

1907-015
Norfolk Co (Suffolk)

Chancery Causes: Alice Johnson vs Eugene Johnson

Brown, Crumpler

OVERSIZE
Box 4
- 1 marriage license



Mr M. Compler Esq.

Suffolk. Va.

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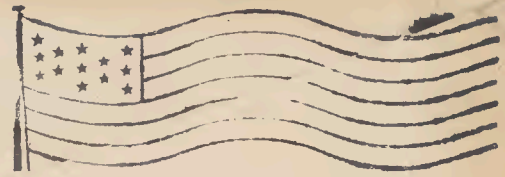
260
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410



W M Crumpler, Atty,

* To R. R. SMITH, Clerk Circuit Court of Nansemond County, Dr.

1907---

June 26.

~~Tax and~~ Clerk Fees ~~in suit~~ Copy of Marriage
Certificate, Eugene Johnson with
Mary A Brown } \$.50

----- Clerk.

Wm M. Crumpler Esq
Suffolk Va

June 19th 1907.

Sir.- you will find name sign per
your request Eugene Joh

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ^{Greenville} ~~NANSEMOND~~ COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON

Eugene 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 *May 1907*, to answer

a Bill in Chancery, exhibited against *him* in the said Court by *Alice Johnson*

And have then and there this summons.

Witness, R. R. SMITH, Clerk of our said Court, at his office, this *10th* day of *April*, 190*7*, in the 13^{*th*} year of the Commonwealth.

A copy—Teste :

Teste :

, CLERK. }

R R Smith CLERK.

By A G Gomer D.C

Wm Crumpler, p. q.

Alice Johnson

VS.

IN CHANCERY.

Eugene Johnson

1907--

May Rules.

First Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 3

Page 29

Over for Return.

Presented April 16th 1907 by delivering to
Eugene Johnson a true copy of the
Within She in She. J M Lee Shiff
See back to paid. L

TO THE CLERK OF THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

Alice Johnson	)	Plaintiff
vs	)	In Chancery
Eugene Johnson.	)	Defendant

Issue summons in Chancery for plaintiff against defend-
dant to First Payer in May 1907,
(First Monday) to answer said
plaintiff a bill in chancery.

Tax \$1.50

Hillman M. Cunningham

P. Q.

Wm Crumpler Jr.

Alice Johnson

Wm Chancery

Eugene Johnson

Alice Johnson

vs
3

Eugene Johnson

Depositions taken before
me in said cause
June 28, 1907 and filed
this 1 day of July, 1907

Lee Britt
Clerk in Charge

R. R. SMITH,
County Clerk of Nansemond County,
SUFFOLK, VA.

Present W. M. Crumpler, Attorney for Plaintiff.

Alice Johnson

Vs.

Eugene Johnson

The depositions of Mary Alice Johnson, General Brown *Jacob Brown* and *W. M. Crumpler* taken before me, Lee Britt, a Commissioner in Chancery, of the Circuit Court for the County of Nansemond in the State of Virginia, pursuant to notice hereto annexed at the office of W. M. Crumpler, in Suffolk, Virginia, on the 28th day of June, 1907, between the hours of 10:00 A. M. and 6:00 P. M. of that date to be read as evidence on the behalf of Alice Johnson in a certain suit in equity depending in the Circuit Court of Nansemond County, in the State of Virginia, wherein Eugene Johnson is defendant and Alice Johnson is plaintiff. The witness, Alice Johnson, being duly sworn, deposes

as follows:

- Q. 1. State your name, age, residence and occupation.
- A. 1. Name Alice Johnson, age twenty-five years, residence Norfolk, Va., occupation cooking. My home is in Suffolk.
- Q. 2. How long have you and your husband been separated and if you know, state the date upon when he deserted you?
- A. 2. He left me on the 19th day of Feb., 1904.
- Q. 3. Did he give you any notice of his intention to leave, that is, did he tell you that he was going to leave?
- A. 3. The same week that he left he told me that he was going to leave me. He left me that week.
- Q. 4. Did he state whether or not he would ever return and has he ever returned since Feb. 19th, 1904?
- A. 4. He told me that he was not coming back to me any more. I have not seen nor heard from him directly since that time.
- Q. 5. Do you know of any reason why your husband should have left you?
- A. 5. No sir, I do not.
- Q. 6. Please state whether or not Alice Johnson is your full name and also please state your full name before you were married.

A. 6. Mary Alice Johnson is my full name and my full name before I was married was Mary Alice Brown. I am always called and known as Alice Johnson.

Q. 7. I hold in my hand a copy of a marriage license showing the marriage of Eugene Johnson to Mary A. Brown on Oct. 13th, 1897 please state whether or not this license is the same one by the authority of which you were married and whether or not Eugene Johnson herein named and Mary A. Brown also herein named are respectively your husband and your-self(the marriage license is here exhibited to the witness).

A. 7. Yes sir.

Further this opponent saith not,

Mary Alice Johnson

The witness, General Brown, being duly sworn deposes
and says as follows:

Q. 1. State your name, age residence, and occupation.

A. 1. Name General Brown, age thirty-nine years, residence Suffolk,
Va., occupation shoe-maker.

Q. 2. Do you know the parties to this suit? and ~~you~~ are you related
to either of them?

A. 2. I know the parties to the suit and Alice Johnson is my sister.

Q. 3. Will you please state, if you know, when these parties first
separated and whether or not they have lived together since
they first separated?

A. 3. I was with him the day he left her and he told me that he
was not coming back as he did not want her nor any other woman
but I don't know the exact date, I think it was in April, 1894.
They have not lived together since that time. I know that they
have not lived together because she is my sister and I have
looked after her going backward and forwards from my house to
where she lived.

Q. 4. Did Eugene Johnson make any statement to you as to whether
or not he ever intended to return to his wife?

A. 4. He told me that he never expected to go back to her.

Q. 5. Do you know when these parties were married?

A. 5. Yes sir, I do.

Q. 6. Do you know what month and year they were married, and if so,
state when.

A. 6. I do not know the month and year.

Q. 7. What is the full name of Alice Johnson and what was her full
name before she was married?

A. 7. Her name is now Mary Alice Johnson. Before she was married
her name was Mary Alice Brown.

Q. 8. By what name is your sister, the Complainant, usually known
and called among her friends and relatives?

A. 8. For a short name they call her Alice Johnson.

Q. 9. How long has your sister, the Complainant, lived in Virginia?

A. 9. She has been in Virginia ever since she was thirteen years old.

Q. 10. Where did your sister and Eugene Johnson last live together?

A. 10. They lived in "Boston", a suburb of Suffolk, Nansemond County, Virginia.

Q. 11. Further this deponent saith not,

Witness
Lee Britt

General Johnson
mark

6

The witness, Jacob Brown, being duly sworn deposes as follows:

Q. 1. State your name, age, residence and occupation .

A. 1. Name Jacob Brown, age forty-nine years, residence Suffolk, Virginia, occupation drayman.

Q. 2. Do you know the parties to this suit and if so, are they married or single?

A. 2. I know the parties to this suit and they are husband and wife.

Q. 3. As husband and wife are they now living together?

A. 3. No sir.

Q. 4. Where are they each living at this time and how long have they been living apart from each other?

A. 4. I don't know exactly where he lives but I know they have been parted the space of three years. They parted in 1904., in Feb.

Q. 5. Did you have any conversation with either of the parties at the time they separated and if so, which one and what was said?

A. 5. I did. He said he was going to leave her and said he was never coming back to her, that he didn't want her any more.

Q. 6. Did he leave her and if so, has he ever been back to her?

A. 6. I have never known him to be back.

Q. 7. How long has Alice Johnson lived in this state and does she now reside in this state?

A. 7. She has lived in this state about 19 years and she does now reside here.

Q. 8. Have these parties ever lived together since the time of their separation to which you have referred?

A. 8. No sir.

Q. 9. Where did they last live together?

A. 9. In Boston, a suburb of Suffolk, Nansemond County, Va.

Q. 10. By what name is this Johnson woman generally known among her relatives and friends?

A. 10. Mary Alice Johnson.

Q. 11. By which name is she usually known, Mary or Alice?

A. 11. They call her for a short name Alice.

Q. 12. Further this opponent saith not,

Witness
Lee Britt

^{his}
Jacob Brown
mark

W. M. Crumpler, witness being duly sworn deposes as follows :

Q. 1. State your name, age residence, and occupation.

A. 1. W. M. Crumpler, age 27 years residence Suffolk, Va., occupation attorney.

The witness having had business with the parties to this suit about the time of their separation ~~about Feb. 19th, 1904,~~ and knowing of the separation deemed it his duty to make the following statement under oath:

I have known these parties for five or six years and have had business relations with them . Some three or four years ago the parties were apparently having some difficulty among themselves and the defendant frequently advised with me . I cannot state positively the month or beyond question the year, but I think it was some time during the early part of 1904 when Eugene Johnson came to my office one morning and told me that he and his wife had separated and that he was going on that day to leave Suffolk and never intended to return to live with his wife again. The purpose of his visit to my office on this day was on account of the fact that I had verbally agreed to sell him a vacant lot on Broad Street upon which he had paid me five or ten dollars and he came in before leaving town to state his expected change of residence and his consequent release of all claims of the lot. From the date of this above mentioned visit to my office I have never seen Eugene Johnson.

Further this ~~deponent~~ saith not,

Wm. M. Crumpler

State of Virginia

County of Nansemond, to-wit:

I, Lee Britt, a commissioner in chancery, of the Circuit Court for the County of Nansemond, and the 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 therein mentioned, pursuant to the annexed notice.

In witness whereof I have hereunto set my hand at Suffolk, Va., this 28th day of June 1907.

Lee \$500 Pd

Lee Britt

Commissioner in Chancery.

To Eugene Johnson.

Take notice that on the 28th day of June, 1907, at the office of William M. Crumpler, in Suffolk, Virginia, between the hours of 10:00 A. M. and 6:00 P. M. of that date, I shall proceed to take the depositions of General Brown, and others to be heard as evidence in my behalf, in a certain suit in equity depending in the Circuit Court for Nansemond County, wherein I am plaintiff and you are defendant; and if, for any cause, the taking of the said depositions be not commenced or if commenced be not concluded on that date, the taking thereof will be adjourned from day to day, at the same place and between the same hours until the same shall be completed.

Respectfully yours,

Alice Johnson
By Counsel.

I accept due, legal, and sufficient service
of the within notice.

June 18, 1907-

Engen Johnson
"Sign left" on the line -

Alice Johnson)
Vs.) In Chancery.
Eugene Johnson)

This cause came on this day to be heard on the Bill, the exhibits, filed, and the depositions of witnesses taken before Lee Britt, a Commissioner in Chancery of this Court, ^{after reasonable notice to defendant,} the Defendant failing to appear and plead, answer or demur, and was argued by Counsel.

On consideration whereof, the Court being of the opinion from the evidence submitted, that the defendant has wilfully deserted the plaintiff, his wife, and that it has been three years or more since said desertion; that the plaintiff has been domiciled in this State, at least, one year next preceeding the commencement of this suit; that the plaintiff and defendant last co-habited in the County of Nansemond, and that the plaintiff at the commencement of this suit was a resident of said County, doth order, adjudge, and decree that the said plaintiff Alice Johnson, be divorced absolutely from her said husband, Eugene Johnson; that the marriage heretofore solemnized between them be and the same is hereby annulled and set aside, and a divorce a vinculo matrimonii is hereby granted the said plaintiff from her said husband; and nothing further remaining to be done in this case, it is ordered that this suit be stricken from the docket.

Ellis Johnson

vs. } Final Decree.

Eugene Johnson

20
July 1907

Enter

James L. Moore

Entered in Chancery
Order Book No. 4
Page 166.

Alice Johnson)
Vs.) Bill.
Eugene Johnson)

To the Hon. Circuit Court of Nansemond County:

Your Complainant, ^{sometimes known as Mary Alice Johnson} Alice Johnson, respectively represents:

(1) That on the 13th day of October, 1897, your Complainant whose maiden name was Alice Brown, was lawfully married at Suffolk, in the County of Nansemond, Virginia, to Eugene Johnson, 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 19th day of February, 1904, your complainant and the said Eugene Johnson lived together as husband and wife at Suffolk, Virginia; and,

(3) That the said Eugene Johnson has willfully deserted and abandoned your Complainant since the day last mentioned in paragraph 2 above, that is to say, on the 19th day of Feb 1904, the said Eugene Johnson did, voluntarily, willfully, and without any justification whatever, leave his home; and immediately before leaving he stated as your Complainant expects to prove that he was going to leave her forever and that he would never return to her; and that your Complainant has never heard from nor seen her said husband from that day, nor does she know, except from hearsay where he is, or whether he now be dead or alive; and,

(4) That your Complainant has resided and has been domiciled in this State ever since the aforesaid marriage, and for more than one year next preceeding the commencement of this suit, and is domicile and now resides in this State; and,

(5) That your Complainant last co-habited with the said Eugene Johnson at Suffolk, in the County of Nansemond, Va.:

In consideration whereof, and for as much as your Complainant is remedyless in the premises save in the Court of Equity, your Complainant prays that the said Eugene Johnson 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 issue; that a divorce from the bond of matrimony which was created by the aforesaid marriage be decreed her; and that your Complainant may have such further, and other, and general relief in the premises as the nature of her case may require, or to equity shall seem meet.

Wm. W. Cummings

Counsel.

Mary Eliza Johnson

Complainant.

Alice Johnson
vs } In Chancery
Eugene Johnson

1907 April 10th. Process issued re-
turnable May rules
first Monday.

" May 6th Process returned
executed on defendant
Bill filed and
decree nisi vs said
defendant.

" " 20th. Decree nisi confirmed
and cause set
for hearing.

Chancery
Notes.

Clark	2.17
Fay	1.54
Wm	50
Wm	10.32
	22.53

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,

Eugene Johnson
and Mary A. Brown

Given under my hand, as Clerk of the County Court
of said County this 13th day of April 1897.
R. R. Smith Clerk.

CERTIFICATE TO OBTAIN A MARRIAGE LICENSE,
TO BE ANNEXED TO THE LICENSE, REQUIRED BY SECTION 2229 OF THE CODE OF VIRGINIA. ~~AS AMENDED BY ACT OF FEBRUARY 2, 1900.~~

Time of Marriage, 1897. Oct 13 th	Place of Husband's Birth, Southampton Co. Va.
Place of Marriage, Nansemond County, Va.	Place of Wife's Birth, Warren Co. N.C.
Full Names of Parties Married, Eugene Johnson	Place of Husband's Residence, Nansemond Co. Va.
Mary A. Brown	Place of Wife's Residence, Nansemond Co. Va.
Color, Colored	Names of Husband's Parents, Willis Johnson
Age of Husband, 25 years	and Helen Johnson
Age of Wife, 21 years	Names of Wife's Parents, Dock Brown
Condition of Husband (widowed or single or divorced) Single	& Lucy Brown
Condition of Wife (widowed or single or divorced) Single	Occupation of Husband, Laborer

Given under my hand this 13th day of October 1897.
R. R. Smith Clerk.

Minister's Return of Marriage
~~Certificate of Time and Place of Marriage.~~

I certify that on the 13 day of October 1897,
~~Church, or religious order of that name, I~~ certify that on the 13 day of October 1897, at the church in north Boston St., under authority of the above
License, I united in Marriage the above named and described persons parties.
under authority of the annexed License
~~Given under my hand this~~ day of October 1897.

Res. Richard Futrell

The Minister celebrating a marriage is required, within ~~two months~~ ^{ten days} thereafter, to return the License to the Office of the Clerk who issued the same, with an endorsement thereon of the FACT of such marriage, and of the TIME and PLACE of celebrating the same.

A Copy: Jste: R. R. Smith, Clerk.
By M. M. Watkins, Sec.

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Eugene Johnson
with { Certificate
of
Marriage

Mary A. Brown

1897.

Octo 13th

A Copy 50¢

Page 207.