

1897-010
Nansemond Co (Suffolk) Chancery Causes: Maria Louisa King by etc vs Cephus King

Wright, Spivey

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *Cephus King*

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~~ ^{third} Monday in *March* next, to answer

a Bill in Chancery, exhibited against *him*
in the said Court by *Maria Louisa the*

wife of *Cephus King* whoes sues
by *G. C. Wright* her next friend

and have then and there this summons.

A. P. Gomer
Witness, *PETER B. PRENTIS*, Clerk of our said Court, at his office, this *11th* day of
March 1890, in the 11^{4th} year of the Commonwealth.

Teste:

A. P. Gomer

Clerk.

Executed this 12th day of March 1890. by
delivering a true copy of this process to the
within named Cephus King, in person.

Wmth Howell Steff

Merritt Briggs Esq.

Mariadonus King

W. Summons

Cephus King

March Rules

3d Monday.

Subpoena duces.

Mich. 11- 1890

To the Clerk of the Circuit Court for the
County of Hammond

Maria Louisa the wife of Cephus King
who dies by G. B. Wright her next

friend

Plaintiff

Against

Cephus King

Def.

Term returns in chancery to March Rules
(3rd Monday)

Miner Briggs

P. 2.

Came to hand Mar 11th. 1890
Pay \$1.50 for by M Briggs

W. S. Knapp ^{at home}
Chy

Memorandums

1897
Apr.
7th

Maria Louisa King

Through against her next friend

vs.

Stephen King

This cause came on
this day to be heard on the bill and
deposition of witnesses and was argued by
counsel. On consideration whereof the
court doth adjudge, order and decree, that
the marriage heretofore had and solemnized
between the Plaintiff Maria Louisa King
and the Defendant Stephen King shall be
and the same is hereby dissolved, and
that the said Maria Louisa King be forever
divorced from the said Stephen King. And the
court doth further adjudge order and
decree that the said Stephen King do pay
unto the Plaintiff her costs expended in
the prosecution of this suit.

The depositions of Walter Spivey and others taken before me W. H. Stevens a Notary Public in and for the county of Nansemond in the State of Virginia pursuant to notice hereto annexed, at the Office of Merritt Briggs in the town of Suffolk Va, on the 26th day of March 1890 between the hours of ten o'clock A.M. and three o'clock P.M. of that day, to be read as evidence on behalf of Maria Louisa King who sues through G. C. Wright her next friend, in a certain suit in equity depending in the Circuit Court for the County of Nansemond, wherein Maria Louisa King through G. C. Wright her next friend is plaintiff and Cephas King is the defendant

Present

Merritt Briggs Counsel for plaintiff, and Cephas King the defendant

Walter Spivey being duly sworn on the Holy Evangelists of Almighty God deposeseth and saith as follows

1. Q

State your name, age, residence, occupation and whether you know the parties to this suit

A Walter Speiry, 22 years of age, lived in Suffolk for the last twelve months, saw-milling, and I do know the parties to this suit

2. Ques Where have you been boarding for the last six months?

A I have been boarding with Mrs Maria Louisa King the wife of Mr. Cephus King ever since the 14. of November 1889

3 Ques Have you had an opportunity of knowing how Cephus King treated his wife, if so state all you in this connection

A He didn't treat her as a man should treat his wife, ~~the first of my knowledge~~ he was rough and rude in his manner towards her

4 Ques Have you ever heard Mr. King say that he had committed adultery with other women

A I have

5 Ques Has he ever invited you to go to Norfolk and go into a bawdy house with him

A Yes several times

6 Ques

In this suit it is alleged that on the 28 day of Feb'y 1890 Ephas King committed adultery with one Fanny Bobbitt, state all you know about this matter?

A

I heard him make the bargain with her, he offered her fifty cents, saying that that was about all he thought it was worth, that he was not getting much ^{I mean that he was not getting much more money than that as wages and such that he consented and he} got in bed with her

7 Ques

Who was this Fanny Bobbitt, and where did this occurrence take place?

A

She was Mrs. King's cook, and it occurred in Mrs King's boarding house, where I boarded

8 Ques

Was Mrs King at home at the time?

A

No she was not in the house, she had gone up town on business

9 Ques

About what time did this occurrence take place?

A

About 9 o'clock in the morning
and further this deponent saith not
willed & given

State of Virginia }
County of Hanseimond } to wit:

I. W. W. Stevens a Notary Public for
the County aforesaid, in the said
State. do hereby certify, that the fore-
going depositions were duly taken,
sworn to and subscribed before me,
at the time and place mentioned
therein

Given under my hand this 26th
day of March 1890

W. W. Stevens
N. P.

Suppose v. a.

Mch. 14. 1890

To Gephias King

Take notice, That I shall,
on Wednesday the 26. day of March, ¹⁸⁹⁰ at the office
of Minnie Briggs in Suppose v. a. between the hours
of 10 a.m. and 3 P.M. of that day proceed to
take the depositions of Walter Spivey and others,
to be read as evidence in my behalf in a
certain Bill in equity depending in the Circuit
court for the County of Lawrence, wherein
I, through G. C. Wright next friend am Plaintiff
and you are the defendant, and if from any
cause, the taking of 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
Maria Louisa King
Through G. C. Wright her
next friend

I have served a copy of this notice upon the
within named Cephus King in person.
March 14th 1890.

Wm^l H. Howell Shff-

Maria Lenisa King
vs In Chancery
Cephus King

It appearing that there has been no
order or proceeding for five years in this cause
it is ordered that it be stricken from the
docket with leave to re-instate with good
Cause within one year from this date.

Maria Louisa King
W. In Chancery
Cephus King

To be entered April
16th 1897

Robert J. Prentiss
Entered in
Chancery
DB 3 Page 81

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

Cephas King
and *Maria L. Wright*

Given under my hand, as Clerk of the County Court of said County, this *1st* day of *October*, 1875.

Peter B. Prentiss Clerk.

CERTIFICATE TO OBTAIN A MARRIAGE LICENSE.

To be annexed to the License, required by Acts passed 15th March, 1861, and February 27th, 1866.

Time of Marriage, *1875. October 10th*
Place of Marriage, *Nansemond County Va.*
Full Names of Parties Married, *Cephas King and Maria L. Wright*
Color, *White*
Age of Husband, *24 years*
Age of Wife, *20 years*
Condition of Husband (widowed or single), *Single*
Condition of Wife (widowed or single), *Single*
Place of Husband's Birth, *Nansemond Co. Va.*
Place of Wife's Birth, *Ditto*
Place of Husband's Residence, *"*
Place of Wife's Residence, *"*
Names of Husband's Parents, *Edwin J. King & Angelina his wife*
Names of Wife's Parents, *David P. Wright & Elizabeth his wife*
Occupation of Husband, *Farmer*
Given under my hand this *1st* day of *October* 1875

Peter B. Prentiss Clerk.

MINISTER'S RETURN OF MARRIAGE.

I CERTIFY, that on the *10th* day of *October*, 1875
at *Nansemond County. Va.* I united in Marriage the above named
and described parties, under authority of the annexed License. *W. R. Wellons.*

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;

R. R. Smith Sec

59.

Cephas King
With } Certif. of
Marriage
Maria L. Wight.

1875

Octo. 10

Hon. C. W. Hill.

Judge of the Circuit Court of Nansemond County

Maria Louisa the wife of

Cephus King who sues by G. C. Wright her next friend, complain

ing sheweth unto the Court. That she was married to the

said Cephus King on the 10th. day of October 1875 and is now
~~th~~

thirty-four years of age. During all that time she has been

unto her said husband a faithful and dutiful wife and has

borne unto him two children; to-wit; Celestus C. King age 11

Mary V. King age 8 years. Your oratrix does not pretend that

during her married life she has been wholly faultless, or that

she is free from the common infirmities of human nature, but

she does aver and charge that she has never given to her hus-

band provocation to bad treatment, or that except when driven

to exasperation by his cruel and relentless conduct she has

been other than a loving obedient and gentle wife. She does not pretend that her love for him which was once so strong, has survived the course abuse, the cold neglect, the public mortification and suffering which her husband has inflicted upon her. Your oratrix does aver on the other hand that for years her said husband has been unkind abusive and violent to her at times. Your oratrix farther charges and avers that her said husband has been on intimate and criminal terms lately with one Fanny Babbitt who was in the employment of your oratrix as a cook. That on the 28th. day of February 1890 he your oratrix said husband invited her the said Fanny Bobbitt in his bed chamber while your oratrix was absent from home and then and there committed adultery with her. Since which time your oratrix has not cohabited with her said husband Cephus King.

1

In tender consideration whereof and for as much as your
oratrix is remidiless save in a court of Equity, she prays that
the said Cephus King may be made a defendant to this bill and
be required to answer the same (answer under oath is hereby
waived). That he be restrained and enjoined from interfering
with or in any way molesting your oratrix; that your oratrix
may be divorced from the said Cephus King (a vinculo matrimonii),
^{and that said marriage may be dissolved}
and that all such other, further and general relief
may be afforded to your oratrix as may be just and right in
the premises. And your oratrix will ever pray &c.

Maria Louisa King

Munt Briggs p.q.

State of Virginia,

County of Nansemond to-wit:

This day personally appeared before me the undersigned a Notary Public for the County of Nansemond in the State of Virginia, the above named Maria Louisa King plaintiff in the foregoing bill, and made oath that she beleives the ~~sa~~atement therein contained to be true.

Given under my hand this 5th. day of March 1890.

R. H. Rawles

Notary Public

Maria Louisa King
pr G. C. Wright her
next friend
vs
Cephus King

In Chancery

1890. March 11th. Process issued in Chancery to
March Rules 3rd Monday.

1890. " 17th (3rd Monday) Process returned executed
on the defendant and
Bill filed ~~with a copy of the~~
~~License~~.

Decree nisi vs. defendant
and Cause set for hearing

Maria Louisa King
vs.
Leopoldus King
Chancery Notes

incomplete