

1906-005
Nansemond Co (Suffolk) Chancery Causes: Theodore Jones vs Lizzie Jones

Wilson, Watson

Costs

Clerk -- \$ 3.65

Tax -- 1.50

Shff- 1.00

Comr- 5.00

Atty 15.00

\$ 26.15

S E Everett to q.

Theodore Jones
W. Chancery
Lizzie Jones

1906
October 8th
Final Decree

Theodore Jones Complainant.

vs.

Lizzie Jones.....Defendant.

Issue summons to First Monday Rules in September, 1906.

J. E. Eumett

Memorandum for Sheriff.

The defendant lives at Huntersville near Churchland.

Please explain to her that she does not have to come on
this day unless she wishes to.

Pay \$1.50

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON

Lizzie Jones

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the *21st* Monday in *September 1906*, to answer *a* Bill in Chancery, exhibited against *her* in the said Court by *Theodore Jones*

And have then and there this summons.

Witness, R. R. SMITH, Clerk of our said Court, at his office, this *21st* day of *August*, 190*6*, in the 13^{*th*} year of the Commonwealth.

A copy—Teste:

CLERK.

Teste:

R. R. Smith

CLERK.

W. C. Somers Deputy Clerk

Executed this 31st day of August, 1906,
by delivering a true copy of the within
process to Lizzie Jones in person
At Baker Spf
By R E Taylor Dep't

W E Everett, p. q.

Theodore Jones

VS.

IN CHANCERY.

Lizzie Jones

1906

September Rules.

First Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. *3*

Page *18*

To Lizzie Jones:

Take notice that on the 20th, day of September, 1906, at the office of S. E. Everett, in Suffolk, Virginia, between the hours of nine and six o'clock of that day, I shall proceed to take the depositions of Beverly Jones and others, to be read as evidence in my behalf, in a certain suit in equity, depending in the Circuit Court of Hansemond County, wherein I am plaintiff, and you are defendant; and if from any cause the taking of the said depositions be not commenced, or, if commenced, be not concluded, on that day, the taking thereof will be adjourned from day to day, at the same place, and at the same hours, until the same shall be completed.

Given under my hand this 21st day of August, 1906.

Theodore Jones

Executed this 31st. day of August,
1906, by delivering a true copy of the within
notice to Lizzie Jones in person.

A. H. Baker Sheriff
By R. E. Norfleet

~~S. E. EVERETT.~~
~~ATTORNEY AT LAW.~~
~~SUFFOLK, VA.~~

Virginia,

Circuit Court for the County of Nansemond, to-wit:

Theodore Jones,	}	Complainant.
V.		In Chancery.
Lizzie Jones		Defendant.

The depositions of Hezekiah Wilson, Beverly Jones and Maria Watson, taken before me, Wilbur J. Kilby, a Commissioner in Chancery, of the Circuit Court for the County of Nansemond, in pursuance of the notice hereto attached, at the office of S.E. Everett in Suffolk, Virginia, on the 20th. day of September, 1906, between the hours of nine and six o'clock of that day, to be read as evidence in behalf of the Complainant in a certain suit in Equity, pending in said court between Theodore Jones, Complainant, and Lizzie Jones, Defendant.

No witness appearing, the taking of these depositions is continued until to-morrow at the same place and between the same hours.

Wilbur J. Kilby
Commissioner in Chancery.

Office of S.E. Everett, Suffolk, Va. , 21st. September 1906.

Present: S.E. Everett, Atty. for Complainant.

No attorney for defendant.

HEZEKIAH WILSON, being duly sworn, testified as follows:

Examined by Mr. Everett:

Q. What is your age, residence, occupation, and do you know the parties to this suit?

A. About 37, Huntersville, oysterman. I know the parties to this suit.

Q. Are you related to either one? A. No, sir.

Q. Theodore Jones instituted a suit asking for a divorce from his wife, Lizzie Jones, on the grounds that she is guilty of adultery with one Joseph S. Gibson. Will you tell what you know about this?

A. Some time during June this woman, Lizzie Jones, and Joe Gibson came over to my house, and Joe says to us, there is Lizzie Jones, ^{coming to my house} ~~been staying with me~~ night and day; and since my wife has come in the community she has got afraid to come ~~and~~ ^{to} ~~stay with me~~ since she knows my wife is in the community.

Joe Gibson's wife does not stay with him, but he lives in Huntersville by himself, except when this woman Lizzie Jones is with him.

Q. Do you ^{know} whether Joe was drunk that night or not why he told this?

A. I don't know that he was drunk, but he had whiskey in him.

Q. Have you ever seen this woman at his house, day or night?

A. I have seen her go in there about 11 o'clock at night, and did not see her come out. It was one night in June, the latter part.

Q. Did you ever hear any admission on the part of Lizzie

Jones that she lived with Joe Gibson as her husband?

A. I never heard her say anything about that.

Q. Where has this woman, Lizzie Jones, been living since this suit was instituted, for the last month or two?

A. She has been living with a man by the name of George Terrell. *in Huntersville*

Q. In what way has she been living with him?

A. I could not say, but I know she stays in the same house with him, and has for about two months.

Q. Did anyone else stay in that house except Lizzie Jones and George Terrell?

A. Not that I know of. Her son might have stayed there a little.

Q. Was it the general impression in the community that she was living with George Terrell?

A. Yes, sir.

And further this deponent ^{said} ~~sayeth~~ not.

*Witness:
Wilbur J. Kilby, Comr.*

*Hezekiah Wilson
mark*

BEVERLY JONES, being duly sworn, testified as follows:

Examined by Mr. Everett:

Q. What is your age, residence, occupation, and do you know the parties to this suit?

A. About 30, Huntersville, oysterman. I know the parties to this suit.

Q. Lizzie Jones has been charged by Theodore Jones, in a bill asking for divorce, of adultery with one Joseph Gibson. Tell what you know about this thing?

A. Well, I go by there late one night, and saw her in there.

The light was turned down kinder dim, and she was standing by the lounge right behind the door, and he was lying on it. This makes one or two nights I have seen her there, and I have heard Joe Gibson say, during the chopping cotton time, that he did not have but one woman in Huntersville and that was Lizzie Jones.

Q. Have you ever heard her say anything about Joseph Gibson as being kept and supported by him?

A. *I have heard him say that he does not go with any woman in Huntersville but her.*
~~Yes, sir, several times; all time talking about it.~~

Q. Did you understand from her conversation that she stayed with him as a wife would stay?

A. No, sir, I did not hear that, but I heard that she was going to marry him. I understand enough to believe this, that she was guilty of the charge of adultery with Joe Gibson.

Q. Do you know where she has been since this suit was instituted, in July and August?

A. She has been living with George Terrell in his house alone during July and August.

Q. Was the institution of this suit why she stopped staying in the house with Joseph Gibson do you think?

A. ~~I suppose it was.~~ I heard that old man George Terrell and Joe Gibson had some words about it.

And further this deponent ~~says~~ ^{said} not.

Witness:
 Wilbur J. Kilby, Comr.

Beverly X Jones
 [Signature]

MARIAH WATSON, being duly sworn, testified as follows:

Examined by Mr. Everett:

Q. What is your age, residence, occupation, and do you know the parties to this suit?

A. 28, Huntersville, housekeeper. I know the parties to this suit.

Q. Did you ever see Lizzie Jones at the house of Joseph Gibson?

A. Yes, sir, seen her there several times.

Q. Was there anybody then with Joe Gibson, I mean by that was he living with his wife?

A. No, sir, he lived by himself in Huntersville.

Q. You say you have seen Lizzie Jones there several times.

Was it at night or day?

A. At night.

Q. Did you ever see her inside of the house?

A. Inside of his house? Yes, sir. In July about 12 o'clock one night, my husband and I had been to our lodge, and were coming on back home. I saw her in Joe ~~Rxx~~ Gibson's house, lying behind the door.

Q. Was it generally talked around that Lizzie Jones was living with Joseph Gibson?

A. They did not talk about her living there, but talked about her going there and staying as long as she wanted to stay.

Q. Was it the general impression that she was guilty of the charge made against her in this bill, which has been read to you.

A. Yes, sir.

Q. Joseph Gibson's wife did not live with him?

A. No, sir, did not.

Q. Since this suit was instituted, along in July and August, where has she been.

A. She has been living with Uncle George Terrell.

Q. In his house alone?

A. Yes, sir.

And further this deponent ~~sayeth~~ ^{said} not.

mariah Watson

~~S. E. EVERETT.~~
~~ATTORNEY AT LAW,~~
~~SUFFOLK, VA.~~

Virginia,

County of Nansemond, to-wit:

I, Wilbur J. Kilby, a Commissioner in Chancery of the Circuit for the county aforesaid, in the State of Virginia, do certify that the foregoing depositions of Hezekiah Wilson, Beverly Jones and Maria Watson, were duly taken, sworn to, and subscribed before me at the time and place, and for the purpose therein mentioned.

Given under my hand this 21st. day of September, 1906.

Wilbur J. Kilby
Commissioner in Chancery.

Commissioner's Fee \$5.00.

Theodore Jones

vs. } In Chy.

Lizzie Jones

Depositions of Heze-
kiah Wilson and
others to be read as
evidence in behalf
of the Complainant.

1906 Sept 22nd Filed
A. Gomer D.C.

the examination regularly matured by the service of process on the defendant, which has been taken before

Received of _____

the sum of _____

for _____

8th. Oct. 1890
Robert H. Hunt

for _____

4

90

TO THE HONORABLE JUSTICE R. P. PIERCE, JUDGE OF THE CIRCUIT
COURT OF HANCOCK COUNTY.

Complaining, sheweth unto your Honor, your orator,
Theodore Jones, husband of Lizzie Jones, the following case:

That he has been a resident of this State over one year,
and last cohabited with the said Lizzie Jones, his wife, in
Hancock County; that your orator was married to the said
defendant about fourteen years ago in Hancock County, and
since that time your orator has been a faithful husband to
the said Lizzie Jones until he discovered that she had been
unfaithful to him, but has not been or lived with her since
that time. The latter part of June, 1906, your orator dis-
covered that the said defendant was sleeping a part of the
night with one Joseph S. Gibson in his house in Hunterville,
Hancock County, Virginia. The said defendant would go in
the house at late hours at night and return late at night.
She would tell your orator that she went to see a neighbor
until finally your orator was told by a friend that she was
visiting this house and he afterwards saw it to be true
and numbers of other people saw the same. She is now living
in a house alone with one Geo. Harrell. Your orator believes
that she is guilty of adultery and that he is entitled to a
divorce.

In tender consideration whereof and for as much as your
orator is restless in the premises and in a court of
equity, he prays that the said Lizzie Jones may be made a
defendant to this bill and required to answer the same upon
oath; that your orator may be divorced from the said Lizzie
Jones a vinculo matrimonii, and that all other, further and
general relief may be afforded your orator as the nature of

his case may require or in equity shall seem meet.

And your orator will ever pray, etc.

Counsel.

S. E. Everett

Theodore Jones

STATE OF VIRGINIA

To-wit:

COUNTY OF HANCOCK

I, S. E. Everett, a Notary Public for the County and State aforesaid, do certify that Theodore Jones, the complainant in the bill above has this day appeared before me in my County and State and made oath that all the facts stated in the above bill are true.

Given under my hand this 3rd day of September, 1906.

S. E. Everett

Notary Public

Herbert Jones
32 Du Chaucery
Lizzie Jones

S. E. EVERETT,
ATTORNEY AT LAW,
SUFFOLK, VA.

Theodore Jones

vs. Chauncey

Lizzie Jones

1900 Aug 21st Process issued returnable to
September Rules First Monday

" Sept 3rd Process returned executed
on defendant

" " " Bill filed and decree nisi
against said defendant

" " 17th Decree nisi confirmed and
Cause set for hearing

Chancery Notes

1841
1842
1843
1844
1845
1846
1847
1848
1849
1850
1851
1852
1853
1854
1855
1856
1857
1858
1859
1860
1861
1862
1863
1864
1865
1866
1867
1868
1869
1870
1871
1872
1873
1874
1875
1876
1877
1878
1879
1880
1881
1882
1883
1884
1885
1886
1887
1888
1889
1890
1891
1892
1893
1894
1895
1896
1897
1898
1899
1900

1841
1842
1843
1844
1845
1846
1847
1848
1849
1850
1851
1852
1853
1854
1855
1856
1857
1858
1859
1860
1861
1862
1863
1864
1865
1866
1867
1868
1869
1870
1871
1872
1873
1874
1875
1876
1877
1878
1879
1880
1881
1882
1883
1884
1885
1886
1887
1888
1889
1890
1891
1892
1893
1894
1895
1896
1897
1898
1899
1900

1841
1842
1843
1844
1845
1846
1847
1848
1849
1850
1851
1852
1853
1854
1855
1856
1857
1858
1859
1860
1861
1862
1863
1864
1865
1866
1867
1868
1869
1870
1871
1872
1873
1874
1875
1876
1877
1878
1879
1880
1881
1882
1883
1884
1885
1886
1887
1888
1889
1890
1891
1892
1893
1894
1895
1896
1897
1898
1899
1900

1841
1842
1843
1844
1845
1846
1847
1848
1849
1850
1851
1852
1853
1854
1855
1856
1857
1858
1859
1860
1861
1862
1863
1864
1865
1866
1867
1868
1869
1870
1871
1872
1873
1874
1875
1876
1877
1878
1879
1880
1881
1882
1883
1884
1885
1886
1887
1888
1889
1890
1891
1892
1893
1894
1895
1896
1897
1898
1899
1900