

ID: 151888 Name: **John Clayton , Sr** Sex: M Birth: BET 1756 AND 1759 in Rowan Co. NC Death: 1801 in NC
<http://wc.rootsweb.ancestry.com/cgi-bin/igm.cgi?op=GET&db=loisebranch&id=151888>

Father: [Stephen Clayton , Jr](#) b: ABT 1735 in Prob. NC Mother: [Mary Denum](#) b: ABT 1737

Marriage 1 [Charity Banner](#) b: 6 MAR 1764 in Surry Co. NC

Children

- 1 [Stephen Clayton](#)
- 2 [Mary Clayton](#) b: ABT 1781 in Surry Co. NC
- 3 [Elizabeth Clayton](#) b: ABT 1783 in Surry Co. NC
- 4 [John Clayton , Jr](#) b: 1788 in Surry Co. NC
- 5 [William Clayton](#) b: 1790

Note: 1787 May - Surry Co., NC - From the will of Hugh Denum:
... to MY GRANDSON JOHN CLEATON I Give & bequeth two hundred acres of Land on the waters of Flatshole Creek Surveyed Joyning Phill Wilson

1795 Feb 2 -Stokes Co.,NC - Deed - John Adams, Washington Co.,Va. to Jacob Mounts 10 pds 111 acs waters of Buffaloe CK tract gr. John Adams by State adj. William Adams, JOHN CLAYTON, John Adams,Senr. & land belonging to HEIRS OF PHILLIP CLAYTON decd. incl. Jacob Mounts house & plantation where he now lives. Signed: John Adams Witnesses: Chas. BANNER and Benjamin BANNER

1798 Oct 18 - Stokes Co., NC - Hugh Clement of Greenville, S.C. sold to John Clayton Sr. for 25 pounds 50 acres on Snow Creek. This land was granted by the state to Stephen Clayton and sold by Stephen Clayton to Hugh Denum. Witnesses Charles Banner and John Laird

1800 Jul 8 - Stokes Co., NC - From Estate of John Clayton:

Twelve months after date we or either of us do promise to pay unto Martin Flynt, executor of the estate of John Clayton(SR) deceased the sum of \$441.46 and if either of party princiable or security should be about to remove out of the county for the money to be liable for collection for value received of him as witness our hands and seals.

Signed by Benjamin Banner, Isaac Dalton and Charles Banner. Witness was C. L. Banner

1801 Sept 9- Stokes Co., NC- From the estate of John Clayton:

John Clayton's estate settlement in Stokes County, Administrative Bond for 3,500 pounds. Signed by Charity Clayton, Martin Flynt and Nathaniel Davis. Witnesses were Joseph Banner, Benjamin Banner and John Martin.

1801 Aug 16 - , Stokes Co., NC - Nuncupative* Will of John Clayton,Sr. [*Nuncupative - oral will]

The Nuncupative Will of John Clayton of the county of Stokes & State of North Carolina, made the Sixteenth day of August in the year of our lord One thousand eight hundred & one he being of sound & perfect mind & memory in his last sickness to hear witness to this his last Will & Testament, which is in manner & form following, that is to say;

first, I give devise & bequeth all that message(message) & TRACT OF LAND SITUATE LYING & BEING IN THE COUNTY AFORESAID, KNOWN BY THE OPEN POND TRACT, AT THE CROSS ROADS, WHICH I PURCHASED OF WILLIAM F. MARSHALL TO MY ELDEST SON JOHN CLAYTON his heirs & assigns forever after he arrives to lawful age---

Secondly I give & bequeath to my dear WIFE CHARITY during her natural life, as much of the land which I shall have a Just claim for at the hour of my death, as will be of equal value to the land devised as above to my ELDEST SON including my house & plantation last by me occupied.

Thirdly I give devise & beueath to my SON-IN-LAW NATHANIEL DAVIS who married my ELDEST DAUGHTER MARY, all that Tract or parcel of land which they now live on at present, agreeable to the lines which has already been described & layed off by my Directions--

fourthly, I give & bequeath to my TWO YOUNGER SONS STEPHEN & WILLIAM as much land to each, as will will be of equal value to that of my eldest sons part, as above mentioned, to include the above mentioned DOWER OF MY WIFES, AFTER HER DEATH, AND ALL OR AS MUCH OF THE TRACT OF LAND WHICH I RECEIVED AS MY WIFES LEGACY OF LAND FROM HER FATHERS ESTATE, as will make each of my said younger sons Shares equal to my eldest sons share----

fifthly the remaining part of my Lands & Tenements which I have a Just claim for in this County in different Tracts it is my will & testament that they be sold & equally divided Share & share alike between my dear WIFE CHARITY & NINE CHILDREN (to wit) MARY, ELIZABETH, ELEANER, JOHN, STEPHEN, CHARITY, WILLIAM, RUTH and NANCY, And also all my Goods & Chattels & Personal Estate, to be divided as nigh as possible it can be done, And for then & each

of my children aforesaid, respectively as they may obtain to lawful age to receive said share, which division I will have to be made & done by three respectable freeholders of the County, who are to be nominated & chosen by the Executors of this my last will & Testament & the overseer also.---

provided always that my eldest Daughter and son in law NATHE. DAVIS having received & now in possession of a negro girl named Tiny, the peace of land as above devised to them, & sundry other property. And my DAUGHTER ELIZABETH & son in law MARTIN FLYNT having also received a negro woman named Rill & other property & in possession thereof the whole to the value of three hundred & fifty dollars of the united states to each of the said Children, which sum I will & ordain to be deducted out of each of their shares, so as to give my wife & each of my other children (to wit) ELEANOR, JOHN, STEPHEN, CHARITY, WILLIAM, RUTH & NANCY an equal part of Goods & Chattels & personal estate,

And it is my will and desire that each of my said children which are yet INFANTS & UNDER LAWFUL AGE to receive a good negro a piece towards making up to each of them their share of my estate, equal to that which my two eldest Children MARY & ELIZABETH have received, which I wish to be done as they may arrive to lawful age, And in case any of them should not obtain lawful age before they die, that then such child or children So dying their Share or Shares to revert to the remaining Children & be equally Divided among them or their Heirs I further will & ordain that my Executors Shall sell all such property (such as goods & chattels) as they may think proper, to be advertised & sold within ninety days after my decease, at twelve months Credit, And the remainder part of my estate it is my will & desire that my dear wife have the only care of it, to keep it together & see that it do not waste untill such time as the Children receive their parts, And it is my desire, that my wife have the negros Sam, Susannah, & Janey in her possession & for her use if she should desire it during her life, towards her shares and after her death all of her estate which I hve bequeathed & the increase thereof, to be divided among the whole of my children equally. And I further desire that out of the whole Stock & Income of my Estate such as Rents of the Open Pond Tract & others and interest, that my sons be Taught a good English Education in reading writing & arithaticks & my Daughters that has not received any Education to read & write & supported out of the same untill they Marry or obtain lawful age---

And make & ordain my dear WIFE CHARITY, my SON IN LAWS MARTIN FLYNT & NATHANIEL DAVIS fellow Executors of this my last will & Testament.

The foregoing nuncupative Will was published & declared by the said Testator, JOHN CLAYTON, as his last will and testament in presence of us who were desired by the Testator to take notice thereof This day & year first above written.

Charles Banner

[messuge or message is a dwelling house with it barns and other adjacent buildings. Found primarily in wills and deeds.]

1801 Dec 7 Stokes Co., NC - From the Estate of John Clayton:

We the commissioners appointed at last court to allot & lay to the widow of John Clayton decd. one years support Report that we have allowed said widow the following property viz

72 Barrels Corn

1800 lb. pork

5 bushels Wheat

1 sorrell horse, 1 dark bay mare & 1 young horse

4 milk cows

8 bushels Salt

200 bushels oats

Given under our hands & seals this 7th day Decem. 1801. Thomas T. Armstrong J. P. SEAL

Gray Bynum Jacob Salmons Jos. (Joseph) Winston

1807 Sept - Stokes Co., NC - From Estate of John Clayton:

Legal paper to the executors of John Clayton (SR) deceased; Charity Clayton, Martin Flynt and Nathaniel Davis instituted a suit against the executors of Constantine Ladd, deceased. The executors of John Clayton (SR) did fail to prosecute their suit with effect and agreeable to the law to pay unto the clerks office the sum of three pounds, eleven shillings and eight pence.

Signed by Robert Williams,

Clerk of Court. It was made know unto Charity Clayton, the others were not found

Name: Stephen Clayton , Sr Sex: M Birth: BET 1703 AND 1707 in Richmond Co. VA

Death: 27 JUN 1784 in Surry Co. NC (Now Stokes Co. NC) Event: Estate Inventoried FEB 1875 Surry Co. NC

Note:

Stephen CLAYTON Sr. died 27 Jun 1784 per the Feb 1785 Inventory submitted to the Surry Co. Court by his son and Administrator, Stephen CLAYTON, Jr. It is believed that Stephen Sr. was born around 1703 in Richmond Co. VA, son of one William CLAYTON who died in 1705, leaving an unnamed wife with sons William, Alexander and Stephen; and daughters Mary, Elizabeth and Hannah. All the girls were under age 16, and the oldest son, William, was under 17, so the father, William, must have been about 35 or 40 when he died. In 1744, Craven Co., NC, Stephen CLAYTON applied for a land grant, stating that his household consisted of 8 Whites and 0 Blacks. It is believed that the 8 people were himself and wife, sons William, John and Stephen Jr., daughter Winnifred (married Robert KILGORE), possibly another daughter who married Nathaniel REED, and one unknown. Stephen obtained land on Neuse River, both sides of Richland Creek, in what became Johnston and later Wake Co. I know of no data giving Stephen Sr.'s wife's name. Stephen Jr. married Mary DENNUM, daughter of Hugh & Elizabeth DENNUM, who sold Stephen CLAYTON Sr. land along Dan River and Snow Creek in 1765, in what was then Rowan Co. Son William joined him in time for the 1768 Rowan Co. Tax. Stephen Jr. stayed in Orange Co., where he had obtained a land grant, until 1769, when he sold out to Nathaniel REED, and joined his aging father on the Dan River. Stephen's son(?) John went early on to Granville Co. and seems to have appeared in 1772 and later records of Caswell/Person Co. Winnie and husband Robert KILGORE resettled in western VA, in what became Scott Co. Robert was killed by Indians in 1782, The apparently oldest son, William, died of small pox in what had become Surry Co. and left a nuncupative will on 10 Mar 1781, naming wife Elizabeth; oldest son Phillip (who also died 1781); young sons William and Jesse; and daughters Mary, Ann, Elizabeth and Charity. The youngest son, Stephen Jr., left no will, but the wills of his father-in-law, Hugh DENNUM, and sundry deeds make it clear that he died around 1800, after having sold the Dan River land. Stephen Jr. and Mary had the following children:

John (c1759NC-1801NC) m. 1780 Charity BANNER

Mary (c1760NC-1824TN) m. c1781 James HILL

William (1760/65NC-1831TN) m. Sarah DAVIS

Stephen III (c1764NC-1834/35GA) m. Mary DAVIS

Nancy (c1767NC-1819+TN) m. Jonathan DAVIS

SOURCE: Alex Thompson <alexsthomp@aol.com>

Sept 1731 - Prince William Co., Va. Deed Book D, page 44 - STEPHEN CLAYTON of Prince William Co. 105 A. in Pr. William Co. on Niapsco adj. Richard Crooper, Abraham Farrow.

10 Mar 1740 - Edgecombe Co., NC - p. 156, Patent Book #5, #2189, pg. 68 - STEPHEN CLAYTON - 100 acres in Edgecombe County joining the Beaver Dam Swamp and the S. side of Fishing Creek.

In 1744, Craven Co., NC, Stephen CLAYTON applied for a land grant, stating that his household consisted of 8 Whites and 0 Blacks. It is believed that the 8 people were himself and wife, sons William, John and Stephen Jr., daughter Winnifred (married Robert KILGORE), possibly another daughter who married Nathaniel REED, and one unknown. Stephen obtained land on Neuse River, both sides of Richland Creek, in what became Johnston and later Wake Co.

20 Apr 1745 - Craven Co., NC - p. 221, Patent Book #5, #3178, p. 221 - Richard Kemp 400 A. on the North side of Neuse river, Joining STEPHEN CLAYTON, and a small branch on the West side of Richland Creek.

27 Oct 1753 - Johnston Co., NC - p. 194, Patent Book #14, #3132,p. 199-
STEPHEN CLAYTON, 500 acres in the Parish of St. Patrick on both sides of Richland Creek, joining a hill OR: /s/ William Johnson, Richd. Caswell, Jr. surveyed 16 Aug 1751 CB: William Thompson, Wm. Bledsoe Richd. Caswell, Jr. Surveyor. Plat reads. . . Land in Johnson and Granville Counties.

8 May 1755 - Johnston Co., NC - p.199, Patent Bk. 14, #3187, p.213 - Jo Hinton 450A. in Parish of St. Patrick on both sides of Neuse River, joining Beaver Dam Swamp and (a point) below STEPHEN CLAYTONS FORD. Or: John Hinton Wits: Jno. Haywood, David Hunter surveyed 15 Jun 1753. CC: John Woodlief, STEPHEN CLAYTON, Richd. D[C]aswell, surveyor.

8 Dec 1762 - Orange Co., NC - p.258, Patent Bk. 14,\$3756, p. 370 -
STEPHEN CLAYTON 117 acres on both sides of Stoney Creek of Haw River OR:
/s/ (mark) Wits: Jas. Watson, Jos. Barbe examined by Tho. Blount and W. Churchton surveyed 27 Jul 1762 SCC: Major Lea, STEVEN CLAYTON W. Churcton Surveyor.

1768 - Rowan Co.,NC - Tax List for Townfork and upper Dan River shows STEPHEN CLAYTON with one taxable.

Surry County, Deed book A, NC, pg. 31, Dec. 31, 1770: Moses Damron - no wife - signs (lets) Samuel Dunlap (both of Rowan County, NC) have 70 acres, in Rowan County, Blackeys Branch and on Dan River, for £50, witnessed by William MULLENS, Stephen Clayton, Jr. & Hugh Denum & proved by the land named in Feb. 1773. (This is part of the Earl Granville Grant).

Surry County, Deed book A, pg. 98, Dec 13, 1770: Moses Damron - no wife - signs over (lets) Hugh Denum (both of Rowan County, NC) have 50 acres on the north side of Dann River above the upper Charraw Town next a Puncheon Camp on Blackeys Branch on to Dann River, for £20, witnessed by William MULLINS & Stephen Clayton, Jr., proved by the latter in Nov. 1774. (This is part of the Earl Granville Grant).

Surry County, Deed book A, pg. 71, March 16, 1773: Thomas MULLINS (Elizabeth makes her mark) of Guilford County, NC, lets William Davis of Surry County, NC, have 120 acres on the south side of Dan River of upper Charraw Town next Enoch Conley & Indian Camp, for £120, witnessed by William Chambers & William MULLINS & proved by the latter in May 1774. (This is the land which Earl Granville let Patrick MULLINS have & he as father of Thomas let him have on July 16, 1766 - see deed in Rowan County)

2 Sept 1778- Surry Co., NC - From Joseph Winstons land entry book -
STEPHEN CLAYTON enters 50 acres of land in Surry County on the North si
of the Dan River adjoining my land above, on said river. Warrant granted
to C.M. (Charles McAnally surveyed this property).

Aug 1781 - Surry Co.,NC - STEPHEN CLAYTON, security on estate of William Clayton.

Aug 1784 - Surry Co., NC - We the subscribers being appointed to apprai the estate of Stephen Clayton, Senr. Decd. on the 27 of June 1784 which property is now in the hands of Stephen Clayton, Junr. as follows, to wit, His clothing & household furniture to L22:5:8

One mare and colt - - - - - to L24:0:0

Total- - - - -L46:5:8

To which valuation we have subscribed our names:
William Radford Henry Watkins Stephen (X) Clayton Adm.

15 Feb 1785 - Surry Co., NC - Appraisalment estate of Stephen Clayton[Sr],
decd. retd. by Stephen Clayton[Jr], Admr.

SOURCES: <http://www.penjacphoto.com/penleyged/nti04163.htm>

Alex Thompson

From: <jgpark@juno.com> Subject: [CLAYTON] Surry Co. NC tax list Date: Mon, 19 Apr 1999

>From the years of 1771 to 1794 in Surry County, NC, and from Stokes Co., NC

A man paid poll tax from 16 to age 50 until 1774, and from 1774 later, a man of age 21 to age 50 paid this tax. 1771 - 1789 is Surry County.

1771: Claten, Stephen, Sen - 1 poll (black & white not separated)

Cleten, Stephen - 1 poll (black & white not separated)

Both the men above born before 1755.

1772 Clenton, Stephen Senr - 1 poll

Cleaton, Stephen junr - 1 poll

1773: There is not an existing tax list for this year.

1774 - Charles McAnallys List: Stephen Claton - 1 poll

1775: Camplins Tax District

Stephen Clayton, Senr. - 5 cattle, 1 horse, valued at 150 pounds, money 78 pounds, 13 shillings, 3 pence.

Stephen Clayton, Junr. - 255 acres, valued at 630 pounds, 1 negro under 5, 1 negro under 60, 12 cattle, 3 horses valued at 300 pounds, money - 0 pounds, 3 shillings, 0 pence.

1776: There is not a tax list for this year.

1777: Transcribing incomplete at this time.

1778 - 1781 - Not available

1782 - Captain Blackburns District:

Steven Clayton - 4 horses/mules, 7 cattle, 255 acres of deeded land on Dan River, 50 acres of land entered on Dan River, 50 acres on B Little Snow Creek

Steven Clayton, Sr. 1- 1 horse/mule, 4 cattle and no acres

Captain Hills District

Elizabeth Clayton - 2 horses/mules, 7 cattle, no acres (note: probably living with son William., (This is the wife of William Clayton, who died of smallpox in July, 1781.)

William Clayton - 1 horse/mule, 2 cattle, 140 acres on Mill Creek.

1783 - Not available

1784 - Captain Blackburn's district:

Stephen Clayton - 355 acres, 1 white poll, 2 black polls

Captain Hills District:

William Clayton - 140 acres, 1 white poll (born bef 1763)

John Clayton - no acres, 1 white poll (born bef 1763 - this is John that married Chairty Banner)

Alexander Clayton - no acres, 1 white poll, 1 black poll (born bef 1763)

1785 - Captain Hills District:

John Clayton no acres, 1 white poll William Clayton - 140 acres, 1 white poll

Captain Blackburns District:

Stephen Clayton - 355 - 2 white polls (this indicates another 21 year old man, or is it a black slave, does not say whether blacks and whites counted together.)

1786 - Captain Hills District: John Clayton - no acres, 1 white poll, 1 black poll
Captain Blackburns District: Stephen Cleaton - 305 acres, 1 white poll

1787 and 1788 - Not available

1789 - Captain McAnallys Tax District:

Stephen Cleaton, Jr - 175 acres, 2 white polls

(this is probably on white poll & one black poll, they are listed together in some districts)

Stephen Cleaton - no acres, 1 white poll

William Cleaton - 130 acres, 1 white poll (notice Elizabeth is gone, did she die, or re-marry?)

Captain Ladd's District:

William Clayton - 300 acres, 1 white poll (not sure who this is)

John Clayton - no acres, 3 polls (black and white listed together, this is John Clayton that married Charity Banner)

1790 on is Stokes County

1790: Captain McAnallys District:

Stephen Cleaton, Junr - 175 acres - 1 white poll

Stephen Cleaton, Senr - 250 acres - 2 polls (black & white together?)

William Cleaton - 350 acres, 1 white poll

Captain Hills District:

John Clayton - 348 acres, 1 white poll and 3 black polls - this is the land that John Clayton got from Henry Banners estate.

1791: Captain Mcanallys:

Jesse Cleaton - no acres, 2 white polls (white & black listed together?) Jesse was born 1771.

William Cleaton - 350 acres, 1 white poll

Stephen Cleaton - 365 acres, 2 white polls (white & black listed together?)

Captain Blackburns:

John Clayton - 648 acres, 5 polls (white & black definitely listed together,

John also got some slaves from Henry Banners estate.)

1792: Captain McAnallys District:

William Clanton - 350 acres, 1 white poll

Jesse Claton - 140 acres, 2 white polls (black & white listed together)

Stephen Cleaton 415 acres, 2 white polls (black & white listed together)

Captain Blackburns:

John Clayton - 810 acres, 5 white polls (black & white listed together)

1793: Captain McAnallys District:

Jesse Clayton - 140 acres, 1 white poll, 1 black poll

Stephen Clayton - 520 acres, 1 white poll, 1 stud horse, 10/-Good improvements

William Clayton - 250 acres, 1 white poll

Captain Banners District:

John Clayton - 809 1/2 acres, 1 white poll, 5 black polls

1794: Captain McAnallys:

William Cleaton - 250 acres, 1 white poll

Jesse Cleaton - 140 acres, 1 white poll, 1 black poll

Stephen Cleaton - 520 acres, 1 white poll, 1 horse valued at two dollars

Captain Banners:

John Clayton - 812, 1 white poll, 5 black polls, 1 horse valued at 20/

The above information is provided by Judy S. Cardwell, of Winston -Salem, NC
Her e-mail add is. JudySCard@aol.com. Spelling is as found on the tax records.