

1924-017 Chanery Causes: Richard Hill vs Susie Hill

432

Isle of Wight County

other surnames: Barnes,
Jones, Cypress

4
Virginia: In the Circuit Court
of the County of Isle of Wight.

Richard Hill

v). Chancery No. 432

Susie Hill.

Bill of Complaint.

*Bill Filed - O.P.
Entered re.*

A. S. JOHNSON
ATTORNEY AT LAW
ISLE OF WIGHT, C. H., VA.

The Linden Printing Company, Hartford, Connecticut, U.S.A.

(2).

time of the institution of this suit, has continuously absented herself from him, and refused to return and live with him, and still does so, and without any guilt on the part of your complainant.

4. That of the said marriage there was born to your complainant a son, whose name is Henry Abram. and who is, at this time, about six years of age.

In tender consideration whereof, and inasmuch as your complainant is remediless in the premises, save in a court of equity, where matters of this kind are alone and properly cognizable, he prays that the Susie Hill be made the defendant to this bill and required to answer same, tho not under oath, answer under oath being hereby expressly waived; that proper process issue; that he be granted a divorce a vinculo matrimonii from the said Susie Hill; that the care and custody of the said child be awarded him; and that he may have such other, further and general relief as the court may see fit to grant.

And in duty bound he will ever pray.

Witness *Edmund*

Richard Hill
much

State of Virginia,

County of Isle of Wight, to-wit:

I, A. S. Johnson, a Commissioner in Chancery for the Circuit Court of the County of Isle of Wight, State of Virginia, do hereby certify that Richard Hill, the above named and subscribed complainant, has this day personally appeared before me, in my said County, and made oath that the statements therein contained are true, to the best of his knowledge and belief.

Given under my hand this the 26th., day of March, 1924.

A. S. Johnson
Commissioner in Chancery.

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

Richard Hill Complainant.
v). Chancery No. _____
Susie Hill Defendant.

BILL OF COMPLAINT.

TO THE HONORABLE B. D. WHITE,

JUDGE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF
WIGHT.

Your complainant, Richard Hill, respectfully repre-
sents unto your honor;

1. That he has been a resident of the County of Isle
of Wight, State of Virginia, for more than one year next preced-
ing the institution of this suit, to-wit: for sixteen years
Christmas last past.

2. That on or about the 17th., day of June, 1914, he
was duly and legally married to one Susie Barnes, the license for
such marriage having issued from the Clerk's Office of the Circuit
Court of the County of Isle of Wight, State of Virginia, and the
said marriage having been solemnized at the house of the brother
of your complainant. A copy of the marriage license is hereto
attached and is ^{prayed} to be taken and read as a part of this bill of
complaint.

3. That after the marriage aforesaid, your complainant,
and his said wife, lived together as husband and wife, in the
County of Isle of Wight, and the State of Virginia, continuously,
until the ____ day of May, 1920, when the defendant, Susie Hill,
willfully and without just cause, deserted and abandoned your
complainant, and wholly refused to live with and cohabit with
him any longer, as his wife, and from thence, hitherto, up to the

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Virginia: In the Circuit Court
of the County of Isle of Wight.

Richard Hill

v). Chancery No. *432*

Susie Hill.

Affidavit.

Filed.

Mar. 14 - 1924

Geo. R. A. Bunker
ad 7

A. S. JOHNSON
ATTORNEY AT LAW
ISLE OF WIGHT, C. H., VA.

The Linden Printing Company, Hartford, Connecticut, U.S.A.

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

Richard Hill.....Complainant.

v). Chancery No. _____

Susie Hill.....Defendant.

State of Virginia:

County of Isle of Wight, to-wit:

This day personally appeared before me, A. E. S. Stephens, A Commissioner in Chancery for the Circuit Court of the County of Isle of Wight, State of Virginia, one Richard Hill who made oath to the fact that due diligence had been used by him to ascertain in what County or corporation the defendant now resides without effect and that she is not a resident of the State of Virginia. Her last known address was 3552 Butter Street, Pittsburg, Pa.

Subscribed and sworn to before me this the 28th., day of February, 1924, in the County and State aforesaid.

A. E. Stephens.
A Commissioner in Chancery.

Virginia; Circuit Court of
the County of Isle of Wight.

Richard Hill,

v). Chancery No. 423.

Susie Hill.

Depositions of Witnesses.

Filed *June 14th*, 1924.

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT C. H., VA.

The Linden Printing Company, Hartford, Connecticut, U.S.A.

The foregoing depositions were on this, the 19th., day of June, 1924, taken before me, R. A. Edwards, a Commissioner in Chancery of the Circuit Court of the County of Isle of Wight, State of Virginia, to be read as evidence in the Chancery cause in said court pending in which Richard Hill is the complainant, and Susie Hill is defendant.

Given under my hand this the 19th., day of June, 1924.

R. A. Edwards
Commissioner in Chancery.

Isle of Wight County Virginia with Mr. Jones dere. I works for him on his farm.

Q. Do you know Richard Hill and his wife Susie Hill? Ans. Yes sir, I have known Susie all her life and I have known Richard for about twelve of thiteen years.

Q. Are they living together now? Ans. No.

Q. When did they separate? Ans. It has been about four years ago.

Q. Where were they libing when they separated? Ans. At Mr. Jones, in this County. Me and him lived side on side.

Q. How long before they separated did you live side by side? Ans. About three years.

Q. Could observe their conduct toward each other? Ans. Yes sir, sure, Richard treated her as good as a man could treat her but she did not do him so.

Q. What did she do? Ans. Well, I will tell you the truth, she would have men laying around her when he was at work taking care of her.

Q. How much did she have men laying around her? Ans. Lots of times, as often as he would be away from the house, and some-times when he was there.

Q. Do you know where Richard is living now? Ans. Yes sir he is living in the neighborhood of Bethel Church, in this County.

Q. Where is she? Ans. I dont know where she is at now, she was in Pittsburgh, Penna. last time I hearn from her.

Q. Where did she go when she left Richard? Ans. Newport News.

Q. Dod you think Richars is a proper peson to have the custody and control of his child? Ans. Yes sir, he is a quiet and peace-able person, and works hard. Me an him worked together every day for about three years.

And further t is deponent saith not.

Witness: W. E. Stephens ^{His} Sam X. G. Jones
mark

Q. Please state, if you know, what the conduct of Richard was to his wife? Ans. He treated her as well as any one in his position could treat a woman. He treated her better than I thought she really deserved.

Q. Is he or is he not industrious? Ans. Yes sir.

Q. How about Susie? Ans. If you could get her to work she was all right but she was hard to get at it.

What was her conduct toward him? Ans. Well, I did not think it all together right. I have seen her go into the woods with a man and he come right back to me and told me what he had done.

Q. What did he tell you he had done? Ans. He told me he had had connection with her.

Q. Did anything like this occur often? Ans. She had other men around her quite a good bit. When she would catch him off that was her time.

Q. Do you know about when she left him and where she went? Ans. She left him while he was living at my house and he left me about four years ago about this time.

Q. Where were you living when she left him? Ans. At the same place I live now, in Isle of Wight County. She certainly was treated all right by him, he carried everything he made right to his house.

Q. Is he a proper person or is he not to have control and the custody of his child? Ans. Yes sir, I have never seen anything about him to the contrary. He has always been mighty good to the child.

And further this deponent saith not.

L. A. Jones

Sam Cypress being duly sworn, deposes and says:

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

Sam Cypress, I am twenty nine years of age, will be thirty years old the 2nd. day of July coming if I live to see it. I live in

Q. Has she ever offered to come back and live with you? Ans. No sir, not since she told me she was not coming back.

Q. Did you have any children? Ans. One.

Q. Where is it? Ans. He is with me.

Q. How old is he? Ans. Will be nine years old the 18th. of this coming August.

Q. Did she take the child with her when she went away? Ans. Yes, when she left me but she has not had him for two years or about. She left him with her sister, Betty Bowser about two years ago, and he came back to me last Fall, and has been with me ever since.

Q. Does she write to the child? Ans. No sir, he has not heard anything from her since Christmas, she sent him a little box with some candy in it and a pair of breeches and a shirt.

Q. Where are you living now? Ans. In Isle of Wight County, Virginia, with Mr. John Chapman.

Q. Where did you live with her when she left you? Ans. In Isle of Wight County, Virginia, where I have lived all my life. I was living on Mr. Lonnie Jones' land when she left me.

Q. What is the name of your child? Ans. Henry Abram Hill.

And further this deponent saith not.

Witness: *B. E. Stephens*, *Richard ^{hus} Hill*
maih.

L. Q. Jones being duly sworn, deposes and says.

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

L. Q. Jones, I am fifty-five years of age, live in Isle of Wight County and am a farmer. Have lived here all my life.

Q. Do you know Richard Hill and his wife, Susie Hill? Ans. Yes sir, I know them, have been knowing Richard about all his life. He lived with me about five years. He was married about two years when he came to live with me and he was living with me when she left him.

Q. How close did they live to you? Ans. About a quarter of a mile.

Richard Hill being duly sworn, deposes and says:

Q. Please state your name, age, residence and occupation? Ans. Richard Hill, I am thirty three years of age, live in Isle of Wight County, Virginia, and farms.

Q. Are you married or single? Ans. I am married.

Q. When were you married? A. The 17th. of June, 1914.

Q. Where were you married? Ans. At Bacon's Castle, in Surry County.

Q. Who married you? A. Rev. Haywood.

Q. What was your wif'e name? Ans. Susie Barnes.

Q. Where did you get your license? Ans. From the Clerk's Office in Isle of Wight County, Virginia.

Q. Is she living with you now? Ans. No sir.

Q. Where is she? Ans. I dont know. Last time I heard anything from her she was in Pittsburgh, Penna.

Q. What is she doing there? Ans. I dont know.

Q. When did she go there? Ans. I do not know, she has been left me since in May 1920.

Q. Did she leave you for good? Ans. Yes, I guess she did, she aint been back.

Q. What made her leave you? Ans. I dont know sir, she just went away. She got tired of staying over here and wanted to go to town. That was all her talk for two or three years before she went. She went to Newport News. I went over ther and asked her to come back, and she told me she was not coming back to work on white people's farms no more. I told her she knew I did not have any farm when she married me.

Q. Did you treat her as well as you could when she was living with you. How did you treat her? Ans. I treated her the best I know how.

Q. How many times have you seen her since she left you? Ans. I have seen her a whole lot of times since she left.

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

Richard Hill

v). Chancery No. 432.

Susie Hill.

The depositions of Richard Hill, L. Q. Jones and Sam Cypress, taken before R. A. Edwards, a Commissioner in Chancery for the Circuit Court of the County of Isle of Wight, State of Virginia, on the 19th., day of June, 1924, to be read as evidence in behalf of the complainant, Richard Hill, in a suit in chancery pending in the said court in which the said Richard Hill is the complainant, and Susie Hill is the defendant. Examination conducted by A. S. Johnson and A. E. S. Stephens, counsel for the complainant.

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Virginia: In the Circuit Court
of the County of Isle of Wight.

Richard Hill

v). Chancery No. 432

Susie Hill.

Order of Publication.

A. S. JOHNSON
ATTORNEY AT LAW
ISLE OF WIGHT, C. H., VA.

The Linden Printing Company, Hartford, Connecticut, U.S.A.

VIRGINIA: IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE
COUNTY OF ISLE OF WIGHT. MARCH 14, 1924.

Richard Hill.....Complainant.

v). Chancery No. 7887

Susie Hill.....Defendant.

The object of the above styled suit, now pending in
this Court, is for the complainant to obtain from the defend-
ant a divorce a vinculo matrimonii on the grounds of desertion.

An affidavit having been made, and filed, that the de-
fendant is not a resident of the State of Virginia, she is hereby
required to appear within ten days after the due publication
hereof, and do what may be necessary to protect her interests.

Teste:

R. A. Edmunds Clerk.

Johnson and Stephens, p. q.

Virginia;

Clerks Office Of The Circuit Court Of The County of Isle Of Wight;

March 14th, 1924. The foregoing order was this day entered in this
office, a copy of same posted upon the Court House door of said Coun-
ty, a copy mailed to the Smithfield Times, a news paper having general
Circulation in said County, for publication and a copy mailed to the
last known address of the defendant, given herein, as is prescribed by
law.

Teste R. A. Edmunds Clerk.

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Hill
B Cy-432
Hill

Eaters Certificate -
as to O.P.

Lucia

Apr 14-24.

R A Edmunds Ch.

The Smithfield Times

W. F. BENNETT, Editor and Publisher

Devoted to the Interests of Isle of Wight County

SMITHFIELD, VA., April 29, 1924

I, W. F. Bennett, editor of The Smithfield Times, do hereby certify that the order of which the annexed is a copy, has been duly published in the Smithfield Times as proscribed by law for four issues, beginning March 21, 1924, and ending April 11, 1924.

W. F. Bennett
Editor

Virginia: In The Clerk's Office
Of The Circuit Court Of The
County Of Isle Of Wight,
March 14, 1924.

Richard Hill.....Complainant
v). Chancery No. ~~8012~~ 432
Susie Hill.....Defendant

The object of the above styled suit, now pending in this Court, is for the complainant to obtain from the defendant a divorce a vinculo matrimonii on the grounds of desertion.

An affidavit having been made, and filed, that the defendant is not a resident of the State of Virginia, she is hereby required to appear within ten days after due publication hereof, and do what may be necessary to protect her interests.

Teste:

R. A. EDWARDS, Clerk.

Johnson and Stephens, p. q.

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Virginia: In the Circuit Court of
the County of Isle of Wight.

Richard Hill,
v). Chancery No. 432.
Susie Hill.

Note for decree.

Enter this:

*1922
July 7
Enter this
Hill
U.B. #8
Page 211*

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT C. H., VA.

be, and the same is, hereby, dissolved; and that the said Richard Hill be forever divorced, a vinculo matrimonii, from the said Susie Hill. And it is hereby further adjudged, ordered and decreed that Richard Hill have the care and custody of the child, Henry Abram Hill, the only child of the said marriage.

And it is further adjudged, ordered and decreed that neither party to this suit is permitted to marry again within six months from the date of the entry of this decree.

And this cause is dismissed.

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

Richard Hill,

v). Chancery. No. 432.

Susie Hill.

This cause, in which the complainant has proceeded against the defendant in the manner prescribed by law as to defendants, whose place of residence within the Commonwealth is unknown, and that due diligence has been used to ascertain in what County or Corporation the defendant is in, and in which Richard Hill is the complainant, and Susie Hill is the defendant, came on this day to be heard upon the bill of complaint, exhibit filed therewith, and upon the testimony taken on behalf of the complainant. And it appearing to the said Court that the said complainant is a bona fide resident of, and domiciled in, the County of Isle of Wight, State of Virginia, and has been for a period of more than one year previous to the institution of this suit; and that from the said testimony, and from the pleadings filed in the cause, independently of the admissions of either the complainant or defendant, it appears to the Court that the said Susie Hill, more than three years prior to the bringing of this suit wilfully deserted and abandoned the said Richard Hill, without just cause: On consideration whereof the Court doth adjudge, order and decree that the marriage had and solemnized in the County of Isle of Wight, State of Virginia, between the said Richard Hill and Susie Hill, on the 17th., day of June, 1914,

County (or City) Delaware

Richard Hill Husband

and { **Marriage License**

Susan Barnes Wife

Date of Issue June 16, 1914

Marriage Register No. 3 Page 202



MARRIAGE LICENSE



Virginia Ide of Wright 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,

Richard Hill and Susie Barnes

Given under my hand, as Clerk of Circuit Court of Ide of Wright County (or ~~City~~) this 16 day of June, 1914. A. S. Johnson, Clerk.

MARRIAGE CERTIFICATE

By Chas. E. Wilson. W.S.

To be annexed to the License, required by Section 5074 of the Code of Virginia, 1919, as amended by Act of February 16, 1910.

VIRGINIA: In the Clerk's Office of the Circuit Court for the County (or City) of Ide of Wright
Date of Marriage June 17, 1914 Place of Marriage Ide of Wright County Va
FULL NAMES OF PARTIES.

Richard Hill and Susie Barnes

Age of Husband 22 years; Condition (single, widowed or divorced) Single

Age of Wife 19 years; Condition (single, widowed or divorced) Single

Race (White or Colored) Colored

Husband's Place of Birth Dursey County, Va Full Mailing Address Ide of Wright County Va

Wife's Place of Birth Same Full Mailing Address Same

Names of { Husband Henry Hill and Martha Ann Hill

Parents { Wife J. J. Barnes and Clara Barnes

Occupation of Husband Laborer

Given under my hand this 16 day of June, 1914. A. S. Johnson, Clerk.

By Chas. E. Wilson. W.S.

Certificate of Time and Place of Marriage

I, William Hayward, a Minister of the Gospel

Church, or religious order of that name, do certify that on the 17 day of June, 1914,

at the residence, Virginia, under authority of the above License, I joined together in the Holy State of Matrimony the persons named and described therein. I qualified and gave bond according to law authorizing me to celebrate the rites of marriage in the County (or City) of Ide of Wright, State of Virginia.

Given under my hand this 18 day of June, 1914.

A copy.
teste, R. A. Edwards, Clk
By E. Ray Wiles. W.S.

William Hayward
(Person who performs ceremony sign here.)

The Minister or other person celebrating a marriage is required, within thirty (30) days thereafter, to return the License and Certificate of the Clerk and his certificate of the time and place at which the marriage was celebrated to the Clerk who issued the License; failure to comply with these requirements of the law makes the Minister or other person celebrating the marriage liable to a fine of not less than ten nor more than twenty dollars for each offense (see Section 5074 of the Code of Virginia, as amended by Act approved February 16, 1910, Acts 1910, chapter 28, pages 36 and 37).