

1917-018 Chancery Causes: Emma Jones VS Albert Jones

238

Dale of Wight County

other surnames: Bradshaw
Joyner, Lewis, Chapman

VS) BILL 238

1st. May 1916. Process not
returned. Con-
tinued on ma-
tion of plants.

3rd " " " "

2nd June " "

1 Hr. *Quercus* " " "

2nd May " " "

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Affidavit for order

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Copy filed with paper

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GEORGE F WHITLEY

ATTORNEY-AT-LAW

SMITHFIELD, VA.

than one year next preceding the institution of this suit.

In consideration whereof, and foras much as your complainant is remiss, save in a court of equity, your complainant prays that Albert Jones may be made a party defendant to this bill, and required to answer the same but not under oath, the same being hereby waived, that a divorce from the bond of matrimony which was created by the aforesaid marriage be decreed her; and that your complainant may have all such other, further and general relief as the nature of her case may require, or to equity shall seem meet.

Emma Jones

Emma Jones, the complainant named in the foregoing bill, being duly sworn, says the facts and allegations therein contained are true.

Emma Jones

Taken, sworn to and subscribed before me, A. Lee Saunders, a Justice of the Peace, for the County of Isle of Wight, of the State of Virginia, in my County aforesaid, this 6th day of October, 1910.

A. Lee Saunders J. P.

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

Emma Jones, Complainant

vs

Albert Jones, Respondent

TO THE HONORABLE E. D. WHITE, JUDGE OF THE CIRCUIT COURT FOR THE COUNTY
OF ISLE OF WIGHT:

Your complainant, Emma Jones, respectfully sheweth to the court the following case, namely:

That on the 28th day of December, 1902, in the County of Isle of Wight, State of Virginia, your said complainant was united in the Holy Bonds of matrimony to the said respondent, Albert Jones, a certified copy of the marriage license being herewith filed, marked Exhibit "A" and prayed to be read as a part of this bill.

That your said complainant and the said respondent lived together in the County of Isle of Wight as man and wife until during the month of January, 1912, during which month and year the said respondent, Albert Jones, wilfully deserted your complainant and has not since returned or offered to return to live again with your complainant. Indeed the said respondent, Albert Jones, has not since his desertion as aforesaid, contributed or offered to contribute to the maintenance and support of your said complainant. Your complainant here states that she was always a kind and dutiful wife to her husband.

Your complainant further states that the said respondent, Albert Jones has wilfully deserted and abandoned your complainant, Emma Jones, for more than three (3) successive years next preceding the institution of this suit and that your complainant and respondent have not cohabited at any time during the said three years, nor indeed since the month of January, 1912.

That your complainant and respondent last cohabited in the County of Isle of Wight, Virginia, and that your said Complainant, Emma Jones, is now domiciled and has been domiciled in the County of Isle of Wight for more

Not found in the
city of Suffolk Va

W. B. Brinkley
Sgt of City of Suffolk Va

4/28/1916

VIRGINIA, Sergeant of the City of Suffolk,
TO THE ~~SHERIFF OF THE COUNTY OF ISLE OF WIGHT~~, GREETING:

We command you that you summon Albert Jones 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 said court, at the Courthouse, on the 1st. Monday in May, 1916, to answer a bill in chancery exhibited against him by Emma Jones. And have then and there this writ.

Witness, A. S. Johnson, Clerk of said Court, at the Courthouse, this 21st. day of April, 1916.

Teste, A. S. Johnson Clerk.

JONES,

VS) CHANCERY -- DIVORCE,

JONES.

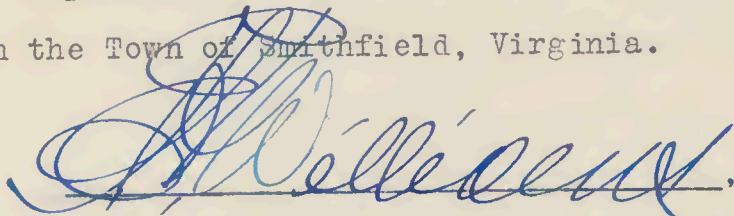
DEPOSITIONS.

GEORGE F. WHITLEY
ATTORNEY-AT-LAW
SMITHFIELD, VA.

STATE OF VIRGINIA,

COUNTY OF ISLE OF WIGHT, TO*WIT:

The foregoing depositions of J. W. Bradshaw,
L. L. Joyner, and S. LEon Lewis were taken before me, this
18th day of September, 1917, at the office of George F.
Whitley, in the Town of Smithfield, Virginia.

A handwritten signature in blue ink, appearing to read "H. Williams", is written over a horizontal line.

COMMISSIONER IN CHANCERY.

get everything out of her that way that he could.

Q. Do you know whether or not they had any domestic trouble?

A. Why I think that was quite frequent at the times he was drunk.

Q. Do you know whether or not he was cruel to Emma?

A. I think he was at those times. Of course, I am not an eye wit-

Q. ness to this treatment, but, I heard of him beating her 'most any time. The time he left her was the time he beat her worse.

Q. When did Albert Jones leave Emma?

A. Some time during the year, 1912; I cannot be exactly positive about that.

Q. Has Albert ever been back to live with her since?

A. No, sir, he never has.

Q. Do you know whether or not Albert and Emma have lived together for the past three years?

A. I am satisfied that they have not.

Q. How did you know this?

A. Because she has been living right in my neighborhood ever since 1912, and this year, at my home; and, I have seen her oft and on during that time, and, had Albert been back, I would have seen or heard something from him.

Q. Did Albert hurt Emma very much the last time he beat her?

A. I think so; and, I am satisfied that she suffers from it now at intervals. She was under the doctor's care for some time after he beat her.

Q. Does Albert contribute to ~~Emma's~~ Albert's support?

A. I am satisfied that he does not, and has not since he left her.

Q. Was Emma Jones a dutiful wife to Albert? A, I believe that she was a dutiful and faithful wife to Albert; she was always a dutiful child. She is a good, hard working woman.

Further this deponent saith not.

S. R. Lewis

S. LEON LEWIS, BEING DULY SWORN, DEPOSES AND SAYS:

Q. Please state your name, age, residence and occupation.

A. S. Leon Lewis, 46 years old, live in Isle of Wight County, and am a farmer.

Q. Do you know Emma Jones and Albert Jones?

A. Yes, sir.

Q. How long have you known them?

A. I have known Emma Jones for the past eleven years, and have known Albert ever since I have known any body.

Q. Where does Albert and Emma Jones now live?

A. I do not know where Albert lives; the last time I saw him, was in Suffolk, in the year, 1912; Emma lives in Isle of Wight County, at my home.

Q. Was Emma Jones living in Isle of Wight County at the time you saw Albert in Suffolk?

A. Yes, sir.

Q. Where was she living?

A. She was, at that time, living with her father.

Q. Did Albert Jones leave Emma Jones?

A. Yes, sir.

Q. Were they living together in Isle of Wight County, at the time Albert left.

A. Yes, sir, they were living in Isle of Wight County, at the time he left, on a place, as I understand, belonging to Emma, a part of her father's farm that he gave her.

Q. You say that Albert Jones left Emma: Do you know why he left her?

A. I have heard because she would not sign a deed of trust for him to borrow some money to pay on some of his indebtedness, that he had made when in one of his drunken carouses.

Q. Do you know whether or not Albert Jones was a good husband to Emma?

A. From all reports, he never was. His whole aim seemed to be to

L. L. JOYNER, BEING DULY SWORN, DEPOSES AND SAYS.

Q Please state your name, age, residence and occupation.

A. L. L. Joyner, 32 years old, live in Isle of Wight County, and am a farmer.

Q. Do you know Emma Jones?

A. Yes, sir.

Q. How long have you been knowing her?

A. Ever since the fall of 1912, when she did some work for me.

Q. Has Albert Jones, her husband, lived with her, since the fall of 1912?

A. I do not think so; I have not seen him.

Q. Has Emma Jones been living in your neighborhood since the fall of 1912?

A. Yes, sir; up until December 1916, when she moved to Mr. S. Leon Lewis' place, who also lives in this County.

Q. Have you been living in the County of Isle of Wight ever since you first knew Emma Jones?

A. Yes, sir. I have been living in this County, right where I now live for the past seven years.

Q. Has Emma Jones been living in this County ever since she moved to Mr. Lewis'?

A. Yes sir, she lives there now, and has been living there ever since she moved.

Q. Who has been taking care of Emma since Albert left her?

A. She has been taking care of herself.

Q. What sort of reputation has Emma Jones for work?

Q. Pretty good; I never heard anything but that she was a hard worker.

Q. Do you know what sort of a man Albert Jones is?

A. I have heard that he was a drinking man -- a rowddy man, and have heard that he beat Emma.
Further this deponent saith not.

L. L. Joyner

Q. Do you know why Albert left her?

A. I understand that he got mad with her because she would not sign a deed of trust. It seems that she owns a piece of land, and Albert owed some money, and wanted Emma to sign the deed of trust. I understand he beat her and left, because she would not sign same.

Q. Mr. Bradshaw do you know where Albert Jones is now?

A. No, sir, I do not. I know he is not in our neighborhood where

Q. Emma is now.

Q. Has Emma Jones been living in this neighborhood all her life?

A. I think so. I have been knowing her practically all her life.

Q. Do you think she was a faithful wife?

A. I should judge so; she has always been a hard working woman.

Further this deponent saith not.

John Bradshaw

9/8-17
J. W. Bradshaw, being first duly sworn, deposes and says:

Q. Please state your name, age, residence and occupation?

A. J. W. Bradshaw, fifty-four years old, live in Isle of Wight County, and am a farmer.

Q. How long have you been living in this County?

A. Fifty-four years, or, all of my life.

Q. Do you know Emma Jones, and Albert Jones?

A. I know Emma Jones, have been knowing her practically all of her life; I have known of Albert practically ever since he left Emma.

Q. When did Albert Jones leave Emma Jones?

A. She moved near me some time during the month of January, or February, 1913, and, Albert left her some time during the year 1912.

Q. Where has Emma Jones been living since the year, 1912?

A. Ever since the year 1913, she has been living in a house on Johnie Carr's land, which is near my home.

Q. That is, as I understand it, Mr. Bradshaw, Emma Jones has been living in the County of Isle of Wight, near your home, since the first of 1913?

A. No, sir, not exactly, she lived near me, up until last December, 1916, when she moved to Mr. S. Leon Lewis' place.

Q. Does Mr. Lewis live in this County?

A. Yes, sir.

Q. Has Albert Jones lived with Emma Jones, at any time, since he left her.

A. I have never known of Albert coming back to live with her, nor have I seen or heard anything from him in our neighborhood.

Q. Who has been taking care of Emma Jones since Albert left her?

A. She has been taking of her self, by her own hard work, by washing for the people in the neighborhood, and doing other work.

VIRGINIA:

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

EMMA JONES,.....PLAINTIFF,

VS) IN CHANCERY,

ALBERT JONES, ...DEFENDANT.

The foregoing depositions of J. W. Bradshaw, L. L. Joyner,
and S. Leon Lewis, taken before me, E. H. Williams, a Com-
missioner in Chancery of the Circuit Court for the County
of Isle of Wight, this 18th day of September, 1917, at the
office of George F. Whitley, in the Town of Smithfield, Va.,
to be read in behalf of the complainant.

PRESENT, GEO. F. WHITLEY, COUNSEL
FOR THE COMPLAINANT -

2
Emma Jones

v. Cy No 238

Albert Jones

App. d. for order
Publication

Filed Oct 12/1916

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

EMMA JONES, PLAINTIFF

VS

ALBERT JONES, DEFENDANT.

State of Virginia,

County of Isle of Wight, to-wit:

This day, General Chapman, personally appeared before me, A. Lee Saunders, a Justice of the Peace for the County of Isle of Wight, State of Virginia, in my County aforesaid, and made oath that diligence had been used on behalf of the Plaintiff, in the above styled suit now pending in the Circuit Court of the said County, to ascertain in what County or Corporation Albert Jones, the Defendant is, without effect.

Given under my hand, this 6 day of October, 1916.

A. Lee Saunders J. P.

3
Emma Jones
n { Cy No 238
Albert Jones

Copies order publications

Filed Oct 17 1916

C. E. R. #7 .364

VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF THE
COUNTY OF ISLE OF WIGHT OCTOBER 12TH. 1916.

Emma Jones,.....Complainant
vs) Chancery. No. 238.
Albert Jones,.....Defendant.

The object of the foregoing suit is for the complainant to obtain a divorce from the bond of matrimony, with the said defendant. And an affidavit having been filed in the Clerk's Office of the Circuit Court of the County of Isle of Wight, which asserts that diligence has been used on behalf of the said complainant to ascertain in what county or corporation defendant resides, without effect, it is ordered that the said defendant do appear in the Clerk's Office of the said court within fifteen days after due publication hereof, and do what may be necessary to defend his interests in this suit.

A copy,

Teste, *J. Johnson* Clerk.

George F. Whitley, p.q.

A copy of the foregoing was sent to Suffolk Herald for publication, and a copy posted at the front door of the Courthouse of said County, on the 12th. day of October, 1916.

Teste, *J. Johnson* Clerk.

-5-

Emma Jones

n { Cy No 238

Albert Jones

Filed

In the Clerk's Office

CIRCUIT COURT,

OF THE

COUNTY OF ISLE OF WIGHT

this 3 day of Novm 1916

Trsd. G. J. Meon. Clk.



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land

WILLIAMS' PINK PILLS FOR PALE PEOPLE, Proprietary, Cleveland, O.

TRIAL PACKAGE BY MAIL 10c.

RUB-MY-TISM

Will cure your Rheumatism, Neu-

ralgia, Headache, Cramp, Colic,

Sprains, Bruises, Cuts and Burns, Oil

Complainant's name, of Insects, Etc. Ant

VIRGINIA: Clerk's Office of the Circuit Court of the County of Isle of Wight, October 12th, 1916:

OFFICE OF SUFFOLK HERALD

SUFFOLK, VA., NOV 2 1916 191_____

I hereby certify that the order of which the annexed is a copy has been published in THE SUFFOLK HERALD in the manner prescribed by law--once a week for four weeks.

beginning Oct 13 - 1916 and ending Nov 3 - 1916

W. J. Kendrick
20th Street, Norfolk, Va. Editor Herald

Charges
14" 7.00

VIRGINIA: Clerk's Office of the Circuit Court of the County of Isle of Wight, October 12th, 1916:

Emma Jones.....Complainant
vs. (CHANCERY No. 238)

Albert Jones.....Defendant

The object of the foregoing suit is for the complainant to obtain a divorce from the bond of matrimony, with the said defendant. And an affidavit having been filed in the Clerk's Office of the Circuit Court of the County of Isle of Wight, which asserts that diligence has been used on behalf of the said complainant to ascertain in what county or corporation the defendant resides, without effect, it is ordered that the said defendant do appear in the Clerk's Office of the said court within fifteen days after due publication hereof, and do what may be necessary to defend his interests in this suit.

A copy—Teste:

A. S. JOHNSON, Clerk.

George F. Whitley, p. q. oc13-4t

EMMA JONES,

VS) IN CHANCERY*

ALBERT JONES.

✓

DECREE

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Nov. 5
Entered
P.D.W.

C. O. B. 7
page 435-

GEORGE F. WHITLEY
ATTORNEY-AT-LAW
SMITHFIELD, VA.

next preceding the institution of this suit.

4- That the said plaintiff and defendant have not at any time during the said three years co-habited.

5- That the plaintiff and defendant last co-habited in the County of Isle of Wight, Virginia.

Wherefore it is ordered, adjudged and decreed by the Court that the marriage heretofore had and solemnized between the defendant, Albert Jones, and the plaintiff, Emma Jones, formerly Emma Chapman, shall be, and the same is hereby dissolved; and, that the said Emma Jones be forever divorced from the said Albert Jones. ~~And the Court doth further adjudge, order and decree that the said Albert Jones pay to the said Emma Jones, her costs expended in the prosecution of this suit.~~

VIRGINIA:

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

EMMA JONES, ...PLAINTIFF,

VS) IN CHANCERY,

ALBERT JONES, ...DEFENDANT.

This cause, in which the complainant has presented against the defendant, Albert Jones, in the manner prescribed by law, against parties whose places of residences in this Commonwealth is unknown, the order of publication having been duly published and posted, came on this day to be heard on the bill of complaint, together with exhibits filed therewith, which said bill has been signed and sworn to by the said Emma Jones, the said Albert Jones failing to appear, plead, answer, or demur to the said bill, and upon the depositions of witnesses duly taken on the 18th day of September, 1917, and was argued by counsel.

On consideration whereof, the Court finds:

1- That the plaintiff is now, and has been domiciled in the County of Isle of Wight, Virginia, for more than one year, next preceding the institution of this suit.

2- That on the 28th day of December, 1902, the plaintiff and defendant were lawfully married.

3- That during the year, 1912, the defendant wilfully abandoned and deserted the plaintiff, and has ever since absented himself from her, and has wilfully deserted and abandoned the plaintiff for more than three successive years

1
Jones
n { 238.
Jas

Memorandum

VIRGINIA CLERK OF THE
CIRCUIT COURT OF THE COUNTY
OF ICELAND

Apr 21 1916

Did

Teste Johnson Clerk.

IN THE CIRCUIT COURT FOR THE COUNTY OF ISLE OF WIGHT, VIRGINIA.
FIRST MAY RULES, 1916.

EMMA JONES, PLAINTIFF

VS

ALBERT JONES, DEFENDANT

TO THE CLERK OF THE CIRCUIT COURT FOR THE COUNTY OF ISLE OF
WIGHT:

ISSUE SUMMONS IN CHANCERY TO FIRST MAY RULES, 1916.

Wm. F. Willey P. S.

County (or City)_____

Husband,

and } **Marriage License**

Wife,

Date of Issue_____

Marriage Register No._____ Page_____



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,

Albert Jones and Emma Chapman

Given under my hand, as Clerk of County Court of Isle of Wight County (or City) this
27th day of December 1902

N. F. Young Clerk.

MARRIAGE CERTIFICATE

To be annexed to the license, required by Section 2229 of the Code of Virginia, as amended by Act of February 16, 1910.

VIRGINIA: In the Clerk's Office of the County Court for the County (or City) of Isle of Wight

Date of Marriage December 28th 1902 Place of Marriage Isle of Wight County

FULL NAMES OF PARTIES.

Albert Jones and Emma Chapman

Age of Husband 33 years; Condition (single, widowed or divorced) Widowed

Age of Wife 23 years; Condition (single, widowed or divorced) Single

Race (White or Colored) Colored

Husband's Place of Birth Southampton Co. Residence Southampton, Co.

Wife's Place of Birth Isle of Wight Co. Residence Isle of Wight Co.

Names of { Husband Dick Jones and Hannah Jones

Parents { Wife Moses Chapman and Rose Chapman

Occupation of Husband Laborer

Given under my hand this 27th day of December 1902

N. F. Young Clerk.

Certificate of Time and Place of Marriage

I, _____, a _____ of the _____

Church, or religious order of that name, do certify that on the 28 day of December 1902,
at Nansemond Co, Virginia, under authority of the above License, I united in Marriage 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 28 day of December 1902

A copy, Israel Cross, Minister.

Teste, _____ Clerk.

(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 2229 of the Code of Virginia, as amended by Act approved February 16, 1910, Acts 1910, chapter 28, pages 36 and 37).