

1930-012
Nansemond Co (Suffolk) Chancery Causes: Lizzie Wallace James vs Alfred James

Wallace, Harrell, Spruill

VIRGINIA,

IN THE CIRCUIT COURT OF NANSEMOND COUNTY:

LIZZIE WALLACE JAMES.....COMPLAINANT

VS) IN CHANCERY - *memorandum.*

ALFRED JAMES.....DEFENDANT

TO GEORGE E. BUNTING, CLERK OF SAID COURT:

Please summon defendant for complainant to
Second February (1925) Rules, in Chancery.

Wm. H. Holland,

P. q.

Deposit \$10.00

Rule Notes:

February 12, 1925, process issued, returnable to February Rules, Third Monday, 1925

*2-16-25; Process returned & executed, one filed &
decur in di.*

Lizzie Wallace James

.....Complainant

vs) In Chancery

Alfred James Defendant.

memorandum

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... Alfred James

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... Third... Monday in February, 1925, to answer... a

Bill in Chancery, exhibited against... him

in the said Court by... Lizzie Wallace James

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this... 12th... day of

February, 1925, in the 149th year of the Commonwealth.

A Copy--Teste:

Clerk

Teste:

Clerk

Executed this 12th day of February, 1925, by delivering a true copy of the with-

in process to Alfred James

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

Sheriff

By

Deputy Sheriff

Original

H. R. Holland

p. q.

Riggs Wallace James

vs.

In Chancery

Alfred James

1925

February

Rules

Third

Monday.

NANSEMOND COUNTY COURT,

Process Book, No.

Page

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

February 9, 1925.

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

In re: Lizzie Wallace James
vs. Alfred James.

Dear Sir:-

I hand you herewith memorandum and notice of
taking depositions in the above-styled chancery suit. I
also hand you my check ^{for \$10.00} to cover writ tax and deposit.

The defendant, Alfred James, is now confined in
the county jail and will probably be released on February
15, 1925. Please ask the Sheriff to serve Alfred James
with process and notice of taking depositions before
February 15, 1925.

Yours very truly,

Hugh L. Holland,

HLH/P

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

February 10, 1925.

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

Dear Sir:

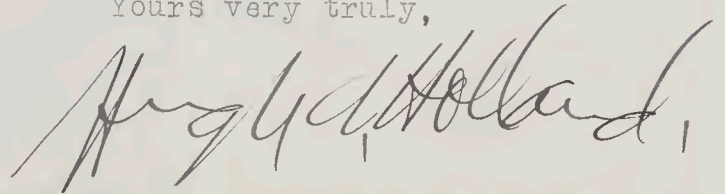
In re: Lizzie Wallace James

v.

Alfred James

I hand you herewith bill of complaint in the
above-styled suit, which I will thank you to mark filed
for me.

Yours very truly,

A handwritten signature in dark ink, appearing to read "Hugh L. Holland", written in a cursive style.

H/D

Enc. 1

Notice of Taking Depositions.

To Alfred James:

Take notice that on the *3rd* day of *March* 1925, at the office of Hugh L. Holland, Attorney at Law, 200 American Bank & Trust Company Building, Suffolk, Virginia, between the hours of 10:00 A.M. and 5:00 P.M. of that date, before a Notary Public, I shall proceed to take the depositions of witnesses to be read as evidence in my behalf in a certain suit of equity, pending in the Circuit Court of Nansemond County, Virginia, in which I am complainant, and you, the defendant; and, if from 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 or time to time at the same place and at the same hours until the same shall be completed.

Lizzie Wallace James.

By *Hugh L. Holland,*
her attorney

Original

Lizzie Wallace James.....Complainant
vs) Notice of Taking Depositions.
Alfred James.....Defendant.

Original.

*Filed 2-12-25 -
H. L. Holland*

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

Executed this 12th day of February, 1925, by delivering a true copy of the within notice to Alfred James, in person, in the County of Hansemond, State of Virginia.

E. B. Saunders

Sheriff

By

J. C. Fowler

Deputy Sheriff

NORTH CAROLINA STATE BOARD OF HEALTH
BUREAU OF VITAL STATISTICS
STANDARD CERTIFICATE OF DEATH

1 PLACE OF DEATH

Registration District No. 2641County Tyrone

State _____

Township _____

or Village _____

City Columbia

No. _____

Register No. 5

(If death occurred in a hospital or institution, give its name instead of street and number)

2 FULL NAME

Alfred James

(a) Residence. No. _____

(Usual place of abode)

St. _____

Ward _____

(If nonresident give city or town and State)

Length of residence in city or town where death occurred

yrs.

mos.

ds.

How long in U. S. if of foreign birth?

yrs.

mos.

ds.

PERSONAL AND STATISTICAL PARTICULARS

3 Sex

male

4 Color or Race

col.5 Single, Married, Widowed,
or Divorced (write the word)married5a If married, widowed, or divorced
Husband of
(or) Wife ofSizzie James

6 Date of Birth (month, day, and year)

7 Age

years

Months

Days

If LESS than
1 day, _____ hrs.
or _____ min.32

8 Occupation of deceased

(a) Trade, Profession, or
particular kind of workLaborer(b) General nature of industry,
business, or establishment in
which employed (or employer)

(c) Name of employer

9 Birthplace (city or town)

(State or country)

Tyrone

10 Name of Father

Henry James

11 Birthplace of Father (city or town)

(State or country)

West Virginia

12 Maiden Name of Mother

Sarah Spruce

13 Birthplace of Mother (city or town)

(State or country)

Tyrone

14

Informant

(Address)

Sizzie James
Columbia N.C.

15

Filed

5/8 1929W. W. Alexander

REGISTRAR

MEDICAL CERTIFICATE OF DEATH

16 Date of Death (month, day, and year)

4/30 1929

17

I HEREBY CERTIFY, That I attended deceased from

12-1, 1928, to 12-2, 1928that I last saw him alive on 12-2, 1928and that death occurred, on the date stated above, at 8 a. m.

The CAUSE OF DEATH* was as follows:

Swine

(duration) _____ yrs. _____ mos. _____ ds.

Contributory
(SECONDARY)Gummatous formation(duration) _____ yrs. 5 mos. _____ ds.

18 Where was disease contracted

if not at place of death?

Did an operation precede death?

Date of _____

Was there an autopsy? no

What test confirmed diagnosis?

physical signs

(Signed)

S. C. Chapman, M. D.

, 19

(Address)

Columbia N.C.

*State the Disease Causing Death, or in deaths from Violent Causes, state (1) Means and Nature of Injury, and (2) whether Accidental, Suicidal, or Homicidal. (See reverse side for additional space.)

19 Place of Burial, Cremation, or removal

Date of Burial

Disciple Cemetery4/30 1929

20 Undertaker

Address

W. G. CombsColumbia N.C.

MARGIN RESERVED FOR BINDING

N. B.—WRITE PLAINLY, WITH UNFADING INK—THIS IS A PERMANENT RECORD. Every item of information should be carefully supplied. AGE should be stated EXACTLY. PHYSICIAN should state CAUSE OF DEATH in plain terms, so that it may be properly classified. Exact statement of OCCUPATION is very important. See instructions on back of certificate.

REVISED UNITED STATES STANDARD CERTIFICATE OF DEATH

[Approved by U. S. Census and American Public Health Association.]

STATEMENT OF OCCUPATION.—Precise statement of occupation is very important, so that the relative healthfulness of various pursuits can be known. The question applies to each and every person, irrespective of age. For many occupations a single word or term on the first line will be sufficient, e. g., *Farmer* or *Planter*, *Physician*, *Compositor*, *Architect*, *Locomotive engineer*, *Civil engineer*, *Stationary fireman*, etc. But in many cases, especially in industrial employments, it is necessary to know (a) the kind of work and also (b) the nature of the business or industry, and therefore an additional line is provided for the latter statement; it should be used only when needed. As examples: (a) *Spinner*, (b) *Cotton mill*; (a) *Salesman*, (b) *Grocery*; (a) *Foreman*, (b) *Automobile factory*. The material worked on may form part of the second statement. Never return "Laborer," "Foreman," "Manager," "Dealer," etc., without more precise specification, as *Day laborer*, *Farm laborer*, *Laborer—Coal mine*, etc. Women at home, who are engaged in the duties of the household only (not paid *Housekeepers* who receive a definite salary), may be entered as *Housewife*, *Housework*, or *At home*, and children, not gainfully employed, as *At school* or *At home*. Care should be taken to report specifically the occupations of persons engaged in domestic service for wages, as *Servant*, *Cook*, *Housemaid*, etc. If the occupation has been changed or given up on account of the DISEASE CAUSING DEATH, state occupation at beginning of illness. If retired from business, that fact may be indicated thus: *Farmer (retired, 6 yrs.)*. For persons who have no occupation whatever, write *None*.

STATEMENT OF CAUSE OF DEATH.—Name, first, the DISEASE CAUSING DEATH (the primary affection with respect to time and causation), using always the same accepted term for the same disease. Examples: *Cerebrospinal fever* (the only definite synonym is "Epidemic cerebrospinal meningitis"); *Diphtheria* (avoid use of "Croup"); *Typhoid fever* (never report "Typhoid pneumonia"); *Lobar pneumonia*; *Bronchopneumonia* ("Pneumonia," unqualified, is indefinite); *Tuberculosis of lungs, meninges, peritoneum*, etc., *Carcinoma*, *Sarcoma*, etc., of (name origin; "Cancer" is less definite; avoid use of "Tumor" for malignant neoplasms); *Measles*; *Whooping cough*; *Chronic valvular heart disease*; *Chronic intestinal nephritis*, etc. The contributory (secondary or intercurrent) affection need not be stated unless important. Example: *Measles* (disease causing death) 2 yrs.; *Bronchopneumonia* (secondary), 10 ds. Never report mere symptoms or terminal conditions, such as "Asthenia," "Anemia" (merely symptomatic), "Atrophy," "Collapse," "Coma," "Convulsions," "Debility" ("Congenital," "Senile," etc.), "Dropsy," "Exhaustion," "Heart failure," "Hemorrhage," "Inanition,"

"Marasmus," "Old age," "Shock," "Uremia," "Weakness," etc., when a definite disease can be ascertained as the cause. Always qualify all diseases resulting from childbirth or miscarriage, as "*PUERPERAL septicemia*," "*PUERPERAL peritonitis*," etc. State cause for which surgical operation was undertaken. For VIOLENT DEATHS state MEANS OF INJURY and qualify as ACCIDENTAL, SUICIDAL, or HOMICIDAL, or as *probably* such, if impossible to determine definitely. Examples: *Accidental drowning*; *Struck by railway train—accident*; *Revolver wound of head—homicide*; *Poisoned by carbolic acid—probably suicide*. The nature of the injury, as fracture of skull, and consequences (e. g., *sepsis*, *tetanus*) may be stated under the head of "Contributory." (Recommendations on statement of cause of death approved by Committee on Nomenclature of the American Medical Association.)

NOTE.—Individual offices may add to above list of undesirable terms and refuse to accept certificates containing them. Thus the form in use in New York City states: "Certificates will be returned for additional information which give any of the following diseases, without explanation, as the sole cause of death: Abortion, cellulitis, childbirth, convulsions, hemorrhage, gangrene, gastritis, erysipelas, meningitis, miscarriage, necrosis, peritonitis, phlebitis, pyemia, septicemia, tetanus." But general adoption of the minimum list suggested will work vast improvement, and its scope can be extended at a later date.

ADDITIONAL SPACE FOR FURTHER STATEMENTS BY PHYSICIAN

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,

Alfred James

and

Lizzie Wallace

Given under my hand, as Clerk of the Circuit Court of Nansemond County (or City) this 26th day of January, 1920

G. E. Bunting, Clerk.

MARRIAGE CERTIFICATE By Ruby V. Benton, D. C.

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 Nansemond

Date of Marriage January 26th, 1920 Place of Marriage Nansemond County

FULL NAMES OF PARTIES

Alfred James

and

Lizzie Wallace

Age of Husband 22 years; Condition (single, widowed or divorced) Single

Age of Wife 19 years; Condition (single, widowed or divorced) Widow

Race (White or Colored) Colored

(PRESENT)

Husband's Place of Birth Columbia, N. C. Mailing Address Nansemond County

Wife's Place of Birth Nansemond County Mailing Address " "

Names of Husband Henry James and Laura, his wife

Parents Wife Benton Harrell and Frances, his wife

Occupation of Husband Laborer

Given under my hand this 26th day of January, 1920

G. E. Bunting, Clerk.

Certificate of Time and Place of Marriage By Ruby V. Benton, D. C.

I, G. W. Brown, a minister of the A. M. E. Zion Church, or religious order of that name, do certify that on the 26 day of January, 1920, 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 Nansemond, State of Virginia.

Given under my hand this 26 day of January, 1920

A true copy made this 5th day of Jan. 1925. Rev. G. W. Brown

Teste: G. E. Bunting, Clerk

(Person who performs ceremony sign here.)

By 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 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).

County (or City) Nansemond Co.

Alfred James

Husband

and

{ Marriage License

Lizzie Wallace

Wife

Date of Issue January 26th 1920

Marriage Register No. 3 Page 125

VIRGINIA:

IN THE CIRCUIT COURT OF HANSMOND COUNTY

Lizzie Wallace James.....Plaintiff

V.

ORDER

Alfred James.....Defendant

It appearing to the Court from death certificate of Alfred James filed herewith, the Defendant in the above styled cause, that the said Alfred James is dead, this cause is ordered dismissed and stricken from the docket.

Lizzie Wallace James.....Plaintiff

V. ORDER

Alfred James.....Defendant

Enter this 1st day of February,
1930.

Jas. L. McInerney
Judge

Chancery Order Book
No. 6 Page 311

HOLLAND & LOVELACE
ATTORNEYS AT LAW
SUFFOLK, VIRGINIA

Lizzie Wallace James.....Complainant

vs) Bill

Alfred James.....Defendant

To the Honorable Circuit Court of Nansemond County:

Your complainant, Lizzie Wallace James, respectfully represents:

(1) That on the 26th day of January, 1920, your complainant, whose maiden name was Lizzie Wallace, was lawfully married in the City of Suffolk, Virginia, to Alfred James, 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 1st day of September 19 24 , your complainant and the said Alfred James lived together as husband and wife near Suffolk in Nansemond County, Virginia; and,

(3) That the said Alfred James has wilfully deserted and abandoned your complainant from the said 1st day of September 19 24 ; that is to say, on the 1st day of September 19 24 , the said Alfred James did, voluntarily, wilfully and without any justification whatever, leave his home; that immediately before leaving he stated to your complainant that he was going to leave her forever, and that he would never return to her; that there are 2 children of this said marriage, namely, Lewis James, two years of age, and Elbert Thomas James, four months of age ;

that said Alfred James has never contributed to the support of his wife or children at all since he deserted them on the said 1st day of September 19 24; that since he deserted your complainant as aforesaid he has made two attempts to kill her;

that the second attempt to kill her was made by shooting through the door at her with a pistol, on the day of November, 1924, for which he was convicted by the Juvenile and Domestic Relations Court of Nansemond County and sentenced to jail; 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 preceding the commencement of this suit, and is domiciled and now resides in this State; and,

(5) That your complainant last cohabited with the said Alfred James near Suffolk 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 Alfred James 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 a mensa et thoro be decreed your complainant at this time; that a divorce from the bond of matrimony which was created by the aforesaid marriage be decreed your complainant at the expiration of three years from the time of the desertion of your complainant by the said defendant as above stated; and that your complainant may have all such further, and other, and general relief in the premises as the nature of her case may require, or to equity shall seem meet.

Hugh J. Holland,
Counsel.

Gizze Wallace James
Complainant
by Counsel

Lizzie Wallace James.

.....Complainant

vs) Bill

Alfred James Defendant

Filed - 2-16-25 -
H. L. Holland,
Att.

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

S. B. Holland, N. Y.

Ripper itaceae Janner
to Chy.

Alfred Janner

2-12-28 - Deposit \$10.00