

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.

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.

f 195v 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

JANUARY TERM 1769

f 196

Wilmington, Tuesday 3 January 1769

At an Inferior Court of Pleas and Quarter Sessions begun and held for the County of New Hanover at the Court House in Wilmington on Tuesday the 3d day of January in the Ninth Year of His Majesty's Reign Anno Domini 1769.

Present: His Majesty's Justices - Cornelius Harnett, Frederick Gregg, William Parviance, Thomas Lloyd, John Ancrum, Alexander McDougal.
Excused George Skinner from attending this Court as a Constable.
Adjourned to 10 a. m. tomorrow.

4 January 1769

f 196v

Present: Frederick Gregg and John Ancrum, Esqrs.; and Messrs. Burgwin and Parker qualified as Justices.

Deeds proved: Thomas Nixon to Robert Nixon, by George Merrick, Esq.; Marmaduke Jones, Esq. to John Spicer, by William Gregory; Jacob Lewis to Penelope his wife and three children Sarah, Richard and Jacob, by Titus Howard; and Hannah Mott to Thomas Loper, by John Loper.

Grand Jury: -- impaneled - John Quince, Anthony Ward, Francis Clayton, William Wilkeson, John Robeson, Stephen Player, Robert Wailes, Samuel Stuckey, John Spicer, John Alexander Wiley, William McGowan, Richard Malpus, John Campbell, Wonney McClammy, and William Gregory; absent - Robert Hogg, Samuel Campbell, Stockley Bishop, James Evans, William Lar-kins, and John Earle; and excused for not being freeholders - Andrew Stewart, James Blyth, and Thomas Payne.

Petit Jury: present - Alexander Nelson, William Ewings, Randell Ramsey, John Jones, Jeremiah Doane, Thomas Loper, John Nichols, and Titus Howard; and absent - Henry Young, Stephen Andress, Thomas Parker, and Ezekiel Morgan.

f 197

Renewed license of Darby Egan to keep ordinary at Brunswick Ferry.
Adam Boyd v. Asa Simmons.--No. 5; John Lyon, wit. Dam. for Plf.
Jury sworn: William Ewings, Alexander Nelson, Randell Ramsey, Robert Weir, John Jones, Jeremiah Doane, Thomas Loper, John Nichols, Titus Howard, Edmund Haws, Thomas Payne, and Thomas Moody.

Anthony Ward v. William Morgan.--No. 20. Dam. for Plf.

Edmund Haws v. William Mason.--No. 18. [Same jury as in No. 5, except John Jones and Nathaniel McGufford vice Wm. Ewings and Edmund Haws.]
Damages for Plf., £6-6-0.

Present 3 p. m. after adjournment; Frederick Gregg, John Burgwin, Thomas Lloyd; Alexander McDougald, Esqrs.

f 197v

Habeas corpus issued to bring Michael Kaine from prison into Court

Anthony Ward v. William Morgan.--No. 20. Dam. for Plf.

Edmund Haws v. William Mason.--No. 18. [Same jury as in No. 5, except John Jones and Nathaniel McGufford vice Wm. Ewings and Edmund Haws.] Damages for Plf., £6-6-0.

Present 3 p. m. after adjournment; Frederick Gregg, John Burgwin, Thomas Lloyd, Alexander McDougald, Esqrs.

f 197v

Habeas corpus issued to bring Michael Kaine from prison into Court to testify for Christian Springs, Deft. in suit brought by Frederick Gregg, Esq.

William Stuckey v. Indian Buk.--No. 4. Dam. for Plf.

Jury sworn: John Jones, William Ewings, Alexander Nelson, Randel Ramsey, Jeremiah Doane, Thomas Loper, John Nichols, Titus Howard, Nathaniel McGufford, Edmund Haws, Thomas Payne, and Thomas Moody.

Estate of Jeremiah Kenan, Decd.--Johanna Kenan, widow, qualified as Admrx.; bond £300, with William Campbell and John Robeson, sur.

f 198 Mr. John Hogg filed the A/C of Robert and John Hogg as garnishees of Capt. John Rainey, showing balance due them of £9-10-10; and he acknowledged having in hand the articles endorsed in the A/C for which Rainey has no credit therein.

5 January 1769

Present 10 a. m.: Frederick Gregg, William Purviance, John Burgwin, Thomas Lloyd, Esqrs.

Deeds; Arthur Benning, late Sheriff, to James Robison; and James Robison to Frederick Gregg, Esq.; both proved by Arch. MacLaine, Esq.

Robert Schaw, Esq., qualified as a Justice.

f 198v Robert Hall v. Elizabeth Sanders.--Appeal. John Ancrum, Esq., wit. Judgment for Dft. Next, in George Sadbury v. Frederick Gregg.--Appeal, the judgment of the magistrate was reversed by the Court.

Estate of Thomas Merrick, Esq., Decd.--The Hon. Lewis DeRosset, Esq., Cornelius Harnett, and Henry Hyrne, Esqrs., are to divide estate.

A Negro fellow Gabey belonging to the Estate of Thomas Merrick, Esq., Decd. was authorized to carry a gun on the decedent's Richland plantation; Mr. S. Ashe and Mr. G. Merrick, sur. Adjourned to 10 a. m.

6 January 1769

Present: Frederick Gregg, John Burgwin, Thomas Lloyd, Robert Schaw, Esqrs. George Merrick, Esq. qualified and Geo. Parker, Esq. also seated.

f 199 Deeds proved: Walter Blake to Richard Eagles, by Archibald Mac-laine, Esq.; and another, from Thomas Price, Mary Price, Sarah Price, Edmund Price, and Ann Price to Walter Blake, by John Shuter, "a subscribing evidence thereto."

Frederick Gregg v. Christian Springs.--No. 13. John Boggs and Michael Kaine, wit. Verdict for Dft.

Jury sworn: [same names as in Docket No. 4 day before yesterday, except David Law and Robert Francis in place of Edmund Haws and Thomas Payne].

Verdicts for Plf.: Obadiah Holt v. Benjamin Robinson.--No. 14; and Obadiah Holt v. Bryan Buxton.--No. 7. John Green, wit. in both actions.

Harold Blackmore submitted on seven indictments for selling liquor without a license and was fined 1/- on each count.

f 199v Present 3 p. m.: Frederick Gregg, John Burgwin, John Ancrum, Esqrs. Estate of David Riley, Decd.--Elizabeth Hand qualified as Admr.; bond £50.

Deed; Edward Teel and Patience his wife to Joshua Sutton; proved by Asa Simmons.

Robert Francis v. Joshua Hayes.--No. 12. Same jury as in No. 13, except Edward Saul vice Robert Francis. Michael Keough, wit.

Estate of Luke Bowen, Decd.--Mrs. Comfort Bowen, Admr. filed A/C.

7 January 1769

Deed; Edward Teel and Patience his wife to Joshua Sutton; proved by Asa Simmons.

Robert Francis v. Joshua Hayes.--No. 12. Same jury as in No. 13, except Edward Saul vice Robert Francis. Michael Keough, wit.
Estate of Luke Bowen, Decd.--Mrs. Comfort Bowen, Admr. filed A/C.

7 January 1769

Saturday morning 10 a. m.; present: Thomas Lloyd, Frederick Gregg, George Parker, John Ancrum, Esqrs.

f 200

John Eustace v. Eleanor Clarke.--James Oram, special bail for appearance of Dft., delivered her to Sheriff in discharge of his bail.

John Edwards v. William Morgan.--No. 27. Find for Plf., £6.

Jury sworn: John Jones, William Ewings, Alexander Nelson, Randel Ramsey, Jeremiah Doane, Thomas Loper, John Nichols, Titus Howard, Robert Weir, Robert Francis, Clevalt Ormsby, and Edward Lamb.

Archibald Ross v. John Gibbs.--No. 21. Elias Kingston, wit.

Habeas corpus issued for William Starkey, imprisoned at the suit of Mrs. DeRosset et. al., to testify in behalf of Joseph Parker in a suit pending between him and Robert Elder.

Jury trials: Frederick Gregg v. John Rainey.--No. 24; and Joseph Parker v. Robert Elder.--No. 26, with same jury as in No. 27 except Asa f 200v Simmons vice John Jones, and with William Starkey a witness.

Thomas Lloyd, Esq. rendered his A/C for attending Mrs. Cumbow in the smallpox by order of the magistrates; ordered that £7-12-0 be paid him by Sheriff out of County tax to be collected for the present year.

John Lyon, Esq., present Sheriff, ordered to pay John London, Clerk of this Court, £20 for his extra services for the year 1768.

Present 3 p. m.: Frederick Gregg, John Burgwin, William Purviance, Thomas Lloyd, George Parker, Robert Schaw, Esqrs.

Samuel Stuckey and Robert Bennerman, security for William Morgan, surrendered him to Sheriff in discharge of their bail.

Messrs. Henry Toomer and James Walker unanimously chosen and qualified as Inspectors for Wilmington; bond £500.

[s] Fredk: Gregg, Wm. Purviance Tho. Lloyd Robt. Schaw, Jno. Burgwin.

APRIL TERM 1769

Wilmington, Tuesday 4 April 1769

Court began; present: Cornelius Harnett, Frederick Gregg, John Burgwin, Thomas Lloyd, Robert Schaw, Alexr. McDougal, Esqrs.

Leave granted The Hon. Samuel Strudwick, Esq. for his Negro man Brutus to carry a gun, Mr. Edward Dotey, security.

Stephen Andress recorded his mark: an over square of the right and under slope of the left ear.

Luke McClammy, John James, Edward Denton, and Bishop Dudley excused as defaulting jurors this term, not being freeholders.

5 April 1769

Present 9 a. m.: Frederick Gregg, John Burgwin, William Purviance, John Ancrum, Esqrs.

Excused non-attendance of Stockley Bishop, Thomas Parker, William Larkins, and John Earl as jurymen at last Inferior Court.

Estate of Anthony Burdeaux, Decd.--Will proved by Peter Lamb, who testified that Moses Yarborough was a concurring witness thereto; a codicil was proved by Anthony Burdeaux, Jr.; and Precilla Burdeaux qualified as Exrx.

Grand Jury sworn: Anthony Ward, Stockley Bishop, Samuel Marshall, Stephen Player, Thomas Parker, Henry Young, George Palmer, Thomas Moseley, John Watson, John Alexander Wiley, James Middleton, Charles Hollingsworth, John Watts, James McGufford, and Charles Bishop, Alexander

Excused non-attendance of Stockley Bishop, Thomas Parker, William Larkins, and John Earl as jurymen at last Inferior Court.

f 202 Estate of Anthony Burdeaux, Decd.--Will proved by Peter Lamb, who testified that Moses Yarborough was a concurring witness thereto; a codicil was proved by Anthony Burdeaux, Jr.; and Precilla Burdeaux qualified as Exrx.

Grand Jury sworn: Anthony Ward, Stockley Bishop, Samuel Marshall, Stephen Player, Thomas Parker, Henry Young, George Palmer, Thomas Moseley, John Watson, John Alexander Wiley, James Middleton, Charles Hollingsworth, John Watts, James McGufford, and Charles Bishop. Alexander Rouse and William Henry were absent; and Samuel Collier was excused, his wife being sick.

Petit jurors absent: John James, Joshua Sutton, and David Evans.

Estate of William Stuckey, Decd.--Elizabeth Stuckey, widow, qualified as Admrx.; bond £100, Samuel Stuckey and William Walker, sur.

William Timons v. William Chandler, and Robert Davidson v. William Chandler.--Esther Williams, Edward Dotey and Henry Williams, garnishees in these suits, declared they have never had in hand anything belonging to William Chandler; Edward Denton, garnishee, has only a box valued at 1/- which he is ready to deliver up at any time; and David Williams, garnishee, was discharged by the parties.

Ordinary license granted Jacob Stockley, with Edmund Price, sur.

James Moran, late Sheriff, produced A/C in full for his collections of County tax for year 1767, showing balance of £5-16-3 due him, which John Lyon, Esq., present Sheriff, was ordered to pay.

Ordered that Thomas DeVaune and Indian Buk be summoned to answer a complaint by Billy Jack, a mulatto orphan boy.

f 203 Estate of John Williams, Decd.--Will proved by James Moseley, who testified that David Evans and Sophie Ann Baker signed will with him.

Estate of Hannah Morgan, Decd.--Will proved by James Williams, who verified signatures of Joseph Beven and Dabel Wasket, other witnesses.

P/A from William Dow to John Walker was proved by George Palmer.

William Purviance v. Ebenezer Bunting.--No. 6. Damages 1d.

Jury sworn: John Simpson, Pettycrewe Moore, Samuel Stuckey, Jonathan Dixon, John Rochill, Edmund Price, John Earle, Dempsey Kennedy, Nathaniel McGufford, William Walker, Edward Saul, and John Riley.

f 203v Obadiah Holt v. Thomas Routledge.--No. 4, Archibald Macclaine, wit.;
John Walker v. James McIlhenny.--No. 11; John Walker v. Bartholomew
Toome.--No. 9, damages ld.; and William Purviance v. Edward Riley.--No.
20: all heard by above jury which assessed damages for Plf. in each case.

Ordered that Jacob Davis, in custody of Sheriff on an execution at the suit of James Harper, be brought into Court tomorrow morning "to take the benefit of the Insolvent Act.--Notice Admitted by Plf's. Attorney --"

f 204 Estate of Bartholomew Riley.--John Riely filed inv.
Present 4 p. m.: Cornelius Harnett, William Purviance, Frederick Gregg and Alexander McDougal, Esqrs.

Estate of Charles Britton, Decd.--James Moran, who filed A/C sales, ordered to "receive for his trouble in Venduing the Effects at the rate of 2-1/2 pCent Commissions."

Deed; Edward Spearman to Dr. Green; proved by John Campbell.

f 204v Estate of Thomas Merrick, Esq., Decd.--Division of estate returned by Lewis DeRosset and Corns. Harnett [and entered at full length in minutes] allots to Samuel Ashe slaves Billy, Sam, Ned, Toney, Celia, Molly, Bella, Hannah, Lidia, Sam a child, Peter James; dated 20 February 1769.

Mark McClammy fined £3 for contempt of Court.

Henry Toomer recorded his mark: a crop and two slits in the left and a slit in the right ear; and his brand: T on the mounting shoulder.

William Starkey v. Robert Elder.--No. 10; John London, wit. (ld.)

Robert Hall v. Ebom Heath.--No. 19. Damages here also ld.

f 205 James Jones delivered Ezekiel Johnston to Court, to discharge bail. Constables, Searchers, and Overseers appointed [but not named].

John London, Clerk, filed A/C of taxes received on law suits from April Court 1768 to January Court 1769, inclusive. Adjourned to 9 a. m.

Henry Toomer recorded his mark: a crop and two slits in the left and a slit in the right ear; and his brand: T on the mounting shoulder. William Starkey v. Robert Elder.--No. 10; John London, wit. (ld.) Robert Hall v. Ebom Heath.--No. 19. Damages here also ld. James Jones delivered Ezekiel Johnston to Court, to discharge bail. Constables, Searchers, and Overseers appointed [but not named]. John London, Clerk, filed A/C of taxes received on law suits from April Court 1768 to January Court 1769, inclusive. Adjourned to 9 a. m.

6 April 1769

Present: Cornelius Harnett, Frederick Gregg, George Parker, John Ancrum, Robert Schaw, Alexr. McDougal, Esqrs.

Mr. Spicer qualified as Inspector for New Topsail on the Sound; bond £500, Mr. Ashe and Mr. John Simpson, sur.

Robert Walker v. John Walker, Admr. of Wm. Walker.--No. 8. James Walker, wit.. Verdict for Plf., £20.

Jury sworn: John Simpson, Pettycrew Moore, Samuel Stuckey, Jonathan Dixon, John Rockell, Edmund Price, John Earl, Matthew Johnston, Robert Weir, William Larkins, Jacob Hook, and Henry Williams.

205v Judgments obtained [ranging from £8-7-3 to £17-10-0]: John Corbyn v. Henry Toomer, Exr. of Alexander Ross.--No. 3; Adam Boyd v. William Robeson.--No. 13, James Moran wit.; Bunbury Day v. Lehansius DeKeyser.--No. 16; and Thomas Moseley v. Timothy Bloodworth.--No. 24.

"Jacob Davis was bro't into Court agreeable to the Order of Yesterday, and took the benefit of the Act made for the relief of poor and Insolvent Debtors by Swearing that he is not worth 40/- Sterling in any worldly substances whatever, except his wearing Apparel, His working Tools, & Arms for Muster -- -- and was thereupon Ordered to be discharged -- --"

f 206 John Rochill qualified as one of the Searchers appointed for the district on the E. side of the N. E. River.

Estate of William Morris, Decd.--John Spicer filed inv. (furniture).

Christian Springs v. Walter Blake.--Wit.: Michael Kaine. Jud.:Dft.

On application of Mr. Ashe, granted leave for Mr. Lillington's Negro man Simon to carry a gun on his master's land; Mr. Ashe, security.

Remitted fine imposed yesterday on Mark McClammy for contempt, because inadvertent and without intent to offend the Court.

f 206v Thomas Jones was discharged from custody on taking the oath of insolvency, required notice having been given Joseph Mott and Jean Mott, at whose suit he had been held.

Robert Hogg excused for absence as juror at last Court; very sick.

Present 3 p. m.: Cornelius Harnett, Frederick Gregg, John Ancrum, JJ.

Deed; Francis Dromgoole to H. E. William Tryon, Esq.; proved by John London.

Henry Young recorded his mark: two swallow forks in each ear; and his brand: Y.

f 207 Estate of Thomas James.--Division returned under order of last Court; and in the Estate of John Mott.--A division made with consent of the parties by Mr. Harnett, Mr. Purviance and Mr. John Robinson was ordered to be filed in the Clerk's office.

Jurors chosen for next Superior Court: Grand Jury - James Moore, William Purviance, William Campbell, John Ancrum, William Robeson, and Alexander McDougal; and Petit Jury - Alexander Lillington, John Moseley, Sampson Moseley, John DeVaune, Hezekiah Doane, and Robert Hogg.

On motion of the securities of Arthur Benning, former Sheriff, ordered that (a) £25-16-9 for which the County has credit with the late John DuBois, Esq. as received from the said Benning and (b) £8-19-2 also received from Benning -- being the balance of the said John DuBois' note to Alexander Duncan for the Church which was charged to the said Benning -- be deducted out of the judgment obtained by this Court against Benning; provided it is found that Benning has not already charged the County for these sums.

f 207v On application of Colonel Thomas Lloyd, he was relieved, and John Ancrum and Robert Schaw, Esqrs. who were desired by the orphans were ap-

f 207v John DuBois, Esq. as received from the said Benning and (b) £8-19-2 also received from Benning -- being the balance of the said John DuBois' note to Alexander Duncan for the Church which was charged to the said Benning -- be deducted out of the judgment obtained by this Court against Benning; provided it is found that Benning has not already charged the County for these sums.

On application of Colonel Thomas Lloyd, he was relieved, and John Ancrum and Robert Schaw, Esqrs. who were desired by the orphans were appointed Guardians of the orphans of Joseph Blake and directed to give bond of £4,400.

Ordered that the several guardians in the County settle their accounts with the estates of their respective orphans at next Inferior Court. Then the Court adjourned to Friday morning 9 a. m.

7 April 1769

f 208 Present: Cornelius Harnet, Frederick Gregg, John Ancrum, Alexander McDougal, Esqrs. William Robeson qualified as a Justice.

The Sheriff shall settle at the first or second day of each Court for moneys received by virtue of executions returnable to such Court.

John Ancrum and Robert Schaw, Esqrs. gave bond of £4,400 as Guardians of Miss Mary and Margaret Blake; C. Harnett and John Quince, Esqrs., securities.

Renewed ordinary licenses of Robert Weir, Dorothy Sears, George St. George, James Emmet, John Campbell, Christian Springs, William Gregory, Lehansius DeKeyser, Robert Bannerman, and Elizabeth Hand.

f 208v Frederick Gregg, Esq. licensed to build a grist mill on Evans' Creek, on his own land on the Welch Tract formerly that of Benj. Evans.

Deeds proved: Thomas Cunningham to Andrew Steuart, by Cornelius Harnett, Esq.; and Benjamin Stone to Andrew Steuart, by John Kirkwood.

With Messrs. Harnett, Gregg, Purviance, Ancrum, Robeson and McDougald on the bench, John Lyon, Esq., present Sheriff, produced his A/C of tax collections and disbursements for 1768; balance due him £148-8-4.

f 209

Ordered that John Moseley, Esq. show cause at next Court why he neglected to receive the list of taxables in the District of Holly Shelter for the year 1768.

Recommended to Governor as nominees for Sheriff, after voting by Court: Mr. Lyon, 6 votes; Mr. Lillington, 3; and Mr. Jones, 3.

Deed; Marmaduke Jones and Cornelius Harnett, Esqrs. to Isaac Newton; proved by James Blyth.

[s] William Robeson Alexr. McDougal Corns. Harnett Fredk: Gregg
Wm. Purviance John Ancrum

JULY TERM 1769

f 209v

Wilmington, Tuesday 4 July 1769

Court began; present: Cornelius Harnett, John Burgwin, John Ancrum, Alexr. McDougal, Esqrs.

Estate of James Clark, Decd.--Thos. Clark appointed Admr.; bond £100 with William Hooper and Thomas Neal, sur.

Estate of William Evans, Decd.--Will proved by Thomas Burton who testified that William Casteale and Edward Wood signed with him as witnesses; and Tabitha Evans qualified as Exrx.

f 210

Deeds proved: James Hennesy to Onismus Futch, by John Marshall; and Thomas Barlow to Mark McClammy, by Charles Morris.

Deeds ack.: John Ashe, Esq. to Joseph Blake; and Walter Blake to Samuel Ashe. Then two deeds, from Solomon Huffham and wife to Charles Bannerman, were proved by David Mason. Court adjourned to 9 a. m.

5 July 1769

f 210v

Present: Cornelius Harnett, Frederick Gregg, George Parker, Esqrs.

Estate of William Evans, Decd.--Tabitha Evans, "Administratrix,"

Deeds ack.: John Ashe, Esq. to Joseph Blake; and Walter Blake to Samuel Ashe. Then two deeds, from Solomon Huffham and wife to Charles Bannerman, were proved by David Mason. Court adjourned to 9 a. m.

5 July 1769

f 210v

Present: Cornelius Harnett, Frederick Gregg, George Parker, Esqrs. Estate of William Evans, Decd.--Tabitha Evans, "Administratrix," returned inv.; and Alexander Lillington and Sampson Moseley appointed to divide the estate pursuant to the will.

Mary Earle licensed to keep ordinary at her house in Wilmington.

Grand Jury impaneled: John Quince, Anthony Ward, William Wilkeson, William Gregory, John Marshall, John Jones, Richard Bradley, Thomas Tyler, George St. George, John Kirkwood, Malatiel Hamilton, John Campbell, Ebenezer Bunting, and William Jones.

Petition filed by Samuel Ashe, Esq. for license to erect a water grist mill on Widow Moore's Creek where he owns land on one side and John London, Benjamin Stone and Matthew Johnston on the other. Ordered that these other land owners show cause why petition should be denied.

f 211

Petit Jury impaneled: John Watts, William Walker, James Williams, John Taylor, Peter Lamb, Dennis Moore, Hardy Parker, William Evans, John Earle, John Choiwell, Samuel Stuckey, and Solomon Hewet.

James Ryan v. Nathaniel McGufford.--No. 5. Nonsuited.

Marmaduke Jones v. Robert Bannerman.--No. 6. Dam. for Plf. £10-6-0.

William Timmons v. William Chandlor.--No. 10; and Robert Davidson v. William Chandlor.--No. 11. Wit. in both, Col. Lillington. Dam. for Plf.

James Moseley v. Paul Overhison.--No. 12. Wit.: Thomas Moseley, Alexander Lillington, and George Moore. Verdict guilty; damages assessed 20/-; Dft. noted an appeal.

f 211v

Present 3 p. m.: Cornelius Harnett, Frederick Gregg, John Burgwin, John Ancrum, Esqrs.

William Morgan v. Ebenezer Bunting.--No. 2. Wit.: William Orr.

Samuel Ashe ack. his deed to Alexander Lillington.

Proved: a deed from George Palmer to Archibald MacLaine, Esq.; by John Jones; a P/A from Margaret Eustace to William Hooper and Archibald McLaine, by George Parker, Esq.; and a deed from John Spicer to Thomas Tyer, by John Alexander Willy.

Estate of William Stuckey, Decd.--Elizabeth Stuckey filed inv.

f 212 Adjourned till tomorrow 9 a. m.

6 July 1769

Present: Cornelius Harnett, John Burgwin, Thomas Lloyd, George Parker, John Ancrum, Esqrs.

Estate of Thomas Newton, Decd.--Mary Newton, Admrx. filed A/C.

On the petition of Arthur Mabson to erect a water grist mill on Nasses Creek, where he owns land on one side and Thomas Wright on the other, ordered that Wright show cause why the petition should be denied.

The Court set aside the execution in Hudlin Huffham v. David Mason, irregularly issued.

Fined William McGowen £3 for contempt.

f 212v Estate of Andrew Stewart, Decd.--John Campbell appointed Admr., subject to giving bond of £200 with Cornelius Harnet and George Parker, Esqrs., securities.

A Negro wench named Belinda, property of James Walker and Thomas Craike, outlawed and afterwards found drowned, was valued at £70.

John Walker and William Gabey entered into recognizance in the sum of £100 each to appear at the Superior Court to be held for the District of Wilmington 27 November next, to answer for allegedly assaulting Robert Campbell and disturbing the inhabitants of Wilmington, particularly Thomas Henderson and David Ross, at an unseasonable time of the night; with bonds by James Moran and Henry Toomer for £50 each as securities.

Both were likewise bonded for their good behavior for 12 months toward Robert Campbell and all the rest of His Majesty's subjects.

David Wallace was placed under bond of £40 sterling for his good

of £100 each to appear at the Superior Court to be held for the District of Wilmington 27 November next, to answer for allegedly assaulting Robert Campbell and disturbing the inhabitants of Wilmington, particularly Thomas Henderson and David Ross, at an unseasonable time of the night; with bonds by James Moran and Henry Toomer for £50 each as securities. Both were likewise bonded for their good behavior for 12 months toward Robert Campbell and all the rest of His Majesty's subjects.

f 213 David Wallace was placed under bond of £40 sterling for his good behavior for 12 months toward John Lyon, George Barnes, and Edward Riely and all H. M.'s subjects; with John Walker and Henry Toomer, securities.

William Jack, orphan of Beckey Hays, was apprenticed to William Walker until age 21, to learn the trade of a cooper.

Ordinary licenses granted to: Daniel Austin; and John Cholwell and Henry Reeks in Wilmington.

Thomas Tyer fined 50/- for not attending as a Constable.

f 213v Thomas Nixon appointed Constable for Topsail, vice Thomas Tyer.

Samuel Swann ack. a deed to George Moore, Trustee for Jean Mears; a bill of sale from George Mears, Esq. to Samuel Swann was proved by James Colson; Samuel Swann ack. a deed to Frederick Jones, Esq.; and a deed from Timothy Bloodworth to Samuel Stuckey was proved by Wm. Walker.

7 July 1769

f 214 Met 9 a. m. pursuant to adjournment; present: Cornelius Harnett, Frederick Gregg, John Burgwin, George Parker, John Ancrum, T. Lloyd, JJ.

Sheriff ordered to pay Catharine McNamar £5 for taking care of the Courthouse one year ending last Court.

Estate of David Riely, Deed.--Elizabeth Hand filed Inv.

John Lyon, Esq. produced Governor's commission dated 17 April 1769 and qualified as Sheriff. He gave one bond of £1,000 sterling, with George Parker, Archibald MacLaine, and Richard Lyon securities, for the due execution of his office, and another similar bond for collecting the public taxes.

William Campbell qualified as a Justice.

f 214v Estate of Rice Price, Decd.--John Jones petitioned for discharge, and Joseph Morgan nephew of decedent qualified, as Admr.; bond £100, with John Jones and Wm. Jones, securities.

Estate of Andrew Stewart, Decd.--John Campbell qualified as Admr. Wm. McGowen, Constable, made a proper submission to the Court and his fine was remitted.

Then the Court adjourned till the Court in course.

[s] Corns. Harnett Tho: Lloyd Geo Parker

OCTOBER TERM 1769

f 215

Wilmington, Tuesday 3 October 1769

At an Inferior Court of Pleas and Quarter Sessions held for the County of New Hanover at the Courthouse in Wilmington ... in the 9 year of H. M. Reign A. D. 1769.

Present: Cornelius Harnett, George Merrick, John Ancrum, Esqrs.

The Court excused Charles Bishop from attendance as a jurymen at this Court; then adjourned till tomorrow at 9 a. m., Wednesday 4 October 1769, when met accordingly and there were present: Cornelius Harnett, John Burgwin, George Parker, John Ancrum, Alexander McDougal, Esqrs.

Thomas Nixon fined 20/- nisi for absence as Constable.

Grand Jury: impaneled - John Quince, Anthony Ward, Richard Bradley, John Jones, John Campbell, Henry Young, William Gregory, Stockley Bishop, Benjamin Robinson, Alexander Rouse, Solomon Huet, Charles Hollingsworth, Daniel Atkinson, John Robeson, Luke White, and William Evans; absent - William Wilkison, John Kirkwood, Samuel Collier, and John Atkinson; and excused - John Simpson, Charles Bishop, Robert Wails, and Littleton Bishop.

f 215v

Petit Jury: absent - John Nichols and John Earl, fined nisi pursuant to Act of Assembly; and excused - David Bowen and William Anderson

Thomas Nixon fined 20/- nisi for absence as Constable.

Grand Jury: impaneled - John Quince, Anthony Ward, Richard Bradley, John Jones, John Campbell, Henry Young, William Gregory, Stockley Bishop, Benjamin Robinson, Alexander Rouse, Solomon Huet, Charles Hollingsworth, Daniel Atkinson, John Robeson, Luke White, and William Evans; absent - William Wilkison, John Kirkwood, Samuel Collier, and John Atkinson; and excused - John Simpson, Charles Bishop, Robert Wails, and Littleton Bishop.

f 215v

Petit Jury: absent - John Nichols and John Earl, fined nisi pursuant to Act of Assembly; and excused - David Bowen and William Anderson.

Proved: a deed from Joseph Morgan to John Jones, by Archibald Mac-laine, Esq.; a receipt from Benjamin Heron, Esq. to Joseph Morgan, by John London on the basis of its handwriting; and a deed from Thomas Jones to Frederick Jones, Esq. in trust for Sarah Moore, by Frederick Jones, Jr.

Estate of Daniel Webb, Decd.--Will proved by Daniel Bradley, who testified that Catharine Bradley signed with him as a witness.

Estate of William Stuckey, Decd.--William Anderson filed A/C sales.

Deed; Benjamin Robinson to Alexander McDougal, proved by Pettycru Moore.

f 216

Samuel Wingate v. William Morgan, John Walker, and John Lyon.--No. 23. Jury awarded damages of £19-8-8.

Jury sworn: Wonney McClammy, James Middleton, Titus Howard, Randell Ramsey, Bartholomew Burns, John Cholwell, John Kelly, William Bishop, Edward Sall, Mathew Johnston, Thomas Player, and Abraham Gray.

Present 3 p. m.: Cornelius Harnett, George Merrick, Frederick Gregg, Alexander McDougal, Esqrs. John DeVane, Esq. seated as Justice.

Estate of Ann Johnston, Decd.--Will proved by Frederick Jones, Jr. who testified that George Moore, Jr. and James Colson also witnessed execution of will. George Moore, Esq. qualified as Exr.

f 216v

Marks recorded: Thomas DeVane: a crop and two slits in left and an over square in right ear; Thomas DeVane, Jr.: a crop and two slits in right ear and an over square in left ear.

Estate of John Gardner Squires, Decd.--John DeVane, Esq. filed inv.

Cornelius Harnett, George Merrick, William Robeson, and Alexander McDougald, Esqrs. returned lists of taxables taken in their districts.

Samuel Collier, Guardian of William Rankin, filed a receipt from Alexander Ross for £14-15-0 on account of the said orphan which was dated 23 December 1764 and witnessed by Arthur Benning.

Appointed to lay off a public road leading from Jewell's Ferry across Harrison's Creek into Island Creek Road near Mr. Gregg's Mill: Mr. Samuel Ashe, Mr. George Merrick, Mr. Lillington, Edmund Price, Samuel Collier, Mr. Sampson Moseley, Wonney McClammy, Robert Nixon, Joseph Alexander, Solomon Ogden, Charles Morris, and Samuel Lane.

5 October 1769

Met 9 a. m. pursuant to adjournment; present: Cornelius Harnett, Frederick Jones, John Ancrum, Frederick Gregg, John Burgwin, Esqrs.

f 217 Estate of Daniel Webb, Decd.--Isaac and Samuel Webb qualified as Exrs.

Estate of Jeremiah Kenan, Decd.--On motion of Mr. Maclaine, the Court appointed James White who qualified as Admr. of the estate, unadministered by Hanah Kenan, late widow of the decedent, and empowered him to sell the perishables. On his application, White was appointed Guardian of James Kenan, an orphan son of decedent, giving bond of £350.

f 217v On motion of Mr. Samuel Ashe to admit to bail James Rogers, now in custody of the Sheriff for threatening the life "and other complaints" of Randell Ramsey, the Court was pleased to order the said James Rogers to enter into recognizance in the sum of £100, with John Cholwell and Charles Simpson securities in the sum of £50 each, to insure that he shall keep the peace, particularly toward Randell Ramsey, for one year.

On motion of Mr. Samuel Ashe, in behalf of Nancy White and Sarah Castles, held by the Sheriff at the suit of John Ancrum, Esq. for dealing with Negroes contrary to an Act of Assembly, they were discharged.

John Eustace's Admx. v. William Robeson.--No. 10. A. Maclaine wit.

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John Eustace's Admx. v. William Robeson.--No. 10. A. Maclaine wit.

Jury sworn: Wonney McClammy, James Middleton, Titus Howard, Randell Ramsey, Bartholomew Burns, John Cholwell, John Kelly, William Bishop, Greer Bishop, Jacob Hook, William Townley, and John Gray.

Robert and John Hogg v. William Morgan.--No. 11. Damages for Plf.

f 218 Abraham Gray v. Wonney McClammy.--No. 2. Witnesses for Plf.: James Brickle, James McAleson, Abraham Gray, Gideon Stilton, William Townly, and William Morris. Jury awards Plf. £3-15-10. [Appealed?]

Jury sworn: Titus Howard, Randell Ramsey, Bartholomew Burns, John Cholwell, John Kelly, William Bishop, Greer Bishop, Jacob Hook, John Gray, John Rogers, Mathew Johnston, and Bishop Dudley.

Mr. Ancrum and Mr. Merrick filed lists of taxables in their districts.

Mr. Gregg, Mr. Frederick Jones, Mr. Thomas Jones, and Mr. William Campbell were appointed to lay off and value one acre for erection of a water grist mill on Nasses Creek, pursuant to the petition of Arthur Mabson to the last Court, and make return to the next Court.

Samuel Ashe, Esq. appointed Overseer of the Roads vice Thos. Price.

Estate of Charles Britton, Decd.--George Merrick, Esq. filed A/C.

A deed from Hanah Mott to Amelia Mott was proved by James Moran.

James Moran ack. his deed to Thomas Hadley.

Jonathan Dixon appointed Constable, vice Thomas Nixon excused.

f 218v Present 3 p. m. following adjournment: Cornelius Harnett, Frederick Gregg, Frederick Jones, Esqrs.

Estate of William Evans, Decd.--Division returned by Mr. Lillington and Mr. Sampson Moseley pursuant to order of last Court.

Estate of Anthony Burdeaux, Decd.--Inv. filed by Mrs. Burdeaux.
Mr. Frederick Jones and Mr. Schaw filed lists of taxables in their districts for the year 1769.

James Walker v. Edmund Haws.--No. 9. Damages £9-9-0.

Jury sworn: [same names as in Docket No. 10 this morning, except for John Rogers in place of William Townley].

John Gray v. Samuel Green.--No. 11. James Walker, wit.

Present: Mr. Harnett, Mr. Frederick Jones, Mr. Burgwin, Mr. Schaw.

f 219 Estate of William Morris, Decd.--On motion of Mr. Ashe, the Court authorized Stockley Bishop, one of the Exrs., to take possession of the several slaves, stocks and furniture in accordance with the will, and directed him to give bond of £3,500, with Bishop Dudley, Charles Hollingsworth, and Luke White as securities, for the delivery of the said slaves and their increase "which shall be alive at the times mentioned in the said Will for the delivery thereof."

Robert Campbell appeared in discharge of his recognizance, to answer such things as may be objected against him, and the Court ordered that "unless the said Robert Campbell do within One month from this date get into some honest employment -- that the Vagrant Act will be put in Execution against him." Then the Court adjourned till Friday morning.

6 October 1769

Met accordingly. Present: George Merrick, John Ancrum, Cornelius Harnett, Frederick Jones, William Campbell, Esqrs.

Mr. Gregg filed list of taxables in his district.

Benjamin Robinson v. Richard Mason.--No. 13. Judgment for ld.

Jury sworn: [same as in Docket No. 10 yesterday morning, except the last named three jurors there are replaced by John Nutt, Robert Bennerman and Abraham Jones here].

f 219v Joseph Goldwin v. William Purviance.--No. 26. Wit.: Mr. Maclaine. Verdict for Plf., £5-11-0.

Present, George Merrick, John Ancrum, Cornelius Harnett, Frederick Jones, William Campbell, Esqrs.

Mr. Gregg filed list of taxables in his district.

Benjamin Robinson v. Richard Mason.--No. 13. Judgment for ld.

Jury sworn: [same as in Docket No. 10 yesterday morning, except the last named three jurors there are replaced by John Nutt, Robert Bennerman and Abraham Jones here].

f 219v

Joseph Goldwin v. William Purviance.--No. 26. Wit.: Mr. Maclaine. Verdict for Plf., £5-11-0.

Estate of Thomas Woodley, Decd.--John Lyon, Esq. qualified as Admr.; bond £30, Mr. Maclaine sur.

Mr. Maclaine ack. his power of attorney granted to James Woods.

Mathew Johnston v. Dennis Moore.--Judgment awarded for £3-10-6.

Henry Harker v. J. Blake's Admrs.--John Rogers wit.; jud. £1-19-7.

Estate of Francis Davis, Deed.--John Ancrum and Robert Schaw, Esqrs. qualified as Admrs. of the estate, unadministered by Judith Davis; bond £300, Mr. Jones and Mr. [Merrick] securities.

f 220

Jurors appointed for the next Superior Court: Grand Jury - Robert Schaw, George Mears, Frederick Jones, Francis Clayton, Richard Bradley, and Anthony Ward; and Petit Jury - Bishop Dudley, Job Howe, Arthur Mabson, Caleb Grainger, Henry Young, and William Larkins.

John Lyon, Esq. ack. his P/A granted to James Woods.

Present 3 p. m.: Cornelius Harnett, Frederick Gregg, Frederick Jones, Thomas Lloyd, Robert Schaw, Esqrs.

Ordered that John Lyon, Esq. and all preceding sheriffs who have not accounted for all arrears of taxes due the County in their hands shall settle therefor with John Ancrum and Robert Schaw, Esqrs. on or before the first day of next Court.

William Holland an orphan son of John Holland was, with the consent of John Clifton "Father in law to the said William," bound to William Ewings for six years to learn the trade of tailor.

f 220v

Mary Ann Silvester was bound to Hector McAlister till age 18, and the Court canceled the bond of James Blyth to whom she was formerly bound.

Darby Eagan refused the keeping of the ferry over to Brunswick any longer, because he had engaged himself at the Wilmington Ferry.

[s] Corns. Harnett Fredk: Gregg Fredk. Jones