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In Chancery

Gurney }
 }
 v } Office Copy Report
 } of subsequent principal & interest
Duckett }

22nd March 1853

Sharpe Field & Jackson
41 Bedford Row

[1]

[Oval stamp "Report Office, Chancery" over stamp "Chancery Fee Fund 3 2 Two shillings and eight pence 3 2" and Circular stamp "Report Office" surrounding "I.T.F." appear at intervals in the margin

22nd March 1853

Filed 25th Apl. 1853

Messrs Sharpe & Co

fo 16

Between Richard Hanbury Gurney ----- Pltf (*Plaintiff*)
Sir George Duckett and John Benjamin Heath John Druce Ellen Yatman William Hamilton
Yatman John Wright Edmund William Jerningham George Floyd Duckett and Isabella his

Wife George Burrard and Isabella his Wife Anthony George Wright Biddulph Sir Henry Pottinger Walter Warde William Alexander Mackinnon the younger Henry Birkbeck (since deceased) Dominic John Corrigan Henry Robinson Margaret Campbell Mary Campbell Clare Campbell Henry Burton Robert Burton John Bartlett William Eyke since deceased Anthony John Wright Biddulph Vincent Eyre Thomas Barnwell William Blount Charles Weld Michael Ellison George Charlewood and Edward Edwards-----Defendants
By Original Bill

And Between Richard Hanbury Gurney-----Pltf
Elizabeth Lucy Birkbeck Henry Birkbeck & John Henry

Gurney-----Defts by Supplemental Bill

In pursuance of the Decree made on the hearing of this Cause bearing date the **19th day of March 1851** I have been attended by the respective Solicitors for the Plaintiff and for the Defendants Elizabeth Lucy Birkbeck Henry Birkbeck and John Henry Gurney George Burrard and Isabella his wife and John Wright no person attending me on behalf of any of the other surviving

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Defendants although they have been duly summoned so to do

And I find by my separate report bearing date the **20th day of February 1852** I certified that there would be due to the Plaintiff on the **20th day of August 1852** for principal interest and costs on his Mortgage dated the **16th and 17th days of November 1824** in the pleadings mentioned the sum of £40887..15..6 which sum I directed the Defts John Benjamin Heath John Druce Ellen Yatman William Hamilton Yatman to pay to the said Plaintiff on the 20th day of August as in my said Report mentioned.

And I find that the said last named defendants did not pay the said sum of £40887..15..6 to the said Plaintiff on the said **20th day of August 1852** and that they have not since paid the same

And I have therefore as directed by the said decree calculated subsequent interest at £4 per Cent per annum on the remaining principal sum of £38400 from the **20th day of August 1852** to the **22nd day of June 1853** being the end of 3 months after the date of this my report

And I find that such subsequent interest after deducting property tax amounts to the sum of £1250..3..0 and the same being added to the afsd. sum of £40887..15..6 they make together the sum of £42137..18..6

And I find that the Plaintiffs subseqt. costs of these suits have not been taxed the Pltf having waived such taxation and having by his Solicitors given up such costs as between him and the several defendants entitled to redeem the said mortgage as hereinafter mentioned

And I find by

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two affidavits of the Plaintiff sworn respectively the **18th day of August** and the **2nd day of December 1852** and an affidavit of his agent George Seymour sworn the **6th day of January 1853** that the said Plaintiff has in addition to the sums mentioned in my said separate report received on account of the rents tolls and profits of the Canal and hereditaments comprised in his said mortgage after deducting the outgoings payable in respect thereof the sum of £1804..9..4 and in the Schedule to this my report annexed I have stated a summary of such receipts and outgoings the details of which are set forth in the aforesaid affidavits of the said Plaintiff and of his said agent and such last mentioned sum being deducted from the aforesaid

sum of £42137..18..6 reduces the same to the sum of £40333..9..2 which last mentioned sum I find will be due to the said Plaintiff Richard Hanbury Gurney for principal interest and costs on his said mortgage on the said **22nd day of June 1853**

And I hereby direct the defendants Anthony George Wright Biddulph and John Wright Dominic John Corrigan Henry Robinson Margaret Campbell Mary Campbell Clare Campbell and Henry Campbell ~~and Henry Campbell~~ Henry Burton Robert Burton John Bartlett Anthony John Wright Biddulph Vincent Eyre Thomas Barnewell William Blount Charles Weld Michael Ellison George Charlewood and Edward Edwards and the said John Wright and Edmund William Jerningham as their trustees to pay the said sum of £40333..9..2 to the said

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Plaintiff Richard Hanbury Gurney at the Chapel of the Rolls in Chancery Lane London on **Wednesday the 22nd day of June 1853** Between the Hours of 11 and 12 oclock in the forenoon All which I humbly Certify to this honourable Court

(signed) G Rose

The Schedule referred to by the foregoing Report containing a summary of the subsequent receipts of the Plaintiff on account of the rents tolls and profits of the mortgaged premises and the payments thereout

	Cash Tolls	Tolls on Monthly Credits	Rents &c	Total	Expenditure
1851					
October	9..4..5	110..19..6	10..6..4	130..10..3	65..7..1
Novr	7..8..9	130..7..0		137..15..9	62..4..3
December	7..1..11	193..4..8	1..6..0	201..12..7	82..18..10
1852					
Jany	5..5..1	198..18..3	5..10..0	209..13..4	74..9..6
Febv	9..14..6	189..8..5	19..8..4	218..11..3	54..7..1
March			195..18..3	195..18..3	
March	4..8..1	220..6..6	2..8..6	227..3..1	59..18..1
April	9..4..11	168..14..3	12..15..9	190..14..11	74..7..7
May	4..14..6	122..19..11	48..0..4	175..14..9	114..4..3

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	Cash Tolls	Tolls on Monthly Credits	Rents &c	Total	Expenditure
June	3..19..4	125..6..0	8..7..0	137..12..4	86..5..5
July	3..1..7		194..7..3	197..8..10	14..9..9
August		115..2..8		115..2..8	28..11..5
Sept	3..19..6	117..11..2		121..10..8	54..1..8
October	5..5..2	123..2..0		128..7..2	69..11..1
November			195..12..3	193..12..3	
November	6..8..6	94..15..3	7..2..6	<u>108..6..3</u>	<u>45..13..0</u>
		Total Receipts		2691..8..4	886..19..0
				<u>886..19..0</u>	
		Balance		<u>£1804..9..4</u>	

End of the Schedule

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