COLUMBIA COUNTY

SUPERIOR COURT

MINUTES

1805

Columbia County. Superior Court
Minutes
1805

Reel No. 380
Positive
Filed in

In possession of: Ga. Dept. of Archives & History

Date microfilmed: March 1, 1961

At a Superior Court begun and held at Salem
Court House on Monday the 25th Feby 1805.

Present The Hon. Benjamin Sherwood

The following persons were summoned attended
and were sworn as Grand Jurors. Viz.

1 Lyndon Flanders Esq. Foreman
2 Jay Harden
3 Eld. Johnson
4 Jay Marshall
5 Jn.° Garlow
6 Wm. Jones
7 Jas. Partlow
8 Jay Lewis
9 Hugh Blair
10 Jno. G. Jenkins
11 Jno. McCabe
12 Edw.° Avery
13 Benj. Leach
14 Jn.° Mc. Smith
15 Jay Lewis
16 Edw.° Reed
17 Jno. Lackey
18 Wat. Dunn
19 Jay Allen
20 Jn.° Jenkins
21 Jn.° Wellingham
22 Jn.° Sargent
23 Jay Wynn
24 Jn.° Shackleford
25 Jn.° Cobb

Jay Lewis Thos.° excused

Comd. of Captain, &c. 3 Co.

The Genl. Orders

1 Lt Harden
2 Lt Johnson
3 Lt Marshall
4 Lt. Parker
5 Lieut Jones
6 Lt Rhodes

y a High Blair
7 C. G. Faulkenbury
8 Ens. Harry
9 Privy Lesh
10 Lt. Co. Smith
11 Lt. Co. Smith
12 Lt. Sergeant

We find for the Plff the Sum of Sixty three Dollars Sixty-three & a half Cents with Cost of Suit

E. Harris Jus

Capn. Pope, &c. 3 Case

Lt. Pettit, &c.

v. Three Witnesses

Ex. Court, &c.

Henry M. Rhodes, &c. 3 Case

1 Lt Harden
2 Lt. Marshall
3 Lt Parker
4 Lt Partridge
5 Lt Rhodes
6 High Blair

y the Court
8 Ens. Harry
9 Privy Lesh
10 Lt. Jones
11 Ens. Green
12 Mar. Lindsey

The Jury for the Plaintiff find Four Hundred Sixty Dollars Principal & Five Hundred & Fifty Dollars Interest

Four Cents & Costs. Judgment

The Town
vs Petition for Enclosure &c
Dl. Pond

Upon the Petition of Thomas Tomy Praying the foreclosure of the Equity of Redemption in the certain tract or parcel of land containing one hundred acres situated lying & being in the County of Columbia on the South side of Little Nesha Creek Boundedly Lucy of Andrew Sanford Thomas Tomey &c Also part of a tract of land originally granted to Elijah Youngblood which said tract of one hundred acres of land was mortgaged by the said Elijah Youngblood to the said Thomas Tomy to secure the Payment of the sum of Eleven hundred Dollars specified in two promissory Notes given by the said Elijah Youngblood and made payable to the said Thomas Tomy. It is ordered that the principal sum now due on the said Mortgage be paid into Court within three Months from the date and until the same be so paid the Equity of Redemption will thereof be foreclosed — And it is further Ordered that a Copy of the foregoing Rule be published in one of the public Gazettes of this State once a Month for three Months or Cause to the Mortgagor, his Attorney or Agent if known of this Rule to be made in Court and Money ordered to be paid into Court as aforesaid

3

The following Survey was Recorded

by Peter Savory

for Pat Dougherty 18

2 Wm Hunt

3 Jno Bonner

4 Mark Barton

5 Wm Long

6 Benj Long

7 L. Longenfield

8 Isaac Long

9 Del Mahoney

10 Jas Burnside

11 Jas Carroll

12 Rich Tally

13 Isa Carroll

14 N. Stallings

15 Jno Bryan

16 Wm Swaney Jun

Com by

Jno Cummins

Jno Jas Guardian

F. Longfield

Com

by consent

Wm Clark
Rob. Randolph } Esqrs.
Tho Napier Esq. } The Court &c. Napier, Esqr.
Sugd. D. Ct. Cause to proceed
against Rob. Randolph alone

Wm Clark
Jas.
Rob. Randolph } The Court

1 Pat. Daughty. 7 L. Augustine
2 Wm Hunt. Sum. 8 Jas. Perry
3 Tho. Burnop 9 Danl Mafingale
4 Nath. Burton 10 Jas. Runyden
5 Wm. Perry 11 Benj. Carrol
6 Benj. Perry 12 Richd. Fields
The Jury for the Pltf. Sum. eight Dollars &
Costs with Interest & Pltf. Execution

Court adjd. till tomorrow 9 O'Clock

Esqrs

Benj. Burns

Court as. till tomorrow 9 O Clock.
20 July 1805
Jury Call dismissed to Sept

Present Hon. Wm. Clark

[illegible] Term
[illegible] February [illegible]

1 A. H. Collum
2 Benj Gray
3 Lin. Long
4 Pat Baughn
5 Nath Burton
6 Jos. Long
7 Dave Applegate
8 Jno Bruce
9 Jas Burnside
10 Rich Doty
11 Jas Duguid
12 Saml Fraguson

Also the Jury find the Case of Ellis
Saml Fraguson Jr.

Ellis Saml } Case
Wm Cobb } Settled

Adv. Leo appt.

Also Leo Gard. & Chas Cooper
Thos Bird & Morgan

1 Jas Young
2 Jas Barber
3 Jno Stevens
4 Jno Chadwell
5 Jno Garrett
6 Jno Long
7 Jas Bartlett
8 Jno Bruce
9 Jno Hall
10 Jno Hall
11 Jno Ferry

We the Jury find the Defts guilty

[illegible] Jno Long & Jno

W. Boyd } Case
Chas Pope } Settled

Adv. Pope & Leo

Nick. Boyd 3
Dom. Chas. Lopez 3 Cal.

1 W. H. Collins
2 Ben. Young
3 Col. Young
4 Cal. Daugherty
5 Stat. Benton
6 Jas. Young

11 Chas. Shafenaker
8 Thos. Brick
9 Jas. Burnsides
10 Nick. Foley
11 Reynolds
12 Saml. Magruder

We find for the Pl. one hundred Dollars
Dollar, with Interest from

Saml. Magruder Exo

Nick. Boyd 3
Chas. Pope 3 Counts

Dr. Jas. Belmeade K.

Sarah Pope Admx. Chas. Dec'd.

Nick. Boyd 3
Chas. Pope 3 Counts

Saml. Magruder Exo

We find for the Pl. four hundred Ds
Forty Dollars with Interest from the 4th day of

Saml. Magruder Exo

Wm B. Ballard Adm^r &c Pltf

J. Saudry et al Defts

1 Jay Harden
2 Tho. Bryson
3 Jos. Mayhew
4 Jno Gerdes
5 Wm Jones
6 Jay Mauzy

7 Hugh Blain
8 Tho. White
9 Edw^d Harris
10 Benj Leigh
11 Jno M. Smith
12 Jay Lewis

We find for the Plf with Cost of Suit
Jay Lewis Jun^r
Exam^r.

Bonsferine

Court adj^d till tomorrow 9 O'Clock

27th July 1805.

Court met according to adj^t

Present The Hon^ble Benj^a Estill

Adm^r. Pltf
H. Lamar
a. Lamar

1 N. H. Collins
2 Rich^d Colby
3 Jo. Jones
4 Pat. Daughty
5 Jno. Ewing
6 Benj. Jones

7 Jay Burnsides
8 Dan^l Magruder
9 Wm Hudson
10 Nath Burton
11 C. Longfellow
12 Dan^l Magruder

We find for the Defts with Cost
Dan^l Magruder Exam^r

Jo. Marshall — Court against the Sheriff
The King Plaintiff } Quest for Land Sold
Be Motion by Counsel
a Rule be granted for the Plaintiff in the
Court to Shew Cause why the Appeal ought
by Law from the Decision of the Special
Jury should not be dismissed

Wm Lawson affrs
Jno Mc Kinley } Case
Same

Wm Pace
E. Walker } Case
Same

Edm. H. Pearce
Geo. Kemp } Case
Settled

Edward Tilghman, Esqr
Sir Landon Carter Knt & Bart

James Hardin — 7 Phi. Hoskins
2 Tho. Johnson — 8 Edm. Harvey
3 Ly. Maryhew — 9 Benj. Leigh
4 Jno Carter — 10 Edw. Oneal
5 Wm Lynn — 11 G. Saunders
6 Ly Fleming — 12 Ly Blue

a Rule to shew Cause &c

Upon Motion of Mr. Hankins Ord for
Peter Crawford Clerk of this Court, Ordered
that Francis Farrar Sheriff do shew Cause
why he does not return into the Clerks
Office all Executions in his Possession
together with all Cash due thereon

Basil Thompson
Jno Saunders } Exrs

On Motion of Mr Carter
It is ordered that Francis Farrar Esqr Sheriff
of this County do shew Cause on Monday
why he does not return into the Clerks Office
into Court together with the Original Execution
for the Same

Jn° Mayes
Edm. Lyde } Justices

1 N. H. Collins
2 Richd. Yoby
3 Wm. Young
4 Pat. Daughaty
5 Lin. Young
6 Benj. Young
We the jury find the plff entitled to a writ of ipsuit

Jn° Mayes
Geo. W. Moore } Constables

1 Jno Rogers
2 Jno Bennett
3 Jno Greenaway Jun
4 Wm Field
5 Jas Carroll
6 Richd Roberts

1 Jas. Brumley
2 David Mefougall
3 Wm Nelson
4 Nat. Benton
5 L. Longfield
6 Saml Magruder
We the jury find the plff entitled to a writ of Inquiry of damages & a writ of Enquiry of damages accordingly

1 Jno Young
2 Wm Pitman
3 Jas Carroll
4 Jno Young
5 Jno Young
6 Henry Polk
We find for the plff twenty five Cents with Cost of Suit
Mr Field Jun

Eqr. Tun
Richd. Randolph } Injunction

The day came the Defendant by
Richd. Randolph Jenings and fully answered the allegations of the
Pltfs. bill, and denied all equity therein contained and
the Complainant having nothing further to say why
the said Injunction should be continued. It is therefore
ordered and decreed that the said injunction be
dissolved, and that the said Richard Randolph be
at liberty to prosecute his remedy at law of the said injunc-
tion has not been granted.

Eqr. Tun
Wm. Phelps } Bill in Equity

1 Eq. Harden
2 Eq. Marshall
3 Eq. Gantt
4 Wm. Jones
5 Eq. Turner
6 Edw. Harris
7 Benj. Leigh
8 Eq. W. Smith
9 Edw. Bruce
10 Eq. Saunders
11 Eq. Olive
12 Eq. Wynn

We find for the Defts. thereby
Cause of Action Complained of in Pltfs. Bill

Eqr. Tun
Wm. Hoffe } Bill in Equity

In this Cause the Jury Empannelled
returned a Verdict "We find by Cause of Complaint
by Pltfs. Bill" and Thereupon it is decreed that the
Injunction be dissolved & the said Defts. bill
be dismissed & the said Defts. have
had not been granted.

2. Mr Hunny Vs
Jno Cook, Jun } Case

1 N. Burton
2 R. Singerfield
3 Col Daughny
4 Jno Bunny
5 Benj Jones
6 Jno Jones

7 Ed. Jones
8 Dan'l Hargraves
9 Richd Ellis
10 Ry Burroughs
11 Jno Collins
12 Daniel Hargraves

We the Jury find for the Plf Forty Dollars with Cost of Suit

Dan'l Hargraves Fm

1 Jno Jones
2 Jno Hopkins
3 Jno Dixon
4 Jno Hall
5 Jno Hawkins
6 Jno Garrard

7 W. Hunt
8 Ry Conrad
9 Chas Ellis
10 Richd Burton
11 Jno Hawkins

We find for the Plf Two Hundred Dollars & Eight dollars Duty with Interest

Dan'l Hargraves Fm

1 Jno Jones
2 Richd Roberts
3 Wm Hudson
4 Jno Hall
5 Jno Hawkins
6 Jno Garrard

7 W. Hunt
8 Ry Conrad
9 Chas Ellis
10 Richd Burton
11 Jno Hawkins

We find for the Plf Two Hundred Dollars & Eight dollars Duty with Interest

Dan'l Hargraves Fm

1 Jno Jones
2 Jno Hopkins
3 Jno Dixon
4 Jno Hall
5 Jno Hawkins
6 Jno Garrard

7 W. Hunt
8 Ry Conrad
9 Chas Ellis
10 Richd Burton
11 Jno Hawkins

We find for the Plf One Hundred Dollars Debt

Dan'l Hargraves Fm

Ben Crawford Age
Field Forty Case
Case Forty as in the
Case of Jno Mc Kamey Age 29 Yrs. of Hall Co
Ga for the Sum
of Eleven Dollars Fifty Cents with Int.
Cost

Jno Mc Kamey
Rec'd Dec 3 Case
Case Forty as in the
Case of Ben Crawford Age 21 Yrs. of Hall Co
Ga for the Sum
of Eleven Dollars Fifty Cents with Int.
Cost

Jno Hudson
Rec'd Dec 3 Case
Case Forty as in the
Case of Jno Mc Kamey Age 29 Yrs. of Hall Co
Ga for the Sum
of Eleven Dollars Fifty Cents with Int.
Cost

In Pet Statutes
Hon Eugene Leet
Same Case as in the
Case of Petitioner for Mandamus
Ike Fuller for the Pet
Two Cases
Same Case
27th Feby 1875.
Same Plaintiff Def
Same Case
Pet Demurred
Same Plaintiff
Def Demurred
Case
for Petty Dollars
Same Case
Plaintiff Def.
Same Case
Same Plaintiff
Case
Same Plaintiff
Same Case
Case Petitioner for Mandamus
Ike Fuller for the Pet
Two Petty dollar cases Def Demurred

E. G. Gaskins }
Francis Moore } Ejectment
Jane M. Saine } Cert
Jane M. Saine } Writ

By Consent of Parties
It is ordered that John Gaskins, Esq. be appointed
an Arbitrator in place of Lewis McKee dec'd
Rule of Reference enlarged Continued.
Ex. Bryan Bynum

Cont. ags. the Lessors 9th Term
28th July 1805
Found Nul tiel according to Agst.
Consent The Same Jury. Same

In Motion of Plaintiffs Counsel the
Writ is ordered to be Renewed Dbt for Ex.
Writ — Ordered that Henry Lamar, Thos.
Same Cause Executed by Sheriff Levy & Lot
Plat Shewn, Viz. 350 Acres of Land in the
County of Columbia Purchased by Jacob Miller
at the Same Sheriff's Sale under an Execution
in favor of Wm. Spann and the same
Land Shewn to the Court and Ordered that the
Sheriff Make

Wm. Nelson
Wm. Bellingham } Dodr

1 N. Burton
2 R. Longfield.
3 Pat. Daugherty.
4 Tho. Binns.
5 Danl. Long.
6 Jno. Long.
7 Wm. Long fled for the Off. Am. Lunged
8 Edwin Dalby both Intimate Friends of Lieut
Wm. Magruder Jun

Nath. Crawford
Benjamin Hough } Can. Settled.
H. Grant
Robt. Bagg } Sic. Jan.

1 Jno. Bryan
2 Lieut. Scott
3 Jno. Germany
4 Jas. Carroll
5 Wm. Mc Clure
6 Geo. Williams
7 Jno. Green
8 Jno. Mc Neil for the Am. Off. Wm. Mundon.
Wm. Cook

Thos. Forrest
Jas. Butler } Absent
Sick.

Pro. Mr. Murrell
v. Philip Lasenby } Assault
Common Wellington. } Case Dismissed on Defts Motion

Fr. Culhoath
Wm. Roberts } Case
Mon. & Bonham } Judgment for Pltf for Two Cents

Fr. Culhoath
Wm. Roberts } Case
Mon. & Bonham } Judgment for Pltf for Two Cents

Pro. Mr. Murrell
v. Philip Lasenby } Assault
Common Wellington. } Case Dismissed on Defts Motion

Pro. Mr. Murrell
v. Philip Lasenby } Assault
Common Wellington. } Case Dismissed on Defts Motion

Jas. A. Briggs } Case
Mon. & Bonham } Judgment for Pltf for Two Cents

Jas. A. Briggs } Case
Mon. & Bonham } Judgment for Pltf for Two Cents

Wm. Harris } Case
Fr. Watson & Thos. } Judgment for Pltf for Two Cents

Wm. Harris } Case
Fr. Watson & Thos. } Judgment for Pltf for Two Cents

Jas. Parrish
2 Wm. Melone
3 Geo. Greenway
4 Jr. Bowen
5 Jno. Bond
Chas. Parrish
Wm. Reid } Case
Jas. Pitt } Judgment for Pltf for Two Cents

Jas. Parrish
2 Wm. Melone
3 Geo. Greenway
4 Jr. Bowen
5 Jno. Bond
Chas. Parrish
Wm. Reid } Case
Jas. Pitt } Judgment for Pltf for Two Cents

Thos. Moore
Chas. Dickens } Case
Jno. Reid } Judgment for Pltf for Two Cents

Thos. Moore
Chas. Dickens } Case
Jno. Reid } Judgment for Pltf for Two Cents

Jno. Reid
Reid Roberts
Wellington
Wm. Reilly
Ely Melton
Jno. Reid } Case
Jas. Pitt } Judgment for Pltf for Two Cents

Jno. Reid
Reid Roberts
Wellington
Wm. Reilly
Ely Melton
Jno. Reid } Case
Jas. Pitt } Judgment for Pltf for Two Cents

Wm. Reilly } Case
Jno. Reid } Judgment for Pltf for Two Cents

Wm. Reilly } Case
Jno. Reid } Judgment for Pltf for Two Cents

The State
vs. Indictment } No. 1 Law
Jay County, Ind.

The State }
vs. Indictment } Obtaining Property
No. 2 Law by False Pretenses
Jay County, Ind.

The State }
vs. Indictment } Obtaining Property
Louis Skadwark by False Pretenses
No. 3 Law
Jay County, Ind.

The State }
Appeal from Justice Court
vs. Indictment } Assault & Battery
No. 4 Law
Jay County, Ind.

The State }
W. N. Colbert } Perjury
vs. Indictment }
Peter Colbert } No. 5 Law
Jay County, Ind.

The State }
vs. Indictment } Embezzlement
Frank Colbert } No. 6 Law
Jay County, Ind.

Ben Ritchie Esqr

Court House Newtownards 9th Clock
9th March 1676

Court Orders Awarding to Appeal
Present The Hon.ble Supreme Court

Upon Motion this Court doth Order that
Robert Walker & Thos Hamilton Esqrs be
appointed Auditors, to state & adjust all matters
relative to the Differences between the Lord &
Tenants of the Manor of Ballyhalbert & that the said Auditors
make their Report before the Adjournment of this
Court tomorrow.

Wm Middleton } Jury Sworn
Thos Biggs }
Wm A Gray
2 Hay Jones
3 Alex. Jones
4 Pat Daugherty
5 Nath Beaton
Colin Jones
Dan Shaffington
Richd Hall
Wm Hudson
Ja Gerard
Danl Magruder
Jno Bennett

We the Jury find for the plaintiff Three hundred and
Seventy Nine dollars and fifty Cents with Costs of Suit

Danl Magruder Foreman

Ex Term
Feb 1805

Ordered by the Court that the Sheriff of Lancaster County do not pay to the Treasurer of this Commonwealth the Money arising on a writ of Fieri facias issued on a Verdict obtained by the Commonwealth against William Booth late Sheriff of the said County for the Use of the Commonwealth unless the said Booth shall within Sixty days from the Date hereof shew sufficient Cause to the Contrary

Georgia
Hancock County

In Re Petition of Mosman & Petition for foreclosure
Joshua Grange & wife Nancy Mosman

Upon the petition of Lanny Mosman Exr. of the last will and Testament of Lanny Mosman praying the foreclosure of the Equity of redemption in all that Tract of Land Containing one thousand acres originally granted to said Lanny Mosman situate in the County of Columbia bounded Southwestwardly by lands of Philip Perry Edmund Walker John Crawford and Thomas Green South westwardly the Lands of William Ramsey Randy Perry and Peter Culbreath and on all other sides by lands Vacant at the time of Survey which said Tract of Land was mortgaged by Joshua Grange to Lanny Mosman by deed of Mortgage bearing date the twenty fourth day of April in the year of our Lord one Thousand seven hundred and ninety nine. The better to secure the payment of three Thousand dollars and Interest and on Motion of Freeman Walker Attorney for the Petitioner It is Ordered that the principle Interest and Cost due on said Mortgage be paid into Court on Main twelve months from the day on that the Equity of redemption in the above described Mortgaged premises be Barred for the foreever barred and foreclosed It is further Ordered that a Copy of the foregoing rule be published in one of the Public Gazetts of Georgia once a month for twelve months or Served on the Mortgagor or his Attorney six months previously to the time in which the Money is directed to be paid into Court Foreforeclosure

The State
vs
Edw. Grumley

Aff. Obtaining Money
Under False Pretenses

The State
vs
Edw. Patton &
M. A. Avery

Larceny
No Bill
by Grand Jury

The State
vs
Wm. Lockhart

Perjury
Withdrawn
Oath Annulled

1 Isaac Gray
2 A. Fuquette
3 Neil McCoy
4 Wm Young
5 Benj. Young
6 Wm Malone

7 Wm. Gurnsey
8 Ky Foley
9 Wm Cotton
10 A. Sides
11 Wm. Sides
12 Ch. Peterson

We the Grand Jury find
Defendant Not Guilty as
charged in the Bill

William Cook guilty but
recommend him to Mercy
J. E. Ferguson Jr.

The State
vs
Edward Magruder
Wm. Young
Jno. Burton
Edward Magruder
Pat. Donaghoe
Wm. Hunt

Perjury
Withdrawn
by Prosecutor

1 Saml Magruder
2 Sam Young
3 W. Burton
4 Saml Magruder
5 Pat Donaghoe
6 Wm Hunt

7 Wm Young
8 Ed Burnsides
9 Wm Harris
10 Neil McCoy
11 W. McCoy
12 Ed Magruder

We the Grand Jury find a True Bill against
Edward Magruder Wm Young Jno Burton Pat Donaghoe Wm Hunt
Each Case with Exception of
Edward Magruder

Cath Evans Court
Benson Vs. Jackson Exr

1 Ruth Rolo
2 E Singfield
3 Mo Ewing
4 Ben Ewing
5 B Colling
6 Wm Ewing

Fee Five for the Pft One hundred dollars
with Int & Cost

M L Ewing
W Ewing
J Ewing
Ewing & Wife
10 Ewing
11 Ben Ewing
12 Ben Fulbright
13 E Singfield Exr

Jas Bulle
Wm Brown
} Case

Case Ejectment by Landlord
Fee five for the Pft one hundred dollars
Forty-one Cents Cost paid
Paid Magruder Exr

Jas Robinson
C H Harrison et al
} Case Ejectment
Same Jury as in the
Case of Wright vs Mountford
Fee five for the Pft one hundred dollars
with Interest & Cost
Paid Magruder Exr

[illegible] vs [illegible]
[illegible]
[illegible]
[

Gr. Larceny Case

The Grand Jury in the Case of
Dwight Lathrop
vs
Larceny

We the Jury find for the Plff the sum of
Twenty Dollars Cost with Interest from
date of Writ

Exceptions Filed

Ass. Larceny

City Police Court

Case

Dane Lathrop
vs
Larceny

We find for the Plff Twenty Dollars &
Costs with Interest from
Date of Writ

Exceptions Filed

Ass. Larceny

Police Court

Case

The Grand Jury in the
Case of Thomas Lathrop vs Dwight Lathrop
We the Jury find for the Plff the sum of
Fifty Dollars with Interest from date of Writ

Exceptions Filed

Thomas Young
Thos Young } Pltf
Thos Young } dem Pltf
Thos Young } dem Pltf
Thos Young } dem Pltf
Thos Young } dem Pltf
Thos Young } dem Pltf

Abm. Swingley
Edwin Hall
Chancellor Edwards
Ed Ferguson
Wm Hall
Jno. Hall
Jno. Hall
Jno.

Edward Lee
vs
State of Maryland } Case

Case for Forcible Entry & Detainer

We find for the Plff two hundred dollars
damages & costs

Benjn Brewer
Jno Worthington
Jno Hall
Jno Hanson Briscoe } Exrs

The Plff by Comn into Court &
prays an appeal in this above Case &
Benjn Brewer & Watts Hanson Duckett
Jno Worthington bound with the Plff
in Bay 100 Cond & the usual Condition

Test Chas Ridout Clk

Larry Bloomer &c
Larry Mosman
Robert Randolph and the
exr and representatives of
Thomas Napier

Petetion for foreclosure &c

Rule Nisi &c.

Upon the petetion of Larry Bloomer
executor of the last will and testament of Larry Mosman
praying the foreclosure of the Equity of redemption in ale that
tract of land petitioned for lying and being in the County of
Columbia and State of Georgia Containing Seven hundred acres
and bounded at the time of Survey Northeastwardly by
lands of Thomas Stapler Alexander Caldwell — Brown
and John Durand Southwestwardly by lands of John Darnell
William McFarland and land Vacant westwardly by lands of
William Lynn and Larry Coan and Northwestwardly by
lands of Capt Goodgeon and granted to Larry Mosman
the 6th day of December 1784 which said tract of land
was mortgaged by Thomas Napier and Robert Randolph
Larry Mosman by deed of Mortgage bearing date the
twelfth day of April in the year of our Lord one thousand
eight hundred and two - the better to secure the payment
of twelve hundred dollars and Interest - and on motion
of Freeman Walker attorney for the petitioner - It is Ordered
that the principal Interest and Cost due on the said
mortgage be brought into Court within twelve months from
this day, or that the Equity of redemption in the above
described mortgaged Premises be thenceforth forever barred and
foreclosed - It is further ordered that a Copy of the foregoing rule
be published in one of the public Gazetts of Augusta once
a month for twelve months or served on the Mortgagor
or his attorney Six months previously to the time in that

Dan.

Bill State

H.

Court adjd till tomorrow 9 o'Clock

2. March 1805

Court met according to adjt.

Present The Honble Benj. Shurmer

Jack Elam }
Chas Ellis } Sworn

1 Pat Daughtry
2 Henry Drury
3 Wm. Drury
4 Danl Mc Kee
5 Z. Augustus
6 Geo Ellis
7 Wm Ellis
8 J. Burton
9 Ed Drury
10 Ben Perry
11 Mc Cullough
12 Geo Hoffman

The Jury for the Pty eight hundred dollars which may be discharged by the Delivery of the negro Dave now in Jail already delivered for Six dollars for his Fees

Jno. Shuller }
Jno. Naylor } Sworn to Asses Damages

Wm Perry
Wm Abernathy } Sworn to The Sheriff

Jury Withdrawn

Reinstree & Taylor
Col. Ellis

Chancery Eliza Ellis
Chan
agt to the Court

Thomas Richardson
William Dunn

Thos
Exrs of Wm Dunn
Senr Deceased
vs
Thomas Richardson Senr

all matters in dispute in the above Cause are submitted
to the final award and arbitrament of Solomon
Marshall Abraham Farrar Hugh Blair Senr
Michael Smalley Levy Marshall, Joseph Ray
William Brannon Lotus Gentrill James Flannigan
and Alexander Gerdine with power of umpirage
Their award to be final and Conclusive and
to be made the Judgment of this Court provided
it be returned under their hands and Seals on
or before the first day of the next term and
provided, that Also each party give the opposite party ten
days Notice of the time and place of the meeting
of the said Arbitrators

The State
Richd Reg
John Sypes
Sap Raimond
Charles Porter } Recognizance

The defendants being
Called and failing to
attend in Terrm. & their Recognizance, Nisi Said Recogn
izance was Estreated and a Scire fa ordered to Issue

The State
Hy Edwards } Bond

Court for the Defendant
James Ab. Cook

Henry Dawson
Jno Edwards } Sc. fa.

On Motion it is
Ordered that the Judgment be Revived & that
the Executions do Issue in the Name of
The Estate of Walter Dawson dec'd

The State
Lewis Neal
Richd Robuck
Jr. Sypes } Perjury

The Defts Lewis Neal Richd Robuck & Jr. Sypes
Called Failing to Attend & Forfeit
Petition Recognizance Thereof Estreated & Ordered to Issue

Sarah Davis
Chas G. Ellis } Case

Lea Garrabrant
C. M. Collins
Mr. Mallett
Geo. Gorsuch
Jno Griffin
Ed Foley
Wm Davis for the Offense Thousand Six Hundred Dollars with Interest Cost & Counsel Fees

Wm Dunn Appt
Wm Williams, Respt } Equity

The 25th day Came into Court & prays an Appeal & the Execution acknowledged being Cld bound with the Appt & Jas Mc Crawford Esq Commutation Attorney for Appt Crawford.

Wm Dunn Appt
Jas Williamson & Equity
Thos Williamson } Rule of Survey in this Case enlarged Costs.

Wm Dillon
Jas Andrews et al } Eq
Rule of Survey in this Case enlarged Costs.

Ex G. Blunt
vs Indictment
Ellis

Feby Term 1865

Rule to Quash Indict

In Buck Island
Ex Parte
Jay Jan 3 Eqr

Rule to Quash Indict

The State
vs
Jay Williams

Illegality
Jury discharged

The State
vs
Ellen Williams

Indict
Cont. Cy 8 4 L

The original Recognizance also Forfeited

State
vs
L. Thrash

Perjury
Cont by Def & the Sheriff

Recognizance also forfeited

Com. Nathan
vs
Hiram Clark

Indict
Illegality discharged
& Entries ordered to proceed

Jol. Mary Lucas } Petition to set aside Verdict
Wm. J. P. Boulton } Court by the Defendant
The Plaintiff in the Cause having
appeared in Court and the Defendant
appearing in person and the Cause
being called on for Trial and the
Defendant not appearing in person
or by Counsel on motion of the
Plaintiff Ordered that the Verdict
heretofore rendered in this Cause
be set aside and that this Cause
be Continued

Ely Garrick } Certiorari
Abby Garrick et al } One of the grounds of this writ is that
a Single Summons only Cited the defendant to appear to answer
to a Demand or Debt of Note amounting to a Sum Exceeding
Forty dollars - It is Ordered Thereon that the proceedings be Set aside
for Irregularity & Error and the parties plaintiff and defendant Stand
on the Same footing - they Stood at Commencement of Suit
Costs & Proceeding a New more Carefully made and that
a Copy of this order be Transmitted to the Magistrate

Barbra Leach
Chas Porter et al } Certiorari
The grounds of this writ are two persons
were dead. at the time when it appeared from the writ there was
but one representative the plaintiff Executor and the record out
of the County. the time the Debt was Brought - Ordered
Therefore the proceedings in the Magistrates Court be Set aside
and the plaintiff be left to a more legal Course and they
Order be Transmitted to Mr Lusten Porter

Seth Brantley
Chas Porter et al } Certiorari
The grounds of this writ is that a
levy was made on property in possession of the plaintiff claimed by
her and Levied for three Shillings - one of which Levies by the
return of the Constable and Court Ordered Therefore
that for Error in the Levy immediately on the right of Property
the Same be Set aside and new Trial Awarded
and that this Order be sent to Mr Lusten Porter

For State
of Missouri } Sct
Pettis County } Be it remembered that on ... $100

the 8th day of May A.D. 1860 personally came before me Elisha Ellis a Justice of the Peace within and for said County and State aforesaid Elisha Ellis who is personally known to me to be a credible person and a resident of said County and State aforesaid and who being by me first duly sworn according to law doth depose and say that he is justly indebted to the State of Missouri in the sum of One Hundred Dollars current money of the United States and that he has no property in his own right to satisfy the same except the following described property to wit One Bay Mare about seven years old and One Sorrel Horse about five years old and that he has no security to offer for his appearance at the next term of the Circuit Court within and for said County of Pettis and State aforesaid to answer the State of Missouri in a plea of debt and that he will not depart this Court without leave and that he will appear at the next term of said Court and not depart without leave and that he will abide the order decision and judgment of said Court in the premises and that he will pay the amount of any judgment that may be rendered against him in said Court in said cause or that may be rendered against him on appeal in said cause to the Supreme Court of this State if an appeal be taken by him in said cause and that he will pay the amount of any judgment

Rob Kinnan } Can
Henry Dillon } Pufferty Depot

Chas. Long } Absent
Rob Long } Sick

Silas Brannon } Hospl. Depot
Jno McCarty } Richmond

Reuben Hilbourn } Camp
Benj Lewis } Pufferty Depot

Thos Carr } Ordy
Jno Dixie } Pufferty Depot

If the following Jurors were drawn to serve
as Grand Jurors at the Next Term viz

1 Ja. Hastings
2 Robt. Davy
3 Ja. Hamilton
4 Wm Bell Daughty
5 Ja. McFarland
6 Ja. Lawkin
7 Jno. Critchen
8 Jas. Davy
9 Wm. Todd
10 Jno. Todd
11 Jno. Beall
12 Edw. Bowie
13 Thos Beall
14 Basil Waters
15 Wm Dunn

16 Mark Duncan
17 Thos. Moore Junr
18 Wm Scaggs
19 Adam Fenly
20 Ja. Ramsey
21. Andw Burgess
22 Lyde Sanders Junr
23 Thos. Owen Junr
24 Jno Young
25 Wm Leaf
26 Jas Hawkins
27 Robt Adam.
28 Rich Sanders
29 Robt Johns
30 Wm Wallace

31

The following Persons were drawn to serve as Petit Jurors this day

1 Hall Clanton
2 Jno Cox
3 Thos Fortune
4 Jona Edwards
5 Thos Kelly
6 Jno Carson
7 Ben Watson
8 Jno Gray
9 Chas Benham Sen
10 Thos Freeman
11 Lewis Bayey
12 Jno Long
13 Jno Lazenby
14 Alex Radford
15 Henry King
16 Zach Tatum
17 Jno Lyon
18 Jno Brooks
19 Thos Handley
20 Jno Williamson
21 Wm Johnson
22 Jno Long
23 Jno Saunders
24 Thos Long
25 Perry Gray
26 Thos Huey
27 Jno McDuffee
28 Jno Williamson
29 Jno Pilkinton
30 Wm Hattaway
31 Wm Mark
32 Edw Gunnells
33 Wm Brown
34 Jno Embreedun
35 Wm Bread
36 Wm Hays
37 Chas Taylor
38 Mark Bent
39 Dan Huling
40 Nathe Benham
41 Jno Laughlin
42 Henry Tatum
43 Lyle Brooks
44 Jno Dyson
45 Jno Mullins
46 Wm Cox
47 Jno Tatum
48 Jno Tatum
49 Edw Perryman
50 Sam Gunnells

The Com
Pr. Judell } ats
In this Case the Sheriff
attached one horse, Waggon & Hand Gun which two
Cattles are Perishable articly — On Motion
of Atty Gl ordered that the Sheriff Prove
to Sale the said Horse & Waggon & Hand
Gun in terms of the Law & the Money arising
thereform to be deposited in the Clerks Office
& this Court Subject to the future Order
of this Court

Pro
Jno Mason Appt
Neville Reid, Respt } Caveats

On Motion of Richd Dandridge
ats the Appt counsel being heard
It is ordered by the Court that Letters of
Admr be Granted to the said Richard Dandridge &
that pursuant thereto he do accordingly

Vpr
On the Pet of Richard Robert Henry that
Henry Dyches of [illegible] Executor
of Wm Taylor to the said Richard Pr.
two Notes of hand given by Joseph Spencer &
Horatio Marbury to the said Robert Henry
dated the day of Made Payable
to the said Richard for the sum of one thousand
Weight of Tobacco & the other for Three pounds

the Clerk doth he could procure to
Cagle in the Clerks-Office together with an
affidavit pursuant to the act of the 22d
July 1785 they ordered that the said sheriff
do attach the said Cagle and make
Said Rich Robert publishing a Notice to them
directed and for the space of six months
in one of the Public Gazette of this State
that the said Cagle be & he is hereby
appear to the Inferior Court against the 1st Mon[day] in [illegible]

The State
Peter Collins } Ind[t]
& Assault

No Bill Lawd Lemmy foreman

The State }
Peter Collins } Misdemeanor
& No Bill Lawd Lemmy foreman

The State }
Peter Collins } Assault.
& No Bill Lemmy Lemmy foreman

The State }
Edw[d] Colbert } Assault
& No Bill. Lemmy Lemmy foreman

43.

The State
Chesly Clayton } Larceny
No - Bele Lenny Lenny Foreman

On the petition of Thomas M. Murrell
praying a writ for the partition of two hundred and
sixty four acres of land Lying Thomas Cobb, John
Cobb and the heirs at Law Lying the land of
Wm Cobb late of Columbus County
deceased, between the said Thomas M. Murrell
who hath Intermarried with Polly F. Cobb
widow and relict of the said William Cobb
dec. and William Burkham Murrey Cobb the
only Issue of the said deceased - It is Ordered
that Robert Randolph Lenny Hamilton Nehemiah
Dunn William Lovelace John Foster Edw Biggs
John Wingfield Isham Fullin Lenny Lovelace
John Colley and Andrew Stamey be appointed
Commissioners to make partition of the said Tract
of Land - and they or a Majority of them authority
required and Commanded to make partition
of the said Tract of Land accordingly - they
being first sworn before a Magistrate - and
giving Eight days Notice to the parties in Interest
of the time of making such partition and that
they do make return of their proceedings in this behalf
under their hands and Seals to the Clerk of this Court
within three Months from the date hereof

The Grand Jury came into Court & returned
their presentments as follows

We the Grand Jury for the Body
of the County of Columbia. Present as a Grievance
the present Situation of our Court house — and
Recommend that the same be repaired — and that
a New one two Story high be built in addition
to the present one that the Grand Jury may be
accommodated with the upper room — they being
obliged heretofore to be beholding to private individu-
als for a room to set in to the great injury
of the County business ——

2nd — We present as a Grievance the general bad
State of the Public roads and Bridges throughout the
County

3rd We return our Thanks to his Honor the Judge
for his Strict attention to the business of the County

Thomas Johnston
John Cole
John Gentree
Wm Sims
Benjamin Leigh
John M Smith
Joseph Marshall
Wesley Dunn
Geo P Lankesley
Ed Neal

Jany Lining - foreman
John Lankesley
Jams Flemming
Y Pandey
Edw Harris
Jam Cartlige
Jose Wynn
J Jew
John Sargent

Chas. Parker
H. Palmer
M. Mason

Decree

William Harvey Respondt
vs
Matson & others Appellees & Cross Appellants

On Motion founded on petition duly Verified - It is Ordered that the Examination of Frances Lowry an Aged and Infirm Witness in the above Cause be taken before any Justice of the County of Columbia and be allowed to be read in Evidence on the Trial of the appeal in this Cause unless the personal attendance of said Witness can then be had - and that the testimony so to be taken be perpetuated agreeable to the prayer of said petition Provided that ten days Notice be given to William Harvey or his Attorney of the time and place of Taking said Examination - and that the said Examination be returned into the Clerks Office, sealed the hands and Seals of the said Examining Justice in Manner Situation

John Berreen
vs
Larry Lemmy

Case

Upon the petition of John Berreen praying an Order to take the deposition of Thomas Cobb Sen. de bene Esse in the Case of John Berreen against Larry Lemmy now pending in this Court upon an Appeal. It is Ordered that the deposition of the said Thomas Cobb, Sen be taken before any two or More Justices of the peace in the County of Columbia and that the same may be read at the Trial of the said appeal if it shall not then be in the power of the Plaintiff to procure the personal attendance of the said Cobb. The plaintiff first given Ten days notice to the opposite party or his attorney of the time and place of taking said deposition and Larry the defendant or his attorney with a Copy of the Interrogatories

47

Defendants Attorney
Henry Pontiere

Rule nisi for the Defendant
to shew cause why the Judgment
in this case should not be set aside
and a new trial granted on the
grounds on a Certificate
presented to the Court by the Attorney
of the Defendant

Ordered that the Rule nisi be made absolute

Plaintiffs Attorney
Henry Ellis

By consent of parties
Canal from Key Bridge

The parties agreeing to withdraw the appeal, Ordered that the same be dismissed, and that the Clerk of County Court do
to grant order of Condemnation agreeable
to the agreement of the parties concerned filed
in the Clerks Office of this Court

The State
Levi Dade

Copying
Costs of Defendant respectively
Continued

The State
vs. Horse Stealing
Wm Cooke

The Jurors of the Petit Jury regularly summoned and impannelled being duly Tried Selected and Sworne to Say the truth and Concerning the felony (and Horse Stealing Charged in the Indictment against the said William Cooke returned their Verdict We find the Prisoner William Cooke Guilty and recommend him to Mercy. Whereupon it is Considered and adjudged by the Court here, that the said William Cooke be Taken to the Common Gaol of the County of Columbia from whence he was brought to the bar from thence to be Taken by the proper Officer to the place of Execution on Thursday being the fourteenth day of this Instant Month March and there the said William Cooke Hang and there between the Hours of ten and two Oclock of that day be hung by the Neck until he be dead.

It is Ordered that the Sheriff of this County do carry this Sentence into execution.

It is Ordered by the Court that the Prisoner be remanded to the Penitentiary with the Recommendation of the Jury in writing Signed by all of them.

It is Ordered that Messrs Hammell & Walker Attorneys appointed to defend the Prisoner in this prosecution be allowed fifty dollars each for their services in this case.

It is Ordered that the Clerk of this Court issue Executions against the Estate of Thomas Cooke for the Costs of this prosecution.

It is Ordered that the Sheriff make no further return of the Writ of Venire Facias in this case.

of the account of sundries on Executions given since the Sheriff
has been in office and that the sole fees that can be charged
to the first day of August last at which time the Sheriff is to make
a return of Executions in force in Sundries due the State

Errors

Benj. Bonney

Clerk of the Court for Lincoln

By Levine Co Affirmed.
For the Supreme Court

Case stated the 4th day
Case stated and argued and submitted by Counsel
Marshall for Plaintiff Hunter and Burch
for Defendants to pay the costs of Suit
Case Money
Acknowledged before me this 4th March 1805
Edwd Crawford
Clk

Case stated and argued by Brown
for Plaintiff Hunter for Defendants
Case stated and argued in
the above Case

Affirmed by Supreme Court March 1805
Edwd Crawford
Clk

Court Case, Clerk
for
Jay Geary, Sheriff
vs
The Court Case Number
Plaintiff in Error
Action in Error on Writ of Error
Plaintiff
Attorney

Court Case Appeal
for
Jay Geary, Sheriff
vs
The Court Case
Case and Cause on Appeal in the
Same Case
Action on Writ of Error.
Plaintiff
Attorney

Court Case Appeal
for
Jay Geary, Sheriff
vs
The Court Case
Case and Cause Pending in the Court
Same Case
Action on Writ of Error
Plaintiff
Attorney

The Commonwealth
vs
Ephm. Wiblit. Exor } Case

The Appt. came this day & acknowledged in the above Case and Says he has Assets to the Amount of the Debt & Costs to be discharged & the Appt. & his Sureties Ackd. themselves Indebted to the Commonwealth of Penna. in the Sum of Fifteen Hundred Dollars to be levied of their Goods & Chattels Lands & Tenements for the use of the Commonwealth if default be made in the Condition of this Recognizance

The Condition of the above Recognizance is such that whereas the above bound Ephm. Wiblit. Exor. of the Estate of Jno. Wiblit late of Cumberland Township in the County of Adams Yeoman deceased hath been duly Appointed Executor of the last Will & Testament of the said Jno. Wiblit deceased & hath undertaken to execute the same & to make a true & perfect Inventory of all & singular the Goods & Chattels Rights & Credits of the said deceased which have come to the hands possession or knowledge of him the said Executor or of any other person or persons for him & the same so made to exhibit into the Register's Office of the County of Adams aforesaid at or before the Tenth day of March next & to render a just & true account of his Executorship to the Orphans Court of the said County of Adams when thereunto required by the Register of the said County for the time being & to pay & deliver all the Residue of the said Estate which shall remain in his hands upon the Balance of his said Account unto such person or persons as the said Orphans Court shall by their decree or decrees order & appoint & moreover to perform & fulfil all other the Duties required of him by Law then this Recognizance to be void & of none effect otherwise to remain in full force & virtue

Ackd. before me this 7th March 1805

J. Crawford
Clk

The Commonwealth
vs
Jno. Lowe, Exor } Case

The Appt. came this day and enters an Appearance in the above Case & Acknowledges himself & Thomas Hagan Acknowledged himself & Bound with the Appt. to pay the Contingent Money

Acknowledged before me this 7th March 1805

J. Crawford
Clk

The State of Ohio }
Clk. Court, Ryle } Case

The day & date above came
Thos Hogan Clerk
of the Court of Common Pleas
within & for the County
aforesaid & made oath to the truth
of the within Account
Sworn & subscribed before me this 6th March 1805
Ebenezer Lapham
Coll

Thomas Hogan, Clerk
vs
Elijah Pritchett, Defdt } Case

The day & date above came
and return an attachment in the above Case
Executed by the within
Garnishment Chattels
Acknowledged before me 6th March 1805
Ebenezer Lapham
Coll

Charles G. Ellis appt
vs
Daniel Clerm respt

The appellant came this day and Entered an appeal in the above Case and Gareb Davy acknowledged himself bound with the appellant to pay the eventual Condemnation money Acknowledged before me this 6th day of March 1865.

W. Ward for
Peter Crawford Clk

Lanny Wood appt
vs
Lanny Golley respt

The appellant came this day and Entered and appeal in the above Case and John Semeford acknowledged himself bound with the appellant to pay the Eventual Condemnation Money Acknowledged before me this 6th day of March 1865

W. Ware for
Peter Crawford Clk

Samuel W Cade Appt
vs
William F Booker respt

The appellant came this day and Entered an appeal in the above Case and William Flannery acknowledged himself bound with the appellant to pay the Eventual Condemnation Money

Acknowledged before me this 6th