1905-003
Nansemond Co (Suffolk) Chancery Causes: Albert Lee vs Mariah Lee

Jackson, Saunders, Gray, Hall, Claiborne, Perham
Hines

OVERSIZE
Box 4
- 1 marriage license

E E Holland Atty

1905

To R. R. SMITH, County Clerk of Nansemond County, Dr.

~~Tax and Recording~~ Fee for Copy of Decree $

in the Case of Albert Lee by

June 27th Monah Lee ,50

Clerk.

E & E Holland Pltfs.

TO THE CLERK OF THE CIRCUIT COURT OF NANSEMOND COUNTY:

1st. ALBERT LEE v MARIAH LEE

Issue summons in chancery returnable to rules on first Monday in June, 1905.

Pay $1.50

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Mariah Lee

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 June 1905, to answer a Bill in Chancery, exhibited against her in the said Court by Albert Lee

and have then and there this summons.

Witness, R. R. SMITH, Clerk of our said Court, at his office, this 16th day of May, 1905, in the 129th year of the Commonwealth.

A copy— Teste:

_____, CLERK.

Teste:

A. D. Gomer D. C., CLERK.

Teste: Tho. Lee D.C.
a true Copy of the writing
in Person.

Teste: Tho. Lee D.C.
a true Copy of the writing
in Person.

E E Holland p. q.

Albert Lee

vs. | In Chancery.

Mariah Lee

1905

June Rules.

First Monday.

Nansemond Circuit Court

Process Book No. 2

Page 268

to Monah Lee

Take notice that I shall on 7th ~~the~~ day of July, 1905, at the office of E.E. Holland, in Suffolk, Virginia, before a Commissioner in Chancery of the Circuit Court of Nansemond County, between the hours of 8 O'clock A.M. and 8 o'clock P.M. proceed to take the depositions of Adolphus Saunders and others to be read as evidence in my behalf in a suit in equity now pending in the said court wherein you are defendant and I am plaintiff; and if for any reason, the aforesaid be not taken on that day, or if commenced be not concluded, the taking of the same will be adjourned from day to day at the same place and between the same hours until concluded.

E. E. Holland N.P.

Albert Lee
By Counsel

Marion Lee not being found at her usual place of abod, and finding no one there upon whom to execute service, I tacked a true copy of the within process upon the front-door of her dwelling house

J. D. Berry Deputy
For A. H. Baker Shff

The depositions of Adolphus Saunders and others taken before me, Wilbur J. Kilby, a Commissioner in Chancery ~~for~~ of the Circuit Court ~~of~~ for Nansemond County, at the office of E. E. Holland, Suffolk, Virginia, on the 7th day of July, 1905, between the hours of eight A. M. and eight P. M., pursuant to notice hereto attached, to be read as evidence on behalf of the Plaintiff, Albert Lee, ~~to~~ in a certain suit in equity depending in said court, wherein the said Albert Lee is Plaintiff, and Maria Lee is Defendant.

Present E. E. Holland, Atty. for Plaintiff.
The Defendant did not appear either in person or by Counsel.

Adolphus Saunders, being duly sworn, deposes and says as fol=
lows:

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

Adolphus Saun=ders, about forty-five years of age, live in Nansemond County, am a farmer and know the parties to this suit.

How long have you known the parties?

Ans. Known Mariah all my life. Known Albert eighteen or twen=ty years.

Are Albert and Mariah living together now?

No, not now.

How long sin e they lived together?

About four or fi ve years ago.

Where is Albert now living?

On my farm. This year will make two years he has been on my place.

Has Mariah lived with him since he has been on your place?

No sir.

Did Mariah leave Albert or Albert Mariah?

I r=ckon she did. She went away. She left him after she left my house.

Where did Mariah go after she left him?

She worked with Luke Rogers. I saw her over there all the time after she left Albert.

Is Luke Rogers a colored man?

Yes, sir.

Where was Albert living when she left him?

He was living on the Sam Roney place.

She told me she left Albert then.

Have they lived together since?

No sir.

Saunders

Is Albert a hard-working colored man?

Yes, sir, he works well for me. I have had him two years and he works well.

Did Albert, so far as you know, give, Mariah any cause to leave him?

None in the world that I know of. He fed her well while they were on my farm. I reckon he gave her about as much as other men could do.

Was Albert living on a rented place when she left him?

Yes, sir. He had a home there when she left him.

Sate anything else you may know ?

The last year she was at my house she went to Luke Rogers off and on all the time. She stayed over there about half the time. I reckon she stayed there about half the nights. She would stay at Albert's a night or two and then go to Luke's and stay a night or two.

And further this deponent saith not.

his
Adolphus X Saunders
mark

Witness:
Wilbur J. Kilby. Coms.

F.N.Gray, being duly, sworn deposes and says as follows:

Ist. State your name, age residence, occupation, and if you know the parties to this suit?

Ans. F.N.Gray, 57 years old, Nansemond County, Virginia, know the parties to this suit, and am a farmer. They formerly lived on my land.

How long have you known the parties?

Ans. About fifteen years.

Where is plaintiff now living?

Ans. On the lands of Adolphus Saunders.

Where is the defendant now living?

Ans. I think she is living on the lands of Luke Rogers.

Are these parties now living together? No.

Do you ~~Are you~~ know when they separated?

Ans. Not exactly, but they have not lived together for several years.

State, if you know, why they separated?

And. I do not know exactly. When they lived on my place, Luke Rogers frequently came over to see her. She ~~She~~ is now living on Luke's land, and I really think he was the cause of the separation. I know of no other reason for it.

Didn't plaintiff while working for you and near you seem to provide for his family?

Ans. Yes, so far I could see.

And further this d-eponent saith not.

F. N. Gray

Chas.Hall,being duly sworn,deposes and says as follows:
Ist.Q.What is your name,age residence,occupation,and do you know the parties to this suit?
Ans.Chas.Hall,forty-nine years of age,live in Nansemond county,am a farmer and know the parties to this suit?
2nd.Q.How long have you known the parties?
Ans.I have known them for ten or fifteen years.
Where is plaintiff now living,and where is defendant now living?
Ans.Albert lives with mr.Dol.Saunders.Mariah is now living on Luke Rogers' place.
Where did they last live together?
On the Mary Roney place about five years ago.
Have they lived together since?
Ans.Not that I know of.They separated there.
Did you live on the same place with them for one year?
Ans.I did.
Did defendant stay at home?
Ans.She stayed at night.
How did plaintiff treat her?
Ans.All right.
Who visited there regularly and would frequently take her away from home?
Ans.Ido not know.

Where did she go when she left Albert?
Ans.When she moved from Albert's she went to Mary Eliza Butler's place.
Where has she been since?
She lives on a place that belongs to Luke Rogers.
How long has she been living there?
She has been there all of two years.

How long have they lived apart?

Ans. They have been living apart some four or five years, at least four years.

Do you know and under-r what circumstances she left him?

Ans. No sir, I do not.

Who moved her away?

Ans. I do not know.

Did Albert give her any cause to leave him?

None that I k-now of. He treated her the best he could.

Did she leave him?

Ans. She left the house where she and Albert were living together. He stayed there.

Since they left each other have they ever lived together since?

Ans. No sir.

State anything else you may know about this matter?

I do not know anything else.

And further this d-eponent saith not.

his
Charles X Hall
mark

Witness:
Wilbur J. Kilby. Conn.

John Claiborne, being duly sworn, deposes and says as follows:

Ist.Q.State your name, age, residence, occupation and do you know the parties to this suit.

Ans.John Claiborne, forty-six years old, live in Nansemond, am a farmer and know the parties to this suit.

2nd.Q.How long have you known the parties?

Ans.About five or six years.

3rd.Q.Are they living together now?

Ans.No sir.

About how long since they lived together?

They have not lived together in over four years.

Where is Albert now living?

At Mr.Dol Saunders.Albert has been living in this county all the time.

Where is Mariah now living?

She is living at Luke Rogers'.

Where were they living when Mariah Left him?

Living on Sam.Roney's place.

Why do you say that she left him?

She left his home and moved away.

Who moved her?

Luke Rogers' team moved her.I think Rogers' girls.

Have they lived together so far as you know since then?

No sir.

Do you live close to them and would you have known it if they had lived together again?

I live close to them, about a mile away.I would have known it.

Did Albert have a place to keep her when she left him?

Ans. He had a place to keep her.He had rented a house and home.He was farming ~~[illegible]~~.She left him in the fall of the year.

1 Claiborne 1

Did Albert, so far as you know, give her any cause to leave him?

He certainly did not.

Did Albert, so far as you know, provide for her as a man in his position would have to do?

He certainly did.

Then so so far as you know he took the best care of her he could and treated her as well as he could?

Yes, sir, he did that. I used to go there right often.

Was she frequently at Luke Rogers?

I could not tell you. I know she was not at home.

How did Mariah conduct herself when they lived together?

Ans. I could not tell. Lee was most always by himself.

Why was he most always by himself?

Before she left him she would most always be gone.

And further this deponent saith not.

John his x Claiborne mark

Witness:
Wilbur J. Kilby

Parham 1

Alice Parham, being duly sworn, deposes as follows:-

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

Alice Parham, am ~~about~~ about twenty-five years old, live in Nansemond county, and am the wife of Chas. Parham a farmer, and I know the parties to this suit?

How long have you known the parties to this suit?

Ans. About twelve years.

Are they now living together?

Ans. No sir.

Where does Mariah now live?

They tell me she is living on Luke Rogers' land.

Where were they living when Mariah abandoned him?

Ans. They were living on the Roney farm.

Was Albert farming?

Yes, sir.

Did Mariah leave his home?

Yes, sir.

Where did she go?

She left him and moved over to the Butler place, I think.

Did Albert stay at his place?

Yes, sir.

Have they lived together since, so far as you know?

No, sir, I have not known ~~they~~ them to stay together since.

How far did you live from them?

About a half mile, I reckon.

Did you see them often before they separated?

Yes, sir.

So far as you know did Mariah have any cause to leave him?

None that I know of.

So far as you know did Albert provide her the best he could?

It seemed so, just as good as a farm man could do.

Parham 1

When did she leave him?

At least three years ago, probably longer.

When Mariah claimed to stay with Albert was she away right much of the time?

Yes sir, she was.

Have both of them lived in this county all the time?

Ans. Yes sir.

State anything else you may know about it.

I washed for him when his wife was claiming to live with him.

Do you know where the parties now live?

Yes, I live within less than two miles of them.

If they had lived together since would you have known it?

No sir, they have not lived together. I have not seen them together. I would have known it.

And further this deponent saith not.

her
Alice X Parham
mark

Witness:
Wilbur J. Kilby. Comr.

Chas.Parham being duly sworn d-eposes and says as follows:
State your name ,age,residence,occupation,and do you know the parties to this suit?
Chas.Parham,live in Nansemond County,thirty some years old, am a farmer and know the parties to this suit.
How long have you known the parties to this suit?
Ans.Some twelve years or more.
~~XXXXXXX~~ .Are they living together now?
No sir.
How long have they been apart?
Between four and five years.
Did Mariah leave Albert's home and go away?
Yes sir.
Where did she go?
Over to Mary Eliza Butler's place.
Did he,so far as you know, give her any cause to leave him?
Ans.None that I know of.
Did he provide for her the best he could?
Ans.He surely did.
How far did you live from them?
About a half mile from them.
Did you see them often?
Yes,sir.
Did Mariah stay at home before she left Albert, or was she away right ~~much~~ much of the time?
I never saw her at work in the field for Albert,and he was farming.I worked over there on same place.She was not at home.I understood she was frequently at Like Rogers'.
State anyhing else you may know about it?
Albert asked me to let my wife do some washing for him.He said his wife was at Luke's
Have they lived together since so far as you know?

Ans.No sir, they have not.

Would you have known it if they had lived together?

Yes, sir, I have been right in the neighborhood with them all the time.

Who moved her away from Albert's?

I do not know. I know that Luke Rogers' carts moved her away.

And further this deponent saith not.

his
Charles X Parham
mark

Witness:
Wilbur J. Kilby. Comr.

the Plaintiff.
Albert Lee, being duly sworn, deposes and says as follows:

State your name, residence, occupation, and do you know the parties to this suit?

Albert Lee, live in Nansemond County, am forty-nine years old am a laborer, and am the plaintiff in this suit.

When did you and Mariah last live together?

Four years and six months ago.

Did she leave you or did you leave her?

She left me.

Where were you living when she left you?

At Mary Roney's place.

Why did she leave you?

She left me on her own account.

What cause did you ~~to~~ give her to leave ~~her?~~ you?

None on earth.

Did you provide her with a home and sufficient clothing?

Yes, sir, she had all a poor man could afford.

Were you kind to her, and did you quarrel with her and abuse her?

I never abused her-we might sometimes have quarreled a little-but I was kind to her and did the best I could for her.

Have you lived with her since she left you?

No sir. I have had nothing to do with her. I have ~~spoken~~ spoken to her, but nothing more.

Have you and she lived in the county ever since?

Yes, sir.

Have you asked her why she did not return to you?

She has frequently said that she would not return and that she did not want me-and would not come back to me.

Did she stay with Luke Rogers much while she was living at your house?

She went away. They said she was there. I saw her there.

State anything else you may know about this case?
She did not work for me.She did not ~~stay~~ stay with me more than two or three nights in the week before she left me.Some ~~times~~ times she would not come back more than one night during the week. She was over at Luke Rogers' place.She was not related to Luke Rogers.I got some one else to do part of my washing.Some - times she would wash for me and sometimes she would not.
Did she help you work on the farm?
No sir.,but she did work for Luke Rogers.
And further this deponent saith not.

his
Albert X Lee
mark

Witness:
Wilbur J. Kilby. Coun.

1 1

STATE OF VIRGINIA, }
COUNTY OF NANSEMOND, } To-wit:

I, Wilbur J. Kilby, a Commissioner in Chancery ~~of~~ for the Circuit Court ~~for~~ of Nansemond County, in the State of Virginia, do certify that the foregoing depositions of Adolphus Saunders, F. A. Gray and others were duly taken, subscribed, and sworn to, before me at the office of E. E. Holland, in Suffolk, Virginia, on the 7th day of July, 1905, between the hours of eight A. M. and eight P. M. and for the purpose mentioned in the caption thereto.

Given under my hand this the 7th day of July, 1905.

Wilbur J. Kilby
Commissioner in Chancery.

Fee of Comr. $5.00 paid W. J. Kilby, Comr.

Albert Lee

vs. } In Chy.

Mariah Lee

Depositions taken
7th. July 1905 to be read
as evidence in behalf
of the Complainant

IN THE CIRCUIT COURT OF NANSEMOND COUNTY:

ALBERT LEE

v.

MARIA LEE.

This cause came on this day to be heard on the bill, on whom process has been duly served, the defendant failing to appear, plead, answer or demur there to, the depositions of witnesses with exhibits filed, and was argued by counsel.

On consideration whereof, the court being of opinion, from the evidence in the cause, that the defendant has willfully abandoned and deserted the plaintiff for more than three years before the commencement of this suit, that the plaintiff is now a resident of the County of Nansemond and was such for upwards of one year next preceeding the commencement of this suit, and that the said Plaintiff and defendant last lived together in the County of Nansemond, the court doth adjudge, order and decree that the marriage heretofore had and solemnized between the plaintiff, Albert Lee, and the defendant, Maria Lee, formerly Maria Hines, shall be and the same is hereby dissolved, and that the said Albert Lee be forever divorced from the said Maria Lee.

And the court doth further adjudge, order and decree that the plaintiff recover of the defendant the costs by him in this suit expended, and nothing further remaining to be done in this cause it is ordered that the same be stricken from the docket.

Enter July 10, 1905

Robert R. Reeves

Entered in Chy. Order
Book No. 3. Page 671.

TO THE HONORABLE ROBERT R. PRENTIS, JUDGE OF THE CIRCUIT COURT OF NANSEMOND COUNTY.

Your Complainant, Albert Lee, respectfully shows unto the court the following case:

That on the 5th day of March, in the year 1886, he was united in marriage to Mariah Lee, as will appear from a copy of the said marriage license and certificate of marriage herewith filed, marked Exhibit"A" and prayed to be taken as a part of this bill; that after said marriage he was, at all times, a constant, faithful and dutiful husband and did all in his power to make her life a happy one and to give her no cause of complaint against him; that for a number of years he and his said wife lived together happily in the County of Nansemond, but that about five years ago his said wife, without any cause, excuse or justification, willfully abandoned him and deserted him and left his home; that since the time when she abandoned and deserted him she has never since returned to live with him, and it seems impossible to bring about any reconcilication with her; that your Complainant and his said wife last lived together in the County of Nansemond; and that both of said parties are now and have, ever since the said marriage, lived in said County.

Your Complainant alleges that his said wife, without any cause or excuse, willfully abandoned and deserted him for a period of upwards of three years next preceeding the commencement of this suit, and that he is entitled to be divorced from her.

In tender consideration whereof, and for as much as your Complainant is remediless in the premises, save by the aid of a court of equity where such matters are alone and properly cognizable, your Complainant prays that the said Mariah Lee may be made a party defendant to this cause and required to answer this bill, though an answer under oath is hereby waived; that proper process may issue; that all

proper depositions may be taken, and that a divorce a vinculo matrimonii may be granted your Complainant from his said wife, Mariah Lee, and that the marriage contract heretofore existing between them may be wholly annulled and set aside; and that all such other, farther and general relief may be granted your Complainants as the nature of his case may require or to equity may seem meet. And your Complainant will ever pray, etc.

Albert his X mark Lee

E. E. Howard

Witness J. T. Lee

VIRGINIA, NANSEMOND COUNTY, To-wit:

I, J. T. Lee a Notary Public, for the County aforesaid, in the State of Virginia, do certify that Albert Lee, whose name is signed to the above bill, has this day personally appeared before me, in my County aforesaid, and being by me duly sworn has made oath that all the statements contained in the above bill are true.

Given under my hand this 3rd day of June 1905.

My term of office expires the 19th day of May, 1909.

J. T. Lee N.P.

Albert Lee
vs- Dec'd
Mariah Lee

Albert Lee
vs. In Chancery
Mariah Lee

1905 May 16th. Process issued returnable to June Rules First Monday

" June 5th. Process returned executed and Decree Nisi against defendant.

" " 19th Decree Nisi confirmed and cause set for hearing.

Chancery Notes

E E Holland hg.

Albert Lee

vs

In Chancery

Mariah Lee

1905

July 10th

Final Decree

Costs

Clerk	$3.65
Tax	1.50
Shff	1.00
Comr	5.00
Atty	15.00
	$26.15

A. P. A.—15

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 denomization, and the laws of the Commonwealth of Virginia,

Albert Lee

and Maria Hines

Given under my hand, as Clerk of the County Court of said County this 5th day of April ~~1~~ 1884

Clerk.

CERTIFICATE TO OBTAIN A MARRIAGE LICENSE,

TO BE ANNEXED TO THE LICENSE, REQUIRED BY ~~SECTION 2020 OF THE CODE OF VIRGINIA, AS AMENDED BY ACT OF FEBRUARY 6 1880~~ acts passed 13th March 1861 and February 27th, 1866.

Time of Marriage, 188~~4~~ April 5th

Place of Marriage, Suffolk

Full Names of Parties Married, Albert Lee and Maria Hines

Color, Colored

Age of Husband, 28 years

Age of Wife, 27 years

Condition of Husband (widowed or single ~~or divorced~~) Single

Condition of Wife (widowed or single ~~or divorced~~) Widowed

Place of Husband's Birth, Sussex County, Va.

Place of Wife's Birth, Nansemond County Va.

Place of Husband's Residence, Nansemond County

Place of Wife's Residence, Nansemond County Va.

Names of Husband's Parents, Ruffin Lee & Sarah Jackson

Names of Wife's Parents, ~~&~~ Wroaning Gary

Occupation of Husband, Farmer

Given under my hand this 5th day of April ~~1~~ 188

Peter B. Prentis Clerk.

Minister's Return of Marriage.

~~Certificate of Time and Place of Marriage.~~

I, _____, a _____ ~~of the~~ _____ ~~Church, or religious order of that persuasion, do~~ certify that on the 5th day of April, 1884 ~~1~~, at Suffolk Va., ~~under authority of the above License~~, I united in Marriage the above ~~persons~~ named and described ~~therein~~ parties, under ~~authority of the annexed License~~ ~~Given under my hand this~~ _____ day of _____ ~~1~~.

W. M. Reid, Minister

☞ The Minister celebrating a marriage is required, within ~~two months~~ 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: H. E. Gomey D. C

62

Albert Lee

With } Certificate of
Marriage
Marcia Hunter.

1884.
April 5th.

A Copy.

9.98 504