



S165010: Grand Jury Presentments

FAIRFIELD COUNTY, PRESENTMENT EXPRESSING THE INHABITANTS SATISFACTION WITH THE PRESENT COURT SYSTEM. (2 PAGES)

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1791-5-1

South Carolina
Fairfield County } June term 1791

Extracts from the presentments of the grand Jurors for the
said County -

We also wish to inform the court that under the present
now Establishment of the County Courts we are perfectly
satisfied believing they will be of general utility throughout
the state, and we are only sorry to see the different policies
that govern and the unhappy divisions of an upper and
lower country we conceive that our kind of Judicial
System would tend to conciliate the affection that
have been but too long divided the citizens of this state

Signers. Johnathan Bolton Foreman - Robert Allison
Sol Owen. James Rabb - Robert Rabb. Henry Moore -
John Robertson. Alex^r. Gordon - Bursell Cooks. Hugh Smith
William Hill, James Ogilvie. Samuel Owen -

I do certify that the above Extract is a true copy taken
from the original presentment filed in the Clerk's office
Gordon under my hand this 4th Dec^r 1791

[Signature] Clerk of Fairfield County -



S165010: Grand Jury Presentments

FAIRFIELD COUNTY, PRESENTMENT CONCERNING MEN APPOINTING THEMSELVES TO OFFICE, THE HOLDING OF MULTIPLE OFFICES, SECURITIES POSTED BY CONSTABLES, SHERIFFS EXECUTION SALES, ESTABLISHING ADDITIONAL COURT DISTRICTS, BASTARDY LAWS, INDICTMENTS BY COUNTY COURTS, AND LEGISLATIVE REPRESENTATION. (3 PAGES)

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3rd page is notations on front of
folded pages (not printed)

July Term
1795

Presentments of the Grand Jurors of Fairfield County -

1 WE present as a grievance that any Man from their situation should have it in their power to appoint themselves to offices, which at once exploits every idea of distributive justice, and lays off the most invaluable blessings of freemen.

2 WE present as a grievance that more than one office should be held by any person at the same time, whether Legislative, Judicial or otherwise (except in the military) as experience has proved its evil tendency.

Remedy
in Regt
of Stat. 6.

3 WE present as a grievance that constables are not held to good and sufficient security for the faithful discharge of their duty.

4 WE present as a grievance that the property of Citizens in the different counties which is taken in execution by the sheriff of Camden District is carried from one end of the district to the other at the great cost and inconvenience of the parties.

5 WE present as a grievance that the different counties are not made districts, and that superior courts are not established therein as the citizens equally contribute to the support of government, and are equally entitled to the legal knowledge and services of the Judges.

6 WE present as a grievance that the existing law on Bastardy are incompatible with nature and justice.

7 WE present as a grievance that an improper power is vested in the county courts of preferring Bills of indictment in capital offenses which are afterwards sent up to the district courts for trial as in many cases it facilitates the escape of criminals, by the general
insecurity.

insecurity.

insecurity of the county goals, and increase the difficulty of prosecutions by subjecting prosecutors and witnesses to great hardships by being compelled to attend at different courts on frivolous and malicious charges, as they are obliged to be confined in prison till the sitting of the district court, we recommend to the Legislature a repeal of that part of the law, and that persons be not indicted in the county courts but in cases which the county courts have power to try.

We present as a grievance the great inequality of representation in both branches of the legislature. It is an evil already severely felt and is daily increasing from the increasing population of the upper country, and as by being acquiesced in for a long time it may be more difficult to reform, we hope this our presentment may be laid before the legislature, being confident we express the unanimous wish of the country, and that they will take measures to have such a reform as will put every freeman in the state on an equal footing. We are sorry to observe that whilst in every other country, where the rights of man are understood population is considered as the only true basis of representation, in this state it is totally disregarded and the free citizens of this county are not of equal weight in the seats of government with the negroes in many of the parishes.

— John Woodard foreman —

Bartholomew Smythe — Charles Dicket — Charles Lewis — Poling Williamson
Phillip Pearson — Luana Martin — John Bell — Phillip Rainsford
Thomas Starks — Robert Rabb — James Arthur — Edward Andrews
Samuel Proctor — John King Jun — John Andrews — Samuel Alston

A true extract taken from the original filed in the office of the clerk of the county court of Fairfax Co this 16th day of November 1795

Thomas G. F. Co