

1907-14

Southampton County Chancery - Jenkins, Louisa

vs

Jenkins, E.P.

Divorce

Jenkins, Louis L.
v. $\frac{1}{2}$ Bell & Exhibits.

Jenkins, E. P.

1907. 1 May Rules. Filed.

To, Honorable Robert R. Prentiss, Judge of the
Circuit Court of Southampton County:

Humbly complaining sheweth unto Your
Honor your complainant, Louisa L. Jenkins,
that for more than one year next preceding the
institution of this suit she has been, and still
now is, a resident of the state of Virginia, and
that the defendant is, also, now residing in
this state; That on the 5th day of May
1897 your complainant was legally married
to the defendant, E. P. Jenkins, as will more fully
appear from a copy of the marriage-license,
with minister's return thereon, herewith filed
as "Exhibit A", and prayed to be read as a
part of this bill; That after the said mar-
riage your complainant and the said defendant
lived together as man and wife, until on
or about the 1st day of February 1904,
when the said defendant willfully aban-
doned your complainant as his wife,
and has never lived with her ~~and~~ ~~and~~
since; That the said defendant having
thus willfully abandoned and deserted
your complainant, without any good
or sufficient cause, for a period of
more than three years, your com-
plainant is advised that, under the
statute law of this Commonwealth,

she is legally entitled to a divorce, a vinculo matrimonii from the said defendant; That your complainant and the said defendant last lived and co-habited together as man and wife in the County of Southampton, and that the said defendant is now living in the said County.

In consideration whereof, and inasmuch as your complainant is remediless in the premises, save in a Court of Equity, your complainant prays that the said E.P. Jenkins may be made a party defendant to this bill, and required to answer the same, though answer under oath is hereby waived; that proper process issue, and all proper orders be made, that the marriage heretofore had and solemnized between your complainant and the defendant be annulled and dissolved, and that your complainant may be divorced a vinculo matrimonii from the said defendant, and that all such other, further, general and special relief may be granted your complainant, as the nature of the case may require or to Equity shall seem meet.

And your complainant will ever pray &c.

W.D. Sebrill, p.q. }
 } Louisa L. Jenkins,
 } By Counsel.

Jenkins
or } Stat: Rules.
Jenkins

Louisa L. Jenkins

Stat: Rules

E. J. Jenkins

1907. April 30 - Process issued to 1st May Rules

1st May Rules: Process returned Executed.
Bill and Exhibits filed.

Decree nisi

1907. 2nd May Rules: Bill taken for Confessed
and Case for hearing.

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,

E. P. Jenkins

and *Louisa D. Reynolds*

Given under my hand, as Clerk of the County Court of Southampton Co. this 3rd day of May- 1897-
C. F. McLennore Clerk.

CERTIFICATE TO OBTAIN A MARRIAGE LICENSE,

TO BE ANNEXED TO THE LICENSE, REQUIRED BY SECTION 2226 OF THE CODE OF VIRGINIA, AS AMENDED BY ACT OF FEBRUARY 3, 1900.

Time of Marriage, <i>May 5, 1897-</i>	Place of Husband's Birth, <i>Henderson N. C.</i>
Place of Marriage, <i>Southampton Co.</i>	Place of Wife's Birth, <i>Southampton Co.</i>
Full Names of Parties Married, <i>E. P. Jenkins</i>	Place of Husband's Residence, <i>" "</i>
<i>Louisa D. Reynolds</i>	Place of Wife's Residence, <i>" "</i>
Color, <i>W. C.</i>	Names of Husband's Parents, <i>Palmer & Rebecca</i>
Age of Husband, <i>38 years</i>	<i>Jenkins</i>
Age of Wife, <i>34</i>	Names of Wife's Parents, <i>Madison & Jane</i>
Condition of Husband (widowed or single or divorced) <i>single</i>	<i>Reynolds</i>
Condition of Wife (widowed or single or divorced) <i>widowed</i>	Occupation of Husband, <i>Plk. Smith</i>

Given under my hand this 3rd day of May- 1897-
C. F. McLennore Clerk.

Certificate of Time and Place of Marriage.

P. H. Diggs, a Minister of the Gospel Church, as religious officer of that name, do certify that on the *5th* day of *May* 1897, at *Residence of Madison & Jane Reynolds*, under authority of the above License, I united in Marriage the persons named and described therein.

Given under my hand this *5th* day of *May* 1897-

P. H. Diggs

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. Date - *C. F. McLennore* Clerk
By - *Paula H. Polson* D.C.

Commissioners for 1890

Commissioner in Charge.

Joseph S. Prince

Given under my hand this 18th day of May, 1907.

mentioned.

time and place, and for the purpose in the caption hereto were duly taken, sworn to and subscribed before me, at the foregoing depositions of W. H. Bullin, Jesse Parker and W. M. Bell of Southampton, in the state of Virginia, do certify that the of the Circuit Court of the Circuit Court for the county

I, Joseph S. Prince, a Commissioner in Charge

Southampton County, Virginia.

Virginia.

W. M. Bell

Jenkins, { Depositions.
v.
Jenkins,

1907 - May 18th & 19th
at McDermore's

and whether this deposition is or is not.

the same thing to each question.

Their answers are all correct and I would answer to each-

so state.

in and per se, you differ from them in their answers, please

state, please state whether or not you consent thereto, and if

you have heard the depositions of W. H. Bullin and Jesse Parker

deposits.

W. M. Bell, of Southampton County, Virginia work, I know the

know the depositions to this end.

state your name, age, residence, occupation, and do you

Witness W. M. Bell being duly sworn, deposes as follows:-

The depositions of W.M. Ruffin and others, taken before me, Joseph B. Prince, a commissioner in chancery of the Circuit Court for the county of Southampton, pursuant to notice hereto attached, at the office of said Joseph B. Prince, commissioner, on the 16th day of May, 1907, between the hours of and , to be read as evidence in behalf of Louisa L. Jenkins in a certain suit in chancery now depending and undetermined in the Circuit Court for the county of Southampton, wherein Louisa L. Jenkins is plaintiff and E.P. Jenkins is defendant. Present, W.J. Sebrell, Attorney for the plaintiff.

Q. Did you know the parties, that is, Louisa L. Jenkins and E.P. Jenkins?
A. Yes, I know them. I lived within three or four hundred yards of the parties to this suit.

A. W.M. Ruffin, 30, Southampton county, Courtland, Va., Minister of the Gospel, I know the parties.

Q. Please state whether or not Louisa L. Jenkins has been a resident of this state for more than one year &, before the institution of this suit?
A. She has been a resident of this state for the past several years.

Q. Do you know where the defendant E.P. Jenkins is now residing?
A. Yes, sir. In New York.

Q. Where has the defendant been residing recently, and where at the time of the institution of this suit?
A. In Courtland, Va. He left for New York on the 11th of May, 1907.

Q. Did you know the parties while they lived together as man and wife, and if so did you live near them?
A. Yes, and I lived near them.

Q. Do they now live together as man and wife or have they separated?
A. They have separated.

Q. Which one abandoned the other?
A. E.P. Jenkins, the defendant abandoned her as his wife.

Q. State whether he did so of his own free will and accord, or not?
A. He did so on his own free will and accord.

Q. Do you know when he so abandoned her?
A. Three years ago last February.

Q. Has he ever returned to, or lived with her as man and wife since he so abandoned her last February three years ago?
A. He has not.

Q. Then I understand from you that they have never lived together as man and wife since that time?
A. They have not.

Q. Please state where the parties, plaintiff and defendant, last lived and cohabited together as man and wife?
A. In Courtland, Va. Southampton County.

And further this deponent saith not.

W.M. Ruffin

Witness J.M. Bell being duly sworn, deposes as follows:-

Q. State your name, age, residence, occupation, and do you know the parties to this suit?
Witness Jesse Parker being duly sworn deposes as follows:-

Q. State your name, age, residence, occupation, and do you know the parties to this suit?
A. Jesse Parker, 50, Southampton county, Courtland, Va., ^{farmer} I know the parties.

Q. Please state whether the plaintiff, Louisa L. Jenkins, has been a resident of this state for more than one year previous to the bringing of this suit?

A. She has been a resident of this state for at least ten years.

Q. Do you know the residence of the defendant E.P. Jenkins, and what was his residence at the time of the bringing of this suit?

A. He lived here and claimed this as his residence until last week when he went away, and I don't know where he is now.

Q. Did you know the parties, that is, Louisa L. Jenkins and E.P. Jenkins while they lived together as man and wife?

A. Yes I knew them. I lived within three or four hundred yards of them.

Q. Do they now live together as man and wife or have they separated?
A. They have separated.

Q. Which one abandoned or deserted the other?
A. E.P. Jenkins left Louisa L. Jenkins.

Q. Please state whether he left her of his own free will and accord, or not?

A. He did so of his own free will and accord. It was all on account of him.

Q. Do you know when he so abandoned her? If so, please state.

A. It has been about four years, but I will say ~~yes~~ it has certainly been over three.

Q. Have they ever lived together as man and wife since that time?

A. No, Sir.

Q. Please state where the parties last lived together as man and wife?

A. In Courtland, Southampton County, Va.

And further this deponent saith not.

Witness
Jesse Parker
Subscribed and sworn to before me this 1st day of May, 1907.
J. M. Bell

Commissioner's fee \$3.00

Witness W.M.Bell being duly sworn, deposes as follows:-

Q. State your name, age, residence, occupation, and do you know the parties to this suit ?

A. W.M.Bell, 35, Southampton County, public work, I know the parties ?

Q. You have heard the depositions of W.M.Ruffin and Jesse Parker fully, please state whether or not you concur therein, and if in any particular you differ from them in their answers, please so state ?

A. Their answers are all correct and I would answer to exactly the same thing to each question.

And further this deponent saith not.

W.M. Bell.

Virginia,

Southampton County, to-wit:-

I, Joseph B. Prince, a commissioner in chancery of the Circuit Court ~~of the Circuit Court~~ for the county of Southampton, in the state of Virginia do certify that the foregoing depositions of W.M.Ruffin, Jesse Parker and W.M.Bell were duly taken, sworn to and subscribed before me, at the time and place, and for the purpose in the caption hereto mentioned.

Given under my hand this 16th day of May, 1907.

Joseph B. Prince
Commissioner in Chancery.

Commissioners fee \$3.00

-1907-
Jenkins, Louis L.
v. Σ Dierce.
Jenkins, E. P.

May 20 1907,

Enter this
Robert C. Hunt

Entered
P. 333.

W. D. Seabell, p. g.

Louisa L. Jenkins, }
vs. } Decree.
E. P. Jenkins } 3

This day this cause came on to be heard on the bill of Complaint, exhibits therewith filed, and the depositions of witnesses, the defendant, upon whom 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 doeth adjudge, order, and decree that the marriage heretofore had and solemnized between the plaintiff, Louisa L. Jenkins, and the defendant, E. P. Jenkins, be and the same is hereby dissolved and annulled, and that the said Louisa L. Jenkins be forever divorced a vinculo matrimonii from the said E. P. Jenkins.

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

Jenkin

W. Spaulding

Jenkin

1907-1st May Rules

Executed May 4-
1907 by delivering
a copy of the
within summons
to the within
named defendant
E. P. Jenkin

Geo Bryant Deputy
J. S. Gillette shff

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:
WE COMMAND YOU TO SUMMON *E. P. Jamieson*

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 *May* 19*07*
~~next~~, to answer a Bill in Chancery exhibited against *Jamieson*
in our said Court by *Louisa L. Jamieson*

And this *he* 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
30 day of *April*, 190*7*, in the *31* year of the Commonwealth.

Teste:

B. F. McLeMORE, C. C.

Jenkins & Jenkins

Sum 25 - Corp 10 - Atty 10 - Rent 18	.56
Doct 18 - Rules 1.00	1.18
Index returns - 35 - filing bill 15	1.50
Filing Ex 15 - filing dep 15	1.20
Copy Exhibit 25	1.25
Deer 36 - Tax Court 40	1.76
Filing away papers 25	1.20
Paid - B F McManis Bill	3.80
Shff	1.50
Law	16.50
J B Parried, Comm	3.50