

1914-003
Nansemond Co (Suffolk)

Chancery Causes: Lycurgus Lawrence vs Rebecca Lawrence

Copeland, Tillery Wiggins

Writ Tax 1.57

Clark 384

Sherriff 1.00

\$6.36

Recd.

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Hon. Geo. E. Bunting, clerk of the
Circuit Court of Beaumont Co.

Lycurgus Lawrence
" "

Jeff

Rebecca Lawrence

slight.

In Chancery.

Issue summons for plaintiff
against defendant to first Sept.

July 1914 to answer a Bill
in Chancery for divorce.

R H Rauber v. g.

Defendant is a colored woman who
lives near Beaumont Va.

\$7⁵⁰ Deposition Clerk's
fee.

Memo.
for Clerk.

CHANCERY SUMMONS.

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON.... **Rebecca Lawrence**

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... **September** .. **1914** to answer..... **a** Bill in
Chancery, exhibited against..... **her**
in the said Court by... **Lycargus Lawrence**

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this..... **21st.** day of
.. **August**, 19 **14** .., in the 13 **9** year of the Commonwealth.

~~A copy Teste:~~

Teste:

..... Clerk. }

..... **G. E. Bunting**, Clerk.

Executed this 18 day of Aug, 1917, by delivering a true copy of the within process

to Rebecca Lawrence not found at her usual place of abode
I executed the within process, by delivering a true copy thereof
to Miss Smith, her Aunt & member of the family, whom I
found on the premises, by giving her information as to its purpose.

in person, in the County of Nansemond, State of Virginia.

A. M. Baker Sheriff.

ORIGINAL

R. H. Rawles, p. q.

Lycargus Lawrence.

vs. In Chancery.

Rebecca Lawrence.

1914...

September Rules.

First Monday.

NANSEMOND COUNTY COURT,

Process Book, No. 3...

Page 125.

TO REBECCA LAWRENCE:

Please take notice that I will proceed at the office of R. H. Rawles, on Washington Square, in Suffolk, Virginia, on Monday, the 28th day of September, 1914, between the hours of 8 A. M. and 6 P. M. to take the depositions of Hellie Scott and others, to be read as evidence in my behalf, in a certain suit in equity depending in the Circuit Court of Nansemond County, wherein I am plaintiff and you are defendant; and if from any cause the taking of the said depositions be not commenced on that day or if commenced be not concluded, then the taking of the same will be adjourned from day to day or from time to time, at the same place, and between the same hours until the same shall have been concluded. Of all of which you will take due notice. August 22d, 1914.

Respectfully,

Lycurgus Lawrence,

By R H Rawles Atty.

Rebecca Lawrence not found at her usual place of
abode, & executed the writ process, by delivering a true
copy thereof to Higgie Smith, her Aunt & a member of the
family, whom I found on the premises & by giving her
information as to its purport. Aug 18 1914

A. M. Baker Sheriff.

Notice
to take deposition.

The depositions of Jack Tillery, and others taken before L. P. Holland, a Commissioner in Chancery for the Circuit Court of the City of Suffolk, pursuant to notice hereto annexed, at the office of R. H. Rawles, in Suffolk, Virginia, on the 28th day of September, 1914, between the hours of 8 A. M. and 6 P. M. to be read as evidence on behalf of the plaintiff in a certain suit in equity now pending in the Circuit Court of Hanover County, wherein Lycurgus Lawrence is plaintiff and Rebecca Lawrence is defendant.

PRESENT:

R. H. Rawles, counsel for plaintiff.

Defendant made no appearance.

Jack Tillery being duly sworn deposes and says as follows .

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

Ans Jack Tillery, 43, Nensemond county, farmer, I know both the parties ; Have known both of them fifteen years. Are the plaintiff and the defendant living together as Man and wife at this time ?

Ans . No .

How did the plaintiff treat his wife when they lived together ?

Ans. He treated her just as nice as any man could ; he took good care of her and provided for her well ; I never heard any complaint along that line .

Did he give her any cause for leaving him ?

Ans . No he did not ; he gave her no cause .

Did she leave him, or did he leave her ?

Ans. She left him .

When did she leave him, and where did she go .

Ans . She left him about one year ago, and ~~was~~ went to live in a house by herself, on the next adjoining farm ; it was a one story house .

Who lived there at that house with her ?

Ans . Elbert Worrell lives there with her .

Does he spend the nights there with her ?

Ans ? Yes he does .

How do they act toward each other ?

Ans . Well they are living right there as husband and wife ; just like other married people do . He treats her as his wife .

Have you seen them there together ?

Ans . Yes I go there right often ~~and~~ find she and Worrell living there together .

What does Worrell do for her .

Ans . He provides for her and take care of her just as

a husband would do .

"Are they looked upon in the neighborhood ^as husband and wife ?

Ans ? Why yes sir ; it seems so .

Do they appear to be loving and intimate with each other ?

Ans . They certainly do ; just as much so as two children would be .

Does her husband have anything to do with her since she left him ?

Ans . No sir he does not .

"What has been her character, conduct, and general reputation she she married her husband ?

Ans . It has been bad ; soon after she married her husband , when her husband went off to work at another place , and she was left at home alone , a man by the name of Jesse ~~Hines~~ used to go over to her house and stay with her ; he used to get in the bed with her . I have been over there and seen Jesse ~~Hines~~ in the bed with her . I do not think her husband knew anything about that until recently .

Has her husband lived with her as a husband since he found out that she was not true to him and since she left him ?

Ans . No He has not .

"What was her habit as to other men since her marriage ?

Ans . She runs around with them generally . I and my brother worked there together one time , and I have known him to be in the bed with her ; that was last year .

She was looked upon and regarded as a prostitute .

My brothers name is Elijah Tillery .

And further this deponent saith not .

Jack ^{his} Tillery
^{mark}

Witness : L. R. Halland

Miles Wiggins being duly sworn deposes and says as follows ;

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

Answer . Miles Wiggins, 22, Nansemond county, farmer, I know both the parties . I have known the plaintiff all my life, and have known the defendant ever since she was a child .

How far do you live from them ?

Ans . On the adjoining farm .

Is the plaintiff living with her husband at this time ?

Ans . No .

How long has she been away from him ?

Ans . Certainly four months or upwards .

How did her husband treat her when they lived together ?

Ans. Just as well as a man could .

Did he take care of her and provide for her when she lived with him ?

Ans . He did .

What cause did he ever give her for going off and leaving him .

Ans . None that I ever heard of .

In his bill he charges that she is living in adultery with another man, tell all that you may know about it.

Ans : She lives in a house on the farm of Mr. Wilroy ; this the next adjoining farm to where her husband lives . She lives there by herself, except a man by the name of Elbert Worrell lives there with her ; he stays there ~~in~~ nights with her alone, and they live and act as husband and wife . I sometimes go there to see Elbert Worrell and I find him there acting as if it was his home ; he treats her as his wife . They live there just as husband and wife and act as such ; I am married myself and they live together and act just as me and my wife live and act together .

^{they}
Do ^{live} live openly as man and wife ?

Ans . After she joined the lodge she tried to keep it secret but it aint worth while, as every body down there knows of it and how they live .

Ans . Have you ever heard her make any admissions of the fact that she was not true to her husband ?

Ans. Yes ; on yesterday, I heard her tell her husband that she was going to have just as many men as she pleased ; that she had plenty of them .

Where does her husband now live .

Ans . He lives down there on the adjoining farm ; he lives in a house by himself .

How long have the plaintiff and the defendant been living continuously in Nansemond county ?

Ans Both of them were raised in Nansemond county and both have lived here ever since ?

State whether the said Elbert Worrell provides for the defendant and looks after her wants just as a husband would ?

Ans . Yes that he has been doing .

Has her husband lived with her since he heard of these facts ?

Ans . No he has not ; he does not have anything to do with her since she ran off and went to live with this other man .

What action did her lodge take about this matter ?

Ans . The lodge had her up about it, and found her guilty, but she begged off and promised to do better .

Has hse done any better since that time ?

Ans . I am sure she has not ; she is just going on the same old way .

And further this deponent saith not ?

Miles ^{his} ~~x~~ Wiggins
mark

Witness: L. P. Halland.

Sarah Lawrence being duly sworn deposes and says as follows :

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

Ans . Sarah Lawrence, 39, Nansemond county, work on farm, I know the parties .

How long have you known them ?

Ans . Have known the plaintiff ever since he was a child, and have known his wife about fifteen years .

Are they living together as husband and wife ?

Ans . No

Where does he live ^{Ans} on a farm near Beaman in Nansemond co .

Where does she live ?

Ans . On the next farm .

How did he treat her when they lived together ?

Ans . He did his part well .

What house does ~~she~~ ^{Ans} live in ?

Ans . In a house off there to herself .

Who lives there with her ?

Ans . I hear that a man by the name of Elbert Worrell stays there with her .

What is her reputation as to virtue ?

Ans . I have never heard anything good about her .

Everything I have ever heard is bad .

I do not know much of my own knowledge .

And further this deponent saith not .

Sarah Lawrence

Virginia, City of Suffolk, to-wit:

Cont of the I, L. P. Holland, a Commissioner in Chancery for the *Circuit*
City of Suffolk, do certify that the foregoing depositions
of Jack Tillery, Miles Wiggins and Sarah Lawrence, were
duly taken, sworn to and subscribed before me, at the of-
fice of R. H. Rawles, in Suffolk, Virginia, between the
hours of 8 A. M. and 6 P. M. on the 28th day of September,
1914, as stated in the caption hereof.

Given under my hand this 28th day of September, 1914.

L. P. Holland
Commissioner in Chancery

Fee - \$5.00 - Paid.

Deposition

Lycurgus Lawrence,

vs.

In Chancery.

Rebecca Lawrence.

which has been regularly entered and set for hearing

This cause [^]came on this day to be heard on the bill and the depositions of witnesses taken after due notice to the defendant, and the defendant who appears to have been proceeded against in the manner prescribed by law, failing to appear, plead, answer or demur and was argued by counsel.

On consideration whereof, the court being of opinion from the evidence submitted in this ^{case} that the defendant has been guilty of adultery since her marriage with her said husband, the plaintiff; that said act did not take place over five years before the institution of this suit, and was not brought about by the connivance of the plaintiff, nor that the plaintiff had cohabited with his wife since he had knowledge of such act; it also appearing that the plaintiff and defendant last cohabited in the County of Harsemond, that they are both residents of said County, and have been domiciled here upwards of one year next preceeding the commencement of this suit, doth order, adjudge and decree that the plaintiff be, and he is hereby granted a full and absolute divorce a vinculo matrimonii against his said wife, the defendant, and the marriage relations heretofore existing between them are hereby wholly annulled and set aside; and the court doth further order and decree that the plaintiff recover of the defendant his cost in this behalf expended, and nothing further remaining to be done in this cause, it is ordered that the same be stricken from the docket.

Final Dece.

Order Book No. 4

Page 664

Enter Octo. 12, 1914.

Jack W. Moore,

SRM

SRM

TO THE HONORABLE JAMES L. McLEMORE,

JUDGE OF THE CIRCUIT COURT OF NANSEMOND COUNTY:

Humbly complaining, sheweth unto the Court your orator Lycurgus Lawrence, a citizen of Nansémond County, Virginia, the following case:

Your orator says that he was married to his present wife Rebecca Copeland, in the year 1908, in the said County of Nansemond; that there has been one child by said marriage, who is now between five and six years old.

Your orator further says that after his said marriage he was at all times a good, true, faithful and provident husband to his said wife; that he provided her with all the necessaries of life; gave her good home; and looked after her comfort and did everything he could to make her life pleasant and happy.

He further says that for some time their lives went on smoothly together and his wife appeared to be fond of him and satisfied with her chosen lot in life. But he further says that a little over one year ago his said wife seemed to grow careless and indifferent toward him and to be more fond of another person, whose society she constantly sought. He says this went on until June 1913, when his said wife, without any just or sufficient cause or excuse on his part, willfully deserted and abandoned him, and his house and home, and bed and board and went off to live with another, and so far as he knows and is informed, with the intention of making her said abandonment and desertion final and without any intention to ever return to him.

Your orator further says that his said wife since their marriage and not one year ago, has been guilty of criminal and lewd intercourse with one Ridley Taylor and has committed adultery with him; he further says that less than one year ago, to-wit during the year 1913 she left the plaintiff's home and bed and board, and went off to live with her paramour Elbert Worrell; that they now occupy the same house and room and live together as man and wife, and that she has been guilty of committing adultery with the said Elbert Worrell during the said year 1913 and after; that their lewd and lascivious conduct is open and notorious and is well known in the neighborhood, and that such conduct brings reproach on his good name as well as on the name and reputation of the said child; and that therefore he can no longer respect her as a wife.

Your orator is informed and believes and therefore charges that under the circumstances he is entitled to a full and absolute divorce, a vinculo matrimonii, from his said wife, and he thinks that it will be best for all parties concerned and for the future happiness of both if such divorce should be granted.

He says that he and his said wife both are now citizens of the County of Nansemond, and State of Virginia, and that he has been domiciled in this state for upwards of one year next preceding the commencement of this suit, in fact for many years. He says that he and his said wife last cohabited in the County of Nansemond, and State of Virginia, and that they are both now residents so far as he is informed of said County and State.

He further says that he has not voluntarily cohabited with his said wife since he had knowledge of the crimes and facts on her part as stated above.

And he further says that such crimes and facts which he has above charged against her did not occur ^{within} ~~in the~~ five years before the institution of this suit, and that it was not committed by the procurement or connivance of himself.

In Tender Consideration Whereof, and forasmuch as your orator is without remedy in the premises, save by the aid of a court of equity, where such matters are alone and properly cognizable, your orator prays that the said defendant, Rebecca Lawrence, may be made a party defendant to this suit and required to answer this bill, though an answer under oath is hereby waived; that proper process may issue; that all proper accounts and depositions may be taken, and that your orator may be granted a full and absolute divorce, a vinculo matrimonii from his said wife. And for all such other, further and general relief which this case may require, or which to equity may seem meet, and he will ever pray, etc.

*Lycurgus Lawrence &
Att. Co. atty.*

Virginia, Nansemond County, to-wit:

I, R. H. Rawles, a Notary Public in and for the County aforesaid, in the State of Virginia, do certify that Lycurgus Lawrence, whose name is signed to the foregoing bill has this day personally appeared before me, in my said county, and after being duly sworn, made oath that the facts stated in the above bill as coming of his own knowledge are true, and that all other facts therein stated as coming from knowledge or information derived from others he believes to be true.

Given under my hand this 31 day of August, 1914.
My term of office expires on the 3d day of February, 1916.
R H Rawles R R

Bill.

Filed Sept. 7, 1914.
H. B. Rumbold,
Clerk

CIRCUIT COURT

SECOND MONDAY IN JANUARY, MARCH, MAY,
JULY AND OCTOBER

HON. JAMES L. MCLEMORE, JUDGE
GEO. E. BUNTING, CLERK
S. E. EVERETT, COMMONWEALTH'S ATTORNEY
ALEX. H. BAKER, SHERIFF
C. R. FULGHAM, COUNTY TREASURER
LEE BRITT, COMMISSIONER OF ACCOUNTS

Mansemond County Clerk's Office

SUFFOLK, VA.,

RULE NOTES:

Lycargus Lawrence,

Plft.

V. In Chancery.

Rebecca Lawrence,

Deft.

August 21, 1914.

Process issued, returnable to First Sept. Rules; First Monday 1914

*Sept. Rules, 1st Monday, 1914; Bio filed,
Process returned & returned & decess nisi.
Decess nisi conf'd. & came sat for hearing.*

Rule Two.