

1893-08

Southampton County - Spang

Barrett, John C. et al vs Thine, J. W. et al

"To divide land, if cannot
be divided, sold, (exclusive of dower)
and proceeds distributed amongst
 heirs in proportion"

Barrett, Anna C

Travis, Priscilla

Thine, Richilieu

Thine, Phillip

Barrett & wife
vs } Bill & Exhibits
Burton et al

To honorable George Blow judge of the Circuit
Court of Southampton County in chancery sitting

Humbly complaining your orators John. C.
Barrett and Anna. C. Barrett his wife beg
leave to show unto your honor that
sometime in the year 1864 Colman Hines
deceased this life testate seized and
possessed of considerable property both
real and personal leaving the following
parties his nearest kin and heirs at
law. Priscilla Hines his widow. J. H.
Hines a son now of age. Phileas Hines
a son now of age. Richelieu Hines
a son now of age and Anna. C. Hines
a daughter now of age and married
to John. C. Barrett. That by his last
will and testament he gave all his
property to his wife Priscilla while
she remained single and at her
death or marriage all his property
was to be sold and the proceeds
equally divided among all his
children. all of which will more
fully appear from a copy of said
will herewith filed and marked
A and prayed to be taken as a
part of this bill. That Burton

Travis qualified as his administrator
and that all debts against his
estate have been paid That his
estate now consists of a tract
of land of about 241 1/2 acres, some
being in this county near the Sussex
and Southampton county lines. That
his widow Priscilla Hines duly
renounced his will. married
Burton Travis and was endowed
in the aforesaid tract of land
and that her said husband Burton
Travis is dead and she is again
a widow. and your orators further
charge and aver that the other heirs
have been in the continual use
and enjoyment of the said land
ever since the death of said Hines
and although often requested to
divide and lay off your orators'
share of the said land they have
always refused to do so. Now your
orators wish your honor to appoint
commissioners to divide the said
land (exclusive of dower) and
give your orators their share. but if
it cannot be divided then that it
may be sold (exclusive of dower)

and the proceeds distributed
amongst the heirs in proportion to
their respective interests therein. In
tender consideration whereof and
inasmuch as your orators are with-
out relief save in a court of
equity where matters of this and
of like nature are particularly and
specially cognizable. Your orators
pray that ^{Provis} Priscilla ~~x B. B. B.~~ J. H. Bines.
Richard Bines and Phillip Bines
may be made parties defendant
to this bill and compelled to an-
swer all the allegations therein con-
tained as if they were thereunto more
fully and specially interrogated. That
the court would by its decree allot
one fourth of the land now held
jointly by the heirs, exclusive of the
land allotted to the widow as dower;
to your orator Anna B. Barrett by
metes and bounds and if the
report of the commissioners should show
the land was not divisible
then a sale and division of
the money according to the rights
of the parties and that the court
will grant such other further and

general relief as the nature of the
case may demand or to equity seem
meet. as in duty bound your
orators will ever pray. we may it
so please the court &c

H. B. Shands & Son, Esq.

130
Barnett and wife
vs Bill & Exhibits
Barnett and wife
Barnett and wife

Bamett 11/11/1885

as 3

3 lines ne

1885. Dec 21. Filed.

L.B.P. C.C.

Commissioner Report

To The Hon^{ble} Judge of Southampton County
Court we your committee appointed at the
Nov. Term 1885 do beg leave to report as
follows we met on the principles of Coleman
Hines, Dec^r on 4th Dec. 1885, and allotted
to Annie Barnett the wife of John C.
Barnett her portion of said land in
varcation one lot of twelve acres lying
in the fork of the road bounded on the
north and east by the road on the west
by the lands of A. L. Morris, we then
cut of forty four acres on the south
end of the land a portion lying on each
side of the Wakefield road Starting from a
pine on the east side running strait across
the land chopping pines to a sweet gum near
the road then across the road to a post oak
then following the original line back to
the pine where we started. This
allotment is exclusive of the widows dower
and Annie Barnett is entitled to her
share in that on the widows death. All
of which is respectfully submitted by

L. H. Scarborough }
J. D. Pond } Commissioners
J. S. Cornwell }
W. F. Lanning }

Certs
Commissioners \$/ each

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County—Greeting:

WE COMMAND YOU TO SUMMON

*Isabella Burton. J. M. Hines -
Richard Hines and Philip Hines -*

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

April

next, to answer a bill in Chancery exhibited against

them

in our said Court by

John L. Barrett and Anna L. Barrett

his wife

And this

they

shall in no wise omit; and have then there this writ.

WITNESS, J. B. PRINCE, Clerk of our said Court, this

12"

day of

March

, 1885,

in the

109"

year of the Commonwealth.

Test.

J. B. Prince C. C.

In the name of God amen I
Soliman Heins, being of sound
mind and of my right senses
do make and bequeath this my last
Will and testament,

1st My Will is that enough of my
property should be sold to pay my
just debts and burying expenses,
and the remainder personal real and
chattel I leave to my wife Priscilla
while she remains single, and at her
death or intermarriage, my Will
is that half of my property should
be sold and the proceeds equally
divided among my children.

2nd I further now appoint and constitute
my wife Priscilla of Heins my Exec-
utrix and with full power to settle
my Estate without giving security.
This the eleventh day of April, our
thou-and eight hundred and sixty
four a sign & Seal

Heins } Soliman Heins (Sd)

Burton J. Davis }
George A. Davis }
James M. Tette }

At a law held for the County of

Saustrampton Contd. 21st do of Jan'y
1867. The last will and testament of
of Colman Hines died was proved by
the oaths of Burton J. Davis and Geo.

A. Two of the subscribing witnesses
therein, and ordered to be recorded.
And Isaac Allen Hines the Executor
therein named, refused to take upon
himself the burden of the execution
thereof,

Teste L. R. Edwards C. C.

Attest J. B. Turner C. C.

Exhibit "A"

copy will of Colman Business Mark &
Exhibit A and file in suit of
Borrell & wife vs Burton & also. Will
~~admitted~~ to record about 1863 or 64
on libel A

Barrett & wife

" 3 Sum

Burton St. als:

1885. April Ruler

Executed March 23rd
1885. by delivering to Priscilla
Burton, Richellie Hines,
& Philis Hines a copy of
the within summons,
J. W. Hines not found

G. W. Rice Sheriff

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County—Greeting:

WE COMMAND YOU TO SUMMON *Priscilla Burton. J. H. Hines.*
Richard Hines and Phillip Hines

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 *April* next, to answer a bill in Chancery exhibited against *them*
in our said Court by *John. C. Barrett and Anna C.*
Barrett, his wife.

And this *they* shall in no wise omit; and have then there this writ.

WITNESS, J. B. PRINCE, Clerk of our said Court, this *12* day of *March*, 188*5*,
in the *109th* year of the Commonwealth.

J. B. Prince C. C.

Barrett wife

vs J. A. Hines

^{from}
Barton & others

1885. July Rules

I went to the residence of
of J. A. Hines he being from home
I left a copy of this summons
with P. A. Hines who is a white
member of the family in which
^{and over the age of 14 years}
said Hines resides and to deliver
its purport

J. W. Vicks Sheriff

P. A. Hines

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County—Greeting:

as at another time

WE COMMAND YOU TO SUMMON

J. M. Series

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 *July* next, to answer a bill in Chancery exhibited against *him or her*
in our said Court by *John C. Barrett and Anna C. Barrett*
his wife

And this *you* shall in no wise omit; and have then there this writ.

WITNESS, J. B. PRINCE, Clerk of our said Court, this *23* day of *June*, 188*6*,
in the *109* year of the Commonwealth.

Jestus B. Prince C. C.

Barrett knife 97

vs { Stat: Rules

^{from}
Benton & others

In Southampton Levicant Court.
 Ino. b. Barrett, and Anna b. his wife. Pltff. }
 against }
 Priscilla Burton, J. W. Hines, Richilieu Hines } In
 and Phillip Hines. } Defts } Chancery.

1885.

March 12. Summons to Appl Rules.

Appl Rules. Summons Ext to on all except
 J. W. Hines. Bice & Whitely filed.

Decree nisi vs Defts except J. W. Hines -

May. Cause set for hearing on to all depts
 except J. W. Hines.

1887
 1888

Barnett sculpe
vs 3 copy
Hines to see

Southampton Circuit Court. Nov. Term 1885

Barrett v wife
vs } Deceit
Hines et al

Pltffs }

In

Refd. } Chancellor -

This day this cause
came on to be heard on the
plaintiffs bill taken for confessed
as to all the defendants Priscilla
Burton. J. W. Hines. Richelin Hines and
Phillip Hines and exhibits filed
with the bill and was argued
by counsel. on consideration whereof
the court doth adjudge, order, and
deceit that Calvin H. Scarborough
Alexander. Cornwell, Wm. F. Chaine and
Richard. C. Pond who are hereby
appointed special commissioners for
that purpose and any three of whom
may act. shall after having given
notice to all the parties interested
proceed to allot by miles and
bounds having regard to quality
and quantity to Anna. C. Barrett
wife of John. C. Barrett one fourth
of the tract of land containing
24 1/2 exclusive of the land
allotted as dower in the same to
the widow Priscilla Hines, whereof
Calvin Hines died seized and

possessed and report their pro-
ceedings to court in order to a
further decree. and the court
doth further adjudge, order,
and decree that the plaintiffs
recover from the them defendants
J. H. Hines, Richelieu Hines and
Philip Hines their costs about
this suit in their behalf expended

Attest

Testo: J. B. Prince C. J.

Clk / 5.46

Shff. 2.00

Lawg. 16.50

\$ 23.96

~~69~~ ~~65~~
59

Barnett's wife 57

or 3 Deane

Barnett's wife

To be entered

November 1885 -

Geo. T. Brown,
Jr.

✓
Ceb \$5.46
Suff 2.00
Lawt. 16.50
\$ 23.96

Plains left on corn from the thin plow
J. W. Thine & Charles Thine and Philip
Thine Thine and about the end in
the large meadow

Barnett's wife

vs 3

Decease

Hines vs ab

This day this cause came on to be heard on the plaintiff's bill taken for compuse as to all the defendants Priscilla Barton, J. W. Hines Richard Hines, and Phillip Hines and exhibit filed with the bill and was argued by counsel. On consideration whereof the court doth adjudge, order and decree that Calvin B. Scarborough, Alexander Cornwell, Wm. F. Lane and Richard E. Ponce who are hereby appointed special commissioners for that purpose and any three of whom may act shall after having given notice to all the parties interested proceed to allot by miles and bonas having regard to quality and quantity ~~the~~ ^{the} to Anna C. Barnett wife of John C. Barnett one fourth of the tract of land containing $24\frac{1}{2}$ acres of the land allotted as down in the same to the widow Priscilla Hines whereof Coleman Hines died seized and possessed and report their proceedings to court in order to a further decree and the court doth further adjudge, order, and decree that the

Barrett ⁷⁴ + wife
vs 3 Deere
Hines et al

To be entered
May June 1887
C. W. Allen

✓

Barrett + wife
vs 3 Decees
Hines &c

This day this cause came on again to be heard on the papers formerly read and upon the report of Commissioners C. H. Scarborough, J. D. Pond A. S. Cornwell and W. F. Laine of the partition and allotment to Anna. C. Barrett wife of John. C. Barrett of one fourth of the lands whereof Coleman Hines died seized and possessed — exclusive of the widow Priscilla Travis (formerly Hines) dower therein. & which was done pursuant to a decree entered in this cause at the Nov Term 1885 of this court and to which report no exceptions have been filed and was argued by Counsel On consideration whereof the court doth adjudge. order and decree that the said report be confirmed and that as to all other matters this cause be continued