

Guyton Ancestry

Wills and administrations

AARON WHITAKER GUYTON

(22 November 1808 - 11 May 1883)

Will dated 5 December 1881, filed 2 July 1883 and recorded 3 May 1884

and administration of estate 3 December 1883 - 3 April 1890

Chancery Court, Kosciusko, Attala County, Mississippi

Aaron Whitaker (Whitt) Guyton was born on 22 November 1808 in Pendleton County, South Carolina, and was one of twelve children of Aaron Guyton and Margaret (Peggy) McCurdy. He and an older brother, Joseph Guyton, were among the early settlers in Attala County in Mississippi arriving there in about 1844 after the county was formed in 1833 out of territory acquired from the Choctaw Indians by the Treaty of Dancing Rabbit Creek in 1828.

Both Aaron Whitaker Guyton and Joseph Guyton settled a few miles south of Sallis in Attala County and developed large and prosperous farms. The community of Joseph, where the farms were located, was probably named after Joseph Guyton.

Aaron Whitaker Guyton died unmarried on 11 May 1883 at Sallis, presumably at his farm, leaving a will which bequeathed part of his property to "the seven collerd children of Artty Rainey". Artty or Artie Rainey was also known as Artie Guyton and was Aaron Whitaker Guyton's common law wife since mixed marriages were not permitted at that time. Somewhat earlier, Aaron Whitaker Guyton conveyed 160 acres to Pinkney Guyton and Elijah Guyton on 1 January 1875. Pinkney and Elijah were of mixed race and were probably children of Aaron Whitaker Guyton by an earlier partner, Patsy Gibson.

Out of a total landholding of about 810 acres, the will granted about 280 acres to the seven children named as "Andrew, Isiaac, James, Cassey, Maggy, Anna, Simon" all of whom were minors. In later documents the children were recorded as Andy Rainey, Isaac Guyton, Jim Guyton, Casey Guyton, Mag Guyton, Ann Guyton and Simon Guyton. The remainder of the estate was not bequeathed and so became subject to an intestate administration.

The executor of the will was Joseph William Sutherland Guyton who was a son of Joseph Guyton and nephew of Aaron Whitaker Guyton. By the time he came to administer the estate, all of Aaron Whitaker Guyton's siblings were dead apart from a younger brother, Guyton (Guyte) Guyton, who had moved from his home state of South Carolina to Texas sometime after 1850. Joseph William Sutherland Guyton proceeded to liquidate the estate, sell the crops and collect outstanding debts. This proved to be a lengthy process as did the task of identifying the heirs of the deceased siblings. Nearly five years after the death of Aaron Whitaker Guyton, Joseph William Sutherland Guyton was able to submit final accounts for the estate and a list of 115 beneficiaries who were the surviving children or grandchildren of Aaron Whitaker Guyton's deceased siblings plus his younger brother, Guyton (Guyte) Guyton, who by that time had also died. The list consequently provides an unusually full listing of the surviving descendants of Aaron Guyton and Margaret (Peggy) McCurdy.

The accounts of the intestate administration and lists of the recipients are filed under Cause No 852 at the Chancery Court in Kosciusko, Attala County, Mississippi. Transcripts of the will and the main documents are attached together with the names, addresses and amounts applicable to each recipient. The latter list is compiled from several documents since the original records are illegible in parts. Where known, the parents and full names of the recipients are also given. In total the sum distributed amounted to \$10,052, which is equivalent to around \$175,000 in the year 2000. Final accounts of the estate were filed on 27 February 1888.

The distribution of land and other possessions to the children of Artie Rainey also proved somewhat problematical. On 3 December 1883, Elijah Guyton submitted a petition to the court to the effect that he should be appointed guardian of the seven children on the grounds that they “are minors having no living father, and that their mother is not a suitable person to be their guardian owing to her mental and physical condition”. He duly executed a guardian’s bond for \$700 with his brother, Pinkney Guyton, and a January Mallett acting as sureties.

Elijah Guyton took possession of the property but in September 1886 January Mallett petitioned to the court to be released from his surety. Elijah Guyton was removed as guardian for failure to render accounts, replaced by the clerk of the court, and ordered to “turn over and deliver all of said estate administered by him to the clerk of this court” and to file his final accounts within thirty days. This was done but the record does not give a date.

Some time later, the clerk of the court submitted fairly lengthy accounts of the estate including interest accruing from 1886 to 1890. On 3 April 1890 the clerk of the court acting as guardian returned to the court and reported that “he did in the latter part of December 1889, go upon the premises known as the “Guyton Place”, and turn over to, and put in possession of six of the above named heirs; to wit Jim Guyton, Case Guyton, Isaac Guyton, Ann Guyton, Mag Guyton and their mother Artie Rainey, alias Artie Guyton, (Andy Rainey being a non-resident whose Post Office is unknown)” land and other possessions bequeathed to them by Aaron Whitaker Guyton.

This part of the distribution of the estate thus took more than six years to accomplish after the death of Aaron Whitaker Guyton. The documents are filed separately under Cause 852-1/2 at the same Chancery Court and transcripts of the principal items are attached.

Altogether, these records provide a remarkably comprehensive record of this branch of the Guyton family and are helpful in throwing some light on the origins of one branch of coloured Guytons in Attala County, Mississippi.

With grateful acknowledgements to
the late John D Guyton of Kosciusko, Attala County, Mississippi
who supplied copies of the original documents

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WILL OF AARON WHITAKER GUYTON
Written 5 December 1881, filed 2 July 1883 and recorded 3 May 1884
Chancery Court, Kosciusko, Attala County, Mississippi

In the name of God Amen I A W Guyton of the county of Attala and State of Mississippi being of sound mind and memory and understanding do make publish and declare this my last will and testament in form following to wit I gave my body to the dust my soul to God who gave it my property or worldly estate I dispose of as follows

first I gave to the seven collerd children of Artty Rainey named as followed Andrew Isiaac, James, Cassey Maggy Annablack Simon all of the following tract of land lying and being in the county of Attala and state of Mississippi known and designated as the N E 1/4 & E 1/2 N W 1/4 Section nineteen and the N W 1/4 of the N W Section twenty all in Township thirteen Range Six east also two choice mules that may belong to me at my death and one good wagon one years suply of corn meal and all other to do the seven above named children twelve months from said death and all of household and kitchen furniture and farming tools ... to carry on the said farm Second I appoint my nephew Joseph W S Guyton of said county executor of this my last will and testament

Given under my hand and seal this the fifth day of December AD 1881

A W Guyton [Seal]

Signed seald published and declard in the presence of the testator and in the presence of each other who at the request of the testator signed the same as witnesses thereto on this the day and date there in stated

J H Turner [Seal]
W C Lewis [Seal]
E L Carnes [Seal]

Source:
Book of Wills and Accounts, p406, 3 May 1884, Chancery Court, Kosciusko, Attala County, Mississippi

* * * * *

To the Hon. R.W. Williamson, Chancellor of the Fifth Judicial District of the State of Mississippi:

The undersigned Joseph W S Guyton, would respectfully shew unto your Honor, that one A.W. Guyton lately died in Attala County, leaving a writing purporting to be his last Will and Testament, which said writing named the undersigned as Executor of said Will. He asks that said Will be admitted to probate upon the proof of the subscribing witnesses thereto; and that Letters Testamentary be granted to the undersigned upon his entering into bond with approved security as required by law.

Sworn to and subscribed)
before me this 2nd day of July,1883) J.W.S. Guyton
J A Mills Clk)

Estate of A W Guyton, Petition for Letters Testamentary, Filed July 2 1883

Source:
Filed 2 July 1883, Cause No. 852, Chancery Court, Kosciusko, Attala County, Mississippi

* * * * *

To the Honorable R.W. Williamson, Chancellor of the 5th Chancery Court District of the State of Mississippi:

The undersigned, Executor of the Last Will and Testament of A.W. Guyton, deceased, would respectfully shew unto your Honor that there is belonging to the Estate of said deceased some personal property, which is not disposed of by the Will of said deceased, and which ought, in his judgement, to be sold to prevent loss to said Estate, much of said property being perishable in its character.

He would, therefore, pray your Honor for an order to sell all of the personal property belonging to said estate, except what is disposed of by said Will, and except also the cotton crops belonging to said Estate, for cash.

Sworn to and subscribed)
before me this 3rd day of October, A.D. 1883)

J.W.S. Guyton

Source:

Filed 3 October 1883, Cause No. 852, Chancery Court, Kosciusko, Attala County, Mississippi

* * * * *

To the Hon. R.W. Williamson, Chancellor of the Fifth Judicial District of the State of Mississippi:

The undersigned Executor of the Last Will & Testament of A.W. Guyton deceased would respectfully shew that said A.W. Guyton left surviving him one brother and descendants of three other brothers, namely Joseph, John and Robert, all deceased, and the surviving one, Guyte who has died since the death of said A.W. Guyton. Said A.W. Guyton had four sisters all of whom died before the death of A.W. Guyton, and all left children and heirs at law. The names of the various brothers and sisters and their descendants are shown to the Court by the annexed list which affiant believes to be correct. The places of residents of the said descendants are also contained in said list which is marked "Exhibit "A" and prayed to be taken as a part of this statement.

Sworn to and subscribed before me this 10th day of January, 1888.

H.L Land Clerk

Source:

Filed 10 January 1888, Cause No. 852, Chancery Court, Kosciusko, Attala County, Mississippi

* * * * *

In the matter of the administration of the estate of A.W. Guyton, deceased

This cause coming on to be heard upon final account of the executor (J.W.S. Guyton) and vouchers and proofs, and the court having examined said account and finding it to be correct; and it appearing that there is now in the hands of said Executor the sum of ten thousand and fifty-two dollars and fifty three cents and that a list of the names of the distributees with the amount due to each distributee, has been filed in this Court, it is ordered that said account be approved and confirmed. It is ordered that said J.W.S. Guyton, Executor, pay over to said distributees the respective amounts due to them and that said executor be discharged.

R W Williamson
Chancellor

Source:

Filed 27 February 1888, Cause No. 852, Chancery Court, Kosciusko, Attala County, Mississippi

BENEFICIARIES OF THE RESIDUAL ESTATE OF AARON WHITAKER GUYTON

		Post Office	State	Amount \$
<i>Children of Joseph Guyton and Zemuly Coates McClesky</i>				
Mr	Aaron Steele Guyton	Pottsborough	Texas	139.61
Mr	John Whitaker Guyton	West	Miss	139.61
Mr	David Thomas Guyton	West	Miss	139.61
Mr	Robert Alfred Guyton	West	Miss	139.61
Mr	Joseph William Sutherland Guyton (Executor)			139.61
Mrs	Mary Jane (Guyton) Weeks	West	Miss	139.61
Mrs	Sarah Elizabeth (Guyton) Weeks	West	Miss	139.61
Mrs	Zemuly Matilda (Guyton) Morgan	Sallis	Miss	139.61
<i>Children of John Washington Guyton and Susan Welborn</i>				
Mr	Aaron Moses Guyton	Piercetown	SC	111.69
Mr	James Robert Guyton	Piercetown	SC	111.69
Mr	William Jefferson Guyton	Piercetown	SC	111.69
Mr	Thomas Ewell Guyton	Piercetown	SC	111.69
Mr	Cephas Johnson Guyton	Piercetown	SC	111.69
Miss	Susan Estelle Guyton	Piercetown	SC	111.69
Mrs	Sarah Margaret (Guyton) Duckworth	Piercetown	SC	111.69
Mrs	Hattie Savilla (Guyton) Smith	Piercetown	SC	111.69
Mr	John Milton Guyton	Blacks	SC	111.69
Mrs	Lura Elizabeth (Guyton) McCorkle	Chatanooga	Tenn	111.69
<i>Children of Robert McCurdy Guyton and Hester Duckworth</i>				
Mr	Aaron Whitaker Guyton	Anderson	SC	279.23
Mrs	Martha Jane (Guyton) Anderson	Bunker Hill	Miss	279.23
Mrs	Hannah Elizabeth (Guyton) Ward	Bunker Hill	Miss	279.23
Mrs	Mary Robert (Guyton) Craft	Smith County	Miss	279.23
<i>Children and grandchildren of Hannah Guyton and Wyatt Smith</i>				
Mrs	Margaret A (Smith) Carpenter	Reform	Ala	223.38
Mrs	Martha J (Smith)Hamilton	Walnut Hill	Ga	223.38
Mrs	Hannah Sarah Elizabeth (Smith) Guyton	Anderson	SC	223.38
Mr	John Bayliss Smith			223.38
	E K Smith	China Springs	Texas	31.91
	Pickens D Smith	China Springs	Texas	31.91
	Warren F Smith	China Springs	Texas	31.91
	and four other children whose names are unknown, each \$31.91			127.64
<i>Children and grandchildren of Elizabeth Guyton and William Webb</i>				
Mrs	Delilah L Gambrell			223.38
Mr	E W Webb			223.38
....	Dayton Webb			74.46
....	A Clark Webb			74.46
Mrs	Mattie Smith			74.46
Mr	William C Wilson			27.92

Mr	James E Wilson			27.92
Mr	Charles M Wilson			27.92
Mrs	L E. Martin			27.92
Mrs	Mary H Owen			27.92
Mrs	A V Anderson	Belton	SC	27.92
Miss	Maggie A Wilson	Piercetown	SC	27.92
Mrs	N Lela Wilson	Belton	SC	27.92
Mr	Charles L Hopkins	Greenville	SC	111.69
Miss	Lura Hopkins	Greenville	SC	111.69

*Children and grandchildren of
Sarah Guyton and Thomas Duckworth*

Mr	B W Duckworth	Williamstown		279.23
Mrs	Mary E Rogers	Pendleton	SC	279.23
Mrs	Cora E Dacus	Pendleton	SC	55.84
Mr	Jacob C Rogers	Pendleton	SC	55.84
Mrs	Nettie E Rogers	Pendleton	SC	55.84
Miss	Ada Rogers			55.84
Miss	Elizabeth Rogers	Pendleton	SC	55.84
Mrs	Anna E Wardlaw	Harmony Grove	279.23

*Children and grandchildren of
Margaret Watson Guyton and William Steele*

Mr	W T Norris	Spearfish	Dakota	42.95
Mr	A E Norris	Spearfish	Dakota	42.95
Mr	J S Norris	Fort McLeod	BA	9.54
Mr	R L Norris	Pikes Peak	Montana	9.54
Miss	Emma L Norris	Westminster	SC	9.54
Mr	F McB Norris	Westminster	SC	9.54
Mr	Joseph G Norris			9.54
Mr	P O Norris			9.54
Miss	Florence E Norris			9.54
Miss	Agnes R Norris			9.54
Miss	Luana Norris			9.54
Mr	J G Steele			85.91
Mr	J O Steele			85.91
Dr	W L Steele			85.91
Mrs	M L Hughes	Six Miles	SC	85.91
Mrs	S A Norris	Westminster	SC	85.91
Mrs	Myra Agnes (Steele) Doyle	Westminster	SC	85.91
Miss	E J Steele	Westminster	SC	85.91
Miss	M S Steele	Westminster	SC	85.91
Mr	J C Miller guardian for minor children as follows			
Miss	Lola F Miller			12.27
Miss	Annie P Miller			12.27
Mr	Patrick E Miller			12.27
	Maggie S Miller			12.27
	Elizabeth L Miller			12.27
	Robert Miller			12.27
	James C Miller			12.27
Mr	John R Steele	West	Miss	85.91
Miss	Lou Alice Steele	West	Miss	85.91

*Children and grandchildren of
Mary Guyton and David Sherrill*

Mr	P M Sherrill	Bismark		124.10
Mr	De Lafayette G Sherrill			124.10
Mrs	Mary C Gibson			124.10
	David H Sherrill			62.05
	Mahala J Beard			62.05
	Nancy J Cooley			31.02
	J F Cooley			31.02
	S W Cooley			31.02
	George L Cooley			31.02
	Mary E Watkins	Billings	Montana	15.51
Mr	Henry F Dent			15.51
Mrs	Fannie L Hughes			15.51
Mr	Walter S Dent			15.51
Mr	Thomas P Dent			15.51
Mr	Edward Dent			15.51
	Maud Dent			15.51
	Alice Watkins			15.51
	Mary Dent Watkins			31.02
	Sarah J Maxwell			31.02
	Sterling P Dent			31.02
	Charles C Dent			31.02
Mrs	Sarah Susannah Boyd (Ellington) Guyton	West	Miss	15.51
Miss	Mary J Ellington	West	Miss	15.51
Miss	Martha A Ellington	West	Miss	15.51
Miss	Zemuly Ellington	West	Miss	15.51
Miss	Louisa Ellington	West	Miss	15.51
Mr	D W Ellington	West	Miss	15.51
Mrs	A L Ellard	West	Miss	15.51
Mrs	M A Brister			15.51
Mrs	Malinda Beatty whose place of residence and post office is unknown			124.10

*Sole surviving brother of Aaron Whitaker Guyton
but deceased by time of distribution of estate*

Mr	Guyte Guyton			1116.94
Total				10051.87

DISTRIBUTION OF THE ESTATE TO ARTIE RAINEY'S CHILDREN

To the Hon. R.W. Williamson, Chancellor of the Fifth Judicial District of the State of Mississippi:

Your petitioner Elijah Guyton would respectfully shew that Andy Rainey, Jim Guyton, Casey Guyton, Mag Guyton, Ann Guyton, Simon Guyton and Isaac Guyton are minors having no living father, and that their mother is not a suitable person to be their guardian owing to her mental and physical condition; and that said minors have certain personal and real estate to which they are entitled; and that they ought to have, but have not, a guardian for their protection of their estate and rights. They would represent that the total interests of said minors, included in personal property, & rents of land, would probably amount to six hundred dollars. Wherefore he asks to be appointed guardian of said minors upon his entering into bond and security according to laws.

Sworn to and subscribed this Dec, 3d, 1883.

		His
J.A, Mills Clk)	Elijah + Guyton
Byers Davis DC)	Mark

Source:

Filed 3 December 1883, Cause No. 852-1/2, Chancery Court, Kosciusko, Attala County, Mississippi

* * * * *

Final Account of Elijah Guyton Guardian of Andy Rainey, Jim Guyton, Casey Guyton, Mag Guyton, Ann Guyton, Simon Guyton and Isaac Guyton.

Said Guardian charges himself with the following property received on account of said minors:

2 mules Snap & Jo: also 1 wagon, 3 turning ploughs, 2 harrows, 3 weeding hoes, 2 shovel ploughs, 1 shovel stock, 1 cutter & band, 1 scraper, 1 spade & 2 shovels; 1 safe; 1 Bedstead; 1 pair of andirons; 2 feather beds & 1 bolster; 1 cotton mattress; 2 Blankets& a lot of bed-clothes; 2 Trunks; 2 sets of plough-gears; 3 single trees & 1 clevis; 1 handsaw, 1 wood-saw, 1 Drawing-knife, 2 augers, 1 grindstone

Amount recd. of J.W.S. Guyton of proceeds of cotton	\$ 7.58
" " " Wm Terry, proceeds of cotton	17.00
" " " Pinkney Guyton (for hire of Casey)	32.00
" " " Thos. J. Love	8.00
" " " Andy Guyton (from sale of cotton seed)	1.80

Source:

Not dated, Cause No. 852-1/2, Chancery Court, Kosciusko, Attala County, Mississippi

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State of Mississippi)
Attala County)

Chancery Court March Term 1890

In the matter of the Guardianship of Andy Rainey, Jim Guyton, Case Guyton, Simon Guyton,
Isaac Guyton, Ann Guyton and Mag Guyton

No 852 1/2)

John Riley Guardian

To the Hon. B Graham - Chancellor

The undersigned Guardian respectfully reports that in obedience to the instructions of the Court at the September Term 1889, he did in the latter part of December 1889 go upon the premises known as the "Guyton Place", and turn over to, and put into the possession of six of the above named heirs; to wit Jim Guyton Case Guyton Simon Guyton Isaac Guyton Ann Guyton Mag Guyton and their mother Artie Rainey, alias Artie Guyton, (Andy Rainey being a non-resident whose Post Office is unknown) the following described lands and property in Attala County Mississippi, to wit The N E 1/4 & E 1/2 of N W 1/4 of section 19 and the N W 1/4 of N W 1/4 of section 20, all in Township 13 Range 6 E, also two mules and one two horse wagon, and 89 1/2 bushels of corn, said lands and mules and wagon being the property bequeathed to said heirs by A W Guyton deceased and said corn being a part of the rent of said property collected in the year 1889.

Respectfully submitted

John Riley Guardian

April 3rd 1890

Source:

Sworn 3 April 1890, Cause No. 852-1/2, Chancery Court, Kosciusko, Attala County, Mississippi

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