

To Mr. Hall care

Sr

Y^r 7th Dec 15th 1747.

Your Attorney having under a mistake in
dating of date I have not yet any thing in law
as it appears to me on your Representation of the Matter
Cases

King Chas. 2^d by Acts Statute of June 1671. granted of
Promises in Law into Will. Walker a W^m Smyth
& their Heirs Walker dies witht leaving of Issue
& leaves Jane his Widow & one Daughter by Name Patience
Jane intermarried with Edw^d Ray

The Estate in Law being vested in Smyth by Survivorships but
in regard of Land was partitioned for Advantage of
both Parties & the same conveyed to Smyth by deed
of 3^d Dec 1672 ^{partly conveyed to S^d Ray} ^{partly conveyed to S^d Ray}
on a condition of payment of Debt due that he (Ray) sh^d
satisfy same into Patience (Daughter of Walker) or pay her
£ 60 ster. when she sh^d attain of Age of 21 years.

Ray dies witht issue having never conveyed of Estate
to S^d Patience or paid S^d Sum of £ 60.

Patience intermarried with Tho^s Hall w^o by their
deed of 3^d Dec 1687. for Consideration of £ 100 conveyed of
Promises the Heirs: Row in pie. w^o deed was proved before
a proper Judge but no Acknowledgment appears to have been
made by S^d Patience w^o S^d Deed was of voluntary
& witht of Coverture of her Husband. Tho^s Hall dies leaving free
William their Son at Law

I have taken no Notice of Deed executed by Jane Ray
conveying her Right of Dowry as of same ^{deed} ^{alter}
Affairs of heirs

I am of opinion if Patience had a Right to
of Estate under of Deed of 3^d Dec 1672. It appearing
upon of Facts of S^d Deed that of grantor intended it for
her sole Benefit then being no other Consideration & if
Deed sh^d be drawn in such a manner that of Estate in Law
still remains in Representation of Ray yet in the
Equity will derive a conveyance according to of Intention
of Party Ray having never paid of £ 60.

Halt

I think that y^r D^d of 1687 did not divert y^e estate as it was the y^e purpose
3^d Dec 1687 did not divert y^e estate as it was the y^e purpose
I signed wth in M^r Dods y^e out by some law but I have
some doubt whether a Possⁿ for so many years & that
probably under many mesne conveyances will not give a
Right to know w^o claim under Hen: 7th. A Possⁿ for
20 years is a good title at Law & a Possⁿ here under
a Bargain & Sale ^{a bargain & sale} (if the same has all y^e Properties of a Fine in
England) will after 5 years claim give a Right even ag^t
an Infant if he does not claim within a year & a Day.

The Act for quieting Possⁿ is also to favour y^e
Persons now in Possⁿ on the Statute is passed in such
dark Terms that it is difficult to know y^e intention of y^e
Legislators - If he etc. vested in him by y^e Act above y^e 40
have an undoubted Right as there at Law.

Having now given y^e my Theory there y^e best manner
I could after the y^e of y^e much Hurry I shall only add
that according to y^e profound Style of Lawyers this matter
ought to receive a judicial Determination.

Yours friend & Advocate
Richard Blackford

A^d a^d of Bills of Exch^e for acc^t
of W^m Blackford & for y^e your acc^t
with them shall have due Credit
Yours as above
R^B

[Faint, mostly illegible handwriting covering the bottom half of the page, likely bleed-through or a second draft.]

MS 220

Hall Family Papers and Sugar Plantation Records

1709 - 1892

MSS.0220

Oversize: FB-226-19

**LEGAL DOCUMENTS - Cases with Legal
Opinions - Case involving the property of Patience
Hall - Opinion by Richard Bookford, 1747**



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