

1878-010

Nansemond Co. (Suffolk)

Chancery Causes: Elizabeth Johnson per friend vs Neverson Johnson
alias Rebecca Draper

Draper:

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *Neverson Johnson,*

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the first Monday in *September* next, to answer a
Bill in Chancery, exhibited against *her*
in the said Court by *Elizabeth Johnson, wife of Neverson Johnson,*
suing by *Frank Lawrence, her next friend*

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this *28th* day of *August* 1877, in the *102nd* year of the Commonwealth.

Teste:

Peter B. Prentis Clerk.

Executed & copy of the within delivered to Neverson Johnson
J. L. Sulzham Siff

Withers. p. 9

Elizabeth Johnson, her
friend

to { Summons in Chy.

Neverson Johnson

To Sept: Rules, 1877

Johnson

⁺
25

Johnson

On motion of the defendant
by counsel leave is granted him
to file his answer to the complain-
ant's bill which is accordingly done
and this court is continued.

Johnson

25

Johnson

Decree

to be entered

Oct 1877

By Consent

W. H. Rowley, p. a.

W. W. Winters, p. v.

Elizabeth Johnson pr. frd.

vs. Dr. Chas.

Henson Johnson.

On application of the plaintiff it is ordered that the defendant do not in any way interfere with the plaintiff & that the said defendant deliver to the said plaintiff or her duly authorized agent all of her cooking utensils and wearing apparel ^{& bed clothing} now in his possession, for her support and maintenance, and it is ordered that the Clerk of this Court have a copy of this order served and executed by the Sheriff, on the defendant until the further order of this Court.

Johnson per Fred
W. Du Chay
Harrison Johnson

Order

Label entered

Geo. B. Lott

1877. Oct. 15th.

Cdied

Entered O. B. No. 1.
page 374

Elizabeth Johnson per friend. &c
vs S On Petition.
Neverson Johnson.

This cause came on to be heard on the Bill and answer, and the papers formerly read and was argued by counsel. On consideration whereof the Court hath adjudged order and decree that the said Elizabeth Johnson be & she is hereby divorced from the bed and board of said Neverson Johnson her husband & that she be protected in her person and property from the control, management or interference in any way of said Neverson Johnson.

And it is further adjudged ordered and decreed that the said ^{Elizabeth Johnson} Neverson and Johnson pay the costs of this suit & that ~~he shall~~ this suit be dismissed.

Elizabeth Johnson &c
vs. J. L. Leach
Heirs of Johnson

Order

To be entered

We consent to this
decree.

Alvina
Petty: atty:

~~Wright & Leach
attys.~~

B. L.

Elizabeth Johnson per Friend &c
vs
Neverson Johnson } In Chancery

This cause came on to be again
heard this day on the Bill and
answer and the papers formerly read
and was argued by counsel. On
consideration whereof the Court doth
adjudge order & decree that the
plaintiff Elizabeth Johnson (and Frank
Lawrence her next friend) pay one half
of the costs in this suit as taxed by the
clerk ^{of the Court} and that Neverson Johnson
the defendant pay the other half of said
costs and that this suit be
dismissed.

Elizabeth Johnson per fund
vs } Lib chg.
Kerwin Johnson

October Term 1878

Decree

To be entered.

Geo. T. Stout,

We consent to this
Decree

Wright & Rawls
atty for defense
Alvithus
atly for Plff

Entered O. B. No. 1 p. 402

Elizabeth Johnson, suing by her next friend
Frank Lawrence

vs } In Chancery
Neverson Johnson.

To the Honorable George Blow, judge
of the Circuit-Court of Warrick
County.

The answer of Neverson Johnson the
defendant to the bill of complaint ex-
hibited against him in the Circuit Court
of Warrick County by Elizabeth Johnson
who sues by her next friend Frank Lawrence
Complainant.

This defendant now and at all times hereafter
saying and reserving unto himself all
benefit and advantage of exceptions which
can or may be had or taken to the many
errors, uncertainties and other imperfections
in the said complainant's said bill of complaint
contained, for answer thereto or unto so
much and such parts thereof as this de-
fendant is advised is or are material
or necessary for him to make answer to,
this defendant answering saith, that it is
true that the said Complainant Elizabeth John-
son is now forty even years of age and that
at the age of forty three she was married
to this defendant by Jordan Thompson a duly

authorized minister of the gospel, of the
colored Baptist Church and that ~~at the~~
previous to the said marriage, the said
complainant had gone by the name of
Rebecca Draper as set forth in her bill of
complaint; that this defendant is now
fifty seven years of age and has been mar-
ried to the said complainant about four
years during which time the said complain-
ant has borne to him one child which
died during infancy. This defendant further
saith that at the time of his marriage
to the said complainant she was possessed
of only a few very insignificant articles of chattel
property which were worth but very little.
This defendant further saith that since his
marriage with the said complainant he
has endeavored to be at all times a kind
indulgent, dutiful and loving husband;
that he has worked and labored hard in
his old age to give her a comfortable support
and that he has done everything in his
power to make her home a pleasant one,
and her life a happy one and that he not-
only never treated her cruelly and badly but
never even upbraided her without just and
sufficient cause and although she was at
times petulant and disposed to complain

and grumble at the smallest trifles, yet-
this defendant was disposed to humor her
disposition and to yield to her desires whenever
they were reasonable. This defendant further
states that the complainant in the year
1876 so far forgot her duties as an affectionate
and obedient wife that she demanded from her
husband, the defendant, that he should pay her
fifty cents per day for her services besides
giving her a livelihood and support and when
he told her he was willing to do everything
in his power for her, that he was old and
poor and had to struggle for a living for them
both; that it took all he could make to
board & clothe them both and that he
could not pay her fifty-cents a day because
he was unable to do so, she became furious and
quarrelled and threatened to strike him and to
leave him and finally became so violent that
he was compelled to use his authority as a
husband and strike her gently with the palm
of his hand, not in a manner to cause her any
injury whatever or the least bodily hurt. The
defendant states that the said blow was not
given in a passion or with a vindictive spirit
but was only given when it became necessary to
preserve the peace of his household. After using
the said blow the complainant went at once to

the town of Suffolk and had him (the defendant) bound over to the peace. Yet notwithstanding this action on the part of the ~~plaintiff~~, complainant, the defendant still was willing to forgive and forget and to love, support and protect her still which he did. The defendant denies emphatically ~~that~~ ^{denies} that he ever struck the complainant with a club or knocked out her teeth or beat or bruised or wounded her person as charged in her said bill: that he ~~was~~ ever drove her from his home or compelled her to take refuge in the woods all night - and ^{sup} that if she ever left his house she left of her own free will and accord and returned at her pleasure. This defendant further saith that he has not the slightest ill will toward the complainant, that instead of her life being insecure at his home, he is perfectly willing to give her his best protection and that notwithstanding she has seen fit to bring this suit against him, he is still willing, anxious and desirous to do everything he can for her, to give her a home, a good & comfortable support, to love, honor and serve her and to demean himself toward her as a good & dutiful husband so long as they both shall live. This defendant further saith, that at the time of his marriage

with the said Complainant, she was possessed
of a small and exceedingly poor tract of land
with a very indifferent house on it scarcely fit for
human habitation and that he now owns
also a very small and poor piece of land
upon which he is dependent for a living, and
that it is subject to a deed of trust.
And now having fully answered this
defendant prays to be hence dismissed
and he will ever pray &c.

Thos^{rs} Johnson
and

State of Virginia

County of Hanover to wit:

This day personally appeared before me
Thos^{rs} Johnson the party whose name is
signed to the foregoing writing and made
oath that the matters & things therein set
forth are true to the best of his belief, knowl-
edge & information

Given under my hand this 5th day of
October 1877

A. D. Newby
Notary Public.

Elizabeth Johnson per fil
25 }

Neverson Johnson

Owner of Defunct-
Neverson Johnson

1877. Octo. 13th. filed by Clerk
Cth

MARRIAGE LICENSE

Virginia--Nansemond 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 Neverson Johnson

and Elizabeth Draper

Nansemond

Given under my hand, as Clerk of the County Court of ~~said County~~, this 11th day of

November, 1874.

W. E. Boham, Clerk.

CERTIFICATE TO OBTAIN A MARRIAGE LICENSE,

To be annexed to the License, required by Act passed 15th March, 1861. and February 27th 1874

Time of Marriage, 12th November, 1874

Place of Marriage, Suffolk, Va

Full Names of Parties Married, Neverson Johnson and Elizabeth Draper

Color, (Colored)

Age of Husband, 54 years

Age of Wife, 43 years

Condition of Husband (widowed or single), Widowed

Condition of Wife (widowed or single), widowed

Place of Husband's Birth, Nansemond Co. Va

Place of Wife's Birth, " " "

Place of Husband's Residence, " " "

Place of Wife's Residence, " " "

Names of Husband's Parents, Thomas & Maleny Johnson

Names of Wife's Parents, Mr. Faulk & Louisa Draper

Occupation of Husband, Farmer

Given under my hand this 11th day of November 1874.

W. E. Boham, Clerk.

Minister's Return of Marriage.

I CERTIFY, that on the 12 day of November, 1874,
at Suffolk, Va, I united in Marriage the above named
and described parties under authority of the annexed License.

Jordan Hanson, Minister

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.

In the Clerk's Office of Yauzeeland County Court, the 23rd: day
of August, 1877.

I do hereby certify, that the within is a true copy of the origi-
nal now on file, in said Office.

Attest, Peter B. Pentecost, Clerk.

Johnson

v

Johnson

Exhibit A. filed
with the Bill

Elizabeth Johnson, being by her next friend
Frank Lawrence

vs & In Equity:

&

Stevenson Johnson.

To the Honorable George Blair Judge of
the Circuit Court for Hanscombs County:

Complaining sheweth unto the Court
youratrix Elizabeth Johnson wife of Steven-
son Johnson, who sues by her next friend
Frank Lawrence; That youratrix is now
Forty Seven years old, & at the age of forty-three
she was married to her present husband, by
Jordan Thompson a duly authorized minister
of the gospel of the Colored Baptist Church.
That at the time of her marriage & for some
time before youratrix had gone by the
name of Rebecca Draper, and had lived
with a man called ^{Henry} ~~William~~ Coleman, with-
out having been lawfully married to him
as was then the custom among people of
her race and condition in life, That at
the time of her marriage to Stevenson Johnson
her present husband (which as appears
from the marriage license herewith filed
marked "A," was on the 12th of November 1874)
she was possessed of considerable property
for one in her degree in life consisting of
a lot of land and a house upon the same

containing ten acres more or less, & being
the same land purchased by her from one
William Dunder as will more fully appear
from a deed for the same now of record in
the Clerks Office of Hansens Court. That she also
had in the way of chattel estate eight head
of hogs, one bed, ~~three~~⁽³⁾ chains, one clock, two irons
& two spiders, one dinner pot, and a good stock
of clothing for herself and beds, that Herve-
sen Johnson also had a good tract of land
upon which he now lives and a comfortable
house upon the same. That Herveisen Johnson
her husband is now fifty seven years of
age & at the time of her marriage which
was fifty four years of age, that she has been
married about four years, & during that time
has had one child which died during infancy
that soon after the marriage the conduct of
the said Herveisen Johnson her husband
underwent a complete change, without any
cause, he becoming cruel, cross, & quarrel-
some, complaining all the time, which ren-
dered youratrix extremely unhappy,
she endeavoring by every means in her power
to win back the love that she once possessed
but without avail, that on many occasi-
ons he the said Johnson would curse and
abuse youratrix calling her by the
most approbrious names, all of which

was done by your sister as best she could, matters continued in this unsatisfactory way until finally the said Reversum Johnson seemingly carried away by passion and a general aversion by your sister did most cruelly strike and beat her, this was as early as March 1875 when your sister had to seek the protection of the law against the attacks of her said husband, & did then and at that time have him bound with peace for twelve months, your sister further says that after the peace bond expired, and in the month of August 1877, the said Johnson again beat her most cruelly, with a grub, knocking out two of her front teeth & bruising & wounding her person in many other ways, that your sister became so much alarmed that she left the shelter of his roof and spent the night in the wood fearing to return, that she again had him bound with peace, & believes and so charges that her life is not secure as long as she remains under the control of the said Reversum Johnson, he being utterly unfit by reason of his violent temper to have the charge and management of a wife, that before your sister left his house he had been so violent in his treatment of his daughter-in-law as to cause

to leave his premises frequently beating her, & maltreating her though she was the wife of his own son. That your oratrix has always tried to make a dutiful and obedient wife, that she has attended to his domestic affairs for him without complaint, that she has borne much in silence preferring to keep secret the treatment she had received at his hands, & making a public exposure of his conduct until forced by necessity to divulge it.

Your oratrix says that all the property she has, or had at her marriage, will not support her without great economy and industry on her part, & she now prays this honorable court to grant her its protection: to grant her a divorce from bed and board, & to free her from the control of her said husband, & to grant her an alimony or support the land which is herein before described as having been purchased from Wm. Prudden, and her chattel estate before enumerated, so that she may be enabled to live, In consideration whereof & as this Court has jurisdiction to grant all adequate relief.

To the end therefore, your complainant prays that the said Stevenson Johnson may be made defendant hereto

& he can be called to answer under oath
the allegations herein, that the relief prayed
for as above set forth may be granted
him & that such other and further
relief may be granted consistent with
equity! And your complainant will
ever pray &c.

Witness
W. W. Coley

Signed

her
Elizabeth X Johnson
mark

State of Virginia

Manassas Lee Davis

This day personally appeared before
me Elizabeth Johnson the party whose
name is signed to the foregoing writing
and made oath that the matters & things
therein set forth are true to the best of
her knowledge information and
belief, Given under my hand this
the 8th day of Sept. 1877.

A. C. Winters

Notary Public, Manassas, Va.

1840

For Lacey

Thomas Johnson

Bill - Exp.

Elizabeth Johnson, her friend

vs Chas. Yates

Newton Johnson

1877. Aug: 28th: Sumd. in Chy: filed to Sept. Rules, 1877

" Sept: 5. Bill to filed - same day & aft.

" Oct^o 3 Conditional decree confirmed & cause set
for hearing on: mo. of Pltff's counsel.

" " 15th Order granting Pltff to deliv. to def^d &
continue hearing &c

1878. April 15th: Continued.

Chy: Notes