

1872-052

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BRIGGS' ADMINISTRATOR etal VS. THOMAS etal

6/1872

other SURNAMES : Fox

Briggs and Co

2 } Stat. Rules

Thomas Co

Southampton County Court

Joseph M Prince admr de bonis non of John E Briggs dec. Thomas J Fox &
Sally A his wife who was formerly Briggs

against
David M Thomas & Annie E & Ursula Briggs infants by J R Edwards their
guardian ad litem

1872. April 12 Summons issued -

" May Rules Sum's ret^d. Executed. - Bill filed. J R Edwards assigned Leon ad
litem to infant Defts. Ans. infants & Rep. A nisi to Dft. Thomas -

" June " Bill taken for confessed as to Dft. Thomas & Cause set for hearing &c

" J Decree & Cause removed from Docket.

Co. of
Brigg's Admiral
or Bill
3

Thomas Admiral

1852 May. Rules

I. B. Prince fe

To the Hon. Jos. W. Upshur, Judge of the County Court
of Southampton County. In Chancery.

Humly Complaining sheweth unto your Honor,
your complainants Joseph H. Prince, Adm^r
de bonis non of Jno E. Briggs dec^d, Thomas J. Fox,
& Dolly A. his wife, who was formerly Dolly
A. Briggs, that when the said Joseph H. Prince,
qualified as the adm^r d. b. n. of Jno E. Briggs,
upon a settlement with David H. Thomas, who
had been managing the Estate of the said
Jno. E. Briggs, for some time previous, he found
the said Thomas indebted to the said Estate
in the sum of five hundred & twenty two \$100
dollars, principal & interest. That upon
viewing into the financial condition of the
said Thomas, the said J. H. Prince ascertained
that he was not able to pay the whole
amount of this debt. That after some time
had elapsed, the said J. H. Prince learned
that, all the creditors of the said Thomas
were willing to compound their indebtedness
against him at the rate of 50 per cent
thereof, which amount, it was ascertained
he could pay. That the said Prince, after consult-
ing with Thomas J. Fox, who had intermarried
with Dolly A. Briggs, the widow of the said Jno.
E. Briggs, determined that this was the best
& most certain plan of securing the debt.
That the said Prince has, in furtherance

of that determination received from the
Said Thomas the sum of Two hundred &
sixty one 09/100 dollars, in full discharge of
Said debt. That your Complainants are
advised that this action, before it can be
final & complete, requires to be confirmed
by a Court of competent jurisdiction, all
parties in interest being properly before
the same. In consideration whereof, your
Complainants pray that D. H. Thomas, and
Nannie E. & Ursula Briggs, who are the
infant children of the Said Jno. E. Briggs, be
made defendants to this petition, and a
proper person assigned their Guardian ad
litem, & that this Court will make
an order confirming & ratifying the
action of the Adm'r in the premises to
whatever else is necessary to be done in
this Cause. And as in duty bound, your
Complainants will ever pray &c. May it
please the Court &c. -

J. B. Bricey Jr.

The Joint Several answer of Harriet E. & Ursula Briggs, by L.R. Edwards, their Guardian ad litem, to a petition filed by Joseph Ruess sother against them sother, in the County Court of Southampton.

These defendants - saving & reserving ^{tho} for answer to said petition, or unto so much thereof as they are advised it is material to answer, answering say - that they are infants, and being such, know nothing of the facts in said petition, but submit their right in this cause to the protection of this Court - and having answered, they pray hence to be dismissed &c.

L.R. Edwards
Gdn ad litem -

L.P. Ruess p. 2

Briggs' Adm.

vs  Reeve.

Thomas &c

June Term 1872.

To be entered.

Wm. W. Hart Judge

Briggs' Adm'r &c -

vs 3 Decees.

3
Thomas &c

This day this cause came on to be heard on the Complainant's bill, which has been taken for confessed as to the Defendant D. H. Thomas, the answer of the infants, namely Siisula Briggs, by L. R. Edwards, who is hereby assigned their Guardian ad litem, exhibits filed, with several replication thereto, and was argued by counsel. On consideration whereof and the Court being of opinion that the action of the Adm'r de bonis non of Jno. E. Briggs died, in compromising the debt against D. H. Thomas, was prudent, doth by judge order and decree that the same be confirmed and ratified, and declared firm & binding between all the parties. And, nothing further appearing to be done, in this cause, the Court doth order that the same be removed from the docket, at the costs of the Adm'r de bonis non of Jno. E. Briggs died.

Briggs & Co
S. } Sum. Ch.

Thom. & Co
1872 May Rules

Executed
J. S. Bankau
by forward M. G. W.
shff

70
26

The Commonwealth of Virginia

To the Sheriff of Southampton County, Greeting:

WE COMMAND YOU to summon

*David H Thomas, Annie E. & Ursula
Briggs*

if *they* be found within your bailiwick, to appear at the Clerk's Office of our *County* Court of Southampton County, at the Rules to be holden for the said Court, on the first Monday in

May next to answer a bill in chancery exhibited against them in our said Court by Joseph H Prince, administrator de bonis non of Jno. E Briggs dec'd. Thomas J Fox & Dolly & his wife who was formerly Dolly A Briggs

And have then there this writ. Witness, OSWIN WHITE, Clerk of our said Court, at the Court-house, this *12* day of *April* A., D., 1872, in the *96* year of the Commonwealth.

O. White Clk