

1844-070 Chancery Causes? Matthew Wills v wh vs Sally Chapsman, by vc

Isle of Wight County

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

Respectfully complainers these unto your
worships your notes & voting Matthew Mills
and Mary Ann his wife formerly Mary
Ann Chapman those on or about the
day of 1821 a certain Lewis Chop-
man late of said county died leaving
two children to wit your voting
Mary Ann and a certain Sally
Chapman his only heirs at law, the
said Lewis Chapman at the time
of his death was seized and possessed
of a tract of land in said county
containing 203 acres, the same be-
ing for ever undivided and
rented out for the benefit of the heirs
jointly your voting Mary Ann &
Sally intermarried with your notes
Matthew Mills, and they now wish
to have and enjoy their portions of
said land separately. The value of
said land will not exceed the
sum of three hundred dollars to each
share, and your ~~other~~ notes and
voting are anxious that the same
may be sold and the proceeds di-
vided as the ~~best~~ ~~said~~ land it-
self cannot be divided into two
equal parts without great injury
to the value thereof. The said Sally
is an infant under the age of 21
years and cannot consent to any
sale thereof, and your notes & voting
are prevented from enjoying their
right in said land which tends
much to their injury & oppression, and
frustrated as they are without remedy
at law and can be relieved only in
a court of equity. To the end therefore
that relief may be had your notes & voting
pray your worships that the said Sally
Chapman be made defendant hereto,
and by her guardian for that purpose
to be appointed by the court, she be
compelled to answer the premises
fully & distinctly and that by an

decree of this court the said land
may be sold on such terms as may
be considered proper by commissioners
appointed for that purpose and the pro-
ceeds divided between your estate
and estate and the said Gally
Chapman and may it please
the court to grant and other relief
as may be necessary & proper &

Matthews

The answer of Gally Chapman are in
fact under 21 years by James
Chapman her son and later to a bill
relating to her in the co. co. of New
York by Matthew Mills & Mary Anne his wife
his wife

This respondent having & receiving
for answer to said bill answers & says
that the claim title to one half of the
203 acres of land mentioned in the
plaintiff's bill, but being all respondent
the places herself under the protection
of the court & having this and
respondent prays hence to be decreed
with her costs &c

Respondent
Gally Chapman

Isleworth co. to suit

This day James Chapman
appeared before me on petition of the
said and made oath to the truth
of the above answer given under
my hand this 3rd Oct 1836

J. C. Jordan

Matthew Mills & Mary Anne his wife plaintiffs
vs
Gally Chapman Defendant

This cause this day came on by con-
sent of parties and with the assent of
the court on the bill of the plaintiffs
the answer of the defendant and over all
the answer of the defendant on consideration
given by counsel on consideration
whereof the court doth adjudge, order
and decree that Charles Chapman

be appointed com-
missioner to sell out public ~~and~~
on the premises notice, in con-
sistency with the giving of the time and
time for fifteen days of the time and
place by advertisement at different
places in the neighborhood, the two
hundred and three acres of land of
which Gally Chapman died seized
and possessed that they sell the same
on a credit of nine months except
as much as will pay all expenses
of this decree & of the sale, that they
take from the proceeds a bond
for one half of the net proceeds of sale
payable to the plaintiff Matthew Mills
in right of his wife Mary Anne, &
deliver the same to the said Mills
and take a bond for the other half
of said proceeds payable to the use
of said defendant Gally Chapman
and deliver the same to her legal
agent that they be executed to the
purpose a deed without war-
ranty and report their find-
ings to court in order to a
final decree

Mills & wife
vs. Rice
Chapman & Co.

Oct. 3rd 1830 Will &
Ans. filed. Ints. decreed

Jan. 9. 2nd 1837 com.
rept. ret. & cont.

Feb. 1841 final
decreed.

In obedience to a decree of the County Court of Schoharie
 bearing date October Court 1836. I the undersigned Commiss^r
 -er appointed under S^d. decree to sell the land which
 Davis Chapman dec. died poss^r., have proceeded to
 sell the S^d. land as mentioned in S^d. decree, which
 sale is as follows to wit

The S ^d . land - - -	to Wm Crocker Junr.	\$628-00	
Chycks fee - - -		\$3-75	{ - - 45-15
Att ^r . - 2 ^d - - -		10-00	
Commission - - -		31-40	
		net proceeds	\$582-85

each heir's part \$291-42 1/2

I the S^d. undersigned make the net proceeds of the
 sale of the ^{above} mentioned land five hundred & eighty two
 Dollars, & 85 cents, for which sum I have taken two
 bonds for, one for two hundred & ninety one Dollars
 & 2 1/2 cts, payable to Matthew Wilbur in right of
 his wife Mary Ann, the 3rd day of Sept. 1837 - and the
 other for two hundred & ninety one Dollars & 42 1/2 cts
 payable to Sally Chapman the 3rd day of Sept. 1837 -
 Given under my hand this 3rd day of Dec^r. 1836 -

Charles Chapman Commiss^r

Wills Kewife

15.

Chy: report

Chapman

of sale of land

Jan 4. 2^d. 1837 ret. & cont.

Wells wife
vs.
Chapman

2 copy
3 Int. Sec. Sec.
3

1st Saturday in Dec.

Jelief Wight County October Court 1830

Matthew Wiles and Mary Ann his wife.

Plaintiffs

against

Sally Chapman.

Defendant

In Chancery

This cause this day came on to be heard by consent of parties, and with the assent of the court, on the bill of the plaintiffs & the answer of the defendant; and was argued by counsel, on consideration whereof the court doth as judge order and decree, that Charles Chapman be appointed commissioner to sell at public auction on the premises after giving notice in writing for fifteen days of the time and place by advertising out at different places in the neighborhood the two hundred and three quarters of land of which Davis Chapman died seized and possessed; that he sell the same on a credit of nine months, (except so much as will pay all expenses of this decree, and of the sale, that they take from the purchaser a bond for one half of the net proceeds of sale, payable to the plaintiff Matthew Wiles in right of his wife Mary Ann, and deliver the same to the said Wiles, and take bond for the other half of said proceeds payable to the infant defendant Sally Chapman, and deliver the same to her legal guardian, that he execute to the purchaser a deed without warranty, and report his proceedings to court in order to a final decree.

Clk's fee \$3. 75 — Rec^d my fee N. Y.

Att^y 50. 10. 00
\$13. 75

Attest

Nath. Young Ck.