

1819-004

SOUTHAMPTON COUNTY
CHANCERY PAPERS

CLAUD & al vs. CLAUD's adme & al

11/1819

Claude

by
Claude-

Bill Hunter

November 1879 Order for
accounts—

To the worshipful Court of ~~Superior~~ Southampton in Chancery
sitting - Humbly complaining shew unto your
Worships your complainants John Cland, Philip Cland, William
Cland, ~~and~~ Edwin Cland & Joshua Cland grandsons of William Cland
decd that William Cland departed this life sometime in the
year ~~having~~ just made a last will and
testament which has been admitted to record and a true
copy of which is hereto annexed and prayed to be taken and
considered as a part of this bill. That a certain Jesse
Cland who was a legatee in the aforesaid will took out
letters of administration with the will annexed of the
said William Cland decd and partly settled the estate
of the said William Cland decd, but before he closed
completed the administration he died leaving
a will which has also been admitted to record, wherein
he appointed a certain Joseph Cland his executor
who shortly after qualified as such. That after the
death of the said Jesse Cland the said Joseph Cland
took out letters of administration with the will
annexed of the said William Cland, and as your
complainants have been informed proceeded to close
the administration of that estate. That besides
your complainants who are interested in the estate
of the said William Cland decd the said William
Cland left a daughter who was a legatee in his
will who hath since died intestate and the said
Joseph Cland hath administered upon her
estate. Your complainants state, that although
they have been informed that the said Joseph
Cland hath closed his administration upon
the estate of the said William Cland decd
yet they have never been able to ascertain what
amount may be due to them respectively, nor to

have they been able to effect a final settlement
with the said Joseph Clarendon as a personal
intender consideration whereof and as much as
your complainants are without remedy in the
premises save in this Court they pray that the
said Joseph Clarendon as admr de bonis non with the
will annexed of said William Clarendon, as executor of
the said Jesse Clarendon and as admr of the said
Phoebe Clarendon may be made a defendant and be
compelled to answer all and singular the
allegations herein contained fully and unequivocally
They further pray that he may be compelled to render
to this Court a just and true account of the admini-
stration of his tutelage Jesse Clarendon upon the estate of the
said William Clarendon, and also of his own administration
upon that part of the said estate which was
undisposed of by his tutelage Jesse Clarendon. They further
pray that if any balance be found due from the
estate of the said Jesse Clarendon or from the said
Joseph Clarendon, that the said Joseph be compelled
to pay over the same agreeably to the will of the
said William Clarendon and finally
your complainants pray that your wisdom
grant any other further relief in the premises
which may best comport with principles of
Justice and Equity and as in duty bound they
will ever pray &c // M. Clarendon

John Clarendon
Thomas Clifton an Attorney in fact
for Joshua Clarendon Edwin B. Clarendon &
Philip Clarendon

To the honorable Court of South Hampton in Chancery
sitting. The answer of Joseph Clarendon admr de
bonis non with the will annexed of William
Clarendon and, Executors of Jesse Clarendon who was
adm with the will annexed of said William
Clarendon and admr of Phoebe Clarendon and
to the bill of Complaint exhibited against him
by John Clarendon, Philip Clarendon, William Clarendon,
and Edwin Clarendon and Joshua Clarendon grand-
sons of William Clarendon and -

This respondent now and at all
times saving and reserving to himself all and
every benefit of exemption to any error or imperfection
in the Complainants bill contained, for answer
thereto or to so much thereof as he is advised is
necessary and material for him to answer
answers saith. That he is the admr de bonis
non with the will annexed of William Clarendon
and, the executor of Jesse Clarendon who was admr
with the will annexed of William Clarendon and
and the admr of Phoebe Clarendon. That the said
Jesse Clarendon in his lifetime partly settled the estate
of the said William Clarendon, and that this respondent
hath finally done so since his death, and is
prepared to render a just and true account
thereof to this Court as it may direct, and
to pay over any balance that may be due
to the persons respectively entitled. Your
respondent having answered prays to be
dismissed &c

J. Clarendon

Claud & Bill
377 answer
Claud

A copy

To the worshippful court of Southampton in Chancery sitting
Humbly complaining, shew unto your worship your complainants
John Claud, Phillip Claud, William Claud and Edwin Claud
and Joshua Claud grandsons of William Claud dec^d. That William
Claud departed this life some time in the year ¹⁷⁸¹ having
first made a last will & testament which has been admitted
to record, an attested copy of which is hereto annexed and
prayed to be taken ^{& recorded} as part of this bill. That a certain
Joseph Claud who was a legatee in ^{the} said will took out
letters of administration with the will annexed of the said
William Claud <sup>and prays that the estate of the said William Claud be
settled</sup> but before he completed the administra-
-tion, he died, leaving a will, which has also been admitted
to record wherein he appointed a certain Joseph Claud his
executor, who shortly after qualified as such. That after
the death of the said Joseph Claud, the said Joseph Claud
took out letters of administration with the will annexed of the said
William Claud, and as your complainants have been informed
proceeded to close the administration of that estate. That
besides your complainants who are interested in the estate of
the said William Claud dec^d the said William Claud left a
Daughter who was a legatee in his will, who hath since died
intestate and the said Joseph Claud hath administered upon
her estate. Your complainants state that although they have
been informed that the said Joseph Claud hath closed his
administration upon the estate of the said William Claud
dec^d. Yet they have never been able to ascertain what
amount may be due to them respectively, nor have they
been able to effect a final settlement with the said
Joseph Claud adm^r of ~~the~~ ^{the} said ~~estate~~ ^{estate}. In view or consideration
whereof and in as much as your complainants are
without remedy in the premises and in this court they
pray that the said Joseph Claud as adm^r do beiseign
with the will annexed of said William Claud, as executor

of the said Jesse Claud and as adm^r of the said Phoebe Claud
may be made a defendant hereto, and be compelled to answer
all and singular the allegations herein contained fully and
unreservedly. They further pray that he may be compelled to
render to this court a just and true account of the administra-
tion of his testator Jesse Claud upon the estate of the said
William Claud, and also of his own administration upon
that part of the said estate which was unadministered by
his testator Jesse Claud. They further pray that if any balance
be found due from the estate of the said Jesse Claud or from
the said Joseph Claud, that the said Joseph be compelled to
pay over the same, agreeably to the will of the said Wm
Claud dec^d and finally your complainants pray that
your worshipps would grant any other or further relief in
the premises which may best comport with Justice & equity
and as in duty bound they will ever pray &c

Jesse Claud
John Claud

Thomas Clifton an attorney
in fact for Joshua Claud, Edwin
B. Claud and Phillip Claud

To the worshipful court of Southampton in Chancery
sitting. The answer of Joseph Claud adm^r de bonis non with the
will annexed of William Claud dec^d executor of Jesse Claud, who
was adm^r with the will annexed of said William Claud
dec^d and adm^r of Phoebe Claud dec^d to the bill of complaint
exhibited against him by John Claud, Phillip Claud, William
Claud and Edwin Claud and Joshua Claud grandsons of
William Claud dec^d. This respondent now and at all times
saving and reserving to himself all and every benefit of
exception to any errors or imperfections in the complainants
bill contained for answer thereto or to so much thereof as he is
advised is necessary and material for him to answer, answering
saith. That he is the adm^r de bonis non of the will annexed of

William Claud dec^d the executor of Jesse Claud who was adm^r with
the will annexed of William Claud dec^d and the adm^r of Phoebe
Claud That the said Jesse Claud in his lifetime partly settled the
estate of the said William Claud & that this defendant hath
finally done so since his death and is prepared to render
a just and true account thereof to this court as it may
direct and to pay over any balance that may be due to
the persons respectively entitled Your respondent having
answered prays to be hence dismissed &c

Joseph T. Claud

Attest
James Rachelle Esq.

William Claude
Wells

A. Cooper

In the name of God Amen I William Clarendon of Southampton &
parish of Saint Peter. do this fourth day of Decr one thousand
eight hundred and two, do make & ordain this to be my
last will & testament in manner & form as followeth
I thus I give to my son John Clarendon the tract of land that he
now lies on known by a new make line of trees, beginning
at Benwell Westbrooks line a white oak, a corner tree from
thence to a persimmon tree in the head of the angelica
Branch which is a corner tree between Elizabeth B. Clarendon
John Blake to him and his heirs forever. I thus I give to
my son Phillip Clarendon one negro boy by the name of Harry
also one negro girl by the name of Miggery which he has
now in possession with the increase of the wench, to him
& his heirs forever. I thus I give to my son Jesse Clarendon
one negro boy by the name of Charles also one gray mare
& some feather bed & furniture to him & his heirs forever.
I thus I give to my son William Clarendon one negro fellow
named Ben also one bay Colt called Luba a feather
bed & furniture to him & his heirs forever. I thus I give to
my daughter Elizabeth Holt one negro woman by the
name of Nancy with the increase of her which my said
daughter has in present possession to her and her heirs
forever. I thus I give to my daughter Phoebe Clarendon one
negro girl by the name of Sel with her increase
also some feather bed and furniture to her and
her heirs forever. I thus I bequeath to my daughter in law
Elizabeth B. Clarendon the use of a negro boy by the
name of Lim until my grand son Joseph Clarendon
arrives to the age of twenty one year my desire is
at the expiration of that time that the said negro
shall be sold at publick sale & the money equally
divided between my three grand sons vizt Joseph Clarendon
Joshua Clarendon & Ervins Clarendon also my will and desire

is that my three grand sons above mentioned shall at
the expiration of my wife Charlotte Clauds life receive
the sum of twelve pounds. viz^a money each out of my
estate by them & their heirs forever. Item I bequeath
my wife Charlotte Claud after my just debts are paid the
balance of my estate of all kinds to raise & school my
two youngest children William Claud & Phoebe Claud the
bequest for her to enjoy during her life in case she should
die before my children are raised and schooled my
desire is that there shall be a sufficient sum of money
taken out of the estate lent to my wife for that purpose
before any division - Item I give unto my sons Jesse Claud
& William Claud at the death of my wife my plantation
whereon I now live to be equally divided but in case
either of them dies before they arrive to lawful age or
without lawful issue the survivor shall have the whole
land. Item my wife and desire is at the death of my wife
the balance of my estate lent to be not before divided
away to be sold to the highest bidder & the money
arising therefrom to be equally divided between all my
sons John Claud, Phillip Claud, Jesse Claud & William
Claud & Phoebe Claud & their heirs forever. Lastly
I do hereby appoint my friend Humphrey Drury
and Harris Johnson whole and sole Executors of this
my last will & testament do witness whereof I have
written I at my hand and affixed my Seal on
the day and year above written. Now I give to
my grand son Melaby (Holt) one negro girl named
Cherry with her increase to him & his heirs forever
which I prattled Holt has now in possession
Signed Sees published and
aired in presence of
William Vaughan - Michael Harris
Dempsey Blake Cordell Francis —

At a court held for the county of S. ampton the
day of December 1802 this will was proved by the
oaths of two of the witnesses thereto and ordered to
be ~~recorded~~ and at a court held for the said
County of S. ampton the 20th day of May 1816 This
will was fully proved by the oath of William
Vaughan one of the witnesses thereto and
ordered to be recorded and on the
motion of J^r Claud who made oath according
to Law