

1847-024 SOUTHAMPTON COUNTY
CHANCERY PAPERS

MASON et al vs. MASON

1/1847

Mason &
 W & Bice &

Mason

1847 Jan. Decree as filed
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To the worshipful County Court of Southampton in Chancery
sitting

Humbly complaining sheweth unto your worship your
compells Silliberry M Mason and Sarah A Mason an
infants of tender years by S M Mason her next friend
That their Father Henry Mason departed this life in
the year — intestate leaving a considerable amount
of both real and personal estate to that he left three
children to wit Robert M Mason Silliberry M Mason and
Sarah A Mason who are entitled to the said property as
his heirs at law That the larger portion of the real
estate is situated in the county of Sussex and the remaining
portion consisting of a water-gout mill situated in the
county of Southampton and at a distance of two miles
from the main body of the land. Your Comptis would
state that they are anxious to have a sale of said mill
and an equal distribution of the proceeds of said sale
amongst the said children and your Comptis would
state that the interests of each one does not exceed
£300 a share. But this cannot be effected without the
aid of this Court sitting in Equity. And tender consideration
whereof and forasmuch as your Comptis are remediless
at law and only relievable in a Court of Equity where such
matters are peculiarly cognizable to the end that the said Robert
M Mason may be made a party herto and compelled to
answer the allegations hereof. they pray the Comt's writ of
Nisi Decretum commanding you that your worship will decree
a sale of the said mill and an equal division of the
proceeds of the sale amongst the parties respectively entitled
and grant them such other relief in the premises general
and special as Equity dictates and they will ever pray &c
Mason Plffs Comt's

The answer of Robert M Mason to the foregoing bill of
Comptis. This Respondent saving &c. for answer says he admits the
allegations hereof and has no objection to the Decree prayed for
and having answered prays hences to be dismissed

Mason vs Mason } In Chancery

This cause was this day docketed by consent of parties with the assent of the Court, and came on to be heard on the bill and answer and was argued by counsel on consideration whereof the Court doth adjudge order and decree that Littleberry H. Mason who is hereby appointed Commissioner for that purpose sell to the highest bidder in the bill mentioned for cash, either at public or private sale, and divide the proceeds into three equal portions and allot two thirds to S. H. Mason and Sarah Mason and the remaining third to Robert S. Mason, and how he shall have acted in the premises make report to this Court in order to a final decree.