R70-002 Chancery Causes: John R. Kilby, trustee for John M. Shivers v.d. vs John M. Shivers v.d.
Dsh of Wight County

other surnames: Carrell, Whitehead, Carroll, Pruden, Jordan, Powell, Thomas, Atkinson, Parker, Gwaltney, Wrenn, Urquhart, Butler, Edwards, [Pasteurs + Shivers] Pasteurs, Hoggers, Pasteures [Pasteures + Shivers], Adams [Thomas, Adams v Company], Casey Hayden [Merchants v Mechanics Savings Bank of Norfolk], Holleman

Kilby p. f.

John R. Kilby, Trustee
for Jno. M. Shivers
vs
Chas. J.
John M. Shivers Sale

1868.
Sept. Rule - Bill & filed
& Demurrer.

Oct. Rule - Bill taken
for confessed & set
for hearing.

Oct. ch. Decree for Complt

March 30th 1869
Report filed.

May 1869 - Decree for
Collection & distribution.

Cir. ch. I. of 10
& Oct. 1869. cont.
May 1870. cont.
Oct. 1870. final decree

All Available Text Successfully Captured

Kelly P. V.

John R. Kelly Trustee
for Jno. M. Shivers &

vs Bill

John M. Shivers &c

I. of W. Cir. Ct

the amounts due & the rights of the parties.

In Consideration whereof, and as this Court has power to grant due proper relief, To the End Your Complainant prays that John M. Shivers George W. Carroll and Laura his wife, Wm B. Whitehead, Joseph B. Whitehead, Wm H. Cary Executor of Albert G. Shivers dec'd, Cairn Pruden Executor of Henry Pruden dec'd, C. B. Hayden adm'r with the will annexed of Walter P. Jordan dec'd, Ada Urquhart, I. O. Thomas, A. Atkinson, Jesse A Parker, Chas. H. Wrenn, W. W. Gwathmey, David L. Butler & Mapsonia C. his wife, The Merchants & Mechanics Savings Bank of Norfolk, Thomas, Adams & Co. and all other Creditors of John M. Shivers aforesaid, when made known, may be made defendants hereto & be required to answer the allegations herein: That a proper Commissioner of this Court may be directed to ascertain the Debts secured by said Deed of Trust, and their priority: That the accounts necessary and proper in the case may be settled, and that all other & further relief may be granted Consistent with Equity &c.

John R. Kelly S. C.
& p. p.

demand & which was assigned to said Whitehead and on which is a Credit for $78:70 on the 19th of April 1858: also to the said William B. Whitehead a Bond for $382:62, dated 1st January 1858 & due on demand & payable to Albert G. Shivers & assigned to said Whitehead also to said Whitehead a Bond for $100. dated 4th July 1858 and due 1st January 1859 & payable to Albert G. Shivers and assigned to said Whitehead: Also a Bond to said Whitehead for $94.87 dated 15th June 1860 & payable to Lefe Rogers by him assigned to Pastenes & Shivers since assigned to said Whitehead: also to said Whitehead the sum of $149.70 due by Bond dated 15th June 1866 & due on demand, which debts are to be paid in full as of the first Class: Due pay as of the second Class, to the Merchants & Mechanics Savings Bank at Norfolk or some other Savings Bank, a note of $100 on which, Thomas, Adams & Co. are endorsers: also to said Thomas, Adams & Co. $1645-32 due by Bond dated 20th April 1866 & also Interest due thereon. &

That your Complainant is also about to make sale of the said personal estate to satisfy the provisions of said last named Deed, and desires the aid of a Court of Equity to aid him in ascertaining

& Nat Walton & Jno Jordan is dead and C. B. Hayden is by his admr with the will annexed — Nat Albert G. Shivers is also dead and Wm N. Cooper is his Executor — Nat Henry Purdue is dead and Aaron Purdue is his Executor.

and secured by a prior Lien on said Land,
by Watson P. Jordan ; this debt your Complainant
believes is the same debt referred to in said John
M. Shivers Deed of Trust aforesaid as due to W.
P. Jordan, and he now calls on said as a
Defendant and the Personal Representative
of said W.P. Jordan dec'd, to say whether it is so
or not.

Your Complainant also says that he has
understood that there is a debt due by said Shivers
to which Wm. B. Whitehead is security which
is entitled to share with the second class debts
in said deed, viz: David L. Butler and
Mysouri C. his wife, late Mysouri C. Brandt,
& is due by Bond payable to Mr. Hall late the
Guardian of said Mysouri now held by said
David L. Butler.

Your Complainant further says, that
the said John M. Shivers by a subsequent
deed of Trust, dated the 3d day of September
1866 & duly recorded in the Clerk's office &
Isle of Wight County Court on the same day (a
duly certified copy of which is filed herewith
& marked "B") and is prayed to be taken as
part of this Bill, Conveyed to your Complainant
the Trustee therein named, his Chattel estate,
In order to secure the following debts to Wm.
B. Whitehead, a Bond of $827.14 dated 1st of
March 1858 payable to Pasteurs & Shivers & due

which W.B. Whitehead and Albert G. Shivers or either of them may be bound as security or otherwise: And then if a surplus remain, he the said John R. Kelly, Trustee as aforesaid, shall pay ratably to all just demands (other than those above provided for) that may be now due and unpaid by him the said John W. Shivers — and it is expressly declared that if any of the above referred to, debts, shall be incorrectly described as to amount or otherwise, that yet notwithstanding, the same shall be fully paid in the Class to which it belongs.

Your Complainant further says that he is about to make sale of the estate conveyed by said Deed of Trust, and is unwilling to assume the responsibility of determining the several amounts due in each Class, as is provided for in said Deed, and cannot ascertain safely the Debts that will be entitled to share in the proceeds of sale, as referred to in the Last Class, and therefore invokes the aid of a Court of Equity to ascertain the same (and for his protection

Your complainant is informed that there is a debt of about $2000. besides the Interest due thereon, now due to Mrs Ada Urquhart, which was assigned to her formerly held

Shivers as security: also, Balance due on three Bonds originally executed to Wm Carroll & ale amounting to $600, to which Wm B. Whitehead is a security. also, to Henry Pinder a debt of about $636, to which said Wm B. Whitehead is a security, together with ale Interest due thereon: also to Wm B. Whitehead a Bond for $785.13, dated this day & due on demand: and also ale other Debts not named to which said Wm B. Whitehead is security or otherwise liable, either singly or with others:

Then, after paying the above referred to, demands in full, Pay in the Second Place, and in full, if the proceeds are sufficient, the following Debts - To Watson P. Jordan, a Debt of $2000. to which albert G. Shivers is security: To Julius O. Howard, assignee of J. H. Powell a Debt of $97, to which Joseph B. Whitehead is a security: To A. Atkinson Jr. assignee of J. H. Powell, a Debt of $99, to which the said Joseph B. Whitehead is a security: To Lafe A. Parker a Bond of $280, to which Jos. B. Whitehead is security: To W. W. Swaltney a Debt of $417.75 to which Jos. B. Whitehead is security: To C. H. Wrenn a Debt of $600. to which albert G. Shivers is security: To C. H. Wrenn a Debt of $172. to which albert G. Shivers is security, together with ale Interest due on the same: and also any other Debt to

To the Hon. Richard A. Baker, Judge of the Circuit Court of the County of Isle of Wight.

Complaining, shew unto the Court, your Complainant John R. Killy, Trustee for John M. Shivers and his creditors.

Your Complainant respectfully represents to the Court and says, That on the 1st day of June 1866, the said John M. Shivers, executed a Deed of Trust to your Complainant, conveying his real estate situated in the County of Isle of Wight, for the purposes therein named, and hereinafter set forth — which Deed of Trust was duly admitted to record in the Clerk's office of the County Court of Isle of Wight on the 2d day of June 1866 (a duly certified copy of which is filed herewith marked (A)), and prayed to be taken as part of this Bill.

That by the said Deed it is provided that out of the proceeds of the sale of the property thus conveyed, he, the said John R. Killy as Trustee as aforesaid, shall pay as of the First Class and in full the following Debts- to wit: To J. R. Carree & Laura his wife assignee of Geo. W. Carrole a debt of $200 & all interest due thereon, due by said Shivers and to which Wm B. Whitehead, Jr. B. Whitehead & Albert G.

Jno. R. Kilby trustee &c.

Summ. to answ. Bill in Chy.

v.

Jno. M. Shivers & als.

To Sept. rules 1868.

cir. Ct.

Kilby p.q.

Executed by delivering a copy of the within summons to W. T. Harrison, President of the Merchants & Mechanics Savings Bank of Norfolk, August 18th 1868 D. McLeod Deputy for W. B. Diggs Sergt

The Commonwealth of Virginia,

TO THE ~~SHERIFF OF ISLE OF WIGHT COUNTY~~ Sergeant of Norfolk City, Greeting:

WE COMMAND YOU TO SUMMON The Merchants and Mechanics Savings Bank of Norfolk

to appear at the Clerk's Office of the present Court of Isle of Wight County, at Rules to be holden for the said Court, on the first Monday in ~~July~~ September next, to answer the Bill in Chancery of John R. Kilby, trustee for John M. Shivers and his creditors, filed against you and others creditors of said Shivers.

~~a plea of~~ ~~for $~~ ~~Damages, $~~. And have then there this writ. Witness, N. P. YOUNG, Clerk of our said County Court, at the Court-house, the 15th day of August 1868, in the 93d year of the Commonwealth.

N. P. Young Clk.

Executed Aug. 24th 1868 & a true Copy hereof Delivered to Wm
B Whitehead Warren Rundin Executor of Henry Rundin, & David L.
Butler & Mifronia his wife.

Wm Eley Sheriff of
Ransemore County

Wm. B. Whitehead Executor &c.

vs.

Johnson &c
et al.

Bro. Pr. Rhein dat.

To Supt. Rules 1868.
Ex. Ct.
Wells Cty.

The Commonwealth of Virginia.

TO THE SHERIFF OF ~~ISLE OF WIGHT~~ Nansemond COUNTY, *Greeting:*

WE COMMAND YOU TO SUMMON William B. Whitehead Aaron Prudem Executor of Henry Prudem dec'd & David L. Butler & Mifsouri C. his wife

to appear at the Clerk's Office of the present Court of Isle of Wight County, at Rules to be holden for the said Court, on the first Monday in ~~July~~ September next, to answer the Bill in chancery of John R. Kilby trustee for Jno. M. Shivers his creditors, filed against you and others creditors of John M. Shivers.

~~a plea of~~ ~~for $~~ ~~Damages, $~~ And have then there this writ. Witness, N. P. YOUNG, Clerk of our said County Court, at the Court-house, the 10th day of August 1868, in the 93d year of the Commonwealth.

N. P. Young Clk.

Executed by Attorney a true copy of
the writ — John W. Shinn for Whitehead
Wm. H. Lacy Archibald Atkinson for Chas
F. Wrenn & B. B. Hayden J. C. Flinn
& Thomas Adams Heb. Jefferis & Parker and
Margaretta Urquhart August 29th 1868

Eby & Eby Atts

John W. Wiley Issues
for Jno. M. Shinn &c.

3 Issues To
Jan. Term 1869

Jno. M. Shinn, Esq.

U. S. Dist. Ct. 1868.
Bei. Ch.
Wiley Ap.

Lager Shinn & Shinn Atts — for Appellants
& M. P. Shinn Esq. Counsel

The Commonwealth of Virginia,

TO THE SHERIFF OF ISLE OF WIGHT COUNTY, Greeting:

WE COMMAND YOU TO SUMMON John M. Shivers, James R. Crandall & Laura his wife, Jas. B. Whitehead & wm B. Whitehead, W.H. Casey Expr. of Albert G. Shivers dec'd; Aaron Pruden Expr. of Henry Pruden dec'd; C.B. Hayden & wife with the will annexed of W.P. Jordan dec'd; Morgan & Adalaide Upshur J.A. Thomas, A. Atkinson, John A Parker, Chr. F. Wrenn, W. W. Gwaltney, David L. Butler & Mifsouri C. his wife, The Merchants & Mechanics Savings Bank Norfolk, Thomas, Adams & Co. & all other Creditors of John M. Shivers whom may be hereafter known,

to appear at the Clerk's Office of the ~~August~~ September Court of Isle of Wight County, at Rules to be holden for the said Court, on the first Monday in ~~July~~ next, to answer the Bill in Chancery of John R. Kilby Trustee for John M. Shivers and his Creditors.

a plea of ~~trespass~~ for $ ~~500~~ Damages, $ ~~500~~ And have then there this writ. Witness, N. P. YOUNG, Clerk of our said County Court, at the Court-house, the 15th day of August 1868, in the 93d year of the Commonwealth.

N. P. Young Clk.

Thos. J. Kennedy
Circ
#30

Dec. 8th 1868. Receipt of Geo Hilby
Trustee T. & E. Clements C.C.

D. D. FISKE,
PRINTER AND STATIONER,
No. 40, High Street,
Stationery, School Books, &c.
FOR SALE LOW.

TERMS CASH

Portsmouth, Va., 1868.

John R. Kilby, Esq. Trustee

To D. D. FISKE, Dr.

Sept 21 To printing 100 large Posters for
sale of Valuable Real and Per-
sonal Property in Isle of Wight
Co., under Deed from J. Mc. Thimm, Esq., $3 00

Rec'd Payment

D. D. Fiske

Mr. John R Kilby (Trustee for Jno A Shipyard

August 1868. To WM. ELEY, Sheriff of Nansemond Co., Dr.

To Ex't'ng Summons on Wm B Whitehead & Pardon David L Butler & Wife $ 2 00

Wellman

#14.

John R. Kirby, Esq.

1868. To "Christian Dun" Suffolk, Va. Dr.

Oct. 16th To adv. sale of Lands &c of Jno.

M. Chivers - 7 sqr. 3t. $14.00

Rec'd payment Oct. 24th 1868.

J. T. Whitley

For "Dun"

John H. Irving

$ 5.00

John R Tilby trustee Dr.

1864 To N. P. Young Clk & Com? of Sale of eight lots 60 ct.

March To Recdg trust deed from Shepherd & Tap 2 35

" 60 copies of 2 trust deeds from Shivers to Jan & deed from Shivers to Whitehead & Postage (Chas) 2 65

N. P. Young Clk $5 00

Kilby John K.
trustee
$6.05
to 10 Oct. 1866

Rec'd Payment
Kilby Dept

1866 John R. Kelly trustee, pr Sheirs

To clk. of Isle of Wight Co. Ct. — Dr.

May Ready. trust deed from Sheirs to you

for his creditors & tax 3 25

July Exptenses from 15 Suits vs. Sheirs &c 2 80

$6 05

N. P. Young Clk.

John M. Shivers

with Acct.

John R. Kilby, Trustee

Jno. M. Shivers this Creditor

In acct. with John R. Kilby, Trustee under Deed of Trust of 1st of July 1866

1866 Sep.	10	To paid A. P. Young's clerk's fee	#	6.05
1868 Aug	6	" " same		2.65
		" fee in Chy. suit	#	
Sep	23	" paid D. D. Foster for handbills		3 00
Oct.	24	" " W. B. Wellons advertising Pres.		14.00
Nov.	3	By sales of the real estate named in said Deed, as per account of sales rendered	#	9447 50
		To 5 per cent Com. on same	#	472.47
		" paid Norfolk Virginian, advertising per ord.		22 75
		" fee for Deed stamps to C. Hall		5.00
		" do " " to W. H. Thomas		5.00
		" do " " to W. B. Whitehead		20.00
		" paid Thomas J. Clements Crier		30.00
		" " Wm Ely Sh. fee		2 00
		" Taxes (Price Abstract)		
		To Balance on hand in sale Bond		

A.

John M. Shivers

In account with John R. Kelly, his trustee, under a Deed of trust dated 1st. of June 1866.

1868				
Sept.	10	To said Clerks fees	8 65	
"	23	" " D. D. Fisk for hand bills	3 00	
Octo.	24	" " C. B. Wellons advertising	14 00	
Nov.	3	" Commission on $9447.47 receipts at 5 p. ct.	472 47	
		" Paid Norfolk Virginian advertising	22 75	
		" " Drawing Deed to C. Hall & Stamps	5 00	
		" " Do. Do. To Lt. A. Thomas "	5 00	
		" " Do. Do. to C. B. Whitehead "	20 00	
		" " T. J. Clements order	30 00	
		" " To Clay Cliff. Nansm.d fee	2 00	
		" " Taxes on trust property	63 20	
		" " Atto. fee in Chy. Suit for settlement of trust accts. &c.	30 00	
		Balance in hands of trustee in bonds for sales of trust property	8771 33	
"	"	By amount of sales of real estate conveyed by the trust deed, as per acct of sales of record		9447 50
			$ 9447 50	$ 9447 50

1868 Nov.	3	Balance, in the hands of the trustee in Sales bonds	$ 8771 33

John M. Shivers

In account with John R. Kelby trustee under deed of trust of 3rd. of September 1866.

1867	To paid for recording		1	90	
1868. Nov. 5	" Reserved to pay cryer at sale		10	00	
	" " clerk fee for recdg. Do		4	00	
	" Commission $506.65 Receipts		25	33	
" " "	By amt. of sales of Chattle estate under deed as per acct. of sales				506 65
" " "	To balance said Co. to B. Whitehead beneficiary in the deed		465	22	
			$ 506	65	$506 65

6.

An account of the debts and demands due by John M. Shivers, provided for in his deed of trust to John R. Kelby of the first of June and 3rd. of September 1866, and also of such debts as are secured by prior deed of trust & their priority.

1st.	Lien on the manor plantation conveyed in the deed of first June 1866, created by a deed of trust prior to the said deed of 1st. June 1866, to secure part of the original purchase of said plantation.			
	To Virginia A. Urquhart exec: of J. B. Urquhart Exec: of R. A. Urquhart, who was exec: of R. H. Whitfield, who was exec: of W. P. Jordan, Bond for	$ 2000	00	
	Interest thereon from 1st Janu. 1859 to 1st June 1869	1200	00	$3200 00

2nd Liens created by judgments docketed prior to the deeds aforesaid of the 1st June and 3rd Sept. 1866.

First C. F. Wrenn for Virginia Wrenn, judgment of Isle of Wight County Court on 4th March 1866 for 600 00
Interest from 1st Jany. 1862 to 1. Jany. 1869 252 00
Costs of suit 7 08 859 08

Same for same, Judgt. same court for 132 00
Interest thereon from 1. Jany. 1862 to 1. Jany. 1869 57 24
Costs of suit 7 08 180 32

James R. Carroll & Laura A. his wife, late Holleman, exrx. of G. W. Carroll, judgment of same court, same day, 2000 00
Interest thereon from 1st Jany. 1861. to 1st Jany 1869 600 00
Costs of suit 7 78 2607 78

Second William S. Gwaltney, judgment of Cir. Court, Isle of Wight 18. May 1866 for 404 34
Int. from 3rd Jany. 1861 to 1. Jany. 1869. 193 88
Costs of suit 7 42 605 64

Julius A. Thomas exr. of T. N. Powell, judgt. of same court on same day 97 00
Interest from 1. Jany. 1862 to 1 Jany. 1869 40 74
Costs of suit 7 42 145 16

$4397 98

Amt. of first liens prior to Deeds 3200 00
Amt. of second liens prior to Deeds 4397 98
Total liens prior to Deeds of trust $7597 98

Debts of the First Class in the Deed of 1st. of June, 1866, being the debts due to Wm. B. Whitehead and to which he is a security.

James R. Carroll & wife (included in the prior liens by judgment.)				
William B. Whitehead & bond for	785	13		
Interest from 1st. Janu. 1866 to 1. Janu. 1869	141	32	926	45
James Thomas & John C. Adams Exors. of William Carroll, Bond for	206	66		
Interest from 9th Nov. 1859, to 1. Janu 1869,	113	31	319	97
Aaron Pruden Exor. of Henry Pruden dec'd. Bond for	636	00		
Int. from 15th Nov. 1859 to 1st Janu. 1869	348	21	984	21
Same Exor. of Same Bond	364	00		
Interest from 15. Nov. 1859, to 1st Janu. 1869	199	29	563	29
Henry L. Tynes, balance due on bond on 5th Feby. 1858, &	47	60		
Interest thereon to 1st Janu. 1869,	31	13	78	73
Total Debts of first class in deed			$2872	65

Debts of the second class in the deed of Ast. of June 1866, being the debts to which Joseph H. Whitehead and Albert G. Shivers, or either of them, is security.

W.	Jesse A. Parker, judgment of County Court, June 4th 1866 for	280 00		
	Int. on $200. & part thereof from 1st Janu. 1858 to 1st. Janu. 1869. and on $80. bal. from 1 Jan. 1861. to 1st. Janu. 1869,	132 00 38 40		
	Costs of suit	7 18	457 58	
T.	A. Atkinson jr. admr. of T. H. Powell, judgmt. of same Court for	99 00		
	Int. from 1st. Janu. 1862 to 1. Janu. 1869	41 58		
	Costs of suit	7 18	147 76	
H.	James S. Davis admr. of D. B. Pasteur admr. of Benj. Chapman, judgment County Court, 7. Aug. 1866, for	110 00		
	Int. from 25th Dec. 1855 to 1. Janu. 1869	85 80		
	Costs of suit	6 58	202 38	
H.	William M. Crocker admr. of Jno. A. Crocker, judgt. of same Court for	131 68		
	Int. from 1st Janu. 1861 to 1. Janu. 1869.	63 20		
	Costs of suit	6 58	201 46	
	Solomon Carr, judgt. of a Justice 8th Sept. 1866, for	49 94		
	Int. from 26 May 1860 to 1. Janu. 1869,	25 72		
	Costs of warrant	50	76 16	
			$1085.34	

Amt. brought forward			$1085 34
Jno. A. Ellis guardian of Mc Felix &			
A. J. Lamb judgt. Octo. 22d. 1866 for	105 00		
Int. from 1. day of Jan. 1860, to 1. Jan. 1869,	56 70		
Same gov. of same, judgt. same court for	168 00		
Int. from 1. Octo. 1860 to 1. Jan. 1869	58 41		
Cost of two suits	13 64	351 75	
N. P. Young, Exr. Geo. W. Carroll			
dec'd. judgt. 22d. Octo. 1866. for	318 00		
Int. from 1st. Jany. 1862 to 1. Jan. 1869	129 36		
Costs of suit	6 82	444 18	
N. P. Young gov. of Whitley's judgt. same court	99 50		
Int. from 31. Dec. 1861 to 1st. Jan. 1869	41 80		
Costs of suit	6 82	148 12	
Caroline Hollen an afsee: of Geo.			
W. Carroll, judgt. same court for	230 00		
Int. from 25th. Dec. 1861 to 1. Jan. 1869	96 42		
Costs of suit	6 82	333 24	
Same afsee: of same, judgt. same court	210 00		
Int. from 25th. Dec. 1861 to 1. Jan. 1869	100 65		
Costs of suit	6 82	317 47	
Elizabeth Hall judgt. 30. May 1867	95 00		
Int. from 25th Dec. 1859	57 25		
Costs of suit	7 17	159 42	
N. L. Tyree afsee: of Whitfield bond	212 75		
Int. from 1st. of Aug. 1858	132 96		
Same afsee. of same	212 75		
Int. from 1st. of Aug. 1858	132 96		
Same afsee: of same (bd. 1. Feb. 1858)	379 77		
Int. from 1. Feb. 1858.	248 74	1319 93	
		$4153 45	

Amt. brought forward			$4153 45
The same after. of Nancy Jordan bond	1908 98		
Int. from 10. Jany. 1863	684 05	2593 03	
John Wilson bal. bond 1. Jany. 1861	52 37		
Int. from 1. Jany. 1861	25 13	77 50	
Richd. G. Edwards wife after. of			
I. W. Dick, bond 25th Dec. 1839	90 25		
Interest thereon	48 13	138 38	
Same after. of same bond due same	95 00		
Int. thereon	51 30	146 30	
Geo. W. Eley after. Nancy Dick bond	100 00		
Int. from 1st. Jany. 1860	54 00	154 00	
A. J. Dellinis wife, who was Mary			
A. Todd, bond for	100 00		
Int. from 1st. Jany. 1860	54 00	154 00	
Ro. N. Whitfield adm. of A. G.			
Boykin bond for	161 00		
Int. from 1. Jany. 1860	86 94	247 94	
Same adm. of same bond	107 00		
Int. from 1. Jany. 1861	51 36	158 36	
Ro. N. Whitfield bond	132 00		
Int. from 1. Jany. 1861	63 36	195 36	
(The last three bonds are marked			
by Hardy & Brothers)			
Geo. R. Atkinson bond for (bal).	96 50		
Int. from 28th Jany. 1851	103 25	199 75	
Ro. N. Whitfield adm A. G. Boykin dec.			
Judgt. 22d. Octo. 1866 for	130 00		
Int. from 1. Jany. 1862	54 60		
Costs of suit	7 42	192 02	
		$8410 09	

Amount brought forward		$ 8410	09
James Thomas & Wm. E. Adams bond	2000	00	
Int. from 9. Nov. 1839 (a.G. Shinn surety)	1097	32	3097 32
Same bond for	581	05	
Int. from 9. Nov. 1839	319	00	900 05
Total Debts of second class rec'd			$12,407.46

Debts of the third Class secured by the deeds aforesaid

Geo. W. Briggs Exor. of M. Briggs Judgmt. of County Court, 4th day of June 1866, for	1032 38		
Interest from 1. day of Jany. 1862 to the 1st. day of Jany. 1869.	433 60		
Costs of suit	6 58	1472	56
Sarah A. Folk Exex: of Wm. Folk	82 00		
Int. from 12th. Decr. 1861	34 71	116	71
C. B. Hayden admr. of W. P. Jordan dec'd. Judgt. Cty. Ct. 7th day of Augt. 1866, for	120 00		
Int. from 3d. day of Augt. 1861,	53 40		
Costs of suit	6 58	179	98
John R. Kilby exor. of L. W. Gwathney	111 00		
Int. from 1st. Jany. 1861.	53 28	164	28
~~Same Thomas and John E. Adams bonds for~~			
~~Int. from 4th. Nov. 1859.~~			
Edwin Morrison Bond for	125 00		
Int. from 1. Jany. 1856	97 50	222	50
Wm. B. Whitehead exor: of W. H. Casey admr. of A. G. Shivers, Bond for	827 00		
Int. from 1. Mar. 1858.	537 55	1364	55
Same exor: of Same " "	382 62		
Int. from 1st. Jany. 1858	352 53	735	15
Same exor: of Same " "	100. 00		
Int. from 4. Feby. 1858	65. 50	165	50
Same exor. of Same " "	94. 87		
Int. from 15th of June 1850	105. 54	200	41
		$4621	64

Amt. brought forward			$ 4621 64
Wm. B. Whitehead Bond for	159 70		
Int. from 15. June 1866.	24 35	184 05	
Charles D. Jordan Trustee Judgt.	170 70		
Int. from 21. day of Octo. 1867,	12 23		
Costs of suit	26 23	209 16	
J. G. Leigh Judgment Aug. 1866	195 94		
Int. from 17. day of Octo. 1866,	96 50		
Costs of suit	6 58	299 02	
Same Judgt. same time	88 59		
Int. from 5th day of Apl. 1861,	39 19		
Costs of suit	7 28	135 06	
R. H. Whitfield adm. A. G. Boykin			
Judgt. Octo. 1866 for	101 00		
Int. from 1. day of June. 1862	42 42		
Costs of suit	7 42	150 84	
A. J. Cofer & Co. Judgt. May 1867	138 82		
Int. from 30. day of June 1861 on $100. & on $38.82 from 5. Aug. 1865,	52 91		
Costs of suit	7 07	198 80	
D. L. Butler & Mifsouri his wife			
Bond for	100 25		
Int. from 25th day of Dec. 1861,	42 15	142 40	
John Brady bond for	300 00		
Int. from 29. June. 1862	124 50	424 50	
Edward A Allen act.	80 00		
Int. from 15th Aug. 1866	11 40	91 40	
James Thomas & Jno. E. Adams Exrs.			
of Thomas Adams & Co. bond for	1645 32		
Int. from 20. Apl. 1866.	267 36	1912 68	
		$ 8369.45	

Amt. brought forw'd		$ 8369 45
Same Bond for	235 30	
Int. from 6th of Apl. 1854	230 24	465 54
Total debts of third cl's		$ 8834 99

Commissioners Office, Isle of Wight County
Janry. 8th 1869.

To the Circuit Court of Isle of Wight County.

Pursuant to a decree of the Circuit Court of Isle of Wight County, rendered on the 20th day of October 1868, in a suit in Chancery depending in the said Court between John R. Kilby trustee for John M. Shivers and his creditors complainants, against John M. Shivers, and James K. Carroll & Laura his wife & others creditors of John M. Shivers, who may choose to make themselves made known, defendants, the undersigned, one of the commissioners of the said court, to whom was refered for settlement the following accounts, First. An account of the transactions of John R. Kilby, trustee under the two deeds of trust executed by John M. Shivers, dated respectively on the 1st. day of June, 1864, and the 3rd day of September, 1866. — Second. An account of the debts and demands due by said John M. Shivers, and provided for in said deeds of trust respectively, and their priority under the same, reports to the court, that on the 20th day of November last he issued notice to the parties aforesaid and all other creditors of John M. Shivers requiring them to attend the settlement of said accounts, before him, at his said office, on the 8th day of January 1869, which notice was duly published in the Christian Sun, a newspaper published in Suffolk, in lieu of personal notice, as required by the decree,

and by request of the complainant was likewise published in the Norfolk Virginian, a newspaper published in Norfolk. That the parties mentioned in the preceding account, appeared before the Commissioner either in person or by attorney, in obedience to said notice, and he thereupon examined the evidence & vouchers and stated & settled the foregoing accounts, marked respectively, A. B. & C. Account A. shows that on the 3rd. day of November, 1868, the said John R. Kilby, trustee, had in his hands in funds arising from the sales made under the deed of trust of the 1st. of June, 1866, $8771.33. Account B. shows that the said trustee has paid over to Wm. B. Whitehead, beneficiary in the deed of 3d. Septr. 1866, the sum of $465.22 that being the balance in his hands, on 5th of Nov. 1868. arising from sales under that deed. Account C. shows the debts proved against John M. Shinn, with interest included thereon to the 1st. day of January 1869, of which the debt due to M. A. Urquhart assignee, is of the first dignity & of prior lien to the deed of trust. The debts due to Virginia Wrenn and James R. Carroll wife amounting, in the aggregate, to $3647.18 are of the second dignity & of prior lien to the deed of trust. And the debts due to W. S. Smallwood and Julius A. Thomas, amounting in the aggregate to $750.80 are of the third dignity & of prior lien to the deed aforesaid. That the debts of the first class in the deed aforesaid amount to $2872.65. And that the debts of the second class in the deed aforesaid, amount to $12407.46 and of the third class to the sum of $8834.99. making the aggregate

indebtedness of said John M. Shiver, as found
the sum of $31,713.08—
The Commissioner further reports that, after the completion
of the said accounts, he retained the same in his office
ten days.

Given under my hand, as Commissioner aforesaid
the 8th day of March, 1869.

S. P. Young Comr.

Commissioners fee 22.00
Publishing Notices said
Sup't. H. Kelley trustee 320.00
$42.00

At a Circuit Court held for the County of Isle of Wight
On the 20 day of October 1868.

John R Kilby trustee for John M Shivers his Creditors Pltff

Against

In Chancery

John M Shivers, James R. Carroll & Laura his wife Jos. B. Whitehead, William B Whitehead, Wm. H. Casey Exor. of Albert G Shivers dec'd Aaron Pruden Exor. of Henry Pruden dec'd C. B Hayden Admr. with the Will annexed of Watson P. Jordan dec'd Margaret A. Ann Urquhart J. D Thomas, A. Atkinson, Jefferson A Parker, Charles F Wrenn W. W. Greathouse, David L Butler & Mississippi C. his wife, The Merchants & Mechanics Saving Bank Norfolk, Thomas, Adams & Co and all Other Creditors of John M Shivers whom may be known Defts

This Cause came on this day to be heard on the Bill of the Complainant taken for confessed as to the defendants on whom process had been duly executed and they still failing to appear and make defence, and on the bill filed with the said bill and was argued by Counsel: On Consideration whereof the Court doth adjudge, order and decree that a Commissioner of this Court take the following accounts,

1st. Accounts of the Transactions of John R Kilby trustee under the two Deeds of Trust executed by John M Shivers dated respectively the 1st day of June 1866 and the 3rd day of September 1866.

2d. An account of the debts and demands due by said John M Shivers, and provided for in said Deeds of trust respectively and their priority under the same, And Make report to Court of his proceedings under this decree, with any Matters specially stated deemed pertinent by himself or that any of the parties may require to be so stated, And that Notice of the taking of said accounts be published once a week for four Successive Weeks in the Christian Sun, A News paper published at Suffolk and which Notice shall be in lieu of personal service of such Notice on the parties, &c

Teste N. P. Young clk

A Copy Teste, N. P. Young clk.

Kilby trustee &c.

vs. 3 Copy Decree & Cand. Report

Shivers et als.

Notice issd. 20. Jan. 1868 for 8th Jan. 69 & sent to Chas. Evans

March 20th 1869 filed in the Cause

Kelly Hunter

v.

Thurman &c

Vouchers for
payments under
Decree of May
Ct. 1869.

Jno B Hilly
5-20

80.

$6.00

Jno B Hilly for Jno M Shirley

1868 To E.S. Ely Sheriff &c Dr

Sept 5 To Executions Shires Whitehead & Casey 1.50

Do on Thomson Wm Haydon 1.50

Do on Thos Adams Les Parker & Ingraham 1.50

on Summons .50

E.S. Ely Sheriff $5.20

Jno R Milby

.50 ¢

Milby P.M.

Aug 1868 Jno. R. Kilby Trustee for Jno & Shivers
Kilby To Wm Edey Sh Ff.
To Expg Sams, Aaron Jordan 50 50

Wm Edey Sh Ff

M. A. Urquhart

#1000.

1869 Feb. 13 Rec'd of John R. Kelly trustee in a deed of Trust executed by Jno. M. Shinn, for the benefit of Wm B. Whitehead & others, One thousand dollars, in part of a debt originally due Watson P. Jordan secured by prior Deed of Trust from said Shinn on same land conveyed to said Kelly Trustee, — the debt thus having a prior lien now belonging to the undersigned.

$1000. Jno A Engman

Witness
John Goodspeed

Benjamin Green
[illegible] Smallwood

[illegible]

#150:32

Ch. 5

V. Brown

1869 Apl 5. Rec'd of John R. Kelly Trustee in a deed of Trust executed by Jno. M. Shinn, for the benefit of W. B. Hutcheson & Bro., One hundred and eighty dollars and thirty-five cents amount of a judgment against said Shinn in favor of C. F. Brown (for Virginia Brown) rendered in the C Court of Isle of Wight County at Court directed prior to the recording of said deed and a Lien on the lands conveyed by said deed. $180.32

J. Brown

Jas. W. Canvel &

$607.78

607:78

Apl 5th 1869

Rec'd of John R. Kirby
Surety in a deed of Trust executed by John M.
Shuein for the benefit of W. B. Hubbard &c.,
the sum of six hundred and seven Dollars
and seventy eight cents in full of a Judgment
in favor of Jas R. Carroll & Co against said Shuein,
rendered at March Term, 1866, of I. C. Ct.
Cont. and upon Lein on the Land named
in said deed.

J. P. Young for
Jam R. Carroll Trustee

J. M. Carroll

W. S. Gwaltney

#605:64

$605.64

April 5 1869 — Rec'd of John R. Kelly Trustee in a deed of Trust executed by John M. Shiven for the benefit of W. B. Hutchinson and others, the sum of six hundred and five dollars and sixty four cents, amo. of a Judgment in favor of W. S. Gwaltney against said Shiven, rendered at Term of S. C. 1867 Court and a prior Lien on the lands Conveyed by said Deed.

E. B. Hayden

J. C. Hamby

#1145.16

$145.16

April 9 1869 Rec'd of John R. Kelly Trustee in a Deed of Trust executed by Jno M. Shiver, for the benefit of W. B. Whitehead & others, one hundred & forty five dollars & sixteen cents, amount of a Judgment in favor of J. C. Thomas, against said Shiver, rendered at Term of D. C. W. Cont. & a prin Lien on the Lands conveyed by said Deed.

J. C. Thomas

J C Thomas

Kilby Jos. R.
trustee

$9.73
80

$10 53

1868 Jno. R. Kilby / trustee for Jno. M. Shivers &c.
To the Clerk of Isle of Wight Cir. Ct.

Aug. 4 Sam'l. M. Shivers Sals. 100, Copies 187.
Filing 54. Entg. attys. 10. $3 51

Sept. Entg. returns 35. filing bill 15. Exhibits.
25. Copies 25. Rule 50. 1 50

Octo. Rule 50. docketing 18. Dem. Ho. 64 1 32
1869 May
filing supt. 15. Dem. Ho. 75. Copy
Trustee acts. &c. 2.50. . . 3 40

J. P. Young £ 9 73

Kilby Jno. R.
Trustee

$22.00

1869. John R. Kilby Trustee for J. M. Shivers. Dr.
To N. P. Young Court. Sale of eight lots.
Mar. Making & Reporting each. under decree
M. Shivers Sale. . . $12.00

N. P. Young Ct.

Mr. Jno. R. Kelly counsel for John M. Shuey has placed in my hands a chk. on Baird & Bro. dated this day for $903.77 to be paid to Virginia Brown in liquidation of debt held by said Brown vs. Jno. M. Shuey. & for which I am to take said Brown receipt. Nov. 5th 1869

A. P. Young

M. A. Urquhart

$1000

15 mr. 1869

1869 Nov. 18 Rec'd. of John R. Kelly Trustee &c. One thousand dollars in further part of claim due me by Jno. M. Shinn and directed to be paid by said Trustee, under decree of Circuit Court of Isle of Wight County &c. May Term 1869, in the case of Jno. R. Kelly Trustee &c. vs. Shinn &al

$1000.

M A Urquhart

I. R. Carroll

#73631

6 July 1876

1870 July 6 Rec'd of Rev. R. Kelly
Trustee &c. seven hundred & thirty
six dollars & 31/100 in full to pay
of claim against Rev. W. Shinn
& Rev. B. Hatchhead, directed to be paid
by Decree of Circuit Court of Isle of
Wight County in the Case of Rev. R. Kelly
Trustee &c. vs. Shinn &al

$736.31.

N. A. Young
for J. R. Connell Trustee

M. A. Ingraham

1870

1870 July 6 Rec'd of John R. Kelly Trustee $ One thousand dollars, in further part of claim due me by Rev. M. Shinn and directed to be paid by said Trustee, under decree of the Circuit Court of Isle of Wight County of May Term 1869 in the case of Rev. R. Kelly Trustee &c. M. Shinn &al.

$1000.

M A Urquhart

Poor Quality Original. Best Possible Capture

Jas. W. Carroll use v. Jno. W. Shivers &c

Amt. of Judgment		$2000. 00
Int. from 1 Jany 1864 to 3 Nov. 1868 — 4 yr. 10 m. 3 ds		581. 00
		$2581 00
Cr. Rem'd by Jno. R. Kelly, Trustee		607. 78
		$1973 22
Int. from 3d Nov. 1868 to 6 July 1870. — 1 yr. 8 m. 3 ds		197. 72
		$2170.94
Cr. Rem'd by J. R. Kelly Trustee		736. 31
		$1434.63
Int. from 6 July 1870 to 1 Aug 1870 — 25 ds		5 98
Costs of Judt.		7 78
Total Balance		$1448 41

1870 Aug 1. Rec'd of John R. Kelly, Trustee for Jno. W. Shivers &. the sum of fourteen hundred & forty eight dollars & forty one cents in full of above claim, paid under decree of Circuit Court of Dec. Chickasaw Co. of John R. Kelly, Trustee &. v. Jno. W. Shivers et al. made at May Court 1869

$1448:41

J. P. Young for
Jas. W. Carroll

M. A. Ingham
#355:99

Debt due Margaret A. Urquhart agreeable by Jno. M. Shinn $200.00

Int. from 1 Jan 1869 to
3 Nov 1868 - 9 y. 10 m. 3 d } 1181.00

$3181.00

Cr. Paid by Jno. R. Kelly Trustee 1000.00

$2181.00

Int. from 3 Nov 1868 to
18 Nov 1869 - 1 y. 15 d 136.31

$2317.31

Cr. Rem'd by Kelly 1000.00

$1317.31

Int. from 18 Nov 1869 to
6 July 1870 - 7 m. 20 d 40.49

$1357.80

Cr. Rem'd by Kelly 1000.00

$357.80

Int. from 6 July 1870
to 26 July 1870 - 20 d 1.19

Balance due $358.99

1870 July 26 Rec'd of Jno R. Kelly Trustee Three hundred & fifty eight dollars & 99¢ Balance in full of above claim, secured by Deed of Trust on Jno. M. Shinn Land & paid me under Decree of Circuit Court of Dauphin Co of 15 May 1869 (Kelly Trustee v. Shinn et al

Margt A Urquhart

John R. Kelly
" Trustee
vs } Report of
" } Payments.
Jno. W. Shivers dec'd

Recd. 4th - 1870

By Balance in Trustee's hands & paid
to Creditors of 1st Class under said
Decree ℔1118:17

To paid Wm B. Whitehead,
a ratable share of ℔1001:02
his debt & Int: to 30 July 1870 ℔452:89

" " Thomas & Adam, Do. on
℔339:60 ℔153:66

" " Aaron Pruden Exr of Stg
Pruden on ℔1044:63 ℔472.62

" H.L. Tyler on ℔86.20 ℔39.00 ℔1118:17

The debt of ℔364 deemed to be paid Aaron
Pruden Exr: of Henry Pruden was an
error, no such debt was provided for &
hence no payment of the same.

Respectfully submitted

John R. Killy, Trustee
& Commr.

1870 July 30 Recd the above sums.

John R Killy atto. for W. B. Whitehead ℔452:89
John R. Killy atto of Thomas Adams ℔153:66
John R. Killy atto for H. L. Tyler 39.00
Aaron Pruden exec ℔472:62

	Amd. brought on		℔1867:13	℔8771:33
	To paid Wm. S. Gwaltney as per said decree & pt. rct	§	605:64	
	" " Julius C. Thomas, as per decree rect.	§	145.16	
			℔2617.93	℔8771:33
	By Int. collected on sales Bonds up to 15 feb 1869	§		162:25
Nov 5	To paid Virginia Wrenn per rect. debt & Int. per decree		℔903:77	
18	" " M. A. Urquhart further part of her debt per rect	§	1000.00	
July 6 1870	" " M. A. Urquhart & Co.		1000.00	
	" " Jas. W. Carroll & wife further part of claim	" §	736:31.	
" 26	" " M. A. Urquhart, Bal. of her claim per rect.	§	358:99	
30	By Int. on sales Bonds			℔250:00
"	To paid Jas. W. Carroll & wife, Balance due them per atty decree & pt rct		℔1448:41	
	By Balance due Trust fund		1118.17	
			℔9183:58	℔9183:58

To the Circuit Court of the County of Isle of Wight County

The Undersigned respectfully reports to Court, That pursuant to the decree of said Court made on the 18th day of May 1869 in the cause therein pending, wherein John R. Kelly Trustee for Jno. W. Shivers &c. is plaintiff and John W. Shivers &al. defendants, he has proceeded to collect the sales Bonds taken by him for the sale of land, as reported heretofore and disbursed the same as directed by said decree, as the following statement will show.

1868
Nov. 3 By amo. of sales Bonds as above ℔ 8771.33

To paid Balance of Attys fee ℔ 20.50

" " for advertising Com'rs notices &c. 20.00

" " Sheriffs fees 6.00

" " N. P. Young, Atty. fee, 10.53

" " Same Com'r. fee 22.00

" paid M. A. Urquhart, agent as directed by said decree, in part of her claim, per rect. 1000.00

" " C. Wrenn for Virginia Brown per said decree per rect 180.32

" " Jas. W. Carroll wife part of debt. per decree rect. 607.78

Can'd. on. ℔ 1857.13 ℔ 8771.33

=count (6) to wit: To C. F. Wrenn for Virginus Wrenn $85.08 cents, with interest on $600.00 part thereof from the 1st of January 1869. To C. F. Wrenn for Virginus Wrenn the sum of $180.32 with interest on $122.00 part thereof. from the 1st Jany 1869. To James R. Carroll & Laura his wife late Holleman, assee. of G. W. Carroll, the sum of $2607.78 Cents, with interest on $2000.00 part there of from the first day of Jany 1869. and then after having paid the above claims in full, pay Wm. S. Swaltney the sum of $605.64 Cents with interest on $404.34 Cents part thereof from the 1st Jany 1869 till paid, and Julius C. Thomas assee of F. H. Powell the sum of $145.16 cents, with interest on $97.00 part thereof from the first day of January 1869, and out of what balance may then remain in said John R. Kilby's hands, pay ratably to the several creditors of John M. Shivers named in said account (6), being debts of the first class in the deed ex= =ecuted by the said John M. Shivers of first June, 1866, and referred to in the proceedings to wit: To Wm B. Whitehead $926.45 Cents with interest on $785.13 part thereof from the first of January 1869. To James Thomas & John E. Adams assee. of Wm Carroll $319.97 Cents with interest on $206.66 cents, part thereof, from the first of January 1869. To Aaron Pruden exor of Henry Pruden decd $984.21 Cents with interest on $636.00 from first January, 1869. To Aaron Pruden exor of Henry Pruden decd the sum of $563.29 Cents with interest on $364.00 part thereof from the first January 1869. To Henry L. Symes $78.73 Cents with interest on $47.60 Cents part thereof from 1st Jany 1869. Till paid, and make report of said payments to Court.

A Copy.

Teste

A. S. Jones D. C.

In the Circuit Court of Isle of Wight County May 18th 1869.

John R. Kilby trustee for John M Shivers and his creditors
=
Pltfs:

vs. } In Chy

John M. Shivers, James R. Carroll & Laura his wife Wm B. Whitehead, Joseph B. Whitehead, Wm A. Casey executor of A. G. Shivers decd, Aaron Pruden exor of Henry Pruden decd C. B. Hayden admr with the will annexed of W. P. Jordan decd Margaret Ada Urquhart, J. O. Thomas, A. Atkinson, Jesse A. Parker, Chas F. Woenn, W. W. Gwaltney, David L. Butler & Missouri C. his wife, the Merchants & Mechanicks Savings Bank Norfolk, Thomas Adams & Co and all other creditors of John M. Shivers when made known,
Defts:

This cause came on this day to be again heard on the papers formerly read, and on the report of Comr Young made pursuant to the decree of the 20th of October 1868. to which report there is no exception; and was argued by Counsel; on consideration whereof the Court doth confirm the said report, and doth adjudge order & decree that John R. Kilby Trustee as aforesaid, proceed to collect as soon as practicable the sum of $8771.33 cents in his hands in Bonds from sales of real estate under the Deed referred to in the cause of first June 1866, and pay the costs of this suit including an attorney's fee of $50.00, and then pay the several debts named in account (C) of said report, which have prior lien on said fund, To wit: To Margaret A. Urquhart Assee of James B. Urquhart exor of R. A. Urquhart who assee of R W. Whitfield who was assee of W. P. Jordan $3200.00, with interest on $2000.00 part thereof from the 1st of January 1869. and which is to be paid before any other; in the next place pay as of equal dignity the following debts named in said ac-

any of the parties may require to be so stated.

And that notice of the taking of said accounts be published, one a week for four successive weeks in the "Christian Sun" a newspaper published at Suffolk and which notice shall be in lieu of personal service of such notice on the parties

Kelly Hunter
vs.
Harris &c.
1868
Ct. Court Nansemond

P. Q. Mutual
P. [illegible] Butler

Entered

Jno. R. Kilby Trustee &c. Shivers &c

vs.

Shivers &c

This cause came on this day to be heard on the Bill of the Complainant taken for Confessed as to the defendants on whom process had been duly executed and they still failing to appear & make defence, and on Exhibits filed with the said Bill & was argued by Counsel. On Consideration whereof the Court doth adjudge, order and decree that a Com. of this Court take the following accounts —

1st ~~xxx~~ accounts of the transactions of John R. Kilby, Trustee under the two deeds of Trust executed by John W. Shivers respectively dated the 1st day of June 1866 & the 3d. day of Sep. 1866

2d. An account of the Debts & Demands due by said Jno. W. Shivers, and provided for in said Deeds of Trust respectively & their priority under the same,

And make report to Court of this proceedings under this decree, with any matters specially stated deemed pertinent by himself or that

Kelly Trustee

v.

Shuman &c

1869

May Court

Decree

To be Entered

E. F. Pitts

Entered

No 24

sum of $180.32 with Int. on $122. part thereof from the 1st of Jany 1869 — To James R. Carroll & Laura his wife, late Stileman, exrs. of W. W. Carroll the sum of $2607.78 with Int. on $2000 part thereof from the 1st day of January 1869: And then after having paid the above claims in full, pay to Wm S. Swaltney the sum of $605.64 with Int. on $404.34 part thereof from the 1st of Jany 1869 till paid and to Julius O. Thomas exr. of H. H. Dorsey the sum of $145.16 with Int. on $97. part thereof from the 1st of Jany 1869; And out of what balance may then remain in said John R. Kelly's hands pay ratably to the several creditors of John M. Shriver named in said account "b" being debts of the first class in the deed executed by said John M. Shriver of 1st June 1866 and referred to in the proceedings to wit: To Wm B. Whitehead $926.45 with Int. on $785.13 part thereof from the 1st Jany 1869 — To Isaac, Thomas & Jno. E. Adams exrs of Wm Carroll $319.97 with Int. from on $206.66 part thereof from 1st Jany 1869: To Aaron Pruden Exr. of Henry Pruden dec'd $984.21 with Int. on $636.00 from the 1st of Jany 1869 — To Aaron Pruden Exr. of Henry Pruden dec'd the sum of $563.29 with Int. on $364. part thereof from the 1st of Jany 1869 — To Henry L. Tyson $78.73 with Int. on $47.60 part thereof from the 1st Jany 1869 till paid & make report of said payments to Court.

Killy Trustee

vs

Shivers &c This cause came on this day to be again heard on the Papers formerly read on the report of Com'r Gray made pursuant to the decree of the 20th Oct. 1868: to which report there is no exception and was argued by Counsel: On Consideration whereof the Court doth Confirm the said report & doth adjudge, order & decree that John R. Killy trustee as aforesaid, proceed to collect as soon as practicable the sum of $8771:33 in his hands in Bonds from sales of real estate under the Deed referred to in the cause of 1st June 1866 & and pay the costs of this suit, including an Attorneys fee of $50, and then pay the several debts named in account "b" of said Report, which have prior Lien on said fund, to wit: To Margaret A. Urquhart exr. of J. B. Urquhart Ex'r of R. A. Urquhart who was exr. of R. H. Whitfield, who was exr. of W. P. Jordan $3200. with Int. on $2000. part thereof from the 1. Jany 1869 and which is to be paid before any other: In the next place pay as of equal dignity the following Debts, named in said account 'c". to wit: To C. F. Green for Virginius Green $859:08 with Int. on $600. part thereof from the 1st Jany 1869 – To C. F. Green for Virginius Green the

Kelly trustee
vs

Shuey &c

1870
Oct. 21. Decree
To be entered.

Geo. Scott Jr.

End. 4.

Kelly &
vs.
Shivers &.

This cause came on this day to be again heard on the papers formerly read & on the report of John R. Kelly, of payments made under the decree made in this cause on the 18th day of May 1869. to which report there is no exception and was argued by Counsel; On consideration whereof, the Court doth confirm the said Report & doth adjudge & decree that the proceedings had in this cause be confirmed made final & binding between the parties, and that the cause be removed from the Docket.

5 Dr. 44

100.
36 1/2
600
306 50
86.50
100
186.50
90.
96.50
1-111

417.75
9
3759.75
417.25
455.34
57.00
404.34

27.44 57

845.29
4
3381.16
845.29
879.10
200.00
679.10
.67
679.77
300.
379.77

Jno. M. Shewin
Treas.

Inv Mr Shaw Decr 13 Dec 1837
to B Lippitt Trustee for W Dodge
$8000 —
$2000 date 13 Dec 1837 Due 1 Jan 1839
$2000 " 13 " " " " 1840
$2000 " " " " 1841
$2000 " " " " 1842

Inv for 1 Jan 1838

2 Exhibits

filed with the Bill

of Jno. R. Kelly trustee

for Jno. W. Shuey, Jr

vs

John W. Shuey, Sr

pursuant & pursuantlaw, and in all other respects, to execute this Trust, according to law.
Witness the following signatures and seals,

John M Shiano (Seal)
Wm B Hubbard (Seal)
John R Kelby (Seal)

In the Clerks Office of Albeghiel County Court June 2nd 1866. This Deed of Trust was admitted to record upon the Acknowledgement of John M Shiano a party to this deed. The United States Stamps required by law, being affixed & cancelled. Teste,

W. F. Young Clk.

Fee $

Jno. M. Shiano, Esq
To
Deed of Trust
Bro. & Co. Kelby & Co

(4)

9th. One hundred acres wood land, joining the lands of A. L Tyus, and is near Crumps Mill.

10th. A Tract of land, in Bruders, Tuck, joining Joseph B. Herndon, Charles Buckley and Others, Said was bought of Alexander Parker & wife Joseph B Whitehead and wife.

11th. A Tract of One hundred acres, more or less called the Samuel Carroll land, and joins the lands of Giles T. Minton, the heirs of W. C Pasteur and Others together with all and singular the privilegis and appurtenances belonging to the said several parcels of land.

In Trust and for the following use and purpose to wit: Whenever a Sale of the said Property or Any part thereof shall be made for the purpose of this Trust, to pay all Costs and Expences of Advertising, Selling and Conveying the said land including a Commission of five Per. Cent on all such Sales to the said Trustee, and all proper Charges for drawing and recording this Deed and of all Deeds to the purchasers of said land: and then out of the procends of any such Sale pay as of the First Class: and in full the following debts, to wit:

J. R. Carroll and Laura his wife Assignee of George W. Carroll a debt of $2000. and all interest due thereon, due by Shivers and to which Wm B. Whitehead, Joseph B Whitehead and Albert G Shivers are Security; Balance due on Heirborn Originally executed to Wm Carroll & all Amounting to $600. to which Wm B. Whitehead is Security: To A. Crudup a debt of about $636. to which said Wm B Whitehead is a Security, together with all Interest due thereon: To Wm B. Whitehead a Bond for $85.13 dated this day and Unnamed. and all other debts not Named to which said Wm B. Whitehead is Security or Otherwise liable, either Singly or with Others: Then After paying the above referred to demands in full, Pay in the Second Class, and in full, if the procends are Sufficient, the following Debts: To Watson D Jordan, a debt of $200. to which Albert G Shivers is Security, To J. C Thomas Exec. of H. H Parrel, a debt of $97. to which Joseph B. Whitehead is Security: To A. Whitehead Jr. Assignee of $36. Parrell a debt of $99. to which the said Joseph B. Whitehead is Security: To Joseph A Parker a Bond of $250. to which Joseph B. Whitehead is Security: To Charles F Wrenn a debt of $600. to which Albert G. Shivers is Security: To W. H. Gwaltney a debt of $417.75 to which Joseph B Whitehead is Security. (This debt Shall to have been recorded before the debt due to C. F. Wrenn) To S. F. Wrenn a debt of $122. to which Albert G Shivers is Security together with Interest due on the same, and also any other debt to which Joseph B Whitehead and Albert G Shivers or either of them may be bound as Security or Otherwise: And then if a Surplus remain in the said John R Wilby Trustee as aforesaid Shall pay, ratably, to all first demands (other than those above provided for) that may be due and unpaid by him the said John R Shivers — And it is expressly declared that if any of the above referred to Debts Shall be incorrectly described as to the Amount or Otherwise, that Yet notwithstanding, the same Shall be fully paid in the Class to which it belongs, — And it is expressly provided & Authorized ~~& Lined~~ hereby, that the said John R. Wilby, Trustee as aforesaid, may Sell all or any part of said lands at private or public Sale, for Cash or On a Credit as may be best to promote the Interest of all parties, Whenever directed by the said William B Whitehead or his

This Deed made this 1st day of June One Thousand Eight hundred and Sixty, between John M Shivers, of the County of Isle of Wight of the one part and John R. Kelby of Nansemond County, Virginia, Trustee as Trustee, of the other part, Witnesseth, That the said John M Shivers doth grant with general Warranty unto the said John R Kelby, Trustee as aforesaid, the following real estate (to wit:)

1st "The home tract" called "Cedar Field" containing Eight hundred Acres, more or less and adjoining the lands of James S. Jordan, Walson & Jordan's Estate, and bought of Walson & Jordan; also seventeen Acres, more or less, attached thereto and bought of Parker Wills:

2nd The Kimble land containing One hundred & Sixty Acres, more or less, and adjoining Joseph B. Whitehead and others and was purchased of Mrs Bridieare Chalmers:

3rd The "Purdie Tract" & the "Carroll Tract" joining each other and together, containing Three hundred Acres, More or less, or less, and adjoining — Hargraves and others:

4th The "Carr Tract" Containing One hundred and Sixty Acres, adjoining The Logan Factory land and others & formerly belonged to Horatio Brown:

5th The "Kecato land" containing One hundred and Seventy Acres, More or less, adjoining the lands of James Chalmers and others and was purchased of John Kecato;

6th A "Tract" of Sixty Acres, more or less, joining the lands of Norman Horne & formerly belonged to James Holland;

7th The "Carr Tract" containing One hundred Acres, More or less, joining Walson & Jordan's estate & others & was purchased of — Driver:

8th A Tract of One hundred and Thirty Acres called "Brooks" bought of John T. Pruden and others, and adjoining Thomas Griffin and others: also fifty Acres, attached thereto bought of R. R. Pruden:

Kelley Jno K. Lumber

$1.50

John R Kelley Pro Con

1866 To the Clerk of Tyler Wright County Court Dr.

Sept 1 Recog 2nd Mod of Trust prom Sheriff & Co 1 90

N. P. Yancey Clk

W. B. Whitehead

#465:22

1868 Nov. 12 Rec? of John R. Kilby Trustee in a Deed of Trust executed on 3? Sep. 1867 by John W. Shurin for my benefit the sum of four hundred and sixty five dollars & twenty two cents, net proceeds of sale, of Chattle estate Wm B. Whitehead

$465.22.

Jno M Shaw,

$6.25
2.32
4.18
20 thirty five
62.95
1.30 thirty five
63.25
18

Mr. John M. Sheires

1868. To E. L. ELEY, Sheriff of Isle of Wight Co., Dr.

To	Capitation Tax, 60 cents		60
"	1994½ Acres of Land, value $ 10585	31	76
"	Ditto for county	15	88
"	County Levies at $2 05	2	05
"	Rev. on personal property, bonds, &c.	3	97
"	Ditto for county	1	99
"	Clerk's Fees		
"	Commissioner's Fees	56	25

Received Payment,

of Jno R Kelly Agt &c

E. L. Eley Sheriff.

Proc Industrial
20
Price
Mc E P
05

1867 3 mo 7th Shares

Colo 15th To E & Eby Supt of Sunday Schools

To Eccentry Dues on Butter 20

Ed Eby Sup

Shower's Jno. M.

30

Ticia

Mr E Powell

Lds

John N. Thiers.

1867 To the Clk. of Isle of Wight County. Dr.

Octo. Spea. a Ca. Jordan Constn 20. copy 10 .30

J. F. Yarrington Clk.

Joseph H. Gale
Jno M. Rivers to pay
4.18

Mr. Joseph H. Gale (D. M. & Lurch),

1868. To E. L. ELEY, Sheriff of Isle of Wight Co., Dr.

To	Capitation Tax, 60 cents	
"	93 Acres of Land, value $ 93.00	2 79
"	Ditto for county	1 39
"	County Levies at $2 05	
"	Rev. on personal property, bonds, &c.	
"	Ditto for county	
"	Clerk's Fees	4 18
"	Commissioner's Fees	

Received Payment.

Per Jno. R. Kelly, Deputy

Miles E. Powell

.....*Sheriff.*

Jno In Shuler

2.32

4.18.

56.25

.20

.30

//63.25

Mr. John W. Atkins

1868. **To E. L. ELEY, Sheriff of Isle of Wight Co., Dr.**

To	Capitation Tax, 60 cents			
Dowdy	" 42 ½ Acres of Land, value $ 4.a.3		1	21
"	Ditto for county			61
"	County Levies at $2 05			
"	Rev. on personal property, bonds, &c.			
"	Ditto for county			
"	Clerk's Fees 30 Sheriff's 20			50
"	Commissioner's Fees			
			2	32

Received Payment,

of J. R. Kelly Smith

Wm E Eley

.....*Sheriff.*

David L. Butler to use Mesmin Edwards

vs

Jno M. Shuler & D.B. Whitehead

on 19 Feb 1865. #119:18

Jno R Kelby

22 25

1

Dear Sir.

We are not certain as to whether we sent this bill before, if we have, please excuse the sending of it the 2d time

Respectfully

S. Hart Jr & Co

VIRGINIAN NEWSPAPER & JOB PRINTING OFFICE.

JOB PRINTING NEATLY AND PROMPTLY EXECUTED.

S. HODGE[S] PR'S.

Norfolk, Va., October 16th 1868

Mr Jno L Kilby, Suffolk Va

To NORFOLK VIRGINIAN, Dr.

For Cop Sale the Real Estate, Hospital Co.

7 Sqrs 2 Ins 3 Wks, 22.75

RECEIVED PAYMENT, S Hodges Pr

X 2

Jno. M. Shuin

Copy.

Deed.

to

Wm B. Whitehead

1867. September 21st Rec'd of Wm B. Whitehead, Three hundred and fifty dollars, for my Crops of Corn estimated at One hundred dollars, also the fodder on the Corn, and a lot of Oats now on hand: the said Corn and fodder to be gathered at the expence of said Whitehead, the same being now standing in the field. Given under my hand and Seal the date above,

Jno. R. Kilby — John M Shivers (Seal)

Tazewell County to wit:

I John R Kilby, Notary Public in and for said County, do Certify that John M Shivers, whose Name is signed to the foregoing writing dated the 21st of September 1867. has this day personally appeared before me in said County, and acknowledged the same to be his act and deed. Given under my hand this 21st day of September 1867. ~~has personally appeared before me in said County, and acknowledged the same to be his act and deed. Given under my hand this 21st day of September 1867.~~

John R Kilby
Notary Public

In the Clerks Office of Tazewell County Court, Septr 25th 1867. This deed from John M Shivers to Wm B. Whitehead was received and admitted to record upon the annexed Certificate of its Acknowledgment before John R Kilby a Notary Public, and I Certify that the requisit United States Revenue Stamp of fifty Cents is annexed duely and Cancelled.

Teste N. D. Young Clk

A copy. Teste, N. D. Young Clk.

2. X. 2

Jno. M. Shivers

Copy

Deed of Trust

To

Jno. R. Kelley Trustee

"B"

a Bond for One hundred dollars, dated the 4th Feby 1858. and One the 1st January 1859 payable to Albert G Shivers & assigned to said Whitehead: also a bond to said Whitehead for Ninety four dollars and eighty seven Cents dated 15th June 1850 & payable to Jesse Hodges and by him assigned to Pastuer & Shivers & since assigned to said Whitehead also to said Whitehead the Sum of One hundred & forty Nine dollars & seventy Cents due by bond dated the 15th June 1866. & due On demand & was for Money loaned, — the debts. Thus enumerated are to be paid in full and as the first Class. before any other claim or debt to hereafter shall be paid. — After the payment of the said debts and all interest due thereon, then and in the next place & as of the second Class, pay the following debts. To the Merchants & Mechanics Saving Bank at Norfolk & Some other Saving Bank (Not particularly recollected) a Note of One hundred dollars on which Thomas & Adams & Co. are the endorsers of One hundred dollars, To R. Thomas, Adams & Co. a bond for Sixteen hundred and forty five dollars and Thirty two Cents, dated 20th April 1866, and all interest due on the same. The property and estate hereby conveyed to remain in the possession of the said John M Shivers until a Sale shall be ordered by the Creditors aforesaid & until Such Sale shall be ordered, No responsibility or liability shall rest on the the said John R. Kilby trustee as aforesaid relative to the same; And before the debts aforesaid shall be paid out of any sale that may be made, the said Trustee shall pay all Costs & Charges of Drawing recording & Stamping this Deed, if then unpaid & all expenses attending the said Sale, including a Commission of five per Cent to the said Trustee, On all receipts under this trust. And it is expressly understood that the said Trustee may, as the Creditors aforesaid or a Majority thereof may direct, Sell the property aforesaid, At Public, or private Sale, and for Cash or Credits as may be best to promote the interest of the parties to this Trust.

Witness the following Signature & Seal.

John M. Shivers (Seal)

Isle of Wight County to wit:

I James D Jordan a justice of the Peace in and for the County of Isle of Wight and State of Virginia do Certify that John M. Shivers whose Genuine Signature appears to the writing aforesaid, dated the 3rd day of September 1866. has personally appeared before me in said County and Acknowledged the same to be his Act. and deed.

Given under my hand this 3rd day of September 1866.

J. D. Jordan J. P.

In the Clerks Office of the County Court of Isle of Wight County September 3rd 1866. This Deed of Trust was admitted to record upon the annexed Certificate of James D Jordan a justice of the peace, of its Acknowledgment before him by John M Shivers. The requisite United States Tax Stamps being affixed & cancelled. Teste N. P. Young Clk.

A Copy.

Teste N. P. Young Clk.

This Deed made this third day of September One thousand eight and Sixty six. Between John M Shivers of the County of Isle of Wight of the one part, and John R Kilby Trustee as aforesaid of the other part, Witnesseth that the said John M Shivers doth grant with general Warranty unto the said John R Kilby trustee as aforesaid, the following property to wit: Four Mules & Two horses, Twenty four head of Cattle, Twenty Nine Sheep, Seventy hogs, four Carts, Wheels & gear, Two Wagons, Wheels & gear, four pairs extra Cart Wheels, Two Buggys & one old Carrage Harness, one Thrashing machine (Horse power) one Planter and wheat & grain Fan, two Shelter, Two drags, lot plows, axes, hoes, & all the balance of his farming implements, and all increase of aforesaid live Cattle, Eight Beds, Stands & furniture, one Bureau, one Wardrobe, five Wash Stands, Dining Tables, one Clock, Writing Desk, four Dozen Chairs, lot of Carpets, Sofa, Centre Table, and all the balance of his house hold and Kitchen furniture, one boat all present growing Crops of Corn, fodder, peas and potatoes, also six Stacks of Oats and a lot of hay Oats, Two double Barrel Guns, three Saddles, bridles and fixtures — The Trust to secure the following debts that is to say to Wm B. Whitehead a Bond for eight hundred and Twenty Seven dollars & fourteen Cents, dated 1st March 1858 & payable to Paschal & Shivers & one endorsed & which has been assigned to said Whitehead & on which is due for $78.76 on the 19th of April 1858. To the said Wm B. Whitehead a bond for three hundred Eighty Two dollars & sixty two cents, dated 1st January 1858, and due endorsed & payable to Albert G Sanders, and assigned to said Wm B. Whitehead. To said Whitehead

John M. Shives

Instr & acct.

John R. Kelly Trustee
(2d deed).

John M. Shivers — In account with John R. Kelly Trustee under a deed of Trust dated 3d Sep. 1866.

1867 Sep 11 To paid A. P. Jonny, recording deed ... 1.90

~~1868 Oct. 24 " " W. B. Whitehead, advertising, paid ... 14.00~~

1868 Nov 5. By sales of Chattel Estate as per acct. of sales recorded ... $506.65

To 5 per cent Comn.	25 53	
" amount to pay Clerk to record acct. sales settlement	2 00	
" do. Comn. fee	2 00	41 43
" do. Crier	10 00	$465 22

To paid W. B. Whitehead per rect. $465.22

The within bond executed by John McShivers to me on the 23d of December 1837 with interest from the 1st of January 1838 for $2000. I hereby assign to Ro. H. Whitfield together with the deed of trust securing the same. and I hold myself responsible for the sure payment of said bond; provided that if said be not brought within six months after a written notice shall have been given to me, that then my responsibility is to cease after the ~~expiration~~ expiration of said six months, that is if said be not brought on steps taken to collect the same. Jan 19th 1839.

W. P. Jordan

It is understood that the above mentioned bond was valued at $2000 up to 1st of Jan 1839 by Ro. H. Whitfield and myself. Witness my hand.

W. P. Jordan.

I assign the within bond with the deed of trust securing the same to James B. Urquhart Exor of R. A. Urquhart dec'd for account and reference to me. March 4th 1839. R. H. Whitfield.

Feb 3d 1867. I assign this bond to Miss M. A. Urquhart without recourse to me. (with now $2490.00).

J. B. Urquhart
Exor of R. A. Urquhart.

On demand the first day of January 1842
I promise to pay to Watson P. Jordan his
heirs or assigns the sum of two thousand dollars
Lawful money with interest thereon from the
1st day of January 1838 till paid. to which
payment well and truly to be made. I bind myself
my heirs, Executors and Administrators firmly
by these Presents— as witness my hand and seal
This 23d day of December 1837.

John M. Shivers (Seal)

Teste
Barth. Lish Govt.

Int pd to 1st of Jan, 5 y

Anthony Jordan for W. P. Jordan.

Jno. Linde

1868

Mysterious Text

Isle of Wight Aug 4th 1868

My Dear Sir:

I enclose herewith according to your request a copy of Mr Thiers bond. The date of trust securing the same was given about the time the bond was executed. Miss Ada Urquhart - the present holder of the bond would like to get the money as soon as possible.

Yrs very truly
John Goodwin

$2000

Int from 1 Jan 1838
Int p^d to 1 Jan 1869
Int from 1 Jan 1869
to 1 Jan 1869 10 yrs. 1200

$3200

For A. D. Young, Esq.

Sir I have sent a note
to you that I hold against Mr. John Chivers
& you will act as you may think best.
Dec. 15th 1868, A. D. Wilkins

M

H. Abbins
Scott
Scott

On demand The first day of January Eighteen hundred and Fifty one for value received I promise to pay to Thos R Hall the sum of one hundred dollars for the hire of Negro man George the said Negro is to have a suit and blanket with good clothing and summer clothing. Witness our hands and seal this 29th of Dec 1858

Wm D Shivers (Seal)

W Whitehead Jr. (Seal)

One bond executed by John W Shinn and Albert G Shinn dated Dec 22nd 1858 and for the payment to P H Shepard admr of C H Bryan dec'd of $161.00 on the 1st day 1860

One bond executed by the same dated Dec 30th 1859 for the payment to the same of $107.00 on Jany 1st 1861

One bond executed by the same dated Dec 30th 1859 for the payment to K H Hunt said the sum of $132.00 on 1st Jany 1861

Two bonds unexpired in said Court in favor of Wilson the former from Richmond Hardy & Robt Hardy Executors of Watson under the name of Hardy Brothers.

One bond executed by John W Shinn Albert G Shinn and Preston B Whitehead for One hundred Dollars payable to York Atkinson dated Dec 5th 1864, it is subject to a credit of $50 paid Jany 25th 1881.

3 accts claims

✓ Jno. M. Shuey's Bond to Jno. Brady $300
Int from 29 Jan 1862

✓ same to Edward A. Allen, acct. $ 80 00
Int from 15 aug 1866.

Sum by Def[t] of Facts on original Summons
of Jan 2
✓ M. Cole Deputy Sh[ff] after f[d] W. Pinders
Sum by Judgt. before the Court ~~and return[ble]~~
~~at the next~~
1. ✓ C. H. Worm for W. Worm Mar. /66 (2 Judgmts)
2. ✓ D. K. Cornell do. for Mar/66 - also 1st Supersedeas
3. ✓ W. ~~H~~ Gratting May /66 -
4. ✓ J. A. Thomas after K. Pace May /66

1st. die Def[t] Sum 2[d] /66 hing the debt due
to A. B. Whitehead for the [illegible] &c.
✓ D. K. Cornell Same including Supersedeas
✓ W. B. Whitehead (Same)
✓ Wm Cornell (Same Warrant for Damages)
✓ Henry Pinder (2 debts)
✓ Wm L. Tyson £105[26] dam 12. July/48 -
Cr. £43.16-5[d] July 1852
73-70-7 Mar. 1857

2[d] die Def[t] ~~Appeal~~
1 ✓ J. A. Parker for Damages /66 12.12.75
2 ✓ C. H. Worm for after " " 1.5.-
3 ✓ Jas. A. Lewis, Asst. " " 1.5.-
4 ✓ Dr. H. Brooker " " 1.5.-
5 ✓ Jabez Cain " " 1.5.-
6 ~~✓ Richard Cornell~~ " " 1.5.-
7 ✓ Jno. H. Ellegood " " 1.5.-
8 ✓ Same as Sheriff " " 1.5.-
9 ✓ W. H. Conway Esq. for W. Cornell " " 1.5.-
10 ✓ Same for D. K. Cornell " " 1.5.-
11 ✓ Cornelius Holton after " " 1.5.-
12 ✓ Do. Do. " " 1.5.-
13 ✓ Esq[r] Wade " " 1.5.-

Pd. J. Tyson 1.5.- 12.12.75
Pd. Sheriff 1.5.- 27.7.[illegible]
Pd. Sheriff 1.5.- 27.7.[illegible]
Pd. Sheriff 1.5.- 27.7.[illegible]

Freedom Pm

3d. Cl. Dec.

1 v G. W. Rowell Esq. M. Rowell Hamp. 9 d
2 v J. G. Leigh Augt 1/66
3 v Same Augt 1/66
4 v V. B. Jordan Jr. Admr. " "
5 v A. G. Boynton Admr. Octo. "
6 v A. J. Gerrish May 1/67
7 v S. D. Jordan heirs Octo 1/67
8 v S. L. Ricker Collector's rate $119.18 int.
19. July 1865
9 v Bro. Rowell Hampton Beach dec. 29. Jany. 1862
10 v Edward A. Ellingwood dec. 15. Augt 1866 $80.

2d. Class Pm.

11 H. L. Tyson appr. Manchester dec. $190 & 98
int. from 10. Jany. 1863
Sept. 1. 1866
12 Jno. Robinson dec'd - bal $52.3 & int. fr—
1. Sept. 1866.
13 R. G. Edwards Exr. appr. & 2 Cer. Dam. $
$90. 2 & 60 Ct. int. fr— 25th Dec. 1865
14 Same appr. Damage & Survivorship
Same dam.
15 Exrs. Wiggin appr. Dam. & Int. fr
1. Sept. 1863
16 A. J. Wilson & Mary K. Merrill Exrs. appr.
Mark Cram $100. dam. Jany. 1860 & int.
17 R. H. Colcord & others v. A. G. Boynton Dam.
$161.00 dec. 1st. Jany. 1862 - A. G. B.
Dam. $3 & 10 Ct. int. from 1 Jan. 1861 A. G. B.
A. G. Boynton Dam. $132.00 int. 1. Jan. 1861 A. G. B.
Col. Colcord Dam. $100. int. $64 - A. G. B. Jan. 1st 1861

To W. B. Whitehead agn 80 acres		94	87
Int pm 15 June 1850			
To W. B. Whitehead		159	70
Int Dm 15 June 1866			
To Chs Indian Trustee		120	00
Int			
To John C. Edwards	unknown		
Int			
Elizabeth Hall		95	00
Int			
A. J. & W. W. Aber		138	82
Int			
To same acct.		20	00
Int			
To Alberta C. Brown	unknown		

Reg. Br. Mercy
accts

Correct Acct

Flag 20 - 2 Hrs
" 27 - 3 "

Wm. M. Archer adm. of Wm. H Archer	$131.	68
✓ Int		
C. B. Hayden adm. of W. P. Indan	120	00
✓ Int		
John R. Kelly agt of L. W. Gualtney	111	00
✓ Int. fm 1 Jan 1861.		
Thomas Adams	200	00
✓ Int from 9 Nov. 1859		
Edwin Morrison	125	00
✓ Int fm 1 Jan 1856		
N. L. Tyree (2 Bonds)	425	50
✓ Int. from		
Geo. R. Atkinson	200	00
✓ Int from		
John Wilson	60	00
✓ Int		
Margaret Powell	150	00
Int		
Jesse A. Parker	100	00
✓ Int		
N. P. Young guardn.	100	00
Int		
T. H Southall	170	00
Int		
D. B. Parham	500	00
Int		
T. H. Ellis for Scott,	200	00
✓ Int		
Aaron Pruden adm H. Pruden	364	00
✓ Int fm 15 Nov 1856		
Ro. H. Whitfield adm A. G. Boykin	101.	00
✓ Int		

Ro. H. Whitfield adm. C. W. Banadale	130	00
Int		
N. P. Young son of T. W. Carroll	308	00
✓ Int fm 1 Jan 1862		
Caroline Holleman agt (2 Bonds)	140	00
✓ Int		
N. P. Young Sr of Whitley	99	50
✓ Int from 31 Dec 1861		
Hardy & Bro unknown		
✓		
Ed. A. Allen	$ 50	00
✓ Int		
W— Stephens, (Sh. of Gr. C. H.)	100	00
Int		
Andrew J. Vellines	100	00
✓ Int		
Octavius Goodrich	300	00
Int.		
E. P. Tabb & Co.	15	00
Int		
Bonner & McLean.	40	00
Int		
W. H Turner & Co.	50	00
Int		
W D. Whitehead agt. A. G. Skinner adm	827	00
✓ Int fm 1 Nov 1858		
To same agt same.	382	62
✓ Int fm 1 Jan 1858		
To same agt same	100	00
✓ Int fm 4 Feb. 1858		

Correct List of Debts against Bro. M. Shivers

W BW	J. R. Carrell & Laura his wife	about	$2000.00
	Int. from		
W BW	Thomas Adams agent of Wm Carrell		$581.05
	Int from 9 Nov 1859		
W BW	Aaron Pruden adm Henry Pruden dec'd		636 00
	Int from 15 Nov. 1844 to 15 Nov 1859		
W BW	Wm B. Whitehead		785.13
	Int from 1 June 1866		
	H. L. Ezell agent W. P. Jordan		$1908.98
	Int		
	J. C. Thomas agent of J. H Powell		97 00
	Int		
	Archd. Atkinson Jr. agent of J. H. Powell		97 00
	Int		
	Jesse A. Parker		280 00
	Int		
	Virginia Wrenn agent of C. T. Wrenn		600 00
	W. S. Swatting Int		417 75
	Int.		
	Virginia Wrenn agent of C. T. Wrenn		122 00
	Int		
	Geo. W. Briggs Exr. of M. Briggs		1032 35
	Int		
	Sarah A. Jack Exr. of Wm Jack dec'd.		82 00
	Int		
	Leigh & Bro		95 94
	Int		
	Leigh & Bro		88 59
	Int.		
	Jas. T. Davis agent of D. B. Partem		110 00
	Int.		

S. HODGES & CO., PROPR'S.

VIRGINIAN NEWSPAPER & JOB PRINTING OFFICE.

JOB PRINTING NEATLY AND PROMPTLY EXECUTED.

Norfolk, Va., Dec 11th 1869

Mr Jno R Kelly

To NORFOLK VIRGINIAN, Dr.

For Adv Notice to Creditors of Jno M. Sheirus, $ 8.50
2 Days 2 Cols 8 ½

RECEIVED PAYMENT,

S. Hodges & Co
Per Ross

Norbeck Co.

Shirts

alum a part
of cotton body
DRC

I. James Baum Hope Editor of The Virginian, a newspaper printed in the City of Norfolk, in the State of Virginia, do hereby certify that the order hereto annexed has been published ~~once~~ thrice a week for four successive weeks in the newspaper aforesaid.

Given under my hand this 4th day of February A. D. 1869

James Baum Hope Editor

Cost of executing the said order, paid by the above-named plaintiff, $ 8 50

Advertisements 75 cents per square, and 37½ cents for each continuance. 50 cents for advertisements in alternate days.

COMMISS ONER'S OFFICE
ISLE OF WIGHT C. H.
December 7th. 1868

TO THE CREDITORS OF JNO. M. SHIVERS, secured by his deed of trust to John R Kilby, trustee.

You are hereby notified that in pursuance of a decree of the Circuit Court of Isle of Wight County, rendered at the October term last and at the request of the said Trustee, I have fixed upon the 5th day of January next at my office aforesaid, for taking an account of the debts secured by the deeds aforesaid, and their priority, at which time and place you are required to attend and see to your interests.

Given under my hand, as a Commissioner of the said Circuit Court, the day and year first aforesaid.

N. P. YOUNG,
Commissioner.

JNO. R. KILBY, p. q. dec17—2taw3Jan5

NOTICE TO TRAVELLERS

W. B. Willey

#11:50

Allow them as
part of Cost
each for Jno. D
Kelly Sheriff

COMMISSIONER'S OFFICE,
Isle of Wight Courthouse, Nov. 20, 1868.

TO JOHN R. KILBY, Trustee for John M. Shivers,

Plaintiff,

And

To John M. Shivers, James R. Carroll and Laura his wife, Joseph B. Whitehead, William B. Whitehead, Wm. H. Casey, Executor of Albert G. Stokes, dec'd; Aaron Pruden, Executor of Henry Pruden, dec'd; C. B. Hayden, Administrator, with the will annexed of Watson P. Jordan, dec'd; Margaret Ada Urquhart, J. O. Thomas, A. Atkinson, jr., Jesse A. Parker, Virginius Wrenn, W. W. Gwathmey, David L. Butler and Missouri C. his wife The Merchants and Mechanics Savings Bank of Norfolk, Messrs. Thomas, Adams & Co., and all other creditors of John M. Shivers.

Defendants.

You are hereby notified that I have fixed upon the 8th day of January next, if fair, if not, the next fair day thereafter, (Sunday excepted) to take and settle, at my office; the following accounts:

First.—An account of the transactions of John R. Kilby, Trustee under the two Deeds of Trust executed by John M. Shivers, dated respectively, the 1st day of June 1866, and 3rd day of September 1866.

Second.—An account of the Debts and demands due by said John M. Shivers, and provided for in said Deeds of Trust respectively, and their priority under the same, required to be taken by Decree of the Circuit Court of Isle of Wight County, rendered on the 20th day of October, 1868, in a suit in Chancery depending in said Court, betweeen the parties aforesaid, Plaintiff and Defendants, at which time and place you are required to attend.

Given under my hand as a Commissioner of said Court, the day and year first aforesaid.

N. P. YOUNG,
Commissioner.

no27-4t
Jno. R. Kilby, p. q.

I do hereby certify that the annexed notice has been published in the "Christian Sun" once a week for four successive weeks, and that the price charged is according to our regular advertising rates.

Given under my hand this 20th day of December, 1868.

W. B. Wellons,
Ed. & Proprietor

Price of adv. - $11.50

Rec'd payment
of Jno. R. Kilby
J. J. Whitley
for "Sun"