

MARCH TERM 1767

f 149v

Wilmington, Tuesday 3 March 1767

Court began; present: John Burgwin and George Parker, Esqrs. Hezekiah Doane and Alexander Duncan, Esqrs. qualified as Justices.

Anthony Ward v. Arthur Hamilton.--Arthur Hamilton surrendered himself in discharge of his bail and was delivered to custody of Sheriff.

4 March 1767

Met 9 a. m.; present: Frederick Gregg, John Burgwin, Hezekiah Doane, Esqrs. Cornelius Harnett and Richard Herring, Esqrs. qualified as Justices.

f 150

Estate of Daniel Dunbibin, Decd.--Will proved by Thomas Payne.

Estate of William Morris, Decd.--Will proved by Samuel Collier.

Grand Jury paneled: Anthony Ward, Richard Player, Stephen Player, Jacob Millar, David James, Thomas Cuninghame, Samuel Marshall, William Evins, Robert Wails, Andrew Stewart, Benjamin Robinson, Ezekiel Morgan, William Larkins, John Larkins, John Earle, and John Watson. Absent: []n Stone, []um Kenan, []n Mott, []m Loper, Thos. DeVau; and excused: Alexander Ross and Wm. Wilkison.

Estate of Maurice Nevin, Decd.--Anna Nevin filed inv.

John Eustace, Esq. qualified and was seated as a Justice.

A deed from Bishop Dudley, Exr. of Benjamin Hicks, to James Middleton was proved by Stockley Bishop; and George Willis ack. his deed to Simon Hogan.

Petit jurors absent: Wm. Johnston, Thos. Duff, and Wm. Stuckey.

John Colvin v. George Mears.--No. 4. Case. John Burgwin, wit. Found for Plf.

Jury sworn: Samuel Collier, Hardy Powell, Job Rogers, Britton Powell, James McGufford, David David, William Orr, David Bowen, Edmund Price, Bishop Dudley, Ezekiel Alexander, and John Simpson.

150v

Estate of John Welch, Decd. Alexander T. ...

A deed from Bishop Dudley, Exr. of Benjamin Hicks, to James Middleton was proved by Stockley Bishop; and George Willis ack. his deed to Simon Hogan.

Petit jurors absent: Wm. Johnston, Thos. Duff, and Wm. Stuckey.

John Colvin v. George Mears.--No. 4. Case. John Burgwin, wit.

Found for Plf.

Jury sworn: Samuel Collier, Hardy Powell, Job Rogers, Britton Powell, James McGufford, David David, William Orr, David Bowen, Edmund Price, Bishop Dudley, Ezekiel Alexander, and John Simpson.

150v Estate of John Walsh, Decd.--Alexander Ross as greatest creditor was appointed Admr.; bond £30 with James Blyth and Thomas Henderson, sur. Authorized to sell perishables.

Richard Eagles v. Benjamin Stone.--No. 19. Damages for Plf.

James Francis v. Francis Ardin.--No. 14. Damages for Plf.

John Moseley, Admr. of Edward Moseley v. William Robinson.--No. 2.

Nonsuit.

William McDowell v. Adoniram Treadwell.--No. 7. Verdict for Plf.

"Whereas, it is necessary that the Court house in Wilmington should be repaired & put into somewhat Decent Order against the Sitting of the next Superior Court," it was ordered that John DuBoise and John Burgwin, Esqrs., or either, agree with workmen for this purpose, supervise it, and lay the expense before the next Court.

"James White appearing to this Court very poor, & very infirm & Decripid, Ordered that [he] be recommended to the General Assembly to be exempted from paying Publick & Parish Taxes, and from doing Publick duties --" Adjourned to 3 p. m.

f-151 Present: Cornelius Harnett, Frederick Gregg, Hezekiah Doane, Richard Herring, Esqrs.

Estate of Mathew Hale, Decd.--John Campbell appointed Admr.; bond £60, Cornelius Harnet and William Mouat, Esqrs., sur.

Deed; Col. Maurice Moore to Col. Thomas Merrick; proved by Samuel Swann, Esq.

Adjourned to Thursday morning 9.o'clock the 5th March.

5 March 1767

The Court met. Present: Cornelius Harnett, John Lyon, George Parker, Frederick Gregg, John Burgwin, Esqrs.

Administrators qualified: Estate of John Walsh, Deed.--Alexander Ross; Estate of Mathew Hale, Deed.--John Campbell.

f 151v Deed; Joseph Woodcock to Frederick Jones, proved by James Colson. William Mouatt v. Frederick Door.--Case. Verdict for Plf.

Jury sworn: Samuel Collier, Hardy Powell, Job Rogers, Britton Powell, James McGufford, David David, William Orr, David Bowen, Edmund Price, James Bryan, James Howard, and Robert Edwards.

Elizabeth Hand v. Francis Lynaugh.--Nonsuit.

John Ferrill v. Mary Grainger.

William Larkins v. Robert Bloodworth.--John Portevint, John Larkins, James Moore, Simon Hogins, John James, and Needham Bryan, wit.

Estate of Michael Connelly, Deed.--Dennis Moore exhibited will, and witness summoned to attend next Court.

Deed; Jacob Rammick to Margaret Rammick; proved by John Watson.

Walter Blake v. Edward Riley. Dennis Jones neglected roads: fined £5.

6 March 1767

f 152 Met 9 a. m.; present: Cornelius Harnett, John Burgwin, Frederick Gregg, Moses John DeRosset, Esqrs.

Deed; Arthur Benning, Sheriff, to Cornelius Harnett, Esq.; proved by Alexander Ross.

William Larkins v. Robert Bloodworth.--On calling jury in this case, James Howard failed to appear. Hence, new venire ordered for next Court; and James Howard was fined £5 for contempt.

Nonsuited: Edward Heartley and wife v. Samuel Boyd.--[with the same jury as before, except John Hennecy in place of James Howard]; and William Stafford v. Samuel Boyd.

Deed; Arthur Benning, Sheriff, to Cornelius Harnett, Esq.; proved by Alexander Ross.

William Larkins v. Robert Bloodworth.--On calling jury in this case, James Howard failed to appear. Hence, new venire ordered for next Court; and James Howard was fined £5 for contempt.

Nonsuited: Edward Heartley and wife v. Samuel Boyd.--[with the same jury as before, except John Hennecy in place of James Howard]; and William Stafford v. Samuel Boyd.

J. Burgwin & Co. v. Thomas Duff.--John Burgwin wit. Judgment for £2-6-4.

Estate of Mathew Hale, Decd.--John Campbell empowered to sell goods.

Deed, Wm. Dry to Cornelius Harnett, Esq., proved by Samuel Swann, Esq.; and Inspectors chosen for ensuing year: Messrs. Arthur Benning and James Walker for Wilmington, and Mr. John Spicer for New Topsail.

Nominees recommended to Governor for Sheriff: Obadiah Holt, Frederick Gregg, and John Burgwin, Esqrs.

"The Court adjourned and met accordingly." Present: Cornelius Harnett, Frederick Gregg, John Burgwin, William Campbell, Esqrs.

Pursuant to order of last Court, Frederick Gregg, John Burgwin and Obadiah Holt, Esqrs. submitted for recording in minutes the County prison bounds laid off by them: "Beginning at a Stake above the Church running thence S. 81 W. 1,056 feet to a Stake Below John Campbells thence N. 9 W. 74-1/4 feet to the Corner of John Campbells next the Court house the same Course Continued 99 feet to the Corner of Mr. Harnetts next the Court house the same course Continued 74-1/4 feet to a stake, thence N. 81 E. 1,056 feet to a stake thence S. 9 E. 247-1/2 feet to the first Station, agreeable to the Plans filed in the Office of the Court."

Granted petition of Joseph Newton, bail for Francis Holley now jailed in the action brought against him by Alexander Duncan & Co., for discharge of his bail and retention of Holley in custody of Sheriff.

Mr. James Moran presented Governor's commission and qualified as Register, giving bond of £1,000.

f 153 "It is the Opinion of this Court that the Keeping of [publick] Alleys in the Town of Wilmington and Allowing persons to play therein is a publick Nuisance.

"Ordered that unless the person who keep such Alleys in the said Town do immediately put a Stop to peoples playing therein that their Licenses will be immediately taken from them and the Attorney General directed to file Bills of Indictment against them."

Arthur Benning, Esq., late Sheriff, ordered to pay John Burgwin, Esq. out of County tax remaining in his hands £18-6-4 to settle his sworn A/C of sundries filed in Court.

Chosen for next Superior Court: Grand Jury: John Lyon, Wm Campble, John Eustace, and George Parker; and Petit Jury: Thomas Merrick, Sampson Moseley, Richard Herring, and Hezekiah Doane.

Arthur Benning, John Spicer, and James Walker posted bond "and at the same time Qualified by taking the Oath Agreeable to Law."

John Lyon qualified as Guardian of the personal estate of his daughter Mildred Lyon, Jr.; bond £2,000 with Cornelius Harnett and James Moran, sur.

f 153v James Emmett licensed to keep ordinary, with Archibald Macclaine and William Mouatt, sur.

Because John Walker, appointed last Court to keep ferry from Wilmington to Negro Head Point, has not complied with his agreement, Joseph Newton is appointed to keep the ferry "on both sides" till next Court.

On recording in the minutes at the request of Mr. Holt, Sheriff, his protest against the insufficiency of the jail, it was ordered "that the Goal be repaired as soon as may be, out of the County Tax in the hands of Arthur Benning late Sheriff."

Ordered that the Sheriff erect cedar posts and sufficient marks to define the prison bounds.

[s] Corns. Harnett John Lyon Wm. Campbell
[Folios 154-155 v. are blank.]

his protest against the insufficiency of the jail, it was ordered "that the Goal be repaired as soon as may be, out of the County Tax in the hands of Arthur Benning late Sheriff."

Ordered that the Sheriff erect cedar posts and sufficient marks to define the prison bounds.

[s] Corns. Harnett John Lyon Wm. Campbell
[Folios 154-155 v. are blank.]

JUNE TERM 1767

f 156

Wilmington, Tuesday 2 June 1767

Court began; present: Moses John DeRosset, Esq., Justice. Adjourned till 8 a. m. Wednesday 3 June 1767, when met accordingly and Petit Jury called over: Stockley Bishop, Thomas Tyar, Edmund Price, John Alexander Wiley, Dennis Moore, Solomon Morris, John Watts, John Simpson, John Loper, Charles Hollinsworth, Greer Bishop, and John Nichols.

Present: Moses John DeRosset, Cornelius Harnet, Hezekiah Doane, Esqrs.; and George Moore and Frederick Jones, Esqrs. qualified under the new commission and were seated on the bench.

One deed was ack. by James Middleton to Luke White; and a bill of sale from Daniel Dunbibin, deceased to David Alexander was proved by Arthur Gornto, a subscribing witness to the same. Also, a receipt of the said Daniel Dunbibin, deceased to Mary Alexander, Exrx. of Francis Alexander, deceased and to George Merrick, Esq. and Thomas McClammy, Exrs. of the said Francis Alexander, for a legacy left by the said Francis Alexander to Ruth Dunbibin, formerly Ruth Alexander, was proved by Arthur Gornto.

William Purviance v. Thomas Cedions.--No. 11. Damages £10-9-8.

Jury: Stockley Bishop, John Simpson, Thomas Tier, John Alexander Wiley, Dennis Moore, John Loper, Charles Hollinsworth, Greer Bishop, John Nichols, Richard Mason, Jacob Stockley, and James Larkins.

Henry Nagles v. George Barnes.--No. 16. Archibald Maclaine, wit.

Henry Toomer v. Ebenezer Bunting.--No. 14. Default. Damages £3.

William Campbell v. Benjamin Bill.--No. 12. [Isaac] Kingston, wit.

Jury awarded Plf. £20. Motion and arrest in judgment.

Oney McClammy paid the legal fine for failure to act as Constable for Topsail District; and Samuel Lane was appointed Constable instead.

f 157 Frederick Bill v. Francis Holley.--No. 21. Default. Damages £16.

John Rogers v. John Walker.--No. 24. James Emmett and Bunbury Day, wit. Verdict for Plf. £1-0-10. On motion of Mr. Maclaine, Atty. for Dft., appeal granted to next Superior Court, Dft. giving bond with Bunbury Day and Henry Te[rns] as security.

Deed; Thomas Ready to James Standley; proved by William Thompson.

Thomas Duff and William Johnston excused as defaulting jurors at last Inferior Court.

Thomas Duff recorded the mark and brand of Josiah Sikes; mark: a crop of the right ear with a half-moon under it, and a swallow fork in the [left]; brand: F.S.

Judgments awarded: James Bryan v. Mathew Smith; and McDowell's Admr. v. Alexander Fitzgerald.--Default.

f 157v Mathew Johnston ack. deed to Isaac Ogden.

Estate of John Mott, Decd.--On motion of Mr. Ashe, Hannah Mott was appointed Admr. of goods and chattels of John Mott, late of New Hanover County, Planter, Deceased, subject to giving bond of £3,000.

Proved: mortgage from Daniel Dunbibin to Anthony Ward, on a Negro wench named Venus, by William Mouat; assignment between same parties, by William Mouat; and a bond and mortgage from Daniel Dunbibin and Ruth his wife to Anthony Ward, by William Mouat.

Adjourned to 3 p.m., when present: Moses John DeRosset, William Walker, Hezekiah Doane, Esqrs.

Edmund Price excused as juryman at this Court because he acted as such at last Court.

A bill of sale from Malachie Murphy to James Sanders was proved by Nathaniel Sanders; James Evans was appointed Constable for Welch Tract

Proved: mortgage from Daniel Dunbibin to Anthony Ward, on a Negro wench named Venus, by William Mouat; assignment between same parties, by William Mouat; and a bond and mortgage from Daniel Dunbibin and Ruth his wife to Anthony Ward, by William Mouat.

Adjourned to 3 p.m., when present: Moses John DeRosset, William Walker, Hezekiah Doane, Esqrs.

Edmund Price excused as juryman at this Court because he acted as such at last Court.

A bill of sale from Malachie Murphy to James Sanders was proved by Nathaniel Sanders; James Evans was appointed Constable for Welch Tract District; and Nathaniel Sanders ack. his bill of sale to James Sanders.

[Contrary to the rule stated in the headnote, this folio of the original volume is the only one numbered on both sides, each penciled "157."]

f 158 Renewed licenses of George St. George, Mrs. Scyers, John Campbell, and Mrs. Hands to keep ordinaries.

Judgments obtained [under £5 each]: Nathaniel McGufford v. William Thompson; John Fergus v. Jean Shuter; and Benjamin Stone Admr. v. George Mears.

Randell Ramsey recorded his Mark: a crop on the left and an under slope on the right ear; and brand: **R**.

Estate of William Morris, Decd.--Inv. filed by Stockley Bishop.

Estate of John Springs, Decd.--John Burgwin, Esq. proved will, and Christian Springs qualified as Exrx.

Joseph Watson v. Edmund Price.--No. 15. Judgment for Plf., £10-6-0.

Adjourned to Thursday morning "the 4th day of this Ins." 8 o'clock.

4 June 1767

f 158v Present: Cornelius Harnet, Frederick Jones, Moses John DeRosset, JJ. Thomas DeVaune excused as defaulting grand juror at last Court. Obadiah Holt v. Edward Moseley Admr.--No. 10. Cornelius Harnet, Esq., wit. Damages for Plf. £6; Judgment for assessment in futuro.

Jury: Stockley Bishop, Thomas Tier, John Alexander Wiley, John Loper, Charles Hollingsworth, Greer Bishop, John Nichols, John Watts, Bishop Dudley, James Gooley, Thomas Burton, and Edward Doram.

Granted petition of Thomas Stockley, an orphan boy, to be bound an apprentice to Samuel Stuckey for four years and eight months.

Brown's Admr. v. Arthur Howe.--No. 23. Judgment for Plf.

John Robeson v. Edward Spearman.--No. 17. Nonsuit.

Arthur Hamilton v. Jane Erwin.--No. 27. Miss Erwin, wit. Nonsuit.

f 159

Clerk ordered to give Mr. MacLaine within 10 days the number of taxables and the taxes laid for the years that John Walker and Arthur Benning, Esqrs., respectively, acted as Sheriff for the County.

Judgments obtained: Andrew Stewart v. George Walker.--No. 29; Jonathan Sturges v. Alanson Gibbs; Jonathan Sturges v. Robert Davey; and John Burgwin v. James Bland.

John Chawell entered into bond of £50 with Sarah Johnston for the maintenance of a bastard child, and another bond of £50 for the maintenance of another bastard child which the said Sarah is now big with.

George Merrick, Esq. qualified as a Justice.

f 159v

Estate of William Morris, Decd.--George Merrick, Esq. and Mr. Stockley Bishop qualified as Exrs.

The Overseers on each side of Black River ordered to clear it before next September Court.

Adjourned to 3 p. m., when present: Cornelius Harnet, George Merrick, Hezekiah Doane, William Walker, James Moore, Esqrs.

Estate of Benjamin Morrison, Decd.--Alexander Duncan filed Inv., A/C sales, and A/C current.

Deed; Walter Blake to William Jones; proved by Samuel Ashe, Esq.

Estate of Joseph Blake, Decd.--Thomas Lloyd, Esq., Robert Schaw, and John Robeson appointed to divide estate.

Trust under the will of William Morris, Decd.--Stockley Bishop, trustee of estate, who was ordered to give bond to take care of said estate and deliver it to James Morris, grandson of decedent, pursuant to the testator's directions.

f 160

Estate of Benjamin Morrison, Decd.--Alexander Duncan filed Inv.,
A/C sales, and A/C current.

Deed; Walter Blake to William Jones; proved by Samuel Ashe, Esq..

Estate of Joseph Blake, Decd.--Thomas Lloyd, Esq., Robert Schaw,
and John Robeson appointed to divide estate.

f 160 Trust under the will of William Morris, Decd.--Stockley Bishop,
trustee of estate, who was ordered to give bond to take care of said es-
tate and deliver it to James Morris, grandson of decedent, pursuant to
the testator's directions, produced as securities Henry Toomer, Anthony
Ward, and Bishop Dudley who were ordered to enter into bond of £1,500
to execute those directions.

Deed; Edward Spearman and Bridget his wife to Cornelius Harnet,
Esq.; ack. by grantors.

Richard Bradley v. William Saunders, Admr. of John Saunders.--
Tried; before same jury as above, except for Dennis Moore in place of
Edward Doram. Find that Dft. has fully administered. Judgment for as-
sessment in futuro.

Oney McClammy appointed Guardian of Maurice and James Ward, orphan
children of Joseph Ward, Decd., and ordered to give bond and security at
next Court.

Rigby's Admr. v. Benjamin Bill.--Judgment for £3-3-6.

f 160v Power of attorney; Mary Wakeley to The Hon. Lewis Henry DeRosset,
Esq.; proved by Moses John DeRosset. Court adjourned to Friday, 9 a. m.

5 June 1767

Present: Cornelius Harnett, Jno. Burgwin, Moses John DeRosset, Wil-
liam Campbell.

"Whereas it is necessary that a Cage be built for the Confinement
of Negroes committing of any Offences.

"And William Campbell Esquire having Agreed to Build the Same Or-
dered that the Same be Accordingly built adjoining on the Eastward of
the pilory in Wilmington the Dimensions to be ten feet by ten -- And
that the Same be paid out of the County Tax --"

Licenses granted to David Bowen and Lehansius DeKeser to keep ordinaries in their respective dwelling houses.

Estate of Mathew Hale, Deed.--Inv. filed by John Campbell.

Abraham Truit qualified as Deputy Sheriff.

[s] Corns. Harnett Moses Jno. DeRosset Wm. Campbell

SEPTEMBER TERM 1767

f 161

Wilmington, Tuesday 1 September 1767

Court began; present: Cornelius Harnet, William Campbell, Hezekiah Doane, John Eustace, Esqrs.; and Hugh Waddell, Esq., qualified as a Justice.

Deeds proved: James Bland to William Rein, by Florence McCarty; William Ashburn to Joseph Howard, Jr., by John Howard; John Costen to Littleton Bishop, by Charles Bishop; and James Hennecey and Sarah his wife to Thomas Corbet, by Benjamin Robinson.

License of Christian Springs to keep an ordinary renewed, with Messrs. DeRosset and Campbell securities. Adjourned to Wednesday, 9 a. m.

f 161v

2 September 1767

Present: John Lyon, Hugh Waddell, Hezekiah Doane, John Eustace, JJ.

Grand Jury paneled: Anthony Ward, William Gregory, Robert Wails, William Larkins, John Robinson, Samuel Marshall, Richard Player, Richard Bradley, Jeremiah Kenion, James Larkins, Jacob Millar, John Portevint, Eliphet Hinckley, William Evans, John Taylor, James Blyth, Stephen Player, Malatiah Hamilton, Edward Spearman, William Jones, John Campbell, and James Oram. Absent: Thomas Devaun.

Deeds proved: Silas Bowen to Daniel Alderman, by Isaac Newton; and Thomas Hutchins to Peter Lamb, by John Larkins.

Petit jurors absent: Alexander Nelson and Edward Tear.

Present: John Lyon, Hugh Waddell, Hezekiah Doane, John Eustace, JJ.
Grand Jury paneled: Anthony Ward, William Gregory, Robert Wails,
William Larkins, John Robinson, Samuel Marshall, Richard Player, Richard
Bradley, Jeremiah Kenion, James Larkins, Jacob Millar, John Portevint,
Eliphet Hinckley, William Evans, John Taylor, James Blyth, Stephen Play-
er, Malatiah Hamilton, Edward Spearman, William Jones, John Campbell,
and James Oram. Absent: Thomas Devaun.

Deeds proved: Silas Bowen to Daniel Alderman, by Isaac Newton; and
Thomas Hutchins to Peter Lamb, by John Larkins.

Petit jurors absent: Alexander Nelson and Edward Tear.

George Willis v. George Palmer.--No. 1. Jane Mott, wit. Verdict
for Plf., £5-3-2.

Jury sworn: Samuel Campbell, Benjamin Robinson, Thomas Rogers, John
Riley, David Bowen, William Backstone, Simon Hogans, James McGufford,
Nathaniel McGufford, Isaac Newton, John Larkins, and Randall Ramsey.

F 162 Peter Batson appointed Guardian of his brother Thomas Batson, or-
phan; bond £300 with Charles Bishop and John Beasley, sur.

"Then the Court adjourned till 3 o'clock in the afternoon." [sic.]

3 September 1767

"Thursday morning the Court met." Present: Cornelius Harnet, John
Lyon, John DuBois, Frederick Jones, William Campbell, Moses John DeRos-
set, John Eustace, Esqrs.

William Dow v. Samuel Green, Sr.--No. 6. John Quince, John Ancrum,
John Campble, William Mouat, Anthony Ward and John Jones, wit. Verdict
for Plf., £7-10-0.

Jury sworn: Samuel Campble, Benjamin Robinson, Thomas Rogers, John
Riley, David Bowen, John Collins, Simon Hogans, James McGufford, Nathan-
iel McGufford, Charles Morris, Hewe Campbell, and John Alexander Wiley.

William Larkins v. Robert Bloodworth.--Commission issued to Josiah
Harrell and William Vann, or either, to examine Needham Bryan on behalf
of Dft.

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Tabb Blount v. William Blanton.--No. 11. Damages for Plf.

Thomas Conner v. John Watson.--No. 12. Discharged, Dft. pays costs.

Henry Toomer v. Job Howe.--No. 15. Damages for Plf., £11-6-6.

Estate of Alexander Ross, Decd.--Henry Toomer qualified as Exr.

Jury found for Plf. and assessed damages ranging from £5 to

£13-14-4 in these several actions: Thomas Rogers v. Edward Spearman.--

No. 20 [with the same panel in this and other actions here as in Docket

No. 6, except for James Junkins in place of Thomas Rogers, Plf. in this

first suit], Isaac Newton, wit.; Rachel Bradley's Exr. v. John Shuter.--

No. 16; George Palmer v. William Huffham; Jonathan Watson v. Ebenezer

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Bunting; George Parker v. Thomas Moseley.--No. 24; William Cain v. Wil-

liam Robinson.--No. 25; and William McDowell v. Alexander Cunyngham.--

No. 28.

John Quince, Esq. and Henry Toomer, Gent. qualified as Coroners.

The Court received from Frederick Jones, Esq. list of taxables taken in his district this year; and licensed Hewe Campbell to keep an ordinary, with John James and Timothy Bloodworth his securities.

Adjourned to 3 p. m. and met accordingly; present: Cornelius Harnet, Frederick Jones, Moses John DeRosset, John Eustace, Esqrs.

f 163v

John Backstone was fined 5/- for absence as juror in the morning. [Cf. name of William Backstone as juror yesterday morning.]

Estate of Thomas Merrick, Esq., Decd.--An instrument of writing exhibited by Samuel Swann, Esq. was admitted to probate on proof of handwriting by Samuel Ashe, George Moore, Samuel Swann, and James Moran; and Mrs. Elizabeth Merrick named therein was appointed Exrx.

Allan Sloan v. Joseph Newton.--No. 18. Same jury as in Docket No. 28, except John Backstone in place of John Collins. John Hennecey, wit. Verdict for Plf.

Elizabeth Parker v. Andrew Stewart.--No. 27. [] Parker and [Robt] Walls, wit. Verdict for Plf., £5-13-10

f 164

Antonie DeBose v. James Ready.--No. 30. Nonsuit.

Ann Johnston v. William Robinson.--No. 31. Henry Harker, wit. Damages for Plt., £10-11-0.

Mrs. Elizabeth Merrick named therein was appointed Exrx.
Allan Sloan v. Joseph Newton.--No. 18. Same jury as in Docket No. 28, except John Backstone in place of John Collins. John Hennecey, wit. Verdict for Plf.
Elizabeth Parker v. Andrew Stewart.--No. 27. [] Parker and [Robt] Walls, wit. Verdict for Plf., £5-13-10
f 164v Antonie DeBose v. James Ready.--No. 30. Nonsuit.
Ann Johnston v. William Robinson.--No. 31. Henry Harker, wit. Damages for Plt., £10-11-0.
Estate of William Rigby, Decd.--John Walker filed inv. of effects. Cornelius Harnett, Esq. returned list of taxables taken this year.

4 September 1767


Met 9 a. m. according to adjournment; present: Cornelius Harnett, John Lyon, Frederick Jones, Moses John DeRosset, John Eustace, Esqrs. Rex v. Samuel Mabourn.--Petit larceny. Christopher Towell, John Ley and Thomas Oxhanham, wit. Verdict not guilty.

Jury sworn: Samuel Campble, Benjamin Robinson, Thomas Rogers, John Riley, David Bowen, William Backstone, Simon Hogans, James McGufford, Jonathan Watson, Charles Morris, Hewe Campble, and John Alexander Wiley.

f 164v Rex v. George Richmond.--No. 10. Keeping a disorderly house. Jean Davis and John DuBots, wit. Jury's verdict guilty. Motion to arrest judgment made by Samuel Ashe, Atty. for Dft. Judgment: fine of £19-15-0; imprisonment for three months; and posting bond of £100 for good behavior for 12 months and a day.

Thomas Parr v. Thomas Lee.--Judgment awarded for 1d.

Henry Toomer v. John Folk.--Judgment for £2-1-6.

Samuel Marshall recorded his mark: one swallow fork in the right and a crop and two slits in the left ear; and brand: 

Estate of William White, Decd.--William Gregory qualified as Admr. with will annexed. Bond £500, with Anthony Ward and John Robeson, sur.

Estate of John Mortimer, Decd.--Rebecca Mortimer qualified as Exrx.

f 165 Frederick Gregg, Esq. returned his list of taxables taken this year. Present 3 p. m.: John Lyon, Hugh Waddell, Cornelius Harnett, Frederick Gregg, Moses John DeRosset, Frederick Jones, Wm. Campbell, John Eustace, Esqrs.

William Dallas v. Francis Lynaugh.--Samuel Marshall, Thomas Moody, and William Campble, wit. Discontinued.

Judgments awarded: Duncan & Co. v. Francis Holley; Robert Francis v. John Kellum.--James Francis, wit.; Stephen Skibow v. John Hennecey; Logan & Co. v. John Moseley; and Mathew Johnston v. John Kellum.--Catharine Gallaway, wit.

On complaint of Mr. Swann that in the list of taxables for the year 1765 delivered to the Sheriff he is charged with seven more than belong to him, ordered that the Clerk give a certificate to the Sheriff to take from Mr. Swann's list seven taxables overcharged.

Tax levy fixed at 2/- per taxable person for present year.

William Campble, Esq. returned his list of taxables for this year.

5 September 1767

f 165v Met Saturday morning according to adjournment; present: Cornelius Harnett, John Lyon, John DuBois, Moses John DeRosset, John Eustace, JJ.

Hezekiah Doane and John Lyon, Esqrs. returned the lists of taxables taken in their districts for the present year.

Judgments awarded: Thomas Lee v. John Clark; and John Riley v. Thomas Riley.--Edward Riley, wit.

Estate of William Kendrick, Decd.--James Bryan appointed Admr. Bond £50, with John Robeson and Thomas Payne, sur.

f 166 Judgments obtained: James Bland v. John Row; and James Blyth v. Wm. Thompson.

Estate of Stephen Rice, Decd.--William Purviance qualified as Admr. Bond £100, with Archibald Maclaine and William Mouat, sur.

Estate of Joseph Blake, Decd.--Thomas Lloyd, Esq. filed a partition pursuant to order of last Court.

Thomas Riley.--Edward Riley, wit.

Estate of William Kendrick, Decd.--James Bryan appointed Admr.

Bond \$50, with John Robeson and Thomas Payne, sur.

f 166 Judgments obtained: James Bland v. John Row; and James Blyth v. Wm. Thompson.

Estate of Stephen Rice, Decd.--William Purviance qualified as Admr. Bond \$100, with Archibald MacLaine and William Mouat, sur.

Estate of Joseph Blake, Decd.--Thomas Lloyd, Esq. filed a partition pursuant to order of last Court.

Thomas Lloyd, Esq. returned his list of taxables for present year. Ordered that present Sheriff account to next Superior Court for the County tax.

Granted petition of Mr. Arthur Ireland, by Mr. Mouat his Atty., to build a public grist mill on Mott's Creek.

"The Court being inform'd that upwards of Twenty run away Slaves in abody Arm'd, and are now in this County Order'd that the Sheriff do immediately raise the power of the County not to be less than Thirty Men well Arm'd, to go in pursuit of the said run away Slaves and that the said Sheriff be impowerd to Shoot Kill & destroy all such of the said run away Slaves as shall not Surrender themselves."

f 166v "The Court (five Justices being present) allowed Arthur Benning Esquire late Sheriff of this County Seventy Eight Insolvents for the Year 1764 and Sixty Eight for the Year 1765 (including Searchers and Constables --" Then the Court adjourned till 2 p. m.

Met accordingly: Present: John Lyon, Frederick Jones, William Campole, Esqrs.

Granted petition of Thomas Carter, orphan boy, to be bound an apprentice to William Saunders to learn the trade of a tailor for the term of seven years or until he becomes 21 years old.

Ordered that Mathew Johnston be permitted to tend the ferry at Negro Head Point; with William Mouat, security.

Jurors chosen for next Superior Court: Grand Jury--Cornelius Harnett, Frederick Gregg, Frederick Jones, Jr., and Alexander Lillington;

and Petit Jury -- William Purviance, George Merrick, Francis Clayton, and Arthur Mabson.

[Any remaining minutes of September Term 1767 are lacking.]

DECEMBER TERM 1767

Wilmington, Wednesday 2 December 1767

[Earlier minutes of December Term 1767 are lacking.]

f 167 Worshipful: John Lyon, John DuBois, Frederick Jones, Alexander Lillington, George Merrick, William Purviance, William Campbell, Hezekiah Doane, Thomas Lloyd, John Eustace, George Parker, Richard Herring, Esquires, Justices.

George Merrick, Esq. qualified as Coroner.

Frederick Jones, Esq. was granted leave for his Negro fellow named Cabinah to carry a gun, with Alexander Lillington, Esq., security; and leave was also granted for a Negro fellow of Samuel Swann, Esq. named Harry, with Mr. Jones security. Also leave was granted Alexander Lillington, Esq. for his Negro fellow named Little Tango to carry a gun, with Mr. Jones security.

George Moore, Esq. filed the agreement and determination of the jury which laid off a road from Rocky Landing Ferry to the main road leading from Wilmington to Duplin County which was ordered to be recorded as follows:

"North Carolina)

"New Hanover County)

"Agreeable to an Order of Court appointing us the Subscribers a Jury to lay out a Road From Rocky Landing Ferry, to the main road leading from Wilmington to Duplin County, Have according to said Order directed the Same from John Rutherford's lower Corner at Rockey Landing a So. 7.

leading from Wilmington to Duplin County which was ordered to be recorded as follows:

"North Carolina)

"New Hanover County)

f 167v "Agreeable to an Order of Court appointing us the Subscribers a Jury to lay out a Road From Rocky Landing Ferry, to the main road leading from Wilmington to Duplin County, Have according to said Order directed the Same from John Rutherford's lower Corner at Rockey Landing a So. 7. [5?] West Course, and continued it along the said Rutherford's Line to the said road, AND that Ten feet of the said Rutherford's Land by his own Consent be taken & hereafter deemed a public road, And Ten feet more of the Lands Adjoining belonging to George Moore, Esqr. and the Estate of the late Maurice Moore, be also taken and deemed to be public road. And by the Consent of the Parties the Overseer of the said road may cause to be cut down the Line trees where the said road is to be made. And that this Agreement and determination of us the said Jury be entered upon record in Order hereafter to Ascertain the proper bounds of the Lands of the Several Parties concerned.

"Given under our hands & Seals this 9th day of January 1765 [sic].

"John Rutherford [S] Geo: Moore [S] Alexr. Lillington [S] John Ashe [S] Samuel Ashe [S] Thomas Moseley [S] James Moseley [S] Sampson Moseley [S] Thomas Burton [S]."

f 168 Mr. Henry Johnston, appointed Overseer of the said road, to lay the same off agreeable to the return of the jury.

On proceeding again to choose an Inspector for Wilmington, there was a tie vote and "Mr. Chairman" determined upon Mr. Henry Toomer, who qualified; bond £500.

John Jones ack. deed to Thomas Rogers; and a bill of sale from Adoniram Treadwell to Thomas DeVauun was proved by Thomas Parker.

Estate of Thomas Merrick, Decd.--George Merrick, Esq. filed inv.

Trust under the will of William Morris, Decd.--"Ordered that notice be given to Stockley Bishop, that he enter into bond & security imme-

diately agreeable to the order of last June Court, otherwise the Court will take proper measures to Compel him thereto --"

f 168v

Richard Herring recorded mark: a swallow fork in the right, and two half-moons in the left ear; and brand: R.H in single letters.

Estate of William White.--William Gregory filed inv.

Obadiah Holt, Esq., late Sheriff, ordered to pay John London, Clerk of this Court, £20 for his extra services allowed by this Court in December 1766, "which was then Order'd to be paid by Arthur Benning, Esqr. who never paid the said John London the said Order--and he's since removed out of the Province --" It was also ordered that Obadiah Holt, Esq. pay John London £20 for his extra services for the present year.



Wm. Gregory, Lettice Blackmore, and John Rogers licensed to keep ordinaries in Wilmington.

Estate of Stephen Rice, Decd.--William Purviance, Esq. filed inv.

3 December 1767

f 169

Met 10 a. m.; present: John Lyon, John DuBois, George Merrick, William Purviance, Esqrs.

Mr. Harnet recorded a change in his brand from  to a single  heart.

Estate of John Springs, Decd.--Christian Springs filed inv.

Thomas Lloyd, Esq. was appointed Guardian of the estate of Mary and Margaret Blake, daughters of Joseph Blake, Esq., deceased. Bond \$4,400, with John Ancrum and John Robeson securities.

Arthur Howe, Esq. qualified as Deputy King's Attorney for County.

Zachariah Jacobs appeared upon a recognizance returned by Hezekiah Doane, Esq. and was discharged by the Court, "no cause of Complaint appearing in the said recognizance."

Renewed license of Michael Keough to keep ordinary in Wilmington; Malatiah Hamilton, security.

f 169v

Estate of Thomas Stephens, Decd. John Purviance filed inv.

Margaret Blake, daughters of Joseph Blake, Esq., deceased. Bond \$4,400, with John Ancrum and John Robeson securities.

Arthur Howe, Esq. qualified as Deputy King's Attorney for County.

Zachariah Jacobs appeared upon a recognizance returned by Hezekiah Doane, Esq. and was discharged by the Court, "no cause of Complaint appearing in the said recognizance."

Renewed license of Michael Keough to keep ordinary in Wilmington; Malatiah Hamilton, security.

f 169v

Estate of Thomas Stephens, Decd.--John Rogers filed inv. and A/C.

Appointed William Robinson Overseer of the Roads in the Welch Tract District, vice William Walker, Esq., deceased.

"Mr. Moran produced to the Court a Threatning Letter which was delivered to him this Morning, containing threats against his life if he Qualified [at] this Court as Sheriff, and desiring that the Court would take the same into their Consideration, and endeavour to find out the Author or Authors thereof, in order that they might be bro't to Condign Punishment.

"WHEREUPON the Court sent for John Jones, Darby Pattin and Alexander McAlister, who were severally Examined upon their Oaths, -- -- John Rogers was also sent for & refusing to be Sworn concerning the said Letter, was by the Court committed to Jail for the said Contempt --"

Adjourned to 3 p. m., when present: George Parker, John Lyon, John DuBois, William Purviance, William Campbell, Esqrs.

"The Court Again proceeded to Examine Evidences respecting the Letter deliver'd Mr. Moran -- & Examined Captn. [Ne]wton."

f 170

Summoned Jonathan Watson to answer complaint of Eleanor Clark at next Court; and summoned Catharine Gallaway, Jane Erwin, and Jane Erwin, Jr. as witnesses for Eleanor.

James Moran, Esq. exhibited Governor's commission and qualified as Sheriff; two bonds of \$1,000 sterling each, with John DuBois and William Campbell, Esqrs., securities.

James Moran, Esq., Sheriff, appoints William Morgan who qualifies to serve as Deputy Sheriff during the Sheriff's pleasure. Adjourned.

4 December 1767

Met 9 a. m. according to adjournment; present: George Moore, John DuBois, William Campbell, Esqrs.

f 170v Nathaniel McGufford testified that he was not regularly summoned to serve as a juryman but only as a talesman at last Inferior Court; and the Court was pleased to remit the fine for contempt levied upon him by the last Court.

James Moran, Esq., Sheriff, protested against the condition of the jail and proposed that it be repaired.

Estate of Joseph English, Decd.--George Parker, Esq. filed A/C.

"John Walker of Wilmington Mercht. Enter'd into recognizance in the Sum of One Hundred pounds Procl. money to Our Sovereign Lord the King, to be Levied on his Goods & Chattels Lands & Tenements. Conditioned that the said John Walker shall personally be and appear at the next Superior Court to be held for the District of Wilmington on the 15th day of April next, to Answer such things, as shall be required of him relating to an Anonymous Letter deliver'd to James Moran, and not to depart the Court without Leave first had & Obtained.

f 171 "The Court took the Examination of John Walker in Writing as also the deposition of John Rogers relating to an Anonymous Letter deliver'd Mr. Moran w'ch deposition Examination & recognizance, are Order'd to be filed in the Crown Office."

Estate of Thomas Newton, Decd.--Mary Newton filed inv.

Edward Riley, the present jailer, produced two mittimuses, one against Frederick Goen and the other against Nicholas Burbage, for contempt and aiding the rescue of Richard Burbage, held on suspicion of horse stealing; and both were ordered into the custody of Mr. Moran, "Mr. Holt the Late Sheriff not attending to deliver up his Papers --"

A deed from Thomas Merrick, Esq., Decd., setting free a Negro woman slave named Pheboe, was proved by John Lyon, Esq. who verified the handwriting of Jesse Moore, a witness thereto.

Adjourned to 4 p. m.; met accordingly and adjourned till 10

filed in the Crown Office."

Estate of Thomas Newton, Decd.--Mary Newton filed inv.

Edward Riley, the present jailer, produced two mittimuses, one against Frederick Goen and the other against Nicholas Burbage, for contempt and aiding the rescue of Richard Burbage, held on suspicion of horse stealing; and both were ordered into the custody of Mr. Moran, "Mr. Holt the late Sheriff not attending to deliver up his Papers --"

A deed from Thomas Merrick, Esq., Decd., setting free a Negro woman slave named Pheboe, was proved by John Lyon, Esq. who verified the handwriting of Jesse Moore, a witness thereto.

Adjourned to 4 p. m.; met accordingly and adjourned till 10 a. m.

5 December 1767

f 171v

Saturday; present: George Moore, John Lyon, William Campbell, George Parker, Esqrs.

Deed; Joshua Lee to Daniel Highsmith; proved by Isaac Newton.

"The Confession of Mr. Arthur Howe taken in Writing relating to the Anonymous Letter deliver'd Mr. Moran, was read in Court -- & order'd to be filed in the Crown Office -- " Arthur Howe was thereupon put under bond of £100 as principal, with Bunbury Day and Henry Young in £50 each as pledges, for the appearance of Howe at the next Superior Court to answer such things as may be required of him concerning said letter.

f 172

John Rogers was also put under £100 bond as principal, with John Campbell and John Jones in £50 each as pledges, for the appearance of Rogers at the same Court for the same purpose; and a warrant was issued to bring Obadiah Holt before any three of H. M. Justices within this County to enter into recognizance for his appearance there for the same purpose.

Adjourned to 3 p. m.; met according to adjournment; present: [four Justices whose signatures are recorded infra].

Licensed Mrs. Saunders to keep ordinary in Wilmington.

[s] Geo Moore John Lyon Wm Campbell J. Eustace