

1925-002
Nansemond Co (Suffolk) Chancery Causes: Oscar Lee Owens vs Irene Roberta Ingram Owens

Ingram, Parker, Rhodes, Pierce

VIRGINIA: In The Clerk's Office
of the Circuit Court of Nanse-
mond County, on the 19th day of
August, 1924.

Oscar Lee Owens,-----Complainant
vs.
Irene Roberta Ingram Owens---De-
fendant.

The Object of this suit is for the
complainant to obtain from the de-
fendant a divorce a vinculo matri-
moni 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 necessary to protect her in-
terest.

Teste: G. E. BUNTING,
Clerk.

M. Anderson Maxey, p.q.

A COPY—TESTE:

G. E. BUNTING, Clerk.

^{New3}
OFFICE OF SUFFOLK HERALD

SUFFOLK, VA.,

^{New3}
Sept 18 1924

I hereby certify that the order of which the annexed is
a copy has been published in THE SUFFOLK HERALD in
the manner prescribed by law—once a week for four weeks.

beginning

^{New3}
Aug 22 - 1924 and ending

Sept 12th - 1924 ^{New3}
March 30, 1926

W. W. Kilcher
Editor Herald

Per

E. A. M.

Manager

VIRGINIA:

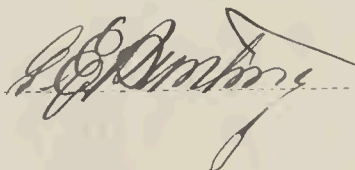
In the Clerk's Office of the Circuit Court of the County of Nansemond.

-----Oscar Lee Owens-----Pltff.-----
vs.-----In Chancery-----
-----Irene Roberta Owens-----Df't-----

I hereby certify that on the 19th day of August 19 24

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 a copy of same to the last known address of the said defendant

Given under my hand this 19th day of August, 1924

----------, Clerk,

By -----, Deputy Clerk.

VIRGINIA,

IN THE CIRCUIT COURT OF NANSEMOND COUNTY:

Oscar Lee Owens - - - - - Complainant.

v.

Irene Roberta Ingram Owens - - - - - Defendant.

TO GEORGE E. BUNTING, CLERK OF SAID COURT:

Please issue process in the above-mentioned cause,
returnable to first September rules, 1924.

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

In conformity with section 5108 of the Code of
1919, and as counsel for the complainant in this cause,
I make application for an order of publication against
the defendant, Irene Roberta Ingram Owens, who is not
a resident of the State of Virginia, and whose last known
post office address was 1908 Cadiz Street, Dallas, Texas,
and I direct the Clerk to mail a certified copy of said
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 in such cases made
and provided.

M. Anderson Moxey
Counsel for Complainant.

STATE OF VIRGINIA,

City OF Newport News, TO-WIT:

I, Oscar Lee Owens, being first duly sworn, do make oath
that the above-mentioned defendant, Irene Roberta Ingram Owens,
is not a resident of the State of Virginia, and that her last
known post office address is 1908 Cadiz Street, Dallas, Texas.

Given under my hand this 19th day of Aug 1924.

Oscar Lee Owens
Complainant.

Subscribed and sworn to before me, the undersigned, Notary

Public, in my said City by Oscar Lee Owens, this
19th day of August 1924.



Allan R. Hoffman
Notary Public for the
City of Newport News
in the State of Virginia.

My Commission Expires June 18, 1927.

Queens

Y.

Queens -

affidavit of non-resident

IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF
HANSEMOND COUNTY, ON THE 19th DAY of August, 1924.

V.

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

Accounting
Clerk

M.A. Maxey, p. 4.

State of Tennessee
Hamilton County

I, W. A. WHITICE, Clerk County Court in and for said County, do

Hereby Certify, That Oscar Lee Owens
and June Roberta Ingram were married on
the 13th day of July 1917
by Rev. J. A. McCallie as the same appears from
the records of my office.

Given under my hand and official seal, at Chattanooga,
this 14th day of July 1917
W. A. Whitice Clerk

By J. M. Bidensack D. C.

The depositions of Oscar Lee Owens and others taken before me, Frances Eleanor Sturgeon, a Notary Public, in and for the City of Suffolk, in the State of Virginia, at the office of M. Anderson Maxey, in the City of Suffolk, Virginia, on the 30th day of December, 1924, between the hours of ten o'clock, A. M. and five o'clock, P. M., to be read as evidence in behalf of Oscar Lee Owens, in a certain suit in equity pending in the Circuit Court for the County of Nansemond, wherein Oscar Lee Owens is complainant and Irene Roberta Ingram Owens is defendant.

Present: M. Anderson Maxey, Attorney for

Oscar Lee Owens.

No attorney for the defendant.

Dr. Oscar Lee Owens being first duly sworn, deposes and says as follows:

Q. Please state your name, age and residence.

A. Oscar Lee Owens, age 47, residence Nansemond County, Virginia.

Q. How long have you lived in Nansemond County?

A. All my life.

Q. Dr. Owens, are you the complainant in the suit of Oscar Lee Owens against Irene Roberta Ingram Owens?

A. I am.

Q. When and where were you and your wife, Irene Roberta Ingram, married?

A. Chattanooga, Tennessee, in the year 1917.

Q. Are you and your wife now living together as man and wife?

A. We are not.

Q. Did you leave her or did she leave you?

A. She left me.

Q. Do you know why your wife left you?

A. I know of no just reason why she left me as I have done all in my power to make her happy and satisfied. It is true that her Mother had presisently endeavored to alienate her daughter from me and had begged her to leave.

Q. Were you always a good, kind and dutiful husband towards your wife?

A. I was.

Q. Have you in any way consented for your wife to leave you?

A. Do you mean permanently?

A. Yes.

A. No.

Q. How long has it been since your wife lived at your house?

A. Nearly 4 years.

Q. Where did you and your wife last live together as man and wife?

A. InnNansemond County.

Q. Have you and she lived together since she left you about 4 years ago?

A. We have not.

Q. Please state the circumstances under which your wife left you?

A. She left me without any notification whatever. At the time she left I was teaching in the High School at Windsor, Virginia and upon my return home late in the afternoon, I found that she had gone. The girl at the house said that some man came for her and that she thought it was Mrs. Owens' brother.

Q. Do you know who this man was that came after your wife?

A. I do not, but as her brother had been visiting us the week before and had left presumably for New York; it is my opinion that he returned stealthily and persuaded my wife to leave with him during my absence.

And further this deponent saith not.

Oscar Lee Owens

Mrs. Marietta Parker being first duly sworn, deposes and says as follows:

Q. Please state your name, age and residence?

A. Mrs. Marietta Parker, age 58, residence, Franklin, Virginia.

Q. Do you know Dr. Oscar Lee Owens the complainant in the suit of Oscar Lee Owens against Imene Roberta Ingram Owens?

A. I do.

Q. How long have you known Dr. Owens?

A. All my life.

Q. Do you know when and where Dr. Owens and Roberta Ingram Owens were married?

A. Yes Sir, in Chattanooga, Tennessee in 1917.

Q. Do you know whether or not they are now living together as man and wife?

A. They are not.

Q. Do you know which one left the other?

A. She left him.

Q. Do you know of any reason or cause that Dr. Owens could have given her to leave him?

A. I do not.

Q. Do you know why she left him?

A. I do not.

Q. Have you visited in their home?

A. No, but they have visited in mine.

Q. Has Dr. Owens always been a good, kind, dutiful and devoted husband, so far as you know?

A. Yes Sir.

Q. Did Dr. Owens always provide for his wife in keeping with her social standing and his?

A. He did, after she left I went to Dr. Owens' and found a great many of her clothes and the children's clothes there which she had left.

Q. Were these clothes clothes which had been discarded, or nice clothes?

A. They were nice clothes.

Q. How long has it been since they lived together as man and wife?

A. Nearly four years.

Q. Do you know whether she left with Dr. Owens' consent or not?

A. She did not.

And further this deponent saith not.

Mrs Marietta Parker

Mr. W. J. Rhodes being first duly sworn, deposes and says as follows:

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

A. W. J. Rhodes, Windsor, Virginia, age 53, occupation salesman.

Q. Do you know Oscar Lee Owens the complainant in the suit of Oscar Lee Owens against Roberta Ingram Owens?

A. I do.

Q. Are they living together as man and wife?

A. No Sir.

Q. Did Dr. Owens leave his wife or did she leave him?

A. She left him.

Q. Do you know why she left him?

A. I do not.

Q. How long has it been since they last lived together as man and wife?

A. About four years.

Q. Are you any kin to either Dr. Owens or his wife?

A. I am not, but my wife and I have visited their home and they visited us, and their relations always seemed very pleasant.

Q. Was Dr. Owens, so far as you know, always a good, kind and dutiful husband towards his wife?

A. Yes, sir.

Q. Do you know the circumstances under which Mrs. Owens left Dr. Owens?

A. I do not, but am satisfied that her brother who had been recently visiting in the home called for her and carried her away.

Q. Has Dr. Owens always provided for his wife as best he could?

A. So far as I know.

And further this deponent saith not,

W. J. Rhodes

Mrs. Nettie S. Pierce being first duly sworn, deposes and says as follows:

Q. Please state your name, age and residence.

A. Nettie S. Pierce, age 29, residence, Nansemond County, Virginia.

Q. Do you know Dr. Oscar Lee Owens the complainant in the suit of Oscar Lee Owens against Roberta Ingram Owens?

A. I do.

Q. How long have you known Dr. Owens?

A. All my life.

Q. Do you know when and where Dr. Owens and Roberta Ingram Owens were married?

A. Chattanooga, Tennessee, in the year 1917.

Q. Do you know whether or not they are now living together as man and wife?

A. They are not.

Q. Do you know which one left the other?

A. She left him.

Q. Do you know why she left him?

A. I do not know why she left him. He was teaching school in Windsor and upon his return home, he found her gone.

Q. How long has it been since they lived together as man and wife?

A. Nearly four years.

Q. What kin are you to either Dr. Owens or Mrs. Owens?

A. I am Dr. Owens' neice.

Q. Have you frequently visited in their home?

A/ Yes sir.

Q. Was Dr. Owens, so far as you know, always a kind, good, dutiful husband towards his wife?

A. Yes sir, they lived in my house for six weeks when he came back from the war.

Q. Do you know whether she left with his consent?

A. She did not.

Q. Do you know the circumstance under which Mrs. Owens left Dr. Owens?

A. I do not, but I understand that her brother who ~~has~~ been visiting in the home called for in an automobile and they went away together.

Q. Do you know whether Dr. Owens has made any effort or not to get in touch with his wife and get her to return to him.

A. I do, he has written her and in fact all of us have written

her but have been unable to hear from her.

Q. Have your letters addressed to her been returned ?

A. None of them were returned but the last one.

And further this deponent saith not.

Nettie S. Pierce

STATE OF VIRGINIA,

CITY OF SUFFOLK, to-wit:

I, Frances Eleanor Sturgeon, a Notary Public in and for the City of Suffolk, in the State of Virginia, do hereby certify that the foregoing depositions were taken before me and reduced to writing at the time and place in the caption hereto mentioned, the complainant having proceeded against the defendant as a non-resident by order of publication.

In witness whereof, I have hereunto set my hand and affixed my seal at Suffolk aforesaid this 30th day of December, 1924.

My Commission expires the 21st day of October, 1928.

Frances Eleanor Sturgeon
Notary Public for the City
of Suffolk.



Owens,

v.

Owens-

Depositions

V.

Upon consideration of all of which, independently of the admissions of either party in the pleadings of otherwise, the court is of the opinion that the defendant has, without cause, abandoned the complainant for a period of more than three years, and that the complainant is entitled to the relief prayed for in his said bill. It is, therefore, adjudged, ordered and decreed that the complainant, Oscar Lee Owens, and the defendant, Irene Roberta Ingram Owens, be, and they are hereby divorced from each other from the bonds of matrimony. And there remaining nothing further to be done in this cause, the same is ordered stricken from the docket.

April 1
Enter March 20, 1925

Jan. L. McInnis

#5 — 5-34

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY:

Oscar Lee Owens

v.

Irene Roberta Ingram Owens.

BILL

TO THE HONORABLE JAMES L. MCLEMORE, JUDGE OF SAID COURT:

Your complainant, Oscar Lee Owens, respectfully represents:

(1) That on the 13th day of July, 1917, your complainant was lawfully married in Chattanooga, in the County of Hamilton, in the State of Tennessee, to Irene Roberta Ingram Owens 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 about the 1st day of April, 1921, your complainant and the said Irene Roberta Ingram Owens lived together as husband and wife; and,

(3) That the said Irene Roberta Ingram Owens has wilfully deserted and abandoned your complainant for a period of more than three years; that is to say, on or about the 1st day of April, 1921 the said Irene Roberta Ingram Owens did voluntarily, wilfully and without any justification whatever leave the home of your complainant in Nansemond County, Virginia, and that your complainant has never heard from her since that day nor does he now know where she is, or whether she is dead or alive; her last known address being 1908 Cadiz Street, Dallas, Texas; 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 preceding the commencement of this suit, and is domiciled and now resides in this State; and,

(5) That your complainant last cohabited with the said Irene Roberta Ingram Owens in the County of Nansemond, 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 Irene Roberta Ingram Owens 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.

OSCAR LEE OWENS, Complainant.

By Counsel.

M. Anderson Mayes P. q.

Oscar Lee Owens

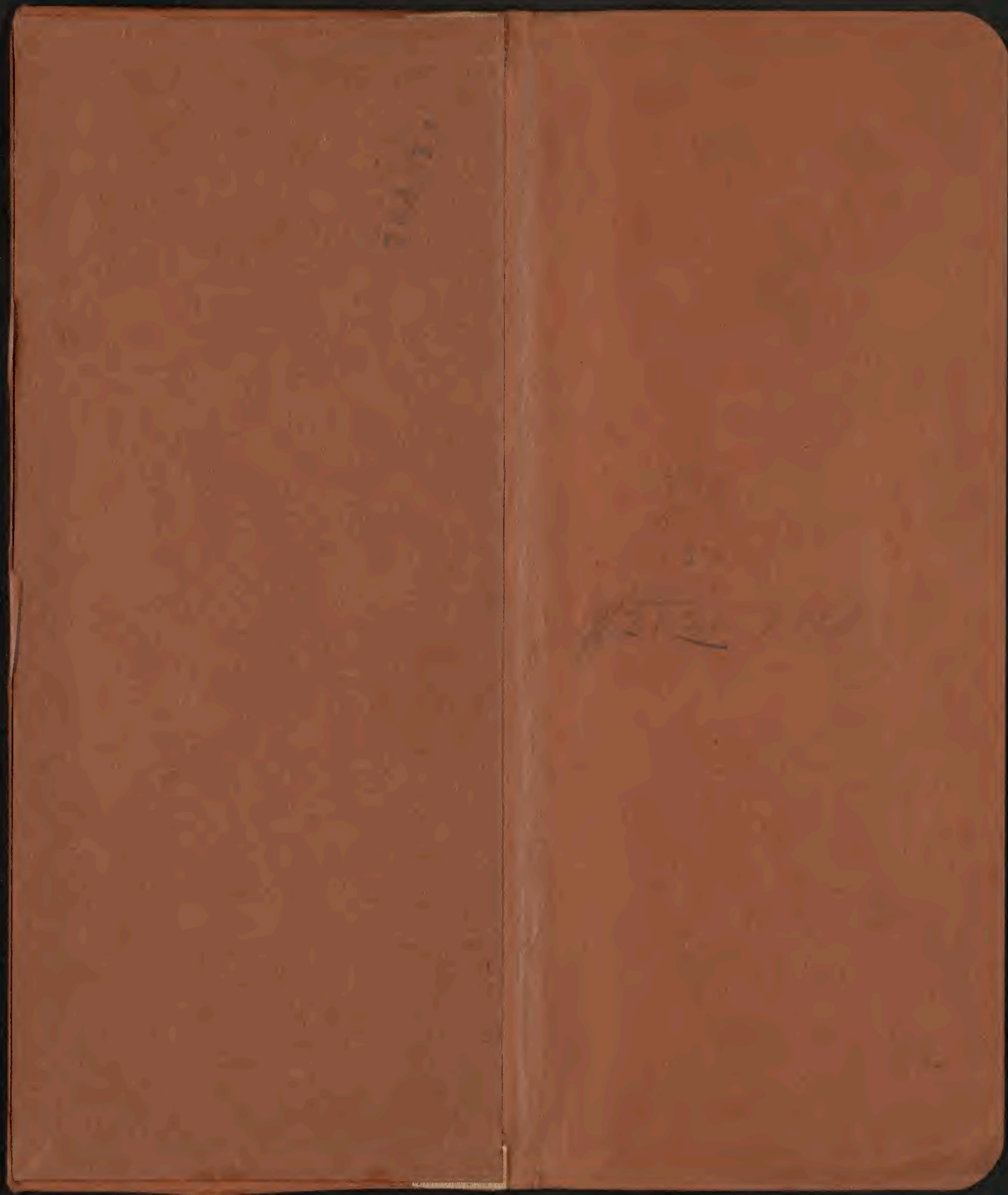
vs.

Irene Roberta Owens

Bill

Filed Aug. 19, 1924
H. D. Moxley
Clerk

M. ANDERSON MAXEY
ATTORNEY AND COUNSELLOR AT LAW
SUFFOLK, VIRGINIA



Mr. Andrew Morgan & Co.

Bear River Quins

Sum. Robert & Quins

1925