

1907-009 Characery Causes: Peter Holloway vs Mary E. Holloway

14

Isle of Wight County

Other surnames Whitehead,
Bowman, Roberts

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,

Peter Roseway
and Mary E. Roberts

Given under my hand, as Clerk of the County Court
of Isle of Wight County this 30th day of June 1881
N. P. Young Clerk.

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 3, 1900.

Time of Marriage, June 30 th 1881	Place of Husband's Birth, Isle of Wight Co.
Place of Marriage, Isle of Wight County	Place of Wife's Birth, Isle of Wight Co.
Full Names of Parties Married, Peter Roseway and Mary E. Roberts	Place of Husband's Residence, Same
Color, colored	Place of Wife's Residence, Same
Age of Husband, 22 years	Names of Husband's Parents, Amy and Charles
Age of Wife, 18 years	Names of Wife's Parents, James & Mary A.
Condition of Husband (widowed or single or divorced) Single	Occupation of Husband, Laborer
Condition of Wife (widowed or single or divorced) Single	

Given under my hand this 30th day of June 1881
N. P. Young Clerk.

MINISTER'S RETURN OF MARRIAGE.

I certify, That on the 30th. day of June 1881, at the _____
Baptis Church Smithfield. I united in Marriage the above-named
and described parties, under authority of the annexed License.

Robinson Crusoe.

A copy, Teste, _____ Clerk.

Exhibit A
Peter Halloway
Mary Roberts

Received of the

Trust

Peter Holloway-----Plaintiff.

V. In Chancery.

Mary E. Holloway-----Defendant.

This cause came on this day to be heard on the complainant's bill, and the depositions of witnesses, the defendant, on whom process has been duly served and she still failing to appear, plead, answer or demur, and was argued by counsel.

On consideration whereof, the Court being of the opinion from the evidence in this cause, ^{That} the defendant has willfully deserted and abandoned the plaintiff for a period of three years doth adjudge, order and decree that the marriage heretofore had and solemnized between said plaintiff and said defendant shall be, and the same is hereby dissolved, and that the said plaintiff be forever divorced from the said defendant.

And the Court doth further adjudge, order and decree that the said defendant do pay unto the said plaintiff, his costs expended in the prosecution of this suit, and nothing further remaining to be done herein, it is ordered that this suit be stricken from the docket.

Peter Halloway
V. In Chancery.
Mary E. Halloway -

Decree
To be entered March
4th 1907 -

March 12th 1907.
To be Entered
R. E. Boykin

Cd. B. No. 6 - page 491.

To Mary E. Holloway:

Take notice that I shall, on the 2nd. day of March, 1907, at the Clerk's office of Isle of Wight County, Virginia, between the hours of 10 o'clock A.M. and 5 o'clock P.M., on that day, proceed to take the depositions of A.R.Whitehead et als., to be read in evidence in my behalf, in a certain suit depending in the Circuit Court for the County of Isle of Wight, Virginia, wherein you are the defendant and I am the plaintiff, 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 completed.

Given under my hand this 23rd. day of February, 1907.

Peter Sullivan

Attorney at Law

By Charles

SMITHFIELD, VA.

Peter Holloway
v
Mary E. Holloway

Executed in the
City of Norfolk
this 25th day of February
1907 by serving a
copy thereof on
Mary E. Holloway

J. F. Lawler Supt
City of Norfolk
by J. T. M^{rs} Lynn
Supt

48 Willoughby St
Sargeant's fee 50¢ Paid
M^{rs} Lynn Supt

Peter Holloway,-----Plaintiff

vs) Depositions of witnesses.

Mary E. Holloway-----Defendant.

The depositions of A. R. Whitehead, et als,
taken before me, A. S. Johnson, a Commissioner in Chancery
of the Circuit Court of Isle of Wight County, pursuant to
legal notice, at my office at Isle of Wight Courthouse,
on the 2nd. day of March, 1907, between the hours of nine
o'clock A.M. and six o'clock P.M., to be read as evidence
in behalf of the plaintiff in a certain suit in chancery
in the said Court depending wherein Peter Holloway is
Plaintiff and Mary E. Holloway is defendant.

Present, Mr. E. H. Williams,
Counsel for Plaintiff.

A. R. Whitehead being duly sworn deposes and says:

Examined by Mr. Williams.

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

A. A. R. Whitehead, fifty six years, reside in Smithfield,
and am employed by the firm of P. D. Gwaltney Jr. & Co. of
Smithfield.

Q. Please state if you know the parties to this suit and
if so how long have you known them.

A. Wel sir, I have know em most all of their lives. I have
known the negro man all of his life, Peter Holloway, his
father belonged to my grandfather and he was partially raised
on my grandfather's farm and lived there till after the War.
and then moved on our place, my mothers farm, for several
years.

Q. Please state, if you know, whether or not Peter Holloway
was a constant, dutiful and faithful husband and provided
for his wife amply for her station in society?

A. I know that he worked and gave her a plenty to eat and
wear and took care of her. She never did anything, except
look around her home and keep things in order there.

Q. Do you know about when Mary E. Holloway left Peter Holloway?

A. Well, it was fifteen or sixteen years ago, somewhere about ninety, ninety one or two, somewhere about that.

A. Have they ever lived together since that time?

A. No sir. She moved away from there and has never lived with him since that time. She has been back here and stayed with her mother one or two weeks at a time but not with him. She went away to Norfolk or Newport News or somewhere. She has never lived here since that time.

Is

Q. ~~Max~~ Peter Holloway a resident of this County? And if so how long has ~~max~~ he been a resident of this County?

A. He was born here and has always lived here and is still living here.

And further this deponent saith not.

A. R. Whitehead

Peter Bowman being duly sworn deposes and says:

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

A. Peter Bowman, fifty nine years old, in Isle of Wight County close to Smithfield, farming.

Q. Please state, if you know, Peter Holloway and his wife, Mary E. Holloway, and if so, how long have you known them when were they married and when did they separate?

A. Yes sir, mighty well sir, - been knowing em all day life - I think de was married in 1881 or 1882, I think in eighty one - dey separated in eighty nine, I think.

Q. Do you know whether or not Peter Holloway was a constant, dutiful and faithful husband and amply provided for his wife?

A. Yes sir, he did.

Q. How near did you live to them?

A. about five hundred yards from em.

Q. How frequently did you see them?

A. I see em some times every day and two or three times a week.

Q. Did you go there often?

A. Yes sir, I went there some two or three times a week-pretty near every sunday.

Q. Please state all you know about the separation of Peter and Mary E. Holloway?

A. Well he was nice, good and kind to her and took care of her. Done all he could for her to live comfort. She got tached to another man and left and she has given birth twice since then to two cillien.

Q. Did Peter Holloway ever live with his wife after she left him in 1890?

A. No sir.

And further this deponent saith not.

Peter E. Bowman
mark

Lee Bowman being duly sworn deposes and says:

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

A. Lee Bowman, thirty four, I lives near Peter Holloway, about two miles and a half from town, from Smithfield, milling, works at Mr. Underwoods.

Q. Please state, if you know, Peter Holloway and Mary E. Holloway and how long have you known?

A. How long have I known em. I have been knowing Peter all my life, I have been knowing Mary about thirty five years.

Q. How near did you live to them during the time they lived as man and wife, and how did Peter Holloway treat his wife.

A. I lived in talking distance of em, and he treated her as well as anybody could expect and he treated her as well as he could and done everything in his power to make her comfortable.

Q. When and why did Mary leave Peter, tell us all about it.

A. Well, she left them in 1890, I think she left by being in contact with another man and being dissatisfied. She

has given birth to two children since she left Peter.

Q. Has she lived with Peter or has he lived with her since she left, you say, in 1890?

Ans. No sir.

And further this deponent saith not.

J. L. Brown

Given under my hand as Commissioner in Chancery of the Circuit Court of the County of Isle of Wight this 2nd. day of March, 1907.

J. L. Brown
Commissioner in Chancery.

P. H. Holloway
vs { Depositions
Mary E. Holloway

2nd March 1907

~~These~~ Depositions
~~were~~ filed

J. B. Johnson c/c

The Commonwealth of Virginia,

Sgt. of the City of Norfolk
To the Sheriff of the County of Isle of Wight, Greeting:

WE COMMAND YOU that you summon *Mary Halloway*

to appear at the Clerk's office of the *Circuit* Court of the *County of Isle of Wight*
at the rules to be held for the said Court, on the *11th* Monday in *February* 1907,
to answer a bill in chancery, exhibited against *her* in our said court ~~for~~
by Peter Halloway

And have then there this writ. Witness *Nathaniel F. Young*, Clerk of our said court, at
the court-house, the *31st* day of *January* 1907, and in the *31st*
year of the Commonwealth.

John Johnson
John Johnson CC

48, W. Loughby st

Peter Holloway

VS.

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SUBPOENA
IN
CHANCERY.

Mary Holloway

E. Williams p. 9

To 1st Feby 1907 Rules,
Bancourt Court.

B 3119

Not finding Mary. E.
Holloway or any member
of her family over the age
of sixteen years at her
usual place of abode in
the City of Norfolk this 2nd
day of February 1907
I tacked a copy for her
on front door of said
abode

J. J. Lawley and
City of Norfolk
by J. H. Lynn esq

To the Honorable R. E. Boykin, Judge of the Circuit Court for
the County of Isle of Wight, Virginia.

Peter Holloway,.....Plaintiff,

vs. In Chancery.

Mary E. Holloway.....Defendant.

Humbly complaining, sheweth unto the Court, your orator
Peter Holloway, the following case, to-wit:

That your said orator is now a resident of the County
of Isle of Wight, Virginia, and has been all of his life;

That on the 30th. day of June, 1881, your said orator was
married to the said defendant as will more fully appear by a
certified copy of the marriage license herewith filed, marked
exhibit "A", and prayed to be read as a part of this bill;

That your complainant and the said defendant last cohabited

That your said orator was a constant, faithful and du-
tiful husband and provided proper and sufficient support for
his said wife commensurate with her station in life, while
on the other hand, the said defendant was unfaithful and un-
true to your said orator and during the Month of September,
in the year of 1890, with out cause or justification, she,
the said Mary E. Holloway, wilfully deserted and abandoned
your said orator and has not co-habited with your said or-
ator since that time although often requested so to do.

In tender consideration whereof and forasmuch as your
orator is remediless in the premises save in this Honorable
Court of Equity he prays that the said Mary E. Holloway
may be made a party defendant to this bill and be required to
answer the same, an answer under oath being hereby expressly
waived; that a divorce a vinculo matrimonii may be granted
your orator; and that all such other and general relief may
be afforded your orator as the nature of his case may re-
quire or to equity shall seem meet.

And your orator will ever pray, etc.

Peter Holloway
By Counsel-

Read together in the County of Isle of Wight

Peter Hareaway
V. Du Chausery.
Mary Hareaway
Bills of Complaint.

1st February rules 1907
Summons returned ex-
cited. Bills filed. Decree
mini

2nd February rules 1907
Case set for hearing
