

1884-12

Southampton County Chancery - Clements, George W. vs Clements, Edgar P.

Griggard, Martha V.

Fraud suit - taken advantage of
as a minor. ask that
the said Deed of sale
be annulled.

Elements
vs $\frac{3}{2}$ Bill, &c.,
Elements

1884 April Rules.

Parker, f.c.

To the Honorable George Blaw, Judge of
the Circuit Court of Southampton County,
In Chancery.

Humbly complaining, sheweth unto your
Honor, your Complainant, Geo. M. Clements,
as follows: That on the 18th day of April
A. D., 1868, his Aunt, Martha V. Grizzard,
executed a Deed to his father, W^m. G. J.
Clements, as Trustee, for the benefit of
your Complainant and others, conveying
a tract of land of 465 acres, more or
less, and also all her interest in a tract
of land formerly owned by Washington
Clements of 500 acres, more or less, and
recorded in the Clerk's office of South-
ampton County on the 4th day of May,
A. D., 1868, a copy of which is herewith filed
marked "Exhibit B", and prayed to be read
as a part of this bill; That on the 3rd
day of February, A. D., 1883, your Com-
plainant, being an infant, under twenty
one years of age, and ignorant of his
rights, was induced, for the very inequitable
consideration of \$500.00 to execute to his
brother, Edgar P. Clements, a Deed for his
entire interest in the property conveyed by
his Aunt, the said Martha V. Grizzard to
his father, the said W^m. G. J. Clements, as Trustee,
aforesaid, which said Deed was recorded

in the Clerk's Office of Southampton County,
on the 21st day of January, A. D., 1882,
a copy of which is herewith filed marked
Exhibit "C", and prayed to be read as a part
of this bill; That your Complainant has but
a short time ago attained his majority;
That he is advised that the execution of the
said last mentioned Deed was illegal and
void, and that the same should be annul-
led; That it was taking advantage of his in-
capacity to contract; and, therefore, a fraud
upon him. And, moreover, your Complainant
avows and charges that the Consideration
was grossly inadequate, and for that reason
also, should be annulled.

In consideration whereof he prays that
the said Edgar B. Clements be made a
defendant to this bill, and be required to
answer the same on oath, that the said
Deed be annulled by a decree of this
Court and your Complainant's interests
restored to him; and that all such other,
further, general and special relief may
be given as in the premises, ^{as} is just and
right.

And your Complainant will ever
pray, &c.,

Wm. S. Parker, Jr.

Elements
vs Bill, &c.,
Elements

1884 April Rules.


Parker, f.c.

Elements
vs. Exhibit "C"

Elements

Know all men by these presents that I
George W. Clements of the County of Down-
hampton and State of Virginia for and
in consideration of Fifty dollars to me in
hand paid by Edgar F. Clements at
and before the delivery of these pres-
ents the receipt whereof is hereby ack-
nowledged do by these presents grant
 bargain sell and convey unto the said
Edgar F. Clements his heirs and assigns
all of my interest or one third part
of the tract of land conveyed to Edgar
F. Ader F. and Geo. W. Clements by Martha
V. Grizzard lying in the County of Down-
hampton, supposed to contain Four hund-
red and sixty five acres, more or less, and
bounded by the lands of F. Dumas, and
James E. Peters and also all of my interest
in the tract of land formerly owned by
Washington Clements and conveyed by
Deed of Gift by Martha V. Grizzard to
Edgar F. Ader F. and George W. Clements
my intention being to sell and convey
unto the said Edgar F. Clements all

of my right & interest conveyed unto me by
the said Martha V. Grizzard in a deed of gift
made by her and duly recorded in the
Clerks Office in year 1868, together with
all and singular the privileges and
appertinances to the land, any wise app-
ertaining and belonging to have and to
hold the above granted premises to
have the said Edgar J. Clements his
heirs and assigns forever and the
said George W. Clements do covenant
with the said Edgar J. Clements that
to have and a perfect right to sell &
convey all the above named right in
the land above mentioned to the said
Edgar J. Clements his heirs and as-
signs ^{as} aforesaid and that I will my
heirs Executors and Administrators
shall warrant and defend the same
to the said Edgar J. Clements his heirs
and assigns forever, against the lawfull
Claims and demands of all persons
In testimony whereof I the said George
W. Clements have hereunto set my hand
& seal this 3^d day of Feby. 1883,

George W. Clements 

Southampton County to wit,
I Person S. Thomas a Justice of the
peace In and for the County aforesaid
in the State of Virginia do certify
that George W. Clements whose name is
signed to the writing above bearing date
on the 3^d day of Febr'y, 1883, has acknow-
ledged the same before me in my County
aforesaid, Given under my hand this
12th day of Febr'y 1883
S. Thomas J. J.

Southampton County In the Clerk's
Office on the 21st day of Jan'y 1884,
This Deed of bargain^{and} Sale from Geo.
W. Clements to Edgar J. Clements
was this day received and together
with the Certificate thereon annexed
admitted to record

Teste J. B. Prince Clk

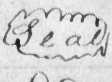
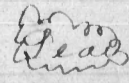
(Copy)

Teste J. B. Prince Clk

This Deed made this 18th day of April
1868. Between Martha V. Grizzard the gran-
tor of the first part, one part and
Wm. G. T. Clements trustee of the other,
Witnesseth: that for and in consideration
of the natural affection which Martha
V. Grizzard has to, her nephews, and nieces
Ada F. Clements Edgar, F. Clements Geo.
W. Clements, and Josephine Clements
she doth grant unto Wm. G. T. Clements, trustee
as aforesaid the following tract of land,
lying in Southampton County, containing
four hundred and sixty five acres more or
less, and bounded by the lands of F. Dunc
James. E. Peters and others, also all the said
Martha V. Grizzards interest in a certain
tract of land formerly owned by Washing-
ton Clements lying in the County of
Southampton containing by estimation
Five hundred acres, and bounded by the
lands of James. E. Peters, Jephtha J. Hailes
and others, upon trust, that the said
Wm. G. T. Clements, shall hold the aforesaid,
tract of land during his the said W.
G. T. Clements, life time for the support,
and maintenance of Ada F. Clements
Edgar, F. Clements George W. Clements and
Josephine Clements, and should either of
the said parties die, during the life time
of the said Wm. G. T. Clements then
his or her share to be applied to the

support of his or her children if no children
then to the support of the survivors and
at the death of Wm. G. T. Clements Trustee

As aforesaid then the said tract of land
to be divided equally between Ada,
P. B. Clements, Edgar P. Clements George
W. Clements and Josephine. But should
either of the ~~children~~^{parties} die during the
said Wm. G. T. Clements lifetime without
children then his or her share to be
equally divided among the survivors
it being the intention of the grantor
Martha V. Grizzard that the said ^{lands} shall
be equally divided at the said trustee's
death among Ada P. Clements Edgar P.
Clements Geo. W. Clements Josephine
or the survivors of them and the issue of such
as may be dead, the children of any
who may have died taking his or her
parents share, and the said Martha V.
Grizzard doth hereby warrant and
 defend unto the said Wm. G. T. Clements
such title as has been conveyed to her
from Wm. G. T. Clements by Deed dated
the 28th day of March 1868. Witness the
following signatures & seals,

Martha V. Grizzard 
Wm. G. T. Clements, 

County of Southampton to wit,
State of Virginia,

I, Robert Rowland a
justice of the peace for the County
aforesaid and State of Virginia do certify
that Martha V. Grazier, whose name
is signed to the writing above bearing
date on the 18th day of April 1868, has
acknowledged the same before me in
my County aforesaid, given under my
hand this 18th day of April 1868.

Robt Rowland J.P.

Southampton County in the
Clerks Office May 14th 1868.

This Deed of Gift from Martha V. Grazier
to Wm. G. J. Clements (Trustee) for the
benefit of Ada F. Edgar P. George W.
and Josephine Clements was this day
received, and together with the Certif-
icate thereof annexed of the acknowledged
content of the said Martha V. Grazier before
a justice of the peace admitted to record

Teste L. R. Edwards. Ck

A Copy,

Teste J. B. Prince Ck

of the said Wm. G. J. Clements then
his or her share to be applied to the

Memo:

Copy Deed from Martha V. Griggard to
Wm G. J. Elements, Trustee, for benefit of
Geo: W. Elements, Edgar P. Elements & others,
recorded in May 1868, and mark it ex-
hibit "B", and also Deed from Geo: W.
Elements to Edgar P. Elements, recorded
in Jan'y 1884, and mark it "C" & file in
bill Elements vs Elements.

Clements

vi } Summons

Clements

1884 April Rules

Executed by delivering
Edgar P. Clements,
a copy of this summons
mch 31st 1884

C. Carondelet
for W. W. Briggs Dff

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County—Greeting:

WE COMMAND YOU TO SUMMON

Edgar P. Clements

to appear at the Clerk's Office of our Circuit Court of Southampton county, at the Rules to be holden for the said Court
on the first Monday in *April* next, to answer a bill in Chancery exhibited against *him*
in our said Court by *George W. Clements*

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

WITNESS, J. B. PRINCE, Clerk of our said Court, this *12* day of *March*, 188*4*,
in the *108th* year of the Commonwealth.

Tester. J. B. Prince C. C.

Clements
vs $\frac{4}{3}$ Deere
Clements

Nov: Term 1884.

To be entered.

J. S. Beard,
—

Entered
Paid 88

Elements

vs $\frac{3}{3}$ Decree

Elements

This day this cause came on to be heard on the complainant's bill taken for confessed and the exhibits filed therewith, and was argued by Counsel. On consideration whereof, and it appearing to the Court that there is nothing to be done in this cause, it is ordered that, at the costs of the complainant, the same be removed from the docket.

~~444~~ ~~128~~
Clements G. W.

123
or Stat: Rules

Clements E. P.

To be dismissed

