

Robert Brown vs. Alexander Stuart. Debt. Discontinued at Plaintiffs Costs.

Present: James Willson Esquire. Absent: Wm Hill Esquire.

Henry Wasson vs. Robert Smith, Philip Walker & David McCall. Debt. Judgment by Default according to the Bond as to David McCall. Petit Jury: Joseph McKenzie, Page 293. Shadrack Rawls, Henry Flaxco, John Peters, John Feemster, Thomas Black, Goyan Gibson, Moses Leathem, Alexander Candlish, Andrew Eager, James Bridges, & Arthur Faries. Find for Plaintiff £200 sterling with Costs of Suit. Whereupon the Court gave Judgment according to the Verdict.

William Watson vs. James Martin, James Ross & John Martin. Debt. Same jury find for Plaintiff according to Specialty with Interest & Costs of Suit.

Court adjourned for half an Hour. Met according to adjournment. Present: Wm Hill, Jas Willson & Jno Garrison, Esqrs.

Ordered that John Berry be appointed Overseer of the Road from Bethel to Colo Brattons in that part between Allisons Creek & Fishing Creek in room of William Stuart.

Ordered that Jacob Kettles an Orphan Boy be bound Apprentice to Samuel Gordon until he comes of age, who is to learn him the Black Smith trade, to give him one years Schooling, and one pair of Black Smith's Bellows & the small tools necessary for said trade & also give him when free a new Suit of common wearing Apparel from head to foot.

Page 294. James Padean vs. John Whilden & Richard Norman. Debt. Judgment by Default according to the Note with Interest & Costs.

Adam Young vs. John Hogg. T.A.B. Ordered that the Plaintiff be Nonsuited.

Ara Proprietors vs. Isaac Faries. Debt. Judgment by Default according to the Note with Interest & Costs.

Abraham Smith Esq'r vs. John Martin. Debt. Petit Jury: Arthur Faries, Samuel Gordon, Henry Flaxco, Moses Leathem, William Burrows, William Laughlin, Goyan Gibson, David Jackson, Andrew Eager, James McElwee, John Feemster, & William Bostick. Find for Plaintiff £17.10.- (without Interest) with Costs of Suit.

Dr. John Allison vs. Felix Walker. P. & S. Continued at Def'ts Costs.

Court adjourned until to Morrow Morning 9 O'Clock.

Page 295. Wednesday, January 12th, 1791. Court met according to adjournment. Present: William Hill, James Willson & David Leech, Esquires.

James McCallon vs. Robt. & And'w Smith. Debt. Dismissed at the Defendants Costs.

Present: Thomas Gillham, Esquire.

John Blackney Senr vs. William Fowler. O. Att. Decree for £10 and Costs.

John Martin vs. Joseph Patterson. O. Att. Ordered that the Pf. be Nonsuited.

James Kennedy Esqr vs. James Adams. Debt. Judgment by Default according to the bond with Interest & Costs.

James English vs. Daniel Williams & James McNeel. Debt. Judgment by Default according to Specialty with Interest & Costs of Suit.

Same vs. same. Debt. Judgment by Default according to Specialty with Interest & Costs.

Robert McAfee vs. John Walker, James Willson & Simeon Kuykendall. Debt. Absent: James Willson Esqr. Present: David Leech Esqr. Ordered that Plaintiff be Nonsuited.

Page 296. State vs. Dr. John Allison. T.A.B. The Def't Submitted to the Court who fined him 10/10 $\frac{1}{2}$

Ara old Company vs. Jane Willson Adm'x. Debt. Dismissed at the Plaintiff's Costs.

Ara Proprietors vs. Jane Willson Adm'x. Debt. Dismissed at Plaintiffs Costs.

John Pursley vs. Jane & Robt Pursley. Case. Ordered that the Plaintiff be Nonsuited.

Francis Adams Esqr vs. Alexander McDowall. Slander. Continued.

Ordered that the following persons have License to keep common Taverns at their respective dwelling Houses in this County for one year, to wit, James Mitchell, Elijah Bailey, James Willson, Esqr, William Hill & Francis Adams Esquires.

Richard Sadler Junr vs. Daniel Williams. Debt. Judgment by Default according to Specialty with Interest & Costs of Suit.

Isaac Killough vs. Daniel Williams & James McNeel. Debt. Jury: Alexander Glass, Robert Faries, John Peters, Wm Fergus, Page 297. John Feemster, Isaac Enloe, Anthony Cox, Richard Currier, Joseph Hatchford, Henry Flaxco, Moses Leathem, & Goyan Gibson. Find for plaintiff according to specialty with Interests & Costs. Whereupon the Court gave Judgment according to the Verdict.

Jane Rutledge vs. Robert Campbell. Debt. Ordered that plaintiff be nonsuited.

Alexander Moore vs. Moses Thompson. Debt. Same jury as above being Sworn find for Plaintiff according to Specialty with Interest & Costs.

Samuel Knox vs. David McCall. Debt. Same jury as above being Sworn find for the Plaintiff according to Specialty with Interest & Costs.

John Price vs. Matthew Dickson. Debt. Same Petit Jury find for the Plaintiff according to Specialty with Interest & Costs.

Court adjourned for an Hour. Met according to adjournment. Present: Wm Hill, Thomas Gillham & James Willson, Esquires.

Charles H. Simmons vs. John Marion. Case. Ordered that the Plaintiff be Nonsuited.

Page 298. State vs. William Bostick. For selling spiritous liquors higher than the rates. Same jury as above. Find defendant guilty.

John Blackney Senr vs. William Fowler. O. Att. Ordered that the property attached be exposed to publick sale by the sheriff giving legal notice to satisfy a decree of £10 and costs.

Court adjourned until to Morrow Morning 9 O'Clock.

Thursday, January 13th, 1791. Court met according to adjournment. Present: Willi Hill, David Leech, & James Willson, Esquires.

Ordered that William Bostick be fined E.1.13.- for selling spiritous liquors higher than the rates, agreeable to the verdict of the jury yesterday.

John Gallagher vs. William Bostick. Pet'n & Sum's. Agreed by the parties each to pay half Costs.

Page 299. Ordered that Francis Adams & Malcolm Henry Esquires be appointed to inspect the papers & records in the Clerk's office & report to next court in what condition they find them.

Ordered that John Moore be appointed overseer of the road leading to Charleston from Kings Creek to Goyan Moores Creek.

Ordered that an Alias Capias issue against Alexander Bennet for petit larceny.

Absent: David Leech Esqr. Present: Fras Adams & Thos Gillham Esqrs.

Ordered that the following rates and no other be taken by the Tavern keepers in this County for this year, Viz. For 1 breakfast 10 d. Dinner 1/. Supper 10 d. For one horse in the stable fed with good corn blades or hay per night 9 d. Corn or oats per quart 2 d. Good West India Rum per half pint 10 d. Do per quart 2/4. Northward Rum Per half pint 6 d. Do per quart 1/6. French Brandy that is good per half pint 10 d. Do per quart 2/4. Gin per half pint 10 d. Do per quart 2/4. Peach or Apple Brandy per half pint 7 d. Ditto per quart 1/6. Good Whiskey 6 d. Ditto per quart 1/2. Madeira Wine per half pint 10 d. All other wines of an inferior quality 6 d. per half pint, Cyder or Beer per quart 4 d.

Ordered that Hugh Quinn Junr be appointed overseer of the road from the Cherokee ford on Broad River to the No. Carolina line, in room of Jacob Hofstittler.

Page 300. Henry Creswell taken as Bail for Robert Smith at the suit of Joseph Henry surrendered the body of his principal on execution to the sheriff.

Ordered that all the persons owing judgments under the Installment Law be served with a Rule of Court thirty days previous to the sitting of the next Court, to shew cause why execution should not be issued against them for the sum then due agreeable to said Installment Law.

State vs. Felix Walker. T.A.B. Jury: Alexr Glass, Robert Faries, Matthew Miller, Nathaniel Henderson, Moses Leathem, Goyan Gibson, Anthony Cox, Joseph Hatchford, John Feemster, John Gordon, Andrew Leathem, & Arthur Faries. Find the defendant not guilty.

Alexander McCormick vs. Michael Hogan. Debt. Same jury. Find for the plaintiff according to the note, with Interest & Costs of Suit.

State vs. James Adair. T.V.A. The Court considering of the case think it is not a case of so publick a nature as an Indictment will lye, the def't therefore discharged upon payment of costs.

Page 301. Present: Francis Adams, James Willson, & David Leech Esquires. Absent: William Hill, Esquire.

Samuel Shearman vs. Thomas Mayberry. Case. Alexr Glass, Moses Leathem, Robert Faries, Anthony Cox, Joseph Hatchford, Arthur Faries (sic), John Feemster, Goyan Gibson, Wm Fergus, Nathaniel Henderson, Arthur Faries (sic), & John Gordon. Find for plaintiff E.29.16.6½ damages and costs of suit.

John Barnet vs. David Leech, Esqr. Debt. Ordered that the Clerk calculate what

Interest was charged upon the Execution for the first Installment more than what was due for the principal of a Bond given in the year 1778 for which a Judgment was entered in October Term 1787 and give Credits for the said Surplus on the Execution for the second Installment.

Alexander Moore vs. Moses Thompson. Debt. Upon motion of the Defendant in person new trial was granted upon the payment of Costs.

Court adjourned untill Court in Course.

April Court 1791

Page 302. At a County Court begun & held for the County of York aforesaid on the second Monday in April, 1791, and of the Independence of the united States of North America the fifteenth. Present: William Bratton & Abraham Smith, Esq'rs, Judges.

Will of John Carnehen deceased was proven by oath of John McCall, Grizzell McCall & John Keown, evidences thereto, and ordered to be recorded. Letters Testamentary to Mary Carnehen Executrix & James Jameson Executor, who came and took the oath prescribed by law.

William Bratton Esqr, a Judge of this Court administered the oaths required to Alexander Moore & Joseph Palmer, Esq'rs, appointed Justices of the Peace for this County, & Abraham Smith Esqr, a Judge of the Court administered the Oaths of office to James Willson & Thomas Gillham, Esqrs, also appointed Justices of the peace for this County.

Hugh Shearer appointed a Constable for one year, to qualify before Thomas Gillham Esqr.

Joseph Willson appointed Constable for one year, to qualify before Alexander Moore, Esquire.

John Smith & Peter Eakin appointed Appraisers of the remainder of the Estate of Rueben Denton decd, to take the oath prescribed before Abraham Smith, Esquire, to act in conjunction with Peter Quinn or David Allen formerly appointed.

Page 303. Court adjourned untill tomorrow morning 10 O'Clock.

Tuesday, April 12th, 1791. Court met according to adjournment. Present: Wm Bratton & Abraham Smith, Esq'rs, Judges.

Dr. John Allison vs. Felix Walker. On Petition & Summons. Dismissed at plaintiff's costs.

Richard Sadler Junr appointed Collector of the publick Tax for this County came & took the Oath prescribed by Law.

Ordered that no more money belonging to the County be paid by the Trustee as payment for a House formerly occupied by David McCall untill further orders.

Ordered that Elijah Fleming have License to keep a common Tavern at his dwelling House in this County for one year.

The Court proceeded to the choice of a Sheriff for the ensuing four years agreeable to Law when Adam Meek was duly chosen to that Office.

William Eakin was also appointed Coroner for this County.

Ordered that James Dohertie, an attorney who formerly practised in this Court, do appear at the County Court to be held for this County on the 5th day of July next to shew cause if any he can why his name should not be struck off the record of this Court.

Page 304. Court adjourned untill the first Monday in May.

May Court 1791

At a County Court begun & held for the County aforesaid on the first Monday in May 1791 and fifteenth year of the Independence of the united States of North America. Present: William Bratton & Abrm Smith, Esqrs Judges.

Adam Meek Esqr, high sheriff of this County produced his Commission in open Court, which was ordered to be recorded. Signed by Charles Pinckney, Governor & Commander in chief, at Columbia.

Page 305. The said Adam Meek came & took the oath prescribed by law.

Will of Henry Smith deceased was proven by Nathaniel Guyton, an evidence thereto, & ordered to be recorded.

Will of John Jordan Senr decd was proven by John Venables Senr & John Venables Junr, evidences thereto, & ordered to be recorded.

Ordered that William Berry & Roger Berry or either of them take the keeping & oversight of James Simeral Junr & Francis Ross Simeral untill next Court and that James Simeral Senr be served with a copy of this Order to appear at next Court to be held on the fifth day of July next, to shew cause, if any he can, why said James Simeral & Francis R. Simeral should not be bound out to trades.

Administration of the Estate of Samuel Morgan dec'd granted to Elisabeth Morgan, who came & took the oath required by law.

Page 306. Administration of the Estate of James Armstrong Sturgis dec'd granted to Esther Sturgis, who came into open court and took the oath required by law.

Ordered that any person who shall find William Powers, a poor person, boarding & clothing, shall be allowed at the rate of seven pounds sterling annually.

An Account was rendered to the Court by Mrs. Bailey for boarding the guard which was employed in keeping Andrew Smith on the 27th of April last, amounting to E.1.3 which was ordered to be paid by the Trustee.

Matthew McKinney produced an Account against the County for making irons to confine Andrew Smith who allowed him the sum of five shillings, to be paid by the county.

James Meek was offered to the Court as under sheriff who was approved of & came & took the oath required by law.

Ordered that the sale of the Estate of James A. Sturgis dec'd be postponed untill further orders.

Ordered that Joseph Boggs be empowered to collect together & make an Inventory of the property of John Gorman dec'd and give an account of the same to next Court.

Court adjourned untill Court in Course.

July Court 1791

Page 307. At a County Court begun and held for the County aforesaid on 5 July 1791 and Sixteenth year of the Independence of the united States of North America Present: Wm Bratton, Wm Hill & Abrm Smith, Esqrs, Judges.

John McCaw was reappointed Clerk of this Court who entered into bond and took the oaths prescribed by law.

George Peasour vs. David Elder. On appeal from the judgment of James Willson E ordered that the judg't of the Justice be reversed & that the Def't recover his costs off the plaintiff.

Thomas Wallace vs. Robert Smith. O. Att. Alexander Clark sworn says he has so small articles which he has delivered an account of & no more. William Clark a sworn says he has nor owes nothing.

Grand Jury empannelled & sworn: David Gordon (foreman), John Allison, Thomas Black, William Hanna, William Hill, John Darwin, Thomas Wilcoxon, John Aki James McNeel, John Kerr, William Davison, David Adarian, & Allen Dowdle.

Page 308. Joseph Boggs, constable, to wait upon Grand Jury.

William Tomlinson vs. James Faries Senr. P. & S. Dismissed at Def'ts costs.

Court adjourned for an hour. Met according to adjournment. Present: Wm Bratt Wm Hill & Abrm Smith, Esquires.

Colo William Bratton, a Judge of this Court, administered the oath to Malcolm H Esqr, appointed a Justice of the peace for this County.

George Willson & John Middleton appointed constables for one year, to qualify b James Willson, Esquire.

AEra Proprietors vs. John Pursley. Case. Judgment confessed according to the count with stay of execution three months.

John Blakely Junr appointed constable for one year, to qualify before Joseph Pe Esquire.

William Hill Esqr vs. Robert Smith. Case. Jury: Jesse Douglas, William Davi Samuel Berry, Isaac Enloe, James McElwee, William Hall, John Kidd, Robert well, Robert Neely, Matthew Neely, James Hogg & James Jamison. Find for pl tiff E.82.6.8 (of which the plaintiff releases E.32.6.8) with Costs of Suit. W upon the Court gave judgment according to the verdict.

Page 309. Alexander Eaken vs. Samuel Shearman & Robert Burns. O. Att. Sharre Thompson, garnishee, says that he owes Robert Burns E.17 Proc. & that Samuel S man owes him E.20 like money by being security for him to Nathaniel Irwine whic has to pay. John White also summoned & sworn says he owes E.20 Proc. by note c hand to be paid in a credit on Colo. Hill's books.

Abraham Smith Esquire vs. James & John Martin. Debt. Judgment confessed accor to the note, with interest and costs.

Court adjourned untill half after 9 O'Clock tomorrow morning.

Page 310. Wednesday, July the 6th, 1791. Court met according to adjournment. Present: Wm Bratton, Wm Hill & Abrm Smith, Esquires.

William Hill Esqr vs. James English. Case. Dismissed at the plaintiff's costs.
 Colo John Moffet vs. Richard Whitaker. O. Att. Dismissed for want of further prosecution.

James McNeel vs. William Ramsey. O. Att. John Chambers, garnishee, says he owes nothing nor has nothing & the suit dismissed at plaintiff's costs.

Francis & Robert Kirkpatrick against Alexander Eaken & John Poag. Debt. Judgment by default according to specialty with interest & costs of suit.

Same vs. William Brown & Alexr Akin. Debt. The same.

AEra Proprietors vs. Robert Knox. Case. Judgment by default.

Power of Attorney from Archibald Steel to Robert Steel proven by Alexander Moore Esquire & ordered to be recorded.

Page 311. John Willson against John James. Debt. Jury: Isaac Gillham, William Robison, John Kidd, Robert Boazwell, Richard Currier, Robert Killough, Robert Neeley, Matthew Neeley, James Hope, James Clark, Robert Kirkpatrick, & James Greer. Find for the plaintiff according to specialty with interest & costs.

Same vs. same. Debt. Same jury. Find for plaintiff E.11 for detaining of payment, with the balance due of the bond, interest & costs.

William H. Finn vs. Morgan Regan. O. Att. Nonsuited.

James Burns vs. Daniel Stoker. Case. Judgment by default.

Hugh Miller vs. James Adare. Trover. Judgment by default, the Court orders that said default be waived.

Adam Miller & Sarah Nesbit vs. Robt Smith & Lewis Thompson. Debt. Sharred Thompson enters himself special bail in suit.

Page 312. Joseph Adams vs. George Walker. P. & S. Decree for sum of E.4.4 sterl. (deducting the credit of eleven & an half dollars) with interest & costs of suit.

Court adjourned for an hour. Met according to adjournment. Present: William Bratton, William Hill & Abraham Smith, Esquires.

John Willson vs. John James. Case. Dismissed at plaintiff's costs.

Joseph Patterson Junr vs. Samuel Henderson. Debt. Dismissed at plaintiff's costs.

James Ross Senr vs. George King Senr. Debt. Judgment confessed with stay of execution three months.

Arthur Ross vs. George King Senr. Debt. Judgment confessed with stay of execution three months.

John Knox vs. Thomas West. O. Att. Decree for plaintiff for the sum of E.5.6.6 with costs.

Thomas Donnell vs. James A. White. Debt. Judgment confessed by Def't in person with interest & costs of suit, execution to be stayed four months.

Page 313. Court adjourned untill half after nine O'Clock to morrow morning.

Thursday, July 7th, 1791. Court met according to adjournment. Present: Wm Bratton & Wm Hill, Esquires.

^{P3} Daniel Kelly vs. Abrm Smith. Debt. Ordered that a Ded. Po. issue to William McCulloch Esquire of Union County, by consent of the parties, to take the deposition of John Hope, de bene esse.

Francis & Margaret Dodds vs. Thomas Burdell & Jos. Palmer. Debt. Ordered that the sheriff sell the property executed at the house of Capt. Palmer.

John Blakeny Senr vs. William Fowler Senr. O. Att. Ordered that the property attached be sold at the house of the plaintiff.

A Bond of indemnity from Walter Davis & Hugh Parks to Elisabeth Davis was proven by John Campbell & Nathaniel Irwine, evidences thereto, & ordered to be recorded.

Present: Abraham Smith, Esquire.

Page 314. Saml Knox & Thos. McGill vs. Thomas Spratt. Trespass. Jury: John Kidd, Robert Boazwell, Matthew Neely, Isaac Enlow, Joseph Clark, Robert Neely, William Robison, James Hogg, William Davis, Robert Killough, John Sellers, & George Black. Upon argument one of the jury being missing, the Court ordered it to be a missed trial and the suit dismissed at plaintiff's costs.

John Gordon vs. John Blakeny Senr. Debt. Same Petit Jury. Find for plaintiff the sum of E.10.19.9 sterl. with Interest upon E.6 for two years & costs of suit.

Messrs. Canter & Motto vs. Jonathan Sutton. P. & S. Decree for the defendant and that the plaintiff pay him 19/11 with costs of suit.

Saml Knox & Thos. McGill vs. Thomas Spratt. Trespass. Andrew Foster a witness proved his attendance to be six days amounting to 15 shillings, which is ordered to be paid, and 1/6 for ferriages.

Page 315. John Polk swore to eight days attendance which was ordered to be taxed on the execution.

David Hutchison swore to 14 days, which was also ordered to be taxed.

Jonathan Young swore to eight days attendance & 35 miles travel coming & also going four times.

Nathaniel Irwine swore to 21 days attendance & three shillings for ferriages.

Court adjourned for half an hour. Met according to adjournment. Present: Wm Bratton, Wm Hill & Abrm Smith, Esquires.

Ordered that Isaac Gillham be appointed guardian of Rebecca Gardner & that he account with the Court for the property belonging to said orphan.

Absent: Abraham Smith Esquire.

^{P3} Daniel Kelly vs. Abrm Smith. Debt. Ordered that Fras. Adams & James Pinkerton be appointed surveyors to examine the land & report to Court at next sessions whether said land is incumbered.

Present: Abraham Smith Esquire.

Thomas Walker appointed County Attorney during pleasure in place of Mr. Lowrie who resigns said place.

AEra Proprietors vs. William McGown. Jud'l Att. Judgment confessed according to the aud't when settled with costs.

Page 316. Bill of Sale from Daniel Williams to James McNeel of a negro wench named Molly acknowledged and ordered to be recorded.

Court adjourned untill to morrow morning 9 O'Clock.

Friday, July 8th, 1791. Court met according to adjournment. Present: Wm Bratton, Wm Hill (marked through), Abm Smith, Esquires.

Hugh Miller vs. James Adare. Trover. Parties agreed to leave all suits between them to the arbitration of Colo Lacey, Capt James Martin & James McNeel and their award to be the judgment of the Court.

Present: Wm Hill, Esquire.

Alexander Moore vs. Moses Thompson. Debt. Jury: George Black, Robert Boazwell, Robert Neeley, Robt Killough, Matthew Neeley, Richard Currier, William Robison, John Kidd, John Marley, Saml Swann, William Wright, & James Steel. Find for plaintiff according to specialty with Interest & Costs of suit. Execution to be stayed untill the first of November next.

Page 317. State vs. Alexander Bennet. Petit Larceny. Jury: John Kidd Junr, Robt Boazwell, George Black, Robert Killough, Richard Currier, Robert Neeley, John Scott, Wm Wright, Hugh Simpson, Wm Robison, & Matthew Neeley & Alexander Glass. Find the def't not guilty, whereupon the Court orders the costs to be paid by the Trustee for this Court.

John Bates & Joseph Boggs appointed constables for one year, to qualify before Alexander Moore, Esquire.

James Hanna Junr vs. James Cunningham. Case. Dismissed at the defendant's costs.

Samuel Young vs. McWhorter & Rawls. Debt. Plaintiff nonsuited.

Bagwell Bailey vs. James Faries. On Sci. fa. as bail. Continued.

Court adjourned for an hour. Met according to adjournment. Present: Wm Bratton, Wm Hill & Abrm Smith, Esquires.

John Gibson vs. Walter Carson Senr. Debt. Judgment confessed according to specialty with interest & costs of suit.

Page 318. William Thompson vs. James Steel. T.A.B. Dismissed at def'ts costs. John Chambers prove his attendance as a witness to be three days, to be paid by the defendant.

State vs. Lewis Thompson. T.A.B. Bound in the sum of £.50 principal & security £.25 that the said Lewis Thompson do appear at next Court and abide by & perform the Order & Judgment of said Court. Acknowledged & signed in open Court.

Lewis Thompson
J. Allison

Thomas Wallace vs. Robert Smith. O. Att. Decree for twenty dollars with interest from the date of the note & costs of suit.

Alexander Stuart vs. Robert Smith. O. Att. Decree for £.5.19.8½ with costs of suit. Ordered that the property attached in this & the above suit be exposed to publick sale by the sheriff for satisfying said decrees.

David Leech Esqr vs. Thomas & Ben Milom. Case. Jury: John Kidd, Robert Boazwell,

William Wright, Robert Kennedy, George Black, Robert Killough, Matthew Neeley, Alexander Glass, Richard Currier, William Robison, Samuel Watson, & Robert Neeley.

Page 319. Court determined that the suit was wrong brought & ordered it to be dismissed at the plaintiff's costs.

Samuel Swann Junr vs. John Smith. O. Att. Agreed by parties. Suit dismissed at the defendant's costs.

Ordered that Colo Wm Bratton have license to keep a common tavern at his dwelling house for one year.

State vs. Francis White. Def't binds himself in the sum of £.50 with Andrew Love security in the sum of £.25 to appear at the Court to be held on the fifth day of February next, and then abide by & perform the Order & Judgment of said Court.

Acknowledged & signed in open Court. Francis (X) White
And'w Love

John Dulin, prosecutor in aforesaid suit comes into open Court and acknowledges to owe the County £.50 with Caleb Bailey security in the sum of £.25, that he, s'd duling, shall appear and prosecute said suit. John Dulin
Caleb Bailey

Court adjourned untill to morrow morning half after 9 O'Clock.

Page 320. Saturday, July 9th, 1791. Court met according to adjournment. Present: Wm Bratton, Wm Hill & Abrm Smith, Esquires, Judges.

Ordered that the sheriff summon always hereafter three of the constables of this County during each sitting of Court, and that they be fined unless they do so attend.

Ordered that Abraham Smith Esquire have license to keep a common tavern at his dwelling house for one year.

William Arnold appointed constable for one year, to qualify before William Hill, Esq.

Francis Adams Esqr vs. Alexander McDowall. Slander. Jury: John Kidd, John Allison, Samuel Watson, Robt. Boazwell, Matthew Neeley, Robt Neeley, Robert Killough, Samuel Carson, William Robison, John Baxter, Hugh White & Henry Crew. Find for the plaintiff £.20 with costs of suit, whereupon the Court gave judgment according to the verdict.

Two Bills of Sale from Daniel Williams to James Mitchell for two negroes was acknowledged & ordered to be recorded.

A Bill of Sale from Daniel Williams to William Rainey for two negroes was acknowledged & ordered to be recorded.

Page 321. Bill of Sale from Adam Meek Sheriff to James Mitchell for three negroes was acknowledged in open Court and ordered to be recorded.

Two Bills of Sale from Daniel Williams to Adam Meek for three negroes was acknowledged & ordered to be recorded.

State vs. Jas. Simril & Mary McWhorter. On presentment for a nuisance. Dismissed for want of prosecution.

James Martin, Indorsee vs. Hugh Miller. Debt. Jury: John Kidd, Samuel Watson,

Robert Neely, Robert Boazwell, Robert Killough, Alexander Glass, William Kennedy, Samuel Carson, William Robison, James Mitchell, William Burrows, & Matthew Neeley. Find for the defendant and that he recover his costs of the plaintiff. James Fowler, witness in said suit, swore to four days attendance in said suit, which was ordered to be taxed on the Ex'n.

Court adjourned for an hour. Met according to adjournment. Present: Wm Bratton & Abm Smith, Esquires. Present: William Hill, Esquire.

Page 322. David Leech Esqr vs. Benjamin Milom. Trespass. Same jury as above. Find for the plaintiff five shillings lawful money, whereupon the Court gave judgment according to the verdict.

James Cunningham vs. Robert Smith. O. Att. Decree for E.2.10.- with costs of suit.

Shad Rawls & M. McWhorter vs. John Barron Admr. Case. Ordered that said cause be determined by the award of Demcy Winburne & William Akin (marked through) Joseph Boggs for the plaintiffs, and Colo Samuel Watson (marked through) Capt James Martin & Andrew Love for def't & John McCaw as umpire & the said award returned to be the judgment of the Court.

Court adjourned untill Court in Course.

October Intermediate Court 1791

Page 323. At an Intermediate County Court begun & held for the County afores'd on the first Monday being the 3d of October 1791. Present: William Hill, Esq, one of the Judges.

Will of John Willson dec'd was proven by oath of Colo Robert Patton & John Workman evidences thereto, & Ordered to be recorded. Executors came & took the oath required by Law.

Will of William Leech dec'd was proven by David Leech Esqr & Ordered to be recorded. Letters Testamentary to Margaret Leech & Richard Sadler who qualified according to law.

Administration of the Estate of Ebenezer Killough dec'd granted to Robert Killough, who came & took the Oath required by Law.

Present: Abraham Smith Esquire.

Administration of the Estate of Sarah Robison dec'd granted to Thomas Davis & William Davis who came & took the Oath required by Law.

By a Settlement of the Estate of James Bigger dec'd it appears that the neat amount of s'd Estate is E.78.15.1½ in the hands of Eliz'a Bigger & Joseph Stuart.

Ordered that Alexander Love, Joseph Lyon & Matt Smith have License to keep common Taverns at their respective dwelling Houses in this County for one year.

Page 324. Ordered that Samuel Matthews be appointed Overseer of the Road from the No. Carolina line near Doctor McClain's Mill to the Iron Works.

Ordered that James Fearis Senr be appointed Overseer of the Road from Bigger's Ferry to Widow McWhorter's & William Berry from thence to Fishing Creek & David Gordon from thence to Colo Bratton's.

Ordered that James Darwin be appointed Overseer of the Road from Mays's Ferry to Abm Smith Esquires in room of Robt McCurdy.

Ordered that Samuel Gordon be appointed Overseer of the Road from his own House to Alex Stuart's & William Carson Senr from thence to the Court House.

Ordered that James Powell be appointed Overseer of Quinn's Road from Bullock's Creek to Moores Creek.

Ordered that Hugh Quinn Senr be appointed Overseer of the Road from his own House to Moores Creek.

Court adjourned for an Hour. Met according to adjournment. Present: Wm Hill, & Abm Smith Esquires.

Ordered that John Berry the Guardian of Sarah McWhorter be allowed E.3.10.- for the trouble Archibald Barron had with a negro wench s'd Orphan's property, which sd Berry hired to sd Barron, which is settled by the service of said negroe.

Page 325. Ordered that Capt. John Peters, Wm Jenkins Senr & Saml Burns be Commissioners to lay out & mark a road from Widow McGarrity's place, the nearest & best way to the No Carolina line near Abraham Collins & that Capt Chambers & Wm Jenkins Senr & Robert Patterson be Overseers to open & keep s'd Road in repair.

Ordered that Robert Bigger, a poor person, be allowed three Dollars of the County money to buy him a Blanket.

Court adjourned untill to Morrow Morning 10 O'Clock.

Tuesday, October 4th, 1791. Court met according to adjournment. Present: Wm Hill & Abm Smith Esquires.

Ordered that Andrew Campbell be appointed Overseer of the Road from Tuucasiege Ford to Love's ford in that part from where it leaves the Charleston road to Ellison's Creek & Andrew Kerr from thence to John McCaw's.

Ordered that the Judges of the Court or Justices of the peace hereafter order their Constables to sell any Estray neat Cattle or Hoggs or such like that cannot be brought to Court where they run, giving the same Credit as for the other Estrays & returning the note taken with Secirity thereto to the Sheriff.

Ordered that Hugh Cain be allowed 14 shillings for his trouble in keeping an Estray which was unfit for labour.

Page 326. Ordered that Thomas Duncan be appointed Guardian of Agness Duncan an Orphan & that he enter into Bond of E.100 with good security for the faithful discharge of said trust.

John Gibson Atto. &c. vs. Joseph Carrel Admr. Case. Ordered that a Dedimus Potestatem issue to three Justices or any two of them of Green County, State of Georgia, to take the Depositions of Joshua Patrick & Robert Currey, as testimony in said Cause, the Defendant giving the Plaintiff ten days previous notice of the time & place of such examination.

Ordered that James Ditty be appointed Guardian of Rebecca Hamilton an Orphan & that he enter into Bond of E.50 with Good security for the upright discharge of said trust.

Ordered that William Minter be Overseer of the Road from the ford of Bullocks Creek

at Capt Martins to the road leading to Loves ford, & Capt. Hillhouse from thence to the Chester County line.

Ordered that Joseph Kerr be appointed a Constable for one year & that he qualify before Abraham Smith Esquire.

Ordered that Samuel Johnston (an Orphan) son of John Johnston dec'd be bound an Apprentice for three years to James B. Fulton, who is to learn him the Taylor trade, & is to give him at the expiration of said term full tools suitable for said trade, & also a new Suit of Cloaths from head to foot suitable for such an Apprentice, and that the Clerk sign an Indenture in behalf of the Court for that purpose.

Page 327. Ordered that the property of Walter Carson Senr under Execution at the Suit of John Gibson be sold at said Carson's own House.

Ordered that Widow Mary McWhorter give John Berry security to keep him indemnified as her security for her upright Administration of the Estate of Alexander McWhorter deceased.

Court adjourned untill Court in Course.

February Court 1792

At a County Court of trials & pleas begun & held for said County on Monday, 6 Feb. 1792, and of the Independence of the united States of North America the sixteenth.

Present: Wm Bratton, Wm Hill & Abrm Smith, Esqr, Judges.

William Hill Esqr vs. Robert Smith. Case. Dismissed at the Pfs Costs.

Shadrack Rawls & M. McWhorter vs. John Barron Admr. Case. Award returned that the Pfs receive from the Def't E.2.16.6 & each to pay their own Costs.

Page 328. John Barron Admr vs. Nathaniel Henderson senr. P. & S. Settled. Costs paid.

Thomas McCorkle vs. Henry Wright. P. & S. Dismiss'd at Def'ts Costs.

Edward Moorhead vs. Samuel Swann Senr. Case. Dismissed at Pfs Costs.

Malcolm Henry Esqr vs. Joseph & Margaret Henderson. P. & S. Dismiss'd at Pfs. Costs.

Administration of the Estate of James Bridges dec'd granted to Lydia Bridges who came & took the Oath required by Law.

Grand Jury empannelled & Sworn, viz, Joseph Moore, foreman, John Martin, John Mitchell, Wm Patrick, James Rigger, David Johnston, Robert Leeper, William Eakin, William Fergus, Patrick Robison, Phinehas McClenahan, Alexr Faries, & John Copeland.

Administration of the Estate of Moses Sweaney decd granted to Andrew Countryman, who took the Oath required by Law.

Page 329. Court adjourned untill to Morrow Morning 9 O'Clock.

Tuesday, February 7th, 1792. Court met according to Adjournment. Present: Wm Bratton & Wm Hill, Esqrs, Judges.

Mr. Abraham Nott produced a License to plead & practise as an Attorney at Law in the different Courts of Law & Equity within this State, & was admitted accordingly.

Ordered that the Appearance Docket be hereafter called on the second day of Court.

Charles McDowell vs. Joseph Moore. P. & S. Pf. nonsuited.

Ordered that the Sheriff be authorized to sell all such property as cannot be removed to the Court House on the premises where taken; or at the nearest public place, where he must unavoidably pay such expenses as would be detrimental to Debtor & Creditor, to be sold on the next Monday after his Sales at the Court House.

James Willson vs. Bullocks Creek Society. P. & S. Dismissed at the Pfs Costs.

Page 330. Court adjourned for an hour. Met according to adjournment. Present: Wm Bratton, Wm Hill & Abrm Smith, Esqrs.

State vs. Francis White. T.A.B. Ordered that the Def't be fined 20 shillings & costs, & John Alexander enters himself security of s'd sum.

Michael Hogan vs. John Logan. P. & S. Ordered that the Pf. be nonsuited.

State vs. John Drennan, Robert Patton &c. Breach of Sabbath. The Def'ts were acquitted upon examination.

Robert McAfee vs. John Walker, James Willson & Simon Kuykendall. Debt. Ordered that a Ded. Po. issue to Jonathan Hampton, & two others, Justices of Rutherford County, No Carolina (or any two of them) to take the Depositions of any Witnesses for the Plaintiff or Defendant as testimony in said suit, on the Tuesday of Rutherford Court.

Ordered that the Will of Henry Smith Senr decd be set aside, and that Administration of said Estate be granted to Abraham Smith Esqr and John Smith who came & took the Oath required by Law.

Page 331. Ordered that Martha Tipping have Administration of the Estate of James Tipping decd, who came & took the Oath required by Law.

Samuel Long ads Daniel Sturgis. Appeal from the Judgment of Alexr Moore Esqr. Judgment of the Magistrate affirmed.

Colo Wm Bratton, a Judge of this Court, administered the Oath of Office to Joseph Howe Esqr, appointed a Justice of the peace for this County.

Ordered that Abraham Green, Alexander Akins Senr, Samuel Moore, Joseph Feemster & William Byers be appointed Commissioners to provide for the Poor, at the expense of the County.

Ordered that Shadrack Rawls in two months settle the Accounts of the Estate of Alexander McWhorter decd of which he is Administrator.

Court adjourned untill to Morrow Morning 9 O'Clock.

Wednesday, February the 8th, 1792. Court met according to adjournment. Present: Wm Bratton & Wm Hill, Esq'rs, Judges.

Page 332. Walter McCarter vs. Whilden & Norman. Debt. On Judicial Attachment. Default according to the note with interest & costs of suit.

Ordered that the Negro girl attached be sold by the sheriff, giving legal notice for to satisfy said Judgment & costs.

Mary Walker vs. James Eakin. Debt. Default according to the note with interest and costs.

James Hawthorn, ass'ee, vs. Francis Adams Esqr. P. & S. Decree for £.7.5.10 lawful money with costs of suit. Subject to the Installment Law.

Thomas Bragg vs. G. Littlejohn & H. White. Debt. Dismiss'd at the Pfs costs.

John Steen vs. Joseph Feemster. T.Q.C.F. Dismiss'd at the Pfs costs.

Edward Moorhead vs. Joseph Lyons. Trover. Dismiss'd at Pfs costs.

Ordered that the property of James A. Sturgis dec'd be sold by the Administratrix at her discretion.

Page 333. State vs. Alex. Bennet. Petit Larceny. Ordered that John Batchelor be paid 7/6 for his attendance three days as a Witness.

Richard Manley vs. John Pursley. Case. Judgment confessed by the Def't in person according to the note at 4/8 for each gallon of rum with costs. Execution to be stayed untill the 25th day of Dec'r next to issue immediately & said Stay to be marked thereon.

Administration of the Estate of John Holton dec'd granted to Hugh White, who came & took the oath required by law.

William Dunlop vs. Mary Carson & John Lesley. Debt. Default according to the specialty with interest & costs. Ex'n to be stayed two months.

John Dickson vs. William Morrison. O. Att. Ordered that Joseph Howe & William Howe be summoned to appear at next Court, to testify what they owe s'd Wm Morrison.

Robert Greer vs. Joseph Palmer. Debt. Judgment by default according to the note with interest & costs of suit.

Page 334. Arthur Clark vs. Philip Palmer. Slander. Discontinued. Def't to pay Sheriff & Clerks fees.

John Gibson Atto. vs. Joseph Carrel Admr. Case. Motion for a nonsuit by the Def'ts attorney was overruled, and Ordered that it go to a Jury... To wit, Andrew Floyd, Alexr Ramaay, John Finley, Humphrey Williams, Samuel Creswell, John Sellers Junr, John Blackney Junr, William Wright, Archibald Steuart, Samuel Robison, Elijah Fleming & William Davis. Find for the def't and that he recover his costs of the plaintiff, whereupon the Court gave judgment according to the verdict.

Court adjourned untill to Morrow morning 9 O'Clock.

Thursday, February 9th, 1792. Court met according to adjournment. Present: Wm Bratton & Abrm Smith, Esq'rs.

Administration of the Estate of Samuel Whorry decd granted to Darcus & Wm Whorry, who came & took the oath required by law.

Page 335. John McDonald vs. Lewis Thompson. Case. Jury: Alexr Ramsey, John Finley, Humphrey Williams, Samuel Creswell, John Sellers, William Wright, Arch'd Stuart, Samuel Robison, Andrew Floyd, Elijah Fleming, John McWhorter, & James McNeel. Find for the plaintiff one penny damage with costs of suit. Whereupon the Court gave judgment according to the verdict.

John McCalley vs. William Robison. Debt. Same petit jury find for the Pf 5 shillings & 6 pence Pennsylvania money for each bushel of wheat with interest & costs of suit. Whereupon the Court gave judgment according to the verdict.

Ordered that John Blackley Junr, a petit juror of yesterday, be compelled to appear today by any lawful constable, so that said jury may be enabled to deliver in their verdict.

Ordered that the body of Joseph Carrel Senr be taken into safe custody by the sher and kept untill next Court to be held on the fifth day of July next, unless the s Joseph Carrell deliver up to the sheriff the Will of Joseph Carrell Senr decd, the father of said Joseph Carrel, which has been proven to be in his possession.

Page 336. Ordered that Robert Bigger (a poor person) be allowed the price of two shirts, to be provided for him by Alexr Stuart & paid for by the Commissioners of the poor.

State vs. John Bragg. On presentment of the Grand Jury, for profane swearing. Def't was released by the Court.

Samuel Gordon vs. Andrew Peterson. O. Att. Judgment for £.8 lawful money with interest from the 26th March 1784, & Ordered that the land attached be sold by the sheriff, giving legal notice to satisfy said judgement with costs.

Will of Nanny Gordon decd was proven in open Court by oath of Robert Faries, an evidence thereto, approved & allowed & ordered to be recorded.

Elijah Bailey & John Harris ads. William Davis. Appeal from the Judgment of Alexr Moore Esqr. Ordered that the Judgment of the Justice be reversed, and that plaintiffs in such cases hereafter sue for the whole penalty of the bond & recover what ever Debt or damages they can make appear.

Page 337. James Burns vs. Daniel Stoker. Case. Jury: Andrew Floyd, Joseph Gabbie, Philip Sandifer, John Finley, Archibald Stuart, Elijah Fleming, Alexr Ramsey, Samuel Robison, William Wright, Humphrey Williams, John Eakin, & Joseph Henderson. Find for plaintiff £.43 with interest and costs of suit. Whereupon the Court gave Judgment according to the verdict.

Court adjourned untill to Morrow Morning 9 O'Clock.

Friday, February 10th, 1792. Court met according to adjournment. Present: Wm Bratton & Wm Hill, Esqrs.

Ordered that William Eakin be allowed 30 shillings for extra services as sheriff & some articles furnished for the County.

Page 338. Ordered that all fines, tavern taxes, & estrays due to the County be paid to the Trustee Mr. Wm Fergus on or before the first Monday in May next, otherwise executions to issue for the same.

Ordered that each freeholder of this County pay four pence to the Collector as a County tax for the support of the poor.

John Eakin vs. Elijah Bailey. Case. Ordered that a Ded. Po. issue to John Mitchel Esquire of Green County, Georgia, to take the deposition of Robert Moreland as testimony in said cause, by consent of the parties.

Ordered that John Blackney Junr be fined 20 shillings & costs for his non attendance as a juror after verdict made.

Ordered that Nathaniel Henderson Senr appear at the next Court on the fifth day of July next, to shew what he has done with an estray horse which was in his possession.

Hugh Miller vs. James Adare. Trover. Jury: Andrew Floyd, John Finley, Humphrey Williams, John Blackney Junr, William Wright, Archibald Stuart, Samuel Robison, Elijah Fleming,

Page 339. Samuel Swann, Silas Starlings, Joseph Henderson, & John Barron. Find for the plaintiff the sum of E.10. Whereupon the Court gave judgment according to the verdict.

John Baxter vs. Humphrey Williams. Prespass. Dismissed at the Def'ts costs.

John McCaw vs. Elijah Bailey. P. & S. Decree for E.5.10.- lawful money & costs of suit.

Will of James Tipping decd was proven by David Gordon an evidence thereto, & Ordered to be recorded, and that the Letters of Administration formerly granted be revoked & the bond given up, and that Letters Testamentary issue to William Rainey one of the Exo'rs named in said Will, David Gordon the other Exo'r having refused to qualify, and William Rainey came into open Court & took the oath required by law.

Ordered that Samuel Williamson have license to keep a common tavern at his dwelling house in this county for one year.

John Henderson vs. Ishmael Vineyard & D. Byers. Debt. Jury: Andrew Floyd, John Barron, William Wright, Alexander Ramsey, Samuel Robison, Humphrey Williams, Joseph Henderson, Samuel Swann, Arch'd Stuart, John Blackney, Elijah Fleming & John Finley. Find for plaintiff according to the bond with interest & costs, subject to the Installment Law. Whereupon the Court gave judgment according to the verdict.

Page 340. Ordered that William Gillham be appointed a Constable for one year & that he qualify before Thos Gillham Esqr.

Sarah Nesbit & Adam Miller vs. Robert Smith & Lewis Thompson. Debt. Same petit jury find for plaintiff according to the note with interest & costs of suit. Whereupon the def't Lewis Thompson prayed a new trial which was granted upon payment of costs.

Court adjourned untill to Morrow morning 9 O'Clock.

Saturday, February 11th, 1792. Court met according to adjournment. Present: Wm Bratton, Wm Hill & Abrm Smith, Esq'rs, Judges.

Page 341. Ordered that all jurors who have been summoned & have not attended at this Court make sufficient excuse at the next Court on the 5th day of July next, otherwise that they pay the fines appointed by law.

Ordered that the following persons have license to keep common taverns at their respective dwelling houses in this County, Viz, John Garwen, John McCall, Elijah Bailey Senr & Shadrack Rawls.

Ordered that Elijah Bailey Senr be appointed a constable for one year, who came into open court & took the oath required by law.

Daniel Kelly vs. Abraham Smith Esqr. Debt. Jury: Andrew Floyd, Thomas McGill, John Garwen, John Willson, William Wright, Samuel Robison, Archibald Stuart, John Finley, Alexander Ramsey, Humphrey Williams, John Harris & John Blackney Junr. Find for the plaintiff according to the bond with interest from 16th June

1788 the time titles were made, giving credit for what is paid on the bond, whereupon the Court gave judgement according to the verdict. Def'ts attorneys prayed an appeal to the Superiour Court, to be held on the first day of April next, & assigns for error that the action ought to have been brought in covenant instead of debt, & that the title & bounds of land came into question, which was not cognizable in the County Court, & the Clerk was ordered to certify up the proceedings accordingly.

Page 342. AEra Proprietors vs. Isaac Faries. Case. Same petit jury find for the plaintiffs the sum of E.12.12.7 $\frac{1}{4}$ & costs.

Will of Jane Graham decd was proven by William Templeton an evidence thereto & ordered to be recorded, & Letters Testamentary issued to Margaret Templeton, executrix, who came and took the oath required by law.

Caleb Bailey vs. Jacob Canter. O. Att. Shadrack Rawls enters himself special bail, to replevy the property attached, & the Def't thereupon pleads to issue.

Joseph Boggs vs. Jas Simeral & Wm Davis. P. & S. Decree confessed by Wm Davis, one of the Def'ts according to the Bond, with costs of suit.

Page 343. Ordered that Elijah Bailey Senr be allowed 40 shillings for the use of his house & attendance upon the Court during this sitting.

Court adjourned untill Court in Course.

May Intermediate Court 1792

At an intermediate County Court held for said County on the 7th, being the first Monday in May Anno. Dom 1792. Present: Wm Bratton & Wm Hill, Judges.

Will of Nanny Gordon decd being approved last Court, John Gordon & Hugh Gordon Exo'rs named in said Will came & took the oath required by law.

Ordered that Joseph Clark be appointed Overseer of the road commonly called Quinn's Road, from Hugh Quinn Senrs to Kings Creek, & William Smith from thence to Goyan Moores Creek, Abraham Green to be Overseer of sd road from Buffaloe to Hugh Quinns in room of Jas Bridges decd.

Joseph Howe Esqr produced an Account of the Estate of Esther Henderson decd, whereby it appears that the neat amount of said Estate is E.59.3.10 $\frac{3}{4}$ Ster'l.

Page 344. Ordered that William McNabb be appointed Overseer of the road from Widow Moores place to Colo Brattons in room of Daniel Williams.

Ordered that Allen Dowdle be allowed the sum of 15 shillings for keeping an estray heifer.

Administration of the Estate of Francis Jenkins decd granted to William Jenkins Senr, who came & took the oath required by law.

Ordered that Saml Burns, Admr of the Estate of Geo. Lesley decd make up his acc'ts & settle between this time & October Intermediate Court.

Court adjourned for half an hour. Met according to adjournment. Present: Wm bratton & Wm Hill, Esqrs, Judges.

Shadrack Rawls, Admr of the Estate of Alex. McWhorter decd, produced a Statement

of sd Estate, whereby it appears that the neat amount of sd Estate is at this time E.327.11.0 3/4, the Widow's thirds being E.109.3.8 $\frac{1}{4}$, each child's part E.54.11.10. Sterl.

Ordered that Widow Christian Willson appear at next Court on the 5th day of July next, to shew cause if any she has, why her children should not be bound out to learn trades.

Page 345. Ordered that Allen Dowdle be appointed Overseer of the road in room of William Hillhouse.

Ordered that Jonathan Sutton be appointed Overseer of the road from York Court House to Andrew McClains Branch.

Court adjourned untill to Morrow Morning 9 O'Clock.

Tuesday, May 8th, 1792. Court met according to adjournment. Present: Wm Bratton, Wm Hill & Abrm Smith, Esqrs, Judges.

Ordered that James Fergus be appointed Overseer of Smiths ford Road, from the Court House to Alexr Stewarts.

Ordered that John McNabb be appointed Overseer of the Loves ford Road from John McCaws to the fork above John Millings in room of Matthew Smith.

Ordered that William Davis be appointed Overseer of the old Saluda Road, from Sturgis's ferry to the Chester County line, in room of William (marked through) James Smith.

Page 346. Ordered that John Eakin be appointed Overseer of the road from Biggers Ferry to Thomas Carrels in room of James Faries.

Ordered that the Clerk issue Marriage License to persons applying for the same, they complying with the Law in that case made & provided.

Administration of the Estate of Barnabas Hanley granted to William Hanley, who came & took the oath required by law.

Ordered that John Gabby be appointed Overseer of the new road from the Court House to the old nation ford, from the Court House to Thomas Carrels in room of Joseph Boggs.

Ordered that Elijah Bailey Senr be appointed Overseer of the road from the Court House to the Iron Works.

Pages 346-347. Ordered that the following rates & no other be taken by Tavern keepers in this County for the ensuing year, Viz, For breakfast 1/. Dinner 1/2. Supper 1/. For one horse in the stable per night fed with good corn blades or hay 1/. Corn or oats per quart 2 d. Good West India Rum per half pint 10 d. Ditto per quart 2/4. Northward Rum per half pint 6 d. Ditto per quart 1/6. French brandy per half pint 10 d. Ditto per quart 2/4. Gin per half pint 10 d. Ditto per quart 2/4. Peach or apple brandy per half pint 8 d. Ditto per quart 2/. Good whiskey per half pint 7 d. Ditto per quart 1/2. Cyder or beer per quart 4 d. Madeira wine per half pint 1/. Inferior qualities of wine 8 d. N.B. the quarts to be carried away.

Ordered that William Laney be appointed guardian of Jane Laney & that he call upon the Exors of the Estate of Joseph Laney decd for her shar of said Estate, and said

guardian entered into bond with Isaac Laney security.

Ordered that Alexander Stuart receive five dollars as part of what is coming to him for keeping Robert Bigger from William Fergus the Trustee.

Ordered that the Trustee deliver up a note of hand of E.5.1.- to Abrm Smith Esqr given by him & Jas Dohertie to the county.

Court adjourned untill Court in course.

YORK COUNTY COURT MINUTE BOOK B

July Court 1792

Page 1. At a County Court of Pleas begun and held on 5 July 1792. Present: William Bratton & William Hill Esqrs, Judges.

William Nibbs, Gentleman, produced a license to plead and practice as an attorney at law in the different Courts of Law & Equity within this State, and was admitted accordingly.

Present: Abraham Smith, Esquire.

Isaac Smith vs. Floyd Bostick. O. Att. John Hogg, garnishee, saith that he owes Bostick by Note of Hand two Inspectors Notes of 1100 lb of tobacco each by Christ mas ensuing. Decreed that plaintiff recover against the defendant Floyd Bostick E.6.16.- sterling with costs of suit, to be levied of the property of John Hogg, in case he does not deliver to the sheriff the Inspectors Notes on or before Christmas day.

Ordered that the trustee pay Alexander Stuart E.11.1.8 out of the first money belonging to the County that comes into his hand, deducting the amount of a note of hand with interest given by Andrew Smith & himself.

Page 2. Grand Jury enpanneled and sworn as follows, viz: Joseph Howe (foreman, Thomas Woods, John Jordan, John Carson, William Irvin, Joseph Clark, Warren Buford, Samuel Gordon, William Adams, Hugh Berry, James Martin, Stith Perkam & Arthur Armstrong.

James Gordon Junr vs. Thomas Moore. O. Att. Dismissed at plaintiff's costs.

James Burns vs. John Adams & Jno Richey. Sum. Pro. Dismissed at def'ts costs.

Samuel Swann vs. James Meek. Sum. Pro. Decree confessed according to note with interest & costs.

Thomas Wallace Ex'r &c vs. Wm Graham & Elijah Fleming. Sum. Pro. Decree for the amount of the note with interest & costs.

Will of Hugh Shearer proven by the oath of Robert Fowler, evidence thereto, approved & ordered to be recorded. Letters Testamentary to James Fowler an executor named in said Will, who came and took the oath required by law.

Court adjourned untill to Morrow Morning 9 O'Clock.

Page 3. Friday, July 6th, 1792. Court met according to adjournment. Present: Wm Hill, Wm Bratton & Abraham Smith, Esq'rs.

Jane Hope Ex'x vs. Thomas Gillham Esq'r. Debt. Isaac Gillham enters himself special bail. Acknowledged & signed in open Court: Isaac Gillham

Wm Watson vs. Jas Martin. Debt. Jury: James B. Fulton, Andr'w Campbell, John Currence, Alexr Gallaway, Thomas King, Arthur Ross, William Patton, John Spence, Hugh Willson, Wm Stevenson, Valentine Horsley, & And'w McClean. Find for plaintiff £.5.17.6 with interest from date of note & costs of suit.

Wm Monahan appointed a constable for one year, to take oath before Wm Bratton Esqr.

State vs. Peter Morgan. Bastardy. Def't submitted to the court who fined him £.6 & costs to be paid by next Court, which Charles Morgan engages to see paid.

Page 4. State vs. Rosanna Moore. Bastard. Ordered that the security produce the body of his principal at next court, otherwise the recognizance to be forfeited.

Prudence Durphey vs. Dr. James Wylie. Sum. Pro. Decree confessed according to the note with interest & costs of suit.

Court adjourned for an hour. Met according to adjournment. Present: William Hill & Abr'm Smith Esq'rs.

Shadrach Rawls vs. Thomas Davis. Case. Award returned that the Defen't pay the plaintiff in nine months in a horse or mare not exceeding nine years old to the amount of £.10. 8.9 & that plaintiff pay all costs.

John Thompson vs. William Davis. Case. Default, and arbitrated.

Samuel Lowrie vs. John Bridges. Sum. Pro. Default according to the note with costs.

Francis Gillmore vs. John Bridges. Sum. Pro. Decree according to specialty with Interest & Costs.

John Keown vs. Will'm Scott Admr. O. Att. Continued untill next Court.

Archibald Gill vs. Jam's Frazier & Jam's Gill. Debt. Default according to the note with interest & costs of suit.

Robert Howie vs. Philip Walker. Sum. Pro. Decreed for plaintiff £.5.0.5 with costs.

Page 5. Court adjourned untill tomorrow morning at 9 o'clock.

Saturday, July 7th, 1792. Court met according to adjournment. Present: William Hill, William Bratton & Abram. Smith, Esq'rs.

John Thompson vs. James Williamson, Alexr Moore & Mary Irvin. Sum. Pro. Decree confessed according to the note, deducting 40 shillings paid last February Court.

John McCaw vs. Peter Jones. Notice. Decree for plaintiff for £.2.1.6 with costs.

Justices of York County vs. Matthew & Adam Miller. Breach of recognizance. Jury: Same as above. Find for the defendent & that it is a sufficient receipt against the bond, with costs of suit.

Patrick Ray vs. Edward Moorhead. Sum. Pro. Left to decision of Capt. Chambers,

Page 6. Thomas Woods, James Martin, James Ross Senr & Sam'l Watson Esqr, and their award to be the judgment of the Court.

Court adjourned for an hour. Met according to adjournment. Present: William Bratton & William Hill, Esq'rs.

William Thompson vs. William Hall. Present: Abram Smith Esqr. Debt. Judgment by plea withdrawn as by nihil duit(sic).

John Willson appointed constable for one year, who came and took the oath required by law.

Court adjourned untill monday morning 9 o'clock.

Monday, July 9th, 1792. Court met according to adjournment. Present: William Bratton, William Hill, Esq'rs, Judges.

William Miles ads. Rich'd Sadler. Appeal on an Original Attm't leavied in y' hands of Philip Sandifer, garnishee, & Judgment against him by Alex'r Moore Esq'r. Judgment of the Justice affirmed.

Page 7. Adam Miller & Sarah Nesbit vs. Robert Smith & Lewis Thompson. Debt. Lies over.

John Barron Admr vs. Silas & James Starlings. Debt. Jury: James B. Fulton, John Currence, William Stevenson, John Spence, Arthur Ross, Thomas King, Valantine Horsley, Andrew Campbell, Andrew McClean, William Copland, Francis Gillmore Senr, & Francis Gillmore Junr. Find for plaintiff according to the note with interest & costs of suit.

John Johnston vs. Edward Moorhead. Debt. Same petit jury. Plaintiff's attorney suffered a nonsuit.

Present: Abraham Smith Esqr.

James Adare vs. Hugh Miller. Parties agreed, and are to pay equal costs in the suit tried last court, and all suits now depending in this Court.

Page 8. Miller is to pay costs of a Summary Process in the Superiour Court at Pinckney which he commenced.

Court adjourned untill to Morrow Morning 9 O'Clock.

Tuesday, July 10th, 1792. Court met according to adjournment. Present: Wm Bratton & Wm Hill, Esq'rs, Judges.

Samuel Young vs. Mary McWhorter & Shad. Rawls. Sum. Pro. Agreed by the parties, & the defendants confess decree according to the note, giving all legal credits with interest & costs.

Humphrey Williams vs. Moses Thompson. Sum. Pro. Decreed that defendant pay plaintiff £.1.11.10½ with costs of suit.

Edward Moorhead vs. James Smith, Trover, and Patrick Ray against Edward Moorhead on Summary Process. Award returned that James Smith pay Edward Moorhead £.7. Execution to be stayed six months, Smith to pay costs of the action of trover, and Moorhead to pay costs of the summary process brought in the name of Patrick Ray against him.

Joseph Henderson & wife vs. Edward Moorhead &c in two suits. Agreed to be left to

the decision of James Martin & Samuel Lowrie (and Colo Hill in case they cannot agree).

Page 9. Sarah Nesbit & Adam Miller vs. Robert Smith & Lewis Thompson. Debt, on a new trial. Jury: James B. Fulton, Arthur Ross, James McCormick, John Spence, John Currence, Thomas King, Valentine Horsley, Andrew Campbell, James Campbell, Samuel Hemphill, Andrew McClain, & William Stephenson. Find for plaintiffs according to specialty with interest & costs of suit.

Court adjourned for an hour. Met according to adjournment. Present: Wm Bratton, Wm Hill & Abraham Smith, Esquires, Judges.

Archibald Gill vs. James Fraser & Jas Gill. Debt. Ordered that execution issue immediately for the amount of the note with interest & costs, execution not to be levied untill after next February Court, all legal Off-sets to be allowed at said Court.

John Baxter vs. John Sellers. T.Q.C.F. Jury: James B. Fulton, Arthur Ross, Valentine Horsley, John Spence, James Campbell, William Stevenson, Alexander Glass, Thomas King, Andrew Campbell, Samuel Hemphill, John Currence, and Andrew McClain. Page 10. Find for plaintiff 5 shillings damages with costs of suit. And it is the opinion of the Court that the trespass was willful and malicious, and the Court (with the consent of the jury) orders that the plat & the line of division, marked A. B. on said plat and every line thereof, shall be standing & binding for the benefit of Baxter the plaintiff and his assigns.

Court adjourned until to Morrow Morning 9 O'Clock.

Wednesday, July 11th, 1792. Court met according to adjournment. Present: Wm Bratton & Wm Hill, Esq'srs. Present: Abraham Smith Esqr.

Thomas & Jane Neeley vs. John Harris & Fras McCall. Debt. In two suits which is agreed to be consolidated, and that the costs of one suit only be taxed. Judgment confessed according to the notes, allowing the credits indorsed on s'd notes with interests & costs of suit.

Bagwell Bailey vs. James Fearis. On Scire facias as Bail for Daniel Murphey, Ordered that Judgement be entered against said James Fearis for the amount of the original Judgement against Daniel Murphey with interest and costs of suit.

John McWhorter vs. Alexander Fearis. Case. Plaintiff's attorney suffered a nonsuit.

Page 11. Caleb Bailey vs. Jacob Canter. O. Att. Defendant's attorney moved that this suit be dismiss'd at plaintiff's costs by reason of the attachment being illegal which the Court agrees to.

Samuel Graham vs. Dr James Wylie. Debt. Jury: James B. Fulton, Arthur Ross, Valentine Horsley, John Spence, William Stephenson, Thomas King, Andrew Campbell, John Currence, Andrew McClain, Samuel Rowan, Benjamin Garrison, & Alexander Glass. Find for plaintiff according to the note, with interest & costs of suit.

Indian Agents vs. Alexander Candlish. Trover. Same petit jury. Find for plaintiff E.15.17.4 damages with costs of suit.

John James vs. Adam Meek Sh'f. Upon notice to the def't for malpractice in office, in selling plaintiff's land contrary to law, the defendant's attornies prayed a jury, and upon consideration of the matter, the Court postponed their decision on

motion untill to Morrow.

Court adjourned for an hour. Met according to adjournment. Present: Wm Bratton, Wm Hill & Abr'm Smith, Esq'srs, Judges.

Page 12. Susanna Tenant vs. Dr. John Allison. Case. Ordered that plaintiff be nonsuited.

State vs. Godfrey Adams. For T.A.B. & Contempt. Upon def'ts submission & acknowledgement of the crime it was ordered that he be fined seven guineas.

John Dickson vs. William Morrison. O. Att. Decree for the def't with costs of suit.

Lewis Thompson vs. Elijah Fleming. Case Ordered that a Ded. Po. issue to three Justices of Franklin County, Georgia, to take the deposition of William Fleming as testimony, defendant giving plaintiff ten days notice of the time and place of such examination.

Court adjourned untill to Morrow morning 9 O'Clock.

Thursday, July 12th, 1792. Court met according to adjournment. Present: Wm Bratton, & William Hill, Esq'srs, Judges.

Decree Hanna Junr vs. Thos Rains (sic: Rainey?) & Silas Starlings. Sum. Pro. Decree confessed by Rains & Starlings according to the note with interest & costs.

Present: Abraham Smith Esqr.

John James vs. Adam Meek Shf. For malpractice in office. Defendant's attornies this morning moved that the cause be continued untill next court which Page 13. is agreed to. To be tried on the third day of next Court, and Sheriff to pay costs to the witnesses & Clerk heretofore incurred.

Samuel McCall vs. Alexander Eakin. Sum. Pro. Jury: James B. Fulton, Arthur Ross, John Spence, John Eakin, William Stephenson, Valentine Horsley, Alexander Glas, Joseph McKenzie, Andrew McClain, Archibald Barron, Andrew Campbell & Edward Moorhead. Find for plaintiff E.10.3.--. and costs of suit.

An account of the Estate of Harrison Hicks dec'd was rendered by Edward Scarborough Administrator, whereby it appears that there is due to the Adm'r E.13.5.5, which account is ordered to stand good untill good cause be shewn to the contrary.

Elijah Bailey Senr vs. Phil. Sandifur & Henry Tipping. Sum. Pro. Defendants' attorney moved for a nonsuit, which was over ruled, and ordered that the name of Henry Tipping be struck off the record and that Sandifur alone be liable.

Henry Creswell, Indorsee, vs. William Steuart. Debt. Defendant's attorney moved for a nonsuit, which the Court over rules and orders it be refered to a Jury. Page 14. Jury: James B. Fulton, Arthur Ross, John Glass, Valentine Horsley, Andrew Campbell, John Currence, Joseph McKenzie, William Stephenson, John Eaki John Peters, & James Grahams. Find for the defendant a sufficient tender agreeab to his note, with costs of suit, & that plaintiff take the property at the former valuation.

Silas Starlings surrendered Isaac Motta to the Court in discharge of himself as ba whereupon the Court rules the Def't to give special bail, and Alexander Love Junr comes into open Court & enters himself special bail. Signed in open Court.

Alexd'r Love Junr

Legatees of Jos. Carrel Senr decd vs. Joseph Carrel. Defendant by his attorney acknowledges a rule, to appear at next Court on 5th of February next, to shew cause why he does not deliver up the last Will of said Joseph Carrel Senr deceased. Court adjourned untill Court in course.

October intermediate Court 1792

At an intermediate County Court begun and held on the first Monday, being the first day of October Anno. Dom. 1792. Present: Wm Bratton, Wm Hill and Abraham Smith, Esq's, Judges.

A further Statement of the Estate of Absalom Willson dec'd was produced, whereby it appears that the neat amount of s'd Estate now in the hands of Jane Willson the Adm'x is E.36.6.1 3/4.

Page 15. Ordered that the Overseers of the Roads have the respective parts of s'd Roads assigned to their care, put immediately in good repair, otherwise that they be dealt with according to law.

Ordered that Thomas Woods have license to keep a common Tavern at his dwelling house in this county for one year, he complying with the law.

Joseph Carrel vs. William Hill Esq'r. Case. Ordered that a Ded. Po. issue to three Justices in () County, Georgia, to take the deposition of John Rice as testimony in said suit.

Ordered that Robert Faries be appointed constable for one year, to qualify before Malcolm Henry Esq'r.

Ordered that an Order of October Court 1790 appointing Shadrack Rawls guardian of Hugh McWhorter an insane person be disannulled.

Ordered that David Leech Esqr & Moses Leatham, Exors of the Estate of Joseph Laney dec'd settle by next Court.

Court adjourned untill to Morrow morning 10 O'Clock.

Tuesday, October 2d, 1792. Court met according to adjournment. Present: Wm Hill & Abram Smith, Esquires, Judges.

An Account against the Estate of Andrew Leatham Senr decd was produced by Charles Gillmore the Exor, whereby it appears that the Debts, Expences & Losses of said Estate amounts to E.30.2.6, to be deducted out of the Appraisement. Ordered that said Executor settle by s'd Appraisement, there appearing no necessity for any further sale.

Page 16. Ordered that the Overseers of the Poor provide for Robert Burke, a poor person, untill next Court, and give an Order to the Trustee to defray the expence thereof, and that the Overseers examine whether Robert Burke is such an object of charity as ought to be supported by the County, and report the same to next Court. Court adjourned untill Court in Course.

February Court 1793

At a County Court begun and held on 5 February 1793 and seventeenth year of the Independence of the united States of North America. Present: William Bratton, William Hill & Abraham Smith, Esquires, Judges.

Will of James Ferguson deceased was proven by James Ferguson and Hamblet Ferguson, evidences thereto, and ordered to be recorded.

Robert Wallace submitted to the Court for a Trespass, Assault & False Imprisonment committed by him against Michael Hogan, who fined him one penny & costs.

Ordered that the following persons have license to keep common taverns at their respective dwelling houses in this county for one year, they complying with the law, to wit, Hugh Quinn Senr and Robert Forrester.

Abraham Pearce appointed constable for one year, to qualify before Joseph Palmer, Esqr.

Thomas Blankenship submitted to the Court for a T.A.B. & was fined 30/ and costs.

Page 17. William Eakin Esquire appointed Coroner for this County produced his Commission, took the oath required by law, and entered upon the duties of his office accordingly.

Ordered that Capt. Henry Creswell be fined E.3 lawful money for his refusing to attend and act as a Grand Juror, upon further consideration said fine was remitted.

The Grand Jury were called, who were James Fergus, foreman, William Jenkins, Senr, Jonathan Fitchet, Robert Faries, James Graham, Alexander Akin, Senr, James Campbell Senr, Richard Sadler, William Arnold, William Davis (of Crowders Creek), Jesse Miller, Hugh Simpson, & Thomas Carrol, who were sworn & charg'd.

Court adjourned until to Morrow Morning 10 O'Clock.

Wednesday, February 6th, 1793. Court met according to adjournment. Present: Wm Bratton, Wm Hill & Abram Smith, Esquires, Judges.

Administration of the Estate of John Fulton decd granted to Edward Moorhead, who came and took the oath required by law.

Robert Neely vs. Robert Patton. Case. Submitted to the arbitrament of Elijah Fleming, Andrew Love, Francis Adams Esqr and James Robertson.

Samuel Rowan allowed ten shillings for wintering an estray cow.

Page 18. John Davis allowed fourteen shillings for wintering an estray cow, two winters.

The second page of a paper containing one clause of the Will of Goyan Moore decd, as also a Deed of Gift from Thomas Armstrong to John Armstrong his son for his part of a tract of land, the said writing was proven to be a true copy of the said clause of the Will & Deed of Gift by James Pinkerton and ordered to be recorded.

William & Saml Burns vs. Joseph Holt. O. Att. David McCarter, garnishee, says he has in his possession no property of Joseph Holts to his knowledge, that he has two coverlets which is not his own property, but he does not know whose property they are, that he had also a brown horse, a tackey in his possession which is now dead. Samuel Carson says he had in his possession a Negro girl about 12 or 13 years of

age, but does not know whose property she was.

Administration of the Estate of James Reed decd granted to Jane Reed & William Kerr, who came and took the oath required by law.

Administration of the Estate of Robert Kerr decd granted to Elizabeth Kerr & Andrew Kerr, who came and took the oath required by law.

J. McKnit Alexander vs. William Patrick in two suits. Robert Patrick Junr comes and enters himself special bail that costs & condemnation money shall be paid by the defendant, if any is awarded against him, or that he will render up the body of his principal to the sheriff on execution. Signed in open Court
Robert Patrick

Page 19. Joseph Henderson & wife vs. Edward Moorhead & others. Two suits. Dismiss'd at defendants costs, plaintiff being liable to defendant for one half of said costs.

John Lott vs. Philip Sandifer. Sum. Pro. Decree for the def't & that he recover his costs of the plaintiff.

Administration of the Estate of Samuel Brown decd granted to Elizabeth Brown & Capt. Adam Meek, who came and took the oath required by law. David Hutchison was also ordered to be added, he signing the bond & taking the oath before John McCaw Esquire.

John Algood vs. Morgan Regan. Case. Philip Sandifer enters himself security for costs, plaintiff living out of this State.

James Lyons ads. Richard Miller. Appeal from judgment of Thomas Gillham Esqr. Judgment of the Justice reversed.

State vs. William Ellis. Bastardy. Defendant submitted to the Court who fined him E.3.11.6, and Martha Rigden was also fined the like sum, which said William Ellis engages to pay, and Nicholas Whisenhunt enters himself security for payment. Signed in open Court.
William Ellis
Nicholas Whisenhunt

State vs. Walter Austin, John Henry & Augustin Choat. Riot and breach of the peace. Defendants each fined twenty shillings & costs, upon their submission and acknowledgment of their crime.

Page 20. George Patterson vs. Canter & Motta. O. Att. Judgment for plaintiff by default for E.14.16.4½ with interest & costs of suit, the property attached to be sold to satisfy said Judgment.

Court adjourned untill to Morrow morning 10 O'Clock.

Thursday, February 7th, 1793. Court met according to adjournment. Present: Wm Eratton & Wm Hill, Esquires, Judges.

Henry Delenger vs. Joseph Moore. Sum. Pro. Decree confessed by defendant for E.7.10.- with 9 months interest & costs.

And'w Love & Eliz'a McGarrity vs. Robert Smith & John Marley. Sum. Pro. Decree confessed according to the note by John Marley with interest & costs.

Shadrack Rawls vs. David Wylie. O. Att. John Polk, garnishee, says he owes Wylie two notes of hand of E.20 each or thereabouts, one due 15th Jan. 1794, the other

by 15 January 1796 as well as he remembers, and that he has some discounts against the first note but cannot tell how much. Jesse Douglas also summoned says he has in his possession one young cow with a bell & bell collar, and that he owes Wylie two new men's saddles, to be delivered by the last day of November next.

Present: Abraham Smith Esquire.

John Blakeny's Senr & Junr ads Charles Gillmore Ex'r. Appeal from the Judgement of Thomas Gillham Esqr. Judgement of the Justice affirmed.

Page 21. John Henderson, Indorsee, vs. Godfrey Adams, Indorser. O. Att. James McNeel, garnishee, says he owes Adams by next Fall E.40 sterling by note of hand, payable in horses and a wagon, to the best of his remembrance.

Administration of the Estate of William Watson decd granted to Samuel Watson Esqr who came, entered into bond and took the oath required by law.

John Blakeny Senr ads Andrew Smith. Appeal from Judgment of Malcolm Henry Esquire Judgment of the Justice reversed.

John James vs. Adam Meek. Malpractice in office, for selling the plaintiff's land and being interested in the sale. Colo Hill was of opinion that a Jury ought to be allowed, which the Counsel for the plaintiff objected to in the present stage of the action, as several witnesses were already examined and cross examined, as well on the part of the plaintiff as defendant, and the other Judges of the Court, to wit, Colo Bratton and Abraham Smith Esquires, were of opinion that by law no jury in the present stage of the action ought to be allowed, after which the Court ordered the cause to lie over untill to Morrow.

Mr. Thomas Walker formerly County Attorney resigns said place and Abraham Nott Esqr was appointed County Attorney in his room.

Court adjourned untill to Morrow morning 10 O'Clock.

Page 22. Friday, February 8th, 1793. Court met according to adjournment. Present: William Bratton & William Hill, Esquires, Judges.

Robert Fleming Senr &c. vs. John McConnel. Sum. Pro. Submitted (by consent of the parties) to Joseph Brown Esquire & Capt. James Martin & any person of their choice in case they cannot agree.

Elijah Bailey Senr vs. Wm Monahan & Abrm. Pearce. Sco fa. Decree for E.6.12.6 with costs of suit.

Elijah Bailey Senr vs. Philip Sandifer. Sum. Pro. Decree for E.6 lawful money, with interest and costs of suit.

William Thompson vs. Thomas Davis. Appeal from Judgment of Alexander Moore Esquire. Judgment affirmed.

Elijah Bailey Senr vs. Hugh Miller. Case. Dismiss'd at plaintiff's costs.

John Eakin vs. Elijah Bailey Senr. Case. Jury: Thomas Gillham Esquire, Thomas Shearer, John Black, David Watson, James Miskelly, Shadrack Rawls, Robert Kennedy, Robert Faries, Jacob Elack, Robert Ashe, Samuel Hemphill, & Hugh Allison. Find for plaintiff, damages to E.10.13.6 with costs of suit.

John James vs. Adam Meek. Malpractice. On motion of plaintiff's atto. & with consent of the Def'ts Att'ys, continued over untill to morrow to be argued then.

Page 23. Thomas Rains vs. William Adams. Case. Same petit jury with the alteration of James McCormick in the room of Shadrack Rawls. Plaintiff's attorney afterwards suffered a nonsuit.

Court adjourned untill to Morrow Morning 10 O'Clock.

Saturday, February the 9th, 1793. Court met according to adjournment. Present: William Bratton, William Hill, & Abrm Smith, Esquires, Judges.

Ordered that a Dedimus Potestatem issue to Moses Winsley, William Davidson & James Kerr Esquires of Iredell County, No. Carolina, to take the deposition of James Porter in the suit David Porter against Wm Byers Senr and Sarah Porter.

John McWhorter vs. Alexander Faries. Case. Dedimus Potestatem to James Alexander, William Davidson & Lambert Clayton Esquires of Buncomb County, No Carolina to take deposition of Benjamin McWhorter as testimony in said cause.

Ordered that no Justice of the Peace of this County grant an Appeal from any of their fellow Justices judgments, and that such appeals so entered be not hereafter received.

Robert & Wm Fleming vs. John McConnel. Sum. Pro. Plaintiff to pay costs of suit in this, by award returned & entered on the process.

Alexander Love Junr vs. Godfrey Adams. Appeal from judgment of Joseph Howe Esquire. Judgment reversed, and decree for plaintiff for E.1.1.10 with costs of suit.

Page 24. Legatees of Joseph Carrel Senr decd against Joseph Carrel now Senior. For detaining said Joseph Carrel late Senior's last Will & Testament. Jury: Thomas Black, Samuel Hemphill, Robert Ash, James Miskelly, Thomas Shearer, Joseph Henderson, Samuel Swann, John Black, and Jacob Black. Find that this paper contains in substance the last Will of Joseph Carrel deceased, and does set forth exactly the manner in which the said Joseph Carrel wished his property to be distributed, and that the said last Will was in the possession of James Campbell, and that Joseph Carrel the defendant did obtain possession of the said Will by a forged Order (from the said James Campbell) and that the said Joseph Carrel doth in an illegal and contemptuous manner detain the said Will, and the Court gave judgment according to the verdict, and thereupon the defendant appealed to the Superiour Court, and was ordered to enter into Bond of E.1500 to prosecute said Appeal with effect.

John Eakin vs. Elijah Bailey Senr. Case. Defendant's attornies moved for a new trial because a material witness was absent, which was agreed to.

John James vs. Adam Meek. Mal.practice &c. Continued untill Monday next.

Court adjourned untill Monday morning 10 O'Clock.

Page 25. Monday, Feb. 11, 1793. Court met according to adjournment. Present: William Hill & Abraham Smith, Esquires, Judges.

John Adams was appointed constable for one year, to qualify before Francis Adams Esquire, in room of Joseph Boggs who resigns said place.

James Reed vs. Sam'l Swann Senr. Debt. Jury: Thomas Gillham, Esqr, Thomas Shearer, James Miskelly, Robert Ash, John Barron, Joseph Henderson, James McElwee, John Gordon, Hugh Allison, John Polk, Joseph Wallace, & John Sandland. Find for plaintiff according to the note, with interest & costs of suit.

Shadrack Rawls vs. Benjamin McWhorter & Moses W. McWhorter. Sum. Pro. Decree against Benjamin McWhorter & Moses W. McWhorter, according to the note, with interest and costs of suit.

Samuel Swann & others vs. Joseph Wallace. Sum. Pro. Defendant's attorney moved for a jury, which was granted, & that said cause lie over untill to Morrow.

David Porter vs. Joseph Henderson. Sum. Pro. Continued untill to morrow.

John James vs. Adam Meek. Mal.practice as formerly. Ordered to lie over for argument untill to Morrow.

Page 26. David Porter vs. Joseph Henderson. Sum. Pro. Joseph Brown Esqr made oath that he attended six days and travelled 30 miles coming & going to court as witness for plaintiff. Continued at defendant's costs.

Court adjourned untill to Morrow morning 9 O'Clock.

Tuesday, February 12th, 1793. Court met according to adjournment. Present: Wm Bratton & Wm Hill, Esquires, Judges.

Alexr Love Junr vs. Canter & Motta. O. Att. Ordered that the property attached be sold by the sheriff or other officer, and the monies arising from such sale be kept by the officer untill next Court, and that the Books of Account of the said Canter & Motta be condemned to the use of the plaintiff, he to be answerable for the monies collected thereby, untill he establishes his demand.

John James vs. Adam Meek. Mal Practice. Colo Hill, one of the Judges of this Court on Thursday last refused to sit any more on this trial because a Jury was denied to the defendant, and desires that his absenting himself may be entered of record.

David Elder vs. William Gordon. O. Att. John Gordon, garnishee, says he owes as executor of the Estate of his mother E.20 payable in trade agreeable to the Will & a Book Ambrose's Works.

R.3 Colo Samuel Watson & John Smith, executors of the Will of James Ferguson decd, came and took the oath required by law.

Page 27. John Finley vs. William Stokes. O. Att. William Hill, Esquire, garnishee says he owes said Stokes about 120 weight of Iron, equal to ten dollars, Ordered that Hill pay the said sum to plaintiff who is to give credit on the note when received.

David Elder vs. William Gordon. O. Att. Decree for E.4.1.8 with interest & costs of suit, to be levied of the property in the hands of John Gordon the garnishee.

John Gordon ads. Joseph Carrel. Appeal from the Judgment of Thomas Gillham Esqr. Judgment of the Justice reversed.

E.3 Robert Smith vs. And'w Love Admr of Jas. Love decd. Sum. Pro. Plaintiff failed to prosecute and was Nonsuited.

Robert Smith vs. James Smith. Case. Nonsuited.

John James vs. Adam Meek. Malpractice. Laid over untill to Morrow.

Court adjourned until to Morrow morning 9 O'Clock.

Wednesday, February 13th, 1793. Court met according to adjournment. Present: William Hill & Abraham Smith, Esquires, Judges.

State vs. Peter Morgan. Bastardy. Defendant was fined E.6 last Court, Ordered that said fine be mitigated and be only E.3.11.6.

Page 28. Majey Black vs. John Gordon & Wm McElwee. Sum. Pro. Decree confessed by John Gordon, according to the note with interest and costs of suit.

John Thompson vs. James Cunningham. Debt. Judgment by default according to the note, with interest & costs of suit.

Richard Venables vs. George Patterson. Debt. Nonsuited.

Francis Adams Esqr vs. James Patterson. Debt. Default according to the note with interest & costs of suit.

Present: William Bratton, Esquire.

Samuel Burns ads. M. Floyd & J. Armstrong. Appeal from Judgment of Thomas Gillham, Esquire. Judgment affirmed.

27 Daniel Kelly vs. Abraham Smith. Debt. Defendant moved that the original bond filed in the Clerk's Office should not be taken from thence, untill the costs be paid up by the plaintiff, as the plaintiff by his attorneys acknowledged that they had discontinued their proceedings or suffered a nonsuit in the Superiour Courts of Law, to which they had appealed.

John Gordon vs. Samuel Burns. Sum. Pro. Decree according to the note, with interest & costs of suit.

John Thompson vs. William Davis. Case. Jury: Thomas Gillham Esqr, William Carson, John Barron, James Miskelly, Samuel Swann, Thomas Wallace, Joseph Wallace, Richard Miller, Shadrack Rawls, John Gordon, John Polk, & Joseph Moore. Find for plaintiff E.19.16.2 with costs of suit.

Page 29. William Burns Senr & Samuel Burns vs. Joseph Holt. O. Attm'ts. Ordered that a Dedimus Potestatem issue to any three Justices of the Peace of Rutherford County and Guilford County in the State of North Carolina, to take depositions of William & Mary Donald in Guilford County and Capt Walter Carson, Rutherford County.

Alexander Eakin vs. Samuel McCall. Sum. Pro. Nonsuited.

Samuel Burns vs. Hugh Allison. Sum. Pro. Left to decision of Abraham Smith Esqr, Isaac Enloe, & Capt John Chambers.

Legatees of Joseph Carrell Senr decd vs. Joseph Carrel now Senr. For detaining & secreting the last Will of said deceased. Ordered that a Process as for contempt issue to the sheriff or other officer to take the body of said Joseph Carrel now Senr into close custody, and keep him until he deliver up said Will.

William Davis vs. Edward Scarborough, Elijah Bailey & John Harris. Debt. Jury: Thomas Gillham Esqr, John Gordon, John Barron, Samuel Swann, James Miskelly, Thomas Wallace, Richard Miller, Walter Carson Senr, John Polk, Francis Adams Esqr, Joseph Boggs & David Hutchison. Plaintiff was nonsuited.

Page 30. Jane Hope, Ex'x vs. Thomas Gillham Esqr. Debt. Jury: Francis Adams Esqr, Joseph Wallace, John Barron, James Miskelly, John Johnston, Joseph Boggs, John Gordon, John Polk, Richard Miller, John Peters, William Laughlin Senr, & Elijah Fleming. Find for plaintiff according to specialties with interest, after deducting the credits upon them, also costs of suit.

Joseph Carrel Senr vs. William Hill Esqr. Case. On motion of plaintiff's attorney

& with consent of defendant's attorney a Ded. Po. is to issue to Georgia according to a former Order.

John Barron & wife & Violet Duncan vs. M. McWhorter & Shadrack Rawls. Debt. Judgment confessed by Shadrack Rawls in person, according to the note with interest and costs of suit, execution to be stayed three months.

John James vs. Adam Meek. Malpractice. Postponed untill the third day of next Court.

John Bates received the approbation of the Court as under Sheriff for this County, who took the oath required by law and entered upon the business of said office accordingly.

John Eakin vs. Elijah Bailey Senr. Case. New trial granted upon payment of costs, to lie over untill next Court.

A Deed of Conveyance from Adam Meek, Sheriff, to Samuel Lowrie was acknowledged and ordered to be recorded.

Page 31. Ordered that a Gaol for this County be erected, on the lot where the first Gaol was erected, of the same size and dimensions of the said first Gaol, and that William Fergus, John Bates and John McCall be Commissioners to let out the building of said Gaol, to the lowest bidder, and that said Commissioners see said gaol completed.

Alexander Love Junr vs. Canter & Motta. O. Att. Ordered that the Books of said Canter & Motta be lodged in the hand of William Love Esquire.

Court adjourned untill Court in Course.

May Intermediate Court 1793

At an Intermediate County Court begun and held for said County on the first Monday Anno Dom. 1793. Present: William Bratton & Abraham Smith Esq'rs.

Walter McCarter appointed overseer of the road leading from Kings Mountain from Moores branch to the Court House, and Alexander Ramsey from thence to Widow Moore's old place.

Ordered that William Monahan be suspended from acting as constable and that the Clerk write to him to that purpose, and that he appear at next Court to shew cause why he should not cease to act.

Administration with the Will annexed of the Estate of Margaret Stuart granted to Widow Mary McWhorter, Agnes Young & James Young Junr, who came and entered into bond & was ordered to take the oath required by law before John McCaw Esquire.

Page 32. Will of Jane Moore decd proven by Joseph Sadler, approved & allowed and ordered to be recorded.

John Beard appointed overseer of the road from Fishing Creek near Major Hannah's to the Chester County line in room of Sam'l Moore.

Isaac Gillham appointed overseer of the road from Biggers Ferry to Talberts Ferry, in that part between Widow Jamison's & Chester County line in room of Warren Buford

Mr Joseph Sadler appointed Collector of the Public Tax for this County came into open Court, entered into Bond, and took the oath required by Law.

David Patton appointed overseer of the road from the Charleston Road near Bethel Meeting House to Allison's Creek, and John Willson from thence to Matthew Moffet's, and John Givings from thence to Talberts Ferry Road.

Samuel Carson appointed overseer of the road from the Court House to Andrew McClains branch in room of Jonathan Sutton.

Ordered that Peter Morgan & Charles Morgan pay Mr. Thomas Walker E.3.11.6 and that said Peter Morgan be exonerated of his fine upon their doing so.

Nicholas Seehorn appointed overseer of the road from Alexander Stuarts to where Samuel Gordon worked to, in room of said Samuel Gordon, and James Clark from thence to the cross roads at McKinney's old fields, and Peter Eakin from thence to Smith's ford.

Page 33. Court adjourned to Morrow morning 9 O'Clock.

Tuesday, May 7th, 1793. Court met according to adjournment. Present: Wm Bratton & Abrm Smith, Esquires, Judges.

David Leech Esqr and Moses Leatham, executors of the Will of Joseph Laney decd, rendered an Account of said Estate, whereby it appears that the neat amount of said Estate is E.130.4.9, to be divided amongst nine legatees.

A Deed of mortgage for 180 acres of land from Shadrack Rawls to John Berry was acknowledged & ordered to be recorded.

Ordered that the following persons have license to keep common taverns at their respective dwelling houses for one year, they complying with the law in that case made & provided, viz, John Egleston, Elijah Bailey Senr & John McCall.

John Peters Senr appointed overseer of the road from the Court House to Alexr Stuarts in room of James Fergus.

Alexander Eakin appointed overseer of the road from the waggon ford of Crowders Creek to the Iron Works.

John Darwin appointed overseer of the road from Abr'm Smith Esq's to Mays's Ferry in room of James Darwin.

Page 34. Matthew Gibson appointed overseer of the road from Samuel Gordon's to Abraham Smith's Esquire in room of Guyan Gibson.

Administration of the Estates of Samuel Campbell & Ezekiel Campbell decd granted to Thomas Gillham Esqr, who entered into bond and took the oath required by law.

Ded. Po. issued to John Barber, Isaac Holland & Robert Alexander, Justices of the Peace in Lincoln County, No Carolina, to take the deposition of John Willson Esqr to prove the last Will of Joseph Carrel Senr decd.

Richard Currier appointed constable for one year, to qualify before Tho. Gillham Esqr.

Ordered that an execution issue against Joseph Carrel Senr for the costs of a suit the legatees of Joseph Carrel Senr decd against Joseph Carrel now Senr, and that costs in the Superiour Court be included.

Robert Creswell appointed overseer of the road from the old Nation Ford to Thomas Carrel's in room of Sam'l Creswell.

Elijah Bailey Senr allowed E.3.15 for the use the Court has had of his house since the last allowance.

Court orders that tavern rates be the same as last year, except whiskey which shall be 6 d. the half pint, and pr quart 1/2.

Court adjourned untill Court in course.

July Court 1793

Page 35. At a County Court of Trials & Pleas begun and held on the 5th of July, 1793, and of the Independence of the united States of North America the 18th. Present: William Bratton, William Hill & Abraham Smith Esq's, Judges.

James Henry vs. Francis Jenkins. Sum. Pro. Dismissed at plaintiff's costs.

John Henderson, Indorsee, vs. Godfrey Adams, Indorsor. O. Att. James McNeel and Andrew McClain entered themselves special bail in this action and agrees that they will pay the costs and condemnation money if any is awarded against the defendant, otherwise that they will render the body of said defendant on execution.

Acknowledged & signed in open Court.

James McNeel
An'd McClain

A Jury for the next Court was drawn, viz, For Grand Jurors: Joseph McKenzie, John Currence, David Johnston, Ralph Rodgers, James Smith, James Watson, David Porter, John McClenahan, Colo Robert Patton, William Patrick, Henry Jackson, Major William Hanna, John Manning, James Hawthorn, William Byers Senr, James Hope, James McCord, Robert Lusk, Robt McCurdy, & William Burrows.

Page 36. For Petit Jurors: Joseph Stuart, John Ellis, William Elliot, Deason Enloe, Samuel Henderson, Hugh Cain, Francis Burke, James Meek, James Fergus, Henry Tipping, Robert Stevenson, Robert McConnel, John Wisher, John Ramsey, Francis Rigden, Phinehas McClenahan, John Henderson, I.L., Thomas Shearer, Jol Scott, Shared Thompson, James Young Junr, William Sandland, Robert Turner, William Smith, Andrew Love, William Tomlinson, Isaac Lindsay, Nicholas Seehorn Thomas Randolph, & Robert McClellan.

The Grand Jury were sworn & charged who were Colo Samuel Watson, foreman, Samuel Moore, James McNeel, John Marion, John Brumfield, Adam Miller, Henry Craig, Elijah Bailey Senr, Samuel Watson Junr, John Kerr, William Copeland, Capt William Jenkins, John Darwin & John Venables.

James Faries Senr was discharged from ever attending as a juror in this Court.

State vs. Isaac Hope. For converting an estray horse to his own use. Ordered to lie over untill to morrow.

Samuel Lowrie vs. Charles Quinn. Sum. Pro. Decree for plaintiff for E.3 with costs.

John McConnel vs. David Beard. Appeal. From Judgment of Alexr Moore Esquire. Judgment of the Justice reversed.

Court adjourned untill to Morrow Morning 9 O'Clock.

Page 37. Saturday, July 6th, 1793. Court met according to adjournment. Present: Wm Bratton, Wm Hill & Abrm Smith, Esqrs, Judges.

Archibald Steel & Wm Davidson vs. John McWhorter & Elijah Fleming. Sum. Pro. Decree by default against the defendants for the amount of the note with interest & costs.

William Willson vs. Dr. James Wylie. Sum. Pro. Decree for the Pf according to the note with interest & costs.

Bill of Sale from Joseph Henderson to Isaac Couterier dated 8 June 1793 was proven before Joseph Palmer Esqr ordered to be recorded.

Demcy Winburn sworn as Grand Juror.

James Pinkerton vs. John Hood. Debt. Judgment confessed according to speciality with interest & costs allowing the credits indorsed.

William Burns vs. John Gilmore. O. Att. Judgment by default.

David Johnston vs. Samuel McCall. Sum. Pro. Decree confessed according to speciality with interest and costs.

James Jordan vs. Abraham Smith Esqr. Debt. Judgment confessed by Def't in person, with interest & costs.

James Smith vs. Francis Lattimore. O. Att. Capt. James Martin summoned as garnishee says he owes Def't £.10 Sterl. (as soon as he said Martin recover & receives the amount of a note of hand from the Estate of John Swann decd) which £.10 is payable in a horse.

Page 38. Samuel Lowrie vs. Joseph Davie. Debt. Judgment by default according to the note with interest & costs.

Joseph Lyons vs. Alexander Love Junr. Case. Jury: Thomas Wallace, James Armstrong, Thos. Thompson, James Duff, Joshua Denton, John Ritchey, William Byers Junr, James Currier, John Gabby, Peter Eakin, John Campbell, & Richard Currier. Find for the defendant £.15.18.9 and costs of suit. Defendants attorney gave notice that he would move for a new trial.

Joseph Lyons vs. John Dohertie. Appeal from the Judgment of Jos. Palmer Esqr. Judgment reversed.

Andrew Leatham vs. Charles Gilmore, Ex'r, &c. Case. Ordered that a Ded. Po. issue to Joseph Brown, Clayton Rogers & William Gaston Esquires or any two of them to take the deposition of Widow Jane Leatham De Bene Esse as testimony.

Court adjourned untill Monday morning 9 o'clock.

Monday, July 8th, 1793. Court met according to adjournment. Present: Wm Bratton & Wm Hill, Esquires, Judges.

Page 39. John Willson Esqr and James Ramsey, two of the executors named in the Will of Joseph Carrell Senr decd relinquished the execution of said Will by a writing under their hands which was produced in open court.

State vs. Elijah Bailey Senr. As Overseer of the Road. Court orders defendant to be discharged upon his promise to put the part of the road he was overseer of in repair & paying the costs.

Lydia Bridges vs. John Bridges. Sum. Pro. Dismissed at Def'ts costs.

James Pinkerton vs. Edward Moorhead. Sum. Pro. Dismissed at Plaintiff's costs.

Court adjourned for an hour. Met according to adjournment. Present: Wm Bratton, Wm Hill & Abrm Smith, Esquires, Judges.

John Eakin vs. Elijah Bailey Senr. Case. Jury: Same as above. Find for the defendant with costs of suit. Court gave judgment according to the verdict.

Court adjourned for an hour. Met according to adjournment. Present: Wm Bratton, Wm Hill & Abrm Smith, Esquires, Judges.

Page 40. James Ramsey vs. John Beard. Debt. Judgment confessed according to the note with interest & costs.

Robert Howie vs. Philip Walker. O. Att. Ordered that the Land attached be sold to satisfy the Judgment & costs.

John Blakeny vs. John Hogg. Appeal from the Judgment of Jos. Palmer Esqr. Judgment affirmed.

Indian Agents vs. Alexr Candlish. Joseph Jackson Bail. Judgment by default ordered to be entered for the amount of the original judgment with costs of suit against said bail.

William Bostick vs. Richard Miller. Sum. Pro. Def'ts attorney having prayer a trial by jury, came a jury: Thomas Wallace, Robert Kennedy, William Byers Junr, Peter Eakin, Joshua Denton, John Gabby, James Duff, James Currier, Samuel Carson, James Armstrong, Thomas Thompson & John Campbell. Find for the plaintiff twenty dollars with costs of suit. Court gave Judgment according to the verdict.

John James vs. Adam Meek. Mal-Practice. Continued untill tomorrow.

State vs. Jennet Waugh. Bastardy. The examination of Jennet Waugh, single woman, saith that on the 4th day of March now last past, she was delivered of a female bastard child which is likely to become chargeable to the County of York, and that Joseph Simons of the County afs'd, labourer, did get her with child of said bastard child. Taken & acknowledged in open Court. Jennet (X) Waugh

Page 41. The said Jennet Waugh was fined £.3.11.6 with costs.

Court adjourned untill tomorrow morning 9 o'clock.

Tuesday, July 9th, 1793. Court met according to adjournment. Present: Wm Bratton, Wm Hill & Abrm Smith, Esquires, Judges.

John Price vs. James Hanna Junr & Wm Hanna. Debt. Dismissed at plaintiff's costs.

Elijah Bailey Senr vs. Canter & Motte in Co. Case. Jury: Thomas Wallace, Alexander Glass, James Armstrong, Thomas Thompson, William Byers Junr, John Campbell, Peter Eakin, John Gabby, James Currier, James Duff, John Hood, & Thomas Gillham Esqr. Find for the plaintiff £.11.6. and costs of suit. Court gave judgment according to the verdict.

Jacob Forsythe vs. John Hutton. Case. Same petit jury. Find for plaintiff £.19.13.10 & costs of suit. Court gave judgment according to the verdict.

Page 42. Samuel Burns vs. Hugh Allison. Sum. Pro. Award of Arbitrators was returned and is as follows, viz: We Abrm Smith, John Chambers & Isaac Enloe, chosen by Samuel Burns & Hugh Allison to arbitrate a certain matter now in dispute and in Law concerning Samuel Burns executing corn in the hands of Hugh Allison on account of Thomas Rigden, after hearing both parties and the evidence on both sides, we do award and agree that each man pay his own costs in the suit now entered in York Court by Samuel Burns, as it appears that there was 11 bushels & 1 peck due to said Rigden from Allison, which was taken by the constable as the property of Rigden. 20 Feb. 1793.

Abrm Smith
John Chambers
Isaac (IE) Enloe

Indian Agents vs. Alexander Candlish. Sum. Pro. Decree for plaintiffs for 17 shillings and costs.

Lewis Thompson vs. Elijah Fleming. Case. Same jury as above. Find for defendant with costs of suit. Court gave judgment according to the verdict.

Page 43. Joseph Johnston vs. Richard McMillan. O. Att. Upon motion of defendant's attorney to quash the attachment because it was illegally obtained, the Court were of opinion that the attachment was legal.

Court adjourned for an hour. Met according to adjournment. Present: Wm Bratton, & William Hill, Esquires, Judges.

David Leech Esqr vs. Hugh Miller. Appeal from the Judgment of Joseph Palmer Esquire. Judgment reversed.

Present: Abrm Smith Esqr.

John James vs. Adam Meek. Mal.Practice. Continued until tomorrow.

Will of Eleanor Donahy dec'd was proven by the oath of James Davison a witness thereto, approved & allowed, and ordered to be recorded.

Samuel Gordon vs. John & Hugh Gordon. Sum. Pro. Decree confessed by John Gordon according to the note with interest & costs of suit.

Philip Sandifer vs. David Wylie. Case. Same jury as above, with James Hemphill taking the place of James Duff. Find for the defendant with costs of suit. Court gave Judgment according to the verdict.

Page 44. John Dickson vs. William Morrison. O. Att. Colo Joseph Howe, garnishee, saith that he owes nothing.

Court adjourned untill tomorrow morning 9 o'clock.

Wednesday, July 10th, 1793. Court met according to adjournment. Present: Wm Hill & Abrm Smith, Esqrs, Judges.

Ordered that the property of the Estate of Robert Simpson decd be sold at public sale upon a credit of 12 months, at the house of Hugh Simpson the Administrator, he giving 20 days notice at three public places in this county.

Alexr Lackey vs. Dr. Charles McCrea. Appeal from the Judgment of Wm Love Esqr. Lies over until tomorrow.

Present: Wm Bratton Esqr.

Mary Carrel vs. James & Hugh Gordon. Debt. Judgment confessed for 19 pistoles with interest from 28 June 1782 & costs of suit.

John Moffet vs. Abraham Enloe. Debt. Jury: Thomas Wallace, Peter Eakin, James Armstrong, William Byers Junr, James Currier, Alexander Glass, John Hood, John Gabby, John Campbell, Thomas Thompson, Richard Currier & William Minter. Find for plaintiff E.11 sterling with interest & costs of suit. Court gave Judgment according to verdict.

Page 45. Philip Solomon vs. Elijah Bailey Senr. Case. Nonsuited.

Lydia Bridges Admx vs. John Bridges. Debt. Jury same as above, with James Duff taking the place of Richard Currier. Find for plaintiff according to specialty with interest & costs of suit. Court gave Judgment according to verdict.

William Spain vs. Bennedick Alderson. Debt. Colo Joseph Howe enters himself security for costs.

Alexr Candlish vs. the same. Case. Same.

Hannah & John Craig vs. Francis Adams Esqr. Sum. Pro. Peter Eakin enters himself security for costs. Decree ordered to be entered for the plaintiffs according to the note with interest & costs of suit.

Edward Byers vs. Shadrack Rawls. Debt. Judgment confessed according to the note with interest & costs of suit.

John Barron Admr vs. Mary McWhorter & S. Rawls. Debt. Def'ts attorney moved for a nonsuit because letters of Administration were not granted to said Barron of the Estate of Jane Duncan alone, which Motion was overruled, secondly that the plaintiff ought to have brought his action in his own name as Indorsee instead of as Administrator which was also overruled. Jury: Thomas Wallace, Peter Eakin, James Armstrong, William Byers Junr, James Currier, Alexander Glass, John Hood, John Campbell, Thomas Thompson, James Duff, John Peters, & John Eakin. Find for plaintiff according to the note and costs of suit. Court gave Judgment according to the Verdict.

Court adjourned for an hour. Met according to adjournment. Present: Wm Bratton, Abrm Smith & Wm Hill, Judges.

Page 46. William Mullenax vs. Joseph Willson. Slander. Jury: Thomas Wallace, James Armstrong, William Byers Junr, James Currier, Alexander Glass, John Hood, John Campbell, Thomas Thompson, James Duff, William Eakin, William Barnhill, & John Gabby. Find for plaintiff 40 shillings and costs of suit. Court gave Judgment according to verdict.

David Porter vs. Joseph Henderson. Sum. Pro. Decree for plaintiff for the sum of E.4.17.2 and 3 farthings, with interest from 26 Mar. 1784 & costs.

Page 47. John James vs. Adam Meek, Shf. Mal.Practice. Ordered to lie over until tomorrow.

Court adjourned untill tomorrow morning 9 o'clock.

Thursday, July 11th, 1793. Court met according to adjournment. Present: Wm Bratton, Wm Hill & Abrm Smith, Esquires, Judges.

Thomas Rains vs. John Ritchey. Trover. Defendant's attorney moved for a nonsuit

because the action was improperly brought which the Court agrees to and orders the Plaintiff to be nonsuited accordingly.

Sarah Swann &c vs. John Hood. Case. Ordered that a Ded. Po. issue to three Justices or any two of them to examine John Lattimore of the State of North Carolina as a witness in said cause.

John West vs. Capt. Geo. Pettis. Case. Ordered that a Ded. Po. issue to examine a witness in No. Carolina.

James Donnelly, Indorsee, vs. Lydia Bridges, Admx. Debt. Defendant's attorney moved for a nonsuit which was overruled by the Court. Whereupon said Attorney confessed Judgment according to the note with interest and costs of suit.

Page 48. Nathaniel Miller & James Jordan Esqr vs. M. McWhorter & Shadrack Rawls. Debt. Judgment confessed according to the note, by Def'ts attorney, with interest and costs of suit.

John McWhorter vs. Alexander Faries. Case. Nonsuited.

John McElwee & wife vs. Samuel Burns, Admr. Debt. Continued untill next Court.

Archibald Barron vs. Edward Moorhead. Case. Jury: Thomas Wallace, Peter Eakin, John Peters Senr, James Currier, William Byers Junr, Alexander Glass, John Gabby, James Armstrong, John Campbell, William Barnhill, Richard Currier, & Hugh Allison Senr. Find for the plaintiff £.9.12 and costs. Court gave Judgment according to the verdict. Orders that the costs of a Summary Process only be taxed.

Major Robert Ellison vs. William Eakin. Notice of 10 days. Decree confessed for £.4.17.2 and a farthing & costs of suit, with stay of execution untill 25 Dec. next.

Court adjourned for an hour. Met according to adjournment. Present: Wm Bratton, Wm Hill & Abrm Smith, Esquires, Judges.

Samuel Swann Senr vs. Sarah Swann & others. Case. Ordered that said controversy be submitted to the arbitration of Joseph Camp and Colo William Graham for the plaintiff and Capt. James Martin & Adam Meek for the Def't and any other person of their choice in case they cannot agree and their award to be the Judgment of this Court.

Page 49. Adam Meek vs. David Byers. Sum. Pro. Decree for the defendant with costs of suit.

David Porter vs. Adam Meek. Sum. Pro. Ordered that a Ded. Po. issue to any three Justices of this County, or any two of them to take the deposition of David Byers Senr as testimony in said suit de bene esse.

Jacob Canter vs. Caleb Bailey & Elijah Bailey Senr. Debt. Jury: Thomas Wallace, James Currier, William Byers Junr, James Armstrong, John Hood, Peter Eakin, Alexander Glass, John Gabby, Archibald Barron, James Smith, William Love & John Campbell. Find for the plaintiff £.1.11.6 with costs of suit. Court gave Judgment according to the verdict.

Joseph Lyons vs. Alexr Love Junr. Case. A new trial prayed by the defendant's attorney upon the suggestion that a material witness could not be had upon the former trial, which was granted upon payment of costs.

Alexr Love Junr granted license to keep a common tavern at his dwelling house in this county for one year, he complying with the law in that case made & provided.

Page 50. Hugh Miller vs. Alexr Love Junr. Debt. Ordered that a Ded. Po. issue to three Justices of the peace, or any two of them, of the State of Cumberland (sic: Cumberland Co., Pa?) to take the deposition of Major Charles Miles as testimony in s'd cause.

John Johnston vs. Samuel Watson. Sum. Pro. Upon motion of the def'ts attorney for a nonsuit, it was ordered that a decision on said motion lie over untill next Court.

Shadrack Rawls & wife vs. M. McWhorter, Agnes Young & James Young Junr. Sum. Pro. Ordered that a Ded. Po. issue to any three Justices of the peace of the State of Pennsylvania to take the depositions of Robert Finney, Thomas Logan & Robert Hutchison as testimony in said suit, and to any three Justices of this County to take the Deposition of James Young Senr de bene esse.

Shadrack Rawls vs. David Wylie. O. Att. Judgment by default for the sum of £.5.1.6 & costs of suit.

Absent: Wm Hill Esqr.

John James vs. Adam Meek. Mal. Practice. For selling the said James's land by virtue of an execution directed to him as sheriff and being interested in the purchase thereof himself. The Court upon a full hearing of the matter Pro & Con now gave their Judgment that the said Sheriff was interested in the purchase of said James's land, which he the said sheriff sold by virtue of an execution directed to him as sheriff from this Court, and that said Sheriff sold said land before the personal property, and that the sale of said land be void & set aside, and that the said Adam Meek be deprived of his Office of Sheriff of this County, and that said Sheriff pay the costs of said suit. Defendant's attorney prayed an appeal to the Superiour Court which was granted, but the said attorney afterwards came into Court and withdrew his motion.

Page 51. Court adjourned untill tomorrow morning 9 o'clock.

Friday, July 12th, 1793. Court met according to adjournment. Present: Wm Hill, & Abrm Smith, Esquires, Judges.

State vs. Alexr Glass. As Overseer of the Road. Discharged.

State vs. John Brumfield. T. A. & B. Dismissed at def'ts costs.

State vs. John Baxter. Same. Dismissed at costs of John Brumfield the prosecutor.

James Ramsey vs. Dr. Charles McCrea. Appeal from the Judgment of Jos. Palmer Esqr. Continued untill next Court.

John Barron Admr vs. M. McWhorter & Shadrach Rawls. Debt. The def't by his attorney prayed an appeal to the next Superiour Court which was granted, and the said defendant entered into bond to prosecute Appeal with effect.

Page 52. State vs. Samuel Lowrie Esqr. On an Indictment found for a T. A. & B. a Nolli Prosequi was ordered to be entered.

Ordered that Mr William Fergus the trustee deliver to John Gordon Senr Notes of Hand due by persons to the County, to the amount of £.13 or thereabouts, and that said trustee take said Gordon's receipt.

Court adjourned untill Court in Course.

October Intermediate Court 1793

At an Intermediate County Court begun and held on the first Monday being the 7th day of October 1793. Present: Wm Bratton & Abm Smith, Esqrs, Judges.

Will of Mary Boyles decd was proven by Andrew Kerr an evidence thereto, approved & allowed & ordered to be recorded. Letters Testamentary to Wm Clark appointed Exr in said Will, who came and took the oath required by law.

Will of Thomas Thompson decd was proven by David Garrison and Catharine Wright, evidences thereto, approved and ordered to be recorded. Letters Testamentary to Duncan Saintclair & Wm Wright, Ex'rs named in said Will, who came & took the oath required by law.

Will of Patrick Robison dec'd was proven by Joseph Robison & Isaac Laney, evidences thereto, approved & allowed & ordered to be recorded.

Page 53. Administration of the Estate of Robert Spencer deceased granted to Thomas Spencer & John Spencer, who came & took the oath required by law.

Administration of the Estate of Thomas Neel decd granted to Widow Margaret Neel & Humphrey Williams, who came & took the oath required by law.

Ordered that Abraham Green be allowed the sum of E.14.10. for keeping Henry Fondren a poor person, exclusive of and after answering E.1.10 for Matthew Sims as a tavern tax for the year ensuing.

Will of James McCord decd was proven by David Watson an evidence thereto, approved & allowed & ordered to be recorded.

Caleb Bailey appointed constable for one year, who came and took the oath required by law.

Ordered that a Commission from this Court issue to Robert Alexander Esqr of Lincoln County, No Carolina, with the Will of Joseph Carrell Senr decd annexed, with power to convene before him John Willson Esqr to prove said Will.

Administration of the Estate of Thaddeus Reed decd granted to Widow Margaret Reed, who came, entered into bond, & took the oath required by law.

Page 54. Charles Gilmore, Ex'r of the Will of Andrew Leathem Senr, produced an Account of the expenditures of said Estate, whereby it appears that there is the sum of E.19.19.10 expended since his last accounting, said Estate to be settled by the Inventory.

William Ellis acquitted of his fine, & Martha Rigdens of E.7.3, he having assumed to pay the same to Abraham Green.

Andrew Countryman, Adm'r of the Estate of Moses Sweany decd, produced a settlement of said Estate whereby it appears that there is now in his hands of said Estate 8 shilling, 4 pence, farthing.

Present: Wm Hill Esqr, a Judge.

David Strain was appointed guardian of Catharine McFarlan Brown, & Elizabeth Strain Brown, orphan children of Samuel Brown decd, who offered Alexander Fairis & Joseph Young securities. Bound in the sum of E.200 sterling.

David Leech appointed overseer of Quinn's Road from the cross roads near Widow Jamison's to the Chester County line, in room of Allen Dowdle.

Absent: Wm Hill Esqr, a Judge.

Court proceeded to the choice of a sheriff for this County, when Richard Sadler Junr was unanimously elected to that Office by the Judges on the bench.

Court adjourned untill tomorrow morning 10 o'clock.

Page 55. Tuesday, October 8th, 1793. Court met according to adjournment. Present: Wm Hill Esqr, a Judge.

An Account of the Estate of John Fulton decd returned by Edward Moorhead the Admr, whereby it appears that the amount of said Estate now in the hands of said Admr is E.35.15.4 sterling.

Court adjourned untill tomorrow morning 11 o'clock.

Wednesday, October 9th, 1793. No Judges appearing the Clerk called Court & adjourned untill tomorrow morning 10 o'clock.

Thursday, October 10th, 1793. Court met according to adjournment. Present: Abraham Smith, Esqr, a Judge.

An account against the Estate of Absalom Willson decd was produced amounting to E.106.4.3 $\frac{1}{2}$, also 6 shillings, 6 pence, to be deducted as expenses of Administration with the Will Annexed of the Estate of James McCord decd granted to Widow Jane McCord, who came, entered into bond, & took the oath required by law.

Administration with the Will Annexed of the Estate of James McCord decd granted to Widow Jane McCord, who came, entered into bond, & took the oath required by law.

Court adjourned untill Court in Course.

February Court 1794

Page 56. At a Judiciary County Court for the County of York on the 5th day of February in the Year of our Lord 1794 and of the Independence of the united States of North America the 18th. Present: Abraham Smith, Esqr, a Judge. There bein only one Judge present Court was adjourned untill tomorrow morning 10 o'clock.

Thursday, February 6th, 1794. Court met according to adjournment. Present: Wm Bratton & Abm Smith, Esquires, Judges.

Will of Nathaniel Irwin decd was proven by Wm Kerr & John F. Garrison, evidences thereto, approved & allowed & ordered to be recorded, and Leah Erwin executrix & Jacob Julian Ex'r named in said Will came & took the oath prescribed by law.

A Jury for the next Court were drawn, who were as follows: For Grand Jurors: Alexander Henry, James Ross, William Copeland, John Copeland, John Robinson, John Berry, William Stevenson, Joseph Davie, John Eakin, Andrew Floyd, Robe Hanna, Robert Kennedy, Elijah Bailey Senr, Hugh White, Jacob Hofstittler, Robert Allison, James Jordan, John Dennis, John Darwin, & John Harris.

For Petit Jurors: William Smith, Randolph Sandlan, John McNabb, John Quinn, John Mooney, Elijah Fleming, Robert McConnel, Henry Wray, Jeremiah Cravens, David Elder, James Venables, George Elack, Thomas Randolph, Anderson Butler,

James Young Junr, John Brumfield, John Murphey, Walter McCarter, Hugh Willson, Samuel Scott, James Donnelly, John Muldoon, William Laney, James B. Fulton, Thomas Carrel, Hugh Miller, Dorus Neel, Christopher McCarter, Robert Ash & Thos Carson.

Page 57. State vs. James Givings & Nathaniel Givings. Petit Larceny. Ordered that the Recognizances stand continued untill next Court.

The Grand Jury for this Court were sworn who were: John McClenahan, foreman, Joseph McKenzie, David Johnston, Ralph Rogers, James Smith, David Porter, William Patrick, William Hanna, James Hawthorn, William Eyers Senr, James Hope, Robert Lusk, and William Burrows.

Administration of the Estate of Edward Hill deceased granted to Widow Rachel Hill who came and took the oath required by law.

Petty Jury: Robert Turner, John Scott, John Ramsey, James Meek, William Smith, Shearod Thompson, William Tomlinson, Robert McClelland, Andrew Love, Henry Tipping, John Ellis & Hugh Cain.

H. Craig & Wm Lowrey vs. Jos. Black & H. Creswell. Sum. Pro. Judg't by default as to H. Creswell & Judg't confessed as to Jos. Black according to the note with interest & costs.

Page 58. Court adjourned untill tomorrow morning 10 o'clock.

Friday, February 7th, 1794. Court met according to adjournment. Present: Wm Bratton & Abrm Smith, Esq's, Judges.

Planner Wingate appointed constable for one year, to qualify before Hugh White Esqr.

Caleb Bailey granted license to keep a tavern at his dwelling house for one year, he complying with the Law in that case made & provided.

Arthur Clark vs. James Donnelly. Appeal from the Judgment of James Willson Esquire. Judgment reversed.

Colo Wm Graham vs. William Copeland. Debt. John Logan came and enters himself security for costs, the Pf living out of this State.

David Stephenson vs. George King Senr. Case. Dismissed at Def'ts costs.

Martha Swann, Samuel Swann, & Wm Laughlin vs. Oliver Wallace & Joseph Wallace. Sum. Pro. Jury: James Meek, Robert McClelland, William Tomlinson, John Ellis, John Ramsey, William Smith, Henry Tipping, Shearod Thompson, Hugh Cain, Robert Turner, Richard Sadler Senr, & John Finley. Find for the plaintiff £2.10 old currency with interest from the settlement to the time of the tender, plaintiff to pay costs of suit.

Page 59. William Graham vs. William Copeland. Debt. Dismissed at Def'ts costs.

William Davis vs. Samuel Lowrie. Appeal from the Judgment of Alex. Moore Esquire. Judgment of the Justice affirmed.

State vs. Robert Lesley. Trespass, Assault & Battery against Joseph Kerr, a constable. Jury: James Meek, Robert McClelland, William Tomlinson, John Ellis, John Ramsey, William Smith, Henry Tipping, John Willson, Shearod Thompson,

Hugh Cain, Robert Turner, & John Finley. Find the defendant guilty. Court fined him one Guinea and costs.

Court adjourned untill tomorrow morning 10 o'clock.

Saturday, February 8th, 1794. Court met according to adjournment. Present: Wm Hill & Abrm Smith, Esquires, Judges.

William Davis vs. McCormick & Sparks. Appeal from the Judgment of Francis Adams Esqr for £4.19.6 & costs. Judgment of the Justice affirmed.

Page 60. Joseph Jackson vs. Alex. Candlish. O. Att. James Stuart, garnishee, says he owes said Candlish by note of hand £7.10 payable in produce at cash price, which note has been due about 3 months. Widow Frances Bennet, garnishee, says that she believes by the information of other people that her husband owes one years rent of the land she now lives on, Viz, 3 thousand weight of tobacco or 3 thousand weight of flour, that her husband rented the land from Matthew Knox, and she expects said Knox will claim the payment of the rent, that she has heard that the rent was for Candlish's use, but cannot tell whether or not.

Jane Hope & others vs. James Martin. Debt. Judgment confessed according to Specialty with interest & costs of suit, with stay of execution one year.

State vs. Robert Lesley. Trespass, Assault & Battery against John Gordon Junr. Jury: James Meek, Malcolm Henry Esqr, Thos Gillham Esqr, Hugh Cain, William Smith, John Ramsey, Robert McClelland, Robert Turner, William Tomlinson, John Ellis, Henry Tipping & James Robertson. Find defendant guilty of a breach of the peace. Court fined him half a guinea & costs and orders that he give security for the payment of his fines, otherwise that he be taken & kept in custody untill they are paid.

Page 61. Sarah Swann Admx vs. John Hood. Case. Left to the arbitrament of James Meek, Francis Adams Esqr, Francis Gillmore Senr, Jonathan Sutton, James Martin, & William Love Esqr and any person of their choice in case they cannot agree, and their award to be the Judgment of this Court.

Alexr Love Junr vs. Robert Patterson. Appeal from the Judgment of Wm Love Esqr. Judgment of the Justice affirmed.

Will of James Murphey deceased proven by John Beard & Thomas Hale, evidences thereto, approved & allowed, and Ordered to be recorded.

State vs. Jos. Howe Senr & Jos. Howe Junr. Petit Larceny. The Indictment not being found, the Def'ts were ordered to be discharged.

Samuel Hemphill vs. Mary Hemphill Ex'x. Sum. Pro. Jury: James Meek, John Ellis, Samuel Burns, Robert McClelland, William Tomlinson, Robert Turner, William Smith, James Young, Henry Tipping, Thomas Gillham Esqr, Malcolm Henry Esqr, & John Finley. Plaintiffs attornies suffered a nonsuit.

David Porter vs. Adam Meek. Sum. Pro. Left to the arbitrament of John McCaw & Andrew Love.

Page 62. William Lockhart vs. Newman Willson. Appeal from the Judgment of James Willson Esqr for £2.6.8 & costs. Judgment of the Justice reversed.

Court adjourned untill tomorrow morning 10 o'clock.

Monday, February 10th, 1794. Court met according to adjournment. Present: Wm Bratton & Wm Hill, Esq'rs, Judges.

State vs. James Carrel. Prespass, Assault & Battery against John McCall & William Love. Defendant submitted to the Court who fined him 1 guinea and costs. John Hatchford enters himself security to see said fine paid.

Col. Frederick Hambright & Wm McElwee Junr appointed Commissioners & Overseers to lay out & open a road from where a new road comes from Rutherford at Walter Crawford's to the Kings Mountain Road.

Present: Joseph Carrel Senr vs. William Hill Esqr. Case. Jury: James Meek, Hugh Cain, Robert Turner, James Young Junr, Shearod Thompson, William Smith, Henry Tipping, William Tomlinson, John Ellis, Robert McClellan, Alexander Glass, & Robert Creswell, two of said Jury being tales-men. Find for plaintiff & assess his damages to £.20 with costs of suit. Court gave Judgment according to the verdict. Defendant's attorney moved for a new trial which was granted upon payment of costs. A Ded. Po. issued to take the deposition of () Graham before Alex. Irwin Esqr & the next Justice of the peace of Mecklinburgh County, No. Carolina as testimony in said cause.

Page 63. James Reed vs. John Marley. On Sci. fa. as Bail for Saml Swann Senr. Judgment confessed with stay of Ex'n four months.

William Laughlin vs. Robert Campbell. O. Att. William Henry Junr and John Venables Senr, garnishees, says they have each one barrel of Indigo, both they suppose and were told will weigh 300 lbs which is all in possession of s'd John Venables at this time. Alex. Henry, also being sworn, says that there was a bucket & a basket thrown into his waggon which he has in possession but does not know whether they are Campbell's property or not.

Ordered that the property of the Estate of John Barnet dec'd be sold by the Adm'rs on a credit of two years, said Administrators giving legal notice.

Page 64. Samuel Gordon vs. Andrew McClain. Debt. Judgment confessed according to the note with interest and costs of suit.

Samuel Swann Junr vs Adm'rs of John Swann. Summary Process, and the said Adm'rs against s'd Samuel Swann. Left to the arbitrament of Adam Meek & Sam'l Burns & any person of their choice in case of their disagreement. Their award to be the Judgment of this Court.

William Laughlin Junr vs. Robert Campbell. O. Att. Capt. James Martin enters himself special Bail, to replevy the property attached, and engages to deliver up the body of s'd Robert Campbell to the sheriff on execution, otherwise he will be liable for the costs & condemnation money. Signed in open Court.
James Martin

William McMullen vs. Rachel Ross & Jas. Martin. Debt. John Gordon Senr entered himself security for costs, the Pf living out of this State. Signed in open Court.
John Gordon

Edward Moorhead vs. Hugh Means. Appeal from the Judgment of Francis Adams Esqr. Judgment of the Justice reversed.

Court adjourned untill tomorrow morning 10 o'clock.

Page 65. Tuesday, Feb. 11, 1794. Court met according to adjournment. Present: Wm Bratton, Wm Hill & Abrm Smith, Esqrs, Judges.

State vs. John McClain. Rescue. Dismissed for want of prosecution.

State vs. John Hogg. Vagrancy. Ordered to be discharged.

Same vs. E. Bailey Senr. For keeping a disorderly tavern. Def't discharged upon payment of costs.

Same vs. Matthew Black. For converting 2 estrays to his own use. Prosecution discharged upon his giving note with security to the Clerk for the value of such Estrays & paying of costs.

George Patterson vs. David McCarter. Appeal from the Judgment of M. Henry Esqr Judgment of the Justice affirmed.

Same vs. same. Same, from the Judgment of Wm Love Esquire. Same order.

Same vs. same. Same, from the Judgment of Francis Adams Esqr. Same order.

John James vs. John Dickson. Appeal from the Judgment of M. Henry Esqr. Judgment of the Justice affirmed.

Page 66. Joseph Carrel vs. Matthew Dickson. O. Att. Robert Allison, garnishee, says that he owes Matthew Dickson the balance of a Judgment of this Court, but he cannot tell the exact sum untill it is calculated by the Clerk. Capt. Adam Meek being also sworn, says he has a small sum, the balance of an Installment which he collected on Execution as Sheriff, but does not know the exact sum, but will ascertain it. Sarah Willson, alias Sarah Swann, Admx of the Estate of John Swann decd being also sworn, says that John Swann decd was, and the Estate is now indebted to Matthew Dixon a sum by note of hand originally given to Newberry Stockton, that sum part of said Note was paid soon after it became due, and that Robert Smith promised to pay the balance due on said Note, and unless s'd Smith has paid it, the remainder is still due to M. Dixon by her deceased husband's Estate.

State vs. Alex. Love Junr. On traverse of indictment for a Trespass, Assault & Battery against John Willson. Jury: James Meek, John Ellis, William Smith, Hugh Cain, William Tomlinson, Robert Turner, James McElwee, William Davidson, Alexander Glass, Henry Tipping, Robert Faries, & Elijah Fleming. Find the defendant guilty. Court fined him half a guinea & costs and ordered that he be kept in custody of the sheriff or give security for the payment of said fine.

Page 67. John Wallace vs. George Taylor. Appeal from the Judgment of Thomas Gilham Esqr. Judg't of the Justice reversed.

Abrm Pearce & Wm Burrows vs. Joseph Lyons. Appeal from the Judgment of Francis Adams Esqr. Judgment of the Justice affirmed.

John Egleston vs. George Patterson. Debt. Judgment confessed by Def't with stay of execution untill next Court.

John Walker vs. Philip Sandifur. Sum. Pro. Decree confessed according to the demand with a stay of execution 3 months.

John Doherty vs. Saml Hart. O. Att. John Polk, garnishee, says Hart had in his pen a small stack of fodder and some hay which was also thrown into said pen, tha there was some corn put upon his sheep house loft, which corn is now gone & the h rotten, that he had no charge of said property, and that he told the Constable he would not.

William Young vs. Hugh Miller. Case. Jury: Same as above, with James Young Junr taking the place of Elijah Fleming. Find for the plaintiff E.11.4.1 with costs. Court gave Judgment according to the verdict.

Page 68. Thomas Nesmith vs. S. Starlings & John Harris. Sum. Pro. Decree according to the Note with interest & costs of suit.

William McMullen vs. Rachel Ross & Jas. Martin. Same jury. Find for the plaintiff according to the note with costs of suit. Court gave Judgment according to the verdict.

Ordered that a certain Negroe Girl named Jin belonging to the Estate of John Swann decd be sold by the Administratrix & Administrators of said Estate, at the Court House, on a credit of 18 months, said Adm'rs giving legal notice.

James Ramsey vs. Dr. Charles McCrea. Appeal from the Judgment of Samuel Youngue Esqr, a Justice of Fairfield County, & Execution countersigned by Joseph Palmer Esqr a Justice of this County. Ordered that the proceedings of Capt Palmer on the execution be annulled & the matter dismissed.

Alex Love Junr vs. John Chambers. Appeal from the Judg't of Francis Adams Esquire. Judgment of the Justice affirmed.

Page 69. Court adjourned untill tomorrow morning 10 o'clock.

Wednesday, February 12th, 1794. Court met according to adjournment. Present: Wm Bratton, Wm Hill & Abrm Smith, Judges.

Ordered that the property of Samuel Brown decd be sold at publick sale by the Adm'rs on a credit of 12 months at the house of David Neely, the said Adm'rs giving legal notice.

Pages 69-70. Joseph Lyons vs. Alex Love Junr. Case. Upon a new trial. Jury: Francis Adams Esqr. Wm Patrick, Joseph Howe, Robert Turner, James Young, James Pinkerton, Alex. Glass, Robert Faries, John Fairis, William Copeland, Wm Byers Senr, & Wm Smith. Find for the plaintiff E.15.18.9 and costs of suit. Court gave Judgment according to the verdict. On motion of Mr. Lowrie for setting aside the verdict & granting a new inquest for the reason that one of the jurors, Robert Faries a tales man said after the verdict delivered into court that he was dissatisfied with it & never liked it, and another Juror William Byers a tales-man said at the said time & before the Court had signed the minutes that he never agreed to the verdict, that he did not now agree to it nor think it right. Upon being overruled in his motions he excepted to the opinion of the Court & prayed an appeal. The plaintiff objected to the motion, this being a second verdict in the same cause, and the Jurors not having mentioned their dissent untill the verdict was read & recorded & the Jury retired from the Court & separated.

Page 70. John Gordon Senr vs. James Swann. O. Att. Samuel Rowan summoned as garnishee says that he owes James Swann E.5.5.9 Ster'l. Decree for the plaintiff for the sum of E.8.6.1, the above E.5.5.9 to be made of the property of Samuel Rowan, as due by him to James Swann.

Robert McKnight vs. Thomas Turner. Appeal from the Judgment of Joseph Palmer Esqr. The proceedings before the Justice appearing to be improper the Court orders a non-suit.

Joseph Boggs vs. John Egleston. Appeal from the Judgment of Joseph Palmer Esqr. Ordered to be dismissed at the appellants costs.

Page 71. Hugh Miller vs. Alex. Love Junr. Debt. Jury: James Meek, John E James McElwee, Robert Turner, William Smith, Alex. Glass, James Young Junr Hugh Cain, Henry Tipping, Samuel Burns, Elijah Fleming, & William McNabb. Find for the plaintiff according to the note with interest and costs of suit. Court gave Judgment according to the verdict.

Samuel Swann & others vs. Joseph Wallace. Sum. Pro. The parties agree that Wallace shall retain in his own hand the sum that the Jury found for the plai and that each of said parties is to pay their own costs.

Andrew McClain vs. Shadrach Rawls. Debt. Defendant came into Court & confes judgment according to the note, with interest & costs of suit.

Court adjourned untill tomorrow morning 10 o'clock.

Thursday, February 13th, 1794. Court met according to adjournment. Present: Hill & Abrm Smith, Esquires, Judges.

Joseph Carrel vs. Matthew Dickson. O. Att. Judgment by Default.

Page 72. John Owens Admr vs. William Davis. Sum. Pro. Decree for the plain for E.5.13 with interest from the date of the Account assumed & costs of suit

Alexander Love Junr vs. John Egleston. Sum. Pro. Laid over untill next Cour Richard McMillan vs. Joseph Moore. Debt. Judgment by default according to t note with interest & costs of suit.

John McCance vs. Thomas Carrel Junr. The Def't being a minor the Court order that Abraham Nott Esqr appear & plead for the said Def't as Guardian.

John Henderson vs. Godfrey Adams. O. Att. Upon motion of the defendant's at to quash the attachment because it was illegally obtained, the Court were of that it was illegally obtained and that it be quashed.

John Allgood vs. Morgan Regan. Case. Jury: James Meek, William Smith, Ro Turner, Henry Tipping, James McElwee, Alexander Glass, Joseph Boggs, Jam Young Junr, John Faries, Elijah Fleming, James Hemphill, & Daniel William Find for the plaintiff E.8.10.6. Court orders that Dr. Allison & John Howe a another of their choice if they can't agree settle off some sets that are aga said Judgment which when settled are to go in discharge.

Page 73. Hugh Miller vs. Alex. Love Junr. Case. Defendant's attorney moved a new trial, which the Court refuses as no legal reasons have been offered.

John McElwee & wife vs. Sam. Burns, Wm Fergus & Wm Burns. Debt. Judgment co fessed by Sam'l Burns for E.13.1.4½ & costs, & Judg't by default as to Wm Bur & Wm Fergus.

Grace Lesley vs. the same. Debt. Judgment confessed by Sam'l Burns the Adm' for the sum of E.13.1.4½ with costs ex'n in both the afs'd cases to be stayed months. Judgment by default as to Wm Burns & Wm Fergus.

Dr. John Allison appointed overseer of the road from Biggers Ferry to the Iro Works.

Alex. Faries, Cap'n, appointed overseer of the road from the old Nation Ford Matthew Brown's in aid of Robert Creswell.

Joseph Moore appointed overseer of the road from his own house to McClenahans Ferry, and William Hart from Joseph Moores to the Iron Works.

James B. Fulton appointed overseer of the road from the Iron Works to Thomas Carrel Senr.

Joseph Boggs vs. Dr Jon'a P. Bishop. O. Att. Upon motion of the Def'ts attorney to quash the attachment, the Court were of opinion that the attachment was legal and that the Assignee of the books stand upon the same footing as other creditors. Court decrees that the plaintiff recover against the def't the sum of £.3.14.6, with interest & costs of suit.

Page 74. Alex. Love Junr vs. Dr Jon'a P. Bishop. O. Att. Judgment ordered to be entered by default, and ordered that the cause lie over untill Capt. Palmer can satisfy the Court whether the Attachment was legally granted.

William Burns & Samuel Burns vs. Joseph Holt. On two attachments. Ordered that a Ded. Po. issue to 3 Justices of Sumner County, in the Western Territory, to take the depositions of William Donnel & wife as testimony in said causes. And another to Wm Love Esqr to take the deposition of said Wm Burns in said causes de bene esse. And another to 3 Justices of () County, No Carolina, to take the Depositions of () as testimony in said causes.

Court adjourned for half an hour. Met according to adjournment. Present: Wm Bratton, Wm Hill, & Abram Smith, Esq's, Judges.

Ordered that the work done & Materials provided for the Court House by Shadrach Rawls be submitted to the valuation of John Currence & John Swann & any person of their choice in case they cannot agree, and that said Rawls shall be paid for what is already done & provided according to what the said arbitrators shall determine.

Page 75. John McCall, John Bates & John McCaw appointed commissioners to contract for the finishing of said Court House agreeable to the plan first entered into with Shadrach Rawls.

John McCaw appointed Trustee for this County & allowed 3 pounds per annum.

Ordered that the Trustee pay John Gordon Senr £.17 on account of his building the Gaol of this County.

David Dickson vs. Samuel Burns. Debt. Judgment confessed according to the notes with interest & costs, the def't to give property by the 27th of this month in discharge of said Judgment and pay the costs.

Jane Lowrey & Henry Craig vs. James Martin. Debt. Judgment confessed according to the notes with interest & costs of suit, the money to be depreciated by the scale from the month of September previous to the date of the notes.

Court adjourned untill Court in course.

May intermediate Court 1794

Page 76. At an intermediate County Court begun & held on the first Monday, being the 5th day of May, in the Year of our Lord 1794, and of the Independence of the united States of North America the 18th. Present: Abraham Smith, Esqr, a Judge.

Ordered that the following persons be overseer of the different parts of the road in this County, as hereafter mentioned, for the ensuing year, viz.

Hugh Cain, of that part of Quinn's Road, from Moore's Creek to the ford of Bu locks Creek, in room of James Powell.

Valentine Horsley, from the No. Carolina line near Dr. McClain's Mill to the ford of Crowders Creek in the room of Samuel Matthews.

John McCall, from the Iron Works to the Court House, in room of Elijah Bailey Senr.

William Tomlinson, of the road passing his own house, from the No. Carolina line to the middle of Allison's Creek, in room of John Patterson.

Isaac Smith, from Mays's Ferry to Abraham Smith's Esqr, in room of John Darwin. Peter Quinn from Buffaloe Creek to the cross roads at Hugh Quinn's Senr in room of Abraham Green.

James Nickells from the No. Carolina line near Hugh Gordon's to Allison's Creek in room of Robt. Fairis.

Page 77. John Gordon Senr from the No. Carolina line near Hugh Gordon's to the Charleston Road above his own house.

Daniel Ponder from thence to where the Road strikes the ridge, at the cross p. between said Ponder's & John Manning's, and Henry Smith from thence to Smith's f.

Joseph Gabby from Thomas Carrel's Senr to the Court House, in room of John Gabby.

Robert McClellan from the old Nation ford to the house of Alex. Richey on the Stoney fork of Fishing Creek.

Samuel Moore from thence to Chester County line.

Randal Sandlin of Quinn's Road, from Kings Creek to Gavin Moore's Creek.

John McClenahan, John Drennan & Henry Creswell appointed commissioners to lay out and mark a road from McClenahan's Ferry to the Iron Works and to keep said road in repair.

Joseph Carrel Senr vs. William Hill Esqr. Case. Ordered that a Ded. Po. issue to three Justices of the Peace, () County, No. Carolina, to take the depositions of John Rice as testimony in said cause. Also another to three Justices of Elber County, State of Georgia, to take the deposition of John Kenslor as testimony in said cause.

Page 78. Ordered that a Ded. Po. issue to three Justices, () County, State of Virginia, to take the acknowledgement of William Johnston to a deed of conveyance made by him to Thomas Gould.

William Carr one of the Adm'rs of the Estate of James Reed decd returned an Account of said Estate, whereby it appears that the amount of said Estate is £.68.17.9, that there is due by obligations £.64.2.1 and by open accounts £.46.19.2.

Benjamin Enloe appointed constable for 1 year, to take the oath required by law before M. Henry Esqr.

Abraham Green allowed the sum of £.7 Ster'l for keeping Mary Moore a poor person, to be paid by the trustee as soon as convenient.

John Sandlin allowed the sum of £.4.9.8 for keeping one McBee a poor person for 8 months & providing a coffin &c for his funeral.

John Egleston & James Lyons granted tavern licenses to keep taverns at their respective dwelling houses (and at no other place whatever) for one year from this date, they complying with the law in that case made and provided.

Ordered that Joseph Smith a Minor (son of Joseph Smith late of the State of Georgia decd) be bound an Apprentice to Matthew Smith untill he come of age, who is to learn him the waggon maker trade, and to give him reasonable schooling, and give him when free to the amount of E.16 in a horse worth E.10 & a suit of cloaths at E.6, and that the Clerk sign an Indenture for that purpose.

Page 79. Ordered that the Trustee pay Samuel Neely 3/ which he paid to the Justice for posting an Estray.

Widow Margaret Reed allowed 4 Dollars for raising an Estray Bull which has been sold.

Christopher Thompson appointed Deputy Clerk for this County, and the said Christopher Thompson came into open Court and took the oath required by law.

Ordered that Charles Doudwell, a poor boy, be bound apprentice to Matthew Black untill he comes of age, who is to learn him plantation business, and give him reasonable schooling, and a horse (if he is able) when free, and that the clerk sign an Indenture for that purpose.

Abraham Smith Esqr wished for tavern license, but as no Judge but himself was present, it was laid over untill next Court.

William Byers and Abraham Green resigned their places of Overseers of the Poor.

William Byers allowed E.7.10 for keeping Robert Bigger a poor person one year.

Court adjourned untill tomorrow morning 10 o'clock.

Page 80. Tuesday, May 6th, 1794. Court met according to adjournment. Present: Abraham Smith, Esqr, a Judge.

John Murphey, one of the executors named in the Will of James Murphey deceased, came and took the oath required by law. Richard Sadler the other Ex'r sent his relinquishment in writing into open court.

Samuel Barnet and Ann Barnet (orphan children of John Barnet decd) came and chose John Murphey their guardian, and ordered that the said John Murphey be appointed guardian of John Barnet a minor, under the age of discretion to choose for himself, brother to the above children, and the said John Murphey entered into Bond.

Court adjourned untill next Court in Course.

July Court 1794

At a Judiciary Court begun and held at the Court House, on Saturday, the fifth day of July Anno Domini 1794, and of the Independence of the united States of North America the 19th. Present: Wm Bratton, Esquire, a Judge. There being only one judge present, the clerk called court and adjourned untill Monday morning 10 o'clock.

Page 81. Monday, July 7th, 1794. Court met according to adjournment. Present: Wm Bratton & Wm Hill, Esquires, Judges.

A Jury for the next Court were drawn: James Robison, John Carson, Senr, Robert Bratton, Joseph Clark B. R., Samuel Moore, John Baxter, Andrew Creswell Senr, Jonathan Sutton, Col. Samuel Watson, Samuel Gordon Senr, Adam Miller, Moses Leatham, Joseph Bogg, Robert Lusk, James Smith F. C., William Chambers, William Irwin, William Duncan, William Duncan (sic), William Dale, & Francis Adams Esqr,

for Grand Jurors.

And William Rainey, John Smith, John Waters, Joseph Willson, John Scott, Wm McElwee Junr, John Gebie, ~~Thos~~ Duncan, Silas Starlings, John Marley, Alex Hill, Hugh Quinn Junr, Samuel Lambeth, John Hall, John McKee, Robert John Junr, Valentine Horsley, James Richardson, John Blakeny, Jacob Black, Wil McBryer, Joseph Howell, Gideon Smith, William Robertson, James Nickolls, Henderson I. L., John Feemster, Joseph Collins, John Morris, & Thomas Wall for petit jurors.

The Grand Jury for the present Court were sworn and charged, who were: John E (foreman), James Ross Senr, John Copeland, John Robinson, John Berry, Wil Stevenson, Robert Hanna, Robert Kennedy, Elijah Bailey Senr, Hugh White, Hofstittler, Robert Allison & James Jordan.

Page 82. Sarah Swann Admx vs. John Hood. Case. Award returned as follows: Hood pay to Sarah Swann & others alluded to in this order the sum of E.11.13.4 sterling & costs of suit. 20th Feby 1794.

Fras Adams
Jon'a Sutton
James Martin
James Meek
Francis Gilmore

Petit Jury: James B. Fulton, James Donnelly, Hugh Willson, William Laney, Thomas Carrel, John McNabb, Hugh Miller, Walter McCarter, Henry Ray, Jame Venables, Christopher McCarter & John Mooney.

William McClendal vs. David Beard. Debt. Left to the Arbitrament or final demination of Joseph Palmer Esqr, Gen'l Lacey & James Mitchell, their award to b the Judgment of this Court.

Page 83. Robert Carson vs. John Gordon Junr. Slander. Jury before mentioned Find for the plaintiff E.2.5 with costs of suit. Court gave Judgment according to the verdict, and a new trial was prayed and granted upon payment of costs.

Archibald Steel vs. Alex. Love Junr & Henry Creswell. Debt. Judgment confess by s'd Alex Love & Henry Creswell in person according to specialty with intere and costs of suit, with stay of execution untill February Court.

Archibald Steel & Wm Davidson vs. William Hill Esqr. Debt. Judgment confesse by the Def't in person with stay of execution untill next Court.

Court adjourned for an hour. Met according to adjournment. Present: Wm Brat Wm Hill & Abrm Smith, Esq'rs, Judges.

Elizabeth Willson vs. Moses Thompson. Case. Dismissed at plaintiff's costs.

Joseph Jackson vs. Alex. Candlish. O. Att. Same Petit Jury. Find for the pl tiff E.24.0.8 with interest and costs of suit. A motion was made that the Jur ascertain the value of what is in the Garnishee's hands, which the Court agree to as to Mrs. Bennet, which said Jury find for the plaintiff 300 weight of tob or flour, to be delivered to the sheriff by the 25th of December, or pay 60 do

Page 84. James Hemphill vs. John Beard. Left to the decision or final determ tion of Alex Moore Esqr, Thomas Black & James Ramsey, they to meet on the last Thursday in July at the house of Thomas Black, and their award to be the Judgm of the Court.

Court adjourned untill tomorrow morning 9 o'clock.

Tuesday, July 8th, 1794. Court met according to adjournment. Present: Wm Bratton, Wm Hill & Abrm Smith, Esq'rs, Judges.

Kerr & Thompson in Co., & also John McCall granted licenses to keep taverns at their respective dwelling houses in Yorkville for one year from this date, they complying with the law in that case made and provided.

Page 85. The State vs. Hugh Allison & Susanna Watson. Bastardy. Hugh Allison submitted to the Court who fined him 11/6 and costs, and Susanna Watson the same sum. Hugh Allison agrees to pay both of said fines and gives Alex. Allison Senr security for the payment thereof by next Court. Acknowledged & signed in open Court.
Hugh Allison
Alexr Allison

The State vs. James Givens & Nat. Givens. Hog-stealing. Jury: James B. Fulton, Hugh Willson, William Laney, Thomas Carrel Senr, John McNabb, Hugh Miller, Walter McCarter, Henry Ray, James Venables, Christopher McCarter, John Mooney, & Elijah Fleming. Find the defendants not guilty.

²³ John Love vs. John Brumfield. Trover. Left to the arbitration of Col. Andrew Love, Dr. Allison & Capt. Creswell, their award to be the Judgment of this Court.

Court adjourned for an hour. Met according to adjournment. Present: Wm Bratton, Wm Hill & Abrm Smith, Esq'rs.

²² Page 86. Edw'd Moorhead, Admr, vs. James Pinkerton. Trover. Left to the arbitration of Abrm Smith, Col. Love & Malcolm Henry Esq'rs, their award to be the Judgment of the Court.

Thomas Bridges allowed ~~14~~ shillings by the County for keeping an Estray Colt.

James Dittey vs. John Blakeny Junr. Sum. Pro. Left to the final determination of James Mitchell, John Martin & Joseph Palmer Esqr, their award to be the Judgment of the Court.

John Johnston vs. Edw'd Moorhead. Sum. Pro. Award returned as follows: Edward Moorhead is to pay E.1.4.2. to s'd John Johnston, and to pay the Clerk and Sheriff's fees, each man pays his own attorney. February 22d day, 1794.

Abrm Smith
And'w Love

Page 87. AERA Proprietors vs. William Byers Senr. On Sci. Fa. Judgment ordered to be entered against defendant and by default, according to specialty with interest and costs of suit.

The State vs. John Gordon. On an Indictment for an Assault & Battery against Agnes Bradley. Jury: Same as above. Find the defendant not guilty.

William Byers, Samuel Byers, David Porter, & Wm Harris, legatees of David Byers Senr dec'd, against Sarah Byers, Margaret Byers & John Carson the other legatees. On prayer of the plaintiff's to set aside the Will of the said deceased. Motion made by Abraham Nott, attorney for the defendants, that the Will of said David Byers dec'd be proven & admitted of record, the consideration of which was ordered to lie over untill tomorrow morning.

Court adjourned untill tomorrow morning 9 o'clock.

Page 88. Wednesday, July 9th, 1794. Court met according to adjournment. Present: Wm Bratton, Wm Hill & Abrm Smith, Esqrs, Judges.

Ordered that Caleb Bailey be allowed the sum of E.1.6 for constables services in apprehending Col. Howe & son, summoning witnesses, &c., also that John Bates be allowed 5/6 for constables services in proceedings against John Blakeny Junr a petit Juror.

William Byers &c vs. the other legatees of D'd Byers Senr decd. Mr. Nott renew his motion for proving and recording the last Will of said deceased. The plain tiffs pleads that the testator was insane and unfit to make a Will, which the d dants denies. Jury: James B. Fulton, Hugh Willson, William Laney, Thomas C. Senr, John McNabb, Hugh Miller, John Marley, Samuel Gordon, James Venables Christopher McCarter, John Mooney & Elijah Fleming. Jury find a good Will. Court gave Judgment according to the verdict.

Court adjourned for an hour. Met according to adjournment. Present: Wm Bratt Wm Hill & Abrm Smith, Esq'rs, Judges.

Page 89. Samuel Swann Junr vs. the Adm'rs of John Swann decd, and also the said Adm'rs vs. the said Sam'l Swann. On Sum. Pro. An award was returned as follow: Both suits shall be quashed, and each of them pay their own costs in the suit commenced by them. Signed by us:

A. Meek
Samuel Burns
Jos. Wallace

Yorkville, the 8th July 1794

John Garwen vs. Silas Starlings & John Harris. Sum. Pro. Decree confessed according to specialty, allowing the credits with interest and costs of suit. Ex'n' is stayed 7 weeks.

Will of David Byers Senr decd being proved in open court by Samuel Watson Esqr, Revd James Templeton and John Watson, evidences thereto, was approved and allow and ordered to be recorded, and Sam'l Watson & John McCaw Esq'rs & William Byer Exors named in said Will came into open Court and took the oath required by law

Page 90. James McCall Senr vs. David McMeekan. O. Att. Jury: James B. Fulto Daniel Williams, James Fergus, Elijah Fleming, Thomas Carrel Senr, James Venables, John McNabb, Christopher McCarter, William Laney, John Mooney, Hugh Willson and Hugh Miller. Find for the plaintiff and assess his damages to E.4 with costs of suit. Court gave Judgment according to the verdict.

The State vs. Joseph Henderson. On Recognizance for keeping the peace towards citizens of this State, and particularly towards John McClure. Ordered that sa recognizance be continued and the securities bound untill next Court.

Court adjourned untill tomorrow morning 9 o'clock.

Thursday, July 10th, 1794. Court met according to adjournment. Present: Wm H & Abrm Smith, Esq'rs, Judges.

Sarah Swann Admx vs. Samuel Swann Senr. O. Att. Dismissed at plaintiff's cost

Samuel Swann Senr vs. Sarah Swann Admx. Case. Dismissed at plaintiff's costs.

Page 91. Mary Carrel vs. John Gordon Senr. On Sci. Fa. Judgment by default.

Peter Galloway vs. William Porter. O. Att. Judgment by default & Judgment ag: the garnishee according to the note with interest & costs of suit.

James Reed vs. Samuel Swann senr. Debt. Abraham Enloe the Indorsee of the Note allows one half of the original Judgment to be paid to the heirs of same James Reed.

John Egleston vs. James Patterson. Sum. Pro. Decree for the plaintiff for E.4.13.8, with interest from the 5th of February last, with costs of suit.

Present: Wm Bratton Esqr, a Judge.

William Byers & others vs. the other legatees of D'd Byers Senr decd. On motion of the plaintiff's attorneys for a new trial, the Court were of opinion that a new trial be granted, and that the executors suspend their acting on the Will untill said trial is had, and that the recording of said Will lie over untill then.

John Egleston vs. Abraham Enloe. O. Att. On motion of the Def'ts attorney to quash the attachment by reason of defect of form, the Court orders that the attachment be quashed accordingly.

Page 92. John McKnit Alexander vs. Capt William Patrick. In 2 suits. Col. Love enters himself security for costs, the plaintiff living in No. Carolina.

William Burns & Saml Burns vs. Joseph Holt. O. Att. Ordered that a Ded. Po. issue to three Justices of Rutherford County, No. Carolina, to take the deposition of Gen'l McDowall, as testimony in said cause.

Andrew Leatham vs. Charles Gilmore Ex'r of And'w Leatham Senr decd. Case. Jury: James B. Fulton, Thomas Carrel Senr, Hugh Willson, Capt Wm Patrick, Elijah Fleming, Robert Kirkpatrick, Joseph Gebie, John McNabb, Edw'd Moorhead, Christopher McCarter, William Laney & John Finley. Find for the plaintiff and assess his damages to E.8.19.2 with costs of suit, and the Court orders that only the costs of a summary process be taxed.

Will of Nathaniel Henderson decd was proven by Thomas Carrel Senr and Joseph Carrel Junr evidences thereto, approved and allowed and ordered to be recorded, and Samuel Henderson one of the executors named in said Will came and took the oath required by law.

Page 93. Ordered that the property of the Estate of sd Nathaniel Henderson decd be sold by the Ex'r at the said deceased's plantation on a credit of 12 months, except about the amount of E.25 which shall be sold on a credit of 10 days, to satisfy some Judgments which are against said Estate.

Alexander Lackey vs. Dr. Charles McCrea. Appeal from the Judgment of Wm Love Esqr. Ordered to be continued, and that Wm Love Esqr attend next Court to produce the papers in said cause.

Thomas McFarland vs. William Scott, Admr of the Estate of Jno Brians decd. Debt. Jury: James B. Fulton, John McNabb, Thomas Carrel Senr, William Laney, Christopher McCarter, Hugh Willson, Elijah Fleming, Daniel Williams, Alexander Ramsey, Samuel Carson, John Wisher & John Finley. Find for the plaintiff according to specialties liable to the depreciation of the Scale of Pennsylvania. Court gave Judgment according to the verdict.

Page 94. Court adjourned for half an hour. Met according to adjournment. Present: William Hill & Abrm Smith Esq'rs, Judges.

William Burns vs. John Gilmore. O. Att. Judgment ordered to be entered by default.

Edward Scarbrough vs. James McCall Senr. Case. Ordered to be nonsuited.

William Spair vs. Benedick Alderson & John Polk. Debt. Judgment by default according to specialty, with interest and costs of suit.

Alexander Candlish vs. Benedict Alderson. Case. Judgment by default.

George Walker vs. Francis Adams Esqr. Debt. Jury: James B. Fulton, John McNabb, John Finley, John Wisher, Capt. William Lytle, Demcy Winburn, Thomas Carrel Senr, William Laney, Christopher McCarter, Elijah Fleming, Robert Kirkpatrick, & Hugh Willson. Find for the defendant with costs of suit. Court gave Judgment according to the verdict.

Samuel Burns vs. John Marley. Slander. Left to the determination of Col. Bratto And'w Floyd, James Meek, James Martin and Malcolm Henry, their award to be the Judgment of this Court.

Page 95. John McCaw vs. Philip Sandifur. Slander. Jury: James B. Fulton, The Carrel Senr, Edward Moorhead, Christopher McCarter, John McNabb, Hugh Willson, Elijah Fleming, Wm Laney, John Wallace, John Wisher, Robert Kirkpatrick and John Finley. Find for the plaintiff and assess his damages to E.20 with costs of suit. Court gave Judgment according to the verdict.

John Gordon Senr vs. James Swann. O. Att. Referred to Adam Meek, Abraham Smith, James Martin, Wm Love & James Willson Esq'rs, and their award to be the Judgment of the Court.

David Allen vs. Thomas Smith. Appeal from the Judgment of James Willson Esqr. Judgment of the Justice affirmed.

David Porter vs. Richard Sadler. Appeal from the Judgment of Joseph Palmer Esqui Judgment confessed by Porter, with stay of Ex'n 2 months.

Robert Carson vs. John Gordon Junr. Slander. New trial granted with payment of costs (marked through).

Page 96. Ordered that the Clerk issue executions for all fines &c which have been due more than one year.

Court adjourned untill Court in course.

October intermediate Court 1794

At an intermediate County Court begun and held on the first Monday being the 6th Day of October in the Year of our Lord 1794, and 19th year of the Independence of the united States of North America. Present: William Bratton, Esqr, a Judge.

Ordered that the following persons be overseers of the different parts of the Road in this County for one year as hereafter mentioned, Viz,
John Copeland, from James Willson Esqr's to Tates Ferry, as far as the former Overseer.

John Barron, from the Middle of Allison's Creek near John Patterson's to the Ford of Fishing Creek near Major Hanna's.

Isaac Enloe, from the Court House to Alex. Stuart's in room of Capt. John Peters.

James Lyons, from the Court House to Andrew McClain's branch, in room of Samuel Carson.

John Egleston, from Moore's branch to the Court House, in room of Walter McCa

John Swann, from Fishing Creek near Major Hanna's to the Chester County line. Page 97. Thomas Carrel Senr, from Fishing Creek to his own house.

Robert Adams, from the Road near Bethel to the Bridge on Allison's Creek near Robert Turner's.

Margaret Neel Adm'x & Humphrey Williams Adm'r of the Estate of Thomas Neel decd produced a settlement of said Estate whereby it appears that there is in the Hands of said Adm'rs to the amount of £.57.19.

Margaret Wallace (alias Margaret Carskadden) Adm'x & Matthew Smith Adm'r of the Estate of Robert Carskadden decd produced an Annout of said Estate whereby it appears that the neat amount of said Estate is £.8.17.7½ at this time.

Administration of the Estate of Joseph Lyons decd granted to James Lyons, who came into open Court, entered into Bond, and took the oath prescribed by Law, and that the property of s'd dec'd be sold by Adm'r at Yorkville on a credit of 3 months.

Administration of the Estate of Robert Johnston Senr granted to Robert Johnston Junr, who came into open Court, entered into Bond, and took the oath prescribed by law, and ordered that the property be sold by s'd Adm'r on a credit of 6 months at the Plantation late of said deceased.

Present: Wm Hill, Esqr, a Judge.

Page 98. Will of John Smith deceased was proven by Robert Kennedy & John Scott and a Codicil thereto by said Robert Kennedy and William Scott, evidences thereto, approved and allowed & Ordered to be recorded, and Widow Jane Smith Ex'x and Robert Hartness Exo'r named in said Will came & took the oath prescribed by Law.

Ordered that the unbequeathed property of the Estate of David Byers dec'd be sold by the Ex'rs on a credit at their discretion, at the plantation late of said deceased.

Samuel King appointed constable for one year, who came and took the oath required by law.

Joseph Kerr, constable, allowed 11 shillings & 3 pence for services in conveying John McDonald to this Gaol.

Court adjourned untill tomorrow morning 10 o'clock.

Tuesday, October 7th, 1794. Court met according to adjournment. Present: Wm Hill, Esq'r, a Judge.

A Deed of Conveyance for a house & lot in Yorkville, from Alex. Love Junr to Henry Creswell was produced in open Court and ordered to be recorded.

Whereas Jacob Kettles, apprentice to Samuel Gordon, complains of ill treatment from s'd Samuel Gordon, ordered that s'd Gordon be cited to appear at the next Court to be held on the 5th day of February next, to answer the said complaint.

Page 99. Court adjourned untill Court in Course.

February Court 1795

At a Judiciary County Court begun and held for said County on Thursday, the 5th of February, in the Year of Our Lord 1795, and 19th Year of the Independence of

the united States of North America. Present: Wm Bratton, & Abrm Smith Esquires, Judges.

Will of William Wylie dec'd was proven by George Watson and Joseph Smith, evidence thereto, approved and allowed and Ordered to be recorded. Letters Testamentary to John Wylie Ex'r named in said Will, who came & took the oath prescribed by Law, and Ordered that the property of said dec'd be sold at the plantation of the Ex'r on a credit of one year.

Will of Jonathan Whitley dec'd was proven by Robert Lusk & James Plaxco, evidences thereto, approved & allowed & ordered to be recorded, and John Mitchel, one of the Ex'rs named in said Will came and took the oath prescribed by law, Henry Plaxco one of the executors having relinquished.

Page 100. Will of David Johnston dec'd was proven by Dr. William Maclean and Matthew Harper, evidences thereto, approved & allowed & ordered to be recorded. Letters Testamentary to Robert Johnston and Robert Leeper Junr, ex'rs named in said Will, (who) came and took the oath prescribed by law.

A Jury for the next Court was drawn, who were as follows, Viz: For Grand Jurors: Jacob Randolph, Wm Byers Senr, Henry Plaxco, Alexr Moore, Esq, Thomas Barnet, James Martin, John Clark, Elias Davidson, James Willson Esqr, Henry Houser, Joseph Moore, John Stevenson, Andrew Kerr, John Logan, Capt John Chambers, John Kerr, William Jenkins, Samuel Rainey, James Powell & Hugh Allison.

For petit jurors: Samuel Hutchison, William Alexander, John McKenzie, Matthew Boyers, Alexander Love Junr, Sampson Lambkins, Robert Leatham, Daniel Sturgis, William Love, Micah Martin, Jonathan Fitchet, Joshua Denton, Joseph Stuart, William Ellis, Matthew Smith, John McClain Senr, John Davidson, Samuel Swann, Alexander Allison, John Hart, Abraham Pearce, Moses McWhorter, William Neeley, Isaac Gillham, Thomas Boggs, Hugh Stevenson Junr, James Armstrong, James Ditty John Moore & James Kincaid.

Page 101. James Hemphill vs. John Beard. Case. Award returned as follows: All suits or actions now subsisting between the parties be withdrawn and done away, each person paying his own costs. 31 July 1794. Alex. Moore
Thos Black
James Ramsey

Elizabeth Gordon vs. George Brannen & wife. Slander. Ordered that a Ded. Po. iss to take the deposition of Jane Smith as testimony de bene esse.

Losiah (sic: Josiah?) Leak Esqr produced a license from the Hon'ble John Rutledge, Hugh Rutledge & Elihu Hall Bay, Judges in the Courts of this State, to plead and practice as an attorney in the different Courts and was admitted accordingly.

State vs. Alex. Chambers. Bastardy. The recognizance having been forfeited and the securities fined, the fine is therefore mitigated and ordered to be only £.3.11.6 with costs.

Court proceeded to the choice of a sheriff for the ensuing four years, when Richar Sadler Junr was duly elected to that office.

Page 102. Court adjourned untill tomorrow morning 9 o'clock.

Friday, February 6th, 1795. Court met according to adjournment. Present: Wm Bratton, Wm Hill & Abrm Smith, Esq'rs, Judges.

An Account of the Estate of Henry Smith Senr dec'd was produced by Abraham Smith Esqr the Adm'r, whereby it appears that there is due by said Estate by obligations, funeral & other expences, £.36.5.5 Ster'l and by Accounts £.183.13.1 and that the amount of said Estate in the hands of said Adm'r is £.107.10.5.

The Grand Jury for this Court were yesterday sworn and charged who were: Francis Adams Esqr, foreman, Robert Bratton, Joseph Clark Senr, Samuel Moore, John Baxter, Jonathan Sutton, Samuel Gordon, Adam Miller, Moses Leathem, Joseph Boggs, William Chambers, Wm Irwin, William Duncan, & William Dale.

State vs. Joseph Henderson. Prison breach. The defendant being examined saith that several persons had ask him whether he would wish to have the Gaol broken so that he could come out, among whom were Andrew McClain and Caleb Bailey. Court orders that the prisoner as to this crime shall be acquitted.

Thomas Wadsworth & Wm Turpin vs. James Martin. Sum. Pro. Decree confessed according to the note with interest and costs of suit, execution to be stayed six months.

Page 103. Thomas Spratt vs. Jno Thompson & Wm Davis. Sum. Pro. Decree confessed by the Def'ts according to the note with interest & costs of suit, Ex'n to be stayed 3 months.

John McKnit Alexander vs. William Patrick. Case. Jury: John Morris, James Nickells, John Gebie, John Feemster, Joseph Willson, John Waters, John Blakeny Senr, John Hall, John Scott, Thomas Duncan, Samuel Lambeth & William McBryer. Find for the plaintiff £.12.12.5½ with costs of suit. Court gave Judgment according to the verdict.

Will of James Robison decd was proven by Duncan Sinclair, John Robison & Charles Robison, evidences thereto, approved and allowed and ordered to be recorded. Letters Testamentary to Widow Lucia Robison and John Robison Ex'rs named in said Will, who came & took the oath prescribed by law.

Administration of the Estate of James Cook granted to Widow Margaret Cook, who came, entered into Bond, and took the oath prescribed by law.

Page 104. William Rainey vs. H. Creswell & S. Rawls. Sum. Pro. Dismissed at Def'ts costs.

A Deed of Conveyance from James Smith to James Watson Senr, John Chambers, Edward Byers & John McCaw for 6 acres of land for the use of Beersheba Congregation was acknowledged & ordered to be recorded.

Thomas Ferguson appointed overseer of the road from the Iron Works to Thomas Carrels in the room of Capt. James B. Fulton.

Fras Boyakin & Alex. Irwin vs. James Martin Ex'r &c. Debt. Nonsuited.

James Knox Esqr vs. John Brown & Wm Faries. Sum. Pro. Abated by the death of the plaintiff.

Enoch Enloe & wife vs. James Miller. Case abated by the death of the plaintiff.

Court adjourned untill tomorrow morning 9 o'clock.

Saturday, February 7th, 1795. Court met according to adjournment. Present: Wm Bratton, Wm Hill & Abrm Smith, Esq'rs, Judges.

William Duncan given license to keep a tavern at his dwelling house in this county for one year.

John Finley vs. Robert Fleming. O. Att. Award returned as follows: Each party shall sign the following Instrument of writing--In the first place all contracts between them shall cease, each party paying their own costs, and this shall be acknowledged a sufficient discharge and acquittance by both parties, and shall be by the arbitrators to be delivered when called on Signed and acknowledged by the parties in our presence.

Jas Mitchel
Jo. Palmer

Robert Fleming
John Finley

Page 105. Nathaniel Harris appointed constable for one year in the place of Wingate, to qualify before Hugh White Esquire.

William Lockhart vs. Newman Willson. Sum. Pro. Decree according to the note (deducting 10 dollars paid) with interest & costs of suit.

Susanna Irwin came and chose Alexander Moore Esqr as her guardian.

William Irwin came and chose Jonathan Sutton as his guardian.

State vs. Joseph Kerr. Larceny. Jury: John Blakeny Senr, John Smith, Will McBryer, John Gebie, John Waters, Samuel Lambeth, John Hall, John Scott, Thomas Duncan, John Feemster, James Nickells, and Alexander Glass. Find the defendant not guilty.

Page 106. State vs. Thomas Clendennon. On indictment for a Trespass, Assault Battery. Def't submitted to the Court, who fined him 3 dollars & costs.

Robert Wear vs. John James. Debt. Judgment confessed by the Def't according to the note, with interest & costs of suit, Ex'n to be stayed 6 months.

William Copeland vs. John Logan & John Bridges. Debt. Judgment confessed by Logan according to the note with interest and costs of suit.

Will of James Young Senr decd was proven by Joseph Hamell & John Williamson, evidences thereto, approved and allowed, and ordered to be recorded. Letters Testamentary to Widow Agnes Young & James Young Junr, who came and took the oath prescribed by law.

Heirs of Joseph Laney vs. Hugh Miller. Appeal from the Judgment of Jo. Palmer: Judgment of the Justice reversed. Upon motion of the Def'ts attorney said appeal was ordered to be reinstated.

Court adjourned untill Monday morning 9 o'clock.

Page 107. Monday, February 9th, 1795. Court met according to adjournment. Wm Hill and Abraham Smith, Esq'rs, Judges.

Wm & Sam'l Burns vs. Joseph Holt. Ordered that a Ded. Po. issue to three Justices of Burke County, North Carolina, to take the depositions of Gen'l McDowall and M. Holt, as testimony in said cause.

Andrew Malcolmsen & wife vs. Samuel Carson. Debt. Jury: John Smith, John Feemster, John Gebie, James Nickells, John Waters, John Morris, Samuel Lambeth, John Hall, Thomas Duncan, John Marley & James Young Junr. Find for the plaintiff £.3.8.3 with costs of suit. Court gave Judgment according to the Verdict. Defendant by his attorney prayed a new trial which was granted upon payment of costs.

Robert Campbell vs. Robert Leslie. Sum. Pro. Dismissed, the Process not being served in time.

Robert Kennedy vs. Edward Moorhead. Sum. Pro. Decree confessed by the Def't according to the note, with interest & costs, Ex'n to be stayed 6 months.

Page 108. Deed of Conveyance from Robert Kennedy to Edward Byers dated the 15th day of February 1794 for 26 acres of land was acknowledged and ordered to be recorded.

Alexander Lackey vs. Dr. Charles McCrea. Appeal from the Judgment of Wm Love, Esquire. Left of the arbitrament of Dr. Allison, Dr. White & Dr. Simpson and their Award to be a Decree of the Court. Award returned as follows, Viz. We the subscribers appointed by the County Court of York do award to Dr Charles McCrea 10/6 with an equal division of the costs of suit from the first entrance thereof, the application occasioned by the complaint of a simple Gleet or runing in the reins.

J. Allison
Jas A. White
J. Simpson

Joseph Carrel Senr vs. William Hill Esqr. Case. Judgment confessed by the Def't for £.20 and costs of suit, Ex'n to be stayed 20 days.

Stephen Phillips vs. Hugh Quinn Senr. Case. Ordered that a Ded. Po. issue to Robert Irwin and James Withrow Esq's of Rutherford County, No. Carolina, to take the deposition of Michael Hogan, on the first or second day of Rutherford Court, at said Court House.

Page 109. William Arnold vs. James Fairis Senr. Trespass. Ordered that the award of whatever arbitrators the parties shall appoint shall be the Judgment of this Court.

James Powell, Indorsee, vs. Thomas Woods. Debt. Judgment confessed according to the note with interest and costs, allowing all legal offsets.

Joseph Johnston vs. Richard McMillan. O. Att. Judgment confessed by the Def'ts Atto. according to the note, with interest and costs of suit.

Court adjourned untill tomorrow morning 9 o'clock.

Tuesday, February 10th, 1795. Court met according to adjournment. Present: Wm Bratton & William Hill, Esq's, Judges.

Ordered that a capias issue to bring N. Henderson to next Court to answer for an Assault and Battery against Abraham Roach. Also another to cause Moses Thompson to appear and answer for obstructing the public road, and others to cause the overseers of roads & others presented by the Grand Jury to appear.

Hugh Miller vs. David Leech. Sum. Pro. Left to the arbitrament of James Fowler, James McNeel & John Gillespy, and their award to be the Judgment of this Court.

Page 110. Samuel Gordon vs. James Martin. Debt. Def't confessed Judgment according to the note, reserving the question whether the whole principal of the obligation sued upon shall bear interest (being given in place of a former obligation) to the decision of the Court, and the Court gave their opinion that the interest shall be calculated upon the obligation sued for: Whereupon the Def't excepted to the opinion of the Court.

⁸³ Abraham Smith Esqr, a Judge of this Court, reports that he has administered the oath to Thomas Gillham Esquire, one of the Justices of the peace for this County.

John Pickens & wife vs. John & James Martin. Debt. Same jury, with John James in place of James Young Junr. Find for the plaintiff the balance of the note, with the interest and costs, reducing the credit of £.47.10 out of the whole. Court gave Judgment according to the verdict.

John McKnit Alexander vs. Robert Brown. Sum. Pro. Decree for the plaintiff according to the note with interest and costs of suit.

Page 111. Nicholas Seehorn and Samuel Swann appointed constables for one year, to take the oath before William Love Esqr.

James Donnelly vs. Hugh Miller. Debt. Left to the arbitrament of Capt. James Martin, Major Adam Meek, and William Love Esqr, their award to be the Judgment of this Court.

Kerr & Thompson vs. James Martin. Sum. Pro. Decree confessed according to the account, with costs of suit.

Joseph Carrel vs. Matthew Dickson. O. Att. Same jury, with Joseph Willson in place of John James. Find for the plaintiff according to the specialty with interest & costs of suit. Court gave Judgment according to the verdict.

Richard McMillan vs. Alexander Campbell. Sum. Pro. Decree according to the note, for plaintiff with Interest and costs, allowing all just credits.

Arthur Clark vs. Samuel Long. Debt. Judgment confessed according to the note, with interest and costs of suit.

Page 112. William McClendal vs. David Beard. Debt. Ordered that a Ded. Po. issi to take the deposition of () as testimony in this cause, by consent.

Col. William Bratton, one of the Judges of this Court, administered the oath to Malcolm Henry Esqr, one of the Justices of the Peace for this County.

Shadrach Rawls & wife vs. Mary McWhorter, Agness Young & James Young Junr. Sum. I Decree for the Def't with costs of suit.

John Ritchey & wife vs. the same. Same. Same decree.

Joseph Hopkins vs. Samuel McCall. Debt. Dismissed at the Def'ts costs, except the Pf's att'ys fee.

Thomas Simonton vs. Prudence Hall & Dr. John Allison. Debt. Judgment confessed according to the note, with interest & costs of suit, ex'n to be stayed 6 months.

Robert Carson vs. John Gordon Junr. Slander. Ordered that the costs of the former trial be paid by the last day of this Court, otherwise the former Judgment to be final.

William Byers Senr vs. James Pinkerton. Debt. Ded. Po. to issue by consent of the attornies, the Def'ts Atto. giving the plaintiffs legal notice of the time and place of examination of the Witnesses and serving him with a copy of interrogatories.

Page 113. Joseph Boggs appointed a constable for one year, to take the oath before Jon'a Sutton Esqr.

Joshua Willson vs. George Ross Senr. Case. Alexander Glass enters himself security for costs, the plaintiff living North Carolina. Same jury, plaintiff's attorney suffered a nonsuit.

James Dickey vs. Hugh Miller. Appeal from the Judgment of Jo. Palmer Esqr. Parties agree to leave this controversy to the decision of James McNeel, John Gillespie, and James Fowler & their award to be a rule of this Court.

Court adjourned untill tomorrow morning 9 o'clock.

Wednesday, February 11th, 1795. Court met according to adjournment. Present: Wm Hill & Abrm Smith, Esq'rs, Judges.

William Hill Esq'r, a Judge of the Court, reported that he had administered the oath to John Drennan, Jonathan Sutton, Joseph Palmer & Joseph Howe Esquires as Justices of the Peace for this County.

Page 114. Abraham Smith Esq'r, a Judge of this Court, reported that he had administered the oath to William Love Esq'r a Justice of the peace for this County.

Ordered that all the petit jurors who were summoned and did not attend at this Court be fined 30 shillings each, unless they make a lawful excuse by the first day of next July Court.

Edward Moorhead vs. James Pinkerton. Trover. Award returned as follows, viz, we Andrew Love, Abraham Smith and Francis Gilmore, being indifferently chosen by Edward Moorhead and James Pinkerton to settle a matter now in law, concerning a horse formerly the property of John Fulton, after hearing all evidence on both sides, we do award and agree that James Pinkerton is to pay £.10 in trade, if they cannot agree, it is to be left to 3 indifferent men to value the property, horse, or cattle, each man pays his own costs. We do award and agree that if Edward Moorhead ever draws an indent for a horse Pinkerton lost at Sumpters defeat said Moorhead is to pay back the same sum in trade and the costs in cash, certified by us

And'w Love
Fra's Gilmore
Abrm Smith

John Gallagher vs. Col. Joseph Howe. Trover. Left to the decision of Francis Adams Esqr & Joseph Davis & their award to be the Judgment of the Court.

Page 115. John Egleston vs. Jonathan P. Bishop. O. Att. Jury: John Drennan Esqr, Thomas Gillham Esqr, John Marley, John Morris, James Nickells, John Scott, John Gebie, John Waters, Thomas Duncan, John Hall, Samuel Lambeth, & Samuel Burns. Find for the defendant with costs of suit. Court gave Judgment according to the verdict.

Present: William Bratton, Esqr, a Judge.

Ordered that the Will of David Byers decd be admitted of record, the opposition to the same being withdrawn.

Capt. Joseph Kerr appointed overseer of the road from the Court House to the branch near Roger Berry's, and William Stevenson from thence to the Iron Works.

Thomas Nesmith vs. S. Starlings & John Harris. Sum. Pro. Decree for the plaintiff according to the note with interest & costs.

John Spencer vs. William McCorkle. Sum. Pro. Decree for the def't with costs of suit.

Ordered that Caleb Bailey be struck off the list of constables for this County.

John Bates vs. William Cornwall. Appeal from the Judgment of Joseph Palmer Esqr. Judgment of the Justice reversed.

Page 116. Robert Carson vs. John Gordon Junr. Ordered that the former Judgment be final.

Benjamin Garrison vs. Thomas Alexander. O. Att. Judgment ordered to be entered by default.

Ordered that a Ded. Po. issue to two Justices of the Peace of Fayette County, Kentucky, to take depositions of Golson step and () as testimony in the suits, William Burns against Joseph Holt.

Court adjourned untill Court in course.

May Intermediate Court 1795

At an Intermediate County Court held on the first Monday, being the 4th of May, in the Year of Our Lord 1795. Present: Wm Bratton Esquire, a Judge.

Andrew Kerr, one of the Adm'rs of the Estate of Robert Kerr decd, gave an account of said Estate, by which it appears that the neat amount of said Estate now in the hands of the Adm'rs is £.121.4.8.

William Davis and Thomas Davis, Adm'rs of the Estate of Sara Robinson decd, gave in an Acc't of said Estate by which it appears that the neat amount thereof now in s'd Adm'rs hands is 22 shillings.

Page 117. Ordered that a road be laid out and opened the nearest and best way from the Court House to Drennan's Ferry on the Catawba River, by Caleb Bailey, Isaac Fairis and Capt James B. Fulton, and the nearest and best way from then to the North Carolina line by Samuel Dinsmore & Samuel Knox, and that the subscribers to the petition for said road keep the same in repair.

Administration of the Estate of James Miller decd granted to Widow Mary Miller, who came into open Court, entered into Bond, & took the oath prescribed by law.

Present: Abrm Smith Esquire. Absent: Wm Bratton Esquire---Present: Wm Bratton, Esqr.

Administration of the Estate of James Gilmore decd granted to Widow Elizabeth Gilmore, who came into open court, entered into Bond, and took the oath required by law.

Caleb Bailey allowed 10/3 for constable's services in the case, the State against Gibing's.

John McConnel, guardian of the orphan children of Alex. Fleming decd gave in an account of the Estate of said decd by which it appears that the neat amount of said estate now in his hands to be divided amongst the heirs & widow is £.44.18.9½.

On motion of Samuel Lowrie Esqr that a paper said to be the Will of Benedict Alderson decd be proven and admitted of record, the Court were of opinion that the proce was not sufficient to establish the same as a Will.

Page 118. Administration of the Estate of Benedict Alderson decd granted to Widow Ann Alderson & James C. Alderson, who entered into Bond, and took the oath prescribed by law. Property to be sold on a credit of 12 months on the last day of June next

Ordered that Betsy Bradwell, an orphan minor 3 years old the 21st of last March, bound to Hugh Willson untill she comes of age, who is to give her when free one s:

of wearing cloaths & one suit of holiday cloaths, one spinning wheel & one bed & furniture, & one years schooling, and that the Clerk sign an Indenture for that purpose.

William Kennedy & John Brunfield appointed commissioners to lay out and mark a road the nearest and best way from the old Nation ford to this Court House, and that the former Overseers open and keep said road in repair.

John McCall, James Ross Senr and John Scott appointed commissioners to lay out & mark a road from this Court House, passing Harsheys old place, John Scott's, and from thence to the Pinckney Road near Joseph Jamison's, and that said commissioners be overseers to open & keep said road in repair.

William Byers Senr, Samuel Watson Esqr, Robert Patterson, Dr. Isaac Lindsay & John Ellis appointed commissioners to mark a road from this Court House to Capt. Green's old fields, at the fork of Tates Ferry Road and Quinn's Road, and that the subscribers to the petition for said road open the same and keep it in repair.

Page 119. Capt. James Jamison appointed overseer of the road from Joseph Jamison's to the Chester County line, at Warren Beuford's, in room of Isaac Gillham.

Court adjourned untill tomorrow morning 10 o'clock.

Tuesday, May 5th, 1795. Court met according to adjournment. Present: Wm Bratton & Abrm Smith, Esqrs, Judges.

Drury Adams appointed a constable for one year, to qualify before Peter Quinn Esquire.

William Bratton Esquire, one of the Judges, administered the oath to Peter Quinn Esqr as a Justice of the peace for this County.

John Bates was allowed the sum of £.2.2 for public services as constable.

John Pickens was allowed 6 dollars for wintering 4 head of estray cattle.

Abraham Smith Esqr was allowed 3 dollars for public services as a Justice of the Peace.

Aaron Guyton was appointed overseer of the road from Samuel Gordon's to Smith's ford in room of Peter Eakin.

Page 120. Ordered that the Court House be kept shut up, only in times of public business, and that the key thereof be kept at the Clerk's Office.

Nicholas Whisenhunt one of the Adm'rs of the Estate of Valentine Warlock gave in Acc't of said Estate by which it appears that the neat amount thereof now is E.110.0.4½.

Ordered that the last Will & Testament of Joseph Carrel Senr decd (being proven pursuant to a Dedimus Potestatem by John Willson Esqr a witness thereto, before Robert Alexander Esquire of Lincoln County, No Carolina, and now approved and allowed) be admitted of record, and that the Administration with a copy of said Will annexed be granted to Thomas Carrel Senr (the Ex'rs named in said Will having relinquished), the said Thomas Carrel entered into Bond and took the oath required by law.

John McCaw and John Bates declined being any longer commissioners respecting the finishing of the Court House.

Court adjourned untill Court in course.

July Court 1795

Page 121. At a Judiciary Court begun and held on the 6th Day of July 1795. Present: Wm Bratton & Wm Hill, Esquires, Judges.

Court adjourned untill tomorrow 5 o'clock in the afternoon.

Tuesday, July 7th, 1795. Court met according to adjournment. Present: Wm Bratton & Wm Hill Esqrs, Judges.

Administration of the Estate of Joseph Cronleton granted to John Cronleton, who entered into Bond & took the oath prescribed by law.

Col. Bratton, one of the Judges of this Court, reported that he had administered the oath to John Watson Esqr appointed a Justice of the Peace for this County.

Samuel Watson Junr & David Strain were sworn into the office of constables.

Ordered that the Jurors be discharged and the Sheriff produced his commission in open court and Col. Bratton ordered that he be qualified when Col. Hill absented, and Court was adjourned untill Court in course.

October intermediate Court 1795

Page 122. At an intermediate County Court held on the first Monday being the fifth day of October Anno Dom. 1795. Present: Wm Hill Esqr, a Judge.

By an Account of the Estate of Mary Boyles decd produced by William Clark the Executor, there appears to be in his hands to be divided amongst the legatees E.27.18.6 sterling.

Will of William Patton decd was proven by James Whiteside & Thomas Whiteside evidences thereto, approved and allowed and ordered to be recorded, and Widow Elizabeth Patton Ex'x and James Patton Ex'r took the oath required by law.

Will of James Knox decd was proven by John Harris & James Massey, evidences thereto, approved and allowed & ordered to be recorded, and Widow Elizabeth Knox Ex'x & James Harris Ex'r took the oath required by law.

Will of John Patteson decd was proven by John Currence an evidence thereto, approved and allowed and ordered to be recorded, and Col. Samuel Watson, one of the executors named in said Will took the oath required by law, the other Ex'r William Patteson having declined to qualify by his writing produced & proven in open Court.

Administration of the Estate of Patrick Lynn granted to Susanna Lynn & Capt James Mitchell, who entered into Bond & took the oath required by law.

Page 123. Joshua Gilmore appointed overseer of the road from Alexander Stewarts to Samuel Gordons in room of Nicholas Seehorn.

James McCormick appointed overseer of the road from the Court House to Alexr Stewart in room of Isaac Enloe.

James Ross Junr appointed overseer of the road from the Court House to Andrew McClains branch, with power to make necessary alterations, in room of James Lyons.

Will of Capt Joseph Steel decd was proven by Samuel Williamson, an evidence thereto, approved & allowed & ordered to be recorded, and Widow Rebecca Steel Ex'x & William Steel Ex'r named in said Will took the oath required by law.

Page 163. Court adjourned for half an hour. Met according to adjournment. Present: Wm Hill & John McClenahan, Judges.

Wm Edward Lacey vs. William Davis. Debt. Judgment confessed according to note with interest & costs. Execution to be stayed 3 months.

Alexander Fearis vs. D. Neely, D. Hutchison & A. Meek, Adm'rs of S. Brown. Case. Same jury as last. Find for the defendants with costs of suit.

James Greer vs. John Chambers. Debt. The parties have agreed that the plaintiff shall pay his own attorney & witnesses, and that the Def't the remainder of the costs.

Court adjourned until tomorrow morning 9 o'clock.

Thursday, August 11th, 1796. Court met according to adjournment. Present: Wm Hill & John McClenahan Esq'rs, Judges.

Page 164. John McFarlan vs. the Adm'rs of S. Brown. Sum. Pro. James Fairis Senr acknowledged himself security for costs, the plaintiff living out of this State. Decree for the plaintiff according to the Bond, subject to the plea of Plene Administravit.

Catharine McFarlan vs. the same. Sum. Pro. Nonsuited.

Graham Enloe vs. John McClain Junr. Sum. Pro. Nonsuited.

James Mitchell vs. James McNeess & Tho. Clendenon. Debt. Judgment confessed as to McNeess, and Judgment by default as to Thomas Clendenon according to the note &c.

Daniel John vs. Planner Wingate. Case. Plaintiff nonsuited.

Present: Alexr Moore Esquire, a Judge.

William Eakin, I.L., vs. John Pressly. Sum. Pro. Decree for £.5.1.9 with interest from the 1st of January 1794 and costs of suit.

William Jenkins vs. Enoch Rigden. O. Att. Judgment by default, and ordered that Francis Rigden appear at next Court to shew cause why Judgment should not be entered against him for the amount of the plaintiff's demand and costs.

Page 165. Capt. John Henry vs. Benjamin Enloe. Case. The Court value the rum at one dollar pr gallon, with interest.

John Egleston vs. John Martin. Debt. Judgment confessed according to the note with interest &c.

James Kincaid vs. Joel Smith. Same petit jury. Find for the Def't with costs of suit. Court gave judgment according to the verdict.

Isaiah Reed vs. Thomas Clendenon. Sum. Pro. Decree confessed according to the note with interest & costs of suit.

Avid McCall vs. John McCall. Sum. Pro. Continued.

Alex. Work vs. Alex. Love Junr. O. Att. Col. Andrew Love, garnishee, says he has not any property nor does not owe anything to the Def't. James Ross says that he has not any property nor does not owe the Defendant any thing.

Daniel Brown vs. the Adm'rs of S. Brown. Sum. Pro. Ordered that the plaintiff be nonsuited.

Page 166. Court adjourned for an hour. Met according to adjournment. Present: Wm Hill, Alex. Moore & John McClenahan, Judges.

James Ramsey vs. John Martin. Debt. Same petit jury. Find for plaintiff according to specialty with interest & costs of suit. Court gave Judgment according to the verdict.

David Thompson vs. John L. Anderson. Case. Plaintiff nonsuited.

Mary Miller vs. Daniel Graham. Debt. James Mitchell delivered up the Def't to the Court in discharge of himself as bail, whereupon the Court orders said Def't into custody of the sheriff.

John McK't Alexander vs. Capt. William Patrick. Debt. The Def'ts attorney moved for a new trial which was granted.

Mary Miller vs. Daniel Graham. Jonathan Sutton & Dr. John Allison entered themselves special bail for the Def't. Signed in open Court.
Jon'a Sutton
J. Allison

Page 167. Court adjourned until tomorrow morning 8 o'clock.

Friday, August 12th, 1796. Court met according to adjournment. Present: Wm Hill, Alex. Moore, & John McClenahan, Esquires, Judges.

Henry Burns vs. Thomas Ferguson. Case. Same petit jury. Find for the plaintiffs £.15 with costs of suit.

James Gordon Junr vs. Charles Morgan. Appeal from the Judgment of James Willson Esquire. Judgment of the Justice reversed.

Court adjourned for half an hour. Met according to adjournment. Present: Wm Hill, Alex. Moore & John McClenahan, Judges.

Francis Adams vs. Robert McKelvy. O. Att. Agreeable to the deposition of John Martin Esqr as garnishee in this cause, that he owed the Def't £.28 or thereabouts, subject to a discount admissible upon legal attestation, the said John Martin produced his discount in open court, which was adjudged legal amounting to £.13 pounds.

Page 168. Isaiah Reed vs. Wm Rainey, John Davidson & Wm Davidson. Debt. Ordered that William Rainey's name be struck off the record and Judgment by confession to the agreement entered as to the other two defendants.

Col. And'w Love vs. Bagwell Bailey. Ordered that Ded. Po. issue to three Justices or any two of them, () County, State of Georgia, to take the deposition of Alex. Love Junr in this cause.

Joseph Johnston vs. John Hart. On Sci. fa. as Bail for Richard McMillan. No reason being shewn by the Def'ts attorney, ordered that Execution issue for the amount of the Debt and costs.

Wm Hill, David Leech, John McClenon(sic), Thomas Gillham and Abraham Smith, Esqrs, Justices of this Court, against Shadrach Rawls, Admr of the Estate of Alex. McWhorter, decd, William Eakin, John Eakin & John Alexander Senr. Debt, upon the Administration Bond. Same petit jury. Find for the plaintiffs according to specialty with interest and costs of suit.

Heirs of Jo. Laney decd vs. Hugh Miller. Appeal from the Judgment of Jo. Palmer Esqr. Judgment of the Justice reversed.

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