

1799.18

SOUTHAMPTON COUNTY  
CHANCERY PAPERS

HARRIS VS NEWSUM

6/1799

See also. Harris v. Newsum, 1797-15

other surnames Jones, call

that the said James Newsum pay to you either the amount of the said  
Judgment of Newsum against Capell with the interest & Costs, and make  
any other or further order or decree for your Compt<sup>y</sup> relief as may be  
equitable

May it please the

Yours for Compt<sup>y</sup>

No 3

June 1799

Wm. Pitt

(dH)

To the worshipping Court of Southampton sitting in chancery humbly  
explaining sheweth to the Court your orator Lewis Harris,

That a Certain Prudence Jones late of this County was indebted to  
your orator in the sum of £79. 10. 2 & interest from the 11<sup>th</sup> Aug<sup>t</sup>. 1705  
and she removed out of this State privately & your orator having reason  
to believe that a Certain James Newsum had property in his hands be-  
longing to the said Prudence, he obtained an attachment & Summons

against ~~James Newsum~~ <sup>Gorgishan</sup>, who, in November Court 1700  
afforded, that he had a bond of £26 & in his hands given by Sterling  
Capell to the said James, that was the property of the said Prudence.  
and on this bond a suit was brought by Daniel Call & a judgment  
obtained. James Newsum against Sterling Capell in the District of  
Suffolk, and upon a bill filed in the high Court of Chancery, it  
was decreed in March Term 1791. that after payment of Costs, Daniel  
Call the Attorney upon the receipt of the money should pay it to your  
orator ~~James Newsum~~ <sup>Gorgishan</sup> as referred to, as part of this bill.

By a Combination between the said James Newsum in whose name the  
judgment was obtained, and Sterling Capell the obligor, by a tamper  
or Countenance of the former the money has never yet come to the hands  
of Daniel Call to carry the said decree into effect, and the said James  
by his illegal interference obstructs the Course of justice, and in all  
probability has himself received the money of Capell, which is unjust  
and iniquitous in the highest degree

In tender Consideration whereof, and for as much as your  
orator is without remedy only in a Court of equity. To the  
end therefore that James Newsum, who your Complainant prays may  
be made def<sup>t</sup>. to this bill of Complaint, may upon his Corporal oath  
full, true & proper answer make to all and singular the allegations  
in this bill contained, and that as Capriciously as if the same were again  
humbly requested & interrogated, and that your Worship will direct

Harris

vs. J. P. in  
Chan. of

Neigson

To June 1799.

Executed 20<sup>th</sup>

May 1799

Robt Mabry ~~1799~~

The Commonwealth of Virginia to the Sheriff of Southampton  
County Greeting, you are hereby commanded to summon  
James & Ewsom if he be found in your bailiwick ~~and~~  
~~himself~~ to appear before the justices of our said  
County Court at the Courthouse on the third Monday  
in June — next, then and there to answer a  
Subpoena in Chancery exhibited against him by  
Lewis Harris, and this he shall in no wise omit  
under the penalty of \$100. and have then then  
this writ witness Samuel Kello Clerk of our said  
Court at the Courthouse the 18 day of May  
1799 and in the 23<sup>rd</sup> Year of the Common-  
wealth. —

Sam. Kello

Harris

L.

Jones Jr.

} Copy  
} Decree

John Jones

Virginia

At a High Court of Chancery held in Richmond March 16. 1791.

Lewis Harris . . . . .

Plt

against

Prudence Jones and Daniel Ball . . . . .

Defrs

The order made in this cause on the seventh day of August last for publication against the defendant Prudence Jones having been duly published and she failing to file her answer the bill as to her is taken for confessed; On Consideration whereof and of the arguments by counsel on behalf of the Complainant It is Decreed and Ordered that the said defendant pay unto the Plaintiff the sum of seventy nine pounds eighteen shillings and two pence with interest thereon from the eleventh day of August one thousand seven hundred and eighty five till payment and the costs of this suit, and by consent of the other defendant Daniel Ball by his Counsel It is further Decreed and Ordered that the said deft Ball after he shall have recovered and received the money for the bond in which as attorney for the said defendant Jones he has brought suit in the District Court of Suffolk do pay the same to the plaintiff after deducting thereout his fees and other expences in prosecuting that suit and his costs by him about his defence in this suit expended.

Plts Costs 165 £100 at 12/6 p<sup>er</sup> l<sup>ib</sup>.  
112 do. at 10/5 do. } 8 £5.3.  
277

Defrs Costs 32 £100 at 12/6 p<sup>er</sup> l<sup>ib</sup>.  
20 do. do 10/5 do. } 8 £5-  
52

Attest  
Peter Tinsley cc.

Harris

is

Jones

copy fed.

of letter

38 cents

Southampton November court 1788.

Lewis Harris having obtained an attachment against the estate of Prudence Jones who hath privately removed herself or so absconds that the ordinary process of the law cannot be served upon her, the sheriff made return that he had levied the attachment in the hands of James Newburn and summoned him as garnishee, who appearing and being sworn deposeth that he has two bonds in his hands for Fifty two pounds ten shillings and interest the property of the defendant given by Sterling Capell to the said garnishee, and the defendant being solemnly called and not appearing to replevy the attached effects on the motion of the Plaintiff judgment is awarded him against the defendant for Seventy nine pounds eighteen shillings and two pence with interest thereon from August 11<sup>th</sup> 1785<sup>supposed</sup> and for his costs by him in this behalf expended, and it is ordered that the garnishee deliver the said bonds to the clerk of this court and that the said garnishee in the mean time be postponed from payment of the money due on the said bonds till the further order of this court. Mem<sup>o</sup>. The ~~plaintiff~~ garnishee on recollection deposeth that he assigned one of the bonds of Twenty six pounds five shillings to John Barrow about Christmas 1787.

|                      |            |
|----------------------|------------|
| Pls fees.            | 160        |
| Ref <sup>d</sup> &c. | 40         |
|                      | <u>200</u> |

A copy test  
J<sup>n</sup>. D. Haufmann Dk<sup>r</sup>