

1855-017 SOUTHAMPTON COUNTY
CHANCERY PAPERS

BRIGGS and Wife vs US. MAHONE

8/1855

other surnames: Manry

Briggs & wife

is 3 Bill. answer is
Deane

Malone

1855 Aug. Deane as filed

To the worshipping county court of Southampton County
in chancery sitting

Humtly complaining your complainants
Mr Briggs and Susannah his wife Mr Mahone and Social
Manny and Nancy his wife shew unto your worship that
in the early part of the year 1855 - F. J. Mahone of this
county departed this life intestate leaving considerable
estate real and personal and leaving Susannah (who
was Mahone before her marriage with Mr Briggs) his
daughter Nancy (who was Mahone before her marriage
with Social Manny) his daughter Mrs Mahone his son
and Nancy his widow his only heirs and distributees
at law, that among other property he left a small
tract of land containing about ten acres lying on the
rail road in this county, this piece of land which
is too small to divide and which is unclaimed your
complainants wish to divide, this share will be
under \$100 hundred dollars and as it would be
manifestly to the injury of all parties to divide it as
it would be wholly unfit for agriculture or any other
purpose to your complainant they feel assured it would
be to the interest of all parties to sell (all your
complainants are of age)

In tender consideration whereof and circumstances
as your complainants are without remedy at law and
entitled to relief in a court of equity they therefore
pray that Mrs Nancy Mahone may be made a party
defendant to this bill and compelled to answer the same
that the court would decree a sale of the land and
divide the proceeds according to the rights of the parties
and grant such other equitable relief as the nature of their
case may require and as in duty bound your complainants
will ever pray &c

Sharias Jr. &c.

The answer of Nancy Mahone to the above bill

This defendant for answer to the said bill or a matter
Thorp as it is material for her to answer, answering says
she has no objection to ^{the} court's granting the prayer of
plaintiff's bill and having answered prays to be hence
dismissed in

Thomas for deft

Briggs v Briggs

vs 3

Mahone

By consent of parties this day this cause
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 Mr Briggs who is
lawfully appointed special commissioner for that ^{purpose} shall
see the tract of land mentioned in the bill either
publicly or privately as to him may seem best
and all the parties consenting thereto may apply the
purchase money to the payment of the debts of
F. S. Mahone, but if not then after paying the expenses
this said allot one third of the purchase money to
Nancy Mahone for life and divide the residue
into three equal shares, and allot one share to
Mr Briggs and Susanna his wife, one share to
Mr Mahone and the other share to Nancy Mahone
and report to court in order to a final decree

But the said Mr Briggs is not to set under this
decree until he shall ^{have} executed a bond in the clerk's
office of this court in the sum of two hundred
dollars conditioned as the law directs