

State of West Virginia

To the Sheriff of McDowell County, Greeting

WE COMMAND YOU TO SUMMONS

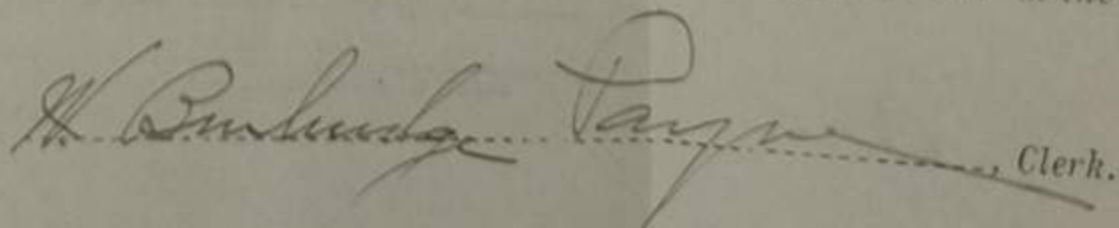
Mary Palmer,

to appear at Rules to be held in the Clerk's office of the Circuit Court of McDowell county, at the Court House, on the first Monday in September, 1913, next, to answer a Bill of Chancery exhibited against her in the said Court by

P. O. Palmer,

And unless she shall answer the said Bill within two months thereafter, the court will take the same for confessed, and decree accordingly. And this you shall in no wise omit, under the penalty of \$100, and have then there this writ.

Witness: W. BURBRIDGE PAYNE, Clerk of the said Circuit Court of McDowell county, at the Court House of said County, on the 1st day of September 1913, and in the 51st year of the State.

 Clerk.

To *Mary Palmer*.....

Take notice that I will on....., the *18th*..... day of
October....., 1913....., between the hours of *8*..... A. M., and *6*..... P. M.,
 at the *Office of J. H. Smith*, in the town of *Keystone*
 in the County of *McDowell*....., West Virginia, proceed to take the depositions
 of *Myself*..... and others to be read as evidence in be-
 half of the *Plaintiff*..... in a certain suit in Chancery, pending in the Circuit Court of
 McDowell County, West Virginia, wherein I am *Plaintiff* and you are *Defendant*!

If for any reason the taking of said depositions be not begun on that day, or if begun, the same shall not be completed, the taking thereof will be continued from day to day or from time to time, between the same hours, until they shall be completed.

Respectfully,

J. O. Palmer.....

By Counsel.

Counsel for.....

J. H. Smith
Plaintiff

Deposition of witness taken in an action before
E. M. Craghead a notary public in and for the county of
McDowell, State of West Virginia, wherein P. O. Palmer is
plaintiff and Mary Palmer is defendant, pursuant to the
notice hereto attached, at the office of J. K. Smith in the
town of Keystone, County of McDowell, W. Va. on the

notice hereto attached, at the office of J. K. Smith
town of Keystone, County of McDowell, W. Va. on the
18th, day of October- 1913, between the hours of 9. A. M. and
6 P. M. to be read as evidence on behalf of the plaintiff in
said action.

Present for the Plaintiff J. K. Smith.

Present for the defendant-----.

Ist, Q- What is your name, age and where do you live?

Ans- My name is P. O. Palmer, my age is 26 years, ^{I live} in

McDowell, W. Va.

2, Q- Are you the plaintiff in this case?

Ans- I am .

3, Q Are you and the plaintiff living together now?

Ans- No sir and have not for more than 6 years. My wife willfully deserted me , committed the act of adultery, and had two children that did not belong to me (her husband).

4th Q- Where did you and the defendant last live together as man and wife?

Ans- At Eckman, W. Va.

5th Q- Did you demean yourself as a true and faithful husband should?

Ans- Yes sir I did all that I could to be a true and faithful husband could do, She would go away and saty all day come back and fuss and carry on all balance of the day.

she often made threats that she would take other men and leave with them some days she would go away and stay all day , could not be found and when she did come she could give no reason that she was away, and did not care to do so.

6th, Q- When and where did you marry?

Ans- At , Eckman , W. Va. in the year of 1904. and lived together about one year.

7th, Q- How many children has she birthed since you all separated

Ans- She has two, and I have not had any cohabited relation with her since we separated.

8th, Q- Do you now that your have committed the act of adultery

Ans- Yes sir she acknowledges that to any one besides the children is thereto prove it.

8th, Q- Do you now that your have committed the act of adultery.

Ans- Yes sir she acknowledges that to any one besides the children is thereto prove it.

And further this deponent sayeth not.

P. O. Palmer

At the same time and place appeared another witness being of lawful age and by me first duly sworn depose and

1st Q- What is your name age and where do you live?

Ans- My name is Texana Hopkins, I live in Keystone, W. Va.

My age is 46 years.

2nd Q- Are you acquainted with the plaintiff in this action?

Yes but do not know the defendant.

3rd Q- How long have you known the plaintiff?

Ans- I have known him for a short while?.

4th, Q- Since you have known the plaintiff have you known him to live with a woman?

Ans- I have not.

Texana Hopkins

State of West Virginia:

TO WIT:

County of McDowell

State of West Virginia:

TO WIT:

County of McDowell

I

I E. M. Craghead a notary public in and for the
aforeaid county and state do here by certify that the fore-
depositions of P. O. Palmer and Texana Hopkins ~~were~~ duly taken
by me, sworn to and prscribed before me, at the time, place
and for the purpose specified in the caption thereto.

Given under my hands this the 18th, day of October-
1913.

My commission expires September 12th, 1917.

E. M. Craghead, N.P.
Notary Public

Edo Palmer Plaintiff
Mary Palmer Defendant
in chancery.
The Bill of Complaint
of Edo Palmer filed in the
Circuit Court of Medawell
County against Mary Palmer
Plaintiff comes happily
completing and says unto
your Honor I do Hardon
Judge of said Court and
having the jurisdiction of
said action that he was
married unto the Defendant
January 4-1904 in the
County of Medawell and
that he is a man and from
that time until the
year of 1910 he lived a
true wife Dr. Hushan &
should have said - The Defendant
did wilfully desert him while
he was sick and that was
more than three years
ago. Plaintiff and Defendant
last live together as man
wife in the said County at
Cameron - westra Plaintiff
now resides in said County
and have resided

I think it says that they lived together until 1910 and she left him after that when he was sick and that was more than 3 years ago. My problem is that Hazel was born in May 1911 and there is a family picture of them with all the kids when Hazel has to be at least more than 6 months old. I'm still having a problem with where were these other kids she was supposed to have had??

The bill of complaint of P.O. Palmer filed in the Circuit Court of McDowell County against Mary P.O. Palmer, Plaintiff, (comes humbly?) complaining and says unto your honor (JC Hurdxxx?) Judge of said court and having the jurisdiction of said (action?) that he was married unto the defendant January 4, 1904 (they were actually married August 29, 1905) in the county of McDowell and state of West VA and (have that time?) until the year 1910, he lived a time wife and husband, and should have said - the defendant did willfully desert him while he was sick and that was more than three years ago.

(Either I'm not reading this right or it is supposed to say they married in 1904 and until the year 1910 lived together as man and wife, which sounds more correct then the previous typed out questions, but still they would probably have been together until late 1911 - I think this written part may be a correction to the typed part they added later)

Plaintiff (acced? Accused?) defendant last lived together as man and wife in the said county at Elkman West Va. Plaintiff now resides in said county and have resided more than one year in the state of West Virginia alone said before the (institution?) in the?? (it's like they didn't write the rest) bring this suit ?? these and other good and (?lausable and ca??) that will appear in the ??? this cause plaintiff prays that he may be also justly divorced from the bounds of Matrimony from the defendant and he will ever pray?? (I'm not sure what is what it says, but it's my best guess.)

more than one year in
the State of New York as said,
before the institution of the
present suit
From these and other good
and plausible causes
that will appear in the
Declarations in this cause
plaintiff prays that he may
be absolutely divorced
from the bonds of
matrimony from the
defendant and her
ever pray!

J. O. Palmer
by Counsel
for the Plaintiff,
J. O. Palmer
1913

West Virginia:—

At a Circuit Court continued and holden for the County of McDowell, at the Court House thereof _____ morning _____ o'clock _____, _____, 191_____.

X Present, Honorable, _____ Judge of said Court.

P. O. Palmer, _____, Plaintiff,

vs.—In Chancery.

Mary Palmer, _____, Defendant.

This cause came on this day to be heard upon the order of publication duly published and posted as required by law, Plaintiff's Bill and depositions of witnesses taken and filed in this case as perscribed by law; and upon the argūment of Counsel.

And the Court after having heard all the argūments of counsel and after maturely considering the same, is of opinion and doth adjudge, order and decree that the Plaintiff

P. O. Palmer and the defendant Mary Palmer

be and they are hereby divorced from the bonds of matrimony from each other.

And this suit having accomplished the purpose for which it was instituted the same is ordered to be omitted from the docket.

X

State of West Virginia.

County of McDowell, ss.

I, W. Burbridge Payne, Clerk of the Circuit Court of McDowell County, do hereby certify that the foregoing writing is a true and correct copy from the record of my office as the same now exist therein in the Chancery cause of _____ against _____.

Given under my hand and seal of said Court, this the _____ day of _____

191_____.

P. O. Palmer,

SUMMONS

vs. } In Chancery
and 1 copies

Mary Palmer,

September

Rules, 191-3.

"NON-RESIDENT AFFIDAVIT FILED."

The within named

Mary Palmer

not found in my bailiwicks this,

1st day of Sept 1913

J. F. Johnson

Deputy for J. P. Johnson, Sheriff McDowell Co.

State of Virginia
~~Russell~~ ^{Tozume} County

This day the ~~23~~ ²³ of Sept.

~~L. D. Bayles~~ C. J. C.

personally appeared
before me and being
by me first duly
sworn depose and
say that he executed
within notice upon
the within name, may
be served by delivery to
me in person a true
copy thereof on ²³ day of
Sept 1913 at the place
above subscribed &
sworn to before me.

This the 25th day of Sept 1913

J. P. Mansfield R.

~~L. D. Bayles~~ C. J. C.

Certificate of Publication

P. O. Palmer

vs.

Mary Palmer

WELCH, W. VA., *Oct 1* 191*3*

Ordered by *James H. Smith*
Keystone W^a

To publishing annexed *Order Publication*

4 Times

\$ *5.50*

I, J. J. Swope, Editor and Manager of the McDowell Recorder, a newspaper published at Welch, McDowell county, W. Va., do certify that the annexed notice was published in said paper for *4* successive weeks, beginning on the *5* day of *September* 191*3* and ending on the *26* day of *Sept* 191*3*

J. J. Swope
Editor and Manager.

State of West Virginia, ||
County of McDowell || SS:

I, W. Burbridge Payne, Clerk of the Circuit Court of McDowell County, do hereby certify that a copy of the annexed Order of Publication was duly posted at the front door of the Court House of McDowell County, as required by law.

This the *8th* day of *October* 191*3*

W. Burbridge Payne Clerk.

By *B. Hampton Gray* Deputy.

ORDER PUBLICATION.

West Virginia:—At Rules held in the Clerk's Office of the Circuit Court of McDowell County, on the first Monday in September, 1913.
P. O. Palmer, Plaintiff,

vs. In Chancery.
Mary Palmer, Defendant.
The object of this suit is to obtain from the defendant by the plaintiff a divorce

A Vinculo Matrimonii
And it appearing from an affidavit now on file with the papers of this cause, that the defendant is a non-resident of the State of West Virginia; it is therefore ordered that the said defendant do appear at the Clerk's Office of the Circuit Court of McDowell County within one month from the date of the first publication of this order, and do what is necessary to protect her interest herein.

And it is further ordered that a copy of this order be published once a week for four successive weeks in some newspaper published in McDowell County, and that a copy of the same be posted at the front door of the court house of McDowell County for twenty days before decree is rendered.

B. Hampton Gray, Deputy for
W. Burbridge Payne, Clerk.
J. K. Smith, P. Q. 9-5-4t.

STATE of WEST VIRGINIA,

COUNTY of McDOWELL, ss:

This day personally appeared before me the undersigned authority J. K. Smith, and after being by me duly sworn deposes and says, that Mary Palmer is a non-resident of the State of West Virginia.

J. K. Smith

Taken, subscribed and sworn to before me in my office at Welch, this the 30th day of August, 1913.

R. G. Humphrey

Deputy for W. Burbridge Payne, Clerk,
Circuit Court of McDowell County,
West Virginia.