

1835-022 SOUTHAMPTON COUNTY
CHANCERY PAPERS

JOYNER VS. POPE & al

4/1835

14

Jayner

in } Papers

Pope &

1824. March. Bill

July. Set for hearing on bill
taken for confession

1835. April

Dismissed

Ethna Joyner
as } In Chancery &
Wm & Peter Pope

Bill. spe to
March Rules
1834

1834 Feb. 17^c

Butt. J. J.

To the Hon^{le} Robt B Taylor Judge of the Circuit Sup^r
Court of Law & Chancery for the County of Southampton.

Humbly complaining sheweth unto your Honor
your Petitioner Esther Loyner, that Nathan Pope Sew
at the time of his decease was justly indebted
to your Petitioner in the sum of \$76.^{cts} 29
on a Bond or obligation given by the S^d
Nathan Pope Sew to your Petitioner bearing
date on or about the 3rd day of July 1830
& the same; together with the Interest &c accrued
thereon, is still due & owing to your Petitioner.
& your Petitioner farther sheweth, that the
S^d Nathan Pope Sew being thus indebted &
possessed of a very considerable personal
Estate, & greatly more than sufficient to pay
his just debts & being also seized, possessed
or otherwise well intitled to certain Real
Estate in Land situate in the County of
Southampton & elsewhere. departed this life
on or about the Day of
Leaving first with intention to defraud
& exclude certain creditors conveyed to
his two sons Mr J^r & Peter Pope his almost
entire Estate. at the same time declaring

that it was done to exclude certain security
debts but that he wished his own just
debts to be paid. And your Oratrix further
sheweth that she has frequently by herself &
her agents applied to the said ~~Mr~~ Peter
Pope for the payment of what was due
to her for Principal & Interest on
her said debt, & well hoped that the
3^d ~~Mr~~ Peter Pope would have complied
with this her reasonable request, as
in Equity & good conscience they ought
to have done, that she has also proceeded
against the Sheriff of Southampton to whom
the Adm^r of the Estate of the 3^d Nathan
Pope sen^r was committed & has obtained
a judgement, but in that judgement
the jury who were empannelled to try
the same found that there were no assets
in the hands of 3^d Adm^r to be ~~assigned~~
so your Complainant finds herself wholly
remediless at Law, & now applies to
your Honour to grant that relief to
which she is entitled in Equity, & to
that end she prays that the said ~~Mr~~ B Pope

& Peter Pope be made Defts here to and ~~also~~
upon to answer the facts set forth
& that your Honour may force & compel
D Defts to do that which to your
Honour seems just & Equitable & as in
duty bound your Oratrix will ever
pray &c.

Butts. Jy.

Joyner

in 3 Sp. in copy

Pope

February Rules 1834

Executed by delivering
a true copy to each

January 31/1834

Pope Drury and
Leas Bowlers & Co

25

18

8

8

35

15

18

30

25

202

20

18

38

£ 278

2.00

16 66

21.44

THE COMMONWEALTH OF VIRGINIA:

To the Sheriff of Southampton County--Greeting:

We command you that you summon *William B. Pope and 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 said Court, on the first Monday in *February next*—
to answer a bill in Chancery, exhibited against *them*
in the said Court, by *Esther Joyner*—

And unless the said Defendant *s* shall answer the said bill within four months thereafter, the Court will take the same for confessed, and decree the matter thereof accordingly; and this *they* shall in no wise omit under the penalty of 100l.

And have then there this writ: Witness, JAMES ROCHELLE, Clerk of our said Court, at the Courthouse, this *21st* day of *January* 1834, and in the *58th* year of the Commonwealth.

James Rochelle