

1908-16

Southampton County Chancery Prithair, Peter, Sr vs Prithair, Bettie (widow)

Merine

Pretlow, Peter, Sr.
-vs. Bill in Chancery
Pretlow, Bettie.

1908: First May Rules. Filed.
B. F. McLenore
cc.

E. FRANK STORY
ATTORNEY AT LAW
COURTLAND, VIRGINIA

heret TO THE HONORABLE JAMES L. McLEMORE, JUDGE OF THE CIRCUIT COURT OF SOUTHAMPTON COUNTY, VIRGINIA:

Humbly complaining, your complainant, Peter Pretlow, Sr., sheweth unto the Court the following cause of complaint:

(1) That on the 2 day of September, 1898, your complainant was lawfully married in the county of Isle of Wight, State of Virginia, to Bettie Simmons, which said marriage will appear from a certificate of marriage herewith filed, marked "Exhibit A", and made a part of this bill:

(2) That continuous from the date of said marriage until sometime during the year, 1901, your complainant and the said defendant lived together as husband and wife, in the ~~said~~ county of Southampton, in the State of Virginia; *and your complainant still lives in said County?*

(3) That the said defendant has wilfully deserted and abandoned your complainant for a period of more than three years, that is to say, that in June of the year 1901, the said defendant did, wilfully and without any justification whatever, leave her home where your said complainant and her were living happily together as man and wife, and that your complainant has never heard from her since that day:

(4) That your complainant has resided and been domiciled in this State all of his life, therefore for more than one year next preceeding the commencement of this suit, and is domiciled and now resides in this State.

In tender consideration whereof, and for-as-much-as your said complainant is remediless in the premises, save in a court of equity, your complainant prays that the said Bettie Pretlow may be made a party defendant to this bill, and required to answer same, not under oath however, same being

hereby expressly waived; that proper process issue: that a divorce from the bonds of matrimony which were created by the aforesaid marriage, be decreed him; and that your complainant may have all such other and further relief, as the nature of his case may require, or to equity shall seem meet.

And your complainant will ever pray, etc.

PETER PRETLOW, SR.,

By

his Attorney.

p. q.

Prattow. Peter

$\overline{r}$ } Stat: Ruler

Preslow. Bettie

Peter Fretlow Sr. Plff

} Stat: of Rules
Betty Fretlow

Def

1908. April 29. Process issued to 1st May Rules.

" - 1st May Rules: process returned with
legal service acknowledged
by Claude J. Edwards. Atty
for Defendant.

Bill & Exhibits filed.

Devere Kinn

1908. 2nd May Rules: Bill taken for Confessed.
and Cause set for hearing.

2

Forthos - Peter S
or } Spia in Chic
Forthos - Bettie

1908-1st May Rules

summons.

I acknowledge due and legal service of the within

Attorney for defendant.

Paul J. Davis

The Commonwealth of Virginia.

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

We command that you summon *Bettie Pretlow*

to appear at the Clerk's Office of our Circuit Court of Southampton county, at the Rules
to be holden for the said Court on the *1st* Monday in *May 1928* ~~next~~, to
answer a Bill in Chancery exhibited against *her* in our said Court by

Peter Pretlow Sr.

And this *she* shall in no wise omit under penalty of law. And have then there
this writ.

B. F. McLenore
WITNESS, ~~L. A. GAY~~, Clerk of our said Court, at the Courthouse, this *29th* day of
April, 19*28*, in the *13th* year of the Commonwealth.

Teste: *B. F. McLenore* C. C.

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 Pretlow,

and

Bettie Simmons,

Given under my hand, as Clerk of the County Court of Isle of Wight this 2nd. day of September 1898 Clerk.

CERTIFICATE TO OBTAIN A MARRIAGE LICENSE,
TO BE ANNEXED TO THE LICENSE, REQUIRED BY SECTION 2226 OF THE CODE OF VIRGINIA, AS AMENDED BY ACT OF FEBRUARY 3, 1900.

Time of Marriage, Sept. 4th, 1898.	Place of Husband's Birth, Southampton, Co., Va.,
Place of Marriage, Isle of Wight Co.,	Place of Wife's Birth, Isle of Wight,
Full Names of Parties Married, Peter Holloway and Bettie Simmons,	Place of Husband's Residence, Southampton, Co.,
Color, Col.	Place of Wife's Residence, Isle of Wight, Co.,
Age of Husband, 45 years,	Names of Husband's Parents, John & Maria,
Age of Wife, 40 years,	Names of Wife's Parents, Unknown and Anna,
Condition of Husband (widowed or single or divorced) widower	Occupation of Husband, Farmer,
Condition of Wife (widowed or single or divorced) widow	

Given under my hand this 2nd. day of September 1898

By, N. F. Young, Clerk.
J. R. Latimer, D. C.

MINISTER'S RETURN OF MARRIAGE.

I certify, That on the 4th. day of Sept. 1898 at Isle of Wight Co. I united in Marriage the above-named and described parties, under authority of the annexed license.

W. M. Reid, Minister.

A copy, Teste, *W. M. Reid* C.C.

Peter Prellow & Belbin, Prellow

Sum: 25 - Copy: 13 Reck: 18 Atty: 10 Dock: 18

Rules: 1.00. Enter return: 35. filing bill: 15

filing Ex: 15 filing Dep: 15

Deoree: 36. Lay Costs: 40 Filing away papers: 20

paid B. F. M. Beck \$ 3.60

Staff 0.00

Lawyer 16.50

20.10

Com'r Jm Shands, fee 5.00

Shand & this
for my fee due on
by the Shands
E. F. S.

Crittow, Peter

-~~W~~²/₃ Reposition

Crittow, Bettie-

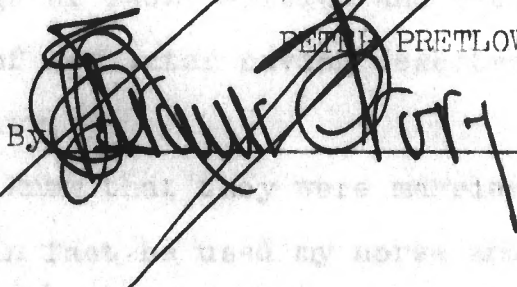
E. FRANK STORY
ATTORNEY AT LAW
COURTLAND, VIRGINIA

TO BETTIE PRETLOW:

T A K E N O T I C E: That on Friday, the 15th day of May, 1908, at the office of E. Frank Story, in the town of Courtland, Southampton County, Virginia, between the hours of six o'clock A. M. and six o'clock P. M., on that day, I shall proceed to take the depositions of F. P. Pulley and others, to be read as evidence in my behalf, in a certain suit in equity, depending in the Circuit Court of Southampton County, Virginia, wherein I am the plaintiff and you are the defendant, and if from any cause the taking of the said depositions be not commenced, or if commenced, be not concluded, on that day, the taking thereof will be adjourned from day to day, at the same place and between the same hours, until the same shall be completed.

Given under my hand this 11th day of May, 1908.

BETTIE PRETLOW,

By  his Attorney.

STATE OF VIRGINIA, (
Southampton County, (to-wit:

The depositions of N. T. Stephenson and others, taken before me, the undersigned, Wm. Shands, a Commissioner in Chancery, for the Circuit Court in and for the County aforesaid, in the State of Virginia, to be read as evidence in a certain suit in equity, now pending in the said Court, generally styled, Pretlow vs. Pretlow, pursuant to notice hereto attached, and at the time and place therein named.

Wm. Shands
COMMISSIONER IN CHANCERY.

Witness N. T. Stephenson, being first duly sworn, deposes and says:

Q. What is your name, age, residence, occupation and do you know the parties to this suit.

A. N. T. Stephenson, 62 years old, Southampton County, Virginia, farmer, and know the parties to this suit.

Q. Please state if you know any of the facts relative to the marriage of Peter Pretlow and Bettie Pretlow, (nee Simmons) and of her later having deserted her said husband, Peter Pretlow.

A. Yes, I know that they were married in Isle of Wight County, Virginia, in fact he used my horse and buggy the day he was married to this woman, I think it was about ten years ago and they lived in about a mile of my house as man and wife for about three years.

Q. During this period did Peter Pretlow make his wife a good husband, and provide for her as best he could, so far as you could see.

A. So far as I know, he did.

Q. Do you know whether or not Bettie Pretlow deserted her husband, Peter Pretlow.

A. Yes. I know that she left him, and so far as I know without any cause so far as Peter Pretlow is concerned.

Q. Has she ever returned to live with him.

A. No, she has never returned since she deserted him.

Q. Please state whether Peter Pretlow is considered an industrious hard working man or not.

A. Yes, he has that reputation.

And further this deponent saith not.

W. T. Branch

Witness W. T. Branch, being first duly sworn, deposes and says.

Q. What is your name, age, residence, occupation and do you know the parties to this suit.

A. W. T. Branch, 49 years old, Southampton County, Virginia, farmer, and I know the parties to the suit.

Q. Do you know anything about the marriage of Peter Pretlow and Bettie Pretlow, who was then Simmons.

A. I know they were married in Isle of Wight County, Virginia, and think it was about ten years ago.

Q. Where did they live after they were married.

A. They lived in Southampton County, Virginia, about three miles from my home, and they lived together about three years.

Q. During that time did Peter Pretlow provide for his wife and care for her, as best he could.

A. Yes, so far as I know he made her a good husband and provided for her as best he could.

Q. Do they live together now, and if not, why have they separated.

A. Bettie Pretlow deserted and left her husband, Peter Pretlow about 1901, I think, and has never returned to live with him since.

Q. So far as you know did she have any cause for deserting her husband.

A. None so far as I know.

And further this deponent saith not.

W J Branch

Witness Peter Pretlow, being first duly sworn, deposes and says:

Q. What is your name, age, residence, occupation and do you know the parties to this suit.

A. Peter Pretlow, 59 years old, Southampton County, Virginia, farmer, and know the parties to this suit, in fact I am the plaintiff in the suit.

Q. When and where were you married to Bettie Pretlow, who was Bettie Simmons.

A. In 1898, I think it was in September, at Mount Zini Church, in Isle of Wight County, Virginia.

Q. Where did you live after you were married.

A. Near Mr. Nat Stephenson's, in Southampton County, Virginia.

Q. When did your wife desert you.

A. I think it was in 1901.

Q. Has she ever been back since.

A. No she has never been back since she left me.

And further this deponent saith not.

Witness:
Ruth M. Owens

Peter P Pretlow -
work

Witness F. P. Pulley, being first duly sworn, deposes
and says:

Q. What is your name, age, residence, occupation and do
you know the parties to this suit.

A. F.P. Pulley, 55 years old, Southampton County, Virginia,
farmer, and know the parties to this suit.

Q. Please state about what time Peter Pretlow and Bettie
Pretlow were married.

A. I think it was about 1898.

Q. How long and where did they live together as man and wife.

A. They lived together about three years, and resided near
me in Southampton County, Virginia.

Q. So far as you know did Peter Pretlow make his wife, Bettie
Pretlow, a good husband, and provide for her as best he could.

A. Yes, so far as I know he made her a good husband, and I
think he provided for her as best he could, though I know
very little of their home life.

Q. Please state whether or not, Bettie Pretlow deserted her
husband, and if so, about when.

A. Yes, I know that she deserted him, and I think it was in
1901.

Q. Has she ever returned to live with him again.

A. No she has never returned to live with him since that
time.

And further this deponent saith not.

F. P. Pulley

STATE OF VIRGINIA, {
Southampton County, {to-wit:

I, Wm. Shands, a Commissioner
in Chancery for the Circuit Court, in and for the County afore-
said, in the State of Virginia, do hereby certify that the
foregoing depositions of N. T. Stephenson, W. T. Branch,
Peter Pretlow and F. P. Pulley, were this day taken, sub-
scribed and sworn to before me, at the time and place and
for the purpose designated in the caption hereto, and the
notice attached.

Given under my hand this 15th day of May, 1908.

Wm. Shands
COMMISSIONER IN CHANCERY.

Commissioner's Fee, \$5.00:

Crittlow, Peter -1908-

-~~22~~²/₃ Decree.

Crittlow Bettie-

Entered A. L. B.

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Enter this May 22, 1908.

James L. Moore

E. FRANK STORY
ATTORNEY AT LAW
COURTLAND, VIRGINIA

 * Peter Pretlow, *
 * vs. *
 * Bettie Pretlow, *

This day this cause came on to be heard on the bill of the complainant, the exhibits therewith filed, and the de-
taken after reasonable notice to defendant of the time and place of taking same
 positions of witnesses; the defendant, Bettie Pretlow, on whom service has been had, according to law, still failing to appear and plead, answer or demur, and was argued by counsel:
it appearing that plaintiff has been a resident of this County for more than 12 months next preceding the institution of this suit and that they have cohabited in this County.
 On consideration whereof the Court doth adjudge, order and decree that the marriage heretofore solemnized between Peter Pretlow and Bettie Pretlow be, and the same is dissolved.

And it appearing to the Court that nothing further remains to be done in this cause, it is ordered that it be removed from the docket.