

1857-021

Chancery Causes: Elbert H. Gray & H. & al

vs George Holloman & Samuel Belts & al

Jud of Wright County

Other SURNAMES: Cofer

Gray & wife

vs. $\frac{3}{3}$ Chy. papers

Betts & wife & als.

1856

Octo. Rules Bill & filed -
Sund. 29. Answer of Betts
& wife - Edw. 2d letter to inf.
& acc. ~~to the court~~
~~the court~~

also acc. of G. W. Holliman
sup. & set for hearing.

Octo. 20. 1856. Decree of
O. B. p. 84.

Apr. 6. 1857 rep. of
Com. H. & J. den. filed

May 1857 - Decree
O. B. p. 109.

Octo. Refunding bond filed

Octo. 1857 final decree
p. 121.

Went with for history.
Mr. H. B. B. B.

Went with for history.
Mr. H. B. B. B.

is

Went with for history.
Mr. H. B. B. B.

1-111111-3

6

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4

06
5
30
1
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24

E. H. Gray } In Chancery
Wife - as
Belts wife }
et al -

Complainant's Bill -

Oct. 6. 1886. filed. Saw?
Wills op. p. 50th ad letter to them
his wife inf. & aw. filed also
of Belts wife.

aforesaid, is much embarrassed in the execution
of his trusts under said will & prays the aid
of the court in the discharge of the same -
That the court will construe said will
& decide on the respective rights of the said
Ann & Virginia in said property - That your
complainants are without remedy at law,
& can only be relieved by the order of this most hon-
orable court of Chancery where matters of this
sort are cognizable, to this end your complain-
ants pray that the said George Hollenman,
Samuel Belts & Ann his wife, the last an in-
fant under twenty one years of age, by some per-
son appointed her guardian ad litem, to de-
fend her in this suit may be made parties
defendant to this bill & be required to answer
the same - That by a decree of this honorable
court of Chancery, the said will may be con-
strued in reference to said property & the rights
of the said complainants & of the said Virginia
his wife, & of the said Samuel Belts & Ann his
wife therein - That commissioners may be appoint-
ed to divide said negroes, in accordance with
such construction among the said parties - That
the court will aid your complainant as Trust-
ee aforesaid in the discharge of his trust & if
any debt & what security shall be required in
the delivery of said trust property to the parties
entitled thereto - That the necessary accounts may
be taken, & that such other further relief may
be taken as the equity of the case may require & to
this court may seem meet, your complainants
will ever pray &c

Hayden J. J.

on the execution of the Bond required by the
Exhibit said decree (which was done on the 6th day of June
C- 18 as will appear from an office copy of the
same marked (C) & herewith filed as a part of
this bill) the said Isaac Coper transferred to
the said E. H. Gray the negroes & other trust
property, in conformity with said decree, which
he now holds as such trustee. That by the terms
of said bequest, the negroes were to be hired
out by the said trustee until the said Ann
Gray attained sixteen years of age, when
said negroes & increase were to be divided
between said Virginia Ann Gray who were
to be entitled to the hires of said negroes
from the death of the said testator, but if the
said Virginia Ann both died without
leaving a child or children, the said
property is given to George Holleman & his son
of the testator. That the said Virginia Gray
has intermarried with your complainant E. H.
Gray - that the said Ann Gray attained ~~sixteen~~
years of age on the 29th day of June 1834 & on
the 4th of May ^{of the same year} ~~intermarried~~ intermarried with
Samuel Belts, who since his intermarriage has re-
sided in North Carolina - that your said com-
plainant as trustee has still possession of the
trust property - that the trust negroes consist
of George, Caroline, Mary, Evaleina, Elias
Brana, Mary, Louisa, Omy & an infant child
the last eight being children of Caroline -
that the trust funds in his hands on the 5th day of
June, 1835, the date of his fiduciary year amounted
to \$335.33, as will appear from the annexed
Exhibit certified extract from the commissioners &c. mark-
ed D & herewith filed as a part of this bill, which

amount consists of the balance of the trust negro
sold for the payment of debts, the hires of the trust
negroes, no portion of said hires having been
paid to the said Ann or Virginia, & expended
on their account since the creation of the trust,
though owing to the expenses of supporting said
negroes the fund has not much increased. - The
said Ann having attained the age of sixteen
years, the period when under the will of said
testator, the said negroes & their increase were
to be divided between the said Ann & Virginia -
the said Samuel Belts in right of said Ann his
wife claims to be entitled to receive a moiety of
said negroes, of the money remaining of the one
sold for the payment of debts & of the accumu-
lated hires. That your complainant holding
said property under the trust created by the
said testator's will, is in doubt about the construc-
tion & legal effect of the same - he is informed &
so charges, that under a proper construction of
said will that in the event of either the said
Ann or Virginia dying without leaving a child
or children, there is an implied bequest of said
property to the other ~~dying~~ leaving a child or
children, in default of both dying without a
child or children, that said property is given
by said will to said George Holleman - your com-
plainant is hence informed that it is his duty
as trustee aforesaid, to receive from the said
Samuel Belts, security for the faithful manage-
ment of said property to which he may be
entitled in right of his wife the said Ann, in
the event of her death without a child, or chil-
dren, for the benefit of whoever may be entitled
there to - That your complainant trustee as

To the Honorable Richard H Baker, Judge of the Circuit Court of Isle of Wight County, in Chancery sitting, humbly complaining, sheweth to the court your complainants ~~and~~ ^{and} ~~Virginia~~ ^{Virginia} his wife, the said Virginia suing by the said C. H Gray as her next friend, in their own right, and the ~~Elbert H Gray~~ ^{Elbert H Gray} as Trustee for the said Virginia Gray & Ann Bell late Ann Gray, that on or about the day of March 1848, one Isaac Holleman departed this life ~~in the~~ ^{in the} county aforesaid having previously made & published his last will & testament, which after his death, to wit at the April Term 1848 of the county court of the county aforesaid was duly admitted to probate & at the same time Isaac Cofer therein nominated executor, qualified as such - as will appear from an office copy of said will with certificate of probate of said executarial qualification annexed, marked A & herewith filed as a part of this bill - that the said executor, administered the estate of his said testator, & during the settlement of the said estate & for a short time thereafter discharged the further trusts imposed on him by said will in hiring out the slaves for the benefit of Virginia & Ann Gray as therein directed, with the exception of

who it was necessary to sell for the payment of the testator's debts - that at the term 18 of this court by a decree in the chancery suit of Holleman et al, Holleman executor et al therein pending the said Isaac Cofer on his own petition with his own consent was removed as Trustee & C. H. Gray your complainant was appointed in his stead, as will appear from an attested copy of said decree marked B & herewith filed as a part of this bill, that

Exhibit
A

Exhibit
B

Jole of Wight County, to wit:

This day personally appeared before me,
Albert G. Shivers, a justice of the peace for the
County aforesaid, Samuel Belts, whoe an-
swer in his own right & as guardian ad litem,
of Ann his wife, is above million, & made oath
that the statements contained in said answer
so far as made of his own knowledge, are true;
& that such statements as are made therein
from knowledge derived from others, he believes
to be true. Given under my hand this 29th
day of September 1835 -

Albert G. Shivers J.P.

E. H. Gray
wifes } in Chancery

Belts wife -

et al -

Answer of Belts wife

To the Honorable Richard H Baker, Judge of the
Circuit Court of Isle of Wight County, in chancery
sitting.

The joint answer of Samuel Belts, and Ann
his wife, (she had an infant under twenty one
years of age) by the said Samuel Belts as her
guardian ad litem assigned to defend her in this
suit, to the Bill of Complaints in said court
exhibited by E. H. Gray & Virginia his wife, in their
own right, & of the said E. H. Gray as Trustee for
Virginia Gray & Ann Belts, who was Ann Gray, aga-
inst them, & others.

These defendants, now, & at all times hereafter
saving and reserving unto themselves each of
them, all benefit, & advantage of exception, which
can or may be had or taken to the many errors,
uncertainties, & other imperfections in the said
complainants said bill of complaint contained,
for answer thereto, or unto so much, & such parts
thereof as these defendants are advised is or are
material, or necessary for them to make answer
unto, these defendants answering say, that they
cannot deny the general material allegations of
said bill, as to the death of said Isaac Holleman,
the probat of his will, as set forth in said bill,
the bequest of the slaves mentioned to Isaac Coper
in trust for Virginia & Ann Gray, to be equally di-
vided between the said Virginia & Ann on the
attainment by the latter of sixteen years of
age - the appointment of the said complain-
ant E. H. Gray as trustee in the place of the afore-
said Isaac Coper, - the intermarriage of the
said E. H. Gray with the said Virginia - that the
said Ann upon aforesaid respondents on the
4th day of May 1835, intermarried with your

aforesaid respondent Samuel Belts - That the said
 Ann, on the 29th day of June last, 1835, ~~attained~~
~~sixteen~~ years of age, at which time your respon-
 dents were entitled to have their moiety of said
 slaves, of the proceeds of the slave sold, & of the
 hires in the hands of said Trustee allotted
 them. Your respondents submit to this honorable
 court, the construction of the bequest to the said
 Virginia Ann, whether their interest under the
 same is conditional or absolute & whether your
 respondents interest in the same is such that
 it will be forfeited by a removal from the com-
 monwealth of the said slaves, without the con-
 sent of the said Elbert H Gray & Virginia his
 wife & of the said George Holliman - or whether
 your said respondents are entitled to have their
 portion of said slaves & money without giving
 security for the forthcoming of the same on
 the death of the said Ann without leaving
 a child or children. Your respondents have
 no objection to the prayer of the said bill for a
 division of said slaves & money between the
 said Virginia Ann - & of the delivery of the
 same to the parties entitled thereto on such terms
 as the court may require - That your respon-
 dents though now residents of North Carolina
 expect soon to return to Virginia as their per-
 manent residence. And now having fully
 answered the complainant's bill, these respon-
 dents pray hence to be dismissed with their
 reasonable costs in this behalf expended, &
 will ever pray -

Signed - Samuel Belts

Holliman

at. $\frac{3}{4}$ Ans.

Gray wife to 4.

Dec. 8. 1836 felicit.

Clarks office Isle of Wight County, Octo. 8. 1856.

George W. Holliman appeared before me and made oath that the foregoing annex contains the truth to the best of his knowledge & belief.

J. P. Young co.

To the Honorable Richard H Baker Judge of the
Circuit Court of Isle of Wight in Chancery
sitting. The Answer of George W Holleman to
the Bill of Complaint in said court exhibited
by E. H. Gray Trustee for Virginia Gray & Ann E Belts
who was Ann E Gray & the said E H Gray Virginia
his wife against him & others.

This defendant reserving to himself all right
of exception to the said bill of complaint for
answer thereto, in unto so much & such parts
thereof as this defendant is advised is or are
material or necessary for him to make answer
unto, this defendant answering saith, that he
admits to be true the allegations of said bill, as
to the death of the said Isaac Holleman, the
admission of his will to probate, the bequest
of the negroes by his will in trust for Virginia
& Ann Gray, ~~in~~ remainder to your respon-
dent on the death of the said Virginia &
Ann without leaving a child or children
& he claims the protection of the court as
to his interest in remainder in the negroes &
money in the hands of E H Gray as trustee
of aresaid, in requiring from the parties
now entitled to receive the same on its deliv-
ery to them, such security as the court may
deem him legally entitled to, for the faith com-
ing of the property on the happening of the
contingency aforesaid. And now having fully
answered the complainant's bill, this respon-
dent prays hence to be dismissed with his reason-
able costs in this behalf expended & he will
ever pray, &c -

Signed - George W. Holleman

E. H. May & als.

3^d Found in chy.

Holliman & als.

26. Del. Rules 1806

Execution on the
within named
person concerns

Gas & Moody 226

Moore 5/18

THE COMMONWEALTH OF VIRGINIA.

To the Sheriff of Isle of Wight County—Greeting.

YOU ARE HEREBY COMMANDED TO SUMMON *George Holman*
and Samuel Betts and Ann his wife

to appear at the Clerk's, Office of our *Circuit* Court for Isle of Wight county,
on the first Monday in *October* next, to answer *a bill in Chancery*
filed against them by Elbert H. Gray and Virginia
his wife suing by Elbert H. Gray as her next friend
of a plea of in their own right, and of the said Elbert
H. Gray as trustee for the said Virginia Gray and
Ann Betts, late Gray.
~~damages~~

and have then and there this Summons

Witness, NATHANIEL P. YOUNG, Clerk of our said Court, at his Office, this *26th*
day of *September*, 185*6*, in the *81st* year of the Commonwealth

N. P. Young co.

Manny for Edward
Omy - 20 Hensetts

3850.00

^{cts}
Mary - \$ 800.00
Ellas - 500.00
Diana 350.00
George 100.00
Henrietta 175.00
\$ 1925.00

Mr S. Betts

^{cts}
Eveline \$ 725.00
Edward 275.00
Louisa 325.00
Caroline 500.00
Caroline (Infant) 100.00
\$ 1925.00

Mr C H Gray

C. H. Gray
& others -
as
Hollenman
& others

In
Chancery

Report of Commission-
ers for Division of
the years -

I hereby acknowledge that I have received
the negroes named in the within report as
allotted to me - ^{allotted} those Samuel Betts & his
his wife by the within report in consequence
of his not having executed the bond required
by the decree in this cause I have put in
possession of said Betts on hire for the pre-
-sented ⁽¹⁸⁵⁴⁾ taken for the same assurance of
said hiring the bond of said Betts for \$88.00
payable on the 31st day of December 1857 which
bond is herewith returned all of which is respect-
fully submitted.

January 2nd 1854

Albert H. Gray

In Pursuance of a decree of the Circuit Superior Court of law for the County of Isle of Wight bearing date the 18th day of October 1856. in chancery E. H. Gray and Virginia his wife in their own right, plaintiffs against George Holleman, Sam Betts and Ann his wife late Gray defendants &c. We the undersigned Special Commissioners appointed by said decree have laid off and allotted and divided the negroes slaves named in said decree in two equal parts one part to E. H. Gray & Virginia his wife in their own right the other part to Sam Betts and Ann his wife in their right to have possession after having complied with the requisites of said decree in the following manner to wit.

To E. H. Gray & Virginia his wife		To Sam Betts & Ann Betts his wife	
Everlena a	725 00	Marry d	800 00
Edward ^{For Mary} ~~in the decree~~	275 00	Elijah a	500 00
Louisa a	325 00	Diana a	350 00
Caroline sw. a	500 00	George a	100 00
Caroline, Inf. not named in decree	100 00	Henrietta m. named under	175 00
	1925 00		1925 00

The foregoing list making an equal division in Quality and Quantity as practicable of all the negroes named in said decree and belongs to the said estate, and each Party having the same in Valuation, and all of the transactions of which we respectfully submit to the Court—
As Given under our hands the 13th day of

December 1856. —

Wm. H. L. Cooper
Benjamin Brock

herewith returned.

Given under my hand as commissioner aforesaid, the day, year
first aforesaid.

C. B. Hayden -

Time employed in writing notices, examining vouchers, sta-
ting, settling & reporting aforesaid, 11 hours, Fee \$5.25, chgd
to E. H. Gray, at pp

C. H. Gray & others

05-

Holloman & others -

Commissioners Report

april 26. 1887. J. C. W.

Virginia Gray and Ann Belts, late Gray, in asc
with Albert H Gray their Trustee. —

1857
Jan 1 To Balance due by Trustee as per contra 445 14 \$445 14
1856
June 29 By Balance on this date as per foregoing asc 431 97
1857
Jan 1 " Interest on to date 131 7 \$445 14 -

Ann Belts late Gray In Asc with Albert H Gray her Trustee

1857
Jan 1 To Balance due by Trustee as per contra 222 57 \$222 57
1857
Jan 1 By 1/2 of \$445 14, as per foregoing asc 222 57 \$222 57

Virginia Gray In Asc with Albert H Gray her Trustee

1857
Jan 1 To Balance due by Trustee as per contra 222 57 \$222 57
1857
Jan 1 By 1/2 of \$445 14, as per foregoing asc 222 57 \$222 57

Statement shewing what portion of the amount of \$222 57
due respectively to Virginia Gray & Ann Belts, was derived
from the sale of the Trust Negroes by Josiah Hollerman's
Executor & what from the Hires of the Negroes &c —

Amount of Principal in hands of Trustee
derived from sale of Trust Negroes by
Josiah Hollerman's Exr, as per Exhibits A,
& B, herewith filed - 148 56

Amount derived from interest on do & Hires
of Trust Negroes - 74 01 \$222 57

Commissioner's Office
Smithfield March 30th 1857 -

To the Circuit Court of Isle of Wight County;

Pursuant to a decree of
the circuit court of Isle of Wight County, made on the 18th day of
Oct, 1856, in a suit in chancery depending in said court, between
Albert H Gray & Virginia his wife, suing by said Albert H Gray as her
next friend in their own right; & the said Albert H Gray, as Trustee
for Virginia Gray & Ann Belts, late Gray, as Plaintiffs & Samuel Belts
& Ann his wife as Defendants, the undersigned, one of the com-
missioners of said court, to whom was referred for settlement, by said
decree, the account of the transactions of Albert H Gray as Trustee
for Virginia Gray & Ann Belts late Gray, since the 5th day of June,
1855, & of the amounts due from said Trustee respecting to Virgin-
ia Gray & Ann Belts, distinguishing what portion of said re-
spective amounts is due from the Hires of the trust Negroes, what
from the sale thereof by the late Executor of Josiah Hollerman;
repats to the Court, that on the 2nd inst, he issued notices
against the several parties aforesaid, requiring them to attend
the settlement of said accounts, before him at his said office
on the 17th inst, which were returned to your commissioner
duly executed - That the said Albert H Gray appeared before
the commissioner in obedience to the said notices, & he thereupon
examined the vouchers, stated & settled the foregoing account
of the transactions of the said Albert H Gray as Trustee for
Virginia Gray & Ann Belts late Gray & on the 1st day of Jan'y
1857, finds a balance of \$445 14, due from said Trustee to
said Virginia Gray & Ann Belts, of which amount by the
foregoing accounts, \$222 57, is due to the said Virginia & Ann
respectively. Of this amount of \$222 57, as shewn by the foregoing
statement, \$148 56, is Principal money, derived from the sale of
the trust Negroes by Josiah Hollerman's Exr, & \$74 01, is Profits derived
from interest on said trust money & Hires of the trust Negroes. In the
foregoing accounts, interest is charged to Jan'y 1st 1857, to which date
both principal & profits were invested. The commissioner further
repats to the Court that after the completion of said account
he retained the same in his office ten days for the examination
of the parties. The decreed notices & exhibits aforesaid are

Virginia Gray and Ann Belts late Gray.
In account with Elbert H Gray their Trustee.

1855

Oct. 9 To Cash paid Clerks Tickets 3 50

" " do F. T. Wail's medical attendance
on Trust Negro 2 50

Dec. 31 " do E. A. Gray for keeping, Caroline &
5 children (Trust Negroes) for 1855 45 00

" " do Midwifes fee for Caroline 2 00

" " do for sending for midwife & return 1 00

1856
Jan. 2 " do W. A. Edwards for medical at-
tendance on Caroline 2 50

June 5th " Commissions on \$ 97.12 - 4 86

" " Balance due by Trustee as per contra 370 99 \$432 45

1855

June 5th By Balance as per last ac- 335 33

1856
Dec 31 " Hire of Old Leage for 1855 - 50 00

" " do Girl Mary - " 15 00.

" " do " Evelina " 12 00

" " Elias to J. A. Gray for victuals & clothes - 00 00

June 5 " One years interest on \$ 335.33 - 20 12 \$432 45

1856

June 29 To this amount retained to pay for keep-
ing Caroline & 4 children for 1856 - 40 00

" " Commissions on \$ 106.29 - 5 31

" " Balance due by Trustee on this day
when Ann Belts late Gray attained
16 years of age 431 97 \$477 28

1856

June 5 By Balance as per above ac- 370 99

" 29 " Interest on do to date 1 48

" " Present value of \$ 25.00 hire of Evelina due Dec 31/56 24 26

" " " do \$ 5.00 - do Elias - " 4 86

" " " do \$ 30.00 - do Mary " 29 11

" " " do \$ 40.00 - do Leage " 38 82

" " " do \$ 8.00 - do Diana " 77 6 \$477 28

Recd July 1 1857 of Albert H Gray the sum
of seventy four Dollars and one cent it being
my proportion of income under a decree of the Circuit
Court of Tazewell County held May 18th 1857
Test
Samuel Betts

E. H. Gray wife }
as } In
Holliman & others } Chancery

Edward H. Gray's Report

Sept 29th/57 Received of E H Gray, Fifty Nine
Dollars & Seventy Five Cents, being Atty's fee & suit tax
& Commission fee in within named suit -

C. B. Hayden

Oct 17th/57 Recd of P H Gray the sum of
one hundred and fourteen Dollars and thirty
two cents it being my proportion in - Rite of
my Wife in within named suit -

Samuel Betts

To the Circuit Court of
Jole of Night County

The undersigned reports
to the court that in pursuance of the annexed
decree of said Court of May Term 1837, he on the
18th of May 1837 paid to Samuel Belts husband of
Ann late Gray the sum of \$14.01 as will appear
from his receipt herewith filed - & the undersigned
retained in his own hands in right of his wife Vir-
ginia the like sum - The undersigned having paid
the costs of this suit amounting to \$18.48 one half
of which was deducted from the sums of \$148.56
respectively due Samuel Belts & Ann his wife & the
undersigned & Virginia his wife left the sum of
\$114.32, due said parties respectively, as will
appear from the annexed statement - & the un-
dersigned having in accordance with said decree
executed a refunding bond, ~~on~~ the 29th of September
1837, he on the same date transferred to himself in
right of his wife the sum of \$114.32, & that on the
17th of Oct, 1837, as will appear from the annexed
receipt he paid to Samuel Belts \$114.32 - The said Belts
having given the Bond required of him by said decree.

Statement of Costs

Attorneys Fee & Mistary -	\$51.50
Clerks fees -	7.23
Shffs -	1.50
Commissioners fee -	7.25
	2) 86.48
	<u>\$34.24</u>

\$148.56
34.24
\$114.32

Amount due respectively to Samuel Belts
& Ann his wife & E. B. Gray & Virginia his wife
All of which is respectfully submitted -

Signed - Albert W. Gray

Virginia his wife & Samuel Betts & Ann his wife shall receive the benefit of so much of this decree as directs the payment to them respectively of the payment of the balance of the fund aforesaid of \$148.56., they shall respectively - or some one for them, Execute & deliver in the Clerk's office of this Court, a bond with sufficient security - payable to the Commonwealth of Va. - in a sum equal to double the amount of said balance, Conditioned for the forthcoming of said amount - Whenever the same may be required under the will of Isaac Hollenman, for the benefit of whosoever may be entitled to receive the same under said will, & That said E. H. Gray make report to Court of his proceeding under this decree.

A Copy

Atto. Gen. \$50.00

Debt.

J. C. Latimer A.C.

Clerk. fee 7.28

Shff. 1.50

Comm. fee 8.25

Leads 166.98

8.5

167.83

E. H. Gray & wife

Copy Received

as.

Geo. W. Hollenman

Mr. Gray & wife
make a state ment
of the contents of the
will of Isaac Hollenman &
make a return to
the Court.

Mr. E. H. Gray has paid
me 15 cents for the cost of
affixing bond & signed
by the decree.

W. P. Grayson
Sept 1. 29 1887

At a Circuit Court Continued and held for the County of Isle of
Wight On the 18th day of May 1857.

Albert W. Gray wife & als.

Plffs.

Against

vs

In Chancery

Samuel Betts & Ann his wife &

Defds

This Cause this day came on again to be heard on the
papers formerly read, and on the report of Commissioner C. B. Hayden
made pursuant to a decree herein of October Term 1856. & the report
of James H. S. Cofer, Bennett Bork, Watson White - three of the commis-
sioners for partition of Slaves appointed under said decree and was
argued by Counsel; On Consideration whereof, the Court confirming
said report - to which no exceptions was filed, doth adjudge order and
decree - that the aforesaid C. W. Gray & Virginia his wife and Samuel Betts
and Ann his wife - abide by the partition of the Slaves as shown by said
report, & hold the Slaves respectively allotted them according to the
same; & on its being suggested that the said Samuel Betts & Ann
his wife have returned to Virginia where they are now residing - with
the intention to permanently remain, in accordance with their expe-
ctation expressed in the answer in this Cause; it is ordered that
the said Betts and wife be relieved from the execution of the bond
required by the last decree herein; & that the Clerk of this Court de-
liver to said Samuel Betts his bond with James Gray as Security,
filed in this Cause by C. W. Gray as trustee - on the said Betts' filing
receipt therefor, & the Court doth further adjudge order and decree
that the defendant C. W. Gray as trustee for Virginia Gray & Ann Betts,
do pay the Costs of this Suit, including an Attorneys fee
of Fifty dollars - to C. B. Hayden for his services in this Cause; Out
of the trust fund, in his hands, paying the same equally out of the
sums of \$148. 56. of principal Money, shown by the report made
of Commissioner Hayden to be in his hand & due respectively -
to Virginia Gray and Ann Betts, & that he pay the balance of the
sums of \$148. 56. to C. W. Gray and Virginia his wife, & to Samuel
Betts & Ann his wife, & that the said C. W. Gray, further pay to C. W.
Gray & Virginia his wife & to Samuel Betts and Ann his wife
Cash, the sum of \$74. 01. But before the said C. W. Gray and

commissioner will examine, state, & settle report to court
with any matters specially stated, deemed pertinent by
himself, or which may be required by any of the parties
to be so stated. □ But the ~~same~~ effect of this decree
shall be suspended as to the delivery to Samuel Belts
& Ann his wife of their moiety of said negroes, until
the said Samuel Belts shall execute & deliver in the
clerk's office of this court a Bond with sufficient securi-
ty payable to the Commonwealth of Virginia, ~~for the bene-~~
fit of such person, or persons as may be injured thereby
in a penalty of \$ 3000.00, conditioned that the said Sam-
uel Belts & Ann his wife will not remove the said slaves
or either of them or the issue of the same out the state
of Virginia.

Gray trustee
" }
Belts trustee } In Chancery

Rough decree

Dec. 1. Term 1837 -

To be signed

Belts

Gray wife
as
Belts Wife
et al

This cause this day came on to be heard on the bill; on the answers of the defendants George Holloman & Samuel Belts & Ann Belts his wife, the infant by the said Samuel Belts as her guardian ad litem, with general replications thereto & on exhibits filed, & was argued by counsel. On consideration whereof the court doth adjudge order & decree that Watson White, James H. L. Cofer, Bernwell Brock & James M. Jordan, ~~any three of~~ ~~who may act~~, who are hereby appointed special commissioners for that purpose, any three of whom may act do proceed to make partition of the slaves, George, Caroline, Mary, Evelina, Elias, Diana, Manny, Louisa, Omy & an infant child unnamed, in these proceedings mentioned in the hands of E. H. Gray, as Trustee for Virginia Gray & Ann Belts late Ann Gray, into two equal moieties having regard to quantity & quality & allot one of said moieties to E. H. Gray & ^{Virginia} his wife & the other of said moieties to Samuel Belts & Ann his wife, ^{proceed steps through their hands} ~~that the said~~ ~~that for the adjudge order & decree that the said~~ ~~the said Samuel Belts & Ann his wife in said moieties~~ ~~is not such a~~ ~~interest therein as may be perfected~~ ~~by reason of the said slaves from the common mother.~~ The court doth further adjudge order & decree that the said E. H. Gray render before a commissioner of this court, an account of his transactions as Trustee for Virginia Gray & Ann Belts, late Ann Gray, since the 5th day of June, 1833, & ascertain the amount due from said Trustee respectively to Virginia Gray & Ann Belts, distinguishing in taking said accounts, what portion of said respective amounts is due from the hires of the trust he goes & what from the sale thereof by the late executor of said Holloman; which accounts the said

with any matters specially stated, claimed or claimed by
himself or which may be required by any of the parties
to be so stated. But the effect of this decree shall be suspended
as to the delivery to Samuel Bells & Ann his wife of their
moiety of said Negroes, until the said Samuel Bells shall
execute & deliver in the Clerk's office of this Court a bond
with sufficient security payable to the Commonwealth of
Virginia for the benefit of such person or persons as may
be injured thereby in a penalty of \$3000:00, conditioned
that the said Samuel Bells or Ann his wife will not remove
the said slaves or either of them or the increase of the same
out of the State of Virginia. —

A copy

Liste.

H. C. Latimer & Co.

To Mr. May & others

My copy made

94.

Holloman & others

A copy

W. C. Circuit Court held for Allegheny County on

The 18th day of October 1856—

Elbert H. Gray and Virginia his wife— Suing by Elbert H. Gray
as her next friend in their own right, and of the said Elbert H.
Gray as trustee for the said Virginia Gray and Ann Betts (late
Ann Gray—

Plfs:

Against $\frac{2}{3}$ In Chancery

George Hollenman and Samuel Betts and Ann his wife Defs:

This Cause this day came on to be heard on the Bill,
on the answers of the defendants— George Hollenman & Samuel
Betts and Ann Betts his wife the infant by said Samuel Betts
as her guardian ad litem & with general replication thereto, &
on the exhibits filed. Was argued by Counsel, On consideration
whereof, the Court doth adjudge—order and decree, That Watson
White, James H. A. Cofer, Bennett Brock & James M. Jordan,
who are hereby appointed Special Commissioners for that purpose,
any three of whom may act, do proceed to make partition
of the Slaves— George, Caroline, Mary— Evellina, Elias, Diana,
Manny, Louisa, Onny, & an infant (his unnamed— in these
proceedings mentioned, in the hand of E. H. Gray, as trustee
for Virginia Gray and Ann Betts. (late Ann Gray) into two
equal moieties— having regard to quantity & quality, & allot
one of said moieties to E. H. Gray and Virginia his wife, & the
other of said moieties to Samuel Betts and Ann his wife,
and make report of their proceedings under this decree to Court;
The Court doth further adjudge and decree That the said E. H.
Gray render before a Commissioner of this Court— an account
of his transactions as trustee for Virginia Gray and Ann Betts.
(late Gray) since the 5th day of June 1855, and ascertain the
amount due from said trustee respectively to Virginia
Gray and Ann Betts, distinguishing in taking said account,
what portion of said respective amounts is due from the
Hires of the trust Negroes— & what from the sale thereof by
the late Executor of Josiah Hollenman: which accounts the
said Commissioners will examine, state & settle and report to Court,

Gray wife
vs
Belts wife }

This cause this day came on to be again heard in the papers formerly read in the report of Commissioner C B Hayden made pursuant to a decree of the term 1854 & the report of Jas H & Jifer, Bennett & Brock & Watson White, three of the commissioners for partition of slaves appointed under said decree was argued by counsel; on consideration whereof the court confirming said reports to which no exceptions were filed, doth hereby order & decree that the aforesaid E H Gray & Virginia his wife & Samuel Belts & Ann his wife, abide by the partition of the slaves, as shown by said report & hold the slaves respectively allotted them according to the same & on this being suggested that the said Samuel Belts & Ann his wife have returned to Virginia where they are now residing with the intention to permanently remain, in accordance with ^{the} expectation expressed in their answer in this cause, it is ordered that the said Belts wife be relieved from the execution of the bond required by the said decree herein, & that the clerk of this court deliver to said Samuel Belts his Bond with James Gray as surety, filed in this cause by E H Gray as trustee, in the said Belts filing his writ of Habeas Corpus & the court doth further as judge order & decree that the defendant E H Gray as trustee for Virginia ^{Gray} & Ann Belts to the Gray pay & be costs of this suit, including an attorney's fee of \$50.00 - to C B Hayden for his services in this cause, out of the trust funds

~~his wife~~, but before the said E H Gray & Virginia his wife &
Samuel Belts & Ann his wife shall receive the benefit
of so much of this decree as directs the payment to them
respectively of the payment of the balance of the fund aforesaid.
Said \$148.56 they shall respectively, or some one for them
execute & deliver in the clerk's office of this court a bond
with sufficient security payable to the commonwealth
of Virginia, in a penalty equal to double the amount of
said balance conditioned for the forthcoming of said
amount whenever the same may be required under
the will of Sarah Holleman, for the benefit of who-
ever may be entitled to receive the same under said
will & that said E H Gray make report to court of his
proceedings under this decree — (

in his hands, paying the same equally out of the sums of
\$148.56 of principal money, shown by the report aforesaid of
Commissioner Hayden to be in ~~his~~ hands & due respectively
to Virginia Gray & Ann Belts & that he pay the balances of
said sums of \$148.56, each to E. H. Gray & Virginia his wife
& to Samuel Belts & Ann his wife & that the said E H
Gray further pay to E H Gray & Virginia his wife & to Samuel
Belts & Ann his wife each the sum of \$74.01, ~~with interest~~
~~and therefrom the said~~

E. H. Gray wife }
 is } In
S. Betts wife } Chancery
& others }
 }

Rough beaver

May Term 1837

To be entered -

R. H. Beatty

Recd. Acts. 18. 1837
of A. S. Young clerk
of ~~this Court~~ the Circuit
Court of Isle of Wight
the bond of Saml. Betts
and Saml. Gray which
is directed to be returned
to me by their decree.

Samuel Betts

19th Decr

E. H. Gray
Snipe } In
W- } (Chamney
Holliman
Sals - }

Rough beaver
Oct - Term 1837

To be entered -
R. N. Parker

2^d - 1837

E. H. Gray Trustee

vs

Holleman & als.

This cause this day came on to be again heard on the papers formally read, & on the report of E. H. Gray Trustee for Virginia Gray & Ann Belts late Gray, this day returned to court, made pursuant to a decree herein of May Term 1837, was argued by counsel, on consideration whereof the court doth adjudge order & decree that said report, to which no exceptions were filed be confirmed, & that the said E. H. Gray & Virginia his wife & Samuel Belts & Ann his wife mutually contribute to the unpaid costs of this suit if any.

Holliman Val.

my copy Dec 20

Holliman Exor: Val.

Anny Holleman, Rebecca Jones and others
Against ^{In chancery} Isaac Cofer Executor of Josiah Holleman decd. and others

This cause came on again to be heard on the papers formerly read
and the report of Commissioner Atkinson, and was argued by
Counsel. On consideration whereof the Court doth confirm the said
report, and doth adjudge order and decree that Elbert H. Gray is
hereby appointed trustee under the will of Josiah Holleman decd.
in the place of Isaac Cofer who by his own consent is removed,
and the Court doth further order adjudge and decree that Isaac
Cofer pay and deliver over to Elbert H. Gray the trustee herein appointed
the sum of three hundred and twelve dollars and seventy six cents and
all other property held by him Cofer, as trustee under the said will
and that he the said Isaac Cofer pay to the legal guardian of Ann
Gray the sum of three hundred and fourteen dollars and fifty two cents
(\$314.52) But this decree is to be suspended as to the appointment
and duties of said trustee until he execute bond with sufficient
security in the clerk's office before the clerk of this Court in the penalty
of Two thousand dollars payable to the Commonwealth of Virginia
for the benefit of the beneficiaries under this decree, and conditioned
for the faithful performance of his duties according to law.

Atty

Teste

N. P. Carricoy cc.

Reynolds

in 1/2 ch.

Reynolds

Know all men by these presents, that we Elbert H. Gray,
 James Gray, Barnab J. Gray and Albert G. Moody 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 to the said Commonwealth of Virginia
 we bind ourselves each of us our and each of our heirs,
 executors & administrators, jointly & severally firmly by
 these presents. Sealed with our seals and dated this 5th
 day of June one thousand eight hundred and fifty three.
 the condition of the above obligation is such, that if the
 said Elbert H. Gray, who by decree of the Circuit Court of
 Isle of Wight County in the suit of Holliman & others against
 Holliman's executor & others, pronounced on the 18th day
 of May 1853, has been appointed trustee for Ann Gray &
 Virginia Gray under the will of Michael Holliman decd. in
 the place of Isaac Cofer, removed by his own consent, shall
 faithfully discharge the duties of his said office, then this
 obligation is to be void, or else to remain in full force.
 Signed, Sealed, Acknowledged &
 delivered in the presence of 3.

Elbert H. Gray *[Signature]*
 James Gray *[Signature]*
 Barnab J. Gray *[Signature]*
 A. G. Moody *[Signature]*

A copy

Teste

N. P. Young co.

The following is an extract from Commr. Hayden's report on the
 account of E. H. Gray as trustee of Virginia & Ann Gray, up to
 Sept. 5th 1855. "On the 5th day of June 1855, found a balance
 of \$335.33 in the hands of the trustee."

Teste

N. P. Young co.

Virginia Gray & Ann Gray

In account with
Elbert H. Gray Their Trustee

July 2^d 1855. filed for caption

Octo. 18th 1855. Confirmed
Ordered to be recorded

A copy

A
Exhibit filed with Com:
Missioneary Hayden's Report

required by said decree in the clerk's office of said Court,
which bond was executed on the 6th day of June 1853—
exhibited before your Commissioner a statement of all the
money which he the said Albert H. Gray had recd. or become
chargeable with, or had disbursed within twelve months from
the 6th day of June 1853. together with the vouchers for such
disbursements, that the Commissioner embraced the said
Trustee in the list of Fiduciaries, whose accounts were before
him for settlement, which was posted at the front door of the
Court house of said County, on the first day of November Court
last, & on the date of this report (ten days having elapsed
since the said account was mentioned in said list)

Made up and completed the foregoing account of the said
Albert H. Gray's transactions as Trustee aforesaid & on the 5th
day of June 1854. find a balance of \$300. 60. due from the
said trustee to the said Virginia & Ann Gray, of which
sum \$297. is a balance of Principal, & \$3.48 a balance
of Profits. The account is supported by satisfactory vouchers
& is herewith returned.

Given under my hand, as Commissioner of the said
Court, on the day & year first aforesaid.

Chas. B. Mayden

Teste

J. le Sautour Sec.

A. Copy (Teste)

J. le Sautour Sec.

Virginia Gay and Anne Gay in account with
 Albert W. Gay then Trustee

1853.		Debit	Credit
Dec. 15.	To paid William H. Edwards Med. of.		
	for attendance on trust Negroes		5 00
27	" Tho. Godson for Keeping Caroline & Children for 1853.		29 50
"	Elizabeth Wilson for Keeping old woman Sara for 1853.		25 00
"	Paid H. T. Vail Med. of. for attendance on Trust Negroes		11 50
1854 July 1	" Paid shoes for Girl Caroline		1 00
June 5	Commissions On \$312.76. Vets of Princ.	15 64	
" "	do. 81.43. " Profits		4 07
" "	This amt retained to pay Com. for this of.		1 88
" "	Balance due from Trustee at this date as pt. Contra		
		297 12	3 48
		\$ 312 76	\$ 81 43

Cr.

1853.	July 6	By this Amount recd. from Isaac Cofer former Trustee & paid under a decree of the Circuit Court of Isle of Wight County— of May term 1853. in the Cause of Holloman et al, vs. Hollomans. Es. et al.	312 76	
1854	"	Wine of Negroes for 1853.		74 00
June 5	"	Interest \$297.12 (being \$312.76 less Comm- issions) from Jan. 5th to date		7 43
			312 76	81 43

1854	June 5	Amount of Principal due from Trustee on this date as above	297 12	
"	"	of Profits	3 48	
		Total amount due from Trustee	\$ 300 60	

Commissions Office, Smithfield, June 5th 1855.
 To the Circuit Court of Isle of Wight County.
 Your Commission Reports to the Court, that on the 6th day of
 November 1854, Albert W. Gay, Trustee for Virginia & Anne
 Gay under a decree of the court aforesaid. Made at its
 May term 1853. in the Cause of Holloman et al, vs. Holloman
 Es. et al, which decree appointed the said Albert W. Gay Trustee
 to execute the trusts under the will of Isaac Holloman decd.
 in the place of Isaac Cofer appointed Trustee by the will aforesaid,
 but which decree as to the execution of said trust by the said Albert
 W. Gay, was to be suspended until he should execute the bond

E. H. Gray
 & others }
 or } for
 Holloman } Chancery
 & others }

Commissaries Notice

Service acknowledged —

Geo. D. Holloman
 Albert H. Gray
 Samuel B. Hays

Commissioner's Office

Smithfield March 2nd 1837.

To E. H. Gray & Virginia his wife,
Samuel Belts & Ann his wife
& George W Holleman —

You are hereby notified
that I have fixed upon the 1st instant, if fair, if not on
the next fair day thereafter, (Sunday excepted) to take &
settle at my office, the account of the transactions of
Elbert H Gray, as Trustee for Virginia Gray, & Ann Belts
late Gray, since the 5th day of June 1835, & to ascertain
the amounts due from said Trustee respectively to
Virginia Gray & Ann Belts, distinguishing in taking
said accounts what portion of said respective amounts
is due from the hires of the trust negroes, & what from
the sale thereof by the late Executor of Josiah Holle-
man, required to be taken by the decree of the Circuit
Court of Isle of Wight County, made on the 18th day
of Oct, 1835, in a suit in chancery pending in said
court, between the said Elbert H Gray & Virginia his wife
suing by said Elbert H Gray, as her next friend in their
own right, & the said Elbert H Gray, as Trustee for
the said Virginia Gray & Ann Belts (late Gray) as
Plaintiffs & the said Samuel Belts Ann his wife &
George W Holleman, as defendants; at which time &
place you are required to attend.

Given under my hand as Commissioner in Chancery
of said court, the day year first aforesaid—

C. B. Hayden. —

Gray wife
n. 3 Rufus J. bond
Betts wife Kas.

Ex^o filed 29th
Sept. 1887.

KNOW ALL MEN BY THESE PRESENTS, That we, *Elbert H. Gray*
and *James Gray*

are held and firmly bound unto the Commonwealth of Virginia in the sum of *Two hundred & twenty eight dollars & sixty four cents* 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 *29th* day of *September*, in the year of our Lord, one thousand eight hundred and *fifty seven*.

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 18th day of May 1857 in a cause depending in the said Court in which~~ *Elbert H. Gray & wife*

~~are~~ *George W. Holliman & Samuel Betts Saml Betts wife* plaintiffs and

~~are~~ *Elbert H. Gray & wife* defendants the above bound *E. H. Gray* wife or son or was appointed a special Commissioner to ~~for them was required to give~~

+ That if the said Elbert H. Gray & Virginia his wife shall well truly pay their due proportion of the sum of \$148. 56-¹⁰ after deducting their part of the expenses of said Decree of the 18th of May 1857 in the Cause depending in the Circuit Court of Isle of Wight County, in which said Gray wife are p'ty. & Geo. W. Holliman, Saml. Betts wife de'ts. whenever they may be required under the will of Josiah Holliman, for the benefit of whosoever may be entitled to the same under said will

Now if the above bound *Elbert H. Gray* 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 }

A. P. Young & Co.

Elbert H. Gray
James Gray



KNOW ALL MEN BY THESE PRESENTS, That we, *Samuel Betts*
and Burwell Brock

are held and firmly bound unto the Commonwealth of Virginia in the sum of *Two hundred*
Twenty eight dollars & 4 cts. 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 *5th* day of *October 1837*, in
the year of our Lord, one thousand eight hundred and *fifty seven.*

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 *18th* day of *May 1837.*
in a cause depending in the said Court in which *E. H. Gray wife an pty. an*
Said Saml. Betts wife & c. are defts. The said
it was decreed that the said Saml. Betts wife should plaintiff, and
receive from E. H. Gray trustee for Virginia Gray an
Ann Betts the sum of \$114.32 cts. being their
portion after deducting costs of suit, of \$148.56 defendant, the
above bound ~~was appointed a special Com.~~

~~and~~ to. Now if the said Samuel Betts wife should
will and truly refund the said sum so received
by them under the will of *Isiah Holleman*
decd. to whomsoever may be entitled thereunto under
said will, in pursuance of said decree.

~~Now if the above bound~~ 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 }

A. P. Younger.

Samuel Betts L.S.

Burwell Brock L.S.

L.S.