

1904-20

Southampton County Chancery Stephens Robert vs Stephens, Julia B.
(Beck)

"Source"

Robt Stephens ✓

W 3 Bill for divorce

Julia B Stephens

1904. 1st Rules filed

L. H. Gay b. b.

May 1904

Wm. Shand pqr

To the Hon A A Prentiss Judge of the
Circuit Court of Northampton Co Pa

In Chancery

Humly Complaining your orator
Robt Stephens, shows unto your
honor that on Nov 26th 1891 he was
married in the County of said Co
one Julia B Cook and that she
continued ^{said Co} to live with your orator
about seven years. He during that
time working hard, treating her
well and maintaining and taking care
of her the best he could. at the
end of which time she without
and good cause desired and left
your orator. going to live with
another man, and has since
committed sundry acts of adultery
and continues to do so, and has
never returned to live with your
orator. Such being the case, he
wishes to be divorced and freed
from the marriage tie with her.
He tender consideration whereof,
and inasmuch as your orator
is without relief save in a
court of equity where such
matters are alone cognizable,
he prays that said Julia B Stephens

may be made a party defendant
to this bill and required to
answer all the allegations therein
contained as fully as if she were
present more fully and especially
interrogated thereto. That the said
marriage may be dissolved and
a divorce granted your votes
and that all such other, further
general relief granted your
votes as the merits of his case
demand or to equity seem meet
or your votes will ever pray

Robert Stephens
by Jm Shands his attorney

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,

Robt Stephens
and Julia Brook

Given under my hand, as Clerk of the County Court
of Southampton this 16 day of Nov 1891 19

B. F. McLemore Clerk.

CERTIFICATE TO OBTAIN A MARRIAGE LICENSE,
TO BE ANNEXED TO THE LICENSE, REQUIRED BY SECTION 2229 OF THE CODE OF VIRGINIA, AS AMENDED BY ACT OF FEBRUARY 3, 1900.

Time of Marriage, <u>Nov 26</u> 189 <u>1</u>	Place of Husband's Birth, <u>Southampton Co</u>
Place of Marriage, <u>Southampton</u>	Place of Wife's Birth, <u>Barnstable</u>
Full Names of Parties Married, <u>Robt Stephens</u>	Place of Husband's Residence, <u>Southampton</u>
<u>Julia Brook</u>	Place of Wife's Residence, <u></u>
Color, <u>cast</u>	Names of Husband's Parents, <u>John and Rebecca Stephens</u>
Age of Husband, <u>21</u> years	Names of Wife's Parents, <u>Leah and Ellen Brook</u>
Age of Wife, <u>19</u> "	Occupation of Husband, <u>Laborer</u>
Condition of Husband (~~widowed or single or divorced~~)	
Condition of Wife (~~widowed or single or divorced~~)	

Given under my hand this 16th day of Nov 1891 19
B. F. McLemore Clerk.

Certificate of Time and Place of Marriage.

I, , a of the
Church, or religious order of that name, do certify that on the 26th day of
Nov 1891 19, at the residence of David Brook, under authority of the above
License, I united in Marriage the persons named and described therein.

Given under my hand this day of 19.

Sam Freeman

The Minister celebrating a marriage is required, within two months 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. To wit: B. F. McLemore l.b.

52 Lincoln St

Stephens

vs.

Notice.

Julia B

Stephens

Executed in the City
of Norfolk on the 9th
day of May 1904 by
delivering a copy here
of to Julia B. Stephens

J. A. Lawler Sheriff
City of Norfolk
by C. L. Deakin
Deputy

Anglo Am 50 in. train
C. L. Deakin

To Julia B Stephens

You are hereby notified that on the 14th day of May, in the year 189¹¹⁹⁰⁴, at the office of Wm Shand 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 Jas Nelson 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,

Dobert Stephens

To Sergeant J. A. of Norfolk Va. by Wm Shand his atty

Stephens

2 Definitions

Stephens

1904 May 14.

Filed.

B. J. Moore R. P.

The depositions of Jos Nelson taken before me ^{as a Justice of the Peace for Southampton County} on May 14th 1904 between the hours of 9 am and 6 pm at the office of the Clerk of Courtland to be read as evidence in behalf of Robt Stephens in a certain chancery cause now pending in the circuit court of Southampton County styled Stephens vs Stephens wherein said Robt Stephens is plaintiff and said Julia B. Stephens is defendant. I have pursuant to notice been so ordered.

The witness Jos Nelson being first duly sworn deposes and says as follows

I live in Southampton County near Hebron and know the parties to this suit well. I am 90 years old, am former mechanic.

1.2 Do you know whether Robt Stephens and his wife Julia B. Stephens live together or not?

1.a. Yes they do not. She left him about seven years ago and has not lived with him since.

He treated her well while she
lived with him. She left him
and went to live with
another man and further
this defendant together with
Jos ^{ms} X Nelson
made

The witness Gordon Nelson being
first duly sworn deposes and
says as follows -

I am 28 years old. know the
parties within some way. I live
near Ithaca Southampton Co Va
am a farmer & laborer.

1. 2

Do you know whether Robt
Stephens and his wife Julia
B Stephens live together now or not?

1. a

They have lived together
for some seven years. she
left him long ago to live
with another man. The
truth -

2. 2

Has she ever returned to
live with her husband
and bearing him. 2

2. a

No Sir. for when I last saw her. Last July she was living with the man she went away with. They still, and they one child born since living with him and said to be his.

3. 2

Did her husband treat her well while she lived with him

3. a.

Yes or he certainly did and further this deponent says with
Gaston ^{his} ~~man~~ _{make}

The witness Phil Mason being sworn and sworn deposes and says as follows

I am 21 years old and reside near Hebron South ample to know the parties to this suit well and former laborer

1. 2.

See whether Robt Stephens and his wife now live together or not

1. 6

No Sir

2. 2

How long have they lived together?

1. a.

Some seven years. she left him on account of another man

Thos. Seich, with whom she
went to live with, some or
his wife

3.2. 2000 she has been back to
live with Robt Stephens and
home, then

3. a. He is, but lives with
the other man, at home
she was when I saw them
not long ago. Robt certainly
made her a good husband
treated her well while she
was with him, and further this
deponent says not

Phil ^{with} ~~the~~ ^{man}
~~make~~

The foregoing depositions of Jas Wilson
Boston Mass & Phil ~~Mass~~ were this
day duly taken before me and
sworn and subscribed to before me
by the said parties. Given under
my hand this 14th day of January 1904

B. F. McLeary

Comr in Chancery - Cir: Ct
Southampton Co. Va

Robert Stephens

24 3 notice

Julia B Stephens

Exercised in the City of Norfolk
thru the 6th day of January
AD 1904 by delivering a
copy hereof to Julia B
Stephens

J. S. Lawrence Sgt

City of Norfolk

by W. A. Thompson Sdly

To Julia B. Stephens

You are hereby notified that on the 9th day of July 1904, at the office of Wm. Shands Boulevard Southampton Co Va, between the hours of 9 a.m. and 6 P.m. of that day, I shall proceed to take the depositions of Joe Loker and others, to be used as evidence in my behalf in a certain suit in equity depending in the Circuit Court of Southampton Co Va, 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

Robert Stephens

by Wm Shands his attorney.

Stephens

2 } Depositions

Stephens

The deposition of Jos. Joyce it was taken before me W. D. McLenore on July 7. 1904 between the hours 9 a.m. & 6 p.m. at the office of Hon. Shanks Courtland to be read as evidence in behalf of Robt Stephens in a certain chancery suit now pending in the circuit court of Southampton to be styled Stephens vs Stephens, wherein said Robt Stephens is plaintiff & said Julia Stephens is defendant; taken pursuant to notice hereto attached

The witness Jos. Joyce being duly sworn deposes as follows. I am a former live man Boxmooie Southampton near where parties used to live when they lived together, otherwise, am 49 yrs old

pc 2

Do you know whether Julia Stephens lives with her husband or not now?

1st a

They have lived together for some 5 or 6 yrs. She of her own accord and for no good reason that I know of it, unless it was a good cause in her opinion to live there & go to live with

another man. white shepherd
and has not since lived with
his ~~former~~ ^{present} husband. So far
as I know Robt. Ernest Howell
he is hard working man. I never
heard anything bad of him
and further this document signed not
signed

Joe ^{his} ~~mark~~ ^{mark}

The foregoing deposition of Joe. Joyner
was this day taken, subscribed and sworn
to.

Given under my hand this 9th day
of January 1904.

B. F. McFerron
Comis in Champ. Cir.
Et.

Stephens

vs. } Clarke's friend L.A. Gay

Stephens

Robt. Stephens

vs. { Clerk's fees due L. A. Gay to date, Jan'y. 20th 1904

Julia Stephens

Sum. 25, 1 cop. 15, receipt 18, att'y. 10, dock 18 = 84

Replies 150, entering return 35, fil. bill 15 = 200

Do. exhibits 15, Do. 2 sets of depositions 30 = 45

Copy exhibits 50, Law costs &c. 40 = 90

\$419

Jan'y. 20th. 1904

Teste: L. A. Gay L. A.

Work from 12 Ounces

Stephens Robt

vs. { Spa: In chy.

Stephens Julia (Cld)

1903. 2^d Dec. Rules

Ex. 101.

Executed in the City
of Norfolk this the
2nd day of December
1903 by showing a
copy here of
Julia: Stephens

J. F. Lavelle Sergeant
City of Norfolk
by J. F. McLean

deputy

Wm Shands p. 9.

The Commonwealth of Virginia.

Sergeant of the City of Norfolk
TO THE ~~SHERIFF OF SOUTHAMPTON COUNTY~~—GREETING:

We command that you summon *Julian Stephens*.....

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... *3rd*... Monday in *Dec.*... *1903*... next, to
answer a Bill in Chancery exhibited against *her*..... in our said Court by.....

Robt. Stephens.....

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

WITNESS, L. A. GAY, Clerk of our said Court, at the Courthouse, this *10th* day of
November....., 19*03*., in the *12th* year of the Commonwealth.

Teste: *L. A. Gay*..... C. C.

Stephens
r } Depositions
Stephens

The deposition of Scott Thomas,
and others, taken before me, B. F.
McLennan, a Commissioner in Chancery
in Chancery of the Circuit Court for
Southampton County - to be read as evi-
dence in the Chancery Cause pending
in the Circuit Court of said County
in which Robt Stevens is Plaintiff
and Julia Stevens is Defendant:

The Witness, Scott Thomas, being duly
sworn - deposes as follows:

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

A: My age is 32 years, reside in
Southampton County, and know the
parties to the suit

J: Do you know whether or not Robt Stevens
is a married man? If so, who did he marry?

A: Yes Sir, he is - he married Julia Brooks.

J: Do they live together now, as man and wife,
and if not, why not?

A: They do not live together, have been
separated for six or seven years, live

wife left him, and is living with another man. Robt was ~~as~~ kind to her, and provided for her as well as he was able, as long as she lived with him.

And make this deponent sayeth not.
Geatthanded

The witness John H. Porcell being duly sworn deposes and says as follows I am 45 years old. Formerly live near Kosko Southampton Co Pa and know the parties to this suit very well. Robt's wife left him some 4 or 5 years ago, maybe longer. She has the reputation of not being a good woman. Robt treated her well so far as I know and further this deponent sayeth not
John H. Porcell

The foregoing depositions were taken, signed and sworn to the day herein first aforesaid.

B. F. McLenore

Clerk in Charge

Commonwealth of Virginia,
Senate Chamber,
Richmond.

Jim Nelson } May 14th
Phil Mason }
Garns Mason }

witnesses for Robt Stephens

Robert Stephens Plaintiff.
vs. } In Chancery
Julia Stephens Defendant.

1903 30th November, Process issued to 2nd Dec. Rules.

1903 2nd December Rules, Process returned & executed.

1904 1st Jan'y. Rules. Bill and exhibits filed.

Devere Kisi

1904 2nd Jan'y. Rules Bill taken for confession and
answer and for hearing

Robt. Stephens

vs } Stat. of Rules

Julia B. Stephens

Stephens

vs.

Deeree.

Stephens

Entered May 16, 1904

Robert R. Paulis

Entered

81

3/23/04

Robert Stephens

vs.

Julia B. Stephens

Decree.

This day this cause came on to be heard upon the bill of complainant and exhibits therewith filed, and the depositions of witnesses, the defendant, upon process has been duly served, still failing to appear and plead, answer or demur to the said bill, and was argued by counsel.

On consideration whereof, the court doth adjudge, order and decree that the marriage heretofore had and solemnized between Robert Stephens and Julia B. Stephens (née Julia Brook) be and the same is hereby dissolved, and that the said Robert Stephens be forever divorced a vinculo matrimonii from the said Julia B. Stephens.

And it appearing that there is nothing further to be done in this cause, it is ordered that the same be removed from the docket.