

1888-04

Seventhampton County - Chancery

Denson, Stephen vs

Denson, Frances

"Denson"

Denson

to $\frac{3}{8}$ Bill &c.

Denson

to the Ruler &c.

Wm. Parker, Jr.

The Hon. C. C. Hill, Judge of the
Circuit Court of Southampton County.

In Chancery.

Humbly Complaining, sheweth unto
your Honor, your Complainant, Stephen
Denson, that at 25 years of age, in the
County of Southampton, Va., he intermar-
ried with Frances Denson, then Frances
Jenner, of said County, at the age of 23
years, as will more fully appear from a
certified copy of the marriage license and
the minister's return thereon, herewith
filed, marked Exhibit "A", and prayed to be
read as a part of this bill; that they
lived together as husband and wife for
the long period of eleven years, during
which time she bore him several children,
that some time in the year 1882, more
than five years ago, she willfully desert-
ed and abandoned his bed and board,
and although, on several different occa-
sions, he endeavored to persuade her back,
she stubbornly refused to return and still
remains away; that all the while they
lived together he was ever a kind, faith-
ful and dutiful husband; and provided
for her wants and needs as well and
comfortably as his means and station in
life

would allow; that by industry and perseverance he has acquired about 12 acres of land and some little personal property, and this, with his daily earnings as a laborer, enables him to make a plain living; that your Complainant is advised, and, therefore, alleges that he is entitled to be absolutely divorced from the said Francis Denson and to have the marriage dissolved; and that the said Francis Denson should be forever barred of the right to dower in the property of your Complainant, and also, of the right to alimony to enable her to prosecute this suit or to maintain her hereafter.

Whereas, therefore, as your Complainant is without remedy, save in a Court of equity where such matters are peculiarly cognizable, he prays that the said Francis Denson be made a defendant to this bill and required to answer the same; that ~~the~~ B. D. M. Demore be appointed guardian ad litem to defend her rights in this suit; that your Complainant be absolutely divorced from her and the marriage between them be dissolved; that she be denied all right to dower in the property of your Complainant, and

also, to alimony to enable her to prosecute this suit and to maintain her hereafter; and that, all such other, further, general and special relief may be granted as to equity may seem meet and the nature of the case requires: and, as in duty bound your Complainant will ever "pray &c.

Wm H Parker, f. c.
— " —

County of Southampton, to wit:

This day personally appeared before me.

B. F. M. Leonard, a Commissioner in Chancery of the Circuit Court for Southampton County. Stephen Denson, Complainant in the above bill, and made oath that the statements therein made, so far as made of his own knowledge, are true, and so far as made upon the knowledge or information of others, he believes to be true.

Given under my hand this 4th day of April 1888.

B. F. M. Leonard
Com'r in Chancery

Denson
Dr. ^{June} Depositions

Denson
1888. May 1. filed.

The depositions of Luke Lawrence taken before me B. F. McLeone, a Commissioner in Chancery of the Circuit Court of Southampton County, pursuant to notice hereto annexed at Jerusalem Va. on the 1st day of May 1888. between the hours of 9 a.m. and 6 p.m. to be read as evidence in behalf of Stephen Denson, in a certain Chancery suit depending in the Circuit Court of Southampton, wherein Stephen Denson is plaintiff and Francis Denson is Defendant.

Present W. H. Parker atty for the plaintiff

The witness Luke Lawrence being duly sworn deposes as follows:-

Q. What is your age? where do you reside, and do you know the parties to this suit?

A. About 70 years old, live near Franklin in this County and know well the parties to this suit.

Q. Did you know them when they lived together as husband and wife, and if so, what was his conduct towards her?

A. I did know them when they lived together, they a short time before they separated, they lived within three hundred yards of my house, I saw them frequently some times several times a day. and his treatment to her so far as I could see, was kind. He provided for her as well as he was

able to do. He furnished her plenty of food to eat and clothes to wear. He has acquired a little property and bought him a buggy; and on Sunday would take her ~~wife~~ to church.

Q. Do you know when they separated and which one left the other?

A. They separated about five years ago, in September - Pulling fodder time. She left him,

Q. Has she ever returned to him since?

A. No. She has not, I went to see her after she left and tried to persuade her back, but she declared that she would never come back, I did this because they were neighbors ^{of mine}, and I hated to see them separated.

Q. Did she leave him of her own accord. or was she forced to leave by him? -

A. She left him of her own will, I could see no cause for her leaving.

Q. Have you ever known Stephen Benson to be unkind to any one. and is he not an industrious and hard-working man?

A. I have known him about fifteen years, and never knew him to be unkind to any one. and he is a hard-working man. -

And further this deponent saith not.

Luke ^{his} Lawrence
marks

J. J. F. McLenore a Commissioner in Chancery
for the Circuit Court of Southampton County
in the State of Virginia, do hereby certify that
the foregoing depositions of Luke Lawrence, were
duly taken sworn to and subscribed before me
at the place and time mentioned therein, and
in the Caption thereof, pursuant to the annexed
notice.

In Witness whereof I have hereunto set my hand.
this 4th day of May 1888.

B. F. McLenore

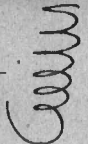
Commr. in Chancery

Commencement fee

\$5.00

ch Plaintiff.

Denson

or  Spia

Denson

1888. 1 day May

Executed on Narcissa

Laurence & Luke

Laurence by delivering
a copy of this summons

A. L. Cobb

Dept. Shff.

Apr. 30th 1888.

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON

*Luke Lawrence and
Narcissa Lawrence*

B. F. Mc Lemo, Comr
to appear before the Judge of our *Circuit* Court of Southampton County, at the Courthouse thereof,
on the *1st* day of *May* *Term*, 1888, to testify and the truth to speak on behalf of

Stephen Denson

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

Stephen Denson, plaintiff, and
Francis Denson, defendant.

And this *they* shall in no wise omit under the penalty of the law. And have then there this writ.

WITNESS, B. F. McLEMORE, *Comr* ~~Clerk~~ of our said Court, at the Courthouse, this *24* day of *April*

1888, in the *11th* year of the Commonwealth.

TESTE:

B. F. Mc Lemo Comr

Denson

7¹⁰⁰⁰⁰⁰⁰ Shaw

Denson

1878. etrie Rule Lin.
let.

Executed by delivering
a copy of this Summons
to Frances Denson
March 31st 1888

A. F. Cobb dep't for

J. M. Williams Sheriff

1/5
L. H. Parker dep't

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON *Francis Deuson by D.A.*
McLeure Edu ad litem,

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 *Stephen Deuson.*

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

Witness, *D. F. McLeure*
J. B. Parner, Clerk of our said Court, this *26* day of *March*
1885, in the *112* year of the Commonwealth.

Teste D. F. McLeure C. C.

Denson ¹³¹

4" ¹³¹ Stat. Rules

Denson

Stephen Denson

Plff

against

Frances Denson,

by B. F. McLeod

Edw ad litem

Def

1888. Mch 26. Sum: to April Rules

" April Rules: Sum: ret'd Ent? bill & Ex-

filed. decree nisi to Def.

" May Rules: bill taken for confessed &

Case set for hearing.

Denson

vs.

Notice.

Denson

1888. May 1. —

Execution Frances

Denson by delivering
a copy of this notice.

Apr. 30th. 1888.

A. D. Cobb

Dept. Shff.

To *Frances Denson*

You are hereby notified, that on the *1st* day of *May*, in the year 188*8*, at the office of B. F. McLEMORE, in the village of Jerusalem, Southampton county, Va., between the hours of *9* A. M. and *6* P. M. of that day, I shall proceed to take the depositions of *Luke Lawrence* and others, to be read as evidence in my behalf in a certain *Chancery Cause* depending in the *Circuit* Court for Southampton county, wherein I am *Plaintiff* and you are *Defendant*; and if, from any cause, the taking of the said depositions be not commenced, or, if commenced, be not concluded on that day, the taking thereof will be adjourned from day to day, at the same place and between the same hours, until the same shall be completed.

Your obedient servant,

Stephen Denson
by Counsel

Denson

to 3

Deerw

Denson

Nov: Term 1888-

To be entered.

C. W. H. C.

Nov 9, 1888

Costs: C. W. H. C. 5.13

Shff 1.20

Law fee 16.50

Comm B. F. M. 5.00

316

Henson

vs

3

Decred

Henson

This day this cause came on to be further heard on the papers formerly read, and it appearing to the Court that nothing further remains to be done, on the motion of the Complainant, it is ordered that the same be removed from the docket.

Denson

& 3 Ma: Li:)

Denson

1888.

Records -

Exhibit "A"

MARRIAGE LICENSE



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,

Stephen Denson
and Francis Denson

Given under my hand, as Clerk of the County Court of Southampton this 25 day of November 1891

Jas. R. Tyler Deputy Clerk.

CERTIFICATE TO OBTAIN A MARRIAGE LICENSE.

To be annexed to the License, required by Acts passed 13th March, 1861, and February 27th, 1866.

Time of Marriage,	Place of Husband's Birth, Southampton Co
Place of Marriage, Southampton Co	Place of Wife's Birth,
Full Names of Parties Married, Stephen Denson + Francis Denson	Place of Husband's Residence,
Color, col.	Place of Wife's Residence,
Age of Husband, 25 yrs.	Names of Husband's Parents,
Age of Wife, 23 "	Names of Wife's Parents,
Condition of Husband, (widowed or single)	Occupation of Husband, Laborer
Condition of Wife, (widowed or single)	

Given under my hand this 25th day of November 1891

Jas. R. Tyler Deputy Clerk.

MINISTER'S RETURN OF MARRIAGE.

I Certify, That on the 7th day of November 1891,
at my residence I united in Marriage the
above-named and described parties, under authority of the annexed License.

B. Devaney

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.

Copy sent, E. F. M'Leone lib.

Denson

No 3 Decree

Denson

1888 May Term.

To be entered.

Denson

To

3

Decree,

Denson

This day this cause came on to be heard on the Complainant's bill, the exhibit filed, the depositions of witnesses, and was argued by Counsel. On consideration whereof, the Court being of opinion that the charge of willful desertion and abandonment for five years against the defendant, is fully proved, doth adjudge, order and decree that the marriage heretofore solemnized between Stephen Denson and Frances Denson be, and the same is hereby dissolved, the said Stephen Denson forever divorced from his wife, the said Frances Denson, and all the right, title and interest of the said Frances Denson in and to the estate, real and personal, of the said Stephen Denson shall henceforth cease and determine; and nothing further remaining to be done in this cause, it is ordered that the same be removed from the docket.