

1771-009

SOUTHAMPTON COUNTY
CHANCERY PAPERS

SUMMERRELL vs. BRADSHAW, 9/1771

other surnames:
Summrell

To the worshipful court of Southampton County, sitting in
chancery.

Humbly complaining sheweth unto your worships your orator
George Sumner that Thomas Bradshaw of this county
bring indebted unto your orator in the sum of fifteen pounds
five shillings and six pence and being willing and desirous
to secure the payment of the said debt by one certain
indenture of mortgage bearing date the twenty sixth
day of January one thousand seven hundred and seventy
one between the said Thomas Bradshaw of the one part of
your orator George Sumner of the other part in considera-
tion of the said sum of fifteen pounds five shillings & six
pence did grant bargain and sell alien release and confirm
unto your orator and his heirs and assigns forever one cer-
tain parcel of land situate lying and being in the
aforesaid county of Southampton containing by estimation
sixty acres & should the same be more or less bounded
as in and by the said indenture is particularly expressed
relation being thereto and may more fully and at large
appear to have and to hold the said land and premises with
the appurtenances unto your orator his heirs & assigns
forever with this proviso or condition that if the
said Thomas Bradshaw his heirs & assigns or admors should
pay or cause to be paid to your orator his executors
admors or assigns the sum of fifteen pounds five shillings
and six pence or demand that then the same and every thing
contained should cease and be void your orator further
sheweth unto your worships that the said Thomas
Bradshaw hath not paid unto your orator his debt and
interest thereon as aforesaid and that the freehold estate
of inheritance of the aforesaid mortgaged premises is vested
in your orator your orator further sheweth unto your
worships that he hath made application to the said
Thomas Bradshaw and requested him to pay your orator
demands aforesaid with interest and charges thereon
answering Bradshaw said it may it please your
worships that the said Thomas Bradshaw absolutely
refuses to comply therewith In tender consideration
whereof and for that your orator is remediless at the
common law and only redressable in this worshipful
court To the end therefore that the said Thomas Bradshaw
may on his corporal oath full true & perfect answer
make to all and singular the allegations of this bill as fully
and particularly as if the same were herein again
repeated and interrogated and more especially that he
may set forth and declare whether or no he was
not indebted unto your orator in the sum herein
before expressed whether he did or not make execute
such indenture of mortgage for the land & premises
therein mentioned with proviso or condition as is
herein before recited whether the legal estate in
the premises is now or ever vested in your orator

And sheweth the said Thomas Bradshaw that he doth not pay unto your orator the sum of fifteen pounds five shillings and six pence as aforesaid and that he doth not pay unto your orator the sum of fifteen pounds five shillings and six pence as aforesaid and that he doth not pay unto your orator the sum of fifteen pounds five shillings and six pence as aforesaid

his heirs and assigns and that the said Thomas
Bradshaw may therefore be compelled by decree of
this court to pay to your orator his principal &
sum with the interest and charges thereon
arriving by a short day in the said decree to be
limited and if he fails therein that then the said
Thomas Bradshaw and his heirs together with all
those claiming by from or under the said Thomas
Bradshaw be absolutely barred and foreclosed of off from
all right and equity of redemption in the aforesaid
land and premises and that the estate of your orator
therein may become absolute or that your worships
may make such further or other decree as shall be
agreeable to equity and good conscience.

May it please your excellency
Yours
Frank J. J.

Commercial
27
Bradshaw
Yr
Chas
J
H

July. 1771
all: for ans.
Aug. Alla with the prod
Sept. Decem for plth

Sumner
vs
Bradshaw

John
in
Chanc

by D.

J. Simmons

George the third by the grace of God of Great Britain
France and Ireland King defender of the faith &c To the
Sherrif of Southampton county greeting We command
You that you summon Thomas Bradshaw to
appear before our justices of our said County
Court at the Courthouse of the said County on the
second Thursday in July next to answer a bill
in chancery exhibited against him by Geo. Shonmude
I have then then this writ in charge And P. Kello
clerk of our said court at the courthouse aforesaid
the 17th day of June in the eleventh Year of our
Reign

P. Kello
Clerk

Summons
vs
Bendishaw
attor
vs
Jaff

Not found

Simmons Dh

George the third by the grace of God of Great Britain France
and Ireland king, defender of the faith &c To the sherrif of Sharncliffe
county greeting We command you that you ^{shall} ~~summon~~ Thomas
Bradshaw to appear ^{if he as yet have his body} before our justices of our county court at the
courthouse of the said county on the second Thursday in August
next to answer us as well of a certain contempt ^{by him} to us offered as ^{of & concerning} of
those things which to him then & there strall be ^{objected} ~~offered~~ & have
then there this writ witness Richard Kello clerk of our s^d. court
at the courthouse aforesaid the 12th day of July in the eleventh
Year of our reign

For not appearing to answer the writ
of Contempt above said ~~not being~~ ^{being} believed
agst him

R. Kello

Sammerell

Alc

wik

Bradshaw

proed

Ly. d.

Simmons & Co

George the third by the grace of God of Great Britain France and
Ireland King defender of the faith &c. To the shery of Southampton
County greeting we command you that in all and singular
places in your Bailiwick where to you it ^{shall} seem most expedient you
cause it publicly on our part to be proclaimed that Thomas.

Bradshaw. under the penalty of his allegiance before our Justices
of our county court of Southampton in Chancery on the second thurs-
-day in September next personally do appear and never the less
the s^r. Thomas Bradshaw. — in the mean time if

you can find you attach so that you have his body before our Justice
of our ^{said} Court ~~at~~ on the ^{Thursday in September next} second, next to answer us as well of a certain
contempt by the said Thomas Bradshaw — to us offered as it
is said as upon those things which to him then & there shall be
objected & further to do & receive what our s^r. court shall in this
part consider And have then this writ witness Rich^d Kello
Clerk of our s^r. Court at the courthouse eighth — the day of

August in the eleventh — year of our reign.
For not appearing to answer the bill of
complaint of George Summrell exhibited
against him.

R Kello B
B B B B