

1917-001
Norfolk Co (Suffolk)

Chancery Causes: Waverly Sykes vs Mamie Sykes

Lewis, Ferbee, Harris

CHANCERY SUMMONS.

THE COMMONWEALTH OF VIRGINIA.

SERGEANT CITY OF NORFOLK

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON. Mamie Sykes

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, 1916, to answer.....a.....Bill in Chancery, exhibited against.....her..... in the said Court by.....Waverly Sykes

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this.....2nd.....day of September....., 19...16, in the 141st year of the Commonwealth.

~~Attest~~

Teste:

~~Clerk~~

G. E. Bunting, Clerk.
By Kate P. Bell, D.C.

....J. R. Sanders....., p. q.

..W AVERLY . SYKES

vs.

In Chancery.

.....MAMIE SYKES.....

19.16...

September.....Rules.

...Third.....Monday.

NANSEMOND COUNTY COURT,

Process Book, No.....

Page

Singls free 50 to paid
C. L. Dunning 07

[illegible]

City of Waltham
County of Nantua, State of

Q. & H. Rogers, Dept. City of Portland
 G. & L. Green, Deputy Sheriff

To George E. Bunting, Clerk of the Circuit Court of
Hansemond County, Virginia.

Waverly Sykes Complainant

vs. IN CHANCERY

Mamie Sykes.....Respondent.

Issue summons ^{Second} ~~first~~ rule, ^{third} ~~first~~ Monday in
September 1916.

J. H. H. H. H. H. p. q.

MARRIAGE LICENSE

Virginia City of Norfolk 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.

Waverly Skyes

and Mammie Lewis

Given under my hand, as Clerk of the Corporation Court
of said City this 25th day of April 19 06
Thos. B. Wright, Dy. Clerk

CERTIFICATE TO OBTAIN A MARRIAGE LICENSE

TO BE ANNEXED TO THE LICENSED, REQUIRED BY SECTION 2229 OF THE CODE OF VIRGINIA, AS AMENDED BY ACT OF FEBRUARY 16, 1910

Time of Marriage	April 25th, 1906	Place of Husband's Birth	Branchville, Va.
Place of Marriage	Norfolk, Va.	Place of Wife's Birth	Rocky Mount, N. C.
Full Names of Parties Married		Place of Husband's Residence	Norfolk, Va.
	as above	Place of Wife's Residence	Norfolk, Va.
Race (white or Colored)	Colored	Names of Husband's Parents	Sipp and
Age of Husband	26 yrs.		Annie Sykes
Age of Wife	21 "	Names of Wife's Parents	Authur and
Condition of Husband	Single Widowed or Single or Divorced		Emma Lewis
Condition of Wife	Single Widowed or Single or Divorced	Occupation of Husband	Laborer

Given under my hand this 25th day of April 19 06
Thos. B. Wright, Dy. Clerk

Certificate of Time and Place of Marriage

I, F. W. Williams, a minister of the Baptist
Church or religious order of that name, do certify that on the 25th
April 1906 at Norfolk, Va., under authority of the
above License, I united in Marriage the persons named and described therein.

Given under my hand this 25th day of April 19 06

F. W. Williams.

The Minister or other person celebrating a marriage is required, within thirty (30) days thereafter, to return the license and certificate of the Clerk and his certificate of the time and place at which the marriage was celebrated to the Clerk who issued the license, failure to comply with these requirements of the law makes the minister or other person celebrating the marriage liable to a fine of not less than ten nor more than twenty dollars for each offense (See Section 2229 of the Code of Virginia, as amended, by Act approved February 16th, 1910, Acts 1910, chapter 28, pages 36 and 37.)

A Copy—Teste:

JAMES V. TREHY, Clerk

By Frank A. Croshaw D. C.

The depositions of S.T.Morris and others,taken before me,
Bradford Kilby,Commissioner in Chancery for the Circuit Court of
Nansemond County,Virginia,pursuant to notice hereto annexed,at my
office,in the City of Suffolk,Virginia,on October 23rd.1916,be-
tween the hours of 10 A.M. and 3 P.M. to be read as evidence on
behalf of Waverly Sykes,in a certain suit in equity depending in
the Circuit Court of Nansemond County,Va. wherein Mamie Sykes is
Defendant and Waverly Sykes is Complainant.

Present: J.R.Saunders,Attorney for Complainant.

No attorney for defendant.

To Mamie Sykes,

You are hereby notified that on the 23rd day of October, 1916, at the office of Bradford Kilby, Commissioner in Chancery, in the City of Suffolk, Virginia, between the hours of ten o'clock A. M. and three o'clock P. M., on that day, I shall proceed to take the depositions of Carrie Berebee, to be read in evidence, in my behalf in a certain suit in equity, now depending in the Circuit Court of Hansemond County, Virginia, wherein I am the plaintiff and you are the defendant, and in for 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 thereof will be adjourned from day to day or from time to time until the same shall have been completed.

Walter Sykes
W. A. Sykes atty

Original
874 Lombard

Executed in the City of Norfolk, Va.,
this the 4 day of Sept 1916 by
serving a Copy hereof on

Mamie Sepkos

IN PERSON.

C. L. HUGGINS,
Sergt. City of Norfolk, Va.
By C. L. Quinn Deputy.

Recd for 50¢ paid
C. L. Quinn
Deputy

Carrie ~~Furby~~^{Furby}, being duly sworn deposes and says:

Q. Please state your name, your age, your residence, and your occupation, and if you know Mamie Sykes, and Waverly Sykes.

A. Carrie Furby, 40 years of age, I live in Norfolk, A cook, yes I know Mamie Sykes, and Waverly Sykes.

Q. How long have they been living in Virginia.

A. Twenty years to my knowing.

Q. Are they now living in Virginia.

A. Yes.

Q. Are they now living to-gether.

A. No

Q. Which one left the other.

A. She left him, some time in July 1913.

Q. Do you know of any cause that he gave her to leave him.

A. I do not.

Q. Since she left him in July 1913, have they been living together.

A. No.

Q. I do not understand you to say that they have not lived to-gether since she left him in July 1913.

A. I know they have not.

Q. Where does Waverly Sykes now live.

A. Nansemond County.

And further this deponent does not *Carrie Furby*

Waverly Sykes, being duly sworn deposes and says:

- Q. Please state your name, your age, your residence, your occupation, if you are plaintiff in this suit .
- A. Waverly Sykes, 36 years of age, Nansemond County, A farmer.
Yes I am the plaintiff in this suit.
- Q. Have you filed the suit claiming that Mamie Sykes did wilfully desert you.
- A. Yes
- Q. Are you now living with her.
- A. No
- Q. When did she leave you.
- A. In July 16th, 1913.
- Q. Since July, 16th, 1913, have you lived with her as man and wife.
- A. No
- Q. Did you give her any cause to leave you.
- A. I did not
- Q. Can you account for her leaving you.
- A. She left me and went off with another man.
- Q. Do you now live in Virginia.
- A. Yes
- Q. Have you been living here as long as five (5) years.
- A. Yes
- Q. In what County do you now reside
- A. In Nansemond County.

And further this deponent saith not.

Waverly Sykes

S.T. Harris, being duly sworn deposes and says:

Q. Please state your name, your age, your residence, your occupation, if you know Waverly Sykes, and Mamie Sykes.

A. S.T. Harris, 51 year of age, I live in Norfolk, A Barber
Yes I know Mamie Sykes, and Waverly Sykes.

Q. How long has Mamie Sykes, and Waverly Sykes been living in the state of Virginia.

A He has been here twenty (20) years to me knowing, and she the same.

Q. Are Waverly Sykes and Mamie Sykes living to-gether now.

A. No.

Q. Which left the other.

A. Mamie Sykes left Waverly Sykes.

Q. Do you know this of your knowledge.

A. I do.

Q. When did she leave him.

A. In 1913. I do not know just what month, but I do know it was in warm wether.

Q. Do you know of any cause that Waverly Sykes gave her to leave him.

A. I do not.

Q. Since the time that she left him, during the summer of 1913, have they lived to-gether.

A. Since that time they have not.

Q. Where have they last lived to-gether.

A. In Norfolk.

Q. Where does Waverly Sykes now live.

A. In Nansemons County.

and further this deponent says, *T. Harris*

Virginia,

County of Nansemond, to-wit:

I, Bradford Kilby, a Commissioner in Chancery for the Circuit Court for the County of Nansemond in the State of Virginia, do hereby certify that the foregoing depositions of S.T. Morris, Waverly Sykes and Carrie Ferebee, were duly taken, sworn to and subscribed before me at the place, and time and for the purpose in the caption hereto mentioned.

Given under my hand this 23rd. day of October 1916.

Bradford Kilby
Commissioner in Chancery.

Comr's fee: \$5.

DEPOSITIONS:

Waverly Skyes

v.

Mamie Sykes.

In Chancery.

BRADFORD KILBY
Attorney at Law
SUFFOLK, VIRGINIA.

Baltimore Office Supply Company, Baltimore, Md.

Waverly Sykes.....Complainant.

vs.

IN CHANCERY

Mamie Sykes.....Respondent.

This cause came on this day to be heard on the complainant's bill and the exhibits filed therewith, the respondent failing to appear, plead, answer or demur, the depositions taken before Bradford Kilby, commissioner in chancery, and duly filed in this cause, and was argued by counsel.

On consideration whereof, the court being of opinion, independently of the admissions of either party, in the pleadings or otherwise, from the evidence furnished in the cause, that the defendant has *without cause* abandoned the plaintiff for a period of more than three years, doth adjudge, order and decree that the marriage heretofore had and solemnized between the defendant, Mamie Sykes, (formerly Mamie Lewis) and the plaintiff, Waverly Sykes, shall be, and the same is, hereby dissolved; and that the said Waverly Sykes be forever divorced from the said Mamie Sykes; and there being nothing further to be done in this cause, the same is ordered stricken from the docket.

DECREE

Waverly Sykes

vs. IN CHANCERY

Mamie Sykes.

Enter in Chancery

Order Book No. 5

Page 126.

Entered the 5 day

of Nov, 1917.

Jas L. McInroe

BILL

Waverly Sykes,.....Complainant

v. IN CHANCERY

Mamie Sykes.....Respondent.

To the Honorable Judge of the Circuit Court of Nansemond County
Virginia.

Your complainant, Waverly Sykes, respectfully represents:

(1) That on or about the 25th day of April 1907, your complainant, Waverly Sykes, was lawfully married in Norfolk, Virginia, to one certain woman, whose maiden name was Mamie Lewis, as will appear from a certificate of marriage herewith filed, marked "Exhibit A", and made a part of this bill; and,

(2) That continuously from the date of this marriage until on or about the 16th day of July 1913, your complainant and the said Mamie Sykes lived together as husband and wife in the City of Norfolk, Virginia; and,

(3) That the said Mamie Sykes has wilfully deserted and abandoned your complainant for a period of more than three years: that is to say, on or about the 16th day of July 1913, the said Mamie Sykes did voluntarily, wilfully and without any justification whatever, leave her home; that immediately before leaving, she stated to your complainant that she was going to leave him forever and that she would never return to him, and she has never returned; and,

(4) That your complainant has resided and has been domiciled in this state ever since the aforesaid marriage, and for more than one year next preceding the commencement of this suit,

and is now domiciled and now resides in this state; and

(5) That your complainant last lived with the said Mamie Sykes as husband and wife, in the City of Norfolk, Virginia;

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 Mamie Sykes 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 proper process may be issued, 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 and such further and other, and general relief in the premises as the nature of his case may require, or to equity shall see meet.

Waverly Sykes Complainant.
W. J. Saunders atty

J. R. Saunders p. q.

STATE OF VIRGINIA,)
) To-wit:
County of Hansemond)

I, J. R. Saunders, a Notary Public, of and for the county aforesaid, in the State of Virginia, do certify that Waverly Sykes personally appeared before me and signed the foregoing writing and made oath that the statements therein contained are true and correct, according to his best knowledge, information and belief.

Given under my hand this 1st day of September 1916.

J. R. Saunders
Notary Public.

My term of office expires on the 22nd day of October, 1917.

BILL

Waverly Sykes

v. IN CHANCERY

Mamie Sykes.

Filed September 18,

1916,

H. E. Dunning, Clerk

J. R. SAUNDERS
Attorney at Law
PINNAR BUILDING
Suffolk, Va.

CIRCUIT COURT

SECOND MONDAY IN JANUARY, 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

Nansemond County Clerk's Office

SUFFOLK, VA.,

Waring Sykes

vs

Mamie Sykes

Sept.

Sept.

September 3, 1814, Process issued returnable

to September Rules, 3rd Monday,

September Rules, 3rd, Monday

Process returned executed, bill filed

& decree nisi.

October Rules, 1st Monday,

Decree nisi confirmed, & cause set for hearing