

1896-010

Nansemond Co. (Suffolk)

Chancery Causes: Jane R. Speller vs Charles Speller

Goodman, Ricks, Williams

OVERSIZE

Box 2

- 1 marriage license (exhibit A)

CHANCERY SUMMONS.

The Commonwealth of Virginia, *Goochland*
TO THE SHERIFF OF ~~NANSEMOND~~ COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

Charles Speller

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
for the said Court, on the *First* Monday in *May 1896*, to answer

a Bill in Chancery, exhibited against *him*
in the said Court by *Jane R. Speller who sues by*
her next friend John Rawles

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this *18th* day of
April, 189*6*, in the 12*0*th year of the Commonwealth.

A copy—Teste:

CLERK.

Teste:

A. P. Gomer, CLERK.

Accused by serving a true copy
of the within summons in person
this 29th day Apr 1896
Dorothy M. Conch
Bridgeton S. Ill

Rawles & Briggs p. q.

Jane R. Speller

vs. } In Chancery.

Charles Speller

1896

May Rules.

First Monday.

Nansemond Circuit Court.

Process Book No. 2

Page 126

To the Clerk of the Circuit
Court of Loudoun County:

Jane R. Speller Plaintiff
vs
Charles Speller Defendant
In chancery.

Joan Summings for plain-
tiff against defendant to
Feb. Rules (2nd rule) 1896,
to answer of a Bill in
Chancery.

Racoh Briggs Esq.

 Direct Summons to the
Sergeant of Richmond City, Va.
Pay \$1.50

Jane R Speller
vs In Chancery
Charles Speller
Memorandum

To the clerk of the Circuit
Court of Nausammuel County
Virginia;

Jane R. Speller who sues of
her next friend John Rawls
Plaintiff

vs
Charles Speller Defendant.

Issue summons for plaintiff a-
gainst defendant to First May
rules 1896 to answer at
Belle in chancery.
Rawls Briggs P. g.

Pay \$1.50

Direct process to the Sheriff of
Grochland County Va.

Memorandum
Jane R. Speller
vs } In Chancery
Charles Speller

Mess Rowles & Briggs
at Law. Suffolk Tr
England. I am
pursued - served - thanks for
ok, will be glad to
serve you any time

Yrs Truly &
Downellier (Wm Crook)
Growthland

To Charles Speller

TAKE NOTICE that *I* shall, on the *29th* day of *May* 189*6*,
at *the office of Rawls & Briggs*
in *Suffolk & Wausemann County*
Virginia
between the hours of *6* A. M. and *6* P. M., on that day, proceed to take the depositions
of *Henry Williams* and others, to be read in evidence in *my*
behalf, in a certain *suit in equity*
depending in the *Circuit* Court for the *County*
of *Wausemann* wherein you are *defendant*
and *I am plaintiff*;

and if, from any cause, the taking of the said depositions be not commenced on that day, or, if
commenced, be not concluded on that day, the taking of the same will be adjourned and continued
from day to day, or from time to time, at the same place and between the same hours, until the
same shall be completed.

Respectfully yours,

Jane R. Spellar who
Sworn by her next friend John Rawls
By Counsel.

Specimen of having a true copy
of the written sum (in
Person) (has been this 20th
day April 1896

Woodstock
Wallworth
Sheriff

The depositions of Arnold Ricks
and others taken before me
J. W. Burgess a Notary Public
for the County of Nausumond
& State of Virginia pursuant
to notice hereto annexed
at the office of Rawles
& Briggs in Suffolk Nausumond
County on the 29th day of
May 1876 between the hours
of 6 A.M. & 6 P.M. of that
day to be read as evidence
on behalf of Jane R. Speller
in a certain suit in
equity depending in the
Circuit Court for the County
of Nausumond wherein the
said Jane R. Speller is
plainiff & Charles Speller is
defendant.

Present:-

M. Briggs, attorney for the
plainiff.

Arnold Ricks being duly sworn on
the Holy Evangelist of the Almighty
God being duly sworn deposes
& says as follows:-

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

Ans. Arnold Hicks, age 30, lives in
Nausseoud County, am a farmer
I know both plaintiff & defendant
I have known them for several
years.

Q. Can you state whether or not
the defendant Charles Speller
is the identical person
who was tried & convicted of
a felony & sentenced to the
penitentiary in the County
Court of Nausseoud County
on the 15th day of January
1895?

Ans. Yes he is the same person
I know when he was arrested

3. Q. Can you state whether or not
the defendant Charles Speller
is the identical person
who was married to the plaintiff
on the 28th day of July

1891, & who is now the husband of the plaintiff?

Ans- Yes he is the identical person.

4. Q. Do you know where the plaintiff & defendant last cohabited or lived together as man & wife -

Ans- In Nausumond County Virginia

5. Q. Can you state whether the plaintiff has ever lived with or cohabited with the defendant since he was convicted & sentenced to the penitentiary as above stated -

Ans- I think not, I lived in the same neighborhood & have never seen him since his conviction and further this deponent swears not -

Arnold Rick

No other witnesses appearing the further taking of these depositions is continued until the 6th day of June 1896

at the same place & between
the same hours.

James W. Burges
Notary Public

Office of Rawlson Briggs
6th day of June 1896

Present:

R. H. Rawls. atty for plaintiff -

Witness: Harry Williams being
duly sworn deposes & says
as follows -

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

Ans. Harry Williams, age 65, residence
Nauvoo County, occupation
brick layer. I know plaintiff
& defendant & have known them
for twelve or fourteen years &
I lived in the same neighborhood
with them

2. Q. Can you state whether or not
Charles Speller is the identical
person who was tried &
convicted of a felony &

sentenced to the penitentiary
in the County Court of Nausemoud
County - on the 15th day of January 1895?

Ans. Yes he is the identical person -
I was present at his trial
on the 15th of Jan. 1895 & know
that he, the husband of the defendant
Jane Speller, was the person who
was tried & convicted.

Q. 2 Can you state whether or not the
defendant Charles Speller is the
identical person, who was
married to the plaintiff on the
28th day of July 1891 & who is
now the husband of the plaintiff -

Ans. He is the same person. I have
known him for years - in
fact I went with him to the
Court House to get his license.

Q. 3 Do you know where the plaintiff
& defendant last cohabited, ^{or lived together} as man &
wife.

Ans. Yes, in Nausemoud County -

Q. 5. Can you state whether the
defendant ever lived with or
cohabited with the defendant
after he was convicted & sentenced
to the penitentiary for the felony
above mentioned?

Ans. No he never came out of jail
& they never lived together after
his conviction. And further
this deponent says not.

Henry Williams

State of Virginia } to wit:
County of Hansemond }

I, J. H. Burges, a notary public
for the County aforesaid in
the State of Virginia, do hereby
certify that the foregoing
depositions of Henry Williams
& Arnold Ricks were duly
taken, sworn to & subscribed
before me at the time & place
& for the purpose in the
captions hereto mentioned.
Given under my hand this 6th
day of June 1876 -

James H. Burges
Notary Public

Jane R. Spellar who ever by
is John Rawls her next friend
Charles Spellar.

This cause came on this day
to be heard on the Bill
and exhibits filed and the
depositions of Henry Wilkins,
and others taken after due
notice, it appearing that
process has been served on
the defendant, and was
argued by counsel
on consideration whereof, the
Court being of the opinion
from the evidence that the
defendant has been sentenced
to confinement in the pen-
itentiary as stated in the
bill and that the plain-
tiff and defendant both
resided in the County
of Nauset and doth the Court
adjudge and decree that
the plaintiff be proven dis-
vowed from the said defend-
ant and that the marriage
heretofore solemnized between
them be wholly and ab-

voluntarily annulled and that
this divorce shall be a
vinculo - matrimonii; and
doth further order and decree
that the plaintiff recover of
the defendant the costs of
this suit by her expended,
and nothing further re-
maining to be done
it is ordered that this
cause be removed from
the docket.

Final decree

~~Oct.~~ 16, 1896

Enter

Wm. D. Smith

Entered in

Chancery

DP 3 Page 52

Virginia

At a county court held for
the County of Hansemond
at the court-house in the Town
of Suffolk on Monday the
14th day of January A.D. 1895
Matthew W. Crumpler a Justice of the
Peace of the County of Hansemond, do
hereby certify that I have this day
committed Charles Speer to the Jail
to the Jail of said County that he
may be tried before the County Court
of said County for a felony by him
committed in said County in this
that he did on December 29th 1894
break and enter the dwelling house
of Peter Harper and did take steal
and carry away the goods & chattels
of said Peter Harper December 31 in
the year 1894

M. W. Crumpler J.P.

A Copy

Testo:

R R Smith Clerk
By A Q Gomey D.C.

Charles Speller
Certificate of J. P.

Free 36¢

Virginia:

At a county court continued
and held for the County of
Hansemond at the court-house
in the town of Suffolk on
Tuesday the 15th day of Jan-
uary A.D. 1895.

The Commonwealth

against } On an indictment for Horse beating
Charles Speller

This day came the attorney for the
Commonwealth and the prisoner
Charles Speller who stands indicted
of horse beating was led to the
bar in custody of the jailor of this
Court was thereof arraigned and
pleaded not guilty to the indict-
ment, and from the twenty persons
of this county taken from a list
furnished the Sheriff of this county
by the Judge of this Court and re-
siding remote from the place
where the said offence is charged
to have been committed and quali-
fied, in other respects to serve as
jurors and summoned by the
Sheriff to appear here on the first
day of this term under a writ
of Venue facias issued by the clerk

of this Court and directed to said Sheriff
there was selected a panel of sixteen
persons to wit: Thomas J Saunders
Henry J. Jaylor James Robert Wright
John F Hyzell, Samuel H Simons, Lovesay
M Roberts, Allen J Powell Ryland J Pierce
Thomas A McClenny, Darius King, Eli
B Johnson, William H Holland
Robert M Griffin Matthew Gardner
Caro D Butler and Rufus L Bain
who were examined by the Court
and found to be free from excep-
tion and from said panel the
presoner struck four to wit: Thomas
J Saunders John F Hyzell Allen J
Powell and Thomas A McClenny and
the remaining, twelve, to wit Henry
J Jaylor James Robert Wright Samuel
H Simons Lovesay M Roberts Ryland J Pierce
Darius King Eli B Johnson William
H Holland Robert M Griffin, Matthew
Gardner, Caro D Butler and Rufus
L Bain, constituting the jury for
the trial of the presoner were
sworn the truth of and upon
the premises to speak and
having heard the evidence re-
tired to their room to consult

of a verdict and after sometime returned into court with the following verdict, "We the jury find the prisoner guilty as charged in the indictment and fix his term of confinement in the penitentiary at two years" and thereupon it being demanded of the prisoner if any thing for himself he had or knew to say why the court should not now proceed to pronounce judgement against him according to law, and nothing being offered or alleged in delay of judgement, it is considered by the court that the said Charles Speeler be imprisoned in the penitentiary of this commonwealth for the term of two years the period by the jurors in their verdict ascertained. And it is ordered that the sheriff of this county as soon as possible after the adjournment of this court do remove and safely convey the said Charles Speeler from the said jail of this county to said penitentiary, therein to be kept imprisoned and treated in the manner directed by law for the term aforesaid. And the prisoner is remanded to jail.

Charles Speller
Tenth Edition

"Ex. B."

A Copy
Teste:

R R Smith Clerk
By A. J. Gomer D.C.

Dec 754

To the Honorable Robert R.
Prentiss, Judge of the Circuit
Court of Wauseanund County;

Humbly Complaining sheweth
unto the Court ^{grace oratory}
^{who says by ~~not~~ her next friend John Rawles}
Jane R. Spellor, the following
case:-

That in the year 1891, on the
28th day of July, she was mar-
ried in Wauseanund County
to Charles Spellor, the ceremony
being performed by the Rev. C. W.
Sawyer a person duly authorized
to solemnize the rites of
marriage, all of which appear
by a copy of the Marriage li-
cense herewith filed marked
Exhibit "A" and prayed
to be taken as a part of
this bill: that since that
time she has been to her said
husband a constant faithful
and dutiful wife: that she
is a resident of Wauseanund
County and has been since the
marriage: that she and
her said husband last cohab-
ited in said County: and

She further says that since the
said marriage, to wit, on the
15th day of January 1895 her
said husband Charles Speller
was indicted, tried, convicted
and sentenced to the peniten-
tary in this state for a
felony by him committed
and that he is now in the
said penitentiary serving the
said sentence, all of which
may fully appear by a copy
of the records of the County Court
of Nassau County in which
he was sentenced, herewith filed
marked Exhibit "B." and
prayed to be taken as a
part of this bill; that since
his said sentence she has
not cohabited with her said
husband.

In tender consideration whereof
and premises and your or-
ating is without remedy save
by the aid of a court of equity
where matters of this kind are
alone and properly cognizable
cognizable, your orating pray

that the said Charles Speller
may be made a party de-
fendant to this, his said
requisite to answer the same
tho' on answer under oath
is waived; that proper process
may issue; and that your
complaint may be entirely ^{disregarded} from
the said Charles Speller and
the marriage heretofore en-
tered into between them, be
wholly and entirely dissolved
and for all such other further
and general relief on the case
may require or to equity may
seem meet and your or-
dinary will ever pray &c.

Jane R. Speller
By Counsel.

Virginia;

Waukesha County to wit:-

J. R. Hawley, a Notary
Public for the County aforesaid
in the State of Virginia do certify
that Jane R. Speller whose
name is signed to the above
bill has this day appeared before
me in my said County and
made oath that all the facts

stated in the said bill are true.
Given under my hand this
1st day of May 1896,
R. H. Rawls N.D.

Bill.

Jane R Speller
vs In Chancery
Charles Speller

- 1896 ~~Feb~~ Feb 27th. Process issued returnable
February Rules third Monday.
- " Feb, 17th. Process returned executed on deft
Bill filed with two exhibits and
decree nisi vs said defendant
- " March 2, Decree nisi Confirmed and Cause set
for hearing.

Speller
R. Chaucy Notes
Speller

MARRIAGE LICENSE



Virginia, *Nansemond 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,

Charles Speer
and *Jane R. Goodman*

Given under my hand, as Clerk of the *County* Court
of *Nansemond* this *27th* day of *July* 189*1*
R. R. Smith Clerk.

CERTIFICATE TO OBTAIN A MARRIAGE LICENSE,
TO BE ANNEXED TO THE LICENSE, REQUIRED BY SECTION 2229 OF THE CODE OF VIRGINIA.

Time of Marriage, *30th July 1891*
Place of Marriage, *Nansemond Co.*
Full Names of Parties Married, *Charles Speer*
and Jane R. Goodman
Color, *Colored*
Age of Husband, *24 years*
Age of Wife, *19 years*
Condition of Husband (widowed or single), *single*
Condition of Wife (widowed or single), *single*

Place of Husband's Birth, *Muflesboro N.C.*
Place of Wife's Birth, *Gates Co. N.C.*
Place of Husband's Residence, *Nansemond Co.*
Place of Wife's Residence, *Nansemond Co.*
Names of Husband's Parents, *Order Speer*
and Sarah (his wife)
Names of Wife's Parents, *Granville Goodman*
and Gladis (his wife)
Occupation of Husband, *Farmer*

Given under my hand this *27th* day of *July* 189*1*
R. R. Smith Clerk.
R. R.

MINISTER'S RETURN OF MARRIAGE.

I Certify, That on the *28* day of *July* 189*1*
at *Parramatta* I united in Marriage the
above-named and described parties, under authority of the annexed License.

W. W. Sawyer

The Minister celebrating a marriage, is required, within TEN days 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, teste. *A. G. Gomer D.C.*

" ¹¹⁸ Ex A "

Charles Speer
with } Certificate
 20
 } Marriage

Jane R. Goodman
~~~~~

1891

July 27th

Fee 50¢