

1919-020
Nonsemond Co (Suffolk) Chancery Causes: Josephine Redmond Hale vs William Thomas Hale

Redmond, DuKes, Lloyd

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

March 6th, 1919.

Mr. C. E. Bunting, Clerk,
City.

Dear Mr. Bunting:-

IN RE: JOSEPHINE REDMOND HALE VS.
WILLIAM THOMAS HALE:

I herewith enclose you memorandum
in the above-styled suit. This is a chancery suit for
divorce. I also herewith enclose you notice of taking
depositions and my check for \$7.50 to cover writ tax
and deposit in this matter.

Yours very truly,

Hugh L. Holland

HLH:B

Enc. 4.

P.S.

I will thank you to ~~me~~ turn over to the Sheriff enclosed
notice of taking depositions, and to ask him to serve this at
the time he serves the process. The defendant lives near
Driver, and the exact location of his house can be obtained
by the Sheriff from Mr. J. J. S. Branch, who knows the defendant
and where he lives. H.L.H.

JOSEPHINE REDMOND HALE.....COMPLAINANT.

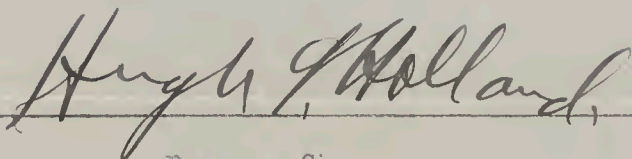
VS.....MEMORANDUM:

WILLIAM THOMAS HALE.....DEFENDANT.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA:

To the Clerk of said Court:

Please summon defendant for complainant to
Second March Rules (1919), in Chancery.


p. q.

Rule Notes:

March 7, 1919, process issued returnable to March Rules, Third Monday,
1919

Mar. 17
1919

Process
Bills filed

Josephine Redmond Hale

vs. Memorandum

William Thomas Hale

CHANCERY SUMMONS

The Commonwealth of Virginia.

TO THE SHERIFF OF NANSEMOND COUNTY---GREETING:

You are Hereby Commanded to Summon William Thomas Hale

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
for the said Court, on the Third Monday in March, 1919, to answer a
Bill in Chancery, exhibited against him
in the said Court by Josephine Redmond Hale

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this 7th day of

March, 1919, in the 183rd year of the Commonwealth

A Copy---Teste:

Clerk

Teste:

Clerk

Executed this 7 day of March, 1917 by delivering a true copy of the with-
in process to William Thomas Hale

in person, in the County of Nansemond, State of Virginia.

E. E. Weigner

Sheriff

Hugh L. Holland p. q.

Josephine Redmond Hale

vs. } In Chancery

William Thomas Hale

1919

March Rules

Third Monday.

NANSEMOND COUNTY COURT,

Process Book, No. 3

Page

MARRIAGE LICENSE



"EXHIBIT-A".

Virginia.....Nansemond 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,

William Thomas Hale
and Josephine Redmond

Given under my hand, as Clerk of the Circuit Court
of said County this 17th day of May 1904

S.M. Lawrence, D.C. 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 16, 1910.

Time of Marriage, 1904 May 19th	Place of Husband's Birth, Nansemond Co. Va.
Place of Marriage, Nansemond County Va.	Place of Wife's Birth, N.C.
Full Names of Parties Married, William Thomas Hale and Josephine Redmond	Place of Husband's Residence, Nansemond Co. Va.
Race (white or colored), Colored	Place of Wife's Residence, Nansemond Co. Va.
Age of Husband, 36 years	Names of Husband's Parents, Thomas Hale and Mary M. his wife
Age of Wife, 18 years	Names of Wife's Parents, Mother's name Hannah Redmond
Condition of Husband, Divorced Widowed or single or divorced	Occupation of Husband, Oysterman
Condition of Wife, single Widowed or single or divorced	

Given under my hand this 17th day of May 1904

S.M. Lawrence D.C. Clerk

Certificate of Time and Place of Marriage

I, John N. Elliott, a minister of the Missionary Baptist Church, or religious order of that name, do certify that on the 19 day of May 1904, at the church, under authority of the above License, I united in Marriage the persons named and described therein.

Given under my hand this 21 day of May 1904

A true copy: Rev. John N. Elliott.

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 2229 of the Code of Virginia, as amended, by Act approved February 16th, 1910, Acts 1910, chapter 28, pages 36 and 37.)

To William Thomas Hale:

Take notice that on the 11th day of April 1919, at the office of Hugh L. Holland in the City of Suffolk, in the State of Virginia, between the hours of 10 A. M. and 5 P. M. of that day I shall proceed to take the depositions of E. L. Everett and others to be read as evidence in my behalf in a certain suit in equity, depending in the Circuit Court of the County of Nansemond, State of Virginia, wherein I am complainant and you are defendant; and if from any cause the taking of the said depositions be not commenced, or commenced, be not concluded on that day, the taking thereof will be adjourned from time to time at the same place and between the same hours until the same shall be completed.

Given under my hand this 6th day of March, 1919.

Josephine Redmond Hale

By Hugh L. Holland
Her attorney.

Executed This 7 day of March 1919 by delivering
a True copy of the within notice to William
Thomas Hale in person, in the County of Nausenwood,
State of Virginia

E.E. Wagner Sheriff

Josephine Redmond Hale

vs.

William Thomas Hale

Notice of Taking Deposition^s

Original.

The depositions of Prophet Lloyd and Willis Dukes, taken before me, John K. Hutton, a Commissioner in Chancery, for the County of Nansemond, State of Virginia, on the 11th day of April, 1919, between the hours of 10 A. M. and 5 P. M. pursuant to due notice to defendant served in person as shown by annexed notice, to be read as evidence on behalf of the complainant in a certain suit in equity, wherein Josephine Redmond Hale is the complainant and William Thomas Hale is defendant.

PRESENT:

Hugh L. Holland, counsel for complainant.

The defendant did not appear either in person or by counsel.

Willis Dukes being duly sworn deposes as follows:

- Q. Please state your name, age, residence and occupation.
- A. Willis Dukes, my age is 56, I live near Drivers, Virginia, in Nansemond County, and my work is farming.
- Q. Please state whether you know Josephine Redmond Hale and William Thomas Hale, and if so, how long have you known each of them.
- A. Yes, sir, I knows them, I knows them well, I been knowing Tom Hale ever since 1885, and I been knowing Josephine Redmond Hale, his wife, ever since she was a child.
- Q. About how far did you live from them when they were living together near Drivers, in Nansemond County.
- A. About one mile and a half.
- Q. Please state how well you were acquainted with them.
- A. I was well acquainted with them, I was as well acquainted with them as I was with any one, I saw them every day and sometimes three and four times a day, 'specially in the summertime.
- Q. Please state whether they are living together now.
- A. No, sir, they are not.
- Q. How long have they been separated.
- A. Ever since June, 1913.
- Q. Which one left the other.
- A. William Thomas Hale left his wife, Josephine Redmond Hale.
- Q. Please state the circumstances of his leaving and whether he had any cause to leave.
- A. Well, he left in June, 1913, as far as I know he did not have any cause to leave, he just left, and as far as I know she was a good wife, I never seen anything wrong.
- Q. From the distance you lived and the times you saw them would you have known of any cause that she gave him to leave.

A. I lived close to them and saw them heaps, but I don't know of any cause she give him to leave.

Q. Where does Josephine Redmond Hale live now.

A. Near Drivers, Virginia, in Nansemond County.

Q. Where were Josephine Redmond Hale and her husband, William Thomas Hale living when they last cohabited or lived together as man and wife.

A. Nansemond County, near Drivers, Virginia.

Q. Where does William Thomas Hale live now.

A. Near Drivers, Nansemond County, Virginia.

And further this deponent saith not.

Willis DeKes

Prophet Lloyd being duly sworn deposes as follows:

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

A. My name is Prophet Lloyd, I am 35 years old and I lives near Drivers, in Nansemond County, Virginia, I work on a farm.

Q. How long have you known Josephine Redmond Hale and William Thomas Hale.

A. Ever since 1900.

Q. About how far did you live from them when they were living together near Drivers, in Nansemond County, Virginia,

A. Well, I stayed with them part of the time and the balance of the time I was living about two or three hundred yards from them,

Q. Please state whether they are living together now.

A. No, sir, they are not.

Q. How long have they been separated and which one left the other.

A. They been separated ever since June, 1913, and William Thomas Hale left his wife, Josephine Redmond Hale.

Q. Have they lived together or stayed together as man and wife since that time.

A. No, sir.

Q. Please state the circumstances of his leaving and whether he had any cause to leave her.

A. Well, I don't know of any cause that he had to leave her, she made him a good wife as far as I know.

Q. From the distance you lived and the times you saw them would you have known of any cause that she gave him to leave her.

A. Yes, sir, I lived right with them part of the time and the balance of the time I lived right close to them and I sho think that I would have known of any cause she give him to leave her.

Q. Please state any other circumstances you know of his leaving.

A. He left sometime in the month of June, 1913, I knew him well, and talked to him and saw him every day. He told me before he left that he was going to leave and was not coming back any more and he told me after he left that he had left for good and was not going back to his wife any more. Before he left he told me that he had made up his mind to leave his wife and to stay away from her and that he was going to leave her for good and all.

Q. Where does William Thomas Hale live now.

A. In Nansemond County, near Drivers, Virginia.

Q. Where does Josephine Redmond Hale live and how long has she lived there.

A. She lives near Drivers, in Nansemond County, Virginia, and she have lived in Nansemond County, Virginia, near Drivers, ever since I first knew her in 1900.

Q. Where did Josephine Redmond Hale and her husband William Thomas Hale live at the time they last cohabited or lived together as man and wife.

A. In Nansemond County, near Drivers, Virginia.

And further this deponent saith not.

Profitt Lloyd

STATE OF VIRGINIA, COUNTY OF NANSEMOND-----TO-WIT:

I, John K. Hutton, a Commissioner in Chancery for the County of Nansemond, State of Virginia, do certify that the foregoing depositions of Prophet Lloyd and Willis Dukes, were duly taken, sworn to and subscribed before me at the office of Hugh L. Holland, in the City of Suffolk, State of Virginia, on the 11th day of April, 1919, between the hours of 10 A. M. and 5 P. M. to be read as evidence on behalf of the plaintiff in a certain suit in equity depending in the said Court wherein Josephine Redmond Hale is complainant and William Thomas Hale is defendant.

Given under my hand this 11th day of April, 1919.

John K. Hutton
COMMISSIONER IN CHANCERY FOR THE COUNTY OF
NANSEMOND, STATE OF VIRGINIA.

JOSEPHINE REDMOND HALE.

VS. DEPOSITIONS.

WILLIAM THOMAS HALE.

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

JOSEPHINE REDMOND HALE.....COMPLAINANT.

VS. DECREE.....

WILLIAM THOMAS HALE.....DEFENDANT.

This cause came on this day to be heard on the Bill of Complaint and the depositions of witnesses taken after due and legal notice to the defendant, as required by law, and the defendant, who appears to have been proceeded against in the manner prescribed by law, failing to plead, answer, or demur and was argued by counsel.

On consideration whereof it appearing to the Court from the evidence taken and submitted in this cause that the said defendant, William Thomas Hale, since his marriage with the plaintiff, has deserted her for a period of more than three years, that the plaintiff is a resident of the County of Nansemond, and has been domiciled in the State of Virginia, for more than twelve months next preceding the commencement of this suit, and that the plaintiff and defendant last cohabited in the County of Nansemond, Virginia, the Court doth adjudge, order, and decree that the said plaintiff be, and she is hereby granted a divorce a vinculo matrimonii, from the said defendant, and that the marriage heretofore solemnized be, and the same is hereby annulled and set aside, and it appearing that nothing further remains to be done in this cause, it is ordered to be stricken from the docket.

JOSEPHINE REDMOND HALE.

VS. DECREE.

WILLIAM THOMAS HALE.

*Enter May 12 1919.
Jas. L. Moore.*

*Chancery Order Book No. 5 -
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HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

JOSEPHINE REDMOND HALE.....COMPLAINANT.

VS.....BILL.....

WILLIAM THOMAS HALE.....DEFENDANT.

To the Honorable Circuit Court of Nansemond
County:

Your complainant, Josephine Redmond Hale,
respectfully represents:

(1) That on the 19th day of May, 1904,
your complainant, whose maiden name was Josephine Redmond,
was lawfully married at a church, near Suffolk,,
in the County of Nansemond, State of Virginia, to Wil-
liam Thomas Hale, as will appear from a certificate of
marriage herewith filed, marked "EXHIBIT-A", and made a
part of this bill; and,

(2) That continuously from the date of said
marriage until the 14th day of June, 1913, your
complainant and the said William Thomas Hale lived toge-
ther as husband and wife, near Driver, Nansemond County,
Virginia; and,

(3) That the said William Thomas Hale
has wilfully deserted and abandoned your complainant
for a period of more than three years: that is to say,
on the 14th day of June, 1913, the said
William Thomas Hale, did, voluntarily, wilfully and with-
out any justification whatever, leave his home; that im-
mediately before leaving he stated to your complainant
that he was going to leave her forever and that he would

never return to her; and

(4) That your complainant has resided and has been domiciled in this state ever since the aforesaid marriage, and for more than one year next preceding the commencement of this suit, and is domiciled and now resides in this state; and,

(5) That your complainant last cohabited with the said William Thomas Hale, near Driver, in the County of Hansemond, in the State of Virginia;

In consideration whereof, and forasmuch as your complainant is remediless in the premises save in a court of equity, your complainant prays that the said William Thomas Hale may be made a party defendant to this bill, and required, but not on oath, to answer the same, the oath being hereby waived; that proper process may be issued; that a divorce from the bond of matrimony which was created by the aforesaid marriage be decreed her; and that your complainant may have all such further, and other, and general relief in the premises as the nature of her case may require, or to equity shall seem meet.

Josephine Richmond Hale

By

Henry A. Holland
Her attorney.

Henry A. Holland
Counsel.

JOSEPHINE REDMOND HALE

VS.....BILL.....

WILLIAM THOMAS HALE.

*Died Mar. 17, 1919
H. G. Smith,
Clerk*

Hugh D. Holland. F. G.

Josephine Redman. F. G.
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William Thomas Hall

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