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JP - JULY 1788

2802

York County, South Carolina Minutes of the County Court 1786-1797

2801

Laurence K. Wells

1981
c/o Brent Holcomb
Columbia SC

Page 13. Wednesday, January the 4th, 1786. Court met according to adjournment. Present William Bratton, Wm Hill, James Wilson, David Leech & John Drennan, Esquires.

The Court proceeded to the choice of a proper & central place whereon a Court House for this County shall be erected, when they chose the Cross roads formerly known by the name of Fergus Crossroads, unless by July Court the majority of the freeholders petitions this Court to the Contrary.

Ordered that Colo William Bratton and Colo William Hill severally have License to keep a Tavern at their respective dwelling Houses, they complying with the Law in that behalf made.

Ordered by the Court that William Akin be appointed Constable for one year and that he swear in before William Bratton Esqr.

Ordered that John McPake be appointed a Constable for the ensuing year & that he swear in before William Hill, Esqr.

Page 14. Ordered that Richard Wilson be appointed Constable for the ensuing year, and that he swear in before James Wilson, Esqr.

Ordered that James Wilson (marked through) Robinson be appointed Constable for the ensuing year and that he Qualify before John Drennan Esqr.

James Hawthorn Esqr proposed in open Court James Barron as under Sheriff for the County of York for the approbation of the Court, who was accepted.

Mr. James Barron came into open Court and took the Oath of allegiance and Oath of Office to Qualify him as under Sheriff.

Ordered that Allen Dowdle be appointed a Constable for the ensuing year, and that he Qualify before David Leech, Esqr.

Ordered that John Givens serve as constable for one year and that he Qualify before John Moffet Esqr.

Ordered that Colo Hill have a License to any person he shall place at Fergus's crossroads to keep a Tavern, and that John Wilson also have License, they complying with the Law in that behalf made.

Page 15. Ordered that the Clerk shall at any time hereafter record the Marks and Brands of the freeholders of this County, provided that a freeholder having previously recorded his marks and Brands, no other shall record the same marks and Brands who lives within five miles of such person who has so formerly recorded.

Ordered that whatever place the Sheriff shall think proper to confine prisoners in shall be accounted a Lawfull Gaol untill further order can be taken therein.

Ordered that the Sheriff summon the following persons to appear at the next county Court to serve as grand and petit Jurors, Viz.

For the Grand Jury

Robert Johnston Senr
Robert Leeper Senr
Robert Adams
John Faries Senr
Jas Faries

Matthew Bigger
Thomas Black Senr
John Anderson
James Wilson, B.C.
Warren Beaufort

Joseph Laney
William Minter
Fredrick Hambright
William Copelan Senr
Capt William Byers

John Venables
James Ross
Capt John Chambers
Samuel Moore
Philip Sandiford

Page 16.

William Davis
Joseph McKenzie
Thomas Patton
James Bigger Junr
Joseph Waddle
Alexr McWhorter
Arch'd Barron
Nath'l Henderson
Jno McConnell
Jno Swan
John Polk Senr
James Greer
Saml Rainey
James Mitchel
Jno Carson
Jno Dickey

Petit Jury

Jas Hilhouse
Robt Kirkpatrick
David Dickey
Alexr Barron
James Hope
John Moore
Wm Smith
Abraham Green
Isaac Sellers
Wm Blair
Robert Brown
John Wilson
Wm Carson Senr
Francis Gilmore
Robert Patterson
John Jordan

Court adjourned till Court in Course.

April term Anno Dom 1786

Page 17. At a County Court begun and held for the County aforesaid on the second Monday in April Anno Dom 1786. Present William Hill, John Moffet & John Drennan Esqrs. Court adjourned till tomorrow morning nine Oclock.

Tuesday morning, Court met according to adjournment. Present the Honourable William Hill, Fra's Adams, John Moffet, James Wilson, John Drennan, David Leech.

Ordered that Joseph Collins be appointed Overseer of the Road leading from the No line to Hugh Quinns, in that part between the No. line and Buffaloe Creek, and that he summon the Inhabitants by Law appointed to Work on the same forthwith to put and keep the same in repair, and that said Joseph Collins have power to lay out and Cut said road the nighest and best way from the North Carolina line to Mr Quinns.

Page 18. Ordered that Hugh Quinn, Abraham Smith, and Capt James Thompson be appointed Commissioners to lay out & mark a road from Mr Hugh Quinns to Hilhouses ford on Turkey Creek.

Ordered that John Ramsay, Robert Patterson & Alexander Ellison be Commissioners to lay out and mark a road the nighest and best way from Smith's ford on Broad River to Widow Gordon's at the No. Carolina line.

Deed of Lease and Release from George Elanton to John Barron for 200 Acres dated 28 Feb. 1778, formerly proven by Thomas Tate before Robert McAfee Esq, ordered to be recorded.

Deed of Sale of 260 Acres from James Armour to the Rev'd Francis Cummins dated 18 Nov. 1783 proven by David Moore & James Ramsay, Evidences thereto.

Deed of Sale from William Byers to Hugh Ellison for 300 Acres dated 13 Feb. 1776, formerly proven by Daniel McClaren before Ezekiel Polk, Esqr, ord'd to be recorded.

Deed of Sale from Thomas Morgan and Mileson his wife to Joseph Boggs for 179 & 93 Acres, dated 21 Feb. 1782, proven by James Young Senr and James Young Junr.

State vs. Wm Davis. Petit Larceny. Grand Jury return a true Bill.

Page 33. John Steen vs. Moses Whitley. John Mitchel summoned Garnishee, failed to appear. Ord'd that a scire facias issue against him.

R3 John Steen vs. Joseph Robison. Henry Smith Senr sum'd Garnishee failed to appear. Ord'd that a scire facias issue against him.

John Beard vs. Ben McKenzie. Debt. Petit Jury (same as in Moffet vs. Powell, page 9 supra) find for the Pl'ff £.43.8.10 3/4 and 1/ damages & Costs.

Page 34. Deed of Sale of 400 Acres from James Lockart and Anne his wife to John Berry, formerly proven by Joseph Caryl before Wm Hill, Esqr, ordered to be recorded.

State vs. Edw'd Moorhead. Indictment. Grand Jury return a true Bill to which the def't pleads not guilty.

Colo Wm Hill vs. Abraham Floyd. Trespass. Hugh Quinn, garnishee, declared that he gave a Bond to Catharine Julian, Floyd's mother-in-law, which he believed was to pay to her in trust for said Floyd, that he owes thereby about £.58 Sterling. Catharine Julian interpleads and claims said money, whereupon the Court orders a Jury to try. Same Jury impaneled & sworn. Jury find that the money made payable to the s'd Catharine Julian was through fraud and in trust for the said Floyd, and ought to be liable to the demand of the said Hill, and assess his damage agreeable to the Declaration to be levied of the property of s'd Hugh Quinn.

Page 35. A Deed of Sale from George Ross and Sarah Ross his wife to Alexander Moore for 181 Acres and 31 do. Joining it, dated 1 Dec. 1785, proven by James Martin and John Ross, evidences thereto.

Lease & Release from Humphrey Barnet & Eliz'a his wife to John Darwin for 300 Acres, dated 15 Oct. 1782, formerly proven by William Young before Wm McCulloch, Esqr, ordered to be recorded.

Lease & Release from James Hemphill to William Davidson for 67 Acres, dated 12 & 13 June 1786, acknowledged and ordered to be recorded.

Deed of Sale from Abraham Floyd and wife to Hugh Quinn for 155 Acres dated 4 Oct. 1785 proven.

Colo Wm Hill vs. Peter Robison. Matthew Brown summoned garnishee says he had £.4.-.5 Sterling. Same Jury find for pl'ff £.14.12.0½ damage & Costs.

Page 36. Deed of Sale from Rainey Philips to James Mitchel for 150 Acres, dated 21 Dec. 1785, proven by Robt Greer & John Abernathy, Evidences thereto.

Deed of Sale of 300 Acres from Henry Wright to Alexander Henry, dated 27 Apr. 1774, formerly proven by William Henry before Ezekiel Polk, Esqr, Ord'd to be Recorded.

Bill of Sale from Isabel Ash to Robt Ash for a Negro man named Tom, dated 27 May 1786, proven by Joseph Palmer and John Wallace, evidences thereto.

Bill of Sale from Isabel Ash to Wm Burrows for a negro Girl named Hannah, dated 27 May 1786, proven by James Mitchel & Joseph Palmer.

Court adjourned till 2 O'Clock.

Court met according to adjournment. Present Wm Bratton, Wm Hill, David Leech, James Wilson, John Drennan, Fras. Adams, & John Moffet, Esqrs.

Page 37. State vs. Robert Smith. Indictment. Grand Jury return a true Bill, to which the def't pleads not Guilty.

Colo Hill vs. Moses Barns. A mistrial, continued by Pl'ff at his own costs.

R3 Deed of Sale from James Hamilton to Ralph Rogers for 100 Acres dated 16 Nov. 1785, proven by Abraham Smith and Clayton Rogers, evidences thereto.

State vs. Joseph Gabby. Indictment for an Assault & Battery on Reuben Dulan. Same Jury. Defendant found guilty, fined 1 d. & Costs.

State vs. Edw'd Moorhead. Indictment for selling liquor higher than the rates, pleaded guilty, fined 3/6.

State vs. Robt Smith. Indictment for selling Liguor higher than the Rates, plead not Guilty. Same jury sworn. Def't found guilty, fined 2/6 and Costs.

R3 Page 38. Lease & Release from Samuel Gordon & Mary his wife to William Hood for 50 Acres of Land, dated 29 and 30 Nov. 1779, formerly proven before Abraham Smith Esqr, by John Fulton, evidence thereto.

State vs. Wm Davis. Petit Larceny. On Indictment the def't plead not guilty. Same petit jury sworn find defendant guilty. Ordered that said Wm Davis receive ten stripes well laid upon the bare back and that the Sheriff put the sentence in Ex'n immediately.

Court adjourned till tomorrow morning 8 o'clock.

Page 39. Wednesday, July 12th, 1786. Court met according to adjournment. Prese William Bratton, Wm Hill, John Moffet, David Leech, Fras. Adams, James Wilson, & John Drennan.

State vs. James Barron. Indictment for trespass, Assault & Battery. Grand Jury return a true Bill. Ord'd that a Capias issue to bring him to next Court.

William Miles vs. Lewis Thompson. Detinue. Same petit jury find that def't does not detain the property P'ts Att'rs prays an Appeal....

State vs. John Hamilton. Indictment for Contempt of Court. Grand Jury return a true Bill. Ord'd that a Capias issue to bring him to next Court.

Page 40. Deed of Sale of 150 Acres of Land from John Miller to Thomas Moore date 7 Apr. 1786 proven by Thomas Davis & John Moore, Evidences thereto.

Deed of Sale from Malcolm Henry to John Gordon for 500 Acres dated 11 July 1786 proven by John Jordan and John Lesley, Evidences thereto.

Deed of Release or Quitclaim for tract of land in Lancaster County Pennsylvania proven by William Wilson, Evidence thereto, to be signed by Ben and Joseph Wilson of the State of Georgia and John Wilson and Francis Wilson of this County, to Matthias Hough. Ord'd that the Clerk certify the same.

John Steen vs. Moses Whitley. O. Att. Same jury find for the Pl'ff E.39.5.8, with ten years Interest and Costs of Suit.

John Steen vs. Joseph Robison (sic). O. Att. Same jury find for the Pl'ff E.35.14.3 w't Interest for 12½ years and Costs of Suit.

Page 41. Joseph Feemster Ex'r &c vs. John Kenslor & William Givens. Agreed by the parties suit dismissed at Wm Given's Costs.

James Steel and James Moore came in Voluntarily and Submitted themselves to the Court for a Riot who fined them each One Quinea.

Ordered that the Auditors for adjusting the Acc't between James Campbell & Jas. Beard, plaintiff, & Joseph McKenzie, Def't, meet on Wednesday, 2 August, instead of the fourth Monday of July.

Robert Johnston Senr vs. Ben McKenzie. Debt. James Pursley Senr enters special bail in this suit.

Robert Johnston Junr vs. Ben McKenzie. Debt. Ordered that the def't remain in Custody of the Sheriff untill he enter Special Bail.

Court adjourned till tomorrow morning 8 O'Clock.

Page 42. Thursday, July 13th, 1786. Court met according to adjournment. Present, William Bratton, Wm Hill, John Moffet, David Leech, Francis Adams, and James Wilson, Esqrs.

Power of Attorney for receiving Legacies in the State of Maryland from James Watson, Exor of the Estate of Wm Stephenson, from Anne Stephenson, Mary Stephenson, Margaret Stephenson, Hugh Stephenson, Sarah Stephenson and Eleanor Stephenson, to George Cunningham, proved in open Court by Francis Adams, Esq. Ordered that the Clerk certify the same.

John Gallaher represented by the Grand Jury at the Instance of John Wilson for Trespass, Assault and Battery, submitted to the Court who fined him one penny.

Samuel Montgomery vs. Ab'm Smith & John Smith. Case. The Pl'ff called failed to appear. Ord'd that he be nonsuited.

John Fondren vs. Joseph Collins. Plaintiff called failed to prosecute. Ordered that he be nonsuited.

Page 43. John Fondren vs. John Quinn. Plaintiff called failed to appear. Ordered that he be nonsuited.

John Fondren vs. Daniel Quinn. Plaintiff called failed to appear. Ordered that he be nonsuited.

Samuel Gordon vs. Alexander Bennet. Prayed by the Deff. that he may have a Didymus to Nolly Chukky in North Carolina, to take the testimony of the Rev'd Mr. Cawson, without which he cannot have Justice, which was Granted.

Ordered that Matthew Dickson have License to keep a common Tavern untill January term next without County or State Tax, he complying with the Law.

Rueben Duling vs. Capt. Wm Hannah. Case. Petition & summons. Judgment for 9 Dollars with Costs.

Robert Johnston Senr vs. Ben McKenzie. Judgment confessed according to specialty by the def't in person with Stay of Execu'n three months.

Robert Johnston Junr vs. Benjamin McKenzie. Judg't confessed according to Specialty by def't in person with Stay of Execution three months.

Page 44. Ordered that James Hope be appointed Overseer of the Road in place of William Kerr.

Ordered that John McCaw be appointed Trustee for this County for one year to receive all fines and taxes during said term.

Ordered that a tax of 1/8 of a Dollar for every Dollar that the Inhabitants of the County pay as a tax toward the Support of Government be Levied in this County, and that Capt. James Wallace Collect the same in his Company and all the different Captains in their Respective Companys. Ordered that said Collectors report to the Trustee before next Court what they have done or how much they have received of the same, and pay to him what they have rec'd, and they have power to Issue Execution in the same manner as the State Collectors have, and that said Tax shall be paid in Gold or Silver Coin.

Ordered that the Order for the demensions of the Court House & Jail of last term be rescinded and that the Court House be 30 feet long and 22 wide in the clear, or Story and a half high, with proper sleepers and joists, the Roof lap singled, with two sufficient Doors, the House to be built of square logs, and duftailed. And that the Gaol be 22 feet long in the Clear and 16 feet wide, built a single wall of timber 12 inches square, the floors to be laid with square logs of 12 inches thick and close laid with a partition of square square logs of 12 inches thick, the Roof to be lap singled with sufficient Doors.

Pages 45-46. Ordered that the Sheriff Summon the following persons to appear at next Court as Grand and Petit Jurors, Viz. For the Grand Jury

Hugh Ellison	Thos. Logan
<u>Wm Love, B.C.</u>	James Henry
Alexr Akins	James Risk
David Moor	Charles Miller
John Howe	Wm Hannah
James Hemphill	Wm Byers Junr
Joseph Palmer	Nathan'l Irvin
Daniel Williams	James Fergus
Wm Givins	William Fergus
Jacob Randal	William Watson

For the Petit Jury

Edward Moorhead	Thomas Carson
Alex'r Ellison	John Dennis
Philip Palmer	Matt'w Brown
Thomas Barnet	Philip Sandifer
William Howe	Peter Quinn
Sam'l Carson	John Barron

Wm Jenkins Junr
Jno Henry
Jas Simril
Wm Berry
Joseph Gabby
Thomas Carrel
Walter Carson Senr
John Thompson
Walter McCarter

Godfrey Adams
Joseph Wallace
Wm Castilo
James Martin
William Elliot
John Smith
Jacob Barnet
Abraham Smith
Wm Kerr

Page 46. Court adjourned till Court in Course.

October Court Anno Dom 1786

Page 47. At a County Court begun and held for the County of York aforesaid on the second Monday in October in the year of our Lord 1786, and of the Independence of the united States of North America the Eleventh. Present the Honourable Wm Bratton, Wm Hill, John Drennan, Francis Adams & James Wilson Esqrs.

Deed of Sale from Wm Byers Senr to Hugh Ellison Junr for 99 Acres dated 26 Sept 1786 proven by Alexr Ellison and Edward Moorhead, Evidences thereto.

Deed of Sale from William McAdow to James Barron for 250 Acres dated 23 July 1779 proven formerly by Wm Byers & James McAdow before Wm McCulloch Esqr, ordered to be recorded.

Deed of Sale for 100 Acres from Zachariah Bell to James Barron dated 23 Sept. 1785 proven by Andrew Lethem & Isaac Gilham, Evidences thereto.

(23) Page 48. Deed of Sale from Jacob & Mary Gardner to Wm Smith for 100 Acres, dated 19 June 1779, proven by John Smith & Henry Smith Junr, Evidences thereto.

Grand Jury: Joseph Palmer, Foreman

William Givens
David Moore
James Hemphill
Wm Hannah
Daniel Williams
Jno How

James Fergus
Hugh Allison
Nathaniel Erwin
William Love
William Byers Junr
William Fergus

Sworn and charged.

Ordered that James Robinson, Constable, do wait upon said grand Jury, who was sworn.

Ordered that James Barron who gave himself up to the Court in discharge of his bail be taken into Custody of the Sheriff.

Page 49. James Campbell & James Beard, Administrators of Peter Clinton deceased, vs. Joseph McKenzie. In acc't. Ordered that the Auditors appointed at last court who have not determined this Controversy, meet at McKenzies Mill on the 1st Monday in next month to decide said Controversy....

Court adjourned till tomorrow morning 9 O'Clock.

OCTOBER COURT 1786

1

Tuesday, 10th of October 1786. Court met according to adjournment. Present: Wm Bratton, Wm Hill, David Leech, John Drennan & John Moffett, Esqrs.

Page 50. Dan'l Williams vs. Philip Sandiford. P. & S. Dismissed at Pf's Costs

Isaac Price vs. Nath'l Henderson. Def't failed to appear. Judg't by default.

Jeremiah Early vs. Peter McPherson. O. Att. Judg't by default.

Ord'd that Wm Givens, Joseph Femester & John Hilhouse do look over the road frc Quinns to Turkey Creek and lay out said road from James Jamison's to Chester Cc line the nighest and best way, and report to next Court whether they think the former Com'rs have done their duty agreeable to Order of Court.

John Walker vs. Jno Whilden & Abra'm Pearce. P. & S. Judg't confessed for E.7 13.4 and suit dismissed at equal Costs. Ex'n to be Stayed two months.

John Wilson vs. Jas. Reid & Wm Byers Senr. Suit dismissed at equal Costs.

Petit Jury:

Jno Smith
Wm Howe
Wm Calley (marked through)
Jos. Gabby
John Henry
Sam'l Carson
Godfrey Adams

Wm Kerr
Walter McCarter
Walter Carson
Wm Berry (marked through)
Abraham Smith
John Thompson
Mathew Brown

Page 51. State vs. Jacob Green. Grand Jury return a true Bill.

State vs. Martha Ferguson. Indictment for Petit Larceny. Grand Jury return a true Bill to which the def't pleads not Guilty.

John Steen vs. Joseph Robinson. O. Attm't. Henry Smith Senr, Garnishee, broug in on scire facias, declares that he has a Desk, two Bedsteads, 3 Chairs & two tables and no more.

Alexander Kile vs. Tho's William & Richard Willsons. Trover. On motion of the defendants by Dan'l Brown their Attorney that security be given for costs, the P'ff being and Inhabitant of North Carolina, and no person appearing to give su security, Ordered that said suit be dismissed at the Plaintiff's Costs.

David Leech Esqr vs. Richard Miles. Slander. Continued at P'ffs Costs.

Rueben Harrison vs. John Ferguson & John Dorun(?). Case. Pl'f failed to prose cute & was nonsuited.

James Barron vs. Charles Miles. Slander. The def't by his Att'o demurred to the P'ffs decl's, which was argued before the Court, and adjudged in favor of t Def't, and that he recover his Costs of the Plaintiff.

Page 52. John Steen vs. Moses Whitly. John Mitchell sworn saith he hath not a of the Def't property in his hands ... nor is he ... indebted to the Def't....

State vs. James Donnelly. T.A.B. Submitted and was fined 5/ and Costs.

Court adjourned till tomorrow morning 9 O'Clock.

*Retit Jury
845-6
with Court Cost
2nd printed
1786*

Wednesday, October 11th 1786. Court met according to adjournment. Present: Wm Hill, John Moffett, Fr's Adams, John Drennan & John Moffett (sic), Esq'rs.

Page 53. Power of Atty from William Stanley to John Sturgis for taking possession of and selling 400 acres of land in Newcastle County & State of Delaware proven by James Hawthorn and Boaz Truitt, evidences thereto. Ordered that the Clerk certify the same.

John Kenslor vs. John Owens. Discontinued at P'ffs Costs. Issue Ex'n.

Colo Wm Hill Esqr vs. Moses Barns. O. Att. Def't called failed to appear. Judg't by default.

Alex'r Bennet vs. Joseph Carrel. In two suits on P & S. Ord'd that they be left to the Arbitration of Wm Love & John Venables and any other person of said arbitrators choice, and their award or a Majority of them to be the Judgment of the Court....

Pages 53-54. Samuel Gordon vs. Alex'r Bonnot. Case. Petit Jury

<u>John Smith</u>	Wm Kerr
Wm Howe	Walter McCarter
Joseph Gabby	Walter Carson
John Henry	<u>Abraham Smith</u>
Samuel Carson	John Thompson
Godfrey Adams	Matt'w Brown

find of the Pl'f and assess his damage to £.14.11.8 ster'l with Costs.

Page 54. Deed of Sale from Robert Simonton to Wm Berry for 225 Acres dated 20 May 1786 proven by Sam'l Watson Senr and Francis Adams Esqr, evidences thereto.

Deed of Sale from Robert Simonton to Wm Berry for 275 Acres of Land dated 20 May 1786 proven by Sam'l Watson Senr and Francis Adams Esqr, evidences thereto.

Deed of Sale from Alex'r Kennedy to Sam'l Watson Senr for 180 Acres dated 6 Oct. 1786 proven by James Watson & Sam'l Rowan, evidences thereto.

Ordered that Alex'r Faries Senr and John Garrison be appointed overseers of a road from the North East side of the Catawba River from a place known by the name Punch's landing, to open a road the highest & best way to the North Carolina line, and that they summon the inhabitants liable by Law to work on the same forthwith to put and keep the same in good repair.

Joseph Dickson vs. James McRandles. Debt. Referred to Colo Wm Hill & Major John Adair, and their award to be ... the Judg't of the Court.

Page 55. Ben McKenzie vs. Edw'd Moorhead. Trover. Same Jury impaneled and Sworn find for the P'ff and assess his damage to £.18. with Costs.

Colo Wm Hill vs. Robert Tate. O. Att. Henry Cresswell, Garnishee, sworn says he had £.35 Ster'l due by Note of hand.

Court adjourned for an Hour. Court met according to adjournment. Present: Wm Hill, John Drennan, James Wilson, Esqrs.

Deed of Sale from Zachariah Bell & Margaret his wife to John Femester for 500 Acres dated 7 July 1785, formerly proven by Thomas Gilham before Joseph Brown Esqr, ordered to be recorded.

Deeds of Lease & Release from Eliz'a Riggs to David Leech for 120 Acres dated 1 and 2 Aug. 1783, formerly proven by Hugh Simpson before David Leech Esqr, ordered to be recorded.

Deed of Sale from Wm McCorkle to Thomas Elliott for 105 Acres dated 22 Jan. 1776 formerly proven by John Wilson before And'w Foster Esqr, ordered to be recorded.

Page 56. Deed of Sale from Charles Miller Junr to Chas Miller Senr for 109 Acres dated 25 Oct. 1779, formerly acknowledged before John Drennan Esqr, ordered to be recorded.

Deed of Sale from And'w McCorkle to Thomas Elliot for 110 Acres, dated 16 Jan 1776 formerly acknowledged before John Drennan Esqr, ordered to be recorded.

Deeds of Lease & Release from Mary Morris to Jas Smith for 250 Acres dated 15 Oct. 1782, formerly proven by Hugh White before Robt Patton Esqr, ordered to be recorded.

Jno Thos Cresswell vs Matthew Brown. Slander. Subp'a Mary Cresswell, Anne Nee & Sam'l Neely for defend't.

Jas Templeton vs. John Henry. F.A.B. Arbitrated. John Henry to pay Costs.

Jo Dickson vs. Jas McRandles. Award returned that James McRandles pay plaintiff £.100 North Carolina currency & costs of court & two attornies fees.

Page 57. State vs. Jas. Barron. T.A.B. On Indictment. Same jury find def't guilty, fined £.2.3.6 with costs.

State vs. Wm Litle. F.A.B. For a Riot. Submitted to the court who fined him one guinea and costs.

State vs. James Clinton. Indicted and fined one guinea and costs.

Court adjourned till tomorrow morning 8 O'clock.

Thursday, Octr 12th, 1786. Court met according to adjournment. Present: Wm Bratton, Wm Hill, John Drennan, Fr's Adams & James Wilson.

Ordered that Wm Stephenson by appointed Constable and that he qualify before Wm Hill Esqr.

John McWaters vs. Thomas Bird. Orr. Att. Same jury, with the alteration of Ar Kerr and Eph'm Pursley in the room of Jno Smith and Abraham Smith, fined (sic) the P'ff and assess his damage £.190 and Costs.

Page 58. Colo Wm Hill Esqr vs. Rob't Tate. O. Att. Judg't for £.8.15.7½ Cost of suit in the hands of Henry Cresswell, Garnishee.

State vs. Martha Ferguson. Petit Larceny. Plead not Guilty. Petit Jury:

Godfrey Adams	Walter McCarter
Wm Howe	Walter Carson
John Henry	John Thompson
<u>Abra'm Smith</u>	Matthew Smith
Sam'l Carson	And'w Kerr
Wm Kerr	Eph'm Pursley

find def't not guilty of the larceny but guilty of trespass. Fined £.5 and co

Deed of Release of 56 Acres from John Moore to John Smith dated 25 July 1777, merly proven by Daniel Smith before Abraham Smith Esqr, ordered to be recorded

Page 59. John McWaters vs. Thomas Bird. O. Att. Ord'd that the attached property be exposed to public sale by the sheriff...

John Fondren vs. Joseph Collins. A nonsuit being entered at last court ag't the plaintiff through a mistake, action is reinstated by Consent of the parties. Sheriff to serve Def't with a Copy of this Order four days before next Court.

Alexander Kile vs. Thos, Wm & Richard Willsons. It appearing that David McClaray sued out said Writ as Agent or Attorney for said Kile, Court gave Judgment ag't said McClaray for Costs....

Page 60. Court adjourned till Court in Course.

January Court 1787

At a County Court held on the second Monday in January, 1787, and 11th year of American Independence. Present the Honourable William Hill, John Moffett, Francis Adams, Dav'd Leech & Thomas Gilham, Esquires.

James Green Hunt, Esqr, produced a license under the Hands of the Hon'ble Henry Pendleton, Aedanus Burke & John F. Grimkie, Judges of the Court of Common Pleas to plead and practice as attorney at law.

Page 61. Landon Cabell, Esqr, also produced a License.

A Rec't and two depositions respecting the titles of a tract from Thos. Mitchell & wife to Wm Minter Ord'd to be recorded.

A Deed of Gift for 150 Acres from Joseph Laney to David & Janet Waugh dated 4 Nov. 1779 formerly proven by Wm Minter before Jos. Brown Esqr ordered to be recorded.

James Campbell & Jas Beard Admrs vs. Joseph McKenzie. Account. Award returned & entered by consent of parties that each pay their attorney & one half of the other costs of suit, and drop the action.

Bill of Sale from Robert Mountgomery to Abraham Smith for one Negro woman named Hannah & Negro girl named Rinah, proven by David Smith, evidence thereto.

Page 62. Grand Jury:

Robert Kennedy
Wm Arnold
Alexr Akins
James Risk
Thos Barnett
John Akins
Robert McClellan
Sworn & charged.

Wm Castillo
Robert Patrick
Rich'd Springs
John Kincaid
Robert Turner
John Patterson

Ordered that Wm Stephenson, Constable, wait on said Grand Jury.

Wm Rainey, presented by Grand Jury last term as Overseer of the Road, submitted to the court, who fined him six pence & Costs.

Petit Jury:

Jonathan Fitchett
Alex'r Faries
Arch'd Stuart

James McCormick
Jno Spence
Alexr Hemphill

Adam Miller
Wm Patrick
Matthew Smith

John Gordon
Wm Stuart
John Gabby

Page 63. Court adjourned till to morrow morning 9 O'Clock.

Tuesday, January 9th, 1786 (sic). Present: Wm Hill, Wm Bratton, John Moffett, David Leech, Francis Adams & Thomas Gilham.

Deed of Sale from Peter Julian to John Hofstittler for 125 acres, dated 5 May 178 proven by Nicholas Whisenhunt & Jacob Hofstittler, evidences thereto.

Deed of Sale from John Wallace to Edw'd Melton for 200 acres dated 15 Dec. 1786 proven by John Kincaid & John Clark, evidences thereto.

Page 64. Ordered that the following persons have License to keep a common Taver for the ensuing year, Vizt, Bishop Hicks, Jonathan Sutton, Wm Hill, Esqr, Wm Bratton, Esqr, James Mitchell & Oliver Wallace (his without County tax).

Ordered that the Clerk Issue an Ex'n for John McPake, Constable, for the sum of 11/ his Costs in an Action the State vs. Martha Ferguson.

Deed of Sale from Jonathan Potts to Francis Gilmore for 300 acres dated 30 Dec. 1785 proven by James Pinkerton & John Swan, Evidences thereto.

Deed of Sale from Wm Henry to Oliver & James Wallace for 150 Acres dated 9 Jany 1787 acknowledged in open court. Ordered to be recorded.

James McCreight vs. John Faries Junr. Case. Def't by his Atto. demurred to the Plaintiff's Declaration which was argued before the Court and over ruled.

Page 65. David Leech Esqr vs. Richard Miles. Slander. Petit Jury:

Jonathan Fitchett
Alexr Faries
Arch'd Stuart
Wm Stuart
Adam Miller
Wm Patrick

Matt'w Smith
'Jas. McCormick'
John Spence
Alex'r Hemphill
John Gordon
John Gabby

find for the Plf & assess his damage to £.20 Costs.

Deed of Sale from John Smith to Samuel Swan Junr for 250 Acres dated 9 Jan. 1776 formerly proven by Thomas Wallace before Sam'l Swan Esqr, ordered to be recorded

Deed of Sale from John Swan to James Watson for 200 acres dated 10 Feb. 1786 acknowledged.

Deed of Sale from Wm & Martha McBriar to Frame Woods for a tract of land dated 30 Sept. 1779 formerly proven by Wm Rogers before Jos. Brown Esqr, ordered to be recorded.

Page 66. Court adjourned for half an hour. Met according to adjournment. Adjo till to morrow morning 9 O'Clock.

Wednesday, January 10th 1787. Court met according to adjournment. Present: Wm Bratton, Wm Hill, Fras Adams, David Leech & Thos Gilham, Esquires.

Lease & Release from Daniel Green to Bagwell Bailey for 333 Acres proven by James Stallings & Ben Cook, Evidences thereto.

Deed of Sale from Mary Hogg to John Hogg for 150 Acres proven by Thos Gillham Esqr & Robert Kirkpatrick, Evidences thereto.

Deed of Sale from Jos. & Rebecca McKenzie to Eleanor Moore for 63 acres dated 2 Jan. 1787 ack'd in open court.

Page 67. Deed of Sale from Jos. & Rebecca McKenzie to Dan'l Murphy for 30 Acres dated 2 Jan 1787 ack'd in open court.

Lease & Release from Sam'l Nesbitt to John Waters for 285 Acres dated 2 Nov. 1785 formerly proven by Chas Moore before H. White Esqr, ordered to be recorded.

Deed of Sale from Frame Woods & Edith his wife to William Bostick for a tract of land dated 7 Dec. 1785 proven by Wm Splean & John Hamilton, Evidences thereto.

Colo Wm Hill vs. Moses Barns. O. Attm't. Interpleader by Aaron Guyton who claims the land which being argued before the Court was over ruled. Verdict of jury for Hill £.20 and costs.

John Davidson vs. Oliver Wallace. Slander. Ordered that said Controversy be referred to Colo Jos Brown & John Cooper and any person of their chusing....

Sharrad Thompson vs. John McDonald. Lewis Thompson vs. John McDonald. Case. Ordered that a dedymis (sic) Issue for both parties in both suits to take the depositions of Wm Thompson & Stannup Richardson before Robt Woods, Swinfield Hill & Peter Sanders Esqrs in the State of Virginia, or either of them giving 15 days previous notice to the oppoiate parties -- or any other Witnesses that may be required at s'd time & place.

Page 68. James Wilson Esqr vs. James Irwine. O. Att. Judg't for P'ff £.5.17.6 and Costs.

John Kerr vs. Ben McKenzie. Edw'd Moorhead, Garnishee, says he has £.18, a kettle, a Chest & a logg Chain.

Philip Sandiford vs. Sam'l Irwine. O Att. The legality of serving the Attachment (being served by a Constable for 210 Quineas) ag't the def't moving his property out of the County being argued before the Court was adjudged in the affirmative.

Alexander & Jane Hamilton vs. Thos. & Sam'l Carsons. Case. Referred to Colo. Jos. Brown, Major John Adair & Thomas Woods and their award returned to be the Judgment of the Court.

Bill of Sale from James Martin to Jesse Douglass for a negro girl named Darkus dated 9 Jan. 1787 acknow'd.

Ordered that an Order of last Court directed to Joseph Feemster, Capt. John Hillhouse & Wm Givens for laying out a Road from Jamisons to Chester County line be renewed.

Page 69. Ordered that Mary Cresswell be compelled by John McPake, Constable, to attend at this present Court as a Witness in an action of Slander John Thos Cresswell vs. Matthew Brown.

Ben McKenzie vs. David Miller. Trover. Same jury find for def't and that he recover his costs of the Pf.

John Davidson vs. Oliver Wallace. Slander. Award returned that each pay one 1/2 Costs & that Mr. Wallace acknowledge that what he said of Mr. Davidson was in 1/2 of passion and that he was sorry for it.

Court adjourned till to morrow morning 9 O'Clock.

Page 70. Thursday, January 11th, 1787. Court met according to adjournment. Present: Wm Bratton, Wm Hill, Fra's Adams, David Leech & John Moffett, Esq'rs. Bill of Sale from Ben McKenzie to Alex'r Glass for two cows & other property proven by James Glass, evidence thereto.

James Ramsey vs. Wm Davis. P & S. Judg't according to specialty with Interest & Costs.

James Buchannan was surrendered by Robert Smith in discharge of s'd Smith his Bail, and was Ordered into custody of the Sheriff.

John Price vs. John Fondren. O. Att. Sam'l Moore sum'd as Garnishee says on Oath that he owes £.18.5.9 Sterl. due by Note of Hand.

David Beard makes oath that he lost a note of hand given him by Thomas Clendenn for which note lost he got another for the same sum which he has now in possess

Page 71. Joseph Culp vs. James Ferguson. Trover. Same jury, find for def't a that he recover his costs of the P'f.

John Kenslor vs. Francis Guthrie. Detinue. Nonsuited.

Francis Guthrie vs. John Kenslor. Detinue. Nonsuited.

John Thos. Cresswell vs. Matthew Brown. Slander. Def't's att'ys pleaded in bar of the action the Statute of Limitation which was left to testimony of Andrew Cresswell and determined that def't plead to the merits of the cause and that i be referred to jury. Same jury assess Pf's damage to 5/.

Court adjourned till to morrow morning 9 O'Clock.

Page 72. Friday, Jan'y 12th 1787. Court met according to adjournment. Presen Wm Bratton, Wm Hill, Dav'd Leech & Thomas Gillham, Esquires.

An Indenture for a Girl the daughter of Eliz'a Myers bound to John Marley was produced in open court and adjudged illegal.

Jeremiah Early vs. Peter McPherson. O. Attm't. Judgment for £.31.16.-.

Isaac Price vs. Nath'l Henderson. Debt. Judg't according to Specialty with In't & Costs.

James McCreight vs. John Fearis Junr. Case. Same jury, find for Pf. £.14.15. 5/ damages & Costs.

Page 73. Colo James Hawthorn offered Alex'r Glass as Under Sheriff of the Coun of York who was accepted of and sworn.

Paged 73-74. Ordered by the Court that the following Rates be taken by the Tav Keepers of this County for the following Year, Viz

For 1 Breakfast	E. .. 1. 0
1 Dinner	.. 1. 0
1 Supper 8

Lodging 3
For 1 Horse in the Stable pr night, fed with good corn blades or Hay	.. 1. 0
Corn or oats pr Q't 3
West India Rum pr half pint10
Do pr quart	.. 2. 4
Northward Rum pr half pint 7
Do pr quart	.. 1. 6
Jamaica Rum pr half pint	.. 1. 0
Do pr quart	.. 2. 4
French Brandy pr ½ pint	.. 1. 0
Ginn pr half pint	.. 1. 0
Peach or apple Brandy pr ½ pt 7
Do pr Quart	.. 1. 6
Good Whisky that Sinks Tallow 6
Do pr Quart	.. 1. 0
Madeira Wine the ½ pt	.. 1. 0
Phial Wine pr ½ pint 6
Good Pasturage for 1 Horse pr night 3
Cydar or Beer pr Quart 4
Claret Wine pr ½ pt	.. 1. 0
Cydar Royal pr Qt	.. 1. 6

Page 74. Wm Miles vs. Ben. Wilson. P & S. Judg't according to specialty.

Thos. Lenoir vs. James Gill. Judg't according to specialty (Crossed through).

Ordered by the Court that the Clerk issue Ordered to the over seers of the high ways, to every person that is returned to him by the former over seers.

Philip Sandiford vs. Sam'l Irwine. O. Att. Judg't by default. Def'ts plea in abatement over ruled.

Colo Hill vs. Moses Ferguson. O. Att. ordered that the Df. give special bale or be in the custody of the sheriff.

Page 75. Ordered that Oliver Wallace have License to keep a common tavern without the county tax.

Ordered that Clerk issue orders for App'mt of Constables according to returns.

Court adjourned till court in course.

April Court 1787

At a County Court held for York County on the second Monday in April, 1787, and 11th year of American Independence. Present: the Hon'ble John Moffett, James Wilson & Thomar Gillham, Esquires.

Ordered that William McAdow be appointed Constable, to qualify before Thomas Gillham, Esqr.

Page 76. Ordered that Thomas Wilson be appointed Constable, to qualify before James Wilson, Esqr.

Ordered that Jacob Hofstittler, Jacob Randal and John Quinn be appointed Commissioners to lay out the Road the nighest and best way (upon their Oaths) from the North Carolina line to the Cherokee ford, and that said Jacob Hofstittler be Overseer of said Road to keep it in repair.

Ordered that Hugh Allison, James McNair and Robert Patterson be Commissioners to lay out the Road from Smith's ford to Widow Gordons, and that James McNair be appointed Overseer of said Road.

Ordered that George LittleJohn have License to retail Spiritous Liquors at his Store in York County for one year.

Lease and Release from Jacob Duncan to Joseph Henderson for 200 Acres, dated 26 an 27 Nov. 1784 ordered to be recorded.

State vs. John Wilson. On Indictment for T.A.B. the Def't submitted to the Court who fined him 5/ and Costs.

State vs. James Blair. On Indictment for T.A.B. the Def't submitted to the Court who fined him 5/ and Costs.

Court adjourned till to morrow morning 9 O'Clock.

Page 77. Tuesday, April 10th, 1787. Court met according to adjournment. Present Wm Bratton, Jas. Wilson, David Leech & Thomas Gillham, Esquires.

Grand Jury: Capt Joseph Howe, foreman, John Kernahan, George King Junr, Willia Hill, Alexander Love, James Love, John Henry, David Howe, David Porter, Jame Simril, Hugh Berry, Roger Berry, Elias Davidson. Sworn and Charged.

Ordered that James Robinson, ^{R2}Constable, do wait upon said Grand Jury.

Henry Wason delivered Catharine Wason to the Court in discharge of himself as bail

Ordered that a Dedimus Issue to Obadiah Tremier and () Esqrs to take the oaths of Samuel Surratt and James Byers in Spartanburgh County respecting the Execution of a Lease and Release from Drury Robinson to Samuel Morgan.

Capt. John Peters surrendered Stephen Graham to the court in discharge of himself as ball.

Page 78. James Graham vs. Colo Sam'l Watson. P & S. John McCaw enters security for costs, Plaintiff living in North Carolina.

State vs. Alex'r Bernet. Indicted for petit larceny. Petit Jury: Jacob Bernet, John Vineyard, John Rice, James Donnelly, Samuel Burns, George Dickey, Joseph Patterson, Isaac Enloe, Robert Ash, William Love, James Ferguson, James Fergus. Find defendant not guilty.

R2 State vs. Aaron Guyton. On Indictment the Grand Jury return a true Bill.

State vs. Catharine Wason. On Indictment the Grand Jury return a true Bill.

Benjamin Perkins Esqr produced a License under the hands of Henry Pendleton, Thomas Heyward and Aedanus Burke, Judges of the Court of Common Pleas, to practise as an Attorney at Law.

Page 79. James Graham vs. Colo Sam'l Watson, Exor of Jos. Bradner's Will. P & S for a note of Hand given in 1767 for E.8.3. proc. was argued. Judgment given for the Defend't.

State vs. Catharine Wason. Indicted for petit larceny, pleads not guilty. Same petit jury with alteration of Capt. John Chambers in room of John Rice find the def't guilty of felony.

Power of Attorney from Jacob Randal to John Rounceval proven by James Wilson, Esqr. Ordered that Clerk certify the same.

Court adjourned untill tomorrow morning 9 O'Clock.

Wednesday, April 11, 1787. Court met according to adjournment. Present: Wm Bratton, Dav'd Leech, Jas Wilson & John Drennan, Esqrs.

Page 80. Deed of Sale from John Stanford to John Bridges for 300 acres dated 29 Mar. 1787 proven by James Bridges, James Conn, and Jos. Bridges, Evidences thereto.

Deed of Sale from Joseph Patterson to William Harris for 226 Acres dated 12 Feb. 1787 proven by Samuel Byers & Joseph Patterson Junr, evidences thereto.

Deed of Sale from Robert McCurdy to Henry Plaxco for 140 Acres dated 23 Dec. 1784 acknowledged in open court.

Deed of Sale from Thomas Warren to John Bridges dated 6 June 1782 for 200 acres, formerly proven by Wm Tate Esqr, before James Wilson Esqr, ordered to be recorded.

Lease and Release from John Barron to John Copeland dated 17 and 18 Jan. 1787 for 200 acres proven by James Wilson Esqr and Michael Hogan, Evidences thereto.

Deed of Release from Robert Gill to John Gill and John Mills dated 3 Apr. 1787 for 300 Acres proven by James Gill and Richard Miles, Evidences thereto.

Page 81. Deed of Sale from Robert Eland to James Darwin dated 7 Oct. 1786 for 300 acres proven by John Darwin and Henry Plaxco, evidences thereto.

Deed of Sale from Samuel Morgan to Abraham Green dated 5 Feb. 1787 for 75 acres acknowledged in open court.

Deed of Sale from William McBrayer & wife to John Morgan dated 20 Feb. 1786 for 300 acres acknowledged in open court.

Deed of Sale from Abraham Kuykendall & wife to Thomas Bridges dated 6 Aug. 1774 for 333 acres formerly proven by James Bridges before John Tagert Esqr ordered to be recorded.

Lease and Release from Anthony Morgan & wife to William McBrayer dated 21 Feb. 1786 for 125 acres acknowledged in open court.

Joseph Patterson vs. William Hope. Trespass. Discontinued at Plaintiff's Costs.

State vs. Catharine Wason. Petit Larceny. Ordered that the said Catharine Wason receive 20 lashes on the bare back, and that the Sheriff put the sentence in execution this evening at 4 O'Clock.

Page 82. State vs. Stephen Graham. Ordered that Def't be discharged, no prosecutor appearing against him.

John Davidson vs. John Rennicks. Case. Submitted to the award of Andrew Love & Joseph Palmer and any person of their choice in case they cannot agree... and their award to be the Judgment of the Court.

State vs. Aaron Guyton. On Indictment Def't pleads not Guilty. Moses Guyton security for his appearance next Court bound in the sum of £.10 and the principal in the same. Edmund Bridges in the sum of £.10 to prosecute. Signed:

Moses Guyton
Aaron Guyton
Edmund (X) Bridges

James Powel vs. William Calley. P & S. Ordered to be continued.

Daniel Williams vs. Philip Sandifer. Case. Ordered to be continued.

James Hannah Senr vs. Rachel Smith & Wm Smith. Trover. Petit jury: James Fergus John Rice, John Vineyard, Sam'l Burns, Joseph Patterson, Isaac Enloe, Robert Ash, Wm Love, John Venable, John Bridges, Abraham Smith, Capt John Chambers. Give verdict for the defendants.

Page 83. State vs. Smith & others. On Indictment the Grand Jury return a true Bill.

David Beard vs. Jesse Douglass. P & S. Agreed by parties each to pay half Costs

David Beard vs. James Starlings. Continued by Consent.

James McCreight vs. Robert Killough. P & S. Judgment for £.3.12.3 and Costs.

Deed of Sale from Joseph Harrison and his mother to Matthew Black dated 29 July 1785 for 140 Acres of Land proven in open Court by Malcolm Henry, and ordered that Dedimus issue to James Whitesides and James Withrow Esqr to take the deposition of Abraham Crow respecting the Execution of said Deed.

William Calley & John Young, Exors of Robt Robinson's Will, vs. Capt. William Hannah. P & S. Court gave Judgment that def't is not chargeable as the Plaintiffs complains.

James Armstrong vs. Thomas Clendennon. Detinue of a Bond. Same petit jury with the alteration of Wm Hannah in room of Joseph Patterson. On motion of the def'ts attorneys the Pf was nonsuited.

Court adjourned till tomorrow morning 9 O'Clock.

Page 84. Thursday, April 12th, 1787. Court met according to adjournment. Present Wm Bratton, Jas. Wilson, David Leech & Thomas Gillham, Esquires.

James Pursley Senr vs. Ben McKenzie. O. Attm't. Robert Johnston Junr, Garnishee, says he has a note of hand given by Robert Dunlap to said McKenzie for 370 lb of Tobacco given to him as a pledge until McKenzie satisfy all debt due by said McKenzie to said Robt Johnston Junr and his father, of which there is about three guineas due and that he has no more. Ordered that the plaintiff have the note, he paying the three Guineas to Robert Johnston Junr.

John Rice vs. James Buchannan. Agreed by the parties Def't to pay Costs.

William Givens & John Hilhouse, two of the Commissioners appointed to view Quinns Road from Moores Creek to Turkey Creek, return that the old Road is the best. Ordered that William Kerr be Overseer of said Road.

James Donnelly vs. Matthew Black. Debt. On motion of the def'ts Attorney, the Pf was nonsuited.

Francis and Margaret Dodds Exo'rs vs. Thomas Burdell & Joseph Palmer. Debt. Ordered to be continued.

Page 85. Alexander Bennet vs. Joseph Carrel. P & S. Ordered to be Continued. The same vs. the same. Continued by order of Court.

Alexander & Jane Hamilton vs. Thomas & Sam'l Carsons. Case. Continued.

Sharrad Thompson vs. John McDonald and Lewis Thompson vs. John McDonald. Ordered that Dedimus issue agreeable to a former Order to Virginia.

R Edmund Bridges vs. Aaron Guyton. Trespass with force & Arms. Petit Jury: James Fergus, John Chambers, Robert Allison, John Rice, John Bridges, John Vineyard, Wm Love, Isaac Enloe, Samuel Burns, Robert Ash, Alexander Allison, Hugh Allison. Bring in a Verdict for the Defendant, and the Def't to give up a note of Hand of E.3.15.- Sterl dated 2 Augt. 1785 as soon as the Plaintiff pays all costs in this suit and produces a Receipt for the same from the Clerk.

Deed of Sale from Peter Kuykendall to William Barron for 800 Acres of Land dated 28 Sept 1779 proven in open Court.

Page 86. John Fondren vs. Daniel Collins. Trespass. On motion of the Def'ts attorneys the Pf. was nonsuited.

Deed of Sale from John Ross to Jonathan Sutton dated 17 Jan. 1787 for 300 acres proven in open Court by John Martin and Willey Spyers Brown, Evidences thereto.

Deed of Sale from William Fergus to John Venable dated 12 Apr. 1787 for 150 acres proven by Andrew Kernahan and William Carson, evidences thereto.

State vs. Robert Smith, John Wilson, John Rice, David McCall, Godfrey Adams, & John Wallace. On Indictment the Defendants submitted to the Court. Ordered that they be fined thirty shillings each and Costs.

Court adjourned untill tomorrow morning 9 O'Clock.

Page 87. Friday, April 13th, 1787. Court met according to adjournment. Present: Wm Bratton, Thomas Gillham, David Leech & John Moffett, Esquires.

Ordered that Robert Adams, William Fergus and John McCaw be Commissioners to lay out and mark a road from Bethel Meeting House untill it Joins the Road from the Iron Works to Lovesford, and that Robert Turner be Overseer of said Road from the Meeting House to John McCaw's and Walter Carson Senr from thence to the Iron Works Road, and that the Petitioners keep the said Road in Repair and work their turn on the other Roads.

Ordered that Capt. James Thompson and Capt. Adam Meek severally return lists of the freeholders in their respective Company's to the Clerk before next Court.

Ordered that John Milling have License to keep a Tavern untill January Term next.

Ordered that John Gabbie be appointed Overseer of the Road from the Iron Works to the Court House in place of Wm Love.

Daniel Brown Esqr vs. Ben McKenzie. O.Att. John Rice, Garnishee, says he has one Pistol and two holsters. Judgment given for E.16.6.3. Property in hands of garnishee to be exposed to publick Sale by Sheriff.

Page 88. Alexander Allison vs. Colo Moffett & Colo Farr. Case. Continued by Consent.

Daniel Sturgis vs. Thomas Spratt, & Daniel Sturgis vs. Bishop Hicks, in Trespass. Continued by Consent. Ordered that Joseph Lee, Hugh Whiteside and Andrew Foster, Esqr, Commissioners of the Indian Land, do view and settle the boundaries of the disputed lands and report to next Court who has the right of possession.

State vs. Thomas Spratt. T.A.B. Bound with Bishop Hicks Security each in the sum of E.10 for his appearance at next court. Joshua Sturgis, (bound) in (the sum of) E.10 to prosecute. Ackn'd in open Court & signed Thomas Spratt. Def't submitted to the Court who fined him thirty shillings.

James Curry vs. John Rice. Case. Petit Jury: Abraham Smith, Robert Ash, John Milling, John Vineyard, John Wilson, Matthew Dickson, David Beard, Hugh Allison, Robert Allison, Gayen Gibson, Moses Thompson, William McClain, (the action being brought for a Horse which the Pl'f bought of the def't, which was proven to be the property of Hicks Cappel) bring a verdict for the def't, whereupon the Pf's attorney prays a new trial which was granted to be argued at next Court.

R Page 89. James Hannah Senr vs. Rachel Smith & William Smith Ex'rs. On Motion for a new trial Ordered to lie over untill next Court and that the reasons be filed and then argued.

John Darwin vs. John Rice. Trover. Same petit jury assess the plaintiff's damage to E.10 and costs, damage satisfied by Def'ts giving up the horse sued for to the plaintiff.

Jeremiah Flinn vs. William McCafferty. Judgment by default.

A Bill of Sale of a Negro wench & child from John McDow to William Gillham, proven by Thomas Gillham Esqr.

Bill of Sale from John McDow to James and Arthur McDow for a Negro Wench named Jude proven by Thomas Gillham Esqr.

Ordered that the appearance Docket shall hereafter be called on the third day of each Term respectively, and that the Plaintiffs or their Attornies file their Declarations at or before the Calling.

Page 90. Ordered that David McCall have a License to keep a Tavern untill January Term next, who offers Colo Hawthorn and Godfrey Adams Securities, who was accepted.

James Gill vs. James Hogg. Slander. Ordered that a Dedimus issue to () Esqr in Rutherford County, No. Carolina, to take depositions of Elizabeth Glen and Rebecca Glenn, and another to () Esqr in Burke County, to take depositions of Thomas Hogg & Samuel McCollom for the def't, he giving 20 days notice to the opposi party.

Ordered that William Hillhouse Junr be appointed Overseer of the Road from Widow Jansons to Chester County line with power to build a Bridge over Turkey Creek above the ford.

Deed of Sale from John Davidson to Samuel Gordon dated 3 Oct. 1774 certified by Ezekiel Polk Esqr ordered to be recorded.

Robert Smith vs. David Elliott. Ordered that a Dedimus issue to any Justice in

Deed of Conveyance from John McKinney to James Scott for 200 acres dated 27 April 1787 proven by James Pinkerton & Abraham Smith, evidences thereto.

Deed of Conveyance from James Scott to John McKinney for 250 acres dated 27 April 1787 proven by James Pinkerton and Abraham Smith, evidences thereto.

Page 97. Power of Att'y from Samuel Moore to William Moore to receive the Contents of a Bond of John Galbreath of Menalin Township, Pennsylvania, of £.60 money of s'd State, heretofore proven by Thos Black before Wm Bratton Esqr. Ordered that Clerk certify the same.

Deed of Conveyance from Sam'l Moore to Jesse & John Moore for 330 acres dated 3 Aug. 1785, formerly proven by Thomas Black before Wm Bratton Esqr, ordered to be recorded.

Deed of Conveyance from Sam'l Moore to Nathan Moore for 150 acres dated 3 Aug. 1785 formerly proven by Sam'l Williamson before Wm Bratton Esqr, ordered to be recorded.

Deed of Conveyance from David Leech to John Moore Junr for 126 acres dated 14 May 1779 acknowledged in open court.

Christian Wilson, widow of Thos Wilson deceased, and James Wilson Esqr appeared in open court & prayed administration on the Estate of Thos Willson dec'd. Ordered that the same be granted on their giving Bond with good Security in the sum of £.700 ... who offers Capt. John Chambers & John Pursley securitys.

Page 98. Two Bonds from John Galbreath to John Moore deceased for £.60 Pennsylvania money each, dated about 16 Aug. 1766 payable two years after the decease of Rosannah Bell widow of John Bell, Widow Jane Moore makes oath in open court are lost or mislaid. Same is ordered to be certified by the Clerk.

Ordered that Mary Moore, Widow of James Moore deceas'd, and Alexander Moore have letters of Administration on the Estate of s'd James Moore dec'd, who offers for security James Martin Esqr & John Rennick.

Ordered that Letters of Administration be granted to James Venables & Joseph Cole on the Estate of Hugh Bryson deceased, who offers for security James Smith & Malcolm Henry ... & Ordered that the Clerk post up notice at the Court House for three months of their praying such Administration, that any person having any Objections to lay in may appear at next Court.

Daniel Sturgis vs. Bishop Hicks. Trespass. Same Petit Jury as the last find for Pf and assess his damages to £.3 and Costs of suit.

Page 99. Court adjourned untill tomorrow morning 8 O'Clock.

Wednesday, July 11th, 1787. Court met according to adjournment. Present: Wm bratton, Wm Hill, John Drennan, James Willson Esqr.

Bond of performance from Wm Taylor to Zachariah Bell to make a title to 100 acres dated 23 Feb. 1768 proven by Andrew Patrick. Ord'd that s'd Bond be Recorded.

Jeremiah Early vs. William Hill, Esqr. T.A.B. Dismissed for want of security for costs, Pf being gone out of the State.

Jeremiah Early vs. James McCall. Debt. Dismissed for the above reason.

Moses Thompson vs. Bishop Hicks. Pet'n & sums. Pf failed to prosecute his claim & was non-suited.

Same vs. Same. Debt. Also nonsuited.

Edward Hunter vs. Robert Smith. Trover. Dismissed for want of security for Cos Pf living in Georgia.

Page 100. Robert Smith vs. Edward Hunter. Case. Judgment by default.

James Simril vs. Isaac Faries. Debt. Same Petit Jury with alteration of Joseph Patterson in room of Wm Berry find for Pf £.20 with 5 years 6 months interest an costs of suit.

James Gilmore vs. Sam'l Cresswell & Wm Moore. Trespass. Agreed by the parties, Pf. to pay Costs.

Lease & Release from Wm Barrow to Thomas Clendennon for 200 acres dated 3 Dec. 1 formerly proven before Wm Bratton by Wm Calley, ordered to be recorded.

Deed of Conveyance from Abraham Barron to James Hogg for 200 acres dated 17 Nov. 1786 proven in open Court by Robert Kennedy & Abraham Enloe, evidences thereto.

Court adjourned for an Hour.

Met according to adjournment. Present: Wm Bratton, Wm Hill, Dav'd Leech, Jno Drennan, James Wilson & Thomas Gillham.

Page 101. Thomas Hanley vs. John Milling. Trover. Petit Jury: Alexr McWhorte Wm Adams, Saml Watson Junr, William Champin, John Sandland, John Swann, Phil Sandifur, John Kidd Junr, James Smith, Thos Wallace, Hugh Simpson, Wm Berry Find that Def't is not chargeable as Plaintiff complains.

Wm Hill Esqr vs. James English. In two actions on the Case. Ordered that a Ded issue to Gen'l McDowell & Colo McDowell Esq'rs in Burke County No Carolina to tal the Deposition of Colo William Wofford on 6 Sepr next, and another to Colo Irwin & Wm Wilson Esqrs in Mecklingburgh County to take the Deposition of John Wilson said County on Monday next.

John Thompson vs. Sam'l Cresswell. Slander. Ordered that a Dedimus issue to Georgia to any Justice of the peace of said State to take the Deposition of James Patterson for the Def't, he giving the Plaintiff 15 days notice of the time and place.

Robert Tate vs. Henry Cresswell. In an action of Debt and another action on the case, Ord'd that Pff be nonsuited.

Page 102. Jacob Brown Esqr, formerly appointed Attorney for the County, resigns said Office. Ordered that Sam'l Lowrie Esqr be apointed Attorney in behalf of the State for this County during pleasure.

Ordered that all fines heretofore laid be called for by the Sheriff, and that the Clerk give to Sheriff a list of persons owing fines and how much they are, and if the persons do not pay them on demand, the sheriff shall take & keep them in his custody untill such fines are paid.

Court adjourned untill Court in course.

Release from John Green & Mary his wife to William Barrow for 100 acres, formerly proven by Joseph Jewel before Edward Lacey Esqr ordered to be recorded.

Colo Samuel Watson vs. George Kennedy. Orr. Att. Thomas Carrell, sworn as garnishee, owes £.4.7.2 Sterling.

Deed of Conveyance from Jacob Barnett to Adam Meek for 500 acres was proven by James Meek and William Porter, evidences thereto.

Deed of Conveyance from Peter Kuykendal to James Wilkinson for 200 acres formerly proven by James Wilkinson Junr before David Gordon Esqr, ordered to be recorded.

Deed of Conveyance from Joseph Wilson to Thomas Cook for 400 acres formerly proven by Demsy Winborne before William Bratton Esqr ordered to be recorded.

Page 129. Deed of Conveyance from John Kuykendal to William Jenkins for 200 acres formerly proven by Jonathan Price before James Wilson Esqr, ordered to be recorded.

Petit Jury empannelled and sworn, vizt: Benjamin Cook, James Calley, Joseph Steel, Robert Patterson, John Mullenax, James Kelly, John Swann, John Darwin, Simeral Dennis, Andrew Kerr, Peter Quinn, & Francis Gilmore.

State vs. Matthew Miller. Bastardy. Came in and Submitted to the Court, who fined him £.3.11.6 & Costs.

Court adjourned untill tomorrow morning 10 O'Clock.

Tuesday, January 15th, 1788. Court met according to adjournment. Present: David Leech, James Wilson & Thomas Gillham, Esqrs. Also present, Francis Adams.

Deed of Conveyance from Robert McAfee to James Wilson Esqr for 500 acres formerly proven by Jacob Randal before Malcolm Henry Esqr ordered to be recorded.

Page 130. Deed of Conveyance from John Swann to James Pinkerton for 150 acres acknowledged and ordered to be recorded.

Deed of Conveyance from John Swann to James Clark for 150 acres acknowledged and ordered to be recorded.

Ordered that the following Rates & no other be taken by Tavern keepers in this County for the present year 1788. For 1 Breakfast 8 d. For 1 Dinner 1/ Supper 8 d. Lodging 4 d. For 1 Horse in the Stable pr night fed with good Corn blades or Hay 9 d. Corn or Oats per quart 2 d. Good pasturage for 1 Horse pr night 3 d. West India Rum pr half pint 10 d. Do. pr Quart 2/4 Jamaica Rum pr half pint 10 d. Do pr quart 2/4 Northward Rum pr half pt 6 d. Do pr quart 1/6 French Brandy pr half pint 10 d. Ginn pr half pint 10 d. Peach or Apple Brandy pr half pint 6 d. Do pr quart 1/6 Good Whiskey that sinks tallow pr half pint 4 d. Do pr Quart 1/6 Madeira Wine per half pint 10 d. Phial do. pr half pint 10 d. Porter pr Bottle 1/2 Cyder or Beer pr quart 4 d. Claret Wine pr half pint 10 d. Cyder Royal pr quart 7 d.

Present: William Hill Esqr.

Thomas Walker Esqr produced a License under the hands of Richard Hutson Esqr, one of the Judges of the Court of Chancery, and Aedanus Burke & Thomas Heyward Junr, Judges of the Court of Common pleas, to practise as an Attorney at Law.

Page 131. James McCreight vs. Daniel Murphey. As Bail, on Scire Facias. Ordered that an Execution be issued against Defendant as Bail to John Fearis Junr for the sum of £.12.2.6. and costs.

Ordered that the following persons have License to keep a Common Tavern at their dwelling Houses in this County for the Ensuing year, vizt, Andrew Ferguson, John Wilson, Abraham Smith, Hugh Quinn, John Milling, and William Bratton Esqr.

Deed of Conveyance from William Hill Esqr to John Gee for a Lott of Land in Yorkville acknowledged.

John Henderson vs. John Steen. O. Att. John Smith, garnishee, says he owes nothing James Kincaid, also summoned, owes £.10 North money to be paid in trade or a Horse to that value.

State vs. Margaret Duncan. Bastardy. Ordered that said Margaret Duncan be fined £.3.11.6 & costs. Matthew Miller to pay said Margaret Duncan £.5 as expenses of lying in and 3 shillings and six pence weekly untill the Child arrives at ten years of age if it should so long live.

Page 132. Ordered that Administration of the Estate of Valentine Warlock deceased be granted to Catharine Warlock and Nicholas Whisenhunt. James Wilson Esqr and Jacob Hofstittler, securities.

James Adams vs. David Elliot. Case. Controversy referred to Colo Saml Watson, William Berry and James Simril.

County vs. John Rice. For retailing spiritous liquors without license. Defendant confessed charge and was fined £.20 & Costs.

William Tate Senr vs. James Barron. O. Att. Ordered that Def't pay amount of the Award entered last Court, otherwise order of sale to issue two weeks before next Court.

Court adjourned untill tomorrow morning 9 O'Clock.

Page 133. Wednesday, January 16th, 1788. Court met according to adjournment. Present: William Hill, Thomas Gillham, James Wilson & David Leech, Esquires.

John McDonald vs. Lewis Thompson. Case. Plaintiff failed to appear and was non-sued.

John Gibson vs. David Porter. Original Attachment. Ordered that property attached be exposed to publick sale by sheriff, for payment of the Debt and Costs.

Hugh Quinn vs. Newman Wilson. Trespass Q.C.F. Parties agreed and discontinued.

Deed of Conveyance from Mary Hogg to Thomas Hogg for 200 acres was proven by Will Scott and Samuel Scott, evidences thereto.

Moses Thompson vs. Bishop Hicks. Original Attachment. John Bigger, garnishee, says he owes nothing.

Page 134. Thomas Spratt being also sworn says he owes 10 shillings and four pence which is ordered to be paid into the hands of the Sheriff in discharge of the Execution Sturgis vs. Hicks.

William Kerr also sworn says he has Books of Account the property of Hicks, which said accounts when settled, if there appears any due to Hicks from Mr Kerr, he is to pay the same into the hands of John Drennan Esqr.

John McCool vs. John Dennis. Slander. Controversy left to decision of Ma jr Wm Hannah & Abraham Smith and any person of their choice in case they cannot agree.

A Certificate from under the hands of several Gentlemen in the State of Delaware respecting the Character of Daniel Sturgis & family was ordered to be recorded.

William Hill Esqr against Moses Ferguson. Original Attachment. Same jury (See ms. p. 129 supra) find for plaintiff and assess his damages £.10.5 $\frac{1}{4}$ and costs.

Page 135. David Leech Esqr vs. Richard Miles. Slander. Award returned by James Ross and Francis Adams, appointed to arbitrate. That s'd Miles pay all costs and acknowledge that he does not believe that s'd Leech did feloniously or in any secret manner take a certain Bull supposed to be the property of the Widow Sandifer.

State vs. John Marley. T.A.B. Fined £.3 and costs, and ordered that he enter into Bond for his good behaviour for one year.

Will of Jackson Neely proven by William Kerr & Alexr Brown, evidences thereto, and ordered to be recorded.

Page 136. Deed of Conveyance from John Hamilton to James Mitchell for 100 acres was proven by Francis Dover & John Martin, evidences thereto.

Colo Edward Lacey vs. David Beard. Mal. prosecu'n. Continued by Consent.

Bond of John Marley for £.100, to be of good behaviour towards all the Citizens of this State for one year. Securities, John Alexander & William Rainey.

Deed of Conveyance from John Buis to Malcolm Henry for 500 acres proven by William Henry Senr and by Dedimus to North Carolina by Thomas Janes before James Withrow and Robert Black Esqr's, Rutherford County, ordered to be recorded.

Page 137. Deed of Conveyance from William Harris & Ann his wife to John Martin for 250 acres proven by George Ross & Abraham Smith, evidences thereto.

John McCool vs. John Dennis. Slander. Def't pay Pf £. in produce at Market Price and Costs of Suit.

Administration of Estate of John Brians deceas'd granted to William Scott. John Davison, security.

William Patrick vs. Richard Whitaker. Original Attachment. Default & Enquiry & Order of Sale.

William Hill Esqr vs. Richard Whitaker. Or. Att. Default & Enquiry & Order of Sale.

Elizabeth Heron & Thos. McGill vs. John Diamond & John Rice. Decreed that Plaintiffs recover against Def'ts £.6.13.-. with Interest since 1 June 1785 & Costs.

Philip Sandifer vs. James Starlings. Debt. Def't confessed Judg't according to the note with Interest & Costs.

Page 138. Jeremiah Flinn against William McCafferty. Plaintiff having declared on the Will of Jeremiah McCafferty deceased, as a Legatee therein mentioned, for £.300 Sterling and Interest, and the Defendant having made default, Judgment entered up for plaintiff.

Dedimus Potestatum issued to John Moore & John Barber, Esqrs, Lincoln County, N.C., to take depositions of Daniel McKissack & James Wilson respecting a Deed of Conveyance from James Wilson Senr to David Patton and another from s'd James Wilson to John Patton Junr for two tracts of land, that s'd Deeds may be recorded.

Administration of Estate of William Black deceased granted to Joseph Black, Matthew Dickson & Alexander Stuart, securities.

Deed of Conveyance from John Swann to Robert Carskadden for a tract was acknowledged and ordered to be recorded.

Page 139. Moses Thompson against Bishop Hicks. Case. Same jury (See ms. p. 1 supra) find for plaintiff and assess his damages to £.17.14.8 and Costs.

Robert Smith vs. Edward Hunter. Case. Ded. Po. issued to John Barber & John Wilson Esqrs, Lincoln County, N.C., to take Deposition of Jacob Mcfarland & Jul Holland for Pf.

John Bridges against Michael Hogan. Detinue of a Bond. Same jury (See ms. p. supra) find for the Plaintiff and assess his damages to £.40 or the Def't to g^d up the plaintiff's Bond in two months.

Page 140. Deed of Conveyance from John Vineyard to Robert Smith for 250 acres acknowledged and ordered to be recorded.

Lease and Release from Thomas Moore to Jacob Brown for 600 acres was proven by James Green Hunt and Richard Miles, evidences thereto.

Michael Hogan vs. Jacob Green. T.A.B. Discontinued at the Plf's Costs.

State vs. John Blair. Thomas Gillham Esqr enters as Bail for the Def'ts appear at April Court.

Page 141. Court adjourned till tomorrow morning 9 O'Clock.

Thursday, January the 17th, 1788. Court met according to adjournment. Present William Hill, Thomas Gillham & David Leech Esq's.

Deed of Conveyance from William Hill Esqr to Elijah Bailey for a Lott of Land in Yorkville was acknowledged and ordered to be recorded.

John Gibson vs. David Porter. Debt on Attachment. Judgment entered for Plaintiff for £.20.8.4 together with Costs.

Note of Hand from Benjamin McKenzie to John McCord Senr dated 6 July 1785 for £. Quineas proven by Oath of Zachariah Spiers.

Page 142. John Thompson vs. Samuel Creswell. Slander. Ded. Po. to Henry Gray Esqr, Green County, Georgia, to take deposition of Robert Barnett for Def't De Esse.

Colo Saml Watson vs. George Kennedy. O. Att. Jesse Douglass sworn as Garnisher says he owes four pounds Ster'l.

Joseph Nesbitt vs. William Somerton. O. Att. Ordered that property attached be exposed to publick Sale by the Sheriff.

Joseph Acres vs. William Somerton. O. Att. Ordered that property attached be posed to publick Sale by the Sheriff.

Sharred Thompson vs. William Somerton. O. Att. Ordered that property attached exposed to publick sale by the Sheriff.

Deed of Conveyance from John Rice to John Gallagher for 540 acres acknowledged ordered to be recorded.

Will of John Dickey was proven by Robert Kennedy, William Dickey and James Dickey and ordered to be recorded.

Will of Samuel Porter was proven by William Williamson and William Byers and ordered to be recorded.

James Gill vs. James Hogg. Slander. Left to Arbitration (of) Mr. Dibble, Mr Walker, Capt James Martin and Mr Abraham Smith, Arbitrators.

William Robinson ads John Scott. Appeal. Agreed by the parties.

Court adjourned for Half an Hour.

Page 151. Court met according to adjournment. Present: John Drennan, James Wilson, Thomas Gillham & Joseph Palmer. Esquires.

Andrew Malone vs. Henry Creswell. Slander. Plaintiff failed to prosecute and was nonsuited.

Richard Sadler vs. George King junr. Debt. Dismissed.

John Thompson vs. Samuel Creswell. Slander. Jury find for Plaintiff five shillings damages.

Daniel Constable presented to Court for approbation as Deputy Clerk, who was approved of, took the Oath prescribed, and entered upon the Duties of Office.

Adam Young was bound in the sum of £.20 to appear at next court and answer a Bill of Indictment for Petty Larceny. John Marley and William McLean, securities.

Court adjourned until Tomorrow Morning, Nine O'Clock.

Page 152. Wednesday, April 16, 1788. Court met according to Adjournment. Present: William Bratton, William Hill, David Leech, Esquires.

Ordered that Col. Bratton and David McCall be Commissioners to contract for the finishing the Court House and Goal.

Lease and Release from James Wilson to David Patton for 170 acres, and also a lease and release from said James Wilson to John Patton junr for 182 acres was proven, pursuant to a Ded. Pot'm by Daniel McKissick and James Wilson, junr, before John Moore Esqr, Lincoln County, North Carolina, and ordered to be recorded.

Jacob Grey vs. Robert Dunn. Trover. Discontinued at Defendant's Costs.

Robert Dunn vs. Jacob Grey. Detinue. Discontinued at Defendant's Cost.

John Fairis vs. Richard Whitaker. Judgment by Default.

Ordered that Arthur Armstrong and Robert Turner, overseers of certain roads, be empowered to divide and settle between themselves what Persons shall work upon the roads of which they are appointed overseers.

John McCaw vs. John Armour. Oroginal Attachment. Judgment granted for £.14.6.9 $\frac{1}{2}$ and Costs against Samuel Lambeth, garnishee.

Page 153. William Aikens, Sheriff, produced his Commission which was recorded. Signed by Thomas Pinckney, Governor, and Peter Freneau, Secretary.

Robert Burns vs. George Hughs. Oroginal Attachment. Dismissed at Plaintiff's Costs, which Col. Hill assumes to pay.

John Rice vs. William Wragg. Case. Same petty jury with the alteration of John Dennis and Henry Creswell in room of John Garrison and John Carson find for the plaintiff £.21.16.5 with costs of suit.

Page 154. Ordered that Captain Henry Creswell and Phineas McClennahan be Commissioners to open and keep in Repair a road from the Iron Works to McClennahan's Ferry on the Catawba River.

Joseph Palmer Esqr, appointed a Justice of the Peace for this County, produced the Governor's Commission and took his Seat on the Bench.

Ordered that John Givens be accountable to this county for one estrayed mare taken up by him, and that said mare be appraised by Captain John Chambers, William Byers, and Samuel Watson junr.

Ordered that Silas Stallings be appointed Constable for one year, to qualify before Francis Adams, Esqr.

Court adjourned until Court in Course.

July Court 1788

Page 155. At a County Court held for the County of York afs'd on Monday, 14 July 1788 and 13th year of the Independence of the united States of north America. Present: William Bratton, William Hill, Francis Adams & Thomas Gillham, Esquires, Justices.

Patrick Shaw vs. James Sumril. Pet'n & Sum's. Dismissed at Plaintiff's Costs.

Elisabeth Whealey vs. William McWaters & James Ramsey. Pet'n & Sums. Debt settled and Suit dismissed at Def'ts Costs.

William Stephenson returned an Account against this County for Conveying, finding and Guarding Benjamin McKenzie & Martha Rice to the District Goal amounting to £.4.14.11 which is ordered to be paid as soon as so much comes into the hands of the trustee.

William Eakin also returned an account of £.2.2.1, also ordered to be paid, for apprehending and confining some negroes the property of Samuel Ervin.

Present: John Drennan Esqr.

State vs. John & James Fearis. Continued and ordered that a Capias issue against them.

Page 156. State vs. Moses Swinney. T.A.B. Continued and ordered that a Capias issue to apprehend him.

Ordered that Jacob Brown Esqr be appointed Attorney for the County pro tempore.

William Hill Esqr vs. Richard Whitaker. O. Att. Petit Jury: Robert Johnston, David Jackson, James Campbell, James Armstrong, James Brice, Nicholas Smith, Capt William Jenkins, Jacob Hofstittler, William Harris, John Chambers (Indian Land), John Sillyman & John McClain Senr. Find for plaintiff and assess his damages to £.50 and costs of suit.

Ordered that no Horse racing nor Bullet playing be carried on past the Court House Door during this term.

James Powell vs. David Adam. O. Att. Alexander Clark, summoned as garnishee, says he owes £.8.2.4 Ster'l. and has in his possession one rifle gun barrel, a shot pouch, moulds & wipers, & a small piece of brass & no more. Ordered that an order of sale issue for the property. Judgment against the garnishee for the above sum.

Abraham Smith Esqr, appointed a Justice of the peace for this County, produced his Commission & took his seat on the Bench.

Page 157. Solomon Williams vs. Malachi Reeves. Detinue in four Suits for five Negroes. James Powell & Henry Creswell enters themselves security for costs in said four suits, the Plaintiff living out of this State.

Court adjourned for an hour. Met according to adjournment. Present: Wm Bratton, Wm Hill, John Drennan, Francis Adams, David Leech, Thomas Gillham & Abraham Smith.

Samuel Watson Esqr produced a Commission as Justice of the peace for this County and took his Seat on the Bench accordingly.

Present: James Willson Esqr.

Court adjourned till tomorrow morning 9 O'Clock.

Page 158. Tuesday, July the 15th, 1788. Court met according to adjournment. Present: William Bratton, William Hill, John Drennan & David Leech, Esq'rs.

Ordered that William Brown (Indian Land) have License to keep a Common Tavern at his dwelling House for one year, who offers William Davis & John Baxter Security's.

Philip Sandifer vs. J. G. Hunt & Henry Hunter Esqr. Debt. Dismissed at Plaintiff's Costs.

Ordered that Administration of the Estate of Robert Simpson be granted to Hugh Simpson. John Hillhouse & James Jamison, securities.

Present: Fras Adams, Thos Gillham, Joseph Palmer & Abraham Smith, Esqrs.
Absent: John Drennan, Esqr.

John Pursley vs. John McClain Senr. Trespass. Same Petit Jury with Robert Craig replacing John McClain Senr (See ms. p. 156 supra). Find for the Plaintiff and assess his damages to 14 shillings.

Page 159. Will of John McKnight was proven by Mr James Fowler and John Blakeney Senr, evidences thereto. Letters Testamentary to Margaret McKnight and Robert McKnight, Executors.

Court adjourned for an Hour. Met according to adjournment. Present: Wm Bratton, Wm Hill, John Drennan, Abraham Smith & Thomas Gillham, Esquires.

Will of Robert Lattimore was proven by Joseph Howe & Matthew Bigger, evidences thereto. Letters Testamentary to Andrew Love & Joseph McKenzie, Exors of said Will, who offers Hugh Simpson and James Ramsey securities.

Page 160. Will of Michael McGarrity was proven by William Love and Matthew Smith, evidences thereto. Letters Testamentary to Elisabeth McGarrity & Andrew Love, Exors, who offers James Ramsey & John McCaw securities.

John Simpson, a minor, came into open Court and chose Hugh Simpson his Guardian. And ordered that the guardianship of Mary Simpson, Betsy Simpson and Peggy Simpson be committed to the s'd Hugh Simpson. John Hillhouse, security. Bound for £.300.

Zachariah Stanton bound for £.20 to appear at the next Court and answer to the State in a plea of Bastardy. Henry Creswell and Robert Allison, securities.

Zach (X) Stanton
Henry Creswell
Robt Allison

Pages 160-161. Lewis Thompson vs. John McDonald. Case. Joseph Deputy and Elisabeth McDonald of this county summoned. Ded. Po. to () Esqr, Henry County, Virginia, to take depositions of William Thompson, Stanhope Richardson and Robert Bartee. Another to the dwelling House of Jesse Brookshire of Reedy Creek, No Carolina, to take deposition of said Jesse Brookshire, also another to Guilford County No Carolina to () Esqr to take depositions of Jacob & Mary Forsythe as testimonies in the said suit.

Page 161. Zachariah Stanton bound for £.20 to be of Good behaviour towards all the good Citizens of this State untill October Court. Henry Creswell, Robert Turner.

James Hannah Senr vs. Rachel Smith & Wm Smith Exors de son tort. Trover. Jury (listed on ms. p. 156 supra) find for the defendants and that they recover their Costs of the Plaintiff.

Page 162. Malcolm Henry appointed a Justice of the peace for this County, qualified William Hill Esqr vs. John Rice. O. Att. William Wragg, garnishee, says he owes John Rice £.15.16.- by Note of Hand.

Court adjourned untill tomorrow morning 9 O'Clock.

Wednesday, July 16th, 1788. Court met according to adjournment. Present: Wm Bratton, Wm Hill, John Drennan, Joseph Palmer & Abraham Smith.

State vs. Susanna Neel. Bastardy. On Recognizance the s'd Susanna & James Risk failed to appear. Ordered that the said Recognizance be forfeited, unless the said Risk produce the body of s'd Susanna at next Court, or otherwise shew cause why Execution should not issue, and that a Scire facias issue for that purpose.

Page 163. Andrew Ruddle vs. Jeremiah Cravens. Pet'n & Sum's. Dismissed at Plaintiff's Costs.

Moses Swinney vs. John Marley. Award returned that all actions be drop'd by parties Plaintiff pay all costs, only the costs on an Indictment and a fine laid by Court on said Marley.

Henry Cresswell vs. Jos. Henderson & Nathaniel Henderson Senior. Debt. Defendant confesses Judgm't according to the Specialty with Interests & Costs.

Henry Cresswell vs. Joseph Boggs. Debt. Judgment by default & Writ of Enquiry.

Henry Cresswell assignee &c vs. Elias Garrison & Abram Alexander. Debt. Judgment by default and Writ of Enquiry.

Page 163-164. State vs. Adam Young. Pety Larceny. Jury: William Jenkins, Wm Harris, Wm Givens, Richard Sadler, Matthew Smith, John Chambers, Robert Johnston, James Brice, Jacob Hofstittler, Nicholas Smith, James Armstrong, & John Sillyman, find defendant guilty. Ordered that said Adam Young receive 39 lashes well laid on the Bare Back, and that he give security for his good behaviour for one year & remain in custody untill such security be given and Costs paid.

Page 164. Administration of the Estate of William Richey granted to John Richey, James Mitchell & Joseph Palmer, securities.

Will of Mary Enloe was proven by Samuel Watson Esquire's proving the handwriting of David Watson, an Evidence thereto. Letters of Admin. with Will annexed to James McNair. Edward Moorhead and Robert Allison, securities.

Court adjourned for an hour. Met according to adjournment. Present: Wm Bratton, Wm Hill, David Leech, Thos. Gillham & Abram Smith, Esq's.

Thomas Willson received the approbation of the Court as Deputy Sheriff of this County.

Page 165. John Bird vs. Wm T. Coles. Case. Jury: Joseph McKenzie, Alexander McWhorter, Robert Johnston, David Jackson, James Armstrong, James Brice, Nicholas Smith, Jacob Hofstittler, Wm Harris, John Chambers, John Sillyman, & John McClain Senr. Find for the plaintiff and assess his damages to £.26.5.-Ster'l with Costs of suit.

Joseph McKenzie vs. John Kenslor & Nathan'l Henderson Senior. Debt. Jury: Robert Johnston, Alexander McWhorter, David Jackson, James Armstrong, James Brice, Nicholas Smith, Jacob Hofstittler, Wm Harris, John Chambers, John Sillyman, John McClain Senr & James Harbison. Find for plaintiff according to the Notes with Interest and Costs.

Page 166. Henry Cresswell vs. Nathaniel Henderson Junr. T.A.B. Dismissed at Defendant's Costs, which Joseph Henderson assumes to pay.

Ordered that John Milling be appointed Overseer of the Road from the Court House to Widow Jamison's in room of Andrew McClain.

Court adjourned untill tomorrow morning 9 O'Clock.

Thursday, July 17th, 1788. Court met according to adjournment. Present: Wm Bratton, Wm Hill, John Drennan, David Leech, Thomas Gillham, Samuel Watson, Francis Adams & Abram Smith.

Wm T. Coles vs. Wm Hill Esqr. Trover. Plaintiff failed to prosecute and was non-suited.

Page 167. County and James Barron vs. Abraham Smith. Qui Tam. Plaintiff failed to prosecute and was nonsuited.

John Dover vs. Jacob Hofstittler. Slander. Dismissed at plaintiff's costs.

John Barnett Senr vs. David Leech Esqr. Case. Plaintiff failed to prosecute and was nonsuited.

Ordered that Alexander Allison be appointed a Constable for one year, to qualify before Samuel Watson Esqr.

Ordered that Elijah Bailey be appointed a Constable for one year, to qualify before Francis Adams Esqr.

Isaac Garrison vs. Moses Thompson. Trespass. Jury: Robert Johnston, David Jackson, James Campbell, James Armstrong, Nicholas Smith, Jacob Hofstittler, Wm Harris, John Chambers, John Sillyman, John McClain, Senr, Matthew Dickson, & John Gordon. Find for the plaintiff and assess damages 40 shillings and costs of suit.

Page 168. Ordered that Joseph Carr be appointed Constable for one year, to qualify before Abraham Smith, Esqr.

Ordered that Robert Stevenson be appointed Overseer of Quinn's Road from Bullocks Creek to the Crossroads near Widow Jamisons.

Ordered that Warren Bluford be appointed Overseer of the Road from Widow Jamisons to Chester County line.

Court adjourned for an Hour. Met according to adjournment. Present: Wm Bratton, John Drennan, David Leech, Thomas Gillham, Samuel Watson & Abraham Smith.

Joshua Gillmore. charged with Trespass, Assault & Battery, came and submitted to the Court who fined him 16/4 and Costs.

William Barnhill vs. Jas. Ross, John Ross & Jonathan Sutton. Debt. Jury: Robert Johnston, David Jackson, James Campbell, James Armstrong, Nicholas Smith, Jacob Hofstittler, Wm Harris, John Chambers, John Sillyman, John McClair Senr, Joseph Carrell & Peter Patterson. Find for plaintiff £.17.5.5½, £.5 to be deducted and the rest of the Bond agreeable to the Installment Act, with Costs of Suit.

Page 169. Adam Young bound for £.20 to be of good behaviour towards all the good Citizens of this State for one year. John McClain Senr and William McClain, securities.

Adam (X) Young
John (X) McClain
William McClain

Pages 169-170. Andrew Neil & Sarah Dickson vs. Robert Allison. Debt. Same jury as on ms. p. 168 supra. Find for plaintiff £.11.13.4, being one third, the rest agreeable to the Installment Act with Costs of Suit.

Page 170. Robert Smith vs. John Gallagher. Orr. Attachm't. William Wragg comes in and replevy's a Brown horse, and enters himself with Alexander McWhorter and John Eakin security for £.10 to try the right with the Distrainer.

Court adjourned untill Court in Course.

October Court 1788

Page 171. At a County Court held for the County of York on the 2d Monday in October, 1788, and 13th year of the Independence of the united States of North America. Present: Francis Adams, James Willson & Thomas Gillham, Esq's, Justices.

Ordered that Moses Burns, an Orphan aged 13 years next January, be bound an apprentice to James Gordon untill he arrive at 21 years of age, to learn the trade or mystery of a Black Smith, said Gordon to provide for him Sufficient Meat, Drink, apparel, Washing and lodging, and give him one year and an half's Schooling.

Ordered that James Anderson, an Orphan aged 11 years next May, be bound an apprentice to James Currier to learn the farming Bussness untill he arrives at 21 years of age, who is to give him two years Schooling, Sufficient meat, drink, apparel, washing & Lodging, and also give him a Horse and Saddle worth twelve pounds at the expiration of said term.

James Simril and Alexander McWhorter, on Recognizance for a Trespass, Assault & Battery, came into open Court and submitted to the Court, who fined them 5 shillings each and costs.

Page 172. Administration of the Estate of Robert Black granted to Margery Black, who took the Oath required by Law.

Grand Jury: Thomas Woods, Foreman, Samuel Gay, Samuel Hemphill, William Copeland, John Cowper, John Stephenson, John Black, James Graham, John Simonton, Warren Bluford, Robert Kirkpatrick, David Byers, & Robert Barnhill.

Will of Joseph Carrel Senr deceased was produced by Joseph Carrel Junr and proven by the Oaths of Samuel Young and William Young, two of the subscribing witnesses thereto, and ordered to be recorded.

Court adjourned untill tomorrow morning 9 O'Clock.

Tuesday, October 14th, 1788. Court met according to adjournment. Present: James Willson, Thomas Gillham, Abra'm Smith, Esquires, Justices.

Colo Edward Lacey vs. David Beard. Dismissed by Plaintiff at his own costs.

Page 173. Edward Moorhead vs. James Harbison. Detinue. Award returned from Abraham Smith, William Byers, Samuel Gordon, Adam Meek & Francis Gillmore, arbitrators chosen by Moorhead and Harbison to settle a matter now in Law concerning a tract of land. Harbison is to keep the 55 acres where Fulton's old improvement was, and there is to be a reduction of one pound, old currency, pr acre on Harbison's land for the 45 acres that is wanting in the 100 acres that sd Moorhead sold to sd Harbison. Harbison to pay costs on s'd suit and to have six months credit before any of the remainder of the Land is to be paid to said Moorhead. 6 Sept. 1788.

Martha Walker vs. Joseph Boggs. Case. Philip Walker Esqr enters himself security for the payment of costs in this suit, the plaintiff living out of this state.

Page 174. Administration of the Estate of Samuel Neely granted to Jane Neely and Thomas Neely, who qualified according to law.

John Gibson vs. David Porter. Debt, on attachment. On motion of plaintiff's attorney, ordered that the Clerk advertise the land attached before final judgment be entered up and that he order Issue for the Sale of the property before final judgment notwithstanding the former order of sale, and that the cause still be continued on the Dockett.

Ordered that a paper in nature of a Lye Bill from Joseph Eastwood to John Willson be recorded, which was proven by the oath of Francis Adams, Esquire.

State vs. James Duncan. Larceny. Ordered that defendant be discharged on payment of Costs & that a scire facias issue on the recognizance of the prosecutor McCracken & Bell the witness, to shew cause why their recognizances should not be forfeited.

Robert Smith vs. Edward Hunter. Case. Writ of Dedimus Potestatem to John Barber Esqr, Lincoln County, No Carolina, to take depositions of Julius Holland as testimony.

Page 175. Robert McCurdy vs. George Plaxco. Debt. The def't by Sam'l Lowrie Esqr his attorney moved for a nonsuit, as the plaintiff had failed to file his Declaration according to Law, which was granted.

Sharred Thompson vs. William Sommerton. Or. Attachment. A Judgement by default being entered in January Term last, ordered that final Judgement be entered up for the sum of £.5.7.9 with costs of suit.

James Robertson &c. vs. John Young Exo'r. Case. Left to the decision of James Mitchell, Thomas Woods, Adam Meek, Philip Walker Esqr and James Hemphill.

Will of Alexander Hemphill dec'd proven by Alexander Glass and Hugh Berry, evidence thereto.

Dedimus Potestatum issued to () Esqr, Wilks County, Georgia, to take deposition of John Killough as testimony in the cause James Wallace against John Adair.

Laughlin Burns vs. Robert Smith & David McCall. Debt. Plaintiff Robert Smith by Yancey his Att'y, pleads that he never gave any such writing on which the plaintiff has brought his action and therefore owes nothing. Plaintiff exonerates said Def't Smith, & Judgment by the Court for s'd Def't against said writing. The Def't David McCall confesses Judgement according to the note. Judgement for Plaintiff against David McCall for Debt and Costs.

Page 176. David Beard vs. James Starlings. Case. Left to decision of Francis Adams, Esqr, Major Benson and James Mitchell.

Administration of the Estate of Joseph Deputy granted to John McDonald, who qualify himself according to Law.

David Leech Esqr vs. John Williams. T.A.B. Dismissed at Defendant's Costs.

Robert & Francis Kirkpatrick vs. William Brown & Richard Miles. Debt. Dismissed at the Def'ts Costs.

Court adjourned for half an hour. Met according to adjournment. Present: Thomas Gillham, Samuel Watson & Abraham Smith, Esqrs.

Page 177. Martha Walker vs. Joseph Boggs. Case. Ordered that Colo Edward Lacey, Joshua Benson and any person of their choice be arbitrators.

Henry Creswell vs. Joseph Boggs. Debt. Dismissed at equal Costs.

Henry Creswell vs. Elias Garrison &c. Debt. Dismissed at Pf's Costs, only the Def'ts Att'ys fee.

State vs. James Duncan. Larceny. Shadrach Rich bound to appear & prosecute at next Court, in the sum of £.10. Acknowledged and signed in open Court
Shadrach (X) Rich

James Robertson &c. vs. John Young Exor &c. Arbitrators have agreed that one note of hand now in possession of Mr John Young shall be delivered to James Robertson his opponent, vizt, a note of hand on Fishing Creek James Armstrong, on demand. Young shall pay to sd Robertson six months from the date £.19.9.2 sterling in speci and on the same day shall pay to s'd Robertson £.21. sterling in one or two horses to be valued at Cash rates. 14 Oct. 1788. N.B. The note on Armstrong shall amount to £.165 old South Currency given in 1775. Suit to be paid by Mr Young and security shall be furnished by Young if required.

Page 178. State vs. John Martin. Bastardy. Defendant fined £.3.11.6, and he obliges himself further to pay Amey Smith's fine of the same amount which the Court also imposes upon her.

Court adjourned untill tomorrow morning 9 O'Clock.

Wednesday, October the 15th, 1788. Court met according to adjournment. Present: Francis Adams, Thomas Gillham, Abraham Smith & Saml Watson, Esqrs.

James Adams vs. David Elliott. Case. Dismissed, each to pay equal Costs.

David Byers vs. Ishmael Vineyard. O. Att. Dismissed at Defendant's Costs.

Page 179. Ordered that Moses Thompson be appointed overseer of a new road leading from the Old Nation ford to York Court House in the room of Samuel Neely deceased and that Samuel Creswell be appointed overseer in the room of Thomas Carrel.

David Beard vs. James Starlings. Case. Award returned by James Mitchell, Joshua Benson and Francis Adams. James Starlings to pay David Beard the value of £.18 sterling in a horse or two horse creatures within two months at the value of two indifferent men, David Beard and James Starlings to pay equal costs of the suit by said Beard brought against said Starlings, as we find no more in the hands of said James Starlings of the Estate of John Starlings, deceased. 14 Oct. 1788.

Berryman Shumate vs. James Hemphill. Case. Left to the determination of Samuel Lowrie Esqr, Richard Miles and James Mitchell.

Robert Smith vs. John Gallagher. Or. Att. Dismissed at the Plaintiff's Costs.

Page 180. John Steen appeared and made oath that he had an Obligation on James Grimes Junr living in Pennsylvania State, Chester County, for £.50 Pennsylvania Currency, dated in October in 1771, to bear Interest from the date, and further saith that he lost the aforesaid Obligation, and further saith that he never received any satisfaction or part thereof from said Grimes.

George King Junior vs. Richard Norman & Jos. Palmer. In Debt. Plaintiff failed to prosecute, ordered that he be nonsuited.

William Patterson vs. John McCaigg. Petition and Summons. Decreed that Plaintiff recover against Defendant £.5.8.9 with costs of suit.

Francis Adams Esqr vs. John Fondren. Case. Defendant failed to appear, ordered that a Judgement by Default be entered against him.

Joseph Scott vs. Wm Smith & Sam'l Phelps. Debt. Def't Smith by Yancey his attorney pleads ~~in~~ abatement a misnomer, which was agreed to.

Ordered that Daniel Murphey be appointed Overseer of the Road from Bethel Meeting House to Loves ford, from his own house to John McCaw's, in room of Robert Turner.

Page 181. Court adjourned for half an Hour. Met according to adjournment. Present: Francis Adams, Thomas Gillham & Abraham Smith, Esqrs.

Joseph Scott vs. Wm Smith & Sam'l Phelps. Debt. Plaintiff's attorney prayed a new trial which was granted upon payment of the Costs incurred on the former trial.

John Beard vs. John Kerr. Bail. Said Carr (sic) was bail to the sheriff for producing to the said Sheriff the Goods executed belonging to Benjamin McKenzie. He shall pay plaintiff £.24.5.-. in good trade at Cash price, and pay full costs of suit. 15 Oct. 1788. John Stevenson, Rich'd Miles, David Hunter, arbitrators.

Benedict Alderson vs. David Elliott. O. Att. Ordered that the land attached be advertised according to law.

James Hemphill vs. John Fondren. Debt. Dismissed at Plaintiff's Costs.

Page 182. State vs. Margery Glenn. Bastardy. The Def't Margery Glenn & John Bridges oblige themselves (to wit, that the said Margery Glenn shall appear at next Court) in the sum of £.20 the principal and £.10 the security.

Robert Ellison vs. John Gordon & Robt Allison. Debt. Defendant John Gordon confesses Judgement according to the Specialty with Interest and Costs.

Samuel McCleary vs. Francis & Littleberry Smarts. Debt. Samuel Watson Esqr enters himself security for costs, the Plaintiff living out of this State.

Court adjourned untill tomorrow morning 9 O'Clock.

Thursday, October the 16th, 1788. Court met according to adjournment. Present: Fras Adams, Thomas Gillham, Abraham Smith, Esqrs.

Joseph Harrison vs. Matthew Black. Debt. Dismissed at Defendant's Costs.

Matthew Black vs. Peter Patterson. P. & S. Left to decision of Abraham Smith Esqr, James Willson Esqr, Joseph Carrel and Frederick Hambright and any person of their choice in case they cannot agree.

Page 183. George King Junior vs. Richard Norman & Jo. Palmer. Debt. Plaintiff having suffered a nonsuit yesterday, ordered that said action be reinstated.

State vs. John & James Fearis. Misdemeanor. Petit Jury: Daniel Williams, Robert Smith, John Bridges, Matthew Dickson, Joseph Black, John McCaigg, George King Junr, Thomas Cabeen, James McCall, Enoch Enloe, John Ratchford, & Jacob Black. Find defendant not guilty as charged in the Bill of Indictment.

William Rainey vs. James Love. Petition & Summons. Decree for the amount of the Note with Interest and Costs.

Will of James Pursley Senr deceased was proven by Robert Fairis and James Nicholls, evidences thereto, ordered to be recorded.

John Eakin & William Howe vs. John Henderson, Joseph Henderson and Alexander McWhorter. Pet'n & Sum's. Decree for Plaintiffs, £.10 Sterling with Interest and Costs of Suit, Execution to be stayed 3 months.

Ordered that Clerk issue an Execution against John Givens for £.2.15 Sterl agreeable to a return of appraisors for Imbezeling pne Estray Mare by former Order of Court.

Page 184. State vs. James Risk. On Scire facias as Bail on Recognizance, Ordered the Defendant be exonerated upon payment of the Costs.

State vs. Moses Swinney. T.A.B. On Indictment, Def't was fined 30 shillings and costs.

Moses Swinney vs. William Lytle. T.A.B. Agreed by parties each to pay their own costs and to be dismissed.

Benjamin McWhorter, appellee, vs. Robert Smith, appellant. Judgment of the magistrate affirmed.

Court adjourned untill Court in Course.

January Court 1789

Page 185. At a County Court held for the County of York on the second Monday in January, 1789, and of the Independence of the united States of North America the thirteenth. Present: William Hill, Thomas Gillham, Saml Watson, Abraham Smith, & David Leech, Esqrs, Justices.

Jane Pursley, Ex'x & Robert Pursley Exo'r of the Will of James Pursley, deceased, came into open Court & took the Oath prescribed by Law. Ord'd that Letters Testamentary issue to said Exors.

John Dennis vs. John Carson. Case. Dismissed by Plaintiff at his own Costs.

James Campbell Senr came into open Court & made Oath that he delivered a Writing said to be the last Will & Testament of Joseph Carrel Senr deceased, dated, he believes in 1784, to Joseph Carrel Junr. Ordered that a Summons Issue to bring sd Joseph Carrel Junr to next Court to produce sd Will.

Grand & Petit Jury for next Court were drawn.

Ordered that a summons issue to bring James Patterson to this Court to give security for the performance of an Indenture of a Girl bound to his father named Charlotte Burns now with sd Patterson.

Court adjourned untill tomorrow 10 O'Clock.

Page 186. Tuesday, January 13th, 1789. Court met according to adjournment. Present: Wm Hill, Thos Gillham & James Willson, Esquires, Justices.

John Garrison Esqr produced a Commission as Justice of the Peace, took the Oaths required & took his seat on the Bench accordingly.

James Dohertie, Gent., produced a License to plead & Practise as an attorney at Law, under the Hands of their Honors Henry Pendleton, Aedanus Burke & Thos Heyward Junr, Judges of the Court of Common Pleas.

State vs. Edward Bell. Forfeiture of recognizance. Ordered that Def't be discharged, he having given Satisfactory excuse to the Court for his non attendance last Court.

Petit Jury: Isaac Gillham, Patrick Robinson, David Watson, Moses Leathem, James Wallace, William Carson, Alexander Ramsey, John Venables Junr, James B. Fulton, Benjamin Garrison, John Davidson, & Samuel Bratton.

Ded. Po. to Wm Willson, Robert Irwine, & Hezekiah Alexander Esq'rs, to take the Deposition of Exek'l Polk as Testimony in the Suit Samuel McCleary against Smarts.

Samuel & Anne Neely, Exors, vs. John Fearis Senr. Pet'n & Sum's. Plaintiff to recover against Def't E.8.19.6½ with Costs.

Page 187. John Henderson vs. John Steen. O. Att. Judgment by default and final judgment for E.14.7.3½ -- E.5.16.8 to be levied against James Kincald as Garnishee.

Solomon Williams vs. Malachi Reeves in four Suits in Detinue. Ordered that Plaintiff be nonsuited.

Court adjourned for half an hour. Met according to adjournment. Present: William Hill, James Willson & Thos Gillham, Esquires.

Ordered that John Harris be appointed Overseer of a Road leading from the Old Nation ford on the Catawba River to Lovesford on Broad River in that part between the old nationsford to tools fork & Alexander Moore from thence to the Chester County Line.

Ben McWhorter vs. Zachariah Stanton. O. Att. Henry Creswell, garnishee, says he has two notes of hand as security to him for Bailing said Stanton at July Court, which the Court orders to remain in his hands untill the s'd Recognizance is discharged. James Starlings says he has a small bunch of Flax and no more.

State vs. Robert & And'w Smith. T.A.B. Defendants bound for E.24 each, Joseph Wallace security, to appear at next court.

Page 188. William Hill Esqr vs. John Rice. O. Att. The s'd attachment being levied in the hands of William Wragg as Garnishee. Garnishee says he owes E.15.16 procl., William Howe comes and replevys the note of hand and enters himself with Matthew Dickson security in the sum of E.18 to interplead & try the right. Court decrees that Plaintiff recover against Wm Wragg, garnishee, E.9.3.9.

Court adjourned untill tomorrow morning 10 O'Clock.

Wednesday, January the 14th, 1789. Court met according to adjournment. Present: Wm Hill, Dav'd Leech, Abr'm Smith & Malcolm Henry, Esquires.

Ordered that David Jackson & Jonathan Fitchet be appointed Commissioners & Overseers to lay and open a Road from the Road from Lincoln Court House from the No. Carolina line at Widow Gordons, the nearest & best way to York Court House.

Page 189. Ordered that Benjamin Garrison be appointed a Constable for one year, who qualified in open court, and also Daniel Murphey for one year, & that s'd Murphey qualify before Wm Hill Esqr.

Ordered that William Stuart be appointed Overseer of the Road from the Middle of Allison's Creek to Fishing Creek in room of Archibald Barron.

Alexander Candlish vs. John Baxter. Trover. Jury: Isaac Gillham, Moses Leathem, James McCormick, David Watson, John Venables, James B. Fulton, John Davidson, Samuel Bratton, Francis Smart, Thomas Clendennon, Alexander Ramsay, & Patrick Robison. Find for the Defendant & that he recover his Costs of the Plaintiff.

Will of Joseph Laney was proven by Thomas Gillham Esqr & William McQuown, evidences thereto, & ordered to be recorded. Letters Testamentary to Dav'd Leech Esqr and Moses Leathem, executors named in said Will, who qualified according to Law.

Robert Smith vs. Laughlin Burns. Pet'n & Sum's. Decreed that Plaintiff recover against Def't E.7.3.9 with Costs.

Administration of the Estate of John Moore Senr granted to Jane Moore & Saml Moore, who qualified according to Law.

Page 190. James Wallace vs. John Adair. Trover. Jury: Isaac Gillham, John Davidson, Thomas Clendennon, James B. Fulton, Moses Leathem, Samuel Bratton, Patrick Robinson, Alexander Ramsey, David Watson, James McCormick, Francis Smart, & David Howe. Find for plaintiff E.20. with costs of suit. Def'ts Attorney prayed an Appeal & Colo Edward Lacey & Wm Miles entered themselves security.

Lewis Thompson vs. John McDonald. Case. Joseph Davie & Henry Creswell enters themselves Special Bail in this Case.

Will of James Craigg deceased was proven by David Howe, an evidence thereto, & Ordered to be recorded. Letters Testamentary to Hannah Craigg & John Craigg, Ex'ors named in the said Will, who came and took the oath required by law.

John Brown vs. William Davis. Case. Left to decision of Elijah Majors, Adam Pool, Colo Edward Lacey, & William Miles & any person of their choice in case they cannot agree.

Court adjourned untill tomorrow morning 9 O'Clock.

Page 191. Thursday, January 15th, 1789. Court met according to adjournment. Present: James Willson, Saml Watson, Abraham Smith, & Malcolm Henry.

Arthur Jameson vs. John Demsy. Debt. Defendant failed to appear, ordered that a Judgment by default be entered ag't him.

Samuel Lowrie Esqr, Atty, submitted to the Court for a Trespass, Assault & Battery, who fined him E.5 with costs.

James Adams vs. David Elliott. O. Att. Dismissed at Defendant's Costs.

Mary Hemphill, Executrix of the Will of Alexander Hemphill, deceased, came into open Court and took the oath required by law. Letters Testamentary issued to her.

Robert Patterson vs. Francis Wafer. O. Att. James Laughlin & William Laughlin comes into open court & enters themselves in the sum of E.20 each with Malcolm Henry Esqr in the sum of E.10 to replevy a Sorrel Stallion, Chesnut Sorrel Mare & Saddle & try the right with the distrainer.

Page 192. Alexander Candlish vs. John Baxter. Trover. Plaintiff's Attorney prayed a new trial which was granted without Costs.

James Wallace vs. John Adair. Trover. New trial granted without costs.

David Hunter assignee vs. Andrew Townsend & Wm Davis. P & S. Dismissed at Def'ts Costs.

William Porter vs. John Neagle. Debt. Alexander Candlish & Henry Creswell enter themselves security for costs, plaintiff living out of this State.

Barnabas Hanley vs. Andrew McClain. Trover. Dismissed for want of security for costs.

John McKnit Alexander vs. Wm McCafferty & Jos. Moore. Debt. Alexander Candlish enters himself security for costs, plaintiff living in No. Carolina. Ded. Po. to Robert Erwin, Wm Willson & Hezekiah Alexander Esq'rs, of Mecklingburgh County, No. Carolina, to take depositions of Sam Martin and William Patteson on the 27th of this Instant, at the House of Sam Martin in Charlotte.

James Tate vs. Robert Cairns. O. Att. Judgment by default.

Page 193. Matthew Black vs. Peter Patterson. P. & S. Agreed by parties each to pay their own costs.

Samuel Lowrie Esqr formally resigns the place of Attorney for this County & ordered that James Yancey Esqr be appointed County Attorney in his place.

James Dohertie submitted to the Court for a Trespass, Assault & Battery who fined him five shillings.

Ordered that Richard Norman have License to keep a common Tavern for one year, who offers Joseph Palmer Esqr security. Ordered that the tavern rates be the same as last year.

James McCall vs. James & Wm Hanna. Case. Plaintiff nonsuited.

Colo Edward Lacey vs. Robert Tate. O. Att. Judgment by default & final judgment for Plaintiff against Henry Creswell, garnishee, for 10 quineas with costs.

James Carson appointed constable for one year, to qualify before Joseph Palmer, Esqr.

Solomon Clark, Joseph Cole, William Ellis & George Wilson appointed Constables for one year, to qualify before the nearest magistrates.

Page 194. Ordered that Abraham Smith have license to keep a common tavern untill January term next.

Court adjourned untill Court in Course.

April Court 1789

At a County Court held for the County of York on the second Monday in April, 1789, and thirteenth year of the Independence of the united States of North America. Present: Francis Adams, James Willson, Samuel Watson, Thomas Gillham & William Hill, Esquires, Justices.

James Willson Esqr vs. James Duncan. Slander. Dismissed by Plaintiff at his own Costs.

William Adair vs. Claudius Charvin & Daniel Williams. Debt. Dismissed by Plaintiff at his own Costs.

Lewis Tolbett vs. John Cook. Petition & Summons. Dismissed at equal Costs.

Mary Countryman vs. Saml & Eliza Rowan. Slander. Dismissed at Def'ts Costs.

Page 195. Hugh Miller vs. Walter McCarter. Debt. Dismissed at equal costs.

Hannah & John Craigg vs. John Kenslor & Joseph Henderson. Petition & Summons. Decreed that plaintiffs recover against def'ts E.8.19.10 as principal & interest with costs.

Zacharias Talliaferro, Gent., produced a license under the hands of John Rutledge, Esqr, one of the Judges of the Court of Chancery, & Thomas Heyward & Aedanus Burke Esquires, Judges of the Court of Common Pleas, to practise as an Attorney at Law.

Joseph Davie ass'ee &c vs. George King Senr. Petition & Sum's. Decreed that Plaintiff recover against Def't E.10 with costs of suit.

Grand Jury: James Powell (foreman), Nicholas Whisenhunt, John Moore, Thomas Logan, Robert Bratton, John Jordan, John Venables, James Risk, William McNabb, Joseph Boggs, Demcy Winburne, John Kerr, & Joseph Clark.

John Little & Francis Little, Minors & Orphans, came into court and chose James Willson Esqr their guardian.

Page 196. Colo John Moffett vs. Richard Whitaker. Def't failed to appear. Judgment by default entered against him, and a Jury to try at next court what damage the Plaintiff hath sustained.

Matthew Miller vs. Robert Smith. Appeal from Judgment of Samuel Watson, Esqr. Ordered that judgment of the Justice be affirmed.

Ordered that a Venditione Exponas issue in the Case Henry Cresswell against Joseph & Nathaniel Henderson.

Mr. William Fergus and Edward Hill return that the work done to the Court House by Shadrack Rawl they allow him 5 shillings per day, amounting to E.6.10.-, which is ordered to be paid by the trustee.

Will of Daniel Sturgis decd was proven by John Drennan Esqr & Abraham McCorkle, evidences thereto. Ordered to be recorded.

Edward Hill app't vs. John Waterson app'ee. Appeal from Judgment of Abram Smith Esqr. Judgment of Magistrate reversed.

Moses Beatey app't vs. James Johnston app'ee. Appeal from Judgment of David Leech Esqr for E.3.15.10. Judgment of Magistrate affirmed.

Page 203. State vs. Wm Eakin Sheriff & Mary Rennick, Widow. Indictment for T.A.B. Grand Jury returned a true Bill. Traversed & Plea not guilty.

Same vs. Wm Eakins, Sheriff. Same return. Same plea.

Same vs. Robert Smith & Andrew Smith. T.A.B. Grand Jury return a true Bill as to Robert Smith & no Bill as to Andrew Smith--same plea.

Grand Jurors present Edward Moorhead & James Smith for a breach of the peace, Also James Aikins, Moses Thompson, Thomas Davis and John Lackens for a Riot. Also Jacob Brown, Attorney, for profane swearing. Ordered that Capias's issue to bring them to answer at next Court. Jacob Brown submitted to Court who fined him five shillings.

Daniel Brown vs. Michael Hagan. Petition & Sum's. Decree for Pf against Def't for E.8.1.8. with Costs.

John Patterson vs. Peter Patterson. Petition and Summons. Award returned by Abraham Smith, James Donnelly, William Carr, John Swann and Matthew Black, arbitrators. Dispute over 9 head of sheep. John Patterson is to take the suit now in Court out of the Law, also each man to pay his own costs. 22 Jan. 1789.

Abrm Smith
William Carr
Matthew Black

Page 204. William Bostick vs. John Brown & Jacob Black Debt. Dismissed at Def'ts Costs.

William Armstrong ass'ee vs. David Elliott & Sarah McGill. Debt. Jury: David Johnston, David Sadler, Patrick Wray, Thomas Naysmith, Henry Wray, William Minter, Alexander Barron, Robert Wallace, John Chambers, Robert Boazwell, Hugh Miller, & James Laughlin. Find for plaintiff E.137 North Carolina money as principal and Interest, with Costs of Suit: Upon which a new trial was prayed & granted without Costs.

Wm Byers Junr vs. John James. O. Attm't. Def't failed to appear. Ordered that Judgment by default be entered against him, and that a Jury try at next Court what damage the Plaintiff hath sustained.

Ordered that John Davison be appointed a constable for one year, and that he qualify before Thomas Gillham, Esqr.

Page 205. Lewis Thompson vs. John McDonald. Case. Motion in arrest of Judgment not granted. Motuon made for new trial granted without Costs. Ded. Po. to Robert Irwine Esqr, Rutherford County, No. Carolina, to take Depositions of Jacob & Mary Forsythe as testimonies in said suit.

James Wallace vs. John Adair. Trover. Ded. Po. to George Swain, () Esley and () Esquires, Wilks County, Georgia, to take depositions of John Killough as testimony.

James Bradford appointed constable for one year, he to qualify before Samuel Watson, Esqr.

Richard Venables vs. James Henderson. Debt. Dismissed at Def'ts Costs.

Ordered that Charlotte Burns, an Orphan Child, thirteen years of age last January, be bound to Walter Carson untill she arrive to the age of 18 years, that he is to give her One suit on, another off, One Cow and Calf, One new Saddle, one Spinning Wheel, One feather Bed weighing 30 lb of feather with furniture, and to learn her to read well, and that the Clerk Sign an Indenture for that purpose.

Page 206. John Wallace vs. Robert Campbell. Case. Edward Moorhead comes into open Court and enters himself Special Bail in said Suit & common Bail discharged.

David McCall vs. Thomas Eakins. Case. Decree for E.7.15. with Costs of Suit.

Robert Campbell ads. John Wallace. Case. Ordered that a Ded. Po. Issue to any three Justices of Lincoln County, No. Carolina, to take depositions of James Jingles and William Caldwell as testimony in said cause.

Court adjourned untill Court in Course.

July Court 1789

Page 207. At a County Court held for the County of York on the second Monday in July, 1789, and of the united States of North America the 14th. Present: Wm Bratton, Fras Adams & Thomas Gillham, Esq'rs, Justices.

Ordered that Elijah Bailey have License to keep a common Tavern in Yorkville untill January Term next, he complying with the Law in that case made & provided.

State vs Samuel Creswell. T.A.B. Submitted to Court, who fined him 2 guineas, and ordered to give security for his good behaviour towards Alexander Brown and all other the Citizens of this State for one year.

State vs. Andrew Creswell Junr. T.A.B. On submitting to the court, it was ordered that def't be fined one guinea and give security for his good behaviour towards Matthew Brown and all the citizens of this State for one year.

Pages 207-208. Andrew Creswell Junr came into open Court and acknowledged himself to owe to the Justices of the County Court E.20, John Harris and Robert Smith, securities, to be void in case the said Creswell shall be of good behaviour towards
Andrew Creswell
John Harris
Robert Smith

Page 208. Samuel Creswell acknowledged himself to owe to the Justices of the County Court E.20, John Harris & Robert Smith, securities, to be void in case the said Samuel Creswell shall be of good behaviour towards Alexander Brown... (signed as above).

State vs. Benjamin Bonner. Adultery. Came in and submitted to the Court, who fined him E.3.11.6 and costs, and ordered that defendant remain in custody of the sheriff untill security be given for the payment of said fine at next court.

AEra Proprietors vs. Thomas Carrell. Debt. Dismissed at defendant's costs.

Ordered that Samuel Lowrie Esqr by appointed Attorney in behalf of the State for this County during pleasure, in place of James Yancey Esqr, who resigns said place.

Page 209. Petit Jury: James Jordon, Thomas King Senr, George Waggoner, Aaron Guyton, John Hogg, Christopher McCarter, Joseph Feemster, Thomas Duncan, Isaac Laney, John Morgan, William Bostick & Henry Wray Senr.

State vs. Alexander Chambers. Bastardy. Fined E.7.2.10 and costs, and to pay to Margaret Workman, mother of a bastard child of which he is reputed father, 3/6 weekly as Maintenance of said child untill it shall arrive to ten years of age if it should so long live, and that he remain in custody of the sheriff untill security is given.

State vs. James Smith. T.A.B. Fined 10/10 $\frac{1}{2}$ & costs.

State vs. Edward Moorhead. T.A.B. Fined 10/10 $\frac{1}{2}$ with costs.

Page 210. State vs. Alex'r Chambers. Bastardy. Defendant being called on his recognizance failed to appear, and ordered that said recognizance be forfeited, and that a scire facias issue against defendant and his securities for that purpose.

Same vs. the same. Same plea. Ordered that defendant's bail bond be forfeited & that a scire facias issue for that purpose.

James Hemphill vs. John Beard. Debt. Dismissed at plaintiff's costs.

State vs. And'w Creswell Junr. For another T.A.B. Came into court and confessed the charge and was fined one guinea and costs.

State vs. Thomas Eakin. Petit Larceny. Ordered that the recognizance be continued untill next.

State vs. Robert Henderson. As a prosecutor in the preceding prosecution. Recognizance continued untill next court.

Court adjourned for an hour.

Page 211. Met according to adjournment. Present: Wm Bratton, Fras Adams, Abrm Smith & John Garrison, Esquires.

Present: William Hill, Esqr.

Ordered that Hugh Quinn have License to keep a common tavern at his dwelling house in the county aforesaid untill January Term next.

Present: James Wilson & Thomas Gillham, Esq'rs.

State vs. John Hogg. For a T.A.B. on the body of Adam Young. Def't fined one guinea and costs.

Randal Sandland appointed overseer of Quinns Road from the house of s'd Hugh Quinn to Wolk Creek.

Daniel Murphey vs. William Robison. On Petition & Summons. Decree for defendant and that he recover his costs of the plaintiff.

Robert Adams vs. Robert Campbell. Pet'n & Sum's. Dismissed at plaintiff's costs. Court adjourned untill tomorrow morning 9 o'clock.

Page 212. Tuesday, July 14th, 1789. Court met according to adjournment. Present: Wm Bratton, Wm Hill, John Drennan, Abr'm Smith, James Willson & John Garrison, Esquires, Justices.

Will of Matthew Bigger was proven by John Drennan Esqr and Thomas Drennan, evidences thereto & ordered to be recorded. Executors therein named resigned (sic) to act, ordered that a Citation issue to Ann Bigger and James Bigger who prays Administration with a copy of the Will annexed.

William Hill Esqr vs. Jacob Bogart. Case. Dismissed at plaintiff's costs.

Present: Thomas Gillham Esqr & Malcolm Henry Esqr.

AEra Proprietors vs. Alexander McWhorter. Debt. Dismissed at defendant's costs.

Absent: John Drennan Esqr. Present: Joseph Palmer Esqr.

Page 213. Lewis Thompson vs. John McDonald. Case. Same Petit Jury with the alteration of Andrew Floyd and John Craigg in room of John Hogg & Henry Wray Senr, find for defendant and that he recover his costs of the plaintiff.

Ordered that in the Judgment Henry Cresswell against Joseph and Nathaniel Hnederson the former Judgment to be under the Installment Law.

Court adjourned for an hour. Met according to adjournment. Present: Wm Hill, John Drennan, Francis Adams, Joseph Palmer, James Willson, Malcolm Henry, Thomas Gillham & John Garrison, Esqrs.

Administration of the Estate of John Patton deceased granted to John Patton Junr & David Patton, who came and qualified.

Wm Byers Junr vs. John James. O. Att. Dismissed at plaintiff's costs.

A writing said to be a copy of the Last Will & Testament of Joseph Carrell Senr deceased was proven to be substantially a real copy of the Last Will & Testament of the said deceased by John Willson Esqr.

Page 214. Robert Smith vs. Joseph Black. Pet'n & Sum's. Decree for E.10 lawful money & costs.

Elizabeth Hill vs. John Watterson. Slander. Dismissed at Andrew Leathem Senr's costs, who assumes to pay costs on the suit on appeal Edward Hill against John Watterson.

Thomas Bragg vs. George Littlejohn. O. Att. Books of account of said George Littlejohn being attached by sheriff, the def't agrees to give up to plaintiff the said books of account to the use of said plaintiff with power to sue and recover of every person therein indebted, to defray a debt of E.80 with interest due by def't to plaintiff with costs of suit.

Ordered that said Books of Account be delivered up by Hugh White (of the said George Littlejohn) to the aforementioned Thomas Bragg.

Ordered that James Robertson be appointed Constable during pleasure, to qualify before Wm Hill, Esqr.

Court adjourned untill tomorrow morning 9 O'Clock.

Page 215. Wednesday, July 15th, 1789. Court met according to adjournment. Present: William Bratton, William Hill, John Garrison & John Drennan, Esquires.

John Brown vs. William Davis. Case. Award returned dated May 30th, 1789. Hugh Steward, umpire. Davis to pay to Brown within three months after date a horse to the value of £.5, and each pay their own costs on the suit. Elijah Majors, Adam (A) Pool his mark, Hugh Stuart, Edw'd Lacey, Wm Miles.

James Padean vs. John Whilden & Richard Norman. Pet'n & Sum's. Decree for plaintiff according to the note with interest and costs.

Joseph McKenzie against John Kenslor & Nathaniel Henderson. Ordered that the Notes of Hand be calculated to 10 Apr. 1776 and no interest be charged before date of notes.

Page 216. Robert Smith vs. David Elliott. Detinue. Jury: William Bostick, James Jordan, Christopher McCarter, Thomas King Senr, Joseph Feemster, George Waggoner, Isaac Laney, Aaron Guyton, John Morgan, James Pinkerton, Thomas Duncan, & John Berry. Find for defendant with costs of suit.

Francis Adams Esqr against John Fondren. Same jury. Find for plaintiff £.50 with costs of suit.

Robert Smith against Edward Hunter. Case. Same petit jury find for plaintiff one shilling with costs of suit.

Present: Joseph Palmer & Malcolm Henry, Esqrs.

Enoch Enloe vs. William Burns. Pet'n & Sum's. Decree for plaintiff for £.5 and costs.

Page 217. Joseph McKenzie, Joseph Carrel & William Fergus being appointed to settle the price of the Goal do give their opinion that the County pay Mr. Elijah Bayly £.4 in consideration of Smith work & altogether.

James Wallace vs. John Adair. Trover. Same jury. Ordered that suit be dismissed with costs.

Indenture of Apprenticeship from Prudence Hall and James Hall to James English was declared to be invalid unless said English shall shew cause at next Court that said Indenture should be continued.

William Stephenson vs. Colo John Moffett. Trover. Dismissed at def'ts costs.

James Tate vs. Robert Cairns. O. Att. Samuel Hemphill, garnishee, says he owes defendant £.5.5.0. Decreed that garnishee pay the said sum to plaintiff.

Page 218. Administration of the Estate of Rueben Denton deceased granted to Joshua Denton who came and qualified.

Administration of the Estate of George Lesley dec'd granted to Samuel Burns who came and qualified.

James Gill vs. James Hogg. Slander. Same jury. Find for plaintiff and assess his damages to £.7.10.- with costs of suit.

In the case Henry Creswell against Joseph & Nathaniel Henderson, Ordered that property be sold by sheriff to the amount of 1/5 of the principal and interest, with

costs and sufficient security given for remainder, otherwise the whole debt to be levied by sale.

Page 219. Court adjourned until tomorrow morning 9 O'Clock.

Thursday, July 16th, 1789. Court met according to adjournment. Present: Wm Bratton, Fras Adams, John Drennon, James Willson, Joseph Palmer, Abraham Smith & M. Henry, Esquires.

Present: Wm Hill, Esqr.

Ordered that Joseph Carrel be summoned to appear at next Court to render an account of what he owes or has in his hands of the Estate of Samuel Carrel, deceased.

Alexander Candlish vs. John Baxter. Trover. Jury: William Bostick, John Harris, Joseph Feemster, Christopher McCarter, John Berry, George Waggoner, Thomas Duncan, Isaac Laney, Thomas King Senr, John Morgan, Aaron Guyton, & John Hogg. Find for defendant with costs of suit. Notice of appeal to the Superiour Court given by plaintiff's attorney.

Page 220. Will of John Milom was proven by Rev'd James Fowler and John Leech, evidences thereto, and ordered to be recorded. Letters Testamentary to Thomas Milom, executor named in the Will, who came and qualified.

Wm Hill Esqr vs. James English. Case. Continued at plaintiff's costs.

Colo John Barber, app't, vs. Matthew Dickson, app'lee. Appeal from Judgment of Abraham Smith Esqr for £.1.17.4 and 5/4 Justices fees, 7/ the Constable's. Decreed that Colo. Barber, between this and next Court, deliver up a smooth gun repaired, and that the appellee pay the justices and other costs, and that Judgment of the Justice be reversed.

William Armstrong, assignee, vs. David Elliott & Sarah McGill. Debt. Same jury. Afterwards ordered that it lie over untill next Court, and ordered that a Ded. Po. issue to Robert Alexander Esqr of Lincoln County, North Carolina, to take deposition of David Willson as testimony, giving reasonable notice, with Colo Dickson and all other evidences that may be required by either plaintiff or defendant, by consent.

Page 221. John Wallace vs. Robert Campbell. Case. Ded. Po. to Robert Alexander, Esqr, Lincoln County, North Carolina, to take deposition of Joseph Neel as testimony for Def't, and another Ded. Po. to () Esqr, same County and State, to take deposition or depositions of any witnesses that may be required by plaintiff or defendant.

Matthew Rowan gives bond of £.20 to be of good behaviour towards all good citizens of this State for one year. John Allison & John McCaw, securities.

Page 222. William Blakely, app't vs. William Hill, app'lee. Appeal from Judgment of John Drennan Esqr against the Appellant for £.3 Sterling in favor of the Appellee. Ordered that the Judgment of the Magistrate be affirmed, with costs against the appellant.

Ordered that William Bratton Esqr have License to keep a common Tavern at his dwelling House in the County aforesaid untill January Term next.

State vs. Lewis Thompson. Trespass, Assault & Battery upon the Body of Joseph Henderson. Fined 3 guineas and costs, and that he give security for his good behaviour for one year.

Court adjourned untill to morrow morning 9 O'Clock.

Friday, July 17th, 1789. Court met according to adjournment. Present: William Hill, John Drennan, James Willson & Fras Adams, Esquires.

Page 223. Alexander Candlish vs. John Baxter. Trover. An Appeal being prayed to the Superior Court, it was ordered that the State of the Case on said trial as drawn up and signed by the Court either for Plaintiff or Defendant be sent up for the determination of his Honor the Judge.

John McCaw vs. John Bridges. Case. Judgment confessed by the Def't in person for £.24. 3. with Interest untill paid and costs of suit.

State vs. Wm Eakin, Sh'f. T.A.B. on the body of William Ratchford. Fined one penny & Costs.

State vs. Moses Thompson, James Eakin, Thos Davis & John Lackens. Riot. Capias issued to bring them to next Court.

Wm Hill Esq'r vs. Ben & John McWhorter. Issue joined.

Thomas Thomas vs. Alexr Candlish & James Knox. Issue joined.

Robert Brown vs. Alexander Stuart. Issue joined.

Henry Wasson vs. Robert Smith, Philip Walker & David McCall. Issue joined.

Page 224. Ordered that the Defendant be ruled to Special Bail as the Sheriff took no common Bail. James McCall came into open Court & enters himself special Bail.

William Hill Esqr vs. Robert Smith. Case. Issue joined. Same James McCall enters himself special Bail in this as in the above case.

Same vs. the same. Case. Issue joined.

William Watson vs. James Martin & others. Debt. issue joined.

William Watson vs. James Martin. Debt. Issue joined.

James Martin & Others, Ex'rs vs. Ben & John McWhorters. Debt. Judgment confessed according to specialty with interest & costs. Stay execution untill next Court.

James Padean vs. John Whilden & Richard Norman. Debt. Issue joined.

James McCall vs. James & Wm Hanna. Case. Suit was brought before anything became due upon the note, plaintiff was nonsuited.

William Mitchell vs. Sharred Thompson. T.A.B. Dismissed at Def'ts Costs.

Page 225. AEra Proprietors vs. John Harris. Debt. Dismissed at Def'ts Costs.

Matthew Dixon vs. John Swann. Debt. Issue joined.

AEra Proprietors vs. James Simeral. Case. Issue joined.

AEra Proprietors vs. George King Senr. Debt. Issue joined.

AEra Proprietors vs. Henry Smith Junr. Debt. Issue joined. R3

AEra Proprietors vs. Wm Byers Senr. Debt. Default.

AEra Proprietors vs. Isaac Faries. Debt. Default.

William Atkinson vs. Zachariah Stanton. O. Att. Default. Ordered that Scire facias issue against the garnishee & an order of sale against one sorrel horse with a Ball'd face, or if said Horse is not produced at the day of sale, Scire facias to issue against Sharred Thompson & James Kerr as Bail for delivery of said Horse at said day.

Court adjourned for half an Hour. Met according to adjournment. Present: William Hill, Francis Adams & Jas Willson, Esq'rs.

Page 226. Joseph McKenzie & Daniel McMurphey vs. William Robison. Case. John McDonald & John Faries enters security for costs, the plaintiff living out of this state.

Absent: William Hill, Esqr. Present: Abraham Smith, Esqr. Present: John Drennan.

David Byers Att'o vs. Robert Smith & James McCall. Debt. On motion that def't be ruled to special bail, the sheriff having taken no bail upon the Writ, ordered that def't shall not give bail & that the Writ be quashed.

John Harris vs. Moses Thompson, Humphrey Williams & Widow Willson. T.Q.C.F. Upon motion for Oyer of the Original Writ, it was found that it could not be produced, & ordered that the cause be continued untill next Court at the Plaintiff's Costs.

William Bostick app't vs. Matthew Rogers app'lee. Appeal from Judgment of Thomas Gillham Esqr. Judgment of Magistrate reversed.

Page 227. Alexander Candlish vs. John Baxter. Trover for a Negro fellow. William Potts proved his attendance in this suit as witness for defendant. 21 days at 2/6 per day, which is 52 s. 6 d. sterling. John Hutchison proved attendance as witness for defendant, nine days at 2/6 pr day, amounting to 22/6.

Same vs. same. Trover for a Negro wench. Continued on affidavit of plaintiff at his costs. William Hagans proved his attendance as witness for defendant, 6 days at 2/6 per day, to be paid by defendant.

Thomas Bragg vs. George Littlejohn. O. Att. Default.

Pages 227-228. State vs. Zach. Stanton. Henry Creswell being bound in Recognizance for the appearance and good behaviour of said Stanton and having got notes of hand in his possession as his security, ordered that said Creswell be freed from said recognizance and that he deliver up said notes unto Ben. McWhorter as soon as said McWhorter obtains Judgment against said Zechariah Stanton.

John McDonald vs. Lewis Thompson. Case. Ordered that a Dedimus Potestatem issue to any three Justices of the peace of Franklin County, Virginia, to take depositions of any witnesses for plaintiff or defendant, another to any three Justices of Ruth-erford County, North Carolina, to take depositions of any witnesses.

Court adjourned untill Court in course.

October Court 1789

Page 229. At a County Court held on the second Monday in October, 1789, and of the Independence of the united States of North America the 14th. Present: Wm Hill, Abram Smith, & John Garrison, Esq'rs, Justices.

Ordered that all Testamentary Causes, Bussiness of Orphans, disputes in Adminis-trations & State Bussiness be determined hereafter on the first & second days of Court.

State vs. Wm Summerford. Bastardy. Fined £.3.11.6 and costs. Sarah Cowan fined the same sum which Summerford acknowledges to be bound for, William Smith, security. Wm (X) Summerford
William Smith

John Barron, appointed Admr of the Estates of John & Jane Duncan, came and took the Oath required by law.

Grand Jury: Philip Sandifer, foreman, William Copeland, Samuel Moore, John Venables, Fredrick Hambright, Robert Adams, Joseph McKenzie, James Willson, John Swann, John Chambers, James Mitchell, James Ross, and Alexander McWhorter.

Page 230. Ordered that James Robison, Constable, do wait upon said Grand Jury, who was sworn.

Present: Francis Adams, Esqr.

John McClennahan, Esqr, appointed a Justice of the peace for this County, produced the Governor's Commission, took the Oaths required & took his seat on the Bench.

Will of Stephen Miller was proven by James Webb & Charles Miller, evidences thereto. Ordered to be recorded and Letters Testamentary to Hannah Miller, Theodrick Webb & Jesse Miller, who came and qualified.

By an account returned to this Court, Dency Winburn appears to owe the County £.3 Sterling, being the amount of an Appraisement of Estray Hogs.

Joseph Henry vs. Robert Smith. Petition & Summons. Decree for £.8.16.8 $\frac{1}{2}$ and costs.

Samuel Young vs. Alexander McWhorter. Petition & Summons. Continued untill next Court, and Ded. Po. to () Esqrs of Rowan County, No Carolina, to take deposition of Alexander Young as testimony.

Page 231. Will of Oliver Wallace was proven by James Mitchell and James Wallace, evidences thereto. Ordered to be recorded. Letters Testamentary to Thomas Wallace, executor named in said Will (Andrew Love and Judith Wallace having relinquished the Executorship). Thomas Wallace came and qualified.

Court adjourned untill tomorrow morning, 9 O'Clock.

Tuesday, October 13th, 1789. Court met according to adjournment. Present: Wm Hill, Fras Adams, John Drennan & John Garrison, Esquires.

AEra Proprietors vs. Henry Smith, Junr. Debt. Dismissed at Def'ts Costs.

AEra Proprietors vs. William Eyers Senr. Debt. Dismissed at Defendant's Costs.

State vs. Moses Thompson Junr. Riot. Fined 14 shillings.

Page 232. Administration with a copy of the Will annexed of the Estate of Matthew Bigger granted to Ann Bigger and James Bigger, who came and qualified.

Robert Flemming and James Flemming, orphans, came into open court and chose John McConnel their Guardian. The Court also chose said John McConnel their Guardian for Martha Flemming, the s'd orphans being the children of Alexander Flemming, deceased.

State vs. Thomas Eakin. Petit Larceny on Indictment. Petit Jury: John Anderson, Matthew Dickson, Archibald Barron, Wm Smith, Robert Kirkpatrick, Abraham Green, James Hope, James Greer, Nathaniel Henderson, Alexander Stuart, John McConnel and

John Willson. Find Defendant Not guilty.

Alexander Brice vs. John Roney. Slander. Dismissed by consent at plaintiff's costs.

Will of Henry Ray Senr deceased was proven by Thomas Gillham Esqr and John Craig, evidences thereto. Ordered to be recorded. Letters Testamentary to Alexander Galloway, Exo'r named in said Will, who came and qualified, Henry Ray Junr having relinquished the Executorship.

Page 233. State vs. Alexr Chambers, David Chambers & John Sturgis. Forfeiture of Recognizance for Bastardy. Ordered that Def'ts pay five pounds each and Costs, unless the s'd David Chambers & John Sturgis produce Alexander Chambers at next Court.

State vs. Barbara Brannon. Bastardy. Fined £.3.11.6 & Costs, which James Martin came into open Court and engaged himself to pay.

Administration of the Estate of James Bigger Senr deceased granted to Elizabeth Bigger & Joseph Stuart, who came and qualified.

State vs. Alex'r & David Chambers. Forfeiture of Bond to the sheriff. Ordered that David Chambers pay £.5.

Court met for an Hour. Met according to adjournment.

Page 234. Present: Wm Bratton, Wm Hill, John Drennan, Francis Adams, Thomas Gillham & John Garrison, Esquires.

John Chambers vs. George Walker. Original Attachment. John Sturgis, garnishee, says he owes half of six acres of corn which he supposes will be about 40 Bushels. James Anderson also summoned (as garnishee) says he owes 50 Bushels of Corn, which the Court orders to the plaintiff. Court decrees £.7 against def't in favour of plaintiff with costs.

Present: Joseph Palmer, Esqr.

Court proceeded to the choice of sheriff agreeable to the Constitution when Adam Meek had a majority of votes & was therefore declared to be duly elected.

Court adjourned untill tomorrow morning 9 O'Clock.

Wednesday, October 14th, 1789. Court met according to adjournment. Present: Wm Bratton, Wm Hill, John Drennan, Francis Adams, Abram Smith, John Garrison & Malcolm Henry, Esquires.

Page 235. State vs. Arthur Ross. Bastardy. Fined £.3.11.6 and costs.

State vs. John Adams. T.A.B. Fined three guineas and costs.

State vs. Robert Smith, On Indictment for a T.A.B. Jury same as on ms. p. 232, with John Bridges replacing James Greer. Find defendant not guilty.

Samuel McCleary vs. Fra's & Littleberry Smart. Debt. Dismissed at Def'ts Costs.

Ordered that James Adams have License to keep a Common Tavern at his dwelling house in the County aforesaid untill January Term next.

Alexander Candlish vs. John Baxter. Trover for a Negro man Slave named Warley. Jury having found for Def't, plaintiff appealed but withdrew appeal, each to pay

his own costs.

Page 236. Same vs. the same. Trover for a Negro Girl named Esther. Plaintiff enters a retraxit, each to pay their own costs.

State vs. Mary McFarlane. Bastardy. Defendant being bound in a Recognizance of £.70 with Samuel Hemphill and Thomas Duncan securities in £.10 each to appear at October Court, 1788 and having failed to appear, ordered that said recognizance be forfeited unless the same Samuel Hemphill and Thomas Duncan the said Mary McFarlane at next Court.

State vs. Margaret Hall. Bastardy. Margaret Hall came and made oath that she was delivered of a female bastard child on the 5th of May last, that said child was born in this county, and that Charles Heatley and no other is the father of said bastard child, which said Charles Heatley she supposes lives in the lower parts of this State. Said Margaret fined £.3.11.6, & costs, not to be collected for three months, which Prudence Hall and John Pattenon enters themselves security to pay.

Page 237. State vs. James Bowls. T.A.B. Fined £.2.3.6 & costs. James Yancey Esqr enters himself security for payment within three months.

John Gibson vs. David Porter. Original Attm't. Ordered that Land attached be exposed to publick sale by sheriff, giving legal notice for payment of said Judgment and costs.

John Barnett Senr vs. David Leech Esqr & Rich'd Sadler. Debt. Jury: John Anderson, Robert Kirkpatrick, James Hope, Abraham Green, Archibald Barron, Nathaniel Henderson, Wm Smith, Matthew Dickson, John McConnel, Alexander Stuart, John Gabbie, & John Willson. Find for plaintiff according to specialty with interest from date of former judgment, which Court orders to be subject to the Installment Law.

Absent: William Hill Esqr.

Wm Hill Esqr vs. Ben McWhorter. Debt. Judgment confessed by defendant for £.24.14.1 and costs.

Page 238. Present: Wm Hill Esqr.

Robert Campbell vs. John & James Fearis. Debt. Same petit jury finds for plaintiff £.88 with interest since the Bond was due and Costs.

Jane & Samuel Moore, Admrs, vs. William Dale Senr. Pet'n & Sums. Continued at Def'ts Costs.

John McDonald & wife vs. Sharred Thompson. Slander. Dismissed at Pf's costs.

Robert Smith, appellant, vs. Robert Montgomery, app'ee. Appeal from judgment of Francis Adams, Esqr, for £.4.3.6, Constables fees 7/, Justices fees 5/, with Court costs. Judgment of magistrate affirmed.

Elijah Bailey fined 15 sh. for selling spirituous liquors above the rates prescribed by court.

Thomas Thomas vs. Alexander Candlish & James Knox. Debt. Dismissed at Def'ts costs.

Page 239. Martha Walker vs. Joseph Boggs. In an action on the case & on an appeal. Dismissed at the Def'ts costs.

Court adjourned until tomorrow morning, 9 O'Clock.

Thursday, October 13th, 1789. Court met according to adjournment. Present: Wm Hill, Fras Adams, Abr'm Smith, John Drennan & John Garrison, Esqrs.

James Hawthorn vs. George King Senr. Pet'n & Sum's. Decree for £.6.0.2 sterl. subject to the Installment Law with Costs.

State vs. James Powell. Profane swearing. Fined 12 shillings for three oaths.

Patrick Shaw vs. James Simril. Debt. Judgment confessed according to specialty & costs of suit, subject to the Installment Law.

George King Junr vs. Richard Norman & Jo. Palmer. Debt. Continued.

Page 240. William Wragg vs. Robert Smith. T.A.B. Petit Jury: John Anderson, Nathaniel Henderson, Abraham Green, Archibald Barron, William Smith, Matthew Dickson, James Hope, Robt Kirkpatrick, John McConnel, John Willson, Alexander Stuart, & Richard Norman. Find for plaintiff £.2.0.1 with costs of suit.

James B. Fulton, app't, vs. Moses Thompson, app'ee. Appeal from the Judgments of John Drennan Esqr for £.2.19.6, constables fees 2/6, justices fees 2/5, with court costs. Judgment of the Magistrate be reversed.

State vs. James Bowls. T.A.B. One guinea of the fine remitted.

Matthew Dickson app't vs. David Dickson, app'ee. Appeal. Continued at Pf's costs.

Absent: Wm Hill & John Drennan, Esq'rs.

William Blakely app't vs. Wm Hill Esqr, appellee. Appeal from Judgment of John Drennan Esqr for £.3. Sterl. against appellant. The former decree of the Court being questioned on this appeal, it is now ordered that the former decree on the appeal be affirmed, and that the judgment of Abraham Smith Esqr against the appellant be reversed.

Page 241. Joseph McKenzie vs. John Kenslor & N. Henderson. Debt. An Order being entered last Court to calculate the notes to the 10th of April 1776, it is now ordered that the debt shall be fixed and depreciated according to the date of the notes.

William Kerr appointed constable for one year, to qualify before Abraham Smith Esqr. Court adjourned untill tomorrow morning 9 O'Clock.

Friday, October 16th, 1789. Court met according to adjournment. Present: Wm Hill, Abrm Smith & Sam'l Watson, Esqrs. Present: Fras Adams Esqr.

Samuel Knox, ass'e, vs. Benedict Alderson. Debt. Judgment confessed according to specialty with interest & costs of suit. Execution to be stayed three months.

William Porter vs. John Neagle. Debt. Jury: John Anderson, Abraham Green, James Laughlin, John Marley, Wm Smith, John Bridges, John Wallace, Alexr Stuart, Matthew Dickson, Andrew Smith, Nathaniel Henderson, & John Willson. Find for defendant with costs of suit.

Page 242. Philip Null licensed to keep a common tavern in Yorkville untill January Term next, he complying with the law.

Matthew Dickson, ass'ee, vs. John Swann. Debt. Dedimus Potestatem to () White-side, Robert Irwine and Timothy Riggs Esq'rs of Rutherford County, No. Carolina, to take depositions of Newberry Stockton & wife as testimony.

Elijah Bailey vs. Rich'd Norman & Abram Pearce. Debt. Dismissed at plaintiff's costs.

Samuel Knox vs. Benedict Alderson. Debt. Jeremiah Cravens proved his attendance as witness for plaintiff to be eleven days. William Cravens, seven days.

Colo Patton, Capt Henry Creswell & James Robison appointed commissioners to lay out a road, with power to appoint overseers to keep said road in repair, the nearest and best way from Aera Iron Works to Rocky Mount, until said road intersects Chester County line.

Page 243. William Fergus, James Meek and John Smith appointed commissioners to lay out a road from York Court House to Smith's Ford on Broad River, & that said commissioners appoint overseers to open out and keep said road in repair.

Aera Proprietors vs. George King Senr. Case. Judgment confessed by def'ts attorney for £.34.18.3 three farthings with costs.

Joseph Scott vs. Wm Smith & Sam'l Phelps. Debt. Plaintiff living in No. Carolina, Robert Allison enters himself security for costs.

William Porter vs. John Neagle. Debt. George Mitchell proves his attendance as witness for plaintiff in said suit to be five days and 280 miles travel coming and going.

Court adjourned untill Court in Course.

January Court 1790

Page 244. At a County Court held for the county aforesaid on the second Monday in January, 1790, and 14th year of American Independence. Present: Wm Hill, Thos. Gillham & Abr'm Smith, Esquires, Justices.

Aera Proprietors vs. Hugh Stevenson. Debt. Dismissed at def'ts costs.

Robert Patterson appointed overseer of the road from the Nobb to Smith's Ford on Broad River in room of Philip Palmer.

The following persons licensed to keep common taverns at their respective dwelling-houses for one year: John Milling, John Dohertie, Jonathan Sutton, John Garrison, Esqr, Abraham Smith, William Bostick, William Hill Esqr, Elijah Bailey, James Mitchell, Samuel Brown, & John McCall.

State vs. Mary McFarlane. Bastardy. Defendant came and made oath that she was delivered of a female bastard child about 15 months ago, and that Zachariah Stanton is father of said child. Fined £.4.10.- and costs. Thomas Duncan & Samuel Hemp-hill enters security for said fine.

James Turner vs. Edward Scarbrough & John Baxter. Case. Dismissed at defendant's costs.

Page 245. Administration of the Estate of Alexander McWhorter deceased granted to Widow Mary McWhorter & Shadrack Rawls.

Administration of the Estate of James Patterson deceased granted to Peter Patterson & John Patterson, who came and took the oath.

Court adjourned untill tomorrow morning 9 O'Clock.

Tuesday, January 12th, 1790. Court met according to adjournment. Present: Wm Hill, Thos Gillham & Abrm Smith, Esqrs.

Joseph Henry vs. Robert Smith. P & S in Debt. Ordered that execution issue for the whole of the judgment.

Present: John Garrison, John McClenahan & Samuel Watson Esqrs

William Armstrong, ass'ee, vs. David Elliott & Sarah McGill. Debt. Jury: Godfrey Adams, Alexr Allison, Thomas Carrel, William Berry, Walter McCarter, Joseph Wallace, John Dennis, John Barron, William Howe, Edward Moorhead, William Kerr & Philip Palmer. Find for the Pf a Horse worth £.15 North prock (that is, North Carolina Proclamation money) and pay costs of suit. Whereupon defendants came into open court and agreed to pay costs themselves.

Page 246. James Anderson vs. Hugh Miller and George King Senr. Debt. Dismissed at plaintiff's costs.

Will of Esther Henderson deceased was proven by John Howe & Jane Howe, evidences thereto. Ordered to be recorded. Letters Testamentary to Joseph Howe & Robert Patrick, executors named in said Will, who took the oath.

Court adjourned untill tomorrow morning, 9 O'Clock.

Wednesday, January 13th, 1790. Court met according to adjournment. Present: William Hill, Abrm Smith, Thos Gillham, Malcolm Henry & John Garrison, Esqrs.

Will of Thomas McAdory deceased was proven by Robert Boazwell and James Gibson, evidences thereto. Ordered to be recorded. Letters Testamentary to Ann McAdory & James Williamson, Exors, who came and took the oath.

William Rainey vs. John & Ben McWhorter. In an action of Debt and an action on the case. Dismissed at defendants' costs.

Page 247. Moses Sweaney vs. Thomas Wilcoxon. Debt. Dismissed at defendant's costs.

Mary McWhorter applied to the Court for administration of the Estate of Alexander McWhorter deceased as his widow, and Shadrach Rawls as next of kin, having married his daughter, applied to be annexed with her. The Court annexed him as Administrator. Widow appealed from the judgment of the Court and prayed that she might be heard in the Court of Common Pleas in Camden. Same was granted.

Deed of Conveyance of 250 acres from Wm Hill to Doctor John Allison was proven by oath of Samuel Lowrie & ordered to be recorded.

A Citation being given to Edward Scarborough for the purpose of obtaining Administration of the Estate of Harrison Hicks, dec'd, William Davis also took a Citation and caveats said Scarborough.

Alexander Glass appointed overseer of the road from Lincoln Court House to this Court House from Allison's Creek to Kings Mountain Road, and Robert Faries from Allisons Creek to Crowders Creek.

William Monahan appointed constable for one year, to qualify before Wm Bratton Esqr.

Thomas Drennan appointed constable for one year, to qualify before John Drennan Esqr.

Page 248. Administration of the Estate of Harrison Hicks decd granted to Edward Scarborough. William Davis, greatest creditor, appealed to the Court of Common Pleas.

Court gave their approbation to Mr. Jonathan Sutton as Deputy Clerk of this County Court, who came and took the oaths and entered upon the business of his office. Court adjourned untill tomorrow morning 9 O'Clock.

Thursday, January 14th, 1790. Court met according to adjournment. Present: Wm Hill, David Leech, James Willson & John Garrison, Esq'rs.

Harrison Hicks vs. Moses Thompson. Appeal from judgment of John Drennan Esqr. The Court were of the opinion that by the death of the plaintiff in appeal, the suit be dismissed.

William Henry Senr vs. Wm Stevenson & Joseph McKenzie, app'ees. Appeal from the Judgment of Wm Hill, Esqr. Continued.

John Wallace vs. Wm Howe. On Pet'n & Sum's. Dismissed at Def'ts costs.

Page 249. Edward Scarborough, Administrator of the Estate of Harrison Hicks, came and took the oath.

Administration of the Estate of Dr. William Lyon dec'd granted to Joseph Lyon, who came and took the oath.

James Callaghan vs. Robert Smith. Debt. Same petit jury find for plaintiff—one dollar per gallon amounting to £.36.9.7 with costs of suit. Def'ts attorney prays an appeal to the Superiour Court.

Robert Campbell vs. John Wallace. Case. Dismissed by plaintiff at his own costs.

John Wallace vs. Robert Campbell. Case. Dismissed by plaintiff at his own costs.

Daniel Brown vs. James Duncan & John Bridges. Pet'n & Sum's in Debt. Decree for 5 guineas & costs of suit with interest.

Samuel & Jane Moore Adm'rs vs. William Dale Senr. Pet'n & Sum's. Left to determination of Samuel Watson Esqr, David Leech Esqr, and John Martin.

Page 250. AEra Proprietors vs. James Faries Senr. Debt. Default & Enquiry.

AEra Proprietors vs. James Simril. Debt. Default & Enquiry.

Robert Creswell vs. John McWhorter. Debt. Default and Enquiry.

Isaac Killough vs. Daniel Williams & James McNeel. Issue joined.

William McNight vs. James Shaw. O. Att. Plaintiff failed to appear and was therefore nonsuited.

Court adjourned for half an hour. Met according to adjournment. Present: Wm Hill, Abrm Smith & John Garrison, Esq'rs.

John McKnit Alexander vs. Wm McCafferty & Joseph Moore. Debt. Same petit jury find for plaintiff according to specialty with costs, subject to the Installment Law.

Court adjourned untill tomorrow morning 9 O'Clock.

Page 251. Friday, January 15th, 1790. Court met according to adjournment. Present: Wm Hill, Abrm Smith, Sam'l Watson & John Garrison, Esqrs.

Andrew Foster and Isaac Garrison appointed commissioners to lay out a road from Garrison's Ferry on the East side of the River to Charles Millers on 12 Mile Creek,

and that Joseph Rabb & Samuel Bigger be overseers to keep said road in repair. William Howe, ass'ee, vs. James Smith. Debt. Dismissed at defend'ts costs, except plaintiff's attorney's fees.

Will of Henry Gordon decd having been formerly proven by William Falls and James Gordon, evidences thereto, pursuant to a dedimus from the then Ordinary, before Joseph Howe Esqr, was ordered to be recorded.

Ordered that in a judgment obtained by John Barnet against David Leech Esqr & Richard Sadler, interest be allowed from the entering up of a judgment in October term 1787, and if any more interest is charged on the execution, it is ordered to be paid back to defendant.

Ordered that John Brownfield, Francis McCall, John Martin, Edward Moorhead, Abraham Smith, Abraham Green, Richard Norman, & Thomas Woods be appointed to constitute parties to patrole in their different Captains Companies or elsewhere that they may think necessary in this county, agreeable to the Law in that case made & provided.

Page 252. A Deed of Mortgage from John McWhorter to Hance, Sarah and Rebecca McWhorter was acknowledged in open Court and ordered to be recorded.

James Callaghan vs. Robert Smith. Debt. By consent of the parties, ordered to be entered against defendant for £.19.11.8, each to pay their own costs.

Ordered that Shadrack Rawls, Admr of the Estate of Alexander McWhorter deceased, take the oath required by law before William Hill, Esquire.

Ordered that a Scire Facias issue against Thomas Blankenship & Benedict Alderson, having failed to appear in court according to their recognizance.

John Patteson vs. James Simril and Alexr McWhorter. Pet'n & Sum's. Decree for £.6.4.6 with Interest & Costs, subject to the Installment Law.

John Eakin, Admr, vs. George Cunningham. O. Att. Same petit jury find for plaintiff £.27.1.7 with Interest and costs of suit.

Page 253. Ordered that the Clerk issue an order to Sheriff for sale of a Bond attached to satisfy the said judgment obtained by John Eakin against George Cunningham.

Ordered that the Captains of the different companies, as soon as may be, make out lists of the freeholders in their respective companies, and that they return the same to the Clerk in order that a compleat Jury List may be made up.

James Dohertie comes and makes oath that he lost a Note of Hand given by James Smith to Ebenezer Newton and assigned to William Howe for £.10.14.10 sterling or thereabouts.

William Bostick vs. Josiah Smith. Slander. Dismissed at plaintiff's costs.

Ordered that the following rates and no other be taken by tavern keepers for 1790.

For 1 breakfast 10 d. Dinner 1/. Supper 10 d. For one horse in the stable pr night fed with good corn blades or hay 1/. Good pasturage for one horse pr night, 6 d. Good West India Rum pr half pint 1/. Do pr quart 3/. Jamacia Rum pr half pint 1/. Do pr quart 3/. Northward Rum pr half pint 7 d. Do pr quart 2/. French Brandy pr half pint 1/. Do pr quart 3/. Gin pr half pint 1/.

Do pr quart 3/. Peach or Apple Brandy pr half pint 8 d. Do pr quart 2/. Good Whiskey pr half pint 6 d. Do pr quart 1/6. Madeira Wine pr half pint 1/. Good Cyder or Beer pr quart 6 d. Cyder Royal pr quart 8 d.

Page 254. Matthew Dickson vs. John Swann. Debt. Ordered that a Dedimus Potestatem issue to Robert Irwine, Timothy Riggs and Robert Black, Esquires, of Rutherford County, No Carolina, to take depositions of Newberry Stockton and his wife as testimony.

Jane & Samuel Moore Adm'rs vs. William Dale Senior. Pet'n & Sum's. Award returned that defendant pay plaintiffs £.5.18.10 and costs of suit.

John Martin
Saml Watson
Dav'd Leech.

April Court 1790

Page 255. At a County Court held on the second Monday, being the 12th day, of April 1790 and of the Independence of the united States of North America the 14th. Present: Wm Bratton, Thos Gillham & Wm Hill, Esquires, Justices.

John Thompson appointed overseer of that part of Quinn's Road between Moores Creek and Bullocks Creek

Will of Robert Black deceased was proven by Thomas Woods, an evidence thereto. Ordered to be recorded. Letters of Administration with a copy of the Will annexed to George Black, who came and took the oath required.

John Patteson vs. James Simeral & Alexr McWhorter. Ordered that execution issue for the whole of the debt & costs.

Present: Malcolm Henry & Fras Adams Esqrs. Absent: Wm Hill & Fras Adams Esqrs.

Shadrack Rawls Admr vs. John Young. O. Att. David Wiley, garnishee, says he owes sd Young four notes of £.29 each, to be paid in property, viz, horses, cows & sheep, at the valuation of three men (at trade rates), the first note being due the 8th day of October next and the others due annually afterwards. Judgment entered against John Young by default.

Page 256. Grand Jury: William Love, foreman, Hugh Allison, James Hemphill, Elijah Bailey, William Byers, Junr, William Given, Jacob Randal, Nathaniel Irwine, Matthew Brown, Demcy Winborne, William Castillo, James Starlings & Thomas Carson.

Alexander McCormick vs. Michael Hogan. Debt. Robert Wallace enters himself special bail.

A deed of conveyance dated Apr. 12, 1790, from Mary Starlings, widow of John Starlings deceased, to Joseph Atkinson Esqr for her right of dower & other inheritance by Will of a tract of land on Fishing Creek of 220 acres or thereabouts was acknowledged and ordered to be recorded.

Court adjourned until tomorrow morning 9 O'Clock.

Tuesday, April 13th, 1790. Court met according to adjournment. Present: Wm Bratton, Wm Hill, Thos Gillham & John McClenahan, Esquires.

Administration of the Estate of Andrew Ferguson deceased granted to Patrick McMahan who came and took the oath.

Page 257. Upon a settlement of the Estate of Alexander Flemming decd of which Robert Fleming Senr & William Fleming was administrators, it appears that s'd administrators have delivered of s'd estate into the hands of John McConnell who was chosen guardian for the orphan children of s'd Alexander Fleming dec'd, the sum of £.95.18.4½ sterling.

Present: Francis Adams, Samuel Watson & Malcolm Henry Esq'rs.

James McCallon vs. Robt & And'w Smith. Debt. Plaintiff living out of this state, Mr Andrew Love comes and enters himself security for costs.

George King Junr vs. Richard Norman & Jo Palmer. Debt. Dismissed at plaintiff's costs.

Deed of Conveyance from Hugh White to Matthew Neely for 280 acres was acknowledged by s'd Hugh White & ordered to be recorded.

Joseph Scott vs. Wm Smith & Sam'l Phelps. Debt. Jury: Alexander Glass, Robert Patterson, John Hutchison, Benedict Alderson, Alexander Barron, David Hutchison, Henry Creswell, James Eakins, Silas Starlings, John Poag, James Meek & John Howe. Find for plaintiff, according to specialty with interest & costs.

Page 258. Hugh Shearer appointed constable for one year, to qualify before Thomas Gillham Esqr.

Court adjourned for half an hour. Met according to adjournment. Present: Wm Bratton, Wm Hill & Malcolm Henry, Esq'rs.

Power of Attorney from Joseph Kennedy to John Gibson proven by John Elliot & ordered to be recorded.

Matthew Dickson, appellant vs. David Dickson, appellee. Appeal from judgment of Samuel Watson, Esqr. Judgment confirmed.

James McNeel vs. William Ramsey. O. Att. James Hemphill, garnishee, says he owes nothing.

AEra Proprietors vs. William McGown. On Judicial Attachment. William McGown enters himself in the sum of £.30 with Francis Adams Esqr security in the sum of £.15 to replevy the property attached and pleads to issue. Acknowledged and signed in open Court.

William McGown
Fras Adams

State vs. Margaret Workman. Bastardy. Ordered that plaintiff be exonerated of her fine on account of David Chambers & John Sturgis's fines, Viz, to be sunk in theirs.

Page 259. Administration of the Estate of John Banks deceased granted to Hugh White who came and took the oath prescribed by Law.

Administration of the Estate of Richard Henry dec'd granted to William Hill Esqr, who came and took the oath prescribed by law.

William Bratton Esqr given license to keep a common tavern at his dwelling House in this County for one year.

Court adjourned untill to Morrow morning 9 O'Clock.

Wednesday, April 14th, 1790. Court met according to adjournment. Present: Wm Hill, Fra's Adams, & Thos Gillham, Esqrs.

Will of Alexander Love Senr deceased proven by Robert Gabby & Mary Kernahan, evidences thereto. Ordered to be recorded. Letters Testamentary issued to Andrew Love, Exo'r named in s'd Will, who came and took the oath prescribed.

Present: Abraham Smith & John McClenahan, Esquires.

Page 260. Robert Greer, assignee, vs. George King, Junior. Pet'n & Sum's. Decree according to speciality with Interests & Costs subject to Installment Law.

Deposition of Dorothy Moore taken before Abraham Smith Esqr ordered to be recorded.

Jonathan Harden vs. James McElwee. Pet'n & Sum's. Plaintiff's attorney having prayed a jury at their own costs. Petty Jury: Robert Patterson, Alexander Glass, Joseph Carrell, James Faries, John Howe, John Venables, Silas Starlings, James Laughlin, James Meek, Alexander Barron, David Patton, & John Poag. Find for plaintiff £.6.9.6. & costs of suit. Debt under the Installment Law.

An Account of the Estate of Absalom Willson dec'd was returned by which it appears that there is now in the hands of Jane Willson, Administratrix, the amount of £.28.15.1.

Ordered that John Drennan Esq take deposition of Moses Ferguson respecting the Will of Margaret Stuart dec'd & to certify said deposition to next court.

The appearance docket was ordered to be called over.

James Kincaid vs. William Kincaid. O. Att. Ordered to be nonsuited.

Rutledge vs. Campbell. Debt. Issue in point of Law as to service.

Page 261. Alexander Moore vs. Moses Thompson. At issue.

James McNeel vs. William Ramsey. O. Att. Lie over.

William Rainey vs. John McWhorter. Debt. Dismiss'd at Deft's Costs.

Same vs. same. Case. same.

John McConnell Senr vs. Howie & Patterson. P & S. Judg't on speciality.

Same vs. Miller & Carson. P & S. Judg't on speciality.

James McCallon vs. Robt & And'w Smith. Debt. issue.

John Wallace vs. James Dohertie. Pet'n & Sum's. Plaintiff living out of this State, John Willson enters himself security for Costs.

Jonathan Harden fined five shillings for Contempt of the Court & profane swearing and that he be kept in custody by sheriff untill said fine is paid.

John Wallace vs. James Dohertie. Pet'n & Sum's. Plaintiff's Att'y moved for a Jury trial at their own costs. Jury: John Howe, Alexr Barron, Silas Starlings, James Faries, Patrick Robison, Joseph Carrell, James Meek, John Poag, Fredrick Ham-bright, David Patton, Alexr Glass, & Robert Patterson. Plaintiff was ordered to be nonsuited.

Ordered that a Dedimus Potestatem issue to any two Justices of the peace, Hallifax County, No Carolina, to prove a Deed from Mrs. Olive Barrow & Wm Barrow, Ex't and Exo'r of Wm Barrow deceased for 800 acres, to Demcy Winburne.

Page 262. Shadrack Rawls, Admr, vs. John Young. Debt on Attachment. Default according to speciality.

Robert Greer vs. Joseph Palmer Esqr. Debt. Issue joined.

John Gibson Atty &c vs. Joseph Carroll, Admr. Case. Issue joined.

Court adjourned for half an hour. Met according to adjournment. Present: Wm Hill, Abrm Smith, & John McClenahan, Esquires.

Daniel Symmes, app't, vs. Francis Curry, app'ee. Appeal from Judgment of Fra's Adams, Esqr. Judgment of magistrate affirmed.

Ordered that the price of an Estray Mare proven to be the property of John Smith be paid to James Smith upon his producing an Order from said John Smith.

Ordered that Alexander Glass have a note of hand given for an estray to the amount of £.5.0.6 & that it be settled in his account when audited.

Ordered that all persons owing fines two years be obliged to pay said fines by next Court, all less than two years by the next Court after, and all since one year by January 1791.

State vs. John Adams. T.A.B. Ordered that two guineas of the fine be remitted.

Page 263. Present: David Leech, Wm Hill, Francis Adams, Abraham Smith, John McClenahan, & Thomas Gillham, Esq'rs.

Court proceeded to consider a bargain made by Colo Wm Hill and John McCaw for a House in Yorkville formerly occupied by David McCall, upon the determination of which the Court was equally divided.

Barbara Brandon vs. Arthur Ross. Pet'n & Sum's. Judgment confessed.

Court adjourned untill tomorrow morning 9 O'Clock.

Thursday, April 15th, 1790. Court met according to adjournment. Present: John Drennan, John McClanahan & John Garrison, Esqrs.

Samuel Bigger given license to keep a common tavern at his dwelling house in this county for one year.

Wm Laughlin, Exor to Will of William Little deceased, swore that he received the whole of the payments from the debtors in Continental money except for a pistreen & half Pistareen & a fifty dollar Bill of So. Carolina Currency, which the Court ordered to be a tender in payment to the Legatees. By a return of s'd Estate there appears tl be due of the same to the Legatees at this time the sum of £.790.3.11 old So. Currency.

Page 264. Francis Adams, Ab'm Smith, Jos. Palmer & Jno Garrison, Esqrs.

John Harris vs. Moses Thompson, Humphry Williams & Wid'w Wilson. T.Q.C.F. Def'ts attorney having moved for a nunsuit on acco't of loss of the Original Writ & likewise for want of formality in the Writ & also that the title of the land came in question was over ruled by the Court & ordered to be refer'd to Jury. Viz, John Howe, Alexr Glass, Alexr Barron, James Faries, Siles Sterling, Wm Henry Senr, James Meek, James Laughlin, Jno Peters, Benedick Alderson, Robert Patterson, & Henry Creswell. Find for plaintiff 5 sh. sterling with costs. Whereupon the Court adjudges the trespass to be Willfull & Malitious.

Adam Meek Esqr was appointed Sheriff for this County came into open Court & took the oath according to the office & other oaths to qualify him for said office (marked through).

James Meek was offered to Court as under sheriff of this County, who gave their approbation & said James Meek came & took the oath required by law (marked through).

Joseph Boggs appointed a constable for one year, to qualify before Francis Adams Esqr.

John Blakely Junr appointed constable for one year, to qualify before Joseph Palmer, Esqr.

Matthew Smith appointed overseer of the road from John McCaws to the road from the Iron Works to Loves Ford on Broad River, in room of Walter Carson Senr.

Geo. Plaxco & Isaac Smith appointed commissioners to lay out a road from Clarks ferry on Broad River to Samuel Gordons & that Robert McCurdy & Gavin (sic) Gibson be appointed overseers to keep s'd road in repair.

Page 265. Ordered that John Patterson be appointed overseer of the road from Tuccasiege ford on Catawba River to Charleston in that part between the No Carolina line and the middle of Allisons Creek in room of Arthur Armstrong.

John Thompson appointed overseer of the road from Moores Creek to Bullocks Creek, viz, Quinns Road, in room of William Carr (marked through).

Arthur Ross appointed overseer of the road from the ford of Bullocks Creek on Quinns Road, to the corssroads nigh Widow Jamisons in room of Robert Stephenson.

Court adjourned for hald an hour. Met according to adjournment. Present: William Hill, Francis Adams, John Drennan, Joseph Palmer, John McGlenahan, Malcolm Henry, Samuel Watson, Abraham Smith, & John Garrison, Esquires.

The Court again proceeded to consider the bargain made by Colo William Hill & John McCaw of a House in Yorkville, the property of David McCall, & upon taking the minds of the Court, there were seven Justices for affirming the bargain and two, viz, Abraham Smith and Samuel Watson Esqrs, against it, whereupon the Court orders the trustee to pay for said House in the most convenient manner that may be without taxing the County.

Court adjourned untill tomorrow morning 9 o'clock.

Page 266. Friday, April 16th, 1790. Court met according to adjournment. Present: Wm Hill, John Garrison, & John Drennan, Esquires.

Ordered that the Clerk issue a rule of court to every person owing by judgment under the Installment Act, that said persons may be served with the same 30 days before next Court according to law.

Francis Gilmore vs. John James. O. Att. Default & Enq'y.

William Clinton vs. Isaac Faries & John Faries Senr. Debt. Default.

Samuel Young, ass'ee vs. Alex'r McWhorter. Pet'n & Summons. Dismissed at plaintiff's costs.

John Lott vs. Philip Sandifer. Debt. Judgment according to specialty with interest & costs.

Thomas Greer ass'ee vs. John Hutchison. Debt. Dismissed at plaintiff's costs.

James Brice vs. John McDonald. O. Att. Default & Enq'y

Present: Abraham Smith & Samuel Watson, Esq'rs.

James Duncan vs. Shadrack Rich. Slander. Dismissed at plaintiff's costs.

Robert Patterson vs. Francis Wafer. O. Att. Petit Jury: John Howe, William Davis, James Faries, Silas Starlings, Alex'r Barron, James Meek, Humphrey Williams, David McCall, James Campbell, David Hutchison, Henry Creswell, & Nathaniel Irwine. Find for plaintiff E.25 prock, equal to E.14.11.8 sterling with interest & costs.

Page 267. Robert Patterson vs. Francis Wafer. O. Att. James Laughlin claiming part of the property, the Jury to determine the right of property were the same, with Elijah Bailey instead of Nathaniel Irwine. Find for Mr. Laughlin.

Court adjourned for half an hour. Met according to adjournment. Present: Wm Hill, Jno Drennan, Abrm Smith & John Garrison, Esquires.

Nathaniel Irwine appointed overseer of road from Sturgis's ferry to No. Carolina line.

Robert Patterson vs. Francis Wafer. O. Att. William Laughlin claiming part of the property attached, the Jury to determine the right of property were: John Howe, Joseph McKenzie, Silas Starlings, Alexander Barron, Joseph Kerr, Samuel Knox, James Gill, James Faries, John Cooper, Samuel Hall, James Meek, & Michael Hogan. Find property bound by the attachment, only one sorrel stallion to be sold by the sheriff.

Page 268. James Powell vs. Francis Wafer. O. Att. Judgment by default.

Ordered that George Plaxco be appointed constable for one year, to qualify before Abraham Smith Esquire.

Ordered that the clerk (being trustee or treasurer for the county) shall be allowed 3/6 for every stray that he enters and advertises during the preceding year, to be allowed in his accounting with the county.

Court adjourned untill Court in Course.

July Court 1790

Page 269. At a County Court held on the second Monday (being the twelfth day) of July, 1790, and of the Independence of the united States of North America the fifteenth. Present: William Bratton, Wm Hill, Thomas Gillham, David Leech, John Drennan, Francis Adams, & Abrm Smith, Esqrs.

Adam Meek, Esqr, appointed Sheriff for this County produced his Commission which was ordered to be recorded.

Pages 269-270. Commission of Charles Pinckney, Esquire, Governor, to Adam Meek, Esquire, to serve as sheriff for two years and no longer.

Page 270. Adam Meek Esqr came into open Court & took the Oath of Office and other oaths of qualification.

Court approved of James Meek as under Sheriff, who came and took the oaths required by law.

Whereas it has been proven by the Oath of James Campbell Senr and John Willson Esqr that there is a later Will of Joseph Carrel Senr dec'd than that produced by Joseph

Carrel Junr in October Term 1788 which was Ordered to be recorded, it is therefore Ordered that said Order for recording be rescinded.

William Hill Esquire vs. Ben & John McWhorter. Debt. Dismissed at the Def'ts Costs.

AEra old Company vs. John McWhorter. Debt. Dismissed at the Def'ts Costs.

Page 271. Court adjourned untill tomorrow morning 9 O'Clock.

Tuesday, July 13th, 1790. Court met according to adjournment. Present: Wm Hill, John Drennan, David Leech & Abrm Smith, Esqrs.

Present: Thomas Gillham & Francis Adams, Esqrs.

Abraham Smith Esqr, assee vs. James Martin. P & S. Decree according to specialty with Interest & Costs.

Abraham Smith Esqr vs. John Whilden & Geo. King Senr. P & S.

Present: Jos. Palmer & Wm Bratton, Esqrs.

Decree for the Balance of the note with stay of execution three months.

~~Abraham Smith Esqr vs. John Martin. P & S. Decree according to the Specialty with Interest & Costs.~~

Lease for 207 acres of Land from Samuel McClellan Senr to Saml McClellan Junr was acknowledged.

Deed of Gift from Samuel McClellan Senr to Saml McClellan Junr acknowledged.

Page 272. James Starlings vs. Zachariah Stanton. O. Att. Nonsuited.

James Brice vs. John McDonald. O. Att. Judgment by Default.

Joseph Patterson vs. John Martin. Debt. Jury: Edward Byers, James Henry, Samuel Rowan, Joseph Cole, John Moore, Alexander Henry, William Rowan, James Crawford, Arthur Clark, James McCord, Isaac Gillham, & John Garvin. Find for Plaintiff E.30 with costs.

Court adjourned for an Hour. Met according to adjournment. Present: Wm Bratton, Wm Hill, Thos Gillham & Abrm Smith, Esq'rs.

Ordered that John Berry br appointed Guardian of Sarah McWhorter & that he have power to demand the Estate belonging to said Orphan & that John Alexander & Joseph Carrel be accepted as Bail.

Ordered that Robert Forrester have License to keep a common Tavern untill January Court next.

We John Hogg, James Darwin & Christopher Freeman do bind ourselves in the sum of E.20, to be void on condition that John Hogg will appear at the next Court & abide by and perform the Order of the Court for Petit Larceny.

John Hogg
James Darwin
Christy Freeman

Page 273. George Walker vs. John Sturgis. P. & S. Decree for the Def't with Costs.

Court adjourned untill tomorrow morning 9 O'Clock.

Wednesday, July 14th, 1790. Court met according to adjournment. Present: Wm Bratton, David Leech, Thos Gillham, William Hill, Abrm Smith & Fras Adams, Esqrs.

Ordered that Alexander Love Junr have License to keep a common Tavern untill January Term next.

Samuel Knox & Thos McGill vs. Thomas Spratt. Trespass. Continued. Ordered that the evidence of James McDonald be admitted as testimony on the trial by consent of the parties.

Page 274. Lewis Thompson vs. John McDonald. Slander. Nonsuited.

Benedict Alderson vs. David Elliott. O. Att. Ordered to be continued untill next Court.

Arthur Jamison vs. John Demcy. Debt. Jury: James McCord, Wm Rowan, Joseph Cole, Alexander Henry, Edward Byers, Robert Kirkpatrick, James Henry, William Henry, James Crawford, Samuel Rowan, William Bostick, & James Wallace. Find for plaintiff E.8.8.0 with costs.

Will of Rachel Ross proven by James Ross an evidence thereto. Letters Testamentary to Andrew Love & George Ross, Exor named in said Will, who came and took the oath.

Joseph Patterson vs. John Martin. Debt. Defendant's attorney moved in arrest of Judgment, the action being brought in debt for a Negroe, which the Court granted.

Page 275. Samuel McCall vs. Robert Smith. P. & S. Decree for E.9.7.2 with Interest and Costs.

Court adjourned for half an hour. Met according to adjournment. Present: Wm Bratton, Wm Hill, David Leech, Abrm Smith & Thos Gillham, Esquires.

Dr. John Allison vs. Charles Mayberry. On Pet'n & Sum's. Ordered that Def't give special Bail, whereupon the parties agreed & the Defendant confessed Decree for E.8.9.6 & Costs, with stay of execution six weeks.

John Stafford appointed a Constable for one year, to swear in before John Garrison, Esqr.

John Richey vs. Thomas Reins. O. Att. Judgment by Default. Ordered that a Scire facias be issued to Silas Starlings to shew cause why Judgment should not be entered up against him for the demand.

William Henry Senr, apellant, vs. Wm Stevenson & Jos. McKenzie, appellees. Appeal from the Judgment of Wm Hill Esq. The Judgment reversed.

Page 276. Ordered that the Deposition of James Porter delivered in by Robert Kennedy be recorded.

John McCaw, formerly appointed Trustee for this County, resigned said place, and it was ordered that another person be appointed in his room, & thereupon William Fergus was appointed to that place.

Jane Rutledge vs. Robert Campbell. Debt. The Def'ts Attorney having plead that the Service of the Writ was not legal on account that the Defendant attended as a Suitor at the time of service, the Court gave it as their oppinion that the service was lawful.

Ordered that a Ded. Po. issue to three Justices of () County, No Carolina or any two of them to take the Deposition of Mary Forsythe as testimony in the Suit John McDonald against Lewis Thompson.

Ordered that John Chambers & John Peters be appointed Overseers of the Poor, to wit, Robert Bigger & William Powers, that they find them in Provision untill next Court, & they to be indemnified by the County.

Court adjourned untill Court in Course.

October Court 1790

Page 277. At a County Court held for the County aforesaid on Monday, 11 Oct. 1790, and fifteenth year of American Independence. Present: William Hill, William Bratton, Saml Watson & John Drennan, Esquires, Justices.

Joseph Lyon came into open Court and took the Oaths requisite to qualify him as a Citizen of this State & of the united States. Court adjourned untill tomorrow Morning 9 O'Clock.

Tuesday, October 12th, 1790. Court met according to adjournment. Present: Wm Hill, Wm Hill & John McClenahan, Esq's. Court adjourned untill to Morrow Morning 9 O'Clock.

Wednesday, October 13th, 1790. Court Met according to adjournment. Present: Wm Hill, David Leech & John Drennan, Esq's.

John Bigham vs. John Bigger. Debt. Discontinued.

Page 278. The State vs. Matthew Dickson. T.A.B. The Def't Submitted to the Court who fined him 2/4.

Ordered that Francis Adams, David Leech & John McClenahan Esq's be appointed a Committee to inspect the papers belonging to the Estates of Thomas Barr & Capt. Peter Clinton deceased in the hands of James Campbell Senr, Exor of said Estates.

James McCall vs. David McMeekan. O. Att. Judgment by Default. John McCall, garnishee, says he has a Note of Hand in his hands, of 35 pounds prock payable by James Hanna Junr to said McMeekan.

Present: Wm Bratton, Thos Gillham & Abraham Smith, Esq's.

David Bell vs. Edward Moorhead. Pet'n & Sum's. Decree for L.5.14.3 with interests & costs.

Ara Proprietors vs. Robert Knox. Case. Issue.

Dr. John Allison vs. Felix Walker. Pet'n & Sums. Continued at the Def'ts Costs.

Thomas Bragg vs. George Littlejohn & H. White. Debt. Issue.

Thomas Bragg vs. George Littlejohn. O. Att. Dismissed at the Pfs. Costs.

Page 279. John Willson vs. John James. Debt. Issue.

Same vs. same. Debt. Issue.

Same vs. same. Case. Issue.

Samuel Knox vs. Robert Brown. P. & S. Decree for Principal Interest & Costs.

John Walker vs. Norman & Palmer. P. & S. Decree for Principal Interest & Costs. Ex'n to be stayed three months.

Joseph Patterson Junr vs. Samuel Henderson. Debt. Alexr Patterson enters himself Security for Costs, Plaintiff living out of this State.

Will of Andrew Leathem Senr decd was proven by oath of Revd James Fowler. Letters Testamentary to Charles Gillmore who qualified. James Hetherington, William Wright, John Blackney & James McNeel appointed appraisers.

James Adair vs. Fowler & Blackney. P. & S. Decree according to Specialty & Costs.

Michael Dickson vs. John Kenny & James Starlings. P. & S. Decree according to Specialty & Costs.

Page 280. John Russell vs. Rueben Starks. Debt. Judgment by Default according to Record with Interests & Costs.

John Knox vs. Thos. West. O. Att. Continued, a Jury claimed by Def't.

Ordered that the property of John Young in the hands of David Wylie be exposed to publick Sale by the Sheriff giving legal notice.

Samuel Gordon vs. Andrew Peterson. O. Att. Ordered that the Land Attached be Advertised in the State Gazette.

Samuel Gordon vs. Wm Miles & others. Debt. Dismissed at the Def'ts Costs.

Ordered that a Ded. Po. issue to James Withrow, Jonathan Hampton & John Flack, Esqrs, or any two of them to take the Deposition of Joseph Patterson Senr and Colo William Porter in the cause of Joseph Patterson Junr against Samuel Henderson, said Ded. Po. to go to No. Carolina, Rutherford County.

James Patterson vs. Joshua Miller. O. Att. Dismissed at the Pf's Costs.

Grand Jury Impannelled & Sworn, viz, Peter Quinn, foreman, Daniel Quinn, John Logan, James Campbell, Isaac Gillham, Peter Akins, James Venables, James Hetherington, William McAdow, John McNabb, John Gordon, Thomas Collins, & Nicholas Seehorn.

Colo. Samuel Watson vs. Randolph Holbrooks. O. Att. Ordered that the Pf. have the Books of Account due to the Def't with full power to collect the Debts due by the different persons on s'd Books.

Page 281. Morgan O. Regan vs. Randolph Holbrooks. O. Att. Colo Samuel Watson, summoned as garnishee & sworn, says he owes nor has nothing of the property of the Def't in his hands.

Ordered that the Will of Margaret Stuart decd (as proven before John Drennan Esqr pursuant to an Order of Court) be approved & allowed & ordered to be recorded.

Ordered that two Deeds of Conveyance from Colo Samuel Watson to Archibald Barron, copies of which have been produced from the Registers Office of Lincoln County, No Carolina, be recorded.

Matthew Dickson vs. John Swann. Debt. Abated by the death of the Defendant.

Administration of the Estate of Stephen McCorkle dec'd granted to Ann McCorkle & William McCorkle, who came and took the oath required by law.

John Bridges vs. James Fondren. O. Att. Ordered that the Suit be quashed & the property returned to William Tate Esqr, the owner.

John Gallagher vs. William Bostick. P. & S. Judgment by Default.

Court adjourned for half an Hour. Met according to adjournment.

Page 282. Present: William Hill, David Leech, & Thomas Gillham, Esquires.

The State & James McCall vs. Robert Forrester. Qui Tam. Nolle Prosequi & Compromise.

William Davis vs. Henry Clark. T.A.B. Nolle Prosequi.

Ordered that a Ded. Po. issue to Jonathan Hampton Esqr, Rutherford County, No. Carolina, to take the Deposition of Thomas Walker as testimony in the suit Dr. John Allison against Felix Walker.

John Richey vs. Thomas Reins. O. Att. Ordered that the property in the hands of Silas Stallings be exposed to publick Sale by the Sheriff giving legal notice.

Ordered that an Account of the Estate of Peter Clinton deceased produced by James Campbell Exc'r amounting to E.80.19.2½ Ster'l be approved of to be paid to the Legatees.

Ordered that Dorothy Moore have two Negroes, Viz. one wench & one child now in possession of her brother Thos. Moore, & that the Sheriff have orders to take the said Negroes immediately & deliver them to said Dorothy Moore.

Elias Davison vs. James Simeral. O. Att. Decree for E.4.9.4d. with Interest & Costs.

Page 283. Court adjourned untill to Morrow Morning 9 O'Clock.

Thursday, October 14th, 1790. Court met according to adjournment. Present: Wm Bratton, William Hill, Abrm Smith, Saml Watson, Thos Gillham & John Garrison.

Ordered that an Order issue to John Stafford, Constable, to sell an Estray Bull in the possession of Walter Ashmore.

John Price vs. Matthew Dickson. Debt. Plaintiff made oath that Defendant is indebted to him E.1200 old Currency due 2d Feby 1780 by Note of Hand dated 2d Novr 1779. Ordered that Def't be ruled to special Bail.

Isaac Price vs. Nathaniel Henderson. Debt. A Receipt was produced for the payment of the second Installment.

Joseph McKenzie vs. Kenslor & Henderson. Debt. Do.

Henry Creswell vs. Jos. & Nath'l Henderson. Debt. It appears that Nathaniel Henderson is exonerated.

Francis Gillmore Junr vs. John James. O. Att. Petty Jury: Jesse Miller, Sam'l Burns, William Minter, James Scott, Samuel Hemphill, Henry Creswell, John Peters, Page 284. Francis Gillmore, Senr, John Thompson, Jonathan Fitchet, Alexander Patterson, & John McClain Senr. Find for plaintiff the sum of E.1.19.6d with costs of suit.

Ordered that so much of the Property attached be exposed to Publick Sale as will satisfy the said Judgment.

Court adjourned for half an Hour. Met according to adjournment. Present: William Hill, Thos Gillham, & Abrm Smith, Esq'rs.

Administration of the Estate of James Willson dec'd granted to Francis Willson & Robert Patterson who came and took the oath required by law.

Thomas White vs. James A. White. Debt. Judgment confessed by the Def't in person according to the Note, with stay of Ex'n three months.

By a settlement of the estate of Thomas Barr dec'd it appears that the neat amount of said estate is E.133.7.6 Ster'l.

Ordered that Thomas Naysmith be allowed E.1.10.- for his trouble and expenses of a Stray Horse tolled by him.

Ordered that John Barron be appointed Guardian of Mary Duncan, an Orphan, who Offers James Young Senr and Joseph Boggs securities. Ordered that they be bound for E.30 Ster'l Conditioned for her getting Education suitable to her Station & also maintenance, and that no part of her Estate be consumed thereby.

Page 285. Daniel Brown vs. Michael Hogan. P. & S. An Execution having been returned by the Sheriff that no property of the Defendants was to be found, Ordered that Judgment be entered up against William Copeland as Bail for the amount of the former Judgment & Costs. Stay Ex'n two Months.

Will of Robert Patterson Senr deceased, formerly proven by James Dickey & Nathaniel Harrison before Samuel Swann Esqr, was Ordered to be recorded.

State vs. John Hogg. Petit Larceny. Petit Jury: Jesse Miller, Francis Gilmore, Junr, Samuel Hemphill, Jonathan Fitchet, John Thompson, Alexander Patterson, John McClain Senr, John Peters, James Scott, James McCormick, James Starlings, & Frances Gillmore Senr. Find the Defendant guilty as charged in the Bill of Indictment. Ordered that the Def't receive twenty lashes well laid on the bare back, and that the Sheriff put this sentence in execution immediately.

Deed of Conveyance from Francis Adams Esqr to his brother James Adams for 200 acres in York County was acknowledged.

Shadrack Rawls vs. Hance McWhorter. P. & S. Dismissed at the Pfs Costs.

Page 286. Prudence Hall came into open Court and made Oath that William Hall is the nearest Heir to John Hall late of the State of Georgia deceased.

Ordered that Shadrack Rawls be appointed Guardian of Hugh McWhorter an Insane person and that he give sufficient security for discharging said trust uprightly.

Ordered that Alexander Stuart be appointed Overseer of Robert Bigger a poor person & that he be allowed the sum of E.7 Ster'l yearly whilst he maintains him.

Samuel Burns vs. David Porter. O. Att. John Gordon sworn as Garnishee Owes E.200 currency subject to the Scale of September 1778 with Interest. Ordered that David Byers the other Garnishee give in his Deposition at next Court.

Court adjourned untill to morrow morning 9 O'clock.

Friday, October 15th, 1790. Court Met according to adjournment. Present: William Hill, David Leech & Abraham Smith, Esquires.

Michael Hogan vs. John Bridges. Case Discontinued, Clerk to pay Costs.