

1918-008 Chancery Causes: Otis Mallory vs Blanche Green Mallory

274

Ile of Wight County

Other surnames: Brown
Vaiden, Elder, Green



MARRIAGE LICENSE



Virginia Brunswick 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.

Given under my hand, as Clerk of

16 day of July, 1904

Court of Brunswick County (or City) this

Orley Durkell Clerk.

MARRIAGE CERTIFICATE

To be annexed to the License required by Section 2229 of the Code of Virginia, as amended by Act of February 16, 1910.

VIRGINIA: In the Clerk's Office of the

Circuit

Court for the County (or City) of

Brunswick

Date of Marriage

July 17, 1904

Place of Marriage

Brunswick Co

FULL NAMES OF PARTIES

Otis Moseley

and Blanche Green

Age of Husband

24

years; Condition (single, widowed or divorced)

single

Age of Wife

17

years; Condition (single, widowed or divorced)

single

Race (White or Colored)

Colored

Husband's Place of Birth

Brunswick Co

Residence

Brunswick Co

Wife's Place of Birth

do

Residence

do

Names of { Husband

Granderson

and

Oss Moseley

Parents { Wife

Joe

and

Jenny Green

Occupation of Husband

laborer

Given under my hand, this

16 day of July

, 1904

Clerk.

Certificate of Time and Place of Marriage

I,

N. C. Coleman

a Minister

of the

Church, or religious order of that name, do certify that on the

17

day of

July

, 1904,

at _____, Virginia, under authority of the above License, I united in Marriage the persons named and described therein. I qualified and gave bond according to law authorizing me to celebrate the rites of marriage in the County (or City) of _____, State of Virginia.

Given under my hand, this

17 day of July

, 1904

N. C. Coleman

(Person who performs ceremony sign here.)

The Minister or other person celebrating a marriage is required, within thirty (30) days thereafter, to return the license and certificate of the Clerk and his certificate of the time and place at which the marriage was celebrated to the Clerk who issued the license; failure to comply with these requirements of the law makes the Minister or other person celebrating the marriage liable to a fine of not less than ten nor more than twenty dollars for each offense (see Section 2229 of the Code of Virginia, as amended by Act approved February 16, 1910, Acts 1910, Chapter 28, pages 36 and 37).

Certificate of Person Performing Marriage Ceremony

To be detached and delivered to the parties married

I,

a

of the

Church, or religious order of that name, do certify that on the

day of

, 191.....,

at _____, Virginia, under authority of a License issued by

Clerk of

Court of

County (or City), State of Virginia, dated the

day

of _____, 191....., I united

husband, and

his wife.

Given under my hand, this

day of

, 191.....

(Person who performs ceremony sign here.)

County (or City) Brunswick

Otis Moseley, Husband,

and { **Marriage License**

Bonnie Green, Wife,

Date of Issue 1904 July 16

Marriage Register No. 8, Page 142

Copy

Fee 50 Cents

VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF
ISLE OF WIGHT-

OTIS MALLORY.....PLAINTIFF,
VS) IN CHANCERY -
BLANCHE GREEN MALLORY.DEFENDANT.

TO THE CLERK OF THE SAID COURT:

Please issue summons in chancery to the
~~first~~ ^{second October} November rules, 1917.

J. W. Little p.q.
Bj

Otes Mallory
v { Cy No. 274
Blanche Green Mallory

Memo

Dated Oct 4, 1917

+

VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF ISLE OF WIGHT.

OTIS MALLORY.....COMPLAINANT,

VS) IN CHANCERY,

BLANCHE GREEN MALLORY,.....DEFENDANT.

This cause, in which the complainant has proceeded against the defendant, Blanche Green Mallory, in the manner prescribed by law, whose place of residence in this Commonwealth is unknown, the order of publication having been duly published and posted, came on this day to be heard on the bill of complaint, together with the exhibits filed therewith, which said bill has been signed and sworn to by the said Otis Mallory, the said Blanche Green Mallory failing to appear, plead, answer or demur to the said bill, and upon the depositions of witnesses duly taken on the 9th day of March, 1918, and was argued by counsel.

On consideration whereof, the Court finds:

1-- That the plaintiff is now, and has been domiciled in the County of Isle of Wight, Virginia, for more than one year next preceding the institution of this suit.

2-- That on the 17th day of February, 1904, the plaintiff and defendant were lawfully married;

3-- That during the month of February, 1906, the defendant wilfully abandoned and deserted the plaintiff and has ever since absented herself from him, and has wilfully deserted

and abandoned the plaintiff for more than three successive years next preceding the institution of this suit.

4-- That the said plaintiff and defendant have not at any time during the said three years co-habited;

5-- That the said plaintiff and defendant last co-habited in the County of Brunswick, ~~Wt.~~, Virginia;

~~6-- That the said defendant was not a resident of this State at the time of the institution of this suit.~~

Wherefore it is adjudged, ordered and decreed by the Court that the marriage heretofore had and solemnized between the defendant, Blanche Green Mallory and Otis Mallory, the plaintiff, shall be, and the same is hereby dissolved, and that the said Otis Mallory be forever divorced from the said Blanche Green Mallory.

OTIS MALLORY,

VS) IN CHANCERY, *No 274*

BLANCHE GREEN MALLORY.

DECREE

*1918
Mar. 12. ²
Entered this
B. Del.*

*C. o. B. 7
page 45-1*

GEORGE F. WHITLEY
ATTORNEY-AT-LAW
SMITHFIELD, VA.

VIRGINIA:—In the Clerk's Office of
the Circuit Court for the County of
Isle of Wight, October 17th, 1917:
Otis Mallory.....Plaintiff
vs. IN CHANCERY.

Blanche Green Mallory.....Defendant
The object of the foregoing suit is
for the complainant to obtain a di-
vorce from the bond of matrimony
with the said defendant. And an affi-
davit having been filed in the Clerk's
Office of the Circuit Court for the
County of Isle of Wight, which asserts
that diligence has been used on behalf
of the said complainant to ascertain in
what County or Corporation the said
defendant resides without effect, it is
ordered that the said defendant do ap-
pear in the Clerk's Office of the said
Court within fifteen days after due
publication hereof and do what may
be necessary to defend her interest in
this suit.

Teste:—

A. S. JOHNSON, Clerk.
Geo. F. Whitley, p. q.

OFFICE OF SUFFOLK HERALD

SUFFOLK, VA.,-----Mar. 2 1918---

I hereby certify that the order of which the annexed is
a copy has been published in THE SUFFOLK HERALD
in the manner prescribed by law--once a week for four
weeks.

beginning--October 19th., 1917-----and ending
--November 9th., 1917-----

-----*Jacobson*-----

Editor Herald

PHONE NO. 135

P O. Box 506

Suffolk, Va., Dec., 1st. 1917

M Mallory vs Mallory

In Account with **THE HERALD PRINTING CORP'N**
HIGH-CLASS PRINTERS AND PUBLISHERS

ALL ACCOUNTS DUE WHEN RENDERED

912 WASHINGTON STREET

Nov.,	16	To advertising legal notice 4 t
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6	00
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VIRGINIA:—In the Clerk's Office of
the Circuit Court for the County of
Isle of Wight, October 17th, 1917:

Otis Mallory.....Plaintiff
vs. IN CHANCERY.

Blanche Green Mallory.....Defendant

The object of the foregoing suit is
for the complainant to obtain a di-
vorce from the bond of matrimony
with the said defendant. And an affi-
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Office of the Circuit Court for the
County of Isle of Wight, which asserts
that diligence has been used on behalf
of the said complainant to ascertain in
what County or Corporation the said
defendant resides without effect, it is
ordered that the said defendant do ap-
pear in the Clerk's Office of the said
Court within fifteen days after due
publication hereof and do what may
be necessary to defend her interest in
this suit.

Teste:—

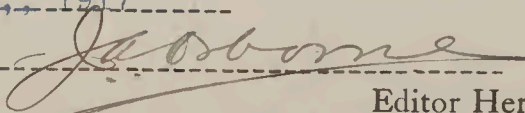
A. S. JOHNSON, Clerk.
Geo. F. Whitley, p. q.

OFFICE OF SUFFOLK HERALD

SUFFOLK, VA.,—Dec. 1st— 1917—

I hereby certify that the order of which the annexed is
a copy has been published in THE SUFFOLK HERALD
in the manner prescribed by law—once a week for four
weeks.

beginning—October 26th., 1917.—and ending
—November 16th., 1917—



Editor Herald

VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF ISLE OF WIGHT. *Oct 17, 1917*

OTIS MALLORY, ... PLAINTIFF,
VS) IN CHANCERY,
BLANCHE GREEN MALLORY DEFENDANT.

The object of the foregoing suit is for the complainant to obtain a divorce from the bond of matrimony with the said defendant. And an affidavit having been filed in the Clerk's Office of the Circuit Court for the County of Isle of Wight, which asserts that diligence has been used on behalf of the said complainant to ascertain in what county or corporation the said defendant resides without effect, it is ordered that the said defendant do appear in the Clerk's Office of the said Court within fifteen days after due publication hereof and do what may be necessary to defend her interest in this suit.

Teste: *Johnson* Clerk.

Geo.F.Whitley, p.q.

Mallory
n^y Co No 274
Mallory

Order Public
Copy

Posted, indexed & filed

Oct 17, 1917

Copy sent to records

Wm. E. Johnson, Secy

VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF
ISLE OF WIGHT.

OTIS MALLORY,.....PLAINTIFF,

VS) IN CHANCERY

Green
BLANCHE MALLORY.....DEFENDANT.
^

State of Virginia,

County of Isle of Wight, to-wit:

This day, *R. H. Brown* person-
ally appeared before me, *A. S. Barrett* a Notary
Public, in and for the County aforesaid, State of
Virginia, and made oath that diligence has been used
on behalf of the plaintiff in the above styled suit,
now pending in the said court of the said County,
to ascertain in what county or corporation, Blanche
Green Mallory, the defendant, is, without effect.

Given under my hand this *18th*/₁ day of October,
1917.

A. S. Barrett
Notary Public.

My commission expires

July 20th 1919

Mallory
n 7 Cy No 274
Mallory

Applicant for
Ord

Filed Oct 17. 1917

11-18-17
J. H. G. 11-18-17

VIRGINIA;

IN THE CIRCUIT COURT FOR THE COUNTY OF ISLE OF WIGHT.

OTIS MALLORY,.....Plaintiff,

Vs) In Chancery,

BLANCHE GREEN MALLORY,.....Defendant.

- - - - -

The depositions of witnesses taken before E. H. Williams, a Commissioner in Chancery, for the Circuit Court for the County of Isle of Wight, Virginia, on the 9th day of March, 1918, at the office of George F. Whitley, in the Town of Smithfield, Virginia, between the hours of ten o'clock A.M., and six o'clock P.M., to be read in evidence in the divorce suit in which Otis Mallory is plaintiff, and Blanche Green Mallory is defendant, pending in the Circuit Court for the County of Isle of Wight, Virginia.

PRESENT:-

GEORGE F. WHITLEY, ATTORNEY
FOR THE PLAINTIFF.

MOLLIE BROWN, BEING FIRST DULY SWORN, DEPOSES AND SAYS:

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

A- My name is Mollie Brown, an about 40 years of age, and live in Isle of Wight County.

Q- Mollie, are you married?

A- Yes, sir.

Q- What is your husband's name?

A- Richard H. Brown.

Q- How long have you been married?

A- About 22 years.

Q- How long have you and your husband been living in Isle of Wight CO?

A- Fifteen years this last gone Christmas.

Q- Do you know Otis Mallory and Blanche Green Mallory?

A- Yes, sir, I do.

Q- How long have you been knowing these parties?

A- I knew them before they were married?

Q- Where were they married?

A- In Brunswick County, some 14 years ago, the best I can remember.

Q- Are they now living together as man and wife?

A- No, sir.

How long did they live together as man and wife?

A- About two years.

Q- Why are they not living together as man and wife, now?

A- Blanche left Otis some 12 years ago, and I understand she went to Brooklyn, N.Y. I have not seen her since she left. Otis lived in Brunswick County a while, after she left, and then come down to Isle of Wight County, where we are living, and has been living at our house ever since.

Q- Did Otis Mallory provide a home for his wife?

A- Yes, sir, he rented a house in Brunswick and looked after her.

Q- Why did she leave Otis?

A- I do not know, except just because she wanted to.

I heard she left with a man, who had come down to Brunswick to get some labor to take back to Brooklyn.

Q- Was Otis Mallory a kind and dutiful husband?

A- Yes, sir, as far as I know. He had that name.

Q- Has Blanche Green Mallory been back to live with Otis Mallory since she left him some twelve years ago?

A- No, sir, she has not been back, because he has been living right in our house, and working in our neighborhood.

Q- Has Otis Mallory been living in this county for the past year?

A- Yes, sir, he has been living here, as I said, for some past 12 years.

Further this deponent saith not.

Mollie Brown

RICHARD H. BROWN, Being first duly sworn, deposes and says:

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

A- My name is Richard H. Brown, am 46 years old, live in Isle of Wight County, and am a farmer.

Q- Whose land do you farm on?

A- I farm on my own land, and also rent a piece.

Q- How long have you been living in Isle of Wight County.

A- Going on 16 years.

Q- Where did you live before you came to Isle of Wight County?

A- I lived in Brunswick County.

Q- Do you know Otis Mallory and Blanche Green Mallory?

A- Yes, sir, I have been knowing Otis about 26 years, and have been knowing Blanche about the same length of time.

Q- How long has Otis and Blanche been married.

A- They have been married about 16 years.

Q- Where did Blanche and Otis live after they were married?

A- They lived in Brunswick.

Q- Are they living together now as man and wife?

A- No, sir.

Q- How long have they been separated?

A- About 12 years; she left some time in February; I was up there at the time she left. She went away with a man by the name of B.F.Vaiden

Q- who was down in Brunswick, getting up some people to carry up North, and she went away with the crowd that he got up.

Q- Has she ever come back?

A- No, sir, she never come back.

Q- where is she now?

A- She went to Brooklyn, N.Y., and that is where she is now. Her mother died and she never come back home.

Q- Does her people live in Brunswick?

A- Yes, sir, they live in Brunswick, right near my people.

Q- Did Otis provide a home for Blanche?

A-

A- Mes, sir, he rented a house from Mr. I.N.Gladwell, and they were living in that house at the time she left.

Q- Do you know why she left?

A- She left on her own account; he was working for her like other men work.

Q- Where is Otis Mallory now living?

A- Otis is now living in Isle of Wight County, boarding with me.

Q- How long has he been hoarding with you?

A- About 12 years. For some time after his wife left him, he remained in Brunswick, then, he came down to Isle of Wight County, and has been living with me ever since.

Q- Has he been living with you constantly for the last 3 years?

A- Yes, sir, been right there with me all the time.

Q- Has Blanche Mallory been back to live with him since she left him?

A- No, sir, he has been with me all the time, and she has never been back; she is still in Brooklyn, N.Y.

Further this deponent saith not.

Richard, H. Brown

JOHN ELDER, BEING FIRST DULY SWORN, DEPOSES AND SAYS:

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

A- John Elder, about 37 years old, live in Surry County, and work at the saw-mill.

Q- Do you know Otis Mallory and Blanche Green Mallory?

A- Yes, sir.

Q- How long have you known them?

A- I have been knowing Otis Mallory about 30 years, and have been knowing Blanche ever since she was a child.

Q- Are Otis and Blanche living together as man and wife?

Q- No, sir.

Q- Where does Otis live?

A- With Richard Brown, in Isle of Wight County.

Q- How far do you live from Richard Brown?

A- About two miles.

Q- How long have you been living near Richard Brown?

A- About 15 years.

Q- Has Otis Mallory been living there for the past five successive years

A- Yes, sir.

Q- Has Blanche Green Mallory been back to live with him since that time?

A- No sir, none at all.

Q- If she had, you would have known it, wouldn't you?

A- Yes, sir.

Q- Did Blanche Green Mallory leave Otis Mallory?

A- I understand that Blanche left Otis, and went out North somewhere.

- She certainly has not been back here to live with Otis.

Further this deponent saith not.

Witness: Estelle Williams
John Elder
Not

STATE OF VIRGINIA,
COUNTY OF ISLE OF WIGHT, TO WIT:

I, E. H. Williams, a Commissioner in Chancery
of the Circuit Court for the County of Isle of Wight, do
hereby certify that the foregoing depositions of Mollie
Brown, Richard H. Brown and John Elder, were duly taken
and reduced to writing and signed by the witnesses, res-
pectively, at the place and time therein mentioned.

In witness whereof I have hereunto set my hand
this 9th day of March, 1918.

Commissioner in Chancery.

MALLORY,

VS) DIVORCE,

MALLORY,

DEPOSITIONS

GEORGE F. WHITLEY
ATTORNEY-AT-LAW
SMITHFIELD, VA.

COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF THE COUNTY OF ISLE OF WIGHT, GREETING:

We command you that you summon Blanche Green Mallory, to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight, in the State of Virginia, at the rules to be holden therefor, on the third Monday in October, 1917, to answer a bill in chancery filed against her by Otis Mallory. And have taken and there this writ.

Witness, A. S. Johnson, Clerk of said Court,
at the Courthouse, this 4th. day of October, 1917.

Teste,

A. S. Johnson Clerk.

The defendant herein not found in my County.

P. A. Edwards Sheriff.

October 13th. 1917.

Ole Mallory
vs. Chomery 274
Blanche Green Mallory

Subpoena

Geo. F. Whitley p. 9.

VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF ISLE OF WIGHT:

OTIS MALLORY,.....Plaintiff,

Vs)

BLANCHE GREEN MALLORY, ...DEFENDANT.

To the Honorable B. D. White, Judge of the said Court:

Your complainant, Otis Mallory, respectfully showeth unto the Court the following case:

That on the 17th day of February, 1904, in the County of Brunswick, State of Virginia, your said complainant was united in the holy bonds of matrimony to the said ~~respondent~~, Blanche Green Mallory, a certificate of the marriage license being herewith filed, marked exhibit "A", and prayed to be made a part of this bill;

That your said complainant and ~~thar~~ said respondent, lived together in the County of Brunswick, Virginia, as man and wife, until during the month of February, 1906, when said respondent, Blanche Green Mallory abandoned your complainant, and has not since returned to live with your said complainant;

Your complainant here states that the said respondent, ^{has} Blanche Green Mallory/wilfully deserted and abandoned your complainant, Otis Mallory for more than three years next preceding the insittution of this suit, and that your complainant, and the said respondent have not co-habited together during the said three years, nor at any time since the said respondent deserted and abandoned your said complainant;

That the said respondent is not now a resident of the State of Virginia;

That your complainant, Otis Mallory is now domiciled in

the County of Isle of Wight, and has been for more than one year next preceding the institution of this suit;

In consideration whereof, and for as much as your complainant is remediless save in a Court of equity, your complainant prays that the said Blanche Green Mallory may be made a party defendant to this bill, and required to answer the same, but not on oath, the same being hereby waived; that a divorce from the bonds of matrimony which was created by the aforesaid marriage be decreed him, and that your complainant may have all such further, other and general relief in the premises as the nature of his case may require, or to equity shall seem meet.

And your complainant will ever pray, etc.

Otis Mallory
Complainant.

W. A. Phillips p.q.

Otis Mallory, the complainant named in the foregoing bill, being duly sworn, says the facts and allegations therein contained are true.

Otis Mallory
Complainant.

Taken, sworn and subscribed to before me, a Notary Public, in and for the County of Isle of Wight, Virginia, in my County aforesaid, this 9th day of November, 1917.

A. S. Barrett
Notary Public.

My commission expires

7/20/19.

MALLORY

VS) CHANCERY, DIVORCE-

MALLORY,

B I L L

3rd Oct Rules 1917

Process returned "not found". Affidavit for order publication filed. Order entered. Parties sent to printers.

1st Norms Rules 1917

Conced on OP

2nd Norms Rules 1917

Deeds completed - print-
bys cost filed. Bill filed
Conced on OP

3rd Norm Rules 1917

Conced on OP

2nd Decree Rules 1917

OP executed. Cause
set down for hearing

GEORGE F. WHITLEY

ATTORNEY-AT-LAW
SMITHFIELD, VA.