

1828-011

Chancery Causes: William Wills & al, by & c vs Charles Murphy & al

Sale of Wight County

Other surnames Murphrey

To the most honorable Court of Islesfright County in Chancery,  
Setting, humbly complaining, shew unto your worships,  
Your Orators and Oratrix William James, Lucy, and Henry  
M. Mills, infant children of Henry M. Mills, <sup>deceased</sup> late of the  
County of Islesfright, surviving by ~~his~~ <sup>his</sup> next  
friends - That the said Henry M. Mills, the said de-  
-parted this life on or about the day of \_\_\_\_\_ in  
the Year \_\_\_\_\_ intestate, leaving your Orator and  
Oratrix as his heirs at law, several and separate in  
fee - simple of one moiety of a certain water  
Grind Mill, and one acre of land attached thereto  
- to - That the other moiety of the said Mill and  
land is owned by the heirs at law of a certain  
Charles Murphy, who also departed this life, with  
- out will, leaving Charles, <sup>John & Henry</sup> ~~Henry~~ as his  
heirs at law, the least of whom is under the  
age of twenty one year - Your Orators and  
Oratrix by their next friends being now to  
state, that the said Mill & land in the present  
situation is to them as well as the heirs of  
the said Ch. Murphy of no earthly value,  
and that they are therefore desirous the same  
should be sold, & the proceeds divided as  
the law directs, but that they are informed  
that no sale can take place, unless by the  
sanction & decree of a Court of Chancery  
where matters of this sort are properly cog-  
- nizable - In tender consideration whereof &  
for as much as your Orators & Oratrix are  
remediless in the premises, except by & through  
the intervention of this most honorable Court - To the  
end therefore, that the said Charles Murphy,  
Jr. Murphy & Henry Murphy, heirs of the said  
Charles Murphy the decedent, the latter of whom  
by the same person, whom your worships may

appoint Quon: ad. litem to defend him in this  
Cause, he made parties, depts: hereto and  
that they be compelled to answer all &  
singular the allegations herein cont<sup>d</sup> as  
fully as if the same were here again re-  
-peated, and they thereto make possession  
-lastly interrogations, and lastly, that Yo.  
-worships will decree a sale of the s<sup>d</sup>  
mills and mill seat, upon such a credit  
as your worships may think proper by  
a Com. who may be appointed for that  
purpose, and that he be directed to direct  
the process, after a due and lawful  
the law directs, & that your worships  
will make every other or further order  
& decree in the premises, as may come  
-pass with the law & the nature  
of the case, & in duty bound he  
Jordan for Compt<sup>y</sup>.

The answer of Charles, John & Henry Murphy  
heirs of Charles Murphy the elder dec<sup>d</sup>, the latter  
of whom by the s<sup>d</sup> Charles, Quon: ad. litem, to  
defend him in this Cause, to a Bill of Complaint  
against them exhibited in the County Court  
of Decoflet on the part of William, James  
Lucy and Henry M. Willy, infant heirs of  
Henry M. Willy the elder dec<sup>d</sup> by ~~them~~  
Willy their next friends -

These respondents admit the allegations  
of the Complaint Bill, and object not to  
a decree, in conformity to the prayer  
therein cont<sup>d</sup> or to such other order and  
I decree in the premises, as your wor-  
-ships may think proper to make

J. P. Murphy for himself  
& Quon: ad. litem  
to the within depts.

~~Handwritten scribble~~

Wills of ad.

Bill of ans?

Murphy Dad

March 5th 1827  
Bill of ans? filed & Inter.

dece

Jan'y 1820  
Report unt. & cont?

June 1828 report confirmed  
1802

Jordan p. 9  
Isrofac

Pursuant to the annexed decree of the Court of Side of Wright County -  
After advertising the time and place of sale for more than ten days  
previous to the day of sale did expose to public auction on the Court  
house ground on the seventh day of May 1827 (being Court day) the mill  
seat and acre of land in the bill mentioned and which was formerly  
owned by Charles Murphy Sen & Henry W Mills decd. - at which sale  
Charles Murphy and Thomas Dushield became the purchasers at the  
price of twenty five dollars - from which sum I have deducted the  
sum of sixteen dollars and fifty cents for the costs of this suit - from  
which leaves the sum of eight dollars and fifty cents which I have  
divided into seven equal shares & paid the same over to Eliz. Mills next  
friend to the Complainants - & to Charles, Henry & John Murphy -  
Given under my hand this 7th day of June 1827

Berth. Lightfoot Court

Lilley's perempt friends

Comptys #

In Chancery

Murray & Murray per Curiam #

Beffs:

By consent of parties and with the assent of the Court this cause was this day docketed and came on to be heard upon the Bill, answer & exhibits filed, and was argued by counsel, whereupon the Court after mature deliberation doth adjudge order and decree that Basil Lightfoot be appointed sole Compt. to sell at public auction after giving ten days notice of the time & place of sale, upon a credit of nine months, except so much as will pay the cost of this suit, and all other expenses attending the premises, which is to be exact, the water mill and mill seat with one acre of land attached thereto, of which Henry M. Mills, & Charles Murray late of the County of Suffolk. claim shares, and divide one moiety of the proceeds equally between the infant Comptys: as the heirs at law of the s<sup>r</sup>. Henry M. Mills, and the other moiety equally between the Beffs: as the heirs at law of the s<sup>r</sup>. Charles Murray and that he take bond in the usual way for the same, with good security to each, after deducting expenses as afores<sup>d</sup>. and assign ~~one of~~ the same bond, to each of

of the infant, Comptrol: or to their <sup>legal</sup> Guardians  
and our bond to each of the heirs, or  
to their legal Guardians - And make  
report of his proceedings to this Court  
in or out to a final decree

Decree  
H)

Isle of Wight County March Court 1827

William, James, Lucy, and Henry W. Wells infants  
children of Henry W. Wells deceased, suing by  
Elizabeth Wells their next friend

against  
Charles Murphy, John Murphy & Henry  
Murphy the two latter are infants suing  
by the said Charles Murphy their Guar-  
dian ad litem

Complainants

In Chancery

Defendants

By consent of parties and with the assent of the court, this cause was this day docketed and came on to be heard upon the bill answer and exhibits filed, and was argued by counsel, whereupon the court after mature deliberation doth adjudge order and decree that Bartholomew Lightfoot be appointed sole Commissioner to sell at public auction, after giving ten days notice of the time and place of sale upon a credit of nine months except so much as will pay the costs of this suit and all other expenses attending the premises which is to be cash, the water grip mill and mill seat with one acre of land attached thereto, of which Henry W. Wells, and Charles Murphy late of the county of Isle of Wight are and divide one moiety of the proceeds equally between the infant complainants as the heirs at law of the said Henry W. Wells, and the other moiety between the defendants, as the heirs at law of the said Charles Murphy, and that he take bonds in the usual way for the same with good security to each, after deducting expenses as aforesaid and assign one the said bonds to each of infant complainants or to their legal Guardians, and one bond to each of the defendants or to their legal Guardians and make report of his proceedings to this court in order to a final decree

(Abel Feste Nathl. Young) Esq



Mills & Co

105      2      Pierce

Murphy & Co

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