

1906-09

Southampton County Chancery - Jackson, Pattie (Simmons) vs Jackson, Walter

Divorce

Pattie Jackson
vs J. Gill
Walter Jackson
1906. 1 Feb: Rules.
filed.

J. U. BURGESS,
ATTORNEY-AT-LAW,
SUFFOLK, VA.

TO THE HONORABLE ROBERT R. PRETTIS, JUDGE OF THE CIRCUIT
COURT OF SOUTHAMPTON COUNTY.

Your complainant, Pattie Jackson, respectfully
showeth unto the Court the following case:

That on the 21st day of February, 1902, she was
united in marriage to Walter Jackson, as will appear from
a copy of marriage license and certificate of marriage
herewith filed, marked exhibit "A" and prayed to be taken
as a part of this bill; that after such marriage she was
at all times a constant, faithful and dutiful wife, and
did all in her power to make his home comfortable and
to give him no cause of complaint against her; that
her said husband was at all times negligent, rarely came
home, and finally in the month of ~~August~~ 1902, without
any cause, excuse or justification wilfully abandoned and
deserted her; that since that time he has never returned
to her home nor have they lived together and it seems
impossible to bring about any reconciliation between
them; that your complainant and her said husband last
lived together in the County of Southampton and that
her said husband resided there until a few months ago,
but that he has since ~~left~~ and cannot now be found. Your
complainant alleges that her husband without any cause
or excuse wilfully abandoned and deserted her for a
period of three years next preceeding the commencement
of this suit, and that she is entitled to be divorced from
him.

In tender consideration whereof and for as much as
your complainant is remediless in the premises save by
the aid of a court of equity where all such matters are alone

and properly cognizable your complainant prays that the said Walter Jackson may be made a party defendant to this cause and required to answer this bill, though an answer under oath is hereby waived; that proper process ~~may~~ may issue; that all proper depositions may be taken and that ~~all~~ a divorce a vinculo matrimonii may be granted your complainant from her said husband, Walter Jackson, and that the marriage contract heretofore executed between them may be wholly annulled and that all such other, further and general relief may be afforded your complainant as the nature of her case may require or to equity may seem meet. And your complainant will ever pray, etc.

Pattie Jackson

VIRGINIA,

To-wit:
County of Southampton

I, John Lawrence, a Justice
for the County aforesaid, in the State of Virginia, do certify that Pattie Jackson, whose name is signed to the writing hereto annexed, ~~has~~ personally appeared before me in my county aforesaid and being by me duly sworn, has made oath that all the statements contained in the above bill are true.

Given under my hand this 26th day of January,
1906.

John Lawrence Jr.

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON *Walter Jackson*

to appear at the Clerk's Office of our Circuit Court of Southampton County, at the Rules
to be holden for the said Court on the ...*1st*... Monday in *February*...*1906*...
~~next~~, to answer a Bill in Chancery exhibited against...*him*...
in our said Court by...*Lattie Jackson*

And this...*man*...shall in nowise omit under penalty of law. And have then there this writ.

Witness, B. F. McLEMORE, Clerk of our said Court, at the Courthouse, this
5th... day of *January*..., 190*6*., in the *12th*... year of the Commonwealth.

Teste :

B. F. McLemore, C. C.

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON *Walter Jackson*.....

.....
.....
.....
.....
to appear at the Clerk's Office of our Circuit Court of Southampton County, at the Rules
to be holden for the said Court on the ...*1st*... Monday in ...*February*... 1906,
~~next~~ to answer a Bill in Chancery exhibited against *him*.....
in our said Court by *Pattie Jackson*.....
.....
.....
.....

And this *he*..... shall in nowise omit under penalty of law. And have then there this
writ.

Witness, B. F. McLEMORE, Clerk of our said Court, at the Courthouse, this
..*2nd*.. day of *January*....., 190*6*., in the 1*2th*.. year of the Commonwealth.

Teste :

B. F. McLemore....., C. C.

1906
Pallen Jackson
is } Susan Brown
Loellen Jackson

Enter Mar. 20, 1906

Robert James

Entered in
D. O. B. p. 238.

Peter Jackson, Plaintiff

v.

Walter Jackson, Defendant

This day the cause came on to be heard upon the bill of complaint and exhibits therewith filed, and the dispositions of witnesses, the defendant having been proceeded against by order of publication duly ^{issued} ~~ported~~ and published, still failing to appear and plead answer or demurrer to said bill, and was argued by counsel -

On consideration whereof, the court doth adjudge, order and decree that the marriage heretofore had and solemnized between the plaintiff Peter Jackson and the defendant, Walter Jackson be and the same is hereby dissolved and annulled, and that the said Peter Jackson be forever divorced a vinculo matrimonii from the defendant Walter Jackson, and the court doth further adjudge order and decree that the said plaintiff shall recover of the said defendant the costs of suit in this behalf expended, and it appearing that there is nothing further to be done in the cause it is ordered that the same be removed from the docket -

1906-Male 19" Tail
127 W. Lammor C.C.

Verd. D. Cantill.

ATTENTION
11-02
CONFIDENTIAL

THE UNIVERSITY OF CHICAGO

CONFESIONNELLE ET GÉNÉRALE

Suffolk, Virginia,

March 17th, 1906.

The depositions of John W. Hall and others taken before me, John B. Pinner, a Commissioner in Chancery for the Circuit Court of Nansemond county, Virginia, at the office of J. U. Burges, in the town of Suffolk, between the hours of nine A. M., and four P. M., on the 17th day of March, 1906, to be read as evidence in behalf of Pattie Jackson, in the chancery cause depending in the Circuit Court of Southampton county, Virginia, wherein Pattie Jackson is plaintiff and Walter Jackson is defendant, which said cause has matured upon an order of publication.

Present: J. U. Burges, attorney for plaintiff.

John W. Hall, being duly sworn, deposes and says as follows:

- Q. Please state your name, age, residence, occupation and do you know the parties to this suit?
- A. John W. Hall, Southampton county, farmer, and I know both Pattie Jackson and Walter Jackson. Walter Jackson was employed by me as a laborer on my farm up until he left.
- Q. When did he leave you?
- A. On Saturday before the third Monday in August, 1902.
- Q. Have you ever seen him since?
- A. No sir. I never have.
- Q. How far did he live from you?
- A. I suppose about a quarter of a mile.
- Q. Where did he live?
- A. He and his wife lived together down the road about a quarter of a mile from my gate.

Q. If he had returned and lived with his wife would you have known it?

A. Yes. He left very much in debt to me and I was very anxious to see him.

Q. Where has Pattie Jackson resided since he left her?

A. She has stayed pretty nearly all the time at the same place cooking for Mrs. Burges.

Q. Where did they live at the time of their marriage?

A. They lived at Mrs. Burges' after their marriage and Walter worked with me.

Q. Do you know or have you received any information as to Walter Jackson's whereabouts for the last three years?

A. No sir. Mr. Cobb, the Deputy Sheriff, asked me if I knew where he was and I told him I did not.

I think the reason he left his wife was because she made him work too hard. He would sometimes tell me when he would leave at night that he would not be back the next morning and when he would return I would ask him why he came back and he would reply that his wife made him do so.

And further this deponent saith not.

John W. Hall

Samuel Johnson, being duly sworn, deposes and says as follows:

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

A. Samuel Johnson, thirty-three, Southampton county, farmer, and I know Pattie Jackson and Walter Jackson.

Q. When were these parties married?

A. In February, 1902.

- Q. Where did they live after they were married?
A. At Mrs. Burges' about two hundred and fifty yards from my house.
Q. How long did they live together?
A. From February to August of the same year.
Q. What became of Walter Jackson after this time?
A. He left her and I have not seen him since.
Q. If he had returned to live with her would you have known it?
A. I see her every day at the house and would certainly have seen him.
Q. Where has Pattie Jackson lived since he left her?
A. She has been cooking for Mrs. Burges almost ever since.
And further this deponent saith not.

Witness:

J. Pinner

his
Samuel + Johnson
made

VIRGINIA,

To-wit:
Nansemond County.

I, John B. Pinner, a Commissioner in Chancery for the Circuit Court of Nansemond county, Virginia, do certify that the aforesaid depositions of John W. Hall and Samuel Johnson were duly taken, sworn to and subscribed before me at the time and place and for the purpose in the caption above .

Given under my hand this 17th day of March, 1906.

John B. Pinner

Commissioner in Chancery.

Pattie Jackson
" } Stat: Reels
Walter Jackson

Pattie Jackson

Stat: Rules:

Walter Jackson

1906. Jan 2. Process ip^d to 1st Feb: Rules

" 1st Feb: Rules: Process ret^d: "not found"

" 1 " " Bill & Exp: filed

Jan 27. Affidavit filed - Order Pub: issued.

" Feb: 9" Order Pub: published.

" " " " Posted.

" Mich " " " Complete.

~~Can Bill taken for Confined~~
Cause set for hearing

Jackson & Jackson

Sum. 25. Copy 13. Recd 18. atty 10. 66
 Dec 18. Recd 1.00. Entering return 35. 158
 Filing Bill 15. Ex. Exhibit 15. 20
 Filing Dep 15. Copy Exhibit 25. 40
 " Affidavit for Ord. Recd 15. 15
 Sp. Ord. Recd 20. Filing 20. 40
 Recd 50. Decree 36. 86
 Tax 40. Filing away from 25. 65

Less 4.95

Shff. 1.50

Lawy. 16.50

Printing Bill

J. U. BURGESS.

ATTORNEY AT LAW,

ATTORNEY FOR THE CORPORATION OF SUFFOLK.

SUFFOLK, VA.

Mr. B. F. McLenore,

Clerk of Court,

Courtland, Va.

January 26th, 1906.

My dear Sir:

I herewith enclose affidavit for order of publication in the suit of Pattie Jackson vs. Walter Jackson. Will you kindly sign and return it to me so that it may be published in some newspaper in the county of Southampton. I will file the bill in this suit in the next few days.

Yours very truly,

Dec. J. U. B./M.

Enclosure.

J. U. Burgess

I send three copies of order of publication. One to be filed in papers, one to be sent to printer and the other I would request that you post the day the order is entered so that there will be no question about its having been posted "before the next succeeding rules after it is entered"

Burgess

Please post

STATE OF VIRGINIA,

To-wit:
Circuit Court of Southampton County.

In vacation.

January 27, 1906.

Pattie Jackson,.....Plaintiff.

vs.

Walter Jackson,.....Defendant.

The object of this suit is to obtain a divorce a vinculo matrimonii for the plaintiff from the defendant and it appearing by affidavit that due diligence has been used by or on behalf of the plaintiff to ascertain in what county or corporation the said defendant is, without effect, it is, therefore, ordered that the said defendant, Walter Jackson, appear within fifteen days after due publication of this notice, in the Clerk's Office of our Circuit Court and do what is necessary to protect his interests.

J. U. Burgess Jy.
B. F. McLenore lb.

I hereby certify that the above order of publication was posted on 27th day of January 1906, which was before the next succeeding rules after it was entered.
Jesse B. F. McLenore lb.

MARRIAGE LICENSE

Virginia, Southampton Co. 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,

Walter Jackson
and Pattie Simmons

Given under my hand, as Clerk of the County Court
of Southampton County this 21st day of February 1902
B. F. McLemon Clerk.

CERTIFICATE TO OBTAIN A MARRIAGE LICENSE,
TO BE ANNEXED TO THE LICENSE, REQUIRED BY SECTION 2220 OF THE CODE OF VIRGINIA, AS AMENDED BY ACT OF FEBRUARY 3, 1900.

Time of Marriage, <u>Feb 23, 1902</u>	Place of Husband's Birth, <u>Southampton Co.</u>
Place of Marriage, <u>Southampton Co.</u>	Place of Wife's Birth, <u>"</u>
Full Names of Parties Married, <u>Walter Jackson</u> <u>Pattie Simmons</u>	Place of Husband's Residence, <u>"</u>
Color, <u>C.</u>	Place of Wife's Residence, <u>"</u>
Age of Husband, <u>25</u> years	Names of Husband's Parents, <u>Gen. atlix and</u> <u>Minnie Jackson</u>
Age of Wife, <u>23</u> "	Names of Wife's Parents, <u>Dorson & Kate</u> <u>Simmons</u>
Condition of Husband (widowed or single or divorced) <u>Widowed</u>	Occupation of Husband, <u>Farmer</u>
Condition of Wife (widowed or single or divorced) <u>Single</u>	

Given under my hand this 21st day of Febry 1902
B. F. McLemon Clerk.

Certificate of Time and Place of Marriage.

I, B. F. Harrison of the "
Church, or religious order of that name, do certify that on the 21st day of
Febry 1902, at Wakefield, under authority of the above
License, I united in Marriage the persons named and described therein.

Given under my hand this 21st day of Febry 1902
B. F. Harrison

The Minister celebrating a marriage is required, within two months thereafter, to return the License to the Office of the Clerk who issued the same, with an endorsement thereon of the FACT of such marriage, and of the TIME and PLACE of celebrating the same.

A Copy from the Marriage Register.
Test: B. F. McLemon C. C.

MARRIAGE * LICENSE

Virginia, Southampton Co 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,

Walter Jackson
and
Pattie Simmons.

Given under my hand, as Clerk of the County Court of Southampton Co this 21st day of February 1902.
B. F. McLenore Clerk.

CERTIFICATE TO OBTAIN A MARRIAGE LICENSE,
TO BE ANNEXED TO THE LICENSE, REQUIRED BY SECTION 2226 OF THE CODE OF VIRGINIA, AS AMENDED BY ACT OF FEBRUARY 3, 1900.

Time of Marriage, Feb 23, 1902.	Place of Husband's Birth, Southampton Co.
Place of Marriage, Southampton Co.	Place of Wife's Birth, "
Full Names of Parties Married, Walter Jackson	Place of Husband's Residence, "
El. Pattie Simmons	Place of Wife's Residence, "
Color, Col	Names of Husband's Parents, Guratus &
Age of Husband, 25 Years	Minnie Jackson
Age of Wife, 23 "	Names of Wife's Parents, Dorson and
Condition of Husband (widowed or single or divorced) Widowed	Kate Simmons,
Condition of Wife (widowed or single or divorced) Single	Occupation of Husband, Farmer

Given under my hand this 21st day of Feb 1902
B. F. McLenore Clerk.

Certificate of Time and Place of Marriage.

I, B. F. Harrison, a Minister of the Gospel Church, or religious order of that name, do certify that on the 21st day of February 1902, at Wakefield, under authority of the above License, I united in Marriage the persons named and described therein.

Given under my hand this 21st day of Feb 1902

B. F. Harrison

The Minister celebrating a marriage is required, within two months thereafter, to return the License to the Office of the Clerk who issued the same, with an endorsement thereon of the FACT of such marriage, and of the TIME and PLACE of celebrating the same.

A Copy of this: B. F. McLenore & B. F. Harrison

Jackson

(14) } Affidavit + Ord. Pub.

Jackson

1906. Jan 27. Filed.

11-15-1906

To be filed in papers

STATE OF VIRGINIA,

To-wit:

Circuit Court of Southampton County.

January 27. 1906

In vacation.

Pattie Jackson, ... Plaintiff.

vs.

Walter Jackson, ... Defendant.

The object of this suit is to obtain a divorce
a vinculo matrimonii for the plaintiff from the defendant
and it appearing by affidavit that due diligence has been
used by or on behalf of the plaintiff to ascertain in
what county or corporation the said defendant is, without
effect, it is, therefore, ordered that the said defendant,
Walter Jackson, appear within fifteen days after due
publication of this notice, in the Clerk's Office of our
Circuit Court, and do what is necessary to protect his in-
terests.

B. F. McLeod, Clerk
J. U. Burgess, P. g.

STATE OF VIRGINIA, To-wit:
Circuit Court of Southampton
County.
In Vacation.
Pattie Jackson Plaintiff,
vs.
Walter Jackson Defendant.
The object of this suit is to obtain a
divorce A VINCULO MATRIMONII for the
plaintiff from the defendant and it ap-
pearing by affidavit that due diligence
has been used by or in behalf of the
plaintiff to ascertain in what county or
corporation the said defendant is with-
out effect, it is, therefore, ordered that
the said defendant, Walter Jackson,
appear within fifteen days after due
publication of this notice in the Clerk's
Office of our Circuit Court and do what
is necessary to protect his interest.
B. F. McLEMORE, C. C.
J. U. Burges, p. q.
A copy.
Feb 2 41

OFFICE OF THE TIDEWATER NEWS

I hereby certify that the attached NOTICE was published in the
TIDEWATER NEWS for four successive issues from February 2nd,
1906 to February 23d, 1906 inclusive.

Paul Scarborough

Editor THE TIDEWATER NEWS.

March 6th 1906

Pattie Jackson,.....Plaintiff.

vs. In Chancery.

Walter Jackson,.....Defendant.

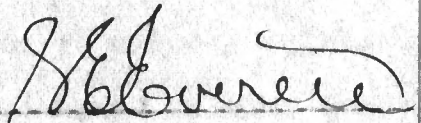
VIRGINIA,

To-wit:

Nansemond County.

I, S. E. Everett, a Notary Public for the County and State aforesaid, do certify that J. U. Burges, atty. for Pattie Jackson, personally appeared before me in my county aforesaid and made oath that due diligence has been used on behalf of the plaintiff to ascertain in what county or corporation the said Walter Jackson is without effect.

Given under my hand this 26 day of January, 1906.



Notary Public.