

1817-027 Chancery Causes: John Shivers & Albert Balliten Shivers, by & c vs William Murfey,
Dsh of Wight County adm of John Shivers

Other surnames: Mitchell,
Waterfield

To the worshipful court of High Court County, in charge,
sitting humbly complaining, Thos^t by warship
~~Lane Thomas~~, John, Shivers, and Albert Gallatin
Shivers, infant children of John Shivers, dead, suing
by James Mitchell their next friend, that according
in the year of a certain he said John Shivers, the elder
departed his life, ^{eight} negroes, of the following ^{negroes}
to wit Mary-Catharine-Barnum, Peter, Bish-Lacy, George &
that, the said John left his widow Lane Shivers,
now intestate with a certain Wm Murphy,
Laws ~~the~~ free? ^{deceased?} to his bill of complaint,
That on the death of the said John, a certain
last mentioned qualified as his adm^r? wife, is also
dead, without having made ^{full} settlement of the same,
that, the said Wm Murphy, has lately qualified as
adm^r. de bono non, on the estate of said John Shivers,
that the said, Negroes, are subject to the forth,
intended to division into three equal parts,
one third of which, belong of course, to the deceased?
Wm Murphy, in right of his wife, for her natl.
life - the remaining two thirds, to the said two
infant Children equally to be divided between
them, absolutely - In tender consideration thereof where
they remain, on the premises, except by the intervention
of a court of Equity, to the end that the said
Murphy ~~shall~~ answer the premises, and that a speedy
division & assignment of the said Negroes, ~~be~~ made, as
appeared y^t com^t may of warship, to decree that the
said Negroes, be divided into 3 equal parts, if one
third thereof, be allotted to the said Wm Murphy, in right
of his wife, for and during her natl. life - the
remaining two thirds, after the said Murphy, shall be fully
indemnified ^{for} care of said Africanⁿ & other costs to be

payment of the just debt of the said estate, &
he admitted equally between the two infant complainants
absolutely. - What comm? In such husband be appointed
"up" comm? pray you worship in such other
particulars in the meaning of any comm?
with equity & the nature of the case
signed by -

Robert M. Smith

The answer of Wm. Murphy, as Adm^r & d. b. n. of the
estate of John Shivers dec^d, unadmonished
by Jacob Waterford dec^d. - and also, in his
individual capacity, in right of his wife
Jane - late Jane Shivers, - to the bill of
complaint exhibits heretofore exhibited in the County
Court of the County of the State of New York
Shivers, infant children of John Shivers dec^d,
The defendant admits the allegations & statements
as made by the said Com^{rs} in their & title of
complaint to be correct & true, & he petitions
in a decree in conformity to the prayer
therein contained -

signed

Adm^r & d. b. n. of
John Shivers

John Shivers, and Albert G. Shivers, Infants,
Children of John Shivers dec^d, suing by
James Mitchell, their next friend, & Com^{rs}.

Wm. Murphy, Adm^r & d. b. n. of the estate
of John Shivers dec^d, unadmonished
by Jacob Waterford dec^d, also,
in his individual capacity, in
right of his wife Jane - late Jane
Shivers, - Widow of said John Shivers - & def^y

leave
in
city

"This day this cause came on to be heard in the hall
of the Com^{rs} and answer of the def^y - and
Exhibits read, & arguments of counsel heard;
"by consent of the parties, Report of the court,
it is decreed, adjudged & ordered - That Nathl. Wells,
Josiah Sculchins, & Joseph G. Dwyer, & Nathl. Wells,
or any three of them, do proceed to divide the
following negroes, ^{slaves, but, Harry, Corilla, Harrison, Martin, Patsy, Lucy, George, & John, all of said} belonging unto the estate of
John Shivers dec^d, into three equal shares,
& assign one third thereof to the said William Murphy
in right of his wife Jane Shivers, late Jane
Shivers, Widow of said John Shivers, - ^{Jane} ^{Shivers}
for and during the life of the said Jane
as her legal heirs of the same - That the said
Com^{rs} assign the remaining two thirds of
the said slaves equally between the said
Com^{rs} John Shivers & Albert G. Shivers, absolutely,
"the said Com^{rs} giving such security to the said Adm^r as
the said Com^{rs} shall deem suff^y for the usual
refunding to him in case of a deficiency of other personal
assets, to pay the just debt of the said estate - & of

also further decrees that in case an equal division
as aforesaid ^{or other decree} cannot be made without sale
of one or more of s^d slaves - that the s^d Court may
direct to make sale ^{in such} of such one or more of them
as in their opinion may become necessary, in order
to effectuate such division & assign int^y & giving
first one month's previous public notice of the
time & place of such sale, - & that the proceeds
after first paying the necessary expenses attendant
on such Division, divide the ~~proceeds~~ ^{same} make
equal division as aforesaid decreed between the
County of the defendant - & make report of their proceedings
in order to a final decree.

Stivers vs. Collins

vs. Bill & Ann

Stivers vs. Ann

January 22, 1817 Bill and
Ann filed Petition & decree