

Morris Austin's Estate

In Act. with the said Adm^rs

1798	May 6 th	To amt. of property taken at the app ^t . & see credit on the 2 ^d page of settlement by the County Comm ^r s	\$ 90.00
1799	May 6 th	To this sum for difference in the partition of land and slaves - see the credit on 3 ^d page of said settlement since the said Austin's answer \$112.10 3/4	375.11
			60.00
1809	May 6 th	To this sum paid by John Fashlor - see credit on 5 th page	100.00
1818	May 6 th	To " admitted - see credit on 6 th page	
		To 1/3 of \$12.70 the amt. of sundry articles for 1808, credited on the 5 th page of settlement, in the foregoing settlement.	4.23 1/2
			\$ 629.35 1/2
		To Int ^r on \$90.00 from 4 th 5 th May 1798 to 20 th Jan ^y . 1829.	\$ 171.21
		To " \$375.11 " 5 th " 1799. " "	691.07 1/2
		To " \$60.00 " 6 th " 1809. " "	74.54
		To " \$100.00 " 6 th " 1818. " "	70.23
		To " \$ 4.23 1/2 " 6 th " 1808 " "	5.51 1/2
			1012.57 1/2
1829	Jan ^y . 20 th	By the distributive share of the residuum of the estate as of the foregoing settlement	337.06 1/2
		To balance due of Adm ^r s on 4 th 20 th Jan ^y . 1829.	\$ 1304.35 1/2
		with Int ^r on \$629.35 1/2 part thereof till paid	

But if the statement of Morris Austin in his answer, in relation to the settlement of the difference in the value of the land & slaves received by him, above that received by Abney is to be considered as evidence, in the absence of any opposing testimony, then deduct the above \$375.11 + the Int^r \$691.07 1/2

and the balance due of Adm^rs will be instead of \$1304.35 1/2, with Int^r till paid

1066.18 1/2
\$ 238.66 1/2

John S. McClenahan's Estate

In Act. with the said Adm^rs

1798	May 6 th	To amt. of property taken at app ^t . bought at the sale - see credit on 2 ^d page of the settlement by the County Comm ^r s	\$ 106.39
1799	May 6 th	To this sum for difference on 4 th partition of land & slaves, see the credit on 3 ^d page of said settlement & M. Austin's answer \$11.4.3 1/2	37.44
			143.83
		To Int ^r on \$106.39 from 4 th 5 th May 1798 to 20 th Jan ^y . 1829.	\$ 202.39
		To " \$ 37.44 " 6 th " 1799 " "	68.97 1/2
			271.36 1/2
1829	Jan ^y . 20 th	By the distributive share of the residuum of the estate as of settlement terminating on 4 th 3 ^d page	237.06 1/2
		To balance due of Adm ^r s on the 20 th Jan ^y . 1829.	\$ 78.13
		with Int ^r till paid	

But if the balance in favour of Abney on 4th partition of 4th land & slaves, shall be considered to have been settled as alleged by Austin in his answer, then deduct the said balance of \$75.13 from \$271.36 1/2 + Int^r \$68.97 1/2

and the balance due of Adm^rs of J. S. McClenahan will be with Int^r from the 20th Jan^y. 1829 till paid

106.11 1/2
28.28 1/2

It will be perceived by reference to the settlement made by the County Comm^rs 3^d page that the Adm^rs are credited by the payment of John S. McClenahan's & Dean's note \$75.80, and by reference to exhibit N^o. 32. that the said Mr. McClenahan is not chargeable with that claim, and therefore not brought into this settlement.

In relation to the settlement of the estate of Alexander McClenahan, excluding what arose out of the compromise with the heirs of Alex. Humphreys, the estate of Morris Austin is, according to the statement on the preceding page indebted to the estate of William Abney either in the sum of \$1304.35 1/2 or only \$238.66 1/2 with interest as there stated.

In relation to the amt. of property received of Humphreys in his life time, and of his heirs after his decease, your Comm^rs from his own knowledge that the brick House & lot in Staunton was claimed by Austin alone, the land in Northbridge by Abney, and the charge in exhibit A of specially one half the price of the 16 steers got of Humphreys (see statement on 2^d page of the report filed the 17th Octo. 1842) seems it fair, in the absence of any regular book kept by either of the parties, or any evidence, to presume that they had made such a division thus received as was satisfactory to themselves, and this presumption, in the opinion of your Comm^rs is strengthened by the fact, that no part of this compromise property was brought into the settlement made by the County Commissioners.

Your Comm^rs will here remark, that altho it is endorsed on exhibit B. that the items contained in that paper formed no part of the property bought at the sale, yet it may be that they were taken at the appraisement and imbraced in the \$90. charged at the sale of Austin on the preceding page. It will be seen too, by reference to the said exhibit A that this sum of \$90. is made up of articles rec^d. at the app^t. & Negroes hire, all the other items in the said exhibit were entered in the settlement made by the County Comm^rs with the exception of the \$61.16.8 in relation to which, there is no evidence. He will also remark, that from the manner in which matters were conducted between Austin & Abney in relation to the 1st portion of the estate of Alexander McClenahan, no proper accounts kept by either, arising no doubt out of a perfect confidence in each other, and both dead, that it is extremely questionable, whether, after the lapse of so many years, any statements which may have, or can be made, would be promotive of Justice as between them. The following statements will however be submitted in relation to them, and to shew, to what the estate of John S. McClenahan is entitled, and the claims against it.

The Estate of William Abney, who was Adm^r of Alex. McClenahan's estate.

In Act. with the estate of J. S. McClenahan

1829	Jan ^y . 20 th	To this sum for amt. of property rec ^d . from A. Humphreys in his life time, and from his heirs on a compromise after his decease, including interest as stated on 4 th 2 ^d page of report filed 4 th 17 th Octo. 1842.	\$ 6159.87 1/2
		which equally divided between the 3 Adm ^r s of Alexander McClenahan will entitle each to the sum of	382153.29

The Estate of Morris Austin

In Act. with the Estate of Wm. Abney

1829	Jan ^y . 20 th	To balance due as of statement on 4 th 4 th page of this report	\$ 1304.35 1/2
1840	July 28 th	To 1 Horse & beast got of Humphreys - see exhibit A.	83.33
March 31 st		To Cattle " "	26.00
1820	April 1 st	To Brick House & lot in Staunton	1800.00
		amt. carried forward	\$ 3284.18 1/2