

1831-001

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BRIGGS

VS. BRIGGS' ADMINISTRATOR

4a1

2/1831

Plat

Other surnames: Boykin

To the justices of the court of Southampt
Tare county in chancery sitting

Humbly complaining thereunto your
worships your petitioner Sarah Briggs
that she is the widow of Henry Briggs
late of your county who died intestate
on or about the day of September 1, 1829
possessed of a ~~large~~ valuable estate in
land and negroes to wit the
home plantation containing 97 1/2
acres and colliers place contain
ing 80 1/2 acres and the following
negroes Miles, Limbick, young Aaron
Collins, Rodrick, Potience, ~~Abner~~, char
lotte, an infant son of Potience, Lucy
Clary, Jack, Henry, Peter, Lure, old
Aaron, old Ben, Stephen, Henderson
old David and wife, Rachel, Charles, Sa
muel, Robertson, Mary, Maria, Leve
is, Nicholas, William, and little
David, the said Henry Briggs at
the time of his death left the following
children i.e. Samuel Briggs, Kester
Brykine wife of Francis Brykine, Lu
cine B Briggs, Etheldreda E Briggs
and Sarah Briggs the three last of
whom are infants under the age
of twenty one years, the said Samue
l Briggs died ^{under age} a few days after
the death of the said Henry Briggs.
that administration on the estate of
the said Henry Briggs has been gran
ted to a certain Francis B Brykine
who has gone on to administer the
same. your petitioner believes the said
Henry Briggs owed but few debts
and there is no reason why, down
as in the land and negroes, should
be further delayed. She is anxious

to have said done in said lands
and negroes set apart and allotted
to her, your petition also alleges that the
said Henry Briggs in his lifetime
put in the possession of the said
Francis M. Boykin and his wife
money and two negroes named
Stephen and Abner ~~which were~~
~~as an acknowledgment to his daughter~~
the said Peter Boykin, which your
petition prays they may be compelled
to return in whole or in part, if they
will to come in for an equal
share of the estate given Henry
Briggs, your petition has applied to
said Francis M. Boykin and he for
he done in said lands, ~~but he~~
~~has refused to do so~~
But now as it is may it please your
worships the said Francis M. Boykin
and the said Peter Boykin and the said
Francis M. Boykin & his wife, and the
said Luman M. Briggs, Ethelred E. Briggs
and Luman Briggs, being after called
defendants under various pretenses
have refused the reasonable request of your
petition. All which tends much to the injury
& oppression of your petition in the premi-
ses. In tender consideration whereof and
forasmuch as your petition is without
remedy at law, and can only be re-
lieved in a court of equity. To the end
that the said Francis M. Boykin and
the said Peter Boykin and the said
Francis M. Boykin & his wife, and the said
infants defendants Luman M., Ethelred E.,
& Luman Briggs by their guardian to be
signed by the court may receive the
premises fully & distinctly &c and by an
order of this court an equal and equal
third part of the lands of which the said

Henry Briggs died possessed regarding quality
to as well as quantity may be set apart
to her by proper votes & bounds, and that
it be laid off in one entire parcel
and also one full third part of said
lands allotted to her as he done, by com-
missioners to be appointed for that pur-
pose, and may it please your worships
to grant all such other & further relief in
the premises as may be consistent with
equity and the rules & principles of this
court & grant process &c

Luman Briggs } Cause
vs.

Francis M. Boykin and
Henry Briggs died the said
Francis M. Boykin & his wife, and Luman M.
Briggs, Ethelred E. Briggs, &
Luman Briggs infants of
Henry Briggs died by the
said Luman Briggs their
guardians ad litem

This cause was this day docketed and
by consent of parties came on to be heard
on the bill and answer filed, and
was argued by counsel, whereupon
after mature deliberation the court
doth adjudge, order and decree that
Jeremiah C. Edwards, Ruth ^{& Peter Jones} ~~John~~ ^{John} ~~Benjamin~~
be appointed commissioners to lay off and
allot ^{to the complainant} for by proper votes and bounds
one third of the lands of which Henry
Briggs died possessed regarding quality
to as well as quantity, that they
lay off the same in one entire
parcel and call in the assistance

Mc
Cause

of the courtly surveyors if they should
think it necessary, that they also divide
the said lands including said down
into four equal parts according to
the value thereof regarding quality as
well as quantity and assign the
same by lot to the said Thomas
or Boykin and Walter his wife, and
the said infant defendant Lucian B
Briggs, Ethelred & Briggs, & Sarah Briggs
that the said commissioners also lay
off and set apart to the said complain-
ant one third part ^{in value} of all the slaves
of the said Henry Briggs dead and also
of the two surrendered up in lot 10th
by the said Thomas or Boykin and
Walter his wife to wit Miles, Lembrick
young Aaron, Collins, Rodrick, Patience
Moses, Charlotte, an infant son of Patience
Lucy, Mary, Jack, Henry, Peter, Lee
old Aaron, old Ben, Stephen, Hadden
son, old David & wife, Rachel, Charles
David, Robertson, Mary, Maria, Lewis
Nicholson, William, little David, and
Stephen & Abram given up in lot 10th
and ^{divide} the balance of said negroes into
four equal parts and allot the same
to each of the defendants and report their
proceedings to this court in order to a
final decree &c

Briggs

W. { Will. and R.

Briggs adms R.

1830 Decr. decr. as filed R.

+ 1831 Feb'y Rpt. not final
decr. by consent R.

The answer of Francis M. Bykin and
Walter his wife to which exhibited vs
them & others in To. Co. court by Lemuel
Briggs, comp.

These respondents for answer to
the said bill, answer ~~to the~~ and
say, that the allegations therein are
true and that they are willing
to surrender in hotetpotah the ad-
vancement made to them by Henry
Briggs in his lifetime and receive their
full & equal share of his estate, they are
willing to an allotment of dower in
the lands mentioned in the complaint
and bill, I hope the court will decree
a division of said land ^{to be made} between
these respondents, and the three infant
defendants, allotting one fourth
part to each as the legal heirs of
the said Henry Briggs, and having
thus answered pray leave to be dismiss-
ed with their costs &c

Witness
Francis M. Bykin
Walter

The separate answer of Francis M Boykin
answer of Henry Briggs and to a bill ex-
hibited against him and others for
to Es. court by Jacob Briggs and

The said defendant admits that
he is the administrator of the said Hen-
ry Briggs dead and that allegations
in the complainant's bill are true
and is willing to any decree for a
division of the negroes said dead which
the court may think proper to make
& having this answered, hands were to be
disjoined &c
Signed

Francis M Boykin son of Henry
Briggs

The joint answer of Lawrence & Briggs
Attorneys & Briggs & Tarant Briggs, by Francis
in W Boykin their guardians ad litem
to a bill exhibited in. them, ^{& they} in Southwicks
tax co. court by Tarant Briggs counsels

These respondents, by their said guardian
ad litem for answer to said bill answer
and say, that they are in
fact under the age of twenty one
years, and as to their rights in the
lands and negroes of their deceased
father pray to place themselves under
the protection of this court, & having
thus answered pray leave to be dis-
missed with their reasonable costs

Q C

Signed

by
Francis W Boykin Esq ad litem

Briggs

23 Co. Deered

Briggs ad VP

For Commisarius

Southampton December Court 1838.

Sarah Briggs

Complainant

against

In Chancery

Francis M Boykin administrator of Henry Briggs dec^d and the said Francis M Boykin and Hester his wife in right of his said wife, and Susan H Briggs, Etheldred E Briggs and Sarah Briggs infants by Francis M Boykin their guardian ad litem. Defendants

This cause was this day docketed, and by consent of parties came on to be heard on the bill and answer filed and was argued by counsel. Whereupon after mature deliberation the Court doth adjudge, order and decree that Jeremiah Cobb, Edwards Butts, John Demegre and Peter Piere be appointed Commissioners to lay off and allot to the Complainant by proper metes and bounds one third of the lands of which Henry Briggs died possessed, regarding quality as well as quantity, that they lay off the same in one entire parcel and call in the assistance of the County Surveyor if they should think it necessary, that they also divide the said lands including said dower into four equal parts according to the value thereof, regarding quality as well as quantity, and assign the same by lot to the said Francis M Boykin and Hester his wife, and the said infant defendants Susan H Briggs, Etheldred E Briggs, & Sarah Briggs, that the said Commissioners also lay off and set apart to the said Complainant one third part in value of all the slaves of the said Henry Briggs dec^d and also of the two surrendered up in hotchpot by the said Francis M Boykin and Hester his wife, to wit, Miles, & Limbrick, young Aaron, Collin, Roderick, Patience, Moses, Charlotte, an infant son of Patience, Lucy, Clary, Jack, Henry, Peter, Lew, old Aaron, old Ben, Stephen, Henderson, old David & wife, Rachel, Charles, David, Robertson, Mary, Maria, Lewis, Nicholas, William, little David, and Stephen & Abram given up in hotchpot and divide the balance of said negroes in four equal parts, and allot the same to each of the defendants and report their proceedings to this Court in order to a final decree.

Attest
James Rochelle clk

A division of the slaves of which Henry Briggs died seized among the Heirs and Legates, agreeably to the annexed decree of the county of Southampton.

The total amount of the valuation of the slaves \$7875.00
deduct for Jack who is Runaway 400.00

Amount divided \$7475.00

One third this amount assigned the widow 2491.66 $\frac{2}{3}$

This sum to be divided into four parts to wit \$4983.33 $\frac{1}{3}$

Francis M. Boykin & Hester his wife, Susanna Briggs, Etheldred Briggs, and Sarah Briggs, which will give in amount, each the sum of \$1245.84 $\frac{1}{2}$

The intestate in his lifetime advanced to Francis M. Boykin and Hester his wife two Negro boys Abram and Stephen who were brought into Ketchikan and are included in the above division; he also advanced the said Boykin and wife, the sum of two thousand dollars, which the said Boykin is willing, should be set off with the Legates in the division of the slaves so far as his proportion will amount to, which the commissioner has done in the following manner. to wit

To Amount advanced \$2000.00

deduct $\frac{1}{3}$ this amount assigned to the widow
it not being necessary for the payment of debts } 666.66

This is equally divided in four equal parts \$1333.34

which will give to each Legate the sum of \$333.33. so that in Negroes and money the proportion of each will be \$1579.17.

The Negroes being divided into three parts after assigning dower to the widow, will give each, say, Susan,

Etheldred, and Sally in amount 1661.11

and not more than their proportions \$81.94

Therefore Susanna, Etheldred and Sally Briggs should each pay to Francis M. Boykin and Hester his the sum of \$81.94 - and the said Boykin should pay

the widow as before stated \$666.66.

The following statement will show the names, valuation and division of the said slaves.

Assigned the widow	Dolls cts	Etheldred Briggs		
Len, valued to	400 00	Henry valued to	\$ 400 00	
Samrich "	400 00	Abram "	400 00	
Peter "	275 00	Davy (Beyr) "	175 00	
Old Davy "	100 00	Sawis "	175 00	
Ben "	75 00	Mary & children	} 400 00	
Henderson "	300 00	Wm & Demus		
Clary "	275 00	Young Davy		125 00
Patience & children	} 400 00	due Susan	\$11.11	1675 00
John & Charlotte		do Sally	2.78	13 89
Suey "				
Old Hannah	25 00			\$1661 11
	25 00 00	Sally Briggs		
Amount too much	8 33	Aaron valued to	400 00	
	\$2491 66	Roderick "	325 00	
		Aaron (Miller) "	300 00	
Susanna Briggs		Rachell	250 00	
Eliza valued to	400 00	Charles	175 00	
Stephen (Shemaker)	400 00	Robertson	200	
Collier	400 00		1650 00	
Moses	125 00	due from the widow 8.33		
Maria	125 00	do from Etheldred 2.78	11 11	
Young Stephen	200 00		\$1661 11	
	1650 00			
Amount due from Ethel?	11 11	Respectfully Submitted		
	\$1661 11	to the Court		
		J. D. B.		
At. D. The comrs. beg leave to				
submit to the Court, to decide,				
that the admr. sell each, who is				
remains.				

The undersigned has also divided the lands of the said Henry Briggs and agreeably to the said decree hereto annexed.

The plot and dividing lines of the said land, with the name of the person who drew the lot, is also annexed to this report, with some further description of the several divisions to wit. The Cobham Road cuts through the mansion tract dividing it nearly equal North & South. On the East side of this road the House and improvements stand, where we have assigned dower to the widow, including the whole of the land, the whole of which side with the exception of ninety acres cut off on South part adjoining Wm @ Hoads, South, and Robt Rawlings and Daniel Vick East, and which is a part of Lot No. 2. drawn by Susan Briggs, which Lot is entitled to the 80 acres described No 3 in the plat of the Collier tract. In dividing this Collier tract of Land, the mill swamp is made the line from the old mill bridge to ^{the} apanapock swamp, ^{the mill} and being down & has been for several years, and the seat not having been considered valuable to either lot; therefore all the mill apparatus including two pair stones with all their fixtures &c, are excluded from either of the aforesaid lots of Land, and will therefore be kept in the hand of the administrator.

all which is Respectfully submitted to the Court.

John Denege

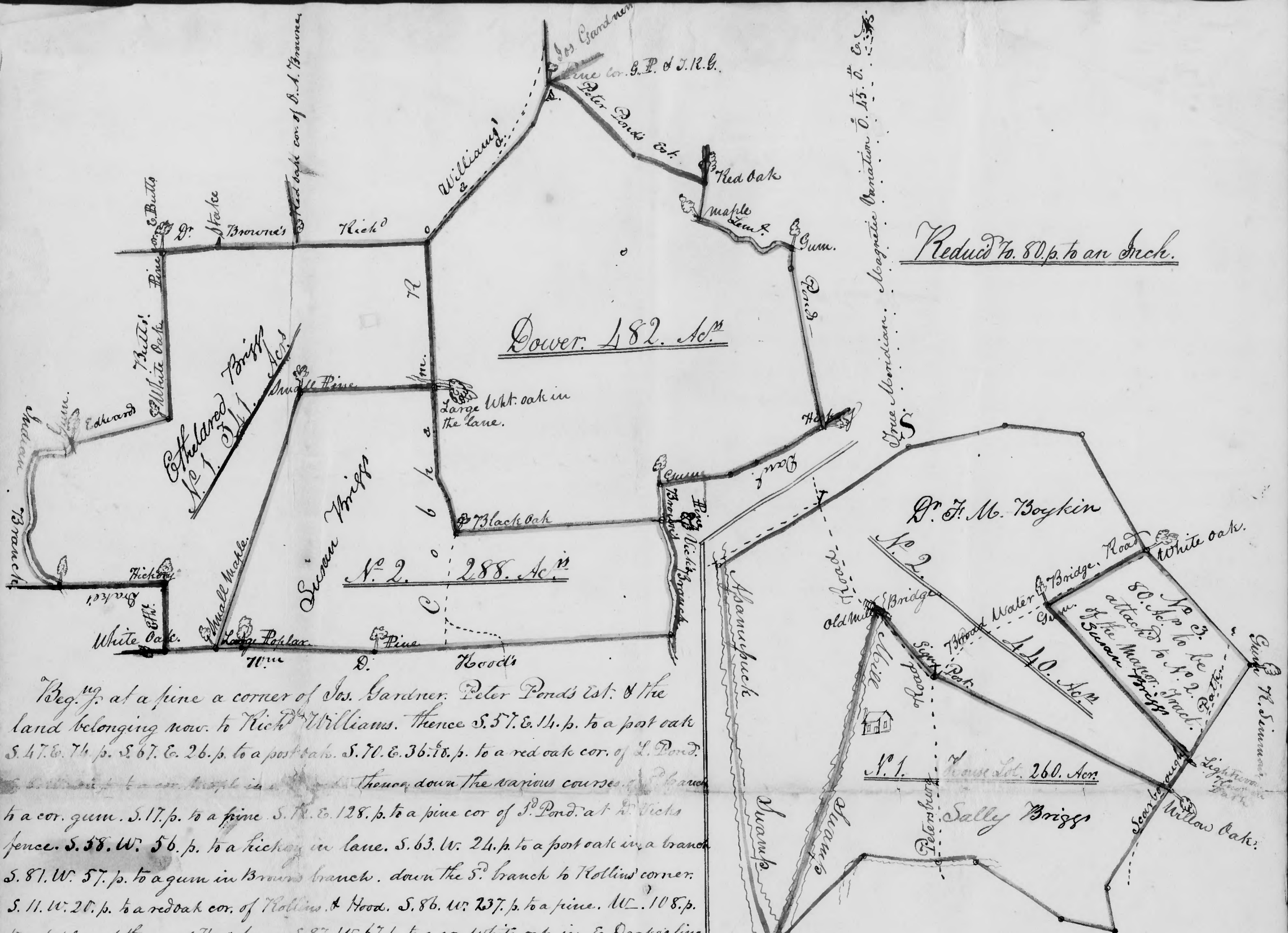
Peter J. Pierce

Comrs.

Briggs
Comptroller's Report-
1891

Platt of Land
belonging to the Estate of
Henry Briggs decd.

Briggs
1891. Acres.



Beg. ^{ing} at a pine a corner of Jos. Gardner. Peter Ponds Est. & the
 land belonging now to Rich^d Williams. Thence S. 57. E. 14. p. to a post oak
 S. 47. E. 74. p. S. 67. E. 26. p. to a post oak. S. 70. E. 36. 1/2. p. to a red oak cor. of L. Pond.
 S. 80. E. 128. p. to a cor. gum in E. Butts line. Thence down the various courses of S^d branch
 to a cor. gum. S. 17. p. to a pine. S. 78. E. 128. p. to a pine cor of S^d Pond. at W. Vicks
 fence. S. 58. W. 56. p. to a hickory in lane. S. 63. W. 24. p. to a post oak in a branch
 S. 87. W. 57. p. to a gum in Browns branch. down the S^d branch to Hollins corner.
 S. 11. W. 20. p. to a red oak cor. of Hollins & Hood. S. 86. W. 237. p. to a pine. NE. 108. p.
 to a poplar at the cor. of Hoods fence. S. 87. W. 67. p. to a cor. white oak in E. Drakes line
 N. 1 1/2. W. 54. p. to a hickory cor of S^d Drake. S. 88. W. 82. p. to the Indian branch. thence
 up the various courses of S^d branch to a cor. gum in E. Butts line. N. 72. E. 82. p. to a
 cor. white oak. N. 3. W. 124. p. to a pine cor of S^d Butts in D^r Browns line. Thence N. 80. E.
 44. p. to a stake. N. 87. E. 170. p. to the Cobham Road. Thence along S^d road. N. 41. 1/2. E.
 128. p. to a pine. N. 21. 1/2. E. 35. p. to the beginning. Containing 1111. Acres.

Dover Line Beg. ^{ing} at S^d pine cor. of Gardner & others. Running thence
 along the Cobham Road. 396. p. to a small black oak on the East side of S^d
 road. Thence. N. 86. E. 168. p. to a large forked pine in Browns branch. Contain-
 ing. 482. Acres.

Dividing Line Between. N^o 1. & 2. Beg. ^{ing} at a large white oak in the
 S^d Cobham Road. in the lane at the branch Running thence across the field
 S. 85. W. 105. p. to a pine. S. 19. W. 213. p. to a small Maple in Hoods line

N^o 1. as described on the Platt. Containing 341. Acres.

N^o 2. Containing 288. Acres.

Surveyd for Commissioners on the 9th day of Feby

1831.

Geo H Gray C^o.

This is a Platt of the land belonging formerly to Moody
 Collier. as Surveyd by Jas. Jones. the Boundaries of which
 are not expressd. & divided on the 9th Feby 1831. as follows
 Dividing Line. Between the House Lot or. N^o 1. & N^o 2.
 Beg. ^{ing} at the Apamuspuck Swamp at the mouth of the
 Mill Swamp. thence up the various courses of S^d Swamp. to
 the road at the old Mill bridge. thence along S^d road to
 the Sign Post at the Broad Water bridge road. Thence
 S. 58. E. 208. p. to a Willow Oak in Simmons' line on Scar-
 borough's path. N^o 1. as described above Containing 260. Acres.
 Line between N^o 2. & 3. Beg. ^{ing} at a White Oak on the road
 in R. Simmons' line Thence along S^d road S. 66. W. 88. p. to a
 gum on S^d road. Thence S. 36. E. 169. p. to a lightwood knot
 driven down in Scarborough's path in R. H. Simmons' line
 N^o 2. as described above Containing 440. Acres.
 N^o 3. 80. Acres —