

1882-20

Southampton County Chancery -

Pope, Joseph A. vs Pope, Mary J. (Carr)

Divorce

Pope 124
vs 3 Bill &c,
Pope

1882 April Rules.

" April R. Bill filed

1882 April Rules

To the Honorable George Blow, Judge
of the Circuit Court of Southampton
County. In Chancery.

Humbly Complaining, sheweth to
your honor, your complainant, Joseph A.
Pope, of the said County of Southampton,
as follows:

That, on the 21st day of May
1874, he was lawfully married to Mary J.
Leary by the Rev. Benj. J. Nevany, as well
more fully appear by a Copy of the Certifi-
cate of marriage herewith filed, marked
A, and made a part ^{of} this bill; That,
in a few days thereafter, to wit, on or
about the 5th day of June of that year,
she, willfully and without cause, abandoned
and deserted his home, and bed and board,
and, has ever since lived away from him;
that your complainant is informed that
she now resides in the County of Isle of
Wight with one William Vaughan in a-
dultery; that, in contracting this marriage
with the said Mary J. Leary, he acted in
good faith, and, had every reason to believe
that he would enjoy that peace and hap-
piness of mind usually attending the mari-
tal relation, that so long as she remained
with him he performed all the duties which

the law enjoined and, was to her a kind, faithful, dutiful and indulgent husband—providing her with all the necessaries of life, together with such luxuries, as his his means would allow and justify—

Your Complainant further charges that the said Mary J. Leav, or Mary J. Pope, sometime after abandoning and deserting him, communicated to him, through letter, that if he would remove to the County of Isle of Wight, she would then return to and live with him; that he rented land from Mr Jos. Duck of that County, and proceeded, in obedience to her request, to make preparations to move, in the hope that further separation might cease; but shortly afterwards,—to his great surprise and mortification— and before he was ready to leave, she communicated to him, through another letter, ^{her determination} never to live with again under any circumstances; that, nevertheless, that positive refusal on her part to be reconciled to him, your Complainant has often times since brought her to return to him, but in every instance, his petitions have been scornfully repelled. And your Complainant also charges that since that said Mary J. Pope deserted him, he

by Wm. H. Briggs, her guardian at litem, assigned by
the Court to protect her interest in this suit.

has never cohabited with her, nor in any way, enjoyed towards her the relation of a husband.

Your Complainant despairing of any happiness or peace from this sad and unfortunate marriage feels constrained to invoke the aid of a Court of equity to relieve him from the bond of marriage.

In Tender consideration whereof and as your Complainant is without remedy save in a Court of Chancery where matters of this kind are proper to be heard, your Complainant prays that the said Mary Jane Pope, be made a party defendant to this bill and compelled to answer its allegations, and that the Court would, by its decree, dissolve the bond of matrimony now existing between your Complainant and his wife, the said Mary Jane Pope, with the right to your Complainant to marry again should he see fit. And that the Court would grant such other, general and special relief, the premises considered, as equity may dictate and the nature of the case require. And as in duty bound your Complainant will ever pray &c.,

Wm. H. Briggs, J. q.



Virginia, *Southampton County* to wit:

To any Person Licensed to Celebrate Marriages:

You are hereby authorized to join together in the Holy State of Matrimony, according to the rites and ceremonies of your Church, or religious denomination, and the laws of the Commonwealth of Virginia,

Joseph A. Pope,

and *Mary Jane Carr,*

Given under my hand, as Clerk of the *County* Court of *Southampton County*, this *21st* day of *May*, 18*74*.

J.R. Edwards Clerk.

CERTIFICATE TO OBTAIN A MARRIAGE LICENSE.

To be annexed to the License, required by Acts passed 15th March, 1861, and February 27th, 1866.

Time of Marriage, *21st May*

Place of Marriage, *Southampton County*

Full Names of Parties Married, *Joseph A. Pope*

and *Mary Jane Carr,*

Color, *White*

Age of Husband, *24* years

Age of Wife, *24* years

Condition of Husband, (widowed or single) (*Widowed*)

Condition of Wife, (widowed or single) (*Single*)

Place of Husband's Birth, *Southampton County*

Place of Wife's Birth, *Scott's Bluff*

Place of Husband's Residence, *Southampton County*

Place of Wife's Residence, *I.D.*

Names of Husband's Parents, *Joseph & Polly Pope*

Names of Wife's Parents, *Robert & Betty Carr*

Names of Wife's Parents, *Robert & Betty Carr*

Names of Wife's Parents, *Robert & Betty Carr*

Occupation of Husband, *Farmer*

Given under my hand this *21st* day of *May*, 18*74*.

Joseph A. Pope Clerk.

MINISTER'S RETURN OF MARRIAGE.

I Certify, That on the *21st* day of *May*, 18*74*, at *My Residence*, I united in Marriage the above-named and described parties, under authority of the annexed License.

B. Devan

The Minister celebrating a marriage, is required, within TEN days thereafter, to return the license to the Office of the Clerk who issued the same, with an endorsement thereon of the FACT of such marriage, and of the TIME and PLACE of celebrating the same.

A Copy, True, J.R. Edwards

State of Virginia,

County of Southampton, to-wit:

I, W. J. Sebrell, a Com^r in Ch^g.
for the Co. Court of Southampton do certify
that J. W. Bradshaw has appeared before me
in the County & State aforesaid & made oath
that he has served a copy of the within summons
on ~~the~~ Mary Jane Pope the party therein specified.
Given under my hand this 3^d day of June
A.D. 1882— W. J. Sebrell,
Com^r in Ch^g.

1882 April 18th

Sp^{ce}

Sp^{ce}
" } June 1882

Sp^{ce}

Sp^{ce}

Witness my hand and seal this 3^d day of June, 1882.
Wm. J. Sebrell, Clerk of the County Court.
of the County of Southampton.

The Commonwealth of Virginia,

To the Sheriff of Southampton County - GREETING:

WE COMMAND YOU TO SUMMON

Mary Jane Williams Pope

formerly Mary Jane Carr

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 April
next to answer a bill in chancery exhibited against her in our
said Court by

Joseph A Pope

and have then there this writ.

Witness, LITTLETON R. EDWARDS, Clerk of our said Court at the Court
House, this 21st day of March 1882, in the 106th year
of the Commonwealth.

L R Edwards CC

Paper
75 3
Papers
Documents

County of Southampton
State of Virginia : to wit

I J. M. Sebrell, a Commissioner in this further
Circuit Court of Southampton do certify
that Alexander Brodshaw this day personally
appeared before me in said County, and
made oath that he had ~~executed~~ the
within by delivering a copy to Jake
Leann on the 1st day of May 1882.
Given under my hand as Commissioner of this 3rd
day of May 1882. J. M. Sebrell, Commissioner in this

The Commonwealth of Virginia,

Isle of right
To the Sheriff of ~~Southampton~~ Co. — Greeting:

We command you to Summon.....

Jake Carr

to appear before the Judge of our ~~the undersigned~~ Court of ~~Southampton~~ County, at the Courthouse

on the *3rd* day of *May* 1882 to testify and the truth to say on behalf of

Joseph Pope in a suit for divorce
instituted by him vs. Mary J. Pope

and this *he* shall in no wise omit under the penalty of the law, and have then there this writ.

In Sebell Court in Chancery
Witness: ~~LITTLETON R. EDWARDS~~, Clerk of our said Court at the Courthouse this.....

day of *April* 1882 in the *106* year of the Commonwealth.

In Sebell
Court in chancery

Pape
vs 3 Summons
Pape

Executed April
26th 1882.

A F Croft
Deft Sheriff

The Commonwealth of Virginia,

To the Sheriff of Southampton Co.—Greeting :

We command you to Summon.....*Jos G Kella Junius Bradshaw*
Alexander Bradshaw and Jas Pittman

to appear before the Judge of our.....*the undersigned*.....~~Court of Southampton County~~, at the Courthouse

on the.....*3rd*.....day of.....*May*.....1882 to testify and the truth to say on behalf of

Joseph Pope in a suit for divorce insti-
tuted by him vs *Mary el Pope*

and this.....*they*.....shall in no wise omit under the penalty of the law, and have then there this writ.

In Sehell Comr in Chy
Witness : ~~INTLETON R. EDWARDS~~, Clerk of our said Court at the Courthouse this.....*24*.....

day of.....*April*.....1882 in the.....*106*.....year of the Commonwealth.

In Sehell
comr in Chancery

The depositions of Jno. G. Kella
 Junius Bradshaw, Alexander Brad-
 shaw and Jake Carr, taken before me
 Jno. C. Sebell, a Justice in Chancery for
 the Circuit Court of the County of Southampton;
 pursuant to annexed summons,
 at my Office in the Town of New-
 Salem, on the 3rd day of May A.D.
 1882.

Present W^m H. Parker, Counsel for
 Plaintiff -

Jno. G. Kella being first duly sworn
 deposes and says as follows.

Quest: What is your age, where do you ^{re-}side,
 and do you know the parties
 to this suit

Ans: I am 40 years of age ^{reside} in the Coun-
 ty of Southampton, and I know the
 parties to this suit -

Quest: Do you know when these par-
 ties were married, and ^{how} long
 after their marriage before their
 separation

Ans: They were married I think in May
but I do not remember in what
year. They lived together a very
short while, two or three weeks I
suppose; I do

Quest. Do you know the cause of
their separation?

Ans. I do not.

Quest: Did Mr. Pope extend to her those
comforts & necessities which per-
sons in his station are accus-
tomed to extend to their wives?

Ans: I have every reason to believe
that he did -

Quest. Do you not believe that he
was to her a kind and faithful
husband.

Ans. I do.

Quest. Did not Mr. Pope & his wife du-
ring the time they lived together
live near you, and in your
opinion did his wife have a
good reason for deserting

him &

Ans.

They lived within half mile of my house, and in my opinion she had no cause for deserting him.

Quest.

How long has Mr Pope lived with you, and do you know him well & regard him as an amiable kind hearted man.

Ans.

He has lived with me for the last five or six years - I think I know him well, and regard him as an amiable kind hearted man,

I further this Deponent saith not,
John G. Kello

Alexander Bradshaw, being first duly sworn, deposes & says as follows:

Quest.

What is your age, where do you reside & do you know the parties to this suit

Ans.

I am 24 years of age, live in Southampton County & know the parties to this suit.

Quest. Do you know when these parties were married & how long they lived together after their marriage

Ans: They were married in May 1874, and lived together about three weeks, she then left him and has never returned to him.

Quest: Did you see the parties often; what was his treatment ~~towards~~ her, and did she have, in your opinion, any cause for deserting him?

Ans. I saw them together at least once a week, I live near them. I know his treatment, whenever I saw him, was kind as could be, I don't think she had any cause for deserting him.

Quest. Have they ever lived together since her desertion ^{of him}, as husband & wife?

Ans. No sir.

Quest: Did Mr. Pope ever request her return to him?

Ans: I know that he made three trips to induce her to come back to him.

but she refused.

I further this deponent saith
not. *J. W. Bradshaw*

Junius Bradshaw, being first duly sworn deposes and says as follows.

I am about 27 years of age, live in Southampton County, and know the parties to this suit. I have known Mr Pope for many years, and think him a kind hearted, good man. I have seen Mrs Pope 2 or 3 times since she deserted Mr Pope, she was then living and is now living with Mr Wm Vaughan in Isle of Wright County Va. I further this deponent saith not.

Junius W. Bradshaw

Jake Orr, being first duly sworn, deposes & says as follows.

Quest

~~How~~ are you and where do you reside, & do you know the parties to this suit?

Ans.

I am 36 years old, live in Isle of Wright County Va. and know the parties to this suit, I am the brother

in of Mary Jane Pope, the Defendant,
They were married in May 1874
and lived together about three weeks
she then left him, and has not lived
with him since 'but has lived with
Mr Wm Vaughan, in Isle of Wright Co.,
ever since, she has told me fre-
quently that she never intend-
ed to live with Mr Pope again,

I don't know of any good cause
she has ever had for leaving him.
She is a bad tempered woman
and very hard to satisfy—

I do not believe she ever had
any cause for deserting Mr.
Pope

Further this deponent saith
not.

Jacob ^{his} + Barr
_{mark}

Virginia

County of Southampton to wit:

I John N. Sebrell, a lawyer in Cham-
ber for the Circuit Court of the County
aforesaid in said state, do hereby
certify that the foregoing depositions
of Geo. G. Kella, Julius Bradshaw, Alex-
ander Bradshaw and Lake Carr, were

duly taken, sworn to and subscribed
before me at the time and place
and for the purposes therein mention
ed.

Given under my hand this 3rd
day of May in the year 1882.

John N. Sebrall
Clerk in Chancery

Court's fee for
taking Depositions 3
\$5.⁰⁰ paid by Plff 3

Pope
vs 3 Decree,
Pope

This day this cause came on to be heard on the Complainants Bill, the depositions of witnesses and exhibits filed, and was argued by counsel. On consideration whereof the Court being ^{of opinion} ~~fully~~ ~~satisfied~~ ~~is~~ ~~finds~~ that the charge of desertion ^{for 5 years} ~~is~~ ^{is sufficiently} ~~fully~~ proved, doth adjudge, order and decree that the marriage heretofore solemnized between Joseph A Pope and Mary Jane Pope is hereby dissolved. The said Joseph A Pope forever released from the bond of matrimony with the said Mary Jane Pope, and permitted to marry again should he see fit, And nothing further ^{remaining} ~~appearing~~ to be done in this cause it is ordered that the same be removed from the docket.

Pope
vs J. Deane
Pope

May Term 1882

To be entered

Geo. Brown, 2

2
original

Quinn

Pope

v } State Rules .

Pope

In Southampton Circuit Court
Joseph A Pope

Plaintiff

against
Mary J Carr

Defendant.

1882 March 21st Summons issued

" April Rules Summons returned Executed Bill filed

" May " Wm W Briggs appointed for ad litem to Deft
Cause set for hearing 11th

" " Marriage dissolved