

1860-112

SOUTHAMPTON COUNTY
CHANCERY PAPERS

MURFEE

US. WELLS' ADM'R. etal 5/1860

other surnames: Story,
Gay

52 ~~70~~ 39

Murphy

v } Papers.

Wells ~~uom~~

Marfa

v. } Stat. Rules

Wells am. 8³⁰

In Southampton Circuit Court.

Josiah Murfee

against

William Murfee admr. Wm M. Wells & William E Gay

Plff

Dfts

}

1859 Feby. 22^d Summons issued attble to March Rules

" Mar. R - Sum. ret? Ex? about for Bill -

" Apr. " Bill filed - ansr. of Dft. Murfee. D. nisi & Dft. Gay.

" " (Last Monday) Bill taken for confessed as to Dft. Gay. Cause set for hearing &c.

1860 May Dece for plff:

Clk

\$ 6.10

Shff

100

Saw 1.

1650

\$ 23.60

Estm f. g.

Murphy

as

Bill

Mills & Co.

1859 April Rules

To The Hon. Richard St Barre. Judge.
of the Circuit Court of Southampton County
In Chancery.

Humbly complaining, I shew
unto your Honor. your Orator Josiah Murph.
That several years ago, Margaret Stony of this
county died intestate and your Orator was
one of her distributees. That your Orator had
been absent from the Commonwealth for several
years - and supposing he was dead. The
admr. of Margaret Stony procured to distribute
her estate. That after the death of Mrs Stony
Margaret Wells (the wife of Wm Wells) who
was another distributee died, & her husband
survived her - That her husband then died
intestate, and Wm. Murph qualified as his admr.
and entered into bond - a recognizance to Law
with ~~Wm. E~~ ^{Wm. E} Gay as his security, which will
appear by a copy of Murph's bond herewith
filed and prayed to be considered a part
of this bill. Marked (1) -

That Wm. Murph as such admr. collected
of Simon Murph, ^{admr. of Mrs Stony} the portion of her estate to
which your Orator is entitled, under the false
impression of his death. and the said Wm.
Murph ^{admr. of Wm. Wells} has now in his hands, the sum
of \$214.²⁹ with interest on \$140. a part thereof
from July 1st 1857. which belongs to your Orator
as will appear by a copy of his admr's account
herewith filed, Marked 2 - and prayed to
take and considered as a part of this
bill.

Your Orator has applied to said Murph
to pay over to him, the above mentioned sum

and although he will Ruess, your orator
is fully entitled to it. yet he declines, to
comply with his just demand - and thereby
deprives him of that which rightfully belongs
to him -

The London caused creation of all which
and in as much as your orator is remedied
in the premises, except in a court of Equity. where
matters of this sort are alone cognizable and reliev-
able. To the End that adequate relief may
be afforded - your orator prays that your
Majesty should of your M^{ty} wills - and ~~Edward~~^{Henry} Gay
may be made supervisor to this will - That
M^{ty} may be compelled to answer, whether
the funds in his hands, as above of M^{ty}.
is not the property of your orator, and which
came of the estate of Margaret Stuy - and
that he may be decreed to pay over the said
to your orator - and grant such other and
general relief in the premises as Equity may dictate.
As in duty bound, he will ever pray -

Ich habe die Maßnahme
h.g.

Murphy

as } Annu.

Rules adms.

1859 April Rules

To the Hon. Rich^d H. Baker, Judge of the
Circuit Court of Southampton.

Answer of William Murphree acont. of com.
Mr. Wells - to a bill exhibited against him and
another in this court. by Josiah Murphree.

This deponent avers and a-
ssuring all benefits &c - For answer to the said
bill, says that all its allegations are true - That
the Plaintiff was a distributee of Margaret Stong,
that he acont. supposing that he was ad-
vised over to your respondent as acont. ~~the~~
Wm. Mr. Wells - the partner to which the Plaintiff
was entitled, and he has in his hands the
sum stated in the bill, to wit. \$214.²⁹ without
on \$140 - paid thereof from July 1st 1857 - which
amount belongs to the Plaintiff - but he declined
to pay the same without the decree of the court.
and having answered, prays to be heard as.

Southampton County to wit.

This day William Murphree
acont. of W. M. Wells, personally appeared before
me, a Justice of the Peace for the County
aforesaid, and made oath that the foregoing
answer contained the truth, to the best of his
knowledge and belief.

Given under my hand this 30 day of March
A.D. 1859.

Josiah Pethow J.P.

Munfu

ad.

Lucien

Mills wou?

May co. 1860.

To be entered

R. H. Baker

Notes

21.

Murphy. adms.

The bill of the Plaintiff Longhorne Toller
for conveyed at Rules, as to the Defendant, (Wm).
E. Gay. This cause came on to be heard and
the bill answer of Wm. Murphy, application to
inhibit filed and was argued by counsel -
on consideration of the Court with
advice of an amicus curiae that Wm. Murphy
pay to the Plaintiff, the sum of \$714.²⁹ with
interest on \$140.³⁴ paid therefrom from July 1st 1857
till paid - and his costs by him in this
suit refunded.

Murfee

to { Sum. Chr.

Wells ad JP

1859 March Rules.

Executed

March 1st 1859

by delivering them
a copy

G. W. Vick Depy
for Wm W Briggs
skb

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON

Wm Murfee admor. of Wm m Wells & Wm E
Gay

to appear at the Clerk's office of our Circuit Court of Southampton County, at the Rules to be holden for
the said Court, on the first Monday in *March next* — , to answer a bill in chancery
exhibited against *them* in our said Court by

Josiah Murfee

and have then and there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court
House, this *22nd* day of *February* 185*9*, in the *83rd* year of the
Commonwealth.

L R Edwards

• Murfee

Ex. with till

Well's own

, 2,

William M. Wells, Father and heir.

In Account with Simon Munger Administrator of
Mary T., Martha and Sarah C. Wells dec'd.

1843									
April	2 nd	To paid you	pr receipt	24	32.				
Dec	19	" " you	" "	66	77				
"	26	" " you	" "	1	25				
"	31	To Interest on \$21.32 7 months							96
"	"	" " " \$66.77 11 days							11
"	"	By balance due admr				88	57		
				88	57	88	57	1.01	
"	"	To balance brought down		88	57				1.01
1844	18	To paid you	pr receipt		50				
May	31	" " you	" "		62				
"	2.	" " you	" "	1	00				
Dec	31	To Interest on \$88.57							5.51
"	"	By balance due admr				90	69		
"	"			90	69	90	69	6.32	
"	"	To balance brought down		91	69				6.32
1844	25	To Interest on \$91.69 to this day							20.33
"	"	Interest brought in		26	65				26.65
"	"	By amount due you from the estate of Mary T. Wells dec'd this day as per report of Comr Howard					77	23	
"	"	By amt. due you from the estate of Sarah C. Wells dec'd this day as per report of Comr Howard					89	11	
"	"	By amt due you from the estate of Martha Wells dec'd this day as per report of Comr Howard					95	58	
Dec	31	To balance due Heir		144	57				
"	"	By balance brought down		261	91	261	91		
1857	1	To Clerk's fee for recording this account retained					144	57	
July		Amounts carried forward		1	50				
				1	50	144	57		

1857

July 1	Amounts brought forward	1	50	144	57	
"	To Commissions for making up this account retained	2	50			
"	By Interest on \$144.57 to date 8 years and 6 months					73.72
"	To Balance due W ^m . M. Mills	140	57			
		144	57	144	57	73.72
"	By balance brought down			140	57	73.72
"	Interest brought in			23	72	
"	By balance due W ^m . M. Mills with interest on \$140.57 per \$ thereof from this day till paid			217	29	
	Respectfully Submitted					
	Henry S. Edwards Comr.					

Southampton County In the Clerks office the 24th day of December 1857.
 This account of Simon Murfu adm^r of Martha, Mary T. and Sarah C. Mills dec^d with W^m. M. Mills father and heir at law, was returned and filed for exceptions. And at a Court held for the said County the 15th day of February 1858. The said account having been one month and upwards in the Clerks office and there being no exceptions thereto, was examined, confirmed and ordered to be recorded.

Teste
 J. R. Edwards Clk
 H. S. Edwards Comr.

Commissions office

Jerusalem October 17th 1857

To the County Court of Southampton County:

Your Commissioner reports That at the request of Joshua W. Murfu Executor of Simon Murfu dec^d he has made up the foregoing account between the said Simon Murfu and W^m. M. Mills, father and heir at law of Mary T., Martha and Sarah C. Mills dec^d of whom the said Simon Murfu was the administrator, and on the 1st day of July 1857, finds a balance due from the said Simon Murfu to the said W^m. M. Mills of \$214.29 of which sum \$73.72 is interest.

Given under my hand as Commissioner of said Court, on the day and year first aforesaid:

Henry S. Edwards Comr.

Murphy

{ Exp. with bill

Hills' adm

(/)

Know all men by these presents that we William Murfee, Wm E
Gay are held and firmly bound unto the Commonwealth of Virginia
in the just and full sum of five hundred Dollars current money of
Virginia, to the payment whereof well and truly to be made we
bind ourselves our heirs Executors and administrators jointly and severally
firmly by these presents; Sealed with our Seals and dated this
21st day of December 1857.

The condition of the above obligation is such that if the above bound
William Murfee as administrator de bonis non of William M Wells
do and shall faithfully discharge the duties of his said office & trust according
to law then the above obligation to be void & else to remain in
full force and Virtue.

Signed Sealed and delivered
in the presence of the Court

Wm Murfee
William E. Gay

Seal
Seal
Seal
Seal

attest

John L. Edwards Ck