1905 - 21 Southampton County. Chancery Vaughan + C. Barker Vs Prince, Jos B. Comm

Prince, Jos B. Comm
Est Jos. B Prince
Decd.

T. C. Vaughan Trading
as Vaughan & Co., Bonders,
vs.
J. B. Prince, Admr. &c.
J. B. Prince, dec'd.

1904 May 11. Filed.

R. E. L. WATKINS,
ATTORNEY-AT-LAW,
FRANKLIN, - - VA.

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

Complaining showeth unto the Court,your orator C.C.Vaughan trading as Vaughan & Company,Bankers,Franklin,Virginia, That Jos.B.Prince,late Judge of the County Court of South-ampton County,departed this life on the 21st day of March, 1903,and that at the time of his death and a long time before he had an account at your orator's Bank.That on the 13th day of March 1903,prior to the death of the said Jos.B.Prince,C.C.Vaughan jr,Cashier of your orator's Bank received a letter from Jos.B.Prince jr,son of the decedent written for and on behalf of the decedent requesting that his check,in payment of a premium on a life Insurance policy be paid,the account of the decedent being very small at that time, and the amount being of a far greater amount than the check drawn for the payment of the policy aforesaid.In said letter your orator was assured that either a deposit of $2000 or ample security,collateral,would be given in the course of a week or two.Your orator states that the amount of said check drawn by the said Jos.Prince was $579.80,which amount was far in excess of his account;that the deposit as promised was never made,nor has the collateral security been delivered ,though the said Jos.B.Prince still has in his possesion as administrater of Jos.B. B.Prince,deceased,the special collateral which he had had in his mind at the time that he secured the loan from your petitioner,which said collateral was a bond executed by C.C.Seaborn to Jos B.Prince and was for the payment of $575.00

Your petitioner states that he is advised and believes that the act of the said Jos.B.Prince was an equitable assignment of the collateral security aforesaid and that your petitioner is entitled to the possession thereof.

Your petitioner states taht Jos.B.Prince has been appoint d

and has qualified as administrator of Jos.B.Prince,deceased.

Your petitioner further states that at the time of the transaction herein complained of the said Jos.B.Prince was confined to his bed with illness from which he never recovered, that the letter herein referred to as "D" in which the loan was requested; the promise made for $2000 deposit and the collateral security was pledged, is hereto annexed marked exhibit "B" and prayed to be read as a part of this bill.

In tender consideration whereof and forasmuch as your orator is remediless, in the premises, save in a court of equity where such matters are alone cognizable, he prays that Jos.B.Prince, administrator of Jos.B.Prince, deceased, be made a party to this suit and required to answer this bill, but answer on oath is hereby expressly waived, that a decree be entered directing the said Jos.B.Prince administrator aforesaid, to deliver to Vaughan & Company, Bankers, Franklin, Virginia, the bond now in his possession executed by C.C.Seaborn to Jos.B.Prince and that such other further and general relief may be afforded your orator as the nature of his case may require or to equity shall seem. And your orator will ever pray etc.

C C Vaughan

Southampton County, to wit:

This day personally appeared before me in my County aforesaid, C.C.Vaughan, who made oath that the facts setout in the foregoing paper, were so far as knew of his own knowledge, true and such as were stated derived from the knowledge of others, he believed to be true.

Sworn to before me this 11th day of May 1904.

C. Edwards

Notary Public

We hereby acknowledge legal ser-vice of the within notice be-fore the return day thereof.

Atty.for C.C.Vaughan,trading as Vaughan & Co.Bankers.

Admr.of J.B.Prince,deceased.

E.Frank Story, Commissioner in Chancery.

OFFICE OF [illegible]

Commissioner in Chancery for the Circuit Court of Southampton County, Virginia.

Franklin, Va., March 21st, 1905.

To C.C.Vaughan, trading and doing business as Vaughan and Co.Bankers, and Jos.B.Prince, Jr. Administrator of J.B.Prince, deceased.

You are hereby notified that I have fixed upon the 24th day of March 1905, at Franklin to take and settle, at my office, in the following accounts, to-wit:

To enquire and report whether the bond mentioned in the bill and proceed-ings in the suit of Vaughan & Co.Bankers vs.J.B.Prince Jr., Admr. should be assigned by the Administrator to C.C.Vaughan trading as Vaughan & Co. Bankers, or whether it should be collected by the said Administrator and distributed as other personal assets of the estate of the said J.B.Prince, deceased.

required to be taken by a decree of Southampton Circuit Court, rendered at the October term 1904, in a suit in Chancery, depending in said Court, in which you are parties, plaintiffs and defendants; at which time and place you are required to attend.

Given under my hand as Commissioner in Chancery of said Court the day and year first aforesaid.

E. Frank Story, Commissioner.

To the Sheriff of Southampton County to execute.

Vaughan Bro. Bankers
vs. } Report of Case
Prince's Admrs } in Chancery

1905. March 25th Filed
B. F. McLemore Clk

C. C. Vaughan, trading as Vaughan & Co.,
Bankers,

vs.

J. B. Prince, adm. of J. B. Prince, dec'd.

This day this cause came on to be further heard on the papers formerly read and was argued by counsel: On consideration whereof the Court doth adjudge order and decree that this cause be referred to O. Frank Story, a Commissioner in Chancery of this Court, to inquire into and report whether the bond in the bill mentioned should be assigned by the Administrator to C. C. Vaughan trading as Vaughan & Co. Bankers, or whether it should be collected by the said Administrator and distributed as other personal assets of the estate.

It is further ordered that this cause and the cause of Prince Guardian against Prince and others shall be consolidated and hereafter heard together.

Commissioner's Office, Franklin, Va.
March 24, 1905.

To the Circuit Court of Southampton County, Va.,

Pursuant to a decree of the Circuit Court for the County of Southampton, Virginia, entered on the 19th day of October, 1904, in the chancery suit therein depending styled C.C. Vaughan trading as Vaughan & Co., Bankers vs. J.B. Price's Administrator, the undersigned, one of the commissioners of the said Court, to whom was referred for settlement the account required to be taken by the said decree, respectfully reports to Court that on the 21st day of March 1905 he issued notices against the several parties to the said suit requiring them to attend the settlement of the matters required to be stated by the said decree at his office in Franklin, Southampton County, Virginia, which notices were returned to your commissioner duly acknowledged by the parties to the said suit, or their attorneys. That at the time thus appointed your commissioner proceeded to settle the matters set forth in said decree and begs leave to report as follows:

That no evidence was introduced before your commissioner either sustaining or refuting the claims of the plaintiff, but that it was agreed between the parties to the said cause that the commissioner

should base his report on the bill and proceedings in this cause, each party, plaintiff and defendant, filing with your said commissioner a written brief setting forth their position on the questions involved in this cause, which said briefs are filed herewith to be considered in connection with this report.

Your commissioner is of the opinion that the contention of the plaintiff C.C. Vaughan, trading as Vaughan & C. Bankers, cannot be sustained and that the bond in question should be collected by the Administrator of the estate of J.B. Prince, deceased and distributed as other personal assets of the estate of the decedent.

Respectfully submitted.

C.L. Faulkner.

Commissioner in Chancery

Commissioner's fee $12.50.

Vaughan & Co. Bankers

vs. } Statement Rules

Bruce's Admrs

C. C. Vaughan, trading as
Vaughan & Co. Bankers.

v.

J. B. ~~Brown~~ Admr of J. B. Brown, dec'd

1904 April 30. Proc. Iss. to 1st May Rules

" 1st May Rules. Process not returned

" " Bill not filed.

" 2 " " . Process not returned.

Bill filed.

Vaughan & Co
Bankers
vs } Summ:
Prince J.B. Jr

1907. 2" Sept: Rules

Executed Sept 14-1907. by delivering a Copy of the within Summons to the within named Defendant J.B. Prince Jr. in person.

J.W. Bryant
Deputy for
C.L. Gilbert Shff

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU THAT YOU SUMMON J. B. Prince Jr.

if he be found within your bailiwick, to appear at the Clerk's Office of our ~~County~~ Circuit Court of Southampton County, at the rules to be holden for the said Court on the Third Monday in September 1907 ~~next~~, to answer O. O. Vaughan, trading as Vaughan & Company, Bankers.

Action of Assumpsit on an open Account

Damages $579.20

And have then there this writ.

Witness, B. F. McLEMORE, Clerk of our said Court, at the Courthouse, this 13" day of September, 1907, in the 132 th year of the Commonwealth.

A Copy—Teste: B. F. McLemore C.C.

C.C.Vaughan , Trading as Vaughan & Company, Bankers,

vs.

Joseph B.Prince, jr., Administrator of J.B.Prince, Deceased.

This day this cause came on to be heard on the bill of the complainant, and the answer of the defendant, with general replication thereto, and was argued by counsel.

On consideration whereof, by consent of parties enterdd of record in ~~vacation~~ term, the Court doth adjudge, order and decree that this cause be submitted to the Judge of this Court for such decisions and decrees therewon vacation as might be made in term.

C. C. Vaughan & Co., Bankers

vs. } Convver

J. B. Price, Jr., Admr.

J. B. Price, decd.

1904 May 16. Filed

The answer of Jos. B.Prince, jr., Administrator of J.B.Prince, deceased, to the bill of complaint exhibited against him in the Circuit Court for the County of Southampton by C.C.Vaughan, trading as Vaughan & Company, Bankers.

This defendant now and at all times hereafter, saving and reserving saving and reserving to himself the benefit and advantage or exception which can or may be had or taken to the errors, uncertainties and insufficiencies in the said bill contained, for answer thereto, or to so much thereof as he is advised it is material he should answer, this defendant,answering saith:-

That as stated by the plaintiff, he did write the letter filed with his bill, stating that he would,(acting for and on behalf of J.B.Prince, now deceased, who was his father,)either giving collateral to secure the overdraft as stated in the said bill, or make a deposit in the name of the said Prince, for said Bowles, and pay said overdraft, but before either of said acts could be done, J.B.Prince departed this life, and no provision had been made in regard to said matter. It is also true as stated in the bill of the complainant that Joseph B.Prince, jr., now the afministrator of J.B.Prince, deceased, and the defendant in this cause, did have in mind at the time he wrote the letter above referred to, the particular security mentioned in the bill of the complainant, which he intended to deposit with said Vaughan & Co., as collateral to the said overdraft.

The defendant also states that he was acting in the capacity of agent for the said J.B.Prince, now deceased, he being at the time critically ill, from which illness he never recovered.

As to the rights of the said Vaughan & Co., Bankers, to claim this particular security at this time, or any other security this defendant is not advised, although he denies said right on the part of the complainants.

And this defendant denies all fraud, unlawful combination and confederacy; and having fully answered the complainants bill he to be hence dismissed with his reasonable costs in this behalf expended, and he will ever pray &c.

May it please the court &c.

Joseph B Prince Jr.
Admr. J B Prince, decd.

Franklin, Va. April 3rd, 1905.

Judge R.R. Prentis,

Suffolk, Va.

Dear Sir:-

I have examined the decree that has been drawn by Mr. J.C. Parker to be entered in the matter of Vaughan & Co. Bankers, vs. Prince's Admr. and be g to say th t I have no suggestions to make in connection therewith. Of course I do not agree to the decree, but do not care for an opportunity to oppose it before you.

Yours very respectfully,

[signature] Counsel for plaintiff

I acknowledge due & legal service of the within process —
J. B. Prince, Jr. Chas. J. B.
Princess deed.

Vaughan Co. Bankers
vs } Spia: in Chy:
Princess Admr.

1904. 1 May Rules.
Com: Ct:

Executed April 30th 1904. by Delivering a copy of the within writ to Joseph B. Prince in person.
J. W. Bryant Deputy
for J. L. Gillett
Sheriff.

Returned to Clerk's Office May 12/04

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON Joseph B. Prince Administrator of Joseph B. Prince, deceased.

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 first Monday in May 1904 ~~next~~, to answer a bill in Chancery exhibited against him in our said Court by C. C. Vaughan trading as Vaughan & Company - Bankers

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

WITNESS, B. F. McLEMORE, Clerk of our said Court, at the Courthouse, this 28th day of April 1904 ~~18~~, in the 128 year of the Commonwealth.

B F McLemore C. C.

L. C. Vaughan, Trustee
ac Vaughan & Co.,
Bankers,
vs
J. B. Prince, Admr

Decree

Enter Oct. 19, 1910
Robert Ritchie

Entered
p. 123

C. C. Vaughan, Trading as Vaughan & Co. Bankers,
Vs.
J. B. Price, Adm of J. B. Rose, dec'd

This day this Cause came on to be further heard on the papers formerly read and was argued by Counsel. On consideration whereof the Court doth adjudge order and decree that this cause be referred to E. Frank Story, a Commissioner in Chancery of this Court to enquire into and report whether the bond in the bill mentioned should be assigned by the Administrator to C. C. Vaughan, trading as Vaughan & Co. Bankers, or whether it should be collected by the said Administrator and distributed as other personal assets of the estate.

It is further ordered that this Cause and the Cause of Price Guardian, against Price and others shall be consolidated and heard hereafter together.

Vaughan & Co.Bankers. 1905

Final Decree.

Prince's Admr.

Enter this,

April 6th, 1905.

Entered [illegible]

C. O. B.

[illegible]

[illegible] Vaughan & Co. Bankers.

[illegible]

[illegible] Final Decree.

[illegible] Prince's Admr.

[illegible] Enter this,

[illegible] April 6th, 1905.

[illegible]

[illegible] Entered [illegible]

[illegible] C. O. B.

[illegible]

[illegible] Vaughan & Co. Bankers.

Circuit Court of Southampton County, in vacation, on the 5th. day of April 1905.

C.C.Vaughan, trading as Vaughan & Co. Bankers,

VS. } Final Decree.

J.B.Prince, Jr., Admr. of J.B.Prince, deceased.

This day this cause, which has been by consent duly submitted to this court for such decrees and decisions in vacation as might be be entered therein in term, came on again to be heard upon the papers formerly read and upon the report of Commissioner in Chancery E.Frank Story, filed March 25th 1905, to which report no exceptions have been filed, and was argued by counsel.

Upon consideration whereof the court doth confirm said report of Commissioner Story, and doth adjudge, order and decree that the plaintiff is not entitled to have an assignment to himself of the chose in action mentioned in the bill and proceedings, and doth further adjudge, order and decree that J.B.Prince Jr., Administrator of J.B.Prince, deceased, proceed to collect said chose in action as a part of the estate of his decedent, and account for and pay out the proceeds of same as part of such estate under the terms of a decree entered March 30th 1905 in the suit of Prince, Guardian vs. Prince's Administrator in this court.

And it appearing that there is nothing further to be done in this cause it is ordered that the same be removed from the docket and that the plaintiff pay the costs of this suit.

Robert R. Hughes

To the Clerk of the Circuit Court of Southampton County, Virginia.

Ricks }
v. } Bill Exhibits.
Ricks.

1905 – 2. Sub. Rule 1
Filed

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

Humbly complaining sheweth unto Your Honor your complainant, James B. Ricks, that he is now, and has been for more than one year next preceding the institution of this suit, a resident of the County of Southampton in the State of Virginia; that on or about the 30th day of April in the year 1896, he was duly and legally married to Louisa Ricks, née Warren, as will more fully appear from a copy of the marriage license, with minister's return thereon, herewith filed as "Exhibit A." and prayed to be read as a part of this bill; that, after the said marriage, your complainant and the defendant, the said Louisa Ricks, lived together as husband and wife continuously until on or about the 15th day of December in the year 1900, during all which period your complainant was to her a faithful and dutiful husband, and provided for her as best he could, according to his means and ability; but that, on or about the said 15th day of December in the year 1900, the said defendant, without such cause or reason, willfully deserted and abandoned your complainant, and has never returned to or lived with him since; but, being wholly regardless of her marriage vows and duty, she has ever since continued, and still does continue, in such desertion and abandonment of your complainant; that, though the said defendant now lives in the City of Norfolk, your complainant and the said defendant last lived and cohabited together as husband and wife in the said County of Southampton, in the State of Virginia; that the said defendant having thus willfully deserted and abandoned your complainant, without any such or reasonable cause, for a period of more than three years next preceding the institution of this suit, your complainant is advised that he is legally entitled to a divorce a vinculo matrimonii from the said defendant. In consideration whereof your complainant prays that the said Louisa Ricks may be made a party defendant to this

bill and required to answer the same, though answer under oath is hereby expressly waived; that proper process issue, and all proper orders and decrees be made and entered; that the marriage heretofore had and solemnized between your Complainant and the said defendant be completely and entirely annulled and dissolved, and that your complainant may be forever divorced a vinculo matrimonii from the said defendant, and for all such other, further, general and special relief as the nature of the case may require or to Equity shall seem meet.

And your complainant will ever pray &c.

W. J. Sebrell, p.q. James X B. Ricks
mark

State of Virginia,
County of Southampton, to-wit:

I, Joseph B Pearce, a Commissioner in Chancery for the Circuit Court of Southampton County, Va., do hereby certify that James B. Ricks, whose name is signed to the foregoing bill in Chancery, has personally appeared before me in my said County, and made oath that the allegations therein contained, so far as made of his own knowledge, are true, and so far as made upon information derived from others, he believes to be true.

Given under my hand this 1st day of March, 1905.

Joseph B Pearce
Comr. in Chy

was Louisa Warren

Ricks

vs. } Notice.

Ricks.

176 Salter.
E from Bremen
N Jones Comrs.

Executed in the City of Norfolk on the 15th day of February 1905 by delivering a copy hereof to Louisa Ricks

J. F. Lawler Dept
City of Norfolk
by C. L. Deming
Deputy

Dept's fee 50 cts paid
C L Deming

To Louisa Ricks:

You are hereby notified, that on the 1st day of March, in the year 1905 at the office of Joseph B. Ponier, in the town of Courtland, Southampton county, Va., between the hours of 8 a. m. and 8 p. m. of that day, I shall proceed to take the deposition of Frank Tyler, J. T. Raiford, and others, to be read as evidence in my behalf in a certain suit in Chancery depending in the Circuit Court for Southampton county, wherein I am plaintiff and you are defendant; 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.

Your obedient servant,

James B. Ricks,
By Counsel.

Ricks, James B.

vs. } Depositions

Ricks, Louisa.

1905: Mch. 1st, Filed

Costs $25.60

This must not be considered a precedent. I prefer that witnesses should testify & state their knowledge in their own language & not simply say that they "corroborate" what another witness said.

T.J.C.P.

The depositions of Frank Tyler and others, taken before me, Joseph B.Prince, a commissioner in chancery of the Circuit Court for the County of Southampton, in the state of Virginia, pursuant to notice hereto annexed, at the office of Joseph B. Prince in the toen of Courtland, Va, on the 1st day of March, 1905, between the hours of 8 a.m. and 8 p.m., to be read as evidence in behalf of James B.Ricks, in a certain suit in equity now depending in the Circuit Court of Southampton county, wherein James B.Ricks, is plaintiff and Louisa Ricks is defendant.

Present:-W.J.Sebrell, Atty. for plaintiff.

Witness J.T.Raiford, affirms, and says,

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

A. J.T.Raiford, 55, Southampton County, farmer, and know the parties.

Q. Where has James B.Ricks, the plaintiff, lived for the past year preceeding the institution of this suit, and where does he now live ?

A. In this county, and he now lives here.

Q. Where does the defendant, Louisa Ricks now live ?

A. In the City of Norfolk.

Q. Did you know them when they lived together as man and wife, and didyou live near live them,or not ?

A. I knew them when they lived together as mans and wife, and they lived on my farm.

Q. Do they now live together as husband and wife or have they separated ?

A. They have separated.

Q. Which one deserted, or abandoned the other, and when ?

A. Louisa Ricks, the defendant, deserted James B.Ricks, the plintiff, She left him in the year 1900. It was in December of that year.

Q. Please state whether or not she did so willfully and of her own accord, or did she have good reasons for so doing ?

A. She did so willfully and of her own accord, and without just cause for doing so.

Q. Has she ever returned to or lived with him as husband and wife since she thus deserted him ?

A. She never has.

Q. Where did they last live and cohabit together as man and wife ?

A. In Southampton County, Va.

And further this deponent saith not.

J T Raiford

Witness Frank Tyler, being duly sworn deposes as follows:-

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

A. Frank Tyler, 31, Southampton County, Va., farmer, I know the parties,

Q. Did you know them when they lived together as husband and wife, and did you live near them ?

A. Yes, sir. I lived near them, and knew them well.

Q. Have youe heard the testimoney given by Mr. J.T.Raiford in this case, and if so, state whether or not you agree with him in what he said, and whether you corroborate the same ?

A. I have heard his testimony and agree with him and corroborate what he has stated.

And further this deponent saith not.

Witness Jo.B.Prince

Frank X Tyler

Witness Richard Jones being duly swon deposes as follows:-

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

A. Richard Jone, 57, Southampton County, Va., farmer, and know the parties.

Q. Have you heard the evidence of Mr. J.T.Raiford and Frank Tyler,in this case, and if so, do you agree with them in what they have said and do you corroborate the same ?

A. I have heard their testimoney and agree with them in what they have said and corroborate the same.

And further this deponent saith not.

Witness-
Joseph B Prince.

his
Richard X Jones
mark

Virginia,

Southampton County, to-wit:-

I, Joseph B.Prince, a commissioner in chancery of the Circuit Court for the County of Southampton, in the state of Virginia, do hereby certify that the foregoing depositions of J.T.Raiford, Frank Tyler and Richard Jones were duly taken, sworn to and subscribed before me , at the time and place and for the purpose in the caption hereto mentioned.

Given under my hand this 1st day of March, 1905.

Joseph B Prince
Commissioner in Chancery.

Convs. fee $2.50
Witness:-
J. T. Raiford 50
Frank Tyler 50
Richard Jones 50
Sheriff-

18		
10	Cable	4.00
18	Sgt Northcott	.50
100	Shipp	.60
35	Comm 638	2.00
36		
50	Witness pay	1.50
15		
40		16.50
35		
385		25.60

9

Ricker
and
Warren

Exhibit "A"

A. P. A.—15

MARRIAGE * LICENSE

Virginia, Southampton 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,

James Butler Rickes

and Louisa ~~Rickes~~ Warren.

Given under my hand, as Clerk of the County Court of Southampton this 29" day of April ~~A~~ 1896.

B. F. McLemore 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 3, 1900.

Time of Marriage,

Place of Marriage, Southampton Co

Full Names of Parties Married, Jamie Butler Rickes & Louisa Warren

Color, Col'd

Age of Husband, 20 yrs

Age of Wife, 21 "

Condition of Husband (widowed or single or divorced) Single

Condition of Wife (widowed or single or divorced) "

Place of Husband's Birth, Southampton Co

Place of Wife's Birth, " "

Place of Husband's Residence, " "

Place of Wife's Residence, " "

Names of Husband's Parents, Fannie Brocker

Names of Wife's Parents, Richard & Mary ~~Jackson~~ Warren

Occupation of Husband, Laborer.

Given under my hand this 29" day of April ~~A~~ 1896

B. F. McLemore Clerk.

Certificate of Time and Place of Marriage.

I, , a of the Church, or religious order of that name, do certify that on the 30" day of April ~~A~~ 1896 at My house, under authority of the above License, I united in Marriage the persons named and described therein.

Given under my hand this day of 19.

J. E. Stephenson.

☞ The Minister celebrating a marriage is required, within two months 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.

Ricks
v } Stat: Rooks
Ricks

James B. Richey

vs

Louisa Richey

1905. Feb 13. Process issued to 2nd Feb. Rules

" 24 " Rules " returned Executed -

Bill + Exhibit filed -

Decree Nisi.

1905. 1st Mch. Rules = Bill taken for Con=

fessed + Cause set for

hearing.

Ricks. James B.,

vs. Stas

Ricks, Louisa

Executed
Mandate
for Restraint
Dep. Sheriffs

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON Frank Ogle, Richard Jones and J. T. Raiford

Joseph B. Prince, a comr. in Ch.

to appear before ~~the Judge~~ of our Circuit Court of Southampton County, at the Courthouse thereof, on the 12th day of March, 1905, ~~189~~, to testify and the truth to speak on behalf of James B. Ricks in a certain matter of controversy in our said Court depending and undetermined between James B. Ricks, plaintiff, and Louisa Ricks, defendant.

And this ~~the~~ you shall in no wise omit, under the penalty of the law. And have then there this writ.

Jos. B. Prince, Comr. in Ch.

Witness, ~~T. M. HOWARD, Clerk of~~ our said Court, at the Courthouse, this 18th day of Feby. 1905, ~~189~~, in the 129 year of the Commonwealth.

TESTE: Jos. B. Prince, C. C.

A COPY—TESTE: Comr. in Ch., C. C.

176 Sales

Rucker
vs.
Rucker

Sp fa
Ex

1905. 2nd. Feby Rules.

Lowe Kelly

Executed in the City of Norfolk By the 15th day of February 1905. by delivering a copy hereof to Lucinda Rucker.

J. T. Lawler Sergt
City of Norfolk
by E. L. Deming
Deputy

Sergt's fee 50¢ paid

E L Deming D.S

THE COMMONWEALTH OF VIRGINIA.

TO THE ~~SHERIFF OF SOUTHAMPTON COUNTY~~ Sergeant City of Norfolk, GREETING:

WE COMMAND YOU TO SUMMON Louisa Riches

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 12th Monday in February, 1905 ~~next~~, to answer a Bill in Chancery exhibited against her in our said Court by James B. Riches

And this she shall in nowise omit under penalty of law. And have then there this writ.

Witness, B. F. McLEMORE, Clerk of our said Court, at the Courthouse, this 13th day of February, 1905, in the 129th year of the Commonwealth.

Teste:

B. F. McLemore, C. C.

Ricks } 1905
v. } Decree.
Ricks.

March 20, 1905.

Enter this,

Robert R. Ellis

Entered.
6. O. B. fo - 145.

W. J. Bell, D.C.

James B. Ricks, }
vs. } Decree.
Louisa Ricks.

This day this cause came on to be heard upon the bill of the complainants and exhibits therewith filed, and the depositions of witnesses, the defendant, upon whom process has been duly served, still failing to appear and plead, answer or demur to the said bill, and was argued by counsel.

On consideration whereof, the Court do adjudge, order and decree that the marriage heretofore had and solemnized between the plaintiff, James B. Ricks, and the defendant, Louisa Ricks, be and the same is hereby dissolved and annulled, and that the said James B. Ricks be forever divorced a vinculo matrimonii from the said Louisa Ricks.

And it appearing that nothing further remains to be done in this cause, it is ordered that the same be removed from the docket.