

1893 - 30

Southampton County Chancery Hunt, Charles vs Hunt, Julia Ann

Divorce

To Hon. C. W. Hill, Judge of the Circuit
Court of Southampton County: -

Humbly complaining sheweth unto
your Honor your complainant, Charles
Hunt, that in or about the year 1873,
he was united in marriage with Julia
Ann Hunt, nee Day, as will appear
from a copy of the marriage-license
herewith filed as an exhibit, marked
"A", and prayed to be read as a part
of this bill; That from the time of their
said marriage until the 4th day of Decem-
ber 1884, your Complainant and the said
Julia Ann Hunt lived together as man
and wife; and during all this period
of their association as such, your com-
plainant was to her a kind, affectionate
and faithful husband, and provided for
her as best he could according to his
means and ability; but that on the said
4th day of December 1884 — now more than
eight years ago — the said defendant,
Julia Ann Hunt, without just cause or
provocation, voluntarily and of her own
accord abandoned and deserted your
complainant, and has never returned to
him since, nor has your complainant ever
cohabited with her from that time to this; That

since her said abandonment of your complainant the said defendant has led an adulterous life and has given birth to three children, not one of which is the child of your complainant, as he has not known the said defendant as his wife since her said abandonment of him; by reason of all which, your complainant is advised that, under the laws of Virginia, he is entitled to a divorce a vinculo matrimonii from the said defendant, Julia Ann Hunt.

In tender consideration whereof, and inasmuch as your complainant is without remedy 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 Julia Ann Hunt may be made a party defendant to this bill, and required to answer the same, though answer under oath is waived; that a proper *fiduciary* *ad litem* be appointed for said defendant; that proper process issue, and all proper orders and decrees be entered; that your complainant may be entirely divorced from the said defendant, and that the marriage heretofore solemnized between

them be forever annulled and dissolved,
and for such other, further relief as
the nature of the case may require or to
Equity may seem meet.

And your complainant will ever pray &c.
Charles Hunt } W. J. Sobrell, Jr.

State of Virginia,

County of Southampton, to-wit:

This day personally appeared before
me, the undersigned, a Com^r: in Chy. of
the Circuit Court of said County, Charles
Hunt & made oath that the statements in
the foregoing bill are true, to the best of his
knowledge and belief. Given under my hand
this 21st day of December 1892.

B. J. McLeone
Com^r: in Chy.

Hunt
vs.
Hunt.

} Answer of
~~Di~~ as later
etc.

Hunt

vs.

Hunt

{ Answer of ~~infant~~ defendant -
by *Edw ad litem*.

The answer of the defendant, Julia Ann Hunt, a married woman, ~~by J. L. Moore~~
Leisure, her *Edw ad litem*, & the answer of
said *Edw ad litem*, to a bill in Equity, ex-
hibited in the Circuit Court of ~~Southampton~~
by Charles Hunt, plaintiff, against said
Julia Ann Hunt, defendant.

For answer to said bill, the said defendant
says that she is a married woman — under the
disability of coverture — & being such sub-
mits her right to the protection of the Court —
and having answered she prays leave to be
dismissed &c —

J. L. Moore
Edw. ad litem —

Sworn to before the undersigned this 4th
May 1893.

B. F. M. Lamm
Clerk in Chg.

Exhibit
"A"

Hunt.
x 3 Mar. Li
Day

1873

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,

Charles B Hunt

and Julia A Day

Given under my hand, as Clerk of the County Court of Southampton County this 3rd day of April 1873

James R. Tyler Deft. Clerk.

CERTIFICATE TO OBTAIN A MARRIAGE LICENSE,
TO BE ANNEXED TO THE LICENSE, REQUIRED BY SECTION 2226 OF THE CODE OF VIRGINIA.

Time of Marriage, ...	Place of Husband's Birth, Southampton Co.
Place of Marriage, ...	Place of Wife's Birth, Do
Full Names of Parties Married, Charles B Hunt	Place of Husband's Residence, Do
Julia A Day	Place of Wife's Residence, Do
Color, (Colored)	Names of Husband's Parents, ...
Age of Husband, 27 years	Names of Wife's Parents, ...
Age of Wife, 17	Occupation of Husband, Rail Road hand
Condition of Husband (widowed or single), (Single)	
Condition of Wife (widowed or single), "	

Given under my hand this 3rd day of April 1873
Charles B Hunt Clerk.

MINISTER'S RETURN OF MARRIAGE.

I Certify, That on the 10th day of April 1873
at 4 o'clock at Notoway I united in Marriage the
above-named and described parties, under authority of the annexed License.

Rev Joseph Gregory

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.

Acopy- Testo:

B. F. McLenore

Humb

(v) ¹⁰⁰⁰ Depositors

Humb

1893. May 3. Filed -

The depositions of Thomas Cornucill taken before me, B. F. McLeure, a Com'r: in Chancery for the Circuit Court of Southampton County, pursuant to notice hereto annexed, at my office, in the town of Courtland Va., on the 3rd day of March 1893, between the hours of 8 Am. & 6 P.M., to be read as evidence in behalf of the plaintiff in a certain suit in Equity, depending in the Circuit Court of said County, wherein Charles Hunt is plaintiff and Julia Ann Hunt is defendant.

Present: W. J. Sebell, atty for plffs.

The witness Thomas Cornucill, 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 I am 41 years old, live in Southampton County and know the parties to the suit.

Q. Did you know them while they were living together as husband and wife?

A I did.

Q. Did you live near them & see them frequently?

A I did live near them during that time - not more than half-a-mile from them, and saw them frequently.

Q. Was the plaintiff, Charles Hunt, during that time, in your opinion, faithful, kind & affectionate

to her, ^{the defendant} and did he provide for her as best he could according to his ability?

A. He was faithful, kind and affectionate to her and provided for her to the best of his ability.

Q. Do they live together as husband and wife now, or have they separated?

A. They have separated.

Q. How long has it been since they separated, and which party abandoned or deserted the other?

A. It has been now more than eight years — between eight and nine — and she, the defendant, left him, the plaintiff.

Q. Did she, in your knowledge or judgment, have any sufficient cause for deserting him?

A. She did not. He was good and kind to her, and she left him, I think, without sufficient cause.

Q. Has she ever returned to him since she left him, or have they since lived together as man and wife?

A. She has never returned to him since, and they have never lived together as husband and wife since.

Q. What manner of life has she, the defendant, led since she deserted or abandoned the plaintiff?

A. She has led a lewd and adulterous life, and has given birth to three children since she deserted the plaintiff.

And further this deponent says not.

Thomas ^{his} X Council.
mark

The witness Junius Brown 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. I am 28 years of age, reside in Southampton Co.
and know the parties to the suit.
- Q. Have you heard the evidence given by Thos.
Cannell, in his deposition above, and if so,
do you know the same to be true and do
you corroborate the same?
- A. I have heard the evidence of Thos Cannell,
know it to be true and do corroborate the same.
And further this deponent says etc. etc.
- Junius Brown

The witness Kinchan Fiers - being duly
sworn, deposes as follows:

- Q. What is your age & residence and do you
know the parties to this suit?
- A. I am 50 years of age, reside in South-
ampton Co. and know the parties to the
suit.
- Q. Have you heard the evidence of Thos
Cannell - given by him in the foregoing dep-
osition, and if so. do you know the facts as
stated by him to be true - and do you corroborate
the same?
- A. I have heard Thos Cannell's deposition,
know the facts as stated by him to be true.

and corroborate the same.

And further this deponent say etc not.

Keiohen ^{his} + Fiero
mark

The Witness Thomas Turner. being duly sworn, deposes as follows:

Q: What is your age & residence and do you know the parties to this suit?

A: I am 52 years of age, reside in Southampton Co. and know the parties to this suit.

Q: Have you heard the evidence of Thos. Councill given in the foregoing depositions, and if so, do you know the facts as stated by him to be true. and do you corroborate the same?

A: I heard Thos Councill's evidence, know his statements to be true, and corroborate the same.

And further this deponent say etc not.

Thos. ^{his} Turner
mark

Virginia:

Southampton County - to wit:

J. B. F. McLeane, a Clerk in Chancery of the Circuit Court for the County and State aforesaid. do hereby certify that the foregoing depositions of Thomas Councill and others were duly taken, sworn

to and subscribed before me, at the time
and place and for the purposes therein
mentioned.

Given under my hand this 3^d day of
May 1893.

B. F. McLearen
Clerk in Chancery.

Commissioner for
\$5.00 oiled Plaintiff }

Charles Hunt - Plaintiff

against

Julia Ann Hunt - Defendant

1892. Dec 7. Process up to 2nd Dec Ruler.

" 2 Dec. Ruler: Legal service of process acknowledged

by the defendant Julia Ann Hunt
+ by J. L. Indemore her guardian as return.

Bill & Ex: filed - decree nisi.

1893. 1 Jan. Ruler: Bill taken for confessed and
Cause set for hearing.

I acknowledge legal service of the within
summons, this 7th day of Decr. 1892.

J. L. McLeeson
for defendant

J. L. McLeeson

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON

by J. L. McLemore - her Guardian 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 ³ Monday in *Dec 1892* next, to answer a Bill in Chancery exhibited against *her* in our said Court by *Charles Hunk*

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

WITNESS, B. F. MCLEMORE, Clerk of our said Court, at the Courthouse, this *Dec* day of *7*, 1893, in the 11⁷th year of the Commonwealth.

B. F. McLemore

C. C.

I acknowledge legal service of this within
writ, this 7th day of Decr 1892.

Julia Ann ^{her} Hunt
mark

Witness:

B. F. McLeod

I certify that Julia Ann Hunt acknowledged service
of the within writ - on the 7 day of Decr. 1892.

B. F. McLeod cc

Hunt	}	Sum:
Hunt		
1892. 2 Decr. Rules		
Lein: lot:		

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON

Julia Ann Hunt

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 *30th* Monday in *December 1892* ~~next~~, to answer a Bill in Chancery exhibited against *her* in our said Court by *Charles Hunt.*

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

WITNESS, B. F. McLEMORE, Clerk of our said Court, at the Courthouse, this *7th* day of *Decr*, 189*2*, in the 11th year of the Commonwealth.

Testo: B. F. McLemore

C. C.

I certify that Julia Ann Hunt acknowledges service of
the within writ before me the 7. day of Decr 1893.
B. F. McLenard esq.

Hunt

vs.

Notice.

Hunt

I acknowledge legal
services of the within
Notice, this 7th day of
April 1893.

Julia Ann ^{the} Hunt
mark

Witness:

B. F. McLenard

J. M. Lennon
Gonadleten

To *Julia Ann Hunt*

You are hereby notified that on the *3rd* day of *May*, in the year 189*2*, at the office of B. F. McLEMORE, in the village of Courtland, 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

----- and others, to be read as evidence in my behalf in a certain *Chancery suit* depending in the *Per civil* 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,

Charles Hunt
by *Council*.

Hunt

(r" } Stat Cost

Hunt

Shab Coast in Dutch
Hunt or Hunt.

1210

20-13-18-10-18-50-30-15-15-25 = \$2.24

50-15-15-36-36-40-25

2.17

4.41

0.00

16.50

20.91

5.00

\$25.91

Shff.
Lawson

Canin

B. & M. L. Lemoine

Hunt }
vs. } Decree.
Hunt. }

~~May term~~ 1893.

To be entered -

CMA

June 20,

Allegations 1893

passed -

CMA

Entered
Page 598

W. J. Sebrill, p.c.

Heunt }
vs. } Decree.
Heunt }

This day this cause came on to be heard upon complainant's bill exhibits therewith filed, the depositions of witnesses, and was argued by counsel. On consideration whereof, the Court, being of opinion from the evidence in the cause, that the defendant has abandoned the plaintiff for a period of more than five years, and has, also, been guilty of adulterous conduct during that time, doth adjudge, order and decree that the marriage heretofore had and solemnized between the plaintiff, Charles Heunt, and the defendant, Julia Ann Heunt, formerly Julia Ann Day, be and the same is hereby dissolved, and that the said Charles Heunt be forever divorced from the bonds of matrimony with the said Julia Ann Heunt.

Heunt }
vs. } Decm.
Heunt }

Nov. Decm 1893.

To be entered
Cmt

Entered # 618

Hearsh }
rs. } Deane.
Hearsh. }

This day this cause came on to be heard upon the papers formerly read, and was argued by counsel. On consideration whereof, and it appearing to the Court that nothing further remains to be done in this cause, it is ordered that the same be removed from the docket.