

1906-07

Southampton County Chancery Hagan, Burton, Jr vs Hagan, Fannie (Hargrave)

"Lisance"

Hogan, Burton

- Bill in Chancery -

Hogan, Laurie

1906. 1st Oct Rules filed
B J M Lemore C.C.

✓

E. FRANK STORY
ATTORNEY AT LAW
COURTLAND, VIRGINIA

TO THE HONORABLE ROBERT R. PRENTIS, JUDGE OF THE CIR-
CUIT COURT OF SOUTHAMPTON COUNTY, VIRGINIA:

Humbly complaining, your complainant, Burton Hogan, Jr., showeth unto the Court the following cause of complaint:

(1) That on the ____ day of April, 1898, your complainant was lawfully married in the County of Vance, State of North Carolina, to Fannie Hargrove, which said marriage will appear from a certificate of marriage herewith filed, marked "Exhibit A", and made a part of this bill:

(2) That continuously from the date of said marriage until sometime in September, 1902, your complainant and the said defenant lived together as husband and wife, a part of the said time in the State of North Carolina, and the latter five years in the town of Franklin, Southampton County, Virginia:

(3) That the said defendant has willfully deserted and abandoned your complainant for the period of more than three years, that is to say, that in September of the year 1902, the said defendant did, voluntarily, willfully and without any justification whatever, leave her home where your said complainant and her were living happily together as man and wife; and that your complainant has never heard from her since that day:

(4) That your complainant has resided and has been domiciled in this State since the year 1900, and therefore for more than one year next preceding the commencement of this suit, and is domiciled and now resides in this State.

In consideration whereof, and for as much as your complainant^{is} remediless in the premises save in a court of equity, your complainant^{prays} that the said Fannie Hogan, may be made a party defendant to this bill, and required, but not on oath, to answer same, the oath being hereby waived; that proper process may issue; that a divorce from the bonds

1888. ADAMS COUNTY, ILL. COURT OF COMMON PLEAS.

IN RE: BURTON HOGAN, JR. and the following cause of complaint:

THE COURT OF COMMON PLEAS, ADAMS COUNTY, ILL.:

DO LET BURTON HOGAN, JR. and the following cause of complaint:

of matrimony which was created by the aforesaid marriage be decreed him; and that your complainant may have all such further, and general relief as the nature of his case may require, or to equity shall seem meet.

BURTON HOGAN, JR.,

BY

his attorney.

p. q.

Hogan v. Hogan

Sum: 25- Cof 13	35
Rest 15. atty 10 Rules 1.00	105
Doc 18. Entering return 35-	53
Filing Rec 15- No Dispositions 15-	30
Deorce 36- Tax Costs 40	76
Filing away papers 25-	25

Left	3.60
Shff	.50
Law	16.50
Leonor J. Parker	5.00

25.60

Hogart

W. J. Spencer Clerk

Hogart

1906 1st. Dec. Rules.

Executed ^{by} 21st 9. 1906
by signing a true
copy in presence

J. M. Byler

Deputy Sheriff
of Norfolk County
Va

Norfolk Co

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF ~~SOUTHAMPTON~~ ^{NEW FALKLAND} COUNTY, GREETING:

WE COMMAND YOU TO SUMMON *Fannie Bogard*

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 *1st* Monday in *October 1906*
~~and~~, to answer a Bill in Chancery exhibited against *her*
in our said Court by *Dunston Bogard, Jr*

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*6*, in the *13th* year of the Commonwealth.

Teste:

B. F. McLeMORE, C. C.

Hogan
- 12-13 "Exhibit A"
Hogan



This is to Certify that the Marriage
Records of Vance County in my
Office - as Reg of Deeds shows that
Durlon Hoghan and Fannie Hargrove
were Married April 1st 1899 at
Residence of William Hargrove in
Kittrell Township Vance County
by J P Hunt - a Justice of the Peace
Witness to Marriage
William Hargrove
Loh Hargrove
Edwards Roberts

This Oct 12th 1906.

H W Edwards

Reg of Deeds
for Vance County



Hogan-

it } Stat: Rules

Hogan

Burton Hogan Jr - Plff

vs

In Chancery

Fannie Hogan - Deft

1906. Sept 26 - process issued to 1st Oct: Rules

" 1st Oct: Rules: process returned ^{Executed} Bill and
Exhibit filed.

Declar. nisi.

1906. 2nd Oct: Rules: Bill taken for Confessed
and Cause set for hearing.

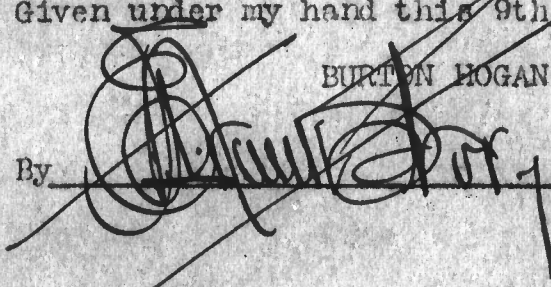
To Fannie Hogan:

TAKE NOTICE: That on Saturday, the 13th day of October, 1906, at the office of E. Frank Story, in the town of Franklin, Virginia, between the hours of six o'clock A. M. and six o'clock P. M. on that day, I shall proceed to take the depositions of Burton Hogan, Sr., and others, to be read as evidence in my behalf, in a certain suit in equity, depending in the Circuit Court of Southampton County, Virginia, wherein I am the plaintiff and you are the 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.

Given under my hand this 9th day of October, 1906.

BURTON HOGAN, JR.,

By



his attorney.

Hagan,
vs. Depositions
Hagan.

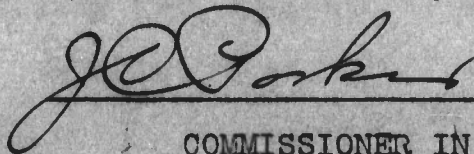
\$5.00

E. FRANK STORY
ATTORNEY AT LAW
COURTLAND, VIRGINIA

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

THE DEPOSITINS of Burton Hogan, Sr., and others, taken before me, the undersigned, J. C. Parker, a commissioner in chancery for the Circuit Court in and for the County aforesaid in the State of Virginia, to be read as evidence in a certain suit in equity now pending in the said Court, pursuant to notice hereto attached, and at the time and place therein named.

Given under my hand this 15th day of October, 1906.



COMMISSIONER IN CHANCERY.

Burton Hogan Sr., being first duly sworn deposes and says:

Q. What is your name, age, residence, occupation and do you know the parties to this suit:

A. Burton Hogan, Sr.; forty-nine years old; reside in Franklin, Virginia, laborer, and know the parties to the suit.

Q. Did you know Berton hogan and Fannie Hogan during the time they lived together as man and wife:

A. Yes sir, I knew them while they lived in North Carolina, and also while they lived in Franklin:

Q. During the time they thus lived together did Burton Hogan make her a good husband and provide for her as best he could:

A. Yes sir, I think he made her a good husband and I am sur he provided for her the very best he could as a laboring man:

Q. Do you know anything about whether she left Burton Hogan of her own free-will, and if so when:

A. A man name Ulas webb was found in the bed with her one night in April, I think it was, and in 1902, and finding there was some trouble I went round to their house, and she wlked out of the back door of the house, and after that kept seeing and living with this man Ulas Webb, and has never been back home since.

Q. You seem to be rather uncertain about the date, tell me if you are positive that it has been more than three years ago.

A. Yes sir, I am positive that it was either three or four years ago last spring: I am certain that it has been more than three years ago.

Q. Did Fannie Hogan ever come back at all, or did her husband ever go to see her after the night you speak of:

A. No sir she has never come back or Burtan has never benn to see her since that time, and she has had a child since then.

And furthe this deponant saith not.

Burton Hogan Sr.

Joseph Hogan, being first duly sworn, deposes and says:

Q. What is your name, residence, age, occupation and do you know the parties to this suit:

A. Joseph Hogan, age 23 years, reside in Franklin, Virginia, laborer and know the parties to the suit:

Q. Did you know Burton Hogan and Fannie Hogan when they lived together as man and wife:

A. Yes, I know when they were married, they were married in or near Henderson N. C., and I knew them the whole time they lived together:

Did or did not Burton Hogan, Jr., make Fannie Hogan a good husband and did he provide for her well:

A. Yes sir, he made her a good husband, he was not cross to her, and he provided for her well:

Q. Do you know anything about her leaving him, and if so please state the circumstances:

A. I went to my brother's house one night and knocked at the door, and no one answered, so I went to the window and looked in, when I looked in I saw Fannie Hogan on the bed with a man and they were actually having connection with each other; I then went back to the door and knocked again, and told her that if she did not open the door I was going to break it down; she then opened the door and I went in and the man that I saw on the bed struck at me; the light was turned down low and I did not fully recognize him when I looked through the window, but when I went in the door I saw that it was Ulas Webb, and I knew him to be the same man that I saw on Fanny in the bed; when he struck at me I run to the trunk of my brother and got his pistol and he run out of the door and I shot in the direction he ran; then my father came over there and I went over to the mill to tell Burton, and when we came back Fanny had gone, and

she has never been back since, and has lived with that same man Ulas Webb right much of the time, and has had a child by him:

Q. How long ago has that been:

A. It has been between three and four yeras ago.

Q. Are you positive that it has been more than three years ago:

A. I am.

Q. Has Burton ever been to see her since:

A. No sir, he went over to her father's that night to look for her, but she was gone:

Q. Where does Fannie Hogan live now:

A. Down about Norfolk somewhere; there is a fellow living with her by the name of Bennie Harris:

And further this deponant saith not.

Joseph Hogan:

The witness, N. M. Batchelor, being first duly sworn deposes and says:

Q. What is your name, residence, age, occupation and do you know the parties to this suit:

A. N. M. Batchelor, 38 years old, live in Franklin, Va., laborer, and know the parties to the suit:

Q. During the time Burton and Fannie Hogan lived together did Burton make her a good husband, and provide for her well:

A. Yes sir, so far as I could see he made her a good husband, was easy and quiet and provided for ^{her} well, he got between \$30. and \$40. a month and they used to live well:

Q. Do you know whether she left him or not.

A. Yes sir she left him something like four years ago, and it was because she wanted to take up with Ulas Webb, I think:

Q. Did she stay with this man Webb after she left Hogan:

A. Yes they used to live together and I know she has had a

child since:

Q. Did she leave of her own free will:

A. She left the night they had the trouble, or she was caught in the bed with Webb; she left before Burton got there and would not ever come back:

Q. Are you positive that that has been more than three years ago.

A. Yes I am positive that it has been at least three years last spring:

Q. Who is Fanny Hogan living with now:

A. Bennie Harris.

And further this deponent saith not.

M. H. Bateman

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

I, J. C. Parker, 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 Burton Hogan, Sr., Joseph Hogan and N. M. Batchelor, were this day taken, subscribed and sworn to before me, at the time and place and for the purpose designated in the caption hereto, and the notice attached.

Given under my hand this 15th day of October, 1906.



COMMISSIONER IN CHANCERY.

Fee 5-00

1906

Hagan, Burton

~~ret~~ Mcree.

Hagan, Fannie

Entered in October 16, 1906.

Robert H. Hattis

Entered in

D. O. B. O. 302.

E. FRANK STORY
ATTORNEY AT LAW
COURTLAND, VIRGINIA

*
* Hogan, Burton, Jr., *
* *
* vs. *
* *
* Hogan, Fannie. *
* *

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

On consideration whereof, the Court doth adjudge, order and decree, that the marriage heretofore had and solemnized between Burton Hogan, Jr., and Fannie Hogan be, and the same is hereby dissolved.

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

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