

1908-040
Nansemond Co (Suffolk) Chancery Causes: Henry Gray, Sr vs Neverson Phillips et al

Wright, Gale, Hele

W. M. Crumpler f. g.

Henry Gray Sr
vs In Chancery
Newson Phillips
and others.

1908

October 13th
Final Decree

Count
black 325
Grey 150
Egg 100
Total 575
20, 7

To the Clerk of the Circuit Court of Nansemond County,
Virginia.

Henry Gray, Sr.,

Plaintiff.

Vs.

In Chancery.

Neverson Phillips, Lillie Phillips,
Lovinia Gray, Henry Gray, Jr., and
Lonie Gray, the latter three being
infants under the age of 21 years.

Issue summons in Chancery for plaintiff against defendant
to ~~See~~^{3rd} March Rules (~~First~~ Monday) to answer said Plaintiff
a Bill in Chancery.

Tax \$ 4.50.

William H. Crumpton.

P.Q.

Cumpler pg
Hem Gray Sr
203 Chancery
Newson & Sullivan

Memorandum
for
L. L. L.

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

*Neverson Phillips Lillie
Phillips Lovinia Gray Henry Gray and
Lomie Gray, the latter three being infants—
under the age of 21 years.*

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
for the said Court, on the *Third* Monday in *March 1906*, to answer
a Bill in Chancery, exhibited against *them*
in the said Court by *Henry Gray Sr.*

and have then and there this summons.

Witness, R. R. SMITH, Clerk of our said Court, at his office, this *5th* day of
March, 190*6*, in the 1*3th* year of the Commonwealth.

A copy— Teste: *W. B. Gomez* } Teste: *W. B. Gomez*
CLERK. CLERK.

Wm Crumpler p. q.

A Copy for
Lovinia Gray

ns.

In Chancery.

Infant

190-6

March Rules.

Third Monday.

Nansemond Circuit Court

Process Book No. 3

Page 10

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

Neverson Phillips
Lellie Phillips Lovinia Gray Henry
Gray Jr and Lonie Gray the latter
three being infants under the age
of 21 years

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
for the said Court, on the *Third* Monday in *March 1906*, to answer
a Bill in Chancery, exhibited against *them*
in the said Court by *Nenny Gray Sr*

and have then and there this summons.

Witness, R. R. SMITH, Clerk of our said Court, at his office, this *5th* day of
March, 190*6*, in the 1*3th* year of the Commonwealth.

A copy—Teste:

Teste:

R. R. Smith CLERK.

R. R. Smith CLERK.

Wm Crumpler p. q.

A copy for
George Gray
Infant

ns.

In Chancery.

1906

March Rules.

Third Monday.

Nansemond Circuit Court

Process Book No. 3

Page 10

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

Merrierson Phillips
Lellie Phillips, Lovinia Gray Henry
Gray Jr and Lonie Gray, the latter
three being infants under the age of
21 years.

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
 for the said Court, on the *Third* Monday in *March 1906*, to answer
a Bill in Chancery, exhibited against *them*
 in the said Court by *Henry Gray Jr.*

and have then and there this summons.

Witness, R. B. SMITH, Clerk of our said Court, at his office, this *5th* day of
March, 190*6*, in the *30th* year of the Commonwealth.

A copy—Teste:

Teste:

C. J. Gomer D. C. CLERK.

C. J. Gomer D. C. CLERK.

Wm Crumpler .p. q.

*A copy for
Henry Gray Jr*

vs.

In Chancery.

Infant

190 *6*

March *Rules.*

Third *Monday.*

Nansemond Circuit Court

Process Book No. *3*

Page *20*

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

Neverson Phillips
Lullie Phillips Lovenia Gray
Nerry Gray Jr and Lonie Gray
the last three being infants under
the age of 21 years

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
 for the said Court, on the *Third* Monday in *March 1906*, to answer
a Bill in Chancery, exhibited against *them*
 in the said Court by *Nerry Gray Sr*

and have then and there this summons.

Witness, R. R. SMITH, Clerk of our said Court, at his office, this *5th* day of
March, 190*6*, in the *30*th year of the Commonwealth.

A copy—Teste:

Teste:

CLERK.

CLERK.

W. P. Lomey & Co.

Received this 8th day of March 1906. by delivery a true copy of the within
process to Lillian Phillips in person. Newson Phillips not being found
at his usual place of abode I delivered a true copy of the within process to
Lillian Phillips the wife of Newson Phillips, a female member of the family
over the age of 16 years, and to whom I explained its purpose.

Wm. B. Baker Sheriff
By W. E. Vogler Deput

Wm. C. Crampler p. q.

Henry Gray Sr.

vs.

In Chancery.

Newson Phillips
and others

1906

March

Rules.

Third

Monday.

Nansemond Circuit Court

Process Book No. 3

Page 10

Received by
Wm. C. Crampler

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

Henry Gray Sr.,

Vs.

In Chancery:

Neverson Phillips, Lillie
Phillips, Lovinia Gray,
Henry Gray, Jr., and
Lonie Gray, the latter three
being infants under the age of
Twenty-one (21) years.

Your petitioner, Lonie Harris, administratrix of Henry Gray, Sr., plaintiff in the above styled cause, respectively showeth unto the Court, the following facts, to-wit:

That since the institution of the above styled cause, the said Henry Gray, has died and that your petitioner has been duly appointed as his administratrix and has qualified as such; that the interest of the said plaintiff, Henry Gray, Sr., deceased, has, since the institution of this cause, been sold under a Deed of Trust, the proceeds of the said sale being now in the hands of William M. Crumpler, trustee. And your petitioner further showeth unto the Court that it will be for the material and best interest of the estate of the said Henry Gray Sr., deceased, that this suit be dismissed, and that the cost of the same, - \$20.76, - be paid by the said William M. Crumpler, trustee, to R. R. Smith, Clerk, and a fee of \$5.00 be paid William M. Crumpler, for his services, as attorney, in connection with said suit.

In tender consideration whereof your petitioner prays that a proper decree may be entered to the end above indicated and she will ever pray, etc.

Lonie Harris, Administratrix of
Henry Gray, Sr., deceased.

By

R H Rauler

Her counsel.

1908 October 13th. filed.
J.L.M.

Entered in Chancery
Order Book No. 4.
Page 283.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

Henry Gray, Sr.,)

Vs.)

In Chancery:

Heverson Phillips, Lillie)
Phillips, Lovinia Gray,)
Henry Gray, Jr., and)
Lonie Gray, the latter three)
being infants under the age of)
Twenty-one (21) years.)

This cause, came on this day to be heard on the bill, the exhibits filed, and the petition of Lonie Harris, the administratrix of Henry Gray, Sr., deceased, praying that the said cause be dismissed and that a decree be entered for the payment of the cost, - \$20.76, - to R. R. Smith, Clerk, and \$5.00 to William M. Crumpler, attorney, the defendants failing to appear and plead, answer or demur, and was argued by counsel.

On consideration whereof, it appears ^{may} to the Court that the said plaintiff in the said cause is now deceased; that the interest of the said plaintiff, has since the institution of the said cause, been sold under a Deed of Trust, the proceeds of the said sale being now in the hands of William M. Crumpler, trustee, it is therefore ordered, adjudged and decreed, that the said William M. Crumpler, trustee as aforesaid, pay to the said R. R. Smith, Clerk, as aforesaid, the sum of \$20.76, cost in the said cause and that he also pay to himself, as attorney the sum of \$5.00 for his services in and about the conduct of the said cause.

And nothing further remaining to be done in this case, it is ordered that the same be stricken from the docket.

2nd
Enter, October 13th
1908,

James L. McInnis

Entered in Chancery
Order Book No. 4.
Page 284.

TO THE HONORABLE ROBERT R. PRENTIS, JUDGE OF THE CIRCUIT
COURT OF NANSEMOND COUNTY, VIRGINIA:

Your complainant, Henry Gray, respectfully complain-
ing, sheweth unto the Court the following case:

That Barbara Wright, was in her lifetime seized and
possessed of certain real estate, lying in the County of
Nansemond, bounded and described as follows: "All that certain
tract, lot or parcel of land, together with the buildings and
the appurtenances thereon and thereto belonging, situate
lying and being on Main Street, in the town of Suffolk, in the
County and State aforesaid, beginning at a point Thirty-nine
(39) feet North of the beginning point, of the lot or parcel
of land which Henry Gray purchased from the said Barbara
Wright, by deed dated _____ day of _____ 1898,
and recorded in the Clerk's office of the County and State
aforesaid; and thence running North Thirty-nine (39) feet to
the line of Martha F. Pinner; thence, West Seventy-three (73)
feet thence, South Thirty-nine (39) feet; and thence, East
Seventy-three (73) feet to the point of beginning, being
bounded on the North by the property of the said Pinner; on
the West by the lot of Mary Hale; on the South by the property
of Henry Gray; and on the East by said Main Street," and being
so seized and possessed, the said Barbara Wright on or about
the _____ day of _____ 1 _____, died intestate,
Thomas Phillips, never in Phillips
leaving Mary Hale, Lonie Gale, _____ Gray,
now deceased, the wife of your complainant, and the mother of
Henry Gray, Jr, Lonie Gray, and Lovinia Gray, the three infant
defendants to this suit, her only children and heirs at law.

Your complainant further states that he is at present
the owner of the undivided shares of Thomas Phillips, Mary Hale
and Lonie Gale, by deeds bearing date respectively February
9th, 1905, May 26th, 1905, and June 7th, 1905, which said
deeds are herewith filed and marked exhibits "A", "B" and "C",
thus leaving himself the owner of three shares in said property

Neverson Phillips the owner of one share, and the said Henry Gray, Jr, Lonie Gray and Lovinia Gray, the joint owners of the remaining share.

Your complainant further states that the said real estate is as he believes not susceptible of partition among the parties thereto, and if it be not, then your complainant desires the same to be sold and the proceeds divided among the adults and infant parties according to their respective rights; the shares of the infants to be held as directed by the Statute in such case made and provided. Should the property not be devisable in kind your complainant believes and he states that the interests of those who are entitled to the said real estate or its proceeds, will be promoted by a sale of the whole of said real estate or by an allotment of part and sale of the residue.

Your complainant further states that the said Neverson Phillips has been enjoying the said property, the whole of it, ever since the death of the said Barbara Wright, and has been receiving the rents and profits thereof, three-fourths of which rents and profits should be paid to your complainant, and the other shares thereof to the parties entitled thereto.

Your complainant avers his willingness to accept said property and pay therefore to the other parties such sums of money as their interests therein may entitle them to.

In tender consideration whereof, and for as much as your complainant is remediless in the premises save by the aid of a Court of Equity ^{where} ~~in~~ matters of this kind, are alone and cognizable, your complainant prays that the said Neverson Phillips, Henry Gray, Jr, Lonie Gray and Lovinia Gray, may be made parties defendant to this bill and required to answer the same; that a proper guardian ad litem be assigned the infant defendants, to defend their interests in this suit, who shall also answer this bill; that proper process issue;

that the said real estate be devided between the said parties entitled thereto and your complainants' portion thereof be allotted to him, and in case the said real estate cannot be partitioned and devided in kind, that the same be exposed to sale, and the proceeds of such sale be devided among the parties entitled thereto; that proper counsel fees be paid; that all proper orders and decrees be made, and proper inquiries be directed, and that all such other, further and general relief may be accorded your complainant as the nature of his case may require or to equity shall seem meet.

And notice is hereby given that the Court will be asked to allow the attorney bringing this suit a reasonable fee for his services.

And your complainant will ever pray, etc..

William H. C. C. C.

P. Q.

Henry G. G.

"Bill"

Henry Gray Sr
against In Chancery
Neverson Phillips,

1906 March 5th. Process issued re-
turnable to March
rules Third Monday.

" " 19th. Process returned ex-
ecuted on adult
defendants.

Bill filed and decree
nisi vs them.

" April 2 Decree nisi Confirmed
and Cause set for
hearing as to them.

Chancery Notes
