

1919-011
Nansemond Co (Suffolk) Chancery Causes: Pitt Hawkins vs Daisy Hawkins

Evans, Williams, Davis

JOHN N. SEBRELL, JR.
ATTORNEY AND COUNSELLOR AT LAW
SEABOARD BANK BUILDING
NORFOLK, VIRGINIA
CHAS. W. DAVIS

Sept. 10, 1918.

Mr. Geo. E. Bunting, Clerk,
Circuit Court Nansemond County,
Suffolk, Va.

My dear George:

Enclosed you will find memorandum for chancery suit of Pitt Hawkins v. Daisy Hawkins. Wish you would please issue the process. The defendant lives in that suburb of Suffolk known as Boston which, I am advised, is in the county. If this is not so, do not issue the process but turn same over to Clerk of Suffolk City Circuit Court.

I am enclosing check of \$7.50 to cover writ tax and deposit for costs.

I am also enclosing notice to take depositions which I would thank you to give to the Sheriff with the request that he serve same at the time he serves the process and send the original to me.

Thanking you for your kindness in the matter, I am

Yours very truly,

J. N. Sebrell, Jr.

jns-emw

JOHN N. SEBRELL, JR.
ATTORNEY AND COUNSELLOR AT LAW
SEABOARD BANK BUILDING
NORFOLK, VIRGINIA

CHAS. W. DAVIS

MEMORANDUM:

VIRGINIA:

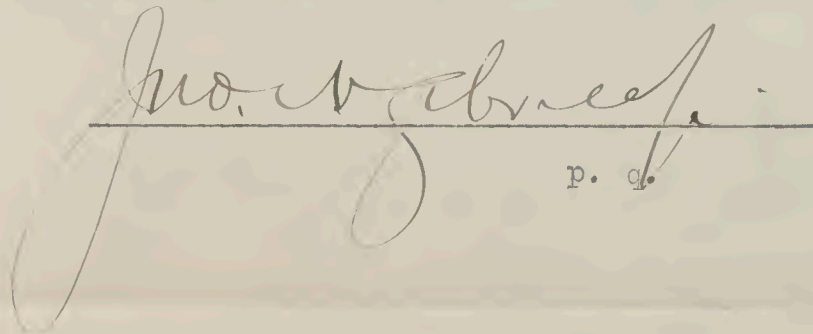
IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

PITT HAWKINS,

v.

DAISY HAWKINS.

Summons in Chancery to Rules Third Monday in September, 1918.


p. q.

CHANCERY SUMMONS

The Commonwealth of Virginia.

TO THE SHERIFF OF NANSEMOND COUNTY---GREETING:

You are Hereby Commanded to Summon Aaisy Hawkins

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 11th Monday in September 1918, to answer a
Bill in Chancery, exhibited against her
in the said Court by Prof Hawkins

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this 11th day of
Sept., 1918, in the 43rd year of the Commonwealth.

A Copy---Teste:

Teste:

Clerk

Clerk

G. E. Bunting
By. Rule. V. Bunting D.C.

Daisy Hawkins could not be found at her usual place of abode on the 12 day of Sept-1918 ~~on the~~ nor any one else on whom legal service could be had, so the within process was executed this 12th day of September 1918 by tacking a true copy of the same on the front door of her usual place of abode done in the County of Nansemond State of Virginia.

E. E. Wagner
Sheriff

John H. Selver ^{per. q.}
Plff Hawkins

vs. } In Chancery

Daisy Hawkins

1918

September Rules

Shirley Monday.

NANSEMOND COUNTY COURT,

Process Book, No 3

Page

Sheriff

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

in process to

Executed this 1 day of , 191 by delivering a true copy of the with-

REPORTER'S TRANSCRIPT

IN THE CIRCUIT COURT OF FREDERICK COUNTY, VIRGINIA.

PITT HAWKINS.

V

DAISY RATTLES

Before

D. S. Phlegar, Commissioner.

Depositions.

Norfolk, Virginia, Nov. 22, 1918.

INDEX.

[illegible]

VIRGINIA SPECIALTY CO., NORFOLK, VA.

PHLEGAR & TILGHMAN
SHORTHAND REPORTERS
532-538 LAW BUILDING
NORFOLK, VIRGINIA

To Laisy Hawkins
Supkock N^e

Take Notice, that I shall, on the 15 day of November 1918, between
the hours of Nine A. M. and Six P. M., before ~~ROBERT H. RUSH~~, a Commissioner in Chancery for the Circuit
~~Court of the City of Norfolk, Virginia~~, at 525 Seaboard Bank Bldg. Norfolk Va,
proceed to take the depositions of James Johnson
and others, to be read as evidence in my behalf, in a certain chancery cause now pending in the Circuit Court
of Massachusetts Bldg. Va ~~Court~~, of the City of ~~Norfolk~~, wherein I am plaintiff and you are
defendant, and if from any cause the taking of said depositions be not commenced, or if commenced, be not completed,
the taking of the same will be continued from day to day, or from time to time, at the same place and between the
same hours, until the same shall be completed.

By Pitt Hawkins,
James Johnson p. q.
In. 7, 1918.

Daisy Hawkins could
not be found at her
usual place of abode
nor any one else on whom
legal service could be had
this 8th day of Nov. 1918
so the within notice
was executed this 8th
day of November 1918
by tacking a true copy
of the same on the
front door of Daisy
Hawkins usual place
of abode, done in the
County of Nansemond
State of Virginia

E. E. Wagner Sheriff
of Nansemond County,

Office of M. Seabell
Nov 15. 1918

The witness not appearing
the taking of these depts adjourned
to Nov 22. 1918.

J. H. Seabell
Clerk

Notice to Take Depositions

Pier Hawkins

vs. } In Chancery.

Dairy Hawkins

Houschuer p. q.
To *Nov. 15* 191*15*

Executed in the City of Norfolk,

Virginia, this _____ day of

_____ 191____, by

_____ serving a true copy of the within notice on

_____ in person.

_____ Sergeant City of Norfolk

By _____

Deputy Sergeant

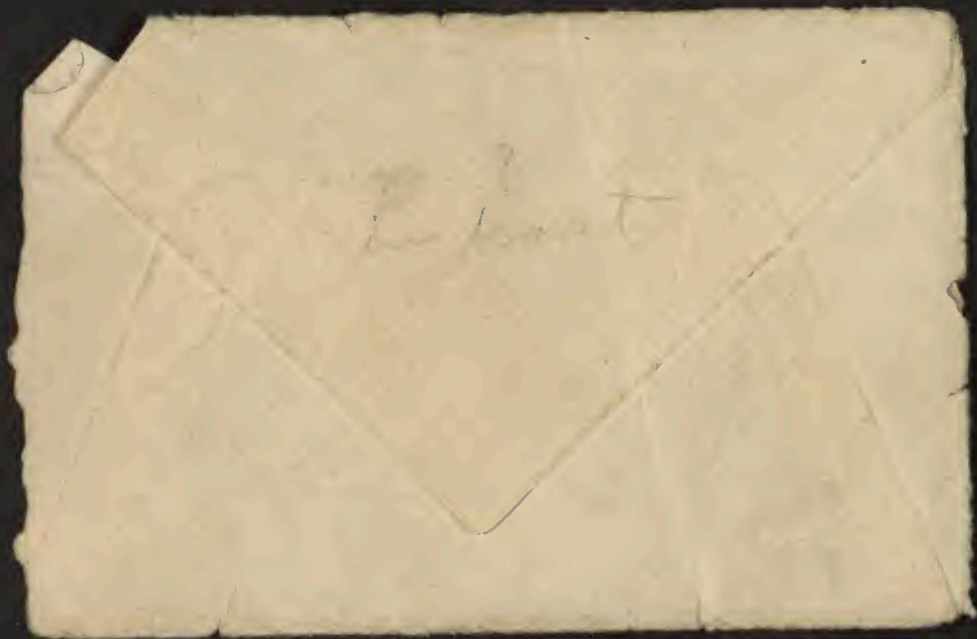
RETURN TO

ROBERT H. RUSH

COMMISSIONER IN CHANCERY

919-920 NATIONAL BANK OF COMMERCE BUILDING

NORFOLK, VA.



Page 11

June the 25th
1914

Suffolk

My Dear Darling

I will write you to let you
know from me I can well
use help but not satide
in mine But I truly hope
when the all flu is over
to your hand
it will find you well
Darling I receive your
Darling letter and I was
so glad to hear from
you Darling I want

Page 26

To see you so Bad i dont
no what to do Oh if i was
By your Dear side to
anight and give you a
sweet kiss i no i would
be so happy Darling yes
i do want to ~~come home~~
there and stay with you
same i am going to stay
with you i say Darling
i am going to be with you
are Die dead one Dear
my Dear Boy i want
to be with you right now
so bad Darling i can
eat i can sleep for

Page 3C

thinkin' a Bought you
Dear i love you i do love
you Better then i tell
Dear little Darling sweet
as rose how i love you
Dont any Body and
be true and good Dear
you did not meet me at
the 7 2 train i come
to Norfolk on a Tuesday
night and the 7 2 train
like you told me and
i stood there and look
for you but i did not
see you so i came
back to Suffolk on

Page 4

Exhibit No 2

W. B. S. 2
A sweet
little girl
I love her
very much
and I will
go with her
any time
you want
to go.

That night on the 11th of Oct
I was with Darling &
went to Camp Dawson
I must be your
fate & I just got to be
your girl & come
for me & I will go with
you any time you want
for one night or Day
I will go with you so good
Bye to your dear girl
about Daisy Hawkins

Exhibit No 2



Mr. C. D. Williams
Salter St. 775.
Norfolk Va.

Page 116

Exhibit No 3

June 24th
1915

Suffolk No

My Dear Husband
one I have now sit down to
write you for to let you hear
from me Darling I am well
but I am not so well
in mind My Dear I receive
your love and letters and
am glad to hear from you
I want to see you
so bad I hope the good
Lord will let the time
come that I can be with
you and see you all the time

you ask me how was
 the time up here Darling
 it is Bad time these living
 folk is Craving my
 main and your same
 Dear I has got to leave
 from Ouston if I dont
 go from here I will
 had to hurt some Body
 over here legel is
 hat as fire with me and
 you legel got same
 old rute work came to
 her house trying to
 have me and you kill
 you say you was coming

here today and I could
 go with you Back I will
 be some glad you
 Better look out how
 you eat and sleep at
 legel house Because she
 has got her rute and
 me if fix up for you and
 me to but she never
 will get nothing in
 side me to hurt me I
 am on to her and all
 the Best Darling if you
 come today is you coming
 night are in the evenn
 I want to see you and

in host

SUFFOLK
JUN 29
1-PM
19 15
VA.



Mr. E. D. Williams
Exhibit No 3
Salter st
7-715
Suffolk, Va

Page 151

Exhibit No. 1

~~188~~
Court

you for ever see any one
Darling my Dear how
is it but to see you
right now but you
don't want to see and be
with you my Dear you
now where I can see
you I don't see any
body and when I am
out with you I am out
with no body Darling
can you come up
here in the night

Page 2C

Train and see and it
dark - might now a
want to be with you but
now wish a war with
you to night I am
Boy. Please don't
let no body see these
letter a write you
after you read them
you take all these
letter up I don't bring
these letter with you
have to cover some

Page 74

Body may get them
when you don't care
and read them so
you take them up
partly think I am
going to get with you
now please I am
writing up for you a
game I am going to
try to keep this little
one this time for you
I was sick, Sunday I
want you to send
me some money to
get me some lady Pink
to take I fell

Page 5

so weep something
i am going to save
this one if i can
Dear i am so trouble
to night i go out and
what to do i am feeling
so bad now i get
and lay down so

Bye Bye from you

Dear girl as ever

Daig Sparks

a kiss a kiss to
you i want to see
you soon and you
no the best a sweet kiss



Exhibit No. 1

Mr. E. D. Williams

776 Jettie St.

Portsmouth

in box

Page 11

July 10 1914
Suffolk

My Dear

I will
write you to let
~~you know~~ ^{how} I thought
to pay I would
never see you no
more but God save
my life Pitt byz to
killed me to pay he
Beat me all most to
death and so after he
Beat me then he

From your
Loving friend
and I will
love you till
Death
severest
Kiss to
you
I wish
I was
with
you
again

Swear one with a knife
try to swear one to
Death and he would
kill me dead had
not Peter for a
With man came they
did it all over told
Martha Byrnes and
Leger and Besit
lie that the told him
So Darling god save
my life for you

3

I am Bad of I can
 tell you what a Bad
 fix he left me in all I
 can say I am in Bad
 fix right now Darby
 I am going a way
 from Suffolk and
 can stay here and
 will tell me do you
 want me to go a
 way with you if you
 do let me know at once
 please and tell me
 what you want
 me to do if ^{you} want me
~~now~~ now the time

4

has come for you
 so you can get me if
 you want me to stay
 with you are want me
 to be where you can
 see me again you
 and for me tell
 me where to meet you
 at and when at once
 I will stay in Suffolk
 in till I hear from
 you and let me hear
 from you at once
 Please I am go to live
 here in a flat I can stay
 here from you I am

532-536 LAW BUILDING
NORFOLK, VIRGINIA

Exhibit
Fitts Hawkins
Daisy Hawkins

1
2 IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

3
4 ----- #
5 PITT HAWKINS #

6 v #

In Chancery.

7 DAISY HAWKINS #
8 ----- #
9

10 The depositions of witnesses taken before D. S. Phlegar,
11 a Commissioner in Chancery for the Circuit Court of the City
12 of Norfolk, Virginia, pursuant to notice and adjournment
13 thereon noted, at the office of John N. Sebrell, Jr., 525
14 Seaboard Bank Bldg., Norfolk, Virginia, November 22, 1918,
15 to be read as evidence on behalf of the plaintiff in the above
16 entitled cause pending in the Circuit Court of Nansemond Coun-
17 ty, Virginia.
18

19 -----oOo-----
20

21 PRESENT: Mr. John N. Sebrell, Jr. for the plaintiff.

22 No other appearance.
23

24 -----oOo-----
25

26 Phlegar & Tilghman,
Shorthand Reporters,
Norfolk, Virginia.

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HATTIE WILLIAMS (colored), on behalf of the plaintiff,
being duly sworn, testified as follows:

Examined by Mr. Sebrell:

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

A. Hattie Williams; 36; Suffolk, Virginia; I know the
parties to this suit.

Q. How long have you been knowing Daisy Hawkins and Pitt
Hawkins?

A. About seven years now. They lived beside me about five
years.

Q. What is the name of your husband?

A. Ed Williams.

Q. Is he E. D. Williams?

A. Yes, sir.

Q. Is that the way he gets his mail - "E. D. Williams?"

A. Yes, sir. It is Edward Dock Williams.

Q. How close did your husband, Edward D. Williams, and Daisy
Hawkins live together some years ago?

A. We lived close together.

Q. Side by side?

A. Yes, sir.

Q. Please state whether or not your husband frequently went
with Daisy Hawkins?

MPD

H Williams

3

1 A I couldn't really say that to be the truth no more than
2 hearsay. I found these letters, and then I could tell that
3 he was going with her.

4 Q. I am handing you a letter marked "Exhibit 1" with your
5 deposition ; please tell me if you know who wrote that letter?
6

7 A. Daisy Hawkins.

8 Q. To whom did she write it?

9 A. To Ed Williams.

10 Q. Where did you get it from?

11 A. Salter Street, 775, here in Norfolk.

12 Q. Who was living at Salter Street, 775?

13 A. Mrs. Mary Walke.

14 Q. What was this letter doing at Salter Street?

15 A. Ed Williams was boarding there. I came here, and that is
16 how I got the letters.

17 Q. Tell how you got them?

18 A. Out of his suitcase. He was out; I got them in his ab-
19 sence.

20 Q. Here is a letter marked "Exhibit No. 2." Where did you
21 get that from?

22 A. That is from her - from Daisy.

23 Q. To whom?

24 A. To Ed Williams.

25 Q. Did you get that at the same time?

26 A. Yes, sir, I got all three of them.

NOTE: Another letter is filed marked "Exhibit
No. 3."

Q. Did you ever mention to her that you had found out that
she was writing to your husband?

A. Yes, sir.

Q. Did she deny it, or not?

A. Yes, sir, she denied it.

Q. Did she ever admit that she wrote to him?

A. No, sir.

Q. When you told her that you had the letters, what did she
say?

A. She said that she didn't write to him, but he said so.

Q. Did he tell you so in her presence?

A. No, sir.

Q. Do you know that this is her handwriting?

A. Yes, sir.

Q. You know her handwriting, do you?

A. Yes, sir.

Q. And you are certain that it is her handwriting?

A. Yes, sir.

Q. Where is your husband now?

A. I don't know.

Q. How long has it been since you have seen him?

A. It will soon be three years.

Q. Do you know where he is living?

- 1 A. No, sir.
- 2 Q. Is Daisy Hawkins still living up there near you?
- 3 A. Yes, sir.
- 4 Q. Where is Pitt Hawkins living now?
- 5 A. In Norfolk, I think.
- 6 Q. How long has it been since he has co-habited with her?
- 7 A. I don't know, sir. I have been gone now nearly a year
- 8 over in Newport News.

he
W. H. Williams
mark

-----oOo-----

14 The further taking of depositions in this case adjourned
15 until 12 o'clock noon, November 29th, 1918.

-----oOo-----

OFFICE OF JOHN N. SIBRELL, JR.,

Norfolk, Virginia, November 29, 1918.

22 Met pursuant to adjournment. No witness appearing, the
23 further taking of depositions in this case adjourned to Decem-
24 ber 13, 1918, at 12 o'clock M.

-----oOo-----

OFFICE OF JOHN N. SEBRELL, JR.,
Seaboard Bank Bldg., Norfolk, Virginia,
December 13, 1918.

Met pursuant to adjournment.

JACOB DAVIS (colored), being duly sworn, testified as follows:

Examined by Mr. Sebrell:

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

A. Jacob Davis; 46; working at Norfolk & Western coal piers, at Lambert's Point; live in Norfolk, Virginia; I know the parties to this suit.

Q. How long have you been knowing Daisy Hawkins?

A. The first time I got acquainted with her was through Ed Williams. I have been knowing her now about three years - between three and four years, as near as I can get at it.

Q. Where did Ed Williams live when you knew him and Daisy?

A. He was staying on Chapel Street.

Q. Where did you meet with Daisy Hawkins?

A. I met her where Ed Williams and Daisy Hawkins were rooming on Chapel Street.

Q. In what capacity were they rooming there on Chapel Street?

A. As man and wife.

Q. State whether or not they occupied the same room there?

1 A. Yes, sir, they occupied the same room.

2 Q. Did they occupy the same bed?

3 A. Yes, sir.

4 Q. Did you go there often to see them?

5 A. No, sir, I didn't visit there so very often - when he
6 would get ready to go to work; we worked together.

7 Q. Both of you worked together, and you and he were hod
8 carriers?

9 A. Yes, sir.

10 Q. When you went there to see him, did you see her there?

11 A. Yes, sir.

12 Q. What did you see there to cause you to know that they
13 slept in the same bed?

14 A. In the room that they occupied there was not but one bed
15 in it, and I have gone there soon of mornings to get him, and
16 he would not be up, and they would be in the same room.

17 Q. Were they both in the same bed?

18 A. I suppose so. I couldn't say positively, but he was in
19 the room at the same time, and there was not but one bed in
20 there, and the door was closed and when he would come out he
21 would have his working clothes on.

22 A. And she would be in there?

23 A. Yes, sir.

24 Q. How long were they living there together as man and wife?

25 A. As near as I can get at it they lived right there in that
26

1 place in the month of October, 1915.

2 Q. Were any denials made that they were staying there in
3 the same bed together at nights?

4 A. No, sir, nobody said anything about it. I suppose no-
5 body knew much about it because they were strangers, but I
6 knew him and knew his other wife, and I knew that that was
7 not his wife.

8 Q. Did you ever see them together after they left there?

9 A. Yes, sir.

10 Q. Where?

11 A. On the street together.

12 Q. Did you ever see them in any other house together -
13 where they roomed together?

14 A. No, sir, I never saw them in any other hase after they
15 moved from there.

16 Q. You do know that they roomed together and stayed there
17 as man and wife on Chapel Street?

18 A. Yes, sir.

19 Q. And stayed together and slept in the room and bed to-
20 gether?

21 A. Yes, sir.

22 Q. That is all you know about it, is it?

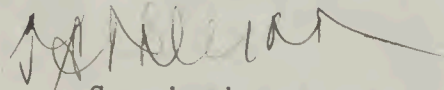
23 A. Yes, sir.

24
25 Jacob Davis
26

1
2 VIRGINIA, City of Norfolk, to-wit:-

3 I, D S Phlegar, a Commissioner in Chancery for the Cir-
4 cuit Court of the City of Norfolk, Virginia, certify that
5 the foregoing depositions of Hattie Williams and Jacobd Davis
6 were duly taken and sworn to at the times and place and for
7 the purpose in the caption mentioned, and were subscribed
8 before me in my city aforesaid.

9 Given under my hand this 20th day of January, 1919.

10
11 
12 Commissioner.

IN THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND, VIRGINIA:

PITT HAWKINS.....COMPLAINANT.

VS.....IN CHANCERY (DECREE)

DAISY HAWKINS.....DEFENDANT.

This cause came on this day to be heard on the Bill of Complaint and the depositions of the witnesses taken after due notice to the defendant as required by 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 Hawkins, since her marriage with the complainant has been guilty of the crime of adultery; that the complainant has not condoned the said act since he had knowledge of it; That the complainant is a resident of the State of Virginia, and has been domiciled here for more than Twelve (12) months next preceding the commencement of this suit; That the said complainant and defendant last cohabited in the County of Nansemond, in the State of Virginia; the Court doth adjudge, order and decree that the complainant be, and he is hereby granted a 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 cause it is ordered to be stricken from the docket.

RITT HAWKINS....COMPLAINANT.

VS. (DECREE)...IN CHANCERY.

DAISY HAWKINS...DEPENDANT.

DIVORCE.

Enter Feb. 4th 1919.

Jas L. W. Moore,

Chancery order Book
No. 5, Page 188

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

PITT HAWKINS,

v.

DAISY HAWKINS.

TO THE HONORABLE JAMES L. McLEMORE, Judge of the said Court:

Humbly complaining, shows unto your Honor your complainant Pitt Hawkins, the following case:

1. That on the _____ day of _____, 1904, your complainant was lawfully married in the County of Southampton, in the State of Virginia, to Daisy Hawkins, whose maiden name was Daisy Evans, as will appear from a certificate of marriage herewith filed and marked Exhibit "A" and prayed to be read and taken as a part of this bill.

2. That continuously from the date of said marriage until the 21st day of March, 1914, your complainant and the said Daisy Hawkins lived together as husband and wife in Southampton County and later, to-wit, after 1908, in the County of Nansemond; ~~and~~

3. That no children have been born to your complainant and the said Daisy Hawkins.

4. That the said Daisy Hawkins has, since the aforesaid marriage, committed adultery. Your complainant is informed and here avers that the adulterous intercourse was had by the said Daisy Hawkins on various and sundry times and with divers men since her marriage as aforesaid, and particularly with Ed Williams in October and November, 1913, and divers other times since then.

5. That on or about the 21st day of March, 1914, your com-

plainant for the first time heard of the committing of the said adultery by his said wife; that he has not co-habited with her since obtaining knowledge of the fact of said adultery, and that upon obtaining said knowledge he left her and moved to the City of Portsmouth, where he has since lived.

6. 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.

7. That both your complainant and the said Daisy Hawkins 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.

8. That your complainant last cohabited with the said Daisy Hawkins in the County of Nansemond, State of Virginia.

In consideration whereof and inasmuch as your complainant is remediless in the premises save in a court of equity, he prays that the said Daisy Hawkins 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; that the aforesaid marriage be annulled, and that all such other, further, general and special relief may be granted your complainant as the nature of his case may require or to equity shall seem meet.

Pitt Hawkins,
By Jno. N. Sebell, Jr.,
His attorney.

Jno. N. Sebell, Jr.
p. 9

VIRGINIA: IN THE CIRCUIT
COURT OF HANSEMOND COUNTY.

PITT HAWKINS,

v.

DAISY HAWKINS.

BILL.

Filed Sept. 16, 1918

J. N. Sebrell, Jr.

JOHN N. SEBRELL, JR.
ATTORNEY AND COUNSELLOR AT LAW
SEABOARD BANK BUILDING
NORFOLK, 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

Cash paid to Shrf. 1.00

SUFFOLK, VIRGINIA

Deposit \$ 5.50

Rule Notes:

Pitt Hawkins,

v. In Chancery

Daisy Hawkins

Sept. 11, 1918, Process issued; returnable to Third Monday Sept. Rules, 1918

*3rd Mon. Sept. Process returned - executed & rec. filed & returned in
Oct. Rules, 1st Monday 1918 - all as nisi confirmed*