1908-032
Nansemond Co (Suffolk) Chancery Causes: Rufus H. Willie vs Mollie Willie

Faulk, Atkins, Helms, Nichols, Brinkley

To The Clerk of The Circuit Court of Nansemond county:

Rufus W. Willie.....Complainant,

Against In Chancery.

Mollie Willie.....Defendant.

Issue summons to Third Monday(Second Rules) in September, 1908.

H. C. Parker

----------p. q.

Memorandum

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON Mollie Willis

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 Third Monday in September 1908, to answer a Bill in Chancery, exhibited against her in the said Court by Rufus A Willis

And have then and there this summons.

Witness, R. R. SMITH, Clerk of our said Court, at his office, this 7th day of September, 1908, in the 133rd year of the Commonwealth.

A copy—Teste:

_____, CLERK.

Teste: R R Smith, CLERK.

By A C Gomey D.C

S E Everett, p. q.

Rufus Mellie

vs. } In Chancery.

Mollie Mellie

1908

September Rules.

Third Monday.

Nansemond Circuit Court.

Process Book No. 3

Page 58

Executed by delivering a true copy of the within process with endorsements thereon to Mollie Mellie in the City of Suffolk in the County of Nansemond on the 3 day of September 1908.

Teste

[illegible]

To Mollie Willie:

Take notice that on the 8th day of October, 1908, at the office of S. E. Everett, in Suffolk, Virginia, between the hours of 9 A. M. and 6 P. M., of that day, I shall proceed to take the depositions of John B. Norfleet, J. L. Atkins, W. E. Brinkley, R. Williamson, R. W. Nelms, John Hatcher, Policeman Hobbs, R. H. Williamson, and others, to be read in evidence in my behalf, in a certain suit in equity depending in the Circuit Court of Nansemond County, wherein I am complainant and you are defendant; and if from any cause the taking of the said depositions be not commenced, or if commenced, be not concluded, on that day, the taking thereof will be adjourned from day to day, at the same place, and between the same hours, until the same shall be completed.

Given under my hand this 5th day of September, 1908.

Reuben H Willie

Executed this the with in notice 16th day of Sept 1908 by delivering a true copy thereof to Mollie Willie in person with in my County

A W Walker
Sheriff

2F
2497
1187
1307

The depositions of J.L. Atkins and others, taken before me, Bradford Kilby, a Commissioner in Chancery for the Circuit Court of Nansemond County in the State of Virginia, pursuant to notice hereto annexed, at the office of S.E. Everett, in Suffolk, Va. on the 8th. day of October 1908, between the hours of 10 A.M. and 6 P.M. to be read as evidence on behalf of Rufus Willie in a certain suit in Equity depending in the Circuit Court of Nansemond County of Virginia, wherein Mollie Willie is defendant and Rufus Willie is Complainant.

Present:

S.E. Everett, Attorney for the Complainat.

Mollie Willie, the Defendant, in person.

J. L. Atkins being duly sworn deposes as follows:

Q. Give your name, age, residence and occupation.

A. J. L. Atkins, 45 years old, Nansemond County, farmer.

Q. Do you know Rufus Willie and Mollie Willie?

A. I do.

Q. How long have you been knowing them?

A. About two years.

Q. Did you ever have charge of a farm that they lived on?

A. I did.

Q. Do you know the reputation of both of these people in the community where they lived?

A. No further than when I was around over there on the farm, and it seemed to be pretty bad.

Q. When you say the reputation of both pretty bad, in what way do you mean?

A. Bad about fussing and quarreling.

Q. Then whe you were one the farm they were continually fussing were they?

A. Yes when they were anywhere close together they were fussing.

Q. Do you know whether they roomed together or not?

A. I do not know that.

Q. Did you ever see Rufus Willie start a fuss with her or would she be the one to start it.

A. I could not answer that, because I do not know.

Q. Then you could not say from what you knew of them which one was in fault?

A. No I could not say.

Q. Outside of family matters/can you say whether Rufus Willie was energetic and a peaceful sort of man?

A. As far as I know it seemed to be.

Q. You had charge of him twelve months did you not?

A. I did.

Q. You say as far as you know you could not say who was the cause of the family trouble?

A. No I could not.

Q. Have you any idea as to who is mostly responsible for the trouble?

A. I do not think I could answer that.

Q. Do you know anything about how the house was furnished?

A. I have been in there and I have seen the parlor, and it seemed to be furnished pretty nicely. I do not know who did this furnishing, whether she did it or he did it. I do not know much about it but I do know that they did not get along well.

And further this deponent saith not.

J. L. Adkins

R. W. Nelms being duly sworn deposes as follows:

Q. Give your name, age, residence and occupation.

A. R. W. Nelms, 52 years old, Suffolk, night watchman.

Q. Do you know Rufus Willie and Mollie Willie?

A. Yes.

Q. How long have you been knowing them?

A. I have been knowing them about seven years.

Q. Do you know the reputation of these parties where they lived?

A. Yes, sir.

Q. What was the reputation of Rufus Willie?

A. It was always good as far as I ever heard.

Q. Have you ever heard people in the community where he lived speak of the man in a good or bad way?

A. I have heard right many speak of him being smart and a good man. I heard Col. Savage say when he livod there he was one of the smartest men ever lived with him.

Q. Was he a kind, peaceable sort of man?

A. Yes.

Q. Did you ever work Rufus Willie?

A. Yes, I worked him last year.

Q. Did you ever work a better man in your life?

A. No, I never did. He left Col. Savage and came to work with you, (meaning S. E. Everett) and then I came and took charge of your farms, and Rufus Willie continued to stay there.

Q. Had he the best reputation of any colored man you know of?

A. He has as good as anyone I know any place. I worked with him all last year and never saw anything wrong with him.

Q? Did Rufus Willie and Mollie Willie live on the place while you were there?

A. I started to wroking on your farm the Fall of 1906, building houses getting ready to move there, and Mollie Willie and Rufus Willie were living on the place at that time.

Q. Did they room together if you know?

A. No they did not. He had a room to himself. I know that he did his own cooking in his room.

Q. Did Mollie Willie have anything to do with him or talk to him?

A. No, had nothing to do with him.

Q. After the first of the year did Mollie Willie come there where he was any?

A. No, I never saw her there after she moved her things away while I stayed there.

Q. You have stated what the reputation of Rufus Willie is, do you know the reputation of Mollie Willie in the community where she lived.

A. I have just heard that she was right smart cross and crabbed, and I saw her myself come in the Grain Company this year and beat him in the ware house, and Rufus never said one word to her. Also after she left him and came to town she ran the two children back to the farm, and Rufus had to take care of them.

Q. Was he a man that never said much anyway?

A. I never heard him say anything about her either way in my life.

And further this deponent saith not.

R. L. Whelan

W. H. Nichols being duly sworn deposes as follows:

Q. Give your name, age residence and occupation.

A. W. H. Nichols, 29 years old, Suffolk, Policeman.

Q. Do you know Rufus Willie and Mollie Willie?

A. I do not know Rufus Willie but I know Mollie Willie.

Q. Do you know her reputation?

A. I do . It is as bad as it can be. She has been convicted of stealing in the Mayor's Court, also convicted for adultery and is a big liar.

Q. Do you know when she was convicted of adultery?

A. The Mayor's record shows that it was the 18th. of June 1908. She plead guilty to the charge and I think she paid the fine for the man and herself both.

Q. Do you know the date when she committed adultery and with whom?

A. It was on the same day that she was tried, and the mand was John Hatcher. I went to the house that they were in between 2 and 3 O'clock at night and went there because John Hatcher's wife made a complaint and told me that he was bedding with this woman, and I went there and found him there. Mr. Boyett was with me and she would not let me in at first, but we heard him get off the bed and went in another room and I went in the other room and made the arrest, and he confessed his guilt to me that night.

Q. Is she a suspicious character in town?

A. Yes, on account of her previous record, and we see her now moving around at all hours of the night with various men, but principally with John Hatcher.

And further this deponent saith not.

W H Nichols

W.E. Brinkley being duly sworn, deposes as follows:

Q. What is your name, age, residence and occupation? and do you know Mrs. Mollie Willie?

A. W.E. Brinkley, 38 years, Suffolk, Chief of Police, I know Mollie Willie.

Q. Do you know her reputation in Suffolk?

A. General reputation is that she a lewd character and a thief, and was convicted of committing adultery with John Hatcher in the Mayor(s Court on 12th. of June 1908. She paid her fine and his. She has been convicted of stealing, in the Mayor's court also, on two occasions.

And further this deponent saith not.

W E Brinkley

John B. Norfleet

being duly sworn, deposes as follows:

Q. What is your name, age, residence and occupation, and do you know the ###### Mrs. Mollie Willie.

A. John B. Norfleet, 42 years, Suffolk, Mayor of Suffolk, I know her.

Q. She was convicted by me in my court on the 12th. day of June 1908 of adultery with John Hatcher, also been convicted of larceny. She denied the larceny and confessed as to the adultery and paid both her fine and his.

And further this deponent saith not.

John B Norfleet

Virginia,

County of Nansemond, to-wit:

I, Bradford Kilby, a Commissioner in Chancery for the Circuit Court of Nansemond County in said state do hereby certify that the foregoing depositions of J.L. Atkins, R.W. Nelms, W.E. Brinkley, John B. Norfleet and W.H. Nichols, were duly taken, sworn to, and subscribed before me at the time and place and for the purpose in the caption hereto mentioned.

Given under my hand this 8th. day of October 1908.

Bradford Kilby.

Commissioner in Chancery.

Commissioner's fee $5.00

Rufus H. Willis
v. } In Chy.
Mollie Willis

Depositions

1908 Oct 10th Filed
L P Gomez DC

Rufus H. Willie.....Complainant,

vs.

Mollie Willie.....Defendant.

This cause, in which process has been duly served on Mollie Willie, and she still failing to appear and plead, answer or demur, came on this day to be heard on the bill, and the depositions taken before Bradford Wilby, a Commissioner in Chancery, and filed on behalf of the plaintiff on the 10th day of October, 1908, and was argued by counsel:

taken after reasonable notice to the defendant of the time and place of the taking of the same

On consideration whereof, and it appearing to the court that the said parties were lawfully married, and that the said defendant has committed adultery, and that the said plaintiff and defendant have been domiciled in this state ever since the aforesaid marriage and for more than one year next preceding the commencement of this suit, and that the said plaintiff and defendant last cohabited in the County of Nansemond, the court doth adjudge, order, and decree that the said Rufus H. Willie be divorced from the bond of matrimony, which was created by the aforesaid marriage, and that the said marriage be, and the same hereby is, dissolved and annulled. And it is ordered that the said Mollie Willie shall pay unto the said Rufus H. Willie his cost by him in this behalf expended, and nothing further remaining to be done in this suit, it is further ordered that the same be stricken from the docket.

which has not been forgiven or condoned by the Complainant

Rufus H. Willie,

vs.

Mollie Willie.

Enter 12th Day of October,

1908.

Entered in Chancery Order Book

No. 4, page 279.

This is to certify that the records of this Office show that Rufus H Willey & Mary E Tarbuck were Married on Dec 4th 1887 by J M Sumler

L Gomez DC

Oct 10th 1908

In the Circuit Court of Nansemond County, Second Rules in September, 1908.

Rufus H. Willie.....Complainant,

vs. Bill.

Mollie Willie.....Defendant.

To the Honorable Circuit Court of Nansemond County.

Your complainant, Rufus H. Willie, respectfully represents.

(1) That your said complainant was lawfully married to the said defendant in ~~Gates~~ Nansemond County, ~~North Carolina~~ Virginia, about the year 1887, One of a certificate is herewith filed.

(2) That continuously from the date of said marriage until about the year 1904 your complainant and the said defendant lived together as husband and wife, part of the time in Gates County, North Carolina, and for the last twelve years in Nansemond County, Virginia.

(3) Since said marriage there were only a few years of pleasant married life, the remainder of the time spent in unpleasantness, and about the year 1904 the said defendant left your complainant but would from time to time come back to see him, and while your complainant has every reason to believe that his wife was not true to him yet he did not refuse to take care of her. Your complainant further states that his wife's reputation is bad in every community that they have ever lived, and your complainant further believes that he can prove his good reputation among the best white people wherever he has lived. For the last twelve months the said defendant has not been living with your complainant, but has been moving around from house to house in Suffolk, and has several times been accused of stealing and fined by the Mayor of the town of Suffolk, and also innumerous times has been accused of lewdness, and has been convicted in the mayor's court of committing adultery with one John Hatcher, June 18th, 1908, and that for some time

before and after your complainant has never lived with her.

(4) Both your complainant and the said defendant have resided and have been domiciled in this state about twelve years and for more than one year next preceding the commencement of this suit, and are domiciled and now reside in this state, and last cohabited in the County of Nansemond.

In consideration whereof, and forasmuch as your complainant is remediless in the premises save in a court of equity, your complainant prays that the said Mollie Willie may be made a party defendant to this bill, and required, but not on oath, to answer the same, the oath being hereby waived; that a divorce from the bond of matrimony which was created by the aforesaid marriage be decreed him; and that your complainant may have all such further, and other, and general relief in the premises as the nature of his case may require, or to equity shall seem meet.

Rufus H Willie
Complainant.

H Stevens
Counsel.

State of Virginia,
County of Nansemond, to-wit:

Rufus H. Willie, the complainant named in the foregoing bill, being duly sworn, says that the facts and allegations therein contained are true, except so far as they are therein stated to be on information, and that so far as they are therein stated to be upon information he believes them to be true.

Rufus H. Willie
Complainant.

Taken, sworn to and subscribed before me, S. E. Everett, a Notary Public of and for the county and state aforesaid, in my county aforesaid, this 21 day of September, 1908.

H Stevens
Notary Public.

J. E. Emerson Agt.

Rufus A. Willis
02 Bill

Mollie Willis

Rufus Wellie
vs } In Chancery
Mollie Wellie

1908	Sept 7th.	Process issued returnable to September Rules Third Monday.
"	" 21st	Process Returned duly executed on defendant Bill filed and decree nisi against said defendant
"	Oct. 5th	Decree nisi confirmed and cause set for hearing

Chancery Notes.

S E Everett pq

Rufus Willie

vs } In Chancery

Mollie Willie

1908

October 12th

Final Decree

Costs

Clerk	3.35
Tax	1.50
Stff	.50
Atty	15.00
Comy	5.00
	$ 25.35