

1823-030

SOUTHAMPTON COUNTY
CHANCERY PAPERS

JONES etal vs. JONES' EXECUTOR & al

8/1823

other surnames: Claud

Jones's Ho

¹⁷
Jones's Exa

Bill & Answer
u

Jan 1843 ad for
an account

To the County Court of Southampton in Chancery
sitting. Humbly complaining shew unto your
wships your complainants Sonnet Jones widow
and executrix of Allen Jones dead, Rebecca Jones
Jones. William Allen Jones, and Peter Jones children
of the said Allen Jones dead ^{and under the age of 21 years} who sue by their next friends
the said Lennett Jones, and Corrin B. Claud and
Martha his wife late Martha Jones another daughter
of the said Allen Jones dead. That the said Allen
Jones died in the year 1819 having first made
and executed in due form of law his last will
and testament which has been admitted to
record in the Court of this County an attested copy
of which is hereto annexed as a part of this bill.
It will be seen from the said will that your
complainants ~~are~~ are interested in the estate
of the said Allen Jones dead and that his daughters
are exclusively interested in the proceeds of the
sale of his lands lying in Greenville, which
he directed to be sold. your complainants state
that a certain Joseph T. Claud who married
Elizabeth another daughter of the said Allen
Jones dead was appointed in said will and has
in due form taken upon himself the trust of
executor. That he has sold the land in Greenville
in pursuance of the directions contained in said
will, collected debts due ^{to} and paid debts due from
the estate of said Allen Jones and in ^{all} other respects
acted as executor, and hath not as yet made
up or returned any account of his execution.

transactions, so that your complainants are ignorant of the actual state and condition of concerns in which they have an important interest. In tender consideration whereof and as your complainants are similarly in the premises without the aid of a Court of Equity they pray that the said ^{Joseph T. Clard} ~~Joseph T. Clard~~ executor as aforesaid, and the said ~~Joseph T. Clard~~ ^{Joseph T. Clard} and Elizabeth his wife late Elizabeth Clard and Elizabeth his wife late Elizabeth Clard may be made defendants unto and be compelled to answer all and singular their allegations herein contained fully and unreservedly. They further pray that the said Joseph T. Clard executor as aforesaid may be compelled to render a just and true account of his doings and doings, and that this Court would make any other a further order or decree in the premises which might be deemed right and proper and as in duty bound they will ever pray &c.

In the Court of Southampton sitting in Chancery
The answers of Joseph T. Clard executor of Allen Jones and of the said Joseph T. Clard and Elizabeth his wife late Elizabeth Jones a daughter of the said Elizabeth Allen Jones and to the bill of complaint exhibited against them by Jennet Jones widow and relict of Allen Jones and Rebecca Jones Jones, Peter Jones and William Allen Jones children of the said Allen Jones and under the age of twenty one years who sue by their next friend the said Jennet Jones and ^{Clard} and Martha his wife late Martha Jones another daughter of the said Allen Jones and -

These respondents saving and reserving to themselves all benefit of exception to all and every error imperfections or improper statements contained in said bill for answer as much thereof as they are advised is material and necessary for them to make answering say. That Allen Jones did have such a will as is made an exhibit in the bill, that the said Joseph T. Clard did legally qualify as executor thereof and the said Joseph T. Clard as executor aforesaid further saith that he is now and for a long time has been prepared to render an account to this Court whenever called upon to do so, of his executory transactions. These respondents having answered pray to be hence dismissed &c.

Joseph T. Claus Esq.
of Allen Jones dec.
Account Report

Aug. 20th 1873 ret'd & ord. to
lie a. m. for exceptions

Southampton County June Court 1823

Senet Jones widow & Heir of Allen Jones decd.

Rebecca Jones — Jones William Allen Jones

and Peter Jones, children of the said Allen Jones

decd & under the age of twenty one years by

their next friend Senet Jones and Edwin B. Claud, compt.

against

Joseph T. Claud Esq. of Allen Jones decd and the

said Joseph T. Claud & Elizabeth his wife late

Elizabeth Jones & daughter of the said Allen Jones decd Defts.

This cause was this day docketed by consent of the parties and
asent of the court, came on to be heard on the bill of the com-
plainants, answer of the Defendants, exhibits & arguments of
counsel, whereupon & after due consideration thereof had, the court
doth adjudge order and decree, that Master Commissioner Cobb
examine state and settle the ~~same~~ executorial account and
proceedings of the said Joseph T. Claud of his testators estate
that he specially state the amount of sales of the lands of
Allen Jones decd his testator, which was devised, ~~which was~~
~~devised~~ in his will to be sold; and shew how the same or the
proceeds thereof has been disposed of. That he also state in
his report any matter or thing thought pertinent by himself
or required to be stated by the parties, and that he return
the same to court in order to a final decree

Teste A. Middleton D.C.

The estate of Allen Jones deceased

In account with Joseph T. Claud Executor

		Dr.	Cr.	Interest
1819				
April	8 To paid for 10 gallons molasses for use of family	6 25		
"	" 1 loaf sugar & 4 nutmegs for ditto	1 65		
"	" mourning for widow & daughters	22 28		
"	" 6 th Coffee & 2 wedding hoes	4 25		
June	" " Henry Mason note & Interest of Recd.	92 70		
"	" " Rich. P. Clements Shf. loan & tickets	46 26		
"	" " 10 th Coffee for family @ 32 cts	3 20		
"	" Amount Carried forward	\$ 176 59		

1819	Amount brought forward	176 59	
Aug ^r 3	To paid Henry R Bass his acct. Receipt	2 39	
"	" Thomas Harrison note & int.	40 98	
Sept 20	" Jno. Myrick Storage &c for bales Cotton	3 60	
"	" J. C. Lundy Sh. Greenville taxes	8 22	
"	" James Harris acct.	25 22	
Nov ^r 5	" 91 st Sugar @ 16 cents for the family	14 56	
"	" 7 th Leaf ditto @ 30 th to back half 27 th	7 30	
"	" 15 th Coffee 2/3	5 63	
"	" Hardy Harris Judge & cost	11 82	
"	" James Inevant atty for decem	10 00	
"	" Lewis Harris acct.	13 00	
Dec ^r	" David Westbrook	10 00	
"	" James Wells acct.	15 00	
"	" John Nicholson bond & int.	8 38	
"	" Williams Clarks acct.	2 00	
"	" Henry Harrison note & int.	63 28	
		417 97	
Apr ^l 1	By Cash found in the house	170 00	
"	" 97 th Bacon sold in Petersburg @ 13/100	126 36	
"	" George Joy note & int.	32 70	
Aug ^r	" 91 th Bacon sold in Petersburg @ 12 1/2 cts	113 87	
"	" Thomas Moore acct.	3 00	
Sept ^r 20	" 2060 th Bacon sold in Petersburg @ 16/100	329 60	
"	" 630 Cotton ditto @ 17/100	110 50	
Oct ^r 29	" Nancy Rivers account	3 20	
Nov ^r 5	" 17 Bushels wheat sold in Petersburg @ 24/9	19 13	
"	" 827 th Bacon @ 13/100 ditto	107 50	
"	" Amount Sales of Land	103 15	
"	" Willie Francis for 15 bushels wheat @ 6/	15 00	
"	" Jared Turner 10 ditto @ 6/	10 00	
"	" Edmund Turner for 8 ditto @ 6/	8 00	
Dec ^r 7	" Will. T. Smith 15 ditto @ 6/	15 00	
		1167 00	
	To Commissions on \$1167.00 @ 7 1/2 %	87 52	
	Balance due the estate	661 52	
		1167 01	1167 01
	By bal. brot down & Car ^d forward	661 52	

1820	By Amount brought forward	661 52	
Jan ^y 14	To paid James Harris his acct. Receipt	13 17	
March 30	" " Inspector for 2 Hhd ^s Tobacco	1 00	
"	" Rowell Harrison bond & int.	550 19	
"	" Francis Reddy acct.	56 68	
"	" Mary Jones ditto	3 00	
June 3	" " for Inspecting 1 Hhd ^s Tobacco	50	
July 18	" Willis R. Holladay acct.	16 54	
"	" Phippy Barnes do	9 25	
Aug ^r 21	" Harrison M. Lemone	2 00	
"	" Benj ^m Clarke	7 50	
Nov ^r 1	" Clarke tickets	3 87	
"	" Arthur W. Sons acct.	10 31	
Dec ^r 27	" Lenix Jones by order of Peter Jones in part of his specific legacy	137 00	
"	" Martha Applewhite note & int.	411 89	
"	" David Westbrook acct.	4 00	
"	" Harris for load to Petersburg	9	
	By Cash rec ^d for keeping Parishoner	1235 90	
		20 00	
Jan ^y 10	By W. Drews acct.	6 00	
"	" Henry Harris ditto	2 00	
"	" Allen Powell Const. & C. Carleines	33 15	
"	" Rawson Harwells acct.	8 95	
Feb ^y 4	" 2 Loads & pigs sold W. T. Smith	15 00	
March 30	" 1371 th Tobacco @ 5.25 %	71 97	
"	" 1270 ditto @ 3.50 do	41 45	
"	" 1 Sordd Horse to Jno Parham	40 00	
"	" 1 Barre Brandy sold B. Turner	23 00	
"	" Mary Jones acct.	3 72	
June 30	" 700 th Tobacco @ \$5.50 %	38 50	
"	" 715 ditto 2.50 do	17 87	
July 18	" Willis R. Holladay acct.	9 25	
"	" Phippy Barnes ditto	12 00	
"	" Benj ^m Harrison ditto	1 02	
"	" 913 th Land @ 9/100	82 17	
	Amounts Car ^d forward	1235 90	1087 57

1820	Nov	Dec	Amounts brought forward	1235 90	1087 57
			By 200 ^{lb} Bacon sold Hardy Harris	" "	18 00
			" 1 Barrel Brandy sold B. Turner	" "	24 75
			" Francis Ridley's acct.	" "	58 13
			" 175 ^{lb} Beef @ 3 ¹ / ₂ per lb.	" "	5 25
			" 1 Barrel Brandy retained for own use	" "	24 75
			To Commissions on \$556.83 @ 7 ¹ / ₂ %	41 75	
			" Hire of a negro boy due me	66 00	
			" my services as overseer last year	125 00	
			" expences to Petersburg on business		
			for the estate of trips 2 & 4	28 00	
"	31		Balance due the estate	278 20	278 20

1821	Jan		By balance due the estate	278 20	1496 65
			To paid Clerk's tickets & receipt	6 61	
			" Jo. Harris acct.	9 00	
			By amt. of Brandy sold R. Harrison	" "	104 00
			By amt. of Bacon sold in Petersburg	" "	314 06
			To Commissions on \$418.06 @ 7 ¹ / ₂ %	31 35	
Dec	31		Balance due the estate	92 90	418 06

1822	Jan		By balance brought down	" "	92 90
			Int. on this sum from this day to	" "	
			July 10 th 1823 - 14 ¹ / ₂ %	" "	8 51

1823	July	15	To paid James Freyvant. 2 fees for deceses	20 00	
			" " Venet Jones & ward ⁿ of Peter Jones		
			his balance of his Specific Legacy	363 00	
			By Int. brought down	" "	8 51
			Balance due the Est.	" "	281 59
				383 00	383 00

" " To Balance brought down due the Est. 281 59 with Interest from this date till paid

The Land which was directed by the Testator Will to be sold, lying in the county of Greensville and containing by estimation 230³/₄ Acres, was purchased

by William T. Smith at \$14.75¹/₂ per acre payable in three annual instalments, to wit: the first instalment due on the 25th day of December 1820, the second due Decr. 25th 1821 and the third due Decr. 25th 1822, each instalment \$1365.65 - amounting in the whole to \$4096.95 - which agreeably to the Testator Will, should be equally divided between the said Testator's daughters. ^{after deducting 5% off commissions to the estate} All which is respectfully Submitted to the Court.

Wm. T. Smith
 Messrs. J. & H. Smith & Co. 25th Decr. 1821
 Charge to the Est.
 Copy of acct.
 \$11.06
 \$7.31

Allen Jones
Mice
a Copy

In the name of God Amen. I Allen Jones of the County of Southampton and State of Virginia being in my perfect senses but weak in body, do make this my last will and testament, and dispose of my property in the form and manner as followeth (Wit-

First After the payment of my just debts and funeral expenses. I bequeath to my wife Sennet Jones the use of all my Land and negroes lying and being in the aforesaid County of Southampton and my part of the Creek Mill lying in the aforesaid County for and during her natural life as maintenance for the use of herself and for the purpose of maintaining and educating my children provided she keeps in her possession her dower right in the negroes which descended to her from her first husband

Secondly If either of my daughters should get married or when they arrive to the age of twenty one years. My desire is that each one shall receive her equal part of my Slaves and an equal part of my Land lying in Greensville County which I request my Executors to sell to the best advantage for the purpose of an equal division Between them and further that each one shall have one further head of Cows and Pigs two Cows and calves and one horse each of equal value

Thirdly In case of the death of either of my daughters before she gets married or arrives to the age of twenty one years My will and desire is that my surviving Daughters shall each have an equal proportion of the dead property

Fourthly I bequeath to my son Peter Jones an equal proportion of my negroes and all other property except my Land and Mill for and during his natural life also the sum of five hundred dollars to be raised out of my Estate for the purpose of buying him a negro boy to nurse him

Fifthly My will and desire is that my son William Allen Jones after the death of my wife Sennet shall have all my Land as lying in the County of Southampton and an equal ^{share} part of my Slaves also stock of all kind house hold and kitchen furniture &c which may be left at her death on the plantation when he arrives at the age of twenty one years

Sixthly My will and desire is that my son William Allen Jones

shall take particular care of his brother Peter And at the death of his brother Peter Jones death I give the property I have lent my said son Peter to my son William Allen Jones to him and his heirs forever

Seventhly

My wife and desire is that if my wife Janet dies before my son William Allen Jones arrives at the age of twenty one year that the plantation shall be kept up and cultivated for the benefit of my said son William Allen Jones until he arrives to the age of twenty one

Eighthly

My further will and desire is that at the death of my wife Janet that my part of the Abbe lying in the aforesaid County of Southampton that I have bought my wife be sold and the money arising therefrom to be equally divided between my several daughters which I give to them and their heirs forever

And Lastly

I do hereby constitute and appoint my son in Law Joseph T. Glau Esq. of this my last will and testament hereby revoking all other former wills and testaments by me heretofore made in writing whereof I have heretofore set my hand and seal the twenty seventh day of March in the Year of Our Lord One thousand eight hundred and ~~fourteen~~ ^{seventeen} signed sealed published & declared as an for the last will and testament of him the said Allen Jones in

presence of

William T. Smith

Elozabeth ^{his} Parker

Rebecca ^{marks} ¹⁸¹⁷ Harrell ^{marks}

Allen Jones Seal

At a Court held for the County of Southampton on the day of June 1819 This will was presented in Court by Joseph T. Glau the Esq. therein named proved by the oaths of William T. Smith and Rebecca Harrell two of the witnesses thereto and ordered to be recorded

And at a Court held for the ^{aforesaid} County of Southampton the 19th day of July 1819. The sd. Esq. who made oath according to Law certificate is granted him for obtaining a probate thereof in due form on his giving bond & security whereupon the said Joseph T. Glau together with Edwin T. Moore Esq. William T. Smith George J. J. and Edward Perry his securities entered into and acknowledged their bond in the penalty of fifty thousand dollars conditioned as the Law directs

Teste James Rochelle C
a Copy Teste

A. M. Johnston D.C.