

1876-09

Southampton County Chancery - Ridley, Richard vs Ridley, Mary

Divorce

Ridley
as $\frac{4}{3}$ Bill & toty
Ridley

1875. September Rules

L.B. Rance p.g.

To the Hon: Res: Blount judge of the Circuit
Court of Southampton. In Chancery,
Humbly Complaining sheweth unto your
Honor, Your complainant Richard Ribley
that prior to Feb'y 27. 1866, he and one
Mary Ribley, formerly Fields had undertaken
a deed to occupy the relation to each
other of husband and wife, and at that time
they were cohabiting together as such.
That on that day an act was passed
by the General Assembly of Virginia
legalizing the marriages of colored persons
cohabiting as husband and wife. That
from that time to within the last
twelve months Your complainant lived
with the said Mary Ribley, and was
to her a dutiful husband. That
during the month of 1894, your
complainant caught his wife in the
act of adultery with another man,
and immediately abandoned her, and
has never ~~had~~ cohabited with her
since. Your complainant further
shows that she has become a common
prostitute and unfit to rear his children.
In tender consideration whereof, and
more much as your complainant is without
remedy, kept in a Court of Equity, where
matters of this kind are properly cognizable

to the end therefore that justice may be
done, he prays that the said Mary Rivley
may be made a party defendant to this
bill & compelled to answer the allegations
thereof. That a proper & fit party may
be assigned her Edm as litem to defend
her interests in this suit: that your Com-
plainant may be entirely divorced
from her & their marriage be dissolved
and that she may be compelled to surren-
der to him his children by her: and that
your Honor will grant such other & further
relief as his case requires and to Equity
may seem meet. And as in duty bound
your Complainant will Ever pray &c. - May
it please the Court &c.

L. B. Prince pr.

To Mary ~~Fidd~~ - Risley -

Take notice, that I shall on the 16th day of October 1895, at the store house of St. Thomas, at Dremysville, in the County of Southampton, between the hours of 6 am & 6 pm, proceed to take the depositions of John Smeas and others to be read as Evidence in my behalf in a certain suit in Equity depending in the Circuit Court of Southampton, wherein you are deft, and I am plff - 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 & between the same hours, until the same shall be completed.

Risley.

Oct 1. 1895.

Risley Risley -
by counsel.

To Shff of Southampton to
Execute.

Wiley
or
Wiley

This is to certify that J. H. Hardie appeared personally before me, G. M. Hughes, a justice of the peace for Southampton County, and made oath that he delivered a copy of this notice to the party within named on 13th day of Oct 1875.

Given under my hand this
13th day of Oct 1875. G. M. Hughes (J. P.)

Ridley
or 3 Depositions
Ridley

Handed in by J.R. Tyler Com. 18
October 1875 SRE

The depositions of Moyer Myrick sworn,
taken before me, James R. Tyler, a comr in
Chancery for the Circuit Court of Southampton
pursuant to notice hereto annexed, to be
read as evidence in a certain suit in Equity
depending in the Circuit Court of Southampton,
between Richard Ridley plff & Mary Ridley
def - , on behalf of Richard Ridley.

Moyer Myrick, being duly sworn upon the
Holy Evangelists of almighty God, deposes &
says -

Present. J. B. Prince. Plaintiff's Counsel.

Question by plffs Counsel. What is your age?

Answer. 44. Question by same. Do you
know the parties to this suit? Answer.

I do. Question by same. Do you live near
Richard Ridley, the plaintiff in this suit?

Answer. I do; and have for the last
eight years. Question by same.

Do you know whether Richard Ridley has
lived separate & apart from his wife
Mary Ridley during the last twelve
months or not? so far as your personal
belief goes? Answer. So far as my
judgment & observation extends, and I know
Richard Ridley intimately well, I do believe
that ~~that~~ he has lived separate & apart
from his wife Mary Ridley for the last

twelve or eight-teen months; and they are to my certain knowledge living separate and apart at this time. And further this deponent saith not.

Moyles Myrick

Joseph Walker, being duly sworn, deposes and says as follows:-

You have heard the questions propounded by Counsel to Moyles Myrick, and your answers substantially the same Answer. I know this fact, that Richard Ridley and his wife do not live upon the same farm and so far as I can judge from observation goes, they do not live together, and further this deponent saith not.

Joseph Walker

Joseph H. Prince - being duly sworn, deposes and says:-

Question by pliffs Counsel.

State whether you know that Richard Ridley and Mary Ridley were living together as man and wife July 27, 1866, the date of the passage of the act by the Genl Assembly of Virginia making valid such acts, as if they had been legally married. Answer. They were.

And further this deponent saith not.
J. H. Prince

The taking of the deposition of Abraham Lucas is adjourned by consent of parties to be taken Oct 26, 1875, at the store house of Messrs Prince & Powell in Southampton County.

Virginia. Southampton County Court.

J. James R. Tyler, a Commissioner in Charge for the Circuit Court of Southampton do certify that the foregoing depositions were duly taken, acknowledged & subscribed before me in my County aforesaid, at the time & place designated in the notice hereto annexed.

Given under my hand Oct: 16. 1875.

James R. Tyler
Commissioner

Commissioner's fee for taking depositions
Entering witnesses attendance &c \$5.00
Charged to Richard Ridley
Witnesses for Richard Ridley
Moyles Myrick one day 50c
Joseph Walker one day 50c

Ridley

v } Deposition

Ridley

Came to hand sealed October 28th
1875. L.R. Edwards cc

The deposition of Abram Lucas, taken pursuant to agreement & by consent of parties, to be used as evidence for the plaintiff, in a chancery suit, pending in the Circuit Court of Southampton in which Richard Ridley is plaintiff, and Mary Ridley is defendant; said deposition taken at the store of Pinner & Powell. Abram Lucas being sworn on the Holy Evangelists of Almighty God, deposes and says as follows:-

- (1) Question by plaintiff's Counsel. What is your age? Answer. 23 years of age.
- (2) Question by same. Do you know the parties to this suit? Answer. I do.
- (3) Question by same. Did Richard Ridley, the plaintiff in this suit ever catch you in the bed with his wife, Mary Ridley, during the year 1894? Answer. Yes, he did, during that year; but I thought they were divorced. And further this defendant saith not.

Abram ^{his} Lucas
Virginia Southampton County ^{Justice} Court.

I, Geo: M. Wrepper a Justice of the Peace for the County aforesaid in the State of Virginia do certify that the foregoing deposition of Abram Lucas was taken, subscribed & acknowledged before me, at the place & time aforesaid by consent of the parties. Given under my hand Oct 26th 1895.

Geo: M. Wrepper J.P.

Ridley

to } Stat. Rules

Ridley

1876 May. Dece removed
from Docket.

CtK

\$4.91

J. H. Harder -

30

J. R. Tyler Com

5.00

e. Hoyer Myrick. Wch

50

Joseph Walker

50

May 2^d -

16.00

\$27.41

In Southampton Circuit Court

Richard Ridley

against
Mary Ridley

1875 Aug 19. Summons issued.

" Sep. R. Summons ret.^d Executed. Bill filed

" Oct 18. Depositions filed

" Nov. R. (taken last Monday in October) Cause set for hearing.

(108)
Ridley

or 3 Decree

Ridley

May Term 1876

For Term 1875-

To be entered.

Geo. B. B. B.

Risley

vs 3 Decr.

Risley

This cause came on this day to be heard on the complainant's bill, exhibits filed and examination of witnesses, and was argued by counsel for the plaintiff. On consideration whereof, the Court being of opinion, that the charge of adultery against the defendant, is fully proved, doth a decree order & decree that the marriage heretofore solemnized between Richard Risley & Mary Risley be and the same is hereby dissolved, the said Richard Risley forever divorced from his wife, the said Mary Risley, and all the right interest of the said Mary Risley to the estate of the said Richard Risley shall hereafter cease & determine; and that the plaintiff pay the costs expended in the prosecution of this suit. And nothing further remaining to be done in this suit, it is ordered that the same be removed from the docket, but leave is reserved to the parties to make application to the Court for such further orders as are authorized by law.

I Geo Hughes a Justice of the Peace
for Southampton County ~~do hereby~~
certify that Jas H Stander personally
appeared before me and made oath
that he delivered Mary Reddy a copy
of this summons on the 8th day of
September 1875. Given under my hand
and Seal this 11 day of September 1875
Geo. M. Hughes J.P. 

Ridley
Sum. Cpy.
Ridley
1875 September Rules

The Commonwealth of Virginia,

To the Sheriff of Southampton County---Greeting :

WE COMMAND YOU TO SUMMON

Mary Ridley

if *she* be found within your bailiwick, 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 *September next*
to answer a bill in Chancery exhibited against her in the said Court by
Richard Ridley

And have then there this Writ.
the Court House, this *19*
year of the Commonwealth.

Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at
day of *August* A. D. 1875, in the *100*

L. R. Edwards Clk

Moyler Myrick

The Commonwealth of Virginia:

To the Sheriff of Southampton County—Greeting:

WE COMMAND YOU, That you Summon

Moyler Myrick

to appear before the Judge of our
house, on the *16* day of *October*
to say on behalf of

at Druryville
1875

~~Court of~~ Southampton County, ~~at the Court-~~

~~Term~~

to testify and the truth

Richard Ridley

in a certain matter of controversy in our ~~said~~ *Circuit* Court depending and undetermined between

Richard Ridley

Plaintiff and

Mary Ridley

Defendant .

And this *he* shall in no wise omit under the penalty of *\$100* and have then there this
writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court at the Courthouse, this *6* day
of *October* 187*5*, in the *100* year of the Commonwealth.

L. R. Edwards

Myler Myrick

The Conservative of Virginia

The Commonwealth of Virginia:

To the Sheriff of Southampton County—Greeting:

WE COMMAND YOU, That you Summon

Joe Waller

Abram Lucas, Moyer Myrick &

to appear before the Judge of our *at Druryville in* ~~Court of~~ Southampton County, at the Court-
house, on the *22nd* day of *September 1875* Term — to testify and the truth
to say on behalf of *Richard Ridley*

Shirast of said County
in a certain matter of controversy in our ~~said~~ Court depending and undetermined between

Richard Ridley

Plaintiff and

Mary Ridley

Defendant .

And this *they* shall in no wise omit under the penalty of *\$100* and have then there this
writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court at the Courthouse, this *9th* day
of *September* 1875, in the *100* year of the Commonwealth.

L R Edwards