1905-012 Chancery Causes: Annie (Phillis Ann) Johnson VS Alexander Johnson

Isle of Wight County

other surnames: Delk, Hill
Pretlow

Annie Johnson

vs. } Bill of Complaint

Alexander Johnson

Filed Feby 6th 1905

2d Dec. rules 1905. Affidavit filed order of Pub. notice posted as law directs

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1st Jan. rules 1905
contd

2d Jan. rules 1905
contd

1st Feby rules 1905
Bill filed. Affidavit of publication

March term 1905
Final

STATE OF VIRGINIA,

County of Isle of Wight, to-wit:

I, E. H. Williams, a Commr. in Chancery
The Circuit Court of the County aforesaid,
do certify that Annie Johnson, whose name is signed to the foregoing bill
this day personally appeared before me in my said County and made oath th
that the statements contained in the said bill are true,

Given under my hand this 31st day of January, 1905.

TO THE HONORABLE ROBERT R. PRENTIS, JUDGE OF THE CIRCUIT COURT OF I
ISLE OF WIGHT COUNTY? VIRGINIA.

Annie Johnson,----------Plaintiff.

Vs. In Chancery.

Alexander Johnson,---------- Defendant.

Humbly Complaining Showeth to the Court your Complainant, Annie Johnson, wife of Alexander Johnson, the following case.

That on the 8th day of February 1894 your Complainant was married to the said Alexander Johnson and was a constant and dutiful wife. A certified copy of your Complainants marriage License, with certificate of the Minister performing the marriage ceremony, is herewith filed marked exhibit "A" and prayed to be taken as a part of this Bill.

That your Complainant's Husband on Dec. 10th. 1901, without cause, willfully deserted and abandoned your Complainant, without making any provision for her support and maintenance. That such willful desertion and abandonment has continued and is existing at the time of the institution of this suit.

That your Complainant has been a resident of Isle of Wight County, Virginia, for more than one year preceeding the commencement of this suit, and in fact all of her life.

In tender consideration whereof and for as much as your Complainant is without remedy at law, and can be relieved only by the aid of this Honorable Court of Equity, where matters of this sort are alone and properly cognizable to the end that Justice may be done in the premises. Your Complainant prays that the said Alexander Johnson may be made a party defendant to this suit and be required to answer the same on oath; that all proper process may be issued; that a divorce a vinculo Matrimonii be granted your Complainant from her said husband, and that such other, further and general relief may be afforded her as the nature of her case may require or to equity may seem meet.

And your Complainant will ever pray, etc.

Annie Johnson

Annie Johnson

vs. { SUBPOENA IN CHANCERY.

Alexander Johnson

E. A. Williams p. q

To 2d January Rules,

Circuit Court.

1905

B 33119

Not found & no inhab
itant of my Co.
Jany 14th 1905.

Ry. A Eacood
Dft

The Commonwealth of Virginia,

To the Sheriff of the County of Isle of Wight, Greeting:

WE COMMAND YOU that you summon Alexander Johnson

to appear at the Clerk's office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court, on the Third Monday in January 1905, to answer a bill in chancery, exhibited against him in our said court ~~for~~

Annie Johnson

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 13th day of December 1904, and in the 129 year of the Commonwealth.

N. F. Young clerk

Clerk's Office
Isle of Wight County, Virginia.
N. P. YOUNG, Clerk.

To
N. F. Young
Clerk of Isle of Wight County, Circuit Court

Annie Johnson
vs. } Plaintiff's Depositions
Alexander Johnson

Received and filed July 2nd 1903
with N. F. Young clerk

Annie Johnson

v. } Plaintiff Defendants

Alexander Johnson

Peter Hill, a witness of lawful age, after being duly sworn, deposes as follows:

Q. Give your age, name, residence and occupation?

A. 24 yrs. old, Peter Hill, Isle of Wight County, farmer.

Q. Do you know Alexander Johnson and Annie Johnson, and how long have you known them?

A. Annie Johnson is my sister, and I have known Alexander Johnson about I4 years.

Q. Was Annie Johnson a dutiful wife to Alexander Johnson?

A. Yes Sir.

Q. Has Annie Johnson lived in Isle of Wight County all of her life?

A. Yes Sir.

Q. How near have you lived to Annie Johnson since she was married?

A. About one mile.

Q. Do you know of your knowledge the year month and day, that Alexander Johnson deserted Annie Johnson?

A. In year L901 Dec. and I think about the 10th of the month.

Q. Have you seen Alexander Johnson in this county since he deserted Ann Annie Johnson?

A. No Sir.

And further this deponent saith not.

Peter Hill

Virginia.

I, N. F. Young, a Commisioner in Chancery for the Circuit Court of Isle of Wight County, in the State of Virginia, do hereby certify that the foregoing depositions of Algenon Delk, Alice Pretlow and Peter Hill, were duly taken, subscribed and sworn to before me at the time and place and for the purpose in the caption mentioned.

Given under my hand this 27th day of February 1905.

Comm'r fee $2.00

N. F. Young

Comm. in Chancery.

Q. Do you know where he is living at this time?

A. No, sir.
Further this Deponent says not.

Q.

Test N. B. Harris

His
Algenon X Delk
Mark

Alice Pretlow, a witnessof lawful age duly sworn and deposed as follows :

Q. What is your name, age,residence and occupation?

A. Alice Pretlow, 44 years, Isle of Wight Co., Washer and Ironer.

Q. Do you know Alex Johnson and Annie Johnson?

A. Yes, sir.

Q. How long have you know them?

A. I have been knowing them ever since they were small children.

Q. Do you know of your own knowledge that Annie Johnson has been living in this County ever since you have known her?

A. Yes, sir.

Q. How near did you live to Annie Johnson?

A. Most of the time I lived about a half mile from her.

Q. Do you know whether or not Annie Johnson was a dutiful wife to said Alex Johnson?

A. Yes, sir, she was.

Q. Can you state the year, month and date that Alex Johnson deserted his wife,the said Annie Johnson?

A. He left her in 1901 I am sure, some time in December but I cannot say what day.

Q. Have you ever seen Alex Johnson in this County since he left in Dec. 1901?

A. No, sir.

Further the Deponent saith not.

Test N. B. Harris

Her
Alice X Pretlow.
Mark

The Depositions of Algenon Delk, Alice Pretlow and Peter Hill, taken before N. F. Young a commissioner in chancery for the circuit court of Isle Of Wight county at his office at Isle of Wight court house on the 27th day of.Feb. I905, between the hours of 9A. M. and 4 P. M. , to be read as evedence in in behalf of Annie Johnson in a suit in chancery in the curcuit courtof Isle of Wight county dependin- wherein Annie Johnson is plaintiff and Alexander Johnson is defendant.

Algenon Delk a witness of lawful age duly sworn and deposed as follows:-

Q. What is your age, name,residence, and occupation?

A. Algenon Delk, 38 years, Isle of Wight County, Farmer.

Q. Do you know Alexander Johnson and Annie Johnson the parties to this suit?

A. Yes Sir.

Q. How long have you known them?

A. I have known them all my life.

Q. If you know, state how long has Annie Johnson been a resident of this County.

A. All of her life.

Q.Do you know whether or not Annie Johnson was a dutiful wife to Alexander Johnson?

A. I never heard of any complaint.

Q. How near did you live to them during the time they lived together?

A.Never lived moer than two and one-half miles from them, and part of the time within hollering distance.

Q. State in what year, and what month,and as nearly as you can what day Alexander Johnson deserted his wife Annie Johnson.

A.In the year of I90I, sometime in the month of December. I do not know the exact day.

Q. To your knowledge has Alexander Johnson ever lived with his wife since that time?

A. I am sure he has not.

Q. Have you ever seen Alex Johnson in this County since December 1901?

A. I have seen him but once since December 1901 and that was at my house.

Q. How long was he at your house?

A. About two hours.

Q. Did he go from your house to Annie Johnson's house?

A. Not that I know of.

FORM NO. 302.

Annie Johnson

vs. { AFFIDAVIT FOR ORDER OF PUBLICATION.

Alexander Johnson

E. H. Williams *p. q.*

Everett Waddey, Stationer and Printer, Richmond, Va } Form No. 302.

In the Clerk's Office of the Circuit Court of the County of Isle of Wight

Annie Johnson, Plaintiff,

against

Alexander Johnson, Defendant.

This day E. A. Williams personally appeared before me, N. F. Young, Clerk of the said Court, and being duly sworn, made oath that due diligence had been used by and on behalf of the Plaintiff to ascertain in what county or corporation the defendant is without effect ~~defendant in the said suit not resident of the State of Virginia~~,

Given under my hand as Clerk of the said Court, this 13th day of December 1904.

N. F. Young, clerk

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VIRGINIA—In the Clerk's Office of the Circuit Court of Isle of Wight county, in vacation, on the 18th day of December, 1904.

Annie Johnson.....Plaintiff
vs. In Chancery,
Alexander Johnson.....Defendant

The object of this suit is to obtain a decree of divorce a vinculo matrimonii for the plaintiff against the defendant and it appearing by affidavit filed that due diligence has been used by and on behalf of the plaintiff to ascertain to what county or corporation the defendant is, without effect, it is ordered that he appear here within fifteen days after due publication of this order in the Suffolk Herald, a newspaper circulated in this county, and do what is necessary to protect his interest in this suit and that this order be published and posted according to law.

N. PEYTON YOUNG, D. C.
E. H. WILLIAMS, p. q.
A copy—Teste:
N. PEYTON YOUNG, D. C.

Office of The Herald.

Suffolk, Va., Jan. 18 1905

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 successive weeks.

beginning Dec. 16/04. W. J. Kendrick

Editor Herald.

All Available Text Successfully Captured

Copy, publication as Law Order

VIRGINIA—In the Clerk's Office of the Circuit Court of Isle of Wight county, in vacation, on the 13th day of December, 1904.

Annie Johnson.....Plaintiff
vs. In Chancery,
Alexander Johnson.....Defendant

The object of this suit is to obtain a decree of divorce a vinculo matrimonii for the plaintiff against the defendant and it appearing by affidavit filed that due diligence has been used by and on behalf of the plaintiff to ascertain to what county or corporation the defendant is, without effect, it is ordered that he appear here within fifteen days after due publication of this order in the Suffolk Herald, a newspaper circulated in this county, and do what is necessary to protect his interest in this suit and that this order be published and posted according to law.

N. PEYTON YOUNG, D. C.
E. H. WILLIAMS, p. q.
A copy—Teste:
N. PEYTON YOUNG, D. C.

.....

Annie Johnson,sometimes called
Phillis Ann Johnson,
Versus- In Chancery.
Alexander Johnson.

.....

D E C R E E.

To be entered,

March 7th, 1905.

Robert Prentis

C.C.B.No. 6,page 414

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY:

Annie Johnson.... .....Plaintiff.

versus- In Chancery.

Alexander Johnson.....Defendant.

This cause, which has been regularly matured ~~at Rules~~ in the mode prescribed by law, as to absent defendants came on this day to be heard on the Complainant's bill, with exhibits filed, and the depositions of witnesses, ~~wf wi~~ the defendant still failing to appear, plaed, answer or demur, and was argued by counsel.

On consideration whereof, the Court being of the opinion, from the evidence furnished in this cause, that the defendant wilfully deserted and abandoned the palintiff, and a period of more than three years having elapsed since the said desertion and abandonment, the Court doth adjudge, order and decree, that the marriage heretofore had and solemnized between the said plainitff, Annie Johnson, sometimes called Phillis Ann Johnson, and the said defendant, Alexander Johnson, shall be, and the same is, hereby dissolved; and that the said plaintiff, Annie Johnson, sometimes called Phillis Ann Johnson, be divorced a vinculo matrimonii from the said Alexander Johnson.

And the Court doth further adjudge, order and decree that the said defendant to pay to the said plaintiff her costs expended in the prosecution of this suit.

M. R. No: _____ Page _____

Alexander Johnson

To [illegible] License.

Phila Ann Hill

_____

Executed [illegible]

_____

Teste _____

MARRIAGE LICENSE

Virginia, Isle of Wight 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,

Alexander Johnson

and Phillis Ann Heie

Given under my hand, as Clerk of the County Court of Isle of Wight Co. this 7th day of February 1899

W. F. Young Clerk.

J. R. Latimer D. C.

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 3, 1900.

Time of Marriage, February 8th 1899

Place of Marriage, Isle of Wight

Full Names of Parties Married, A. F. Johnson and Phillis Ann Heie

Color, colored

Age of Husband, 21

Age of Wife, 17

Condition of Husband (widowed or single or divorced) Single

Condition of Wife (widowed or single or divorced) Single

Place of Husband's Birth, Isle of Wight

Place of Wife's Birth, do

Place of Husband's Residence, "

Place of Wife's Residence, "

Names of Husband's Parents, Daniel & Tyre,

Names of Wife's Parents, Wm & Emma

Occupation of Husband, Laborer

Given under my hand this 7th day of February 1899

W. F. Young Clerk.

J. R. Latimer D. C.

MINISTER'S CERTIFICATE OF MARRIAGE.

I certify., that on the 8th. day of February 1899 at Isle of Wight County Virginia, I united in Marriage the above-named and described parties, under authority of the annexed License.

W. M. Reid, Minister.

A Copy, TESTE: W. F. Young C.C.

All Available Text Successfully Captured