

1822-012

Chancery Causes: Caroline Dicks' admr vs Trustran Bunkley's admr & Sally Ann

Ile of Wight County

Bunkley

other SURNAMES: Whitehead,
Bunkley

To the County Court of the County of ... sitting, humbly complaining sheweth to your Honor
your orator Joseph M. Whitcomb administrator of
Caroline Dick's deceased. That some time in the year
a certain Tristram Beckley of the County of ...
departed this life intestate by a will bequeathing
of several valuable slaves, besides other personal
estate, and that a certain John Beckley thereupon
obtained Letters of administration before the County
Court of said County might and in that character possessed
himself of the estate aforesaid. That the said Tristram
Beckley left two children to wit Sally Ann Beckley who
is now an infant and Mary Beckley deceased also a
widow Rachel who hath since intermarried with
a certain Lewis Dick, the father of the said Caroline,
and departed this life leaving your orator intestate
an child by the said Dick then living. That the said
Mary Beckley sometime in the year ... departed this
life intestate and under the age of twenty one years
entitled at the time of her death to one Half of
the personal estate of which the said Tristram
Beckley died seized which remained after the payment
of his just debts and General expenses. And your
orator shews that his intestate Caroline Dick was
Half sister to the said Mary ~~Beckley~~ Beckley, and
that the said Sally Ann Beckley was full sister to
the said Mary and Half sister to the said Caroline
and that the said Rachel Dick was the mother
of each. He also avers that as the estate of the said
Tristram Beckley hath not been devised, he is advised
that one Half thereof belongs to the said Sally Ann
Beckley as an heir at law of the said deceased father and
that half of the remaining one Half belongs to the said
Mary and as full sister to the deceased Mary Beckley,
that the balance of the said estate which estate
ought properly to belong to your orator as the representative
of said Caroline Dick. That a considerable
time hath elapsed since the said Tristram Beckley
deceased and that the said Mary Beckley is now
qualified upon and entitled to the said estate.

personal estate of said John Keith no doubt
but that all his debts are paid away from the
said estate at the time of his death. And
long since been paid and satisfied. That he
believes that all or in the possession of the said
John Beekley, belonging to the estate of said
Beekley, viz. Mary, Louisa, William, Sallie, Rachel,
John, Lucy and Henry, and he no doubt
the said John Keith was in his hands a considerable
sum of money which is distributable amongst
your orator as the adm^r of the said Caroline Keith
whom he hath sent to the said Mary Beekley,
and the said Sallie Ann Beekley. And your orator
hath what he applies to the said Beekley for
a division of the said slaves according to law, which
said request he hath always refused to grant
and still refuses so to do. all which is contrary
to Equity or so much as your orator is remedied
in the premises save in the Hon^{ble} Court in
which matter of this kind are alone properly
cognizable and undoubted. He prays the aid of your
Hon^{ble} Court. As the said Beekley that the said John
Beekley as adm^r of the said estate Beekley
and the said infant Sallie Ann Beekley by whom
said person who, it is prayed, may be appointed to
appear in this suit, be made defendants hereto,
and that they be compelled full, true and
direct answers to make to all and singular the
allegations aforesaid as fully as if the same were
now again asked and they should more especially
and particularly interrogated. That your Hon^{ble}
Hon^{ble} Court may cause the issues aforesaid may be decided
by a sale or otherwise between himself as adm^r of the
said Caroline Keith and the said John Sallie Ann
Beekley and that your Hon^{ble} Court as adm^r aforesaid may
have the said estate of the ^{personal} estate of the
said John Keith sold and the proceeds after the pay^t of

the debts &c. And that your Hon^{ble} Court make
any other or further decree in the premises as
which may comport with Equity and the
nature of his case, as in duty bound he will
ever pray.

Attorney for comp^t

Wm. H. H. H.

Decher's adin

23 Dec 1871

Bank of the South

Oct. 24, 1871

Decher's adin

Decher's adin

Decher's adin

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The separate answer of John Breakley a minor, brother
of William Breakley deceased, to a Bill of complaint
exhibiting against himself a debt of service as was
expressed by the said Breakley in a report made the
age of twenty one years by Joseph B. Whitehead
of Caroline County. This report was having
and answering to himself upon and at all times
throughout all his life and a receipt of
exception to the manifold errors, imperfections
and insufficiencies in the complainant's Bill
contained for answers ~~to~~ the Bill or bills
so much thereof as he is advised it is at all
material to answer with, that it is
true that the said William Breakley mentioned in the
Bill was an infant at the death of William
Breakley and Rachel his wife that the said
William Breakley was the age of twenty one years
at the death of the said William Breakley was
intestate - that the said Caroline County was
half sister to the said William Breakley who left
at the death of the said William Breakley and that
she left but one sister of the whole blood to wit
Mary Ann Breakley and one sister of the half
blood to wit the said Caroline County deceased
- that the slaves in the Bill mentioned belong to the
estate of William Breakley deceased ~~and are indebted to~~
~~himself and the complainant~~ ~~the complainant~~
that he does not believe they will be required to
pay any of the debt of the said William Breakley
He is willing the Court shall make any order
which they may think proper in the
premises &c.

John Breakley Attorney

Beinkly's arm

The separate answer of Sally Ann Buckley and infant
under the age of twenty one years, by John Buckley,
the Guardian appointed to defend her interest in the said
to a Bill of complaint exhibited against her by
Buckley ad. of Distr. from Buckley and against
the said Sally Ann Buckley -

This defendant now and at all times
heretofore saving and reserving to herself all manner
of benefit and advantage of exception to the
Bill that can or may be had thereto by the enemy
imposition and error therein contained for answer
thereto, or unto so much thereof as this defendant is
advised is material or necessary for her to make
answer unto - this defendant answering by the said
Guardian, saith that being an infant of tender years,
she is unacquainted with all the matters
and things set forth in the complainant's Bill,
she believes that the intent of the complainant is
to defame to Mary Buckley the good sister of her
mother and cousin the age of twenty one
years - she cannot justify the allegations in the
Bill and submits the right and merits to
the care & protection of this Honble Court and
shewly prays to be hence dismissed with her
reasonable costs and charges, in this behalf
sustained &c. - John Buckley

Attestation p. l.

Joseph B. Whitehead ad. of Caroline Dick, comp. &
by H. H. J.

John Buckley ad. of Distr. from Buckley & Sally Ann Buckley
By consent of parties with the
agent of the Court this cause having been docketed
came on to be heard this day upon the Bill &
answer filed and was argued by counsel, where
upon after mature deliberation, the Court doth
adjudge, ~~that the said defendant doth~~ that

Sally Caroline Dicks died in the lifetime of, as entit-
led to and that the plaintiff as her administratrix, is entitled
to one sixth part of the slaves in the said ~~estate~~
mentioned ~~estate~~, ^{of} ~~the~~ ^{William} ~~the~~ Rachel Chase, Lucy and
Henry —

Therefore
It is ~~further~~ ^{hereby} adjudged, decreed and ordered that
Bartho. Lightfoot, Wm. J. Brown Sr. & Henry Murray
or any two of them do if practicable divide the
slaves of said between the complainant as adm. of
Caroline Dicks died, and the defendant Sally
Ann Beekley. That they allot to the complainant
in right of his said intestate one sixth part thereof
and the remaining $\frac{5}{6}$ ~~parts~~ to the defendant
Sally Ann Beekley. That the said John Beekley
when in possession of the aforesaid slaves, do deliver
them to the aforesaid Commissioners ~~who~~
~~report of them~~ and it is further decreed that if
it shall seem to the Court impracticable to divide
the slaves aforesaid in kind, that having given public
notice in the town of Smithfield and at the Court
house of said of this County of the time and
place of sale for at least twenty days previous
thereto, they sell the slaves aforesaid or such as shall
be one ^{in the division} mesne, upon a credit of 9-months
except, for so much as will pay the costs of this
suit which will be for Cash and after paying
the expenses of this suit and the sale of the property,
that they ~~shall~~ ^{if they please} pay to the Plaintiff $\frac{1}{6}$ and to
the defendant Sally Ann Beekley $\frac{5}{6}$ — That of
the purchase or purchases they take bonds with
approved security, and that they make report
to this Court of their selling and taking, together with
remarks deemed pertinent by them, by or required
by the Court, concerning the same, or of said. ~~being~~
It is furthermore ordered that the parties entitled under this
decree execute bonds with good security to ~~indemnify~~
against the said Beekley, each his proper portion
proportion if necessary, to pay any and all which may other-
wise come against the estate of William Beekley.

Isle of Wight County, to wit; Pursuant to the annexed decree, we the under-
signed, have procured to divide the slaves in the said decree mentioned
as directed therein among the Complainant. To Joseph B. Whitehead
administrator of Caroline Hicks dec'd the Complainant we have allotted
and assigned over one negro Girl named Siller, valued at one hundred
and ninety three dollars and thirty three cents, and order that he pay to John
Bunchley Co. of Sally Ann Bunchley, the Defendant the sum of ten
dollars. To the said John Bunchley Co. of Sally Ann Bunchley
we have allotted and assigned over, the following negroes, to wit: Mowring
valued at three hundred dollars - Rachel valued at one hundred dollars -
Chace & Henry valued at three hundred and sixty five dollars; and
Lucas valued at one hundred and forty three dollars & thirty three cents -
and to receive from the Complainant ten dollars - which your Com-
missioners reports to the Court. Given under our hands this 22nd day
of January 1822

Wm. Sigbee
Henry, Treas. & Secy
William Goodwin

State of North Carolina, County of Wake,
Joseph H. Whitehead, Administrator of Caroline
Dicks decd.
October Term 1824
Complainant

against

John Brunchley Administrator of Trustram
Brunchley decd. Sally Ann Brunchley
The Chancery
Defendants

By consent of the parties by their attorneys and with the assent of the Court this cause was this day docketed and the Defendant John Brunchley appointed a special Guardian for the infant Defendant Sally Ann Brunchley. The Bill and Answer were heard by argument of counsel, whereupon after mature deliberation the court doth adjudge that Caroline Dicks decd. in her lifetime was entitled to, and that the Plaintiff as her administrator is now entitled to one sixth part of the slaves in the bill mentioned to wit, Mowwing, Lillah, Rachel Chase, Lucy & Henry. It is therefore ordered decreed and adjudged that Bartholomew Lightfoot William Goodwin Senr. and Henry J. Murray, or any two of them do if practicable divide the slaves aforesaid between the Complainant as Administrator of Caroline Dicks decd. and the Defendant Sally Ann Brunchley. That they allot to the Complainant in right of his said Intestate one sixth part thereof - and the remaining five sixths to the Defendant Sally Ann Brunchley. That the said John Brunchley who is now in possession of the aforesaid slaves do deliver them to the aforesaid Commissioners. And it is further ordered that if it shall seem to the Commissioners impracticable to divide the slaves aforesaid in kind that having given public notice in the Town of Smithfield and at the Courthouse door of this county at least twenty days previous thereto, that they sell the slaves aforesaid or such . . . as shall become necessary in the execution, upon a credit of nine months, except for so much as will pay the costs of this suit which will be for cash, and after paying the costs of this suit and sale of the property, that of the balance they pay to the Complainant one sixth and to the Defendant Sally Ann Brunchley the remaining five sixths. That of the purchaser or purchasers they take bonds with security. It is further ordered that the parties entitled under this decree execute bonds with good security to refund to the said John Brunchley senior each his proportion if necessary to pay any debts which may hereafter come against the estate of the said Trustram Brunchley decd. and that they make report thereof to the Court of their doings and doings together with remarks decreed for said by themselves

or required by the parties concerned in order to a final decree

Copy Teste

John Young Esq

Dick's Admon.

to Copy name

Bruckley Admon. &c