1836-002 SOUTHAMPTON COUNTY CHANCERY PAPERS CHAPPELL et al VS. CHAPPELL et al

8/1836

other surnames: Draper

Chappell &c

v 3 Bill & ans.

Chappell &c

1831 Oct. decree as filed &c.

" Nov. Rept. rect. & decree final &c. & bonds rect. to be subject to the future order of the Court—

1834 June. Or: for bonds to be delivered to Jere Chappell.

1836 Aug. Or: to deliver bonds &c to Jere Chappel atts: &c

To the worshipfull Court of Iredell County
sitting in Chancery Humbly complaining
sheweth to your worships your orators Wm
Chadwell Benja Chappell & Thos Chadwell
your oratrix Sarah Magdlen Chadwell
who together with Martha Stowe
Chadwell Elizabeth Maddox & Jno Chadwell
~~[illegible]~~ infants by Jeremiah Chadwell
all are the Devisees of Jeremiah Draper
dec'd their grandfather. Here your orators & your
oratrix he came to intermarry to your worships
that their grandfather Jeremiah Draper
since some years past having first
made his last will & testament which
duely received in the Offs office of this
County & a [redacted] copy of which is
here to annexed & prayed to be received
as a part of this bill But the testator
therein devises all his estate real & personal
to his wife Sarah Draper for life & at her
death he gives the remainder of all his
estate to his daughter Patsy Chadwell & her
heirs forever your complainants & the said

~~defendants~~ Jeremiah blackwell who is heretofore a defendant & the said Martha Anne Elizabeth Maddux & Jno Blackwell are likewise proper defendants to this bill of complaint & the respondents to the said infants to protect them in their rights your orators & oratrice beg leave to refer

That Wm Dodson dicd some time last & that the mother of your complainants who was tenant for life is also dead leaving your complainants & their brother Jere the defdt & the infants his heirs who are entitled thereto your complainants aforesaid that the estate consists of a small personalty amount & a tract of land of [illegible] acres which tract of land it is believed cannot be conveniently divided nor the interest therein advantageously divided & therefore desirable to sell the same on a short credit so as to devide the proceeds into eight equal portions between the heirs your complainants & the said defendants they therefore pray your worships to decree or the full amount & consent of the infants by their guardian ad litem & that a commissioner appointed by your worships sell the said lands on such credit as in the opinion of your worships may seem most conducive to obtain their reflection may your worships grant the commissioner [illegible] to command & do as in duty bound will ever pray

Abandon proceeds

The answer of Jeremiah blackwell & Martha A Elizabeth Maddux & Jno Blackwell infants to the bill filed in the aforesaid by Burgess blackwell & Thos blackwell Sarah blackwell & all just benefit of execution - to the complainants bill for answer thereto say they believe the facts stated in the complaints bill are true that they have no objection to the decree prayed & hereby assent thereto they pray hence to be assigned as in duty bound will ever pray

Abandon proceeds

Chappells
against
Chappell

Bill
annu
& 20.
dicm
Chappell

gen ad testan

cpd

Wm, Berger, Sarah M. & Thos Chappell,
complainants in chancery
against
Jeremiah Chappell & the said Jeremiah
Jun as Executors to Martha A Elizabeth
M. & Geo Chappell respts & together
with the complainants & the said Jeremiah
Chappell Surgeon of Jeremiah Draper
dec'd This day this cause came on to be
heard on the bill answers & exhibits &
arguments of counsel on motion
consideration whereof the Court doth
accordingly order & decree that Benj. Griffin
as a commissioner of this Court
do sell the Lands devised by Jeremiah
Draper dec'd to his daughter Patsy
Chappell for life & her heirs forever
on a credit of nine months
that he reserve in the sale so much
cash as will pay the costs of this
suit & that he then take eight bonds
with good & sufficient security of equal
amounts for the balance & as

commissioner make a cause to the purchaser
& what his proceedings to get him into the
quiet honors to this Court preparatory
to a final decree

Chappell rd.

n. Z Cosby Drew

Chappell rd

Southampton County October Court 1831

William, Benjamin, Sarah M. and Thomas Chappell Plffs

against

Jeremiah Chappell and the said Jeremiah Guardian ad litem to Martha A. Elizabeth M. and John Chappell Defts

In Chancery

This day this cause came on to be heard on the bill answer and exhibit and on arguments of Counsel on mature consideration whereof the Court doth adjudge Order and decree that Benjamin Griffin as a Commissioner of this Court do sell the land devised by Jeremiah Draper dec? to his daughter Patsey Chappell for life and her heirs forever On a credit of nine months that he reserve in the sale so much Cash as will pay the expense of this suit and that he then take Eight bonds with good and sufficient security of equal amounts for the balance And as Commissioner make a Deed to the purchaser and report his proceedings together with the said Bonds to this Court for confirmation to a final decree

A Copy

Teste

James A. Cocke Clk

Commissioners
Report on the sale
of Jere. Drapers land
1891

In Obedience to the annexed Decree. The undersigned did on the 28th. day of October 1831 sell to the highest bidder on a Credit of nine Months (except as much as to defray the expences of this suit) after duly advertising the same, the land that Jeremiah Draper died seized: Containing 186½ Acres under a late survey. John Vick became the purchaser for the sum of $2.33¾ Cts pr Acre, amounting to $476.97 Cts. The Commissions on this sum at 5 P Cent is $23.84 Cts of this sum the Commissioner give up $8.25 to pay the survey, lawyers fee $10.00 Clerks $3.37 Cts making the expences in all to be $37.22 Cts leaving the sum of $439.75. to be divided into eight equal parts, making the sum of $54.97 to each legatee. for which, I have taken eight bonds from Jno. Vick principle and William Davis security. one for William Chappel. one for Jeremiah. one for Benjamin one for Sarah ett. one for Thomas, one for Martha A. one for Elizabeth M. and one for Thomas Chappel; all of which is relurned to the Court with this report. Given under my hand this 1st. day of November 1831. Benjamin Griffin Comr.

William Chatham

Order

for a note

lodg in clerks

Office

in 1831

To the Court of Southampton County, will please deliver to William J Lewis or bearer one note Executed by John Fick to me and lodged in clerks office by direction of said court for fifty four Dollars and 99 cts given under my hand this 18 day of April 1832

William Chappell

Jos M Lewis

Received Sept. 3/1833 of the Clerk of Southampton the bond within referred to.

John Moore

The Clerk of Southampton County Court will please deliver to John Moore one note against John Vick executed to William Chappell for which an order of Court was made for my benefit at May Term last

William J. Lewis

August 4 – 1832

Received agreeable to the within power of Attorney a bond on John Dick & Wm Davis for $54 97/100 due the 28th July 1832

Witness
Wm J Elrod

Jeremiah C Chappell

Copy of Bond
to J & Co. Miller
Chappell

Know all men by these presents that I Sarah M Chapell of the County of Wayne and State of Indiana / Grandchild and one of the heirs at law of Jeremiah Draper late of the County of Southampton in the State of Virginia deceased for divers good causes and considerations me hereunto moving have made ordained constituted and appointed and by these presents do make ordain constitute and appoint my brother Jeremiah Chapell of the said County of Southampton and State of Virginia my true and lawful attorney for me and in my name to ask, demand, sue for recover and receive of and from William Davis and of and from any other person or persons in the said State of Virginia all such sum or sums of money that may be due and owing unto me from the said William Davis, or from any other and every other person or persons whomsoever either by bond note or otherwise, and upon the receipt thereof or of any part of the same sufficient release and discharge in my name to make seal execute and deliver, and to have and take all lawful ways and means in my name for the recovery thereof by arrest distress or otherwise and to ask demand and receive from the Clerk or other officers of the Orphan Court in said County of Southampton Virginia or wherever the same may be deposited all bonds, notes, and instruments of writing in my name and for my use and benefit and upon the receipt of the same to cancel or compound them in my name as my said attorney may see fit. And attorneys one or more under him for the purposes aforesaid to make and again at his pleasure to revoke and generally to do and perform all and singular concerning the said premises in my name as fully and in every respect as I myself might or could do there & personally present at the doing thereof. Ratifying and confirming and by these presents allowing whatsoever my said attorney shall in my name lawfully do in the premises aforesaid

In Witness whereof the said Sarah M Chapell hath hereunto set her hand and affixed her seal this 11th day of April A.D. 1835

Signed sealed & delivered in presence of
Dan'l Hannah

Sarah M Chappell [Seal]

State of Indiana
Wayne County } Ss. Before the undersigned a justice of the peace within and for said County personally came the above named Sarah M Chapell and acknowledged the making and signing of the foregoing power of attorney to be her voluntary act and deed for the purposes therein specified
Given under my hand and seal this 11th day of April A.D. 1835

Dan'l Stratton — Justice of the peace [Seal]

State of Indiana
Wayne County } Ss. I Dan'l Hannah Clerk of the Wayne Circuit Court Certify that Dan'l Stratton Esq. before whom the foregoing power of attorney has been acknowledged and whose Certificate is above given was at the time thereof and now is and acting Justice of the peace within and for said County of Wayne duly elected, Commissioned and Sworn, and fully authorized by the laws of this State to receive acknowledgements of deeds, take depositions and administer oaths that full faith and credit are due and ought to be given to all his official acts And further that the foregoing signature purporting to be his is genuine
In Testimony whereof I hereunto subscribe my name and affix the seal of said Court at Centreville this 11th day of April A.D. 1835

Dan'l Hannah Clk

Indiana } ss.
Wayne County }
I Charles H Test President Judge of the Sixth judicial Circuit of the State of Indiana of which the said County of Wayne forms a part do hereby Certify that the foregoing Certificate and attestation of Dan'l Hannah, who is the Clerk of the said Wayne Circuit Court are in due form of law and by the proper Officer
Given under my hand this twenty first day of April in the year of Our Lord One thousand eight hundred and thirty five

Charles H Test

Chappell &c
vs
Exr. &c. of
Chappell

1824 June 21st Received of James Rochelle Clerk of the County Court of Southampton the following bonds to wit. Six several bonds executed by John Rick & William Davis for the sum of fifty four dollars and ninety seven cents each they being in full of the proportion to which myself, Thomas Chappell, Benjamin Chappell, Martha Chappell, Elizabeth Chappell and John Chappell are entitled, of the sale of a tract of land of which Jeremiah Draper died seized & possessed.

Witness

Jno. M. Gurley

Jeremiah Chappell

KNOW all men by these presents that Thomas Chappell and Benjamin Chappell of Stark County in the State of Ohio, have (the latter for himself and as Guardian, regularly and duly appointed for Martha Ann Chappell Elizabeth Matilda Chappell and John Chappell) made constituted and appointed and by these presents do make ordain and appoint their brother Jeremiah Chappell of Southampton County in the State of Virginia their true and lawful attorney for them respectively and in their names respectively, the said Benjamin as well for himself individually as Guardian for his said wards, to ask demand, sue for, recover and receive of and from the Executor of Jeremiah Draper (their grand father and grand father of the said several wards) late of said Southampton County deceased, or any other person or persons in whose hands the same may be the respective legacies or bequests which may be due to the said Benjamin, Thomas, Martha ann, Elizabeth Matilda and John by virtue of the last will and testament of the said Jeremiah Draper dec'd. or otherwise due to them from said estate - giving and by these presents granting to their said attorney to use all lawful ways and means for the recovery of the same hereby allowing and confirming whatsoever their said attorney shall in their names respectively do or cause to be done, by virtue of these presents

In witness whereof the said Thomas Chappell and the said Benjamin Chappell on the part of himself and as Guardian for the above named wards have hereunto respectively set their hands and seals the 6th day of August eighteen hundred and thirty two

signed & sealed in the presence of }

Reuben Stivers

Wm Williams

Benjamin Chappell (Seal)

Thomas Chappell (Seal)

for self & as Guardian for Martha Ann Chappell, Elizabeth Matilda Chappell & John Chappell

State of Ohio Stark County ss

Be it (Seal) (Seal) the Sixth day of August 1832 before us the subscribers two of the Justices of the peace in and for said County personally appeared the above named Benjamin Chappell and Thomas Chappell and severally acknowledged the above instrument of writing as their act and deed for the purposes therein contained

Geo Dunbar

Adam Heimmell

Justices of the Peace in and for the county of Stark

Stark County Ohio ss

At a Court of Common Pleas begun and held at the Court house in the town of Canton within and for the County of Stark and State of Ohio, On Monday the sixth day of August A.D. one thousand eight hundred and thirty two - Amongst other proceedings of said Court were the following to wit

"Martha Ann Chappell aged 18 years 6th May 1832
Elizabeth Matilda Chappell aged 15 years 15th November 1831
& John Chappell aged 12 years 17th September 1831 Came into open Court and chose Benjamin Chappell their Guardian - Choice approved and Security bond is accepted as security in this behalf a sum of three hundred dollars"

In testimony whereof the foregoing is taken from the Journal of said Court I hereto set my hand and affix the seal of said Court at Canton this six day of August A.D. 1832

John Myers Clk

State of Ohio Stark County ss

I John Myers Clerk of the Court of Common Pleas of said County certify that George Dunbar & Adam Kimmel Esqrs before whom the foregoing power of attorney appears to have been acknowledged are two Justices of the peace in and for said County duly Commissioned and sworn as such by Lawful authority

In testimony whereof I have hereto set my hand and affix the seal of said Court at Canton the 6th day of August 1832

John Myers Clerk