1898-005 Chancery Cause: B. P. Chapman, Jr. & c vs Cornelia Daniel's admr & d
Isle of Wight County

other SURNames: ENsley, DIXON, Cutchin, Edwards, Rouse, Godwin

Abraham vs BP

Wm. Mc Williams Exr
and Thos
Bill
and Exhibits.

Final April Rules 1897
Bill & exhibits filed, R. D. Thomas
appt'd gdn. ad litem to the infant
defts. Ans. answer filed. summ. issued
& duly rec'd as to adult defts.

2d April rules 1897
Bill taken for confessed as adult
defts, Case set for hearing at to
all parties

April Term 1897
Dc. for account &c.

Oct. term 1897.
Rest. confs. Dc to sell &c

April term 1898 Dc Confg. rept,
to collect Moneys & make deed

Oct. 2/98. Final

at three times due September 23rd 1895. which bonds and each of them were contracted for and received by the said Brewster Daniel with knowledge to and as a charge upon his separate estate and are still due and unpaid to your orator except the sum of Ten dollars paid by the said W Daniel on the 6th day of December 1876. The said Bonds and bill of particulars of said open account are marked respectively A, B, C and D are filed herewith as part of this bill.

And your orator shows unto your honors that he is remediless in the premises save in a Court of equity where matters of this kind are alone and properly cognizable your orators pray that the said R W Edwards may if any may be of the said A W Daniel, A J Daniel, William A Daniel, Lou Ensley and Susan his wife John R Dickson and Martha his wife John M Critchen and Mary his wife Kenneth D Daniel, Lily D Daniel and Augustus W Daniel Jr. be made parties defendant to this bill and be required to answer the same but not upon oath which is waived, that a proper guardian ad litem be assigned the infants to protect their interests in the suit that an account may be taken by and under the direction of this Court of the personal estate and effects of the said Brewster Daniel, deceased by or come to the hands of the said defendant R W Edwards his executor, and account of the real estate of the said Brewster Daniel deceased, and of the debts of the said Brewster Daniel, and that the personal estate estate of the said Brewster Daniel be applied to the payment of his debts and if same be insufficient for that purpose that his real estate be sold and the proceeds thereof so far as may be necessary be applied thereto. That a reasonable fee be allowed the Attorney in the cause for his services therein and that such further and general relief be afforded your orator as the nature of his case may require or to equity shall seem meet. And your orator will ever pray &c

Geo R Atkinson Sol

To the Honorable Robert C Smith Judge of the Circuit court of Isle of Wight county in Chancery sitting,

Humbly complaining showeth unto your honor your orator B P Chapman who sues for himself and all other creditors of Cornelius Daniel deceased. That the said Cornelius Daniel has departed this life in the early part and distributed his husband W W Daniel, and his children W T Daniel, William H Daniel, Susan Ensley the wife of Silas Ensley, Willey Bryan the wife of John R Bryan, Mary Butcher the wife of John M Butcher, Lucullus W Daniel, Lily W Daniel and Augustus W Daniel Jr. the last three of whom are infants under the age of 21 years.

That on the day of 184 the estate was committed by the county court of Isle of Wight county to R H Edwards Sheriff of said county for administration as will appear by a duly certified copy of the order of the said court marked A and herewith filed.

That at the death of his death the said Cornelius Daniel was possessed of a small quantity personal estate and of a tract of land containing about 61 acres situate in the said county which was conveyed to him by his husband the said W W Daniel by his deed bearing date on the day of 18 and is duly recorded in the clerks office of the county court of said county.

That at the death of the said Cornelius Daniel she was indebted to the said B P Chapman in the sum of one hundred and forty four dollars and fourteen cents, evidenced by three bonds executed by the said Cornelius Daniel and W W Daniel, bearing date on the 5th day of December 1854 and payable to the said B P Chapman, one being for the sum of fifty dollars payable one year after date, one for the sum of fifty dollars two years after date and one for the sum of forty four dollars and fourteen cents, payable three years after date, and on the said sums bearing interest from date. That the said Cornelius Daniel was further indebted to the said B P Chapman in the sum of one hundred and twenty dollars and ninety cents, for sundry goods, wares and merchandize sold and

Abraham Dols

vs

Wounds admn Dols.

Defendts Answer.

Filed April 5th 1897

The joint answer of Camelia W Daniel, Lucy W Daniel and Augustus W Daniel Jr infants under the age of 21 years by R S Thomas their guardian ad litem assigned them to defend them in the suit in a bill of complaint exhibited them and others in the Circuit of Isle of Wight by B F Shelpman suing for himself and creditors of Granville Daniel dec'd

The respondents reserving to themselves the benefit of all just exceptions to said bill, for answer thereto, or to so much thereof as they are advised that it is not necessary they should answer, by their said guardian ad litem answer and say, that they are infants of tender years, and by reason of their infancy are incapable of understanding any of the many cases of their rights and interests, they therefore by their said guardian ad litem crave leave and their rights and interests to the protection of the court and pray that no decree may be pronounced which will turn to their prejudice. This having fully answered the said respondents pray to be hence dismissed with their reasonable costs in this behalf expended and they will ever pray &c.

Camelia D. Lucy D. and Augustus W. Daniel infant Defendants
by R.S. Thomas their guardian ad litem

State of Virginia
County of Wright to wit

This day personally appeared before me Isaac R Atkinson a commissioner in chancery of the Circuit court of Isle of Wight county the R S Thomas guardian ad litem of Camelia D Daniel, Lucy D Daniel, and Augustus W Daniel infants under the age of 21 years whose name is known to me and made oath that the statements contained in the said answer are true as much of his own knowledge are true, and so far as said is from knowledge or information he said from others they are believed to be true.

Given under my hand this 5th day of April 1897.

Isaac R Atkinson a Com
in chancery

Form No. 300.

B. P. Chapman et als

vs. { SUBPOENA IN CHANCERY.

A. W. Daniel et als

Geo. R. Atkinson p. q.

To 7th April Rules

Circuit Court.

1894

Executed on the within named
G. W. Daniel A. G. Daniel
Daniel Evans Geo. R.
Atkinson, Evans Thomas
Geo. R. Atkinson, Thomas
Evans & Evans Thomas
& Geo R Atkinson & Daniel
Daniel each, each by
the within named Geo R
Atkinson, Apl 7, 1894
A. G. Daniel

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 300.

The Commonwealth of Virginia,

To the Sheriff of the County of Isle of Wight, Greeting:

WE COMMAND YOU, That you summon A. W. Daniel, A. J. Daniel, W. A. Daniel, Susan Ensley and Silas Ensley her husband, Wortley Dixon and John R. Dixon her husband, Mary Cutchin and John M. Cutchin her husband, R. A. Edwards administrator of Cornelia Daniel deceased and Camilla Daniel, Lily Daniel and Augustus H. Daniel Jr. the last three of whom are infants,

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court on the First Monday in April, 1897, to answer a bill in Chancery, exhibited against them in our said Court by B. P. Chapman suing for the benefit of himself and all other creditors of Cornelia Daniel deceased.

And have then there this writ. Witness, N. F. Young Clerk of our said Court, at the court-house, the 24th day of March 1897, and in the 121 year of the Commonwealth.

N. F. Young clk

Received on within Note
Six & 68/100 Dollars ($6.68)
Nov 29th 1895 - C B Fordwin

$25.00 Smithfield, Va., March 23th 1895

August 15th 1895 ~~after date~~ we promise to pay to

the order of C B Godwin

Twenty five 100 Dollars,

Payable and negotiable at The Bank of Smithfield, Smithfield, Va., value received without offset. The Maker and Endorser each hereby waive the benefit of the Homestead Exemption as to the debt evidenced by this Note.

Aug 15 PD

No 4357 Due witness A S Whitney

Cornelia A Daniel

H C Daniel

C B Goodwin

$70.00 Smithfield, Va., July 15th 1898.

Thirty days after date I promise to pay to the order of C. B. Anderson with intrs from date

Seventy & 00/100 Dollars,

Payable and negotiable at The Bank of Smithfield, Smithfield, Va., value received without offset. The Maker and Endorser each hereby waive the benefit of the Homestead Exemption as to the debt evidenced by this Note.

No. 467 Due Aug 18/98

Cornelia A. Daniel
A. V. Daniel

1895 The Estate of Mrs Cornelius Daniel
To Wm H Rouse
Nov 14 To Burial expences of Said 25.00

Depts of
Cornelia Daniel.

Cornelia Daniel

Mr. Cornelia Daniel, *Newport District*, *No.*

1896. To JOHN W. ROBERTS, Treasurer of Isle of Wight County, Va., Dr.

SUBJECTS OF TAXATION.	State Tax, 30c. on $100.	State School Tax, 10c. on $100.	County Levy, 45c. on $100.	County School Tax, 5c. on $100.	District School Tax, 5c. on $100.	County Road Tax, 5c. on $100.	TOTAL TAX.
To 61 acres Land, value $ 488	1 46	49	2 19	24	24	24	
" 1 acres Land, value $ 200	60	20	90	10	10	10	
" acres Land, value $							
" acres Land, value $							
" Personal Property, value $							
" Capitation Taxes	~~1 00~~		~~50~~				
" Income $							
Total	2 06	69	3 09	34	34	34	6 86
5 per cent. additional							44
Total							$7.21

Received payment 14 *day of* Feby 1898

John W. Roberts *Treasurer*,

Per B & R

Mr.s Cornelia Daniel, *Newport District.* *No.*

1897. To JOHN W. ROBERTS, Treasurer of Isle of Wight County, Va., Dr.

SUBJECTS OF TAXATION.	State Tax, 30c. on $100.	State School Tax, 10c. on $100.	County Levy, 40c. on $100.	County School Tax, 5c. on $100.	District School Tax, 5c. on $100.	County Road Tax, 5c. on $100.	TOTAL TAX,
To 61 acres Land, value $ 488	1 46	49	1 95	25	25	25	
" 1 acres Land, value $ 200	60	20	80	10	10	10	
" acres Land, value $							
" acres Land, value $							
" Personal Property, value $							
" Capitation Taxes	1 00		50				
" Income $							
Total	2 06	69	2 75	35	35	35	$6 55
5 per cent. additional							33
Total							$6 88

Received payment 11 day of Feby 1898

John W Roberts Treasurer.

Per B L R

			101	41	
Sept 23	Do	Bacon	5	17	
	"	Coffee		92	
	"	Tea		40	
	"	Sugar	1	20	
	"	Rice		18	
	"	Shot	1	60	
	"		1	75	
	"	Whiskey	1	00	
	"	Ginghams		63	
	"	Calico		36	
	"	Cotton		40	
	"	Tobacco		35	
	"	Flour	1	10	
Oct 20	"	Sugar	1	20	
	"	Tobacco		35	
	"	Coffee		56	
	"	Bacon	2	50	
	"	Spikes		20	
	"	Cambric		25	
	"	Salmon		5	
To	Amt of Ap	to date	1	20 90	
"	Invoice			7 25	
					128 15

					46	88
Apr	29	To	2 Prs	Shoes	2	20
		"	1 "	Shirts	1	00
May	4	"		Tea		40
		"		Sugar	1	20
		"		P Goods		65
		"		Tobacco		35
		"		Whiskey	1	00
"	7	"		P Green	1	20
		"		Rice		32
		"		Canting		16
		"		Sugar		60
		"		Tea		40
		"		Hat		75
		"	1 Prs	Pants	2	50
		"		Shoes	1	25
	25	"		Bacon	2	50
		"		Sugar	1	20
		"		coffee		50
		"		Tobacco		25
		"		Calico		40
		"		Shirting	1	00
		"		Cotton		08
		"		Hat		25
		"		Pant Goods	1	00
		"		Pants	1	50
June	10	"		Bacon	2	81
		"		Sugar	1	20
		"		Canting		10
		"		Tobacco		25
		"		Bleaching	1	00
		"		Shoes	1	35
		"		Bag		05
	30	"		Lawn	1	25
		"		Paper		10
		"		Tea		75
		"		Tobacco		25
		"		Mink	2	75
		"		7 Lum / Bbl	5	00
		"		Sugar	1	20
Aug	1	"		Bacon	6	00
		"		Sugar	1	20
		"		Coffee		40
		"		Tea		40
		"		Shoes	1	25
		"		Whiskey	1	00
		"		Shoes	1	70
		"		Tobacco		25
		"		A to Shirt 90	1	50

Smithfield, Va., Sept 21st 1896

Mr. Coleman & Laird

B. E. CHAPMAN,

GENERAL MERCHANDISE,

SMITHFIELD HAMS A SPECIALTY.

1895				
Jany 4	To	20 yds R Calico	8	1 60
	"	8 " Cutting		96
	"	2 3/4 yds P Goods		1 57
	"	1 Pr Shoes		90
	"	4 yds Calico		20
	"	1 Pr Shoes		1 25
	"	Tobacco		1 00
	"	1 Pr Pants		2 50
	"	2 Gal Molasses		1 00
Feby 18	"	1 Plow		2 25
	"	Shovel		45
	"	10 yds Cotton	7	70
	"	Nails		96
	"	Sugar		1 20
	"	Tea		40
	"	Tobacco		1 00
	"	Shoes		1 00
	"	"		1 00
	"	10 yds Salmon		1 25
	"	1 Hat		60
	"	1 Bot Cod Fish		2 00
	"	1 Knife		60
	"	10 yds @ Flannell		80
	"	1 Pr Boots		2 75
	"	Whiskey		1 00
18	"	1 Pr Shoes		1 75
	"	Ginghams		75
	"	Cotton		10
Mch 23	"	Coffee		1 00
	"	Sugar		1 20
	"	Tobacco		35
	"	Whiskey		1 00
	"	7 Cotton		63
	"	Hose		30
	"	Calico		50
	"	P Goods		50
	"	Collars		50
	"	Tweed		45
Apr 4	"	1 Plow		3 25
	"	" "		3 00
	"	Single Tree 25 Harness 35		60
	"	40 Lbs Iron 20 Lime casting 27		87
	"	1 Hat		1 25

Everett Waddey, Stationer and Printer, Richmond, Va. } Form No. 310.—Clerk's Certificate that Commissioner has given Bond.

In the Clerk's Office of the Circuit Court of the County of Isle of Wight.

B. P. Chapman executor &c. Plaintiff,
AGAINST
Ro. A. Edwards admr. &c. Defendant.

I, N. F. Young, Clerk of the said Court, do certify that the bond required of the Special Commissioner by the decree rendered in said cause on the 25th day of October, 1897 has been duly given.

Given under my hand as Clerk of the said court, this First day of November 1897.

N. F. Young C.C.

Suit To
Pl O Subpoena for 5 pp
Co. Edmonds

Land
For Sale

Pursuant to a decree of the Circuit Court of Isle of Wight
county rendered on the 25th day of October 1897 in a suit
in chancery pending in the said court between B P Chapman
suing for himself and all other creditors of Cornelia
Daniel deceased, plaintiffs and R A Edwards Sheriff
and administrator of the said Cornelia Daniel and
others defendants, I shall proceed to sell at public
auction at Isle of Wight Court house on Monday
the 6th day of December 1897 all that certain tract of
land of which the said Cornelia Daniel died seized
containing 61 acres more or less and situated on Pascoe
Neck in the county of Isle of Wight and state of
Virginia and adjoining the land of T E Gilliam
and others.

Terms Cash sufficient to pay the costs of suit and
sale and the residue in two equal instalments at one
and two years from the day of sale with interest thereon
from the day of sale, the purchaser giving bonds with
sufficient security and waiver of the household exemption
and the title retained till the further order of the court

Geo R Atkinson
November 1st 1897 Special Commissioner

In the Clerk's Office of the Circuit Court of the county
of Isle of Wight.

B P Chapman suing &c Plaintiff
against
R A Edwards adm'r & others Defendant

I, A F Young Clerk of the said court do certify that the
bond required of the Special Commissioner by the decree
rendered in said cause on the 25th day of October 1897 has
been duly given. Given under my hand
as Clerk of the said court this First day of November 1897

Chapman, B P mingle

to

Daniels water and Flume
Right of sale
by Isaac Lyon Patterson
under lease of October 25 1897.

In the Circuit court of Isle of Wight county.

The undersigned, commissioner appointed by a decree of the said court, entered on the 25th day of October 1897 in the suit in chancery pending therein between Benjamin C Chapman suing &c plaintiff and R A Edwards administrator of Cornelia Daniel deceased and others defendants, with directions to sell the tract of land situate in Rescue district in the said county referred to in said decree and upon ascertaining the time, place and terms of sale as required, was specified in said decree appointed the said tract of land for sale at public auction at Isle of Wight court on the 6th day of December 1897 that being court day, was Benjamin C Chapman having bid for the said tract of land the ~~said tract~~ the sum of five hundred dollars and that being the highest bid therefore he was declared the purchaser and thereupon filed the sum of Eighty six dollars in and executed two bonds with Florence C Chapman as his surety payable one and two years after date with condition of exemption and with interest from date, said bonds being for five hundred and one dollars and fifty four cents and one for two hundred and one dollars and fifty four cents, and as herein directed to.

Your commissioner further reports that he has expended in the execution of said decree as follows.

To paid Attorneys fee to Jno Pas Wm R Atkinson	16 00
" this clerks fees,	8 81
" paid R A Edwards Sheriff Fees	11 00
" paid R E Boykin Comm Fees. Pd R.E. Boykin Comr	12 00
" paid for Court Bills, Serv. S E Waddill	50
" paid R A Edwards Advertising	5 00
5 per cent commissions on $300 $15; on $201 $10.05	19 00
" paid taxes for 1896 $1.29 for 1897 $6.88	1410
	86,91

The monies for which payment as herein returned

Wm R Atkinson

Chapman

vs

Daniels Assr & als

Commissioners Bastian Report
under decree of April 26 1897

Filed October 13th 1897

Commissioners Office
Smithfield October 11th 1897.

To the Circuit court of the County of Isle of Wight

Pursuant to a decree of the said court rendered on the 26th day of April 1895 in a suit in chancery pending therein between R P Chapman suing for himself and all other creditors of Cornelia Daniel deceased plaintiff and R A Edwards Sheriff and administrator of the said Cornelia Daniel, and others defendants, the undersigned, a commissioner in chancery of the said court to whom was referred for settlement by the said decree the following accounts to wit 1st An account of the transactions of R A Edwards administrator of Cornelia Daniel deceased, 2nd an account of the plaintiffs debts and all other claims and demands against the said Cornelia Daniel or her estate with their priority and dignity 3rd and account of the real estate of which the said Cornelia Daniel died seized and its personable and annual value, respects to report that on the day of July 1897. he caused notices against the said parties required by decree to attend the taking the said accounts at his office aforesaid on the 5th day of August 1897, but being unavoidably absent he caused notices requiring them to attend on the 4th day of October 1897 which were returned to your commissioner duly executed, and on the date of this report he completed the foregoing accounts of the plaintiff's debts and all other claims and demands against the said Cornelia Daniel in her state and prepared and filed with this report a schedule marked A and finds that there is due for funeral expenses with interest to October 25th 1897 the sum of $27.42 and there is due for debts of the 3rd class including debts in the same note the sum of $388.16, the value of which is shown by account marked B, the said Cornelia Daniel died seized of one tract of land situate in Isle of Wight county the fee simple value of which is $600 and its annual value is $40. Your commissioner further reports that he is informed by R A Edwards administrator of the said Cornelia Daniel that no personal property has come into his hand and is informed there is none.

Given under my hand as commissioner in chancery of the said court the day and year first aforesaid.

R. E. Boykin
Commissioner of this Circuit.

Time employed 16 hours. Fee $12
Sheriffs fee $6.00

The account of the plaintiffs claims and all other claims or demands against the estate of Cornelia Daniel deceased,

J. W. & Ranse	Burial Expenses		25	00	
	Interest from November 1th 1895, to October 25th 1897		2	92	
			27	92	
	Debts of the 5th Class.				
J. B. P. Chapman	Note date December 5th 1894 one year after date with interest from date		50	00	
	Interest to October 25th 1897		8	67	58 67
" Same	Note of same date payable two years after date with interest from date		50	00	
	Interest to October 25th 1897,		8	67	58 67
" Same	Note of same date payable 3 years after date with interest from date for £45.14 subject to a credit of £13, paid December 5 1895, Bal.		32	85	
	Int to October 25, 1897		3	72	36 57
" Same	Open account dec January 1st 1896,		120	90	
	Interest to October 25th 1897		13	21	133, 10
" G. B. Seeley	Note date August 15, 1895 for $23, subject to a credit of $16.68 paid Nov. 29 1895,		18	75	
	Interest to October 25 1897		2	15	20 90
" Same	Note August 17th 1895,		70	00	
	Int to October 25th 1897		4	25	74 25
					388 16

The account of the Fee simple and Annual value of the land of which the said Cornelia Daniel died seized.

A tract of 60 acres of land in Rusca Creek in Isle of Wight county

Annual Value	40	00
Fee Simple Value	600	00

Chapman B. P.

vs.

Daniel's admr and als.

D E C R E E.

April 26th 1897.

A C O P Y.

At a Circuit Court held rot the County of Isle of Wight at the Court-house thereof April 26th 1897.

B. P. Chapman sueing for himself and all other creditors of Cornelia Daniel, deceased. ----------Plaintiff.

vs.

R. A. Edwards, Sheriff and administrator of the said Cornelia Daniel, A. F. Daniel, W. A. Daniel, Sias Ensley and Susan his wife, John R. Dixon and Wortley his wife, John M. Cutchin and Mary his wife, Comilla Daniel, Lily Daniel, and A. W. Daniel Jr, the last three of whom are infants under 21 years of age, by R. S. Thomas their guardian ad litem assigned to defend them in this suit. ----------Defts.

This cause came on this day to be heard on the bill taken for confessed by the adult defendants R. A. Edwards, administrator of Cornelia Daniel, deceased, A. W. Daniel, A. F. Daniel, W. A. Daniel, Sias Ensley and Susan his wife, John R. Dixon and Wortley his wife, John M. Cutchin and Mary his wife, upon whom process has ben duly served and they still failing to pleadanswer or demur, on the answer of the infant defendants Comilla Daniel, Lily Daniel and A. W. Daniel Jr, by R. S. Thomas their guardian ad litem assigned to defend them in this suit and general replication thereto and exhibits filed and was argued by counsel.

On consideration whereof the court doth adjudge, order and decree that one of the commissioners of this court do ~~takexxxxxx~~ take, settle and report to court; Ist an account of the transactions of R. A. Edwards as administrator of Cornelia Daniel, deceased, 2nd an account of the plaintiffs debts and all ~~their~~ other claims and demands against the said Cornelia Daniel or her estate with their priority and dignity. 3rd: an account of the real estate of which the said Cornelia Daniel died seised; and its fee-simple and annual value together with any matter deemed pertinent by the commissioner or required by any party to be so stated.

A C O P Y.

Teste: N. J. Young ----------Clerk.

Ro, A, Edwards

Smithfield, Va., February 2nd 1898 No. 225.

The Bank of Smithfield

Smithfield, Va.

Pay to P. H. Edwards or order $ 1.00

Sixteen 00/100 Dollars

Fees vs Sheriff $11.00 and vs Auctioneer $5.00 & Chapmans vs Parrish atms & obs

Wm Atkinson

Smithfield, Va., February 8th 189 No. 226

The Bank of Smithfield

Smithfield, Va.

Pay to J. W. Roberts Treas. of S. & W. C. E. or order $14.40

Fourteen 10/100 Dollars

Dues of Executive Council for 1896 & 1897

Geo. P. Watkins

N. J. Young

Smithfield, Va., February 25th 1898 No. 229

The Bank of Smithfield

Smithfield, Va.

THE BANK OF SMITHFIELD
PAID
MAR 22 1898
SMITHFIELD, VA.

Pay to N F Manning or order $8.81 Dollars

Eight 81/100

For in part of ~~cost~~ Shipmans on Quincy [illegible] Note.

Wm Watkinson

Verzeichniss meiner Pflanzen

Innsbruck im October 7th 1898

288.83

Received Sept 24th 1898 of Hon Parkman Bowmaster in part of B F Chapman as Daniels estate Two hundred and Eighty eight 83/100 Dollars in full of his pro rata of funds belonging to estate of Jeremiah Daniel deceased

B. F. Chapman

288 83

Courts:
Isle of Wight, Nansemond
and Southampton.

LAW OFFICE
—OF—
W. S. MOLLAND.

Windsor Station, Va., Oct. 15, 1898.

Judge Geo. R. Atkinson,

Smithfield, Va.

Dear Sir:

Your check for $100.77, payable to me as attorney for C. B. Goiwin, came this day, and I hereby acknowledge the receipt of the same. If you desire a formal receipt, please prepare it and I will sign Monday after next at the Circuit Court.

Very truly yours,
Wm S. Holland.

Chapman B.P.

vs

Daniels admr Deft.

Report of

Collections and Payments

under them of

April 25th 1898

To the Circuit Court of Isle of Wight County

The undersigned Special Commissioner who was directed by a Decree of the said Court rendered on the 25th day of April 1898 in a Suit in Chancery pending therein between B P Chapman suing for himself and others creditors of Cornelia Daniel deceased Plaintiff and R A Edwards Executor of Cornelia Daniel and others, Defendants, to collect the said Bonds of B P Chapman filed in the cause and after paying the unpaid cost of suit to pay the creditors of Cornelia Daniel deceased named in report of Commissioner Bray this under Decree of April 26th 1897, and if there be any surplus to divide the same equally among the heirs of the said Cornelia Daniel, and upon the payment of the said bonds to receive and deliver to the said B P Chapman a good and sufficient deed for the tract of which the said Cornelia Daniel died seized with special warranty, reports that he has collected the said bonds and has paid out the proceeds as follows to wit

Amount of Principal of Bonds		H13	09	
Interest from December 6th 1897 to September 24, 1898		20	17	433 26
To Commissions on $20,17			40	
" Court Clerks Tickets		3	12	
" Fee for Summons, entering 30 and Time on deed 50	10.00	1	80	
" Paid W H Rawls Burial expenses Pd Geo R Atkinson Atty		24	14	43 66
				389 60
" Heirs B P Chapman	5-895			
" " Same	5-8.95			
" " Same	3683			
" " Same	134,10	288	83	
" " B P Chapman	21.03			
" " Same	79.74	100	77	
		389	60	389 60

Your Commissioner further reports that he has delivered to the said B P Chapman a deed for the said land and reports herewith the vouchers for the said payments, with a statement of the debts against the estate of the said Cornelia Daniel and the pro rata amounts due to each creditor

Respectfully submitted

Geo R Atkinson

A Statement of the debts due by the estate of Cornelius Daniel deceased and of the pro rata amounts due on the debts of the 3rd Class out of the proceeds of sale of Land.

To William G Ross Funeral Expenses	27	92		
" Interest to September 29th 1898	1	22	29	14
Debts of the 3rd Class.				
To B P Chapman	58	67		
" Interest to September 29th 1898	2	44	61	11
" Same	58	67		
" Interest to same date	2	44	61	11
" Same	36	37		
" Interest to same date	1	60	38	17
" Same	133	10		
" Interest to same date	3	90	134	00
" C B Goodwin	20	90		
Interest to same date		91	21	81
" Same	79	25		
" Interest to same date	3	41	82	66
			403	86
Per Rate Sheet.				
To B P Chapman	58	95		
" Same	58	95		
" Same	36	83		
" Same	134	10	288	83
" C B Goodwin	21	03		
" Same.	79	74	100	77
			389	60

Chapman, B F

Davies Comm. and Thos
Bevan
Mar 26th 1897

To be entered.

Robert E. Lewis

(1)

Entered

In the Circuit Court of Doc of Wyatt county April 26th 1897.

W C Bingham Comty for himself and all other creditors of Cornelia Daniel deceased Plaintiff

vs

R A Edwards, Sheriff and administrator of the said Cornelia Daniel, A W Daniel, A F Daniel, W A Daniel, Iras Ensley and Susan his wife, John R Dickson and Worthy his wife, John M Butcher and Mary his wife, Camilla Daniel, Lily Daniel, and A W Daniel Jr the last three of whom are infants under 21 years of age, by ~~Defendants~~ R L Thomas their guardian ad litem appointed to defend them in this suit Defendants

This cause came on this day to be heard on the bill taken for confessed by the absent defendants R A Edwards, administrator of Cornelia Daniel deceased, A W Daniel, A F Daniel, W A Daniel, Iras Ensley and Susan his wife John R Dickson and Worthy his wife, John M Butcher and Mary his wife upon whom process has been duly served and they this failing to plead answer or demur, to the answer of the infant defendants Cornelia Daniel Lily Daniel and A W Daniel Jr by R L Thomas their guardian ad litem appointed to defend them in this suit and upon the bill taken for confessed and exhibits read and argued by counsel the consideration whereof the court doth adjudge order and decree that one of the commissioners of this court do take state and report to court 1st an account of the transactions of R A Edwards as administrator of Cornelia Daniel deceased 2d the account of the plaintiffs debt and all other claims or demands against the said Cornelia Daniel or her estate with their priority and thereby, 3rd the account of the real estate of which the said Cornelia Daniel died seized, and its present and annual value by whom held any matter deemed pertinent by the commissioner or required by any party by him so stated.

B. O. Chapman
vs.
Z Inch
Daniel's adm et als

Decree Oct. 25th 1894

Copy

Law Court

Costs taxed

Atty fee Story	16.50
Clerks fees	8.81
Sheriff "	11.00
Comr. Boykin	12.00
	48.31

and upon the following time to Wit:
for cash as to so much of the proceeds
of sale as may be necessary to pay
the cost of suit and sale and the
residue in two equal credit instalments
at one and two years from the day
of sale. the credit instalments carrying
interest from day of sale and the
purchaser giving his bond with
sufficient security and waiver of the
homestead exemption for the credit
instalments. and the title retained
until the full purchase money is
paid. And a conveyance directed by
the Court. and the said commissioner
George R Atkinson is directed to report
his proceedings hereunder to the Court.
but the said George R Atkinson shall
not receive any money from the purchaser
at such sale or under this this
decree until he shall enter into bond
with sufficient security and waiver of
the homestead exemption in the Clerks
office of this Court payable to the
Commonwealth of Virginia in the
penalty of $1200.00 conditioned for the
faithful discharge of his duties
as such Commissioner

A copy Teste R. G. Young c.c.

In the Circuit Court of Isle of Wight County
April 25th 1897

B. P. Chapman suing &c Plaintiff

Vs

R. A. Edwards admr of Cornelia Daniel dec'd
and others Defendants

This cause came on this day to be again heard on the papers formerly read and on the report of Commissioner R. E. Baylor under decree herein of April 26th 1897 filed October 15th 1897 and was
Argued by Counsel on consideration whereof the Court doth confirm said report to which no exceptions are filed and doth adjudge order and decree that Geo R Atkinson who is hereby appointed a Commissioner for that purpose shall proceed to sell the tract of land containing by estimation 61 acres situated in Rascue Neck in the County of Isle of Wight of which the said Cornelia Daniel died seized at public auction to the highest bidder at Isle of Wight Court House on a Court day after first advertising time place and terms of sale by notices posted at the front door of said Court House on some Court day and at four or more public places in the said County

Chattanooga Tenn

Dennis Brown and Others

Deed.

October 25th 1897

To be entered

Robert Dennis

Entered

In the Circuit court of Isle of Wight county April 25th 1897

B P Blackwell suing &c. Plaintiff

vs

R A Edwards' infrm of Cornelia Daniel deceased and others Defendants

This cause comes on this day to be again heard on the papers formerly read and on the report of Commissioner R E Baskerville made herein filed October 13th 1897, and was argued by counsel. Upon consideration whereof the court doth confirm said report, to which no exceptions are filed and doth adjudge, order and decree that George R Atkinson who is hereby appointed a commissioner for that purpose, shall proceed to sell the tract of land containing by estimation 61 acres, situated in Rescue Neck in the county of Isle of Wight of which the said Cornelia Daniel died seized, at public auction to the highest bidder at Isle of Wight courthouse on a court day after first advertising the same place and terms of sale by notices posted at the front door of the said courthouse on some court day and at four or more public places in the said county, and upon the following terms towit, for cash as to so much of the proceeds of sale as may be necessary to pay the costs of suit and sale and the residue in two equal credit instalments at one and two years from the day of sale, the credit instalments carrying interest from the day of sale and the purchaser giving his bonds with sufficient security and waiver of the homestead exemption for the credit instalments, the title to be retained until the full purchase money is paid and a conveyance directed by the court. And the said commissioner George R Atkinson is directed to report his proceedings hereunder to the court. But the said George R Atkinson shall not receive any money from the purchaser at such sale or under this decree until he shall enter into bond with sufficient security and waiver of the homestead exemption, in the clerks office of this court, payable to the Commonwealth of Virginia in the penalty of $ 1200.00 conditioned for the faithful discharge of

Chapman, B.P. sample

Deeds adjur & Ills

Deeds

April 25th 1898

To be written.

Robert B. Dennis

Entered

In the Circuit court of Isle of Wight county April 25th 1898.

B P Blackburn, Surviving &c Plaintiff

against

R A Edwards exor of Cornelius Daniel and others : Defendants

This cause came on this day to be again heard on the papers formerly read and on the report of Special commissioner George R Atkinson made herein of October 25th 1897. to which no exceptions are filed and was argued by counsel, On consideration whereof the court doth confirm the said report and doth adjudge, order and decree that when the sales bonds returned with said report shall become payable or whenever the said B P Blackburn shall previously thereto pay the same, have to anticipate the payment thereof by paying thereby unto him, the Clerk of this court shall deliver the said bonds to the said Geo R Atkinson commissioner of sale whereupon his receipt therefor and the said Geo R Atkinson shall proceed to collect the same and after paying the said costs of this suit, shall pay the creditors of Cornelius Daniel deceased whose claims by commissioner R E Baughan in his report made thereof April 26th 1897, and if there be any surplus he shall deliver the same equally between the heirs of the said Cornelius Daniel deceased their receipts for the same.

And the court doth further adjudge, order and decree that upon the payment of the said bonds, the said Commissioner Geo R Atkinson shall execute and deliver to the said Benjamin P Blackburn or to whomsoever he may direct, a good and sufficient deed for the tract of land of which the said Cornelius Daniel died seized with special warranty, and make report to court of his proceedings under this decree.

Chaplain R.S. army to

to

Daniels Asher and Thos

Deere

October 24th 1898

To Be returned

Robert R. Daniels

In the Circuit court of Isle of Wight county, October 14th 1898.

Chapman, B & Jenny Lee Cornwell and other exhibitors of Cornelia Daniels deceased. Plaintiffs

vs

Daniels administrators and others. Defendants

This cause came on this day to be again heard on the papers formerly read and on the report of Commissioner W. Lee Hodges R. Atkinson as thereof of April 25th 1898, and was argued by counsel. On consideration whereof the court doth confirm the said report to which no exceptions are filed and it appearing that there is nothing further to be done herein doth order the cause to be removed from the docket.

Chapman et als.

vs:

Daniel's admr: et als.

Exhibit "A".

At a County Court held for the County of Isle of Wight at the court-house thereof on the Ist day of March I897,

ON THE MOTION, of B. P. Chapman, it is ordered that the estate of Cornelia Daniel, deceased, be committed to the hands of Ro. A. Edwards, sheriff of this county for administration.

A copy: Teste;

A. D. Young ----, Clk:

Note to be mailed by 15-Oct..
Pau

$ 50 00 Smithfield, Va. Dec 5 1894

with interest from Date

one year after date I promise to pay to

the order of B Blackman

Fifty ——/100 Dollars,

Payable and negotiable at The Bank of Smithfield, Smithfield, Va., value received without offset. The Maker and Endorser each hereby waive the benefit of the Homestead Exemption as to the debt evidenced by this Note.

Daniel

C. Daniel, (Seal)

A. O. Daniel (Seal)

No. 5130 Due Dec 5/97

Miles A. O. Daniel

$ 50 00/100

Smithfield, Va., Dec 5 1894

Two years after date with interest for one — I promise to pay to

the order of B. Blackman

Fifty —— Dollars,

Payable and negotiable at The Bank of Smithfield, Smithfield, Va., value received without offset. The Maker and Endorser each hereby waive the benefit of the Homestead Exemption as to the debt evidenced by this Note.

Due

Mrs. A. V. Daniel

Cornelia Daniel (Seal)

A. V. Daniel (Seal)

with exhibit from Dale

45- 14 For this year ofthe Dale
Francis to pay to B Rebenstein
Forty four Dollars & 14/100 cents
as to this Debt I now the grantor
of my homestead & subscribe
below my hand & seal this
3rd day of Dec 1894 A Daniel
Cornelia
A C Daniel (L S)
(L S)

Witness
A. C. Daniel

Examined by delivering to the within named
R. P. Chapman and Daniel A. Daniel
& A. Daniel Silas Crosby & Susan Crosby
John R. Digges & Wesley Lee Cole & Joseph
M. Critchlow & Mary Lee Cole & R. S. Thomas
named as within each & Crosby of the within
notice this 6th day of
Sheriff's Fee $2.00 R. A. Edwards D.S.C.

I acknowledge service of
the within notice this 6th day of
Nov. 1897.
R. A. Edwards D.S.C.

Chapman et als.
Vs Da
Daniel et als.
Commissioners Not

Commissioners Office, Smithfield, Va, October 2d 1897.

To B.P. Chapman, sueing for himself and all other creditors of Cornelia Daniel, plaitifff, and R.A. Edwards, Sheriff, and as such Admr of the said Cornelia Daniel decd, and Daniel A.F. Daniel, W.A. Daniel, Sias Ensley, and Susan, his wife, John R. Dixon and Mortley, his wife, John W. Cutchin, and Mary his wife, and R.S. Thomas guardian ad litem of Cornelia Daniel, Lilly Daniel and A.W. Daniel Jr, who are infants under the age of twenty one years.

You are hereby notified that I have fixed upon the 9th day of October 1897, at my Office in the town of Smithfield, to take and settle the following accounts.

1st, An account of the transactions of R.A. Edwards, as Admr of Cornelia Daniel, decd.

2. An account of the plaintiffs debts, and all other claims and demands against the said Cornelia Daniel or her estate.

3. An account of the real estate of which the said Cornelia Daniel died seized, with its fee simple and annual value, required to be taken by a decree of the Circuit Court of the County of Isle of Wight, rendered on the 26th day of April 1897 in a suit in chancery depending therein between you as parties plaintiff and defendant; at which time and place you are required to attend.

R.E. Boykin

Commissioner in Chancery.

Executed by delivery to the
within named R. A. Edwards Supt
R. A. Edwards Supt & under. All dues
&c A J Duncan A. M. Duncan
Sims Eccles Susan Eccles Jno R
Dyer. Wesley Dyer Jno McCall
Alice Mary Carleton & R. A. Edwards
Jacob Ottem. each & every
Copy of the within Notice
July 21st 1897.

R. A. Edwards Supt

Supt Fee 60c

Chancery Office

Smithfield 9th July 1897

To B P Chapman Esqre for himself and all other creditors of Cornelia Daniel deceased Plaintiff and R A Edwards Sheriff and admr of the said Cornelia Daniel dec'd, Ann Daniel, A F Daniel, W A Daniel, Silas Insley and Susan his wife, John R Wilson and Dorothy his wife, John M Butcher and Mary his wife and P G Thomas guardian ad litem of Cornelia Daniel, Lily Daniel and Ann Daniel infants under 21 years of age Defendants.

You are hereby notified that I have fixed upon the 5th day of August next to take and state at my office aforesaid the following accounts to wit 1st An account of the transactions of R A Edwards as admr with the will of Cornelia Daniel dec'd 2nd An account of the plaintiff's debts and all other claims or demands against the said Cornelia Daniel or her estate with their priority and dignity 3rd An account of the real estate of which the said Cornelia Daniel died seized and its yearly simple and annual value required to be taken by a decree of the circuit court of the county of Isle of Wight rendered on the 26th day of April 1897 in a suit in chancery pending therein wherein you are parties plaintiff and defendants at which time and place you are required to attend

Given under my hand as Commissioner in chancery of the said court this day and year first aforesaid

R. E. Boykin
Comm in Chy.