

1872-057

SOUTHAMPTON COUNTY
CHANCERY PAPERS

THOMAS et al vs. FRANCIS et al

7/1872

other surnames: Fox, Briggs

Thomas V

to } Stat. Rules

Francis V

In Southampton County Court

David M Thomas & Thomas J Fox & Dolly A his wife who was Dolly A Briggs
against
N. J. Francis. W. J. Francis. & Annie E. & Ursula Briggs.

1872. April 17. Summons issued.
" May 10. Summons Ret. Ex. Bill filed B. W. Edwards assigned for ad libitum
to infant Dfts. ans. of infants. D. Rep. D. Nisi & Dft. N. J. & W. J. Francis
" July. Bill taken for confessed as to Dfts. adults, Cause set for hearing 8th
" " I. Decree final.

Co. Ct.
Edward & Esch for Dr.
Thomas

or 3 Bill
3

Francis Jr.

1872 June Rules

L. B. Prince Jr.

To the Hon J. W. Ingraham, Judge of the County Court
of Southampton County. In chancery.

Humbly complaining, sheweth unto your
Honor, your complainants, David H. Thomas.

Thomas J. Fox & Dolly A. his wife, who was
Dolly A. Briggs - as follows. That at the Nov:
Term 1866 of the Circuit Court of Southampton
County, David H. Thomas obtained a judgment
in this form. Ben E. Pope surviving Exor of
Peter Edwards, who sues for the benefit of D. H.
Thomas, Exor of N. N. Thomas, against A. T. Francis
& W. Francis. That the judgment was for the
sum of Two hundred & fifty-eight dollars³³ and
thirty three cents. That some time after
the rendition of the said judgment, the said
Thomas was approached by N. T. Francis,
the principal obligor in the said debt, and
informed that he was almost, if not entirely
insolvent - but that, if he could compound
his debts at the rate of 50 percent to
the dollar, he could collect what was owing
to him & settle the same & save a home
for his wife & children. That upon inquiry
by the said Thomas, he found the above state-
ment to be true, and that the whole arrange-
ment, whereby an honest debtor could be relieved,
would be frustrated if he did not accede to the
said arrangement. That after consulting the
parties most interested in the said judgment, and

having the consent of all capable of their
consenting, the said Thomas concluded to
accede to the aforesaid proposition. That in
furtherance of said conclusion, the said
Thomas did receive from the said Francis
one half of the aforesaid debt, in full
satisfaction of the same. That he is now
advised that, before his action in the premises
can be firm & binding, it must receive
the confirmation of a Court of competent
jurisdiction, all parties interested being
properly before the same - That Thomas J. Fox
& Holly A. his wife, Hannie E. & Ursula
Briggs, the last two, infant children of Mrs.
E. Briggs deceased & the said N. T. & W. S. Francis
are all the parties interested in the said
payment. In consideration whereof, your
Complainants pray that the said N. T. &
W. S. Francis, Hannie E. & Ursula Briggs
be made defendants to this bill & com-
pelled to answer the allegations thereof - That
some proper person be assigned guardian
to the infants Hannie E. & Ursula Briggs.
That an order may be entered confirming
the action of the said Thomas in the premises,
and that your Honor will order 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.

L. B. Prince per
D. C.

The joint and several answer of Harine & Ursula Briggs, by J.R. Edwards, their Counsel to a bill of complaint filed in the County Court of Southampton County by D.H. Thomas Esq. to & others against themselves and others.

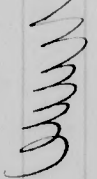
These defendants, saving & reserving to for answer to said bill - say, that they are infants & being such, know nothing of the facts set forth therein - but submit their rights involved in this cause to the protection of this Court and having answered, they pray hence to be dismissed.

J.R. Edwards -

For advice
" "

J.R. Price Jr.

Thomas H.

vs.  Reese

Francis H.

July Term 1842

To be entered

J. W. Maynard
Judge

Thomas Jr.
vs. Rece.
Francis Jr.

This day this cause came on to be heard on the bill of the complainant, which has been taken for compasses as to the adult defendants, N. T. & W. S. Francis, the answer of the infants by J. D. Edwards, who is hereby assigned their guardian ad litem, exhibits filed, with general replication, and was argued by counsel. On consideration whereof, and it appearing to the Court, that the action of the said J. D. Edwards in compounding the debt against N. T. Francis was prudent & wise, the Court doth adjudge order & decree that the said action be held firm & binding, and that all parties in interest be bound thereby. And nothing further appearing to be done in this cause, the Court doth adjudge order & decree that this cause be removed from the docket, at the Costs of the defendants N. T. & W. S. Francis.

Pope & Co

2 } Sum. Chs

Francis & Co

1872 June Rules

Executed

Wm Briggs Shiff

The Commonwealth of Virginia

To the Sheriff of Southampton County, Greeting:

WE COMMAND YOU to summon

*N. J. Francis, M. J. Francis, Annie E
& Urbela 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 June next to answer a bill in Chancery exhibited against them in our said Court by Bon E. Pope Surg. Gen. of Peter Edwards and others

And have then there this writ. Witness, *James R. Tyler*
~~GEORGE WHITE~~, Clerk of our said Court, at the Court-
house, this 17th day of *April* A., D., 1872 in the 96 year of
the Commonwealth.

JR Tyler Clk