

1895-04

Southampton County Chancery.

Briggs, S. E. (Guardian) ^{or} _{et al} vs Briggs, S. E. et al

Sues for permission to
sell timber

Briggs, Effie S.

Briggs, W. S.
" , B. F.

Williams, R. L.

" , A. A.

Herbert, E. B.

" , May

Simmons, A. B.

" , Ann

Briggs, Brice
B.

Minor { " , E. S.

Prince, J. B.
G. A. L.

Briggs Guardian &c
vs { Mr Channing
Briggs et. al.

Bill of Complaint

To the Hon. C. W. Hill Judge of the Circuit
Court for Southampton County in the
State of Virginia:

I am Complainant Sarah E. Briggs
humbly complaining sheweth to your Honor:
that she is the guardian of ^{20th} her daughter
Effie S. Briggs now in her ~~nineteenth~~ year
whose father is dead - that said word and
daughter owns no property except a piece of
land which she inherited from her father
lying and being in the County of Southamp-
ton in the State of Virginia adjacent the
lands of Dr. C. W. Nicholson and others; that
there is some saw mill timber on said
land worth as your complainant supposes
two hundred dollars; that said timber if
sold now will command all it is worth
and that certain parties here bought and
are buying all the timber in the neighbor-
hood of said tract of land, and will
soon cut the same and move from the
neighborhood, after which the timber on
said tract of land will command no
price at all, there then being no market
for the same; that said Effie S. Briggs
owns no property except said land and has no
income except that derived from teaching
School in which occupation she is now
engaged and for these reasons you can

plain and states and so charge that the interests of her said ward and daughter will be greatly promoted by a sale of said timber now while there is a market for the same:

Should the said Effie S. Briggs die ^{during} this life her next of kin and ^{heirs} following would be her heirs at law: viz: S. E. Briggs, W. S. Briggs, B. F. Briggs, Bina B. Briggs, E. B. Herbert and Mrs. Herbert her husband and A. B. Simmons and A. M. Simmons her husband, B. L. Williams and A. A. Williams her husbands:

In tender consideration whereof your Complaint says that S. E. Briggs, W. S. Briggs, ^{B. F.} Briggs, Bina B. Briggs, E. B. Herbert and Mrs. Herbert her husband, A. B. Simmons and A. M. Simmons her husband, B. L. Williams and A. A. Williams her husband and Effie S. Briggs the last an infant over 14 years but under 21 years of age, may be made parties defendants to this bill and required to answer the same, but an answer on oath is hereby waived, that a guardian ad litem be appointed to defend the interest of said infant, that said timber be sold and the proceeds of sale be paid

to said S. E. Briggs guardian, that W. S.
Briggs be appointed a commissioner to
sell the Timber herein before mentioned,
that all orders and decrees may be made,
all inquiries directed, all accounts
be taken as the nature this case may
require - and all other and further
general relief may be afforded your
Complainant as the nature her
case may require and to equity
and good conscience may seem
meet: Let a subpoena go -

And this Complainant will
ever pay &c. S. E. Briggs
W. S. Hall and p. g. Guardian of S. E. Briggs.

Virginia

County of Giles, to wit:

I, W. S. Hall and a duly
Public in and for the county & state of
said do certify that Mrs. S. E. Briggs
guardian of Miss Effie S. Briggs came
before me in my said county and made
solemn affirmation in due form of
law that the statements contained
in the foregoing bill in showing one
true, true under my hand this
30th day of March 1887.

W. S. Hall and
Notary Public

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Briggs Con

vs 3 Stal: Rules

Briggs St.

In Southampton Circuit Court,
S. S. Briggs Son of S. S. Briggs Plff.
against

S. S. Briggs, W. S. Briggs, B. F. Briggs, A. L.
Williams, A. A. Williams, E. B. Herbert,
Max Herbert, A. B. Simmons Ann Sim-
mons. Bina B. Briggs and S. S. Briggs.
last named an infant. Defts

In
Spring.

1887.

March 28. Summons to Aple Ruler.

Aple Ruler. " ret'd Ex'd. Rice filed. I. B. Prince
appto Son ad litem to infant cept. S. S. Briggs. Answer
of Son ad litem and of infant cept. both filed.
Gul Replication to same. Decree nisi on other
defendants.

May " Rice taken for confessed as to all cepts who
have not answered. and Cause set for
hearing.

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON

Bruce Briggs

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 ~~her estate~~ in our said Court by *S. S. Briggs Son of*

E. S. Briggs

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

Witness, J. B. PRINCE, Clerk of our said Court, this *28* day of *mch* 1887, in the *111* year of the Commonwealth.

Teste J. B. Prince

C. C.

The answer of J. B. Paine guardian
ad litem of Effie S. Briggs infant defendant,
and the answer of said infant defendant Effie S.
Briggs by the said J. B. Paine her guardian
ad litem, to the bill in equity exhibited against
the said Effie S. Briggs and others in the in-
ferior court of Southampton County by S. E. Briggs
guardian of the said Effie S. Briggs:

For answer to the said bill, the
said guardian ad litem answers and says
that he does not know whether the interests
of the infant defendant would be promoted
by the sale of the property as proposed for
in the said bill or not; and the said
infant defendant, by her said guardian
ad litem answers and says that being an
infant of tender years she knows nothing
of the matters mentioned in the bill,
and commits the protection of her interests
to the court. Not having answered, they
say to be her co-defendants, and they
will now say &c.

W. S. Hallam p. d.

J. B. Paine x

guardian ad litem of E. S. Briggs
infant defendant

Virginia

County of Southampton, to wit:

This day personally appeared
before me, the undersigned, a Commissioner of
in equity

the circuit Court of Southampton County. J. B. Rame
guardian ad litem of Effie S. Briggs, and made oath
that he believes the several statements made
in the foregoing answer to be true.

Given under my hand this 4th day of
April 1887

Court. in Chancery.

Briggs vs Rame
vs J. B. Rame
Briggs vs Rame

Answer of J. B. Rame guardian
ad litem

Mr. Rame & Mr. B. F.
Mulliken will please
sign this paper

Briggs Gov

vs J Simmons

Briggs &c.

1887. Apr Rules

Cir: ct

Executed April 1st 1887
by delivering a true copy
to the within named

S. E. Briggs W. S. Briggs
B. F. Briggs R. L. Williams
a a Williams. Birco

Briggs not a resident
of my County

R. S. T. Barnes City
For J. B. Barham clerk

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON *S. S. Briggs, W. S. Briggs, B. F. Briggs, A. L. Williams, A. A. Williams, E. B. Herbert, Mox Herbert, A. B. Simmons, A. C. Simmons, and Ben Briggs*

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 *S. S. Briggs Guardian of S. S. Briggs*

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

Witness, J. B. PRINCE, Clerk of our said Court, this *28th* day of *Feb* 188*7*, in the *111* year of the Commonwealth.

Teste J. B. Prince

C. C.

The answer of Effie S. Briggs an infant of
over the age of fourteen years, to a bill in
equity exhibited against herself and others in
the Circuit Court of Southampton County
by Mrs. S. E. Briggs her guardian and
mother:

Her answer to the said bill the
said Effie S. Briggs answers and says, that
although under full age she believes
she knows what are her interests in the mat-
ters referred to in said bill; she believes
the statements in said bill are true and
that it will be to her interest to sell
the timber in said bill mentioned
and prayed to be sold. She says that
she is in her nineteenth year and is now
engaged in teaching a public school in
the County of Sussex and that she
fully understands the nature and
object of this suit and she asks that
her brother may be appointed by this
Honorable Court to sell said timber.
And now having fully answered she prays to
be hence dismissed &c.

W. S. Hall and p. s.

Virginia:

signed Effie S. Briggs.

County of Southampton, To wit:

Personally come before me in my said

County Miss Effie S. Biggs whose name is signed
to the foregoing answer and made oath
in due form of law that the statements
in said answer contained are true and
correct. Given under my hand this 31st day
of March 1887,

W. S. Biggs,

" Justice Peace

Briggs & Co

vs

Briggs et al

Answer of an infant
over 14 years of age.

True

Briggs & Co.

per J. Simmons

Briggs & Co.

1887. The Rules
Cir. Ct.

We, the undersigned
herby acknowledge ser-
vice of the within sum-
mons and that we
and each of us have
recd. a true copy of
the same.

J. E. Briggs

B. B. Briggs

R. L. Williams

A. A. Williams

May Herbert

E. B. Herbert

B. B. Briggs

Ann Simmons

J. B. Simmons

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON *S. S. Briggs W. S. Briggs B. F. Briggs*
R. L. Williams A. A. Williams E. B. Herbert Max
Herbert A. B. Seimman, Ann Seimman and Brier
B. Briggs and E. S. Briggs the last named is an infant
under the age of 21 years

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 *S. S. Briggs* son of
W. S. Briggs

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

Witness, J. B. PRINCE, Clerk of our said Court, this *28* day of *March*
188 *7*, in the *111* year of the Commonwealth.

J. B. Prince C. C.

Biggs ¹⁰⁰⁻¹⁰⁹ ~~guard~~ ~~44~~

W 3

Biggs & Co 86

May Term 1887

To be entered

May Term 1887

C. W. Hill

✓

Briggs and
vs
Briggs et, al

This cause came on this
day to be heard on the bill taken
for consent as to the adult estate,
on the answer of Effie S. Briggs infant
on the answer of her guardian ad litem
with general replication to said answer
and was argued by counsel on consid-
eration whereof the court doth order,
adjudge and decree that a master
commissioner of this court ^{engineer} take and report
to court whether it will be to the interest
of said Effie S. Briggs to sell the timber
in the bill mentioned, also its value.
And by consent of parties
entered of record in open court it is
ordered that this cause be ~~settled~~
heard in relation.