

1930-009 Chancery Causes: Helen R. Cooper vs Lewis R. Cooper

506

Dale of Wight County

other surnames: Sykes, Cofer

E. H. WILLIAMS

Attorney-at-Law

SMITHFIELD, VIRGINIA

December 10, 1930.

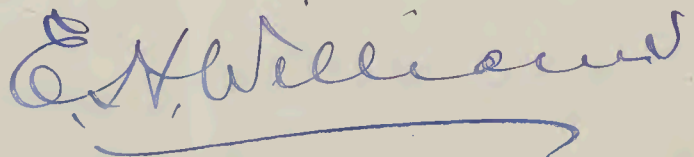
Mr. R. A. Edwards,
Isle of Wight, Virginia.

Dear Gus: Re: Helen R. Cooper
v: Lewis R. Cooper.

I will thank you to send me by Mrs. Williams,
the Chancery papers in the above named suit.
I want to take them down to Judge White to-
morrow.

With best wishes, I am

Very truly yours,

A handwritten signature in blue ink that reads "E. H. Williams". The signature is written in a cursive style and is underlined with a long, sweeping horizontal line.

EHW-W.

506

EMH.

12/10/98

Cooper

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Cooper

memo.

VIRGINIA:

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

DECEMBER 11TH, 1930.

Helen R. Cooper

Vs: In Chancery #506

Lewis R. Cooper

This cause, in which the complainant has proceeded against the defendant in the manner provided by law as to defendants, whose place of residence in this Commonwealth is unknown, affidavit having been made by the complainant that due diligence has been used by or on behalf of the plaintiff to ascertain in what county or corporation the defendant is without effect, came on this day to be heard upon the complainant's bill, and the amended bill, the depositions of witnesses filed on behalf of the complainant; the defendant still failing to appear, answer, or demur; and was argued by counsel:

And it appearing to the court that the said parties were lawfully married in North Carolina on April 5, 1917, that the said parties last co-habited in the County of Isle of Wight; that the said complainant, Helen R. Cooper, has been a bona fide resident of, and has been domiciled in this county and state ever since the aforesaid marriage, that the said defendant, Lewis R. Cooper, did in the month of December, year 1926, without justification, willfully desert and abandon said complainant and that such desertion and abandonment has continued for a period of more than three years, and still doth continue: On consideration whereof, the court doth adjudge, order and decree, that the said Helen R. Cooper and Lewis R. Cooper, be divorced from the bonds of matrimony which was created by the aforesaid marriage, and that the said marriage be, and the same hereby is, dissolved;

and nothing further remaining to be done in this cause,
it is further ordered that the same be stricken from the
docket, but neither of the parties hereto shall again
marry within six months after the entry hereof.

A Copy

Teste _____ Clerk.

In which the complainant has proceeded against the defendant in the manner provided by law as to defendants whose place of residence in the Commonwealth is unknown and can't having been made by the complainant through diligence has been made by or on behalf of the Plaintiff to be certain in what County or Corporation the defendant is without effect.

VIRGINIA:

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

Helen R. Cooper.....Plaintiff.

VS) IN CHANCERY

Lewis R. Cooper.....Defendant.

This cause ^{and} came on this day to be heard upon the complainant's bill, ~~and the exhibits filed there with;~~ the complainant's amended bill, ~~this day filed by leave~~ of court, the depositions of witnesses filed on behalf of the complainant; the defendant ~~who has been regularly proceeded against by an order of publication, duly published in the Smithfield Times, still failing to appear, answer, or demur;~~ and was argued by counsel:

~~On consideration whereof,~~ and it appearing to the court that the said parties were lawfully married ^{in North Carolina} on April 5, 1917, that the said parties last co-habited in the County of Isle of Wight; that the said complainant, ^{Helen R. Cooper,} has ~~resided,~~ ^{been a} ~~and has been domiciled in this county and state ever since the aforesaid marriage, and for more than one year next preceding the commencement of this suit,~~ that the said defendant, Lewis R. Cooper, did in the month of December, year 1926, without justification, willfully desert and abandon said complainant and that such desertion and abandonment has continued for a period of more than three years, and still doth continue; ^{On consideration whereof} the court doth adjudge, order, and decree, that the said Helen R. Cooper and Lewis R. Cooper, be divorced from the bonds of matrimony which was created by the aforesaid marriage, and that the said marriage be, and the same hereby is, dissolved; and nothing further remaining to be done in this cause, it is further ordered that

the same be stricken from the docket, ^{but neither of the parties hereto shall again reappear within six months after the return hereof.}

HELEN R. COOPER...PLAINTIFF

VS) IN CHANCERY

LEWIS R. COOPER...DEFENDANT

DECREE

1430
Dec. 11. Eula King
B. D. W.

8-574

E. H. WILLIAMS
ATTORNEY AT LAW
SMITHFIELD, VIRGINIA

FIELD, VA.

VIRGINIA:—In the Clerk's
Office of the Circuit Court of
the County of Isle of Wight.
June 14, 1927.

Helen R. Cooper, Plaintiff
vs. In Chancery
Lewis R. Cooper, Defendant.

The object of this suit is for
the plaintiff to obtain from the
defendant a divorce a mensa et
thoro upon the grounds of will-
ful desertion and abandon-
ment.

It is ordered that the said de-
fendant do appear here within
ten (10) days after publica-
tion hereof, to do what is neces-
sary to protect his interest in
this suit.

TESTE:

R. A. EDWARDS, Clerk.
E. H. Williams, p.q.

A Copy Teste—

R. A. EDWARDS, Clerk.

THE SMITHFIELD TIMES

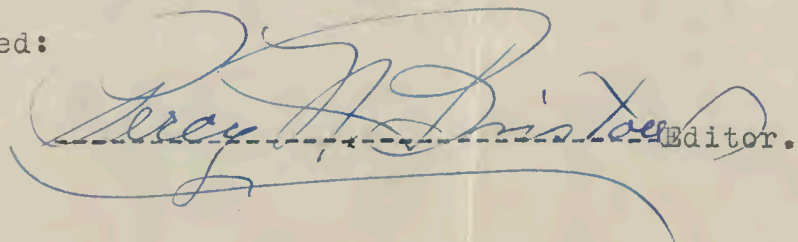
"One of Virginia's Leading Weeklies in the Circulation Field"

Smithfield, Virginia

TO WHOM IT MAY CONCERN:

I, Percy N, Bristow, editor of the Smithfield Times, a weekly newspaper, published at Smithfield, in the county of Isle of Wight, State of Virginia, do hereby certify that the order of publication of Cooper vs. Cooper, appeared for four consecutive times in the above named paper in its issues of June 17, 24, and July 2~~5~~ and 8th.

Signed:


Percy N. Bristow, Editor.

Hellen R. Cooper
73 G-#506
Lewis R. Cooper.

Artifacts of
Printer on order
of publication

Fid:

July 15-1927.

Wm. A. Edwards.
elh

VIRGINIA:

IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE
COUNTY OF ISLE OF WIGHT. JUNE 14, 1927.

Helen R. Cooper,.....Plaintiff

VS: IN CHANCERY

Lewis R. Cooper,.....Defendant

The object of this suit is for the plaintiff to obtain from the defendant a divorce, a mensa et thoro, upon the grounds of willful desertion and abandonment.

It is ordered that the said defendant do appear here within ten (10) days after publication thereof, to do what is necessary to protect his interest in this suit.

Teste R. A. Edwards Clerk

E. H. Williams, p. q.

A copy teste-

R. A. Edwards Clerk

VIRGINIA: IN THE CLERKS OFFICE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT, JUNE 14th 1927.

I, R. A. Edwards, Clerk of the Circuit Court of the County aforesaid, do hereby certify that the foregoing order of publication was this day filed in my office, a copy posted at the front door of the Court House of this County, and a copy mailed to the Smithfield Times, a newspaper having general circulation in said County, for publication as the law directs.

The last known Post Office address of the defendant herein being unknown, as set forth by affidavit, a copy of this order could not be mailed to the defendant.

R. A. Edwards
Clerk.

Crozier

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Crozier

D.P.

VIRGINIA:

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

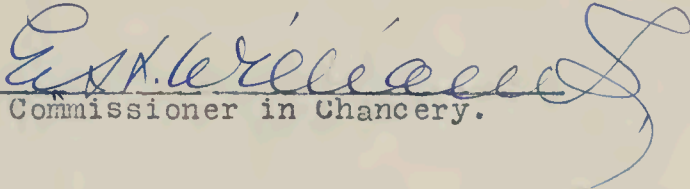
Helen R. Cooper,.....Plaintiff.

Vs) IN CHANCERY

Lewis R. Cooper,.....Defendant.

This day, Helen R. Cooper, personally appeared before me, E. H. Williams, a Commissioner in Chancery, for the Circuit Court of Isle of Wight County, and being duly sworn, made oath that diligence has been used by or on behalf of the plaintiff to ascertain in what County or Corporation the defendant, Lewis Cooper, is, without effect.

Given under my hand this ^{2nd} ~~30th~~ day of ^{June} ~~May~~, 1927.



Commissioner in Chancery.

Cooper

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Cooper. 506

affidavit

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

Helen R. CooperPlaintiff.

Vs: IN CHANCERY

Lewis R. Cooper.....Defendant.

The depositions of Helen R. Cooper, and *Gussie*
May Py Cox ~~and Andrew Cox~~, taken
and reduced to writing at the Office of E. H. Williams,
in the town of Smithfield, Virginia, before the undersigned
Commissioner-in-Chancery, on the 17th day of October, 1930,
the defendant having been proceeded against by Order of Publi-
cation, and to be read in behalf of the Plaintiff.

PRESENT: E. H. WILLIAMS,

Attorney for the Plaintiff.

Helen R. Cooper, being duly sworn deposes as follows:

- Q. What is your name, age and residence?
A. My name is Helen R. Cooper, age 51, residence Isle of
Wight County.
- Q. How long have you lived in Isle of Wight County?
A. All my life, except for seven months when I was tem-
porarily employed in Washington.
- Q. When were you married to the defendant, Lewis R. Cooper?
A. April 5th, 1917.
- Q. Where were you married?
A. Gatesville, North Carolina.
- Q. Where did you live after you were married?
A. Smithfield, Isle of Wight County.
- Q. Are you now living with your husband?
A. No.

- Q. How long has it been since you lived with him?
- A. December, 1926.
- Q. Do you know where he is now?
- A. No.
- Q. Have you heard from him since December, 1926?
- A. No.
- Q. Have you any idea where he is now located?
- A. No.
- Q. Have you any reason to believe that the defendant, Lewis R. Cooper, has deserted and abandoned you?
- A. I have. He failed to support me while I was living with him and then he left me in December 1926, and I have not heard from him since.
- Q. What is the condition of your health?
- A. At the time he left me, my health was very bad. It is now much better.
- Q. Has it been necessary for you to have several operations at the hospital?
- A. Yes.
- Q. Please state to the Court what provisions were made by your husband to pay these hospital bills.
- A. Not any.
- Q. How did you manage to pay your hospital bills?
- A. I borrowed the money.
- Q. Have you any means of support?
- A. No. At the time he left, I was without means and without work. Since then I have been doing undergraduate nursing.
- Q. How long has it been since your husband failed to support you?
- A. Since the early summer of 1926.
- Q. What caused your husband to leave you and not let you know anything of his whereabouts?
- A. I don't know.

And further this deponent saith not.

Helen R. Cooper

Annie May Sykes being duly sworn, deposes as follows:

- Q. What is your name, age, and residence?
- A. Annie May Sykes is my name, age, over twenty-one, and residence is Smithfield.
- Q. What is your occupation?
- A. Hotel-keeper.
- Q. In December, 1926, where were Helen and Lewis Cooper living?
- A. I know that they were living at the hotel at the time that he left her, and I know that he left her. They were not sleeping at the hotel, but were taking their meals at the hotel.
- Q. How do you know that he left her?
- A. I know that he stopped coming to the hotel, that he was not seen around Smithfield anymore, and that it was generally talked around that Lewis Cooper had left his wife.
- Q. Have you seen Lewis Cooper since December, 1926?
- A. No.
- Q. While here, did Lewis Cooper reasonably provide for the support of his wife; that is, did he pay for her meals at the hotel?
- A. He paid for the meals part of the time.
- Q. Who paid for them at other times?
- A. Nobody.

Q.
A.

And further this deponent saith not.

Annie May Sykes

Andrew Cofer, being duly sworn, deposes and says
as follows:

Q. What is your name, age, residence, and occupation?

A. My name is Andrew Cofer, age, 50, residence, Smithfield, and occupation, automobile retailer.

Q. Do you know Helen R. Cooper and Lewis R. Cooper, parties to this suit?

A. I do.

Q. How long have you known them?

A. I have known them at least 20 years.

Q. Where were they living in the year 1926?

A. They had rooms on the corner of Mason and Main Streets, in the Town of Smithfield.

Q. Is Lewis Cooper now living in the Town of Smithfield?

A. No.

Q. How long has it been since he left Smithfield?

A. He left Smithfield about four years ago.

Q. Has he been back to town since he left?

A. Not to my knowledge.

Q. Has his wife been living here ever since he left?

A. Yes.

And further this deponent saith not.

Andrew Cofer

Virginia: County of Isle of Wight, to-wit:

I, George F. Whitley, a Commissioner in Chancery, for the Circuit Court, of the County aforesaid, in the State of Virginia, hereby certify that the aforesaid depositions of Helen R. Cooper, Annie May Sykes, and Andrew Cofer, 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 28th day of November, 1930.

George F. Whitley
Commissioner in Chancery.

Helen R. Cooper..Plaintiff

VS) IN CHANCERY

Lewis R. Cooper..Defendant.

DEPOSITIONS.

E. H. WILLIAMS
ATTORNEY AT LAW
SMITHFIELD, VIRGINIA

that proper process might be issued; that a divorce from the bonds of matrimony might be decreed to your said complainant; meaning a divorce a mensa et thoro.

And that the said Lewis R. Cooper ^{was} duly proceeded against by an order of publication duly published, as will appear by a certificate in the Smithfield Times, filed in the papers of this cause, and that the said Lewis Cooper does still fail to appear, answer, or demurr to the said bill.

Your complainant, by this amended bill, respectfully represents that the desertion set forth in the said original bill still doth continue and has continued for a period exceeding three years; that the whereabouts of the said defendant is still unknown, and that the said complainant has continued her residence in the County of Isle of Wight since the filing of the said original bill.

Therefore, your complainant prays that the said Lewis R. Cooper, may be made defendant to this amended bill; that he be required to answer the same on oath; that he be also required to answer the original bill on oath; that a divorce from the bonds of matrimony may be decreed to your said complainant; and that your complainant may have all such further and other and general relief in the premises as the nature of her case may require or to equity shall seem meet.

And your complainant will ever pray.

Helen R. Cooper
By Counsel

E. H. Williams p. q.

HELEN E. JOCKER...PLAINTIFF

VS) IN EQUITY

LEWIS R. JOCKER...DEFENDANT

AND DEED

E. H. WILLIAMS
ATTORNEY AT LAW
SMITHFIELD, VIRGINIA

VIRGINIA:

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

Helen R. Cooper,.....Plaintiff.

VS) #506 IN CHANCERY

Lewis R. Cooper,.....Defendant.

TO THE HONORABLE JUDGE OF SAID COURT:

Your Complainant, Helen R. Cooper, respectfully represents that on April 5, 1917, in the County of Gatesville, North Carolina, she was married to the said defendant 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, faithful and dutiful wife to the said defendant.

That the said defendant did in the month of December, in the year 1926, without justification, willfully desert and abandon your complainant and such desertion and abandonment has continued from then until now.

That your complainant has resided in the County of Isle of Wight all of her life, excepting a seven months visit to the City of Washington, D. C., and last co-habited with the said defendant in the said County of Isle of Wight.

Your complainant states to the Court that although she was without means of her own the said defendant for a long time prior to the month of December, 1926, failed to support your said complainant and when she was forced to go to a hospital she had to borrow money to pay her expenses.

In tender consideration whereof and for as much as your complainant is remediless save in a Court of equity, she prays that the said Lewis R. Cooper 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 your said complainant; and that your complainant may have all such further, other and general relief as the

nature of her case may require or to equity shall seem meet.

And your complainant will ever pray.

Allen Cooper
By Counsel

E. H. Williams p. q.

Helen R. Cooper, Plaintiff

Vs: In Chancery *£506*

Lewis R. Cooper, Defendant

BILL

Def: 7.50
O. P. issued 6/10/27.

6-14-27. Fee.

E. H. WILLIAMS,
ATTORNEY-AT-LAW,
SMITHFIELD, VIRGINIA