

1918-016 Chancery Causes: Junius Spratley vs Della Spratley

282

Isle of Wight County

other SURNAMES: Johnson,
Hinton, Joyner

In Circuit Court & District Court.

James Spruett — ~~Atty~~
v. E. Alexander
Dea. Spruett — Def.

Issue Sequestrators to 2nd May
Rules, 1918, E. Alexander

Deposit 65°

James Spralley
n f Chaucery
Hella Spralley

Memorandum

Filed May 18/1908

VIRGINIA:

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

OCTOBER TERM, 1918.

-----oOo-----

Junius Spratley,.....Plaintiff,

(
VS)
(

In Chancery

Della Spratley,.....Defendant.

-----oOo-----

in which the defendant has been served with process,
This cause came on this day to be heard on the
then after due notice,
complainant's bill, the depositions of witnesses, the
defendant ~~on whom process has been duly served, and she~~
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, that the defendant
has willfully deserted and abandoned said complainant for a
period of three years, doth adjudge, order and decree that
the marriage heretofore had and solemnized between the said
plaintiff and said defendant shall be, and the same ~~is~~ hereby
dissolved, and that the said plaintiff be forever divorced
from the said defendant.

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

JUNIUS SPRATLEY,

VS) DECREE:
(

DELLA SPRATLEY.

1918
Dec. 12.
Entered this.
B. H. W.

C. O. B. 7

Page 487

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

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

JUNIUS SPRATLEY _____ PLAINTIFF.

VS. IN CHANCERY.

DELLA SPRATLEY _____ DEFENDANT.

The depositions of witnesses taken before G.F. Whitley, a Commissioner in Chancery of the said Court, at the office of E.H. Williams, in the town of Smithfield, Virginia, in pursuant to the annexed notice, on the 4th. day of December, 1918, to be read in evidence in behalf of the said plaintiff in the above entitled cause now pending in the said Circuit Court of the County of Isle of Wight, Virginia.

PRESENT: E.H. WILLIAMS FOR THE PLAINTIFF.

Ruth Johnson being duly sworn, deposes as follows:

What is your name, residence and occupation?

A. Ruth Johnson and I run a restaurant in Smithfield, Va.

Q. How old are you?

A. Born 1888, May 20th.

Q. Do you know the parties to this suit and how long have you known them?

A. I have been knowing Della for twenty-five years and Junius all my life.

Q. Do you know when they were married?

A. Sometime in 1902.

Q. Do you know how long they lived together?

A. She left him about ten years ago and has never lived with him since.

Q. Have you ever heard Della say anything about leaving her husband, if so state what she told you?

A. When she left him he came to my house to board but before I would let him come I went to see Della and she told me that she didn't care where he stayed as she never expected to stay with him

again saying that she had rather stay with a dog.

How long has Junius lived in Isle of Wight County?

A. All of his life. He aint never been anywhere.

And futher this deponent saith not:

Witness: *Geo. D. White*

Tru
Ruth Johnson
mark

Rebecca Hinton being duly sworn, deposes as follows :

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

A. Rebecca Hinton, will be 18 jan. 16th., 1919, live in Smithfield and work in the peanut factory.

Q. Do you know Della Spratley and her husband and do they now live together and if not how long have they been seperated?

A. A. Yes, Sir, I know them. They do not live together and they have not lived together for ten years or more.

Q. Did they last live together in the County of Isle of Wight?

A. Yes, Sir.

Q. How do you know that they do not live together:?

A. Because he stays at the same house that I do and she lives in Newport news.

And further this deponent saith not:

Witness: Geo. Whitley,

Rebecca Hinton
mark

Sylvia Joyner, being duly sworn, deposes as follows:

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

A. Sylvia Joyner, age 24, Smithfield, Va., and work in the factory.

Q. Do you know Della and Junius Spratley, if so, how long have you known them?

A. He is my brother and I have been knowing her about thirteen years.

Q. Do they now live together and if not when did they seperate?

A. They do not live together and have not in about ten years.

Q. Do you know why they do not live together?

A. Because she left him

Q. Why do you say that she left him?

A. Because I know that she left him. We were living on Mr. Tom Jones farm and she left and went to town and he stayed out there on the farm

And further this deponent saith not:

Witness: Geo. Whitley,

Sylvia Joyner
mark

VIRGINIA:

COUNTY OF ISLE OF WIGHT, TO-WIT:

I, G.F. Whitley, a Commissioner in Chancery of the Circuit Court of the County aforesaid, in the State of Virginia, do hereby certify that the foregoing depositions of Ruth Johnson, Rebecca Hinton and Sylvia Joyner were duly taken and sworn to at the time and place and for the purposes in the caption mentioned.

Given under my hand this 4th. day of December, 1918.


COMMISSIONER IN CHANCERY.

Ex -
V. Papadimos
Spratley

Filed Dec 10/18

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

JUNIUS SPRATLEY,.....Plaintiff,

{
VS } In Chancery.

DELLA SPRATLEY,.....Defendant.

-----oOo-----

TO DELLA SPRATLEY:

Take notice that I shall, on the 5th. day of October, 1918, at the office of E. H. Williams, in the Town of Smithfield, County of Isle of Wight, Virginia, between the hours of nine A. M., and six P. M., on that day, proceed to take the depositions of Ruth Johnson, Nannie Woodson, Rebecca Hinton, and others, to be read in evidence in my behalf, in a certain cause depending in the Circuit Court for the County of Isle of Wight, Virginia, wherein you are defendant and I am plaintiff. And, if for any cause the taking of the said depositions be not commenced on that day, or, if 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 3d. day of October,
1918.

Junius Spratley
BY COUNSEL.

E. H. Williams Esq.

JUNIUS SPRATLEY,

vs.

DELLA SPRATLEY.

Notice of taking
depositions.

I hereby accept
due and legal service
of the within notice—
per
Della x Spratley
West.

Witness: Blancha
Wellons.

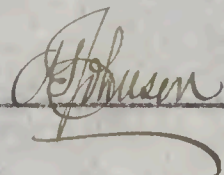
VIRGINIA,

TO THE SERGEANT OF THE CITY OF NEWPORT NEWS, GREETING:

We command you that you summon Della Spratley to appear in the Clerk's Office of the Circuit Court for our County of Isle of Wight, on the third Monday in May, 1918, to answer a bill in chancery exhibited against her by Junius Spratley, and have then and there this writ.

Witness, A. S. Johnson, Clerk of said Court, at the Courthouse, on this 18th. day of May, 1918.

Teste,

 Clerk.

E. H. Williams,
Smithfield, Va. p/q.

VIRGINIA,

TO THE SERGEANT OF THE CITY OF NEWPORT NEWS, GREETING:

We command you that you summon Della Spratley to appear in the Clerk's Office of the Circuit Court for our County of Isle of Wight, on the third Monday in May, 1918, to answer a bill in chancery exhibited against her by Junius Spratley, and have then and there this writ.

Witness, A. S. Johnson, Clerk of said Court, at the Courthouse, on this 18th. day of May, 1918.

Teste,

A. S. Johnson Clerk.

E. H. Williams,
Smithfield, Va. p/q.

James Spratley

& { Chauncy

Della Spratley

Decoer

Della Spratley

not found in my
bailiwick. May 21st
1918.

C. C. Curtis, Sergeant of
City of Newport News
Virginia

fee of \$50.00 paid

C. C. Curtis, Sg.

This telegram
reached me
on the afternoon
of May 20th. and
I could not
locate Della

Sprattley. on that
day. She is a
servant at the
house of Mr
Seward and
when I called
there last evening
she had left
for the evening
and I could not
find her. If
you will
send another
another telegram
and give a little
more time than
on this one
I can get
service. an-
her.

C. C. Curtis SSK

May 21-1918

Commonwealth of Virginia,

To the Sergeant of the City of Newport News, Greeting:

We command you that you summon Della Spratley to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight, on the 1st. Monday in July, 1918, to answer a bill in chancery, filed against her, by Junius Spratley, and have then and there this writ.

Witness, A. S. Johnson, Clerk of said Court,
at the Courthouse of said Isle of Wight County, on this
12th. day of June, 1918.

Teste, A. S. Johnson Clerk.

S. H. Williams, p.g.
Smithfield, Va.

James Spralley
23 Cy. No 282
Della Spralley

Subpoena - alias

Executed this the 15th Day
of June 1918, in the
city of Newport News, Virginia.
by delivering a true copy of the
within summons to

Della Spralley
in person -

C. C. Curtis Sergeant
City of Newport News,
Virginia

June 17, 1918
Returned filed
Dist. Ct. Clerk
Ces,

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

-----oOo-----

Junius Spratley,.....Plaintiff

VS) In Chancery

Della Spratley,.....Defendant.

-----oOo-----

TO THE HONORABLE B. D. WHITE,

JUDGE OF THE SAID COURT:

Your complainant, Junius Spratley, respectfully represents that in the month of July, in the year of 1902, he was married to the said defendant in the County of Isle of Wight, Virginia, as will appear by a copy of 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 willfully deserted and abandoned your complainant for a period of more than three years; that is to say, that the said defendant in the _____, year 1908, without any justification, deserted and abandoned your complainant and has never returned, although often requested by your complainant, and such desertion and abandonment has continued until this time; and,

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

In tender consideration whereof and forasmuch as your complainant is remediless save in a court of equity, he prays that the said Della Spratley may be made a party defendant to this bill and be required to answer the same; that proper process may be issued; that a divorce from the bond of matrimony created by said marriage by decreed him, 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.

Minus Straat as per [unclear]
E. H. Williams, p. q.

JUNIOUS SPRATLEY,

(
VS) BILL:
(

DELLA SPRATLEY.

1st. July Rules, 1918.
Process returned executed: Bill
filed. Decree nisi.

2nd. July Rules, 1918: Defend-
ant not appearing, etc. cause
set down for hearing.

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