

1917- 004
Nansemond Co (Suffolk)

Chancery Causes: John Gilliam vs Frankie May Gilliam

Ruffin

OVERSIZE

Box 4

-1 marriage license (exhibit A)

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

John Gilliam

vs.

Frankie May Gilliam

To George E. Bunting, Clerk:

Issue summons for complainant against defendant
to first rules in *August* (first Monday) to answer a
bill in Chancery.

John Gilliam
By Counsel

Moody E. Halling
p.q.

Memorandum

Memorandum

Memorandum

Memorandum

CHANCERY SUMMONS

The Commonwealth of Virginia.

Sergeant of the City of Richmond.

TO THE SHERIFF OF NANSEMOND COUNTY--GREETING:

You are Hereby Commanded to Summon

Frankie May Gilliam

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 Sept. 1917, to answer

Bill in Chancery, exhibited against Her

in the said Court by John Gilliam

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this 27th day of

July, 1917, in the 132nd year of the Commonwealth.

A Copy Teste:

Clerk

Teste:

Clerk

Executed this 15th day of August, 1917 by delivering a true copy of the with-
in process to Frankie May Gilliam

in person, in the ~~County of Nansemond~~ ^{City of Richmond} State of Virginia.
Fee 500 Paid *Paul Latouche* *John S. Lott* *City Sergeant* *Richmond Va*

Original

Moody E. Stallings ----- p. q.

John Gilliam -----

vs. } In Chancery

Frankie May Gilliam -----

1917 -----

~~August~~ Sept. Rules

----- First ----- Monday.

NANSEMOND COUNTY COURT,

Process Book, No. 3 -----

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CIRCUIT COURT

SECOND MONDAY IN JANUARY, MAY,
JULY, AND OCTOBER

HON. JAMES L. MCLEMORE, JUDGE
GEO. E. BUNTING, CLERK
S. E. EVERETT, COMMONWEALTHS' ATTORNEY
E. E. WAGNER, SHERIFF
C. R. FULGHAM, COUNTY TREASURER
LEE BRITT, COMMISSIONER OF ACCOUNTS

Nansemond County Clerk's Office

SUFFOLK, VA.,

Rule Notes:

John Gilliam,

V.

Frankie May Gilliam

Process issued July 27, 1917. returnable to August Rules, First Monday, 1917.

TO FRANKIE MAY GILLIAM:

Take notice that on the 1st day of October, 1917, at the office of Moody E. Stallings, in the city of Suffolk, Virginia, between the hours of 9 o'clock A. M. and 6 o'clock P. M. of that day, I shall proceed to take the depositions of John Gilliam and others to be read as evidence in behalf of the complainant in a certain suit in equity depending in the Circuit Court of Nansemond County, Virginia, wherein the undersigned is plaintiff and you are defendant; and if, for any cause, the taking of said depositions be not commenced, or, if commenced, be not concluded, the taking thereof will be adjourned from day to day or from time to time as the Commissioner may direct, at the same place and between the same hours until the same shall be completed.

Given under my hand this 27 Day of July
1917.

John Gilliam
By Counsel

Moody E. Stallings
p.q.

Original

Notar to take depositions

10 Canal St

Executed in the City of
Richmond, Va. on the
15th day of August 1917,
by delivering a true copy
thereof, to Frankie May
Gilliam, in person.

John Patterson
City Sergeant
by Richmond
Va

Paul Latouche
deputy

Fee 50^c Paid

VIRGINIA:

In the Circuit Court
of Hansemond County.

DEPOSITIONS.

John Gilliam

Vs.

Frankie May Gilliam.

The depositions of John Gilliam and others taken before me, Bradford Kilby, a Commissioner in Chancery for the County of Nansemond, pursuant to notice hereto annexed, at the office of M. E. Stallings, in Suffolk, Virginia, on the 1st day of October, 1917, between the hours of 9 A. M. and 6 P. M. to be read as evidence in behalf of John Gilliam in a certain suit in equity depending in the Circuit Court of Nansemond County, wherein John Gilliam is the plaintiff and Frankie May Gilliam is the defendant.

PRESENT: M. E. Stallings, attorney for plaintiff.

The witness, John Gilliam being duly sworn deposes and says as follows:

- Q. What is your name, age, residence, and occupation?
A. John Gilliam residence, Suffolk, Virginia, occupation laborer, age 52.
- Q. Are you married, John? A.- Yes, sir.
- Q. Where is your wife? A.- She was in Richmond the last time I heard from her.
- Q. What is your wife's name? A.- Frankie.
- Q. Frankie what? A.- Frankie Ruffin.
- Q. When and where did you and Frankie Ruffin last co-habit as man and wife? A.- At her father's.
- Q. Where is her father's? A.- Nansemond County.

Q. When did Frankie Ruffin leave you?

A. Sge left me the year before the first fair.

Q. What year was that, John?

A. She left me in October, 1913.

Q. Why did she leave you? A.- On account of another man, I suppose.

Q. You mean she went away with another man? A.- Yes.

Q. How did you treat her when you lived with her?

A. All right; the best I could; the best I knew how.

Q. Did you all have any trouble? A.- No trouble; didn't never fight or quarrel.

Q. So, the only reason she had to leave you was to go away with another man? A.- Yes, sir.

Q. Did she ever tell you whether she was coming back to you or not? A.- All she ever told me was that she never expected to be my wife again.

Q. And she left you on her own accord, because she loved another man? A.- Yes, sir.

Q. Have you lived with her since she first left you in October, 1913? A.- No, sir.

Q. John, has she any children now?

A. Yes, sir; I think she has got three.

Q. Are they your children? A.- One of them is mine, the boy.

Q. Has she given birth to any child since she

left you? A.- Yes, sir.

Q. Is that your child? A.- No, sir.

Q. How long have you been living in Virginia, John?

A. I have been in Virginia ever since about twenty-two years.

BY THE COMMISSIONER:

Q. In Nansemond County?

A. Yes, sir.

Q. You have been here for the last year, have you not? A.- Yes, sir; I have not been any where.

BY THE COMMISSIONER:

Q. Where did you last live with Frankie Gilliam?

A. In Nansemond County.

Further this deponent saith not.

Witness
Woody E. Hallings

John X Gilliam
mark

FRANK RUFFIN, being duly sworn deposes and says as follows:

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

A. Frank Ruffin, age 55, residence Suffolk, Virginia, and occupation farming.

Q. Are you the father of Frankie May Gilliam?

A. Yes, sir.

Q. Did John Gilliam and Frankie May Gilliam live with you during their married life?

A. Yes, sir., at my home.

Q. Where was your home at? A.- My home is out at the forks of the road on the Norfolk road, at "Norfleet's Forks", Nansemond County.

Q. How did John Gilliam treat his wife while he stayed at your house?

A. All right, never had a cross word with him.

Q. Why did his wife leave him?

A. She went away with another man.

Q. When was that? A.- That was in 1913, I think it was.

Q. Do you know what month? A.- It was--- I can't say exactly.

Q. Did she have any cause for leaving John other than the fact that she went away with another

man? He treated her all right?- A.- All right, yes, sir.

Q. Has Frankie May Gilliam given birth to any child since she left John Gilliam? A.- Yes.

Q. About how old is that child?

A. Some where about two years old.

Q. Is that John Gilliam's child? A.- No, sir.

Q. Do you know where John Gilliam has been living for the past year?

A.- Yes, he has been staing up there in Mr. Kelley's place in a house by himself.

BY THE COMMISSIONER:

Q. This is in Nansemond County?---

A. Yes, in "Pleasant Hill". Mr. Kelley has a little place up there.

Further this deponent saith not.

And Mr. Kelley?

JAMES RUFFIN being duly sworn deposes and says
as follows:

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

A. James Ruffin, age 51, residence Hansemond County,
and occupation common laborer.

Q. Did you know John Gilliam at the time he was
living with his wife, Frankie May Gilliam?

A. I did.

Q. How did he treat her?

A. He treated her good, so far as I know.

Q. Do you know why she left him?

A. She left him on account of Johnson.

Q. Who was Johnson? A.- A preacher.

Q. Did she have any other cause than that she loved
this Johnson to leave him.

A. No, sir.

Q. Do you know whether or not she has given birth
to any children since she left John Gilliam?

A. Indeed she has.

Q. Do you know whose child that was?

A. Johnson's.

Q. How do you know?

A. I only know by what she said.

Q. She told you that? A.- Yes, sir.

Q. When did she leave him? A.- She left him in

1913.

Q. Where did they last live together as man and wife?

A. With Frank Ruffin.

Q. Where did Frank Ruffin live at that time?

A. At the forks of the road in Nansemond County.

Further this deponent saith not.

James Ruffin

VIRGINIA,

Nansemond County, to-wit:

I, Bradford Kilby, a Commissioner in Chancery for the County of Nansemond, in the said state, do hereby certify that the aforesaid depositions of John Gilliam, Frank Ruffin, and James Ruffin were duly taken, sworn to, and subscribed before me at the times and place and for the purpose in the caption hereto mentioned.

Given under my hand this 1st day of October

1917.

Comm's fee \$5.00

Bradford Kilby
Commissioner in Chancery.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY? VIRGINIA:

John Gilliam

Plaintiff.

vs.

Frankie May Gilliam,

Defendant.

This cause, in which the defendant appears to have been served with process in the manner prescribed by law as to resident defendants, came on this day to be heard on the bill, the exhibits filed, and the depositions taken before Bradford Kilby, a Commissioner in Chancery, after due, legal, and sufficient notice thereof, the defendant failing to appear, plea, answer or demur and was argued by counsel.

On consideration whereof, the court being of the opinion that the complainant has been domiciled in this state, at least one year, preceding the commencement of this suit; that the complainant and defendant last cohabited in the County of Nansemond; that the defendant, Frankie May Gilliam, deserted her husband more than three years preceding this date, without justification or cause, and has likewise since that time been guilty of adultery, since which time the complainant has not cohabited with her, it is, therefore, ordered, adjudged and decreed that the marriage relations heretofore solemnized and existing between them be and the same is hereby annulled and dissolved and the bonds of matrimony fully and completely severed.

Enter Octo. 8/1917
Jas M Lmore

Chancery Office
Book No. 5

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VIRGINIA:

In the Circuit Court of Nansemond County.

.....
John Gilliam
vs.
Frankie May Gilliam
.....

BILL

To the Honorable Circuit Court of Nansemond County:

Your complainant, John Gilliam, respectfully represents:

(1) That on the 28th day of September, 1908, your complainant, John Gilliam, was lawfully married, at Suffolk, in the County of Nansemond, Virginia, to Frankie May Gilliam, whose maiden name was Frankie May Ruffin, as will appear from the 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 October, 1913, your complainant and the said Frankie May Gilliam lived together as husband and wife near Suffolk, in Nansemond County; and,

(3) That the said Frankie May Gilliam has willfully deserted and abandoned your complainant for a period of more than three years; that is to say, on the ____ day of October, 1913, the said Frankie May Gilliam did, voluntarily, willfully, and without any justification whatsoever, leave her home and move to the city of Richmond, State of Virginia; and,

(4) That since the date of the aforesaid desertion, your complainant has not cohabited with his said wife, nor has he received from her, since said desertion, any sexual favors whatsoever, yet your complainant is informed, believes and so charges that his said wife has been guilty of adultery with some man, or men, unknown to your complainant, as is evidenced and proven by the fact of her having, since the date of said desertion aforesaid, given birth to one child.

(5) That your complainant last cohabited with the said Frankie May Gilliam near Suffolk, in the County of Nansemond, Virginia.

(6) That, at the time of the institution of this suit it has not been five years since the adultery occurred, and that it was not committed by the procurement or connivance of your complainant; and,

(7) That both your complainant and the said Frankie May Gilliam have resided, and have been domiciled, in this state ever since the aforesaid marriage, and for more than one year next preceding the commencement of this suit, and are domiciled and now reside in this State;

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

his
John A. Gilliam
Complainant

Moody E. Stallings
P. J.

Witness. Stallings

John Gilliam
vs Bill
Frankie May Gilliam

MOODY E. STALLINGS
ATTORNEY AT LAW
SUFFOLK, VA.

MARRIAGE LICENSE



Virginia, Nassau and 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,

John Gilliam
and Frankie May Ruffin

Given under my hand, as Clerk of the Circuit Court
of said County this 28th day of September 1908
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 3, 1900.

Time of Marriage, <u>1908-September 30</u>	Place of Husband's Birth, <u>Sussex Co Va</u>
Place of Marriage, <u>Suffolk, Va</u>	Place of Wife's Birth, <u>Suffolk Va</u>
Full Names of Parties Married, <u>John Gilliam</u>	Place of Husband's Residence, <u>Suffolk, Va</u>
and <u>Frankie May Ruffin</u>	Place of Wife's Residence, <u>Suffolk, Va</u>
Color, <u>Colored</u>	Names of Husband's Parents, <u>John B. Gilliam +</u>
Age of Husband, <u>36 years</u>	<u>Rosa, his wife</u>
Age of Wife, <u>23 years</u>	Names of Wife's Parents, <u>Frank Ruffin +</u>
Condition of Husband (widowed or single or divorced) <u>Widowed</u>	<u>Lavinia Ruffin</u>
Condition of Wife (widowed or single or divorced) <u>Divorced</u>	Occupation of Husband, <u>Laborer</u>

Given under my hand this 28th day of September 1908
R. R. Smith Clerk.

Certificate of Time and Place of Marriage.

I, C. W. Jones, a Minister of the A. M. E. Zion
Church, or religious order of that name, do certify that on the 30th day of
September 1909, at Suffolk, under authority of the above
License, I united in Marriage the persons named and described therein.

Given under my hand this the 2nd day of Nov 1909.
A copy - Teste: E. Bunting Clerk.

By Kate P. Bell Rev. C. W. Jones

The Minister celebrating a marriage is required, within two months 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.

Copy
John William
With } Certificate
of marriage
Frankie May Ruffin

"Exhibit A"