

APRIL TERM 1768

APRIL TERM 1768

f 172v

Wilmington, Tuesday 5 April 1768

At an Inferior Court ... present H. M.'s Justices: The Hon. John Rutherford, Lewis Henry Derosset, William Dry, Esqrs., and George Moore, Cornelius Harnett, John Lyon, Frederick Gregg, Frederick Jones, John Moseley, George Merrick, William Purviance, James Moore, Hugh Waddell, John Burgwin, William Campbell, Thomas Lloyd, John Eustace, George Parker, John Ancrum, William Robinson, Jonathan Evans, Esqrs., who qualified and were seated on the bench.

f 173

Inspectors chosen: Mr. James Walker and Mr. Henry Toomer, for Wilmington; and Mr. John Spicer, New Topsail. Mr. Spicer then qualified, giving bond of £500, with Mr. Lyon and Mr. Merrick, securities.

Deeds proved: Richard Graves to John Spicer, by Charles Hollingsworth; and John Alexander Willey to William Stafford, by Charles Hollingsworth.

William Stafford was excused as a grand juryman at this Court, "he being obliged to leave the province --" Court adjourned to 9 a. m.

6 April 1768

Present: The Hon. Lewis Henry Derosset, Esq., and George Moore, Cornelius Harnet, William Robinson, Jonathan Evans, Esqrs.

f 173v

Grand jurors paneled: Stockley Bishop, Bishop Dudley, Jacob Millar, Samuel Collier, John Marshall, John Larkins, George Robeson, William Evans, Nathaniel McGufford, Allan Sloan, Greer Bis[hop], John Alexander W[illey], David Alexander, Alexander Nelson, and Thomas Nixon.

Grand jury absentees: Job Howe, Benjamin Robeson, William Bishop, Benjamin Stone, and James Larkins.

Petit jury called; absentees: John Nichols, Joseph Lewis, Richard Mason, and James Standley. Fined £3 unless cause shown at next Court.

Grand jurors paneled: Stockley Bishop, Bishop Dudley, Jacob Millar, Samuel Collier, John Marshall, John Larkins, George Robeson, William Evans, Nathaniel McGufford, Allan Sloan, Greer Bis[hop], John Alexander f 173v W[illey], David Alexander, Alexander Nelson, and Thomas Nixon.

Grand jury absentees: Job Howe, Benjamin Robeson, William Bishop, Benjamin Stone, and James Larkins.

Petit jury called; absentees: John Nichols, Joseph Lewis, Richard Mason, and James Standley. Fined £3 unless cause shown at next Court.

Estate of John Baker, Decd.--Thomas Corbett, Exr. filed inv.

Estate of Bryan Lee, Decd.--Inv. filed by Thomas DeVaune, Admr.

Estate of John Mott, Decd.--Inv. filed by Hannah Mott, Admr.

Walter Blake v. Dennis Moore.--Judgment confessed, £2-8-2.

Deed; Thomas Childs to James Innes, Esq.; proved by Thomas Childs, Jr.

Robert Schaw, Esq. qualified as a Justice.

f 174 George Palmer v. James Bland.--No. 3. Nonsuit.

Judgments confessed: John Jones v. William Robinson.--No. 8, for £19-10-0; and John Jones v. William Robinson.--No. 9, for £8.

Samuel Swann, Jr., Esq. exhibited a license from the Governor authorizing him to practice as an attorney in the several inferior courts of pleas and quarter sessions in the Province, and he qualified as such.

Jury sworn: David Bowen, Dennis Moore, David David, Jacob Lewis, Randell Ramsey, John Nichols, Robert Walker, James Oram, Francis Lynaugh, Bartholomew Burns, John James, and Joseph Newton.

Stephen Stinton v. Asa Simmons.--No. 13. Damages, £5-15-0.

174v Granted prayer of Thomas Hatwood and Ann his wife that a mulatto boy named Isaac Edwards might be bound to Seth Pryor, to learn the trade of cooper, for 19 years and nine months, or until age 21.

Richard Lewis recorded his mark: a square under each ear, and a half-moon in the left; and brand: R:L.

Sarah Lewis recorded her mark: a square under each ear; and her brand: S:L.

Estate of Alexander Ross, late of Wilmington, Decd.--Henry Toomer returned into Court upon oath an inventory of the goods and chattels, rights and credits of decedent.

f 175

Messrs. Henry Toomer and James Walker qualified as Inspectors for Wilmington; bonds £500 each.

Permission for slaves to carry a gun granted to: John Ashe for his Negro man Manuel; Cornelius Harnet, Esq. for his Negro man Sam; and Lewis DeRosset, Esq. for his Negro man Sambo.

Present after adjournment to 4 p. m. and meeting accordingly: The Hon. Lewis Henry Derosset, Esq., and Frederick Gregg, Hugh Waddel, John Burgwin, John Eustace, John Ancrum, Esqrs.

Jonathan Watson, appearing in answer to complaint of Eleanor Clarke, lately his indentured servant, was ordered to pay her £7, with costs, in full for a suit of clothes and all other freedom dues.

7 April 1768

f 175v

Present 9 a. m.: The Hon. Lewis DeRosset, Esq., and George Moore, Cornelius Harnett, George Merrick, John Eustace, John Ancrum, Esqrs.

Bunbury Day v. Ebenezer Bunting.--No. 15. Damages of £9-10-6.

Jury sworn: David Bowen, Dennis Moore, David David, Jacob Lewis, Randell Ramsey, John Nichols, Robert Walker, James Oram, William Baxton, Hudlin Huffham, Isaac Carter, and Joseph Newton.

William Larkins v. Robert Bloodworth.--No. 2. Witnesses: John Portevint, John Larkins, James Moore, Simon Hogans, John Malpus, Onise-mus Futch, John James, Frederick Wells, Peter Young, Moses Hanekey, Needham Bryan, by deposition, and Thomas Gideons. Damages for Plf., £5.

P/A; from Messrs. Bridgen and Watter of London, Merchants, to Benjamin Heron, Esq. and Elizabeth Catharine DeRosset; proved by Captain John Clarke.

f 176

Nathaniel McGufford v. Edward Riley.--No. 27. Damages, £7-10-0. Antonie DeBose certified to General Assembly for exemption from public duties and taxes, in view of his age, infirmities and poverty.

Forrevint, John Larkins, James Moore, Simon Hogans, John Malpus, Onisemus Futch, John James, Frederick Wells; Peter Young, Moses Hanekey, Needham Bryan, by deposition, and Thomas Gideons. Damages for Plf., £5.

P/A; from Messrs. Bridgen and Watter of London, Merchants, to Benjamin Heron, Esq. and Elizabeth Catharine DeRosset; proved by Captain John Clarke.

f 176 Nathaniel McGufford v. Edward Riley.--No. 27. Damages, £7-10-0.

Antonie DeBose certified to General Assembly for exemption from public duties and taxes, in view of his age, infirmities and poverty.

Damages awarded: George Palmer v. Edward Riley.--No. 26; and Alexander Lillington v. Bunting & Ratcliffe.--No. 24.

Present 3 p. m.: Cornelius Harnet, John Burgwin, John Eustace, John Ancrum, Esqrs.

An orphan girl Fanny Silvester lately an indentured servant of Henry McKay, Decd., was with the consent of Mary McKay, Admrx. bound apprentice to John Eustace, Esq. for seven years and five months, or until age 18.

f 176v Walter Blake v. James Rogers.--No. 11. Same jury as in No. 2 except Francis Lynaugh in place of Isaac Carter awarded damages £3-4-2.

D. Brown's Admr. v. Thomas Player.--No. 5. Judgment confessed.

Lehansius DeKeyser v. Ebenezer Bunting.--Judgment confessed.

8 April 1768

Friday a. m.; present: The Hon. Lewis Henry Derosset, Esq., and Cornelius Harnett, John Burgwin, John Eustace, John Ancrum, Esqrs.

George Palmer v. Benjamin Robinson.--No. 14. Wit.: Polly Schull. Verdict for Plt., £13.

Jury sworn: David Bowen, Dennis Moore, David David, Jacob Lewis, Randell Ramsey, John Nicholls, David Ross, James Oram, John Riley, Hudlin Hufham, Francis Lynaugh, and Joseph Newton.

Estate of Bryant Lee, Decd.--Thomas DeVane authorized to sell personality.

Estate of Bartholomew Riley, Decd.--John Riley, brother, appointed Admr.; bond £200, with John Larkins and Alexander Nelson, sur.

Christian Springs v. Thomas Troughfer.--No. 28. Same jury as in No. 14 except Edward Sall impaneled instead of James Oram. Damages.

John Springs' Exrx. v. James Oram.--No. 22. Michael King, wit. Dam.

"It appearing to this Court that Mrs. Lettice Blackmore & Mrs. Elizabeth Saunders are guilty of keeping disorderly houses, & harbouring & detaining Common Sailors, to the great Injury of the Merchants & Masters of Vessels trading to the river of Cape Fear, Order'd that their Licences be taken from them, and that if they permit for the future any Sailors or other disorderly person or persons to tipple any Liquors in either of their houses, the King's Attorney will [be] directed to prosecute them, according to the Acts of the General Assembly in that case made & provided -- And that the Clerk give them Notice hereof --"

f 177v

Rex v. Mark McClammy.--Assault; Dft. submitted; fined 5/-.

Rex v. Thomas Lee.--Selling liquors without a license; Dft. submitted; fined £2-10-0.

Rex v. Thomas Lee.--Keeping a disorderly house; Dft. submitted; fined £2-10-0.

Adjourned to 3 p. m., when present: George Merrick, William Campbell, Thomas Lloyd, Cornelius Harnett, John Burgwin, John Ancrum, Esqrs.

Gift deed; John Ashe, Esq. to his daughter Mary Ashe, for a Negro girl named Mary Ann; proved by James Colson.

f 178 Rex v. William Saunders.--Selling liquors without a license; Dft. submitted; fined £15.

John Owens v. Joseph Newton; and William Morgan v. Joseph Newton.--John Lyon, Esq. and Wm. Morgan, Deputy Sheriff, as special bail for the appearance of the Dft. to answer at these suits at this term, surrendered him to the custody of the Sheriff in discharge of their bail.

Judgments under £5 each awarded: William Purviance v. John Hennecey.--Mr. Colville, wit.; William Purviance v. David David.--Mr. Colville, wit.; William Blaxton v. James Rogers.--Nathaniel McGufford, wit.; and William Saunders v. William Starke.--Thomas Creak, wit.

John Owens v. Joseph Newton; and William Morgan v. Joseph Newton.--
John Lyon, Esq. and Wm. Morgan, Deputy Sheriff, as special bail for the
appearance of the Dft. to answer at these suits at this term, surren-
dered him to the custody of the Sheriff in discharge of their bail.

Judgments under £5 each awarded: William Purviance v. John Henne-
cey.--Mr. Colville, wit.; William Purviance v. David David.--Mr. Col-
ville, wit.; William Blaxton v. James Rogers.--Nathaniel McGufford, wit.;
and William Saunders v. William Starkey.--Thomas Creaque, wit.

9 April 1768

Friday [sic; should be Saturday] morning 9 a. m.; met according to
adjournment; present: Cornelius Harnett, John Burgwin, Frederick Gregg,
William Robinson, George Merrick, Thomas Lloyd, Esqrs.

Richard Player produced an account for Smith's work at the jail,
f 178v £2-5-8, which the Sheriff was ordered to pay out of the County tax.

John Burgwin, Esq. also produced an account for sundry repairs to
the courthouse and jail, £36-9-6, which was ordered paid likewise.

Granted petition of John Fling, an orphan boy, to be bound as an
apprentice to the Executors of John DuBoise, Esq., deceased, to learn
the trade of a baker, for eight years and five months, or until he be-
comes 21.

Chose as nominees for Sheriff: John Lyon, Esq., Mr. Thomas Nixon,
and Mr. Anthony Ward.

Licensed to keep ordinaries in Wilmington: James Emmett, John Camp-
bell, William Gregory, Christian Springs, Henry Scyers, Elizabeth Saun-
ders, Robert Bennerman, William [Mor]gan, James Bryant, and Saml. Errol.

f 179 Trust under the will of William Morris, Decd.--Whereas Stockley
Bishop, Trustee of the decedent's estate and Guardian of decedent's
grandson James Morris, a minor, has not complied with our order of June
Term 1767 to give security of £1,500, and whereas it now appears that
the decedent's personalty has a value of £2,000, the said Trustee and

Guardian is ordered to give security by next Court in the sum of £4,000.
 S. Swann and F. Jones v. Ebenezer Bunting.--David James, wit. Judgment awarded for £4-1-6.

f 179v

Present 4 p. m.: Cornelius Harnett, William Campbell, George Parker
 Jurors chosen for next Superior Court: Grand Jury - George Moore, William Campbell, Alexander Lillington, James Moore, John Ancrum, and George Parker; and Petit Jury - John Quince, Hezekiah Doane, Francis Clayton, William Wilkeson, Job Howe, and John Robison.

Estate of Bartholomew Riley.--John Riley qualified as Admr.

f 180

"Ordered that the Clerk furnish himself with a well Bound Book, to enter a fair and true Account of all the Orphans Estates in this County..."

"It appearing to this Court that Hugh Campbell has not comply'd with the Act of Assembly in providing himself with fodder Corn or other Entertainment for an Ordinary. Order'd that his Licence be taken from him immediately ..."

Ordered that James Moran, Esq. pay to John London, Clerk of this Court, £40 out of the County tax in his hands for his extra services for the years 1766 and 1767 "due last December ... not having been paid by the former Orders on the preceding Sheriffs."

[s] Corns. Harnett Wm Campbell Tho. Lloyd John Ancrum

JULY TERM 1768

f 180v

Wilmington, Tuesday 5 July 1768

Court began; present: John Burgwin, John Ancrum, William Campbell. William Bishop excused for non-attendance as juror at last Court. Petit jury called over; absent: James McGufford, John Ross, and Thomas Nixon, against whom statutory fine levied unless cause shown at next Court. Excused as no freeholder: James Ratcliffe.

William Hooper v. William Orr.--No. 20. Damages £5.

Jury sworn: Benjamin Robinson, James Larkins, William Bishop, David

Wilmington, Tuesday 5 July 1768

Court began; present: John Burgwin, John Ancrum, William Campbell. William Bishop excused for non-attendance as juror at last Court. Petit jury called over; absent: James McGufford, John Ross, and Thomas Nixon, against whom statutory fine levied unless cause shown at next Court. Excused as no freeholder: James Ratcliffe.

William Hooper v. William Orr.--No. 20. Damages £5.

Jury sworn: Benjamin Robinson, James Larkins, William Bishop, David Bowen, William Jones, Samuel Stuckey, Robert Nixon, Thomas McClammy, George St. George, and John Nichols.

Damages recovered [in amounts ranging from £5-8-2 to £19-5-6, with exception of Dockets Nos. 32 and 44 in each of which the nominal sum of one penny was received]: William Purviance v. Richd. Huffam.--No. 22; William Purviance v. Richard Huffham.--No. 23; William Purviance v. John f 181 Hennecey.--No. 25; William Purviance v. Arthur Ireland.--No. 28; William Purviance v. Thomas Duff.--No. 31; Ebenezer Bunting v. Abraham Truit.--No. 37; Wanney McClammy v. Edmund Price.--No. 40; John Hennecey and Wife v. Randel Ramsey.--No. 32; Thomas Hill v. Abraham Truit.--No. 44; William Morgan v. Joseph Newton.--No. 46; William Campbell v. John Moseley.--No. 34; and William Sikes v. Jacob Millar.--No. 49.

A deed from Antonie DuBose and Ann his wife, to Solomon Huet and Nicholas Tourtel, was proved by James Moran and ack. by Mrs. DuBose.

6 July 1768

Wednesday 8 a. m.; present: John Burgwin, John Eustace, Jonathan Evans, Esqrs.

Grand Jury paneled: Parker Quince, Job Howe, Anthony Ward, John Campbell, Henry Young, James Blyth, William Gregory, Andrew Stewart, Stephen Player, Robert Walls, Samuel Marshall, Benjamin Stone, John Quince, Stockley Bishop, John Simpson, Samuel Collier, Malatiah Hamil-

ton, James Wright, Jeremiah Kenan, Alexander Rouse, and John Alexander Wiley. Excused: John Jones.

Deeds proved: Elizabeth Catharine DeRosset to Hannah Mott, by John London; and Walter Blake to Jacob Powell, by John Jones.

Edmund Fogartie v. Benjamin Bill.--No. 5. Benjamin Stone, wit. £6.

Jury sworn: Benjamin Robinson, James Larkins, William Bishop, James Standley, David Bowen, Samuel Stuckey, William McClammy, Robert Nixon, Thomas McClammy, George St. George, John Nichols, and Thomas Rogers.

f 182 Damages assessed [in amounts ranging from £4-18-1 to £9-2-0, except in Dockets Nos. 10, 13 and 14, in each of which nominal damages of 1d. were allowed]: John Jones v. William King.--No. 51; William Dallas v. David Law.--No. 10; William Dallas v. M. Goldsmith.--No. 13; William Purviance v. Maurice Goldsmith.--No. 14; Mathew Johnston v. Jeremiah Sampson.--No. 47; George Richmond v. Edward Dorham.--No. 27, Jacob Hooks, wit.; Bunbury Day v. John Hennecey.--No. 57; William Purviance v. Michael Fitzgerald.--No. 30, David Riley, wit.; Alexander McDougal v. Isaac Carter.--No. 38; and Edward Riley v. William Orr.--No. 52.

Bishop Dudley new Constable for Topsail, vice Charles Hollingsworth.

f 182v Present 5 p. m.: John Burgwin, Wm. Campbell, Jonathan Evans, Esqrs. John Nichols excused for absence as juror at last Court.

Estate of Bryant Lee, Decd.--Thomas DeVane filed A/C sales.

7 July 1768

Thursday morning 8 a. m.; present: John Burgwin, John Ancrum, Jonathan Evans, Esqrs.

Thomas McClammy ack. a deed to his sons Wonne, Mark, Luke, and Peter McClammy, and daughters Eleanor Nixon, Mary McClammy, and Catharine Heidelberg, for sundry Negro slaves.

Elizabeth Merrick, Exrx. v. Jacob Miller.--Anthony Ward, wit. Damages £14-3-3.

Jury sworn: [same as named under Docket No. 5 yesterday, ex-

Thursday morning 8 a. m.: present: John Burgwin, John Ancrum, Jonathan Evans, Esqrs.

Thomas McClammey ack. a deed to his sons Wonne, Mark, Luke, and Peter McClammey, and daughters Eleanor Nixon, Mary McClammey, and Catharine Heidelberg, for sundry Negro slaves.

Elizabeth Merrick, Exrx. v. Jacob Miller.--Anthony Ward, wit. Damages £14-3-3.

Jury sworn: [same as named under Docket No. 5 yesterday, except George St. George and Thomas Rogers are replaced by Dennis Moore and Robert Nickols].

f 183 Ordinary licenses renewed by: John Campbell, James Emmett, George St. George, Mrs. Sears, Mrs. Hand, and David Bowen.

Thomas Moseley v. George Parker, Esq.--William Moseley and Sampson Moseley, wit. Judgment for £4.

James Stanley, James Larkins and Benjamin Robinson were excused for non-attendance as jurors at last Court.

John Loper v. Edmund Price.--Judgment £4.

Present 3 p. m. after adjournment: Frederick Jones, John Burgwin, Thomas Lloyd, John Ancrum, Esqrs.

Edward Davis v. Maturin Colville.--No. 7. Wit.: Jno. Burgwin, Esq. Jury finds Dft. owes Plf. £5 and assesses 6d. damages.

Jury sworn: [same as this morning, except George St. George is back in place of Dennis Moore].

f 183v Elizabeth Hand, Admr. v. Francis Lynaugh.--No. 9. Mary Granger, John Farrall, Samuel Green, Jr., and Caleb Grainger, wit. Damages, £4.

~~"The Grand Jury returned several indictments and was discharged."~~

A deed from Sarah Simpson to James Moore was proved by Luke White.

William Sanders v. Samuel Alford.--No. 54. Assumpsit. Robert Bennerman, wit. Jury finds Dft. did not assume.

James Larkins v. Benjamin Stone.--No. 60. Damages £5-10-1 [awarded by same jury as in No. 7, except that Jonathan Watson and Asa Simmons are impaneled in place of Benjamin Robinson and James Larkins].

Henry McCoriaan v. Francis Joyner.--No. 35. Bunbury Day, wit. Dam.
 William Sanders v. John Gregg.--No. 41. Damages ld.

8 July 1768

Thursday [sic; should be Friday] 8 a. m.; present: Frederick Jones,
 William Campbell, John Eustace, John Ancrum, Esqrs.

f 184 Hannah Mott appointed Guardian of estate of her daughter Amelia
 Mott; bond £1,000 with Jonathan Watson and Stephen Player, sur.

Estate of John DuBois, Esq., late of Wilmington, Decd.--John Du-
 Bois, Jr. filed inv.

Andrew Stewart v. George Walker.--Judgment obtained against Jacob
 Miller as bail for Dft.

Deeds proved: two from James Oram to William Shiver, by Samuel
 Stuckey; Derby Eagen to Ebenezer Bunting, by John Campbell; Ebenezer
 Bunting to Ezekiel Morgan and David James, by John James; and Ebenezer
 Bunting to David James, by John James.

Margaret Clark, an orphan girl bound apprentice to Jennet Cowan
 late of Wilmington, complained that her said mistress has failed to
 clothe and educate her and has now hired her to Jacob Hook without al-
 lowing her necessary apparel. The Court issued a citation to Jenat
 Cowan in Cumberland County to answer at next term of this Court; and
 appointed Hannah Nevin of Wilmington, widow, as Trustee meanwhile to re-
 ceive wages now due and that may become due for the hire of the orphan,
 either from Jacob Hook or any other, and therewith to provide her with
 necessary apparel.

Ordered that balance of £27-2-4 due Stephen Player for work done at
 the jail be paid out of the County Tax.

f 184v Estate of Marcus Ford, late of Wilmington, Decd.--Will proved by
 John London; and James Junkin qualified as Exr.

The King v. James Moran.--Nuisance. Parker Quince, wit. Not guilty.
 Jury sworn: [same panel as in No. 7 yesterday afternoon].

either from Jacob Hook or any other, and therewith to provide her with necessary apparel.

Ordered that balance of £27-2-4 due Stephen Player for work done at the jail be paid out of the County Tax.

f 184v Estate of Marcus Ford, late of Wilmington, Decd.--Will proved by John London, and James Junkin qualified as Exr.

The King v. James Moran.--Nuisance. Parker Quince, wit. Not guilty.

Jury sworn: [same panel as in No. 7 yesterday afternoon].

Defendants submitted and fined: The King v. John Bunting.--5/-; The King v. George Parker.--10/-; and The King v. Mary DeRosset.--5/-.

Ordered that Mrs. McNamara be paid £5 "for Sweeping the Court House, &c."

Present 3 p. m. after adjournment: John Lyon, George Merick, Frederick Jones, John Burgwin, William Campbell, John Ancrum, Robert Shaw, JJ.

John Folk v. Richard Hogg.--Dismissed.

Tax rate fixed at 2/- on each taxable person for present year.

f 185 John Lyon, Esq. qualified as Sheriff, in bond with George Parker and Archibald McLaine, sur.

Jas. Moran, Esq., late Sheriff, thereupon turned over to John Lyon, Esq., present Sheriff, the following prisoners now in the County jail:

Thos. Denny, for fine and fees on an indictment in Superior Court; Nicholas Burbidge, for fine and fees on an indictment in Superior Court;

John Farrell, blacksmith, at suit of Cornelius Moore of Edenton; George Dingey, committed for a robbery done at Hillsborough; William Sanders,

at the suit of William Purviance in behalf of himself and the Governor, and on an execution at the instance of the said William Purviance as

Admr. of Stephen Rice; John Farr, committed by the Magistrates for a deceit; Ebenezer Bunting, on two executions at the instance of (1) S.

Swann and F. Jones, and (2) Lehansius Dekeyser; James Rogers, on an execution at the instance of Walter Blake, and on another at the instance

of William Blaxton; Edward Reiley, on an execution at the instance of Nathaniel McGufford; and a Negro fellow belonging to James Moore of

Black River, on an execution at the instance of Jonathan Sturges.

John Lyon, Esq., Sheriff, protested insufficient capacity of jail.

9 July 1768

f 185v Saturday morning; Court met according to adjournment; present: Thomas Lloyd, John Eustace, John Ancrum, Esqrs.

John Lyon, Esq., present Sheriff, appointed William Morgan who qualified as his Deputy.

Executions issued against Job Howe, Benjamin Stone, Joseph Lewis, and Richard Mason, defaulting jurors at April Court last who did not appear to make their excuse pursuant to notice; and excuse granted John Nichols therefor.

Estate of Thomas Galloway, Decd.--Clerk ordered to examine minutes of this Court relative to proceedings of the Guardians and lay it before next Court.

Granted petition of Cornelius Harnett, Esq. to permit his Negro man Jack to carry a gun at both his plantations, Maynard and Poplar Grove; William Campbell and John Ancrum, Esqrs., sur.

f 186 Ordered that the Constable give notice to the keeper of goats in Wilmington to confine them to their yards or risk contempt of Court with consequent fine; and that notice also be posted at the Courthouse.

[s] Tho: Lloyd J: Eustace John Ancrum
[Folios 186 v.-187 v. are blank.]

OCTOBER TERM 1768

f 188

Wilmington, Tuesday 4 October 1768

Court began; present: Cornelius Harnett, William Purviance, John Burgwin, John Ancrum, Esqrs., His Majesty's Justices.

Excused John Roe as defaulting juror at last Inferior Court.

Deed: James Bland to Thomas Parker: proved by Thomas Rogers.

f 188

Wilmington, Tuesday 4 October 1768

Court began; present: Cornelius Harnett, William Purviance, John Burgwin, John Ancrum, Esqrs., His Majesty's Justices.

Excused John Roe as defaulting juror at last Inferior Court.

Deed; James Bland to Thomas Parker; proved by Thomas Rogers.

Estate of Allan Sloan, Deed.--Will proved by Alexander McDougal, who also verified signature of other witness William Carrel.

f 188v

Grand Jury sworn: Francis Clayton, John Quince, Robert Hogg, Parker Quince, Anthony Ward, Robert Walker, James Blyth, Alexander McDougal, Benjamin Stone, Stephen Player, William Wilkinson, Robert Wails, John Campbell, John Colvin, John Walker, John Jones, William Gregory, James Middleton, Henry Young, George St. George, and Andrew Stewart. Excused because of illness: Job Howe, Robert Nickson, and Samuel Marshall.

Constables absent: William Starkey, Edward Wood, and Hezekiah Bonum; each fined 20/- unless he shows cause to the next Court.

Mark McClammy appointed Constable for the District of Topsail on the Sound, vice Bishop Dudley, Overseer of the Roads.

Excused Thomas Nixon as a defaulting juror at last Court.

5 October 1768

f 189

Wednesday morning; present: Cornelius Harnett, George Merrick, John Ancrum, John Burgwin, William Purviance, Jonathan Evans, Esqrs., JJ.

George Merrick, William Robinson, John Ancrum, and Robert Johnston listed taxables for their districts for present year.

Estate of Charles Britton, Deed.--George Merrick, Esq. filed inv.

List of taxables of George Moore, Esq. taken before Col. Lloyd returned to Court.

Deeds proved: John Howard to Titus Howard, by Hezekiah Howard; Margaret Evans to William McGowan, by Hugh Campbell.

By consent of Mr. MacLaine, attorney for Edmund Fogartie at whose suit Benjamin Bill is confined within the rules of the County prison, a writ of habeas corpus was issued to bring the prisoner into Court to testify in behalf of the King.

Estate of Thomas James, Decd.--Cornelius Harnett, John Burgwin, and Arthur Mabson, Esqrs., or any two of them, appointed to divide estate pursuant to will.

f 189v

D. Brown's Admr. v. Thomas Routledge.--Wit.: Joseph Beven.

Samuel Ashe v. Solomon Huffham.--No. 20. Damages for Plf., £5.

Jury sworn: David Bloodworth, William Jones, John Marshall, James McGufford, Samuel Stuckey, David Bowen, John Portevint, John Earle, Malatiah Hamilton, Thomas Nixon, Samuel Campbell, and George Robeson.

Judgments for plaintiffs [found by same jury as in Docket No. 20 in each case except No. 42 where Hugh Campbell replaced George Robeson]:

Nathaniel McGufford v. Benjamin Robinson.--No. 42, John London wit.;

Junkin & Ford v. Edmund Howe.--No. 18, James Junkins wit.; George Barnes

v. Archibald Ross.--No. 23; Hog & Cross v. George Barnes.--No. 31; Hog &

f 190 Cross v. Thomas Moody.--No. 43, John Lyon, wit.; John Corbyn v. Benjamin

Stone.--No. 26; Henry Toomer v. Shaw & Reid.--No. 27; James Walker v.

Alexander Nelson.--No. 32, Anthony DuBose wit.; Peter McNamee v. Thomas

White.--No. 45; and John Walker v. Richard Burkloe.--No. 5. [Amount of

judgments recovered ranged from £7-3-10 to £14-14-6.]

John Walker, Esq., late Sheriff, produced his A/C against County during time he served as Sheriff with insolvents on tax list amounting to £208-1-6, and he exhibited jury tickets and other vouchers for the same. Ordered that the Clerk notify the Clerk of the Superior Court to deduct this sum from judgments in that Court against said John Walker.

f 190v

On petition of John Walker, Esq., late Sheriff, against whom three executions have issued from Superior Court of Wilmington District for £248-18-8 of debt besides costs, the Court consented to delay levying

judgments recovered ranged from £7-3-10 to £14-14-6.]

John Walker, Esq., late Sheriff, produced his A/C against County during time he served as Sheriff with insolvents on tax list amounting to £208-1-6, and he exhibited jury tickets and other vouchers for the same. Ordered that the Clerk notify the Clerk of the Superior Court to deduct this sum from judgments in that Court against said John Walker.

f 190v

On petition of John Walker, Esq., late Sheriff, against whom three executions have issued from Superior Court of Wilmington District for £248-18-8 of debt besides costs, the Court consented to delay levying these executions until January first next, the said John Walker paying the costs, and the Coroner making return of the executions accordingly.

Present 4 p. m. after adjournment: Cornelius Harnett, Frederick Jones, George Merrick, John Burgwin, George Parker, William Campbell, JJ.

Excused James McGufford for his absence as juror at last Court.

Robert Francis v. Joshua Hayes.--John Jones, special bail, delivered Dft. to custody of Sheriff in discharge of his bail.

f 191

Elizabeth Edge, orphan girl, was apprenticed to George Shinnill till age 18; and Sarah Edge, her orphan sister, was apprenticed to John Jones till age 18.

Deed; James Moran, Esq., late Sheriff and John Quince to Harrold Blackmore; proved by John Hog.

The King v. William Dry.--Dft. submitted and was fined 10/-.

Estate of Sigley Curtis, Decd.--James Moore, Esq. appointed Admr., with copy of will annexed, of the estate unadministered by Mary the decedent's widow, late Mary Connelly, Exrx. Bond £60.

James Moran, Esq., Sheriff for last year, produced his A/C for taxes collected and disbursements paid, showing he has collected for all the taxables of the County, amounting to 96, except only 22 which he has liberty to account for at next Court, indicating a balance of £22-18-3 due him by the County.

f 191v

[Recapitulation:] Searchers 12, constables 3, insolvents 21, run-away or moved 54, overcharged in Magistrates' Court 6; total 96.

"N. B. The Court must here Observe that Mr. Moran is the first Sheriff that has ever Accounted with the County in so expeditious and

regular a manner and that without distressing a Single Person --"

6 October 1768

Met a. m., present: Mr. Harnett, Mr. F. Jones, Mr. Purviance, Mr. Burgwin.

James Moran, Esq., late Sheriff, produced receipt from John Ashe, Esq., Public Treasurer for the Southern District of this Province, for £588-11-6 in part payment of the seven-shilling tax for the year 1767.

Deed; Richard Quince to Thomas Cunningham; proved by William Dry, Esq. Also William Dry, Esq. ack. his deed to William Purviance, Esq.

On application of William Campbell, Esq. to place a valuation on his Negro fellow named Cudgo, who ran away, was outlawed, was picked up, and jumped off the bridge into the N. E. River where he drowned, the
f 192 Court examined William Jones and certified to the General Assembly a valuation of £80 for final allowance.

Ordered by consent of Alexander McDougal that a writ of habeas corpus issue to bring in Isaac Carter, held within the rules of the prison at the suit of said McDougal, to testify in a suit he is prosecuting in this Court against Benjamin Robinson.

William Campbell and Cornelius Harnett, Esqrs. filed the lists of taxables in their districts for the present year.

William Purviance v. Joseph Newton.--No. 11. Damages for Plf.

Jury sworn: [same as in Docket No. 20 yesterday, except William Stuckey and Stockley Bishop replace Samuel Campbell and George Robeson].

William Purviance v. Thomas McD. Reid.--No. 14, John London wit.;

f 192v William Purviance v. John Thalley.--No. 37; Henry Young v. William Saunders.--No. 4, nonsuit; Laurence McNamara v. Absolam Ventures.--No. 16, Mal. Hamilton wit, not guilty; Mary DeRosset, Exrx. v. William Starkey.--No. 30, Archibald Maclaine wit; Isaac Carter v. Benjamin Robinson.--No. 10; Hudlin Huffham v. David Mason.--No. 28, damages for Plf. 1d;

f 193 John Gay v. Stephen Shephard.--No. 36, Archibald Maclaine wit.; Christian Springs v. William Evings --No. 32 Michael Keen and Thomas Hardan

William Purviance v. Joseph Newton.--No. 11. Damages for Plf.

Jury sworn: [same as in Docket No. 20 yesterday, except William Stuckey and Stockley Bishop replace Samuel Campbell and George Robeson].

William Purviance v. Thomas McD. Reid.--No. 14, John London wit.;

f 192v William Purviance v. John Thalley.--No. 37; Henry Young v. William Saunders.--No. 4, nonsuit; Laurence McNamara v. Absolam Ventures.--No. 16, Mal. Hamilton wit, not guilty; Mary DeRosset, Exrx. v. William Starkey.--No. 30, Archibald MacLaine wit; Isaac Carter v. Benjamin Robinson.--No. 10; Hudlin Huffham v. David Mason.--No. 28, damages for Plf. 1d;

f 193 John Gay v. Stephen Shephard.--No. 36, Archibald MacLaine wit.; Christian Springs v. William Ewings.--No. 33, Michael Kean and Thomas Henderson wit.; and Obadiah Holt v. John Roe.--No. 39, damages for Plf. 1d.

Present 3:30 p. m.: Cornelius Harnett, John Burgwin, Frederick Jones, William Purviance, William Campbell, George Parker, John Ancrum, Esqrs.

Deed; Edward Dorham to John Lyon, Esq.; proved by Wm. Campbell, Esq.

Frederick Jones, Esq. returned list of taxables in his district.

George Parker v. Edward Spearman.--No. 44. Solomon Huit, wit.

f 193v The King v. John Lynch.--Petit larceny. Stephen Player, wit. Verdict guilty. "Judgment that he receive 39 Lashes to be laid on his bare back at the public Whipping Post, between ye hours of 10 and 12 o'clock to morrow morning, and to be conveyed from Constable to Constable to the Verge of this County & Onslow & to pay the Costs of this Indictmt. & Goal fees &c." Jury sworn on this cause [same as in No. 11 above].

The King v. William Starkey.--Riot. Benjamin Bill and Robert Elder wit. Guilty. Fine 5/-. In another action between same parties, charged with neglect of duty as Constable: verdict guilty; fine 1/-.

The King v. Jean Carter.--Submitted, and fined 5/-.

John Howard v. George Robeson.--No. 13. Francis Clayton, wit.

✓ Mary Derosset, Exrx. v. William Starkey.--Archibald MacLaine, Esq., special bail for appearance of Dft. in this suit at this Court; delivered him in discharge of his bail; and Sheriff ordered to commit him to close custody to satisfy the judgment recovered by Plf. in this action.

7 October 1768

f 194 Present 9 a. m.: Frederick Jones, John Burgwin, William Campbell, JJ. Licensed Comfort Bowen to keep ordinary in Wilmington; Richard Player and Stephen Player, sur.

Deed; Elizabeth Catherine DeRosset to Alexander Rouse; proved by Andrew Stewart.

Estate of Rice Price, Decd.--John Jones appointed Admr.; bond £100 with Mr. Gregory and Mr. Young, sur.

On petition of Job Howe, by Mr. Moran, Atty., remitted his fine as a defaulting juror at April Court because he was then sick.

Mark McClammy v. Edward Spearman.--Timothy Spence wit.

f 194v Deed; James Moran, late High Sheriff, to Thomas Rogers; ack.

James Moran, Esq., late Sheriff, produced his A/C with the public of North Carolina, signed by John Ashe, Esq., Public Treasurer of the Southern District of this Province. [His statement recorded at full length in the minutes accounts for the sum of £719-5-0 received as of August 2, 1767 with respect to 2,055 taxables @ 7/- each, and for total contra entries in the like sum made up, apart from adjustments for 96 insolvents and 22 delinquents and a small balance remaining in his hands, of payments to the Treasurer of £589-19-6, payment of his salary for 1767 of £10, and payment of his commission of 8 per cent. calculated on the amount of £677-19-0 at £54-14-8 (sic; apparently should extend to £54-4-8).]

f 195 Present at 3 p. m.: Frederick Jones, John Burgwin, Geo. Parker, JJ. Jurors chosen for next Superior Court: Grand jurors - Frederick Jones, Robert Schaw, Jonathan Evans, Arthur Mabson, Henry Johnston, and George Moore, Jr.; and [petit jurors] - Frederick Jones, Jr., David Alexander, Robert Nixon, William McGowan, Samuel Marshall, and Sampson Moseley.

Appointed John Kirkwood Constable for the District of the Town of Wilmington, vice William Starkey, removed for neglect of duty.

On petition of Job Howe, by Mr. Moran, Atty., remitted his fine as a defaulting juror at April Court because he was then sick.

Mark McClammy v. Edward Spearman.--Timothy Spence wit.

Deed; James Moran, late High Sheriff, to Thomas Rogers; ack.

James Moran, Esq., late Sheriff, produced his A/C with the public of North Carolina, signed by John Ashe, Esq., Public Treasurer of the Southern District of this Province. [His statement recorded at full length in the minutes accounts for the sum of £719-5-0 received as of August 2, 1767 with respect to 2,055 taxables @ 7/- each, and for total contra entries in the like sum made up, apart from adjustments for 96 insolvents and 22 delinquents and a small balance remaining in his hands, of payments to the Treasurer of £589-19-6, payment of his salary for 1767 of £10, and payment of his commission of 8 per cent. calculated on the amount of £677-19-0 at £54-14-8 (sic; apparently should extend to £54-4-8).]

Present at 3 p. m.: Frederick Jones, John Burgwin, Geo. Parker, JJ.

Jurors chosen for next Superior Court: Grand jurors - Frederick Jones, Robert Schaw, Jonathan Evans, Arthur Mabson, Henry Johnston, and George Moore, Jr.; and [petit jurors] - Frederick Jones, Jr., David Alexander, Robert Nixon, William McGowan, Samuel Marshall, and Sampson Moseley.

Appointed John Kirkwood Constable for the District of the Town of Wilmington, vice William Starkey, removed for neglect of duty.

Renewed license of Christian Springs to keep ordinary in Wilmington.

Sheriff ordered to enclose jail lot with board fence and build an oven therein "for a Garden for the benefit of the Prisoners."

Appointed John Newton ferryman, Negro Head Point to Town; bond £100, Archibald MacLaine, sur.

James Moran, Esq. ordered to pay Michael Keough out of County tax £3-18-0 "for attending Mrs. Cumbow in the small pox --" Also ordered that £3-13-10 be paid to John Lyon, Esq. for sundries he advanced for the use of Mrs. Cumbow while she was sick with the smallpox.

[s] Jno. Burgwin Wm. Campbell Geo. Parker