

**SPARTANBURGH COUNTY,
SOUTH CAROLINA
MINUTES OF THE COUNTY COURT
1785 - 1799**

by

Brent H. Holcomb, C. A. L. S.

the adverse party 10 days notice.

William Poole against Henry Wyatt. Appeal. On motion of the plaintiff's attorney, Ordered that the judgment of the Justice be confirmed.

James Rutherford against Henry McCray. Petition. The defendant came into Court and confessed judgment for £ 3 s 16 d 1 with Interest from 17th Feb 1790 which appears to be the sum due according to note and account, and costs of suit.

Ordered that the Estrays delivered to the Sheriff be sold at the adjournment of Court.

Ordered that the Road leading across heads Ford on Enoree River be turn'd above said Heads plantation to cross at the flat shoals, and that Isaac Lynch be appointed overseer of the same, and that all hands within three miles of the same work thereon under his direction.

Thomas Richards & wife against James Beards & wife. Slander. Ordered that a commission Dedimus Potestatum issue to the State of North Carolina to take the examination of Sarah Peters and Anne Chapman in behalf of the plaintiff, upon his giving 10 days notice to the Defendant of the time and place of Examination.

John Tucker against Mary Lindsay. Appeal. The plaintiff's attorney came into Court and moved for an order of this Court against George Burton, Esq., ordering him to certify up to this Court the proceedings in said case, or shew cause why he should not, which was accordingly granted and the cause continued.

James Lusk, William Roberds, Daniel White, Peter Smith, and Spencer Smith proved to wit, Lusk 14, Roberds 14, White 4, Spencer Smith 12 and Peter Smith 12 days attendance as witnesses in the Morris Veal against James Smith, and 2/6 per day.

Elizabeth Fallace proved 9 days attendance as a witness in the case Thomas Richards and wife against James Beards and wife, at 2/6 per day, also 120 miles at 2 pence per mile.

John Strow against Solomon Hill and James Burns. Capias. Ordered that a Dedimus Potestatum issue to the State of North Carolina, Lincoln County to examine George Gilbraith in behalf of the defendants upon his giving the adverse party 10 days notice.

William Fields against William Ford. Capias. Ordered that a dedimus potestatum issue to the Town of Granby to take the examination of Hargrove Arthur and Brooks in behalf of the defendant, upon his giving legal notice to the plaintiff.

Ordered that the minutes be read which was done accordingly and signed by James Jordan, William Smith, Judges. Court then adjourned untill Court in Course.

At a Court of Sessions and pleas began to be holden at the Court House of Spartanburgh County 12th day of Jan. 1797. Present their Honors William Smith & James Jordan, Esq.

The Court proceeded to Draw the Grand Jurors for next Court, to wit

Nathaniel Wofford against William Vincent. Writ. Ordered that a commission issue to take the evidence of Giles Connell Junr. Debene Isse in writing to be read in evidence, provided the sd. evidence should not be in this State

The State against Mark Powell. Horse Stealing. Ordered that the Defendant & Sureties be served with a rule to shew cause if any they have why Their recognizances should not be forfeited.

Jesse & Robert Rakestraw against James Smith. Writ. Assault. Came the parties by their Attorneys whereupon came a Jury, to wit, David Brown, foreman; William Bishop, Abraham Andrews, John Cross, Joseph Venable, James Kean, Aaron Bawcomb, Joseph Dill, Arias Brown, William Crocker, William Evatt and Nathaniel Burton, who being sworn on their several oaths do say We find for the plaintiff s 40 with costs of suit....

The State against Alexander Stewart. Assault & Battery. The Grand Jury returned a true Bill. Henry McCray, foreman.

Morris Veal against James Smith. Fieri Facias. Whereas a Fieri Facias issued in this case and the Court inhibited the Sheriff from proceeding thereon untill this present Term in order to obtain the opinion of the Judge of the Superior Court, and whereas Major William Smith who was to obtain the opinion of the Judge is absent. Ordered that the opinion of Mr. Smith be taken respecting the same and that Execution do cease or issue accordingly.

Casper C. Shute against Thomas Gore. Writ. Debt. The Defendants came into Open Court & confessed judgment for £ 13 s 10 d 5 and costs of suit.

Thomas Richards & wife against James Beard & wife. Writ. Slander. By consent of the parties and assent of the Court, the trial of this cause is refered to George Bruton, Esq., Isaac Crow, Tobias Bright and Robert Rodgers with power of umpirage, their awards made and returned to next Court to be a judgment thereof.

Robert Elder came into open Court and acknowledged a Deed of Conveyance to James Crowther, Ordered to be recorded.

Betsy McBee against George Walker. Attachment. Decree for \$23.43 with costs of suit.

→ Vardry McBee against Isaac Chapman. Writ. Case. By consent refered to the arbitrament of Obadiah Trimmier, Esq., and John Lipscomb with power of umpirage, their award returned to next Court to be a judgment thereof.

Edward Arnold against William Hendrix. Writ. Case. Dismissed at Defendant's costs.

Mr. Arias Brown a Juror empannelled to serve this Court, being taken very ill in health, was thereupon Exempted from serving as a petit Juror this Court, and Samuel Busey was drawn as a Tallied man to serve in his stead.

The State against John Elder. Indictment. Larceny. Came the parties by their attornies, whereupon came the Jury aforesaid, who being duly sworn on their oaths do saw, we find him not Guilty. David Brown, foreman. Ordered that the defendant and witnesses be discharged from their recognizances.

Darby Turner	4	John Wells	10
Thomas Woodruff	5	James Moore	11
Lacy McAbee	6	Henry Harden	12

Justice Reynolds against Solomon Hayes. Appeal. Ordered that the Judgment of the Justice be continued.

Matthias Rush against William Ford Junior. Petition. Settled by information Mr. Miller.

Andrew Colley against John Bingham. Case. Continued by consent of parties.

Hans Carr against John Sloan. on motion of Waddy Thomson, Esq., Ordered that the writ be amended.

William Ford Atty. for Edward Stewart against Thomas Davis. Case. Dismissed at mutual costs by consent.

Lewis Cockrell, being recommended by Isham Foster, Esq., to act as a constable for this County, he was approved of by the Court, and took the necessary oaths prescribed by Law for that office. Dismissed by consent.

Ordered that the minutes be read which was accordingly done & signed by James Jordan, I. Harrison, Judges. Court then adjourned untill To morrow Nine O'Clock.

Saturday the 13th of Jan. 1798. Court met according to adjournment. Present their Honors James Jordan & Isham Harrison, Esq.

William Venable against Robert McDowell. Petition. A Jury prayed, Therefore ordered that the cause stand over.

Thomas Gore against George Taylor. Case. Nonsuit.

Samuel Neasbitt as a grand juror, came into Court and qualified by affirmation.

Swanson Lansford against Benjamine Wofford. Capias. Case. Came the parties by their Attornies, whereupon came a jury, to wit, Broadrick Mayson, Thomas Westmoreland, John Hammett Junior, Darby Turner, Thomas Woodruff, Lacy McAbee, Arnold Thomason, David McCarlye, John Wells, George McCarter, Henry Harden & William Towers... We find for the plaintiff £ 12 with interest & costs of suit. Broadrick Mayson, foreman.

William Hagan against Benjamine Wofford. for Rent. Nonsuit.

Isaac Hendrix against Ebenezer Morse. Ordered that the plaintiff give security for costs on Monday next or be nonprossed.

James Wofford against John Roebuck. Debt. Ordered that the cause be discontinued.

The Admrs. of John McElheny decd. against John Motlow & John Davis. Capias Debt.

→ Vardery McBee against Isaac Chapman. Capias. Nonsuit.

John Pipes against Hugh Thomson. Petition. By consent the trial of this cause is refered to the arbitrament of Alexander Cope-land, Mr. Kizer, John Young Senior, Isham Foster Esq. & Maximil-

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