

1807-011

Chancery Causes. John Urquhart, surviving partner vs Wilkinson Fulgham & al, by & c.

Isle of Wight County

other surnames [William
Urquhart & Son], Holleman

Shof Wight County Court,

March Court 1807

John Mughart surviving partner of William
Mughart and Son Compt.

Against

Josiah Holleman administrator of Jeremiah
Fulgham, and Wilkinson Fulgham, Executors -
Fulgham and Beams Fulgham infants by -
the said Holleman their guardian

Defts.

In Chancery

This Day the Bill and answer was filed and heard thereon - where
upon It is decreed and ordered that Edmund Cosby, Isaac Moody, Mather
Fearn and James Johnson or any three of them, make Sale of the land and
property in the bill mentioned - on a credit of Six months - taking bond and
good security from the purchasers - one payable to the complainant for the
amount of his debt and interest in the bill mentioned and costs of this suit;
and the other payable to Josiah Holleman administrator of the said Fulgham
and make report thereof to the court in order to a final decree

Attest

Nath. Young Es.
Clerk

Unghart Surv.^a
is $\frac{3}{4}$ copy, decur
Fulgham 188.
=

In Obediance to an order of the worshopfull Court of
 Isle of Wight County hereunto Commet we the Commissioners therein
 named have sold at Publick Auction the Land & Plantation
 of which Jeremiah Fulgham Dyed possessed of but was conveyed
 to William Urquhart & son by Mortgage bearing Date the Eleventh
 of August one thousand Eight hundred ^{on a writ of 200 months} as well also as the
 other part of his Estate amounting to Six Hundred & thirty-
 two dollars & thirty cents & have taken one bond for three-
 Hundred & seventy nine dollars & $\frac{100}{58}$ in favour of John Urquhart
 the surviving Partner of William Urquhart & son, which is the
 amount due him as did appear by Referring to his Mortgage
 bill of sale & bond also Including fourteen dollars for a Lawyers
 fees & other Expenses Incident thereto, & Eight dollars for
 our services as Commissioners leaving a balane of two hundred
 & forty four dollars & seventy two cents which we have
 deposited Bonds to that amount in the hand of Josiah
 Holleman administrator of said Decd. for the purpose of paying
 his just Debts and the balane (if any) to the use
 of the orphans of said Decd.

Edm: Jos by
 Mechem Seavey
 Josac Strooy

James S. M.

\$632.30
379 58
252.72
..8"...
244.72

Mr. Hartburg

vs.

rept.

Fulgham

1st June 1807

1st

1st

To the Worshippful court of Isle of Wight sitting in
chancery, humbly complaining, sheweth to the court
your orator John Ingham surviving partner
of William Ingham Hon.

That Jeremiah Fulgham and
Elizabeth his wife by their indenture bearing
date the 11th day of August A.D. 1800 conveyed
to the said William Ingham a tract of land
containing seventy five acres and a small quantity
of personal property for the purpose of securing
the said debt, as will more fully appear by reference
to the said deed which is hereto annexed and prayed
to be taken as a part of this bill. That the said
debt is still due and that the said Jeremiah
Fulgham and Elizabeth his wife are both dead.
He adds that the said Fulgham and wife left
three children to Wit Wilkinson Fulgham,
James Fulgham, and Eney Fulgham all of whom
are infants. That your orator is anxious that
the said land and personal property should
be sold for the payment of the debt aforesaid
and he adds that (as the land is now deserted,
and the personal estate is insufficient for
the payment of the debt) the nearest friends
of the said children also wishes the land
sold, but as that can not be done, on account
of the infancy of the children without
the intervention of the court, he prays the aid
of your worships.

To the end thereof

he prays, that the said Wilkinson Fulgham, Eney
Fulgham and Emma Fulgham may be made
dependants to this bill of complaint, and that
they may ~~full~~, true and perfect answer make
to all and singular the allegations aforesaid,
and that as fully as if the same were here
repeated and they thereto particularly inter-
rogated. They pray that the court will decree
a sale of the said land and personal estate
and that the aforesaid debt of executor
be paid and the surplus be paid to Josiah
Holliman the admin of the said Jesse Fulgham
or make any other order or decree in the
premises for executor's relief which may
be consistent with equity and justice.

May it please &

Rich^d W. Byrd
P. 2

The answer of Wilkinson Fulgham, Eney
Fulgham and Emma Fulgham by Josiah
Holliman (who is by the court appointed
their guardian to defend this suit) to the
bill of complaint exhibited against them
in Isle of Wight court by John Argubent
surviving partner of William Argubent
Esq.

They admit the justice of the debt
stated in the bill, that the mortgage was made
by Jeremiah Fulgham and Elizabeth his wife
(their ~~pro~~ parents) to secure the same, that
the said Jeremiah Fulgham & wife are both
dead, and that the land and other estate
lies in a situation perfectly useless to them.
They are willing that such a decree as is
prayed for in the bill should be made by
this court, and hope that proper persons
be appointed for carrying the same into
effect. They lastly pray to be hence
dismissed with their costs in this behalf
expended.

Warrant { Bill &
" {
Fulgham's answer.

March 1807 Int. & deuo

June 1807
ript. ret. & decreas. &c.

June Judgments
1807