Eliza's proportion to be contributed	207.29
of which she has contributed in Sale of Negro Woman £157.12	
Elsin Purdie's pro. to be contributed	83.97
of which she has contributed in Sale of boy Charles £107.12	
	£ 1925:81 £ 1925:81

Purdie

vs. Report

Purdie's exor

February 27th 1837 rept.
returned & filed

Elizabeth Pendin & others Exrs with exor. of Thos. Pendin, John L Pendin, Richd L Thomas and Sarah his wife, Ellen Pendin and Geo. Jr. Pendin. ——————

This cause, in which the pltffs. Bill is taken for confessed as to John L Pendin, on whom the sha. appears to have been served and the Bill filed more than 6 months, and who still fails to appear, came on this day, to be heard on the Bill, exhibits filed, answer of Archer Smith exor. of Thos. Pendin Richd. L Thomas and Sarah his wife, Geo. Lamy Pendin and Ellen Pendin, replication thereto, and examination of witnesses, and was argued by Counsel; On consideration whereof the Ct. doth adj. rd. and decree that the defl. Smith exor. of Thos. Pendin render before a Comr. of this Court an acct. of his executorial transactions, in which account the Comr. will receive as prima facie correct, subject to be surcharged and falsified the copies of his former accts. reported to the Co. Ct. of Isle of Wight and marked as exhibits A & B. And the said Comr. is directed to take an acct. of the values and legacies in the Will and state plainly and distinctly what legacies have been paid or allowed on by the exor. and the value of the legacies to each - to ascertain what was the proportion that each legatee should have contributed, or which should have been abated & make report &c

Residue

?

Residue &c.

Rough draft

The Ct is asked to add what may be proper—

Specific legacies
1 Test Com 426 27
Codec 301 2 3 & 40

To be entered.

(entered)

At a Circuit Superior Court of Law and Chancery held for Isle of Wight County the 6th day of May 1836.

Elizabeth Purdie . . . . . Plaintiff

against

Arthur Smith exor: of Thomas Purdie, John C. Purdie, Richard L. Thomas Harrah his wife, Ellen Purdie & George J. Purdie Defendants

In Chancery.

This cause in which the Plaintiffs bill is taken as confessed as to John C. Purdie, on whom the subpoena appears to have executed, and the bill filed more than four Months, and who still fails to appear: came on this day to be heard on the bill, exhibits filed, and Answers of Arthur Smith exor: of Thomas Purdie decd: Richard L. Thomas Harrah his wife, George James Purdie and Ellen Purdie, replications thereto, and examination of Witnesses, and was argued by Counsel.

On consideration whereof the Court doth adjudge, order & decree that the Defendant Arthur Smith executor of Thomas Purdie render before a Commissioner of this Court an account of his Executoral transactions, in stating which account the Commissioner will receive as prima facie correct (subject to be surcharged and falsified) the copies of his former accounts reported to the County Court of Isle of Wight and marked as exhibits A B &c. And the said Commissioner is directed to take an account of the several devises and Legacies in the Will — state plainly and distinctly what Legacies have been paid or delivered over by the Executor; and the value of the Legacies to each, to ascertain what was the proportion that each Legatee should have contributed or which should have abated: and make report with any matter specially stated, deemed pertinent by himself or required to be stated by the parties —

A Copy Teste

Wath: Young Cd

At a Circuit Superior Court of Law and Chancery continued and held for Isle of Wight County the 8th day of October 1836.

Eliza, sometimes called Elizabeth Purdie, Plaintiff

against

Luther Smith exor. of Thomas Purdie dec'd. George James Purdie & Ellen Purdie, infants under the age of twenty one years Richard L. Thomas & Sarah his wife, late Sarah K. Purdie and John E. Purdie. Defendants

In Chancery

This cause came on this day to be again heard on the papers formerly read, and the report of the Commissioner made pursuant to the order of the 4th of May 1836. and thereupon the Court doth order that the said Report be recommitted to the Commissioner with instructions to reform the accounts, & state the same according to the principles of the former decree & make report &c.

A Copy Teste

N. P. Young Dk

Smithfield Commissioners Office November 29th 1836.

I have appointed Thursday the second day of February next for carrying the foregoing orders into effect. — the parties interested therein will attend at my Office on that day between the hours of 9 Oclock A.M. & 5 Oclock P.M. with their papers & evidence to enable me to make up the accounts directed by the first order in the aforementioned suit —

Benth. Lightfoot Comr.

Service acknowledged by Richd. L. Thomas & wife & the Smith exr. of Purdie

N. Young Solr. for defts.

A. Allison for Pltff.

Purdie

vs. Notice

Purdie's exor. Hall

B

pendens pendente erat." This cause came
on this day to be again heard on the papers
formerly read and on the rept. of the Coms.
made pursuant to the order of the 6th
of May 1836 and thereupon the ct. doth order
that the said report be recommitted to
the Coms with instructions to inform the
ct. & make up the same according to
the principles of the former decree &
make report &c. —

At a Circuit Superior Court of Law and Chancery continued and held for Bloomfield county the eighth day of October eighteen hundred and thirty six.

Liza, sometimes called Elizabeth Perdie — Plaintiff

against

Arthur Smith Executor of Thomas Perdie dec'd. George Lamus Perdie and Eliza Perdie infants under the age of twenty one years, Richard C. Thomas and Sarah his wife, late Sarah E. Perdie and John C. Perdie — Defendants

In Chancery

This Cause came on this day to be again heard on the papers formerly read and the report of the commissioner made pursuant the order of the 4th. of May 1836. and thereupon the Court doth order that the said report be recommitted to the Commissioner, with instructions to reform the account, and make up the same according to the principles of the former decree, and make report &c.

A Copy Test

J. D. Young D.C.

Rudis
vs: Copy of Decree
Rudis

Eliza Pendie ~~& Allen Dec~~
vs. In Chancery
Arthur Truitt Ex of Thos. Pendie d others

This cause came on this day again to be heard on the papers formerly read in the cause and on the report of the comr and was argued by counsel on consideration whereof the Court doth adjudge order and decree that the bill of the plaintiff be dismissed and that the plaintiff do pay to the defendants their costs in this behalf expended

Pendic

Pendics Esq 84

Lease

entered

Dr. The Estate of Thomas Purdie decd. In an additional account with
Archer Smith Executor Cr.

1831				
Oct		To paid James Chalmers Guardian to Ellen Purdie in full for sale of real estate sold under the will of testator	327	12
		" paid Thomas C. Rasel for advancement made for the testator in payment of taxes & tickets &c	21	53
Nov		" this sum expended in going to and returning from York county on buisnes relating to testators estate	8	50
Dec.		" paid James Chalmers for clothing for old man Ralph	2	00
		" paid for maintaining old negro man Ralph	15	00
		" paid Merit Womble acct.	10	75
1832 Feb	21	" paid Albert G. Shivers D. Sheriff taxes & tickets	2	11
		" paid Bartholomew Leight for one of the exors. of Jno. Hatton part of bond	1260	00
May	22	" paid ditto ditto bal. of bond	207	45
		" 5 P cent commissions on $1227.18 receipts	61	35
		" Balance due the estate P contra	379	89
			$ 2290	89
1831		Cr.		
July	20	By this sum due the estate P settlement made this day and reported to Chancellor of Isle of Wight county	1045	61
Nov.	21	By this sum received of Thomas C. Rasel bal. of bond	430	47
1832 Feb	20	By this sum for sale of negro girl Rebecca — O	253	50
		By this sum for sale of " " Sabina	270	00
		By this sum for sale of " " Eliza	150	00
		By this sum for a book "the Heron," which had been loaned out	3	37
Mar		By this sum (with interest) received of Benjamin Drew for money paid for him out of Testators est: no security	114	84
		By this sum of W. P. Inman for a broken corn Sheller, omitted in former sales	5	00
May	22	By Interest on $361.79 from July 20th. 1831 to this day being the balance in hand after deducting disbursements	18	10
			$ 2290	89
1832				
Nov.	23	To paid Samuel Whitfield for Martha Norsworthy bond	285	74
"	"	" paid Cox & Mour (of Baltimore) acct.	3	37
		" paid Christopher Curtis for coffin for negro woman Nancy Barber in York county	8	00

Dec		To paid John H. Pollard for Coffin for old Ralph		2	50
		" paid Robert Souther of Norfolk acct:		43	21
"	22	" paid J B Whitehead Sheriff: Land tax &c			49
"	31	" this sum for making up this account		3	00
		" Balance due the estate ℔ contra		33	58
			℔	379	89
1832					
May	22	By this sum balance due last year		379	89
			℔	379	89

Due the estate $33.58

Isle of Wight County August 30th: 1833

Pursuant to the annexed order of the court of said county. I have made up an account of Arthur Smiths additional transactions on the estate of Thomas Purdie decd: from papers and evidence laid before me, which I carefully examined & stated, and find that on the 31st day of December 1832 the said Arthur Smith was indebted to the estate of the said Thomas Purdie the sum of thirty three dollars 58/100 eight cents with interest thereon till paid: all of which is submitted to the court

Barth: Lightfoot Com.

At a Court held for the county of Isle of Wight the 2d day of September 1833
The foregoing account current was returned by commissioner Lightfoot together with his report thereon endorsed and ordered to lie for exceptions

and at another court held for the said county the 2nd day of December 1833
the said account & commissioners report having been returned for more than two months & no exceptions being filed thereto: the same are confirmed and ordered to be recorded.

Test

Nath: Young C.

A Copy Test

Nath: Young C.

Thomas Purdie's
Additional Acct: Current

A Copy for Col. Arthur Smith.

B

Purdie
vs
Purdie exor: &c
July Rules 1835 filed by
Arthur Smith exor: of Thos
Purdie dec.

Dr. The Estate of Thomas Purdie deceased In account with Arthur Smith Executor

1829					
Dec.	8	To paid Charles Brown	bond	106	63
		" paid John Morrison for coffin		12	00
		" paid Richard H. Baker	acct.	17	00
		" paid Rev. Mr. G. Jones funeral services		10	00
"	28	" paid James Chalmers	bond	121	82
Dec.	31	" Balance due the estate	To contra	332	55
				1120	00
			Cr		
1829					
Dec.	3	By this sum found in the Testators house at his death		20	00
		By this sum deposited in the hands of the executor by the Testator a short time before his death for safe keeping		1100	00
				1120	00
1830					
Jan.	1	To paid Cartright Price	acct.	3	68
"	4	" paid James Cunningham for bricking grave		10	00
"	5	" paid Gray Carrill	bal. of an order	25	00
"	"	" paid Gray Carrill	part of bond	400	00
"	"	" paid Nathaniel Norsworthy	acct.	5	25
"	"	" paid Elizabeth a mulatto woman liberated by the Testator each legacy in part		200	00
"	"	" paid Merit Jordan for crying the estate		15	00
"	"	" paid Robert R. Reardon	acct.	25	20
Feb.		" paid Samuel Whitfield	"	144	62
		" paid James Chalmers present Guardian to Ellen Purdie To rest.		200	00
		" paid Catherine Sinclair	acct.	1	00
apl.		" paid Thomas Hargrave	"	2	00
		" paid William Giles	"	2	00
June	23	" paid J. C. Rapel	on bond	187	63
		" paid J. C. Rapel	2d bond	36	16
		" paid J. C. Rapel	acct.	3	50
		" this sum expended by the executor in going & returning to and from warwick on business relating to the estate of the Testator		7	30
July	"	" paid Joseph Atkinson	bond	220	55
		" paid Burch Lightfoot	acct.	8	00
		" paid Clayton G. Coleman	"	11	75
		" paid Sampson White	"	3	71
aug.		" paid Dorcas A. Boykin	bond	139	83
		" paid Merit Wardle	"	90	64
		" paid Julia Hayden	acct.	34	31

		To paid Sheriff of Nansemond for taxes for 1828 & 1829			13	52			By this sum for sales of Chattle property due this 15th of July 1830	7/8	2327 37
		" paid Richard Barlow	acct.		12	17		31	By this sum for sale of negroes Duncan, Sam, Solomon, Maria, Nancy & Steve	3/8	1138 68
July	6	" paid A. G. Shivers Dyskff: on execution			224	65					8 65
aug	26	" paid James Chalmers present: Guardian to Ellen Purdie for sale of Lot to R. Matthews one half		3/8	130	00	Dec.	4	By this sum of Jordan	on bond	33 15
"	"	" paid ditto Gr. of ditto for sale of Lot to Joseph Atkinson			77	00		31	By Interest on $552.53 last years bal.		$ 3658 97
"	"	" paid ditto Gr. to ditto for sale of Lot to James B. Southall			132	00					
"	"	" paid James Chalmers Gr. to Sarah R. Purdie part of Legacy in a bond		7/8	450	00	1831 Jan:		To paid Gray Carroll	bal. of bond	303 96
		" paid James Chalmers	acct.		102	64	Feb:	31	" paid John Hatton	part of bond	107 34
		" paid James Chalmers Guardian to Ellen Purdie Jr acct.			64	32	Apl		" paid William A. Sauls	acct.	16 [illegible]
		" paid Barth: Lightfoot	acct.		2	00			" paid for charges on bond stone		9 20
		" paid Thomas Cooling	"		1	50	May		" paid William Hollowman	bond	76 11
		" paid Gray Carroll a pump pod			27	49	June		" paid William M. Blair for furnishing and putting bond stone over deceased	7/8	175 00
		" paid James A. Woodley for bacon for Elizabeth			3	60	July		" paid Jr. J. Pitts & Sam P. Jordan for appraising the est.		6 00
		" paid Jos. B. Whitehead Dyskff: on exon in favour of John H Purdie			536	69	"		" paid Thomas Ripley Const.	Judgmt.	21 30
			acct.		34	50	"	11	" paid Richard H. Parker att. at Law		10 00
Oct.	13	" paid Dort: Corbin	acct.		3	36			" 5 ℔ cent Commn. on $1170. left in the hands of the exor. by Testator	7/8	56 08
Nov		" paid W. G. Harding	acct.		10	75			" paid Shemuel Godwin	acct.	70
		" paid M. Womble	acct.		24	87			" 5 ℔ cent Commissions on $363.59 receipts		18 17
		" paid Thomas D. Ripley Const. two Judgments to			20	94					7 50
		" paid John Rose	acct.		21	57		20	" this sum for making up this acct.		1045 61
		" paid Sheff: Land tax and tickets			34	79			" balance due the Estate ℔ contra		$ 2005 86
Dec.		" paid James Chalmers for articles furnished Eliza			100	00					
		" paid Elizabeth (back Legacy) bal in full			253	66					
		" 5 ℔ cent Commn. on $3073.27 receipts			1594	49	1831				
	31	" balance due the estate ℔ contra			$ 5658	97	Jan:	1	By this sum balance due last year		1394 49
							"	4	By this sum for sale of Charles, supposed to be the negro called Charlotte in Testators will	3/8	167 12
1830							Feb		By this sum of Isham Hazell		5 30
Jan:	1	By this sum balance due last year			532	33	June		By this sum of Benjamin Drew and Gray Carroll for money paid as security for Drew	3/8	124 65
"	9	By this sum received of Nathaniel Norsworthy for rent			60	00			By this amt. for sale of 6 barrel bbl. due Sept. 11 1831		66 32
		By this sum received of Elizabeth (a mulatto woman titled by the Testator) which was deposited in her hands by the Testator			300	00	July	20	By Interest on $1394.49 last years balance from Jan: 1st to this day after deducting the 1st instl of this year say $503.96	8	40 78
		By this sum received of Mrs. Jordan for marsh			5	00			By this sum received Willis Floyd for rent of house for 1829		7 00
		By this sum received of Samuel Whitfield on acct.			34	07					$ 2005 86
		By this sum in bonds received of J. C. Rapal for sale of furniture at the half way house			71	00			Due the est. $1045.61		
June	23	By this sum received of Thomas C. Rapal on bond			479	49					
aug	26	By this sum received of George Wilkinson			30	00					
"	28	By this sum for sale of Lot to Richard Matthews			260	00					
		By this sum for sale of Lot to Jos: Atkinson			77	00					
		By this sum for sale of Lot to Jas B Southall			132	00					
		By this sum for sale of marsh to J. B Whitehead			180	00					

Isle of Wight County July 7 dec: 1831

Pursuant to an order of the court of said county I have made up an account of Arthur Smith's transactions on the estate of Thomas Purdie dec'd: from papers and evidence laid before me, which I have carefully examined and stated, and find that the said Arthur Smith is indebted to the estate of said Thomas Purdie the sum of one thousand and forty four dollars & sixty one cents, with interest till paid. I have allowed the executor a commission of five per cent on the cash left by the testator at his death which came to the hands of the executor because that money was not paid over to the legatees, but consumed by the executor in the payment of the testators debts, all of which is submitted to the court

P. Barrt: Lightfoot Comr:

"

At a court held for Isle of Wight County the 1st day of August 1831 The foregoing account current was returned by commissioner Lightfoot & together with his report thereon endorsed was ordered to lie for exceptions and at another court held for said county the 7th: of November 1831 the said account having been returned for more than two months & no exceptions filed thereto: was ordered to be recorded

A Copy Teste

Nath: Young Cl:

"

Thomas Purdie

acct: Current

A Copy for
Co: Arthur Smith

A

Purdie
vs
Purdies exor: &c

July Rules 1835 Filed by
Arthur Smith exor: of Thos:
Purdie dec:

Thos. Pendin by his wife gives $800 which he paid
over - and $2800 sundry Negs & Stock, to wh
Pendin
& Negs, valuable chattels — $3600

To Eliza Pendin - the ant. arising from sale of
land, both &c & Negs Betty Cato, Hagar, Tom,
Charlotte and Mary & priffy -

To Geo. James Pendin - property in 3d. Case,
of great value both real & personal

5th - &c ~~give to~~ emancipate, and set free his
woman Eliza or Liza (the pl'ff. in this suit)
and give her $100, and maid, or feather
bed and furniture & various other articles
of furniture, also gig Harness, bay Horse
and $300 &c

The counsel for the pl'ff. contends that by a fair
construction of the will of the Testator, the legacy to
the pl'ff. is specifick and that it ought to be
paid - that the estate given to George J. Pendin
~~Thos. to pay $800 Legacy - Continuing Legacy $800~~
is a conditional promise for payment of the debt -

But if all the legacies be contrued as specifick, then all should abate rateably, the ant. taken from the pl'ff. is much too great - The pl'ff. asks a decree for an acct of the transactions of the Exor: & an acct of the value of the several legacies, real and personal &c -

A. A. Robinson

P. S —

Pendi
on My Motion
Pendiente
to the C.

Sear

a suit has been brought by a free woman of colour Elizabeth or Lizzy Purdie against Ch. Smith admr & representative of Thomas Purdie deceased relating to a female slave devised by Mr Purdie to said Elizabeth or Lizzy which is alleged to have been sold by said Smith which suit was brought by my direction as attorney in fact and security for the costs of the said suit being required the plaintiff residing out of the State Now know all men by these presents that I Hope Butler an inhabitant of Richmond Virginia do hereby bind myself to the clerk of the County Court of Isle of Wight where the said suit is pending and to the de- fendant or defendants in said suit whatever may be its- site or whatever the names of any of the parties defend- ant for the payment of all officers' fees that may be law- fully claimed of the said pltff and all costs that may be awarded against her the said pltff in favor of said defend- ants or any of them. Witness my Hand and seal this 25th day of December 1835.

his
Hope + Butler (Seal)
Mark

Witness,
McClurg Wickham.

Know all men by these presents that I John Wickham of

the said City of Richmond do hereby engage and bind my
self my Heirs Executors & Assigns to the Clerk of the County Court
of Isle of Wight and to all others concerned that in the Event of
the said Hope Butler Sterling to make good any of the above engage-
ments that I will be responsible to him Stand for all Loss and
Cost that may be demanded of him on the premises, and
that immediately on his Failure to pay on a Justified demand
and to answer the benefits of a Suit and I hereby waive all
matters of Form and engage to perform substantially what I
now undertake to do. Witness my Hand & Seal this 25th Day
of Dec. 1834

Witness —

McClurg Wickham.

Jno Wickham (Seal)