

1877~25

Southampton County Chancery

Story, Richard vs

Story, Margaret

Divorce

7

To the Honorable George Blow judge of the
Circuit Court of Southampton in chancery
sitting

Humbly complaining your Orator
Richard E Story sheweth unto your Honor
that in the year 1844 he was lawfully
married to Margaret Pope as will appear
by a certified copy of the marriage returns
made by R. S Barnes a minister authorized
to solemnize marriages in Southampton
to the clerk's office herewith filed and prayed
to be taken as a part of this bill, Your
orator states that he enters into that
holy state with a full sense of all its
duties and responsibilities, and with a
determination to discharge all his duties
to his wife faithfully and truly and
that as far as it lay in his power he
has done so, But he states that he
has been compelled to separate from
her on account of her gross infidelity
to her marriage vows, that she has
been guilty of frequent acts of adultery
and is now living in open adultery
with one Simmons Story, and your orator
feels bound to come into court and
ask it to free him from all the ties

which binds to a woman who has
dishonored herself and as far as it ties
in her power has disgraced him and
her children. In tender consideration
whom of and inasmuch as your orator is
without remedy at law and only entitled to
relief in a court of equity he therefore
prays that Margaret Story his wife may
be made a party defendant to this bill
and compel her as full and perfect
answer make to the allegations therein
contained as if she had been summoned
fully and officially interrogated and that
the court would by its decree divorce
your orator from the bond of marriage
with his wife Margaret Story and that the
court would grant such other and general
relief the premises considered as equity
may dictate and the nature of his case
may require and as in duty bound your
orator will ever pray be

Shanda p. 9.

119

Story Bill
" 3
as 3 exhibit
Story

1870 July Rules

Story
or 3 Dec
Story

Story
vs 3 Decem
Story

This cause came on this day to be heard on the bill the exhibit filed examination of witnesses and was argued by the counsel for the plaintiff; On consideration whereof the court being of the opinion that the charge of adultery against Margaret Story is fully proved doth adjudge, order and decree that the marriage heretofore solemnized between Richard E Story and Margaret Story be and the same is hereby dissolved and that the said Richard E Story be forever divorced from his wife Margaret Story and the said Richard E Story shall be at liberty to marry again and shall be subject to the condition of an unmarried man, But the said Margaret Story shall not in consequence of this decree be at liberty ~~she~~ ~~not~~ be at liberty to contract another lawful marriage during the lifetime of the said Richard E Story, but the said Margaret Story from marrying again in the lifetime ~~again in the lifetime~~ of the said Richard E Story shall be as fully and effectually ^{restrained} as if this decree of divorce had now had never been made.

And the court doth further adjudge, order, and decree that the defendant Margaret Story pay to the plaintiff his costs expensed in the prosecution of this suit

Story

to } Sum. Chy

Story

1870 June Rules b. b. -

Came to hand too
late to be executed

W. L. P. 1871 17
sup

Al. Sp.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of the County of Southampton---Greeting:

We command you to summon

Margaret Story

if *she* be found within your bailiwick, to appear at the Clerk's Office of our Court of Southampton County,
at the Rules to be holden for the said Court, on the first Monday in *June next to answer a bill in*
Chancery exhibited against them in our said Court by Richard E Story

And have then there this writ.

Osmin White

Witness, ~~LITTLETON R. EDWARDS~~, Clerk of our said Court, at the Court-House, this *18* day of

May

A. D., 18*70*, in the

94

year of the Commonwealth.

O. White

Story

{ Also Sum's Chy.

Story

1870 July Rules

Executed.

W. W. Briggs

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of the County of Southampton---Greeting:

^{again}
We command you to summon

Margaret Story

if *she* be found within your bailiwick, to appear at the Clerk's Office of our Court of Southampton County,
at the Rules to be holden for the said Court, on the first Monday in *July next to answer a bill in*
Chancery exhibited against her in our said Court by Richard E Story

And have then there this writ.

Witness, *Osmin White*
~~LITTLETON R. EDWARDS~~, Clerk of our said Court, at the Court-House, this *8* day of

June

A. D., 18*70*, in the *94* year of the Commonwealth.

O. White

The following is an abstract from the return of Robert S Barnes of marriages solemnized
by him in the year 1844 to wit:

"Richard Gray & Margaret Pope Sep. 5' 1844"

Teste

Southampton County Court
Clerks Office 3

Osmin White Clk
May 21. 1871

Kott Barnes
Mammoth return to
Rd 11 M. Story

Exhibit A

This day Richard C. Story personally appeared
before me and made oath that he delivered
a true copy of the within notice to Margaret
Story on the 12th of October 1870 given under
my hand this 15th of October 1870

James R. Tyler. Commissioner.

Story
Notice to
3
3
3
Story

October 10th 1870

To Margaret Story

Take notice that I shall
on Saturday the 15th of October 1870 at
Newsoms depot in Southampton County
between the hours of 9 O'clock A. M. and
sunset and to be continued from day to
day until finished proceed to take the
depositions of Giles Vick Joel Vick and
others to be made ^{as} evidences in my behalf
in a certain suit now pending in the
circuit Court of Southampton in chancery
wherein I am plaintiff and you
an defendant

Richard O. Story

Story
or } Deposition

Story

Handed in by Commr Taylor 15
October 1870.

and others

The deposition of Giles & Vick taken
pursuant to notice duly given to be
read as evidence in a certain suit
now pending in the circuit court
of Southampton between Richard
& Story and Margaret Story in behalf
of Richard & Story The deponent
giles & Vick, has first duly sworn
on the Holy Evangelists of Almighty
God deposes and says as follows
I know Margaret Story; I have
visited ~~her~~ ^{her} and have seen ~~her~~ ^{Margaret}
Story lying in one bed and Simon
Story in another bed in the same
room at night. Richard Story left
his wife last Christmas and has
not visited her since he is now
Miller for B. P. Poy. Simon
Story lives with Margaret Story she
being his mother and further this deponent
saith not

Giles & Vick
marks

James B. Poyne having been first duly
sworn on the Holy Evangelists of Almighty
God deposes and ~~on~~ ^{says} on one occasion I went
to Margaret Story's house in the night
time and found Margaret Story and
Simon Story lying in different beds in
the same room both undressed The
general reputation or report in the
neighborhood was that Margaret Story
and Simon Story slept together habitually

in the same room Richard Story left
his wife about Christmas 1809 and
further this document with out his
James B X Joyner
mark

State of Virginia, County of Southampton, to wit;
I, James R. Tyler, one of the Clerks of the
Court of said County, do hereby certify, that the foregoing
Depositions, were taken, and duly sworn to and subscribed,
before me, in the presence of Margaret Story, at the time
and place mentioned therein. Given under my hand this
15th day of October A.D. 1840.

James R. Tyler?
Clerk of Court.

Commissioners for \$5.00
Charged to Plaintiff.

In Southampton ^{Circuit} County Court.

Richard E Story
against
Margaret Story

1870 May 18th Summons issued

" June Rules. " Ret^d too late to hand - Also an^d?

" July " At Sum^s Ret^d Ex^o Bill filed - D. Nisi in Off.

" Aug. " Bill taken for confessed

" Sep. " Cause set for hearing 1st

1877 May Removed from the Docket

17-
Story

v } Stat. Rules.

Story

1877. May - Removed
from the Docket