

1900-05

Southampton County - Chancery

Drury, Wm F.

Drury, Lucy N.

"Partition if possible,
if not, sold and proceeds
divided among parties according
to their respective interest"

Drury, Lucy, injt

Wm F. Drury
vs 3 Bice Brothers

Thos J. Drury Under &c.

1898. 2nd Dist. Rules Filed.

L. A. Gay C. C.

Prize Money

To the Hon R. R. Prentiss, Judge of the
Circuit Court of Southampton Co.

In Chancery.

Complaining sheweth unto your
Honor, your Complainant Wm. F.
Dreury, as follows. That in the year
18- his father J. D. H. Dreury departed
this life leaving a wife in which
he devised to your complainant
and his brother Thos J Dreury, a
tract of land in Southampton
County, in Bohemia Magisterial
District - and one half of the land
located to his wife, one half to your
Complainant and one half to
Thos J Dreury, as wife more fully
appear from ^{an} exhibit of the will of
said J. D. H. Dreury, herewith filed, marked
'A' as an exhibit in this cause -
That the said Thos J Dreury has since
died intestate, leaving a widow
Mrs Lucy N. Dreury, and an infant
child Lucy Dreury, who is not
more than five years old. That
your complainant and his brother
have never had any partition
of said land between them. That
your complainant desires partition

of said land in one of the modes
presented by law, if the same can
be had, and he believes and says
that it can. In tender consideration
of which, and inasmuch as your
Complainant is without remedy at
law, and has to seek the aid of a
Court of Equity where such matters
are peculiarly cognizable, to the
end therefore that justice may be
done, he prays that Lucy N. Drury
Wife of Thos. J. Drury and and her
infant daughter Lucy Drury may be
made parties defendant to this bill
and compelled to answer the allegations
thereof. That some fit and proper person
may be assigned guardian ad litem
to protect and defend the interests
of said infant. That partition may
be made between the parties, if
practicable, in one of the modes presented
by the statute, or if this cannot be done
that the land may be sold and
the proceeds divided among the parties
according to their respective interests.
and that your Honor will grant all
such other, further, general and
special relief as to Equity may seem

meet or the nature of this case may
require. and as in duty bound, your
Complainant will ever pray &c. May it
please the Court &c.

Priscilla & Melvina p.g.

The answer of Lucy Drury, an infant,
by Mrs N. Sheeffer guardian ad litem,
to a bill of complaint exhibited in the
Circuit Court of Southampton against
her & Lucy N. Drury, her mother,
by Wm. H. Drury.

This respondent, having preserving and
accepting to said bill for answer thereto
says - That she is an infant of twelve
years. and knows nothing of her rights.
She therefore submits her interests to
the protection of this Honorable Court. and
having answered, prays hence to be
dismissed &c.

Attest

Wm. H. Drury Jr.
Guardian ad litem.

Courtland, Va.,

Oct 17 1919

Lauchford

vs

PLTFF.

In

W. B. Ordman

DFT.

RECEIVED this day the papers constituting the record in above-mentioned case, to be returned in ten days.

[Signature]

I acknowledge before me this

Deed of

Sept. 12, 1898.

Witness:

H. H. Dargatz

George H. Dargatz

Dargatz

vs } Sum. In chg.

Dargatz et al.

1898. 2nd Sept. Rules

Leis. lx.

Primer & McLemore p.g.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County--Greeting:

We command you to summon Lacey N. Drury & Lacey Drury,
an infant, by J. N. DeBruce Jr. her Hon. ad litem

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 3rd Monday in Sept. 1898 next, to answer a bill in Chancery
exhibited against them in our said Court by W. F. Drury

And this they shall in no wise omit under penalty of law. And have then there this writ.

WITNESS, L. A. GAY, Clerk of our said Court, at the Courthouse, this 9th day of
September, 1898, in the 12th year of the Commonwealth.

Teste:

L. A. Gay

C. C.

In the Clerk's office of the County Court of
Southampton County.

Extract from Will of Jas. D. H. Denny

Item 4. I give to my next oldest son William F. Denny
one half of my land lying South of the land
loaned to my wife when he arrives at Twenty one
of years of age. I also give him four hundred
dollars to be raised out of my estate. I also give
him my watch.

Item 5th. I give to my son Thomas F. Denny when he
arrives at Twenty one years of age the other
half of the Tract of Land lying South of the
Tract loaned to my wife. I also give him five
hundred dollars to be raised out of my estate.

Attest

Teste: L. A. Gay D.C.

Drewry

Statement of Balance

Drewry & Co.

N. F. Drewry

Plaintiff

vs.

Leroy N. Drewry and Leroy
Drewry an infant, by J. N. Sebrue Jr. } Defendants.
her Guardian ad litem

1898. 9th. September. Process issued to 2nd Sept. Rules.

1898. 2nd. Sept. Rules. Process returned executed.
Bills and exhibits filed. John N. Sebrue
Jr. appointed Guardian ad litem to
infant defendant. Decree nisi vs
adult defendant.

1898 3rd. Sept. Rules. Answer of Gdn. ad litem filed
Bill taken for confession as to adult
defendant, and cause set for hearing

Brewery

vs { Statute of 1845

Brewery & also

1845

1845

Drewry

vs } Statement of Costs

1898

Drewry et al

Sept 9th

Sum. 25, copy 26 receipt 18, atty 10, Doc 18 = 97

Receiv 100, entering return 35, fil. bill 15 = 150

D. Sum. 15, D. answer of Gdn addition 15 = 30

Copy Exhibits 25, 1 Deor. 36 = 61

Continuance 25 = 25

1899 Aug. 17th

Law cost re. 40, fil. away papers 25 = 65

Future costs to be added 61

3/10/1900

Paid L.A. Gay to L.A. 4.89

Shff. 0.00

Paid J.B. Price Law re. 16.47

\$21.39

Test: L.A. Gay L.A.

Drury.

on 3 Dec.

Drury, Under T.

Oct. 4. 1898.

Enter this

Robert H. Huntis

✓
Entered Page 224

Robert H. Huntis, Under T. Oct. 4. 1898.

Dreury,

vs 3 Decree

Dreury's heirs &c.

This day this cause came on to be heard on the complainant's side, butting for Confessed as to the admet defendant Lucie N. Dreury, the answer of the infant defendant Lucy Dreury by Jno N. Schree Jr her guardian ad litem. appointed at Rules. with general replication thereto. and was argued by Counsel. On consideration whereof, the Court doth adjudge order and decree that one of the Commissioners of this Court inquire and report. as follows.

First. whether partition can be conveniently made of the lands in the proceedings mentioned among the parties entitled. and if the same can be done, that said Commissioner is authorized to have the same done. and for that purpose he is authorized to employ the services of a competent surveyor. In case partition cannot be made, the said Commissioner will report, whether the entire subject matter may be allotted to any party who will accept it and pay therefor to the other parties such sum of money as their interests therein may entitle them to. and 3rd whether the interests of those who are entitled to the subject with proceeds will be promoted by a sale of the entire subject or acceptance of part the liens thereon, if any, and whether it has been kept for sale and sale of the residue, all of which the Commissioner will report to Court with such other matters deemed pertinent by himself or which may be required to be reported by any interested party.

Denny
or 3 Desire

Denny or then

1900 Apr 3

Enter this
~~Robert H. H. H.~~

Entered Page 301

Dreury

vs 3 Decree.

Dreury & others

On motion of the plaintiff, and it appearing that the costs of this suit have been paid, it is ordered that this suit be dismissed -