1854-021 SOUTHAMPTON COUNTY CHANCERY PAPERS DROMGOLE VS. GURLEY et al

S/RS4

other surnames: Kello, Prince, Dromgoile

42.

Dromgoole
to
Gurley
} Papers

Dromgoole

Celk $ 3.88

Stff — 1.50

Law V 15.75

$ 21.13

V } Stat: Rules

Gurley Pp

In Southampton Circuit Court.

William N Dromgoole

against

John W Gurley, Sam Hello in his own right & as admr. Wm Prince

1854 Mar 1st Summ. issued returnable to March Rules

" Mar. R. Summ. ret'd. Ex°

" Apl " Bill filed Decree Nisi & Dfts.

" " " Last Monday, Bill taken for confessed & cause set for hearing &c

Drowsgoll
re Bill
Surleyte

1854 April Rules

768 words.

To the Hon. Richard H Baker Judge of the Circuit Court for the County of Southampton— In Chancery

Humbly complaining sheweth unto your Honor your Orator William N Brongole, that in the year 1849 at the June Term of the County Court of Southampton Jno. M Sunley of the said County qualified as his guardian and gave bond according to law in the penalty of $2000 with Samuel Hello and William Prince his securities, a copy of which said bond is herewith filed marked (A) and prayed to be taken as a part of this bill— That the said Jno M Sunley as guardian as aforesaid for your Orator received from Edward Brongole the sum of $78.65½ on the 3d day of Sept 1849, and the further sum of $78.11½ on the 3d day of Aug 1851, which said sums of money were collected in the State of Ohio by the said Edward Brongole acting under regular letter of attorney from the said Jno M Sunley as guardian as aforesaid— Your Orator believes that the said sums of money are the only estate that came to the hands of his guardian— That no part of the said money was ever expended on his support or education, and that he is now entitled to receive the amount with interest thereon— That the said William Prince died sometime in the year 1853, and that his estate has been committed to the said Samuel Hello Sheriff of the County of Southampton— In April 1852 Your Orator attained the age of Twenty one years since which time he has frequently by himself and his agents applied to the said Jno M Sunley requesting him to settle his account as his guardian and to pay over to him the sums above mentioned with interest, but the said Sunley has always refused under various pretences— In tender consideration of all which and in as much as your Orator is without remedy in the premises

except in a court of Equity: To the end therefore that justice may be done, he prays your Honor to make Jno M Dowley & Samuel Hello in their own right and as committee of William Prince Defendants to this bill, and that they answer on oath all the matters herein before stated and charged, and that the said Jno M Dowley answer distinctly and particularly whether he did not as the guardian of your Orator receive the said sums of money above mentioned of Edward Bromfield to wit; the sum of $78.65½ on the 3d day of Sept 1849, and the sum of $78.11½ on the 3d day of July 1851, and that your Honor will direct him to pay over the said sums with interest to your Orator, or to render an account of his guardianship transactions before a commissioner of this Court. That the general writ of subpoena may issue and that your Honor will grant such other and general relief in the premises as may be consistent with Equity &c, may it please your Honor &c

William N Bromfield

by Chandler Brasenburg Atty

Brompton
vs
Queen

1854 May Term

Bromfield
vs
Sunley

May Term 1854

This day this cause came on to be heard by consent of parties on the bill of the complainant and statement marked (A) and was argued by counsel, on consideration whereof the Court of its own consent of parties doth adjudge order and decree that the Defendant John M. Sunley pay to the Plaintiff William N Bromfield the sum of $92.61 with interest from this day, and the costs of this suit and that this decree be suspended until the 2d day of November 1854

The Commonwealth of Virginia:

To the Sheriff of Southampton County, Greeting:

We command you to summon John M Gurley . Sam^{l} Hills in his own right & as admr. of Wm Prince

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 Inst — to answer a bill in Chancery exhibited against them — in our said Court by

Wm N. Dromgole

and have then there this Writ. *Witness*, LITTLETON R. EDWARDS, Clerk of our said Court, at the Courthouse, this 1st day of March 1854 in the 78th year of the Commonwealth.

L R Edwards clk

Dromgoole
vs
Dunn ehy.
Surley Sp
1854 March Rules

Executed on Jno H Surley by delivering a copy
March 4th 1854

Wm G Warren Deputy for
Saml. Kello Shff

I acknowledge the service of this within summons
March 6/1854

S. Kello.

Dromgoole gov.
to
Bond
Commonwealth

A Copy

(A)

Know all men by these presents that we John M Gurley Sam'l Kello & William Prince are held and firmly bound unto the Commonwealth of Virginia in the sum of two thousand dollars: to the payment whereof well and truly to be made we bind ourselves and each of us. our. and each of our heirs. executors and administrators, jointly and severally, firmly by these presents - Sealed with our Seals and dated this 18. day of June 1849.

The Condition of the above obligation is. that if the above bound Jno. M Gurley his Executors and administrators shall well and truly pay and deliver unto James J & William N Drowngode orphans of Daniel M Drowngode deceased. all such estate or estates as now is. or are. or hereafter shall appear to be due to the said orphans when and as soon as they shall attain to lawful age, or when thereto required by the Justices of the County Court of Southampton: and also keep harmless the said Justices and their and every of their heirs. Executors and administrators from all trouble and damages which shall or may arise about the said estate: then the above obligation to be void. or else to remain in full force and virtue.

Signed. Sealed and delivered in the presence of the Court.

Jno M. Gurley (Seal)
Sam'l Kello (Seal)
Wm Prince (Seal)

A Copy

Teste. G R Edwards Clk

Thompson
vs Statement
Sunday

(X)

Jno. M Lusby, Guardian in account with Wm N Brown dec'd

Amt. rec'd of Edward Brown dec'd Sept 13 1849	$ 78.65½
Int. to May 2 1854	21.98
Amt rec'd of Edward Brown dec'd July 3 1851	78.11½
Int to May 2 1854	13.26
	$ 192.01
By Amt paid May 4th 1854	$ 100.00
Balance due	$ 92.01