

1893- 45

Southampton County Chancery -

Lowe, Lila N. ^{by} vs Lowe, Thomas J.

Divorce

Ridley, Wm. (her next
friend)

VIRGINIA.—IN VACATION: IN
the Clerk's office of the Circuit Court
of Southampton county, the 28th day of
September, 1892:

Lila N. Lowe, by William Ridley, her next
friend Plaintiff,

AGAINST

Thomas J. Lowe..... Defendant.

IN CHANCERY.

The object of this suit is to obtain a divorce *a vinculo matrimonii* by the plaintiff against the defendant. And affidavit having been made and filed that the defendant is not a resident of the State of Virginia, 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; that a copy hereof be published in the SUFFOLK HERALD, a newspaper published in the town of Suffolk, for four successive weeks, and posted at the front door of the courthouse of Southampton county, as the law directs.

A copy—Teste:

B. F. McLEMORE; C. C.

W. J. SEBRELL, p. q.

se30-4t

Office of The Herald.

Suffolk, Va., Nov 5th 1892

I hereby certify that the order of which the annexed is a copy has been published in THE SUFFOLK HERALD in the manner prescribed by law--once a week for four successive weeks. To wit:— Sep 30 - Oct 7. - 14. - & 21. -

J. E. Brooker
Editor Herald.

Cost for Puba \$5.00

MARRIAGE LICENSE

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,

Thos J. Lowe
and Lila N. Jones

Given under my hand, as Clerk of the County Court of Southampton Co. this 5th day of February 1890
B. F. M. Lemoore Clerk.

CERTIFICATE TO OBTAIN A MARRIAGE LICENSE,
TO BE ANNEXED TO THE LICENSE, REQUIRED BY SECTION 2229 OF THE CODE OF VIRGINIA.

Time of Marriage, Feb 6 th 1892	Place of Husband's Birth, Southampton
Place of Marriage, Southampton	Place of Wife's Birth, "
Full Names of Parties Married, Thos J. Lowe	Place of Husband's Residence, "
Lila N. Jones	Place of Wife's Residence, "
Color, C. P.	Names of Husband's Parents, Jane S. Lowe
Age of Husband, 25 years	Names of Wife's Parents, Julia Jones
Age of Wife, 22 "	Occupation of Husband, Farmer
Condition of Husband (widowed or single), Single	
Condition of Wife (widowed or single), "	

Given under my hand this 5th day of February 1890
B. F. M. Lemoore Clerk.

MINISTER'S RETURN OF MARRIAGE.

I Certify, That on the 6th day of Feb 1890
at William Ridley's House I united in Marriage the
above-named and described parties, under authority of the annexed License.

M. R. Mason

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.

Exhibit

A

Lowe

&

Jones

} Mar. Li.

1890

Recorded Page 28

E

7

Exhibit X



Miss Mattie R. Mason,
Seibul P.O.
Sampson Co Va.

James and wife
and all who
may ask you
of me. Tell
Sampson
good by if you
come to me
for I am
gone. Write
to me soon
as you can
a long letter
and tell me
all the news.
Yours in love
until death.
O. J. Lowe.

April 24, 1892.

Mattie my Dear one your dear
short letter has been received I was
more than glad to hear from you,
and to know that your whole desire
is to see your own dear boy. You don't
want to see me as bad as I want to
see you I know. I have never in all
of my life wanted to see one poor
soul as bad as I want to see you
though I hope with God to help
that the time won't be long now
my dear before I shall see your dear
face as you are. Mattie love now
don't you think that there is
any thing that causes me to want
to come home but to see you. for
when I get where you are that will
be all the home I want. The reason

Exhibit "X"



Miss Mattie R. Mason,
Sibull P.O.
Southampton Co Va.

I spoke as I did about coming home was because you told me in one of your letters to come but since you say if I come you are not going to stay, why then I am not for Southampton, but will be in Suffolk Va. on the second Sunday in May. You asked me if I was going to locate in the Town of Suffolk. I had rather think I shall not stay there. I shall stay there for a day or two and then you and I will to North Carolina to make our home where I hope we may be happy. Mattie my best love the only one I do love you may think as I did not write for you to come. He up here that I did not mean what I sayed, but not a thought of that is so. I mean every word I say to you. I would have written for you to come but

I knowed you would not like this place not for a cent so I did not send for you, but you be sure to meet me on the second Sunday at the A & D. R.R. Depot Suffolk Va. and don't leave there until the last train for I don't know what time I will get in Norfolk. I will sure be down on that day to see my own dear girl. Mattie my dear oh what a happy day that will be to me when we meet no pen can write in words the untold joy that will accompany the day when I lay my eyes on you again. old rejoicing at the heart and hining and hugging that will come when I met you. My life here Mattie is a burden to me but when I shall see you that stone will roll away from my heart and the sunshine of joy shall come in. Now Mattie the

Exhibit "X"



Miss Mattie R. Mason,
Seibul P.O.
So. ampton Co Va.

to love me
better every day
you live and
do you. Be sure
and meet me
and if you
pay more go
home again
it will be all
right with
me. Don't you
forget the
dear
Sunday
in May.
give my love
to your grand
mother and
Garry

the darling attribute of my heart
and the delight of my eye please
for my sake and for your sake my
dear don't write me another such
letter as the last one. for all the
joy I see how is reading your letter
and writing to you. and then for you
to write your dear boy a letter like
that oh how hard how hard it
is, but poor me will bear it all
for your sake. I put that down on
my little book I will pay you for
that is the sweet by and by. I didn't
know how dear you were to me till
I was so far from you. Mattie I love
you dear with all my mind soul
and strength and do hope you love
me in the same way. Bring Mary
H. with you when you come if you like.
Be a good girl Mattie and learn

Exhibit X



Miss Mattie R. Mason,
Seabull P.O.
Sampson Co Pa.

(5)

This is my address
Phoenixville
Pa.

Miss Mattie I am not play-
ing my time away and fool-
ing with no girl and don't
want you to treat me in the
same way. I am strait and
frank as to what I say I
mean that and no more.
Can or will you wait for me
one month longer my dear
rose and love. I wish I was
a set of paper. I would
get a stamp and mail
myself to you tomorrow
Oh! Mattie love do write me
a long sweet letter as
soon as I get this.

Exhibit X



Miss Mattie R. Mason,
Sebula P.O.
Sampson Co Va.

Where are you ⁽⁶⁾ living now
Mattie with whom do you
stay with. Tell Hall I don't
want him to come to see
you any more while I am
gone Tell him to be away
from you at all time. Give
my love to Ada, Mary
and Ticky to Prince & family
to James & family, to Aunt
Mahaly and family, and to
all who may ask of me. I
have a good home I don't
have anything to do but
to attend to the lawn and
garden. I get \$6. or six
dollars a month, and as
soon as I get that I am
off for to see you at once.
I hope you are well but
I will not be well until I
see you. Write at once.
To your dear husby.

Lowe, by next friend &c.

vs. { Bill exhibits

Lowe —

1 Oct. Rules

W. J. SEBRELL.
ATTORNEY-AT-LAW.
COURTLAND, VA

To Hon. D. W. Hill, Judge of the Circuit
Court of Southampton County:

Humbly complaining sheweth
unto your Honor your complainant
Lila N. Lowe, nee Jones, who sues
by Wm. Ridley, her next friend, that
in or about the year 1890 she was united
in marriage with Thos. J. Lowe, as will
appear from a copy of the marriage-
license herewith filed as an exhibit,
marked "A", and prayed to be read as
a part of this bill. That from the
time of their said marriage until some-
time in or about December 1891, the said
defendant, Thos. J. Lowe, and your complain-
ant lived together as man and wife,
and during all this period of their as-
sociation as such, your complainant was
to him a kind, affectionate, and faithful
wife; but that in or about December 1891, the
said defendant, Thos. J. Lowe, without just
cause or provocation, voluntarily and
of his own accord, abandoned and
deserted your complainant, and has never
returned to, nor lived with her since; that
since his said abandonment of your com-
plainant, the said defendant, Thos. J. Lowe,
has led a lewd and adulterous life; that,

(over)

after wandering in various sections of the Country in a wanton way, he met, by appointment, one Mattie R. Mason, on or about the 1st of May 1892, and with her went to North Carolina, where they cohabited, occupying the same house, and enjoying the relations of man and wife. That your complainant is desirous of being freed from the binding ties of wedlock with one, who is so untrue, and, in view of the facts of her case as hereinbefore recited, she is advised that the laws of Virginia entitle her to be so freed.

In tender consideration of all which, and inasmuch as your complainant is without remedy save in a Court of Equity, where matters of this sort are properly cognizable, your complainant prays that the said Thos. J. Lowe be made a party defendant to this bill, and required to answer the same, though answer under oath is waived; that proper process issue, and all proper orders and decrees be made; that your complainant may be entirely divorced from the said defendant, and that the marriage heretofore solemnized between them be

for ever annulled and dissolved, and
for all such other, further relief as
the nature of the case may require
or to Equity may seem meet.

And your complainant will pay
W. J. Sebrill, n.g. } Soila N. Lorne

State of Virginia,

County of Southampton, to-wit:

This day personally appeared before the undersigned, a Com^r in Ch^y of the Circuit Court for said County Lila N. Lowe, & made oath that the statements in the foregoing bill are true, to the best of his knowledge and belief. Given under my hand this 3 day of November 1892

B. F. McLemore
Com^r in Ch^y

Lowe
 vs.
 Lowe

Affidavit
 for
Ans: Pub.:

Inform

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The depositions of William Ridley and others, taken before me, a Com^r: in Chancery for the Circuit Court of Southampton, at my office in Courtland Va., on the 3rd day of November 1892, between the hours of 8 A.M. & 6 P.M., to be read as evidence in behalf of the plaintiff in a certain suit in Equity depending in the Circuit Court of said County, wherein Lila N. Lowe, by Wm. Ridley her next friend, is plaintiff, and Thos. J. Lowe is defendant.

Present: W. J. Sebrall, atty. for plffs.

The witness Lila N. Lowe, being duly sworn deposes as follows.

- Q. What is your age, where do you reside, & do you know the parties to this suit.
- A. Am 25 years old, live in Southampton County & am the plaintiff in this suit.
- Q. Have you in your possession anything tending to show that your husband, the defendant in this cause, since his abandonment of you, on or about the 1st of May 1892, has been untrue to you & to his marital vows with you?
- A. I have in my possession a letter written by him to one Mattie R. Mason, which I came into possession of in the following way: Sometime during the past summer, I was visiting at the house of Robert Jones. While there, I saw said letter lying on top of a package or bundle of letters in a room of said

Robert Jones's house. Recognizing the handwriting as that of my husband, who had a ~~bandage~~ ~~the~~ seeing that it was addressed to Mattie Mason, I at once seized it & have had it ever since. Mattie Mason had been visiting & staying at said Robert Jones some weeks before the time of my said visit referred to above.

(The said letter is here offered in evidence, marked exhibit "X" & prayed to be read as a part of these depositions.)

And further this deponent saith not.

Silva H. Love

The witness Wm. Ridley. being duly sworn answers as follows:

Q: What is your age, where do you reside and do you know the parties to this suit?

A: My age is 39 years. reside in Southampton Co. and know the parties to the suit. The Defendant is my Brother.

Q: Are you well acquainted with the handwriting of your said Brother, the Defendant in this suit?

A: I am well acquainted with it.

Q: The witness is here shown the letter filed as Exhibit X. in these depositions. and asked if it is the handwriting of his said

Whether the Defendant in this cause?

A: I know the handwriting well. and it is, certainly, his handwriting.

Q: Do you know whether or not, the Plaintiff and Defendant have separated - and if so, when did they separate and which party abandoned the other?

A: They have separated - on or about the 1st of May 1891. and the Defendant, J. J. Lowe, abandoned the Plaintiff.

Q: State whether or not you and your family visited the Plaintiff and Defendant while they lived together as husband and wife, and was she, in your opinion, to him, a faithful and dutiful wife?

A: We lived near them and visited them often. She was, in my opinion, a faithful and dutiful wife - and I think he abandoned her without sufficient cause. And further this Deponent says not.

William J. Kelly

The witness, Wallace Williams, being duly sworn, deposes as follows:

Q: What is your age & residence, and do you know the parties to this suit?

A: I am 38 years of age, reside in Southampton County, and know the parties to the suit?

Q: ~~The test~~ Are you well acquainted with the hand writing of Thos J. Low. the Defendant in this Cause?

A: I am acquainted with his handwriting, have had written Contracts with him, & written by him in my presence.

Q: The Witness is here shown the letter, filed herewith as Exhibit X. and asked if it is the hand writing of the Defendant?

A: It is his hand writing.

Q: Did you live near Plaintiff and Defendant while they lived together as husband and wife, and was she, in your opinion, a faithful and dutiful wife to him?

A: I lived near them, and think she was a faithful and dutiful wife to him.

Q: Have you ever known the Defendant, since his marriage to Plaintiff, to be guilty of lewd association or adulterous conduct with other woman?

A: I know that on the night of the 24th Decr 1891 at the house of Fannie Boykin. in Southampton County. Thos J. Low. (the Defendant) and Mattie Mason occupied the same room - alone - from an early hour in the night till nearly day next morning.

And further this defendant says etc not.

Wallace Wilkins

Virginia:

Smithampton County, to-wit:

I, Wm. Ridley, of said County
state, do hereby certify on oath that J. F.
Lowe, the defendant in a certain suit
in Chancery exhibited against him by
Lila N. Lowe in the Circuit Court of
Smithampton, is a non-resident of the
State of Virginia - Given under my hand
this 28th day of Sept. 1892.

Wm X Ridley
mark

Sworn to before me, B. F. McLenore
a Com^r. in Ch^y. of the Circuit Court for
Smithampton this 28th day of Sept. 1892.

B. F. McLenore
Com^r in Chancery

Lower by 1/2
to 3/4 Ord. Pub.
Lower

Virginia: In vacation: In the Clerk's Office of
the Circuit Court of
Southampton County, the
28th day of September 1892

Lila A. Low, by
Wm. Ridley, her next friend. ~~Plff~~

against
Thomas J. Low - ~~Defh.~~

The object of this suit is to obtain a divorce
a vinculo matrimonii by the Plaintiff against
the Defendant - And affidavit having
been made and filed that the Defendant
is not a resident of the State of Virginia,
it is ordered that the said Defendant appear
here within fifteen days after due publica-
tion of this order and do what is necessary to
protect his interest in this suit, that a
copy hereof be published in the Suffolk
Herald a newspaper published
in the town of ~~Suffolk~~ ^{Suffolk} for four successive
weeks and posted at the front door of the
Court-house, as the law directs.

Teste: B. F. M. Leonard C. C.

Lowe, by such friend,
vs. $\int$ Deane.
Lowe -

Lowe, by such friend,
vs. $\int$ Deane.
Lowe -

Nov. Term 1893

To be entered,
on it

Nov. Term 1893.

To be entered -

Entered 626

Lowe, by next friend,
vs. } Decece.
Lowe. }

This day this cause came
on to be heard upon the papers
formerly read and was argued
by Counsel. On consideration whereof,
and it appearing to the Court that
nothing further remains to be done in
this cause, it is ordered that the
same be removed from the docket.

Lowe, by inst. friend.

vs. 3
Lowe. 3 Decm.

28th
Nov. Term 1892.

To be entered
C. W. L.

Entered

Lowe, by next friend &c.,
vs. 3 Decree.
Lowe.

This day this cause came on to be heard upon complainant's bill exhibits therewith filed, the depositions of witnesses, and was argued by Counsel.

On consideration whereof, the Court, being of opinion, from the evidence furnished in the cause, that the defendant has been guilty of adultery, doth adjudge, order and decree that the marriage heretofore had and solemnized between the defendant, Thos. J. Lowe, and the plaintiff, Lila N. Lowe, be and the same is hereby dissolved, and that the said Lila N. Lowe be forever divorced from the bonds of matrimony with the defendant, the said Thos. J. Lowe.

Lone &c
v. Σ Depositions
Lone

1892. Nov. 3. Filed.

The witness Isaac H. Harrison, being duly sworn deposes as follows:-

- Q. What is your age, where do you reside and do you know the parties to this suit?
- A. I am 32 years old, live in Southampton, and know the parties to the suit?
- Q. Do you know whether or not the defendant, Thos. J. Lowe, has ever returned to the plaintiff since he abandoned her, or whether or not they have since lived together as husband and wife?
- A. He has never returned to her since he left her and they have never co-habited as man and wife since then.

Isaac H. Harrison

Southampton Co. to wit:

I, B. F. McLemore, a Commissioner in Chancery of the Circuit Court for the County aforesaid, do certify that the foregoing Depositions of Isaac H. Harrison ^{+ others} was this day duly taken Subscribed and sworn to before me, at the Office of W. J. Seabell in Courtland, Va., on the 3rd day of Nov. 1892, between the hours of 8 A.M. & 6 P.M. Given under my hand this 3rd day of Nov. 1892.

B. F. McLemore
Clerk in Chancery

Lower
or } Stat: Rules-
Lower

Lila N. Low,

by William Ridley. her next friend -

Plff

Against

Thomas J. Low.

Def

1892. Sept 28. Affidavit as to non-residence of

" 1st Oct. Rules: Defendant filed. Ord: Pub: issued.

" Oct 17th Brief + Exhibits filed. Ord: Pub: posted. decree nisi.

" " 21st " " Completed

" 2nd Oct Rules Cause set for hearing.

" Oct 21. Ord Pub: Executed. and Cause
Set for hearing