1829-038 SOUTHAMPTON COUNTY CHANCERY PAPERS REESE'S ADMINISTRATOR VS. DREWRY et al

8/1825

other SURNAMES; TREZVANT, Judkins, Nichols, Moore, Smith, Millikin, TURNER, Gilliam, Williamson, Hughes, Fuller, Hughs Peete, Heath, Edwards, Williams

To the worshipful the County Court of Southampton
sitting in Chancery: Humbly complaining shew to
to your worships, your Complt Alex. P. Pate admr
with the will annexed of Edward Rees decd
that at the last term of this Court he was
appointed and duly qualified as admr as
aforesd that he has taken possession of the same
advertized it for sale, to be sold in the
course of the present month. That he has
found that there were Judgments, debts of
record, debts due from Guardian to wards,
for uncertain but very large amts that the
capacity of the said estate to pay its debts
is extremely questionable, that sundry persons
to wit, (here insert their names as on the other
side) have warranted your Complt as admr
as aforesd in demands of various characters, recov-
ered Judgments, and will, no doubt, take
out upetts of the decedent & have it sold, &
thus compel your Complt to commit a
devastavit. Which is contrary to equity
In consideration whereof, and forasmuch
as your Complt is remediless at law.
To the end that full justice may be
done the Creditors of the said decedent,
he humbly prays that the said parties,
and the Constables having charge of their
executions, may be restrained & injoined
from further proceedings in the said

Judgt. until your Complt can collect the goods of the said decedent, and thus pursue a legal course in the disbursement of the said effects, he prays the Commr. to cause Sps. & heirs directed to commanding &c. and grant him such Stay and such relief as may be consistent with equity &c.

Recd. in
in $ Bill of Exchn.
Drawn York
1828 Dec. Exchn. assumed
Sps. vide
1829 Aug. 5: Exchn. difficulties there
accompanies with costs &c.

Defts Exhs &
Bill's - $1.46
Affr. .3.54
Exhs # 5.00
$10.00
Fee vide

Amt of Judgment Pl & Pltf admrs of Rees

in favour of Same Dorsey for $2.37½

" " " " Wm Jenkins — 19.70

" " " " A B Nichols — 8.00

James Trezvant 16.50

Heath admrs of Dorsey 11.00

Henry Moore — 17.85

Thomas D Smith 11.72

James Williams — 13.28

Edwd for Dorsey — 5.28

Edwd R Thomas — 6.93

Benja Turner — 6.50

Nowell Rees — 6.00

~~Arthur Rawlins — 2.00~~

~~10.00~~

Thomas Gilliam — 3.50

Joseph Dorsey —

Williamson for Hughs — 19.80

Edmund Fuller — 6.00

James Trezvant — 1.30

James Fergusons

Answer

April 4th 1829 Ann. Lees

To the worshipful Court of Southampton in Chancery sitting The answer of James Bryant to the Bill of Injunction exhibited against himself and others by Alex P. Pitts admr of Edward Rice dcd

This respondent saving &c for the s[d] Edward Rice answer to the said bill says That he was indebted to your respondent in the sums respectively set forth in the bill by bonds and that immediately after the graduation of the complainant as admr he entered warrants and recovered judgments and expected long since to have received the money, but has been disappointed in that expectation by an order of injunction issued from this Court as his claims are founded upon bonds and as he has recovered his judgments he conceives himself at Court entitled to that preference above other creditors which his vigilance has secured to him. he prays that the injunction may be dissolved &c

James Bryant

James Bryant personally appeared before me a Justice of the Peace for the County of Southampton this 4th of April 1829 and made oath to the truth of the foregoing answer. Orris A Browne J.P.

Southampton August Court 1829.

Alexander P Peete admr &c of Edward Reese dec^d Pl^ff } In Chancery

against

Samuel Drewry, William Judkins, N.B. Nichols, James Ivegraut, Thomas D Heath Exor of Edmund Drewry dec^d Henry Moore, Thomas P Smith, Henry L Williams, admr of James Millikin dec^d Drewry, Edward P Turner, Benjamin Turner, Horrell Reese, Charles Gilliam, Joseph Drewry Williamson for Hughes & Edmund Fuller.. Defts

On motion the Court upon consideration of the bill & the answer of the defendant Ivegraut doth order that the Injunction awarded the Pl^ff on the day of December 1828. to injoin the defendants from further proceedings on the judgments in the bill mentioned be dissolved with damages according to Law. that the plaintiffs bill be dismissed and that he pay to the defendants, out of the estate of his testator in his hands to be administered by them about their defence in this behalf expended, their costs

1

Treg van D

Pete ad Peter

To rnd Saturday in

December 1868

Executed

W Drew Jr cont

VIRGINIA. SOUTHAMPTON COUNTY, To wit:

TO Albert Drewry CONSTABLE.

SUMMON Alexander Pitts a summons & Peace issued to appear before me or some other Justice of the Peace for the said County, at Rep on Saturday 13th December next to answer the complaint of James Trezvant for the non-payment of Sixteen Dollars fifty Cents, due by Note and make return in thirty days how you have executed this warrant. Given under my hand this 30th day of November 1828

Wm L Parker

JUDGMENT is granted the Plff for the sum of Sixteen Dollars fifty Cents, and costs 30 Cts with interest from the 17 day of October 1825 till paid. Given under my hand this 13 day of Dec 1828

Wm H Lee J.P.

Frequent

M[illegible]

d[illegible] Publ ad of Rees

Th 2nd Saturday in

December 1828

Exr

A Dewey Jun[illegible]

VIRGINIA. SOUTHAMPTON COUNTY, To wit:

TO ~~JAMES BLOW~~ Albert Drewry CONSTABLE:

SUMMON Alexander P Peete & Wm E Peete exrs of E Peete dcd to appear before me or some other Justice of the Peace for the said County, at X Roads on Saturday 13th December next to answer the complaint of James Traynam next for the non-payment of Fifty Dollars thirty two Cents, due by Note and make return in thirty days how you have executed this warrant. Given under my hand this 30th day of November 1827

Wm L Smith J.P.

JUDGMENT is granted the Plff for the sum of Six Dollars Dollars thirty cents Cents, and costs 30 with interest from the 10 day of Jany 1828 till paid. Given under my hand this 13 day of Decr 1827

Wm L Smith J.P.

C

Recess ass

vs Defts & Injn

Drewry &c

To March Court 1829

A copy to be served on each defts

Executed on Wm Judkins & Edward Turner, & not executed on the other defts for want of time

Stephen Mundaugh D Sh
Silas Summerell Sheff

The Commonwealth of Virginia to the Sheriff of Southampton County
Greeting We command you to summon Samuel Drewry, William
Judkins, N. B. Nichols, James Trezevant, Thos D Heath admr of Wm Drewry
Henry Moore, Thomas P Smith, Henry L Williams admr of James Williams
Drewry, Edward P Turner, Benjamin Turner Howell Reese,
Charles Williams, Joseph Drewry Williamson for Hughes &
Edmunds Fuller to appear before the Justices of our County Court of
Southampton at the Courthouse on the first day of March Court next to
answer a bill in Chancery exhibited against them in our said Court
by Alexander P Peete admr &c of Edward Reese dec'd And unless
the said defendants shall answer the said bill within four months there-
after the Court will take the same for confessed and decree the matter
thereof accordingly. And this they shall in no wise omit under the
penalty of £100. And have then there this writ Witness James Ro-
chelle Clerk of our said Court at his Office the 5th day of January 1829
In the 53d year of the Commonwealth

James Rochelle Clk

Mr. Edward Reese
with
James Ferguson
Nail

Mr. Edward Reese

To James Sergeant &c

| | | |
|---|---|---|
| 1826 | | |
| | To this Balance from old Books | $ 75 |
| 1826 Nov. 2 | 1 Large Bladed Knife 75 | 1. 25 |
| | 3 Cakes Rose Soap | 25 |
| | 20 Cent trimmings Cloth Coat | 1 25 |
| | 1 Gallon Brandy | 75 |
| 1827 Jany 16 | 1 Pr Gloves | 2 |
| March 28 | 5 1/2 calico 2/3 | 37 |
| | | $ 6. 37 |

I Acknowledge the above account to be just & with my hand & seal this 10 Day 1828

Edwd. Reese Seal

Test

Brookes R. Sergeant

Edwd. Keene

to

James Hepburn

Edward Rees  To James Trenwith Dr.

1824
June. To your prosecution of a suit for
defending Sci fa Nicholas Pope
upon a bond and Britton Bill $5.00
To a suit at law in an action of debt in Sub
Ct of Pom & Dauphin ——— 6.50
Nov. To Motion on F C Bond & Same 5.00
$16.50

1825. Oct 17
Received payment of James Trenwith
the above bill of sixteen dollars 50 cents
in full
Witness my hand and seal
Edward Rees

James Irezyant

vr

A. P. Peete admr of Edward Reese dec'd

} Stat: of Justices Judgments filed in the Inj'n: Reese adv vs: Irezyant & al:

| | | |
|---|---|---|
| Jud: Debt due January 10/1828 | | $ 6: 30 |
| Int till December 15/1828 | | 35 |
| Costs | | 30 |
| | | $ 6: 95 |
| Damages at 10 pct. from December 15/1828 till August the 20th 1829 | 3 | 47 |
| Int at 6 pct from Aug: 20/1829 | | $ 7. 42 |
| The other judgment due October 17/1825 for | $ 16: 50 | |
| Int till the 15th December 1828 | 3 46 | |
| Costs | 30 | |
| | 20. 26 | |
| Damages at 10 pct from December 15/1828 till August 20th 1829 | 3 3. 40 | 23: 66 |
| | $ 23. 66 | |
| | | $ 31. 08 |
| Costs of Injunction | | 10: 00 |
| | | $ 41: 08 |
| Int: on $ 16. 50. from Aug: 20/1829 till paid | | |