

1838-023 SOUTHAMPTON COUNTY
CHANCERY PAPERS

MURFEE + ux + a) VS. BEAL

2/1838

other SURNAMES: foggerSON,
BARNES, ForgasON, FURGERSON

1220
 Murphy & alia } ^{leopd} Bice
 vs } Anson
 Beal } Deane

1837 Nov. Decree as filed &
 Decr. Decree amended &
 1838. July. Rept Reta & final Decree

26 46
87 58

To the Worshipful Court of Southampton in
Chancery Sitting.

Humbly complaining shew unto your worshipful
your Orators & Oratrix Simon Murphy & Lydia
his wife formerly Beale. Liza Foggerson & Lucy
his wife formerly Beale, James Barnes & Lydia his
wife formerly Beale, and Allen, Martha, Hester
Ellay, William & Liza Murphy with children of Mary
Murphy formerly Beale, Bay Burwell Murphy their
next friends, that Rebecca Beale departed this
life some time since intestate possessed of some real
and personal estate, to wit a parcel of land and
a negro Anthony, and that your complainants together
with James C. Beale who is hereby made as party
defect, are the heirs at law of her estate, that they
are anxious for a division of sd estate, that as it
is that this cannot be effected without the aid
of this Court. a division in kind cannot be effected
they therefore, as they are remediless at law and
only redressable in Chancery pray this Court
to appoint two or more Commissioners to sell
sd land & negro, upon such credit as the
Court may deem best - and to do all other
things consonant with equity which the nature
of the case may require - & they will ever
pray -

The answer of James C. Beal to the above Bill

This respondent saving all benefit of first exception to the above bill, says that he has no objection to the decree prayed for, and having answered pray's to be hence dismissed -

Murphy et alias

vs

In Chancery.

Beal

This day this cause was docketed by leave of Court & consent of parties, and came on to be heard on the bill & answer and was argued by Council, on consideration whereof the Court doth order, adjudge and decree, that James Mafford & under Myrick & Sons were to be appointed commissioners of this Court, that they sell to the highest bidder, after advertising the time & place of sale for twenty days, upon a credit of six months, the lands whereof Rebecca Beal died seized, also the negro man Anthony, and take of the purchaser or purchasers, ~~their~~ bonds and assign one, to Simon Murfee in right of his wife, one to John Foggerson in right of his wife, one to ^{James C. Beal} James Barnes in right of his wife, ~~and one to James C. Beal in his right~~ and assign the same to the Guardian at law to the Infant children of Mary Murfee, and report their proceedings to the Court in order to a final decree.

Man for alias }
or }
Beal }
Baker

Murphy et alias }
vs } In Chancery.
Beal.

This day this cause came on again to be heard in its amended form on the papers formally read, & was argued by Council, on consideration whereof the Court hath order, adjudge and decree that James D. Massenburg & Alexander Myrick be appointed Commissioners of this Court, that they sell to the highest bidder, after advertising the time and place of sale for twenty days, upon a credit of six months, the lands whereof Rebecca Beal died seized, also the negro man Anthony and take of the purchaser or purchasers, four bonds and assign one thereof to Simon Murfee in right of his wife, one to Lefter Foggerson in right of his wife, one to John C. Beal and James Barnes in right of his wife or sever the said bond so as to allot one half ~~to each~~ of them one fourth, it being one eighth part of the whole to each of them, and assign the fourth bond of one fourth to the Guardian at Law to the infant children of Mary Murfee and report their proceedings to the Court in order to a final decree.

Murphy & Co
or
Beall } Co. Secured

A Copy

For Logansport.

Southampton County December 1837.

Simon Murfee & Lydia his Wife formerly Beal, Jesse Foggason & Lucy his Wife,
formerly Beal, James Barnes & Lydia his wife, formerly Beal and Allen,
Martha, Hester, Mary William & John Murfee infant children of Mary
Murfee formerly Beal, by Barrell Murfee Their next friends }
against }
John C. Beal } Deft } In Chancery

This day this cause came on again to be heard in its amended form on the papers formerly read and was argued by counsel; on consideration whereof the Court with order, adjudge and decree that James D. Mabenburg & Alexander Myrick be appointed commissioners of this Court, that they sell to the highest bidder, after advertising the time and place of sale for twenty days, upon a credit of six months the Lands whereof Rebecca Beal died seized also the negro man Anthony and take of the purchaser or purchasers four bonds and assign one thereof to Simon Murfee in right of his wife, one to Jesse Foggason in right of his wife, one to John C. Beal and James Barnes in right of his wife, or sever the fourth, it being one eight part of the whole to each of them, and assign the fourth bond of one fourth to the Guardians at Law to the infant children of Mary Murfee and report their proceedings in order to a final decree.

A Copy Teste J R Edwards Clk.

In execution of a decree of the County Court of Southampton heretofore
 annexed we the undersigned made sale of the property therein mentioned belong-
 ing to the Estate of Rebecca Beal, consisting of one tract of land 153 $\frac{1}{2}$ acres
 which was purchased by Jesse Ferguson at \$5.00 per acre \$ 767.50
 one tract containing 82 acres purchased by Clement Rockwell at \$7.76 per acre - 637.32
 and negro man Anthony purchased by John E. Beal at the price of 650.00
 \$ 2054.82

Deduct commissions \$ 50.00

Lawyers fees and clerks tickets 12.32 62.32

\$ 1992.50

Net amtⁿ for division

of the above sum of \$ 1992.50. Jesse Ferguson was permitted to
 retain in his own hands in right of his wife \$ 498.12 $\frac{1}{2}$

John E. Beal retaining in his hands as his share 249.6 $\frac{1}{4}$

Executing his bond to be apportioned to Mary Murfrees children for . . . 378.50

Clement Rockwell executing one bond for Mary Murfrees children for 149.62 $\frac{1}{2}$

and one bond to Simon Murfee for 498.12 $\frac{1}{2}$

and Jesse Ferguson executing his bond to James Barnes for 249.86 $\frac{1}{4}$

\$ 1992.50

All of which is respectfully submitted to the County Court of
 Southampton

James D. Mahanburg

Alexr. Myrick