

1881-10

Sanikilaplan County - Chancery

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

"Divorce"

To the Honorable, Geo. Blaw, Judge
of the Circuit Court of Southampton.

In Chancery.

Humbly complaining sheweth unto
your Honor, your Complainant, Joseph
A. Pope, that on the 21st day of May
1874, he was lawfully married to Mary
J. Carr by the Rev. Benj. D. Drury, as
will more fully appear by a copy of the
certificate of marriage taken from the re-
cords of Southampton County herewith filed,
marked A, and prayed to be taken as 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, wilfully and
without cause, abandoned and deserted his
home and bed and board and, without
having evinced any disposition to return,
has, ever since, lived continuously away
from him; that your Complainant is
informed that she now resides in the
County of Isle of Wight with one William
Vaughan ~~and that it is generally known that she is~~
~~not in any way connected with him~~ ~~relation~~; that, in contracting
this marriage with the said Mary J. Carr,
he acted in good faith and had every
reason to believe that he would enjoy
the happiness and peace usually attend-
ing the marital relation; that so long

as she remained with him he performed all the duties which the law required of him, and was to her a kind, faithful, dutiful and indulgent husband, providing for her all the necessaries of life and such luxuries as his means would allow and justify. Your Complainant further states that the said Mary J. Leav or Mary J. Pope, sometime after abandoning and deserting him, did communicate with him through letter that in the event of his removal to the County of Isle of Wight, she would return to him; that he rented land of Mr Jos. Duck of that County in obedience to her request, and with the earnest and cherished desire to reconcile and cease the further continuance of their separation, made preparations to move, but shortly afterwards and before he could leave, she communicated to him through another letter her determination never to live with him 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 return but in every instance his entreaties have been scornfully repelled.

Your Complainant despairing of any happiness 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 in as much as your Complainant is without relief at law and only entitled to remedy in a Court of equity where such matters are properly cognizable, to the end, therefore, that justice may be done, he prays that his wife, Mary D. Pope, formerly Carr, ^{may 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 D. 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 may require, and as in duty bound your Complainant will ever pray &c.,

Parker, p.p.,
— " —

Virginia:

Southampton County, to wit:

This day personally appeared before me
Jos. A. Pope and made oath to the cor-
rectness of the foregoing allegations con-
tained in the foregoing bill.

Given under my hand this 1st
day of Octo. 1881.

J. N. Sebrall
Clerk in Chancery

125-

Pope
vs Bill &c,
Pope

October Rules

1881

MARRIAGE LICENSE



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 this 21st day of May 1884

L 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, 21 st May	Place of Husband's Birth, Southampton County
Place of Marriage, Southampton County	Place of Wife's Birth, Isle of Wight
Full Names of Parties Married, Joseph A Pope to Mary Jane Carr	Place of Husband's Residence, Southampton County
Color, White	Place of Wife's Residence, do
Age of Husband, 44 years	Names of Husband's Parents, Joseph & Polly Pope
Age of Wife, 24 "	Names of Wife's Parents, Jacob & Betsy Carr
Condition of Husband, (widowed or single) Widowed	Occupation of Husband, Farmer
Condition of Wife, (widowed or single) Single	

Given under my hand this 21st day of May 1884

Joseph A Pope Clerk.

MINISTER'S RETURN OF MARRIAGE.

I Certify, That on the 21st day of May 1884,
at my Residence I united in Marriage the
above-named and described parties, under authority of the annexed License.

R Devany

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.

The Commonwealth of Virginia,

To the Sheriff of Southampton County - GREETING:

WE COMMAND YOU TO SUMMON

Mary Jane Pope (for her next friend)

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 Octo-
ber next to answer a bill in chancery exhibited against her in our said Court by Jos. A. Pope who sues by Jos. R. Tyler, his next friend.

and have then there this writ.

Witness, LITTLETON R. EDWARDS, Clerk of our said Court at the Court House, this 28th day of September 1881, in the 106th year of the Commonwealth.

L. R. Edwards

Virginia.

Southampton County, to-wit:

J. J. L. Sebell, a Commissioner
in chancery for the Circuit Court of the County of
Southampton and State aforesaid, do hereby certify
that ~~Wm. Ferguson~~ personally appeared before me
and made oath that he delivered a copy of this
summons to the within named Mary Jane Pope
on this 1st day of Octo. 1881.

Given under my hand this 1st Octo. 1881.

J. J. L. Sebell
circuit in chancery

J. J. L.

J. J. L.

Mary Jane Pope

1881

Oct. 1881

and in the presence of the court

Witness my hand and seal of office at the County of Southampton and State of Virginia this 1st day of October 1881.

Attest my hand and seal of office at the County of Southampton and State of Virginia this 1st day of October 1881.

of the Commonwealth.

Pope
v } Stat. Rules

Pope

In Southampton Circuit Court

Joseph A Pope	Plaintiff	} In Chy
against Mary A ~~Law~~ Pope	Defendant	

1881 Sep 28th Summons issued

" Oct R. Sum^{rs} ret^o Executed Bill filed

" Nov " Cause set for hearing 11th

" 4 J. Dismissed

Pope by re;

vs $\frac{3}{4}$ Decree

Pope

Nov. Term 1881

To be Entered -

Geo. V. Brown

Pope by &c.,

^{vs} Decree.

Pope

On the motion of the plaintiff, it is ordered that this cause be dismissed from the docket.

Pope
as $\frac{1}{3}$ Decree
Pope

Nov. Term 1881

To be entered.

Pope
vs
Pope
3 Decree

This day this cause came on to be heard on the Complainants' bill, the depositions of witnesses, and was argued by Counsel. On Consideration whereof, the Court being satisfied that the charge in the bill that Mary Jane Pope has wilfully and without Cause abandoned and deserted ^{her} husband, Jos. A. Pope, for the period of five years prior to the institution of this suit, has been fully proved, the Court doth adjudge, order and decree that the marriage heretofore solemnized between Jos. A. Pope and his wife, Mary Jane Pope, be and the same is hereby dissolved and the said Jos. A. Pope forever divorced from his wife, the said Mary Jane Pope, with permission to ^{him to} marry again should he feel so disposed. and that the defendant pay to the plaintiff his costs expended in the prosecution of this suit. And nothing further appearing to be done in this cause, it is ordered that the same be removed from the docket.