

1919-001
Nansemond B (Suffolk) Chancery Causes: Myrtle V. Brown et al vs Sarah Jane Bunch, widow et al

Tidwell, Bank of Whaleyville I, Knight

—NOTICE.—

In order to avoid delays in imprinting check books, we will thank you to fill out the enclosed blank, attach it to one of the checks you are now using and hand same to bank, **TO-DAY.** This will save you, as well as the bank, great inconvenience by delays.

Name _____

Business _____

Town _____

Number of Checks wanted _____

Numbered from _____ up

772.03

762.50

15345.3

1125

9.53

567.07

.0012

28353

567.07

56990

179

.02

335.8

119

1525.21

9.53

1534.53

885

3/649.53

216.51

.06

12990.6

61845

117.55

736.00

144.00

200

3.00

885.00

179

.08

12/14.22

119

649.53

113.94

12.79

8.772

25.98

9093

9093

10392

Indm

2

Succa

2614

535.59

267.78

11394828

Copy of Costs

Taxed in the Suit of:

R.H. Rawles, p. q.

Myrtle V. Brown et al

vs.

Sarah Jane Bunch et als

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA

1.50	Writ Tax		1.50
15.05	Clerk	Including copies of three deeds	15.05
16.55	Sheriff		
5.00	Attorney		15.00
11.55	Commissioner		
Printer, for Order of Publication, etc.			
Definit Nov. 18, 1918			
Date of Judgment or Final Decree			191
Paid Jan. 29	1919		
Clerk			

The Bank of Whaleyville

INCORPORATED

T. O. KNIGHT, PRESIDENT

G. B. ROBERTSON, VICE-PRESIDENT

W. F. KNIGHT, CASHIER

Whaleyville, Va., Jan. 30th, 1919.

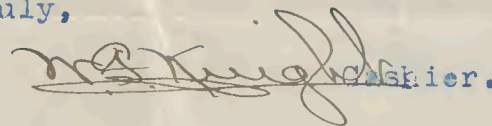
Mr. R. H. Rawles,
Suffolk, Va.

Dear Sir:-

Your letter of the 29th inst. enclosing check for \$618.45 as part payment on our claim against the farm of C. N. Bunch, deceased, has been received. We have credited this amount on the back of the note we hold, and in accordance with your request you are advised that the balance due us on this claim is \$115.76.

Thanking you for your attention in this matter, we remain,

Yours very truly,

 W. F. Knight, Cashier.

R/K

\$5.00

January 17, 1919.

Received of R. H. Rawles, Special Commissioner in the
chancery cause of Myrtle V. Brown et al. vs. Sarah Jane Bunch
et al., the sum of

FIVE.....*\$5.00*.....DOLLARS

for services rendered as commissioner in dividing the lands
of the late C. N. Bunch, deceased.

E. B. Howell

R/X

\$5.00

January 17, 1919.

Received of R. H. Rawles, Special Commissioner in the
chancery cause of Myrtle V. Brown et al vs. Sarah Jane Bunch
et al, the sum of

FIVE.....DOLLARS

for services rendered as commissioner in dividing the lands
of the late C. H. Bunch, deceased.

W. W. Schlett

R/K

\$5.00

January 17, 1919.

Received of R. H. Rawles, Special Commissioner in the
chancery cause of Myrtle V. Brown et al vs. Sarah Jane Bunch
et al, the sum of

FIVE.....DOLLARS

for services rendered as commissioner in dividing the lands
of the late C. H. Bunch, deceased.

*with thanks and best
wishes,*

J. L. Gower

R/K

\$5.00

January 17, 1919.

Received of R. H. Rawles, Special Commissioner in the
chancery cause of Myrtle V. Brown et al vs. Sarah Jane Bunch
et al, the sum of

FIVE.....DOLLARS

for services rendered as commissioner in dividing the lands
of the late C. N. Bunch, deceased.

I thank you

W. L. Peele

#16.5's -

Recd of R H R rules special Commem in
cause of Myrtle T. Brown and is Sarah Jane
Barnett who sixteen $\frac{35}{100}$ in full payment
of mit tax and all clerical fees in
said cause up to dismission of cause.

C. B. Embury, Clerk

Suffolk, Va.,

Jan 1 1919

M. R. H. Rawls Special Comm.

Brown vs Bunch

To PILAND PRINTING CO., Dr.

SUCCESSORS TO MCGUIRE PRINTING CO.

THE BEST IN JOB
PRINTING

Call



428

606 Main Street

Office Suffolk Printing and Stationery Co.

Dec 20 200 Bills

4 00

Paied 1/20/19
Piland Printing Co
Piland

Folio

191

From

TO

Norfolk, Va.,

Jan. 28 1918

M

Judge R. H. Rawles

Special Case Suffolk Co

To Virginian and Pilot Publishing Company, Dr.

ADVERTISING

I in 3/5 alt

sale small farm

\$ 3.50

Small Farm for Sale

I Will Sell At Auction
At Whaleyville, Va.,
At 11 A. M. On Saturday,
January 11th

a small farm of about 60 acres, situated on the county road, two miles from Whaleyville. A part of the C. N. Bunch tract.

R. H. Rawles

Special Commissioner
Suffolk, Va.

de29ja1.5.

Storage

Received Payment, VIRGINIAN AND PILOT PUBLISHING CO.,

Per

Missy Turner

All Available Text Successfully Captured

April 14 1899

Received of R. H. Rauls Spil Co. cash
One Hundred Dollars

for on com of Brown in Branch Circuit
Court Kansas Co. Allowed by Court

\$100.

R. H. Rauls R. H.

975

\$ 650.

Whaleyville, Va.,

May 25th,

1916.

Ninety

days after date

We

promise to pay to

Bank of Whaleyville, Incorporated,

or order negotiable and

payable without offset at the

BANK OF

Whaleyville,

Whaleyville Virginia,

Six Hundred Fifty & 00/100

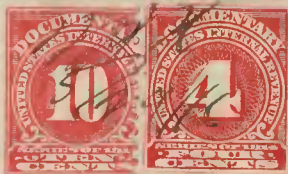
DOLLARS,

For value received; and it is agreed upon by the parties that the interest on this note shall be payable in advance; and we, principal and endorsers, hereby waive the benefit of our Homestead Exemption as to this debt.

Credit the Maker

#14769 Aug. 23-16.

C. Z. Bunch
Sarah Z. Bunch



WANSBOND COUNTY
CLERK'S OFFICE
PAID IN FULL

\$736.⁰⁰

Received of R. H. Haines
Special Commissioner
in the Chancery Cause
of Myrtle O. Brown
et al vs. Sarah Jane
Bunch et al,
Seven Hundred and Thirty-
Six (\$736.⁰⁰) Dollars,
in full payment of
this note, principal
and interest.

apd. and 1919

Witness my hand and seal

Dean of Whaleyville

W. H. Knight

Cashier

April 14th

1919

Received of R. H. R. notes paid Commis
One Hundred + thirteen — ⁵⁸/₁₀₀ Dollars

And due me on above Commis from last sold
in Myrtle V. Brown to S. J. Bunch at dr.

\$113 ⁵⁸/₁₀₀

Sarah J. Bunch

April 14th 1919
Received of B. H. Coates special Certificate
Two Hundred & Sixty Seven ⁵⁰ Dollars
Amt due me in claim of Myrtle V. Brown
in S. J. Bunch stock land sale.

\$ 267 ⁵⁰/₁₀₀

S. J. Bunch, B

April 14th 1919

Received of ~~W~~ Charles Reid Ceeceer
Two Hundred & Sixty Seven ⁵⁰/₁₀₀ Dollars

Out due me from order of land in cause
of Myrtle V. Brown vs S. J. Bunch et al.

\$267 ⁵⁰/₁₀₀

Myrtle V. Brown

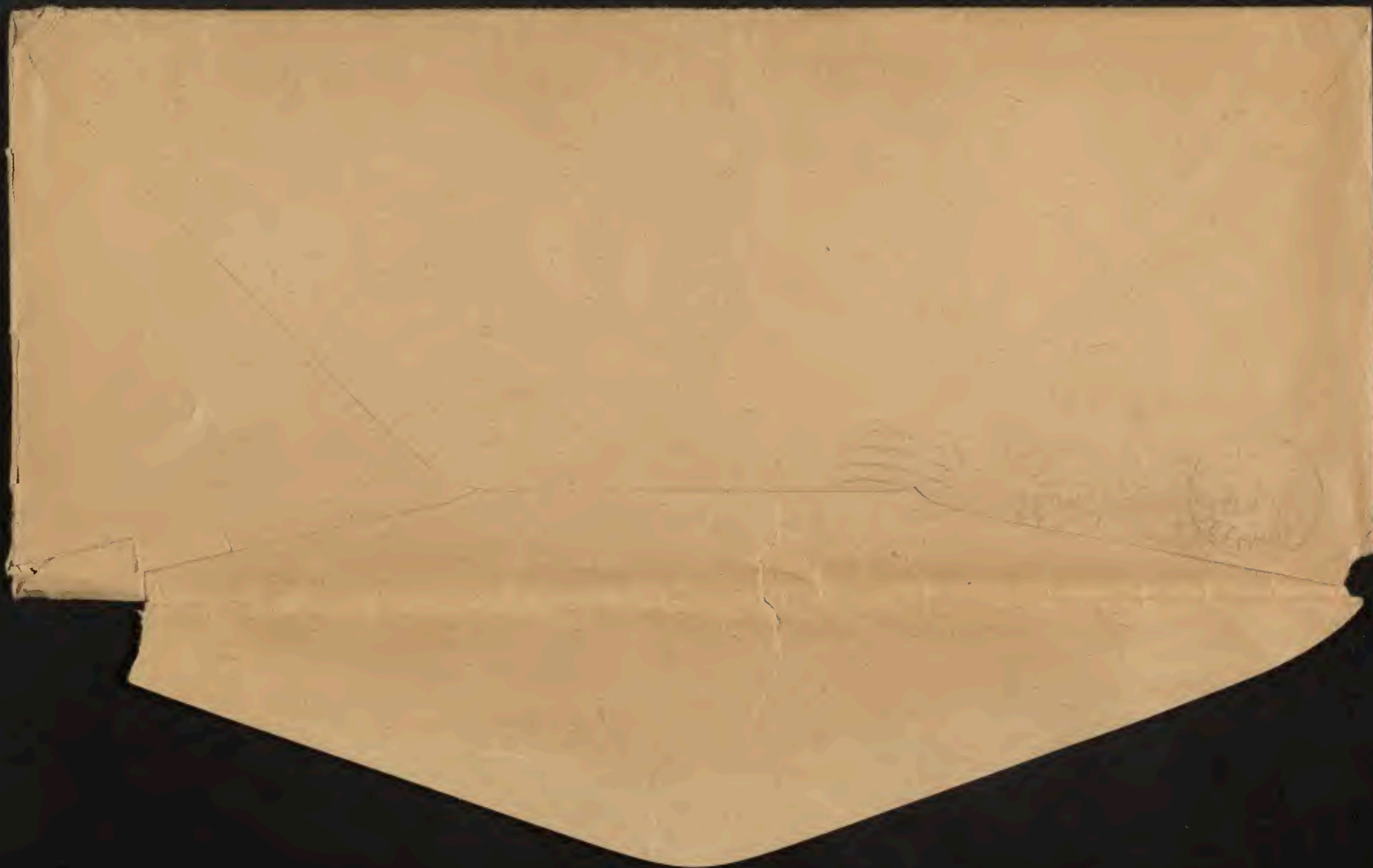
CHAMBER OF COMMERCE
Suffolk, Virginia

Hon R. H. Rawles,
Suffolk, Va.

Arrived at Branch

*First Report,
Branch
First Decree*





Poor Quality Original. Best Possible Capture

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

Black Paper

Lot 7 & 8
 Sec 2 on the N.E.
 1/4 of the County
 Ad lgy for Rains
 & Whelan
 and bench in the
 N.W. by the Knott
 Swamp, & on the
 N. & N.E. by the
 W. of Rouben & Harmon
 Allen. East by the
 only Harmon Allen
 Conting of E. 80 a
 more or less.

Judge R. H. Rawles
 City



926

Went to

Reverend

35 years

pastor

of the

First Baptist

Black Church

Hon. Geo. E. Bunting Clerk Circuit Court
of Loudoun Co. Va.

Myrtle V. Brown
Wm C. Brown
Jr

Plffs

Earl C. Bunch (infant)
Sarah Jane Bunch

Defts.

Issue summary for plaintiff against
defendants to Second November rule (Third
Monday in November) 1918 to answer a
Bill in chancery.

R H Roeder Jy.

Deposit \$5.00 made
this 18 Nov. 1918.

Process issued Nov. 16, 1918

Said summary for
Sarah Jane Bunch to
R H Roeder.

Copies of the following made

72-123. R. J. Tidwell to Earl C. Bunch

86-206 Earl C. Bunch to Myrtle V. Brown

81-426 Earl C. Bunch to W. B. Knight - Master

CHANCERY SUMMONS

The Commonwealth of Virginia.

TO THE SHERIFF OF NANSEMOND COUNTY---GREETING:

You are Hereby Commanded to Summon ~~Earl C. Bunch and~~
~~Sarah Jane Bunch,~~

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
for the said Court, on the ~~Third~~ Monday in ~~November~~ ¹⁹¹⁸, to answer ~~a~~
Bill in Chancery, exhibited against ~~them~~
in the said Court by ~~Myrtle V. Brown and Wm. C. Brown~~

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this ~~16th~~ day of
~~November~~, 19 ~~18~~, in the ~~133rd~~ year of the Commonwealth

A Copy---Teste:

Clerk }

Teste:

Clerk

I hereby accept legal and sufficient ~~the~~ copies of this
notice for summons and hereby appoint R.H. Rawles for my
attorney in fact and at law to represent me and all my
interests in this cause with full power and authority to
him to do in all respects before the law beginning at the
end of the cause and to do all things that I could do
of & more formally present including the acceptance of all
notices or summons is and thereon. With none my hand this
16th day of November 1918.

Mr S. J. Bunch sign here TB

Sarah Jane Bunch

Sign & return this to
R.H. Rawles

R.H. Rawles p. q.

Myrtle V. Brown et al

vs. } In Chancery

Earl C. Bunch et al

1918

November Rules

Third Monday.

NANSEMOND COUNTY COURT,

Process Book, No. 3

Page 166

Sheriff

in person, in the County of Nansemon, State of Virginia.

in process to

Executed this day of , 191 by delivering a true copy of the with-

CHANCERY SUMMONS

The Commonwealth of Virginia.

TO THE SHERIFF OF NANSEMOND COUNTY---GREETING:

You are Hereby Commanded to Summon ~~Earl C. Bunch and~~

~~Sarah Jane Bunch;~~ *The Bank of Whaleyville, and*
W. J. Knight Trustee

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held

for the said Court, on the ~~third~~ Monday in ~~November~~ ¹⁹¹⁸, to answer

Bill in Chancery, exhibited against ~~them~~

in the said Court by ~~Myrtle V. Brown and M. C. Brown~~

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this ~~10th~~ day of

~~November~~, 19 ~~18~~, in the ~~13rd~~ year of the Commonwealth.

A Copy---Teste:

G. E. Bunting

Clerk

Teste:

G. E. Bunting

Clerk

I've barely accept sufficient and legal record of
the within summons. Nov. 16. 1918.

Sign here &
return to
Attorneys
off Jack Mc

Barth of Wheeling, W. Va.
President
W. A. King, Jr., Quadee.

R. H. Rawles _____ p. q.

A copy for

Sarah Jane Bunch

vs. } In Chancery

19 _____

Rules

Monday.

NANSEMOND COUNTY COURT,

Process Book, No. _____

Page _____

Sheriff

in person, in the County of Nansemond, State of Virginia.

in process to _____

Executed this _____ day of _____, 191 _____ by delivering a true copy of the with-

In the Clerk's office of the Circuit Court of
Nauremnd County, in vacation on the 18th
day of November 1918: at Rules.

Myrtle V. Brown et al.

vs

Sarah J. Bunch et al.

On Motion of the Complainant in the above
entitled cause S. E. Everett a competent and
discreet attorney at law is hereby appointed guardian
ad litem for the infant defendant
Evel B. Bunch and required to defend
his interest in this cause.

H. E. Gentry, Clerk

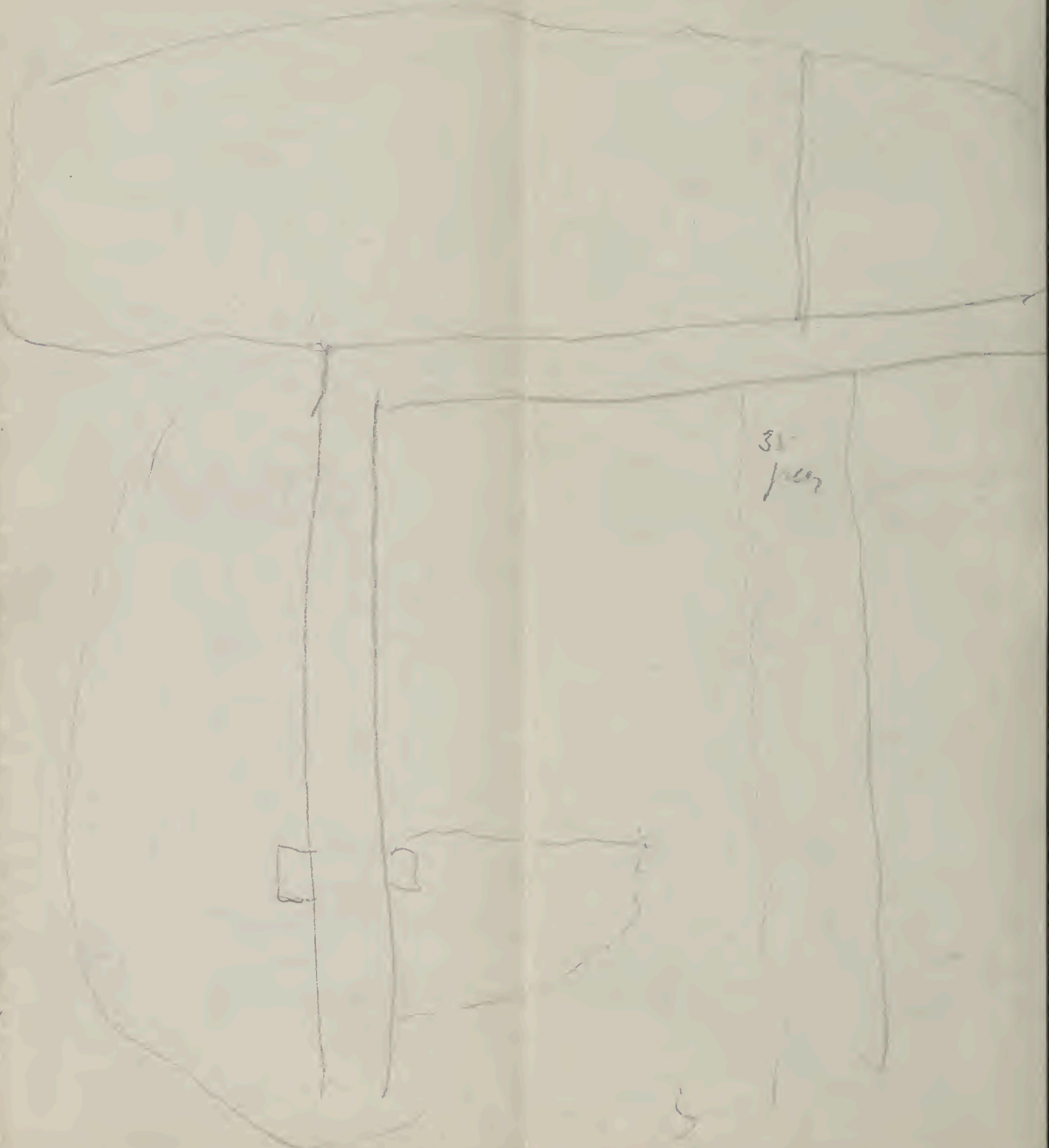
appointing Guardian
an item

Bying ^{around} at a chaffed Point on the river
and thence N. E. along a line of chaffed
hills to a chaffed Bend in the river of a
smaller bend top of the bank or over
a hill pass and thence on a short
line to a large chaffed Point near the river
the road to road to point of landing ²⁰ a

Sell the Jordan Wiggins tract Containing 60 acres more
Running by a large Dyke on the west
+ lying on the N.E. Side of the County road leading
from the Best residence to Whaleyville + border on
the N.W. of the town of the Knottville Swamp: on
the North + N.E. by the corner of W. J. Ricketts tract
mostly a part of the Jordan Wiggins tract: East by
a line which runs from the County road at the
chopped point in a N.E. direction along a line

of chopped trees to a chopped ~~point~~ ~~bank~~
corner on the Branch with the Ranch on
Homer Ellis land ~~at the~~ ~~along the run of the~~
~~branch of front of ground and the corner of~~
~~chopped line near the County road~~
~~there is a S.W. corner of the~~ there are to a
by ^{chopped} ~~bank~~ then in W. direction to a large per-
manent tree on side the field. from

N



31
/ 1007

1 along the mountain top in a straight line
to the kitchen window.

IN THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND, VIRGINIA.

Myrtle V. Brown, et al

Vs.

Sarah Janes Bunch et al.

TO THE HONORABLE JAMES L. MCLEMORE, JUDGE OF THE CIRCUIT COURT OF
THE COUNTY OF NANSEMOND, VIRGINIA:

Your undersigned Special Commissioner in the above cause respectfully begs leave to report that pursuant to a decree entered in said cause on the 13th day of January, 1919, he has proceeded to collect the whole of the purchase money from Willis Horton, the purchaser of the twenty acre tract of land heretofore reported sold, together with a small amount of interest due thereon; that he has made to the said purchaser, Willis Horton, a good and sufficient deed for said land with the covenants of title usual in such cases, and delivered same to him; that he has paid off all the costs and expenses of said suit and sale; that he has also paid off and discharged the debt due the Bank of Whaleyville and secured by a deed of trust on all the real estate of C. N. Bunch, deceased, and had said deed of trust duly released in the Clerk's Office of this county, and that he has paid to the widow, Sarah Jane Bunch, for her dower interest in the remaining part of said purchase money, she being willing to commute and accept the same in cash and has paid the remainder to the two heirs at law, Myrtle V. Brown and Earl C. Bunch, taking their receipts for same, all of which said disbursements are supported by proper vouchers here exhibited to the court.

Your Special Commissioner heret~~o~~^e appends an account and statement of the collection and disbursement of said fund, which he prays may be read as a part of this report.

All of which is respectfully submitted.

April 9. 1919.

*R H Rauls
Special Comm'r.*

R. H. Rawles, Special Commissioner.

Myrtle V. Brown et al

Vs.

Sarah Jane Bunch et al.

1919

January 11

Cash received from Willis
Horton in part payment of
twenty acre tract of land.....\$762.50

April 1

Cash received from Willis
Horton in payment of the
balance due on said twenty
acre tract of land..... 762.50

Interest received on last
payment..... 9.53

Total..... \$1534.53

PAID OUT

Paid E. B. Harrell, J. J. Gomer,
W. W. Haslett and W. Q. Peele,
Commissioners, \$5.00 each..... \$20.00

Paid George E. Bunting, Clerk
of Court..... 16.55

Paid Piland Printing Company,
for printing circulars of sale. 4.00

Paid Virginian-Pilot for adver-
tisement of sale..... 3.50

United States Revenue stamps
on deed..... 2.00

Releasing deed of trust held by
Bank of Whaleyville on real es-
tate..... 3.50

R. H. Rawles, fee allowed by
court..... 100.00

Paid Bank of Whaleyville deed
of trust debt on C. N. Bunch real
estate together with interest
on same..... 736.00

Total disbursements..... \$885.55

Total receipts..... \$1534.53

Total disbursements..... 885.55

Balance on hand..... \$ 648.98

Paid Sarah Jane Bunch, widow, \$113.98

Paid Myrtle V. Brown her share
in full..... 267.50

Paid Earl C. Bunch his share
in full..... 267.50
\$648.98 \$ 648.98

W. R. Roberts
Special Carrier.

W. R. Roberts

W. R. Roberts

Final Rept.

R. H. Lauder Spid. Caenura

Filed April 9, 1919
JLM

Mrytle V. Brown et al

Vs.

Sarah Jane Bunch et al.

This cause came on this day to be heard on the papers formerly read, as well as on the petition of Earl C. Bunch, an infant in the above cause, who it appears is entitled to a fund arising from the sale of lands for a division or otherwise as set forth in the papers in said cause, and it appearing to the court from the papers in said cause that the said infant is entitled to an amount less than \$300.00, and it further being made to appear to the said court that the said infant is of sufficient age and discretion, being now of the age of twenty (20) years, to use said fund judiciously, the court doth order, adjudge and decree that R. H. Rawles, Special Commissioner heretofore appointed as such in said cause, be and he is hereby directed to pay said fund to which the said infant, Earl C. Bunch, is entitled, direct to the said Earl C. Bunch, taking his receipt therefor.

And this cause is continued.

Decree
Directing Jymed to in front
in farm.

6.
Eaten April 9th 1914.
Jas. L. McNamee

Chaucery Under
Book No. 5
Page 200

Brown $\frac{1}{15}$ Beend.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Myrtle V. Brown et al	)	
	)	
Vs.	)	IN CHANCERY.
	)	
Sarah Jane Bunch et al	)	

This cause came on this day to be again heard on the papers formerly read as well as on the report of R. H. Rawles, Special Commissioner, who was appointed as such by a decree entered in said cause on the 19th day of December, 1918, and required to sell certain real estate in the bill and proceedings mentioned, which said report was filed on the 11th day of January, 1919, and to which no exception has been filed and was argued by counsel.

On consideration, whereof, it appearing from said report that the said Special Commissioner, R. H. Rawles, has fully complied with all the terms and requirements of the decree appointing him as such, and that the real estate mentioned in his report was sold for a fair and valuable price, to wit, the sum of FIFTEEN HUNDRED AND TWENTY-FIVE DOLLARS (\$1525), the court doth confirm said report and doth also confirm the said sale; and the court doth further order, adjudge and decree that when and after the said purchaser of said tract of land, to wit, Willis Horton, shall have fully complied with the terms of sale by paying fully for said land, the said Special Commissioner, R. H. Rawles, is hereby directed to make to said Willis Horton a good and sufficient deed with the covenants of title usual in cases of this kind for the said tract of land, which is bounded and described as follows, to wit:

A certain tract of land containing by estimation sixty (60) acres, more or less, situated in Cypress District, in Nansemond County, Virginia, about two miles from Whaleyville, known as a part of the Jordan Wiggins' land, and lying on the Northern

side of the county road leading through the Bunch farm and thence on to Whaleyville, and bounded on the Northwest by the run of Knuckle's Swamp and on the Northwest or Northerly by the lands of the W. J. Rountree tract, which was formerly a part of the Jordan Wiggins' land; Easterly by a certain twenty (20) acre tract of woodland belonging to the estate of C. N. Bunch, deceased; South by the said county road and the lands of Earl C. Bunch; the line between this tract and the twenty (20) acre tract of woodland being as follows: Beginning at a chopped pine on or near the said county road and running thence in a Northeasterly direction along a line of chopped trees to a chopped beech in the branch, a corner with the W. J. Rountree and Harrison Ellis tracts; being a part of the C. N. Bunch farm.

The said Commissioner is directed to proceed to collect the purchase money for said land when and as the same falls due, and he is further directed to make report to this court for all his actions under this decree.

Out of the proceeds of the sale collected the said Special Commissioner shall first pay off and discharge all the costs and expenses of this suit and sale, including a fee of \$100 to R. H. Rawles, counsel for all parties in this case, which said fee shall be in lieu of all allowances and perquisites ^{which} may be ~~due~~ made to the said R. H. Rawles, as counsel in said case.

And this cause is continued.

Deeds
Confirming Sale.

Given July 13. 1914.

W. W. Smart

Chancery Building

Book No. 5

Page 183

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Myrtle V. Brown et al	)	
	)	
Vs.	)	IN CHANCERY.
	)	
Sarah Jane Bunch, et al	)	

TO THE HONORABLE JAMES L. MCLEMORE, JUDGE OF THE CIRCUIT COURT OF
NANSEMOND COUNTY:

Your undersigned Special Commissioner respectfully asks leave to report, that pursuant to a decree entered in the above cause of Myrtle V. Brown et al against Sarah Jane Bunch, et al now pending in said court; by which said decree the said R. H. Rawles was appointed Special Commissioner, and required to sell the real estate consisting of sixty acres, more or less, known as a part of the Jordan Wiggins' tract of land and belonging to the estate of C. N. Bunch, deceased,

Your Special Commissioner after having given bond, as required by said decree, and having fully advertised the said real estate according to the terms and conditions of said decree, offered the said real estate at public auction, to the highest bidder, in front of the Post Office at Whaleyville, Virginia, at 11 o'clock A. M. on Saturday, January 11, 1919, on the terms required by said decree; at which said sale Willis Horton made the last and highest bid for said land, his bid being the sum of FIFTEEN HUNDRED AND TWENTY-FIVE DOLLARS (\$1525), and the same was knocked off to him.

Your Special Commissioner reports that in his opinion this is a good price for said land, as he took the opinion of several competent farmers in that neighborhood who valued the tract of land anywhere from \$1000 to \$1200.

Your Commissioner hereby recommends that the said sale be confirmed.

All of which is hereby respectfully submitted.

R. H. Rawles
Special Commissioner.

Report of Sale.

Filed Jan. 11, 1919.

IN THE CIRCUIT COURT OF THE COUNTY OF HANSEMOND,
IN VACATION ON THE *19th* DAY OF DECEMBER, 1918.

Myrtle V. Brown et al)

Vs.)

IN CHANCERY

Sarah Jane Bunch et al)

which by a previous decree has been regularly submitted to the judge of this court for such decisions and decrees in vacation as might be made or entered in return
This cause came on this day to be again heard on

the papers formerly read, as well as on the report of W. Q. Peele, E. B. Harrell, J. J. Gomer and W. W. Haslett, four of the commissioners heretofore appointed as such by a decree in this cause entered on the 30th day of November, 1918, and required to lay-off and assign to Sarah Jane Bunch, widow of C. N. Bunch, deceased, her dower in the real estate of which her late husband died, seized and possessed, and also to partition, set-apart and assign to the two heirs of the said C. N. Bunch, deceased, to wit; Myrtle V. Brown and Earle C. Bunch, their respective parts or portions of the real estate of which their father, C. N. Bunch, died, seized and possessed and to perform other duties required by said decree, which said report was filed on the *19th* day of December, 1918, and to which no exception has been filed and was argued by counsel.

On consideration ^{*and by consent of all parties*} whereof, the court doth confirm said report and doth order, adjudge and decree that the same shall be recorded in the deed book of bargain and sale deeds in the Clerk's Office of this court, and shall be indexed by the clerk of this court in the names of Sarah Jane Bunch, Myrtle V. Brown, William C. Brown and Earle C. Bunch both as grantors and grantees; and the court doth further order, adjudge and decree that the said Sarah Jane Bunch, Myrtle V. Brown and Earle C. Bunch shall hold the real estate named in said report in accordance with the terms of said report, and as it provides.

The court doth further order, adjudge and decree that

R. H. Rawles, who is hereby appointed a special commissioner for that purpose, shall after having first given bond in the penalty of \$2000 before the clerk of this court and with security deemed sufficient by said clerk proceed to sell at public auction before the Post Office at Whaleyville, Virginia, after having advertised the same for fifteen (15) days in such manner as he may deem best, the following real estate of which the said C. N. Bunch died, seized and possessed, to wit:

A certain tract of land containing by estimation sixty (60) acres, more or less, situated in Cypress District, in Nansemond County, Virginia, known as a part of the Jordan Wiggins' land, lying on the Northern side of the county road leading through the Bunch farm and thence on to Whaleyville, and bounded on the Northwest by the run of Knuckle's Swamp, and on the Northeast or Northerly by the lands of W. J. Rountree tract, which was formerly a part of the Jordan Wiggins' land; Easterly by a certain twenty (20) acre tract of land which was assigned to Myrtle V. Brown, (the dividing line between this tract and the Myrtle V. Brown twenty (20) acre tract being as follows: Beginning at a chopped pine on or near the said county road, and running thence in a Northeasterly direction along a line of chopped trees to a chopped beech in the branch a corner with W. J. Rountree and Harrison Ellis tracts); and on the South by said county road, and the other lands which were assigned to Earle C. Bunch, continuing on from a large sycamore tree at the bend in said road in a Westerly direction to the run of Knuckle's Swamp.

On the following terms, to wit: One-half cash; remainder in six months with an option to the purchaser after the sale to pay the whole in cash, if it be so desired.

The said Commissioner is required to report all his actions under this decree to this court, and this cause is continued.

All of which is certified to the clerk of this court to

be entered in the Chancery Order Book.

A. L. W. Moore

VIRGINIA:-

In the Clerk's Office of the Circuit Court of Nansemond County
the 30th day of December, 1918

^{*Deed*}
This ~~Deed~~ was presented, and, with the certificate annexed,
admitted to record.

Teste:

H. E. Burt, Clerk
By *Reuben V. Beatty* D. C.

Decree confirming
Commissioner's Report.
Ind.

Sarah Jane Bunch
also
Grantors to

Sarah Jane Bunch
also
Grantees

Recorded in Trust Book No.
90 Page 112 Dec. 30th
Cert. Dec. 19. 1918 1918.

Jas L. McNamee
Chancery Office Book
No. 5, Page 176

has consent to this decree.

Myrtle V. Brown

Wm C Brown

by R H Newell Counsel

Sarah Jane Bunch
The Bank of Washington Inc.
W. F. Knight Trustee by
R H Newell Counsel

Ind.
Section and item for
infant of Sarah Jane Bunch

Myrtle V. Brown, et als,

Vs.

IN CHANCERY.

Sarah Jane Bunch et als

Pursuant to a decree entered in the above styled cause on the 30th day of November, 1918, we, the undersigned, four of the commissioners named in said decree to lay off the dower of Sarah Jane Bunch in the real estate of her late husband, C. N. Bunch, and to set a part and divide the remainder of the tract according to the terms of the decree, respectfully beg leave to report that we met on the land of which C. N. Bunch died, seized and possessed, and fully described in the bill in this cause, on the 9th day of December, 1918, and after having been duly sworn, according to law, we proceeded to discharge the duties required of us by said decree in manner and form as follows:

By authority of said decree, as well as by the requests of all the adult members of the family of the said C. N. Bunch, deceased, we first laid off and set apart the following portion or tract of the C. N. Bunch real estate to be sold under future order of this court for the purpose of paying the expenses of this suit and sale as well as for paying the deed of trust indebtedness now on said C. N. Bunch land, and due to the Bank of Whaleyville, Incorporated. Said tract so set a part to be sold is bounded and described as follows, to wit:

-1-

A certain tract of land containing by estimation sixty (60) acres, more or less, situated in Cypress District, in Nansemond County, Virginia, known as a part of the Jordan Wiggins land, lying on the Northeast^{ern} side of the county road leading through the Bunch farm and thence on to Whaleyville, and bounded on the Northwest by

the run of Knuckle's swamp, and on the North~~east~~ or northerly by the lands of W. J. Rountree tract, which was formerly a part of the Jordan Wiggins' land; Easterly by a certain twenty (20) acre tract of land this day assigned by us to Myrtle V. Brown, (the dividing line between this tract and the Myrtle V. Brown twenty (20) acre tract being as follows: Beginning at a chopped pine on or near the said county road, and running thence in a Northeasterly direction along a line of chopped trees to a chopped beech in the branch a corner with W. J. Rountree and Harrison Ellis tracts;) and on the South by said county road, and the other lands this day assigned by us to Earle C. Bunch, continuing on from a large sycamore tree at the bend in said road in a Westerly direction to the run of the Knuckles' Swamp.

We estimate this tract to be of the fee simple value of between NINE HUNDRED DOLLARS (\$900.00) and ELEVEN HUNDRED DOLLARS (\$1100.00), and we recommend that this tract be sold for the purposes above set forth.

-2-

Myrtle V. Brown, wife of W. C. Brown, and daughter of C. N. Bunch, deceased, has heretofore received by way of advancement from her said father in his life time by deed dated the 12th day of September, 1916, and recorded in Deed Book 86, page 206, in the Clerk's Office of Nansemond County, Virginia, a certain tract of land being a part of the Bunch farm, containing sixty (60) acres, and bounded and described as follows:

All that certain tract, piece or parcel of land in Nansemond County, Virginia, beginning at a hickory on the Somerton road, a corner with Mrs. Willis Austin and running along the west side of the said county road N. 60 degrees, E. 12 chains and 50 links to the junction of the road lying through what is known as the Bunch farm; thence along the last named road N. 41 degrees, 6 chains and 80 links; thence ^{N.}~~49~~⁴¹ degrees, ^{W.}~~22~~ chains and 95 links to an iron stob near a sycamore bush on the side of the road; thence S. 41 degrees, W. 23 chains and 20 links to a branch on Robert Wiggins' land;

thence along the lines of said Wiggins in a Southwesterly direction to the lines of the said Mrs. Austin; thence along the lines of Mrs. Austin to the point of beginning, and containing sixty (60) acres, more or less.

In addition to the above sixty (60) acres we assign and set apart to the said Myrtle V. Brown in fee simple, as and for her full and final share of her deceased father's real estate, the two following additional tracts or parcels of land, to wit:

First. A certain parcel of land lying on the Western side of the aforesaid tract of sixty (60) acres, being of the uniform width of thirty-five yards, and running all the way from the said county road along the aforesaid sixty (60) acre tract to the land of Robert Wiggins, said tract begins at the Northwestern corner of said sixty (60) acre tract and at the said county road, and runs Westwardly from said corner where the corner of the line fence of Myrtle V. Brown is now located, thirty-five yards down said county road; thence running Southerly in a line parallel with the present division fence of the said Myrtle V. Brown being thirty-five yards distant therefrom, the whole distance, to the land of Robert Wiggins.

We estimate the said tract to contain about four or five acres.

Second. A certain tract or parcel of wood land containing by estimation twenty (20) acres, more or less, lying on the Northern side of the county road nearly opposite the Brown tract above mentioned, and bounded and described as follows:

Beginning at a chopped pine tree on the said road; thence running Northeasterly along a line of chopped trees to a chopped beech tree in the run of a small branch; thence up the run of the said branch as far as it goes and then on in a straight line to a large pine tree near the said road; thence down the said road to the point of beginning.

These three tracts all taken together we estimate to contain about eighty-four acres or eighty-five acres.

The said twenty (20) acre tract we hereby subject to the servitude named below. The said Myrtle V. Brown is to take and hold the above three tracts of land as and for her sole and entire interest in all of the real estate of her late father, C. N. Bunch, and she is to have no interest whatever in the widow's dower after the dower right shall cease.

-3-

All the rest, residue and remainder of the real estate of which the said C. N. Bunch died, seized and possessed, consisting of the remainder of the farm, wood land, the dwelling house and all out buildings, we assign and set apart in fee simple to Earle C. Bunch as and for his full and final share of the real estate of which his late father, C. N. Bunch, died, seized and possessed, said remainder hereby so assigned to him we estimate to contain about 48- acres, and lies on both sides of the said county road, and in the District, County and State aforesaid, and is bounded generally as follows: . On the West by the run of the Knuckles' Swamp; on the East by the land this day assigned by us to Myrtle V. Brown; on the South by the Robert Wiggins' tract; and on the North and Northeast by the said county road and the Jordan Wiggins' tract of sixty (60) acres; but this land is assigned to the said Earle C. Bunch subject to the entire dower of the widow, his mother, Sarah Jane Bunch, who, at her request, takes her dower and all dower right in this tract of Earle C. Bunch, and after her death all interest in said tract will be vested in said Earle C. Bunch in fee simple.

As a part of the dower, or dower right of the said Sarah Jane Bunch, we assign to her the right to cut and use for fire wood only all necessary fire wood from the twenty (20) acre tract of wood land above described, and which has been assigned by us this day to Myrtle V. Brown; also the right to take all necessary straw for farm purposes from said land. This, however, is intended by us to be a personal privilege and not to extend to the tenants of the said Sarah Jane Bunch. To this extent we make this right a burden on the said twenty (20) acre tract. This privilege is to

cease at the death of the said Sarah Jane Bunch.

-4-

At the request of the widow, Sarah Jane Bunch, we assign her dower in the whole of the tract of land which we have above assigned to Earle C. Bunch, all her dower interests and rights to be confined to that particular tract and the buildings and improvements thereon; that is to say we assign to her and she is to have an undivided one-third interest for the term of her natural life in the home tract or dwelling house, tract of the said Earle C. Bunch, and he is to take and hold said tract in fee simple subject to said dower interest. All of the lands mentioned in this report lie in Cypress District in Nansemond County, Virginia. We annex to this report a map or sketch of the different tracts mentioned herein. We estimate the entire Bunch tract of land as he bought it to be worth \$6000.⁰⁰/₁₀₀

All of which is respectfully submitted.

E. B. Harrell
W. W. Haslett
J. J. Garner
William L. Peeler
COMMISSIONERS.

VIRGINIA:

In the Clerk's Office of the Circuit Court
of Nansemond County the 24th day of April 1911
This ~~deed~~ ^{Report of Commissioners} was presented, and, with the certificate
annexed, admitted to record at 11:00 A. M.

Teste John H. Poorell Clerk
By M. K. Goodner D. C.

Report of
Commissioners

INDEXED

1918 Dec. 19. J. L. G. M.

Cross Ref. with Deeds
in 21380 - P. 112

Admitted to Record this

24 day of April 1941

and Examined and Verified

this 12 day of May 1941

Evelyn Arthur Clerk

Recorded in Deed

Book 146

Page 346-

IN THE CIRCUIT COURT OF NANASEMOND COUNTY

IN VACATION ON THE *30th* DAY OF *November* 1918.

.....
: Myrtle V. Brown and :
: William C. Brown :
: :
: vs. :
: :
: Sarah Jane Bunch, Earle :
: C. Bunch, The Bank of :
: Whaleyville, Inc., and :
: W. T. Knight, Trustee. :
:

IN CHANCERY

This day came Myrtle V. Brown and William C. Brown and by leave of court filed their bill, and S. E. Everett, a competent and discreet attorney at law, who has been duly assigned at rules as the guardian ad litem for the infant defendant, Earle C. Bunch, and required to defend his interest in this suit, filed his answer as said guardian ad litem, and the said infant defendant, Earle C. Bunch, being over the age of fourteen years filed ~~his~~ answer in his own proper ^{person} ~~form~~; the defendant, Sarah Jane Bunch, thereupon filed ~~her~~ answer to said bill, and the other defendants, The Bank of Whaleyville, Incorporated, and W. T. Knight, Trustee, filed ~~their~~ answer to same, and thereupon ^{by} ~~the consent~~ of all parties to this cause, by counsel, this cause is docketed and set for hearing, and by like consent came on this day to be heard in vacation on the bill of the complainants, the several answers of the defendants to said bill, the exhibits filed therewith, and was argued by counsel.

On consideration whereof the court doth order, adjudge and decree that W. Q. Peele, B. P. Baker, E. B. Harrell, James Gomer and W. W. Haslett, who are hereby appointed commissioners ^{any three of whom may act} for that purpose, shall, after being duly sworn, proceed to lay off and assign to Sarah Jane Bunch, the widow of C. N. Bunch, deceased, her dower in the real estate of which her said husband died, seized and possessed, having due regard to quantity and

any three of whom may act
quality; and the same five persons, who are hereby appointed for
the purpose, shall also, after being duly sworn, proceed to parti-
tion and divide the remainder of said real estate between the two
heirs at law and children of said C. N. Bunch, deceased, to wit:
Myrtle V. Brown and Earle C. Bunch, and assign to each one his
and her separate tract of land by metes and bounds, but in making
said partition the said commissioners shall take into considera-
tion the said certain tract of sixty acres conveyed to the said
Myrtle V. Brown by her said father in his lifetime by way of ad-
vancement, and shall estimate that as a part of the said land
which she is to receive under the decree in this cause. In mak-
ing said partition the said commissioners shall likewise have due
regard to quantity and quality and if they deem it necessary, they
may call in a surveyor to assist them in their duties hereunder.
Before making said partition the said commissioners shall view a
certain part of said land described in the bill in this cause as
containing about fifty-seven acres, and shall report to the court
along with their other report whether it will be to the best in-
terest of all parties to this cause to have said tract of fifty-
seven acres sold for the purpose of paying off the deed of trust
indebtedness now forming a lien on the entire tract of said land.
The said commissioners are required to proceed immediately with
the discharge of their duties hereunder, and they are required to
report all their actions under this decree to this court, and
this cause is continued.

all which is hereby certified to the Clerk of this
Court to be entered in the chancery order book.

J. S. Moore

Decree
Appointing Commissioners

Enter Nov. 30. 1918
 Jas. M. Lempere
 Chancery Index Book 5
 in concept of this
 decree.

Myrtle V. Brown
 W. C. Brown &
 R. H. Beach, Attorneys

Sarah Jane Beach
 the Bank of which she is
 W. F. Knight, Clerk &
 R. H. Beach, Attorneys

McBarnes
 Guardian ad litem
 for Earl C. Beach
 Defendant.

IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF NANSEMOND COUNTY.

IN VACATION ON THE 30 DAY OF NOVEMBER, 1918.

Myrtle V. Brown and William C. Brown,

Vs.

Sarah Jane Bunch and Earle C. Bunch.

By consent of all parties, plaintiffs and defendants, duly entered of record, it is ordered that the papers in this cause may be submitted to the Judge of this Court, in vacation, for such order, judgment or decree therein, in vacation, as might be made in term; all of which is certified to the Clerk of the Circuit Court of Nansemond County, to be entered by him in the Chancery Order Book.

Jas. S. Moore

36c

1
Decree
For Jacobin Cause

Enter Nov. 30. 1918

Jas W. Lmore.

Chancery Under Book 5

Page 114

for consent to this
decree.

Myrtle V. Brown

Wm C Brown &

Rt Honorable Council

Sarah Jane Bunch

for Bunch & Halywell Inc

W F Knight Halywell

& Rt Honorable Council

W F Knight

+ W F Knight
Solicitor at Law

for Earl C Bunch

in fact defendant.

TO THE HONORABLE JAMES L. MCLEMORE, JUDGE OF THE CIRCUIT
COURT OF MANSEMOND COUNTY, VIRGINIA:

Humbly complaining, sheweth unto the Court, your
complainants, Myrtle V. Brown and William C. Brown, her hus-
band, of Nansemond County, Virginia, the following case:

You complainants say that C. N. Bunch, the father of
the said Myrtle V. Brown, departed this life in the month of
April, 1917, leaving his widow, Sarah Jane Bunch, now age
fifty-eight years, and ~~three~~ children, Myrtle E. Brown, age
twenty-seven, and Earl C. Bunch, age twenty years, as his only
heirs at law;

They further say that at the time of his death, the
said C. N. Bunch was seized and possessed in fee simple of a
certain tract of land containing about two hundred and fifty
(250) acres, more or less, situated in Cypress District in the
County of Nansemond, and State of Virginia, not far from Whaley-
ville, Virginia, and adjoins the lands of William Byrd estate;
W. J. Rountree; G. R. Wiggins; Willis Austin's estate and others;
and the main run of Knuckle's Swamp. It being the same tract
of land which was conveyed to the said C. N. Bunch by R. J. Tid-
well and wife, and others, by deed dated the 30th day of Decem-
ber, 1911, and recorded in Deed Book 72, page 123, in the said
Clerk's Office of Nansemond County, Virginia, a copy of which
said deed is herewith filed, marked "Exhibit A." and prayed to
read as a part of this bill.

Your complainants further say that being so seized and
possessed of said tract of land, the said C. N. Bunch and wife
conveyed the same in trust to W. F. Knight, Trustee, to secure
to the Bank of Whaleyville a debt amounting to about \$730.00,
more or less, evidenced by a bond given by the said C. N. Bunc'

They further say that the said lien still remains upon the said land, and the said debt is unpaid.

Your complainants further say that the said B. H. Bunch by deed dated the 12th day of September, 1916, and recorded in Deed Book 28, page 206, in said Clerk's Office, conveyed to his said daughter, Myrtle V. Brown, sixty (60) acres of said land, which is bounded and described as follows: All that certain piece, parcel or tract of land situated in Nansemond County, Virginia, beginning at a hickory on the Somerton Road, a corner with Mrs. Willis Austin, and running along the west side of said road N. 60 E. 12 Chains and 50 links to the junction of the road leading through what is known as the "Branch" farm; thence along the last named road N. 41 6 chains and 80 links; thence N. 49½ W. 22 chains and 95 links to an iron stob, near a sycamore bush on the side of the road; thence South 41 W. 23 chains and 20 links to a branch on Robert Wiggins' land; thence along the line of the said Wiggins in a Southwest direction to the line of the said Austin; thence along the line of said Austin to the point of beginning, and containing sixty (60) acres, more or less, all of which appears by a copy of said deed herewith files, marked "Exhibit B" and prayed to be read as a part of this bill.

Your complainants further say that the said conveyance was made as an advancement to his said daughter, Myrtle V. Brown, as a part of what would be coming to her at the death of her father, and was so received by her, and which she is willing to account for in the general division.

Your complainants further say that a small portion of the said tract of land, containing about fifty-seven (57) acres, more or less, and lying on the road above named, which leads from the Somerton Road, adjoining the lands of Harrison Ellis, the old Bunch homestead, the land of J. H. Vaughan, James Gomer, and

others, is cut off and detached from the other part of the farm, and is situated in such a manner that it can be easily sold and transferred without interfering in any material degree with the value of the remainder of the farm.

Your complainants further say that the entire family of the said C. M. Bunch has had friendly conferences with reference to a division of this estate, and they are all of the opinion that the said fifty-seven acres can be sold and should be sold at public auction for the purpose of raising money as above set forth; They further say that after this is done, their mother, Sarah Jane Bunch, desires that her dower be set apart in kind for her to consist of the old homestead buildings where she now resides, and as much land thereto as the law requires, and it is the wish of all the heirs that this be done.

After the said fifty-seven acre tract ~~shall have~~ been sold, as above prayed for, and after the dower of the widow shall have been laid off, your complainant, ~~Mary~~ M. V. Brown, desires that the remaining part of said land be divided in kind between herself and her brother, Earle C. Bunch. She is of the opinion that this can be easily done, and it is the desire of all in interest that it should be done, if practicable. If not practicable, then that the tract shall be sold and the proceeds divided according to law.

In tender consideration whereof, and for as much as your complainants are without remedy in the premises save by the aid of a court of equity, where such matter alone and proper cognizable, your complainants pray that the said Sarah Jane Bunch, Earle C. Bunch, the Bank of Whaleyville and W. F. Knight, Trustee, may be made parties defendant to this cause, and required to answer this bill, though an answer under oath is hereby waived; that proper proceedings may issue; that a proper guardian ad litem may be appointed for the infant defendant, Earle C. Bunch, and required to defend his interest in this suit; that the said tract of land consisting of fifty-seven acres, above described, may be sold and the

proceeds, after paying the expenses of sale, may be used as far as is necessary in paying off the deed of trust lien on the above mentioned real estate; that the following may be appointed commissioners of this court to lay-off and assign the dower of the said Sarah Jane Bunch in the lands left by her late husband, C. H. Bunch, to wit: W. G. Paule, Beverly P. Baker, M. R. Harrell, James Gomer and W. W. Haslette; and further pray that the aforesaid five men may also be appointed commissioners and required to partition the remainder of the said tract of land, ~~on which~~ C. H. Bunch died, seized and possessed among the parties entitled to receive the same, to wit: Myrtle V. Brown and Earle C. Bunch having ~~been~~ regard to quality and quantity in making said division, provided they find it practicable to make such division, and if it be not practicable, they then report that fact to the court. They further pray that if the court should deem it necessary that the papers in this cause may be referred to one of the commissioners of this court to ascertain and report to the court the real estate of which the said C. H. Bunch died, ~~seized~~ and possessed, together with its annual and fee simple values; liens thereon, if any, together with their amounts, ~~distinctions~~ and priorities and whether the same has ever been sold for taxes; ~~whether the~~ the said tract of land is divisible in kind among the parties entitled to receive the same, without a sacrifice of interest; if it be not so susceptible, whether any one of those entitled will take the whole of the said tract and pay to the other for his or her share therein; if no one will take the whole, whether it will be to the best interest of all concerned to sell the entire tract and divide the proceeds among those entitled or any other they may deem pertinent by the said commissioner or which may be required to be stated by any party in interest, and for all such other, further and general relief as this case requires or which to equity may seem meet,

And your complainants will ever pary, etc.

Notice is hereby given that the court will be asked to allow a proper counsel fee to R. H. Rawles, Counsel, for services rendered by him in this cause.

I _____

STATE OF VIRGINIA,
To wit:
City of Suffolk,

I, R. H. Rawles, a Notary Public for the city aforesaid, in the State of Virginia, whose term of office expires on the 20th day of January, 1919, do certify that Myrtle W. Brown, whose name is signed to the foregoing bill, has this day personally appeared before me in my city aforesaid, and, being duly sworn, made oath that the statements contained in the above bill, as coming by her own knowledge, are true, and that all other statements therein contained, as coming from knowledge or information received from others, she believes to be true.

Given under my hand this 15th day of November, 1918.

Notary Public.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

Myrtle V. Brown, et al,

Vs.

Earle C. Bunch and Sarah Jane Bunch.

The answer of Sarah Jane Bunch to a bill in chancery exhibited against her and others in the Circuit Court of Nansemond County, Virginia, by Myrtle V. Brown.

For answer to the said bill the said Sarah Jane Bunch says that the facts set forth in said bill, so far as she is informed, are true, and that it is unnecessary for her to repeat them here. She is now fifty-eight (58) years of age and desires that her dower in the real estate of which her husband died, seized and possessed may be set a part in kind to her, and that she would be pleased to have the present dwelling house and out houses included in said dower land. She is also of the opinion that it will be best for the interest of all concerned to have the fifty-seven (57) acres of land described in said bill sold so as to raise money to pay the debt of trust indebtedness on said tract of land. She believes the remainder of the tract can be divided in kind between her two children named in the bill.

And now, having fully answered the complainants' bill, she prays to be hence dismissed with her reasonable costs in this behalf expended.

She will ever pray, etc.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA:

Myrtle V. Brown, et al.

Vs.

Earle C. Bunch and Sarah Jane Bunch.

The answer of Earle C. Bunch to a bill in chancery exhibited against him and others in the Circuit Court of Nansemond County, Virginia, by Myrtle V. Brown.

For answer to the said bill the said Earle C. Bunch says that he is now an infant of the age of twenty (20) years, but has reached such a stage of maturity as to be able to fully comprehend his rights and interest. He says that the statements contained in the bill in this case, in so far as he is informed and believe are true. He therefore joins in the prayer of said bill as to all intents and purposes.

And now, having fully answered the complainants' bill, he prays to be hence dismissed with his reasonable costs in this behalf expended.

He will ever pray, etc.

THIS DEED, Made this the 12th day of September, 1916, by between C.N. Bunch and Sarah J. Bunch, his wife, of Nansemond County, Virginia, parties of the first part and Myrtle V. Brown, of Nansemond County, Virginia, party of the second part---

WITNESSETH: That for and in consideration of the love and affection that the said parties of the first part bear toward the said party of the second ~~party of the second~~ part and other good and valuable considerations, the said parties of the first part do grant unto the said party of the second part, with general warranty all and singular the following property to-wit: All that certain tract, piece or parcel of land in Nansemond County, Virginia, beginning at a hickory on the Somerton road, a corner with Mrs. Willis Austin, and running along the west side of the said county road N. sixty (60) degrees E. twelve 12 chains and fifty (50) lengths to the juncture of the road leading through what is known as the "Branch Farm", thence along the last named road N. forty-one (41) degrees W. six (6) chains and eighty (80) lengths, thence N. forty-nine and one half ($49\frac{1}{2}$) degrees, W. twenty-two (22) chains and ninety-five (95) lengths to an iron stob near a sycamore bush on the side of the said road; thence S. forty-one (41) degrees, W. twenty-three (23) chains and twenty (20) lengths to a branch on Roberts Wiggins' land, thence along the line of the said Wiggins in a south-westerly direction to the line of the said Mrs. Austin, thence along the line of Mrs. Austin to the point of beginning and containing sixty (60) acres, more or less, but the same is conveyed in gross and not by the acre.

Whereas, the Bank of Whaleyville, Virginia, holds a certain deed of trust on the entire farm of the said C.N. Bunch and Sarah J. Bunch, estimated to contain two hundred and fifty (250) acres, more or less, which deed of trust is duly recorded in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, in Deed Book 81, page 426, and,

Whereas, it is the intention of the said Bank of Whaleyville, Incorporated, to release the above sixty (60) acres of land from the lien of the said deed of trust,

Now, therefore, W.F. Knight, trustee, and the said Bank of Whaleyville, Incorporated become parties to this deed for the purpose of releasing the said sixty (60) acres of land hereby conveyed from the lien of the said deed of trust

and for no other purpose, It is expressly understood that they do not by signing this deed release any other part of the said land.

The said C.N.Bunch and Sarah J. Bunch covenant that they have the right to convey the said land to the grantee; that they have done no act to encumber the said land; that the grantee shall have quiet possession of the said land free from all encumbrances, and that they, the said parties of the first part will execute such further assurances of the said land as may be requisite.

Witness the following signatures and seals.

C. N. Bunch, (SEAL)

Sarah J. Bunch, (SEAL)

W.F.Knight, Trustee (SEAL)

Bank of Whaleyville, Incorporated
by F.R.Ellenor, President, (SEAL)

Attest; W. F. Knight, Secretary.

STATE OF VIRGINIA,

County of Nansemond, to-wit:

I, T.O.Knight, a Notary Public of and for the County aforesaid, in the State of Virginia, do certify that C.N.Bunch and Sarah J. Bunch, his wife, and W.F.Knight, Trustee, personally appeared before me and acknowledged the foregoing writing, bearing date of the 12th day of September, 1916, and that F.R.Ellenor, President, and W.F.Knight, Secretary of the Bank of Whaleyville, Incorporated, personally appeared before me. The said F.R.Ellenor made oath that he is the President of the Bank of Whaleyville, Incorporated, and as such signed and acknowledged the foregoing writing bearing date of the 12th day of September, 1916; the said W.F.Knight made oath that he is the Secretary of the said Bank of Whaleyville, Incorporated, and as such signed and acknowledged the foregoing writing bearing date of the 12th day of September, 1916, and affixed the seal of the said Bank of Whaleyville, Incorporated, to the foregoing writing in my presence. Given under my hand this 19th day of September, 1916. My term of office expires on the 10th day of July, 1917.

T. O. Knight, Notary Public.

VIRGINIA:

In the Clerk's Office of the Circuit Court of Nansemond County the
2nd day of March, 1917.

This Deed was presented, and, with the certificate annexed admitted to
record.

TESTE: G. E. Bunting, Clerk.

By, Kate P. Bell, D. C.

A true copy,

By Ruby V. Bunting D.C.

C. M. Beach & wife
to
Myrtle V. Brown

THIS DEED, Made this 25th day of May in the year one thousand nine hundred and sixteen, between C.N.Bunch and Sarah J. Bunch, his wife of Nansemond County, State of Virginia, parties of the first part and W.F. Knight, Chosen as Trustee for the purposes herein specified, of the same County and State, party of the second part--

WITNESSETH: That the said parties of the first part do grant unto the said party of the second part, with general warranty, the following property, to-wit: All that certain tract or parcel of land with the appurtenances thereon, and belonging to the same, situated in Cypress Magisterial District, County of Nansemond, State of Virginia, and containing Two Hundred Fifty (250) acres, more or less, and bounded by the lands of William Byrd's Estate, W.J. Rountree, G.R. Wiggins, Willis Austin's Estate and others, and by the main run of Knuckle Swamp; it being the same tract of land conveyed to the said C.N. Bunch by R.J. Tidwell and others, by deed dated December 30th, 1911, and which deed is duly recorded in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, in Deed Book 72, Page 123.

IN TRUST, to secure to Bank of Whaleyville, Incorporated, Whaleyville, Va., the payment of the sum of Six Hundred Fifty (\$650.00) Dollars, evidenced by a negotiable note of even date with this deed of trust for that sum, executed by the said C.N. Bunch and Sarah J. Bunch, his wife, payable to the said Bank of Whaleyville, Incorporated, at said Bank Ninety days after date, and also to secure any note or notes given in renewal or curtail or continuation of said note. The Homestead Exemption of the said parties of the first part being waived in toto as to the operation of this deed of trust or as to the collection of the debt herein secured.

In the event that default shall be made in the payment of the said debt, principal or any installment of interest, when due and payable, then the Trustee, on being required so to do by the beneficiary hereunder, its executors, administrators or assigns, shall sell the property hereby conveyed.

And it is covenanted and agreed between the parties aforesaid, that in case of a sale the same shall be made after first advertising the time, place and terms thereof for twenty (20) days or as said Trustee may deem best and upon the following terms to-wit: for cash as to so much of the proceeds as may be necessary to defray the expenses of executing this trust, including a trustee's commission of five per centum, the fees for drawing and recording

this deed, if then unpaid, and to discharge the amount of money then payable upon the said debt, and if there be any residue of said purchase money the same shall be made payable at such time, and secured in such manner as the said parties of the first part, their executor, administrators or assigns shall prescribe and direct, or in case of their failure to give such directions at such time and in such manner as the said Trustee shall see fit.

The said parties of the first part covenant to pay all taxes, assessments dues and charges upon the said property hereby conveyed so long as they or their heir or assigns shall hold the same.

If no default shall be made in the payment of the said debt or insurance premium, then, upon the request of the parties of the first part a good and sufficient release deed shall be executed to them at their own proper cost and charges.

Witness the following signatures and seals.

C.N.Bunch, (SEAL)

Sarah J. Bunch, (SEAL)

STATE OF VIRGINIA,

County of Nansemond, to-wit:

I, T.O.Knight, a Notary Public for the county aforesaid, in the state of Virginia, do certify that C.N.Bunch and Sarah J. Bunch, his wife, whose names are signed to the writing hereto annexed, bearing date the 25th day of May, 1916 have acknowledged the same before me in my county aforesaid.

Given under my hand this 30th day of May, 1916.

T.O.Knight, Notary Public.

My term of office expires on the 10th day of July, 1917.

VIRGINIA; In the Clerk's Office of the Circuit Court of Nansemond County the 31st day of May, 1916. This Deed was presented, and, with the certificate annexed, admitted to record.

Teste: G. E. Bunting, Clerk.

By, Kate P. Bell, D.C.

A true copy,

By, Ruby H. Bunting D.C.

C. H. Bunch wife
to
W. F. Knapp Trustee

This Deed, Made this 25th day of May in the year
one thousand nine hundred and Sixteen, between C. N. Bunch and
Sarah J. Bunch, his wife,

of Nansemond County, State of Virginia,, part ies of the first part and
W. F. Knight, Chosen as Trustee for the purposes herein specified,

of the same County and State,, part Y of the second part —
Witnesseth: That the said part ies of the first part do grant unto the said part Y
of the second part, with general warranty, the following property, to wit: All that certain
tract or parcel of land with the appurtenances thereon, and belonging to
the same, situated in Cypress Magisterial District, County of Nansemond,
State of Virginia, and containing Two Hundred Fifty (250) Acres, more or
less, and bounded by the lands of William Byrd's Estate, W. J. Rountree,
G. R. Wiggins, Willis Austin's Estate, and others, and by the main run of
Knuckle Swamp: it being the same tract of land conveyed to the said C. N.
Bunch by R. J. Tidwell and others, by deed dated December 30th 1911, and
which deed is duly recorded in the Clerk's Office of the Circuit Court of
Nansemond County, Virginia, in Deed Book 72, Page 123.

In Trust, to secure to Bank of Whaleyville, Incorporated, Whaleyville, Va. the payment of the sum of Six Hundred Fifty (\$650.00) Dollars, evidenced by a negotiable note of even date with this deed of trust for that sum, executed by the said C. N. Bunch and Sarah J. Bunch, his wife, payable to the said Bank of Whaleyville, Incorporated, at said Bank Ninety days after date, and also to secure any note or notes given in renewal or curtail or continuation of said note. The Homestead Exemption of the said parties of the first part being waived in toto as to the operation of this deed of trust or as to the collection of the debt herein secured.

In the event that default shall be made in the payment of the said debt, principal or any installment of interest, when due and payable, then the Trustee, on being required so to do by the beneficiary hereunder, its

executors, administrators or assigns, shall sell the property hereby conveyed.

And it is covenanted and agreed between the parties aforesaid, that in case of a sale the same shall be made after first advertising the time, place and terms thereof for twenty (20) days or as said Trustee may deem best

and upon the following terms to wit: for cash as to so much of the proceeds as may be necessary to defray the expenses of executing this trust, including a trustee's commission of five per centum, the fees for drawing and recording this deed, if then unpaid, and to discharge the amount of money then payable upon the said debt, and if there be any residue of said purchase money the same shall be made payable at such time, and secured in such manner, as the said part ies of the first part their executor, administrators or assigns shall prescribe and direct, or in case of their failure to give such directions, at such time and in such manner as the said Trustee shall see fit.

The said parties of the first part covenant to pay all taxes, assessments, dues and charges upon the said property hereby conveyed so long as they or their heir or assigns shall hold the same; and further covenant and agree to keep the building on the property hereby conveyed insured for the full amount of \$ for the further protection of the said or assigns; and in the event of failure to do so, then the Trustee, or the beneficiary under this deed, may effect or renew such insurance from time to time, so long as the said debt, or any part thereof, remains unpaid; and the insurance premium shall constitute a part of the lien created by this deed, to be paid out of the proceeds of the property, if sold, or to be recoverable by all the remedies in law or equity by which the debt aforesaid may be recoverable.

If no default shall be made in the payment of the said debt or insurance premium, then upon the request of the part ies of the first part a good and sufficient release deed shall be executed to them at their own proper cost and charges.

Witness the following signature s and seal s

C. N. Bunch (Seal)
Sarah J. Bunch (Seal)
 (Seal)
 (Seal)

STATE OF VIRGINIA,
County of Nansemond } To wit:

I, T. O. Knight, a Notary Public
for the county aforesaid, in the state of Virginia, do certify that C. N. Bunch and Sarah J. Bunch, his wife,
whose name s are signed to the writing hereto annexed, bearing date the 25th day of May 1916, have acknowledged the same before me in my county aforesaid.

Given under my hand this 30th day of May, 1916
T. O. Knight No.
My term of office expires on the 10th day of July, 1917.

MEMO—To be acknowledged before a Justice, Notary Public, or Commissioner in Chancery.

indexed 63
DEED OF TRUST

C. N. Bunch & Wife.

TO

W. F. Knight,

Trustee for Bank of Whaleyville,
Incorporated.

Admitted to Record this 31st
day of May, 1916

Recorded D. B. 81 Page 426

Examined and verified.

By Fate Bell, Clerk
D. C.

\$ _____

Tax	\$ 10 0
Fee	\$ 15 0
<u>Paid</u>	\$ 25 0

VIRGINIA.

In the Clerk's Office of the Circuit Court of Nassau County,
the 31st day of May, 1916

This deed was presented, and, with the certificate annexed, admitted to record.

TESTE:

G. E. Bunting, Clerk
By Fate P. Bell, D. C.

THIS DEED, Made this 30th day of December, in the year one thousand nine hundred and eleven between R.J.Tidwell and Effie M. Tidwell, his wife and J. W. Tidwell, Jr., and Mallie Lee Tidwell his wife, of Nansemond County, Virginia, parties of the first part, and C.N.Bunch, of the State of North Carolina, party of the second part--

WITNESSETH: That in consideration of the sum of \$5200.00 Five Thousand and Two Hundred Dollars the said parties of the first part do grant unto the said party of the second part with Genreal Warranty, all that certain tract or parcel of land with the appurtenances thereon, and belonging to the same, and situated in Cypress District, in Nansemond County, Virginia, and containing two hundred and fifty acres (250 A), more or less, it being understood that the same is sold by the tract and not by the acre, and bounded by the lands of William Byrd's estate, W.J.Rountree, G.R.Wiggins, Willis Austin's estate and others, and by the main run of Knuckle Swamp; it being the same tract of land conveyed to the said R.J.Tidwell, and J. W. Tidwell, Jr., from Joseph H.Gray, and Martha A. Gray, his wife, by deed dated July 25th, 1908, and recorded in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, in D.B. 66, on page 112.

It is understood and agreed by all the parties to this deed that a certain family burying ground situated on the above described premises, is reserved to the said Tidwells, with all rights of ingress and egress to the same, and it is not the purpose of this deed to convey the said family burying ground to the said grantee.

The said parties of the first part covenant that they have the right to convey the said land to the grantee, that they have done no act to encumber the said land; that the grantee shall have quiet possession of the said land, free from all encumbrances, and that they, the said parties of the first part will execute such further assurances of the said land as may be requisite.

Witness the following signatures and seals.

R.J.Tidwell,	(SEAL)
Effie M. Tidwell,	(SEAL)
J.W.Tidwell, Jr.,	(SEAL)
Mallie Lee Tidwell,	(SEAL)

STATE OF VIRGINIA,

County of Nansemond, to-wit:

I, T.O.Knight, a Notary Public for the county aforesaid, in the State of Virginia, do certify that Effie M. Tidwell and Mallie Lee Tidwell, whose name_ are signed to the writing hereto annexed, bearing date the 30th day of December, 1911, have acknowledged the same before me in my county aforesaid.

Given under my hand this 1st day of January, 1912.

T.O.Knight, N.P.

My term of office expires on the 14th day of July, 1913.

STATE OF VIRGINIA,

County of Nansemond, to-wit:

I, L.P.Holland, a Notary Public for the county aforesaid, in the State of Virginia, do certify that R.J.Tidwell and J.W.Tidwell, Jr., whose names are signed to the writing hereunto annexed, bearing date the 30th day of December, 1911, have acknowledged the same before me in my county aforesaid.

My commission expires 18th day of June, 1914.

Given under my hand this 3rd day of January, 1912.

L.P.Holland, Notary Public.

VIRGINIA:

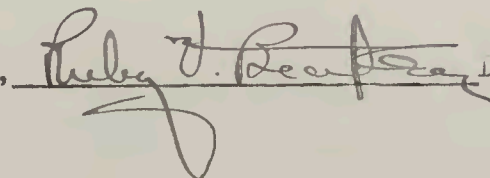
In the Clerk's Office of the Circuit Court of Nansemond County, the 3rd day of January, 1912:

This deed was presented, and, with the certificates annexed admitted to record.

Teste: G. E. Bunting, Clerk.

By, A.L.Twitty, D.C.

A true copy,

By,  D.C.

R J. Tidwell says
to
C. H. Bunch

IN THE CIRCUIT COURT OF NANASEMOND COUNTY

IN VACATION ON THE DAY OF 1918.

.....
:Myrtle V. Brown and :
:William C. Brown :
: :
: vs. :
:Sarah Jane Bunch, Earle :
:C. Bunch, The Bank of :
:Whaleyville, Inc., and :
:W. T. Knight, Trustee. :
:.....

IN CHANCERY

This day came Myrtle V. Brown and William C. Brown and by leave of court filed their bill, and S. E. Everett, a competent and discreet attorney at law, who has been duly assigned at rules as the guardian ad litem for the infant defendant, Earle C. Bunch, and required to defend his interest in this suit, filed his answer as said guardian ad litem, and the said infant defendant, Earle C. Bunch, being over the age of fourteen years files his answer in his own proper form; the defendant, Sarah Jane Bunch, thereupon files her answer to said bill, and the other defendants, The Bank of Whaleyville, Incorporated, and W. T. Knight, Trustee, file their answer to same, and thereupon the counsel of all parties to this cause, by counsel, this cause is docketed and set for hearing and by like consent came on this day to be heard in vacation on the bill of the complainants, the several answers of the defendants to said bill, the exhibits filed therewith, and was argued by counsel.

On consideration whereof the court doth order, adjudge and decree that W. Q. Peele, B. P. Baker, E. B. Harrell, James Gomer and W. W. Haslett, who are hereby appointed commissioners for that purpose, shall, after being duly sworn, proceed to lay off and assign to Sarah Jane Bunch, the widow of C. N. Bunch, deceased, her dower in the real estate of which her said husband died, seized and possessed, having due regard to quantity and

quality; and the same five persons who are hereby appointed for the purpose, shall also, after being duly sworn, proceed to partition and divide the remainder of said real estate between the two heirs at law and children of said C. N. Bunch, deceased, to wit: Myrtle V. Brown and Earle C. Bunch, and assign to each one his and her separate tract of land by metes and bounds, but in making said partition the said commissioners shall take into consideration the said certain tract of sixty acres conveyed to the said Myrtle V. Brown by her said father in his lifetime by way of advancement, and shall estimate that as a part of the said land which she is to receive under the decree in this cause. In making said partition the said commissioners shall likewise have due regard to quantity and quality and if they deem it necessary, they may call in a surveyor to assist them in their duties hereunder. Before making said partition the said commissioners shall view a certain part of said land described in the bill in this cause as containing about fifty-seven acres, and shall report to the court along with their other report whether it will be to the best interest of all parties to this cause to have said tract of fifty-seven acres sold for the purpose of paying off the deed of trust indebtedness now forming a lien on the entire tract of said land. The said commissioners are required to proceed immediately with the discharge of their duties hereunder, and they are required to report all their actions under this decree to this court, and this cause is continued.

Myrtle V. Brown et al

Vs.

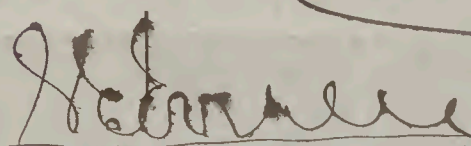
Sarah Jane Bunch et al.

TO THE HONORABLE JAMES L. MCLEMORE, JUDGE OF THE CIRCUIT COURT OF
NANSEMOND COUNTY, VIRGINIA:

Your petitioner, Earl C. Bunch, the only infant defendant in the above entitled cause, respectfully states to the court that he is now of the age of twenty (20) years; that he is at present in the United States Navy serving as a volunteer; that he soon expects to be honorably discharged and return home so that he may complete and finish his education; that he is entitled to a fund arising out of the sale of lands for a division and otherwise and as distributee of his father's estate, said amount being less than \$300.00, ^{to wit} the sum of \$267.50, and that he desires this amount to be paid directly to him in cash, he being of sufficient age and discretion to judiciously use the same. He, therefore, respectfully prays that the said Special Commissioner, R. H. Rawles, in the above cause be required and directed to pay the said sum direct to your petitioner.

Very respectfully,

Earl C. Bunch &
R. H. Rawles, Atty.


Guardian and litem
for Earl C. Bunch.

VIRGINIA,

To wit:

City of Suffolk,

I, R. H. Rawles, being duly sworn, do say that I am well acquainted with the above petitioner, Earl C. Bunch, having known him for some years. He is now of the age of twenty (20) years, and the statements he makes in his said petition are true so far as I am informed and believe, and I do further say that he, in my opinion, the said Earl C. Bunch, is of sufficient age and discretion to use the fund to which he is entitled in the above cause judiciously, and respectfully recommend that the same be paid directly to him.

Given under my hand this 9th day of April, 1919.

R H Rawles

Sworn and subscribed to before me this 9th day of April, 1919.

Ruby S. Keller
Notary Public.

My commission expires on the 2d day of October, 1921.

Myrtle V. Brown et al
Vs.
Sarah Jane Bunch et al

This cause came on this day to be again heard on the papers formerly read, as well as on the final report of R. H. Rawles, Special Commissioner, showing final distribution, which said report was filed on the 9th day of April, 1919, and to which no exception has been filed, and was argued by counsel.

On consideration whereof, it appearing from said report that the said R. H. Rawles, Special Commissioner, has collected from the purchaser, Willis Horton, the whole of the purchase money for the land heretofore reported sold to him by the papers in this cause, together with interest on the same; that he has made to the said purchaser, Willis Horton, a good and sufficient deed for said land with the covenants of title usual in such cases and delivered the same to him; that he has paid off and discharged all the costs and expenses of this suit and of said sale, and that he has paid the remainder of the purchase money over to the said Sarah Jane Bunch, widow, Myrtle V. Brown and Earl C. Bunch, the only heirs at law of C. N. Bunch, deceased, the payment made to the said Earl C. Bunch having been made by authority of a decree entered in this cause on the 9th day of April, 1919, the said Earl C. Bunch being of the age of twenty years, and the amount coming to him being less than the sum of \$300.00; all of said payments and disbursements being accompanied by proper vouchers, the

court doth Confirm said report.

And it appearing that nothing further remains to be done in this cause it is ordered that the same be stricken~~d~~ from the docket.

FINAL DECREE

Myrtle V. Brown et al

Vs.

Sarah Jane Bunch et al.

Entered on ^{May} 12th, 1919.

James McShore

Phonograph Order Book
No. 5 of 506

Myrtle V. Brown

Vs.

Sarah J. Bunch, et al.

The separate answer of S. E. Everett, guardian ad litem, appointed to defend Earle C. Bunch, an infant in this suit, in proper person, to a bill of complaint filed against Earle C. Bunch and other in the Circuit Court of Nansemond County by Myrtle V. Brown, and other.

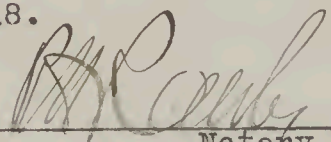
This respondent, reserving to himself the benefit of all just exceptions to the said bill of complaint, for answer thereto, answers and says:

That he is the guardian ad litem appointed at rules to defend Earle C. Bunch, an infant in this suit; that he knows nothing as to the truth or falsity of the statements in the said bill of complaint; and that he prays full protection of the court for Earle C. Bunch, the said infant defendant.

And now, having fully answered the complainant's bill, this respondent prays to be hence dismissed with his reasonable costs by him in this behalf expended.


Guardian Ad Litem for Earle C. Bunch.

Sworn to before me in the City of Suffolk, State of Virginia, this 18th day of November, 1918.


Notary Public.

Customs of
Infant Defendants of
Guernsey at Litem

Filed Nov. 18-1918

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

Myrtle V. Brown, et al,

Vs.

Earle C. Bunch and Sarah Jane Bunch.

The answer of Sarah Jane Bunch to a bill in chancery exhibited against her and others in the Circuit Court of Nansemond County, Virginia, by Myrtle V. Brown.

For answer to the said bill the said Sarah Jane Bunch says that the facts set forth in said bill, so far as she is informed, are true, and that it is unnecessary for her to repeat them here. She is now fifty-eight (58) years of age and desires that her dower in the real estate of which her husband died, seized and possessed may be set a part in kind to her, and that she would be pleased to have the present dwelling house and out houses included in said dower land. She is also of the opinion that it will be best for the interest of all concerned to have the fifty-seven (57) acres of land described in said bill sold so as to raise money to pay the deed of trust indebtedness on said tract of land. She believes the remainder of the tract can be divided in kind between her two children named in the bill. *She therefore joins in the prayer of the said bill.* And now, having fully answered the complainants' bill, she prays to be hence dismissed with her reasonable costs in this behalf expended.

She will ever pray, etc.

Sign here



Sarah Jane Bunch

Answer.

Sarah Jane Bunch.

Filed Nov. 18, 1918

IN THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND.

Myrtle V. Brown, et al,

Vs.

Sarah Jane Bunch, et als.

The joint and separate answer of the Bank of Whaleyville, Incorporated, and W. T. Knight, Trustee, to a bill in chancery exhibited against them and others in the Circuit Court of Nansemond County.

For answer to said bill these defendants say that it is true that the Bank of Whaleyville, Incorporated, holds a bond against the estate of the late C. N. Bunch for about the amount named in the bill, and that the same is secured by a deed of trust on said real estate executed by the said C. N. Bunch in his life-time, and his said wife, Sarah Jane Bunch; that the said debt is still due and unpaid. As to the other matters charged in said bill, these defendants say they are true so far as they are informed and believe. These defendants submit all their interest in this cause to the care and keeping of the court and pray that if the said real estate of C. N. Bunch on which they hold said lien, or any part thereof is sold by decree of this court, that their said debt and all interest thereon may be paid out of the proceeds of said sale.

And having fully answered these defendants pray to be hence dismissed with their reasonable costs by them in this behalf expended, and they will ever pray, etc.

THE BANK OF WHALEYVILLE, INCORPORATED.

by RT Rawls Counsel.

W. T. Knight TRUSTEE.

by RT Rawls Counsel.

Quarner.

Back of Whaleyville to
W & L. Knight Harbor.

Field Nov. 18. 1918

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA:

Myrtle V. Brown, et al,

Vs.

Earle C. Bunch and Sarah Jane Bunch.

The answer of Earle C. Bunch to a bill in chancery exhibited against him and others in the Circuit Court of Nansemond County, Virginia, by Myrtle V. Brown.

For answer to the said bill the said Earle C. Bunch says that he is now an infant of the age of twenty (20) years, but has reached such a stage of maturity as to be able to fully comprehend his rights and interest. He says that the statements contained in the bill in this case, in so far as he is informed and believe are true. He therefore joins in the prayer of said bill as to all intents and purposes.

And now, having fully answered the complainants' bill, he prays to be hence dismissed with his reasonable costs in this behalf expended.

He will ever pray, etc.

Sign here



Earle C. Bunch

Answer.

Earl C. Birch.

Filed Nov. 18. 1918

TO THE HONORABLE JAMES L. MCLEMORE, JUDGE OF THE CIRCUIT
COURT OF NANSEMOND COUNTY, VIRGINIA:

Humbly complaining, sheweth unto the Court, your
complainants, Myrtle V. Brown and William C. Brown, her hus-
band, of Nansemond County, Virginia, the following case:

You complainants say that C. N. Bunch, the father of
the said Myrtle V. Brown, departed this life in the month of
April, 1917, leaving his widow, Sarah Jane Bunch, now age
fifty-eight years, and his two children, Myrtle V. Brown, age
twenty-seven, and Earl C. Bunch, age twenty years, as his only
heirs at law;

They further say that at the time of his death, the
said C. N. Bunch was seized and possessed in fee simple of a
certain tract of land containing about two hundred and fifty
(250) acres, more or less, situated in Cypress District in the
County of Nansemond, and State of Virginia, not far from Whaley-
ville, Virginia, and adjoins the lands of William Byrd estate;
W. J. Rountree; G. R. Wiggins; Willis Austin's estate and others;
and the main run of Knuckle's Swamp. It being the same tract
of land which was conveyed to the said C. N. Bunch by R. J. Tid-
well and wife, and others, by deed dated the 30th day of Decem-
ber, 1911, and recorded in Deed Book 72, page 123, in the said
Clerk's Office of Nansemond County, Virginia, a copy of which
said deed is herewith filed, marked "Exhibit A." and prayed to
read as a part of this bill.

Your complainants further say that being so seized and
possessed of said tract of land, the said C. N. Bunch and wife
conveyed the same in trust to W. F. Knight, Trustee, to secure
to the Bank of Whaleyville a debt amounting to about \$730.00,
more or less, evidenced by a bond given by the said C. N. Bunch;

They further say that the said lien still remains upon the said land, and the said debt is unpaid.

Your complainants further say that the said G. N. Bunch by deed dated the 12th day of September, 1916, and recorded in Deed Book 28, page 206, in said Clerk's Office, conveyed to his said daughter, Myrtle V. Brown, sixty (60) acres of said land, which is bounded and described as follows: All that certain piece, parcel or tract of land situated in Nansemond County, Virginia, beginning at a hickory on the Somerton Road, a corner with Mrs. Willis Austin, and running along the west side of said road N. 60° E. 12 chains and 50 links to the junction of the road leading through what is known as the "Branch" farm; thence along the last named road N. 41° 6 chains and 80 links; thence N. 49½° W. 22 chains and 95 links to an iron stob, near a sycamore bush on the side of the road; thence South 41° W. 23 chains and 20 links to a branch on Robert Wiggins' land; thence along the line of the said Wiggins in a Southwest direction to the line of the said Austin; thence along the line of said Austin to the point of beginning, and containing sixty (60) acres, more or less, all of which appears by a copy of said deed herewith files, marked "Exhibit B" and prayed to be read as a part of this bill.

Your complainants further say that the said conveyance was made as an advancement to his said daughter, Myrtle V. Brown, as a part of what would be coming to her at the death of her father, and was so received by her, and which she is willing to account for in the general division.

Your complainants further say that a small portion of the said tract of land, containing about fifty-seven (57) acres, more or less, and lying on the road above named, which leads from the Somerton Road, adjoining the lands of Harrison Ellis, the old Bunch homestead, the land of J. H. Vaughan, James Gomer, and

others, is cut off and detached from the other part of the farm, and is situated in such a manner that it can be easily sold and transferred without interfering in any material degree with the value of the remainder of the farm.

Your complainants further say that the entire family of the said C. N. Bunch has had friendly conferences with reference to a division of this estate, and they are all of the opinion that the said fifty-seven acres can be sold and should be sold at public auction for the purpose of raising money ^{to pay the debt on} as above set forth; They further say that after this is done, their mother, Sarah Jane Bunch, desires that her dower be set apart in kind for her to consist of the old homestead buildings where she now resides, and as much land thereto as the law requires, and it is the wish of all the heirs that this be done.

After the said fifty-seven acre tract shall have been sold, as above prayed for, and after the dower of the widow shall have been laid off, your complainant, Myrtle V. Brown, desires that the remaining part of said land be divided in kind between herself and her brother, Earle C. Bunch. She is of the opinion that this can be easily done, and it is the desire of all in interest that it should be done, if practicable. If not practicable, then that the tract shall be sold and the proceeds divided according to law.

In tender consideration whereof, and for as much as your complainants are without remedy in the premises save by the aid of a court of equity, where such matter alone and proper cognizable, your complainants pray that the said Sarah Jane Bunch, Earl C. Bunch, the Bank of Whaleyville and W. F. Knight, Trustee, may be made parties defendant to this cause, and required to answer this bill, though an answer under oath is hereby waived; that proper proceedings may issue; that a proper guardian ad litem may be appointed for the infant defendant, Earle C. Bunch, and required to defend his interest in this suit; that the said tract of land consisting of fifty-seven acres, above described, may be sold and the

proceeds, after paying the expenses of sale, may be used as far as is necessary in paying off the deed of trust lien on the above mentioned real estate; that the following may be appointed commissioners of this court to lay-off and assign the dower of the said Sarah Jane Bunch in the lands left by her late husband, C. N. Bunch, to wit: W. Q. Peele, Beverly P. Baker, E. R. Harrell, James Gomer and W. W. Haslette; and further pray that the afore-said five men may also be appointed commissioners and required to partition the remainder of the said tract of land, of which C. H. Bunch died, seized and possessed among the parties entitled to receive the same, to wit: Myrtle V. Brown and Earle C. Bunch having due regard to quality and quantity in making said division, provided they find it practicable to make such division, and if it be not practicable, they then report that fact to the court. They further pray that if the court should deem it necessary that the papers in this cause may be referred to one of the commissioners of this court to ascertain and report to the court the real estate of which the said C. N. Bunch died, seized and possessed, together with its annual and fee simple values; liens thereon, if any, together with their amounts, dignities and priorities and whether the same has ever been sold for taxes; whether the said tract of land is divisible in kind among the parties entitled to receive the same, without a sacrifice of interest; if it be not so susceptible, whether any one of those entitled will take the whole of the said tract and pay to the other for his or her share therein; if no one will take the whole, whether it will be to the best interest of all concerned to sell the entire tract and divide the proceeds among those entitled or any other may be deemed pertinent by the said commissioner or which may be required to be stated by any party in interest; and for all such other, further and general relief as this case requires or which to equity may seem meet,

And your complainants will ever pray, etc.

Notice is hereby given that the court will be asked to allow a proper counsel fee to R. H. Rawles, Counsel, for services rendered by him in this cause.

Myrtle V. Brown
William C. Brown by Counsel.

STATE OF VIRGINIA,
City of Suffolk, To wit:

I, R. H. Rawles, a Notary Public for the city aforesaid, in the State of Virginia, whose term of office expires on the 20th day of January, 1919, do certify that Myrtle V. Brown, whose name is signed to the foregoing bill, has this day personally appeared before me in my city aforesaid, and, being duly sworn, made oath that the statements contained in the above bill, as coming by her own knowledge, are true, and that all other statements therein contained, as coming from knowledge or information received from others, she believes to be true.

Given under my hand this 16th day of November, 1918.

R. H. Rawles

Notary Public.

Bill

CIRCUIT COURT

SECOND MONDAY IN JANUARY, MAY,
JULY AND OCTOBER

HON. JAMES L. MCLEMORE, JUDGE
GEO. E. BUNTING, CLERK
S. E. EVERETT, COMMONWEALTHS' ATTORNEY
E. E. WAGNER, SHERIFF
C. R. FULGHAM, COUNTY TREASURER
LEE BRITT, COMMISSIONER OF ACCOUNTS

Nansemond County Clerk's Office

Deposit \$5.00

SUFFOLK, VIRGINIA

Rule Notes:

Martha V. Brown and Wm. C. Brown

Plfts.

V. In Chancery:

Earl C. Bunch and Sarah Jane Bunch,

Defts.

November 16, 1918, process issued returnable to November Rules, Third
Monday, 1918.

November 18, 1918, Process returned executed (Service accepted)

RH Records 1-1.

Myrtle V. Brown et al.
Sarah Jane^{rs} Bunch et al.

1918
Anna Louise

(Monica Oaks Book
No. 5 Pg 204

12/21/1900

Unit 10x	1.50
Bank	15.05
Shop	0
City	15.00
	<u>31.55</u>