

1927-007
Nansemond Co (Suffolk) Chancery Causes: Clemetine Cross Wilson vs Elton Wilson

Cross

Virginia

In THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND

Clemetine Cross Wilson, Complainant. *

Vs. *

Elton Wilson, Defendant. *

MEMORANDUM

To

The Clerk of the above mention Court:
Please issue summons, in the above style cause, returnable
to Rules, ~~First~~ Monday, in ~~December~~ January 1927.

John H. Fulcher
Attorney for Clemetine Cross Wilson

\$10.00 Deposit Rec'd

Rule Notes:

Dec. 8, 1926-Process issued returnable to January 1927 Rules, First Monday

The Commonwealth of Virginia,

Sergeant of the City of Richmond
To the ~~Sheriff of the County of~~ _____, Greeting:

WE COMMAND YOU, That you summon **Elton Wilson**

to appear at the Clerk's office of the **Circuit** Court of the **County of Nansemond**
at the rules to be held for the said Court on the **First** Monday in **January**, 19**27**,
to answer a bill in chancery, exhibited against **him** in our said Court by
Clemetine Cross Wilson

And have then there this writ. Witness **G. E. Bunting**, Clerk of our said
Court, at the court-house, the **8th** day of **December**, 19**26**, and in the
151st year of the Commonwealth.

G. E. Bunting
Clerk

Executed in the City of Richmond, Va Dec 13th 1926
by delivering a true & copy of within summon to
Major Rice M. G. of The Virginia State
Penitentiary in person

John. L. Saunders
Sergeant

By J. H. Floyd
Deputy Sergeant

ORIGINAL

No. 300

Clemetine Cross Wilson

vs.

SUBPOENA IN CHANCERY

Elton Wilson

John H. Fulcher p. q.

To January 1927 Rules,
First Monday

Nansemond County Circuit Court.

Affidavit.

Commonwealth of Virginia, City of Suffolk, to wit:

This day, in the City of Suffolk, W.H. Crocker (witness
in the case of Clemetine Cross Wilson, VS. Elton Wilson)
personally appeared before me, W. H. Crocker
notary public of and for the city aforesaid, in the State
of Virginia, and made oath that he personally knew both
Clemetine Cross Wilson and Elton Wilson during the time
they were living together as man and wife for four years
or more and that the same man Elton Wilson was convicted
on the 12th. day of October 1923, in the Nansemond County
Circuit Court of the state of Virginia, for murder.

Sign W. H. Crocker

Subscribed and sworn to before me this 11th day of February
1927. In testimony whereof I have hereunto set my hand the
day, month and year aforesaid.

W. H. Crocker Notary Public.

My commission expires Dec 17-1929

Exhibit A

(Seal of Court
here superim-
posed on an
adhesive wafer)

Marriage License

Virginia City of Norfolk 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,

Elton Wilson and Clementine Cross

Given under my hand, as Clerk of Corporation Court of Norfolk County
(or City) this 25th day of November, 1918
M. F. Blamire Dy, Clerk

Marriage Certificate

To be annexed to the License, required by Section 5074 of the Code of Virginia, 1919.

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

Date of Marriage Nov 25, 1918 Place of Marriage Norfolk, Va.

(FULL NAMES OF PARTIES)

Elton Wilson and Clementine Cross

Age of Husband 16 years; Condition (single, widowed or divorced) Single

Age of Wife 16 years; Condition (single, widowed or divorced) Single

Race (White or Colored) Col

Husband's Place of Birth Whaleyville, Va. (PRESENT) Mailing Address Whaleyville, Va.

Wife's Place of Birth Whaleyville, Va. Mailing Address Norfolk, Va.

Names of Husband Henry and Ella Wilson

Parents Wife William and Lucy Cross

Occupation of Husband Laborer

Given under my hand this 25th day of November, 1918.

M. F. Blamire Dy, Clerk.

Certificate of Time and Place of Marriage

I, Rev. A. O. Bell, a pastor of the First Baptist Church, or religious order of that name, do certify that on the 25 day of November, 1918, at Norfolk, 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 Lynchburg, State of Virginia.

Given under my hand this 25th day of November, 1918

A Copy Teste: W. L. Prieur Jr., Clerk

Rev. A. O. Bell

By W. L. Prieur Jr., D.C.

(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, 1919).

Certificate of Person Performing Marriage Ceremony

To be detached and delivered to the parties married.

I, _____, a _____ of the _____ Church, or religious order of that name, do certify that on the _____ day of _____, 19____, at _____, Virginia, under authority of a license issued by _____, Clerk of _____ Court of _____ County (or City), State of Virginia, dated the _____ day of _____, 19____, I joined together in the Holy State of Matrimony _____, husband, and _____, his wife.

Given under my hand this _____ day of _____, 19____.

(Person who performs ceremony sign here.)

County (or City).....

.....
Husband
and { Marriage License

.....
Wife

Date of Issue

Marriage Register No.....Page.....

Virginia:

At a Circuit Court continued and held for the County of Hansemond, at the Courthouse thereof, in the City of Suffolk, on Friday the 12th day of October, 1923.

Present: Hon. James L. McLemore, Judge.

Commonwealth

v. Upon an indictment for murder.

Elton Wilson.

This day came the attorney for the Commonwealth and the prisoner Elton Wilson, who stands indicted for the murder of Clyde Hughes, was led to the bar in custody of the jailor of this Court, and being arraigned, plead not guilty to the indictment, and from a list furnished the Sheriff of this County by the Clerk of this Court, a panel of twenty jurors free from all exceptions was completed, and from said panel the accused struck four and the Attorney for the Commonwealth struck four and the remaining twelve constituted the jury for the trial of the case, to-wit:

B.F. Ames, J.W. Johnson, G.C. Bradshaw, R.W. Nelms, M.J. March, R.E. Haslett, J.P. Byrd, H.W. Williams, J.L. Horton, T.M. Harrell, J.S. Williams, C.E. Howell, who being duly sworn the truth to speak of and the upon the premises to speak, and having heard the evidence and argument of counsel, retired to their room to consider of their verdict, and after some time returned into Court with the following verdict, "We the jury find the prisoner guilty of murder of second degree and fix his punishment at 20 years in penitentiary"

And thereupon it being demanded of the prisoner if anything he had or knew to say why the Court should not proceed to pronounce judgment, and nothing being offered or alleged in delay of judgment, it is considered by the Court that the said Elton Wilson, be confined in the Penitentiary of this State for the period ascertained by the said jury, and the prisoner is remanded to jail.

at this copy: Fred. H. B. Smith, Clerk

Virginia:

In the Circuit Court of the County of Nansemond
on the _____ day of February 1927.

Clemetine Cross Wilson, Complainant.

Vs.

DECREE.

Elton Wilson, Defendant.

This cause in which the defendant has been duly
Preceeded against, in the mode prescribed by law, and he
failing to appear and plead, answer or demur, ^{came} ~~comes~~ on this
day to be heard upon the ~~the~~ complainant's bill and Exhibits
filled therewith and was ~~argued~~ ^{argued} by counsel .

Upon consideration whereof and it appearing to the
Court independ^{ently} of admissions of either party in the plead-
ings or otherwise, that the said parties were lawfully marri-
ed on the 25th. day of November 1918; and that on the 12th
day of October 1923, the said defendant was convicted
^{of murder} for a crime in the Nansemond County Circuit Court of the
state of Virginia and sentenced to 20 years in the Virginia
penitentiary and is now incarcerated in said prison by
virture of the conviction and sentence aforesaid , and that
the said complainant has resided and has been domiciled in
this state for a period of more than one year next preceeding
ing the commencement of this suit and that the said complain^{ant}
nant has not cohabited with the said defendant since the
conviction and sentenced aforesaid; The Court doth adjudge,
order and decree that the said complainant Clemetine Cross
Wilson and Elton Wilson be divorced a Vinculo Matrimonii
and that bond of matrimonii which was ^{hereby created} by the aforesaid be
and hereby ~~is~~ dissolved and annulled, and that the said
Clemetine Cross Wilson be permitted to assume her maiden
name of which ~~was~~ Clemetine Cross. Nothing futher, ^{remaining} to be
done in this cause, the same is order~~ed~~ ^{ed} stricken from the
docket.

Judge

Enter Febry 12. 1924

Jack W. Benson

Book #6

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VIRGINIA

IN THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND:

Clemetine Cross Wilson, Complainant

Vs.

Bill

Elton Wilson, Defendant.

In Chancery.

To the Honorable James L. McLemore, Judge.

Your complainant, Clemetine Cross Wilson; respectfully represents: (1) That on the 25th. day of November 1918, your complainant whose maiden name was Clemetine Cross was lawfully married to Elton Wilson, at Norfolk, Virginia, as will appear from a certificate of marriage herewith filed, marked "Exhibit A, and made a part of this bill and (2) That on the 12th. day of October 1923, in the Nansemond County Circuit Court, the said Elton Wilson was sentenced to confinement in the penitentiary, as will appear from the certified copy from the order book of the said court herewith filed, marked, "Exhibit B," and made a part of this bill; and.

(3) That both your complainant and the said Elton Wilson have resided and have been domiciled in this state every since the aforesaid marriage, and for more than one year next preceeding the commencement of this suit, and are now domiciled and reside in this state.

(4) That your complainant last cohabited with the said Elton Wilson at whaleyville, in the County of Nansemond, Virginia, In consideration whereof and forasmuch as your complainant is remediless in the premises save in a court Chancery your complainant prays that the said Elton Wilson may be made a party defendant to this bill, and required

but not on oath to answer the same, the oath being hereby

waived.
J.H. Fulcher
J.H. Fulcher, Counsel.

Clemetine Cross Wilson
Clemetine Cross Wilson, Complainant.

Bier

Bier

CIRCUIT COURT

SECOND MONDAY IN JANUARY, MAY,
JULY, AND OCTOBER

HON. JAMES L. MCLEMORE, JUDGE
GEO. E. BUNTING, CLERK
S. E. EVERETT, COMMONWEALTHS' ATT'Y.
E. B. RAWLES, SHERIFF
C. R. FULGHAM, COUNTY TREASURER
LEE BRITT, COMMISSIONER OF ACCOUNTS

Nansemond County Clerk's Office

SUFFOLK, VA.

Rule Notes.

*12-8-26, Process issued returnable to Jan.
Rule, 1st Monday, 1927-*

*Jan. 1st Monday, 1927, Process returnable
Executed, Bill filed & decree nisi,*

*Jan. Rule, 31st Monday, 1927, decree nisi
confirmed*