

1931-012 Chancery Causes, Matthe Lawrence vs Ocie Lawrence

596

Dsh of Wight County

other SURNames: Thomas, Wilcox

C. F. WHITLEY
ATTORNEY AT LAW
PRESTON BUILDING

SOUTH NORFOLK, VA.

May 7, 1931.

Mr. R.A. Edwards, Clerk,
Isle of Wight, Va.

Dear Gus:

Re: Mattie Lawrence v. Ocie Lawrence.

I am inclosing herewith the memorandum of the above cause, and will thank you to mail the summons to me as I can have the City Sergeant of South Norfolk, Virginia, to serve it upon the defendant, who is a resident of this City. The Sergeant may serve the summons along with the notice to take depositions,

I can bring this suit either in Isle of Wight where they last co-habited as man and wife, or in Norfolk County where the defendant now resides.

The marriage license was secured from your office about 12 or 14 years ago, and I will appreciate your making a copy and placing in the record.

I am inclosing my check in the sum of \$7.50 for the deposit, and I will pay the Sergeant here for serving the summons. If this is not sufficient, you may advise me.

Very truly yours,

CFW:a



P.S. I will appreciate your advising me when Judge White will be up there again. That is, I would like to take the depositions and have the case matured by some day when he will hold court up there. C.F.W.

MARRIAGE LICENSE

Virginia Isle of Wight 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,

Ocie Lawrence and Mattie Willcox

Given under my hand, as Clerk of Circuit Court of Isle of Wight County ~~(or City)~~
this 27th day of December, 1915.

A. S. Johnson, Clerk.

Per: L. V. Boyce

MARRIAGE CERTIFICATE

To be annexed to the License, required by Section 5074 of the Code of Virginia, 1919, as amended by Act of February 16, 1910.

VIRGINIA: In the Clerk's Office of the Circuit Court for the County ~~(or City)~~ of Isle of Wight

Date of Marriage Dec. 30th, 1915 Place of Marriage Isle of Wight Co., Va.

FULL NAMES OF PARTIES

Ocie Lawrence and Mattie Willcox

Age of Husband 22 years; Condition (single, widowed or divorced) Single

Age of Wife 18 years; Condition (single, widowed or divorced) Single

Race (White or Colored) Colored

(PRESENT)

Husband's Place of Birth Isle of Wight Co. Va. Mailing Address Isle of Wight Co., Va.

Wife's Place of Birth Isle of Wight Co. Va. Mailing Address Isle of Wight Co., Va.

Names of Husband James Lawrence and Florence Holloman

Parents { Wife Dudley Willcox and Florence Willcox

Occupation of Husband Laborer

Given under my hand this 27th day of December, 1915.

A. S. Johnson, Clerk.

Per: L. V. Boyce

Certificate of Time and Place of Marriage

I, J. T. Kitchen, a Minister of the Christian

Church, or religious order of that name, do certify that on the 30th day of Dec., 1915,

at Windsor, Virginia, under authority of the above License, I joined together in the Holy State of Matrimony the persons named and described therein. I qualified and gave bond according to law authorizing me to celebrate the rites of marriage in the County ~~(or City)~~ of Isle of Wight, State of Virginia.

Given under my hand this 27th day of January, 1916.

J. T. Kitchen

(Person who performs ceremony sign here.)

The Minister or other person celebrating a marriage is required, within thirty (30) days thereafter, to return the License and Certificate of the Clerk and his certificate of the time and place at which the marriage was celebrated to the Clerk who issued the License; failure to comply with these requirements of the law makes the Minister or other person celebrating the marriage liable to a fine of not less than ten nor more than twenty dollars for each offense (see Section 5074 of the Code of Virginia, as amended by Act approved February 16, 1910, Acts 1910, chapter 28, pages 36 and 37).

A Copy: Teste R. A. ... Clerk.

County (or City) Isle of Wight.

Ocie Lawrence

Husband

and {

Marriage License

Mattie Willcox

Wife

Date of Issue Dec. 27th, 1915.

Marriage Register No. 3 Page 267

VIRGINIA: CLERKS OFFICE OF THE
CIRCUIT COURT OF THE COUNTY OF
ISLE OF WIGHT

Jany. 31st, 1916.

Returned and Filed

Teste: A. S. Johnson, Clerk.

A Copy:

Teste

R. A. Eason

Clerk.

VIRGINIA,

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

Mattie Lawrence

Complainant.

v.

Ocie Lawrence

Defendant.

To the Clerk of said Court:

Please issue summons in Chancery against
the above defendant in favor of the complainant
returnable to the second ^May Rules, it being the
Third Monday in May, 1931.

C. J. Whitney

p. q.

Mathie Lawrence

NS # 596

Doc Lawrence

memo. 5/8/31

Process issued
and sent to C.F.M.
direct to Sgt Sam. M.

Dep. 750

VIRGINIA: IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY, JULY 6TH, 1931.

Mattie Lawrence

Complainant.

v.

Ocie Lawrence

Defendant.

This cause, in which the defendant has been served in person with process came on this day to be heard upon the bill and exhibit, the defendant failing to appear, to demur, plead, answer or appear at the taking of the depositions, and on the depositions of witnesses taken, after due notice having been served in person upon the said defendant, and it appearing from said depositions filed in this cause that the complainant and defendant were married in Isle of Wight County, State of Virginia, that the said complainant and defendant last co-habited as man and wife in Isle of Wight County, Virginia, that the said complainant has been and now is a bona fide resident of and domiciled in the said County and State, for more than one year next preceding the institution of this suit, and that the defendant has willfully deserted and abandoned the said complainant for more than three successive years next preceding the institution of this suit.

On consideration whereof, the Court doth adjudge, order and decree that the marriage heretofore had and solemnized between the said complainant and the defendant shall be, and the same is hereby dissolved and that the said complainant Mattie Lawrence be forever divorced a vinculo matrimonii from the said defendant Ocie Lawrence, and he from her, but neither party shall be permitted to marry again for six months from the date of this decree, nor shall such bonds of matrimony be deemed to be dissolved as to any marriage subsequent to this decree until the expiration of the said six months, and the custody of the child of said marriage is awarded to the complainant, and nothing further remaining to be done this cause is dismissed from the docket.

A Copy:

Teste _____ Clerk.

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

Colored Feff
Mattie Lawrence, Complainant.

v.

Ocie Lawrence, Defendant.

This cause, in which the defendant has been served in person with process came on this day to be heard upon the bill and exhibits, the defendant failing to appear, to demur, plead, answer or appear at the taking of the depositions, and on the depositions of witnesses taken, after due notice having been served in person upon the said defendant, and it appearing from said depositions filed in this cause that the complainant and defendant were married in Isle of Wight County, State of Virginia, that the said complainant and defendant last co-habited as man and wife in Isle of Wight County, Virginia, that the said complainant has been and now is a bona fide resident of and domiciled in the said County and State, for more than one year next preceding the institution of this suit, and that the defendant has willfully deserted and abandoned the said complainant for more than three successive years next preceding the institution of this suit.

On consideration whereof, the Court doth adjudge, order and decree that the marriage heretofore had and solemnized between the said complainant and the defendant shall be, and the same is hereby dissolved and that the said complainant Mattie Lawrence be forever divorced a vinculo matrimonii from the said Defendant Ocie Lawrence, and he from her, but neither party shall be permitted to marry again for six months from the date of this decree, nor shall such bonds of matrimony be deemed to be dissolved as to any marriage subsequent to this

decree until the expiration of the said six months,* and
nothing further remaining to be done this cause is dismissed
from the docket.

**and the costs of the said marriage is
awarded to the complainant,*

VIRGINIA:
IN THE CIRCUIT COURT OF ISLE OF
WIGHT COUNTY.

Mattie Lawrence,..Complainant.

v. In Chancery

Ocie Lawrence,....Defendant.

C.F.Whitley, p.q.

Decree.

Enter this

1931
July 6
CFW Judge.

C. F. WHITLEY
ATTORNEY AT LAW
SOUTH NORFOLK

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

Mattie Lawrence,....Complainant.:

v.

Ocie Lawrence,.....Defendant. :

: Notice to take depositions
:
:

TO OCIE LAWRENCE:

TAKE NOTICE, that on the 4 day of June
1931, at the Farmers Bank of Windsor, Virginia, between
the hours of 10:00 A.M. and 4:00 P.M. of that day, I shall
proceed to take the depositions of Maggie Thomas, and others
to be read as evidence in my behalf, in a certain suit in
equity, pending in the Circuit Court of Isle of Wight County,
Virginia, wherein I am complainant and you are the defend-
ant; and if from any cause the taking of the said deposi-
tions be not commenced, or if commenced, be not concluded
on that day, the taking thereof will be adjourned from time
to time, at the same place and between the same hours, un-
til the same shall be completed.

Given under my hand this 11th day of May, 1931.

Mattie Lawrence,

By C. F. Whitty

Her Attorney.

Virginia,

In the Circuit Court of
Isle of Wight County.

Mattie Lawrence, Complainant

v.

Ocie Lawrence, Defendant.

Notice to take depositions.

Directed on the within named
15 day of May 1931, in the City of South
~~North~~, Virginia by depositions to him in person a true copy of the within

Ocie Lawrence

W. H. [Signature]
Sergeant City of South Norfolk

Mattie Lawrence, being first duly sworn deposes and says;

1. Q- Please state your age, residence and occupation?

A- I am 35 years old, and live near Windsor, in Isle of Wight County, and I do most anything I can get to do, like all other women around here.

2. Q- When were you and Ocie Lawrence married?

A- We got married about 1917 or 1918, I don't know the exact date.

3. Q- Where did you secure your license to get married, and where were you married to him?

A- We got the license at Isle of Wight Courthouse, and we got married in Isle of Wight County.

4. Q- How long, and where did you and Ocie Lawrence live as man and wife?

A- We lived together until the fall of 1919, when he left me, and we lived near Windsor.

5. Q- In Isle of Wight County, Virginia?

A- Yes Sir, that is where we lived.

6. Q- How long have you lived in Isle of Wight County, Va?

A- All of my life.

7. Q- Where do you now live?

A- Near Windsor, in Isle of Wight County.

8. Q- Where did you and Ocie last live as man and wife?

A- Near Windsor with my mother.

9. Q- How many children were born of that marriage and where are they now?

A- I have one child and he is with me.

10. Q- How old is that child, and has Ocie Lawrence contributed anything to its support since he deserted you?

A- He is 12 years old, and Ocie hasn't given me or him a cent since he left me.

11. Q- Will you ever live with him again as his wife?

A- No. Further this deponent saith not.

Witness *A. D. ...*

Mattie Lawrence

Maggie Thomas, being first duly sworn deposes and says:

1. Q- Please state your age, residence and occupation?

A- 21 years old, and live near Windsor in Isle of Wight County. I am a cook.

2. Q- How long have you know Mattie Lawrence and Ocie Lawrence her husband?

A- I have known Mattie Lawrence all of my life and I have known Ocie Lawrence most all of my life.

3. Q- How long have they been bona fide residents of Isle of Wight County, Virginia?

A- She has been here all of her life and Ocie has been here a long time, I don't know exactly how long it has been.

4. Q- When did they separate, and which one deserted the other?

A- They separated in the fall of 1919, and he deserted her.

5. Q- Where did they live at the time he deserted her?

A- They lived with Mattie's mother, near Windsor?

6. Q- In Isle of Wight County, Virginia?

A- Yes Sir.

7. Q- Have they lived together as man and wife since they separated?

A- No Sir.

8. W- Will they ever live together as man and wife again?

A- I don't think they will.

Further this deponent saith not.

Maggie Thomas

Virginia Thomas, being first duly sworn deposes and says:

1. Q- Please state your age, residence and occupation?

A- I am 19 years old, and live here near Windsor, and
I work in the field sometimes and cook sometimes.

2. Q- How long have you known Mattie Lawrence and Ocie Lawrence?

A- All of my life.

3. Q- How long have they been bona fide residents of Isle of
Wight County, Virginia?

A- She has been here all of her life and he was here until
he deserted her in 1919.

4. Q- When did they separate?

A- In 1919, I don't know the time of year.

5. Q- Which one deserted the other?

A- He deserted her.

6. Q- Have they lived as man and wife since they separated?

A- No Sir.

7. Q- How many children have they, and where are the children?

A- They only had one boy, and he is with his mother.

8. Q- Will they ever live together as man and wife again?

A- I don't think so.

9. Q- Why don't you think so?

A- He has been away too long now.

Further this deponent saith not.

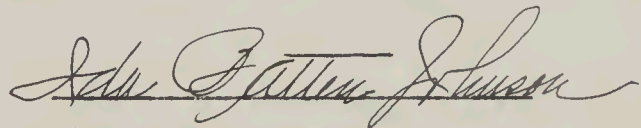
Virginia Thomas

State of Virginia,

County of Isle of Wight, to-wit:

I, Ida B. Johnson, a Notary Public, in and for the County of Isle of Wight, in the State of Virginia, do hereby certify that the foregoing depositions, were duly taken, reduced to writing, and signed before me in my County aforesaid, at the time and place mentioned in the notice hereto attached.

Given under my hand this 4th day of June, 1931.



Notary Public.

My Commission Expires

January 14 - 1933

VIRGINIA;

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

Mattie Lawrence,.....Complainant.

v.) In Chancery

Ocie Lawrence,.....Defendant.

The following depositions of Mattie Lawrence, Maggie Thomas and Virginia Thomas, taken before me, Ida B. Johnson, a Notary Public, in and for the County of Isle of Wight, in the State of Virginia, on the 4th day of June, 1931, at the Farmers Bank of Windsor, in the Town of Windsor, Virginia, pursuant to the notice here-
to attached, to be read in behalf of the complainant.

Present, C.F. Whitley,

Counsel for the Complainant.

VIRGINIA:
IN THE CIRCUIT COURT OF ISLE
OF WIGHT COUNTY.

Mattie Lawrence,...Complainant.

v.) In Chancery

Ocie Lawrence,.....Defendant.

C.F. Whitley, p.q.

D E P O S I T I O N S

C. F. WHITLEY
ATTORNEY AT LAW
SOUTH NORFOLK

Commonwealth of Virginia,

City Sargeant Of South Norfolk,
To the ~~Sheriff of Isle of Wight County~~ — Greeting:

WE COMMAND YOU, That you summon Ocie Lawrence,

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight at the rules
to be holden for the said Court on the... Third Monday in... May....., 1931.....,
to answer a bill in chancery, exhibited against... him.....
in our said Court by Mattie Lawrence

And have then and there this writ.

Witness, R. A. EDWARDS, Clerk of our said Court, at the Courthouse, this... 8th.....
day of... May....., 1931....., and in the... 155th..... year of the
Commonwealth.

R. A. Edwards Clerk.

.....
.....
Mattie Lawrence,

vs. } CHANCERY NO. 596

.....
Ocie Lawrence,

ORIGINAL SUBPOENA

.....
*Virginia, Clerk's office of the Circuit
Court of the County of Isle of Wight.*

....., 19.....
Returned, entered and filed.

Teste:
.....Clerk

To Second May Rules

1931..

.....C. Fairfield Whitley p. q.
.....

Recorded on the within named
15 day of May 1931, in the City of South
Virginia by delivering to him in person a true copy of the within

Ocie Lawrence

C. Fairfield Whitley
Clerk
City of South Norfolk.

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

Mattie Lawrence, Complainant.

v.) In Chancery

Ocie Lawrence, Defendant.

To the Honorable B.D.White, Judge of the
said Court:

Humbly complaining, your complainant, Mattie
Lawrence, respectfully represents:

That for more than one year prior to the
institution of this suit, your complainant, Mattie Lawrence
has been a bona fide resident of and domiciled in the County
of Isle of Wight, Virginia, where she now resides.

That your complainant and defendant were
lawfully married on the ___day of _____191 , in Isle of Wight
County, Virginia, as will more fully appear from a certified
copy of their marriage license herewith filed, and marked
" Exhibit A", and prayed to be taken, read and made a part
of this bill.

That during said marriage one child was born,
Fletcher Lee Lawrence, age _____ years, who is now in the
care and custody of your complainant and has been ever since
the defendant deserted and abandoned said complainant.

That your complainant and defendant last
co-habited as man and wife in Isle of Wight County, Virginia,
where they resided from the date of said marriage until the
fall of 1919, when the defendant deserted and abandoned your
complainant and has not returned to live with her.

In consideration whereof, and forasmuch as
your complainant is remediless in the premises save in and

by the aid of a court of equity where such matters are alone, and properly cognizable, she prays that proper process issue; that the said Ocie Lawrence be made a party defendant to this bill, and be required to answer the same, but an answer under oath being hereby waived; that a divorce from the bonds of matrimony, which were created by the aforesaid marriage, be decreed her from her said husband Ocie Lawrence, on the grounds of willful desertion and abandonment for a period of more than three years; that the care and custody of their minor child Fletcher Lee Lawrence be awarded to your complainant Mattie Lawrence, and that your complainant be afforded such other, further and general relief as the nature of her case may require, or to equity shall seem meet.

And your complainant will ever pray etc.

Mattie Lawrence
By Counsel.

C. J. Whitson p. q.

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF
WIGHT COUNTY.

Mattie Lawrence, Complainant.

v.) In Chancery.

Ocie Lawrence, Defendant.

C.F. Whitley, p.q.

5/20/31 Filed
CASE

BILL.

C. F. WHITLEY
ATTORNEY AT LAW
SOUTH NORFOLK