1800-011
Isle of Wight County

Chancery Causes: Davis Day, admr of Julianna Day vs Thomas Peirce, the Younger, admr of Thomas Peirce, the Elder v. William Davis, extor of John Day dcd

other surnames: Hardy, Peirce, Goodson, Wills, Godfrey, Ellis, Pully

Days Admn.

vs. Chy.

Purins Admx

March '97
Postp? till tomorrow

May '97
Postp? till tomorrow

Nov. '97.
Cont?

Augen '98.
Cont?

August '98
Cont?

Novr. '98.
Cont?

May '99.
Cont?. 1st. diem 2 day,
Postp?. 3d. day 8. Supp?
Commr. to settle Acct. &c
(Le Mesurier) —

March 1800
Postp? till tomorrow

May 1800
Visct? agreed

at Law touching any of the matters in question, but also the Commonwealth's writ of Subpoena directed to the said Thomas Pierce, the younger, as administrator &c. of Thomas Pierce, the elder, deceased, and in his own right also, and to the said William Davis surviving executor &c. of John Day, who was executor &c. of Thomas Day, commanding them at a certain day and under a certain penalty, personally to be and appear before this Court, and then and there to answer the premises and to stand to and abide by such order and decree as this Court shall think expedient and proper to make therein.

Isle of Wight County, to wit:
Davis Day, this 7th day of October a. D. 1793, made oath before me, a Justice of the peace for the said County, that the allegations and matters set-forth in the fore-going bill of complaint, so far as they are founded on his own knowledge, are true, and that so far as they are founded on the knowledge of others, or other evidence, he believes them to be true.

J. Goodrich

Merit all Reasons for the Complt

Day admor
v.
Pierces admor &c
and
Davis exor &c
} Bill

Octob. 1793
Bill filed Com. Injunct.
Sub. granted Bond filed
Novem. 1793
Rule for Answr
March 1794
Answr filed Plea & Reply
April 1794
Replication Issue
June 1794
Rule for Evidence at Impl Court
March 1795
Depos. ble tomorrow 1st day
2 days Cont. for Compl.
May 1796
Cont. for Compl.

payment thereof ; — but the Complt has since discovered, and can establish by evidence that the s? Pearce in that account and upon that settlement omitted to credit the personal estate of the s? Tho. Day for the sum of £35. 16. 4., — and also debited the same for £19. 4. 6 as having been paid by him in discharge of a debt due from the s? Tho. Day to Joseph Ellis, when in fact he had paid only £5. for that purpose — That altho' the Complt has as yet only discovered the afore-mentioned errors, yet a variety of circumstances, corroborated by the discoveries already made, create a belief, that in the afores? settlement the s? Pearce was allowed many other charges unjust and illegal, and also failed to give many other just and lawful credits — That since the s? settlement the said Pearce has died intestate, and the administration of his goods chattels rights and credits has been duly comitted by the Court of Isle of Wight County, to his son Thomas Pearce, who has instituted a suit upon the bond given to his intestate by the Complt as afore-mentioned, obtained a judgment, and sued out an execution thereupon, and by virtue thereof taken the property of the Complt to satisfy the same, — and has also as administrator &c. of his s? father recovered one other judgment against the said [illegible] for £

and has likewise obtained two other judgments in his own right against the Complt, one of them for £

and the other for £.

upon all of which judgments he has also sued out executions, and taken the Complts property in order to satisfy the same, — altho' the Complt has often communicated to him the facts and circumstances above set-forth and required him to come to a full and fair settlement with the Complt respecting the premises, and to set off against the said judgments so much as should thereupon appear to be due from his intestate to the Complt, and which the Complt has just reasons to suppose would nearly or perhaps entirely discharge those judgments — and as the said Tho. Pearce, the younger is the sole representative of the said Tho. Pearce, the elder, as his administrator, and next of kin likewise, the Complt conceives there can be no reasonable objection, or legal impropriety in making such a set-off as well against the judgments obtained by the s? Thomas Pearce, the younger, in his own right, as against those obtained by him as administrator &c. of his said father — But now to it is that the s? Tho. Pearce, the younger, in combination with the said William Davis, has hitherto refused and still refuses to comply with the afore-mentioned fair and equitable requisitions of the Complt — In consideration whereof, and for as much as the Complt is only and properly relievable in a Court of Chancery, — and to the end that the said Thomas Pearce, the younger, and the s? William Davis may upon their respective oaths true and perfect answer make to all and each of the allegations, facts, and circumstances above set-forth, as fully and particularly as if they were here again repeated and interrogated, by declaring whether the same be true or not true so far as their knowledge will permit them to declare, — but more especially that the said Tho. Pearce, the younger, may upon his oath discover what papers, writings, vouchers, and documents are in his possession relative to the personal estate of the s? Tho. Day and the administration of his s? intestate thereon, and be compelled to [illegible] them to this Court — and that the Complt, — by a re-settlement of the afore-mentioned administration of the said Tho. Pearce, the elder, and accounts relative thereto, may be redressed as to the errors above shewn to have been committed in the settlement had between him and the said Pearce, the elder, and also as to such further and other mistakes, errors, and frauds as the Complt may upon such re-settlement point out and establish ; — and that whatever balances shall thereupon appear to be due from the s? Tho. Pearce, the elder, to the Complt may be set-off against the said judgments so far as the same will extend, and if the same should exceed those judgments that the s? Tho. Pearce, the younger, may, by a decree of this Court, be compelled to pay the surplus thereof to the Complt — and that the s? Tho. Pearce, the younger his attorney or attorneys, and agents, and more especially the Sheriff of the s? County, to whom the s? executions have been directed and delivered, may by an order of this Court be enjoined from proceeding further at Law upon or in any manner touching the said judgments, or by virtue of the said executions and thereupon, until the matters and allegations stated in the premises shall be fully and fairly heard and decided upon in this Court, or until the further order thereof — And finally that the Complt may have such other and further relief in the premises as to this Court shall seem proper and agreeable to the rules of equity — May it please your Worships to grant unto the Complt not only a writ of injunction out of this Court directed to the said Tho. Pearce, the younger, his attorney or attorneys, and agents, and the Sheriff of the County of Isle of Wight to restrain all further proceedings

To the Justices of the County of Isle of Wight in Chancery sitting

Davis Day, administrator of the goods chattels rights and credits of Julianna Day, his late wife, dec.d humbly complaining, shews, — That Thomas Day died in the year of Christ 1772, leaving a last will and testament, which has been since duly proved in the Court of Isle of Wight County, and in which John Day and Richard Handy, of the s.d County, were appointed executors thereof, of whom the former took upon himself the execution of the s.d last will and testament, and the duties of the s.d appointment, but the latter renounced the same — That in the year of Christ 1776 the s.d John Day died, leaving a last will and testament, which has also been duly proved in the s.d Court, and in which Thomas Pierce, the elder, and William Davis, of the said County, were appointed executors thereof, and took upon themselves the execution of the same, and the duties of the s.d appointment — That the s.d Thomas Day died leaving only three children, James Bennett, Mary and the s.d Julianna, who upon the death of their father became exclusively entitled to the whole of his personal estate, subject however to the payment of his legal debts — That the s.d Mary died in the year of Christ 17, without issue & having been married — and that the s.d James Bennett died in the year of Christ 1785 without issue & having been married, and the s.d Julianna, after being became the wife of the Complt by lawful celebration of the rites of matrimony, died in the year of October 1788 — That the Complt by his intermarriage with the s.d Julianna, the death of the said Mary and James Bennett, and the last will and testament of the said Tho. Day, became intitled to the whole of the personal estate of the said Thomas Day after the payment of his legal debts, which the Complt believes has long since been done, except as to demand of John Lawrence for which the Complt considers himself responsible and will charge that the Complt, in consequence of his being intitled as afore-mentioned, and at the instance of the s.d Tho. Pierce, on the 7th day of July in the year of Christ 1787, and in the lifetime of his s.d wife, entered into a settlement with him relative to his administration of the personal estate of the said Thomas Day, which was left unadministered by John Day — That the said William Davis was not present at or engaged in the said settlement having given up to the s.d Pierce the entire administration of the s.d Tho. Day's personal estate — That upon the settlement aforesaid the Complt, by an unwary confidence in the s.d Pierce, was deluded into a belief of the fairness and propriety of the account by him at that time produced, and by which there appeared to be due to him from the personal estate of the s.d Tho. Day the sum of £17. 19. — 3/4 — and thereupon the Complt was prevailed on to give a bond to the said Pierce for the

This answer amended by inserting the words "nearly all of" in the 30th line of the second page between the words "gave" and "them" —

Isle of Wight county, to wit,

Thomas Peirce came before me & made oath to the truth of the bill as now amended — Given under my hand this 4th day of Decr 1796 —

Lewis Wills

Peirce
&c
Tazewell

when the bond for £19:19: a~~s~~ mentioned in the com
plainants bill was given by the said complainant
to the said Thomas Peirce dec^d together with
a receipt in the words following, to wit "I Davis
Day of the county of Isle of Wight have this day settled
with Thomas Peirce ale accompts respecting the estate
of Thomas Day dec^d so far as said Peirce had
the management as exor of John Day who was the
exor of the said Thomas Day and acknowledge a
balance due the said Peirce on account of the
said estate of seventeen pounds nineteen shillings.
which P. I have given my bond to him for to-
-gether with a balance due said Peirce on our pri-
vate accounts. as witness my hand this 7 day of July
1787." Signed "Davis Day" — But this respondent
begs leave to insist that this settlement, so far from
being obtained by unfair and iniquitous means, as is
suggested by the complainant, was made in the most
deliberate manner, several meetings having taken
place between the parties, for that particular pur
pose, before it was completed — And this respon
dent begs leave further to observe that the said
complainant some considerable time after the
death of the said Thomas Peirce, applied to this
defendant for the papers and vouchers relative
the Estate of Thomas Day dec^d which he at that
time declined delivering, — but afterwards being
again importuned by the complt, and on his declar
-ing that he meant not to object to the aforesaid
settlement this respondent gave them up, suppo
-sing they could be of no use to himself, if the com-
plainant should observe his promise, ~~in the~~
~~the [redacted]~~ —

This respondent begs leave to hope that this
court will view the situation in which he is
placed by his reliance on the promise of the
complainant — and as he is unacquainted with
the transactions of his father as exor to the sd
Thomas Day & has given up those papers which
were necessary to establish the claims of the
said settlement and which were calculated to
answer and explain such errors as the sd
Davis Day now complains of — he trusts that this
court will not compel him to go into a resett-
lement of the above account, as manifest
injustice must thereby be done him —

This defdt admits that he has taken admi-
nistration of his father's estate, and that he has
obtained the several judgments mentioned in
the Compts bill and issued scire facias thereon
as in which matters and things this defdt
is ready to aver and prove as this court shall
direct and prays to be hence dismissed with
his costs &c most wrongfully sustained &c

N^r T. Taylor. p. q.

Isle of Wight county sct. "This day came before me
John Fyk Wills a justice of the peace for the sd
county, Thomas Peirce and made oath that the above answer
so far as it relates to his knowledge was true, and as far as
it related to the knowledge of others he believed it to be true
Given under my hand this 5 day of [illegible] 1794.
John Fyk Wills

The answer of Thomas Pierce a defendt of Thomas
Pierce dec? to the bill of complaint exhibited against
him and one William Davis in the county Courte
of Isle of Wight by one Davis Day. This respon
dent, now and at all times hereafter, saving to him
self all manner of benefit and advantage of
exception to the manifold errors and imperfections
in the complainants bill of complaint contained,
for answer thereunto, or unto so much thereof as
this respondent is advised is material for him
to make answer unto, he saith - That he admits
it to be true that his father, Thomas Pierce dec?
and William Davis were named exors in the last
will of John Day dec?, who was the acting Exor
of Thomas Day dec?, and that they tooke upon them
selves the execution of the same - He also admits that
the complainant has since the death of the said
Thomas Day, intermarried with a daughter of the
said Thomas Day, by the name of Julian, who
has since departed this life, and it may be true
that in consequence of such intermarriage, and
of the deaths of the other children of the said Tho
mas Day as mentioned in the bill, the said com
plainant has become entitled to the whole of
the said Thomas Days Estate, after the payment of
his debts. This respondent further acknowledges
that, on the seventh day of July seventeen hundred
and eighty seven, a settlement tooke place be
tween this father as exor &c of John Day who was
exor &c of Thomas Day, and the P. complainant,

The Answer of Thomas Peirce Admor. &c. of Thomas Peirce Deceasd.
to the bill of Complaint exhibited against him and one William Davis
In the County Court of Isle of Wight by one Davis Day. This Respond-
ent now and at all times hereafter, saveing to himself all manner of
benefit & advantage of Exception to the manifold errors & imperfections
in the Complainants bill of Complaint contained, For Answer thereunto
or unto
so much thereof as this respondent is advised is material for him
to make Answer unto, he saith, That he admits it to be true
that his father, Thomas Peirce dec^d, & William Davis were named
Executors in the last Will of John Day dec^d, who was the acting
Executor of Thomas Day dec^d, & that they took upon themselves the
Execution of the same— He also admits that the Complainant
has since the death of the said Thomas Day, intermarried
with a daughter of the said Thomas Day, by the name of
Juliana, who has since departed this life, & it may be true that
in Consequence of such intermarriage, & of the deaths of the
other children of the said Thomas Day as mentioned in the
bill the said Complainant has become entitled to the whole of
the said Thomas Day's Estate, after the payment of his debts
This Respondent further acknowledges that, on the 20th day
of July seventeen hundred & eighty seven, a settlement took place
between his father as Executor &c. of John Day who was Executor
&c. of Thomas Day, and the said Complainant, when the bond
for £19a 19s 0 mentioned in the Complainants bill was given by
the said Complainant to the said Thomas Peirce dec^d together with
a receipt in the words following, to wit, "I Davis Day of the
County of Isle of Wight have this day settled with Thomas Peirce
all accounts respecting the Estate of Thomas Day dec^d, so far as
said Peirce had the management as Executor of John Day who
was the Exec^r of the said Thomas Day & acknowledge a balance
due the said Peirce on acc^t of the said Estate of Fourteen
Pounds nineteen shillings which said sum I have given my
Bond to him for together with a balance due said Peirce
on our private accounts, — as Witness my hand this 20th Day of
July 1787." Signed Davis Day'— But this respondent begs
leave to insist that this settlement, so far from being obtained
by unfair & iniquitous means, as is suggested by the Complainant,
was made

was made in the most deliberate manner, Several meetings having taken place between the parties, for that particular purpose, before it was Compleated — and this respondent begs leave further to observe that the said Complainant some Considerable time after the death of the said Thomas Peirce applied to this defendant for the papers and Vouchers relative the Estate of Thomas Day dec.d which he at that time declined delivering, — but afterwards being again importuned by the Complainant, & on his declareing that he meant not to object to the aforesaid settlement, this respondent gave them up, supposeing they could be of no use to himself if the Complainant should observe his Promise — This respondent begs leave to hope that this Court will view the situation in which he is placed by his reliance on the promise of the Complainant — and as he is unacquainted with the Transactions of his father as Executor &c. of the said Thomas Day & has given up those papers which were necessary to establish the fairness of the said settlement and which were calculated to answer & explain such Errors as the as the s.d Davis Day now complains of — he trusts that this Court will not compel him to go into a re-settlement of the above Accounts, as manifest injustice must thereby be done him —

This defendant admits that he has taken Administration of his fathers Estate, & that he has obtained the Several Judgments Mentioned in the Complainants bill and issued Executions thereon all which matters and things this defendant is ready to aver & prove as this Court shall direct & Prays to be hence dismissed with his Costs &c. most corongfully sustained &c.

Wm. Faulcon p. q.

A Copy Teste

Francis Young C. Cur.

Isle of Wight County sc.t This day came before me John Sel. Wills a justice of the peace for the said County, Thomas Peirce, and made oath that the above Answer so far as it related to his knowledge was true, and as far as it related to the knowledge of others he believed it to be true Given under my hand this 5th Day of March 1794 —

John Sel. Wills

A Copy

Fran.s Young C. Cur.

with Juliana Day, who was a daughter of the aforesaid Tho.s Day & that in consequence of such intermarriages, the deaths of Mary Day & Lancy Bennett Day & the will of the said Tho.s Day he the s.d complainant has become entitled to the personal est.e of the said Thomas Day, after the payment of his debts. all which matters and things this deft is ready to aver & prove as this court shall direct and award — without that &c —

Isle of Wight county, to wit,

This day came before me a justice of the peace for the s.d county d William Davis and made oath that the above answer so far as it relates to his knowledge was true & so far as it related to the knowledge of others he believed it to be true — Given under my hand this 10th day of May 1794.

Geo Purdie

The answer of William Davis to the bill of complaint exhibited against Thomas Peirce admor of Thomas Peirce decd. and him the said William in the county court of Isle of Wight by Davis Day admor de bonis of Luliana Day, his late wife, decd. — This defendant saving to himself all manner of benefit & advantage of exception to the manifold errors & imperfections in the complainants bill contd. for answer thereunto or unto so much thereof as this deft is advised is material for him to make answer unto, he says — That he admits that John Day decd. did take upon himself the execn of the testament and last will of Thomas Day decd. — and that the d. John Day departed this life in the year of our Lord 1776, having first made his testament & last will, of which he appointed Thomas Peirce the elder, and this defendant execrs This deft also admits that the s.d Tho.s Peirce and himself qualified as execrs of the s.d will, but as this deft, immediately after his qualification as execr, gave up the entire administration of the testators personal estate to the said Peirce he is totally ignorant of the s.d Peirce's transactions as execr aforesaid — He has, however, heard that a settlement did take place between the compl.t and Tho.s Peirce decd relative the s.d Peirces administration of the personal estate of the said Tho.s Day which was left unadministered by John Day & that a balance was found to owing from the s.d estate to the s.d Peirce — This deft acknowledges that the complainant intermarried

Day Gent.
v.
Prince Gent.
} Injunct. Spec.

The amount of the Executions of all ——— £149-5-2
63-3-4
£86-1-10

The Commonwealth of Virginia to Francis Boyle Esq. Sheriff of Isle of Wight County & to Thomas Peirce & his councellors, Attorneys, Solicitors & agents & every of them greeting whereas it hath been represented to the Court of the County of Isle of Wight in Chancery on the part of Davis Day who hath prayed that he may have our Writ of Injunction for stay of all further proceedings at common law on two Judgments obtained by the said Thomas Peirce Admor of Thomas Peirce decd against the said Davis Day (that is to say for stay of Sixty three pounds three shillings & four pence a part of the said Judgments) until the hearing his cause We therefore in consideration of the premises aforesaid do strictly Enjoin & command you the said Sheriff Thomas Peirce and all & every the persons aforementioned, that you and every of them do absolutely desist from all further proceedings against the said Davis Day on the said Judgments obtained in our said County Court Isle of Wight (as to the said Sixty three pounds three shillings & four pence) against him the said Davis Day until the hearing of the cause in Chancery Witness Francis Young Clerk of our said Court at the Court-house the 22d. day of October 1793 in the 18th year of the Commonwealth.

Franc. Young Cl

Day ~~~

v.

Peirce Gent.

Com
to exam
Wit

The Commonwealth of Virginia to

gentlemen greeting

Know ye that we trusting to your fidelity & provident circumspection in deligently examining what on our Witness as well on behalf of Davis Day Admr. of Julianna Day his late wife as on the behalf of Thomas Pierce Executor &c of John Day who was Exor. of Thomas Day Dec'd. William Davis Exec'r & Adm'r. &c. of Thos. Pierce command you or any two or more of you that at such certain days & places you shall appoint, you assemble your selves & the Witnesses aforesaid before you or any two or more of you you call and cause to come, and deligently examine on the holy Evangelists of Almighty God. and the examination into our County Court of Isle of Wight deligently and plainly without delay you shall send & certify inclosed, these writings also to us this Writ ~~not~~ Witness Francis Young Clerk of our said Court at the Court house the 11th. day of December in the 19th. year of the Common wealth

Fran's Young

All Available Text Successfully Captured

Copy of Notice

Day

to

Davis

Isle of Wight County. Ap. 22. 1795.

Mr. William Davis

Take notice, — that between the hours
of 8 in the morning & 7 in the evening of Friday
the first day of ~~of the present Month~~ May next, at the house
of Richard Taylor, Inn-keeper, in the Town of Smithfield,
& County aforesaid, I shall take the depositions of
James Wills, Samuel Godfrey, Joseph Ellis, William Garton
and others
Witnesses on my behalf in a suit in Chancery, in the
Court of the said County, now depending, wherein I am
as admor &c. of Juliana Day deceased
as surviving exor &c. of John Day, who was exor &c. of Tho. Day
Complainant, & you and a certain Thomas Pierce are
admor &c. of Thomas Pierce, the elder, deceased, are
Defendants, — pursuant to a Dedimus for that purpose
by me obtained. I am,

Davis Day

Isle of Wight County, to wit.

This day James Mathews
made oath before me a Justice of the peace for the
County aforesaid, that he delivered to William Davis
on the 20th day of April in the year of Christ
1795, a copy of the foregoing notice in writing, & at
the same time informed him of the purport thereof. —
Given under my hand this fourth day of May.
in the year of Christ 1795.

John Edson J. I. C.

Affidavit
Tho. Goodson

The affidavit of Thomas Goodson in a suit depending in Isle of Wight County Court of Chancery between Davis Day admor. & admor. of Julianna Day dec'd Complt. & Thomas Pierce, the elder, deceased exor & exor of John Day exor & exor of Thomas Day, Defts.

The said Thomas Goodson, being first duly sworn, says, - That for the year 1783 he hired of Thomas Pierce, the elder, who then had the management of the estate of Thomas Day, then deceased, a slave called Pompey for the sum of ten pounds 10/2, - for which he gave his bond to the s.d Tho. Pierce, the elder, on the 4th of March 1784, & in a few days after discharged the same by a payment of the s.d £10. 10. 2 to the said Pierce, the elder. - That he, the said Goodson, also hired the said slave for the year 1784, but does not recollect the sum of money, which he was to give for this year, ~~[illegible]~~ nor does he now remember with whom he accounted for the same, further than that he did not pay this year's hire to Tho. Pierce, the elder — And further this Deponent says not —

Thos. Goodson

Isle of Wight County, to wit,

The foregoing affidavit was duly made before us, Justices of the peace for the s.d County, this 4th of July 1794 between the hours of 10 o'clock a. M. & sun-set at the house of Rich.d Taylor in the Town Smithfield, in the presence of the s.d Davis Day & the s.d Tho. Pierce, the younger.

Tho Smith

Wm Rivis

Affidavit
Lamar Wills

The affidavit of James Wills in a suit depending in Isle of Wight County Court of Ch.y between Davis Day, admor de bonis non of Lukyn Day, dec.d, Compl.t, & Tho.s Peirce, the younger, admor de. of Tho.s Peirce, the elder, dec.d, & Wm. Davis, exor de. of John Day exor de. of Thomas Day — Defts.

The said James Wills, being first duly sworn, says, — That at the sale of the personal estate of Thomas Day deceased he purchased twenty bushels of wheat at 5/4 a-bushel, for which he entered into a bond to John Day as exor de. of the s.d Tho. Day, & afterwards paid the same to Thomas Peirce, the elder, as exor de. of the said John Day who was exor de. of the s.d Tho. Day, with about eight or nine years of interest thereon — That he also paid to Laurence Baker by virtue of an assignment of the said Thomas Peirce, the elder, as the representative of the s.d Thomas Day the farther sum of forty-two 2/3, which he became bounde for as a security for a certain John Harwood — That this last mentioned bond was also given to the said John Day as exor de. of Tho. Day — and farther this Deponent says not —

James Wills

Isle of Wight County, to wit,

The foregoing affidavit was duly made before us, Justices of the peace for the s.d County, this 8th of July 1794 between the hours of 10 o'clock A. M. & sun-set at the house of Richd. Taylors in the Town of Smithfield in the presence of the s.d Davis Day & the s.d Tho. Peirce, the younger —

Jno. Smith

Thos. Jones

Affidavit.
Lem. Godfrey.

The affidavit of Samuel Godfrey in a suit depending in admor to of Juliana Day, decd
Isle of Wight County Court of Chancery between Davis Day, Com-
— the younger admor &c. of Thomas Pierce, the elder, deceased
plt, & Thomas Pierce & William Davis ~~Dfts intestate to the~~
exor &c. of Jo. Day, exor &c. of Tho. Day, Dfts — Taken at the —
house of Richard Taylor in the Town of Smithfield on
the 4th of July 1794 between the hours of 10 o'clock a.m.
& sun-set of the day aforesaid.

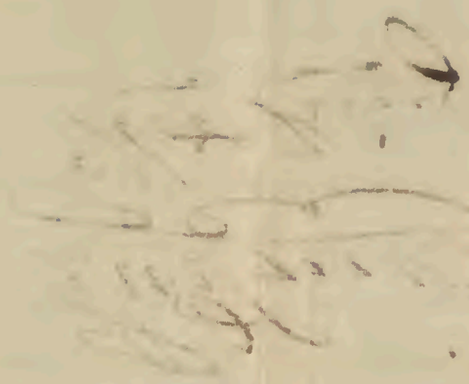
The said Samuel Godfrey, being first duly sworn,
says, — That in a settlement of accounts between him & Tho.
Pierce, the elder, who had the management of the estate of
Thomas Day, then deceased, he accounted with & paid the
said Pierce ten pounds 11/9 including interest thereon for
the hire of negro called Pompey, who belonged to the said
Tho. Day's estate — That the aforementioned settlement took place sometime
in the year 1784 or 1785 — That at the same time he ac-
counted with the said Pierce, the elder, for the further sum
of three pounds for a cow purchased at the sale of the
personal estate of the said Thomas Day — And further the
said Godfrey says he knows not — Sam Godfrey

Isle of Wight County, to wit,

The above affidavit was duly
made before us, Justices of the peace for the said County,
in the presence of the s.d Davis Day & Thomas Pierce, the young-
er, at the Time & place aforementioned —

Jno. Smith

Wm. Young



Affidavit
Jos. Ellis..

The affidavit of Joseph Ellis in a suit depending in Isle of Wight County Court of Chancery between Davis Day admor &c. of Thomas Day dec.d Compl.t & Thomas Peirce, the younger, admor &c. of Thomas Peirce, the elder, dec.d & William Davis, ~~Deft.~~ exor &c. of John Day, exor &c. of Th.o Day dec.d Defts.

The said Joseph Ellis, being first duly sworn, says, — That he had a demand against Thomas Day, which was originally about twenty-five pounds — for the greater part of which he received satisfaction thro' the hands of John Day as exor &c. of the s.d Tho. Day by purchases at the sale of the estate of the latter, & for the balance, being about eight pounds he received payment from the s.d Tho. Peirce, the elder — That a part of the said eight pounds, to wit, two guineas & one dollar, he received for by order of the s.d Tho. Peirce, the elder, from Robert Glover, who was indebted to the s.d Peirce, the elder, for the hire of a slave belonging to the estate of the said Thomas Day — and further this Deponent says not —

Joseph Ellis

Isle of Wight County, to wit,

The foregoing affidavit was duly made before us, Justices of the peace for the said County, this 4th of July 1795 between the hours of 10 o'clock a. M. & sun-set at the house of Richd. Taylor in the Town of Smithfield in the presence of the s.d Davis Day & the s.d Tho. Peirce, the younger —

Jno Smith

Wm King

one of the afore-mentioned Defts — Given under our hands on the day & the year aforesaid —

Tho. Smith

Tho. Hunt

Memo.

at the time of taking the preceding Deposition it appeared to our satisfaction that reasonable notice of the time & place of taking the same had been duly given unto the Defts Thomas Pierce & William Davis, — who [illegible] severally acknowledged before us to have received such notice. —

Given under our hands this first day of May 1795.

Tho. Smith

Tho. Hunt

Deposition of Jos. Ellis

The Deposition of Joseph Ellis in a suit in Chancery depending in Isle of Wight County Court between Davis Day admor &c. of Julianna Day dec'd Compl't, & Thomas Pierce, the younger admor &c. of Thomas Pierce, the elder, dec'd & William Davis surviving exor &c. of John Day dec'd who was exor &c. of Thomas Day dec'd — Defts

The said Joseph Ellis, being first duly sworn, says, — That he had a demand against Thomas Day, which was originally twenty-five pounds of Virginia money, — for the greater part of which he received satisfaction from the hands of John Day as exor &c. of the said Thomas Day, by purchases at the sale of the personal estate of the said Testator made by the d. John Day and by the said Executor Thomas Day — & for the balance, being eight pounds he received payment from the d. Thomas Pierce, the elder — That a part of the said eight pounds, to wit, two guineas & one dollar he received by order of the d. Thomas Pierce, the elder, for the hire of a slave belonging to the estate of the said Thomas Day — And further this Deponent knows not of the matters in dispute between the aforesaid parties

Jo Ellis

Isle of Wight County, to wit,

The foregoing Deposition was, pursuant to a Commission to us, Justices of the peace for the d. County, directed & hereto annexed, duly taken before us this first day of May, 1795, between the hours of 8 in the morning & sun-set, at the house of Richard Taylor, Inn-keeper, in the Town of Smithfield, & County aforesaid, in the presence of the said Davis Day the Compl't, & Thomas Pierce,

of the said Davis Day, the Complt; & the said Thomas Pierce, one of the Defts — Given under our hands on the day & in the year aforesaid.

Tho. Smith
Wm Thing

Memo.

at the time of taking the preceding Deposition it appeared to our satisfaction that reasonable notice of the time & place of taking the same had been duly given unto the Defts Thomas Pierce, & William Davis, who severally acknowledged before us to have received such notice — Given under our hands this first day of May 1795 —

Tho Smith
Wm Thing

Deposition of Lem. Godfrey

The Deposition of Samuel Godfrey in a suit in Chancery depending in Isle of Wight County Court between Davis Day admor &c. of Julianna Day dec? Complt, and Thomas Peirce admor &c. of Thomas Peirce, the elder, dec? & William Davis surviving exor &c. of John Day dec? who was exor &c. of Thomas Day dec? Defts

The said Samuel Godfrey, being first duly sworn, says, — That in a settlement of accounts, sometime in the years 1784 or 1785, between himself, & Ths. Peirce, the elder, who then had the management & transaction of the affairs & estate of Ths. Day dec? he accounted with & paid the said Peirce ten pounds eleven shillings & 9? of Virginian money, including some interest, for the hire of a Negro called Cooper, which belonged to the said Ths. Day — That at the same time he also accounted with & satisfied the said Peirce, the elder, for three pounds for a cow purchas'd by this Deponent at the sale of the personal estate of the said Thomas Day, & the farther sum of three shillings & 9? for some other articles bought by him at the aforementioned sale — And of farther of the matters in dispute between the aforesaid parties this Deponent says he knows not —

Sam? Godfrey

Depos. &c.

Isle of Wight County, to wit.

Deposition

The foregoing, was duly taken before us Justices of the peace for the County aforesaid, pursuant to a Commission to us directed & hereto annexed, this first day of May 1795 between the hours of 8 in the morning & sun-set, at the house of Richard Taylor, Inn-keeper, in the Town of Smithfield, & County aforesaid, in the presence

The Deposition of James Wills in a suit in Chancery depending in Isle of Wight County Court between Davis Day admor &c. of Sabianna Day dec? Complt. & Thomas Peirce, the younger, admor &c. of Thomas Peirce, the elder, dec? and William Davis surviving Exor &c. of John Day dec? who was Exor &c. of Thomas Day dec? Defts —

The said James Wills, having been first duly sworn, says, that he a sale of the personal estate of Thomas Day made by his exor John Day, he purchased twenty bushels of wheat at five shillings & four pence of Virginian money a bushel; — for which he entered into a Bond to the said John Day as exor &c. of the said Thomas Day, & often wards paid off the same to Thomas Peirce, the elder, as exor &c. of the said John Day, who was exor &c. of Thomas Day, with about eight or nine years of interest thereon — That he also paid to Laurence Baker by virtue of an assignment of the said Thomas Peirce, the elder, the further sum of forty-two pounds 2/3 in discharge of a Bond, in which this Deponent was bound as a security for a certain John Harwood to the aforesaid John Day as exor &c. of Thomas Day dec? — which bond did not in any manner embrace the money due from this Deponent as aforesaid for the said twenty bushels of wheat — And further this Deponent of the matters in dispute between the aforement? parties knows not —

James Wills

Isle of Wight County, to wit,

The within foregoing Deposition was duly taken before us, Justices of the peace for the County aforesd at the house of Richard Taylor, Inn-keeper, in the Town of Smithfield & County aforesd this 2d day of May in the year of Christ 1795 between the hours of 8 in the morning & Sun-set, in the presence of the Parties in the suit aforementd — pursuant to a Commission to us directed & hereto annexed — Given under our hands —

Jno Smith J.P.

Wm Thing

Memo.

at the time of taking the preceding deposition an acknowledgment was made before us by the Defts of their having received reasonable notice of the time & place of taking the same — Given under our hands this 2d day of May 1795 —

Jno Smith J.P.

Wm Thing

Lays Admon
To
Purces Admon

Com to
exam Wit.

The Commonwealth of Virginia to William Driggs and Thos. M
Gwinn greeting. Know ye that we trusting to your fidelity and
provident circumspection in diligently examining Robert Pully
as well on the behalf of Danl Day Admr. Julin Day and
Plaintiff as on the behalf of Tho. Pinn Admr. Tho. Pinn Defendant
Command you or any two or more of that at such certain days &
places you shall appoint, you assemble you selves & the Witness
aforesaid before you or any two or more of you you cause them
come and diligently examin on the Holy Evangelists of Almighty
God. and their examination and their examination into our
County Court of Isle of Wight distinctly and privately without
delay you shall send and Certify unto us returning also
to us this Writ Witness James Young Clerk of our Court at the
Court house the 25th day of October 1796. in the 21st
Year of the Commonwealth

J. Young

Robert Pulley's

Depo.

By Virtue of a Commission from the County Court of Isle of Wight to us directed, We Thomas West and William Diggs Justices for the County of Warwick, have proceeded to take the Deposition of Robert Pully, in a suit depending in the said County of Isle of Wight between Davis Day, Administrator of Julia Day dec.d Plaintiff and Thomas Peirce Administrator of Thomas Peirce, Defendant, as well as in behalf of the Plaintiff, as the Defendant. The said Robert Pully being first duly sworn deposeth and saith, That he became a purchaser at the sale of the Estate of Thomas Day dec.d of the County of Isle of Wight to the amount of six pounds ten Shillings, which sum he the said Robert Pully paid To Thomas Peirce Executor of John Day, who was Executor of Thomas Day. Test. The Deponent saith not. —

Robert Pully

Given under our hands this 29. day of October 1796—

Thos. West

William Diggs

Sir

You will please take notice that I intend to take the Deposition of Robert Pully, at the house of Richard Young in the County of Warwick, between the hours of ten in the forenoon and Seven o'Clock in the afternoon of Saturday the 29th: Day of this present Month in the suit depending in the County Court of Isle of Wight, wherein I as administrator of my late wife am Plaintiff and you as administrator of your father Thomas Peirce Decd: are Defendant——

I am Your Hble Servt

Davis Day

24th: October 1796

Thomas Peirce esquire

Isle of Wight

Isle of Wight County (to wit)

This day Joseph Green made oath before me a Justice of the peace for the County aforesaid, That on the 24 Day of Octr 1796. he delivered to Thomas Peirce a Notice in writing, of which the within is a true Copy — Given under my hand this 24. Day of Octr. In the year of Christ 1796. ——

James Wills JP

Jn.° Day, Dec.° who was Ex.° of Tho.° Day, with Davis Day

1787 July	7	By Balance of a settlement had this day		17	19 6¾
		By balance of Private acct due by D D to T P The elder		22	1 9
				40	0 9½
		Balance due D D July 7th 1787		15	18 1¼
			£	55	18 11

over

1787 July 7th To balance as within Stated due to D. Day this day — } £15.18.1¼

1788 Jan 7 20. To Int on the above till this day — 9.18.9¾

To Interest on acct ag Wm Gestow 11 years. Pacct & Receipt — } — 0.19.0

£26.15.11

Contra — Cr

By amounts of a bond signed by Thomas & John Day, redeemed by Th Peirce the elder, ~~with~~ including the interest calculated on the back thereof up till date of Receipt which was paid to George Purdie — } 52.5.0

Balance due Th Peirce as appears from the face of the Papers exhibited — } 25.9.1

In obedience to an order of the Worshipfull courts of Isle of Wight, to us directed, and which is hereunto annexed, We the undersigned, have examined the accounts of Thomas Peirce Exr of Jno Day, against the estate of Thomas Day. That Thomas Peirce the younger, has laid before us no vouchers Wherein to act, respecting his administration of his intestate on the estate of said Thomas Day subsequents to march 1785, And ~~that~~ from an examination of all the papers produced to us by said parties, We are of opinion that Davis Day stands indebted to Thomas Peirce in the sum of twenty five pounds nine shilling and one penny, at this day, in place of the two balances stated in the acct cur of the Estate of Thomas Day, which is filed in this cause, as stated by Th. Peirce the Elder, Which balance will more fully appear by reperance to the within Statement, Which statement includes a bond, P. to Geo Purdie, which was not ~~produced~~ filed in the papers exhibited at the trial of this cause

Given under our hands this 20th of January 1800.

Tho Ring
John Barber
C. Parker

Commissioners

Dr. Thomas Peirce Admr of Thomas Peirce dec. Who was Ex-

1785	March Court	To amount of 2 Petitions received vs. A Holladays Exr including costs as p Statement ..... A Receipt	5	3	8
1784	March 4	To Cash p. by Thomas Gooden for hire of Bonby for 1783 Omitted in Settlement p Goodsons affidavit	10	10	2
		To this sum over charged as paid Joseph Ellis. Being the difference between £9.4.6. & £8-0-0. Say £1.4.6 p the affidavit of said Ellis	11	4	6
		To Cash, omitted viz. from James Wells per 20 bush Wheat which is bought at Sale of T Ds. Estate See his affidavit	5	6	8
		To Cash p. by L. Godfrey. ~~short~~ credited for Negroe hire. diffce between £10.11.9- and £9-	1	11	9
		To do p. by do- for a cow bought at ~~T Ds~~ Sale p L. Godfreys affidavit	3	-	-
		To Cash paid by ~~John~~ Robert Pully for Thomas purchased at Sale of T Ds estate, ~~omitted~~ omitted in acct current ~~p Pullys affidt~~ p Pullys affidt	6	10	-
		To ~~your~~ Cash p. by Benj. Glover to Joseph Ellis. his p order, omitted to be credited in acct p. p order	3	4	-
		To a bond p Dr ~~to be credited p the note itself~~ omitted	~~[illegible]~~		
		To 1 Large Looking Glass and a Sword Cattle bought by ~~T C~~ at Sale of T Ds. estate p acct	7	8	2
			66	9	1
		Off Scratched out	10	10	2
			55	18	11

Carried

Days admrs
vs
Purves admrs
} order of reference

83. 8. 30. 3. 9.
12. 4. 0. 1. 1½
4½
4. 16½ 4. 10½

Days admin^r^
vs
Peirces admr^s^ } Chancery

This cause came on the 10th day of may 1799 to be heard on the bill, answer, replication & depositions taken &c and sundry exhibits decreed and ordered, that Thomas King, Joseph McKinnell, John Baiber, and Copeland Sadler or any three of them examine the account of Thomas Peirce the elder, against the estate of Thomas day filed in this cause, and make a statement thereof, correcting all such errors appearing therein, and that the dift^s^ accounts, before the said commissioners, or any three of them, as to the administration of his intestate, on the estate of Thomas Day, subsequent to March 1785, that the said commissioners state and report the same, that each party deliver to the said comm^rs^ all the papers now in their possession, relative to the estate of the said Thomas Day, that the comm^rs^ proceed to act herein as soon, as convenient after reasonable notice, given to the parties, and that they make report of their proceedings &c, in order to a finale decree

A Copy J. H. Young Clk

Bond 30. 0. 0

Int: to Feb.y 1786. 6 Years 10 Months . . . 22. 5.

52. 5.

Received Smithfield y.e 20th February 1786. of Capt Thomas Burch the Amt of the within Bond & Interest.

Fifty two pounds five Shillings

Geo Burdett

Bond

Int.

Pay.d Ans.d Feb.y

£30. 0. 0

Know all Men by these presents that We Thomas Day & John Day p.sh of Wight are held and firmly bound unto Sarah Bennit Administratrix of John Bennit dec.d in the just and full Sum of Sixty pounds current Money to which payment well and truly to be made We bind ourselves jointly and severally our joint and several Executors & Administrators firmly by these presents. Sealed with our Seals & dated this fourth day of April 1771.

The Condition of the above Obligation is such that if the above bound Thomas Day & John Day do and shall well and truly pay or cause to be paid unto the said Sarah Bennit her Heirs or Assigns the just Sum of thirty pounds Current Money on Demand with Interest thereon from the date hereof till Paid Then the above Obligation to be Void. or else to remain in full Force & Virtue.

Thomas Day

Sealed and delivered in the Presence of

Rich.d Hardy

Nicholas Parker

£ 30 Principal
7 a 10 Int.st to 1 March 76.
37 · 10

John Day

1770 Dr. Mr. Anthony Holliday To Ct. of John Day ——— 6d.

Oct.r To fee adv. Holliday ——— £0 15 0

13. taking Depot. adv. Holliday —— 1 1 6

15. Riding 40 for as Hurt Mile on my way to Capt. Applewhaite to take Depositions ——— 10 0

1772 March Martins fee v. you ——— 15 0

1774 Janry The Cost of Suit ———

£3 . 1 . 6
1 . 9 . 6
1 12 0

1772 March By Cash in part of Martins fee £0 7 6

1773 Nov.r By Cash of Mr. Driver ——— 1 1 2 0

1 9 6

Copy Test Fra.s Young D.t Clk.s

To the Worshipfull Court of Isle of Wight County

Thomas Price & Wm Davis Exors of John Day dec'd — Humbly

Sheweth that Mary Holliday Extx of Anthony Holliday Dec'd stands

Indebted to them the Sum of one pound twelve shillings

(due by account) — & Requesteth prayment

— wt Wherefore your petitioner prays Judgment

against her — for the same with Costs

And shall pray &c

Fran: Young D.C.C.

Rec.d the within bal.e this 6 Jan.y 1784

Tho.s Pearce

Acco.t

Wm Gordon to

the Col.o Bo. Rang.

Mem.r

1772 Mr. William Girton to the Estate Thomas Day Dr.

aug: 27th. To 1/2 sett Coffee Cups & Saucers 13/6. 9 lbs Ginger	£ 0 : 16 : 8
To 1. China Bowl 16/8.	0 : 16 : 8
Powder Horns — — — — —	0 : 1 : 3
Intrest on £1.14.7 from 1st. apl. 1773. till paid	1 . 14 . 7

Isle of Wight Co

Sworn to Accordg to Law

before

Septbr 13: 1784

John Sch Wills

To the Worshipfull Court of Caroline

County Tho. Pines Wm Davis Exors of the Day who was Exor of Thos. Day Deceased

Sheweth that Mary Holliday Exrix of Anthy Holliday dec.d stands

indebted to the Estate of the Said Deceased in the Sum of Two pounds sixteen shillings

& eight pence ~~Sterl~~ due by account ——— As Reference to Said account

Wherefore your Petitioners prays Judgement against

her for the same with Costs ———

And Shall pray &c

Copy Test Fran.s Young D.C.C.

1772 Mr. Anthony Holliday To the Est. of Thomas Day —— Dr.
Augt. 27. To 20 Bushells Wheat ——— @ 5/ ——— £5.6.0
Int on £5.6.0 from 1st Apl. 1773 till pd ———

Decem. 2d Cr By Cash ——— 2.10.0

£2.16.0

Copy Test Fran: Young Dft Clk

2..16.8

7-19-0 3/4
1-19-9
9.18.9 3/4

34.7
1.7-3 1/2
1909 1/2
190

Capt. Thomas Penrose to the Estate of Thomas Day Dr.

Aug. 1773

1 large looking glass — £5.1.1

1 book shown to Do. 18d at 6/9½ 2.7.2

1 Do. Mantua Do. 1.1.

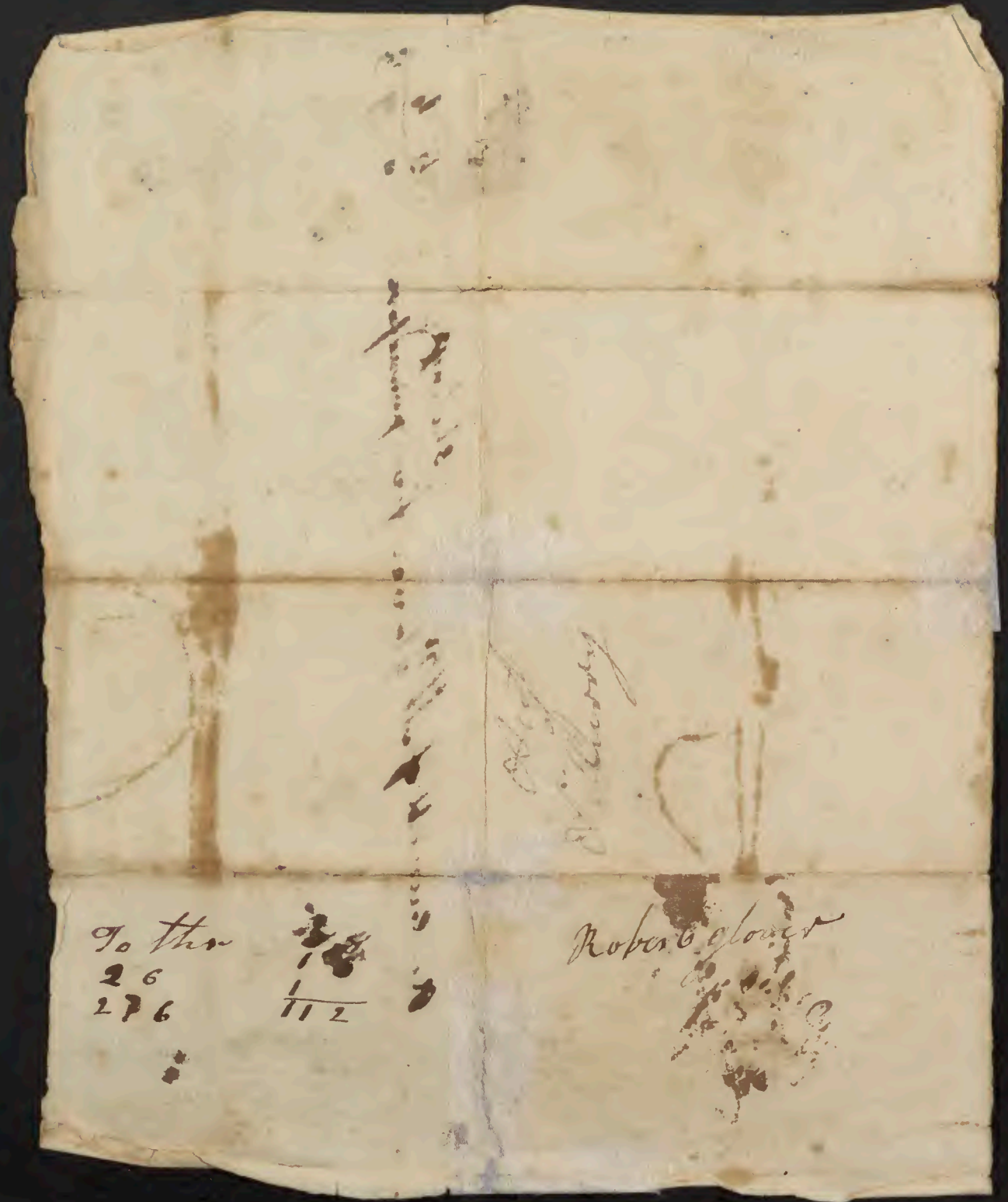
7.8.2

1798 Aug. 10 Cash for box of books to Philadelphia — 12.1.

Jas. Mill

Mr. James Wills to the Estate of Thos. Day Dec.d Dr

20 Bushels of Wheat at 5/4	£5.6.8
Int. on D.o from the 1st Day of April	



Estate of Mrs Ann Murry To the Estate Thos Day

1775	To the hire of Negro Sam	5 " 8
	To Interest ditto 1785 9 Years	2 " 8 " 3¾
		7 " 16 " 3¾
	To Benja Glover to Estate 1 Day D.	
	To 1 Mos Harvest Immediately after Harvest	" 5
		8 " 1 " 3¾
1784	By Cash Mr Robt Glover	2 " 8
		5 " 13 " 3¾
	Recvd of Mr Glover five pounds [illegible] Shillings	5 4
		0 9 3

Sir Mr Ellis is much wanting some Money due him from Estate of the Thos Day you will therefore please to pay him the Sum of five pounds Nineteen Shillings & Threepence which Shall be your discharge both from Estate of Thos & John Day Esqrs your hble Servt

Thos Pierce Exr to Jno Day

Rec'd
Boyland

Credited in
a/c

Smithfield Febr. 8 1784 Received from Mr. Robt Glover
the Sum of Five pounds Eight Shillings in part of Acct
against Est. of Ann Murry dec'd of Thos. Day

Thos. Peirce

£2 11 8

I have received satisfaction for the within
Judgmt. from Mr. Mary Holladay

Thd. Pierce

N. Boyd's entry
v.
E. Lindsay's
Holladay's
— Rec'd by T. P. &
not cancelled

Isle of Wight County — March Court 1785

Thomas Peirce & Wm. Davis Exors of Jno. Day dec.d pltf.
against
Mary Holliday Exrix of Anthony Holliday dec.d Deft.
} On Pl.s Sum.

parties heard & Judgment for the Plt for £1-9-6 & the Costs which are 78 Gross Tobacco

Copy Test Fran.s Young D.C.C.

Mar

March Court 1785

Isle of Wight County

Thomas Peirce & Wm. Davis Exors of Jno. Day who was Exor of Tho.s Day dec.d - - - - - - - - - - Plt
against
Mary Holliday Exrix of Anthony Holliday dec.d Deft.
} An.o pl.o & Sum.s

Party heard & Judgment for £2-16-0 & the Costs which are 70 lbs Gross Tob.o

Copy Test Fran.s Young D.C.C.

1.st Debt	1-9-6
Ch. 70 lbs Tob.o	0-9.
2.d Debt	2-16-0.
Ch. 70 lbs Tob.o	0-9
whole amount	£5-3-0

There are no Lawyers fees nor Int.st allowed

Paid the [redacted]

4 Left at the quarters
3 Lott
5 Benner
1-3 Charles
13 113
2 10 Letters
16 1 11 Dem from Baton Rouge
9 11 Hard
6 1 9 2 Dem

5 - 7 -

We do promise to pay unto Thomas Driver of Isle of Wight County or to his afsigns the Just and full sum of Ten pounds Ten Shillings & 2d for Value Received from him On demand with Legal Interest until said

To Which payment well & truly to be made we do bind our Selves our & Each of our Heirs Executors & and Administrators Jointly severally in the penal Sum of twenty one pounds & four pence Sealed with our Seals & dated this 24th Day of March 1784

Witness
Lewis Cowper

Gordon

11. 3. 11
22. 3. 9
33. 7. 8
1. 12
9. 21
20
12.0

0. 4. 3
0. 0. 1
0. 4. 4

2. 0. 6
0. 1. 4
2. 3. 10

2. 5
2. 1. 2

10. 12. 0
13. 4
11. 3. 4
22. 4. 0
33. 7. 4½
33. 7. 11½

15. 3. 2
10. 11. 2
Interest
Int. for 1 Mo.

14. 5. 2
14. 5. 2
20. 10. 4

16. 10. 2
10. 10½
10. 11. 6
6
4. 4.
1
4. 12

a/c
Estate
Thomas Days
Thomas Lee

D^r The Estate of Thomas Day

	To Lemuel Godfrey	No 1	£ 1	16	3	
	To Joseph Elliott	2	1	14	6	
	Cash p^d James Young for drawing and Rec^d	3		6		
	Due the Estate					
	Paid the Estate Henry Harrison p^d Rec^t p 200	4				
1784 Nov^r 4	To Trouble & Expence to Surry Court to endeavour to Collect Debts			15		
1785 March	To Lawrence Baker p^d Bond & Acc^t proved		69	8	9¼	
	To William Davis p^d Bond		80	10	6	
	Ditto p^d in part of another Bond		5	19	3	
	To Estate Thomas Scott p^d Account Proved		3	2	2	
	paid to Scott Holland		1			
	Paid Estate James Jordan p^d Rec^t					
	To my Comm^n on doing this business 5 p^r C^t		9	16	5	
			£206	4	10¼	
	To Bal^e due P^r Contra		17	19	0¾	
	To Amount his Private Mon Acc^t		22	1	9	
			£40	1	9	

July 7 1787 Rec^d from Mr Davis Day his Bond to pay above on demand for the above Bal^e of £40 pound

Tho^s Pierce

C^r By Thomas Pierce

1784 May	By Dow^r Int^t Application made for Estate Benj^a Applewhaite	17	3 7
Aug^t 7	By Est^a Joseph Hawkins for the hire of a Negro for the Year 1775	9	—
	By John Davis	2	7 —
Sept^r 2	By Robert Glover for Est^a Dum Murray upon the hire of Negro	2	8 —
Oct^r 10	By Capt^n William Gaston	1	14 7
1785 Jan^y	By John Jennings Wheadon subscribed	1	14 17½
	By James Wills	12	2 3
	By Laurence Baker 100 bush^s Salt	5	— —
	By Fulghams Bond assign^d to Wm Davis	86	9 9
	By Lemuel Godfrey for hire of Negro	9	— —
	By Negro Tom on Rec^t of hire Negro Betty	—	1 6
	By Est^a Thomas Calcote for hire Negro Pompy & Interest	11	— 6
	By Bal^e due T. P. from the Estate	17	19 0¾
		£206	4 10¼

Day
to } Injunct.
Bond
Pierce Atherton

Know all men by these presents that we Davis Day & Mills Holladay are held & firmly bound unto Thomas Purie Gent. Admr. of the Estate of Purie dec'd in the just sum of two hundred & forty one pounds thirteen shillings & 6d. Current money of Virginia to the which payment well & truely to be made & to the s.d Tho. Purie his heirs or Assigns we bind our selves our heirs Exrs. & Admrs. jointly & severally firmly by these presents Sealed with our seals & dated this 22.d day of October 1793

The condition of this obligation is such that whereas the said Thomas Purie hath obtained Jdgt. at common law against the said Davis Day in the County Court of Elizabeth City for One hundred & twenty pounds sixteen shillings & 8.d with Int.t & Costs & the said Davis Day hath obtained an injunction to stay the executions untill the hearing the matter in equity upon a bill for that purpose filed. if therefore the said Davis Day shall satisfy & pay the said Judgments at common law & all Costs & damages that shall be awarded to the said Thomas Purie in case the said injunction shall be dissolved, then the above obligation to be void. or else to remain in full force & Virtue

Signed & Sealed in presence of
M. Jaquing

Davis Day Seal

Mills Holladay Seal