

1878-15

Southampton County Chancery

Gray, Reuben vs Gray, Mary

Divorce

To The Hon. Geo. Blom, Judge of the Circuit
Court of Southampton County - In Chancery -

Humly complaining, sheweth unto your
Honor, your complainant Reuben Gray, That
on the day of May 1868, he intermarried with
one Mary Gray (formerly Powell), as will more
fully appear by certified copy of Their certificate of
marriage herewith filed, marked "A" & prayed to
be taken as part of This bill. That, from That
time, until within the last two years, your
complainant lived with said Mary Gray & was to
her a dutiful husband. That sometime during
the month of September in the year 1876, & re-
peatedly after That time, said Mary Gray left
your complainant's house, & stayed at the house
of one Nathan Wiley, where she lived in adul-
tery with one Tom Candy. That after That
time she regularly cohabited & lived ^{in adultery} with one
Phil. Claiborn. That your complainant im-
mediately after abandoned her & never has cohabit-
ed with her since. Your complainant further
states That said Mary Gray is now a common pro-
stitute & unfit to rear his children. In tender
consideration whereof & in as much as your
complainant is without remedy save in a Court
of Chancery, where matters of This kind are specia-
ly cognizable, & to the end That justice may be
done, he prays That said Mary Gray be made
party defendant to This bill & be compelled to

answer its several allegations. That a proper & fit per-
 son be assigned as ^{guardian ad litem} ~~next friend~~ to defend her interests
 in this suit. That your complainant may be entirely re-
 -moved from her & their marriage be dissolved, & that
 your Honor will grant such other & further relief
 as his case requires & to Equity may seem meet - &
 your complainant will ever pray &c

Wm. Graham J. G.

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Gray

vs 3 Bill 15th

Gray

1878. April Rules

To Mary Gray

Take notice That I shall, on the 20th day of April 1878, at the store-house of M. F. Lamb at Enterprise, in the County of Southampton, between the hours of 6 a.m. & 6 p.m., proceed to take the depositions of Nathan Wiley & others, to be read as evidence, in my behalf, in a certain suit in Equity now pending in the Circuit Court of Southampton wherein you are defendant & I am plaintiff; & if, from any cause, the taking of said depositions be not commenced on that day, or, if commenced, be not concluded on that day, the taking of the same will be adjourned from time to time, at the same place & between the same hours, until the same shall be completed.

Respectfully

Reuben Gray

by Counsel.

Southampton County

State of Va }

Personally appeared before me Wm A. Bell
a Justice of The Peace in & for The County aforesaid,
B. F. Briggs who made oath that he did

serve the within notice on Mary Gray by leaving a copy
with her on the 18th day of April 1878

Given under my hand this 20th day of April 1878

Wm A. Bell J.P.

Gray
20th April
Justice

The deposition of Parthena Wiley taken before me, Wm A. Bell, a Justice of the Peace, pursuant to notice hereto annexed, to be read as evidence in a certain suit in Equity depending in the Cir. Court of Southampton, between Ruben Gray & Mary Gray, in behalf of Ruben Gray - Parthena Wiley having being duly sworn before as follows -

Questⁿ - How old are you

Ans - I am about fifty years old -

Q. - Do you know the parties to this suit
I do -

Do you know how long they have been living separate & apart from each other -

A. - Nearly three years -

Q. - Did you ever see Phil Clairborn & Mary Gray sleeping together in the same bed, in your house -

I have seen them sleeping together once or twice - since Mary & Ruben parted -

Questⁿ - Do you know whether or not Mary is now pregnant -

A. - I do not know positively, but from her appearance I think she is -

And further. This deponent saith not -

Parthena ^{her} Wiley
mark

State of Virginia
Southampton Co }

I, Wm A. Bell, a Justice of The Peace, in & for the County aforesaid, do certify That the foregoing depositions of ^{Parthena} ~~Robert~~ Wiley ~~Robert~~ was duly taken, subscribed to & acknowledged before me at the place & time designated by notice hereto annexed -
Given under my hand this 20th day of April 1878
Wm A. Bell J.P.

4202
900
3 Depositions
4202
Parthena Wiley

The deposition of Henry Hamlin, Nathan Wiley & others, Taken before me, Wm. A. Bell a Justice of the Peace, pursuant to notice hereto annexed, to be read as evidence in a certain suit in Equity depending in the Circuit Court of Southampton, between Reuben Gray & Mary Gray, on behalf of Reuben Gray--

Henry Hamlin being duly sworn deposes as follows
Quesⁿ How old are you--

Ans. -- Sixty four years old--

Quesⁿ -- Do you know the parties to this suit-- I do-- & live near them--

Quesⁿ -- Do you know that Reuben Gray & his wife may have lived separate & apart from each other for the last two years--

I believe firmly that they have separated & have not lived together as man & wife for ~~the~~ the last two years--

Do you know whether Mary is now pregnant-- I think she is--
And further this deponent saith not

Henry ^{his} Hamlin
mark

B. F. Briggs having been duly sworn, deposes as follows

Quesⁿ -- How old are you--

Ans. -- Twenty one years of age--

Do you know the parties to this suit, & that they have lived separate & apart from each other for the last two years--

Ans. -- I do-- They lived on my farm, & I

know - They have lived apart from each other
for the last two years - ~~and further~~
~~this deponent saith not~~ - Renten is
still living apart from Mary on my
farm - ^{further} And this deponent saith not

Benjamin F. Briggs

Osborn Gray being duly sworn deposes as
follows -

Questⁿ - How old are you -

Ans - I am twenty - nine -

Questⁿ - Do you know the parties to
this suit & live near them -

Ans. I do -

Quest do you know that they have
been living separate & apart from each
other for the last two years -

Ans - I do -

Quest - Do you know that Phil.
Claiton ^{has} slept in the room with Mary
Gray since she left her husband Rent
- on - If so where -

Ans. I know that Phil. Claiton & Mary
Gray slept in the same room at my
father's (Cathon Hiler) ~~two~~ nights while
I was there - He left them sitting before
the fire, her head in his lap, when we
(myself, father & his wife) went to bed - And
in the morning her mother (my father's wife)
told me, that it was their habit (Mary &
Phil.) to sleep together, ^{as man & wife} whenever he
came there - Mary has lived with my

- & her mother
father, since she left Reuben, & further de-
saith not - Osborn ^{his} Gray
mark

Georgiana Gray being only sworn deposes
as follows -

Question How old are you
Ans. Nearly twenty-two -

Question Do you know Reuben & Mary
Gray - I do -

Question Do you know that Mary
Gray & Phil Claborn, slept together
in the same bed at Nathan Wiley's -
I do - & further she saith not -

Georgiana ^{her} Gray
mark

Henry Hamlin further testifieth that
Mary's reputation is now that of a com-
mon prostitute -

Henry ^{his} Hamlin
mark

Nathan Wiley being only sworn deposes
as follows -

Question How old are you -

Ans. Fifty years old -

Do you know the parties to this suit
I do -

Do you know how long they have
lived apart - Nearly 2 1/2 years -

Did you ever know her & Phil Claborn
to stay all night together in
your house - I have known them
to do so - and further this deponent saith not -
Nathan ^{his} Wiley
mark

~~Southampton~~

State of Virginia
Southampton Cty }

I, Wm A. Bell, a Justice of the Peace
in & for the County & State aforesaid, do certify
that the foregoing depositions of Nathan, Wiley
Henry Hamlin & others were duly taken, sub-
scribed to & acknowledged before me at the
time & place designated by notice hereto
annexed —

Given under my hand this 20th day
of April 1878 —

Wm A. Bell J.P.

Gray
as Depositor

Gray

Henry Hamlin &
others

Graz

vs & Decree

Graz

May Term 1878

To be entered

Geo. B. Low.

Copy wanted by May
County Court, by Judge
Wright.

Gray
vs & Decree
Gray

This cause came on this day to be heard on the complainant's bill & exhibits filed & depositions of witnesses, & was argued by counsel. On consideration whereof the Court being satisfied that the charge of Adultery against the defendant is clearly established, doth adjudge, order & decree that the marriage heretofore solemnized between Reuben Gray & Mary Gray (formerly Powell) be & the same is hereby dissolved, the said Reuben Gray forever divorced from his wife the said Mary Gray & all the right & title & interest of the said Mary Gray to the estate of the said Reuben Gray shall henceforth cease & determine. And that the said Reuben Gray shall pay the costs of this suit. And nothing further remaining to be done in this suit it is ordered to be removed from the docket - leave being reserved to the parties to make application, to the Court, for such other & further orders as are authorized by law.

MARRIAGE LICENSE



Virginia, Pennington 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, Pennington County and Mary Ann Pennington (formerly of Collier)

GIVEN under my hand, as Clerk of the County Court of Pennington County this 12th day of May 1867.
J. R. Edwards Clerk.

CERTIFICATE TO OBTAIN A MARRIAGE LICENSE.

To be Annexed to the License, required by Acts passed 15th March, 1861, and February 27th, 1866.

Time of Marriage, May 16th 1867

Place of Marriage, Pennington Co

Full Names of Parties Married, Robert Gray

& Mary Ann Pennington

Color, (Persons of Color)

Age of Husband, 24 years

Age of Wife, 18

Condition of Husband, (widowed or single) (Single)

Condition of Wife, (widowed or single) (Single)

Place of Husband's Birth, Pennington Co Va

Place of Wife's Birth, Id

Place of Husband's Residence, Id

Place of Wife's Residence, Id

Names of Husband's Parents, Clarissa (Mother)

Names of Wife's Parents, Pennington Wiley (Mother)

Occupation of Husband, Farmer

Given under my hand this 12th day of May 1867

J. R. Edwards Clerk.

MINISTER'S RETURN OF MARRIAGE.

I Certify, That on the 16th day of May 1867 at Mrs Pace's I united in Marriage the above-named and described parties, under authority of the annexed License.

Isaac McDonald

The Minister celebrating a marriage, is required, within TEN days thereafter, to return the license to the Office of the Clerk who issued the same, with an endorsement thereon of the FACT of such marriage, and of the TIME and PLACE of celebrating the same.

Attest J. R. Edwards Clerk.

Gray
Pine

(Exhibit "A")

Gray

to

}

Stat. Rules

Gray

1878 May. I - Marriage dissolved

In Southampton Circuit Court

Reuben Gray
against
Mary Gray

1878 Feby. 19th Summons issued
" Mar. R Summons ret^d Executed
" April " Bill filed
" May " Cause set for hearing &c
" " I. Decree dissolving marriage

Gray

to } Spachy

Gray

Mary Gray lives with
Nathaniel Wiley, Col.

Accused by de-
livering copy of
the within to
27th 1878

J. J. Pennington
Deft for L. P. Henson

Shiff

The Commonwealth of Virginia:

TO THE SHERIFF OF SOUTHAMPTON COUNTY....GREETING:

WE COMMAND YOU TO SUMMON *Mary Gray* —

if she to be found within your bailiwick, to appear at the Clerk's Office of our Circuit Court, of Southampton County at the rules to be holden for the said Court, on the first Monday in *March* next to answer a bill in Chancery exhibited against her in our Said Court by *Reuben Gray*

and have then there this writ.

Witness, **Littleton R. Edwards**, Clerk of our said Court, at the Court House this *19th* day of *February* 187*8*, in the *100th* year of the Gommonwealth.

L. R. Edwards