

1846-008

SOUTHAMPTON COUNTY
CHANCERY PAPERS

PEETE, By & C. al.

VS

BLUNT, TRUSTEE et al.
6/1846

other surnames: Townes, Parker,
Anderson

Peter

or

Peter Smith & Co

1846 March. Done as filed
" June 15 Written acceptance
of the bond & filed

To The Worshipful the County Court of Southern
Your Compts. Mary Eliza Peete wife of Alex^r
Peete by Wm^o W. Jones her next friend, John
Peete & James Peete infant children of sd^o Alex^r
& Mary Eliza Peete who sue by their next friend
Wm^o W. Jones

Humbly Complaining shew unto
your worships that on the 26th of June 1833
Wm^o C. Parker Trustee conveyed by deed unto
Saml Blunt as Trustee for the benefit of your
Compts. Mary Eliza & her children certain lands
& other property set forth in said deed for
their separate use & maintenance as may be
seen by reference to said deed a copy of which
marked A is herewith filed, and prayed to
be taken as a part of this Bill. The female
slave mentioned in said deed by the name
of Cherry now has five children to wit Stephen
Betsy - Indira & William & Alfred, and the
female slave Harriet has two children Mary
& Claiborne. So there are now in all 9
slaves. - The beds & spoons are still in the
possession of your Compts. Mary Eliza according to
the provisions of the deed. -

Your Compl^oantes state to your
Honor that these slaves - beds & spoons
constitute their whole Estate, and are necessary
to their comfort & support. - They further shew
that Alex^r Peete the husband of your Compt^o
Mary Eliza & father of your Compts. John & James
had some months ago an appointment from
the Federal Government, and is now in
Pensacola in the State of Florida engaged
in the discharge of the duties of his office

Your Compts. being also about to move to Florida
since their sd^o Alex^r has become permanently
settled there applied to Saml Blunt Trustee as

afraid for permission to carry the slaves into
be afraid, but he doubting his authority
to give such advice, and fearing that the
property might be in danger without a resident
Justice, has requested that your Compts. should
apply to this Court for authority in the
premises -

Your Compts. have succeeded in
getting a Gentleman of the highest character
& worth to act as Justice in Pensacola - the
Hon. Walter Anderson, and they are advised
that your Honors have power under the
circumstances of the Case to substitute him as
Justice in the place of Saml. Blunt, and
to invest him with all the powers with
which Saml. Blunt is invested under & by
virtue of the Decree aforesaid. The said Anderson
is a Lawyer of distinction and a gentleman
of integrity so that the rights of your Compts. will
be safe in his hands. Your Compts. would
further state that their interest, manifestly
requires the interposition of this Court - that
such of the slaves as they may not need
for their own purposes will command in
Florida more than double the hire they do
here - that the slaves will be better attended
to when they are in reach of their owners.

In further consideration of all which, and of
as much as your Compts. are without remedy
in the premises except in a Court of Equity.
To the end therefore that justice may be done
they pray that Saml. Blunt Justice do - & Alex. G.
Pettit may be made Justs to this Bill & the
Answers. make to its allegations - that your Honors
will be pleased to remove the said Saml. Blunt
as Justice as aforesaid, & appoint some suitable person
living in Florida in his stead - that the slaves

thus appointed hold the slaves & other property
subject to the limitations - trusts & restrictions
aforesaid of the Decree referred to & the premises
consent grant such other relief as justice
may require

Peter d.
m
Peter John L

Answer of J. Blum

In the honorable the County Court of Southampton
County sitting in January -

The answer of Saml
Blunt to a bill exhibited in this Court agt.
him & by Mary Eliza Pette, John & James
Pette by W. W. Townes This first filed.
This undersd. Saml Blunt for answer
to be moved of said bill as he is ad-
vised it is material for him to answer
says - That he is not disposed to throw
any unnecessary obstacles in the way
of the compels. That he does not doubt that
this interest will be advanced by the removal
of the property mentioned in the bill. Yet
he does not feel himself at liberty to
permit the slaves to be removed beyond
the limits of this Commonwealth without
the authority of this Court. That he
is willing, if the Court shall so right
and proper, that another individual
shall be put in his stead as trustee
and he believes that the individual
designated in the bill, altogether worthy
of confidence. But he submits, if
this Court should name him as trustee
that he should be giving up his
his acceptance, & send to this Court
a proper writ for the property which
he may have as trustee &c.

And having answered
&c. He prays to be leave dis-
missed with his costs &c.

Sam Blunt by
Thos. J. H. H. H. H.
Counsel.

Pette L.

or

Pette Trust

Answer of a Pette

To the County Court of Southampton County sitting
in Chancery, The answer of Alex. Pitts
to a bill exhibited in this court against
him Jr. by Mary Eliza Pitts by Wm W. Townes
her next friend, & John O. Spencer Pitts infants
by Wm W. Townes their next friend.

This respondent saving &c.
for answer to so much of said bill as
he is advised it is material for him to
answer says it is true he is now
settled in Pensacola Florida, and
he is anxious his family should
be also settled there - He has no claim
whatever to the Slaves or property mentioned in
the bill - but he believes it is necessary
to the comfort & maintenance of his wife
& children that they should be permitted
to carry with them their little property.
He also believes that the Hon. Judge
- the Auditor a most excellent selection
for Justice &c. & having answered
he prays to be heard & dismissed &c. &c.

A. Pitts by his
counsel J. J. Johnston
— " —

Peter's d. }
m
Peter's Ins. }
}

Decease

[Faint, illegible handwritten text, possibly a ledger or account book, covering the majority of the page.]

County Court of Southampton
Michael term 1846
Petitioner by L. }
Blunt-Tunstall } In Loco —

This cause was this day docketed by consent of parties, & by like consent came on to be heard on the bill answers & exhibits and was argued by counsel. On consideration whereof the court entertaining the opinion, that ~~it is reasonable~~ the prayer of the Compt's bill is reasonable, doth adjudge, order & decree that same Blunt, the trustee named in & out of trust from W. C. Parker, dated 26 June 1833, and exhibited with the bill, be removed, and no longer exercise or control any power or direction over the property or any part thereof conveyed by said deed, and that William Anderson be and he is hereby constituted and appointed trustee in stead of the said same Blunt, and that he hold the property conveyed by said deed subject in all respects to the trusts & provisions of the deed of the 26 June 1833 aforesaid. And the court doth further order that the said William Anderson file with the Clerk of this court a written acceptance of the trust, and a receipt for the slaves & property, which he may have by virtue of this appointment as trustee.

List of Slaves belonging to Mrs
M E Pate Hilderson

- 1 Cherry
- 2 Stephen
- 3 Petsy
- 4 Judith
- 5 William
- 6 Alfred
- 7 Samet
- 8 Mary
- 9 Claiborn

Mrs. Pate

Parker India

To 3 Dec.

Blunt India &c

June 26/1833 ack. of CAR

July 15/1833 Int. in the pro-
ceedings of the day.

1833. July 29. Lodged in
Office CAR

DM. B. D. C.

Recorded & Examined

J. Hammer Off.

9th May 1838 presented in the
Off. of Super CAR.

Recorded Page 133
(Examined)

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Recorded

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This Indenture made this twenty sixth day of June in the year of our Lord one thousand eight hundred and thirty three by and between William L Parker of the County of Southampton of the first part and Samuel Blunt of the said County of the second part, Whereas the said William L Parker acting as trustee under a deed executed to him by Alexander P Peate of the said County bearing date the 16th day of July 1832 and duly recorded in the Clerk's Office of Southampton for the purposes therein particularly specified and contained, sold at public auction to the highest bidder the property thereby conveyed pursuant to his powers, and whereas divers articles of property were then and there purchased for the benefit of Mary Eliza wife of the said Alexander P Peate and her children, which are intended to be reserved to the separate use maintenance and support of the said Mary Eliza and her children, by vesting the same in a trustee, to be held by him in trust in the manner and for the purposes hereinafter mentioned and declared. Now this Indenture sheweth that for and in consideration of the premises, and for and in consideration of one dollar to him in hand paid by the said Samuel Blunt the receipt whereof he doth hereby acknowledge and by virtue of the powers and authority vested in him by the provisions of the deed of trust before referred to, he the said William L Parker doth hereby grant bargain and sell assign transfer and set over unto the said Samuel Blunt his Exors admors and assigns, the following property to wit, Slaves Cherry and her infant together with their future increase Harriet together with her future increase three beds, bedsteads and furniture one crib and bed one set of tea china, one set of castors nine silver spoons one small mahogany table one walnut bedstead Now a part of a set of Liverpool dining chairs one tea board one oven and frying pan one spider and tea-kettle two pot racks and four trays and a piece of linen and

to hold the same and for the trusts and purposes following
that is to say in trust for the separate use of the said

Mary Eliza Pate and her children ^{immediately} during her
natural life, and from and ^{immediately} after the death of the said
Mary Eliza Pate that the said Samuel Blunt
his Executors administrators and assigns shall
and will convey assign and set over to the issue
of the said Mary Eliza by the said Alexander P. Pate
in equal proportions, the property hereby conveyed
together with the future increase provided there be
children only of the said Mary Eliza and the said
Alexander P. Pate then living, but if a child or
children of the said Mary Eliza, and the said
Alexander P. Pate, should be dead then to the child
or children or other descendants of every such de-
ceased child such portion as the said deceased child
would have been entitled to if he were then
living. In witness whereof the parties hereto, have
hereunto affixed their hands and seals the day
and year first above written

Wm C Parker *deced*
Saml Blunt *deced*

June 26/1833

Southampton In the Clerk's Office the 26th day of June 1833
This Indenture was acknowledged by William C Parker and
Samuel Blunt parties thereto and admitted to record. And at a
Court held for the County aforesaid the 13th day of July 1833 the
said Indenture was entered upon the proceedings of the day
Teste Samuel Rochelle Clk

In the Clerk's Office of the Hastings Court of the Town of
Petersburg. the 29th day of July A.D. 1833.

This Indenture of Trust from William C.
Parker to Samuel Blunt for the benefit of Mary Eliza
Pate. was this day lodged in the said Office; and being
certified according to law, was admitted to Record

Teste

DM Bernard J.C.

In the Clerk's Office of Superior County Court
On the 9th day of May 1838 this Indenture together with
the annexed certificates of the acknowledgement of William
C. Parker and Samuel Blunt parties thereto, was presented
in the said Office and admitted to record

Teste

L. Lanier Clk

Virginia to wit.

We it Remembered that at a Court of Quarterly Sessions held for the County of Southampton at the Courthouse thereof on the 16.th day of March one thousand eight hundred and forty six came Mary Eliza Peete wife of Alexander Peete by W^m W. Townes her next friend and John Peete & James Peete infant children of said Alexander and Mary Eliza Peete who sue by their next friend W^m W. Townes, by their Counsel and filed their bill in Chancery against Samuel Blunt and Alexander Peete in the following words to wit, (here insert Bill & exhibits)

To which bill the said defendants Samuel Blunt & Alexander Peete immediately filed their answers in the following words to wit (here insert the answers).

Whereupon this cause was this day docketed by consent of (here insert decree)

182.6 June 15

Pensacola in the County of Escambia
State of Florida

Whereas by proceedings had before the Court of Quarterly Sessions held for the County of Southampton in the State of Virginia, at the Court house thereof on the 6th day of March 1846 between Mary Eliza Peate wife of Alexander Peate by Wm^r Torres her next friend, and John Peate and James Peate infant children of said Alexander and Mary Eliza Peate by their next friend Wm^r Torres, and Samuel Blunt and Alexander Peate, it was ordered and decreed by said Court that Walter Anderson of the City of Pensacola in the State of Florida be constituted and appointed in lieu of the said Samuel Blunt, Trustee for the purposes set forth in a certain indenture bearing date the 26th of June 1833, which indenture is made part of the said proceedings before said Court, and whereas the said Court has required of the said Anderson that he signify to the said Court within ninety days from the date of said proceedings his acceptance of the aforesaid trust, and ^{file} a receipt for the slaves and property which he may receive as Trustee, Now know all men that I the aforesaid Walter Anderson, do hereby accept the said trust, and acknowledge to have received from the said Samuel Blunt the following slaves, Harriet and an infant child, Mary, Cherry and an infant child, Lucy, William and Stephen to be held by me for the purposes of the aforesaid trust, and also the several articles of household furniture mentioned in the aforesaid

indenture, for the like purpose.

In witness of which I have here set
my hand in the city of Parramatta on this
16th day of May A.D. 1846

Walter Anderson

Publ

~ } Repts

Part 7

1847 Jan. 14th

State of Florida

Pensacola, December 21st 1846

Received from Mrs
Samuel Blunt, a negro girl named
Betsey aged about thirteen years being
one of the negroes mentioned in the
deed of Blunt to me as trustee in fa-
vor of Mrs Mary C Rafe.

Walter Hudson
Trustee