

1824-015 SOUTHAMPTON COUNTY
CHANCERY PAPERS

BARRETT VS. BRYANT

5/1824

Banett
3 3/4 Bill.
Bryant

April 1824 Denver
Miss. aft. Sept. 6 May 25

To the worshipping the County Court of Southampton
sitting in Chy. Humbly complaining sheweth to your
worships your orator Elias Barnst, that some time
since a certain Charles Bryant who is prayed
defendant hereto, was convicted of Felony & sentenced
to confinement in the Penitentiary of this Common-
wealth, for a period which has since terminated.
That previously to such conviction (that is in anticipa-
tion of it) the s^d. Bryant executed to your orator
a general Power of Attorney, investing him
with authority to transact all his pecuniary
business & attend generally to the management
of his property during his confinement, & moreover
promised to your orator to make him liberal
compensation for his personal trouble. That your
orator did accordingly at great trouble, inconve-
nience & expense assume the duties of an agent
deputed to him by the s^d. letter of Attorney until the
return of the s^d. Bryant - paying off claims due
from him & paying claims due to him & in the
course of which transactions he not only retained
nothing for his own compensation but was
actually considerably in advance for the estate.
That now so it is the s^d. Bryant on his return has
taken possession of all the papers connected with
the afores^d. agency & not only most unjustly &
ingrately refuses to make your orator any
compensation whatever for his personal services
or to reimburse him his actual expenditures but
actually makes any settlement with him & delivers
now so much as to permit your orator to take
a list of the Bonds which now in his possession
as agent & of which the s^d. Bryant has possessed
himself as afores^d. or to have access to any

To the worshipping the County Court of Southampton
sitting in Chy. Humbly complaining sheweth to your
worships your orator Elias Brewster, that some time
since a certain Charles Bryant who is prayed
defendant hereto, was convicted of Felony & sentenced
to confinement in the Penitentiary of this Common-
wealth, for a period which has since terminated.
That previously to such conviction (but in anticipa-
-tion of it) the s^d. Bryant executed to your orator
-a certain general Power of Attorney, investing him
with authority to transact all his pecuniary
business & affairs generally to the management
of his property during his confinement, & moreover
promised to your orator to make him liberal
compensation for his personal trouble. That your
orator did accordingly at great trouble, inconvenience
-and expense assume the duties of an agent
-deed to him by the s^d. letter of Attorney until the
return of the s^d. Bryant - paying off claims due
from him & paying claims due to him & in
the course of which transactions he not only retained
-and nothing for his own compensation but was
actually considerably in advance for the estate.
That now so it is the s^d. Bryant on his return by
taken possession of all the papers connected with
the afores^d. agency, & not only most unjustly &
ingrately refuses to make your orator any
compensation whatever for his personal services
or to reimburse him his actual expenditures but
actually wades any settlement with him & delivers
even so much as to permit your orator to take
a list of the Bonds which now in his possession
as agent & of which the s^d. Bryant has possessed
himself as afores^d. or to have access to any

of the papers which would disclose the state of the
accounts between them, He further considers
-tion of all which & as your complaint is without
remedy in the premises at law, To the end therefore
that the S^d def^t may be compelled to answer the same
fully & explicitly on oath - that he make a full
discovery & exhibition of all the Bonds, Vouchers
& other documents in his possession connected
with the afores^d agency - that your wrongs be done
an account to be taken before your Commissioner
-ing of the transactions of your company as before
when such documents shall be exhibited & finally
decide the payment to him of such balance
including a reasonable compensation for services
as ~~they~~ appear justly due & moreover grant
him general relief in the premises. May
it please &c, Resolved &c.

Bryant ^{No 241}

adv

Barrett

Answer.

To be dismissed

To the worshipful Court of Southampton in Chancery sitting
The answer of Charles Bryant to the bill of Complaint
exhibited against him by Giles Barretto.

This respondent now and at all times saving
and reserving to himself all benefit of exception
to the manifold errors and misstatements in
the said bill contained for answer to so much
thereof as he is advised is necessary for him
to answer with. That true it is, the complain-
-ant was, as is stated, appointed the attorney
of this respondent, but all matters relative
thereto have been settled between the parties
and a balance found to be due to this
respondent of upwards of eighty dollars
as will more fully appear referred being
had to an account herewith filed, marked
A. Your respondent never was unwilling
to settle this matter in an amicable manner
without suit, but as the plaintiff hath thought
proper to harass and vex him he trusts
that the balance which has been found
to be due may be decreed to him. Your
respondent having answered all the
material allegations in the bill, and
alleging that the plaintiff hath had
full credit for his services in a suit at
law which he heretofore instituted against
your respondent, prays to be hence dismissed
with his costs in this behalf wrongfully
sustained and he will ever pray &c.

Charles Bryant
Mark

Southampton County Court.

This day Charles Bryant personally appeared
before me a justice of the peace for the said
County and made oath to the truth of
the foregoing answer. Given under my
hand this 7th day of June 1824.

J. S. Daughtry J.P.


Barr et al
Deer
Bryant
Ains

To June Court 1824

Came to hand May 22nd

Executed 31st May 1824

At rules holden in the clerks office of the Chancery County Court of
Bathampton on the first Monday in April 1874

Files Barrett	Complainant	} In chy
ag ^t		
Charles Bryant	Def ^t	

The Complainants bill in this cause having been filed more
than three months, and the Subpoena returned executed upon the
defendant who has yet failed to file his answer thereto. It is therefore
decreed and ordered that the said defendant do appear here and
file his answer to the said Complainants bill on or before the
third Monday in June next, otherwise the same will be taken
as confessed as to time and the matter thereof decreed accordingly.

Teste A. M. Middleton D.C.

Barrett }
17 } Spa in Lely.
Bryant }

To June county court 1823-

Granted

Edw. S. Butler Atty for
Thos. Risley Shipp

The Commonwealth of Virginia to the Sheriff of Southampton
County: Greeting: you are hereby commanded to Summon
Charles Bryant.

to appear before the Justices of our County Court of Southampton
at the Court ^{house} on the Third Monday in June next to answer
a bill in chancery exhibited against him by Giles Barrett

And that they shall answer or omit under the penalty of
\$100 — And have shewn there this mit witness James Rochelle
Clerk of our said Court at his office the 24th day of April 1823
In the 47th Year of the Commonwealth James Rochelle Cl.

Chittenden

Chittenden

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Chittenden

A

Am't brought Over in favour of C. Bryant 480 3/4

~~To Balance due Charles Bryant~~

Am't of claim in favour of Charles Bryant 470 3/4

Dr Charles Bryant in acct with			
1822 May 20	To note credited to John Brynion	\$7.50	
	Due from 22 May 1821	40	40
	To amt of Mr. Brodman recd	\$100.00	
	Due from 15 Oct 1821	9.54	109 54
	To amt of Walter Channell recd	1.75	
	Due from 15 March 1822	11 1/2	1 47 1/2
	To amt of Mr. H. Brodman recd	\$10.00	
	Due from 17 Dec 1821	35	11 95
	To amt of Nicholas Bryant recd	\$13.45	
	Due from 17 Feb 1822	1.03	14 77
	To amt of L. Bailey Bryant recd	54	54
	To amt paid Robert Goodwin for recd	\$65	65
	To amt paid Britton Bryant for recd	1.25 1/2	1 53
	Due from 15 March 1822	2 1/2	
	To amt paid John Vick for recd	\$3.03	
	Due from 25 March 1822	21	3 24
	To amt paid Alexander Minich for recd	\$15.53	
	Due from 14 March 1821	1.41	16 84
	To amt paid Robert Goodwin for recd	\$2.37	
	Due from 1 Nov 1821	21	2 48
	To amt paid Nicholas Bryant for recd	\$6.37 1/2	
	Due from 18 Feb 1822	48	6 44 1/2
	To amt paid Alexander Minich for recd	\$0.94	
	Due from 15 March 1822	1	1 00
	To amt paid Joseph & Bea	87 1/2	57 1/2
	To amt paid Mr. Maginburg for recd	\$3.50	
	Due from 15 March 1822	21	3 21
16	To amt paid Mr. H. Nicholson for recd	\$11.03 1/2	
	Due from 15 August 1821	1.16 1/2	12 20
	To amt paid Guthall & Capelant for recd	\$1.63 1/2	
	Due from 4 Nov 1821	13 1/2	1 44
	To amt paid Mr. H. Nicholson for recd	\$13.92	
	Due from 17 August 1822	82 1/2	14 54 1/2
	To amt paid John de Joffe	\$1.00	
	Due from 19 March 1821	41	9 41
	To amt paid James Maltman for recd	\$3.00	
	Due from 20 Oct 1821	24 1/2	3 25 1/2
	To amt paid Mr. B. Brodman for recd	\$31.00	
	Due from 17 August 1822	44 1/2	44 64
	To amt paid Mr. Deal as per note	\$10.72	
	Due from March 1822	75	11 57
	To amt of note to Britton Bryant	\$7.77 1/2	
	Due from 27 Feb 1819	63	9 42
		329	9 5 1/2

Giles Barrett			
	By Belia Bryant Note	\$10.00	
	Due from 1 Jan 1821	1.44 1/2	11 44 1/2
	By note to Oliver Woodard	\$2.44	
	Due from 7 March 1821	32	2 81
	By Sally Bryant Note	\$3.75	
	Due from 7 Oct 1821	36	4 11
	By Temperance Woodard Note	\$6.71	
	Due from 31 August 1819	1.92	7 63
	By Burrell Bryant Note	\$2.37	
	Due from 25 Oct 1816	90	3 27
	By Belia Bryant Note	\$10.00	
	Due from 25 Oct 1819 to 20 Aug 1821	65	
	Then recd	2.00	
	Due on the balance of 20 Aug 1823	1.11	9 74
	By Matthew Hony Note	\$3.81	
	Due from 23 Jan 1820	7 1/2	1 56
	By Nancy Bryant Note	\$3.94	
	Due from 1 Jan 1820	17	1 24
	By John Beal Note	\$2.50	
	Due from 7 Jan 1820	50	3 00
	By Nicholas Bryant Note	\$23.42	
	Due from 5 Feb 1819	1.02	29 44
	By Anthony Woodard Note	\$125.00	
	Due from 1 Jan 1820	10.45	135 45
	By Anthony Woodard & Drew Bryant	\$125.00	
	Due from 1 Jan 1821 to 2 March 1821	1.25	
	Then recd	726 25	
		11.70	
	Due on the balance to 20 Mar 1823	13.76	128 31
	By Capt. Reid on Bict. B. Bryant	\$35.00	
	Due from 27 May 1822	2.11	37 10
	By Mary & Elizabeth Bryant	\$24.63 1/2	
	Due from 14 Feb 1822	1.22	17 54 1/2
	By Belia & John Beal	\$2.00	20 00
	By Nicholas Bryant note	\$13.37 1/2	14 37 1/2
	Due from 18 Feb 1822	27.41	
	By Cash for Bacon	2.74	30 35
	Due from 18 August 1821	30.62	
	By Cash for Bacon	2.42	33 44
	Due from 18 Jan 1821		470 35 1/2

Amount brought over	329	90	1/2
To amt paid Sam Bryant \$0.41			43
Sub from 5 August 1822			
To amt paid Henry Gurley 35.00			
Sub from 25 May 1822	2	10	37 10
To amt. of Giles Barnett acct 2.04 1/2			
Sub from 25 May 1822	2	6	44 1/2
To amt. of my Private acct 14.53			
Sub from 25 Sept 1822	9	66	20 19
To amt. of the claims of Asst. to Mr. Pease			390 07
To amt. paid Bennet Barney \$2.55			5 00
Sub from 14 Jan 1823			395 97
To amt. paid George Poole \$1.00			
Sub from 15 Feb 1821	1	97	2.60
			397 96

To balance due Charles Bryant	\$1	62	
	\$	398	58