

Southampton County, Virginia Chancery Ct Record 1765-001
Children of John Portis: Kirby Portis, Judith Portis, William Portis

Below are the three documents contained in record #1765-001, transcribed in 2003 by Barbara Poythress Neal, who invites any clarification of the reading of the handwriting from anyone else who has occasion to examine this record. All three documents are completely handwritten. Spelling and punctuation are as they appear in the original documents. A slash-mark "/" is used to indicate the end of each line of the original document. Where a word was divided by the end of the line, for clarification I will put the entire word next, in square brackets. [My other clarifying transcription notes also appear in square brackets like these.]

[Document #1]

To the worshipful court of Southampton sitting in chancery /
Humbly complaining /

Sheweth unto your worships your orators Judith Portis and William / Portis infants under the age of 21 years by R Kirby - [blank] their next friend that / your orators father John Portis was in his lifetime and at the time / of his death seised and possessed of one Negro slave named Dinah / and diverse other goods and chattels to the amount of [blank] / and being so possessed departed this life intestate leaving one Kirby / Portis his eldest son and heir at law and your orators his children / that by the laws of this colony your orators are intituled [entitled] to each / of them to one third part of the value of the said slave that your orators have / applied for the same to the said Kirby Portis but he being an infant / of tender years cannot comply with the same without the decree of / this worshipful court in the premises to the end therefore that / the said Kirby Portis by his guardian may [inserted here, above the line, is "on his corporal oath"] such true and / perfect answer make to all and singular the obligations aforesaid [aforesaid] / as fully and particularly as if the same were herein again / repeated and interrogated and that your worships will / decree and order that the ~~slave aforesaid may be sold for the~~ / said Kirby Portis do pray unto your orators their distributive / part or share of the said Slave or that the same may be sold / for the most that may be had for the same and the money / arising by the sale thereof may be distributed between / [page 2:] your orators and the said Kirby and that your worships will make such / further or other decree as shall be agreeable to equity & good conscious /

may it please &c /

The Answer of Kirby Portis son and heir at law of John Portis dec'd being an / infant under the age of 21 years by Rich'd Kirby [inserted above Kirby it is: "Kello"] his guardian to the bill of complt / exhibited agst him by Judith Portis and William Portis complainants. / This deft saving and reserving to himself all advantages of exception &c for / answer Now unto saith that true it is that the said John Portis died possessed / of the slave in the bill mentioned that this deft is not able to pay and / advance the complainants distributive part or share of the value of the said / slave without making sale thereof which cannot do without the decree of / this court and being and [sic] infant of tender years prays that what right he hath / therein may be saved to him by name thereof without that &c /

[Document #1's outside label, on back of page 2]

Portis /
vs /
Portis /
[to the right of above bracketed info appears: "Bill & answr"]
April 1764 /
Devise for plt /
Sold the slave [illegible] /
July 1765 /
[illegible]

[Document #2]
George the third by the grace of god of great Britain France / and Ireland
King defender of the faith &c To the Sherif of / Southampton County greeting we command you
that you~ / summon Kirby Portis ~~/ to appear before our Justices of our said County Court in
Chancery / at the courthouse of the said county on the second Thursday / in June next to
answer a bill in Chancery exhibited agst him / by Judeth Portis & William Portis~~~

And this he shall in no wise omit under the penalty of £100 / and have then there this writ
witness R Kello Att [Attorney] of our sd / court at the courthouse the sixteenth day of May in /
the third year of our reign. /
R. Kello C /

[Document #2's outside label, on back of document]
D. Portis /
vs /
Portis /
[to the right of above bracketed info appears: "Spa in chan" for Subpoena in chancery] /
June 1763 /
Cont'd /
Sept 1763 /
Cont /
Jany /
Court /
[perpendicular to the above labeling, appears:]
Executed on Rich'd. Kirby Guardian /
to Kirby Portis /
Peter Butto She'f [signature] /

[Document #3. The upper right corner of this small document is torn off.]
In Obedience to an Order of Southampton /
court in chancery I have sold the slave in the [missing word] / mentioned for fifty one pounds
four shillings being / the most that could be had for the same.- /
R. Kello [signature] /

[Document #3's outside label, on back of document]

Portis /

vs /

Portis /

[to the right of above bracketed info appears: "Def"]

[perpendicular to the above label, appear several smudged words, which may be: "The Earlier will"]