

1917-024 Chancery Causes: Nannie Jefferson vs Kiah Jefferson

258

Isle of Wight County

Other Surnames: Tynes
Bracy, Wilson, Wardlow

Nannie Jefferson

v.

Kiah Jefferson

Bill of Complaint

PARKE P. DEANS
ATTORNEY-AT-LAW
WINDSOR, VIRGINIA

(5) That your complainant has resided and 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 domiciled and now resides in this State; and

(6) That your complainant last cohabited with the said Kiah Jefferson at Orange, New Jersey;

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

Nannie Jefferson (Complainant)
by Amos L.

Amos L.
Counsel.

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

Nannie Jefferscn

Complainant

v.

Kiah Jefferscn

Defendant.

To the Honorable Circuit Court of Isle of Wight County:

Your complainant, Nannie Jefferscn respectfully represents:

(1) That on the 13th day of September, 1911, your complainant, whose maiden name was Nannie Tynes, was lawfully married in the County of Isle of Wight, Virginia to Kiah Jefferscn as will appear from a certificate of marriage herewith filed, marked "Exhibit A" and made a part of this bill; and

(2) That continuously from the date of said marriage until the ___ day of June, 1913, your complainant and the said Kiah Jefferscn lived together as husband and wife, claiming Isle of Wight County, Virginia as their home but at the time mentioned in this paragraph, to-wit: the ___ day of June, 1913, they were staying in Orange, New Jersey;

(3) That the said Kiah Jefferscn has wilfully deserted and abandoned your complainant for a period of more than three years; that is to say, on the ___ day of June, 1913, the said Kiah Jefferscn did voluntarily, wilfully and without justification whatever left their abode never to return; that previous to this time while your complainant was in a delicate condition, he was cruel to her and in no manner provided for her needs and comfort, and leaving her in that condition never to return and does she now know where he is or whether he be dead or alive; and

(4) That about the middle of July, 1913 a baby was born (which lived only three months), and as soon as I was able to travel after the birth of the child, to-wit the ___ day of August, 1913, I returned to my home in Isle of Wight County Virginia, where I have lived ever since.

Jefferson
N. C. 258
Jefferson

Depositions
Filed 3/28/1917
T. B. Johnson Clerk

Clerk's Office
of Isle of Wight County
Isle of Wight, Va.

And further this deponent saith not.

Fred L. Wilson

Q. What is their reputation in the community in which they reside? A. They are all respectable, as much so as any colored people in this community.

And further this deponent saith not.

M. E. Wilson

Henry L. Bray
more

F. L. Wilson being duly sworn, deposes and says:

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

A. F. L. Wilson, I live in Isle of Wight County, Virginia, am thirty five years of age, and a farmer.

Q. Do you know Nanny Jefferson and Kiah Jefferson, her husband? A. Yes sir.

Q. What is the general reputation of Kiah in the community in which he lived? A. Not good at all. He would not work, and generally wild.

Q. What is the reputation of his wife? A. As good as any other colored person I know anything about. She and her people are unusually respectable, her mother especially.

Q. How near do you live to she and her folks? A. I have lived within from a half to three miles of them all my life, and have known them well.

Q. Have you seen or heard of Kiah being in this community in the past three years? A. No I have not seen or heard of him being here in that time.

Q. The Bill in this suit states that he left Nanny just before she was to give birth to a child, while they were sojourning in Orange, New Jersey- from his general reputation do you think that when he left it was willful, and that he did not care to return to her again? A. From his general reputation he was so trifling that such an act should not be unexpected.

Henry Bracy, a competent witness, being duly sworn, deposes and says:

Q. State your name, age, residence and occupation? A. My name is Henry Bracy, I live in Isle of Wight County, am forty four years of age, and a farmer.

Q. Do you know Kiah Jefferson, who married Nanny Tynes?

A. Yes sir, I have known him ever since about the time he was born.

Q. State what his general reputation is in the community in which he was raised? A. He had a wild disposition, not particular about the company he kept, and was not sober in his habits after he grew up to be something of a man.

Q. Do you know where he is now? A. No sir.

Q. Have you heard of his being in this neighborhood in the last three years? A. Not that I know of.

Q. You state that he was a man of wild habits, and not sober- what do you mean by that? A. Well, he had bad training. His father did not live with his wife for some ten years before she died, which occurred a year or more ago, and his reputation was not good, and his boy could not be expected to be much better and was not. His reputation for associating with women of questionable character was bad, that is he was known to do that.

Q. The Bill in this suit states that he left Nancy Tynes while she was in Orange New Jersey, about the time she was to give birth to a child, and that she has not seen him since. From what you know of him do you think that he left her wilfully, and without any intent to return to her again? A. From his general character and reputation I am not surprised at his doing such a thing.

Q. Do you know Nancy Tynes, and her people? A. Yes sir.

with me.

And further this deponent saith not.

She ^{has} Lynes
made

self.

Q. Who has taken care of her since her return from Orange?

A. I took care of she and her baby till she was able to do some work to help me, and until she finally went away from the house to work about.

Q. Is the baby now living? A. No sir, the baby died when it was about three months old.

Q. Have you heard anything of Kiah since? A. No sir.

Q. Do you know whether or not he has contributed to Nanny's support, in any manner, since he left her? No sir, not a bit, while she was at my house, or since she came back from Orange.

Q. Did they go to Orange to live? A. They went up there to work awhile.

Q. Is it a habit the colored people in this section have going up North and working awhile and coming back? A. Yes sir, I have a daughter in Maryland now, with her husband. They come back now and then and stay awhile and go back. They go there for high wages.

Q. Did you know Jefferson to drink? A. Yes sir, as often as he could get it?

Q. Did you ever see him when you thought he was drunk? A. Yes sir, any time so.

Q. Did you know that he was a man of such habits before your daughter married him? A. No sir, I did not see enough of him to know about it.

Q. Do you think she knew it? A. I do not think she did, because she did not see so much of him.

Q. Do you own your home, or the place you live at? A. Yes sir, I have owned a small farm for about twenty seven years or so.

Q. How many children have you? Five living.

Q. One of them lives in Orange, New Jersey, and the others live here in this County, one of them living in the house

nearly every night after he got home. He did this more after he knew I was going to have a baby than ever.

Q. Who has provided for you since you came home from Orange? A. My mother, until I was able to work for myself, after which time I have been working about for my own living.

Q. Where do you call home now? A. At my mother's house, in Isle of Wight County, Virginia.

Q. What was his condition when he came home at night? A. It was a common thing for him to come home sick drunk, when he would make a mess of the bed and all over the room. He got drunk very often. If it had not been for my brother I do not know what he would have done to me, but bother looked after me very faithful and he knew it .

And further this deponent saith not.

Nanny Jefferson

Alice Tynes being duly sworn, deposes and says:

Q. State your name, age and residence? A. My name is Alice Tynes, I am sixty five years old, and I live in Isle of Wight County, Virginia.

Q. Do you know Kiah Jefferson and Nanny Jefferson? A. Yes sir, Nanny is my daughter.

Q. Do you know when they were married? A. Yes sir, they were married at Union Bethel Church in September 1911, and lived on my land for nearly a year after they were married, he worked at Mr. Ben Gay's mill all the time they were there.

Q. What became of them then? A. They went to Orange, New Jersey.

Q. When did you next see them? A. I aint never seen him since. Nanny came home the latter part of the next August, with a little baby about six weeks old, and has been with me ever since, except when working out for her .-

Q. How did he treat you while he lived with you in Orange? A. He was very disagreeable to me, and one time, about three months before the baby was born, he struck me. He often abused me by talking mean to me, threatening to leave me, telling me had he known married life was what it was he would never have married. He would not get wood or coal to keep the house warm; he was at home but little to his meals. I always had what he provided for, and what brother provided me with cooked, and ready for him at meal time, but he did not come often, and stayed little during the night, always coming home late.

Q. Did he provide as much as a half of the food you had to eat? A. No sir, he never brought any money home Saturday nights, and sometimes he would bring a loaf of bread or something like that. If he bought anything he did not bring it home. He did not give me a piece of clothes while we lived in Orange. All I had I worked for myself, what I could do, and but for the help of my brother and Mrs. Hunter, who lived in the same house with me, for the last few weeks before my baby was born I do not know what would have come of me.

Q. Have you ever heard anything from him since he left you? A. No sir, not directly. I heard he was in Baltimore soon after he left me, and others have told me they had received letters from him since, but I have not heard anything from him directly.

Q. When did you leave Orange, New Jersey? A. I left about six weeks after my baby was born, and came home, the latter part of August (1913) to my mother where I have been living ever since except when I am out working for some one, which I have been doing, for one and another, ever since I was able to do so. My baby did not live but about three months after I came home.

Q. How often did he abuse you and threaten to leave you?

Nanny Jefferson being duly sworn, deposes and says:

Q. Please state your name, age, residence and occupation? A. My name is Nancy Jefferson, I am about twenty six years old; think I was twenty six years old last July, my home is in Isle of Wight County, Virginia; and at the present time I am working, as house servant for Mr. George Mallison, in Newport News.

Q. Are you a single woman or married woman? A. I am a married woman, the wife of Kiah Jefferson.

Q. When were you married? A. I was married the 13th. of September, 1911.

Q. Where were you married? A. At Union Bethel A.M.E. Church, in Isle of Wight County.

Q. Who married you? A. Rev. Hardy.

Q. Where is your husband, Kiah Jefferson, now? A. I do not know.

Q. Where did you last see him? A. In Orange, New Jersey.

Q. What was he doing there? A. After we were married we lived together in a house on my mother's land, he working at the mill of Mr. B. P. Gay while we lived there, which was on or near mother's land, for nearly a year; and I then went to Orange, New Jersey, that was in the latter part of August, 1912, and he followed in a week or so, both of going there to work. About a month after we had gotten to Orange he begun drinking and running about, neglecting me, and kept on this way till some time in June 1913, about a month before my baby was born, he left me and I have never seen him since. For a long time he failed to provide for me, my brother, who lived in Orange, giving me what I needed to eat and wear, and the lady who lived in the same house with me took care of me, and but for them I suppose I would have died.

VIRGINIA: CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Nanny Jefferson

vs) Chancery. No. 258

Kiah Jefferson.

The depositions of Nanny Jefferson et als., taken before me, A. S. Johnson, a Commissioner in Chancery of the Circuit Court of the County of Isle of Wight, on the 28th. day of March, 1917, to be read as evidenced in the above entitled cause, in said court depending.

Given under my hand this 28th. day of March,
1917.



Commissioner in Chancery.

I, James Stearns, a Notary Public for the County of Essex and City of New York in the State of New Jersey, do hereby certify that the foregoing questions were propounded by me to Henry Wardlow, and the answers thereto made by him, all of which is hereby certified to the Clerk of the Circuit Court of the County of Isle of Wight, State of Virginia, to be read as evidence on behalf of the complainant in a certain suit in chancery in the said court now pending in which Nanny Jefferson is the complainant, and Kiah Jefferson is the defendant.

Given under my hand and the seal of my office, on this 11 day of May, 1917.

(SEAL)

James Stearns N.P.

MY COMMISSION EXPIRES JUNE 20, 1920

care for his wife at all, or to have a home.

Q. Was she a dutiful wife to him, and did she do what she should have done for him while he was with her? A. As far as I could observe I believe she did. I know that when she was so she could not work and provide for herself I had it to do for her, and but for what was done for her by the people who lived in the same house with her and what I did for her she would have starved to death had she remained here. He did nothing for her support after he had been in Orange a few weeks; He began to run around, get drunk, and was generally trifling and worthless. He was abusive to Nanny, so much so that I had to protect her, on several occasions, to prevent his treating her cruelly.

Q. Is it your opinion that the abandonment by him or her was wilful, and without intent to return to her again? A. I see no other reason for his going. She did what for him he would allow and he had no reason to leave her other than because he wanted to be without a wife so that he could run around and spend his money with other women and about other things than caring for a family.

Q. Did he work while he lived with her? I believe he did, most of the time.

Q. What did he do with the money he got for his work? A. I cannot say except that he spent most of it drinking, and other things of the same nature. I know that he did not make any provision for his wife, to speak of, for when she could not do it for herself I did it for her.

Q. Did you pay her house rent? A. I did it when she was not able to do so.

And further this deponent saith not.

Henry Wardlaw

State of New Jersey,

Essex County, to-wit:

Henry Wardlow, a resident of the city of Orange, in the State of New Jersey, to testify for the complainant in a certain proceeding, in chancery, in the Circuit Court of the County of Isle of Wight, in the State of Virginia, in which Nanny Jefferson is the complainant, and Kiah Jefferson is the defendant, deposes and says:

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

A. My name is Henry Wardlow: I am 46 years of age; I live in Orange, New Jersey, and by occupation am an undertaker.

Q. Where were you born? A. In Isle of Wight County, the State of Virginia.

Q. Where, and who is your mother? I was born in Isle of Wight County, my mother being Alice Wardlow, now Alice Tynes, who now lives on a farm adjoining the farm of the late Mr. N. P. Young, and which is near the Courthouse of that County.

Q. How long have you resided in Orange? A. 25 years.

Q. Do you know Nanny Jefferson and Kiah Jefferson? A. Yes sir, she is my half-sister, and he is or was her husband.

Q. Do you know anything of their separation? A. Yes sir, they came to Orange in the Summer of 1912, to work, and stayed here till the following year, and in June of 1913 he left ^{her on account of beating cruelly and lack of support} ~~her~~, a few weeks before a baby was born to her, and has not returned to ^{her} ~~her~~ since, ^{where to her} so far as I know. He did not come back to her while she was here. She remained here till about six weeks after her baby was born, and then she went home to her mother, which was sometime in August.

Q. Do you know why he ^{did not attempt to return to her or seek} left her? A. I think it was because he did not want to live with any one woman. He was rowdy, liked to drink liquor and run about and did not seem to

He beat her so cruelly and frequently that she was compelled to leave him.

her return?

VIRGINIA:—Clerk's Office of the
Circuit Court of the County of Isle
of Wight February 14th, 1917.

Nannie Jefferson.....Plaintiff
vs. CHANCERY

Kiah Jefferson.....Defendant

The object of this suit is for the
plaintiff to obtain from the defend-
ant, a divorce a vinculo matrimoni
and affidavit having been made, and
filed with the papers in said suit,
that diligence has been used by the
plaintiff to ascertain in what county
or corporation defendant is, without
effect, it is ordered that the said
Kiah Jefferson appear at the Clerk's
Office of the Circuit Court of the
County of Isle of Wight, within fif-
teen days after due publication here-
of, and do what may be necessary to
defend his interests in this suit.

A copy—Teste:

A. S. JOHNSON, Clerk.

Parke P. Deans, p. q.

fel6-4t

ENTERED, ANY MORE

OFFICE OF SUFFOLK HERALD

SUFFOLK, VA., *Mar. 24* 1917..

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 *Feby. 16/17*-----and ending
march 10/17-----

W. J. Kendrick-----

Editor Herald

Cost \$14 80

OFFICE OF SUFFOLK HERALD

SUFFOLK, VA., ----- 191-----

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 July 16 - 1917 ----- and ending

Nov 9 - 1917 -----

Chgs 4.80

W. H. Smith
Suffolk Herald
26 Leicester St

Editor Herald

Per ----- Manager

**VIRGINIA:—Clerk's Office of the
Circuit Court of the County of Isle
of Wight February 14th, 1917.**

Nannie Jefferson.....Plaintiff

vs.

CHANCERY

Kiah Jefferson.....Defendant

The object of this suit is for the plaintiff to obtain from the defendant, a divorce a vinculo matrimonii; and affidavit having been made, and filed with the papers in said suit, that diligence has been used by the plaintiff to ascertain in what county or corporation defendant is, without effect, it is ordered that the said Kiah Jefferson appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight, within fifteen days after due publication hereof, and do what may be necessary to defend his interests in this suit.

A copy—Teste:

A. S. JOHNSON. Clerk.

Parke P. Deans, p. q.

fel6-4t

Thomas Jefferson

N^o 258

Thos Jefferson

Affidavit for
Order Return

VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT FEBRUARY 14TH. 1917.

Nannie Jefferson

vs) Chancery

Kiah Jefferson.

The object of this suit is for the plaintiff to obtain from the defendant, a divorce a vinculo matrimonii; and affidavit having been made, and filed with the papers in said suit, that diligence has been used by the plaintiff to ascertain in what county or corporation defendant is, without effect, it is ordered that the said Kiah Jefferson appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight, within fifteen days after due publication hereof, and do what may be necessary to defend his interests in this suit.

A copy,

Teste, *Johnson* Clerk.

Parke P. Deans, p.g.

Manus Jefferson
n. f. Cy No. 258
Heath Jefferson

Order Publication

I, Nannie Jefferson, complainant in a certain suit in chancery in the Circuit Court of the County of Isle of Wight, State of Virginia, now pending, and in which Kiah Jefferson, my husband is defendant, said suit having been instituted by me for the purpose of obtaining an absolute divorce from the said Kiah Jefferson, do hereby certify that I have used diligence to ascertain in what county or corporation said Kiah Jefferson is, without effect.

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

Nannie Jefferson

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 Nannie Jefferson, the above named, this day personally appeared before me and made oath that the statements contained in the above certificate are true.

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

A. S. Johnson Clerk.

Nannie Jefferscn

v.

Kiah Jefferscn

D E C R E E

Enter this

In the Circuit Court of Isle of Wight County, Virginia:

Nannie Jefferscn

v. Deeree

Kiah Jefferscn

This cause came on this day to be heard upon the complainant's bill, and the exhibit filed therewith; the defendant, who was proceeded against by order of publication duly executed, still failing to appear, plead, answer or demur; and the depositions taken and filed on behalf of the complainant and was argued by counsel.

On consideration whereof, and it appearing to the Court independently of the admissions of either party in the pleadings or otherwise, that the said parties were lawfully married on the 13th day of September, 1911; and that Kiah Jefferscn voluntarily, wilfully and without justification deserted the said Nannie Jefferscn on the ___ day of June, 1913; that Nannie Jefferscn has resided and has been domiciled in this State ever since the aforesaid marriage, and for more than one year next preceding the commencement of this suit; that the said Nannie Jefferscn and Kiah Jefferscn last cohabited in Orange in the State of New Jersey: the Court doth adjudge, order and decree that the said Nannie Jefferscn and Kiah Jefferscn be divorced from the bond of matrimony which was created by the aforesaid marriage, and that the said marriage be, and the same hereby is dissolved and annulled.

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

VIRGINIA: CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Nanny Jefferson

vs) Chancery

Kiah Jefferson

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 on the 13th. day of September, 1911, Kiah Jefferson was issued a license to marry Nanny Tynes, and that on the same date they were married in said County, by Rev. Hardy.

Given under my hand this 14th. day of February,
1917.

A. S. Johnson Clerk.

1
New Port News, Va
May 23/1917

Mr Johnson

I have just received
your letter today. I would have
got it before now you send
of care of Mr George Mallison
I do not work there any more
now but he send it to me. I am
work some other place now if
you have to write any more you
put this address on it 34, 8, 5

Chestnut Cove rue I will get
it all right. You said you
just received a letter from
my Brother they are not all
Satisfactory and you would
like for me to come home
to see you again

Mr. Johnson if I write to you
will it be all right this is
a few please I am work at now
I have just got it it is so
I can not come home now
I was home last week to my
Gunt Susan death if I
know you want to see seen
me then I would come up
there if you write me and I
can give you more informat
ion, I know writing that you
be able to shape up for me.
I can no see why I can get it
because I have not seen him in
three long year. The law said
you have not either in three
year and have wrote you
can get it any how if you
can get it with ought

me coming. I will be willing
to pay you for your trouble

This is from Nannie
Tyner