

1919-007
Nansemond Co(Suffolk) Chancery Causes: Virginia Short vs James Short

Merritt, Young

Copy of Costs

Taxed in the Suit of:

Wm. B. Crompton p. q.

Virginia Short

vs.

James Short

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA

Writ Tax

1 50

Clerk

5 14

Sheriff

50

Attorney

15 00

Deposit
Commissioner

Printer, for Order of Publication, etc.

\$22 14

Date of Judgment or Final Decree

191

Paid

191

Clerk

MR. W. M. Crumpler Atty.
TO G. E. BUNTING, CLERK CIRCUIT COURT
OF NANSEMOND COUNTY
SUFFOLK, VA..

VS.

May 3rd 1918

Copy of the License
James Short to Virginia Hunt

\$1.00

Paid

191

Clerk

CHANCERY SUMMONS.

THE COMMONWEALTH OF VIRGINIA.

Sergeant of the City of Portsmouth
TO THE ~~SHERIFF OF NANSEMOND COUNTY~~—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON..... James Short.....

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... October, 1918, to answer..... a..... Bill in
Chancery, exhibited against..... him.....
in the said Court by..... Virginia Short.....

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this..... 21st..... day of
..... September....., 19.. 18, in the 134^{3rd}.. year of the Commonwealth.

~~A copy of Teste:~~

Teste:

~~Clerk~~

By, G. E. Bunting,....., Clerk. D.C.

Recited in the City of Portsmouth, Va. Sept. 24th 1918, by
 calling at the usual place of abode of James Short,
 not finding him there, or any other person upon service
 could be made, I left a copy of the within summons
 posted upon the front door of the usual place of
 abode of the said James Short
 R. C. Glover
 City Supt.

Made at
 Nansmond, Va.
 Original copy
 12.20

Posted on front door
 Wm. W. Cunningham, p. 9.

Virginia Short

vs. } In Chancery.

James Short

19.1.8.

W. C. Glover, Rules.

fact Monday.

NANSEMOND COUNTY COURT,

Process Book, No. 3

Page 149

1321 & 1322

Executed this..... day of....., 191..... by delivering a true copy of the within process
 to.....
 in person, in the County of Nansmond, State of Virginia.
 Sheriff.....

CHANCERY SUMMONS

The Commonwealth of Virginia.

^{Sergeant of the City of Portsmouth}
TO THE SHERIFF OF NANSEMOND COUNTY--GREETING:

You are Hereby Commanded to Summon James Short

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 May, 1918, to answer a
Bill in Chancery, exhibited against him
in the said Court by Virginia Short

And have then and there this summons.

Witness. G. E. Bunting, Clerk of our said Court, at his office, this 16th day of
May, 1918, in the 1918 year of the Commonwealth.

~~A Copy Teste:~~

Clerk

Teste:

Clerk

Executed this 18th day of May, 1918, by delivering a true copy of the with-

in process to James Short.

in Person

R E Glavin City Sargent

by M. C. Kiedel Deputy Sargent

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

Portsmouth Va.,

Sheriff

in Person
May 18-1918 ✓

Wm. McCrumpler,-----p. q.

Virginia Short

vs. } In Chancery

James Short

1918

May Rules

Third Monday.

NANSEMOND COUNTY COURT.

Process Book, No. 3

Page

Executed this 18th day of May, 1918, in the City of Portsmouth, Va., by delivering a copy of the within Process to James Short.

in person,

R E Glavin City Sargent

by M. C. Kiedel Deputy Sargent

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,

James Short
and Virginia Meritt

Given under my hand, as Clerk of the..... County..... Court
of Nansemond County this 5th day of July, 1900 ~~1901~~
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 16, 1910.

Time of Marriage, 1900, July 5th.	Place of Husband's Birth, Raleigh, N. C.
Place of Marriage, Suffolk, Va.	Place of Wife's Birth, Petersburg, Va.
Full Names of Parties Married, James Short & Virginia Meritt	Place of Husband's Residence, Nansemond Co. Va.
	Place of Wife's Residence, Nansemond Co. Va.
Race (white or colored), Colored	Names of Husband's Parents, Andrew Short & Susan his wife
Age of Husband, 21 years	Names of Wife's Parents, John Merritt & Mollie his wife
Age of Wife, 19 years	
Condition of Husband, single Widowed or single or divorced	Occupation of Husband, Laborer
Condition of Wife, single Widowed or single or divorced	

Given under my hand this 5th day of July 1900
R. R. Smith,..... Clerk

Certificate of Time and Place of Marriage

I,....., a..... of the.....
Church, or religious order of that name, do certify that on the 5th
July 1900, at MoCedoniads M.E.Church under authority of the
above License, I united in Marriage the persons named and described therein.

Given under my hand this 5th day of July 1900

A true copy, By Ruby V. Benfey D.C. J.H. Thomas, Minister

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 2229 of the Code of Virginia, as amended, by Act approved February 16th, 1910, Acts 1910, chapter 28, pages 36 and 37.)

No. 136

James Short

)
With) Certificate
) of
) Marriage

Virginia Meritt

1900

July 5th.

STENOGRAPHER'S MINUTES.

IN THE CIRCUIT COURT OF THE COUNTY OF HANSEMOND

Virginia Short

vs.

James Short

Before

Judge Jas. L. McLenore

October 19, 1918.

INDEX.

WITNESSES.	DIRECT.	CROSS.	RE-DIRECT.	RE-CROSS.
Merritt, John	2			
Young, Mattie	6			
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To James Short:

Take notice, that on the 19th day of October, 1918, at the office of Wm. M. Crumpler, in Suffolk, Virginia, between the hours of 9 a.m. and 5 p.m. of that day, I shall proceed to take the depositions of myself and others, to be read as evidence in my behalf, in a certain suit in equity, depending in the Circuit Court for the ^{County of Norfolk} City of ~~Suffolk~~, wherein I am plaintiff and you are defendant; and if, from any cause, the taking of the said depositions be not commenced, or if commenced, be not concluded on that day, the taking thereof will be adjourned from time to time at the same place and between the same hours, until the same shall be completed.

Respectfully,

Virginia Short by
Harrison De Lamer, Jr.

Harrison De Lamer, Jr.

Short 12 21 / Effingham

in Person

Oct 8

Executed this 8th day of Oct.
1918 in the City of Portsmouth, Va., notice
delivering a copy of the within
to James Short

..... in person.

R. E. Plummer City Serg't.

by Deputy Serg't.

The depositions of John Merritt and others, taken before me, Bradford Kilby, a Commissioner in Chancery for the Circuit Court of the County of Nansemond, pursuant to notice hereto annexed, at the office of William M. Crumpler, in Suffolk, Va., on the 19th day of October, 1918, between the hours of 9A. M. and 5 P. M., to be read as evidence in behalf of Virginia Short, in a certain suit in equity depending in the Circuit Court of the County of Nansemond, wherein Virginia Short is plaintiff and James Short is defendant.

Present: William M. Crumpler, attorney for
the plaintiff.

JOHN MERRITT, being duly sworn, deposes and says as follows:

- 1 Q. What is your name, age, residence, and occu-
2 pation?
3 A. John Merritt; age, 64; residence, Manserond
4 County; occupation, farming.
5
6 Q. Do you know Virginia Short and James Short?
7 A. Yes, sir.
8
9 Q. Is either of them related to you?
10 A. Virginia Short is my daughter.
11
12 Q. Are they husband and wife?
13 A. Yes, sir. They were married, certainly.
14
15 Q. Do they now live together?
16 A. No, sir.
17
18 Q. How long since they have lived together?
19 A. I disremember right now--twelve or thirteen
20 years.

1. Q. What season of the year did they separate?
- 2 A. Well, I think it was in the fall, but I don't
- 3 remember the month and day.
- 4
- 5 Q. Which one left the other?
- 6 A. He left her.
- 7
- 8 Q. Where were they living at that time?
- 9 A. With me.
- 10
- 11 Q. Where?
- 12 A. On Second Street, in Jericho.
- 13
- 14 Q. Has he ever returned since then?
- 15 A. No, sir.
- 16
- 17 Q. Has he given her any help since that time?
- 18 A. He has never done anything for her in any
- 19 form, shape or fashion from the day he left.
- 20
- 21 Q. Do you know positively that it has been
- 22 twelve or thirteen years ago?
- 23 A. Yes. I think it has been that long.
- 24
- 25

- 1 Q. You know positively that it has been over
2 three years ago?
- 3 A. Yes, sir.
4
- 5 Q. Had they been having trouble?
6 A. No, sir.
7
- 8 Q. How many children has this woman by James
9 Short?
- 10 A. Two.
11
- 12 Q. Where are they?
13 A. With her.
14
- 15 Q. Do you know where James Short is now?
16 A. No more than nothing in this world. I haven't
17 seen him.
- 18 Q. Have you been living close to Virginia since
19 he left?
- 20 A. Pretty close.
21
- 22 Q. How long did she live at your house after he
23 went away?
- 24 A. She stayed until ~~there~~ her mother died, eight years

1 ago.

2 Q. Well, then, she stayed there several years
3 after he left her?

4 A. Yes, sir.

5

6 Q. Did James Short do or say anything indicating
7 that he was going away to stay and not come
8 back?

9

10 A. Well, I am going to tell you. He fell out
11 with my old lady, and jumped in and whipped
12 every one of us, and threw my wife through
13 the fence. After that he went away, and didn't
14 come back no more, did, I ain't seen him. I
15 heard he was in Newport News, but I don't know
16 it for a fact.

17

18 Q. Did he go away of his own accord? That is,
19 no one drove him away, did they?

20 A. No, indeed. He just went away. She begged
21 and begged him to stay, but he said he was
22 going away and not coming back.

23

24

Further this deponent saith not.

Witness:
Edith M. Turner

John V. Merrett
mark

1 . MATTIE YOUNG, being duly sworn, deposes and
2 says as follows:

3
4 Q. What is your name?

5 A. Mattie Young.

6
7 Q.- Do you know Virginia Short and James Short?

8 A. Yes, sir.

9
10 Q. How long have you known them?

11 A. Known her since she was a small child.

12
13 Q. Are they husband and wife?

14 A. Certainly.

15
16 Q. How long has it been since they have lived
18 together?

19 A. About thirteen years. .

20
21 Q. Do you know when they separated?

22 A. In the fall of 1904.

23
24 Q. Which one left the other?

1 A. James left Virginia.

2

3 Q. Where were they living?

4 A. With her parents.

5

6 Q. How long did she live in the house in which
7 she was living after he left?

8 A. Well, she was living with her parents, and
9 she lived there until her mother died, eight
10 years ago.

11

12 Q.- Do you know why they separated?

13 A. No, no more than James was just tired. Of
14 course, he beat them, beat her and her mother
15 both, and then went away and didn't come back.

16

17 Q. Do you know what caused this fight?

18 A. Well, he was beating her and her people tried
19 to prevent it, and he got mad and left.

20

21 Q. Have you been in a position all the while since
22 1904 to know whether he has lived with her
23 since that time?

24 A. Yes, sir. Been close by all the time, saw

1

her almost daily.

2

Q.

Do you know where he is now?

3

A.

I do not,

4

5

Q.

Did you see him when he left?

6

A.

Yes. I saw him when he left that morning.

7

8

Q.

Did you hear him say that he wasn't coming back?

9

10 A.

He didn't tell me, but he told my brother.

11

Q.

Did you hear him tell your brother?

12

A.

Yes, I heard him tell my brother that he wasn't coming back.

13

14

15

Q.

And he never has been back?

16

A.

No, sir.

17

18

Q.

How close did you live to them?

19

A.

Why, I lived on one street, and they right on the next.

20

21

Q.

What kind of a wife did Virginia make James?

22

A.

She made him a very nice wife to be a child.

23

24

Of course, she did as any wife would do.

1 Q. How old was she when she got married?

2 A. I don't reckon she was over fifteen years
3 old.

4 .

5 Q. Both of the children had been born when he
6 left?

7 A. Yes, sir.

8

9 Q. At that time she was about seventeen?

10 A. About seventeen, yes, sir.

11

12 Q. How old is she now?

13 A. I don't know, but I'm sure she is between
14 thirty and thirty-five.

15

16 Q. You didn't see this fight?

17 A. No, sir, I did not.

18

19 Q. You don't know how it started?

20 A. No, sir.

21

22 Q. Has Virginia been living in Mansenboro County?

23 A. Been living here ever since she was three
24 years old. Never has lived anywhere else.

1 Q. She last lived with James in Nansemond County
2 in Jericho?

3 A. Yes, sir.

4
5 Further this deponent saith not.

6
7 Mattie Young
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
23

1 VIRGINIA SHORT, being duly sworn, deposes and
2 says as follows:

3 Q. What is your name?

4 A. Virginia Short.

5

6 Q. Is James Short your husband?

7 A. Yes, sir.

8

9 Q. When were you married?

10 A. July, 1900.

11

12 Q. How long did you live with your husband?

13 A. Three or four years.

14

15 Q. Did you leave him or he leave you?

16 A. He left me.

17

18 Q. When?

19 A. In the fall.

20

21 Q. How many years ago?

22 A. It's been about thirteen.

23

24 Q. Why did he leave you?

1 A. We got in an argument about the child. He
2 was hitting the baby, and I tried to keep
3 him from it. Mother taken it up and he did-
4 n't like it. Then we all got to quarrelling
5 and fussing, and he jumped in my mother. I
6 got between them, and then he went away and
7 said he wasn't coming back.

8
9 Q. Did he tell you then he was going away?

10 A. Yes, sir.

11
12 Q. Has he written you since then?

13 A. No, sir.

14
15 Q. You haven't heard from him since?

16 A. No, sir.

17
18 Q. Have you found out where he is living?

19 A. I have heard people say. I don't know.

20
21 Q. Where did you get this address you gave me--
22 Effingham Street, Portsmouth, Va.?

23 A. My daughter told me. She was down there,
24 and she learned he was living on Effingham

1 Street.

2

3 Q. You have never lived with him since that
4 time?

5 A. No, sir.

6

7 Q. You say you live in Jericho?

8 A. Yes, sir.

9

10 Q. Is that in Nansemond County?

11 A. I reckon it is.

12

13 Q. Have you ever lived anywhere but Nansemond
14 County or Suffolk?

15 A. No, sir.

16

17 Q. He, then, has never sent you any message
18 since he left?

19 A. No, sir.

20

21 Q. Has he ever given you anything for the
22 children?

23 A. No more than when my daughter was down in
24 Portsmouth summer before last, he gave her

1 a few things.

2

3 Q.

Doesn't your daughter know how he is living
4 down there?

5 A.

I don't suppose she does. She didn't stay
6 with him, she visited some other people.

7

8 Q.

Did you compel ^{him to go} / or drive your husband away?

9 A.

No. I didn't do anything.

10

11 Q.

Did you try to keep him from going?

12 A.

No. I didn't try to keep him from going,
13 as he went on.

14

15 Q.

When did this fight occur?

16 A.

In the morning.

17

18 Q.

When did he leave?

19 A.

That afternoon.

20

21

Further this deponent saith not.

22

23

24

Virginia Short

VIRGINIA

County of Nansemond, to-wit:

I, Bradford Kilby, a Commissioner in Chancery for the Circuit Court of the County of Nansemond, aforesaid, in said state, do hereby certify that the aforesaid depositions of John Merritt, Mattie Young and Virginia Short, 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 19th day of October 1918.

Commis. fee \$5.⁰⁰

Bradford Kilby
Commissioner in Chancery.

STENOGRAPHER'S TRANSCRIPT.

191

VIRGINIA

In the Circuit Court of Nansemond County.

Virginia Short, Plaintiff,

Vs.

James Ahort, Defendant.

This cause having come on this day to be heard upon the bill of complaint, the exhibits filed therewith, the depositions taken, pursuant to notice duly executed and returned, as required by law, and was argued by counsel.

On consideration whereof, it appearing to the court that the defendant, James Short, did, in the year 1904, without justification or excuse, willfully desert and leave the plaintiff, Virginia Short, and that they have not, since that date, co-habited, and it further appearing to the court that the said parties last co-habited in this county, and that the said Virginia Short is now and has been for a period of twelve months preceding the institution of this suit domiciled in this state, it is, therefore, ordered, adjudged, and decreed that a divorce a vinculo matrimonii be decreed the plaintiff against the defendant.

And nothing further remaining to be done in this cause, it is ordered that the same be, by the Clerk of this Court, removed from the docket.

Hausewood Society.

Virginia Short
72

James Short

Secrecy

Enter Aug. 13 1919

John L. Williams

Chancery Office

Book No. 5

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VIRGINIA

In the Circuit Court of the County of Mansemond.

Virginia Short,

Plaintiff,

vs.

James Short,

Defendant.

Issue summons to Second rules in May (third Monday)
for plaintiff against the defendant to answer a bill
in Chancery, the purpose of which is to obtain a divorce
a vinculo matrimonii.

Wm. McCombs

p.q.

Virginia Short

By counsel.

VIRGINIA

In the Circuit Court of Nansemond County.

Virginia Short, Plaintiff.

vs.

James Short, Defendant.

To the Honorable Circuit Court of Nansemond County:

Your complainant, Virginia Short, respectfully represents:

(1) That on to-wit, the 5th day of July, in the year 1900, your complainant was lawfully married in the County of Nansemond, Virginia, to James Short, 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 the said marriage until to-wit, the _____ day of the _____ month, 1904 (in the fall of that year) your complainant and the said James Short lived together as husband and wife; and,

(3) That the said James Short has willfully deserted and abandoned your complainant, since, to-wit, the _____ day of the _____ month, 1904, (in the fall of that year), he having, at that time, voluntarily willfully, and without any justification deserted your complainant and not having returned, or co-habited with her since that time; and,

(4) That your complainant has resided and has been domiciled in this state for more than one year next pre-

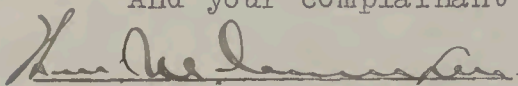
ceding the commencement of this suit and for a period exceeding one year has been and is now domiciled and now resides in the City of Suffolk; and,

(5) That your complainant last co-habited with the said James Short in the County of Nansemond, Virginia; and,

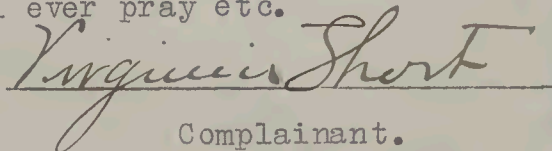
(6) That your complainant is advised and believes the said James Short to be employed in the Navy Yard of Portsmouth, Virginia, and to reside at 1221 Effingham Street, Portsmouth, Virginia.

In tender consideration whereof and for as much as your complainant is remediless, save in a court of equity she prays that the said James Short 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 issue; that a divorce a vinculo matrimonii be decreed her and that your complainant may have all such further, other, and general relief in the premises as the nature of her case may require, or to equity shall seem meet.

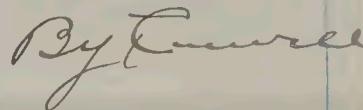
And your complainant will ever pray etc.



p.q.



Complainant.



Memo. and Bill.

VIRGINIA SHORT

Vs.

James Short.

WILLIAM M. CRUMPLER
ATTORNEY AT LAW
SUFFOLK, VA.

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, VIRGINIA

RULE NOTES,

Virginia Short

Vs.

James Short

September 21st, 1918. Process issued, returnable to October Rules, First Monday, 1918.

Process returned, executed Sept. 24th, 1918.

Bill filed.....

Cause set for hearing.....

G. E. Bunting Clerk.

By, Ruby G. Bunting D.C.

Rufe Notes

Z