

1893. 70

Southampton County Chancery - Hagahart, K. M. vs Hatchett, Jessie et als

sues for widow's dower-interest

Hatchet, Harriet

Davis, Cicero

" , Chloe

Brown, Dick

" , Louisa

Todd, Mallory

Stanback, Robin

Gray, Dine

Marguerite

vs.

} Notice.

Hatchet et als.

1887. Oct. 22.

Executed OCT 21-87

By delivering a copy
of the within notice

to Jessie Hatchet

Horace Hatchet

Lycen Davis

Chloe Davis Dick

Brown & Louisa

Brown. Volney Todd

A. F. Cobb

Shuff

Prince & Seville

p. 4.

To Jesse Hatchel, Harriet Hatchel, Cicero Davis, Chloe Davis, Dick Brown
Louisa Brown, Mallory Todd, Robin Standback & Maria Gray

You are hereby notified, that on the 22nd day of October, in the
year 1887, at the office of ~~B. F. McDEMORE~~ ^{Wm. St. Parker}, in the village of Jerusalem, Southampton county,
Va., between the hours of 8 A. M. and 6 P. M. of that day, I shall proceed to take the
depositions of ~~Wm. St. Parker~~ ^{Wm. St. Parker} and others, to be read as evidence
in my behalf in a certain Suit in Chancery depending in the
Circuit Court for Southampton county, wherein I am Plaintiff and you
are Defendants; and if, from any cause, the taking of the said depositions be not
commenced, or, if commenced, be not concluded on that day, the taking thereof will be adjourned
from day to day, at the same place and between the same hours, until the same shall be completed.

Your obedient servant,

K. M. Loughran,
By Counsel.

Murquhart

vs.

} Notice.

Hoatchel et als.

1887. Oct. 22.

Portsmouth

1887. Oct 18th

Executed by leaving
a copy of the within
for Robin Stanback
at his place of residence
with a person over 16 yrs
of age + explaining the
same,

E. W. Maubien
Prince & Sebrill
N.Y.

To Robin Standback

You are hereby notified, that on the 22nd day of October, in the
year 1887, at the office of W. H. Parker — B. F. McLEMORE, in the village of Jerusalem, Southampton county,
Va., between the hours of 8 A. M. and 6 P. M. of that day, I shall proceed to take the
depositions of W. H. Preston and others, to be read as evidence
in my behalf in a certain Suit in Chancery depending in the
Circuit Court for Southampton county, wherein I am Plff — and you is
are Defds — ; and if, from any cause, the taking of the said depositions be not
commenced, or, if commenced, be no concluded on that day, the taking thereof will be adjourned
from day to day, at the same place and between the same hours, until the same shall be completed.

Your obedient servant,

Wm. W. W. W. W.
By Counsel.

Murquhart

vs.

} Notice.

Hoalchet et als

1887. Oct. 22

Executed this 18th day
of October A.D. 1887 by
serving a copy here of
on Diana Gray

C. L. Quinn Deputy
for J. A. Brimmer & Sergh
Norfolk -

Serghs fee 50 cts paid
C. L. Quinn D.S.

Primer & Seville
N.Y.

To *Miss Gray*

You are hereby notified, that on the *22nd* day of *October*, in the year 188*7*, at the office of *W. H. Parker* ~~R. F. McLEMORE~~, in the village of Jerusalem, Southampton county, Va., between the hours of *8* A. M. and *6* P. M. of that day, I shall proceed to take the depositions of *W. H. Pullen* and others, to be read as evidence in my behalf in a certain *Suit in Chancery* depending in the *Circuit* Court for Southampton county, wherein I am *Plff* - and you *et al* are *Defds* -; and if, from any cause, the taking of the said depositions be not commenced, or, if commenced, be not concluded on that day, the taking thereof will be adjourned from day to day, at the same place and between the same hours, until the same shall be completed.

Your obedient servant,

Wm. W. W. W.
By Counsel

Morganhart

is 3 Sums.

Matched others

Executed Oct 21-87th

By delivering a
Copy of ~~the~~
with in ~~the~~

to W. H. Pullen
+ R. S. Boykin

A. F. Cobb
Spt. Shff.

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON *Wm. H. Parker and R. S. Boykin*

~~At the office of Wm. H. Parker, a Commissioner in Chancery of~~
to appear before the Judge of our ~~Court of~~ Southampton County, at the Courthouse thereof,

on the *22* day of *October* Term, *1887*, to testify and the truth to speak on behalf of

N. W. Urquhart
~~in a certain matter of controversy in our said Court depending and undetermined between~~
suit in Chancery depending in the Circuit Court of said County.

wherein the said Urquhart is plaintiff, and
Jesse Hatch and others are defendants.

And this *you* shall in no wise omit under the penalty of the law. And have then there this writ.

Wm. H. Parker, Commissioner in Chancery
WITNESS, *J. B. PRINCE*, Clerk of our said Court, at the Courthouse, this *13* day of *October*

1887, in the *112* year of the Commonwealth.

TESTE:

Wm. H. Parker, Commissioner in Chancery

Urguhart Cobb

to Sum

Hatchet et. als:

1887. Oct. Rules

Car: Ct.

Executed Sept. 26th 1887
by delivering to each of the
within named parties a
copy of ^{the} Summons of Capt.
Robin Standback & Dinn
Gray they not being residents
of this County.

A. F. Cobb for

J. W. Williams Rkff

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON *Jesse Hatchett & Harriet, his*
wife. Cicero Davis & Chloa his wife. Dick Brown
& Louisa, his wife. Mallory Todd, Robin Stand back
and Lina Gray

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 our said Court by

K. M. Urquhart.

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

B. F. M. Lemore
Witness, ~~J. B. Prince~~, Clerk of our said Court, this *24* day of *September*

188*7*, in the *112* year of the Commonwealth.

Testo: B. F. M. Lemore C. C.

Ugghart

4" 3 Sum

Statchet, et: als:

1887. Oct: Rules

Cin: et:

1887. Sept 29

Executed by leaving
a copy of the within
for Robin Standlock
at his place of
residence with a
person over 16 years
of age & explaining
the same

EW Maupin
Sgt

The Commonwealth of Virginia,

Supt City of Portsmouth
TO THE ~~SHERIFF~~ OF ~~SOUTHAMPTON~~ COUNTY—Greeting:

WE COMMAND YOU TO SUMMON *Robin Standback*

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 *him & others* in our said Court by *K. M. Ughunt*

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

B. F. McLemore
Witness, ~~J. B. PRINCE~~, Clerk of our said Court, this *24* day of *Sept*

188*7*, in the *112* year of the Commonwealth.

Testo: B. F. McLemore

C. C.

Urguhart

Sum

Hatch et. al. also:

1887. Oct. Rules

Cir: Ct.

Executed this 3rd
day of October a D
1887 by serving a
copy here of on Danaher

~~Gray~~

C. L. Quinn Deputy
for J. A. Brimmer & Son

Sent to ~~for~~ Oct. paid

~~C. L. Quinn D. & S.~~

The Commonwealth of Virginia,

Sup *City of Norfolk*
TO THE ~~SHERIFF~~ OF ~~SOUTHAMPTON~~ COUNTY—Greeting:

WE COMMAND YOU TO SUMMON

Dina Gray

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 *her & others* in our said Court by

K. M. Vezubart

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

B. F. McLemore
Witness, J. B. PRINCE, Clerk of our said Court, this *24* day of *Sept*

188*7*, in the *112* year of the Commonwealth.

Desto: B. F. McLemore C. C.

121 ~~130~~
Murguham

17. $\frac{5}{3}$ Bill te.

Watches & others.

Prime & Subal,
N.Y.

Is the Hon. C. W. Still, Judge of the Circuit
Court of Southampton - In Chancery.

Humbly complaining sheweth unto your
Honor your complainant K. M. Urquhart,
that, during the year 187, and for
some time previous thereto, Bertram
Diggs, late of the County of Southampton,
was seized of a fee-simple Estate
in & to that certain tract or parcel of
land, lying in said County, containing 50
acres, more or less, & bounded on the North
by Blackwater River, & on the North, East
& west by lands of your complainant; and
that sometime in the said year 187
your complainant contracted with
the said Bertram Diggs for the pur-
chase of the said tract of land in
the sum of \$200.⁰⁰; that the said
Bertram Diggs thereupon put your
complainant in possession of the
said tract of land, and promised
to execute to your complainant a good
and sufficient deed for the said
land whenever your complainant
should pay in full the said purchase-
money; that the said Bertram Diggs
departed this life intestate in or about
the year 187, leaving a widow, Harriet

Diggs, who has since intermarried with
Jesse Hatcher, and the following chil-
dren as heirs-at-law and distributees
of his estate to wit, Chloe Davis, the wife
of Cien Davis, Louisa Brown the
wife of Dick Brown, Mallow Doad,
Robin Standback and Dina Gray; that
your complainant paid the said
Bertram Diggs in his life-time the
sum of \$78.⁰⁰ in part of the
purchase-price for said land, and
since the death of the said Bertram
Diggs your complainant has paid
the sum of \$122.⁰⁰, in full of the
balance of said purchase-money,
and is now entitled to a deed for
said land, subject to the widow's dower-
interest; that no dower has ever been
assigned the widow of said Bertram Diggs
& that your complainant has no ob-
jection whatever to dower's being assigned
her - In tender consideration of all which,
& inasmuch as your complainant is
remediless save in a Court of Equity
where such matters are properly
cognizable, to the end therefore that
justice may be done, your complainant
prays that Jesse Hatcher & Harriet

Healchet, his wife, Cicero Davis and
Chloe Davis, his wife, Dick Brown and
Louisa Brown, his wife, Malleay Todd,
Robin Standback and Dina Gray be
made parties dependant to this bill and
compelled to answer the same; that,
if your Honor should deem it proper
in these proceedings, Commissioners
be appointed to assign dower to the
said widow of said Bertram Diggs;
that, if your Honor should be satisfied
from the evidence in this cause that
your Complainant is entitled to a
deed for said land subject to the
widow's dower interest, a Commissioner
may be appointed to execute to your
Complainant a deed for said land
with special warranty, subject to
the widow's dower interest; that proper
process issue, and that all such
other further general & special relief
may be given as in the premises is just
and right.

And your Complainant will ever pray &c.
May it please the Court &c.

Primer & Scrull p.q.

Urquhart 136

Stat: Rules

Hatchett & als

K. M. Urganhart-

Peck

Tr

Jesse Hatchett & Harriet his wife.

Wicars Davis & Chloa his wife.

Dick Brown & Louisa his wife.

Mallory Dodd - Robin Standback

and Lina Gray -

Defn

1887. Sept 24 Sum ip? to Oct. Rules.

" Oct. Rules. Sum rets' Executed - Bill &
Ex: filed. Decree nisi &
Defn.

" Nov " Bill taken for confessed &
Cause set for hearing.

Urquhart J. Deane
or
Healchit.

This day this cause came on to be heard upon the bill of the complainant taken for confessed, and the depositions of witnesses, and was argued by counsel. On consideration whereof, and the Court being satisfied from the evidence in this cause that H. M. Urquhart did purchase the land in the proceedings mentioned and has paid therefor the purchase money in full and is entitled to a deed for the same, the Court doth adjudge, order and decree that W. J. Sebrue, who is hereby appointed special Commissioner for the purpose, execute to the said H. M. Urquhart a deed with special warranty for the said land in the bill mentioned and described. And it appearing that nothing further remains to be done in this cause it is ordered that the same be removed from the docket. And the Court doth further adjudge, order and decree that Geo. C. Griffin, A. J. Stephenson, A. L. Nelson, J. C. Bristow and Jackson Johnson (any three of whom may act) do allot & assign to Harriet Healchit, formerly Briggs, the widow of Bertram Briggs dead, by metes

shew one equal third, having reference to quality and quantity, of the land in the bill mentioned as for her dower, or if the complainant so desires he can pay to said Harriet Hatchel the sum of \$48.⁰⁰ in lieu of her dower, the said Harriet Hatchel and her husband agreeing to unite with the special Comr. in this cause in the deed, conveying her interest, upon the payment of said sum of \$48.⁰⁰ And said Comr. will report to Court.

Arguabart
vs.
Deane
Hatchel &c.

Nov. Term 1887

Is be entered

C. W. Davis

Entered 2-81

Price & Orbee
p. 9.

The depositions of W^m H. Dutton and others
taken before me Wm. H. Parker, a Com-
missioner in Chancery for the Circuit Court
of Southampton County, ^{pursuant to notice hereto arranged} at Jerusalem,
Va., on the 22nd day of October 1887, be-
tween the hours of 8 A. M., and 6 P. M.,
to be read as evidence in behalf of K. M.
Urquhart, in a certain Chancery suit de-
pending in the Circuit Court of Southamp-
ton wherein K. M. Urquhart is plaintiff
and Jesse Hatchet and others are defend-
ants.

Present. Priner & Schell, attys for plffs.

The witness Wm. H. Dutton being duly sworn
deposes as follows—

Q. This is a suit instituted by K. M. Urquhart
to obtain a deed for 50 acres of land bought
by said Urquhart from Bertram Dipp in his
life-time for \$200, state all you know about
this matter.

A. In or about 1875, I purchased the said piece
of land from K. M. Urquhart & he put me in
possession of the same. All the defendants to this
suit were aware of this transaction and entered
no objection to it at the time nor have they
since, until now. I have paid taxes on it from
then till now. Some of the defendants speaking

for themselves and claiming to speak for the widow too, they living with her, have within the last few years tried to buy the land from me. They did contract to buy it, but failed to comply with the terms - They then tried to rent. The first intimation I had of their asserting any claim was their taking forcible possession of the land, breaking it up & planting some corn. After my remonstrating with them, they agreed to leave peacefully upon condition that I would pay them \$10.⁰⁰ for the work they had done on the land, which I did, & they then promised to trouble me no more. And further this deponent saith not.

W^m H. Vanhook

The virtues R. S. Boykin being duly sworn deposes as follows -

Q. ~~This is a suit brought~~ What is your age, where do you reside & do you know the parties to this suit?

A. Age 41. Live in Southampton, and know the parties to the suit.

Q. This is a suit brought by K. M. Urquhart for a deed for a parcel of land bought by him from Burton Diggs, in the sum of \$200. Said land containing about 60 acres, state

all you know about the matter.

A I know nothing about the contract; but I remember that Mr. Urquhart was security for a bond made by Bertram Diggs to me as Adm^r of E. L. Urquhart, dec'd, for the sum of \$122.⁰⁰ which sum was subsequently paid to me by said Urquhart, in satisfaction of said bond. I was one day afterwards talking with Bertram and asking him to make some arrangements for the payment of another claim of about \$29.⁰⁰ which I also had against him. ~~But~~ While talking with Bertram about this matter Mr. Urquhart came up. I asked him if he would become security for the payment also of this claim. He declined to do so, and in declining, ~~it~~ is my impression, he stated that he had made arrangements to satisfy Bertram of the balance he had owed him, referring to the \$122. bond which he had already become security to; and, further this dependent saith not.

R. S. Bryson.

I, Wm. A. Parker, a Commissioner in Chancery
for the Circuit Court of Southampton County,
in the State of Virginia, do hereby certify
that the foregoing depositions of Wm. A. D. Smith
and R. S. Boykin were duly taken, sworn to
and subscribed before me at the place and
time mentioned therein and in the caption
thereto, pursuant to the annexed notice.

In witness whereof I have hereto set my hand
this 22nd day of October 1887-

Wm. A. Parker, Comm'r

Comm'r's fee charged in Chancery.
to pay \$5.00 Paid - Wm. A. Parker,
Comm'r in Chancery.

100
Mughaet
vs 3 Depositions
Hatched to 97

~~#8~~ ~~#9~~