

1885. 34

Southampton County - Chancery

Williams, David vs Williams, Mariah

"  
Finances  
Gulley

Williams

on 3 Decr

Williams

May Term 1886

To be entered

Geo Brown. J.

Entered 123

Dismissed

Williams

vs ~~3~~

Deere

Williams

On motion of The  
Plaintiff by his attorney W. B. Chance,  
his bill is dismissed.

Williams  
as 3 Decer  
Williams

Williams

vs <sup>3</sup> Decree

Williams

This day this cause

came on to be heard on

The plaintiffs bill

exhibits filed

examination of witnesses and The summons  
against The defendant returned executed to  
April rules 1882 and was argued by The counsel  
for the plaintiff, On consideration whereof  
the court being of the opinion that The charge  
of adultery against The defendant Mariah  
Williams is fully proved doth adjudge  
order and decree that The marriage heretofore  
solemnized between David Williams and  
Mariah Williams be and The same is hereby  
dissolved and that The said David  
Williams be forever divorced from his wife  
The said Mariah Williams 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

Williams  
to { Sum. Chy

Williams

1882 April Rules

Executed by delivering  
Mariah Williams  
a copy of this Summons  
on the 22<sup>nd</sup> day of  
March 1882.

J W Oliver by  
for W W Driggs JHK

**The Commonwealth of Virginia,  
To the Sheriff of Southampton County—Greeting:**

We command you to summon

*Mariah Williams*

if *she* be found within your bailiwick, to appear at the Clerk's Office of our Circuit Court of said 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 David Williams*

and have then there this writ. WITNESSES, LITTLETON R. EDWARDS, Clerk of our said Court at the Court house  
this *2<sup>nd</sup>* day of *March* 1882, in the *106* year of the Commonwealth.

*L. R. Edwards CC*

Clerk will please copy Marriage license  
of David Williams with Mariah Vaughan  
and Rd A Newby's certificate of solemnization  
thence - and file with bill

Shames

Y<sup>rs</sup>  
Williams & Leonard  
Vaughan

Exhibits. c<sup>y</sup>

(Dec 50<sup>e</sup>)

# MARRIAGE LICENSE



Virginia, *Southampton County* 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,

*David Williams,*

and *Mary Dargatzis,*

Given under my hand, as Clerk of the *County* Court of *Southampton County* this *12<sup>th</sup>* day of *December* 18*87*

*J. R. Edwards* 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>David Williams</i>    | Place of Husband's Residence, .....              |
| and <i>Mary Dargatzis</i>                               | Place of Wife's Residence, .....                 |
| Color, <i>Colored</i>                                   | Names of Husband's Parents, .....                |
| Age of Husband, <i>24</i> years                         | Names of Wife's Parents, .....                   |
| Age of Wife, <i>24</i> "                                | Occupation of Husband, <i>Farmer</i>             |
| Condition of Husband, (widowed or single) <i>Single</i> |                                                  |
| Condition of Wife, (widowed or single) .....            |                                                  |

Given under my hand this *12<sup>th</sup>* day of *December* 18*87*

*J. R. Edwards* Clerk.

## MINISTER'S RETURN OF MARRIAGE.

I Certify, That on the *13<sup>th</sup>* day of *December* 18*87*, at *J. Baggett's Southampton Co.* I united in Marriage the above-named and described parties, under authority of the annexed License.

*Alfred Newberry*

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.

*A City, Test, James R. Taylor*

Williams  
to 30 Dips

Williams

1882. Oct. 10<sup>th</sup>

Morning Camp. Having been first duly sworn on the Holy Evangelist of almighty God and depose and saitheth as follows

Questioned by Plaintiffs Counsel -

Do you know that Maria Williams had a child at what time and what place

Answer. I was living at Mr Saunders about two miles from Lewis E Gieette, and about the first of December 1881 I was sent for to Mr Gieette to see Maria Williams who was about to have a baby, I went and delivered her of a female child, she came to Mr Gieette some time in July <sup>1881</sup> and left after Christmas, went from Mr Gieette to Franklin where she is now

And further this deponent saitheth not  
Morning <sup>her</sup> Camp  
made

Witness Morning Camp. so as attendance

The above deposition was taken and signed before me at the time and place mentioned in the caption. Given under my hand this 10<sup>th</sup> day of October - 1882

Corn Fee \$1.00 R H Barrett

Corn in chry in the 60 bt of  
Southampton

113

~~108~~

104

74

Williams

to } Stat. Rules

Williams

In Southampton Circuit Court

David Williams

Plaintiff

against

Mariah Williams

Defendant

1882 March 21<sup>st</sup> Summons issued

April Rules " returned " Executed " Bill filed

" May " Cause set for hearing

Williams  
vs E. Notice  
Williams

~~Southampton County Court~~

This day F. W. Whistler personally appeared before  
me a justice of the peace and made oath that  
he delivered a true copy of the within notice to  
Maria Williams on the 30th day of September 1882

Given under my hand this 30th day of September 1882

Luther R. Edwards J.P.

To Maria Williams

Take notice that I shall on  
October the 10<sup>th</sup> <sup>1882</sup> between the hours of 10 O. Clock  
A.M. and sunset at the office of Wm B Shanks in  
the Town of Jerusalem, proceed to take the  
depositions of Claiborne Hill Benjamin Williams  
Morning Camp and others to be made as evidence  
in my behalf in a certain suit now pending  
in Chancery in the Circuit Court of Southampton  
wherein I am plaintiff and you are defendant  
at which time and place you may attend  
if you see fit

Sept ~ 25 ~ 1882

David Williams

Lewis E. Gillette's near Franklin. Questioned by the same. How far is it from David Williams house to Jerusalem, and from his house to Lewis Gillette

Answer. to Jerusalem about 9 miles and to Lewis Gillette about 15 miles.

And further this deponent saith with not  
Bleiborne Hill

Levi Ricks having first duly sworn on the holy evangelist of almighty God;

Questioned by Plaintiffs Counsel, are you a near neighbor of David Williams.

Answer. I am I live in about one mile of him and visit him quite often.

Questioned by the same, Was David Williams kind to his wife Maria Williams, as far as I know never having heard any complaint on the part of Maria Williams.

Questioned by the same, What time did Maria Williams leave her husband David Williams,

Answer. About July 1880

Questioned by the same, did she ever return to him.

Answer. She never returned to him, except to get her clothes, which was some 3 or 4 weeks after she left.

Questioned by the same, Did David Williams ever visit his wife after she left him,

Answer. Never that I ever knew of, and I live very near him and would have known it.

Questioned by same, Has David Williams had any other woman living on his place since Maria Williams left,

Answer. No one but his sister, and so far as I know and believe David Williams is a man of very correct life and of ~~manly~~ demerous being a constant member of the Methodist Church.

And further this deponent swelleth not,

Levi<sup>his</sup> Richer  
made

Depositions of Claiborne Hill and others taken at the office of Mr B Thomas in the town of Jerusalem between the hours of 10 O'Clock A.M. and sunset on the 10<sup>th</sup> of October 1882 to be read as evidence in behalf of David Williams in a certain suit in chancery now pending in the circuit court of Southampton wherein the said David Williams is plaintiff and Maria his wife is defendant

Claiborne Hill having been first duly sworn on the Holy Evangelists of Almighty God depose and say, as follows

Questioned by Plaintiffs Counsel, About what time did Maria Williams leave David Williams her husbands house  
 Answer, In July 1880. I met Maria Williams and asked where she was going, she said she had left her husband David Williams and now intended to return to him, I met her at my Brother's Baker Parkes, below Jerusalem, as she was coming out, and was going towards her Mother House, About 3 thus weeks afterwards as well as I remember, she went to her husband David Williams house to get her things, and never returned, she then went to Dr Barretts in Jerusalem to live and from Dr Barrett to Mr

To The Honorable George B. Low judge of The  
Circuit Court of Southampton County in  
chambers sitting

Humbly complaining your Oration  
David Williams sheweth unto your Honor  
that on The 13<sup>th</sup> of December 1877 he was  
married by The Revd Alfred Newby to Marietta  
Vaughan in The county of Southampton  
of which county both your Oration and his  
wife Marietta are and always have been  
residents as will more fully appear by a  
certified copy of The marriage license and  
The return thereon by The Revd Alfred  
Newby which is herewith filed marked  
enclavet A and prayed to be taken as a  
part of This bill. Your Oration states and  
avows that he enters into This holy state of  
matrimony with The said Marietta his  
wife with a full knowledge of its solemn  
responsibilities that he ~~reads~~<sup>gives</sup> and signs  
that he had formed a happy and lasting  
tie which was to be dissolved only by  
death that he was possessed of a small  
farm and little property and could make  
her comfortable and her home pleasant  
that he has discharged all The duties  
of his married life so long as they

lives together in an affectionate manner  
denouncing himself towards her as a good  
and faithful husband and that sometime  
in July 1880 without any cause and without  
any notice to him his said wife abandoned  
him, his bed and board, left his house and  
has never since returned, Your Honor is  
aware that when a man and wife from  
incompatibility of temper or other  
cause determine to part or when either  
of them abandons the other there is no  
law or means to force <sup>them</sup> again under the  
unwilling yoke, and he was prepared to  
~~submit~~ <sup>submit</sup> to the inevitable, but he is  
unwilling that a woman should bear his  
name and be his wife who has not only  
abandoned him but has disgraced herself  
and as far as she could dishonored him  
by committing adultery and he distinctly  
charges and avers that she has been  
guilty of adultery He states that she  
left him sometime in July 1880 and  
that from that time up to the filing of  
this bill he has never had any  
sexual intercourse with her not having  
even seen <sup>her</sup> but a few times since <sup>and then</sup> at  
other places than his home and yet  
sometime in December 1881 she gave

birth to a child a clear case of  
adultery. In tender consideration of her  
and inasmuch as your Honor is without  
remedy at law and only entitled to relief  
in a court of chancery where such matters  
are peculiarly cognizable the Plaintiff prays  
that his wife Mariah Williams may be  
made a party defendant to this bill and  
that the court would compel her as full  
and perfect answer to the allegations therein  
contained as if she had been summoned there-  
fully and specially interrogated and that the  
court would by its decree divorce your  
Honor from the bond of marriage with his  
wife Mariah Williams with the right to  
him to marry again should he see fit  
and that the court would grant such <sup>other</sup> and  
general relief the justice, conscience, as  
equity may dictate and the nature of his  
case may require and as in duty bound  
your Honor will ever pray  
Shames