1924-001
Nansemond Co (Suffolk) Chancery Causes: Paul Barnes vs Hannah Pratt Barnes

Pratt, Stallings, Hall

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

TO GEORGE E. BUNTING, CLERK OF SAID COURT:

PAUL BARNES.....COMPLAINANT

VS) MEMORANDUM

HANNAH PRATT BARNES.....DEFENDANT

Please summon defendant for complainant to Second January (1924) Rules, In Chancery.

Hugh Holland, p.q.

Rule Notes:

Jan. 18, 1924, Rules issued, returnable to
January Rules, 2nd Monday, 1924,
Jan. 21, 1924, Rules returned executed,
bill filed & decree nisi
Feb. Rules, 1st Monday, 1924, decree nisi confirmed
Cause set for hearing,

PAUL BARNES....COMPLAINANT

VS) MEMORANDUM

HANNAH PRATT BARNES..DEFENDANT

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

CHANCERY SUMMONS

The Commonwealth of Virginia.

TO THE SHERIFF OF NANSEMOND COUNTY---GREETING:

You are Hereby Commanded to Summon Hannah Pratt Barnes

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 January, 1924, to answer a Bill in Chancery, exhibited against her in the said Court by Paul Barnes

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this 18th day of January, 19 24, in the ~~13~~ 148th year of the Commonwealth

A Copy---Teste:

Clerk

Teste:

G E Bunting

Clerk

Executed this ..... day of ....., 191.. by delivering a true copy of the within process to .....

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

..... Sheriff

Alex Pratt 1/19/24

Original

H. K. Holland ..... p. q.

Paul Barnes

vs. } In Chancery

Hannah Pratt Barnes

1924

January ..... Rules

Thursday ..... Monday.

NANSEMOND COUNTY COURT,

Process Book, No. 3

Page .....

Hannah Pratt Barnes per

could not be found at her usual place of abode on the 19 day of Jan 1924 so the within process was executed on the said 19 day of Jan 1924 within the county of Nansemond by delivering a true copy of the same, in writing, and giving information of its purport to

Alex Pratt

who was found at

Hannah Pratt Barnes

usual place of abode and who is a member of her family over 16 years of age

E. B. Rawles
Sheriff

NOTICE OF TAKING DEPOSITIONS.

TO HANNAH PRATT BARNES:

Take notice that on the 1st day of February, 1924, at the office of Hugh L. Holland, Attorney at Law, 200-03 American Bank & Trust Company Building, Suffolk, Virginia, between the hours of 10:00 A.M. and 5:00 P.M. of that date, before a Notary Public, I shall proceed to take the depositions of witnesses to be read as evidence in my behalf in a certain suit in equity, pending in the Circuit Court of the County of Nansemond, Virginia, in which I am complainant, and you, the defendant; and, if from any cause the taking of the said depositions be not commenced, or if commenced, be not concluded, on that day, the taking thereof will be adjourned from day to day or from time to time, at the same place and between the same hours, until the same shall be completed.

Paul Barnes

By Hugh L. Holland, p.q.

PAUL BARNES.....COMPLAINANT

VS) NOTICE OF TAKING DEPOSITIOS

HANNAH PRATT BARNES

Original

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

Hannah Pratt Barnes
could not be found at ~~her~~
usual place of abode on the
19 day of Jan.
1924 as the within process
was executed on the said
19 day of Jan 1924
within the county of Nans-
mond by delivering a true copy
of the same, in writing, and
giving information of its pur-
port to

Alex Pratt Barnes

who was found at
Hannah Pratt Barnes
usual place of abode
in the county of
Nansemond
and above the age of
sixteen years.

E B Bawles
Sheriff

MARRIAGE LICENSE

Commonwealth of Virginia
County of Norfolk, } **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,

Paul Barnes

and Hannah Pratt

Given under my hand, as Clerk of the Circuit Court of Norfolk County, this 12" day of August 1909

Alvah H. Martin Clerk.
By L. J. Warner, D. C.

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

Date of Marriage August 12" 1909	Place of Husband's Birth Norfolk Co. Va
Place of Marriage Norfolk Co. Va.	Place of Wife's Birth " " "
Full Names of Parties Married	Place of Husband's Residence " " "
Paul Barnes	Place of Wife's Residence " " "
Hannah Pratt	Name of Husband's Parents
Race (White or Colored) Colored	Jacob & Georgianna Barnes
Age of Husband 30 years	
Age of Wife 21 "	Name of Wife's Parents
Condition of Husband Widower (Widowed or Single or Divorced)	Aleck and Duriah Pratt
Condition of Wife Single (Widowed or Single or Divorced)	Occupation of Husband Laborer

Given under my hand this 12' day of August 1909

Alvah H. Martin Clerk.
By L. J. Warner, D. C.

Certificate of Time And Place of Marriage

I, ..., a ~~of the~~ ~~Church or religious order of that name,~~ do certify that on the 12 day of August 1909, at Norfolk Co. Va., under authority of the above License, I united in Marriage the persons named and described therein.

Given under my hand this ..... day of ..... 192....

Rev A. Kearney

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).

A Copy—Teste: G. TAYLOE GWATHMEY, Clerk.

By E Stout D. C.

Printcraft Press, Inc.

a Copy

The depositions of Missouri Stallings, Tonnie Hall and Paul Barnes were taken before me, C.L. Lewis, a Notary Public in and for the City of Suffolk, State of Virginia, on the 1st day of February, 1924, between the hours of 10:00 A.M. and 5:00 P.M. of that date, pursuant to due notice to defendant served in person as shown by annexed notice, according to law, to be read as evidence on behalf of the plaintiff in a certain suit in equity, pending in the Circuit Court of the County of Nansemond, Virginia, wherein Paul Barnes is the complainant and Hannah Pratt Barnes is the defendant.

PRESENT:

HUGH L. HOLLAND, counsel for plaintiff.

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

MISSOURI STALLINGS being duly sworn deposes as follows:

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

A. Missouri Stallings, 54 years old, about one mile from Somerton in Nanseomd County, Virginia, house-keeper.

Q. How long have you known Paul Barnes and Hannah Pratt Barnes?

A. I have know both Paul Barnes and Hannah Pratt Barnes all my life.

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 have been separated since 1914. Hannah Pratt Barnes left him in March 1914.

Q. How did Paul Barnes treat his wife?

A. He treated her all right and made her a good husband.

Q. Did Paul Barnes give her any cause to leave?

A. No sir he did not give her any cause to leave.

Q. Please state briefly the circumstances of her leaving?

A. Hannah Pratt Barnes left Paul Barnes in March 1914. Her parents lived at Somerton and she lived at Holland with Paul Barnes. She did not want to live at Holland and went back to her home at Somerton. When she left she stated to Paul Barnes that she was going to leave him and when she did leave she would leave forever and never return to live with him again. She left that afternoon and has not returned since that time. Paul Barnes went to see her several times while she was living with her mother and father and asked her to come back to live with him, but she refused to do so.

Q. Where does Hannah Pratt Barnes live now?

A. At Somerton in Nansemond County, Virginia.

Q. Where did Paul Barnes and Hannah Pratt Barnes last live together as husband and wife?

A. Near Holland in Nansemond County, Virginia.

Missouri Stallings #2

Q. Where does Paul Barnes live now?

A. At Holland in Nansemond County, Virginia

Q. Has Paul Barnes and his wife Hannah Pratt Barnes lived together as husband and wife since their separation in 1914?

A. No sir they have not lived together since their separation in 1914.

And further this deponeth saith not..

Wilbur C. Lewis

his
Missouri X Stallings
mark

TONNIE HALL being duly sworn deposes as follows:

Q. Please state your name age residence and occupation?

A. Tonnie Hall, 43 years old, about six miles from Holland in Nansemond County, Virginia, farmer.

Q. How long have you know Paul Barnes and Hannah Pratt Barnes?

A. I have known Paul Barnes and Hannah Pratt Barnes both for about fifteen years.

Q. Please state whether they are living together now?

A. No sir they are not living together now.

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

A. They have been separated about ten years and she left him in March 1914.

Q. Has Paul Barnes and his wife Hannah Pratt Barnes lived together as husband and wife since that time?

A. No sir they have not lived together as husband and wife since that time.

Q. Where does Paul Barnes live now and how long has he lived there?

A. He lives near Holland in Nansemond County, Virginia, and has lived there ever since his marriage to Hannah Pratt Barnes.

Q. Please state briefly the circumstances of her leaving?

A. She left him in March 1914. Hannah Pratt Barnes's people lived at Somerton and she lived at Holland. She seemed to be dissatisfied with Paul Barnes and stated several times that she was tired of him and that she was going to leave. One afternoon in March 1914 she took her things and left him and stated that she was tired of living with him and was leaving him forever. She has never returned since that time. Paul Barnes tried several times to get her to come back to live with him but she refused to do so.

Tonnie Hall #2

Q. How far were you living from Paul Barnes and his wife at the time of their separation and about how often did you see them?

A. At the time of their separation I was living in the same neighborhood about five hundred yards from them and saw them about two or three time a week.

Q. How far do you from him now?

A. About six miles.

Q. Where does Hannah Pratt Barnes live now?

A. At Somerton in Nansemond County, Virginia.

Q. Did Paul Barnes give her any cause to leave?

A. No sir he did not give her any cause to leave.

Q. How did hw treat his wife?

A. He treated her all right and made her a good husband.

And further this deponeth saith not.

Tonnie Hall

PAUL BARNES being duly sworn deposes as follows:

Q. Please state your name age residence and occupation?

A. Paul Barnes, 48 years old, near Holland Nansemond County, Virginia, farmer.

Q. Are you the complainant in this suit?

A; Yes sir.

Q. Please state whether you and your wife are living together now?

A. No sir we are not living together now.

Q. Which one left the other and when?

A. She left me in March 1914.

Q. Please state the circumstances of her leaving briefly?

A. She was dissatisfied living at Holland and went back to live with her mother and father at Somerton. I had to live at Holland because I worked there and that was the only place I could make my living. Before leaving she stated that she was tired of married life; tired of me; that she was going to leave me and when she did leave she would never return to me. She left that afternoon and has never been back since. I went to see her several times while she was living at Somerton and tried to get her to come back to live with me, but she said then that she was tired of me and that she would not come back.

Q. Where does Hannah Pratt Barnes live now?

A. At Somerton in Nansemond County, Virginia, and has lived there since she left me in 1914.

Q. Did you give her any cause to leave you?

A. No sir I did not give her any cause to leave me.

Q. Have you and your wife live together as husband and wife

Paul Barnes #2

since she left you in 1914?

A. No sir we have not lived together since that time.

Q. Where do you live now?

A. At Holland in Nansemond County, Virginia.

And further this deponeth saith not.

Wilkins
C. L. Lewis

Paul X Barnes
mark

STATE OF VIRGINIA, CITY OF SUFFOLK.....TO-WIT.

I, C.L. Lewis, a Notary Public in and for the City of Suffolk, State of Virginia, do certify that the foregoing depositions of Missouri Stallings, Tonnie Hall and Paul Barnes were duly taken, sworn to and subscribed before me at the office of Hugh L. Holland, in the City of Suffolk, Virginia, on the 1st day of February, 1924, between the hours of 10:00 A.M. and 5:00 P.M. of that date to be read as evidence on behalf of the plaintiff in a certain suit in equity pending in the Circuit Court of Nansemond County, Virginia, wherein Paul Barnes is the complainant and Hannah Pratt Barnes is the defendant.

Given under my hand this 1st day of February, 1924.

C. L. Lewis

Notary Public in and for the City of Suffolk, State of Virginia.

My commission expires on the 14th day of January, 1926.

PAUL BARNES....COMPLAINANT

VS) DEPOSITIONS

HANNAH PRATT BARNES..DEFENDANT

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

PAUL BARNES.....COMPLAINANT

VS) DECREE

HANNAH PRATT BARNES.....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, Hannah Pratt Barnes , since her marriage with the plaintiff has without cause deserted him 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 he 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.

PAUL BARNES.....COMPLAINANT

VS) DECREE

HANNAH PRATT BARNES...DEFENDANT.

Entered March 20. 1920
Jas. L. McLemore,

5 Fg. 465

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

Paul Barnes.....Complainant

vs) Bill

Hannah Pratt Barnes.....Defendant

To the Honorable Circuit Court of Nansemond County:

Your complainant, Paul Barnes, respectfully represents:

(1) That on the 12th day of August, 1909, your complainant Paul Barnes and Hannah Pratt Barnes, whose maiden name was Hannah Pratt, were lawfully married near Portsmouth in Norfolk County, Virginia, 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 day of March, 1914, your complainant and the said Hannah Pratt Barnes lived together as husband and wife; and,

(3) That the said Hannah Pratt Barnes has wilfully deserted and abandoned your complainant for a period of more than three years; that is to say, on the day of March, 1914, the said Hannah Pratt Barnes did, voluntarily, wilfully and without any justification whatever, leave her home; that before leaving she stated to your complainant that she was going to leave him forever and that she would never return to him; that your complainant and the said Hannah Pratt Barnes have never lived together since that time; 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 Hannah Pratt Barnes near Holland in the County of Nansemond, 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 Hannah Pratt Barnes 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 him; and that your complainant may have all such further, and other, and general relief in the premises as the nature of his case may require, or to equity shall seem meet.

Paul Barnes
by Counsel

Complainant

Hugh L. Holland

Counsel.

PAUL BARNES....?...COMPLAINANT

VS) BILL

HANNAH PRATT BARNES.DEFENDANT

Filed Jan. 21st, 1924

G. K. Bunting

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA