

1868-030

WILLIAM A. BUTLER ETC. VS ADMR. OF CHARLES A. GRAY ETC.

1868  
CHANCERY CAUSES

NANSEMOND COUNTY  
(SUFFOLK)

SURNAMES: LEWIS,

Wm. A. Butler who sues for

vs E. Chy. Notes

Thomas E. Gray, admor: of

Charles A. Gray, dec'd ad: .

1866. March 28th. Sum: in Chy. to April Rules 1866.

" April 2nd Bill filed - Conditional decree vs admor: & debts:

" " " P. B. Pierce, appl: adm: ad: return in -  
infant debts: who filed their answers to  
which there was a good: reply: & cause set  
for hearing, as to them.

" May 7th: Conditional decree confirmed & cause set  
for hearing, on mo: of Pltff's attor:

" " 14th. Decree for assets:

" Sept: 7<sup>th</sup>. Report filed

" " 10<sup>th</sup>. Cause removed to the Cir: Co: of New York:

" Octo: 12<sup>th</sup>. Dockets - & Decree for sale of (New York) Commis: bond & fees  
Nov: 29<sup>th</sup>. Commis: report of sale filed 1867. Apr: 18<sup>th</sup>. Decree to collect & distribute

1867 Octo: 15<sup>th</sup> Continent

1868. March 1<sup>st</sup>. Report of distribution filed (Apr: 20<sup>th</sup>) Final Decree

Chy. Notes

Virginia.

At Rules held in the Clerk's office of Nan-  
smond County Court. on Monday the 2nd  
day of April 1866.

Wm. A. Butler, who sues for himself  
and all other creditors of Charles A. Gray  
deceased, who may make themselves par-

ties harto, on the usual terms. . . . . Plaintiff

against S In Chancery.

Thomas E. Gray, administrator of Charles

A. Gray deceased, and in his own right, Horace

E. Gray Gilbert W. Gray John S. Gray, James J.

Lewis and Adaline, his wife, Francis Gray,

and Virginia Joseph Gray, the last two, infants

under twenty one years of age. . . . . Defendants.

On the motion of the Plaintiff, by Counsel, Peter B. Prentiss, is  
appointed guardian ad litem, to defend the infant defendants  
in this suit, and it is ordered that notice be given the said guard-  
ian of his appointment, by sending on him, a copy of this order.

Teste.

Peter B. Prentiss, Clerk.

1866. April 2nd: I acknowledge service of the foregoing order,  
and that I have received a copy hereof.

Peter B. Prentiss.

gdn. ad litem



10m: A. Butler, who  
sued for

order of the  
court: ad litem

Thomas E. Gray, admor.  
of Charles A. Gray  
dec'd Val:

10m: 10m

*[Faint, illegible handwriting]*

*[Faint, illegible handwriting]*

*[Faint, illegible handwriting]*

*[Faint, illegible handwriting]*

Butler Jr. v. Gray's widow & al

This cause came on this day to be again heard on the papers formerly read, & on the Report of John R. Kilby Comr. made pursuant to the decree of the 18<sup>th</sup> April 1867 - to which report there is no exception, and was argued by Counsel. On consideration whereof the Court doth confirm the said Report & doth adjudge, order and decree that the proceedings had in the cause be confirmed & made final, and that the cause be removed from the Docket.

Butler &

vs

Hayden

1868

apl. Court

Final decree

To be entered

R. 14. 53.

Entered

Butler &

or

Gray admr tal.

This cause came on this day to be heard on the Bill taken for compulsion as to the adult Defendants, on whom process has been duly served, they still failing to appear and answer, and on the answer of the Infant Defendants by P. B. Prouty, their guardian ad litem, with general Replication thereto, and was argued by counsel. On consideration whereof the Court doth advise, order & decree that a Comr. of this Court take the following accounts -

1<sup>st</sup> an account of the Transactions of Mr. E. Gray as admr. of Chs. A. Gray decd - 2<sup>d</sup>. an account of the debts due by said Chs. A. Gray or his estate & their originalty. - 3<sup>d</sup>. an account of the real estate of which said Chs. A. Gray died possessed or entitled to; <sup>and its annual & her simple value</sup> and make Report of any matters specially stated, deemed pertinent by him or that any of the parties may require to be so stated. and that notice of the time & place of taking said accounts be published in some newspaper published in Norfolk city



Butter &  
Co

Grays advertisement

1866

May 24, Decatur

Entered

once a week for four successive weeks  
in lieu of newspaper notice in the papers

Butler &

vs

Graysford &

This cause came on this day to be again heard on the papers formerly read and on the report of John R. Kelly Comd. made under the decree of the 12<sup>th</sup> Octo 1866, to which there is no exception and was argued by Counsel: on Consideration whereof the Court doth confirm the said Report and doth adjudge, order and decree that John R. Kelly as Comd. as aforesaid receive of the clerk of this Court (who is hereby directed to deliver the same to him) the Bond of Jas. J. Lewis & H. L. Gray for \$200. filed with the said Report & proceed to collect the same. & make a deed to James J. Lewis the purchaser of the Real estate named in the proceedings, with special warranty in the usual form, and that the said John R. Kelly Comd. as aforesaid, out of the proceeds of sale pay the costs of suit & expenses of sale and then pay to John R. Kelly assignee of Mrs. M. Conling \$24.86: & to Mrs. E. Gray \$35.43, being debts of 1<sup>st</sup> Class, and the Balance pay to Wm. A. Butler in part of his debt of \$96.78, as appears by Comd. Jenkins Report filed in the cause, (and make report to Court.

Butler &

7

Hay adm &

1867

April 4. Secree.

To be entered

R. H. B.

Entered -



Wm. A. Butler Jr.

11

Thos. E. Gray admr. of Chas. A. Gray decd. solr.

This cause came on to be heard on the papers formerly read & in the Report of Commissioners, James E. Jenkins, made pursuant to the decree of the 14<sup>th</sup> of May 1866 of Fauquier County Court, & on the order of said County Court made at Sept Term 1866 transferring this cause to this Court, - to which Report no exception has been filed and was argued by Counsel. on consideration whereof the Court doth confirm said Report and doth adjudge, order and decree that John R. Kelly, (who is hereby appointed Comr. for that purpose), proceed to sell at <sup>an</sup> ~~the~~ Court house door of Fauquier County, on some County Court day, on a credit of six months, with interest from date, after having given at least 25 days notice of such sale by advertisement at the Court house door of Fauquier County, and at six other public places, in said County, & <sup>also</sup> in some newspaper published in Norfolk <sup>city</sup>, ~~town~~ a week for three weeks, the land of which Charles A. Gray, died seized & possessed, & described in the proceedings as a tract of land of "Thirty acres in Barretts neck, adjoining the lands of the heirs of Bro. Gray, decd." -

That the said John R. Kelly, Comr. as aforesaid before such sale shall be made shall have the said land surveyed by a competent surveyor and return the plat to Court, and shall take from the purchaser bond & good security & retain the title to the land till the further order of Court; and make report of his proceedings to Court. But before any sale, shall be made



under this decree, the said John R. Kelly shall execute before the Clerk of this Court in his office a Bond in the penalty of \$700. payable to the County of Vt. conditioned for the faithful performance of this decree and of any other decree he may be required to execute in this cause.

Burton Sr.

or

May Sr.

1866

Clerk. Court Decree

To be returned

R. Kelly

Embroid

The joint and separate answers of  
Francis Gray and Wm. Jr. Gray, by P. B.  
Prentiss, their guardian ad litem to a <sup>Supplemental</sup> Bill  
in Chancery exhibited in Henrico County  
Court by Wm. A. Britton Jr. against Thomas  
E. Gray administrator of Chas. A. Gray deceased;

These Respondents say that so far as  
they know or believe the facts and  
statements set forth in said Bill are  
true, but being Infants and incapable  
of protecting themselves, (and their rights  
in the cause, they submit the same to  
the Court and pray that no order or  
decree may be made in said cause  
inconsistent with their rights.

Signed.

Peter B. Prentiss.

Jdn: ad litem

Wm. A. Butler to

or.

Thos. E. Gray adm<sup>r</sup>  
of Chas. A. Gray dec<sup>d</sup>  
est<sup>t</sup>

Assign<sup>or</sup> of  
Inherit<sup>or</sup> rights.

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1866.

April 2<sup>nd</sup>: Filed



To the Worshipful Court of Nausumond  
County -

Complaining shew unto the Court your  
Complainant Wm. A. Butler, who sees for  
himself and all other Creditors of Charles  
A. Gray deceased, who may make themselves  
parties hereto, on the usual terms.

Your Complainant respectfully represents  
to the Court and says, That early in the year  
1862 he filed & exhibited his Original bill  
of Complaint in this Court, against Thomas E.  
Gray admor. of Charles A. Gray decd; and  
against Mary Gray, said Thomas E. Gray  
in his own right, Isaac L. Gray, Gilbert W  
Gray, John J. Gray, Adaline Gray and  
Francis Gray (the last an Infant & Virginia  
M. Gray also an Infant). Stating, That the

said Charles A. Gray died on the day of  
1861, Intestate <sup>never having been married</sup> leaving as his heirs  
at Law, his Mother, Mary Gray, and his  
brothers, Thomas E.; Isaac L.; Gilbert W.; John J.;  
& Francis; this sister Adaline & his niece  
Virginia M. Gray, a daughter of his brother  
John Gray decd - the said Francis M. Jr.  
being under twenty one year of age -

That the said Thomas E. Gray qualified  
in Nausumond County Court on the day  
of 1862 as the admor. of said  
Charles A. Gray decd. - a copy of which



said order of Court granting such administration was filed with the said original <sup>was indebted to Mrs. Complainant \$69.05 with Int. from 1<sup>st</sup> Jan. 1860 &</sup> Bill - That the Intestate, left no personal estate, but did leave thirty acres of Land in Barretts Neck, adjoining the Land of the other heirs of Geo. Gray deceased, and that the said Land would have to be sold to pay his debts; and praying that the accounts of said Thomas E. Gray as such adm. might be duly settled; that the debts of said Intestate might be paid, & that the Land aforesaid might be sold for that purpose - That process was duly executed on the defendants and the ~~same~~ Rice duly taken for confessed at the rules, as to the adult defendants, & the Infants by P. B. Prentiss their guardian ad litem filed their answer & to which Replication was filed & the cause placed on the Court docket and a decree was duly pronounced by said Court, directing a commission to settle the accounts of said Thomas E. Gray as such adm., & to take an account of the value of the Land whereof said Charles A. Gray died possessed, & an account of all debts & demands against said deceased or his estate, which decree was not executed on account of the war - and now your

Complainant says, That on the 7<sup>th</sup> day of February 1866, the Clerk's office of said Court and its records, including the papers of the cause aforesaid, were destroyed by fire, and hence your Complainant files this Supplemental Bill — Your Complainant further states, that since the commencement of said suit, the said Mary Gray has died, Intestate, and that the said Adaline has become the wife of Jas. J. Lewis — In Consideration whereof (and as this Court has power to grant all adequate relief — To the end therefore your Complainant prays that Thomas E. Gray admr. of Chs. A. Gray decd. in his own right, Isaac L. Gray, - Elliot W. Gray, John J. Gray, Jas. J. Lewis & Adaline his wife, Francis Gray & Va. J. Gray, — the last two under twenty one year of age, may be made defendants hereto, and answer the allegations herein — That the accounts of Thomas E. Gray as admr. aforesaid may be duly settled — That an account of all debts and demands against the estate of said Chs. A. Gray decd. may be had & that the said aforesaid may be sold & the said demands paid out of the proceeds and that all further relief proper may be granted &c.

John R. Kilby J. C.



Killy p. 4

Am. A. Butler &

Suppl  
or } Ricc.

Thomas, G. Gray adm  
of Chs. a. Gray & Co  
Inc.

---

Man. ? Co. C.

NORFOLK, VA.

Sep 24 1866

Mr J. R. Kilby, P. G.

To THE NORFOLK VIRGINIAN, Dr.

James D. Hays lawyer

11 25

W. A. Butler & others vs. J. C. Gray  
Adm'r C. A. Gray

Received payment

Richard Semler & Co



Suffolk

J. R. Kilby

11.25

Suffolk Va Oct 23<sup>rd</sup> 1866 Rec<sup>d</sup> of John R Kelly  
atto Ten dollars Commissioners fees in the suit of  
W<sup>m</sup> A Butler & c vs Thos E Gray admr of Charles  
a Gray dec<sup>d</sup> in the County Court of Nausmond  
County for Commissioners report

Jas. E. Jenkins  
Commr Co Ct Naus<sup>d</sup> Co Va

The Commonwealth of Virginia,

To the Sheriff of Nansemond County---Greeting.

YOU ARE HEREBY COMMANDED TO SUMMON *Thomas E Gray* administrator of *Charles A Gray* deceased and in his own right, *Horace L. Gray*, *Gilbert W. Gray*, *John T. Gray*, *James J. Lewis*, and *Adeline* his wife, *Francis Gray*, and *Virginia Joseph Gray*, the last two infants, under twenty one years of age.

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to appear at the Clerk's Office of our *County* Court for the County of Nansemond, on the first Monday in *April* next, 1866, being rule day, to answer a bill in chancery, exhibited against *them* by

*Wm: a Butler*, who sues for himself and all other creditors, of *Charles A. Gray* deceased, who may make themselves parties hereto on the usual terms.

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and unless *they* shall answer the said bill by the next rule day thereafter, the Court will take said bill for confessed, and decree accordingly.

And have then and there this writ. Witness, PETER B. PRENTIS, Clerk of our said Court, at his Office, this *28th* day of *March*, 1866, and in the *90th* year of the Commonwealth.

*Peter B. Prentis*, Clerk.

The Sheriff will, in his return, note the day on which this process is executed on each Defendant.

The Within Summons was executed by  
delivering a copy of the same to each of  
the parties (dependent —, on the 29<sup>th</sup>  
day of March 1866.

J. W. Ely Atty

Killbuck  
Wm. A. Butler, who  
sues for himself &c

vs  
J. Sumner Chy.

Thomas E. Gray, Admor.  
of Charles W. Gray dec'd

Adl.

To April Rule 1866.

(Proc. B. No. 1. p. 2)

Co. Co



KNOW ALL MEN BY THESE PRESENTS, That we *John R. Kilby and*  
*Leroy R. Kilby*

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA, in the just and full sum of  
*Seven Hundred* dollars, to the payment  
whereof well and truly to be made to the said Commonwealth, we bind ourselves, and each of us,  
our, and each of our heirs, executors and administrators, jointly and severally, firmly by these  
presents. Sealed with our seals, and dated this *1st* day of *November* in the  
year one thousand eight hundred and *sixty-six*, and in the *71st* year  
of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound

*John R. Kilby, who was, by a Decree of the Circuit Court of Nantuxent*  
*County in the cause of Wm. A. Butler, who sues for against Thomas E. Gray,*  
*Adm<sup>or</sup> of Charles A. Gray dec'd father, pronounced on the 12<sup>th</sup> day of*  
*October 1866, appointed a Commissioner to make sale of certain Real Estate*  
*in said cause described*

*under said decree or any other decree he may be required to execute in <sup>said</sup> cause:*  
shall faithfully discharge the duties of his said trust, then the above obligation to be void, or else  
to remain in full force and virtue.

Executed in presence )  
of )

*John R. Kilby*  
*Leroy R. Kilby*

SEAL.

SEAL.

SEAL.

SEAL.

SEAL.

John R. Kelby

To J Commers: Bond

Commonwealth

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Nov: 15<sup>th</sup> 1866 Executed & filed

Butter v. Hayward

(papers filed)



Charles A. Gray Bot of Mrs. A. Butler 50

1859

Feb 22	To 2 1/4 yds fancy cass.	2.50	6.88
"	Trimings for Pants	1.10	1.10
"	4 Linen Collars	1/2	1.00
"	1 vial Lub Extract	75	.75
"	1 Violin Bow & Box	12.50	12.50
Apr 10	3/4 yd yarn Socks	1/2	.75
May 7	1 white Man Vest	4.00	4.00
"	1 Knife & 2 Hdkf	2.00	2.00
21	1 Black alpacca Coat	5.50	5.50
"	1 yd Bro linen	3/4	2.00
"	1 Irish linen	1/2	1.50
June 3	1 rich cravat	1/2	1.00
"	1 Bot Tricopherous	1/2	.25
"	1 vial Extract	75	.75
17	2 Linen Cambr Hdkf	3/4 ea	1.50
18	1 White linen Coat	4.00	4.00
"	1 yd Marcell	1/2	1.00
"	1 long linen dust Coat	4.00	4.00
July 7	1/2 yd half Had 1/2 1/2 yd Canvas	9	.38
7	1 Bot Tricopherous 1/2 6 Buttons	9	.38
14	1 Violin string 9 1 spool cotton 4		.18
"	3/4 yd Linen 1/2 1 Bot Cologne	75	1.88
Aug 2	1 Linen Hdkf 75 1/2 yd Lbw	25	1.00
16	1 Cravat 1/2 1 Knife	3/4	1.50
26	2 3/4 yd Black Cassamed	2.50	6.88
"	1 Cake Borr Soap	9	.12
Nov 18	1 rich Velvet Vest	5.50	5.50
"	1 pair Kid Gloves	7/2	1.25
Total from 1st Jan 1860 till paid			

69 " 05

Wm A. Butler  
a.s.

Mr. M. Cowling's  
act,

This act has been  
assigned to Mrs.  
R. Kelly



Chas. A. Gray's Estate

1861

To Bro M. Cowling SV

To making coffin & \$20.00

Chas. A. Gray's Est

with } vouchers

Wm. E. Gray adm

v.

1865

Nov. 23. Bal'd

due adm

// 33.88

L

Chas. A. Gray's  
Estate.

Amount of money Paid on account  
of Charles A Gray Deed  
Feb 20<sup>th</sup> 1861

	To account of John Ransom	5 50
"	March " administering on estate	v 1 00
1860	To Taxes on intrust on land	v 2 50
1861	" " " " " "	v 1 68
"	<del>for office</del>	<del>20 00</del>
April 10 <sup>th</sup> 1869	To Dr C. J. Phillip	v 40 00
July 18	" " " R Th Lynes	v 1 00
April 10	" " " John J Gray	v 16 00
		\$ 67.71

Thomas E Gray Administrator  
of C A Gray  
Deed

Jan 1.00	Rent off	45.00
		<u>\$ 22.71</u>
nothing recd. as say		1.00
	Com & Ct charges	10.17
		<u>\$ 33.88</u>



Mr. Charles A. Gray To J. G. Williams Commr. Rev. Dr.  
1860. To 1 Trans. from John Gray to apportioning Val. 1.85

Mr

*Charles A Gray*

60. To JESSE R. SAVAGE, Sheriff of Nansmond Co., Dr.,

Capitation Tax, for Whites at 80 cents,

“ Capitation do. for Negroes 80 cts. Poll Tax \$1

“ County Levies at \$1.15 Parish do. 35 cents

“ Rev. on personal property, bonds, &c.,

“ *30* Acres of Land, val. \$ *420* —

“ Slaves at \$1 20

“ Clerks fees \$ Commissioners fees \$

“ Militia fines at 75 cents

*1 68*

*85*

*2, 53*

Received Payment,

*Jm*  
*“ Gray* *D J*

All Available Text Successfully Captured

Charles A. Gray

2.53

1.68

4.21

✓



Charles A Gray

\$

1.68

✓

✓

M. Charles A Gray

1861. To WM. ELEY, Sheriff of Nansenond Co., Dr.

To Capitation Tax, 80 cents,

“ County Levies at \$1; Parish do. 50 cents,

“ Rev. on personal property, bonds, &c.,

“ 30 Acres of Land, val. \$ 420 — — 1 68

“ Slaves at \$1 20,

“ Clerk's Fees,

“ Commissioner's Fees,

“ Militia Fines at 75 cents,

Received payment,

Jm

Eley Aff

Charlie Gray

Oct. 40<sup>th</sup> 1890

✓  
1

Substrate Bonville

Mo	Day	Particulars	Dr.
		Mr Charlie Gray	
		To Edu. D Phillips	
Aug.	21st	Visit to Self Pres med	3.00
"	22	" " " " "	3.00
"	23	" " " " "	3.50
"	24	" " " " "	3.00
"	25	" " " " "	3.00
"	26	" Emp of Canthar	.75
"	"	" visit to self 14 Blisters	5.00
"	27	" " " " Pres med	3.00
"	"	" night visit to self	5.00
"	28	" " " " "	3.00
"	29	" " " " "	3.50
"	30	" " " " "	3.50
"	31	" Pres and med.	1.50
			<hr/>
			40.75

1863. Rec<sup>d</sup> payment of Thos. E. Gray adm<sup>r</sup>  
 April 25<sup>th</sup> }  
 Ed. D. Phillips



1

1860

Charles W. Gray

Dr

To John H. Ransom

April 7<sup>th</sup> To footing for camp Cooks \$5.50

May - 23 Received payment of Thos. E. Gray  
John H. Ransom

Qualified to, before me, by J. H. Ransom, as being  
just & correct - May. 23<sup>rd</sup> 1861. S. Junius Wilson J.P.

1860. Charles A. Gray

To. R. H. Fynes.

Aug 8<sup>th</sup> Paid And Med for exp \$1.00

Res. payt. of the C. Gray Ac.  
of Charles A. Gray's Estate

July 18<sup>th</sup> 1863

R. H. Fynes

Wm Charles R. Gray

1860

July 1st to 31st

July 14 <sup>th</sup>	To	2	Shirts	25	50
" 18 <sup>th</sup>	"	1	pair shoes	25	25
" 24 <sup>th</sup>	"	1	Shug Tole	25	25
" "	"	1	Wagon	25	25
" 29 <sup>th</sup>	"	1	knife	50	50
" "	"	1	collar	17	17
" "	"	3	Oranges	4	12
" 28 <sup>th</sup>	"	1	Box Soap	37	37
" "	"	1	Pr. Gloves	50	50
" 1 <sup>st</sup>	"	2	Pr. St. Shoes	120	240
" 15 <sup>th</sup>	"		Costs		25
" 18 <sup>th</sup>	"	1	Woolen Silk	60	60
" "	"	2	Woolen Socks	60	120
" 21 <sup>st</sup>	"	1	knife	25	25
" 25 <sup>th</sup>	"	1	Pr. Gloves	50	50
" "	"		Cigars	20	25
" 28 <sup>th</sup>	"		Pr. Soap	20	20

Amount due to Wm Charles R. Gray



July 12<sup>th</sup> 1864 Received pay \$16.21  
John T. Gandy

July 12<sup>th</sup> 1864. The correctness of the  
within is sworn to before me  
Geo. A. Glover. S. P.

1897  
[Faint, illegible handwriting on lined paper]

\$45,00  
January 10<sup>th</sup> 1864

Received of John I Gray forty five dollars.  
for the Rent of C. A. Gray Land for the years 1861-1862  
& 1863

Thomas E Gray Administrator  
of C. A. Gray Estate

Nov 12<sup>th</sup> 1866 Rec<sup>d</sup> of Bro. R. Hilby ~~Trustee~~ <sup>Comr.</sup> Two dolls +  
fifty Cents for selling at auction the Chas. A. Gray land  
under a decree of the Court.

Wm. D. McQuinn

\$2.50



I, *R E Glassett Printer*

The Virginian, a newspaper printed in the  
City of Norfolk, in the State of Virginia, do  
hereby certify that the order hereto annexed  
has been published once a week for ~~four~~ *three* suc-  
cessive weeks in the newspaper aforesaid.

Given under my hand this *20*  
day of *Dec* A. D. 1866

*R E Glassett,*

Cost of executing the said order, paid by  
the above-named plaintiff, \$

**N O T I C E -**

By a decree of the Circuit Court of Nansemond county, I shall sell,

**On Monday, 12th November next,**

(being Court day) in State a small parcel of  
Land in Barren Neck, adjoining to the estate  
of Charles A. Gray, deceased, containing

**SEVEN ACRES**

more or less, being part of the late John Gray's  
farm, and near Church Creek.

**TERMS.**

Six month's credit, with interest from date,  
except cost and expenses, which will be cash,  
and title to be retained till the order of the  
Court.

**JOHN R. KILBY,**  
Commissioner.

oc26-1aw3w

At a Circuit Court held for Henrison County the 12th. day of October 1866.  
Wm. A. Butler, who sues for himself, and all other creditors  
of Charles A. Gray, deceased, who may make themselves parties  
hereto on the usual terms. . . . . Plaintiff.

Against & In Chancery

Thomas E. Gray, administrator of Charles A. Gray deceased  
and in his own right, Horace L. Gray, Gilbert W. Gray, John  
J. Gray, James J. Lewis and Adaline his wife, Francis Gray  
and Virginia Joseph Gray, the last two, infants under  
twenty one years of age. . . . . Defendants.

This cause came on to be heard on the papers formerly read and on  
the report of Commissioner James E. Jenkins, made pursuant to the de-  
cree of the 14th. of May 1866 of Henrison County Court, and on the or-  
der of said County Court, made at September Term 1866, transferring  
this cause to this Court, to which report <sup>no exception</sup> has been filed, and was ar-  
gued by counsel: on consideration whereof the Court doth confirm  
said report, and doth adjudge, order and decree that John R. Killy  
(who is hereby appointed Commissioner for that purpose) proceed to  
sell at auction before the Court House door of Henrison County  
on some County Court day, on a credit of six months, with interest  
from date, after having given at least twenty-five days notice of  
such sale by advertisement at the Court House door of Henrison  
County, and at six other public places in said County, and also in some  
newspaper published in Norfolk City, twice a week for three weeks, the  
land of which Charles A. Gray died seized and possessed, and de-  
scribed in the proceedings as a tract of land of "Thirty acres in Bar-  
retts neck, adjoining the lands of the heirs John Gray deceased." That the  
said John R. Killy Commissioner as aforesaid before such sale shall  
be made, shall have the said land surveyed by a competent survey-  
or, and return the plat to Court, and shall take from the purchaser

bond and good security, and retain the title to the land till the further order of Court: and make report of his proceedings to Court. But before any sale shall be made under this decree, the said John R. Kelly shall execute before the Clerk of this Court in his office a bond in the penalty of \$700. payable to the Commonwealth of Virginia, conditioned for the faithful performance of this decree and of any other decree he may be required to execute in this cause.

A Copy  
Teste,

Peter B. Prentiss, Clerk

Costs

Clerk	\$15.00
Atto: V	31.00
Shff:	6.00
Commis:	10.00
Printer	11.25

owing to Jas. R. Kelly, who paid the same.  
\$73.25

Wm. A. Butler Jr

# 27 Geo. Rice, Octo: Term  
1866

Thomas E. Gray, Admors: sh  
Charles A. Gray, clud: dal:

xviii



To the Circuit Court of Waukesha County,

The undersigned reports to Court, that pursuant to the Decree of said Court pronounced on the 12<sup>th</sup> day of October 1866, in the cause therein pending wherein Wm. A. Butler & Co. is plaintiff and Thos. C. Gray admr of Chas. A. Gray dec'd & Co. defendants, he proceeded to advertise the land whereof Charles A. Gray died possessed and described in said Decree, as directed and sold the same at auction before the Court house door of Waukesha County on Monday 12<sup>th</sup> Nov. 1866 being Court Day, when the same was purchased by James J. Lewis for two hundred fifty dollars = \$250:00 and for which he has executed his Bond with N. L. Gray — his security payable six months after date, with interest from date — which is filed herewith.

Respectfully submitted

John R. Kilby Com.  
15 Nov. 1866.

The following are the costs & expenses

To Clerk	\$15.00	
" Atty & Co.	31.00	dues 25%
" Shff.:	6.00	
" Com.:	10.00	
" Printer (law notice)	11.25	P. by J. R. K.
" do. for sale	3.50	
" Surveys	7.50	
To deed to purchaser	5.00	
To Wm. H. M. Chas. Lewis	2.50	
" 8 per cent com.	12.50	
	<u>\$104.25</u>	



1867 May 24 Recd. of P. B. Prentiss Clerk the  
Bond of J. J. Lewis referred to within - delivered  
as directed by decree of Appeal Court 1867.

John R. Kilby Comr

C. S. [unclear]

Butler Jr.  
Comr. Report  
of Sale

Gray's adv. Jr.

1866.  
Nov. 29<sup>th</sup> Filed

Mr Charles A Gray  
To <sup>1865</sup> Mr Cuyshiff nanres and lot P<sup>2</sup>  
" 30 acres land val. 420\$ = 84  
" ~~hospitality tax~~

Charles A. Gray

84

Mr.

Charles A Gray, <sup>Esq</sup>

1866.

To WM. ELEY, Sheriff of Nansemond Co.

Dr.

To Capitation Tax, 28 cents,

“ 30 Acres of Land, val. \$ 420 ———

“ Ditto for county,

“ County Levies at \$2 50, Parish do. 70 cts.

“ Rev. on personal property, bonds, &c.

“ Ditto for county,

“ Clerk's Fee's,

“ Commissioner's Fees,

*Received payment,*

39

294

89

Edw

Charles A. Gray

$$\begin{array}{r} 89 \\ 84 \\ \hline 173 \end{array}$$



At a Circuit Court held for Nausaueend County, on the 18<sup>th</sup> day of April, 1867:

Wm. A. Butler, who sues for himself and all other creditors of Charles A. Gray, deceased, who may make themselves parties hereto on the usual terms. . . . . Complainants:

against In-Chancery  
 Thomas E. Gray, administrator of Charles A. Gray deceased, and in his own right, Horace L. Gray, Gilbert W. Gray, John T. Gray, James J. Lewis and Adaline, his wife, Francis Gray and Virginia Joseph Gray, the last two infants under twenty one years of age. . . . . Defendants:

This cause came on this day to be again heard on the papers formerly read, and on the report of John R. Kilby, Commissioner, made under the decree of the twelfth day of October, 1866, to which there is no exception, and was argued by counsel: On Consideration whereof the Court doth confirm the said Report and doth adjudge, order and decree that John R. Kilby as Commissioner, as aforesaid receive of the Clerk of this Court (who is hereby directed to deliver the same to him) the Bond of James J. Lewis and H. L. Gray for Two Hundred and fifty dollars, filed with the said report, and proceed to collect the same and make a Deed to James J. Lewis the purchaser of the Real Estate named in the proceedings, with special warranty in the usual form; and that the said John R. Kilby, Commissioner as aforesaid, out of the proceeds of sale pay the costs of suit and expenses of sale, and then pay to John R. Kilby, assignee of Geo. W. Cowling, Twenty four dollars and Eighty six cents, and to Thos. E. Gray, Thirty five dollars and forty three cents being debts of the first class: and the Balance pay to Wm. A. Butler in part of his debt of ninety six dollars and seventy eight cents, as appears by Commissioner Jenkins' Report filed in the cause, and make report to Court.

A Copy:

Teste:

Peter B. Prentiss, Clerk

Cooks  
 Clerk . . . \$15.00  
 atty:fe . . . 31.00  
 Skiff . . . 6.00  
 Commor: . . . 10.00  
 Printer . . . 11.25  
 \$73.25

10m: A. Butler, who sues <sup>X<sup>mo</sup></sup> &c

vs J Co: Decree

Thomas E. Gray, adv<sup>er</sup>: of  
Charles S. Gray dec'd &c:



Mr. E. Gray



To the Circuit Court of Nassau and County.

The Undersigned Reports to Court that pursuant to the decree of said Court pronounced on the 18<sup>th</sup> day of April 1867, in the cause therein pending wherein Wm. A. Butler & Co. is plaintiff and Thomas E. Gray adm<sup>r</sup> of Chs. A. Gray dec<sup>d</sup> & others, defendants, he has received of the clerk of said Court the Bond of James J. Lewis for \$250. filed in the cause and has collected the same with the interest due thereon, and has paid the same as directed by said decree, and as the statement below & receipts annexed will show - a deed has also been made to the purchaser, James J. Lewis, for the real estate sold as aforesaid -

Statement

By amount of James J. Lewis' bond \$250.00  
" Int<sup>r</sup> from 12<sup>th</sup> Nov. 1866 to 20<sup>th</sup>  
Feb<sup>y</sup> 1868. — 1 yr. 3 mo. 8 d } 19.08  
\$ 269.08

Expaid costs of suit & expenses of sale.

W. P. B. Prentiss, clerk	\$15.00
" Geo. R. Kilby Atty.	31.00
" Wm. Eley Siff.	6.00
" Jas. E. Jenkins Comr.	10.00
" Tax bill	1.73
" Prentiss' Bill	11.25
" 5 <sup>th</sup> for advertising sale	3.50
" Mr. M. Corling, surveyor	7.50
" Wm. N. McGuire, Crier	2.50
" 5 per cent Comr.	12.50
" for deed & stamp - to purchaser	3.00
	<hr/>
	\$ 103.98
Car <sup>r</sup> on	<hr/>
	\$ 165.10



	Amount brought on		\$ 165.10
1868	To paid John R. Kilby spec. ch		
20 Feb. }	To no. M. Couling per secre & det.	\$ 26.56	
	<small>from 10<sup>th</sup> Sept. 1866.</small>		
	To paid Mrs. E. Gray " & det.	<u>39.15</u>	\$ 65.71
	Balance		\$ 100.81
	To paid Wm. A. Butler in part of his		
	sett of \$ 96.78. per secre		<u>100.81</u>

Respectfully submitted  
John R. Kilby Com

1867 Rec<sup>d</sup> of John R. Kilby, Com as above  
the amounts due us as above.

John R. Kilby Atty / 31.  
John R. Kilby spec 24.86  
Peter B. Prentiss . . \$ 15.00

Butler &c. } Comrs.  
" } Report of  
Gray &c. } distribution

1868.  
March 4<sup>th</sup>. Filed.  
ck.

Commissioners Office  
Suffolk August 10 1866

To the County Court of Nausemond County

Your commissioners to whom has been referred your decretal Order of the 14<sup>th</sup> day of May 1866, in the suit of

"W<sup>m</sup> At Butler who sees for himself and all other of the Creditors of Charles A Gray deceased who may make themselves parties on the usual terms

Plaintiff } In Chancery  
against

Thomas E Gray Administrator of Charles A Gray deceased and in her own right, Horace L Gray Gilbert W Gray, John T. Gray, James J Lewis and Adeline his wife, Francis Gray, Joseph Gray, the last two infants under twenty one years of age  
Defendants

Requiring the accounts named in said decree to be taken, a copy of which is filed herewith marked

A. A, respectfully reports that he was requested to <sup>take</sup> an account

First of the transactions of Thomas E Gray as administrator of Char A Gray dec<sup>d</sup>, which he has done and finds that he has fully administered the estate, and that there is due from the estate to the administrator the sum of Thirty three dollars and thirty eight cents (\$33 <sup>38</sup>/<sub>100</sub>), with interest from the 23<sup>rd</sup> of November 1865, calculating which to Sept 10<sup>th</sup> 1866, will make the whole debt due the administrator as aforesaid \$35.75

B. Second, of the debts due by said Char A Gray or his Estate and their dignity, which he has also done and finding no debts due the United States, the State of Virginia, or as personal representative he has classified them as

C Debts of class no 1 60.39  
" " " no 2 96.78  
\$157.17

as per Exhibit C herewith filed detailing them.

Third an account of the real estate of which said Char A Gray dec<sup>d</sup> possessed or entitled to be to which he has also done & reports that he owned about 40 acres, his distributable share of his



father's lands lying near the mouth of Chest-  
-nut Creek, which from the testimony before him  
he finds to be worth about \$600 and the annual  
value \$25.

Your Commissioner would add that notices  
of the time and place of taking these accounts  
were published in the Norfolk Virginian a  
newspaper published in the City of Norfolk once  
a week for four successive weeks, the Certificate  
of the Editor being herewith filed marked D as de-  
rected in the decree

D

Given under my hand as Commissioner  
aforesaid the day and year first aforesaid

James E. Jenkins  
Commissioner C.C. & C.

Commissioner's fee  
for taking this account  
\$10.00      \$10.00

William a Butler  
and others  
Plaintiffs } In  
against } Chauncy  
Thomas Elgray adm<sup>r</sup>  
of Charles Elgray dec<sup>d</sup>  
and others  
Defendants

---

Commissioner's Report

---

Completed and filed  
in my office August  
10<sup>th</sup> 1846.

James E. Jenkins  
Commissioner

1866. Sept: 7<sup>th</sup> filed  
C.M.



NO WIL  
sues for 70  
Charles D.  
17

At a Monthly Court held for Stafford County the 14th day of  
May 1866.

Wm. A. Butler, who sues for himself and all other creditors  
of Charles A. Gray deceased, who may make themselves parties  
hereto on the usual terms . . . . . Plaintiff,

against In Chancery.

Thomas E. Gray administrator of Charles A. Gray, deceased,  
and in his own right, Horace L. Gray, Gilbert W. Gray John S.  
Gray, James J. Lewis and Adaline his wife, Francis  
Gray and Virginia Joseph Gray, the last two infants,  
under twenty one years of age . . . . . Defendants

This cause, came on this day to be heard on the Bill taken for confessed  
as to the adult defendants, on whom process had been duly served, they still  
failing to appear and answer, and on the answer of the infant defendants  
by Peter B. Prentiss, their guardian ad litem, with general replication thereto  
and was argued by Counsel, on consideration whereof the Court doth adjudge  
order and decree, that a Commissioner of this Court, take the following ac-  
counts.

First: an account of the transactions of Thos. E. Gray as administrator  
of Chas. A. Gray deceased.

Second: An account of the debts due by said Chas. A. Gray, or  
his Estate, and their dignity.

Third:  
An Account of the Real Estate, of which said Chas. A. Gray, died  
possessed, or entitled to, and make report of any matters specially  
stated, deemed pertinent by him, or that any of the parties may require to be so stated,

and that notice of the time and place of taking said accounts, be published in some news-  
paper published in Norfolk City, once a week, for four successive weeks, in lieu of personal  
notices, on the parties.

A Copy: Testes  
Peter B. Prentiss, Clerk.

Thursday 26<sup>th</sup> July

10m: A. Butler, who was  
de

25<sup>th</sup> of Copy Record May  
Court 1866

Charles A. Gray's Adm't:  
Ad:

A.

(with Com Report



"An account of the debts due by Charles A Gray deceased or his Estate and their dignity -"

1862	Clasp. No 1.		
July 1	To John Reilly a/c of John W Corling for Coffin for decedent &c	\$ 20 00	
	Interest to Sept 10 <sup>th</sup> 1866. it being 4 yrs 2 mo & 10 days.	\$ 4. 86.	
			<u>\$ 24 86</u>
1865	To Thos. E Gray adm <sup>r</sup> of decedent. balance due him on settlement recorded	33. 38	
Nov. 23	Interest from 23 <sup>rd</sup> Nov 1865. 9 mos. 18 ds.	1 55	
			<u>\$ 35. 43</u>
	Total of Debts of Clasp No 1.		<u>\$ 60. 39</u>
1860	Clasp No 2.		
Jan 1	To Wm A Butler a/c	69 05	
	Interest to Sept 10 <sup>th</sup> 1866. it being 6 yrs 8 mo 9 days.	\$ 27 73	
	Total of Debts of Clasp No 2.		<u>\$ 96. 78</u>
			<u>\$ 157. 17</u>
	With interest on each from Sept 10 <sup>th</sup> 1866.		

James. E Jenkins  
Commissioner.

W<sup>m</sup> Butler de

is } Exhibit

C

(with Am Report)

Thos. Gray adm<sup>r</sup> de



W<sup>m</sup> A Butler sc

is } Exhibit  
B.

(with Comptrol)

Thos Gray adm sc

Jan 21 1861



Thomas Gray administrator of Charles A. Gray dec'd  
 In account with The Estate

Dv

Cr

1865 Nov. 23	By ballance due the administrator in his settlement returned by a Commissioner of this Court about the first of Jan'y 1866 but burned with the records of the Clerk's Office 7 <sup>th</sup> Feb'y 1866. (Copy obtained from Commr) with interest from this date	33 88
	By interest on same to Sept. 10 <sup>th</sup> 1866. 9 mos. 13 days -	1 55
	With interest from Sept 10 <sup>th</sup> 1866	<hr/> \$35. 43

James E. Jenkins  
 Commr

Exhibit (D.)

with Am. Report

I, *J. Richard Sewellen*, editor  
of The Virginian, a newspaper printed in the  
City of Norfolk, in the State of Virginia, do  
hereby certify that the order hereto annexed  
has been published once a week for four suc-  
cessive weeks in the newspaper aforesaid.

Given under my hand this *8th*  
day of *August*, A. D. 186*6*

*J. Richard Sewellen*

Cost of executing the said order, paid by  
the above-named plaintiff, \$*1.50*. *11.25*

COMMISSIONERS OFFICE,

Suffolk, Va., June 9, 1866.

TO WILLIAM A. BUTLER, who  
sues for himself and all other creditors of  
Charles A. Gray, deceased, who may make  
themselves parties on the usual terms,  
Plaintiff,

against  
Thomas E. Gray, administrator of Charles A.  
Gray, deceased, and in his own right, Horace  
H. Gray, James J. Lewis and Adaline, his wife,  
Francis Gray and Virginia Joseph Gray, (the  
last two infants under twenty-one years of age,  
Defendants.

IN CHANCERY.

You are hereby notified that I have fixed  
upon THURSDAY, the 26th day of July, 1866,  
to take and settle the following accounts at my  
office:

First, An account of the transactions of Thos.  
E. Gray as administrator of Charles A. Gray, de-  
ceased.

Second, An account of the debts due by said  
Charles A. Gray, or his estate, and their dignity.

Third, An account of the real estate of which  
said Charles A. Gray died possessed, or entitled  
to, and any matters specially stated or deemed  
pertinent by him, or that any of the parties may  
require to be so stated.

Which accounts are required to be taken  
by the decree of the County Court of Nansemond  
County, rendered on the fourteenth  
day of May, 1866, in a suit in chancery  
therein depending, in which you are parties  
plaintiff and defendant, at which time and  
place you are required to attend—and said de-  
cree authorizing in lieu of personal notice to  
the parties, this publication, same as published  
in the Norfolk Virginian, a newspaper publish-  
ed in the city of Norfolk, once a week for four  
successive weeks.

Given under my hand as Commissioner in  
Chancery of the County Court of Nansemond  
County the day and year first herein aforesaid.

JAMES E. JENKINS, Commissioner.

JOHN R. KILBY, p. q.

Attorney-at-law

Costs

Clack

\$15.00

Atto. G

31.00

Sh/W

6.00

Courier:

10.00

~~\$62.00~~

Printer

~~\$12.25~~ owing to W. Kelly

~~\$73.25~~



Cook-