

1920-026 Chancery Causes Octavia Ward vs Alonza Ward

316

Isle of Wight County

other surnames: Randolph,
Rarden,

IN THE CIRCUIT COURT
FOR THE COUNTY OF
ISLE OF WIGHT, VIRGINIA.

OCTAVIA WARD.

v. { *Cy No. 316*

ALONZA WARD.

BILL FOR DIVORCE.

*Second January Rules 1910
Set down for hearing
upon completion & execution
of order Publication*

C. F. WHITLEY
ATTORNEY AT LAW
PHOEBUS, VA.

and other general relief as the nature of her cause may require,
or to equity shall ~~shall~~ seem meet.

And your complainant will ever pray.

Octavia Ward.

By Counsel

C. J. Whitley. P. q

IN THE CIRCUIT COURT FOR THE COUNTY OF ISLE OF WIGHT,
VIRGINIA.

OCTAVIA WARD, ...PLAINTIFF

VS) IN CHANCERY

ALONZA WARD, ...DEFENDANT

-----oOo-----

Your complainant, Octavia Ward, respectfully represents that on the day of , , she was married to the said defendant, Alonza Ward, in the County of Isle of Wight, State of Virginia, as will appear by the copy of the marriage license herewith filed, marked "Exhibit A and made a part of this bill; and,

That your complainant was a constant, dutiful and faithful wife to the said defendant; and,

That the said defendant lived with the said plaintiff from , , until during the month of *September, 1905*, and then willfully deserted and abandoned your complainant, and such desertion and abandonment has continued for a period of more than three (3) years, prior to the institution of this suit; that is, to say, that the said defendant in the month of *September* , in the year *1905* , without any justification, deserted and abandoned your complainant and has never returned, and such desertion and abandonment has continued from that time until now; and,

That your complainant has resided in the County of Isle of Wight, Virginia, all of her life, and that she last cohabited with the said defendant in the said County.

In tender consideration whereof and forasmuch as your complainant is remediless, save in a court of equity, she prays that the said Alonza Ward may be made a party defendant to this bill and be requested to answer the same; that proper process may be issued; that a divorce from the bonds of matrimony may be decreed to your complainant, and that your complainant may have all such further

STATE OF VIRGINIA,

COUNTY OF ISLE OF WIGHT, TO-WIT:

I, George F. Whitley, a Commissioner in Chancery for the Circuit Court of the County of Isle of Wight in the State of Virginia, do hereby certify that the foregoing depositions were duly taken, reduced to writing and signed by the witnesses, respectively, before me at the place and time therein mentioned.

In Witness whereof I have hereunto set my hand this 1st/4 day of May, 1920.

George F. Whitley
Commissioner in Chancery

Robert Darden being duly sworn deposes and saith as follows:

Q. Please state your name, age, occupation and residence.

A. Robert Darden, 54, farmer, Isle of Wight County.

Q. Do you know Octavius Ward and Alonza Ward, if so how long have you known them?

A. I have ~~known~~ knowing them both since they were children.

Q. Were they ever married, if so when?

A. They were, been married some twenty five or thirty years.

Q. Do they live together as man and wife now?

A. No sir.

Q. How long did they live together as man and wife?

A. I think about five years, he left her some 20 years ago

Q. Has he been back to live with her since?

A. No sir.

Where were they married?

A. In Isle of Wight County.

Q. Where were they living at the time he left her?

A. Living at Longview.

Q. Where has Octavius Ward been living for the last two years?

A. She has been living in Isle of Wight County all of her life and has been living here in Smithfield for 8 or 10 years.

Q. Has Alanza Ward and Octavius Ward lived together as man and wife for the last three years?

A. No sir, he hasn't been back to her since he left her.

And further this deponent saith not.

Witness:
Geo. Whitley,

Robert Darden
mark

A. At Longview, right here in this County.

Q. Has Octavius Ward any children, if so how many?

A. Two, Alonza and Minerva.

. And further this deponent saith not.

Witness;
Geo. D. White,

^{has}
Emma D. Dorder
mark

Emma Darden being duly sworn deposes that and saith as follows:

Q. Please state your name, age, occupation and residence.

A. Emma Darden, 45, housewife, Isle of Wight County.

Q. Do you know Octavius Ward and Alonza Ward, if so how long have you known them?

A. Yes sir I have been knowing them for twenty five or thirty years.

Q. Do you know whether or not Alonza Ward and Octavius Ward were ever married, and if so, where and when,?

A. Yes sir they were married some twenty five years or so ago, the best I can remember, they were married right here in Isle of Wight County.

Q. How long did they live together after they were married?

A. Some four or five years.

Q. Are they living together as man and wife now?

A. No sir, he left her some nineteen or twenty years ago. Has been gone so long I don't reckon I would know him if I saw him now.

Q. Where has Octavius Ward been all this time?

A. She has been living right here in Isle of Wight County ever since I have known her. She has been living right here in Smithfield for some seven or eight years, as best I can remember.

Q. Have Octavius Ward and Alonza Ward lived together at any time as man and wife in the last four years?

A. No sir, they haven't lived together since he left her.

Q. Where were they living at the last time they were living together?

Q. What kind of a wife was Octavius Ward?

A. She was a very good and kind wife to her husband,
but he was mean to her.

Q. And further this deponent saith not.

written:
Geo. Whitely

^{her}
Lucy X Randolph
James

Q. If I understand you then, Octavius Ward and Alonza Ward last lived together as man and wife in the County of Isle of Wight?

A. Yes sir.

Q. Where has Octavius Ward been living for the past three years?

A. In Smithfield,

Q. You mean in the County of Isle of Wight?

A. Yes sir.

Q. How long has Octavius Ward been living in the County of Isle of Wight?

A. All of her life.

Q. Where is Alonza Ward?

A. I don't know sir, I haven't seen or heard of him in twenty years, not since he left Octavius.

Q. Where do you now live?

A. I live in Smithfield.

Q. How long have you been living in Smithfield?

A. I have been living here for the last three years.

Q. Do you know whether or not Octavius Ward and Alonza Ward have cohabited as man and wife during the past three years?

A. They have not, I have been living right here in Smithfield and he has not been here.

Q. Have they lived together as man and wife at any time in the last four years?

A. No sir they have not

Q. Who has been taking care of Octavius Ward and the children since ~~xx~~ Alonza left her.

A. She has been taking care of herself with the help of the children, he has not been here to help her out at all.

Lucy Randolph being sworn deposes and saith
as follows:

Q. Please state your name, age, occupation and residence.

A. Lucy Randolph, 38, housewife, Smithfield, Virginia

Q. Do you know Octavius Ward and Alonza Ward? If so
how long have yu known them?

A. Yes sir, I know both of them and have known them for
about thirty years.

Q. Do you know whether or not Octavius Ward and Alonza
Ward were ever married? and if so, where and when?

A. I can not exactly remember the year, but it was
some twenty seven years ago I think and they were mar-
ried by Preacher Reid in the County of Isle of Wight,
near Longview.

Q. ~~And~~ Octavius Ward and Alonza Ward now living to-gether
now as man and wife?

A. No sir.

Q. Why are they not living to-gether as man and wife?

A. Well he was cruel to her and he left her with all of
the children to look after.

Q. How many children did she have at the time he went
away?

A. Two

Q. How long has it been since he left her and went away?

A. Twenty years.

Q. Where were you living at the time he went away?

A.. Longview

Q. Where was Octavius Ward and Alonza Ward living at
the time he went away?

A. At Longview, just across the county road from me.

Q. Where is Longview?

A. It is in Isle of Wight.

IN THE CIRCUIT COURT FOR THE COUNTY OF ISLE OF WIGHT,
VIRGINIA:

Octavius Ward, ...Plaintiff

VS) IN CHANCERY

Alonza Ward, ...Defendant

Depositions of Robert Darden, Emma Darden
and Lucy Randolph taken before me, George F. Whitley,
a Commissioner in Chancery for the County of Isle of
Wight, in the State of Virginia, on the 12th day of
May, 1920, between the hours of nine o'clock A M and
six P M, in my office in the Town of Smithfield, Vir-
ginia, to be read as evidence in the suit in which
Octavius Ward is the plaintiff and Alonza Ward the de-
fendant, pending in the Circuit Court for the County
of Isle of Wight in the State of Virginia

Alonzo Ward

74 Cy. No. 316

Alonzo Ward

Affidavit to
ascertain what
County or Counties
defendant is.

Filed Nov. 24th. 1919.

IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT:

OCTAVIA^a WARD, ...PLAINTIFF

VS) IN CHANCERY

ALONZA WARD, ...DEFENDANT

This day, personally appeared S. A. Whitley before me, George F. Whitley, a Commissioner in Chancery, for the Circuit Court for the County of Isle of Wight, in my County aforesaid, and made oath that due diligence has been used on behalf of Octavia Ward, Plaintiff in the above styled suit, to ascertain in what County or Corporation Alonza Ward, the Defendant in said suit is, without effect.

S. A. Whitley.

State of Virginia,

County of Isle of Wight:

Sworn and subscribed to

before me this 21st₄ day of November, 1919.

G. F. Whitley.
Commissioner in Chancery

Octavia Ward

vs) Chancery. No. 316

Alonza Ward

Rough Order Publication.

Entered Novem. 24th. 1919.

C.O.B. 7, Page 521

VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF THE COUNTY
OF ISLE OF WIGHT NOVEMBER 24TH, 1919.

Octavia Ward

vs) Chancery. No. 516

Alonzo Ward.

The object of the above styled suit is for the said complainant to obtain a divorce a vinculo matrimonii from the said defendant. And, it appearing from an affidavit, filed in the Clerk's Office of the said Circuit Court of the County of Isle of Wight, that diligence has been used by, or on behalf of, the said complainant, to ascertain in what County or corporation the defendant is, without effect, it is, therefore, ordered, that the said Alonzo Ward do appear in the Clerk's Office of said Court, within fifteen days after due publication hereof, and do what is necessary to protect his interest, in this suit.

A copy,

Teste, *A. Johnson* Clerk.

C. F. Whitley, p.q.

A copy hereof was sent to Suffolk Herald for publication, and a copy posted at the front door of the Courthouse this 24th. day of November, 1919.

Teste, *A. Johnson* Clerk.

Clerk's Office of the Circuit Court
of the County of Isle of Wight, No-
vember 24, 1919.

Octavia Ward,

vs. Chancery No. 316.

Alonzo Ward.

The object of the above styled
suit is for the said complainant to
obtain a divorce a vinculo matri-
monii from the sad defendant. And,
it appearing from an affidavit, filed
in the Clerk's Office of the said Cir-
cuit Court of the County of Isle of
Wight, that diligence has been used
by, or on behalf of, the said com-
plainant, to ascertain in what
County or corporation the defend-
ant is, without effort, it is, there-
fore, ordered, that the said Alonzo
Ward do appear in the Clerk's Office
of said Court, within fifteen days
after due publication hereof, and do
what is necessary to protect his in-
terest in this suit.

A copy,

Teste:

A. G. JOHNSON, Clerk.

C. F. WHITLEY, p. q.

N 28 4t

OFFICE OF SUFFOLK HERALD

SUFFOLK, VA.,

April 28th 19*20*

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 weeks.

beginning *Dec 5th - 1919* and ending

Dec 26th 1919

E. L. Leach

Editor Herald

Per

E. A. Morrison

Manager

Oetania Ward

nd Cy 316

Alonzo Ward

Cert printer Or

1920.

May 3.

Enter this
B.D.

C. O. B. 7. Page 544

the same is hereby desolved, and that the said pl-

aintiff be forever divorced from the said defendant:

*into an law-
out and the defendant shall not be permitted to marry again for*

Nothing further remaining to be done in this

cause, it is ordered that this suit be stricken from

the docket.

*it remains from the date
of the ruling hereby.*

Handwritten notes in left margin, including "I have been thinking of you" and "I am very much interested in you".

Handwritten notes in center, including "I am very much interested in you" and "I have been thinking of you".

Handwritten notes in right margin, including "I have been thinking of you" and "I am very much interested in you".

IN THE CIRCUIT COURT FOR THE COUNTY OF ISLE OF WIGHT:

VIRGINIA:

OCTAVIN^a WARD, ... PLAINTIFF

VS) IN CHANCERY

ALONZA WARD, ... DEFENDANT

This cause come on this day to be heard on the complainant's bill and the depositions of witnesses duly taken, the defendant, whose place of residence in this Commonwealth is unknown, and against whom the plaintiff has proceeded in the manner prescribed by law, and order of publication having been published and posted and the said defendant still failing to appear, plead, answer or demur, and was argued by counsel.

And it appearing to the Court from the depositions filed in this cause that the said plaintiff and defendant were married in the County of Isle of Wight; that the said plaintiff and defendant last cohabited as man and wife in said county; that the said plaintiff has resided in the said county for more than one year next preceeding the institution of this suit, and that the defendant has willfully deserted and abandoned the said complainant for three successive years next preceeding the institution of this suit, on consideration whereof, the Court being of the opinion that the said defendant has ~~so~~ willfully deserted and abandoned said complainant for the ~~xxx~~ period of three years ~~as aforesaid~~, doth adjudge, order and decree that the marriage heretofore had and solemnized between the said plaintiff and the said defendant ~~shall~~ be, and

Osterius Ward
v2 { 316
Almya Ward.

Memorandum.

Dated Nov 27. 1919

To the Clerk of the Circuit Court for the County of
Isle of Wight:

Octavia Ward, ...Plaintiff

vs) In Chancery

Alonza Ward, ...Defendant

Issue summon in Chancery to first December rules, 1919.

C. J. Willey. p.q