

1784-004

SOUTHAMPTON COUNTY
CHANCERY PAPERS

HARRIS

VS

KIDD, 12/1784 []

other SURNAMES: Newsum,
Vaughan, Fisher

To the worshipful justices of Southampton county sitting in
Chancery

Sheweth unto your worships your Orator,
Joshua Harris of the said county That sometime about the year 1780
an agreement was entered into between your orator and one Joseph
Kidd for the purchase of a certain tract of land in the county after
for which your orator was to give the said Kidd the consideration of
eighty three and four pence of unfiltered tobacco. & did then receive and
conveyance of the said land & pay his bond or notes to the said Kidd
for the aforesaid sum of tobacco. dated 14th Sept^r 1780. ~~whereupon~~
~~whereupon~~ ~~he would promise that it~~ that at the same time there was
endorsed on the back of the said note the words following "Mem^r
that a horse of the price of twenty four hundred pounds was delivered
to Mr Kidd the 17 day of June last which is to be discounted out of
the within tobacco paying the horse at the quantity of tobacco which
the above said sum would have purchased at the time of delivery
the 14th 1780. Witness ^{Orator} ~~his~~ hand" which your charges would have
amounted to the quantity of four thousand one hundred & fifty
pounds of tobacco to be discounted at said
Your orator further sheweth that the time of making the agreement
as aforesaid it was stipulated & agreed ~~between~~ ^{at} between the said Kidd
& your orator in the presence of several witnesses that your orator
was to erect & build on the premises conveyed, a brick chimney the
cost & charges of which the said Kidd then agreed should be deducted
out of the notes as aforesaid, & which your orator hath duly complied
with & paid & expended the sum of 2500^l to tobacco for the same and
yet not withstanding all these circumstances, the said Joseph hath
commenced & prosecuted his action of debt in this worshipful Court
against your orator & hath obtained a judgment ^{again} ~~from~~ for the whole
sum of 8000^l & 6^d & interest thereon with costs. ^{to be deducted by the payment of} ~~the debt arising by the payment of~~ ^{to be deducted by the payment of} ~~the debt arising by the payment of~~
hath prayed & obtained an execution against the estate of your orator
which execution hath been levied & the effects now in the hands

Harris

Kidd

Joshua Harris

Oct. 1784

34 70 2/23

the Sheriff, tho your orator charges that the said Kidd ought in
all equity to have allowed your orator the sum of £2000 ^{owed the 2000} for building the chimney ^{and 4000 for the house} &c. by the house
by him agreed. Yet so it is may it please your worship, that
the said Kidd still prosecutes this his unjust advantage & persists
in having a sale of your orator's effects now in the hands of the Sheriff
for the whole amount ^{except the underwritten as above} & so that the said Kidd is ^{now} ~~about to~~ ^{about to} remove
himself out of this State whereby your orator will be deprived
of all remedy without the timely interposition of this Court for
his relief. To the end therefore that the said Joseph Kidd may upon
his corporal oath give full true & perfect answer make to all &
singular the premises in as full & ample manner as if the
allegations were again repeated. And that this Court will
by their decree ~~prospectively~~ enjoin the said Joseph Kidd not
to proceed to satisfaction or sale of your orator's estate on the
execution aforesaid, until the matter aforesaid is heard in equity
in this worshipful court. May it please your worship to
grant unto your orator the Common wealth's writs quare-
writ or writs of Injunction to be directed to the said Joseph
Kidd his Attorneys Solicitors Agents &c. & to the Sheriff of the
said County commanding them & every of them to surcease & stop
all further proceedings on the execution aforesaid until the further
order of this Court in the premises

Kelloe Comp^t

Southampton
Given to before me
the 10 day of June 1704

John Simmons

Kidd } as
" } Law
Harrington

Excused N

House Vaughn Bua
Joshua Foster Dr
J

The Commonwealth of Virginia

~~GEORGE the Third, by the Grace of GOD, of GREAT BRITAIN,~~
~~FRANCE, and IRELAND, King, Defender of the Faith, &c.~~ To
the Sheriff of Southampton County, greeting: We command you as at
another time we have commanded you that you take Joshua Harris for eight thousand pounds of
Tobacco

if he be found within your Bailiwick, and him safely keep, so that
you have his Body before the Justices of our said County Court, at
the Courthouse of the said County, on the 2^d Thursday in March next
to satisfy Answer Joseph Kidd of a plea of debt for eight thousand
pounds of tobacco damago one thousand pounds of Tob^o

~~whereof the said~~ ~~convict, as appears to us, of~~
~~Record~~, and have then there this Writ. Witness Sam Kello
Clerk of our said Court, at the Courthouse aforesaid, the 10th
Day of February in the 7^h Year of our ~~Reign~~
Independence

Sam Kello &
(11)

Kidd } Wins
 ~~~~~  
 24 Apr 1780 } Leter

not found  
 Joshua Fort

Jun 1780 all ap  
 ap. to us Conf 4th  
 May to conf anglo  
 Spg. 12.

8000

$$\begin{array}{r}
 12 \\
 72 \overline{) 7848} \overline{) 14} \\
 \underline{576} \\
 288 \\
 \underline{288} \\
 0
 \end{array}$$

4.

$$\begin{array}{r}
 8000 \\
 3472 \\
 \hline
 4528
 \end{array}$$

$$\begin{array}{r}
 72 \overline{) 2500} \overline{) 34} \overline{) 14} \overline{) 5} \overline{) 4} \\
 \underline{216} \\
 340 \\
 \underline{288} \\
 52
 \end{array}$$

$$\begin{array}{r}
 72 \overline{) 624} \\
 \underline{576} \\
 48
 \end{array}$$

*The commonwealth of Virginia*

**G**EORGE the Third, by the Grace of GOD, of GREAT BRITAIN,  
FRANCE, and IRELAND, King, Defender of the Faith, &c. To  
the Sheriff of Southampton County greeting: We command you  
that you take Joshua Harris

if he be found within your Bailiwick, and him safely keep, so that  
you have his Body, before the Justices of our said County Court, at  
the Courthouse of the said County, on the second Thursday in December next  
to ~~answer~~ answer Joseph Kidd of a plea of Debt for eight thousand  
pounds of Tobacco, damages one thousand pounds of Tobacco

whereof the said convict, as appears to us, of  
Record; and have then there this Writ. Witness Sam Kello  
Clerk of our said Court, at the Courthouse aforesaid, the sixteenth  
Day of November in the seventh Year of our said  
the commonwealth.

*Sam Kello*

3125.

Cal. Blum. 4166  
No. 3851

3000  
386.  

---

4139

Southampton January the 20<sup>th</sup> 1784. The Oath  
of Benjamin Newsum, saith that sometime  
in the Year 1780. he heard a Contract made between  
Joseph Kidd and Joshua Harris, for a certain  
tract of Land &c. for which, the said Harris,  
was to give 8000 Tobacco, one half, to be paid, in  
January 1781. the other half the January after,  
to wit, in the Year 1782. The said Harris was to have  
a brick Chimney, Built, the Cost of which, was  
to be deducted from the Consideration given, for  
the aforesaid Land and further this Deponent  
saith not

Sworn before me  
Timothy Thorpe

his  
Benjamin Newsum

The Oath of William Vaughan, saith, that he heard,  
the above mentioned Kidd, agree, that the building  
of the above Chimney, should be deducted, from  
the Consideration, to be given for, the above mentioned  
Land, and further this Deponent saith not

Sworn before me  
Timothy Thorpe

W<sup>m</sup> Vaughan

On 17<sup>th</sup> of July 1788 of Joshua Harvris  
one horse Value 2500 to be deducted  
out of the Tobacco due from him for  
Land & Improvements purchased of  
me at the rates Tobacco sold at market  
on that day

Jos: Kiser  


Los. Hanes Co.

to  
Kidd

Mem<sup>o</sup> A Horn of the price of twenty five hundred pounds  
~~was~~ <sup>was</sup> delivered to Mr. Kidd the 17<sup>th</sup> day of June  
last which is to be discounted out of the within. tob.<sup>o</sup> rating  
the Horn at the quantity of tob.<sup>o</sup> which the above said firm  
would have purchased at that time of delivery Sept. the 17<sup>th</sup> 1800  
Witness

D. Fisher

I Joshua Harris of Southampton County do promise to pay to  
Joseph Kiddle or to his assigns the sum of eight thousand pounds  
of Tob<sup>o</sup> inspected & merchantable on or before the 17<sup>th</sup> day of Jan<sup>y</sup>  
next Witness my hand & seal this 14<sup>th</sup> day of Sept<sup>r</sup> 1780

Witness

D. Tucker

Joshua Harris Seal  
Harris

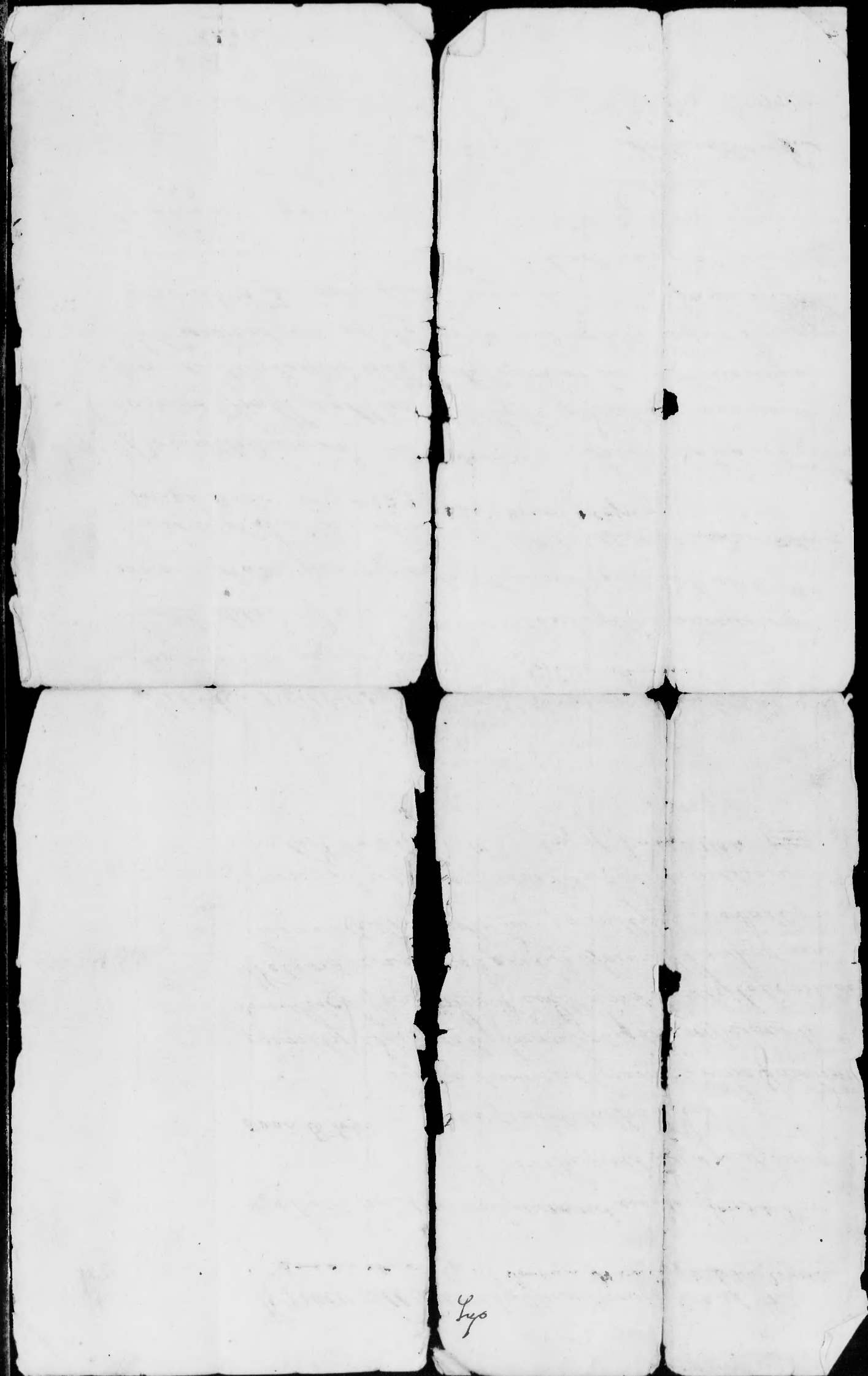
4189

8000  
3861  

---

4139

17819 Joseph Reid to Joshua Harris Esq  
To Making Bricks finding  
Provision, Lime, Paying work  
men &c for Building One } 2500. Tolls  
Chimney



Lys

Know all men by these presents that We  
Edward Harris & John Rogers

are held and firmly bound unto Joseph Kidd

in the full and just sum of

5000 £ to be paid to the said

to certain attorney or attorneys  
jointly & severally firmly by these presents  
to which payment well and truly to be made  
We bind ourselves & each of our heirs  
heirs executors jointly & severally  
firmly by these presents sealed with our  
Seals & dated this 10<sup>th</sup> day of June 1784

The Condition of this Obligation is such that  
whereas the above named Joseph Harris  
hath obtained an injunction to stay the execution  
on a certain judgment obtained in the Court of the  
County of Southampton aforesaid by the above mentioned  
Joseph Kidd for 4139 £ the said Harris

Now if the aforesaid Joseph Harris his executors or admors  
do and shall well and truly pay & satisfy or cause to be  
paid & satisfied all such sum or sums of money or  
Tol which shall be or grow due on the aforesaid judgment  
and also and satisfy unto the said Joseph Kidd

all such cost as shall  
be awarded against him in case the injunction aforesaid  
be dissolved then this obligation to be void & as to

remain in full force & virtue  
Sealed & Delivered

in presence of  
R. K. Harris

John Harris  
John Rogers