

1816-015

SOUTHAMPTON COUNTY
CHANCERY PAPERS

FULGHAM

VS. FULGHAM

5/1816

other surnames: Fugham

To the Worshipful Court of S^c. Austin County in Chancery
attending humbly complaining sheweth your
Honours your orator Sally Pughan that her
husband a certain Henry Pughan departed this life
on or about the day of A.D. having first
made and published his last will and testa-
ment which has been duly recorded in this
County Court, ^{and to which will is annexed to be had} by which he bequeathed ^{to his} ~~to~~ his son Miles Pughan the land whereon he lived
^{the one third part of which she is advised she is} ~~the one third part of which she is advised she is~~
entitled as her dower estate for life, but she is
advised that the her said dower therein cannot be
laid off and set apart except by the interposition
of this Honourable Court in which matters of
this kind are properly cognizable - your orator
further states that the said Miles Pughan is the
only person entitled in withholding from her that
part of the said land to which she is justly entitled
during her life, she therefore prays that your
Honours will appoint some fit and proper person
to act in this case for the said Miles Pughan who
is an infant of tender years - and that the
said Miles Pughan by his Guardian to be appointed
by this Court, be compelled full true and perfect
answers to make to all and singular the
allegations aforesaid, as fully as if the same man
were again repeated and be there positively
interrogated. To the end therefore she prays that your
Honours will decree that one third part of the
said land be laid off and allotted to your
orator as her dower estate therein and that
you will appoint fit and proper persons
to carry the said Decree into effect, and that
you will make such other or further order
for her relief as may seem just and equitable
for in duty bound she will ever pray &c

The answer of Mills Tufhan as infant of tender years
by Henry Tyner his Guardian by the Court specially
appointed to a Bill of Complaint exhibited against
him in the County Court of S. C. Anptn
by Sally Tufhan widow of Henry Tufhan deceased.

This respondent saving and reserving to herself now
and at all times hereafter all and every
right exception to the errors in the Bill
set forth, for answer thereto or to so much
as she is advised that it is material for
her to answer answering said that it is
true his father the said Henry executed the will
spoken of by the complaint saying that she
is entitled to see that part of the said land
during her life, for which she prays and is
willing that your Honor will make the de-
mands for or other other which may de-
mand and proper - ~~her~~ her prays
them to be dismissed as
Henry Tyner.

Attest p. D.

Special appointee by the
Court to act in the case
of D. to said Mills Tufhan
an infant.

Sally Tufhan widow and next of Henry Tufhan

Henry Tyner Guardian of Mills Tufhan infant son of
Henry Tufhan deceased ^{appointed by the Court for this special case} in Chy -

A consent of parties and the agent of the
Court this cause being docketed, came on to
be heard upon the Bill and answer filed
and arguments of Council, whereupon the Court
it is deemed, advised and adjudged that Mills
Borren, John Britt and Spencer R Jenkins or
any two of them, do lay off and allot to
Sally Tufhan widow and next of Henry
Tufhan deceased, one third part of the land of
which the said Henry Tufhan her husband
died seized and possessed of, lying in the County
of S. C. Anptn, as her dower estate therein for
life having regard to quality and quantity that
they make report thereof to the Court in order
to a final decree -

This weel Certify to the Honourable Court of
Southampton County that I am perfectly
Satisfied with my third part of my
huss Band Land Lying in Southampton
County and also wish a division of the same
as witness my hand and Seal this 16th
Day of March 1816
Witness

Charles Foulgham

Sally F. Foulgham Seal
mark