

1821-018

SOUTHAMPTON COUNTY
CHANCERY PAPERS

CLAUD ⁴ux VS JONES vol

12/1821

other SURNAMES: Clifton

678.
Clara Lutz

17
Lutz & Co

Price & Answer

Dec. 17th 1871 Int.
Acera

In the Supreme Court of Southampton in Chancery
sitting - Humbly complaining Shew unto your
Worships your complainant Edwin Clarendon
and Martha his wife late Martha Jones a
daughter ~~and daughter~~ and Legatee of Allen
Jones ~~and~~ That the father of your complainant
Martha died sometime in the year 1819 leaving
a last will and testament which has been
duly proved and admitted to record an attested
copy of which is hereto annexed as a part of
this bill. That a certain Joseph T Clarendon
was left an executor therein and hath qualified
as such, That among other things in the said
will the testator directs that his daughters
whenever they should marry or arrived 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 & pigs
two Cows and calves, and one horse each of
equal value, and the balance of his estate
he gives to his widow Bennett during her
life subject to the exceptions and restrictions
~~therein contained~~ in said will. Your complain-
-ants state that the executor hath delivered
to Bennett Jones under an agreement in pursuance
of his testamentary will the slaves belonging to the
estate of said Allen Jones excepting Sam, Sarah
& Peter which were of the estate of Coby Clifton
which by a decree of this Court were allotted
to Joseph T Clarendon and Elizabeth his wife
who was a daughter of said Allen Jones as
her portion and which said slaves and

now in the possession of said Lemett Jones amounting
with their subsequent increase in number to ~~thirty~~
viz Ben Henry and son George Isaac Nelson
Sarah going and an Aggy Mariah Collins
Anthony Dinah and infant Child
that besides your complainant Martha and
Elizabeth the wife of Joseph T. Clark the said
Allen Jones left four other children who are
all minors to wit, Peter Jones, Rebecca Jones
William A. Jones and Mary Jones. your
complainants represent that they are advised
as ~~Martha~~ hath intermarried with your
complainant Edwin that they are entitled
to the legacies or as appears bequeathed
to your complainant Martha. They beg leave
further to represent that by virtue of a decree
of this Court heretofore made one feather bed
of the value of \$27.50 two cows and pigs of the
value of \$18 - Two ewes and calves of the value
of \$22 and one horse of the value of \$120
were allotted to Joseph T. Clark and Elizabeth
his wife and that your complainants are
entitled to the same kind of articles of the
like value. Notwithstanding the premises
the said Lemett Jones who is in possession of
the slaves and other personal estate by virtue
of a provision in said last will Testament
refuses to surrender to your complainants
their proportion of the ^{which} slaves as they are
entitled to, and the above enumerated

articles which they claim under the said
last will and Testament of Allen Jones and
which is contrary to justice and equity. In
tender consideration whereof and in as much
as your complainants are without remedy in
the premises except in this Court they pray
that the said Lemett Jones, and Peter Jones
Rebecca Jones, William A. Jones and Mary Jones
infants by their next friend, and the said
Joseph T. Clark may be made defendants
herein and be compelled to answer all and
singular the allegations herein contained fully
and unequivocally. They further pray that this
Court would decree that the said Lemett
Jones should deliver to your complainants
our fifth part ~~the~~ value of the slaves now
in her possession which are of the estate of Allen
Jones and except such as are given to her
absolutely. They also pray that she be compelled
to deliver to them the above mentioned
personal legacies of the value above stated
and they pray judgment as aforesaid. And as
in duty bound they will ever pray &c

Ervin Clark

In the honorable Court of Chancery in Chancery
sitting. The joint and separate answers of
Sennett Jones, widow and executrix of Allen Jones and
Peter Jones, Rebecca Jones, William A Jones and
Mary Jones infant children of said Allen
Jones and by their next friends the said Sennett
Jones and of Joseph J. Cloud executor of the
last will and testament of said Allen Jones
to the Bill of Complaint exhibited against them
by Edwin Cloud and Martha his wife late
deceased Jones a daughter and executrix of said
Allen Jones. These respondents now and at
all times saving and reserving to themselves
all benefit of exemption to any errors or imperfec-
tions in the Complaciments bill contained for
answers to so much thereof as they are advised
is material for them to answer. Say That
they believe all the material allegations
in the bill are true and they are willing
that this Court should pronounce such a
decree as is prayed for, and having answered
they pray to be hence dismissed &c.

J. P. J. Cloud & Esq

Clara wife

Jan 3rd 1847

This Cause was this day docketed by consent of parties and opened by the Court and was heard on the bill, answers, exhibits filed and arguments of counsel, whereupon the Court with a quip order and decreed that Francis Ridley, Arthur Williamson, Willie Francis and James Abigail many others of them also all to the complainants Eliza Clark and Martha's wife in right of his said wife Martha one fifth part in value of the following slaves, which are of the estate of Allen Lewis and are at this time in possession of the defendant Sammett Lewis (writ.) Ben Henry Ananias George Isaac Nelson Sarah Diny Evan Aggy Elvira Collins Anthony Dmak & infant Child -

which said slaves the said Sammett is decreed to deliver to the before named persons for the above purpose. and it is further decreed and ordered that the said Sammett do deliver to the complainants on further bid of the value of \$27.50. Two sons and boys of the value of \$18 Two cows and calves of the value of \$22 and one horse of the value of \$120. And it is further ordered that the before named persons or such of them as may act in carrying this decree into execution do make a report to this Court in order to a final decree.