

1830-140 SOUTHAMPTON COUNTY
CHANCERY PAPERS

DREWRY's adm^l & al vs Drewry

s/1830

Drury ^{Cap. D}
no. 53 Bill L.
Drury.

1829 Decem: heard & decreed as
for decree filed &c.

1830. Janry. decree amended.

" May Rep: ret. & final decree -

To the worshipful Court of Southampton County
in chj. sitting Monthly complaining shew unto your
mships your orator Joseph Drury admsr. of Patrick
Drury dec? & Gilbert Drury, that the said Patrick Drury
in his life time, together with your orator Gilbert Drury
& his brother Amos Drury were equally entitled to
several slaves named Amichy,

that before any division of the said slaves was made
the said Patrick Drury departed this life intestate, leaving
the said Gilbert & Amos his heirs at law, & your orator
Joseph Drury, as above stated, is the corner of the said
Patrick: the said Patrick Drury died indebted in
some small amount to the said admsr.th: the said
Amos Drury is a minor, and the slaves aforesaid
are now held by Edward Butts his guardian, to whom
your orators have frequently applied for a division of
the same: but these requests have hitherto been
refused: In Tender consideration whereof &c. To the
end therefore that the said Amos Drury by
some person to be appointed his guardian, may be
made vfts hereto & may upon oath answer the
several allegations aforesaid, & that as fully as if
the same were here again repeated & interrogated.

Your orators pray that your mships will
decree a settlement of the Transactions of your
orator Joseph Drury as admsr. as aforesaid, & a
sale & division of the said slaves, & that you
will make such other or further order or
decree in the premises as may seem consistent
with equity & justice - May it please V.

The answer of Amos Drury an infant by Edward
Butts his guardian ad litem to the bill of complaint
exhibited against him in this court by Joseph
Drury admo. P. of Patrick Drury tal compt.

This respondent saving P. for answer
thinks saith that the allegations in the said
bill set forth are true & correct & he consents
to such decree in the premises as may seem
to the court right & proper - Having answered
P. He denies all fraud & P. prays to be hence
discharged with his costs P.

Joseph Drury

W. 2^d Decem.

Amos Drury.

Joseph Drury answers. Patrick Drury dec. & Gilbert Drury

vs.

Amos Drury an infant by Edw^d. Butts, his guardian ad
litem -

This cause came on this day to be
heard upon the bill & answer by consent of parties & was
argued by counsel: on consideration whereof the court
doth adjudge order & decree that Jeremiah Cobb, divide
the slaves in the bill mentioned, to wit, strictly,

~~into four~~ into three shares, and allot one of the
said shares to the compt. Gilbert Drury, one of the said
shares to Edward Butts as guardian of the def^t Amos
Drury - and the court doth further adjudge order
& decree that the said comr. after giving at least
ten days notice of the time & place of sale, sell at
public auction, ^{for cash} the remaining one third part of the
said slaves, & out of the proceeds of the sale pay first
the debts now owing by the estate of the said Patrick
Drury, the amount of which are to be ascertained
by a statement of the said Joseph Drury's transactions
on the estate of his said intestate by the said comr.
& the balance of the said proceeds of sale distributed
share & share alike among the said Gilbert Drury
& the said Edward Butts as guardian as afores^d.

~~And~~ the court doth further adjudge order
& decree that the said comr. if no division of the
said slaves can be made as above directed, sell
at before mentioned the whole of the said slaves
the proceeds thereof according to the pre-
cedents herein before stated to make report to

Drawny

as { Co: decred

Drawny

Southampton December Court 1829.
Joseph Drewry Administrator of Patrick Drewry dec'd. & Gilbert Drewry Comptls:
against
Amos Drewry an infant by Edwards Butts his Guardian
ad litem Defendant
In Chancery

This cause came on this day to be heard upon the bill and answer by consent of parties and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that Jeremiah Cobb divide the slaves in the bill mentioned, to wit
into three shares, and allot one of the said shares to the Complainant Gilbert Drewry, and one of the said shares to Edwards Butts as Guardian of the defendant Amos Drewry - and the Court doth further adjudge, order & decree that the said Commissioner after giving at least ten days notice of the time and place of sale, sell at public auction for cash the remaining one third part of the said slaves, and out of the proceeds of the sale pay first the debts due and owing by the Estate of the said Patrick Drewry the amount of which are to be ascertained by a settlement of the said Joseph Drewry's transactions on the estate of the said intestate by the said Commr. and the balance of the said proceeds of sale distribute share and share alike among the said Gilbert Drewry and the said Edwards Butts as Govr as aforesaid. And make report to this Court in order to a final decree

Attest
James Rochelle cc

slaves to be sold for cash -
Farming to be made a party.

Joseph Drewy admr of Patrick Drewy & Gilbert Drewy
Complainants

^{vs}
Amos Drewy in infant by Edward Booth his Guardian
Defendants

Amend the bill by giving the mother Fanny
Drewy an equal share, with her two children
Gilbert and Amos Drewy Drewy; and the
parties are desirous that the whole of the
negroes mentioned in the original Bill & Decree
should be sold and after the payment of other
debts due Joseph Drewy admr. &c. of
Patrick &c. divide the balance between
Fanny Drewy the mother, and the said
Gilbert and Amos Drewy. Fanny Drewy
of course must be made a party

1830

Oct 21	To Amounts brought forward principal	128	18
"	" ditto do Interest	30	44
		158	62
"	By Sales of Viney & Children by Ju Cts Comr.		
	(due this day) to Jo. Drewry	243.00	
	To his Commr. off	12.15	230 85
"	"		72 23
"	To Comr. fee advanced	1.50	
"	" Clerk ditto	1.00	2 50
"	By balance due from Ju Cts Comr		\$ 69 73

N.B. Joseph Drewry the admr. surrendered to the Comr. a bond due from Gilbert Drewry (one of the legatees) for twenty five dollars and Interest to this day am^tg in whole to \$26.87 which was divided and immediately paid over to the parties to wit, Edwards Butts Guardian of Amos Drewry, Fanny Drewry and Gilbert each the sum of \$8.95

To paid Gilbert Drewry his proportion of Int ^t	\$23.24	
" " Fanny Drewry do	23.24	
" " Edwards Butts Guardian of Amos Drewry	23.24	69 72

Ju Cts Comr

March 25th 1830 Rec^d of Jeremiah Cts Comr. appointed to sell the the Slaves of Patrick^{Drewry} dec^d. the sum of twenty three dollars 24/100 in full of my proportion of said sales after paying Joseph Drewry's acct as directed by said Dec^d and also the sum of twenty three dollars 24/100 in full of Fanny Drewry's proportion of said sales.

Witness

E. Butts

Gilbert Drewry for
self and Fanny Drewry

Rec^d April 6th 1830 from Gilbert Comr. Jos Drewry note for twenty three dollars & twenty four cents in full of Amos Drewry's proportion of the above balance

Edw^d Butts q^{uo}d.

The estate of Patrick Drewry dec^d
 In account with Joseph Drewry adm^r?

1819	To paid Henry Davis for tuition	10 00			
1820	" " John Denegre att ^r	10 00			
Dec 31	To balance due the Guardian	\$ 20 00			
	Interest on last balance to this day	" "	" "	" "	.60
1822	To paid John Denegre for tuition	7 60			
Dec 31	To balance due the Guardian	\$ 27 50			
	" Interest last balance to this day	" "	" "	" "	2.40
1824	To paid John Williams for tuition	7 60			
Dec 31	To balance due the adm ^r ?	\$ 35 00			
	Interest on last balance to this day	" "	" "	" "	3.30
1825	To 1 pair shoes	75			
	" paid Doctr Brown	25 00			
Dec 31	To balance due the adm ^r ?	60 75			
	" Interest on last balance to this day	" "	" "	" "	2.10
1828	To paid atty for decree to divide negroes	10 00			
	" " for Clerk test ^r	3 62			
	" " do for recording Invent ^r	2 44			
	" " Com ^r for settling P. Drewry estate	4 00			
	" " letters of administration	70			
	" " for County Seal	2 50			
Dec 31	To balance due the adm ^r ?	84 01			
	" Int on last balance to this day	" "	" "	" "	10.93
1829	To paid for decree to sell the negroes	10 00			
	and settle the estate				
	" " Clerk test ^r	3 62			
	" " Henry S. Williams	16 05			
	" " Geo H Gray to support Viney de	12 00			
	" " R H Baker for de	2 50			
Dec 31	To balance due the adm ^r ?	128 18			
	" Int on last balance to this day	" "			5.04
	" Int on this balance to Oct 21/1830	" "	" "	" "	6.08
	Amounts Paid for.				30.44

March 26th 1830 Received of Joseph Drewry Com^r in the
 sum of one hundred and fifty dollars 60/100 in full of my claim
 against the estate of Patrick Drewry as Dec^d these amounts
 and agreeably to the decree of the Court also amended
 Joseph Drewry