

1917-002

Nansemond Co (Suffolk)

Chancery Causes: Cullen Edwards vs Daisy Smith Edwards

Purdie, Smith, Branch, Johnson, Melcom, Joe

OVERSIZE

Box 4

- 1 marriage license (exhibit A)

VIRGINIA:

In the Circuit Court of Nansemond County,

Cullen Edwards

v.

Daisy Edwards

To G. E. Bunting, Clerk,

Issue summons for complainant against defendant to the
second rules in September (third Monday) to answer a bill in
chancery.

Cullen Edwards
By counsel.

W. S. Holland, P. Q.

To Daisy Smith Edwards:

Take notice that on the 1st day of October, 1917, at the office of William S. Holland, 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 Cullen Edwards and others, to be read in evidence in my behalf in a certain suit in equity, depending in the Circuit Court of Nansemond County, Virginia, wherein I am defendant, and you are plaintiff; and if from any cause the taking of the said depositions be not commenced, or, if commenced, be not completed, on that day, the taking thereof will be adjourned from time to time, at the same place, and between the same hours, until the same shall be completed.

Also take notice that on the 1st day of the next term of Court in the Circuit Court of Nansemond County, Virginia, I shall make a motion for a divorce from the bond of matrimony.

Given under my hand this 10th day of September, 1917.

Cullen Edwards
By Counsel.

W. S. Holland, P. Q.

I have this 13th day of
Sept., 1917, served and ex-
ecuted the within notice by
delivering a true copy ~~of the~~
~~notice~~ to Daisy Smith Edwards
in person in the County of
Nansemond, Virginia,

E. E. Wagner
Sheriff.

By Joel Burch
Deputy Sheriff.

CHANCERY SUMMONS

The Commonwealth of Virginia.

TO THE SHERIFF OF NANSEMOND COUNTY---GREETING:

You are Hereby Commanded to Summon Daisy Edwards

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 Sept. 1917, to answer a
Bill in Chancery, exhibited against her
in the said Court by Cullen Edwards

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this 13th day of
September, 1917, in the 42nd year of the Commonwealth

~~A Copy~~---Teste:

Clerk }

Teste:

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

Executed this 13th day of Sept., 1917 by delivering a true copy of the with-
in process to Daisy Smith Edwards

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

S. E. Wagner Sheriff
By Geo. H. S. Brundage Deputy Sheriff

ORIGINAL

-----W. S. Holland-----P. q.

-----Cullen Edwards-----

vs. } In Chancery

Daisy Edwards

19 17

-----Sept.-----Rules

-----Third-----Monday.

NANSEMOND COUNTY COURT,

Process Book, No. 3

Page -----

MARGIN RESERVED FOR BINDING

WRITE PLAINLY, WITH UNFADING BLACK INK—THIS IS A PERMANENT RECORD

N. B.—In case of more than one child at a birth, a SEPARATE RETURN must be made for each, and the number of each, in order of birth, stated in answer 5.

(1) PLACE OF BIRTH

County of SuffolkDistrict of va

Inc. Town of _____

City of "EXHIBIT A"COMMONWEALTH OF VIRGINIA
STATE BOARD OF HEALTH
BUREAU OF VITAL STATISTICS

Registration District No. _____

File No. _____

Primary Registration Dist. No. _____

Registered No. _____

(No. "EXHIBIT A" St.; _____ Ward)

If birth occurs in a hospital or other institution, give name of same instead of street and number.

(2) FULL NAME OF CHILD _____

{ If child is not yet named, make
(supplemental) report, as directed.

(3) BOY OR GIRL? <u>Boy</u>	(4) Twin, triplet, or other? (To be answered only in event of plural births)	(5) Number in order of birth	(6) Legitimate?	(7) DATE OF BIRTH (Month) _____ (Day) _____ 19____
(8) FULL NAME <u>Johnnie Purdie</u>		(14) FULL MAIDEN NAME <u>Mary Edwards</u>		
(9) RESIDENCE OF FATHER <u>Suffolk Va.</u>		(15) RESIDENCE OF MOTHER <u>Suffolk Va.</u>		
(10) COLOR OR RACE <u>colored</u>	(11) AGE AT LAST BIRTHDAY (Years) _____	(16) COLOR OR RACE <u>colored</u>	(17) AGE AT LAST BIRTHDAY 19____ (Years)	
(12) BIRTHPLACE <u>Southampton Co. Va.</u>		(18) BIRTHPLACE <u>Southampton Co. Va.</u>		
(13) OCCUPATION <u>factory</u>		(19) OCCUPATION <u>factory</u>		
(20) Number of children born to this mother, including present birth <u>one</u>		(21) Number of children of this mother now living, including present birth <u>one</u>		

CERTIFICATE OF ATTENDING PHYSICIAN OR MIDWIFE*

(22) I hereby certify that I attended the birth of this child, who was born Sept 14, at 9 am M., on the date above stated. (Born alive or Stillborn) alive (Hour A. M. or P. M.)

*When there was no attending physician or midwife, then the father, householder, etc., should make this return. A stillborn child is one that neither breathes nor shows other evidence of life after birth.

(23) (Signature) Johnnie Purdie(24) Annie Robinson
(State whether Physician or Midwife)

Given name added from a supplemental report _____, 191____

(25) Address of Physician or Midwife } Mid Wife

(26) Filed _____, 191____

REGISTRAR

LOCAL REGISTRAR

The depositions of J. J. Branch and others, taken before me, Bradford Kilby, a Commissioner in Chancery for the Circuit of Nansemond County, Virginia, pursuant to notice hereto annexed, at William S. Holland's office, in Suffolk, Virginia, on the 1st day of October, 1917, and between the hours of 9 A. M. and 6 P. M., to be read as evidence in behalf of Cullen Edwards in a certain suit in equity depending in the Circuit Court of Nansemond County, Virginia, wherein Cullen Edwards is plaintiff and Daisy Edwards is defendant.

PRESENT:

Wm. S. Holland, Attorney for plaintiff.

No appearance for defendant.

J. J. S. Branch.

J. J. S. Branch being duly sworn deposes as follows:

- Q. Please state your name, age, residence and occupation.
- A. J. J. S. Branch, 61 years old, Broad Street, Suffolk, Va., Deputy Sheriff.
- Q. Did you serve the summon in this suit on Daisy Edwards?
- A. Yes, Sir.
- Q. Tell the Court what you heard her say, if anything, with reference to her child, when you served that summon on her.
- A. In answer to your questions, she said that the boy, who was standing near us in the yard, was her boy. Then you asked her who was his father, and said Sonnie Boy Purdie. She also said that the boy was four years old on the 14th of last month.
- Q. Was her husband, Cullen Edwards, present when you were there?
- A. No, Sir.
- Q. Where does Daisy Edwards reside?
- A. Near Suffolk in Nansemond County, Virginia.
- Q. Do you know whether or not either party to this suit has been domiciled in this State for more than one year prior and next to the 13th day of September, 1917?
- A. Cullen Edwards has been living around here all during his life. I have known his mother for a long time.
- Q. Did Daisy Edwards know that the above questions and conversation ~~were~~ going to be used as evidence in this suit?
- A. No, Sir, not as I know of. It was not mentioned.
- Q. Do you know of, or did you see any signs of, a collusion to secure this divorce?
- A. No, Sir. I have stated everything that I remember, except I recall you asking her something about the last time they cohabited together, and she said he had never been back to her since he learned of her relations with Sonnie Boy Purdie.
- Q. Why did I go with you to serve the summon on Daisy Edwards?
- A. No particular reason. When you handed me the papers to serve, I

J. J. S. Branch, continued.

A. suggested that you ride out there to show me where the party lived.

And further this deponent saith not.

John J. S. Branch

Annie Johnson

Annie Johnson being duly sworn deposes as follows:

- Q. Please state your name, age, residence and occupation.
- A. Annie Johnson, 65 years old, Saratoga Place, Nansemond Co. Va., Doctor.
- Q. Do you know the parties to this suit?
- A. Yes, and I have been knowing Cullen for 12 or 13 years.
- G. Do you know whether or not Daisy Edwards has a child?
- A. Yes Sir, why that one she got, I am the doctor for it.
- Q. When was that child born?
- A. I cannot tell you, except this paper shows.
- Q. What paper are you referring to?
- A. Certificate of birth which I made out when the child came. Dr. White told me that the law required us to fill out these papers every time, I did not know nothing about it until he told me. Here it is. (Filed as "Exhibit A" and attached hereto.)
- Q. Who is the father to that child of Daisy Edwards?
- A. Sonnie Purdie.
- Q. How do you know?
- A. Cause she told me. When I saw the favor I asked her, and then I asked him too, and he told me the same thing, but he is not here now.
- Q. When did he leave, and where did he go?
- A. One year ago last May. He came by my house 'fore he left, and I got after him about that same child again and told him that it was a shame on him, and he said he did it because he was going with her before she was married.
- Q. Has Cullen^{and his wife} ever lived together since she had that child?
- A. I do not know because he lived the other side the brige.
- Q. Is that the only child that Daisy Edwards ever had?
- A. Yes, Sir.
- Q. What is Cullen Edwards' reputation in the community as to his character and behavior?
- A. He has nice principle every since I have heard of him. I always

Annie Johnson, Continued.

see him and his people at church.

Q. Do you know whether or not Cullen Edwards and his wife are living together now?

A. No, Sir, they are not living together. They have no business living together after she did that way.

And further this deponent saith not.

Annie^{her} Johnson
mark

Witness:

Bradford Kilbry

Harvey Joe.

Q. Please state your name, age, residence and occupation.

A. Harvey Joe, 25 years old, near Kilby Station, Virginia,
Farmer.

Q. Do you know the parties to this suit?

A. I know them both.

Q. Has Daisy Edwards a child?

A. Yes, Sir, she has a boy.

Q. Who is the father to that boy?

A. Sonnie Boy Purdie.

Q. How do you know that he is the father?

A. She told me that he was.

Q. When did she tell you that?

A. It was some while ago, about a year or so ago.

Q. Do you know Sonnie Boy Purdie?

A. No, Sir, I am not acquainted with him?

Q. What is Cullen Edwards' reputation as to his character and behavior
in the community where you live.

A. It is good around home, and I have been knowing for a long time.

Q. How far do you live from him?

A. It not quite a half of a mile.

And further this deponent saith not.

Harvey Joe

Berta Melcon

Berta Melcon Being duly sworn deposes as follows:

- Q. Please state your name, age, residence and occupation.
- A. Berta Melcon, 55 years old, near S. A. L. Depot, Suffolk, Va.
washing clothes.
- Q. Do you know the parties to this suit?
- A. Yes Sir,
- Q. Are you related to either party?
- A. Yes Sir, Daisy Edwards is my niece.
- Q. Where has ^{she} been living and residing for the past two years or more.
- A. In Nansemond County, Va.
- Q. Has Daisy Edwards ever lived with you?
- A. She lived with me nearly a year when I lived on Railroad Ave.
along the N. & W. Railroad.
- Q. Was she living with you during December, 1912?
- A. Yes Sir.
- Q. Did you ever see Sonnie Boy Purdie come to see her, during that month?
- A. Yes Sir, he came there to see ^{her} most any time, and they went out
together real often, but where they went and what they did, I
don't know.
- Q. Did you see Cullen Edwards, who is her husband, come to see her,
or go any where with her during that month?
- A. No Sir, He never came to my house while she was there. She worked
in the peanut factory for herself.
- Q. Has Dassy Edwards any children?
- A. Only one boy so far as I know.
- Q. Does he favor Cullen Edwards, or Sonnie Boy Purdie?
- A. I can't never tell anything about favors of folks myself, but the
people around us said that the child looked like Sonnie Boy Purdie

And further this deponent saith not.

Witness

Bradford Kibby

Berta ^{her} Melcon
mark

STATE OF VIRGINIA,

County of Nansemond, to-wit:

I, Bradford Kilby, a commissioner in Chancery for the Circuit Court of Nansemond County, Virginia, do certify that the foregoing depositions of J. J. S. Branch, Annie Johnson, ^{and Berta Melcon,} and Harvey Joe, [^] were duly taken, sworn to and subscribed before me at the office of William S. Holland, in the City of Suffolk, Virginia, on the 1st day of October, 1917, between the hours of 9 A. M. and 6 P. M. and for the purpose in the caption hereto mentioned.

Given under my hand this 1st day of October, 1917.

Bradford Kilby
Commissioner in Chancery for the Circuit Court of Nansemond County, Virginia.

Commissioner's fee \$ 5.⁰⁰

Cullen Edwards

v. Depositions

Daisy Edwards.

WILLIAM S. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

VIRGINIA:

IN THE CIRCUIT COURT OF THE *County of Nansemond;*
~~CITY OF SUFFOLK:~~

Cullen Edwards.

vs. IN CHANCERY.

Daisy Edwards.

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

On consideration whereof it appearing to the Court from the evidence submitted in this cause that the said defendant, Daisy Edwards, since her marriage with the said plaintiff, Cullen Edwards, has committed adultery within a period of five years next before the institution of this suit, that they have been domiciled in and resident of Virginia for more than one year preceding the commencement of this case, that the said defendant, Daisy Edwards, resides in the said County of Nansemond, Virginia; the court doth adjudge, order and decree that the plaintiff be and he is hereby granted a full divorce a vinculo matrimonii, from the said defendant, and that the marriage ceremony heretofore solemnized be and the same is hereby annulled and set aside and it appearing that nothing further remains to be done in this case it is ordered to be stricken from the docket.

Cullen Edwards

Vs. DECREE.

Daisy Edwards.

Entire Oct. 8. 1914.
Jas S. Moore.

Chancery Order Book
No. 5

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VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY,

Cullen Edwards *

v. *

BILL.

Daisy Smith Edwards *

To the Honorable Circuit Court of Nansemond County:

Your complainant, Cullen Edwards, respectfully represents:

(1) That on the 30th day of August, 1910, your complainant, Cullen Edwards, was lawfully married in the City of Suffolk, Virginia, to Daisy Edwards, whose maiden name was Daisy Smith, 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 said marriage until the _____ day of November, 1910, your complainant and the said Daisy Edwards lived together as husband and wife at Suffolk, Virginia; and,

(3) That the said Daisy Edwards has, since the aforesaid marriage, committed adultery; that is to say, on the 30 day of

Sometimes called Sonnie Boy Purdie, at Berta Melton's house, N. & W. Ry Ave., Suffolk, Va.
December, 1912, the said Daisy Edwards did have carnal, illicit intercourse with one Johnnie Purdie, from which intercourse the said Daisy Edward became a mother of a certain child about the 14th day of September, 1913; and,

(4) That about the 1st day of May, 1913, your complainant heard for the first time of the committing of said adultery by his said wife; that he has not cohabited with her since obtaining knowledge of the fact of the said adultery; and, that he

(5) That at the time of the institution of this suit it had not been five years since the said adultery occurred, and that it was not committed by the procurement or connivance of your complainant;; and,

(6) That both your complainant and the said Daisy Edwards have resided, and 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 are domiciled and now reside in this State; and,

(7) That the said Daisy Edwards resides near the City of Suffolk, in the County of Nansemond, Virginia; and,

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 Daisy Edwards 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 such further, and other, and general relief in the premises as the nature of his case may require, or to equity shall seem meet.

Cullen Edwards Complainant.
S

State of Virginia,

City of Suffolk, to-wit:

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

Cullen Edwards Complainant.

Taken, sworn to and subscribed before me, Hugh L. Holland, a notary public in and for the City of Suffolk, Virginia, this 13th day of September, 1917.

My term of office expires on the 10 day of Oct 1919.

Hugh L. Holland N.P.

Cullen Edwards
v. Bill
Daisy Edwards

Filed Sept. 13-1917-
Walter Bell, D.C.

WILLIAM S. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

CIRCUIT COURT

SECOND MONDAY IN JANUARY, MAY,
JULY, AND OCTOBER

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

Nansemond County Clerk's Office

SUFFOLK, VA..

Gulben Edwards,
18

Naisy Edwards.

Papers issued Sept. 13, 1917, returned to
Sgt. Ruks, 1st Monday, 1917.

Thurs Monday, Sept. Ruks, 1917, Papers returned
& rec'd, vice paid, dress m'd

Oct. Ruks, 1st Monday, 1917, dress m'd
confined & came out for trial.

MARRIAGE LICENSE



Virginia, Henrico 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,

Charles Edwards
and Daisy Smith

Given under my hand, as Clerk of the Circuit Court
of said county this 24th day of August 1910
Wm. W. Watkins A. Clerk.

CERTIFICATE TO OBTAIN A MARRIAGE LICENSE,

TO BE ANNEXED TO THE LICENSE, REQUIRED BY SECTION 2229 OF THE CODE OF VIRGINIA, AS AMENDED BY ACT OF FEBRUARY 3, 1900.

Time of Marriage, <u>1910 Aug. 24</u>	Place of Husband's Birth, <u>Henrico County Va.</u>
Place of Marriage, <u>Supper Va.</u>	Place of Wife's Birth, <u>Henrico County Va.</u>
Full Names of Parties Married, <u>Charles Edwards</u> <u>+ Daisy Smith</u>	Place of Husband's Residence, <u>Henrico County Va.</u>
Color, <u>Colored</u>	Place of Wife's Residence, <u>Henrico County Va.</u>
Age of Husband, <u>24 years</u>	Names of Husband's Parents, <u>Howard Edwards</u> <u>+ Sampa, his wife</u>
Age of Wife, <u>16 years</u>	Names of Wife's Parents, <u>Edward Smith</u> <u>+ Sandy, his wife</u>
Condition of Husband (widowed or single or divorced) <u>Single</u>	Occupation of Husband, <u>Salvage</u>
Condition of Wife (widowed or single or divorced) <u>Single</u>	

Given under my hand this 24th day of August 1910
Wm. W. Watkins A. Clerk.

Certificate of Time and Place of Marriage.

I, J. B. Wheelbee, a minister of the United Baptist
Church, or religious order of that name, do certify that on the 24th day of
August 1910, at Judge Rucker's office under authority of the above
License, I united in Marriage the persons named and described therein.

Given under my hand this 24th day of August 1910.

A Copy-Teste: G.E. Bunting, Clerk,

By Rate P. Bell, D. C.

J. B. Wheelbee

The Minister celebrating a marriage is required, within two months 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.

Copy

Cullen Edwards

Wife { marriage
certificates

Daisy Smith