

13 May 1789 John Chatt

[Note: Inventory only]

An Inventory and Valuation of the several Goods and Chattles belonging to the late John Chatt of Peacock House in Hexhamshire in the Parish of Hexham at the time of his death and taken by us whose names are hereunto Subscribed as Appraisers of the same this 13 Day of May 1789

2 Cows valued at	8 0 0
2 Cows and a Calf	8 0 0
3 Mares	22 0 0
8 Galloways	24 0 0
3 Foals	6 0 0
Husbandry Gear	5 5 0
Household Furniture	10 0 0
7 Acres of Corn	15 0 0
Money due to the deceased	81 13 0
	£180..8.0

John Foster of Dalton, Blacksmith

Edward Stobs of Hathery Haugh, Farmer

[Elizabeth Chatt, widow of John Chatt was executrix]

26 Jul 1794 Isaac Hunter

[Note: Office copy of will of Isaac Hunter II, agent at Dukesfield 1764-96. 'On Thursday se'nnight, very suddenly, while in a meadow with his haymakers, Mr. Isaac Hunter, of Duke's Field, near Hexham' Oracle and Public Advertiser (London, England) Tuesday August 16 1796]

This is the last Will and Testament of me Isaac Hunter of Dukesfield in the County of Northumberland Gentleman as followeth that is to say First I will and order that all just Debts and Funeral Expences shall be paid and discharged by my Executor hereafter named as soon as conveniently may be after my decease and I give and devise all my Messuages Lands Tenements and Hereditaments situate lying and being at Steel Hall, Wester Byers and Red Lead Mill in the Parish of Slaley and all other my Messuages Lands Tenements and Hereditaments whatsoever in the County of Northumberland aforesaid to my Brother in Law Robert Surtees of Milkwell Burn in the County of Durham Gentleman and his Heirs upon the Trusts following that is to say Upon Trust that he the said Robert Surtees and his Heirs shall and do with all convenient speed sell and dispose of all my said Messuages Lands Tenements and Hereditaments or any Part thereof either by public Sale or private contract as to him or them shall seem most proper it being my Intention to give my said Trustee and his Heirs full power and

absolute [~~authority (crossed through)~~] Dominion to act herein as shall to him and them seem best in order to get the most Money for the same and I do order and direct that Payment of the Purchase Money to the said Robert Surtees and his Heirs shall be a good and sufficient payment and his and their Receipts and acquittances a good and sufficient Discharge for the same to such purchasers respectively for their respective purchase Money who shall not be obliged to see to the application thereof of any part thereof or affected by the nonapplication or misapplication of the same or any part thereof And upon this further Trust that the said Robert Surtees and his Heirs shall and do forthwith after such Sales pay and apply the Money arising thereby and the Rents and Profits of my said Messuages Lands Tenements and Hereditaments in the meantime for and towards the Satisfaction and Discharge of all Liens and encumbrances affecting the said Premises and all other my Debts which I shall be owing to any person or persons whomsoever at the time of my death and the Interest of such of the same Debts as carry Interest and my funeral charges in aid of my personal Estate hereinafter given and bequeathed for that Purpose and in case any Overplus remain after Payment of the same upon this further Trust to place one full Moiety or half part of such Overplus out at Interest upon good Security either real or personal and shall pay and apply such Interest yearly and from time to time as the same shall become due and be received unto my dear wife Mary Hunter for and during the term of her natural life and as to such Moiety of the said Overplus immediately after the decease of my said Wife and as to the other Moiety of such Overplus immediately [~~after my (crossed through)~~] upon my own decease upon further trust to pay and divide the same to and amongst my three Children Catherine Hunter Isaac Hunter and Robert Hunter equally share and share alike Also I give and bequeath all my Goods Chattels and personal Estate whatsoever and wheresoever and of what Nature Quality or kind soever to my said Brother in law Robert Surtees to the Interest that he shall dispose of the same upon such and the same Trusts and to and for the same uses and Purposes as are hereinbefore declared or and concerning the Money to arise by Sale of my Real Estate and I do nominate and appoint my said Brother in law Robert Surtees sole Executor of this my last Will and Testament upon the Trusts aforesaid and my Will is and I do hereby order and direct that my said Trustee and Executor his Heirs Executors and Administrators shall out of the said Trust Estates and Premises pay him and themselves respectively all such costs charges and expences as he they or any of them shall and may lay out and expend or be put unto in the execution and performance of the several Trusts hereby in him and them reposed or in anywise relating thereto and that they shall not be accountable for any more of my Estates and Effects than shall come to their respective Hands nor for any loss that shall happen the same so as such Loss happen without their wilful Neglect or Default nor shall my said Trustee his Heirs Executors or Administrators or any of them be answerable or accountable for the Insolvency of any Person or Persons to whom they may lend the Overplus of my Estates and Effects or any Part thereof upon the Trusts and for the Purposes contained at the time of lending the same and I do hereby revoke all former and other Wills at any time heretofore by me made either by word or writing

In Witness whereof I have to this my last Will and Testament contained in two sheets of paper to the first sheet thereof set my hand and to the second sheet thereof set my hand and seal the twenty sixth Day of July in the year of our Lord One thousand seven hundred and ninety four. Isaac Hunter [LS circled] Signed sealed published and declared by the said Testator Isaac Hunter as and for his last Will and Testament in the presence of us who at his Request and in his Presence and in the presence of each other have subscribed our Names as witnesses hereto

But be it remembered that before the signing sealing publishing and declaring this Will the said Testator Isaac Hunter did give and bequeath all his household Goods and Furniture Plate Linen and Bedding to his Wife during her life and after her decease did bequeath the same to his Daughter Catherine Hunter and did order that his Wife should sign a Schedule of such household Goods and Furniture Plate Linen and Bedding and give the same to his said Daughter. John Hunter. W Pearson. Jn Bell.

Be it known unto all Men by these Presents That whereas I Isaac Hunter of Dukesfield in the County of Northumberland have made and declared my Will and Testament in writing in 1794 I the said Isaac Hunter by this present Codicil do confirm and ratify my said Will and Testament except the Household [~~Furniture~~] Goods as Beds Linning <etc> that my Wife Mary brought with her when we married and has added since, I do give and bequeath to my said Wife for ever and I also give and bequeath to her fifty pounds <per> year for her natural life to be paid out of my share of Alston Brewery dividend each year that this Codicil be adjudged to be part and parcel of my said Will and Testament and that all things herein contained and mentioned be faithfully and truly performed as fully and amply in every respect as if the same were so declared and set down in my last Will & Testament In Witness whereof I the said Isaac Hunter have hereunto set my hand and seal this twenty third Day of April one thousand seven hundred and ninety six Isaac Hunter [LS circled] Signed declared and published as and for his last Will & Testament in the Presence of us –

No witnesses being of the testators own handwriting
Proved 13 Sepr 1796

This copy agrees with the original Will and Codicil of the said Isaac Hunter deceased proved in the prerogative Court of York having been duly compared and examined therewith by me Wm. Askwith. Notary Public 21st Novr. 1811

13 Sheets

Extracted by Wm. Askwith Proctor York

Copied from an Office Copy this 18th August 1832 by me Jno Bell

Manor Office Hexham

19 Jun 1799 William Armstrong

[Note: Will and inventory]

I William Armstrong of Stonehouse in Hexhamshire in the County of Northumberland Husbandman do make publish and declare this my Last Will and Testament in Manner and Form following, that is to say, First I will and order that all my just Debts and Funeral charges shall be paid and discharged by my Executor hereafter named as soon as conveniently may be after my decease And I give and bequeath unto my dear wife Hannah Armstrong all the Household Goods and Furniture Linen Beds and Bedding which belonged to her at the time of our Intermarriage for her own use and benefit absolutely and for ever Also I give and bequeath unto my said dear wife Hannah Armstrong the sum of thirty pounds of lawful money of Great Britain to be paid her by my Executor hereafter named but without any Interest for the same in manner following, that is to say, Ten Pounds Part thereof at the end of two calendar months next after my decease Ten Pounds other part thereof at the end of twelve calendar months then next after and Ten Pounds the residue and in full payment and satisfaction thereof at the end of the next succeeding Twelve Calendar Months then after And as to all other my Goods Chattels and Personal Estate whatsoever and wheresoever and of what nature quality and kind soever after payment of my debts and funeral charges and the said legacy of thirty pounds to my said dear wife in manner aforesaid I give and bequeath the same to my son Thomas Armstrong and I do appoint him my said son Thomas Armstrong sole executor of this my last will and testament And I do hereby revoke all former and other wills at any time heretofore by me made either by Word or Writing In witness whereof I have hereunto set my hand and seal the nineteenth day of June in the year of our Lord one thousand seven hundred and ninety nine

William Armstrong

Signed sealed published and declared by the said William Armstrong as and for his last will and testament in the presence of us who at his request and in his presence and in the presence of each other have subscribed our names as witnesses hereunto

John Armstrong

Thomas Armstrong of Holms

A Schedule of the Money Stock and Household Furniture &c belonging to William Armstrong of Stonehouse deceased July 24th 1799

Money at Use	10..0..0
Horses	20..0..0
Horned Cattle	26..0..0
Sheep	12..0..0
Household Furniture	8..0..0
Husbandry Gear	3..0..0
Wearing Apparel	1.10..0

£88.10..0

Appraisers Matthew Marton Geo. Thirlwell

7 May 1832 John Fonblanque to John Scott

[Note: Recipient not stated but presumably to John Scott, being the enclosure referred to in Scott's subsequent letter to John Bell of 11th May.

This is the first of a sequence of letters over the following year dealing with the apparent misappropriation of the legacy of Isaac Hunter II by his brother-in-law and trustee Robert Surtees. Letters between John Erasmus Blackett & Col & Mrs Beaumont in 1800-3 touch upon the Surtees trusteeship in relation to their difficulties surrounding land in the Steel Hall estate that was important to their ability to have free access to the millrace from the Devil's Water to Dukesfield Mill.

John Scott appears to have been seeking rights claimed to be due to his late aunt Mary Hunter, second wife of Isaac Hunter II, and stepmother to Isaac Hunter III, who was living in poverty by the 1830s, rather than through any direct concern for Hunter's predicament.

John Bell, in the Hexham Manor Court office seems however to have been touched by the way Isaac Hunter III was defrauded by his uncle and cousin as trustees.

A Chancery case was brought by Scott against Surtees' son in 1833: C/13/1528/7]

The late Miss Scott appears by the will of Mrs Hunter to be intitled as residuary legatee to the whole of her personal Estate after payment of her debts & co & as Mrs Hunter was under the will of her Husband intitled not only to an annuity of £50 & his Household Furniture but also to the Interest of one moiety of the Produce of his real & personal Estate & as it is admitted that Mrs H. received only the anny. & the Furniture the personal representative of Miss Scott has in my opinion a right to call upon the Representatives of Mr Hunter for an account of the Produce of Mr H's real & personal Estate unless he can clearly and distinctly show that such account was furnished to Mrs H. & that she with full knowledge of her Interest most distinctly & advisedly consented to accept the annuity in discharge of all demands.

From Mr A. Surtees's letter dated 10 Janr. 1826 I conclude that Mrs H. never even applied for more than the annuity & that 'she was satisfied with such provision' but I think her acquiescence may be ascribed to the impression that she probably received from the statement that 'great difficulty would arise in securing to Mrs H. the annuity of £50 on Alston Brewery' That such statement was made appears in Mr Purvis's letter 10th Feby. 1826. The Question then is was such statement true? If it be true that the Steel Hall Estate sold in 1805 for 9718.15.10 & that after paying off the mortgages 7536.18.1 remained subject however to £900 due & for which Mr Robert Surtees was jointly bound there would still be 6636.18s applicable to the Trusts of the will of Mr Hunter & that the Anny. was not paid out of such surplus appears from Mr A.

Surtees's statement that the annuity was re<..> paid by Mr Morrison the Purchaser of the Alston Brewery in pursuance of an arrangement by Mr A.S. with Mr Morrison at the time of the sale – With respect to the notion that Mrs Hunter with full knowledge of her rights waived them in favour of Mr Robert Surtees her Trustee I am of opinion that a <level> of Equity would not from circumstances presume such to have been the fact & I much doubt further it would allow of such a transaction tho' evidenced by a <Deed> Courts of Equity being very distrustful of the fairness of such dealings between Trustee & <..... ..> trust & I am of opinion that Length of Time would not be a Bar to Investigation of such a transaction but previous to any Proceeding I should recommend Inquiries to be made as to what the Steel Hall Estate actually produced & whether there were any & what sum of Debts or any Debt to Col. Beaumont as referred to by Mr A.S. & if Mr Scott will inform me as to the result of such inquiries I will further advise him.

John Fonblanque 7 May 1832 Temple

8 May 1832 M Bell to John Bell

[Note: undated. Neither correspondent nor recipient is given. Context and salutation suggests it was written to John Bell by a close relation in London –presumably the brother referred to by John Bell in a later letter- and perhaps written at the time of the first enquiry, in May 1832.]

Dear John,

Since writing my other <letter> a Gentleman called here from old Fonblanque the Chancery Barrister to get me to enquire of you wher. the present Isaac Hunter recd. any <.....> sum of money from the Exrs. of his Father as the or one of the residuary Legatees.

I find he is enquiring on the part of Mr Scott the bror. of Miss Scott – he says Mrs Hunter had £50 p an: left her which was hardly paid, and I imagine he supposes she was a residuary Legatee.

I told him I believed the only Int: under the Wall was her £50 p an: but I never saw the Will as perhaps you may have done so – If you can give me the Informat. do so
MB.

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11 May 1832 John Scott to John Bell

London 11 May 1832

41 Upper Berkeley Street West Connaught Square

Sir,

Your letter of the 29th July 1826 in which you were so kind as to send my sister a £1 Bank of England note I duly answered through a Servt. who was to get it franked to you for me, and my not having heard from you for so many years makes me fear that it may not have reached you.

My sister is dead – she died the June following of Dropsy & I took care that she should not want for anything during her illness.

I have some thoughts of again trying to get my Aunts property and the enclosed is the opinion upon the matter by Mr Fonblanque a Kings Counsel who has kindly promised to do all in his power to serve me in the affair but who wants some more information which is as follows & which I am sure I am not asking too great a favour in begging you to give me as early as possible.

- 1st. Can you say what amount Mr Isaac Hunter (who is now upon the Parish) received and when.
- 2nd What fund did it come out of
- 3rd What amount did Steel Hall sell for
- 4th and what Amount did Alston Brewery sell for & the dates of the Sales

These questions are most particular as Mr Fonblanque cannot give so decided an opinion until they are answered.

I remain Sir with great respect
Your Most Humble Servt.
John James Scott

To. John Bell Esqr. Hexham

21 Aug 1832 John Bell to John Scott

Sir,

By the Will of the late Mr Hunter of Dukesfield he left his real & personal Estates to Rob. Surtees of Milkwell Burn, save Furniture &c to Wife for life & then to Daur Catherine in trust to sell & pay his Debts; the Int: of one half of the Residue to be paid to his Wife for life; that half after her death & the other half after his own death to be divided among his three children, & appointed sd. Rob Surtees Exor. of his Will which bears date 26 July 1794 – executed in presence of three witnesses – By a Codicil thereto dated 23rd Apl. 1796, he confirmed his Will except the Household goods &c that his wife brot. with her & had added since, he bequeathed to his sd. Wife for ever; and also bequeathed to her 50l. pr. an: for life out of his share of Alston Brewery dividinds [struck out: each year] How it had been concealed from Mrs Hunter that all she took under the Will & Codicil was but 50l. a year & the use of a small portion of the Furniture &c which was all she enjoyed for her life, I am at a loss to find out; but I must say I was astonished beyond measure to find after her death on meeting with a copy of the Will & Codicil thereto that she was also intitled to the Int: of half of the residue of the produce of the real & personal Estate except as afsd. after Paymt. of the testators Debts, during her life. There must have been sevl. thousand pounds residue, though I have not the means of asertaining how many, and the Int: of one half of such residue she shod. have had, besides the further provision by the Codicil; which latter seems to be all she has got, and her representatives ought to have the part she was intitled to but did not get. [struck out: It is perhaps best not to trust oneself to write what one thinks of such a transaction.]

The Will & Codicil will be found proved at York 13th Septr. 1796. Mr Hunter died 5th Augt. 1796, his son Isaac is his only surviving child & in a state of Poverty. What was paid by the Trustee to him I do not know. The Trustees ought not to have misapplied the effects. Mr & Mrs Beaumont purchased the real Estates but I do not know the amount of Purchase Money, that may be ascertained, but I have not the means. I do not know the time of the Sales either of the Share in Alston Brewry or of the real Estates – The Testators other children, Robt. & Cath: both died I believe intestate & I think Robt. died in his Fathers life time.

I ought to have written to you long before now, but expected to obtain some more particular Information, which I have not been able to come at besides we have been very much engaged in preparing for a contested election for the southern division of this County of Northld.

I am, Sir your obed. Servt. Jno. Bell

Manor Office Hexham 21st August 1832

p.s. You will take this without further loss of time to Mr. Fonblanque as the only Information I can give him. J.B.

24 Aug 1832 John Fonblanque to John Bell

Dear Sir,

I am much obliged by the attention you have paid to the case of poor Scott who appears to me to be deserving of it not only in respect of his afflicted state In Health & Circumstances but also from his general character & as a favoured <attendant> of the late Chief Baron Sir A. Macdonald.

The main point upon which information is required is whether Isaac Hunter the Testator's son received any & what sum on account of the Residue of his Father's property – I understand that Isaac is now a pauper in Hexham Should you be able to find him it will be a valuable service to Scott to ascertain the Fact.

Your obedt. Servt.

John Fonblanque

24 Aug. 1832 41 Upper Berkeley S. West

John Bell Esq Manor Office Hexham

18 Sep 1832 John Bell to John Fonblanque

Sir,

I have seen Mr Isaac Hunter. He informed me that he never got any Settlement with his late Uncle Mr Robt. Surtees. He says he remitted to his Uncle at sundry times, to the amount of £1737.5s. which he says is admitted. The real Estate was sold for £9700 or upwards. He has an accot. of £2800 paid for princl. Mo: and £1355.5s. for Int: Law Bills etc. according to this statemt. there remains a Bal. of £7282 of this Bal: he says he has not recd. a penny. If this be so, what a shame. He has been even worse dealt with than poor Mrs Hunter.

I am Sir your Obed. Servt

Jno Bell

Manor Office Hexm. 18 Sepr. 1832

Jn. Fontblanc Esq.

9 Jan 1833 John Fonblanque to John Bell

Sir,

I am wishing to hope that I ought not to ascribe your not having answered my last letter respecting Mr Scott to any unkind feeling towards me My motive was to ascertain whether that suffering individual had a claim which if established would somewhat alleviate his suffering & in applying to you I give you credit for that good feeling which would secure to him your sympathy in aid of my wish that he should have justice – your general character justifies the continuance of my confidence & I will still hope that you will not withhold your contribution to the cause of justice & Benevolence & in such sentiment am

Yours truly
John Fonblanque

9 Janr. 1833 Temple

23 Jan 1833 John Bell to John Fonblanque

Sir,

I duly recd. your former letter respecting certain enquiries to be made of Mr Isaac Hunter relating Mr Scotts claim on the Trustee under the will of Mr Hunters late Father & I have to apologise to you for not attending to it before I did, but we had for so long been kept busy by the preparations for the late contested election that it & some other things got out of mind that ought to have been attended to. I had however before the date of your letter of the 9th inst: sent your former Lre. by Mr Hunters wife to him desiring he might try to recollect what he cod. as to the above affair and I wod. wait on him on my return home having to be from home for a week or so and on my coming to the office last Monday recd. your last letter in a Frank dated the 11th inst: which had come in my absence. Yesterday being our Market Day I cod. not find time to go to Mr Hunter who lives a little out of this town but today after post time I went to him but cod. not get much information from him as to the accot. he had shewed me on the former occasion when I saw him. His memory seems affected from the Effects of Palsy. He seems, from what I cod. gather, to have made out the accot. from Rects. letters and other documents to which he had some time had access, from this you will see that little more can be made out than what I have already communicated except by calling the Trustee under the Will to account.

JB. MOH [Manor Office Hexham] 23 Janry 1833

To Jno. Fontblanc Esq.

1 Mar 1833 John Bell to John Fonblanque

Sir,

Since I last wrote to you on the subject of Mr Scott's affair respecting which you were enquiring of me, I have had an opportunity of seeing the Deeds of Conveyance of the Estate late Mr Hunter's to Mr Beaumont. The Lease and Release are dated 11 & 12 Janry. 1805. The amount of Purchase Money is stated to be £9718.15s.10d. and appears to have been paid to the parties after named, viz: £605 to John Huntley & Henry Richmond; £616.17s.9d. to Benjamin Brunton and Robert Robson £930 to Henry Tulip, Wm. Bates & Robt. Robson, who appear to have had charges by way of Mortgage to the amount of those sums, and the Remainder of the Purchase Money £7536.18s.1d. has been paid to Robert Surtees, who is since deceased.

I have an opportunity of sending this letter to my Brothers & hope the facts herein stated may be of use to you – I am, Sir, your obedt. Servt. Jno. Bell

Manor Office, Hexham, 1st March 1833

Jno. Fontplanque Esq: Temple

23 Mar 1833 John Bearl to John Bell

Re Hunter Deceased

Sir

The papers and documents connected with Mr Scott's claim as the representative of Mrs Hunter against Mr Anthony Surtees as the representative of his Father Mr Robert Surtees have been placed in my hands and from them I have prepared the Statement sent herewith –

As you have already taken upon yourself some little trouble on behalf of the present Claimant I should feel obliged by your perusing the Statement and making such additions to it as you may deem proper –

I have no doubt that Mr Robert Surtees acted a fraudulent part towards Mrs Hunter – but I fear that length of time and want of proper evidence will be productive of much difficulty in establishing it.

Your letter of the 1st instant to Mr Fonblanque afforded much valuable information – A Bill would charge Mr Robert Surtees with a fraudulent conversion of the £7536.18.1 and Mr Anthony Surtees in his answer would I should imagine be compelled to set forth an account of and distribution of the assets – I wrote to his Solicitor Mr Surtees of Lincolns Inn Fields proposing a reference but this is declined and I am anxious therefore to obtain all the information I can as instructions to Counsel to prepare a Bill

I regret that the memory of Isaac Hunter the Son is so much impaired as he would no doubt have been enabled to furnish us with much valuable information, but I feel assured that you will devote some portion of your time to the inclosed statement and returning it to me at your earliest convenience.

I remain Sir Your very Obedt. Servt.
Jno. Bearl

25 Tokenhouse Yard 23rd March 1833

11 Apr 1833 John Bearl to John Bell

Scott & Surtees

Sir,

On the 23rd of last Month I forwarded to you a statement of facts on behalf of my client Mr Scott conceiving that you would be kind enough to assist me in preparing a Bill to be filed against Mr Surtees.

I fear that your other occupations may have prevented your paying attention to this matter. I now trouble you with this to beg - at your earliest convenience it may receive your attention - as I am anxious to avail myself of the benefit of the forthcoming <.....>

Remaining Sir Your very obed. Servt.

Jno. Bearl

5 Tokenhouse Yard 11 April 1833

11 Apr 1833 John Bearl to John Bell

MOH 15 Apl 1833

Sir

Scott v Surtees

I have never yet recd. the Statement of facts you mention in your Letter of the 11th inst: having forwarded to me on the 23rd of last month, how this has happened I cannot tell. Your letter of the 11th inst: I recd. on my return home yesterday having been absent from last Wednesday morning and that letter is the first & only one I have recd. from you - If you will send me a copy of your letter which has not yet come to hand I shall see whether I can assist in the Matter you wish me, but I fear greatly that I shall not be able to attend to it in time for you, for I shall be engaged all this & the following week. I am Sir your obed. Servt.

Jno. Bell

20 Apr 1833 John Bearl to John Bell

Sir,

Scott v Surtees

I am sorry to say that thro. carelessness the parcel was left at the wrong Coach Office here – which accounts for your not having received it.

I feel obliged by your Letter of the 15th inst. & shall be still further obliged by your early attention to the enclosed.

And I remain Sir Your obedt. Servt.

Jno. Bearl

25 Tokenhouse Yard 20th April 1833

8 May 1833 John Bell to John Bearl

Scott v. Surtees

Sir,

I recd. your Letter with the Statemt. of Facts, & have taken some pains to obtain from Mr Isaac Hunter what further Information he cod. give me. You will see by the minutes in red ink on the Margin what further he has been able to recollect. It is different from his former statement, but still serves to shew that Mrs Hunter his Step Mother has not had what she was intitled to.

It really seems to me that Mr A Surtees has had more to do with the late Mr Isaac Hunters affairs than his late Father Mr Rob. Surtees the Trustee for whom he seems principally to have acted and ought to give some accot. of them.

I enquired of a Daur of the late Mr Morrison as to the time he purchased the share of Alston Brewery. She thinks it wod. be aft. the year 1800, or 1801. – Mr Isaac Hunter says the Purchase Money was 1500l.

Mr Isaac Hunter seems anxious that his Name shod. not be mentioned as the person given any Information in these affairs. I told him I wod. take care to state the Circumstance.

I hope you will receive the Parcel in time I cod. not send it sooner. Mr Hunter requiring time to recollect himself –

I am, Sir, your obed Servt. Jno. Bell.

MOH 8th May 1833. To Jno. Bearl Esqr.

[Marginal notes in red ink referred to:]

Messrs. Surtees & Purvis it is believed were Solr. for Mr Beaumont as well as for Mr Robt. Surtees on the Conveyce. of Steel Hall, but q. if Mr Walter <Heron> if then living was not Mr Beaumont's Trustee Solr.

Mr Is Hunter says 1000l. was due to Col. Beaumont at his Father's decease, and that he Isaac gave his Note for that Sum The Note was afterwards returned to him. He supposes Mr Surtees must have pd. off the Debt of 1000l.

Mr. Hunters share of Alston Brewry sold to Mr Morrison for 1500l. abt. the year 1800 – 50l. a yr pd. by Mr Morrison to Mrs Hunter out of this share for her life.

Is: Hunter now says Mr A. Surtees pd. him at NCastle 3285.6s.4d and says he shd. have had 1007l. more wh was due to him but cd. not get it without filing a Bill which he did not like to do.

Both Robt. & Cath Hunter died after their Father –

17 May 1833 John Bearl to John Bell

Sir
Scott c Surtees

I received back the statement with your remarks thereon for which I feel much obliged to you and will now trouble you with a few more questions.

1st Was the Brewery sold to Mr Morrison for £1500 subject to the Annuity of £50 to Mrs Hunter

2nd Can you procure at my expense an Abstr. of the Conveyance to Col. Beaumont this would be very important -

3rd When did the two sons die and did Isaac carry on the farm for the benefit of the Trusts under Testators Will –

4th In what year did Robert Surtees die?

5th When and for whom did Isaac Hunter receive the £3285.6.4 mentioned in your marginal observation

I wish Isaac Hunter would furnish me (through you) with what documents he has in his possession. He may rely on my returning them to him & he may also rely that his name shall not be mentioned as the person giving me information.

As time is drawing near may I beg & hope for your early attention to this matter, & you will much oblige Sir Your very obedt. Servt.

Jno. Bearl

25 Tokenhouse Yard 17 <or 16th> May 1833

17 May 1833 John Bell to John Bearl

Sir

On my return home I recd. your Ltr of 16th inst.

I have since seen Mr Isaac Hunter & have had great difficulty in making out any thing from him even with the help of his wife who seems anxious to afford every Information, from an Idea that her Husband as well as Mrs Hunter the Widow of the Testator has not been fairly dealt by.

To your 1st q. 1500l. was the full Price for the share in Alston Brewery, by a Part of this sum the 50l. annuity to Mrs Hunter was purchased – as Mr Morrison paid the annuity he must have been let retain as much of the 1500l. as the annuity was deemed to be worth I suppose.

To your 2nd q. I cannot at present procure at your Expencc an abstract of the Conveyance to Col. Beaumont, but perhaps in a little time I may have the Deeds in my Custody & may then send you one if not too late.

To your 3rd. q. It appears by a Letter from the late Col. Beaumont Dated Portman Sq. Novr. 23rd 1797 that Robt. Hunter, the younger Son of the Testor. died at Port au Prince in St. Domingo on the 28th of Septr. then last past – Isaac Hunters wife thinks that her Husbonds sister Catherine Hunter the Daur. of the Testor. died sometime in or abot. the Year 1807.

To your 4th. q. She thinks (for her Husband does not seem able to recollect) that Mr Robt. Surtees the Trustee died about the year 1811.

To your 5th q. Mr Isaac Hunter thinks the 3285l. 6s. 4d. mentd. in my marginal Note was pd. by Chr. Blackett Esq. chief Agt. in NCastle to Col. Beaumont to him Isaac Hunter in the presence of Anthy Surtees Solr. to Rob Surtees the Trustee abot. the time when the Purchase of Steel Hall was completed.

I spoke to Isaac Hunter (whilst I was with him) twice about the Documents you desire to have but got no reply – I cod. not well press the Matter further, but read to him that Part of your Letter relating to those Documents &c – Possibly I may come at them hereafter if not too late to be useful to you – He sent me Col. Beaumonts Letter this afternoon to show when his Bror. Robt. Hunter died.

It is really very difficult to make much out with people who have been struck with Palsy –

MOH 24 May 1833. I am, Sir, your Obed Servt. Jno. Bell

To Jno. Bearl Esq: <.....>

P.S. to q 3. Isaac Hunter carried on the Farm on his own accot & he accounted for the Stock thereon to the Trustee at Testors. decease.

25 May 1833 John Bearl to John Bell

Dear Sir

On the other side I forward you a copy of Mr Teeds opinion upon Hunters Case. You will perceive that he has taken a more expected view of it than Mr Fonblanque did – but this is to be attributed to the additional facts laid before him

It becomes very necessary to ascertain from Isaac Hunter when his Brother & Sister died whether they died intestate & unmarried & whether Letters of Administration have been taken out by any person

May I beg your early attention to this - & also an answer to the queries contained in my Letter to you of the 17th instant.

I am Sir Your vey obed Servt.

Jno. Bearl

25 Tokenhouse Yard 25 May 1833

Copy Opinion

It is stated that the three children who are named in the will survived the Testator and that two of them, viz Catherine and Robert died in the life time of the widow unmarried and Intestate. If Mrs Hunter the widow of the Testator was the Mother of those children – then if there were any surplus of his Estate in respect of which she was intitled for her life, to any Interest beyond her annuity of Fifty pounds a year such residue was divisible half immediately, and the other half upon her Death amongst the three children, or the survivor and personal representatives of the Deceased children; and upon the Death of Catherine and Robert, Mrs Hunter as their Mother became entitled to a distributive share of their personal Estates – and of course to a share of what they were entitled to under the Testator's will. Upon the Death of the first child one Third of the residuary Estate became divisible amongst the two surviving children and the Mother in equal shares, and upon the Death of the second, 4/9ths became divisible between the Mother and the surviving son equally and the Mother therefore became entitled to one Third of the entire residue – If the statement that Isaac Hunter the son received as for his share from Mr Surtees Three thousand two hundred and eighty five pounds six shillings and four pence be correct, then it is plain that the Deceased children were entitled to have received some considerable sum of money and unless they did receive it, that their legal personal representatives must be entitled in their right for the benefit of the representative of Mrs Hunter the Mother and of Isaac Hunter the surviving Brother. The statement however is inconsistent with that contained in Mr Bells letter of the 18th Septr. 1832 in page 9 – If Isaac never received anything from the Trustees or Executors on account of his share of the residue though

the Testator has been dead more than Thirty years and he himself was engaged in carrying on the Farm until it was sold in 1805 it may be supposed that he was satisfied that all the Estate was absorbed by the Debts and that there was nothing to divide amongst himself and his Brother and Sister – This however should be enquired into and if it can be shewn or if there is sufficient reason to believe that there was any considerable residue and that the deceased children did not receive their shares before their Deaths then unless letters of administration have been already granted of their Estates – I think the representative of Mrs Hunter should endeavour to get such letters of administration granted to him and to extend his Bill beyond his claim for the Interest due to the widow to what was due in respect of the capital to those children and that he may retain his share of what so belonged to them.

J. G. Teed

Lin. Inn 24th May 1833

27 May 1833 John Bell to John Bearl

Dr. Sir,

Mrs Hunter the late aunt of Mr & Miss Scott was nothing akin to the Testor Is: Hunters children. She was only their Step Mor. their Mor. was Mr Robt. Surtees Sister I believe – By the time I recd. your last Lre you will have recd. my last with such information as I cod. send you.

I am Sir your obed Servt.

Jno. Bell

MOH 27 May 1833