

1805-020

SOUTHAMPTON COUNTY
CHANCERY PAPERS

DREWRY

VS.

GEE, GUARDIAN

9/1805

other surnames; Mabry

Edmund Drewry
vs
James Geo guardie: } bill
Sep 1805
Entry done

Wm Cant for repl
decree final
Sep. 1805

To the justices of Southampton county court, in chancery sitting,
Humbly complaining, sheweth unto the court, your orator Edmund Drewry
son of William Drewry of Southampton county aforesaid, That the
said William departed this life on day of having first
made & published his last will and testament in writing, which hath
been duly proved and recorded in the county court aforesaid, as a relation
to the records thereof being had, will fully appear; which last will and
testament is made a part of this bill: wherein he devised the whole of
his estate to be sold, and divided amongst his widow & children in
manner therein directed. Your orator further sheweth, That administration
of the said estate with the will annexed, was granted, by this court, to Robert
Mabry, then sheriff, who sold the whole of the personal estate. That the
money remaining in his hands, after the payment of debts, & subject
the division under the will and testament aforesaid, was not divided
but partly paid by the said Robert, pursuant to an order of ^{this} court, to a
part of the legatees, who were infants, for their maintenance, as will
appear by such order, & the said Robert's account current returned to this
court, which are also made a part of this bill. Your orator further
sheweth that James Gee qualified as Guardian for

to whom the said Robert, on the 29th June 1799.
paid the sum of eighty one pounds nineteen shilling, the balance in his hands
after paying as aforesaid, of which said sum your orator is entitled to
twenty eight pounds, sixteen shillings & seven pence, with interest thereon
from the date aforesaid. Your orator further sheweth that he is now
of the age of twenty one years, & that the said James Gee, guardian, refuses
to pay him the aforesaid ^{of money} sum, All which actings and doings of the
James Gee, g.^r &c. are contrary to equity &c. In tender consideration whereof
& for as much, ~~as~~, as your orator is remediless in the premises
without the aid and interposition of a court of equity. To the end therefore

that the said James Gee guardian & ~~may~~ upon his corporal oath, to be
taken by him, on the holy evangelists, may, true, full & perfect answer
make, to all and singularly the premises, as fully & effectually as if
the same were herein again repeated and interrogated, & that the
court will order the said James Gee, guardian ^{to your orators} to pay the aforesaid
sum of twenty eight pounds, sixteen shillings & seven pence, with
interest thereon, ^{from the} date aforesaid, till paid, or make such further
order and decree as shall seem most consonant to the principles
of ^{justice &} equity. May it please the court, the common wealth's subpœna
to grant directed to the defendant, commanding him to appear
here, answer &c.

Green Turner Att.
for complainant.

The Answer of James Gee Guardian &c. to the ^{of complaint} above bill

This defendant saving & reserving to himself
all benefit of exceptions &c. Admits the allegations in the said
Bill to be true, & submits the case to the court to make
such order and decree, as to them shall seem agreeable
to equity & justice, & prays here to be dismissed &c.

James Gee
