

1924-019 Chancery Causes, Steve Olsen vs Della Ann Olsen

422

Isle of Wight County

other SURNAMES: Biggins,
Morse, Pierce

432
Steve Olsen,.....Complainant,

vs. In Chancery

Della A.Olsen,..Defendant.

Bill for divorce.

C.F.Whitley, p.q.

11/27/23 Filed

C. F. WHITLEY
ATTORNEY AT LAW
PHOEBUS, VA.

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.

Stanc Oliver
By Counsel,

C. J. Whitley p. q.

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

Steve Olsen,.....Complainant,

vs.) In chancery,

Della Anne Olsen,....Defendant.

To the Hon. B.D.White, judge of the said court.

Your complainant Steve Olsen, respectfully represents that on the 15th day of May, 1919, he was married to the said Della Anne Olsen, in the City of Newport News, Va., a certificate of which marriage license being herewith filed marked exhibit "A" and prayed to be made a part of this bill.

That your complainant has been a bona fide resident of Elizabeth City County, Va., where he now resides for more than one year, next preceeding the institution of this and that the defendant Della Anne Olsen has been a bona fide resident of the County of Isle of Wight, Va., for more than one year next preceeding the institution of this suit where she now resides.

Your complainant and defendant cohabited as man and wife from the date of said marriage until March or April, 1920, when she deserted and abandoned your complainant in the City of Newport News, Va., and returned to Isle of Wight Co. Va., and she has not returned to live with your complainant, although having been requested to return on several occasions.

In consideration whereof, and for as much as your complainant is remediless save in a court of equity where such matters are cognizable; your complainant prays that the defendant Della Anne Olsen may be made a party defendant to this suit and be required to answer the same; that an answer under oath is expressly waived, and that a divorce a vinculo matrimonii be decreed him on the grounds of desertion and abandonment, and that your complainant

Steve Olsen.,

~~Virginia~~ Chancery No.....

Della A. Olsen.,

ORIGINAL SUBPOENA.

VIRGINIA, Clerk's office of the Circuit
Court of the County of Isle of Wight:

..... 192

Returned, entered and filed.

Teste:

..... Clerk

To 1st December..... Rules.
1923.

..... C. F. Whitley., p.q.

*I have finding Della A. Olsen at her usual place of business
located the within ~~street~~ this the 1 day of June 1923
by serving a true copy of same on M. A. Peiser
and Della A. Olsen and explained to them the contents
same, he being a member of the family of the said Della A. Olsen
and over the age of sixteen years, in the County of Isle of Wight*

M. H. Chapman

COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—Greeting:

We command you that you summon Della A. Olsen.,

to appear at the Clerk's Office of the Circuit Court of the County of
Isle of Wight at the rules to be holden for the said Court on the
First Monday in December, 1923, to answer a bill
in chancery exhibited against her in our said Court by

Steve Olsen.,

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-
house, this 27th day of November, 1923, and in
the 148th year of the Commonwealth.

R. A. Edwards Clerk.

Steve Olsen,.....Complainant
vs. In Chancery,
Della Olsen,.....Respondent.

Depositions,

C. Fairfield Whitley, p.q.

C. F. WHITLEY
ATTORNEY AT LAW
PHOEBUS, VA.

No. 3. That Dolly Olsen at her usual place of abode,
executed the within ~~return~~ ^{notice} this the 3 day of Jan 1924
by ~~delivering~~ ^{delivering} a true copy of same to C. B. Pease (Bro.) for the
said Dolly Olsen and explained to him the purport of
same, he being a member of the family of the said Dolly Olsen
and over the age of sixteen years, in the County of Isie of Wiske
W. F. Chapman Clerk

To Dolly Olsen:

TAKE NOTICE, That on the ⁷~~1~~ day of January, 1924, at the Office of Frank C. Larrabee, in the Town of Phoebus, Virginia, between the hours of 10 A.M. and 4 P.M., of that day, I shall proceed to take the depositions of Steve Olsen and others, to be read as evidence in my behalf in a certain suit now pending in the Circuit Court for the County of Isle of Wight, Virginia, wherein I am complainant and you are 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 time to time at the same place and between the same hours until the same shall be completed.

Given under my hand this 2nd day of January, 1924.

Steve Olsen

By C. Fairfield Whelley
Attorney

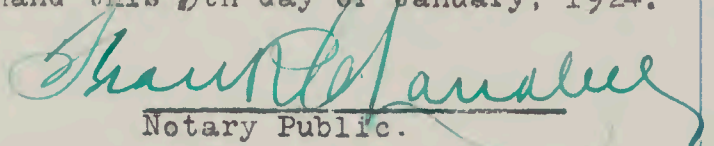
Legal service of this notice accepted Jan. _____ 1924.

STATE OF VIRGINIA:

COUNTY OF ELIZABETH CITY, TO-WIT:

I, Frank C. Larrabee, a Notary Public, in and for the County and State aforesaid whose commission expires on the 15 day of July 1927 do hereby certify that the foregoing depositions, were duly taken, reduced to writing, and signed before me in my county aforesaid, at the time and place mentioned in the notice hereto attached.

Given under my hand this 7th day of January, 1924.


Notary Public.

Harry B. Moree, being first duly sworn deposes and says:

Q- Please state your age, residence and occupation?

A- 32, and Fort Monroe and I am a soldier.

Q- Do you know State Olsen and Della A. Olsen, his wife, and if so, how long have you known them?

A- Yes, I have known him about five years and have known her about four years ago.

Q- Did they cohabit as man and wife at the time you you first knew Mrs. Olsen?

A- Yes, they lived in Newport News.

Q- When did they separate?

A- In the spring of 1920.

Q- How do you know she deserted him during the spring of 1920?

A- I went to his home and she wasn't there and he said she had deserted him, and I saw her at her brother Rubie's. Then she moved to Smithfield.

Q- How long did he remain at their home after she deserted him?

A- About six months.

Q- Have they cohabited as man and wife since she deserted him during the spring of 1920?

A- No.

Q- How long have they been residents of Va?

A- They have been here ever since I came here which is more than five years ago.

Further this deponent saith not.

Harry B. Moree

Thomas Biggins, being first duly sworn deposes and says:

Q- Please state your age, residence and occupation?

A- I am 27, and live in Phoebus and I am a radio operator.

Q- How long have you known Steve Olsen and his wife Della Olsen?

A- I have known him~~xx~~ about seven years, and have known her about four or five years.

Q- Where did they live during the time they cohabited as man and wife?

A- In Newport News.

Q- Where did you live during that time?

A- I lived in the Shipyard apartment houses in Newport News.

Q- Did he desert her or did she desert him?

A- She deserted him.

Q- How do you know she deserted him?

A- I knew where they lived and in March or April 1920, she disappeared and I never saw her there again.

Q- Do you know what the trouble was?

A- No.

Q- What is the reputation of Steve Olsen?

A- Good.

Q- Have they lived as man and wife since March or April, 1920?

A- No.

Q- How long have they been bona fide residents of Va?

A- Ever since I have known them.

Further this deponent saith not.

Thomas Biggins

Steve Olsen, being first duly sworn deposes and says:

Q- Please state your age, residence and occupation?

A- I am 29, I live at 25 Howard Street, Phoebus, Va.,
by occupation I am machinist.

Q- What relation, if any, are ^{you} to Della A. Olsen, the
defendant in this suit?

A- I am her husband.

Q- Where did you and your wife cohabit as man and wife?

A- 46 St. and up on 44th St. Newport News, Va.

Q- When did she desert you?

A- It was in the spring of the year sometime in 1920.

Q- Where did she go after she deserted you?

A- She went to her brother's house on East end in
Newport News, and then she went back to her father's
in Smithfield or in the country near Smithfield.

Q- Why did she desert you?

A- She was always arguing and fussing.

Q- Did you ever offer to take her back?

A- Yes, I sent Harvie Welch for her and wrote to her and
asked her to come back but never received any reply .

Q- Have you resided with her as man and wife since
she deserted you in the spring of 1920?

A- No.

Will you ever live with her again?

A- No, she doesn't want me.

Q- Have you any children?

A- No.

Q- How long have you and your wife been bona fide residents
of Va?

A- I have been here for ten years and she has been here
all of her life.

Further this deponent saith not.

Steve Olsen

VIRGINIA,
IN THE CIRCUIT COURT FOR THE COUNTY OF ISLE OF WIGHT:
STEVE OLSEN.....PLAINTIFF,
VS. IN CHANCERY,
DELLA OLSEN,.....DEFENDANT.

The following depositions of Steve Olsen,
Harry B. Merse, and Thomas Biggins, taken before
me Frank C. Larrabee, a Notary Public, in and for the
County of Elizabeth City, and State of Virginia, on
the 7th day of ~~Xth~~ January, 1924, at the office of
Frank C. Larrabee, in the Town of Phoebus, Va., pursuant
to the notice hereto attached, to be read in behalf
of the complainant.

Present, C. Fairfield Whitley,
Counsel for the complainant.

No charge for a
certified copy of
final decree.

75-001-20

Steve Olsen, Plaintiff

vs(In Chancery

Della A. Olsen, Defendant

1924
Jan. 7.
Enter this
B.H.W.
Decree.

D.B. # 8. page 179.

E. H. WILLIAMS,
ATTORNEY AT LAW,
SMITHFIELD, VIRGINIA

VIRGINIA, IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT:

January Term, 1924.

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Steve Olsen,.....Plaintiff
vs(In Chancery
a.
Della Olsen,..... Defendant.

in which the defendant has been duly served in person, with process,
This cause, [^]came on this day to be heard on the [^]complainant's bill, the depositions of witnesses, [^]the [^]statement of Counsel, representing both plaintiff and defendant, on whom process has been duly served, still failing to appear, plead, answer or demur, and was argued by Counsel;

On consideration whereof, the Court being of the opinion from the evidence in this cause, ^(X1) that the defendant has willfully deserted and abandoned said complainant for a period of ^{more than} [^]three years, doth adjudge, order and decree that the marriage heretofore had and solemnized between said plaintiff and said defendant shall be, and the same is hereby dissolved, and that the said parties shall be forever divorced from each other.

And it further appearing to the Court from statement of Counsel that a agreement has been entered into between the said parties in reference to their property rights by consent, therefore it is adjudged, ordered and decreed that the said Steve Olsen shall pay to the said Della Olsen ^{a.} the sum of One Hundred Dollars, payable in monthly installments of Ten Dollars per month, and upon the payment of the said sum as aforesaid the said Steve Olsen shall be discharged of all further obligations to the said defendant. ^(X2)

Nothing further remaining to be done in this cause it is ordered that this suit be stricken from the docket.

(1) That the complainant is and has been a bona fide resident of this Commonwealth for more than one year, that the defendant is a resident of the County of Isle of Wight.*

(X3) But receipts of the parties has to show by many written six months from the date of the entry hereof.

Stene Olsen

98 9

Della A Olsen

Memo. filed

Nov. 22-23.

John A. Edwards.
celh

Dep 750

To the Clerk of the Circuit Court for the County
of Isle of Wight, Virginia.

Steve Olsen,.....Complainant,

vs.

Della Anne Olsen,.....Defendant.

Please issue subpoena in chancery against the
above defendant, returnable to the First December
Rules being the first Monday in December, 1923.

C. J. Hulley p. q.

The defendant resides on Round Hill farm.

E.H. Williams' farm.

County (or City) M. News.

Steve Olsen
Husband

and } **Marriage License**

Lilla A Pierce
Wife

Date of Issue May 12 1919.

Marriage Register No. Page

A. G. O. P. H.

MARRIAGE LICENSE

Virginia City of Newport News 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,

Steve Olsen and Della Ann Pierce
 Given under my hand, as Clerk of Corporation Court of Newport News County (or City)
 this 12th day of May, 1919.

D. G. Smith, Clerk.
 by R. E. Marable

MARRIAGE CERTIFICATE

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

VIRGINIA: In the Clerk's Office of the Corporation Court for the County (or City) of Newport News

Date of Marriage May 15th 1919 Place of Marriage Newport News

FULL NAMES OF PARTIES:

Steve Olsen and Della Ann Pierce

Age of Husband 25 years; Condition (single, widowed or divorced) single

Age of Wife 24 years; Condition (single, widowed or divorced) single

Race (White or Colored) White

Husband's Place of Birth Brooklyn N.Y. ^{PRESENT} Residence Newport News Va
 Mailing Address

Wife's Place of Birth Sole of Wight Co Va ^{PRESENT} Residence Newport News Va
 Mailing Address

Names of { Husband Andrew Olsen and Helen Olsen

Parents { Wife Freeman A. Pierce and Josephine E. Pierce

Occupation of Husband Machinist

Given under my hand this 12th day of May, 1919.

D. G. Smith, Clerk.
 by R. E. Marable

Certificate of Time and Place of Marriage

I, J. A. Thomas, a Minister of the Methodist

Church, or religious order of that name, do certify that on the 15th day of May, 1919,

at Newport News, 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 Stafford, State of Virginia.

Given under my hand this 15th day of May, 1919.

Att. R. E. Marable
by J. A. Thomas

J. A. Thomas
 (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).