

On a scire facias writ against William Bradley, who is [mutilated]
Edward Porter, continuance had by consent of attorneys for both parties.
Estate of Capt. James McDo[well], Dece'd.--Inv. filed by Frederick
Gregg, Esq.

[s] Fredk: Gregg Corn[s.] Har[nett] [mutilated]

[Minutes for December Term 1761-March Term 1764, inclusive, lacking.]

JUNE TERM 1764

f 107

Wilmington, Tuesday 5 June 1764

Court began; present: Cornelius Harnet, Frederick Gregg, Caleb
Grainger, Esqrs.

Estate of John Gardner Squire, Dece'd.--Will proved by John Anderson.

6 June 1764

Met 8 a. m. pursuant to adjournment; present: Cornelius Harnet,
John Dubois, Caleb Grainger.

Grand jurors sworn: Job Howe, Anthony Ward, William Campbell, David
Evans, Bryant Lea, Samuel Collier, Robert McCrackan, Timothy Bloodworth,
John Simpson, Michael Fitzgerald, Solomon Huffom Jr., Thomas Parker Sr.,
Randel Ramsey, Thomas Rogers, John Devane, Thomas Routledge, William
Wilkinson, and John Jones. Jurors absent: Geo Parker, James Robeson,
John Baker, James Henesey, James Rogers, Wm Stuckey, Ebenezar Bunting,
John Eary (not to be found), and Jeremiah Keenan.

f 107v James Pagitt ack. deed to Frederick Dore; and deed from James Green
to Asa Simmons was proved by Isaac Brinson.

Estate of John Blackburn.--Inv. filed by Thos. Routledge, Admr.

Estate of James Parrel, Dece'd.--Inv. filed by Agerton Willis, Admr.

Estate of John Waters, Dece'd.--Inv. filed by William Hall, Admr.

Estate of Christopher Dudley, Decd.--Will proved by Stockly Bishop, and Bishop Dudley qualified as Exr. Estate of Duncan Cowan, Decd.--Izabel Cowan, widow, appointed Admx.; John Campbell and Robert Wails securities, £700.

Thomas Rogers, Thomas Duff, and Isaac Brinson excused for absence as jurors at March Court.

Magnus Cowan and Jennet his wife ack. deed to Frederick Gregg, Esq.

f 108 A deed from Thomas Cuninghame to John Robinson was proved by James Moran; a petition of James Pagett to keep ordinary at his house on Welsh Tract was granted; and William Mouat Esq., appointed by Robert Jones, Jr., Esq. as Deputy King's Atty., qualified therefor.

Met 3 p. m. pursuant to adjournment; present: Cornelius Harnett, Alexander Duncan, John Burgwin, Caleb Grainger, Esqrs.

Richd. Newport v. Wm. Wm.[sic] Brown. Francis Lynaughier wit. Verdict for Plf.

Jury: Richard Bradley, Jno. Taylor, Dennis Moore, Jno Nichols, John Row, Alexander Nelson, Ezekiel Morgan, Malatiah Hamilton, Obadiah Evans, Jno. Kelly, Thos. Loper, and Thomas Duff.

Mr. William Mouat, Atty. for defense in above action, moved for an arrest of judgment, waived that motion, and moved for a new trial. Overruled. Appeal of verdict to next Superior Court granted.

f 108v Estate of Duncan Cowan, Decd.--Izabel Cowan qualified as Admx. and filed inv.

Stockly Sidberry, orphan son of Woodman Sidberry, Decd., chose as guardian James Howard who gave bond with Stockly Bishop and Bishop Dudley sureties.

William Jones excused for absence as juror at last Court.

Constables appointed March 1764: Esey Simmons, Holly Shelter; Geo. Willis, Long Creek; Frederick Dore, Welch Tract; Charles Morris, New Topsail; Isaac Newton, Black River; James Roe, Perry's Creek; John Rogers, from Mott's Creek to Bald Head; and John Floyd and David Brown, Wilmington. Court adjourned to 8 a. m.

Stockly Sidberry, orphan son of Woodman Sidberry, Decd., chose as guardian James Howard who gave bond with Stockly Bishop and Bishop Dudley sureties.

William Jones excused for absence as juror at last Court.

Constables appointed March 1764: Esey Simmons, Holly Shelter; Geo. Willis, Long Creek; Frederick Dore, Welch Tract; Charles Morris, New Topsail; Isaac Newton, Black River; James Roe, Perry's Creek; John Rogers, from Mott's Creek to Bald Head; and John Floyd and David Brown, Wilmington. Court adjourned to 8 a. m.

7 June 1764

Present: Lewis Derosset, Alexander Duncan, Caleb Grainger, Frederick Jones, Jno. Burgwin, Cornelius Harnett, John Dubois, William Purviance, Jas. Moore, Esqrs.

f 109 Estate of James Henderson, Decd.--Inv. filed by Catherine Henderson, Admx.

Jury sworn: James Paget, John Taylor, Dennis Moore, John Nichols, John Row, Alexander Nelson, Ezekiel Morgan, Malatiah Hamilton, Obediah Evans, Thos. Duff, Joseph Newton, and Wm Stafford.

Arthur Baxter v. Wm. Simpson.--A. Benning wit. Nonsuit.

Hon. Lewis Derosset, Esq. qualified as a Justice.

John Sims v. Wm Simpson.--Not ready for trial.

Present 3 p. m. after adjournment: Hon. Lewis Derosset, Cornelius Harnet, Frederick Gregg, Caleb Grainger.

f 109v John James licensed to keep ordinary at his house on Rockfish Creek; and Thomas Routledge and James Middleton were excused for absence as jurors at last Inferior Court.

Saml. Marshall v. Wm. Bevill.--Saml. Wingate wit. Dft. assessed damages.

John Sims v. Wm. Simpson.--A. Benning wit. Verdict for Plf. Mr. Algernon Furnel, Atty. for Dft., moved arrest of judgment and filed his reasons therefor.

Mr. James Kennedy, imprisoned for debt, moved for benefit of the Insolvent Act alleging he is not worth 40/-. Accordingly discharged.

8 June 1764

f 110 Met 8 a. m.; present: Cornelius Harnett, John Dubois, Caleb Grainger, Frederick Jones, William Purviance, Jno Burgwin, Esqrs.

John Sims v. Wm. Simpson.--Reasons for arrest of judgment argued and judgment set aside; motion of Plf. by Archibald MacLaine, Atty., for appeal to next Superior Court granted.

Overseers of the roads appointed: Mr. John Morris, from ferry opposite Brunswick to Wilmington "& to have all the male Taxables to work thereon" on the sound to Widow Jones' Creek and on the River and on both sides of the road; Mr. John Watson, from the forks of Brunswick Road to the Seven-mile tree, from the N. side of Widow Jones' Creek to Caleb Grainger's Plantation near Mott's; Mr. Job How, from Wilmington toward Newbern as far as the sheep pens, and have male taxables belonging to Mr. C. Grainger and Mr. Job How at their plantations on the sound and the Negroes belonging to Mrs. Forrister on the sound and the Estate of Thos. James; Mr. William Walker, on W. side of N. E. River from Cypress Creek to bounds of County, with all inhabitants on both sides of main road and within area two miles E. of River above mouth of Holly Shelter Creek to work thereon; Arthur Mabson, from Wilmington over Mr. Grainger's Bridge up the N. E. as far as Blake's Ferry, including male taxables of Mr. Mouat and Mr. Harnett and all inhabitants above Smith's Creek on each side of road to work thereon; Mr. John Hollinsworth, Road toward Newbern from the sheep pens to bounds of County; Edward Doughtry, from Cypress Creek to Blake's Ferry, and main road to Long Creek Bridge; James Price, from Blake's Ferry to main road from Wilmington to Newbern, and up Holly Shelter Road as far as Thos. Merrick's plantation; Timothy Bloodworth, Negro Head Point to Widow Moore's

f 111 Creek, and up Black Creek to Long Creek Bridge; John Marshall, Widow

male taxables of Mr. Mouat and Mr. Harnett and all inhabitants above Smith's Creek on each side of road to work thereon; Mr. John Hollinsworth, Road toward Newbern from the sheep pens to bounds of County; Edward Doughtry, from Cypress Creek to Blake's Ferry, and main road to Long Creek Bridge; James Price, from Blake's Ferry, to main road from Wilmington to Newbern, and up Holly Shelter Road as far as Thos. Merrick's plantation; Timothy Bloodworth, Negro Head Point to Widow Moore's Creek, and up Black Creek to Long Creek Bridge; John Marshall, Widow Moore's Creek to Colvin's Creek on Black River; John Devane, Colvin's Creek to King's Branch, with inhabitants on each side of road and the people below Wildcat to work thereon; George Robeson, King's Bridge to Duplin County line, with all inhabitants ... including George Mears' and John James' hands to work thereon; Richard Herring, W. side of Black River from Corbet's Ferry upward; and Sampson Moseley, from Thos. Merrick's plantation over Holly Shelter to the bounds of Onslow County.

Adjourned to 3 p. m., when present: Cornelius Harnett, John Dubois, Caleb Grainger, Wm Purviance, Esqrs.

Magistrates appointed to list taxables in several districts: John Dubois, Esq., Mott's Creek along sound to the Hawlover and from Jumping Run down the river to Bald Head; Frederick Gregg, Esq., Perry's Creek to Mott's Creek, including Mr. Gregg's plantation; Corns. Harnett, Esq., Smith's Creek to Jumping Run and to the E. as far as Bowen's, including Wilmington; George Merrick, Perry's Creek to bounds of County along the sound and W. to main road, excluding Mr. Gregg's plantation; Thomas Merrick, all inhabitants on Island and Harrison's, Creek and up N. E. River as far as Holly Shelter, exclusive, and as far as main road on sound; Alexander Lillington, Holly Shelter, inclusive, up E. side of N. E. River and on W. side thereof from mouth of Burgaw Creek up the bounds of the County and as far up Rockfish as to include all inhabitants on Sills Creek; Frederick Jones, W. side of N. E. River from mouth of Long Creek to Burgaw, including all inhabitants on E. side of Long Creek; Alexander Duncan, Negro Head Point up Black River to bounds of County, including inhabitants on W. side of Long Creek and on Rockfish Creek above Sills Creek; and Caleb Grainger, Esq., Smith's Creek up the N. E. to Island

Creek thence over to the head of Smith's Creek, including Routledge's plantation.

Joseph Newton, appointed ferry keeper from Town to Negro Head Point, gave bond \$100 with Hon. Robert Howe, Esq. and Mr. Robert Schaw Estate of George Setton, Decd.--John Campbell, Admr., filed inv.

Renewed license of John Campbell to keep ordinary in Wilmington; granted such license to John Folk at his house in Wilmington; and renewed such licenses of Luke Bowen, David Bowen, Anthony Dubose, Bridget Arlow, and Jeremiah Hand. Then adjourned to 8 a. m. Saturday.

9 June 1764

Present: Cornelius Harnet, Caleb Grainger, John Burgwin.

112v Mr. Arthur Benning qualified as Sheriff; Frederick Gregg and William Purviance, Esqrs., securities.

James Moran, Clerk of this Court, granted leave of absence from the Province provided he leave a proper person to transact business of the Court in his absence.

[s] Corns. Harnett Caleb Grainger Wm. Purviance

SEPTEMBER TERM 1764

f 113

Wilmington, Tuesday 4 September 1764

Court began; present: Lewis Derosset, Cornelius Harnet, Caleb Grainger, Alexander Duncan, John Burgwin, Esqrs.

On hearing appeal of John Baker, Alexander Colvin, and John Simpson from the judgment given against them by Alexander Duncan, Esq., for not attending and voting at last election for vestrymen of St. James' Parish, the judgment was reversed.

Deeds proved: William Wood to Thomas Burton, by Forrister Green;

Court began; present: Lewis Derosset, Cornelius Harnet, Caleb Grainger, Alexander Duncan, John Burgwin, Esqrs.

On hearing appeal of John Baker, Alexander Colvin, and John Simpson from the judgment given against them by Alexander Duncan, Esq., for not attending and voting at last election for vestrymen of St. James' Parish, the judgment was reversed.

Deeds proved: William Wood to Thomas Burton, by Forrister Green; and Bishop Dudley to James Middleton, by Robert Nixon.

Jurors called, and few appearing Court adjourned to 8 a. m.

5 September 1764

Present: [same Justices as above, plus Thomas Merrick, Frederick Jones, and Frederick Gregg].

Samuel Lane licensed to keep ordinary at his house at Topsail.

113v Names of Constables called out: Esey Simmons, George Willis (removed), Frederick Dore, Charles Morris, Isaac Newton, John Rogers, John Floyd, and David Brown. "License of John Rogers renewed."

Grand Jury sworn: George Parker, Anthony Ward, William Wilkinson, Alexander Ross, Caleb Mason, John Watts, Charles Bishop, Peter Loper, Woney McClamey, Timothy Bloodworth, Solomon Morris, John Portivine, John James, James Howard, and Ezekiel Alexander.

Cornelius Harnett and Caleb Grainger, Esqrs., by Mr. Ashe, Atty., filed petition to build a public grist mill on their lands on a main branch of Smith's Creek at or near Hudson's Dam.

Ordinary license of Edward Davis renewed.

114 Jury: Benjamin Giden, William Stuckey, James McGufford, David David, Robert Nixon, Mark McClamey, William McClamey, Andrew Nichols, Thomas McClamey, Ebenezer Bunting, William Swann, and John Loper.

Arthur Baxter v. Thomas Duff.--Damages for Plf., ld. with 6d. costs.

William Campbell and Arthur Mabson, by Mr. Samuel Swann, Atty., petitioned to build grist mill on their lands on a branch of Smith's

Creek; Mr. Ashe moved for more time for him to finish his grist mill on Pithe's Creek, for which he was granted a 12-month extension; and William McClamey, John Devane and Timothy Bloodworth were chosen to survey sites for both these mills.

Verdicts found for Plf.: John Turner v. William Collins; Alexander Ross v. Jacob Miller [with same jury sitting as above, except for Wm. Edwards in place of David David]; and Alexander Ross v. Catherine Henderson, Admx. of James Henderson.

f 114v

The petition presented by Archibald MacLaine on behalf of Arthur Hamilton, who has opened a coffee house in Wilmington, for license to retail liquors was rejected, for lack of authority to grant such a license except to ordinary keepers "tho' at ye. same time ye. Cot. think such Coffee House would be of public advantage."

Deeds ack.: Michael Lowber to Thomas Merrick, Esq.; Richard Earle to Thomas Merrick, Esq.; Michael Lowber to Mark McClamy; and Mark McClamy to Michael Lowber. Deeds proved: Danl. Burnet to Robert Sage, by Mr. Samuel Ashe; and Evan Jones to Margaret Evans, by Wm. Edwards.

Adjourned to 3 p. m., when present only Frederick Gregg, Esq., and Court adjourned to 8 a. m. Thursday.

6 September 1764.

Present: Cornelius Harnet, John Dubois, Frederick Jones, Caleb Grainger, John Sampson, Frederick Gregg, Hugh Waddell, John Burgwin, Alexander Duncan, Esqrs.

Estate of Wm. Lee, Decd.--Will proved by James Moran, and Mary Lee, widow, qualified as Exrx.

f 115

Estate of Jacob Neal, Decd.--John Simpson, Exr., filed inv. & A/C. Jury: [same as listed yesterday, except name of first juror is here spelled Benjamin Geion (David David is back on panel instead of William Edwards)].

Edward Carter v. James Farr.--John Tully wit. Verdict for Plf.

Estate of Wm. Lee, Decd.--Will proved by James Moran, and Mary Lee, widow, qualified as Exrx.

f 115

Estate of Jacob Neal, Decd.--John Simpson, Exr.; filed inv. & A/C.

Jury: [same as listed yesterday, except name of first juror is here spelled Benjamin Geion (David David is back on panel instead of William Edwards)].

Edward Carter v. James Farr.--John Tully wit. Verdict for Plf.

Deeds proved: Margaret Evans to Solomon Huet, by Mr. William Mouat; Lewis Skibbow to John Mouat, by William Mouat; and Benjamin Lane and wife to Peter Loper, by John Loper.

At a hearing on two petitions filed yesterday for license to build a grist mill, testimony was taken from persons appointed to view the stream and from several witnesses on both sides. Ordered, that license be granted to Cornelius Harnet and Caleb Grainger; that they build a good road from the mill to the main road leading from Wilmington to the county line; that the road be finished as soon as the mill under penalty of \$500; and that the petition of Messrs. Mabson and Campbell be denied.

f 115v After a motion for an appeal to the next Superior Court was made by Samuel Swann, Esq. as counsel for Mr. Mabson and Mr. Campbell and granted by the Court, the appeal was withdrawn. Court adjourned till 3 p. m.

Present at 3 p. m.: John Sampson, Cornelius Harnet, Frederick Jones, John Dubois, Esqrs.

Jury: [same as listed yesterday, except Allen Stone replaces Ebenezer Bunting].

Antonie Dubose v. John Patterson.--John Rily, John Tully, and Hezekiah Bonham, wit. Verdict for Plf. John Paterson v. Antonie Dubose.--Jacob Miller, John Riley, Jer. Hand, Edward Saul, John Thaly; and John Paterson, wit. Jury found Dft. did not assume.

"John Riley agn A Burdow T. Bloodworth Jas. Larkins." [Marginal notation.]

Changes in Overseers' districts: Mr. Mabson, to extend to Island Creek; and Mr. Thomas Merrick's male taxables are to work in Mr. James Price's District.

f 116 Deed, from Mrs. Margaret Vail to Benjamin Heron, Esq., proved by Samuel Swann, Esq.; and another, from David Evans to Margaret Bloodworth, by Wm. Edwards. Thos. Morris and Jas. Price, Gdns. of Thomas, Mathew and Sarah, ch. of Thos. Galloway, Decd., bonded; C. Grainger, sur.

On an appeal to this Court by George Mears, Esq. and Messrs. James Henesey, James Rogers and John Henesy, from a judgment entered against them by Alexander Duncan, Esq. for failure to attend and vote at the last election of vestrymen, held, sufficient cause shown and judgment reversed. Then Court adjourned to 9 a. m. Friday.

7 September 1764

Present: Cornelius Harnet, Caleb Grainger, George Mears, John Bur-
gwin, Esqrs. Jury: [same names as listed 5 September, except name of
first juror is here spelled Benjamin Gedion].

Francis Lynaugh v. James Bryan.--A. Maclaine, wit. Nonsuit.

David Mims v. William Forrister.--Awarded 1d. damages & 6d. costs.

f 116v Margery Gavins, Admr. of John Gavins v. Wm. Bennet.--Jury found
for Dft. and awarded £12-5-6.

John Simpson licensed to keep ordinary at his house on Black River.

Estate of John Squires, Decd.--Margaret Devane appointed Exrx.

Licenses of Francis Lynaugh and John Springs for ordinaries at Wil-
mington renewed.

"Mr. Angus McLarty produced to the Court a Comm. from the Honble.
Jno. Rutherford Esqr. appointing him Deputy receiver of his majesties."
[This entry stricken out in original record.]

Isable Cowan's license renewed.

John Silvester, orphan son of Augustus Silvester, was apprenticed
to John Chalwell and Henry Rooks, periwig makers, for 15 years, being
now six years old, and proposed Dr. Green and Henry McKay as sureties.

On representation of Mr. Timothy Bloodworth, Overseer of Roads, or-
dered: that all male taxables belonging to Collo. Francis Corbin and Ar-

[This entry stricken out in original record.]

Isable Cowan's license renewed.

John Silvester, orphan son of Augustus Silvester, was apprenticed to John Chalwell and Henry Rooks, periwig makers, for 15 years, being now six years old, and proposed Dr. Green and Henry McKay as sureties.

On representation of Mr. Timothy Bloodworth, Overseer of Roads, ordered: that all male taxables belonging to Collo. Francis Corbin and Arthur Mabson shall work in Bloodworth's District; and that the following persons be appointed to lay out the road from the Widow Moore's Creek to the main road: Nathl. McGufford, Richard Marpus, Wm Jones, Simon Hogins, Wm Orr, John Larkins, William Larkins, James McGufford, Jno Riley, Edward Riley, William Braxton, and John Malpus.

f 117

Ordered that the Sheriff stake out six acres for the prison with cedar posts within ten days, under the supervision of Caleb Grainger and John Burgwin, Esqrs.

Persons appointed to lay out road from Rockey Point [sic] Landing Ferry to main road leading from Wilmington to Duplin County: John Rutherford, Samuel Swann, Sr., Frederick Jones, Benjamin Heron, George Moore, Samuel Ashe, John Ashe, John Moseley, Sampson Moseley, Thomas Merrick, Alexander Lillington, and James Moseley, Esqrs.

Tickets granted: to Mr. Thomas Hollaway, for a Negro man named Burgaw Billy to carry a gun at Burgaw Plantation; and to Mr. John Rutherford for a Negro man named Mingo to carry a gun at Rockey Point Plantation. Court adjourned to 3 p. m., and met accordingly.

Present: Cornelius Harnett, Caleb Grainger, Frederick Jones, John Burgwin, George Mears, Esqrs.

Chosen for next Superior Court: Grand Jury - Cornelius Harnett, John Dubois, Frederick Jones, and George Moore; and Petit Jury - Alexander Lillington, Thomas Merrick, Job Howe, and Wm. Jones of Long Creek.

117v

Poll tax rate for ensuing year fixed at 1/4.

Ordered that John Dubois and John Burgwin, Esqrs. settle with Mr. John Walker, late Sheriff, and Mr. Arthur Benning, present Sheriff, and

all others having any money of County; and that they agree with workmen to repair the prison and stocks and put brick pillars under Courthouse.

Sheriff ordered to employ a jailer to live in house built for jailer to prevent the escaping of prisoners lately happening too often.

As David Brown is very sickly and John Floyd has moved from County, John Rogers, John Earle and Thomas Henderson were appointed Constables for Wilmington.

Ordered that John Walker, Esq., late Sheriff, pay Clerk £15 for year's salary due him out of County tax in his hands.

[s] Geo. Mears Jno. Burgwin Corns. Harnett Jno: D:Bois

DECEMBER TERM 1764

f 118

Wilmington, Tuesday 4 December 1764

Court began; present: The Hon. Lewis Henry Derosset, Esq. Adjourned to 11 a. m. Wednesday, 5 December 1764, when present: The Hon. James Murray, Lewis Henry Derosset, William Dry, Esqrs. The foregoing gentlemen, members of H. M. Council, and also Corns. Harnett, John Lyon, Jno. Dubois, Frederick Gregg, Caleb Grainger, George Mears, Alexander Lillington, William Purviance, Alexander Duncan, James Moore, Jno Burgwin, Wm. Walker, Samuel Strudwick, Moses John Derosset, Wm Campbell, and Hezekiah Doan, Esqrs. were qualified as Justices.

f 118v

Inspectors chosen: Obadiah Holt and James Walker, for Wilmington; Sampson Moseley, New Exitor; and Stockly Bishop, New Topsail.

Grand Jury sworn: George Parker, William Wilkinson, Hugh Campbell, Jonathan Evans, John Kelly, Caleb Mason, Anthony Ward, Richard Bradley, Magnus Cowan, Dennis Moore, Robert McCrackan, Robert Wails, Caleb Nichols, Edward Teal, Samuel Collier, and Alexander Ross. Absent: Jere Keenan (fined 40/-) and Michael Loper; also Frederick Dore and John Rogers, Constables.

and Hezekiah Doan, Esqrs. were qualified as Justices.

f 118v Inspectors chosen: Obadiah Holt and James Walker, for Wilmington; Sampson Moseley, New Exitor; and Stockly Bishop, New Topsail.

Grand Jury sworn: George Parker, William Wilkinson, Hugh Campbell, Jonathan Evans, John Kelly, Caleb Mason, Anthony Ward, Richard Bradley, Magnus Cowan, Dennis Moore, Robert McCrackan, Robert Wails, Caleb Nichols, Edward Teal, Samuel Collier, and Alexander Ross. Absent: Jere. Keenan (fined 40/-) and Michael Loper; also Frederick Dore and John Rogers, Constables.

Deed; Charles Hollinsworth to Thos. Tyer; proved by John Alexander Willey.

The Court granted petition of Hon. John Rutherford, Esq., by Samuel Ash, Atty., to build grist mill on Rockfish Creek; ordered that Jonathan Evans; William Edwards, Wm Walker, and David Bloodworth lay off one acre therefor; and summoned Francis Dromgold to show cause at next Court why this action should not be taken.

f 119 Present 3 p. m. after adjournment: Cornelius Harnet, Caleb Grainger, Hezekiah Doan, Moses John Derosset, Alexander Lillington, George Mears, John Dubois, Esqrs.

Assignments of mortgage and bond, from Judith Wragg, Exrx. of Joseph Wragg, to Thomas Wright, were proved by Caleb Grainger, Esq.

Estate of Henry McKay, Decd.--Mary McKay, Admrx. filed inv.

Deed; Asa Simmons to Emanuel Teal; ack. by grantor.

6 December 1764

Met 8 a. m. pursuant to adjournment; present: The Hon. Lewis Derosset, Cornelius Harnet, John Lyon, George Mears, Esqrs.

Estate of Margery Gavins, Decd.--Archibald Ross appointed Admr.; bond £200, Caleb Grainger and Moses John Derosset, Esqrs., securities.

Estate of Henry McKay, Decd.--Mary McKay empowered to sell estate.

f 119v Jury: John Simpson, Peter Loper, James Thomas, John Marshall, James Rogers, Richard Malpus, William Wood, Anthony Sliney, John Nichols, Solomon Morris, Benjamin Gurley, and Isaac Moore.

Algernon Furnell v. David Brown.--Thomas Carter, A. Benning, James Kennedy, Moses John Derosset, and Capt. Corbet, wit. Demurrer by A. Maclaine with which Mr. Furnell joined.

Persons chosen Inspectors for Wilmington and bonded for £500 each: Mr. Obadiah Holt, with Cornelius Harnet and Lewis H. Derosset, Esqrs., sur.; and Mr. James Walker, with same sureties. Appointees "qualified for the same by taking the Oaths & subscribing the Test as also the Oath of Office." Seated: Harnet, M.J. Derosset, Campbell, Dubois, Merrick, JJ.

f 120 George Merrick qualified as Justice; and Mr. John Quince presented Governor's commission and qualified as Coroner.

Jury: [same as above except John Alexander Willey in place of William Wood].

Nonsuit: Francis Lynaugh v. Thomas Goan.--A. McKay and L. Bowen, wit. Verdicts for Plt.: John Murray v. John Jones.--A. Maclaine, wit.; and David Brown v. John Bently.--John Jones, wit.

Mr. Arthur Hamilton licensed to keep ordinary in Wilmington.

7 December 1764

Present: Cornelius Harnet, Caleb Grainger, William Campbell, Moses Jno. Derosset, John Burgwin, Esqrs.

120v Jury: Solomon Morris, Peter Loper, James Thomas, John Marshall, James Rogers, Richard Malpus, Anthony Sliney, John Nichols, John Alexander Willey, Benjamin Gurley, Wm Wood, and Edward Saul.

Solomon Morris v. John Simpson, Exr. of Jacob Neal, Decd.--Assumpsit. Mrs. St. George, Charles Morris, John Alexander Willey, John Johnston, Stockly Price, D. Green, and D. Bennet, wit. Found testator did assume and Dft. did not administer; damages assessed £15-5-10.

Estate of Elizabeth Morris, Decd.--Will proved by Alexander Duncan, Esq., and Mr. James Price qualified as Exr.

Estate of John Gavins, Decd.--Archibald Ross granted letters de bonis non on this estate unadministered by Margery Gavins, Admrx., decd.;

der Willey, Benjamin Gurley, Wm Wood, and Edward Saul.

Solomon Morris v. John Simpson, Exr. of Jacob Neal, Decd.--Assumpsit. Mrs. St. George, Charles Morris, John Alexander Willey, John Johnston, Stockly Price, D. Green, and D. Bennet, wit. Found testator did assume and Dft. did not administer; damages assessed £15-5-10.

Estate of Elizabeth Morris, Decd.--Will proved by Alexander Duncan, Esq., and Mr. James Price qualified as Exr.

Estate of John Gavins, Decd.--Archibald Ross granted letters de bonis non on this estate unadministered by Margery Gavins, Admrx., decd.; empowered to sell perishables; and filed inv. of effects.

121 A deed from Ann Nesfield and John Robeson, Exrs. of John Nesfield, Decd., to Frederick Gregg, Esq., was proved by Archibald MacLaine.

Caleb Grainger, Esq. and Mary his wife ack. their deeds, one to John Burgwin, Esq. and another to Dr. Samuel Green.

Adjourned to 3 p. m., when present: Cornelius Harnet, John Lyon, William Campbell, Moses John Derosset, John Dubois, Esqrs.

Solomon Cumbow v. Wm. Wilkinson.--Francis Lynaugh, wit. Nonsuit.

121v Estate of Elizabeth Morris, Decd.--Mr. James Price, Exr., filed inv. Joseph Newton, ferryman, indicted for bad boats and bad attendance, submitted to the mercy of the Court and was fined 30/-. Ordered that the "said" ferry between Wilmington and Negro Head Point shall after the next Court be served from the Wilmington side by a good horse boat to carry safely four horses, a good canoe and two able hands in constant waiting; and that Clerk advertise for proposals accordingly.

8 December 1764

Met 10 a. m. Saturday according to adjournment; present: Hon. James Murray, John Dubois, Caleb Grainger, Cornelius Harnet, John Lyon, Moses John Derosset, Esqrs.. John Moseley, Esq. qualified as a Justice.

Granted petition of Thomas Henderson, tailor, to have Augustine Silvester, an orphan boy who was bound to Henry McKay, Decd., apprenticed to him for five years, the orphan consenting.

Granted leave to Hon. Benjamin Heron, Esq. for his Negro man named Duffie to carry a gun on plantation at the Mulberry.

Sheriff to agree with workmen "as cheap as possible" to build a brick kitchen 20' x 16' with brick chimney for the jailer.

f 122

Algernon Furnell v. David Brown.--General demurrer and pleadings to be drawn for next Court.

Ordered that Mr. John Walker, late Sheriff, settle with John Dubois and John Burgwin, Esqrs. for all public money before next Court.

Met 3 p. m. according to adjournment; present: Cornelius Harnet, John Lyon, John Dubois, Frederick Gregg, Caleb Grainger, Moses John Derosset, Alexander Duncan, Esqrs.

Arthur Benning, Sheriff, reported on the six acres laid out for the rules of the County prison, thereupon adopted by the Court, as follows:

"Beginning at a stake at the lower end of the prison & running up through the same in a Direct line to the jaumb of ye. south side of the Joalers House & from thence up Easterly through the Church to the south side of the Communion window & to a stake at the East End of the Church being 24 poles from the Beginning & thence across the Street Northerly 6-2/3 poles to -- a stake at the End of James Long Deced's House thence down in a right line westerly through the sd. House to a stake at the End of Robert McCrakan's House for one Acre ---- then Beginning at the Southwest corner of the prison & running thence Northerly to the back part of Robert McCrakan's lot 132 feet from the Street fifteen poles & thence down to a Stake in the line between the lots of William Dry and Alexr. Duncans Esqrs. 53-1/3 poles thence across Market Street Southerly into the House of Jno. Quince 15 poles; thence up thro' the Houses on the South Side of the Said Street to the said South west corner of the prison 53-1/3 poles to complete the remaining five Acres this [blank] Day of [blank] Anno Dom. 1764."

[s] Corns. Harnett Frederick Gregg Caleb Grainger

"Constables [chosen] March 1764:" John Earle and Thos. Henderson, Wilmington; Esey Simmons, Holly Shelter; Frederick Dore, Charles Morris, Isaac Newton, and John Rogers.