

1842-129

SOUTHAMPTON COUNTY
CHANCERY PAPERS

POND vs. POND et al

3/1842

Plat

Douglas kg

Pond 3

to 3 Bile. answered Decem

Pond et al

1841 July - Decree & as before

1842 Feby - Report

.. Mar. Final decree &

To the Justices of the County Court of Southampton in
Chancery sitting

Humbly complaining, sheweth unto your
Worships, your Oratrix Mary Pond & that your Oratrix is
the widow of Patrick Pond decd. who departed this life in
the year — intestate leaving your Oratrix and Jos. H.
H. Pond & some M. Pond seized & possessed or tenants in
common of undivided third parts of land in a consider-
-able Real estate; your Oratrix holding her as widow of
the said Patrick Pond & Jos. H. H. Pond & some M. Pond
holding their as his heirs at law. And your Oratrix
further sheweth unto your Worships that she and the
said Defendants herein after named here for several
years enjoyed the said Real estate in undivided third
parts as tenants in common, but it being very disadvan-
-tageous to your Oratrix to continue the enjoyment thereof
in that manner, she is desirous that a partition should
be made of the said estates & premises, and that her third
part or share thereof should be divided and allotted
to her in severalty for life, and she has for that purpose
applied & caused several applications to be made to
the said defendants & requested them to consent to a
fair partition and division & allotment of her share being
made of the and in the said Real estate of which
Patrick Pond died seized & possessed, and that one
third part or share thereof be allotted to your
Oratrix widow of the said Patrick Pond decd, to be
held by her during her natural life and that
the dues & mortgages relating to the same may be pro-
-perly executed &c. and your Oratrix well hoped they
would have complied with such her reasonable request
as in justice & equity they ought to have done. But
now so it is, may it please your Worships that the
said Defendants absolutely refuse to comply with your
Oratrix's reasonable request, all which actions and
doings are contrary to Equity and good Conscience
& tend to the injury & damage of your Oratrix in the premises

In Funder consideration thereof and from much to grow
Orovis Court be fully relieved in the premises but by
the aid of a Court of Equity when matters of this nature
be properly Cognizable & relievable; to the end therefore
that the said Defendants may possess the premises
for Orovis says that they may be made proper Defen-
-dents to this bill; and that your Orators Masters will
appoint Commissioners for the purpose of ascertaining
her one third part in value of as Dowry of all
the lands of which Patrick Pond died seized &
possessed & that your Masters will make such other
order and decree in the premises as the nature of
this case may require & which shall be consistent
with equity & good Conscience & your Orators for your
Masters will pray -

Draftsman

The answers of James M. Pond, and John M.
Pond to the bill of Complaint exhibited against
them by Mary Pond Widow of the late Patrick
Pond - These Defendants saying & answering to
themselves, all manner of benefit and full
exceptions to the many uncertainties, errors and
imperfections in the said Complaints, said
bill of Complaint contained, answering; say
that they have no objection to the proposed
Court appointing Commissioners who shall
ascertain & set apart one third part in value
of the real estate of which Patrick Pond died se-
-ized & possessed, to be held by the said Mary Pond
as Dowry; and having thus answered pray to
be never Demanded -

50. Ampton County to Mr

Pond 2 La Chi

Pond et al This day this Cause came on to be
heard on the bill & answer; and was docketed by
Consent and argued by Counsel; whereupon the

Court doth adjudge order & Decree. That James Saine
John M. Holland and Joseph Gardner be appointed
Commissioners who together with the Surveyor of the County
shall proceed to assign to Mary Pond Widow of Patrick
Pond one third part in value of all the lands
of which Patrick Pond died seized & possessed; to be
held by the said Mary Pond during her natural
life as Dowry; and that the said Commissioners shall
make a report to this Court of their proceedings in
order to a final Decree: & it is ordered by the Court
that the expenses of this Court be proportionably
borne by the parties -

Southampton July Court 1841

Mary Pond
against

James M. Pond and Samuel M. Pond

Plff.

Defts.

In Chancery

This day this cause came on to be heard on the bill and answer, was docketed by consent and argued by counsel: Whereupon the Court doth adjudge, order & decree that Thurgood Law, John M. Stoddard and Josiah Gardner be appointed Commissioners who together with the Surveyor of the County shall proceed to assign to Mary Pond widow of Patrick Pond dec'd one third part in value of all the lands of which Patrick Pond died seized & possessed: to be held by the said Mary Pond during her natural life as dower: and that the said Commissioners shall make a report to this Court of their proceedings in order to a final decree: And it is ordered by this Court that the expenses of this suit be proportionably borne by the parties -

Clerk Tute. L R Edwards lcl

Commissaries Report

1841

1842 Feb. Cont

