

1933-036
Nansemond Co (Suffolk) Chancery Causes: Jacob Vincent vs Ella Rose Vincent

42

Rose, Rodgers

OVERSIZE
Box 4
- Marriage license (exhibit A)

VIRGINIA:

IN THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND.

JACOB VINCENT

v.

ELLA ROSE VINCENT

Please issue summons returnable to the Second Rules
(third Monday) in December, 1920, to answer a bill in chancery
for a divorce.

Jacob Vincent by
Wm. S. Halland

Wm. S. Halland - p.q.

Issued Dec. 8, 1920
atk to Shif. of Hays Co. 52

Ella Rose Vincent lives near Bowers Hill on the old Goodman
Place with her son-in-law, Richard Jenkins, Col.

CHANCERY SUMMONS

The Commonwealth of Virginia.

TO THE SHERIFF OF ^{Norfolk} ~~NANSEMOND~~ COUNTY---GREETING:

You are Hereby Commanded to Summon.....Ella Rose Vincent.....

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 December, 1920 answer.....a.....
Bill in Chancery, exhibited against.....her.....
in the said Court by.....Jacob Vincent.....

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this....8th....day of
~~December~~....., 1920, in the 105th...year of the Commonwealth

A Copy---Teste:

Clerk }

Teste:

Clerk

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

in process to

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

Sheriff

Original

Wm S Holland p. q.

Jacob Vincent

vs. } In Chancery

Ella Rose Vincent

19 *20*

December Rules

Third Monday.

NANSEMOND COUNTY COURT,

Process Book, No *3*

Page

Executed in the County of Norfolk, Va.,
this the *14* day of *Dec* 19*20* by
serving a Copy hereof on

Ella Rose Vincent

IN PERSON.

C. G. Wendee
Sheriff County of Norfolk, Va.

By *S. G. Smith* Deputy

TO ELLA ROSE VINCENT:

Take notice that on Tuesday, January 4th, 1921, 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 Jacob Vincent 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 concluded, on that day, the taking thereof will be adjourned from day to day, at the same place, and between the same hours, until the same shall be completed.

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

Given under my hand this 8th day of December, 1920.

Wm S. Holland p.q.

Jacob Vincent
By Counsel.

Ella Rose Vincent lives near Bower's Hill on the old Goodman Place with her son-in-law, Richard Jenkins, Col.

JACOB VINCENT

v.

ELLA ROSE VINCENT

Notice of taking
depositions.

Executed in the County of Norfolk, Va.
this the 14 day of Dec 1890
serving a Copy hereof on

Ella Rose Vincent

IN PERSON.

W. S. Holland
Sheriff County of Norfolk, Va.
Deputy

WILLIAM S. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

The depositions of Jacob Vincent, Shirley Vincent and Luke Rodgers, taken before me, Hugh L. Holland, a Notary Public for the City of Suffolk, Virginia, at William S. Holland's Office, in Suffolk, Virginia, on the 4th day of January, 1921, and between the hours of 9 A.M. and 6 P.M., to be read as evidence in behalf of Jacob Vincent, in a certain suit in equity depending in the Circuit Court of Nansemond County, Virginia, wherein Jacob Vincent is plaintiff and Ella Rose Vincent is defendant.

PRESENT: William S. Holland, attorney for plaintiff.

No appearance for defendant.

Jacob vincent being duly sworn deposes as follows:

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

A. Jacob Vincent, 82 years, farmer, Nansemond County, Virginia.

Q. Are you and Ella Rose Vincent living together now ?

A. No sir.

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

A. She left me.

Q. Just tell when she left and what she said at the time of her departure.

A. I did not know she was going to leave until she went down to Portsmouth the last of August, 1914, and came back the 30th of September, 1914 after her things in Mr. Lee Holland's wagon with John Hatcher driving the horse. I asked her what had I done to her. She said nothing, she just did not like up here. I asked her had I mistreated her in any way. She said no. I asked her if she thought she was treating me right to go and leave me. She said she did not like up here and was going to leave. She took her bed things and clothes in her trunk in the wagon and she left.

Q. Did she leave the same day she came after her things ?

A. Yes sir.

Q. Have you co-habited with her since the day she came to the house for her things ?

A. No sir.

Q. Has she ever been back to your house, or offered to live with you since that time ?

A. No sir.

Q. When were you all married ?

A. About the 25th of February, 1914.

Q. Did you ever mistreat her in any way ?

A. No sir.

Q. Did you always take care of her as long as she stayed with

you ?

A. Yes sir, I did.

Q. Do you own your farm?

A. Yes sir. I was buying it when she was there.

Q. Where were you living at the time Ella Rose Vincent left you?

A. In Nansemond County, Virginia, close to Providence Church,
on the corner.

Q. How long have you been living in Nansemond County, Virginia ?

A. About thirty years.

Q. Are you still living in Nansemond County, Virginia ?

A. Yes, sir.

Further this deponent saith not.

Witnesses

Marion Spencer.

Wm. M. Holland,

Jacob ^{his} Vincent
mark

Shirley Vincent being duly sworn deposes as follows:

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

A. Shirley Vincent, 18 years, laborer, Nansemond County, Va.

Q. Are you related to either party to this suit ?

A. Yes sir, I am the son of Jacob Vincent by his first marriage

Q. Is your mother living now?

A. No sir.

Q. When did she die?

A. My mother died in November, 1910.

Q. Did your father and mother live together until your mother died in 1910 ?

A. Yes sir.

Q. Did your father ever leave your mother ?

A. No sir.

Q. Did your mother ever leave your father ?

A. No sir, they lived together as long as mama lived and never had any trouble.

Q. Do you know when Ella Rose Vincent married your father, Jacob Vincent ?

A. She married him in February, 1914.

Q. Are they living together now ?

A. No sir.

Q. Did your father leave Ella Rose Vincent or did Ella Rose Vincent leave your father?

A. She left him in September, 1914, and has not been back since.

Q. Just tell what was said when she left.

A. She came and asked papa for her trunk, clothes and things, he asked her what she was going to do with them, she said she was going to Portsmouth. He asked her what was the matter, and she said she just did not like up here, and she said she was going to leave and was not coming back.

Q. How did she come after her trunk and things ?

A. She came in a wagon owned by Mr. Lee Holland, and the horse

was driven by a man who was working for Mr. Lee Holland.

Q. How long had she been gone at the time she came for her trunk in September, 1914?

A. About three or four weeks.

Q. Did your father mistreat her in any way as to cause her to leave him?

A. No sir.

Q. What did she say when she left the first time, that is three or four weeks before she came after her trunk?

A. She told papa that she was going down to see her daughter at Bower's Hill, but she did not take her trunk until three or four weeks later and she did not say anything about her intention to leave papa until she carried her trunk in September, 1914, in Mr. Lee Holland's wagon.

Q. Where were Jacob Vincent and Ella Rose Vincent living at the time she left him?

A. They were living in Nansemond County, Virginia, near Providence Church.

And further this deponent saith not.

Witnesses—

Marion Spencer,

Hyatt A. Holland,

^{his}
Shirley X Vincent
mark

Luke Rodgers.

Luke Rodgers, being duly sworn, deposes as follows:

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

A. Luke Rodgers, 58 years old, farmer, Nansemond County, Va.

Q. Are you acquainted with the parties to this suit?

A. Yes, Sir.

Q. Are you related to either party?

A. No, Sir.

Q. How far were you living from Jacob Vincent's home in 1914?

A. It is about a mile from my home to his, not more.

Q. Do you know whether Jacob Vincent and Ella Rose Vincent are living together now or not?

A. They are not living together now.

Q. Just tell in your own words the last time you saw Ella Rose Vincent and what she said to you.

A. The last time I saw Ella Rose Vincent was on the street in Suffolk, she had come from Portsmouth, that was in September 1914. she had left Jacob Vincent sometime before. When I saw her that time she asked me if I had seen any of Jacob Vincent's people. Then she said that she had left Jacob Vincent and had come back to get her trunk. She wanted me to tell her where she could get a wagon to go and get her trunk. She went out there and got her trunk that day I know. She said that she was going to leave Jacob Vincent and was not coming back any more. She said also that she did not like living out there, and I know that she has not been back since then.

Q. Did she give any reason for leaving him?

A. No, Sir. Just that she did not want to live out there.

Q. Do you know whether Jacob Vincent had a home for her or not?

A. Yes Sir, he had a good home for her. and paid for, and plenty something to eat.

- Q. Do you know whether Jacob Vincent has any bad habits or not, is he quarrelsome ?
- A. No Sir. he is a good straight man. and I have been knowing him for about fourteen years.
- Q. Do you know how he treated his wife before she left him ?
- A. I visited there several times and always saw him treat her in the best kind of way. I know that he gave her everything he could afford, and took care of her as long as she would stay with him.
- Q. Where were Jacob Vincent and Ella Rose Vincent living at the time Ella Rose Vincent left him ?
- A. They were living on the road one-half mile from Providence Church, in Nansemond County, Va.
- Q. How long has Jacob Vincent been living in Nansemond County ?
- A. I could not tell exactly but I know he has been here more than twelve or fourteen years.
- Q. Is Jacob Vincent still living in Nansemond County ?
- A. Yes Sir.
- Q. Why did Ella Rose Vincent leave Jacob Vincent ?
- A. I do not know, except that she told me here in Suffolk that she was tired of staying out there. I never saw Jacob Vincent give her any cause for leaving at all and I was one of their neighbors.

And further the deponent saith not.

Witness
H. H. Holland,
Marion Spencer.

Lube X ^{his} Rodgers
mark

STATE OF VIRGINIA,

City of Suffolk, to-wit:

I, Hugh L. Holland, a notary public for the city aforesaid, in the State of Virginia, do certify that the foregoing depositions of Jacob Vincent, Shirley Vincent, and Luke Rodgers were duly taken, sworn to and subscribed before me at the office of William S. Holland, in the City of Suffolk, Virginia, on the 4th day of January, 1921, 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 4th day of January, 1921.

Hugh L. Holland

Notary Public.

My commission expires the 26 day of Sept, 1922.

Jacob Vincent

V-

Ella Rose Vincent

Depositions

Filed Jan. 8, 1921.

W. B. Anthony
Clerk

WILLIAM S. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

VIRGINIA;

IN THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND

Jacob Vincent,

v.

Ella Rose Vincent.

which has been repeatedly mentioned at rules
This cause [^]came on this day to be heard on the bill of complaint and 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, failed 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, Ella Rose Vincent, since her marriage with the said plaintiff, Jacob Vincent, has deserted him for a period of more than three years next before the institution of this suit, that the plaintiff has been domiciled in and a resident of Virginia for more than one year ^{next} preceding the commencement of this suit, that they last cohabited in the County of Nansemond, Virginia; the Court doth adjudge, order and decree that the plaintiff be and he is hereby granted a divorce a vinculo matrimonii from the said defendant, and the said 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.

Jacob Vincent

v.

Ella Rose Vincent.

Decree.

Enter Jan'y 12. 1921
Jas. S. McElmore.

Chancery Order Book 5,
page 3018.

WILLIAM S. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

Jacob Vincent (
)
 (Bill.
)
Ella Rose Vincent. (

TO THE HONORABLE CIRCUIT COURT OF NANSEMOND COUNTY:

Your complainant, Jacob Vincent, respectfully represents:

(1.) That on the following day, to-wit: the 28th day of February, 1914, your complainant, Jacob Vincent, was lawfully married in the City of Portsmouth, Virginia, to Ella Rose Vincent, whose maiden name was Ella Rose, 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 following day, to-wit: the 30th day of September, 1914, your complainant and the said Ella Rose Vincent lived together as husband and wife in Nansemond County, Virginia; and,

(3) That the said Ella Rose Vincent has willfully deserted and abandoned your complainant for a period of more than three years; that is to say, on the aforesaid date, to-wit: on the 30th day of September, 1914, the said Ella Rose Vincent did voluntarily, willfully, and without any justification whatsoever 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,

(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 domiciled and now resides in this State; and,

(5) That your complainant last cohabited with the said Ella Rose Vincent 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 Ella Rose Vincent 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.

Wm. S. Holland p.q.

Jacob Vincent
by W. S. Holland, his atty.

Jacob Vincent,
v. Bill.
Ella Rose Vincent.

Filed December 30, 1920
H. B. Smith,
Clk

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, COMMONWEALTH'S ATTORNEY
E. B. RAWLS, SHERIFF
C. R. FULGHAM, COUNTY TREASURER
LEE BRITT, COMMISSIONER OF ACCOUNTS

Nansemond County Clerk's Office

SUFFOLK, VIRGINIA

Jacob Timent
vs

Ella Rose Timent

Process issued Dec. 8, 1920, returned to
Hoc. Rules, 3rd Monday, 1920.

Hoc. Rules, 3rd Monday, Process returned
executed, Dec. filed & Order nisi.

January Rules, 1st Monday 1921.

Cause set for hearing

Wm S. Holland, Jr.

Jacob Tricent

Ella Rose Tricent

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Exhibit A

Marriage * License

Virginia, City of Portsmouth, 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 Jacob Vincent
and Ella Rose

Given under my hand as Clerk of the Court of Hustings for the City of Portsmouth, this 25th
day of February 1914.

E. Thompson, Clerk

By A. W. Robinson, Deputy Clerk

Certificate to be Annexed to the License as required by Section 5074 of the Code of Virginia 1919.

Time of Marriage <u>February 25, 1914</u>	Place of Husband's Birth <u>Halifax Co. N. C.</u>
Place of Marriage <u>Portsmouth, Va.</u>	Place of Wife's Birth <u>Warren Plains, N. C.</u>
Full Names of Parties <u>Jacob Vincent</u> <u>+ Ella Rose</u>	Place of Husband's Residence <u>Nansemond Co. Va.</u>
Race (white or colored) <u>Colored</u>	Place of Wife's Residence <u>Portsmouth, Va.</u>
Age of Husband <u>74 years of age</u>	Names of Husband's Parents <u>Stepney and</u> <u>Malvinia Vincent</u>
Age of Wife <u>50</u>	Names of Wife's Parents
Condition of Husband (widowed or Single or Divorced) <u>Widower</u>	Occupation of Husband <u>Farmer</u>
Condition of Wife (widowed or Single or Divorced) <u>Widow</u>	

Given under my hand this 25th day of February 1914.

E. Thompson, Clerk

By A. W. Robinson, Deputy Clerk

Certificate of Time and Place of Marriage

I, Rev. F. C. Campbell, a Minister of the 2nd Baptist
Church, or religious order of that name, do certify that on the 28th day of
February 1914, at Portsmouth, under authority of the above
License, I united in Marriage the persons named and described therein.

Given under my hand this 25th day of Feb 1914.

F. C. Campbell

The Minister celebrating a marriage is required, within thirty days thereafter, to return the License to the Office of the Clerk who issued the same with the endorsement thereon of the FACT of such marriage, and of the TIME and PLACE of celebrating the same.

A Copy - Teste: E. Thompson Clerk,
By Fitzhugh Lee Hudgins

A Copy

Jacob Vincent Husband

and { **Marriage License**

Ella Rose Wife

Date of Marriage Feb. 25, 1924

Date Returned March 30, 1924

Marriage Register No. 2 Page 144