

1891-14

Southampton County - Chancery Medlack, Sarah vs Medlack, Samuel

"Liance"

Woodcock per fund
vs. In chancery
Woodcock Samuel

Bill of Complaint

1 After Ruling

To the Hon.C.W.Hill, judge of the Circuit Court of Southampton
County: Va.

Your oratrix *Sarah* Medlock by her next friend
L.E.White doth respectfully represent that on or about the 26th ~~th~~
day of *December* in the year 1880 she intermarried with one Samuel
Medlock as will appear by a copy of the marriage licence marked
as an exhibit and asked to be read as a part of this bill
"A" herewith filed ~~at the County of Southampton;~~ and from that
time up to the month of April in the year 1885 she and her said
husband lived together as man and wife, and that during all that
time she was to him a true and faithful wife, keeping and observ-
ing her marriage vows, that in the early part of April in the year
1885 her said husband was arrested under a warrent charging him
breaking and entering a store house
with a felony, to wit, the ~~burning of a store house~~ in the night
with intent to steal
time, a copy of which warrent is herewith filed as an exhibit mark-
ed "B" and prayed to be read as a part of this bill of complaint,
and being thus arrested he was carried before a justice of the
peace of Southampton County before whom he had a preliminary trial
and was by said justice sent on to the County Court of said County
to be indicted and tried for said felony; and being then and there
unable to give bail he was sent to the jail of said County and
therein incarcerated to await the action of the said County Court,
and before being indicted or tried for said affence he broke jail
sometime in the month of April 1885 and from that time has been
and still is a fugitive from justice. Your oratrix says that since
the escape of her said husband from jail as aforesaid she has not
seen or heard from him at all. She knows nothing of his whereabouts

Your oratrix charges and alleges that
her said husband wilfully deserted and abandoned her in the month

2 sheet.

of April in the year 1885 and since that time up and including the present moment his said abandonment has been continuous, and since that time she has not cohabited with him at all. Your oratrix says that she has no child, that her husband left no property except a very few articles of house-hold and kitchen furniture, that they last cohabited together in the County of Southampton.

For as much as your oratrix is remediless save in this honorable court, where such matters are alone and properly cognizable, she prays that said Samuel Medlock be made a party defendant to this bill of complaint and required to answer the same, that a divorce a vinculo et matrimonii be granted her and that all such other and further general relief may be afforded your oratrix as to equity and good conscience may seem meet. And she will ever pray &c.

W. S. Hall and

p. q.

Medlock by K

v. } seems

Medlock

1891. 1 Mich Rules

Cir: Ct:

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON

Samuel Medlock

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 *1st* Monday in *March 1891* next, to answer a Bill in Chancery exhibited against *him* in our said Court by *Sarah Medlock, by*
L. E. White - her next friend.

And this *he* shall in no wise omit under penalty of law. And have then there this writ.

WITNESS, B. F. MCLEMORE, Clerk of our said Court, at the Courthouse, this *16* day of *Feb.*, 189/, in the 116th year of the Commonwealth.

Teste: B. F. McLemore

C. C.

Medlock

Q"  Ord. Pub:

Medlock

Virginia: In vacation: In the Clerk's Office
of the Circuit Court
of Southampton County.
the 20th day of January
1891.

Sallie Medlock,
by L.E. White, her next friend. Plaintiff
against
Samuel Medlock - Defendant.

- In Chancery -

The object of this suit is to obtain a divorce
a vinculo matrimonii, by the Plaintiff
from the defendant: and affidavit hav-
ing been made and filed, that the defen-
dant, Samuel Medlock, is not a res-
ident of this State; it is ordered that
he appear here within fifteen days
after due publication of this order, and
do what is necessary to protect his inter-
est in this suit.

Teste: B. F. McLemore Clk
H. S. Holland, p. y.

Medlock, by ¹⁶⁵g
N^o Stat: Ruler
Medlock

Mich

Sarah Medlock. by her next friend
L. E. White.

Pltff

against

Samuel Medlock.

Def

1891. Jan'y 20. Affidavit as to non residence
filed. Order Pub: ip?

" Feb. 16. Ord Pub: posted.

" " " ~~Process ip? to 1st Mich. Rules.~~

" 1st Mich. R. ~~Process set? "not found"~~.

Ord: Pub: complete - Bill &

Ex: filed - decree nisi

" 2nd Mich. Rules - Cause set for hearing.

Sallie Medlock by L. E. White. her next-
friend 75. Samuel Medlock.

Summon in Chancery in Chancery
to (Monday) ~~February~~ ^{March} 1898
~~October~~ Rules 1898

W. S. Hall and
T. G.

- Suffolk Cir. Ct. S. D. Co. Va.

copy

Woodcock by &c.

25 }

Woodcock Samuel

Appointments and Memo.

Wait Tax paid - 150
by check

I, W.S. Halland do solemnly affirm that
to the best of my knowledge, information
and belief Samuel Woodlock defendant
in a suit in Chancery in which Sallie
Woodlock by her next friend L.E. White
is plaintiff is a non resident of this
state, that as counsel for the plaintiff
I have endeavored to find the residence
of said Woodlock defendant as afore-
said but have been unable so to do.
witness my hand this 19th ^{day of January} 1898. A.D.

W.S. Halland

Subscribed and sworn to before me in
my County of ~~Household~~ ^{Ile of Wight} in the State
Virginia this 19th day of ^{January} October 1898 A.D.
John M. Taylor J.P.

VIRGINIA-IN VACATION.

In the Clerk's Office of the Circuit Court of Southampton County the 20th day of January, 1891.
 Sallie Medlock, by L. E. White, her next friend,
 Plaintiff.
 against
 Samuel Medlock.
 Defendant.

IN CHANCERY.

The object of this suit is to obtain a divorce a vinculo matrimonii by the plaintiff from the defendant. And affidavit having been made and filed that the defendant, Samuel Medlock, is not a resident of this State it is ordered that he appear here within fifteen days after due publication of this order, and do what is necessary to protect his interest in this suit.

Copy—Teste:

B. F. McLEMORE, C. C.

S. HOLLAND, P. Q.

VIRGINIA-IN VACATION.

In the Clerk's Office of the Circuit Court of Southampton County the 20th day of January, 1891.
 Sallie Medlock, by L. E. White, her next friend,
 Plaintiff.
 against
 Samuel Medlock,
 Defendant.

IN CHANCERY.

The object of this suit is to obtain a divorce a vinculo matrimonii by the plaintiff from the defendant. And affidavit having been made and filed that the defendant, Samuel Medlock, is not a resident of this State it is ordered that he appear here within fifteen days after due publication of this order, and do what is necessary to protect his interest in this suit.

A Copy—Teste:

B. F. McLEMORE, C. C.

W. S. HOLLAND, P. Q.

Franklin, Va, Mar 21 1891

This is to certify that the annexed order of publication was published in the Southampton Democrat for consecutive weeks

W. H. Stroud
 Publisher

Medlock per f.d.
RS,

Medlock Saint.

order Publication

Please file this in
papers in the above
suit. W.S.H.

Southampton County to wit:

To B Elliott Stephenson Special Constable:

Whereas A. L. Nelms of the said County has this day made complaint and information on oath before me B. A. Bristow a Justice of the said County that Sam Medlock on the 13th day of March 1886 in said County a certain Store house not adjoining to or occupied with the dwelling house of the said A. L. Nelms in the night time feloniously did enter with intent to commit larceny therein and that the said Sam Medlock one suit of cloths, one pair of Boots one Hat two pairs Pants two Counterpane one Buggy Robe one Buckle with twenty lbs of Coffee therein Set of Knives & Forks Pocket Knives two lbs of Smoking Tobacco, Lot of shirt, oranges, one Axe all of the value of fifty dollars of the goods and chattels of the said A. L. Nelms then being in the said Store house feloniously did steal take and carry away. These are therefore to command you in the name of the Commonwealth of Virginia forth with to apprehend the said Sam Medlock and bring him before me or some other Justice of the said County to answer the said complaint and to be further dealt with according to law -

Medlock per fed

752

Medlock

Exhibit "B"

filed with bill
of complaint

Given under my hand and seal this 9th
day of April 1886.

A. A. Ornelas J. P.

A. Lecky

W. B. A. McDonald B. L.

Medlock

✓ { Ma Li
Vaughan

1880

Exhibit "A" filed
with the bill in

Medlock for fid
75

Medlock

Page 223

A Copy

Fee 25⁴

Paid by W.S. Halland



Virginia, Southampton County to wit:

To any Person Licensed to Celebrate Marriages:

You are hereby authorized to join together in the Holy State of Matrimony, according to the rites and ceremonies of your Church, or religious denomination, and the laws of the Commonwealth of Virginia,

Samuel Medlock
and Sarah Vaughan

Given under my hand, as Clerk of the County Court of Southampton County this 20th day of December 1880

L. B. Edwards Clerk.
Attest B. D. McLeone C. C.

CERTIFICATE TO OBTAIN A MARRIAGE LICENSE.

To be annexed to the License, required by Acts passed 15th March, 1861, and February 27th, 1866.

Time of Marriage,	Place of Husband's Birth, <i>Pinwidder</i>
Place of Marriage, <i>Southampton Co</i>	Place of Wife's Birth, <i>Southampton County</i>
Full Names of Parties Married, <i>Samuel Medlock</i>	Place of Husband's Residence, <i>Do. Do</i>
<i>+ Sarah Vaughan</i>	Place of Wife's Residence, <i>Do Do</i>
Color, <i>bearded</i>	Names of Husband's Parents, _____
Age of Husband, <i>26 years</i>	Names of Wife's Parents, _____
Age of Wife, <i>21 "</i>	Occupation of Husband, <i>Laborer</i>
Condition of Husband, (~~widowed~~ or single) <i>Single</i>	
Condition of Wife, (~~widowed~~ or single) <i>Do</i>	

Given under my hand this 20 day of December 1880
L. B. Edwards Clerk.

Attest B. D. McLeone

MINISTER'S RETURN OF MARRIAGE.

I Certify, That on the 26th day of December 1880,
at my house I united in Marriage the
above-named and described parties, under authority of the annexed License.

James C. Stephenson

The Minister celebrating a marriage, is required, within TEN days thereafter, to return the license to the Office of the Clerk who issued the same, with an endorsement thereon of the FACT of such marriage, and of the TIME and PLACE of celebrating the same.

Attest
B. D. McLeone C. C.

No.

Needlock per pr.

75

Needlock

Depositions

Come to hand

May 8th 1891 under
seal and filed

B. F. McLenard Co.

Depositions of A.L.Nelms taken, subscribed and sworn to before me, John M.Taylor, a justice of the peace in and for the County of Isle of Wight in the state of Virginia, at my office in Windsor pursuant to notice by order of publication duly executed as will appear by proper certificate filed, to be read as evidence in behalf of the plaintiff in the case wherein Sarah Medlock by L.E. White her next friend is plaintiff and Samuel Medlock is defendant, now pending in the Circuit Court of Southampton County:

Present W.S.Holland, attorney for plaintiff:

A.L.Nelms being solemnly affirmed in due form of law deposes and says:

1st question: State your name, age, residence now and in the year 1885 and your occupation then and now?

Ans. My name is A.L.Nelms, am 44 years old, now reside in Suffolk, resided in 1885 and for some time thereafter in the County of Southampton, in 1885 was engaged in business of farming, general merchandise and saw-milling, am now engaged in farming and saw-milling or in the manufacture of lumber, boxes &c.

2nd Question: Do you know the parties to this suit?

Ans. I have known them for eight or ten years. I had Samuel Medlock, the defendant arrested on a warrant sworn out by me for breaking and entering my store in the night time in Southampton County with intent to steal my property in March or April 1885. I had him carried before justice Bristow who sent him on to the County Court of said Southampton County to be indicted and tried for said offense. He was put in jail to wait the action of the said County Court, but escaped from jail in April 1885 before any trial of his case. Sarah Medlock, his wife, has been in the neighborhood since

John M. Taylor, a Justice of the Peace in and for the County of
Deborah of V.I. Nelson, sworn, subscribed and sworn to before me.

2 sheet.

her husband was put in jail, living as negroes usually do, most of the time in the employment of my friend Mr. A. L. Stephenson in the capacity of a cook. While I kept store I saw them frequently and since Sam ran off I have known Sarah as a cook in the neighborhood, seeing her as often as other negroes living in the vicinity. Though living in Suffolk I have been all the time interested in the cultivation of my said farm in Southampton on which my store stood, and also engaged in the saw-mill business in that part of Southampton County, and Sam Medlock, I am sure, has never been back in the neighborhood to live since he broke jail and escaped. I never heard of his being there since his escape, and for some time the constable, myself and others kept a look out for him in order to arrest him and bring him to justice. He has been a fugitive from justice since the spring of 1885 when he broke jail. There is not a doubt in my mind but that the negro Sam Medlock left his wife in the spring of 1885 under the circumstances I have named.

3rd question: Mr. Nelson, it is alleged in the bill that Sam Medlock left his wife in April 1885 and that he has never returned to her since that time, and I understand you to testify to that effect to the best of your knowledge and belief. Now please state if you know of your own knowledge or have you ever heard from any reliable source any fact or circumstance tending to cause you to doubt that fact?

Ans. I do not and have not.

Further this deponent saith not.

A. L. Nelson

the time in the employment of Mr. A.L. Nelson in the
the morning was but in 1891, having been notified of most of

3 sheet.

3 sheet.

I, John M. Taylor, a justice of the peace, in and for the County of
Isle of Wight do certify that the foregoing depositions of Mr. A.L.
Nelson were taken, signed and affirmed to in due form of law, before
me at my office pursuant to notice heretofore cited.

Given under my hand this 4th day of ^{May} March in the year 1891.

John M. Taylor J.P.

Medlock per fun

75.

Medlock Sail.

Seam

Nov. 11-91

To be entered

CMS

Entered

Woodlock per find.

VS.

Woodlock et, al.

This cause came on this day to be heard on the bill of Complaint and exhibits filed therewith ^{and in order publication duly had} on deposition of witnesses, and was argued by counsel, on consideration whereof the Court doth adjudge order and decree that a divorce from the bands of matrimony be granted the plaintiff, that the marriage heretofore had and solemnized between the plaintiff and the defendant be and the same is forever concealed and annulled it appearing to the Court that the defendant has wilfully abandoned the plaintiff his said wife for the space of five years before the commencement of this suit, and the Court doth further adjudge order and decree that the said plaintiff be allowed to assume her maiden name, and that the ~~plaint~~ defendant pay the costs of this suit and that the suit be dismissed from the docket.