

1857-007

Chancery Causes: Georgiana Wright + al, by v c VS Annaminta Wright, Ellenora Day +
Isle of Wight County

Martha Ann Jefferson

other SURNAMES. Duke.

To the Worshipful County Court of Isle of Wight
County, in Chancery sitting. The joint & several
Answers of Annina Wright, Ellenora Gay &
Martha Ann Jefferson, to the Bill of Com-
plaints in said Court exhibited by Benjamin
Wright & als, against them & others—

These Defendants reserving to themselves
all right of exception to the said Bill of
Complaints for answer thereto say that they
cannot deny the allegations of said bill;
that they have no objection to the decree
prayed for by the said bill for the sale of
the negroes Charles & Lacey mentioned
therein & the distribution of the proceeds
of sale among ~~the~~ respondents & the other
parties entitled thereto under the will of
J^m Gay deceased according to their respec-
tive rights, & having answered pray hence
to be dismissed with their costs & costs rea-
sonably expended in this behalf &c

And

Attest Phillip a Signed

T. M. M.

{ Ellenora Gay
Martha A. Jefferson

Annina A. Wright
mark

Wrightabals } In
Gayabals^{ss} } Chancery

Stephen L. ~~Butt~~ Butt

To the Worshipful County Court of Isle of
Wight County, in Chancery sitting, humbly
complaining shew to the court, your com-
plainants, Georgiana Wright, Louisa
Wright, Algernon Wright, & George M. Gay
infants under twenty one years of age. seeing
by Stephen Wright as their next friend, that
on or about the day of 183th one
William Gay departed this life in the
County aforesaid, having previously made
published his last will & testament, which
after his death, to wit at the term of
the said court was admitted to probat & at
the same term said Gay nominated in said
will qualified as such - as will appear
from a certified copy of said will with cer-
tificate of probat & of said executor's
qualification annexed marked A & here-
with filed as a part of this bill. That by
his said will the said testator devised &
bequeathed ~~one~~ half of his estate to the chil-
dren of Stephen Wright, to wit, Georgiana,
Louisa, Algernon Wright (your complain-
ants as aforesaid) & Anninda Wright, &
the other half of his estate to George M. Gay
(your aforesaid complainant) Ellenora Gay
& Martha Ann Jefferson, - That the
property thus bequeathed consisted in
part of two negroes Charles & Loney, who
are now in the possession of the said
executor - That the said negroes are not
needed for the payment of the debts of the
said testator, or of the expenses of administra-
tion - That the said negroes cannot be divi-
ded in kind among the parties entitled thereto

under the will aforesaid - that the aforesaid
Georgiana, Louisa, & Margaretta Wright &
George M. Gay are infants under twenty
one years of age - that owing to the infancy
of said parties the said negroes cannot
be sold by the parties themselves. In tender
consideration whereof & for as much as your
complainants are without remedy at law
& can only be relieved by this worshipful
court of equity where matters of this sort
are cognizable, your complainants pray
that the said Araminta Wright, Ellenora
Gay & Martha Ann Jefferson may be
made parties complainant to this bill &
be required to answer the same, & that
by the decree of this worshipful court -
the said negroes may be sold, & the pro-
ceeds thereof distributed among the parties
entitled thereto. & that such other, further &
general relief may be granted as the nature
of the case may require, or to equity shall
seem meet. And your complainants
will ever pray &c

Hayden ps -
I have authorized the institution of the
above bill

Stephen Wright

Wright et als } In
as } Chancery
Gay et als - }

Complainant's Bill -

June 2^d 1856. Bill &c. filed
& interl^y. decreed.

July 7. 1856 - Amended decree.

Octo. 6. 1856. Rept. of sale &c.
made & filed & con^d.

Jan'y. 1857. final decree

To the County Court of Isle of Wight in Chancery
Sitting. The Answer of Lion Gay ~~Deceased~~
of Wm Gay deceased, to the Bill of Complaints in
said Court exhibited by Georgiana Knight et al,
against him & others. This defendant reserves
to himself all right of exception to the said bill of
complaint, for answer thereto save that he is
as in said Bill charged the Executor of Wm Gay
deceased, who by his will devised & bequeathed his
property as in said bill charged. That the legacies
in said bill mentioned as belonging to his testa-
tor are unnecessary for the payment of debts & he
is willing to surrender the same for distribution
among the parties a sale for that purpose pro-
vided he can obtain sufficient bonds as the law
requires - & Having answered & agreed herein to be
discharged with his costs most unreasonably expen-
ed in this behalf -

Signed -
Lion Gay

Wright et al
Gay et al^{rs}

Museum of Sion Gay
Etc of Wm Gay -

By Virtue of the annexed decree Your Commission-
after having given more than twenty days notice of
the time and place, did expose to sale on the 18th day of
August 1836 (at the late residence of Mr Gay dec'd.)
the slaves mentioned in the said decree viz

Boy Charles to Mr Wall.	\$800
Woman Loney to John L Marshall.	150.
	<u>\$950</u>

Charges		
Attorney's fee	\$10	}
clerk's —	5.	
Comm ⁿ on \$300	15.	
Comm ⁿ on 650 @ 2 p ^{ct} .	13	
		43
	Nett amt:	<u>\$907</u>

To p. ^r Elleanor Gay	£	\$151. 16 ² / ₃
" " Martha A Jefferson	£	151. 16 ² / ₃
" " For R. B. Baker Guardian for John Gay	£	151. 16 ² / ₃
" " p. ^r Ann Maria Wright	£	113. 37 ¹ / ₂
" This sum retained as Guardian for		
George Ann Maria Wright	£	113. 37 ¹ / ₂
To this sum retained as Guardian for		
Louisa Wright	£	113. 37 ¹ / ₂
To this sum retained as Guardian for		
Algernon Wright	£	113. 37 ¹ / ₂
		<u>\$907 00.</u>

The refunding bonds are all filed in the clerk's
office as directed by the decree. all of which is
most respectfully submitted.

Stephen Wright

Wright et als

vs
Gay et als -

This day came the Plaintiffs & filed their Bill & the Defendants Anninta Wright, Ellenora Gay & Martha Ann Jefferson, ^{& seven Gay Executors of W^m Gay} filed their answers, to which answers the Plaintiff replied generally, & the cause coming on to be heard upon the bill, the said Answers & general replications thereto & exhibits, was argued by counsel. On consideration whereof the Court doth adjudge order & decree that Stephen Wright who is hereby appointed commissioner for that purpose after having given public notice of the time & place of sale by advertisement to the Court House of this County on some court day previous to the day of sale, proceed to sell at public auction at the late residence of W^m Gay deceased, on the 12th of the present month, or such day thereafter to which the sale of the chattel estate of the said W^m Gay may be adjourned, the two negroes Charles & Leroy belonging to the estate of the said W^m Gay now in the possession of his ^{said} executor, on a credit of six months except so much for cash as will pay the costs of this suit, but the commissioner is hereby authorized to receive from the purchaser or purchasers of said negroes cash, should it be preferred to the execution of said bonds - if the bonds be executed they shall be with sufficient security & payable as follows to Anninta Wright, George Anna Wright, Louisa Wright, & Algernon Wright, each $1/8^{th}$ of the amount of sale after paying the costs of this suit & of said sale, to Ellenora Gay, George M. Gay & Martha Ann Jefferson each $1/6^{th}$ of said amount & if the cash be paid, then distribute the same among the said parties in the same proportion, paying the parties of legal age their respective shares, & the parties of the infants to their legal guardian if

any did not retain the same until the further order of this court - and Bonds be taken to retain the same with his report of his proceedings under this decree to court - But the effect of this decree shall be suspended as to the sale of said negroes until the said commission shall execute & deliver in the clerk's office of this court Bond with sufficient security in a penalty of \$2000.00, payable to the commonwealth of Virginia conditioned for the faithful performance of this decree - Before the parties shall have the benefit of this decree, they shall respectively (or some one for them) execute & deliver in the clerk's office of this court bonds with sufficient security payable to the said Lion Gay as ~~Executor of the said Wm Gay~~ in a penalty equal to double the amount respectively received by them, conditioned to defend their respective participations of any debts or demands that may hereafter appear against the estate of the said Wm Gay, together with the costs attending the recovery of the same -

Waigh & Co. } in Chancery
 Executors -

Not yet been

Return Term -

To be returned -

Attestation of

Parties named

George James Waigh & Co. Executors of the said Wm Gay deceased
 George Wm Gay, in and by
 being by Stephen Waigh &
 their next friend, as
 said Wm Gay, Executor of
 the said Wm Gay deceased, the
 said Stephen Waigh & Co. as
 next friend, do hereby certify
 that the within is a true and
 correct copy of the original
 of the said Wm Gay -
 Done and given at the City of
 New York, the 18th day of
 July 1856. Attest
 John W. 1856. Attest
 John W. 1856. Attest

In the County Court of Isle of Wight

June 2nd 1856.

Georgianna, Louisa and Algernon Wright, and George W.
Gay infants suing by Stephen Wright their next friend. Plffs.
against ^{2/3} In Chancery.

John Gay Executor of William Gay decd. Araminta Wright,
Eleanor Gay and Martha Ann Jefferson. Dfts.

This day came the plaintiffs and filed their bill, and
the Defendants Araminta Wright, Eleanor Gay and Martha
Ann Jefferson and John Gay Executor of William Gay filed
their answers, to which answers the plaintiffs replied
generally; and the Cause coming on to be heard upon
the bill, the said answers & general replication thereto and
exhibits filed, and was argued by Counsel: And Consider-
ation whereof, the Court doth adjudge, order and decree
that Stephen Wright who is hereby appointed a Com-
missioner for that purpose, after having given public notice
of the time and place of sale by advertisements
at the Courthouse door of this County, on some Court day
previous to the day of sale, proceed to sell at public auction
at the late residence of William Gay decd. on the 12th of
the present month, or such day thereafter, to which
the sale of the Chattel estate of said Gay may be adjourned.
The two negroes Charles and Henry belonging to the
estate of the said William Gay, now in the possession
of this said executor, on a credit of six months,
except so much for cash as will pay the costs of this
suit, but the Commissioner is hereby authorized
to receive from the purchaser or purchasers of
said negroes, cash should it be preferred to the
execution of said bond - If the bond be executed
they shall be with sufficient security, and payable
as follows to Araminta Wright, Georgianna Wright,
Louisa Wright and Algernon Wright, each an
eighth of the amount of sales, after paying the

the costs of this suit and of said sale, to Elenora Gay, George W. Gay and Martha A. Jefferson each one eighth of said amount, and if the cash be paid then distribute the same among the said parties, viz. the same proportion paying the parties of legal age their respective shares, and the portion of the infants to their legal guardian if any, and if not retain the same until the further order of this Court. And if bonds be taken return the same with his report of his proceedings under this decree to Court. But the effect of this decree shall be suspended as to the sale of said negro, until the said Commissioners shall execute and deliver in the Clerk's office of this Court, Bonds with sufficient security in a penalty of \$2000.00 payable to the Commonwealth of Virginia, (payable) Conditioned for the faithful performance of this decree. Before the parties shall have the benefit of this decree, they shall respectively, or come and for them, execute and deliver in the Clerk's office of this Court, bonds with sufficient security payable to the said Sion Gay as executor of the said William Gay, in a penalty equal to double the amounts respectively claimed by them, conditioned to refund their respective proportions of any debts or demands that may hereafter appear against the estate of the said William Gay, together with the costs attending the recovery of the same.

Attest

Teste

Attest. fee \$10.00

clerk's fee

\$5.00

\$15.00

M. D. Young & Co.

Wright Val.

v.  Copy decr

Gay's Lark Val.

Wright & als }
vs }
Gay et als }

This cause this day came on to be again heard on the papers filed and read, & it appearing to the court that Stephen Wright, who by a decree herein of June Term, 1834, was appointed a special commissioner to sell the negroes in said decree mentioned, has not executed said decree by sale of said negroes on the 12th of June last past in conformity of said negroes with said decree, on which day the other personal estate of W^m Gay deceased was sold, on motion of the Plaintiff by consent of parties the court doth adjudge order & decree that the said decree of June term, be amended so as to allow the said Stephen Wright to execute the said decree by selling said negroes ~~at the residence~~ at the late residence of the said W^m Gay after giving at least twenty days notice of the time & place of sale by advertisement at the court house door of the court house of this county on some court day previous to the day of sale & at other public places in said county & in all ^{other} respects the said Stephen Wright shall execute said decree of June Term 1834, & make report thereof to this court for further proceedings herein

High stools
as
Low stools.

Rough beam
July Term 1831

To be entered -

J. W. Jordan Q

At a County Court held for Isle of Wight County on the
Seventh day of July 1856.
Wright vs.

vs. *In Chancery*
Gay, Wright &

This Cause this day Came On to be again
heard on the papers formerly read, & it Appearing to the
Court that Stephen Wright- who by a decree herein of June
term 1856. was appointed a Special Commissioner to sell
the Negroes in said decree mentioned, has not executed
said decree by sale of said Negroes on the 15th of June last
past- in Conformity with said decree- On which day the
other personal estate of Wm^m Gay deceased was sold; On
motion of the Plaintiffs by Consent of Parties, the Court
doth adjudge- Order and decree, That the said decree of
June term, be amended so as to allow the said Stephen
Wright to execute the said decree by selling said Negroes -

the late residence of the said Wm^m Gay, after
giving at least 20- days. Notice of the time & place of sale by
advertisement at the Court house door of the Court house of
this County on some Court day previous to the day of sale &
at other public places in said County- And in all other
respects the said Stephen Wright shall execute said decree of
June term 1856. & make report thereof to ^{this} Court for
further proceedings herein.

A Copy

Teste.

E. C. Latimer D.C.

Atto \$10.

Att'y 85.

\$15.00

Sept 8th 1836. Received of Stephen Wright, Ten
dollars, my fee in the within suit

C. B. Hayden

Wright & Co.

as

By Copy Deans
Sept 8th 1836.

Wright & Co.

Wright et als

vs

Gay et als.

This cause this day came on to be again heard on the papers formerly read & on the report of sale of slaves & distribution of proceeds of sale of Commissioner Stephen W. Wright, made pursuant to decrees herein of August & July Terms 1836, & was argued by counsel, on consideration whereof the court confirming said report, to which no exceptions were filed, doth adjudge order & decree that the legates under the will of W^m Gay — parties to this suit, abide by the distribution of proceeds of sale of slaves as shown by said report & that the same be perpetually binding between them & that said parties contribute mutually to the costs of this suit.

Wright et al /
vs
Lay et al } In Chancery.

Rough Decree

January Term 1857

To be entered -

J. M. Duck P. G. Gustin

KNOW ALL MEN BY THESE PRESENTS, That we, *Stephen Wright*
Wright and Nathaniel P. Phillips

are held and firmly bound unto the Commonwealth of Virginia in the sum of *Two 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. As witness our Hands and Seals, this *7th* day of *July*, in
the year of our Lord, one thousand eight hundred and *fifty six*

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas by a Decree of the
Circuit Court of Isle of Wight county pronounced on the *7th* day of *July* 1856
in a cause depending in the said Court in which *George A. Wright, Lenisa Wright*
Algermon Wright, & George M. Gay infants suing by
by *Stephen Wright* as their next friend plaintiff, and
and *Araminta Wright and Elleanor Gay*
and *Mother Ann Jefferson*

above bound *Stephen Wright* defendant, the
missioner to *Sell the two negroes Charles and Vacy* being

ing to the estate of William Gay decd, on a credit
of 6 months - except so much for cash as will pay
the costs of suit & sale, but the Com. is authorized to
receive from the purchasers of said negroes cash should
it be preferred to the execution of said bond, if the bond
be executed they shall be with sufficient security - pay all the
followers to Araminta Wright, Georgiana Wright, Lenisa Wright
& Algermon Wright each *1/8th* of the amount after paying costs of
this suit, to Elleanor Gay, George M. Gay & Mother Ann Jefferson each
1/8th of said amount, & if the cash be paid then distribute the same among
the said parties in the same proportions payable to those of legal age & those
under legal age to their guardians. If bond be taken I shall do some to court
Now if the above bound *Stephen Wright* shall faithfully discharge

his duties as Commissioner under the said Decree, then the above Obligation to be void, otherwise to
remain in full force and virtue.

Signed, sealed, and delivered }

in the presence of }

H. C. Latimer & Co.

Stephen Wright



N. P. Phillips



Bond of
Stephen Wright. com.

CCC

Received of
Stephen Wright
the sum of

Three hundred
dollars

for

rent

of the premises

Know all men by these presents that we
Stephen Wright and Anninta Wright are held
and are firmly bound unto Sion Gay executor of Wm
Gay dec^d in the sum six hundred and eighty
dollars and twenty five Cents current money of Va
for the true payment of which we bind ourselves our
heirs executors and administrators, jointly and severally
firmly by these presents sealed with our Seals &
dated this 15th day of August 1856.

The Condition of the above obligation is
such that whereas the above bound Stephen Wright
as guardian for Georgeanna, Wright, Louisa Wright and
Algernon Wright hath this day returned in his hands
the sum of three hundred and forty dollars and
Twenty & 1/2 Cents it being his said heirs full proportion
of the sales of the slaves belonging to the Estate of Wm.
Gay dec^d (which was sold by virtue of a decree
of the County Court of Isle of Wright) Now if the
above bound Stephen Wright as guardian for George-
anna, Louisa, & Algernon Wright, shall refund their
proportion of any debts & cost that may be recovered by
the said Sion Gay as Executor of Wm Gay dec^d then
this obligation to be null and void, other wise to
remain in full force former and Virtue

Witness

Louisa. W. Wright

Stephen Wright (Seal)
Anninta ^{her} Wright (Seal)
mark

Stephen Wright
To ^{by} the friend in London
Dear Guy care of Mr Gayles

Know all Men by these presents that we Jos. R. Duke and Nathl. P. Phillips are held and are firmly bound unto Sion Gay executor of W^m Gay dec^d in the sum of three hundred and two dollars and thirty three & 3/4 Cents current money of Va for the true pay-
ment whereof well and truly to be made the
bind our selves our heirs executors and adminis-
trators jointly and severally firmly by these presents
sealed with our seals and dated this 15th day of
August 1836.

The condition of the
above obligation is such that whereas the said Jos
R Duke as guardian for George M. Gay hath this
day received of Stephen Wright who was a commissioner
for that purpose the sum of One hundred and fifty
one dollars 16 & 3/4 Cents it being the amount due
his ^{said} ward Geo. M. Gay for the sale of the slaves
belonging to the estate of W^m Gay dec^d (Solely
Vestee of a decree of the County Court of Shelby
County)

Now if the said Jos. R. Duke
as guardian aforesaid shall refund his said
wards full proportion of any debt or debts &
cost that may be recovered of the said Sion
Gay as executor of W^m Gay dec^d. Then this
obligation to be null and void. Otherwise
to remain in full force from and unto

Joseph R. Duke (Seal)

N. P. Phillips (Seal)

Los. R. D. W. K.

\$ 226.75
113 37 48

Know all men by these presents, that we ~~be~~
Orrin W. Wright and Stephen Wright are held and
are jointly bound unto Sion Gay executor of Mr. Gay de.
in the sum of Two hundred and ~~Twenty~~ ^{Twenty} dollars and
~~Twenty five~~ ^{Twenty} cents for the true payment of which we
bind ourselves our heirs, executors, and administrators
Jointly and severally firmly by these presents sealed with our
seals and dated this 15th day of August 1856

The condition of the above obligation is such
that whereas the above bound Orrin W. Wright hath
this day received of Stephen Wright (who was a commissioner
for that purpose by virtue of a decree of the County Court
of belief right) the sum of one hundred and ^{thirteen} ~~seven~~ dollars
and ~~thirty~~ ^{thirty} seven and ~~48~~ ⁴⁸ cents in full for his proportion of the
value of the slaves belonging to the Estate of Mr. Gay de.
Now if the above bound Orrin W. Wright shall refund
his full proportion of any debt that may hereafter come
vs the said Sion Gay as executor of Mr. Gay de.
then this above obligation to be null and void,
otherwise to remain in full force power, and
virtue

Witness
Orrin W. Wright

Stephen Wright (seal)

Armenta Wright

Know all men by these presents that we
Eleanor Gay and Camilla F. Gordon — are
heirs and are firmly bound unto Sirs Gay Exor.
of Mr Gay dec'd in the Sum of three hundred and
Two dollars and Thirty Three $\frac{2}{3}$ cents for the
true payment of which we bind our selves our heirs
executors and administrators jointly and severally
firmly by these presents sealed with our seals and
dated this 15th day of August 1836.

The Condition of the
above obligation is such that whereas the said Eleanor
Gay hath this day rec'd of Stephen Wright (who was
a Comptroller for that purpose) the Sum of one
hundred and fifty one dollars and 16 $\frac{2}{3}$ cents in full
for her proportion of the Sale of the real estate belong-
ing to the Estate of Mr Gay dec'd. Sold by Virtue of a decree
of the County Court of Isle of Wight. Now if the
above bound Eleanor Gay shall refuse and pay her
full proportion of all debts and cost that may be
incurred by the said Sirs Gay as executor of Mr Gay
dec'd then this obligation to be null and void, other-
wise to remain in full force power and virtue

Eleanor Gay (Seal)
Camilla F. Gordon (Seal)

Elvira Gay
To Board
Dear Gay Care of Mr. Gay de?

Know all men by these presents that we Martha
Ann Jefferson & W. P. Phillips ~~and Simon Gay~~ are here
and are firmly bound unto Simon Gay executor
of Wm Gay dec^d the sum of Three hundred and
~~thirty three~~ ^{thirty three} dollars ~~thirty three~~ ^{thirty three} currency
of Virginia for the true payment of which we bind
ourselves our heirs executors and administrators
to satisfy and severally firmly by these pre-
sents sealed with our seals and dated this
15th day of August 1836

The condition of
the above obligation is such that whereas the
Said Martha Ann Jefferson hath this day rec^d of
Stephen Wright (who was a commissioner for
that purpose by virtue of a decree of the County
Court of Stafford) One hundred and fifty one
dollars & 163 cents in full for her portion
of the sale of the negroes belonging to the estate
of Wm Gay dec^d And if the Said Martha
Jefferson shall refund her full proportion
of any debts that may hereafter come vs the
Said Simon Gay as executor of Wm Gay dec^d
then this obligation to be void, or else to
remain in full force power and virtue

Martha A. Jefferson (Seal)
W. P. Phillips (Seal)

Martha Jefferson