1786-003 SOUTHAMPTON COUNTY CHANCERY PAPERS BLUNT VS. ATKINSON 1/1786

See also ATKINSON vs. BLUNT, 1786-2

To the worshipful Court of Southampton county sitting in Chancery

Humbly complaining sheweth unto your worships your Orator Benj. Blunt of the said county esq. That one Hardy Atkinson being indebted to your orator the Sum of thirty pounds for securing the payment of the same with interest by his certain indenture of Mortgage bearing date the 22 day of August 1775 sold & conveyed unto your orator one certain tract or parcel of land [illegible] County of Southampton on the North side of [illegible] & by the said deed is expressed with this proviso & condition that if the said Hardy Atkinson his heirs &c should pay or cause to be paid to the said Blunt, your orator, his heirs or assigns the Sum of thirty pounds with interest arising from the twenty fifth day of December 1775 till paid that then the said Indenture & every thing therein contained should cease & be void & of none effect but otherwise were to be reconveyed or else to remain in full force. As by your orator [illegible] more fully appears. Your Orator further sheweth that the said Hardy Atkinson hath departed this life without [illegible] there is now due & owing to your Orator £18. 3. 2 & interest from 6 June 1784. & 1684 Chas. & Jones of the said money & interest & the equitable estate of the said Hardy is descended & come to Elias Atkinson his son & heir at law who is an infant & his widow hath also her dower in the premises And so it is May it please your worships that altho your orator hath made many [illegible] to the said Hardy or his to the said Elias [illegible] to get the same in the said Elias the heir at law of the said Hardy who is unable to redeem the same & pay your Orator his money & interest as aforesaid To the end therefore that the said Elias Atkinson by his guardian may be appointed by this Court may full true & perfect answer make to this bill And that this worshipful court will decree an order that unless the said

Elias Atkenson, by some short day to be appointed pay Walter
unto your orator the aforesaid Sum of 1684 & 16s. 8d. Virginia Money three shillings & two pence
with Interest from the 6th day of June 1784 the said
attending the drawing & recording the said indenture & the
costs of this Suit that the said Elias Atkenson his heirs Exrs
& all others claiming under the said Hardy Atkenson dece'd
their heirs or assigns be from thenceforth Barred & foreclosed
from all right title or equity of redemption of in or to the
[illegible]
or that you will make such other decreeing the premises as
may be agreeable to equity & good conscience Mas't Chancellor
Hollo for Compl't

Sum due.
£18 3 2 8½ added.
2 4 8½
20 7 10 2 Int. with 1684 this Int.

Compl't Bill
Exhibited
Decree
Sum due on
Interlocutory
Report
Exceptions
Order dismissing
Exceptions
Decree
Order dismissing
Exceptions
Decree
Order
Report
Exceptions
Order dismissing
Exceptions
Decree
Order
Report
Exceptions
Order dismissing
Exceptions
Decree
Order
Report
Exceptions

Blunt
v.
Atkinson

Bill
&
Ans

Atkinson
ads.
Blunt

Ans

The Answer of Chas — Atkinson Jun. their at Law of Hand
Atkinson decd. by his next friend & guardian
to the bill of complaint of Benjamin Blunt
Complainant

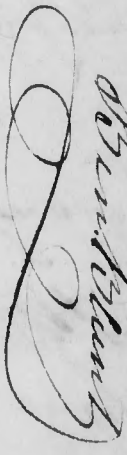
The defend.t saving to himself all advantages of exception to the uncertainties & untruths in the bills for answer thereto saith That he believes the allegations in the bill may be true that not having the money to redeem the Mortgaged premises he must submit himself to the Decree of this Court in the premises & being an infant he humbly hopes that this Court will save to him all advantages that may arise to him by means thereof and prays to be hence dismissed with his costs. Wherefore that that &c.

Blunt
vs
Atkinson &c

Decree

July. 1784

Jan.y 1786
Rep.d nl.d & Cons.



Southampton July Court 1784

Benjamin Blunt Plt

Elias Atkinson 2d Son and Heir of } Defts
Hardy Atkinson deceast

John Cowdle is by the Court appointed Guardian to the Defts whereupon this Cause this day was heard on the bills of the Plt and answer of the defts &c. On consideration whereof it is decreed and ordered that John Kindred Nathan Bryant Joseph Powell & Benjamin Kindred & Saml Edmunds or any three of them allott & set apart the dower of Ann Atkinson the Widow of Hardy Atkinson in the bills mentioned & make Report thereof to this next Court & that in case the defts shall not on or before the tenth day of Augt next pay and satisfy the Complainants debt and amounting to £680.0.0 Tob & £20.7.10½ with Int from the 6th of June 1784 Tob & Costs of this suit that then the Plt sell the Lands in the bills mentioned at Publick sale giving the purchaser credit until the 25th of Decr next & that out of the money arising from such Sale that he retain the sum due to him as aforesd & the Costs of this suit & the ballance if any retain also in hand, till the further order of this Court

Sam Kello C C

Cash .. Clks fees 161
Sht .. ---- 15
176

Lawyers fee £3..0..0

By virtue and in pursuance of the within Decree I have caused the Land in the said Decree mentioned to be sold at Publick auction to Joseph Powell of the County of Southampton for the sum of Sixty seven pounds 2/6 Virginia currency and 1726 lb. of nett Tobacco. being the most that could be got for the same of which sum I have retained the sum of twenty four pounds 16/8 and 1726 lb. Tob.a being the amount of the sums due me on the Mortgage in the said Decree mentioned, including the Cost of the said suit & that the sum of forty two pounds 5/0 still remains in my hands subject to the further order of the said Court, Given under my hand this 17th day of August 1784

Ben.n Blunt

Blunt
vs
Atkinson &c

July. 1784

Sept.r 1786
Rule to Assig.

Filmer the bond is due and the Defendant Executor of the Testator to be sued & Defendant Executor of the Executor of the Testator to be sued & Defendant Executor of the Executor of the Testator to be sued & Defendant Executor of the

Blunt
vs
Atkinson

Upon
ab.
Widows
Dower

Jany 1785

Decree

In obedience to a decree of the worshipful Court of Southampton bearing date July 6th 1784 We the subscribers have alotted and set apart the dower of Ann Atkinson widdow of Hardy Atkinson as followeth (to wit) Beginning at the way branch in Samuel Atkinsons line thence along a line of marked trees to the old Angelica road thence along said road to Joseph Atkinsons line thence along Joseph Atkinsons line to a spanish oak a corner tree thence a straight line to a black gum in the way branch aforesaid thence up the run of the said branch to the beginning — Given under our hands this 17th day of August 1784

John Kindred

Nathan Bryant

Wm. Kindred

Blunt
vs
Atkinson

Ejectment

Nov: 1783

May 1784
Leave to amend
Bill
Entry Instr. Dam.

Dec. Term 1783 Granted
Wm. Blount Atty

The Commonwealth of Virginia to the Sheriff of Southampton greeting You are hereby commanded to Summon Elias Atkinson Jon and Junr at Law of Haidy Atkinson dec'd to appear before the justices of our s.d County Court at the Courthouse of our s.d County on the second Thursday in December next to answer a bill in Chancery exhibited against him by Benjamin Blunt Gent.n in this behalf in no wise omit and on the penalty of £100 & have then there this writ witness Sam Kello Clerk of our s.d Court at the Courthouse the 14th day of November 1783 in the 8th Year of the Commonwealth.

Sam Kello C
(a)

6 · 13 · 4
4 · 5
6 · 17 · 9
8
6 · 9 · 9
17 · 10
7 · 7 · 7
15 · 9
8 · 3 · 4
26 · 13 · 4
20 · 2 · 6
6 · 10 · 10
2 · 1 · 2
8 · 12 · -

For Carlisle

The Estate of Hardy Atkinson to Benj.a Blount Dr

1704
June 6th To Cash as pr. bond & Rect. . . . . £ 18. 3. 2
To 1684 lbs Tob.o as pr. bond . . 1684 lbs
total 1684 lbs Tob.o £ 18. 3. 2
2. 4. 8
20. 7. 10

The above to be put in the bill of Mr. Chauncy of Blount against Hardy Atkinson Heir at law of Hardy Atkinson dec.d

Ben.a Blount

Blunt
v
Atkinson

To be added to the Account in the bill

Col[o] Mills

You will be pleased to add £2.4.8[d] to my Acc[t]
with Haley Atkinson dec[d] which was omitted
in the Acc[t] delivd to you. and Oblig[d]

Your Hble Serv[t]

Ben[n] Blunt

June 17[th] 1784

This Indenture Made this twenty second
Day of August One thousan
and seven hundred and seventy
five. Between Haray Atkinson of
Said County of the other part. Witnesseth. That the
Pounds, Current money of Virginia, to him in han
Atkinson, at & hereby grant, and by these presents,
Dr Blunt his Heirs and Asignes forever, One Certain
-by of Southampton, on the North side of Blunts swam
as followeth (to wit) Begining at a Poppular
Marked tree in Mial Atkinsons line, to a pine, then
down the Branch to the aforesaid swamp, thence u
with all Houses, Orchards, Woods, ways, Waters, and
any wise appertaining also the Reversion, and
of the premises, and every part and parcel thereof
his Heirs and Asignes forever, to the Sole proper use and
To Have and to Hold the Sd parcel, and Tract
whatsoever. Provided always and it is agreed
said Haray Atkinson his Heirs Executors, Administ
his Heirs and Asignes, the full sum of Thirty Pounds
aforesaid Atkinson on or before the twenty fifth Day
to the Contrary notwithstanding shall cease and
Blunt, his Heirs and Asignes, to the said Haray A
Haray Atkinson hath hereunto set his hand affixed

Signed Sealed and Delivered
in presence of

Jasper Hindred
Benjamin Hindred
Richard Edwards

Day of August One thousan
and seven hundred and seventy

Haray Atkinson, for an inc
paid by the Sd Blunt, the
to grant, Bargain, and sell
Tract, or parcel, of Land, Situat
, Containing by estimation,
on the Mial of Blunts s
along a line of Marked tree
the Sum of the aforesaid Sura
Watercourses, and Appurtenan
version, Remainder, and Rem
with their and every of their ap
Bishop, of him the Sd Blunt h
of Land free from all incumb
by and between the said par
Executors and Asignes, to pay or c
Current Money of Virginia
December next, that then the
Void and the premises to be
Atkinson his Heirs, and Asignes
and his Seal the Day and year

consideration of the Sum of Thir
Rect whereof he the Sd Haray
Alien and Confirm, unto the
, lying, and being, in the coun
said Hunard Acres and Bound
to the Leady Branch thence
mp to the Begining, Together
ces thereunto belonging or in
, Ditch Wrotch, and Appur
pertenances, unto the Sd Blunt
is Heirs and Asignes forever
rances of any Nature or Kind
es to these presents that if the
Sume to be paid to the Sd Blunt
with the Lawful Interest
every thing therein Contained
Reconveyed by the said
In Witness whereof the Sd
first above written

Haray H Atkinson
Mark

NOT
Deacidified
1/29/92

Year first within written o

Recieved the day and
Thirty Pounds Va
Signed Sealed in pre
Samuel Kind
Benjamin Thweatt
Richard Edwards

ort Money of Virginia at 6
ence of }
Ed

Atkinson
Attorney
Brunswick

ampton The 11th Ja
thecion endors'd u
party thereto and or

The within named Benja
ing the Consideration Money

min Blunt the Sum of
within Mentioned

Sarah his
Sarah H Atkinson Seal
Mark

At a court held for the County of South
1776 This Indenture and the receipt
is acknowledg'd by the said Sarah Atkinson
and to be recorded

Teste

Atkinson Clerk
January 1776
Court