

1888-007 Chancery Causes: Virginia M. Drake, by &c vs Robert E. Drake

Isle of Wight County

other surnames: Pitman,
Davis

MARRIAGE LICENSE



Virginia, *Isle of Wight* 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,

Robert E. Drake
and *Virginia M. Pitman*

Given under my hand, as Clerk of the *County* Court of *Isle of Wight* this *23* day of *January* 188*0*.
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, <i>January 25th</i>	Place of Husband's Birth, <i>Isle of Wight</i>
Place of Marriage, <i>Isle of Wight</i>	Place of Wife's Birth, <i>do</i>
Full Names of Parties Married, <i>Robert E. Drake</i>	Place of Husband's Residence, <i>do</i>
& <i>Virginia M. Pitman</i>	Place of Wife's Residence, <i>do</i>
Color, <i>white</i>	Names of Husband's Parents, <i>Henry & Michael</i>
Age of Husband, <i>23 yrs - 5 days</i>	Names of Wife's Parents, <i>Wm H & M A</i>
Age of Wife, <i>18 yrs</i>	Occupation of Husband, <i>Doctor</i>
Condition of Husband, (widowed or single) <i>single</i>	
Condition of Wife, (widowed or single) <i>"</i>	

Given under my hand this *23rd* day of *January* 188*0*.
Clerk.

MINISTER'S RETURN OF MARRIAGE.

I Certify, That on the *25th* day of *January* 188*0*, at *Smithfield* I united in Marriage the above-named and described parties, under authority of the annexed License.

Jacob Manning

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.

a copy. Test, J. O. Young clk.

In the Circuit Court of Col of Wight county, October term 1895

Virginia M. Brooke suing by William P. Peterson ^{next friend} Plaintiff

vs
Robert E. Brooke

Defendant

This cause in which the defendant Robert E. Brooke ^{who} has been
lately summoned, has failed to appear, plead, answer or answer
cause on this day to be heard on the bill and exhibits filed and
on the submission of witnesses and was argued by counsel.
The court on which of the court doth judge now and decree
that the marriage heretofore had and solemnized between the
defendant Robert E. Brooke and the plaintiff Virginia M.
Brooke formerly Virginia M. Peterson, shall be and the same is
lawfully dissolved and that the said Virginia M. be forever di-
vorced from the said Robert E. Brooke, and all right title and
interest of the said Robert E. Brooke in or to the estate or person
of the said Virginia M. Brooke shall henceforth forever cease
and determine, that the said Virginia M. shall have and do
enjoy and shall be entitled by the name of Virginia M. Peterson
and that the plaintiff recover from the defendant her costs
by her expended in the prosecution of this suit, and nothing
further remaining to be done in this suit it is ordered that
the same be removed from the docket.

Drake Virginia M
vs

Drake Robert E

Decease of
October Term 1888

To be entered

C White
Oct 25, 1888

Severance & fund

Entered 13

The depositions of Maryann Pitman Robert & Pitman and George P Davis.

Taken before me a justice of the peace for the county of Isle of Wight pursuant to notice hereto conveyed at the office of George P Pitkin on the town of Smithfield on the 24th day of September 1888 between the hours of 8 o'clock AM and 6 o'clock PM to be read in evidence in behalf of the plaintiff in a certain suit depending in the Circuit Court of Isle of Wight County wherein Virginia M Drake is plaintiff and Robert E Drake is defendant

Present Geo P Pitkin on counsel for Plaintiff

1st question

Maryann Pitman being duly sworn deposts and says that she is your age and residence and what is your relation to Virginia M Drake the plaintiff in this suit being her big sister and her husband Robert E Drake and what you may know about the charges preferred by her against him of cruelty and dishonor!

Answer

I am 66 years of age, and am the mother of Virginia M Drake, I have frequently heard the said Robert E Drake use abusive language to his wife but never knew him to strike or beat her until sometime before Christmas 1887 He came to the house on that occasion and in the presence of myself and his wife and demanded very abruptly that I should leave the room. His wife replied that there was no occasion for that. That she had no secrets from me, He replied Well I know what I will do. He then advanced to her with a pistol in his hand. I made a report but I do not know whether it scratched the coat or went off. At the same time he struck her in the back knocking her down on the floor and left the room. I suppose my she was shot went to her bed and raised her up but found she

was not shot but had a bruise on her face from the blow
Given to her for some days he had been living in Quincy and had
not ~~visited~~ ^{been} out for his ^{her} since the previous September he
found the seat of the house since the previous March, he
has not visited or ~~contributed~~ in any manner to her sup-
port since, I think will have a greater portion of the time, and
therefore know of these facts.

And further this Report with notes

Margaret Len Pitman-
Mason

William F. Palmer being duly sworn deposes that and with
State, your eye your relation to the parties to this suit are
what you may know about the charges preferred by, Vir-
ginia M. Drake against her husband, Robert S. Drake in
his bill filed against him in the event court of Lake of
Wright county.

was very

I am 24th in October next. I am the brother of Mrs. Drake. I know nothing about his cruel treatment of my sister in December except what was told me by Robert S. Drake. I was sent for and was told that he had struck my sister his wife and I took her to my home, afterwards we left home and told him I did not wish to interfere in his family affairs but he must not strike his wife. He admitted that we had done so. He moved to Gray county in the month of March 1887 and came to see his wife about once a month up to September last. He did not even come in December nor has he been since and he has not been supporting her since September last. My sister has frequently complained to me of his treatment but I did not like to interfere between her and his wife until he struck her. Both before and since December 1887 I have frequently seen him in

1
bawdy houses in the City of Norfolk and about every
time I saw him he was with one particular woman
I have seen him both in bawdy houses and drinking
houses frequented by dissolute women, and visiting ^{also} other
places with this woman. I do not know his name
and further this Depoent can't tell.

W. H. Pitman

Geo R Davis being duly sworn Depoeth and saith That
he was engaged in working in the paper business with
~~Robert R Pitman~~ in 1888 and he was suffering
with sores in his groin. I used to hold him for them
I have seen persons with venereal disease and from
the appearance and location of the sores I was satisfied
he had the venereal disease. I am 39 years old.
and further this Depoent can't tell.

Geo. Robt ^{his} X Davis
more

State of Virginia

County of Wight County to wit

I C. B. Hayden a justice of the peace of the county of Wight
in the State of Virginia do hereby certify that the foregoing Depo-
sitions of Margaret Pitman Robert R Pitman and
George R Davis were duly taken sworn to and subscribed
before me at the place and time mentioned therein and
in the caption thereof pursuant to the command so here-
in given and in my hand this 29th day of September 1888

C. B. Hayden, J. P.

Time Employed

2 Hours 1.00

Drake by next friend
on $\frac{1}{2}$ Mchey.
Drake

Received Octo. 1st
under seal & filed
//

To Robert E. Drake

Take notice that I shall on the 29th day of September 1888, next, at
the office of George R. Witham in the town
of Springfield between the hours of 8 a. m. and 6 p. m. of that day, proceed
to take the Depositions of William Pitman, William Pitman
and others, to be read as evidence in my behalf, in a certain suit
now pending, depending in the Circuit Court of Isle of Wight County
County, wherein I am
~~are~~ plaintiff, and

you are defendant; and if from any cause the taking of the
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 and continued from day to day or from
time to time, at the same place and between the same hours, until the same shall be com-
pleted.

Respectfully.

To the Sheriff of
County to execute.

} *Liveria H. Drake*
who owes by William Pitman in my behalf

Not finding the certain Name of R. & Drake at
his usual place of abode. I executed this
summons by delivering a copy to Henry Drake
a member of the family & a white man over
the age of fifteen years & explained the pur-
port of the same. Sept. 24th 1888.

J. E. Chapman Depy. for
R. A. Edwards Off.

Sept 24 1888

Wm. B. Drake

Wm. B. Drake

Wm. B. Drake

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON *Robert E. Drake*

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 *October* next, to answer *the Bill in Chancery of Virginia M. Drake who sues by William Pittman her next friend.*

of a plea of *assumpsit* for \$ *1000* Damages \$ *1000* And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Courthouse, the *18th* day of *September*, 188*8*, in the *113th* year of the Commonwealth.

N. P. Young *clerk*

By order of the Judge of the Corporation Court of
the City of Norfolk, the defendant Robert E. Drake
is enjoined and restrained from in any way mo-
lestation or interfering with, in any manner,
Virginia Dr. Drake the plaintiff in this suit,
until the further order of the court.

Teste, A. P. Young clk.

Drake Virginia Dr.
per Dr.

By Secy. to
W. Dr. and Bell

Drake Ro. E.

To Octo. 1888,
Attest my hand,

Not finding the within named Ro. E. Drake at
his usual place of abode I deposited this Summa-
ry by delivering a copy to Henry Drake a mem-
ber of the family and a white person over the
age of fifteen years and explained the purpose
of the same. Sept 24th 1888.

J. C. Chapman Dep. Secy.
Ro. A. Edwards Secy.

The Commonwealth of Virginia,

To the Sheriff of ^{Isle of Wight} ~~Isle of Wight~~ County, Greeting:

WE COMMAND YOU TO SUMMON

Summons
Robert E. Drake

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 ^{third} ~~first~~ Monday in *September* next, to answer *The Bill*
in chancery of Virginia M. Drake

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

Witness, N. P. YOUNG, Clerk of our said Court, at the Courthouse, the *13th* day of
September, 188*8*, in the *113th* year of the Commonwealth.

N. P. Young clk
A copy Teste, N. P. Young clk

By order of the Judge of the Corporation Court of the
City of Norfolk, the defendant Robert E. Drake is
enjoined and restrained from in any way molesting
or interfering with in any manner, Virginia M. Drake
the plaintiff in this case until the further order of
this court.

a copy, Dec., J. P. Herring Clerk

R. E. Drake

Datunyon. Point is on
the other side of the
River.

15 55

The Commonwealth of Virginia,

To the Sheriff of *Isle of Wight* County, Greeting:

WE COMMAND YOU TO SUMMON

Robert E. Drake

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~~ ^{third} Monday in *September* next, to answer *the Bill in*
Chancery of Virginia M. Drake

of a plea of *assumpsit* for \$ *1000* Damages \$ *1000*

And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Courthouse, the *13th* day of

Sept., 188 *8*, in the *113th* year of the Commonwealth.

N. P. Young clerk

Drake F. W.

3 screws, to
as, 3 cent. Bill
3 in deep,

Drake R. E.

To B. Monday in
Sept. 1888, at
Hules.

G. W. C. C. C. C. C.
P. V.

Def. will be found
at Longwood Point

Not found

Sept 16th 1888

W. S. D. D. D.
Phoniff

The order of the Judge of the Superior Court of the City
of Norfolk, the Defendant Robert E. Drake is assigned.
and the said defendant in any way making or giving firm
with in any manner, Virginia M. Drake the Plaintiff in
this cause meted the further order of the Court
Done,
J. P. Young Cell

* also sees by William
Peterson her next friend

To the honorable E W Hall Judge of the Circuit Court of the
County of Isle of Wight.

Humly complaining sheweth unto your honor your oratrix
Virginia M Drake * and a resident of Isle of Wight County
that she is 25 years old. At the age of 17 years on the 21st day
of January 1880 she was married to Robert E Drake and has
been to him a constant, faithful and chaste wife.

Your oratrix's husband, on the other hand, has been negligent,
especially intimate at times in drinking and evil spirits,
insufferably violent and abusive to her, and sometime in the
month of January 1887 he beaten her so cruelly and made
such violent threats to take her life that she was compelled
to leave and go to her mother's home for protection, Your
oratrix's said husband was not there, nor had he been for some
time previously, nor was he afterwards living continuously
with your oratrix, his business requiring him to live at a dis-
tance from her, and he only visited her about once a month
but on nearly every visit he was especially cruel and un-
kind and on coming to see her in the month of December
1887 he cruelly struck and beat her without cause: striking
her in the face with his fist and putting a loaded pistol at
her head threatening to take her life, and she has no doubt
would have done her other serious bodily harm if he had not
killed her, but for the presence and interference of her mo-
ther. Your oratrix, at February Rules 1888 filed her bill of com-
plaint against her said husband praying a divorce from his
bed and board on account of these several acts of cruelty and
your honor granted an injunction, restraining and restraining
him from in any way molesting or interfering in any manner
with her but process has never been served on him because he
could not be found in this county and his place of residence
was unknown to your oratrix. In addition to her grounds of com-

complaint so alleged against him, your oath says further al-
leges that for several years past her said husband has not ad-
equately contributed to her support as he was in duty bound as
her husband to do, and but for the assistance of her relations
she would have frequently suffered for the necessities of life,
and since the month of December 1887 when he last struck and
beat her as afore alleged he has wholly abandoned and de-
serted her, and your oath has since been informed and so
alleges that he has broken his marriage vows and has
committed adultery with one or more women whose
names are unknown to your oath and has been deserting
his marriage and now is an habitual frequenter of bow-
dy houses in the city of Norfolk. Although her said husband
was so abandoned and deserted her, yet her treatment of her
has been so violent and unexpected that she does
especially as he has now returned to the country to live
know when and fears that it may be repeated, for her
consideration whereof and for as much as your oath is
severed life in the premises save in a court of equity she prays
that the said Robert E. Drake may be made a defendant to
this bill and required to answer the same, that he may be
enjoined and restrained from interfering with or in any manner
molesting her, that your oath may be deemed from
him a permanent injunction and that all such other further
and general relief may be afforded your oath as the nature
of her case may require or to equity shall seem meet, that your
oath will comply &c.

Virginia M. Drake

Isle of Wight County to wit

This day personally appeared before me, the undersigned, a
commissioner in chancery of the circuit court of the county,

appeared, in my said county Virginia M Drake and made
oath that the statements made in the foregoing bill are true
he in and on my hand this 2nd day of September 1888

Geo R Atkinson Clerk

An injunction awarded to enjoin and restrain the defend-
ant Robert E Drake from in any way molesting or interfer-
ing with in any manner, Virginia M Drake the plaintiff in
this cause until the further order of this court.

September 10/88

To the Clerk of the
Sovereign Court of Isle
of Wight county,

Stuehn Brooke
Judge Corporation Court
of the City of Norfolk Va

Robert E Drake

my friend in law

Robert E Drake

Robert E Drake

1888

Drake Virginia W.
s. $\frac{3}{4}$ Bill in chf.

Drake Ro. E.

1888.

Octo. Rules, 1st Monday
Bill of filed. Decree. Edd.
+ decrees nisi

Octo. Rules 1888, 3rd Monday
Bill taken for confs. &
set for hearing.

Oct. term 1888
Decree for divorce and final