

1902-004 Chancery Causes: Missouri Hubbard vs Frederick (Fred) Hubbard

Jds of Wright County

other SURVIVORS: Rawles,
Hosden, Wells

Missouri & Hubbard

vs. Divorce Bill

Fred. Hubbard

Circuit Court of Lake of
Wright County,
Second Term Rules 1902

Filed February 21st 1902
State of N. Dakota vs.

2d Term 1902
Divorce Bill
1st March 1902
Bill filed, do. 1902

1st March 1902
Bill taken for divorce
now over for divorce
Oct. Term 1902
Final Decree

Robt. H. Matheson

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY, VIRGINIA.
~~October~~ Term, 1902.

Missouri Hubbard-----Complainant,
Vs, ~~Divorce a vinculo matrimonii~~,
Fred Hubbard-----Defendant.

This cause came on this day of ~~April 1902~~, to be heard on the bill and exhibits filed therewith, and upon the depositions of witnesses duly taken after legal notice to the Defendant, and was ~~argued~~ by Counsel. And it appearing that process was duly served on the Defendant in person, and that he has filed to *appear and* plead, answer or demur to the bill in this cause, on consideration whereof, the Court doth adjudge, order and decree, that the marriage heretofore had and solemnized between the Defendant Fred Hubbard, and the Plaintiff, Missouri Hubbard, shall be, and the same is, hereby dissolved; and that the said Missouri Hubbard be forever divorced a vinculo matrimonii from the said Fred Hubbard, and the Court doth further adjudge, order and decree, that the said Missouri Hubbard shall keep and retain the possession and custody of her minor children, and that Fred Hubbard do pay unto the Complainant her costs expended in the prosecution of this suit.

IN THE CIRCUIT COURT OF THE DISTRICT OF COLUMBIA

Missouri Hubbard

vs.

Fred. Hubbard

Missouri Hubbard

vs.

Fred. Hubbard

FINAL DECREE.

Enter this 24 day of Oct. 1902

Robert R. Harris

Entered in Chy. Order Book

No. 6 page 269.

NOTICE TO TAKE DEPOSITIONS.

To Fred Hubbard,
Isle of Wight County, Va.,

Take notice, that on Thursday, February, 20th., 1902, at the office of Robt. W. Withers, in the Town of Suffolk, between the hours of 9 o'clock A.M. and 6 o'clock P.M., of that day, I shall proceed to take the depositions of Robt. E. Hodsdon, Walter Wills, Willie Wells, and such others as may be present at that time, to be read in evidence in my behalf in the suit in equity depending in the Circuit Court of Isle of Wight County, in which I am Complainant and you are defendant; and if from any cause the taking of the said depositions be not commenced on that day, or if commenced, if they be not concluded on that day, the taking of the said depositions will be adjourned and continued from time to time at the same place and between the same hours until they are completed.

Respectfully,

Missouri Hubbard
by counsel

Missouri Hubbard
vs { Notice
Fred Hubbard

Executed on the
Venture Feb 14th
1802

Ps. A. Edwards
Att

Filed at St. Louis, Mo., 1802

NOTICE TO THE CREDITORS

The depositions of Olivia Rawles, R.B. Hodsden, Willie Wells taken before me, J. Walter Hosier, a Notary Public for the county aforesaid in the state of Virginia, pursuant to notice hereto annexed at the office of Robt W. Withers in the town of Suffolk on the 20th of February, 1902 between the hours of 9 A.M. and 6 P.M., to be read in evidence on behalf of the complaint in a certain suit pending in the Circuit Court of Isles of Wight County, wherein Missouri Hubbard is complaintant and Fred Hubbard is defendant.

The witnesses being duly sworn, depose and say as follows:

OLIVIA RAWLES, sworn.

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

A Olivia Rawles, 15, Nansemond County, and I know the parties to this suit

Q What relation are you to the complaintant?

A She is my mother.

Q Is Fred Hubbard your father?

A His my ~~father in law~~ stepfather.

Q Do you remember when your mother married the defendant?

A I do not remember it.

Q Have they been living together since you can remember? up to about five years ago as man and wife?

A Yes.

Q Do your mother and your stepfather now live together?

A No.

Q If not, why not?

A I don't know.

Q Did Fred Hubbard leave his wife?

A Yes.

Q Do you know about when this was?

A No.

Q Has it been as long ago as three years

A Yes.

Q To your knowledge, did his wife give him any cause for leaving her?

A No.

Q Where was your mother living when he left her.

A On Mr Walter Wills farm.

Q Since that time have you lived constantly with your mother?

A Yes.

Q Since he abandoned her, about three years ago, has he returned to her.

A No.

Q For the last three years, state to what extent, if any, he has supported her and her children?

A None whatever.

Q How many children did he have by your mother?

A Six.

Q How many are living?

A Three.

Q Where is the defendant now living?

A In Isles of Wight County.

Q Has he ever offered to return to your mother?

A No.

Q Have they communicated?

A No.

Q Who has supported your mother and these children since Dec, 1898?

A Me and my brothers, with her assistance.

Q Did your mother leave him before he left her?

A No.

Q Have you ever heard of his reason for leaving her?

A No, never have.

Witness:

J. Walter Hosier

and further the deposed with me
Olivia Rawles
my

R.B.Hodsden, sworn

- Q\$1 What is your name, age residence, occupation and do you know the parties to this suit?
- A R.B.Hodsden, 54, Nansemond County Va, farmer, and I know the parties to this suit.
- Q For how long have you known the parties to this suit?
- A I have known the woman ever since she was a girl, and the man for eight or ten years.
- Q Was the defendant married to the complaintant when you first knew him.
- A Yes.
- Q Do you know the circumstances of their marriage?
- A No.
- Q Do they now live as man and wife?
- A Not to my knowledge.
- Q For about how long have they been living apart?
- A About three years or more.
- Q State where the husband went from their former home?
- A He came to my house.
- Q They were living at that time, on whose land?
- A I think it was on Will's land.
- Q Where does the woman now live?
- A On my land
- Q And the man?
- A In Isles of Wight County.
- Q How long has she lived on your land?
- A About three years or more
- Q During this time has her husband cohabited with her?
- A They have not, lived together as man and wife.
- Q To what extent, if any, has her husband contributed to her support in the last three years, to your knowledge
- A I don't know of any.
- Q To your knowledge, did the woman give him any just cause for deserting her?
- A I don't know.
- Q Since living with you what has been her general reputation as to morality, industry &c:
- A I know of nothing against her reputation or morality.
- Q Has the defendant in the past three years offered to return, to his wife?
- A Not to my knowledge, but I repeatedly heard him say that he would not.
- And further the deponent saith not.

R.B. Hodsden

Willie Wells, sworn

- Q What is your name, age, residence, occupation and do you know the parties to this suit?
- A Willie Wells, 22, Nansemond County, farmer and I know the parties to this suit.
- Q How long have you been knowing the parties to this suit.
- A About nine years.
- Q Were they married when you first knew them?
- A Yes.
- Q Tell what you know about his deserting her?
- A He left her, several times but the last time he left and never came back. He came back to the same county but not to her. This was about three years ago.
- Q Where does he live now?
- A In Isle of Wight County.
- Q Where does she live?
- A Nansemond County.
- Q Where were they living when he left her?
- A On Mr will's farm.
- Q Did she give him any cause to leave her?
- A None that I know of.
- Q Have you ever heard anything against her?
- A No.
- Q Has he ever offered to return to her?
- A Not that I know of.
- Q What have you heard him say about returning?
- A He said he would not have her again, he did not want her.
- Q Has he supported her and her children for the last three years?
- A Not that I know of.
- Q How many children did the woman have by this husband?
- A Six in all, but only three are living.
- Q Who has supported them and the woman during these three years?
- A Herself and the children.
- Q Did she leave him or did he leave her?
- A He left her.
- Q Have you anything further you wish to say?
- A Nothing.

And further this deponent saith not.

Witness:
J. Walter Hosier
Willie Wells
Wm

I, J. Walter Hosier, a Notary Public for the county of Nansemond in the state of Virginia do hereby certify that the depositions of Olivia Pawles, R.B. Hodsden and Willie Wells were duly taken, sworn to and subscribed before me at the place and time mentioned therein and in the caption thereto pursuant to the annexed notice.

In witness whereof I hereto set my hand this 20th of February, 1902 in the county aforesaid.

J. Walter Hosier
.....
Notary Public.

Time employed, One hour.

fine employed the house.

Koraly Buplio.

In the county storeaid.

In witness whereof, I herewith set my hand this 10th of February, 1892
before me to the signed Justice.

Tore me at the place and time mentioned therein and in the caption of the
B.L. Hodgeson and Willie Wells were duly taken, sworn to and subscribed be-
fore of Virginia do hereby certify that the qualifications of this Justice
T.L. Walter Justice's Koraly Buplio for the county of Hancock in the

morning.

And further this document shall not.

Q Have you anything further you wish to say?
A I tell her.

Q Did she leave him or did he leave her?
A He left and she followed.

Q Who was supported from and the woman during those last years?
A It is all but only since she leaving.

Q How many children did the woman have by this husband?
A One that I know of.

Q Was he married to a girl or a child for the first time after?
A He said he married her and she said not a girl, he did not want her.

Q What name did he give her?
A Not that I know of.

Q Was he ever married to her?
A No.

Q Was he ever married to a girl or a child?
A No, I know of.

Q Did she have a child?
A Yes, I know of.

Q What was the name of the child?
A I don't know.

Q When was she born?
A I don't know.

Q Where was she born?
A I don't know.

Q What was the name of the child?
A I don't know.

Q Did she have a child?
A Yes, I know of.

Q What was the name of the child?
A I don't know.

Q When was she born?
A I don't know.

Q Where was she born?
A I don't know.

Q What was the name of the child?
A I don't know.

Q Did she have a child?
A Yes, I know of.

Missouri Hubbard

Filed February 24/1902

Wm. H. Young

The Commonwealth of Virginia,

To the Sheriff of the County of Isle of Wight, Greeting:

WE COMMAND YOU that you summon

Fred Hubbard

to appear at the Clerk's office of the *Circuit* Court of the County of *Isle of Wight*
at the rules to be held for the said Court, on the *third* Monday in *February* 1902
to answer a bill in chancery, exhibited against *him* in our said court for

by Missouri Hubbard

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at
the court-house, the *12th* day of *February* 1902, and in the *126*
year of the Commonwealth.

N. F. Young Jr.

Missouri Hubbard

VS.

SUBPOENA
IN
CHANCERY.

Fred Hubbard

✓

Robt W Withers p. 9

To Leon S. Teby, Rules,
Circuit Court.

B33119
Executed on the
within July 14th
1902.

As A. Edwards
Sgt

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY ISLE OF WIGHT CO. TO-WIT
Second Feby. Rules, 1902.

Missouri Hubbard-----Complainant.

vs.

IN CHANCERY.

Fred. Hubbard.-----Defendant.

To the Hon. Robert R. Prentiss, Judge:-

Humbly complaining, your oratrix, Missouri Hubbard, of the
County of Nansemond, sheweth unto your honor, the following facts.

She was married to the defendant on the *sometime in the year*
day of
1886 in the County of Nansemond, in which County she has ever since
made her home and domicile. That up to the time of her husband's de-
sertion herein after mentioned, she had been unto him a dutiful,
faithful and constant wife and endeavored to make his home and life
happy and comfortable. That during her married life to her said
husband she bore unto him three children, to-wit: Charles, now 11
years of age, Sidney, now 9 years of age, and Nicholas, now 5 years of
age, all of whom are now living with her.

Your oratrix charges that sometime in the month of *December*
August
in the year 1898 her said husband wilfully and cruelly abandoned
~~and~~ deserted her and left her with three infant children to support
and rear unaided by him and without means save by her labor produced;
that he deserted her without just cause or excuse; that since his
said abandonment of her, he has not returned to his old home or to
her and that she has not since co-habited with him; that he has not
in any way contributed to her support nor to the support of her said
three children, nor has he visited or communicated with her in any
way, while she, by hard struggles and laborious work has managed to
take care of herself and her ~~three~~ children.

She further charges that she and her said husband last cohabit-
ed in the County of Nansemond, in the State of Virginia; that her

said husband wilfully abandoned and deserted her, without just cause, more than three years last passed before the commencement of this suit; that she believes and so charges that he never intends to live with her as his wife again; that she is and has been for more than ~~xxxxx~~ ten years a resident of the county of Wanssmond in the State of Virginia; and she is informed that her husband is ^{now} ~~now~~ ^{having moved from the County of} a resident of the County of Isle of Wight in said State, ^{Wanssmond.} Under the circumstances she is advised that she is entitled to an absolute divorce from the said defendant, her husband, and she has reached the conclusion that it will be best for her and her children to be absolutely divorced from him.

In tender consideration whereof, and for as much as your oratrix is remediless in the premises save by the aid of a court of equity, where such matters are alone and properly cognizable, to the end therefore that justice may be had, she prays that Fred. Hubbard may be made a party defendant to this bill, and be required to answer the same, but not on oath, the same being hereby waived; that proper process may issue; that all proper depositions may be taken; that your oratrix may be divorced from the said Fred. Hubbard, a vinculo matrimonii; that she may retain the custody of her said three children; and that all such other, further and general relief may be afforded to your oratrix as may be just and right in the premises. And your oratrix will ever pray etc.

Test. H. Withers, p. q.

Virginia,
Wanssmond County, to-wit:-

Missouri Hubbard
Witness:-
J. W. L. L. L.

I, J. W. L. L. L., a Justice of the Peace in and for the County and State aforesaid do certify that Missouri Hubbard whose name is signed to the above bill in chancery, has this day

personally appeared before me in my county and made oath that all the facts stated therein are true to the best of her knowledge and belief. Given under my hand this 20th day of February, 1902.

J. W. L. L. L., J. R.