

1892 - 11

Southampton County Chancery

Johnson, S. P. vs Johnson, Merritt

Divorce

No. *W. J. Hall*

Johnson per Jol.

to

Johnson

In the Circuit Court of Southampton County, Va.

S.P. Johnson, nee Lewis, who sues by her next friend W.T. Turner,

Complainants:

vs.

Merritt Johnson, Defendant:

The said complainant, your oratrix, respectfully represents that on the 20th day of October 1885, in the County of Southampton, in the state of Virginia, she was married to *as will more fully appear by reference to a certified copy of the marriage license* said defendant Merritt Johnson, and from that day till some time in the fall of the year 1887 was to him a true and faithful wife, bearing unto him one child, a daughter still living, and your oratrix says that during all that time since the marriage up to the present she has faithfully kept her marriage vows.

Your oratrix charges and alleges that her said husband was very cruel to her, that he often deserted her, abused her and in many ways mistreated her, but all this she tried to bear and might have still borne but for the monstrous conduct of her said husband in another way.

Your oratrix is informed, believes and here charges that in the latter part of the year 1887 and during the year 1888 her said husband, Merritt Johnson, was guilty of the crime of "Buggery" with a male person named, W.H. Johnson, in the said County of Southampton by then and there copulating with him the said W.H. Johnson in an unnatural manner, and she is advised and believes that it includes the crime of adultery in its most malignant form, type and character, She therefore charges that her husband, the said defendant, is guilty of adultery with one W.H. Johnson. She says the defendant during the time aforesaid did copulate and have sexual intercourse with said W.H. Johnson.

Your oratrix says that since the said terrible intelligence reached her she has not lived with her said husband as his wife nor has she permitted him to have intercourse with her at all:

Your oratrix says that she is now living with her friends *and* is very poor, that her child is with her and that she has no means of support for the child or herself except by manual labor and she says that her said husband is possessed of a small personal estate such as a horse, cart, farming implements, some household and kitchen furniture and the like, worth from five to six hundred dollars in cash and that he has a ^{good} farm lying, being and situate in the County of Southampton, in the state of Virginia, worth about twelve or thirteen hundred dollars, making his whole estate worth from seventeen to nineteen hundred dollars.

And your oratrix says she has been domiciled in said Southampton County since her said marriage and that the same is true of the said defendant Merritt Johnson.

Your oratrix is advised and believes she is entitled to alimony, to aid in the prosecution of this suit and to aid in providing for her child and for maintenance pending this suit but she verily believes that said defendant will convert his property into money or securities and thereby defeat and avoid the mandates of any decree hereinafter entered so far as alimony is concerned and so far as any aid in the way of prosecuting this suit is concerned.

For-as-much as your oratrix is remediless save in this honorable Court where matters of this sort are alone and properly cognizable, she prays that said Merritt Johnson be made a party defendant to this bill and required to answer the same, but an answer on oath is hereby waived as provided by statute, that the said

marriage had and solemnized between the defendant and your oratrix be annulled, that a divorce from the bands of matrimony be granted your oratrix and that allimony be allowed your oratrix out of the estate of the said defendant, that aid be allowed her in the prosecution of this suit and for maintenance while it is pending, and she specially prays that such orders may be entered from time to time herein as may be necessary to compel the defendant to pay any such sums of money as may be decreed and as may be necessary to preserve the estate of said defendant so it may be forth-coming to meet any decree in this suit; and she prays that all such other, further and general relief may be ~~afforded~~ your complainant as to equity and good conscience may seem proper and she will ever pray
&c. &c.

W. B. Hallam & V.

J. F. ^{his} Turner
J. P. Johnson

Jas. L. McLemore a Commissioner in chancery
~~J. F. H. McLemore~~ Clerk of the County
and Circuit courts of Southampton County
in the State of Virginia do certify that
W. H. Turner whose name is written above
this certificate and below the foregoing
bill in chancery come before me in my
said County at my office and made
oath in due form of law that the state-
ments contained in the aforesaid bill
in chancery are true to the best of his
knowledge, information and belief.

Given under my hand this 27th day of
August 1891 A. D.

Jas. L. McLemore Commissioner
in chancery &c. &c.

Johnson, by H^c

or ^{been} Stat. Rules

Johnson

S. P. Johnson. re Lewis.

by her next friend H. F. Turner. ~~Plff.~~

against

Merritt Johnson -

Def.

1891. Aug 18. Process up to 1st Sept. Rules.

" 1 Sept. Rules. Process Executed. Bills + Ex: filed.

Decease nisi.

" 2 " " Answer of Merritt Johnson
filed. Cont. Ref. and cause
set for hearing.

Johnnie per friend

or $\frac{3}{2}$

Johnnie

Answered

Merritt Johnson

The answer of Merritt Johnson to a bill of complaint exhibited in the Circuit Court of Southampton County against him by S. P. Johnson who was by her next friend W. F. Turner.

This respondent for answer to said bill says. That it is true as alleged in said bill that he was married to S. P. Johnson on the 20th day of Oct: 1885. He denies that he was very cruel to her, that he deserted her, abused her and in many ways mistreated her. He denies that in the latter part of 1887, or during the year 1888 or at any other time he has been guilty of the crime of Buggery with a male person W. F. Johnson. and he calls for the strict proof of this monstrous charge. Respondent says that he owns no property of any kind, real or personal and that he has owned none for several years. Respondent charges that his wife, who is now seeking to blacken his character by making the terrible charge contained in her bill, wickedly deserted him without any just cause, and he believes that but for the mischief-making of her wicked friends who are now inciting her to this suit, they would now be living happily together as man and wife. Respondent claims that he should have the custody of the child that was born unto them, and

he gives notice here now that he will ask the
Court to restore to him his child. ~~And~~ And
respondent denies that the said S. P. Johnson
is entitled to alimony to aid in the prosecu-
tion of this suit, or to any aid in providing for
the child. He is willing and anxious to provide
for the child and if restored to him he will
provide for it. But he is not willing to expend
a cent for the support of the child so long as
it remains where it now is. And having
answered, he prays leave to be dismissed &c. -

Merritt Johnson

Johnson pro friend
vs. 3 Sinner

Johnson

1892 May 25.
Comis Office

Executed by de
livering a copy of
the Sum to each
of the within named
parties R. J. Williams
May 23^d 1892
Seymour J. Williams
Sgt

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON

W. H. Jayner, Jesse Johnson, Thos E Jayner & M. Rankford

me a Comm of Circuit
to appear before the Judge of our Court of Southampton County, at the Courthouse

thereof, on the *25* day of *May* Term, 189*2*, to testify and the truth to

speak on behalf of *D. P. Johnson*

in a certain matter of controversy in our said Court depending and undetermined between

D. P. Johnson, plaintiff, and

Alvin Johnson, defendant.

And this *they* shall in no wise omit, under the penalty of the law. And have then there this writ.

B. F. McLeMORE
Witness, B. F. McLEMORE, Clerk of our said Court, at the Courthouse, this *25* day
of *May*, 189*2*, in the *116*th year of the Commonwealth.

TESTE:

B. F. McLeMORE

Johnson, by J. W.

W. Sum:

Johnson

1891. 1st Sept. Rules

Civ. Ct.

Executed Sept 4th
1891 by putting a
copy of this 'sum' on
the front door of the
residence of the defend-
ant Murrett Johnson
there being no one at
home

J. W. Williams
Shff.

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON

Merritt Johnson

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 *September 1891* ~~next~~, to answer a Bill in Chancery exhibited against *him* in our said Court by

S. P. Johnson, nee Lewis

by her next friend W. F. Turner.

And this *he* shall in no wise omit under penalty of law. And have then there this writ.

WITNESS, B. F. McLEMORE, Clerk of our said Court, at the Courthouse, this *18th* day of *August*, 1891, in the 11⁶th year of the Commonwealth.

Testo: B. F. McLemore

C. C.

Johnson per pen
or S.

Johnson

See crew

To be entered

C. W. J.

May 27, 1892

Enter

Johnson per fund

vs.

Johnson

On motion of the Plaintiff
it is ordered that this suit be
dismissed at her cost.

Hon. G. W. Hill

Please enter this decree

May 25th 1892

W. S. Holland J. S.

Johnson

✓ } Ma Li
Lewis

1885

A Copy

Page 475

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,

Merritt Johnson
and Saphronia P Lewis

Given under my hand, as Clerk of the County Court of Southampton Co. this 19 day of Oct 1885

J. B. Prince Clerk.
A Copy Filed B. F. M. Lemoore C. C.

CERTIFICATE TO OBTAIN A MARRIAGE LICENSE.

To be annexed to the License, required by Acts passed 15th March, 1861, and February 27th, 1866.

Time of Marriage, Oct 20 - 1885
Place of Marriage, Southampton Co.
Full Names of Parties Married, Merritt Johnson
+ Saphronia P Lewis
Color, White
Age of Husband, 39 years
Age of Wife, 15 "
Condition of Husband (widowed or single), Single
Condition of Wife (widowed or single), Do

Place of Husband's Birth, Southampton Co.
Place of Wife's Birth, "
Place of Husband's Residence, "
Place of Wife's Residence, "
Name of Husband's Parents, Wes + Lizzie
Johnson
Name of Wife's Parents, John P + Leah
E Lewis
Occupation of Husband, Farmer

Given under my hand this 19 day of Oct 1885

J. B. Prince Clerk.

A Copy Filed B. F. M. Lemoore C. C.

MINISTER'S RETURN OF MARRIAGE.

I Certify, That on the 20 day of Oct 1885,
at Brides Mather's I united in Marriage the above-named and described parties, under authority of the annexed License.

J. E. Stephenson

The Minister celebrating a marriage is required, within TEN days 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
Filed B. F. M. Lemoore C. C.