

1837-002

SOUTHAMPTON COUNTY
CHANCERY PAPERS

DREWRY and Wife vs. MYRICK'S ADMINISTRATOR

4/1837

Dewey & Co
vs $\frac{1}{2}$ Papers

May 1837 am:

1837 Feb. Bill filed & Sp. up.

Mar. Sp. Executed -

1837 - Apr. Deane -

Letts	\$ 4.73
Shiff	130
Law fee	16.66
Tax	75
	\$ 22.44

Myself & wife

at

Meyrick's and near

Billie

1837. Jan. 18th

(1976 wood)

Parker p. 9

To the Honorable Richard A. Parker Judge
of the Circuit Superior Court of Law and
Chancery for the County of Southampton

Humbly complaining that under your
Honor your compliments James
Breuny and Mary A his wife, that on
the 20th day of September in the year of
our Lord one thousand eight hundred
and nineteen, a return James Myrick
presented in the County Court of South-
ampton, as the guardian of the female
complainant, and executed his bond
with security according to law, which
will more satisfactorily appear by
copies of the order of court appearing
herein, and the bond aforesaid, copies of
which duly authenticated are filed
hereunder, and prayed to be taken as a
part of this bill, that in the year
1835, Leveniah both commissioners
of this court, as well as ^{on} the County Court
of Southampton, in pursuance of an
order of the said County Court previously
made, which will appear by a copy
filed hereunder, returned a report to the
said County Court, by which it appears
that the said Myrick was indebted to
his said wife in the sum of \$ 3511 $\frac{73}{100}$
with interest on \$ 3463 $\frac{16}{100}$ paid thereof from
31st December 1832 till paid, which said
report was by the County Court affirmed on
the 1st day of ~~January~~ ^{March} 1835, when finally
unfirming and ordered to be recorded, and to

which no exceptions have been filed or taken
all of which will more fully appear by
copies of the account & order of court
herewith exhibited as a part of this bill.

Your complainants further charge
that the said James Myrick departed this
life in the year 1836, ^{testate} & a certain Robert
D. Mergrove qualified as his executor as
will appear by a copy of the order appointing
him to be — that the said amount nor
any part thereof was ever paid by the
said Myrick in his life time, nor by
the said Mergrove since, and that the
same is still due and unpaid.

In due consideration whereof, your
complainants pray that the said Robert
D. Mergrove as executor aforesaid may be
made defendant hereto with apt and
proper words to charge him and that
he answer the same fully upon oath,
& that unless he admit apels sufficient
to satisfy the demand of your complainants,
that he ^{shall} be ^{able} before a commissioner of
this court an account of his transactions
upon the estate of the said James Myrick,
and that your honor will be pleased to order
that the said Mergrove out of the estate of
his estate be in his hands to be administered
pay to your complainants the amount afore-
said with interest as aforesaid, and grant
such other general relief reaching the premises
as to your honor may seem consistent with

the rules of equity & that the complainants do altho
want of subpoena may if in command be
and your complainants will ever pray

Perth J. J.

Myrick & wife
as
Myrick's widow

de cover

Mary Ann Swife

vs.

Messrs adms. of Mary Ann

My consent of parties this case come on this day
to be heard on the bill and exhibits and on the paper signed
by the dft marked A and filed among the papers in
this suit and was agreed by counsel. On consideration
whereof the Court doth ad. ord. and decree that the pfts
accrued of the dft as adm. of James Mary Ann the sum
of \$3511.¹¹/₁₀₀ with interest on \$3463.16 at the rate of
say per centum per annum, from the 31st of Dec. 1832
to be paid of the goods and chattels of the dft ^{as directed} ~~to be~~ in his hands to be
all paid and the into of this suit, subject however
to a credit of \$2070.¹¹/₁₀₀ paid to the plaintiff by the said
dft as adm. ordered on the 16th of January 1837.

Druryville

3

Myrick's

Drury and wife

vs

Robert T. Margrove and heirs of same,
Myrick deceased

The defendant consents that this case
which is set in a relocation to be
called on by the court, without the
consent of the defendant ^{at this time} shall
be submitted to the judge of this
court for decision at this April
Term 1837

April 4th 1837.

Robt T. Margrove admr
of Jas Myrick decd.

Dreyer's Recipe

in 3 Lbs. in 1000

Myrtil &

November Rules 1835-

Executed by delivering
a true copy to Dancy

allergic and other

Persons October the 2nd

and to of Hyman

allergic October the 1st

1835-

Hyman of R. and

Water allergic at St. George

of Dancy, up of

Ben. Dancy off

The Commonwealth of Virginia:

To the SHERIFF of

Southampton

County.—GREETING:

You are hereby commanded to summon

James Myrick, John A. Parsons, Son of David Newsum dec'd, Walter Myrick, Alexander I. Pate & Alexander Myrick

to appear at the Clerk's Office of our Circuit Superior Court of Law and Chancery for the County of Southampton, on the first Monday of *November* next, that being rule day, to answer a

Bill exhibited against

them

in the said Court by

James Drury & Mary A

his wife

And unless the said defendants shall answer the said bill, within four months thereafter, 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 *Substituted R. Edwards for temporary* ~~JAMES ROCHELLE~~, Clerk of our said Court at the Court House, the 22^d

day of *September* 1835, and in the 60th year of the Commonwealth.

L. R. Edwards Clerk.

[One copy to be delivered to each defendant.]

65.6

Drawing staff

" 3 Sp. in Chy.

Myrick & Co

1835 November Rules-

At & found

Spec Drawing up of

Benj. Drawing staff

The Commonwealth of Virginia:

To the SHERIFF of

Southampton

County.—GREETING:

You are hereby commanded to summon

Alexander S. Peete and Walter Myrick

to appear at the Clerk's Office of our Circuit Superior Court of Law and Chancery for the County of Southampton, on the first Monday of *November* next, that being rule day, to answer a

Bill exhibited against *them & others*

in the said Court by

James Drury & Mary A. his wife

And unless the said defendants shall answer the said bill, within four months thereafter, 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 100l.

And have

then there this writ.

Witness—*James R. Edwards* Clerk of our said Court at the Court House, the *5th*

day of *October*— 183 *5*, and in the *6th* year of the Commonwealth.

L. R. Edwards Clerk. *per*

[One copy to be delivered to each defendant.]

C.D.C

Drewry

in 3 Sp. in Chy

At usgrave for

1836 - August Rules

Executed by delivering
a true copy July 27/1836
of the Drewry map for
Benja Griffin Shiff

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting!

We command you that you summon

*Robert J. Musgrave admires trader of
James Myrick dec'd*

to appear at the Clerk's Office of our Circuit Superior Court of Law and Chancery for the County of Southampton, at the Rules to be holden for the said Court on the first Monday in *August* next, to answer a Bill in Chancery exhibited against *him* in the said Court by *James Drury*

And unless *he* shall answer the said Bill within four months thereafter, the Court will take the same for confessed, and decree accordingly. And this *he* shall in no wise omit, under the penalty of £100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-house, the *7th* day of *July* 183*6*, in the *61st* year of the Commonwealth.

L. R. Edwards

[One Copy to be delivered each Defendant.]

c

B. 56

Dewey H. H. H.

or 3 Apr. in Chy.

Myricks and

1837 March Rules

Executed by deliver-
ing a true copy

of Feb. 28/1837

Harrison T. H. H.
of Ben. Griffin's

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon *Robert J. Musgrave administrator*
of James Myrick dec'd

to appear at the Clerk's Office of our Circuit Superior Court of Law and Chancery for the County of Southampton, at the Rules to be holden for the said Court on the first Monday in *March* next, to answer a Bill in Chancery exhibited against *him* in the said Court by

James Drewry & Mary & his wife

And unless *he* shall answer the said Bill within four months thereafter, the Court will take the same for confessed, and decree accordingly. And this *he* shall in no wise omit, under the penalty of £100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-house, the *16* day of *February* 183*7*, in the *61st* year of the Commonwealth.

L. R. Edwards

[One Copy to be delivered each Defendant.]

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120
2
the one

Drumy wife

to { Rept.

My rocks are

Rec^d January 16th 1837 of Rob^t. Tellingham administrator
of Jas^s Myrick dec^d. the sum of four thousand and seventy
dollars ^{\$1100} in part pay^d of the amount due me by said James
Myrick dec^d. as late Guardian of my wife Mary Anne Drury
formerly Myrick as ^{appears} ~~per~~ Martha Commissioner Cobbs report duly
reported and recorded in the clerk's office of Southampton County
Court.

To be filed in a case now pending in Sup^r Court of Law & Chancery
for Southampton County, in which Jas^s Drury is plaintiff &
& Rob^t. Tellingham adm^r of Myrick is defendant.

Jas^s Drury
James Drury

James Myrick Guardian of
Mary & Myrick

Reformed report

Happy

Drawing Office

& Ex: w: Bell

Myricks adv

Comrs Office Jerusalem Dear

This account having been recommitted on account of some errors and omissions made by the parties, was this day by consent of the parties interested, to wit. James Drury and James Myrick again examined, and the Comr. was instructed to omit to charge the ward with her proportion of the balance due from the estate of David Myrick to James Myrick. Admrs & Phoebe Myrick admit as the proportion heretofore charged appears not correct, agreeably to the written opinion of Jno. Y. Mason Esqr. and in which the Comr. fully concurs: this opinion is returned by James Myrick who stated that him and James Drury could settle it after this account was reset- tled - there is \$40 for board 1827, four months board for 1828. at the rate of of \$160. pr annum, and six months board in 1829 at the same rates, which are charges subsisting for the two last items charged in the account formerly reported - The Comr. therefore commences this account on the 31st day of Decr. 1824 taking the balance as stated in the former account, see that report which up to this date is a part of this report -

Mary & Myrick orphan of David Myrick dec.
In account with James Myrick her Guardian

			Dr	Cr
1824				
Decr	31	By balance due the ward	Report	1165 79
1825		By hires negroes this year		210 50
		By rent Land do		160 00
		To Commissions on receipts	18 37	
		board this year &c	65 00	
				1536 29
				83 37
Decr	31	By Int. on last balance to this day	\$69 94	1152 92
1826		By hires this year		267 62
		rent Land do		160 00
		To Commissions on receipts	21 38	
		error for little for board in 1824 & 1825	10 00	
		board & tuition &c this year	70 00	
		By Interest on last balance	101 38	1882 54
Decr	31	By balance due the ward	87 17	157 11
1827		By hires this year	35 73	1880 54
		rent Land		210 75
				160 00
		To Comr. on receipts	18 53	
		paid Midwife 12 th Decr. Bolls \$20.	22 00	
		" " Decr. Scott bill	10 75	
		" " Robt. Lockhead for tuition &c	20 48	
		" " Trust Barnes for board &c	40 00	
		By Int. on last balance to this day	111 76	168 56
Decr	31	By balance due the Estate	\$112 48	36 80
				2251 29

1828

Dec 31 By Balance due the Est. last year \$56 80 " " 2251 29
 By hire of Negroes " " 198 97
 To Comm. on ditto " " 9 94
 " paid J. R. Robbitt and " 265 06
 " 4 months board at \$160 " 53 33

By Interest on \$2122.93 one year 127 37 32 33 2450 26
 1829 184 17 143 16

Dec 31 By Balance due the Ward " " 2307 10
 1829 By hire of Negroes " " 275 30
 " rent land " " 56 00
 To Comm. on receipts " " 16 30
 " board 6 months this year at \$160. " 80 00
 By Interest on last balance 26 30 2638 60
 138 42

Dec 31 By Balance due the Ward 42. 12 " " 2638 60
 1830 By hire this year " " 228 31
 " rent land " " 30 00
 To Comm. on receipts " " 13 91
 " board clothing &c " 160 00
 " paid H. Adams and " 4 12
 By Interest on last balance 158 31 173 03 2916 91
 200 43

Dec 31 By Balance due the Ward 22. 40 " " 2916 91
 1831 By hire Negroes " " 263 25
 " Rent land " " 20 00
 To Comm. on Receipts " " 14 26
 " board clothing &c " 160 00

175 01 174 26 3202 16
 177 41

Dec 31 By Balance due the Ward 23 15 " " 3202 16
 1832 By hire Negroes " " 241 00
 " rent land " " 20 00
 To Comm. on receipts " " 13 35
 " 3 months board at \$160.00 " 48 15
 " Cash advanced " 180 00
 " L. Fay and " 5 00
 By Interest on last balance 192 12 166 70 3463 16
 215 27 48 57

Dec 31 By Balance due the Ward " " 3511 78
 with Interest on \$34.63.16 part thereof from this date till paid.

Com. fee \$4.00 charged to Salary - Jere. Cobb Comr

At a Court held for the County of Southampton on the 19th day of January 1835-

This account current & Commissioners report of James Myricks Guardianship of Mary A Myrick orphan of David Myrick dec^d was returned & confirmed for exceptions. And at a Court held for the County aforesaid the 16 day of March 1835 the said report was confirmed & ordered to be recorded.

Teste James Rochelle Clk

Attest J. R. Edwards Clk

Ducumy Hllg
n { En. with bell

My ricks too

Southampton County Court. September 20th 1819.

The Court doth assign James Myrick Guardian to Mary A Myrick Ophan of David Myrick deceased and thereupon the said James Myrick together with David Newsum, Walter Myrick, Alexander P Peete and Alexander Myrick his securities entered into and acknowledged a bond in the penalty of thirty thousand dollars conditioned according to Law.

Teste L R Edwards Clk

Southampton County Court. May the 15th 1836.

On the motion of Robert T Musgrave who made oath and together with Joseph T Leland & Peter Edwards his securities entered into and acknowledged a bond in the penalty of thirty thousand dollars conditioned as the law directs. Certificate is granted him for obtaining letters of administration on the estate of James Myrick de? in due form.

Teste L R Edwards Clk

Myricks Gon
to { Gon Bond

Justices

Allopy

Drewry Melfe
to { Ex. wt. Bill

Myricks wt

I know all men by these presents that we James Myrick, David
Steuerson, Walter Myrick, & Alexander T. Pate & Alexander Myrick
are held and firmly bound unto Benjamin Cobb, Benjamin Loring
Thos. Wadley and - - - Gentlemen Justices of the Superior
County Court now sitting in the sum of Forty thousand dollars
to the payment whereof well and truly to be made to the said Justices
and their Successors, we bind ourselves and each of us our and each of
our heirs executors and administrators jointly severally and firmly
by these presents. Sealed with our seals and dated this 20th day
of Sept^r 1819.

The Condition of the above obligation is such that if the
above bound James Myrick his heirs executors and adminis-
trators shall well and truly pay and deliver, or cause to be paid
and delivered unto the said Mary A. Myrick Orphan of David
Myrick deceased, all such estate, or estates, as now is or are, or
hereafter shall appear to be due to the said Orphan when and
as soon as she shall attain to lawful age, or when thereto required
by the Justices of the said County Court: as also keep harm-
less the above named Justices, their and every of their heirs, ex-
ecutors and administrators, from all trouble and damages, that,
shall or may arise about the said estate, then the above ob-
ligation to be void, else to remain in full force & Virtue

signed, sealed & delivered
In presence of the Court

James Myrick Seal
David Steuerson Seal
Walter Myrick Seal
Alexander T. Pate Seal
Alex. Myrick Seal

A Copy
Teste L. W. Edwards Clk. p. t.