

1837-017 SOUTHAMPTON COUNTY
CHANCERY PAPERS

CHAPMAN and Wife et al VS. WADDELL's Extor
1/1837

N.B. Sheets pasted together + folded.

other SURNAMES: Watkins,
Waddill

To the most honorable Court of Southampton
County sitting in Chancery I humbly
complain sheweth to your honors
your Alexander L. Buchanan
& Mother & I Buchanan late
married by Mary D. Buchanan
their Mother Eliza W. Wadell
who together with Mrs. Wadell
are assigns of Mrs. Wadell's

There your Assignments by leave
to return to your honors that
Mrs. Wadell's late Surveyor's
deed by his last will & testament
only recense in the County Court
of Surry & an authentic
copy whereof is hereto annexed
to be used as a part of this bill
devoise as follows (i.e.) I leave the rest
residue & remainder of my estate with
the profits thereof to my sister Elizabeth
& Wadell for & during her natural
life & at her death to be equally
divided amongst seven children
as she may then having living with
the negro girl but to my sister
your honors & the heirs left I do
leave: provided he should die before
he arrives at the age of twenty one
years

Now your master & mistress by leave to state
 that the tenants for him Mrs Waddell
 is dead & they are therefore now united
 to their names in the same place
 contained in said request that
 Mrs Waddell who is the Executor of
 Waddell dead & entitled to one third
 of the said debt has the said claims
 in possession & your master & mistress
 & your mistress Elizabeth are unable
 at Law & can be only relieved by your
 worship who are pleased to make
 the said Mrs Waddell Executor of
 Waddell who was Executor of the Waddells
 a debt hereto & compel him to assign
 this bill & thereupon divide & pay
 of the said claims into three equal
 parts one to your master as trustee
 of the said & wife in right of the
 latter one third to Elizabeth Waddell
 your mistress & the remaining third
 to the said Mrs Waddell
 that your worship grant to your
 complainants the Commission
 which they have desired & such other
 further & general relief as equity
 dictates & as in duties they will see
 fit to do
 A. B. C. D. E. F. G. H. I. J. K. L. M. N. O. P. Q. R. S. T. U. V. W. X. Y. Z.

The answer of Ans Waddell Esq of Crail Waddell
dece who was Esq of Geo Waddell Esq to
the bill filed in Lochmumister by
against him by Ben J. Blum Esq
for Alexander & Co. Esq
Waddell Esq to Waddell Esq
dece This answer. Giving all benefit of
just. exception to the Complaints bill
for answer says he believes the facts
stated in the Complaints bill are
true & he has no objection to the decree
made of & having now answered he
says him to be answer. & as in
duty he will ever be
His answer
proscribed

[illegible]

summarize to her children living at the time
of her death into three equal parts
that they allot to Bence D Chapman
who is trustee of Eliza Waddell & Martha
Chapman late Waddell in a part of the
said Martha one third or one third
to the complement Eliza Waddell
& one the remaining third to the
deceased John Waddell & that they
report their proceedings herein to
this Court in order to a decree.

Chapman
Trustee to
Chapman & wife
& Eliza Waddell
against
Waddell & Eliza Waddell
who was Executor
of Waddell's

Billings
& Co Decr

Virginia to wit.

Pleas before the Honorable Justices of the Court of
Southampton County on the 16th day of ~~December~~ ^{January} 1837.
Be it remembered that heretofore to wit. At a Court held for the said
County on the 19th day of December 1836 came Alexander Chapman and
Matthias S. Chapman late Waddell by Benjamin D. Chapman their
Trustee. Eloya W. Waddell who together with John Waddell are devisees of
Jm. Watkins by their Counsel filed their bill against John Waddell Executor
of Joel Waddell who was Executor of John Matthias dec^d. which bill is
in the following word to wit:-

To which ^{bill} ~~answer~~ the Defendant filed his answer in the following words
to wit:-

Whereupon this cause came on by consent of parties. &c.

And now at this day to wit. At a Court held for the County aforesaid on
the day of year first aforesaid to wit the 16th day of January 1837.

Chapman & Co

as } Co. Deere

Waddill

For Commissioners

Southampton December Court 1836.

Alexander D. Chapman and Martha S. F. Chapman late
Waddell by Benjamin D. Chapman their Trustee & Eliza
Waddell

Plffs

In Chancery

against

John Waddell Executor of Noel Waddell dec^d who was Executor
of Robert Watkins dec^d Def^t

This day this cause came on by consent of parties and with the assent
of the Court to be heard on the bill, answer, exhibits and argument of
counsel, on mature consideration whereof the Court doth adjudge,
order and decree that Clements Rochelle, Thomas Morrell, William
Owens, Edwin G. Hart, Etheldred Harris and Leonard Cobb or
any three as Commissioners of this Court divide the Slaves and
their increase devised by Robert Watkins deceased for life to Eliza
S. Waddell remainder to her children living at her death, into three
equal parts, that they allot to Benjamin D. Chapman who is Trustee
of Alexander and Martha Chapman late Waddell in right of
the said Martha one third, - One third to the Complainant Elizabeth
Waddell and the remaining third to the Defendant John Waddell
and that they report their proceedings herein to this Court in
order to a final decree -

Attest Teste

J. R. Edwards Clk

In obedience to the annexed order from the S^c.ampton
county Court of Law and Chancery &c the Commissioners
have this day in the presence of all the parties proceeded to
divide the slaves and their increase, devised by Robert
Woodkins. dec^d. for life to Eliza J. Wooddill remainder to
her children living at her death, into three equal parts
and made distribution as directed by said order as follows
(to. Witt)

Lot. N^o 1. negr woman Lucy and 2 children Antoinette and Eliza
valued at. \$800. - - - \$800.00
boy Albert valued at \$450. Dick \$350. - 800.00
Boy \$550. Henry \$350. - - - 900.00
Girl Sally - valued at \$100. - - 100.00
making the sum of - - - \$2600.00

Drawn by John Wooddill he to receive from Lot. N^o 2
the sum of \$16.66 $\frac{2}{3}$ cents and from Lot. N^o 3. \$91.66 $\frac{2}{3}$ 108.33 $\frac{1}{3}$
making his proportionable part of said Slaves - - - \$2708.33 $\frac{1}{3}$

Lot. N^o 2 negr man John valued at. - - - \$1250.00
Girl Matilda valued at \$300. Malissa \$600. 900.00
Caroline \$300 boy Abram \$275. - - 575.00
making the sum of - - - \$2725.00

Drawn by Miss Eliza Wooddill she to pay to Lot.
N^o 1 the sum of \$16.66 $\frac{2}{3}$ cts - - - 16.66 $\frac{2}{3}$
leaving the sum of \$2708.33 $\frac{1}{3}$ cts. - \$2708.33 $\frac{1}{3}$
Equal to her proportionable part of said Slaves

(Terte)

Lot No 3.	negro man Glasgow	valued at \$500	- -	\$500.00
"	man William	675	- -	675.00
"	woman Susan	500	- -	500.00
"	Girl Maria	450	- -	450.00
"	Lane	375	- -	375.00
				<u>\$2800.00</u>

Drawn by Benjⁿ. D Chapman Trustee of Alex^r. and
 Martha Chapman late woodcille, in right of said
 Martha, he paying to Lot No 1. the sum of \$91.66 $\frac{2}{3}$ 91.66 $\frac{2}{3}$
 leaving the proportional sum of - - - \$2708.33 $\frac{1}{3}$

Given under our hands this 29th day of Dec. 1836. - -

Respectfully Submitted
 Trustee as to Mr. Cobb
 J. Moore

Mr Owen
 Leonard ^{his} Cobb
 (Mark)
 Ethelred Warren

from West

From C. H. W.
- Dec. 7 1837

122

Mr. Benjamin D. Chapman

lives in the neighborhood
of Rochester depot -

Bellfield N.Y.

1836 Dec. 1837
1837 Jan. 1837

Maddell

3 N.Y.

Chapman & W.

Cap.

1200

I, Robert Watkins, of Surry County, make and Ordain this my last will and Testament in form and manner following:

It is my - and desire that my land and plantation, whereon I now live, known and called by the name of Goodman's with my houses and lots in the Town of Petersburg, be immediately after my decease sold by my executors, and the money arising from the sale of the same, by considered my personal property. I give and bequeath unto my Sister Sarah Yarbrough the sum of five hundred dollars to her and her heirs forever. I lend unto my said Sister Yarbrough my negro girl Milly for and during her natural life. I give and bequeath unto Thomas W. Drewry the sum of One thousand Dollars, and the interest arising there to be paid him (or his guardian for his benefit) annually, until he arrives to the age of twenty one years; and in case the said Thomas W. Drewry should die before he arrives to that age, I give the said legacy as hereafter expressed. I lend the rest, residue and remainder of my estate, with the profits thereof to my Sister Elizabeth S. Waddill for and during her natural life, and at her death to be equally divided amongst such children as she may then have living, with the negro girl lent to my Sister Yarbrough and the legacy left Thomas W. Drewry. Provided he should die before he arrives to the age of twenty one years. My will and desire is that my executors should not be bound to give bond and security for the administration of - estate, and that my estate should not be appraised. Lastly, I nominate, constitute and appoint my fi to Asa Bailey and Nels Waddill executors to this my last will and Testament. In Witness Whereof I have hereunto set my hand and seal this 22nd day of August 1811.

Signed, sealed and acknowledged
in the presence of 3.
John Barber.
Robert McIntosh
David Price

R. Watkins 

At a Court held for Jany County, January 28th 1812.

The within written Testament and last will of Robert Watkins deceased was presented in Court by Mark Waddell, one of the executors therein named, the same being proved by the oaths of John Bault, Robert McIntosh and David Prier, the Witnesses thereto, was by the Court ordered to be recorded. The said Mark Waddell one of the executors as aforesaid made oath and gave bond without security pursuant to the said will, and Certificate is granted him for obtaining a Probate thereof in due form. And liberty reserved the other executors therein named to qualify on a future day.

Teste,

John Paulson C. J. C.

A Copy -

Teste,

Wm G. Sands D. C.
December 5th 1836.

