

1924-027 Chanery Causes: Petition of the Trustees of Benns Methodist Episcopal Church
Isle of Wight County

Other surnames: Branch,
Chapman, Jordan, Minton,
Hart, Hall, Benn, Bunkley,
[Benns Methodist Episcopal
Church, South], Williams

Virginia: Circuit Court of
Isle of Wight County.

In re- Trustees Banns Church
petition for authority to
encumber church property.

*From Book 118
Entry June 1924*

1. Resolution of congregation.
2. Petition of trustees
3. Order of court directing
encumbrance.

Enter the order attached
hereto June 9th. 1924.

*See order on back of
page 52.*

*Book 7
page 142*

A. S. JOHNSON
ATTORNEY AT LAW
ISLE OF WIGHT C. H., VA.

The Linden Printing Company, Hartford, Connecticut, U.S.A.

State of Virginia,

County of Isle of Wight, to-wit:

I, A. S. Johnson, a Commissioner in Chancery for the Circuit Court for the County of Isle of Wight, State of Virginia, do hereby certify that C. F. Williams and H. C. Hall, whose names are signed to the foregoing certificate, appended to, a resolution of the congregation of Benns Methodist Episcopal Church, of the County of Isle of Wight, Virginia, have personally appeared before me in my said County, and have made oath that the statements made in their said certificate are true.

Given under my hand this 9th. day of June, 1924.



Commissioner in Chancery.

of debt therefor, in their names as trustees of said church, as may be determined upon by them and the person or persons from said loan is obtained, to be payable at such time and in such manner as they, the said trustees and the person or persons from whom the money is obtained, shall determine upon, and to execute a deed of trust to secure the same, encumbering the church property as aforesaid, with such conditions as they may determine upon, in order that the work of construction may go on without delay.

We C. F. Williams, pastor of Benns Church, in the County of Isle of Wight and State of Virginia, and who presided at the meeting of the congregation of said Benns Church at which was passed the foregoing resolution, and M. R. Minton, Secretary of said church, do hereby certify that the foregoing is a true copy of a resolution passed by said congregation, at a meeting called for the purpose of considering the subject of a loan for the erection of a house of worship for said congregation, in the manner prescribed by the rules and regulations of said church, and which meeting was held in strict accordance with the rules and regulations of said church.

Given under our hands this 8th day of June, 1924.

C. F. Williams Pastor, and
M. R. Minton Secretary of
Benns Methodist Episcopal Church, South,
of the County of Isle of Wight, Virginia.

in deed book Bo. 58, page 255, and contains four acres, more or less and is now bounded by the lands of C. S. Jordan and C. E. Davis and the said Old Stage Road; and the other of which was conveyed to the trustees of said church by W. G. Bunkley and others, by their deed bearing date the 13th. day of November, 1909, and is entered of record in the said Clerk's Office in Deed Book No. 77, page 390, the said lot being bounded by the said Old Stage Road and the lands of C. E. Davis; and,

WHEREAS, in order to secure the loan to be contracted for the purposes aforesaid it is the desire of the said congregation to encumber the property hereinbefore mentioned for the security of said loan:

NOW, THEREFORE, BE IT RESOLVED: That J. M. Branch, J. Walter Chapman, C. S. Jordan, M. R. Minton, N. L. Hart and H. C. Hall, trustees of said congregation, who have been duly elected, and whose election was, on the 3rd. day of October, 1910, duly confirmed by the Circuit Court of the said County of Isle of Wight, be, and they are, hereby, authorized and empowered, to file a petition in the Circuit Court of the County of Isle of Wight, State of Virginia, or before the Judge thereof in vacation, praying leave to encumber the church property aforesaid, to secure a loan of fifteen thousand dollars, to be used in the erection of a house of worship for the use of the congregation of said Bonns Methodist Episcopal Church, of the said County of Isle of Wight, State of Virginia, said encumbrance to be by a deed of trust, securing the payment of such evidence of debt, for the sum of fifteen thousand dollars, as may be required, the same to be payable at such time and in such manner as the said trustees may determine; and that the said trustees shall, upon receiving such authority from the said Circuit Court, as is provided by law, proceed to negotiate a loan for fifteen thousand dollars, and to execute such evidence

At a meeting of he

At a meeting of the congregation of Benns Methodist Episcopal Church, South, of the County of Isle of Wight, State of Virginia, held, pursuant to the rules and regulations of said church, at their house of worship, in the said County of Isle of Wight, on the 8th day of June, 1924.

The following resolution was presented and unanimously adopted:

"WHEREAS, it is the desire of the congregation of the Benns Methodist Episcopal Church, South, of the County of Isle of Wight, State of Virginia, to erect, on its tract of land, situate at the intersection of the Old Stage Road, and the road leading from said road to Carrollton, and bounded by the lands of Frank Powell, a house of worship that will be in keeping with the progressiveness of the community, for the spiritual, moral and social uplift thereof; and,

WHEREAS, in order that such a house of worship may be erected, it will be necessary for the said congregation to borrow money to defray the expense thereof, in a sum of not more than fifteen thousand dollars; and,

WHEREAS, the said congregation is the owner of the lot of land aforesaid, and which was devised to it by George Benn, by his last will and testament, bearing date the 30th. day of October, 1813, proved and admitted to record in the County Court of the said County of Isle of Wight on the 6th. day of December, 1813, and is entered of record in Will Book No. 13, page 344, and which said tract of land contains four acres, more or less; and is, also, the owner of two certain other tracts of land, in the said County, and across the said Old Stage Road from the lot aforesaid, one of which was conveyed to the trustees of said church by Augustus Bunkley and wife, by their deed bearing date September 8th. 1893, and is entered of record in the Clerk's Office of said County

142x
Jan 9
Entered
R.D.W.

fifteen thousand dollars, execute, in their names as trustees of said church, a deed of trust, encumbering the church property of said church, mentioned in said petition, and the resolution upon which it is founded, to secure the payment of the sum so borrowed, which sum shall not exceed fifteen thousand dollars, the said property to be so encumbered being as follows, to-wit:

1. That lot or parcel of land, situate, lying and being in the County of Isle of Wight, State of Virginia, bounded by the Old State Road, the road leading from said road to Carrollton, and the lands of Frank Powell, containing four acres, be the same more or less, and being the said devised to said church by George Benn, by his last will and testament bearing date the 30th. day of October, 1813, admitted to record and entered in the Clerk's Office of this court in Will Book No. 13, at page 344:

2. That lot or parcel of land, situate lying and being in said County and State, bounded by the Old Stage Road and the lands of Chas. E. Davis and C. S. Jordan, containing four acres, be the same more or less, and being the same conveyed to the trustees of said Benns Church by Augustus Bunkley and wife, by their deed bearing date the 18th. day of September, 1893, and entered of record in said Clerk's Office in Deed Book No. 58, page 255:

3rd. That certain other small lot of land, situate lying and being in said County and State, conveyed to the trustees of said church by W. G. Bunkley and others, by their deed bearing date the 13th. day of November, 1909, and entered of record in the said Clerk's Office in Deed Book No. 77, page 390, and containing less than one acre.

Virginia: In the Circuit Court of the County of Isle of Wight,
June 9th. 1924.

In re- application of trustees of Benns
Methodist Episcopal Church, South, of
Isle of Wight County, Virginia, to con-
tract for a loan and to encumber its prop-
erty to secure the payment thereof.

This day came the trustees of Benns Methodist Episcopal Church,
South, of the County of Isle of Wight, State of Virginia, the
said trustees being J. M. Branch, J. Walter Chapman, C. S. Jor-
dan, M. R. Minton, N. L. Hart and H. C. Hall, and by direction
of the congregation of said church, evidenced by a copy of the
resolution passed by said congregation, on the 8th. day of June,
1924, attached to and made a part of the petition with which
said resolution is filed, a petition, setting forth that it is
the desire of said congregation to borrow the sum of fifteen
thousand dollars, to be used in the erection of a house of wor-
ship on its lot or parcel of land lying in the intersection of
the roads, in this County, known as the Old Stage Road and the
road leading therefrom to Carrollton, and praying the court to
grant to the said trustees the authority and power to encumber
the church property for the payment of said sum of money, to be
borrowed: and it appearing to the court that the petition is made
as ^{required} ~~provided~~ by the statutes in such cases made and provided; that
the congregation of said Benns Methodist Episcopal Church, South,
of the County of Isle of Wight, has, according to the rules and
regulations of said church, authorized and empowered its trustees,
aforesaid, to file such petition: it is adjudged, ordered and de-
creed that the said J. M. Branch, J. Walter Chapman, C. S. Jordan,
M. R. Minton, N. L. Hart and H. C. Hall, trustee of said church,
elected, and confirmed by an order of this court entered on the
3rd. day of October, 1910, do, when they have borrowed the sum of

dollars, to be used in the erection of a house of worship for the congregation of said church, upon its lot of land now occupied by the house of worship at present used by the said congregation, in accordance with the resolution adopted as aforesaid.

And your petitioners will ever pray, etc.

J. M. Branch
J. Walter Chapman
C. Jordan
M. R. Minton
U. L. Hart
H. Hall

Trustees of Benns Methodist Episcopal
Church, South, of Isle of Wight Coun-
ty, in the State of Virginia.

by the court of this county (the County of Isle of Wight, State of Virginia) on the 6th. day of December, 1813, and is entered in Will Book No. 13, at page 344, which said tract or lot of land contains four acres, more or less; that the said congregation is the owner of two other tracts of land, across the Old Stage Road from the church lot aforesaid, one of them containing four acres, more or less, and having been conveyed to the trustees of said church by Augustus Bunkley and wife, by their deed bearing date the September 8th. 1893, and is entered of record in the Clerk's Office of said County in Deed Book No. 58, page 255, and is bounded by the said Old Stage Road and the lands of C. S. Jordan and Chas E. Davis;

the other lot having been conveyed to the trustees of said church by W. G. Bunkley and others, by their deed bearing date November 13th. 1909,, and entered of record in the said Clerk's Office in Deed Book No. 77, page 390, and is bounded by said Old Stage Road and the lands of Chas E. Davis, Containing less than one acre; that at the same meeting the said trustees, your petitioners, were further authorized and empowered to file a petition in the Circuit Court of the said County of Isle of Wight, or before the Judge thereof, in vacation, praying for authority to encumber the property of the said church, which is hereinbefore described, to secure the payment of the loan to be contracted as aforesaid, which is testified to by a duly authenticated copy of the resolution passed by the congregation of said church, at a meeting held for that purpose, on the ____ day of June, 1924, in accordance with the rules and regulations of said church, and which is filed herewith as a part of this petition:

Your petitioners, therefore, pray that they be given and granted the authority, by this honorable court, to encumber the property of the said Benns Methodist Episcopal Church, South, of Isle of Wight County, Virginia, hereinbefore mentioned and described, to secure the payment of the sum of fifteen thousand

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

In re- application of trustees of
Benns Methodist Episcopal Church,
South, of Isle of Wight County,
Virginia, to contract a loan and
encumber its property to secure
the same.

To Honorable B. D. White,

Judge of the Circuit Court of the County of Isle of Wight,
State of Virginia.

Your petitioners, J. M. Branch, J. Walter Chapman, C. S.
Jordan, M. R. Minton, N. L. Hart and H. C. Hall, represent that
they have been heretofore elected, by the proper authority, as
trustees for Benns Methodist Episcopal Church, of the County of
Isle of Wight, State of Virginia, their election having been con-
firmed by the Circuit Court of the County of Isle of Wight, State
of Virginia, on the 3rd. day of October, 1910, as appears of record;
that at a meeting for the purpose, held in the meeting house of the
congregation of said church, on the ____ day of June, 1924, they
were authorized and empowered to negotiate a loan of fifteen thous-
and dollars, to be used by them in the erection of a house of
worship for said congregation, upon the lot of land, in Isle of
Wight County, Virginia, now occupied by the present house of wor-
ship, and which is bounded by the Old Stage Road, and the road
leading from said road to Carrollton, and the lands of *Frank*
Powell _____, and which was devised to said
congregation by George Benn, by his last will and testament bearing
date the 30th. day of October, 1813, and proved and admitted to

record