

1932-006 Chancery Causes: Elsie Everett Whitley vs William Wesley Whitley, Junior
Isle of Wight County Petition of Elsie Everett Whitley

578

Other SURNAMES: Everette,
Wills, Everett



MARRIAGE LICENSE



Virginia

City of Suffolk

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,

William Wesley Whitley, Jr. and Elsie Mae Everett

Given under my hand, as Clerk of Circuit Court of Suffolk County (or City) this 5th day of Nov., 1925.

Chas. L. Hutchins, Clerk.

MARRIAGE CERTIFICATE

To be annexed to the License, required by Section 5074 of the Code of Virginia, 1919, as amended by Act of February 16, 1910.

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

Date of Marriage November 6th, 1925 Place of Marriage Suffolk, Va.

FULL NAMES OF PARTIES.

William Wesley Whitley, Jr. and Elsie Mae Everett

Age of Husband 21 years; Condition (single, widowed or divorced) single

Age of Wife 19 (consent) years; Condition (single, widowed or divorced) single

Race (White or Colored) White

Husband's Place of Birth Isle of Wight Co. Mailing Address (PRESENT) Suffolk, Va.

Wife's Place of Birth Isle of Wight Co. Mailing Address Suffolk, Va.

Names of { Husband Wm. Wesley Whitley and Annie Maude Whitley
Parents { Wife John Wesley Everett and Maggie Estelle Everett

Occupation of Husband Farmer

Given under my hand this 5th day of November, 1925.

Chas. L. Hutchins, Clerk.

Certificate of Time and Place of Marriage

I, I. W. Johnson, a minister of the Christian

Church, or religious order of that name, do certify that on the 6th day of November, 1925, at Suffolk, Virginia, under authority of the above License, I joined together in the Holy State of Matrimony the persons named and described therein. I qualified and gave bond according to law authorizing me to celebrate the rites of marriage in the County (or City) of Nansemond, State of Virginia.

Given under my hand this 6th day of November, 1925.

Copy: Teste: Chas. L. Hutchins Clerk. I. W. Johnson

(Person who performs ceremony sign here.)

The Minister or other person celebrating a marriage is required, within thirty (30) days thereafter, to return the License and Certificate of the Clerk and his certificate of the time and place at which the marriage was celebrated to the Clerk who issued the License; failure to comply with these requirements of the law makes the Minister or other person celebrating the marriage liable to a fine of not less than ten nor more than twenty dollars for each offense (see Section 5074 of the Code of Virginia, as amended by Act approved February 16, 1910, Acts 1910, chapter 28, pages 36 and 37).

County (or City) Suffolk

William Wesley Whitley, Jr.
Husband

and { **Marriage License**

Elsie Mae Everett
Wife

Date of Issue Nov. 5, 1925

Marriage Register No. 1 Page 284

Rec'd. and filed

Nov. 23/25

C O P Y

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

Elsie Everett Whitley,

v). Chancery. No. _____

"Memorandum."

William W. Whitley, Jr.

To the Clerk of the Circuit Court of the County of Isle of
Wight, State of Virginia:

You will please issue process for the respondent to appear and answer a bill in equity to be filed against him by the respondent at the rules to be holden in your court on the 3rd., Monday in May, 1930.

Johnson & Stephens,
Counsel.

Johnson and Stephens, f. c.

Virginia: Circuit Court
County of Isle of Wight.

Elsie Everett Whitley,
v). Chancery. No. 578
William W. Whitley, Jr.

Memorandum.

Filed 5/13/30.

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT, JUNE 21ST, 1932.

Elsie Everette Whitley

Vs: Chancery No. 578

William Wesley Whitley, Jr.,

This cause came on this day to be again heard on the original papers, the petition of the complainant, the depositions of witnesses taken on behalf of the Petitioner, after notice duly served on the defendant, William Wesley Whitley, Jr., he having failed to appear, plea, answer and demur, and was argued by counsel.

And it appearing to the Court, independent of the admissions of either of the parties hereto, that a period of more than three (3) years has elapsed since the desertion and abandonment of the Petitioner on the part of the said respondent; and it further appearing, from satisfactory evidence, that no reconciliation has taken place, or is probable; that a bona fide effort was made by the complainant before the institution of this suit to become reconciled; and that the separation of the parties hereto has continued without interruption since the granting of a divorce a mensa et thoro on the 18th day of August, 1930, and for a period of more than three (3) years from the date hereof; and the Court being of the opinion from the evidence so taken that no reconciliation has taken place, or is probable, it is adjudged, ordered and decreed that the decree a mensa et thoro entered herein on the 18th day of August, 1930, be, and the same is, hereby merged into a decree for a divorce a vinculo matrimonii.

It is further adjudged, ordered and decreed that the complainant, Elsie Everette Whitley, be restored to her maiden name, to-wit: Elsie Mae Everette, but neither of the parties hereto shall again marry within six months after the entry hereof.

And this cause is dismissed.

A Copy:

Teste _____ Clerk.

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

Elsie Everett Whitley

V) Chancery No. 578

William Wesley Whitley, Jr.

To the Honorable B. D. White,

Judge of the Circuit Court of the County of Isle of Wight.

This cause came on this day to be again heard on the original papers, the petition of the complainant, the depositions of witnesses taken ^{after notice duly served on the respondent} on behalf of the Petitioner, ~~the said William Wesley Whitley, Jr. having been duly served with notice of filing of the said petition, and~~ having failed to appear, plea, answer and demur, and was argued by counsel.

And it appearing to the Court, independent of the admissions of either of the parties hereto, that a period ^{has elapsed} of more than three (3) years ^{since the desertion and abandonment of the Petitioner on the part of the said respondent;} that the said William Wesley Whitley, Jr. ~~has been duly served with such notice of the application for this decree as is required by statute;~~ and it further appearing to the Court, from satisfactory evidence, that no reconciliation has taken place, or is probable; that a bona fide effort was made by the complainant before the institution of this suit to become reconciled; and that the separation of the parties hereto has continued without interruption since the granting of a divorce a mensa et thoro on the 18th. day of August, 1930, and for a period of more than three (3) years from the date hereof; and the Court being of the opinion from the evidence so taken that no reconciliation has taken place, or is probable, it is adjudged, ordered and decreed that the decree a mensa et thoro entered herein on the 18th. day of August, 1930, be, and the same is, hereby merged into a decree for a divorce a vinculo matrimonii.

It is further adjudged, ordered and decreed that

the complainant, Elsie Everett Whitley, be restored to her

maiden name, to-wit; Elsie, ^{Mae} Everett, but ~~rejection~~ *but rejection of the*

And this cause is dismissed.

*Further heretofore again many written six
months after the entry here of.*

10.

VIRGINIA:
In the Circuit Court of the
County of Isle of Wight.

Elsie Everett Whitley

V) Chancery No. 578

William Wesley Whitley, Jr

Decree

1932
June 21
Entered
P. D. W.

8-43

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

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

Elsie E. Whitley,

v) Chancery. No. 578

William Wesley Whitley, Jr.

This cause came on this day to be heard upon the complainant's bill, duly filed at rules and the exhibit~~s~~ filed therewith; process having been duly served upon the respondent and he having failed to appear, plead, answer or demur thereto, ~~the bill is taken for confessed as to him~~; the depositions taken on behalf of the complainant, after proper notice to the respondent; and was argued before counsel: *and*

It appearing to the Court, independent of the admissions of either party, that Elsie Everett and William Wesley Whitley, Jr., were legally married on the 6th. day of November, 1925; that continuous^{ly} from said marriage until the _____ day of May, 1929, the said parties lived together as man and wife; that the said parties last co-habited together as man and wife in the County of Isle of Wight, State of Virginia; that the complainant is a bona fide resident of the County of Isle of Wight, State of Virginia, and has been for a period of one year immediately preceding the commencement of this cause; that on the _____ day of May, 1929, the said William Wesley Whitley, Jr., the respondent, wilfully and without just cause abandoned and deserted the complainant, which said desertion and abandonment has ~~been~~ continuous^{ed} up to now: Upon consideration whereof the Court doth adjudge, order and decree that the said Elsie Everett Whitley and William Wesley Whitley, Jr., be, and they are, hereby, divorced a mensa et thoro.

There being nothing further to be done in this cause it is ordered stricken from the docket with the right to the ~~complainant~~ ^{alter of} to have the same reinstated at a later date upon ~~the giving of due notice to the respondent.~~ ^{for such further}

the parties
obvius as are authorized by law

6.

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

Elsie E. Whitley

v) 578

Wm. Wesley Whitley, Jr.

Decree

1930
Aug 18.
Enter this
B.D.W.

8-559

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

Virginia: In the Circuit Court of the County of Isle of Wight:

Elsie Everette Whitley

Vs: #578

William Wesley Whitley, Jr.,

Depositions of Elsie Everette Whitley
and E. Key Mills taken before me, R. A. Edwards, a Commissioner
in Chancery, for the Circuit Court of the County of Isle of
Wight, Virginia, pursuant to notice herewith filed, at the
Clerk's Office of the Circuit Court of the County of Isle of
Wight, Virginia, ^{on June 13th 1932} beginning at three o'clock P. M., both of
which are to be read as evidence on behalf of the complain-
ant, Elsie Everette Whitley, in a certain suit in equity,
depending in the Circuit Court of Isle of Wight County, Vir-
ginia, wherein the said Elsie Everette Whitley is complainant,
and William Wesley Whitley, Jr., is defendant.

PRESENT: A. E. B. Stephens
Attorney for complainant.
No appearance by defendant.

Elsie E. Whitley being duly sworn deposes and says as follows:

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

A. Elsie E. Whitley, am twenty-six years of age and reside at Isle of Wight, Virginia.

Q. In what County do you now live?

A. I am now living in Isle of Wight County, Virginia.

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

A. I have been living in this County continuously for the past four years.

Q. On the 13th day of August, 1930, a certain decree was entered in the Circuit Court of the County of Isle of Wight, in a certain Chancery cause therein depending wherein Elsie E. Whitley was the complainant, and William W. Whitley, Jr., was the respondent, in which you were decreed a divorce a mensa et thoro on the grounds of desertion; please state whether or not you and your husband have lived or cohabited together since the date of the entry of the aforesaid decree.

A. No, we have not.

Q. Has any reconciliation taken place, or is any liable to take place between you and the respondent?

A. No, there has been no reconciliation between myself and the respondent, nor is there any probability of such taking place.

Q. After you were deserted by the respondent, and before you instituted this suit, did you make any attempt or offer to become reconciled with him?

A. Yes, I did. Soon after he deserted me and went to Newport News, I told him that if he would make me a home in Newport News I would come and live with him, but this he failed and refused to do.

Q. Are there any children as the results of said marriage?

A. No, there are not.

Q. Are you desirous of being restored to your maiden name?

A. Yes.

Q. Please state what your maiden name was.

A. Elsie Mae Everette.

And further this deponent sayeth not.

E. Kay Wills being duly sworn deposes and says as follows:

Q. Please state your name and address.

A. E. Kay Wills and reside at Isle of Wight, Virginia.

Q. How long have you lived in Isle of Wight County?

A. I have lived in Isle of Wight County all of my life.

Q. Do you know Elsie E. Whitley, the complainant in this suit?

A. Yes, I know her very well.

Q. On the 18th day of August, 1930,, Mrs. Whitley was granted a divorce from her husband, William E. Whitley, Jr., on the grounds of desertion. Do you know whether or not they have lived together since that time?

A. Yes, I know that they have not.

Q. Are you in a position to state whether or not, in your opinion, there is any likelihood of their becoming reconciled?

A. I don't think so.

And farther this deponent sayeth not.

State of Virginia,)
County of Isle of Wight,) To-wit:

I, R. A. Edwards, a Commissioner in
Chancery for the Circuit Court of the County of Isle of
Wight, Virginia, do hereby certify that the foregoing depo-
sitions were duly taken, reduced to writing, ^{and} /duly sworn to,
respectively, before me, at the place and at the hour
mentioned in the caption hereto attached, pursuant to the
notice herewith filed.

In witness whereof, I have hereunto
set my hand this 13th day of June, 1932.

R. A. Edwards
Commissioner in Chancery.

Elsie E. Whitley

VS. #578 Depositions

Wm. H. Whitley

Filed June 13 - 1932
R. A. E.

For notice see other
Cover.

R. A. EDWARDS
COMMISSIONER IN CHANCERY
CIRCUIT COURT
ISLE OF WIGHT COUNTY
ISLE OF WIGHT, VIRGINIA

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

Elsie E. Whitley,

v) Chancery. No. _____

William Wesley Whitley, Jr.

The depositions of Elsie Everett Whitley, Maggie E. Everett and J. W. Everett, taken before R. A. Edwards, a Commissioner in Chancery for the Circuit Court of the County of Isle of Wight, State of Virginia, pursuant to due notice herein filed, at the Clerk's Office of the aforesaid County on the 15th. day of August, 1930, beginning at ten o'clock, A.M., to be read as evidence on behalf of Elsie Everett Whitley in a certain Chancery cause depending in the Circuit Court of the County of Isle of Wight, State of Virginia, wherein Elsie Everett Whitley is complainant, and William Wesley Whitley, Jr., is the respondent.

Elsie M. Whitley, being duly sworn deposes and says as follows;

Q. Please state your name, age residence.

A. Elsie M. Whitley, age 24, residence Isle Of Wight County, Virginia.

Q. Have you been a resident of this County for more than one prior to the institution of this suit.

A. I have.

Q. Are you married, if so when were you married, where and to whom.?

A. Yes, I was married on the 6th day of November, 1925, in Nansemond County, to William Wesley Whitley Jr.,.

Q. Are you now living with your husband.

A. No I am not.

Q. Did your husband leave you or did you leave him.

A. He left me sometime during the month of May, 1929.

Q. Where were you living at the time he left you.

A. We were living together with my father and mother in Isle Of Wight County.

Q. Did you give him any just reason or cause for so deserting you.

A. None that I know of.

Q. As a matter of fact, Mrs Whitley, did he provide a home for you at any time during your married life, and did he provide for and support you properly.

A. No he did not; as a matter of fact after he left me I was sued jointly with him for a board bill incurred by us while we were living together as man and wife in Suffolk and which I have had to satisfy, from my own labors, in full, as a matter of fact I was working while we were living in Suffolk and used all of my salary to provide for my self. He did not contribute anything to my support.

Q. Are there any children living as a result of this marriage.

A. No there are not.

And further this deponent saith not.

Mrs. Maggie E. Everette being duly sworn deposes and says as follows.

E. Please state your name, and residence.

A. Maggie E. Everette, I reside in Isle Of Wight County, Virginia.

Q. You are the mother of Elsie Everette Whitley, the Complainant in this suit .

A. Yes.

Q. Were your daughter, Elsie, and her husband, William Wesley Whitley Jr., living with you and your husband in your home in Isle Of Wight County in the month of May, 1929.

A. Yes they were living at our home during the first part of May 1929, but sometime during that month her husband deserted and abandoned her.

Q. Do you know of any reason that your daughter gave her husband for leaving her.

A. I do not.

Q. Do you know of your own knowledge, whether or not during the time your daughter and her husband were living together as man and wife, that he properly provided for her.

A. Yes I know that he did not. My daughter worked during almost the entire time that they were living together and bought her own clothes, and she afterwards had to pay a board bill incurred during the time they were living together.

And further this deponent saith not.

J. W. Everette being duly sworn deposes and says as follows.

Q. Please state your name and residence Mr Everette.

A. J. W. Everette, I live in Isle Of Wight County, Virginia.

Q. You are the father of Elsie Everette Whitley, the complainant in this suit.

A. Yes, I am.

Q. Is your daughter, Elsie, married and living with her husband at this time.

A. Yes she is married but is not living with her husband, as he left her sometime during the month of May, 1929, at that time they were living together with me in my home in this County and for some unknown reason he left her and has not been back since.

Q. Do you know of any reason that she gave him for so deserting and bandoning her.

A. No I do not.

Q. Do you know of your own knowledge whether he properly supported and provided for your daughter during the time they were living together as man and wife.

A. I know that he did not. She was working practically all of the time, bought and paid for all of her clothes out of her own funds, and afterwards was forced to pay a board bill incurred by them while they were living together as man and wife.

Q. Your daughter is a resident of this County at this time is she not.

A. Yes, she has been living here ever since her husband deserted her, and for some time prior to that.

And further this deponent saith not.

I, R. A. Edwards, a Commissioner in Chancery for the Circuit Court of the County of Isle of Wight, State of Virginia, do, hereby, certify that the foregoing depositions were duly taken and reduced to writing before me, at the place and time mentioned in the herein filed notice.

In testimony whereof I have hereunto set my hand this the 15th. day of August, 1930:

R. A. Edwards
Commissioner in Chancery

5.

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

Elsie E. Whitley

v)

Wm. Wesley Whitley, Jr.

Depositions - Original Bill

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

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

To William Wesley Whitley, Jr.:

You will please take notice that on Monday, the 13th. day of June, 1932, beginning at 3 o'clock P. M., at the Clerk's Office of the Circuit Court of the County of Isle of Wight, State of Virginia, before R. A. Edwards, a Commissioner in Chancery for the Circuit Court aforesaid, I will proceed to take the depositions of myself, et als., in support of my application to the Circuit Court of the County aforesaid, to merge a certain decree wherein I was granted a divorce a mensa et thoro entered in the Circuit Court aforesaid on the 18th. day of August, 1930, in the Chancery cause therein pending under the style of Elsie E. Whitley v. William Whitley, Jr., into a divorce a vinculo matrimonii.

And you will please take further notice that on Friday, the 17th. day of June, 1932, at 10 o'clock A. M., at the Courthouse aforesaid, I will make application to the said Circuit Court to merge the aforesaid divorce decree a mensa et thoro into a divorce decree a vinculo matrimonii, and at the same time I will further petition the said Court to be restored to my maiden name.

Dated this the 7th. day of June, 1932.

Elsie E. Whitley

BY:

R. S. Stephens
Her Attorney

Johnson & Stephens, f.p.

Virginia:
In the Circuit Court of the
County of Isle of Wight.

Elsie E. Whitley

to) 578

William W. Whitley, Jr.

NOTICE

Executed this the 8th Day
of June 1932 in the
city of Newport News, Virginia
by delivering a true copy of the
within ~~summons~~ — Notice to

William Wesley
Whitley
in Person

C. C. Levertis
City Sergeant

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

596- Fee 508

The Linden Printing Company, Hartford, Connecticut

Commonwealth of Virginia,

Sargeant Of The City Of Newport News;
To the Clerk of the County of Isle of Wight — *Greeting:*

WE COMMAND YOU, That you summon **William W. Whitley Jr.,**

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 **Third** Monday in **May**, 19**30**,
to answer a bill in chancery, exhibited against **him**
in our said Court by **Elsie Everette Whitley,**

And have then and there this writ.

Witness, R. A. EDWARDS, Clerk of our said Court, at the Courthouse, this **13th**
day of **May**, 19**30**, and in the **154th** year of the
Commonwealth.

R. A. Edwards Clerk.

Johnson & Stephens, p.q.

2.

Elsie E. Whitley,

vs.

CHANCERY NO. 578

William W. Whitley Jr.,

ORIGINAL SUBPOENA

Virginia, Clerk's office of the Circuit
Court of the County of Isle of Wight.

Returned, entered and filed.

Teste:

Clerk

To Second May Rules

1930

Johnson & Stephens, p. q.

Executed this the 15th Day
of May 1930, in the
city of Newport News, Virginia.
By delivering a true copy of the
within summons—~~Notice~~ to
William W. Whitley Jr.
in Person

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

Sgt. - Fee 50¢ Paid
C. C. Curtis Sgt

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

Elsie E. Whitley

vs) Chancery. No. _____

William Wesley Whitley, Jr.

To William Wesley Whitley, Jr.:

You are hereby notified that on the 15th., day of August, 1930, at ten o'clock in the morning, at the Clerk's Office of the Circuit Court of the County of Isle of Wight, State of Virginia, before R. A. Edwards, a Commissioner in Chancery for the Circuit Court of the aforesaid County and State, I will proceed to take the testimony of Elsie E. Whitley, and others, to be read in my behalf in a certain suit in Chancery, pending in the Circuit Court of the County of Isle of Wight, in the State of Virginia, in which I am the complainant and you are the defendant.

Elsie E. Whitley

By: John M. Stephens
her attorneys

Executed the 4th day of August 1930, in the city of ~~New~~
Newport News, Virginia, by delivering a true copy of the
within notice to William Wesley Whitley, Jr, in person.

C. C. Curtis

City Sergeant for the city of Newport News, Virginia.

By P. H. Hall

Deputy Sergeant

3rd Nov 4.

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

Elsie E. Whitley

vs) Chancery. No. 578

William Wesley Whitley, Jr.

Notice

Sgt. Lee 50 - PA

*See Sgt return
inside.*

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

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

Elsie Everett Whitley

V) Chancery No. 578

William Wesley Whitley, Jr.

To the Honorable B. D. White,

Judge of the Circuit Court of the County of Isle of Wight.

Your Petitioner, Elsie Everett Whitley, respectfully represents that on the 18th. day of August, 1930, this Court, in the above styled cause by its decree duly recorded in Chancery Order Book # 8, at page # 559, did adjudge, order and decree that ~~Your~~ Petitioner, the said Elsie Everett Whitley, be, and she was thereby, divorced a mensa et thoro from the said respondent, William Wesley Whitley, Jr.;

Your Petitioner further states that a period of more than three (3) years has elapsed since the time of the desertion and abandonment of your Petitioner on the part of the said respondent; that no reconciliation has taken place, or is probable; and that the said desertion and abandonment of Your Petitioner on the part of the said respondent has continued uninterrupted for a period of more than three (3) years; that Your Petitioner desires that she be restored to her maiden name; that due notice has been given to the respondent of this petition and application and that Your Petitioner is entitled, as provided by statute, to have the said divorce a mensa et thoro merged to a decree of divorce a vinculo matrimonii:

Your Petitioner, therefore, hereby respectfully petitions and makes application to this Court to enter a decree merging the said decree for a divorce a mensa et thoro into a decree for divorce a vinculo matrimonii; that she be restored to her maiden name, to-wit: Elsie Everett; that proper process issue; that the said respondent may be required to answer this

petition and application, answer under oath being hereby
waived; and that all such other, further, and general relief
may be afforded to your said Petitioner to the matter as her
case may require and to equity may seem meet.

And your Petitioner will ever pray, etc.

Elvie E. Willey
Petitioner.

Johnson & Stephens, P.q.

8.

VIRGINIA;
In the Circuit Court of the
County of Isle of Wight.

Elsie Everett Whitley

V) Chancery No. 578

William Wesley Whitley, Jr.

Petition

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

Virginia: In the Circuit Court of the County of Isle of Wight.

Elsie Everett Whitley,

vs) Chancery. No. _____

William Wesley Whitley, Jr.

To the Honorable B. D. White, Judge of the Circuit Court of the County of Isle of Wight.

Your complainant, Elsie Everett Whitley, humbly complaining, sheweth to your Honor the following cause, to-wit:

That she has been a resident of the County of Isle of Wight, State of Virginia, continuously for a period of one year, and longer, immediately preceding the institution of this cause; and,

That on the 6th. day of November, 1925, she was duly and legally married in the County of Nansemond, to one William Wesley Whitley, Jr., the respondent herein, as will more fully appear, from the certified copy of the marriage license attached hereto, marked "Exhibit A", and prayed to be taken and read as a part of this bill of complaint; and

That for sometime after said marriage your complainant and the respondent resided together in the City of Suffolk, State of Virginia, but later moved to the County of Isle of Wight, State of Virginia, where they last co-habited together as man and wife; and,

At sometime during the month of May, 1929, the exact of which your complainant does not at this time recall, the said respondent willfully and without any just or reasonable cause therefor, deserted and abandoned your complainant, and wholly refused to co-habit and live with her as her husband, and from thence hitherto up to the time of instituting this cause has continuously absented himself from her, and still does so, without

any guilt or fault on the part of your complainant.

In tender consideration whereof, and forasmuch as your complainant is without remedy in the premises, save in a Court of equity where matters of this kind are alone and properly cognizable, she prays that said William Wesley Whitley, Jr., be made a party respondent to this bill of complainant and required to answer the same, though not under oath, answer under oath being, hereby, expressly waived; that proper process issue; that your complainant be granted a divorce a mensa et thoro from the respondent; and that your complainant may have such other, further and general relief as the nature of her case may require or to equity and good conscience may seem meet and proper.

And as in duty bound she will ever pray, etc.

Elsie Everett Whitley,

By:

R. S. Stephens
Counsel

Johnson & Stephens, f.c.

3.

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

Elsie Everett Whitley

v) Chancery, No. 528

William Wesley Whitley, Jr.

Bill of complaint

2nd May 1937
Filed
RNE

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut