1822-003 SOUTHAMPTON COUNTY CHANCERY PAPERS CLAUD et al VS. CLAUD'S EXECUTOR 1/1822

Clauds
vs
Clauds ex parte
Bill & Answer

Aug. 1821 Filed. Decree
pro Cpld

Bryant

To the worshipful Court of Southampton in Chancery sitting.

Humbly complaining sheweth unto your worships your complainants Leiny Cleaver widow and Eliza and Gates of Isle Cleaver dec'd and Elizabeth and Temperance Cleaver infant children Eliza and Gates of said Isle Cleaver dec'd by their next friend the said Leiny Cleaver. That the said Isle Cleaver died in the year having first made and published a last will and testament which has been duly admitted to record an attested copy of which is hereto annexed as a part of this bill. That the said Isle in his said last will appointed as certain Isaiah T Claud executor who hath duly qualified as such and hath taken the estate of said testator into his hands for the purpose of administering it according to law and the directions of said will. Your complainants beg leave to represent that no difficulty hath arisen in relation to the specific legacies bequeathed in the said will but the said Isaiah T Claud executor as aforesaid hath failed to return an account of his administration upon said estate so that your complainants have not been able to ascertain what amount may be due to them much less to recover the same according to the directions of the testator. In tender consideration whereof and in as much as your complainants are without remedy save in a Court of equity where matters of trust are properly and alone cognizable they pray that the said Isaiah T Claud executor of Isle Cleaver dec'd may be made a defendant hereto and be compelled to shew what

apts of the estate of said Lefe Cland have come to his hands to be administered, and in what manner he hath administered the same, and that he may be also compelled to do and perform all things which as executor aforesaid he is bound to do. and your complainants further pray that the said Lochlh J Cland executor as aforesaid may be decreed to pay over to your complainant Jenny whatever sum after the payment of debts may remain in his hands, to be applied according to the directions of the statute to the raising and educating your complainants Elizabeth and Temperance. and your complainants ~~praying as aforesaid~~ pray that this Court would grant any other or further relief in the premises which may be needful and just and equitable. and as in duty bound they will ever pray &c.

To the worshipful Court of Southampton in Chancery sitting

The answer of Lochlh J Cland executor of Lefe Cland and Guardian of Temperance Cland infant child and Elizabeth and Temperance Cland infant children and heirs of said Lefe Cland by their next friend the said Jenny Cland.

This respondent now and at all times saving and reserving to himself every benefit of exception to any errors or imperfections in the complainants bill contained for answer to so much thereof as he is advised is necessary for him to answer. saith. That Lefe Cland did leave such a will as is stated in the complainants bill, that he hath qualified as his executor and hath the estate in his possession in that character. This respondent further saith that he hath always been and is now ready to submit to this Court an account of his administration upon said deceased estate and to pay over any balance that may be in his hands according to the directions of this Court. and having answered he prays to be hence dismissed &c.

Claude H.
Claude Eaton

Full
Decree

A Copy

1735-83 1935-53
2339.34 845.76
6040 8869
762.58 3 1/2-
875-55
113.41
116.50
229.91
131.73
98.614
245.34
318.18
5-8.43
23-9.71

Southampton County Nov. 1821

Jincy Bland, widow and devisee and legatee of Jesse Bland dec'd and Elizabeth and Temperance Bland infant children, devisees and legatees of said Jesse Bland dec'd by their next friend the said Jincy Bland ..... Complainants

against

Joseph Bland executor of Jesse Bland dec'd - Defendant

This day this Cause was docketed by Consent of the parties and upon the Court Came on to be heard upon the bill answer exhibits and arguments of Counsel, whereupon and after due Consideration thereof had the Court took advised order and decree that the said Joseph Bland render before one of the masters Commissioners of this Court, an account of his executorial proceedings of his said testators Estate, That the said Commissioner report thereof to the Court all matters and things therein thought pertinent by himself or required to be stated by the parties in order to a final decree

Jesse A. Nicholas D.C.

Mons. Report on Jesse Clouds estate

January 21st 1822 rec. and ord. to lie 2 mo. for exceps.

Southampton County Novr Court 1821

Jincy Claud widow & devisee & Legatee of Jesse Claud dec'd and Elizabeth & Elizabeth and Temperance Claud infant Childrens, devisees and Legatees of said Jesse Claud dec'd by their next friend the said Jincy Claud . . . . . Complainants

Against

Joseph J. Claud Extr. of Jesse Claud dec'd Defendant

In Chy.

This day this Cause was docketed by Consent of the parties and Agent of the Court, Came on to be heard, upon the bill answer exhibits & arguments of Council, whereupon and after due consideration thereof had, the court doth adjudge order & decree, that the said Joseph J. Claud, render before one of the Commissioners of this Court, an account of his Executorial proceedings of his said testators estate. - That the said Commissioner report thereof to the Court all matter and things therein thought pertinent by himself or required to be stated by the parties in order to a finial decree

Test

A. Middleton D. C.

Commissioners Office Jerusalem Decr 17/182. The defendant Joseph J. Claud this day delivered the Commissioner his Account and Vouchers agreeably to the decree of the Court copied above, from which the commissioner has founded the following Account

The estate of Jesse Claud dec'd

In Account with Joseph J. Claud executor

				Dr	Cr	Int.
1818						
June 18	To paid St. taxes &c.		# Receipt		11 56	
	"	"	Jno. A. Jeffries attorney	"	2 30	
Novr 3	"	"	Willie Francis (Cryer)	"	2 00	
Decr 31	"	"	Wm. Claud Estate this sum due from your testator as Admr. & Comr report		227 14	
			Amount Carried forward		$229 20	

1818		To Amount brought forward			2295 20		1819 Decr	31	By balance brought forward			77 17	
Decr	31	By your proportion of William Claud[e]t's as p Court report of your administration	3/4	" "	848 76		1820 Febry	4	To paid William J. Smith his acct p Rect		3 00		
	"	By Alexander Briggs note due this day		" "	515 00		Augt	2	" " William Singleton " "		10 50		
		" Thomas Moore do		" "	193 00		Octr	7	" " Levi Waller " "		1 50		
		" Joshua D. Claud do		" "	104 00		Novr	20	" " Clerks tickets		4 37		
		" Edwin Claud do		" "	33 44			28	" " Jane Claud's note & Int		71 00		
		" James Holt do		" "	11 00		Decr	14	" " Nath[l] Jones acct		2 12		
		" Hardy Hanes do		" "	11 00			24	" " Arthur Williamson do		9 36		
		" Arthur Applewhite do		" "	6 33			30	" " David Westbrook do		14 50		
		" Joseph J. Claud do		" "	16 00				" " ditto		6 00		
		To Commissions on $886.87 at 5 p[r] C[t]		44 32					" " Joel Ledbetter		3 10		
Decr	31	" Balance due the executor		" "	604 01				By Hire of Henry & Stepney this year		" "	110 00	
				$ 2339 54	2339 54				" David Westbrook acct		" "	6 50	
									To Commissions on $116.50 at 5 p[r] C[t]		5 82		
1819	"	To balance brought down			604 01		Decr	31	By balance due the estate		62 40		
		" Interest on $604.01 for 1818			36 24						$ 193.67	193 67	
March	20	To p[d] Joseph J. Claud for making of Shoes			" 50								
		" " Clerks tickets			" 70			"	" By balance brought down		" "	62 40	
Augt	2	" " Robt. Forts acct			14 41		1821		" Int on $77.17 from Dec 31/1819 to Dec 31/1820		" "	" "	4.63
		" " Spratly Williams do			27 00		Jany	18	To paid Charlotte Claud her Acct		16 50		
	27	" " David Newsum do			5 87		Novr	26	" " Newit Harris his note & Int		15 00		
Septr	9	" " Wm B. Goodwyn do			24 22				" " James Trezvant		6 00		
Novr	17	" " Charlotte Claud do			17 44				" " do per decree to settle Estate		10 00		
		" " ditto do			16 25				By negro Hire this year		" "	77 50	
Decr	20	" " Francis Ridly do			5 24				" Your proportion of Phoebe Claud's est[e]		" "	142 04	
	22	" " Jno. Williford do			3 15				To Comr on $219.54 at 5 p[r] C[t]		10 97		
		By amount of Sales due Augt 2nd		" "	838 99		Decr	31	By balance due the estate		223 47		
		" Hire of Boy Henry this year		" "	35 00						$ 281 94	281 94	
		" Jno. Williford acct		" "	2 00			"	By balance brought down		" "	223 47	
		To Commissions on $875.99 at 5 p[r] C[t]		43 79					" Int on $62.40 for 1821		" "	" "	3.74
		By balance due the estate		77 17			1821		" By Int Acct brought down		" "	8.37	
				$ 875 99	875 99		Decr	31	By balance due the Est[e] from the date			$ 231 84	
		By balance brought down		" "	77 17				with Int on $223.47 part thereof till paid				
		Carried forward							Comr per 12 Hours charged to the Admr $9.00				

Respectfully submitted to the Court
Jul[s] Comr

In the Name of God Amen I Jesse Claud of the County of Southampton and State of Virginia being sick in body but in perfect mind and memory. do make and ordain this my last Will and Testament in the manner and form following — Viz

1st I Lone my loveing wife Jincy after my just Debts are paid all my Estate both Real and Personal to rais and shool my Children, until my Daughter Temperance arives to Years of Eaighteen, at which period I Give to my Daughter Elizabeth Claud one Feather Bed & Firniture, also I Give my Daughter Temperrance Claud one Negro Boy Named Simon, & one Feather Bed & Firniture to them & ther heairs forever.

2nd And then I Lone my loveing wife Jincy Claud one third of my negroes which I have not disposed of, and all the balance of my propurty dureing her natural life. and at her death my Desire is for it to be Equaly devided between my Daughter Eliza" Claud and Temperance Claud to them & their heairs forever.

3rd And Lastly I do nominate constitute and appoint my Friend Joseph I. Claud whole & Sole Executor of this my last will & Testament, and I do hereby utterly disalow revoke and disanel all other testament & by me in any wise before haiming Ratifying & confirming this & no other to be my last Will & testiment in witnenes my hand & Seal this 1st day of June one

Brought over

Thousand Eaight Hundred & Eaightteen

Signed Sealed & delivered
In the presents of

Wm Cloud

Wm D Powel

Joel Westbrook

Jesse Cloud Seal

Jos. Cloud

This is to Certify that I am willing that the
the Estate of Jose Canada Should be Settled according
to law

E. Blanco

Jane X Canada
mark