

1833-136 SOUTHAMPTON COUNTY
CHANCERY PAPERS

SMITH and Wife VS. BLOW, trustee

11/1833

other surnames: Clements

Smith & Lusk

W. B. Lusk

Master

Bill Lusk

L. A. Lusk

1831 Nov. decr. as filed &

1832 Dec. acct. recommended

&

1833 Nov. final decr. as filed

To the unwearied bount of solicitude
sitting in chance humbly complaining & thanks
to your worship your orator Charles Smith
& Polly Smith & his wife late Clements
Your orator & orator by leave to
represent to your worship that by a deed
heirs annuence & prayer to be received
as a part of this bill that Richard
Plements the grantor therein conveyed
three slaves Stephen Ainslie & his wife Peggy
to the use of the Compliments between
his death to be annuence between
children & after the death of the said
Richard Pléments he directs that the
slaves are to work in a master so as
to apply by said master the profits
of the said slaves to the use of the
said Polly your Compliment that
her husband there to sometime since
your worship on the application of
your Compliments appointee also
Geo Bloor trustee as by the terms of the
deed was shown that the said Bloor
has performed the duties of the trust but
in disservice to continue to do so any
longer & desires that another trustee
be appointed your Compliments there
fore may your worship to appoint
Mr Henry Bellamy to receive

the said Blow as trustee & also keeps
what is met & more in the purses on
the Statute by answer of the said
Blow of his motion to continue
the duties as here to be - that he
renders an account of his transactions,
& pays the monies or surpluses remaining
in his hands to the said Henry Pittaway
that your worship make such order
as & decree in the purses as to
your worship may seem proper & in
duty they will con. do. H. Blount

The answer of Geo. Blow to the bill
filed in & submitted to by Charles
Polly Smith late defendant against
him. Answered to of the said Polly.

This Polly for answer to say
he says he is unwilling to continue
longer trustee of the said Polly & also
that he is taking to under accept
says your worship to order that he
commence of this Court & also
reports the same to this Court & that
your worship thereupon decree the
payment of the surplus & delivery of the
same to the trustee by this Court & also
his acceptance & he as in duty
ever do. H. Blount

Smith & wife vs Blow Trustee of
Smith In Chancery

This day this cause came on
to be heard on the bill and
exhibits on consignment when the
Court doth decree & order that Henry
Pittaway on giving bond & security for
the sum of Two Thousand he
substitute as trustee of the said
Polly Smith & her children in
place of the said Blow & it is
ordered that the said Blow
submit his account as trustee to the
Court & also to be audited
by the Court & that
he also turn over the trust
debt & carry & her children to the
said Pittaway to be by him in
trust for the benefit of the said
Polly Smith & children

Court's Office Jerusalem Nov 18th 1832

The Trustee named within this delivered
his account and vouchers to the Court
from which he herewith make
a report—

Encl 66 m6

Smith & Co

to J. E. deane

Alon

Southampton November Court 1831.

Charles Smith & Polly his wife late Elements

Defts

against

George Blow

Defts

James R. Nicholls

This day the cause came on to be heard on the bill, answer and exhibits and arguments of Counsel. On consideration whereof the Court doth decree and order that Henry Pettway on giving bond of security in the sum of two thousand dollars be substituted as trustee of the said Polly Smith and her children in place of the said Blow. and it is ordered that the said Blow submit his account as Trustee to Master Commissioner Cobb to be audited; Stated and reported to the Court and that he also turn over the Trustee Slaves Stephen & Aray and her children to the said Pettway to be held in trust for the benefit of the said Polly Smith and children -

Like fees \$3.64.cts
Law "

Attest

James R. Nicholls

Smith wife

to { Geo: Deane

Blow

Comm. 1860

Southampton December Court 1832.
Charles Smith and Polly his wife late Clements.
against
George Blou

Plffs.
In Chancery.
Def't.

The Commissioner appointed to settle the account of the defendant by an order of the day of November 1831 this day made his report. whereupon for reasons appearing Ordered that the said report be re committed to the Commissioner who is directed to allow the defendant credit for the amount of a bond of Charles Smith marked C. in his said report and an item of \$3.75 cents marked A. paid Edwin Pettway and make a further report to the Court.

Attest
James Rochelle Clk

George Blow Trustee
for Charles Smith's
Wife & Children
Comr^d Report

Dec-17th 1832 Rec^d

Charles Smiths, Wife and Children
In account with George. Blow Trustee

			Dr	Cr
1829	Jan	By nett amount of hires from July 1 st last	"	5 00
		To Commissions on ditto	25	
		" paid Edwin Pettway his acct	3 75	4 00
	"	By balance due wife & children		1 00
1830	Jan	By nett amount of hires this Year (1829)	"	47 45
		To Commissions on ditto	2 38	48 75
	A.	" paid Edwin Pettway cryer & \$3.75	75	3 13
	"	"		45 62
	"	To paid Charles Smith for newspapers for family	"	43 23
	"	By balance in the hands of the Trustee	"	2 39
1831	Jan	By nett hires this year say 1831	"	35 00
		To Commissions on ditto	1 75	37 39
	"	" paid midwife fee	2 00	
	B.	" Edwin Pettway cryer & 3.75	75	
	C.	" Mann & Dwyer bond & Int. \$21.65		45 0
	"	By balance in the hands of the Trustee		32 89
		Int on \$1.00 one year.	"	06
		" do on 2.39 do. to this date	"	15
1832	Jan	By hires last year. nett	"	18 25
		To Coms. on ditto	91	51 35
	D.	" paid postage 2 letters from Charles Smith \$1.60		
	E.	" Edwin Pettway Cry & 3.75	75	
	"	" Clarks ticket	52	
	"	" A. Claiborne Atty fee	10 00	
	"	" retained Comms. fee	1 00	14 18
	"	By balance in the hands of Trustee with Interest thereon till paid also \$1.97 of Interest		37 17

Notes. A. B. C. are for support of the Negroes in the Christmas Holidays, it being unusual & unprecedented for so far as my information extends, it is therefore not extended

D. For the postage of two letters from Charles Smith an improper Charge.
E. a bond due from Charles Smith which the Comm. considers an improper charge
Comms. fee \$1.00 charged to the Trustee

Respectfully Submitted
J. C. Cotton

Geo. Blow Trustee
for Charles Smith's wife
& children

Reformed Report

August 20th 1833 Returned.

Decr Court 1832. ordered that m^r Comr. Cobb resettle George Blows account this day reported to the Court as Trustee of Charles Smiths wife and children, and allow the Trustee the Items marked A. B. C. paid Edwin Pettway, and the Items D. paid m^r Mann & Murphy.

Charles Smiths wife and children
In account with George Blows Trustee

			Dr	By
1829	Jan'y	By nett amt hires from July 1 st last	" "	5 00
		To Com ^r . on ditto	25	
		" paid E. Pettway acct	3 75	4 50
1830	Jan'y	By balance the wife & children		1 00
		By nett amt hires decr this day	" "	47 75
				48 75
		To Com ^r . on ditto	2 38	
		" paid E. Pettway acct	3 75	6 13
		By		42 62
		To paid Charles Smith for necessities	" "	43 23
1831	"	" balance due the Trustee	" 61	
Jan'y		By nett amt hires this year	" "	35 00
		To Com ^r . on ditto	1 75	
		" paid midwife fee	1 00	
		" " E Pettway acct	3 75	
		" " Mann Murphy bond against Charles Smith	21 65	28 76
1832	"	By balance in the hands of the Trustee		6 24
Jan'y		By nett amt hires decr this year	" "	18 25
		To Com ^r . on ditto	" 91	24 49
		" paid postage of 2 letters	50	
		" " E Pettway acct	3 75	
		" " Clerks ticket	1 52	
		" " A. Claibourne atty fee	10 00	
		" " Com ^r . Cobb fee	1 00	17 68
"	"	By balance due in the hands of the Trustee		6 81
		Put on \$6.24 on yr. to this day	" "	37
"	"	By balance in the hands of the Trustee with Interest thereon from this 1 st January 1832 till paid		7 18
Com ^r fee .50 ^{ts} charged to the Trustee			Respectfully Submitted	
			J. M. Cobb m ^r	

Charles Smith

Bond to

Mann & Dunfee

du 18 July 1829

for \$19.88

No 5

Wm

Wm
Dunfee
1829

On Demand I promise to pay to Messrs
& Son, or order, the just & full sum of
Nineteen Dollars, & Eighty eight Cents for Value
received. Given under my hand and
seal this 18 day of July 1829.

\$19.88/100
Wm. Smith

Chas. Smith Esq.

This Bond was executed by Smith to Maun &
Duffy for Provisions ^{& Damages} whilst he was at work
in Williamsburg where the Trustee had got him
a good job & stood his friend in order to enable
him to support his family and save in fact
as much as possible of these Wages for his Children
as the whole Amount would have been necessary
for that purpose if the said Smith had not
got a Job of work but had remained at
home. on this acct the Trustee took in
this Bond supposing it would be for the
benefit of the Children

Signed

Geo Blon Trustee

The Trustee's statement of ~~the~~ Note to
proof is required, that the amount
was for necessities for the wife &
Children.

See Coffin

I now all men by these presents that we Henry Pettway, Daniel R Butts & John W Tiller are held & firmly bound unto Mary Griffin, Jacob Barnes, Joseph Island & Alexander P Pote Gentlemen Justices of the Peace for Southampton County now selling in the sum of two thousand dollars. to which payment well & truly to be made we bind ourselves our heirs Exec^{ors} & admin^{rs} ^{Jointly and severally} firmly by these presents Sealed with our Seals & dated this 21st November 1831.

The Condition of the above obligation is such that whereas the above bound Henry Pettway hath been appointed by the County Court of Southampton Trustee in the room of George Bloss. to Mary Smith wife of Charles Smith, and children. If therefore the said Henry Pettway shall well and faithfully apply all funds which may come to his hands and duly & faithfully discharge the duties of his Office as trustee aforesaid then the above obligation to be void or else to remain in full force & virtue -
Signed Sealed & acknowledged
in open Court.

Henry Pettway (Seal)
John W Tiller (Seal)
Daniel R Butts (Seal)