

1905. 01

Southampton County Chancery Babbitt, Cato vs Babbitt, Caledonia (Boone)

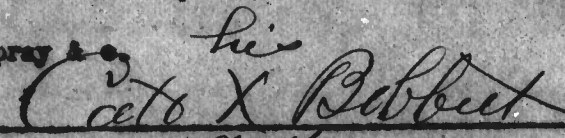
"Hiraco"

To the Honorable Robert R. Prantis, Judge of the Circuit Court of Southampton County;

Complaining, sheweth unto the Court, your orator, Cato Bobbitt that he is a citizen of Southampton County, Virginia, and that on the 8th. day of January 1903 he was married to Caldonia Boone, as will appear from a copy of the marriage license hereto annexed marked exhibit "A" and prayed to be read as a part of this bill, and that ever since such marriage your orator has been a dutiful husband, providing his wife with every comfort consistent with his means and doing whatever he could to promote her happiness and notwithstanding his fidelity and diligence your orator's wife has deserted his home and is now living in open adultery and has, since deserting your orator borne a child, the father of which your orator is not and your orator further charges that on numerous occasions your orator's wife has been seen in compromising positions with men.

In tender consideration whereof and forasmuch as your orator is remediless, in the premises, save in a court of equity where matters of this kind are alone cognizable, he prays that Caldonia Boone may be made a party defendant to this bill and required to answer the same, but answer on oath is hereby waived, that proper process may issue, that a divorce a vinculo matrimonii may be granted your orator, and that such other further and general relief may be granted your orator as the nature of his case may require or to equity shall seem meet. And your orator will ever pray &c.

 P. G.

his

mark

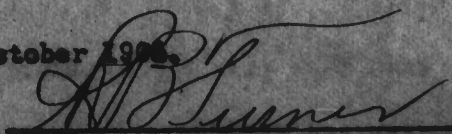
State of Virginia,

Southampton County, to wit: I, R. B. Turner, a Notary Public in and for said County,

State of Virginia, do hereby certify that Cato Bobbitt, whose name is signed to to the above bill personally appeared before me in my County aforesaid and made oath that the facts stated in said bill are true and that he subscribed to the same before me at the same time.

Given under my hand this 3d. day of October 1903.

_____ P. G.


Notary Public.
My commission expires on the 29 day of April 1909.

C. A. BELL,

Town Sergeant.

Franklin, Va., Sept 18 1901

Dear Mr Baker

I send you
a summons for Caldonia Bobbie
which I would be glad if you
would have served at once
As I think Wednesday is the
last return day for this term
of the Court. She lives at
Capt Jonas Lawrence's at
South Quay fearing you will
have no trouble finding her
As Capt Lawrence will direct
you

Yours Truly

C. A. Bell

Received on Sept 18
Two Dollars for 3 Monies
for 1st 10 cents each

Executed the 2nd day of October 1905 by delivering a true copy
of the within Summons to Gordon Babbitt in person

John Babbitt
An assured shift
of manumission

Babbitt

Alias Summ

Babbitt

1905. 1 Oct. Rules.

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON *Baldonia Babbitt*

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 *October* 190*5*..
~~next~~, to answer a Bill in Chancery exhibited against.....*her*.....in our said
Court by.....*late Babbitt*.....

And this...*she*...shall in nowise omit under penalty of law. And have then there this
writ.

Witness, B. F. McLEMORE, Clerk of our said Court, at the Courthouse, this
26th day of...*Sept*....., 190*5*.., in the *13^d*... year of the Commonwealth.

Teste :

B. F. McLemore....., C. C.

Bobbitt
in } Stat: Rules

Bobbitt

Cato Bobbitt

7th

Baldonia Bobbitt

} In Chancery

1905 Sept 5th - Process issued to 2nd Sept Rules.

" 2nd " Rules: " not^d not Executed -

Bill not filed.

1905. Sept 26th - Alias issued to 1st Oct: Rules.

" 1st Oct: Rules: Alias returned Executed.

Bill & Ex: filed.

1905. 2nd Octth Cause set for hearing.

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON *Galdonia Babbitt*.....

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 *September* 19*05*
~~next~~, to answer a Bill in Chancery exhibited against..... *h. n.*..... in our said
Court by..... *Gato Babbitt*.....

And this... *Shen*..... shall in nowise omit under penalty of law. And have then there this
writ.

Witness, B. F. McLEMORE, Clerk of our said Court, at the Courthouse, this
..... *17* day of *September*....., 190*5*..., in the *13th*.... year of the Commonwealth.

Teste:

..... *B. F. McLeMore*....., C. C.

Bobbitt

4 } Spar in Chy

Bobbitt

1905. 2^o Sept. Rules

Re Cined

Sept 19

1903

As Baker
Shoof

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON *Caldonia Robbitt*

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 *September* *1905*
~~next~~, to answer a Bill in Chancery exhibited against *her* in our said
Court by *Caldonia Robbitt*

And this *Sher* shall in nowise omit under penalty of law. And have then there this writ.

Witness, B. F. McLEMORE, Clerk of our said Court, at the Courthouse, this
5th day of *September*, 190*5*, in the *30th* year of the Commonwealth.

Teste :

B. F. McLemore, C. C.

To Caldonia Robbitt.

Take Notice, that on the 14th. day October 1905 at the office of R.E.L. Watkins in the town of Franklin, Southampton County, Virginia, between the hours of 9 a.m. and 6 p.m. of that day, I shall proceed to take the depositions of Thomas White and others, to be read as evidence in my behalf, in a certain suit in equity depending in the Circuit Court of 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.

Respectfully Yours

Calo Bobkut

By R. E. Smith his attorney.

Presented this 2nd day of
October 1805 by delivering a
true copy of the within papers
to Alexander Baskett
in person,
John Henry May
Jr Oct 20th 1805
James M. Smith
James M. Smith

The depositions of Martha Johnson and others, taken before me, E. Frank Story, a Commissioner in Chancery for the Circuit Court of Southampton County, Virginia, on the 14th day of October, 1905, between the hours of 9 A. M. and 6 P. M., at R. E. L. Watkins' office in the town of Franklin, Virginia, to be read as evidence on behalf of Cato Bobbitt in a certain suit in equity depending in the Circuit Court of Southampton County, Virginia, wherein Caledonia Bobbitt is defendant and Cat Bobbitt is plaintiff.

PRESENT:

R. E. L. Watkins for the plaintiff.

Q.1 State your name, age, occupation and residence.

Ans. 1. Martha Johnson, age 54, wife, Southampton County, Virginia.

Q.2. Do you know the parties to this suit?

Ans. Yes.

Q.3. State, please, if you know, what kind of wife the defendant, Caledonia Bobbitt, has made the plaintiff, Cicero Bobbitt?

Ans. She has not made a good wife, she has borne a child by a married man, since her marriage to Bobbit.

Q.4. Is the defendant in any way related to you?

Ans. Yes, she is my child.

And further this deponent saith not.

Martha Johnson
made

The witness Edward Johnson being duly sworn deposes as follows:

Q.1. State your name, age, occupation and residence ?

Edward Johnson, age 65, farmer, Hansemond County, Va.

Q.2. Do you know the parties to this suit?

Ans. Yes.

State, please, what kind of wife Caledonia Bobbitt has made Cicero Bobbitt since their marriage?

Ans. 3. She has made a very untrue wife, in that she has borne a child by another man.

Q.4. What relation do you bear to the defendant ?

Ans. 4. I am her step father.

And further this deponent saith not.

Edward Johnson
made

The witness Tom White being duly sworn deposes as follows:

Q.1.State your name,age,occupation and residence?

Tom White,age 45,farmer,Southampton County,Va.

Q2.Do you know the parties to this suit?

Yes,very well.

Q.3.State please what you know of the moral character and conduct of Caledonia Bobbitt,the defendant in this suit?

Ans. About three months after the marriage of these parties Bobbitt went to New Jersey to work,and while there he sent his wife money for her support,and before he had been gone a great while she started out leading a crooked life.Bobbitt came home when he learned of her conduct and she was so bad that he could do nothing with ~~her~~ and she continued her life of prostitution until a child was born.One Oscar Henshaw is the father of her child,so she says. Henshaw is still intimate with her and takes care of her now.She seems to be a woman inclined to lead the life of a prostitute and can find no special satisfaction in one man.Bobbitt has had nothing to do with her since his return from New Jersey.

Q4.How did Bobbitt treat her during the time that they lived together?

Ans.He treated her good,provided for her nicely and did not allow her to work out for anybody.

And further this deponent saith not.

Tom White

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,

Wats Bobbitt.

and Waldrona Bobbitt.

Given under my hand, as Clerk of the Circuit Court of Southampton this 7th day of Jan'y 1903.

B. F. McFerrera 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 2, 1900.

Time of Marriage,

Place of Marriage, Southampton Co.

Full Names of Parties Married, Wats Bobbitt & Waldrona Bobbitt.

Color, W. C.

Age of Husband, 23 years

Age of Wife, 20 "

Condition of Husband (widowed or single or divorced) single

Condition of Wife (widowed or single or divorced) "

Place of Husband's Birth, Halifax Co. N. C.

Place of Wife's Birth, Southampton Co.

Place of Husband's Residence, "

Place of Wife's Residence, "

Names of Husband's Parents, Grim & Matilda Bobbitt

Names of Wife's Parents, Martha Johnson.

Occupation of Husband, Laborer

Given under my hand this 7th day of Jan'y 1903.

B. F. McFerrera Clerk.

Certificate of Time and Place of Marriage.

I, _____, a _____ of the _____ Church, or religious order of that name, do certify that on the 8th day of January 1903, at Residence of E. Johnson, under authority of the above License, I united in Marriage the persons named and described therein.

Given under my hand this _____ day of _____ 19____.

Rev. J. L. Harris.

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.

B. Hitt
To Adoptions
B. Hitt

STATE OF VIRGINIA, {
Southampton County, { to-wit:

I, E. Frank Story, a commissioner in chancery for the circuit court in and for the county aforesaid, in the state of Virginia, do hereby certify that the foregoing depositions of Martha Johnson, Edward Johnson and Tom White, were taken, sworn to and subscribed before me, at the time and place, and for the purposes stated in the caption hereto annexed.

Given under my hand this 14th day of October, 1905.


COMMISSIONER IN CHANCERY.

Com'r's. fee:
\$5.00.

1905
Bobbut }
vs } None
Bobbut }

Given this 17th day
of October 1905

Robert R. Huntis

Entered in
L. O. B. p. 198

Cato Bobbitt
vs
Caledonia Bobbitt

Done

This cause, which has been regularly matured ^{by the advice of process} at rules, according to law, came on this day to be heard, on the plaintiff's bill and exhibits and depositions of witnesses, and was argued by Counsel; On consideration whereof the Court being of the opinion that adultery of the defendant has been proved, doth advise, order and decree that the marriage heretofore had and solemnized between the plaintiff, Cato Bobbitt, and the defendant, Caledonia Bobbitt, formerly Caledonia Barnett, shall be and the same is hereby dissolved, and that the said Cato Bobbitt be forever divorced from the said Caledonia Bobbitt, and there being nothing further to be done in this cause it is ordered that the same be removed from the docket.