

1860-04

Southampton County Chancery

Estate settlement

Parker, Martha V. et als vs Parker, Richard

Other - Wiggins, John B, Mary (wife) Wm. E. Gay (admin.)

Parker - Richard H.

" , Calvin O

" Ann Eliz.

" Alice S.

" Ro. J.

18 14 12 11

Parker's

v { Papers

Parker's adm

Kilby J. V.

Martha V. Parker tel.

or. } Bill &

W. E. Gay, admr. of
Richard Parker, decd

1859 February Rites

Cis. et. Southw.

To the Hon. Richard N. Baker, Judge of the Circuit Court of Southampton County — Complainings shew unto the Court Your Complainants Martha V. Parker, Richard N. Parker, Jesse S. Parker, Calvin O. Parker, Ann Eliza Parker, Alice S. Parker and Ro. J. Parker (and John B. Wiggins and Mary his wife, the first seven being infants under twenty one years suing by John B. Wiggins their next friend)

Your Complainants represent to the Court and say that they are (except John B. Wiggins) the children of Richard Parker decd, and grand children of Jesse Parker Jr, deceased, late of Southampton County, — That their father, Richard Parker, being much embarrassed with debt, and with a very large family, it was difficult for him to support his family and that the said Jesse Parker sen, father of said Richard, desiring to aid the family of his said son, sent into the family of said Richard, as a gift to the children of said Richard, two negroes, Elias, & Eliza (which said Eliza now has a child named Isaac about five months old) — The said Elias being ^{now} about thirty two years old and the said Louisa about twenty years old — That the said negroes were never given or intended to be given to said Richard Parker, but on the contrary the said Jesse Parker by his will dated the first day of December 1854 and recorded on the 2^d May 1857 expressly gives the said negroes Elias & Louisa with ^(Richard's) others, to the said Richard Parker's children, after his death, which children are your Complainants as aforesaid — a copy of which will is filed herewith as part of this Bill (and marked (A.)) — That very soon after the death of said Jesse Parker sen, to wit: about Nov. 1857, the said Richard Parker

died Intestate (and insolvent, and one Wm E. Gay qualified as his administrator in Southampton County Court at the term 1857 and took charge of said slaves, Elias, Louisa & her child Isaac, claiming them to be a part of the said Richard's estate, which your Complainants deny — a copy of the said order of Court is filed herewith & marked (B).

Your Complainants deny that the possession of Richard Parker for several years or for any number of years before his death gave him title to said slaves — no claim was ever set up to them by him and if there had been it should not deprive your Complainants of their grand father's bounty —

The taxes on said negroes were generally charged to (and) paid by said Jesse Parker &c.

Your Complainants charge that they are entitled to said negroes (and) the hires of the same since their father's death (and) pray the Court so to decree —

In consideration whereof (and) as this Court has jurisdiction thereof to the End your Complainants pray that Wm E. Gay administrator of Richard Parker dec'd may be made Defendant here to (and) answer the several allegations herein on oath — That all accounts of hires of the said slaves may be ordered and that the said slaves (and) their hires may be by decree of this Court delivered and paid to them, and that all proper relief may be granted &c.

John R. Kilby p. q.

Parker 2 an.
2
Parker 2 an.

July 1859

The answer of Wm E Sargy against the will of Richard Parker and to the bill of complaint filed against him by Martha L Parker, William Parker, Joseph Parker, Nelson D Parker, John Eliza Parker, Alice Parker, M. J. Parker and John B Wiggins and Mary Ann wife This Defendant during the answering all benefited of an equitable provision made to the said bill as to much as touching it is asserted it is equitable and necessary for him to make answer and answering said that he knows nothing of the matter and does not know of the said share in the bill mentioned made by said Parker to Richard Parker and also that the said Joseph Parker in his will did make a bequest of the said share to the children of the said Richard Parker. That after the death of the said Richard Parker this Defendant qualified as an executor and also as the guardian of said children and that in this way the said share came into the possession of this Defendant who was always disposed to regard them as the property of the said children of Richard Parker deceased and under their Grandfather's will and not as the property of Richard Parker deceased and so regarding the said share had annually applied their dues to the support of said said wards; But that sometime since Wm Hargreave and other creditors instituted a suit in Chancery to subject the said share to the payment of their debts against Richard Parker deceased which said

and is now residing, the Plaintiffs therein
alleging that the said slaves were either
sold or transferred by Jesse Porter to Richard
Parker and remained in his ^{possession} ~~possession~~ ^{possession} ~~possession~~
for more than five years. This Defendant
having no interest in the matter, now
holds the said slaves subject to the order
of the Honorable Court and having
answered the prayer thereof to be admitted
with his costs &c

Chambliss & Messinger
Attys for Deft

Southampton County Court
This day 10th day of April 1858 before me
a Justice of the Peace in and for the
County of Southampton was a motion made
that the facts stated in the above
bill be tried. I then under my
hand this 10th day of April 1858

J. Dillard J.P.

Jose Parkers Will

Parkers

to } Eight with bill

Parkers adm

A.

I Jesse Parker of the County of Southampton, in the State of Virginia, being weak in body, but of sound mind and memory, do make and ordain this to be my last will and testament in manner and form as follows:

1st I give to my daughter Martha Williams two negroes Rezia and Mary and their future increase, one bedstead, bed and furniture, half a dozen Windsor chairs & one tin safe, which she has already received; also one bedstead, bed and furniture not received.

2nd I give to my son Richard Parker the sum of fifteen hundred dollars already received, also two thousand five hundred dollars which I have paid for him also one bedstead, bed & furniture, half a dozen Windsor chairs and two negroes Minerva & Taylor. I also loan to him for and during his life the following negroes, namely Elias, Louisa, Sam, Jerry, old Anthony, Lymus, Nelson, old Mary and Marcello and the future increase of the females, and one bedstead, bed and furniture not received and at his death I give the aforesaid negroes & bed and furniture to be equally divided among all his then living children.

3rd I give to my son Jesse Parker two thousand nine hundred & seventy five dollars which he has already received; also I give him the following negroes, namely Tom Henderson, Eliza, Adaline, Stender, Anna, little Anthony and Billy and the future increase of the females, also two horses one bedstead bed and furniture already received, and one bedstead, bed and furniture and one eight day clock not received. Also I give to my son Jesse Parker the land & plantation with the appurtenances including the mill and fixtures, whereon I now live lying between the Cedar Swamp and the Cypress Swamp and bounded by the road leading from South Quay to Monroe Ferry said road being the Northern boundary line from the Cedar Swamp to a post at a ditch, thence up said ditch to the line of the Carr tract of land, thence along the Carr ^{tract} to the Cypress Swamp, and bounded on the South west by Littleton Moores line.

4th I give to my daughter Sarah Edwards one bedstead, bed & furniture already received, and one bedstead, bed & furniture not received, also the following negroes namely, Winny, Chany & Emeline already received, and Mary, Aggy, Willie and Lizza not received, which I give her in her own right, to dispose of

as she may think proper.

5th I give to my daughter Caroline Rawls one bedstead, bed and furniture already received, also one bedstead, bed and furniture not received, also the following negroes namely Jane and Cherry already received: and I also loan to her for and during her life two other negroes namely Rosa and Narcissa, and the future increase, and at her death I give the same to be equally divided among all her then living children.

6th I loan to my son Albert Parker for and during his natural life the land and plantation called the "Carr tract" lying on the North side of the road leading from South Quay to Monroe Ferry; said road being the Southern boundary line from the Cedar Swamp, and bounded by the land herein devised to Jesse Parker Junr. from the post at the ditch; also I loan him one bed and furniture, and the following negroes namely, Lewis, Stannah, Nathan, Mariah, and Reddick and the future increase of the females: The above named property loaned to Albert Parker to be left in the care of W^m M. Jones, Jesse Parker Junr. & Adolphus^H Jones, whom I hereby appoint as Curators with power to hire and rent out his negroes and land, and take charge of his property herein devised to him, and dispose of it as his necessities require at their discretion: and should the said Albert Parker die leaving a lawful child or children, then I give the property herein loaned to him to his child or children if such there be - but if he should die leaving no child or children, then I give all the said property to be equally divided among all my then living children except Martha Williams, yet the portion that would fall to the said Martha Williams I give to my grand-daughter Mary Ella Williams (alias Mitty Williams) should she be living, if not, to such of my other children as be then living, except Martha Williams.

7th I give to my grand-daughter Mary Ella Williams alias Mitty Williams two negroes, named Jane & Cherry and their future increase which I leave in the care of my executors until she arrives to the age of eighteen years: but should she die before she arrives to that age or without a child or child or children, then the said negroes and their future increase thereof to be equally divided among all my then living children.

All the residue of my estate of what nature or kind soever I leave to be equally

divided among all my children who may be living at the time of my death - the said Albert Parker's portion to be held in trust by my curators as aforesaid -

Lastly I hereby nominate and appoint my friend W^m M. Jones & Jesse Parker Junr my lawful Executors of this my last Will and testament In Witness whereof I have hereunto set my hand & seal this first day of December in the year of our Lord one thousand eight hundred and fifty four

Signed, sealed and acknowledged to be the last Will and testament of Jesse Parker Sen in the presence of.

William E Gay

W^m P. Moore

Hardy Rawls

Jesse Parker (Seal)

At a Circuit Court held for the County of Southampton on the 2^d day of May 1857
This last will and testament of Jesse Parker dec^d was this day proved by the oaths of William E Gay W^m P. Moore and Hardy Rawls the subscribing witnesses thereto and thereupon ordered to be recorded And on the motion of W^m M. Jones & Jesse Parker Junr the executors therein named who made oaths and together with Joseph E Gillette William E Gay & Carr Bowers their securities (who justified on oath as to their sufficiency) entered into and acknowledged a bond in the penalty of twenty thousand dollars conditioned as the law directs, certificate is granted the said W^m M. Jones & Jesse Parker Junr for obtaining a probate of the Will of the said Jesse Parker dec^d in due form

Teste

L R Edwards Clk

Moore

Teste

L R Edwards Clk

South Say Va
December 25th



Mr. R. Kilby Esq
Suffolk

va

Wm. M. Jones'

J. Parker's will

Mr. R. Kelly Esq.

Dec. 24th 1858

Dear Sir,

Enclosed herewith, I send you copy of Sept Parker's will - I never heard Mr. Parker say on what terms he sent those two negroes, Elias & Lewis, to his son Rich? - At the time I wrote his will, I said to him it was unnecessary to mention them in his will as his son had acquired a title by purchase; he said he was aware of that, but preferred to mention them as he wished all the negroes equally divided among his children at his death.

This is, in substance, or all that I recollect was said on the subject.

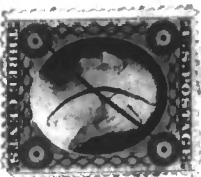
Respectfully yrs.

Wm. M. Jones

A. H. Jones will settle those fees with you at sight - there was but one suit brought in my favor, whose fee is settled; I allude to the one against Williams - there three against W. P. Allens was all for A. H. Jones' benefit

Wm. M. Jones

South May 18
December 25-18



Geo. J. Kelly Esq
Lynchburg

20

Wm M. Jones'

J. Parker's will

100 North St

20

200 North St

To Wm E. Gay adm^r of Richard Parker dec^d

Take notice that we shall on the 22^d day of July 1859, next, at
Franklin in South-
ampton County between the hours of 8 a. m. and 6 p. m. of that day, proceed to
take the Depositions of Hardy, Rauls, Jno. Gardner
and others, to be read as evidence in our behalf, in a certain Chancery
suit now depending in the Circuit Court of said
County, wherein we
are plaintiffs, and you

are defendants; and if from any cause the taking of the said Depositions be
not commenced on that day, or if commenced be not concluded on that day, the taking of the same will
be adjourned and continued from day to day or from time to time, at the same place and between the
same hours, until the same shall be completed.

Respectfully,

To the Sheriff of Southampton }
County to execute.

Martha V. Parker,
Rich^d H. Parker, Jesse J.
Parker, C. O. Parker, Ann
E. Parker, Alice S. Parker,
Jas. J. Parker, & Jno B. Wiggins
& many his wife
By atty —

of Southampton County, wherein, named
V. Parker (and others are plaintiffs &
Wm E. Gay adm^r of Richard Parker
dec^d is Defendant. taken pursuant
to the annexed notice —
~~and that John W. Gardner being~~
duly sworn deposes and says as is set
forth in the answers below. —

1st Question by John R. Kilby p^{ts}. Attorney
How old are you and where do you
reside?

Answer — I am thirty four years old and reside
in Southampton County now for three months past, all my life
till then in Southampton County.

2^d Question by same — were you acquainted with
Jesse Parker sen^r, now dec^d, and if so how
long had you known him — also do you know
negroes Elias and Louisa, and how long have
you known them?

Answer, I was acquainted with Jesse Parker
sen^r & have been all my life — I know negroes

22 1859 Jackson & Co. or in the
 min notices
 E W M. Parker
 atty Wm E. Gay
 of Richard Parker

10 1859

Parker adms.

Martha V. Parker & others } In Chancery - Southampton
 vs. } the Circuit Court
 Wm E. Gay adm. of Richard Parker decd.

On this 22nd day of July 1859, the
 Depositions to be taken in the above case
 according to the annexed notice are
 continued (and adjourned till March 10th
 1859 at same place.

Joshua Brettow J. C.

March 10th 1859. on this day the Depositions
 of John^W Gardner (and Hardy Rawls taken
 at Franklin, to be read as evidence on
 behalf of the plaintiffs in a suit in
 Chancery pending in the Circuit Court
 of Southampton County, wherein Martha
 V. Parker (and others are plaintiffs &
 Wm E. Gay adm of Richard Parker
 decd. is Defendant - taken pursuant
 to the annexed notice -
~~and that John Gardner being~~
 duly sworn deposes and says as is set

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Parker adm.
Martha V. Parker & others } In Chancery - Southamp
v. } ton Circuit Court
Wm E. Gay adm. of Richard Parker decd.

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Chancery pending in the Circuit Court
of Southampton County, wherein Martha
V. Parker (and others are plaintiffs &
Wm E. Gay adm of Richard Parker
decd. is Defendant - taken pursuant
to the annexed notice -

~~John^W Gardner~~ John^W Gardner being
duly sworn deposes and says as is set
forth in the answers below -

1st Question by John R. Kilby ppls. Attorney
How old are you and where do you
reside?

Answer - I am thirty four years old and reside
in Fauquier County now for three months past - all my life
till then in Southampton County.

2^d Question by same - were you acquainted with
Leffe Parker sen. now decd. and if so how
long had you known him - also do you know
negroes Elias and Louisa, and how long have
you known them?

Answer. I was acquainted with Leffe Parker
sen & have been all my life - I know negroes

Elias and Louisa referred to and have known Elias some twelve years or more & Louisa seven or eight years -
3^d. Question by same - state all you may know as to whom the said negroes Elias and Louisa belonged, whether the said Jefe Parker saw ^{care the} said negroes to the children of Richard Parker now dead (and all conversations between said Jefe Parker and Richard Parker about them, and all acts of Jefe Parker and concerning them, and all you may know about the matter.
Answer.

I heard Jefe Parker say before he ever sent any negroes to his son Richard Parker, that he was going to send some negroes to work for Richard's children, but that he did not intend to give them to Richard - I was again at the old man Jefe Parker's when he told me he had sent Elias & Louisa over to Richard's to work for the children, but that he should take them home whenever he wanted, and I have frequently seen them working at the old man Jefe Parker's and frequently at Richard's, these negroes were constantly working back & forward between the places, during the years they worked at Richard's - and he Jefe Parker saw said both before & after he had sent these negroes to Richard, that he intended to give them to Richard's children, and that he never intended to give them to Richard - for he said, if he gave them to Richard they would never benefit

the children as Richard would spend them.

I have heard Richard grumble at the old man's sending for them, and say, he wished they were his, he would sell them, I never heard Richard Parker claim these negroes as his, but have heard him say he wished they were his - I was present on one occasion at old man Lefe Parker's house & Richard Parker was also present, and heard Richard ask the old man to make him a right to these negroes, but the old man refused and said he never would - I heard the old man Lefe Parker say on one occasion when I think Mr Hardy Rauls was present, that if he was to know that Richard were to try and sell these negroes he would take them away - I also heard Richard speak of his trying to sell them and the old man's sending for them, and the old man talked very strong of not sending them back again, but did send them afterwards, saying that if he did not send them back Richard would make no support - I lived about a mile from Richard, from the time Richard moved to where he died, till about two years before his death & about two miles from the old man's, and I had frequent opportunity was intimate with all parties, & I do not think that there was a single year that Lefe Parker sent did not have these negroes apart of the time, and Richard's profession was as I have stated

4th Question by same — Was Richard Parker a prudent money making man

Ans. If he ever made any money I never heard of it —

5th Question by same — Had Mr Richard Parker a large family

Ans. Yes — a wife (and eight children

6th Question, what is a reasonable hire for Elias from 1st Jan'y 1858 and also of Louisa

Ans. Elias is worth for hire, I suppose about sixty dollars per year, as he was injured — and Louisa is worth about thirty dollars per year.

7. How long before Richard Parker's death was it when Elias and Louisa were first sent to work at Richard's

Ans: I can't say exactly, but I reckon Elias was there seven or eight years, & Louisa about five or six years. — she was not grown when she went there & is hardly grown now.

8. E. M. Mapesbury atty for Deft. excepts to as much of above dep. as details the conversation of Sepe & Richard Parker

Ans examined by E. W. Mapesbury atty for Deft.

Quer 1st How far was it from Richard Parker's to Sepe Parker's

Ans. about a mile.

Quer 2^d when was the last time you saw these negroes Elias & Louisa working at Sepe Parker's

Ans — The same year when Sepe Parker made the fence around the old field at Seth Williams, which was the year before Richard

did. both negroes were at work there then
but how long I dont know, but they were
there some time

Ques. 3. How long did you ever know these
negroes, & work at Sepe Parker's at one time
within the five years next preceding the
death of Richard Parker

Ans. I cant say how long they worked there at
a time, but they were frequently passing
backwards & forwards

and further this Deponent saith not.

John W Gardner

Hardy Rawls, being duly sworn says as
is set forth in the answers below.

Ques. 1st by John R Kilby atty. for ~~plaintiff~~

~~How~~ How old are you, and where do you
reside and where have you resided
for twenty years

Ans. I live in Fauquier County now
for two years past, and previously in Southam-
pton County, at Sepe Parker sen. for five
years, and previous thereto at Meredith
Hollands. I am ^{seven} sixty now in a few days
of sixty seven years of age.

Ques. 2^d. How long had you known Sepe Parker
sen & Richard Parker, and did you know
negroes Elias & Louisa, still all you know
as to how these negroes were held by Richard
Parker, how long he had held them, and
all you know of the use by Richard Parker
of them & to whom they were given by Sepe

Parker saw, and all you know about it.

Ans. I have known Sepe Parker saw for some thirty years & I have known Richard all his life, I know negroes Elias & Louisa, I was a near neighbor of Sepe Parker saw for many years & a resident of his family at the time of his death was for about five years previous -

I heard Sepe Parker say as Richard could not make a support unless he helped him & he had sent negroes Elias & Louisa & enable Richard to help raise his children - Richard (he said) wanted him to give these negroes to him, but he never would do it as Richard would sell them - I was present two or three times when Richard wanted the old man (Sepe Parker) to give him these negroes, but the old man never would, always refused but said he intended to give them to Richard's children - The old man told Richard he might use these negroes & help raise his children as he had so many - I have heard the old man Sepe constantly almost every night say he did not intend to give them to Richard for he would sell them in two months - it seemed to be a matter of much concern to the old man (Sepe Parker) to help Richard's family & the old man constantly ~~helped~~ ~~these~~ ~~helped~~ these helped & fed these negroes -

I know that these negroes were frequently sent for by the old man to work for him & Richard complained, but the old man said he should take them when he

wanted (and) did frequently do so, several times every year while I lived with him up to his death - The old man Sepe Parker sent word by me several times to Richard's wife, that if Richard attempted to sell these negroes to send them home to him - I delivered the message - Richard has several times told me that if the negroes were his he would sell them -

I have frequently heard Richard speak of these negroes, say he wished his father would give them to him, but he always spoke of them as not his, & he never claimed them as his to me or in my presence - Elias had been with Richard some eight years, & Louisa, ~~and~~ I can't say - I was with both parties almost every day & knew their sentiments well, & they were never considered as belonging to Richard by either one, that I ever heard -

3 E. W. Mapenbury atty for Deft. excepts so much of above Dep. as details the statements of Sepe Parker & Richard Parker.

Cross examined by E. W. Mapenbury atty for Deft.

Quer 1. How long did Elias & Louisa work at Sepe Parker any one time.
 Ans. I can't say, but say a week at a time - if he wanted them anytime he sent for them & they came & sometimes he sent his hands to help Richard.

Ques 2^o. When these negroes were working at
 Sepe Parker's ~~apart~~ where did they
 stay at night.

Ans. They staid at Sepe Parker's ^{Eliza} ^{Eliza}
 thior of his time at other times. & I
 have known Richard to send for him
 & make him go to his house.

Hardy Rawls

2 days to Hardy Rawls 1.00

2 " Mr. Gardner 1.00

The Deposition of Richmond Edwards taken by
 Consent to be read on behalf of the Defendant
 in the above case

1st Ques. by E. W. Mopenburg atty. In Sept.
 When did you live with Sepe Parker and
 as Overseer.

Ans. In 1849 or 1850 I cant say which, but
 I think 1849.

2^o. Ques. How long after you the year you lived
 with him as Overseer did you remain
 on the land of Sepe Parker and

Ans. Two years

3^o. Ques. by same. state at what time were negroes
 Eliza & Louisa placed in Richard Parker's
 possession by Sepe Parker and.

Ans. Louisa was at Richard when I went
 to live at Sepe Parker's as Overseer - how

Longshes has been there I cant say - Elias
 was placed in Richard Parker's ^{house} about 10th March
 (the year I lived with him as overseer) -
 4th Decr. by same. after Elias & Louisa were
 placed in possession of Richard Parker
 did they again work at Jefe Parker's
 while you were there (three years)
 ans. No - after that I dont know what took
 place.

Richmond ²¹ Edward
 Nov 77

Southampton County to wit.

I Joshua Pettow a Justice of the
 peace for said County do certify that
 the foregoing depositions were taken as
 set forth above. Given under my
 hand 10th March 1859

Joshua Pettow J.P.

Parkers

& } Dep's

Parkers and

Came to hand Seale Mar 11th
1859. SR6

Hardy Rawls

Mr. Gardner (Elias & Louisa,

Heard Mr. Parker say before he ever sent the negroes to R^d. Parker, that Richard was so lazy he should have send ~~them~~ ~~Elias & Louisa~~ some negroes, to R^d. to help his children ~~and~~ and afterwards soon after he sent them I heard him say he had send Elias & Louisa for the benefit of his children - I heard him frequently say afterwards that these negroes were at R^d. for the benefit of his children & he intended to give them to his children & that he never intended to give them to Dick - These negroes did not remain all the time at Dick's, but every year from the time they were sent to help R^d Children & family the old man had them at home a part of the time at work for him - he frequently sent over others to help Dick out of his Cup.

I lived about 1 mile of R^d & 2 miles of the old man, I was very intimate at both places, - I have frequently heard R^d say he wished the old man would let them remain & not keep sending for them, and if he intended to give them to his children, he wished he would ~~give~~ ^{make a right to} ~~them~~ ~~a~~ ~~send~~ for them - I never heard R^d claim them as his own but always recognized them as intended for his children (and this was well understood by both -

Mr. Parker had a number of children and was very poor &c. - I have heard the old man say he partly supported the negroes,

while at Dick ~~I saw~~ ~~man~~

Dick was poor & indeed it would
be folly to give

Handy Rovers.

Lived with Mr Parker & I heard
him say that he had sent those negroes
to R^d. & help raise Dick's children —
Sometimes he sent several hands to help
& again would take them home — he
repeatedly said he never intended to give
them to Dick, but he might have the use for
his family, & then he was going to give
them to his children — he almost
every night would talk about it —

I was present on one occasion I heard R^d
say to the old man that he ought to give
him the negroes, the old man s^d he
should not do it — he might use them
for the family & he would give them
to his children — The old man
told me to tell Dick's wife that if Dick
ever attempted to see the negroes, to let
him (old man) know it & to send the
negroes home to him —

Dick never claimed them, but always
recognized them as the old man's,
I have frequently heard him & the old
man talk about it —

one Elias had been there off &
on some 10 years & Louisa about 8.

Parker &
v. { Stat. Rules

Parkers adm.

In Southampton Circuit Court.

Martha V Parker, Richard A Parker Jesse T Parker Calvin C Parker Ann Eliza Parker.
 Alice S Parker Robert J Parker & John B Higgins & Mary his wife the first born living
 infants under twenty one years of age being by John B Higgins their next friends Petrs.
 against.
 Wm O Gay admor of Richard Parker dec^d Aft

1859 Jan 19 Summons issued retble to Feby Rules.
 " Feby 11 Summons ret^d Ex^t Bill filed. D. Wm v. Aft.
 " Mar " Bill taken for confessed.
 " Apr " Cause set for hearing &c
 " May 5 Issue made up to be tried by a Jury &c
 " June 1 Cause cont^d
 1860 May " Discre for further account &c

The depositions of certain witnesses taken at
Franklin Depot on the 26th of April 1859 by
consent to be read on behalf of the defendant
in a suit in Chancery now pending in the
Circuit Court for the County of Southampton
between Parker & Plaintiffs and Parker & Admin-
istrators Defendants

Sth. W. Williams being duly sworn depo-
seth and saith as follows

I am ^{not} Defendant
State whether or not you are the son in law
of Lefu Parker dec. and also how near
you reside to him and to Richard Parker

Ans, I am the son in law of Lefu Parker
and I reside between the two not so much
a half mile from either place and have
been living there nineteen years next
December

Ques 2^d How long were the slaves
Eliak & Louis in the possession of Richard
Parker previous to the death of Lefu Parker

Ans. the first year Louisa was in the possession of Richard Parker he gave a bond for her hire, the second year Richard Parker refused to give a bond for the said Louisa, I do not know whether he ever gave a bond for Elias, or for Louisa afterwards, they were then in his possession ten years at least previous to Lefee Parkers death, and I looked upon them as the property of Richard Parker.

Quest 3^d. Was the possession of Richard Parker uninterrupted for more than five years before the death of Lefee Parker.

Ans. As far as I know.

Quest 4th. Did you ever know Elias and Louisa to work at Lefee Parkers ^{within} five years previous to the death of Lefee Parker.

Ans. I believe I can answer that question positively that I never did, they might have gone then to a hog killing or on times of that sort, as the negroes of other neighbourhoods did, it might have been different I was not then to ascertain I do not think

thinks they were recognized as the property
of Jesse Parker after the first two years

Crop examined by the Plaintiff's
Atts—

Ques 1st Was Richard Parker embarrassed
in his money matters when he first
went to reside at the place referred to—

Ans. I should judge that the inference
was that he was, he had no property
he could claim as his own

Ques 2nd Did you ever hear Jesse Parker
say that he never intended to give
Richard Parker any property that could
be taken to pay his debts, or that could be
taken by his creditors (Ques repeated to)

Ans. Never—I never heard the old
man use that language

Ques 3rd Did you ever hear Jesse Parker
(Sr.) say that he never intended
to give Richard Parker any property as he
would spend it, or be taken from him? (Ques repeated to)

No 4

Anc. I have heard him say he never intended to give him any property so that he could spend it

Quer 4th Were you on friendly terms with Lufe Parker previous to his death and if so how long, and if at variance at any time for how long time

Ans. We were at variance for a number of years, for a year or two, and on friendly terms for a year or two, he friendly, and then get out again

Quer 5th Were you on friendly terms with Richard Parker, and if not how long had you been at variance

Anc. I was not on friendly terms with Richard Parker for two or three years previous to his death

Quer 6th Will you ever see Elias and Louisa at work putting up fences or other work for Lufe Parker (or) while they are in the possession of Richard, and when

Anc. No -

(No 5)

Direct examination resumed

State all you do know of a deed of from
Leffu Parker to Richard Parker for certain
property (Ex cepted to)

Ans. I know of no deed for any property
the deed I had reference to was for land

Quer 2^d State any conversation if any
such occurred between Leffu Parker (or)
and Richard Parker in which Richard
Parker claimed the slave Elias and
Louisa as his absolute property

Ans. So far as Elias is concerned I
cannot state, but so far as Louisa
was concerned I heard him tell his
father he would give, or bond, and that
he claimed Louisa as his property

Quer 3^d Did you ever hear Richard
Parker say to his father he would show
him to whom Elias and Louisa belonged
and threatened to sell them -
Ans. I heard him say so far as Louisa
was concerned, he would sell her if he
claimed her, Leffu Parker (or) claimed her

No 6

I heard nothing of Elias, not even whether
he was demanded

Ques 1st How long was they before
his fathers death

Ans At least ten years ~~ago~~

Further this deponent saith not

Seth D. Williams

Upon Oath being duly sworn de-
ponent saith

Ques 1st By defendant State what years
you lived as overseer for Richard Parker

Ans In forty years

Ques 2^d How long have you resided
in the neighborhood, and how near to
Richard Parker

Ans Under years next Christmas and
within a mile of him

The witness further says in answer to ques-
tion that he knows the slave Elias

No 7

and Louis refused to. Louisa was in his possession twelve or thirteen years she was then when I lived there in forty seven. Elias has been there nine or ten years he went there the year after I left, they were so far as I know in the uninterrupted possession of Richard Parker, I know that Louisa was in his uninterrupted possession the year I lived there I regard them, and the neighbours so regarded them as the property of Richard Parker (this last one, excepted to)
Crop examined by Plaintiff

These negroes were done a days work for Jesse Parker (Sr) that I know of while in the possession of Richard Parker

Further this deponent says not

William S. Mayes

W^m M. Jones being duly sworn deposes and saith as follows —

Aug 1st By defendant

Will of Jesse Parker

Ans. I did —

Did you write the

Ques^d Do you know whether or not
at the time Lefse Parker made that
will be entertained serious doubts
as to his power to dispose of the slaves
Eliar and Louisa (Ques^d except to us)

Ans— He did entertain and expressed doubts

further this deponent faith not
M^{rs} M. Loney

Goodman E. Johnson being duly sworn
deposes and says as follows

I lived
with a mile of Richard Parker and with
— in two miles of Lefse Parker, and I
have been living there about thirty years—
I knew Eliar very well as to Louisa I
do not think I knew her, Eliar was in
the possession of Richard Parker I think
between eight and ten years previous to the
death of Lefse Parker (so) the possession
was uninterrupted so far as I know, I never
saw them at work for Lefse Parker (so)
after that time — I ~~for~~ always thought they
were the property of Richard Parker

No 9
Further this Report saith not
G. E. Johnson

Willie H. Lawrence being duly sworn
deponeth and saith as follows.

I lived within
three fourths of a mile from Richard
Parker, and he was about one and a
half miles from Lifer Parker and I
knew the Slaves, Elias and Louisa, they were
in the possession of Richard Parker some seven
or eight years and probably more previous
to the death of Lifer Parker (Sr) and so
as I know this possession was uninterrupted
and I looked upon them as the property
of Richard Parker.

Cross examined.

Richard
Parker was in very limited pecuniary circum-
stances, and having a large family he could
not have supported them without aid from
his father. Mr. Richard Parker was an in-
dustrious man, but not a saving man,
he was very much addicted to the habit
of intemperance.

Direct examination resumed.

No 10

The land of which Richard Parker did
propose would sell for One thousand dollar
and I suppose the annual rent would be
about Forty Dollar

farther they deponent saith not
Wm M. Lawrence

Deaf Parker being duly sworn depo-
- sith and saith as follows

I am the son
of Deaf Parker dec. the slaves Elias and
Louisa were in the possession of Richard
Parker some eight or ten years previous
to the death of Deaf Parker, the possession
of said slaves was uninterrupted, for more
than five years before the death of Deaf
Parker, I regarded the slaves as the property
of Richard Parker

Cross examined by Plaintiff
I have resided in Portsmouth and Norfolk
County for ten years previous to the death
of Deaf Parker, Richard Parker was not
a careful prudent man calculated to take care
of his family, and for several years previous

No 11

To his death was rather intemperate than otherwise, so far as I know for ten or twelve years previous to his death his affairs were considered to be embarrassed, and could not well take care of his family owing to his bad management, without the aid of his father. The Old man was a very prudent-saving careful man in the management of his business.

I further the Deponent saith not.

Depe Parker

The above Deposition was taken at the time and place mentioned in the Caption before me a Justice of the peace for said County.
Given under my hand this the day and date above written

Lo^d E. Little J^d

Parkers

is } Exhibit with bill

Parkers ad

B.

At a Court held for the County of Southampton on the 21st day of December 1857
On the motion of W^m E Gay who made oath and together with John Moore and
George W Lawrence his sureties (who justified on oath as to their sufficiency) entered
into and acknowledged a bond in the penalty of two thousand dollars conditioned as
the law directs. Certificate is granted him for obtaining letters of administration on
the estate of Richard Parker dec^d in due form

Attest

Teste L R Edwards Clk

Partie's
Namey

ey
pu

3. Martha V. Parker, Richard H. Parker, Lepe J. Parker,
Calvin O. Parker, Ann Eliza Parker, Alice S. Parker,
+ Geo. J. Parker and Mrs. B. Wiggins + Mary. his wife,
the first seven infants under 21 years of age, suing
by ~~Geo. B. Wiggins~~ John B. Wiggins their
next friend vs. Wm. E. Gay admr of
Richard Parker decd.

Sol

✓
Parker Jr

} Sum. Ch.

Parkers adv

1859 February Rules

Executed Feb 1st
1859. by delivering
him a copy

G. W. Vick Deputy
for Wm. L. Briggs Siff

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON *William C Gay* *attor. of Richard Parker de?*

to appear at the Clerk's office of our Circuit Court of Southampton County, at the Rules to be holden for the said Court, on the first Monday in *February next*, to answer a bill in chancery exhibited against *him* in our said Court by *Martha V Parker. Richard H. Parker, Jeph. T Parker. Calroni O. Parker. Ann Eliza Parker. Alice S Parker & Ro.*

J Parker & Jno. B Wiggins & Mary his wife, the first born infants under 21. years of age being by John B. Wiggins their next friend

and have then and there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this *19th* day of *January* 185*9*, in the *83^d* year of the Commonwealth.

L.R. Edwards

W. E. Gay am

Paid

Expense
by delivering book
a copy

W. E. Gay
Shff

To Martha L, Richard H, Jeph T, Calvin O, Ann Eliza, Alice J
& Robert Porter and Jno B. Higgins & Mary his wife

TAKE NOTICE, That on the 19th day of April 1859 between the hours
of sunrise and sunset, at the office of Chamberlains & Messengers
in the town of Jerusalem

shall proceed to take the depositions of certain witnesses, to be used as evidence, for me, in a suit now
pending in the Circuit Court, for the County of Southampton
in which you are Plaintiffs and I am Defendant

And if from any cause the taking of the said depositions shall not be commenced, or being commenced
should not be completed on that day, the taking of the same will be adjourned from time to time, until
the said depositions shall be completed.

Wm & Say & Co. v.
Richard Porter

Parkers ad.

ad. *[Signature]*

Parkers

19 Apr. 1859 at Jerusalem

Executed by deliver-
ing each of them
a copy

[Signature]

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON

Isiah D. Williams, Willis W. Lawrence, Wm. J. Magee, Goodman & Johnson

to appear ^{at} ~~before~~ the *office of the Clerk of our Court* ~~at~~ *in* ~~Southampton County,~~ *at* ~~the Court House,~~ on the *19* day of *April* ~~Term~~ to testify and the truth to say in behalf of *W. E. Bay* ~~adversus~~ *Richard Parker*

in a certain matter of controversy in our said Court depending and undetermined between

Parkers

Plaintiff and

and adversus

Defendant,

and have then and there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this *24th* day of *March* 185*9*, in the *83* year of the Commonwealth.

L. R. Edwards

Excellence,

Parkers ar.

and Mr. W. H. Parker

Parker

19 April 1859 in Jerusalem

and in Jerusalem & Jerusalem

and in Jerusalem

and in Jerusalem

John W. H. Parker
Henderson County

W. H. Parker

Henderson

The Commonwealth of Virginia,

TO THE SHERIFF OF ~~SOUTHAMPTON~~ COUNTY—GREETING:

WE COMMAND YOU TO SUMMON

Jose Padua of Wm. M. Jones

adva 8

*subscribed in Cecil Court at
at the office of Chamberlain & Mapinburg in London*

to appear before the _____ of our _____ Court of Southampton County, at

the Court House, on the *19th* day of *April* next Term _____ to testify and

the truth to say in behalf of *Wm. E. Gay or of Richard Parker or*
in a certain matter of controversy in our *Circuit* Court depending and undetermined between

Parkers

Plaintiffs and

said names

Defendant,

and have then and there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court

House, this *24th* day of *March* 185*9*, in the *83rd* year of the

Commonwealth.

L R Edwards

Chamberlain

Both William
and a Bend for
line was given -

p 5 - hand a continuing
about till.

4

Esam artifices

See Code

15374 -

Antropes (Dep)
May 1854 in
1854

set of common things
old world

Ask for Instructions
that it must be un-
interrupted profession

Elias 32
 Louisa 70
 1 child
 Isaac 5 sons

More gift
More part of Taxes

What a gift. see
Brown v. Humdy 7 L. 119
8 L. Pate v. Baker
3 L. p. 1. Anglin v. Bottom

what Loan
7 L. p. 317 ~~Malton~~ v.
Johnson

9 L. 245. Croff v. Croff
5 G. 364 Dutt v Slaughterhouse
10 L. 5 - Collins v. Loftis
11 L. 403 London v. Turner
Mat big vol 1 p. 533
2 5 mm. 101 & 305

4 mm. 313.
 46 mat 582.
 To give title under a loan
 5 yr. payable & uninterrupted
 profession must have existed

3. Life Parker son Penn
Rich? was embarrassed &
it would have been folly to
have given him the money

Nichols Parker died
23 Oct 57 left mrs
Eliza H - & 8 children

1	Mary (wife of Mr. Briggs)	
2	Martha <u>va</u>	single 18
3	Richard H —	16
4	Lepu S —	14
5	Alvin O —	13
6	Ann Hiza	— 12
7	Alice S —	10
8	Re. L —	6

Hardy Rawls (at Mr. Lawrence
Mr. Gardner - at San Diego
see Lem Parker Jr place
~~San Diego~~

Eliza H. Oliver
- we also name the
republic.
Seth Parker Sr paid
taxes most of time