

1881-012 Charcey Causes: Edmund Bowles vs. Mary Bowles

Isle of Wight County

other surnames: Bidgood,
Owley, White, Bailey,
Young

Bowles et alms py.
vs
Bowles

Complainants
Bill

Jan. Rules, 1881.

Bill filed, sum.

exd. & de. nisi.

Feb. Rules - Bill taken
for conf. & set for
hearing.

Apr. Ct. 1881.

Dismissed.

=

unto wife, your complainant is en-
titled to a divorce from the bonds
of matrimony with the said Mary his
wife. In tender consideration whereof
and forasmuch as your complainant
is without remedy at law and can
only be relieved by the aid of this
honorable court of Chancery where
matters of this sort are cognizable;
To this end your complainant prays
that the said Mary Bowles wife of
your complainant, may be made
a party defendant to this bill and
be required to answer the same; and
that by the decree of this honorable
court of Chancery the said marriage
may be dissolved and the said Mary
be forever divorced from your complain-
ant, and that such other and further
relief may be granted on the premises
as to the court may seem meet and
the nature of the case may require
and your complainant will ever
pray.

J. Hemming Nelson pr.

White. That since the time of the said Mary's committing the said act of adultery with the said Richard White; to wit, on the 2nd day of January in the year 1880, she the said Mary wife of your complainant did, in the said County of Alleghen, give birth to a child which was not the child of your complainant and which your complainant has never in any way acknowledged as his own. That your complainant had always been an affectionate and faithful husband to the said Mary his wife. That since the said act of adultery which the said Mary the wife of your complainant committed with the said Richard White, your complainant has never lived with nor cohabited with the said Mary the wife of your complainant, nor has he ever at any time in any manner whatever condoned the said act of adultery which the said Mary the wife of your complainant committed. That your complainant is informed and so charged that in consequence of the premises above named and the said act of adultery of the said Mary your complainant

To The Honorable George B. Blow
Judge of the Circuit Court of Law
and Chancery for the County of
Isle of Wight, in Chancery sitting.

Your complainant Edmund Bowles of the said county of Isle of Wight, humbly complaining, sheweth to the court:

That on the 18th day of May
in the year 1875 A.D. your complainant
Then 23 years of age under a marriage
license from ^{CH. HORTON, J. C.} N. O. (Gorring,
Clerk of the said County of Isle of Wight, ^{off}
~~the 16th day of May 1875~~ ^{that date} was according to law, lawfully
married in the said County of Isle of
Wight to Mary Bidgood then 18 years
of age by the Rev. P. M. Culey, a minister
of the Gospel duly & legally authorized &
licensed to celebrate marriages, as will
appear from a certified copy of said
license with the certificate of said minis-
ter of solemnization of said marriage
annexed, herewith filed, marked A., and
prayed to be taken as a part of this
bill. That thereafter, to wit in the month
of October 1878 the said Mary wife of
your complainant forgetful of her
duty as your complainant's wife
did commit adultery with one Richard

Edwin Bowles

Sum. to
acc. Bill

Mary Bowles

Procy. Recd. 1880

J. H. Melrose

Executed by delivering
to the within named
Mary Bowles a true
Copy of the within
Summons, Dated

1880

R. A. Edwards Supt
L. B. Edwards Supt

The Commonwealth of Virginia,

TO THE SHERIFF OF ISLE OF WIGHT COUNTY, GREETING:

WE COMMAND YOU TO SUMMON

Mary Bowles

to appear at the Clerk's Office of the Circuit Court of Isle of Wight County, at Rules to be holden for the
said Court, on the first Monday in *January* next to answer

the Bill in
chancery of Edmund Bowles

of a plea of ~~_____~~ for \$ ~~_____~~ Damages \$ ~~_____~~ And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Court House, the *8th*

day of *December* 18*80*, in the *105th* year of the Commonwealth.

N. P. Young clk.

Bowles

v. Depositions

Bowles

"

Ap. 20th 88

Came to hand
under seal. and
filed.

"
Filed.

W. B. Edwards
S. C.

Edmund Bowles was in New Jersey; and the circumstances were as follows. One morning just about day-break I went down to Edmund Bowles' home where his wife and child were living and went in and saw Richard White in the bed with Mary Bowles the wife of Edmund Bowles, and both of them were undressed. And further this deponent saith not.

Wm. George

The above depositions of Edmund Bowles, Saml. Bailey, and Walter Gandy were taken subscribed & sworn to before me this 7th day of April 1881 A.D.

Wm. H. H. H. H.

Wm. H. H. H. H.

Richard White on the last Sunday night before that.

Question

6th Was ^{Edmund Bowles} generally in your house every night while he was living with you?

Ans.

He was.

And further this deponent says that ^{his} Sainl. + Bailey

The above named ^{work} Walter Gandy being first duly sworn deposes and says as follows:

Question

1st by plaintiffs attorney.

State your age place of residence and whether you know the parties ^{to} this suit.

Ans.

I am 15 years old, reside in Smithfield Isle of Wight County Va. and have been knowing the parties to this suit all my life.

Question

2nd State whether you were living at Mr. Fillmore Jordan's all of the fall of the year 1878?

Ans.

I was.

Question

3rd. State whether you ever saw Richard White in Edmund Bowles' ^{house} with the said Edmund Bowles wife Mary Bowles, and if so state the circumstances.

Ans.

I did during the fall of 1878, while

Question

Essex Wright County State of Virginia,
I know both parties all their lives
2nd Do you remember Edmunds
Bowles coming home to this
county from New Jersey in
the year 1878 about the month
of October... A

Ans.

I do.

Question

3rd State whether he boarded & lived
with you during that fall or if
so how long after he came home
before he started living with
you.

Ans.

He did live with me that fall,
and began to do so about 12
days after he came home from
N.J. and lived with me until
the next spring when he again
started for N.J.

Question

4th where was his wife living when
he was living with you?

Ans.

On Mr. Fillmore Jordan's land,
near Smithfield.

Question

5th what did Edmund Bowles
tell you were his reasons for
not living with his wife?

Ans

Because he had caught her
while committing adultery with

Edmund Bowles deposing
continued from 4th page

Question

7th Have you ever made up with her or in any way condoned her act ^{of adultery} since you saw her commit it?

Ans. I never have.

Question

8th Why did you stay in the house with her from the Sunday night you caught her with Richard White, until the following Thursday?

Ans.

Because I was working for Mr. Fillmore Jordan and he asked me to stay and work for him a while longer; and also because I could not make arrangements to stay any where else until the following Thursday when Mr. Jordan said he did not need me any longer and I had made arrangements to board with Saml. Bailey.

And further this deponent ^{swears} that his
Edmund Bowles
marks

The above mentioned Saml. Bailey
the not being duly sworn deposed
and says as follows:

Question

1st by plaintiffs attorney.

State your age, place of residence, and whether you know the parties to this suit?

Ans.

I am 48 years old, live in Smithfield

day. They both got up hurriedly and Richard White left the house immediately.

Question 3rd How long after the night just referred to did you live in the same house with your wife?

Ans. Until the following Thursday when I moved to Smithfield to live with Saml. Bailey.

Question 4th Did you talk to her and she to you during the time after you caught her with Richard White?

Ans. I only spoke to her about 1/2 day times and she only spoke to me once, & that was on Tuesday evening, she asked me to forgive her and told her I should not forgive her but I should forget her:..

Question 5th Did you ~~ever~~ sleep in bed with her during that time?

Ans. No, she slept on bed with her little baby and I slept on lounge.

Question 6th Have you ever had sexual commerce or ever cohabited with her since you saw her in the very act of committing adultery with Richard White on the Sunday night above mentioned?

Ans. I never have.

said, "Ned lets get a divorce -
I'll bet you we dont live to-gether
two years." At night I asked her
to go to church with me but she
refused saying she didn't care
to go. I went alone to church and
while there received a message
to go to the door, when one of my
friends Dick Blunt said to me,

"Ned, if you want to know how
your wife has been doing, go over
to your house - ~~now~~ and see for
yourself. I immediately started
home, and just before reaching
the house I heard Richard White
say, (within the house where my wife was)
"Come do what you promised before
Ned comes home." I Then crept
up to the house and peeped through
~~the~~^a crack in the house, I saw my
wife Mary Bowles go to the door, look
around, shut the door and go back.
She then lay down on the lounge
and the said Richard White went
to her, raised her clothes and I
saw them in the act of sexual
commerce, or adultery. I Then pushed
the door open and entered when they

Question

Evangelists depases as follows:

1st by plaintiffs attorney.

State your age place of residence, and relation to the parties of this suit.

Ans.

I am 28 years old, reside in Smithfield Isle of Wight County State of Virginia. I am plaintiff in this suit and the defendant

Mary Bawles is my wife

Question

2nd ~~State~~ ^{whether} you ever knew your wife Mary Bawles, who is defendant in this suit to commit adultery, and if so what were the circumstances connected therewith?

Ans.

I have known my wife to commit adultery with one Richard White and the circumstances were as follows: In the fall of 1878 after a stay on business of about 6 months in the State of New Jersey I returned to my home on Mr. Fillmore Jordans farm near Smithfield, Isle of Wight County State of Virginia. My wife welcomed me pleasantly and we got on very well for about a week, when on Sunday morning at breakfast she

The depositions of Edmund Bowles
Saml. Bailey, Walter Gung,

Taken in pursuant to the annexed notice on the 22nd day of December 1880 A.D. before the undersigned Geo. B. Atkinson, a commissioner in Chancery for the Circuit Court of the County of Isle of Wight at the office of Geo. B. Atkinson in the town of Smithfield in the County aforesaid ~~to be read as evidence~~ between the hours of 8 A.M. & 4 P.M. of the day aforesaid, to be read as evidence on behalf of Edmund Bowles in a suit in Chancery depending in the Circuit Court of the said County between the said Edmund Bowles & Mary Bowles his wife in the presence of J. H. Helms atty for the plaintiff.

The witnesses to this suit not being present, the taking of the above mentioned depositions was continued until the 7th day of April in the year 1881 A.D.

The said Edmund Bowles being first duly sworn on the holy

I hereby acknowledge
service of the within
summons.

Apr 5th 81

William Jordan

~~I hereby acknowledge
service of the
within his~~

~~Walter Young
Mark~~

~~Walter Young~~

I hereby acknowledge
service of the with-
in summons.

Apr 6th 81

Walter Young

Commonwealth of Virginia to wit:
To the Sergeant of the Corporation
of Smithfield, District:

You are hereby commanded to
summon Fillmore Jordan and
Walter Gandy personally to ap-
pear before the undersigned one
of the commissioners in chancery
of the Circuit Court of Dale of
Wright County at his office
in Smithfield on the 7th day of
April 1881 at 10 o'clock A.M.
to testify the Truth to say in
behalf of ~~Edmund~~ Bawles in
a matter of controversy pending
in the said court between the said
Edmund Bawles, ^{plaintiff} Mary Bawles de-
fendant. And have them there
this writ. Witness I. R. Atkinson
commissioner of the said court
at my office in said county
this 4th day of April 1881 A.D.
Geo R Atkinson Com

Bowles
vs
Bowles

Comm. Notice
Excluded
Geo. W. Britt, Seryt
Dec 10th 1880

The Commonwealth of Virginia:
To the sergeant of the Corporation of
Smithfield, Greeting:

You are hereby commanded to
summon Patience Davis, Samuel
Bailey, & Edmund Bowles & Peter
Allen personally to appear before
the undersigned one of the commis-
sioners in Chancery of the Circuit
Court of Isle of Wight County at
the office of G. B. Atkinson in Smith-
field on the 22 day of December 1880 at
10 o'clock A.M. to testify & the truth to
say in behalf of Edmund Bowles in
a matter of controversy pending in
the said court between the said Ed-
mund Bowles plaintiff & Mary Bowles
defendant, and have them there
this writ. Witness G. B. Atkinson
Commissioner of the said court at
my office in said County this 4th day
of December 1880

G. B. Atkinson Com^r

Bowles
at
Bowles

Notice to take
depositions

Executed
Geo W Burt Supt
Dec 10th 1880

To Mary Bowles;

Take notice that I shall
on the 22nd day of December 1880 at
the office of J. R. Atkinson in
Smithfield between the hours of 8 A.M.
& 6 P.M. of that day proceed to take
the depositions of Patience Davis,
Samuel Bailey, Edmund Bowles
& Peter Allen & others to be read as
evidence in my behalf in a certain
chancery suit depending in the
circuit court of Isle of Wight County
wherein I am plaintiff & you are
defendant; & 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 & continued from day to day
or from time to time at the same place
& between the same hours until the same
shall be completed.

Respt

Edmund Bowles
per J. Helms his attorney.

To the Sergeant of
Smithfield to execute

Bowles
vs
Bowles

Rough Decree

Edmund Bowles
vs.
Mary Bowles

This cause in which the complainant's bill is taken for confessed as to the defendant Mary Bowles on whom process has been duly served, she still failing to appear ^{answer or demur} plead, came on this day to be heard on said bill, exhibits filed and examination of witnesses, and was argued by counsel; in consideration whereof the court being of opinion that the charge of adultery against the defendant is fully proved doth adjudge order and decree that the marriage heretofore solemnized between Edmund Bowles plaintiff, and Mary Bowles (formerly Bidgood) defendant, be and the same is hereby dissolved, and that the said Edmund Bowles be, and he is hereby forever divorced from his wife the said Mary Bowles, and all the right title and interest of the said Mary Bowles in or to the estate, real and personal of the said Edmund Bowles, shall henceforth cease and determine and that the plaintiff recover from the defendant his costs by him expended in the prosecution of this suit. And nothing remaining to be done in this suit it is ordered that the same be removed from the docket.

Bowler

in

beorn

Bowler

April Term 1881

To be entered

Le. v. N. L. 515

Entered 21

Bowles
vs
Bowles

This cause came on this day to be heard and was argued by counsel, and the court being of opinion that the evidence was insufficient to sustain the charges, it is ordered that the bill be dismissed and that the cause be removed from the docket.

Edward Bowles
and } copy of
} marriage
} license
Mary Bidgood

May 24th, 1875
Returned & filed
in cler. office.
Teste.

W. A. Edwards
D.C.

a copy
Teste.
W. A. Edwards
D.C.
Fee for this 75^c

Bowles
" } In chg.

Bowles
" }
" } E. A. filed
" } with pub' bill.
" }

Exhibit A.

MARRIAGE LICENSE.



Virginia, Isle of Wight 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,

Edmund Bowes

and Mary Ridgroot

Given under my hand, as Clerk of the County Court of Isle of Wight

this 18th day of May 1875.

C. H. Stark Deputy Clerk. for
H. O. Young cler

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 18th 1875

Place of Marriage, Isle of Wight County

Full Names of Parties Married, Edmund Bowes

+ Mary Ridgroot

Color, White

Age of Husband, 23 yrs

Age of Wife, 18 "

Condition of Husband, (widowed or single) Single

Condition of Wife, (widowed or single) Do

Place of Husband's Birth, Isle of Wight

Place of Wife's Birth, Same

Place of Husband's Residence, Same

Place of Wife's Residence, Same

Names of Husband's Parents, Leipis and

Rachael

Names of Wife's Parents, Cole and Mary

A

Occupation of Husband, Waiter on Boat

Given under my hand this 18th day of May 1880.

C. H. Stark Deputy Clerk. for

H. O. Young cler

MINISTER'S RETURN OF MARRIAGE.

I Certify, That on the 18th day of May 1875, at Smithfield

Virginia I united in Marriage the above-named and described parties, under authority of the annexed License.

B. M. Aubrey

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.