

1911-08

Southampton County Chancery

Hill, Willie

vs Hill, Nannie

Divorce

Bill for Divorce

Willie Hill }
vs
Nannie Hill }

1910-2" Nov: Rulofield
N.D.M. Clerk

Bill for Divorce from the Bonds of
Matrimony, Because of Desertion

Willie Hill

vs

Nannie Hill

In the Circuit Court of Southampton County. To The Hon. James L. McLevor, Judge of the Circuit Court of Southampton County:

Your Complainant, Willie Hill, respectfully represents unto your Honor:

(1) That he was married to Nannie Hill, who was Nanny Manning, in the said County of Southampton about eleven years ago. That they have had one child by this union, an infant, about ten years of age. That they last cohabited together in Southampton County. That the defendant is a non-resident of this State.

(2) That about five years ago, your complainant says that his wife, Nannie Hill, without any good cause deserted him and ever since hath refused and still doth refuse to cohabit with him.

(3) And your Complainant is advised, that under the statutes of this Commonwealth, made and provided for such cases, that inasmuch as the said Nannie Hill deserted your Complainant more than three years before the institution of this suit, he is entitled to an absolute divorce from the bonds of matrimony.

(4) In tender consideration whereof your complainant being without remedy, save in a Court of Equity where matters of this kind are alone and properly cognizable your complainant prays that the said Nannie Hill be made a party to this bill and required to answer the same, oath being specially waived.

(5) That your complainant and said Nannie Hill be forever divorced from the bonds of matrimony. That your complainant be given the care and custody of their infant child and that your Honor will grant unto your complainant such other and further relief as the nature of the case would seem to require and Equity would seem meet. And your complainant will ever pray etc.

Hiram Wallace { P. 9 -
H. C. Smith }

Willie Skie

Notice to
Take disposition

VS

Wannie Skie

Oct 6 - 10

Non Resident
of my County.
J. D. L. T. W. C.
By J. D. L. W. C.

Willie Hice
vs
Nannie Hice

Notice

To Nannie Hice:

Take notice that I, Willie Hice, shall, on the 14th day of January, 1911, at the clerk's office of Southampton County, Virginia, between the hours of eight A.M. and six P.M. on that day, proceed to take the depositions of Harrison Darden and others, to be read in evidence in my behalf, in a certain suit depending in the Circuit Court for the County of Southampton, wherein you are defendant and I am plaintiff. And if from any cause the taking of the said depositions be not commenced on that day, or, if commenced, be not concluded on that day, 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~~ between the same party, until the same shall have been completed.

This the 6th day of October 1910.

Respectfully,

Willie Hice

By Counsel

Willie Hice

vs

Depositions

Mama Hice

WILLIAM SHANDS,
ATTORNEY AND COUNSELLOR AT LAW,
DOUGTLAND, VA

The depositions of Harrison Darden, J.D. Long, taken before me William Shands
a commissioner in chancery for the circuit court of Southampton County Va,
Clerk, at my office in Courtland Southampton County Va on Jan'y 14th, 1911 between
the hours of eight A.M and six P.M of that day, pursuant to an order of publi-
cation hereto attached, and to be read as evidence in behalf of Willie Hill
in a certain suit in equity pending in the circuit court of Southampton Co
Va, wherein the said Willie Hill is plaintiff and Nannie Hill is defendant
Present, Hiram Wall Attorney for the Plaintiff,

No one appearing for the defendant,

1st Q, The witness Harrison Darden being duly sworn deposes as follows,

1st Q, State your age, occupation and residence and do you know the parties
to this suit?.

1st A, Fifty five years old, farmer, at Arringdale Southampton County Va, know
the parties to this suit very well, been knowing them over twenty years

2nd Q, Do you know about how long ago it was when Willie Hill married Nannie
Hill, (then Nannie Manning) and where, and do they now live together?,

2nd A, Some ten years ago, were married in this county, and what time they lived
together was in this county, they do not live together now.

3rd Q, Did she without any good cause desert him and leave her said husband, since
you have stated as above that they do not live together and the bill
charges that she deserted him?.

3rd A, Yes sir she certainly deserted and left him without any good cause, for
I lived right near them while they lived together and I know he treated
her as good as a man could, and should treat a wife, and provided and
done for her the best he could,

4th Q, About how long did she thus leave and desert him?.

4th A, About four or five years.

5th Q, Where did they last cohabit and live together, and have they ever lived
together since she deserted him?.

5th A, They last lived together in Southampton County Va, near Arringdale Va
and she has never lived with him since she deserted him, in fact she
has been away from the State about ever since she deserted him, and is
now out of the state,

6th Q, Were there any children by this marriage?

6th, A, Yes sir, one a boy now some eight or nine years old, which child is now in the care and possession of the father, the said Mannie Hill deserting both husband and child, And further this deponent sayeth not,

Signed,

Harrison + Dorden
mark
witness Jm Shand

The witness J.D. Long being first duly sworn deposes and says as follows,

1st Q, State your age, residence, occupation and do you know the parties to this suit?

1st A, Fifty years old, live at Arringdale Southampton County Va, Farmer and know the parties to this suit very well, lived within at least a half a mile of the parties,

2nd Q Do you know about how long ago it was when the parties were married, and where, and about how long did they live together, if they are not living together now,

2nd A, Some ten years ago, it may be a little more or a little less, And in the county of Southampton Va, I know it has been every bit of Five years since she left him, she not living with him more than five years,

3rd Q, Did she without any good cause desert and leave him,?

3rd A, Certainly she did, for he certainly treated her well and took good care of her while she lived with him, he being a hard working industrious man

4th Q Where were they living together when she left him?

4th A Near Arringdale Southampton County Va,

6th Q, Do you know where she is now?

6th A, No sir, but the last I heard from her, she was living in Brooklyn N.Y. she has never been back here since she left that I knew of, she certainly has never lived with her husband since she deserted him, and is now living out of this state.

7th, How long have you known both parties to this suit,?

7th A, Have known both parties about fifteen years, knew both of them before they were married,

8th, State if there were any children by this marriage, and if so how many and where are they, q

8th A, There is one boy by the marriage, some eight or nine years old, the father has him, as when the mother left him she left him with his father deserting them both, and has never been near them or had anything to do with them since she deserted them, The father taking care of and supporting the child. And further this deponent sayeth not

Signed,

J. D. Long

Courtland . Southampton County Virginia, January 14th, 1911,

I, William Shands a commissioner in chancery for the circuit Court of the aforesaid county, hereby certify that, the above depositions of Harrison, Darden and J.D. Long were duly taken before me at the time and place ^{mentioned} in the caption hereof, and were duly sworn to and subscribed by them in my presence, same being duly taken for the purpose mentioned in the caption, The defendant being a non-resident, and order of publication has been duly executed against her according to law, which order of publication is duly filed in the papers in this cause, Given under my hand this 14th day of January 1911,

William Shands

Commissioner in Chancery,

Virginia:

Southampton County, to wit:

I, H. B. McLemore, Clerk of the Circuit Court of Southampton County
hereby certify that a copy of the order of publication in the
within suit was posted at the front door of the Court-house on the
11th day of *Oct* 1910.

H. B. McLemore
-----Clerk

The Commonwealth of Virginia.

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

We command that you summon

Thames Hill

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 *3^d* Monday in *November* 19*10* to answer a Bill in Chancery exhibited against *him* in our said Court by

Thames Hill

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

Witness, *H/B* ~~B. B.~~ McLEMORE, Clerk of our said Court, at the Courthouse this *6th* day of *October*, 19*10*, in the *13th* year of the Commonwealth.

Teste:

H/B. McLenore

C. C.

Hill, Willie
to Spanish
Hill, Warren

1910-2" Nov Rules.

Oct. 6-10

Non residents
of my County

James D. Turner
By J. A. T. W. P.

The Commonwealth of Virginia.

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

We command that you summon *Nannie Niece*

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 *November 1910* to answer
a Bill in Chancery exhibited against *her* in our said Court by

Nannie Niece

And this *she* shall in no wise omit under penalty of law. And have then there
this writ. *H 10.*

Witness, *B. F.* McLEMORE, Clerk of our said Court, at the Courthouse this *6th*
day of *October*, 19*10*, in the *135th* year of the Commonwealth.

Teste: *B. F. McDemore* C. C.

HIRAM WALL
ATTORNEY AT LAW
SOUTH HILL, VIRGINIA

Sept. 23, 1910.

Hon. H.B. McLeure
Clerk of Southampton Co.,
Southland, Va.,

Dear Sir,

Herewith enclosed, you will find memorandum, bill and notice in a divorce suit of Willie Stice v. Hattie Stice. You will please hold these papers until Willie comes to pay your cost of docketing. He lives in Southampton County and we have written him this day to go over to see you at once and pay you the costs for instituting this suit, so am sure he will go to see you early next week.

We enclose a notice so the sheriff can make his return. I am going ask you to please ^{send me} blank ^{affidavit} for non-resident defendant.

Thanking you for your trouble in the matter.

I am,

Very truly yours,

Hiram Wall

P.D.
You will also please notify us what paper the Court designates for order of publication

Hill Willie,

Against) Order of
Publication,

Hill Nannie,

1910- October 6th

[illegible]

PLAINTIFF,

DEFENDANT,

DEFENDANT,

And it is further ordered that a copy hereof be published once a week for four successive weeks in the Tide-water News, a News Paper published in the Town of Franklin, Southampton County, Virginia, and that a copy be posted at the front door of the Court-house of this County on or before the next succeeding rule day after it is entered.

Teste: BP McSmou Clerk

p.g.

H. C. Smith,

FRANKLIN, VIRGINIA, JAN 2 1911

Messrs. Hiram Wall and H. C. Smith

BOUGHT OF THE NEWS PUBLISHING COMPANY

PUBLISHERS OF

==== The Tidewater News ====

JOB PRINTING AND BUSINESS STATIONERY

ALL ACCOUNTS PAYABLE MONTHLY

PLEASE RETURN THIS BILL WITH REMITTANCE TO BE RECEIPTED

Nov.

11

Order of Publication

Willie Hill vs. Nannie Hill

weeks of Nov. 11, 13 & 24 and Dec. 2--'10.

\$4 00

P A I D 11/3/10.

Tidewater News,

by Scarborough.

(certificate attached)

STATE OF VIRGINIA:
IN THE CLERK'S OFFICE OF THE
CIRCUIT COURT OF THE COUNTY
OF SOUTHAMPTON ON THE 6TH
DAY OF OCTOBER 1910.

Willie Hill, Plaintiff,

Against:

Nannie Hill, Defendant,

The object of this suit is to obtain
for the plaintiff, an absolute divorce
from the bonds of matrimony, from
the defendant.

And an affidavit having been made
and filed that the defendant Nannie
Hill, is not a resident of the State of
Virginia, it is ordered that she do
appear here within fifteen days after
due publication hereof, and do what
may be necessary to protect her
interest in this suit. And it is fur-
ther ordered that a copy hereof be
published once a week for four
successive weeks in the Tidewater
News, a newspaper published in the
town of Franklin, Southampton
County, Virginia, and that a copy
be posted at the front door of the
Court-house of this County on or
before the next succeeding rule day
after it is entered.

A copy.

Teste: H. B. McLEMORE, Clerk,
Hiram Wall }
and } p. q.
H. C. Smith, }

OFFICE OF THE TIDEWATER NEWS.

I, Paul Scarborough, Editor of The Tidewater News, a weekly newspaper
published in the Town of Franklin, Southampton County, Va., do hereby
certify that the Order of Publication, a true copy of which is attached
above, was published in The Tidewater News in the manner prescribed by
law for four (4) successive weeks, viz: Nov. 11, 18 and 24th and Dec. 2
1910

SIGNED:

Paul Scarborough

Editor.

Franklin, Va., Jan. 4th 1910.

Hill Willie

vs. }

AFFIDAVIT FOR ORDER
OF
PUBLICATION.

Hill Nannie

Noram Ware and

Nb Smith

p. 93

In the Clerk's Office of the Circuit Court of the County of
Southampton

Willie Hill

Plaintiff ,

against

Stannie Hill

Defendant .

This day Willie Hill personally appeared
before me H B McEnroe Clerk of the said Court,
and being duly sworn, made oath that Stannie Hill, the

defendant in the said suit is not resident of the State of Virginia,

Given under my hand as Clerk of the said Court, this 5th day of October 1910.

H B McEnroe Clerk

Willie Hill,

Vs

Nannie Hill.

This cause in which the plaintiff has proceeded against the absent defendant by order of publication duly posted and published and fifteen days having elapsed ^{after due publication thereof} and the defendant still failing to appear, plead or demur, came on this day to be heard on the bill and the testimony of witnesses and was argued by counsel.

On consideration whereof the court being of the opinion that the charge of wilful desertion of the plaintiff by the defendant for more than three years before the institution of the suit is fully proved independently of the admissions of either party in the pleadings or otherwise, doth adjudge order and decree that the marriage heretofore solemnized between Willie Hill and Nannie Hill be and the same is hereby dissolved. The said Willie Hill forever divorced from his wife, the said Nannie Hill, with privelage ^{for} of either party to marry again if they so desire. ^{and that Willie Hill is to have the custody of the infant child}

And nothing further remaining to be done in this cause, it is ordered to be removed from the docket of this court.