

1795-018

Chancery Causes', William Crocker, admr of John Crocker + al vs Hardy Chapman

Isle of Wight County

other SURNAMES:

Thomas

To the Justices of the County of Wright in Chancery sitting

William Crocker administrator of the goods chattels rights and credits which were of John Crocker dec'd, and und' administ'ed by Mary Crocker dec'd late administratrix of the s^d. John, humbly complaining, shews — That William Crocker, the compl't's grand-father, and late of the s^d. County, having made and published his last will and testament in writing according to law, dated the 15th day of February in the year 1774, departed this life on or about the _____ day of _____ in the year _____ — That the s^d. wife was, on the 7th day of March in the year 1776 duly pro- v'd in the Court of the s^d. County — That the s^d. testator W^m. Crocker by his s^d. will bequeath'd as follows — "First - I lend to Sarah my well beloved wife all my whole estate both real and personal during her natural life, also I give and bequeath to her one negro girl nam'd Billa to her and her heirs forever, and after my wife's decease if a sufficiency of my estate should remain I give and bequeath as follows" (after two other bequests) "Item I give and bequeath to my grandson Neddy Chapman one negro woman nam'd Beck, one heifer yearling to him and his heirs for ever. Item I give and bequeath to my John Crocker after my wife's decease and not before all the rest of my estate be it of what nature or kind does in to him and his heirs for ever"

~~And that the said William Crocker was a free and lawful citizen of the s^d. County and that the said Sarah Crocker was a free and lawful citizen of the s^d. County and that the said John Crocker was a free and lawful citizen of the s^d. County and that the said Mary Crocker was a free and lawful citizen of the s^d. County and that the said William Crocker was a free and lawful citizen of the s^d. County and that the said Sarah Crocker was a free and lawful citizen of the s^d. County and that the said John Crocker was a free and lawful citizen of the s^d. County and that the said Mary Crocker was a free and lawful citizen of the s^d. County~~

That the testator's wife survived him and has since departed this life on or about the _____ day of _____ in the year _____ That his son John and grandson Neddy did also survive him — That the s^d. John has since died intestate — That the administration of his goods chattels rights and credits was ^{lawfully} committed unto the s^d. Mary Crocker, and since her death the administration of so much thereof as remain'd to be administ'ed, was lawfully committed unto the Compl't by the Court of the s^d. County — That the negro woman Beck had, in the lifetime of the testator's wife, three children, to wit, a female call'd Beck, and two males call'd Joe and Jonas — That after the decease of the wife of the testator, as the Compl't is advis'd, the s^d. John, ^{as the residuary legatee under the s^d. will} and after his death the s^d. Mary as adminis- tratrix &c. as afores^d. and since her decease the Compl't, was intitled to the whole of the s^d. testator's estate not otherwise particularly dispos'd of by his s^d. will, and with other estate to the s^d. Beck, Joe, and Jonas

children of the ~~testator's~~ ^{1st first-mentioned} Beck, they being ~~children~~
~~of the testator's~~ ^{1st first-mentioned} Beck, they being ~~children~~
~~of the testator's~~ ^{1st first-mentioned} Beck, they being ~~children~~
have come to the possession of Handy Chapman — And that the
1st Handy Chapman not having any lawful claim to the 1st three
negroes, Beck (the daughter of Beck) Loe, and Jones or either of
them, the Compt has frequently in a friendly way called on him
in order to obtain them — nevertheless he has hitherto refused
and still does refuse to deliver the 1st three negroes to the Compt —
In tender consideration whereof and to the end that the 1st
Handy Chapman may ~~fully~~ ^{make} true and perfect answer make to all
of the allegations and things above set forth as fully as if the
same were herein again repeated and interrogated, — but more
particularly that he may set forth and discover — Whether the
1st William Crocker ^{deceased} made such last will and testament as is above
mentioned? Whether the same ~~has~~ ^{has} been lawfully proved? Whether
the testator's wife, ~~deceased~~ ^{deceased} ~~has~~ ^{has} his son Loken, and grandson Neddy
survived him? Whether the testator's wife has since died as afore-
said? Whether the first-mentioned negro Beck had the three
children aforesaid in the lifetime of the ~~testator's~~ ^{testator's} wife? Whether
the 1st three negroes children of the 1st first-mentioned Beck, are in
at what particular time they came into his possession, and if they be not
the possession of the said Handy Chapman, when they ~~came~~ ^{came} into his possession
now in his possession, when they ~~came~~ ^{came} into his possession
Whether the Compt has demanded them, and his reasons for
refusing to deliver them to the Compt? And that the 1st
Handy Chapman may be compelled by a decree of this
Court to deliver the 1st three slaves, Beck, Loe, and Jones,
children of the 1st first-mentioned Beck to the Compt, and
pay unto the Compt a reasonable sum of lawful money
in order to make compensation for the detention of them
— and that the Compt may have such other and further re-
lief respecting the premises as may be necessary and agreeable to
equity — May it please the Justice of Isle of Wight County
in Chancery sitting to grant unto the Compt the Commonwealth's
~~assessors~~ writ of subpoena directed to the 1st Handy Chapman
commanding him on a certain day and under a certain penalty to
appear before them in this Court then and there to answer the
premises and to stand to and abide by such order and decree re-
specting ^{the same} as may seem just and proper —

Attest M. Robinson
for the Compt.

Crocker admira^r &
v. } Bill
Chapman }

Decemr. 1793

Refutation of the

August 1794-

Govt. & Publ. for legal on
the 3^d day of next term

May 1795.

Disin. Dept. under the

~~Oct 12 1795~~

45. Estab^d 7/1 - 2-18 1795.

The Answer of Hardy Chapman Respondent, to the Bill of
Complaint of William Crocker Adm^r of John Crocker
Deceased Complainant

The said Respondent now and at all times hereafter,
saving and reserving to himself, all and all manner
of Benefit & Advantage of Exception, to the many
Errors, uncertainties, and imperfections, of and in
the Complainants said Bill of Complaint contained,
for answer saith, that He doth believe, and admit
to be true, that William Crocker, (the Grand Father
of the Complainant) departed this life, having
first made his last Will, & Testament, as in the
said Complainants Bill is alleged — And the
said Respondent, doth admit, that the said, last
Will & Testament, was lawfully proved, as is also
alleged — The said Respondent doth further
admit, & believe to be true, that the Testator (William
Crocker's) Wife, his Son John, and Grand Son, Noddy
did survive him, as in the said Bill is set forth —
The said Respondent likewise admits, that the
Testators Wife is since dead — He further
admits, that the Negro (Beck) had ^{three children} ~~three children~~
as mentioned in the ^{Bill of Complaint} Bill of Complaint, before
the Death, of the Testator's Wife — He further
admits, that the said Three Negroes, are now in
his possession, and He believes they have been
in his Possession, Nearly Seven Years —

The said Respondent further answering, Positively
Denies, that the Complainant, ever demanded, the
said Three Negroes (Children of Beck) as in his
said Bill, is set forth; And his Reasons for refusing
to deliver them ~~to the Complainant~~, to the Complainant, are, that
He claims them, as the Issue & Offspring of the said
Negro Beck; and as their at Law, to his Brother Noddy.

And the said Respondent denies, all Vail manner
of unlawful, combination, wherewith He is charged
without that there is any other matter in the Com^{rs}
said Bill contained, material for him to make
answer unto, and not hereby sufficiently answered,
to the Knowledge & Belief of this Respondent, and
humbly prays to be hence Dismissed, with his usual
Cost in this behalf most wrongfully sustained —

Hardy Chapman

Act of Wight & the within named Henry Chapman made
County of ... oath to the within answer, before

28th. Sept. 1793.

John St. Wills

28th. Sept. 1793

THE Commonwealth of VIRGINIA to the Sheriff of *Bl. of Wight* county, greeting.
We command you, that you summon *Hardy Chapman*

to appear before our Justices of our county court of *Bl. of Wight* at their courthouse
of said county, on the *first Monday in May* next, then and there
to answer a bill in Chancery against *him* exhibited by *William Crocker*
Admiral Debonis son of John Crocker ad.

And this *he* shall in no wise omit, under the penalty of 100l. And have then
there also this writ. WITNESS *Francis Young* clerk of our
said court, at the office, the *16th* day of *April* 1792 - and in the
16th year of the commonwealth. *Francis Young*

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Crocker's Answer

Chapman } Spa
 } in
 } Charry

June 1792 Bill filed

New Law.

July 1792

Rule for Answer

August 1792

Rule for Answer.

two letters hand

Mr. Bridger etc
 Sept. 1792

Rule for Answer

Novemb. 1792

Bill taken for conf.

Novemb. 1793

Bill taken for conf. & returned

to leave given to file Answer

which is file accordingly

THE Commonwealth of VIRGINIA to the Sheriff of *Isle of Wight* county,
greeting. We command you, that you summon *as at another time we have commanded you*
Hardy Chapman

to appear before our Justices of our county court of *Isle of Wight* at their courthouse
of said county, on the *first Monday in August* next, then and there
to answer a bill in Chancery against *him* exhibited by *William Crocker*
admon deloris non of John Crocker del?

And this *he* shall in no wise omit under the penalty of 100l. And have then
there also this writ. WITNESS *Francis Young* clerk of our said court
at the office, the *6th* day of *June* 17*82* and in the
16th year of the commonwealth. *Fran^s Young Clk.*

Lorochin's Admon

v	}	all Sp. a
Chapman		Charity

Executed
 Wm. Brainerd

The Commonwealth of Virginia To ~~John H. Miller~~ & James Mills
Gentlemen greeting know ye that we trusting to your fidelity & prudence
circumspection in diligently examining Sarah Chapman as well on the
behalf of Haddy Chapman Defendant as on the behalf of Ursicum
Cracker Plaintiff command you or any two or more of you that at such
certain days & places as you shall appoint, you assemble your selves &
the Witnesses aforesaid before you or any two or more of you, you call
and cause to come & diligently examine on the holy Evangelists of
Almighty God, and their examination into our County Court of Belief
Wright distinctly & plainly without delay you shall send & certify
inclosed returning also to us this writ Witness Francis Young Clerk
our said Court at the Court house the 6th. day of May 1794 in
the 18th. year of the Commonwealth

Francis Young Clerk

Chapman

Webb } Comm^r
Cocker } Exam^r Wit.

The deposition of John Thomas of lowball age taken this 31th day of
October 1794. in a suit in Chancery depending in the County Court of
Isle of Wight between William Crocker Plaintiff & Hardy Chapman def.
being sworn upon the Holy Evangelists of Almighty God. deposeth & saith
that he was present when Mr Crocker gave his Will to the Plt. & def.
made his last Will & testament, he the s^d Crocker desired of the said
Thomas to speak if he saw any thing amiss in writing his Will, respec-
ting a legacy he was ^{about to} give to Edw^d Chapman, of a Negro Girl called
Beck, he the s^d ~~Thomas~~ Dependant informed the s^d Crocker that if the s^d
legacy ~~will~~ was wrote as ~~it~~ it was then about to be done, ^{it would} cause disputes
hereafter, Mr Jordan answered that if he had the Case he would keep
the Calf also. Mr Crocker then said that he desired, that, the
Children might have the Negroes, & that there should be no
law about his estate, & that he would not have said any thing
about a Will if Mr Chapman (who married a Daughter of s^d Crocker
& was father to the defts.) had not been ^{then} a single man & was
afraid he might marry again. or spend the estate.

And further this deponent saith not

John Thomas

Sworn to before us

James Wells

J. James

Cochran }
v. } Depo:
Chapman }

The Deposition Sarah Chapman of full age taken

She being first sworn upon the Holy Evangelis of almighty
God Deposeth saith that she well remembers that William
Chapman or the father of the Defent in this Cause
Inter married with Mary Crocker Daughter of the
William Crocker and she further saith that a negro
Woman named Beck was sent or given by the D^r William
Crocker to his daughter Mary which negro woman lived
dwelt with Wm Chapman and was in his possession near
about seven or eight years before the Death of Wm Crocker
and that she had three Children in the life time of Wm
Crocker of the following names to wit Moses Samy Jennie
and after the D^r Crocker's Death the said Negro woman
had three other Children named Joe Jonas & Beck this
D^r further saith that she D^r negro woman Beck remain^d
in the possession of the D^r Wm Chapman after the Death
of the D^r Wm Crocker seven or eight years and that when
Wm Crocker made his ^{last} will & C. he devised the D^r negro
Beck to Edward Chapman his grand son & Brother to the
Present Defendant & further this deponent saith not

Sarah Chapman
sworn

Isle of Wight County Va
Subscribed

The above Sworn to before

J. A. Wells
Notary