1909 - 04 Southampton County Chancery Bain, Thos. L. et als Vs Gray, Saml's Estate

"Land to be sold to pay debts" -

Williams, J. W. Sh. Adm
Williams, Washington
Williams, Mary
Gray, Sallie
Gray, Thos.
Gray, Saml.
Gray, Sandy
Gray, James
Gray, Pattie - infts
Gray, Jennie
Gray, Charlie
Gray, Henry
Gray, Joseph

To the Hon. C W Hill. Judge of the Circuit Court of Southampton Co. In Chancery.

Complaining sheweth unto your Honor Thos L. Bain who sues for himself and all other creditors of Saml. Gray decd, who will come in and bear their share of the costs of this suit - That during the year 1887 Saml. Gray departed this life intestate, leaving a widow, Dinah Gray, and the following children as his heirs at law and distributees - viz Mary, who has intermarried with Washington Williams, Sallie, Thos, Saml., Sandy, James, Pattie, Jennie, Charlie, Henry and Joseph Gray, the last 10 infants - That at the time of his death the said Saml. Gray was seized of some personal estate and a small farm containing some 35 or 40 acres, situated in this County - That his estate was committed to the hands of J W Williams Shff of Southampton County at the Sept Term 1887 of the County Court of Southampton Co. as will appear from copy of the order herewith filed marked 1 and prayed to be taken as a part of this bill - That the said Williams Shff & Adm by virtue of his office has possessed himself of all the personal estate.. That at the time of his death the said Saml Gray was indebted to your complainant by bond dated Mch 7. 1883. for $37.50 as will more fully appear from the said note herewith filed marked (2) as an Exhibit in this Cause- That no dower has ever been assigned the widow of said Saml. Gray- That your complainant is advised that the only way he can collect his debt is by having a full settlement of the Estate and subjecting the land to the payment of the debts of the deceased That the rents and profits of said land will not pay ~~In tender ces~~ the debts in five years- In tender consideration of all which and inasmuch as your complainant is without remedy in the premises except in a Court of Equity where such matters are properly cognizable to the End therefore that justice may be done, he prays that J. W. Williams, Shff & admr. of Saml Gray, Washington Williams & Mary his wife, Sallie, Thos, Saml., Sandy, James, Pattie, Jennie, Charlie, Henry, and Joseph Gray, last ten infants, be made parties defendant to this bill and compelled to answer its allegations - that some fit and proper person be assigned Gdn ad litem to defend the interests of the infants - that Commissioners may be appointed to assign dower to the widow of said decedent, that all necessary and proper accounts may be ordered, and if it should appear necessary that the lands of said Gray may be sold and the proceeds applied to the payment of his debts - that your complainants debt be paid to him - and that your Honor will grant 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.

Prince & Lebree p.q.

The joint and several answer of Sallie, Thos. Saml, Sandy, James, Pattie, Jennie, Charlie, Henry & Joseph Gray, infants, by B. F. McLemore, their Gdn ad litem to a bill of complaint exhibited in the Circuit Court of Southampton against themselves and others by Thos. L. Bain for &c.

These respondents, saving and reserving &c. for answer to said bill say, that they are infants, and being such submit their rights to the protection of this Court. and having answered pray hence to be dismissed &c.

B. F. McLemore
Gdn ad litem

Bain for &c. 1909 –
vs B. Bice & others
Grays Answer &c.

1881. Jany Rules

Quietshire pr

$ [illegible] On Demand, I promise to pay unto F. L. Bain his their Heirs, Executors, Administrators or Assigns, the just and full sum of Thirty Seven Dollars and Fifty Cents, current money of the United States, for value received; and it is agreed upon by the parties that the interest on this Note shall be at the rate of 6 per cent. per annum; for the payment of which I bind My self, My Heirs, Executors and Administrators firmly by these presents; and I hereby waive the benefit of My Homestead Exemption as to this debt, obligation or contract.

As witness My hand and seal this 7th day of March, in the year of our Lord one thousand eight hundred and Eighty Three

Lemuel his + mark Gray (Seal.)

Witness Joseph S. Holmes

(Seal.)

Southampton County Court Septr. Term 1887

Lemuel Gray having departed this life intestate more than three months ago. and no one having applied for administration of his goods and chattels: On motion of Thos L. Bain, it is ordered that J W. Williams Sheriff of this County take the estate of the said decedent into his hands and administer the same according to law

A Copy

Teste B. F. McLemore Clk.

Bain for &c. 132

vs } Stat: Rules

Gray's Admin &c.

Thos. L. Bain, who sues for himself
and all other creditors of Leml. Gray
decd. who will come in and bear
their share of the costs of this suit Pltff

vs

J. W. Williams Shff & Admr of Leml. Gray decd.
Dinah Gray - Washington Williams - & Mary, his
wife - Sallie - Thomas - Saml. Sandy -
James - Pattie - Jennie - Charlie - Henry -
& Jos Gray - last ten, infants. Defts.

1887. Sept 24: Sum; Issued to Oct. Rules -
" Oct: Rules: Sum: retd Executed on J. W. Williams
Admr & Dinah Gray - Washington
Williams & Mary Williams not
being residents of this County:
Bill filed - B. F. McLemore appted
Gdn ad litem to infants -
Decree nisi vs J. W. Williams &
Dinah Gray - ~~suit abates as to~~
~~Washington & Mary Williams~~
" Nov " Bill taken for confessed as
to J. W. Williams Admr & Dinah
Gray - Answer of infant Defts by Gdn ad litem filed -
& Alias Sum: vs Washington
Williams & Mary Williams
to Decr Rules.
" Dec " Alias retd not found - & alias to
Jany Rules -
1888 Jany " Alias retd Ex - bill taken for Confessd
as to all adult Defts & case set for hearing -

Receipt for delinquent
land taxes.

1899. 30th. Jany. Filed

L. A. Gay C.C.

DOLLARS

$10.^{48}

Received Jany 30 1899 of J. W. Williams Adm of Lem^{l} Gray Ten dollars and 48 cents, back taxes, interest, cost and charges on a tract of land containing 37 acres, standing on the delinquent land book in the name of Lem^{l} Gray, sold by the Treasurer of Southampton County, on the 15 day of Decr 1890 for the nonpayment of taxes and levies due thereon for the year 1889 and purchased by the Commonwealth and for the purchase of which, G. B. Harris has filed an application under the provisions of an act of the General Assembly of Virginia, approved February, 11. 1898.

B. F. McLemore C. C.

Memorandum;

Taxes for 1889	$2.43
Interest:	1.20
Cost,	.50
Land Grabbers Cost:	6.35
	$10.48

Executed by delivering to the within named Washington Williams & Mary Williams each a true Copy of the within Summons Dec. 26th 1887.

Ro. A. Edwards
Shff.

Bain
vs Sum
Gray's Admr & als:

1888. Jany. Rules
Cir: Ct.

The Commonwealth of Virginia,

TO THE SHERIFF OF ~~SOUTHAMPTON~~ Isle of Wight COUNTY—Greeting:

WE COMMAND YOU TO SUMMON Washington Williams and Mary Williams

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 Jany next, to answer a bill in chancery exhibited against them & others in our said Court by Thos. L. Bain, who sues for himself & all other creditors of Leml. Gray decd. - who will come in and bear their share of the costs of this suit.

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

Witness, B. F. McLemore ~~J. B. PRINCE~~, Clerk of our said Court, this 12th day of December 1887, in the 112 year of the Commonwealth.

B. F. McLemore C. C.

Barr for &c.

vs } Copy of Decree

Gray's Admr

Southampton Circuit Court May Term 1888

Bain, who sues for &c.
vs } Decree
Grays Adm'r &c.

This day this cause which has been taken for confessed as to the adult defendants came on to be heard on the bill of the complainant, the answer of the infants by B. F. McLemore their gd'n ad litem with general replication thereto, and was argued by counsel. On consideration whereof, the Court doth adjudge order and decree that J. F. Boykin W. D. Pond J. L. Johnson & B. F. Bell any three of whom may act be and they are hereby appointed commissioners to assign and allot to Dinah Gray widow of Lem'l Gray dec'd one third in value of the real estate whereof her husband Lem'l Gray died seized and possessed having regard to quantity and quality and the said

Comr will make report to court. The court doth further adjudge order and decree that one of the commissioners of this court audit and report the following accounts viz:-

1st An account of the plaintiffs demand and all other outstanding debts against Saml. Gray dec'd distinguishing their priorities

2nd An account of J. H. Williams transactions as Admr of Saml. Gray dec'd & 3rd An account of the annual & absolute value of real estate whereof Saml Gray died seized and possessed. which said accounts the said Comr will report to court together with any other matters specially stated deemed pertinent by himself or which may be required to be so stated by any interested party.

A copy. Teste: B. F. McLemore c.c.

Bain

vs Eq Notice

Gray's Admr &c.

Executed Sept
18th 1888 by delivering
a copy of this Notice
to B. F. McLemore
Guard ad Litem &
J. H. Williams Admr

J. H. Williams
Shff

Commissioner's Office,

Jerusalem, Va., Sept. 5th: 1888-

To Thos: L. Bain, who sues for himself and all other creditors of Lem'l Gray, dec'd who will come in and bear their share of the costs of this suit, J. W. Williams, Shff and Admr of Lem'l Gray, dec'd, Dinah Gray, Washington Williams and Mary, his wife, Sallie, Thomas, Sam'l, Sandy, James, Pattie, Jennie, Charlie, Henry and and Jos: Gray, last ten infants-

You are hereby notified that I have fixed upon the 21st: day of September next, if fair, if not, the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts, to wit:

1st: An Account of the plaintiff's demand and all other outstanding debts against Lem'l Gray, dec'd, distinguishing their priorities-

2nd: An Account of J. W. Williams' transactions as Admr of Lem'l Gray, dec'd,

3rd: An Account of the annual and absolute value of the real estate whereof Lem'l Gray died seized and possessed, which said accounts the said Commissioner will report to court, together with any other matters specially stated deemed pertinent by himself or which he may be required to be so stated by any interested party-

required to be taken by a decree of Southampton Circuit Court, rendered at the May term, 1888, 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 said Court, the day and year first aforesaid.

Wm. H. Parker,
Commissioner.

To the Sheriff of Southampton County to execute.

An Account of debts outstanding against the Estate of Lemuel Gray, deceased, proved before me, Wm H. Parker, a Commissioner in Chancery for the Circuit Court of Southampton County, on the day of 1888, pursuant to a decree of the said Court, entered at the May Term 1888, in the Chancery cause of Bain for &c., against Gray's Admr &c.-

4. Class.-

One bond, waiving Homestead Examination, dated March 7th: 1883, and payable to J. L. Bain on demand - Amo: due	37	50		
In from March 7/83 to Sept. 21/88	11	79	$49	29
Total amo: debts proved -			$49	29

Respectfully Submitted,

Wm H. Parker
Commr in Chancery.

An Account of the Real Estate of which Littleton Ivey died seized and possessed, showing the fee simple and annual value of the same, reported in obedience to the decree of the Circuit Court of Southampton County, entered at the May Term 1888, in the Chancery cause of Bain &c. against Gray's Admr &c.

	Fee simple value	Annual value.
A tract of land, containing 40 acres, more or less, and valued at	$126 40	7 58

Respectfully Submitted,

Wm. H. Parker,
Commr in Chancery

Commissioner's Office,
Jerusalem, Va.,
Sept., 21st: 1888.

To the Circuit Court of Southampton County:
Pursuant to a decree of the Circuit Court of Southampton County, rendered at the May Term 1888, in a suit in chancery depending the said Court between Thos: L. Bain for &c., complainant, and J. W. Williams, Adm'r. of Lemuel Gray, and others, defendants, the undersigned, one of the Commissioners of the said Court, to whom was referred for settlement, by said decree,

1st: The account of the plaintiff's demand and all other outstanding debts against Lemuel Gray, dec'd, distinguishing their priorities;

2nd: The account of J. W. Williams' transactions as administrator of Lemuel Gray, dec'd; and,

3rd: The account of the annual and absolute value of the Real Estate whereof Lemuel Gray died seized and possessed, together with any other matters specially stated deemed pertinent by himself or which he may be required to so state by any interested party, reports to the Court, that on the 5th day of September last, he issued notices

against the several p
quiring them to attend
the said accounts, befor
on the 21st: day of Sept
were returned to your om
executed. That the administrator appeared before the Commissioner on the 21st: day September 1888, in obedience to said notice, and stated that no assets having come to his hands from his decedent's estate and no collections having been made, he was, therefore, unable to render any administration account of said estate.

The amount of debts proved against the said Estate were only $\$49.^{29}$, of which $\$37.^{50}$ is principal, and $\$11.^{79}$ is interest.

The fee simple value of the land, of which the said Lemuel Gray died seized and possessed, is $\$126.^{40}$, and the annual value is $\$7.^{50}$; which is insufficient to pay, within five years, the indebtness reported against the said estate.

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

Commissioners fee $\$10^{00}$
Chg. to Complainant

Wm. H. Parker,
Commissioner in Chancery.

Bain for &c.

vs. } Statement of costs

Gray's Admr et als

Bain. for &c.
vs. Statement of Costs
Grays. Admr et als.

1887				
Sept.	24	Sum. 25. 3 cop. 39. another Sum. 25. 2 Cop. 26 =		1 15
		another Sum. 25. 2 Cop. 26. another Sum. 25. 1 Cop 13 =		89
		receipt for all Sum 72. atty. 10. Docket	18 =	1 00
		Rules 2.00. entering return 35. Fil. bill	15 =	2 50
		Do. answer of Gdn. ad litem 15. Do 2 reports	50 =	65
		another Sum. 25. 2 cop. 26. receipt 18 =		69
		3 Decrees & Copies 2.16, Copy exhibits	25 =	2 41
1893 Mch.		6 Continuances on docket	1 50 =	1 50
[illegible]			B. F. M	$10 79
1895 Mch		4 Continuances on docket 1.00 =	T. M. H	1 00
1899. Jany	30	Receipt for delinquent Taxes filed 15 =		15
1900 Apr.		10 continuances on docket 2.50, Tax costs &c. 40 =		2 90
		Filing away papers 25, future costs about 1.00		1 25
			Clerk	$16 09
			Shff. So'ampton Co.	2 00
			" Isl W. co	1 00
		Pd. by J. B. Prince }	Sergt of Norfolk	50
			Law &c.	16 50
				$36 09
		Fee of Comr W. H. Parker		10 00
				$46 09

B. F. M 10.79
T. M. H 1.00
L. A. V 4.30
$16.09

Bain Cobb

vs

Sum

Gray's Admr & als:

1887. Oct: Rules

Cir: Ct.

Executed by delivering to J.W. Williams a copy of this summons. The other parties named in this summons not being residents of this County - Sept 27th: 1887

A.F. Cobb Depty for

J.W. Williams Shff

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON J. W. Williams, Sheriff and as such Admr of Leml. Gray decd, Dinah Gray, Washington Williams and Mary Williams, his wife, Sallie, Thos, Saml, Sandy, James, Hattie, Jennie, Charlie, Henry & Joseph Gray, last ten 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 Thos. L. Bain, who sues for himself and all other creditors of Leml. Gray decd, who will come in and bear their share of the costs of this suit.

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

Witness, ~~J. B. Prince,~~ B. F. McLemore Clerk of our said Court, this 24 day of Sept 1887, in the 112 year of the Commonwealth.

Teste: B. F. McLemore C. C.

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON Washington Williams

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 him & others in our said Court by Thos. L. Bain who sues for himself and all other creditors of Leml. Gray decd. who will come in and bear their share of the costs of this suit.

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

Witness, B. F. McLemore ~~J. B. Prince~~, Clerk of our said Court, this 24 day of Sept 1887, in the 112 year of the Commonwealth.

Teste: B. F. McLemore C. C.

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON Mary Williams.

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 heirs & others in our said Court by - Thos. L. Bain who sues for himself and all other creditors of Leml. Gray decd. - who will come in and bear their share of the costs of this suit.

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

Witness, B. F. McLemore ~~J. B. Prince~~, Clerk of our said Court, this 24" day of Sept 1887, in the 112" year of the Commonwealth.

Teste: B. F. McLemore C. C.

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON Sallie - Thomas - Saml. - Sandy - James - Pattie - Jennie - Charlie - Henry - & Joseph Gray - 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 & others in our said Court by Thos: L. Bain, who sues for himself and all other creditors of Leml Gray decd, who will come in and bear their share of the costs of this suit.

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

Witness, B. F. McLemore ~~J. B. Prince~~, Clerk of our said Court, this 24 day of Sept 1887, in the 112" year of the Commonwealth.

Teste: B. F. McLemore C. C.

Bain for &c.

vs } Sunn

Gray's Admr &c.

1881. Decr Rules
Cir: Ct:

Not found

C. L. Quinn Deputy
for J. A. Brummer Jr Serg
Norfolk City

The Commonwealth of Virginia,

TO THE ~~SHERIFF~~ Sergt OF ~~SOUTHAMPTON COUNTY~~ City of Norfolk Greeting:

WE COMMAND YOU TO SUMMON Washington Williams & Mary Williams

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 Decr next, to answer a bill in chancery exhibited against them & others in our said Court by Thos. L. Bain, who sues for himself & all other creditors of Leml. Gray decd who will come in and bear their share of the Costs of this suit.

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

Witness, ~~J. B. PRINCE,~~ B. F. McLemore Clerk of our said Court, this 5 day of November 1887, in the 112 year of the Commonwealth.

B. F. McLemore C. C.

The Commonwealth of Virginia,

Sergt: City of Norfolk

TO THE ~~SHERIFF OF SOUTHAMPTON COUNTY~~—Greeting:

WE COMMAND YOU TO SUMMON Washington Williams

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 Decr next, to answer a bill in chancery exhibited against him & others in our said Court by Thos. L. Bain who sues for himself and all other creditors of Leml Gray decd. who will come in and bear their share of the costs of this suit

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

Witness, B. F. McLemore ~~J. B. PRINCE~~, Clerk of our said Court, this 5 day of November 1887, in the 112 year of the Commonwealth.

B. F. McLemore C. C.

The Commonwealth of Virginia,

TO THE ~~SHERIFF OF SOUTHAMPTON COUNTY~~ Sergt: City of Norfolk—Greeting:

WE COMMAND YOU TO SUMMON Mary Williams

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 December next, to answer a bill in chancery exhibited against her & others in our said Court by Thos. L. Bain, who sues for himself and all other creditors of Saml. Gray dec— who will come in and bear their share of the costs of this suit.

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

Witness, ~~J. B. Prince,~~ B. F. McLemore Clerk of our said Court, this 5 day of November 1887, in the 112 year of the Commonwealth.

B. F. McLemore C. C.

Bain

vs Summ

Gray's Admr & als:

1887. Oct: Rules

Cir: Ct:

Executed this 3rd day of October A D 1887 by serving a copy hereof on Danah Gray

C. L. Quinn Deputy
for J. A. Brimmer Jr Sergt

Sergts fee 50cts paid
C. L. Quinn D.S.

The Commonwealth of Virginia,

TO THE ~~SHERIFF~~ Sergt: OF ~~SOUTHAMPTON COUNTY~~ City of Norfolk Greeting:

WE COMMAND YOU TO SUMMON Dinah Gray

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 her & others in our said Court by Thos: L. Bain who sues for himself and all other creditors of Leml. Gray decd, who may come in and bear their share of the costs of this suit.

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

Witness, ~~J. B. PRINCE,~~ B. F. McLemore Clerk of our said Court, this 24 day of Sept 1887, in the 112 year of the Commonwealth.

Teste: B. F. McLemore C. C.

Bain for use

vs.} Freedom L. A. Gay

Gray's admr et als

	Bain. for &c.	
	vs. } Clerk's fees due L. A. Gay to date	
1899	Gray's Admr. et als.	
Jany. 30	Filing receipt for delinquent taxes 15=	15
1903. Nov. 25	16 continuances on the docket $4.00=	4.00
	Tax. costs &c. .40. tax costs 7 years @ 10¢ .70	1.10
		$5.25

Bain

v. } Sam

Gray's Admr & als:

1887. Nov: Rules
Cir: Ct:

Not found

C. L. Quinn Deputy
for J. A. Brummer Jr
Sergt

The Commonwealth of Virginia,

Serg't City of Norfolk

TO THE ~~SHERIFF OF SOUTHAMPTON COUNTY~~ Greeting:

WE COMMAND YOU TO SUMMON Washington Williams and Mary Williams

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 Nov next, to answer a bill in chancery exhibited against them & als. in our said Court by J. L. Bain who sues for himself and all other creditors of Leml. Gray decd. who will come in and bear their share of the costs of this suit.

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

Witness, B. F. McLemore ~~J. B. Prince,~~ Clerk of our said Court, this 14 day of Oct 1887, in the 112 year of the Commonwealth.

B. F. McLemore C. C.

The Commonwealth of Virginia,

TO THE ~~SHERIFF~~ Sergt OF ~~SOUTHAMPTON COUNTY~~ City of Norfolk—Greeting:

WE COMMAND YOU TO SUMMON Mary Williams

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 Nov next, to answer a bill in chancery exhibited against her & others in our said Court by J. L. Bain, who sues for himself and all other creditors of Leml Gray dec'd, who will come in and bear their share of the costs of this suit.

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

Witness, B. F. McLemore ~~J. B. PRINCE~~, Clerk of our said Court, this 14 day of Oct 1887, in the 112 year of the Commonwealth.

B. F. McLemore C. C.

The Commonwealth of Virginia,

TO THE Sergt ~~SHERIFF~~ OF City of Norfolk ~~SOUTHAMPTON COUNTY~~ Greeting:

WE COMMAND YOU TO SUMMON Washington Williams

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 Nov next, to answer a bill in chancery exhibited against him & others in our said Court by J. L. Bain, who sues for the benefit of himself and all other creditors of Leml. Gray decd. who will come in and bear their share of the costs of this suit

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

Witness, B. F. McLemore ~~J. B. PRINCE~~, Clerk of our said Court, this 14 day of Oct 1887, in the 112 year of the Commonwealth.

B. F. McLemore C. C.

Bain for &c
Report
U.S. & Ahearn
Gray's Admr. &c

Bain for &c

vs.

Grays Admr. &c

To the Hon. C. W. Hill

Your Comr. begs leave to report in the above cause that he advertised and sold the land in question as directed by the decree to J. L. Bain he being the highest bidder, for one hundred & twenty dollars and the purchaser is ready to comply when the sale is confirmed by the Court. Your Comr. would recommend that the sale be confirmed.

Respectfully Submitted
J. W. Williams
Comr.

Nov. Term Cir. Ct.
1890

Bain who sues for &c.
vs } Decree.
Grays Admr &c.

This day this cause which has been taken for confessed as to the adult defendants, came on to be heard on the bill of the complainant, the answer of the infants by B. F. McLemore their gdn ad litem & with general replication thereto, and was argued by counsel. On consideration whereof, the Court doth adjudge order and decree that J. F. Boykin, W D Pond and J. L. Johnson & B. F. Bell any three of whom may act be and they are hereby appointed Commissioners to assign and allot to Dinah Gray, widow of Saml Gray decd one third in value of the real estate whereof her husband Saml Gray died seized and possessed having regard to quantity and quality - and the said Commrs will make report to Court.

The Court doth further adjudge order and decree that one of the Commissioners of this Court audit and report the following accounts - viz -:

1st An account of the plaintiffs demand and all other outstanding debts against Saml Gray decd, distinguishing their priorities -

2nd An account of J. W. McIlvain's transactions as Adm. of Saml Gray dec'd

& 3rd An account of the annual and absolute value of the real estate whereof Saml Gray died seized and possessed. Which said accounts the said Com. will report to Court together with any other matters specially stated deemed pertinent by himself or which may be required to be so stated by any interested party.

Bain ~~120~~ 115
vs 3 Decree
Gray's Admr &c

1888. May Term
To be entered.
C. W. Hall

Copy given to J H H Aug 1. 88

72
216

Bacon for v. 103 ~~108~~

vs Z. Deane

Geo. Adm

1889. Nov Term

To be entered.

C W Price

Entered Page 355

Bain for &c.

vs } Decree.

Griggs Admr, &c.

This day this Cause came on to be further heard on the papers formerly read, the report of Comr W.H. Parker, filed Oct 26. 1888 to which there is no Exception and was argued by Counsel. On considera-tion whereof, the Court doth confirm the said report. And it appearing to the Court that the rents and profits of the real Estate in the proceedings mentioned will not pay the debts proved in five years the Court doth adjudge order and decree that J.W. Williams Shff of Southampton County sell the real Estate in the proceedings mentioned after advertising the same for 20 days upon the following terms one half cash balance in twelve months, the purchaser to give bond for deferred payment with such security as said Williams may require and the title to be retained for deferred payment. And said Williams will report his proceedings to Court.

Bain for &c.
vs } Decree
Geo. A. Dun. &c.

This day this Cause came on to be again heard on the papers formerly read, the report of Com. Williams, filed by leave of the Court during the term, to which there is no Exception and was argued by Counsel. On consideration whereof, the Court doth confirm the said sale report and doth decree that the said Williams Com. receive the purchase price for said land, and out of the same pay the costs of this suit and pay the balance to the parties entitled. And when all the purchase money is paid the said Com. will execute a deed with Special warrant to the said Tho L Bain -

Baum for use 99
vs Ez Deceased
Graig, Adm

1890 Nov Term

To be entered
CWD
Nov 8. 1890

Ent