

1858-122

SOUTHAMPTON COUNTY
CHANCERY PAPERS

VICK, By v c

vs. VICK

5/1858

other sURNAMES: Pope

*Vick**v. } Papers**Vick*

Vick by J.
Stat. Rules

Vick

Wks	-	// 4.87
Shff.		1.00
Sum 1 st		<u>16.50</u>
	//	22.37

Southampton Circuit Court

Mary A Vick who sues by Elisha Pope her next friend
against
James Vick

1857 Nov: 19 Summons issued retble to Dec. Rules.

1857 Dec. Rules. Summons ret. Executed.

1858 Jan. " Bill filed D. N. v Deft.

" Feby. " Bill taken for confessed.

" Mar. " Cause set for hearing on bill &c

" May 5 Decree

Vick by me
as 3 Bill
Vick

1858 January Rules

To the Honorable Richard H. Baker judge of the circuit
court of Southampton County in chancery sitting

Humly complaining your oratrix Mary A Vick
who was by Elisha Pope her next friend, sheweth unto your
Honor that on the 25th of December 1855 she married
one James Vick of Southampton County, that she entered
into the solemn obligations of marriage with a full
sense of its duties and responsibilities, prepared to meet
its cares and discharge its duties, that like all who are
married she expected happiness, and like some others
she was deceived, your oratrix had some little property and
now has an expectancy from her mother, stated who
is yet living, soon after her marriage her husband
who is much younger than your oratrix gave way to
the most dissipated and abandoned course of life, had
he confined himself to his town companions and to civil
associations, your oratrix might ~~have~~ had hope, for though
drunken and debauched yet she was aware that many
young men after some years of dissipation and irregular
life, after the ^{first} flush of youth and when the wild fires
of youth have wasted themselves, abandon their wild
and dissolute course, and become useful and valuable
men, but your oratrix's husband was not only drunken
but cruel to her, he caused her to work out doors
in the severity of last winter's snows, he caused ^{her} to
go out, to washing standing in the snow in the
vigours of mid winter, he struck and beat her, he
brought men into to her bed room at night and
offered her those indignities in their presence, that were
disgraceful to be offered to any honest and virtuous
female, at last unable to stand his cruelty any
longer and despairing of any reformation she fled
from ^{him} to her mother's house for safety and protection
that he came there on one occasion after she left

him and so violent was his conduct threatening to kill
your oratrix, that her mother advised ^{her} to escape, and she
left her mother's house and concealed herself from him
until she could have legal advice as to the manner
in she could best assert her legal rights to protection.

In tender consideration whomever and masculine
as your complainant is without remedy in a court of law
and only entitled to relief in a court of equity where such
matters are peculiarly cognizable, she therefore humbly prays
that James Vick may be made a party defendant to this bill
and compel him as full and perfect answer make to the
allegations therein contained as if he had been thereto sworn
fully and specially interrogated, that the court would by its
decree divorce your oratrix from the bed and board of
James Vick, and restore to her the little chattel property
which he now has in possession and which he acquired
by the marriage for your oratrix is very poor and nearly
wholly dependent on her mother for a support, that the
court would protect her interest in her mother's estate
from the said James Vick's marital rights if any
have been acquired and grant such and general
relief the premises considered as equity may dictate
and the nature of her case may require and as
in duty bound your complainant will ever pray etc
Charles J. G.

Pick by me
as 3 Decm
Pick

May Co. 1858

To be entered

R. H. Baker

Vick by me
vs 3 Decece
Vick

This cause came on this day to be heard on the bill taken for confessed as to the defendant James Vick on whom process had been duly served and he still failing to appear and place answer and demurr to the said bill, and the examination of witnesses and was argued by counsel, On consideration whereof the court doth adjudge, order, and deem, that the plaintiff Mary A. Vick be, and is hereby divorced from the bed and board of the defendant James Vick, that the said James Vick be perpetually restrained from molesting the said Mary A. Vick in her person, that she be restored to the full and absolute control of whatever property may come into her possession as fully and effectually as she were a feme sole, that whatever chattel estate may have been acquired by James Vick by marriage and now in his possession be restored to Mary A. Vick, that he be restrained from either selling or ^{in the bill referred to} interfering in any manner with the monies and interest, which she owns in her mother's estate, and it is further ordered that the defendant do pay to the plaintiff her costs of this suit to be taxed as

And nothing further remaining to be done in this suit it is ordered that the same be removed from the docket, but leave is reserved to the parties to make application to the court for such further orders as are authorized by law

Vick

& } Sum. Chy.

Vick

1857 December Rules

Executed by delivering
a copy of the same to
said Vick

Geo W Vick do
for W W Briggs shff

THE COMMONWEALTH OF VIRGINIA :

*To the Sheriff of Southampton County—*GREETING

We command you to summon *James Vick*

to appear at the Clerks office of our Circuit court of Southampton county at the Rules, to be
holden for the said court on the first Monday in *December* next, to answer a bill in
Chancery exhibited against *him* in our said court by *Mary A. Vick who*
sues by Elisha Pope her next friend

And have them there this writ. WITNESS, LITTLETON R. EDWARDS, Clerk of our said
Court at the Courthouse, this *19th* day of *November* 185*7* in the *82nd*
year of the Commonwealth.

L R Edwards Clk

Check by me
as 3 notices
Check

Executed Nov 20th
1934

for W. C. Clark Deputy
for W. W. Briggs sheriff

To James Vick

Sir

Take notice that I shall on
Thursday the 17th of Dec- onset at the house of Patience
Vick in the county of Southampton between the hours of
sunrise and sunset to be continued from day to day until
finished proceed to take the depositions of ^{Henry Beale} Lewis Ferguson
and others to be read as evidence in my behalf in a certain
^{suit} now pending in the circuit Court of Southampton on
the chancery side Term of which I by my onset
friends am Plaintiff and you are defendant

Many A Vick by
Elisha Pope next friend

Vick

to } Depositions

Vick

1857 Dec 18 came to hand
under seal.

and W. Henry Beale

The Deposition of Patience Vicks taken at the
house of Patience Vicks between the houses of
Sunrise and sunset on the 14th of December 1857
to be made as evidence in a certain suit in
chancery now pending in the circuit court of
Southampton in favour of Mary A Vicks in the
case of Mary A Vicks by her next friend Charles Spr
vs James Vicks

Patience Vicks having been first duly sworn
on the Holy Evangelists of Almighty God deposes
and says as follows, After my daughter Mary
Vicks who was the widow Scott was married to
James Vicks, he was so cruel to Follia Scott my
daughter ^{eldest} that I took her from him. Mrs Ellis
who examines the child said she was bruised

I sent for my daughter Mary Vicks to come
and see her child she came and James Vicks
with her, supper was fixed and James Vicks would
not come to the table, he fasted and oaths and
told her she did not look gray for nothing
my daughter Caroline told him that if he and
his wife could not live better together they had
better be divorced, he swore and said he would
not be returned to stay until he had finished
his crop, and then he would sell, and then
I will beat her until I see the last gasp
go out her and then he would take out,
about a fortnight after this my daughter left him
and was gone for upwards of two months to
North Carolina, when he found out that she
had returned to my house, he came to my house
and brought some clothes which she left, my
daughter took them out, in the bottom of the
box in which he had brought the clothes she
found a razor, she asked him what he

brought it for, he told her he thought it was hers
and she told him he knew she had no use for a
razor as he knew she had none, Gordon spoke
and said I expect you brought that razor to kill
her with, he says I did not come ^{to} just to own of
you, and he told Mary she had to go with him
or he died, he told her to bundle up, I fearing
that if my daughter left with him and not thinking
that she was safe even in my own house, no man
living with ^{me}, that her person was in danger ~~and~~
known to my daughter to leave, and she left
my house in order to avoid him, he seemed to be
mad and excited and further this deponent saith not
signed Patience Vick
by Davis Barrett

W. Henry Beale having been first duly sworn on
the Holy Evangelists of Almighty God Deposes and
says as follows, On evening coming at
Newsome's Depot and James Vick asked me and
some other young men to go home with him
and have a game, we all went, first to his
house and then to Henry Belins, we knocked about
there awhile, and then went back to James Vick's
it was about ten o'clock when we returned to
his house, we went into the room where James
Vick's wife was and in fact there is only one
room to the house, when we got in he told
his wife to get up, she did not do so, and he
told her he would make her get up, he first
took up a chair and threw ^{the bed} on, she still not
getting up, he took a large tub of corn, shelled
and in the ~~can~~ can, and threw it up on the
bed, on her head I think, he then jumped on
the bed and held the tub on her, his wife

still not getting up, he then took the tongs and
took a red hot brick out of the fire, and soon
he would start her, and moved towards the
bed, and I stopped ^{him} by telling him he ought
not to hurt his wife and that way, he also
made an effort to strip the cover off his wife
and did strip her down below her shoulders
there was as well as I recollect some time or
four persons in the room at the time this
was going on, and further this deponent saith not
signed his

W. Henry Beale
mark

The above depositions were taken, sworn to, and
subscribed before me a Justice of the Peace for
Contra Costa County at the time and place
mentioned in the caption given under my hand
the 10th day of December 1857
Davis Barrett.