

1910-028
Nansemond Co (Suffolk)

Chancery Causes: Peggie A. Amos vs Ollie R. Amos

Ford, Haskins, Cleary

Virginia, In the Clerk's Office of the Circuit Court of
Nansemond County, in Vacation the 19th day of November, 1909.

Peggie A. Amos,

Complainant.

vs.

In Chancery.

Ollie R. Amos,

Defendant.

The object of the above suit is to obtain a divorce
a vinculo from the defendant by the complainant. And it
appearing by affidavit filed according to law that Ollie R.
Amos, the above named defendant, is not a resident of this
state, it is therefore ordered that the said Ollie R. Amos
do appear in the Clerk's Office of our said Circuit Court
and do what is necessary to protect his interest. And it
is further ordered that this order be published once a week for
four (4) successive weeks in the Suffolk Herald, a newspaper
printed in the County of Nansemond, Virginia, no newspaper being
prescribed by our Circuit Court for the publication of such
orders.

Clerk.

Robert W. Withers, p. q.

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prescribed by our Circuit Court for the publication of such
orders.

Robert W. Withers, p. q.

R R Smith Clerk.
By A P Gomer D.C.

A copy Teste:

R R Smith Clerk
By A P Gomer D.C.

Posted Nov 22nd. 1909.

*I, M. M. Watkins, Deputy Clerk of the Circuit Court of Nansemond
County do certify that the above order of publication was posted
at the Courthouse door on Nov 22, 1909 and remained until
Jan 5th 1910.*

M. M. Watkins D.C.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

November 19th, 1909.

Peggie A. Amos - - - - - Complainant.

vs.

Ollie R. Amos - - - - - Defendant.

A F F I D A V I T .

VIRGINIA, NANSEMOND COUNTY, to-wit:

This day Peggie A. Amos, the above named plaintiff, personally appeared before me, Robert W. Withers, a Commissioner in Chancery for the Circuit Court of Nansemond County, Virginia, in my county aforesaid, and made oath that Ollie R. Amos, the above named defendant, is not a resident of this state.

Given under my hand this 19 day of Nov, 1909.

Robert W. Withers

Commissioner in Chancery.

Affidavit

I, _____, of the County of _____, State of _____, do hereby certify that

_____ is a resident of the County of _____, State of _____, and is a member of the _____

_____ of the County of _____, State of _____, and is a member of the _____

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VIRGINIA, In the Clerks Office of the
Circuit Court of Nansemond County,
in Vacation the 19th day of November,
1909.

Peggie A. Amos,	Complainant.
vs.	In Chancery.
Ollie R. Amos,	Defendant.

The object of the above suit is to obtain a divorce a. vinculo from the defendant by the complainant. And it appearing by affidavit filed according to law that Ollie R. Amos, the above named defendant, is not a resident of this state, it is therefore ordered that the said Ollie R. Amos do appear in the Clerk's Office of our said Circuit Court and do what is necessary to protect his interest. And it is further ordered that this order be published once a week for four (4) successive weeks in the Suffolk Herald, a newspaper printed in the County of Nansemond, Virginia. no newspaper being prescribed by our Circuit Court for the publication of such orders.

R. R. SMITH, Clerk.

By A. P. GOMER, D. C.

ROBERT W. WITHERS, p. q.

A Copy Teste:

R. R. SMITH, Clerk.

By A. P. GOMER, D. C.

VIRGINIA, IN THE CLERK'S OFFICE OF THE CIRCUIT COURT
OF NANSEMOND COUNTY, IN VACATION THE 19th DAY OF
November, 1909.

Peggie A. Amos - - - - - Complainant.

vs.

In Chancery.

Ollie R. Amos - - - - - Defendant.

The object of the above suit is to obtain a divorce
a vinculo from the defendant by the complainant. And it
appearing by affidavit filed according to law that Ollie R.
Amos, the above named defendant, is not a resident of this
state, it is therefore ordered that the said Ollie R. Amos
do appear within fifteen (15) days after due publication of
this order in the Clerk's Office of our said Circuit Court
and do what is necessary to protect his interest. And it
is further ordered that this order be published once a week
for four (4) successive weeks in the Suffolk Herald, a news-
paper printed in the County of Nansemond, Virginia, no news-
paper being prescribed by our Circuit Court for the publi-
cation of such orders.

R R Smut

By A. P. Gomez Clerk.
D.C.

Robert W. Withers, p. q.

*A copy Pasted at
Court house door*

VIRGINIA, In the Clerks Office of the
Circuit Court of Nansemond County,
in Vacation the 19th day of November,
1909.

Peggie A. Amos, Complainant.

vs.

In Chancery.

Ollie R. Amos,

Defendant.

The object of the above suit is to obtain a divorce a vinculo from the defendant by the complainant. And it appearing by affidavit filed according to law that Ollie R. Amos, the above named defendant, is not a resident of this state, it is therefore ordered that the said Ollie R. Amos do appear in the Clerk's Office of our said Circuit Court and do what is necessary to protect his interest. And it is further ordered that this order be published once a week for four (4) successive weeks in the Suffolk Herald, a newspaper printed in the County of Nansemond, Virginia. no newspaper being prescribed by our Circuit Court for the publication of such orders.

R. R. SMITH, Clerk.

By A. P. GOMER, D. C.

ROBERT W. WITHERS, p. q.

A Copy Teste:

R. R. SMITH, Clerk.

By A. P. GOMER, D. C.

Nov. 20. E. Sat 4ts.

Office of SUFFOLK HERALD.

SUFFOLK, VA., *Dec 21*-----190*9*---

I hereby certify that the order of which the annexed is a
copy has been published in THE SUFFOLK^{EVENING}*HERALD in the*
manner prescribed by law---once a week for four successive weeks.
beginning *November 20/1909*-----*and ending*
Dec. 11/09-----

W. J. Kendrick-----
Editor Herald

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

November 19th, 1909.

Peggie A. Amos - - - - - Complainant.

vs.

Ollie R. Amos - - - - - Defendant.

M E M O R A N D U M .

The Clerk will issue an order of publication upon the enclosed affidavit of non -residency of the Defendant requiring him to appear and defend his interest against a chancery suit for divorce a vinculo.

Wm. H. H. H. H.

p. q.

Tax \$1.50 Paid

Writ Tax 1.50 Paid

Memorandum

THE COLLEGE OF THE DAUGHTERS OF ARTISTON.

Depositions.

The depositions of William Ford, Mourning Haskins, Malinda Cleary and Peggie Anos taken before me, Bradford Kilby, a Commissioner in Chancery for the circuit court of Nansemond County, on an order of publication, at the office of Robert W. Withers in the town of Suffolk on the 5th day of January 1910 between the hours of nine o'clock A. M. and six o'clock P. M. to be read in evidence in behalf of the plaintiff in a certain suit depending in the circuit court of Nansemond County, wherein Peggie Anos is plaintiff and Ollie R. Anos is defendant.

Present, Robert W. Withers, Counsel for plaintiff.

No counsel for defendant.

William Ford being duly sworn deposeth and saith as follows:

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

A. William Ford Age 24 twenty-four, residence, East Suffolk, occupation, barrell-making. I know the parties to the suit.

Q. Where did you live at the time Peggie and Ollie Anos lived together as husband and wife.

A. In East Suffolk, next door to them.

Q. About how long did they live together.

A. About eleven months.

Q. Why are they not now living together?

A. Because he left her.

Q. Did he leave her or she leave him.

A. He left her.

Q. How long ago has this been.

A/ That has been some over three years.

Q. Do you know whether he has supported her since he left her?

A. I don't think he has because he hasn't been here.

Q. Do you know of any cause she gave him for leaving her.

(2)

A. No sir, I do not.

Further than this the deponent saith not.

William Ford

Mourning Haskins being duly sworn deposeth as follows:

Q. What relation, if any, are you to either of these parties?

A. I am Peggie Anos' aunt.

Q. How close did you live to them while they lived together?

A. Next door.

Q. About when were they married?

A. In May, 1904.

Q. When did he leave her?

A. He left her in April of the following year.

Q. Did he leave her or she leave him.

A. He left her.

Q. Did she continue to live in the same house?

A. Yes Sir.

Q. Has he been back since?

A. No Sir.

Q. Has he supported her during the past four years?

A. No Sir.

Q. Are there any children by this marriage?

A. No Sir.

Q. Were they married in this county and did they last live together in this county?

A. Yes Sir.

Q. Did she give him any cause for leaving her?

A. No sir not that I know of.

Further than this the deponent saith not.

*Mourning ^{her} Haskins
mark*

Witness:

Bradford Kilby

Malinda Clear being duly sworn deposeth as follows:

Q. How close did you live to these people while they lived together?

A. Lived third door.

Q. Did she leave him or did he leave her?

A. He left her.

Q. Did she give him any cause for leaving her?

A. Not that I know of.

Q. Has he been gone more than three years?

A. Yes sir.

Q. Where did they live together?

A. In East Suffolk.

Q. Do you know where he went to?

A. No sir.

Further than this the deponent saith not.

Witness:

Bradford Kilby.

Malinda ^{her} Clear
mark

Peggie A? Amos being duly sworn deposeth as follows:

Q. You are the plaintiff in this suit, are you?

A. Yes sir.

Q. When were you married to Ollie Amos?

A. 1904 in May.

Q. How long did you live together?

A. Eleven months.

Q. In what county were you married?

A. Nansemond.

Q. In what county did you live together?

A. Nansemond.

Q. In what county do you now live?

A. Nansemond.

Q. Have you continued to live here ever since you were married?

A. Yes sir.

Q. Do you know where Ollie Amos is now?

A. No sir.

(4)

Q. Did you give him any cause for leaving you?

A. No sir.

Q. Has he supported you since he left?

A. No sir.

Q. Has he sent you anything at all?

A. No sir.

Q. He has not been back to live with you since April 1905 has he?

A. No sir.

Further than this the deponent saith not.

Peggie Amos

I, Bradford Kilby, a Commissioner in Chancery for the circuit court of Nansemond county, in the State of Virginia, do hereby certify that the foregoing depositions of William Ford, Mourning Haskins, Malinda Cleary and Peggie Amos were duly taken, sworn to and subscribed before me at the place and time mentioned therein and in the caption thereto. In witness whereof I have hereto set my hand on this 5th day of January 1910, at the Town of Suffolk aforesaid.

Bradford Kilby
Commissioner in Chancery

Comrs fee \$5.00

Depositions
Amos. v. Amos

Filed Jan 15/10 -
M. M. Watkins S.C.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

JANUARY TERM 1910.

Peggie A. Amos -----Complainant.

vs.

Ollie R. Amos -----Defendant.

FINAL DECREE.

This cause came on this day to be heard on the bill of the complainant, the depositions of witnesses taken before Bradford Kilby, a commissioner in chancery of this court; **proof** of legal publication of proper process against the defendant in the mode prescribed by law, ^{against nonresident defendant} who has failed and still fails to appear, plead, answer or demur to said bill, and was argued by counsel.

On consideration whereof, and it appearing to the court independently of the admissions of either party in the pleadings or otherwise, that the said parties were lawfully married in this county in May, 1904 and last cohabited here, where the complainant now resides, and that in April, 1905 the said defendant, without just cause, wilfully deserted and abandoned the complainant and has so continued for more than three years before the institution of this suit; the court doth adjudge, order and decree that the said Peggie Amos and the said Ollie R. Amos be divorced from the bond of matrimony which was created by the aforesaid marriage, and that the said marriage be, and the same is, hereby dissolved and annulled; and it is ordered that the said Ollie R. Amos pay to the complainant her costs by her in this behalf expended. And nothing further remaining to be done in this cause, it is ordered stricken from the docket.

Peggie A. Amos

vs.

Ollie R. Amos.

FINAL DECREE.

Enter, January ^{28th} ~~1st~~ 1910.

f

Wm. E. Moore
Judge.

Entered in Chancery Order
Book No. 4. Page 898.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

FIRST December Rules 1909.

Peggie A. Amos -----Complainant.

vs.

Ollie R. Amos-----Defendant.

BILL.

TO THE HONOR BLE JAMES L. McLEMORE, JUDGE.

Your complainant, Peggie A. Amos, respectfully represents:-

(1) That on the 24th day of May 1906, your complainant was lawfully married in the County of Nansemond, in the State of Virginia, to the defendant, Ollie R. Amos.

(2) That continuously from the date of said marriage until the -----day of-----1905 your complainant and the said Ollie R. Amos lived together as husband and wife in Nansemond County, Virginia.

(3) That the said Ollie R. Amos has wilfully deserted and abandoned your complainant for a period of more than three (3) years: that is to say, on the -----day of -----1905 the said Ollie R. Amos did voluntarily, wilfully and without any justification whatsoever leave his home in the County of Nansemond, where he and the complainant then lived; that your complainant has not seen him since that day, except at a distance, nor does she know where he now resides, except she has heard that he lives in New York City, N. Y.

(4) That your complainant has resided and has been domiciled in this state and in this county ever since the marriage aforesaid, and for more than one year next preceding the commencement of this suit, and is domiciled and now resides in this county and state.

(2)

(5) That your complainant last co-habited with the said Ollie R. Amos in Nansemond County, Suffolk, Virginia.

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 Ollie R. Amos 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 proper process may be issued; that a divorce from the bond of matrimony which was created by the aforesaid marriage may be decreed her; and that your complainant may have all such further, and other, and general relief in the premises as the nature of her case may require, or to equity shall seem meet.

Peggie A Amos

Complainant.

Levt. W. Shivers

Counsel.

Peggie A. Amos

Complainant

vs.

Ollie R. Amos

Defendant.

Bill.

*Filed Dec 6th 1909 -
M. W. Withers D.C.*

ROBT. W. WITHERS,

ATTORNEY AT LAW.

SUFFOLK, VA.

PRACTICING IN ALL COURTS IN
FIRST JUDICIAL CIRCUIT.

JEWELL & COMPANY, PHILADELPHIA.

Peggie A. Amos
vs

Ellie R. Amos

1909 - Nov. 19 - Affidavit & order of Publication

1909 - Dec. 6 - Bill filed & Decree nisi

1909 - Dec. 20 - Decree nisi confirmed & set
for hearing on order of Publication

Notes

R W Withers pg.

Peggie A Amos
25 } Chancery
Allie R Amos.

1900 Jan 28. Final Decree

Costs:

Clerk	4.54
Tax	1.50
Atty	15.00
Commissioner	5.00
	\$26.04

Printer -