Isle of Wight County

other surnames: Crocker, Joyner, Jones, Holland, Shivers, Tynes

A. P. A.—78

"A"

MARRIAGE LICENSE

Virginia, Isle of Wight, 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,

Raleigh Gibbs

and Sarah F. Tynes,

Given under my hand, as Clerk of the County Court of Isle of Wight County this 13th. day of June xx 1895

N. P. Young, Clerk.

CERTIFICATE TO OBTAIN A MARRIAGE LICENSE,

TO BE ANNEXED TO THE LICENSE, REQUIRED BY SECTION 2229 OF THE CODE OF VIRGINIA, AS AMENDED BY ACT OF FEBRUARY 3, 1900.

Time of Marriage, June 13th, 1895.

Place of Marriage, Isle of Wight, Co.,

Full Names of Parties Married, Raleigh Gibbs and Sarah F. Tynes,

Color, colored

Age of Husband, 22 years and 1 mo.

Age of Wife, 19 years and 16 days.

Condition of Husband (widowed or single or divorced) Single

Condition of Wife (widowed or single or divorced) Single

Place of Husband's Birth, Isle of Wight, Co.,

Place of Wife's Birth, Same

Place of Husband's Residence, Same

Place of Wife's Residence, Same

Names of Husband's Parents, Unknown and Louisa

Names of Wife's Parents, Joel S. and Mary A.

Occupation of Husband, Laborer.

Given under my hand this 13th. day of June xx 1895.

N. P. Young, Clerk. Clerk.

MINISTER'S RETURN OF MARRIAGE.

I, certify, That on the 13 da, of June 1895 at Isle of Wight County I united in Marriage the above-named and described parties; under authority of the annexed License.

Thos. H. Poole,

A copy,

Teste, R. Johnson Clerk.

RALEIGH GIBBS.

vs)

SARAH F. GIBBS.

This cause came on this day to be heard upon the Bill of Complaint, process having been duly served upon the defendant, upon the depositions of witnesses duly taken before a Commissioner in Chancery of this Court, and was argued by counsel:

Upon consideration whereof, the Court being of opinion, from the evidence furnished in this cause, independent of the admissions of either party, that the charge of adultery in the Bill contained has been fully established, doth adjudge, order and decree, that the marriage heretofore had and solemnized between the plaintiff, Raleigh Gibbs, and the defendant, Sarah Gibbs, shall be, and the same is, hereby dissolved. And that the said Raleigh Gibbs be forever divorced a vinculo matrimonii from the said Sarah F. Gibbs.

And nothing further appearing to be done in this cause, it is ordered that the same be stricken from the docket.

Gibbs

vs) Chancery

Gibbs

Rough decree.

Enter this,

2d

October ~~1st~~. 1906.

R. E. Boykin

C.O.B. No. 6, page 478

E. H. WILLIAMS.
ATTORNEY AT LAW.
MITCHELL BUILDING, ROOM NO. 6.
SMITHFIELD, VA.

To Sarah F. Gibbs:

Take notice that I shall, on the 27th. day of September, 1906, at the office of E.H.Williams, in the town of Smithfield, Virginia, between the hours of 5 o'clock P.M. and 9 o'clock P.M., on that day, proceed to take the depositions of V.W.Joyner, C.P.Jones et als., to be read in evidence in my behalf, in a certain suit depending in the Circuit Court for the County of Isle of Wight, Virginia, wherein you are defendant and I am plaintiff, and if from any cause the taking of the said depositions be not commenced on that day, or, if commenced, be not concluded on that day, the taking of the same will be adjourned and continued from day to day, or from time to time, at the same place and between the same hours, until the same shall be completed.

Given under my hand this 21st. day of September, 1906.

Raleigh Gibbs
By Counsel.

Gibbs
5 Notice & Deposition
Gibbs

56
5-
430

Executed
Sept 22nd/06
Ro A Edwards
Dep

Executed by delivering
a Copy of the within Notice
to the within named Sarah
F Gibbs. Sept 22nd 1906.
Ro A. Edwards
Deputy.

DEPOSITIONS

Gibbs
Vs) In chancery
Gibbs.

The depositions of V. W. Joyner et als, taken before me, A. S. Johnson, a Commissioner in Chancery for the Circuit Court of the County of Isle of Wight, at the office of E. H. Williams, in the town of Smithfield, in the County of Isle of Wight and State of Virginia, on the 27th. day of September, 1906, between the hours of five o'clock P. M. and nine o'clock P.M. pursuant to notice, to be read as evidence in behalf of the plaintiff in a certain cause in the said Court depending in which Raleigh Gibbs is the plaintiff and Sarah Gibbs is the defendant.

Present, Mr. E. H. Williams, Attorney for the Plaintiff.

Mr. V. W. Joyner being duly sworn deposes and says:

Mr. Joyner, please state your name, age residence and occupation?

A. V. W. Joyner, forty four years of age, reside in Smithfield and am a merchant.

Q. Do you know the parties to this suit, and if so, how long have you known them.?

A. I have known them for eighteen or twenty years.

Q. How long have they resided in this County as man and wife?

Ans. Ever since their marriage they have resided in the town of Smithfield.

Q. What, if anything, do you know of their character?

A. Some three years ago Raleigh came to me and asked me if there was anyway that a man could make his wife live with him; that his wife had taken up with Watt or Wash Crocker and would not live with him. I replied that I knew of no way to make her live with him; that it was an unfortunate thing and that I was sorry, for they both seemed to me to be a little above the average of their

race from an intellectual point, and why she should take up with a man so much the inferior of Raleigh, I did not know. Some little time after that I saw Sarah in my store and I called her to me and had quite a talk with her about the matter and tried to persuade her to do the right thing. She positively refused to live with Raleigh and did not give any reason for leaving Raleigh. I never heard of Raleigh being cruel to her or neglecting her in anyway, and she did not so state to me during the conversation referred to. She and Wash Crocker having have been living together as practically man and wife ever since that time. About two months ago Sarah came to me and asked me to issue a warrant for Wash Crocker as he had threatened to kill her. I issued the warrant at her request, my position being Mayor of the town of Smithfield, and had Wash brought before me. I put him under a bond for good behavior and gave him till the next day to get his bondsman; this he failed to do, but ran away. She, Sarah, told me, at the time she came for the warrant that she wanted to get clear of him; that she did not know why she had messed herself up with him anyway. He has been here since then and stayed at or about the house where she lives that night; I had been to the River and when I was on my way back I met him and so soon as I got to town I sent the officer after him, but he had gone. I feel pretty sure that he had seen her and stayed with her that night. I have seen mail for her, coming through my store since Crocker has been away, from Newport News, where he is supposed to be, and I believe it is mail for her from him. Thay have been to my store together and bought provisions and frequently when she did not have enough money to pay the bill he would take it from his pocket and hand it to her.

And further this deponent saith not

K. W. Joyner

W. Y. Johes, being duly sworn, deposes and says:

Q. Mr. Jones, what is your name, age, residence a d occupation?

A. W. Y. Jones, Thity Nine years old, reside in Smithfield and am Town Sergeant.

Q. Pplease state if you know both of the parties to this suit, how long you have known them, and how long they have resided in this County.

A. Yes, I have known both of the parties to the suit about four years and they have been residing in this County ever since I have known them.

Q. State what you know, if anything, about the parties to this suit, and if you know that they have been living together, or whether or not some other man has bee living with Sarah?

A I know both of the parties very well. Raleighk always has seemed to me to be quite a good sort of a boy. I have never seen anything of him to make me believe otherwise and I see him frequently, The only time I have ever seen him anyways but quite orderly is that I have seen him talking a little rough to Wash Crocker and during these conversations I have heard the name of Sarah mentioned. I have been renting Sarah a house to live in for about eighteen months and she has always paid me the rent on Saturday afternoons when she came out of the factory, or hs asked me to wait till Wash came out to give her the money to pay me. I have seen him give her the money to pay ~~her~~ me. Since Wash has been away she has not been so prompt with the rent, I arrested Wash on one occasion, on a warrant sworn out by Sarah for threats and he ws bound over to keep the peace and before his bond was properly executed he skip:-ped town. Since that time he has been back and I have been to look for him hut did not catch him. I was told that he had been in the house with this woman for two nights at that time. I think he is now in Newport News. Before he went away I saw him with Sa-rah more than I saw her with her own husband, in fact I have not

seen Raleigh with her since Wash has been going with her, and that has been some three years. I would see Wash with her about the streets about as often as I see any other man and his wife, and they were together always on Saturday nights. Raleigh has never paid me any rent for her.

Q. Do you know or have you ever heard of Raleigh being cruel or neglectful of Sarah?

A. No sir, not at all.

Q. In the quarrels or disputes between Raleigh and Wash which you have mentioned, have you ever heard any of the words that passed between them?

A. I remember hearing Wash tell Raleigh, in a grumbling sort of a way, that she had been his, meaning Raleigh's, but that she was his then and would never his, Raleigh's, any more.

Q. Have you ever seen them leave the streets at night together as if they were going home, I mean Wash and Sarah.

Ans. Many, many times.

And further this deponent saith not.

W. H. Jones

Holland
Johnson

Fenton ~~Thomas~~ being duly sworn, deposes and says:

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

A. Joseph Fenton Holland, eighteen years, reside in Smithfield, Clerk in grocery store.

Q. Do you know Raleigh Gibbs and Sarah Gibbs.

A. Yes sir.

Q. How long have you known them?

A. I have known Raleigh for about four years and I have been knowing Sarah for some two years.

Q. Do you know Wash Crocker?

A. Yes sir.

Q. State if you have ever seen Wash Crocker and Sarah Gibbs together , and if so, when and where and state generally all you know about them?

A. I have seen them together often. In my position as Clerk in the grocery store of Holland & Parker in Smithfield, I have seen Wash Crocker go in the house of Sarah Gibbs, in White's Bottom late at night and come out early in the morning. I am at the store in the morning when it opens at half past five or six and in there till it closes at night from nine to ten. I have seen Wash go in the house late at night and come out early in the morning. He has been to the store many times and bought groceries and have it sent to Sarah's house, and would pay for them himself.

Q. Is it your opinion that Wash Crocker and Sarah Gibbs have been living together as man and wife from your observation of their actions?

A. It certainly looked so to me.

And further this deponent saith not.

J F Holland

Thomas Shivers being duly sworn deposes and says:

Q. State your name, age residence and occupation?

A. My name is Thomas Shivers sir; I am thirty three years old. I live in front of Mr. Fenton Day's gate in Isle of Wight County

Q. Do you know Raleigh Gibbs and Sarah Gibbs and how long have you known them.

A. I have been knowing Raleigh about eight years and me and Sarah were raised up children together.

Q. Do you know how long they have been lived in this County?

A. Sarah was bred and born in this County and Raleigh has been here to my knowing for eight years, I do not know how much longer.

Q. Do you know Wash Crocker?

A. Yes sir1

Q. How long have you known him?

A. About seven or eight years, as near as I can get at it.

Q. Does Raleigh live with Sarah now?

A. No sir.

Q. How long have they been living apart.

A. As near as I can get at it they have been living apart about four years. That is as near as I can get at it.

Q. Who, if anybody, has been living with Sarah since she and Raleigh parted?

A. With Sarah? Well, I cant tell exactly sor far as that goes she has been living in the house with her sister and some one else. I have seen Wash Crocker go in the houseat night and come out with his bucket early in the morning lots of times, and I have seen him and Sarah together on the street and about lots of times, and I believe they have been living together. I have seen Wash and Sarah go to Mr. Jyner's store Saturday nights and grub up together just the same as man and wife several times.

Q. Do you know why Sarah left Raleigh?

A. I do not know myself, but I always have heard that they parted on account of Wash.

Q. What sort of a man is Raleigh?

A. He is a pretty steady sort of a man and a good worker.

Q. Have you ever heard whether or not he was bad or cruel to Sarah? No sir, I have not.

Q. And further this deponent saith not.

Thomas x Thomas

Witness A S Johnson

I, A. S. Johnson, a Commissioner in Chancery for the Circuit Court for the County of Isle of Wight, do hereby certify that the foregoung depositions were duly taken before me, duly reduced to writing and signed by the respective deponetns before me at the time, place and between the hours mentioned in the notice hereto attached.

Given under my hand this 27th. day of September, 1906

A S Johnson
Commissioner in Chancery.

Commissioners fee $3.75
Stenographers fee 1.80
$5.55

Gibbs

vs. } Depositions

Gibbs

Clerk's Office of the Circuit Court of Tate & Tippah County, September 28th 1906, these depositions were returned and filed

Test. A. S. Johnson C.C.

The Commonwealth of Virginia,

To the Sheriff of the County of Isle of Wight, Greeting:

WE COMMAND YOU that you summon Sarah F. Gibbs

to appear at the Clerk's office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court, on the 1st Monday in May 1906, to answer a bill in chancery, exhibited against her in our said court ~~for~~ by Raleigh Gibbs

And have then there this writ. Witness ~~NATHANIEL I. YOUNG~~ A. Johnson, Clerk of our said court, at the court-house, the 2nd day of May 1906, and in the 130th year of the Commonwealth.

A. Johnson, Clerk

Raleigh Gibbs

vs. { SUBPOENA IN CHANCERY.

Sarah F. Gibbs

E. Williams ..... p. q

To 1st May ..... Rules,

Circuit ..... Court.

B 3:119

Executed on the Defendant Wheeler
Sarah Gibbs a true Copy of this
Summons. this 4th day of May
A.D. 1900.
A. Williams Sh

IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT, VIRGINIA.

Raliegh Gibbs----------Plaintiff.

V. In Chancery.

Sarah F. Gibbs----------Defendant.

To the Honorable Robt. R. Prentis, Judge of the Circuit Court for the County of Isle of Wight.

Humbly complaining, showeth unto the Court your orator, the following case, to-wit:

That on the 15th. day of June in the year of 1896, in the County of Isle of Wight, Virginia, your orator was married to the said Sarah F. Gibbs, a certified copy of the marriage license is herewith filed, marked exhibit "A" and is prayed to be read as a part of this bill;

That your said orator and the said defendant are now both residents of Isle of Wight County, Virginia, and have been residents of the said County all of their lives;

That your orator has been a constant, faithful and dutiful husband, while on the other hand, the said Sarah F. Gibbs has been unfaithful to her marriage vows, and during the night of September, 1st. 1903, in the town of Smithfield, Va., she committed adultery with one Wash Crocker, and at various other times she has committed adultery with the said Wash Crocker, and since September, 1st. 1903 the said Sarah F. Gibbs and Wash Crocker have occupied the same room together.

In tender consideration whereof and forasmuch as your orator is remediless in the premises save in this Honorable Court of Equity where matters of this sort are alone and properly cognizable, he prays that the said Sarah F. Gibbs may be made a party defendant to this bill, and be required to answer the same; an answer under oath is hereby expressly waived; that your orator may be divorced from the said Sarah F. Gibbs a vinculo matrimonii; and that all such other, further and general relief may be afforded your orator as the nature of his case may require or to equity shall seem meet.

And your orator will ever pray, &c.

Raliegh Gibbs
By Counsel

Gibbs
vs) Bill of complaint
Gibbs.

1st. May rules, 1906.
Summons returned, executed. Bill filed. De. nisi.

2nd. May rules, 1906.
Case set for hearing.

Depositions received from Commissioner, in person, September 28th. 1906 and filed.