

1874-022 Chancery Causes Nannie E. Chapman vs Andrew J. Vallines, admr of R F.

Isle of Wight County

Chapman

other surnames: Vallines

Chapman per friend
etls.

vs Dec 13

A. J. Hollines -

May Rules, 1874, Bill
o. filed & de. nisi.

June Nov. Bill taken
for conf. & set for hearing.

July. De. for accts.

May, 1874, De. for payment
by def. to help.

Octo. 1874, Final Decree

your complainants, & that such other and
further relief may be granted in the
premises as to the Court may seem meet &
may suit the equity of the case, & your
complainants will ever pray &c

Hayden p q

ants not only for such of the rents & profits of said land as he collected & failed to apply to the support of your complainants, but also for such of said rents as were lost by his negligent discharge of the duties of the trust he thus voluntarily assumed in becoming the quasi guardian of your complainants.

The said A I Villines has never applied any portion of the rents aforesaid to the support of your complainants, although as your complainants are informed he collected a large portion thereof, & the said A I Villines although often requested has heretofore wholly refused & still refuses to pay the same to your complainants, or to render any account thereof, to the great wrong & injury of your complainants; In tender consideration whereof, & for as much as your complainants are without remedy at law, & can only be relieved by the aid of this Honorable Court of Chancery where matters of this sort are cognizable; to this end your complainants pray that the said A I Villines may be made a party dependent to this bill & be required to answer the same & render an account of the rents aforesaid which came to his hands or which by proper diligence should have come to his hands & payment of the same decreed

To the Honorable G R Atkinson Judge of the
County court of Isle of Wight County in chancery,
sitting; humbly complaining sheweth to the
court your complainants Nannie Chapman,
Mattie Chapman, Stephen Chapman,
Richard S Chapman & Lillie Chapman infant
orphans of R F Chapman deceased, suing by
R F Chapman their Guardian as next friend,
that on or about the day of 186, the
said R F Chapman departed this life intes-
tate; that at the time of his death the said
R F Chapman owned a valuable farm in the
said County, to the rents & profits of which
your said complainants were entitled.

One A J Villines who was the administrator
of the personal estate of the said R F Chapman
assumed the controll & management of the
said farm & rented it out for several successive
years, to wit for 1864 for \$335.00 - for 1865 for \$331.00
for 1866 for \$200.00 for 1868 for \$150.00 for 1869 for
\$50.00. Your complainants are informed & so
charge that it was the duty of the said
A J Villines who thus voluntarily assumed
the guardianship of your complainants and
the custody of their property to apply the rents
& profits of the said real estate to the support
& maintenance of your complainants & that
the said A J Villines is liable to your complain

Present by returning to the western member
of A. J. Wallace a fair copy of the written Summary
April 3rd. 1873
A. J. Wallace do R.

Chapman's per fd.

m. 3 Sum. in
3 Phy.

A. J. Wallace

To May Reels 1873.

County Court.

Handwritten

✓

The Commonwealth of Virginia,

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—GREETING :

We command you to summon

Andrew J. Vallieres

to appear at the Clerk's Office of the *County* Court of Isle of Wight County, at Rules to be holden

for the said Court, on the first Monday in

May

next to answer

the Bill

*in Chancery of Samm E. Chapman, Maria
W. Chapman, Stephen E. Chapman, Richard S.
Chapman & Lillie Chapman, infant orphans of H. T.
Chapman deceased, suing by H. H. Chapman their guardian as next friend*

And have then and there this writ.

Witness, NATHANIEL P. YOUNG, Clerk of our said

County

Court, at the Courthouse,

the

15th

day of

April

18

73, in the

9th

year of the

Commonwealth.

N. P. Young Clk.

$$\begin{array}{r}
 1574 \dots 2 \dots 1 \\
 1873 \dots 8 \dots 1 \\
 \hline
 1.40
 \end{array}$$

$$\begin{array}{r}
 70 \\
 46 \\
 \hline
 420 \\
 28.0 \\
 \hline
 33.30 \\
 1.93.30 \\
 \hline
 64 \\
 \hline
 2.57
 \end{array}$$

$$\begin{array}{r}
 61.9 \\
 \hline
 07 \\
 41.9 \\
 89 \\
 \hline
 57 \\
 00.1 \\
 \hline
 9.37
 \end{array}$$

The amt of Fearewell Farm for a successive
years commencing as follows. For the year 1864

1864	To wit	To Mr. Davis	Confid. R.	✓	335.00
1865	To wit	do	Confid. R.	✓	333.00
1866	To wit	do	For mry R. Vellins		300.00
1867	To wit	do	do. R. R. C. by bus	✓	90.00
1868	To wit	do	do. do. do.	✓	150.00
1869	To wit	do	do. no paid	✓	50.00

This is a correct statement
for the amt of the Fearewell Farm as
shown above.

H. P. Young Esq

Capt. W. M. Waddle Dear Sir

1866 Oct. the 14th Please to report to Cor. H. P. Young
the renting of the Farm belonging to R. F. Chapman &
as follows. The year 1864 Three hundred and thirty
five dollars. The year 1865 Three hundred and thirty
one dollars. The year 1866 Two hundred dollars even
all of which is respectfully submitted
To the Clerk of Sale of
Wright County.

H. P.

The renting for the years 1864. \$35.00
in Confederate Money. The year 1865 \$31.00
in do do The year 1866 200.00
in such money as the Sheriff collected for Taxes

\$200.00

\$290.00

had appointed the 15th day of August then next ensuing, to take and settle at his office above said, the accounts so required. That said notice was duly executed & returned. That said Willins failed to appear on that day, and the taking of said account was postponed from time to time until the date of this report, on which day the said Willins appeared & laid before your commission statement of the accounts required for which he is chargeable for rents as aforesaid. And thereupon, your commission made up and completed the foregoing accounts, showing that, on the 31st of Dec. 1864, the said Willins was indebted to the said orphans each, the sum of \$67.⁰⁰ in money of the Confederate States, which was exhibited to your commission and is worth less without cash on his part. And that he is likewise indebted to the said orphans each, on the 31st of Dec. 1869, the sum of \$110.84 -

Given under my hand as commissioner the day & year first aforesaid

Commissioner \$10.00

Chf. " .80
\$10.80

A. D. Young - Com.

Chapman for 50

Com. Report.

Willins

Apr. 28. 1874

1868			
Dec. 31	To bal. over for contra	95 13	
1867			
" "	By bal. on last act.		61 46
1868			
" "	" int. on last bal.		3 67
" "	" 1/5 land rent		30 00
		\$ 95 13	\$ 95 13
1869			
Dec. 31	To bal. for contra	110 84	
1868			
" "	By bal. on last act.		95 13
1869			
" "	" int. on same		5 41
" "	" 1/5 land rent		10 00
		\$ 110 84	\$ 110 84
1869			
Dec. 31	Balance due ward		\$ 110 84

Commissioner Office, Isle of Wight Court House

April 24th 1874

To the Circuit Court of said County.

Pursuant to a decree of the Circuit Court of Isle of Wight County, rendered on the seventh day of July 1873, in a chancery cause then therein depending between William E. Chapman late by W. W. Chapman next friend, as Plaintiff and A. J. Williams as defendant, and which cause has subsequently been transferred to the said Circuit Court, directing a commissioner of said Circuit Court to take an account of the transactions of A. J. Williams as acting guardian of William E. Chapman, Mattie W. Chapman, Stephen E. Chapman, Richard J. Chapman and Lillian Chapman, and of the rents which came to his hands or with which he is chargeable as such guardian. The undersigned, a commissioner of said Circuit Court, reports that, on the 15th day of July last, he served notice to the parties interested, that he

1869			
Dec. 31	Total: per contra	110 84	
1868			
Dec. 31	By bal: on last acct.		95 13
1869			
Dec. 31	" int. on same		5 71
" "	" 1/5 land rent		10 00
		\$ 110 84	\$ 110 84

1869			
Dec. 31	Balance due ward	\$ 110 84	

Dr. Lillie Chapman orphan of P. S. Chapman dec.
In acct. with H. J. Vellies her getting guardian.

1864			
Dec. 31	Total am in confd. money	\$ 67 10	
" "	By 1/5 land rent		\$ 67 00
1865			
Dec. 31	To balance per contra good money	— 95	
" "	By 1/5 of land rent \$ 67.00 worth		— 95
		-- 95	-- 95
1866			
Dec. 31	To balance per contra	41 00	
1865			
Dec. 31	By bal: lost a d.		95
1866			
" 31	" int. on same		05
" "	" 1/5 land rent		40 00
		\$ 41 00	\$ 41 00
1867			
Dec. 31	To balance per contra	61 46	
1866			
" 31	By bal. on last acct.		41 00
1867			
" "	" int. on same		2 46
" "	" 1/5 land rent		18 00
		\$ 61 46	\$ 61 46

Dr. Richard S. Chapman orphan of R. F. Chapman decd.
In acct. with A. J. Kellins acting guardian.

1864				
Dec. 31	To Paid for shoes	4	00	
" "	" Balance per contra	60	00	
" "	By 1/5 of profits in Conf. Mmry		64	00
		\$ 64	00	\$ 64 00
1865				
Dec. 31	Total: per contra good morning	95		
" "	By 1/5 of land rent due 6 7/8 in Conf. Mmry; with			95
		95		95
1866				
Dec. 31	To balance per contra	41	00	
1865- Dec. 31	By bal: lost act.			95
1866 Dec. 31	" int. on same			05
" "	" 1/5 land rent			11 00
		\$ 41 00	\$ 41	00
1867				
Dec. 31	To bal: per contra	61	46	
1866 Dec. 31	By bal: on lost act.			41 00
1867 Dec. 31	" int. on same			2 46
" "	" 1/5 land rent			18 00
		\$ 61 46	\$ 61	46
1868				
Dec. 31	To bal: per contra	95	13	
1867 Dec. 31	By bal: on lost act.			61 46
1868 Dec. 31	" interest on same			3 67
" "	" 1/5 land rent			30 00
		\$ 95 13	\$ 95	13

1866				
Dec. 31	To balance fur contra	41 00		
1865-				
Dec. 31	By bal. last act.		98	
1866				
Dec. 31	" int. on same		05	
" "	" 1/5 cents 1866		40	00
		\$ 41 00	\$ 41 50	
1867				
Dec. 31	To balance fur contra	61 46		
1866				
Dec. 31	By bal. on last act.		41	00
1867				
Dec. 31	" int. on same		2	46
" "	" 1/5 of cents this year		18	00
		\$ 61 46	\$ 61 46	
1868				
Dec. 31	To bal: fur contra	95 13		
1867				
Dec. 31	By balance on last act.		61 46	
1868				
Dec. 31	" 1/5 cents for this year		30	00
" "	" int. on last bal. any year		3	67
		\$ 95 13	\$ 95 13	
1869				
Dec. 31	To balance fur contra	110 84		
1868				
Dec. 31	By bal: on last act.		95 13	
1869				
Dec. 31	" int. on same on year		5	71
" "	" 1/5 cents 1869		10	00
		\$ 110 84	\$ 110 84	
1869				
Dec. 31	Balance due the ward	\$ 110 84		

1868
Dec. 31 To balance per contra 95 13
1867
Dec. 31 By bal: on last acct. 61 45
1868
Dec. 31 " int. on same 3 67
" 1/5 cents this year 30 00
\$ 95 13 \$ 95 13

1869
Dec. 31 To balance per contra 110 84
1868
Dec. 31 By bal: on last year's acct. 95 13
1869
Dec. 31 " int. on same one year 5 71
" 1/5 cents 1869 10 00
\$ 110 84 \$ 110 84

1869
Dec. 31 Balance due board \$ 110 84

Dr. Stephen C. Chapman agent of R. F. Chapman
In acct. with A. J. Tolliver acting guardian

1864
Dec. 31 To Paid for share 9 50
" " " balance in Conf'd. money 57 50
" " By 1/5 of same in " " 67 00
\$ 67 00 \$ 67 00

1865
Dec. 31 To balance in good currency 95
By 1/5 of res'ts. due in Conf'd. money
worth, only, by order, " 95
" 95 " 95

Dec. 31 1869	To balance per contra	110 84	
1868			
Dec. 31	By balance on last year act.	95 13	
1869			
Dec. 31	" interest on same one year	5 1	
	" 1/5 of rents this year	10 00	
		<u>\$ 110 84</u>	<u>\$ 110 84</u>
1869, Dec. 31	Balance due the board		<u>\$ 110 84</u>

Mattie W. Chapman orphan of R. F. Chapman dec.
In acct. with A. J. Villius and acting guardian

1864			
Dec. 31	To bal: per contra in Conf. A. money	\$ 64 00	
" "	By 1/5 of rents in " "		\$ 64 00
1865			
Dec. 31	To balance per contra for money	- 95	
" "	By 1/5 of \$335.00 rent in Conf. money		
	\$67.50 which was due but never collected, but worth by sale		- 95
		-- 95	-- 95
1866			
Dec. 31	To bal: per contra	41 00	
1865			
Dec. 31	By bal: last year act		95
1866			
Dec. 31	By 1/5 rent this year	40 00	
	" int. on last bal.		03
		<u>\$ 41 00</u>	<u>\$ 41 00</u>
1867			
Dec. 31	To bal: per contra	64 48	
1866			
Dec. 31	By bal. on last year act.	41 52	
1867			
Dec. 31	" int. on same one year	2 49	
	" 1/5 rent this year	18 00	
		<u>\$ 64 48</u>	<u>\$ 64 48</u>

Dr. *Nathan E. Chapman orphan of R. S. Chapman decd.*
In acct. with A. J. Velling, his admt & her acting guardian.

1864

Decr. 31	To balance per contra confid. money	67	10	
" "	By your 1/5 of \$335. cents 1864		67	00
		\$ 67 10	\$ 67	00

1865

Decr. 31	To balance per contra god money	95		
" "	By your 1/5 of \$335. ⁰⁰ cent of land this year confid. money \$67. ⁰⁰ which was never collected but worth by acct at the close of year			95
		95	-	95

1866

Decr. 31 1865	To balance per contra	41	00	
Decr. 31 1866	By balance per contra last year			95
Decr. 31	" int. on same			05
	" your 1/5 of \$200. ⁰⁰ cent this year		40	00
		\$ 41 00	\$ 41	00

1867

Decr. 31 1866	To balance per contra	64	46	
Decr. 31 1867	By balance on last act.		41	00
Decr. 31	" int. on \$41. ⁰⁰ - on year		2	46
	" your 1/5 of \$90. ⁰⁰ cents this year		18	00
		\$ 64 46	\$ 64	46

1868

Decr. 31 1867	To balance per contra	95	03	
Decr. 31 1868	By balance last year act.		64	46
Decr. 31	By int. on same \$3.67 By 1/5 cents \$30. ⁰⁰		33	67
		\$ 95 03	\$ 95	03

Chapman paper
to
Vellies lot -

North View
July term 1873
To be entered -
W. D. Johnson

Entered

Chapman for friend

28

A J Vellies -

This came in which
the bill is taken for confessed as to the defendant
A J Vellies in whom process has been duly served
The still failing to appear plead answer
or demur, came on this day to be heard on
said bill & exhibits filed & was argued by
Counsel, on consideration whereof the
Court doth adjudge order & decree that a
Commissioner of this Court take an
account of the transactions of the defendant
A J Vellies as acting guardian of
the Plaintiffs respecting & of the rents
which came to his hands or with which
he is chargeable as such guardian
which account he shall take, settle &
pay to Court with any matters specially
stated deemed pertinent by himself or
required by the parties to be so stated

Chapman pers^o

2 Copy & rec^d
V.S. } Sub Comm
} Co. Ct. 1873,

A. J. Vellies

July 15th 1873
up to the 16th

For Comm^{rs}

In and for Wright County Court, July 7th 1843,

Minnie Elchafman & others by R. T. Elchafman their guardian as next friend
vs,
J. Subby;
a view of, Villines

This Cause in which the bill is taken for Confession as to the defendant A. J. Villines in whom process has been duly served he still failing to appear plead answer or demurr, Came on this day to be heard on the bill & Exhibits filed, (This was argued by counsel, On consideration whereof the Court both ad judge order & decree that a commissioner of this Court take an account of the transactions of the defendant A. J. Villines as acting guardian of the Plaintiffs respectively, and of the debts which came to his hands or with which he is chargeable as such guardian which accounts he shall take settle and report to Court with any matters specially stated deemed pertinent by himself or required by the parties to be so stated,

Attest,

Teste,

Wm. H. H. & Co.

Chapman Per Friend

7

Vellins

Rough Draft
May term 1874
So be entered
Geo. B. Low.

Entered

15

Chapman & friend

Wells

This cause this day came on to be again heard on the papers & merits, read and on the report of Commissioner Young under the decree therein of April term 1874 and was argued by counsel, on consideration whereof the court doth adjudge order & decree that the Claimants Sammie E Chapman, Mattie W Chapman, Susan E Chapman and Richard S Chapman and Lillie Chapman recover each of the defendant, A Wells, the sum of one hundred & ten dollars & eighty four cents, with interest thereon from the 31st December 1869, & that the said defendant pay the costs of this suit.

Chapman & Co. Inc.

J

Vellies

Received from
Oct term 1874
Geo. H. H. H.

Geo. H. H. H.

Entered
H. 61

Chapman Per Friend

Willis -

This cause the day came on
is to be again heard on the papers formally
read ~~with~~ & was argued the counsel
on consideration of the court
with all judge on all & more that this
case be removed from the docket
nothing further remaining to be
therein.

Chapman profd.

3 Cms. Notes

Received

By Cash Receipt 18th 1873.

✓
Presented by delivering
to the within named
A. J. Vellins a true copy
of the within document
July 22. 1873.

A B Edward Shiff

Received in full
of the within named
A. J. Vellins a true copy
of the within document
July 22. 1873.

Received in full

C 13 May 1873
Atty for Allen 1873 -

Commissioner's Office,

ISLE OF WIGHT COURTHOUSE:

July 15th 1877

To *H. K. Chapman* next friend of *Samuel E. Chapman*
late husband of H. K. Chapman dec'd.

Plaintiffs,

And

To *Andrew J. Tolliver*

Defendants:

You are hereby Notified, That I have fixed upon the *18th* day of
August next, if fair, if not, the next fair day thereafter, (Sunday
excepted), to take and settle, at my office aforesaid, the following accounts:

"An account of the transactions of *A. J. Tolliver*
as acting guardian of the plaintiffs *Samuel E. Mattie W. Stephen C. Richard S. and Sallie*
Chapman, and of the moneys which came to his
hands, or with which he is chargeable as such
guardian."

Required to be taken by decree of Isle of Wight *County* Court, rendered on the
15th day of *July*, 187*7*, in a suit in chancery depending in the
said court, in which you are Parties, Plaintiffs and Defendants, at which time and
place you are required to attend.

Given under my hand as Commissioner of the said Court, the day and year
first aforesaid.

A. P. Young

Commissioner.

Chapman P. 10.

4.

of Rindents

Villiers

20

Chapman per fd

Bill of costs.

Wellins

Att. fee and tax

10.00

Clk's fee

5.93

shff. "

1.00

Comm. in Clk. fee

10.00

Dists

32.93

J. D. Young, Atty.