

1878-18

Southampton County Chancery - Hines, Samuel R. VS Boykin, Robert

Estate settlement

Boykin, Martha Ann

Hines, John E. M.
by L. R. Edwards,
GAL

To Hon Judge of Circuit Court of Southampton Co. Va
We the undersigned Commissioners, appointed at Nov. Term
1877. in Case Saml R. Hines Plffs against Robt. Boykin
& Martha Ann his wife, and Mrs E. M. Hines, an infant, by
L. R. Edwards friend at Litem Wfts In Chancery - do
respectfully report, under said decree - We allot
to Mrs Martha Ann Boykin, as dower, all of a
certain portion of said land, South of a line
commencing at a Cc Oak on Wm Stephenson's line - thence
S. 83 W. to the Horse Pen Swamp - embracing buildings &c
value of which were fully considered and estimated -
We further allot to Saml R. Hines a piece adjoining
the dower up to a line commencing at Pine Cr on
Wm Stephenson thence S. 80 W to the Horse Pen Swamp
This area with the Dower, constitutes the area allotted
to said Saml R Hines, subject to said Dower - as
his portion of the Estate of Mansfield Hines - We
further allot the remainder of said tract to
Mrs E. M. Hines as his portion of said Estate -
We employed Wm Stoddard as surveyor to estab-
lish said lines - The value, quantity and
quality were duly considered in making
the said allotments -
as witness our hands and seals given this
16th day of June 1880 -

M. D. Bartley Seal
W H Stephenson Seal
R M Stephenson Seal

Hines

or $\frac{1}{3}$ Bill

Boyskin's

1876 September
August Rules

To the Honorable George Blount Judge
of the circuit court of Southampton
in chancery sitting

Humbly complaining your Orator
Samuel R. Hines sheweth unto your
Honor that in the year 184- his
father Mansfield Hines departed this
life intestate leaving considerable
estate both real and personal and
that his widow Martha A since
married to Robert Boykin qualified as
his administratrix and that she has
long since settled up the estate and
paid off all the debts

Your Orator sheweth unto your
Honor further that Mansfield Hines left
as his distributees and heirs at Law
his widow Martha A Hines since
married to Robert Boykin, and three
children to wit Samuel R Hines
Loris W Hines who has since died under
age, unmarried, and intestate, and John
E. M. Hines still an infant and that
he left a tract of land lying in
Southampton county containing
two hundred and fifty two acres
on which they all were united

and that the widow has now had
down allots to her, nor has it been
divided between your brother and his
infant brother, since Mrs H Hines' death
who shall descend to them as the
land came to them by inheritance
from their father, and ~~you~~ your
brother states that he claims now
as he has come of age that the
widow may be endowed and the
said tract of 252 acres divided between
him and his brother subject to his
mother's dower.

In Judge's consideration whereof
and inasmuch as your brother without
adequate relief at law and only entitled
to relief in a court of equity where
such matters are peculiarly cognizable
he therefore prays that Robert Boykin
and Martha C Boykin his wife and
John E. M. Hines an infant of tender
years by some fit and proper person his
guardian ad litem may be made
parties defendant to this bill and that the
court would compel them as full and
perfect answer make to the allegations
therein contained as if they had been
themselves more fully and specially interrogated

and that the court would appoint
commissioners to allot the widow dower
and divide the land by the 252 tract
between your brother and his brother
subject to the widow's dower and that
the court grant such other and
general relief the premises considered
as equity may dictate and the nature
of his case may require and as his
duty bound your brother will ever
pray in

Shance

Hines
or 3
Boyskin nals

Answer of The infant
Jno E. M. Hines by
Geo. A. - Cline

1876. September
August Rules

The answer of John E. M. Hines an infant
of tender years by L R Edwards his
guardian ad litem to a bill in
chancery in the circuit court of
Cuthampton by Sammie R Hines vs
him and others

This defendant for answer to
the said bill or as much thereof as
he is advised it is advisable for him
to answer, answering says he knows
nothing of the facts stated in the
plaintiffs bill, but submits the
intent of his word to this court whose
peculiar duty it is to protect the rights
of infants and having fully answered
matters hence to be disposed with his
costs etc

Rec'd by consent without affidavit
to the answer

Wm B Shanks
counsel for plaintiffs

Hines

to } Copy Deed

Boykin & wife &c

Dorchester Circuit Court, November Term 1876.

Samuel K. Hines

vs.

against
Robert Brykman, Master, and his wife and John E. Mc
Hine, an Infant, by G. K. Edwards for & litigant.

In Chancery

Shs.

This day this Cause came on to be heard on the plaintiff's bill taken for Confess. as to the Infidelity Robert Brykman & Master Ann his wife, the answer of the Infant John E. Mc Hine by G. K. Edwards his Guardian & litigant general replication thereto and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree, That Milton C. Butler, Wm. H. Stephenson & Richard M. Stephenson, who are hereby appointed Special Commissioners for that purpose, shall after having given notice to all the parties interested proceed to allot to Robert Ann Brykman, her share in value of the tract of Land containing 25¹/₂ acres whereof Mansfield Hines died seized and possessed by proper title and bonds, having regard both to quality & quantity as shown, and then divide the said tract into two equal shares having regard to quality and quantity including that portion allotted to the Widow and allot one half to Samuel K. Hines and the other half to John E. Mc Hine and report their proceedings to Court in order to a further decree, and the said Commissioners are hereby authorized to employ a Competent Surveyor to assist them if they think it necessary. And the Court doth further adjudge, order and decree, That the Costs of this Suit & Copy to be paid in equal parts by Robert A. Brykman, Samuel K. Hines and John E. Mc Hines.

Done, James K. Tyler J.C.

Wines

on 3 Decr

Boyskin's

Nov Term 1876

To be entered

Geo Blou

Hines

vs 3 Decr
Boykin vs

This day this cause
came on to be heard
on the plaintiffs

Bill Taken for confessed as to the defendants
Robert Boykin and Martha Anne Boykin
his wife the assign of the infant
John E M Hines by L R Edwards his
guardians ad litem and general
replication. Thence and was argued by
counsel On consideration whereof the
court doth adjudge order and decree
that Milton D Butler, Wm H Stephenson
and Richard M Stephenson who are hereby
appointed special commissioners for that
purpose shall after having given notice
to all the parties interested proceed to
allot to Martha Anne Boykin One
third in value of the tract of land
containing 252 acres situate Mansfield
Hines died seized and possessed by proper
metes and bounds having regard both
to quality and quantity as dower
and then divide the said tract into
two equal shares having regard
to quality and quantity including
that portion allotted to the widow
and allot one half to Benjamin R Hines

and the other half to John E. M. Hines and
report this proceedings to court in order to
a further decree, and the said commissioners
are hereby authorized to employ a competent
surveyor to assist them if they think
it necessary, and the court doth further
adjudge order and decree that the
costs of this suit be paid in equal
parts by Martha A. Boykin, Samuel
R. Hines and John E. M. Hines

Hines

is 3 Decur

Boykin is wife is

now, ~~Term~~ 1818

To be entered

Geo. Blon.

Hines

vs B Deane

Boyd Kin is wife is

On motion of
The plaintiff his bill is dismissed

August 7th 1876. I acknowledge
service of the within summons for
Robert Boykin vs Martha Anne
Boykin his wife

Wm B Offences
acting for Boykin vs
wife

Offices
to { Sumd day
Boykin vs Wife N
1876 September Rules

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON

*Robert Boykin & Martha Ann
Boykin his wife & John E. M. Hines an infant*

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 *September next* to answer *all*
in Chancery exhibited against them in our said Court by Samuel R. Hines

And have then there this writ.

WITNESS, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this
day of *August*, 187*6*, in the *1101* year of the Commonwealth. *7*

SR Edwards cc

86 79
Sines
v } Stat. Rules
Boykin & Wife &c

1878. Nov- Damaged

In Southampton Circuit Court

Samuel R. Hines

against
Robert Boykin & Martha Ann his wife and John E. Edwards
M. Hines an infant

1876 Aug 7 Sum. Executed Issued

" Sept R. " Returned Executed Bill filed I R
Edwards assigned Gen. ad litem to infant Deft.
Answer of Infant B. Rep. thereto. D. Nis & Defts
Boykin & wife.

" Oct. R. Bill taken for Confessed as to Boykin & wife
& Cause set for hearing &c.

Nov T. Decree for division