

1929-013 Chancery Causes: Fannie Drew vs Charles Drew
Isle of Wight County

555

other surnames: Shepard,
Vellines, Price

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,

Charles Drew and **Fanny Price**

Given under my hand, as Clerk of **Circuit** Court of **Isle of Wight** County (~~West~~)
this **28th** day of **September**, 19 **07**

A. S. Johnson, Clerk.

MARRIAGE CERTIFICATE

To be annexed to the License, required by Section 5074 of the Code of Virginia, 1919, as amended by Act of February 16, 1910.

VIRGINIA: In the Clerk's Office of the **Circuit** Court for the County (~~or City~~) of **Isle of Wight**.
Date of Marriage **September 29th, 1907** Place of Marriage **Isle of Wight Co., Va.**

Charles Drew and **Fanny Price**

Age of Husband **27** years; Condition (single, widowed or divorced) **Single**

Age of Wife **22** years; Condition (single, widowed or divorced) **Single**

Race (White or Colored) **Colored**

(PRESENT)

Husband's Place of Birth **Isle of Wight Co. Va.** Mailing Address **Isle of Wight Co. Va.**

Wife's Place of Birth **Surry County, Virginia** Mailing Address **Isle of Wight Co., Va.**

Names of { Husband **William Drew** and **Lucy Drew**
Parents { Wife **Lemon Price** and **Rosa Price**

Occupation of Husband **Laborer**

Given under my hand this **28th** day of **September**, 19 **07**

A. S. Johnson, Clerk.

Certificate of Time and Place of Marriage

I, **F. A. Brown**, a **Minister** of the **Gospel**

Church, or religious order of that name, do certify that on the **30th** day of **Sept.**, 1907,
at **Res. of Parents** **Virginia**, under authority of the above License, I joined together in the Holy State of
Matrimony 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 **30th** day of **September**, 19 **07**

F. A. Brown

(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 5074 of the Code of Virginia, as amended by Act approved February 16, 1910, Acts 1910, chapter 28, pages 36 and 37).

County (~~or City~~) ... Isle of Wight

Charles Drew

Husband

and {

Marriage License

Fanny Price

Wife

Date of Issue ... Sept. 27th, 1907.

Marriage Register No. ... 2 Page ... 381

A Copy Teste:

R. A. Edwards

Clerk.

Per: *E. M. Whitley*

Deputy Clerk.

VIRGINIA:

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

Fannie Drew,.....Complainant,

vs) In Chancery

Charlie Drew,.....Respondent.

To the Clerk of said Court:

Please issue summons in chancery against the above
respondent in favor of the complainant, returnable
to the second March Rules. It being the Third Monday
in March, 1929.

B. Fairfield Whitley p.q.

The respondent is a non-resident of the State of Virginia.

Fannie Durr

736. #

Charlie Durr

Memo Field

7/27/28

Dy. 7/27/28 800

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

FANNIE DREW,.....COMPLAINANT,

Vs) IN CHANCERY

CHARLIE DREW,.....RESPONDENT.

in the manner provided by law as defendant who are
This cause, in which the complainant has proceeded against the respondent, ~~who is a~~ non resident of this Commonwealth, (as shown by the affidavit filed by the complainant), came on this day to be heard upon the bill and exhibit, the respondent failing to appear, to demur, plead or answer, and on the depositions of witnesses ~~taken~~ ^{and}, was argued by counsel.

And it appearing from the ^{said} depositions filed in ~~this cause~~ that the complainant and respondent were married in the County of Isle of Wight, Virginia; that the said complainant and respondent last co-habited as man and wife in the Town of Smithfield, Virginia, where the complainant now resides, and who has been a bona fide resident of, and domiciled in this Commonwealth for more than one year next preceeding the institution of this suit; that the respondent ^{voluntarily} ~~has~~ deserted and abandoned the said complainant ~~without~~ ^{and} ~~interruption~~ for a period of more than three years.

On consideration whereof, the court doth adjudge, order and decree that the parties to this suit be divorced a vinculo matrimonii from each other. But neither party shall be permitted to marry again ^{within} ~~for~~ six months from the ~~date~~ ^{date} of this decree, nor shall such bonds of matrimony be deemed to be dissolved as to any marriage subsequent to this decree until the expiration of the said six months.

It appearing to the court that the object for which this suit was instituted has been accomplished it is hence dismissed from the docket of this court.

Fannie Drew,...Complainant,
Vs) In Chancery
Charlie Drew,...Respondent.

Decree

1424
Mar 6.

Enter this

B. W.

Judge.

8-500

VIRGINIA:

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

Fannie Drew, ...Complainant,

vs) In Chancery,

Charlie Drew, ...Respondent.

This day personally appeared before me Ailene C. Parish, a Notary Public in and for the County and State aforesaid, Fannie Drew, the complainant, and made oath that Charlie Drew was a non-resident of the State of Virginia, and that his last known Post Office Address is 1600 E. Fairmount Ave. Baltimore, Maryland.

Fannie Drew
Fannie Drew

Signed and sworn to before me this 15th day of Feb January, 1929.

Ailene C. Parish
Notary Public.

my commission expires 2/9/30

Fannie Durr

no 9 #

Charles Durr.

affidavit for order
of publication.

Fried 2/27/28.

N. G. Eames Jr.
Ch.

VIRGINIA: IN THE CLERK'S OFFICE OF THE CIRCUIT COURT
OF THE COUNTY OF ISLE OF WIGHT, FEBRUARY 27TH, 1929.

Fannie Drew.....Complainant

Vs:

Charlie Drew.....Respondent

The object of this suit is for the
Complainant to obtain from the Respondent a divorce
a vinculo upon the grounds of desertion and abandon-
ment, and an affidavit having been made and filed,
which asserts that the Respondent is a non-resident
of the State of Virginia, it is ordered that the
said Respondent do appear here within ten days after
due publication hereof to do what is necessary to
protect his interest in this suit.

Teste R. A. Edwards Clerk.

VIRGINIA: IN THE CLERK'S OFFICE OF THE CIRCUIT COURT
OF THE COUNTY OF ISLE OF WIGHT, FEBRUARY 27TH, 1929.

I, R. A. Edwards, Clerk of the Circuit
Court of the County aforesaid, do hereby certify that
the foregoing order of publication was this day filed
in my said office, a copy posted at the front door of
this County, a copy mailed to the Smithfield Times, a
newspaper having general circulation in said County for
publication as the law directs, and a copy was mailed to
the Respondent at the last known Postoffice address as
set forth in said affidavit.

R. A. Edwards
Clerk.

Fannie Drew

73 } G #

Charlie Drew

Copy of order of
publication.

Filed 2/27/28.

A. A. Edmunds

C. F. WHITLEY

Attorney-at-Law

PRESTON BUILDING

SOUTH NORFOLK, VA.

February 26th, 1929.

Mr. R.A. Edwards, Clerk,
Isle of Wight, Va.

Dear Gus: In Re: Fannie Drew vs. Charlie Drew.

Inclosed herewith you will find the memorandum, affidavit of non-residence of the respondent, and the bill in the above matter which I will thank you to file, and send the order of publication to the Smithfield Times for publication. You will note from the bill that the cause of the divorce is desertion for a period of more than three years.

I am also inclosing my check for the sum of \$8.50. \$5.00 for the deposit in the above divorce suit, and 50¢ for summons of Mrs. Mary Jones in the case of F.C. Royster Guano Company vs. T.W. and Mary Jones, Eddie Galmore garnishee. I am inclosing a letter in that matter for your files.

I remain,

Very truly yours,

CFW:w

Samfield

I, R. D. Hunter, publisher of The Smithfield Times, a newspaper published at Smithfield, Va., and of general circulation in Isle of Wight County, Virginia, hereby certify that the attached notice of

Fannie Drew, Complainant, v.

Charlie Drew, Resp.

was published in said newspaper for four weeks, beginning

Feb 28 - Mar 7 - 14 - 21 - 28

VIRGINIA: IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT, FEBRUARY 27, 1929.

FANNIE DREW Complainant
vs.

CHARLIE DREW Respondent

The object of this suit is for the Complainant to obtain from the Respondent a divorce a vinculo upon the grounds of desertion and abandonment, and an affidavit having been made and filed, which asserts that the Respondent is a non-resident of the State of Virginia, it is ordered that the said Respondent do appear here within ten days after due publication hereof to do what is necessary to protect his interest in this suit.

Teste:

R. A. EDWARDS,
Clerk.

C. F. WHITLEY, p.q.

R. D. Hunter

Publisher of Smithfield Times

MAR 31 1929 192

Smithfield, Va.,

E. J. Whitley, atty.
City

To SMITHFIELD TIMES, Dr.

Published Thursdays

Telephone 94

All Bills Payable When Presented

MAR 31 1929

MONTH			
Date	Inches	Words	Lines
1			
2			
3			
4			
5			
6			
7	3		
8			
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29			
30			
31			
Totals 12			

To Balance \$
 To Inches 12 At 50 \$ 6.00
 To Words At \$
 To Lines At \$
 To Job Work \$
 To \$
 To \$
 TOTAL 8 \$ 6.00

VIRGINIA.

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY:

Fannie Drew,.....Complainant,

Vs) In Chancery

Charlie Drew,.....Respondent.

The following depositions of Fannie Drew,
Agnes Shepard and Thomas Vellines, taken before me,
Ailene C.Parish, a Notary Public, in and for the
County of Isle of Wight, Virginia, on the 20th, day
of April, 1929, in the Town of Smithfield, Virginia.

Present, C.E.Whitley,

Counsel for the Complainant.

Fannie Drew, being first duly sworn deposes and says:

Q- Please state your age, residence and occupation?

A- I am 40, and live in Smithfield, and I do house wrk.

Q- When were you married to Charlie Drew?

A- In September, 1907

Q- When did he desert you?

A- April 15, 1923.

Q- Has he returned to live with you since he deserted you?

A- No.

Q- How long have you been a bona fide resident of Smithfield, Virginia?

A- For 35 years.

Q- Have you been a bona fide resident of, and domiciled in Isle of Wight County, Virginia, for one year prior to the institution of this suit?

A- I have.

Q- Where did you and Charlie Drew live at the time he deserted you?

A- Here in Smithfield.

Further this deponent saith not.

Charlie Drew

Agnes Shepard, being first duly sworn deposes and says:

Q- Please state your age, residence and occupation?

A- I am 43, live in Smithfield, and keep house.

Q- How long have you known Fannie Drew and Charlie Drew, her husband?

A- I have known them about 25 years.

Q- When did he desert her?

A- 6 years ago.

Q- Where did they live at the time he deserted her?

A- In Smithfield,

Q- Isle of Wight County, Virginia?

A- Yes.

Q- How long has Fannie Drew been a resident of Smithfield, Virginia?

A- Ever since I have known her, and that has been about 25 years.

Q- Has she been a bona fide resident of, and domiciled in Smithfield, Virginia, for more than one year prior to the institution of this suit?

A- She has been longer than that.

Further this deponent saith not.

Agnes Shepard

Thomas Vellines, being first duly sworn deposes and says:

Q- Please state your age, residence and occupation?

A- 57 years old, live in Smithfield, and I deal in wood and ice.

Q- How long have you known Fannie Drew and Charlie Drew?

A- 23 years.

Q- When did he desert her?

A- In April, 1923.

Q- Where did they live at the time he deserted her?

A- In Smithfield.

Q- Will they ever live together again as husband and wife?

A- I don't think so.

Further this deponent saith not.

his mark
Thomas Vellines

State of Virginia,

County of Isle of Wight, to-wit:

I, Ailene C. Parish, a Notary Public in and for the County of Isle of Wight, and State of Virginia, do hereby certify that the foregoing depositions, were duly taken, reduced to writing, and signed before me in my County aforesaid, pursuant to an order of publication duly published.

Given under my hand this 20th day of April, 1929.

Ailene C. Parish, Notary Public
Notary Public.
my commission expires 2/9/30

Fannie Drew,. Complainant,
vs) In Chancery,
Charlie Drew,. Respondent.

DEPOSITION:

C. F. Whitley, D.R.

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

Fannie Drew, ...Complainant,

V) In Chancery,

Charlie Drew, ...Respondent.

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

Humbly complaining, your complainant, Fannie Drew respectfully represents:

That for more than one year prior to the institution of this suit; your complainant, Fannie Drew has been a bona fide resident of and domiciled in the town of Smithfield, Isle of Wight County, Virginia, where she now resides.

That your complainant and respondent were lawfully married on the ____ day of _____ 1907, in Isle of Wight County, Virginia, as will more fully appear from a certified copy of their marriage license herewith filed and marked "Exhibit A", and prayed to be taken, read and made a part of this bill.

That your complainant and respondent cohabited as man and wife in the said town of Smithfield from the date of said marriage until the year 1924 when the respondent, Charlie Drew, deserted and abandoned your complainant, and has not returned to live with her.

In consideration whereof, and forasmuch as your complainant is remediless in the premises save in and by the aid of a court of equity where such matters are alone and properly cognizable, she prays that proper process issue; that the said Charlie Drew be made a party defendant to this bill, and be required to answer the same, but an answer under oath being hereby waived; that a divorce from the bonds of matrimony, which were

created by the aforesaid marriage, be decreed her from her said husband Charlie Drew, on the grounds of desertion and abandonment for a period of more than three years; And your complainant be afforded such other, further and general relief as the nature of her case may require, or to equity shall seem meet.

And your complainant will ever pray, etc.

Jammie Drew
By Counsel.

C. Fairfield Whitley, Jr.

#555

Fannie Drew, Complainant

V) In Chancery

Charlie Drew, Respondent

Bill.

G. Fairfield Whitely, P. Q.

Filed
7/27/28.