

1917-012
Norfolk Co (Suffolk)

Chancery Causes: Harry Norfleet vs Lucy Norfleet

Brooks, Goodman, Langston, Jones

OVERSIZE

Box 4

- 1 marriage license (exhibit A)

Mr. Geo. E. Bunting Clerk of the
Circuit Court of Nassau County.

Harry Inflect Complainant

Lucy ^{Inflect} Inflect Defendant.

Issue summons to 2nd Dec. Rebr
1916 (third Monday in Dec. 1916) to
Complainant against defendant to
answer a Bill in Chancery for
divorce.

\$5.00 Expended Paid. R. H. Roberts Jr.

Serve copy of notice to the defendant.

Defendant lives at Henry Barnwell's (wid)
just in front of the old fort on
Lake Kelly.

Memor for Clerk

CHANCERY SUMMONS.

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON... Lucy Norfleet.....

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, 1916, to answer.....a.....Bill in
Chancery, exhibited against.....her.....
in the said Court by.....Harry Norfleet.....

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this.....15th.....day of
.....December....., 1916., in the 141st..year of the Commonwealth.

A copy—Teste:

Clerk.

Teste:

Clerk.

Executed this 16 day of Dec, 1911 by delivering a true copy of the within process
to Lucy Norfleet

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

E. E. Wagner Sheriff.

..... R. H. Rawles, ... p. q.

..... Harry Norfleet.....

vs. } In Chancery.

..... Lucy Norfleet.....

1916.

December..... Rules.

..... Third..... Monday.

NANSEMOND COUNTY COURT,

Process Book, No..... 2.

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TO MRS. LUCY NORFLEET:

Please take notice that I shall proceed to take the depositions of Eliza Langstun and others, at the office of R. H. Rawles, in Suffolk, Virginia, between the hours of 8 A. M. and 6 P. M. on Wednesday the 27th day of December, 1916, to be read as evidence in my behalf, in a certain suit in equity pending in the Circuit Court of Nansemond County, in which I am plaintiff and you are defendant; and if from any cause the taking of the said depositions be not commenced that day, or, if commenced be not completed, the taking of the same will be adjourned and continued from day to day, or from time to time, at the same place and between the same hours, until the same shall have been completed.

Respectfully yours,

Dec. 14th, 1916.

Harry Norfleet,

By R H R Rawles Counsel.

Notice to take depositions
Original

Executed on the 16 day of
Dec. 1916 within the county of
Nancemond, by delivering a
true copy of the within notice,
in writing, to Lucy Wright
..... in person
E. E. Wagner
.....
Sheriff of Nancemond County.

Depositions of Isaac Goodman and others, taken before me, L. P. Holland, a Commissioner in Chancery for the Circuit Court of the City of Suffolk, Virginia, pursuant to notice hereto annexed at the office of R. H. Rawles, in Suffolk, Virginia, between the hours of 8 A.M. and 6 P. M. on the 27th day of December, 1916, to be read as evidence in behalf of the plaintiff, in a certain suit in equity depending in the Circuit Court of Nansemond County, wherein Harry Norfleet is plaintiff and Lucy Norfleet is defendant.

P R E S E N T .

R. H. Rawles, counsel for plaintiff.

The defendant did not appear either in person or by counsel.

Isaac Goodman, being duly sworn deposes and says as follows:

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

Q. Isaac Goodman, 46 years, Nansemond County, farmer, and I know the parties.

Q. How long have you known Harry Norfleet?

A. I have been knowing Harry about ten or twelve years.

Q. Where does Harry Norfleet now live?

A. Between here and Whaleyville.

Q. Does he live near Whaleyville?

A. Yes sir.

Q. How far do you live from him?

A. About 6 miles.

Q. Did you ever live nearer to him than that?

A. Yes, lived about two hundred yards from him.

Q. Did you live within two hundred yards of him at the time of his marriage?

A. Yes.

Q. How long did you live that near to him?

A. I lived there until his wife left.

Q. Please state if the defendant is now living with ~~his~~ Harry Norfleet?

A. No sir.

Q. How long has it been since she left or deserted him?

A. 1908.

Q. Do you mean she left him in 1908?

A. Yes.

Q. What time of the year?

A. In the fall, in pea picking time.

Q. Were they living right near to you at that time?

A. Yes sir.

Q. Do you know whether she has ever been back to live with him since that time?

A. No sir, if she had come back I would have seen her.

Q. Has she ever been back in that time to live ^{with him} since that time?

A. No sir.

Q. You mean to say that since the fall of the year 1908, she left him and has never been back there at all?

A. Yes sir.

Q. Do you think you would most likely have seen her if she had been back there to live with him?

A. Yes.

Q. How did he treat his wife while she lived with him?

A. Just as good as a man ought to be.

Q. Did you ever hear him ^{of} abuse her, or treat her cruelly in any way?

A. No sir.

Q. Do you know whether she was infatuated with some other man before she left her husband?

A. Yes sir.

Q. What was his name?

A. Wiley Walker.

Q. Did he, Wiley Walker, go with her sometimes and keep her company before she left her husband?

A. Yes sir.

Q. Did he frequently go with her?

A. Yes sir.

Q. Was it neighborhood talk that he went with her?

A. Yes, everybody knowed that she went with him.

Q. State whether she and Wiley Walker went away together, at the time she left her husband in 1908?

A. Yes.

Q. Do you know where they went?

A. Went over there to Tunis.

Q. How did they go, on the train or by private conveyance?

A. On the train.

Q. Do you know whether Harry Norfleet ever gave his wife any cause for leaving him or not?

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A. No sir.

Q. State whether Harry Norfleet is an industrious, hardworking man?

A. Yes.

Q. Do you know whether Lucy Norfleet, the defendant now has a little child?

A. Yes sir, one in her arms now.

Q. Where is she living now?

A. Near Suffolk, in Nansemond County.

Q. Does Harry Norfleet still live in Nansemond County?

A. Yes sir.

Q. Has he been living here for the last six or seven years continuously?

A. Yessir.

Q. Where did he and his wife last cohabit?

A. In Nansemond County.

And further this deponent saith n^{ot}.

Witness: L. P. Holland.

Harry X Goodman
mark.

SAM LANGSTON, being duly sworn deposes and says as follows:

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

A. Sam Langston, 46 years, Nansemond County, farmer, and I know the parties.

Q. How long have you known Harry Norfleet?

A. About 17 years.

Q. How long have you known Lucy Norfleet?

A. About 16 years.

Q. Did you ever live near where they lived when they were married?

A. Yes.

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Q. How far from them?

A. About 400 yds.

Q. How long did you live that near to them?

A. Lived there one year.

Q. Were you living that near at the time his wife left him?

A. No, I wasn't living there then.

Q. Where does Harry Norfleet now live?

A. He lives near Whaleyville.

Q. Has he been living in that neighborhood ever since he was married?

A. Yes.

Q. Is his wife, the defendant, Lucy Norfleet now living with him?

A. No sir.

Q. Did she leave him?

A. Yes sir.

Q. State when she left him?

A. 1908.

Q. In what part of the year?

A. In the fall.

Q. How do you recall that it was in the fall?

A. Because we were picking off peas.

Q. How far were you living from them at that time?

A. About three miles.

Q. Do you live any nearer than that now?

A. No sir.

Q. Do you know whether she has ever been back to live with him since the fall of 1908, when she left him?

A. She hasn't been back.

Q. Would you have seen her or have known of the fact if she had been back?

A. Yes sir.

Q. Did you very frequently see them together, while they were living together?

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A. Yes sir.

Q. How did Harry Norfleet treat his wife while they were living together?

A. Just as nice as you would want a man to treat a wife?

Q. What was his disposition?

A. Good disposition towards her.

Q. Is he an industrious man?

A. Yes, so far as I know.

Q. Do you know whether he ever gave her any cause for leaving him?

A. No sir, not a bit.

Q. Can you recall any reason why she left him?

A. No sir, I don't know that.

Q. Do you know whether she became attached to some other man before she left him?

A. No sir.

Q. Do you know whether she went off with any man or not?

A. I don't know, not of my own knowledge, but I have heard that she did go off with a man by the name of Wiley Walker.

Q. Do you know where Lucy Norfleet, the defendant, now lives?

A. In Nansemond County, near Suffolk.

Q. Where did Harry and Lucy Norfleet last cohabit?

A. In Nansemond County.

Q. Has Harry Norfleet been living in Nansemond County continuously for the last seven or eight years?

A. Yes sir.

Q. Do you know whether Lucy Norfleet, the defendant, has a little child now or not?

A. She has one, yes sir, in her arms.

Q. From your knowledge of all the facts surrounding this case, are you prepared to say that his wife Lucy Norfleet has abandoned and deserted him for more than three years? A. Yes sir.

Q. And do you say that because you have been a citizen of that community during that whole time? A. Yes.

And farther this deponent saith not.

Samuel Longston

MARY JONES, being duly sworn deposes and says as follows:

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

A. Mary Jones, 40 years, Hansemond Countym housewife, and I know the parties.

Q. How long have you known Harry Norfleet?

A. I knew him after he got married.

Q. How long have you known Lucy Norfleet?

A. I knew her after she got married.

Q. Did you live near to them while they were living together after they were married?

A. Yes sir.

Q. How far did you live from them?

A. About 200 yds.

Q. Were they living at that time in this County near Whaleyville?

A. They were living at that time near Somerton.

Q. Is Lucy Norfleet now living with her husband, Harry Norfleet?

A. No sir.

Q. How long has it been since she left him?

A. 1908.

Q. What time of the year did she leave him in 1908?

A. In the fall.

Q. Have you lived in that neighborhood since that time?

A. Yes sir.

Q. State whether she has ever returned to her home and to live with him since that time?

A. No sir.

Q. Would you have known it if she had been back there?

A. Yes sir.

Q. State whether you saw them together quite frequently while they lived together until she left him?

A. Yes sir.

Q. How did Harry Norfleet treat his wife while they lived together?

A. He treated her all right.

Q. Did you ever know him to abuse her or treat her cruelly?

A. No sir.

Q. Do you know where she went to when she left him in 1908?

A. She went down to Cofield, N. C.

Q. Do you know whether she went off with another man or not?

A. Yes, they said she went off with Wiley Walker.

Q. Was Wiley Walker very attentive to her before she ran off with him?

A. Yes.

Q. Did he go with her frequently and did they seem to be in love with each other?

A. Yes sir.

Q. Do you say, from your knowledge of the facts in this case, and as a resident of that same neighborhood that Lucy Norfleet has abandoned and deserted her husband ever since 1908?

A. Yes sir.

Q. Is Harry Norfleet an industrious man?

A. Yes sir.

Q. Do you know what has become of Lucy Norfleet, or where she now lives?

A. No sir, they say she lives near Suffolk.

Q. Where did she and her husband last cohabit?

A. In Hansmond County.

Q. Has Harry Norfleet been living in this county ever since the time she deserted him?

A. Yes.

Q. Is he still living in this county?

A. Yes.

Q. Do you know whether Harry Norfleet ever gave his wife any cause for abandoning or deserting him?

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A. No sir.

Q. Did he treat her as a husband ought to treat a wife and take good care of her while she lived with him?

A. Yes sir, far as I know, he did.

Q. State if you ever heard anything to the contrary?

A. No I never did.

And further this deponent saith not.

Witness: *L. P. Holland.* *Mary ^{her} Jones*
X
made

HARRY NORFLEET, being duly sworn deposes and says as follows:

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

A. Harry Norfleet, 35 years, Nansemond County, farmer, I am the plaintiff in the case and the defendant is my wife.

Q. How far do you live from Whaleyville?

A. I live about a mile from Whaleyville.

Q. Have you been living in that neighborhood all your life?

A. Yes sir.

Q. Is your wife Lucy Norfleet now living with you?

A. No sir.

Q. How many years has it been since you lived together?

A. It has been about seven years.

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

A. She left me.

Q. Were you living in Nansemond County near Whaleyville or Somerton at that time?

A. I was living at Somerton at the time she left me.

Q. How did you treat her while she ~~was~~ living with you?

A. Treated her like a poor man could treat her.

Q. Did you do everything you could to make her life pleasant and happy?

A. Yes.

Q. State if you ever abused her, or beat her or treated her cruelly?

A. No sir.

Q. Where did you and she last live together?

A. In Nansemond County, Va.

Q. Have you been living in this county continuously all your life?

A. Yes.

Q. State whether your wife has ever been back a single day or minute to live with you since she left you in 1908?

A. No sir.

Q. Are you positive about that?

A. Yes sir.

Q. Then you have not had anything whatever to do with her since she left you in 1908?

A. No sir.

Q. Do you know where she went when she left?

A. She went to Tunis.

Q. State whether she ran off with some other man or not?

A. Yes, she went with Wiley Walker:-

Q. Do you know whether she went with him much before she ran off with him?

A. Yes.

Q. Do you know where she is now living?

A. She is living near Suffolk in this county.

Q. Do you know whether she has a young child or not?

A. Yes, one in her arms.

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Q. Did you ever give her any cause for leaving you?

A. No sir.

Q. Have you ever lived with her at any other place since she left in 1908?

A. No, I have not.

Q. From all your knowledge of all the facts in your case, can you say on your oath that your wife has abandoned and deserted you for more than three years?

A. Yes, for upwards of seven years.

Q. Has she ever offered to return to live with you since that time?

A. No, she has not.

Q. Several witnesses have testified in this case that your wife Lucy Norfleet now has a little child, "in her arms". State on oath whether you are the father of that child?

A. I am not, positively not, I know nothing about it.

And further this deponent saith not.

Harry X Norfleet
marks

Witness: *L. P. Holland*

VIRGINIA:

City of Suffolk, to-wit:

I, L. P. Holland, a Commissioner in Chancery for the Circuit Court of the City of Suffolk, Virginia, do certify that the foregoing depositions of Isaac Goodman, Sam Langston, Mary Jones and Harry Norfleet, were duly taken, sworn to and subscribed before me, at the time and place stated in the caption thereof.

Given under my hand this 28th day of December, 1916.

L. P. Holland
Commissioner in Chancery.

Fees \$5.00
Paid,

Defections

R. H. RAWLES
ATTORNEY AT LAW
SUFFOLK, VA.

Harry Norfleet,

vs.

In Chancery.

Lucy Norfleet.

This cause came on this day to be heard on the bill of the complainant and depositions taken after due notice to the defendant, and the defendant, on whom process was served and who appears to have been regularly proceeded against in the manner and form prescribed by law, failing to appear, plead, answer or demurr and was argued by counsel.

On Consideration Whereof, it appearing to the Court from the evidence submitted in this cause that the defendant, Lucy Norfleet, has wilfully abandoned and deserted her husband the plaintiff for upwards of three years next preceeding the commencement of this cause; that the plaintiff and defendant are both residents of and have been domiciled in the County of Nansemond for upwards of one year next preceeding the commencement of this action; and that the plaintiff and defendant last cohabited in the County of Nansemond, the court doth order, adjudge and decree that the plaintiff, Harry Norfleet be and he is hereby granted a full and absolute divorce a vinculo matrimonii, from his wife, the defendant Lucy Norfleet, and that the marriage relations heretofore existing between them be and the same are hereby wholly annulled and set aside; and it further appearing that nothing further remains to be done in this cause, it is ordered that the same be stricken from the docket.

Final Decree,

6
Enter Aug 9. 1914.
Lis. W. L. Moore.

Under Book #5-

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IN THE CIRCUIT COURT OF NANSEMOND COUNTY:

Harry Norfleet, Plaintiff.

vs.

In Chancery.

Lucy Norfleet, Defendant.

Humbly complaining sheweth unto the court your orator, Harry Norfleet, a citizen of Nansemond County, Virginia, the following case:

Your orator says he was married to his present wife, Lucy Norfleet, in the summer of the year 1904, at Somerton, in said County of Nansemond; ^{a copy of the marriage license certificate of marriage} that after his said marriage he and his said wife lived together at their home near the village of Somerton in said County, and that he was at all times a faithful, kind and provident husband, furnishing his wife with a home and with all the necessities and comforts of life, and doing all in his power to make her happy and to make her life one of happiness. He says they continued to live together in peace and quiet at their said home in this county until the month of November, 1908, at which time his said wife without any excuse or cause or justification whatever, wilfully abandoned and deserted him and left his house and home and bed and board and ran off with one Wiley Walker to the State of North Carolina; that he is informed that she lived in North Carolina for a while and then came back to Nansemond County and has since that time resided in Nansemond County near the town of Suffolk, and that she is now still residing in said County of Nansemond and near the town of Suffolk; that there were two children by said marriage, but both of them are dead; that neither the plaintiff or defendant owns any real estate, and but little chattel property of any kind; that your complainant is a laborer and has worked hard all his life; that during the time his wife remained with him he treated her with the utmost kindness and tenderness, but noticed after the first year or

*Presented first marked to the
by H. and myself after his
read a copy of this*

twotwo that his wife commenced to grow indifferent toward him, and to prefer the company of others to his company. He further says that since the date of her said abandonment of him in November, 1908, she has never returned to live with him, nor returned to his home, nor has he had any communication whatever with her. He therefore believes that his wife has left him for all time, and he is informed and believes that he is entitled to an absolute divorce on the ground of wilful desertion for a period of upwards of three years. He further says that he is now and has been continuously all his life a resident of the County of Nansemond and State of Virginia; that his said wife, the defendant, is now a resident of the County of Nansemond and has been such and been domiciled in said county for upwards of three years next preceeding the commencement of this suit; that he and his said wife last cohabited in said county of Nansemond, where he has also been domiciled for upwards of one year next preceeding the commencement of this suit. Your orator therefore charges that his said wife has wilfully abandoned and deserted him for upwards of three years next preceeding the commencement of this suit.

IN TENDER CONSIDERATION WHEREOF, And forasmuch as your orator is without remedy in the premises, save by the aid of a court of equity where such matters are alone and properly cognizable, your orator prays that the said Lucy Norfleet may be made a party defendant to this suit and required to answer this bill, though an answer under oath is hereby waived; that proper process may issue; that all proper accounts and depositions may be taken after due notice, and that your orator may be granted a full and absolute divorce a vinculo matrimonii from his said wife, and for all such other, further and general relief as this case may require, or which to equity may seem meet, and your orator will ever pray, etc.

Harry Norfleet &
Attorney General

VIRGINIA:

City of Suffolk, to-wit:

I, R. H. Rawles, a Notary Public for the city aforesaid in the State of Virginia, do certify that Harry Norfleet whose ~~name~~ is signed to the foregoing bill has this day personally appeared before me in my said county and being duly sworn made oath that the statements in the foregoing bill made as coming of his own knowledge are true, and that all other statements therein contained made as coming from knowledge or information derived from others he believes to be true.

Given under my hand this 14th day of December, 1916.

My term of office expires on the 20th day of January, 1919.



Bill.

Bill

R. H. RAWLES
ATTORNEY AT LAW
SUFFOLK, VA.

CIRCUIT COURT

SECOND MONDAY IN JANUARY, MAY,
JULY, AND OCTOBER

HON. JAMES L. MCLEMORE, JUDGE
GEO. E. BUNTING, CLERK
S. E. EVERETT, COMMONWEALTHS' ATTORNEY
E. E. WAGNER, SHERIFF
C. R. FULGHAM, COUNTY TREASURER
LEE BRITT, COMMISSIONER OF ACCOUNTS

Nansemond County Clerk's Office

SUFFOLK, VA..

RULE NOTES.

Harry Norfleet

Deposit \$5.00

V. In Chancery.

Lucy Norfleet

Dec.15,1916. Process issued,returnable to Dec.Rules,3rd,Monday,1916

MARRIAGE LICENSE



Virginia, Nansemond 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,

Harry Norfleet
and Lucy Brooks

Given under my hand, as Clerk of the Circuit Court
of Nansemond County this 27th, day of July 19 06
R.R. Smith, Clerk.

CERTIFICATE TO OBTAIN A MARRIAGE LICENSE,
TO BE ANNEXED TO THE LICENSE, REQUIRED BY SECTION 2329 OF THE CODE OF VIRGINIA, AS AMENDED BY ACT OF FEBRUARY 3, 1900.

Time of Marriage, 1906-July 29,	Place of Husband's Birth, Nansemond County
Place of Marriage, Nansemond County, Va.	Place of Wife's Birth, " "
Full Names of Parties Married, Harry Norfleet and Lucy Brooks	Place of Husband's Residence, " "
Color, Colored	Place of Wife's Residence, " "
Age of Husband, 24 years	Names of Husband's Parents, Harry Norfleet and Lithy his wife
Age of Wife, 23 "	Names of Wife's Parents, Sam Brooks and Scrap his wife
Condition of Husband (widowed or single or divorced) Single	Occupation of Husband, Laborer
Condition of Wife (widowed or single or divorced) "	

Given under my hand this 27th, day of July 19 06
R.R. Smith, Clerk.

Certificate of Time and Place of Marriage.

I, W.D. Roberts, a minister of the Christian
Church, or religious order of that name, do certify that on the 29th day of
July, 19 06, at Lucy Brooks, under authority of the above
License, I united in Marriage the persons named and described therein.

Given under my hand this 2nd, day of August 19 06.

A true copy Teste: *W.D. Roberts* Clerk.

Rev. W.D. Roberts,

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.

1851 Exd.

Navy Hospital
with Certificates
of
Mamie's
Nancy Brooks

1906
July 28,