

1805-026

SOUTHAMPTON COUNTY
CHANCERY PAPERS

POND'S HEIRS VS MAGEE & UX & al 5/1805

other surnames: Wellons

Pond heirs

W
Pond

Bill

Feb 9 1803 Indigo

Wm. H. H.

June 13 1804

Charles Hays

Wm. Hays

Wm. Hays

"Land Hays

"d Thom. Hays

Common

To the worshipped the Justice of the County Court of
Southampton in Chancery sitting, humbly complaining
there to your worship, your Infant. orators Petitioners.
"Saml. Pond - Daniel Pond - (I Polly Pond, Temby Pond,
Francis Pond, & William Pond) Int^s representatives of
Robt Pond - by Wm Willmott their next friend.

That sometime in the year of your Robt Pond
departed this life having duly made
executed his last will & Testament in which he
devised one certain Tract of Land, containing, about
200. acres more or less, to his son Wm Pond - in fee,
that soon after such devise the said Wm Pond,
departed beyond Sea, where he has remained for
upwards of eight years no sort of information
having been heard of him - In consequence of which
by the Executors of the said the said Wm is presumed to
be dead - & his said land consequently being
divided on the part the father hoped to his
brothers & sisters equally to be divided -

That Robt. Mayer, Thaneys his wife an adultress
one part ~~on right of his wife~~ - Bisey one ² Saml.
Pond ³ & Polly Pond, ⁴ ~~who being~~ ^{are} of lawful age & are pay^d.
depend^t to this bill - your compl^t are therefore

advised that they are entitled to the land. And to one
part in five - David Pond & John D. in 20 - & Polly Pond
Tommy, Nancy & William Pond, as representatives
to their father. Drew Pond to one in 20

They are also willing that the remaining four
fifths should be entitled to their equal proportion
of 1/5. That & your court further state
that, when thus divided, the portions as aforesaid
will not equal \$100 in value in consequence
of which they pray that the said land may be
sold, by commissioners to be appointed
& equally divided as aforesaid. - In further
consideration &

And the end that the prayer of the same
may be effected - your court further pray
that commissioners may be appointed -

That your wisdom will make such
order in the premises as may
comport with equity & justice.

I authorize W. H. Jones
to draw the above
bill
W. H. Jones

The undersigned Robert Mayes & Mary his wife - being Petrs,
David Pond & Polly Pond to the bill of Complaint against
them exhibited in the County Court of Johnson by
David Pond & others then defendants the complete
Statement to be perfectly correct & are willing &
motion, that the law, claimed to be decided
in manner of form according to the prayer
to the Complaint, in their 3^d title more particularly except
as to such other decree as the court may deem
equitable & proper. In
Amey H. Kent

Parce } Interlocutory
Parce^m } Decree

February 1865

May 1865

Ref ret Decree
final

Persuant to the within Decree we the Subscribers
do report that we have sold the Land therein
mentioned on the 18th day of June 1803 for
the sum of One Hundred & Sixty six pounds
& Shilling and have divided the same among
the said Heirs agreeable to the said Decree
given under our Hands this 20 day of May 1803

Charles Briggs

Will Briggs

Wm Briggs

Sh. court Feb. 2nd 1808

Pond & heirs

vs. Pond

Against

Pond

In Chancery

Deft. &

This cause was this docketed by consent of the parties. Heard on the bill and answer, on consideration whereof it is decreed and ordered that Charles Briggs William Briggs Mary Briggs Daniel Briggs and Thomas Briggs or any three of them, make sale of the land of which Richard Pond dec'd devised to his son William Pond in fee by his last will and testament and the said William soon after removed himself out of the County and no information being heard of him for upwards of eight years in consequence of which the said William is presumed to be dead therefore it is ordered that the commissioners of the said land make use of the land as a Credit as to them shall seem proper and assign one part of to Robert Magee in right of his wife one part to Samuel Pond one 1/2 to Samuel Pond one 1/2 to Daniel Pond one 1/2 to Dianna Pond one 1/2 to Polly Pond and one 1/2 to William, Polly, Temperance, and Nancy Pond as representatives of their father Drury Pond dec'd and make report thereof to this Court in order to a final decree.

Teste
Sam. Kelloe