

1871-055

SOUTHAMPTON COUNTY
CHANCERY PAPERS

GRANT & CO. VS. CROSS & a)

CROSS

9/1871

other surnames & V.C. Grant &
Company, DREWRY;
DREWRY Brothers & CROSS,

Prince p. 4

Grant Ho
n. } chy.

Drury, Bro. Herop

8 53
36
40

9 29
41

9 69

3 58

15.00

9 69
571

18 44

Co. Ct.

Grant & Co.

or } Stat. Rules.

Croft & Co.

In Southampton County Court

V. C. Grant Merchant trading under firm of V. C. Grant & Co^{rs} Plff^s
against
Robert A. Drewry Thomas H. Croft Robert A. Drewry & Samuel H. Drewry Defts.

1870. Dec. 8. Summons issued.

1871 Jan. Rules. " Ret.^d Ex.^d on Croft & Not Ex.^d on Rob. A. & S. H. Drewry
Another Sum^s awarded to Rob. A. & S. H. Drewry.

" Feb. R. Sum^s ret.^d Ex.^d on Rob. A. & S. H. Drewry. Bill filed & D. Nisi & Defts.

" Mar. " Bill taken for confessed & cause set for hearing &c.

" " To Decree for account &c

1871 Sep.

CLK 54m	13.49
" 10m 10m	250
Com Tyler	15.00
Shiff	3.50
Saw K	16.08
	~~45.89~~
	50.19

Grant & Co
vs 3 Bills
& Exhibits
Drewry Brown & Co
" "

1871 February Rules

Price pg.

To the Honorable Joseph W. Ingraham, Judge of the
County Court of Southampton County. In Chancery.

"Humbly Complaining sheweth unto your Honor
your orator V. C. Grant, Merchant, trading under
firm of V. C. Grant & Co, that at the ^{term of}
the Court of Southampton County, he obtained
a judgment against Robt. A. Drewry, Saml. H.
Drewry & Thomas H. Cross, late Merchants &
partners, trading under the firm style of
Drewry Bros & Cross for the sum of \$

and will more fully appear from a
Certified Copy of said judgment herewith
filed marked "A" and prayed to be taken
as part of this bill. That upon said
judgment an execution was issued
& returned, endorsed by the Sheriff "No
Effect". That Thomas H. Cross, one of the
partners is seized and possesses of a con-
siderable real estate in this ^{and Hampshire Co} County, and
which your orator is advised is liable
& bound for the debts of the partnership.

That neither of the other partners have any
property in this County, subject to any
process of this Court. That the rents & profits
of the real estate of Thomas H. Cross will not
pay your orator demand in five years.

In tender Consideration of all which and
inasmuch as your orator is without remedy
in the premises, save in a Court of Chancery
where matters of this kind are cognizable, to the
end therefore that justice may be done, he

prays that Thomas Gleason, Robt. A. Dreury & Samuel
H. Dreury may be made parties defendant
to this bill & compelled to answer the allega-
tions thereof, that an order may be entered
directing a Commissioner of this Court
to take all necessary & proper accounts
and as in duty bound your orator
will ever pray &c. May it please the
Court &c.

J B Pinner P. g.
(" ")

Grant & Co
vs 3 Decem

Denny Bros & Co

March Term 1891

To be entered.
J. W. N. G. N. Hart Judge

Grant & Co

vs 3 3 Dece.

Drewy Bros & Co

This day this Cause came on to be heard on the plaintiff's bill which has been taken for confessed as to all of the defendants, exhibits filed therewith, general replication thereto, and was argued by Counsel. On consideration whereof, the Court doth advise order & decree that one of the Commissioners of this Court take the following accounts, viz: an account of all the outstanding judgments against Drewy Bros & Co, and against Thomas H. Croft, ^{distinguishing their priorities.} an account of the annual & fee simple value of the real estate of which Thomas H. Croft is seized. In stating which said account, the Commrs will report any matter specially which may be required to be so reported by any of the parties interested.

Frank Z. Davis -
21.
Trinity Bros. and Corp.

A. A. Adams
17th June -

Southampton County Court, March Term 1871

V. C. Grant

Plaintiff

vs.

Thos H. Croft, Robert H. Irony and Samuel H. Irony

Defendants

Subj.

This day this Cause came on to be heard on the Plaintiffs Bill which has been taken for Confessed as to all of the Defendants. Exhibits filed therewith general replication thereto and was argued by Counsel; on Consideration whereof the Court doth adjudge Order and decrees, that one of the Commissioners of this Court take the following accounts, viz; 1st An account of all the outstanding judgments against Irony Breward Croft, and against Thos H. Croft, distinguishing their priorities. 2^d An account of the annual and fee simple value of the real estate of which Thos H. Croft, is seized; in stating which said accounts the Commissioners will report any matter specially, which may be required to be so reported by any of the parties interested.

Teste,

James R. Tyler, J. C.

V. L. Grant & Co
or $\frac{3}{4}$ Decree.

Drewy Broadbent

Sept. Term 1871

To be entered.
J. M. Wrenhart
Judge

Grant & Co

vs $\frac{3}{4}$ Deere.

Denny Bros & Co

This day this cause
came on to be again heard on the
papers formerly read, and on
the motion of the plaintiff, it is
ordered that this suit be dismissed
at the costs of the plaintiff.

Grant & Co.
v { Samuel Chy

Dewey, Bro: & Bros
1871 January Rules

G. W. Croft is not
a resident of Mey
County. Not Executia
on Samuel G. Dewey
& Co. & Dewey.
W. C. Driggs

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you to summon *Saml. St. Drewry, Robert A. Drewry & Thomas*
St. Crofts late merchants & partners trading under firm & style of Drewry, Bro
St. Crofts
if *they* be found within your bailiwick, to appear at the Clerk's Office of our County
Court of Southampton County, at the Rules to be holden for the said Court, on the first
Monday in *January next to answer a bill in chancery exhibited against them in*
our said Court by H. V. Grant merchant trading under the firm & style
of St. V. Grant & Co.

And have then there this writ. Witness, OSWIN WHITE, Clerk of our said Court, at the
Courthouse, this *8* day of *December* A. D., 187*8*, in the *95* year of
the Commonwealth.

O. White Clk

Grant & Co.

& } Sum. Chr.

Drewy Bro & Co.

1871 Ch. & Co. Rules

Executed Dec 31st 1870 & a true
Copy hereof delivered to the
the other parties and myself
J. H. C. S.

Nansomond

THE COMMONWEALTH OF VIRGINIA,

Nansemond
To the Sheriff of ~~Southampton~~ County, Greeting:

We command you to summon

*Saml W Drewry, Robert A Drewry &
Thomas H Croft late merchants & partners trading under firm style of
Drewry, Bro. & Croft*

if they be found within your bailiwick, to appear at the Clerk's Office of our County Court of Southampton County, at the Rules to be holden for the said Court, on the first Monday in *January next to answer a bill in Chancery exhibited against them in our* said Court by *W. V. Grant merchant & partners trading under the firm style of V. G. Grant & Co.*

And have then there this writ. Witness, OSWIN WHITE, Clerk of our said Court, at the Courthouse, this 8th day of *December* A. D., 1870, in the 95th year of the Commonwealth.

O. White

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:
We command you to summon ^{against} Saml. H. Drury, Robert A. Drury & Thomas

H. Grofs late merchants & partner trading under firm style of Drury, Bro
H. Grofs
if they be found within your bailiwick, to appear at the Clerk's Office of our County
Court of Southampton County, at the Rules to be holden for the said Court, on the first
Monday in February next to answer a bill in Chancery exhibited against them in our
said Court by H. V. Grant merchant trading under the firm style of
H. V. Grant & Co

And have then there this writ.
Courthouse, this 2 day of
the Commonwealth.

Witness, OSWIN WHITE, Clerk of our said Court, at the
January A. D., 1871, in the 95th year of

Oswin White

G. Wicks appeared before me Jas. R.
 Tyler a Commissioner in Chancery and made
 oath that he did deliver to Saml G & Robt A
 Drury a true copy of the within summons
 July 2^d 1871

James R. Tyler Com^r in
Chancery

Grant W.
 to J. R. Drury Chy

Drury, Ben. Wicks
 1870 February Rules

Not to be executed in Dept. Courts -
 Office

Grant 86

5

Drury Pro Chap

Am. Notice

1871 July 15

COMMISSIONER'S OFFICE,

Jerusalem May 23rd 1871

TO *V. C. Grant*
V

Plt

Thomas H. Croft. Robert A. Drewry and Samuel J. Drewry

Defts

3
2

You are hereby notified that I have fixed upon the 7th day of June next, if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts,

to wit: *1st An Account of all the outstanding Judgments against Drewry Bro. & Croft. and against Thos H Croft. distinguishing their priorities.*

2nd An account of the annual and for simple value of the real Estate of which Thos H. Croft is Seizd, &c

3
2

required to be taken by a decree of Southampton ^{County} Circuit Court, rendered on the March Term day of March 1871, in a suit in Chancery, depending in said Court, in which you are parties, plaintiffs and defendants; at which time and place you are required to attend.

Given under my hand as Commissioner in Chancery of the said Court, the day and year first aforesaid.

To the Sheriff of Southampton County to execute.

James R. Tyler

Commissioner.

Grant
to
Drury Pro Hosp } Com. Notice

Executed and a true copy hereof
delivered to Thos H Crook

Wm Day Jr. (P.S.)

COMMISSIONER'S OFFICE,

Jerusalem May 23^d 1871

TO V. C. Grant

Pff

against

Thomas H Croft Robert A. Drewry And Samuel T. Drewry

Dft

3

You are hereby notified that I have fixed upon the 7th day of June next, if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts, to wit:

1st An Account of all the outstanding Judgments against
Drewry Bros & Croft. And Thos H Croft. distinguishing their priorities

2nd An account of the annual and fee simple value of the real
Estate of which Thos H Croft is seized &c

3

required to be taken by a decree of Southampton ^{County} Circuit Court, rendered on the March Term day of 1871, in a suit in Chancery, depending in said Court, in which you are parties, plaintiffs and defendants; at which time and place you are required to attend.

Given under my hand as Commissioner in Chancery of the said Court, the day and year first aforesaid.

To the Sheriff of Stamford ~~Southampton~~ County to execute.

James R. Fyler

Commissioner.

A

An account of all the outstanding judgments against Drury Bros & Co. and against Thomas H. Croft, distinguishing their priorities

Docketed	To Pitt & McCann Judgt for	40 70	
Jan'y 6/70.	Int from 1 April 1869 to 1st June 1871	7 89	
Giffin p.p	Costs	10 10	
			78 69
Docketed	To L. L. Brickhouse & Co Judgt for	124 90	
Mar 31. 1870	Int from October 5th 1869 to 1st June 1871	12 41	
Sham's p.p	Costs	7 86	
			145 22
Docketed	" L. L. Brickhouse & Co Judgt for	152 00	
Mar 31/70	Int from 5 Sept 1869 to 1st June 1871	15 86	
Sham's p.p	Costs	7 86	
			175 72
Docketed	" Ausworthy & Jenkins Judgt for	39 25	
May 31/70	Int from 7th Jan'y 1870 to 1st June 1871	3 33	
Sham's p.p	Costs	8 00	
			50 58
Docketed	V. C. Grant & Co Judgt for	277 49	
Aug 24/70	Int from 19th March 1870 to 1st June 1871	19 80	
Pain's p.p	Costs	9 74	
			307 03
Docketed	Rowland Rice Judgt for	57 76	
Aug 24/70	Int from 1st May 1870 to 1st June 1871	3 36	
Sham's p.p	Costs	7 86	
			62 98
Docketed	Martin & Rogers. Judgt for	22 60	
Aug 24/70	Int from 29 Oct 1869 to 1 June 1871	2 14	
Giffin p.p	Costs	8 06	
			32 80
Docketed	Picketh & Co Judgt for	70 29	
Aug 24/70	Int from 2nd Jan'y 1870 to 1st June 1871	5 97	
Kelly p.p	Costs	8 06	
			84 32

Am't of Judgt & Int against Drury Bros & Co. 937 34
 in Sum. Court place Coly. L. W. by law Com.

An account of Judgments outstanding against R. A. Drury and
S. H. Croft as follows:

Docketed Aug 24/70 Giffin p. g	To Barker, Millan & Co Judgt for Int. from 31. Jan'y 1870 to 1 June, 71 Costs	58 01 4 64 7 26	
Docketed Aug 24/70 Kelly p. g	W. H. Morris & sons Judgt for Int. from 3 rd March 1870 to 1 June 1871 Costs	248 06 17 60 7 76	69 91
Docketed Dec 15/70 Prince p. g	W. R. Huggins & Co Judgt for Int. from 1 Jan'y 1870 to 1 st June 1871 Costs	67 83 5 76 10 95	273 42
Docketed Dec 15/70 Sebrill p. g	Griber, Haddell & Ludwig Judgt for Int. from 6 May 1870 to 1 st June 1871 Costs	145 08 9 30	84 54
Docketed Dec 15/70 Shanes p. g	N. A. Caspaway & Co Judgt for Int. from 25 March 1870 to 1 June 1871 Costs	102 25 7 17 9 20	154 38
			118 62
	Total Judgt. v R. A. Drury & Croft obt'd in Southampton Co. Ct.		\$7008 7

Respectfully Submitted
James R. Tyler
Cm.

An Account of all outstanding judgments against Drury & Croft
& Croft and against Thos. A. Croft obtained in Hancock County
distinguishing their practices.

Docketed Oct 27/71 K	To E. Stophime & Bro Judgt for Int. from 24 Jan'y 1870 to 1 June 1871. Costs	123 58 10 02 10 35	
Docketed Oct 17/71 K	Noah Walker & Co Judgt for Int. from 1 st Sept 1869 to 1 June 1871. Costs	22 50 2 47 10 35	143 95
Docketed Oct 27/71 K	Carr Bros & Co Judgt for Int. from 19 th March 1870 to 1 June 1871 Costs	82 93 5 95 10 35	35 32
Docketed Oct 27/71 K	John W. Jenkins Judgt for Int. from 8 April 1870 to 1 June 1871 Costs	175 70 12 09 9 73	99 23
			197 52
	And Judgt against Drury Bro & Croft obtained in Hancock County.		\$476 02

Respectfully Submitted
James R. Tyler
Cm.

An Account of outstanding judgments against Thos H
Crops. distinguishing their priorities

Doctels	To Samuel D. Rhodes Jdgt.	275 00	
Apr 27/71	int from 26 Feby 1870 to 1 st June 1871	20 64	
K	Costs	7 16	
			302 80
Doctels	James Willard Jdgt for	2278 75	
Jan 5/71	int from 1 Nov 1869 to 1 June 1871	216 48	
K	Cost	8 31	
			2503 54
Doctels	Samuel D Rhodes Jdgt for	139 42	
Apr 27/71	int on \$75. fr 26 July 1870 to 1 June 1871	3 81	
	int on \$64 ⁴² fr 28 July 1870 to 1 June 1871	3 23	
	Cost	7 16	
			153 64
	amt Jdgt against Thos H Crops obtained in Nansumond County.	\$2959 98	
	amt Jdgt against Drury Bros & Crops in S.ampton County.	937 34	
	amt. Jdgt. against R. A. Drury & Thos H Crops in S.ampton County	900 37	
	amt of Jdgt. against Drury Bros & Crops obtd in Nansumond County	476 02	
	Total Judgments..	\$5073 71	

Respectfully Submitted
James R Tyler
Comr

An Account of the annual and fee simple value of
Land belonging to Thomas H Crops.

	Fee Simple Value	Annual Value
One Tract Land 450 Acres	\$1350 00	\$75 00
" do do 100 do	250 00	20 00
" " do 183 1/3 do	330 00	35 00
" " do 51 1/2 do	154 50	15 00
" " do 141 1/2 do	566 00	60 00
" " do 66 "	115 00	10 00
" " do 128 do	384 00	40 00
" " do 140 do	840 00	75 00
" " do 31 do	158 00	15 00
Value of Land in Nansumond County	\$4142 50	\$345 00
One Tract Land 423 1/4 Acres on 1 Black Water	\$3390 00	\$300 00
Value of Land in Southampton County		
Total Value. in Southampton & Nansumond Co's	7532 50	\$745 00

Respectfully Submitted
James R Tyler
Comr

Commissioners Office

Jerusalem June 30 1871

To the County Court of Southampton County

Pursuant to a decree of the County Court of Southampton County rendered at the March Term 1871. in a suit in chancery in the said court. between V. C. Grant and Thos H Crop Robert A. Drury and Samuel S Drury, the undersigned, one of the commissioners of the said court. to whom was referred for settlement by said decree the following accounts, that one of the

First An account of all the outstanding judgments against Drury Brother & Crop and against Thos H Crop, distinguishing their priorities.

Second. An account of the Annual and for simple value of the real Estate of which Thos H Crop is seized & reports to the court that on the day of last he issued notices against the several parties aforesaid requiring them to attend the settlement of the said accounts before him at his office on the day of which were returned to your commissioners duly executed. That the parties aforesaid appeared ^{by attys} before the commissioners in obedience to said notices and he thereupon examined, stated and settled the foregoing accounts: up to the first of June 1871. and on that day finds the judgment against Drury Bros & Crop to be, "including" interest, "obtained in Southampton Co Ct." amts to \$937.34, and the judgments obtained in Hansemond Co Ct. to be including interest \$476.02 and the judgments obtained against R. A. Drury & Thos H Crop in Southampton Co Ct. to be \$700.37 + and the judgments obtained against Thos H Crop in Hansemond Co Ct. to be \$2959.98 cts. which said accounts are marked A. B. C. D. .

The commissioners respectfully states ^{specifically} that he has made up an account of the Annual and for value of the Lands belonging to Thos H Crop in Hansemond County, and Southampton County, which amounts to \$7532.50. for simple value amounts to \$753.00+. The commissioners further reports to the court. that after the completion of the said accounts, he retained the

the same in his office ten days. for the examination of the parties, which the decree and notices are herewith returned. Given under my hand as commissioner aforesaid the day and year first aforesaid

James R. Tyler
Comm.

Comm: fee for notices and	}	\$15.00
Making up this acc		
Clerk fee for copying	}	3.75
Judgments		
Clerk of Hansemond.		2.50

Grant \$60.

~ } Exh't with bill

Dawry, Bro & Co's

~~Chk~~	~~5⁰⁰~~	~~\$ 18.46~~
~~Am't~~	~~2.50~~	
~~Com.~~	~~15.11~~	
~~Draw~~	~~16.00~~	
	~~51.94~~	

Southampton County Court August 15 1870
V.C. Grant merchant trading under the firm style of V.C. Grant & Co. Plff

against
Samuel H. Drury Robert Drury & Thos H. Croft late merchants partners
trading under the firm style of Drury, Bro. & Croft Defs }

In Case

This day came the plaintiff by his attorney and the defendants not appearing, thereupon came a jury to wit, Geo. Williams, Almon Branch, Geo. M. Hughes, A. B. Preble, Jno. C. Dunn, John Rowe, John H. Rollings, Saml. Ferguson, Williams Beale, Irvin Crumpler, Arrington Gardner and William Gurley, who being sworn diligently to enquire of the damages in this suit, upon their oaths do say "We the jury find for the plaintiff and assess his damages at two hundred Seventy seven $\frac{49}{100}$ dollars with legal interest thereon from March 19 1870 till paid". Therefore it is considered by the Court that the plaintiff recover against the Defendants the damages assessed as aforesaid, with interest thereon as aforesaid, and their costs by them in this behalf expended.

Plff's costs \$9.74.

Docketed Aug 24 1870, A Copy. Teste, Oswin White Clk

The Commonwealth of Virginia.

To the Sheriff of Southampton County. Greeting.

We command you that of the goods and Chattels of Samuel H. Drury, Robert Drury & Thos H. Croft late merchants partners trading under the firm style of Drury, Bro. & Croft, late in your bailiwick you cause to be made two hundred Seventy seven dollars forty nine cents with legal interest thereon from 19 March 1870 till paid which V.C. Grant merchant trading under the firm style of V.C. Grant & Co. lately in our County Court of Southampton County has recovered against them as well for certain damages as for interest thereon, also the sum of nine dollars and 74 cents which to the said Grant & Co. in the same Court were adjudged for their costs in that suit expended, whereof the said Drury, Bro. & Croft are convicted as appears to us of record, and how you shall have executed this writ make known at the Clerk's Office of our said Court at the Rules to be holden for the said Court on the first Monday in November next, and have them there this Writ.

Witness Oswin White Clerk of our said Court at the Courthouse this

22nd day of August 1870 in the 95 year of the Commonwealth

O. White cb

Sheriffs Return - "No Effects"

W. W. Briggs Shff

Copy-

Jeste,

O. White cb