

1823-011

SOUTHAMPTON COUNTY
CHANCERY PAPERS

POPE

VS.

POPE & al

3/1823

Other SURNAMES: Johnson,
Barnes

^{N^o 204}
Ann Pope

vs } Bill
Nathan Pope

October 1809 Bill filed

Dec. 1809 Answer filed

Steps & command

Sept. 11. 1810. 3drd filed
by self

Nov. 1822 Referred to arbitra-
-tion by consent of parties
in proper person.

Pope
vs } Bill
Pope &c

Oct. 1809

Bill filed

To the worshipful Court of Southampton County in Chancery
sitting - Humbly complaining sheweth unto your worships
your orator Ann Pope that during the year

father William Pope ~~senr.~~ departed this life, having first
duly made and published his last will & testament in writing,
wherein, among other devises and bequests, he bequeathed to
your orator a negro girl slave named Anacker; which
will fully appears by an attested copy of the said last will &
testament hereto annexed and prayed to be considered as a
part of this bill. Your orator here begs leave to state that
after the said last will & testament was written, a certain
Nathan Pope, whom she prays may be made a defen-
dant to this bill, by practising a gross and wicked fraud
upon the said William Pope ~~senr.~~ her father, purchased the
said negro girl slave, named Anacker, of him, for the
sum of one dollar, and in order to give a plausibility
to the transaction, induced the said William Pope ~~senr.~~ to execute
a bill of sale for the said negro girl Anacker, to Polly Pope
his granddaughter and daughter of the said Nathan Pope &
Polly Pope who was daughter of the said William Pope ~~senr.~~
which said first mentioned Polly Pope, being an infant of ^{not} ten
years, your orator also prays may be made a defendant
to this bill by her special guardian and next friend - Your
orator here expressly charges that when the said William
Pope ~~senr.~~ her father, executed the said bill of sale, he was insane
and drunk and entirely incapable of transacting any business
and she is confident he would never have executed the said
bill of sale and thereby have revoked the bequest to her of
the said negro girl Anacker, contained in his last
will and testament as aforesaid, if he had not been
induced to do so by the fraudulent artifice of the defendant
Nathan Pope. In tender consideration whereof

and because in relief in the premises can only be had
in a Court of Chancery where matters of fraud are kept
cognizable, your orator prays that the said Nathan Pope and
the said Polly Pope, an infant of tender years, by her special guardian
deceased next friend, may be compelled ~~to~~ on their cor-
poral oaths to be by them taken on the holy Evangelists of
Almighty God, to answer all and singular the allegations
of this bill fully, perfectly, distinctly and unequivocally - particularly
whether the bill of sale before mentioned was not executed
by the defendant Polly Pope - who were the subscribing witnesses
thereunto - and whether at the time of executing the said bill
of sale, the said William Pope Senr. was not insane, drunk and
incapable of transacting any business? Whereupon may
it please this worshipful Court to decree that the said bill
of sale, being fraudulently obtained, shall be ~~delivered up~~
~~to be cancelled~~ considered null and void and
delivered up to be cancelled and moreover that your
orator recover the said negro girl slave, named Anacha,
if to be had, if not to be had, then her utter net value which
your orator supposes to be one hundred pounds, together with
such sum or sums for her hire, as may be deemed reason-
able. May it please the Court to grant to your orator
any other and general relief in the premises which may be
applicable & proper - also the form moven at the writ of Sub-
poena commanding &c. and she will ever pray &c.

Shth for Comp.

In pursuance to a commission to us directed we have this day
proceeded to take the deposition of Thomas Pope to be read
in evidence in the suit depending wherein Ann Pope is
complainant and Nathan Pope is defendant on
behalf of the said Ann both parties being present
the said Thomas Pope being of lawful age and
sworn on the holy evangelist of Almighty God
deposed and said that he was at his cousin Wm.
am Barnes. That Mrs Pope the wife of the
defendant came after him and told him that her
husband said that Nathan wanted him to go
William Pops Sr. when he immediately went
on his arrival Mr. Nathan Pope produced a
bill of sale and told him the said William that Wm.
Pops had come that he might then sign it that he the
said William took the pen in his hand but being
blind the said Nathan conducted the pen and with
his assistance he made his mark after which the
said Nathan read it over to him three different times
Question by the defendant did you see one dollar the considera-
tion in the said bill of sale mentioned paid Answer I did
Question by whom was it paid Answer the Father gave it
to the daughter and the daughter to the old man said William
Question at what time of the day was this Answer by two or
two and a half hours by sun at the furthest Answer Question
by the complainant did the old man William Pope
keep the money paid as the consideration in the bill of sale
Answer he gave it back to his Granddaughter and she gave
it back to him further the said Nathan Pope Question,
did you think the old man William drunk or sober, Answer
I thought he had drank too much, Question, do you think he knew
what he was doing, Answer I do not know but when he the said
Thomas went to Mr. Nathan Pope he told him the contents

Thomas^{his} Pope

William Brew. S. P.

Colony now. I see

From to before us in due form this 11th 1810

Wm. B. L. J.
Henry W. J.

Brittain Barnes being also sworn in pursuance of the above commission
 deposed and said Question by Nathan Pope do you consider
 that William Pope W. was as much in his senses when he
 made the bill of Sale as he was when he made this
 will that was proven, Answer, I do, believe he knew as much
 about the bill of Sale as any the witnesses that ap-
 peared, Question by Complainant, were you there at the
 time the bill of Sale was assigned, Answer, I was not
 but was there in the afternoon of the same day were
 you there when he assigned the bill that was proven
 Answer, I was not but believe I was there the same day
 what do you believe was his motive ⁱⁿ making a bill of Sale
 to his Granddaughter Polly Pope I believe it was to make
 her equal with his two other Granddaughters which he had given
 to them a Negro Girl each by his last will which was not proven
 was he the said William Pope in his right senses about the time he made
 the bill of Sale, Answer he was in his senses when he did.
 By the Court, ^{Mr. Barnes}

Britain ⁱⁿ Yarned

Given to before us in due form this 14th Septor. 1810
Wm. Blair J.P.
Henry Blair J.P.

Known all men by these presents That I William Pope Constable of Southampton County for and in consideration of the sum of Six Shillings Current Money of Virginia to me in hand paid by Mary Pope my Granddaughter the receipt whereof is hereby acknowledged have granted bargained and sold and by these presents do grant bargain sell and deliver unto the said Mary Pope One Negro Girl Slave named Anaka together with herself and increase to her and her heirs forever as to the right and title of the said Slave I bind myself my heirs and assigns to warrant and defend the title to the said Slave In witness whereof I have hereunto set my hand and seal One thousand Eight hundred and seven

Wm. Pope
William Pope Seal

mark
John Johnson February 11 -
Nathan Pope

Attest J. P. James P. Rochelle Esq.

Southampton November Court 1822

Am. Pope - Complainant
Against
Nathan Pope and Polly Pope - Defendants

By the consent of parties in their proper person it is ordered that all matters in difference between them in this suit be referred to the final and Arbitriment and determination, Messrs. John Warrup and John Thomas, whom award or the award of such person as they may choose as an umpire (in case of their disagreement) until he make the judgement or decree of the Court. And it is agreed that either party may proceed ex parte on giving the adverse party reasonable notice of the time and place of Arbitrating the same

Attest J. P. James P. Rochelle Esq.

and the undersigned to whom was referred the final and Arbitriment and determination of all matters in difference between the parties in the above named case, do hereby certify that they have met and heard the parties and their witnesses and have made the award of the Court. And it is ordered that the award of the Court be entered in the Court records and that the parties be bound by the same. In witness whereof I have hereunto set my hand and seal this 11th day of February 1823.

To the worshipful Court of Southampton County in Chancery
sitting (wibly) Complaind sheweth unto your worships your
Orator Ann Pope that during the Year
Further William Pope senr. departed this life having first
duly made and published his last will and Testament
in writing wherein among other devises and bequests
he bequeath unto your Orator a Negro Girl slave named
Anarchy which will fully appear by an attested copy
of the said Last Will and Testament hereto annexed
and prays to be Considered as a part of this bill
Your Orator here begs leave to state that after the said
last will and Testament was written a certain
Nathan Pope whom she prays may be made a
defendant to this bill by practising a gross and
wicked fraud upon the said William Pope senior
her. Further purchases the said Negro Girl slave named
Anacha of him for the price of One dollar and in
order to give plausibility to the transaction induced
the said William Pope Junior to execute a bill of sale
for the said Negro Girl Anacha to Polly Pope his
Granddaughter and daughter of the said Nathan Pope
and Polly Pope who was daughter of the said William Pope sr.
which said first mentioned Polly Pope being an infant of tender
years your orator also prays may be made a defendant to this
bill by her special Guardian and next Friend your orator
here expressly charges that when the said William Pope
jr. her father executed the said bill of sale he was insane
and drunk and entirely incapable of transacting any busi-
ness and she is confident he never would ^{never} have executed the
said bill of sale and thereby have revoked the bequest to her
of the said Negro Girl Anacha contained in his last
Will and Testament as aforesaid if he had not been
induced to do so by the fraudulent artifices of the
defendant Nathan Pope in tender consideration whereof

and because relief in the premises can only be had in a
Court of Chancery When matters of fraud are properly
cognizable Your oration prays that the said Nathan Pope
and the said Sally Pope and infant of ten or years
by her special Guardian and next friend may be compelled
on their Oath or oaths to be by them taken on the Holy
Evangelist of Almighty God to answer all and singular
the allegations of this bill fully perfectly distinctly and
unavoidably particularly whether the bill of sale before
mentioned was not executed to the defendant Polly Pope
who were the subscribing witnesses thereto and either
at the time of executing the said bill of sale the said
William Pope or was not insane drunk and incapable
of transacting any business Whereupon may please
the worshipful Court to decree that the said bill
of sale being fraudulently obtained shall be con-
sidered null and void and delivered up to be cancelled
and moreover that your oration recover the said negro
Gere slave named Anacha if to be had if not to be had
then her alternate value which your oration supposes to be
One hundred pounds together with such sum of money
for her hire as may be deemed reasonable may it please
the Court to grant to your oration any other &
General relief in the premises which may be applicable
and proper - also the Commencement writ of Subpoena
Commanding &c. and she will ever pray &c.

Attest for comp.

The joint answer of Nathan Pope and Polly Pope &
infant by her next friend Nathan Pope to the
bill of Complaint exhibit against them in the
County Court of Southampton by Ann Pope - These
Respondents saving and reserving to themselves all

benefit of exception to all errors imperfections mis-
statements and untruths in the Complamants bill
contained for answer thereto or to so much thereof
as they are advised is material for them to answer
answering say. True it is that William Pope in his
life time did execute a bill of sale to your respondent
Polly for a negro Gire Anacha in consideration of the
natural love and affection which he bore towards his said
Grand daughter Polly your respondent Nathan positively
declares at the time the said William Pope executed the
bill of sale in question he was perfectly sober and as
competent to transact business as he was at the time of
the making of this bill which was admitted to record in the Court
your respondent Nathan further states that no persuasion on his
part was used to influence the said William Pope to
execute the said bill of sale that it was a voluntary act of
his own ~~respondent Nathan~~ frequently solicited
by the said William to bring his daughter Polly to see him
that he might do something for her in consequence of the
repeated solicitations of the said William your respondent
carried his daughter up and the said William executed the
said bill of sale to which there are two subscribing witnesses
John Johnson and Thomas Pope for greater certainty the bill
of sale above mentioned is hereto annexed and prayed to be taken
as part of this answer Your respondents denying all fraud
and combination to deceive pray to be herein dismissed with their
cost in this behalf most unjustly expended &c.

December 18th 1809 Nathan Pope personally appeared before me a
Justice of the peace for Southampton County and made oath
to the truth of the foregoing answer. Given under my hand.
This 18 Decr 1809. William Blinn

The deposition of John Johnson is taken in a suit in Chancery
depending in the County Court of Southampton wherein

Ann Pope is plaintiff and Nathan Pope is defendant who
being sworn upon the Holy Evangelist of Almighty God deposed
and said That he happened at William Popes Jr. House there
on four months previous to the death of the said William Pope
as well as this defendant recollects and when he got there he
found Nathan Pope there that the said Nathan in a short
time told the said William Pope that then they could have
the bill of sale for the Gire vineyard that about that time
Thomas Pope came in the said Nathan Pope pulled the bill of
sale out of his pocket and the said William Pope asked the
said Nathan two or three times to read the said bill of sale
to him which he did the said Pope appeared to be satisfied
with it And the said Nathan then got a pen with ink in
it and went to the said William and put it into his hand
and held it whilst he made his mark before the said William
had signed the bill of sale the said Nathan pulled a dollar
out of his pocket and gave the dollar to his daughter the
said girl ~~the said girl's grandaughter the said girl's~~ took the dollar
and after feeling it some time said to his granddaughter here you
may take your dollar again she took the dollar back & gave
it back to the said Nathan her father the said Ann
then said you are not to take the Gire away as long as I live the
said Nathan said he would not Question by the plaintiff
did you see the Gire delivered to the said Nathan or his daughter
answer I did not, Question by the same what was the situation
of the old man, answer just as he had been for some time before
Question by the same did you think he was capable of disposing
of his property. answer I don't think he was, the same was
deceived, Question by the same did you hear the said
Pope say any thing about his negroes being carried away, answer
I did he appeared some time after as to be angry about it &
said if he lived to see Christmas he would fetch them back Question
by the defendant what time of day was it when the dec was signed
answer about eight or nine o'clock in the morning Question by the same
did the old man appear to be satisfied with the sale answer he did
at that time and farther this defendant said not
Taken before us this 5th day of July 1809
agreed to ~~at~~ ^{by} William Pope Jr.
Henry T. Clark

Pope
adv
Pope } Annex

The Joint Answer was of Natham Pope and Polly Pope
an infant by her next friend Natham Pope
to the bill of Complainant exhibited against them
in the County Court of Southampton by Anna
Pope - Their Respondents saving and reserving
to themselves all benefit of exception to all
errors imperfections misstatements and unttruths
in the Complainants bill contained for answer
thereto or to so much thereof as they are advised
is material for them to answer answering say
That it is that William Pope in his lifetime did
execute a bill of sale to your Respondent Polly
for a negro girl Anachas in consideration of the
natural love and affection which he bore towards
his said Grand daughter Polly - your respondent
Natham positively declares that at the time the said
William Pope executed the bill of sale in question
he was perfectly sober and competent to transact
business as he was at the time of the making of
~~the making of the~~ ^{his} will which was admitted to
record in this Court - your respondent Natham
further states that no remuneration on his behalf was
used to influence the said William Pope to execute
the said Bill of sale but that it was a voluntary
act of his and your respondent Natham was

frequently solicited by the said William to bring
his daughter Polly ~~up~~ to see him that he
might do something for her - in consequence of
the unremitting solicitations of the said William
your husband only carried his daughter up and
the said William executed a deed of sale to which
there are two subscribing witnesses John Schuman
and Thomas Pope - for greater certainty the deed
of sale above mentioned is hereto annexed and referred
to be taken as part of this Answer - your
Respondent cuts denying all fraud and combination
to deceive may to be here dismissing with
them out in this behalf more unjustly
expended &c -

Dec 18. 1809. Nathaniel Pope personally appeared
before me a justice of the peace for Southampton
County and made oath to the truth of the
 foregoing answer - Given under my hand.
This 18th Dec. 1809.

Wm. Pope

Pope
vs } Comm.
Pope } D.B.C.

January 1800

Southampton County Jct

The Commonwealth of Virginia to

Gentlemen Greeting Know ye
that we trusting to your provident Circumspection in
diligently examining John Johnson a witness as well
on behalf Ann Pope plff as on behalf of Nathan
Pope defendant And we do give power to you to call
and cause to come before you the witness aforesaid
~~When and where~~ where you shall appoint and diligently
to examine ~~thereon~~ on the holy Evangelist of Almighty
God And ~~their~~ examination so taken into our Court
of our said County you are to send enclosed without
delay Returning tax also this Writ Witness
Sam Wells clerk of our said Court at the House
the 27th day of January 1809 And 33rd
year of the Commonwealth

Sam Wells
n

Nathl Pope appeared before me this 3rd day of February 1809 and made
oath that he did on the 24th of Jan^y last deliver to Nathan^w Pope
a copy of the within Notice —

Wm^m Blow

Notice

M^{rs} Nathan Pope Sen^r,

Sir Yowl please to take

Notice that on Friday the third day of February next
at the house of John Johnson Sen^r between the
hours of 10 & 4 o'clock of that day I shall proceed
to take the Deposition of the said Johnson to be
read in evidence in a Suit in Chancery depending
in the County Court of Southampton wherein
you are Defendant & myself Plaintiff you may
attend if you please. —

January the 23rd 1809 —

Ann Pope

Amx Paper

to 3 Comm.

Proctor Paper

Virginia

Southampton County. Jct

The commonwealth of Virginia to W^m Blom & Henry Blom
Gentlemen justice greeting know ye that we trusting to your
provident circumspection in diligently examining whatever witnesses
as well on behalf of Ann Pope and Nathan Pope
in a suit in chancery depending between the P^r Ann Com-
plainant and P^r Nathan - defendant do give you and
to you to call and cause to come before all or any witnesses directed
by the plff and then and where you shall appoint and diligently
to examine them On the holy Evangelist of Almighty God
and their examination so taken into our Court of our 1st
County you are to send without delay enclosed returning ours
also this writ Witness Sam Kello clerk of our P^r Court at
the Chancery the 18. day of April 1810 and 34 year
of the commonwealth

Sam Kello

Southampton County Court,

This day Personally appeared before me Henry
Blow a Justice of the Peace for this County, ^{Augustine Pope} & made
oath that John Johnson sen^r is in a low state of
health & that he the said Johnson is a material
witness in a suit in ~~in the County Court of Southampton~~ ^{in the County Court of Southampton} ~~chancery~~ ^{chancery} Ann Pope vs Nathan
Pope sen^r in behalf of ^{one of} his children - Given under my
hand this 21st day of January 1809

Henry Blow J. P.

$$\begin{array}{r} 72 \\ 79 \\ \hline 2.30 \\ 3.81 \end{array}$$

319
Popes }
" }
Popes } Spec in
Chancery

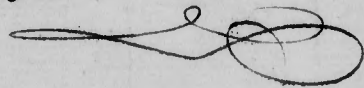
To Sep: 1809.

Executed; to Darwen
Deputy of
Sum: Calcutt. Rff

Stark

The Commonwealth of Virginia to the Sheriff of
Southampton County Greeting: We Command you
to Summon Nathan Pope to appear before the
Justices of our County Court, at the Court-house
on the 3rd Monday in September next to answer
a bill in chancery exhibited against Polly Pope
by Ann Pope and by an Order of August Court-
last he the said Nathan Pope is made a
Defendant to this said Bill of Complaint,
And this he shall in no wise omit under
the penalty of 100 £. And have then there
this wit- Witness Samuel Kello clerk of our
said Court, at his office, the 24th day of
August-1809. in the 34th year of the Commonwealth

Sam^l. Kello



Notice

Mr. Nathan Pope Sen.^r, Youd please to take
Notice that on Tuesday the 11th of this month
Between 10 & 12 o'clock of that day, at the house of John Crocker,
To take the Depositions of Sundry Witnesses to be read
in evidence in a Suit in Chancery depending in the Coun-
ty Court of Scampton wherein you ^{are} Defendant and
myself Plaintiff you may attend if you chose.
Sept^r the 1st 1810. — — — Ann Pope

Amo Johnson

Depor De bene spe
on the Case ~~Amo~~ Pope.
v. Nathan

The Deposition of John Johnson ^{in ex parte} taken in a suit depending
in the County Court of Southampton wherein Ann Pope is Plaintiff &
Nathan Pope Ser. defendant, who being sworn upon the Holy Writings
loft of almighty God depose and saith that he happened at
William Poper's house three or four months previous to the death
of the said William Poper as well as this deposition recollects it
when he got there he found Nathan Poper there, that the said
Nathan in a short time told the said William Poper that then they
could have the Bill of Sale for the girl witnessed, that about that time
Thomas Poper came in, the said Nathan Poper pulled the Bill of Sale
out of his pocket, and the ^{said} William Poper asked the said Nathan,
to read the said Bill of Sale to him, which he did. The said Poper
appeared to be satisfied with it, and the said Nathan then got a pen with
ink in it, and ~~the said Nathan~~ and went to the said William and
put it in to his hand, and held it whilst he made his mark
before the said ~~Nathan~~ had signed the Bill of Sale the said
Nathan pulled a dollar out of his pocket and gave the same to his
daughter, and she then gave it to her grand father, the said William
took the dollar and after feeling it some time said to his grand daughter
here you may take your dollar again, she took the dollar & gave
it back to the said Nathan her father, the said said William then
said, you are not to take the girl away as long as I live, the said Nathan
said he would not. Question by the plaintiff did you see the girl
delivered to the said Nathan ^{or his daughter} answer I did not. Question by the same
what was the situation of the old man, answer just as he had been for
some time before. Question by the same, Did you think he was capable
of disposing of his property. answer I don't think he was - the I may be
mistaken. Question by the same did you hear the said William Poper say anything

about his negroes being carried away. Answer I did, he appeared
some time afterwards
to be angry about ^{it}, and said if he lived to see Christmas he would
fetch them back. Question by the defendant, what time of the
day was it when the lead was agreed answer about eight or nine
o'clock in the morning, Question by the ^{same} did the old man appear to
be satisfy'd with the sale, answer he did at that time and farther
this defendant saith not

Taken before us this third day
of February 1809 - agreeable to
notice -

John ^{his} + Johnsons
mark

William Blow J.P.
Henry Blow L.C.

Rachael Britain

Barnes depona

Southampton County

The clerk of Southampton County

Richard W. Winters

Barnes depone

com. to hand of
H. Winters

In pursuance to a commission from the County Court
of Southampton to us directed, we have this day
proceeded to take the deposition of Mrs Rachel Barnes
to be read in evidence in the suit depending
wherein Ann Pope is complainant and Nathan
Pope is defendant, taken on behalf of Nathan
Pope, both parties being present, the said -
Rachel ~~Pope~~ ^{Barnes} being of lawful age, and duly
sworn on the holy Evangelists of Almighty God
before and said That her sister Molly wife
of the said Nathan came to her house, and from
whence they went over to their father's said -
from Pope's, some short time after their arrival
there in the course of conversation the old man
their father observed he had made a new will
that he had not left her a negro girl, but
that he fully intended to have left his daughter
Polly one by the name of - anchor, and observed that
he told Mr Beal who wrote his will to -
interline it and he had neglected it, he
then asked for his old will to destroy it, but
could not find it, and observed also that
he would have no will.

Question, by the Court - do you think that
the said Mr Pope ^{your father} was capable of making
will; Answer I think he was not,

or he would not have made such a one as
he did.

Question do you think he was or was not

better situation from the time he made his last will ~~until~~ ^{until} he died.

Ans. I do not know what he was, but I think much about the same.

Ques. what do you think he intended by making this bill of sale, Answer I think he made this bill of sale to Potty ~~in~~ in order to make it nearly equal to the other gifts given to his grand children by his last will which was not proved.

Ques. do you believe he would have given her a negro girl, had he supposed his will would not have been established.

Ans. I believe he meant to have given her one & each of the others one

Rachelle ^{her} + Barnes
mark

Sworn to before us in due form this 11th of September 1840.

Wm Blow J.P.

Henry Blow J.P.

Boclair Barnes being also sworn in pursuance of the above commission do soath & oath

Question by Nathan Pope Do you consider that William Pope son was as sane in his senses when he made the bill of sale as he was when he made his will that was proven Ans. I do - I do believe that he knew as much about the bill of sale as any the witnesses that appeared Question by Thomp. were you there at the time the bill of sale was signed Ans. I was not, but was there in the afternoon of the same day - were you there when the will was signed the will that was proved Ans. I was not

but believe I was there the same day. - What do you believe was his motive in making a Bill of Sale to his grand daughter Polly Pope. I believe it was to make her equal with his 2 other grand daughters which he had given to them a negro girl each by his last will which was not proved - was he the s^d Wm Pope in his senses at the time he made the Bill of Sale Ans. he was in his senses when sober

Boclair ^{his} + Barnes
mark

Sworn to before us in due form this 11th September 1840

Wm Blow

Henry Blow J.P.

Two Pages Separation

In pursuance to a Commission to us directed we
have this day proceeded to take the deposition
of Thomas Pope to be read in evidence in the
suit depending wherein Ann Pope is complainant
and Nathan Pope is defendant, on behalf
of the said Ann, both parties being present,
the said Thomas Pope being of lawful age
and sworn on the holy evangelists of almighty
god deposed and said, That he was at
his cousin Britain Pope's Barns, that
Mr. Pope the wife of the deft. came after him
and told him that her husband said that
wanted him to go Mr. Pope's Servt., where
he immediately went, on his arrival Mr.
Nathan Pope produced a bill of sale
and told him the said William that-witness
had come, that he might then sign it, -
that he the said Mr. took the pen in his
hand, but being blind, the said Nathan
conducted the pen, and with his assistance
he made his mark, after which the said
Nathan read ~~it~~ it over to him three
different times.

Question by the deft. did you see one dollar
the consideration in the said bill of sale
mentioned paid, Answer I did. Question
by whom was it paid, ~~Answer he father~~
Answer the father gave it to the daughter & the
daughter to the old man, said William,

Q^{uestions} - what time of the day was this
Ans. - by two or two & a half hours by
sun at the furthest a m.

Question by the Compt^r
Did the old man ~~Went~~ keep the money paid
as the consideration in the bill of sale,
Ans. - he gave it back to his grand-daughter
& she gave it back to her father the said
Nathan Pope.

Q^{uestions} Did you think the old man Mr.
Drunk or sober

Ans. - I thought he had drank too much
Question, do you think he knew what he
was doing. Ans. - I do not know
but when ^{the said Thomas} he went to Mr. Nathan Pope
told him the witnesses were come he
readily got up to execute the bill of sale.

Question, do you think he was in a fit-situation
for disposing of his property.

Ans. - I do not think he was, for selling
a girl for a dollar.

Question, Was he for some time before his death
capable of conducting his business, owing to
his infirmities & intemperance.

Ans. - I should not think he was.

Q^{uestions} What did Mr. Nathan Pope tell
you when you were walking together going

to Mr. Putnam Barnes's,
Ans. - he told me, that if the last
will of ~~Mr. William~~ was not provided he
did not want the bill of sale to stand
good, was the last will provided and it was not

Was the Bill of Sale for the negro girl given before the
the last will was made - and the Bill of Sale was
given after the last will was made which was not
provided - Thomas ^{his} Pope
marks

Sworn to before us this 11th day of Sept. 1870.

Wm. Blower Esq.

Henry Blower Esq.

Pope vs
 Pope vs
 Pope vs
 They
 Noy & la

arbitration.

March 18th 1803 award
 retd. I mass Jnoy & the
 Court

We the undersigned to whom was referred the final end arbitration and
and determination of all matters of difference between the parties contain-
ed in the foregoing records did on the 8th day of March 1823 met
at the X Rys. in the County of Kenthampton the defendant
having previously had legal advice of the time and place did proceed
to arbitrate the matter in difference between the parties after seeing and
inspecting the records aforesaid and hearing the evidence adduced
on either side do award and determine that the Complainant recover
of the defendant the Negro Girl and her increase on the Complainant
said bill mentioned and the cost of this suit and the defendant
deliver over to the heirs of Ann Pope the Complainant the said Negro
Woman and her increase and also pay to them their cost by them
about their suit in this behalf expended. Given under our hands this 17th
day of March Eighteen hundred and twenty three

David Harris

John Thomas