1887-016
Nansemond Co. (Suffolk) Chancery Causes: Martha Jane Ellenor vs William T. Ellenor etc

Darden, Oberry, Marney

(CHANCERY SUMMONS.)

THE COMMONWEALTH OF VIRGINIA,

To the SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON William T. Ellenor and John T. Trumey

to appear at the Clerk's office of the Circuit COURT OF NANSEMOND COUNTY, at the Rules to be holden for the said Court, on the first Monday in September next, to answer a Bill in Chancery, exhibited against Them in the said Court, by Martha Jane Ellenor wife of William T. Ellenor suing by Joseph L. Darden her brother and next friend

and have then and there this Summons. Witness, WILLIS E. COHOON, Clerk of our said Court, at his office, this 17th of day August 1872, in the 97th year of the Commonwealth.

Clerk of the Court.

Willis E. Cohoon

Executed by delivering a copy to William T Ellenor's wife Martha J Ellenor and Jno T Murney (each)

Augst 31st 1872

W H Eley
Shff

Wm Mc A Jones & Elinor
vs
Dbt in Chy to
Sept Rules 1872

William T & Ellinor &c

J C K P2

Circuit Court

54

Elenor
vs
Elenor

This cause coming to be heard on the Complainants Bill taken for Confessed as to the Defendant, Mr J Sturm on whom proceß had been duly executed and he still failing to appear and ~~make Defence to the said Bill~~ & was argued by Counsel & On Consideration whereof the Court doth adjudge order and decree that pending this suit, the Defendant Wm J. Elenor pay to said Martha Jane Elenor, quarterly the sum of $50 — Dollars for her support, and that he pay in cash at once the sum of $50, to aid the said plaintiff in paying the expenses of this suit, & that the Chattel estate of said Elenor be valued and ~~appraised~~ appraised by said Martha J. Elenor ~~to be sworn by the Court~~ until the further order of this Court. ~~herein directed to be~~, and that the first quarterly payment be paid on the 1st

Day of January 1873, & quarterly thereafter until the further order of the Court, & that John Oberly, W. L. Vardeman & Chs E. Summers value the said property & report to Court, & the Court doth further order that the said Wm J. Elenor & she is hereby forbid mo-
lesting, or in any manner exercising any

control over the person of said Martha J. Elmer until the further order of the Court, and it is ordered that the said John T. Storey, render before a Comr of this Court an account of his indebtedness to said Wm T. Elmer at the time of the service of the process in this case on him, and make report the same to Court.

Elmer &c
vs
Elmer

1872
Oct. Cir. Ct.
Decree
To be entered
Geo. T. Barnes Comr.

Corbyn, 76 530
Rev. 7 & 10.
Busby v Busby
2 Hen. & M

To the Hon. Geo. Blow, Judge of the Circuit Court of Nansemond County, Virginia

Complaining shew unto the Court your Complainant Martha Jane Ellenor wife of Wm. T. Ellenor, suing by Wm. L. Parsons her brother and next friend

Your Complainant respectfully represents to the Court and says, That she has been married twice — First, to Jno. Oberry Jr. by whom she had three children, all alive, That said John Oberry died in 1862 —

That she married the second time on the day of October 1866, one Wm. T. Ellenor by whom she has had no children —

That she was married to said Ellenor by the Rev.d W. B. Wellons, a minister duly authorized to solemnize the rites of matrimony.

That the said Wm. T. Ellenor was a young man without estate, and as your Complainant then supposed, an honorable man, formed make her an affectionate and good husband — But so it is, your Complainant is mortified & humiliated to say, That soon after marriage with said Ellenor, he manifested an alienated & violent temper, and notwithstanding all her efforts to please him yet she has been unable to do so — That the said Ellenor became so violent towards her as to strike her, and

threaten her, yet unwilling to expose to the world her unhappy condition & for the public to know her humiliation she quietly submitted to his unnatural, & cruel treatment until now when she can no longer do so safely.

Not satisfied with, striking her, threatening her with punishment & other cruelty he has recently repeatedly slandered her in the grossest manner charging her with illicit intercourse with other men —

your Complainant say, that she has ever been a dutiful and virtuous wife, and has given him, the said Ellenor no cause for his conduct towards her — your Complainant further say that as soon as the said Ellenor became convinced that she could no longer tolerate his abuse, cruelty & slander, he at once abandoned her & has, as she is informed left the state of Virginia & gone to parts unknown -

That when your Complainant married said Ellenor, she had some in attack of Land in Nansemond County, some household & kitchen furniture, cattle hogs, a fine horse cow, fodder & farming implements & was in poor, but comfortable circumstances, & that since her marriage, she was entitled to

some $800 from her father's estate which the said Ellener recvd has spent—

That all that is now left is some small household & kitchen furniture, 4 cattle 5 hogs & a small grain crop— all not worth over $200— besides a debt of $150 or abvt that amount due said Ellener by Rev. J. Nunn, being a Bond due said Ellener & an open account for Board of $10,

That your Complainant is now[illegible] apprehensive of being hurt from said Ellener, and now seeks the protection of this Honble Court

Your Complainant prays that a divorce from the Bed and Board, ~~of~~ the said Wm J. Ellener may be granted her, and that the whole of said personal estate and amount due by said John J. Nunn may be set apart to her for support & to aid her in paying the expenses of this suit, and that a further quarterly or other allowance may be decreed to her against said Ellener, for her support—

Code p. 530 sec. 7. § 10

In Consideration whereof and as this Court has jurisdiction to grant all adequate Relief— To the end your Complainant prays That the said Wm J. Ellener, and John

D. Attorney may be made defendant hereto, and answer the allegations herein on oath, and that said Attorney may set forth and discover & make known what amount he owes said Ellenor or the said Bond shew much for Board; that an order may be made for an allowance to pay her Costs in prosecuting this suit & towards her support — that a Divorce from Bed & Board as aforesaid may be granted and that such other & further Relief may be granted Consistent with Equity &. & your Complainant will ever pray &.

Martha J Ellenor

Virginia
Nansemond County Sct.

I. John R. Kelly, a Notary Public in & for said County State do certify that Martha Jane Ellenor, whose name is signed to the foregoing Bill, has this day personally appeared before me in said County & made oath that the facts contained in the foregoing Bill are true to the best of her knowledge and belief. Given under my hand this 14th Augt 1872.

John R. Kelly
Notary Public

Ellenor
vs
Ellenor &c

In vacation.

The Bill in this cause having been seen and inspected by the Undersigned & in the opinion of the Undersigned a prima facie case having been made out — It is ordered that the defendant Wm. T. Ellenor pay to said plaintiff the sum of one hundred and fifty dollars, towards her support & the payment of her expenses in this cause — and it is ordered that the said John T. Armey pay the amount due by him as set forth in the Bill to said plaintiff in part payment of said allowance, and that until further ordered the said Wm. T. Ellenor shall not molest or in any way interfere with said plaintiff.

Ellen
vs
Bill

Ellen dr

(Bailey v Bailey
21 Hun p 46)

Nam'd Cir. Ct.

Martha J. Ellenor suing by Jn. L. Leadenham next friend

v.

Wm. T. Ellenor.

1872 aug 17. Bill filed & proc issued

" Sept 2. Proc ret'd & Bill filed & Decree Nisi

" Oct. 7. Decree Nisi confirmed & cause set for hearing.

1872 Octo 12 Decree to pay money to Cl'k

1875 " 13th: Continued (1874. Nov: 12th) Continued (1876 Octo: 12th) Continued

1877. Nov. 14th: Continued. 1877. Octo. 15th: Continued

1878. Nov: 15th: Continued. 1878 Octo: 15th Continued

1879. Nov: 12th: Continued (1879 Octo: 16th) Continued

1880. " 14th: Continued — 1881. Novbr Continued

1881 " " " Octo "

Ellam
v
Ellam

Obj.: nulity.

1882. 11/2 Cards — 1882 Oct. Cards, 1883 1/2 Cards — 1883 Oct. Cards

1884 " " 1884 " " 1885 " " 1886 " "

1887 " " 1887 " Summons & Order