

1912, 04

Southampton County Chancery - Brown, Samuel vs Brown, Rena (Taylor)

Divorce

Town Camp,
to. 3 Bill in Chancery.
Town, Pa.

1911: First Rec. Rules Filed
N.B.M.

E. FRANK STORY
ATTORNEY AT LAW
COURTLAND, VIRGINIA
BRANCH OFFICE AT FRANKLIN, VIRGINIA

TO THE HONORABLE JAMES L. McLEMORE, JUDGE OF THE CIRCUIT
COURT OF SOUTHAMPTON COUNTY, VIRGINIA:

Your complainant, Samuel Brown, sheweth unto the Court
the following case:

That on the 18th day of January, 1899, your said complainant was lawfully married in Southampton County, Virginia, to Rena Taylor, as will more fully appear from a certificate of marriage herewith filed, marked "Exhibit A", and prayed to be read as a part of this bill:

That continuously from the date of the said marriage until the 13th day of July, 1911, your complainant and the said Rena Brown, (who was prior to said marriage, Rena Taylor, as aforesaid), lived together as husband and wife in Southampton County, Virginia.

That the said Rena Brown, has since the aforesaid marriage, committed adultery, that is to say, on the 14th day of April 1911, in the County of Southampton, have carnal, illicit intercourse with one Guy Hawkins.

That on the aforesaid 13th day of July, 1911, your complainant ascertained definitely for the first time of the committing of the said adultery by his said wife; that he has not cohabited with her since obtaining knowledge of the said adultery, and that upon obtaining said knowledge he proceeded to live separate and apart from his wife; that at the time of the institution of this suit it has not been five years since the said adultery occurred, and that it was not committed by the procurement or connivance of your complainant.

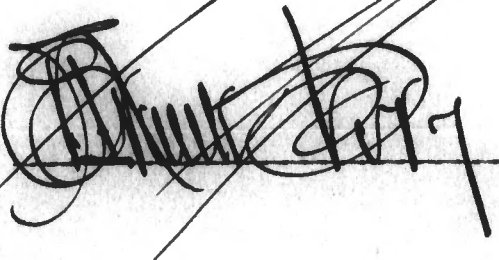
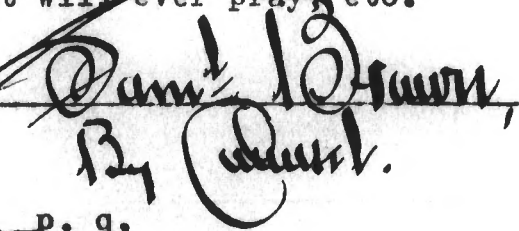
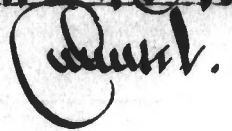
Your complainant further sheweth unto the Court that the said Rena Brown is now a resident of the State of New Jersey.

Your complainant further sheweth unto the Court that he has resided and has been domiciled in this State ever since the

aforesaid marriage, and for more than two years next preceeding the commencement of this suit, and is now domiciled and resides in this State; that your complainant co-habited with the said Rena Brown in the County of Southampton, State of Virginia.

In tender consideration whereof, and for-as-much as your complainant is remediless in the premises, save in a court of equity where such matters are alone and properly cognizable, your complainant prays that the said Rena Brown may be made a party defendant to this bill, and required to answer the same, not on oath however, same being hereby expressly waived; that proper process may issue; that a divorce from the bonds of matrimony which were created by the aforesaid marriage be decreed him; that your complainant may have all such other, further and general relief in the premises, as the nature of his case may require, or to equity shall seem meet.

And your complainant will ever pray, etc.

 , 
By .
p. q.

-1912-

BROWN, SAMUEL

- vs. - { Decree Final .

BROWN, RENA

Removed - 1912 -

Enter this October 22, 1912.

James L. McInnes

Entered - C. Q. B.

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E. FRANK STORY
ATTORNEY AT LAW
COURTLAND, VIRGINIA
BRANCH OFFICE AT FRANKLIN, VIRGINIA

* Samuel Brown, *
* vs. *
* Rena Brown, *

This day this cause, in which the complainant has proceeded against the absent defendant in the mode prescribed by law, against non-resident defendants, and she still failing to appear and plead, answer or demur, came on to be heard on the bill of the complainant, exhibits therewith filed, and the depositions of witnesses, notice of the taking of the said depositions not being necessary, this cause having properly matured against the defendant by order of publication, and was argued by counsel:

On consideration whereof, it appearing that the parties last co-habited in this County and that plaintiff is now a resident of the County, it further appearing that the defendant, during the time of her marriage with the plaintiff, wilfully committed adultery, and since the knowledge of the said adultery the said plaintiff has not co-habited with her, the Court doth adjudge, order and decree that the marriage heretofore solemnized between Samuel Brown and Rena Brown be, and the same is dissolved.

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

Brown, Samuel
— for 3 certificates of Publisher
Brown, Anna.

E. FRANK STORY
ATTORNEY AT LAW
COURTLAND, VIRGINIA
BRANCH OFFICE AT FRANKLIN, VIRGINIA

VIRGINIA:
IN THE CLERK'S OFFICE OF THE
CIRCUIT COURT OF SOUTHAMP-
TON COUNTY, THE 23TH DAY OF
NOVEMBER, 1911:
Samuel Brown, Plaintiff

against

Rena Brown, Defendant.

The object of this suit is to obtain
absolute divorce, a vinculo matrimonii.
And an affidavit having been made and
filed that the defendant, Rena Brown,
is not a resident of the State of Virgi-
nia, it is ordered that she do appear
here within fifteen days after the pub-
lication hereof and do what may be
necessary to protect her interest in this
suit. And it is further ordered that a
copy hereof be published for four suc-
cessive weeks in the Tidewater News,
a newspaper published in the Town of
Franklin, Southampton County, Virgi-
nia, and that a copy be posted at the
front door of the Court House of said
County on or before the next succeed-
ing rule day after it is entered.

A Copy—Testor:

H. B. McLanahan, Clerk
E. Frank Story, p. q.

I, Paul Scarborough, Editor of The Tidewater News, a weekly newspaper
published in the Town of Franklin, Southampton County, Virginia,
do hereby certify that the Order of Publication as attached above
was published in said newspaper once a week for four (4) successive
weeks in the manner prescribed by law, to-wit in its issues of Dec.
1, 8, 15 and 22nd. 1911

SIGNED

Paul Scarborough Editor

Franklin, Va., Jan 10th 1912.

Brown

vs

}

AFFIDAVIT FOR ORDER
OF
PUBLICATION

Brown

Frank Henry

p. q.

In the Clerks Office of the Circuit Court of Southampton County.

Samuel Pearson Plaintiff,
against

Rena Pearson Defendant.

This day *E. Frank Stoner* personally appeared
before me *H. B. McSwain* Clerk of the said Court,
and being duly sworn, made oath that *Rena Pearson* *he*

defendant in the said suit *is* not ^{*a*} resident of the State of Virginia,

Given under my hand as Clerk of the said Court, this *28* day of *Nov* 19*11*

H. B. McSwain

Brown
& Jones Publications

Brown

1911 Nov 28 filed
& Issued

STRATHMORE

PARCHMENT 1911

VIRGINIA:

In the Clerk's Office of the Circuit Court of Southampton County, the 28th day of November, 1911:

Samuel Brown, Pltr.

vs.

Rena Brown, Deft.

The object of this suit is to obtain absolute divorce, a Vinculo Matrimonii.

And an affidavit having been made and filed that the defendant, Rena Brown, is not a resident of the State of Virginia, it is ordered that she do appear here within fifteen days after due publication hereof and do what may be necessary to protect her interest in this suit. And it is further ordered that a copy hereof be published for four successive weeks in the Tidewater News, a newspaper published in the Town of Franklin, Southampton County, Virginia, and that a copy be posted at the front door of the Court House of said County on or before the next succeeding rule day after it is entered.

A Copy,

Teste: W. B. McSwain Clerk.

R. Frank Story, p. q.

Brown
Ed } Ma. Li.
Taylor

1899

"Explicit A."

Recorded - Page - 488 -

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,

Sam Brown
and Rena Taylor

Given under my hand, as Clerk of the Circuit Court of Southampton Co. this 16th day of Jan'y. 1899.
M. F. M. Remore 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 3, 1900.

Time of Marriage, Jan'y 18 th 1899	Place of Husband's Birth, Southampton Co.
Place of Marriage, Southampton Co.	Place of Wife's Birth, "
Full Names of Parties Married, Sam Brown and Rena Taylor	Place of Husband's Residence, "
Color, Col.	Place of Wife's Residence, "
Age of Husband, 27 years	Names of Husband's Parents, Jimmie and Louise Brown
Age of Wife, 20 "	Names of Wife's Parents, Phosphor and Peggie Taylor
Condition of Husband (widowed or single or divorced) Single	Occupation of Husband, Farmer
Condition of Wife (widowed or single or divorced) Single	

Given under my hand this 16th day of Jan'y. 1899.
M. F. M. Remore Clerk.

Certificate of Time and Place of Marriage.

I, H. B. Mason, a Minister of the Church, or religious order of that name, do certify that on the 18th day of January 1899, at John Taylor's House under authority of the above License, I united in Marriage the persons named and described therein.

Given under my hand this 18th day of January 1899.
H. B. Mason.

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.

A copy: Lest: H. B. M. Remore, Clerk.
By: B. M. Hills. S. C.

VIRGINIA: CIRCUIT COURT OF
SOUTHAMPTON COUNTY.

SAM BROWN

V.

RENA BROWN

DEPOSITIONS:

1912. October 13th filed
Sam

CLAUDE J. EDWARDS
ATTORNEY AT LAW
FRANKLIN, VIRGINIA

* Sam Brown *
* *
* v. * DEPOSITIONS. *
* *
* Rena Brown *
* *

Q. How long was this kept up?

The depositions of J. F. Joyner and others, taken before me, Claude J. Edwards, a Commissioner in Chancery, for the Circuit Court of Southampton County, State of Virginia, pursuant to notice by Order of Publication, at Courtland at my office, on the 10th day of October 1912, between the hours of ten and three, to be read as evidence on behalf of Sam Brown, in a certain suit in equity, depending in the circuit court of Southampton County, in the State of Virginia, wherein Rena Brown is defendant and Sam Brown is Plaintiff.

Brown's home that would create suspicion in your mind as to their conduct?

A. Yes his visits were made under very peculiar circumstances.

Present E. Frank Story, Attorney for Plaintiff:

Witness J. F. Joyner being first duly sworn deposes and says:

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

A. J. F. Joyner, Age 42 years, live in Southampton County, farmer and I know the parties to the suit.

Q. Did you know Sam Brown and Rena Brown during the time they lived together as man and wife?

A. Yes I knew them for 10 or 12 years during their married life.

Q. Where did they live during that time?

A. They lived in Southampton County, near my home.

Q. About how far was Sam's house from your house?

A. About 300 yards.

Q. It seems that they have had some trouble and are now living apart, do you know what brought about this trouble?

A. Something like 18 months ago there came to our section a stranger who claimed to be a sanctified preacher, this preacher got very familiar at Sam's home and this is what they fell out about.

Q. How often did you see this man go to Brown's house?

A. Sam Brown rented some land from my father about a mile and

Q. Do you know anything about the circumstances of their separation?
 A. a quarter from Sam's residence and every time Sam would go over to work the land he rented from my father this man would almost invariably go to Sam's house and stay until time for Sam to leave. On the 13th day of July 1911 Sam's wife sent over and borrowed Sam's father's mule and cart and carried her trunk and come home.

Q. How long was this kept up?
 A. He kept it up until about the time they separated.

Q. What was the name of this so called preacher?
 A. He said his name was Guy Hawkins.

Q. Did you notice anything in connection with his visits to Brown's home that would create suspicion in your mind as to their conduct?
 A. Yes his visits were made under very peculiar circumstances.

Q. What kind of a house did Brown and his wife live in?
 A. It was small house one room below and half story above.
 Q. Dis it have any windows in it?
 A. Two one at the front and one at the back, both small windows.
 Q. When this man Guy Hawkins would go there, could you tell whether or not these windows were closed up?
 A. Yes I did notice and soke of it, but when this man would go there they would close up the door and cover up the windows with bed-quilts or anything they could find to shut out the view on the inside.

Q. Have you ever seen anyone go to Sam's house when you knew this Man Hawkins was there and could not gain admission?
 A. Yes I have seen my children go to Sam's house when I knew that Sam's wife and this preacher were in the house and I saw my children try to get in and they would not open the door and they had to come away without getting in.
 Q. Do these parties now live together as man and wife?
 A. No. They have separated.

Q. Do you know anything about the circumstances of their separation?

A. On the 13th day of July 1911 Sam's wife sent over and borrowed Sam's father's mule and cart and carried her trunks and some other things to the depot. It seems she was afraid after carrying these things to the depot to go back by where Sam could see her, so she brought the mule to my house and asked my wife if she would not let our little boy carry him back home, and at the same time she stated that she had misbehaved and for this reason Sam would not let her live with him any more and she had to leave. I then went down to Sam's house to find out what was the matter, and Sam told me he had that day found out definitely that his wife had been living in adultery with Guy Hawkins and that he had told her she had to leave home and that he would not ever live with her again, and I know he has not.

Q. Did Sam and Rena Bron have any children?

A. They had no children and no one else lived with them.

And further this deponent saith not.

latter part of 1910 and the part of 1911 and that this man had taken advantage of her.

Q. Did she state in what way he had taken advantage of her?
Witness J. F. Joyner was here recalled:

A. After while she made a complete statement saying that she and this man had gone to bed together and they had been guilty of committing adultery. I then stated to her that this was wrong and tried to persuade her not to be guilty of it any more and live as she ought to.

A. I have known Sam Brown for a long time and I consider him a good citizen. He is honest, upright and has a good reputation among all the people who know him. He owns land and is worth some property.

And further this deponent saith not.

And further this deponent saith not.

KNOW THE BELIEFS TO THE UNITS

6. AFTER IN YOUR NAME, THE, RESIDENCE, OCCUPATION AND OF YOU

WITNESS C. A. TOME BEING THAT ONLY AMONG DEPOSED AND ASKS:

STATE OF VIRGINIA:

COUNTY OF SOUTHAMPTON, TO-WIT:

I, Claude J. Edwards, a Commissioner in Chancery for the Circuit Court of Southampton County, State of Virginia, do hereby certify that the foregoing depositions were duly taken, reduced to writing, and signed by the witnesses, respectively, before me, at the place and time mentioned in the caption.

In witness whereof I have hereunto set my hand at Courtland this 10th day of October 1912.


COMMISSIONER IN CHANCERY

Commissioner's fee \$5.00