

1872-25

Southampton County Chancery

Prince, William et al vs Luna, Fortunatus
et al

"To sell Real Estate to
said Estate"

Wm. Prince
Martha J. Griggard +
Rosa J. Henderson

Fortunatus Luna
W. B. J. Clements
+ Mary Ann Kio Wige
Saml. Kille adme Est-
James B. Prince
J. H. Mangum
J. B. Guchard

90. 85. 72 77 64

Prince of

v. { Papers

Dunn & Co

16-

1872 May -

Prince Lc.
As. } Dec 25.
Lynn Lc.

May 27: 1872.

To be entered

Geo. B. Lord

Prince & Co.

vs.

In Chancery.

Deem. & Co.

This cause having been raised against
Wm Mitchell late Plff & Deft. and now of Jas. H.
Maugens as? and against - George R. Richardson
now of John R. Richardson, it is ordered that
cause proceed against the s? parties as Defts.
and it appearing that the estate now
opened and in return "no object, in favor
of the Plff. against the Deft. Furtunately Deem.
and likely having having been presented to
the Plff. to ask for further relief should the
decree of May Court. 1869. prove insufficient

This cause came on this way to be
further heard and was argued by Counsel
on consideration whereof the Court with
advice ^{and} and decree, that - Wm H. Mitchell
now of James H. Maugens out of the assets
of his intestate and George R. Richardson
now of John R. Richardson out of the assets
of his intestate pay to Wm Prince, Rosa
J. Henderson and Martha V. Griffo -
each the sum of \$89.36. with interest
thereon from Dec 31. 1863 till paid; and
that the Defts pay to the Plff - their
costs by them in this suit & taxed.

\$ 1100 - Conduits Money
in

Case of

William Prince et al
vs.

Intestate Linn et al

Primer et al

is. { Bill

Summ. Ind. et al

1868 March Rules

Chambers

To the Hon. Judge of the Court of
Southampton, sitting in Chancery.

Humbly complaining show this your Honor
your claimants, William Priner, Rosa J.
Hanson and Martha B. Griffard, that at the
Term of the Court of Southampton
Fortunate decree was signed in relation, of
James D. Priner, a minor child and entered into
bonds and security according to law with James
H. Mangum and John R. Richardson his
sureties. a copy of which bond is herewith
filed as a part of this bill.

That the said minor has departed this
life intestate, never age and unmarried
and without issue, leaving your claimants,
and many other wife of W. F. Clements, his
administrator, and entitled to his estate.

That since the Enormous, recd. I represent
belonging to his word.

That the estate of James D. Priner, has been
committed to Sarah R. Bell, Shff. of Southampton
for administration.

Your claimants further state James D.
Priner, left no debt any, and it is therefore
unnecessary for his estate to pay into the hands
of his administrator but may rightfully paid over
directly to his administrator.

That they have applied to Fortunate
decree to come to a settlement, of his trans-
action as late given to James D. Priner, and
to pay over to the administrator the balance which
they are collectively entitled from their brother
at. but he declines so to do.

In answer consideration of atty

which, and in as much as your accounts
are without record in the premises, except in
a court of Equity. To the End therefore that
adequate relief may be afforded, they pray
That Fortunatus Lewis James H. Macgavin
Colon R. Richardson & W. F. Clements and
may show his ^{Sam. B. Esq.} wife, ^{James D. Price} may be made
depts to this bill and compelled to answer
the same fully and minutely. That Lewis
may be ordered to render an account
of his transactions as Debt due to James D.
Price before a court of this Court, and that
the balance due to your accounts, respectively
on such settlement may be assessed to be
paid to them, and grant such general
relief in the premises as Equity may
allow and the nature of the case
may require.

(May it please the Court &c.)

Chambliss & P.

Prince's

as 3

June 18

Arrival of F. D.

1868. May 1

Answer of Fortunatus Dunn to a bill in
chancery in the circuit court of Southampton
by Wm Prince vs ab eo him vs ab eo

This defendant for answer to the said
bill on as much thereof as he is advised it is
material for him to answer, answering says
he qualifies as guardian early in the year 1863
as well as he now recollects that on the 1st of
1863 he received from John R Richardson the
former guardian of James Prince the sum of
\$1123.54 etc in Confederate States Treasury notes
the then currency of the country and settled his
account showing a balance due his ward the
31st Decemr 1863 of \$1072.36 etc as will more
fully appear by a copy of his account herewith
filed marked A that subsequently he obtained
an order from the county court ^{of Southampton} authorizing the
investment of this balance either in U. S. Bonds
or State stock (Virginia) as will appear by a
copy of the said order herewith filed marked
B and prayed to be taken as a part of this
bill and he invests the same in U. S. Bonds
7 per bond (\$1100) which are herewith filed
and having fully answered prays leave
to be dismissed with his costs

At Dunn
Chancery for deft
Southampton County to wit

This day Fortunatus Dunn appeared
before me and made oath to the truth of the
above answer given under my hand this 21st
April 1868

Wm R Parker J.P.

Princey }
 vs } Com. Notice
 Prince George }

Executed on J. Wells
 June 15th. 1868 by deliver-
 ing him a copy. Ros-
 Henderson is not informed.
 E. L. Gray, Dep-
 for J. Wells chff

Executed on Wm. Prince
 Martha W. Griggard, H.
 Drumm W. S. J. Clements
 & Mary Ann his wife.
 H. L. Smith Dep-
 for J. Wells chff

COMMISSIONER'S OFFICE,

Jerusalem, May 14th

1868

To Wm Prince. Martha V. Gizzard & Rosa J. Henderson

Plffs

Against

Fortunatus Dunn. W. J. Clements & Mary Ann his wife & Samuel

Hells shff. S. Ampton County & adm of James D. Prince J. H. Mangum

and J. R. Richardson

Defts

You are hereby notified that I have fixed upon the 18 day of June next, if fair, if not, on the next fair day thereafter, (Sunday excepted;) to take and settle, at my office, the following accounts, to wit:

That Fortunatus Dunn under before a commissioner of this Court an account of his transactions as late guardian of James D Prince who is directed to audit. state and report the same to court taking as the bases of his settlement any ex parte account which has been returned to & confirmed by the county court of S. Ampton liable to be discharged or falsified by either party. That the commissioner enquire & report whether Ft. Dunn made any investments of money belonging to the Est of his late ward James D Prince. if so when made & by what authority. And the commissioner will report to court with any matters specially stated deemed pertinent by himself or required by the parties to be so stated

required to be taken by a decree of Southampton Circuit Court, rendered on the day of May 1868, in a suit in Chancery, depending in said Court, in which you are parties, plaintiffs, and defendants; at which time and place you are required to attend.

Given under my hand as Commissioner in Chancery of the said Court, the day and year first aforesaid.

H. S. Howard

Commissioner.

To the Sheriff of Southampton County to execute.

Price of

to { Ea. with bill

Dunn of

Know all men by these presents that we Fortunatus Dunn John R Richardson Jas. H. Mangum are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of twenty four hundred dollars, current money of Virginia, to the payment whereof well and truly to be made we bind ourselves our heirs, executors and administrators jointly and severally firmly by these presents. Sealed with our seals and dated this 19th day of January A D 1863.

The condition of the above obligation is such that if the above bound Fortunatus Dunn as Guardian of James D Prince orphan of William Prince de? shall faithfully discharge the duties of his office or trust according to law, 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

Fortunatus Dunn

J R Richardson

Jas H. Mangum

Seal

Seal

Seal

Seal

At a Court held for the County of Southampton the 19th day of January 1863 John R Richardson the Guardian of James D Prince with the consent of the Court resigned his guardianship. Whereupon the said James D Prince with the approbation of the Court made choice of Fortunatus Dunn for his guardian and thereupon the said Fortunatus Dunn with John R Richardson & James H Mangum his securities (who justified on oath as their sufficiency) entered into and acknowledged a bond in the penalty of twenty four hundred dollars conditioned according to law.

Attest

Teste

J R Edwards

Prima
ad. } more for
Lemon acres

Nov. 1. 1869.

John Entom

E. L. Piles

Primer

as

sum &c.

This day this case on to be heard on the papers formally, and on the report of lower Court made under a decree of the Court at May Term 1863 ¹⁰⁰ Statement (M) and was argued by counsel. On consideration whereof, the Court confirming said report to which no objection has been filed, and adopting Statement (M) with adjunction and decree that Fortunate sum pay to compound the sum of \$89.⁵⁶ with interest from Dec 31st 1863. Till paid; To Rosa J. Henderson, alike sum with like interest; and to Martha V. Griggard a like sum with like interest. and that the said sum pay to the Pliffs. then calls by them, in this suit confirmed.

Liberty is reserved to the Pliffs, to ask for further relief should this decree prove unsatisfactory.

^{over March 1872}
Executed by attaching a copy of the return to R. E. Thornton
deputy of Amos Mitchell late Sheriff etc.

Geo. F. Richardson no. inhabitant - lives in Southampton

J. P. Margrave
Sheriff

Prince of

to { Seignior

Dunn of

1872 May 6th

Super

The Commonwealth of Virginia.

To the Sheriff of ~~Stafford~~ ^{Southampton} County, Greeting.

Whereas in a suit in chancery lately depending in our Circuit Court of Southampton County between William Prince & others plaintiffs and Fortunatus Dunn W. B. I. Clements & Mary Ann his wife Samuel Kello Sheriff of Southampton County & administrator of James D. Prince dec'd J. H. Mangum & J. R. Richardson Defendants, sundry proceedings were had as appears from the records and files of the said Court but before a final decree was rendered therein J. H. Mangum & J. R. Richardson two of the defendants died, and the estate of the said J. H. Mangum has been committed to the hands of Wm. H. Mitchell Sheriff of the County of Sussex for administration according to law and administration on the estate of J. R. Richardson has been granted unto Geo. R. Richardson in due form. Therefore we command you that you make known according to law to the said Wm. H. Mitchell and Geo. R. Richardson that they be before the Judge of said Circuit Court at the Courthouse on the first day of the next Term of the said Court to shew if any thing for themselves they have or know to say, why the suit should not be proceeded in to a final decree against them in their characters aforesaid and be in all things in the same plight and condition as it was at the time of the decease of the said J. H. Mangum & J. R. Richardson and further to do and receive what our said Court shall in that part consider and have then there this writ -

Witness Ourm White Clerk of our said Court at the Courthouse this 8 day of March 1872 in the 96th year of the Commonwealth -

O. White Clk

The Commonwealth of Virginia.

To the Sheriff of Sussex County. Greeting:

Whereas in a suit in Chancery lately depending in our Circuit Court of Southampton County between William Prince & others plaintiffs and Fortunatus Dunn, W. G. J. Clements & Mary Ann his wife Samuel Kello Sheriff of Southampton County & administrator of James D Prince dec^d J. H. Mangum & J. R. Richardson Defendants Sundry proceedings were had as appears from the records and files of the said Court but before a final decree was rendered therein J. H. Mangum & J. R. Richardson two of the defendants died and the estate of the said J. H. Mangum has been committed to the hands of Wm. H. Mitchell Sheriff of the County of Sussex for administration according to law and administration on the estate of J. R. Richardson has been granted unto Geo. R. Richardson in due form. Therefore we command you that you make known according to law to the said Wm. H. Mitchell & Geo. R. Richardson that they be before the Judge of our said Circuit Court at the Courthouse on the first day of the next Term of said Court to shew if any thing for themselves they have or know to say why the suit should not be proceeded in to a final decree against them in their characters aforesaid and be in all things in the same plight and Condition as it was at the time of the decease of the said J. H. Mangum & J. R. Richardson and further to do and receive what our said Court shall in that part consider. And have then & there this Writ.

Witness Osun White Clerk of our said Court at the Courthouse this 8 day of March 1872 in the 96th year of the Commonwealth.

O. White Clk

Stammus

(m)

Am't of acct.
Seals 4th. 1

~~\$1072.36~~
~~\$268.09~~

To be divided into 3 parts.

1/3. To Wm Pines	\$89.36	
1. To Rosa J. Henderson	89.36.	
" To Martha W. Higgins	<u>89.36</u>	~~\$268.08~~

Prin

M.

note.

Unus.

Prize } This suit is brought - to recover the
no } balance due from F. E. Green on
them. } assessment of his Genl. acct. of
James D. Price.

The Court. as entered that balance
to be \$1072.36 - Recd. by the Genl. on 15th
July 1863.

The Genl. seeks to relieve himself from
the payment of this value, by insisting that
he has received the amt. in Confed. notes
states, 7³⁰ notes. He made such receipt
but where or when, does not appear
from any recd. in this case -

It is true he bills with his assn. of
\$1100 in 7³⁰ notes - but where he obtained
them, whether in 1863 - or 64 - or even later
does not appear.

Again, he claims to have the receipt
made an order of John County of Jan. 1863.
just one month before he was Genl. -
and yet, he made instrument in
Confed. or in note. When he was ordered
to invest in Virginia 6 p. cent. stock.
on the order.

A decree is asked for the sum of \$1072.³⁶.
subject to a sale of 15% July 1863.

Chas. H. Poff

Presented on J H Mangum Feby 6th and
on J R Richardson Feby 14th by delivering
copies to each

E. T. Thornton Deputy
of R. L. Dobie Sheriff

James H
to James H

Dunn H
1868 March Rules

Supers
121

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of the County of ^{Sussex} ~~Southampton~~—GREETING:

We command you to summon

J. H. Mangum & J. R. Richardson

if *they* be found within your bailiwick, to appear at the Clerk's office of our court of Southampton County, at the Rules to be holden for the said court, on the first Monday in ^{March} ~~March~~ next to answer a bill in ^{chancery} ~~chancery~~ exhibited against them and others in our said Court by William Pineda *Martina V. Grogan & Rosa Henderson*

And have then there this writ.

Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the courthouse, this 25th day of

January

A. D., 1868, in the 92nd year of the Commonwealth,

L. R. Edwards Clk

Executed by delivering a copy to
Jas H Mangum & R Richardson
July 6th 1868

Ed Thornton op
for R L Dobie Shuff

Prince 3
do 3
Princ. Gery 3
Lond. Actio

Mason & Mangum will not
be present I heard them say so
much.
Op Shuff

COMMISSIONER'S OFFICE,

Jerusalem, May 14th

1868

To Wm Prince Martha V. Geigard & Rosa Henderson

Plffs

Against

Fortunatus Dunn. W. G. T. Clements & Mary Ann his wife

Samuel Wells Shff Southampton County & adm of James D

Prince J. H. Mangum and J. R. Richardson

Defts

You are hereby notified that I have fixed upon the 18 day of June next, if fair, if not, on the next fair day thereafter, (Sunday excepted,) to take and settle, at my office, the following accounts, to wit:

That Fortunatus Dunn render before a Commissioner of this court an account of his transactions as late guardian of James D Prince who is directed to audit state and report the same to court taking as the bases of his settlement any ex parte account which has been returned to & confirmed by the County Court of Southampton liable to be surcharged & falsified by either party. That the Commissioner enquire & report whether F. Dunn made any investment of money belonging to the Estate of his late ward James D. Prince if so when made & by what authority. And the Commisr: will report to Court with any matters specially stated deemed pertinent by himself or required by the parties to be so stated

required to be taken by a decree of Southampton Circuit Court, rendered on the day of May 1868, in a suit in Chancery, depending in said Court, in which you are parties, plaintiffs, and defendants; at which time and place you are required to attend.

Given under my hand as Commissioner in Chancery of the said Court, the day and year first aforesaid.

Super

W S Howard

Commissioner.

To the Sheriff of Southampton County to execute.

Southampton County Court January 19. 1863

On the motion of Fortunatus Dunn Guardian of James D Prince he is allowed to invest any monies in his hands belonging to his said Ward in Virginia six percent State Stock

a Copy

Teste

L R Edwards DC

Prima

as

Deemster.

John Richardson
is dead, and George
R Richardson is prob.
in his adm.

= James H Mangum
is dead and Wm H.
Mitchell of Super
is in adm.

= I have seen Yacobs
to see as Thomas

Prince

is } Aff.

Dunn

State of Virginia, County of Southampton, to wit:

I, L. R. Edwards Depts clk for the county
aforesaid, do hereby certify that M. Prince this day personally appeared
before me in my county aforesaid, and made oath that Fortunatus Dunn
or dunn
against whom a judgment was rendered, in the Orphans Court of the County of
Southampton in favor of the said Prince on the
15 day of November 1869 for \$89.36 principal with interest
and costs, ha not paid, subsequent to January 1, 1869, and before Sep 30 ~~August 1~~, 1869, "one year's interest upon the
principal sum due," as required by General Orders No. 80, current series from Headquarters First Military District,
State of Virginia, "to entitle him to the stay of execution therein specified."

Given under my hand this 17 day of January 1870

L. R. Edwards clk

NOTE—This form has been approved at Headquarters First Military District, Virginia. The foregoing affidavit may be made by the plaintiff or his attorney, and before the Clerk, a Justice of the Peace, or Notary Public.

Prince of

Sum. Chy

Dumr Y

1868 March Rules

Executed Feb. 10th. 1868
on G. Kello by delivering
him a copy.
G. L. Story Dept
for G. Kello shiff

Executed Feb. 11th. 1868 on
H. Dunn, W. S. J. Clements
& Mary Ann his wife by
delivering to each a copy.
P. Caroon Dept
for G. Kello shiff

THE COMMONWEALTH OF VIRGINIA,

We command you to summon ^{To the Sheriff of the County of Southampton—GREETING:}
Fortunatus, d. & W. J. Clements & Mary Ann his wife &
Sam^l Kello Sheriff of Southampton County & adm^r of James A Prince

if *they* be found within your bailiwick, to appear at the Clerk's office of our court of Southampton County,
at the Rules to be holden for the said court, on the first Monday in ^{limit} *March next to answer a bill in*
Chancery exhibited against them and others in our said Court by William Prince
Martha V. Grayard & Rosa J. Henderson

And have then there this writ.

Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the courthouse, this *25* day of
January A. D., 186*8*, in the *92* year of the Commonwealth.

L. R. Edwards

ten days for the examination of the parties. Which with the
decrees and notices aforesaid are herewith returned,

Given under my hand as Commissioner aforesaid the day and
year first aforesaid.

Henry J. Howard

Com:

Commissioner's fee \$15.

B. Prince

to

Henry J. Howard
Com: Report
Dumy.

1865 Oct. 9.

The Plaintiff is entitled
to this report.

He also, the Com: has
decided the best with
his copies: except in such, with
any law man that he has
submitted to no 50 -

Chambers 1865.

James Pince. a minor

In Account with Fortunatus Dunn. his Guardian

1863		Dr	Cr
Feb 15	By amount rec ^d from John R. Richardson former Guardian. principal & interest		\$ 1133 59
	To commissions on \$1133.59 @ 5%	\$ 56 67	
	" paid Va & Conf ^d states taxes	25 06	
	" commissioners fee for this & copy retained	5 00	
	By interest on last years balance. 4 1/2 mo ^s		23 30
	To Balance	1072 36	
		<u>\$1159 09</u>	<u>1159 09</u>
Dec 31	By Balance due the ward brot down		1072 36
"	To Amount invested in Confederate States Bonds or Notes 7-30 under order of the County Court of Southampton County made at the January term 1863.	1100 00	
	By Balance due Guardian		27 64
		<u>1101 00</u>	<u>1100 00</u>
"	To Balance due Guardian brot down	27 64	
	With interest thereon from this day till paid		

Respectfully Submitted
Henry P. Howard

Com:

Commissioners Office
Jerusalem Oct 6th 1848

To the Circuit Court of Southampton County

Pursuant to a decree of the circuit court of Southampton County rendered at the May term last in a suit in chancery depending in the said Court between Am^r Prince, Martha V. Ginzard & Rosa W. Henderson Plffs and Fortunatus Dunn, W. G. Clements & Mary Ann his wife Samuel Killo Plffs S. ampton County & adm^r of James D. Prince. J. H. Mangum & J. R. Richardson Defts the undersigned one of the commissioners of the said court to whom was referred for settlement by said decree the account to wit: That Fortunatus Dunn renders before a commissioner of this court an account of his transactions as late guardian of James D. Prince who is directed to audit state and report the same to court taking as the bases of his settlement any ex parte account which has been returned to & confirmed by the county court of Southampton liable to be surcharged & satisfied by either party. That the Commissioner enquire & report whether F. Dunn made any investments of money belonging to the Est of his late ward James D. Prince, if so when made & by what authority. And the commissioner will report to court with any matters specially stated deemed pertinent by himself or required by the parties to be so stated, reports to the court that on the 14 day of May last he issued notices against the several parties aforesaid requiring them to attend the settlement of the said account before him at his said office on the 18 day of June which were returned to your commissioner duly executed That the parties aforesaid appeared before the commissioner in obedience to the said notices and he thereupon examined the vouchers stated and settled the foregoing account. The Commissioner states that in making up the foregoing account he allowed the investment of \$1100.00 made by the guardian in 7-30 Confederate States Bonds or Notes, bearing interest at the rate of 5% cents per day, it is true, that the said Bonds are not made payable to Fortunatus Dunn as guardian of James Prince, but to bearer as all of the 7-30 Confederate States bonds or notes that the Commissioner ever saw were made payable, he never saw any of that kind or species of Notes or bonds made payable any other way. The Commissioner further reports to the court that after the completion of the said account he retained the same in his office

ten days for the examination of the parties. Which with the
decrees and notices aforesaid are herewith returned.

Given under my hand as Commissioner aforesaid the day and
year first aforesaid

Henry J. Howard

Com:

Commissioner fee \$15.

W. J. J. J.

to

Henry J. Howard
Com: Report

1861 Oct. 9

The I am left to explain
to this report.

Receives, the Com. has
said it is the best of
his copies: except in the
any so much that the
warrants, to no 50 -

Chambers

C. C. C. C.

James Prince a Miner

In account with Fortunatus Prince his guardian

Dr Cr

1863		\$	cr	\$	cr
Feb 10	By amount rec'd from John R. Richardson former guardian principal & interest			1133	37
	By commission on \$1133.37 at 5% per cent	57	67		
	" Grace Co. v. C. State Taxes	25	06		
	" commission for this & copy obtained	5	00		
	By interest on last year's balance 4 1/2%			25	50
	To Balance	1072	36		
		1159	09	1159	09
Dec 31	By Balance due the ward with interest from this day			1072	36

Respectfully Submitted by

Wm. H. Thomas Comptroller

Prunella

is { acies.

Linum L.

May 21. 1868

Thurston

R. H. Baker

Princed &c.
20.

Seems &c.

The bill having been taken for con-
ference at Rules, as to the rights. W. I. Clements and
many others his wife, ~~and~~ Saml. Belle now. of
James D. Prince, James H. Mangum, & J. R. Richardson.
This cause came on this way to be heard on
the bill. was now of the left. For the same reason.
Under this ~~and~~ by leave of the Court -
repetition of the same, which bill was
argued by Counsel on consideration
whereby the Court with acquiescence or an understanding
decided that - For the same reason. seems to be
a Commission of this Court - an account
of his transaction for late Gov. of James D.
Prince, who is directed to audit state report -
the same to be sent. Taking as the basis of his ~~report~~
account. any private account. which has been returned,
and confirmed by the County Court of South Carolina
where the same are changed and falsified by either party.
That the Court requires and report whether
T. Seem. made any investment of money.
belonging to the estate of his late word James
D. Prince of so when made only what
invested. and the Court will report - to
decide with any matter specially stated
account put forward by himself or received by
the parties who so state.

75 72 52

1869 Nov.

Boats

17.95

Shiff

12.00

Comm

15.00

S. for

15.50

50.45

611

518

Prince of

v. Stat. Rules.

Dunn

In Southampton Circuit Court.

William Prince, Martha V. Briggard & Rosa J. Henderson

against.

Fortunatus Dunn, W. G. T. Clements & Mary Ann his wife & Samuel Wells Sheriff of Southampton County and administrator of James D. Prince, J. H. Mangum & J. R. Richardson

1868 Jan. 25. Summons issued

" March R. Summons ret. Executed. Bill filed. D. nisi to Defts.

" Apr. " Bill taken for confessed

" May " Cause set for hearing.

" " J. Ans. of Dunn. rep. & decree for acct.

" Oct 4. Report

1869 Nov. Decree

1872 Mar 8. Sci. fa. issued to serve on Wm H. Mitchell Sheriff & adm J. H. Mangum & Geo R Richardson adm J. R. Richardson

" May Judge's to Mangum as by Richardson as

12

11

1868.

Southampton Circuit Court, May Term, 1868.

William Prince, Martha B. Giggard
and Rosa J. Henderson *Plffs.*

against

Fortunatus Dunn, W. G. J. Clements &
Mary Ann his wife, & Saml. Kells, Shffs.
of Southampton County & Admrs. of James
D. Prince, J. H. Mangum and J. R.
Richardson *Defts.*

In
Chancery

The bill having been taken for confessed at Rules as to the
Defts. W. G. J. Clements and Mary Ann his wife, Saml.
Kells - Admrs. of James D. Prince, Jas. H. Mangum and
J. R. Richardson. This cause came on this day to be heard on
the bill. Answer of the Deft. Fortunatus Dunn filed this
day by leave of the Court, replication thereto, exhibit filed and
was argued by Counsel. On consideration whereof the Court
doth adjudge, order and decree that Fortunatus Dunn render
before a Commissioner of this Court an account of his transactions
as sole Guardian of James D. Prince, who is directed to
audit, state and report the same to Court, taking as the
basis of his settlement any reported account which has been
returned to & confirmed by the County Court of Southampton,
liable to be surcharged & falsified by either party. That the
Commissioner enquire & report whether J. Dunn made any
investment of money belonging to the Estate of his testator
James D. Prince, if so, when made & by what authority. And the
Commissioner will report to Court with any matters specially
demanded pertinent by himself or required by the parties to be
so stated. ²¹

Attest

Juste L R Edwards Clk