

1933-093 Chancery Causes: Betty A. Darden vs David Darden

601

Dale of Wight County

• • • • •

VS IN CHANCERY

— — — — —

E. H. Williams p. q.

Deposit ⁴7th Pr by Cc. 8/6-1951

Darden
25 601
Darden

memo.

8-6-31

Deposit

7 50

Od. Sp. M.

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VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT
APRIL 26TH 1933.

Warden
vs: # 601
Warden

It appearing, pursuant to a decree entered herein
on the 6th day of March, 1933, that the parties, or their Counsel,
have been notified by the Clerk of this Court of the terms of
said decree, and no good cause having been shown, it is ordered
that this cause be removed from the docket, with leave to rein-
state the same as provided in Section 6172 of the Code as
Amended.

Larden

vs } #601 ✓

Larden

March TERM 19 23 Filed

CLK.

Commonwealth of Virginia,

To the Sheriff of Isle of Wight County—Greeting:

WE COMMAND YOU, That you summon **David Darden**

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 August, 1931,
to answer a bill in chancery, exhibited against him
in our said Court by **Betty S. Darden**

And have then and there this writ.

Witness, R. A. EDWARDS, Clerk of our said Court, at the Courthouse, this 6th
day of August, 1931, and in the 156th year of the
Commonwealth.

R. A. Edwards Clerk.

Not finding David Darden at his usual place of abode,
I executed the within warrant this the 6th day of Aug 1931
by serving a true copy of same on James Byler for the
said David Darden and explained to him the purport of
same, He being a member of the family of the said
and over the age of sixteen years, in the County of Isle of Wight.
W. C. Whitman Sheriff
D. S.

Betty S. Darden

CHANCERY NO. 601

vs.

David Darden

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 August

Rules

19 31.

E. H. Williams p. q.

copy to be filed

Not finding David Darden at his usual place
of abode nor any member of the family of the said
David Darden over the age of sixteen years
I executed the within subpoena by posting a true copy of same
on the front door of the residence of the said
in the County of Isle of Wight this
day of Aug 19 31

Don't mind

By _____ Sheriff
D. S.

VIRGINIA:

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

Betty S. Darden.....Plaintiff.

VS.

IN CHANCERY

David Darden.....Defendant.

- - - - -

TO THE HON. JUDGE OF THE SAID COURT:

Your Complainant, Betty S. Darden, respectfully
represents:

That on April the 17th, 1924, she was married to
the said defendant, in the said County of Isle of Wight,
Virginia, as will appear by copy of the marriage license
herewith filed, marked "Exhibit A", and made a part of this
bill; and,

That your Complainant was a constant, faithful and
dutiful wife to the said defendant; and,

That your Complainant lived with the said defendant,
in the said County of Isle of Wight, until July the 27th, 1930,
except such times as your said Complainant and the said defend-
ant were employed in the State of New Jersey, during a part
of each year after the first year of the married life of the
said parties; and,

At which said date of July the 27th, 1930, your Com-
plainant separated from the said David Darden because she was
unable to longer endure the cruelty of the said defendant, such
cruelty consisting of numerous and very severe beatings; at one
time your Complainant was beaten so severely that she could only
walk with great difficulty for a period of five weeks, but your
Complainant condoned the said act of cruelty upon your defend-
ant's solemn promise to your Complainant and his mother that he
would not again be guilty of such acts of cruelty; nevertheless,
notwithstanding the promise of the said defendant, he continued,

at different times, to beat your said Complainant by slapping and kicking her so that she had reasonable apprehension of bodily hurt if she continued to live with him; therefore, on July the 27th, 1930, just after she had been kicked and beaten by the said defendant, she left the said defendant. And your Complainant charges that the said defendant, without justification, willfully deserted and abandoned your said Complainant by compelling her to leave her home as above set forth, and such desertion and abandonment has continued from that time until now and still doth continue; and,

That your Complaint is now, and has been, a resident of the said County of Isle of Wight all of her life, except as above set forth.

In tender consideration whereof, and for as much as your Complainant is remediless save in a court of equity, she prays that the said David Darden may be made a party defendant to this bill, and required to answer the same, an answer under oath being hereby expressly waived; that proper process may be issued; that a divorce from bed and board may be immediately decreed to your said Complainant, and after the desertion charged in this bill shall have continued for a period of three years, that a divorce a vinculo matrimonii may be decreed to your said Complainant; and that all such further, other and general relief may be granted your said Complainant as the nature of her case may require and to equity shall seem meet.

And your Complainant will ever pray,

Betty S. Darden

E. H. Wilkins p.q.

Betty S. Darden

Plaintiff

VS) IN CHANCERY

David Darden

Defendant

BILL

8-20-21

E. H. WILLIAMS
ATTORNEY AT LAW
SMITHFIELD, VIRGINIA