

1885-04 - Southampton County Chancery - Briggs, William + Ann vs Briggs, Benjamin

2
* plats
within

division of real estate

Briggs, Rebecca
" - Bina
" - Effie

1875 October Rules

139

Briggs &

vs

Briggs & al

Briggs

Briggs
vs
Briggs

Bill of
Complainant,

1875 October Rules

To the Hon; George Blow Judge
of the Circuit Court of Southampton
County. In chancery setting -
October Rules, 1875-

Humbly complaining sheweth
unto your honor your Complainants
William and Ann Briggs that
they are jointly seized and possessed
with Benjamin, Rebecca, Bena and
Effie Briggs of a tract of land lying
and situate in the County of South-
ampton containing by estimation
seven or eight hundred acres, derived
by descent from their father Bennett
S. Briggs decd? That your orators
are now twenty one years of age
and desire a division of the said
tract of land amongst the said
parties entitled - but are advised
that it cannot be done without
the aid of this honorable Court.
That - The said Benjamin, Rebecca
Bena and Effie Briggs are infants
under the age of twenty one years,
In tender consideration of the

premises, and in as much as your
complainants are without remedy
done in this honorable Court, it
is prayed that Benjamin, Rebecca,
Bina and Effie Buggs be made
parties defendants to this bill,
that a guardian ad litem be appointed
them who shall make answer
to the allegations of this bill -

That your honor will decree
a division of the land, and
appoint Commissioners for that
purpose, belonging to your
complainants and Benjamin,
Rebecca, Bina and Effie Buggs
deceased from their father Bertram
S. Buggs dec'd, and that your
honor will decree such further
and general relief in the premises
as equity may dictate, and the
nature of this case may require,
and they will ever pray &c

Wm. Buggs
Ann Buggs

Briggs &
27
Briggs et al.

Answer of
infant defendants

1875 October Rules

To the Hon George W. Snow, judge of
the Circuit Court of Southampton
County, October Nover, 1875;

The answer of Benjamin, Rebecca
Bina and Effie Briggs infants
by Wm. W. Cobb their guardian
ad litem to a bill of Complaint
submitted in this honorable Court
against them by William and
Sam Briggs -

These defendants, saving and
reserving to themselves all benefit
of just exception to said bill,
answer and say that being
infants under age they submit
their interests to the care and
protection of this honorable Court
and having answered, pray to be
hence dismissed &c -

Wm. W. Cobb
guard. ad litem,

William and Ann Briggs

vs

Benjamin, Rebecca, Benia and
Effie Briggs —

Briggs

to { Sum. Chy

Briggs

1875 October Rules

A. D. 1875 in the
Court at

The Commonwealth of Virginia,

To the Sheriff of Southampton County---Greeting :

WE COMMAND YOU TO SUMMON

Benjamin, Rebecca, Bina & Effie Briggs

if *they* be found within your bailiwick, to appear at the Clerk's Office of our Circuit Court of Southampton County, at the Rules to be holden for the said Court on the first Monday in *October next* to answer a bill in chancery exhibited against them in the said Court by William *John Briggs*

And have then there this Writ.
the Court House, this 30th
year of the Commonwealth.

Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at
day of *September* A. D. 1875, in the 100th

L. R. Edwards

Briggs & Co

as Geo. Deane

Briggs & Co

In Southampton Circuit Court.

November Term 1875

William Briggs and Ann Briggs Pltffs }
against

Benjamin, Rebecca, Bena & Effie Briggs }
by W.W. Cobb, their Guardian ad litem } Law Chancery.
Defts.

This day this cause came on to be heard on the bill of the Complainants, the answer of the infant defendants by W.W. Cobb, their Guardian ad litem, general replication thereto and was argued by Counsel. On Consideration whereof, the Court doth adjudge order and decree that Wm. A. Bell, James E. Webb, Charles W. Nicholson, James E. Gillette and John S. Coker any three of whom may act, are appointed Commissioners to divide the tract of land belonging to William, Ann, Benjamin, Rebecca, Bena, & Effie Briggs, acquired from their father Bennett S. Briggs decd. That they employ a competent Surveyor, if they deem it necessary, and that they divide the said tract of land in six Equal parts, having regard to quantity and value, and allot one part, each, to William, Ann, Benjamin, Rebecca, Bena and Effie Briggs, and that they make report of their proceedings to this Court in order to a final decree.

A Copy.

Teste.

Fee 36c. Chgo. to
Pltffs.

J. B. Parice C. C.

129/1c
Briggs J^c #1
~~24~~

vs 1 Stat: Rules

Briggs J^c
~~~~~

In Portsmouth Circuit Court.

Williams Briggs and Ann Briggs,  
Against

Benjamin, Rebecca, Bina and Effie Briggs  
infants by Wm. H. Cobb their guardians ad litem

1876, Sept 30<sup>th</sup> Summons issued

" Oct 1. Bill filed Wm. H. Cobb assigned guardian  
ad litem to Defots.

Ans. of Defots. Genl. Dep. the child's cause set for  
hearing.

Nov. Decree for division.

Briggs } Reese  
or  
Briggs

Nov Term 1875

to be entered

Geo Brown

Briggs

vs.  
Briggs

This day this cause came on to be heard on the bill of the Complainants, the answer of the infant defendants by W. W. Cobb their guardian ad litem, general replication thereto, and was argued by Counsel, on consideration whereof the Court doth adjudge, order and decree that Wm. A. Bell, James E. S. Brill Charles W. Nicholson, James E. Gillette and John S. Coker, (any three of whom may act) be appointed Commissioners to divide the tract of land belonging to William, Ann, Benjamin, Rebecca, Bena and Effie Briggs acquired from their father Bennet S. Briggs dec'd; that they employ a competent surveyor if they deem it necessary, and that they divide the said tract of land in six equal parts, having regard to quantity and value, and that they allot one part each to William, Ann, Benjamin, Rebecca, Bena and Effie Briggs, and that they make report of their proceedings to this Court in order to a final decree —

Briggs vs.  $\frac{1}{2}$  Duane  
Briggs vs.

May term 1888

To be entered.

Geo. B. Brown,  
Att'y

Entered 127  
Dismissed

W. J. Sebrun, p.g.

Briggs vs. Briggs & Decree.

Briggs vs.

This day this cause came on again to be heard upon the papers formerly read, and was argued by counsel. On consideration whereof, it appearing to the Court that nothing further remains to be done in this cause, the Court doth adjudge, order and decree that the same be removed from the docket.

Brijps te { Deere.  
or. {  
Brijps te

Nov. Teun 1884.

Is be intend-

Geo. Blond.

Entered

71

Briggs &c  $\frac{1}{2}$  Decree.  
or.  
Briggs &c

This day this cause came on to be heard upon the papers formerly read, & upon the report of Wm. A. Bee, J. S. Coker and J. E. Abree, three of the Commissioners appointed by a decree herein entered, <sup>filed</sup> <sub>and 29<sup>th</sup> 1884</sub> to which report there is no exception, and was argued by counsel. On consideration whereof, it appearing to the Court that in the partition made by the said Commissioners, lot No. 1, containing 162 acres & bounded as will appear in plat herein filed, fell to the share of defendant Benjamin F. Briggs; lot No. 2. containing 193 acres & bounded as will appear in plat herein filed, fell to the share of defendant Bena Briggs; lot No. 3. containing 165 acres & bounded as will appear in plat herein filed, fell to the share of W. F. Bradshaw, vendee of A. M. Simmons and Ann, his wife, formerly Briggs; lot No. 4, containing  $147\frac{1}{2}$  acres & bounded as will appear in said plat, fell to the share of Effie Briggs; lot No. 5. containing  $139\frac{1}{2}$  acres & bounded as will appear in said plat fell to the share of Wm. S. Briggs; lot No. 6. containing <sup>acres</sup>  $139\frac{1}{2}$  & bounded as will appear in

said plat fee to A. A. Williams and  
Rebecca, his wife, formerly Briggs -  
the Court doth adjudge, order & decree  
that the said report of said Com-  
missioners be confirmed, and that  
the partition in manner & form afore-  
said made, be held firm & stable.

And the Court doth further, adjudge, order  
& decree that the said Wm. S. Briggs do pay  
unto the said W. F. Bradshaw, vendee &c.,  
the sum of Fifteen dollars, and unto  
the said B. F. Briggs the sum of Ten  
dollars, and unto the said Beina  
Briggs the sum of ten dollars, and

unto said Eppie Briggs the sum of ten  
dollars - <sup>the said sums being due as owelty of partition on</sup> And that the said A. A. Wil-  
division of the aforementioned land,  
liams & Rebecca, his wife, formerly Briggs,  
do pay unto said W. F. Bradshaw, vendee &c.,  
the sum of twenty five dollars, the same  
being due as owelty of partition on division  
of the aforementioned land. And it  
is ordered that the costs of this suit be  
proportionally borne by the parties thereto.  
And the Court doth further adjudge,  
order & decree that the aforesaid sums  
herein ordered to be paid, be a charge  
upon the lands & have the effect of a  
Judgment thereon till paid.

1995 V.S.

Report of Comrs  
According  
Land

Wiggo J.

1884. Apr 29. Filed

Briggs & Co

vs 3 Report of Commissioners

Briggs & Co

In this cause, your Commissioners beg leave to submit the following report. Pursuant to decree entered in this cause at Nov: Term 1875 - a copy of which is returned herewith, we have divided the real Estate whereof Bennett S. Briggs died seized among his six children as follows to wit: To William S. Briggs, tract No 5 - as shown on plat returned herewith - containing  $139\frac{1}{2}$  acres. He is to pay to tract No: 3 - fifteen dollars and to Nos: 1, 2 + 4 - ten dollars each.

To A. A. Williams and <sup>Rebecca</sup> Ann, his wife, formerly Briggs, Tract No: 6 - 139 acres - They to pay to tract No: 3 - Twenty five dollars.

To Benjamin F. Briggs - tract No 1 - 162 acres.

To W. F. Bradshaw, vendor of A. M. Simmons and Ann, his wife formerly Briggs tract No: 3.

To Bina Briggs - tract No: ~~2~~<sup>2</sup> - 193 acres.

To Effie Briggs, tract No: 4 -  $147\frac{1}{2}$  acres.

All of which is respectfully submitted.

Surveyors fee \$4.50

Price J. C. Miles Surveyor

Wm. A. Bell

J. B. Coker

J. E. Sebrall

Commissioners

To Judge of Circuit Court of  
Southampton Co. Va }

Scale 500 ft to 1 in

Nicholson

Elizabeth

Biggs

200  
195  
Acres

260  
Acres

Biggs

Winton Branch

Burrell Branch

100  
Acres

scale 5 ch. to 1 in

