1887-13 Southampton County - Chancery Drury, Emmett A et als Vs Drury, Anna F.

"To divide real Estate "
& sell and divide
among devisees and legatees

Drury, James E.
Drury, W.F.
Drury, Thomas S.
Drury, John W.
Drury, Vernon J.
Drury, Sam'l. B.
Beaton, Geo. H. +
Beaton, Marcha F.

Drury, Bettie M's Executrix

Drury, Paul W.
Schrule, W.H. } Infants

To The Honorable George Blow judge
of the circuit Court of Southampton
in chancery sitting

Humbly complaining your
Orator Emmet A Drewry James E
Drewry, W. F. Drewry, Thomas J Drewry
John W Drewry, Vernon James B Drewry and
George M Beaton and Martha F Beaton
his wife who before marriage was
Drewry shew unto your Honor that
in the early part of this year (1885)
Belle M Drewry departed this life
having first duly made and published
her last will and testament having
considerable estate real and personal
and that the said will was duly admitted
to probate in the county court of
Southampton and Anna F Drewry one
of the executors therein named
qualified as such all of which will
more fully appear by a copy of the
said will and certificate of qualification
thereto annexed herewith filed marked
exhibit A and prayed to be taken as
a part of this bill, That by the
said will after directing the
payment of her debts the said Belle

M Dowry dieth and his estate both real and personal to be divided equally among his two sisters Martha Francis Dowry, Anna Florence Dowry and his brother Joseph E. Dowry, Your Orators show further unto Your Honor that about one month after the death of Nellie M Dowry her brother Joseph E Dowry departed this life under age, unmarried, and intestate and leaving Emmett A Dowry a brother of the half blood, James E Dowry Wm F Dowry, Thomas J Dowry, and Paul W Dowry an infant; four children of David Dowry dec'd a brother of the half blood, John W Dowry a brother of the full blood, James F Dowry and Sam'l B Dowry brother of the full blood a brother of the full blood, Martha F Beaton a sister of the full blood Anna F Dowry a sister of the full blood and William H Dowell an infant only child of Mollie Dowry a sister of the full blood his distributees and heirs at law

Your Orators state further to Your Honor that they are desirous to receive their share of the

personal estate from the executrix
and that the real estate of Bettie M
Dorsey may be divided ~~may be~~
~~divided~~ according to their rights and
if that cannot be done then if
partition cannot be made that his
real estate be sold and the money
arising therefrom be divided among them

And in consideration whereof
and inasmuch as your Orators are without
relief at law and only entitled to relief
in a court of equity where such matters
are peculiarly cognizable they therefore
pray that Anna F Dorsey both in her
own right and as executrix of Bettie
M Dorsey, and Paul W Dorsey and
W H Sidwell two infants by some fit
and proper person their guardian ad litem
appointed for that purpose may be
made parties defendants to this bill and
that the court would compel them as
full and perfect answer make to
the allegations therein contained as if
they had been thereunto more fully
and specially interrogated, That the
court would order all proper accounts
especially that a commissioner of
the court enquire whether the real
estate Bettie M Dorsey can be divided

or must be sold and that with her personalty divided among her devisees and legatees And that the court would grant such other and general relief the premises considered as equity may dictate and the nature of this case may require and as in duty bound your Orators will ever pray &c

Thomas & Son p.q

139

Decree & ab
Bill
"
exhibit
Damages & Costs &c

Southampton Circuit Court: Nov: Term 1886.

Drewry + als:
v.
Drewry's Extr + als: } Decree.

This day this cause came on to be heard on the plaintiffs bill taken for confessed as to the defendants Anna F. Drewry both as extrix of Bettie M. Drewry and in her own right, and the answer of the infant defendants Paul H. Drewry and Wm H. Sebrell by B. F. McLemore their guardian ad litem and general replication thereto and exhibit filed, and was argued by counsel. On consideration whereof the court doth adjudge, order and decree that one of the commissioners of this court take the following accounts

The account of Anna F. Drewry as extrix of Bettie M. Drewry dec'd on account of all the debts outstanding against the estate of Bettie M. Drewry their dignity and priorities an account of all the real estate whereof she died seized and possessed its actual and annual value.

The said commissioner will also enquire into and report to court whether partition can be made or not, whether the entire land may be sold to any party interested who will accept it and

pay thereof to the other parties interested such sums of money as their interest therein may entitle them to, or if the interest of those who are entitled to the land or its proceeds will be promoted by a sale of the whole, or allotment of part and sale of residue - and report the evidence on which he bases his opinion as to the division or sale of the land, along with other matters to the Court - together with such other matters specially stated deemed pertinent by himself or which he may be required to state by any of the parties interested. And the said Commissioner will further report to Court who are the devisees and legatees of Billie M. Drury dec'd and their respective shares -

A Copy Teste:

J. B. Prince C.C.

Executed March 10th 1886 by delivering to the parties named herein a copy of this notice

Jno. W. Drewry, Thos J. Drewry

Residents of this County

G. R. Vicks Shff

Drewry et: als:

3" Notice

Drewry's Exctx. et: als:

1886. March 20th

Executed March 10th 1886 by delivering to Annie J Drewry a copy of this Notice

G. R. Vicks Shff

Commissioner's Office,

Jerusalem, Va. Feb 19" 1886

To E. A. Drewry. J. E. Drewry. W. T. Drewry.
Thos. J. Drewry. Jno. W. Drewry. V. D. Drewry.
and Geo. R. Belaton & M. F. Belaton, his infts } Pltffs.

against

Anna F. Drewry, both in her own right & as Executrix of Bellie M. Drewry, dec'd. Paul W. Drewry and Wm H. Sebrell, the last two infants. } Defts.

You are hereby notified that I have fixed upon the 20" day of March next, if fair, if not, the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts, to wit: An Account of Anna F. Drewry's transactions as Exx of Bellie M. Drewry dec'd.

2?— An account of all outstanding debts against said decedent. stating their dignities and priorities.

3?— An account of all the real Estate whereof the said Bellie M. Drewry died seized and possessed. its actual and annual value.

4"— If partition can be made of said real Estate, & if not if any party interested will accept the subject matter & pay therefor a reasonable sum to the parties entitled. or if the interest of the parties entitled to the subject or its proceeds, would be promoted by a sale of the whole or by allotment & part & sale of residue.

required to be taken by a decree of Southampton Circuit Court rendered at the November term, 1885, 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.

B. F. McLemore
Commissioner.

To the Sheriff of Southampton County to Execute.



Commissioner's Office,

Jerusalem, Va Feb 19" 1886

TO THE CREDITORS OF THE ESTATE OF

Bettie M. Drewry dec'd

AND ALL OTHERS CONCERNED.

You are hereby notified, that, by a decree of the Circuit *Court of Southampton County, I have appointed the* 20" *day of* March *next, at my Office, for receiving proof of all the debts, or demands, against the said decedent, or his estate; at which time and place you are required to attend.*

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

B. F. McLemore *Commissioner.*

BELL'S POTOMAC PRESS, ALEXANDRIA, VA.

The Estate of Miss Bettie M. Drury dec'd
In A/c with Anna F. Drury Executrix

			Dr:	Cr
1885				
Dec	11	To paid Dr Geo. A. P. Cole Med: a/c:	8.00	
"	"	" " Clerk County Court fee & Rec	2.99	
"	"	" " Taxes for 1885	5.07	
"	31	By amo: rec'd for rent of land for 1885.		35.00
"	"	To Com's on $35.00 5%	1.75	
		Balance	17.19	
			$35.00	$35.00
1886				
Jany	1	By bal: due Estate		17.19
"	"	To paid Chas Smith part a/c	22.00	
May	1	Balance		4.81
			$22.00	$22.00
1886				
May	1	To bal: due Executrix With interest thereon from this day till paid.	$ 4.81	

Respectfully Submitted
B. F. McLemore
Comm'r in Chancery
"

An Account of the debts outstanding against the Estate of Miss Bettie M. Drewry dec'd. -

proved before B. F. McLemore Commissioner in Chancery of the Circuit Court of Southampton County, on the 20th day of March 1886. Pursuant to a decree of the Circuit Court of said County in the Chancery Cause of Beaton trustee &c vs Drewry's Extx. -

1st	An A/c due Chas. Smith	$	43 00	
"	Int: to May 1/86.		86	43.86
1st	An A/c due Dr. Jno. H. Drewry		50 00	
"	Int: to May 1/85		3 00	53 00
4th	An A/c due S. B. Drewry Agt.		145.92	
"	Int: to May 1/86		10 70	156.62
				$253.48

Respectfully Submitted
B. F. McLemore
Comr in Chancery

An Account of the real Estate of which Bettie M. Drewry died seized and possessed reported by B. F. McLemore, Commissioner in Chancery of the Circuit Court for the County of Southampton, on the 25th day of March 1886, in obedience to a decree of said Court entered at the November Term 1885, in the Chancery Cause of Drewry et. als: vs Drewry's Executrix.

	Actual.	Annual
246 Acres of land valued at	$ 738.00	$ 60.00

Respectfully submitted.
B. F. McLemore
Comr in Chancery
"

An Account showing the names of the Devisees of Bettie M. Drewry dec'd and the share to which each is entitled as shown by the last Will and testament of said decedent in Item 2nd of said Will: to wit:

	Share
To Jos. E. Drewry	1/3
" Martha F. Beaton (formerly Drewry)	1/3
" Anna F. Drewry	1/3

Respectfully Submitted
B. F. McLemore
Comr

Jos. E. Drewry as Devisee of Bettie M. Drewry, having departed this life intestate as to his real Estate he being a minor, his share in the Estate of the said Bettie M. Drewry dec'd will pass to the following parties to wit:

To John H. Drewry	brother of the whole blood	2/14
" Vernon T. Drewry	" " " "	2/14
" S. B. Drewry	" " " "	2/14
" M. F. Beaton	Sister " " "	2/14
" Anna F. Drewry	" " " "	2/14
" Wm H. Sebrell	son of Mollie Sebrell (formerly Drewry) & sister of whole blood	2/14
" E. A. Drewry	brother of half blood	1/14
" Jas. E. Drewry	1/4 of 1/14	
" H. F. Drewry	1/4 of 1/14	
Thos J. Drewry	1/4 of 1/14	
Paul H. Drewry	1/4 of 1/14	
Sons of J. D. H. Drewry	brother of the half blood	1/14

B. F. McLemore, Comr

The Witness T. P. Pope, being duly sworn deposes as following

Q: What is your age, where do you reside and do you know the land in the proceedings mentioned?

A: My age is 32 years. reside in Southampton Co. near the land mentioned and know it well.

Q: What do you consider a fair price for the said land?

A: I think it worth about $750.00

Q: Do you think the land can be divided among the parties entitled. doing equal justice to all, and if not, if the interest of those entitled to the subject or its proceeds would be promoted by a sale of the entire tract?

A: I think it can be divided, but it will be very difficult to do so. and do justice to all parties. I am satisfied, from my knowledge of the land, that the interest of all the parties to the suit would be promoted by a sale of the land and divide the proceeds. I have been upon the land and viewed it carefully - if the land should be divided some of the shares would be along ways from the

road with no way to get to or from it. There are no buildings on the land and no one share would be worth enough to justify building. I think it best to sell the land.

And further this deponent saith not:

A. P. Pope

"

The Witness B. F. Fox, being duly sworn deposes as follows:

Q: Where do you reside and do you know the land in the proceedings mentioned?

A: I reside in this County, know the land mentioned and know it well

Q: What is your opinion, is the value of this land?

A: I think it worth about $6.00 per acre.

Q: Can the land be divided among the parties, having regard to quality & quantity?

A: I think it can be divided, but do not think it can be done with satisfaction to all parties, nor with justice to all.

Q: Do you think the interest of the parties would be promoted by a sale of land?

I do.

B. F. Fox.

Commissioner's Office
March 20th 1886.

To the Hon: Geo. Blow, Judge of the Circuit Court of Southampton County:-

The undersigned, one of the Commissioners of said Court, begs leave report: That in obedience to a decree of the aforesaid Court entered at the November Term 1885, in the Chancery Cause of "Dreury etals: vs Dreury's Executrix" he issued Notice on the 19th day of Febry 1886, to the parties, Plaintiff & Defendant, requiring them to appear at his Office on the 20th day of March 1886. at which time and place he should proceed to take, state and settle the accounts asked for in the aforesaid decree: that said Notice has been returned, by the Sheriff, executed and is herewith filed:

That on the 20th day of March 1886, the Commissioner proceeded to take, state and settle following accounts. to wit:

1st. An account of Anna F. Dreury's transactions, as Executrix of Bettie M. Dreury dec'd.- and finds a balance due the Executrix of $4.81, as of the 1st day of May 1886.-

2nd An account of the debts outstanding against the said decedent., and finds debts against the said Bettie M. Dreury

or her estate, amounting to $253.
which your Commissioner has arranged and numbered according to their dignity and priorities.

3? An account of all real Estate whereof the said Bettie M. Drury died seized and possessed - showing the actual and annual value of the same -: Upon examination of the records, the Com'r finds, that Bettie M. Drury, at the time of her death, was seized and possessed of 246 acres of land - the actual or fee simple value of which the Com'r has fixed at $738.00 - or $3.00 per acre - and the annual value at $60.00. The land is poor and has no buildings, of any value, upon it, and is assessed on the land book of this County at $2.- per acre, which is, in the opinion of the Com'r, less than its value, and consequently he has assessed it at $3.00 per acre, which he regards as being a fair price.

4." If partition be made of said real Estate + if not, if any party interested will accept the entire subject matter and pay therefor a reasonable sum to the parties entitled, or, if the interest

of those entitled to the subject or its proceeds would be promoted by a sale of the entire matter, or by allotment of part & sale of residue -: In order to be able to report intelligently, as to the partition of the land in question - Your Commissioner has summoned B. F. Fox and F. P. Pope, gentlemen of intelligence and superior judgment - who reside on farms adjoining that of decedent - who have, at the suggestion of the Comr - gone upon and viewed the premises before appearing before the Comr in the capacity of Witnesses - whose evidence have been reduced to writing in the form of depositions, and are herewith filed - and after examining said Witnesses, the Commissioner is of opinion that the land can be divided - but, that the value of the property will be considerably diminished thereby, and is satisfied that, so far as dollars and cents are concerned - that the interest of all parties would be promoted by a sale of the entire subject.

The Commissioner has been requested by Miss Anna F. Drury - (a sister of decedent) by letter, filed in the papers

of this cause - to state to the Court that she is willing to take the entire tract of land in the proceedings mentioned - and pay therefor the sum of $700.00, - this, the Commissioner considers a very reasonable bid, one which he believes will be satisfactory to all parties interested, and is, therefore, respectfully recommended to the favorable consideration of the Court.

Respectfully Submitted
B. F. McLemore
Comr in Chancery

Commissioner's fee $10 -
Witness fees: F. P. Pope 0.90
B. F. Fox - 0.98
chg to Plaintiffs

II. - The Commissioner being required by the decree under which the foregoing report was made, to enquire and report to Court, the names of the Devisees of Bettie M. Drewry dec'd: reports as follows: That under the Will of said decedent: Jos. E. Drewry, Martha F. Drewry (now Beaton) and Anna F. Drewry are entitled to the whole Estate, real and personal - to be divided equally between them.

~~Respectfully Submitted~~
~~B. F. McLemore Comr~~

The Commissioner deems it pertinent to report; that Joseph E. Drewry, one of the Devisees of Bettie M. Drewry dec'd. has also departed this life intestate, as to his real Estate, (he being a minor) and that his share of the Estate of the said Bettie M. Drewry, which is one-third - goes to the brothers and sisters of the decedents, and their descendants - as follows; to wit:

To John W. Drewry - a brother of the whole blood 3/14
" Vernon D. Drewry - " " " " " " 3/14
" S. B. Drewry " " " " " " 3/14
" M. D. Beaton . sister " " " " 3/14
" Anna D. Drewry " " " " " " 3/14
" Wm. A. Sebrell, infant, & son of Mollie Sebrell (formerly Drewry) a sister of the whole blood 3/14
" E. A. Drewry - a brother of the half blood 1/14
" Jas. E. Drewry 1/4 of 1/14
" W. D. Drewry 1/4 of 1/14
" Thos. J. Drewry 1/4 of 1/14
" Paul W. Drewry 1/4 of 1/14 1/14

The four last named being the children of Jas. D. W. Drewry dec'd., a brother of the half blood.

Respectfully Submitted
B. F. McLemore
Com'r in Chancery

OFFICE OF

GEO. N. BEATON,

WITH

GEO. E. BEATON,

DEALER IN

GENERAL MERCHANDISE,

AGENT FOR Game Guano

HARRELL'S PRINT, WELDON, N. C.

Branchville, Va., March 11 1886

Mr W Benson;

Have sent you all of the accts against Sis Bets Est that I have. Brother Johnnie will send in his bill. As as soon as I hear from my I have written him about it. Brother Sam told me that he would just as soon bid for Sis Bets place. For $7.50 I think that is too much so just just as soon bid $7.00. You will see that Dr Colin acct is $18.00. I did not have any money of mine at the time, so I paid him $8.00 & he credited the bill in full.

#139. 33

Rec.d Oct. 25 1886. of B. F. McLemore
Spec.l Commissioner in the Chancery Court of
Drury & others v Drury's Exx &c one hundred
and thirty nine & 33/100 dollars as my distributive
share from the sale of Ellis M. Drury's
land. Anna F. Whitehead.

Pleasant Hill
Dec. 31-82

Wm. D. Dillon

Please forward my distributive share of Silas Dawes estate, with a receipt by registered mail and I'll acknowledge receipt and return for same, or if you prefer send a form of receipt and I'll do so and return you can forward amount.

Thanking engaged last Com. submitted my claim in person.

Yours truly
L. H. Dawes

$17.35 Sent 12 Jan.
W. Bruny - by mail
U.S. Pas. 3 1/2. Jany
1st 1883
(by original bill)

REGISTRY RECEIPT.

Post Office at Jonesboro

Registered Letter / Parcel } No. 11 Rec'd Jan 1, 1887.

of B. F. McLemore

a Letter

addressed to Dr J. W Dreury

Pleasant Hill No

T. C Barrett, P. M.

When the registered letter or parcel accompanying this card is delivered, the Postmaster will require signature to the receipt on the other side, also on his record of registered deliveries, and mail this card without cover to address below.

A penalty of $300 is fixed by law for using this card for other than official business.

Post Office Department.

OFFICIAL BUSINESS. Post Office at

Stamp here name of post office and date of delivery.

PLEASANT HILL JAN 8 N.C.

RETURN TO:

Name of Sender B. F. McLemoor

Street and Number, or Post Office Box.

Post Office at Jerusalem

County of State of Va

REGISTRY RETURN RECEIPT sent 1-8, 18 87

Reg. No. 1 from Post Office at Jerusalem, Va

*Reg. Letter / ~~Reg. Parcel~~ } Addressed to Dr J W Drewry

Pleasant Hill N.C.

After obtaining receipt below, the Postmaster will mail this Card, without cover and without postage, to address on the other side.

RECEIVED THE ABOVE DESCRIBED REGISTERED { *LETTER. / PARCEL.

(SENDER'S NAME ON OTHER SIDE.)

Sign on dotted lines to the right.

When delivery is made to other than addressee, the name of both addressee and recipient must appear.

J W Drewry

*Erase letter or parcel according to which is sent.

Rec'd Dec 20th 1886. of B. F. McLemore
Sp. Comr in suit of Deery v Deery's
Exrs - the sum of $0.98 - as Witness fee.
B. F. Fox

Received Nov. 1. 1886 of B. F. McLemore Receiver in Chancery suit of Dreny vs Dreny &c. one hundred and sixty and 99/100 dollars in full of debt due by Betti Dreny ded. to J. B. Dreny and which was assigned to me-

A. P. Pope
"

#8. 67

Rec'd Dec'r. 20th. 1886 of B. F. Lemmon Spec'l. Com'r in the Chancery suit of Drury & Drury's Exrs. et al: Eight & 67/100 dollars as my distributive share of the Estate of Bettie M. Drury dec'd.

E. A. Drew
By P. S. Thomas

Rec'd Feb 21 1887 of B. F. McLemore, Comr in the Chancery Cause of Drewry vs Drewry's Exrs &c the sum of two & 17/100 dollars. being amount due me from sale of Miss Bettie M. Drewry's land.

Wm J. Drewry

Rec'd Apl 1887 of B. F. McLemore Spec'l Com'r in the Chancery suit of Drewry vs Drewry's Extx + als. two + 7/100 dollars, being amount due me from the sale of Miss Bettie M. Drewry's land.

D. J. Drewry

$17.35

Rec'd January 3-1887 of B. F. McLeod Spec'l Comm'r in the Chancery suit of Drewry & Drewry's Extrs et al. Seventeen & 35/100 dollars as my distributive shard of the Estate of Bettie M. Drewry dec'd.

J. M. Drewry.

CHARLES SMITH,

Furniture Dealer and Undertaker.

A Full Assortment of Furniture, Mattresses, Window Shades, &c. Special Attention to Undertaking.

Franklin, Va. Nov 13" 1886

Rec'd of B. F. McLemore, Receiver in the suit of "Drury v Drury's Exrs &c" Forty-five dollars in full of claim against Estate of Bettie M. Drury dec'd.

Chas. Smith

7. 85

Rec.d Dec 10th 1886 of B. F. McLemore Special Commissioner in the Chancery suit of Drury et als & Drury's Extrs et al. seventeen & 37/100 dollars. as my distributive share in the real Estate of Betsy M. Drury dec.d

S. B. Drury

Jerusalem, Va., 188

Mr. W. F. Dorey Jr. vs Anna J. Dorey Pltf.

To J. B. Prince

Clerk of the County Court of Southampton County.

188			
		To fees in suit to May Term 1887.	$9.41
		Paid by B. F. McLemore Comr.	
		J. B. Prince C.C.	

Rec.d Nov. 20th 1886. of B.F.M.c Lemore
Comr in Chancery Cause of Drury vs
Drury's Exto et als: two & 17/100 dollars, as my
distributive share of the Estate of Bettie M.
Drury, dec.d Jas. E. Drury

62. 17

Rec.d Nov 20th 1886 of B.F.M.c Lemore
Comr in suit of Drury vs Drury's Exto et al
two & 17/100 dollars, as the distributive share
of Paul H. Drury in the Estate of Bettie
M. Drury dec.d

Jas. E. Drury Guard.n
of Paul H. Drury

Rec'd Nov 5th 1886 of B. F. McLemore Receiver in the Chancery suit of Drewry v Drewry's Exrs. fifty four and 50/100 dollars in full of amount due me by Estate of Bettie M. Drewry dec'd.

J. W. Drewry

$17. 35

Rec'd Dec 28th 1886 of B. F. McLemore Spec. Comr in the Chancery Cause of Drury & Drury's Exrs et als: seventeen & 35/100 dollars - the distributive share of Wm K. Sebrell in the Estate of Bellis M. Drury dec'd.

W. J. Sebrell, Gdn
of W. K. Sebrell

$138.86

Rec'd Nov 8th 1886 of B. F. McLaurin Receiver in the Chancery suit of Drury v Drury's Exrs et al one hundred and thirty eight & 86/100 dollars. same being the distributive shard of Martha F. Beadon in the proceeds of the sale of Bettie Drury's land.

Jno B Shands atty for Baltimore guano Co
Jno Shands Trustee

$30.00

Rec'd Nov 8th 1886 of B. F. McLaurin Receiver in the Chancery suit of Drury v Drury's Exrs et al thirty dollars as Attorney's fee - including the usual

Dear Sir – Please pay Mr Thomas
the money you have for me, &
let me with Receipt for same.
Yours Truly
E. A. Drury

121.51

To A F Whitehead	121	51	bd
"	17	35	"
" W B Shands Trustee	121	51	"
" " "	17	35	"
" John M. Drury	17	35	"
" V. T. Drury	17	35	"
" S. B. Drury	17	35	"
" Willis Lebrell	17	35	"
" E A Drury	8	67	"
" J E Drury	2	17	bd
" M. L. Drury	2	17	"
" T. J Drury	2	17	
" Phil M Drury	2	17	bd
	364	47	

#17. 85

Rec.d Feb 21st 1887 of B. F. McLeod Spec.l Comr in the Chancery suit of Drury & Drury's Exts et al. Seventeen & 35/100 dollars as my distributive shard of the Estate of Bettie M. Drury dec.d.

Vernon T. Drury

Drewry & als:

5
3
3 Comr's Bond
3

Drewry's Exrs & als:

Know all men by these Presents, That we B. F. McLemore and J. B. Prince

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of one thousand Dollars, to the payment whereof, well and truly to be made, we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents. And we, the obligors herein, hereby waive the benefit of our homestead exemption as to this obligation, and also waive any claim, right or privilege to discharge any liability arising under said bond in any currency, funds, counter-claims or offsets other than legal tender currency of the United States.

Sealed with our seals and dated this 12th day of October A. D. 1886

THE CONDITION of the above obligation is such that if the above bound B. F. McLemore who was appointed a Special Commissioner, by a decree of the Circuit Court of Southampton County, entered at the May term 1886 in the Chancery Cause of Drewry &als vs Drewry's Exlx &als: to collect from Anna F. Drewry the sum of $706.00 and to make her a deed with special warranty for the 246 Acres of land of which Bettie M. Drewry died seized and possessed. and to perform certain other duties required by said decree and the duties which may be required of him by any further decree entered in this Cause

shall faithfully discharge the duties of his office or trust according to law, then the above obligation to be void, or else to remain in full force and virtue.

Signed, sealed and delivered in presence of the Court.

B. F. McLemore SEAL

J. B. Prince SEAL

SEAL

SEAL

To The Honorable C. K. Hill judge of The circuit court of Southampton in chancery sitting

Respectfully pititioning, your Pititioner Wm B Shands shewith unto your Honor that on The 27th of November 1885 George N Beaton and his wife Martha F Beaton by a certain deed of trust duly recorded in The clerk's office of The county court of Southampton and a copy of which deed of trust is herewith filed marked exhibit A and prayed to be taken as a part of this bill conveyed to your pititioner as trustee for The Baltimore Insurance Company all right, title, and interest which they had of, in, and to, all The real and personal estate - of Bettie M Downey it being a fee simple interest in The said estate of one third to secure The payment to The Baltimore Insurance Company of Three notes amounting together to The sum of $1044. Your Pititioner states that there is now pending in The circuit court of Southampton on The chancery side thereof a suit for The partition or sale of The real estate of The said Bettie M Downey dec'd and division of The proceeds thereof among

The divorce and a settlement of the
administration account and payment of
the balance due the legatees Your
Petitioner asks that he may be made
a party Plaintiff in the said suit as
Trustee of the Baltimore Guano
Company and receive whatever sums of
money may be coming from the said
Billie M Downey estate coming to George
N Beaton and wife Martha F Beaton for the
said Company and as in duty bound your
Petitioner will ever pray &c

Wm B Shands

Petition for Mandamus
Shands

Downey et al
vs
Downey - Estate

No 93

Memorandum for Clerk

Copy deed of Trust from J. N. Beaton & wife to
Wm. B. Shands Trustee for Baltimore Guano
Company and file with this petition

Shands & Lee

This deed of Trust made and intered
this 27th day of November 1885 between
G. H. Beaton and his wife Martha
F. Beaton grantors of the first part
and William Shands grantee and trustee
of the second part witnesseth that for
and in consideration of the sum of
one dollar to the said G. H. Beaton
and Martha F. Beaton in hand paid
by the said William Shands and the
receipt whereof is hereby acknowledged.
The said the said G. H. Beaton and his
wife Martha F. Beaton have given
granted, bargained and sold and by
these presents do give, grant bargain and
sell unto the said William Shands trustee
as aforesaid the following real and
personal estate to wit, First all the
right, title and interest which the
said G. H. Beaton and his wife
Martha F. Beaton have of, in and to
a certain tract of land containing
2 1/4 acres lying in Southampton. The
interest being one fourth in fee simple
which Martha F. Deavory now Beaton
inherits from her brother Joseph E. Dewry
dec'd record all right-title, and interest
which the said G. H. Beaton and his wife

Martha F. Beaton share of, in and to the real and personal estate of Bettie W. Drewry dec'd it being a fee simple interest of one third from the will of Bettie W. Drewry dec'd and an interest in another third of the same inherited by Martha F. Beaton from her brother Joseph E. Drewry dec'd one of the divisees and legatees of Bettie W. Drewry dec'd and the said interest in both the tract of 214 acres and of the estate of Bettie W. Drewry can be more exactly ascertained by reference to the suits in chancery now pending in the circuit court of Southampton for the division of the 214 acres of land under the style of Peebles &c vs Drewrys and the other suit for the settlement of Bettie W. Drewry's estate under the style of Drewry vs Drewrys executrix &c als.

In trust to secure the following notes in full or prorata should the funds fall short- a note for $202 due the Baltimore Guano Company dated Nov. 17th 1885 and payable the 15th day of January 1886. A note for $203 due the Baltimore Guano Co. dated Nov. 17th 1885 and payable the 15th of February 1886. A note for $639

dated the 17th of Nov. 1885 and payable December 16th 1886 to the Baltimore Guano Company all these notes being executed by G. N. Beaton and his wife Martha F. Beaton and the said trustee should the real estate herein conveyed to wit the tract of 214 acres and all the real estate of Bettie M. Denny be sold for partition or division shall collect the money arising therefrom for the share of G. N. Beaton and his wife Martha F. Beaton and also all shares from the personal estate of Bettie M. Denny and pay the aforesaid notes in full and if any surplus pay over to the grantors in this deed. But should partition in kind be made in the said 214 acres of land and of the real estate of Bettie M. Denny then the trustee William Shands shall sell the said interest in lands allotted to Martha F. Beaton and her husband G. N. Beaton and pay the aforesaid notes and the balance of the purchase money pay over to the grantors in this deed. And it is hereby stipulated and agreed that the trustee shall receive five per cent commissions

on all moneys received by him in executing this Trust to be included in the costs of executing this trust. As witness the following signatures and seals.

Note all erasures and interlineations were made before the execution of this deed.

Geo. N. Beaton (Seal)
Fannie M. Beaton (Seal)

State of Virginia Southampton.
To wit: I Wm. M. Beaton a Notary Public for the county of Southampton in the State of Virginia do certify that Geo. N. Beaton whose name is signed to the writing above bearing date on the 27th day of November 1886 has acknowledged the same before me in my County aforesaid. And I further certify that Martha J. Beaton the wife of Geo. N. Beaton whose names are signed to the writing above bearing date on the 27th day of November 1886 personally appeared before me in the county aforesaid and being examined by me privily and apart from her husband and having the writing aforesaid fully explained to her, she, the said Martha J. Beaton acknowledged the

Beaton + wife

To } L.T. Trustee
Baltimore Guano Co.

1886 Mch 15" Rec'd
& A.R

---

a copy

Recorded
J. D. B. 71. page 60

said writing to be her act and deed and that she had willingly executed the same and does not wish to retrack it.

Given under my hand this 15th day of March A. D. 1886.

Wm. W. Beaton N. P.

Southampton County: In the Clerks Office- Mar. 15" 1886_

The foregoing Deed of Trust from Geo. N. Beaton & wife to Baltimore Guano Company's Trustee- was this day received and with the certificate annexed- admitted to record.

Teste:

J.B. Pinco C.C.

a Copy-

Teste: B. F. McLemore D.C.

360.36
.52 77
30.1.3-9

1/7 of 1/3
1/ Ella Hansen wife of
James Hansen

Emma Clark wife of
James Clark

Sarah C. Clark wife of
of Charles Clark

James Morgan

minors

Richard Morgan
John Morgan
Lauren Morgan

full Bloods

John N Drury 2/14
Vernon T Drury 2/14
Martha F Beaton 2/14

William H Leslie (wife) and
Daughter and son of
Nellie Drury full blood 2/14
and Jane B Drury
Anna T 2/14

Half bloods

E. A. Drury 1 11/14

James E. Drury 14-1/14 2-1/3
W. F Drury
Thomas J Drury
Paul W Drury

1 1/4 + 1/14

4 = 1/56

1/2 2/2 2/2 2/2 2 10, 2/7 1/7

John. W. Downey 2 shares
Vernon F Dabney 2 do
Martha F Beadle 2 do
Anna F Downey 2 do
Saml B Downey 2 do

W. B. Towle 2 do

E. E. Downey 1

James E. 3
W F. 3 1/4 1
Thos J 3
Paul W

Children of David Downey
deceased

14

100 3.1:71
42
80
70
100
98
2

3.1:71
1/4
214 21
2
428 5 2
71 4 2
499.94

Drewry & others 139

vs Z. Stat. Rules

Drewry's Exrs & a.

In Southampton Circuit Court.

E. A. Drewry. J. E. Drewry, W. F. Drewry.
Thos: J. Drewry & others. Pltffs.

against

Anna F. Drewry, both in her own right and as Ex'x of Willie M. Drewry, Paul H. Drewry, and Wm. H. Schell, last two infants. Defts

In Chancery.

1885.
Oct. Summons to Oct: Rules.
Oct Rules. " Ext'd on Anna F. Drewry Bill & Exhibits filed. B. F. McLemore appointed Gdn ad litem to infant defts. and answer of Infants filed. Decree nisi vs A. F. Drewry.
Nov: Rules. Cause set for hearing.

Downey et als

vs

Downey's Extr et als

Answer of infant defendants Paul W. Downey and Wm. H. Schell by guardian ad litem

The joint answer of Paul W Downey
and Wm B Selmes two infants of tender
years by B. F McLemore Their guardian
ad litem to a bill in chancery in
the circuit court of Southampton by
Emmet A Downey and others against
them and others

This defendant for answer to the
said bill or as much thereof as he
is advised it is material for him to
answer, answering says he knows
nothing of the facts set forth in the
plaintiffs bill but submits the
interests of his wards to the care of
this court whose peculiar duty it is to
protect the rights of infants and having
fully answered prays hence to be
dismissed with his costs

Signed by
B. F. McLemore
Guardian ad litem for
Paul W Downey and W B Selmes
Thomas v. Son J.P.

In the name of Almighty God. Amen.
I. Elizabeth M. Drewry, being of sound mind, and Knowing the uncertainty of life. do make this last free Will and testament.

Article 1. I direct that all my just debts be paid.

Article 2. I give unto my brother Jos. E. Drewry and sisters. Martha Francis and Anna Florence Drewry. all of my personal and real Estate to be divided equally.

Article 3. I desire that my sisters. Martha Francis and Anna Florence. ~~Drewry~~ Administer on my Estate.

Article 4. I desire that the Court not Compel Martha Francis and Anna Florence Drewry to give security before allowing them to administer on my Estate.

Given under our hands and seals, this fourteenth day of January, eighteen hundred and eighty five.

Bettie M. Drewry (Seal)

Witnesses:
J. H. Drewry
Jas. P. Darden.

Southampton County Court: May Term 1885.
A writing purporting to be the last Will and testament of Bettie M. Drewry dec'd was produced in Court and proved by the

oaths of John H. Drury and James P. Dar=
den. the two subscribing Witnesses thereto
and ordered to be recorded as the true last
will and testament of the said Bettie M.
Drury dec'd.

And on the motion of Anna F. Drury, one
of the Executrix named in the will, who
made oath according to law. entered
into and acknowledged a bond in the
penalty of two thousand dollars Condition=
ed as the law directs. (but without secu=
rity. the will requesting that none be required
and the Court requiring none) which
bond is ordered to be recorded. Certificate
is granted the said Anna F. Drury for ob=
taining a probate of the said Will in due
form.

Test. J. B. Pennell Cc.

Atty

Test. B. F. McLemore D.C.

Bettie M. Drury's
Will

"A"

104

Drang & alz) Leere
Ver. 2.
Drang's Ers. v. ab)

I.

Southampton Circuit Court. May Term 1886.

Drewry & als: Pffs:)
vs.) In Chancery
Drewry's Exr & als: Defts:)

This day this Cause Came on again to be heard on the papers formerly read, & the report of Commissioner McLemore, Made pursuant to a decree of this Court, entered at the November Term 1885, & to which report no exceptions have been filed, & was argued by Counsel. On Consideration whereof, the Court doth adjudge, Order and decree, that the said report be Confirmed. And it appearing to the Court from Comr McLemore's report, & the letter of Anna F. Drewry, One of the devisees & One third Owner of the tract of land Containing 248 acres, that she is willing to take the whole thereof, paying therefor the Sum of $700 - the said tract of Land being appraised at $492. Therefore the Court doth further adjudge, & decree, that B. F. McLemore, who is hereby appointed Special Commissioner for that purpose, Shall Make a Deed with Special Warranty to Anna F. F. Drewry for the said 248 acres of land Whereof Bettie M. Drewry died Seized & possessed, on the following terms, to wit, One half of the purchase Money Cash, the balance on a Credit of twelve months, She giving bond with approved Security for the deferred payment, Carrying interest from the day of Sale, and no deed to be Made until all the purchase Money

is paid, with the Option to Anna T. Drewry to pay as the purchase Money at Once & take a deed.

And it appearing to the Court from the said Report, that there are debts outstanding which must be paid, before there can be any distribution among the devisees, & distributees, it is further adjudged, Ordered and decreed, that out of the Cash received, the Commissioner pay first, the Costs of this Suit, then the debts reported due from the Estate of Bettie M. Drewry by the said Report, & then divide the residue into three equal parts and allot One third thereof to Anna T. Drewry, One third to Wm B. Shands (Trustee) for G. N. Beaton and Martha T. Beaton his wife, and allot 2/14 of 1/3 to John W. Drewry, 2/14 of 1/3 to Vernon T. Drewry, 2/14 of 1/3 to Anna T. Drewry, 2/14 of 1/3 to Samuel B. Drewry 2/14 of 1/3 to the Lawful guardian of W. H. Sikes, 2/14 of 1/3 to Wm B. Shands (Trustee) for G. N. Beaton & Martha T. Beaton his wife 1/14 of 1/3 to Dr. E. A. Drewry and 1/2 of 1/14 of 1/3 to James E. Drewry 1/2 of 1/14 of 1/3 to Wm T. Drewry, 1/2 of 1/14 of 1/3 to Thomas I. Drewry and 1/2 of 1/14 of 1/3 to the Lawful Guardian of Paul W. Drewry, and return the Bond for the deferred payments, if Anna T. Drewry, does not pay all, along with his report receipts, & report to Court in Order to a further decree. But the said Commissioner shall not proceed to act under this decree, until he shall have entered in the Clerk's Office of this Court, a Bond in the penalty of

One thousand dollars, with good Security, Conditioned for a faithful performance of this & any other decree which may be entered in this Cause; and a Copy of the Certificate of the clerk that the Commissioner has executed the bond according to this decree, shall be appended to any advertisement of Sale, or shown to the purchaser Anna D. Drewry, before she has paid the Money, and he made the Sale, and the Original Certificate returned with his report.

A Copy.

Teste,

J. B. Prince, clk

clk $7.00

I. J. B. Prince, Clerk of Circuit Court of Southampton do certify that B. F. McLemore has given bond in above cause with sufficient security. Given under my hand Oct 13, 1886.

J. B. Prince clk

B. F. McLemore, Spcl Commissioner
In a/c with Distributees of Bettie M. Drewry dec'

By amt rec'd from Anna F. Whitehead (formerly Drewry) as the purchase price of Bettie M. Drewry's land				$709.
To Com's on $300.00	5%		15 00	
" " " 409.52	2 "		8 19	
" paid Clerk, fee bill			9 41	
" " for writing Deed			10 00	
" " Commissioner in Chancery, for making Report			10 00	
" " B. F. Fox. Witness fee			98	
" " F. P. Pope - " "			90	
" " Shands & Son, legal fee taxed in suit			16 50	
" " Shands & Son. Atty's fee			13 50	
" " Dr Jno. W. Drewry, a/c			54 50	
" " F. P. Pope, Assignee of S. B. Drewry -			160 99	
" " Charles Smith a/c			45 00	
Balance			364 55	
		$709 52	$709	
By amo: to be distributed				$364 55
To Anna F. Whitehead	1/3		139 33	
To W. B. Shands, Trustee & Atty: for M. F. Beales			138 86	
To John W. Drewry	2/14 of 1/3		17 35	
To Vernon P. Drewry	2/14 of 1/3		17 35	
		$312 89	$364	

- Carried over -

Amounts brot forward	$312 89	$364 55
To S. B. Drury 2/14 of 1/3	17 35	
To Willie N. Sebrell 2/14 of 1/3	17 35	
To E. A. Drury. 1/14 of 1/3	8 67	
To J. E. Drury 1/4 of 1/14 of 1/3	2 17	
To W. F. Drury 1/4 of 1/14 of 1/3	2 17	
To D. J. Drury 1/4 of 1/14 of 1/3	2 17	
To Paul H. Drury 1/4 of 1/14 of 1/3	2 17	
	$364 94	$364 55

Respectfully Submitted.
B. F. McLemore
Spl Comr

Jerusalem Va
May 2 1887.

Drewry 80.

Report of Com'rs

M. Lemmon

Drewry's Extx + als:

1887. May 2. filed.

J. B. Pinner

To the Hon: Chandler W. Hill.
Judge of the Circuit Court of
Southampton County:

The under=
signed, who was appointed a Spe=
cial Commissioner by a decree of
the Court aforesaid entered at the
May Term 1886, in the Chancery
Cause of Drewry &c Drewry's Exts
&als: to collect from Anna F. Drewry
the sum of $700.00, the purchase
price of the tract of land of which
Bettie M. Drewry died seized and
possessed; to Execute to said purchas=
er a deed with special warranty
for the same. To pay the costs of
suit. and the debts reported due
by and outstanding against the
Estate of said Bettie M. Drewry dec'd.
as shown by Report of Comr McLe=
more. filed in the papers of the above
styled Cause. And to distribute the
balance of the purchase money
among the distributees of the said
Bettie M. Drewry dec'd, mentioned in
the aforesaid decree; Reports to Court.
That he has collected the purchase
money. Executed to Anna F. Whitehead

formerly Drury. a deed with special warranty for the land, paid the costs of suit, and outstanding debts, and has distributed the balance among the parties entitles to the same. All of which will more fully appear by reference to Statement herewith filed (together with the vouchers sustaining the same. to which the attention of the Court is specially directed.

Respectfully Submitted
B. F. M. Lemon
Spec. Comr

Jerusalem Va.
May 2nd 1887.

Decree nisi

or Decree

Decree absolute

To be entered

May Term 1881

Geo. Bloss.

Drewry vs &c

vs 3 Decree

Drewry's ext^r vs &c

This day this cause came on again to be heard on the papers formerly read and the report of Commissioner McLemore made pursuant to a decree of this court entered at the November term 1885 and to which report no exceptions have been filed and was argued by counsel On consideration whereof the court doth adjudge order and decree that the said report be confirmed and it appearing to the court from Commissioner McLemore's report and the bills of Alma F Drewry one of the divisees and one third owner of the tract of land containing 24½ acres that she is willing to take the whole thereof paying therefor the sum of $700 the said tract of land being appraised at $492 therefore the court doth further adjudge and decree that B. F. McLemore who is hereby appointed special commissioner for that purpose shall make a deed with special warranty to Alma F Drewry for the said 24½ acres of land whereof Billie M Drewry died seized and possessed on the following terms to wit one half of

The purchase money cash the balance on a credit of twelve months after date bond. giving with approved security for the deferred payment carrying interest from the day of sale and no deed to be made until all the purchase money is paid with the option to Anna F Dorroy to pay all the purchase money at once and take a deed and it appearing to the court from the said report that there are debts outstanding which must be paid before there can be any distribution among the divisees and distributees, It is further adjudged ordered and decreed that out of the cash receive the commissioner pay first all the costs of this suit. Then the debts reported due from the estate of Bellie M Dorroy by the said report and then divide the residue into three equal parts and allot one third part to Anna F Dorroy one third to Wm B Shands Trustee of G. N. Beaton and Martha F Beaton his wife and allot 2/14 of 1/3 to John W Dorroy 2/14 of 1/3 to Vernon F Dorroy. 2/14 of 1/3 to Anna F Dorroy ~~Beaton~~ 2/14 of 1/3 to Samuel B Dorroy 2/14 of 1/3 to the lawful guardian of W. H. Sewell 2/14 of 1/3 to Wm B Shands Trustee of G. N. Beaton and Martha F Beaton

his wife 1/14 of 1/3 to Dr E. A. Drewry and 1/4 of 1/14 of 1/3 to James E Drewry 1/4 of 1/14 of 1/3 to Wm. F Drewry 1/4 of 1/14 of 1/3 to Thomas J Drewry and 1/4 of 1/14 of 1/3 to the lawful guardian of Paul W Drewry and return the bond for the deferred payment if Anna F Drewry does not pay all along with his receipts and report to court in order to a further decree But the said commissioner shall not proceed to act under this decree until he shall have executed in the clerks office of this court a bond in the penalty of one thousand dollars with good security conditioned for a faithful performance of this and any other decree which may be entered in this cause and a copy of the certificate of the clerk that the commissioner has executed the bond according to this decree shall be appended to any advertisement of sale or shown to the purchaser Anna F Drewry before she has paid the money and he made the sale and the original certificate returned with his report

Drewry
To Order
Pope

This is to certify that I have transferred to F. P. Pope a claim that has been allowed in my favor against Billie M. Drewry dec'd, which said claim has been allowed in a Chancery suit now pending in the Circuit Court of Southampton, Beaton & wife vs Drewry Adm'r &c and ordered to be paid - and this certificate is to authorize the Court to sell to pay said claim to said F. P. Pope -
Given under my hand June 21. 1886.

S. B. Whitley -

Mr Benf. D. M. Lemon.

D'r Sir.

Please file the above transfer with your papers in the suit Beaton & wife vs Drewry Adm'r &c & oblige

Yours truly

D. P. Pope

Drewry &c

vs

Drewry's ex'tr &c als

Decree

This day this cause came on to be heard on the plaintiffs bill taken for confessed as to the defendant Anna both
F Drewry executrix of Bettie M Drewry and in her own right, and the answer of the infant defendants Paul W Drewry and Wm H Sebrell by B. F. McLemore their guardian ad litem and general replication thereto and exhibit filed, and was argued by counsel, On consideration whereof the court doth adjudge, order and decree that one of the commissioners of this court take the following accounts, the account of Anna F Drewry as executrix of Bettie M Drewry dec'd, an account of all the debts outstanding against the estate of Bettie M Drewry their dignity and priorities, an account of all the real estate whereof she died seized and possessed its actual and annual value, the said commissioner will also enquire into and report to court whether partition can be made if not whether the entire land may be allotted to any party interested who will accept it and pay

Therefor to the other parties interested such sums of money as their interests therein may entitle them to, or if the interests of those who are entitled to the lands or its proceeds will be promoted by a sale of the whole, or allotment of part and sale of residue and report the evidence on which he bases his opinion as to the division or sale of the lands along with other matters to the court together with such other matters specially stated deemed pertinent by himself or which he may be so required to state by any of the parties interested

Downey et al
vs
Downey et al

To be entered
Nov Term 1853

Geo. V. Bloss

And the said commissioners will further report to court who are the devisees and legatees of the Bellis M Downey dec'd and their respective shares

Drury, et: als:

Sum

Drury's Exty et: als:

1885. Oct: Rules

Cir: Ct

A Certificate issued to the within Claimants
Oct 6 1885 Anna Drury

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County—Greeting:

WE COMMAND YOU TO SUMMON Anna F. Drewry, both in her own right and as Executrix of Bellis M. Drewry dec'd. Paul W. Drewry and Wm H. Sebrell. the last two infants.

to appear at the Clerk's Office of our Circuit Court of Southampton county, at the Rules to be holden for the said Court on the first Monday in October next, to answer a bill in Chancery exhibited against them in our said Court by E. A. Drewry. Jas. E. Drewry. W. F. Drewry. Thomas J. Drewry. John W. Drewry. V. T. Drewry. and George R. Beaton & Martha F. Beaton his wife.

And this they shall in no wise omit; and have then there this writ.

WITNESS, J. B. PRINCE, Clerk of our said Court, this 17 day of October, 1885, in the 110" year of the Commonwealth.

Test: J. B. Prince C.C.

Dreary + als
vs } Decree
Dreary's Exrs + als

To be Entered
Nov Term 1887
Capias
Personal
Nov Term 1887

Dreury & als
vs } Decree
Dreury's Extx & als

This day this cause came to be heard on the papers formerly read and the report of Special Commissioner McLemore of the sale of the tract of land belonging to Bettie M. Dreury decd. receipt of all the purchase money &c and disbursement of the same supported by proper vouchers therefor. all of which was done pursuant to a decree entered in this cause at the May Term 1886 of this court and to which report no exceptions have been filed. and was argued by counsel. On consideration whereof the court doth adjudge. order and decree that the same be confirmed. and it appearing to the court from said report that there is nothing further to be done in this cause it is ordered that it be removed from the docket