1927-011
Nansemond Co (Suffolk) Chancery Causes: Ida M. Hart Flood vs Jason Flood

Hart, Hawkins, Mitchell

THE SUFFOLK NEWS

Full Leased Wire of the Associated Press

Published Every Afternoon Except Sunday By
THE SUFFOLK NEWS CO., Inc.

PARKER R. ANDERSON
General Manager

Only Daily Newspaper Published
In Nansemond County

SUFFOLK, VA., Oct. 3, 1927.

This is to certify that the attached order of publication in the suit of Ida M. Hart Flood against Jason Flood was published once a week for four successive weeks in THE SUFFOLK NEWS, namely April 16,23,30, and May 6, 1927.

THE SUFFOLK NEWS CO. INC.,
BY P R Anderson
General Manager.

IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND, ON THE 15TH DAY OF MARCH, 1927.

Ida M. Hart Flood.....Plaintiff
against
Jason Flood .....Defendant

The object of this suit is for the complainant to obtain from the defendant a divorce a vinculo matrimoni on the grounds of desertion. And an affidavit having been made and filed that the defendant, Jason Flood, is not resident of the State of Virginia, it is ordered that he do appear within ten days after due publication hereof, and do what may be necessary to protect his interest in this suit. And it is further ordered that a copy hereof be published once a week for four successive weeks in the Suffolk News, a newspaper published in the city of Suffolk, and that a copy be posted at the front door of the Courthouse of this county on or before the 21st day of March, 1927, that being the next succeeding Rule day after this order was entered, and that a copy be mailed to the last known address of said defendant.

A true copy—Teste:
G. E. BUNTING, Clerk.

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Nansemond.

Ida M. Hart Flood ..... Pltff.
vs.
Jason Flood ..... Df't
} In Chancery

I hereby certify that on the 15th day of March 1937 I posted a copy of the order of publication entered herein, at the front door of the Courthouse of the County of Nansemond; that being on or before the next succeeding rule day after said order was entered, and I further certify that I have mailed a copy of same to the last known address of the defendant, Severn, N. C.

Given under my hand this 15th day of March 1937

G. E. Bunting, Clerk.

By ....., Deputy Clerk.

VIRGINIA

IN THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND:

****

Ida M. Hart Flood, Complainant.

VS.

Jason Flood, Defendant.

****

A F F I D A V I T.

State of Virginia,

City of Suffolk, to-wit:

This day personnally appeared before me Ida M. Hart Flood, and made oath that in a Chancery Suit, now pending in the Circuit Court of the ~~City of Suffolk~~ County of Nansemond, in the state of Virginia, wherein Jason Flood is defendant and Ida M. Hart Flood is complainant, the said defendant is not a resident of the State of Virginia, that the last known a address of the defendant or his post office being, Severn, North Carolina.

Ida M Hart Flood

Sworn to and subscribed before me this the 14 day of March, 1927.

Notary Public.

my commission expires Dec 17th 1929

Affidavit.

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 300. Code 1919, Sec. 6061

The Commonwealth of Virginia,

To the Sheriff of the County of Nansemond, *Greeting:*

WE COMMAND YOU, That you summon Jason Flood

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 Third Monday in March, 19 27, to answer a bill in chancery, exhibited against him in our said Court by Ida M. Hart Flood

And have then there this writ. Witness G.E.Bunting, Clerk of our said Court, at the court-house, the 15th day of March, 1927, and in the 151st year of the Commonwealth.

G. E. Bunting, Clerk

ORIGINAL
No. 300

Not found in the County of
Nansemond

E B Rawles ---------- Sheriff

March 15 ---1927

Ida M. Hart Flood

vs. } SUBPOENA IN CHANCERY

Jason Flood

John H. Fulcher, *p. q.*

To 3rd Monday, March 1927 *Rules,*
Nansemond County *Circuit Court.*

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G. E. Bunting, Clerk

A true Copy. Teste: G. E. Bunting, Clerk

No. 300 for

James Boyd

vs. } SUBPOENA IN CHANCERY

p. q.

To *Rules,*

Circuit Court.

"Exhibit A."

MARRIAGE LICENSE

Virginia Southampton County *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,

Jason Flood *and* Ida M. Hart

Given under my hand, as Clerk of Circuit *Court of* Southampton *County (or City) this* 6" *day of* June, *19*21.

H. B. McLemore, *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* Southampton

Date of Marriage 1921 June 8" Place of Marriage Southampton Co.

FULL NAMES OF PARTIES.

Jason Flood *and* Ida M. Hart

Age of Husband 35 years; Condition (single, widowed or divorced) Single

Age of Wife 25 years; Condition (single, widowed or divorced) Single

Race (White or Colored) Col.

Husband's Place of Birth North Carolina. (PRESENT) Mailing Address Boykins, Va.

Wife's Place of Birth Southampton Co. Mailing Address Boykins, Va.

Names of Parents { Husband -------- -------- and ----------

Wife Thomas Hart and Robert Hart

Occupation of Husband Laborer

Given under my hand this 6" day of June, 19 21

H. B. McLemore, *Clerk.*

Certificate of Time and Place of Marriage

I, H. Clements, a Minister of the Baptist Church, or religious order of that name, do certify that on the 12" day of June, 19 21, at Boykins, 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 Southampton, State of Virginia.

Given under my hand this 12" day of June, 19 21.

A Copy Teste: H B McLemore Clerk

H. Clements

(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).

"Exhibit A"

County (or City) Southampton

Jason Flood
Husband

and { **Marriage License**

Ida M. Hart
Wife

Date of Issue 1921 June 6th

Marriage Register No. ..... *Page* 332

The depositions of Ida M.Hart Flood ,Nora Hawkins, and Irvin Mitchell, taken before me Estelle Pierce, a Notary Public in and for the City of Suffolk, Virginia, pursuant to an order of publication, at the office of J.H.Fulcher, room 2, Crocker Building, 333 E. Washington street, Suffolk, Virginia on April 18, 1927 to be read as evidence on the behalf of Ida M. Hart Flood, the Complainant in the above styled cause now pending in the Circuit Court of Nansemond County, Virginia.

Present:

J.H.Fulcher, Counsel
for Complainant.

No other appearance.

(1)

Ida M. Hart Flood

Ida M. Hart Flood, complainant , being first duly sworn, testified as follows:

Q. Please state your name,age, address,and occupation ?

A. Ida Mae Hart Flood, age is 27 years, my address is Saratoga Nansemond County, , Virginia, I am alabor.

Q. Are you the complainant in the suit now pending in the Circuit Court of Nansemond County, styled as Ida M. Hart Flood against Jason Flood?

A. Yes.

Q. What relation is Jason Flood to you?

A. He is my husband.

Q. When and where were you married?

A. Married on the 8th of June 1921 in Southamption,County, Virginia, by Rev H. Clement.

Q. I am handing you this paper marked exhibit A, read it and please state what it is?

A. This is a copy of my marriage license.

Q. Are you and your husband living together now?

A. No.

Q. Which one left the other?

A. He left me.

Q. When did he leave you and where did he go?

A. He left me on or about the first day of November 1921 I do not know where he went.

Q. Where were you living when he left you ?

A. I was living in Severn, North Carolina.

Q. Did you give him any cause to leave you?

A. No none whatever.

Q. When he deserted you what did he do?

A. He sold all the furniture what he did not give away and and did not leave me any money, I was also left out doors.

Q. Have you tryed to get him to come back and live with you Since his desertion?

A. Yes I have.

Q. What did he say?

A. He said that he was through with me and did not want to live with me anymore.

(2)

Q. Do you have any children?

A. No I have not.

Q. What kind of husband did he make you when youm were living together?

A. He would not work and did not give me any support whatever, he also was a great one for keeping company with other women.

Q. What did he tell you when he left you?

A. That he was tired of me and that I would have to get out and look out for myself.

Q. You lived together within the last three year next to instituting of this suit?

A. No we have not.

Q. Are you an actual bone fide resident of the County of Nansemond and have you actually lived and resided in that County for a period of moretham one year next before the bringing of this suit?

A. Yes I have.

Q. Do you ever expect to live with your husband, Jason Flood again?

A. No sir, I do not.

Further the deponent sayeth not.

Ida M. Hart Flood.

(3)

Cora Hawkins.

Cora Hawkins, a witness, being first duly sworn testified on behalf of the complainant as follows:

Q. Please state your name, address, age and occupation ?

A. My name is Cora Hawkins, age 55 years old, my address is Fourth street,Saratoga, Nansemond County, I am a housewife.

Q. Do you know the parties to this suit, Ida M. Hart Flood and Jason Flood ?

A. Yes I do.

Q. What relation is Ida M. Hart Flood to Jason Flood ?

A. They are husband and wife.

Q. Are they now living together ?

A. No they are not.

Q. Which one left the other ?

A. He left her.

Q. What kind of husband was he ?

A. He was not any good because he would not work and he was to crazy over other women.

Q. Why did he leave her ?

A. He said he got tired of her.

Q. Did he support her ?

A. I should say he did not.

Q. Did you know him before he married Ida ?

A. Yes I did.

Q. How long have you been knowing Ida ?

A. About all of her life.

Q. What kind of wife did she make ?

A. A good one because she has always been a working girl.

Q. Are they now living together ?

A. No .

Q. Where is Jason Flood now?

A. I do not know.

Further the deponent sayeth not.

Mrs Cora Hawkins

(4)

A F F I D A V I T.

STATE OF VIRGINIA,

CITY OF SUFFOLK, to wit

This day in the city of Suffolk, Lillie Hart of Suffolk, Virginia, (witness in the case of Ida M. Hart Flood, Vs. Jason Flood, now pending in the Nansemond Circuit Court) personally appeared before me, Estelle Pierce, a Notary Public of and for the city aforesaid, in the state of Virginia and made oath that she personally knows that Ida M. Hart Flood, has made repeated efforts to bring about a reunion of their marriage relations and that she has also talked with Jason Flood the husband of Ida Flood concerning them going back together and living as man man and wife, and that Jason said that he did not want an y wife and he would never live with Ida again.

Lillie Hart.

Subscribed and sworn to before me this 30 day of Mar, , 1927, in testimony whereof I have hereunto set my hand the day, month and year aforesaid.

Estelle Pierce
Notary Public.

My commission expires on the 17th day of December 1929.

(3)

LILLIE HART, a witness in the case of Flood v Flood, being recalled, first being duly sworn, testified as follows:

Q. Lillie where do you live?

A. I live in Saratoga, Nansemond County, Virginia.

Q. What relation is Ida Hart Flood to you?

A. She is my sister.

Q. Does she live with you?

A. I am not married, Ida lives with my mother and I live with my mother.

Q. Ida is married is she not?

A. Yes sir.

Q. How long has she been living with you all since she has been married?

A. Since her husband left her, in Severn.

Q. When did her husband leave her?

A. Her husband left her about the first of November 1921.

Q. Did you know Ida's Husband ?

A. Yes sir, I knew him before he married Ida and I lived with them after they were married, and I was there a short time after he left his home.

Further the deponent sayth not.

Lillie Hart.

Irvin Mitchell.

Irvin Mitchell, a witness in the case of Flood v Flood, being recalled, first being duly sworn, testified as follows:

Q. Please state your name,age, address and occupation?

A. My name is Irvin Mitchell age 35 years old, address is Boat street , Suffolk Virginia, I am alabor.

Q. Are you married or single?

A. I am married.

Q. Do you know the parties in this suit, Ida and Jason Flood?

A.. Yes I do.

Q. What relation is Ida M.Hart Flood to Jason Flood?

A. They are husband and wife.

Q. Are they now living together?

A. No they are not.

Q. Where were they living when they were together doyou know?

A. Yes,they were living in Severn North Carolina.

Q. What opportunity if any did you have to observe them in their marriage life?

A. We were friends, and I use to visit them very often.

Q. What kind of husband did he make?

A. I would say a poor husband, because he would not work and he liked to many other women.

Q. Which one left the other?

A. He left her.

Q. Why did he leave her do you know?

A. He said he was tired of living with her and he wanted some one else.

Q. Did he say this to you?

A. Yes he told me that.

Q. What kind of wife did she make,him?

A. A good wife.

Q. Did she give him any cause to leave her?

A. I do not think so.

Q. Where is Ida Now living?

A. In Saragota Nansemond County, Virginia.

Irvin Mitchell, Continued.

Q. How long has she been living there, do you know?

A. She has been living there since her husband left her or just about all of that time.

Q. When did her husband leave her, do you know?

A. He left her about the first of November or about the last of October, 1921.

Q. Have you seen Jason since he left, his wife?

A. Yes I have and talked with him about his wife?

Q. What did he tell you about his wife?

A. He told me he would never live with Ida again and he never wanted her anyway.

Futher the deponent sayth not.

Irvin Mitchell.

STATE OF VIRGINIA,

CITY OF SUFFOLK, to wit:

I Estelle Pierce, a Notary Public in and for the City of Suffolk, in the State of Virginia do certify that the foregoing depositions of Ida M. Hart Flood, Nora Hawkins and Irvin Mitchell were duly taken, sworn and subscribed to before me at the time and place and for the purpose in the caption mentioned.

My commission expires on the 17th day of December, 1929. Given under my hand this 18 day of April, 1927.

Estelle Pierce

Notary Public.

Ida M. Hart Flood

Vs.

Jason Flood

DEPOSITIONS.

HAMPTON ROADS PAPER CO., NORFOLK

VIRGINIA

IN THE CIRCUIT COURT OF NANSEMOND COUNTY:

Ida M. Hart Flood, Complainant.

Vs.

Jason Flood, Defendant.

D E C R E E.

This cause in which the defendant has been duly preceeded against, in the mode prescribed by law, for non-resident de-- fendants and he failing to appear and plead, answer or demur, came on this day to be heard upon the complainant's bill and exibits filed therewith and upon the depositions of witnesses taken before a Notary Public and filed herein and was argued by Counsel.

Upon consideration whereof, and it appearing to the Court independantly of the admissions of either party in the pleadings or otherwise that the parties were lawfully married on the 8th day of June 1921; that the said defendant did on or about the first day of November, 1921, without justification, wilfully abandom and desert your complainant, which desertion and abandoment have been continuous since the date of his leaving and for a period of more than three years, next preceeding the institution of this suit;

and that the parties last cohabited as husband and wife in the Town of Severn , North Carolina.

The Court doth order, adjudge and decree that the complainant Ida M.Hart Flood, be divorced a vinculo matrimonii from the defendant, Jason Flood, and that the bond of matrimony created by the aforesaid marriage, be and the same in hereby dissolved and annulled, and the said Ida M.Hart Flood is hereby permitted to assume her maiden name of Ida Mae Hart.

Nothing futher remaining to be done in this cause, it is ordered that the same be removed from the docket.

Ida M. Hart Flood,

Vs.

Jason Flood

D E C R E E.

Enter this 1st day of ~~Sep~~ Octo
~~tember~~, 1927.

Jas. L. McDaniel

Judge.

Chancery Order Book
No. 6 Page 101

VIRGINIA

IN THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND:

Ida M. Hart Flood, Complainant.		BILL
Vs.	IN	CHANCERY.
Jason Flood, Defendant.		

To the Honorable James L. McLemore, Judge.

your complainant, Ida M. Hart Flood respectfully represent and showsth unto the Court the following case;

(1) That on the 8th, of June 1921, your complainant, Ida M. Hart Flood, whose maiden name was Ida Mae Hart, was lawfully married to Jason Flood, in the County of Sothamption, in the State of Virginia, by H.Clements, a minister of the gospel, as will appear from a copy of the marriage certificate herewith filed, and prayed to be made a part of this bill, and marked, " exhibit A", And;

(2)That continuously from the date of the marriage until on or about the first day of November, 1921, your complainant and the said defendant lived together as husband and wife, in the Town of Severn in the State of North Carolina, And;

(3) That the said defendant, did on or about the first day of November 1921, vountarily, and wilfully without justification abandom and desert your complainant, the said desertion and abandoment have been continuous from the date of his leaving, And,

(4) That your complainant has made all possible effort to get in touch with the said defendant by mail and person to bring about a reconciliation and all efforts have been futile, And;

(5) That your complainant and the said defendant have not lived together as husband and wife or cohabited as such for a period of more than three years next preceeding the institution of this suit,

Bill Continued.

and, that your complainant last cohabited with the said defendant in the Town of Severn in the State of North Carolina; and your complainant has actually resided and is a resident of and has been domiciled in this state for a period of more than one year next preceeding the commencing of this suit;

IN CONSIDERATION WHEREOF, and for as much as your complainant is remediless in the premises save in a court of equity, where matters of this kind are cognizable your complainant prays that the said Jason Flood may be made a party defendant to this bill, required to answer the same, but not on oath, oath being hereby expressly waived; that proper process may be issured, that a divorce a vinculo matrimonii be decreed her, and that your complainant may have all such futher and other, and general relief in the premisea as the nature of her case may require, or to equity shall seem meet.

Ida M. Hart Flood
Complainant.

By J. H. Fulcher
Her Counsel.

Ida M. Hart Flood

Vs.

Jason Flood

B I L L

HAMPTON ROADS PAPER CO., NORFOLK

VIRGINIA

IN THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND:

Ida M. Hart Flood, Complaiant.

VS.

Jason Flood, Defendant.

M E M O R A N D U M

To .

The Clerk of the above mentioned Court:

Please issure summons, in the above styled cause, returnable to Rules, Third Monday, in March, 1927.

Attorney for Ida M. Hart Flood.

RULE NOTES:

March 15,1927; Process issued returnable to March Rules,3rd Monday,1927, Affidavit of nonpresident filed,order of publication posted at C.H.door,copy to Suffolk Herald and copy mailed to defendant,Severn ,N.C. Bill filed.

Mrs. M.
&
Ruth Wiles