

1821-021

SOUTHAMPTON COUNTY
CHANCERY PAPERS

GRAY, BY MAGGOTT

VS. GRAY

12/1821

other surnames: Maggott, Maget

To the worshipful, the County Court of Southampton, sitting
in Chancery; Humbly complaining sheweth unto your
worships your oratrix Polly Gray, the wife of James Gray,
by her next friend James Maggott, that your oratrix about
the month of August in the year 1787 became legally united
in matrimony with the said James Gray; — that your
~~said~~ oratrix ever since the intermarriage aforesaid, which
was on her part the result of the most disinterested affection
has endeavoured by an unvaried course of affectionate &
obedient deportment to conciliate the respect & esteem of her
husband; That she has uniformly endeavoured to promote his
interests & his happiness by the most sedulous devotion to his
wishes, and that she has omitted no opportunity, through
the long connection of ~~thirty~~ years which has subsisted be-
-tween them, of obliging him by the strictest attention to
all the cares and duties of a useful helpmate and a dutiful
& obedient wife. — That your oratrix had ~~well~~ ~~truly~~ &
indeed confidently cherished the fond but delusive idea, that
the happy auspices under which their union had commenced
would have continued to impart contentment and pleasure to
their declining years. That more than twenty years of un-
-interrupted enjoyment of the quick pleasures of the married life
during which not a single accident had occurred to inter-
-rupt their unvaried felicity, had redoubled this confidence
— ~~That during this time your oratrix had from him receiv-~~
~~ed the most precious pledges of mutual affection — pledges~~
~~which the source of infinite delight but to which she can now~~
~~look only with feelings of agonized distress.~~ That her said
husband instead of persevering in the same affectionate habits
which distinguished their earlier years — instead of realizing
of the pleasing anticipations which those habits had inspi-
-red, has now for several years past pursued a system of conduct
towards her cruel & tyrannical in the extreme; That without
the smallest impropriety of conduct on her part, he has evinced a

to render her
disposition unhappy & miserable in the extreme, by a series
of injuries, the relations of which to your worship would be
equally painful and unnecessary. — That her said husband among
other things has for about six or seven years been continually in
the habit of deserting the care of a said & affectionate wife
to whom he was bound by every tie of religion morality & law,
a wife whom he had voluntarily selected — a wife who had
never done ^{single} ~~any~~ act to forfeit his esteem, and committed the most
open conjugal infidelities with prostitutes of the most aban-
-doned order. That his ~~affection~~ ^{affection} thus becoming estranged
from the lawful wife of his bosom & ~~those~~ ^{his} ~~infant~~ ^{infant} children also
~~were the~~ ^{the} ~~spring~~ ^{spring} of the associated vices of immorality he soon
discovered ~~any~~ appearance of even common respect to her. That
besides usually the most abominable & degrading to a helpless & unpro-
-tected female — besides threats & menaces of immediate
destruction — he has frequently exhibited the most ~~unfeeling~~ ^{unfeeling}
abuse & indignities to her person. That youratrix has
always submitted to these outrages without even resorting to
to the last place of female misery — ~~complaints~~ ^{complaints} ~~plamen~~
stations; that her unfeeling husband not satisfied with this has pe-
-sequently ordered her from his door & from that shelter & protection
to which as his wife she was legally entitled. That even then
youratrix endeavored to remain & by her contrivance to solicit
his protection & society, but this instead of appeasing him ~~indignity~~
-came the prelude to renewed indignities, and indeed scarcely
a single day has passed his course through the horrors for seven
years past without witnessing some new instance of insult & outrage.
That lately these injuries have been doubly accumulated, as if the
measure of his iniquities was not yet complete he has ~~sent~~
taken to the very house in which they resided one of the partners
of his vices — a wretch whose very colour is as black as her
crimes — that this ~~habit~~ ^{habit} is not only transferred to that bed
& board to which youratrix is entitled, but to add to her distress
she often assails her with reproaches & insults which would be insup-
-portable ^{were} ~~from~~ ^{from} one more respectable. That when ever youratrix resents in
the slightest manner these insults her husband immediately re-

against her and reflects on her the most severe & cruel abuse.
That he has lately beat her so excessively & inflicted on her wounds
so severe that she considered even her life as in danger —
That ~~finally~~ ^{finally} he has driven her from his house & thrown with
dreadful imprecations that she should never return: That
youratrix at length reluctantly yielded to a wretched ~~law~~
& has been exiled ~~not only~~ ^{not only} from her husband, but ~~from~~ ^{from}
~~the~~ ^{the} ~~glorious~~ ^{glorious} ~~consolation~~ ^{consolation} of seeing those children to whom she
has given an existence: That besides being an outcast he
has denied her every means of support & that she is at this
time a helpless dependent on the charity of a cold & unfeeling
world. Youratrix further states that on her interim marriage
with the said James Gray she brought as a portion to him
a comfortable patrimony — that the negroes which were his ~~own~~
now with their increase to 16 or 17. That he at the time of the
marriage was extremely poor having scarcely any thing
which he did not get by her. That at the very time when she
from whom most of the popinjars came is suffering all the ~~extreme~~
-ities of wretchedness & want he is enjoying all the advantages
of affluence & wealth. That under the existence of these cir-
-cumstances, however painful it may be for youratrix
to be obliged to resort to the law for protection & support, yet
a dire & distressing necessity compels her reluctantly to seek
the aid of this worshipful Court in Chancery to afford her a
comfortable & adequate support. —

In tender consideration whereby & inasmuch as your
atrix is without remedy in the premises at law which are
peculiarly ~~convenient~~ ^{convenient} in a Court of Equity. To the end that
that the said James Gray (whom youratrix may regard as
defendant hereto) may on his answer with true & perfect answer
make to the premises as explicitly as if he were here interro-
-gated as to each particular allegation, that he state and
especially what has been his general treatment to youratrix
for the last six or seven years? and whether he has not driven
her from his house with an order for her never to return.

That he also state what is the amount & value of his possessions? Whether they were not principally acquired by his marriage with your oratrix? And whether he has made any provision for her support & maintenance? That your worship the premises considered be pleased to decree and order some adequate support to be paid quarterly to your oratrix during the pendency of this suit, and that you finally decree such provision for her security to her as the value of her husband's estate renders just & equitable, which security becomes the more necessary as the said James Gray is daily waisting and squandering on horse & other those possessions which should be preserved for the comfort & support of your unfortunate oratrix and her helpless children. And that your worship be pleased to order & decree such other & further relief in the premises as may be deemed consistent with equity & the rules of this worshipful court. May it please the Court to grant the commonwealth's writ of Habeas Corpus directed to the Commaundante and your oratrix as in duty bound will we pray &c.

Polly Gray, by her
next friend
James Maggot.

This day personally appeared before me Ed Harris
a Justice of the peace for the County of Southampton James Maggot
& made oath that Polly Gray is living separate & apart from Jas.
Gray her husband & that he has good cause to believe & does believe
that the said Jas. Gray has driven her from his bed & board - or
denied her return & made no provision whatever for her
maintenance & support. Given under my hand this 17th day of Dec^r 1874

Ed Harris J.P.
Maggot next friend of
Polly Gray
Deputy

Dec^r 16th 1874
1871 Dec^r 16th 1874
next friend to Com^{rs} in the
name of the Maggot &c.

Gray

with answer

Massott

December 16th 1877 Box files

March 18th 1878 answer files

The Answer of James Gray, to a Bill of Complaint exhibited in the County Court Southampton, by ~~Polly~~ Maggill as next friend to Polly Gray, the wife of your respondent.

This defendant saving & reserving to himself every benefit and advantage of exception to the many errors and false allegations in the said Bill contained, for answer thereto saith, that it is true he is husband of the said Polly Gray: He denies that he has caused the said Polly, either by threats or other improper conduct on his part, to abandon his house, and seek protection from her friends - indeed, your respondent states, that he was not apprised of the wish or intention of the said Polly to leave his house & family, before the event took place, & moreover that since the event has so happened, he has endeavored to induce her again to return - your respondent further states that his conduct as husband of the complainant, so far from having been cruel and tyrannical as charged by the said Bill, has hitherto been just & highly exemplary: that he has never wantonly used violence towards the said Polly, ~~but that in every case where any difference has~~, but that he has frequently been compelled, for the purpose of self preservation, to interpose in the most friendly & unobjectionable manner -

Your respondent ~~further reports that he charges that~~ the said Polly while she lives with ^{him!} in any respect failed to attend to all those duties, which as a wife she ought to have attended to, & which domestic concerns require.

He moreover charges that she was not only guilty of
the greatest indolence & inattention towards any matter to which
his interest & happiness required she should attend, but that she
indignantly deserted his ^{large} & committed acts of the most atrocious
lewdness - that she is in fact a base & abandoned prostitute, &
has resorted so low, (as your respondent has been informed &
believes) as to cohabit with persons of color - He denies
that he has ever received any persons as members of his family
in any other character than as servants - He denies all
fraud &c. & prays that he may be dismissed with his
marriage void & charges in this behalf most respectfully
persisted to.

James ^{his} & Gray
attk

Sworn in open Court
the 17th March 1818

A. Middleton De

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Gray 3 Ch. 4.

To November 1817

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Can. & Butts ch
of Henry Baggly

The Commonwealth of Virginia to the Sheriff of Southam=
=pton county greeting you are hereby commanded to
Summon James Gray to appear before the Justices of
our county court of Southampton at the courthouse on
the third Monday in this present month November to
answer a bill in chancery exhibited against him
by Polly Gray by James Maquet her next friend -
(And this he shall in no wise omit under the penalty
of ~~100~~ and have then there this writ. Witness
James Rachelle clerk of our said county court of
Southampton at his office the 6th day of November
1817 and 42nd Year of the Commonwealth
James Rachelle Ck.

Executed N
Newsome & Co
R. P. Clements & Co

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To Branch Court 1878

Executed N. Newsome
Opt. R. P. Clements & Co

The Commonwealth of Virginia to the Sheriff of
Southampton County Greeting You are hereby com-
-manded as you have been heretofore commanded to
Summon James Gray to appear before the Justices
of our county Court of Southampton at the courthouse
On the third Monday in March next to answer
a bill in chancery exhibited against him by Polly
Gray by James Maget her next friend - And
this he shall in no wise omit under the penalty
of £100 And have then there this writ - Witness
James Rochelle clerk of our said county court of
Southampton at his office the 28th day of Jan^y
1818 and 42nd Year of the comm^t.

James Rochelle Clk.