

1920-007 Chancery Causes: Grace A. Garner vs William V. Garner

332

Ish of Wight County

other SURNAMES: Ashby,
Cutchins

GRACE A. LARNER,
VS) INCHAMBERY 332
J. V. LARNER.

BILL.

April 8th 1920
14 April Rules

Bill filed; Continued on
Orbit Publication.

ERNEST H. WILLIAMS
Attorney-at-Law
SMITHFIELD, VIRGINIA

That the said Defendant has not contributed anything to the support of your Complainant for a period of more than seven years.

That of the said marriage one child was born namely, W. V. Larmer Jr., who is now living and seven years of age and that your Complainant is willing to divide the possession of the said child with the said Defendant.

That the said Defendant is not now a resident of the State of Virginia and that his last known Post Office address was Evanston, Wyoming.

In tender consideration thereof for as much as your Complainant is remediless in the premises save in a Court of Equity, she prays that the said W. V. Larmer may be made a party defendant to this bill and be required to answer the same; that proper process may be issued; that a divorce from the bonds of matrimony may be decreed to the said Complainant, and that your Complainant may have such further and other general relief as the nature of her case shall require or to equity shall seem meet.

And your Complainant will ever pray.

Grace A. Larmer

By Counsel.

E. H. Williams, Jr.

IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT, VA.

-----oOo-----

GRACE A. LARMER,.....Plaintiff,

vs(In Chancery.

W.W. LARMER,.....Defendant,

-----cOo-----

TO THE HONORABLE B. D. WHITE,

JUDGE OF SAID COURT?

Your complainant, Grace A. Larmer, respectfully represents to the Court that on October 19th. 1910, she was married to the said defendant, in the City of Bristol, Tennessee, as will appear by a copy of the marriage license herewith filed marked "Exhibit A" and made a part of this bill; and,

That your Complainant was a constant, dutiful, and faithful wife to the said defendant; and,

That the said Defendant has without any cause or justification whatsoever deserted and abandoned your said plaintiff for a period of more than three years next preceding the institution of this suit, that is to say, that the said Defendant on February 1st. 1917, deserted and abandoned your said Complainant and such abandonment and desertion still continues.

That your said Complainant last co-habited with the said Defendant in the County of Isle of Wight, Virginia; and, that your said Complainant has resided in the said County of Isle of Wight for more than a year next preceding the institution of this suit and in fact she has been living with her father since February 1st. 1917, and for some time prior thereto.

LARNER, PLAINTIFF,
VS (IN CHANCERY,
LARNER, DEFENDANT.

DEPOSITIONS.

ERNEST H. WILLIAMS
Attorney-at-Law
SMITHFIELD, VIRGINIA

Q. How long have you known Grace A. Larmer and W. V. Larmer, parties to this suit?

A. Grace and I were children together stayed together great part of our time, I have not known W. V. Larmer only since they were married, ten years.

Q. About how long since they have lived together?

A. About five years.

Q. How near do you live to where Mrs. Larmer is?

A. About a mile and one-half from there.

Q. How long has her father been taking care of her and her child?

A. For the past five years, since she has been home.

Q. About how old is W. V. Larmer, Jr.,?

A. Eight years this month.

Q. Would it be to the best interest of the child for the mother or the father to have its possession and care and maintenance.

A. The mother, I should say.

Q. Why do you say the mother?

A. He wouldn't know what to do without her and she lives with her father and mother and they are amply able to take care of Mrs. Larmer and the boy too.

And further this deponent saith not-

Ethel P. Cutchins

VIRGINIA,

COUNTY OF ISLE OF WIGHT, TO-WIT:

I, John I. Clark, a Notary Public, for the County aforesaid in the State of Virginia, do hereby certify that the aforesaid depositions of Mrs. Mary E. Asby, Mrs. Ethel Parker Cutchins, and Mrs. Grace A. Larmer, were duly taken, sworn to and subscribed before me, at the times and place and for the purpose in the caption hereto mentioned.

Given under my hand this 14th day of May 1920

my own Eff
9-17-1920

John I. Clark
Notary Public.

Mrs. Mary E. Ashby being duly sworn deposes as follows:

- Q. What is your name, age and residence?
- A. Mary E. Ashby, age 37, carrollton, Virginia.
- Q. Do you know Grace A. Larmer and W. V. Larmer if so how long have you been knowing them?
- A. Grace all of my life, and Mr. Larmer ever since they were married ten years.
- Q. What relation, if any, are you to Mrs. Larmer?
- A. Her sister-in-law, I married her half brother.
- Q. How near do you live to Mr. J. A. Ashby, her father?
- A. We live on joining farms, a few steps, I can holla and she can hear me.
- Q. How long has she been living at her father's since she came back from Bristol?
- A. For the past five years, ever since she came back.
- Q. Has W. V. Larmer been living there?
- A. No sir.
- Q. How long has it been since you saw W. V. Larmer?
- A. It has been three years since I saw him on this side, I saw him about a year ago in Newport News some where about a year he said he was going back out yonder.
- Q. Do you know whether or not he has provided any means of support for his wife and child in the last five years?
- A. No sir, not since she came back from Bristol, five years.
- Q. Do you know anything about his reputation as to gambling and drinking?
- A. He was a great drinker, and I suppose gambling follows, I didn't see him, but he was a great drinker.

And further this deponent saith not.

Mary E. Ashby

Mrs. Ethel Parker Cutchins being duly sworn deposeth as follows:

- Q. What is your name, age and residence?
- A. Ethel Parker Cutchins, 37, live in Isle of Wight County near Carrollton.

ce and has made absolutely no effort to support you and your child, is that correct?

A. Yes sir.

And further this deponent saith not.

Mrs. Grace Ashley Laruer

A. Not quite five years, I have not been married but ten years and been home five years this coming July.

Q. Did he pay you any visits since you have been living in Isle of Wight County?

A. Yes but he has not in three years, three years last January since he paid me any visit.

Q. Did you last co-habit with him in Isle of Wight County?

A. Yes.

Q. How long since he provided any means for support for you?

A. Two years before I came home, seven years, infact I took care of him for a year.

Q. With whom have you been living for the past seven years?

A. My mother and father.

Q. How many children born of this marriage?

A. One.

Q. What is his name and how old is he?

A. W. V. Larmer Jr., eight years old this month.

Q. With whom is he now living?

A. His grandparents.

Q. Where is W. V. Larmer now?

A. I don't know.

Q. Where was he the last time you heard from him?

A. Since I talked to you Mr. Williams he was in Newport News I did not know he was there my brother-in-law saw him and I have not had any news from him, he was in Wyoming when I was talking to you and from what I can understand he was going back out there whether he has gone or not I don't know.

Q. How old is W. V. Larmer?

A. He is 36.

Q. Is he a man of quiet and steady habits?

A. He is quiet but I can't say of steady habits he would have been alright if he had just left whiskey and gambling alone that was his ruin when a man does that he can't take care of a wife.

Q. As I understand it he left you something of three years ago and has been wandering around the Country from place to place

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY, VIRGINIA.

-----oOo-----

GRACE A. LARMER,.....Plaintiff,

VS) In Chancery.

W. V. LARMER,.....Defendant.

-----oOo-----

The depositions of Mrs. Mary E. Ashby, Mrs. Ethel Parker Cutchins, and Mrs. Grace A. Larmer, taken before me, J. C. Mc, a Notary Public in and for the County of Isle of Wight, State of Virginia, the defendant having been proceeded against by order of publication, in the office of E. H. Williams, in the town of Smithfield, Virginia, between the hours of ten A. M. and five P. M., on the 13th day of May, 1920, to be read in evidence in behalf of Grace A. Larmer in a certain suit in equity pending in the Circuit Court of the said County wherein the said Grace A. Larmer is Plaintiff and the said W. V. Larmer is defendant.

Present E. H. Williams, Attorney for the plaintiff.

Grace A. Larmer being duly sworn deposes as follows:

- Q. Mrs. Larmer what is your name, age, and residence?
- A. Grace Ashby Larmer, age 35, and Carrollton, is in Isle of Wight County.
- Q. How long have you been a resident of Isle of Wight County?
- A. Five years, you know I was born and raised here but five years for the last time.
- Q. Are you a plaintiff in this suit against W. V. Larmer?
- A. Yes.
- Q. Will you tell the Court when and where you were married?
- A. Yes, October 19, 1910, Bristol, Tennessee.
- Q. How long did you live with your husband?
- A. I lived with him five years, I have been married ten years in October -- five years, yes.

1

Letter

Cy. No 332 - 71

Letter

Affidavit for order
publication

Dated Mar 19. 1920

GRACE A. LARMER.....Plaintiff,

) By 330
vs(A F F I D A V I T:

W. V. LARMER,.....Defendant.

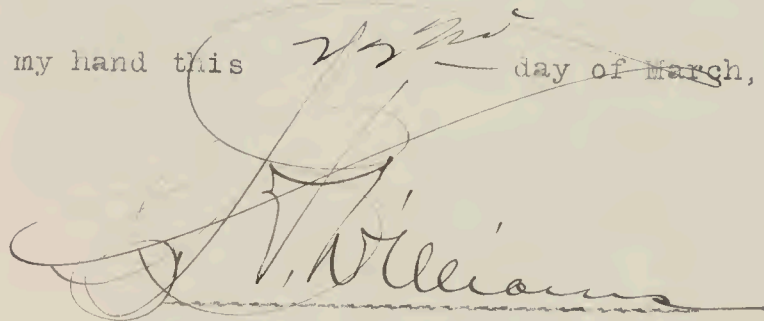
-----oOo-----

STATE OF VIRGINIA,

County of Isle of Wight, to-wit:

This day Grace A. Larmer, the above named plaintiff personally appeared before me, E. H. Williams, Commissioner in Chancery, of the Circuit Court of the County of Isle of Wight, State of Virginia, in my County aforesaid, and made oath that the said defendant is a non-resident of the State of Virginia, and that his last Post Office address, known, was Evanston, Wyoming.

Given under my hand this 25th day of ~~March~~,
1920.



Commissioner in Chancery.

2
Larmer

r of Cy 332

Larmer

Copy of order of Pub-
lication.

Filed Mar. 29, 1920

VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF
WIGHT MARCH 29TH. 1920.

Grace A. Larmer,.....Complainant

vs) Chancery. No. 330.

W. V. Larmer,.....Defendant.

The object of the above styled suit is for the complainant to obtain a divorce a vinculo matrimonii from the said defendant. And an affidavit having been filed in this office which asserts that the said defendant is not a resident of this State, and that his last known address was Evanston, Wyoming, it is ordered that the said W. V. Larmer appear at the Clerk's Office of the said court, within ten days after due publication hereof, and do what is necessary to protect his interests.

A copy,

Teste, Edmundson Clerk.

A copy of the foregoing order was this day posted at the front door of the Courthouse of this County; a copy mailed to Suffolk Herald for publication; and a copy mailed to defendant at address given.

Given under my hand this 29th. day of March, 1920.

Edmundson Clerk.

VIRGINIA'S CLERK'S OFFICE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF
WIGHT MARCH 29TH. 1920.

Grace A. Larmer,.....Complainant

vs) Chancery. No. 330.

W. V. Larmer,.....Defendant.

The object of the above styled suit is for the complainant to obtain a divorce a vinculo matrimonii from the said defendant. And an affidavit having been filed in this office which asserts that the said defendant is not a resident of this State, and that his last known address was Evanston, Wyoming, it is ordered that the said W. V. Larmer appear at the Clerk's Office of the said court, within ten days after due publication hereof, and do what is necessary to protect his interests.

A copy,

Teste, *Edw. Johnson* Clerk.

AFTER FIVE DAYS RETURN TO
CLERK'S OFFICE
OF ISLE OF WIGHT COUNT
ISLE OF WIGHT, VA.

Not in Evanston

Mr. W. V. Barmer,

Evanston

Ill.

UNCLAIMED



Farmer

v f Cy 332

Farmer

Cert. O. Pullen

Filed Apr 29 1920



OFFICE OF SUFFOLK HERALD

VIRGINIA:

Clerk's Office of the Circuit Court of the
County of Isle of Wight, March 29, 1920.

Grace A. Larmer-----Complainant
vs.

W. V. Larmer-----Defendant

CHANCERY, No. 330

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A COPY—Teste:

A. S. JOHNSON, Clerk.

E. H. WILLIAMS, p. q.

April 2, 9, 16, 23.

SUFFOLK, VA., *April 28th* 19*22*

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 weeks.

beginning *April 2 - 1922*-----and ending

April 23rd - 1922-----

E. L. Leach

Editor Herald

Per

E. A. Morrison

Manager

LARMER, PLAINTIFF,
VS(IN CHANCERY,
LARMER, DEFENDANT.

DECEASED.

1920
May 31
Enter this.
B.D.W.

60137 p 556

ERNEST H. WILLIAMS
Attorney-at-Law
SMITHFIELD, VIRGINIA

VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF ISLE OF WIGHT.

MAY TERM, 1920.

GRACE A. LARMER, ...Plaintiff,

vs(In Chancery.

W. V. LARMER, ...Defendant.

in which the complainant has proceeded against the defendant in the name

This cause came on this day to be heard on the
and writs and on the *taken in behalf of the complainant,*
complainant's bill. Depositions of witnesses, ~~the defendant~~

~~on other process has been duly served by the clerk of said court~~

~~and duly published in the Suffolk Herald, a newspaper law~~

~~in circulation in the County of Isle of Wight, Virginia;~~

and the defendant

~~and still failing to appear, plead, answer or demur, and~~
was argued by counsel.

On consideration whereof, the Court being of the opin-
ion, from the evidence in this cause, that the defendant has
willfully deserted and abandoned said complainant for a per-
from then *years before the institution of this suit*
iod of three, doth adjudge, order and decree that the marr-
iage heretofore had and solemnized between the said plaintiff
and said defendant shall be, and the same is hereby dissolved,
and that the said plaintiff be forever divorced from the said
defendant; but neither the plaintiff or defendant shall marry
within a period of six months from the date of this decree.

~~The Court doth further adjudge, order and decree that
the plaintiff in this cause shall have the care, custody and
maintenance of the child of the aforesaid marriage, namely:
W. V. Larmer, Jr., until the further order of this Court,
subject however to the right of the defendant to see the said
child at stated intervals should he so desire.~~

Nothing further remaining to be done in this cause, it
ordered that this suit be stricken from the docket.

prosecuted by law against defendant who was not present for the

State of Tennessee

Sullivan
COUNTY

Marriage Certificate

This Certifies that *Wm Larmer*
and *Grace P. Ashby*
were united by *L. W. Pierce* in the

HOLY BONDS OF MATRIMONY

On the *19* day of *Oct.*, in the year of our Lord 19*10*.
As appears of record in my office in Marriage Record, book *2*, page *138*.

This *3* day of *June*, 19*20*

D. A. Berger
By *H. Odell*
CLERK OF THE COUNTY COURT.