

1882- 13

Southampton County Chancery, ~

Gray, Joseph H.

vs Gray, James

Sale of real estate to
settle claims of heirs

Gray, Richard

" , Benj. F.

" , Byrd S.

" , Nancy Eliz

Bryant, Martha F.

Gray, William J.

Johnson, Virginia

Gray - Wm.

" , Susanna

" , John

Johnson, Virginia

Briggs, W. W.

Guardian Ad.

} Minors
under
21

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Gray's Icterus

vs $\frac{3}{3}$ Bill Exhibits

Gray's Icterus

1875 October Rules

Kindred pg

To the Hon Geo: Blount, Judge of the Circuit
Court of Southampton. In Chancery.
Humbly Complaining, sheweth
unto your Honor, your complainants
Joseph H. Gray, Richard Gray, Benj F. Gray
Byrd S. Gray, Nancy Eliza Gray & Martha
F. Bryant, that during the year 186-
James Gray died intestate, leaving
your complainants & one Wm J. Gray
& Virginia Johnson his heirs at law
and distributees. That at the time of
his death, the said James Gray was
seized ^{in fee} of a tract of land in Southamp-
ton County, containing 200 acres, more
or less. That Geo W. Vick, late Sheriff
of Southampton County, as such qualified
as Administrator of said James Gray, and has
fully administered the personal assets,
and paid all the debts of his intestate.
That since the death of the said James
Gray, Wm J. Gray, one of his heirs has
died intestate, leaving the following
parties his heirs at law, to wit: Ann
Gray, his widow, & James Gray, William
Gray, Susanna Gray & John Gray, all
minors under 21. That Virginia Johnson
is also a minor under 21, and a
grand-daughter of said James Gray decd.
That in the opinion of your complain

and the said tract of land is indivisible in kind, and your complainants desire the same to be sold and the proceeds of ~~the~~ same divided among the parties interested therein, or if it be susceptible of partition, then that it may be divided among the heirs--

In consideration whereof, ~~your~~ and inasmuch as your complainants are without remedy, except in a Court of Equity where matters of this kind are properly cognizable, your complainants pray that Geo. W. Nichol, late Sheriff & Adm'r of James Gray dec'd, Ann Gray, (widow of Wm. J. Gray dec'd, James Gray, William Gray, Susanna Gray, John Gray & Virginia Johnson; the last five minors), may be made parties defendant to this bill & compelled to answer the allegations thereof - That some fit & proper party may be assigned you as attorney to defend the interests of the infant defendants; that your Honor will enter an order directing the said land to be divided in kind among the parties interested, or if that be impracticable, that the same may be sold, and the proceeds of sale distributed among the parties according to their respective interests.

And that your Honor will grant
such other, further general relief,
as the nature of this case may
require or to Equity may seem meet.
and as in duty bound, your complain-
ants will ever pray &c. May it please
the Court &c.

J. Kendrick &c.

The Joint Several answer of James Gray
William Gray, Susanna Gray, John
Gray & Virginia Johnson, minors under
the age of twenty one, by W. W. Briggs, their
Gdn ad litem, to a bill of complaint
exhibited in the Circuit Court of Southem-
ton against them by Joseph Gray & others.
These respondents, having receiving
all just grounds of exception to said
bill, for answer thereto say - That they
are infants under the age of twenty one,
& know nothing of the facts in the said
bill & being such, submit their rights
to the protection of this Court. And having
answered, pray hence to be dismissed &c.
J. Kendrick p. v. W. W. Briggs
Gdn ad litem

Gray
in { Reports
Gray

1877 May 8th

In obedience to a decree of the Circuit Court of Southampton County in the Chancery Suit of Joseph & Gray ^{others} against George W. Vick late Sheriff ^{of} James Gray ^{dec} & others, I advertised the Tract of land belonging to the Estate of James Gray ^{dec} containing about one Hundred acres, according to the directions of said decree, and sold the same at Public Auction in the Town of Jerusalem on the 3rd Monday in December 1896, and at the Sale so made Benjamin Gray became the Purchaser by bidding therefor the sum of Two Hundred dollars; and the said Benjamin Gray paid in full the said sum of Two Hundred dollars; and out of that amount I paid Costs of Suit and Expenses of Sale as follows; Clerk of Court \$9.44; Lawyer \$16.50. for advertising \$1.00, Auctioneer \$2.00 Comm. Commissions \$10.00. for Executing Decd \$5.00, Amount retained to pay future costs \$3.00. Making Total Costs &c \$44.94. leaving a balance in my hands of One Hundred & fifty five ^{100/100} dollars. Your Commissioner will further Report that he has Executed a ^{with special authority} deed to Benjamin Gray the Purchaser of the said Tract of land.

To The Hon. Court

Respectfully Submitted
W. C. Gregg Comr
May 1st 1897

In obedience to the within decree I distributed
the money in my ^{hands} according to the directions
of said decree, and took receipts from the
parties, as will appear by statement marked
A, filed with this Report.

W W Briggs Comr

May 10th 1882

City and

Gov

20

Prayer and

Govt Report

1882 May Term

Dorchester Circuit Court, May Term 1878.

Gray + others

Plffs

vs.

Gray's admors & ass.

Defts

J. K. Tyler, J.C.

This Cause was again heard this day in the papers
formerly read & together with the Report of Commr. Tyler,
filed since the last Term of this Court, & was argued
by Counsel. On Consideration whereof, the Court confirm-
ing said Report doth adjudge, Order and decree, that
Commissaries W. W. Briggs, after paying such other
legal costs of this Suit as may be still unpaid,
divide the balance of the Money for the Sale of
the said real Estate, in his hands, into Eight equal
portions, or Shares, & pay one share to Joseph H.
Gray, One to Richard Gray, one to Benj. T. Gray,
One to Wm. Gray, one to Nancy Gray, One to Martha
T. Bryant, (formerly Gray) One to Virginia Johnson, and
of the other of each share, he shall pay to Ann Gray,
widow of Wm. J. Gray, decd, the sum of Ten dollars
& thirty seven Cents, & the balance of the said ^{last} share
he pay in equal portions to James Gray, William
Gray, Susanna Gray, & John Gray (Minor Children
of the said Wm. J. Gray, or to their legally
appointed Guardian, & report to Court.

A. Cooper

Teste

J. K. Tyler, J.C.

17 50
4 39
13 18

140
36
104

Gray & others
vs $\frac{3}{3}$

Gray's admⁿ &c

Decree

Novem term '76

To be entered

Geo. B. Blow

Gray v. others
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Gray's adm'r &c.

This Cause was again heard this day on the papers formerly read, together with the Report of Special Commissioner, this day filed by leave of Court, and marked "W" and was argued by Counsel:

On Consideration whereof, the Court Confirming said Report, doth adjudge, order and decree that Wm. W. Briggs, Sheriff of this County, sell at auction at some suitable public place in said County, the tract of land in the proceedings mentioned, of which James Gray lately died seized, which said tract lies near Boykin's Depot - on the following terms to wit; Sufficeant in Cash to pay the expenses of this suit, (which the said Sheriff is directed ~~forthwith~~ to pay immediately after sale) and the balance on a credit of one two and three years equal installments, taking from the purchaser ^{with consent of the Court} bonds with good personal security, bearing interest from date, retaining title to the said real estate till the further order of the Court. and the said Sheriff is directed to report to the Court at the next term.

Gray & others
vs 3
Gray's adm'r & al

de pce

May Term 1856

To be entered

Geo. T. Blinn

Gray's case

Gray's adm^r &c.

This Cause this day
Came on to be heard on the Bill
of Complamants taken for confessed
as to the adult defendants, the answer
of the guardian and petitioners to the
infant defendants, general replication
and was agreed by Counsel.

On Consideration whereof the
Court doth advise order and decree
that Wm Beaton, Dennis Myant,
David H. Knicker, Wm P. Seabell &
James M. Corbitt be appointed Com-
missioners (any three of whom may
act) that they view the real estate
of which James Gray lately died seized
which lies near Boykin's depot in this
County and report to the Court whether
~~it is practicable to divide~~
or not partition of the land in the
proceedings mentioned can be done.
minutely made among the parties entitled
thereto, and if not whether the interests
of those entitled to the subject or its pro-
ceeds will be promoted by a sale of the
entire subject —

With any other matter deemed pertinent by
them — and report to Court.

Gray's
vs. Sumner

To the Sheriff of Grant County--Greeting:

1875 October Rules

Came to hand too late
to be executed.

W. W. Gray, Atty.

The Commonwealth of Virginia,

To the Sheriff of Southampton County---Greeting :

WE COMMAND YOU TO SUMMON *Geo: W. Vick Sheriff & admin of Est: Gray decd. -*
Ann Gray (widow of Thos J. Gray decd) James Gray - Williams Gray - Susanna
Gray - John Gray & Virginia Johnson (the last five ^{infants} by Thos J. Briggs Sheriff
their guardians ad litem.

if ~~they~~ be found within your bailiwick, to appear at the Clerk's Office of our Circuit Court, of South-
ampton County, at the Rules to be holden for the said Court on the first Monday in *October 1875-*
to answer a bill in Chancery exhibited against them in our said Court by
Joseph H. Gray - Richard Gray - Benja. F. Gray - Byrd S. Gray - Nancy
Eliza Gray and Martha F. Bryant.

And have then there this Writ.
the Court House, this *2nd*
year of the Commonwealth.

Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at
day of *October* A. D. 1875, in the *100th*

L. R. Edwards Clk.

Gray & others
- us

Gray's adm^l &c

Report

"J"

Gray's

in the

To the Hon George Blow -

Judge of the Circuit Court of Southampton County -

Gray & others vs Gray's adm^r &c -

We the undersigned, appointed by a Decree of said Court at the May term thereof 1875, special Commissioners to view the real estate of which James Gray lately died seized, lying and situated near Boykin's Depot in said County, and to report to the Court whether or not partition ^{in kind} of the said land can be conveniently made among the parties entitled thereto, that is the Children and their descendants of the said James Gray, and whether the interests of said parties or heirs will be promoted by a sale of the whole subject matter, do hereby report, that a division in kind of so small a tract among so many parties with any sort of advantage to them, is impracticable.

There are only about 120 ^{as we are informed} acres of the whole tract, which is very poor and there are about eight or ten parties entitled to it - a sale of the land is the only proper ~~mode~~ and practicable mode of division.

Respectfully submitted to the Court
this 8th day of November 1876.

Jas M Corbitt
Wm M. ~~Corbitt~~
David H. Rowdred

Grays

2 Dec 1862

Gray's Adm'n's

Presumptive Circuit Court, May Term 1877.

Joseph H. Gray, Richard Gray, Benj. D. Gray
Byrd Gray, Nancy, Eliza Gray, Marston D.
Bryant Plaintiffs Subscribers

against
Geo. W. Vick late Sheriff, Adm^r of Jas Gray dec.
Amy Gray, widow of Wm J Gray dec. James Gray,
William Gray, Susanna Gray, John Gray, Virginia
Johnson, the last four Infants by Wm M Briggs
their Guardian ad litem. Defendants

This Cause was this day again heard on the papers
formerly read & the Rept of Commissioner Briggs filed
at this term of the Court, to which ^{there is} no exception, and
the Court confirming said Rept, doth adjudge, order
and decree, that a Commissioner of this Court
take and report an account according to account
to which Amy Gray, widow of Wm J Gray dec.
is entitled in fee simple in view of her right of
dower in the said Wm J Gray's interest in the
said tract of land in the proceedings mentioned;
and the said Commissioner is directed to report
and return matter deemed pertinent by himself,
in which may be required by any of the parties
interested to be so stated.

Attest, J. R. Sykes & Co

Gray & others
vs. Refs

Gray's adminⁿ

1878 April 25th

An Account Showing the amount to which Mrs Ann
Gray, widow of Wm. J. Gray decd. is entitled in
fee simple, in lieu of her right of Dower, in the said
Wm. J. Gray interest in the said tract of Land in
the proceedings mentioned.

James Gray was the owner of the land, he is dead intestate,
& left the following children his heirs, Joseph St. Gray, Richard
Gray, Benjamin S. Gray, Byrd Gray, Nancy Gray, Marston St.
Brant, (formerly Gray) & Wm. J. Gray, who died & left a
widow Ann Gray, whose interest is sought for, (that is her
portion of the money in fee, for which the Land sold,) in
lieu of her Dower 1/3 in her husband's portion. Wm. J.
Gray left the following children, also who together with
his said widow and his heirs, James Gray, Wm. Gray,
Susanna Gray & John Gray, & Virginia Johnson, formerly
Gray.

Net balance in hands of Court. Prigge \$155.00
Deduct all cost hereafter to accrue 15.00 (probably)
Divide this by Eight, Wm. J. Gray's portion, (\$140.00
\$17.50
Ascertain the equivalent in fee of Wm. J. Gray's widow in
this sum for life, Divide this by three, 3 (\$17.50
\$5.83

The fee simple equivalent of which, is
according to the tables, \$4.37
to which Wm. J. Gray's widow is
entitled in fee

Amount for \$5.00
Chgo to Self

Respectfully Submitted,
James R. Taylor,
Census taker

Mr. W. W. Briggs

Dear Sir You
will please pay to Mr Robt S. Pope
the amount due me on sale of
Land now as the old James. Gray
farm. near Boykins Depot Va
Respectfully,

July 15th / 78 -

Witness

Robt S. Pope -

Nannie ^{her} E. Gray
mark

Mr W. W. Briggs

Do sir you
will please send me that
money due me from that
land and this shall be my
receipt please oblige truly
Yours &c.

Martha F. Bryant
July 18th 1878

Mr. Jas. Gray's Est. *Richd Gray at R. Dr.*
1876.

To J. E. SEBRELL, Treasurer Southampton County.

To $111\frac{1}{2}$ Acres of Land, value \$ 278.75

" Property, &c., value . . . \$

" Capitation Taxes

" Tickets

Five per cent. for collection

Received payment, 17 day of *May* 1877

State Tax, at 50c. on \$100.	County Levy. at 40c. on \$100.	SCHOOL TAX.		TOTAL TAX.
		County, at $2\frac{1}{2}$ c. on \$100.	District, at 5c. on \$100.	
140	112	07	14	273
				14
				287.

B F Applewhite Dpty. Treasurer.

38
2 F.B

Lee Gray
 ya Lohmo

13.50

14.00

35.00
 32

34.28
 20

14.28
 15.14
 15.14

32.
15
 8.7

20.00
 68.56
52.00

90

Red Gray -
 BT Gray.
 T. St Gray -
 Rayd Gray.

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17
 15

W. C. Wrigg's Comm. in Chancery Suit
of Gray v. others against Gray v. others
In A/c with Distributives

By amt. in hand to be distributed	\$ 140.00
To Ann. Paid Jos. H. Gray his share $\frac{1}{8}^{\text{th}}$	\$ 17.50 ✓
" " " Richard Gray ✓ " "	17.50 ✓
" " " Ben. H. Gray ✓ " "	17.50 ✓
" " " Byrd Gray " "	17.50 ✓
" " " Nancy Gray " "	17.50
" " " Martha F. Bryant " "	17.50
" " " Virginia Johnson " "	17.50 ✓
" " " Ann Gray widow of Lem J. Gray who was entitled to $\frac{1}{8}^{\text{th}}$ her fee simple Value of said share	4.37 ✓
" " " Balance of Lem J. Gray's portion to the Guardian of his Children	13.13
	\$ 140.00. 140.00

Recd. June 17th 1878 of W. C. Wrigg's Comm. in the Chancery
Suit of Gray v. others against Gray v. others, the sum
opposite of our names, in full as directed by the
paid by a decree of the Circuit Court in said suit
rendered at May Term 1878.

W. C. Wrigg
Clerk

G. W. Vese.

Joseph H. Gray in his
own right & as Virginia Johnson

R. A. Gray

B. T. Gray

Bird, Gray

Robt. J. P. Freeman Gray

M. E. Bryant for
Martha F. Bryant

J. J. Dyer

J. J. Dyer

Wm. J. Porter witness as to

J. C. Boyank.

Gray & others
M

Gray's adm^r &c

deere -

May term '78

To be entered -

Geo. B. W.

Gray & others
vs

Gray's adm^r & others.

This cause was again heard this day on the papers formerly read together with the Report of Commissioner Tyler filed since the last term of this Court, & was argued by Counsel:

On consideration whereof the Court conferring said Report doth adjudge, order & decree that the said Commissioner Wm. W. Briggs, after paying such other legal costs ^{of this suit} as may be due unpaid - divide the balance of the money for the sale of the said real estate in his hand into eight equal portions or shares & pay one share to Joseph H. Gray - one to Richard Gray - one to Benjamin F. Gray - one to Byrd Gray - one to Nancy Gray - one to Martha F. Bryant (formerly Gray) one to Virginia Johnson and of the other & last share he shall pay to Ann Gray widow of Wm. J. Gray deceased, the sum of four dollars & thirty seven cents & the balance of the said last share he pay in equal portions to James Gray, William Gray, Susanna Gray & John Gray ^{minor} (children of the said Wm. J. Gray) or to their legally appointed guardians -
and report to Court -

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Gray & others

vs

Gray's admⁿ & others

Decree

To be entered

May 9th 77

Geo. V. Brown

Gray to Thers

My

Gray's adm^r & others

Decree

This Cause was, this day, again heard on the papers formerly read and the Report of Commissioner Briggs filed at this Term of the Court to which there is no exception, and the Court confirming said Report doth adjudge, order and decree that a Commissioner of this Court take and report an account shewing the amount to which Ann Gray, widow of Wm J. Gray deceased, is entitled in fee simple in lieu of of her right of dower in the said Wm J. Gray's interest in the tract of land in the proceedings mentioned, and the said Commissioner is directed to report any other matter ~~apparently~~ ~~concerning~~ ~~the estate of~~ ~~the~~ ~~deceased~~ ~~party~~ ~~to~~ ~~be~~ ~~advised~~ ~~pertinent~~ by himself or which may be required by any party interested to be so stated.

Gray
v 3
Gray et al

Deceit

To be entered
Chapter 17 18 19
May Term 1882

Geo. Blinn.

Gray
vs } Deane,
Gray }

This Cause was, this day, again heard on the papers formerly read together with the Report of Com. Missioner Wm. W. Briggs this day filed by leave of Court, and the Court confirming said Report - and there appearing nothing further necessary to be done in this suit it is ordered to be dismissed from the docket.

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Gray & others

Stat. Rules

Gray's admor

In Southampton Circuit Court

Joseph H Gray, Richard Gray, Benj F. Gray, Byrd S. Gray, Nancy
Eliza Gray & Martha F. Bryant

against

Geo. W. Vick, late Sheriff and administrator of James Gray dec'd. Ann Gray, widow,
of Wm. J. Gray dec'd. James Gray, William Gray, Susanna Gray, John Gray
and Virginia Johnson, the last five minors by Wm. W. Briggs their guardian
ad litem

1875 Oct. 2: Summons issued.

" " R. Summons not? too late to execute - Bill filed - W. W. Briggs
assigned Geo. ad litem to Infant Defts. Ans. of Infants sent Ref
thereof. Cause set for hearing as to them - New process awarded in
adult Defts - Vick adm of Ann Gray

1876 May. Decree &c. 5/

1877 May. Decree for acct &c

1878 May. Report & decree -

1882 May. Dismissed from the Docket.