

1884-21

Santhampton County - Chancery-

Harris, Henry vs Harris, Barbara

Grantee

Harris

n 3

Harris

Aunt of Barbara

Harris

May 6. 1884

Filed. J.B.P. ce

To The Honorable George B. Low Judge
of the Circuit Court of Southampton
in chancery sitting

The answer of Barbara Harris to
a bill in chancery in the Circuit Court
of Southampton exhibited by Henry Harris
against her

This defendant for answer to the
said bill on as much thereof as she
is advised it is material for her to
answer, answering says that she denies
indignantly that she committed adultery
during the time she was living with
her husband Henry Harris or that
she has committed adultery since she
was abandoned by him. The facts of
the case as well as she remembers are
these that in the year 187 she was
living with her husband at Mr W. B.
Peron's and sometime about Christmas
she left them at the instance of her
husband and went to stay at R. P.
Ottis' her husband promising to join
she remained there nearly three months
and her husband failing to join her
she returned to Mr Peron's to her husband
and remains with him there until her

left her the May following and has left
now lives with her since that so
far from her doubting him she states
and charges positively that her husband
Henry Harris abandoned and left her
that she is informed that he has been
living with another woman since
in open adultery and by whom he has
two children now living issue of
this adulterous and unlawful connection
And she submits whether the court
under these circumstances should grant
the plaintiff a divorce from the
bond of marriage And having fully
answered she prays leave to be dismissed
with her costs
Barbara Harris
mark
Shannon J. J.

Southampton County to wit

This day Barbara Harris appears
before me and makes oath that the facts
set forth in the above answer are true
to the best of her knowledge and belief
given under my hand the 24th of
April 1884

J. B. Price C. C.

Harris

~~120~~
120

is } stat: Rules
 }

Harris

-1

In Southampton Circuit Court.

Henry Harris.
against
Barbara Harris

Pltff.

Def.

} In Chancery

1884

March 12

Summons issued to Aple Rules.

Aple Rules.

.. ret'd Exces. Bill & Exhibits filed.. J.B. Brown
Assigned Gov as item to deft... and filed
Replication. Deere nisi vs deft.

May ..

Cause set for hearing as to deft.

Harris
us } Deere
Harris

To be entered.

Costs.

Cek. \$4.48 for L.B.P.
Shff 1.00 paid W.W.B. Reggs
Comm. M. Lorne 3.00 for B. F. McLeod
Atty H 16.50 paid Wm. H. Parker.
\$26.40

Harris

vs }

Harris

Decree.

This day this cause came on to be heard on the bill, the exhibit filed, and the depositions of witnesses, and was argued by counsel. On consideration whereof, the court being of opinion that the charges contained in the bill against the defendant, are fully proved, doth adjudge, order and decree that the marriage heretofore solemnized between Henry Harris and Barbara Harris be, and the same is hereby dissolved, the said Henry Harris forever divorced from his wife, the said Barbara Harris, and all the right, title and interest of the said Barbara Harris, in or to the estate, real and personal, of the said Henry Harris, shall henceforth cease and determine; and that the plaintiff recover from the defendant his costs, by him 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.

Memo:

Copy marriage license Henry Harris &
Barbara Harris & mark it "U" & file in
bill Harris vs Harris.

Harvie }
& } Maj. L. L.
Byland }
un

"Y"
un

1871.
un



Virginia, *Southampton Co* 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,

Henry Harris
and *Barbara Ryland*

Given under my hand, as Clerk of the *County* Court
of *Southampton* this *18th* day of *Sept* *1881*
O. W. White Clerk.

CERTIFICATE TO OBTAIN A MARRIAGE LICENSE

To be annexed to the License, required by Acts passed 15th March, 1861, and February 27th, 1866.

Time of Marriage, ...	Place of Husband's Birth, <i>Southampton Co</i>
Place of Marriage, <i>Southampton Co</i>	Place of Wife's Birth, ...
Full Names of Parties Married, <i>Henry Harris</i> <i>and Barbara Ryland</i>	Place of Husband's Residence, ...
Color, ...	Place of Wife's Residence, ...
Age of Husband, <i>22 Yrs</i>	Names of Husband's Parents, ...
Age of Wife, <i>33 Years</i>	Names of Wife's Parents, ...
Condition of Husband, (widowed or single) <i>Single</i>	Occupation of Husband, <i>Laborer</i>
Condition of Wife, (widowed or single) <i>Widowed</i>	

Given under my hand this *18th* day of *September* *1881*
Walter B. Persons Clerk.

MINISTER'S RETURN OF MARRIAGE.

I Certify, That on the *28th* day of *September* *1881*,
at the *Cross Keys* *Southampton* I united in Marriage the
above-named and described parties, under authority of the annexed License.

L. Parkman

The Minister celebrating a marriage, is required, within TEN days 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.

Harris

vs 3 Bill and
Exhibit
Harris

April Rules 1884.

Parker, f.c.

To the Hon: George Blaw, Judge of the
Circuit Court of Southampton County.

In Chancery.

Humbly complaining, sheweth unto your
Honor, your Complainant, Henry Harris,
as follows:

That he is now 38 years of
age; that in the year 18, he intermar-
ried with Barbara Harris, formerly Barbara
, as will appear by a certified
copy of the marriage-license and minister's
return of marriage herewith filed marked
U, and made a part of this bill; that
he lived with her for the period of
years, during all which time, he treated
her kindly, and was a faithful and duti-
ful husband; that he provided for her as
well as his means and condition in life
would allow; that they have no children;
that sometime in the year 1876, without
any cause, known to your Complainant, the
said Barbara Harris willfully deserted
his home; and, although, he endeavored to
persuade her to return, she persistently
refused to do so. And your Complainant
further charges and sheweth unto your
Honor, that the said Barbara Harris is
now living in adultery with one Jack

Johnson, that he has had no connection with the said Barbara Harris since she deserted his home; and that, her guilt, in committing the Crime of Adultery, was not brought about by his procurement or connivance.

In Consideration whereof, and forasmuch as your Complainant is remediless save in a Court of equity, he prays that the said Barbara Harris may be made a party defendant to this bill, and be required to answer the same on oath; that your Complainant be divorced from the ^{said} Barbara Harris a vinculo matrimonii that J.B. Prince be appointed guardian ad litem to defend her in this suit, and that such other, further, general and special relief may be afforded your Complainant as may be just and right in the premises.

And as in duty bound your Complainant will ever pray, &c.,
May it please the Court, &c.,

Wm. H. Parker, f.c.

of Southampton County to Wit:

I Wm. R. Hart a Justice of the Peace
in and for the County aforesaid do
hereby Certify that Henry Harris this
day personally appeared before me
in the County aforesaid and made
oath that the facts stated in the
foregoing bill are true. Given under
my hand this the 15th day of March
1884.

Wm. R. Hart J. P.

Harris

vs. J. Simmons

Harris

1884. Apl Rules

Executed by delivering
Barbary Handb. a copy
of this summons on
the 3^d April 1884, by
P. Larson & the
for W W Briggs Shff

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County—Greeting:

WE COMMAND YOU TO SUMMON

Barbara Harris

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 *April* next, to answer a bill in Chancery exhibited against *her*
in our said Court by *Henry Harris*

And this *she* shall in no wise omit; and have then there this writ.

WITNESS, J. B. PRINCE, Clerk of our said Court, this *12* day of *March*, 188*4*,
in the *10th* year of the Commonwealth. *Teste. J. B. Prince c. b.*

1

The Depositions of R. P. Ellis & others, Taken
before me, B. F. McLenahan, a Commissioner
in Chancery for the County Court, for the
County of Southampton, Pursuant to notice
hereto annexed, at the Office of W. H. Parker
in the town of Jerusalem, on the 29th day
of April 1884, between the hours of 10. A.M.
& 6. P.M. to be read as evidenced in a
certain Chancery suit depending in the
Circuit Court of Southampton County,
wherein Barbara Harris is Defendant and
Henry Harris is Plaintiff.

Present:

W. H. Parker, Atty for Plaintiff

W. B. Shands " " Defendant.

The witness: R. P. Ellis, being duly sworn, deposes
as follows:

1st Q: for P^lff:

What is your age, what is your occupa-
tion - where do you reside and do you know
the parties to this suit?

A: My age is 42 years - occupation that of
farming, reside in Southampton County
and know the parties to this suit.

2^d Q: Do you know how long Henry Harris
and Barbara Harris lived together after their
marriage?

A: About 6 years -

2

3^d Q: Did you see them often - and what was his ^{Harris's} conduct towards her (Barbara)?

A: I saw them every day, and never heard any complaint.

4 Q: About what time did she leave him, & was there any cause for her leaving him so far as you know?

A: About 8 years ago - and without cause so far as I know.

Q: Do you know, whether or not he was unkind to her - or failed to provide for her according to his means and station in life?

A: I do not know.

Q: If he had been unkind to her, is it not probable you would have heard about it, living as you did, very near them & seeing them every day?

A: I think I should.

Q: Have you seen much of him since his wife left him - & have they lived together since that time?

A: Yes, he has lived with me four years since then, and I know that they have not lived together in five years -

Q: What has been the character of the said Barbara Harris since that time?

A: I do not know.

Q: Do you know what the general rumor is in regard to her character for chastity since she deserted her husband?

A: She has been living with a man, for some time. (This question & answer was accepted to by the Counsel for the Defence, on the ground of the inadmissibility of "hearsay" testimony -

Q: by Counsel for Defendant -

Do you know, of your own knowledge, that Barbara Harris has ever committed the act of adultery with any one?

A: I do not. This question accepted to by Counsel for Plaintiff - on the grounds of its being irrelevant -

Q: by same. Do you know whether Henry Harris, during the time he lived with you, after separating from his wife, lived with another woman?

A: Yes Sir: Question & answer accepted to by Counsel for Plaintiff - on grounds of irrelevancy -

And further this Deponent says not.

R. D. Ellis

The witness W. B. Person, being duly sworn deposes as follows:

1 Q: for Plaintiff

What is your age - occupation, residence and do you know the parties to this suit?

4

A: My age is 33 Years, by occupation a farmer, reside in Southampton County and know the parties to the suit -

2^d Q: Do you know how long Henry Harris and Barbara Harris lived together after their marriage?

A: Some three or four years -

3^d Q: Did you see them often, and what was his treatment to wards her?

A: They lived at my house during the time they lived together, and disagreed badly - I frequently had to command the peace between them -

4th Q: Do you know on what grounds they disagreed?

A: They were fighting over the girl that Henry Harris had since lived with - so Barbara told me.

5th Q: Do you know how long since these parties separated?

A: about six - probably eight years -

6th Q: Have you seen much of him since his wife left him, and have they lived together since that time?

A: I see them frequently - and am satisfied they have not lived together since they first separated -

For the Defendant

1

By consent of the parties, by their counsel, the following witnesses were examined for the defence. waiving all formalities &c. - To wit: The witness Joshua Cholson, being duly sworn, deposes as follows: -

1st q: Do you know the parties to this suit?

A: Yes! I have been knowing them fifteen years -

2^d q: When did Barbara Harris leave her husband?

A: I do not remember the exact time - she came back and lived with him until he left her -

~~2^d q:~~ (excepted by Counsel for Plaintiff)

3^d q: Has Henry Harris left Barbara, and is he living with another woman?

A: He has. and is living with another woman by whom he has two children, or he is the ~~the~~ reputed father of the children; they occupy the same house - house has two rooms - but I do not know that these parties occupy the same Bed or room - question excepted to by Plaintiff's Counsel -

q: What is the name of the woman he is living with?

A: Alice Long -

And further this deponent says etc etc not

The witness John ^{mark} Turner, being duly sworn, deposes as follows:

q: Do you know the parties to this suit?

A: I know something about them -

29: Do you know whether or not Henry Harris
has left Barbara?

A: He has: left her seven or eight years
ago - and is living with Alice Long -
Have seen them in bed together - he has
two children by her - . Question accepted
to by Counsel for Plaintiff. —

And further this deponent says etc not.

John ^W Turner
mark

The witness Jeph Seaborn being duly sworn
deposes as following:

Q: Do you know the parties to this suit?

A: I do -

Q: Do you know whether or not Henry
Harris has left Barbara?

He has: left seven or eight years ago -
and is living with Alice Long, by whom
he has two children - Have seen them
in bed together - (excepted to by Counsel
for Plaintiff ~~Attorney~~)

And further this deponent says etc not -

Jeph ^W Seaborn
mark

The witness Freeman Odum, being duly
sworn deposes as follows: —

Q: Do you know the parties to this suit?

A: I know Barbara Harris, but do not
know Henry Harris -

Q: What is the reputation of Barbara Hanis
for Chastity. So far as you know?

A: Have known her since 1879. & so far as I
know, has lived an upright life.
~~excepted to by Plaintiffs Counsel, upon the~~
~~grounds that the Defendants Char.~~
And further this defendant says she is not
Freeman ^{his} Odom
mark

Witness fees for defense
Freeman Odom
Dary Waller - \$1.20.
Joshua Sholson 1.30
John Turner 1.30
Jesse Seaborn 1.35
Couns' fee \$5.00
\$10.25 ch'g to Defendant:-

Witness fees for Plaintiff
R. P. Ellis. \$1.14
H. B. Person 1.38
Dary Waller 1.46.
Couns' fee 5.00
\$8.98 ch'g to Plaintiff

Virginia

County of Southampton. To wit:

J. B. F. W. Leuore a Commissioner in
Chancery for the County Court of County
and State aforesaid. He hereby certifies that
the foregoing depositions of R. P. Ellis

H. B. Person & others, were duly taken, sworn
to and subscribed before me, at the time
and place and for the purpose therein
specified.

Given under my hand this 29th day
of April, in the year 1884.

B. F. W. Lomoro

Notary in Chancery.

Harris

ns 3 Acre

Harris

Gov's Term 1884.

To be entered.

Geo. B. Snow

Entered

94

Harris

vs 3

Deere

Harris

On motion of the plaintiff
it is ordered that this cause be
removed from the docket.