

1905-013 Chancery Causes: Martha A. Channel vs Richard Channel

Isle of Wight County

other surnames: Chapman,
Holloman, Halleman,
Luster, Goodwin

North & Chace

vs. Du Chaurin

Richard Chace

Bill of Complaint

Filed Jan 18th 1906

2^o Nov. rules 1904 Bill returned
not executed. Court for bill

1st Dec. rules 1905
continued

2^o Dec. rules. Affd. bill order of publication
not executed by law directs

1st Jan. rules 1905
contd

2^o Jan. rules 1905 Bill filed and coal
set for term on order of publication

March term 1906

Final

State of Virginia.

County of Isle of Wight, to-wit:

I, *James S. Davis* a Justice of the Peace for the County aforesaid do certify that Martha Channell, whose name is signed to the foregoing bill, this day personally appeared before me in my County aforesaid and made oath that the said state ment contained in the said bill are true.

Given under my hand this *17* day of January, 1905.

James S. Davis J.P.

TO THE HONORABLE ROBERT H. PRENTISS JUDGE OF THE CIRCUIT COURT OF
ISLE OF WIGHT COUNTY, VIRGINIA.

Martha Channell, -----Plaintiff.

vs. In Chancery.

Richard Channell. -----Defendants.

Humbly Complaining sheweth to the Court your Complainant, Martha
A Channell, wife of Richard Channell, the following case.

That on the ^{4th} day of *Nov.* 1880, your Complainant was
married to the said Richard Channell and was a constant and dutiful wife.
A certified copy of your Complainants marriage license, with certificate
of the Minister, performing the Ceremony, is herewith filed marked exhibit
"A" and prayed to be read as a part of this bill.

That your Complainants husband, on Jan. 10th. 1900, without cause,
willfully deserted and abandoned your Complainant, without making the
least provisions for her support and maintenance. That such willful deser-
tion and abandonment has continued and is existing at the time of the in-
stitution of this suit.

That your Complainant has been a resident of Isle of Wight County in
the State of Virginia, for more than one year preceding the commencement
of this suit, and in fact since the marriage of your Complainant.

In tender consideration whereof and for as much as your Complainant
is without remedy at law, and can be relieved only by the aid of this
Honorable Court of Equity, where matters of this sort are alone and proper-
ly cognizable, to the end that Justice may be done in the premises, your
Complainant prays ~~that the said Richard~~ that the said Richard Channell may
be made a party defendant to this bill and be required to answer the same
on oath; that all proper process may be issued; that a divorce a vinculo
matrimonii be granted your Complainant from her said husband; and that
such other, further and general relief may be afforded your Complainant
as the nature of her case may require or to equity may seem best.

And your Complainant will ever pray, etc.

Witness
John X good man

Martha A Channell
her
Martha X A Channell
her

Martha A. Chammell

vs.

}

SUBPOENA
IN
CHANCERY.

Richard Chammell

E. H. Williams p. 9

To 2 November Rules,
Vincent Court.

1904

B 33119

The within named
Richard Chammell
not to be found in
my business

R. K. Curtis
Sheriff

No such man
had been with Robinson

The Commonwealth of Virginia,

Elizabeth City

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

WE COMMAND YOU that you summon *Richard Chammell*

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 *30th* Monday in *November* 1904,
to answer a bill in chancery, exhibited against *him* in our said court for
by *Martha A. Chammell*

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at
the court-house, the *11th* day of *November* 1904, and in the 129
year of the Commonwealth.

N. F. Young clerk

The Commonwealth of Virginia,

Elizabeth City

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

We COMMAND YOU that you summon *Richard Channell*

to appear at the Clerk's office of the *Quorum* Court of the *County* of *Isle of Wight*
at the rules to be held for the said Court, on the *3rd* Monday in *November* 1904,
to answer a bill in chancery, exhibited against *him* in our said court ~~for~~
by Martha A. Channell

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at
the court-house, the *11th* day of *November* 1904, and in the 129
year of the Commonwealth.

N. F. Young Clerk

a copy Test N. F. Young clerk

Clerk's Office
Isle of Wight County, Virginia.
N. F. YOUNG, Clerk.

To
N. F. Young
Clerk of the Circuit Court of Isle of Wight County

Marta Hamrell
vs. } Plaintiff Respondents
Richard Hamrell

Received and filed February 28th 1905
Jas. S. D. Young, Clerk

Willie A. Luster a witness of lawful age being sworn deposes and says as follows.

Ques State your name, age, residence and occupation.
Ans Willie A. Luster, 22 years old, live in Dist of West County, cooking & washing.
Ques Do you know Martha Chamell & Richard Chamell, and if so how long have you known them.
Ans I have been knowing them all my life, they are my mother and father.

Ques Do you know that your father deserted your mother and if so state the time.

Ans He deserted her in the year 1900 some time in June. about the tenth

Ques Have they ever lived together since that time

Ans No sir, I have never seen him since that time

Ques Did you live with your mother all the time

Ans Yes and live with her now.

Ques Do you know where your father is living now

Ans. I do not

and further this deponent says not

Willie A. Luster

Virginia

I N. J. Hanna a commissioner in chancery for the circuit court of Dist of West County in the State of Virginia do hereby certify that the foregoing depositions of Mollie Chapman, Belle A. Holliman and Willie A. Luster, were duly taken subscribed and sworn to before me at the time and place and for the purpose in the caption mentioned

Given under my hand this 28th day of Feb. 1905

N. J. Hanna
Comm-in-Chancery

Ans Yes ever since I was a child
 Ques Did you live near them while they lived together as man and wife
 Ans I lived very near them, and part of the time I lived with them.
 Ques Was Martha Channell a faithful wife to Richard Channell
 Ans She certainly was
 Ques Did she perform all the duties of a good wife so far as you know
 Ans Yes sir she was a good wife
 Ques How did Richard Channell treat his wife Martha
 Ans He treated her very badly, he did not provide for his wife as he should have done, nor for his children either. Martha had to take care of the children?
 Ques Can you say of your own knowledge that Richard Channell deserted Martha Channell, and if so state about what time
 Ans He certainly deserted her about the 10th of January 1900.
 Ques Have there parties Martha Channell & Richard Channell ever lived together as man and wife since Richard deserted Martha
 Ans No sir, I have never seen him since that time.
 Ques What is Martha's reputation in your neighborhood
 Ans She is a hard working, honest woman, and liked by all the neighbors.
 Ques Do you know where Richard Channell is living at this time
 Ans I do not.

and further this deponent saith not
 Witness
 J. D. Hanna
 Celia ^{his} ~~the~~ Halloran
 Court

Ans Yes he deserted her in the year 1900, about the 10th of January.

Ques Do you know whether or not Martha Channell was a faithful wife to Richard Channell

Ans Yes Sir she was.

Ques Did he treat his said wife kindly

Ans No he did. he treated us bad as he could, he beat her and he would not help to take care of his own children, she had to support them alone

Ques State the circumstances under which he deserted her.

Ans The night before he left he was drunk, and he beat her and left for Smithfield the next morning and to my knowledge has not been to her house since

Ques Do you know where he is now living

Ans I don't know.

Ques Do you know whether the said parties ever cohabited since the said husband deserted his wife

Ans No that they have not further this deponent saith not

Witness
W. D. Hanna

Walter ^{her} Chapman
not

Leelia A. Hallerman a witness of lawful age having been sworn deposes as follows.

Ques State your name age, residence & occupation

Leelia A. Hallerman 29 years old, live in Idaho of Wright County, washing & cooking

Ques Do you know Martha Channell and Richard Channell the parties to this suit?

The deposition of Mallie Chapman, Betia A. Hallman and Millie A. Luster, taken before me, N. F. Young, a commissioner in chancery for the circuit court of Isle of Wight county at the office of the said Commissioner at Isle of Wight Court house on the 28th day of July, 1905 between the hours of 9 am and 4 P.M. to be read as evidence in behalf of Martha Channell in a certain suit in chancery depending in the circuit court of said county where in Martha Channell is plaintiff and Richard Channell is defendant.

Present E. H. Williams attorney for Plaintiff

Mallie Chapman a witness of lawful age having been sworn deposes as follows.

- Ques State your name, age, residence and occupation
Ans Mallie Chapman. 50 years old, reside in Isle of Wight county, cook etc.
- Ques Do you know Martha Channell and Richard Channell the parties to this suit, if so how long have you known them
Ans Yes, I have known them ever since they were children.
- Ques Do you live near Martha Channell & Richard Channell.
Ans I lived about three miles from them during the time they lived as man and wife.
- Ques In what country were they living when they were married and while they lived together, and since that time.
Ans They lived in Isle of Wight county when they were married, and during the time they lived as man and wife, and Martha Channell has lived in this county ever since Richard Channell deserted her.
- Ques Do you know of your own knowledge that Richard Channell deserted his wife Martha Channell, if so state the time as near as you can.

Martha A. Chammell

vs.

{ AFFIDAVIT FOR ORDER
OF
PUBLICATION.

Richard Chammell

E. H. Williams p. q.

In the Clerk's Office of the Circuit Court of the County of
Isle of Wight

Martha A. Whannell

Plaintiff

against

Richard Whannell

Defendant

This day E. H. Williams personally appeared

before me, W. F. Manning Clerk of the said Court,

and being duly sworn, made oath that diligence has been used by or on behalf of the plaintiff to
ascertain in what county or corporation the defendant is, without effect
defendant in the said suit ~~not~~ resident of the State of Virginia,

Given under my hand as Clerk of the said Court, this 13th day of December 1904

W. F. Manning clerk

VIRGINIA—In the Clerk's Office of
the Circuit Court of Isle of Wight
county, in vacation, on the 13th day of
December, 1904.

Martha A. Channell.....Plaintiff.
vs. In Chancery,
Richard Channell.....Defendant.

The object of this suit is to obtain a
decree of divorce a vinculo matrimonii
for the plaintiff against the defendant
and it appearing by affidavit filed that
due diligence has been used by and on
behalf of the plaintiff to ascertain in
what county or corporation the defend-
ant is, without effect, it is ordered that
he appear here within fifteen days after
due publication of this order in the Sul-
folk Herald, a newspaper circulated in
this county, and do what is necessary to
protect his interest in this suit and that
this order be published and posted ac-
cording to law.

N. PEYTON YOUNG, D. C.

E. H. WILLIAMS, p. q.

A Copy—Teste:

N. PEYTON YOUNG, D. C.

Office of The Herald.

Suffolk, Va., Jan 18 1905

*I hereby certify that the order of which the annexed is a
copy has been published in THE SUFFOLK HERALD in the
manner prescribed by law—once a week for four successive weeks.*

commencing Dec. 16/04.
W. Kendrick

Editor Herald.

.....
Martha A. Channell,
Versus- In Chancery.
Richard Channell.
.....

.....
D E C R E E .
.....

To be entered.

March 7th, 1905.

Robert R. Greentis

C.O.B. No. 6, page 413

and defendant, Richard Channell, hereby do, and the same do, hereby
and defendant between the said plaintiff, Martha A. Channell, and the
Court doth adjudge, order and decree, that the marriage heretofore had
been having elapsed since the said separation and abandonment, the
consent and abandonment the plaintiff, and a period of more than three
years the evidence furnished in this cause, that the defendant willfully
On consideration whereof, the Court being of the opinion,
was agreed by counsel.

the defendant still failing to appear, plead, answer or answer, and
plaintiff's bill, with exhibits filed, and the deposition of witnesses,
is now prescribed by law, case on this day to be heard on the Com-
This cause, which has been regularly returned at Dallas in

Richard Channell.....Defendant.
Martha A. Channell.....Plaintiff.

IN THE CIRCUIT COURT OF THE STATE OF TEXAS COUNTY:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY:

Martha A. Channell.....Plaintiff.

versus) In Chancery.

Richard Channell.....Defendant.

This cause, which has been regularly matured ~~at Rules~~ in ^{as to absent defendants,} the mode prescribed by law, came on this day to be heard on the Complainant's bill, with exhibits filed, and the depositions of witnesses, the defendant still failing to appear, plead, answer or demur, and was argued by counsel.

On consideration whereof, the Court being of the opinion, from the evidence furnished in this cause, that the defendant wilfully deserted and abandoned the plaintiff, and a period of more than three years having elapsed since the said desertion and abandonment, the Court doth adjudge, order and decree, that the marriage heretofore had and solemnized between the said plaintiff, Martha A. Channell, and the said defendant, Richard Channell, shall be, and the same is, hereby dissolved; and that the said complainant, Martha A. Channell, be divorced a vinculo matrimonii from the said Richard Channell.

And the Court doth further adjudge, order and decree that the said defendant do pay unto the said plaintiff ~~his~~ costs expended in the prosecution of this suit.

U. S. No. _____

Richard Channell

To Messrs. Messrs.

Martha A. Goodwin

Received of _____

for

MARRIAGE LICENSE



Virginia, Isle of High Court, 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,

Richard Chamwell, Jr.
and Martha Ann Godwin

Given under my hand, as Clerk of the County, Court of said County this 3rd day of November 1880

N. P. Young 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, November 4 th 1880	Place of Husband's Birth, Isle of High Co.
Place of Marriage, Isle of High County	Place of Wife's Birth, Same
Full Names of Parties Married, Richard Chamwell Jr. and Martha Ann Godwin	Place of Husband's Residence, Same
Color, Colored	Place of Wife's Residence, Same
Age of Husband, 21 years 5 months	Names of Husband's Parents, Richard and Elizabeth Chamwell
Age of Wife, 15 years 11 months	Names of Wife's Parents, Beabird and Mary Godwin
Condition of Husband (widowed or single or divorced), Single	Occupation of Husband, Laborer
Condition of Wife (widowed or single or divorced), Single	

Given under my hand this 3rd day of November 1880
N. P. Young Clerk.

Ministers return of Marriage.

I, certify, that on the 4th. day of November 1880, at Robinson Crusoe in Smithfield I united in marriage the above-named and described parties, under authority of the annexed License?

Robinson Crusoe.

A Copy, TESTE: N. P. Young

C. C.