

1420-023 Chancery Causes: Rosa W. Worrell vs Claudius Worrell

314

Isle of Wight County

other sURNames: Laine,
Hall

2

Rosa W. Worrell

VS) In Chancery

Claudius Worrell

BILL

Nov 7, 1919:

Order publication entered.
Copy posted & sent to
supp. sec. deposed for pubn.

2nd Novm rules 1914:
Continued on O.P.

3rd Novm rules 1914:
Continued on O.P.

4th Dec rules 1914:
Continued on O.P.

1st Jan'y rules 1920
Order publication executed
Cause set down for hear-
ing.

GEORGE F. WHITLEY
ATTORNEY-AT-LAW
SMITHFIELD, VA.

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

ROSA W. WORRELL PLAINTIFF.

VS) In chancery

CLAUDIUS WORRELL DEFENDANT.

-----oOo-----

TO THE HONORABLE B. D. WHITE, JUDGE OF THE SAID COURT:

Your complainant, Rosa W. Worrell, respectfully represents that on the 28th day of November, 1900, she was married to the said defendant, Claudius Worrell, in the County of Isle of Wight, State of Virginia, as will appear by the 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 lived with the said plaintiff from November 28, 1900 until during the month of October, 1908, and then willfully deserted and abandoned your complainant, and such desertion and abandonment has continued for a period of more than three (3) years, prior to the institution of this suit; that is, to say, that the said defendant in the month of October, in the year 1908, without any justification, deserted and abandoned your complainant and has never returned, and such desertion and abandonment has continued from that time until now; and,

That your complainant has resided in the County of Isle of Wight, Virginia, all of her life and that she last cohabited with the said defendant in the said County.

In tender consideration whereof and forasmuch as your complainant is remediless, save in a court of equity, she prays that the said Claudius Worrell may be made a party defendant to this bill

and be requested to answer the same; that proper process may be issued; that a divorce from the bonds of matrimony may be decreed to your complainant, and that your complainant may have all such further and other general relief as the nature of her case may require, or to equity shall seem meet.

And your complainant will ever pray.

Rosa W. Worrell

By Counsel

W. R. Whitley p.q.

Wotrell
N^o 3 C^y No 314
Wotrell

Filed Nov 7-1919

affidavit for OT

卷之四

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

Rosa W. Worrell,.....Plaintiff,
vs) in Chancery
Claudius Worrell,.....Defendant.

This day, personally appeared W. E. Laine before me,
George P. Whitley, a Commissioner in Chancery, for the Circuit
Court for the County of Isle of Wight, in my County aforesaid,
and made oath that due diligence has been used on behalf of Rosa
W. Worrell, Plaintiff in the above style suit, to ascertain in
what county or corporation Claudius Worrell, the Defendant in
said suit is, without effect.

W E Laine

State of Virginia,

County of Isle of Wight:

Sworn and subscribed to

before me this 28 day of October, 1919.

Geo. P. Whitley
Commissioner in Chancery

2

Rosa W. Horrell

vs { Cy No 314

Clodius Horrell

Copy order publication
filed Oct 7, 1919

6089 pag. 521

Clerk's Office of the
VIRGINIA: CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT
NOVEMBER 7TH. 1919.

Rosa W. Worrell

vs) Chancery. No. 314.

Claudius Worrell.

The object of this suit is for the complainant to obtain a divorce, a vinculo matrimonii, from the defendant. And, an affidavit having been filed, which asserts that diligence has been used on behalf of the said complainant to ascertain in what county or corporation the said Claudius Worrell is, without effect, it is ordered that the said Claudius ^{Worrell} appear in the Clerk's Office of this Court, within fifteen days after due publication of this order, and do what is necessary to protect his interests in this suit.

A copy,

Teste, *Johnston* Clerk.

3 1/2

Rosa W. Horrell

N. J. C. 314

Charles Horrell

Edt. Pruebs on
Sp

Filed. Dec 7, 1979

VIRGINIA:

Circuit Court of the County of Isle
of Wight, Nov. 7, 1919.

Rosa W. Worrell, Complainant,

vs. Chancery No. 314.

Claudius Worrell, Defendant.

The object of this suit is for the complainant to obtain a divorce, a vinculo matrimonaa, from the defendant. And, an affidavit having been filed, which asserts that diligence has been used on behalf of the said complainant to ascertain in what county or corporation the said Claudius Worrell is, without effect, it is ordered that the said Claudius Worrell appear in the Clerk's Office of this court within fifteen days after due publication of this order, and do what is necessary to protect his interests in this suit.

A copy.

Teste:

A. S. Johnson, Clerk

George F. Whitley, p. q.

Nov. 14—4t

OFFICE OF SUFFOLK HERALD

SUFFOLK, VA., Dec 1911

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 Nov 14th and ending

Dec 1st

C. F. Leach

Editor Herald

2/12

4

Rose W. Worrell

IN) CHANCERY

Claudius Worrell

DEPOSITIONS

*Filed
Dec. 7, 1920*

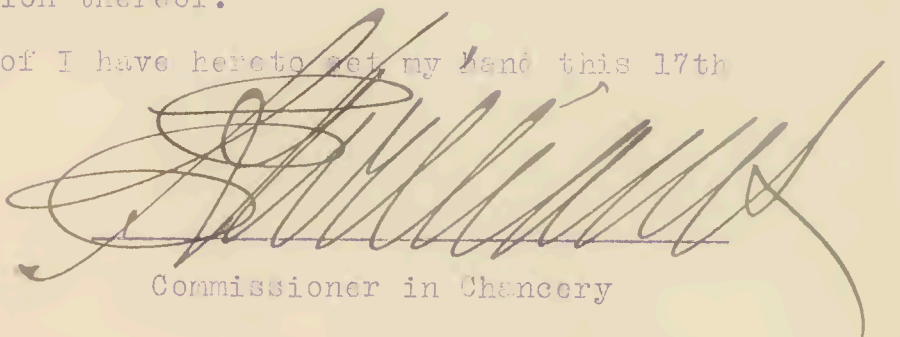
GEORGE F. WHITLEY
ATTORNEY-AT-LAW
SMITHFIELD, VA.

STATE OF VIRGINIA:

COUNTY OF ISLE OF WIGHT, TO-WIT:

I, E. H. Williams, a Commissioner in Chancery for the Circuit Court for the County of Isle of Wight, do hereby certify that the foregoing depositions of E. W. Laine, J. W. Hall and W. E. Laine were duly taken, sworn to and subscribed before me at the place and time mentioned in the caption thereof.

In witness whereof I have hereto set my hand this 17th day of January, 1920.

A large, stylized handwritten signature in dark ink, likely belonging to E. H. Williams, is written over a horizontal line. The signature is highly cursive and fluid.

Commissioner in Chancery

W. E. Laine being duly sworn, deposes and says as follows:

Q. Please state your name, age, occupation and residence.

A. W. E. Laine, 44, County treasurer and farmer, Isle of Wight County.

Q. How long have you lived in the County of Isle of Wight?

A. All my life.

Q. Do you know Rosa W. Worrell and Claudius Worrell?

A. Yes sir I have been knowing Rosa Worrell ever since I was a boy sixteen years, and I have been knowing Claude Worrell at least fifteen years.

Q. Do you know where Rosa Worrell and Claude Worrell last lived together as man and wife?

A. In Isle of Wight County.

Q. Do you know where Rosa Worrell lives, and has been living for the past year?

A. Yes sir, she has been living in the County of Isle of Wight and with her mother, during this time.

Q. How long has Rosa Worrell been living in the County of Isle of Wight?

A. I think she has been living in the county all of her life, certainly ever since I have known her.

Q. How far do you live from Rosa Worrell?

A. I live about three miles and a half and have for the past twenty years.

Q. Where is Claudius Worrell?

A. I do not know where he is, he left Rosa some eight years or more ago and has not been heard from since.

Q. Where has Rosa been living during the time that he has been away?

A. With her mother in this County.

Q. Has Rosa Worrell and Claudius Worrell lived together as man and wife at any time during the past three years?

A. No sir he has not been back since he left.

And further this deponent saith not

W E Laine

Q. Was she a dutiful wife?

A. Yes sir, she was. She was a much better wife than he was a husband cause Claude was always running about frolicing and drinking.

And further this deponent sayeth not.

J. M. Hall

J. W. Hall being duly sworn deposes and says as follows:

Q. Please state your name, age, occupation and residence.

A. J. W. Hall, 46, farmer, Isle of Wight County.

Q. Do you know Rosa W. Worrell and Claudius Worrell? If so how long have you known them?

A. I know both of these people, and have known Rosa twenty five or thirty years, and I have known Claudius ever since he married Rosa.

Q. How long has Claudius and Rosa been married?

A. Some fifteen or more years to the best of my recollection.

Q. Are they now living together as man and wife?

A. No sir, they lived together about eight years, to the best of my recollection.

Q. Did they live together as man and wife in the County of Isle of Wight?

A. Yes sir, all during their married life they lived, up until the time he left, in the County of Isle of Wight, and they lived about a mile from me.

Q. Where is Claudius Worrell now?

A. I don't know sir, I haven't seen him nor heard from him since he left, and that has been some eight or ten years ago. It has been a long time I know.

Q. Where is Rosa Worrell now?

A. She is at her mother's, about a mile from my house. She has been living in my neighborhood in this county ever since Claude left. In fact she has been living in this county ever since I know her.

Q. Do you know whether or not Rosa and Claude have lived together as man and wife at any time during the past three years?

A. No sir they have not, because she has been living right there in the neighborhood and if he had come back to her I would have known it.

Q. Who has been taking care of Rosa since Claude left?

A. She has been working for her living, taking care of herself and children.

A. I know they have not.

Q. Where did Rosa and Claudius last live together as man and wife?

A. In the County of Isle of Wight.

Q. How long has Rosa been living in Isle of Wight County?

A. She has been living in this County for the last twenty five years.

Q. Has Rosa Morrell been working for her living since her husband left her?

A. Yes sir, she had to do this as her husband has been away and has not helped to support herself and family of three children.

Q. Was she a dutiful wife.

A. Yes sir, I think so from all appearances, and as far as I know he could have stayed with her if he had wanted to. She is a good worker and I have seen her out of temper.

And further this deponent sayeth not.

E W Lane

E. W. Laine being duly sworn, deposes and says as follows;

Q. Please state your name, age, residence and occupation.

A. E. W. Laine, 68, Isle of Wight County, Farmer

Q. Do you know Rosa Worrell and Claudius Worrell? If so how long?

A. I have been knowing both of them at least twenty five years.

Q. Were they ever married?

A. Yes sir, they have been married certainly as long as eighteen years and probably more, I just don't remember. She was washing for me at the time of the marriage.

Q. Were they married in the County of Isle of Wight?

A. Yes sir

Q. Are they now living together as man and wife?

A. No sir, they have not lived together for the past eight years, and it might be longer than that.

Q. Has he, Claudius Worrell, deserted or abandoned her?

A. He left her, Rosa, his wife, some eight years ago to to my knowledge, and he has not been heard from since. Of course it might have been longer than eight years, as I stated before, but I am satisfied that it has been as much as eight years.

Q. Where has Rosa Worrell been living during this time?

A. Principally with her father, who lives about a half a mile from me.

Q. Where has she been living for the past three years.

A. She has been living with her father and has been working for me during the past three years.

Q. Do you know whether or not Rosa W. Worrell and Claudius Worrell have lived together as man and wife during the last three years.

VIRGINIA:

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

The depositions of E. W. Laine, J. W. Hall and W. E. Laine, taken before me, E. H. Williams, a Commissioner in Chancery for the Circuit Court for the County of Isle of Wight, in the office of George F. Whitley in the County of Isle of Wight, on the 17th day of January, 1920, between the hours of nine o'clock A M and six o'clock P M, to be read in evidence in behalf of the plaintiff in a certain suit depending in the Circuit Court of Isle of Wight County, wherein Rosa W. Worrell is plaintiff and Claudius Worrell is defendant.

Present: George F. Whitley, Counsel
for plaintiff

5

Rosa W. Worrell

VS) IN CHANCERY 314

Claudius Worrell

THEORE

1920
Feb. 2.
Entered
P.H.S.

60A 7 page 531

GEORGE F. WHITLEY
ATTORNEY-AT-LAW
SMITHFIELD, VA.

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

Rosa W. Worrell Plaintiff

VS

Claudius Worrell Defendant

This cause ~~came~~ on this day to be heard on the complainants bill, and the depositions of witnesses duly taken, the defendant, whose place of residence in this Commonwealth is unknown, ~~and against whom the plaintiff has proceeded in the manner prescribed by law,~~ ^{having been proceeded against} ~~by~~ order of publication ~~having been~~ duly published and posted; and ^{he} ~~the said defendant~~ still failing to appear, plead, answer or demur, and was argued by counsel.

And it appearing to the Court from the depositions filed in this cause that the said plaintiff and defendant were married in the County of Isle of Wight; that the said plaintiff and defendant last cohabited as man and wife in said county; that the said plaintiff has resided in the said county for more than one year next preceeding the institution of this suit; and that the ^{said} defendant has willfully deserted and abandoned the said complainant for three successive years next preceeding the institution of this suit; on consideration whereof, the Court being of the opinion that the said defendant has so willfully deserted and abandoned said complainant for the said period of three years as aforesaid, doth adjudge, order and decree that the marriage heretofore had and solemnized between the said plaintiff and the said defendant shall be, and the same is hereby dissolved, and that the said plaintiff be forever divorced from the said defendant.

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