

1803-05 SOUTHAMPTON COUNTY
CHANCERY PAPERS

DAY + UX + al VS

BLUNT'S ADMINISTRATORS

3/1803

Blunt 9c
VI } Bill
Blunt 9c }
No 1802 H. J. P. 1802

Bill

To the worshipfull Court of Southampton in Chancery,
Sitting, humbly complaining shew unto your worships
Your Orators And Petitioners, David Day and Priscilla his
Wife, formerly Priscilla Blunt, and Richard Blunt.

That sometime in the year 1854 a certain John Blunt late of the aforesaid County, departed this life intestate. seized and possessed of a valuable estate real and personal, that Benjamin Blunt, Henry Blunt, your complainants Pruell ~~Blunt~~ and Richard are the only surviving children, heirs, and distributees of the said John. - That in the lifetime of the said intestate some or all of the said Children were advanced in lands, slaves, money and other other personal estate. That the parties are anxious that a complete division and apportionment of the said estate may be made agreeably to law, among the distributees aforesaid, or such of them as shall bring their said advancements into Hotch Pot - agreeably to the several acts of assembly ^{and the laws of the said} for such cases made and provided, to wit. that those advanced in personal estate, in order to intitle themselves to distribution of the surplus of the said intestates personal estate, shall bring into Hotchpot ~~the same~~ their said personal advancements, and that the same rule apply with

regard to real estate advanced, to entitle the party so advanced in real estate to an apportionment of the real estate of the said interlate —

Your complainants represent to the Court that the said Benjamin & Henry Blunt are the administrators, duly qualified, of the personal estate of the said interlate and have accordingly possessed themselves of the same — Your complainants therefore pray that the said Benjamin & Henry, the adm^{rs} be made defendants to this bill — and may full true and perfect answer make to all and singular the allegations therein contained — and that a decree be entered, for an apportionment of the real estate among those of the aforesaid parties as were not advanced in real estate, and such of those who were advanced who may entitle themselves by the law of Hotch Pot as aforesaid, and that an equal and fair distribution of the surplus of the personal estate among the same parties, or such of them as shall entitle themselves as aforesaid

Your complainants pray that Commissioners be appointed to who shall be empowered and authorised to ascertain the

nature and amounts of the several advances made in any manner they may judge best, and make division and apportionment among the parties entitled as aforesaid. may it please the

John Barber for David
Day & Prichard his wife

Richard Blunt

The answer of Benjamin Whitt and
Henry Whitt ^{Adm^r} of estate Effects of
John Whitt ^{decd.} to the bill of complaint
against them exhibited in the County
Court of ^{by Rich^d. Whitt & Sons, Exors & Administrators} Southhampton - They defend
admits the said allegations in the
Compt &c. bill contained to be correct
& true & are perfectly willing that
a dividend ^{of} ~~represent~~ of the estate
of s^d. John may be equally made
among those of the distributees
who shall conform themselves
agreeable to the Laws of the Land,
as it relates to the doctrine of assign-
ments, & Hotch-potch - That
commissioners may be appointed to
assist, settle divide & assign the
said estate among the said distributees
as aforesaid - That your worship will

make such a decision in the
premises, as may comport with
equity, the safety of the rights—
Huntory.

Huntory,

I have consented to the above answer
I trust a decision may be entered conformable
thereto. — I have authorized our atty. accordingly

Benjamin Black first one of the
attys. of John Black decd.

To The Clerk of Southampton Court

To

Blunt &c } Inty
vs }
Blunts att'ys } Deca

November 1862

November 18

Blunt &c }
vs }
Blunts att'ys }
~~Plaintiff~~

from all claims Smith
vs

BP

At a court of quarterly session continued and held for the
county of Southampton the 10 day November 1802

Richard Blunt and Davis Day and Priscilla
his wife ----- Comptt

Agd
Benjamin Blunt and Henry Blunt adm^r
John Blunt dec^d ----- Deftt

In Chancery

This cause, this day coming on to be heard, ~~On~~ the bill
of complainants, and the answer of the defendants, by consent
of the parties, and assent of the court, on consideration thereof
the court decreed and order that the lands and personal estate belonging
To John Blunt dec^d as specified in the bill & be equally
divided and assigned among the distributees of the intestate
to Benjamin Blunt, Henry Blunt, Richard Blunt &
Davis Day and Priscilla his wife to those in fee
simple only however of the said distributees who shall surrender
in hotch pot the property in which they have been advanced by
the dec^d in his lifetime to wit the value of the same at
the time of such advancement being made any to law
that is to say, those of the distributees to be entitled, to their
divisions of the lands, generally who having been advanced
therein, shall bring the same into hotch pot and those
entitled to personality, who have been advanced therein,
to be entitled, to their division of such personality. upon, sur-
rendering, such as have been already advanced into hotch pot
or the value when advanced and the court order that Benjⁿ
Blunt, Thos Edmunds, Samuel Edmunds, James
Millar, Samuel Blunt Wm Blunt & Robert Malby or any
four

four of them be empowered & authorized to ~~decide~~ settle & adjust
 decide and assign ^{the} property as aforesaid stated and it is further
 ordered and decreed by the court by and with consent of all parties
 the advanced parties may amount for the property at its value
 when advanced and that that shall be considered as a valid
 compliance with the law of Hotch pot- and the com-
 missioners aforesaid make a report to this court in order to a
 final decree

James Kello Esq
 J

The Clerk of Southampton County

Blunt &c } Inty
 vs }
 Blunts ad^{rs} } Decd

November 1862

November 1862

Blunt &c {
 vs {
 Blunts ad^{rs}

P. H. H.

from all other debts
 be

L. P.

Record

Blunt's L }
agf } Bill
Blunt's ad. 7. } annuities

Nov 1802 Inty Decree

April 1803 Repl
re P & Decree final

Plaintiffs

vs
Plaintiffs Answer & Decree.

This day this cause coming on to be heard, when
the bill of the complainants, and answer of the
defendants being read & heard by ~~consent of the~~
consent of the court, and assent of the parties,
the court on mature deliberation thereon
do hereby and order, that the lands & personalties
that belong^d to the estate of John Hunt decd,
as specify^d in the bill and answer, be equally
divided, and apportioned among the distributees
of the said intestate, to wit Benjamin Hunt
Henry Hunt. Peck & Hunt and to David Day
& Lucilla his wife ^{in fee simple only} to those however of the
said distributees - who shall surrender in
lotch-potch, the property to which they
have been advanced by the decd John Hunt
in his lifetime & the value of the same at
the time of such advancements being made
according to law - that is to say, those of the distributees
to be entitd, to their division of the lands generally
who having been advanced therewith shall
bring the same into lotch-potch - and those
entitd, to Personalty, who have been advanced
therewith - to be entitd, to their division of
such personalty - upon surrendering such ^{whereas}
have been ^{already} advanced into lotch-potch ^{in the value of the same} -
that Ben^a Hunt Senr. - Thomas Edmunds - Samuel Edmunds - James
Miller - Samuel Hunt - William Hunt & Robert Mabry or any four
of them the appointed commissioners who are empowered & authorized
to audit, settle & adjust the said debts & claims of the said
estate

I am the content that this decree may be
 entered, I have directed our Att. to have this
 same done accordingly -

And it is further Ordered and decreed by ^{the Court} and with the consent of all parties, that the parties advanced Comins into Hotch Pot. may retain the property so advanced and account for the value thereof at the time advanced and that the advanced parties may sue for the property at its value when advanced, and that that shall be considered as a valid compliance with the law of Hotch Pot. —

L. Gul

[illegible]

Under an order and decree of Southampton County court bearing date 16 November 1802; We the subscribers have divided and allotted the lands and Slaves whereof John Blunt died seized and possessed, amongst the several heirs of the said deceased; and also the estate which has been brought into Hotchkiss by the said Heirs; the Administrators of the deceased having kept in their hands such of the estate as was more immediately personal) Viz^{to}

To Benjamin Blunt, the lands which his father had put into his possession previous to his death to the amount of Seven hundred and thirty four acres, which is bounded by the known, ancient and standing lines of the tract of land whereon the said Benjamin now lives; reference to the several deeds of sale, and Conveyance of the said lands to the said deceased, and to the said Benjamin being had, will make the same fully appear; together with Thirteen slaves; namely, Edith, Jacob, Esther, Sylvia, Molly, Anthony, Jacob, Sampson, Israel, Violet, Dinah, Jan, and Rachel; and whereas the lands of the said deceased, could not be well laid off into equal lots or Divisions, we have further allotted to the said Benjamin the sum of Eight hundred and twenty pounds, ten shillings and eight pence half penny, to be paid to him by Davis Day and wife, and Richard [unclear] Doctor heirs, agreeably to an account which we make a part of our Report.

We have further caused the lands whereof the said John died more immediately in possession of, to be laid off by the Deputy Surveyor of the County, into three divisions, or lots which are numbered one, two, three, and have made the following allotment of the same Viz^{to}

To Henry Blunt, lot number one, containing seven hundred acres; which is bounded as followeth Viz^{to}. Beginning at a poplar tree in the fork of Brown's meadow, or branch, a corner in the line of the land belonging to the Es^t of John Jones deceased, thence along a line of marked trees lately chopped, North Forty six degrees west, to a Gum tree in a newly made line of lot number Two; thence along that line, South thirty degrees west to a Holly tree on Powell's branch; thence down the meanders of [unclear] branch to Henry Smith's line, thence along Smith's line to a Gum tree in the line of the lands which belong to the estate of John Jones deceased; thence the various courses of the lines of that land to the Beginning; together with Twelve Slaves Namely, [unclear], Austin

Taylor, Nancy, Jane, Frank, (commonly called great Frank,) David, Robert, Peter, Pink, Anna and Scipio; and whereas this lot of land and other property amount make Henry's full proportion of the deceased's Estate, we do further allot to the said Henry, the Sum of Sixty pounds Eighteen shillings, and five pence halfpenny, to be paid to him by Davis Day and wife, and Richard Blunt, the Debtor heirs, as will be hereafter shown by an account, which is made a part of this Report.

To Richard Blunt, lot number two containing Eight hundred and twenty two acres, which is bounded as followeth viz: Beginning at a Holly on Poul's Branch a corner tree of lot number one; thence North thirty degrees east along a line of marked trees lately chopped to a pine tree on Brown's branch in James Harris's line; thence along Harris's line to a White Oak tree in William Blunt's line; thence along the various courses of William Blunt's line to Maharris river; thence down the side of the River to Henry Smith's line; thence along the different courses of Smith's line to the line of lot number one in Poul's branch; thence up the said branch along the line of lot number one to the beginning; together with Eleven slaves namely; Moggie, Albed, Amy, Cherry, Miam Taylor, Frank (commonly called little Frank) Sam, Jay, Belinda, Charlotte and Lamon; and whereas this lot is more than of average value, the said Richard is to pay unto Benjamin Blunt and Henry Blunt the Creditor heirs, the sum of Eight hundred and thirty pounds eighteen shillings and ten pence halfpenny, as will be shown by an account which is made a part of this Report.

To Davis Day and Priscilla his Wife lot number three, containing One thousand one hundred and fifty seven acres, which is bounded as followeth viz: Beginning at a poplar in Brown's meadow or branch, a corner tree of the lands which belong to the estate of John Jones deceased, and also a corner in the line of lot number one, thence along the newly made line of lot number one north sixty six degrees west to a Gum, another corner tree, in the newly made line of lot number one, which is in the line of lot number two, thence north thirty degrees west along the line of lot number two to a pine tree in Brown's branch in James Harris's line; thence along James Harris's line, to a pine tree in the line of the lands which belong to the estate of Hardy Harris deceased; thence along the different courses, of the line of the lands of the said deceased to a poplar tree in the Flat swamp; thence down the various

courses of the said Swamp, to the line of the lands which did belong to Simon Harris deceased; thence along the different courses of the line of the lands of said deceased to a corner in Arthur Turner's line, thence the various courses of the said Turner's line to a corner in the line of the lands belonging to the estate of John Jones deceased; thence along the line of that land to the Beginning; together with Thirteen slaves namely; Deck, Billy, Tom, Pley, Manra, Joe, Jerry, Isaham, Labry, Judy, Daphne, Pleasant and Kate; and whereas this lot is of more than average value, the said Day and wife are to pay unto Benjamin Blunt and Henry Blunt the Creditor heirs, the sum of Forty two pounds ten shillings and three pence halfpenny to be received by them, as will be shown by an account which is made a part of this Report.

In Order to explain and make this report fully understood, we beg leave to refer the court to the following statement or account viz:

Total amount of the valuation of the said deceased's estate as far as was presented to the commissioners viz:

3413 acres of land, including the lands which were in the possession of Benjamin Blunt at the death of his father	£4759. 16.
49 Slaves	2359.
Hotchpot exclusive of Benjamin Blunt's land	2959. 9. 10
Total	£10078. 5. 10

Divide the total by 4, the number of heirs, leaves each heir's proportion.

Allotted to Benjamin Blunt,	
734 acres of land.	£602. 10. 9
Slaves and other property brought into hotchpot exclusive of land as per list.	514. 10. 9
13 Slaves valued by the commissioners to	590
Balance due to Benjamin Blunt	812. 10. 8 1/2
Total	£2519. 11. 5 1/2
Allotted to Henry Blunt	
700 acres of land.	£1473.
12 Slaves valued by the commissioners to	586.

Henry Blunt's acc ^t continued. But ⁿ on	\$ 2059.. - - -	
Slaves and other property brought into Hotchpot as p ^r List - - - - -	399.. 13.. 0	
Balance due to Henry Blunt - - - - -	60.. 18.. 5 $\frac{1}{2}$	\$ 2519.. 11.. 5 $\frac{1}{2}$
Allotted to Richard Blunt		
822 Acres land - - - - -	\$ 1400.. 8.. -	
11 Slaves valued by the commissioners to - - -	589.. - - -	
Slaves and other property brought into Hotchpot as p ^r List - - - - -	1361.. 2.. 4	
	3350.. 10.. 4	
Due from Richard to Benjamin and Henry Blunt - - - - -	830.. 18.. 10 $\frac{1}{2}$	\$ 2519.. 11.. 5 $\frac{1}{2}$
Allotted to Davis Day & Priscilla his wife		
1157 Acres of land - - - - -	1283.. 18.. -	
13 Slaves valued by the commissioners to - - -	594.. - - -	
Slaves and other property brought into Hotchpot as p ^r List - - - - -	684.. 3.. 9	
Due from Davis Day & Wife to Benjamin & Henry Blunt - - - - -	2562.. 1.. 9	
	42.. 10.. 3 $\frac{1}{2}$	\$ 2519.. 11.. 5 $\frac{1}{2}$

We do herewith annex the lists of Hotchpot which were delivered to us by the several heirs, which are made a part of this report. We do inform the Court, that from the very great disproportion in those lists, the same could not be well divided so as to please the heirs, but by leaving some balances to be paid and received in money.

We do further report, that Benjamin Blunt & Henry Blunt the Creditor heirs, are the Administrators to the estate of the decedent, and that they had a sufficiency of assets in their hands, to secure the payment of the different sums due to them, by the Debtor heirs, which we doubt not they have taken care to do; they having been long since informed of the respective sums due to them; all which we do hereby report. Given from under our hands this nineteenth day of March, One thousand eight hundred and Three

James Miller
Wm. Blunt

Ben Blunt
Sam. Blunt
Sam. Edmunds

various items over	£ 1393..2..3
1 bed and furniture	6..0..0
50 ^{lb} Bacon @ 6 ^d	1..5..0
8 bushels wheat @ 5 ^d	2..0..0
140 ^{lb} Cotton @ 3 ^d	1..15..0
1 butter pot	2..6
1 Pair old Cart wheels	18..
Cash	1..7..
	<u>£ 1406..9..11</u>

Debit for cash advanced for
 Cap^t John Blount in his lifetime

To p^r Do^r Parnell his age £ 440-6
 To articles furnished for
 the Swamp Plantation 5..1
 To 79^{lb} Bar Iron @ 6^d 1..19..6
 To 26^{lb} Brown sugar @ 13^d 1..2..6
 To 16 barrels Corn @ 12^d 6..0..0
 To 200^{lb} Pork 41..0..0
 To 1 Cow 1..10..

854
 1022
 1976

To Cash for raising a Colt.
 Newch Harny
 Edmund Turner

55..17..7
 £ 1350..12..4
 10..10
 £ 1360..2..4

Richard Blount

Acknowledged after Correction

List of Negroes and other property rec^d. by Richard Blunt of
Capt. John Blunt

Plachant	13	60:0:0
Sea	22	85:0:0
Articles furnished at Haskys Store		4:16:3
1 Barrel Brandy		9:9:0
1 cello 1801		9:9:0
15 barrells corn 1800		7:10:0
21 cello 1801		12:12:0
Pork 1800		4:4:0
cello Jan'y. 1801	2000	33:0:0
2 Heers	75 each	15:0:0
4 gallons brandy		1:4:0
1 B ^c Corn		12:0
Cash of Capt. Wm Blunt		180:0:0
1 Wagon		22:10:0
Cash in July 1802		150:19:2
Cash Counted By B. Blunt		204:6:0
Cash Advanced for Merchants		3420
Cash for Nancy Price		50:0:0
One Watch		6:18:0
Rec ^d Rich ^d Zills		2:14:0
Cash for ~~Dr. Blunt's Certificate~~		1:4:0
deduct 18/ for leather		
Cash advance ^d for the purchase of Horse		18:0:0
Cash		9:0:0
1801 near Cash for purchase of Horse		12:0:0
one Calf		15:0
		1393 2 5

417
R. Blunt

David's Days
List

Davis Day's list of property rec'd. of Cap. John Plant Es.

Negroes	age	
Lucy	18	75-0-0
Moses	13	55-
Patience	12	45-
Cash		68-
Cash for pork in 1796		249-13-9
Dark bay horse		22-10
4 Cows & 3 young Cattle		14-0
Chest of Drawers		9-
6 bushels of wheat		1-10
2 Hens		3-
1 p. Shute & Counterpane		2-
1 Riding Chair		4-
20 Hogs in Jan'y. 1791 - 10000 d. 13/		90-
22 B. in Dec. 91. a 22/3		~~31-14~~
Balance of bond for 1797		45-2
		715-9-9
200. value of B.		2-10

\$ 717-19-9
31-14
686-5-9

Deduct for articles furnished
Cap. Plant in his life time

10 1/2 yards linen a. 4/ = 62-2-2
Furnish for Miss Plant 12-6-14-8

List \$ 703-11-7
\$ 684-3-9

Edmund Turner

Kevin Harris

Davis Day

Acknowledged After Correction

Lists delivered the
Commissioners by the
Legatus. —

E. Blunt's list

Benjamin Plim's List of property rec'd. of his Father Esq.

Negroes age

Sam 50 \$ 50. 0. 0

Jemmy 16 50. --

Kent 13 55. --

Betty & Isaac 30 & 3 60. --

Mannah 10 37. 10

Stephen 85. --

Liner 8 27. 10

Pine Chest 12. --

2 Chairs 4

1 Hand saw & 2 Augers 6

1 Ho Jug 1 Powder dish 4. 6

1 Small dish 3. --

1 Box iron Sheator 1. 6

Other property as per List 150. 16. 9

Land 602. 10. --

\$ 1119. 17. 9

Test

Wm H Harris

Edmund Turner

\$ 1119. 17. 9

Benjamin Plim's

Acknowledged after correction

Handy

O Lst

Henry Hunt's list of Property acc^d. of his Father &c.

Negroes		age	
Caesar	26	—	£ 85
Sarah	30	—	60
Nelson	14	—	60
Other property as per Bill			188. 13
1 Saddle & Bridle		—	60
Total			<u>£ 399. 13</u>

Edmund Turner
Newick Harris

Henry Hunt