

1793-011

SOUTHAMPTON COUNTY
CHANCERY PAPERS

HARRISON

VS. LITTLE

8/1793

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18
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142

Harrison
vs
Little

[Circular stamp or seal]

Aug: 1793 dismissed.

Wm. Edwards

The Court of the Northern District of New York
do hereby certify that the within and foregoing
is a true and correct copy of the original
as the same appears from the records of the Court
this 10th day of Nov: 1791

To the worshipful the court of Southampshire county
in chancery sitting, Humbly complaining sheweth unto
your worships your orator Robert Harrison that sometime
in the year of ~~1788~~ 1788 your orator ^{purchased} ~~was~~ ~~acquired~~
~~of~~ a certain William Little, a man, for which
he was to give the price of fourteen pounds.
Your or further sheweth unto your worships that
the same year your orator was employed by the s^d
Little as an overseer, & that his part of the
craft ^{for his services} amounted to eight pounds. That exclusive of
this charge your orator had an account against
the said Little, consisting ^{partly} of cash, partly of a bond
against one Jas. Mundell, & of sundry other
articles, amounting in the whole to seven pounds
& six pence; so that this account, added
to the eight pounds for his services in the
craft, amounts to fifteen pounds six pence;
leaving a balance in favor of your orator
pounds & six pence. In consequence
of the foregoing circumstances the said Little
promised to dismiss his suit brought by him
against your orator; wherefore your orator
presuming the same was done, employed no attorney
to make a defence at law, nor did he believe
but the suit was dismissed, he having heard
nothing of the suit since the s^d Little promised to

is miss the same. Your Pl^{ty} further begs leave to suggest
& insist, that his account against the s^d Little is
most fair, & regular one, & an account which he
hopes to establish (should the defendant deny it)
by impartial testimony; & being annexed
to this his bill of complaint he prays may be
considered ^{& taken} as a part thereof. But so it is may
it please the court, that the def^t. not regarding
his promise, & the delicacy of the foregoing cir-
cumstances, but combining & confederating with
others to injure your Pl^{ty} hath recovered judgment
against your orator, & now threatens execution.
All which actions & doings are contrary to equity &
good conscience. In tender consideration
whereof, & for as much as your orator is
without redress in the premises at law,
& only & properly relievable in a court of
equity where matters of this kind are peculiarly
cognizable. To the end therefore that the s^d.
William Little may in his corporal oath give
true & perfect answer make, to all & singular
the allegations of this bill, as fully as they were
again repeated; but particularly may
set forth & discover, whether he did not
sell your orator a mare for the price

herein specified; & whether he was not indebted to
your orator the sum of eight pounds for services
rendered for him by your or^r. whether the
account here to annexed is not just & accurate
if there be any inaccuracy in what particular
& whether he did not promise to dismy's the
suit against your orator. And that
your oratorships may injure the s^d. William Little
from further proceedings in the unjust & in-
equitable till the matter can be fairly tried
in equity, & then make the same perfect
or make such further or other decree
may be thought just & reasonable is the
prayer of your orator. May it please
the court to grant unto your orator the
commonwealths most gracious writ or writs
of scabpina &c.

B. P. Done for the compt.
(51)

1788.

Mr. W^m Little to Robert Harrison ——— Dr.

To my part of the Crop ——— £ 0..0..0

To a Mond ago. John Mundell ——— 5..10..0

To Cash of Rich^d Harrison ——— " 0..0..0

To Dr. J. Brantley Norrmark ——— " 6..0..0

To Boots & Bridle ——— " 0..0..6

To J^r M^r. Harrison for 2 Bus. ⁴ pears ——— " 0..0..0

15..0..6

To my part of Tob. sold to J^r M^r. Harrison ———

My own Share Mo^t of S^r Little ——— 14..0..0

Fanison

vs

Little

} Demurner

(Hill)

The Demurres of William Little defendant to the
bill of complaint of Robert Harrison complainant -

This Deft by protestation, not confessing or acknow-
ledging all or any of the matters or things in the
Complainant's bill mentioned to be true in such manner
and form as the same are therein and thereby set
forth and alledged, doth demur, and for cause of
x demurres sheweth, first That the bill aforesaid doth
not state on what account the judgement obtained by
the said Little against the said Harrison in the action
nor in what Court the same was obtained in order
to give this Court jurisdiction thereof; 2^{dly} That the said bill doth not
ascertain the amount of the said judgement; but in
general terms alludes only to a judgement between the
parties aforesaid - 3^{dly} That as to the relief prayed by the
said bill the said p^{ty} hath remedy at law as
appears on the face of the said bill - 4^{thly} That the
said bill wants equity; apparent on the said bill.

Wherefore this Deft doth demur to the said bill
of complaint, and to all the matters and things
therein contained, and humbly demands the judge-
ment of this worshipful Court whether he shall be
compelled to make any further or other answer thereto

and humbly prays to be hence dismissed, with his
reasonable costs and charges in this behalf most
wrongfully sustained

J. Hill for the
Deft

Parison
vs } Demurner
Little

(Hill)

For not answering the bill of complaint
exhibited against him by Robert Harrison
By rule of court

Jn^o. D. Haupmann A.C.

Harrison
vs
Little
Att
for
contempt

to July 1792

Brounlie
Jo. M. A. 1792

The commonwealth of Virginia to the sheriff of Southampton county
greeting: We command you that you attach William Little so that
you have his body before the justices of our said court at the courthouse
on the second Thursday in July next to answer us as well of a certain con-
tempt by the said William Little to us offered as it is said as upon
those things which to him then and there shall be objected and further
to do and receive what our said court shall in this part consider. And
have then there this writ. Witness Sam: Wells. clerk of our said court
the 11th day of June 1792 in the 16th year of the commonwealth.

Jn^o D. Haufmann D.C.

B

SAMUEL B.

Drue

Samuel Kellor

Harrison
or
Little

Indy
Bond

Know all men by these presents that we
Robert Harrison and Ben. Blunt Jun^r
are held and firmly bound unto William Little

in the sum of Twelve pounds

Current Money of Virginia to the which payment—
well and truly to be made unto said W^m Little
& his Heirs and assigns we bind our selves our Heirs Exors
and administrators jointly and severally firmly by these Pres-
ents Sealed with our Seals and Dated this 12. Day of
Noobr. 1795

The Condition of this obligation is such that where as the
said William Little hath obtained a judge-
ment at common Law against the said Robert Harrison
In the County of

Southampton for Six pounds with
and Costs and the said Robert Harrison
hath obtained an Injunction to stay the Execution
of the said Judgement untill the Matter in equity up-
on a Bill for that Purpose filed; if therefore the said
Robert Harrison shall satisfy and Pay the said
Judgement at common Law and all Costs and Damag^{es}
that shall be awarded to the said W^m Little
In Case the said Judgement shall be dissolved then
the above obligation to be void or else to remain in
full force

Sealed & Delivered }
in presence of }
the court.

Robert Harrison Seal
mark.

Ben. Blunt Jun^r Seal