

1814-139

SOUTHAMPTON COUNTY
CHANCERY PAPERS

PARKER

VS.

WILLIAMS' ADMINISTRATOR

S/1814

other surnames: Harrison, Jones,
Shepherd

To the worshipful Court of Southampton in Chancery
sitting. Humbly complaining sheweth unto your worship
your orator Millis W Parker. that ~~for~~ certain James
Harrison adm^r of Abrahams Williams dec^d lately
instituted a suit against your orator as security
to a certain Stephen Shepherd on the common
law side of the Court and hath recovered a
judgment against your orator during the
present term for the amount of the bond upon
which said suit was instituted subject to several
credits established before the Jury. your orator
would rest contented with the verdict and
judgment which have been rendered against
~~but he~~ ^{him}, did he not have the fullest assurance
that he is entitled not only to a credit of twenty
dollars (the result of which is endorsed on the
back of the said bond ^{which by mistake} has not been allowed
by the Jury as will more fully appear by
inspecting the said bond endorsement and
Verdict ^{attested copies of} which are hereto annexed and prayed
to be taken as part of this bill) but also to
several other credits which if allowed will
very nearly if not completely satisfy and
discharge the amount of said bond. I will

to a credit of seventeen dollars paid to Abraham Williams in his lifetime by Stephen Shepherd the principal obligor in the bond on which judgment has been rendered against your orator (as will now fully appear by referring to a receipt which is hereto annexed and may be taken as part of this bill and which would have been proved before the Jury but for the circumstances of the attesting witness to said receipt residing in the State of North Carolina) and interest on said amount from ~~May~~ 1806 the date of said receipt. Also to a credit of five dollars paid by said Shepherd to the said Williams in his lifetime with interest thereon from the 15th October 1804 as will appear by referring to account from said Williams which is hereto annexed and may be taken as part of this bill and which would also have been proved before the Jury for the circumstances of the attesting witness residing in the State of Georgia. And also to a further credit of fifteen shillings and nine pence paid by the said Shepherd for the said Williams to a certain Arms

Fields of Suffolk with interest thereon from the 9th Nov 1804 and eighty cents costs all which ^{will} more fully appear by reference to the warrant and Judgment thereon granted by Matthias Jones a Justice of the Peace for the County of Stansmore and the execution and return made thereon by the constable and all which are hereto annexed and may be taken as part of this bill. Notwithstanding your orator is firmly persuaded that all the above credits are just and ought to be allowed and that he will be able to establish the correctness of them before this Court he will lose the benefit of them without your aid and interposition. In tender consideration wherefore and in as much as your orator is reminded in the premises except by the interference of a Court of Equity he prays that you would make the said James Harrison a defendant hereto and compel him on his ~~corporate~~ oath to answer all and singular the allegations herein contained as fully and unreservedly as if the same were here again repeated and he trusts particularly interrogated and your orator further prays

that your worships would enjoin the said James
Harrison as aforesaid from further proceeding
upon said Judgment obtained against him until
at least so far as the aforesaid credits will extend
until the premises can be fully heard and determined
in this Court and finally your orator prays
for general relief and that the Commonwealth's
counsel may issue commanding the said
as in duty bound he will &c.

Nov 23. 1814 William Parker this day personally appeared
before me a Justice of the Peace for the County of Hampton
and made oath to the truth of the foregoing bill as far
as it depends on his own knowledge and as far as it
depends on the knowledge of others he believes it to be
true - Given under my hand

Benjamin Blunt J.P.

Parker
vs
Williams & Son
December 1814
May 1814
Dismissed by J.P.
Cotton

Know all men by these presents that we Willis W. Parker &
Ethelred Gardner _____ are held and firmly bound unto
James Harrison admr of Absalom Williams, decd.
in the sum of
to which payment well & truly to be made to the said Harrison
his heirs executors & assigns

jointly and severally firmly by these presents sealed with our seals
and dated this 14 day of December 1810

The condition of this obligation is such that whereas the
said James Harrison admr Absalom Williams decd
hath obtained judgment at common law against the said
Willis W. Parker _____
for the sum of

& whereas the above bound Willis W. Parker _____
hath obtained an injunction to stay the proceedings on the said
Judgment & costs untill the matter thereof in equity on a bill
filed for that purpose can be heard now if the said
Willis W. Parker _____ shall well & truly
pay or cause to be paid unto the said James Harrison admr &
the aforesaid judgment & costs and all costs that shall or may
arise in case the said bill shall be dissolved, then this obligation
to be void or else to remain in full force & virtue

Witness
James Rochelle

Willis W. Parker Seal
Ethelred Gardner Seal