

1928-003
Nansemond Co (Suffolk) Chancery Causes: Franklin Banks vs Virginia White Banks

White, Jones, Davis, Harrell

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Nansmond on the 19th day of February, 1925. Franklin Banks, Plaintiff against Virginia White Banks, Defendant.

The object of this suit is to obtain a mensa et thoro and vinculo matrimonii up on the ground of desertion, and an affidavit having been made and filed that the defendant, Virginia White Banks is not resident of the State of Virginia, it is ordered that she do appear within fifteen days after due publication hereof, and what may be necessary to protect her interest in this suit. And it is further ordered that a copy hereof be published once a week for four successive weeks in the Suffolk News, a newspaper published in the City of Suffolk, and that a copy be posted at the front door of the Court-house of this County on or before the 2nd day of March, 1925, that being the next succeeding Rule day after this order was entered, and that a copy be mailed to the last known address of the said defendant.

Teste:

G. E. Bunting, Clerk.

Hugh L. Holland, p. q.

A copy: Teste: G. E. Bunting, Clerk.

SUFFOLK NEWS COMPANY, INC.

Publisher THE SUFFOLK NEWS

EVERY - AFTERNOON - EXCEPT - SUNDAY

SUFFOLK, VIRGINIA

Mgr.

Only Daily Newspaper published in the large territory between Norfolk and Petersburg

I, C.L. Snowden, Publisher of the Suffolk News, do hereby certify that the hereunto annexed notice of publication, Banks v Banks, was duly published four (4) times in the said newspaper according to law, to-wit: February 21st. and February 28th. March 7th and 14th.

(signed)

Signed and subscribed before me this 28th day of March, 1925.

C. L. Snowden
Publisher

Eduw Diamond

Notary Public

In the Clerk's Office of the Circuit Court of the County of
Hansemond on the 19th day of February 1915

Franklin Banks

, Plaintiff

against

Virginia White Banks

, Defendant.

The object of this suit is to obtain a mensa et thoro and vinculo matrimonii
upon the ground of desertion

And an affidavit having been made and filed that the defendant, Virginia White Banks

not resident of the State of Virginia, it is ordered that she do appear within fifteen
days after due publication hereof, and do what may be necessary to protect her
interest in this suit. And it is further ordered that a copy hereof be published once a week for
four successive weeks in the Suffolk News, a newspaper published in the
City of Suffolk, and that a copy be posted at the front door
of the Court-house of this County on or before the 2nd day of March 1915, that
being the next succeeding Rule day after this order was entered, and that a copy be mailed
to the last known address of the said defendant.

A copy—Teste:

Hugh L. Holland,

p. q.

Clerk.

FORM NO. 301.

US.

}

ORDER OF
PUBLICATION.

In the Clerk's Office of the Circuit Court of the County of
Nansemond on the 19th day of February 1915

Franklin Banks

, Plaintiff

against

Virginia White Banks

, Defendant.

The object of this suit is to obtain a mense et thoro and of vinculo matrimonii
upon the ground of desertion

And an affidavit having been made and filed that the defendant, Virginia White Banks
is

not resident of the State of Virginia, it is ordered that she do appear within fifteen
days after due publication hereof, and do what may be necessary to protect her
interest in this suit. And it is further ordered that a copy hereof be published once a week for
four successive weeks in the Suffolk News, a newspaper published in the
City of Suffolk, and that a copy be posted at the front door
of the Court-house of this County on or before the day of , 1915, that
being the next succeeding Rule day after this order was entered.

A copy—Teste:

Hugh L. Holland,

p. q.

Clerk.

a copy: test: H. L. Holland

FORM NO. 301.

198.

}

ORDER OF
PUBLICATION.

GEORGE E. BUNTING
CLERK OF CIRCUIT COURT OF
NANSEMOND COUNTY
SUFFOLK, VA.

Virginia White Banks

philadelphia

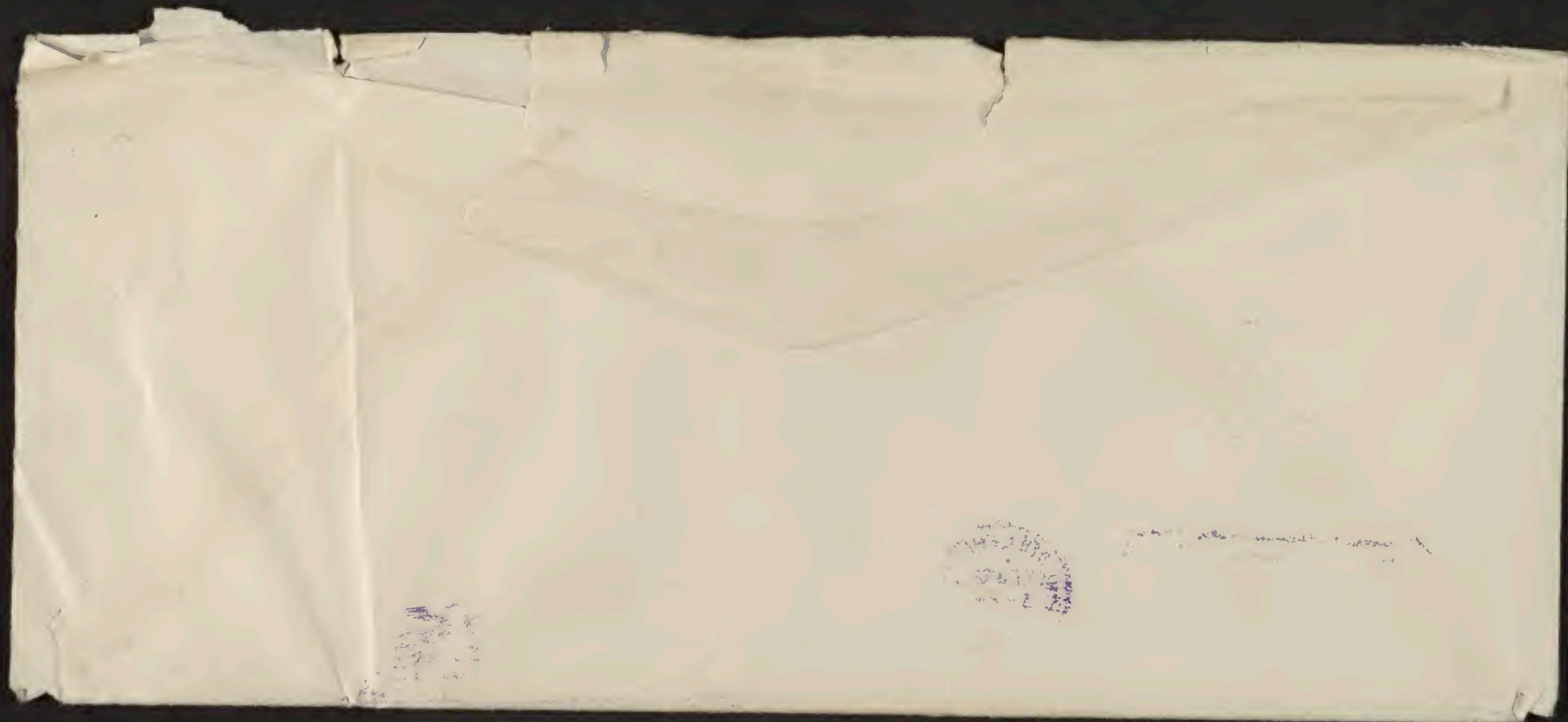
Penn.



1925

PHILA. PA





Defendant
1000
2-18-25

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

February 13, 1925.

Mr. George E. Bunting, Clerk,
Suffolk, Va.

Dear Sir:

In re: Franklin Banks
v.
Virginia White Banks

I hand you herewith application and affidavit for order of publication. You will notice this application includes memorandum. Will thank you to issue order of publication in this case and have it published for me once a week for four weeks. You will note that the object of this suit is to obtain a divorce of a mensa et thoro and a vinculo matrimonii upon the ground of desertion. Will also thank you to mail notice to the last known postoffice address of the defendant and to post same as required by law.

I hand you herewith my check for \$10.00 to cover writ tax and deposit.

Yours very truly,

Hugh L. Holland

H/D

Enc. 2

P.S. Please publish this order of publication in the Suffolk News once a week for four weeks, beginning at once.

H.L.H.

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Nansemond.

Franklin Banks

Pltff.

vs.

In Chancery

Virginia White Banks

Dft.

I hereby certify that on the 19th day of February 1925

I posted a copy of the order of publication entered herein, at the front door of the Courthouse of the County of Nansemond; that being on or before the next succeeding rule day after said

order was entered., and I further certify that I mailed a copy of same to the last known address of the said defendant (Phildadelphia, Penn.)

Given under my hand this 19th day of February, 1925

H. E. Buntine

, Clerk,

By

, Deputy Clerk.

IN THE CIRCUIT COURT OF HANDEMOND COUNTY, VIRGINIA:

Franklin Banks...Complainant

vs) Application and Affidavit for Order of Publication

Virginia White Banks...Defendant

To the Clerk of said Court:

Please issue process in the above-styled cause,
returnable to ~~second February~~ ^{First March} (1925) Rules, in Chancery.

The object of this suit is to obtain a divorce a
mensa et thoro and of vinculo matrimonii upon the ground of
desertion.

In conformity with section 5108 of the Code of
Virginia, and as counsel for the complainant in this cause,
I make application for an order of publication against the
defendant, Virginia White Banks, who is not a resident of the
State of Virginia, and whose last known postoffice address was
Philadelphia, Pennsylvania, and I request the Clerk to mail a
certified copy of said order of publication, when entered, to the
said defendant at the address given herein, and to certify the
mailing of the same as required by the statute in such cases made
and provided. (section 6070 of the Code of Virginia.)

Hugh J. Holland,
Counsel for Complainant

State of Virginia,
City of Suffolk.....to-wit:

I, Edna Diamond, a Notary Public, for the City aforesaid,
in the State of Virginia, do certify that the above mentioned
complainant, Franklin Banks, this day personally appeared before me
in my city in the State of Virginia, and made oath before me that
the above mentioned defendant, Virginia White Banks, is not a
resident of the State of Virginia, and that her last known post-
office is Philadelphia, Pennsylvania.

Given under my hand this 13th day of February, 1925.

Edna Diamond
Notary Public

My commissions expire on the 26th day of March, 1926.

Franklin Banks.....Complainant

vs) Application and Affidavit for
Order of Publication

Virginia White Banks..Defendant

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

CHANCERY SUMMONS

The Commonwealth of Virginia.

TO THE SHERIFF OF NANSEMOND COUNTY--GREETING:

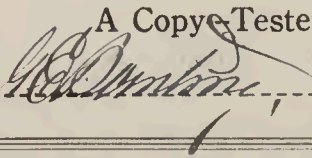
You are Hereby Commanded to Summon Virginia White Banks

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 March, 1925, to answer a
Bill in Chancery, exhibited against her
in the said Court by Franklin Banks

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this 19th day of
February, 1925, in the 149 year of the Commonwealth.

A Copye Teste:



Clerk

Teste:



Clerk

A copy for
Virginia White Banks

-----p. q.
=====

vs. } In Chancery

=====

19-----

-----Rules

-----Monday.
=====

NANSEMOND COUNTY COURT,

Process Book, No. -----

Page -----
=====

Executed this ----- day of -----, 191----- by delivering a true copy of the with-
in process to -----

in person, in the County of Nansmond, State of Virginia.
----- Sheriff

CHANCERY SUMMONS

The Commonwealth of Virginia.

TO THE SHERIFF OF NANSEMOND COUNTY---GREETING:

You are Hereby Commanded to Summon Virginia White Banks

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 March, 1925, to answer a
Bill in Chancery, exhibited against her
in the said Court by Franklin Banks

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this 19th day of
February, 1925, in the 129 year of the Commonwealth.

A Copy---Teste:

Clerk

Teste:

Clerk

Franklin D. Danks

1. 21

71161100

March Rules

First Monday

Page

Sheriff

AFFIDAVIT

I, Franklin Banks, of *Nansemond Co. Va.*
do make oath and say that I was married to Virginia White in
the City of Norfolk, Virginia on August 6, 1924, that the said
Virginia White, now Virginia White Banks, has never lived with
me; that she immediately deserted me after the said marriage
and that she has lived separate and apart from me since that day;
that I have made repeated attempts at reconciliation, that I
have been ready and willing to contribute to her support, and
that all of my offers have been rejected by the said Virginia
White Banks. I do further make oath and say that I have not
lived with the said Virginia White Banks as man and wife, since
her desertion of me on or about October 3, 1924; and that the
last known Post Office address of the said Virginia White Banks
was some place in New York City, the exact Street Address I am
not familiar with.

Given under my hand and seal this *24* day of
March, 1928

Franklin Banks. (SEAL)

STATE OF VIRGINIA,

COUNTY OF *Montgomery.* to-wit:

I, *Hazel Moore*, a Notary Public in and for
the County aforesaid, in the State of Virginia, do certify that
Franklin Banks whose name is signed to the foregoing writing bear-
ing date on the *24th* day of March, 1928, has acknowledged the
same before me in my County aforesaid.

Given under my hand this *24th* day of March, 1928.

Hazel Moore.
Notary Public

My commission expires on the

12th day of *July* 1928.

1928, Dec. 26. Fri.
Am



*Added to State
as required by law.*

MARRIAGE LICENSE



Virginia City of Suffolk, 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,

Franklin Banks, and Virginia White,

Given under my hand, as Clerk of Circuit Court of Suffolk, County (or City)
this 6th day of August, 1924.

Chas. L. Hutchins, Clerk.

MARRIAGE CERTIFICATE

To be annexed to the License, required by Section 5074 of the Code of Virginia, 1919, as amended by Act of February 16, 1910.

VIRGINIA: In the Clerk's Office of the Circuit Court for the County (or City) of Suffolk,

Date of Marriage August 6th, 1924. Place of Marriage Suffolk, Va.

FULL NAMES OF PARTIES.

Franklin Banks, and Virginia White,

Age of Husband 28 years; Condition (single, widowed or divorced) Single

Age of Wife 26 years; Condition (single, widowed or divorced) Single,

Race (White or Colored) Colored.

Husband's Place of Birth ~~Suffolk~~ ^(PRESENT) 301 Wellons St. Suffolk, Va.

Wife's Place of Birth Gloucester Co., Va. Mailing Address 301 Wellons St. Suffolk, Va.

Names of { Husband Ruffin Banks, and Victoria his wife,

Parents { Wife Coleman White, and India his wife,

Occupation of Husband Farmer,

Given under my hand this 6th day of August, 1924.

Chas. L. Hutchins, Clerk.

Certificate of Time and Place of Marriage

I, F. W. Williams, a minister, of the Bapt.

Church, or religious order of that name, do certify that on the 6th day of Aug., 1924,

at Suffolk, Virginia, under authority of the above License, I joined 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 rites of marriage in the County (or City) of Norfolk, State of Virginia.

Given under my hand this 6th day of Aug., 1924.

F. W. Williams,

(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, as amended by Act approved February 16, 1910, Acts 1910, chapter 28, pages 36 and 37).

STATE OF VIRGINIA,
towit:

CITY OF SUFFOLK,

I, CHARLES L. HUYCHINS, Clerk of the Circuit Court of the City of Suffolk, the same being a court of record, do hereby certify that the foregoing is a true copy of the license to marry as therein shown, together with the return made thereon according to law, as same is now on file in my office, and therein appears of record.

IN TESTIMONY WHEREOF, I, have hereunto set my hand at my office aforesaid this 13th. day of February, A.D. 1925, and in the 149th. year of the COMMONWEALTH.

Charles L. Huychins Clerk.

#118

~~County~~ City) Suffolk,

Franklin Banks,

Husband

and } Marriage License

Virginia White,

Wife

Date of Issue August 6th. 1924.

Marriage Register No. 1 Page 248

Received and filed,

Aug. 22-24-

The depositions of Franklin Banks, D.C. Jones, B.L. Davis, and J.T. Harrell, were taken before me, C.L. Lewis, a Notary Public in and for the City of Suffolk, State of Virginia, on the 3rd day of April, 1925, between the hours of 10:00 A.M. and 5:00 P.M. of that date, pursuant to due notice to defendant by order of publication, published, as required by law, to be read as evidence in behalf of the plaintiff in a certain suit in equity pending in the Circuit Court of Hansemond County, Virginia, wherein Franklin Banks is the complainant and Virginia White Banks is the defendant.

Present:

Hugh L. Holland, counsel for plaintiff.

The defendant did not appear either in person or by counsel.

Franklin Banks, being duly sworn deposes as follows:

Q. Please state your name, age, residence and occupation?

A. Franklin Banks, 29 years old, Holland, Nansemond County, Virginia, school teacher.

Q. Are you the complainant in this suit?

A. Yes sir.

Q. Please state whether you and your wife, Virginia, White Banks, are living together now?

A. No sir, we are not living together now and have not lived together since our marriage on August 6, 1924.

Q. Please state the circumstances of your marriage and separation briefly?

A. On August 6, 1924, I was doing community work at the Little Folk Community School, temporarily living in Suffolk. On that day Virginia White Banks together with her father came to my lodging place in Suffolk for the purpose of forcing me to marry his daughter who was pregnant at that time. I did not seduce her and knew nothing of her being in that condition, but married her to save my reputation and position as a school teacher. After we were married I asked her to come to live with me, but she refused to do so. Her father stated that he wanted her to go back to live with him in Gloucester County and would not let her live in Suffolk. Since our marriage I have moved to Holland in order to be near my work as a school teacher. I prepared a place for her at Holland after our marriage but she refused to come there to live with me. I have tried to persuade her to come to live with me several times but she refused to do so and stated that she didn't want to live with me.

Franklin Banks #2

Q. Please state what your wife did in December, 1924?

A. She came to Holland where I was living and teaching and raised a big disturbance. She stated to me that she had come up there to ruin my reputation and to kill me. As she was saying a lot of things about me that was untrue and threatening my life I secured a warrant from Major W.T. Johnson, Judge of the Juvenile and Domestic Relations Court in December, 1924, and she was arrested by Constable J.T. Harrell. She came before Major W.T. Johnson in the presence of Officer J.T. Harrell and promised Judge Johnson that she would not bother me any more and would not make any further threats against me and entered into a bond in the penalty of \$100.00 before Judge W.T. Johnson to keep the peace towards me. She did not deny having threatened my life before Major Johnson and stated that she was never going to live with me. I offered at that time to live with her as her husband provided she would not continue to raise disturbances or make threats against me but she refused to live with me and stated that she would never live with me.

Q. Where do you now live and how long have you lived there?

A. I live in Holland, Nansemond County, Virginia, and have lived there since September 1, 1924.

Q. How long have you resided and have been domiciled in this state?

A. I have resided and have been domiciled in this state all of my life.

And further this deponent saith not.

Franklin Banks

D.C. Jones, being duly sworn deposes as follows:

Q. Please state your name, age, residence and occupation?

A. D.C. Jones, 31 years old, 301 Wellons Street, Suffolk, Virginia, County Farm Agent.

Q. How long have you known Franklin Banks and Virginia White Banks?

A. I have been knowing Franklin Banks for nine years and I have been knowing Virginia White Banks for about three years.

Q. Please state whether they are living together now?

A. No sir they are not living together now.

Q. How long have they been separated and which one left the other?

A. She left him on the day of their marriage on August 6, 1924.

Q. Please state briefly the circumstances of their marriage and separation?

A. I went with Franklin Banks and Virginia White and her father to the Clerk's Office to secure the marriage license, saw her shortly before the marriage license was secured, while it was being issued and also after it was issued. She stated in my presence that she was marrying Franklin Banks to save her name and to keep from being disgraced but that she was never going to live with him and was going back with her father to live. Her father also stated in her presence and mine that he was going to take her back to his home in Gloucester County to live and that she should not live with Franklin Banks, and she did not dispute that statement. I could tell from the way she talked that she did not love Franklin Banks in

D.C. Jones #2

fact she stated to me that she did not love him and had no intention of living with him as his wife but that she was merely getting married in order to save her name and reputation. Franklin Banks stated that he was willing to marry her and would provide for her and live with her but she refused to do so and stated that she was not getting married to live together at all. After that Franklin Banks and Virginia White took the license with them and went to Norfolk to get married but I did not go with them to Norfolk.

Q. Where does Franklin Banks live now?

A. He lives in Holland, Nansemond County, Virginia.

And further this deponent saith not.

D.C. Jones

B.L. Davis, being duly sworn deposes as follows:

Q. Please state your name, age, residence and occupation?

A. B.L. Davis, 37 years old, 301 Wellons Street, Suffolk, Virginia, Owner and Operater of the Bus Line.

Q. Do you know Franklin Banks and Virginia White Banks, and if so; for how long?

A. Yes sir. I have been knowing Franklin Banks ten years and have been knowing Virginia White Banks ever since August 6, 1924.

Q. Were you present at the time the marriage license was secured between these parties?

A. Yes sir.

Q. Did you have any conversations or hear any statements made by Virginia White Banks prior to securing the marriage license, while the marriage license was being issued and after that, if so; state what they were?

A. Virginia White Banks came over here with her father, Coleman White, and insisted that Franklin Banks marry her at once and she and her father both stated that they would have him locked up at once unless he did marry her. At that time Franklin Banks was a Smith-Hughes School teacher and doing community work and stood very well in his work and also in the community. He felt and stated to me that he would doubtless lose his position and be disgraced if he was arrested regardless of whether he was acquitted or not. Under those circumstances I advised him to marry this woman. She and her father both stated positively that she would not live with him under any circumstances but that he must marry her

B.L. Davis #2

to save her name and reputation, she claiming to be in family way at that time. Just after the marriage license was issued Franklin Banks stated to her that he would provide for her and take her with him to live and would take care of her but she stated that she would not do so, that she was never going to live with him, that she was going back with her father to live and at the same time if Franklin Banks did not marry her she would have him arrested.

Q. Were you present at the marriage?

A. No sir. Franklin Banks, Virginia White Banks and her father ~~left~~ left here with the marriage license to go to Norfolk to get married but she positively refused to live with him and stated that she was not going to do so.

Q. Please state where the marriage license was secured and when the conversations you speak of occurred?

A. The marriage license was secured from the Clerk's Office of the Circuit Court of the City of Suffolk, Virginia, on August 6, 1924, about 5:00 o'clock P.M. Virginia White Banks' father, Coleman Banks, and Virginia White Banks came over here in an automobile and these conversations that I have related above took place before the marriage license was issued and after the marriage license was issued on August 6, 1924, and took place in my automobile in front of George Hall's Cafe and also in Virginia White Banks' automobile before we went to the Clerk's Office for the license and also in my automobile after the license was issued at the Clerk's Office.

Q. Where does Franklin Banks live now?

A. He lives in Holland, Nansemond County, Virginia.

B.L. Davis #3

And further this deponent saith not.

B.L. Davis

J.T. Harrell, being duly sworn deposes as follows:

Q. Please state your name, age, residence and occupation?

A. J.T. Harrell, 35 years old, Holland, Virginia, Constable and logging business.

Q. Please state whether you know Franklin Banks who is connected with the colored public school near Holland, Virginia; how long you have known him and whether you know his general reputation for truth and veracity?

A. I have known him ever since he has been teaching school near Holland and know his general reputation for truth and veracity.

Q. What is it?

A. He is of the best standing and has a good general reputation both among colored and white people.

Q. State whether you know his wife Virginia White Banks and under what circumstances you first came in contact with her?

A. On or about December 16, 1924, I was given a warrant of arrest by Major W.T. Johnson, Judge of the Juvenile & Domestic Relations Court authorizing and directing me to arrest her for assault and threatening the life of her husband Franklin Banks. I went to the house where she was stopping about 12:00 o'clock at night and took her in custody but on account of her being a woman did not put her in jail but kept her in my house all night and brought her before Major W.T. Johnson the next morning. She submitted the charges against her to Major Johnson in my presence and Franklin Banks her husband was not present at all. She did not deny that she had assaulted and threatened the life of Franklin Banks when the charge was read to her by Major Johnson. Major Johnson allowed her to enter

J.T. Harrell #2

into a peace bond in the penalty of \$100.00 to keep the peace towards her husband Franklin Banks and not to threatening him or to do anything to break the peace towards him.

Q. State whether she made any statements to you concerning this case at your house or while you were bringing her down to Suffolk from Holland?

A. She stated that all she wanted to do was to get out of this trouble and she would not bother him any more and would not make any further threats against him. She practically stated that she had come from her home over to Holland to make Franklin Banks lose his position in the school near Holland. She also proceeded to tell me about her marriage. She stated that she married Franklin Banks in order to save her name and that she never intended to live with him either at the time of the marriage or after the marriage and had not lived with him and would never live with him. Out of curiosity I asked her whether Franklin Banks had actually seduced her under promise of marriage and she stated positively that he had never seduced her under promise of marriage. She seemed to want to get money out of Franklin Banks and because he would not give her any money she was determined to make him lose his position as a school teacher if she could do so.

And further this deponent saith not.

J. T. Harrell Carst

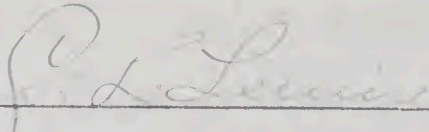
State of Virginia,

City of Suffolk....to-wit:

I, C.E. Lewis, a Notary Public, in and for the City of Suffolk, State of Virginia, do certify that the foregoing depositions of Franklin Banks, D.C. Jones, B.L. Davis and J.T. Harrell were duly taken, sworn to and subscribed before me at the office of Hugh L. Holland, in the City of Suffolk, Virginia, on the 3rd day of April, 1925, between the hours of 10:00 A.M. and 5:00 P.M. of that date, to be read as evidence on behalf of the plaintiff in a certain suit in equity pending in the Circuit Court of Nansemond County, Virginia, wherein Franklin Banks is the complainant and Virginia White Banks is the defendant.

Given under my hand this 3rd day of April, 1925.

My commission expires on the 14th day of January, 1926.



Notary Public in and for the City of Suffolk,
State of Virginia.

Franklin Banks....Complainant

vs) Depositions

Virginia White Banks.Defendant

1925 April 21. filed
JLM

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

Franklin Banks.....Complainant
VS.....DECREE
Virginia White Banks.....Defendant

This cause came on this day to be heard on the Bill of Complaint and the depositions of witnesses taken after due and legal notice to the Defendant, by order of publication published as required by law, and the Defendant, who appears to have been proceeded against in the manner prescribed by law, failing to plead, answer or demur and was argued by Counsel.

On consideration whereof it appearing to the Court from the evidence taken and submitted in this cause that the said Defendant, Virginia White Banks, since her marriage with the Plaintiff, has without cause deserted him on August 8, 1924, that the Plaintiff is a resident of the County of Hanover and has been domiciled in the State of Virginia, for more than twelve months next preceding the commencement of this suit, and that the Defendant is not a resident of the State of Virginia, the Court doth adjudge, order and decree that the Plaintiff be, and he is hereby granted a divorce^a Vinculo Matrimonii from the said Defendant, and nothing further remaining to be done in this cause, the same is ordered stricken from the docket.

Franklin Banks.....Complainant
vs) Decree
Virginia White Banks...Defendant

275 *Lival*

Enter March 26. 1928
J. S. M. Moore

Chancery Order Book
No. 6 Page 148

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA:

Franklin Banks.....Complainant

vs) Bill of Complaint

Virginia White Banks.....Defendant

To the Honorable Circuit Court of Nansemond County:

Your complainant, Franklin Banks, respectfully represents:

(1) That on the 6th day of August, 1924, your complainant, Franklin Banks, was lawfully married to Virginia White Banks, whose maiden name was Virginia White, in the City of Norfolk, Virginia, as will appear from a certificate of marriage herewith filed, marked "Exhibit A", and made a part of this bill; and,

(2) That your complainant and the said defendant never consummated their marriage and never lived together as husband and wife; and,

(3) That the said Virginia White Banks has wilfully deserted and abandoned your complainant: that is to say on the said 6th day of August, 1924, the said Virginia White Banks did, voluntarily, wilfully and without any justification whatever desert and abandon your complainant and refuse to live with him as his wife and stated that she would not live with him as his wife and would never do so in the future; and,

(4) That your complainant is domiciled in, and is and has been an actual bona fide resident of the State of Virginia for at least one year preceding the commencement of this suit; that the said defendant is not a resident of this State, and that your complainant resides in the County of Nansemond, Virginia:

In consideration whereof, and forasmuch as your complainant is remediless in the premises save in a court of equity, your complainant prays that the said Virginia White Banks 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 be issued; that a divorce from bed and board may be decreed at this time; that a divorce from the bond of matrimony which was created by the aforesaid marriage be decreed to your complainant at the expiration of three years from August 6, 1924, (the date of the desertion above set out); 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.

Franklin Banks
Complainant

Hugh D. Holland,
Counsel

Franklin Banks....Complainant

vs) Bill of Complaint

Virginia White Banks..Defendant

*Filed Mar. 2, 1925.
H. E. R. R. R.
C. R. R.*

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

CIRCUIT COURT

SECOND MONDAY IN JANUARY, MAY,
JULY, AND OCTOBER

HON. JAMES L. McLEMORE, JUDGE
GEO. E. BUNTING, CLERK
S. E. EVERETT, COMMONWEALTHS' ATT'Y.
E. B. RAWLES, SHERIFF
C. R. FULGHAM, COUNTY TREASURER
LEE BRITT, COMMISSIONER OF ACCOUNTS

Nansemond County Clerk's Office

SUFFOLK, VA.

Bank: Bank

18

Virgin Whit Bank.

1-18-25, Process issued.

Affidavit of non-resident filed, copy
mailed to last known address, copy, to
Suffolk News, copy posted at C. & T. door,
March 2, 1925, Paid money
Bills filed & decree nisi in

Decree March Rules,

Decree nisi confirmed & decree set for
trial

G. E. Bunting Clerk

2-19-25 Deposit \$100

Hugh R. Holland, Jr.

Dunkin Banks

or
Tupima White Banks