

1886-017

Chancery Causes. A.

J. Edwards vs Arabella Bunkley & Willis J. Bunkley

Isle of Wight County

other surnames: Millington,
Minton, Thomas

Commissioner's Office,
ISLE OF WIGHT COURT HOUSE.

June 26th. 1866.

To

A. J. Edwards

Plaintiffs.

and to Arabella Bunkley
wife of William Bunkley
and said W. J. Bunkley

Defendants.

You are hereby notified, that I have fixed upon the 11th day of
August 1866, to take and settle the following accounts, at my office, to wit:

First,

An account of the Plaintiffs debt, together
with all other claims by judgment or otherwise, on
any real estate of which the said Arabella
Bunkley (formerly Willington) is seized or
possessed, stating their dates & priorities.

Second - An account of all the real estate
of which the said Arabella Bunkley is
seized and possessed & to which she is in
any manner entitled, together with its
gross value and annual value.

required to be taken by a Decree of the Circuit Court of Isle of Wight County, rendered on
the 22nd day of April 1866, in a suit in Chancery depending
in the said Court, in which you are parties, Plaintiffs and Defendants; at which time and place you are
required to attend. Given under my hand, as Commissioner in Chancery of said Court the day and year
aforesaid.

A. J. Edwards

Comm.

Edwards A. J.

v. } Cond.
 } Notice

Brinkley wife

To 11th. Aug. 1896.

Executed by returning
to the within named
Mr. J. Brinkley & Abella
Brinkley his wife
each a copy of the
within summons
July 17th 1896

L. D. Edwards Shff

R. S. Thomas Jr.

Witnessed and acknowledged for both
R. S. Thomas
his atty.

Whereas, Willis J. Brunkley, did upon the 19th day of February 1873, file his petition in the District Court of the United States for the Eastern District of Virginia, for adjudication of Bankruptcy, and was accordingly adjudged a Bankrupt upon his said petition, on the 1st day of 1873. And whereas at a meeting of his Creditors held in the City of Norfolk on the 12th day of March 1873, I was duly elected his assignee in Bankruptcy, and received from the said Court an assignment of all the estate real & personal of the said Willis J. Brunkley; And whereas I did under and by virtue of the said election, appointment and assignment offer the whole of the real estate of the said Willis J. Brunkley, which he owned in fee or to which he was in any manner entitled, to sale at public auction on the 5th day of October last, for one fourth Cash, and the balance on a credit of Six, twelve and eighteen months, with interest from the day of sale; And whereas, at the said sale Urabella Brunkley wife of said Brunkley, became the purchaser as and for her sole and separate use, of the interest of the said Willis J. Brunkley in and to the tract known as the Giles Minton tract for the sum of Forty five dollars, which has been paid in Cash, and hereby acknowledged to have been so paid, Now Therefore This Deed made this 1st day of March A.D. 1875. between R. S. Thomas as

assignee of the said Willis J. Brinkley, and said
Arabella Brinkley, Witnesseth: that the said
R. S. Thomas as assignee as aforesaid, doth for and
in consideration of the sum of Forty five Dollars to
him in hand paid as aforesaid, and ordered to be
received by the Court as aforesaid, grant with
special warranty unto the said Arabella Brink-
ley as her sole and separate estate, all of the
right, interest and title of the said W. J. Brinkley in
and to that certain piece or parcel of land lying and
being in the County of Isle of Wight, known as the
"Giles Minton place" and formerly as the "Hunt
farm", containing by estimation Eighty
acres, more or less, and bounded by the lands
of John Shepherd's estate, Went Whitney and
others, and is the same that was conveyed to
Giles J. Minton by Wm^m C. Minton wife; and by
Giles J. Minton wife to Arabella Millington
by deed of December 16th 1869, which is duly re-
corded in the Clerk's office of the County Court
of Isle of Wight County.

Witness the following signature and seal,
R. S. Thomas, assignee (Seal)

The interlineations in the foregoing deed were made,
making the property conveyed sole and separate estate,
were made, before the deed was executed.

R. S. Thomas
3

In the Clerk's Office of Leeds & Wright
County Court, the 5th day of April, 1875,
this Deed from R. S. Thomas a free: m. to
Abella Bunkley, was acknowledged before
me, and admitted to record,

Lester,

(N. P. Young, clk.)

Attesty

Lester,

Attest, J. D. G. or

(N. P. Young, clk.)

(3)

R. S. Thomas a few, &c.

4. } Deed

Arabella Bunkley

This deed made this 13th day of December in
the year of our 1869, between Giles S. Minton
and Margaret & his wife, of the City of Ports-
mouth, State of Virginia, of the one part, and
Mrs Arabella Millington of the County of Isle
of Wight and State of Virginia of and
of the other part, Witness: that the said
Giles S. Minton and Margaret & his wife
in consideration of the sum of fifteen hun-
dred dollars, that is to say, the sum of six
hundred dollars in cash and the note of the
said Mrs Arabella Millington for the sum
of nine hundred dollars payable twelve
months after date to the said Giles S. Minton,
dated this day, with interest thereon from
the date hereof, and for the payment thereof
a lien is hereby created on the property
hereby conveyed, do grant with general
warranty unto the said Mrs Arabella
Millington her heirs and assigns for-
ever all that certain tract piece or
parcel of land with its appurtenances
situate lying and being in the County
of Isle of Wight, and known as the "Hunt
farm", containing eighty acres, or the
same more or less bounded by the lands
of John Squires, Merit Whitney, and the
lands formerly belonging to Jos. Whitehead

Edwin Pedin and Joseph Holloway
and is the same which was conveyed to
the said Giles S. Minton by the deed of
Wm E. Minton wife dated 6th March
1807, and duly recorded. Witness the
following signatures and seals.

Giles S. Minton Seal
Margaret S. Minton Seal

State of Virginia }
City of Portsmouth } To wit:

W², John W. H. Porter

a Notary Public in and for the city of
Portsmouth in the State aforesaid, and
T. A. Leabell a Notary Public in and for the
city of Portsmouth in the State aforesaid,
do certify that Margaret S. Minton, the wife
of Giles S. Minton whose names are
signed to the writing hereto annexed,

bearing date the 16th day of December 1869
personally appeared before us in our
city aforesaid and being examined by us
privily and apart from her husband
and having the writing aforesaid
fully explained to her, she, the said
Margaret S. Minton acknowledged
the same to be her act, and declared
that she had willingly the same

and does not wish to retract it.
Given under our hands this 16th
day of December 1869.

John W. H. Porter, Notary Public
T. A. Leabell. Not. Pub.

State of Virginia }
City of Portsmouth } To wit:

J. F. A. Leabell a

Notary Public in and for the city of Ports-
mouth in the State of Virginia do certify that
Giles S. Minton whose name is signed
to the writing hereto annexed bearing date
the 16th day of December 1869, acknowledged
the same before me in my city aforesaid.
Given under my hand this
16th day of December 1869.

T. A. Leabell. Not. Pub.

In Isle of Wight County Court
Clerk's Office Nov^r. 26. 1870, this deed
was received, and having the requisite
United States Revenue Stamp of \$1.50
affixed hereto and cancelled, was admitted
to record upon the annexed certificate
of its acknowledgment before a Notary
Public by Giles S. Minton, and the ac-
knowledgment and relinquishment
before two Notaries Public of Margaret

Minton the wife of Giles F. Minton

Teste

W. A. Hart. N. York

A copy.

Teste

W. J. Young, etc.

Edward

T. M. Oby

/// Burlington N.

/// Copy Read for
Minton & Wallingford

11/20

The Commonwealth of Virginia,

TO THE SHERIFF OF THE COUNTY OF ISLE OF WIGHT—GREETING:

We command you that of the goods and chattels of *Arabella Brinkley* wife of *W. G. Brinkley*, who before her marriage was *Arabella Missington*

late in your bailiwick, you cause to be made the sum of *one Hundred dollars*, with interest thereon at *12* per cent per annum from the *8th* day of *December* *1871*, till paid, which *Andrew J. Edwards*

lately in our *Quincent* Court of the County of Isle of Wight, recovered against *her* for debt, also the sum of *fourteen* Dollars and *16* Cents, which to the said *Edwards* in the same Court were adjudged for *his* damages, as well by reason of detaining the said debt, as for *his* cost in that suit expended, whereof *she is* convicted as appears to us of record; and that you have the said debt and damages before the Judge of our *Quincent* Court, at the Courthouse, on the first Monday in *February* next, to render unto the said *A. J. Edwards* of the debt and damages aforesaid. And have then and there this writ.

Witness NATHANIEL P. YOUNG, Clerk of our said Court, this *22nd* day of *December* A. D. 187*5*, and in the *100th* year of the Commonwealth.

N. P. Young, Clerk

A. F. Edwards

W. } In Aug.

Wabellia Bunkley &c.

Copy of H. J. A. of A. F. Ed-
wards & Wabellia Bunkley
17 Feb., 1876,

"Shiff's Column" No property found to satisfy
this execution on any part thereof. "Aug. 7th 1876,"
L. B. Edwards Shiff,

Alcopy Seal

est. H. A. A. D. C. for
H. P. Young, Clerk,

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY, *May 29th 1874*

A. J. Edwards

, Plaintiff,

against }
Arabella Bunkley, wife of Willis J. Bunkley
formerly Arabella Millington Defendants.

Judgment was granted the Plaintiff against the Defendant for the sum of
One Hundred Dollars and _____ cents,
with interest thereon, to be computed after the rate of *12* per centum per annum,
from the *8th* day of *December*, 1871, till payment
and the costs.

Plaintiff's costs, \$ *13.⁰⁰*

An Extract.

Teste:

W. H. Hart, Deput
W. O. Young Clerk.

State of Virginia,
Clerk's office of Isle of Wight County Court } S.S.
J. C. Hart, Deputy for W. P. Young, Clerk of Isle of Wight County Court in the
State aforesaid, do certify that the original judgment, of which the within
is a true Extract, was duly docketed in the judgment docket of
said Court, on the 4th day of June 1874, Given under my
hand this 22nd day of February A. D. 1876,
J. C. Hart, Deputy for
W. P. Young, Clerk

1876

A. J. Edwards

vs. J. C. Hart,

Abella Brinkley &
Extract of Judgment
of J. J. Edwards vs.
Abella Brinkley
and of docketing.

Exhibi- "X"

Edward A. L

v

Bunkley Habeca

Upon motion

of the plaintiff it is ordered that
this case be removed from
the docket -

Edward

v

Bunkley

Rough Decm

April June 1886

20 hundred.

Geo. B. Blow

30

Entered No. 22

Edwards

v.

Bumblly & wife

This cause came on this day to be again heard on the papers formerly read, on the answer of Arabella Bumblly, the wife of Willis J. Bumblly, formerly Arabella Millington, on replications thereto, and on the report of W. P. Young special commissioner made under a decretal order rendered herein at the April term 1876 to which there are no exceptions, and was argued by counsel; On consideration whereof the court confirming the said report that unless the said Arabella Bumblly (formerly Millington) or some one for her, shall within thirty days from the date of the recording of this decree pay to the said plaintiff in this cause, or his attorney for him the debt of One Hundred dollars due the said plaintiff with 12 percent interest thereon from the 8th day of December 1871 till paid and all costs and charges due, and connected therewith less the sum of sixty five dollars and eighty seven cents to be credited upon the debt aforesaid as of the 13th day of October 1876, then the Sheriff of this County shall

+ as public auction, at 10 o'clock
 Court-house, on same court-day

after he shall have advertised the time
 and place of ^{selling} sale for twenty days
 prior to the removal, ~~next~~ ^{next} out-
 the said farm known as the Giles
 Minum farm in the Bill and for
 ending mentioned, containing by esti-
 mation Eighty (80) acres more or
 less and bounded by the lands of
 John Shephard's estate, Merit-whit-
 ney and others for the term of one
 year to-wit: from the 1st of
 January 1877 to January 1st 1878
 taking from the renter feed and
 good security with a waiver of the
 hundred and ^{under this deed} ~~more~~ ^{to} ~~be~~ ^{of} his forwarding

Edward?

v

Wm. H. & wife

Deed

October Term 1876

To be entered

Wm. H. & wife

Oct 28

Edwards

v

Bumkley (formerly Mellington)

This cause came on this day to be again heard on the bill taken for confessed by Arabella Bumkley wife of William J. Bumkley (formerly Arabella Mellington on whose process has been duly served, she still failing to appear, answer or answer to the said bill, 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 take, and report to this Court an account of the plaintiffs debt together with all other liens by judgment or otherwise on any real estate of which the said Arabella Bumkley, (formerly Mellington) is seized or possessed, ^{including this} ~~including~~ dower and privileges, and an account of all the real estate of which the said Arabella Bumkley is seized and possessed and to which she is in any manner entitled together with its full simple and assessed value, together with any other matters deemed pertinent by him, or required by any of the parties to be done.

Edwards

v.

Decree

Bunkley (formerly Milling
-ton.)

April 22^d 76

To be entered

Geo. B. Scott

Entered, 27

+ after the above was advertised the time and place of the
meeting for 20 days prior to the return, then the
shall at 2 o'clock - Court House in same Court
publicly, or privately

Edward A. J.

v.

Bumby, Arabella, wife of Willis J. Bumby
formerly Millington

This

Cause came on this day to be again heard
on the papers formerly read and on the report
of A. B. Edwards Sheriff of this county en-
dorsed on a copy of the decree of this Court
at 15 October Term 1876 rendered in this
Cause and was argued by Counsel: On
consideration whereof the Court doth ad-
judge order and decree that the said L.
B. Edwards ^{shall have} ~~shall have~~ ^{adversely the} ~~adversely the~~
rent on the land in the
re and incumbrances mentioned for a term
of five years taking from the renter
and with good and good security such a
waiver of the homestead payable in five
equal installments ^{years} on the first days of
January, 1879, 1880, 1881, 1882, and 1883
and ~~each and every one of the~~ ^{and}
make report of his proceedings under
this decree.

Edwards. A. L.

V.

Ben. H. H.

Rough Decree

October Term 1878

to be entered

Geo. T. Bloss

Entered 34

Edwards A. J. ¹⁵

v. { C. D. of
Apt. 1846

Buckley v.

June 26th 1846
noted in to H. B. 1846

Cont. in Ch.

An account of the plaintiff's debt, together with all other liens, by judgment or otherwise, on any real estate of which Arabella Brunkley, formerly Mullington, is seized or proposed, stating their dates and priorities.

The Debt due the plaintiff
Answe'd. Edwards, by judgment
of Sale of Wight Circuit Court
on 27th. of May, 1874.

100 00

Interest thereon from the 8th
day of Decr. 1871, to the 20th
day of Octo. 1876, at 12 per cent.
per annum

58 39

Costs of suit at law.

13 00 \$171 39

An account of all the real estate of which the said Arabella Brunkley is seized and proposed and to which she is in any manner entitled, together with its present and annual value.

A tract of 76 acres of land
near Carrollton, which was
owned by her previous to her
marriage with W. D. Brunkley, &
in which she has acquired
title to the interest of said W. D.
Brunkley since their marriage, by
deed from his wife: valued at \$684 00
Annual value of same

\$40 00

Commissioner Office, Isle of Wight Co. House

August 11th. 1846.

To the Circuit Court of said County.

Pursuant to a decree of the said Circuit Court rendered at the April term last, in a suit in chancery therein depending between Andrew J. Edwards plaintiffs, and W. J. Bankley and Arabella his wife defendants, directing a commissioner of this said Court to take and report, first, An account of the plaintiffs debt together with all other liens, by judgment or otherwise, on any real estate of which the said Arabella Bankley (formerly Millesington) is seized or possessed, stating their dates and priorities. Second - An account of all the real estate of which the said Arabella Bankley is seized and possessed and to which she is in any manner entitled, together with its boundaries and assessed values. Your commissioner reports to the Court that at the request of counsel for the plaintiffs, on the 26th day of June last, he issued notices to the parties that he had fixed upon the 11th day of August, 1846, to take and settle at his office aforesaid, the accounts so directed. That said notices were duly served or acknowledged and returned to your commissioner. That on the day so appointed the plaintiffs laid before your commissioner evidence of his debt against the defendants, & it being

the only debt or claim on the defendant
land that was exhibited to your commission,
he made up the foregoing account A. which
shows the amount of the plaintiff's debt
with interest included to 20th of October
1846, and costs of suit at law \$1171.39.
From evidence before your commission,
he has also made the foregoing account B.
which shows that the said defendant,
Anabella Brinkley, is seized and possessed of
a tract of seventy six acres of land,
the fee simple value of which is estima-
ted at \$684.00. And the annual value
of which is estimated at \$40.00.

Given under my hand as a commis-
sioner of the said court, the day and year
first aforesaid.

A. J. Young, Comm.

Time employed by

Commissioner 4 hours.

Comm. fee .. \$4.00

Shiff. fees 2.50

\$6.50

Edward.

or $\frac{3}{2}$ Ches.

Benn Riley Lewis

Report of Commr.
Towing under duress
of Sept. 21. 1876

Filed Augt. 13th 1876

The debt mentioned in this report
ought to be credited by Sixty five dol-
lars and Eighty six cents as of Octo-
ber 13th 1876, remains from the bankruptcy
Estate of W. J. Buckley, R. S. Thorne as
Attorney A. J. Edwards

• Apr 28th 80. Cash of L B. Ed -
wards + 48.22

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON

Isabella Bunkley
wife of Willis J. Bunkley

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 *March* next to answer *the Bill in*
Chancery of W. J. Edwards

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 *19th* day of

February, 187*6*, in the *111th* year of the Commonwealth.

N. P. Young Clk.

A. J. Edwards

3
3
3
Sum. in
Shy.

Anabella Bunkley
wife of Willis J.

Thomas J. J.

Executed by delivery
to the witness named
Anabella Bunkley
a true copy of the
Summons March
1870

A. B. Edwards, J. P.

A. B. Edwards, J. P.

In the Circuit Court of Isle of Wight County.

The answer of Arabella Bunkley, to a Bill of Complaint filed in said Court by A. J. Edwards.

This Respondent says it is true as stated in said Bill, that before her marriage with Willis J. Bunkley, her name was Arabella Millington; and that while a single woman to wit, on the 8 Dec 1871, she executed her Bond to said A. J. Edwards for \$100. carrying 12 per cent interest, and that the said Edwards brought suit on said Bond in this Court, against her husband (the said Willis J. Bunkley) and herself, and that her said husband having in the meantime been adjudged a Bankrupt in the United States District Court for the Eastern District of Virginia, the suit on said Bond was as to her said husband abated, and a judgment rendered against her as set out in said Bill,

That it is true she owns the small parcel of land referred to in said Bill

This respondent says that the said A. J. Edwards ought not to be allowed to see her land to pay said Debt for the following reasons. That when her said husband filed his schedule in Bankruptcy, he named ^{as} one of the debts he was liable for, the debt due the

said A. J. Edwards, and that the said A. J. Edwards received an notice of the same & to punch his demand in the Bankrupt proceedings in her husband's case -

That the said Edwards did not prove the said claim, or as to attain his due proportion of her husband's estate, as he might have done & as ^{his} duty to do - That by the law, it then was, her said husband had become by operation of law this marriage with your Respondent, responsible to said Edwards for the said debt -

That she understands that the estate of her said husband paid over seventy five per cent of his debts & that if the said Edwards had proved his demand in said Bankrupt case as he might have done, he could have collected over 75 per cent thereof.

That your respondent being a married woman & ignorant of such matters, supposed that the said Edwards had proved his debt in the Bankrupt proceedings & received his share of the assets - That he has no good excuse for not doing so - as he had notice to do so, & as his attorney (R. S. Thomas Esq) was the assignee in Bankruptcy of ~~said~~ ^{her} said husband & knew of said debt - Your Respondent protests against having her small pittance sold under

these circumstances, to pay a debt which he by his
own neglect has, and therefore collected out of the
assets of ^{his} said husband, others, having ample
notice to do so.

and having answered to.

(signed)

 Arabella Brinkley.

Virginia

State of West County to wit.

J. John H. Purdie

a Justice of the Peace in and for the said
County do certify that Mrs Arabella Brinkley
whose name is signed to the foregoing answer
personally appeared before me & made oath
that the facts statements mentioned in the
foregoing answer, are true to the best of her
judgment.

Given under my hand this 10th.
day of July 1876.

J. H. Purdie, J. P.

Brinkley

at

Edmund)

answer of Mr.

Arabella Brinkley

Aug 7, 1846 Filed

filed this
J.D.R.

H. J. Edwards Plaintiff
against In lch.
Arabella Bursley, wife of Willis J.
Bursley, formerly Arabella Millington
defendant.

in the Circuit Court of Isle of
Wight County in Chancery sitting.

1 The plaintiff respectfully shews
that while the above named defendant
was Arabella Millington, before her inter-
marriage with the said Willis J. Burs-
ley she became indebted to him in the
sum of One Hundred dollars for money
loaned at twelve percent interest as
was evidenced by her bond for that amount
of money bearing date December 8th
1871.

2 That suit was brought upon this
bond and judgment obtained in
the Circuit Court of Isle of Wight County
for the said sum of \$100.00 with 12 per cent interest
from Dec-8th 1871 and \$13.00 costs. and that s-
aid judgment was duly docketed in the judgment docket of the
clerk's office of the said County of Isle
of Wight on the 4th day of June 1874
as will appear by a certified copy of
said docketed judgment herewith filed

for as much as your plain bill is not an
Alimony case in a Court of Equity where
matters of this sort are alone and prop-
erly cognizable, to the end that justice
may be done, he prays that the said
Antella Buckley may be made a
party defendant to this bill, and required
to answer each and all and singular the
allegations of this bill as truly, fully
and effectually as if she were here
and now personally interrogated; that
the said and aforesaid tract of land
of eighty acres more or less bounded by
the lands of John Shipman's estate, Mrs
J. Whitney and others" may be sold
and proceeds applied to the discharge of
the plaintiffs debt as aforesaid; and
that he may have such other and
further relief as the nature of the case
may require and to Equity shall seem
meet; And he ever prays &c
Thomas J. J.

Thomas

Edward, A. J.

v. $\frac{1}{2}$ Bill v.

Bunkley Mabel

1876.

March Rules. Bill v. filed.
Term. exp. & de. nisi.

Apr. Res. Bill taken
for conf. & sent for hearing

Apr. Ct. 1876. De. for
accts.

Octo. 1878. De. to meet
Court.

Apr. Term 1876 -
Dismissed on mot.
Plaintiff -

78