

1802-019

SOUTHAMPTON COUNTY
CHANCERY PAPERS

NEWSUM

VS. HUNT'S ADM'R.

2/1802

Other SURNAMES:

Barlow, Barham, Hasty,
Marks, Ellis, DREURT,
DREURY, DREWRY

Museum

25

Drury and Hunt

Belle

To the worshipful Court of Southampton County sitting in Chancery

Humbly complaining shews to your worships -
your orator Littlebury Newson - That your orator executed
abond to a certain Miles Hunt in his life time for the
sum of pounds - for heys this

That your orator discharged the said
bond in the life time of the said Miles Hunt - but
that the time your orator paid the amount of the
said bond, the said Miles could not find the said bond -
but promised to deliver it to your orator in a short time

That your orator took receipt from the said
Miles in his life time, but ~~as~~ has mis laid or
lost it, so that it cannot be found - in consequence
of which your orator cannot derive any benefit at law
from the said rec^t. Your orator here represents
to your worship that the said Miles Hunt has
since died & that a certain Humphrey Deewit
has administered on his estate, and instituted
suit on the said bond, & obtained judgment
at the last Court holden in Sept. in consequence
of your orators not being able to find the rec^t. aforesaid

In tender consideration whereof & inas-
much as your orator is wronged in the premises
save in this Court of equity - To the end therefore
that your worships may compell the said Deewit
to answer the foregoing allegations & that your

your worship may injoin the said Judgment:
untile the case can be heard in equity -

South - to wit

Littlebury Newson personally appeared
before me & made oath to the truth of
the foregoing allegations -

John Wright

Newsum
as
Deputy and Agent } Bell

Deary
to
Newman.

3 autum.

Will

The answer of Humphrey Drury answer of
Miles Hunt dectd. Deft

to
The bill of Littleberry Newsum Complut

This Deft saving & reserving to himself all manner
of advantage & benefit of exception to the misrepresen-
tations, and untruths in the Bill contained, for
answer thereto, or to so much thereof as he is advised, is
material, or essential to be answered, answereth & saith
that true it is he instituted such an answer af^d.
against the Complut on a bond for the sum of
and obtained judgment thereon as by the
records of S^ton Co Court will fully appear — But as to
the Complut having paid the same as stated in his
bill he doth not know, nor ~~do~~ the Deft believe
he ever discharged the same — because the Deft, herein
expressly charges, that sometime after the institution
of the af^d suit in a conversation with the S^r Newsum
he offered to pay the ~~residue~~ debt thro' the medium
of Col. Wm Edmunds, and proposed to give an order on
him therefor, and that the S^r Deft should be dismissed
without further Costs — but the Deft considered that
as this conversation happened but a little prior to
the time when he executed (and actually did obtain)
judgment that as the S^r Newsum was solvent for the
said debt, the prospect of receiving the money was
better than to dismiss the suit and take an order (even
if accepted) as had been by Newsum proposed —

the debt for the charges - that subsequent to the
aff^d judgment and after mon was levied on the
comptrols property - in a conversation that passed
between him, the said Edmunds, and this debt, he
the S^r Newsum again assumed the aff^d debt, and
requested the S^r Edmunds to discharge it for him
and that he would make him some compensation
or allowance out of the debt the S^r Edmunds was
owing him - but the S^r Edmunds refused to comply with
his request - again this debt also observes that during
these several conversations the S^r Newsum never men-
tioned a sentence respecting a receipt (as stated in the
bill) nor doth the debt believe he ever had one for
or against the bond aff^d but that the same is justly
due at this time - this debt requests to be hence
dismissed from this honorable Court with his proper
costs & charges in this behalf most wrongfully sustained
se .

At Will for
The Debt -

John County Co

The above sworn to by Humphrey Drewry before
me this 15th Feby 1802.

J. Ruffin J.

Subscribed
by
Edmunds

3
Kucsein

as

Points adm.

} Com.

Southampton county

The Commonwealth of Virginia

James Fort

John Wright and
Benjamin Fort

Gentlemen greeting Know ye that we trusting to your fidelity and
provident circumspection are diligently examining Tabitha Newsum
Nathan Wacks Wm Ellis & Benjamin Barham witnesses as
well on behalf of Lillibridge Newsum complainant & Humphrey
Drewry adm. &c. of Wiles Hunt defendant Com. and you that
at such place & time as you shall appoint you assemble your-
selves & cause the witnesses afores. to come before you & diligently
examine them on the holy evangelists of Almighty God & their
examinations (so taken) into our court of our said county
without delay you send and certify inclosed returning to us
also this writ witness Sam Kello clerk of our S. Court at
the courthouse the 10th day of March 1861 Year the 25th
Year of this Commonwealth

Sam Kello 1861
C

Hanks adm.
201
L. e. Peurum } Corn

Southampton county

The Commonwealth of Virginia to James
Miller & Samuel Blunt

Gentlemen greeting Know ye that we trusting to your fidelity
and provident circumspection in diligently examining
John Warburton Benjamin Baitham & Owen Wbyrick
witnesses as well on behalf of Humphrey ^{ad. miles Hunt} Dreyer def^t as on
behalf of Littleberry Newsum defendant, Command you
that you assemble yourselves & cause the witnesses afores^d
to come before you when & where you shall appoint and
diligently examine them on the holy Evangelist of Al-
mighty God & their examinations into our court of our
said county without delay you send & certify enclosed
returning to us also this writ witness Sam^l Kello clerk of
our S^d court at the Shouse the 13th day of March 1807
& in the 25th Year of the Commonwealth

Sam^l Kello. 1807
C 11

L. Neesum

vs

Duey and Hunt

Com
for
costs

June 1801

Robert D. Dwyer

Southampton, county to wit

The Commonwealth of Virginia to Robert Goodwyn
and Saml. Bluns

Gentlemen greeting Know ye that we trusting to your fidelity &
provident circumspection in diligently examining Willson
Naisty _____ witness as well on behalf of
Littleberry Newsum complainant as on behalf of Humphly
Druvy admr. Wills Hunt def^t Command you or any two of you
that at such place & on such time as you may appoint you
call & cause to come before you the witness afores. & diligently ex-
amine him on the holy evangelists of almighty God touching
all he may know in the difference depending between the
parties afores. & his examination into our court of our
S^d county without delay ~~delay~~ you send & certify, enclosing to
us also this writ witness Saml. Kello clerk of our S^d court at
the Courthouse the 11th day of June 1801 in the 25th Year of
The Commonwealth

Saml. Kello C^k

By virtue of a Commission from the worshipfull Court of
Southampton we have this 13th day of March 1801 -
at the House of Chasmon Nicholsons proceeded to take
depositions of Nathan Marks ~~Witness~~ ~~Witness~~ ~~Witness~~
Witness, being of full age, in behalf of Sillibury
Newsum Complainant & Humphrey Henry am^{or}
of Miles Hunt dependant this Depo^{nt} and first sworn
on the holy evangelist of Almighty God Depo^{nt}
and sayeth some time in the year 1792 I wrote
a Credit of forty Eight Shillings by request of
the said Hunt on a bond then ~~and~~ ~~proposition~~
of the said Hunt now acc.^d and believes it to
be a bond given by Sillibury Newsum for the
hire of a Negro fellow by the name of Dick -
and further this Depo^{nt} sayeth not -

Lewis Ford
John Wright

Nathan Marks

By Verue of a Commissioner from the worshipfull Court
of Southampton we have this 13th day of March 1801
at the House of Chasmon Nicholson proceeded to
take the Deposition of William Ellis Witness —
being of full age in behalf of Littlebury Newsum
Complainant and Humphrey Drury Adm^r of
Miles Hunt dec^d defendant this Depoⁿant first
sworn on the holy evangelist of almighty God
Deposeth & sayeth I was in Company with Miles
Hunt some time after the bond was due from
Littlebury Newsum to said Hunt for hire of —
Mares Ket and ask^d him if he supposed that he
would ever get the Money from ^{Littlebury} Newsum his
Reply was that he was perfectly satisfied as
the debt was paid — Question by the
defendant do you or do you not know whether
this Money was won at five Coins or any other
Game Ans^r I do not and further this Depoⁿant
sayeth no
John Wright }
Leves Holt } William ^{his} Mark Ellis

The Depositions of John Barlow & Ben^d. Barham[#]
Witnesses in a Suit depending & underlaid in
the Court of Southampton ^{between} Humphrey Dreway (Claim²
of Miles Hunt) & Littleberry Newsome, (see the an-
-nised Com².) taken at the House of Chefsman Nichol-
-sons the 13th day of June 1801. the Parties being present
& consenting thereto

John Barlow of full age being sworn Answereth
the following Questions

Question 1st ^{asked by Dreway} Do you know any thing of a Bond given
by Littleberry Newsome, to Miles Hunt, Ans^r? I do not
of my own knowledge, but understood by William
Ellis that Littleberry Newsome told him that he Newsome
had won of Hunt his Bond at five Corns

John Barlow

Ben^d. Barham of full age being sworn Answereth the
following Questions

Question 2^d by Dreway - did you any thing of a race made
a race with Miles Hunt on or about the year 1793 -

Ans^r? I did. How much was the race for, Ans^r? 10
Barrells Corn, & a Barbaeu, the Corn was settled at 12/1
& Bar^d. the Barbaeu, at 13/4 -

Question 3^d, How long was this race in hand, Ans^r? it was
made some time in Aug^r. & run the 2^d Saturday in Sep^r.
following

Question 4th by Newsome did you not hire the same
negro of Miles Hunt, what Littleberry Newsome did
the preceding year. Ans^r. I did. Question 5th did
you take in your Bond at the time you paid
up the hire of said Negro. Ans^r. I did not but
took his rec^t. for the money against the Bond
~~Hunt~~ saying that he had not got the Bond about him.
Question 6th when did you get in your Bond. Answer
I received it of his Adm. some time in this last Spring
on producing the afores^d rec^t. & further these deponents
sayeth not.

Benj^d Dooborn

The above Depositions taken before us the day &
year first above written.

James Millar
S^{on}. Hunt

The Clerk of Southampton

A quable to a Commission to us directed bearing Date
1801 June 11. We have caused to appear before us
on this fiftenth day of June 1801 at the house of
Col. Samuel Kello, Wilson Nasty as a Witness for
Littleberry ^{Neuson} in a suit depending between Humphrey
~~Barney~~ Littleberry Neuson Complainant and
Humphrey Deury Administrator of Miles Hunt
Dec. Defendant being of full age and first
sworn on the holy Evangelists of Alms & by God
deponeth and sayeth that in this deponent, deponent
Heard & later say that Littleberry Neuson had
nearly paid him for the hire of a Negro named
Kit, and as nearly as he recollects this was said
about eight or nine years ago and further
this deponent sayeth not ^{his}
Wilson & Nasty
Acknowledged in the presence of Mark

Robt Goodwyn

Sam. Wilson

New sum

01

} Engr

Drawing as Hunt

Oct

~~Oct~~ 18 00

Know all men by these presents that we Littlebury Newsum and
are held and firmly bound unto Humphrey Drury esq of
Mills Mount in the sum of twenty pounds our money of Virginia to keep
to the said to the said Drury me himc our heirs and each of us
our and each of our heirs executors and ad^{rs} jointly and severally
firmly by these presents sealed with our seals and dated this
10 day of Nov^r 1800 and the 25 year of the Commonwealth

The condition of the above obligation is such that
whereas the said Drury hath obtained a judgment at Common
law ag^t the said Newsum for the sum of pounds Scots of
the said Newsum hath obtained an injunction to stay the
proceedings on the said judgment untill the matter in equity
upon a bill for that purpose filed can be fairly heard if the
said Newsum shall satisfy and pay the sd Judge at Common
law and costs and damages that shall be awarded to the sd
Drury in case the said Judge sh^l be disposed then this
obligation to be void else to remain in full force and virtue

Given & delivered
in presence
Sam^l Keeco Jun^r

Littlebury Newsum Seal
Joan Newsum Seal