

1920-009
Nansemond Co (Suffolk) Chancery Causes: Ernest Perry vs Indie Cook Perry

Cook

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Nansemond.

E. Perry Pltff. }
vs. } In *Chy.*
Indy. Cook Perry Df't }

I hereby certify that on the *20th* day of *Sept.* 19*18*

I posted a copy of the order of publication entered herein, at the front door of the Courthouse of the County of Nansemond; that being on or before the next succeeding rule day after said

order was entered, *and I further certify that I mailed to the said dft., at Boston, N. J. a copy of said order.*

Given under my hand this *20th* day of *Sept.*, 19*18*

W. B. Smith , Clerk,

By _____, Deputy Clerk.

VIRGINIA:

In the Clerk's Office of the Circuit Court of Nan-
semond County, on the 17th day of September, 1919.

E. Perry.....Complainant

vs. IN CHANCERY

Indy Cook Perry.....Defendant.

The object of this suit is for the complainant
to obtain from the defendant a divorce a vinculo matri-
monii on the grounds of desertion; and affidavit having
been made that the defendant is not a resident of the
State of Virginia, she is ordered to appear within fifteen
days after due publication hereof and do what may be nec-
essary to protect her interest.

H. C. Dunning Clerk

Samuel H. Hutton p. q.

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

E. Perry,.....Complainant

v. Application and affidavit for order of publication.

Indy Cook Perry.....Defendant.

To the Clerk of said Court:

Please issue process in the above styled cause, returnable to the first October Rules, 1919.

The object of this suit is to obtain a divorce a vinculo matrimonii upon the ground of desertion.

In conformity with Chapter 99, Acts of Assembly of Virginia, 1912, and as counsel for the complainant in this cause, I make application for an order of publication against the defendant, Indy Cook Perry, who is not a resident of the State of Virginia and whose last known place of abode was Trenton, New Jersey, and I direct the Clerk to mail a certified copy of this order of publication, when entered, to the said defendant at the address given herein, and to certify the mailing of the same as required by the statute herein above referred to.

Saunders Whiston
Counsel for complainant.

STATE OF VIRGINIA,

City of Suffolk, to-wit:

I, E. Perry, being first duly sworn, do make oath that the above mentioned defendant, Indy Cook Perry, is not a resident of the State of Virginia.

Given under my hand this 15th day of September, 1919.

E. Perry
Complainant.

Subscribed and sworn to before me, the undersigned
notary public, in my said city, this 15th day of September,
1919.

Ray Lawing
Notary Public in and for the City of
Suffolk, Virginia.

MARRIAGE LICENSE



Virginia.....Hansemond 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,

Ernest Perry
and Indie Cook

Given under my hand, as Clerk of the Circuit Court
of Hansemond County this 30th day of July 1904

A. P. Gomer, D. 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 16, 1910.

Time of Marriage, 1904-July 31st	Place of Husband's Birth, Warren Co. N.C.
Place of Marriage, Hansemond Co. Va.	Place of Wife's Birth, Warren Co. N.C.
Full Names of Parties Married, Ernest Perry & Indie Cook	Place of Husband's Residence, Hansemond Co. Va.
Race (white or colored), Colored	Place of Wife's Residence, " " "
Age of Husband, 21 years	Names of Husband's Parents, Charles Perry and Matilda his wife
Age of Wife, 21 "	Names of Wife's Parents, Woodley Cook and Leafrey his wife
Condition of Husband, Single Widowed or single or divorced	Occupation of Husband, Laborer
Condition of Wife, Single Widowed or single or divorced	

Given under my hand this 30th day of July 1904

A. P. Gomer D. Clerk

Certificate of Time and Place of Marriage

I, E. Perry, a minister of the Gospel Church, or religious order of that name, do certify that on the 31st day of July 1904, at Franklin, Va., under authority of the above License, I united in Marriage the persons named and described therein.

Given under my hand this 17th day of September 1904
A true copy?

Teste: E. Perry

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.)

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Ernest Perry
Certificate of
Marriage
Indie Cook

1904

July 31st

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E. Perry.....Complainant

v. DECREE

Indy Cook Perry.....Defendant.

This cause, in which the defendant has been proceeded against in the mode prescribed by law against non-resident defendants, came on this day to be heard on the complainant's bill and the exhibits filed therewith, the respondent failing to appear and plead, answer or demur, the depositions taken before G. A. Harris, 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 Indy Cook Perry (formerly Indy Cook), and the plaintiff, E. Perry, shall be, and the same is, hereby dissolved and that the said E. Perry be forever divorced from the said Indy Cook Perry; and there being nothing further to be done in this cause, the same is ordered stricken from the docket.

E. Perry

v. Decree

Indy Cook Perry

Enter the 12 day of
January, 1920.

for S. McElmore

Entered in Chancery
Order Book 3-,
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E. Perry.....Complainant.

v. BILL

Indy Cook Perry.....Defendant.

TO THE HONORABLE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

Your complainant, E. Perry, respectfully represents:

(1) That on the _____ day of August, 1904, your complainant and the defendant were lawfully married in Nansemond County, Virginia, 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 date of said marriage until the 4th day of May, 1912, your complainant and the said defendant lived together as husband and wife, residing during the last three or four years of their married life together at Freehold, New Jersey; and,

(3) That the said defendant, Indy Cook Perry, has wilfully deserted and abandoned your complainant for a period of more than three years; that is to say, on the 4th day of May, 1912, the said Indy Cook Perry, did, voluntarily, wilfully and without any justification whatever, leave the said complainant, in Nansemond County, Virginia; 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; that your complainant has seen the said defendant only once since the said desertion, which was about four years after the said desertion, when she returned to Nansemond County, Virginia, and spent two nights with the mother of your complainant; that while in Nansemond County she stated that she never intended to live with your complainant again; and that your complainant has never lived with said defendant since the said 4th day of May, 1912; and,

(4) That your complainant has resided and has been domiciled in this state since the 4th day of May, 1912, and for more than one year next preceding the commencement of this suit, and is domiciled and now resides in this state, in Nansemond County near the City of Suffolk.

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 Indy Cook Perry 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 relieve in the premises as the nature of her case may require. or to equity shall seem meet.

E. Perry
Complainant.

by Saunders & Hutton
his attorneys

E. Perry

v. BILL

Indy Cook Perry

Paid
Oct. 18th Monday 1813
A. B. Hutton
Chk

SAUNDERS & HUTTON
Attorneys at Law
Suffolk, Va.

Office of
George E. Huntington
County Clerk, Nansemond County
Suffolk, Virginia

Rule Notes:

E. Perry

V. In Chancery

Indy Cook Perry

Sept. 20, 1919, Affidavit of non-resident filed, Order of publ'n. posted at C.H. door, copy to Suffolk Herald and copy to last known address of the deft.

December Rules, 1919, Set for hearing on ord'r of publ'n.