

1871-066

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BRIGGS' ADMINISTRATOR vs. BRIGGS et al
4/1871

other surnames: Herbert

636

to abb. adm. Briggs

as } Petition

Briggs &c.

1871 April Term

To be entered

Wingwharf Bridge

1871 April, Deceit as filed

To the Honl. Judges of the County
Court of Southampton.

The Petition of Wm Cobb, now of
Barnett & Briggs, represents, that he
held bonds due to his estate, by
Wm H. Briggs and Wm H. Briggs, for the
sum of \$1500. due on 29th April
1857.

That he instituted suit on this bond
and recovered judgment, Thence at the
March Term 18th of the County
Court of Supr. That the principal
had no property, or inconsiderable
quantity out of which this debt
he made except his land. That
the security was much impaired
and had executed a deed of trust on
his whole estate for the payment
of his debts, which are greatly more
than the value of his estate.

That this bond bore 6 p. cent int.
until April 1862. When your Petitioner
indorsement on the bond assented
that in future it should carry only
2 p. cent.

That by a calculation, the debt
and interest on 6th April 1871. Amount
to about \$2200.

That in as much as if, the land
of the debtor, had been sold in an
order of Court to pay the debt, the sale
would have been made on a credit
of not up than three years at 6 p.

ent mt: and money is now worth
10 per cent per annum mt. Green
Petitioner, has thought it prudent
judicious and proper to compound and
compromise with the debtor, for
the sum of \$2000. in cash which
was paid to Green Petitioner on 6th
April 1871.

Green Petitioner applies to this Court
to confirm the said compromise;
and prays that the parties interested in
the said debt. may be made parties
hence to suit, Sarah E. Briggs, widow
of B. S. Briggs - and her small children
Herbert and Euphemia his wife, and
William, Beysa, Rebecca, Aron, Bena,
and Eppa Briggs infants. and protect
their interest in this matter.

That your Honor will make such order
in the Premises as the nature of the
case may require.

W W Cobb Adv. B S Briggs
Petitioner.

Joint and separate answer of Sarah E.
Briggs and her children to the foregoing
Petition.

Your Respondents are satisfied that
the above stated compromise, is judicious and
proper and pray the Court to ratify & confirm
the same.

Answer of Wm - Beysa, Rebecca, Aron
Bena, and Eppa Briggs minor children
of B S Briggs by L. R. Edwards their known
ad litem to the foregoing petition.

These aforesaid being minors are
unable to give any binding consent
of themselves and therefore submit their
interest to the protection of the Court.

W W Cobb Adv. B S Briggs
m.

Sarah E Briggs & others.

This way this petition came
on the heard on the petition, answer
of all the parties in interest - and was
argued by Counsel. On consideration
thereof the Court with acquiescence
and that the payment of \$2000 - on 6th
April 1871, by Wm Briggs, in full satisfaction
of his bond executed to B S Briggs on 29th
April 1857. for \$1500 - as a compromise
of the said debt. is in the opinion of
the Court judicious & proper and that
the same be ratified and approved and
be binding on all the parties in interest.