

1806-037

SOUTHAMPTON COUNTY
CHANCERY PAPERS

POPE VS URQUHART'S ADMINISTRATOR & ALK

8/1806

Other SURNAMES: Vick,
Urquhart, Bracy

H. Pope — \$1000
Bill

Urquhart & Co

Aug 1810

Bills filed

Answer filed &

time to take dep.

To the worshipfull Court of Southampton County in Chancery sitting
Assembly Complaining Sheweth unto the Court, your Orator Hardy Pope.
That his father departed this life some time about the year 1790. or
1791. in said County, seized and possessed of a very considerable estate.
By his will he left the use of his personal estate for life to his widow,
and at her death to your Orator, except a legacy of fifty pounds to
Nancy Pope and 4 Slaves to her also. Beside the Chattel estate and
money, he, the testator left about two other slaves to which your Orator
was entitled at the said widows death. Shortly after the widows death
one William Meguahan became your Orators guardian and undertook
to perform the duties thereof according to law; but regardless of his duty
and undertaking, aforesaid, he the said William did not make
that use of the said estate of which the said widow died possessed as
was best Calculated to promote your Orators interest. Nor did he
use due Care and watchfullness over your Orators mind and
manners; but suffered him to go at large at his own juvenile pleasure
and even induced him to habits of unnecessary & expensive articles
of dress &c. which he the said William had to dispose of. Your
Orator has heard that his guardian Meguahan never used due
means to get possession of all the estate belonging to your Orator
but has suffered much of it to remain in the hands of Josiah Vick
and others, without account or profit: particularly, it is stated that
said Josiah Vick, who, it seems, was security for the said widows
administration of Testators estate, managed to possess himself of
a considerable portion of said estate, for which he has not accounted
and thus between Meguahan and Vick, your Orator is injured
and left completely in the dark. Your Orator has to complain
that on his arrival at mature age, Meguahan required from him
a bond with security for a balance which he stated to be
due him on said Guardians ^{acc't} to the amount of £
which your Orator, from the impulse of habits, ^{of} used without

investigation; tho: now he is well assured such balance would not have existed on a fair and impartial settlement, founded on perfect Justice. One Lipe Bracy became your Orators security, in said bond and, as your Orator is informed, has paid it off.

All of which conduct on the parts of said Leguheart & Nick is contrary to Justice and equity, and highly injurious to your Complainant. In tender consideration whereof, and inasmuch as your Orator is relievable only in a Court of equity, to the end therefore he prays that ~~said Leguheart~~ John Leguheart the executor of said William Leguheart, and the said Josiah Nick, be made defendants to this bill and, on oath full true and perfect answers make to all and singular its allegations, that they, set out and discover severally, what parts of the estate of your Orators father came to their hand or into the possession of any other person or persons for them, or either of them, what it consisted of, what the values, and what became of it. And that each of said defendants make up accounts in and concerning said estate to be audited by this honorable Court. And lastly, your Orator prays that such a decree or decrees be entered for your Orators redress and benefit as may accord with and promote justice. — may it please V.

Barber. P. 22.

Pope . . . {
" { Answer.
Myth and custom }

The separate answer of John Urquhart administrator of William Urquhart to the bill of complaint exhibited against Josiah Vick^{himself} in the worshipping court of Southampton, by Hardy Pope.

This Respondent saving & reserving to himself all right of excepting to the manifold errors, uncertainties and imperfections of and in the complete said bill of complaint contained, for answer thereto, or to so much thereof as he is advised is material for him to answer, says, It is true that his intestate did qualify as the complete guardian in some short time after the death of his (the complete) mother, but he says that previous to the said qualification of his intestate, the said complete got possession of his negroes and other visible^{estate} and retained the same in his possession until he arrived to lawful age. That only elapsed from the time of his intestate's undertaking the said guardianship until the arrival of the complete to lawful age, and he is advised that his intestate in that time could not have gotten possession of his estate by law, however industrious he might have been. He repeats that his intestate never got possession of any part of the complete's estate, that the same was kept by himself until

his attaining the age of twenty one, and that during that time he (the Comptt) was a cautious, discreet youth, and managed his estate very well. But he adds that some time after the Comptt came of age, he departed from the strict sobriety, attention and industry which he observed in his minority, and then for the first time began to waste and squander his property. Your Respondent could prove (if necessary) that the Comptt kept his estate together during his infancy, managed it well, and was actually in possession of the whole which he had received at his attaining his majority. With respect to the charge against your Respondent's intestate for not vigilantly watching the Comptt's intellect and manners, and inducing him to drop extravagantly from good motives, he makes the following answers. First, that the Comptt must have been about nineteen years of age when his intestate was appointed his guardian, and of course it would have been a very difficult task to have kept him at school. Secondly if this was the duty of the Comptt's guardian (which your Respondent is advised was not the case) the neglect can not be a subject of pecuniary satisfaction. Thirdly, he denies that the Comptt did drop extravagantly, as will more fully appear by a true copy of his intestate's account against him hereto annexed

and prayed to be taken as a part of this answer. Fourthly, that the articles furnished to the Comptt by your Respondent's intestate were necessities and lastly, that a settlement was had between the Comptt and your Respondent's intestate after his attaining lawful age, when he gave a bond for the balance due from him. He denies any combination between his intestate and Josiah Vick to injure the Comptt in any manner whatsoever, and as to the separate charges against the said Vick, your Respondent can say nothing. He supposes that the said Vick is enabled to answer such charges himself. He lastly prays to be hence dismissed with his costs in this behalf expended.

John Ingham appeared before me a justice of the peace for Southampton county and made oath that the statements contained in the foregoing answer are true, as far as he knows or believes.

M. Bailey

Pope
vs
Spar
in
Merchant & Chm^y

To August Cont
1803^d

15 July 1803

Executed By
Thomas Standley Shiff
for
Robert Goodwyn Shiff

The Commonwealth of Virginia to the Sheriff of Sampson
County greeting You are hereby Comanded to Summon John
Urquhart and William Urquhart guardians to Hardy
Pope to appear before the Justices of our County Court
of Sampson at the Court house of the said County
on the third Monday in August next to answer
a bill in Chancery exhibited against him by the
afforaid Hardy Pope and that he shall in so
doing answer under the penalty of one hundred
pounds And have then and there this writ return
Sampson Clerk of our said Court the 11th day
of July 1862 and in the 29th Year of the
Commonwealth

Sampson & Co

Pope
15 Spa
Vick & Chaney

To Sept. 1813

September 10th Ex^o.

Wandley Dr.
for

Robt. Goodwyn Esq.

The Commonwealth of Virginia to the sheriff of
Stafford County greeting, you are hereby commanded
to summon Jacob Dick to appear before the
justices of our said ^{Court}, on the third Monday in Sept.
next to answer a bill in chancery exhibited
against him by Mary Pope and this he shall
in no wise omit under the penalty of £100
and have then there this writ Wm. R. R. clerk
of our said Court at the ~~place~~ this 24
day of August 1803 and in the 30th year
of Commonwealth

Wm. R. R.