1815-006

SOUTHAMPTON COUNTY
CHANCERY PAPERS

CLAUD vs. CLAUD et al, by &c. al

12/1815

other SURNAMES: Blake, Westbrook, Francis

PLAT

1815-006

SOUTHAMPTON COUNTY
CHANCERY PAPERS

CLAUD vs. CLAUD etc.

12/1815

Land

vs } Bill

Land &c

Nov. 1815 Int. for Decree

Vincent Harris

Richard Blount

Spratley Williams

Edmund Turner

To the worshipful Court of Southampton County in Chancery sitting—

Humbly complaining sheweth unto your worships, your orator Joseph Claud, that his father a certain Edwin Claud, departed this life on the day of in the said County of Southampton, having first duly made and published his last will and testament in writing, and that at a Court held for the said County on the 16th day of October 1797, the said will was proved and ordered to be recorded, and a certain Elizabeth Claud the Executrix therein named, qualified to the said will and took upon herself the burthen of Execution thereof— that by his said will, the said Edwin Claud directed the whole of his Estate to remain in the hands of his Executors for the schooling & bringing up his children until your orator should arrive to the age of twenty one years, at which time he directed a division thereof between his wife, the aforesaid Elizabeth Claud & his children then living, as will fully appear by an attested copy of the said last will & testament, hereto annexed, and to which your worships are referred, as a part of this bill— that the Estate of the said Edwin Claud consisted of a tract or parcel of land, situate, lying & being in the said County, containing by estimation Eighty six acres, and of several slaves, which now consist of the following, to wit Fanny, Nat, Jim, Mishack, Celia, Pleasant, Mason, Nan, Else, Ned, Anthony, Nathan, Pine, and Solomon — that in pursuance of the said will, the said Elizabeth Claud, widow and Executrix of the said Edwin Claud dec'd, remained in possession of the said land & slaves, until the day of when she died — that the said Elizabeth Claud, previous to her death, made and published her last will & testament in writing, and that at a Court held for the said County on the 19th day of January 1813, the said will was proved and ordered to be recorded, and a certain

Willie Francis, an Executor therein named, qualified to the said will, and took upon himself the burthen of the execution thereof - that among the devises and bequests in the will of the said Elizabeth Claud contained, is the following - "Item - My will & desire is, that the Land I bought of John Blake's estate containing one hundred & eleven acres, & the Land I purchased of Burrell Westbrook, containing two hundred and ninety five acres, & the tract of land which I bought of Cordall Beard containing one hundred and thirty seven and a half acres, with the whole of my property, to continue together, till my son Joseph Claud shall arrive to the age of twenty one years, and an equal division to be between my sons Joseph, Joshua and Edwin" - as will fully appear by an attested copy of the said will, due to annexed, and to which your worships are also referred as a part of this bill - that the Estates both of the said Edwin Claud deceased and Elizabeth Claud deceased, have been hitherto kept up and continued together, in pursuance of their said respective wills, awaiting the arrival of your orator to the age of twenty one years; that your orator has now arrived to the age of twenty one years, and is now entitled to one equal third part of the estates of the said Edwin Claud deceased and Elizabeth Claud deceased, together with his brothers Joshua Claud and Edwin Claud, children of the said Edwin Claud & Elizabeth Claud, deceased, who are yet infants under the age of twenty one years - Never theless the share of your orator in the said respective estates, cannot be reduced into possession, without the aid & interposition of a Court of Equity, where matters of this sort are properly cognizable - To the End therefore, that the said Joshua Claud and Edwin Claud, infant children of the said Edwin Claud deceased, and Elizabeth Claud deceased, by the aforesaid Willie Francis, their guardian, and the said Willie Francis, Executor of the said Elizabeth Claud dec^{d}, who was Executrix of the said Edwin Claud dec^{d}, may be made defendants to this bill & be compelled to answer all & singular the allegations herein contained & that as fully & perfectly as if the same were herein again repeated & they thereunto particularly interrogated - that your worships will decree, that the aforesaid tract or parcel of land containing Eight six acres as aforesaid, of which the said Edwin Claud dec^{d} died seized, & that the aforesaid shares belonging to the Estate of the said Edwin Claud dec^{d}, be equally divided between your orator and his brothers the aforesaid Joshua Claud & Edwin Claud, in pursuance of the will of the said Edwin Claud deceased - that the aforesaid three tracts or parcels of land, one containing 111 acres, the other containing 295 acres & the third containing 137 1/2 acres and of which the said Edwin Claud died seized, be equally divided between your orator and his brothers, the aforesaid Joseph Claud and Edwin Claud, in pursuance of the will of the said Elizabeth Claud dec^{d} - & that any other & general relief be granted in the premises, which may be found consistent with Equity & good Conscience - May it please your worships to grant the Commonwealths writ of Subpoena, commanding &c, and as in duty bound your orator will ever pray &c

Sth for Complainant

Claud 1c

ads 3 Sufferers

Claud.

To the worshipful Court of Southampton County in Chancery sitting —

The joint separate answer of Joseph Claud & Edwin Claud,
infant children of Edwin Claud, and Elizabeth Claud, deceased,
by Willie Francis, their guardian, to the bill of complaint exhibited
in this worshipful Court against them, and the said Willie Francis
Executor of the said Elizabeth Claud dec'd, who was Executrix
of the said Edwin Claud dec'd, by Joseph Claud — The said in —
fant defendants, by their said guardian, saving & reserving &c for
answer thereto say, that the allegations therein contained are true
and correct, and they have no objection to such decree in the pre —
mises, as may be consistent with Law & Equity — and they pray
to be hence dismissed &c.

Willie Francis

(Signed)

Francis, Ex'or &c.
ads
Harper
Claud.

To the worshipful Court of Southampton County in Chancery Sitting—
The separate answer of Willis Francis Executor of Elizabeth Claud
dec^d who was Executrix of Edwin Claud dec^d to the bill of complaint
exhibited in this worshipful Court against him, and a certain Joseph
Claud and Edwin Claud, infant children of the said Edwin Claud, & ~~Elizabeth~~
Elizabeth Claud, deceased, by ~~the~~ Joseph Allen. The said defendant
saving & reserving &c; for answer thereto saith, that he cannot gainsay
the allegations in the said bill contained, & has no objection to the decree
prayed for by the complainant— and he knows of no reason
disinclined &c— (Signed) Willis Francis

Southampton November Court 1875

Joseph Cland ..... Plt.

against

Willie Francis Executor of Elizabeth Cland dec'd who was executrix of Edwin Cland, & Joshua Cland & Edwin Cland infant children of said Edwin Cland & Elizabeth Cland dec'd by Willie Francis their guardian ..... Defts.

In Chancery

This cause was this day docketed by consent of parties & upon the bill answer and argument of counsel, whereupon it is decreed ordered and adjudged that Nevit Harris, Richard Blunt, Stratley Williams & Edmund Turner or any three or more of them with the assistance of the county Surveyor do divide the tract of land containing eighty six acres of land whereof Edwin Cland died seized & possessed equally between the complainant Joseph Cland and defendants Joshua Cland and Edwin Cland having regard to quality as well as quantity & that they or any three or more of them do divide the Slaves whereof said Edwin Cland died seized to wit, Fanny, Nat, Jim, Mashack, Celea, Pleasant, Mason, Nan, Else, Ned, Anthony, Nathan, Vine & Solomon - equally between the complainant Joseph Cland & defendants Joshua Cland and Edwin Cland & It is further decreed & ordered that the aforesaid commissioners or any two or more of them with the assistance of the Surveyor of Southampton county do allot & divide the three tracts of land whereof Elizabeth Cland died seized & possessed one tract containing 111 acres the other containing 295 acres & the third containing 137½ acres equally between the said complt Joseph & the defts Joshua & Edwin Cland having regard to quality as well as quantity & that they make report of their

actings & doings in this behalf to the court in order to a final decree -

Teste James Rochelle Cl.

Cland W.
v
Cland W.

Ent of Decree

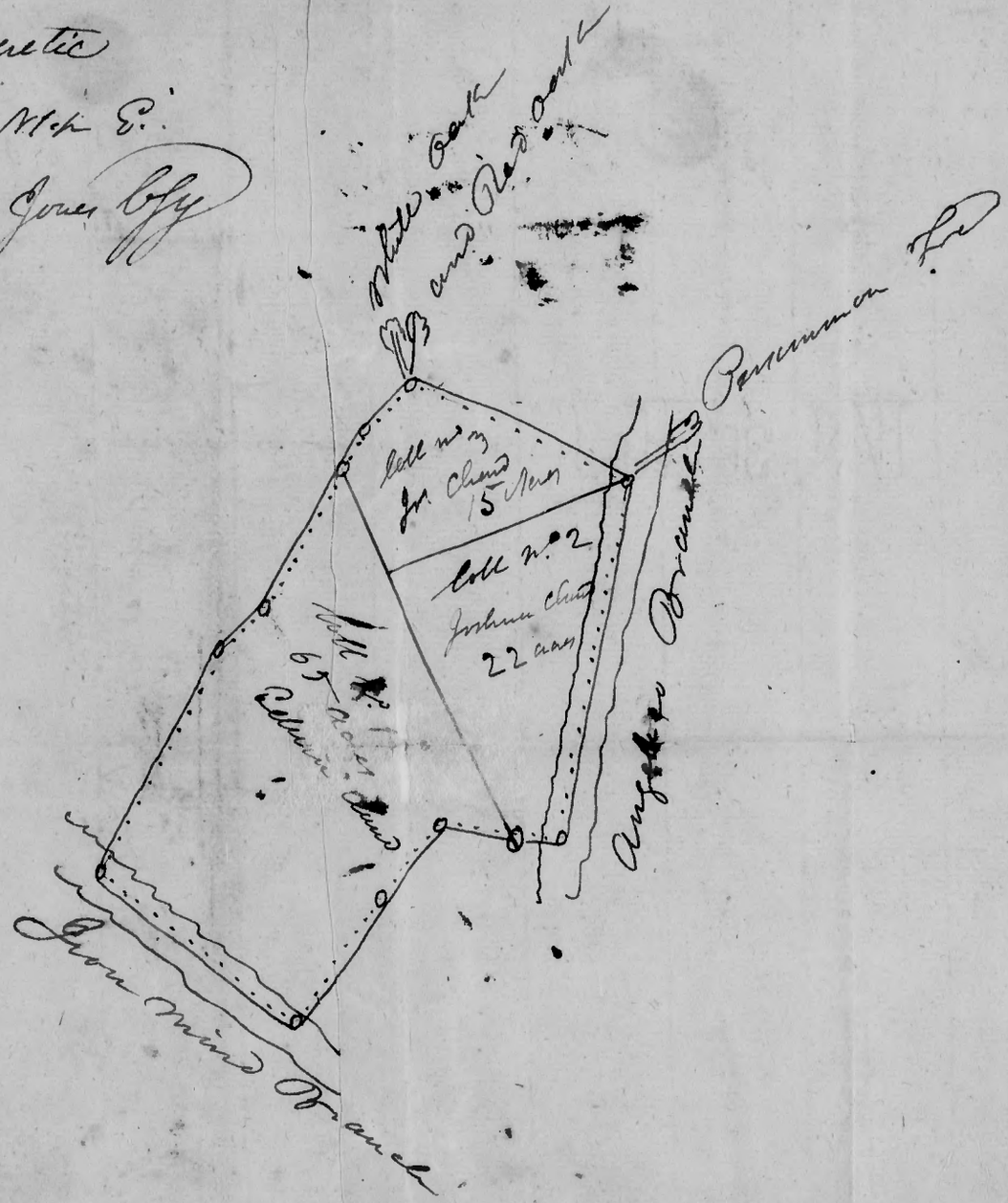
Plat of the
Lands of Edwin
Bland dec'd 103 Acres
also of Elizabeth Cloud
dec'd 606 acres
709 acres
in all

& Commissioners
Report

December 1815 Rept rec'd & Decree final -

Ent'd

This done by the Magnetic
Meridian Variation N 6° E.
James Jones Esq



Vanetten

Beginning at a Maple in the Angelica Branch

Angelica Branch

Persimmon Tree in the Angelica Branch

Head of the Angelica Branch

Two Chestnut Oaks on the Divide

Red Oak on the Divide

Hickory

Chestnut Oak

Chestnut Oak

Chestnut Oak

Beginning at a Maple & corner standing on the Angelica Branch — running thence N. 61 E — 14 Pole to a Persimmon Tree, thence N. 14. W. 40 Pole, thence N. 3 W. 80 Pole to a Pine at a Pole C. of Henry Barrow Estate thence N. 69 — W. 28 pole thence N. 83 — W. 40 pole thence S. 82. W. 120 Pole thence S. 76. W. 56 pole to a Willow Cattle C. of George Stephen thence N. 50 W 20 pole to a black Gum C. of Lewis Westbrooks thence S. 49 — W. 24 pole thence N. 86 — W. 16 pole thence S. 23 West 20 pole thence S. 57 — W. 38 Pole thence S. 78. W 20 Pole thence Due West 12 pole to a new C. made in lotts No. 1 and 2. thence along a new line of marked Trees between lotts No. 1 and 2 to a new C. made in Jefse Claud's line; thence N. 6 E. 178 pole to two dead Pines C. of the Westbrooks Tract. thence due East 134 pole to the head of the Angelica Branch thence S. 35 E. 30 pole to a Persimmon Tree in the Angelica Branch and from thence along that branch to the first Station containing 272 ¾ Acres being lott No. 1 — Which lott was drawn by Edwin Claud being his full Proportionable Part of all the Lands of Elizabeth Claud decd —

Dimentions of lott No. 2 (to wit) Beginning at a new C. in lotts No. 1 & 2 in Jefse Claud's East bound running thence along the dividing line of lotts No. 1 & 2 to a Branch. thence Along the branch the Various Courses thereof to a Gum C. of Land Westbrooks, thence along his line to a Pine a new C. made in lotts No. 2 & 3 — thence along the dividing line of lotts No. 2 & 3 to a new C. made in the Cool Spring Branch thence along that branch 10 pole and thence N. 75 E — 100 pole to the first Station. — Containing 179 Acres being lott No. 2 — Which lott was drawn by Joshua Claud being his full portion of the Lands of his decd Mother —

Agreeable to an Order of the County Court of Southampton to us directed bearing date Southampton November Court 1815

We have gone on the Lands in the first Place of Edwin Claud decd attended with the County Surveyor as by the Order we were required — and have run out the out bounds of the land of the S. decd and find upon an accurate Survey there to be 103 Acres Including the House and Orchard and also divided the Same in three Equal Parts in Manner and form following (to wit) Beginning at a new Corner made in a Small branch; thence the Various Courses of that Branch to a fence, and thence S. 47 E 18 pole to a red Oake in the field; thence S. 65 — E — 76 Pole to a dead White Oake blown down a C. of Wm Claud and John Barrow Estate; thence N. 34 E. 74 Pole to a Pine a C. of Henry Barrows Estate in the Pine mine Branch thence N. [illegible] Pole to an old dead Pine; thence N. 52 — W. 30 Pole to a Walnut Tree thence N. 2 E 16 pole to a Pine a new C. made in lott No. 1 & 2 and thence along the new line of lott No. 1 — 2 — & 3 to the first Station — containing 68 Acres being lott No. 1 — Which lott was drawn by Edwin Claud — being his full Proportionable Part of the 103 Acres of land whereon Edwin Claud decd died Seizd and Possd —

Dimentions of lott No. 2 (to wit) Beginning at a Small Pine a new C. made in lott No. 1 & 2. running thence N. 2. E. 15 pole to a large Maple Standing in the Angelica branch; thence along that Branch to Persimon Tree a C. in the same branch. thence

Thence along the dividing line of lott nº 2 & 3 to a Post a new Cº made in lott nº 1 — 2 & 3 in the other dividing line, and from thence along the dividing line of lott nº 1 and 2 to the first station being lott nº 2 Which lott was drawn by Joshua Bland containing 22 Acres being the Second lott Which is his full Proportionable Part of the lands whereon Edwin Bland died Seyd

Denicution of the 3d Lott (viz) Beginning at a Persimon Tree standing in the Angelico Branch running thence S. 24 W. 72 Pole to a White Oak and red Oak Cº of William Bland thence S. 46 — E. 20 Pole; thence S. 65 E — 16 pole to a new Cº made in a Small Branch between lotts nº 1 & 3. thence along that dividing line to a Post a new Cº in the Boland of lotts nº 1 — 2 — & 3 — thence along the dividing line of lotts nº 2 & 3 to the first station. being lott nº 3 containing 16 Acres Which lott was drawn by Joseph Bland. being his full Proportionable Part of the 103 Acres of Land Edwin Bland died Seyd — all of Which Tract of land we have divided Agreeable to quality and quantity as will fully appear by the number of Acres given in each lott

We have also Under the Same decree further Proceeded to Value, divide and Set apart to the Complainant Joseph Bland and the two defendants Joshua Bland & Edwin Bland all the Negroes belonging to the Estate of Edwin Bland decd in manner and form following (viz) lott nº 1 Was Valued at 400 dollars Mason 300 dollars Also 233 dollars and Ned 280 dollars making in all 1213 dollars Which lott of negroes was drawn by Edwin Bland Which is his full Proportion of all the negroes of his decd Father after receiving from Joseph Bland lott nº 2 — 28 dollars Which two Sums added together makes 1241 dollars his full Proportionable Part of the negroes of his decd Father —

lott nº 2 of the negroes is Jim Valued at 450 dollars Pleasant 300 Isbel 250 Nathan 200 Solomon 100 making in all 1300 dollars Which lott was drawn by Joseph Bland being his full Proportion of the negroes of his decd Father after Paying to Edwin Bland lott nº 1 of the negroes the Sum of 28 dollars ~~Which Sum deducted~~ and to Joshua Bland lott nº 3 the Sum of 31 dollars Which respective Sums being deducted from 1300 $ leaves 1241 dollars his full Proportionall Part of all the negroes of his decd Father —

lott nº 3 of the negroes is Mesheck 400 dollars Fanny 160 Nancy 300 Anthony 230 Viney 120 dollars — making in all 1210 dollars being his full Proportionable part of all the negroes of Edwin Bland decd after receiving from Joseph Bland lott nº 2 the Sum of 31 dollars Which Sum added together makes 1241 dollars being his full Proportion of all the negroes of his decd Father —

Also Agreeable to A Further order of the County Court of Jefferson bearing the Same date as William Mendenhall We have Proceeded With the assistance of the Surveyor of Jefferson County to Survey and divide all the lands of Elizabeth Bland decd Equally between the Complt and defendants, in manner and form following (to Wit)

Dimentions of the 3d Lott [district] Beginning at
a Pine a new Co. of lotts No. 2 & 3 in Burwell
Mathocks line thence S. 3. W. 20 pole to a Post oak
a Co. of the Bradley land, thence N. 43 - W. 16 pole
to White Oak Co. of Burwell Mathocks, thence S. 53 W.
189 Pole to a White oak in the Mill Swamp, thence
the Various bounds of that Swamp to where it turns
out of the Swamp thence N. 45 - E - 292 pole
to a red Oak at the Co. of the old field thence N. 44 - E
54 to a Gum in the Cool Spring Branch, thence along the
Cool Spring Branch to a new Co. made between lotts
No. 2 & 3 and thence along the dividing line of lotts
No. 2 & 3 to the first Station, being lott No. 3.
Containing 153 Acres Which Lott was drawn by
Joseph Bland being his full Proportion of all the
lands of his dec.d Mother. Given Under our
hands this 12.th day of December 1815

Nicholas Harris

Richd Blunt

Edmund Jennings