

1932-015 Chancery Causes: John D. Davis vs Hazel Dorcas Wilson Davis

613

Isle of Wight County

other surnames: Johnson,
Wilson, Jones

LAW OFFICES
CRUMPLER & CRUMPLER
SUFFOLK, VIRGINIA
AMERICAN BANK & TRUST BUILDING

WILLIAM M. CRUMPLER
WILLIAM M. CRUMPLER, JR.

July 27, 1932.

Mr. R. A. Edwards,
Isle of Wight C. H., Va.,

Dear Gus:

I herewith enclose to you memorandum and bill for chancery suit of John I. Davis v. Hazel Dorcas Wilson Davis, together with check of John Henry Powell, Clerk, payable to me and which I have endorsed to you for \$9.50, clerk's indemnity. I inadvertently instituted this suit in Nansemond County which accounts for Mr. Powell's check instead of my own. These people live near Carrollton.

With very kind regards, I am,

Very truly yours,

Wm. M. Crumpler

WMC:J

(Seal of Court
here superim-
posed on an
adhesive wafer)

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,

John I. Davis and Hazel Dorcas Wilson
Given under my hand, as Clerk of the Circuit Court of Nansemond County
(or City) this 17th day of April, 1931, John H. Powell, Clerk

Marriage Certificate

To be annexed to License required by Section 5074 of the Code of Virginia.

VIRGINIA: In the Clerk's Office of the Circuit Court for the County (or City) of Nansemond
Date of Marriage April 17, 1931 Place of Marriage Suffolk, Va.

(FULL NAME OF PARTIES)

John I. Davis and Hazel Dorcas Wilson
Age of Husband 60 years; Condition (single, widowed or divorced) widowed
Age of Wife 21 years; Condition (single, widowed or divorced) single
Race (White or Colored) white
Husband's Place of Birth Surry Co., Va. (PRESENT) Mailing Address Carrollton, Va.
Wife's Place of Birth Isle of Wight Co. Mailing Address Chuckatuck, Va.
Names of { Husband John I. Davis and Harriet Davis
Parents { Wife James Wilson and Eva Jones (Full maiden name)
(Full maiden name)
Occupation of Husband Farmer

Given under my hand this 17th day of April, 1931.

John H. Powell, Clerk

Certificate of Time and Place of Marriage

I, I. W. Johnson, a minister of the Christian Church, or religious order of that name, do certify that on the 17th day of April, 1931, at Suffolk, Virginia, under authority of the above License, I join together in the Holy State of Matrimony the persons named and described therein. I qualified and gave bond according to law authorizing me to celebrate the rights of marriage in the County (or City) of Nansemond, State of Virginia.
Given under my hand this 17 day of April, 1931.

I. W. Johnson

(Person who performs ceremony sign here.)

The Minister or other person celebrating a marriage is required, within thirty (30) days thereafter, to return the License and Certificate of the Clerk and his certificate of the time and place at which the marriage was celebrated to the Clerk who issued the License; failure to comply with these requirements of the law makes the Minister or other person celebrating the marriage liable to a fine of not less than ten nor more than twenty dollars for each offense (See Section 5074 of the Code of Virginia, 1919).

County (or City) Nansemond.....

John I. Davis

Husband

and

{ **Marriage License**

Hazel Dorcas Wilson.....

Wife

Date of Issue April 17, 1931.....

Marriage Register No. 5.....Page 32.....

A True Copy

Teste: John H. Powell, Clerk

By Margaret Powell D.C.

VIRGINIA,

IN THE CIRCUIT COURT OF ^{Isle of Wright} ~~WANDSWORTH~~ COUNTY.

John I. Davis)

v.)

Hazel Dorcas Wilson Davis)

Issue summons on behalf of the complainant against the defendant to the second rules in ^{August} ~~June~~, 1932, (third Monday), to answer a bill in chancery, the purpose of which will be the obtaining of a divorce for the complainant against the defendant.

JOHN I. DAVIS

BY: Concepcion Crumpler
Counsel.

Virginia,
In the Circuit Court
of Nansemond County.

John I. Davis

v. #613

Hazel Dorcas Wilson
Davis.

- 0 -

Memorandum

Filed 7-28-32

R.H.E.

Dup. 9.50
pp 511 51
9.00

Filed this the 19th day of June 1932
at the County Clerk
By Helen Harris, C.

Commonwealth of Virginia,

To the Sheriff of Isle of Wight County—Greeting:

WE COMMAND YOU, That you summon Hazel Dorcas Wilson Davis,

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 Third Monday in
August, 1932, to answer a bill in chancery, exhibited
against her in our said Court by

John I. Davis,-----

And have then and there this writ.

Witness, R. A. EDWARDS, Clerk of our said Court, at the Courthouse, this
28th day of July, 1932, and in the 157th
year of the Commonwealth.

R. A. Edwards Clerk.

John L. Davis

Vs. } CHANCERY NO.

Hope S. W. Davis

ORIGINAL SUBPOENA

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

....., 193.....

Returned, entered and filed.

Teste:

..... Clerk

To 7 August Rules

193 2

Presumptive & Compulsory p. q.

Executed the within Summons this the 12th
day of Aug 1932 by serving a true copy
of same on Hope S. W. Davis in person
Within the County of Isle of Wight.

W. C. McWhorter Sheriff
1932

VIRGINIA,

IN THE CIRCUIT COURT OF ^{*Isle of Right*} NANSEMOND COUNTY.

John I. Davis

v.

Bill.

Hazel Dorcas Wilson Davis

Your complainant respectfully showeth unto the Court as follows:

F I R S T

That as appears from a copy of the marriage license herewith filed, made a part of this bill and marked exhibit "A", the Clerk of the Circuit Court of Nansemond County authorized a matrimonial union between the complainant and the defendant by issuing a license therefor dated the 17th of April, 1931.

S E C O N D

That in accordance with the said license aforesaid, your complainant and the defendant were by the Rev. I. W. Johnson, a minister of the Christian Church residing in Suffolk, Virginia, united into matrimony on the 17th of April, 1931, as is shown by the said Minister's certificate constituting a part of said Exhibit "A".

T H I R D

That immediately succeeding said marriage the defendant refused and has thenceforth refused, now refusing, to accompany your complainant to his home which is distant from the place where the defendant resided preceding her marriage and still does reside about four miles; and since the said marriage your complainant has been continuously begging, beseeching and persuading his said wife to go to his home and live with him which she constantly has and

still declines to do. Your complainant in order to accomodate the whims of his said wife has for short periods of time lived at her home, neglecting his own personal affairs and the farm upon which he resides and in which he has a life interest, with the hope and expectation that his said wife would eventually change her mind until now he cannot afford to neglect his farm longer with no one on the farm to look after it but a hired colored boy.

F O U R T H

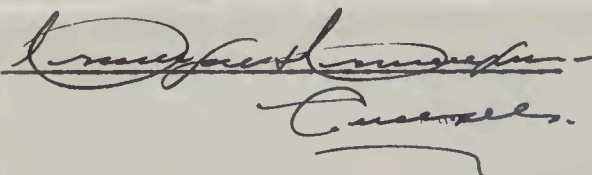
That immediately following the marriage of your complainant to his said wife she refused all marital privileges and to a most limited extent has she at any time permitted such privileges; that just preceding March 10, 1932, your complainant had been accustomed to going to the residence of his said wife and spending a good many nights but marital privileges being usually denied him and he having failed up until the said 10th day of March, 1932, to induce his said wife to follow him to his place of residence, he thereupon on the 10th day of March, 1932, began to constantly reside at his own home though he has since that date sought, prevailed upon and persuaded his said wife to come with him and is still now desirous that she do so.

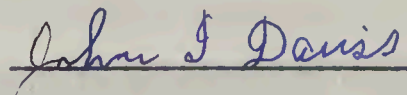
F I F T H

That your complainant is most desirous indeed to have his wife accompany him to his home, live with him and be a wife to him in the true sense of the word but she positively declines to do so against the constant and continued persuasion and solicitation of your complainant to such an extent that your complainant is obliged to ask for a divorce unless following the filing of this proceeding she should change her mind which would make your complainant most happy indeed. Your complainant, as he has above stated, has repeatedly sought and counselled with his wife which

meets with nothing but rebuffs and refusals, and your complainant still feels humble and is still desirous of doing anything in his power to have his said wife accompany him and live with him as she should.

In tender consideration whereof and for as much as your complainant is remediless save in a court of equity where such matters ~~of law~~ ^{alone +} are properly cognizable, he prays that his said wife, Hazel Dorcas Wilson Davis, may be made a defendant to this suit; that she should be required to answer the same but not under oath, an oath being expressly hereby waived; that in the event his said wife still refuses and declines, up until depositions are taken, to be a wife to him or to accompany him to his place of residence and there live and reside, that a divorce a mensa et thoro be decreed in favor of your complainant and that this cause may be permitted to remain upon the docket to the end that a permanent divorce may be granted your complainant at and when three years shall have elapsed from the date of the final desertion of your complainant by his said wife, to be determined in this cause by the Court. And your complainant further prays for all such other, further and general relief in the premises as the nature of his case may require or as to equity may seem meet and proper and that he may be dismissed on payment of his proper costs to be adjudged against him or ⁱⁿ his behalf herein to be expended.


Crumpler & Crumpler


John I. Davis

VIRGINIA,
IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

John I. Davis

v.

Hazel Dorcas Wilson Davis.

- 0 -

Bill.

Virginia,
In the Circuit Court of
~~Norfolk~~ County.

John I. Davis

v. #613

Hazel Dorcas Wilson Davis

BILL.

*Filed this 29th
day of June 1932.
Wm M. Crumpler
Frid 7/28/32 WMC*

WILLIAM M. CRUMPLER
ATTORNEY AT LAW
SUFFOLK, VA.