

1820-009

SOUTHAMPTON COUNTY
CHANCERY PAPERS

JONES + al

VS

CLAUD + UX +
JONES' EXTOR

2/1820

Innes

¹⁴
Innes's Exr

Bill of Answer

November 1819 Ant. J. Deane

Two Certificates and the
rough answer inclosed



To the worshipful Court of Southampton in Chancery sitting -
Humbly complaining & shew unto your worship your complain-
-ants Janet Jones widow & executrix of Allen Jones
decd. Peter Jones, Martha Jones, Rebecca Jones, William A
Jones and Mary Jones infant children and legatees of the
said Allen Jones decd; ^{by the said Janet Jones their next friend} that the said Allen Jones departed
this life sometime within this present year having first
made and published his last will and testament which
has been duly proved and admitted to record an attested
copy of which is hereto annexed and prayed to be taken and
considered as a part of this bill of complaint. That besides
your infant complainant the said Allen Jones left a
daughter Elizabeth Jones who hath intermarried with
a certain Joseph T Clarendon. That the said Joseph T Clarendon
was left an executor in the said last will and testament
of Allen Jones and hath duly and in proper form taken
upon himself the execution of the same. That among
other things in said will the testator directs that his
daughters whenever they should marry or arrive to the
age of twenty one years should receive an equal part
of his slaves &c and also one feather bed and furniture
two cows and pigs, two ewes and calves, and one horse
each of equal value. In the balance of the estate your
complainant ^{Janet} is entitled during her life subject to the
exceptions and restrictions contained in said will
Your complainants state that the slaves of which the
said Allen Jones did possess exclusive of those which
the ^{complainant Janet} held as her dower of a former husband estate amount
in number to fifteen to wit: Anthony, Ben, Henry, Andrew
Milson, Isack, Geny, Sarah, Nancy, Dinah, Aggy,
Jenny, Dick, Maria, and Collin, and to an equal
proportion of which with the other children of the said
Allen Jones decd the said Joseph T Clarendon in spite of his
said wife Elizabeth is entitled and hath a right to
the immediate possession of the same as your

Complainants have been advised. your complainants
represent that the said Joseph T. Clark hath the
personal estate of the said Allen Jones in his possession
as executor, nevertheless they are informed that he is
willing to assent to the bequests in said will and
decease profession of the same to the legatees, but alleges
that he cannot do the same except the portion to
which he is entitled by virtue of his intermarriage with
the said Elizabeth is allotted to him. In tender amicus
action whereof and in as much as your complainants
are without remedy in the premises save in this
Court where matters of this kind are properly cognizable
they said Joseph T. Clark and Elizabeth his wife and
the said Joseph T. Clark executor of the said Allen
Jones may be made defendants hereunto and be
compelled to answer all and singular the allegations
herein contained fully and unequivocally. They further
pray that that portion of the slaves of the said Allen
Jones died of and the other personal effects bequeathed
to the said Elizabeth may be allotted to the said
Joseph T. Clark and Elizabeth his wife in right of his
said wife, and the remainder of the estate which is
bequeathed to your complainant Jennet for life
remainder over to your other complainants be decreed to
be delivered over to your complainant Jennet
and finally your complainants pray that your wisdom
would make any other or further order or decree in the
premises which may be right and just, and as in
duty bound they will ever pray &c.

To the honorable Court of South Carolina in Chancery sitting
The answer of Joseph T. Clark and Elizabeth his wife late
the answer of Joseph T. Clark and Elizabeth his wife late
Elizabeth Jones widow a daughter and legatee of Allen Jones
decd and of Joseph T. Clark executor of Allen Jones decd
to the bill of complaint exhibited against them by Jennet
Jones widow devisee and legatee of Allen Jones decd, Peter
Jones, Martha Jones, Rebecca Jones, William A. Jones, and
Mary Jones infant children of and legatees of the said
Allen Jones decd by Jennet Jones their next friend.

These respondents severally and severally to
themselves all and every benefit of exemption to any laws
or imperfections in said bill contained for answer thereto
or to be made thereof as they are advised is necessary for
them to answer, answering say that they believe all
the material facts stated in the complainants bill contained
are true; they however beg leave to refer this honorable
Court to the copy of the will filed with the plaintiffs bill
for all the necessary information upon this subject. They
further say that they are willing to answer and
decide in the premises as this Court may think proper
to pronounce, and having answered and they may to the
Court dismissed &c.

Joseph T. Clark

James - Pth 2
19
James's Ex. Defts 3 In Chy -

This cause was this day docketed by consent of parties and
opened of the Court and was heard on the bill annex exhibit
pleas and arguments of counsel, whereupon and after due
consideration thereof had the Court doth signify order
and decree that James Harris, Francis Ridley Arthur
Williamson and Willie Francis -
or any three of them do allot to the defendants Joseph T. Cloud
and Elizabeth his wife in respect of his said wife Elizabeth one
third part in value of the slaves following slaves of which
Allen Jones dead did propose to cut, Anthony, Ben, Henry, Andrew,
Milrod, Isaac, George, Sarah, Nancy, Deniah, Aggy, Jimmy,
Dick, Maria, and Collins. And it is further ordered that they
or any three of them, do allot to the said Joseph T. Cloud and
Elizabeth his wife in respect of his said wife one feather bed
Two cows and pigs two cows and calves and one horse
Just ascertaining the value of each separate article
and annexing the same thereto, and that they are sent
of them as they may all do make a report to this Court
in order to a final decree -

Southampton November Court 1879

Jennet Jones, widow & devisee and Legatee of
Allen Jones dec^d. Peter Jones, Martha Jones
Rebecca Jones, William A. Jones and Mary
Jones infant children & legatees of the
said Allen Jones dec^d. by the said
Jennet Jones their next friends & assigns
against

Jos. Francis

Joseph T. Claus and Elizabeth his wife
late Elizabeth Jones, daughter & legatee
of Allen Jones dec^d. and Joseph T. Claus
Eor^{or} of Allen Jones dec^d. Defendants

This Cause was this day docketed by consent of
parties & absent of the court & was heard on the bill
answer & bill of interpleaders of counsel. whereupon & after
due consideration thereof had the court doth adjudge
order & decree that James Harris, Francis Ridley Arthur
Williamson & Willie Francis or any three of them do
allot to the Defendants Joseph T. Claus & Elizabeth
his wife in right of his said wife Elizabeth one
sixth part in value of the following slaves of
which Allen Jones dec^d died possessed to wit
Anthony, Bob, Jimmy, Andrew, Nelson, Isaac,
George, Sarah, Nancy, Dinah, Aggy, Jerry,
Dick, Maria and Collin, and it is further
ordered that they or any three of them do

Commissions
Repat


In obedience to an order of the County Court of South
ampton to us directed bearing date November Court 1879
We the under Signed have proceeded to carry in to effect
the aforesaid order by abiding to Joseph T. Haines in witness
of his wife Elizabeth the following negroes To wit
Anthony and Dick Suppose to be worth Eight Hun-
dred and ^{two} Seven Dollars which we think to be an
equal part of the slaves in the said order mentioned
also Two Saw Hairs Suppose to be worth Eighteen Dollars
Two four Hammers worth twenty Two Dollars one horse worth
one hundred and ^{two} twenty Dollars also one Feather bed
and furniture worth Twenty Seven Dollars fifty cents
all of which is humbly submitted

December 18th 1879

J. Harris

Arthur Williamson
Wittie Francis

Memorandum
for the Trustees



The Gentlemen I wish appointed to advise the
Estate James Harris Francis Pridley Arthur
Williamson & Willie Francis

A Memorandum of the Estate of Allen Jones Esq

List of Negroes Anthony Ben Henry Andrew
Melson Isacke George Sara Nancy Dinah Agg
Dinney Dick Morien Collier

Partes Jos. H. Law & Esq

Linnel Jones Gardener for Peter Jones & next
friend for Martha Jones Rebecca Wm Agg
& Maria

Nov. 15 1819

Jos. H. Law Esq

This is to Certify that I do agree for the Estate of
Allen Jones to be devoud according to his will

Given under my hand this 10th day of Nov^r, 1819

~~Teste~~

J. ^{her} Jones
X
mark

Courtney ^{her} Godwin
X
mark