

Equity, SC, Spartanburg, JOHN TOLLISON, 1820

Box 6

Package 9

1825

AMY TOLLISON

vs.

JOHN TOLLISON

Equity, SC, Spartanburg, JOHN TOLLISON, 1820

State of South Carolina
Spartanburg District

IN EQUITY

THE ANSWER of **JOHN TOLLISON** to the bill of complaint of **AMY TOLLISON** by her next friend.

THE SAID **JOHN TOLLISON** now, and at all times hereafter, saving and reserving to himself all exceptions to the manyfold errors and insufficiencies in the Bill of the complaint for answer thereto, or so much thereof as he is advised it is material or necessary for him to make answer unto, answering says:

HE ADMITS his intermarriage with complainant, about the time stated by her, and that he received on the intermarriage and African negro woman, about 60 years old, and an old feather bed and some inferior furniture worth in the whole lot not more than \$60 at that time, but denies receiving any hogs, cows, and calves that defendant, at the time of his intermarriage, had not much of a fortune but it was equal to complainants.

THE DEFENDANT admits complainant continued to live with him, about the time stated by her, and had the number of children, but this defendant positively denies that complainant was virtuous, but states that she was guilty of adultery, in about 15 years after the intermarriage, with **JAMES MORGAN**, and this defendant, having made some discovery of the fact, the complainant fell on her knees and acknowledged the fact and said if he, this defendant, would forgive her she would do so no more. Having been several children, and in hopes that she would not again violate the curtains of the marriage bed, this deponent consented she might remain in his house. That afterwards this defendant discovered and was satisfied of the continuation of the adulterous conduct of complainant with several others, of which she acknowledged her guilt to this defendant in hopes as he supposed that she would be forgiven again, that complainants conduct was such as to induce defendant to believe there would be no change for the better, she being subject to intoxication and was seldom sober.

THAT THE DEFENDANT finding he could not live with complainant in harmony and peace from her continued adulterous conduct, and intoxication, proposed to her a separation to which she readily agreed. And that they did separate by mutual consent on the 30th day of December in the year of Our Lord 1795. That on that separation complainant gave to defendant a discharge with liberty to marry again, a copy of which is here unto exhibited here with exhibited and marked A. That on the separation aforesaid defendant gave complainant a considerable sum, to wit until she was satisfied and so expressed herself.

THAT THE DEFENDANT did increase his fortune, but not by her in industry in economy as she never has added anything to his fortune for 25 years the time of our separation, and in fact, previous to our separation. That in fact she was an expense without profit.

THIS DEFENDANT DENIES taking any mistress into his house during the time complainant lived with him and never suffered any woman to abuse her in this defendant's presence, or with his knowledge or consent, and never compelled her to wait on any mistress of this defendants.

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THIS DEFENDANT ALSO DENIES ever beating complainant or that he ever kicked her out of the house and laid his hands on her with a view to abuse her.

THIS DEFENDANT DENIES preventing complainant from living in his house, and that he never said if she did not quit the house he would kill her, and never cocked or presented a gun at her in his life, nor commanded to leave the house. That when complainant left this defendant's house it was with her own consent that finding that they could [not] live together in peace from her improper conduct as before stated. This defendant told her she might take the house and stay in it and he would leave it, or she might go and he would stay. That she freely and voluntarily said that she would go and stay sometime in Pendleton, and did go away, and afterwards returned and lived with her son-in-law.

THIS DEFENDANT DENIES requiring her to take the children with her, but says it was her wish, and he did consent, that she might have the custody of them but this defendant supported them.

Amount to support the children.

THIS DEFENDANT DENIES all unlawful combination and praise to be dismissed with his reasonable costs and charges & c.

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Defendants Solicitor

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South Carolina
Spartanburg District

Personally appeared **JOHN TOLLISON**, before me, and being duly sworn that the facts contain in the within answer so far as they are put forth as coming ? his own knowledge and are true and so far as they stated in information he believes to be true.

JOHN TOLLISON

Sworn to before me this 20th day of December 1820.

THOMPSON FOSTER, C. E. S. D.

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