1824-007 SOUTHAMPTON COUNTY CHANCERY PAPERS MAYS and Wife et al VS. PARKER etal. 5/1824

other SURNames: Barlow, Mayes, Mayse,

Mays wife

Parker &c

Bill & Answer.

Sept. 16th 1816 order of
Publication to December

Dec. 1816 Judg Decree

To the worshipful Court of Southampton in Chancery sitting - Humbly complaining Shew unto your orator and oratrixes Irwin Billups and Polly his wife late Polly Parker, Tempe Parker, Judith Parker, and Elizabeth Parker. That Mildred Parker the widow of Drury Parker and the mother of your female complainants lately departed this life intitled to possession of six slaves to wit, Jesse, Allen, Lucy Albert, Rainy and a female negro child, and that she left no last will and testament. That besides your female complainants the said Mildred left other children to wit, Thomas Parker who resides in the State of Georgia. Susan Barlow widow of John Barlow who also resides in the State of Georgia and Matthew Parker of this County who is her administrator. That your female complainants with the said Thomas Parker, Susan Barlow and Matthew Parker are equally entitled to the aforesaid slaves, but are advised that it is as much as a division in kind of said slaves cannot be made without the same are sold under and by virtue of an act of the General Assembly in such cases made and provided, that it would be most proper to apply to this Court for remedy in this behalf. In tender consideration whereof they pray that your worships would make the said Thomas Parker and Susan Barlow and the said Matthew Parker as well in his own right

as the adm of the said Millard Parker suffers
hents by such means as may to this Court
seem legal, and compel them to answer all
and singular the allegations herein contained
fully and unreservedly, and they further pray
that your worships would decree that the
aforesaid slaves be deemed to be sold under such
order as this Court may deem correct, and
the proceeds of the sale be divided between and
among the complainants and defendants
according to their respective rights and your
orator and oratrix will ever pray &c.

Irwin B. Mayes
Polly ~~Parker~~ Mayes
Judith Parker
Temperance Parker
Elizabeth Parker.

To the worshipful Court of Southampton in
Chancery sitting. The respondent answer of Matthew
Parker as well in his own right as the adm of
Millard Parker to the bill of complaint exhibited
against Hannah Parker. Susan Benton and herself
by Irwin Bellers and Polly his wife late Polly
Parker. Tempe Parker, Judith Parker and
Elizabeth Parker.

This respondent saving
reserving to himself any benefit of exception to
any errors in the complainants bill contained for
answer to so much thereof as he is advised is
material for him to make answer unto, answering
saith. That he admits the complainants allegations
and is willing to submit to such decree as this
Court may think proper & pronounce in the
premises. and having answered prays to be hence
dismissed &c -

Matthew Parker

Mays wife and others ---- Plff

In Chancery

Matthew Parker adm and others Deft

This cause coming this day to be heard on the bill and answers and arguments of Counsel, and it appearing to the Court here that the order of publication heretofore made in this cause has been published two months in the Petersburg Intelligencer according to law, and the absent defendants Thomas Parker and Susan Barlow have failed to appear, it is therefore ordered by the Court that the bill of the complainants as to them be taken as confessed and after mature consideration by the Court it is the opinion of the Court and doth order accordingly and decree that Richard P Clements Robert Nicholson, Randolph Newsum and Benjamin Mewn or any three of them do after giving three weeks public notice of the time and place of their execution the slaves mentioned in the complainants bill, to wit, Jesse, Allen, Lucy, Albert, Rainey and a small child to public auction on a credit of twelve months that they divide the proceeds of the said sale into seven equal parts taking bond with approved security for the payment thereof. That they assign to each of the complainants, Lucinda Mays and Polly Mays wife in right of his said wife, Temple Parker, Judith Parker and Elizabeth Parker one of the said parts, and to each of the defendants Thos Parker, Susan Barlow and Matthew Parker one of the said parts. and that they or such of them as may act do make a report to this Court of their proceedings herein in order to a final decree —

Town of Petersburg to wit.

This day, personally appeared before me, a majistrate of the town aforesaid, Thomas Whitworth, one of the Edetors of the Petersburg Intelligencer and made oath that the subjoined order of court has been published for two months successively in the said paper

Given under my hand this 14th December 1816

D Crawford Mar

Southampton Sept. court, 1816

Irwin B. Mayse, & Polly, his wife, ate Pol- Parker, Tem pe Parker, Judith Parker, and Elizybeth Parker Compl'ts AGAINST,

Thomas Parker, Susanna Barlow, widow and relict of John Barlow, dec. Matthew Parker, as well in his own right, as adm'r of Mildred Parker, dec. Dft's IN CHANCERY.

THE defendants Thomas Parker and Susanna Barlow, not having entered their appearance, and given security according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court that they are not inhabitants of this commonwealth—Therefore it is ordered, that they appear here on or before the third Monday in December next, and answer the complainants bill, and that a copy of this order be forthwith inserted in the Petersburg Intelligencer, for two months successively, and posted at the front door of the courthouse of this county, on two several court days.

A copy—Teste

Oct 11 JAMES ROCHELLE, c. c.

Albany Ch
vs
Parker

Draft of Decree

March 1817 Rejt. not. of
final Decree by Comont.

May 17th 1824 order to pay over.
Comst.

~~Since 23rd Inst 1818 Recd of James Rochelle clerk of the County court of Lee~~
~~one bond granted by David Jenson~~

Southampton December Court 1816

Irwin B. Mayes, and Polly, his wife late Polly Parker, Tempa Parker, Judith Parker and Elizabeth Parker ——— Complainants

against

In Chancery

Thomas Parker, Susanna Barlow widow and relict of John Barlow dec'd Matthew Parker as well in his own right as admr of Mildred Parker dec'd ——— Defendants

This cause this day came on to be heard on the bill of the complainant answer of the defendant Matthew Parker, exhibits and arguments of counsel, and it appearing to the court here that the order of publication heretofore made in this cause has been published two months in the Petersburg Intelligencer according to law, and the absent defendants Thomas Parker and Susan Barlow, have failed to appear it is therefore considered by the court that the bill of the complainants as to them be taken as confessed and after mature consideration by the court first had, the court doth adjudge and decree that Richard C. Clements, Robert Nicholson, Randolph Navarre and Benjamin Wynn, or any three of them [illegible] in giving due notice of the time and place [illegible] sale, upon the shares as mentioned in the complts. bill to wit [illegible]ke, Allen, Creecy, Albert, Caney and a small child, to public auction on a credit of twelve months, that they divide the proceeds of the sale into seven equal parts taking bond with approved security for the payment thereof. that they assign to each of the complainants, Irwin B. Mayes and Polly his wife in right of his said wife, Tempa Parker, Judith Parker, and Elizabeth Parker, one of the said bonds and to each of the defendants Thomas Parker, Susan Barlow, and Matthew Parker, one of the said bonds, and that they or such of them as may act, do make a report to this court of their proceedings herein in order to a final decree.

Teste

D. Rochelle C.

January 9th 1817

Agreeable to the above Order to us directed we have made sale of the Slaves belonging to the Est. of Mildred Parker decd and made distribution as directed in said Order except the proportion due Thomas Parker and Susan Barlow, who are inhabitants of the State of Georgia; We have therefore returned the said Parkers and Barlows Bonds to Court for your Honors to direct how they shall be disposed of, given under our Hands this 9th Day of Jan. 1817

Richd B Clements

Benjamin Wren

Randolph Newsum

June 23rd 1818 Recd of James Rochelle clerk of the county court of Southampton the bond agreeable to the within report of the Commissioners in my own right & in right of Susan Barlow from whom I have a power of attorney to receive the same —

Thomas Parker

December 4th 1818

Recd of James Rochelle clerk of the county court of Southampton the bond agreeable to the within report of the commissioners in my own right & in right of Howell Parker from whom I have a power of attorney to receive the same —

Richard his + mark Parker

Test

Matthew Parker

May 17th 1824 Recd of James Rochelle clerk of the county of Southampton the bond agreeable to the report within of the commissioners in right of Mary Loften & wife agreeable to the power of attorney of said Loften to me, which bond is assigned by the commissioners to the heirs of Sally Loften in pursuance of an order of court made this day

Charles Mayle

Test

Wm P Brodnax

Richd P. Clements
Rebt Richardson
Randall Mayson
Benja Brown -
Com -

We Hereby Certify that We do Consent that a decree may be made by Southampton County Court ~~[illegible]~~ for a division of the Land among us

Given Under our hands this 16th day of September 1816

Matthew Parker

Temperance Parker

Elizabeth Parker

Judith Parker

Polly Parker, Wife of Irwin B Mayes

I hereby Certify that I as the Guardian of Frederick Parker's children do consent that a deed may be made by Southampton County Court to assign to them their proportion of the land of which their Grand Father Denny Parker died seized. Given under my hand this 16th day of September 1816

her
Temperance X Parker
mark