

1842-009

SOUTHAMPTON COUNTY
CHANCERY PAPERS

POND'S GUARDIAN

VS. WELLONS and Wife

4/1842

Paid
as 2 Bill
Wellman & Co

Oct. 1841

Peffs Costs

Calc. \$7.35

Diff. - 60

1830 Nov. Inj. granted & p. & p. & p.

1830 Nov. Inj. granted & p. & p. & p.

1830 Nov. Inj. granted & p. & p. & p.

1830 Nov. Inj. granted & p. & p. & p.

1830 Nov. Inj. granted & p. & p. & p.

1830 Nov. Inj. granted & p. & p. & p.

1830 Nov. Inj. granted & p. & p. & p.

1837 June. Rept. not done

1838 Nov. 6. Bond of Am.

1839 June. Decree

for bond & p. & p.

Feb. 6. Bond of given

Peffs Costs

Calc. \$3.34

Diff. - 5.00

1839 Aug. Removed to Cir. Sup. Ct.

Peffs Costs Sup. Ct.

Calc. \$2.33

Law. 5.00

\$7.33

(20) \$10.91

Ponds. Gov.

in } Bill.

Wellman & Co

1830 Nov. Inj. awarded & p. & p. & p.

Inj. in: 1st.

1834 June. Decree for a portion of the slaves & p. to be sold.

1837 June. Report.

1838 Nov. Ct. and & p. filed by leave of the court.

1839 June. Decree for p. to give bond & p.

" Feb. 6. Bond of given

" Aug. Removed to the Cir. Sup. Ct. & p.

1841 Apr. Court.

" Oct. Decree for Division

1842 Apr. Rept. Comf. & p.

To the worshipping County Court of Southampton
in chancery sitting -

Thrusly complaining sheweth unto your
worships your orator Hawkins Pond
~~Guardian of~~ Archibald P P Pond an
infant under the age of minority one
year ^{being by Hawkins Pond his mother} that the said Archibald P
P Pond is the sole heir and sole distributee
of Caltheron Pond dec'd that the said
Caltheron reported this life, leaving
a widow Horvett who has since
been married with James P. Willows
that as widow she became possessed
in right of dower to certain slaves,
the property of her deceased husband
in which she is possessed only of a life
estate which by the marriage has
devolved upon the said Willows, who
took possession thereof - that the
said Willows, intending to defraud
your orator Archibald who is entitled
in reversion, removed two of the said
said slaves to wit Jacob and Esther
out of this Commonwealth and sold them
as your orator believes to a negro speculator
in fee simple, & your orator verily believes
unless he is restrained that the remainder
of the said slaves is held by the said Willows
will be disposed of in the same way, thereby
defeating the rights and interests of the said
Archibald in the said slaves, unless your
worships should interfere in this behalf

and make a restraining order upon the said
Wiltens and wife calling upon them
to give good and sufficient security that
they will not remove or cause to be removed
from this commonwealth any of the said
slaves or their increase, & that they shall be
forth coming when the rights of the said
Archibald shall require thereof and be
satisfied that your worship will be the said
Wiltens and wife or in the event of their not
complying, that the Sheriff of this County may
be required to take possession of the said
slaves and take them out from year to year
or from month to month until the or-
der of the court is obeyed - and grant
such other and further general relief touching
the premises as to your worship may
seem right & your orator will ever
pray

Parker pr q.

Southampton County to wit

Personally appeared before me a Justice
of the peace for the County of Southampton
Kewkins Bond & made oath that the
facts stated in this bill are true to the
best of his knowledge and belief

J.R. Masonbury, JP
15 Nov. 1838

Mellow Trip

and! ^{amun} ~~doemura~~

Pond

1838 Nov. 19.

Alkison for
Sept

10th County Court of Suptor in ch: sitting -
The answer of James B. Wilson and his wife
Hannah to the bill of complaint in the said
Court exhibited by ^{Hankin, Bond} ~~Archd~~ p. p. bonds and
infant under the age of 21 years - The defendants
saying and answering to themselves said
and at all times hereafter all manner of
benefit and advantage of exception to the
manifest error, imperfections and of false
allegations in the complainant's bill certain
for answer thereto, or unto so much
thereof as they are advised it is material
to make answer unto, for answer say
that the plaintiff or guardian of the
said Archd. p. p. bonds is not authorized
by the laws of the land to sue or to file
the bill as aforesaid exhibited, because
to obtain redress on the part of said
infant, he is bound to sue by his next
friend, and that his guardian has no
right or authority to sue as such, that
the said Hankin, bond or guardian
has no right to call upon now respond-
-ents as he has done in his bill and
for those and other reasons, the
defendants answer to the bill of the
complainant, and say that the bill of
the p. p. and the matters therein certain
asserted forth are not sufficient for
the p. p. to have his said bill against
them and that they are not bound to
make answer to the same, & they pray
the judgment of the Court upon the bill
aforesaid - And for a further answer
to the said bill the defendants say that
by an order of bargain and sale of the 14th of
September 1837, and recorded in the County cl.
of Suptor, the said James B. Wilson for a valuable
consideration bargained, sold conveyed to

Rowan, Betty of W. & Crutcher County, all the down
right of his said wife Harriett in and to the
following negroes then in the possession of
Clement Nichols late of W. & Crutcher County
the wife of said - namely, William, Sally &
Eliza belonging to the estate of Callthorpe
pound 2000 and which was allotted to
his said wife, or otherwise the increase
of woman young, and also all the right of
this respondent and his wife to the slaves
which the said Harriett derived from the
estate of her child Francis p. pound, and
also the life and interest of the said Milloy
in the said slaves, to which his said daughter
Catharine Milloy was entitled to, or one
of the six children of the said Francis p. pound,
all which will appear by the said deed of
bargain and sale hereto annexed and
also filed as part of this cause - and
the said Milloy for her answer says that
since the death of his wife in the slave of the
estate of said Callthorpe pound, was set aside,
one of the children of the said pound departed
this life, that is to say, the said Francis p. pound
under the age of 21 years intestate heretofore
leaving his full brother Archd. pound, his mother
the said Harriett and the said Catharine
Milloy his half sister entitled to his moiety of
the slaves in ~~reversion~~ reversion - that the said
Catharine being so entitled to 1/5 of the whole
slaves held for life by the said Harriett, has
departed this life intestate and under 21 years
of age and without issue leaving her mother
the said Harriett and the half brother Archd.
pound entitled to her estate - now respondents
for their answer says that they have no wish
to deprive the said Archd. Pound of any of his
just rights - that the slaves held by them were
summoned under an order of Court to one
Clement Nichols then of W. & Crutcher County - that some have been sold under an

order of the said Court made in the said cause
and the remainder are in no way benefited
now respondent, but if the present state of things
main, the expenses of the slaves will absorb them
in a few years, and they will be lost to all
concerns - now respondent therefore submit
to the Court the propriety of making a decree
forthwith for a sale of all the slaves now
in the hands of the W. & Crutcher County and after payment
of the expenses, the Court shall decree to the
said Betty as claiming under now respondent
a portion equal to the life estate of the said
Harriett in said slaves, and then divide
the balance of the money between the said
Archd. p. pound and the said Betty
Betty who is entitled to all the rights of
now respondent - and having answered
they pray leave to be dismissed with
their costs in this behalf sustained

A. Atkinson p. d.

S. S. Crompton County, to wit, this day before me a
Justice of the Peace for said County, came James B. Morrow
who made oath to the truth of the within
for his answer as far as he knows or
believes - given under my hand and seal this
19th day of Nov. 1838 -

John Bowers (Jp)

Wilton^x

adi:

Pond }

Wagh den
to the st

The End.

Pond or Mellows, &c. -

On motion of the p^{et}: it is ordered that this
suit be conducted in the name of Archd.
P. Pond, he having arrived to the age of
twenty one years; and this cause come
on to be heard on the bill, answer
and exhibits filed, and was argued by
counsel; On consideration whereof the
Court took advice, and came and said
that Edward Butts —

after giving at least twenty days notice of
the time and place of sale at the door of
the Court house of this County, and at such
other places as may be deemed expedient,
sell to the highest bidder on some Court
day at the Court house of this County, the
slaves held by the defendant and wife
or tenant for life, and the remainder in
which belongs to the com^{pl}. Archd. P. Pond,
for ready money. That after paying the
expenses of sale and of this suit, the said com.
first pay to ~~Edward Butts~~ Clements, Rochelle
late Jst of Southampton County —
the sum of \$53-67 ^{admitted to be} due for the
support of the said slaves, since the same have been
under his care by ^{virtue of} ~~order~~ ^{order} of this Court
and that of the ~~next~~ ^{next} ~~proceeds~~ ^{proceeds}, he pay over
to Edward Butts ^{upon the parties agreeing to be that} ~~the~~ ^{sum} ~~of~~ ^{from} the said
Mellows of his interest in said slaves, ~~part~~ ^{part},
he is ~~estimated~~ ^{estimated} by the Court an equivalent for the
life estate of the said Harriet Mellows in said

of the balance,
slaves, then, pay to said Edwards Butts, or
purchase of said in right of said Millers
and wife, ~~of the said Butts~~ and the other
seven lents pay to Archd. P. P. P.
the rest: and make report to the Court
in order to a final decree. —

Ponds for
 2 {
 Hollens &
 Sch. H. J.

Surry County, Va. Feb. 11th 1829. This day Th. N. Delt D. for - H. W. Hollenman Sliff appeared before me a Justice of the Peace for Surry County, and made oath that he did on the 31st. day of Jan'y. last deliver a true copy of the within order - to Hiram Pord.

James D. Edwards J. P.

At a Court held for the County of Southampton on the 21st day of January 1889.

Hawkins Pond guardian to Archibald P. Pond

Plff

In Chancery

against

James W. Wellons. and his wife Harriet

Defts.

It appearing to the satisfaction of the Court that no bond and security has been given in this case and that there is now no sufficient security. On motion of the Defendants it is ordered that unless the Plaintiff give bond and good security as the rule granting the injunction requires, on or before February Court next the injunction shall be dissolved.

Attest

Teste

J. R. Edwards C. C.

Amount of Sales made the 17th Jan'y 1842.

Winnery.	To M. W. Hall	\$330 —
Sally	" Seth O. Williams	275 —
Eliza	" John W. Guley	422 ..
		<u>\$727.00</u>
	Comm ^d off	\$24.54
	Cost.	34.12
To paid Dr. Seabell & Crichton aut.		22.75
" " Coroner as per order of Court		8.15
" " Doctor Seabell aut.		2.00
" " W ^m Davis buyer		1.00
		<u>\$92.56</u>
		684.44
To paid Clements Rockelle late Shff.		53.67
		<u>\$738.11</u>
To Edward North purchaser from Mellons & wife		3790.11
for the life estate of said Stewart		
" ditto ditto purchaser from same 3/10		162.19
" Archibald P. P. Pond 7/10.		378.47
		<u>\$4000.77</u>

and the commissioner further states, that he has since the rendition of this decree, paid to Bond Dr. Seabell & Crichton and aut. of \$22.75. also Dr. Seabell aut. of \$2. both of which were for medical services rendered to the negroes. Copy Dues in the decree, also paid to Dr. Seabell \$8.15 as Coroner over one of the negroes that were drawn. Mellons & wife and have paid to Archibald P. P. Pond the plaintiff \$378.47 his proportion of the sales of the negroes, also \$20.78 his cost, which with more fully appear by reference to the receipt here with returned with the papers and have retained in my hands \$53.67 which appears to be due to Clements Rockelle late sheriff. I having paid individually and as his deputy sheriff that sum. — I have also retained \$252.30 being Mellons & wife's interest in said slaves, which was conveyed to me — all of which is respectfully submitted to the honorable Judge of the Court

Edw. D. North Court

Returned Apr. 6/1842

Southampton Circuit Court November 3^d 1841-

Archibald P. Pond an infant under the age of twenty one
years by Hawkins Pond his next friend
Against

Jenny B. Mallow and Harriet his wife

On motion of the plaintiff it is ordered that this suit be conducted in the name of Archibald P. Pond he having arrived to the age of twenty one years; And this cause came on to be heard on the bill answer and exhibits filed and was argued by Counsel. On consideration whereof the Court doth adjudge, decree and order that Edward Butts after giving at least Twenty days notice of the time and place of sale at the door of the Courthouse of this County and at such other places as may be deemed expedient sell to the highest bidder on some Court day at the Courthouse of this County the slaves held by the defendant and wife as tenants for life and the remainder in which belongs to the Complainant Archibald P. Pond for ready money that after paying the expenses of sale and of this suit the said Complainant pay to Clements Rochelle late Sheriff of Southampton County the sum of fifty three dollars and sixty seven cents, admitted to be due for the support of the said slaves since the same have been under his care by virtue of an interlocutory order of this Court and that of the note proceeds he pay over to Edward Butts whom the parties agree to be the purchaser from the said Mallow of his interest in said slaves One seventh part being esteemed by the Court an equivalent for the life estate of the said Harriet Mallow in said slaves then of the balance pay to the said Edward Butts as purchaser aforesaid in right of said Mallow and wife three tenths and the other seven tenths pay to Archibald P. Pond the plaintiff and make report to this Court in order to a final decree.

Attest Teste. L. R. Edwards Clk

Piffs. Costs in County Court	\$10.50	
Dfts do do	8.34	} 21.79
Piffs Costs in Supr. Court	19.33	
Dfts do do	5.00	12.33
		\$34.12

Canada &c.
to S. S. & S. S. & S. S.
Wellman & Co.
January 1831
Wm. S. S. & S. S. & S. S.
Climko & Co.

Teste James Rochelle test

The Commonwealth of Virginia to the Sheriff of Southampton County
Greeting We command you to summon James B. Bellens & Harriet his
wife. to appear at the Clarks Office of our County Court of Southampton
at the rules to be holden for the said Court on the first Monday in January
next. to answer a bill in chancery exhibited against them by Hawkins
Pond Guardian to Archer J. P. Pond. And unless the said defendants
shall answer the said bill within four months thereafter the Court will
take the same for confessed and decree the matter thereof accordingly.
And thus they shall in no wise omit under the penalty of \$100. And
have them there the Clert. Witness James Rochelle Clerk of our said
Court at his Office the 20th day of November 1830 in the 55th year of
the Commonwealth.

James Rochelle Cl

note by
after the
Count

Pond in Mellors & wife

This suit was brought to restrain the husband of tenant for life from making way with slaves. The husband since the institution of the suit has sold all his interest to E. Butts as appears by the bill & rule filed. The slaves are in the hands of the sheriff because the tenant for life failed to give the bond required. The sheriff has a claim for expenses of about \$80 or \$90 dollars. This of course must be paid before any division ~~of~~ Butts is entitled to the life estate and then to $\frac{2}{5}$ of the remainder the other $\frac{3}{5}$ belongs to the infant Arthur Pond. There are three negro girls all young - one is about 15 years old the other two 8 or 10 and cannot be well divided.

The wife of Mellors is now nearly 50 years of age.

The court is therefore asked to decree a sale of the slaves by a commissioner to pay the sheriff the expenses due there after deducting expenses of suit and sale to pay E. Butts a sum equal to the value of the life estate then give $\frac{2}{5}$ of the balance to E. Butts as purchaser from Mellors, and the remaining $\frac{3}{5}$ to Arthur Pond

Attorney

Ponds Gov

or { Rept.

Wellons &c.

1837 June. Ret. Hamlin?

Agreeably to a decree of the County Court of Southampton made January Term 1834, in the suit of Hawkins Pond guardian to Archibald P. Pond against James B. Wellons & wife Harriet. I did, on the 19th day of January 1835, having given due notice thereof, sell at public auction, for cash, a negro Woman Jenny and her child Susan, being two of the negroes allotted to the said Harriet Wellons as dower in the slaves of the estate of Southrop Pond dec^d and they were purchased by John A. Hill for the sum of . . . \$265.00

After deducting my commissions say 3% . . . 13.25
leaves the sum of . . . \$252.75

which I have disbursed in the following manner to wit.

1834				\$2.50
Decr.	25 th	To paid Anselm Bailey		.50
1835	"	" " Clarke's ticket		
"	"	" " Anselm Bailey		66.87 1/2
Apr.	24 th	" " J. B. Wellons		17.64
Oct.	29	" " Matthew Williams spec ^r &c.		68.75
Decr.	25	" " Thomas C. Jones		20.00
"	28	" " John A. Hill		4.75
Jan.	19	" " William Davis		1.00
Apr.	13	" " J. B. Wellons		5.00
1836				55.74
Decr.	27	" " John Wick spec ^r		<u>\$252.75</u>

Respectfully submitted to The Court

Edw. D. Butler

Ind

to } Stat

Wellens & Wife

Olemona Rochelle to whose hands as Sheriff the donor slaves of James B. Wellons and Harriet his wife in the Slaves of the Estate of Kalthorpe Pond
dec-2

To due John Vick for Supporting said Slaves in 1831 which 3
was not allowed in the last report \$49.75
24.57

To Submit till March 25/1841.

By hire of Minny to David Godwin in 1836 \$8.75 25.00

To due Thomas to Jones for Supporting Sally & Eliza 1836. 25.00

" " Ditto " Ditto 1837 15.00

" " Ditto " Eliza 1838 15.00

By Hire of Minny to Thomas C. Jones in 1838 15.00

" " Sally, William & Ponds 1839 25

" " Sally & Eliza to Thomas C. Jones 1839 18.00

" " \$12.00

To paid Dr. Burges medical account 3.00

" " tickets 1.00 145.98

To Commissioners in \$1.2 2.10 40.90

Bal due against the Slaves \$107.48

By hire of negroes for 1840 \$23.50

To Com. in \$23.50 \$1.17

Topt. Cryer 1.00 2.17

To returns for Comm. & Clerk \$51.15

Balance due Clerk & Clerk \$1.50

To returns for Comm. & Clerk \$82.65

Balance due Clerk & Clerk \$82.65

1841 By hire of negroes this year \$30.50

5 p.c. Commissioners off 157 28.98

Bal due the other off \$58.67

W. J. Sebark

Recd

\$ 1

1840 C. Pond estate
to Wm J Schell Dr

to buying graves at Lyding - 1.00

Recd payment March 13th / 1841
in full of C. Pond's late acct
W. J. Schell

N. M. Sebaste

Recd.

\$2

Jan: 18th = 1842.

Recd of Clements Roche
Tate Sheriff & the amount
of the within acct in full

C. M. Selwell

1839 Clements Rochelle Sheriff & Com. of Calhouns Pond Estate
J. N. M. Selvidge Dr

Augth 8 Pre: for girl Eliza, C. Calhoun et al. Duem. 2.00
\$2.00

Jan: 18th = 1842.

Rec: of Clement,
Rochelle late Sheriff & the
custodian of the within
order.

N. M. Sebrall

Sebrall

to { Co. Order

Ponds acc.

Southampton March Court 1836.

On the motion of Nicholas M Sebell.

Ordered that the Sheriff to whom the estate of Heathorpe and de? was committed pay to the said Sebell the sum of Eight dollars and fifteen cents. for holding an inquest on the body of a negro girl belonging to said estate, and the costs of this order

costs. 64 cents

Teste L R Edwards *clerk*

8 15
64
8 99

Jan: 18 = 1842

Rec^d of Clements Rochelle State Sheriff
of the sum of twenty two dollars & 75¹⁰⁰ cts
being in full of the within acct.

Shall & Crickton

C. Rochelle Off & Com

Wm Facet

Shall & Crickton

\$ 22.75 -

22.75	
2.	
8.15	
64	
\$33.54	
38.00	
4.46	

Clements Rockville Tliff. & Com: of Harriet Roads Denver
 1840 to Schull & Conck lry

5

Sept 8 th	Visit to Winny at Felf. Mist:	1.50
" "	Visit this evening to same at Comp: Cath:	1.50
" 9 th	Visit (morn) Comp: Cath et al. Miami	1.75
" "	Visit this evening at Mud—	2.00
" 10 th	Visit at Comp anody: Pils VIII	2.00
" 11 th	Visit at Comp: Alterat pils VI	1.50
" "	Emplasta visicatoria iij	1.00
" 12 th	Visit at Pulvis Doveri	1.50
" 13 th	Visit this day at Mud—	1.50
" 14 th	Visit at Cinchon Pulv: Opt: 9/11	1.50
" 16 th	Visit this morning at Prescription	2.00
—	Visits iij. to Winny & Mud;	\$ 17.75
		5.00
		~~\$ 22.75~~

Recd Jan'y 17/1842 of Edw. D. Butler Comr to sell Millions
of Acres, Amer. negroes Thos. J. Hill and
Wm. H. Day for
A. A. Hinton

A. P. P. P. P.

Ret.

378.47

Cost. 26.78

~~\$~~ 399.25

Edw & Ruth Comrs

1842

To A.P.P. Bond

Dr.

Jan'y 17.th By Your proportion of the slaves sold by
" Virtue of a decree of the Circuit Supr. Court.
" Your Cost

378.47
20.78

399.25

Recd. July 21/1842 of Edw & Ruth Comrs. to all the slaves in the
annexed decree the sum of three hundred and twenty nine
dollars and twenty five cents in full of my 7/10 of
the sale of the slaves aforesaid
Archib. P. Bond

first - $\frac{1}{7}$ to mother

Tracy P. Pond was ruled to $\frac{1}{2}$ of the slaves
Anke Pond to ~~1~~ $\frac{1}{5}$ of the do.

Tracy died - his share went to mother, Anke,
and Catharine half third - say $\frac{2}{5}$ to mother,
 $\frac{1}{5}$ to Anke & $\frac{1}{5}$ to Catharine -
Catharine died her share $\frac{2}{3}$ to mother &
 $\frac{1}{3}$ to Anke -

$\frac{1}{7}$, and $\frac{2}{5}$ of $\frac{1}{2}$ & $\frac{2}{3}$ of $\frac{1}{50}$

$\frac{1}{10}$

$$\frac{100}{50}$$

$$\begin{array}{r} 50 \\ 20 \\ \hline 3.33 \\ 73.33 \\ \hline 100.00 \end{array}$$

$$\begin{array}{r} \frac{2}{5} \text{ of } \frac{1}{2} = .20 \\ \frac{2}{3} \text{ of } \frac{1}{5} = .66 \\ \hline .86 \end{array}$$

~~$$\begin{array}{r} \frac{2}{5} \text{ of } \frac{1}{2} = .20 \\ \frac{2}{3} \text{ of } \frac{1}{5} = .66 \\ \hline .86 \end{array}$$~~

$$\begin{array}{r} 50 \\ 3 \overline{) 10} \\ \hline 3.33 \end{array}$$

~~A~~ 20 Mellow for down $\frac{1}{3}$
 20 as or distills of
 Catharin who was $\frac{1}{5}$ of $\frac{1}{2}$ $\frac{1}{10}$
 blood to Fran. who did
 Fran wife who took whole $\frac{2}{5}$ of $\frac{1}{2}$ $\frac{2}{10}$
 share from Fran. $\frac{2}{5}$ of $\frac{1}{2}$ $\frac{2}{10}$
 $\frac{3}{10}$

Auto - 1st from father $\frac{5}{10}$.
 From brother $\frac{2}{5}$ of $\frac{1}{2}$ = $\frac{2}{10}$
 $\frac{7}{10}$
 $\frac{3}{10}$
 $\frac{10}{10}$

James B. Willons
to & Bill of Sale
of rights
E. Butts

1838 May. 21st Actea. & AR
June - Entered upon the proceedings.

per
Willons & Butts
A.

Ex? Recorded
June 22d

Southampton County In the Clerk's Office the 21st day of May 1838

This Bill of Sale was acknowledged by James B. Millens party thereto to be his act and deed and admitted to record and as a court held for the said County the 18th day of June 1838 the said bill of sale was entered upon the proceedings of the day

Teste L. R. Edwards Clk

~~At a Court held for the County of Southampton the~~

733.6

Know all men by these presents, that J. James B. Willons
of the County of Southampton, for and in consideration
of the sum of thirty three dollars and sixty three cents
the receipt whereof is hereby acknowledged, has granted
bargained and sold, unto Edward Butts his heirs
and assigns, all the dower right of my wife Harriett
in and to the following ^{slaves} now in the possession of
Clement Rochelle late sheriff by process of law,
namely Minney, Sally & Eliza belonging to the
estate of Calthrop Pond dead, and which was allotted
to my wife Harriett, or otherwise the increase
of said slave an Emmy, also all my right and
title in and to said slaves, which my wife Harriett
derives from the death of her child ~~Francis~~
P Pond son of Calthrop Pond dead, also my right
title and interest in and to said slaves, which
my said daughter Catherine Willons is entitled
to, who survived her half brother Francis P. Pond,
and the said James B. Willons for himself his heirs,
executors and administrators warrants and
defends the rights to the said Edward Butts his
heirs executors and assigns. In testimony whereof
I have hereunto set my hand and seal this 14th day
of September 1837.

Signed & sealed in
acknowledged in
presence of
interlined (slaves)
before signed

James B. Willons

may 21st

Henry Parker
Richard Kells
James Vasser

Pond

23

Wellens

1839 Jan 6th

Pound & Mellons. injunction -
It appears to the satisfaction of
the Court that no Bond Security
has been given in this case & that
there is now no sufficient
security, on mot. of the p^lff it
is ordered that unless the p^lff
give bond and good security
as the rule granting the injunction
requires, on or before ~~the~~ 24th day of
next, the injunction shall be
dissolved &c

Send me a copy of this order
as soon as Court is up, to receive it
by mail - A. C.

Ponds for
" } Proceedings- &c

Wellons & Wife

At a Court of quarter Sessions held for the County of Southampton on the 15th day of November 1830.

On the motion of Hawkins Pond guardian to Archibald P P Pond an infant under the age of twenty one years who filed his bill against James B Wellons and Harriet his wife an injunction was awarded him to enjoin the defendants, their agents, attorneys and all others concerned from removing, or causing or permitting to be removed or sent out of the limits of this Commonwealth the Slaves (except Jacob and Esther) allotted to the defendant Harriet as her dower in the Slaves of her former husband Calthorp Pond dec^d until the further order of the Court. And unless the said defendant shall within thirty days enter into bond with sufficient security before the Officer who may execute this process, payable to the plaintiff in the penalty of two thousand dollars and conditioned to have the said Slaves forthcoming to abide any future decree of the Court in relation thereto, then the Sheriff of the County or Sergeant of the Corporation in which the said Slaves may be found is directed to take possession of them and hire them out from year to year or from month to month until the order of the Court to the contrary. If such bond be given it is to be returned by the Officer taking the same with this writ. But the plaintiff is not to have the benefit of this order until he shall enter into bond with sufficient security in the penalty of one thousand dollars conditioned for paying to the defendants all damages and costs which they may sustain by the suing out of the process hereby awarded in case it shall hereafter appear that the same was issued without just cause -

And on the 20th day of November 1830 process of Subpoena was sued out of the Clerks Office of said ~~Office~~ Court.

At a Court held for the County aforesaid on the 20th day of January 1834.

On the motion of Clements Rochelle Sheriff and Committee of the estate of Calthorp Pond dec^d and for reasons appearing to the Court it is deemed and ordered that the said Rochelle as Committee of the Slaves directed to be held in his hands as Sheriff and hired out, do make Sale of such portion of said Slaves as can be best spared, to pay the amount of keeping the same from the time of their Commitment to him to the present time, It appearing to the satisfaction of the Court that the said Slaves are chargeable and that he has no funds out of which to pay said Charges, and that he report his proceedings, and the said Claims now due to the Court thereon - From which order and decrees of the Court the said Plaintiff prays an appeal to the next Circuit Superior Court of this County, which is granted him -

At a Court held for the County aforesaid on the 19th day of June 1837.

The Commissioner appointed to carry into effect the interlocutory decree pronounced in this cause at January Court 1834 this day made a report.

At a Court held for the County of Southampton on the 19th day of November 1838. The defendants by their Counsel by leave of the Court filed their answer and a demurrer to the plaintiffs bill.

At Rules held in the Clerks Office of the said Court on the first Monday in December 1838. Came the defendants by their Counsel and filed their answer to the plaintiffs bill, and the plaintiff by his Counsel instantly replied generally thereto.

At a Court held for the County aforesaid the 21st day of January 1839.

It appearing to the satisfaction of the Court that no bond and security has been given in this case, and that there is not sufficient security. On motion of defendants it is ordered that unless the plaintiff give bond and good security as the rule granting the injunction requires, on or before February Court next, the injunction shall be dissolved.

At Rules held in the Clerks Office of the said Court on the first Monday in April 1839. On the motion of the plaintiff by his Counsel this cause was set for hearing.

And at a Court held for the County aforesaid on the 19th day of August 1839.

On the motion of the plaintiff by his Counsel It is ordered that this cause be removed to the Circuit Superior Court of Law and Chancery for this County for trial.

Plaintiffs Costs to wit

Celks. \$6.20

Shff. 60

Life & Tax 5.50 \$12.30.

Defendants Costs

Celks. \$3.24

Law. fee. 500 \$ 8.34.

Ponds Gov.

vi. { Copy Proceedings &c

Wellons Secy

Received by the clerk of the Secy:
Sup. Secy. October 1st. 1839

At a Court of Quarter Sessions held for the County of Southampton on the 15th day of November 1830.

On the motion of Hawkins Pond guardian to Archibald P. P. Pond an infant under the age of twenty one years who filed his bill against James W. Wellons and Harriet his wife, an injunction was awarded him to enjoin the defendants, their agents, attorneys and all others concerned from removing, or causing or permitting to be removed or sent out of the limits of this Commonwealth the slaves (except Jacob and Esther) allotted to the defendant Harriet as her dower in the slaves of her former husband Walthorp Pond dec^d. until the further order of the Court. And unless the said defendant shall within thirty days enter into bond with sufficient security before the Officer who may execute this process, payable to the plaintiff in the sum of two thousand dollars and conditioned to have the said slaves forthcoming to abide any future decree of the Court in relation thereto, then the Sheriff of the County of Sergeant of the Corporation in which the said slaves may be found is directed to take possession of them and hire them out from year to year or from month to month until the order of the Court to the contrary. But the plaintiff is not to have the benefit of this order until he shall enter into bond with sufficient security in the penalty of one thousand dollars conditioned for paying to the defendants all damages and costs which they may sustain by the suing out of the process hereby awarded in case it shall hereafter appear that the same was issued without just cause. And on the 20th day of November 1830 process of Subpoena was sued out of the Clerk's Office of said Court.

At a Court held for the County aforesaid on the 20th day of January 1834. On the motion of Clements Rochelle Sheriff and Committee of the estate of Walthorp Pond dec^d. and for reasons appearing to the Court, it is decreed and ordered that the said Rochelle as Committee of the slaves directed to be held in his hands as Sheriff, and hired out, do make sale of such portion of said slaves as can be best spared to pay the amount of keeping the same from the time of their commitment to him to the present time, it appearing to the satisfaction of the Court that the said slaves are chargeable and that he has no funds out of which to pay said charges - and that he report his proceedings, and the said claims now due, to the Court thereon. From which order and decree of the Court the said plaintiff prayed an appeal to the next Circuit Superior Court ^{of this County} which was granted him.

At a Court held for the County aforesaid on the 19th day of June 1837. The Commissioner appointed to carry into effect the interlocutory decree pronounced in this cause at January Court 1834 this day made a report.

At a Court held for the County aforesaid on the 19th day of November 1838. The defendants by their Counsel, by leave of the Court, filed their answer and a demurrer to the plaintiff's bill.

At a Court held for the County aforesaid the 21st day of January 1839. It appearing to the satisfaction of the Court that no bond and security has been given in this case, and that there is not no sufficient security. On motion of defendants it is ordered that unless the plaintiff give bond and good security as the rule granting the injunction requires, on or before February Court next, the injunction shall be dissolved.

And at a Court held for the County aforesaid on the 19th day of August 1839. On the motion of the plaintiff by his Counsel It is ordered that this cause be removed to the Circuit Superior Court of Law and Chancery for this County for trial.

Plaintiffs Costs to wit

Clerks \$7.50

Shiffs .60

L. fee & Tax 5.50 } \$13.60

Defendants Costs to wit

Clerks \$3.04

Law fee 5.00 } \$8.04

Copied True.

L.R. Edwards Secy

3 Pond

2 } Pond

Wellons & wife

1839 February 16th

Know all men by these presents that we Hawkins Pond and Samuel M Pond & Lewis N Branch are held and firmly bound unto James B Wellons and Harriet his wife in the just and full sum of One hundred dollars to be paid unto the said James B Wellons and Harriet his wife their certain attorney their heirs Executors, administrators or assigns. To the payment well and truly to be made we bind ourselves our heirs Exors. and assigns jointly and severally firmly by these presents. Sealed with our seals and dated this 6th day of February 1829

The Condition of the above obligation is such that whereas the above bound Hawkins Pond as guardian to Archer P P Pond did on the day of November 1830 obtain from the County Court of Southampton an Injunction to injoin and restrain the above named James B Wellons & Harriet his wife and all others concerned from removing, or causing or permitting to be removed or sent out of the limits of this Commonwealth the slaves allotted to the Defendant Harriet as her dower in the slaves of her former husband (althorp Pond dec^d) except Jacob & Esther, until the further order of the Court. Now if the said Hawkins Pond shall stand to abide and perform the final decree which may be made in the said cause, then the above obligation to be void, otherwise to remain in full force and virtue

Witness

L R Edwards

Hawkins Pond

Samuel M Pond
Lewis N Branch

Hawkins Pond Seal
P. M. B. Pond Seal