

1929-017
Nansemond Co (Suffolk)

Chancery Causes: Charles H. Jones vs Nettie Jones

Goodman, Davis, Jennings, Jenkins

IN THE CLERK'S OFFICE OF THE
CIRCUIT COURT OF THE COUN-
TY OF NANSEMOND ON THE 5TH
DAY OF FEBRUARY, 1929

Charles H. Jones Complainant

Vs. Order of Publication

Nettie Jones Defendant

The object of this suit is to obtain a divorce a vinculo matrimonii, upon the ground of desertion. And an affidavit having been made and filed that the defendant, Nettie Jones, is a non resident of the State of Virginia it is ordered that she do appear within ten days after due publication hereof and do what may be necessary to protect her 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-Herald, and that a copy be posted at the front door of the Courthouse of this county on or before the 18th day of February, 1929, that being the next succeeding Rule day after this order was entered.

A Copy—Teste:

PAUL J. POWELL,

Clerk.

Saunders and Hutton, p.q.

2-6. 13. 20. 27.

IN THE CLERK'S OFFICE OF THE
CIRCUIT COURT OF THE COUN-
TY OF NANSEMOND THE 5TH
DAY OF FEBRUARY, 1929.

Charles H. Jones.....Complainant
Vs. . Order of Publication

Nettie Jones Defendant

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IN THE CLERK'S OFFICE OF THE
CIRCUIT COURT OF THE COUNTY
OF NANSEMUND ON THE 5TH
DAY OF FEBRUARY, 1929.

Charles H. Jones Complainant
Vs. Order of Publication

Nettle Jones Defendant

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A Copy—Teste:

PAUL J. POWELL,
Clerk.

saunders and Hutton, p.q.

2-6. 13. 20. 27.

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CIRCUIT COURT OF THE COUN-
TY OF NANSEMOND ON THE 5TH
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A Copy—Teste:

PAUL J. POWELL,

Clerk.

Saunders and Hutton, p.q.

2-6, 13, 20, 27.



THE SUFFOLK NEWS-HERALD

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

Full Leased Wire of the Associated Press

CHANNING P. HAYES
General Manager

W. C. JOHNSTON
Editor

Only Newspaper Published in The
Counties of Nansemond, Isle of
Wight, Southampton and Surry,
Virginia and Gates, N. C., with
Associated Press Membership.

SUFFOLK, VA.,

May 6, 1929

This is to certify that the attached order of publication
in the ~~suit of~~ Charles H. Jones vs. Nettie Jones was published
for four successive weeks in the Suffolk News-Herald, begin-
ing February 6, 1929.


Editor

FEB 31 1929

Suffolk, Va., ... 192....

Samuels & Hutton, Attys.
.....
.....

To Suffolk News Company, Inc. Dr.

153 S. Main Street

Publisher THE SUFFOLK NEWS-HERALD

MONTH

FEB 31 1929

Date	Inches	Words	Lines
1			
2			
3			
4			
5			
6	14		
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Totals	16		

To Balance.....\$.....

To Inches.....16.....@ To \$.....9.00

To Words@.....\$.....

To Lines@.....\$.....

TOTAL.....\$.....9.00

IN THE CLERK'S OFFICE OF THE CIRCUIT
COURT OF THE COUNTY OF NANSEMOND ON
THE _____ DAY OF FEBRUARY, 1929.

Charles H. Jones.....Complainant

Vs. ORDER OF PUBLICATION

Nettie Jones.....Defendant

The object of this suit is to obtain a divorce a vinculo matrimonii, upon the ground of desertion. And an affidavit having been made and filed that the defendant, Nettie Jones, is not a resident of the State of Virginia, it is ordered that she do appear within ten days after due publication hereof, and do what may be necessary to protect her 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-Herald, 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 18th day of February, 1929, that being the next succeeding Rule day after this order was entered.

A Copy - Teste:


Clerk.

Saunders & Hutton, p. q.

Charles H. Jones,
Complainant,

Vs.

Nettie Jones,
Defendant.

ORDER OF PUBLICATION.

VIRGINIA:

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

Charles N. Jones Pltff. }
vs. } In Chancery
Nettie Jones Df't }

I hereby certify that on the 5th day of February 1929

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.

Given under my hand this 5th day of February 1929

Paul J. Powell, Clerk.
By Oliver Whitehurst, Deputy Clerk.

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY:

Charles H. Jones.....Complainant.

Vs.

AFFIDAVIT

Nettie Jones.....Defendant

STATE OF VIRGINIA,

City of Suffolk, to-wit:

This day Charles H. Jones, the above-named complainant, personally appeared before me, Evelyn Palmer, a notary public for the city and state aforesaid, in my said city aforesaid, and made oath before me that Nettie Jones, the defendant named above, is a non-resident of the State of Virginia and that the last known address or place of abode of the said Nettie Jones was 340 Saint Marks Avenue, Brooklyn, New York.

Given under my hand this 2nd day of February, 1929.

Evelyn Palmer
Notary Public.

VIRGINIA:

IN THE CIRCUIT COURT OF THE
COUNTY OF NANSEMOND:

Charles H. Jones,
Complainant,

Vs.

Nettie Jones,
Defendant.

AFFIDAVIT.

filed 2/4/29
Paul J. Small
clerk

The Commonwealth of Virginia,

To the Sheriff of the County of Nansemond, Greeting:

WE COMMAND YOU, That you summon Nettie Jones

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 3rd Monday in February, 1929,
to answer a bill in chancery, exhibited against her in our said Court by
Charles H. Jones

And have then there this writ. Witness Paul J. Powell, Clerk of our said
Court, at the court-house, the 5th day of February, 1929, and in the
153rd year of the Commonwealth.

Paul J. Powell Clerk
Olivera Whithurst D.C.

Original

No. 300

James

vs.

SUBPOENA IN CHANCERY

James

J. R. Saunders p. q.

To Second Feby. Rules,
Hause, County Circuit Court.

Not found in
my County of
Harrison

2/7/29 E. B. Rawles
Shatt

The Commonwealth of Virginia,

To the Sheriff of the County of Nansemond, Greeting:

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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 3rd Monday in February, 1929,
to answer a bill in chancery, exhibited against her in our said Court by
Charles H. Jones

And have then there this writ. Witness Paul J. Powell, Clerk of our said
Court, at the court-house, the 5th day of February, 1929, and in the
153rd year of the Commonwealth.

Paul J. Powell Clerk
Oliver Whitehurst D.C.

Copy for

No. 300

Hettie Jones

vs.

SUBPOENA IN CHANCERY

p. q.

To.....Rules,

Circuit Court.

MARRIAGE LICENSE

Virginia

Nansemond 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,

Charlie Jones

and

Nettie Goodman

Given under my hand, as Clerk of Circuit Court of Nansemond County (or City) this 22nd day of September, 1917.

G. E. Bunting

By Kate P. Bell

Clerk.
D.C.

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 Nansemond

Date of Marriage September 23rd, 1917 Place of Marriage Nansemond County

FULL NAMES OF PARTIES

Charlie Jones

and

Nettie Goodman

Age of Husband 28 years; Condition (single, widowed or divorced) Single

Age of Wife 18 years; Condition (single, widowed or divorced) Single

Race (White or Colored) Colored

(PRESENT)

Husband's Place of Birth Isle of Wight Co. Mailing Address Nansemond County

Wife's Place of Birth Bertie Co., N. C. Mailing Address Nansemond County

Names of Husband Frank Jones and Louisa, his wife

Parents Wife Joseph Goodman and Annie, his wife

Occupation of Husband Laborer

Given under my hand this 22nd day of September, 1917

G. E. Bunting

By Kate P. Bell

Clerk.
D.C.

Certificate of Time and Place of Marriage

I, Rev. Henry Jones, a Minister of the Baptist

Church, or religious order of that name, do certify that on the 23 day of Sep, 1917, at Suffolk, 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 Isle of Wight, State of Virginia.

Given under my hand this 24 day of Sept, 1917

A true copy. Teste: Rev. Henry Jones

(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).

No. 158

County (or City) ~~ex~~ Hansen end.....

Charlie Jones.....

Husband

and { **Marriage License**

Nettie Goodman.....

Wife

Date of Issue Sept. 22nd, 1917

Marriage Register No. 3 Page 90

VIRGINIA.

CIRCUIT COURT OF THE COUNTY OF NANSEMOND.

Charles H. Jones Complainant,

vs. In Chancery. On Bill for Divorce. Depositions.

Nettie Jones Defendant.

Depositions of John Q. Davis, Alice Jennings, Louisa Jenkins and Charles H. Jones, taken before me, JOHN H. PALMER, Commissioner in Chancery for the Circuit Court of the County of Nansemond, Virginia, on the 23d day of March, 1929, in pursuance of a perfected order of publication in this cause, at the office of Saunders and Hutton, 103 West Washington Street, Suffolk, Virginia, between the hours of nine o'clock in the forenoon and five o'clock in the afternoon thereof, to be read in evidence in a suit wherein Charles H. Jones is complainant and Nettie Jones is defendant, and now pending in the Circuit Court of the County of Nansemond, Virginia.

APPEARANCES:

For the Complainant:

Job R. Saunders, esquire, counsel for complainant;

For the Defendant:

No appearance.

²
John Davis, a witness produced on behalf of the complainant, being first duly sworn, deposes and says:

Q. Please state your name, age, residence and occupation and if you are acquainted with Charles Jones and Nettie Jones?

A. Name, John Davis; age, 44; residence, Suffolk, Virginia; occupation, grocery merchant and I know Charles Jones and Nettie Jones.

Q. How long have you been knowing them?

A. About eight years.

Q. Did you know them at the time they separated?

A. Yes sir.

Q. Do you know which one left the other?

A. She left him.

Q. Do you know about what time she left him?

A. I could not tell exactly what year it was but it has been about five years ago.

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

A. No sir.

Q. Did he properly provide for her and treat her kindly?

A. Yes sir. A place to stay, coal and wood, something to eat and some clothes to wear.

Q. Do you know where she went when she left him?

A. She left and lived with another fellow right here in town.

Q. Did she live with the other fellow right here in town after she left Charlie?

A. Yes sir.

Q. What was his name?

A. Joe Williams.

Q. Since she left him four or five years ago, have they lived together?

A. No sir.

Q. Where were they living at the time they separated?

A. Pleasant Hill, Nansemond County.

Q. Has Jones been living there eversince they separated?

A. Yes sir.

Q. Does he now live there?

A. Yes sir.

And further this deponent saith not.

John D. Davis

Alice Jennings, a witness produced on behalf of the complainant, being duly sworn, deposes and says:

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

A. Name, Alice Jennings; age, 35; residence, Nansemond County, Virginia, Pleasant Hill; occupation, basket maker.

Q. How long have you known Charles Jones and Nettie Jones?

A. Almost all their lives.

Q. Were you living in Pleasant Hill near them at the time they separated?

A. Yes sir.

Q. Do you know which one left the other?

A. She left.

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

A. No sir, not as far as I see.

Q. Where did she go when she left him?

A. She rented a house and lived in it.

Q. Who lived in the house with her?

A. A fellow named Joe Williams.

Q. Was there anybody else living in there besides those two?

A. No sir, just them and a little child.

Q. About when did she leave him?

A. I don't know, Mr. Saunders. I reckon it has been about five years.

Q. Since she left him about five years ago, have they lived together?

A. No sir.

Q. Has he continued to live there?

A. Yes sir, right there yet.

Q. Where is she now?

A. She is in New York I think now.

Q. Have you had any talk with her since she and he separated?

A. Yes sir. I had a talk with her. She came to my house.

Q. Have you heard her say whether or not she expected to live with him any more?

A. No sir, I never heard her say.

Q. Did Charlie properly provide for her and treat her kindly as a husband should treat his wife when he lives with her?

A. Yes sir, he did all a poor man could do by a woman.

And further this deponent saith not.

Elice Jennings

Louisa Jenkins, being first duly sworn, deposes and says:

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

A. Name, Louisa Jenkins; age, 58; residence, Nansemond County; occupation, work at peanut factory.

Q. How long have you known Charlie Jones and Nettie Jones, his wife?

A. All their lives.

Q. Are they now living together?

A. No sir and ain't lived together since they parted.

Q. How long ago?

A. Been something over five years.

Q. Since they parted, have you had any talk with her?

A. Once or twice.

Q. Have you heard her say whether or not she ever expected to live with Charlie any more?

A. She said she wan't coming back and wan't never coming back.

Q. She told you that?

A. Yes sir.

Q. Coming back to whom?

A. To Charlie.

Q. Do you know which one left the other?

A. She left. She left Charlie.

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

A. Not that I know of.

Q. Did he properly provide for and treat her kindly as a husband should treat his wife?

A. Yes sir.

Q. Did you ever hear her make any complaint that he did not treat her right?

A. No sir.

Q. When she left Charlie, where did she go to live?

A. Went to live with Joe Williams. He followed her up.

Q. Where were they living when they separated?

A. Living in Pleasant Hill, Nansemond County.

Q. Has Charlie remained there eversince she left him and does he now live there?

A. Yes sir.

Q. Do you know where she is now?

A. New York.

Q. If Charlie and she had lived together since they separated, would you have known it?

A. He lives at my house.

Q. Has he lived there eversince they separated?

A. Yes sir.

As to mark
John H. Palmer
Commissioner

And further this deponent saith not.

her
Louisa & Jenkins
mark

Charles^{H.} Jones, the complainant in this suit, being first fully sworn, deposes and says:

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

A. Name, Charles Jones; age, 38; residence, Pleasant Hill, Nansemond County, Virginia; work at a saw-mill.

Q/ Are you the husband of Nettie Jones?

A. Yes sir.

Q. Are you now living together?

A. No sir.

Q. Which one left the other?

A. She left.

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

A. No sir, treated her all right as a man could treat a woman.

Q. Did you work steadily and provide a home, food and clothing and treat her kindly?

A. Yes sir.

Q. Did she ever complain that you did not treat her right?

A. No sir.

Q. About when did she leave you?

A. As near as I can get it it was around June 22nd, 1924.

Q. Since she left you June 22nd, 1924, have you and she lived together?

A. No sir.

Q. Has she lived with anybody else since then?

A. Yes sir. Joe Williams.

Q. Where is she living now?

A. The last I heard of her she was in Brooklyn, sir.

Q. Do you know whether or not she ever intends to come back and live with you?

A. No sir. She won't come back.

Q. Were you at the time she left you residing in Nansemond County and have you still resided there and now reside there?

A. Yes sir.

Q. At the time she lived with Joe Williams who lived in the house besides she and Joe?

A. My little boy stayed there with them.

Q. How old was he?

A. Somewhere about eight years old.

Q. Was it generally understood in the community that he and she were living together?

A. Yes sir.

And further this deponent saith not.

Charles H. Jones

STATE OF VIRGINIA,
CITY OF SUFFOLK,
COUNTY OF NANSEMOND,

)
)
)
)
)

To-wit:

I, JOHN H. PALMER, a Commissioner in Chancery for the Circuit Court of the County of Nansemond, in the State of Virginia, do hereby certify that the foregoing depositions were duly taken, reduced to writing and signed before me, in my immediate presence, at the place and time in the caption mentioned, pursuant to matured order of publication in said cause in the caption mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand at the city of Suffolk, Virginia, this twenty-fifth day of March, A.D. 1929.

John H. Palmer
Commissioner in Chancery.

Fees: \$ 10.00

CIRCUIT COURT OF THE COUNTY OF
NANSEMOND.

Charles H. Jones,
Complainant,

vs.

Nettie Jones,
Defendant.

In Chancery.
On Bill for Divorce.

DEPOSITIONS.

Saunders and Hutton,

p. q.

1929. May 13. filed.
Jm

SAUNDERS & HUTTON
Attorneys at Law
Suffolk, Va.

Charles H. Jones.....Complainant

Vs.

DECREE

Nettie Jones.....Defendant.

This cause, in which the complainant has proceeded against the non-resident defendant, Nettie Jones, in the mode prescribed by law, came on this day to be heard on the complainant's bill and the exhibit filed therewith, the defendant failing to appear, plead, answer or demur to the complainant's bill of complaint, the depositions taken before John H. Palmer, Commissioner in Chancery, duly filed in this cause, and was argued by counsel.

Upon consideration of all of which, independently of the admissions of either party in the pleadings or otherwise, the court is of the opinion that the parties last cohabited in the County of Nansemond, Virginia, and that the defendant has, without cause, abandoned the complainant for a period of more than three years, and that the complainant is entitled to the relief prayed for in his said bill. It is, therefore, adjudged, ordered and decreed that the marriage heretofore had and solemnized between the defendant, Nettie Jones, and the complainant, Charles H. Jones, shall be, and the same is, hereby dissolved and that the said Charles H. Jones be forever divorced from the said Nettie Jones.

And there remaining nothing further to be done in this suit, it is ordered that the same be stricken from the docket.

VIRGINIA:

IN THE CIRCUIT COURT OF THE
COUNTY OF NANSEMOND:

Charles H. Jones,
Complainant,

Vs. DECREE

Nettie Jones,
Defendant.

Enter the 13th day of May
Jas. L. McNamee, 1929.

Entered in Chancery Order

Book 6, Page 244.

Charles H. Jones.....Complainant

Vs.

BILL

Nettie Jones.....Defendant.

TO THE HONORABLE JUDGE OF THE CIRCUIT COURT OF NANSEMOND COUNTY,
VIRGINIA:

Your complainant, Charles H. Jones, respectfully represents:

FIRST: That on the 23rd day of September, 1917, your complainant was lawfully married in the County of Nansemond, Virginia, to Nettie Jones, whose maiden name was Nettie Goodman, as will appear from a certificate of marriage, herewith filed, marked EXHIBIT "A", and made a part of this bill.

SECOND: That continuously from the date of said marriage until the _____ day of June, 1924, your said complainant and the said defendant lived together as husband and wife in Nansemond County, Virginia.

THIRD: That the said defendant has wilfully deserted and abandoned your said complainant for a period of more than three years, that is to say, that on or about the _____ day of June, 1924, the said Nettie Jones did wilfully, voluntarily and without any justification whatever leave his home and your said complainant; that immediately before leaving and at times subsequent thereto the said defendant declared her intention to leave your said complainant and never return to him, and she has never returned; that the said desertion occurred in Nansemond County, Virginia.

FOURTH: That your said complainant has been domiciled in this state ever since the aforesaid marriage and for more than one year next preceding the commencement of this suit, and is now domiciled and now resides in the County of Nansemond, Virginia, and that your said complainant last lived with the said defendant, as husband and wife, in Nansemond County, Virginia, but that the said defendant is a non-resident of this State.

In consideration whereof, and forasmuch as your complain-

ant is remediless in the premises, save in a court of equity, your complainant prays that the said Nettie Jones be made a party defendant to this suit and required to answer the same, but not on oath, 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 cause may require or to equity shall seem meet.

Charles H. Jones
Complainant.

By J. H. Hunter
His Attorney.

Samuel H. Hunter
Counsel.

Charles H. Jones,
Complainant,

Vs. BILL IN CHANCERY

Nettie Jones,
Defendant.

*Filed 2/4/29
Percy Powell clerk*

SAUNDERS & HUTTON
Attorneys at Law
Suffolk, Va.

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY:

Charles H. Jones.....Complainant

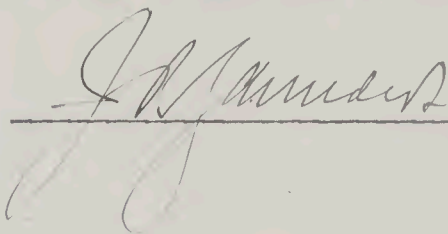
Vs.

MEMORANDUM

Nettie Jones.....Defendant.

TO THE CLERK OF SAID COURT:

Please issue summons, Second Rules, Third Monday in
February, 1929.



p. q.

February 5th, 1929.

Process issued returnable second February Rules.

Affidavit of Non-Residence of Defendant filed and Order of Publication
mailed to defendant, posted at C.H. door and copy sent to News-Herald.
Bill filed, 2/5/29.

VIRGINIA:

IN THE CIRCUIT COURT OF THE
COUNTY OF NANSEMOND:

Charles H. Jones, Complainant,

Vs.

Nettie Jones, Defendant.

RULE NOTES AND

MEMORANDUM.

*Filed 2/4/09
Paul J. Muller
clerk*