

1852-019 SOUTHAMPTON COUNTY
CHANCERY PAPERS

ELEY'S COMMITTEE VS. ELEY, by v c
4/1852

other SURNames: Clayton

Ely's letter

298.

Clayton

and

Ely

} Bill, answer
+ answer.

1852. Aug: Decree filed

" Sep. Report final decree

To The worshipful County Court of Southampton, In chancery
sitting - August Term 1882.

Humbly complaining shew unto your worships your
Complainant James Clayton Committee of Willis Eley
a lunatic now confined in the lunatic asylum at Williamsburg
that Demos a negro slave belonging to the said Willis
Eley was hired out by your complainant for the
~~present year~~ and sometime during the last spring
the said slave without any ostensible cause ran away
and remained secreted in the Wismal Swamp until
a few weeks since when he was apprehended and
confined in the Cranston Jail - Your Complainant
represents that the said negro is of very bad character,
and he is fearful that unless he is sold that the said
Eley may lose him altogether - He therefore asks
that this Court may direct the said negro ^{to be} sold.
In tender consideration of the premises and inasmuch
as your complainant is without remedy save in a
Court of Equity, your complainant asks that
Willis Eley be made a party defendant to this suit,
and that your worships appoint some fit & proper
person guardian ad litem to the said Eley, who
shall make true answers to all the allegations of
this bill - And that your worships appoint a
Commissioner who shall proceed to make sale
of the said slave abovementioned, and that your
worships decree such other & general relief as may
seem to be just and proper, & They will ever pray

Coble J. G.

The answer of L. R. Edwards guardian ad litem to Willis Eley —

This defendant saving & says that he has no reason to doubt the truth of the facts as set forth in the bill, but the said Willis Eley being a lunatic, he submits his rights to the care & protection of this Court, & having thus answered prays to be hence dismissed with costs

L. R. Edwards for V.

JAMES CLAYTON Committee of Willis Eley

vs.
~~Willis Eley~~ &

This day this cause came on to be heard by Court on the bill ^{of the Complainant} and the answer of the defendant Eley by L. R. Edwards his guardian ad litem, and exhibits and was argued by counsel, on consideration whereof the Court doth adjudge, order & decree that James Clayton be appointed a Commissioner to make sale of a negro slave Demos belonging to Willis Eley. — That he sell said slave for cash and out of the proceeds of said sale pay the expenses of this decree, the cost of confining said slave in the Chancery jail, and also the costs of the apprehension of said slave whilst runaway. And that he make a report of the balance in his hands to this Court ^{in order to a final decree} — But this decree is not to be carried into effect until the said Clayton shall give a bond in the Clerk's office in the penalty of \$1000, conditioned as the law directs —

Ed. Stewart R. L.

^{upset}
Elego cruce

~ } Co. Dever

Clay

09.21 P.C. 00.01 09.28 2nd 1881
10.00 12.00 10.00 12.00

Southampton County Court. August Term 1852.

James Clayton Committee of Willis Eley a lunatic.

against

L. R. Edwards guardian ad litem to Willis Eley

Diff

Off

In Chancery

This day this cause came on to be heard by consent on the bill of the complainant and the answer of the defendant Eley by L. R. Edwards his guardian ad litem and exhibits and was argued by Counsel: On consideration whereof the Court doth adjudge, order and decree that James Clayton be appointed a Commissioner to make sale of a negro slave Demos belonging to Willis Eley - that he sell said slave for cash and out of the proceeds of said sale pay the expenses of this decree, the costs of confining said slave in the Ansonwood Jail, and also the costs of the apprehension of said slave whilst runaway and that he make a report of the balance in his hands to this Court in order to a final decree. But this decree is not to be carried into effect until the said Clayton shall give a bond in the Clerk's Office in the penalty of \$1,000 conditioned as the law directs

felks both \$2.90

Law. fee.

10.00

\$12.90

A copy

and

Teste.

L. R. Edwards loby

small ed

pld

Clayton.

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ten

day.

Sept. 1852 -

Clayton vs Ely -.

This day this cause came on to be
finally heard on the papers formerly read
and on the report of leave. James Clayton
made in pursuance of a decree of this
court pronounced at August Term, 1851 -
to which report there is no exception -
and it appearing to the court, that
William Ely, is a Lunatic described in the
Eastern Lunatic Asylum at Middletown
and that the said Ely is largely indebted
to the said Asylum - on considera-
tion whereof the court, confirming
said report of leave. Clayton - to which
there is no exception - with adjudge-
ment and decree that James Clayton
do the Eastern Lunatic Asylum the sum
of \$374.75 - on account of the amount

and
the said Asylum, for board & maintenance
of the said Ely - & that we take a receipt
therefor & file in the papers of this cause -

Eley, Comm
v
Eley } Comm Report

1852 Sept Comm.

To the County Court of Southampton County.

In obedience to a decree of the County Court of Southampton at August Term 1852. The undersigned appoints a Commissioner for that purpose proceeded to sell a negro man named belonging to Willis Sley for cash and after paying the expenses provided for in said decree, reports the sum of \$374.75 now in his hands subject to the further order of this Court. The following is an account of the sale and expenses.

By sale of negro slave named \$437.00
To Commission on said - \$21.85

To paid A. R. Harrell jailer

of Southampton County - 27.50

To paid W. W. Cobb law - 10.00

" " Clerk's fees - 2.90 62.25

By Balance \$374.75

The decree is herewith returned with
this report -

Respectfully submitted.
James Clayton.

E. L. ~~Stylen~~

Rev.

Sept. 20th. 1852 - Rec^d of James Clayton
lewd. in the case of Clayton & vs Ely
Three hundred and seventy four dollars
& 75 cents. on account of the Board
& maintenance of Willis Ely. at the Eastern
Senatic Asylum. at Williamsburg
J. R. Chambliss atty
for E. L. Asylum.