1904-18 Southampton County Chancery Scott, Mary A. vs Scott, Benjamin

Decree

Scott Mary L.

vs } Bill & Exhibits

Scott Benjamin

1899. 2nd Oct. Rules filed

L. A. Gay C.C.

To the Honorable Robert R.Prentis, Judge of the Circuit Court of Southampton County, Virginia:

Your complainant Mary C.Scott humbly complaining show to the court; that on the 22nd day of May 1872 she intermarried with Benjamin Scott in the county of Prince Edward in the State of Virginia, as will more fully appear by reference to an office copy of the marrage license and ministers return thereon, herewith filed as an exhibit marked " A " and prayed to be taken and read as a part of this bill. Your complainant and husband lived in said county till the year 1880 when they moved to the county of Southampton in the said State of Virginia, where they resided till July 1st, 1896 when said husband wilfully deserted and abandoned her, and carried off from their home all property belonging to him. That a few days before the time of the said desertion Nannie Scott, the daughter of your complainant and her said husband, complained that her said father had been having carnal intercourse with her and threatened to kill her if she told it.
Your complainant says that she believed the child who was then about sixteen years old and complained to her husband, and that your complainant was cruelly and brutally beat and used by said Benjamin Scott till he left. Your complainant says that she is informed he went to the City of Norfolk, and occasionly would return to her home, when and where he would cruelly beat and ill treat your said complainant. That these unwelcome visits would continue for only a few days at a time. Your complainant says that in 1898 he approached your complainant with a prayer of forgiveness and for a reunion, and your complainant, hoping he would be true to some of the many promises of reformation, again consented to live with him, that after about one month's time, he again became cross, cruel and abusive, and again wilfully deserted and abandoned your complainant. And that since that time he frequently comes to the home of your complainant in Southampton county, and threatens to beat and kill her, and tries in every conceivable way to annoy and harass her. He objects to any one in the neighborhood cultivating or assisting your complainant in the cultivation of the small farm on which she lives, that on some of the visits since the last desertion and abandonment aforesaid he not only threatens but actually beats your complainant. Your complainant says that these visits have become more frequent, and that your complainant is afraid that he will kill her, and if he does not kill her, he is making her existance miserable,

and, will if not pervented force her to leave her home where she can best support her infants children who are wholly dependant upon her for a support. Your complainant says she can not rent the land, nor can she get it cultivated so long as her husband is allowed to make his visits and to threatened any one she hires to do any work of any kind for her.

Your complainant says that she has, at all times and always, been to her said husband a true and faithfull wife, and has borne him in all eleven children, of whom four are dead, and the following are living; William Edwards Scott now 26 years old; Charlie Scott now 24 years old; Minnie Scott now 19 years old; Josie F.Scott now 17 years old; Mary B.Scott now four years old and Bernice Scott one year old on the 24th day of April 1899.

Your complainant says that all said children except the two first above named are living with her, and are dependant on her for a support, and towards the support of which her said husband does not contribute one cent.

Your complainant says that she owns in her own right a small tract of land neer Iver in said Southampton county in the State of Virginia, containing 30 acres, more or less, on which there is a small dwelling house which is the dwelling place of your complainant and her dependant children, and at which by hard labor she could live and support her children, and be at comparative ease if said Benjamin Scott could be kept away or restrained when there.

For as much as your complainant is remediless save in this court where such matters are alone and properly cognizable, she prays that said Benjamin Scott be made a party defendant to this bill, and, required to answer the same, but an answer on oath is hereby expressly waived, that said wife, your complainant, be granted a divorce a mensa et torro, and finally in the progress of this cause, be granted a divorce a vinculo matrimonii. that the custodiay and care of the said infant children by given your complainant, that an injunction be awarded your complainant restraining said defendant , Benjamin Scott, from imposing any restraint on her personal liberty, or in any wise molesting or interfering with your complainant, her children, and those in her employment or who may be at work on her premises, and from visiting the said home of your complainant in said Southampton County, Virginia , and from interfering with your complainant in the management, control and disposition of her property, that all such other,further and general

relief may be afforded your complainant as the nature of her case may require, as to equity and good conscience may seem meet, that said defendant may be required to pay any and all proper counsel fees which may be due from your complainant for services in this suit, and she will ever pray &c.

Mary C. Scott

Virginia,

County of Southampton, to-wit:

I, ~~F.P.Dudley~~ K. McIrguhart a Justice of the Peace in and for the county in state last above written, do certify that Mary C.Scott made oath before me, in due form of law, that the statement contained in the foregoing bill of complaint are true to the best of her knowledge, information and belief.

Given under my hand this 5th day of July 1899.

K. McIrguhart J.P.

Virginia, Prince Edward Co 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,

Benjamin Scott

and Mary C Branch

Given under my hand, as Clerk of the County Court of Prince Edward this 22nd day of May 1872

H R Cooper Clerk

CERTIFICATE TO OBTAIN A MARRIAGE LICENSE,

TO BE ANNEXED TO THE LICENSE, REQUIRED BY SECTION 2229 OF THE CODE OF VIRGINIA.

Time of Marriage, May 22nd 1872

Place of Marriage, Prince Edward Co

Full Names of Parties Married, Benj Scott and Mary C Branch

Color, Colored

Age of Husband, Twenty two years

Age of Wife, Nineteen years

Condition of Husband (widowed or single), Single

Condition of Wife (widowed or single), Single

Place of Husband's Birth, Prince Edward Co

Place of Wife's Birth, " " "

Place of Husband's Residence, " " "

Place of Wife's Residence, " " "

Names of Husband's Parents, Byrum and Polly Scott

Names of Wife's Parents, Henry and Mary Branch

Occupation of Husband, Farm hand

Given under my hand this 22nd day of May 1872

H R Cooper Clerk

MINISTER'S RETURN OF MARRIAGE.

I Certify, That on the 22nd day of May 1872 at I united in Marriage the above-named and described parties, under authority of the annexed License.

A copy Teste
W H Huckstep Clerk

S J Atkins

☞ The Minister celebrating a marriage, is required, within TEN days 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.

Scott

" " } Depositions

Scott

1904. July 1. Filed.
B. F. M. ca

The depositions of Sam Scott and Dawson Warren taken before me, Lily Cabell Scott, a Notary Public in and for the County of Isle of Wight and State of Virginia, at Zuni immediately on the line of Southampton County and within three miles of the residence of the parties in the County of Southampton, at 9 o'clock A. M. on the 23rd day of June, 1904, to be read in behalf of the plaintiff in a certain suit in equity pending in the Circuit Court of Southampton County in which Mary C. Scott is plaintiff and Benjeman F. Scott is defendant, an order of publication having been heretofore executed and the said defendant B. F. Scott, having no attorney these depositions were taken without notice to the defendant.

P R E S E N T.

WM. S. HOLLAND, Attorney for plaintiff.

NO appearance for the defendant.

Samuel Scott, being duly sworn deposes and says in answer to questions as follows:

Q. State your name, residence and occupation and if related to the parties in this suit?

A. My name is Sam Scott, I am fourteen years old, reside with my mother in Southampton County and work for her. I am the son of the parties to this suit, Mary C. Scott and Ben. Scott.

Q. Have you lived with your mother all your life?

A. Yes sir.

Q. Have you seen or heard from your father in the last five years?

A. No sir, I have not seen him or heard from him. He has not been to our house in that time.

And further this deponent saith not.

Sam Scott

Dawson Warren being duly sworn deposes and says in answer to questions as follows:

Q. State your name, age, residence, occupation and if you are related or connected with the parties to this suit?

A. My name is Dawson Warren. Am twenty-three years old and I live in Southampton County two miles from Ivor. Am no kin and I am not connected with the parties to this suit.

Q. How far have you lived from Mary Scott during the last five years?

A. Not over two hundred yards.

Q. Have you seen or heard of Benjeman Scott, the husband of Mary C. Scott, within the last five years?

A. No sir. I have not heard anything about his being in the neighborhood for five years.

Q. Where are the children of Mary Scott and Ben Scott?

A. With their mother.

Q. State how she takes care of them?

A. She takes care of them all right.

Q. How about the morals of the children of Mary C. Scott?

A. She looks after that and her children are kept out of bad company and well raised.

And further this deponent saith not.

Dawson Warren

I hereby certify that the foregoing depositions were duly taken before me at the time and place and for the purpose mentioned in the caption, that I took the depositions in the shape of stenographic notes and transcribed the same on paper and had the parties to sign afterwards. I hereby certify that said stenographic notes were correctly transcribed.

Given under my hand this 9th day of June, 1904.

Lily Cabell Scott N. P.

Scott
vs } Depositions
Scott

1904 July 1. Filed.
B. F. McC.

No proof that D.P.
was ever served
upon deft.
RRP
7/15/04

The depositions of Mary C. Scott, Geo. W. Horne, and Geo. W. Simmons taken before me, a Notary Public, in and for the County of Isle of Wight and State of Virginia, no special notice having been given because the defendant is a non resident of the state, who has been proceeded against by order of publication, according to law, on the 21st day of May, 1903, between the hours of ten A. M. and three P. M. to be read as evidence on behalf of Mary C. Scott in a certain suit in equity, depending in the Circuit Court of Southampton County, wherein Mary C. Scott is plaintiff and Ben Scott is defendant.

Present, Wm. S. Holland, Attorney for the plaintiff, Mary C. Scott, who was Mary C. Branch, a witness of lawful age, being duly sworn deposes and says.

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

A. Mary C. Scott is my name, I am 47 years old, reside in Southampton County, about two miles from Ivor, and my occupation is that of farming, and I am the plaintiff in this suit.

Q. State whether or not you are a married woman, when you married and who you married?

A. Yes, I am a married woman, I was married in Prince Edward County May 22, 1872, they got the license at Farmville, and I married Ben Scott.

Q. How long did you and Ben Scott live together in Prince Edward County?

#2.

A. We lived in Prince Edward County eight years and then moved to Southampton County where I now live and where I have lived ever since that time.

Q. Where is your husband Ben Scott?

A. I do not know.

Q. When did he leave you?

A. He left me seven years ago this Spring.

Q. In what County did you and he last live together as man and wife?

A. In Southampton County.

Q. Will you please tell me if you know what caused him to leave?

A. We fell out on account of our daughter, She claimed that he kept bothering after her and she came to me to stop him. He fell out with me about it and he left.

Q. Did you with your own eyes ever see any bad conduct between your husband and your daughter?

A. I never saw him do what she accused him of doing with my own eyes, but from his actions for some time, I fully believe he was guilty of bad conduct with my daughter, in fact I have no doubt whatever about it and I know that it caused him to leave the county and the country.

Q. You have said it was your daughter, do you mean that it was your daughter and his daughter, born while you were living together as man and wife?

A. Yer Sir, it was his child and my child.

Q. How old was the child?

A. About fifteen years old.

Q. As a mother did you see any sign or know anything which caused you to believe he was guilty of bad conduct with his daughter?

his daughter?

A. I knew he was of that nature. I had seen other things about him that caused me to believe that so strong. I seen other things of him around his own family and around other people and that is the reason I believe that, and from what I saw of my daughter I know he was guilty.

Q. Has he been back since he left, to your house?

A. No Sir, not as I know of. I have not seen him there.

Q. Have you seen him any where since that time?

A. I saw him at Ivor about four years ago. I only saw him a few minutes.

Q. Have you ever heard from him since?

A. I have heard that he was living in the State of New Jersey, but I don't know where he is.

Q. Have you and he ever lived together as husband and wife since the first time he left about seven years ao this Spring?

A. No Sir. Not since he left the first time.

Q. Did he have any property when he left you?

A. He had very little and carried away everything that belonged to him when he went away.

Q. Please state the names and ages of your children?

A. Willaim Scott is somewhere about thirty years old, Minnie Scott is about twenty-two years old; Josie F. Scott is about twenty or twenty-one now; Sam'l Scott is about thirteen years old and Bernice Scott is about seven years old. I have got six children who are dead and these children are all the children of Ben Scott.

Q. How many of these children are now living with you?

A. Four are living with me and one of these four stays in Washington a part of the time. My oldest child, William Scott lives in Baltimore.

And further this deponent sayeth not.

Mary C Scott
Mary C Scott

Mr. Geo. W. Horne, a witness a lawful age, being duly sworn, deposes and says in answer to questions as follows:

Q. State your name, age, residence and occupation?

A. Geo. W. Horne, is my name, I reside in Southampton County about two miles from Ivor, and about half a mile from where Mary Scott lives. I am thirty-nine years old and my occupation is that of a farmer.

Q. How long have you been living where you now live Mr. Horne?

A. All my life. I have been living on the same farm all my life.

Q. Do you know a collored man named Ben Scott?

A. Yes Sir:

Q. About how long did he and Mary Scott live together as man and wife in Southampton County?

A. About twelve years. I am guessing at the length of time.

Q. Do you know where Ben Scott is now?

A. No Sir:

Q. About what time did he leave his home and wife?

A. I think about seven years ago.

Q. Have you seen or heard of him for the last three or four years?

A. No Sir.

Q. There is no doubt whatever about his having left the county is there?

A. No Sir.

Q. Has Mary C. Scott lived at the same place since he has been gone?

A. Yes Sir.

Q. Has Mary Scott ever worked for you?

A. Yes Sir, she has worked for me frequently, picking off peas and doing other work.

Q. Is she a truthful, honest colored woman?

A. I would just as soon she would owe me a hundred dollars as any body I know of. She never owed me a dollar but what she paid it. She is a very industrious colored woman, got a little too much mouth sometimes and that is the only fault I know of her at all.

And further this deponent sayeth not.

George W Horne

Geo W. Horne

#6.

Geo. W. Simmons, a witness of lawful age, being duly sworn deposes and says in answer to questions as follows.

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

A. Geo. W. Simmons is my name, I am thirty-seven years old, am a farmer and live in Southampton County about a quarter of a mile from Mary C. Scott.

Q. Do you know Ben Scott, the husband of Mary Scott?

A. Yes Sir.

Q. Tell as near as you can how long Bary Scott and Ben Scott lived together as man and wife in Southampton County?

A. As near as I can estimate, it was about thirteen years.

Q. Did you visit their house while they lived together?

A. Yes Sir, often.

Q. Did they seem to get along tolerably well?

A. Yes Sir, they seemed to get along well.

Q. Where is Ben Scott now?

A. I really do not know. Ghe last I heard of him they said he was living in New Jersey.

Q. How long since he and his wife Mary Scott spearated as near as you can tell?

#7.

A. It has been about seven years since they fell out and separated and he has not been in this vicinity , not as I have seen, for the last four years.

Q. You have said they fell out and separated. Tell if you know what they fell out about?

A. The way I heard it, they fell out about his condunt towards his daughter.

Q. Did Mary Scott go off and leave him, or did he goo off and leave her?

A. He went away and left her.

And further this deponent sayeth not.

Geo. W. Simmons

Geo. W. Simmons

No other witness appearing, the taking of these depositions is closed.

M. E. W. Crumpler N.P.

Virginia,

I, M. E. W. Crumpler, a Notary Public in and for the County of Isle of Wight, and State of Virginia, do hereby certify that the foregoing depositions of Mary C. Scott, Geo. W. Horne and Geo. W. Simmons, were duly taken, sworn to, and subscribed before me, at Zuni, in the County of Isle of Wight, at the time, and for the purpose in the caption hereto mentioned.

Given under my hand this 21st day of May, 1903

M. E. W. Crumpler N.P.

Form No. 304.

Scott Mary to

Injunction

to } BOND.

Commonwealth.

1899. F. S. Oct. Filed

L. A. Gay Cl.

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 304.

Know all Men by these Presents, That we Mary C. Scott and Wm. S. Holland

are held and firmly bound unto the Commonwealth of Virginia in the sum of One hundred Dollars, to the payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents. And we hereby waive the benefit of our exemption as to this obligation, and any claim or right to discharge any liability to the Commonwealth arising under this bond or by virtue of said office, post or trust, with coupons detached from the bonds of this State. Sealed with our seals and dated this 3rd day of October one thousand eight hundred and ninety nine.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas Mary C. Scott who has sued out of the Circuit Court of Southampton County an injunction prohibiting and restraining Benjamin Scott, the defendant, from interfering with said Plaintiff's servants, employees and those at work on her premises, in their work, business or personal liberty till the further order of this Court. Now if the said Mary C. Scott shall pay all such costs as may be awarded, and to pay all such damages as may be incurred, in case this injunction shall be dissolved, according to law.

then this obligation to be void, or otherwise to remain in full force and virtue.

Mary C Scott SEAL.

Wm S. Holland SEAL.

SEAL.

In the _____ *Court of the* _____ *of* _____, *the* _____ *day of* _____ *189*____.

This bond was executed and acknowledged in open court, by the obligors, and ordered to be recorded.

the suret therein having first justified on oath that _____ estate, after the payment of all _____ just debts, and those for which he _____ bound as security for others and expect to have to pay _____ worth the sum of _____ dollars, over and above all exemptions allowed by law.

Teste:

_____ Clerk.

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON Benjamin Beth

to appear at the Clerk's Office of our Circuit Court of Southampton county, at the Rules to be holden for the said Court on the 3rd Monday in Oct 1899 ~~next~~, to answer a Bill in Chancery exhibited against him in our said Court by Mary L. Beth

And this he shall in no wise omit under penalty of law. And have then there this writ.

WITNESS, ~~T. M. HOWARD~~ L. A. Gay, Clerk of our said Court, at the Courthouse, this 3rd day of October, 1899, in the 124th year of the Commonwealth.

TESTE: L. A. Gay, C. C.

Mary E. Scott
vs
Benjamin Scott

On presentation of the bill of complaint duly sworn to, and ~~and~~ on motion of the plaintiff by Counsel, an injunction is awarded her, prohibiting and restraining Benjamin Scott, the defendant, from interfering with said plaintiff's servants, employes and those at work on her premises, in their work, business or personal liberty till the further order of this Court ~~till the further order of this Court~~ but this injunction shall not take effect till the plaintiff or some one for her, shall enter into bond before the Clerk of this Court, in the penalty of $100 — Conditioned, to pay all such costs as may be awarded, and to pay all such damages as may be incurred, in case this injunction shall be dissolved, payable as the law directs, with surety by the said Clerk, deemed sufficient

A Copy,
Teste: L. A. Gay C.C.

Virginia: In the Clerk's Office of the Circuit Court of Southampton County. Oct. 3rd, 1899.

I hereby certify that bond as required in above order, has been given with security deemed sufficient by me.

L. A. Gay C.C.

Benjamin Scott

VIRGINIA: In Vacation, In the Clerk's Office of the Circuit Court of Southampton County the 17th. day of November 1899:

Mary C. Scott, Plaintiff, vs. Benjamin Scott, Defend.	In Chancery.

The object of this suit is for the plaintiff to obtain from the defendant a divorce a vinculo matrimonii.

And affidavit having been made and filed that Benjamin Scott, the defendant in this suit, is a non-resident of the State of Virginia, it is ordered that he appear within fifteen days after due publication of this order, in the Clerk's Office of our said Court, at rules to be holden therefor, and do what is necessary to protect his interest, and that a copy hereof be published in the Southampton Democrat, a newspaper printed and published in the town of Franklin, County of Southampton, Virginia, once a week for four successive weeks, and posted as the law directs.

Teste: L. A. GAY, C. C.

WM. S. HOLLAND, P. Q.

This is to certify that the Order of Publication in the suit of Mary C. Scott plaintiff vs Benjamin Scott defendant was published in the Southampton Democrat four successive weeks beginning Nov. 23d 1899

W. H. Stroud
Pub.

This is to certify that the Order of Publication in the suit of Mary C. Scott plaintiff vs Benjamin Scott defendant was posted at the front door of the Courthouse on the first day of the November Term 1899 of the Court of Southampton County

Given under my hand this 6th day of August 1904

L. A. Gay
Clerk of the C. C.

A WEEKLY NEWSPAPER. SUBSCRIPTION PRICE, $1.00 A YEAR. ESTABLISHED IN 1880. JOB PRINTING A SPECIALTY.

THE SOUTHAMPTON DEMOCRAT,

W. H. STROUD, Publisher.

FRANKLIN, VA., Aug 2/04

IN THE CIRCUIT COURT OF THE COUNTY OF SOUTHAMPTON.

.....

Mary O. Scott

vs. } In chancery

Benjamin Scott.

I,Mary O. Scott do solemnly swear that Benjamin Scott, the defendant in the above named suit, is not a resident of the State of Virginia.

.....

Subscribed and sworn to before me, Albert S. Johnson, a Notary Public in and for the County of Isle of Wight, in the State of Virginia this 11th day of November, 1899.

.....N.P.

Scott

vs. } Affidavit as to non-residence

Scott

1899. 11. Nov. filed

L. A. Hay Clk.

IN THE CIRCUIT COURT OF THE COUNTY OF SOUTHAMPTON.

Mary C. Scott
)
vs.) In chancery
)
Benjamin Scott.

I, Mary C. Scott do solemnly swear that Benjamin Scott, the defendant in the above named suit, is not a resident of the State of Virginia.

Mary C. Scott

Subscribed and sworn to before me, Albert S. Johnson, a Notary Public in and for the County of Isle of Wight, in the State of Virginia this 11th. day of November, 1899.

Albert S. Johnson N.P.

1899	Scott Ex Scott	Costs
Oct. 3	Sum 25. Cop. 13	.38
	Reat 18. atty 10.	.28
	Docket 18 - Rule 50	.68
	Entering return 35 - filing writ 15	.50
	Rule 50.	.50
	Decree 36. Taking Dep. Bond 50. Recording 25.	1.11
	Filing affidavit of non residence	.15
	Oath " " "	.15
	Copy order pub. 20. posting 20	.40
	Rule	.50
	Lay	4.65
1904		
Mch	Docketing	.25
Oct	Decree & Copy	.75
	Filing Dep. & Filing	.15
	Tax Costs	.40
	Filing Depositions	.15
	Filing away papers	.25
	B.F.M.	1.95
	Sheff Fees	.50
	Lawyer	16.50
		$ 23.55

Scott Mary b.

vs } Statement of Relat.

Scott Benjamin

Mary B. Scott Plaintiff

vs.

Benjamin Scott Defendant

1899. 3rd. Oct. Injunction awarded. Bill lodged in Office and process issued to 2nd Oct. Rules 1899 with injunction order endorsed thereon and bond given

1899. 2nd Oct. Rules. Process returned not Executed. Bill & Ex. filed.

" 1st. Nov. Rules. process not executed.

" 17th. Nov. Affidavit as to non-residence filed. Order publication issued.

1900. 1st Jany. Rules. Order publication completed and cause set for hearing.

Scott
vs } Order publication
Scott

1899. 17th November filed
L. A. Gay Clk.

Virginia: In Vacation. In the Clerk's Office of the Circuit Court of Southampton County, the 17th. day of November. 1899

Mary C. Scott Plaintiff
vs
Benjamin Scott Defendant
} In Chancery

The object of this suit is for the plaintiff to obtain from the defendant a divorce a vinculo matrimonii.

And affidavit having been made and filed that Benjamin Scott, the defendant in this suit, is ~~not~~ a non-resident of the State of Virginia, it is ordered that he appear within fifteen days after due publication of this order, in the Clerk's Office of our said Court, at rules to be holden therefor, and do what is necessary to protect his interest, and that a copy hereof be published in the Southampton Democrat, a newspaper printed and published in the town of Franklin, County of Southampton, Virginia, once a week for four successive weeks, and posted as the law directs.

Teste: L. A. Gay C.C.

Wm. S. Holland p.q.

Mary L. Scott
vs
Benjamin Scott

On presentation of the bill of complaint duly sworn to, and on motion of the plaintiff by Counsel an injunction is awarded her, prohibiting and restraining Benjamin Scott, the defendant, from interfering with said plaintiffs servants, employes and those at work on her premises, in their work, business or personal liberty till the further order of this Court, but this injunction shall not take effect till the plaintiff or some one for her, shall enter into bond before the Clerk of this Court, in the penalty of $100.- Conditioned, to pay all such costs as may be awarded, and to pay all such damages as may be incurred, in case this injunction shall be dissolved, payable as the law directs, with security by the said Clerk, deemed sufficient

A Copy,
Teste: L. A. Gay Cl.

Virginia:
In the Clerk's Office of the Circuit Court of Southampton County, Oct 3rd 1899.

I hereby Certify that bond as required in above order, has been given with security deemed sufficient by me.

L. A. Gay Cl.

Scott Mary L.
vs } Spa: Ch.
Scott Benjamin
1899 Ent. Oct. Rules
Inj. Bd.

Net fees
J. V. Willcox
Shff

W. S. Hilary P. Q.

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON Benjamin Heath

to appear at the Clerk's Office of our Circuit Court of Southampton county, at the Rules to be holden for the said Court on the 3rd Monday in Oct. 1899 ~~next~~, to answer a Bill in Chancery exhibited against him in our said Court by Mary E. Heath

And this he shall in no wise omit under penalty of law. And have then there this writ.

WITNESS, ~~T. M. HOWARD~~ L. A. Gay, Clerk of our said Court, at the Courthouse, this 3rd day of October, 189.9, in the 124th year of the Commonwealth.

TESTE: L. A. Gay, C. C.

In the Circuit Court of Southampton county in vacation this 7th day of July 1899.

Mary C.Scott,

vs.

Benjamin Scott.

On presentation of the bill of complaint duly sworn to, and on motion of the plaintiff by counsel, an injunction is awarded her, prohibiting and restraining Benjamin Scott the defendant from damaging any materials on the personal property of the plaintiff, from interfering with said plaintiff, her children, servants, or persons employed at work on her premises, in their work business or personal property and Benjamin Scott from visiting or molesting of said complainant. But this injunction shall not take effect till the plaintiff or some one for her shall enter into bond before the clerk of this court in the penalty of $[illegible] conditioned to pay all such costs as may be awarded, and to pay all such damages as may be incurred, payable in the law depots, with surety by the said clerk, deemed sufficient.

To the clerk of the Circuit Court of Southampton county, Virginia.

Scott Mary v. Scott Benjamin

Injunction Bond

Filed July 31, 1899

Executed July 31, 1899

Recorded

Executed July 31, 1899

Returned

Recorded

Returned

WELCHANS SURE BOND

~~In the Circuit Court of Southampton county in vacation this 7th day of July 1899.~~

Mary C. Scott,

vs.

Benjamin Scott.

On presentation of the bill of complaint duly sworn to, and on motion of the plaintiff by counsel, an injunction is ~~awarded~~ granted her, prohibiting and restraining Benjamin Scott, the defendant, ~~from imposing any restraint on the personal liberty of the plaintiff~~, from interfering with ~~said plaintiff's her children~~, servants, employes and those at work on her premises, in their work, business or personal liberty ~~and said Benjamin Scott from visiting the home of said complainant~~ till the further order of this court, but this injunction shall not take effect till the plaintiff or some one for her, shall enter into bond before the clerk of this court in the penalty of $100.— conditioned to pay all such costs as may be awarded, and to pay all such damages as may be incurred in case this injunction shall be dissolved, payable as the law directs, with surety to the said clerk, deemed sufficient.

~~Robert E. Rivers~~

~~To the clerk of the Circuit Court of Southampton County, Virginia.~~

1904

Mary C. Scott

vs

Benjamin Scott

D E C R E E.

October 18th, 1904.

To be entered.

Robert Samuels

Entered
C. O. B. p 119

Mary C. Scott

vs

Benjamin Scott

This cause came on this day to be again heard on the papers formerly read on the bill of complaint, it appearing that the plaintiff has proceeded in the mode prescribed by law against the defendant, Benjamin Scott, who appears to be a non-resident of the State of Virginia, on the depositions of witnesses filed herein, and was argued by counsel.

On consideration whereof, it appearing to the court that the said defendant willfully deserted and abandoned his said wife for more than three years next before the institution of this suit, the court doth adjudge, order, and decree that the marriage heretofore had and solemnized between the defendant, Benjamin Scott and the plaintiff, Mary C. Scott, be, and the same is, hereby dissolved, and that the said Mary C. Scott be forever divorced from the said Benjamin Scott; and the court doth further adjudge, order and decree, that the said defendant, Benjamin Scott is hereby perpetually enjoined from asserting any claim to the property of the said plaintiff.

And the court doth further adjudge, order, and decree that the injunction heretofore awarded in this case is hereby made perpetual.

And the court doth further adjudge, order, and decree that the defendant, Benjamin Scott pay unto the plaintiff her cost in this behalf expended, and nothing further appearing to be done, it is ordered that this suit be ~~dismissed~~ stricken from the docket.