

1908-011 Chaucy Causes: Carrie C. Chapman, gen of J. F. Chapman's orphans vs Sallie Chapman
Isle of Wight County + al

others UR names Delk, Cox,
Edwards, Gray, Nelms,
Bunkley

Chapman Hon

p { Suckey

Chapman et al

Dismissed June 1, 1908

Complaints Bill

Sept. Re. 1884. Bill
a. filed Dec. in m.
adult defts. H. R. Chapman
ap. gov. add. to defts.
+ ans. filed Sept. 1885
ans. of John Chapman
+ reple.

"
Dec. Re. Bill taken
for comp. reple for
harm.

October 1884 Decree
to all property etc.

court of Chancery, where matters of
this sort are alone and properly
confinable and relievable in this and
that justice may be done in the
premises. Your complainant prays
that the said John Chapman, Edwina
Chapman, John Chapman and James
Chapman, infants under the age of
twenty one years, by some one their
guardians ad litem appointed to
defend their interests in this suit,
Carrie Chapman in her own
right, R R Chapman, John W Chap-
man and Margaret A his wife, Samuel
S Webb and Mary E his wife, Stephen
Chapman, Reuben S Chapman, W A
Edwards and Mattie his wife, B F
Cox and Annie his wife, and Elsie
Chapman, be made parties defen-
dant to this bill and be required to
answer the same.

That the said said be decreed the
sold and the proceeds be paid or
invested as the court shall direct.

That a proper guardian ad litem
be appointed to defend the interests of
the infant defendants in this suit.
That all proper allowances of counsel

thus may be paid, that proper process
may issue, all proper orders and
decrees may be made and inquiries
directed, and that such other further
and general relief may be granted
in the premises as the nature of the
case may require or equity shall
demand. And your complainant
will ever pray &c.

Barrie S. Chapman

Boydin pg

State of Wicks County is wit.

J. K. K. Chapman

a Notary Public for the County
aforesaid in the State of Virginia, do
certify that Barrie S. Chapman is
guardian of Fannie Chapman, Donora
Chapman, John Chapman and James
Chapman, personally appeared
before me in my said County and
made oath, that the verity, believe
no statements contained in the
 foregoing bill, to be true.
Given under my hand this 1st
day of Sept 1884.

J. K. K. Chapman
Notary Public

To the Hon Geo Blow Judge of
the Circuit Court of Law and
Chancery, for the County of DeKalb
of N.Y. in Chancery sitting.

Humly complaining
sheweth to the Court your complain-
ant, Carrie E Chapman, mar-
riage of Fannie Chapman, Edwora
Chapman, John Chapman and James
Chapman, infant orphans of J E
Chapman died.

That the said Fannie Chapman is
of the age of 10 years, the said
Edwora Chapman of the age of 14
years, the said John Chapman of
the age of 9 years, and the said
James Chapman of the age of 7 years.

That some time in the year
1882, the said J E Chapman appar-
ed his life interest in his residence
in the County of DeKalb, N.Y., to
his wife surviving as his sole dis-
tributor and heir at law, a widow,
the said Carrie E Chapman,
and George Chapman, who is the said
Fannie, Edwora, John and James
Chapman.

That the said J E Chapman devised

and possessed of a water grist mill, known as Chapman's or "Wilson's mill", adjoining the other lands of the said J. E. Chapman in "Glenn" it also, and also a tract of land containing by estimation 100 acres, by the same more or less, adjoining the said mill, the land of James S. Edwards et al.

That the said mill is of the value of about \$2500⁰⁰, and that the said tract of land is of the value of about \$2500⁰⁰.

That dower has been assigned to the said Carrie E. Chapman in the lands of her deceased husband.

That subject to the dower therein as aforesaid, the said infants are seized in fee simple of said tracts of land.

That the said infants own personal property not exceeding in value \$500⁰⁰.

That they own no other property real and personal than that above mentioned and described.

That at the term 188, of the county court of the county aforesaid your complainant qualifies as the

guardians of the said infants, a certificate of said qualification is herewith filed marked Exhibit A and prayed to be read as a part of this bill.

Your complainant is informed and so charges, that a sale of said mill and the investment of the proceeds of sale in some interest bearing fund, would be largely to the advantage of said infants, and that the said Carrie C. Chapman is willing and desirous that the same be sold and ^{her share} distribution the proceeds and said share in her of share in said land, or that her share be assigned in the home tract.

That the mill house of said mill is ruinous and out of repair and the machinery thereof is much worn and will shortly need expensive repairs.

That to repair said mill and put the same in good and perfect condition would require the expenditure of at least \$1000.00

That the said infants have not sufficient funds to repair the same, and it would be hazardous to permit it to remain in its present condition and without repairs it will soon become

worthless or of but little value.

Your complainant is informed and so charges, that if the said mill is now exposed, its full value would be obtained.

Should one of said infants die his brothers and sisters would inherit the said real estate.

Should all of the said infants die under the age of 21 years, R R Chapman Margaret A Chapman wife of John W Chapman, Mary E Webb wife of Samuel R Webb, Thomas Chapman, Richd S Chapman, Mattie Edwards wife of W A Edwards, Annie Cox wife of B S Cox and Lina Chapman, would be their sole heirs at law.

That the rights of no person would be violated by the sale of said land.

In the progress of this cause, the court will be asked to decree, that proper counsel fees be allowed and paid for the preparation of this bill and the conduct of the foregoing hearing.

In under consideration whereof and forasmuch as your complainant is without remedy at law and can only be relieved by the aid of this Honor

Chapman & Son

v. } In the City of S of W
Chapman & Son

The answer of John
& John, John and James Chapman
infants orphans of J E Chapman
deceased by K K Chapman their guar-
dian ad litem to the Bill of com-
plaint in said Court exhibited
by J E Chapman their
guardian against them &c.

These defendants saying
and preserving all rights of exception
to for answer to said Bill or
to so much thereof as they are
advised it is material or neces-
sary for them to answer, an-
swering say, that they are in-
fants and are of legal age
from their interest in the
premises to the production of this
honorable Court and having
answered, they pray the same to be
dismissed with their costs in
this behalf most unreasonably
expended.

Signed, K K Chapman Guardian ad litem

Chapman Hon
J. D. Dickey
Chapman D. D. D. D.

Inventor
Filed Sept. 20, 1884.

Chapman & Co
or } In Chancery
Chapman et al

The answer of
H. H. Chapman guardian ad litem
of the ~~infants~~ defendants Gallie
Eddie James and John Chap-
man, infants orphans of J. E.
Chapman decd, to the Bill of
Complainant in said court
exhibited by Carrie E. Chapman
guardian of said infants.

This defendant saving and
reserving all ^{rights} of exception, do
answer said bill or to so much
thereof as he is advised it is
material or necessary for him
to answer, answering say, that
he has made diligent enquiry
as to the facts in said bill alleged
and he believes them to be true, as
in said bill alleged; and that
he believes that the interests of
said infants would be promoted
by a sale of the said mill.
And having answered he prays
that the bill be dismissed with his
costs in this behalf moved

unreasonably expended.

KK Chapman

Su of Wyo County Dist.

J. K. Boykin a

being in the said County of Wyo
do hereby certify that the name is signed to the
of all of the said persons personally ap-
peared before me in my said
County and made oath that the
statements therein contained
are true. Given under my
hand this 17th day of Oct
1884.

K. K. Boykin
Clerk

Chapman & Co
} on the
Chapman & Co

Answer to K/K
Chapman & Co
as before

Filed Sept. 18. 1884

Chapman Edw

13 Duces cur et of doct Co
Chapman Ducts

The answer of Edw
Chapman an infant orphan
of James C Chapman, who is
over the age of 14 years, to the
Bill of Complaint in said
Court exhibited by Carrie C
Chapman her guardian against
her et als.

This defendant saying
and averring all rights of exception
to the many errors and imper-
fections in said Bill contained
for answer thereto, or the
much thereof as she is advised
it is material or necessary
for her to answer, answering
says, that she denies the
allegation in said Bill con-
tained to be true, but she further
says that she is an infant
under the age of 21 years from-
mer her interest in the
business of the production of
this honorable court; and
having answered the prayer

who dismissed with her costs
in this behalf and unnecessarily
expended.

Eddie K. Chapman
Sworn before me this 18th day
of Oct 1884.

W. B. Boykin Commissioner
in Chgo

Chapman Hon
J. M. Chgo
Chapman pages

Answer of
Eddie Chapman

Filed Sept 22, 1884.

Chairman Hon
W J. Du Cha
Chapman et al

The answer of
Carrie C Chapman, widow of
C Chapman, to the Bill of complaint
in said Court exhibited by Carrie
C Chapman Guardian of the
persons of Gallie, Eddie, James and
John Chapman.

Her defendant for
answer to said Bill or does much
thereof, as she is advised is is
material or necessary for her
to answer, answer in, says.

That she admits the allegations
in said Bill contains the true
in fact and every particular,
and she believes, that for reason
stated in said Bill it would be
proper for the benefit of said
infants that the said land should
be sold, and the proceeds invested.
And further answering this
defendant says, that she is
willing that the said mill property
be sold free and clear of her
dower therein, the value of her
dower in said mill as well as

in the other, said & her deced
husband I & E Chapman, who
assigned together in said other land.
And having answered this
defendants pray hence she
dismissed with her costs in
this hence most unreasonably
expended.

Signed Carrie E. Chapman
of Mich Co Dist.

J. R. Boykin a comr
in ch of the Circuit Ct of the Co of
Mich do certify that Carrie
E Chapman whose name is signed
to the foregoing answer personally
appeared before me in my said
county and made oath that the
statements therein contained are
true. Given under my hand this
17th day of Oct 1884.

R. E. Boykin comr

Chapman Eon
a J du Chay

Chapman Jager

Answer of Carrie
E Chapman

Filed 20. Oct. 1884

The joint and several answers of Eddie K Chapman and Sallie A Chapman to the bill of complaint in said court exhibited by Carrie C Chapman Vs them et als.

These defendants saving and reserving all raght of excep) tion to the manyerrors and imperfections in the said bill contained for answer thereto or to so much thereof as they are advised it is material or necessary for them to answer, answering say. That since the filling of their original answer herein, they have arrived to the age of twenty one years. That the said Mill house is ruinous and out of repair That the walls are broken ,the windows out ,the forebay in need of large repairs, and the dam soon will be, that the machenery needs extensive repairs, and that neithe these defendants nor the other parties in interest have the money to repair the property. That unless the offer of James Neigh is accepted these defendants de not believe that the property can be sold at any appreciable price: and that delay may be attended with the loss of the proposed purchaser. These defendants would therfore ask that the sale of the said property to the said James Neigh at the sum of \$1000.00 be confirmed, as they are satisfied that their interest as well as those of the infant defendants will be largely promoted thereby.

And having answered they pray hence to be dismissed with their costs in this behalf most unreasonably exoended.

Sign

Sallie Chapman

Isle of Wight County to wit.

I. R.E.Boykin a comr in chancery for the Circuit Court for the County aforesaid in the state of Virginia,do certify that Eddie K Chapman and Sallie S Chapman whose names are signed to the foregoing answer personally appeared before me in my said County,and ~~being XXXXXXXX~~made oath that the statements contained in said answer are true.Given under my hand this 10th day of Jany 1893.

R. E. Boykin
Comr in Chcy

Chapmans Gdn

Vs In Chcy

Chapman et als

Answer of

Eddie K & Sallie S Chapman

Chapman gdn Vs Chapman et als.

In the Circuit Court of the County of Isle of Wight.

The answer of R S Thomas, atty at law and guardian ad litem of the infant defendants, James E Chapman and John M Chapman

This defendant saving and reserving all right of exception &c, for answer to the said bill or to so much thereof as he is advised it is material or necessary for him to answer; answering says. That he believes that the interests of the infant defendants would be promoted by a sale of the property in the bill and proceedings of this suit mentioned, upon the terms named in Comr Boykins report herein, and that he does not believe that the interests of any person will be injured or violated thereby. And having answered he prays hence to be dismissed with his costs in this behalf most unreasonably expended.

R. S. Thomas

Gdn ad litem of the infant defendants,

James E and John M Chapman.

State of Virginia }
Isle of Wight Co } Court

I, W. L. Felt a Notary Public for the County of Isle of Wight do hereby certify that R S Thomas whose name is signed to the foregoing answer personally appeared before me in my said county and affirmed that the statement contained therein are true given under my hand this 6th February 1893

W. L. Felt
Notary Public

James R and John M Chapman.

Gdn ad litem of the infant defendants.

unreasonably expended.

Chapman Gdn.

Vs. In Chcy

Chapman et al.

Answer of R S Thomas Gdn ad litem

nence to be dismissed with his costs in this behalf most
injured or molested thereby. And having answered he prays h
he does not believe that the interests of any person will be
upon the terms named in Comr Boykins report herein, and that
property in the bill and proceedings of this suit mentioned,
the infant defendants would be promoted by a sale of the
same; answer, the same. That he believes that the interests of
same is satisfied it is material or necessary for him to an-
swer the bill or answer to the said bill or to so much thereof.

This defendant saving and reserving all right of ex-

of the infant defendants, James R Chapman and John M Chapman
The answer of R S Thomas, atty at law and Guardian ad litem
in the Circuit Court of the County of Isle of Wight.

Chapman Gdn Vs Chapman et als.

The Commonwealth of Virginia,

TO THE SHERIFF OF ISLE OF WIGHT COUNTY, GREETING:

WE COMMAND YOU TO SUMMON *Carrie C. Chapman, James, John, Lillian and Edwora Chapman, the last four infants. And H. H. Chapman, Jno. W. Chapman & Margaret A. his wife; Samuel D. Clark & Mary L. his wife; Lillian Chapman; Richard S. Chapman, W. A. Edwards & Mattie his wife; B. T. Cox & Annie his wife, and Lillian Chapman.*

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

the said Court, on the first Monday in *September* next, to answer *the Bill in*

Chancery of Carrie C. Chapman guardian of the said James, John, Lillian and Edwora Chapman

of a plea of ~~_____~~ for \$ ~~_____~~ Damages \$ ~~_____~~ And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court at the Court House, the *20th*

day of *August* 188*4*, in the *109th* year of the Commonwealth.

N. P. Young clk

The acknowledge service of the within summons

John M. Chapman

M. A. Chapman

B. S. Chapman

Saml D. Delt

M. L. Delt

S. E. Chapman

C. C. Chapman

8th. 1834

Sum. in
ch.

vs.

C. C. Chapman et al.

To Sept. Rules, 1834.

R. E. Bunker

The Commonwealth of Virginia,

TO THE SHERIFF OF ISLE OF WIGHT COUNTY, GREETING:

WE COMMAND YOU TO SUMMON Carrie C. Chapman, James
Chapman, John Chapman, Lallie Chapman
and Edwora Chapman the last four infants
of Chapman, son of Chapman & Margaret & his wife, James H. Keel, Mary & his wife
Stephen Chapman, Ralph Chapman, Woodward & his wife, B. F. Coyle & his wife
his wife & Lillie Chapman
to appear at the Clerk's Office of the Circuit Court of Isle of Wight County, at Rules to be holden for

the said Court, on the first Monday in September next, to answer the Bill
in chancery of Carrie C. Chapman guardian
of the said James Chapman, John Chapman,
Lallie Chapman and Edwora Chapman

of a plea of _____ for \$ _____ Damages \$ _____ And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court at the Court House, the 20th
day of August 1887, in the 109th year of the Commonwealth.

N. P. Young

Chapman Edu. &c.

to

2
3
3

Tenns. to
ans. Bill
in clay.

C. C. Chapman
et al.

To Capt. Rains 1887.

at Burlington

Executed by subscribing
to the within Name C.
C. Chopin and a true
copy of the within Sum-
mons Recd. 22nd 1884

P. A. Edwards *ff*

The other members
 Wm. A. Edwards
 Mattie H. Edwards
 A. L. Lot
 Annie E. Lot
 Willie H. Chapman

To Carrie.C.Chapman.Maggie.W.Chapman?Executrix of K.K.Chapman decd, J.Walter.Chapman,as Executor of John.W.Chapman decd,and as Executor of Margaret.A.Chapman decd,Stephen Chapman,Richd.S.Chapman,W.A.Edwards and Mattie his wife, B.T.Cox and Nannie,his wife, Lillie Chapman, Eddie K Chapman,Sallie S Chapman, and R.S.Thomas Gdn ad litem of th infant defendants,James.E.Chapman,and John M.Chapman.

Take notice that on the ^{4th day} ~~17th day of~~ Jan'y 1893,I shall proceed totake the depositions of A Bunkley and James T.Edwards to be read in evidence in a certain suit in chancery depending in the Circuit Court of the County of Isle of Wight,wherein Carrie.C.Chapman ~~Gdn~~ is plaintiff and you are defendants,upon motion on vacation to confirm a sale of the property in the bill and proceedings mentioned of said suit,made by R.E.Boykin Comr in said suit,and for a decrre accordingly.

R. E. Boykin

att'y for Defts & Exrs

~~R. S. Thomas guardian~~

~~ad litem for infant defendants.~~

~~R. S. Thomas guardian~~

~~ad litem for the infant defendants~~

Chapman Gdn.

Vs In Chèy

Chapman~~et~~ als

Notice to take Depositions

It is impossible to obtain a reliable
tenant for said mill, and thus
for a considerable time it
has scarcely paid its running
expenses.

The mill ~~is~~ house needs repairs
and the machinery is worn
will require an expenditure
of some \$800 or \$1000 to put the
same in good condition.

It would hardly be for the bene-
fit of said infants that the
said mill should be sold and
ground invested, I think it
will sell for its full value
wherever this deponent
may be not.

W. K. Chapman

A. F. Helms being duly sworn deposes
and says, I reside in the County
of Lee of N. H., am 44 years of
age and a carpenter by trade, I
am well acquainted with Chapmans
or Millers mill, have done all
the repairs that have been done
on it for the past 7 or 8 years,
working on it each year

except the Present; the Forebay and
main way will soon need extensive
repairs, the machinery is worn and
in a short time will require a
new water wheel, in a short time
it must necessarily have extensive
repairs, the cost of which will
be from 800⁰⁰ or 1000⁰⁰.

On my opinion it would be largely
to the benefit of said infants that
the mill should be sold, as it
is decreasing in value each day,
and further this deponent says
not

A. L. Perkins

Deputy to the Court

I, A. L. Perkins
come in before you for the District
Court of the County of Orange
in the State of Virginia do hereby
test the foregoing deposition was
taken before me at the time and
place mentioned in the caption.
Given under my hand this 17th
day of Dec 1884,

A. L. Perkins
Come in before

The \$5.00

Chapman Hon
of Juchey
Chapman Duties was

Deposition
of witnesses

Filed 20. Oct. 84

The depositions of Carrie L Chapman
John W Gray and K K Chapman

taken before me R E Boghin a Commissioner
for the Circuit Court for the Co of Ill of Wight
at my office in the Town of Smithland
on the 17th day of October 1884. to be
read as evidence in behalf of the
plaintiff, in a certain suit in
Chancery, depending in the Circuit
Court of the County of Ill of Wight,
wherein Carrie L Chapman guardian
of Fannie Chapman & Carrie
Chapman, James Chapman and
John Chapman infants orphans
of J & E Chapman is plaintiff, and
the said infants by K K Chapman
their guardian as litig^{ants} are defen-
dants.

Present K K Chapman guardian
as litig of the said infant defen-
dants

Carrie L Chapman being duly sworn
deposes and says,

I am the mother of the infant
defendants in this suit, the
adm^r of my deceased husband
J & E Chapman and the guardian

of the said infants.

Since the death of my husband I have carried on and managed the farm and mill and from the proceeds thereof have supported myself and infant children, clothed and educated them, so far as they have been able enough to receive education.

It has been impossible to find a good and reliable tenant for said mill and for this reason I have been compelled to assume the management of said mill, I have found great difficulty in employing a reliable miller, and latterly the mill has not been more than paying expenses and to further carry on the same would be attended with loss to the said infants.

That the said mill house is in bad condition, the machinery is worn and will soon need extensive repairs ^{personal property of the} that the said infants will not exceed in value \$300⁰⁰, and wheels

this deponent is unable to say the exact amt. necessary to repair said mill. Yet she is assured that the entire personal estate of the infants is insufficient for the purpose. As from the best information she can obtain it will cost some \$800⁰⁰ or \$1000⁰⁰ to put the said mill in complete order.

Said mill is daily decreasing in value and it would be largely for the interest of the said infants, that it should be sold and the proceeds invested under the order of Court, and thus in her opinion the interests of no person would be injured by the sale of said property.

Carrie E. Chapman

Geo W Gray being duly sworn deposes and says, that I am 51 years old, by occupation a farmer, live within one mile of Chapman's mill, am well acquainted, in my opinion it

would be largely to the interests
of said infants, that the said
mill should be sold. It is
almost impossible to find a
reliable tenant for it, and
with difficulty was a good
miller can be obtained, during
the past 12 months don't think
it has made expenses.

The mill house is out of
order, the machinery worn
& to put it in complete order
it would require an expenditure
of \$5000 or \$10000.

and further this depends
payable not, J. W. Gray

R R Chapman being duly sworn
deposes and says, I am a brother
of J E Chapman dead and an
uncle of the infant defendants
in this suit. I am well acquaint-
ed with the mill in question,
and having been consulted and advised
with in reference to the manage-
ment of the estate of my dead
brother, know that it has

The deposition of A Bunkley taken before me at my office
at Smithfield on the ^{4th} ~~19th~~ day of ^{Feb} ~~Jan~~ 1893 pursuant

to the annexed notice, to be read in evidence in a certain suit in chancery depending in the Circuit Court of Isle of Wight County, wherein Eddie K Chapman / Sallie S

Chapman, and R S Thomas atty at law Gdn ad litem of the infant defendants, James E Chapman and John M Chapman ^{daughters} are and Carrie C Chapman in her own right and as Gdn is Pltf. defendants, present. R. E. Boykin atty for Pltf & Dfts. R. S Thomas atty at law Gdn ad litem of Infant dfts. A Bunkley being duly sworn deposes and says as follows.

I am well acquainted with the property in the bill mentioned, known as Chapmans Mill I consider the water power a very fine one. The Mill house is in a ruinous condition. the forebay is in need of considerable repairs, the windows are out and it is exposed to the weather. The walls of the building are broken in places, and unless soon repaired the property will be greatly injured and it will largely depreciate in value, I frequently visit the property being connected by marriage with the owners of the property I believe that the interests of all parties ~~in interest~~ will be promoted by a sale of the property, as they have no means of repairing the same, the infants having no personal estate, and the adults being virtually in the same condition. I consider under the circumstances that \$1000 00 is the fair value of the property, and unless the offer of that amount, which I understand has been ^{made} accepted, ~~that~~ it could not be sold even for that amount, *and further*

This deponent says etc not.

A. Bunkley

James T Edwards, being duly sworn deposes and says as follows.

I am 42 years of age and reside in the county of Isle of Wight on the farm next adjacent to the said property and am well acquainted with the same. I fully concur in the statements of A Bunkley, as contained in his deposition, which I have read, I would further say that I have some practical knowledge of such mills and their machinery, being the part owner of a mill. In addition to the condition of the said mill-house, the machinery is badly out of repair and it would require the expenditure of a large amount to repair the same. Unless the offer in question is accepted I do not think a purchaser of the property could be obtained at \$1000.00 or at any like amount. and further this deponent sayeth not.

James T. Edwards

State of Virginia.

Smithfield, Isle of Wight Co Va.

I Geo/R. Atkinson a Commissioner in Chancery of for the Circuit Court for the county of Isle of Wight in the state aforesaid do certify that the foregoing depositions of A Bunkley and James T Edwards, were duly taken, sworn to, and subscribed before me at the time and place and for the purposes therein mentioned.

Given under my hand this ^{4th} ~~17th~~ day of ^{July} ~~July~~ 1893.

Geo R Atkinson
Comr in Chcy

James

We acknowledge legal service of notice to take these
depositions.

R E Boykin
atty for adults plaintiffs & defendants.

Chapman gdn Vs Chapman et als

Depositions.

Chapman Gdn

Vs In the Circuit Court of the County of Isle of Wight
Chapman et als.

To the Hon C.W.Hill Judge of the said Court.

In Vacation.

We hereby acknowledge legal notice of the application to
be made by Carrie.C.Chapman Gdn of the infant defendants
James B Chapman and John M Chapman, to this Honorable Court
in vacation to confirm the report and recomendatio of sale
of Comr Boykin, recommending the confirmation and sale of
the property in the said report mentioned to one James
Neigh at the price and upon the terms in the said report
mentioned, and we hereby consent that a decree be entered in
said suit confirming the said sale in vacation, with like
force, effect and virtue as if the same had been entered in
term.

R. E. Boykin

Atty for Pltfs and Dfts.

~~*R. S. Thomas guardian
and attorney of said Defendants.*~~

*R. S. Thomas guardian and attorney
of the infant Defendants.*

Chapman Gdn.

Vs. In Chey

Chapman et als.

Notice of application for and
consent to Decree in Vacation.

to the Hon C.W.Hill, Judge of the Circuit Court of the County of Isle of Wight.

The undersigned R.E. Boykin, Special Commissioner under the annexed decree entered in the suit of Chapmans Gdn Vs Chapman et als, at the ~~Decr~~^{NOV} term 1884 of said court, respectfully reports to court; That in pursuance of the said decree, having first executed the bond and given the notice by the said decree directed, he exposed to sale at public auction at Isle of Wight Court House on the day of Decr 1884 the mill known as Chapmans Mill in the bill and proceedings of this suit mentioned with the land thereto annexed, but for want of bidders the said sale was adjourned to the next succeeding term of the said court, at which time and place the said property was again exposed to sale, with like effect, that the said sale was adjourned from time to time for the same reason.

That although your Commissioner made repeated efforts to effect a sale of the said land as aforesaid, yet he has ~~xxx~~ heretofore been unable to receive an adequate bid or offer for the same. That the highest bid heretofore received by your Comr has been the sum of \$700.00, which bid your Comr did not feel at liberty to report to court; in fact at the last two exposures to sale no bid whatever was made for the property.

That since said exposure to sale as aforesaid, the said property has in fact greatly depreciated in value; The Mill House has become ruinous and out of repair. A portion of ~~xxx~~ the foundation wall has broken and the entire structure is in great danger of falling. That the machinery is out of re

repairand the forebay and dam ,especially the former will soon need extensive repairs.that the nfants have no means with which to repair the said property,and that unless soon repaired the property will become of no appreciable value and the frachise be forfeited.

That your Comr hasrecently received a private offer from one James Neigh a gentleman from New Jersy of \$1000.00;to be paid as follows,to wit:\$50.00 in cash,\$450.00 on the 15th day of April 1893,and 500.00 Dn the 15th day of April 1895.with interest thereon from the 15th day of April 1893,title retained until the payment of the purchase money in full For the reasons heretfore given ,your Comr would earnestly recomend that the said offer and bid be accepted.That the adults interested in the said property desire that the said bid be accepted and a sale be affected on the terms named. Your Commissioner is satisfied that unless the sale of the said property as aforesaid is at once confirmed the said James Neigh will not accept the property at the price named and theopportunity for sale will be lost.and that it will be impossible to sell the said property for a like sum. All of which is respectfully submitted.

R. E. Boykin
Spcial Comr in Chcy.

Chapmans Gdn

Vs In Chey

Chapman et als

Report of Comr Boykin

Chapman gds.

or, 3 Bee coty
to 1. Aug. /92

J. C. Chapman ref.

Atto. for sec. 75.00

Writ tof — 1.50

Clk fees — 11.86

Cont. in Chy. (13) 5.00

Slaff. fees — 1.50

\$93.86

J. C. Young ckt.

Chapman son

I In the list of J of H Co
Chapman Duff was

This cause came on
this day to be heard on the Bill,
taken for confessed as to the adult
defendants K K Chapman, John W
Chapman and Margaret A his wife,
James W Rich and Mary E his wife,
Stephen Chapman, Rich J & Chapman
W A Edwards and Maria his wife,
B J Cox and Fannie his wife and
Lillie Chapman, upon whom process
has been duly served, they this failing
to appear than answer or demur,
on the answer of Fannie E Chapman
in her own right, K K Chapman
Guardian ad litem of the infant
defendants, Fannie, Eddie, John and
James Chapman in his own & her
person, and the answer of the said
infants, as Guardian ad litem;
with general appearance thereto and
on the depositions of witnesses, and
was argued by counsel, on
consideration whereof the Court
doth adjudge order and decree,
that K E Boykin K K Chapman who are hereby

*The mill and all attached in the
vicinity thereof, known as "Mills
or Chapman's mill"

\$ 875.00

assigned to the said Commissioner for the
purpose, ^{either of whom may do} to sell at public
auction at the said Court
House, on some Court day, after
giving at least thirty days notice of
the time and place of sale, by hand
bills, posted on the front door of
the Court House of said County on
some Court day prior to the day of
sale, at three or more public places
in said County, and in the discre-
tion of the said Commissioner in
some newspaper published in the
City of Chicago, upon the following
terms to wit, for each lot \$ 2
much of the proceeds as may be
necessary to pay the costs of sale
and sale including an attorney
is R. E. Doyne for his services in
this cause, and the balance upon
a credit of one year and three
months in equal payments, to wit
from the purchase for the agreed
payments, bond with good person-
al security, bearing interest from
date, waiving the benefit of the
homestead exemption and retaining
title until the further order of

this Court. But the said commis-
sioners shall not execute so much
of this decree as requires the call
of said mills until they ^{or the one executing this decree} shall have
entered into a bond in the Clerk's
office of this Court, with good
security in the penalty of \$3000 or
conditions for the faithful per-
formance of this or any future
decree herein; and the said commis-
sioners shall make report to Court
of his proceedings under this decree.

Chapman Hon
1 } du chey

Chapman dufts a as

Rough Merer
Oct 1884
Lo the entered.

Geo. Brown.

Entered No. 15

Chapman Gdn.

Vs In the Circuit Court of the County of Isle of Wight
Chapman et als.

~~This cause in which it is suggested that since the last decree herein, K.K. Chapman has departed this life and Maggie.W. Chapman has qualified as his executrix, that John.W. Chapman has departed this life and that J. Walter. Chapman has qualified as his executor, and that Margaret A. Chapman has departed this life and the said J. Walter Chapman has qualified as her executor, by consent of the said Maggie.W. Chapman executrix of K.K. Chapman deed, and by consent of the said J. Walter. Chapman executor of John.W. Chapman deed, it is ordered that this suit be proceeded with against~~

This cause
~~them as such, as parties defendant,~~ came on this day to be again heard, in vacation, by consent of parties, in vacation, *upon the answer of R. T. Thomas & adoption of the infants defendants* filed in this cause, upon the papers formerly read, upon the report of Comr Boykin, ~~this was filed by leave of court,~~ and upon the depositions of witnesses, and was argued by counsel; on consideration whereof the court confirming ~~the court~~ the sale recommended by Comr Boykin in his said report, to James Neigh, of the property known as Chapmans Mill, with the land thereto annexed, according to the survey thereof made by E.M. Morrison, County Surveyor, upon the following terms, to wit; \$50.00 to be paid in cash, and the further sum of \$450.00 to be paid on or before the 15th day of April 1893, and upon the payment thereof the possession of the said property shall be delivered to the said James Neigh, the residue of the said purchase money, to wit, the sum of \$500.00, to be paid on the 15th day of April 1895, with

interest from the 15th day of April 1893. The said Comr taking from the said James Neigh, for the deferred payment bond, with waiver of the homestead exemption, bearing interest from Jan 15th 1893, and retaining title until the payment of the purchase money in full.

And the court doth further adjudge order and decree, that the said R.E. Boykin, who has heretofore been appointed a Comr in this cause and executed the bond required, collect and receive of and from the said James Neigh, the said sum of \$50.00 the cash payment as aforesaid, and on or before the 15th day of April 1893, collect and receive of and from the said James Neigh the further sum of \$450.00 in further payment of the said property, receipting therefor as such Comr, and upon the maturity of the said bond, directed to be taken by the said Comr as aforesaid to collect the same, or before maturity if payment be tendered; and upon the payment of the said purchase money in full to execute and deliver to the said James Neigh or to such person as he may appoint a good and sufficient deed in fee simple for the property aforesaid, with special warranty. And the said Comr shall make report to Court of his proceedings under this decree.

E. W. Hill
Feb. 11th
Jan 28^d 1893

Chapmans Gdn.

Vs IN CHCY

Chapman et als.

To be entered
C. W. H.
July 11th 1893

Rough Decree in Vacation

Entered Jany 1893

To be entered
~~C. W. H.~~
~~July 11th 1893~~
July 11th

Recd. and
Entered 10.
July 1893.
C. W. H.

Chapman Gdn.

Vs

Chapman et als.

This cause in which it is suggested that since the last decree herein K.K.Chapman has departed this life and Maggie W Chapman has qualified as his executrix, that John W Chapman has departed this life and J Walter Chapman has qualified as his executor, and that Margaret A Chapman has departed this life and the said J Walter Chapman has qualified as her executor; it is ordered, with the consent of the said Maggie W Chapman and by ~~and by~~ and with the consent of the said J Walter Chapman, as executrix and executor as aforesaid, that this suit be proceeded with against them as such executrix and executor, as parties defendant; and it being further suggested to the court that the said K K Chapman was the guardian ad litem of the infant defendants, John and James Chapman, it is ordered that R.S. Thomas an atty at law, be substituted as guardian ad litem of the infant defendants, John Chapman and James Chapman, in the place ~~and it is ordered that all this question be reserved for a future day~~ and stead of the said K K Chapman, ~~came on this day to be again~~ heard, in vacation, in pursuance of the decree herein of Oct term 1889, and by consent of parties, on the papers formerly read and on the report of Comr Boykin this day filed by leave of court; upon consideration whereof, the court, without now confirming the said report, doth adjudge order and decree; That a comr of this Court ascertain and report to court, whether the interests of the infant defendants will be promoted by a sale of the property in the bill and proceedings of this suit mentioned, at the sum and upon the terms in the report of Comr Boykin mentioned, and if the rights of any person will be violated thereby. Which inquiry the said comr shall make and report to Court with any matters specially stated, deemed pertinent by himself or required by any of the parties to be so stated; and by consent of parties it is ordered that this suit be made a

~~vacation cause to be further proceeded with in vacation.~~

C. M. Stee

July 1st 1893

Dear Mr. Bay

Let Mr. Thomas

Answer and then bring the case

on to the court to be tried.

Let decree without referring it

to a Commission

C. M. Stee

Chapman Gdn.

Vs. In Chcy.

Chapman et als.

Rough Decree In vacation

To be entered.

C. M. Stee

July 1st 1893

Entered C. M. Stee

1893.

Know all men by these presents: That we,
R. E. Boykin & H. H. Chapman, principals,
and H. C. Young & H. R. Parker are held
and firmly bound unto the Commonwealth
of Virginia in the just and full sum of
Three Thousand Dollars, to the payment
whereof well and truly to be made to the said
Commonwealth, 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 first day of December, in the
year one thousand eight hundred and
eighty-four, and in the 109th of the Common-
wealth.

The Condition of the above Obligation is
such, That if the above bound R. E. Boykin
& H. H. Chapman, who by decree of the Circuit
Court of Isle of Wight County, rendered at the
October term, 1884, in the suit of Carrie C.
Chapman, gan. of Chapman & Co. vs.
Carrie C. Chapman and others, are appointed
Commissioners to sell certain mill property
in the decree and proceedings mentioned, and
make report &c. shall faithfully discharge
their duties of Commissioners under said
decree or any other decree in the cause, then
the above obligation to be void, or else to

remain in full force and virtue. We
hereby waive the homestead exemption
as to this debt, and also make the waiver
required by act of Assembly approved 26th
August, 1884, in regard to official bonds.
Executed in presence of-

P. E. Boycein. *Deal*

E. H. Chapman. *Deal*

R. P. Young. *Deal*

H. R. Parker. *Deal*

In Isle of Wight County Circuit Court,
Clerk's Office, Decr. 1st, 1884, This Bond
was executed and acknowledged by the
Obligors to the same, and admitted to record.
Teste:

R. P. Young, C. C.

Chapman O. Co. gen.
et. } Cons. Bond.
Chapman's infants & alse.

Decr. 1st. 1884-

Execd. & acknowledged by R. P. Y.