

1822-018

SOUTHAMPTON COUNTY
CHANCERY PAPERS

PARKER, J. vs. PARKER'S EXECUTOR

3/1822

Other SURNames: Barham,
Faircloth

Thanks

to { Biss
Benson

Sept 1879 accie misc
to Ocar

1872 March, accie final

To the Worshipful The County Court of Southampton
in chancery sitting, your Compliments Imperious Parker widow
& Relict of Frederick Parker decd. and James, Solomon and Joseph
Parker infant children of the Frederick Parker decd. by the said
Imperious their Guardian & next friend Humbly complaining shew
= etc.

That Frederick Parker late of this County departed
this life some years since, having first published his last
Will & Testament which has been admitted to record in
this Court and entered Copy of which ~~has~~ ^{was} annexed in a
Part of this bill - That the said Frederick Parker ~~promoted~~
& appointed a certain Samuel Braham in his Executor
who qualified as such and took upon himself the
burden and execution thereof -

Your Compts. say ~~learned~~ ^{have} state, that the
said Samuel Braham received the Estate as aforesaid
into his possession, and has in these complaints ~~been~~
paid & discharged ^{all} the debts as aforesaid against the
said ^{Estate} after the discharge thereof leaves a surplus in
money in his hands to which your Compliments are
entitled - They further state - That the said Samuel
Braham did some time since by an order of this Court
refer ~~the~~ ^{the} ~~executorial~~ ^{executorial} ~~business~~ ^{business} on the said Estate to
Master Commissioners Turell for settlement, who made
a Report thereon leaving a balance due the said

to the sum of One hundred & fifteen Dollars & fifty-nine Cents
with which your Complainants money have been
perfectly satisfied, but the said Bankum well know-
ing that the said settlement ^{report} being apparent was not
binding & obligatory on him has refused to pay over
to your Compts. the balance thus reported to be due
according to the account aforesaid. In tender con-
sideration whereof & in as much as your Complainants are
remedied in the premises ~~per~~ common Law & alone
relievable in a Court of Equity they pray your Worship
to compel the said Samuel Bankum who is prayed
a defendant herein, true & perfect Answer to make
to the foregoing bill, that your Worship will order
that an account current of his transactions as Executor aforesaid
be sent and referred to a Commissioner of the Court to state
settle & report, that your Worship will decree the balance
if any to your Complainants and grant such other &
further Relief the premises considered as may be consistent
with Equity &c, & your Complainants as in duty will
ever pray &c.

Officer for Compts.

Parker's widows de.

in { Bell
Parker's son

To the worshipful the County Court of Southampton in
Chancery sitting, humbly complaining shew unto your
worships your Compts, Temperance Parker, widow and
relict of Frederick Parker dec^d, James W. Parker, Solomon
D Parker, and Joseph H Parker, which stand last and
infants of tender years by the said Temperance their
next friends - that Frederick Parker, the husband of
your female Compt, and the father of your male
Compts, departed this life sometime since having first
duly made and published his last will and testament
which was proved by Sam^d. Barham one of the Exors
therein named, who took upon himself the burthen
of executing the same - an attested copy whereof
is hereto annexed and prayed to be taken as a
part of this Bill - That the said ~~Sam^d. Barham~~ agrees,
the Testator directs that the balance of his estate shall
be equally divided between the above mentioned
Compts, in equal proportions - Your Compts further
state, that by consent of parties, an order of this
Court was made at June term in the year 1818,
referring the acc^t of the said Sam^d. Exor as afores^d.
to a Master Comm^r. ~~of this~~ Court, who proceeded regularly
to execute the said order, and reported to this Court,
at January Court 1819, a copy of which is hereto an-
nexed and prayed to be taken as a part of this Bill.
by which it appears that a balance is in the hands
of the said Exor due your Compts, of \$116. $\frac{39}{100}$ -
with legal interest on \$83. $\frac{51}{100}$ part thereof from the
31st Dec^r 1818, until payment - That your Compts
have repeatedly urged the payment of this balance

which on various pretexts, has been refused - To the
end therefore, that justice may be done, and forasmuch as
your Compts are remedied at Law. They pray your
worships, to compel the said Sam^l. Barkham, Ex^r of
the said Frederick Parker dec^d. to answer the allegations
of this Bill; and that your worships will then decree
the payment of the said sum of money; with interest
thereon as reported - that you will grant them such
other good relief as may be consistent with Equity
and good conscience - and as in duty bound. They will
ever pray &c -

Parker's widow &c.

in { Bill
Parker's Ex^r

Parker

to

Barham



dece

miss

To Oct 60th 1879

not entered

et al

Southampton Sept: Court 1879

Temperance Parker widow and next of Frederick
Parker deceased and James, Solomon and Joseph Parker
infant children of the said Frederick Parker act by
the said Temperance Parker, then guardian and next
friend

Complainants

against

Sam: Bach and executor of Frederick Parker dec: Deft

In
Ch.

The Complainant's bill having been filed more than
three months, and the defendant failing to file his answer thereto
It is therefore decreed and ordered that unless the said defendant
doth appear, on or before Oct: Court next, and answer the
Complainant's said bill, that the same will be taken, for
confessed, and the matter thereof decreed accordingly.

Autimonicoles

Parker & Co
vs
Barham & Co

To November Court 1819.

Executed
A. Newnam Esq
of R. P. Clements Esq

S^c ampton October Court 1819 ^{by} Temperance Parker widow
of Frederick Parker deceased and James, Solomon &
Joseph Parker infant children of the said Frederick
Parker dec^d by the s^c Temperance Parker their Guardian
and next friend

against
Sam^l. Borcham executor of Frederick Parker dec^d Deft^s
The Complainants bill having been filed more than three months
and the def^t failing to file his answer thereto. It is therefore
decreed and ordered that unless the said defendant doth
appear or be before November Court next and answer the
Complainants said bill, that the same will be taken for
confessed and the matter thereof decreed accordingly

James R. Rhyella Esq.
Clerk of the Court

Parkman

in { Decree -

Parkman in dr.

Parker's reason & heirs

Parker's Exor.

This day, this cause came on to be heard on the Bill & exhibits filed, and it appearing to the satisfaction of the Court, that the decree nisi, has been duly executed in this cause, and that the Defendant Saml. Barkham, Exor of Frederick Parker dec^d. has failed to answer the Complt's Bill filed in this cause, the same is taken for confessed — Upon mature consideration whereof the Court doth adjudge, order, and decree, that the said Samuel Barkham, pay unto the Complt, the sum of one hundred and sixteen dollars, and $\frac{59}{100}$. with legal interest ~~the~~ eighty three dollars, and $\frac{51}{100}$. part thereof from, the 31st Dec. 181st until payment, and the costs of this suit —

Parker St

"

Barham ^{Ch} Don

Spa in
ch. 4.

To Appear Court 1819—

Executed

Rich^d. P. Clement, Jy

March 1822 Decece final

Dr	4: 67
To	1: 11
To	1: 00
To	5: 00
	11: 78

Seja ipud

The Commonwealth of Virginia, to the Sheriff of Southampton County, Greeting:

YOU are hereby commanded, to summon *Samuel Barham Executor of*
Fredrick Parker dec'd.

to appear before the *Justices* of our *Court* Court of Southampton,

at the Court-house on the *3rd Mon* day of *April* ~~in office~~ ~~Court next~~, to testify and

~~the truth to speak on behalf of~~ *to answer a bill in Chancery exhibited against*
him by Temperance Parker widow & relict of Fredrick Parker dec'd. James M. Parker
Solomon D. Parker & Joseph Parker infant children of Fredrick Parker dec'd. by the
said Temperance Parker their Guardian & next friend
~~in a certain matter of controversy in our said court, depending and undetermined between~~

And this *he* 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 his office the *13th*
day of *April* 1819, in the *43rd* year of the Commonwealth.

James Rochelle Clk.

Parkes

vs

Barkham ^{Oct 22} 1800

Spal in
Chy.

To February county court
1822

Executed

Edw. & J. Wells depy for
Thos. & Riley sheriff

The Commonwealth of Virginia,

To the Sheriff of Southampton County, Greeting:

You are hereby commanded to summon *Samuel Bonham Executor of Frederick Parker dec^d* —

to appear before the *Justices* — of our *County* *Court* — of Southampton County, at the Court house, on the *Third mon* — day of *Feb* *1822* — *Court* next, to ~~testify and the truth to say, in behalf of~~ *answer at law in Chancery* ~~against him by Temperance Parker widow and relict of Frederick Parker dec^d James M. Parker and~~ *against him by Temperance Parker widow and relict of Frederick Parker dec^d James M. Parker and* ~~in a certain matter of controversy in our said court depending and undetermined between Solomon D. Parker and Joseph H. Parker by the said Temperance their next friends~~

And this *he* shall in no wise omit under the penalty of \$100. — And have then there this Writ — Witness James Rochelle, Clerk of our said court, at his office the *16th* — day of *January* — 1822, In the 46th year of the Commonwealth.

James Rochelle Clk.