

1859-008 SOUTHAMPTON COUNTY
CHANCERY PAPERS

EIEY'S COMMITTEE VS. EIEY, by & c

12/1859

⁴⁰⁷
Eley's Committee

vs 3 Biff. am. w. w.
Eley & c. c. c. c.

1854 Apr. Decree as filed

" May Decree of

" Oct. Decree amended.

" Dec. Report.

1859 Dec. Order to deliver out of

To The worshipful County Court of South-
ampton, in chancery sitting. April term
1857.

Humbly complaining your complainant
James Delany Committee of Willis Eley, a
lunatic confined in the lunatic asylum
at Williamburg Va., represents to the Court
that the said Willis Eley is entitled to a
certain negro man named George, about twenty
one years of age who is in the habit of constantly
running away from those to whom he may
be hired by your complainant his Committee.
And that he does without regard to the master
that he may be hired to - That in consequence
of this habit of running away he hired the
present year for only seventy dollars, whilst
others of the same character and value were
hiring for twice that amount. Your
Complainant believes that it would be
to the interest of the said Eley that the said
negro man should be sold, and the proceeds
of sale invested under an order of this Court.
In tender consideration of the premises, and
in as much as your complainant is without
remedy save in this worshipful Court it is
prayed that Willis Eley be made a party defendant
to this suit; that a guardian ad litem be
appointed for him to make answer to this
bill, and that your worship will decree
a sale of the negro man George as aforesaid
and an investment of the proceeds of sale; and
that your worship will decree such further
& general relief in the premises as equity

may dictate & they will answer may be.
Cobb p. 9.

The answer of Willis Eley by L. N. Edwards his
guardian ad litem appointed by the Court, to
the foregoing bill.

This defendant saying, desiring to him-
self &c. for answer says that being incapable
of binding himself by any answer he may make
he submits his interests to the care & protection
of this Honorable Court & having answered they
prayer to be hence dismissed with costs &c.

Eley's Committee
or
Eley by L.

This day this cause was docketed by
consent of parties and of the Court, and came
on to be heard by like consent on the bill answer
of L. N. Edwards guardian ad litem to Willis Eley.
Replication thereto, and was argued by counsel,
on consideration whereof the Court doth adjudge,
order and decree that Mordock M. Clayton
and Alfred T. Stephenson, who are appointed Special
Commissioners for the purpose, sell for cash
either privately or publicly, a negro man George
belonging to Willis Eley a lunatic - and
that after paying the expenses of this decree
and said sale return the balance to this
Court with their report in order to a final
decree.

But this decree is to be suspended until
the said Mordock M. Clayton and Alfred T.
Stephenson shall execute ^{with sufficient security} bonds in the clerk's
office of this Court in the penalty of \$1500,
conditioned ~~for~~ for the faithful
performance of their trust under this
decree.

Elys Comr.

~ } Copy Done

Copy 115

Southampton County Court
James Clayton Com^r of Willis Eley
against

Willis Eley by S.R. Edwards his guardian ad litem

Term 1857.

Plff

} In Chancery.

Def

This day this cause was docketed by consent of parties and of the Court, and came on to be heard by like consent on the bill, answer of S.R. Edwards guardian ad litem to Willis Eley replication thereto, and was argued by Counsel, on consideration whereof the Court doth adjudge, order and decree that Murdock W Clayton and Alfred T. Stephenson, who are appointed Special Commissioners for the purpose, sell for cash either privately or publicly, a negro man George belonging to Willis Eley a lunatic, and that after paying the expenses of this decree and ^{said} sale return the balance to this Court with their report in order to a final decree.

But this decree is to be suspended until the said Murdock W Clayton and Alfred T. Stephenson shall execute bond with sufficient security in the Clerk's Office of this Court in the penalty of \$1500. conditioned for the faithful performance of their trust under this decree -

Clk's costs \$ 3.50

A Copy

Teste

S.R. Edwards Clk

Elmer C. Smith.

no

sum

Elmer.

May count 1857.

Ely. came

as

Ely.

This day this cause came on to be again heard on the papers, formerly read - on the report of Com. under the decree of April Term 1857 to which no exception has been filed and was argued by counsel - an exception was taken on behalf of the Com. both against the man and decree that the report be confirmed - and that M. M. Clayton & Alfred T. Stephenson who are appointed, counsel for the purpose receive from the Clerk of this court the sum of \$1078.61 returned by them this day with their report. and interest the same, in Virginia Gov. out stock - and return the ~~said~~ certificate of said stock to this court.

But this decree shall be suspended until the said court or one of them or some one for them, shall enter into bond & sufficient security, in the Clerk's office of this court in the penalty of \$1500 - conditioned faithfully to execute the same.

88
11
968
95
1063
14
1077.40

1857 October Court.

Eley's Comm.

to } Co. D. 1857.

Eley

Southampton County Court May Term 1857.

James Clayton Committee of Willis Eley

against

Willis Eley by L.R. Edwards his guardian ad litem

Deft

Deft

In Chancery

This day this cause came on to be again heard on the papers formerly read on the report of Commissioners under the decree of April Term 1857 to which no exception has been filed and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that the report be confirmed and that M. M. Clayton of Alfred Stephenson who are appointed Commissioners for the purpose receive from the Clerk of this Court the Sum of \$1078.61 returned by them ~~thereby~~ ^{for the benefit of Willis Eley} with their report and invest the same in Virginia 6 Per cent Stock and return the Certificate of said Stock to this Court. ^{a Decree}

But this decree shall be suspended until the said Comrs. or one of them, or some one for them, shall enter into bond & sufficient security, in the Clerk's office of this Court in the penalty of \$1500 conditioned faithfully to execute the same.

A Copy

Teste L.R. Edwards Clk

Eley's Committee

vol 3

Eley

Commissioner's Report,

1857 May 18

24

In obedience to a decree of the County Court of Southampton County rendered in the above suit at April term 1857, the undersigned appointed Commissioners for the purpose sold in the City of Richmond at public Auction the negro man ^{George} in the decree mentioned belonging to Willis Eley, and after deducting the expenses of said sale, the net amount of said sale was \$123.58

Ces $\bar{b}$, b-w it,

on ~~8~~ 829.58 - 16.47

" Clerk's fee — 3.50

44.97

Report on

Respectfully Submitted
Murdock M. Clayton
Alfred L. Stephenson

1857 May 13 Recd: of the Clerk of the Court the sum of \$1078.01 the
sum returned with this report.

Eley's committee

v 3

Eley

Committee Report,

1837 D. W. Rep

Eley's Comm

re

Eley.

In obedience to a decree of the County Court of
Southampton County
made at May term 1887 the undersigned report
that they received from the clerk the sum of
\$1078.61, and that they have invested it in
Virginia 6 per cent stock and the certificates
of said stock amounting to \$1200. are herewith
returned -

Respectfully Submitted

Marshall W. Clayton

Alfred T. Stephenson

The above
is a true and correct
copy of the original
as filed in the
office of the
County Clerk

1859 Dec. 19 Received of the Clerk Southampton County the Certificates of State
Stock returns with the within report.

A. H. Clayton

Adm^r of Hills Eley

acc^t of Sale
for George

Sales by Dickerson & Co for Mr. Thurston Capt
for A. P. Stephens & Co McCloy & Co Committee

1857
Mar 21 By Sales, Man George

1200 00

Charges
To Commissions
" Board
" Clothes & hat.

24 00

50

7 50 32 00

\$1168 00

W. H. Sales paid - for

\$1168 00

Dickerson & Co
By Jo Munk

32 00

24 50

56 42

114 35 8

2 000

112 35 8

12 00 00

56 42

11 43 5 8

2 000

11 78 5 8

32 00 00

24 42

56 42

1200 00

56 42

114 35 8

Bill of Expenses
To & from
Richmond

paid from Franklin to Portsmouth on an return ticket for self Bay down	\$3.15
paid for oysters Liguoir Jail fees cropping river & Tavern Bill while in Norfolk up to the time I left	195-
paid Steamboat cutt's pech	5-8-0
paid from wharf up to City	5-0
paid Moses & Warner each ²⁵ 25-	5-0
paid Liguoir at the time in Richmond	11 2 1/2
paid Servant in attendance Table & Bag	2'0
paid Tavern Bill & passage to wharf from Richmond to Petersburg depot	4.25-
" from Richmond to Weldon	428-
gave George at different ^{times} all amount	62 1/2
paid Tavern and Liguoir Bill at Weldon	23 3/4
	<u>\$24.42 1/2</u>

26.00

24 42

44.42

1168.00

44 42

1123.58

1118.00

1123.58

24 42

25.00

44 42

3 ~~8~~

KNOW ALL MEN BY THESE PRESENTS, That we *Murdock M Clayton, Alfred T. Stephenson, Willis Bradshaw & R M Stephenson*

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of *fifteen hundred* Dollars, current money of Virginia, to the payment whereof well and truly to be made, we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this *20* day of *April* A D. 1857

The Condition of the above Obligation is Such, That if the above bound *Murdock M. Clayton & Alfred T. Stephenson* who were appointed Commissioners by a decree of the County Court of Southampton on the *day of* *1857* in a suit therein depending between *Eley's Committee v. Eley* for certain purposes therein mentioned

shall faithfully discharge the duties of his said office or trust according to law, then the above obligation to be void, or else to remain in full force and virtue.

Signed, Sealed and delivered in the
presence of the Court. }

Murdock M Clayton 
Alfred T. Stephenson 

Willis Bradshaw 

Richard M Stephenson 

KNOW ALL MEN BY THESE PRESENTS, That we *Murdock M*
Clayton, Iron Griffin & M^r R Stephenson

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum
of *Fifteen hundred* _____ Dollars, current money of Virginia,
to the payment whereof well and truly to be made, we bind ourselves, our heirs, executors and
administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated
this *18th* day of *May* A D. 185 *7*

The Condition of the above Obligation is Such, That if the above bound

Murdock M Clayton who is appointed one of the Commissioners by a decree of the
County Court of Southampton on the 18th day of May 1857 in a suit of Eley's Commo
against Eley - to receive of the Clerk of the said Court the sum of \$1000.00 etc.
and invest the same in Virginia 6 per cent Stock &

shall faithfully discharge the duties of his said office or trust according to law, then the above
obligation to be void, or else to remain in full force and virtue.

Signed, Sealed and delivered in the
presence of the Court. }

Murdock M Clayton 

Iron Griffin 

M^r R Stephenson 

