

1837-043

SOUTHAMPTON COUNTY
CHANCERY

POPE, By + C. L. B. VS. POPE & al LLS

8/1837

See also: Pope, By Friend v Pope, 1838-28

other surnames:

Wells

Pope

as Bill

Pope

1836 Nov. Bill filed & Hyman awarded \$

Deor: Shiff authorized to sell fat sheep

Sp

1837 Aug. Shiff ordered to pay J. J. French

\$500 &c

Tax charged

Mary Pope
res. { Injunction
Peter Pope & Mrs. Adkins

1837 Mar. Bill filed & Inj. in
Haw.^d

Tax charged

To the Worshipful, the County Court of South-
ampton in Chancery sitting, humbly com-
-plaining sheweth unto your worships
your Petitioner Mary Pope, wife of Peter Pope
of this County, who was by her next friend
James S. French that some few months since
she instituted suit against her husband Peter
Pope on account of his cruel treatment, praying
for a separate maintenance for herself and chil-
-dren, and asking of the Court a restraining
order to prohibit the said Peter Pope from idly
squandering his property. The restraining order
was granted, and the said Peter Pope not being
able to give security in the penalty required
his property was taken possession of and is
still held by ^{Benjamin} ~~the~~ Sheriff ^{of said County}. Among other
things so held by the Sheriff ^{as aforesaid} is a bond executed
by one John A. Wells for to Peter Pope for some
4 or 500 dollars, upon which suit has been in-
-stituted. Your Petitioner would farther re-
-present, that upon her determining to institute
suit against her husband Peter Pope, he
sold to one Mills Pope — a negro man
for the sum of \$500.00 and took in payment
his bond for the same payable on demand.

That the said John A. Wells learning
this, and knowing that the said Peter Pope
was easily imposed upon, obtained from
him this bond aforesaid, giving his own bond
for the same, and charging the said Peter Pope
fifty dollars for the favour conferred on him
in giving a worse bond for a better one.
Your Petitioner fears that the bond against
John A. Wells may not be collected, where-
-fore, in as much as she is without remedy

save by the intervention of this court, she
humbly prays that your worships would
issue a restraining order prohibiting the
said Mills Pope from paying the money
out on his bonds to John A. Wells until
the bond due Peter Pope by said Wells be
first ~~settled~~ collected. That the said
Mills Pope and ^{Wells} be made deft
to this Bill, and true answers made to the
allegations contained herein, and that
your worships would grant such
other and further relief as the nature
of the case may require and for this
she ever prays. —

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To the Worshipful, the County Court of Southampton in
Chancery sitting:

Humbly complaining sheweth unto
your worships, your Oratrix Mary Pope, who was by her next
friend Jacob Williams so appointed by this Court, that
sometime in the year she intermarried with Peter
Pope of this County, flattering herself that in doing so, she
was adding to the mutual happiness of each. For some
time her situation was agreeable enough but that lat-
terly ~~she has had cause for much and grievous complaint.~~
~~her diseases of happiness have proved an affliction.~~
For your Oratrix states that your children are the off-
spring of that marriage, and although she has conduc-
ted herself in every respect as a dutiful wife, kind
obedient, and affectionate to her husband, attentive
and even devoted to her children; yet, nevertheless, the
most sedulous endeavours on her part to please, have
not even secured her a safe asylum in the house
of her husband. She feels deeply mortified at having
to give publicity to her sorrows, but the fear of bodily
injury to herself, and a sacred duty to her children de-
mand that she should do so. Your Oratrix there-
fore avers that the said Peter Pope is constantly excited by
drink, and in his treatment toward her is actuated
by the most brutal and savage spirit. That he has
repeatedly turned ^{her} out of his house and kicked her from
his doors, forcing her to pass the night in the woods
at inclement seasons of the year. That he has often
choked her until she was in the act of suffocating.
That he has inflicted blows upon her, and even
beaten her with a cowhide, in a brutal and cruel
manner, giving her as much as fifty lashes at a time.
That in consequence of one of those cruel beatings
she has lost the use of one arm, and one entire side,
and has again within a short time past been kicked
from his doors with her children, and ordered
never to return. This treatment your Oratrix avers
she has borne as patiently as she could for years,
but that now she is a wanderer with her helpless
children, all unprotected, and unprovided for,
that she has been denied the privilege of entering

her husband's house, and entertains no hope of a reconciliation. In tender consideration whereof, and in as much as your Petition is without remedy save by the intervention of this Court, she humbly prays, that out of the estate of the said Peter Pope, who possesses both real and personal property, your worships would decree a separate and suitable maintenance for herself and children. And your Petition would further state that the said Peter Pope often declares his intention of leaving this State for Texas, and even should he not do so, that he remains constantly intoxicated, and manifests a great disposition idly to squander what property he has left. In consideration whereof, she would further pray that your worships would issue a restraining order prohibiting the said Peter Pope from removing or squandering his property until the determination of ^{the} suit, and that you would also decree, pendente lite, the payment of such a sum out of his estate, (monthly or quarterly, as to you may seem best commencing at the time when she was last forced to leave his house) as may be necessary for the maintenance of herself and children, and that you would also at the same time decree the payment of the further sum of twenty five Dollars to her or to Jacob Williams her next friend to enable her to prosecute this suit to a successful termination. She would also further pray that Peter Pope may be made defendant to this Bill, and true answer made to the allegations contained herein, and that your worships would grant such further and general relief as the nature of the case may seem to require. And for this she ever prays &c

French 109

This day personally appeared before me Saml. B. Hines Justice of the Peace for the County aforesaid Mary Pope, and made oath that the allegations contained in the foregoing Bill are true to the best of her knowledge and belief.

Saml. B. Hines

ordered that ^{Superior} the ~~Staff~~ Ben - Give the
fathoms belonging to Peter Poppi's estate
and give them out for the use of Peter
Poppi and family, ~~as~~ until the further
order of the court

To restrain the defendant from disposing of or causing to be removed or sent out of the limits of this Commonwealth his property or ^{any} part thereof until the further order of this Court. And the Court doth order that unless the defendant shall enter into bond with sufficient security to the said Mary Pope in the sum of twelve hundred dollars Conditioned to abide the final decree in the cause; that the Sheriff of the County or Sergeant of the Corporation in which the defendants property or any part thereof may be found take possession of it, and keep it until such security be given, or until the further order of the Court to the contrary

Teste. L. R. Edwards Clk

lib

Pope

or { No return

Pope

1837 January Return

Executed by returning
a true copy Dec 1837

Wm. D. Dwyer atty
Wm. G. H. H. S. atty

in the said Court at

County of the said State of

County of the said State of

THE COMMONWEALTH OF MASSACHUSETTS

IN SENATE, January 1837

REPORT OF THE COMMISSIONERS OF THE LANDS

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon *Peter Pope*

to appear at the Clerk's Office of our Circuit Superior Court of Law and Chancery for the County of Southampton, at the Rules to be holden for the said Court on the first Monday in *January* next, to answer a Bill in Chancery exhibited against *him* in the said Court by *Mary Pope*

And unless *he* shall answer the said Bill within four months thereafter, the Court will take the same for confessed, and decree accordingly. And this *he* shall in no wise omit, under the penalty of £100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-house, the *25th* day of *November* 183*6*, in the *61st* year of the Commonwealth.

L R Edwards

[One Copy to be delivered each Defendant.]

To inform the Defendants Wells Pope from paying to John A Wells the money due on a bond executed by the said Wells Pope to Peter Pope for the sum of five hundred dollars, which bond was transferred to the said John A Wells by the said Peter Pope - until the further order of the Court.

Teste L R Edwards S. C.

Pope

v 3 Spa & Bryan

Pope &c

1837 May Rules.

Executed by delivering
a true copy to clerk
Pope April 3/1837
and on same Wells by
delivering a true copy
April 12/1837
Harrison Pope and
Benjamin Griffin S. C.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon *Mills Pope and John A Wells*

Count to appear at the Clerk's Office of our ~~Circuit Superior Court of Law and Chancery~~ for the County of Southampton, at the Rules to be holden for the said Court on the first Monday in *May* next, to answer a Bill in Chancery exhibited against *them* in the said Court by *Mary Pope who sues by her next friend James P French*

And unless *they* shall answer the said Bill within four months thereafter, the Court will take the same for confessed, and decree accordingly. And this *they* shall in no wise omit, under the penalty of £100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-house, the *24* day of *March* 1837, in the *10th* year of the Commonwealth.

L R Edwards

[One Copy to be delivered each Defendant.]