

1920-016

Chancery Causes: L.

H. Holmes vs Bessie Lee Holmes

329

Isle of Wight County

other surnames. Vines

Haines - Plf
V. Du Chenery
Haines - Def.

Bill

2nd March Rules 1920
Process returned executed.
Bill filed & fees paid

1st April Rules 1920
Defendant not appearing
no answer set
Down for hearing

ERNEST H. WILLIAMS
Attorney-at-Law
SMITHFIELD, VIRGINIA

That your complainant has resided in the County of Isle of Wight all of his life and that he last co-habited with the said defendant in the said County.

In tender consideration whereof and for as much as your complainant is remediless in the premises, save in a court of equity, he prays that the said Bessie Lee Holmes may be made a party to this bill and be required to answer the same; that proper process may be issued; that a divorce from the bonds of matrimony may be decreed to the said complainant; and, that your complainant may have all such further and other general relief as the nature of his case may require, or to equity shall seem meet.

And your complainant will ever pray, etc.

L. Holmes

By Counsel.

J. W. Williams p. q.

IN THE CIRCUIT COURT IN THE COUNTY OF, ISLE OF WIGHT, VA.

-----oOo-----

L. H. HOLMES, ...Plaintiff,

vs) In Chancery.

BESSIE LEE HOLMES, ...Defendant.

-----oOo-----

TO THE HONORABLE B. D. WHITE,

JUDGE OF THE SAID COURT.

Your complainant, L. H. Holmes, respectfully represents that on September 13th. 1915, he was married to the said defendant, in the County of Isle of Wight, Virginia, as will appear by a copy of the marriage license herewith filed marked "Exhibit A" and made a part of this bill; and,

That your Complainant was a constant, dutiful, and faithful husband to the said defendant, and

That the said Defendant has since the marriage afore said committed adultery, that is to say, that on Sept. 6th 1917, in a room at the home of your Complainant's father, the said Defendant had carnal intercourse with your Complainant's father and since that time has had carnal intercourse with numerous and sundry men, and in fact the said Defendant has by her an ordinary prostitute.

That the said Plaintiff has not cohabited with the said Defendant since obtaining knowledge of the said adultery, that it was not committed by the procurement or connivance of your Complainant, and that the said adultery happened within five years before the institution of this suit; and

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FOMES, PLAINTIFF,
VS (INCARCERY)
FOMES, DEFENDANT.

DEPOSITIONS.

Filed April 1940

ERNEST H. WILLIAMS
Attorney-at-Law
SMITHFIELD, VIRGINIA

(Original)
Holmes

✓

Holmes

Notice of Dep.

I executed the within Notice this the 12 day of
Mar 1924 by H. B. Evans a
copy of the same H. B. Evans in per. in
in the County of Isle of Wight.

R. A. Evans
Sheriff of Isle of Wight Co.

By J. H. Ball D.S.

TO BESSIE LEE HOLMES:

Take notice that I shall, on the 27th. day of March, 1920, at the office of E. H. Williams, in the town of Smithfield, Virginia, between the hours of 9 A. M. and 6 P. M., on that day, proceed to take the depositions of Joseph Holmes, Eliza Moses, and others, to be read in my behalf, in a certain suit now depending in the Circuit Court of the County of Isle of Wight, Virginia, wherein you are defendant and I am plaintiff, and if from any cause the taking of the depositions be not commenced on that day, or, after 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 ^{26th} day of February, 1920.

E. H. Williams

BY COUNSEL.

E. H. Williams
p. q.

Mollie Holmes, being duly sworn, deposes as follows:

Q. What is your name, age, residence and occupation.

A. Mollie Holmes, 53, Isle of Wight County, house-keeper.

Q. Tell me what you know about Bessie Lee Holmes?

A. She is mighty thick with my husband and I cannot break it up. I have tried. I have forbid her coming to my house but she still comes anyway sometimes.

And further this deponent saith not:

Witness;
Geo F. Whitley

^{her}
Mollie Holmes
mark

Henry Holmes, being first duly sworn, deposes as follows:

Q. What is your name, age, residence and occupation?

A. Henry Holmes, 19, Isle of Wight County, public work.

Q. Tell me what you know about the character of Bessie Lee Holmes?

A. She is a loose woman. In August, 1917, I saw her and a man coming out of a room to-gether. There was no one else in the house at the time.

And further this deponent saith not:

Witness;
Geo F. Whitley

^{her}
Henry Holmes
mark

STATE OF VIRGINIA,

COUNTY OF ISLE OF WIGHT, to-wit:

I, George F. Whitley, a Commissioner in Chancery of the Circuit Court of the said County, State of Virginia, do hereby certify that the foregoing depositions were duly taken, reduced to writing, and signed by the witnesses, respectively, before me, at the place and the times therein mentioned, pursuant to the annexed notice.

In witness whereof I have hereunto set my hand this 27th.

day of March, 1920.

Geo F. Whitley
Commissioner in Chancery

A. Yes sir, we never lived any where else except Isle of Wight County.

Further this deponent saith not.

Witness,
S. P. Whitley

^{his}
L. H. X Holmes
mark

Kenneth Vines, being first duly sworn, deposes as follows:

Q. What is your name, age, residence and occupation?

A. Kenneth Vines, 19, Isle of Wight County, farmer.

Q. Do you know Bessie Lee Holmes, and if so, tell me what you know about her character?

A. Yes Sir, I know her. I know that she is a pretty rough girl. Anybody could go and have a good time with her that wanted to. Everybody in the neighborhood knew that she was a loose charcater Her husband was sick for about a year and she went out with men at any and all times of the night. I consider her to be an ordina-ry prostitute.

And further this deponent saith not.

Witness,
S. P. Whitley

^{his}
Kenneth X Vines
mark

Joseph Holmes, being first duly sworn, deposes as follows:

Q. What is your name, age, residence and occupation?

A. Joseph Holmes, 29, Isle of Wight County, public work.

Q. Tell me what you know about the character of Bessie Lee Holmes

A. I know that her character is not good at all. I know that I ha-ve seen her in places that no woman that respected herself would not be in. She left it to me to have the same chance with her that she did other people. I started in to see her myself one morning in Norfolk and when I opened the door to her room I found another man in the bed with her.

Q. When was this?

A. The first part of September, last year.

Further this deponent saith not - Witness, S. P. Whitley, mark

^{his}
Joseph X Holmes

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

L. H. HOLMES,.....Plaintiff,

vs.) In Chancery,

BESSIE LEE HOLMES,.....Defendant.

Depositions of L. H. Holmes, Molly Holmes, Joseph Holmes, Kennie Vines, and Henry Holmes, witnesses, taken before me, G. F. Whitley, a Commissioner in Chancery of the Circuit Court of the County of Isle of Wight in the State of Virginia, on the 27th. day of March, 1920, in pursuance of the annexed notice, at the office of E. H. Williams, in the town of Smithfield, Virginia, between the hours of nine A. M. and six P. M., to be read in evidence in the suit in which L. H. Holmes is plaintiff and Bessie Lee Holmes is defendant, pending in the Circuit Court of the County of Isle of Wight, Virginia.

Present: E. H. Williams for the plaintiff.

L. H. Holmes being duly sworn deposeth as follows:

- Q. What is your name, age, residence, and occupation?
- A. L. H. Holmes, twenty-five, farming, Willie' Gray's, Isle of Wight County.
- Q. How long have you lived in Isle of Wight County.
- A. About eighteen years.
- Q. Have you been living in Isle of Wight County for the last eighteen years?
- A. Yes sir.
- Q. When were you married to your wife, Bessie Lee Holmes?
- A. September 13th. 1915.
- Q. Where were you married?
- A. I got my license at Isle of Wight Court House, married in Suffolk.
- Q. Where does your wife Bessie Lee Holmes live?
- A. With her father in Isle of Wight County.
- Q. Did you and your wife last live together in Isle of Wight?

Original ²

L. H. Holmes

vs) Chancery. No. 329.

Bessie Lee Holmes.

Process

I executed the within ^{with} ~~copy~~ ^{the 12} ~~copy~~ of
1921 by ^{the 12} ~~copy~~ a true
copy of the same ^{Bessie Holmes} in person
in the County of Isle of Wight.

^{P. A. Eames}
Sheriff of Isle of Wight Co.

by ^{J. H. Smith} JS.

COMMONWEALTH OF VIRGINIA,

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

We command you that you summon Bessie Lee Holmes to appear at the Clerk's Office of the Circuit Court of our County of Isle of Wight on the third Monday in March, 1920, to answer a bill in chancery filed against her by L. H. Holmes. And have then and the e this writ.

Witness, A. S. Johnson, Clerk of said Court, at the Courthouse, this 4th day of March, 1920.

Teste, A. S. Johnson Clerk.

E. H. Williams, p.q.

Holmes -

✓

Holmes

Decree

Is by entered -

'920

May 4.

Enter this
B.D.W.

C. 202 No 2 p 549

ERNEST H. WILLIAMS
Attorney-at-Law
SMITHFIELD, VIRGINIA

resided and have been domicile in this County and State ever since the aforesaid marriage and for more than one year preceding the commencement of this suit; that the said parties last co-habited in the County of Isle of Wight: the Court doth adjudge, order, and decree that the said L. H. Holmes and Bessie Lee Holmes be divorced from the bond of matrimony

which was created by the aforesaid marriage, and hereby is,

the same
But neither the complainant nor defendant shall
dissolved, and annulled, have the right to marry again for six
months from the date of the entry hereof. And the defend-
Nothing further remaining to be done in this case

it is ordered that this suit be stricken from the docket.

and shall pay the costs of this case.

VIRGINIA:

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

_____ TERM, 1920.

-----oOo-----

L. H. HOLMES, ...Plaintiff,

vs { In Chancery,

BESSIE LEE HOLMES, ...Defendant.

-----oOo-----

This cause came on this day to be heard on the complainant's bill, ~~and the exhibits filed therewith:~~ ^{and on the} depositions taken and filed on behalf of the complainant; the defendant, ^{and notice of taking depositions} on whom ^{in person} process has been duly served, still failing to appear, plead, answer or demur; and was argued by Counsel.

On consideration whereof, ~~and~~ it appearing to the Court independently of the admission of either party in the pleadings or otherwise, that the said parties were lawfully married on the 13th, day of September, in the year of 1915, ~~in the County of Isle of Wight, Virginia,~~ and the Court being of the opinion, from the evidence in this case, that the defendant is guilty of the adultery ^{as} charged in the complainant's bill; that the said L. H. Holmes has not co-habited with the said Bessie Lee Holmes since obtaining knowledge of the said adultery; that the same was committed without the procurement or connivance of the said plaintiff; and that it occurred within five years next preceding the institution of this suit; that both of the parties to this suit have

¹
Holmes -
V. Mem - 329
Holmes

Memo

Died 3/4/1920

TO THE CLERK OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF
WIGHT, VIRGINIA.

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L. H. HOLMES,.....Plaintiff,

)
vs(In Chancery,
)

BESSIE LEE HOLMES,.....Defendant.

-----oOo-----

Issue summons in Chancery to second March rules
1920, for the said plaintiff and against the said defendant.

E. H. Williams

p.q.

Ch. \$50 for Deposit