

1814-063

SOUTHAMPTON COUNTY
CHANCERY PAPERS

GRAY'S EXECUTOR VS BLUNT

1/1814

To the worshipping court of S. Ampton County
sitting in Chancery, respectfully complaining
sheweth unto your worshipps your orator Edwin
Gray that Edwin Gray decd. the testator of
your orator was the Executor of Tho. Blunt decd. & the
Guardian of Thomas the son of the said deceased (Tho.
Blunt). That in the capacity of Exr & Guardian
as aforesaid he rendered without any pecuniary con-
sideration the most eminent services - That he
was ever particularly attentive to the interest of his
ward & ^{together with} furnished him ^{with} sundry times with actual
necessaries in money & articles of merchandise to the
amount of £ 37.5.10 p. or by a stated account here to connect
& prayed to be considered as part of this bill, will
more circumstantially appear. That after furnishing
the said necessities, then it is, your orator's testator had
the use of & became chargeable with the hire of, &
wages belonging to his said ward, for the space of
four & one half years at £10.00 per year which
when added to the interest thereon accrued callu-
lated will be found very little to exceed the amount
of the said last money paid & advanced as aforesaid with
interest thereon - That notwithstanding all which
the said Tho. Blunt joint orator's testator's words
wherein your orator prays to be made Defendant
has unjustly instituted a suit at common
Law in this worshipping court against your
orator in his capacity of Exr for the amount of
the hire of the aforesaid negro. That he has lately
(& in the absence of your orator) procured this court ^{to} reco-
-vered a judgement & caused an execution of fieri
facias to issue for the same - That your orator
will

will be compelled to discharge the said judgment
on the property of his testator will be exposed to sale
for the satisfaction thereof without the interpose-
tion of this worshipping court wherein matters
of this nature are particularly cognizable
& relieved against. In tender consideration
whereof & because your orator is remediless in
the premises at common Law your orator prays
that the aforesaid judgment may be enjoined and
the Execution thereon issued arrested until
this affair can be heard in equity - That the
said defendant may on his corporate oath full
true & perfect answer make to all & singular
the allegations in this bill contained peramply
& completely as if the same were here again
repeated & he thinks particularly interrogated
that he may unequivocally say whether the
account hereto annexed as aforesaid be not correct?
May it please your worship to grant to your
orator the common writ of Subpoena
to be directed to the said Defendant commanding
he & may your worship afford your orator
such other & further relief in the premises not
specially prayed for as may seem meet & just
unto your worship - & your orator as in
duty bound ever will be.

By Nathaniel for plf

10th July 1800
St. Asaph County Court

before me a Justice of the Peace for the said County
& made oath that the above bill so far as relates
to his own knowledge is true & so far as it relates
to the knowledge of others he believes to be so.

J. Rothwell

Gray's ear Bill
17
Blunt S. Allen

2nd Bundle of
Chy issues

Blunt Zanna
adi
Graciosa

Chy-

The answer of Thomas Blunt . . . Deft
to

The bill of Edwin Gay ^{exor} of Edwin Gay ^{decd}, ^{Plff}

That Deft saving &c to so much of the foregoing bill as he is advised is material or essential to be answered, answereth & saith — That true it is the Deft instituted suit in the Co Court of Southampton in manner and form as stated in the bill of complaint and obtained judgment thereon for the sum of . . . as by the records of the same Court will fully appear, — That having no desire that injustice should be done, it was agreed by his Council & the Council for the Complaint that no exon should issue till after the day of . . . thence next ensuing — in order to give the s^d Gay an opp^y of filling up & establishing before Col. S. Kello as the mutual friend of both parties certain ~~statements~~ on the credit side of the acc^t filed in the s^d cause, which could not at that time ^{be filled up} ~~in hand~~, owing to the acc^t ^{not being in} ~~possession of the plff at law~~ ^{having been} ~~transferred~~ and indeed all the items not then in the recollection of the s^d ~~plff at law~~ ^{exor de}

But the s^d Edwin Gay, neglected to bring forward his claim from time to time, till at length it became necessary to issue the exon aff^s.

The deft ~~for~~ saith that the report of
the Jury, being on the Debit of the acc^t filed
in the Cause he believes to be correct
& just, having regard to the respective dates
and time that the negro-hire was due,
and herein the deft is fortunate enough
to have it now in his power to show to the
satisfaction of this Court an acc^t corroborat-
ing with the one filed from under the hand
writing of the Comptrolr, which is hereto annexed
& made part of this answer, and here it is
proper to observe that this acc^t when first
delivered stood as a charge on Edwin Gray's
account as 4½ yrs for the hire of negro Peter
but upon communication with the present
Comptrolr in presence of Joseph G Plant, or
Edmund Plant, or both of them, the s^d Edwin
was convinced that the figure 4 the first
item in the acc^t ought to be the figure 5, and
accordingly the s^d Edwin with his own hand
altered the figures to what it now stands
as he must upon reflection very well
remember - The Deft is sorry to add
that the Comptrolr's acc^t is not correct Therefore

in the particular - no ~~at~~ the time
or date of the hire mentioned ~~therein~~
as according to his calculation he has
allowed no interest from the several
dates that the s^d negro has become due
but has given it as a credit in the
Year 1790 - whereas it is evident from
the am rendered this Deft that the hire
commenced from some time in the Year
1784 - The Deft admits that the articles
contained in the Debit side of the Comptrolr's
acc^t is just, and is willing to allow the
same - This deft denies all fraud &c
and requests to be hence dismissed with his
proper costs &c herein most ~~unsuccessfully~~
sustained &c -

Wm Hill att^y
for the Deft.

Solon C. he Thomas Plant the Deft.

Personally appeared before me a Justice of the
Peace for the s^d CO, & made oath, that the
foregoing answer so far as it relates to his own know-
ledge is true, and so far as the same is derived from the
information of others he believes to be true -

Given under my hand this 1st day of Sept^r 1793

Charles Briggs JP.

Grayer
on } Ings
Blunt }

Biss Jammu ~~disposition~~
exhibits ~~rules~~ rules
to dissolve

Virginia of Sampson County to wit
The Commonwealth of Virginia to Thomas Cots
and James Meil Gentlemen, greeting know ye
that we trusting to your fidelity, prudence
circumspection in diligently examining
Emanuel Blunt and Joseph G. Blunt
witnesses as well on behalf of Thomas Blunt
as on behalf of Edwin Gray executor of
Edwin Gray dec'd and do command you
to call and cause to come before you the
witnesses aforesaid when and where you shall
appoint and diligently examine them on the
holy Evangelist of Almighty God and their
examination so taken into our court of our
said county that you send without delay
enclosed returning to us also their writ
bearing Sam. Kello clerk of our said court
at the court house the 20th of September 1803
and in the 28th year of the Commonwealth

Sam. Kello

I do hereby certify that the within notice is true copy
of one that I gave Mr. Edwin Gray, Dist. of Col. Edwin
Gray, ad. this 14th day of Sept. 1803

Charles D. Riggs

January 10th 1804 The above certificate sworn to
before me

James M. Bell or J. P.

Mr. Edwin Gray Please to take notice that I
shall proceed to take the deposition of Joseph G.
Blunt, & Edmund Blunt on the first day ~~Nov.~~ ^{next}
between the hours of ten & seven o'clock of the same day
at the House of Thomas Cobbs in the County of
Columbia & State of ^{Georgia} to ^{be} read as Evidence, in an
injunction in the County Court of Southampton ^{as sworn to by Edwin Gray dectd}
State of Virginia, in which you are plaintiff, & my-
self Defendant. at which time & place you may
attend if you please - yours J. H. Blunt

19th Sept. 1803

(a copy)

Dep't

Amn

Edwin Gregg, 2 Clerk of the
3rd Thomas Blount Court of South-
ampton County of the State
of Virginia, Commission in
the foregoing case.

9.9.2

9.9.2

State of Georgia
Columbia County

Pursuant to the Inclosed
Commission. We have this first of Novem-
ber One Thousand Eight hundred and Three.
Caused Edmund Blount Personally
to be and appear before us at the house
of Thomas Cobbs Esquire. Who after
being duly Sworn Said. That, some
time past he was in company with
Thomas Blount the defendant and
Edwin Gray Counter of Edwin Gray
against the Plaintiff. The parties
to the Bill of Injunction, a Copy
of which is herewith Inclosed. When
a controversy arose between them the
said parties Relative to the first
Item contained in the ~~Bill~~ Account
filed with the Bill of Injunction
in the foregoing case. On which
he the defendant convinced the afore-
said Edwin Gray. That the word, or
figure four, was not correct. And
that it ought to have been the word,
or figure five. Whereupon the
aforesaid Edwin Gray, did with
his own hand alter. The aforesaid

Figure, or word, from the word
or figure four, to the word, or figure
five. And as knowledge the
said alteration to be true and
agreeably to the first item
in the enclosed account.

That the hire of the
Negro Peter commenced in the
first item of the enclosed account
did commence in the year of
Our Lord One Thousand Seven hun-
dred and Eighty four. And con-
tinued until the year of One
Thousand Seven hundred and Ninety;

I sworn to before us this
11. of November, 1853.

Thos. Cobbs J. I. C.

Edmund Blunt

James McNeil J. I. C.

Joseph G. Blunt in man-
ner and form aforesaid being duly
sworn saith, ~~that~~ the aforesaid
Edmund Blunt hath said above,
so far as to the commencement

And Continuance of the hire
of the aforesaid Slave, or Negro
Peter.

I sworn to before us this
11. of November, 1853.

Thos. Cobbs J. I. C. Joseph G. Blunt

James McNeil J. I. C.

172
 40
 212
 70
 226
 1824
 492
 168
 0.50
 710

E. Gray &
 Ho. Clerk
 M.C. Report

November 1812 report
 of Deane & Co. ordered to be 29
 Jan 1814 Injunction
 per Deane

Edmund Gray Esq. of Edmund Gray
 James Blunt his ward & also as the
 To ans. of a judgment and
 against the J. Edmund Gray in favor
 of James Blunt at Marsh Court
 1801 for the sum of 79:3:6 $\frac{3}{4}$

Account current with J. & Co
 Executors of Tho. Blunt dec.
 1787 By cash 19/- 11:8
 Interest thereon until Mar 1801 1:12
 1788 By cash 19/- 11:8
 Interest thereon until Mar 1801 1:18
 1789 By cash 19/- 11:8
 Interest thereon until Mar 1801 1:3
 1790 By cash 19/- 11:8
 Interest thereon until Mar 1801 10:5-0
 1798 By cash 19/- 11:8
 Interest thereon until Mar 1801 14:16-9
 54:18:10

To Bal. due to Thomas
 Blunt at the time of the judgment 24:4:8 $\frac{3}{4}$
 Interest on 24:4:8 $\frac{3}{4}$ from March
 Court 1801 till Mar 1812 16:10

Bill due to Tho. Blunt 24:4:8 $\frac{3}{4}$ 79:3:6 $\frac{3}{4}$

By consent of the parties by their attorneys in this case, and the assent
 of the Court, a reference was made to the Master Commissioner of
 Southampton, in order to settle up the accounts between them, according
 to the judgment at Common Law, the Bill of Injunction, answer &
 exhibits. The M. C. in pursuance therewith has proceeded
 to the adjustment, and finds that at the time of the judgment at
 Marsh Court 1801, against Edmund Gray Esq. & Co. a balance due
 Blunt of £24.4.8 $\frac{3}{4}$ as stated above; which he previously showed carry
 interest till paid; he the M. C. has therefore added the amount of

Interest up to November 1812
in total the sum of forty one
due to the said Thomas O'Brien
to the Court

Commission for
two hours employment made at 29/-
of hours 7/6
J. H. H.

17th day of Decr 1812
A leave fee for the County of Southampton the
the report of the Master Comptroller, was
one shilling to be paid for each
J. H. H.

Blunt
Graysen
VI } *Imp*
Blunt }

July 1802

Bill filed

Rule to Anderson

Aug 1803

Answer filed

Accts of Blunt.

with E. Gray - *Others*

Dr Mr Thomas Plant in acct current with Edwin Gray rec^d LMS

1784 Aug ^r	To 3½ yds linen - - - - - 23¼	11. 9
	To cash at Portsmouth - - - - -	1. 2. 6
1785 May	To 10½ yds linen - - - - - 1/6	15. 9
	4 yds Cynabs - - - - -	7. -
	Cash to Edmund - - - - -	12. 0
Nov ^r	To 1/2 shoes - - - - -	8. -
1787 Jan ^y	To cash paid Joel Carrs maky clothes - - - - -	19. -
Mar ^d	Cash advanced you - - - - -	12. -
1790 Feb ^y 11.	To balance overpaid you in settlement of your fathers Estate - - - - -	19. 7
	To sundries from Bennets - - - - -	3. 11. 7½
	To 1 Hat - - - - -	1. 0. 0
	To amount of article lost at the Sale - - - - -	11. 10. 0
1798 Feb ^y 27.	To cash paid you freed ^d - - - - -	14. 16. 9
	<u>£ 37. 5. 10½</u>	
	Balance due T.B. - - - - -	7. 14. 1½
	<u>£ 45. 0. 0</u>	

1790
Feb^y 11. By 4½ years hire of negro
Peter - - - - - @ 10£ = 45. 0. 0

By balance due T.B. 7. 14. 1½
Accepted.

4.58
2.00/2

Estate Edwin Gray Soc.
with
Thomas Blunt

~~Thomas Blunt~~
~~Thomas Blunt~~

Dr^{rs} Estate of Edwin Gray Dec^r in ac^t with Thomas Blunt — 17

To 5 Years hire of Negro Peter

@ 10^l 50

1/2 Year ditto @ 9^l 10

£ 54. 10

To balance Contra — £ 32. 10. 10 1/2

1784

Aug.

By 3 1/2 yd. Linen — 3/4 " 11. 8

Wash at Portsmouth — 1. 2. 6

1785

May.

By 10 1/2 yd. Linen — 1/6 " 15. 9

7 Yards Cynabars — 1/1 " 7. —

By Wash of Edmund — " 12. —

Nov.

By 1/2 pair Shoes — 3/4 " 8. —

1784

Jan.

By Wash paid Joel Davis making — " 19. —

" Clothes — " 12. —

Mar.

By Wash advanced — " 12. —

1790

Feb. 11.

By bal. overpaid me in settlement

of my father's Estate. — " 19. 7

By sundries from Bennett — 3. 11. 1/2

By 1 hat — 1. 0. 0

By 1 bed Furniture — 10. 5. 0

2 Cows — 1. 5. — 11. 10. 0

purchased at Sale —

By balance Contra. — £ 21. 19. 1 1/2

£ 32. 10. 10 1/2

£ 54. 10. 0

44. 10

54. 10

22. 9. 1 1/2

21. 11. 9 1/2

22. 0. 10 1/2

32. 10. 10 1/2

Edwin Gray dia
with wife
Thomas Blunt

Dec^d Col^o Edwin Gray dec^d in ap with

Thomas Blunt

Geo

1784 To 12 years hire of Negro Peter. . . . £4.10 2s 11 1/2

Interest on the same to

3 11 8 1/2

1785 To Hire of Negro Peter for this year a £10. 10.0.0

Interest on the same to

7 2 1/2

1786 To Hire of Negro Peter for this year. . . . 10.0.0

Interest on the same to

6 11 2 1/2

1787 To Hire of Negro Peter for this year. . . . 9.0.0

Interest on the same to

5 11 9 1/2

1788 To Hire of Negro Peter for this year. . . . 8.0.0

Interest on the same to

4 11 8 1/2

1789 To Hire of Negro Peter for this year. . . . 7.0.0

3 11 5 1/2

And the Gray find for the 12 Can^{ts} . . . £79.3.6 3/4

to pay his damages to

Ben^o Evans

By this acct for sundries paid of him
from year 1784 to 1790.

14
16
140