

1842-017

Isle of Wight County

Chancery causes: Kena K. Chapman vs. Everitt Morriss + c

Young

154
 108
 18
 18
 38
 18
 58
 cd. 4.12
 all. 5.50
 3/4 .50 spw
10.12

Chapman
 vs. } chanc.
 Monip &c

May 2nd 1842. Bill filed
 & 8th ad litem app^d infant d^g
 and his ans. filed. Spw. ex. on
 Monip & N. P. Young & Young
 filed
 June 8th 1842. Spw. ex d. on R.
 W. Young & C. A. Young & their
 ans. filed.

1842. Aug 1st decree appointing
 Monroc Clements Trustee -
 and Cts to be paid out of the
 proceeds of Land when sold

Certs \$10.12.

File copy of the
 Trust deed

of the said Nathaniel Young the legal title
to the land in said trust deed mentioned
devolved to his children to wit Robert
W. Young, Nathaniel P. Young, Eliza Young
and James Young the last named
being an infant under 21 years of age
their title to the said land is purely
legal without any absolute right or
equity and the said land remains
in equity still liable to pay and satisfy
the debt of your debtor as aforesaid,
your debtor is anxious to have his
debt satisfied and there is no one
authorized to sell the said land
under the provisions of the deed as
the said James Young one of the child-
ren and heirs of the said Nathaniel
is under age; To the end therefore
that relief may be had and foras-
much as your debtor is without remedy
at law and can be relieved in a court
of equity, your debtor prays the court
that the said Esquire Morris, and
the said Robert W. Young, Nathaniel P. Young
Eliza Young and James Young the last
by his name to be appointed by the court
be made defendants hereto and be com-
pelled to answer the same fully and dis-
tinctly and that by a decree of this court
a new trustee may be appointed to carry
into effect the provisions of the said
trust deed that the debt due
to your debtor may be paid and
satisfied according to the terms
and conditions therein mentioned

and may it please the court to grant
all the relief which may be found
necessary and proper in the premises
and to grant the commissions &c
commanding the said defendants to answer.
Oy

Holburn pgs

To the justices of the county court
of Islip in chancery sitting

Humly complaining shews unto the court
your orator Hiram H. Chapman that a certain
Barnett Morris of said county being indebted
to your orator in the sum of six hundred
& twenty four dollars and being willing and
desirous to remove the same executed to a
certain Nathaniel Young of said county a
deed of conveyance commonly called a deed
of trust dated the 3rd day of April 1838
which has been duly recorded in the clerk's
office of said county by which he the
said Barnett Morris conveyed to the
said Nathaniel Young in trust for the
payment of the said sum of six hun-
dred & twenty four dollars a certain tract of
land in said county as by said deed
more fully appears a copy of which
marked A is herewith filed and is pray-
ed to be taken as part of this bill. After
the execution of said deed and before
the payment of the said sum of six
hundred & twenty four dollars or any part thereof
the said Nathaniel Young departed this
life never having executed the trust
as aforesaid and the title to said
tract of land remained vested in
him till the time of his death, and
now there is no person authorized to
carry into effect the provisions of said
deed of trust so as to satisfy the debt
aforesaid, all of which still remains
due and unpaid; upon the death

Young's list
arrow

The answer of Robert M Young, Nathaniel Young and Eliza Young to a bill exhibited against them and others in the county court of Mississippi by Maria H. Chapman.

These respondents for answer to said bill answer and say that it is true they are the children and heirs of Nathaniel Young dead, that they believe it to be true their father was a mere trustee in the deed of conveyance mentioned in the plaintiffs bill and that they as his heirs have but a mere legal title without any interest in the land mentioned in said deed.

they therefore have no objection to any decree the court may think proper to make to carry out the purposes of the trust aforesaid, and the appointment of a new trustee if found necessary for that purpose, as they set up no claim or right to said land, and having thus answered they pray hence to be dismissed with their costs &c

Teste

A. P. Young
R. M. Young
E. A. Young

Inputs
curve

File copy of
trust and
back (18)

The answer of James Young an
infant under 21 years by Nathaniel
P. Young his guardian ad litem to a bill
exhibited against him in Whipton
in court by H. H. Chapman

This respondent by his said guardian
for answer to said bill answers and
says that he is an infant under
age and being ignorant of his rights
begs leave to place himself under the
protection of the court and praying that
a decree may be pronounced with his
costs to be in this behalf expended

Signed

N. P. Young

Executed by delivering 4 true copies to the
defendant Nov. 17. 1841

W. Whitehead
for Gray Court &c

Chapman Esq.

or:

John W. Eby

Shirley

to the Court. Will.

William

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of *Isle of Wight* County, GREETING:

WE COMMAND YOU to summon *Ernest Monif*

Justice of the County Court

to appear before the Judge of the ~~Circuit Superior Court of Law and Chancery for the County~~ of Isle of Wight,
at the Court House of said County, on the first Monday in *December* next,
being ~~Rule~~ day, to answer a bill in Chancery in the said Court exhibited against *him* by *Reuben*

R. Chapman

two

and if *he* shall fail to answer the Bill within ~~four~~ months thereafter, the Court will take the said Bill
for confessed, and proceed to decree the matter thereof accordingly. And have then there this Writ.—Witness
NATHANIEL YOUNG, Clerk of our said Court at the Court House, the *4th* day *November*

1841 1837, in the *58th* year of the Commonwealth.

Nathl. P. Young's

We acknowledge receipt of this

N. P. Young

B. P. Young

~~Wm. P. Young~~

C. P. Young

Chapman
at 1/2 price in ch.
N. P. Young
Young & Co.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of *Isle of Wight* County, GREETING:

WE COMMAND YOU to summon *Nathaniel P. Young* admor.
J. A. Young ~~ad.~~ and in his own right ~~the~~ *Wright*
~~Young~~, *C. A. M. Young*, and *James M. Young*
the last an infant. And *Ro. W. Young*

to appear before the Judge of the Circuit Superior Court of Law and Chancery for the County of Isle of Wight,
at the Court House of said County, on the first Monday in *Dec.* next,
being Rule day, to answer a bill in Chancery in the said Court exhibited against *them* by *N. N.*
Chapman

and if *they* shall fail to answer the Bill within ^{*two*} ~~the~~ months thereafter, the Court will take the said Bill
for confessed, and proceed to decree the matter thereof accordingly. And have then there this Writ.—Witness
NATHANIEL YOUNG, Clerk of our said Court at the Court House, the *16th* day of *November* 1841.
1857, in the *88th* year of the Commonwealth.

Nath. P. Young ad

Chapman
or
Moult of
beaver

Henry H. Chapman

vs.

In Chancery

Emile Morris & others

This cause in which the real
party has been executed on the
defendant Morris more than two
months, and the bill having been
also filed more than two months
and the said defendant having failed
to answer the same it is taken as
confessed as to him and the cause
settled on to be tried on the
bill of the plaintiff the answers of
the other defendants and the exhibit filed
~~was~~ was argued by counsel on
condemnation where the court doth
adjudge order and decree that
Morse Clement be appointed to act
as trustee in the and from the
defendant Emile Morris to hold
and convey in his lifetime to whom
or all due the plaintiff Henry H.
Chapman the said deed being of
record and dated the 3rd day of
April 1838 and that the cause
Morse Clement be authorized and
required ^{whereon required} by the plaintiff
to do and perform all
acts which the former trustee might
have done in his lifetime un-
der the trust deed aforesaid, and
the court doth further order and
decree that the costs of this suit
be paid out of the proceeds of the
land conveyed where the cause
shall be sold to satisfy the trust
aforesaid

H. H. Chapman

vs $\frac{2}{3}$ Co. Seced.

Horris Had

1842 Sept 5th filed for
reception

In S^{ts} of Wight County Court Aug^t Term 1842.

Mena H. Chapman
against E. In Chry
Evert Morris & other

Plt

Def^t

This Cause in which the Subpoena has been executed on the defendant Morris more than two months and the bill having been also filed more than two months and the said defendant having failed to answer the same is taken as confessed as to him, and the Cause coming on to be heard on the bill of the pl^t. the answers of the other defendants, the exhibits filed was argued by Counsel; On Consideration whereof the Court the Court doth adjudge order and decree that Monroe Clements be appointed to act as trustee in the and from the defendant Evert Morris to Nathaniel Young in his life time to secure a debt due the pl^t. Mena H. Chapman the said debt being of record and dated the 3rd day of April 1838. - And that the said Monroe Clements be authorized and required whenever required by the pl^t. to do and perform all acts which the former trustee might have done in his life-time under the trust due aforesaid. - And the Court doth further order and decree that the costs of this suit be paid out of the proceeds of the Land Conveyed when the same shall be sold to satisfy the trust aforesaid.
Costs \$10. 12. Cents

Copy,
Wm J Banks DC

By virtue of the above decree to me directed, & in pursuance of the same trust, I have advertised & sold the above land & as required by the decree at public auction, & the amount of sales is \$331 (after deducting expenses of suit, commissions &c will leave a balance of \$302 which is credited on the said debt all of which is submitted to the honourable court August 12th 1842

Monroe Clements Trustee