

1917-012 Chancery Causes: Ella May Savage VS Herbert Tagewell Savage

270

Isle of Wight County

other surnames. Grandison,
Bradshaw

VIRGINIA,

COUNTY OF ISLE OF WIGHT, TO-WIT:

I, A. S. Johnson, Clerk of the Circuit Court of the County of Isle of Wight, in the State of Virginia, do hereby certify that it appears of record in my office that a license issued to Herbert Tazwell Savage to marry Ella May Grandison, (both colored), on the 17th day of August, 1910, and I further certify that it appears of record that the said parties were, on the 18th day of August, 1910, married, by E. F. Hardy, a minister.

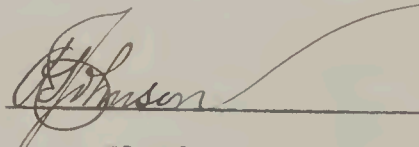

Clerk.

Exhibit "A"

Savage

v) Chancery

Savage,

Copy of certificate
of marriage.

VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF ISLE OF WIGHT.

TO THE CLERK OF THE SAID COUNTY:

Ella Mae Savage,
vs) In Chancery,
Herbert Savage.

Please issue summons in chancery to the first September Rules, 1917.

Geo. F. Whitley, Jr.
B.

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Ello. May. Savage
vs Cy No 270
Herbert Savage

Memo

Filed Aug 31, 1917

VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF ISLE OF WIGHT:

ELLA MAY SAVAGE,.....COMPLAINANT,
VS) IN CHANCERY,
HERBERT SAVAGE, ...DEFENDANT.

This cause, in which the complainant has proceed against the defendant, Herbert Savage, in the manner prescribed by law, whose place of residence in this Commonwealth is unknown, the order of publication having been duly published, and posted, came on this day to be heard on the bill of complainant, together with exhibits filed therewith, which said bill has been signed and sworn to by the said Ella May Savage, the said Herbert Savage failing to appear, plead, answer or demur to the said bill, and upon the depositions of witnesses duly taken on the 18th day of November, 1917, and was argued by counsel.

On consideration whereof, the Court finds:

- 1-- That the plaintiff is now and has been domiciled in the County of Isle of Wight, Virginia, for more than one year next preceding the institution of this suit;
- 2-- That on the 18th day of August, 1910, the plaintiff and defendant were lawfully married;
- 3-- That during the month of October, 1911, the defendant wilfully abandoned and deserted the plaintiff and has ever since absented himself from her, and has wilfully deserted and abandoned the plaintiff for more than three successive years next

preceding the institution of this suit.

4-- That the said plaintiff and defendant have not at any time during the said three years co-habited.

5-- That the plaintiff and defendant last co-habited in the County of Isle of Wight, Virginia.

Wherefore it is adjudged, ordered and decreed by the court that the marriage heretofore had and solemnized between the defendant, Herbert Savage and the plaintiff, Ella May Savage, formerly Ella May Grandison, shall be, and the same is hereby dissolved, and that the said Ella May Savage be forever divorced from the said Herbert Savage.

ELLS MAY SAVAGE,

VS† IN CATCHERY- *20/0*

HERBERT SAVAGE.

DECREE

v

1917

Dec. 18.

Enter this.

B.W.

C. C. B. #7

page 441

GEORGE F. WHITLEY
ATTORNEY-AT-LAW
SMITHFIELD, VA.

VIRGINIA:—Clerk's Office of the
Circuit Court of the County of Isle
of Wight, September 11th 1917.

Ella May Savage.....Complainant
vs.

Herbert Tazewell Savage...Defendant
IN CHANCERY

The object of the foregoing suit is
for the complainant to obtain a di-
vorce from the bond of matrimony
from the said defendant. And, an af-
fidavit having been filed in the Clerk's
Office of the Circuit Court of the
County of Isle of Wight, which as-
serts that diligence has been used on
behalf of the said complainant to as-
certain in what county or corporation
defendant resides, without effect, it is
ordered that the said defendant do
appear in the Clerk's Office of said
court, within fifteen days after due
publication hereof, and do what may
be necessary to protect his interests
herein.

Teste:—

A. S. JOHNSON, Clerk.

GEO. F. WHITLEY, p. q. se21-4t

OFFICE OF SUFFOLK HERALD

SUFFOLK, VA., *Oct-31-* 191*7*

I hereby certify that the order of which the annexed is
a copy has been published in THE SUFFOLK HERALD
in the manner prescribed by law---once a week for four
weeks.

beginning *September - 21st / 17* and ending
October - 12th / 17

Jacobson

Editor Herald

^b
Swage
n
Swage

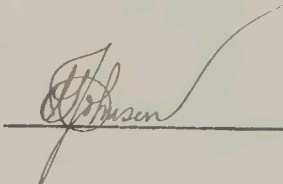
Citipicute
from Editor.

VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF THE COUNTY OF
ISLE OF WIGHT SEPTEMBER 11th. 1917.

Ella May Savage,.....Complainant
vs) Chancery
Herbert Tazewell Savage,.....Defendant.

The object of the foregoing suit is for the complainant to
obtain a divorce from the bond of matrimony from the said
defendant. And, an affidavit having been filed in the Clerk's
Office of the Circuit Court of the County of Isle of Wight,
which asserts that diligence has been used on behalf of the
said complainant to ascertain in what county or corporation
defendant resides, without effect, it is ordered that the said
defendant do appear in the Clerk's Office of said court, within
fifteen days after due publication hereof, and do what may be
necessary to protect his interests herein.

copy
Teste,


Clerk.

Geo. F. Whitley, p.q.

4
Elda May Savage
2 { Cy
Herbert Savage

Copy order Publication

Filed 9/10/1917

VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF ISLE OF WIGHT.

ELLA MAY SAVAGE,

VS) IN CHANCERY,

HERBERT SAVAGE

STATE OF VIRGINIA,

COUNTY OF ISLE OF WIGHT, TO-WIT:

This day, Floyd Brodshaw personally
appeared before me, A. S. Barrett a Notary Public
_____ for the County aforesaid, State of Virginia,
in my County aforesaid, and made oath that diligence has been
used on behalf of the plaintiff, in the above styled suit, now
pending in the Circuit Court of the said County, to ascertain
in what county or corporation, Herbert Savage, the defendant is,
without effect.

Given under my hand this 10th day of September, 1917.

My Com. Exp. 7/20/19 A. S. Barrett N.P.

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Ellen May Savage
n^o 1 Cy No 2410
Herbert Savage

Affidavits for
Order Publication

Wm. B. Savage
Herbert Savage
Ellen May Savage

VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF ISLE OF WIGHT:

ELLA MAY SAVAGE?.....PLAINTIFF,
VS) IN CHANCERY,
HERBERT SAVAGE,.....DEFENDANT.

State of Virginia,

County of Isle of Wight, to-wit:

The following depositions of Ellen Grandison,
John Grandison, and Floyd Bradshaw, were taken before
me, Geo. F. Whitley, a Commissioner in Chancery of the Cir-
cuit court for the County of Isle of Wight, on the 12th
day of November, 1917, at the office of Geo. F. Whitley,
in the Town of Smithfield, Virginia, to be read in behalf
of the complainant.

PRESENT, GEO. F. WHITLEY,
COUNSEL FOR THE COMPLAINANT.

Ellen Grandison, being first duly sworn, deposes and says:

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

A- Ellen Grandison, 51 years old, Isle of Wight County --

Q- Do you know Herbert Savage, and Ella May Savage?

A- Yes, sir, I know Herbert, he married my daughter, Ella May.

Q- Where were they married?

A- They were married at my house, in this County, while I was living at Mr. J.O.Thomas' place.

Q- I notice from the marriage license that Ella May and Herbert were married August 18th, 1910. Where did they live after they were married?

A- They lived on Mr.George Gwaltney's land, all that year, and part of the next, up until some time about May or June, then they moved to my house at the Bracy place.

Q- Where is the Bracy place?

A- 'Tis Mr. J.O.Thomas' land.

Q- How long did they live at your house?

A- They lived there until peanut digging time, some time in the month of October, the same year that they came from Mr.Gwaltney's.

Q- Where did they go after they left your house?

A- Herbert left and went away, I do not know where he went, but I understand he went to Newport News.

Q- What became of Ella May?

A- She stayed there with me, and worked part of the time at Mr.Dallas Chapman's.

Q- Where did she go after she left Mr. Chapman's?

A- She came to Smithfield.

Q- Did Herbert Savage leave on his own accord?

A- Yes, sir, he left her on my hands.

Q- Has he been back to live with her?

A- No, sir; he ain't never been back to live with her.

Q- Has Ella May been living in this County ever since he left her?

A- Yes, sir.

Q- Where is she living now?

A- At Mr. Joe White's.

Q- Who has been taking care of her since Herbert left her?

A- She has been taking care of herself.

Further this deponent saith not.

Witness,

V. A. Boyce

^{her}
Ellen J. Grandison
Witness

John Grandison, being first duly sworn, deposes and says:

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

A- Name's John M. Grandison, 30 years old, Smithfield, and farms.

Q- How long have you been living in Smithfield?

A- I came here on the last day of the year, 1910, and have been living here ever since.

Q- Do you know Ella May Savage, and Herbert Savgae?

A- Yes, sir; Ella is my sister, and Herbert married her.

Q- Do you know where Herbert is now?

A- No, sir.

Q- Is he living with Ella May, his wife?

A- No, sir.

Q- Why?

A- I do not know; he left her while she was living at Mother's.

Q- When did he leave her?

A- About 6 years ago, as near as I can get at it.

Q- Where was your mother living at the time he left Ella May?

A- On the Bracy farm which belongs to Mr. J. O. Thomas.

Q- Is that farm in the County of Isle of Wight?

A- Yes, sir.

Q- How far is it from Smithfield?

A- About 4 miles.

Q- What did your sister do after Herbert left her?

A- She stayed there with mother for a while, then she came to Smithfield.

Q- How long did she stay in Smithfield?

A- Somewhere about three years.

Q- Where did she go when she left Smithfield?

A- She went back home to my mother's and stayed a while and then she went up to Mr. Joe White's where she is now living.

Q- Has Herbert ever been back to live with her since he left her?

A- No, sir, he has not; he has not been back to Smithfield but once; he came to Smithfield about a year ago; I saw him while he was here, but, I do not think he stayed but a day, and this is all I have seen him since he left my sister.

Q- Have you been living near your sister since Herbert left her?

A- Yes, sir, I have been living right here in Smithfield with her until she went back home, and then up to Mr. White's.

Q- Who has been taking care of her since Herbert left her?

A- Been taking care of herself; she has been cooking for Mr. Barrett, and for Capt. Guard while she was here.

Q- Has Ella May been living in this County ever since Herbert left her?

A- Yes, sir. Q- Does she live in this County now? A-- Yes, sir.

Further this deponent saith not.

John M. Gardner

Q- Floyd Bradshaw, being first duly sworn, deposes and says:

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

A- Floyd Bradshaw, 26 Working on the farm , Isle of Wight County,
near Mill Swamp Church.

Q- Do you know Ella May Sagave?

A- Yes, sir.

Q- Where is she living now?

A- At Mr. Joe White's.

Q- How long has she been living there?

A- Fourteen months, or more, I reckon.

Q- Where were you living when she went up there?

A- At Mr. Willard White's.

Q- How far is that from Mr. Joe White's.

A- 'Bout 1/2 mile.

Q- Has Herbert Savage been living up there in that neighborhood?

A- No, I hain't heard no body say nothing 'bout it.

Q- Has Herbert Savage been living with Ella May savage since she went to
Mr. White's.

A- No, sir; he ain't, I'se been right there in the neighborhood ever
since.

Q- Where is Herbert Savage?

A- I do not know. I understand he went to Newport News. I have heard
that he was on one of them horse ships, that is what I understnad,
ships what carries hosses -- he may be drowned for all that I know.

Q- Does Mr. Joe White, the mah for whom Ella May has been working for the
last 14 months, live in Isle of Wight County?

A- Yes, sir, it is right there near Mill Swamp Church.

Further this deponent saith not.

Witness: E. Williams

Floyd Bradshaw
deposant

VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF ISLE OF WIGHT.

Ella May Savage,.....Plaintiff,

VsO In Chancery,

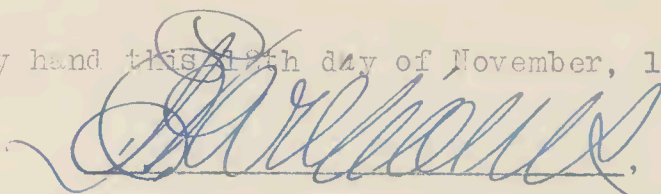
Herbert Savage,.....Defendant.

State of Virginia,

County of Isle of Wight, to-wit:

I, E.H. Williams, a Commissioner in Chancery of the Circuit Court for the County aforesaid, State of Virginia, do hereby certify that the foregoing depositions were duly taken, reduced to writing, and signed by the witnesses, respectively, before me in my County aforesaid, on the 12th day of November, 1917.

Given under my hand this 12th day of November, 1917.

A handwritten signature in blue ink, appearing to read "E.H. Williams", written over a horizontal line.

Commissioner in Chancery.

ELLEN MAY SAVAGE,

VS) IN CHANCERY -

HERBERT S. VANCE -

D E P O S I T I O N S

GEORGE F. WHITLEY
ATTORNEY-AT-LAW
SMITHFIELD, VA.

COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF THE COUNTY OF ISLE OF WIGHT, GREETING:

We command you that you summon Herbert Savage to appear at the Clerk's Office of the Circuit Court for our County of Isle of Wight, at the rules to be holden therefor, on the first Monday in Seotember, 1917, ~~xxxxxxxxxxxx~~ to answer Ella May Savage a bill in chancery filed against him by her. And have then and there this writ.

Witness, A. B. Johnson, Clerk of said Court, at the Courthouse, this 31st. day of August, 1917.

Teste, *A. B. Johnson* Clerk.

George F. Whitley, p.q.

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Ella May Savage

vs { Plaintiff

Herbert Savage

Defendant

Return filed

Sept 11 1917

Not finding the within named Herbert Savage to be
a resident of my County I hereby return the within
process marked "Not Found in Isle of Wight County".

Plaquemine Edwards
Shirley Isle of Wight Co.

VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF ISLE OF WIGHT.

Ella May Savage,.....Complainant,
vs) In Chancery,
Herbert Fazewell Savage. Respondent.

TO THE HON. B. D. WHITE, JUDGE OF THE SAID COURT:

Your complainant, Ella May Savage, respectfully sheweth unto the Court, the following case:

That on the 18th day of August, 1910, in the County of Isle of Wight, Virginia, your said complainant was united in the holy bonds of matrimony, to the said Herbert Savage, a certificate of which marriage license being herewith filed, marked exhibit "A", and prayed to be read as a part of this bill;

That your said complainant, and the said respondent, lived together, in the County of Isle of Wight, as man and wife, until the month of October, 1911, - during which month and year, the said respondent, Herbert Savage, wilfully deserted and abandoned your complainant, and has not since returned, nor offered to return to live with your said complainant;

Your complainant here states that the said respondent, Herbert Savage, has not, since his departure and abandonment, as aforesaid, contributed, or offered to contribute to the maintenance and support of your said complainant;

Your complainant further states, that the said respondent, Herbert Savage, has wilfully deserted and abandoned your complainant, Ella May Savage, for more than three succeeding years, next preceeding the institution of this suit, and that your complain-

ant, and the said respondent, have not co-habited together during the said three years, nor, in deed, since the month of October, 1911 ;

That your complainant, and the said respondent, last co-habited in the County of Isle of Wight, Virginia, and that your said complainant, Ella May Savage is now domiciled, and has been domiciled in the said County of Isle of Wight, for more than one year next preceding the institution of this suit.

In consideration whereof, and for as much as your complainant is remediless, save in a court of equity, your complainant prays that Herbert Savage may be made a party defendant to this bill and required to answer the same, but not on oath, the same being hereby waived; that a divorce from the bonds of matrimony which was created by the aforesaid marriage, be decreed her, and that your complainant may have all such further, other and general relief in the premises, as the nature of her case may require, or to equity shall seem meet.

Ella May Savage
Complainant.

W. F. Whitley P. S.

Ella May Savage, the complainant named in the foregoing bill, being duly sworn, says the facts and allegations therein contained are true.

Ella May Savage

Taken, sworn to, and subscribed to before me, a Notary Public, in and for the County of Isle of Wight, Virginia, in my County aforesaid, this 4th day of September, 1917.

A. S. Barrett N. P.

My commission expires. 7/20/19

ELIZABETH SAVAGE,

VS) IN CHANCERY - BILL

HERBERT SAVAGE.

September 5th.
1st September Rules 1917
Deceased returned not
found. Affidavit for
order publication filed
2nd September Rules 1917
Continued on order of
publication
3rd September Rules 1917
Continued on order of
publication

GEORGE F. WHITLEY
ATTORNEY-AT-LAW
SMITHFIELD, VA.