

**ADMINISTRATORS AND SURETIES FOR THE ESTATE OF
NEAL CLARK
OF AMANDA TOWNSHIP, FAIRFIELD COUNTY, OHIO**

SURETIES

Mitchell M. Morris, George Williamson, George Sanderson and Jesse Hughes were all involved in the administration of the estate of Neal Clark of Amanda Township, who had died intestate. On July 6, 1844 these men were obligated to an administrator bond in the sum of \$4,000. Relatives or friends often posted surety. This was a bond comparable to the value of the estate as surety against mishandling by an executor, administrator or guardian. A surety bond sometimes states the relationship of the person who posted it to the testator but not in this case.

ADMINISTRATORS

Mitchell M. Morris, whose sister was married to Neal's son Elijah Clark, was appointed administrator, as was George H. Williamson, his brother-in-law.

INVENTORY

The court charged Mitchell M. Morris and Jesse Hughes with providing an inventory of Neal Clark's estate. Two or Three reputable people, not otherwise involved in the estate, inventoried and appraised all property that belonged to the testator. Inventories were very specific, often down to the number of pillowcases and spoons. I assume that son-in-law Morris and Hughes were neighbors and would have had easy access to Neal Clark's property and thus had an easier time making their evaluations.

ABOUT THE ADMINISTRATORS AND SURETIES

George Sanderson was acquainted with the Clark family and used Neal Clark's sister-in-law, Rebecca Lane Clark as one of his sources for his early history of Fairfield County. At the time of the surety, he was the editor of the Lancaster Gazette.

Mitchell M. Morris must have been busy in 1844 for his father James Morris died that same year. Mitchell had a farm a southwest of Royalton and north of the village of Amanda in Amanda Township. Not only was Morris the step-son of Neal Clark but a Catherine Morris (relationship to be determined) married the widower in 1839. According to family tradition, this later led to a petition by Neal Clark's children against the division of estate. This can easily be checked with a check with Fairfield County Probate Court. He is buried in East Union Cemetery in Amanda Township.

At the time, the Williamson Family was numerous in south Fairfield County. In 1834 George H. Williams married Eliza Morris, the sister of Mitchell M. Morris and Clarista Morris, the wife of Neal Clark's son Elijah. George had a farm in Hocking Township on the boundary line between Amanda and Hocking townships, close to the Hughes, Clarks and Morrises. In 1875 Morris and Williamson held adjacent properties in Hocking Township.

Jesse Hughes was an Amanda Township farmer and veteran of the War of 1812. He is buried in East Union Cemetery in Amanda Township.

It seems certain that Neal Clark lived in the same general area as Hughes, Morris and Williamson and was on close or friendly terms with them. Today, all their farms would be in the Shaw Road area in Amanda Township near East Union Cemetery.

Note: An administrator bond is a "fiduciary" surety obligation. A "fiduciary" for the purposes of probate matters simply means a financially responsible person. An administrator's duty is to inventory, value and distribute the assets of an estate in an honest and diligent manner. A fiduciary's actions must be in accordance with the prevailing probate code, orders issued by the probate court holding jurisdiction over the estate and with the terms of a will, if one exists.

When a will clearly states how a deceased's assets are to be distributed, an administrator bond may not be required. When a person dies without a will then the decedent's estate is considered "intestate".

An administrator bond guarantees the performance of specific fiduciary duties. The administrator must identify all heirs and creditors, collect the deceased's assets and appraise them, pay all debts of the deceased, then distribute the remaining assets to the heirs. Liquidation of assets in order to pay debts is often necessary. While performing these duties the administrator has an affirmative duty to make sure that estate assets will not be damaged or misappropriated. In legal terms, the bond of an administrator protects the estate from the misfeasance, malfeasance and non-feasance of the fiduciary.

Source: Probate Records Workbook

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