

1889-07

Santhampton County - Chancery

Davis, Celia vs Davis, Andrew

Divorce

Davis, by te-
w. 1/3 Price te.
Davis.

Price & Schell,
P. 9.

To Hon. C. W. Hill, Judge of the Circuit
Court of Southampton - In Chancery.

Humbly complaining sheweth unto
your Honor your complainant
Celia Davis (formerly White) who
swears by Mrs. White her next friend,
that in or about Feby. 1883, she
was united in marriage with
one Andrew Davis, in said Court,
as will more fully appear from
a copy of said marriage license
herewith filed as an exhibit,
marked "A" & prayed to be read
as a part of this bill. That she
was to him a faithful, constant
and dutiful wife, and that
there was born to them in Dec.
1883 one child, named Mrs. Henry,
who is still alive. That while your
Complainant was true, & faithful,
and kind to the said Andrew Davis,
he was exceedingly negligent and
unkind her; and that in or about
August 1884 he cruelly beat your
Complainant & threatened to kill
her, and then left her telling her

that he would never return to her again; that he has not returned to her & they have not lived as man & wife since then. That in or about the year 1887, the said Andrew Davis, the defendant in this cause, eloped with one Sarah Ann Vaughan of said County and went with her to North Carolina, where they have since lived as man and wife.

That your complainant has not co-habited with, nor even seen, the defendant since this adulterous conduct on his part, and she desires now to be divorced from him. In tender consideration whereof, as much as your complainant is remediless in the premises, save in a Court of Equity where such matters are properly cognizable, to the end, therefore, that justice may be done, your complainant prays that the said Andrew Davis may be made a party defendant to this bill and required to answer the same; that he may be enjoined and

restrained from interfering with
or in any manner molesting you
Complainant or her child who is
with her; that the custody of the
said child may be awarded and
entrusted to you Complainant -
That you Complainant may be
divorced a vinculo matrimonii
from said Andres Davis & the
said marriage be dissolved, and
that such other further relief may
be given as her case requires or
to Equity shall seem meet &c.

And you Complainant will con pray.

May it please the Court &c -

Primer & Subrell, per } Celia Davis
By Indell White, next per
By Counsel.

Sworn to before B F W

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,

and Andrew Davis
and Celie White

Given under my hand, as Clerk of the County Court of Southampton this 1st day of February 1888.

L. R. Edwards 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 Marriage,

Full Names of Parties Married, Andrew Davis
& Celie White

Color, Col.

Age of Husband, 23 yrs

Age of Wife, 24

Condition of Husband, (widowed or single)

Condition of Wife, (widowed or single)

Place of Husband's Birth, Southampton

Place of Wife's Birth, "

Place of Husband's Residence, "

Place of Wife's Residence, "

Names of Husband's Parents,

Names of Wife's Parents,

Occupation of Husband, Laborer

Given under my hand this

1 day of February 1888.
L. R. Edwards Clerk.

MINISTER'S RETURN OF MARRIAGE.

I Certify, That on the 4 day of Febry 1888,
at Zion Church, I united in Marriage the
above-named and described parties, under authority of the annexed License.

J. B. Whidden.

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 copy sent to P. P. M. Leman & Co.

Davis

or $\frac{5}{3}$ Stat. Rules

Davis

2 Sept. Rules

Belia Davis (formerly White)
by John White, her next friend - Plff
against }
Andrew Davis: } In Chancery
Def.

1888. Sept 14. Sum: to 2^o Sept. Rules:

" 2^o Sept. Rules. Process set? "Not Found". Ord: Pub: ip?
~~Bill~~ filed. decree nisi & def.

" 1 Oct: " Ord: Pub: postponed - Cause set for
Billoctation & Confession -
hearing.

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON *Andrew Davis*

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~~^{2nd} Monday in *September* next, to answer a bill in chancery exhibited against *him* in our said Court by *Belia Davis, (formerly White) by Mrs. White, her next friend* -

And this *B. F. M. Lemore* shall in no wise omit; and have then there this writ.

Witness, ~~J. B. Prince~~, Clerk of our said Court, this *14* day of *Sept* 188*8*, in the *113* year of the Commonwealth.

B. F. M. Lemore

C. C.

Davis

Dr.  Sum

Davis

1888. 2^d (Monday)

Sept. Rules.

Cir: Ct.

Atty General
J. H. Williams

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON

Andrew Davis

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~~^{2nd} Monday in *September* next, to answer a bill in chancery exhibited against *him* in our said Court by *Belcia Davis*.

(formerly White) by *Jno. White*, her next friend.

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

B. F. McLeure
Witness, ~~J. B. Prince~~, Clerk of our said Court, this *14* day of *Sept*

188*8*, in the *113* year of the Commonwealth.

B. F. McLeure

C. C.

Davis

① 3 Affidavit

Davis

I, W. J. Sebrice, of Counsel for the pl'ff.
in the Chy. suit of Celia Davis vs.
Andrew Davis, now depending in the
Circuit Court of Southampton County,
do hereby certify that diligence has
been used on behalf of the said
pl'ff. to ascertain in what court
or corporation the said defdt. is,
without effect. Given under my
hand this 15th day of Sept. 1888.

W. J. Sebrice.

Sworn to before me this 14 day of
September 1888.

B. F. M. Leonard Clk.

OFFICE OF
THE DEMOCRAT,
W. H. STROUD PUBLISHER.

JOB PRINTING
--AND--
BOOK BINDING
Done at Short Notice
and Low Prices.

IN CHANCERY.
The object of this suit is to obtain a divorce a vinculo matrimonii by the plaintiff from the defendant; an affidavit having been made and filed, that diligence has been used on behalf of the said plaintiff to ascertain in what county or corporation the said defendant is, without effect, it is ordered that he appear here within 15 days after due publication of this order, and do what is necessary to protect his interest in this suit.

Celia Davis, Plaintiff,
against
Andrew Davis, Defendant.

A copy—Teste:
B. F. McLEMORE, C. C.
PRINCE & SEBRELL, p. q.
Sep-20 41.

Franklin, Va., Oct 12 1888

This is to certify
that the attached
advertisement in the
Democrat for consecutive
weeks, commencing
in September 20th 88
W. H. Stroud
Pub.

The depositions of Thomas Davis and others taken before me, Wm. H. Parker, a Commissioner in Chancery of the Circuit Court of Southampton County, pursuant to notice hereto annexed, to be read as evidence on behalf of the plaintiff in a certain suit in Chancery, now depending in said Court, in which Celia Davis, formerly White, is plaintiff and Andrew Davis is defendant—

The witness Thomas Davis being first duly sworn, deposes and says as follows:

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

Answer. About 20 years old, Am a laborer, live in Southampton and know the parties to this suit. I am the brother of Andrew Davis the defendant.

Question. Do you know when Andrew Davis and Celia separated, and which party left the other?

Answer. They separated last August four years ago. He left her at that time and has not returned to her since.

Question. Do you know whether or not Andrew Davis since he left Lellia has Cohabited with any other woman as man and wife; and, if so, state what you know about it?

Answer. Last Christmas I went down to Hertford County, N. C., and worked on the farm of Mr. "Lem" Lee during the month of January following. I found Andrew Davis living on that farm and he was living with a woman as his wife whose name was Sarah Vaughan before he "took up" with her. They lived together as man and wife - sleeping in the same bed &c. - all the time I was down there. I left about last of January and returned to Southampton. They were still living together as man and wife when I left. And further this deponent saith not.

Thomas Davis

The witness Thomas Davis being first duly sworn deposes and says as follows:

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

Answer. I am going in 17 years old, live in Do:
ampton and I know the parties to this suit.

Question When did you last see Andrew Davis, the
defendant, and where was he, what was
he doing and under what circumstances was
he living?

Answer About two months before Christmas I went
upon the farm of Mr. "Lem" Lee in Hert-
ford County, N.C., I lived there until some-
time in the next January following. When
I went there and all the time I was there
Andrew Davis was living there and work-
ing on that farm. He lived with a wo-
man named Sarah Ann whom he called
his wife. They lived together as man and
wife and were so considered by all the
folks 'round there: They were living in
that way when I went left in last
January. I have not seen him since.
And further this deponent saith not.

Thomas ^{his} L. Vann
mark

The witness Levi Richs being duly sworn
deposes and says as follows:

Question State your age, residence, and do you
know the parties to this suit?

Answer. I am 19 years old, live in Do:ampton
and know the parties to this suit.

Question Did you know the parties while they lived together in marriage.

Answer. I did - they were my neighbors and I saw them frequently, - our families visited each other.

Question Was Leelia a kind and dutiful wife to Andrew while they then lived together?

Answer I think she was, but he was cruel to her.

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

Answer. About last August four years ago he left her and I think without a cause. And further this deponent saith not.

Levi^{his} Ricks.
mark

I, Wm. H. Parker, a Commissioner in Chancery of the Circuit Court for the County of Southampton, in the State of Virginia, do hereby certify that, ^{the foregoing depositions of} Thomas Davis, Thomas Vann and Levi Ricks were duly taken, sworn to and subscribed before me at the place and time mentioned therein and in the caption thereto, pursuant to the annexed notice.

In witness whereof I have hereto set my hand this day of Novr 1888.

Wm. H. Parker,

Comm'r in Chy.

Fee for these depositions

\$10.00 Charged to Complainant

Feb: 7th / 89. Paid

Davis

Dr.  Ord. Pub:

Davis

Virginia: In the Clerk's Office of the Circuit
Court of Southampton County.
the 14th day of September 1888.

Belia Davis (formerly White)
by Jno. White, her next friend. *Plff*
Against
Andrew Davis - *Def.*

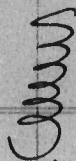
In Chancery

The object of this suit is to obtain a
divorce a vinculo matrimonii by
the Plaintiff from the Defendant. And
affidavit having been made and filed
that ^{diligence has been used on behalf of the said} ~~that the Defendant Andrew Davis~~ *Plff.*
^{to ascertain in what County or Corporation the said Def. is residing}
~~effect., is a non-resident of this State, it is~~
ordered that he appear here within
fifteen days after due publication
of this order, and do what is necessary
to protect his interest in this suit.

Attest: Dated: B. F. McLeod c.c.
Prince & Seabrook p.g.

Davis

134

Dr.  Depositions
Davis

An Account of the real Estate whereof S. W.
Stephenson died seized and possessed.

Davis re.

47. $\frac{3}{3}$ Deane.

Davis.

May June 1889

To be entered

C. M. Still

May 6, 1889

829

Prince & Still,
P. G.

Davis re. }
47. } Decree.
Davis. }

This day this cause came on to be heard upon the Complainant's bill, taken for Confessed, ^{exhibits therewith filed} and the depositions of witnesses, and was argued by Counsel. On Consideration whereof, the Court doth adjudge, order and decree that the marriage heretofore solemnized between Andrew Davis and Celia Davis, formerly White, be and the same is hereby dissolved, and that the said Celia Davis, formerly White, be forever divorced from the said Andrew Davis; And the Court doth further adjudge, order and decree that the custody and control of the infant, Mrs. Henry Davis, be entrusted to his mother, the said Celia Davis; and the Court doth further adjudge, order and decree that the plaintiff recover from the defendant her costs by her 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.