

1930-007 Chancery Causes'. Charlie W. Darden vs Nina Graham Darden

575

Isle of Wight County

other SURNAMES: Graham,
Wilson, Portere.

DALTON & JORDAN
ATTORNEYS-AT-LAW
EAST RADFORD, VA.

TED DALTON
R. L. JORDAN, JR.

June 23, 1930.

Mr. R. A. Edwards, Clerk,
Isle of Wight, Virginia.

Dear Sir:

Re: Darden vs Darden

Herewith is enclosed an answer to be filed
in the above-styled chancery cause.

Very truly yours,


Dalton & Jordan.

D'T-enclr.

State of North Carolina

No. _____

OFFICE OF REGISTER OF DEEDS

Gates

County

July 28th. 1925, ~~noon~~

To any Ordained Minister of any Religious Denomination, or any Justice of the Peace of said County:

_____ Charlie W. Darden _____ having applied to me for a *LICENSE* for the
Person applying for license
 marriage of _____ Charlie W. Darden _____
Name of man to be married, in full
 of _____ Smithfield, Va. _____, age 29 years, color white _____
Residence White, Indian, or Negro
 the son of _____ Jack Darden _____ and
Name of father of man to be married
 _____ Tena Darden _____, the father dead
Name of mother of man to be married Living or dead?
 the mother living _____, resident of Smithfield, Va. _____
Living or dead? Residence, if known; if not, state unknown
 and _____ Nina Graham _____
Name of woman to be married, in full
 of _____ Radford, Va. _____, age 20 years, color white _____
Residence White, Indian, or Negro
 the daughter of _____ Emmett Graham _____ and
Name of father of woman to be married
 _____ Mrs. Graham _____, the father living
Name of mother of woman to be married Living or dead?
 the mother living _____, resident of Radford, Va. _____
Living or dead? Residence, if known; if not, state unknown

And the written consent of _____

If both parties are over 18 years of age, strike out

the _____ of the said _____
 to the proposed marriage having been filed with me, and there being no legal impediment to such marriage known to me, you are hereby authorized, at any time within sixty days from the date hereof, to celebrate the proposed marriage at any place within said county.

You are required, within sixty days after you shall have celebrated such marriage, to return this License to me at my office, with your signature subscribed to the certificate under this License, and with blanks therein filled according to the facts, under penalty of forfeiting two hundred dollars to the use of any person who shall sue for the same.

W. T. Cross

Register of Deeds.

_____ Charlie W. Darden _____, being duly sworn, says:
 That the parties applying for License are of lawful age; that is, each is over 18 years of age, and, as far as he is informed and believes, there is no lawful cause or impediment forbidding said marriage. I further swear that the answers appended to the questions asked me are correct and true.

Sworn to and subscribed before me on day and date above written.

W. T. Cross

Register of Deeds.

_____ Charlie Darden _____

Affiant.

Affiant.

STATE OF NORTH CAROLINA

Gates

County.

I,

J. A. Eason

Name of person officiating

Justice of the Peace

If minister, what denomination? If Justice of Peace, so state

_____, united in matrimony

Charlie W. Darden

Name of man married

and

Nina Graham

Name of woman married

_____, the parties licensed above, on the 28th.

day of

July, 1925

noon

at

Gatesville

Place of marriage

in

Gatesville

Township

Township, in said county, according to law.

J. A. Eason

Officiating Officer.

*WITNESSES PRESENT AT MARRIAGE

F. L. Saunders

of

Suffolk, Va.

W. T. Cross

of

Gatesville, N. C.

of

*Three witnesses required.

NORTH CAROLINA, GATES COUNTY.

This is to certify that the foregoing is a true and correct copy of the marriage license as issued from this office to Charlie W. Darden and Nina Graham, on the 28th. day of July, 1930.

Witness my hand and official seal, this the 8th. day of May, 1930

W. T. Cross
Register of Deeds, Gates Co., N. C.

No. 7

Charlie W. Darden

AND

Nina Graham

MARRIAGE LICENSE

July 28th. 1925

192



RETURN TO REGISTER OF DEEDS

July 30th. 1925

192

Recorded August. 12th. 1925

192

W. T. Cross

Register of Deeds

Note.—Minister or Justice is required to fill the blanks in the certificate and return the License within sixty days after marriage.

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

Charlie W. Darden,

v). Chancery. No. _____

"Memorandum."

Nina Graham Darden.

To R. A. Edwards, Clerk of the Circuit Court of the County of
Isle of Wight, State of Virginia:

Please issue process for the respondent to appear
and answer a bill of complaint to be filed against her by the
complainant at the rules to be holden in your court on the ^{3rd} ~~3rd~~.,
Monday in May, 1930.

Direct process to the Sergeant of the City of Rad-
ford, Virginia.

Johnson & Stephens.
Attorneys.

Johnson and Stephens, f. c.

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

Charlie W. Darden,

vs). Chancery. No. 575

Nina Graham Darden.

Memorandum.

Filed 5/6/30.

Dep. 7-5-0

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

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

Charlie W. Darden,

v) Chancery. No _____

Decree

Nina Graham Darden

This cause came on this day, to be heard upon the complainant's bill, duly filed at Rules, and the exhibits filed therewith, the answer of the respondent thereto, and general replication to said answer; the depositions taken on behalf of the complainant, after proper notice to the respondent; and was argued by counsel:

And it appearing to the Court, independent of the admission of either party, that Charlie W. Darden and Nina Graham Darden were legally married on the 28th. day of July, 1925; that continuously from said marriage until the 28th., day of March, 1927, the said parties lived together as man and wife; that the said parties last co-habited together as man and wife in the County of Isle of Wight, State of Virginia; that the complainant is a bona fide resident of the County of Isle of Wight, State of Virginia, and has been for a period of one year immediately preceding the commencement of this cause; that if the marriage aforesaid there were born two children, namely, Graham W. Darden, age four years, and Tony Darden, age two and a half years, who are now in the care and custody of the respondent, their mother; that on the 28th. day of March, 1927, the said Nina Graham Darden, the respondent, willfully and without just cause, abandoned and deserted the complainant, which said abandonment and desertion has been continuous up to now; Upon consideration whereof, the Court doth adjudge, order and decree that the said Charlie W. Darden and Nina Graham Darden, be, and they are, hereby, divorced a vinculo matrimonii; and it is further adjudged, ordered and

decreed, that Graham W. Darden, age four years, and Tony Darden, age two and a half years, be committed to the care and custody of the respondent, Nina Graham Darden, their mother, so long as they, or either of the, shall be under the age of twenty one years and unmarried, with the right to the complainant, Charlie W. Darden, their father, to visit the said infant children, at such reasonable times and hours, at their residence in the City of Radford, State of Virginia, as may be proper, with the further right to him to have the said infant children in his sole custody during the hours of such visits.

And it is ~~the~~ further order of this Court that neither of the parties hereto be permitted to remarry within a period of six months from the date of the entry of this decree.

There being nothing further to be done in this cause, it is ordered stricken from the docket, with the right to either party to have the same reinstated at a later date, upon the giving of due notice to the other party.

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

Charlie W. Darden,

v) Chancery. No _____

Decree

Nina Graham Darden

This cause came on this day, to be heard upon the complainant's bill, duly filed at Rules, and the exhibits filed therewith, the answer of the respondent thereto, and general replication to said answer; the depositions taken on behalf of the complainant, after proper notice to the respondent; and was argued by counsel:

And it appearing to the Court, independent of the admission of either party, that Charlie W. Darden and Nina Graham Darden were legally married on the 28th. day of July, 1925; that continuously from said marriage until the 28th., day of March, 1927, the said parties lived together as man and wife; that the said parties last co-habited together as man and wife in the County of Isle of Wight, State of Virginia; that the complainant is a bona fide resident of the County of Isle of Wight, State of Virginia, and has been for a period of one year immediately preceding the commencement of this cause; that of the marriage aforesaid there were born two children, namely, Graham W. Darden, age four years, and Tony Darden, age two and a half years, who are now in the care and custody of the respondent, their mother; that on the 28th. day of March, 1927, the said Nina Graham Darden, the respondent, willfully and without just cause, abandoned and deserted the complainant, which said abandonment and desertion has been continuous up to now; Upon consideration whereof, the Court doth adjudge, order and decree that the said Charlie W. Darden and Nina Graham Darden, be, and they are, hereby, divorced a vinculo matrimonii; and it is further adjudged, ordered and

decreed, that Graham W. Darden, age four years, and Tony Darden, age two and a half years, be committed to the care and custody of the respondent, Nina Graham Darden, their mother, so long as they, or either of the, shall be under the age of twenty one years and unmarried, with the right to the complainant, Charlie W. Darden, their father, to visit the said infant children, at such reasonable times and hours, at their residence in the City of Radford, State of Virginia, as may be proper, with the further right to him to have the said infant children in his sole custody during the hours of such visits.

And it is the further order of this Court that neither of the parties hereto be permitted to remarry within a period of six months from the date of the entry of this decree.

There being nothing further to be done in this cause, it is ordered stricken from the docket, with the right ^{reserved} to either party to have the same reinstated ^{for such further} ~~at a later date,~~ ^{orders as may be necessary with reference to the} upon the giving of due notice to the other party.
Care, custody and maintenance of the infant children of said marriage.

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

Charlie W. Darden

v) Chancery No. 575

Nina Graham Darden

Decree

*1935
Aug 25*

Enter this:

8-560

I have seen this:

*Ed Dalton
Attorney for Defendant*

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

Charge for two certified copies
of decree

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

Charlie Darden

vs) Chancery No _____

Nina Graham Darden

TO NINA GRAHAM DARDEN:

You are hereby notified that on the ^{22nd,}~~21st~~
^{August}~~July~~, 1930, at ten o'clock in the morning,
at the Clerk's Office of the Circuit Court of the
County of Isle of Wight, State of Virginia, before
R. A. Edwards a Commissioner in Chancery for the
Circuit Court of the aforesaid County and State,
I will proceed to take the testimony of Charlie
W. Darden, and others, to be read in my behalf in
a certain suit in Chancery, pending in the Circuit
Court of the County of Isle of Wight, in the State
of Virginia, in which I am the complainant and you
are the defendant.

Charlie W. Darden

By:

R. S. Stephens
his attorney.

Executed this the
20th day of Aug.
1930 by delivering
a true copy of
the within ~~notice~~
to Nina Graham
Garden in my
city of Radford, Va

W F Hall
S.R.B.
Sergeant City
of Radford, Va

Legal service
of the within
Notice hereby
accepted, this
the 14th day of
July 1930

Nina Graham Garden

By
DALTON & JORDAN
ATTORNEYS-AT-LAW
EAST RADFORD, VA.
Jed Dalton

The Attorneys

C. W. Darden, being duly sworn deposes and says as follows.

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

A. Charlie W. Darden, 35 years of age, I live at Isle Of Wight, and am farming.

Q. How long have you resided in this County.

A. All of my life.

Q. Are you married.

A. Yes.

Q. When were you married.

A. July 28th 1925.

Q. Are you now living with your wife.

A. No, I am not.

Q. Where is she, if you know.

A. East Radford, Virginia, so far as I know.

Q. Did she leave you, or did you leave her.

A. She left me.

Q. When did she leave you.

A. I do not know the exact date, but know that it was the latter part of March 1927.

Q. Did she assign any reason for leaving when she left.

A. No; she left while I was away from home and I did not know that she was gone till I was told by another party.

Q. Has she written, or communicated with you in any manner since she left.

A. No, she has not.

Q. Were there any children born of this marriage, and if so how many.

A. Yes, two were born, Graham W. Darden, now about four years of age, and Tony Darden, now about two and a half years of age, Tony darden was born ~~about~~ shortly after she left me.

Q. Where are these children now.

A. They are in the custody of their Mother.

Q. At the time of the separation above mentioned did your wife take with her, the child, Graham W. Darden.

C.W.D. #2.

A. I presume that she did. The day she left me I had been to Suffolk with Fred Wilson and when I returned home I found that both she and the child had gone. I did not know at that time know where she had gone until I saw W. J. English who told me that he had carried my wife and child to Windsor to catch a train for East Radford Virginia.

Q. Do you know of anything that you did to give your wife justifiable, or proper cause or reason to leave you as she did.

A. I do not. I did the best for her that I possibly could. I am a farmer and not of much means, therefore, ability to give to her some of the niceties of life was limited.

Q. Are you desirous of having the privilege of visiting your two said children, whilst in the care and custody of their mother, at all reasonable times.

A. I am.

Q. As I understand it, Mr Darden, when these children attain the proper age, you desire that they have the privilege of visiting you in your home.

A. Yes, I do, but as they are young and need the care of a mother I am not contending for this right at this time.

Q. In what County did you and your wife last cohabit together as man and wife.

A. In the County of Isle Of Wight.

Q. As I understand your testimony, Mr Darden, your wife left you some time during the latter part of the month of March 1927, without just or reasonable cause therefor, and has been away continuously ever since that time, and so remains away at the present time, and that since leaving you as aforesaid, she has not written you or in any wise communicated with you, and that you are desirous of obtaining an absolute divorce from her on the grounds of desertion.

A. That is correct.

An further this deponent saith not.

Charles W. Darden.

Fred L. Wilson being duly sworn deposes and says as follows;

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

A. Fred L. Wilson, age 48, live at Isle Of Wight, and am a farmer.

Q. Do you know Charlie W. Darden, and if so, how long have you known him.

A. Yes I have known him all of his life.

Q. Do you know whether or not he is married and now living with his wife.

A. He is married but he and his wife are not living together, she having left him. ~~ooo~~

Q. Do you know when she left him.

A. In the latter part of March 1927.

Q. Do you have any way of recalling the time that she left.

A. Yes he and I had been to Suffolk that day and when we returned she had gone.

Q. Do you know of any just cause that Charlie Darden gave his wife for leaving him.

A. No, I do not.

Q. You stated in the beginning of your testimony that you had known Mr. Darden all of his life, now I will ask you to state whether you have known him just casually or intimately.

A. I have known him intimately; he having lived with me two years and near me the rest of the time.

Q. Could you state what his reputation for character and good morals is in the County.

A. I have always found him to be a gentleman in every particular, and his reputation is as good as that of any young man that I know.

And further this deponent saith not.

F L Wilson.

W. Frank Porter, being duly sworn deposes and says as follows.

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

A. W. Frank Porter, age 62, residence Isle Of Wight and am a farmer.

Q. Mr. Prter do you know Charlie W. Darden, and if so how long have you known him-

A. Yes, I know him and have known him all of his life.

Q. Do you know whether or not he is married and if so is he living with his wife.

A. Yes he is married, but not living with his wife.

Q. Did he leave her or did she leave him.

A. She left him.

Q. Do you know when she left him.

A. I do not know the exact date, but do recall that it was in March 1927.

Q. Do you have any way of recalling the time that she left him.

A. I had charge of the place that they were living on and went there quite often that is how ~~that~~ I happen to know when she left.

Q. Do you know of any reason that Charlie Darden gave his wife for leaving him.

A. I do not.

Q. Mr Porter how well do you know Charlie Darden.

A. I know him about as well as I know any one about here, have had considerable transactions with him for the past several years.

Q. What type of man have you found him to be.

A. I have always found him square and upright.

Q. Do you know whether or not Mrs Darden has ever been back to her husband since she left him in 1927.

A. I live very near to Charlie and have all along, if she has ever been back there I never heard of it and I am quite sure she has not.

And further this deponent saith not.

W. F. Porter

State of Virginia,

County of Isle of Wight, to-wit:

I, R. A. Edwards, a Commissioner in Chancery for the Circuit Court of the County of Isle of Wight, State of Virginia, do hereby certify that the foregoing depositions were duly taken, reduced to writing, and signed by the witnesses, respectively, before me, at the place and time mentioned, pursuant to the annexed notice.

In testimony whereof I have hereunto set my hand this the 2nd., day of ^{August,} ~~July~~, 1930.

R. A. Edwards
Commissioner in Chancery.

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

Charlie W. Darden,

v). Chancery. No. _____ "DEPOSITIONS."

Nina Graham Darden.

The depositions of Charlie W. Darden, Fred L. Wilson, and W. Frank Porter, taken before R. A. Edwards, a Commissioner in Chancery for the Circuit Court of the County of Isle of Wight, State of Virginia, pursuant to the notice hereto annexed, at the Clerk's Office of the Circuit Court of the County of Isle of Wight, State of Virginia, on the ^{22nd.} ~~21st.~~ day of ^{August.} ~~July~~, 1930, beginning at ten o'clock A. M., to be read as evidence on behalf of Charlie W. Darden in a certain Chancery cause depending in the aforesaid Circuit Court, State of Virginia, wherein Charlie W. Darden is the complainant, and Nina Graham Darden is the respondent.

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

Charlie W. Darden,

v). Chancery. No. _____

Mina Graham Darden.

Depositions.

*Find.
Aug. 22-31
R & Edwards*

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

Commonwealth of Virginia,

Sergeant of East Radford, Va.
To the ~~Sheriff of Isle of Wight County~~ — Greeting:

WE COMMAND YOU, That you summon **Nina Braham Darden,**

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight at the rules
to be holden for the said Court on the ~~Second~~ ^{Third} Monday in May, 1930,
to answer a bill in chancery, exhibited against her
in our said Court by **Charlie W. Darden,**

And have then and there this writ.

Witness, R. A. EDWARDS, Clerk of our said Court, at the Courthouse, this 6th
day of May, 1930, and in the 154th year of the
Commonwealth.

R. A. Edwards Clerk.

Charlie W. Darden

vs.

CHANCERY NO.

Nina Graham Darden

ORIGINAL SUBPOENA

Virginia, Clerk's office of the Circuit
Court of the County of Isle of Wight.

May 13, 19*30*.
Returned, entered and filed.

Teste:

R. A. Edwards Clerk

To *2nd May* Rules

19*30*.

Johnson & Stephens p. q.

Executed May 8, 1930 in the City of Radford,
Virginia, by delivering a true copy of within
notice to Mrs. Nina Graham Darden in person and
explaining the purport thereof.

W. F. Hall
Sergt., City of Radford, Va.

VIRGINIA:

In the Circuit Court of the County of Isle of Wight

Charlie W. Darden,

vs

Answer of Nina Graham Darden

Nina Graham Darden

TO:

HONORABLE B. D. WHITE?
Judge of Said Court.

The answer of Nina Graham Darden to a bill of complaint exhibited against her in the Circuit Court of Isle of Wight County, Virginia, by Charlie W. Darden, Complainant.

For answer to said bill Respondent admits allegations 1, 2, and 4 of said bill, but denies that portion of allegation No. 3 wherein it is alleged that Respondent "wholly unmindful of her marriage covenants and duties wilfully, deserted and abandoned your complainant without cause or justifiable excuse or reason therefor"; and Respondent denies that portion of Allegation No. 5 wherein he alleges he should be permitted "to have sole custody of his said children, and, that, further, so long as his said children are of tender years and attending school that they be permitted to visit your complainant once each year during the vacation months; such visits to endure for a period of not less than thirty days, at which time your complainant would ask that they be in his sole custody".

Further answering your Respondent states that they were married in July, 1925 and that they lived together in Isle of Wight County, Virginia, until the latter part of November of that year, when she came to the home of her parents in Radford, Virginia, and stayed until the latter part of March, 1926. A child, Graham, was born during this time, to wit: on January 5, 1926, and your Respondent stayed with her parents at the request and instance of her

husband, as he insisted that your Respondent stay until the child was several months old.

When your Respondent returned to Isle of Wight County Respondent's mother went with her to help with the child, and after the child was there a day or two it became ill, and Respondent's mother brought the child back to Radford where she kept him until September of that year, your Respondent visiting the child once during the Summer.

The following March your Respondent took the child back to Isle of Wight County and Respondent's husband met her, the child and Respondent's mother at Windsor, but Complainant upon arrival did not even ask about the baby or offer to carry him, nor even to look at it. After driving from Windsor to the farm on which Complainant and your Respondent lived together as man and wife, Complainant still had not said a word about the child. Finally Respondent's mother asked him if he did not want to see the baby and then he looked at the baby and laughed.

Respondent alleges that Complainant never stayed with her at nights when he should, even when they were first married. That Respondent would go to the store to play cards at night, a game known as Five Hundred, and after your Respondent returned in September, Complainant never offered to help take care of the baby as he should, but instead, leaving work that he should have done to be done by your Respondent.

Your Respondent again came to Radford to spend Christmas, 19____, but Complainant would not come to Radford with Respondent and their baby, although he had been invited. Complainant was never very anxious for Respondent to return back to Isle of Wight County after the visits, but would write and tell Respondent to stay as long as she wanted to stay. Respondent alleges that Complainant and herself quarrelled a great deal and that Complainant always

said that he did not care if Respondent went to Radford to stay, - that he got along better without her.

Respondent further states that during all of the time they lived together that Complainant only asked her a few times to go to places with him, - Complainant always preferring to go by himself, or out of the company of your Respondent.

Complainant was wicked and cruel to the animals on the farm, and after the child began to talk, Respondent requested Complainant several times not to swear in the presence of the child. Complainant had a number of fox hounds for Respondent to feed and if he came in and Respondent did not have sufficient bread baked for them, Complainant would become very angry and would want to know what she had been doing all day.

Respondent alleges that Complainant never bought anything for the house except a cook stove about two weeks before she left; that he would not go for a carpet that Respondent's mother bought for them, but said that he did not need it.

Once your Respondent came home in November with the child on a visit and Complainant wrote her to come back to Isle of Wight County, which she did after staying one day in Radford. Thereafter Complainant said that he did not want Respondent back, but knew that he could not have the child without her. Respondent states that when she made visits to Radford her father, J. E. Graham, always paid her train fare and that her husband never gave her any money but once and that was \$1.00. That Complainant did not even want to give Respondent sufficient money for the household expenses, and that her father and mother gave her everything she had but one hat and part of the money on one dress. Your Respondent alleges that her husband neglected her in many ways; that once when she had an abscessed tooth that her husband went fox hunting before daylight and stayed out until after dark, after promising to come home so she could go to a dentist.

That on one occasion your Complainant slapped your Respondent and on one occasion threw a table fork at her.

Your Respondent further states that just before she came to Radford in March, 1927 that Complainant, knowing and realizing that there was soon to be another child born, when Respondent asked him for money to buy clothing, etc, for the child replied that he would not give anything for the child and that if Respondent wanted anything for her to get out and work for it. Respondent then told Complainant that she would go to her parents in Radford, to which Complainant replied that he did not care.

Respondent left there on March 28, 1927, after Complainant had started to Suffolk just for the trip and hiring some one else to do the work for the time. Respondent told him that she did not think she would be there when he came back, to which he replied that he surely would laugh if she were not.

Respondent states that during the time she lived with Complainant that he never spent one thing on the child Graham, and since March 28, 1927 (since she has been living with her parents in the City of Radford, Virginia) that Complainant has sent the child Graham one check at Christmas for \$5.00, and at another Christmas he sent a check for \$20.00 to be divided equally between the child Graham and Tony. This sum of \$25.00 was deposited by your Respondent in the bank of Radford for the benefit of the children and is still kept intact for their use and benefit.

Respondent alleges that the child Tony, born of the marriage on October 5, 1928, has never been seen by the Complainant. That allox the maintenance and support of the children and your Respondent has been placed on Mr. and Mrs. J. E. Graham, father and mother of complainant, who reside in the City of Radford, Virginia. Your Respondent states that she has worked some little bit and accumulated about \$160.00, which she has added to the \$25.00 given to the

children by Complainant, which money is now in the bank at East Radford, Virginia in a savings account, and that further your Respondent has purchased for the two children an endowment policy of \$250.00 on each, which will be due when they are age 17 and 15, respectively. Respondent states that last Spring she was compelled to expend the sum of \$55.00 for a tonsil operation for the child Graham, and many other expenses for the proper maintenance and care of the children, which she has done out of funds she accumulated working in the store and odd jobs and through the help of her mother and father.

Respondent avers that her husband is a farmer in Isle of Wight County and has considerable personal property, is making a good living and is able to provide some support for the two children.

Respondent states that she does not have funds with which to defend this suit and the payment of attorneys fees, costs, etc, and requests the Court to allow her a reasonable sum in that connection.

And now having fully answered, complainant's bill as far as Respondent is advised that it is material for her to answer, she begs to be hence dismissed with her costs in this behalf expended, etc.

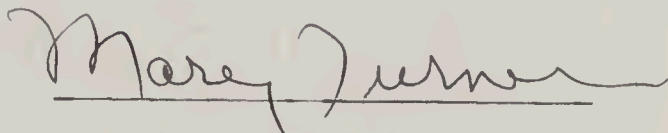
Nina Graham Darden

Dalton & Jordan, p. d.

State of Virginia,
City of Radford, towit:

Personally appeared before me, Mary Turner, a
Notary Public in and for the City and State aforesaid, Nina Graham
Darden, whose name is signed to the foregoing answer, and who after
being duly sworn made oath before me in my City aforesaid that the
statements contained in ~~her~~ answer are true and correct to the best
of her information, knowledge and belief.

Given under my hand this 23 day of June, 1930.


Notary Public.

My commission expires
September 21, 1932.

Charlie W. Darden

Answer of Nine Graham
Darden

Nine Graham Darden
6-24-30 7.

LAW OFFICES
DALTON & JORDAN
EAST RADFORD, VA.

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

Charlie W. Darden

v) Chancery. No. _____

Bill of Complaint

Nina Graham Darden.

To the Honorable B. D. White, Judge of the Circuit Court of the County of Isle of Wight, State of Virginia.

Humbly complaining, your complainant, showeth unto your Honor the following cause, to-wit:

That he is now, and has been for a continuous period of more than one year, next proceeding the commencement of this cause, a resident of the County of Isle of Wight, State of Virginia; and,

That on the 28th. day of July, 1925, in the Town of Gatesville, in the County of Gates, in the State of North Carolina, your complainant was duly and legally married to one Nina Graham, the respondent herein, as will more fully appear from the certified copy of the marriage certificate attached hereto, marked exhibit "A", and prayed to be taken and read as a part of this bill; and,

That immediately following the preformance of the marriage ceremony as aforesaid, your complainant and the respondent proceeded to the County of Isle of Wight, State of Virginia, where they have resided together as man and wife, until sometime during the latter part of the month of February, or the first part of the month of March, 1927, the exact date of which your complainant does not at this time recall, when the said respondent wholly unmindful of her marriage covenants and duties willfully, deserted and abandoned your complainant without cause or justifiable excuse or reason therefor, which said desertion has continued for a period of more than three years, next proceeding the commencement of this cause and does so continue up to, and including this

time; and,

That of the marriage aforesaid there were born two children, namely Graham W. Darden and Tony Darden, ages four and two and a half years, respectively. That at the time of the desertion aforesaid by the said respondent there had been born only one child, Graham W. Darden, which said child the said respondent took with her upon her desertion of your complainant, and that the other child, Tony Darden, was born soon after the aforesaid desertion. Both of which said children are now in the possession of the respondent; and,

That your complainant is cognizant of the fact that under the circumstances as they are at this time the respondent is in a better position than is your complainant to more properly care for and rear the said infant children, but having for them the tender love and affection of a devoted father your complainant is anxious that he be permitted to visit his two said children at least once a year, wherever they may be, or in whose custody they are, said visit to continue for a period of not less than ten days, and that on the occasion of such visits he be permitted to have sole custody of his said children, and, that, further, so long as his said children are of tender years and attending school that they be permitted to visit your complainant once each year during the vacation months, such visits to endure for a period of not less than thirty days, at which time your complainant would ask that they be in his sole custody.

In tender consideration whereof, and forasmuch as your complainant is without remedy in the premises, save in a court of equity where matters of this kind are alone and properly cognizable, he prays that the said Nina Graham Darden, be made a party respondent to this bill, and required to answer the same, though not under oath, answer under oath being hereby expressly waived, that proper process issue; that your complainant be granted a divorce a vinculo matrimonii from the respondent; that your complainant be granted the

right to visit, and to be visited by, his two said children, with sole custody of them during said visits, such visits to be at such time, or times, place or places, and for such period, or periods, as the court may deem equitable and proper; and grant to your complainant, such, other, further and general releif, as the nature of his case may require, or to equity may seem meet.

And as in duty bound your complainant will ever pray, etc.

Charlie W. Darden

By:

Johnson & Stephens
Counsel

Johnson & Stephens, f.c.

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

Charlie W. Darden

v) Chancery. No. _____

Nina Graham Darden

Bill of Complaint

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LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

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