

1872-067 Chancery Causes: Tempe Bowden, widow of Elias Bowden & Louisa Victoria Bowden, by & c 48
Isle of Wight County vs Susannah Bowden & al, by & c & al

other surnames Chapman
Mountford, Mountfortt,
Hall, Eley

48
Tempe Bowden widow of
Elias Bowden &

vs. ³ Bail &

Susannah Bowden & al.

Oct. 3^d 1853 Bill &
an. & upl. filed & inty.
decreed.

Jan. 2. 1854 upl. of
partition & sale made
recorded.

Nov. 6. 1854. Decree to collect
bond made deed &c.

June 4. 1855 upl. of St. Chapman
under last decree filed.

her, in the other tract 'the home tract', because she believes
that the interest of her children will be promoted by as
much a course & such was also the intention of her husband
sufficiently appearing by the said will of her husband - she
prays that commissioners be appointed to set aside her share
in the said tract, also her share in the said negroes

whereof her husband died seized -

To the said ~~etc~~, and as ~~other~~ notes are without remedy
save in the home court, they pray that Susannah, Margaret,
Edward Chapman ^{ad. of Eliza Norton} & Almida Norton be made parties to this bill & answer the
same by their answer at issue appointed to defend them
that your ~~wise~~ wisdom will grant a decree for the sale
of the said lands, and to set aside the share of 3 in whole Temper
Norton in the other & home tract, & her share in the
said negroes and grant all other & necessary relief as may
be meet and fit in the premises - & grant costs etc.

Temper Norton in her right
& Louisa V. Norton by Temper
Norton her next friend by
R. H. Whipplets. In

Temper Norton & Louisa V. Norton by her next friend
H.

Norton, heirs

The answer of St. P. Young G. W. Allen of
Susannah, Margaret, Edwin & Almida Norton infants children
of Eliza Norton decd, to a bill filed against them by Temper Norton
et al. Their respondents having & excepting to, for answer say
that on infants under the age of twenty are ~~not~~ ^{not} of age
& they leave to instruct themselves & intend to the protection &
guidance of the home court. & having answered pray leave

W. P. Young G. W. Allen

Norton et al.
H.

Norton.

^{ad. of Eliza Norton}
The answer of Hardy Chapman to a bill filed
by him & al. by Temper Norton in the County Court of Isle of Wight
County, that he as adv. has no object to the decree asked for
relating to the negroes of the said decd to divide the same
& having answered say:

H. Chapman

To the worshipful justices of the County Court of Lee of and for the County
in chancery sitting, humbly complaining themselves unto your
worships, your orator for Temple Borden widow of Elias Borden, and
Lucretia Victoria Borden an infant under twenty one year of age was
deceased by her next friend Temple Borden, themselves unto your worship that
Elias Borden of the said County, departed this life, intestate, on the second
day of 1852, leaving your orator Temple Borden as his widow
and as his heir at law, the said Lucretia V. Borden & Susanah, Margaret,
Edwin & Alminda Borden who are his children & all are under
age of twenty one year, the oldest, Lucretia V. being about 12 years old, and the
youngest about three years - ^{& Hardy Chapman & wife as his admors} The real estate left by the said Elias Borden
consisted of two tracts, one called the "James Borden tract" near
the residence of the deceased, embracing about 115 acres and worth about
3,000 or \$400, and the other tract is the home tract whereon he lived & died &
contains about 225 acres worth \$700, both being in the said County.
The other property left by the deceased consisted of three negroes one an
infant & valued at the time ^{which are now at the said County Court} of \$1000 - your orator states that it is desired
to effect a partition of the said "James Borden tract", and they desired
that such may be might be done if to the interest of all concerned in,
but as no one wishes, and as, your orator states that they believe the
interest of the parties entitled thereto will be promoted greatly
by a sale of the said James Borden tract, rather than the cutting
or parcelling it into five or more shares, especially as the parties
are infants, under 21 years of age - The "tract" only rents for
ten dollars per annum & is constantly depreciating, and will so con-
tinue. Your orator further states, that a will was made by the
said Elias Borden, but in consequence of a defective execution
could not ^{be} was not admitted to Record or Probate, wherein the said
deceased, directed that the said tract of land herein referred to
be sold, a circumstance which would indicate ^{others} the propriety of the
sale instead of a division; for this reason your orator prays that
the said "James Borden tract" be sold, and the proceeds divided
between them entitled. Your orator Temple Borden for this end
prays that her dower in the said real estate be allotted to

Drawn or Septimus.

Drawn

Brown } Interrogatories submitted to the undersigned attorney,
Ancient His } with the appointment & Remembrance of
the General and his
Interrogatories.

Am I acquainted with the real estate of
where of Elias Brown said said to wit, the House tract,
and the "James Brown tract"? It so be you believe that the
interest of the estate or heirs of Elias Brown will be promoted
by a sale of the "James Brown tract", instead of a partition
of the same? What other reason why their interests would be promoted
by a sale? What is its value ~~annexed~~ ^{to the} higher value or?
Answer - Nathan Mountfort, having been duly sworn
deposes as follows, I know the real estate well & both
tracts referred to; and I have no hesitation in saying
that the interests of the heirs will be greatly promoted
by a sale of the "James Brown tract" instead of a division
of the interest on the purchase money will be much
more than the rent - It rents low & the tract is constantly
appreciating - It is worth about \$200 in fee & rent per acre
for ten years.

J Hall

Esq. L Ely

Nathan Mountfort
mark

October 5th 1853.

Heir of said estate to wit.

The foregoing deposition of J. Hall, Esq. Ely & Nathan
Mountfort, were read duly taken & sworn to before me a Justice
of the peace for the said county - attested my hand this 5th of October
1853

J Chapman

Commissioner Henry Chapman executes in the clerk's
office, his bond in the penalty of \$500, Conditions as the law
directs.

Att. fees \$10.00 he paid me Nov. 7 '53 Not W. Whitfield
clerk. " 5.00 for paid N. P. Torrey &
costs \$15.00

Statement of Sale.

Am't of proceeds of sale \$300.

4. expenses of rent as above.

15.00

4. Comm. 50c

15-

\$30.00

To bond for balance returned

\$300.00

270.00

\$300.00

Shawden

M. Co. Adams

Shawden & Co.

Decr. 2. 1853 Deputy
of Comm. & Treas. T.

Deputy Treasurer for
bond with do.

Chancery Court of Wright County Court Oct. 3rd 1853

Tempe Bowden widow of Elias Bowden dec'd. Louisa B.
Bowden infant under twenty one year of age by Tempe
Bowden her next friend

against $\frac{3}{2}$ In chancery

Suannah, Margaret, Edwin and Almira Bowden
and Hardy Chapman adm^{rs} of Elias Bowden

On motion of T. P. Herring is appointed guardian ad litem
to defend the infants defendants & by consent of parties
this cause was this day docketed & by like request came on to be
heard on the Bill, answers and examinations of witnesses, The
Court being of opinion that a portion of the tract of land called the
James Bowden tract in the bill referred to, would be inadvisable,
and being of opinion that a sale thereof would be promotive
of the interest of all parties entitled, The Court doth adjudge, order
and decree that Hardy Chapman who is appointed a commis-
sioner for such purpose after having advertised the time and
place of sale and given twenty days notice & thereof, will
sell at public auction to the highest bidder, The said James
Bowden tract of land, on a credit of six months, saving
Sums as may be needed to defray expenses of sale and suit,
which will be in cash, That he bond of the purchaser with ample
Security for the price, and also retain a lien on the land for the
same, And the Court doth further order, That Thomas Hall, Edwin
S. Crumpler and Nathan Hounsford (any two of whom may act)
are hereby appointed Commissioners to view and examine all the
real estate wherof the said Elias Bowden died seized, and
the Negroes to wit: Dennis, Cather & Child Reddick, wherof he
died possessed, And doth a side to the said Tempe Bowden widow
of dec'd. her dower or one third part of the real estate of deceased,
having regard to quantity & quality, by proper notes & bonds & also
of the said Negroes doth a side & allot to the said widow her third
part thereof during her life time, And report to the Court their
respective proceedings for further order &c. But this decree is to
be suspended as to the sale of the tract of land, till the

In obedience to the order annexed pronounced the
third of October¹⁸⁵³ the undersigned Commissioners
have viewed the lands belonging to the Estate
of Elias Bowden Decd and have set apart to Temperance
Bowden Widow of sd. Elias Bowden sixty acres of
land more or less and bounded as follows to wit
Commencing at a red oak on Abells L. Eley's line,
thence a strait line north course to a post oak
at the fence, thence a strait line a north-east
course to a beech on the sixty Branch, thence up
sd. branch to the Jas. Bowden line, thence up
sd. line south course to Nathan Mountfort's line,
thence up sd. line west course to Abells Eley's
line, thence a strait line west course to the first
Station, and the sd. Temperance Bowden is to have
the privilege of getting Rail timber and fire wood
off of any part of the home tract of land. —

And also have set apart to the sd. Temperance
Bowden as her Dower in the slaves named in
sd. Decree one Negro Woman named Ester by her
paying to the Heirs of Elias Bowden one Hundred
and sixteen dollars and 66 $\frac{2}{3}$ cents, for which is
hereby submitted to the Honorable Court of
Illcoswight County

4th of November - 1853

J. Hall,
C. L. Crumpler
Nathan Mountfort

In obedience to the decree annexed - and after legal
notice ^{that is to say more than twenty days, to wit two months,} of the time and place I did sell on the 4th day
of November 1853 at public auction the tract of land named
In the decree and said land was bid of by George Crumpler
for the sum of three hundred dollars that being the largest
amount bid the said land was set to said George Crumpler
and as directed by said decree took said Crumplers bond
with sufficient surety for the sum of two hundred and
seventy dollars that being the amount due after
deducting the expenses of said decree and also alone
on the land for the payment of the same - all of which
is respectfully submitted for the consideration of the court.

H. Chapman Comr.

February 15th. 1855. Received of N. P.
Murray Clerk of Sale of Wright County
Iowa the bond of George W. Chapman
Nathaniel Mannforth & Eben S. Chapman
for \$270. mentioned in the within
report & ordered to be delivered to me
by order of Nov. Court 1854.

J. Chapman

Bowden

m { rept. of
Dr. Chapman

Bowden Vol.

Dec 4. 1885 filed

Print and
ordered to be
filed
J. Bowden

In obedience to a decree of the county court
of Illinois it was ordered in said decree by
said court that J. H. Chapman who was appointed
commissioner by said decree to sell a tract of
land belonging to the heirs of Elias Bowden
dec'd, and take bond with good security of ~~the~~
from the purchaser who was George, W. Crumpler
for which was two hundred & seventy dollars,
And a second decree of said court it was ordered
That J. H. Chapman of said heirs receive the money
from ~~the~~ said George, W. Crumpler and lone
It act and take bond from the latter with
good security, ~~in duplicate to that order~~ and then
gave the purchaser a deed for the land, In obedi-
ence to said order I have collected ~~the~~ from George
W. Crumpler the purchase ^{money} of said land on the
1st day of January 1855 and on the same day
did lone to Allen Edwards with Robert D.
Marshall his security, principle two hundred
and seventy dollars, Interest Thirteen dollars & 50¢
Amounting principle & Interest to \$283.50
All of which is respectfully submitted
to the court

J. H. Chapman

Borden t.

71 3 Decr

Borden t.

To be sent

MJordan J. Linton

Tempe Bowden & Lucretia B. Bowden by her next friend Luke Bowden.

vs.

Severance

Elias Bowden her

On motion, W. P. Young is appointed

guardian ad litem to defend the infants defendants & and by con-
sent of parties, this cause was this day docketed and by like
assent came on to be heard on the Bill, answer & examina-
tion of witnesses, ~~does order adjudge & decree, that, &~~ The Court
being of opinion that a partition of the tract of land called
the James Bowden tract, in the Bill referred to, would be
inadvisable, and being of opinion that a sale thereof
would be promotive of the interest of all parties interested,
the Court doth adjudge order & decree, that, Harry
Chapman who is appointed a commissioner for such purpose
after having advertised the time and place of sale
and given twenty days notice thereof, will sell at Public
Auction to the highest bidder, the said "James Bowden
tract" on a credit of six months, paying so much as
may be needed to defray expenses of sale & rent which will
be in cash, & take bond of the purchaser with security for
the price, and also retain a lien on the land ~~for~~ ^{against} for
same, and the Court doth further order, that Thomas Hall,
Esq. & L. Crumpler & Nathan Mountgalt (any two of whom
may act) are hereby appointed Commissioners to view & examine
all the real estate whereof the said Elias Bowden died seized,
and the negroes, whereof he died possessed, & set aside
to the said Tempe Bowden widow of said, her dower or one
third part of the said real estate of deceased, having regard
to quantity & quality, by proper miles & bounds &c. and also the
said negroes let, assign & allot to the said widow her third part
thereof during her life time - and report to the Court their respec-
tive proceedings for other Courts orders - &c. : But this decree is to be
suspended, till as to the sale of the tract of land, till the Commissioner,
Harry Chapman execute in the clerk's office his bond in the penalty of \$500.00,
in satisfaction of the said decree &c.

Bowden

n. 3 Dura of

Bowden Nov. 1854

Bowdon V. Bowdon & al.

This cause came on again to be heard on the paper found sent, and the Reports of Compt. Harry Chapman: and also of the Compt. J. Kell. & L. Crumple & Nathan Mountfort, to which no exceptions have been filed & was argued by counsel: on consideration whereof the Court doth order, adjudge & decree that Harry Chapman the guardian to Victoria, Susanna, Edwin, Margaret Ann, & Almida Bowdon, Lett. the Bond returned by him with his report, for the proceeds of sale of the tract of land sold - to cut the "Garnes Bond" tract" executed by George W. Crumple, Nathan Mountfort, & L. Crumple - for the sum of \$270 - on his leaving a receipt with the Clerk thereof - to be filed in the paper - and collect the same: and the proceeds of said Bond he will invest, or loan out, on sufficient security, real or personal; and upon the payment of said Bond, he will execute a deed to the said purchase for the said tract of land: and report to Court an account of his proceedings -

But the decree is to be suspended till Harry Chapman the appointed guardian executes before the Clerk of this Court, a Bond in the penalty of \$500, conditioned for the faithful performance of this decree -

Bondur Ser.

u. Zamp. Bond

Bondur Satz.

KNOW ALL MEN BY THESE PRESENTS, That we *Hardy*
Chapman and Thomas Hall

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA, in the sum of *Five*
Hundred Dollars to the
payment whereof, well and truly to be made to the said COMMONWEALTH OF VIRGINIA, we bind
ourselves and each of us, our and each of our heirs, executors and administrators, jointly and
severally, firmly by these presents. Sealed with our seals, and dated this *10th*
day of *October* one thousand eight hundred and *fifty three*

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the said
Hardy Chapman who has been appointed by
decree of the County Court of *Rich of Wight* *Person*
on the *3^d* of *October* *1853* in the suit of *Lucifer*
Borden *Deb. vs. Sarah Ann Borden* *Plaintiff*, a *Common*
to sell certain land therein mentioned

shall faithfully discharge the duties of his said office, then this obligation is to be void, or else
to remain in full force.

Signed, sealed, acknowledged and
delivered in the presence of }

J. C. Satterley *Atty.*

H. Chapman

T. Hall

X SEAL. X

X SEAL. X

X SEAL. X

H. Chapman &

To $\begin{matrix} 3 \\ 6 \end{matrix}$ Bond as g.^d.
To upward divorce

Counts:

Executed 15th July. 1855

of file.

KNOW ALL MEN BY THESE PRESENTS, That we, *Hardy Chapman*
and *Thomas Hall*

are held and firmly bound unto the Commonwealth of Virginia in the sum of *five hundred*
to the payment whereof, well and truly
to be made, we bind ourselves, our heirs, executors, and administrators, jointly and severally, firmly by
these presents. As witness our Hands and Seals, this *15th* day of *February*, in
the year of our Lord, one thousand eight hundred and *fifty five*

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas by a Decree of the
Court Court of Isle of Wight county pronounced on the *6th* day of *November* 1854
in a cause depending in the said Court in which *Tempe Bowden* Widow of
Elias Bowden is

Jasannah, Sonson, Edwin, Mary Ann and
Almeida Bowden infants of *Elias Bowden* and
are

plaintiff, and
defendants; the
above bound *Hardy Chapman* guardian said infants was appointed a special Com-
missioner directed to receive from the Clerk of said Court
the bond filed in the report of Commissioner *James* by
George W. Crumpler, Nathan Mountfort and Saml B.
Crumpler, and collect the same for \$370. and
collect the same, and invest the amount by loaning
it out on good real or personal security & accounts a due
to the purchase & make report to as in said
decree is directed.

Now if the above bound *Hardy Chapman*
his duties as *Guardian* under the said Decree, then the above Obligation to be void, otherwise to
remain in full force and virtue.

Signed, sealed, and delivered }
in the presence of
A. P. [unclear]

H. Chapman

