

1893-013 Chancery Causes: Frances Washington, by v c VS Frank A. Washington

Isle of Wight County

other surnames: Crask,
CARR, Spivey, Allen

MARRIAGE * LICENSE



Virginia, *State of West 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,

Mr. Frank A. Washington

and *Mrs. Frances M. Young*

Given under my hand, as Clerk of the *County* Court of *State of West* this *25* day of *Sept* 18*86*

M. P. Young Clerk.

CERTIFICATE TO OBTAIN A MARRIAGE LICENSE,
TO BE ANNEXED TO THE LICENSE, REQUIRED BY SECTION 2229 OF THE CODE OF VIRGINIA.

Time of Marriage, <i>Sept 20th, 1886</i>	Place of Husband's Birth, <i>Washington Co. Va.</i>
Place of Marriage, <i>State of West Co. Va.</i>	Place of Wife's Birth, <i>State of West</i>
Full Names of Parties Married, <i>Frank Washington</i>	Place of Husband's Residence, <i>Same</i>
<i>Frances M. Young</i>	Place of Wife's Residence, <i>Same</i>
Color, <i>White</i>	Names of Husband's Parents, <i>Eli and Jane</i>
Age of Husband, <i>26 years</i>	Names of Wife's Parents, <i>John and Elizabeth</i>
Age of Wife, <i>20</i>	Occupation of Husband, <i>Farmer</i>
Condition of Husband (widowed or single), <i>Single</i>	
Condition of Wife (widowed or single), <i>Widow</i>	

Given under my hand this *20th* day of *Sept* 18*86*
M. P. Young Clerk.

MINISTER'S RETURN OF MARRIAGE.

I Certify, That on the *25th* day of *September* 18*93*
at the State of West-Co. Va. I united in Marriage the
above-named and described parties, under authority of the annexed License.

R. R. Owens

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.

*I certify to the M. P. Young Clerk
by R. R. Owens*

Washington per Friend

vs

Washington Frank A.

This cause came on this day to be heard on the bill of complaint to answer which the defendant has been summoned to answer, he still failing to appear, plead, answer or demur, on the depositions of witnesses filed, on exhibits filed with the bill, and was argued by counsel;

On consideration whereof, the court being of opinion from the evidence filed that the said defendant has des^{er}ted and abandoned his wife for more than five years ^{before} ~~from~~ the commencement of this suit, ^{and} ~~that~~ ^{from} ~~the~~ marriage heretofore had and solemnized between the defendant Frank A. Washington and the plaintiff Frances Washington shall be, and the same is, hereby dissolved, and that the said

defendant pay the costs of this suit, ^{and it appearing to the court there is nothing further to be done in this case, it is ordered that this cause be dismissed from the docket.}

Washington per friend

vs

Washington F.A.

Decree

To be entered

CMA

Oct 24, 1893

Entered #17

Washington per fine

75

Washington ~~Am~~ ~~Ad~~

This case came on this
day to be heard and on motion of the
plainiff it ordered that this case
be dismissed from the Court.

Washington paper

17

Washington

Derby

To be entered.

CMS

Feb 24, 1893

Entered 22

The depositions of Elizabeth Crask and W.H. Spivey taken before me a justice of the county of Isle of Wight county pursuant to notice hereto annexed at the office of W.S.Holland on the 14th day of October 1893 to be read as evidence in behalf of Frances Washington in a certain suit in equity depending in the Circuit Court of Isle of Wight county wherein said Frances Washington is plaintiff and Frank A.Washington is defendant.

Present W.S.Holland attorney for plaintiff:

Elizabeth Crask being duly sworn deposes and says:

1 q State your name, age residence, and occupation.

Ans. Elizabeth Crask is my name, 52 years old, live in Isle of Wight county and am a farmer.

2 q- It is charged in the bill in this case that Frank A. Washington deserted and abandoned his wife, please tell all you know about their separation and your opportunities for knowing?

Ans. I lived about one mile from where Frank Washington and his wife lived while they were together, and I visited the house they lived in occasionally, I would say about three or four times a month, he left his ~~wife~~ wife in the latter part of the winter or in the spring of 1887, he left her without food enough to last one week and without fire wood. They had no children.

.3 q Was she a faithful wife to him?

Ans I am satisfied she was, so far as I ever saw or knew or had any cause to suspect she was to him a good wife.

4 q Have they ever lived together since the time you name as man and wife, I mean.

Ans Not so far as I know.

And further this deponent saith not.

her
Elizabeth X Crask
mark

W.H.Spivey being duly sworn deposes and says:

1 q State your name, age and residence?

Ans William H. Spivey is

my name, am 39 years old, am a farmer.

2 q Where did you live in 1887?

Ans I lived in Isle of Wight county about one mile from where Frank Washington and his wife lived when they lived together.

3 q When did they separate and which left the other?

He left her. It was in the winter of 1887, the latter part.

4 q Tell anything else you know about their separation and how you know?

Ans I was at their house right often once a week at least, he left her in a small rented house, without anything to eat or any wood to burn, they have not lived together since that time so far as I know or believe, I have seen her quite often since that time and they were never living together at those times.

5, 7, If they had ever lived together since that time would you have known it, ~~would you not?~~

Ans I think I should.

6 q In what county and state did they live when they were living together as man and wife?

Ans In Isle of Wight county and in the state of Virginia and parted in that county and state.

~~And further this deponent saith not~~
7 q Was his wife a good and faithful wife to him?

Ans I think she was. I know she was so far as I ever saw or heard. Never saw or heard anything to the contrary at all.

And further this deponent saith not:

W. H. X Spivey
mark

I, J.E. Nelms, a justice of the peace for the county of Isle of Wight in the said state do hereby certify that the foregoing depositions of Elizabeth Crask and W.H. Spivey were duly taken, sworn to and subscribed before me at the time and place and for the purpose therein mentioned.

Given under my hand this 14th day of October 1893

J. E. Nelms

J.P.

Washington pr. fd.
to. 3/4 In. Clee.

Washington

Deposition,
of Edward Reale
filed 14th Octo.
1893.

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The depositions of F.D.Carr and others taken before me, a justice of the peace of Isle of Wight county at the office of W.S.Holland in said county pursuant to notice hereto attached, to be read as evidence on behalf of the plaintiff in the case of Wasgington per friend Vs. Washington now pending in the Circuit court of said Isle Of Wight couty.

Present W.S.Holland atty for the pltf.

No appearance for the dft.

F.D.Carr being duly sworn deposes and says.

I Q - State your name age and occupation?

Ans-- F.D.Carr is my name , 34 years old, a farmer, and reside in Nansemond county.

2 Q-- It is alleged in the bill of complaint that Frank A. Washington was very cruel to his wife before their separation, please tell all you know of this matter?

Ans-- They lived near Darden,s mill and I lived not far off in the same neighborhood, and some one or two weeks be fore they separated I was\$ passing along the path near their house and heard heard a loud noise made by a woman and saw Frank Washington bending over his wife and was then striking her, I passed on, at another time I was near the house and heard loud scra or cries thqt I took to be the screams and cries of a woman, but I did not see any one a at that time.

Q 3--- Although you did not see any one the last time, could you tell from the cries, words or voice who was there?

Ans-- I was sure that it was Frances Washington,s voice for I had known her a long time.

Q. 4--- Speaking of living in the neighborhood of Darden,s mill which I believe is not very far from Carrsville, will you please tell me if you know anything of a place called " Gill,s Camp" and if so tell me what sort of a place it was?

Ans--- The place was well known in the neighborhood for miles around, was known as one of the worst and lowest places in the whole country, where three women of equally bad character lived where it was said that white men and negroes visited. One of these women ~~who~~ had two negro children, none of the women were married and no male person lived there, the place was about one mile from my house and I passed there occasionally going to Carrsville.

Q. 5 Do you know whether Frank A. Washington ever visited that place?

Ans I do not know except what he told me himself, one day I was driving along the path and he got up and rode with me and told me that he stayed at "Gill,s Camp" all night the night before, several times he would pass where I was at work and tell me that he had been there or was going there. My house was between where he lived and that place.

And further this deponent saith not:



William H. Spivey being duly sworn deposes and says:

I Q State your name age, residence and occupation?

Ans--- My name is William H. Spivey, my age is 38 years, residence Isle of Wight county, and a farmer, and work at Mr. Kings saw-mill

Q. 2. How long have you known the parties to this suit?

Ans. I have known Frances Washington over ten years, have known him six or seven years, probably a little longer.

Q 3 When did these parties separate .?

Ans-- Some time along about the first of March 1887

Q 4 It is alleged in the bill of complaint that Frank A. Washinton was very cruel to his wife, please tell what you know of this matter?

Ans--

Ans--- In the winter of 1886 -7 he left his wife for a whole week without fire wood or with but little to eat, ^{when a snow was on the ground} he told me himself that he slapt her, this is all so far as I now remember that I know of his bad treatment to his wife?

9) 5 Was his wife kind and obedient to him?

Ans. She was, i lived only about one half a mile from them and visited their house often.

Q. 6 In what county and state did they last live together as man and wife?

Ans-- Isle of Wight county in the state of Virginia.

Q 7 Tell if you know whether or not Frank A. Wasgingto^hr vistited a place known as "Gill,s Camp" ?

I saw him at the place about one month before he and his wife sep-
~~arate~~ ~~was~~ ⁺ carrying on prety brisk with them women.

Q 8 What women?

Ans. Tenie Duck, Betty Duck and Texie Duck. These are the names of the women who lived at and kept "Gill,s Camp" that is the name the place went by.

Q 9 What do you mean by saying that he was "carrying on very brisk?"

Ans He was carrying on, talking, laughing and fondling with them, that is the best way I can tell it. I did not see him do anything else.

Q 10 What kind of women were these?

Ans. Well they were women that men white and colored visited and did what they pleased. They ussually had men there at night.

II Have you ever heard Frank A. Washington say anything about going to that place at any other time than that you have just named?

Ans. I have heard him speak of going there several times.

Q 12 Did you ever hear him say what he went there for?

Ans- Yes, he said he had a good time with the women over there.

Q 13 Are you related to Frances Washington?

Ans---xXxx I am no kin to her at all.

Q I4-- You say you have known her for some ten years, What is her reputation?

Ans. I have never heard a word from any one other than that she was and is a lady. She bears the name all over the neighborhood of being a lady. She is poor and has to work for her living like many other people.

And further this deponent saith not:

his
William H. Spivey
2-16

Perry C. Allen being duly sworn deposes and says :

That his name is Perry C. Allen, 51 years old, reside in Isle of Wight county and by occupation a farmer, have know Frances Washington for four years, have lived during thait time in the same neighborhood, know that she bears a good name, and is respected as highly as any woman in the neighborhood so far as I know, or have ever heard. I know nothing of the trouble between her and her husband at all. I did not live in the county while they were living together.

And further this deponent saith not:

Perry C. Allen

Virginia.

County of Isle of Wight, to wit:

I, John M. Taylor a justice of the peace in and for the county and state above written, do certify that the foregoing depositions of F.D. Carr, William H. Spivey and Perry C. Allen were duly taken before me, sworn and subscribed before me at the time and place, and for the purposes therein mentioned.

Given under my hand this 7th day of April 1893

John M. Taylor J.P.

Washington
v. E. Buckley
Washington

Depositions,

April 13th 1893,

came to hand under

seal & filed,

Test, N. P. Sprague & Co.

To Frank A. Washington

You are hereby notified that on the...14...th day of....Oct.....in the year 1893 ,
at the office of...W.S. Holland.....in...Ile of Wight...between the hours of 6
o'clock A. M. and 8 o'clock P. M. of that day I shall proceed to take the depositions of...Elizabeth
Crosk and others.....
and others, to be read as evidence in my behalf in a certain...suit in chancery....
depending in the...Cir.....court of...Ile of Wight.....county, wherein
I am
complaintiff, and...you
.....are defendants; and if from any cause the taking of said
depositions be not commenced, or if commenced, be not concluded on that day, the taking thereof will
be adjourned from time to time or from day to day and from place to place or at the same place be-
tween the same hours until the same shall be completed.

Your obedient servant,

Francis Washington
W.S. Holland per
att'y.

This notice

Executed by de-
claring a copy of
this notice to Frank

A Washington

Sept 30/23

R. G. Moorhead

for J. H. Williams

Chf of Donhampton
Co.

The Commonwealth of Virginia,

To the *Sheriff* of the *county* of *Southampton*, Greeting:

WE COMMAND YOU, That you summon *Frank S. Washington*

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 *first* Monday in *October*, 189*3*,
to answer a bill in Chancery, exhibited against *him* in our said court by
Frances Washington

And have then there this writ. Witness, *A. O. Young*, Clerk of our said
Court, at the court-house, the *23^d* day of *Sept.*, 189*3*, and in the *118th* year
of the Commonwealth.

A. O. Young *clerk*

Frank H. Washington
Superior, 7th July 1893
Elizabeth L. Lusk

Washington Frank

vs.

}

SUBPENA
IN
CHANCERY.

Washington Frank

W.D. Holland R. 9.

To First Octo: Rules,
1893, Circuit Court.

Executed Sept. 30th
1893 by delivering a
copy of this notice to
Frank Washington
R D Moon left
for J. M. Williams
Sept.

The Commonwealth of Virginia,

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

WE COMMAND YOU, That you summon *Frank A. Washington*

to appear at the Clerk's Office of the *Ancient* Court of the *County* of *Isle of Wight*
at the rules to be held for the said Court on the *third* Monday in *September*, 189 *3*;
to answer a bill in Chancery, exhibited against *him* in our said court by
Frances Washington

And have then there this writ. Witness, *A. O. Young* Clerk of our said
Court, at the court-house, the *9* day of *Sept.*, 189 *3*, and in the *118* year
of the Commonwealth.

A copy, Teste, A. O. Young clk *A. O. Young clk*

Frank A. Washington

vs.

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SUBPENA*
IN
CHANCERY.

Mr. Young, New
Holland Says

Issue Sum to ^{p 9.}
1st Coh Rules & Decs
To Supp, of Southampton
^{To} Rules,
& Send to him
at Windsor Court.

New Decs, 23
Sept, to 1. Oct. 1893
1893

The Commonwealth of Virginia,

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

WE COMMAND YOU, That you summon *Frank A. Washington*

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 *third* Monday in *September*, 189*3*,
to answer a bill in Chancery, exhibited against *him* in our said court by
Frances Washington

And have then there this writ. Witness, *S. P. Young* Clerk of our said
Court, at the court-house, the *9* day of *Sept*, 189*3*, and in the *118* year
of the Commonwealth.

S. P. Young *clerk*

James Washington

vs.

}

SUBPENA
IN
CHANCERY.

Frank W. Washington

W. S. Holland p q.

To *2^d Sept.* Rules,

1893 Circuit Court.

Met for a & Mo
in the last of
my county, Sept 18
1893.

R. A. Edwards

Shff

In the Circuit Court of Isle of Wight County, To Wit:

2 September Rules 1893

Frances Washington who sues by her next friend Elizabeth Crask, your oratorix, humbly complaining, represents to the court that on the 26th day of September 1886 she was married to Frank A Washington, and lived with him in the county of Isle of Wight in the state of Virginia until the winter of 1886-7 when in the latter part of the winter on or about the first day of March 1887 her said husband wilfully deserted and abandoned her and has since that time continued said desertion and abandonment till now, that she was to him a true and faithful wife, that he left her without food or fuel and carried off with him the very small personal property he ownee, that there is no child of said marriage living or dead. Your oratrix says that said husband is a laboring man and is very lazy and that she does not expect or ask for any alimony.

For as much as your oratrix is remediless in the premises save in this honorable court where matters of this sort are alone and properly cognizable, she prays that said Frank A. Washington be made a party to this suit, and required to answer this bill, but an answer on oath is hereby waived as provided by statute in such cases, that a divorce a vinculo matrimonii be granted her for ^{ever} dissolving the bonds of matrimony between herself and said Frank A. Washington, that all such other, further and general relief be afforded her as the nature of her case may require and as to equity and good conscience may seem meet. And she will ever pray ✓ c

W. S. Hollant

W. S. Halliday

Washington friend

rs

Washington D. C.

Bill of Complaint

Decord Sept. Re, 1893,
over sent, to 1. Octo. Re,
& Bill of Complaint.

First: Octo. Re, 1893,

Decord. exp. & de. case
n. deft.

Second Octo. Re. - Bill taken
for complaint & set for hearing

October term 1893

Final Decree