

1866 - 05

Southampton County Chancery

Niemeyer, H. V. vs. Gray, W. W. & Co.

(Copy of  
Deed of Trust  
included)

Gray - Dean  
Murfit - Garrett  
Pretlow - Joshua (Trustee)  
Pete - H.  
Winfield, R. S.  
Weaver - R. I.  
Neely - Wm.  
Pete - George W.  
Pratt - J. V.  
Virginia Bank -  
Portsmouth  
Joyner - James R.  
Nilsen - Columbia  
Powell - D. T. B.  
Joyner - Wm. A.  
Ridley - Thomas  
Gray - J. N.

Kelly p. 9.

A. V. Niemeyer

W. E. Bill &

W. W. Gray & Co. sal:

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1858 February Rules

Civ. Ct. Seamp'n

(1904 words)

To the Hon. R. N. Baker, Judge of the Circuit  
Court of Southampton County, in Chancery sitting  
Complaining shew unto the Court Your  
Complainant H. V. Niemeyer —

Your Complainant represents to the Court & says  
that he is a Merchant doing business in the  
Town of Portsmouth, Virginia (and as such sold goods  
to, and paid money for, W. W. Gray & Co. of the  
County of Southampton — That the said W. W. Gray  
& Co. are justly indebted to your Complainant the  
sum of two hundred and fifty nine dollars &  
thirty eight cents for goods sold by him to them &  
delivered them at their request, with Interest  
thereon from the 1<sup>st</sup> day of January 1858 till paid,  
(and also the sum of four hundred & sixty two dollars  
& seventy eight cents by note due the day of July  
1858 — That the said sums are just — That  
present cause of action exists for the said  
sum of \$259.38, & ~~as the~~ That the said firm  
of W. W. Gray & Co. consisted & consists of the following  
persons, W. W. Gray, Dean Gray & Garrett B.  
Murphy, and by their firm name dealt with  
the public, with your Complainant, and sold lumber  
(and traded generally — That Dean Gray is a now  
resident of the State of Virginia, and has estate  
money and effects, in Southampton County where  
this suit is & also in Norfolk County to wit. one  
undivided one third or other interest in a Steam

saw mill & its fixtures & gear, a lot of cut timber at  
said mill, also logs cut for said mill, 8 mules,  
12 oxen, 3 cows - 2 truck wagons, 7 carts & gear &  
interest in unexpired lease assigned by G. W. Peete  
to W. W. Gray - 1 horse, 2 sets harness, lot of  
saws - axes, hoes, hogs - Interest in wharf in  
Portsmouth 56 feet on Elizabeth river & running back  
500 feet to Crawford street - also interest in wharf  
now leased by W. W. Gray & R. J. & W. Neely in  
Portsmouth, about 50,000 feet of lumber in Ports-  
mouth & sets due through Thurs after J. A. Gray -  
& household & kitchen furniture

That W. W. Gray was the active, managing  
and carried on the lumbering business in Southampton County  
partner of said concern, and held out to the  
public that the property in his possession &  
under his control, and the business connected  
therewith, growing out of ~~connected with~~ the  
Steam saw mill & lumbering business in  
Southampton County, was that of W. W. Gray & Co;  
(and not his own private estate - That groceries  
for the hands & provisions for them & the team  
were purchased in the name of W. W. Gray  
& Co - That servants were thus hired & lumber  
sold as the property of the firm, aforesaid -  
Your Complainant charges that the Steam saw  
mill & fixtures & lands above named were the  
property of W. W. Gray & Co; whether the title  
Deeds were executed to them or to W. W. Gray  
individually - That all the Chattel estate

lumber & debts above referred belong to the firm of W. W. Gray & Co. That the said property & estate are now in the hands of Joshua Pettow, who claims the same under a Deed of Trust executed by W. W. Gray (individually,) & him as trustee for the benefit of R. J. Neely & others, a copy of which Deed is filed herewith as part of this bill —

That W. W. Gray by said Deed undertakes to convey the whole of said property as his own, & secure some debts of his own, and others due by W. W. Gray & Co. — Your Complainant charges that, the assets so far as they belong to W. W. Gray & Co. should first be applied to the payment of their debts, and so far as the assets belong to W. W. Gray individually, to his individual debts —

~~That W. W. Gray by said Deed, undertakes to convey the property & estate as his own, & secure some debts of his own, and others due by W. W. Gray & Co. —~~ Your Complainant charges that the said Deed is void so far as any estate (and interest in said property, <sup>is concerned</sup> which Dean Gray owns, not being executed by him or by anyone for the firm aforesaid; and that all the interest of Dean Gray therein is liable to your Complainant's demands —

In consideration whereof and as this Court has ample powers to grant relief, To the End Your Complainant prays that W. W. Gray, Dean Gray & Garrett B. Murfitt partners doing business under

the name & style of W. W. Gray & Co.; Joshua Pretlow, trustee,  
Deeds No. 2, Winfield R. F. Weaver, Re. J. & H. M. Nely, Geo. W. Peto, J. V.  
Pratt, Virginia Bank Portsmouth, Jas R. Joyner, Columbia Wilson,  
D. J. B. Powell, Wm. A. Joyner, Thos. Riden & J. A. Gray

may be made Defendants hereto, and be compelled to  
answer the several allegations herein on oath—  
(and that they say whether Deane Gray was, not one of the  
firm of W. W. Gray & Co., and whether he was, not equally  
interested as owner in said property, and whether he  
is a non resident of Virginia — That the Deed aforesaid  
may be set aside so far as the interest of Deane  
Gray in the estate therein named is concerned  
& his interest therein be made liable to your  
Complainant's demands, and that all further  
(and necessary relief may be granted, consistent  
with right &c. (and &c.

John R. Kilby

p. 9

Sussex County to wit,

This day H. V. Niemeyer made  
oath before me a Justice of the peace for  
said County to the facts set forth in the  
within named affidavit given under  
my hand this 19<sup>th</sup> day of Jan'y 1838

Wm. Stark J.P.

Niemeyer

is } Affidavit

Gray 86.

1838 Jan. 21<sup>st</sup>

Niemeyer } Chy. suit in Southampton  
v. } Circuit Court  
Gray & al:

This day N. V. Niemeyer —  
came before me & being sworn says that  
the defendants, W. W. Gray & Co. are justly  
indebted to him in the sum of Two hundred  
(and fifty nine dollars and thirty eight cents  
with interest from 1st day of January 1858  
for goods sold & delivered them by the plaintiff  
at their request and for money paid out  
for them at their request and balance  
found due on account stated between them  
that the said claim is a just one — that there  
is present cause of action therefor & that  
Dean Gray one of said Defendants is a non  
resident of Virginia <sup>and also that said W. W. Gray owes him the sum of \$462.78 due by note  
dated on the 1st of July 1858</sup> and that this affiant  
believes he is interested in property and  
effects in Southampton County wherein  
said suit is also in Norfolk County  
to wit. certain estate in the hands of Joseph  
of Indiana Pretton, to wit. a steam saw mill &  
its fixtures & gear & a lot of timber cut at  
the said mill, & logs, 8 mules, & 12 oxen, 3 cows,  
2 truck wagons, 7 carts & sleds, & interest in an  
expired lease assigned to G. W. Gray & Co. by W. W. Pretton  
also 1 horse, 2 sets harness, lot of saws, axes, shovels  
& hogs — also a lot in Portsmouth fronting  
56 feet on Elizabeth river running back  
500 feet to Crawford Street & interest in  
wharf now leased by W. W. Gray & R. J. & W.  
Neely — also a lot of lumber & other  
effects in the possession of under the  
control of J. A. Gray (signed) N. V. Niemeyer

Niemeyer  
r } Br. Pub.  
Gray Hi y

Copy posted at B. H. Door  
Feb. 6. 1858.

At Rules held in the Clerk's Office of the Circuit Court of Southampton  
County on the first day of February 1858.

St. V. Niemeyer

against.

Plff.

In Chancery

W. W. Gray, Dean Gray, & Garrett B. Murfitt partners doing business under the name  
of W. W. Gray & Co. Joshua Priblow Trustee, Peter & Co. Winfield R. I. Weaver, Ro. I &  
W. Neely, Geo. W. Peter, J. V. Pratt, Virginia Banks at Portsmouth, Jas. R. Joyner,  
Columbia Wilson, Dr. J. B. Powell, Wm. A. Joyner, Tho. Ridley & J. N. Gray. Defts.

The object of this suit is to recover of the defendants W. W. Gray, Dean Gray and  
Garrett B. Murfitt partners doing business under the name of W. W. Gray & Co.  
the sum of \$258. <sup>39</sup>/<sub>100</sub> with interest thereon from 1<sup>st</sup> day of January 1858. and  
also the sum of \$262. <sup>72</sup>/<sub>100</sub> with interest thereon from                      day of February 1858  
till paid. And affidavit having been made and filed that the defendant Dean  
Gray is not a resident of the State of Virginia. On the motion of the plaintiff by  
his attorney it is ordered that the said defendant Dean Gray do appear within one  
month after due publication of this order and do what is necessary to protect his inter-  
est. And that a copy of this order be inserted once a week for four successive weeks in  
some newspaper published in the City of Norfolk and posted at the front door  
of the Courthouse of this County on the first day of the next County Court thereof.

A Copy

Teste L. R. Edwards Ck

Southampton County, In the Clerk's Office, the 14<sup>th</sup> day of December 1857.  
This Deed of Instructions acknowledged by W<sup>m</sup> H. Gray and Joshua  
Pettin, parties thereto, and was thereupon admitted to record.

Teste, R. Edwards, C. C.

Hopsy, Teste, Henry S. Howard, D. C.

Gray  
to 3 co. deed  
~~Joshua~~  
Pettin  
Deed

Viewing

to 3 co. with Bill

Henry H. Co.

This deed made this 14<sup>th</sup> of December 1857, between William W. Gray, the grantor, of the one part, and Joshua Driscoll, the trustee, of the other part, Witnesseth; That the said William W. Gray for and in consideration of the sum of one dollar to him in hand paid at and before the sealing and delivery of these presents and the receipt whereof is hereby acknowledged, doth grant unto the said Joshua Driscoll trustee as aforesaid, the following property, to wit; One Steam Saw Mill with all its fixtures and running gear unto the said Mill in any manner appertaining, all the timber now cut and lying near the Mill and logs that are cut, eight mules, twelve oxen, three cows, two Buck blazers, seven carts and gear, all my interest in a certain lease a considerable portion of which is encompassed and assigned to me by George W. Peck and others and of record in the Clerk's office of Southampton County, one horse, and two sets of harness, household and kitchen furniture, all debts due to me either by bond or open account, all my saws, axes and hoes, all my hogs, all the above property lying in the County of Southampton, all my right, title, interest and claim in, to and for a certain lot lying on a wharf lot lying in the Town of Portsmouth Norfolk County, Virginia, fronting fifty six feet on Elizabeth river and running back five hundred feet to Crawford Street and bounded on the South by Crabbe Street, Crawford Street on the west, Elizabeth river on the east, and by the lot of Johnston and Co on the North, all my interest in a certain wharf now leased by W. W. Gray and R. J. & W. Nicky in the Town of Portsmouth, all my lumber now lying on the said wharf in Portsmouth estimated at fifty thousand feet, all the debts due to me in Portsmouth, either by bond or account, through my agent, J. N. Gray. Upon trust to secure the following debts, to wit; First a forthcoming bond executed by William W. Gray and Dean Gray as principals and R. J. Nicky as security. Secondly the following security debts One draft of eleven hundred dollars, drawn on Philadelphia

and endorsed by R. J. & W. Neely and G. W. Peete, a note of one hundred and fifty dollars endorsed by the same and J. V. Pratt a note of two hundred and seventy five dollars in the Virginia Bank, at Portsmouth and endorsed by R. J. & W. Neely, a note for five hundred dollars due at Bank of Virginia, at Portsmouth and endorsed by R. J. & W. Neely and James R. Soyner; two notes, one for four hundred dollars and the other for two hundred dollars due to Miss Columbia Wilson, one note due the 25<sup>th</sup> December 1857, to Dr. Powell and R. J. & W. Neely, securities, and the said R. J. & W. Neely are also securities to the notes to Miss Columbia Wilson, one note for three hundred dollars due in the bank of Virginia at Portsmouth and R. J. & W. Neely securities, one note for four hundred and seventy five dollars paid by R. J. & W. Neely for wharf expenses to George Blair and others and due 1<sup>st</sup> July 1857, one note for three hundred and seventy five dollars due 1<sup>st</sup> January 1858, and R. J. & W. Neely, securities, one bond due Dr. Powell (Jr) for about seven hundred and fifty seven dollars and James R. Soyner and William A. Soyner, securities one bond due to Thomas Reddy for four hundred and fifty dollars and James R. Soyner and William A. Soyner, securities, and all other debts due and owing by William W. Gray & Co to which James R. Soyner or William A. Soyner may be securities and which may not now be named or remembered and all other debts due and owing by William W. Gray to which either R. J. Neely or William Neely may be securities and which not now be named or remembered, it being the intention and desire of the grantor to secure the said James R. Soyner, William A. Soyner, R. J. Neely and W. Neely from all loss and harm by reason of their securityship and Joshua Dutton, the trustee upon the forfeiture of the forthcoming bond mentioned above shall after fifteen days notice by public advertisement sell sufficient of the trust property herein conveyed, to pay

the said forthcoming bond, interest and costs and upon default made in the payment of any of the other debts heretofore named or any debt not named to which either James R. Soyner, William A. Soyner, R. J. Neely or W. Neely may be securities, then upon request made by either of the said securities to the trustee the said Joshua Dutton trustee as aforesaid shall after having given thirty days notice by advertisement in some one of the Norfolk papers and also in the neighborhood proceed to sell at public auction to the highest bidder all the property mentioned in this deed on the following terms, to wit: all sums under one hundred dollars cash, over that six months credit and after paying the expenses of this trust pay to the Sheriff of Southampton the forthcoming bond named above, if the trustee should not have sold property to pay it before, then pay all the debts to which R. J. Neely, W. Neely, James R. Soyner or William A. Soyner may be securities any or either of them, and also pay all the debts to which Newton R. Soyner may be a security, for the grantor William W. Gray, and if not enough to pay the debts to which R. J. Neely, W. Neely, James R. Soyner, William A. Soyner and Newton R. Soyner are securities, then pay the security debts pro rata, then pay to James R. Soyner and William A. Soyner, the one half of the sum of thirteen hundred dollars of the debts due to them, then pay all debts due by William W. Gray. And it is hereby covenanted and agreed that William W. Gray the grantor shall deliver to Joshua Dutton the trustee the policies of insurance which he now holds for the insurance of the Steam Saw Mills and fixtures in Southampton County. As witness the following seals and signatures

W. W. Gray (Seal)  
Joshua Dutton (Seal)

Memorandum. The intentions in this deed made before the signing and sealing the same.

PRINTED BY W. D. FISKE.

\$462 <sup>78</sup>/<sub>100</sub>

Portsmouth, *29 Sept 29* 1857

*Four Months* days after date, we promise to pay unto  
*H. V. Niemeyer* or Order, negotiable and payable at the  
 Office of Discount and Deposits of the Bank of Virginia, in Portsmouth,  
 without offset, *Four Hundred sixty two* Dollars,  
*seventy eight* Cents, for value received.

Credit the Maker.

*W W Gray & Co*

Credit the Maker, to be signed by last endorser.

*Niemeyer*

*n*

*Gray & Co*

*Exhibit filed with  
 Rice*

**ARTICLES HELD** in the Clerk's Office of the Circuit Court of Southampton County on the first day of February, 1858—  
H V Niemeyer.

Plffs,

against

W W Gray, Dean Gray and Garret B Murfit, partners, doing business under the name of W W Gray & Co. Joshua Prewell, Trustees, Peete & Co, Winfield R B Weaver, Ro. J & W Neely, Geo W Peete, I V Pratt, Virginia Bank at Portameu h, Jas E Joyner Columbia Wilson, Dr T B Powell, Wm A Jones, Thos Ridley and J N Gray, Defs

IN CHANCERY.

The object of this suit is to recover of the defendants W W Gray, Dean Gray, and Garrett B Murfit, partners, doing business under the name of W W Gray & Co. the sum of \$253 39, with interest thereon from 1st day of January, 1858 also the sum of \$262 78 with interest thereon from day of February, 1858, till paid. And affidavit having been made and filed that the defendant Dean Gray is not a resident of the State of Virginia, on the motion of the Plaintiff by his attorney, it is ordered that the said defendant do appear, or do appear within one month after due publication of this order and do what is necessary to protect his interest, and that a copy of this order be inserted once a week for four successive weeks in some newspaper published in the City of Norfolk and posted at the front door of the Court House of this County on the first day of the next County Court thereof.

A Copy—Teste:

L R EDWARDS, C C.

J R KILAY, P. C.  
fe 13—g4w

# OFFICE OF THE SOUTHERN ARGUS,

NORFOLK, VA., 13 Mar — 1858

Editors &

*J. Abram H. Leonard*, one of the publishers of the Southern Argus, a newspaper published daily in the City of Norfolk, State of Virginia, do certify that the annexed Legal Notice in the case of *H. V. Niemeyer vs. W W Gray & Co. & others*

pending in the *Circuit* Court of the *County* of *Southampton*, has been published once a week for *four* successive weeks in the said newspaper, commencing on the *13<sup>th</sup>* day *Feb'y* 1858.

*A. F. Leonard.*

*Chge of pub'n \$5.-*

Niemeyer

v { Stat. Rules

Gray H. G.

Southampton Circuit Court.

H. V. Niemeyer  
against

W. W. Gray, Deane Gray, & Garrett B. Murfitt partners doing business under the name  
& style of W. W. Gray & Co., Joshua Pricklow Trustee, Peter H. Winfield R. S. Weaver.  
Ra. I. & W. M. Neely, Geo. W. Peete, J. V. Pratt, Virginia Banks Portsmouth, Jas. R. Joyner  
Columbia Wilson, Dr. J. B. Powell, W. A. Joyner, Tho. Ridley & J. A. Gray.

1858 Jan. 21<sup>st</sup> Sum<sup>o</sup> & Or. att<sup>o</sup>: thereon issued

" Feb. R. Sum<sup>o</sup>. Ret<sup>o</sup> Executed on W. W. Gray, Garrett B. Murfitt, Joshua  
Pricklow, R. I. & W. Neely, Peter H. Geo. W. Peete, J. V. Pratt, V<sup>a</sup> Banks,  
Jas. R. Joyner, W. A. Joyner, Columbia Wilson, J. B. Powell, Tho. Ridley & J. A. Gray.  
Bill filed - Deane Nisi & Dft. on whom process executed - New process to Dft.  
Weaver. Or. Pub. to Dft. Deane Gray.

" Mar. R. Sum<sup>o</sup>. 1<sup>o</sup> to Dft. Weaver ret<sup>o</sup> Executed - Bill taken for confessed as  
to Dfts. W. W. Gray, Garrett B. Murfitt, Joshua Pricklow, R. I. & W. Neely, Peter H.  
Geo. W. Peete, J. V. Pratt, V<sup>a</sup> Banks, Jas. R. Joyner, W. A. Joyner, Columbia Wilson,  
J. B. Powell, Tho. Ridley & J. A. Gray. D. Nisi to Dft. Weaver.

" Apr. Bill taken for confessed as to Dft. Weaver.

" (Last Monday) Cause set for hearing as to Dfts. W. W. Gray, Garrett B. Murfitt,  
Joshua Pricklow, R. I. & W. Neely, Peter H. Geo. W. Peete, J. V. Pratt, V<sup>a</sup> Banks, Jas. R.  
Joyner, W. A. Joyner, Columbia Wilson, J. B. Powell, Tho. Ridley, J. A. Gray, Winfield R.  
S. Weaver.

1858 May 5. Deane for account 1<sup>o</sup>

" Nov. Deane 2<sup>o</sup>

1866 May. Removed from the Docket

The Sheriff will attach the estate & effects of Dean Gray. one of the firm of W.W. Gray & Co., who is a non resident of Virginia, now in the possession of W.W. Gray, & Joshua Problow to wit. Steam saw mill fixtures & gear & all timber cut & at said mill. & logs - 8 Mules. 12 Oxen. 3 Cows. 2 truck Wagons, 7 Carts & gear & interest in unexpired lease - 1 horse. 2 sets harness. lot of Saws. axes, hoes. hogs, Interest in wharf in Portsmouth on Elizabeth River 56 front & running back 500 feet to Crawford Street - Interest in wharf leased by W.W. Gray & R.D. & H. Kelly & a lot of lumber in Portsmouth & other effects in the hands of J. N. Gray & Sumner Joshua Problow & J. N. Gray as garnishers.

Teste J.R. Edwards Clk

J.R. Kilby p.g

✓  
Kimmey

2 } Spe & attor

Gray & Co

1858 February Rules

The Commonwealth of Virginia. To the Sheriff of Southampton County.  
Greeting We command you to summon W. W. Gray, Deane Gray & Gerrit B.  
Murfit partners doing business under the name of W. W. Gray & Co. Joshua Prebster,  
trustees. James R. Joyner, D. J. B. Powell, Wm. A. Joyner <sup>Re. St. W. Reely</sup> & Thomas Ridley to appear  
at the Clerks office of our Circuit Court of Southampton County at the Rules to be  
holden for the said Court on the first Monday in <sup>February</sup> ~~March~~ next to answer a bill  
in Chancery exhibited against them and others in our said Court by St. V.  
Niemeyer and that they shall in no wise omit under the penalty of \$100-  
and have them there this writ. Witness L. Milton R. Edwards Clerk of our  
said Court at the Courthouse this 21<sup>st</sup> day of January 1858 in the  
82<sup>d</sup> year of the Commonwealth

L. R. Edwards Clk

Executed on Joshua Prebster & R. J. & W. Reely by delivering  
each a copy of this summons & attachment on the 23<sup>rd</sup> day  
January 1858. Geo W. Vick Dy for Wm. Briggs

Executed on W. W. Gray, James R. Joyner Wm. A. Joyner D. J. B. Powell  
Powell & Thos Ridley by delivering each a copy of this summons  
& attachment on the 25<sup>th</sup> January 1858. Deane Gray not a  
resident of this county. I also attached on the same day  
at 2 O'Clock P. M. the following property to wit: Stearns  
Saw & Grist Mill & fixtures. Lot of Number 2 Truck Wagon  
& 2 ox Cart, one horse & cow also their unexpired lease  
in lot & houses. Land from Wm. & Jas. Joyner adjoining the lands  
of said Wm. & Jas. Joyner & R. J. Joyner to wit. Deane Gray not a  
resident of this county. Wm. A. Shick Dy for  
Wm. Briggs Clk

The Sheriff will attach the estate & effects of Dean Gray one of the firm of  
W.W. Gray & Co. who is a non resident of Virginia, now in the possession of W.W. Gray  
& Joshua Pretlow to wit. Steam Saw Mill & fixtures & gear & all timber cut & at  
said Mill & logs, 8 mules, 12 Oxen, 3 Cows, 2 truck wagons, 7 carts & gear &  
interest in unexpired lease, 1 horse 2 sets harness, lot of saws, axes, hoes, hogs  
Interest in Wharf in Portsmouth on Elizabeth River 56 front & running back  
500 feet to Crawford Street. Interest in Wharf leased by W.W. Gray & R. J. W.  
Atuly & a lot of lumber in Portsmouth & other assets in the hands of J. N. Gray  
& Summon Joshua Pretlow & J. N. Gray as garnishes  
Teste

J. R. Kilby p. 7

L. R. Edwards lch

Niemeyer

to } Sum & gath.

Gray & Co

1858 March Rules

Executed by leaving a copy  
of this sum at the  
residence of W. R. Weaver  
with a white person over  
16 yrs of age

J. A. Turner Shff

Greensville

The Commonwealth of Virginia. To the Sheriff of <sup>Bryansville</sup> Southampton County.  
Greeting. We command you to summon Winfield R. Weaver to appear at the  
Clerks Office of our Circuit Court of Southampton County 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 & others in our said Court by H. V. Niemeyer. and this  
you shall in no wise omit under the penalty of \$100. and have them this writ.  
Witness Linton R. Edwards Clerk of our said Court at the Court house this  
1<sup>st</sup> day of February 1858 in the 32<sup>d</sup> year of the Commonwealth  
L R Edwards *cl*

The Commonwealth of Virginia: To the Sheriff of Greenville County.  
Greeting. We command you to Summon Winfield R. L. Wadger to appear at the Clerk's  
Office of our Circuit Court of Southhampton County at the Rules to be holden for the  
said Court on the first Monday in ~~February~~ <sup>February</sup> next to answer a bill in chancery exhibited  
against them and others in our said Court by H. V. Nienyer and this they shall  
in no wise omit under the penalty of \$100. And have them there this word.

Witness L. R. Edwards Clerk of our said Court at the Courthouse this 21<sup>st</sup>  
day of January 1858 in the 82<sup>d</sup> year of the Commonwealth

L. R. Edwards. Ck.

The Sheriff will attach the estate & effects of Dean Gray one of the joint of W. W. Gray & Co., who is a non resident of Virginia, now in the possession of W. W. Gray & Joshua Proctor to wit. Steam Saw mill fixtures & gear, & all timber cut & at said mill & logs. 8 Mules, 12 Oxen, 3 Cows, 2 trucks Wagons, 7 Carts & gear & interest in unexpired Lease, 1 horse, 2 sets harness, lot of Saws, axes, hoes, hogs. Interest in wharf in Portsmouth on Elizabeth River 50 front & running back 500 feet to Crawford Street Interest in wharf leased by W. W. Gray & R. J. M. Kely & a lot of lumber in Portsmouth & other spots in the hands of J. A. Gray & Samuel Joshua Proctor & J. A. Gray as garnishers.

Teste.

L R Edwards

J R Kilby

Neimyer

& { Sp. & att.

Gray

1858 February Rules

Mr Weaver was from  
home & his Sp. att.  
not received in time  
for City Rules  
at ~~the~~

Grainsville

The Commonwealth of Virginia: To the Sheriff of Norfolk County  
Greeting. We command you to Summon Peter H. George W. Pratt, J. V. Pratt,  
Virginia Banks at Portsmouth, Columbia Wilson, & J. M. Gray, to appear at the  
Clerks Office of our Circuit 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 and others in our said Court by H. D. Kemper. And that they  
shall in no wise omit under the penalty of \$100. And have them there this writ.  
Witness L. K. Edwards Clerk of our said Court at the Courthouse this 21<sup>st</sup>  
day of January 1858. in the 82<sup>d</sup> year of the Commonwealth

L R Edwards

Executed 27<sup>th</sup> day of Jan<sup>y</sup> 1858. at 11<sup>1</sup>/<sub>2</sub> O'clock a.m. by delivering a copy hereof  
to Wm. H. Wilson Cashier of the Bank at Portsmouth. and a copy hereof to  
Holt Wilson. for Columbia Wilson. at 11<sup>1</sup>/<sub>2</sub> O'clock a.m. Jan 27<sup>th</sup> 1858  
Executed 27<sup>th</sup> Jan 1858 at 12<sup>1</sup>/<sub>2</sub> O'clock P.M. by delivering a copy hereof to Peter H.  
and Geo. W. Pratt. Executed 29<sup>th</sup> Jan 1858 at 10 O'clock a.m. by delivering a copy  
hereof to J. M. Gray. Executed 1<sup>st</sup> day of Feb 1858 by delivering a copy  
hereof at 8 O'clock a.m. to J. V. Pratt.

H. D. Kemper

or } Sup<sup>r</sup> of App.

Gray &c

1858 February Rules

Norfolk Co.

The Sheriff will attach the estate & effects of Dean Gray one of the firm of W.W. Gray & Co. who is a non resident of Virginia now in possession of W.W. Gray & Joshua Pickett Trustees to wit. Steam Saw mill fixtures & gear & all timber cut & at said mill & logs. 8 mules. 12 Oxen. 3 Cows. 2 truck wagons. 7 carts & gear. & interest in unexpired lease. 1 horse. 2 sets harness. lot of saws. Axes. hoes. hogs. Interest in Wharf in Portsmouth on Elizabeth River 56 front & running back 500 feet to Crawford Street. Interest in Wharf leased by W.W. Gray & R. J. & W. Keely & a lot of lumber in Portsmouth & other assets in the hands of J. H. Gray & Sumner Joshua Pickett & J. H. Gray as guarantors.

Teste

J. R. Kelby P. D.

J. R. Edwards C. C.

Executed 27<sup>th</sup> day of Jan 1858. at 10 O'clock a.m. by attaching the following property one <sup>wharf</sup> ~~lot~~ in the town of Portsmouth on Elizabeth River 56 front & running back 500 feet to Crawford Street. Interest in wharf leased by W.W. Gray & R. J. & W. Keely. one lot. The T. B. B. Sheriff

47. 26 ~~28~~ 17

Niemeyer

& } Papers

Gray 66°