

1922-002

Chancery Causes: Adele B. Curtis vs Thomas H. Curtis

375

Isle of Wight County

other surnames: Ward, Jones,
Blanton

E. H. WILLIAMS

Attorney-at-Law

SMITHFIELD - VIRGINIA

April 13, 1922.

Mr. R. A. Edwards,
Isle of Wight, Va.

Dear Sir:-

I will thank you to summons the following witnesses
to testify in behalf of the plaintiff in the case of Curtis
vs. Curtis, namely:

A. J. Golden,	Isle of Wight,
Jack Darden	"
John Hundley,	"
Claude Jones,	"
Grace Jones,	"
W. P. Wilson	"
Andrew Cofer,	"
W. D. Gwaltney,	"
J. R. Rowell, Cashier M. & F. Bank	
Minnie Spratley,	Isle of Wight,
Edmonia Jones	"
J. R. Moore	"
Martha Jones	"
T. H. Delk	"
P. W. Mitchell	"
Joel Davis	"
Mrs. Lulu Jordan	"
Mr. J. Waverly Thomas	"
Mrs. Margarette Thomas	"
James A. Johnson,	Suffolk, Va.

In the case of Mr. J. R. Rowell, Cashier of the Merchants & Farmers Bank, issue subpoena duces tecum for the production of the Bank books showing all transactions of Thomas H. Curtis with the said Bank for a period of five years next preceding the issuance of your summons.

The witnesses named above live in Isle of Wight, except James A. Johnson, who lives in the City of Suffolk.

Please send the summons to the respective Sheriffs direct with instructions to file their bill for services immed-

E. H. WILLIAMS
Attorney-at-Law
SMITHFIELD - VIRGINIA

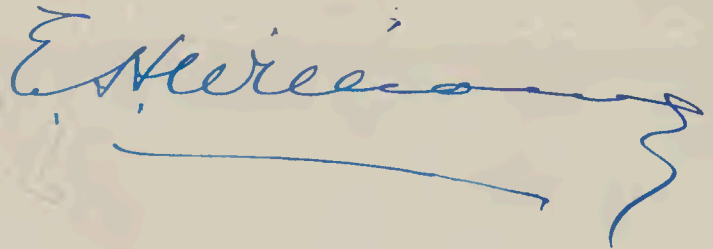
-2-

imately with you so that the same can be made up with the
costs of the case.

I am,

Very truly yours,

EFW-j

A handwritten signature in blue ink, appearing to read "E. H. Williams", with a long horizontal flourish extending to the right.

Exe - as
directed

#1371-22

GEORGE F. WHITLEY

ATTORNEY AT LAW

MERCHANTS AND FARMERS BANK BUILDING

SMITHFIELD, VIRGINIA

April 13, 1922

Mr. R. A. Edwards,
Isle of Wight, Va.

Dear Sir:-

Please issue summons for Sam Scott, colored, Smithfield,
to appear as witness for the defendant in the suit of Curtis vs.
Curtis.

Yours truly,

GEW:SJC

George F. Whitley

P.S. Also issue summons for T.P. Parish,
as witness for defendant in the suit.

GFW

GEORGE F. WHITLEY

ATTORNEY AT LAW

COMMONWEALTH ATTORNEY
FOR ISLE OF WIGHT COUNTY

SMITHFIELD, VIRGINIA

April 11, 1922

Mr. R. A. Edwards,
Isle of Wight, Va.

Dear Sir:-

I am herewith furnishing a list of witnesses which I desire to have summoned for the defendant in the divorce case of Curtis vs. Curtis: W. E. Howell, W. F. Rife, Geo. L. Brockwell, Philip W. Mitchell, Warren Wilson, ~~A. E. Jones~~, J. W. Hunnicut, Matt Thompson, A. E. Holland, W. J. Briggs, and Geo. W. Delk. *J. W. Jones.*

Issue summons directed to the Sargeant of the City of Norfolk for Mrs. Bessie Barlow, 410 Tazwell Apartments, Norfolk, Va. The witnesses, of course, will be summoned to appear on the 20th.

Yours truly,

GFW:SJC

George F. Whitley

ERNEST H. WILLIAMS

Attorney-at-Law

ROOMS 6 AND 7

MITCHELL BUILDING

SMITHFIELD, - VIRGINIA

Nov. 14, 1921.

Mr. R. A. Edwards,
Isle of Wight, Virginia.

Dear Sir:

I beg to herewith enclose Decree and Notice
in case of Curtis vs. Curtis.

I am,

Very truly yours,

E. H. Williams
per J.

EW-j

To the Clerk

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

Adele B. Curtis,.....Plaintiff

v. (In Chancery

T. H. Curtis,.....Defendant.

Issue summons to first December rules, 1921: said
plaintiff against said defendant to answer said plaintiff
a bill in Chancery.

Adele B. Curtis
By Counsel.

J. Williams

Curtis

vs Cy. # 375

Curtis

Memo.

Filed Nov. 9-1921.

Test. R. A. Edwards
cell

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

Adele B. Curtis

Plaintiff

vs.

T. H. Curtis

Defendant

---c0o---

This cause came on this day to be heard upon the Bill of Complaint duly filed and matured at Rules, the answer and cross-bill of the defendant thereto, ^{and the general replication thereto} the answer of the complainant to said cross-bill, with general replication ^{thereto} ~~to said answer, and general replicat-~~
~~ion to complainant's said answer,~~ ^{and upon} the depositions of certain witnesses filed herein, ^{upon} and the testimony of other witnesses given orally in open court pursuant to requirement of the Court, and was argued by counsel.

ON CONSIDERATION WHEREOF, the Court doth ADJUDGE, ORDER and DECREE that the said Bill of Complaint be, and the same is hereby dismissed, and that the cross-bill of the said defendant be, and the same is likewise dismissed. And the Court doth further decline to allow complainant any alimony or counsel fees, and defendant will pay the costs of this suit.

And nothing further remaining to be done herein, it is ordered that this cause be stricken from the docket.

Curtis

vs.

Curtis

DECREE

1912

May 1.

Enter this.

B.W.

Book 8

Page 109

6411

* When upon the complaint moved that said cause be the proper
and the court without requiring a motion. There, on said motion,
forth permit the same to be filed, on which to said motion, and

In the Circuit Court for the
County of Isle of Wight
Adelle B. Curtis

^{vs}
Thomas H. Curtis

In this
cause on motion of
defendant, by counsel
leave is given him
to file his answer and
cross-bill* and the
same is accordingly
filed. And on motion of the Com.
Plaintiff, leave is given her to file her
answer to said cross bill, and the same
is accordingly filed; whereupon the

Adelle⁹ B. Curtis
as
Thomas H. Curtis

Sesree Jiling
census, and
Cross-bill

1922
Apr 20.
Euterpe
P.H.W.

Book 8
page 108

Centus ④
1 3 Inchy.
Centus

Mr.

1932
Apr. 18
Centus
B. B.

One session sent.

Chy. D. B.

VIRGINIA

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

~~In the case of~~
~~On the 11th day of November 1924.~~

Adelle B. Curtis,.....Plaintiff

vs. (In Chancery 375

T. H. Curtis,.....Defendant.

This day this cause came on to be heard on the complain-
ant's bill, and the application of the complainant, after due
notice, for an allowance for counsel fees and money for the
prosecution of this cause and for temporary alimony.

On consideration whereof, the Judge of this Court doth
order and decree the said defendant to pay the counsel for
the complainant, ^{with fifteen} in ~~thirty~~ days from this date the sum of
One Hundred and twenty dollars (\$) for counsel fees;
and the sum of dollars (\$) for suit
money; and it is ordered that the said defendant pay to the
said plaintiff the sum of Twenty dollars (\$) ^{per month}
per month as and for temporary alimony, the same to be paid
the 15th day of each month, ^{beginning with the 15th day of}
~~November 1924.~~

And it further appearing to the Court by the said com-
plainant's bill, the same being duly sworn to, ^{that} there is a
prayer ^{an} for ^{an} injunction in this case, the Court doth adjudge,
order and decree that the said defendant be and is enjoined
and restrained from selling, assigning, encumbering or other-
wise disposing of any of his property until the further order
of this Court; that no bond shall be required of the complain-
ant; the injunction hereby granted shall remain in full force
for the period of sixty days, unless sooner enlarged, modified
or dissolved.

~~It is further adjudged, ordered and decreed that the~~
~~said T. H. Curtis is required to appear before this Court on~~

the _____ day of _____, 1921, and on his corporal oath to discover and disclose to the Court the amount in true value of his property and whether or not he had transferred, assigned or secreted any part thereof.

And the Court doth further adjudge, order and decree that the said T. H. Curtis be, and is, hereby enjoined and restrained from, in any way, interfering with or molesting the said complainant or any of her children, ~~and is especially enjoined and restrained from entering the house now occupied by the said plaintiff.~~

All of which is certified to the Clerk of this Court to be entered in the Chancery Order Book ~~in vacation.~~

J. H. White, J. C. G.

** Before coming to Court by Counsel, this cause is set for paying the fees on the 12th day of December, 1921. It is said that the Plaintiff's fees for the present should be paid to him with the money.*

4 (6)

Adele B. Curtis, Plaintiff

vs (In Chancery

T. H. Curtis, Defendant.

1922
Jan 3
J. E. Curtis
T. H. Curtis

DECREE!

11/10/22
copy sent to [unclear]

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page 100

EXAMINED

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

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT, IN
VACATION, ON THE 11TH. DAY OF NOVEMBER, 1921.

Adele B. Curtis Plaintiff

Vs) In Chancery

T. H. Curtis Defendant

This day this cause came on to be heard on the complainant's bill,
and the application of the complainant, after due notice, for an allow-
ance for counsel fees and money for the prosecution of this cause and
for temporary alimony.

On consideration whereof, the Judge of this Court doth order the
said defendant to pay the counsel for the complaint within fifteen
days from this date the sum of One Hundred and twenty five dollars
for counsel fees; and it is ordered that the said defendant pay to
the said plaintiff the sum of fifty dollars per month as and for
temporary alimony, the same to be paid the 15th day of each month.

And it further appearing to the Court by the said complainant's
bill, the same being duly sworn to that there is a prayer for an
injunction in this case, the Court doth adjudge, order and decree that
the said defendant be and is enjoined and restrained from selling,
assigning, encumbering or otherwise disposing of any of his property
until the further order of this Court; that no bond shall be required
of the complainant; the injunction hereby granted shall remain in full
force for the period of forty days, unless sooner enlarged, modified,
or dissolved.

And the Court doth further adjudge order and decree that the
said T. H. Curtis be, and is, hereby enjoined and restrained from, in
any way, interfering with or molesting the said complainant or any of
her children, and by consent of parties by counsel, this cause is
set for hearing in open court the 12th day of December, 1921, at which

time the defendant shall provided for a competent stenographer to transcribe the testimony.

All of which is certified to the Clerk of this Court to be entered in the Chancery Order Book in vacation.

B.D.White,
Judge

A Copy,

Teste, R. A. Edwards Clerk.

Curtis ^{(4) (5)}
vs Chamney
Curtis

Original

Executed the within
notice, this the 26th day of
November 1921 by deliver-
ing a true copy of the
same to J. H. Curtis,
in person, in the
County of Dale of High,
H. H. Chapman
Shuff.

At & filed
11/29/21
R. A. Saunders
clerk

E. H. Williams, Atty.

E. H. WILLIAMS

Attorney-at-Law

SMITHFIELD - VIRGINIA

June 8, 1922.

Mr. R. A. Edwards,
Isle of Wight, Va.

Dear Gus:

The Sheriff's bill in case of Curtis vs.
Curtis is \$11.00. Please look out for this when
you make up your account of costs in this case.

I am,

Very truly yours,

E. H. Williams

EHW-jj

Shyt
\$ 11⁰⁰

Curtis vs Curtis
Witness fees.

P. F. Ware, Jr	n. n.	2.43
F. E. Harmon	n. n.	2.43
J. R. Moore		.50
M. J. Thompson		.50
Mrs. L. V. Sykes		.50
Mrs. Martha Jones		.50
J. W. Thomas		.50
Mrs. M. J. Jordan		.50
Marine Spradley		.94
Mrs. B. F. Jones		~~.94~~
B. F. Jones		~~.94~~
Mr. Tom Deeks		.90
NP W. Mason		~~1.14~~
MC Maurice		.50
Mr. J. Jordan		.50

13.72

Curtis

93

Curtis

Huttons f. s.

MAGNET, VA., 4/10 - 1922

M. E. H. Williams, atty.

IN ACCOUNT WITH W. H. CHAPMAN

Sheriff of the County of Isle of Wight, Va.

10% Commissions Charged on all Collections unless otherwise agreed upon

1922

Apr. 14 To ex. 17 rule, wit, ^(Plaintiff) Curtis vs Curtis, \$8 50

MAGNET, VA., 4/10 1922

M. Geo. F. Hutter, ally,

IN ACCOUNT WITH W. H. CHAPMAN

Sheriff of the County of Isle of Wight, Va.

10% Commissions Charged on all Collections unless otherwise agreed upon

1922

April 14 To ex. 11 sub. wit. (D) Curtis vs Curtis
" 15 4 4 2 " 4 4 4 7 7

255

100

~~650~~

MAGNET, VA.,

4/19 1922

M

Geo. F. Whitley, atty,

IN ACCOUNT WITH W. H. CHAPMAN

Sheriff of the County of Isle of Wight, Va.

10% Commissions Charged on all Collections unless otherwise agreed upon

1922

April 19 To ex. subpoena, wit. for deposer
Curtis vs Curtis

2.50

E. H. Williams atty
County of Isle of Wight

April 19

1912

To H. H. Chapman, Ship Dr.

1912

April 19 To sum suit plaintiff
Curtis vs Curtis. \$250

Circuit Court of the County of the
Isle of Wight, State of Virginia

- - - - -X-

Adele B. Curtis,

Plaintiff,

-against-

Thomas H. Curtis,

Defendant.

- - - - -X-

Depositions of Donald E. Ward and Glayds Booth
Ward, produced, sworn and examined the 14th day of
April, 1922, before me a Notary Public in and for the
County of Suffolk, State of New York, at the office of
Samuel P. Hildreth, Village of Amityville, Suffolk
County, State of New York, pursuant to the annexed notice
and consent in the above entitled action.

his home because he sold the same and gave up housekeeping
and went to the City of Washington, D. C., preparatory
to going to Amityville, Suffolk County, New York, to
take up a residence.

Sworn to before me this
14th day of April, 1922.

Donna B. Ward

Samuel P. Heald
Notary Public
Suffolk County
New York

State of New York,
SS
County of Suffolk,

Gladys Booth Ward of Amityville, Suffolk County,
State of New York, aged 23 years, being duly sworn
and examined on the part of the plaintiff doth depose and
say as follows:

That she is the wife of Donald B. Ward, and
was married on the 21 day of ^{March} 1920, and thereafter took
up her residence with her husband at Norfolk
Virginia.

That she is a daughter-in-law of Adele B. Curtis,
the plaintiff herein, and a sister-in-law of Rose Ward,
and as such has noticed the relations of said Adele B.
Curtis and said Rose Ward toward each other, and such
relations have been most affectionate and she has never
seen or heard of any family disagreements and knows
that during the year, 1920, said Rose Ward did not leave
her mother's home because of any family dispute or disa-
greement, but left to attend a business course which she
was taking in the City of Norfolk, Virginia.

That said Rose Ward resided with her and her
husband, Donald B. Ward, during the summer and fall of
the year, 1920, and it is not true that Rose's relations
with her brother were not pleasant and finally became so
strained that she returned to defendant's home in Smith-
field, Virginia, but on the contrary the relations between
Rose and her brother, Donald, were most friendly and
affectionate, and the reason for her leaving Donald's
home was the fact that said home was sold and we went to
Washington, D. C., preparatory to going to Amityville,
Suffolk County, New York, for the purpose of taking up
a residence there.

Sworn to before me
this 14th day of April, 1922.

Samuel P. Heagerty
Notary Public
Suffolk County, N.Y.

Gladys B. Ward

Fried
Apr. 20-22.

Fried
Apr. 20-22
Kato R. A. S.

TO T. H. CURTIS:

Take Notice,

That on the 14th day of April, 1922, at the office of S. P. Hil~~dr~~ath, in the town of Amityville, New York, between the hours of nine A. M. and six P. M. of that date, I shall proceed to take the depositions of D. B. Ward and Gladys Booth Ward to be read as evidence in my behalf in a certain suit in equity depending in the Circuit Court of the County of Isle of Wight, Virginia, wherein I am plaintiff and you are defendant, 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 at the same place and between the same hours until the same shall be completed.

Respectfully yours,

Adele B. Curtis
By Counsel

J. P. Coccia)
E. H. Coccia) pg

Curtis
vs
Curtis

Notice of taking
deposition

I hereby accept legal
service of the within
notice
April 11, 1922

P. H. Curtis,
by Geo. Whalley,
Atty.

Attach to Report

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

Adele B. Curtis

v. In Chancery

T. H. Curtis

The depositions of Virginia Adelaide Jones taken before Jane Johnson, a Notary Public for the County of Isle of Wight, Virginia, in pursuance of the annexed notice, on the 19th day of April, 1922, at 10 o'clock A. M., at the residence of Mrs. Virginia Adelaide Jones, the taking of the said depositions having been adjourned from the office of E. H. Williams to the said residence on account of the rainy weather and the weakened condition of the deponent; and to be read as evidence in the above entitled cause.

PRESENT: { Mr. E. H. Williams, for the plaintiff.
{ Mr. G. F. Whitley, for the defendant.

VIRGINIA ADELAIDE JONES, being first duly sworn, deposes as follows:

Q. Mrs. Jones, what is your name, age, residence and occupation?

A. Virginia Adelaide Jones, 28, housekeeper, live in Smithfield.

Q. How many doors do you live from Mrs. Curtis?

A. Two.

Q. Do you know when she was married?

A. No sir.

Q. Did you have any occasion to go over there often while she and Mr. Curtis lived together?

A. Not very often.

Q. How often?

A. There was some time before I ever did go.

I went some while she was sick.

Q. What was the condition of her health while living with him?

A. Bad condition, very bad.

Q. What would have been the result if she had continued to live with him?

MR. WHITLEY: Question objected to on the ground that witness is asked to express an opinion rather than evidence.

A. Why, I don't think she would have been living by now.

Q. What is the condition of her health now?

A. A whole sight better than when he lived there.

Q. Now Mrs. Jones, will you tell the Court what you know about Mr. Curtis eavesdropping, if anything?

MR. WHITLEY; Question objected to because leading.

A. I saw Mr. Curtis once when I supposed he was eavesdropping he was standing under the window, Mrs. Curtis and Rose were in the room, he was under the window looking and saw me he kinder run back in the shadow of the house, looked like he was scared, only then when he looked like he was.

Q. About when was that?

A. One time when she was sick in bed.

Q. While they were living together?

A. Yes sir.

CROSS EXAMINATION BY MR. WHITLEY:

Q. You say Mrs. Curtis was sick at the time that you thought you saw Mr. Curtis eavesdropping?

A. Yes sir, in bed.

Q. What bed was she in?

A. Up stairs in the front room.

Q. Where was Mr. Curtis standing?

A. Under the side window between his house and Mr. Moore's.

Q. How far were you from him?

A. On the side walk opposite him.

Q. What were you doing on the side walk?

A. Going to Mr. Moore's.

Q. Mr. Moore live this side or beyond Mrs. Curtis?

A. Beyond.

Q. Then if I understand you were just passing by?

A. Yes sir.

Q. What time of the night was that?

A. 'Twas the edge of dark.

Q. Did you speak to Mr. Curtis?

A. No sir, there was nothing for me to say after he run.

Q. How far did he run?

A. He went back in the shadow, I went on in.

Q. Standing on the lot belonging to his house?

A. Yes sir.

Q. If I understand you, standing in his yard?

A. Yes.

Q. Did you notice how far he ran?

A. No sir.

Q. Was he running the last time you saw him?

A. Kinder trotting.

Q. The last time you saw him he was trotting?

A. Yes sir.

Q. Do you know how far?

A. No sir.

Q. When you first saw him was he looking up, down or from you?

A. I don't know, he looked like he was listening, had his hat
by his head listening.

Q. Was he looking towards the school?

A. Standing facing his house.

Q. Facing you or side to you?

A. Yes sir.

Q. Hat pulled down?

A. Off resting on his shoulder.

Q. Looking up or down?

A. I couldn't tell you to save my life.

Q. Do you know whether he was looking straight up or down on the ground?

A. No.

Q. He didn't see you when you first saw him?

A. When he heard me he stepped, looked at me quick.

Q. Did he see you first?

A. I saw him first. He started to look when he saw me.

Q. Is there any fence between his house and the next house?

A. Yes sir.

Q. How wide an opening between his fence and Mr. Curtis' house?

A. Well I don't know?

Q. Two yards?

A. More than two yards.

Q. Three?

A. Over three, a good driveway.

Q. Did you say anything to him?

A. No sir.

Q. Now then Mrs. Jones you said that in your opinion if Mrs. Curtis has continued to live with Mr. Curtis she would have dead by this time?

A. That's my opinion.

Q. Opinion of your own?

A. Yes sir.

Q. Now did you ever see Mr. Curtis do anything cruel to Mrs. Curtis?

A. No.

Q. Hear of him saying anything cruel?

A. No.

Q. Hear Mrs. Curtis say he was mean to her?

A. Not real mean, I don't know how you would express it.

Q. How long have you known Mr. Curtis.

A. I don't know, I never saw him 'til I moved here.

MR. WILLIAMS:

Q. Did you tell anybody about this eavesdropping?

A. I mentioned it when I went in Mr. Moore's.

Q. Mention it to Mrs. Curtis?

A. Yes, I mentioned it to her.

And further this deponent saith not-----

-----oOo-----

STATE OF VIRGINIA:

County of Isle of Wight;

I, Jane Johnson, a Notary Public for the County of Isle of Wight, in the State of Virginia, do hereby certify that the foregoing depositions of Virginia Adelaide Jones were duly taken and sworn to before me at the time and place and for the purpose in the caption mentioned.

I further certify that the signature of the witness to ~~these~~ depositions was waived by consent of counsel.

Given under my hand this 19th day of April, 1922.

Jane Johnson.
Notary Public.

TO T. H. CURTIS:

TAKE NOTICE, that on the 19th day of April, 1922, at the office of E. H. Williams, in the town of Smithfield, Virginia, between the hours of nine A. M. and Six P. M., of that date, I shall proceed to take the depositions of Virginia Adelaide Jones, ^{et al.} ~~et al.~~ ^{Mrs. Mary Thomas} to be read as evidence in my behalf in a certain ^{suit} in equity depending in the Circuit Court of the County of Isle of Wight, Virginia, wherein I am plaintiff and you are defendant, 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 at the same place and between the same hours until the same shall be completed.

Respectfully yours,

Edith B. Curtis
BY COUNSEL

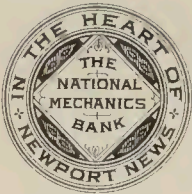
J. S. Curtis
E. H. Williams pq

I hereby accept legal service
of the within notice.
April 18, 1922, 10:00 AM E.M.

J. H. Curtis
By Geo. F. Doherty
att.

Freia
Apr 20-22

Freia
Apr 20-22
Leit R 45



THE NATIONAL MECHANICS BANK

OF NEWPORT NEWS,

NEWPORT NEWS, VA.

D. S. JONES,
CHAIRMAN OF THE BOARD
E. S. BLANTON,
PRESIDENT
W. J. SPRAKER,
VICE PRESIDENT
J. H. COOK,
CASHIER
C. L. SEWELL,
ASST. CASHIER

To Whom it May Concern:

This certifies that as President of The National Mechanics Bank, Newport News, Virginia, I have never had any transactions of any nature with Thomas H. Curtis, nor do the records of the said bank show that he has ever had any transaction with the said bank.

President

The National Mechanics Bank,
Newport News, Virginia.

Subscribed and sworn to before me this
Nineteen day of April, Nineteen Hundred and
Twenty-two, at Newport News, Virginia.

Notary Public

My commission expires June 25th, 1923.

State of Virginia,

County of Isle of Wight, to-wit:

I, Jane Johnson, Notary Public in and for the County aforesaid, State of Virginia, do hereby certify that Adele B. Curtis this day personally appeared before me in my said County and made oath that to the best of her belief and knowledge it is necessary that a subpoena duces tecum should be issued ^{to} J. R. Rowell, Jr., Cashier of the Merchants & Farmers Bank of Smithfield, Virginia to produce the books of the said Bank showing the transactions of T. H. Curtis therewith for the past five years and also that R. C. Heeb, Bookkeeper of the Smeltz National Bank and S. H. Plummer, Bookkeeper of First National Bank of Newport News and that Robt Reed, Bookkeeper of the Citizens & Merchants Bank of Newport News should also be summoned to produce the Books of the said respective Banks showing the transactions of the said T. H. Curtis therewith for the said period of five years. cash C. Plummer Cashier National Mechanics

Given under my hand this 18th day of April, 1922.

Jane Johnson
Notary Public.

My commission expires

November 16th, 1925.

Antes (7)

VB

Curios

officiant. for ^{Sub}divers

Se cum

Felic Apr. 18-22
Genes Curios

THE COMMONWEALTH OF VIRGINIA.

Sergeant town Smithfield
To the ~~Sheriff~~ of the County of Isle of Wight:

WE COMMAND YOU to summon

Dudley Swaltney

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the
courthouse thereof, on the 20th day of April 1922, to testify and the
truth to say in behalf of the defendant

in a certain controversy in
our said court, before the said Judge depending and undetermined between

A. B. Surtis

, plaintiff and

T. H. Surtis

, defendant.

And have there this writ. Witness, R. A. Edwards
A. S. JOHNSON, Clerk of our said court, at the
courthouse, the 19th day of April 1922

R. A. Edwards

Clerk

NOTE—APPEAR BEFORE THE CLERK AND CLAIM YOUR ATTENDANCE.

By E. Kay Willis

W.S.

CONTROVERSY

Surtis

vs

SUBPOENA
FOR
WITNESS

Curtis

CIRCUIT COURT
OF
ISLE OF WIGHT COUNTY

the 19 day of April 1922

I executed the within sub this the 19 day of
April 1922 by essamy
copy of the same W. H. Kerolley in person
in the County of Isle of Wight.
W. H. Chapman
Sheriff of Isle of Wight Co.

THE COMMONWEALTH OF VIRGINIA.

Sergeant Town Smithfield
To the ~~Sheriff~~ of the County of ~~Isle of Wight~~:

WE COMMAND YOU to summon

Dr. E. S. Brock

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the
courthouse thereof, on the *20* day of *April* *1922*, to testify and the
truth to say in behalf of the *defendant*

in a certain controversy in
our said court, before the said Judge depending and undetermined between

A. B. Surtis

, plaintiff and

T. H. Surtis

, defendant.

R. A. Edwards

And have there this writ. Witness, ~~A. S. JOHNSON~~, Clerk of our said court, at the
courthouse, the *19* day of *April* *1922*

R. A. Edwards

Clerk

NOTE—APPEAR BEFORE THE CLERK AND CLAIM YOUR ATTENDANCE.

By E. Kay Willis
D. S.

CONTROVERSY

Curtis

r

SUBPOENA
FOR
WITNESS

Curtis

CIRCUIT COURT
OF
ISLE OF WIGHT COUNTY

the 20 day of Apr. 1922

Sept. 1922

I have executed this
Summons on
D R Brock this 19
day of April 1922

Charges 50 ct

THE COMMONWEALTH OF VIRGINIA.

To the Sheriff of the County of Isle of Wight:

WE COMMAND YOU to summon *Mrs. W. W. Sykes, G. W. Pileary,*
Selgate Whitehead, John S. Neworthy

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the
courthouse thereof, on the *20"* day of *April 1922*, to testify and the
truth to say in behalf of the *Plaintiff*

in a certain controversy in
our said court, before the said Judge depending and undetermined between

A. B. Curtis, plaintiff and
T. H. Curtis, defendant.

And have there this writ. Witness, *R. A. Edwards*
~~A. S. JOHNSON~~, Clerk of our said court, at the
courthouse, the *18"* day of *April 1922*

R. A. Edwards Clerk

NOTE—APPEAR BEFORE THE CLERK AND CLAIM YOUR ATTENDANCE.

By E. Ray willis
W. P.

I executed the within
 summons this the 19th
 day of April, 1822, by
 serving a true copy of the
 same on Capt. Thetford,
 Mrs. D. H. Eyles, and G. W.
 Pilant, in person,
 not finding John Norworth
 at his usual place of abode,
 I executed the within sum-
 mons, by serving a true
 copy of the same on Mrs.
 John Norworth, the
 said John Norworth, and
 appeared to her the sheriff
 of the same, she being a
 member of the family.
 The said John Norworth
 and son, the age of 16
 yrs. the date of right to,

H. N. Chapman,
 Sheriff.

the day of
 the Circuit Court
 of
 Isle of Wight County

SUBPOENA
 FOR
 WITNESS

CONTROVERSY

COMMONWEALTH OF VIRGINIA,

TO THE Sheriff OF Isle of Wight, GREETING:

WE COMMAND YOU, that you summon, Wm. R. Roscoe Jr., Cashier of the M & L Bank, of Smyth & Lee Co., Va., to appear before the Judge of our Circuit Court for the County of Isle of Wight, at the Court House thereof, on the 20th day of April, 1922, at 11 o'clock A.M., and then and there produce such books or statements as will disclose every transaction which the M & L Bank, ^{Inc.} has had with one Thos. H. Curtis, for five years last past, and to then and there testify and the truth to say in behalf of the Complainant, in a certain suit now pending on the Chancery side of said Court, wherein A.B. Curtis is complainant, and Thos. H. Curtis, is defendant. And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court House the 18th day of April, 1922.

Teste, R. A. Edwards Clerk

(12)
A. B. Curtis

No } Sub. Onces - Decum.

Thos. A. Curtis

original

I executed the within
instruments this the 19th
day of April 1922, by
serving a true copy of
the same on Jas. R.
Russell Jr. and Person
for Sale of Right Co.

H. H. Coffman
Sef.

E. H. WILLIAMS
Attorney-at-Law

SMITHFIELD - VIRGINIA

April 18, 1922.

To the Bankers Summoned in the case of Curtis vs. Curtis.

Dear Sirs:-

A subpoena duces tecum will be served on you on April 19th, requiring you to appear at Isle of Wight Courthouse at eleven o'clock on April 20th and to bring with you your Books showing all of the transactions of T. H. or Thomas H. Curtis with your Bank for the past five years. This includes money on checking account and also money for which time certificates of deposit have been given. You may send in your place and stead any employee of your Bank who is in a position to testify as to the facts. And If Mr. J. Winston Read, who represents the defendant, will accept as evidence a certified statement of the transactions of T. H. or Thomas H. Curtis with your Bank for the past five years it will not be necessary for you or any of your employees to come to Isle of Wight Courthouse on the 20th. Call Mr. Read over phone and get his consent to accept such a statement as evidence and if he fails to give such consent then come yourself or send some employee with a full statement of such transactions. If a full statement of all transactions is sent with such employee it will not be necessary for him to inconvenience your Bank by bringing the books mentioned in the subpoena.

If Mr. Read agrees to accept as evidence such statement then you will deliver certified statements to the messenger who brings this letter to you.

I am,

Very truly yours,

EHW-j



THE COMMONWEALTH OF VIRGINIA.

^{Sergeant} ^{City} ^{Suffolk}
To the ~~Sheriff~~ of the ~~County~~ of ~~Isle of Wight~~:

WE COMMAND YOU to summon James A. Johnson

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the
courthouse thereof, on the 20th day of April, 1922, to testify and the
truth to say in behalf of the plaintiff

in a certain controversy in
our said court, before the said Judge depending and undetermined between

A. B. Surtis, plaintiff and
J. H. Surtis, defendant.

And have there this writ. Witness, ^{R. A. Edwards} ~~A. S. JOHNSON~~, Clerk of our said court, at the

courthouse, the 14th day of April, 1922

R. A. Edwards Clerk

NOTE—APPEAR BEFORE THE CLERK AND CLAIM YOUR ATTENDANCE.

By E. Kay Wills
W.S.

James A. Johnson was found
in the city of Lippa this 17th
day April 1992

~~Attest~~
Caryn Cox

CONTROVERSY

Curtis

D } SUBPOENA
FOR
WITNESS

Curtis

CIRCUIT COURT

OF

ISLE OF WIGHT COUNTY

the 20 day of April 1992

THE COMMONWEALTH OF VIRGINIA.

Sergeant City of Suffolk
To the ~~Sheriff~~ of the County of ~~Isle of Wight~~.

WE COMMAND YOU to summon *James A. Johnson*

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the
courthouse thereof, on the *20th* day of *April* *1922*, to testify and the
truth to say in behalf of the *Plaintiff*

in a certain controversy in
our said court, before the said Judge depending and undetermined between

A. B. Curtis, plaintiff and

J. H. Curtis, defendant.

And have there this writ. Witness, *R. A. Edwards*
~~A. S. JOHNSON~~, Clerk of our said court, at the

courthouse, the *14th* day of *April* *1922*

R. A. Edwards Clerk

NOTE—APPEAR BEFORE THE CLERK AND CLAIM YOUR ATTENDANCE.

By E. Kay willis
W. S.

CONTROVERSY

Surtis

SUBPOENA
FOR
WITNESS

Surtis

CIRCUIT COURT
OF
ISLE OF WIGHT COUNTY

the *20* day of *April* 19*22*

THE COMMONWEALTH OF VIRGINIA.

To the Sheriff of the County of Isle of Wight:

WE COMMAND YOU to summon J. P. Parish,
Sam Scott, (Colored)

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the
courthouse thereof, on the 28 day of April 1922, to testify and the
truth to say in behalf of the defendant

in a certain controversy in
our said court, before the said Judge depending and undetermined between

A. B. Curtis

, plaintiff and

J. H. Curtis

, defendant.

R. A. Edwards

And have there this writ. Witness, A. S. JOHNSON, Clerk of our said court, at the
courthouse, the 14 day of April 1922

R. A. Edwards

Clerk

NOTE—APPEAR BEFORE THE CLERK AND CLAIM YOUR ATTENDANCE.

By E. Kay willis

D.P.

I executed the within and this the 13 day of
April 1922 by James P. French a true
copy of the same as James P. French in person
in the County of Isle of Wight.

W. H. Chapman
Sheriff of Isle of Wight Co.

CONTROVERSY

Surtis

vs

SUBPOENA
FOR
WITNESS

Surtis

CIRCUIT COURT
OF
ISLE OF WIGHT COUNTY

the 20 day of April 1922

I executed the within and this the 15 day of
April 1922 by James P. French a true
copy of the same as James P. French in person
in the County of Isle of Wight.

W. H. Chapman
Sheriff of Isle of Wight Co.

THE COMMONWEALTH OF VIRGINIA.

To the Sheriff of the County of Isle of Wight:

WE COMMAND YOU to summon A. J. Golden, Jack Warden, Jno. Hundley,
Claude Jones, Grace Jones, W. C. Wilson, Andrew P. W. Minnie Spratley,
Edmonia Jones, J. R. Moore, Martha Jones, J. H. Wells, P. W. Mitchell, Joel Davis, Sule Jordan,
J. Waverly Thomas, Margaret Thomas

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the
courthouse thereof, on the 20 day of April 1922, to testify and the
truth to say in behalf of the Plaintiff

----- in a certain controversy in
our said court, before the said Judge depending and undetermined between -----

A. B. Curtis, plaintiff and
J. H. Curtis, defendant.

And have there this writ. Witness, R. A. Edwards
~~A. S. JOHNSON~~, Clerk of our said court, at the
courthouse, the 13 day of April 1922

R. A. Edwards Clerk

NOTE—APPEAR BEFORE THE CLERK AND CLAIM YOUR ATTENDANCE.

By E. Ray Willis
W.S.

I executed the within motions, this the 18th day of April, 1922, by serving true copies of the same on XXXX A.J. Golden, Claude Jones, Grace Jones, Andrew Cofer, Minnie Stratley, Edmonia Jones, J.R. Moore, Martha Jones, T.H. Delk, P.W. Mitchell, Joel Davis, Lula Jordan, J. Waverly Thomas and Harriett Thomas each in person. Not finding Jack Darden at his usual place of abode, I served a true copy of the same on Mrs. Jack Darden for the said Jack Darden and explained to her the purport of the same, she being a member of the family of the said Jack Darden, and over the age of 18 yrs. Not finding John Hundley at his usual place of abode, I served a true copy of the same on Mrs. John Hundley, for the said John Hundley, and explained to her the purport of the same, she being a member of the family of the said John Hundley and over the age of 18 yrs. In the county of Isle of Wight.

H. H. Chapman,

Sheriff

CONTROVERSY

SUBPOENA
FOR
WITNESS

CIRCUIT COURT

OF

ISLE OF WIGHT COUNTY

the
day of

THE COMMONWEALTH OF VIRGINIA.

To the Sheriff of the County of Isle of Wight:

WE COMMAND YOU to summon W. E. Howle, W. F. Rife, George L. Brockwell,
Phillip W. Mitchell, Warren Wilson, J. W. Hunnicutt, Matt Thompson, A. E.
Holland, W. J. Briggs, George W. Delk, J. W. Jones,

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the
courthouse thereof, on the 20th day of April 1922, to testify and the
truth to say in behalf of the defendant,

_____ in a certain controversy in
our said court, before the said Judge depending and undetermined between _____

A. B. Curtis, _____, plaintiff and _____

T. H. Curtis _____, defendant.

And have there this writ. Witness, R. A. Edwards
A. S. JOHNSON, Clerk of our said court, at the
courthouse, the 12th day of April 1922.

R. A. Edwards Clerk

NOTE—APPEAR BEFORE THE CLERK AND CLAIM YOUR ATTENDANCE.

By E. Kay Willis
W. S.

CONTROVERSY

SUBPOENA
FOR
WITNESS

CIRCUIT COURT
OF
ISLE OF WIGHT COUNTY

the... day of...

I executed the within subpoenas, this the 14th day of April, 1932,
by serving true copies of the same on each of the following persons
in person; W. T. Howle, W. F. Rife, Geo. L. Brockrell, P. W. Mitchell, Warren
Wilson, J. W. Hunnicutt, Nat. Thompson, A. F. Holland, W. J. Briggs, Geo. T. Dell
and J. W. Jones. In the county of Isle of Wight.

Sheriff.

THE COMMONWEALTH OF VIRGINIA.

To the ~~Sheriff of the County of Isle of Wight:~~
Sargeant Of The City Of Norfolk.

WE COMMAND YOU to summon ~~Mrs Bessie Barlow,~~
~~#410 Tazwell Apartments,~~

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the
courthouse thereof, on the 20 day of April 1922, to testify and the
truth to say in behalf of the defendant,

in a certain controversy in
our said court, before the said Judge depending and undetermined between

A. B. Curtis,, plaintiff and

T. H. Curtis,, defendant.

And have there this writ. Witness, ~~ACS JOHNSON~~ ^{R. A. Edwards}, Clerk of our said court, at the
courthouse, the 12th day of April 1922.

R. A. Edwards Clerk

NOTE—APPEAR BEFORE THE CLERK AND CLAIM YOUR ATTENDANCE.

By E. K. Wills
W.S.

Mrs Bessie Barlow

CONTROVERSY

Curtis, A. B.

{ SUBPOENA
FOR
WITNESS

Curtis, J. H.

Executed in the City of Norfolk,
Va. this the 18 day of April 1922
by serving a Copy hereof on

Mrs Bessie Barlow

IN PERSON.

C. H. TUMBLESON,
Sergt. City of Norfolk, Va.

By C. H. Tumbleson
City Sgt

CIRCUIT COURT
OF
ISLE OF WIGHT COUNTY

the 20 day of April 1922

TO T. F. CURTIS:

Take notice that I shall on ^{Friday} ~~Monday~~, November ^{11th} ~~21st~~, 1921,
at ^{11:30} ~~10~~ o'clock ^{AM}, petition the Judge of the Circuit Court
of Isle of Wight County, Virginia, ^{at his office in the City of Norfolk} to make me an allowance
for temporary alimony, suit money, and Counsel fees to enable
me to prosecute my suit for divorce against you.

Given under my hand this 4th day of November, 1921.

Adler B. Curtis
By Counsel.

E. Williams

Copy

Judge White's office is in the Bank
of Commerce Building

(4)

Executed the [unclear]
Notice by [unclear]
a copy thereof on
the [unclear] [unclear]
Nov. 7th 1977 - [unclear]
Sgt Addison [unclear]

COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—Greeting:

We command you that you summon T. H. Curtis,

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 1st
.....Monday in December....., 1921....., to answer a bill
in chancery exhibited against him.....in our said Court by

.....ADELE B. CURTIS.....

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-
house, this (9th) day of November....., 1921, and in
the 145 year of the Commonwealth.

R. A. Edwards Clerk.

E. H. Williams,
atty.

Adele B. Curtis

~~Virginia~~ Chancery No.

T. H. Curtis.

ORIGINAL SUBPOENA.

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

December 5th 1922

Returned, entered and filed.

Teste: *B. A. Edmunds* Clerk

To 1st December rules. Rules.

Dep. 450

1st Dec Rules 1921

Process Ret Ex. & filed.

*9 hours - Extended
this summer
Jan 24 Jan 1922
1921. R. H. Edmunds
H. H. Edmunds*

Adele B. Curtis, Plaintiff
vs. In Chancery
Thomas B. Curtis Defendant

Second: It is true that just prior to institution of this suit your complainant demanded that the said Thomas H. Curtis, defendant, should leave her and her home and to that end sought an injunction to compel him to leave her home and to discontinue annoying and insulting her but this was not done until his successive acts of cruelty, abuse, humiliating acts had so accumulated as to render further living with him unsafe and dangerous to her safety, health and intolerable ^{to} and further continuance of marriage relations and caused your complainant ^{to} fear that should he be allowed to remain in or around your complainant's home any long - 22

great bodily hurt would be done either to your complainant or her daughter, Rose.

Third: Your respondent denies that the charges referred to and numbered a,b,c,d, etc., are trivial on the contrary she avers that they are most serious charges, and show that his treatment was such as to justify her in applying to the Court to have the wrongs of which she complains and which the respondent claimed to be trivial righted or remedied and she relieved of such unjust and unpardonable acts upon the part of the respondent.

Fourth: Your complainant denies in the most emphatic manner of which she is capable that she or her daughter had ever taunted the said Thomas H. Curtis with being uneducated, or that her daughter ever threatened or had any idea of poisoning the said Thomas H. Curtis, and she believes and avers his allegation as to his father being in the confederate army which caused inability to educate him was put in his answer with the hope of exciting sympathy of the Court or in some way influencing the Court in arriving at its conclusion as the said Thomas H. Curtis was only four years old when the war ended and there was ample time for his father and himself to have secured for him an education as a great many young men sons of confederate veterans did.

Fifth: Again reiterating and reaffirming as absolutely true all allegations set forth in the bill of your complainant and having fully answered the answer or cross bill of the defendant she asks that the Court will grant her the relief prayed for in her bill.

And she will ever pray, etc-

Adelle B. Curtis

Curtis ①
3

Curtis

Ans to how his
g. of Tob.

Ans

Fried.

Leads ask

4/20/20

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

Adele B. Curtis,

Plaintiff,

Vs.

IN CHANCERY

Thomas H. Curtis,

Defendant.

The answer of Thomas H. Curtis, defendant, to the bill of complaint filed against him in the Circuit Court of Isle of Wight County, by Adele B. Curtis.

This defendant, now and at all times hereafter, saving and reserving to himself all benefit and advantage of exception which can or may be taken to the many errors, uncertainties and insufficiencies in the said bill contained, for answer thereto, or to so much thereof as he is advised it is material or necessary for him to answer, this defendant answers and says:

1.

It is true that complainant and defendant were lawfully married at the time and place stated in the bill, and that they have resided in the town of Smithfield, Virginia, in said County, continuously from the date of said marriage until the institution of this suit.

It is also true that complainant was the widow of the late Dr. W. L. Ward and the mother of three (3) children, as stated in the bill, and the defendant was the father of two (2) children, as alleged.

2.

It is true that less than one month after the said marriage the real estate mentioned in the bill of complaint, was sold, and the complainant became the purchaser thereof. It is also true that to pay the purchase price in part, defendant loaned to the plaintiff the sum of NINE THOUSAND DOLLARS (\$9,000.00), which was secured by deed of trust on said real estate. However, this defendant was not advised that at the time of said marriage his

wife was heavily in debt, but on the contrary was led by his wife to believe that the contrary was the case, and that the rents from the real estate above mentioned, together with his salary as keeper of one of the lighthouses in James River, would be sufficient for the maintenance and support of himself and wife, as well as their respective children.

This defendant ~~a~~vers and charges, that, while there is no active demand for real estate at this time, the two large farms in Isle of Wight County owned by his wife are worth, approximately, \$25,000.00, subject to two mortgages aggregating \$15000.00.

It is not true that at the time of said marriage, or since, this defendant has been worth from Forty Thousand to Fifty Thousand Dollars.

3.

It is true that the said complainant and the said defendant lived in the house in the Town of Smithfield, which the said complainant rented and occupied prior to the said marriage, but this defendant here states that since the said marriage he rented the said house and paid the rent therefor.

4.

This defendant denies that before the said marriage was solemnized he promised to take care of the children of the said plaintiff. That is ~~i~~s true, he did, prior to said marriage, contemplate purchasing a little home in which to live after the said marriage, and that soon after said marriage he and the said complainant made a trip to the City of Charlottesville, Virginia, for the purpose of purchasing a home at that place, in order that they might be near the University of Virginia where the defendant might

educate his two children, and the complainant might educate her son, Will Ward, but that on account of the high prices of property and the limited amount of money which the said defendant had, the idea of purchasing a home was abandoned.

It is not true that defendant ever promised plaintiff that he would employ proper servants to assist complainant in her household duties. Indeed, considering the amount of defendant's income, coupled with the fact that his daughter, Martha, rendered material assistance in the household work, such a promise would have been ridiculous and wholly beyond the financial condition of defendant. Prior to her marriage, his wife did all her household work, including the cooking for herself and children, and under the circumstances, your defendant is greatly surprised that his wife should make a charge of this character against him, and especially that she should allege same as a ground for divorce.

5.

This defendant here states that he has never, in any manner, insulted the said complainant, nor used abusive, coarse or vile language to her; that neither he nor his daughter have ever eavesdropped the said complainant or her guests, or the said complainant's daughter or her guests; that he has never, in any manner, insinuated that the said complainant had been unfaithful to him; that he has never at any time become violently enraged at the said complainant or daughter, nor has he, at any time, assaulted either of them, nor has he at any time insulted the said complainant's children.

Defendant further denies that in the month of July, 1921, or at any time, he rushed towards your complainant with a chair in his hands as if to strike her, but came to his senses just in time to save the life of your complainant and her afflicted daughter. This charge is absolutely false.

6.

As to the daughter of complainant, Rose, this defend-

ant says that while her vision is unquestionably defective, the charge made by complainant in her bill that her said daughter is nearly blind, is far from the truth. As a matter of fact, such daughter has attended sundry schools, including Hollins Institute, and has received a liberal education.

Prior to the marriage of complainant and defendant, this young lady announced her violent opposition to the same, openly announcing that your defendant was not a fit companion for her mother, either by birth, education, or in any other respect, and accordingly her bearing and conduct toward your defendant has been what would naturally be expected under these circumstances. She has not only been disrespectful, but exceedingly offensive to defendant at all times, and has done everything possible to make his life miserable in his home. At the time of their marriage she declined to longer live with her mother and for some time resided with her brother in the City of Norfolk, Virginia, and defendant is advised and so charges that her relations with her brother were not at all pleasant, and finally became so strained that she returned to defendant's home in Smithfield, but whatever the cause of said return, this defendant avers and charges that her conduct toward him in his home has continued to be offensive and insulting.

It is true that on one occasion only, defendant refused to eat certain food prepared by his step-daughter, but this was due to the fact that she openly announced her purpose to poison him; and considering her past treatment of him, your defendant only took the precaution which any ordinarily prudent man would have taken.

Defendant here shows to the Court that it is true that he received the benefit of little education in his youth, and was compelled to earn his own living at a very early period in his life. His father was in the Confederate Army during practically the entire period of the Civil War, and the result

of that war left him practically penniless and unable to give his children that education which he otherwise would have gladly given them, and it is, therefore, true that from an educational standpoint defendant was not the equal of his wife or her children. The more reason, therefore, that he should not be continuously taunted with this fact by his wife and step-daughter.

7.

At this point defendant desires to call the attention of the Court to the nature of the charges made by his wife against him. Outside of the general charges which your defendant has been forced to deny as generally, the specific charges set out in the bill, upon which this honorable Court is asked to decree a divorce, are as follows:

(a) Defendant has failed to provide proper servants for the performance of household duties.

(b) Defendant has eavesdropped your complainant and her guests.

(c) In July, 1921, he indicated a purpose to assault his wife and daughter with a chair, but changed his mind before doing so.

(d) Defendant has refused to eat food prepared by complainant's daughter, and for months has refused to speak to her.

(e) Defendant refused to allow his daughter to be coached in Virgil by complainant, and has made his daughter eavesdrop your complainant and her family.

(f) Defendant has threatened to foreclose the deed of trust aforesaid.

(g) He had a row with complainant over the payment of a doctor's bill.

From the foregoing, it would appear how ridiculous the above-mentioned charges are, and how lightly a wife treats her marital vows who rushes into court to ask that her marriage be dissolved for such trivial matters as the foregoing.

8.

This defendant here states that he has been a constant, faithful and dutiful husband to the said complainant; that he has gratified all of the wants and desires of the said complainant in so far as he felt that his financial circumstances would permit; that he has provided such a home and such a support for the said complainant as would correspond to his station in life.

9.

It is not true that defendant has transferred, assigned or secreted his property with a view of defeating the marital rights of complainant.

It is true that prior to this suit he provided a trust fund for the education of his children, the note secured by the aforesaid deed of trust constituting the corpus of said fund. Defendant is getting along in years, and thought it only proper to make this provision for the future of his children.

10.

This defendant denies that he has deserted or abandoned, or at any time, made any arrangements to desert or abandon, the said complainant; but that on the other hand, the said plaintiff has, without excuse, wilfully deserted and abandoned this defendant, in that the said plaintiff, several months prior to the institution of this suit, although living in the same house with the said defendant, did refuse to co-habit with him as man and wife; and did, just prior to the institution of this suit, request the said defendant to leave her and her home, announcing her purpose to take legal steps to force him to leave her and her home, positively refusing to live any longer with your defendant. Finally, by bill filed in this suit, she asked this Court to grant an injunction against the said defendant, prohibiting him from coming to his home and being with her, which injunction was granted. Since such time defendant has been living at his old home at Ferguson's Wharf, Virginia.

And now, having fully answered the said bill, this defendant prays that his said answer may be treated as a cross-bill

and that complainant may be required to answer the same fully and truthfully, but not on oath, which is waived; that the defendant be granted a divorce a mensa et thoro from the said complainant; that a decree may be entered annulling all marital rights, present and future, of his wife in and to his said property, real and personal; and that your defendant may have such other, further and general relief as the nature of his case may require, or to equity may seem meet.

And he will ever pray, etc.

Thos H Curtis

Geo R Whitley
J. Winston Read
Attys.

10

Adele B. Curtis,

vs) Answer

T. H. Curtis,

Answer of T. H. Curtis.

Filed.

Apr. 20 - 1922.

Witness: R. A. Edwards
seh

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

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

-----o-----

Adele B. Curtis,.....Plaintiff,

vs (In Chancery

T. H. Curtis,.....Defendant.

-----o-----

TO THE HONORABLE B. D. WHITE, JUDGE OF SAID COURT:

Your complainant, Adele B. Curtis, respectfully sheweth to the Court that on the 7th day of July, 1920, in the City of Newport News, Virginia, your complainant was lawfully married to the said T. H. Curtis, as will appear from a certificate of marriage herewith filed marked "Exhibit A" and made a part of this bill; and,

That continuously from date of said marriage until the commencement of this suit both the plaintiff and defendant resided in the town of Smithfield, Isle of Wight County, Virginia, and the said plaintiff has been a resident of the said County for a period of twenty nine years and the said defendant has been a resident of the said County for about twenty years;

That at the time of the marriage aforesaid your complainant was a widow of the late Dr. W. L. Ward, and the mother of three living children, namely: Don Ward, over the age of twenty one years; Rose Ward, twenty one years of age, and nearly blind since birth; and Will Ward, age fourteen years; and,

That the said defendant was a widower of the age of sixty one years and had living with him two children, namely: Thomas Curtis of _____ years of age; and Martha Curtis of _____ years of age; and

That at the time of the said marriage your complainant had a dower interest in the real estate of the late W.

L. Ward; said real estate having been sold since the said marriage to your complainant under a decree of Court for the sum of Nineteen Thousand and Five Hundred dollars (\$19,500.00); the sale being made at a time when real estate values in this County had reached the peak of inflation; and,

That at the time of the said marriage, and now, your complainant was heavily in debt; and that in order to purchase the real estate aforesaid your complainant was given credit on the purchase price for the amount of her commuted dower interest therein, and that then she gave a deed of trust on the said land to secure to the guardian of her said son, Will Ward, the amount of his interest in the said land, and a deed of trust to secure to the said defendant the sum of Nine Thousand dollars (\$9,000.00), which she borrowed from him to pay on the said purchase price; and that since the purchase of the said farms real estate has decreased to such an extent so that your complainant's Equity of Redemption in the said land amounts to practically nothing; that at the time of the said marriage, and now, it is estimated that the said defendant is worth from forty to fifty thousand dollars; and,

That after the said marriage the said defendant lived with your complainant in her home at Smithfield, in the house your complainant had rented and furnished; and,

That before the said marriage was solemnized the said defendant promised that the children of your complainant should be taken care of and treated as well as his own; that the defendant would purchase a home in Smithfield or any other place desired by the complainant and would employ the proper servants to assist your complainant in her household duties, but notwithstanding this promise and the frail condition of your complainant she has been compelled to do the cooking and other drudgeries incident to the maintenance and up-keep of the defendant's and complainant's families; that the said defendant has been guilty of successive acts of cruelty to your said

complainant and such acts of cruelty have undermined the health and mind of the said complainant, that is to say that he has heaped upon your complainant every^x form of insult that malice can devise and has used towards your complainant language and epithets so abusive, coarse and vile that they are both unspeakable and unprintable; that he, on numerous occasions, has eavesdropped your complainant and ~~her~~^{Par} guests; that he has spied upon and eavesdropped your complainant's daughter and her guest; that he has insinuated that your complainant has been unfaithful to him; that he is exceedingly penurious and has failed to provide for your complainant as her station in life requires; that notwithstanding your complainant is a woman of refinement and culture ^{and} too frail to do laborious work she has been compelled through his penuriousness to perform ^{the} arduous tasks of doing the cooking and other drudgery connected with good housekeeping; ~~that~~ without any provocation and on ~~in~~numerable occasions and about the most trivial matters he has become violently enraged at your said complainant ~~and~~^{for} her afflicted daughter and has assaulted her by shaking his fists in her face; and once in the month of July, 1921, in a violent rage he rushed towards your said complainant with a chair in his hands as if to strike her but came to his senses just in time to save the life of your complainant and her afflicted daughter; that he has made life intolerable by the numerous studied insults and humiliations heaped upon your complainant's blind child; that for months he has refused to speak to your complainant's daughter, has made it a point never to pass her any food at the table (although she pays board) and has refused to eat the food prepared by your complainant's daughter claiming to be fearful of poison; that for the last few months he has refused to let his daughter be coached in Virgil by your complainant and has made her eavesdrop your complainant and her family; that in order to add to your complain-

ant's misery he continues to threaten to sell her farms to satisfy the lien of his deed of trust; that for the passed several months he has been making his arrangements to desert and abandon your said complainant and has stated to her that he has retained the best legal talent in the State; that when your complainant was suffering under the said cruelties to the extent of having to call in attendance her physician and notwithstanding her weakened condition the said defendant had a big row with your complainant over the payment of the Doctor's bill; and,

That owing to the defendant's violent temper and his attitude towards your complainant, as partially shown in the next preceding paragraph, your complainant has a reasonable apprehension that should she continue to live with the said defendant he will do her some bodily hurt; and,

That the said defendant notwithstanding that your complainant has been a constant, dutiful and faithful wife, without justification or reasonable excuse has willfully deserted and abandoned your complainant and such desertion and abandonment still continues, that is to say, that in the latter part of September, 1921, he deserted and abandoned your said complainant as above set forth; and,

That the defendant's property consists mostly, except a store and dwelling house at Rushmere, of money in Bank, Stocks, Bonds and other evidences of debt, and your complainant believes and so charges that the said defendant in order to defeat the marital rights of the complainant has transferred, assigned and secreted his property.

In tender consideration whereof, and for as much as your complainant is remediless in the premises, save in a Court of Equity, she prays that the said T. E. Curtis may be made a party defendant to this bill; and required on his corporal oath to answer and say whether or not he has transferred, assigned or secreted any part of his property, and if so, how much, and to whom trans

-ferred, assigned or delivered, or the same be hidden to state where such hiding place is, and generally to discover and disclose to the Court the amount and true value of his property; that he be required to answer the other charges contained in this bill, answer under oath as to them being hereby waived; as the statute in the case made and provided; that your complainant may be granted a divorce from the bed and board of the said defendant; and that the said defendant may be restrained and enjoined from interfering or molesting your said complainant and specially from coming to or entering the house occupied by her as her home; that the said defendant may be enjoined and restrained from selling, assigning, encumbering or otherwise disposing of any of his property now in his possession, that the said defendant may be required to pay to your complainant a sufficient sum of money to enable her to employ counsel, to prosecute this suit, and for the support of your complainant during the pendency of this suit and that permanent alimony be decreed to the said complainant; and that your complainant may have all such other, further and general relief as the case may require or to equity shall seem meet;

Your complainant will ever pray, etc.

Adele B. Curtis
By Counsel.

[Signature] pq

State of Virginia,

Isle of Wight County, to-wit:

Adele B. Curtis, complainant, named in the foregoing bill being duly sworn, says that the facts and allegations therein contained are true so far as they are therein stated to be on information, and that so far as they are therein stated to be upon information she believes them to be true.

Adele B. Curtis
Complainant.

Taken, sworn to and subscribed before me, E. H. Williams,
Commissioner in Chancery of the Circuit Court of the
County and ---- State aforesaid, in my County aforesaid, this
5th day of November, 1921.

E. H. Williams
Commissioner in Chancery

Adele B. Curtis, Plaintiff

vs: In Mancery.

T. P. Curtis, Defendant.

Filed Nov. 9-1921.

Teste: R. C. Edmunds
Clerk

FILED

1st Hearing by Rules 1921
Process returned
unserved. Bill filed -
Desire nisi.

2nd December Rules 1921
Defendant not ap.
fearing to plead. Demand
or answer. Cause set
down for hearing.

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