

1902-11

Southampton County Chancery - Lucas, James E. vs Lucas, Lucy (Dennis)

Divorce

Lucas } Bill
 vs. }
 Lucas. } Exhibits.

1902. 2nd April Ruled

L. A. Hay R.E.

To the Honorable R.R. Prentiss, Judge of the
Circuit Court of Southampton County:

In Chancery:

Humbly complaining sheweth unto Your Honor your complainant, Jas. E. Lucas, that on the 21st day of June 1897, he was united in marriage with Lucy Lucas, née Dennis, as will appear from a copy of the marriage license, with minister's return thereon, herewith filed as "Exhibit A.", and prayed to be read as a part of this bill; That from said 21st day of June, 1897, till on or about the 1st day of September 1897, your complainant and the said defendant, Lucy Lucas, lived together as husband and wife in said County of Southampton, and your complainant was to her a faithful, dutiful and affectionate husband, and treated her kindly and provided for her as best he could, according to his means and ability; but that on or about the said 1st day of September 1897, the said Lucy Lucas, without just cause or reason, willfully deserted and abandoned your complainant, and has never returned to, or lived with, your

complainant since. That no children have been born from the said marriage. That since having thus willfully and faithlessly deserted and abandoned your complainant, the said defendant, Lucy Lucas, as your complainant is informed, and so believes and charges, has utterly disregarded her marriage vows and has led a lewd and adulterous life, and your complainant is advised that, under the laws of Virginia, he is entitled to a divorce a vinculo matrimonii from the said defendant.

In tender consideration whereof, and inasmuch as your complainant is without remedy, save in a Court of Equity, where such matters are properly cognizable, your complainant prays that the said Lucy Lucas may be made a party defendant to this bill and required to answer the same, though answer under oath is hereby waived; That proper process issue and all proper orders be made. That the marriage heretofore had and solemnized between your complainant and the said defendant be entirely dissolved, and your complainant

for me divorced a vinculo matrimonii
from the said defendant, and for all
such other, further, general and special
relief as the nature of the case may
require or to Equity shall seem meet.

And your Complains will you pray &c.

W. J. Sebrell, p. q. Σ J. E. Lucas

Virginia,

Southampton County, to wit:

I, Jas. B. Price, Jr., a Commissioner
in chancery for the Circuit Court of
Southampton do hereby certify that Jas. E.
Lucas, whose name is signed to the
foregoing bill in chancery, has appeared
before me in my said county & made oath
that the statements therein, so far as made
of his own knowledge, are true, and so
far as made from information derived from
others he believes to be true. Given
under my hand this 20th day of Sept.
1902.

J. B. Price, Jr.
Comm. in Chy.

Lucas

vs. } copy of Ma: Li:

Lucas

1902. 2nd April Rulerfield

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,

Jas. E. Lucas
and Lenny Dennis

Given under my hand, as Clerk of the County Court of Southampton County this 21st day of June, 1897

B. F. McLemore Clerk.

CERTIFICATE TO OBTAIN A MARRIAGE LICENSE,
TO BE ANNEXED TO THE LICENSE, REQUIRED BY SECTION 2229 OF THE CODE OF VIRGINIA, AS AMENDED BY ACT OF FEBRUARY 8, 1900.

Time of Marriage, <u>June 21, 1897</u>	Place of Husband's Birth, <u>Southampton Co.</u>
Place of Marriage, <u>Southampton Co.</u>	Place of Wife's Birth, <u>Princeton</u>
Full Names of Parties Married, <u>Jas. E. Lucas</u> <u>Lenny Dennis</u>	Place of Husband's Residence, <u>Southampton Co.</u>
Color, <u>Leah</u>	Place of Wife's Residence, <u>"</u>
Age of Husband, <u>23 years</u>	Names of Husband's Parents, <u>Abraham and Sarah Lucas</u>
Age of Wife, <u>18</u>	Names of Wife's Parents, <u>Leopold & Dennis</u>
Condition of Husband (widowed or single or divorced), <u>Single</u>	Occupation of Husband, <u>Laborer</u>
Condition of Wife (widowed or single or divorced), <u>"</u>	

Given under my hand this 21 day of June, 1897
B. F. McLemore Clerk.

Certificate of Time and Place of Marriage.

I, ", a " of the " Church, or religious order of that name, do certify that on the 21st day of June, 1897, at Friday Junction, under authority of the above License, I united in Marriage the persons named and described therein.

Given under my hand this 21 day of June, 1897.

P. H. Duggan

The Minister celebrating a marriage is required, within two months 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.

Acqy. Tels: L. A. Gay D.C.

To Lucy Lucas :

You are hereby notified that on the 20th day of September, in the year 1890, at the office of W. J. Sebrell ~~S. F. McLEMORE~~, in the village of Courtland, Southampton county, Va., between the hours of 9 A. M. and 6 P. M. of that day, I shall proceed to take the depositions of Lee Reese, Waverly Claud in

and others, to be read as evidence in my behalf in a certain suit in Chancery depending in the Circuit Court for Southampton county, wherein I am plaintiff and you are defendant; and if, from any cause, the taking of the said depositions be not commenced, or, if commenced, be not concluded on that day, the taking thereof will be adjourned from day to day, at the same place and between the same hours, until the same shall be completed.

Your obedient servant,

Jas. E. Lucas,
By Counsel.

Lucas, Jas. C.

Notice.

vs.

Lucas, Lucy.

Executed this 5th Day of Sept-1902
By Survey The Mills & Notes
of Lucy James in Person

A. C. Crannell

Sheriff

By W. J. Long Sub-

A. C. Crannell

The depositions of Lee Reese and others, taken before me, J.B.Prince, jr., a commissioner in chancery for the Circuit Court of Southampton county, Va. pursuant to notice hereto annexed, at the office of W.J.Sebrell in the town of Courtland, Va., on the 20th day of September, 1902, between the hours of 9 a.m. and 6 p.m., to be read as evidence in behalf of James E. Lucas in a certain suit in equity depending in the Circuit Court of Southampton County, wherein James E. Lucas is plaintiff and Lucy Lucas is defendant.

Present:- W.J.Sebrell, Atty. for plaintiff.

J.B.Prince, jr., Gdn. ad Litem for infant defendants.

Witness Lee Reese, after first being duly sworn deposes as follows:-

Q. State your name, age, residence, occupation and do you know the parties to this suit ?

A. Lee Reese, 31, Southampton county, public work, know all the parties to this suit.

Q. Did you know them when they lived together as man and wife and if so how far did you live from ^{there} at that time ?

A. Yes, I knew them then, and I lived in the same house they did.

Q. State whether or not he treated her kindly and provided for her as best he could according to his means and ability ?

A. He treated her kindly and provided for her according to the best of his ability.

Q. Do they now live together, or have they separated ?

A. They have separated.

Q. ^{Where did they last live together as man and wife ?}
^{In Courtland, Va.} Which one left or deserted the other ?

A. She did, the woman did.

Q. Did she have any just or sufficient reason for leaving him ?

A. No sir, not none.

Q. State whether she left him of her own free will and accord ?

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A. Yes, sir, she did.

Q. Has she ever returned to him or lived with him as man and wife since that time ?

A. No, sir, she has not.

Q. How long did she stay with him after her marriage before she did thus leave him ?

A. About two or three months. It has been about five years since she left him.

Q. Do you know where she is now ?

A. She does not live in this county, I have heard that she lives at Pinner's Point.

And further this deponent saith not.

Witness

Johnnie Jr

Lee Reese
deponent

Waverly Claud, after first being being duly sworn deposes as follows:-

Q. State your name, age, residence, occupation and do you know the parties to this suit ?

A. Wavery Claud, 27, Southampton county, farmer, I know the parties to the suit.

Q. Have you heard the evidence just given in this case by Lee Reese, and if so state whether or not you know the same to be true ?

A. Yes, I heard what he said, and I know that what he said was true.

~~And further~~ And further this deponent saith not.

Waverly Claud

Witness Anna Joe after first being duly sworn deposes as follows

Q. State your name, age, residence, occupation and do you know the parties to this suit ?

A. Anna Joe, 23, Southampt n county, and know the parties to the suit.

3.

Q. Have you heard the testimony of Lee Reese and Waverly Claud, and if so state whether you know the same to be true?

A. I have heard their testimony, and I know the same to be true.

And further this deponent saith not.

Hammer

Virginia:

County of Southampton, to-wit:-

I, Jos. B. Prince, jr., a commissioner in chancery of the Circuit Court for the county aforesaid in the state aforesaid, do hereby certify that the foregoing depositions of Lee Reese, Waverly Claud and Anna Joe, were duly taken, sworn to and subscribed before me, at the time and place, and for the purpose in the caption hereto annexed.

Given under my hand this 20th day of Sept., 1902.

J. B. Prince, jr.

Comr. in Chy.

Ex. 2.12

Lucas

17 { State of Rules

Lucas

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Jos. E. Lucas Plaintiff

vs.

Leroy Lucas Defendant

In Chancery

1902. 29th day of March. Process issued to 2nd Apr. Rules

1902. 2nd April Rules. Process returned executed

Bills and exhibits filed.

Decees nisi.

1902. 1st May Rules. Bills taken for confessed

and Cause set for hearing

Lucas Jas. E.

vs.

}

SUBPOENA

IN CHANCERY.

Lucas Tracy

W. J. Sebrer p. q.

To 7th April Rules.

1902 to Circuit Court.

Executed this 4 Day of April
1902 By serving the Within
Copy on Tracy ~~Tracy~~ in
Person at His Residence at
Paris Pond

W. B. Brownell
Shirley

By W. L. Long
D. P. Smith

The Commonwealth of Virginia,

To the Sheriff of the County of Norfolk Greeting:

WE COMMAND YOU, That you summon Lucy Lucas

to appear at the Clerk's Office of the District Court of the County of
Southampton at the rules to be held for the said court on the 3rd Monday in
April 1902, to answer a bill in chancery exhibited against her
in our said court by Jas. E. Lucas,

And have then there this writ. Witness L. A. Gay, Clerk
of our said court, at the courthouse, the 29th day of March 1902, and
in the 126th year of the Commonwealth.

Testa: L. A. Gay by ly

Lucas, 3
vs. 3 Decree.
Lucas 3

Oct. 7, 1902.

Enter this,
Robert R. Hunt

Entered,
Page No. 457.

W.D. Sebrall, Jr.

James E. Lucas, }
vs. } Decree.
Lucy Lucas.

This day this cause came on to be heard upon the bill of the complainant and exhibits therewith filed, and the deposition of witnesses, the defendant, upon whom process has been duly served, still failing to appear and plead, answer or demur to the said bill, and was argued by counsel.

On consideration whereof, the Court doth adjudge, order and decree that the marriage heretofore had and solemnized between James E. Lucas and Lucy Lucas (née Lucy Dennis) be and the same is hereby dissolved, and that the said James E. Lucas be forever divorced, a vinculo matrimonii, from the said Lucy Lucas.

And it appearing that nothing further remains to be done in this cause, it is ordered that the same be removed from the docket.