

**MONMOUTH ADJOURNED SPRING ASSIZES,
8TH APRIL, 1857. IN THE QUEEN'S BENCH.
PROCEEDINGS ON THE TRIAL OF THE CAUSE
JACOB MORGAN, PLAINTIFF, VERSUS THE
REV. ILTYD NICHOLL, DEFENDANT. BEFORE
MR. JUSTICE WILLES AND A SPECIAL JURY**

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Monmouth Adjourned Spring Assizes, 8th April, 1857. In the Queen's Bench. Proceedings on the Trial of the Cause Jacob Morgan, Plaintiff, versus the Rev. Iltyd Nicholl, Defendant. Before Mr. Justice Willes and a Special Jury by Great Britain Court of King's Bench

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GREAT BRITAIN COURT OF KING'S BENCH

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8th April, 1857.

In the Queen's Bench.

PROCEEDINGS ON THE TRIAL OF THE CAUSE

JACOB MORGAN,

Plaintiff,

versus

THE REV. ILTYD NICHOLL, *Defendant.*

BEFORE

MR JUSTICE WILLES AND A SPECIAL JURY.

[*From the Short-hand Notes of Mr Walsh.*]

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1858.

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P R E F A C E,

THE following is the Report of a Case of Ejectment heard at Monmouth in the month of April, 1857, before Mr JUSTICE WILLES, in which JACOB MORGAN was Plaintiff, and the Rev. ILTYD NICHOLL was Defendant. It is one of a class of Welsh pedigree cases which has nearly disappeared in Wales. Some twenty years since they were frequent. Of late years they have hardly been heard of, and it is to be hoped that this will be among the very last of the kind any person will have the audacity to present for investigation in a court of law. Improved morals, a more general sense of intelligence and of honour, have almost put an end to these domestic and parish conspiracies, which were formerly among the scandals of the Principality. It is too frequent, however, that in the courts of law in Wales a cloud of witnesses is collected to overwhelm the truth and to be

opposed to the clearest documentary and written evidence, whether the question in dispute relates to a horse, to a family difference, or to the occupation of a farm.

The Rev. Ilyd Nicholl succeeded, in September 1854, to the Estates of Miss Morgan, of Pantygoitre, being her heir-at-law; and the following is the Pedigree, showing the descent of the Estates to him:

I. WILLIAM MORGAN of Mamhilad [son of Edmund Morgan and Katherine his wife], born in 1665, and died June 20, 1743. He married Eleanor Morgan [the daughter of Walter Morgan of Berllandeg, whose will was proved 18th April, 1676, and of Florence Jones, co-heir of Rhys Jones of Court Blethin—her will is dated in 1712]. They were married 14th October, 1697. The marriage settlement is in existence, and his will, dated in 1741. She died 8th November, 1737. They left issue:—

1. WILLIAM MORGAN, below-named [A], who married Eleanor Jones.
2. ELIZABETH MORGAN [C] below-named, who married, 2nd December, 1730, John Morris of the Pant. From this marriage is descended the Rev. ILTYD NICHOLL, the heir of the Morgan estates and the defendant in this action. The marriage settlement exists, and the Will of John Morris.
3. Anne Morgan, who married David Jones of Llantilio Crosseny, and left no issue. A settlement was made on this marriage.
4. Mary Morgan, who married Nathaniel White, and who had issue a son born in 1740, and which son died without issue in 1823.

II. **WILLIAM MORGAN [A]**, above named, of Mamhilad [the son of William Morgan and Eleanor Morgan], was born in 1704, and died 5th December, 1772. A marriage settlement exists. He is described in the deed of gift, executed by his father in 1741, to be the "only son and heir." He married, 10th June, 1741, Rachel Jones of Graigwith, and she died 4th November, 1782. The issue of this marriage were:—

1. **JOHN MORGAN** of Graigwith, below named [B], who married Rachel Evans.
2. **William Morgan** of Mamhilad, born 21st April, 1749, and who died unmarried in 1823.

III. **JOHN MORGAN [B]** of Graigwith [son of the above-named William Morgan and Rachel Jones], was born in 1746, and died 19th May, 1805. His Will exists. He married, 23rd January 1784, Rachel Evans, who died 11th March, 1824. They had issue:—

- IV. 1. **William Morgan** of Pantygoitre, born 1788, and who died 4th June, 1843, unmarried.
- V. 2. **RACHEL MORGAN** of Pantygoitre, born 1786, and who died, unmarried and intestate, 29th September, 1854.
3. **Anne Jones Morgan**, born in 1794, and who died in 1851, unmarried. She made a Will.

The above-named Rachel Morgan [V], was succeeded by her heir, the Rev. **ILTYD NICHOLL**, the descendant and heir of Elizabeth Morgan [C], who married John Morris. This Elizabeth Morgan [daughter of William of Mamhilad

and of Eleanor Morgan], was born in 1700. A settlement was made on her marriage in 1730. She died in 1786, and her husband died in 1754—having made his Will—leaving issue, a daughter:—namely,

Eleanor Morris, born 12th July, 1737. She first married, 10th March, 1771, George Bond, and her marriage settlement is dated 27th February, 1771. She married a second time, in 1781, to Henry Rogers, and died—having made her Will—28th December, 1813. George Bond, her first husband, was born in November 1728, and died 24th December, 1777, leaving issue of this marriage an only daughter:—namely,

Eleanor Bond, born 11th April, 1775, married, in 1807, Ilyd Nicholl, Esq.—a settlement having been made on the marriage—and died in 1850, leaving an eldest son and heir:—namely,

VI. The Rev. ILTYD NICHOLL, the defendant in this action and the present owner of Pantygoitre, Mamhilad, and Graigwith.

The plaintiff in this action claimed to be descended from one "John Morgan," who, it was alleged on his part, was the brother of William Morgan [A], who was designated by his father, William Morgan, in the year 1741—in a deed executed by him—to be his only son and heir.

It is to be observed that William Morgan (I) of Mamhilad made a will, and that it contains no notice of any such son "John" Morgan.

A settlement was made on the marriage of his son William (II) in 1741, and a deed of gift was executed in the same year in favour of this William, who is described in it to be his "*only son and heir.*"

A settlement, also, was made when the daughter of William