

1850-011

Chancery Causes:
Isle of Wight County

Isaac Cofer, executor of Josiah Holleman VS James J. Williams' admr &
al

Petition of Joseph B. Whitehead, admr of James J. Williams
other surnames: Sykes,
Long, Brock, Shivers,
Bunkley

Octo. Term 1850
final. dec. no. 12. p. 256

Isaac Cofer Exor. of,
Isiah Holloman decd.

vs. $\frac{2}{3}$ Bill &c

William & others

June Rules 1848. Bill & filia
good. as claim of. & up. &
his and filia & up. & as soon
of public. in. C. & Williams

Augt. rules 1848 Bill taken
for conf. on to all dep.
except Willis D. ~~William~~ Williams

Octo. rules 1848. set for
hearing on filia. mot.

Octo. Term 1848 Decree
for act. o. 13. p. 216.

May term 1849 cond.

Augt. 6th 1849 Rept. of
Cm. (Sept. 1st) filed

Octo. Term 1849. dec. p. 231.

May term 1850. dec. o. 13. p. 216.

Sept 17. 1850 up. of sp. com.

Isiah Holloman decd.

Octo. 14th. up. of com. showing file

Eighty Four cents be the said James J Williams together with
one John M Shivers as his security executed to the said Samuel
Long their Bond for the aforesaid amount, on the day & year ^{last} of
said - that the said James & Long on the 25th of January 1848 as-
signed the said bond to the said Josiah Holleman for a full &
valuable consideration as will appear by the said Bond with the
Exhibit) said assignment endorsed marked (B) & prayed to be taken as a
&) part of this bill - that neither the said James Williams nor the
said security John M Shivers paid the said Bond to the
said James & Long before the said assignment to the said Josiah
Holleman, nor did they or either of them pay the same to the
said Holleman before the death of the said Williams, nor did the
said Holleman while administrator of the said Williams retain
in his hands assets of the said Williams to satisfy the said bond
all the assets received by the said Holleman having been exhausted
in paying debts of higher dignity - nor did the said Shivers
pay the said Bond to the said Holleman after the death of the
said Williams - nor have either the said John M Shivers or
the said Jos B Whitehead administrator de bonis non as aforesaid
said paid the said Bond to your complaint since the death of the
said Holleman, but to pay the same or any part thereof have hitherto
to reported refused & still he flatly refuse - the said administra-
tor de bonis non alleging as excuse for not paying the same that
he has not assets of the estate out of which it can be paid & further
alleging that all the personal assets will be consumed in
paying debts of higher dignity than your complaint - that
the said Williams died seized & possessed in fee of a
tract of land of about 140 acres situated in the County of Isle
of Wight near Wells Meeting House adjoining the lands of W P
Jordan, Mo M Shivers, & Jos Jordan - your complaint is in-
formed & so charges that the said land may be subjected to
the payment of the aforesaid bond pro rata with other
claims binding the said real estate - that the said bond
is still due & unpaid & in tender consideration whereof & as
much as your complaint is without remedy at law

& can only be relieved by the order of this Honorable Court where
Matters of this sort are cognizable He prays that the said Jos B
Whitehead administrator de bonis non of James J Williams, Henry H
Sykes & Rhoda B his wife, James & Long & Sarah his wife Joel
Brock & Mary his wife Willis David Williams ^{Nathaniel Williams} & John H Williams
(an infant by some person to be assigned Guardian ad litem to defend
him in this suit) may be made parties to this bill & be required to
answer all & singular its allegations & that by a decree of this Court
the commissioners there of be directed to take an account of the transac-
tions of the said Josiah Holleman as administrator of James J
Williams & the said Jos B Whitehead administrator de bonis non of the
said James J Williams & an account of the real estate where of the said
James J Williams died seized together with an account of the ac-
tual & fair value thereof as well as an account of the unsatisfied claims
against the estate of the said James J Williams due such creditors
as may choose to become parties to this suit on the usual terms of
contributing to its expense & that the said real estate or so much
thereof as may be necessary may be sold to satisfy the said claims
so far as they may bind the ^{said} real estate & that such other & further
relief may be had as courts with equity & the Nature of the
Case -

H W Jordan - pr

To the Honorable Richard A. Baker Judge of the Circuit
Superior Court of Law & Chancery in the County of Isle of
Wight, humbly complaining sheweth to the Court, your com-
plainant Isaac Coper Esq of Josiah Holleman dec'd on be-
half of himself & all other creditors of James J Williams dec'd
who shall come in & seek relief by & contribute to the expen-
ses of this suit, that on or about the day of 1848 the
said James J Williams late of the County of Isle of Wight
departed this life intestate & possessed of considerable real &
personal estate leaving as his heirs & distributees at law his
Sister Rhoda B. Holleman Williams wife of Henry H. Sykes, another
Sister Sarah Long late Williams wife of James S. Long, a third
Sister Mary Brock, wife of Joel Brock, a brother Willis Da-
vid Williams ^{& Nathaniel Williams} & an infant brother John H. Williams all of
whom are now alive - that Josiah Holleman your com-
plainant then Sheriff of the County aforesaid had committed
to him as such for administration the estate of the said Will-
iams by the order of the County Court of said County & the consent of par-
ties as will appear by exhibit {A} herewith filed & prayed to be
taken as a part of this bill - that immediately after the said estate
was committed to his charge the said Holleman departed this life
without having reduced into possession any of the assets of the
said estate or at least not more than was sufficient to pay the
expenses of administration incurred thereon - that after the death
of the said Holleman one Joseph B. Whithead qualified as
Exhibit {B} {administrata de iuris non on the estate of the said Williams
as appears by exhibit {B} prayed to be taken as a part of this bill
- that the said Holleman by his last will & testament appoint-
ed your complainant Executor thereof as shown by the attested
copy of the said will with the certificate of probate & of your
complainant's executory qualification annexed. Marked {C} & herewith
Exhibit {C} filed as a part of this bill - that the said James J Williams in his
life time, to wit on the Tenth day of October Eighteen Hundred &
Forty Seven being justly indebted to the aforesaid James S. Long
in the sum of One Hundred & Ninety One Dollars &

Holliman's Exor

~~As~~ Petition

William's adm^r & others

Holliman's Exor.

vs.

Williams admor. and others

Plff.

Defts

In Chy.

To the honorable Richard H Baker judge of
the circuit court for the County of Isle of Wight in
chancery sitting

The Humble petitioner of Jos. B Whit-
head admor. de bonis non of said Williams, and one
of the defendants in this cause, respectfully sheweth
That by a mistake in that part of the account taken in
this cause by Commissioner Whithead on the 21st of
Febr. 1850) which shews the amount due by him
to his intestates estate including Shivers and ex-
cluding Gales bond to be \$151.68 cts, he was charged
therewith the sum of \$86. more than he should
have been, in fact Gales bond was included, instead
of being excluded in said amount, That by a decree
of this court at the last term (May 1850) your petition-
er was ~~by a decree of this court~~ ordered to pay the said
sum of \$151.68 cts, ^{to Edwin Bunkley} to the present guardian of J. H. Williams
That since paid to Edwin Bunkley guard
as aforesaid, the sum of \$86. on the 13th September
1850 which was in fact all the assets in his hands
belonging to said estate all of which will more
fully appear by an examination of said account
Your petitioner therefore prays that the error in said ac-
count and in the said decree may be corrected and
~~by~~ this honorable court and the proper amount decreed
against him and that your honour will grant such
other & necessary relief as may seem met & proper in the
premises & your petitioner will ever pray &c.

J. B. Whithead
admr of J. H. Williams

Williams

at $\frac{3}{4}$ by. aus. inst.

Holliman exp. t.

Sum rec'd 1818. Feb 2

To the Honorable Richard A. Baker Judge of the Circuit
Superior Court of Law & Chancery for the County of Isle of Wight -
The Answer of John A. Williams an infant, by M. P. Young his
Guardian ad litem, to the bill of complaints in said Court
exhibited by Isaac Cohen Esq of Isaiah Holleman against him-
self & others -

This Defendant answering saith that he knows nothing of the
matters & things in Complt bill charged - That being an infant
of tender years he humbly submits his rights & interests in the
matters in question to the protection of this Honorable Court -
he prays to be dismissed &c.

Signed -

M. P. Young gon ad litem.

Sec of Wright Co. to wit, 10th. May 1848

I do hereby certify that on the
9th day of May I delivered a true copy of the within to
Jos. B. Whitehead and on the 10th I delivered a copy to
Jos. Le. Shuman also - 3. Copies to Joel. Brooks and for
himself and for his wife and one for John. H. Williams
he the said Williams being a member of said Brooks
family
Geo. L. Ballard. D.S. for
Dor. Clay. S. H.

(11)

Isaac Cifer exor. of
Josiah Holliman decd.
as: $\frac{2}{3}$ Sp. in Chf.

J. B. Whithead adm. of
Ezra J. Williams decd.

To sum recd. off. CT.
1848.

Hayden ad.

THE COMMONWEALTH OF VIRGINIA,

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

You are hereby commanded to summon *Joseph B. Whittemore*
Admor. de bonis moris of *James I. Williams decd.*,
Henry H. Paykes and *Rhoda B. his wife*, *Samuel*
D. Long and *Sarah his wife*, *Willis D. Williams*,
Isaac Brock and *Mary his wife* *John H. Williams*
and *John M. Shivers*

to appear at the Clerk's Office of our Circuit Superior Court of Law and Chancery for

Isle of Wight

County, at the Rules to be holden for the said Court, on

the first Monday in *June* next, to answer a

Bill in Chancery, exhibited against *Them*

in the said Court, by *Isaac Cofer Executor of Joseph Holliman*
decd. :

And unless the said Defendant shall answer the said Bill within two 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,

A. P. Young

Court, at the Courthouse, the *2nd* day of

May

Clerk of our said

1848, and in the

7th year of our Foundation.

A. P. Young.

(One Copy to be delivered each Defendant.)

Isaac Cofer exp:
of Irish Hollman

W: 3 sp. in Cky.

Is. B. Whithead cont.
of Saml I. Williams
& others.

Is. Saml. mbr 1848
sub. cont.

Hayden p.p.

Executed

R. W. Proctor
for S. Clarke off

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of *Surry*

County, Greeting :

You are hereby commanded to summon *Henry H. Sykes and*
Rhoda B. his wife, and James D. Long and
Sarah his wife

to appear at the Clerk's Office of our Circuit Superior Court of Law and Chancery for
Isle of Wight County, at the Rules to be holden for the said Court, on
the first Monday in *June* next, to answer a
Bill in Chancery, exhibited against *Them and others*
in the said Court, by *Isaac Cofer executor of Jacob Holliman*
decd.

And unless the said Defendant shall answer the said Bill within two 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, *A. P. Young*
Court, at the Courthouse, the *2nd* day of *May*
72nd year of our Foundation.

Clerk of our said
184 *8*, and in the

A. P. Young co.

(One Copy to be delivered each Defendant.)

Holliman ^{ch} inot:

(as) $\left\{ \begin{array}{l} \text{ } \\ \text{ } \\ \text{ } \end{array} \right\}$ sp.^d in chr

Williams vas

20 Aug: 1848

Hayden pgs

I delivered a copy of this
notice to the Sept- on the
4th day of August-1848
Othello Sherman Sept
for A.P. Smith Sept

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of *Norfolk* County, Greeting:

You are hereby commanded to summon *Nathl. W. Williams*

to appear at the Clerk's Office of our Circuit Superior Court of Law and Chancery for
Isle of Wight County, at the Rules to be holden for the said Court, on
the first Monday in *August* next, to answer a
Bill in Chancery, exhibited against *him and others*
in the said Court, by *Isaac Cofor executor of Josiah*
Holloman and

And unless the said Defendant shall answer the said Bill within two months thereafter,
the Court will take the same for confessed, and decree the matter thereof accordingly.
And this *he* shall in no wise omit, under the penalty of £ 100.
And have then there this Writ.

WITNESS, *Nathl. P. Young* Clerk of our said
Court, at the Courthouse, the *18th* day of *July* 1848, and in the
73rd year of our Foundation.

N. P. Young

(One Copy to be delivered each Defendant.)

Estate & an account and statement of the Plaintiffs demand;
and liberty is reserved to all other creditors of the said James J.
Williams and to appear & prove their claims before the commis-
sioners upon the usual terms —

~~James J. Williams~~ Copy Teste

J. P. Mills DC

Copy Teste

Barth. Lightfoot Comr.

Sell of Wright County, Commissioners Office June 12th 1849 —

The parties to this notice as well as all others interested
in the subject matter of the foregoing matter, are hereby notified
that I have appointed Thursday the 26th of July next to execute the
duties therein required of me: on which day at 9 o'clock A.M.
they will attend at Edwin Morrisons Tavern in the Town of
Smithfield with the necessary documents & proofs —

Barth. Lightfoot Comr.

Hollernan's exor.

v

3 notice

Williams's Admor.

I delivered a copy of this
notice on the 13th day of June 1849
to Williams — The rest
not found
J. P. Mills DC
for B. Tatum Mfr

No. 1

At a Circuit Superior Court of Law & Chancery continued and held for the County of Isle of Wight the 19th day of October 1848

Isaac Cofer Executor of Josiah Golloman decd. Plaintiff
against

Joseph B. Whitehead Admor. de bonis non of James S. Williams decd. Henry S. Lykes & Rhoda B. his wife, In Chy.
James S. Long & Sarah his wife, Willis S. Williams, Joet S. Lefts.
Brock & Mary his wife, John M. Williams and John M.
Shivers & Nathl. W. Williams

The defendant Willis S. Williams who is out of this Commonwealth and against whom the Plaintiff appears to have proceeded in the mode prescribed by law against absent defendants & still failing to appear and answer - On the motion of the Plaintiff his bill is taken for confessed as to that defendant, & the Bill having been filed & the subpoena executed more than two months on the defendants Joseph B. Whitehead, Admor. de bonis non of James S. Williams decd. Henry S. Lykes & Rhoda B. his wife, James S. Long & Sarah his wife, Joet Brock & Mary his wife, John M. Shivers & Nathaniel W. Williams, and they failing also to answer, the same is also taken for confessed as to them - And the cause coming on to be heard on the Bill of the complainant the answer of the infant defendant John S. Williams by Nathaniel P. Young his Guardian ad litem & general replications, & exhibits filed and was argued by counsel: -

On consideration whereof the Court doth adjudge order & decree that Isaac Cofer exor. of Josiah Golloman decd. render ~~before a Commissioner~~ an account of his transactions as Administrator of James S. Williams decd. before the Commissioner of this Court who is directed to state & settle the same; & that Joseph B. Whitehead Admor. de bonis non of James S. Williams render an account of his Administration of the Estate of his said intestate James S. Williams before a Commissioner of this Court who is directed to examine, state & settle the same: - & that the said Commissioner further proceed to ascertain & state the amount & value, gross & annual of the real Estate of which the said intestate James S. Williams died seized & possessed; in taking which account the said Commissioner is directed to ascertain what debts paid by the said Administrator bound the said real

an account & statement of the Plaintiffs demand — and liberty is reserved to all other creditors of the said James I. Williams and to appear & prove their claims before the Commissioners upon the usual terms —

Attest

Teste

J P Mills Clk

Attest

Teste

Barth: Lightfoot Comr.

File of Wright County, Commissioners Office June 12th 1849

The parties to this suit as well as all others interested in the subject matter of the foregoing decree, are hereby notified that I have appointed Thursday the 26th day of July next to execute the duties therein required of me; on which day at 9 O'clock AM, at Edwin Morrisons Tavern in the Town of Smithfield they will attend with the necessary documents & proofs —

Barth: Lightfoot Comr.

Service of Notice Acknowledged

Joel Brock

J. B. Thomas Atty for the Atty W D. Williams

Wm W. Spivey

W. Whitehead

C B Hayden Atty for Hollernans Epc

A. P. Young son. as attorn to inf.

N. 2

Hollernans exec.
3 notice
Williams Auditor

At a sitting Superior Court of Law & Chancery continued thid for the
County of Isle of Wight on Thursday the 19th day of October 1848 -

Isaac Cofer exor. of Josiah Holliman decd. Plaintiff
against

Joseph B. Whitehead Admor. de bonis non of James
Williams decd. Henry & Sykes & Rhoda B his wife
James D Long & Sarah his wife Willis D Williams
Sol Brock & Mary his wife, John & Williams,
John M Shivers & Nathaniel Williams. Defendants

The defendant Willis D Williams who is out of this
Commonwealth, and against whom the Plaintiff ~~sequestrated~~ to
have proceeded in the mode prescribed by law against absent
defendants & still failing to appear and answer. On motion of the
Plaintiff his bill is taken for confessed as to that defendant, & the
Bill having been filed & the Subpoena, executed more than two months
on the defendants Joseph B. Whitehead Admor. de bonis non of James I
Williams decd. Henry & Sykes & Rhoda B his wife, James D. Long & Sarah
his wife, Sol Brock & Mary his wife John M Shivers & Nathaniel W
Williams, & they having failed to answer, the same is also taken for
confessed as to them - And the cause coming on to be heard on the bill
of the complainant, the answer of the infant defendant John &
Williams by Nathaniel P Young his Son: ad titum, & general, repli-
cations & exhibits filed & was argued by Counsel: On consideration
whereof the Court doth adjudge order & decree that Isaac Cofer exor.
Josiah Holliman decd. render an account of his transactions as
Administrator of James I. Williams decd. before the Commissioner
of this Court who is directed to state & settle the same - & that Joseph
B Whitehead Admor. de bonis non of James I. Williams render an
account of his administration of the estate of his said Intestate
James I Williams decd. before a Commissioner of this Court
who is directed to examine, state & settle the same; & that the said
Commissioner further proceed to ascertain & state the amount &
value gross & annual of the real Estate of which the said Intestate
James I Williams died seized & possessed; in making which account
the said Commissioner is directed to ascertain what debts paid
by the said Administrator bound the said real estate - And

debts paid by the said Administrator bound the said real estate; &
in account and settlement of the Plaintiffs demand: & liberty is
reserved to all other creditors of the said James S. Williams dead to ap-
pear & prove their claims before the Commissioner upon the usual
terms —

Copy Teste

Respectful notice is hereby given

J. P. Wells D.C.

Copy Teste

Barth: Lightfoot Comr.

Isle of Wight County, Commissioners Office June 12th 1849 —

The parties to this suit as well as all others interested
in the subject matter of the foregoing decree, are hereby notified that
I have appointed Thursday the 28th day of July next to execute the
duties therein required of me: on which day at 9 O'clock A.M. at
Edwin Morrisons Tavern in the Town of Smithfield they will
attend with the necessary documents & proofs —

Barth: Lightfoot Comr.

Hollmans exor.

v

3 Notice

Williams's Admor.

Surry County Sct

This day personally appeared before me a
Justice of the Peace for the County aforesaid William M
No. 121 who made oath that he did on the 25th day
of June instant deliver true copies of the above order and
commissioners notice to Henry Hylles and wife and to James
D. Long and wife. Given under my hand this 29th June
1849.

As 3

A. P. Edwards J. P.

At a Circuit Superior Court of Law & Chancery continued &
held for the County of Ill. of right on Thursday the 19th day of October
1848 -

Isaac Cofer executor of Josiah Goleman ~~and~~ Plaintiff
against

Joseph B. Whithead Admor. ac bonis non of James I. Williams ~~and~~ Henry S. Sykes & Rhoda ^B his wife,
James L. Long & Sarah his wife, Willis L. Williams
Sol. Brock & Mary his wife, John S. Williams &
John M. Shivers & Nathl. W. Williams.

The Defendant Willis L. Williams who is out of
this Commonwealth & against whom the Plaintiff appears to
have proceeded in the mode prescribed by law against absent defend-
ants, & still failing to appear and answer. On motion of the Plaintiff,
his bill is taken for confessed as to that defendant: & the bill having
been filed & the subpoena executed more than two months on the defend-
ants Joseph B. Whithead Administrator ac bonis non of James I.
Williams ~~and~~ Henry S. Sykes & Rhoda ^B his wife, James L. Long and
Sarah his wife, Sol. Brock & Mary his wife John M. Shivers & Nathl.
W. Williams, & they having failed to answer, the same is also
taken for confessed as to them: and the cause coming on to be heard
on the Bill of the complainant, the answer of the infant Defendant
John S. Williams by Nathaniel P. Young his Guardian ad Litem
& general replications & exhibits filed and was argued by counsel:

On consideration where of the Court doth a Judge order & decree
that Isaac Cofer exor. of Josiah Goleman ~~and~~ render before a
of his transactions as Administrator of James I. Williams ~~and~~
before the Commissioner of this Court, who is directed to state &
settle the same; & that Joseph B. Whithead Admor. ac bonis non of
James I. Williams render an account of his Administration of the
Estate of his said Intestate James Williams ~~and~~ before a Commis-
sioner of this Court, who is directed to examine, state & settle the same
& that the said Commissioner further proceed to ascertain & state the
amount & value gross and annual of the real Estate of which the
said Intestate James Williams died seized and possessed in taking
which account. The said Commissioner is directed to ascertain what

Kottmann's Car:

At

Notice

William Adams & Sons

Mr. N. West, Perry, appeared before me this
day and made oath that he
detest a true copy of this action
to Jas L. Long and wife and another
true copy to H. N. Sylva ^{and wife} on the
28th day of May 1850. Given under my
hand this day of May 1850.

W. S. Boothby (J. S. P.)

W. S. P.

At a circuit Superior Court of law and chancery held for the county of Isle of
wight the 18th day of October 1849.

Isaac Cofer Executor of Josiah Holleman deed Compt.

against

$\frac{4}{3}$ In Chancery

Joseph B Whithead admor. de bonis non of James I Williams decd

James D Lang and wife, Henry H Sykes and wife & others Def^s

This cause this day again came on to be heard on the papers formerly
read & the report of Commissioner Lightfoot made pursuant to an order
of the October Term 1848, and was argued ^{by} counsel, whereupon the Court
doth adjudge, order and decree that ~~S. H. Williams~~ who is hereby appoint-
ed Special Commissioner for that purpose, proceed to take up further
account of any other claims due by the said S. H. Williams
decd.: and report the same to this Court with any other matters deem-
ed pertinent by himself, or required by the parties.

Copy List

N. P. Young clk.

Copy Test.

A. J. Whitehead Special Commissioner

Sale of Wright County Special Commissioners Office Jan. 17th 1850.

The parties to this suit as well as all others interested in the subject matter of the foregoing decree are hereby notified that I have appointed Thursday the 31st day of February next to execute the duties therein required of me; On which day at 9 o'clock A.M. at Edwin Morrisons Tavern in the Town of Smithfield they will attend with the necessary documents and proofs as

As Whitehead Special Commissioner.

We acknowledge service of the within notice
 J. J. Youngson, at the
 C. B. Hayden Att. for Plaintiff -
 J. B. Thomas, at for, W. D. Williams
 Geo. B. Smith
 Geo. W. Shivers
 Jos. D. Whitehead
 admr.

Williams' admr.
 Notice
 No.

No. 5

At a circuit Superior Court of Law and Chancery held for the County
of Isle of Wight the 18th day of October 1849.

Isaac Cofer Executor of - Josiah Holliman decd. Complt.

Against

Joseph B Whithead admor. de bonis non of James I Williams decd. Defends.

James D Long & wife, Henry Sykes & wife, & Others

This cause this day again came on to be heard on the papers formerly
read and the report of Commissioner Lightfoot made pursuant to an order
of Octo: Term 1848, and was argued by counsel; whereon the court doth adjudge
order and decree that A A Whithead who is hereby appointed special commis-
sioner for that purpose, proceed to take a further account of any other
claims due by the said James I Williams decd. and report the same to this
court with any other matters deemed pertinent by himself or required by the
parties

Copy Teste

N. P. Young

Copy Teste

A A Whithead Special Commissioner

Isle of Wight County Special Commissioner's Office January 17th 1850

The parties to this suit as well as all others interested in the subject matter of
the foregoing decree, are hereby notified that I have appointed Thursday the 31st
day of February next to execute the duties then required of me; on which
day at 9 o'clock A.M., at Edwin Morrison's Tavern in the Town of Smithfield
they will attend with the necessary documents and proofs

A A Whithead Special Commissioner

Hollmans Exor.

~~At~~

}
}

Notice

Williams admor.

No 6

We acknowledge service
of the within notice

We acknowledge service of the within notice
Dated 4th July 1883

At a circuit Superior Court of Law and Chancery held for the
County of Isle of Wight the 18th day of October 1849.

Isaac Cofer Executor of Josiah Holliman decd. complt.

Against

In Chancery

Joseph B Whithead admor. de bonis non of James I Williams
dec'd. James D Long and wife, Henry H Sykes & wife, and
Others Defendants

This cause this day again came on to be heard on the pa-
pers formerly read and the report of Commissioner Lightfoot
made pursuant to an order of Ccto: Term 1848, and was argued
by counsel; whereon the court doth adjudge, order and decree, that
A. A. Whithead who is hereby appointed Special Commissioner
for that purpose, proceed to take a further account of any
other claims due by the said James I Williams dec'd: and
report the same to this court with any other matters deemed
pertinent by himself or required by the parties

Copy Dated

N. P. Young clk.

• Copy Dated

A. A. Whithead Special Commissioner

Isle of Wight County, Special Commissioners Office January 17th. 1850.

The parties to this suit as well as all others interested in the sub-
ject matter of the foregoing decree, are hereby notified that I
have appointed Thursday the 21st day of February next, to
execute the duties therein required of me; on which day at 9 O'clock
A.M., at Edwin Morrisons Tavern in the Town of Smithfield
they will attend with the necessary documents and proofs.

A. A. Whithead special Commissioner

1 William
 bond
 Price 311.02
 2nd May 1874 60
 1222
 S

Williams & al
to } Bond
Hobbsmen shff

[illegible]

On Demand the first day of March 1847
we promise to pay Buck Holleman
Sheriff of Idaho right the sum of twenty
dollars - to which payment we bind our-
selves here &c by these presents - given
under our hands & seals -

Jos. F. Williams Secy

Jno. M. Shivers Secy

Stollmans Admor.

vs $\frac{3}{2}$ Report

Williams Admor. & ad

L
An account of the amount & value, gross & annual of
the real estate of which the said James S. Williams died
seized & possessed -

One tract of Land lying & being in the
County of Isle of Wight containing one hundred & forty

Acres, gross amount \$300.00
Annual amount 25.00

N.
An account of the Plaintiffs demand against the
estate of said James S. Williams dead

A Bond executed by James S. Williams & John W.
Shivers for \$191.82
with Interest thereon from the 10th of October 25.26
1847 till paid - Bond in the hands of Pths. Att. 273.08

S.
An account of other creditors of James Williams
presented before your Comm^r. upon the usual terms -
John W. Shivers presented a bond executed by James
Williams & himself to Robert Whitefield for Josiah Holleman
for \$20- on which Williams in his lifetime paid \$10-
leaving a balance with Interest due on said bond on
the 1st of July 1847. \$11.62 which sum was paid by said
Shivers as security to R. W. Whitefield Precipt on bond -
the bond binds the heirs of the obligors & is herewith filed -
marked S

Commissioners fee
Time employed 11 hours \$11.00
charged to Plaintiff

Isle of Wight County to wit
Barth: Lightfoot made oath before me
a Justice of the Peace for the said County, that the time employed
by him in making up this report is correct & true - Given under
my hand this 1st day of August 1849
Mills W. Darden J.P.

The Estate of James I. Williams deceased

1848

Mar 16	To paid James P. Jordan & Co for appraising the Est.	\$ 4 00
" "	" paid the clerk, for tax on admon.	50
July 3	" paid Benj. L. Cofer for crying the Est.	4 00
Sept 1	" 5 p cent commissions on \$ 334.40 receipts.	16 72
" "	" paid the clerk for order for settlement &c	2 00
" "	" paid Commissioner for settling est.	1 00
" "	" this sum, balance due the Estate of Contra	306 18
		<u>\$ 334 40</u>

1848

July 16 To this sum paid to Joseph B. Whitehead Admor.
de bonis non of James I. Williams decd. by
Isaac Cofer exor. of Josiah Holleman former adm. \$ 306 18

The Estate of James I. Williams decd. In Account

1848

Dec 30	To paid Edwin Bantley present Guardian of John D. Williams on Lon. claim.	228 37
" "	" paid John Morrison for coffin	12 00

1849

Mar 18	To 5 p cent comm ⁿ on \$ 489.39. receipts	24 47
" "	" this sum balance due the Estate of Contra	224 55
		<u>\$ 489 39</u>

76

In Account with Josiah Holleman, Administrator Cr

1848

Sept 1 By amount of Sales of the Estate (due this day) \$ 334 40

\$ 334 40

Dr

with Joseph B. Whitehead Admor. de bonis non Cr
1848

July 16 By this sum received of Isaac Cofer exor. of Josiah
Holleman decd who was Admor. of James I. Williams
(in bonds) due Sept. 16 1848. 306 18

Dec. 30 By cash received of Will James on bond 18 36

" " By cash received of John M. Shivers " 39 58

" " By cash received of Josiah Thomas decd. 2 50

1849

Mar By this sum received of John M. Shivers in cash 23 73

" 18 By amount of John M. Shivers bond executed

" " this day on settlement store transactions 99 04
\$ 489 39

Due the Estate Mar. 18th 1849 \$ 224 55

Commissioners Office Isle of Wight County July 26th 1849

Governors Admor.

against
Williams Admor. & ad

Plt

Defrs

In Chancery

Pursuant to an order of the Circuit Superior Court of said & Chancery for the said County pronounced in this suit on the 19th of October 1848 - I have proceeded to the examination & settlement of the accounts directed by said order, after having caused notices to be given to the parties - which notices is herewith filed marked A. 1. 2. & 3.

The account of Josiah Hollernans Administration on the Estate of James J. Williams decd. marked B. shows that on the 1st of September 1848 the said Josiah Hollernan was indebted to the estate of said Williams the sum of three hundred & six dollars & eighteen cents - that on the 16th of July 1848 Isaac Cooper exor. of Josiah Hollernan decd. had advanced out of said Hollernans Estate to Joseph B Whitehead Admor. de bonis non of said James J Williams \$300.18 which was the full amount found to be in said Hollernans hands belonging to Williams estate.

The account of Joseph B Whiteheads Admor. on said Williams Estate marked C. shows the said Whitehead indebted to the estate of said Williams the sum of \$224.55. with Interest from the 18th of March 1849 - I am requested by J B Whitehead the Admor. to state that he holds a bond executed by John M Shivers & A. Phillips for \$29 payable the 1st of Jan 1849 it being for the rent of Williams Land for 1848 - he also holds a bond against John J. Gale & Merit Bracy for \$50. - executed & payable the 16th of Sept. 1848 - which bond is in suit.

The acct. showing the amount & value of the real estate of Williams is marked D.

The account showing the Plaintiffs demand is marked E

Amount of a claim presented by John M Shivers for money paid by him as security for Williams marked F.

Neither of the Admons. of Williams paid bonds binding the heirs of Williams - save the amount paid by the Admor. Whitehead to Brundley on Guardian claim - All of which is respectfully submitted to the Court.

Barth. Lightfoot Comr.

6086

Mar 1848

Lo

551.0158
am 1/10 1/2 up

Principle Due 1 st Febr 1847	\$ 570.33
Int to the 30 Decr. 1848	58.66
	568.99
Then paid	228.37
	340.62
Int to Febr 1 st 1850	22.13
	362.75
Then Paid	107.75
	255.00
Int to 16 th May 1850	4.45
	259.45

There was a balance due to John H. Williams
from his god: James I. Williams, on the 1st day
of Feby: 1847. of \$57.0.33 etc: per accounts
of record in my office.

N. P. Young etc.

See signed office
March 9th 1848.

Holliman's Excor.
against ^{the} Report
William's adm^r. & others

March 4th. 1850 rept.
made.

Qy

A further account of other creditors of James I Williams dec^d pre-
sented before your Honor upon the usual terms

Joseph B Whithead presented a statement from the clerk
of the county court of Isle of Wight by which it appears that said
James I Williams dec^d was indebted to his ward John A Willi-
ams on the 1st of February 1847 in the sum of \$510.33^{cts} as per
account of record in this office; Upon which the said Whithead
admo^r has made the following payments (to Edwin Bunkley the present
guard. of John A Williams per receipts Viz: Dec^r 30th 1848 the
sum of \$228.37^{cts} also on the 1st February 1850 \$107.75^{cents} Bal-
ance due the ward with Interest upto May 16th 1850 \$ 259.45^{cts}
the statement is herewith filed marked Qy

X

An account showing the indebtedness of said James I Williams estate
to the creditors seeking relief by this suit also the balance due by the
estate after exhausting the personal assets in the admo^r hands,

Due Plaintiff including interest upto May 16 th 1850	\$ 221.70
Due John M Shivers " " " " "	12.22
" on Guardian account " " " "	259.45
	<u>493.37</u>
Amount due by admo ^r including Gals bond & interest	120.28
Amount due by estate including Gals	373.09

Amount due creditors	\$493.37
Admo ^r 's debt by Adams including Gals	66.00
bond and the int (\$66.00)	54.28
Due the creditors after exhausting the personal assets	<u>439.09</u>

Int. due by Admo^r including Shivers bond & ext Gals \$ 157.68
Comm^r fee, Time
employed to hours
Charged to Plaintiff

Isle of Wight county to wit:

Algernon A Whithead made oath before
me a justice of the peace for the said county, that the terms employ-
ed by him in making up this report is correct and true - Given un-
der my hand this day of April 1854

Thos. A. Glover J.P.

Dr The Estate of James I Williams decd: In account with Joseph B Whithead admor de bonis non
1848 1848

Decr 30th To this sum paid Edwin Bunkley present Guard of John A Williams per receipt \$ 228 37
" To 5th cent com. on \$364. 12 its receipts 18 20
" To this sum balance due Est. of contra 117 55
364 12

1849

March 8th To cash paid John Morrison for Coffin 12 00
" " To cash paid cks tickets & taxes 4 82
" To 5th cent com. on \$136. 54 its receipts 6 82
" To this sum balance due Est. of contra. 237 50
261. 14

1850

Febr 1st To this sum paid Edwin Bunkley present Guard of John A Williams (per receipt) 3107 50
" 4th To this sum paid J. C. Medow on judgment for burial clothes 3 60
Febr 21st To this sum paid A A Whithead atty for & R. J. 6 12
" " To this sum balance due estate of contra. 120 28
237.50

July 16th By this sum received of Isaac Cofer exor. of Josiah Holliman who was admor. of Williams in bonds due Sept. 16th 1848. } 306 18
Decr 30th By cash received of will James on bond 18 36
" " By cash received of John M Shivers on do 39 58
364 12

1849

Jan. 1st By this sum balance due est. last year 117 55
Febr 26th By this in cash of Josiah Thomas acct. 2 50
March 18th By this sum received of John M Shivers on settlement of partnership transactions } 122 79
" By this sum cash received from county (no claim) 11 25
By this sum interest on balance due last year 7 05
261.14

1850

Jan. 1st By this sum balance due estate last year 237.50
237.50

Bal. due estate with interest thereon from the 1st of January 1850 til paid. 120.28
Deduct Jals bond & int. up to 16th May 1850. 66.00
Bal. due estate excluding Jals bond. \$ 54 28

Isle of Wight County February 21st 1850

Holliman exor.

vs

William's admor. & others

}
}
}

In Chancery

P. Hoff.

Defts.

Pursuant to an order of the circuit Superior Court of Law and Chancery for the said county pronounced in this suit on the 18th day of October 1849 I have proceeded to make up the accounts directed by said order after having caused notices to be delivered to the parties which notices are herewith filed marked Nos 4. 5. 6.

The account of Jos. B Whithead's administration on the estate of James I Williams dec^d marked Z was at his request reexamined & settled & some other receipts and disbursements made by him (since the report of commr. Lightfoot.) reported, & shews the said Whithead indebted to the estate of said Williams in the sum of \$120.28 etc with interest thereon from the 1st Jan'y. 1850 till paid, but excluding Gale's Bond (for reasons which will appear below) only in the sum of \$54.28 with a like interest thereon.

I am requested by said Whithead admor. to state that the bond above referred to was executed on the 16th day of March 1848 by John F Gale and Merit Bracy (for articles purchased at Williams sale) for \$60.00 payable on the 16th September 1848, that it was paid over to him by Isaac Cooper exor. of Jos. Holliman dec^d former admor. of Williams, which bond is now in suit & the collection considered doubtful for which reason he is unwilling he should be charged with that amount; also that he still holds the bond executed by John M Shivers & N. P. Wills for \$29.00 payable on the 1st Jan'y 1849 it being for the rent of Williams land for 1848 both of which bonds are mentioned in commr. Lightfoot's report.

The amount due on Guard. account (marked Y) after exhausting the personal assets in admor. hands \$107.77 etc

The account shewing the indebtedness of the estate after exhausting the personal assets in the admor. hands is marked X

All of which is most respectfully submitted to the court.

J. B. Whithead special commissioner.

Bild f. 1. 5.

Hollern, 1800.

21. 1

Witten, 1800.

5.98

1.46

2.50

bal. \$ 9.44

attos \$ 17.41

lewd. & 11.00

4 wd. 6.00

ord. publi. 5.00

9.50

cash \$ 58.35

Received of Mrs M Shivers Sixty dollars
in payment of costs of suit of Holleman
Ere vs William's admr -

Oct 7th 1830.

Isaac Cofer - Cr

W

Received by the Clerk of the Court
the within and
1840

Octo: 14th 1838

Filed

April 10th 1831. Clerk of N.Y. County
Clerk of the Court of Sessions the
bond of Sam, who is now
to in this report the same in
this Court of Octo: Term 1830.

W. M. Smith

Pursuant to the annexed decree pronounced at
the May term of the Circuit Superior Court of
Law & Chancery for the County of Isle of Wight in
the case of Holleman's executor v. Williams' admors.
de Luis non et al., the undersigned, having
previously executed in the office of the clerk of
the Superior Court and with good security in ac-
cordance with the directions of said decree, ex-
posed the land in the proceedings mentioned
to public sale at the Court House on Sept 2^d 1850
being Court day, after having given twenty days notice
of the time & place of sale, when James Chapman
being the highest bidder purchased the same
for the sum of three hundred dollars, of which
amount the said purchaser paid the sum of
seventy five dollars to meet the costs of this suit
amounting to sixty dollars & commissions on amount
of sale amounting to fifteen dollars) in cash,
and executed his bond, with Albert G. Stevens -
as his security for two hundred & twenty five
dollars payable six months from the date of
said sale, which bond is herewith returned, to-
gether with the receipt of Isaac Cooper ex of said
Holleman Plaintiff in this suit for the cash thereof.

All of which is respectfully submitted -

Signed - W. M. Stevens,

Oct 5th 1850 -

Gross proceeds of sale - - -	\$ 300
Comms 5 per cent on \$300 - -	\$ 15.00
Costs of suit - - - - -	60.00
Bond of James Chapman &	
for - - - - -	225.00
	<u>\$ 300.00</u>

Statement H 41-
adopted by Consent
of Corinell instead
of Commission Report
H B Hayden
Att for Plaintiff
as witness as att
for Sept. witness as att

A Statement of the amount due each of the creditors on the second day of March 1851 and the amt. in hands of commr. Shivers arising from sale of land and amt. in hand of admr. from collection of gales bond

Joseph B Whitehead on September 13th 1850. paid on guar.^d bond \$86. leaving \$178.43~ which on October 18th 1850 leaves a balance due the guard. of \$179.47cts. The balance due the guardian on October 18th 1850 after applying the personal appts (\$74.50) in admr. hand is \$104.97cts. amounting on March 2nd 1851 to \$107.33cts.

Amount due plaintiff on March 2 nd 1851 is	\$ 230.87
" " J. M. Shivers " " " "	14.15
<u>Total amount due other creditors on that day</u>	<u>245.02</u>

Amount in commr. Shivers hands \$225. Deduct amount due on guar.^d bond \$107.33cts Balance in commr. hands for distribution is \$117.67cts of which John M Shivers share is \$5.79cts with interest on \$5.58cts part thereof from March the 2nd 1851 till paid

The Plaintiff's share is \$110.18cts with interest on \$92.13cts part thereof from March 2nd 1851 till paid

Balance due plaintiff to be paid by John M Shivers is \$119.99cts with interest from March 2nd 1851 till paid

Holliman's Exor.

~~At~~ Report

William's adm. & thos

Octo. 14th 1850 copy.
filed.

The debt due by John F. Gale and Mervin Tracy has been made, The net proceeds of which now in the hands of the admo^r. de bonis non J. B. Whithead ready for distribution is \$74.50.

Isle of Wight County October 5th 1850.

Holliman's Exor.

Plf

vs

William's admo^rs & others

Defts.

In Chy.

Pursuant to an order of the circuit superior court of Law and chancery for said county made in this cause on the 17th day of May 1850 I have this day made the above report as therein directed.

All of which is most respectfully submitted to the court

J. B. Whithead Special Comm^r

J. Williams died: seized & possessed in taking which account
The said Commissioner is directed to ascertain what debt paid
by the said administrator bounds the said real estate & an amount
of statement of the plaintiff's demand, and Liberty is
reserved to all other creditors of the said James J. Williams
died: to appear & prove their claims before the Commissioner
upon the usual terms —

A. Coffey

Teste

J. P. Wills S.C.

Holliman's Exec.

(2) 3 copies cleared

Williams' account: var.

Room 12 Office June 13th 1849

Notice for the settlement of the
debts & accounts of the
Estate on the 16th of March
1849 W. Lightfoot Com.

Service of notice acknowledged
this 16th of March
1849 — J. M. W. Shover

Room 12 Office June 13th 1849
Notice received of the 20th of
July 1849 at Chambers
Lawyer appointed as the time
of place for the settlement of
the debts ordered

At a circuit superior court of law and chancery continued and held
for the county of Isle of Wight on Thursday the 19th day of October
1848

Isaac Coker executor of Josiah Holliman
against } In Chancery

Joseph B. Whitehead admor. de bonis non of James J. Williams
decd: Henry H. Lykes and Rhoda B. his wife James D. Long
and Sarah his wife Willis D. Williams, Sol B. Brock and
Mary his wife, John H. Williams and John M. Shivers

The Defendant Willis D. Williams who is out of this
Commonwealth & against whom the plaintiff appears to have
proceeded in the mode prescribed by law against absent defendants
& still failing to appear & answer, on the motion of the plaintiff,
his bill is taken for confessed as to that defendant, and the Vice
having been filed & the subpoena executed more than two months
on the defendants Joseph B. Whitehead admor. de bonis non of
James J. Williams decd: Henry H. Lykes & Rhoda B. his wife,
James D. Long & Sarah his wife, Sol B. Brock & Mary his wife,
John M. Shivers & Nathaniel W. Williams, & they having failed
to answer the same is also taken for confessed as to them—
And the cause coming on to be heard on the Vice of the
Complainant the answer of the infant Defendant John H.
Williams by Nathaniel P. Young his guardian ad litem
& general applications & exhibits filed & was argued by counsel
on consideration whereof the court doth adjudge order and
decree that Isaac Coker exor. of Josiah Holliman decd: render
an account of his transactions as administrator of James J.
Williams decd: before the commissioners of this court who
is directed to state & settle the same and that Joseph B.
Whitehead admor. de bonis non of James J. Williams
render an account of his administration of the estate of
his said intestate James J. Williams before a commissioner
of this court who is directed to examine state & settle the
same & that the said commissioner further proceed to
ascertain & state the amount & value, gross & annuities
of the real estate of which the said intestate James

Holliman's acct

v

William Lat.

The Dece. sh.^d direct
the settlement of Holliman's
transactions as against v
William, and then it
may be entered.

R. H. B.

Entire

which said several accounts the said Commissioner will
state & settle Report to Court with any matters deemed pertinent
ment by himself required by the parties to be specially stated.

Hollernans etc

vs

Williams et al

Allee

The defendant Willis & Williams who is out of this Commonwealth & against whom the Plaintiff appears to have proceeded in the mode prescribed by law against absent defendants still failing to appear & answer; on the motion of the plaintiff his bill is taken for confessed as to that defendant; and the Bill having been filed & the Subpoena executed more than two months on the defendants Joseph B Whitehead admr de bonis non of James S Williams dec'd Henry H Lykes & Rhoda B his wife, James D Long & Sarah his wife Joel Brock & Mary his wife, & John M Shivers & Nathaniel Williams, & they having failed to answer the same is also taken for confessed as to them; And the cause coming on to be heard ~~on~~ the Bill of the Complainant, the answer of the infant defendant John H Williams by Nathaniel P Young his guardian ad litem & general application thereto & exhibits filed & was argued by counsel on consideration whereof this Court doth adjudge order & decree that the defendant ^{J. B. Whitehead, Exr of} Joseph B Whitehead administrator de bonis non of James S Williams James S Williams dec'd before the Commissioner of the Court who is directed to state & settle the same & render an account of his administration of the estate of his said ^{same} intestate James S Williams before a Commissioner of this Court who is directed to examine state & settle the same & that the said Commissioner further proceed to ascertain & state the amount & value prop & annual of the real estate of which the said intestate James S Williams died seized & possessed; in taking which account the said Commissioner is directed to ascertain what debts paid by the said administrator bound the ^{said} real estate & an account & statement of the P^lff; demand; and Liberty is reserved to all other creditors of the said James S Williams dec'd to appear & prove their claims before the Commissioner upon the usual terms;

Hollimanus exp.

4: } order

Williamson's d.

Rev 67

Hollerman's Exe

vs

Williams's admors et al -

This cause this day again came on to be heard on the papers formerly read & the Report of Commissioner Lightfoot made pursuant to an order of Oct Term 1848, was argued by counsel whereon the Court doth adjudge order & decree that ~~A. A.~~ Whitehead who is hereby appointed Special Commissioner for that purpose proceed to take ^{a further} account of any other claims due by the said James S. Williams, & ~~to report~~ the same to this Court with any other matters deemed pertinent by ~~himself~~ or required by the parties

Holliman and ^{the} cop.

vs. J. Co. Decree of
Circ. Co. 1819.

Williams' admors. see
also.

Special Comm. Office Lang.
17th/860

Notice for the settlement of the
within account at Edwin
Morrisons-Laven on the
21st of February 1850

A. Whithead Spl. Comm.

At a Circuit Superior Court of Law and Chancery held for the
County of Iowa at Davenport the 18th. day of October 1849.

Isaac Coper executor of Josiah Holliman and decd. Compt.
(Against) J. In Chancery.

Joseph B. Whitehead admr. de bonis non of James I.
Williamson decd. James D. Long and wife, ~~James H. Sykes~~
and wife, and others. Defendants.

This cause this day again came on to be heard
on the papers formerly read & the report of Commissioner
Sightfoot made pursuant to an order of Acts: Term 1848,
and was argued by Counsel; whereon, the Court with
advice, order and decree that A. S. Whitehead who is
herby appointed special Commissioner for that purpose,
proceed to take a further account of any other claims
due by the said James I. Williamson decd. and report
the same to this Court with any other matters deemed
justified by himself or assigned by the parties.

Clerk.

Teste

W. P. Young &c.

Hollemans & }
as
Williams & Co }

Rough breeding time
1850 -

To be entered

R. H. Baker

May Co. 1850

necessary to pay the expenses of sale & the costs
of this suit & for the proceeds of sale after de-
ducting the expenses thereof & of this suit he
take bond with good security & report his pro-
ceedings to court in order to a final decree & the
court doth further decree that A A Whitehead
who is hereby appointed a commissioner for
that purpose report to the court the condi-
tion of the debt due by John F Pale & Merit Brum-
cy to the estate of James I Williams, mentioned
in his former report as desperate. But the opera-
tion of this decree is to be suspended until the
said Bro Mc Shiner, commissioner of sale as
aforesaid shall execute in the Clerk's office of
this court a bond with good security payable
to the Commonwealth of Virginia in a penalty
of \$500 - conditioned for the faithful dis-
charge of his duties as commissioner aforesaid

Holleman's Ege
as
Williams et al

Decree
in
Chancery -

This day this cause came on again to be heard on the papers formerly read & the Report of Commissioner Whitehead made pursuant to the order of May Term 1849, to which there is no exception & the court confirming the same doth adjudge order & decree that Joseph B Whitehead administrator de bonis non of James I Williams deceased pay out of the assets of his said intestate in his hands to be administered to Edwin Bunkley Guardian of John H Williams the sum of One Hundred & Fifty One Dollars & Sixty Eight Cents in part payment of the balance due by said intestate as Guardian of the said John H Williams & that unless the defendants Henry H Dykes & Rhoda B his wife, Isael Brock & Mary his wife Willis David Williams, Nathaniel W Williams & John H Williams ^{James & Louis wife Edy} ^{a some person for them} on or before the 1st day of July next pay to Edwin Bunkley Guardian of John H Williams \$107.77 with interest from May 14th 1830 - to Isaac Coper Ege of Josiah Holleman deceased the sum of \$221.70 with interest on \$191.84 part thereof from the 25th of January 1848 - to Mrs M Shivers \$12.22 with interest on \$11.62 part thereof from 1 July 1847. Then Mrs M Shivers who is newly appointed Commissioner for that purpose shall after having given twenty days public notice of the time & place of sale sell to the highest bidder at the Court House of Isle of Wight County on some Court day the land in the proceedings mentioned whereof James I Williams died seized on a credit of six months, except so much for each as will be

Hollmanns exor.

vs. *Bo. deure.*

Willmanns adm. fals.

(For Ins. M. Shivers con.)

Wright County on some Court day, the land in the proceedings
mentioned whereof James I. Williams died seized, on a
Credit of six months, except so much in cash as will be
required to pay the expenses of sale and the costs of the
said and for the proceeds of sale, after deducting the
expenses thereof, and of this sum, he take bond with
good security, and report his proceedings to Court in
order to a final decree. And the Court doth further
decree that A. S. Whitehead who is hereby appointed
a Commissioner for that purpose, report to the Court
the condition of the debt due by John F. Gale
and Mend Bracy to the estate of James I. Williams
mentioned in his former report as desperate. But the
operation of this decree is to be suspended until the said
John M. Shivers Commissioner of Sale as aforesaid shall
execute in the Clerk's office of this Court, a bond with
good security payable to the Commonwealth of Virginia
in a penalty of five thousand dollars, conditioned for
the faithful discharge of his duties as Commissioner
aforesaid.

Costs of Suit \$60.00 } A copy. List

W. P. Gannoy ce

To the Circuit Superior Court of Law & Chancery for the County
of Isle of Wight May 1st 1851.

Isaac Cofer executor of Josiah Holliman dec'd Complt.

against

3 In Chancery

Joseph B. Whitehead admor. de bonis non of James I. Williams
dec'd, Henry M. Sykes & wife, James D. Long & wife, Willis D.
Williams, Joel Brock and wife, John H. Williams, Nathl.
Co. Williams and John W. Shivers. Defendants

This day this cause came on again to be heard on the
papers formerly read, and the report of Commissioner
Whitehead made pursuant to the order of May term 1849
to which there is no exception, and the Court confirming the
same, doth adjudge, order and decree that Joseph B.
Whitehead administrator de bonis non of James I. Williams
dec'd pay out of the assets of his said intestate in his hands
to be administered, to Edwin Buckley guardian of John
H. Williams the sum of One Hundred fifty one dollar
& sixty eight cents in part payment of the balance due by said
intestate as guardian of said John H. Williams, and that
unless the defendants Henry M. Sykes or Rhoda P. Sykes wife,
Joel Brock or Mary his wife, Willis D. Williams, Nathaniel
Co. Williams, John H. Williams or James D. Long and Eady
his wife, or some person for them, on or before the 1st day
of July next pay to Edwin Buckley guardian of John H.
Williams One hundred and Seven dollars and Seventy Seven
cents with interest from May 1st 1850. To Isaac Cofer
executor of Josiah Holliman dec'd: The sum of Two Hundred
and twenty one dollar and Seventy cents with interest on
\$191.84 part thereof, from the 25th day of January 1848.
To John W. Shivers \$12.23 with interest on \$11.63 part thereof
from 1st day of July 1847. Then John W. Shivers, who is hereby
appointed a commissioner for that purpose, shall, after
having given twenty days notice of the time & place of
Sale, sell to the highest bidder, at the Courthouse of Isle of

Holliman's 401

or

William's account

Deer to be entered

Rt Baker

May Co. 1850

authorized to collect & out of the proceeds pay to Edwin
Bunkley Guardian of John H Williams the sum of
\$107.33, with interest from March 2^d 1837 on \$104.99
part thereof, to Isaac Coffey Exr of ^{part thereof} Joseph Holleman
\$110.88, with interest ~~from~~ \$92.13 ~~from~~ March 2^d 1837
till paid, to Geo M Shivers \$1.79, with interest on
\$5.58 part thereof from March 2^d 1837 & that the
said John M Shivers as security of the said J H
Williams deceased pay to Isaac Coffey exr of Hol-
leman aforesaid the sum of \$119.99, with interest
thereon from March 2^d - 1837.

Holliman's Exr

vs

Willeam's admr de
bonis non et als

Decree-

Upon the Petition of Jos B Whitehead admr de bonis non of J J Williams, so much of the order made at the May Term 1830, as directed the said Jos B Whitehead admr de bonis non as aforesaid to pay to Edwin Bunkley Guardian of John H Williams the sum of \$151.68, ^{was} set aside, & this cause this day coming on again to be heard upon the papers formerly read & the report of John M Shivers Commissioner of Sale made pursuant to the decree of May Term 1830 in this cause, to which no exceptions ^{& Supplement (4) adopted by consent of Court} have been filed, ~~it was argued by counsel on consid-~~ ^{set in lieu of Commissioner's report concerning the exact} ~~eration whereof the court doth confirm said re-~~ ^{Commissioner's report of May Term 1830, & the report of Commissioner} ~~order of sale & doth adjudge order & decree that the~~ ^{Said Sale & doth adjudge order & decree that the} ~~Whitehead made pursuant to the decree of May Term 1830~~ ^{Said John M Shivers Commissioner of Sale, exe-} ~~Said John M Shivers Commissioner of Sale, exe-~~ ^{cate & deliver to James Chapman, purchaser of said} ~~cate & deliver to James Chapman, purchaser of said~~ ^{the} ~~land mentioned in said report, a good & suffi-~~ ^{land mentioned in said report, a good & suffi-} ~~cient deed therefore with special warranty, viz~~ ^{cient deed therefore with special warranty, viz} ~~the tract whereof J J Williams died seized & possessed~~ ^{the tract whereof J J Williams died seized & possessed} ~~consisting of about one hundred & forty acres lying in~~ ^{consisting of about one hundred & forty acres lying in} ~~the County of Isle of Wight near Will's Meeting~~ ^{the County of Isle of Wight near Will's Meeting} ~~house adjoining the lands of W P Jordan, Esq M~~ ^{house adjoining the lands of W P Jordan, Esq M} ~~Shivers & James P Jordan, & the court doth further~~ ^{Shivers & James P Jordan, & the court doth further} ~~en adjudge order & decree that Jos B Whitehead~~ ^{en adjudge order & decree that Jos B Whitehead} ~~admr de bonis non of J J Williams pay to Edwin~~ ^{admr de bonis non of J J Williams pay to Edwin} ~~Bunkley Guardian of John H Williams the sum~~ ^{Bunkley Guardian of John H Williams the sum} ~~of \$74.50, with interest from date, & that the clerk~~ ^{of \$74.50, with interest from date, & that the clerk} ~~of this Court deliver to Mrs M Shivers, the Bond~~ ^{of this Court deliver to Mrs M Shivers, the Bond} ~~of James Chapman, with Albert P Shivers as security~~ ^{of James Chapman, with Albert P Shivers as security} ~~returned by said Commissioner Shivers with his~~ ^{returned by said Commissioner Shivers with his} ~~report of Sale (taking the receipt therefore, which~~ ^{report of Sale (taking the receipt therefore, which} ~~said Bond the said John M Shivers, is hereby~~ ^{said Bond the said John M Shivers, is hereby}

Hollmann's egg:

w. 3 egg:

Williams 108.

Egg 11. 6. felia

with pett. bill.

In Sale of Wright County Court March 6th 1848
On Motion of Isaac Holliman (with the assent of the
parties concerned) who made oath as the law directs &
with Benjⁿ. Brock & Burwell Brock his securities, entered
into & acknowledged a bond in the penalty of \$1000
Conditioned as the law directs - administration is granted
him on the estate of James S. Williams decd. ordered that
Ans. M. Shivers, Henry Pitt, Ans. P. Jordan and Jas. S. Holliman
or any three of them appraise the estate and make report
to court.

copy

with

A. P. Younger

Holliman, Geo.

or: J. G. G.

William, Jr.

Ex. T. D. filed with
Kice.

In Isle of Wight County Court April 3rd 1848

In Motion of Joseph B. Whithead who made oath and
with A. A. Whithead and Wm. H. Parker his securities entered
into & acknowledged a bond in the penalty of \$1200
conditioned according to Law. administration is granted him
on the Estate of Jas. J. Williams decd. unadministered by
Louis H. Holleman decd. Ordered That E. Morrison, Jnr.
Morrison, Wm. H. Jordan and S. White or any three of
them appraise the Estate and make report to court
at next term. A. P. Surry clerk

Holliman's expor:

w. Zely.

William's tab.

Expt. 13. folio with
Petp. bic.

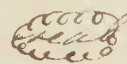
large copper still one screw Press one apple mill as to be planted on the plantation on condition she arrives at the age of twenty years or have a child or children but should she die of short or no child or children I give the said property to my grand son George Hollerman to him and his heirs forever.

I put into the hands of my friend Isaac Cooper one negro namely George one to Simons one to Isaac one to Gilbert one to Selby one to Caroline and her three children namely Mary one Oliver and one not named and the increase to be hired out privately to good Masters untill my grand daughter Ann Gray shall arrive at the age of sixteen years at which time I require that the said negroes and increase shall be divided between my grand daughters Virginia & Ann Gray to them and their heirs, and the heirs are to be divided between them both from and after my death but should both Virginia & Gray die and leave no children I give the said property to my grand son Geo. Hollerman & to his heirs forever.

I give about two acres of land adjoining to the Mill swamp Baptist Church or meeting House to Isaac Cooper James L. Cooper Robert Jones & Edward Williford as trustees for the Baptist Society worshipping at that place on the express condition no tree or trees shall be planted or let to grow to them nearer than such as are now standing to them and their successors forever.

My will is that the balance of my estate including my ~~successes~~ of young trees two small copper stills one boiler one tract of land called Thomases and part of Elijah Holloways land say about forty acres one tract of two hundred and 24 acres and a grist mill and other articles not given away to be sold as chattle estate and the ground whereon the mureys to be for the use of the persons buying untill they can be raised & the money arising from such sale and pay my debts is to be given to my loving wife Nancy Hollerman one third and should my estate not ~~sufficient~~ to come to nine hundred dollars I give to my said wife the sum of three hundred dollars to her & her heirs forever. The balance of my estate I give one 2nd part to Rebecca Jones and the other second I give to Isaac Cooper as trustee

for the benefit of my daughter Patsy White to be distributed as she shall need and her receipt shall be her voucher and shall then be a balance I give it to Rebecca Jones to them and their heirs forever, my will is that if any debt be should be brought against my estate more than I expect that my grand daughter Virginia and Ann Gray shall pay so that the above legas shall not be injured. Lastly I constitute my friend Isaac Cooper as ex. and give him one hundred dollars for his compensation instead of commissions & I constitute said Isaac Cooper to be gov. for my two granddaughters Virginia & Ann Gray as above. In witness whereof I have set my hand and seal this 6th day of April 1847

Isiah Hollerman 

In the Court of Wight County Court April 8th 1848 The last will and testament of Isiah Hollerman decd. was presented in by Isaac Cooper the executor therein named and proved by the oaths of Charles B. Barden and Joseph B. Whithead and ordered to be recorded

Teste A. P. Gump

Cfy
Teste A. P. Gump

In the name of God Amen I Josiah Holleman of Isle
of wight County Va. do make this my last will and
Testament in manner and form as follows (To wit)
I give to my son Wilson Holleman twenty five cents to
him and his heirs forever. I. give to my grand daughter
Virginia Gray the land called The store of two hundred
and eight acres more or less and bounded as follows to wit:
Beginning at a large white oak on the old Proctors road Thence
said road to the store house Thence on the surry Road to
an aspen tree a line in Wilson Hollemans land Thence
to a small branch to large Marl pit Thence a south course
up a small branch & ditch Thence to a ~~pomp~~ ^{pomp} ~~phant~~ ^{phant} tree Thence
three posts to a aspen tree on the new Proctors road to a
new ditch near a white oak in Josiah Bells lands Thence
near a south course on said ditch to a large pine stump
Thence near a east course on a line of marked trees up
to a walnut tree not far from Robert Baileys House
Thence near a south course Thence near a south course to
the first station on condition she arrives at the age of
twenty years or a child or children living in case both of
my grand daughters Ann & Virginia Gray and no children I
give the same to my grand son George Holleman & to his heirs
forever. I. give to my grand daughter Ann Gray the land
whereon I now live about two hundred acres more or less
to wit: beginning to wit: beginning at a large white oak on
the old proctors road Thence a north course to a walnut
tree near Robert Baileys House Thence near a west on a line
of marked trees to a large pine stump on a ditch Thence on
said ditch to the new proctors road at a white oak on
Josiah Bells lands Thence near east on the said road to
an aspen tree Thence near north by post & down to a large
Marl pit Thence Wilson Hollemans lands to the main
run of Black water Swamp down said run to the land
of Josiah Bells land Thence on said land near east up to a
white oak near a ditch Thence on said Josiah Bells land near
south to a branch Thence near west course Then near south
adjoining the land of Sampson Barlowes children &
Henry Lanester Thence on a branch joining the lands of Benjamin
Swattins heirs to a post oak on the old Proctors road Thence
on said road to a large white oak to the beginning also my

1848 January 25th I assign the within to Mr Josiah Holloman
and hold myself responsible for the same for the term
of four months

James O Long

Additional copy

in 3 Vol.

William T.

Exp. H. O. J. J. J.
with sale.

\$191.84

279.02

1848 Jan 27 18 1850

Brook \$191.84

1848 Jan 27 18 1850

48.1611

as. J. Williams

W. H. H. H.

Holloman
Williams
H. H. H.

7 1918

In demand for Value Recd we promise to pay or cause
to be paid unto James D Long the just and full sum
of one hundred & ninety one Dollars & eighty four Cents
for which payment well and truly to be made we bind
our selves our heirs ex-or admors firmly by these presents
given under our hands & seals this tenth day October

By Eighteen hundred & forty seven

Geo J Williams

Seal

2
Geo W Shivers

Seal

Holliman error:

m: 364.

William, 184.

Bond of Court executed

Aug. 5th, 1850. County

Sanford.

Teste

W. H. Young

Know all men by these presents that we John
M. Shivers and James Chapman are held and firmly
bound unto the Commonwealth of Virginia in the
sum of Six Hundred dollars for the payment whereof
well truly to be made we bind ourselves our heirs, jointly
& severally firmly by these presents. Sealed with our seals
& dated this 5th day of August 1850.

The condition of this obligation is such that, when
by a decree of the Circuit Superior Court of Law &
Chancery for the County of Ich. of the 17th day of May 1850, in the suit of Isaac
Leifer executor of Josiah Holliman decd. vs. William
Fother, the above bound Jas. M. Shivers was appointed
a commissioner to sell the real estate in the
preceding mentioned whereof James J. Williams
decd. seized & possessed. Now if the said John M.
Shivers shall truly & faithfully execute his duties
as commissioner aforesaid then the above obli-
gation to be void, else to remain in full
force & virtue.

John M. Shivers 
J. Chapman 

Holleman's Esc.

as
Williams et al

Publication of notices
in Willis & Williams

I hereby certify that the annexed notice
has been inserted weekly for two months in "The
Southern Argus" Newspaper published in Norfolk, Va.,
commencing 22nd June 1848. J. T. Sawyer, Publisher.
L. D. Starke, (Foreman.)

Sworn to before me, an Alderman of the
City of Norfolk this tenth day of October 1848 —

Witness Rob. Keating

Chas. H. Heild JP

IN CHANCERY—VIRGINIA: At rules held
in the Clerk's Office of the Circuit Superior
Court of Law and Chancery for the county of
Isle of Wight, on the 10th day of June 1848:
Isaac Cofer, Executor of Josiah Holleman,
deceased,
Plaintiff,

against
Joseph B. Whitehead, administrator de bonis
non of James J. Williams, deceased, Henry H.
Sykes and Rhoda B. his wife, James D. Long
and Sarah his wife, Willis D. Williams, Joel
Brock and Mary his wife, John H. Williams and
John M. Shivers,
Defendants:

The defendant Willis D. Williams, not having
entered his appearance and given security ac-
cording to the act of Assembly and the rules of
this Court, and it appearing by satisfactory evi-
dence that he is not an inhabitant of this State,
it is ordered that the said defendant do appear
here on the first Monday in September next and
answer the bill of the plaintiff; and that a copy
of this order be forthwith inserted in some news-
paper published in the city of Norfolk for two
months successively, and posted at the front door
of the Court-house of this county.

A copy—Teste:
je 22—2m N. P. YOUNG, C. C.

Advertising \$5.00