

1898-011
Nansemond Co. (Suffolk)

Chancery Causes: R.H. Brinkley et al vs W.H. Brinkley et al

Miltier, Milteer

Suffolk, Va., Nov 1897

Mr E E Keokum

Dr

TO SUFFOLK HERALD

Newspaper, Book ^{AND} Job Printing Establishment.

J. E. BOOKER, Proprietor.

TERMS CASH.

No. 9 WASHINGTON SQUARE.

1897
Oct 24 Nov Sale Daniel Brunkley's Land
5 in 3 weeks
500 Bills - Note of Sale

7 00
1 00

Recd Payment

Nov 29 97

J E Booker
Prop

Mr. Martha Brinkley Est Dr.

1897.

To S. T. ELLIS, Treasurer of Nansemond County, Va.

No. <u>77</u>		State Tax, 30c. on \$100.		State School Tax, 10c. on \$100.		County Levy, 20c. on \$100.		Parish Levy, 8c. on \$100.		County School Tax, 5c. on \$100.		District School Tax, 5c. on \$100.		County Road Tax, 10c. on \$100.		TOTAL TAX,	
No. of Acres <u>1574</u>																	
To Real Estate, value \$ <u>385</u>		<u>116</u>		<u>39</u>		<u>77</u>		<u>31</u>		<u>20</u>		<u>19</u>		<u>39</u>		<u>3</u>	<u>41</u>
" Personal Property, value \$																	
" Income, &c., value \$																	
" Poll Taxes				<u>1</u>	<u>00</u>									<u>50</u>			
Total																	
5 per cent. additional																	
Total																	

Received payment 29 day of Nov 1897

S. T. Ellis Treasurer,
Per Sting

Mr. Daniel Brinkley, Jr. Est Dr.

1897.

To S. T. ELLIS, Treasurer of Nansemond County, Va.

No. <u>63</u>	State Tax, 30c. on \$100.		State School Tax, 10c. on \$100.		County Levy, 20c. on \$100.		Parish Levy, 8c. on \$100.		County School Tax, 5c. on \$100.		District School Tax, 5c. on \$100.		County Road Tax, 10c. on \$100.		TOTAL TAX,
No. of Acres <u>388</u>															
To Real Estate, value \$ <u>388</u>	<u>1</u>	<u>16</u>	<u>39</u>	<u>78</u>	<u>31</u>	<u>20</u>	<u>20</u>	<u>39</u>	<u>343</u>						
" Personal Property, value \$															
" Income, &c., value \$															
" Poll Taxes			<u>1</u>	<u>00</u>									<u>50</u>		
Total															
5 per cent. additional															
Total															

Received payment

day of

189

Per

Treasurer,

(Receipt to be given by County or City Treasurer when Delinquent Land Taxes are paid before sale.)

\$ 3.93

Office of the Treasurer of the

County of Nauset

November 29, 1897

RECEIVED J. J. Holland Special Comr. for Mrs. Martha Brinkley Est
Three Dollars and Ninety three Cents,

in payment of Delinquent Taxes due on 154 acres of land for the year 1896 as follows

State Taxes and penalty, - - - - - \$ 1.62

Interest on State Taxes, - - - - -

County Levies for all purposes, and penalty, - - - - - 1.96

Interest on County Levies, - - - - -

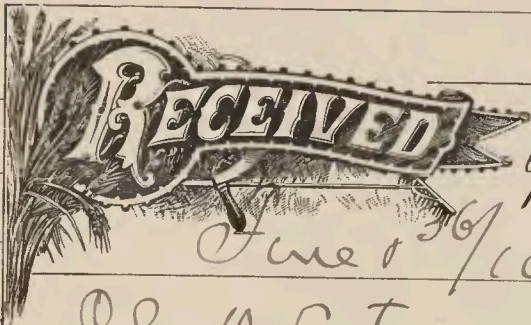
Proportionate expense of advertising, - - - - - 35

Total, - - - - - \$ 3.93

J. T. Ellis
King

Treasurer.

~~7~~ 10. 77



CTS.

Five & 36/100

/00



Clarks Co. to

\$5³⁶/₂

Nov 30 1897.
Printed by Wm. H. Kelley
of E. E. Stillman, Jr. Currier

Wm. H. Kelley

CTS.

RECEIVED

of E. E. Hancock & Co. Cash

Two

/00

DOLLARS

For Drinkley or Drinkley

\$5.00

J. H. Hancock
Cash

I 897, Nov. 30th-Received of E.E. Holland, Special Commissioner of the Circuit Court of Nansemond County in the chancery cause of Brinkley vs Brinkley and others the sum of Two hundred and twenty six dollars and nine cents on account of interest in the lands sold in said suit.

Please accept Thanks

J. W. Brinkley.

E. E. HOLLAND,

ATTORNEY AT LAW.

Commonwealth's Attorney for Nansemond
County.

SUFFOLK, VA.,

Received of E.E.Holland, Special Commissioner of the Circuit Court in the
chancery cause of Brinkley vs Brinkley and others the sum of Two hun-
dred and twenty six dollars and nine cents on account of interest in the
proceeds of sale of the lands sold in said suit.

R. H. Brinkley

Received of E.E.Holland, Special Commisioner the sum of Two hundred and
twenty six dollars and nine cents on account of my interest and interest
of Leonard A.Miltier in the proceeds of sale of lands sold in the chance-
ry cause of Brinkley vs Brinkley and others.

A.D. Miltier Gdn

1897, Dec. 4th-Received of E.E.Holland, Special Commissioner of the Circuit Court of Nansemond County in the chancery cause of Brinkley vs Brinkley and others the sum of Two hundred and twenty six dollars and nine cents on account of interest in proceeds of sale of lands sold in said suit.

W. H. Brinkley

Virginia, Nansemond County, towit:

This day J.B. Harrell, B.P. Baker and F.E. Parker, Commissioners of the Circuit Court of Nansemond County under decree entered in the chancery cause of Brinkley vs Brinkley and others on the 14th day of April, 1896 personally appeared before me in my county aforesaid, and made oath that *they* would discharge the duties imposed by said decree to the best of their ability. Given under my hand this the 10th day of Sept. 1896.

J. W. Rawls J. P.

Know All Men by These Presents, That we, *Edward E Holland and William H Jones Jr*

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of *One thousand and two hundred* 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.

And we waive the benefit of our exemption as to this obligation, and also waive any claim or right to discharge any liability to the said Commonwealth arising under this bond, or by virtue of the office, post or trust herein mentioned, with coupons detached from bonds of said Commonwealth.

Sealed with our seals, and dated this *7th* day of *October* in the year of our Lord one thousand eight hundred and *ninety seven*, and in the *122nd* year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas *by a decree of the Circuit Court of the County of Nansemond Virginia pronounced on the 13th day of October 1896 in the Chancery Cause pending in the said Court between R H Brinkley and others Complainants and W H Brinkley A D Miller and others defendants it was decreed that the real estate in the bill and proceedings in said Cause mentioned be sold and the said Edward E Holland was thereby appointed Special Commissioner to sell the same.*

Now therefore if the said Edward E Holland shall faithfully discharge the duties of his Office, post or trust as Special Commissioner aforesaid under said decree and all other decrees he may be required to execute in said Cause then the above obligation is to be void, otherwise to remain in full force and virtue.

Edward E Holland
Wm H Jones Jr



In the office of the Clerk of the *Circuit* Court of Nansemond County, on the *7th* day of *October* 189*7*

The above bond was executed and acknowledged by the obligors (the surety justifying on oath as to *his* sufficiency) and recorded.

Teste:

A Copy Teste: A P Gomez

CLERK.

Edward E. Holland

To Spec Com. Bond

The Commonwealth.

1897
Octo 4th
"

Circuit Court Bond
Book No 1 Page 130.

A Copy.

Brookley vs Brookley & others

To the Hon. Robert R. Prentiss, Judge

of the Circuit Court of Nansemond County:

Brinkley vs Brinkley and others.

The undersigned Special Commissioner respectfully reports to court that as directed by decree entered in the chancery cause of Brinkley vs Brinkley and others, pending in said court, on the 24th day of November, 1897, he has distributed the funds in his hands as Special Commissioner in said cause as follows:

To amount of proceeds of sale		\$1005.00
By amt paid J.E. Booker for advertising	\$ 8.00	
By amt of fee allowed by court	35.00	
By amt of county taxes paid	10.77	
By Clerk's fees paid	5.36	
By taxed attorneys fee and writ tax	16.50	
By amt paid J.W. Hosier Crier	5.00	
By amt paid J D. Brinkley	226.09	
By amt paid R.H. Brinkley	226.09	
By amt paid W.H. Brinkley	226.09	
By amt paid A.D. Miltier, Guardian	226.09	
By commissions retained (by agreement)	20.01	
	\$1005.00	\$1005.00

Your commissioner returns herewith ^a vouchers for each disbursement. There is, so far as your commissioner knows, nothing further to dispose of in this suit.

Respectfully submitted.

J. E. Shalmond
Special Commissioner

Brinkley ^
10 } Report of
Distributions
Brinkley & others

Filed April 1st 1898
A. J. Gurney clk

To the Hon. R. R. Prentiss, Judge of the Circuit Court of Nansemond County:

The undersigned Special Commissioner in the Chancery suit of Brinkley vs Brinkley and others pending in the Circuit Court of Nansemond County, and appointed by decree entered in said cause respectfully reports to court that as directed by decree entered in said cause on the 13th day of October, 1897, he proceeded to advertise and sell the real estate mentioned in the proceedings in said cause, as directed by said decree, ^{at the house} on the 8th day of November, 1897, in front of the court-house door of Nansemond County, and that at said sale B. M. Bruce made the highest bid for both of the tracts of land mentioned, and became the purchaser thereof at the price of Five hundred ^{five} dollars for what is known as the "Mary Parker" tract of land and five hundred dollars for the "Swamp" tract of land, making \$1005. for both tracts of said land.

Your commissioner further reports that the said B. M. Bruce desired to pay the entire purchase price in cash, and with the consent of the parties, your commissioner accepted the entire purchase price in cash.

Your Commissioner has now on hand to the credit of this suit the said sum and, by direction of the said parties, asks that an order be entered directing a distribution of same and confirming the sale of said land.

Your Commissioner has given the bond required by said decree and returns herewith a copy of his advertisement of sale.

Respectfully submitted,

J. E. Hall
J. E. Hall

Brinkley
W. Robert Linn
Brinkley

To the Honorable Judge of the Circuit-
Court of Hansemond County

We the undersigned Commissioners
appointed at the last term of your
Court (a copy of said order is here-
with returned) after being first duly
sworn, beg leave to make the following
report; We went upon the lands named
in the Cause of R. H. and J. D. Brinkley
vs. W. H. Brinkley and others, and we
are of the opinion, that it be sold for
all parties concerned to sell the land
and to sell in two separate parcels,
we hereby give the full simple value -
to wit: the Swamp land. \$350. -

The Lower land \$250. -

To divide the Swamp land, it would be
impossible to have an outlet - except it
would be through the land of some one
else. To sell the parcels, the upper land is in
such a state that it can not be easily
divided - No one of the Heirs is willing to take the
entire land. -
All of which is respectfully submitted

J. B. Harrell
J. D. Saper
H. E. Parker } Commrs.

Filed Sept. 15, 1896
A. P. Gomer Clerk

PUBLIC SALE

—OF—

Valuable Farm *and* Woodland

By authority of a decree of the Circuit Court of Nansemond county, Virginia, entered on the 13th day of October, 1896, in the chancery cause of Brinkley and others vs. Brinkley and others, pending in said court, I shall proceed to sell at public auction, before the Courthouse door in said county, at Suffolk, Virginia,

ON MONDAY, NOVEMBER 8, 1897,

(court day), at 12 o'clock M., the following valuable real estate, to wit:

1st. A tract of land in the county of Nansemond, Virginia, containing one hundred and fifty-four acres, more or less, adjoining the lands of Henry Brothers, W. H. Brinkley, Prentis Franklin and others, and known as the "Mary Parker" tract of land.

2d. A certain other tract of swamp land in said county and State, containing three hundred and eighty acres, more or less, and adjoining the lands of Henry Brothers, W. H. Brinkley, the Dismal Swamp Land Company and others, and being the lands of which Daniel Brinkley died seized and possessed.

TERMS.—One-third cash, one-third on a credit of six months, and the residue on a credit of twelve months from the day of sale, the credit instalments to bear interest from the day of sale, taking the purchaser's bonds for the deferred payments, and the title to be retained until the further order of the Court.

E. E. HOLLAND, Special Commissioner.

OCTOBER 8, 1897.

I, AZRA P. GOMER, Clerk of the Circuit Court of Nansemond county, Virginia, do certify that the bond required of Edward E. Holland as Special Commissioner under the decree of said Court made on 13th day of October, 1896, in the chancery cause pending in said court between R. H. Brinkley and others, complainants, and W. H. Brinkley and others, defendants, has been executed with security deemed sufficient by me.

Given under my hand this 7th day of October, 1897.

A. P. GOMER, CLERK.

In the Circuit Court of Nansemond County-In Vacation on the 24th day of November, 1897.

Brinkley vs Brinkley and others.

This cause came on this day, ^{due notice having been given of the complainant's intention to appear for his share,} with the consent of all parties, to be heard, in vacation, upon the papers formerly read, and upon the report of sale made by Special Commissioner E. E. Holland, ^{this day} filed, ~~on the 10th day of November, 1897,~~ to which report there is no exception, and with which said report all the parties are satisfied, and was argued by counsel. On Consideration whereof the court doth ratify, approve and confirm said report, and doth order, adjudge and decree that said Special Commissioner E. E. Holland, the entire purchase price having been paid in cash, do convey unto B. M. Bruce, the purchaser thereof, by good and sufficient deed with special warranty, the real estate sold in these proceedings as reported by said Special Commissioner

.And it apperaing to the court from the report of said Special Commissioner that there is now in his hands to the credit of this cause the sum of \$1005⁰⁰ the court doth further order, adjudge and decree, with the consent of the parties, that after deducting from the amount now in his hands the costs of this suit and the expenses of sale, including a fee of \$35.— to the attorney who instituted this suit and now conducts the same, shall proceed to distribute the balance then in his hands among the several parties entitled thereto according to their respective interests. And the said Commissioner is directed to make report to court showing such distribution. And this cause is continued.

Robert A. Huntis

To the Clerk of the
Circuit Court of
Nansemond County.

Brinkley
W. Deere
Brinkley, others

We consent

R. V. Brinkley
W. H. Brinkley

D. Brinkley
A. D. Miller

A. C. Everett
John. ad litem

Entered Nov. 24, 1897

W. H. Brinkley

Entered in Chancery Order
Book No 3 Page 116.

In the Circuit Court of Nansemond County-

Brinkley and others

vs-In Chancery

Brinkley and others

read
This cause came on this day to be again heard upon the papers formerly, and upon the report of J.B. Harrell, B.P. Baker and F.E. Parker, three of the Commissioners, under the decree of the 14th day of April, 1896, to which report there is no exception, and was argued by counsel: On consideration whereof, the court doth approve and confirm the said report, and doth adjudge, order and decree that E.E. Holland, who is hereby appointed a commissioner for that purpose, do proceed, after having advertised the time, place and terms of sale for two successive weeks in some newspaper published in the county of Nansemond and also posted notices thereof at three or more public places in said county, to sell the real estate in the bill and proceedings mentioned, at public auction, in front of the court-house door, of the county of Nansemond, on some court-day, upon the following terms, to-wit: one third cash, one third on a credit of six months and the residue on a credit of twelve months from the day of sale, the credit instalments to bear interest from the day of sale; taking from the purchaser bonds for the deferred payments, and the title to be retained until the further order of the court. And the said commissioner is directed to report his proceedings under this or any other decree entered in this cause to court. But the said Commissioner shall receive no money under this decree, and shall not advertise the lands hereunder for sale, until he shall enter into bond with sufficient security in the clerk's office of this court, payable to the Commonwealth of Virginia, in the penalty of \$1200 — and conditioned for the faithful discharge of his duties under this or any other decree entered in this cause. And the said commissioner shall append to his advertisement of sale a certificate of the clerk of this court showing that he has given the bond required hereunder. ~~And this~~

~~cause is continued.~~ *And said Commissioner is directed to deposit the cash instalment of the purchase price in the Farmers Bank of Nansemond who, as Special Commissioner, to return with his report the certificate of said bank, together with the bond for the same.*

Brinkley an others

vs) Decree for Sale

Brinkley and others

Oct 13, 1896

To be entered-

Robert R. Denton.

Entered in

Chancery

Old 3 Page 49:

W.H.Brinkley, A.D.Miltier and Leonard Miltier, an infant under the age of twenty one years-Defendants.

This day came the plaintiffs and filed their bill, and S.E. Everett an attorney at law, is assigned guardian ad litem to the infant defendant Leonard Miltier to defend his interests in this suit, and thereupon the said guardian ad litem filed the answer of the said infant defendant and his own answer to the bill of complaint of the plaintiffs, and the adult ^{W. H. Brinkley and A. D. Miltier} defendants filed their answers, to which several answers the plaintiffs by counsel replied generally, and the cause was docketed by consent, and coming on to be heard, by like consent, upon the bill, answers and replications, was argued by counsel: On consideration whereof, the court doth adjudge, order and decree that Joshua B. Harrell, B.P. Baker, ^{Napoleon Brothers} ~~E. D. Brinkley~~, F.F. Parker and Jno. L. Benton, who are hereby appointed Commissioners for that purpose, any three or more of whom may act, having first been duly sworn, do proceed to lay off and divide the real estate of which Daniel Brinkley died seized and possessed, in the bill mentioned, into ^{four} ~~three~~ equal parts, having regard to quality and quantity, and assign one of said ^{four} ~~three~~ parts to each of the heirs of said Daniel Brinkley, deceased, namely, to W.H. Brinkley one fourth part, to R.H. Brinkley, one fourth part, to J.D. Brinkley one fourth part and to Leonard Miltier, the infant child of Sallie Miltier, ^{deceased} formerly Sallie Brinkley, the remaining one fourth part. But if the said Commissioners should find it impracticable to divide the said land among the aforesaid parties, and no one of the parties is willing to take the entire lands and pay therefor to the other parties such sums of money as their interest therein may entitle them to, or should be of opinion that the interests of the parties would be ^{more} promoted by a sale ^{of} the entire property, or by sale of part and an allotment of the residue ~~xxxxxx the xxxxx~~ ~~xxxxxxxxxxxx~~, in either case they are required to report the facts upon which their opinion is based, to the court, and also, what, in their opinion,

is the fee-simple ^{value} of the whole of said real estate of which said Daniel Brinkley died seized and possessed; and in either case they are required to report their proceedings hereunder to the court. *And this*

Cause is continued.

Brinkley & als
vs Deere
Brinkley & als

Apr 14, 1896

To be entered
Robert J. Dennis

Entered in
Chancery

OV 3 Page 18

to report their proceedings hereunder to the court.
Brinkley died intestate and possessed; and in either case they are reduced
is the fee-simple of the whole of said real estate of which said Dennis

Virginia:

At a Circuit Court begun
and held for the County of
Nansemond at the Courthouse
in the Town of Suffolk on
Tuesday the 14th day of April
A. D. 1896.

R. H. Bunkley and J. D. Bunkley Plaintiffs
Against } In Chancery

W. H. Bunkley, A. D. Miller and
Leonard Miller an infant Defendants
under the age of twenty
one years

This day came the Plaintiffs and
filed their bill and S. E. Everett an
attorney at law is assigned guardian
ad litem to the infant defendant
Leonard Miller to defend his interests
in this suit and thereupon the
said guardian ad litem filed the
answer of the said infant defend-
ant and his own answer to the bill
of Complaint of the Plaintiffs and
the adult defendants W. H. Bunkley
and A. D. Miller filed their answer
to which several answers the plain-
tiffs by counsel replied generally
and the cause was docketed
by consent, and coming on to be heard

by like consent upon the bill answers
and replications was argued by
Counsel; On consideration whereof the
Court doth adjudge order and decree
that Joshua B Warell B. P. Baker Nes-
pole and Brothers F E Parker and Jno L Benton
who are hereby appointed Commissioners
for that purpose, any three or more
of whom may act, having first been
duly sworn do proceed to lay off
and divide the real estate of which
Daniel Binkley did seized and
possessed in the ^{bill} mentioned into
four equal parts having regard to
quality and quantity and assign
one of said four parts to each of the
heirs of said Daniel Binkley deceased
Namely to W. H Binkley one fourth part
to R. H Binkley one fourth part, to J. H Binkley
one fourth part and to Leonard Miller
the infant Child of Sallie Miller de-
ceased formerly Sallie Binkley the
remaining one fourth part. But if
the said Commissioners should find
it impracticable to divide the said
land among the aforesaid parties
and no one of the Parties is willing
to Take the entire land and pay

therefor to the other parties such sums of money as their interest therein may entitle them to, or should be of opinion that the interest of the parties would be more promoted by a sale of the entire property or by sale of part and an allotment of the residue in either case they are required to report the facts upon which their opinion is based, to the Court and also what in their opinion is the fair simple value of the whole of said real estate of which said Daniel Brinkley died seized and possessed and in either case they are required to report their proceedings hereunder to the Court and this case is continued

A Copy.
Dated:

J. P. Somers Clerk

Decree
Bunkey & others
vs } Du Chancy

Bunkey & others

In the Circuit Court of Nansemond County:

Brinkley vs Brinkley and others-

This cause came on again this day to be heard upon the papers formerly read, and upon the report of distribution made by Special Commissioner E.E. Holland, filed herein on the 1st day of April, 1898, to which report there is no exception, and was argued by counsel: On consideration whereof the court doth ratify, approve and confirm said report, the said commissioner having returned with his said report a proper voucher for each disbursement. And it appearing to the court that there is nothing further to dispose of in this suit it is ordered that the same be removed from the docket.

Brinkley

vs-Final Decree

Brinkley and others

April 13 1898

To be entered.

Robert H. Smith

In the Circuit Court of Nansemond County, Virginia.

R.H.Brinkley and J.D.Brinkley-Plaintiffs-

vs-In Chancery

W.H.Brinkley, A.D.Miltier, and Leonard Miltier, the last an infant under the age of twenty one years.

The answer of W.H.Brinkley to a bill in equity exhibited against him and others in the Circuit Court of Nansemond County, Virginia by R.H.Brinkley and J.D.Brinkley.

This respondent, saving and reserving to himself the benefit of all legal exceptions to said bill, for answer to the said bill, answers and says that the statements made in the said bill are true, and that he is willing to a partition or sale of the lands as prayed for in said bill, believing same to be to the interests of all concerned. And now having fully answered this defendant prays hence to be dismissed with his costs, &c.

Oath to foregoing answer waived.

W. H. Brinkley

Case to Forensic answer arrived.

and this defendant broke hence to be dismissed with his costs, &c.

and to be to the necessity of all concerned. And now having fully answered

petition or case of the Judge as prayed for in said bill, believing

the defendant made in the said bill are true, and that he is willing to a

exception to said bill, do answer to the said bill, answering and says that

the respondent said bill and receiving to himself the benefit of all legal

and J. B. Brinkley.

Officers in the Circuit Court of Hanover County, Virginia vs. J. B. Brinkley

and answer of J. B. Brinkley to a bill in equity exhibited against him and

and of twenty one years.

J. B. Brinkley, A. B. Miller, and Thomas Miller, the first on instant under the

as in Grounds.

J. B. Brinkley and J. B. Brinkley-J. Brinkley

In the Circuit Court of Hanover County, Virginia.

In the Circuit Court of Nansemond County, Virginia.

R.H.Brinkley and J.D.Brinkley-Plaintiffs-

vs -In Chancery

W.H.Brinkley, A.D.Miltier and Leonard Miltier, an infant under the age of twenty one years.

The answer of A.D.Miltier to a bill in equity exhibited against him and others in the Circuit Court of Nansemond County by R.H.Brinkley and others.

This defendant, saving and reserving the benefit of all legal exceptions to said bill, answers and says, that, if he has a curtesy right in the lands referred to in said bill or any part thereof, he hereby releases and relinquishes such right and claim to Leonard Miltier, and directs that in case of sale, his proportionate part of the proceeds of sale be paid to the guardian of said Leonard Miltier. This defendant believes that it would be to the interest of all parties to have said lands sold or partitioned. And now having fully answered this defendant prays to be hence dismissed with his costs, &c.

Answer under oath waived.

A. D. Miltier

Abstracts of the 1990s.

cost, start with 100.

considering, and now having fully ascertained this defendant prays to be found
if would be to the interest of all parties to have said lands sold or
being to the Extension of said Thomas Miller. This defendant believes that
in case of sale, his proportionate part of the proceeds of sale be
being sold, and such rights and claims to Thomas Miller, and direct
lands referred to in said bill or, and that thereof, he hereby refers
to said bill, answers and says, that if he has a cause right in
this defendant saying and receiving the profits of all land ex
cuse in the Circuit Court of Washington County by H. H. Hinkley and others
The answer of A. D. Miller to a bill in equity exhibited against him and
against one John D.

L. H. B. RINKER, A. D. JEFFERSON, and EUGENE KATZ, in *Journal of the American Chemical Society*, 76, 536 (1954).

—*Journal of the American Medical Association*, 1934, 62, 1001.

THE DIRECTOR GENERAL OF THE PORTS

In the Circuit Court of Nansemond County, Virginia.

R.H.Brinkley and J.D.Brinkley-Plaintiffs-

vs-In Chancery

W.H.Brinkley, A.D.Miltier and Leonard Miltier, an infant under the age of twenty one years.

The answer of S.E.Everett, attorney at law, guardian ad litem to the infant defendant Leonard Miltier, and the answer of the said infant defendant Leonard Miltier by S.E.Everett, his guardian ad litem, to the bill in equity exhibited against the said Leonard Miltier and others in the Circuit Court of Nansemond County, by R.H.Brinkley and others.

For answer to said bill the said guardian ad litem answers and says that he does not know whether the interests of the infant defendant would be promoted by a sale or partition of the lands mentioned in said bill; and the said infant, by his said guardian ad litem, answers and says that being an infant of tender years he knows nothing of the matters mentioned in the bill, and commits the protection of his interests to the court. And now having answered, they pray, &c.

S. E. Everett

Guardian ad litem to Leonard Miltier, and the said Leonard Miltier by the said S.E.Everett, his guardian ad litem.

said W.M. Jones, his Guardian as ifson.

Guardian as ifson to Edward Miller, and the said Edward Miller as the
plaintiff answered, they deny, &c.

the bill, and contra the production of his interests to the court, and that
an infant of tender years is known nothing of the matters mentioned in
the said infant, by his said Guardian as ifson, answers and says that being
produced by a sale or disposition of the lands mentioned in said bill; and
he does not know what the interests of the infant as against said bill
for answers and says that the said Guardian as ifson answers and says that
of persons named, by R.H. Brinkley and others.

Brinkley also
is the answer
Brinkley also
answers of
S.D. Everett, Esq.
admitted to
practice one looks.

R.H. Brinkley, A.D. Miller, and Edward Miller, as ifson must the and of,
as in Chapter.

R.H. Brinkley and W.D. Brinkley-Plaintiffs-

In the Circuit Court of Hampshire County, Virginia.

To the Hon. Robert R. Prentis, Judge of the Circuit Court of the County of Nansemond:

Your complainants, R.H. Brinkley and J.D. Brinkley, complaining, respectfully show unto the court the following case: That in the year 1882 Daniel Brinkley departed this life intestate, leaving a widow, Martha Brinkley, and W.H. Brinkley and Sallie Brinkley, and your complainants, as his only children and heirs at law. That Martha Brinkley, his widow, has since also departed this life. That Sallie Brinkley married A.D. Miltier, and has since died intestate, leaving a husband, A.D. Miltier, and a child Leonard Miltier, as her only heir at law, who is now an infant under the age of twenty one years. That at the time of his death the said Daniel Brinkley was seized and possessed of certain real estate in the County of Nansemond, to wit:

1st. A tract of land in said County of Nansemond, Virginia, containing one hundred and fifty four acres, more or less, adjoining the lands of Henry Brothers, W.H. Brinkley, Prentis Franklin and others, and known as the "Mary Parker" tract of land.

2nd. A certain other tract of swamp land in said county and State, containing three hundred and eighty acres, more or less, and adjoining the lands of Henry Brothers, W.H. Brinkley, The Dismal Swamp Land Company and others.

Your complainants state that the said land, as they believe, is susceptible of partition among the parties thereto; but if be not, then your complainants desire the same to be sold, and the proceeds divided among the adult and infant parties, according to their respective rights, the share of the infant party to be held as directed by the statute in such cases made and provided. Should the property not be divisible in kind, your complainants believe and here state, that the interests of those who are entitled to the said real estate or its proceeds of sale, will be promoted by a sale of the whole of said real estate, or by an allotment of part and sale of the residue.

In tender consideration whereof your complainant prays, being remediless save by the aid of a court of equity, where matters of this kind are alone and properly cognizable, that the said W.H. Brinkley, A.D. Miltier and Leo-

nard Miltier may be made parties defendant to this bill, and required to answer the same (answers under oath being waived); that a proper guardian ad litem may be assigned the infant defendant to defend his interests in this suit, who shall also answer this bill; that proper process issue; that proper counsel fees be allowed; that the said real estate be divided between the several parties entitled thereto, and your complainants' portions thereof allotted to them, and in case said real estate cannot be partitioned and divided in kind, that the same be exposed to sale, and the proceeds of such sale divided among the parties entitled thereto; that all proper orders and decrees be made, and proper inquiries directed, and that all such other, further and general relief may be afforded your complainants as the nature of their case may require or to equity shall seem meet. And your complainants will ever pray, &c.

E. E. Halland
P. q.

R. H. Brinkley
J. D. Brinkley
By Counsel

Brinkley & also
to Pine
Brinkley & also

Costs

Clerk \$5.36

Jay 1.50

Atty 15.00

\$ 21.86

Brinkley vs Brinkley

J. p. and p. g. & & Holland p. g.

Brinkley v others

q. s. In Chancery

Brinkley Miller v others

1898

April 13th

Final Decree