1905-020
Nansemond Co (Suffolk) Chancery Causes: Werter A. Dortch vs Fannie S. Joyner Dortch

Joyner, Pearson

To the Clerk of the Circuit Court of Nansemond County.

Werter A. Dortch,.....Complainant

vs.

Fannie S. Joyner Dortch.....Defendant.

Issue summons to Second Rules (Third Monday) in April, 1908.

W E Rowe P. Q.

Tay $1,50

State of Virginia:
Nansemond County Circuit Court, to-wit:

Second Rules (Third Monday) April, 1908.

Werter A. Dortch,

vs. In Chancery,

Fannie S. Joyner Dortch.

The object of this suit is to obtain an absolute divorce from the said defendant, Fannie S. Joyner Dortch, on the ground of desertion. It appearing by affidavit that the said Fannie S. Joyner Dortch is a non-resident of this State, it is therefore ordered that the said Fannie S. Joyner Dortch appear within fifteen days after due publication of this notice in the Clerk's Office of our said court, and do what is necessary to protect her interest.

S. E. Everett,
Counsel; Teste,
R. R. Smith, clerk.
By A. P. Gomer, D. C.

Fri. Apr. 4-4t.

## Office of SUFFOLK HERALD.

*SUFFOLK, VA.,* May 18 1908

*I hereby certify that the order of which the annexed is a copy has been published in THE SUFFOLK HERALD in the manner prescribed by law---once a week for four successive weeks. beginning* Aprie 3/1908 *and ending* Aprie 24/08.

W. J. Kendrick.

*Editor Herald*

W. J. KENDRICK, President | C. GUY BELL, Business Manager | J. C. HOLLADAY, Sec. and Treas.

Suffolk, Va., May 18 1908.

M. S. E. Everett Counsel

# To SUFFOLK HERALD CORPORATION, Dr.

## NEWSPAPER AND JOB PRINTING

TERMS OF THIS BILL—NET CASH. No. 912 Washington Street Both Phones

Page 24 — Pub. Notice 4 Ts —
Walter A. Dortch vs Joyner Dortch 2 5 0

State of Virginia,

Nansemond County Circuit Court, to-wit:

Second Rules (Third Monday) April, 1908.

Werter A. Dortch,

vs. In Chancery.

Fannie S. Joyner Dortch.

The object of this suit is to obtain an absolute divorce from the said defendant, Fannie S. Joyner Dortch, on the ground of desertion. It appearing by affidavit that the said Fannie S. Joyner Dortch is a non-resident of this State, it is therefore ordered that the said Fannie S. Joyner Dortch appear within fifteen days after due publication of this notice in the Clerk's Office of our said court, and do what is necessary to protect her interest.

Teste, A P Gomer D.C

I A P Gomer Deputy Clerk of the Circuit Court of the County of Nansemond do hereby Certify that the above order of publication was posted at the front door of the Courthouse of Nansemond County on Monday the 3rd day of April 1908, the next Monday before the 1st Saturday in April when the said suit was ordered.

Test: A P Gomer D.C

Chester A. Durick
vs In Chancery
Fannie S Joyner Dorsett

Order of Publication

This is to certify that Fannie S. Joyner Dortch is not a resident of the State of Virginia, but now resides in Halifax County, North Carolina.

Given under my hand this 2nd day of April, 1908.

Werter A Dortch

State of Virginia,

County of Nansemond, to-wit:

Personally appeared before me, the undersigned Notary Public, Werter A Dortch, and made oath to the above statement.

Given under my hand this 2nd day of April, 1908.

H Edwards

Notary Public.

Order of publication issued at Courthouse Door April 2nd 1908.

All Available Text Successfully Captured

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON Fannie S. Joyner Dorch

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 Third Monday in April 1908, to answer a Bill in Chancery, exhibited against her in the said Court by Merton A. Dorch

And have then and there this summons.

Witness, R. R. SMITH, Clerk of our said Court, at his office, this 2nd day of April, 1908, in the 132nd year of the Commonwealth.

A copy—Teste:

_____, CLERK.

Teste:

R. R. Smith, CLERK.

By A. D. Toney, D.C.

S E Everett, p. q.

Werder A Dorlch

vs. } In Chancery.

Fannie Joyner Dorlch

1908---

---April---Rules.

---Third---Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 3

Page 49

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON Fannie S Joyner Dorlch

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 Third Monday in April 1908, to answer a Bill in Chancery, exhibited against her in the said Court by Merle A Dorlch

And have then and there this summons.

Witness, R. R. SMITH, Clerk of our said Court, at his office, this 2nd day of April, 1908, in the 132nd year of the Commonwealth.

A copy—Teste:
R R Smith, CLERK.
By A C Gomey D C

Teste:
R R Smith, CLERK.
By A C Gomey D C

S E Everett, p. q.

A Copy for

vs. } In Chancery.

Fannie S Joyner
Dorch

1908

April Rules.

Third Monday.

Nansemond Circuit Court.

Process Book No. 3

Page 49

The depositions of Werter E. Dortch and others, taken before me, Bradford Kilby, a Commissioner in Chancery for the Circuit Court of Nansemond County in the State of Virginia, ~~pursuant to the annexed hereto annexed~~, at the office of S. E. Everett in Suffolk, Va. on the 18th. day of May 1908, between the hours of 10 A.M. and 6. P.M., to be read as evidence in behalf of Werter E. Dortch in a certain suit in equity depending in the Circuit Court of Nansemond County, Virginia, wherein Fannie S. Joyner Dortch is defendant and Werter E. Dortch is plaintiff.

Present, S.E. Everett, Attorney for the plaintiff.

No Attorney for the defendant.

W. E. Dortch being duly sworn,deposes as follows:

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

A. W. E. Dortch,2I years, Ridgeway,N.C., merchant,yes,I know the parties and am a brother to the plaintiff.

Q. Do they live together,if they do not,please state when they separated and why?

A. No,they do not live together. They were married about ten years ago and they were living at Baskerville in I903 and she left pretty soon after Christmas I903,sometime during the first part of I904.He did not give her any cause to leave. She left on her own accord.

Q. Were you in a position to know whether he gave her any cause to leave him?

A. Yes, I boarded in the house with my brother and clerked for him in the store.

Q. Was Mr. Dortch a good husband and faithful?

A. Yes, He treated her kindly. He was in a position to furnish her comforts and luxuries and did so.

Q. Describe the disposition of the defendant,if you know it.

A. She was of a restless disposition,she did not want to stay at home and did not stay at home. ## She was a reckless sort of character and never seemed to be satisfied at home. She would stay away months at the time.

Q. Has the plaintiff ever tried to get the defendant to come back.?

A. Yes, I have seen letters he has written to her begging her to come back

And further this deponent saith not.

W. E. Dortch

W. A. Dortch being duly sworn, deposes as follows:

Q. What is your name, age, residence, occupation, are you the plaintiff in this suit?

A. W. A. Dortch, 32 years, Suffolk, Va., merchant, I am the plaintiff.

Q. When did your wife leave you last?

A. In January 1904.

Q. Did you give her any cause to leave?

A. No., I did all that I could possibly do for a woman to make life pleasant and agreeable.

Q. Did you ever try to get her back since that time?

A/ Yes, I wrote to her myself and got my friends to write also. The last time I wrote to her I told her that if I did not get a favorable reply, I would take steps to get a divorce.

And further this deponent saith not.

W. A. Dortch

Maud Dortch, being duly sworn,deposes as follows:

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

A. Maud Dortch,22 years,Suffolk, Va.,milliner,I know the parties,the plaintiff is my brother.

Q. Did you know your brother's wife?

A. Yes, I have been knowing her ever since he married her.

Q. What kind of a woman was she?

A. She did not have a very good disposition. She was extravagant, and never ~~sh~~isfied at home.

Q. Did you visit your brother and wife while they lived at Baskerville

A. Yes,

Q. Did they seem to be happy at that time? If not,why?

A. She was not very pleasant at home,and always wanted to be going away.

Q. When did she leave your brother?

A. In January I904.

Q. Did he give her any cause to leave?

A. No, He did every thing in the world he could for her.

Q. Did he ever try to get her to return?

A. Yes,he has written to her several times. I know that he has written to her within the last four months urging her to come back. He got no reply,because I always get the mail and I know therfore.

And further this deponent saith not.

Maude Dortch

Lena C. Person being duly sworn deposes as follows:

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

A. Lena Person, 25 years old, Suffolk, milliner.

Q. Do you know the parties to this suit?

A. I know the plaintiff, but never met his wife.

Q. Do you know whether they live together now or not, if not how long have they been apart?

A. No they d o not live together, and to my knowledge they have been apart about four years, ever since 1904.

Q. Do you know what time of the year did she leave her husband?

A. I am not sure. We lived near there and when I found out that she had left him it was in the year 1904, but I heard that she left the first of the year of 1904.

Q. Do you know why she left?

A. No, I cannot say. About all I know about this case is that they have not lived together in the last four years.

Q. Have you been in a position to know this?

A. Yes, I have.

Q. Do you know whether he gave her any cause to leave him or not?

A. I do not think he did, he made her a good husband. I have been knowing him and I knew his family for years, and I know that he gave her no cause to leave him, and he also was in a position to take care of her, and did give her all that was necessary to make a woman happy.

Q. Is there anything more you wish to say about this?

A. I think he is entitled to a divorse because he has tried to get her to stay with him and she will not, and I think when a woman refuses to stay with her husband that he ought not to be tied to her.

And further this deponent saith not.

Witness: Bradford Kilby. Lena L. Person.

Virginia,

County of Nansemond, to-wit:-

I, Bradford Kilby, a Commissioner in Chancery for the Circuit Court of Nansemond County, Virginia, do hereby certify that the foregoing depositions of Werter E. Dortch, W. A. Dortch and Lena C. Person and Maude Dortch were duly taken, sworn to, and subscribed before me, at the time and place and for the purpose in the caption hereto mentioned.

Given under my hand this 18th. day of May 1908.

Bradford Kilby
Commissioner in Chancery.

Com's fee $5.00

Werter E. Dortch

vs. } In Chancery

Fannie S. J. Dortch

# Depositions

Filed May 18, 1908

A. C. Gomer D.C

In the Circuit Court of Nansemond County.

Werter A. Dortch,

vs.

Fannie S. J. Dortch.

This cause, in which the plaintiff has proceeded against the said Fannie S. J. Dortch in the mode prescribed by law as to absent defendants, and the said Fannie S. J. Dortch still failing to appear and plead, answer or demur, came on this day to be heard on the bill, and depositions taken on the 18th day of May, 1908, before Bradford Kilby, a Commissioner in Chancery, and filed as of said date and was argued by counsel:

On consideration whereof, and it appearing to the court that the said parties were lawfully married, and that the defendant has abandoned the said plaintiff, and a period of more than three years having now elapsed since the said abandonment, and that the said plaintiff has been domiciled in the State of Virginia for more than one year next preceeding the commencement of this suit and is now residing in Nansemond County, the court doth adjudge, order and decree, that the said Werter A. Dortch and Fannie S. J. Dortch be divorced from the bond of matrimony, which was created by the aforesaid marriage, and that the said marriage be, and the same hereby is, dissolved and annulled.

And it is ordered that the said Fannie S. J. Dortch shall pay unto the said Werter A. Dortch his cost by him in this behalf expended, and nothing further remaining to be done in this suit it is further ordered that the same be stricken from the docket.

Werter A. Dortch,

vs.

Fannie S. J. Dortch.

Enter 23rd day of May, 1908.

Edward L. McKinnie

Entered in Chancery Order

Book No. 4, page 249.

NUMBER 512.– MARRIAGE LICENSE AND CERTIFICATE FOR THE USE OF MINISTERS OR J. P's—Put up in Pads.
Printed and for sale at Harrell's Printing House, Weldon, N. C – 6-6-1907-5000

# STATE OF NORTH CAROLINA,

Halifax COUNTY.

Office Register Deeds.

Nov 13 1908

**To any Ordained Minister of any Religious Denomination, or any Justice of the Peace of said County:**

1 _____ having applied to me for a LICENSE for the marriage of 2 W. A. Monlek of 3 Halifax Co age 4 21 years, color, 5 white, the son of 6 _____ and 7 _____ the father now 8 _____ the mother 9 _____ resident of 10 _____ and 11 Fannie Thorp Joyner of 12 Halifax Co age 13 19 years, color 14 white daughter of 15 _____ and 16 _____ the father 17 _____ the mother, 18 _____ resident of 19 _____

*and the written consent of _____ the _____ of the said _____ to the proposed marriage having been filed with me.

And there being no legal impediment to such marriage known to me, you are hereby authorized, at any time within one year from the date hereof, to celebrate the proposed marriage at any place within said County.

You are required, within two months after you shall have celebrated such marriage, to return this license to me at my office with your signature subscribed to the certificate under this license, and with the blanks therein filled according to the facts, under penalty of forfeiting two hundred dollars to the use of any person who shall sue for the same.

Wm M. Ingram

REGISTER OF DEEDS.

1. Name of person applying for license
2. Name of man to be married, in full.
3. Residence
4. Age
5. White or Colored.
6. Father of man to be married,
7. Mother of man to be married.
8. Living or dead
9. Living or dead
10. Residence if known, if not, state unknown.
11. Name of woman to be married, in full.
12. Residence
13. Age.
14. White or Colored.
15. Father's name.
16. Mother's name.
17. Living or dead.
18. Living or dead
19. Residence if known, if not, state unknown

*If both parties are over 18 years of age strike out.

_____ being duly sworn, says: That the parties applying for license are of lawful age, and that, so far as he is informed and believes, there is no lawful causes or impediment forbidding said marriage.

_____

WITNESS: _____

# STATE OF NORTH CAROLINA

Halifax COUNTY.

I, 1 R. T. Vann a 2 Baptist Minister united in matrimony 3 W. A. Monlek and 4 Fannie Thorp Joyner the parties licensed above, on the 14 day of Nov 1897 1908, at 5 Scotland Neck in 6 Scotland Neck Township, in said county, according to law.

WITNESSES PRESENT AT MARRIAGE:

W. M. Gray of Scotland Neck
J. B. Long of Scotland Neck
A. T. Perry of Scotland Neck

R. T. Vann B. Minister

1. Names of person officiating. 2. If Minister, of what denomination. If Justice of the peace, so state. 3. Name of man married.
4. Name of woman married. 5 Place of marriage. 6. Township. At least three persons present at marriage must sign as witnesses.

Attest: a true copy & appears on record in this office.

T. W. Ingram
Reg D Deeds

No 12

W. A. Donick

and

Fanny L. Joyner

# Marriage License.

*Returned on the*_____

*day of*_____ *190*_____

*and registered in New Marriage Register, on page*_____, *this*_____

*190*_____

_____

*Register of Deeds.*

## Return to Register of Deeds.

NOTE.—Minister or Justice is required to fill the blanks in the certificate and return the License within two months after marriage.

In the Circuit Court of Nansemond County, Second Rules (Third Monday) April, 1908.

Werter A. Dortch,

vs. Bill.

Fannie S. Joyner Dortch.

To the Honorable Circuit Court of Nansemond County.

Your complainant, Werter A. Dortch respectfully represents:

(1) That in the year 1897 your complainant was lawfully married in Halifax County, North Carolina, to the defendant Fannie S. Joyner.

(2) That continuously from the date of said marriage for four years your complainant and the said defendant lived together as husband and wife, and for about two years they lived together a very little, and in January, 1904, the defendant deserted your complainant while he was living at ~~Boyton~~ Asburville, Virginia, and has never since lived with your complainant.

(3) Your complainant is a young man and was greatly attached to his wife, but for some unknown reason that the said defendant from time to time grew colder and colder and less affectionate, until finally she was not satisfied in the presence of your complainant, and she was restless and seemed to be discontented. Your complainant has always loved his wife and by her acting as she did did not make him love her less, but he was at all times in sympathy with her and hoped that she would change her conduct, but your complainant now has given up all hope of ever having her to return, as he has repeatedly written letters and she has failed to make any reply.

(4) The defendant is now living in Halifax County, North Carolina.

(5) Your complainant has been domiciled in this state for more than one year next preceding the commencement of this suit, and is domiciled and now resides in said County of Nansemond.

In consideration whereof, and forasmuch as your complainant is remediless in the premises save in a court of equity, your complainant prays that the said Fannie S. Joyner Dortch may be made a party defendant to this bill, and required, but not on oath, to answer the same, the oath being hereby waived; that a divorce from the bond of matrimony which was created by the aforesaid marriage be decreed him, and that your complainant may have all such further and other and general relief in the premises as the nature of his case may require, or to equity shall seem meet.

Walter A. Dortch
Complainant.

H. C. Stevens
Counsel.

State of Virginia,
County of Nansemond, to-wit:

Werter A. Dortch, the complainant named in the foregoing bill, being duly sworn, says that the facts and allegations therein contained are true, except so far as they are therein stated to be on information, and that so far as they are therein stated to be upon information he believes them to be true.

Walter A. Dortch
Complainant.

Taken, sworn to and subscribed before me, S. E. Everett, a Notary Public of and for the county and state aforesaid, in my county aforesaid, this 2nd day of April, 1908.

H. C. Stevens N. P.

Verter A Dortch
vs. Bill

Francis S. Joyner Dortch

S. E. Everett pq

Walter A Dorsch

vs Chancery

Fannie S. J. Dorsch

1908

May 28th

Final Decree

Costs
Clerk 3 65
Jury 1 50
Atty 15 00
$20, 15