

1858-135

SOUTHAMPTON COUNTY

CITANCERY PAPERS

STEPHENSON

and Wife vs. CLAYTON & al.

b4-c

8/1858

(420)
Stephenson & wife
of Bill, amon
& c.
Clayton &c

1857 Dec. Dues as filed
+ 1858 July Report.
" Aug. " Confm?

To the worshipping County Court of Southampton
County, in chancery sitting. Decr Term 1857.

Humly complaining shew unto your worship,
your complainant Alfred T. Stephenson and Unity A.
his wife, formerly Unity A. Clayton, that James E.
Clayton departed this life some years ago, after
having made his last will and testament which
was duly admitted to record in the County Court
of Southampton County, a copy of which is herewith
filed and prayed to be taken as a part of this bill
that Unity A. Clayton administered his estate, which was then
that by his said will he gave to his widow, who is
long settled and banded into her years, under the will
your present oratrix all of his estate during
her widowhood, and upon her marriage he
gave her one third in fee-simple, and the balance
to be divided equally between his three children
whose names are John A., James R. P. and
Richard A. Clayton, and all of whom are infants.
That his widow, your oratrix, has intermarried with
one Alfred T. Stephenson, and they desire that
the slaves of the said James E. Clayton decd. shall
be divided amongst those entitled. They state
that according to the will aforesaid they are entitled
to one third in fee-simple, yet they desire to receive
only one fourth, and that the balance of said slaves
shall be allotted to the three children aforesaid.
In tender consideration of all which, and in
as much as your complainants are without remedy
save in this worshipping Court, it is prayed that
John A., James R. P. and Richard A. Clayton be
made parties defendants to this bill. That a guardian
ad litem be appointed there who shall answer all
the obligations thereof, and that your worship will
decree a division of the slaves of which James E. Clayton
died seized & possessed, and allot one fourth to
your complainants and the balance to John A.

James H. P. and Richard A. Clayton, and
that your wisdom will decree such further
& general relief as equity may dictate and
they will ever pray &c. Cobb p. 2.

^{joint & separate}
The answer of John A. James H. P. and Richard
A. Clayton by Mundock M. Clayton their
guardian ad litem to the foregoing bill.

These defendants saving &c. for answer
to said bill say that being infants of tender
years they submit their interests to the care
and protection of this worshipful Court,
having assumed power to ~~be~~ hence entrusted
with their custody &c.

Mundock M. Clayton
Guardian ad litem
by W. W. Cobb attorney

Alfred T. Stephenson & Unity A. his wife
vs

John A., James H. P. and Richard A. Clayton
by Mundock M. Clayton their guardian ad litem.

This day this cause came on to be heard
by consent of the Court and of the parties on
the bill, answers of the infant defendants thereto
by Mundock M. Clayton their guardian ad litem,
replication thereto, and exhibit, and was argued
by counsel, on consideration whereof the Court
doth adjudge order and decree that Willis
Brathwaite, George Gardner and Irvin Griffin
who are appointed Commissioners for the purpose
divide the slaves belonging to the estate of
James T. Clayton dec'd, and that they
sell one fourth of said slaves to Alfred
T. Stephenson and Unity A. his wife, and
the remaining three fourths to Mundock M.
Clayton guardian ad litem of John A.
James H. P. and Richard A. Clayton, and
that they make report thereof to this Court
in order to a final decree.

Stephenson & W^{ts}

2 } Duru.

Claytons

1858 July 6. Ret.?

San Francisco

To the worshipfull

Court of Southampton County

We the undersigned Commissioners appointed at your
Decemr. Term 1857. for the purpose of directing
the negroes belonging to James C. Clayton decd.
beg leave to make the following report: -
that we did on the 28th day of Decemr. 1857 divide
the negroes belonging to said Est. - By giving
to A. J. Stephenson and Amity A. his wife and
negro woman Edith. and negro Boy Allen. in
consideration of the same the said A. J. Stephenson
should pay unto Murdock M. Clayton the
sum of two hundred dollars. for this wardship
viz John A. Clayton. James R. Clayton Richard
A. Clayton. and also set apart to M. M. Clayton
five to said wards. the following negroes
viz and negro man Jacob. and negro ^{boy} Robert
one negro woman Georgianna. and negro
girl Delia. and negro boy Leggett.
all of which is respectfully submitted

Willis Brackshaw
Geo. H. Gardner
J. W. Griffin