

1907-17

Saunder County Chancery - Ottomar, J. L. vs Ottomar, Mary L. (Hurdley)

Reince

Pittman, J. L.

vs. $\frac{1}{2}$ Bill & Exhibit.

Pittman, Mary L.

1907-1 Jan. Recs. filed.

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

In Chancery:

Humbly complaining sheweth unto Your Honor your complainant, J. L. Pittman, that both he and the defendant are now, and for more than one year next preceding the institution of this suit, have been residents of the state of Virginia; that, on the 8th day of January, 1879, your complainant was legally married to the defendant, Mary L. Pittman, (who was Huddy), 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 marriage, your complainant and the said defendant lived together as man and wife, until on or about the 15th day of April 1901, — more than five years ago —, when the said defendant willfully deserted and abandoned your complainant, and has ^{continued,} ever since, and still does continue, in such desertion and abandonment of your complainant, your complainant and the said defendant never having co-habited or enjoyed the relations of husband and wife since said defendant willfully deserted and abandoned your

complainant in April 1901 as aforesaid;
that your complainant and the defendant
last lived and co-habited together as man
and wife in the County of Southampton,
and that the defendant now lives in said County;
that the said defendant having thus will-
fully deserted and abandoned your com-
plainant for more than three years
before the institution of this suit, your
complainant is advised that, under the
law of Virginia, he is entitled to a
divorce a vinculo matrimonii from the
said defendant;

In tender consideration whereof, and
inasmuch as your complainant is
remediless save in a Court of Equity,
your complainant prays that the said
Mary L. Pittman 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 and entered; 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. Webb, p.g. { Jas. L. Xth Pittman
mark

Virginia

~~Southampton County, to-wit:~~
~~I, [Signature],~~ a Commissioner
in Chancery for the Circuit Court of said
County and State, do hereby certify that J.L.
Pittman, whose name is signed to the foregoing
bill in Chancery, has personally appeared
before me in my said County, and made oath
that the allegations therein contained, so far
as made of his own knowledge, are true,
and so far as made upon information de-
rived from others, he believes to be true.

Given under my hand this 8 day of January 1907.

~~[Signature]~~
[Signature] in Chancery.

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,

J. L. Pitman

and

Mary L. Handley

Given under my hand, as Clerk of the County Court of Southampton County this 8th day of January 1879

L. R. Edwards 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,

Place of Marriage,

Full Names of Parties Married,

Color,

Age of Husband,

Age of Wife,

Condition of Husband (widowed or single or divorced)

Condition of Wife (widowed or single or divorced)

Place of Husband's Birth,

Place of Wife's Birth,

Place of Husband's Residence,

Place of Wife's Residence,

Names of Husband's Parents,

Names of Wife's Parents,

Occupation of Husband,

Given under my hand this 8th day of January 1879
L. R. Edwards Clerk.

Certificate of Time and Place of Marriage.

I, Richard H. Jones, of the Church, or religious order of that name, do certify that on the 8th day of January 1879, at _____, under authority of the above License, I united in Marriage the persons named and described therein.

Given under my hand this 8th day of January 1879.

Rich^d H. Jones P. E. & C.

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.

Copy. Test: B. J. McLeod & Co.

Pittman v. Pittman

Sum: 25. Dep 13. Ret: 10. Atty 10

Dock 18 Rules 1.00, Filing return

35. filing bill 15. filing Ex 15. Copy

.80

.50

.50

Ex: 50. Filing Depositions 15.

Deared 36. Copy 36. lay Costs 40

Filing away papers 25.

Let K. 4.15

Stiff. 1.80

Laurel 16.50

Commit: J. B. Farnum 4.00

Witnesses: R. L. Hancock 1.50

A. A. Bryant 1.50

W. H. Laine 1.50

G. O. Laine .50

\$ 28.45

Pillman
or } Stat: Rules
Pillman

J. L. Pittman -
(5) } Stat: Rules
Mary L. Pittman }

1907- Jan'y 3^d Process issued to 1st Jan'y Rules

" 1st Jan'y Rules: Process returned Executed.

Bill + Exhibit filed.

Decree nisi.

1907. 2nd Jan'y Rules: Bill taken for Confessed.
and Cause set for hearing

Depositions for Plaintiff

Pittman

vs.

Pittman

JOSEPH B. PRINCE
Courtland, Va.

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON *Tom Janyer, Guy Laine,*
Henry Laine & Robt L. Hancock

Just B Prince, Commissioner in Chancery office of
to appear before ~~the Judge~~ of our Circuit Court of Southampton County, at the ~~Courthouse~~
Just B Prince, Court land, Va,
~~thereof~~ on the *18th* day of *January*, 190*7*, to testify and the truth
to speak on behalf of *Jas L. Pitmon*

in a certain matter of controversy in our said Court depending and undetermined between
Jas. L. Pitmon plaintiff....., and
Mary L. Pitmon defendant.....

And this ~~they~~ shall in nowise omit, under penalty of the law. And have then there this writ.

Jas. B. Prince, Commr. in Chy
Witness, ~~R. E. McLEMORE, Clerk~~ of our said Court, at the Courthouse, this

2nd day of *Jan.*, 190*7*, in the 13*2* year of the Commonwealth.

Teste:

Jas B Prince Commr in Chy.

Pittman, J. L.

vs.

} Notice.

Pittman, Mary L.

Executed Jan 4 -
1967.

J. L. Gillette shff

To Mary L. Pittman

You are hereby notified, that on the...12th.....day of...January..., in the year 1907 at the office of Joseph B. Prince —, in the town of Courtland, Southampton county, Va., between the hours of...8...a. m. and...8...p. m. of that day, I shall proceed to take the deposition of...Tom Joyner, Guy Laine — and others, to be read as evidence in my behalf in a certain...suit...in Chancery.....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,

J. L. Pittman,
By Counsel.

Present:-

W.J.Sebrall,
atty. for
plaintiff.

The depositions of G.C.Laine, Robert L.Hancock 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 annexed, atthe office of Joseph B.Prince
in Courtland, Va., on the 12th day of January, 1907, between

the hourse of 8 a.m. and 8 p.m. to be read as evidence in
behalf of J.L.Pittman in a certain suit in equity depehding
in the Circuit Court of Southampton county wherein J.L.Pittman
is plaintiff, and Mary L.Pittman is defendant.
Witness Robert L. Hancock, being duly sworn, deposes as
follows:-

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

A. Robert L. Hancock, 46, Southampton County, farmer, I know
the parties.

Q. Did you know them when they lived together as husband and
wife ?

A... I did.

Q. Do they now live together as man and wife or have they separad-
ed ?

A. They have separated.

Q. How long has it been since they separated ?

A About five years ago last April.

Q... Have they ever lived together as man and wife, or cohabited
since they separated ?

A. No, sir.

Q. Which one left the other, or abandoned the other, and was such
abandonement or desertion of such parties own accord or
volition ?

A. The defendant abandoned the plaintiff. I know of no reason
which caused her to leave him, and she must, therefore,
have left him of her own will and accord.

Q. Do you know whether the parties, plaintiff and defendant,
have lived in this state for one year or more next preceeding
the institution of this suit ?

A. They have been living in this state over twelve months.

Q... Where did they last live together as man and wife ?

A... In Southampton County, Va.

Q... Where does the defendant now reside ?

A... In Southampton County.

And further this deponent saith not.

R L Hancock

The witness A. A. Bryant being duly sworn deposes as follows

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

Ans. A. A. Bryant, 48 years old, Saint Hampton County, farmer, I know the parties.

Question. Did you know them when they lived together as man and wife?

Ans. Yes - I waited on them when they were married -

Quest. Do they now live together as man and wife, or have they separated.

Ans. - No, she left him about five years ago, I know it has been more than three, and went to live at her mother's.

Question. State whether she willfully abandoned and deserted him at the time above stated or not?

Ans. She did -

Quest. Have they ever lived together or cohabited as man and wife since she abandoned him about five years ago -

Ans. No, they have not.

And further this deponent says the not

A. A. Bryant
marks

Witness W.H.Lane, being duly sworn deposes as follows:-

- Q. State your name, age, residence, occupation, and do you know the parties to this suit?
A... W.H.Lane, 37, Southampton County, farmer, I know the parties.
- Q. Did you know them when they lived together as man and wife?
A... I did, and have known them ever since.
- Q. Do they now live together as man and wife or have they separated?
A. They have separated.
- Q. How long has it been since they separated?
A. About five years ago last April.
- Q. Have they ever lived together or cohabited as man and wife since their separation?
A. They have not.
- Q. Which one left or abandoned the other, and was such abandonment of the party's own will and accord?
A. She left him, and I know of no reason to cause her to do so, and, therefore, it must have been of her own will and accord.
- Q... Do you know whether or not the parties, plaintiff and defendant have lived in this state for one year or more next preceding the institution of this suit?
A. They have.
- Q. Where did they last live together as man and wife?
A. In Southampton County.
- Q. Where does the defendant now live?
A. Southampton County.

And further this deponent saith not.

7
7

W H Lane

The further taking of these depositions is continued until
Monday morning at eight o'clock a.m.

Joel B. Prince Commissioner in
Chancery.

The taking of these depositions is resumed, January 14th, 1907.

Joel B. Prince
Commissioner in chancery.

The witness G.C.Laine being duly sworn, deposes as follows:-

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

AA .. G.C.Laine, 23, Southampton County, farmer, I know the parties

Q.... Did you know them when they lived together as man and wife ?

A.. I did.

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

A. They have separated.

Q. How long has it been since they separated ?

A.. Five or six years, certainly not less than five.

Q... Have they ever lived together or cohabited as man and wife since the time they separated ?

A.. they have not.

Q... which one left or abandoned the other ?

A... she left him.

Q.... Was such abandonment and desertion on her part of her own will and accord, and was it wilfull on her part ?

A. It was.

Q.. Do you know whether or not the parties plaintiff and defendant have lived in this state for one year or more next preceeding the bringing of this suit ?

A. Both have.

Q. Where did they last live together as man and wife?

A... In Southampton County.

And further this deponent saith not.

G C Laine

Virginia,

County of Southampton, to-wit:-

I, Joseph B. Prince, a commissioner in chancery of the Circuit Court for the county aforesaid, in the state of the foregoing depositions of Virginia, do certify that, R.L.Hancock, W.H.Laine, A.A.Bryant, and G.C.Laine, ~~whose names~~ were duly taken, sworn to and subscribed before me at the times and place, and for the purposes in the caption hereto mentioned.

Given under my hand this 14th day of January, 1907,

Joseph B. Prince
Commissioner in Chancery.

Commissioner's fee \$4.00

Witnesses:-

R.L.Hancock	.50
A.A.Bryant	.50
W.H.Laine	50
G.C.Laine	50.

\$6.00

Pittman

vs. Kpa in Plea

Pittman

1907, 1st Jan Rule

~~Executed Jan 4-1907~~

~~J. S. Gillette sff~~

Executed Jan 4-1907
by delivering a true
Copy of the within
Summan to Mary

L. Pittman in Person

J. S. Gillette sff

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON *Mary C. Pittman*

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 *Jan.* 1907
1st to answer a Bill in Chancery exhibited against *her*
in our said Court by *J. C. Pittman*

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
3rd day of *Jan.* 1907, in the *31st* year of the Commonwealth.

Teste :

B. F. McLeMORE, C. C.

✓ Pittman 1907
vs. $\frac{1}{2}$ Deere.
Pittman.

Jan'y. 21 1907.

Enter this,
Robert R. Huntis

Entered in
B. O. B. p. 309.

J. L. Pittman, }
vs. } Decree.
Mary L. Pittman }

This day this cause came on to be heard on the bill of the complainant, 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 doth adjudge, order, and decree that the marriage heretofore had and solemnized between the plaintiff, J. L. Pittman, and the defendant, Mary L. Pittman, be, and the same is hereby dissolved and annulled, and that the said J. L. Pittman be forever divorced a vinculo matrimonii from the said Mary L. Pittman.

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