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Be it remembered, that on Monday the twenty fifth day of November in the year one thousand eight hundred & five at the Town of Washington the Supreme Court of the Mississippi Territory was opened by proclamation of the Sheriff of Adams County —

Present
The Hon'ble
Peter Bryan Bruin &
Thomas Rodney

Ordered that Joseph Kennedy and Charles Baldwin be admitted to practise as attorneys and Counsellors at law in this Court they having produced their licences and taken the oaths required by law —

Ordered that George Poindexter, Seth Lewis, Stephen Bullock Edward Turner, James Wallace William B Shields & Charles B Green be severally admitted to practise as attorneys & Counsellors at law in this Court —

Ordered that George B Curtis, David Mecklin, Lewis Evans, Joseph Powell, Adam Bingaman, Benjamin Farrar, Thomas Bunting, John Bestland, Anthony Catrot, Hampton White

summoned

summoned to attend this Court as Jurors be fined the sum of Fifteen dollars each nisi for failing to attend as aforesaid —

Ordered That Court adjourn until tomorrow morning 10. O'clock —

Tuesday November 26th 1805

The Court met according to adjournment

Present
The Honble
Peter Bryan Bruin

Ordered That Court adjourn until to morrow morning 10 O'clock —

Wednesday November 27th 1805

The Court met according to adjournment

Present
The Honble
Thomas Rodney

Ordered That Court adjourn until to morrow morning 10' O'clock

Thursday November the 28th 1805

The Court met according to adjournment

Present

The

Hon'ble

Peter Bryan Bruin

& Thomas Rodney

Ordered that Court adjourn until to-morrow morning

10 O'Clock —

Friday November 29th 1805

The Court met according to adjournment

Present

The Hon'ble

Thomas Rodney

Ordered that Court adjourn until ~~to-morrow~~ Monday morning next 10 O'Clock

Monday December 2nd 1805.

The Court met according to adjournment

Present

The Hon'ble

Peter Bryan Bruin

Ordered that Court adjourn until to-morrow morning

10 O'Clock —

Tuesday December 3rd 1805

The Court met according to adjournment

Present

The Honble

Peter Bryan Bruin

Ordered that Court adjourn until to morrow morning 10 O Clock —

Wednesday December 4th 1805.

The Court met according to adjournment

Present

The Honbles

Peter Bryan Bruin

& Thomas Rodney —

Ordered that Lemuel Henry be admitted to practice as an Attorney and Counsellor at law in this Court he having produced his licence and taken the Oath required by law —

Ordered that Court adjourn until to morrow morning 9 O Clock —

Thursday December 5th 1805

The Court met according to adjournment

Present
The Honble
Peter Bryan Bruin &
Thomas Rodney —

Ordered that William Scott, & Platent Moore be fined the Sum of Fifteen dollars Nisi each for failing to attend this Court as Jurors being duly summoned by the Sheriff for that purpose

William Simpson
John^n Hinman } Motion of Defendants atty to quash the writ of Error in this Case

Ordered that Richard R. Keene be admitted to practice as an Attorney and Counsellor at law in this Court he having produced his licence and taken the Oaths required by law

Nathan Kimper
Abraham^n Horton &
James Horton — } Cause depending in the Circuit Court of Wilkinson County —

Ordered, that a trial at bar be had therein —

Thursday Decr 5th 1805

Reubin Kemper
vs
Abraham Horton & James Horton

Causes depending in the Circuit Court of Wilkinson County —

Ordered that a trial at bar be had therein —

Ordered that Court adjourn until to morrow morning 10 O'Clock —

Friday Decr 6th 1805

The Court met according to adjournment

Present
The Honbles
Peter Bryan Bruin &
Thomas Rodney

John F. Carmichael
vs
John Ellis

On motion for a new trial from the Circuit Court of Adams County —

attorneys heard and Judgment of on the Docket below —

Ordered that Court adjourn until to morrow morning 9 O'Clock —

Saturday Dec 7th 1805

The Court met according to adjournment

Present

The Hon'ble

Peter Bryan Bruin

& Thomas Rodney

William Simpson
is
John Hinson } Writ of Error

On Motion of the Defendant by his attorney and for reasons appearing to the Court It is Ordered that the writ of error in this case be quashed and that the plaintiff pay costs —

Ordered that Court adjourn until to monday morning next at 10 O'clock —

Monday December 9th 1805

The Court met according to adjournment

Present

The Hon'ble

Peter Bryan Bruin

Thomas Rodney

John Henson
v
William Simpson

Ordered that a writ of Error issue to the Judge of the Superior Court of Washington District, directing him to certify and send up to this Court the rendition of the Judgment in this case if any there be, together with all things touching the same

Ordered that Court adjourn until to morrow morning 9 o Clock

Tuesday Decr 10th 1805

The Court met according to adjournment

Present —
The Honble
Peter Bryan Bruin
Thomas Rodney

Ordered that Court adjourn until tomorrow morning 9 o Clock

Wednesday Decr 11th 1805

The Court met according to adjournment

Present
The Hon'ble
Peter Bryan Bruce
&
Thomas Rodney

Ordered that Court adjourn until to morrow morning 9. O'Clock

Thursday Decr 12th 1805

The Court met according to adjournment

Present
The Hon'ble
Peter Bryan Bruce
&
Thomas Rodney

The Territory
vs
A. Ellis et als } Rule to shew cause why a new trial should not be had in this Case

Ordered that John L. Bell be admitted to practice as an attorney and Counsellor at law in this Court he having produced his License as such and taken the oaths required by law

Ordered that Court adjourn until tomorrow morning 10 O'Clock

Friday Decr 13th 1805

The Court met according to adjournment

Present

The Hon'ble

Thomas Rodney

Ordered that Court adjourn until ~~tomorrow~~ monday morning next 10 O'Clock

Monday Decr 16th 1805.

The Court met according to adjournment

Present

The Hon'ble

Peter Bryan Bruin

&

Thomas Rodney

Ordered that Court adjourn until to morrow morning 10 O'clock

Tuesday Decr 17th 1805

The Court met according to adjournment

Present

The Hon'ble

Peter B. Bruin &

Thomas Rodney

Tuesday Decr 17th 1805.

George Mathews Esqr produced in Court a Commission appointing him one of the Judges in and over the Mississippi Territory, which Commission together with the certificate thereon indorsed were read and are in the following words to wit—

"Thomas Jefferson President of the United States of America"

To all who shall see these presents Greeting;

Know ye that reposing special trust & confidence in the wisdom, uprightness and learning of George Mathews Esqr of Georgia I do appoint him one of the Judges in and over the Mississippi Territory and do authorize and empower him to execute and fulfil the duties of that Office according to law, to have and to hold the sd Office with all the powers, privileges and emoluments to the same of right appertaining during his good behaviour and until the end of the next Session of the Senate of the United States and no longer

Seal

In Testimony whereof I have caused these letters to be made patent and the

Seal of the United States to be hereunto affixed

Given under my hand at the City of Washington the first day of July in the year of our Lord One thousand eight hundred & five and of the Independence of the United States of America the twenty ninth

Th. Jefferson

By the President

James Madison

Secretary of State"

Mississippi Territory

Be it known that George Matthews Esqr. one of the Judges of this Territory appeared before me Robert Williams Governor of the Territory aforesd. and took the necessary oaths for his qualification into office —

Given under my hand at the Town of Washington this fourteenth day of December Anno Domini One thousand eight hundred & five and in the thirteenth year of the American Independence

Robert Williams"

Whereupon the said George Mathews Junr took his Seat on the bench as such

Ordered that Court adjourn until tomorrow morning 9 o'clock

Wednesday Decr 18th 1805

The Court met according to adjournment

Present

The Honble

Peter Bryan Bruin

Thomas Rodney &

George Mathews Junr

Ordered that Court adjourn until to morrow morning 9. o'clock

Thursday Decr 19th 1805

The Court met according to adjournment

Present

The same Judges as on yesterday

Ordered that Court adjourn until tomorrow morning 10. o'clock

Friday Decr 20th 1805.

The Court met according to adjournment

The same Judges as on yesterday

Ordered That Court adjourn until to morrow morning 9 O'Clock —

Saturday Decr 21st 1805

The Court met according to adjournment

Present

The same Judges as on yesterday

On motion of the Attorney General. Ordered That John Henderson Vendue Master Show cause to this Court during the present Term if any he can why Judgment should not be ord. against him for the sum of One hundred and twenty three dollars twenty five ~~Cents~~ and One fourth Cents, Ballance of taxes due on sales at Auction —

Robert Percy
vs
Charles Percys Exors } Deur Sustained

The Territory
vs
Abraham Ellis et al

On Motion for a new trial from the Circuit Court of Adams County

On motion of Defendants by their attorneys. It is Ordered that a new trial be had in this cause at the next Term of the said court —

Ordered that the following Rules of Practice be observed in this Court and in the respective Circuit Courts of this Territory and also in the Offices of the respective Clerks towit —

Rules of trials at bar.

Rule 1st. That trials at bar may be Ordered by the Supreme Court on the usual Terms and in the usual causes, by producing from the Clerk of the Circuit Court wherein the cause is depending a certificate of the pendency of such cause, or by showing the docket of the Circuit Court on which such cause shall be entered as pending therein; and in cause of a trial at bar granted by the Supreme Court, it shall be the duty of the party applying for such trial to furnish immediately to the Clerk of the Circuit Court in which the cause is depending a certificate from the Clerk

Clerk of the Supreme Court of the granting of such trial and the manner of returning the jury if any particular manner be pointed out by the Court —

Rule 2nd — That whenever a trial at bar shall be Ordered by the Circuit Court, the Clerk of said Court shall immediately on application of either party grant a certificate thereof and of the manner the Jury to pass on such trial are to be returned if they or any of them are directed to be returned from any other County than that in which the Supreme Court is held — and such certificate being filed with the Clerk of the Supreme Court shall authorize him as he is thereupon required ~~to issue~~ as in case of a trial at bar being granted in the Supreme Court to issue all mesne and process in such Case —

Rule 3rd — That when a trial at bar shall be Ordered of any cause depending in any County other than that in which the Supreme Court is held the Court granting such trial may direct the jury or any number of them to be returned from the County in which the cause is depending; and in such Case the Clerk of the Circuit Court

Court of the County in which the cause is depending shall immediately if such cause be at issue and if not so soon as the cause be at issue, direct a mandate to the Sheriff and Coroner of such County requiring them to select from the most respectable, discreet and disinterested men of their County the qualified to serve a Juror in said Cause the number of Jurors directed by the Court to be returned from that County, and to return their names certified under their hands into the Office of the Clerk of the Supreme Court not more than twenty nor less than fourteen days before the first day of the Term of the S.d Court next succeeding the issuing of such mandate; and it shall be the duty of the Sheriff and Coroner to execute such mandate in all its Commands —

Rule 4th — That when a trial at bar shall be ordered of a fact depending in the County in which the Supreme Court is held, or in any other County and no direction of the Court granting the same as to the place from which the jury are to be returned: the Clerk of the Supreme Court shall on a certificate being filed as aforesaid issue a mandate to the Sheriff and Coroner of the County in which said Court is held requiring them to select from the most respectable discreet, and disinterested men of their County qualified to serve

Saturday Decr 2nd 1805

serve as jurors in said Cause the number of thirty six jurors and return their names certified under their hands in the time limitted in the preceding rule, but if in a trial at bar ordered in any County other than that in which the Supreme Court may be held or the Court granting the same shall have directed any number of jurors less than thirty six to be returned from the County in which the cause is depending the Clerk of the Supreme Court shall issue his mandates as aforesaid directed to the Sheriff and Coroner of the County in which the Supreme Court may be held to select and return as aforesaid a number of Jurors which with the number to be returned from the County in which the cause is depending shall amount to thirty six

Rule 5th That each party may at any time within five days after the last day allowed for the return of said list apply at the Clerks office and strike off nine Jurors from the list or lists so returned; and if either or both parties shall neglect during said five days to strike off as aforesaid, the Clerk at the expiration of said five days shall cause to be drawn from the whole number of names on said list or lists the number that the parties neglecting was or were entitled to strike off and the

Clerk

Clerk shall immediately issue one or more writs of Venire Facias as the case may require to the Sheriff of the proper County or Counties to summon and return the Jurors remaining after the test or tests being struck by the parties or parting or drawn by the Clerk as aforesaid —

Rule 6th That from the number of Jurors returned as aforesaid and attending, a Jury shall be drawn by lots to pass on the trial of the cause, and in case of defect of Jurors the Court may award a Tales, and if there be a defect of two or more the Tales shall be for double the number defective and each party may strike off from the ~~number~~ return of the Tales alternately, beginning with the plaintiff till only the number required be left —

Rule 7th That if it shall appear to the Court granting a trial at bar that there are no Sheriff or Coroner, or that they or either of them be interested in the event of the cause, or that there is just reason to believe that they or either of them will not act impartially in the Selection of a Jury the Court may substitute in lieu of such Sheriff or Coroner or both such disinterested person or persons to make and return the Selection of Jurors as the Court may deem impartial —

Rule 8th That the Sheriff and Coroner or other person or persons

persons making a selection of jurors shall keep the same secret until it be returned into the Clerks Office —

Rule 9th That the third rule shall be construed that the selection of Jurors may be returned into the Clerks' office at any time after the first monday in the month of holding the Supreme Court and before the second Monday of the same month and the parties may strike off the number of Jurors which they are entitled to strike ~~off~~ at any time on the said second Monday and until and during the Tuesday next succeeding said second Monday —

Rule 10th That if a trial at bar be granted before the cause be at issue, the issue shall be made up in the Circuit Court where the cause is depending under the same rules as ~~we~~ would have been ~~necessary~~ if no trial at bar had been granted —

Rule 11th That in granting a trial at bar the Clerk of the Circuit Court wherein the cause is depending shall immediately, if the same be at issue, and if not so soon as the same be at issue transmit all the original papers and proceedings in such cause to the office of the Clerk of the Supreme Court; and in default thereof shall

shall be liable to an attachment as for a contempt of this Court —

Rule 12th — That all causes set for trial at bar shall be docketed by the Clerk of the Supreme Court in order according to the priority of the dates of their commencement; and when the dates of two or more shall be the same, then according their according to the priority of granting the writs; and all causes ~~to be~~ so set for trial shall be tried on the first days of the Term in the order in which they stand and at the calling of every cause it shall be tried, continued or discontinued and the parties shall come prepared accordingly —

Rule 13th — That no day shall be set for the trial of any cause without leave of the Court

General Rules

Rule 14th — That every demurrer point reserved case stated motion in arrest of judgment or for a new trial from any Circuit Court shall stand for argument and determination at the first term of Supreme Court after the Circuit Court in which they accrued, and every motion for a new trial or in arrest of Judgment in the Supreme Court shall be argued and determined the same term in which they are made ~~[illegible]~~

Saturday Decr. 21st 1805

Rule 15th The Clerks of the Circuit Courts shall attend this Court as the Statute in such case directs and if they shall fail to do so for the first three days of the Term or shall at any time fail to attend during three days without leave of the Court, an attachment shall be awarded against the Clerk so making default as for a contempt on the expiration of a rule unless cause be then shown to the contrary.

Rule 16th No Counsellor or Attorney of this Court or the Circuit Courts shall become bail for any defendant in any cause depending in either of said Courts in which he shall be employed without leave of the Court.

Rule 17th That in all causes depending before this Court the party holding the affirmative in the issue shall be entitled to open and conclude the arguments and if the parties shall disagree as to the affirmative in the issue the same shall be decided by the Court without argument —

Additional Rule

That trials at bar already granted shall be regulated by the foregoing rules as far as the same are applicable

Saturday Decr 21st 1805

Rules of pleading for the Circuit Courts

Ordered by the Court that the first day of each Term and also the first monday in November, the third monday in December the third Saturdays in January and February & the second Saturday in March shall be rule days in the Clerks office of the Circuit Court, on each of which days rules may be given in the Clerks office to declare, plead, reply be which shall expire on the next succeeding rule day, and if the declaration plea, or replication &c shall not be ~~given~~ filed judgment by default or non pros as the case may be, may be entered after the expiration of such rule

In the Circuit Courts of the Counties of Jefferson, Clarborne & Wilkinson, the pleadings shall be filed in the manner directed for the ~~County Courts~~ by the 55th Sect. of the act of assembly entitled "An act establishing certain ~~Courts~~ therein named and regulating judicial proceedings in this Territory"

That in the Criminal Circuit Courts the Civil docket shall be first taken up and the Judges at any time during the Term may appoint the day on which the Criminal docket shall be open for trial

Ordered that Court adjourn till Court in Course

Monday ~~November~~ May 24th 1806

Be it remembered that on Monday the twenty ~~fourth~~ sixth day of ~~November~~ May in the year One thousand eight hundred and six the Supreme Court of the Mississippi Territory was opened by proclamation of the Sheriff of Adams County —

Present
The honable
Thomas Rodney

Ordered that Court adjourn till tomorrow morning 9 o'clock —

Tuesday May 27th 1806

The Court met according to adjournment
Present The Honable Tho Rodney

Ordered that Court adjourn till tomorrow morning 9. o'clock —

Wednesday May 28th 1806

The Court met according to adjournment
Present the Honable Thomas Rodney

Ordered that Court adjourn till tomorrow morning 10 o'clock —

Thursday May 29th 1806 —

The Court met according to adjournment

Present
The Hon'ble
Thomas Rodney

The Territory
vs
Abraham Horton

The same
vs
Joseph Stockland

} The Defendants and their Securities in these cases were solemnly called but came not —

Ordered That the Clerk of this Court for the time being be considered in virtue of his said office as Clerk of the District and Circuit Courts of the United States for this Territory —

Ordered That Attorney General of this Territory for the time being be considered in in virtue of his office as District Attorney of the United States for this Territory —

Ordered that the Sheriff of the County of Adams for the time being be considered in virtue of his office as Marshall of the District Circuit Court of the United States for this Territory —

Ordered That Court adjourn till Court in Course

Monday November 24th 1806

Be it remembered that on Monday the twenty fourth day of November in the year of our Lord One thousand eight hundred and six — The Supreme Court of the Mississippi Territory was opened by proclamation of the Sheriff of Adams County —

Present The Honable
Peter B. Bruin &
Thomas Rodney —

Elisha H. Bays Esqr
vs
John Hartley Esq
—
E. Maddox als Bottoms
vs
John Carson
—
C. Maddox als Bottoms
vs
The Same
—
Charles Percys Exors
vs
Robert Semple
—
Elisha H. Bays Esqr
vs
Caleb King Esq

Continued

Monday November 24th 1806

Charles Percy Pltf. Lessee
vs
Robert Semple — } Continued —

Ordered that Court adjourn till tomorrow morning 10 O'clock

Tuesday November 25th 1806

The Court met according to adjournment

Present
The Honable
Peter Bryan Brown
& Thomas Rodney

James Sidney Rollings Esquire having produced his License and taken the oaths required by law was thereupon admitted to practice as an Attorney and Counsellor at law in this Court —

Thomas Cotsets Lessee
vs
Philip Atkinson Deft } Continued on Aff.t of Defendants and Ord.d and dir.d to be directed to any two Justices of the peace in Albany County to take the Deposition of Eliz.t Murphey de bene esse — and Order of Survey to be directed to David James

Ordered that Court adjourn till tomorrow morning 10 O'clock —

The Court met according to adjournment

Present The honble
Peter B Bruin &
Thomas Rodney —

Benjamin Morgan
vs
George Selser — } Came a Jury to try the issue joined to wit William Dunbar Esquire, Israel Smith, Adam Bingaman, Lewis Evans, John Steele Ebenr Ross, Thomas Wilkins, Archibald Lewis, John Grantt, Benajah Osman, Richd King & Lud. Wood who being duly drawn empannelled & sworn returned a Verdict for the plaintiff for $580, 80cts damages and costs of suit; and Judgment —

A. & I. Cannon
vs
John Ellet
Anachel Cannon
vs
The Same } Lot to the foot of the docket, & by consent of parties by their attorneys, agreed that no objection of any kind shall be made to an immediate trial when these causes be again called

Wednesday November 26th 1806

The United States
vs
Watkins } Watkins and Kilcrease
discharged from their recognizance

Ordered that Court adjourn until to morrow morning 10 o'clock —

Thursday November 27th 1806 —

The Court met according to adjournment

Present the same Judges as on yesterday

Ordered that Court adjourn till to morrow morning 10 o'clock —

Friday November 28th 1806 —

The Court met according to adjournment

Present
The Honble
Thomas Rodney

Ordered that Court adjourn till tomorrow morning 10 o'clock —

Saturday November 29th 1806

The Court met according to adjournment

Present

The Honble

Peter B. Bruin &

Thomas Rodney

Peter Nelson Sheriff's Life } Came a Jury to try
vs
William Thompson } the issue joined to wit

Adam Bingaman, Lewis Evans, Robt Marvin
John Rable, James Foster, Israel Smith, William
Brooks, John Bolls, David Hall, Job. Rhodes,
George Fitzgerald & Lewis Bingaman, who
being duly drawn impannelled and sworn, returned
the Defendant guilty in manner and form as
complained against him in the declaration &
assess the plaintiffs damages to Six Cents besides the
Costs — and Judgment —

Joshua G. Clark and John Taylor Esquires
having produced their Licences and taken the oaths
required by law were thereupon severally admitted
to practice as attorneys and Counsellors at Law
in this Court —

Saturday November 29th 1806 —

Thomas Harrington
vs
William Smith
the same
vs
the same

Continued on affidavit of Defendants —

William Smith
vs
Kilcrease & Booth

Continued by Consent —

Ordered that Court adjourn until ~~tomorrow~~ monday morning 10 o'clock —

The Court met according to adjournment on Monday December 1st 1806 —

Present
The Honble
Peter B. Bruin &
Thomas Rodney

David Ford
vs
John Burnett

Came a Jury to try the issue joined to wit William Dunbar Jun. Israel Smith, John H. White, Adam Ongaman, John Steele, William Brooks, George Fitzgerald John Robb, Benajah Osmun, John Wood Samuel Postlethwait and George Weaver who being

Monday Decr 1st 1806

being duly drawn impannelled and sworn returned the defendant not guilty in manner & form as charged in the declaration

Ordered that Court adjourn until tomorrow morning 10 O'Clock

Tuesday December 2nd 1806

The Court met according to adjournment

Present
The Honble
Peter B. Bruin &
Thomas Rodney

Thomas Harrington for the use of Gideon Clark vs William Smith } Came a Jury to try the issue joined to wit Lewis Evans, Eleazer Rus, George Hetzgerate Ro. H. Morrow, Robert Moore, Benajah Osmun, John Wood, John Robb, Joseph Foreman, Philander Smith, John H. White, William Brooks, who being duly drawn impannelled & sworn returned that the Defendant did not assume upon himself in manner & form as charged in the decl ——— and Judgment —

Wednesday December 3rd 1806

Ordered That Court adjourn until to morrow morning 10 o'clock —

Wednesday December 3rd 1807 —

Present
The Hon'ble
Peter Bryan Bruin
& Thomas Rodney

William Brooks' Lessee
vs
Joseph Montgomery —
} Judgment confessed for plaintiff damages and costs equity reserved —

On motion of Isaac Davis Collector of the District of Natchez (affidavit filed) Ordered that Edward Turner Esquire Shew cause during this Term why he should not be discharged from further prosecuting any suits as Executrix in behalf of the United States that have been intrusted to him by the former Collector of the said District and also why he should not deliver up to the said Davis all bonds and other papers belonging to the United States that he may have in his hands and account with and pay to the said Davis all money by him received on that account 4 days notice to be given said Turner

William Conner
vs
James Williams admr } Issue to be tried at bar

Came a Jury to try the issues joined towit William Dunbar Junr, James Foster, Israel Smith, James Moore Ro H. Morrow, John Robb, Richard King, George Overaker, Heritage Hamilton, Michael Leiden, David Holt, and Job Routh, who being duly drawn impannelled and sworn returned the following Verdict towit," on the first issue We of Jury find that Ann Savage did not pay to Stephen Miller 9 dollars for and on account of Henry Willis deceased—

2nd Issue— We find that Ann Savage did pay to Fred. Zuban, nineteen dollars and fifty Cents for the account of sd Willis on 31. Janry 1792.

3rd Issue We find that Ann Savage did pay to William Henderson One hundred twenty five dollars for the account of sd Willis on April 13th 1796—

4th Issue We find that Ann Savage did pay four hundred dollars further order of sd Willis in favor of William L Collins on the 28th of Feby 1792 and that said ~~Ann Savage~~ sum was for the amount of a note given by said Willis to bearer for 5000lb Tobacco pay March 92

Wednesday Decr 3rd 1806

5th Issue — We find that Ann Savage eight dollars was the customary price for inspected Tobacco at Natchez at the time the foregoing note was payble

6th Issue We find by the laws of Spain as in force in the Natchez District from and after the year '92 that interest was five per Cent. per annum, & that on Written Contracts and promissory notes interest was recoverable —

7th Issue Withdrawn by consent —

8th Issue We find that Ann Savage paid Maurice Custard five dollars and twenty five Cents on account of the said Henry Willis on the 12th of February 1791 and also the said Ann Savage paid to William Smith Fifteen dollars on the third day of February 1792 on account of the said Willis —

Ordered that Court adjourn till tomorrow morning 10 O'Clock —

Thursday Decr 4th 1806

The Court met according to adjournment

Present The Honble

Peter Bryan Prince

Thomas Rodney —

Reubin Kemper

vs

Abraham Horton & James Horton

Came a Jury to try the issue joined to wit Lewis Evans, Samuel Postlethwait, John Wade, Joseph Foreman, Philander Smith, John Steele, William Brooks, William Scott, Lee Baker, Daniel O. Elliott and James Andrews, who being duly drawn impanelled and sworn, returned the following Verdict. Viz — We of the Jury find the defendants guilty in manner and form as the plaintiff against them hath complained and assess the plaintiff damages to five thousand dollars besides his Costs —

Ordered that Court adjourn until to morrow morning 10 o Clock

The Court met according to adjournment

Present
The Honorable
Peter B. Bruin &
Thomas Rodney

Assistant Jud. Commissioners

John vs Ellet — } Debt

Came a Jury to try the Issue joined to wit, Adam Bingaman, Lewis Evans, Ebenezer Rees, Geo. Fitzgerald, Thomas Wilkins, Ro. Moore, Benajah Osburn, Jesse Carter, George Overaker, Philander Smith, Lewis Bingaman, and James Moore, who being duly drawn impannelled and Sworn, returned the following Verdict. viz — We of the Jury find for the plaintiff the Debt in the declaration mentioned to be discharged by the payment of thirty one thousand Nine hundred and ninety dollars and eighty Cents, and Costs of Suit and Judgment thereon —

Ordered that Court adjourn until tomorrow morning 10 o Clock —

Saturday December 6th 1806

The Court met according to adjournment

Present The Hon'ble

Peter P. Bruin &
Thomas Rodney

Arnold Cornier
vs
John Elliott } In Debt

Came a Jury to try the issue joined to wit Adam Bingaman, John Steele, Ebenezer Rees, James Moore, William Scott, Benajah Osborne, George Overaker, Archibald Lewis, David Hall, Jesse Carter, Lewis Bingaman, and William Lemon, who being duly drawn impanelled and sworn returned a Verdict viz, We of the Jury find for the plaintiff Two hundred dollars & Seventy Five Cents and costs of suit, and Judgment

Reubin Kemper
vs
A. & J. Horton } Rule to show cause why a New trial should not be granted

Ordered that Court adjourn untill Monday Morning 10 O'clock

Monday Decr 8th 1806

The Court met according to adjournment

Present The Hnable

Peter B. Prevost
Thomas Rodney

James Coles' Lessee
vs
Peter Anthony } Continued

Manuel Fixadas' Lessee
vs
George Rapalje } Continued

James Dunlop
vs
Thomas Hindy } Continued

Ordered That Court adjourn until tomorrow morning 10 Clock

Tuesday December 9th 1806

The Court met according to adjournment

Present The Hnable

Peter B. Prevost
Thomas Rodney

Lacy Rumseys Lessee
vs
William G. Foreman }

Came a Jury to try the issue joined to wit

Adam

Tuesday Decr 9th 1806

Adam Bingaman, Lewis Evans, John Stute, William Brookes, James Moore, George Fitzgerald, Thos Wilkins, John Robb, John Wood, Archibald Lewis, & Isaac Alexander, who duly drawn empanelled and sworn returned a Verdict to wit, We of the Jury find the defendant not guilty in manner and form as charged in the declaration —

Ordered That Court adjourn until to morrow morning 10 o'Clock —

Wednesday December 10th 1806 —

The Court met according to adjournment

Present The Honble Thos Rodney

Ordered That Court adjourn until to morrow morning 10 O'Clock —

Thursday Decr 11th 1806 —

The Court met according to adjournment

Present The Honble Thos Rodney —

Ordered That Court adjourn until to morrow morning 10 o'Clock

Friday December 12th 1806

The Court met according to adjournment

Present The Honable

Thos Rodney

Ordered That Court adjourn until to morrow morning 9 o'Clock

Saturday Decr 13th 1806

The Court met according to adjournment

Present The Honable

Thomas Rodney &

Peter B. Bruce

Ann Ector & Sus Comm } Motion for a Rule to show
vs } cause why a New trial should
John Ellett } not be granted

Ordered that Court adjourn until monday morning 10 o'Clock

Monday December 15th 1806

The Court met according to adjournment

Present The Worshipfull
Thos. Rodney &
Peter V. Brown

Nathan Kemper
vs
Abraham & James Harlow } Continued on affr of
of Defts. Abraham Harlow at Defts Costs —

Isaac Gallard
vs
Thomas Hutchins } Dismissed —

The Territory
vs
Avery Clark } Defendant being solemnly called
and not appearing Recog^ce
forfeited Ni fi —

The Territory
vs
Ann Martin Security for
Avery Clark } Recognizance forfeited
Ni fi —

The Territory
vs
Saml. Martin Security
for Avery Clark } Same Order

The Territory
vs
Joseph Strickland } Defendant being called and not appearing Recognizance forfeited Nc fi —

The Territory
vs
John Burnett } Recognizance forfeited Nc fi —
Secy for Strickland

The Territory
vs
David Ferguson Secy } Same Order —
for Jo. Strickland

Richard Lord
vs
Jonathan Dayton Exr } Judgment for the amount
of Elias Dayton dec} of the Writ — and Costs

Samuel Gibson
vs
Bartlett Ship } Rule Discharged N. Judgment
for Verdt & Costs —

The Territory & Jeffer County
vs
Luke Collins — } Cont.

The Territory
vs
Robert (a Negro) } New trial ord —

Monday December 15th 1806

The Territory
vs
Avery Clark } Rule Discharged with Costs —

Thomas Ewing
vs
William T. Woods — } Rule Discharged and Judgmt for Defdt & Costs —

Avacat & John Cannon } attorney of Defdt by atty
John Ewett — } for a rule to show cause why a New trial should not be granted for the following reasons —

1st Because the Verdict is contrary to law and evidence —

2nd Because the damages assessed by the Jury are enormous and excessive —

3rd Because the Jury made their Verdict under mistaken and from erroneous impressions —

Ordered that Court adjourn until tomorrow morning 10 O'Clock —

The Court met according to adjournment

Present

The Honable

Peter B. Breese

Thomas Rodney —

Pleasant Elam
vs
Lubbelfield & Foster } Transferred to the Circuit Court for trial de novo —

The Same — —
vs
Washington ~~Hutt~~ Lubbelfield } Same

Nelson Hunt
vs
Thomas Hardesty } Same

The Same
vs
T. & S. Ferrill } Same —

Thomas Dunford
vs
George Rapalje } Rule Discharged & Judgment on the Verdict and Costs —

George Selser
vs
John Griffingdale } Same Order —

Ordered that David Perry be allowed Twelve dollars for attending this Court Six days as a Constable, at this Term for amount filed, and that the same be Certified —

William Scott vs Patrick Foley } By Consent of parties by Wm Wood that this cause be determined by his honor Judge Rodney at his Chambers and his decision filed in the office as the judgment of this Court —

William Smith vs Ferdinand L. Claiborne } Rule Discharged & Judgment for Dt & Costs

The amount of a Judgment obtained by Welch against said Smith and Sarah Waters to be defalked against the first mentioned Judgment to the amt of the latter —

Thomas H. Wood Surve vs Edmund Hall — } Rule disch & Jud. for Vedt & Costs —

Wilson Hunt vs John Cummings } Judgment confessed for Costs only —

Nelson Hunt
vs
John Leyburn } Demr sustained and respondeas ouster awarded —

Saml Neill
vs
Cochran Pellurdock } Dismissed by Pltffs atty —

The Territory
vs
Henry Green } Rule Dschd & Judgmt bond and costs —

Ro. Anthony
vs
William Smith } Rule Discharged and Judgmt for Vendrt and Costs —

Jacob Nafe
vs
Bennett Truly } Non-suit set aside by consent and cause remanded —

Martin Shaver
vs
John Smith's Exors } Rule discharged and Judgmt for Vendt and Costs —

Edward Pate
vs
The Same } Rule Discharged & Judgment for Vendt and Costs —

Tuesday December 16th 1806

William Simpson
vs } In Error —
John Hinson

Ordered by the consent of the parties by their attorneys that the Judgment of the Superior Court of Washington County District be set aside and a repleader is awarded to commence from the plaintiffs declaration and the cause remanded

Ordered that Court adjourn until to morrow morning 10. O'clock —

Wednesday Decr 17th 1806 —

The Court met according to adjournment

Present The Honable
Peter D. Bruin &
Thomas Rodney —

Ordered That the following paper be entered on the Minutes Viz — The undersigned attorneys at law agree that all causes at law and Chancery in which they are concerned as principal Counsel may be heard and decided on by any two of the

Judges

Judges of this Court at an extra meeting to be held by them on the first monday in February next and that the decisions being entered and returned to the office of the Clerk of ~~the Court~~ either the Court of Common Law & Chancery shall be entered as Judgments or decrees of this Court of this November Term 1806 —

S. Bullock (signed) S. Lewis
D. W. Breazeale W. B. Shields
R. Kaan G. Pondexter
I. G. Clarke I. Dunlap
I. Taylor — Lyttardung —

Charles Hopkins vs Edward Green } Rule Discharged and Judgment for Deft and Costs —

Reuben Kemper vs A. & J. Horton } Rule granted on plff to shew cause why a New trial should not be granted

A Petition of Lewis Ward and others Licenced Traders in the Choctaw Nation was presented to the Court and read praying the court to cause a statement of such facts as may appear to them to be sufficiently

substantiated

substantiated from the documents accompanying the Petition ~~to be enlarged~~ relative a certain breach of the revenue laws of the United States, to be enlarged to the Secretary of the Treasury of the United States agreeably to his instructions —

The Court having considered the said Petition and documents in support of it are of opinion that the facts set forth in said Petition are true and that the Petitioners had not intention of defrauding the revenue or contravening the laws of the United States and that the transaction in respect to them is void of that Dolus Malus or Animus Furandi with felonious intent which renders it necessary to render such a transaction Criminal

Ordered that the petitions and documents and proceedings be transcribed by the Clerk and that Judge Rodney be authorized to Transmit them to the Secretary of the Treasury of the U. S. agreeably to his request —

Ordered by the Court that in all cases of Appeal from a County or the Mayors Court to the Circuit Court, the Appeal shall be filed with the Clerk of the Circuit Court ten days before the first day of the ~~Term~~ next Term otherwise such Appeal shall not be placed on the Trial Docket for such Term — And if the Appellant neglects to file such appeal the Appellee may do it at any day after and previous to the first day of the Term

That no causes shall be placed on the Trial Docket at any term of the Circuit Courts, unless the issue or issues be joined ten days before the first day of the Term — And it shall not be considered the duty of the Clerk to add the Demurrer in any case where the pleas are issuable unless specially authorized by the party or his Counsel to do so

Ordered that William Rankins be allowed seaten dollars for making three benches and seat for the Judge at this Term and that the same be enlisted

Ordered that Court be adjourned until the 1st Monday in February next —

Monday February 1st 1807 —

Be it remembered that on Monday the ~~first~~ 2nd day of February in the year One thousand eight hundred and Seven the Supreme Court of the Mississippi Territory met according to the adjournment of the 19th of December last —

Present The Hon'ble
Peter B. Bruin &
Thomas Rodney

Ordered That Court adjourn until to morrow morning 10 O Clock —

Tuesday February 3rd 1807

The Court met according to adjournment

Present The Hon'ble
Peter B. Bruin &
Thomas Rodney

The Sheriff of the County of Adams having returned the Venire facias to him directed and returnable on the 1st Monday in February 1807 the following persons were impannelled and sworn as a Grand inquest for the Mississippi Territory to wit — Phelander Smith, Foreman
Adam Bingaman, Isaac Guion, Lewis Evans, George

Overaker, Henry Turner, Ebenezer Rus, James Andrews, Robert Moore, Lace Baker, John Brooks, Benjamin Beall, James Spain, Nathaniel Hoggatt, Rubin Gilson, Joseph Pannell Richard King, Benjamin Kilchins, Thomas Calvert, Ezekiel Newman, John Wood, James Dunlap, and John Robb

Ordered that Court be adjourned until tomorrow morning 10 o Clock —

Wednesday February 4th 1807

The Court met according to adjournment

Present the Honable

Peter Bryan Bruin

& Thomas Rodney —

The Grand Jury by their foreman returned into Court their presentment the first part of which ~~only~~ was read by direction of the Court and is as follows viz —

The Grand Jury of the Mississippi Territory on a due consideration of the evidence brought before them are of opinion that Aaron Burr has not been guilty of any Crime or misdemeanor against the Laws of the United States or of this Territory or given any just

occasion

Wednesday February 4th 1807

occasion for the alarm and an injustice to the good people of this Territory —

Ordered that the several witnesses recognized to appear at this Term be discd.

Ordered that Ro. L. Prior be discharged

Ordered that Court adjourn until tomorrow morning 10 O'Clock —

Thursday February 5th 1807 —

The Court met according to adjournment

Present The same Judges as on yesterday

Ordered that Court adjourn until tomorrow morning 10 O'Clock —

Friday February 6th 1807

The Court met according to adjournment

Present the same Judges as on yesterday

Ordered that Court adjourn until to morrow morning 10 O'Clock —

Saturday February 7th 1807 —

The Court met according to adjournment

Present the same Judges as on yesterday

The United States } George Poindexter Esquire Attorney
vs } General for the Mississippi Territory
Aaron Burr

came into Court and moved that the defendant be called by the Sheriff which was objected to by Lyman Harding Esquire one of the sureties of the Aaron Burr for his appearance at this Term, — Whereupon on consideration of the Court the said objection was overruled and the said Aaron Burr solemnly called but came not, It was therefore Ordered by the Court on the motion of the Attorney General that the recognizance of the said Aaron Burr be forfeited Nisi fi —

The United States } Lyman Harding & Benajah Osmun
vs } being solemnly called to bring into Court
Aaron Burr

the body of Aaron Burr as his sureties failed so to do Whereupon Ordered by the Court that their recognizance be forfeited Nisi fi —

Ordered that Court adjourn till the 4th Monday in May next —

Monday May 25th 1807

Be it remembered that on monday the twenty fifth day of May in the year of our Lord one thousand eight hundred and seven at the Town of Washington — The Supreme Court of the Mississippi Territory was opened by proclamation of the Sheriff of Adams County —

Present The Honble
Peter B. Bruin P
Thomas Rodney

The Sheriff of the County of Adams having returned a Venire facias opened and returnable to this Term the following jurors of the panel were sworn and impannelled as the Grand Jury of the Mississippi Territory to wit —

Henry Stark Foreman
Benajah Osmun, Joseph Newman, Tho. Lowlace
John Brown, Archibald Lewis, Adam Bingaman,
John Ball, Lee Baker, Thomas Mercer, Stephen
Bellmar, Anthony Hoggatt, William Hunter,
William Scott, Jamd Lacy, James Dunbar, Z.
Micajah Frazier,

Ordered that Court adjourn until to morrow morning 10. O'Clock —

The Court met according to adjournment

Present
The Hon'ble
Peter B. Bruin
Thomas Rodney

Thomas Jefferson Esquire

Walter Leake Esquire presented in open Court a Commission from Thomas Jefferson Esquire President of the United States appointing him one of the Judges in and over the Mississippi Territory which was read and is as follows —

"Thomas Jefferson President of the United States of America — To all who shall see these presents Greeting — Know ye that reposing special trust and confidence in the wisdom uprightness and Learning of Walter Leake of Virginia I have nominated and by and with the advise and consent of the Senate do appoint him one of the Judges in and over the Mississippi Territory according to law, and to have and to hold the said Office with all the previledges and emoluments to the same of right appertaining during his good behavior or during the existance of the Government established

established by the act of Congress of the United States passed on the 7th day of April 1798 entitled an act for an amicable settlement of limits with the State of Georgia and authorizing the establishment of a Government in the Mississippi Territory" be to reside within the said Territory

In Testimony whereof I have caused these Letters to made patent and the seal of the United States to be hereunto affixed

Given under my hand at the City of Washington the second day of March in the year of our Lord one thousand eight hundred and seven and of the Independence of the United States of America the thirty first

Seal of the United States

Th. Jefferson

By the President

James Madison Secretary of State

"I Robert Williams Governor of the Mississippi Territory do hereby certify that Waller Leake Esquire has this day taken the necessary oaths for his qualification into Office agreeably to the within Commission —

Given

Given under my hand at the Town of Washington this twenty fifth day of May one thousand eight hundred and seven and of the American Independence the thirty first

Robert Williams"

Whereupon the said Walter Leake Esquire took his seat on the Bench —

Fielding L. Turner, Minor Throgmorton, Gabriel Fitchemor, Gabriel Moore and Charles Mead Esquires having produced their Licences and taken the Oaths required by law were severally admitted to practice as attorneys and Counsellors at law in this Court —

The United States
vs
Davis Tilly & Alex. Ralston } Indictment depending in the Circuit Co of Wilkinson Cty —

By agreement Certiorari awarded to bring up the proceedings of said Indictment —

Ordered that Court adjourn until to morrow morning 10 O'Clock —

Wednesday May 27th 1807

The Court met according to adjournment

Present The Hon'ble

Thomas Rodney &

Waller Leake

William D Nicholson, Esquire having ~~taken the oath~~ produced his Licence and taken the oaths required by law was ~~this day~~ admitted to practice as an Attorney and Counsellor at law in this Court —

John C. Johnson for the use of Ellis Wood & Co — vs John Rale } Rule Discharged & Judgt — on Motion below and each party to pay half Co. in this Court

Lewis E. Clarke a dm vs William Lindsay — } Continued —

Ordered that Court adjourn until to morrow morning 10 O'Clock —

Thursday May 28th 1807

The Court met according to adjournment

Present The Hon'ble

Thos Rodney &

Waller Leake —

Elisha Cochran vs John Gale Surgy } New trial awarded

Thursday May 28th 1807

John Ragsdeal vs Pat Sharky — } Rule Discharged and Judgment for Deft and Costs —

Ordered that Court adjourn until tomorrow morning 10 O'clock —

Friday May 29th 1807 —

The Court met according to adjournment

Present The Hon'ble
Thomas Rodney &
Waller Leake

George Pope and James W. Bramham Esquires having produced their Licences and taken the oaths required by law was thereupon admitted to practice as Attorneys and Counsellors at law in this Court —

Ordered that Court adjourn until tomorrow morning 10 O'clock —

Saturday May 30th 1807 —

The Court met according to adjournment

Present The Hon'ble
Thomas Rodney &
Waller Leake

Saturday May 30th 1807

In the case of a Habeas Corpus to bring up the body of Sol Perry before this Court — } Prisoner Discd on filing Common Bail

Ordered that Court adjourn until ~~tomorrow~~ monday morning 10 O'clock —

Monday June 1st 1807 —

The Court met according to adjournment

Present The Hon'ble Thos Rodney &
Walter Lake

William Scott Exr } Judgment of the Court below
Lacy vs Ramsey — } affirmed with Costs —

The Territory
Edmd Curtis } New trial awarded —

Edmund Curtis, Davis Gore and John Curtis came into Court and acknowledged themselves to be indebted to the Governor of the Mississippi Territory, the said Edmund Curtis in the sum of One thousand dollars and the sd Davis Gore and John Curtis each in the sum of Five hundred dollars to be levied of their and each of their goods and chattels lands and tenements to our use, To be

Monday June 1st 1807 –

Vaid Sowner an the said Edmund Curtis making his personal appearance from day to day at the Circuit Court to be held for the County of Adams on the second monday in October next and not depart the Court without leave thereof –

Ordered that the Jurors summoned to attend the Court at this Term be discharged –

Derick Peterson January Esquire having produced his License and taken the Oaths required by law was thereupon admitted to practice as an Attorney and Counsellor at law in this Court –

Ordered that Court adjourn until to morrow morning 10 O'Clock –

Tuesday June 2nd 1807 –

The ~~United~~ ~~States~~ Court met according to adjournment

Present The Hon'ble
Thomas Rodney &
Waller Leake

The United States
vs
Floyd Patterson } Motion to quash Indictment
Overruled –

Tuesday June 2nd 1807

George Rapalye
vs
Seth Castow — } Certiorari Dismissed by Pltff atty

John Gravatt
vs
Ro. D. Gale } an N. E — Judgt of Court below affirmed at Pltffs costs except atty's fee

The Jane
vs
John Garrett } Certiorari

The Jane
vs
Ro. D. Gale } Certiorari

Dismissed by Pltff atty at Pltffs costs

The Jane
vs
Benjamin Spitzer } Certiorari

The Territory
vs
Darling Brady } Rule Discharged and Judgment on the Verdict below and costs — Deft to stand committed Fine and costs are paid —

Ordered that Court adjourn until tomorrow morning 10 O'clock

Wednesday June 3rd 1807

The Court met according to adjournment

Present The Hon'ble Thomas Rodney &
Waller Leake

Ordered That John Henderson Vendue Master show cause at the next Term of this Court why Judgment shd not be entered against him for the sum of One hundred and twenty three dollars being an amount of Taxes recd by him on Sales at auction per amount rendered —

John B. Stant
ag
Ann Martin } New trial granted —

Ordered that Court adjourn until to morrow morning 10 O'Clock —

Thursday June 4th 1807

The Court met according to adjournment

Present The Hon'ble Peter B. Bruin
Thomas Rodney &
Waller Leake

William Scott
vs
Patrick Foley } Decl held good and Judgmt for the Damages & Costs

Ordered that Court adjourn until to morrow morning 10 O'clock —

Friday June 5th 1807—

The Court met according to adjournment

Present The Hon'ble
Peter B. Bruin
Thomas Rodney &
Waller Lake

Ordered that Court adjourn until to morrow morning 10 O'Clock—

Saturday June 6th 1807—

The Court met according to adjournment

Present The Hon'ble
Peter B. Bruin
Thomas Rodney &
Waller Lake

Benjamin Morgan } On a Forthcoming
George & Isaac Selser } Bond—

Legal Notice proven — Motion of Pltff for Execution for amt of Bond int & Co. — Land over till to morrow —

Ordered that Court adjourn until Monday ~~to morrow~~ morning 10 O'Clock

The Court met according to adjournment

Present The Honable
Peter B. Bruin
Thomas Rodney
Waller Le Lke

The United States vs Floyd & Ralston } An an Indictment brought up from the Circuit Ct of Wilkinson by Certiorari

Dem. Justified, plea Overruled and the defendant put to answer anew —

The United States vs Alex. Baller } Dem. Justified plea Overruled and Defd put to answer anew

& remanded to the Circuit Court of Adams —

The United States vs Davis & Floyd — } Defts Recognizes disch. from Recog.

The United States vs Blanner & Aspete } Same —

The United States vs Alex. Ralston } Defts disch. out of Custody —

The Territory vs Lo. Strickland } An a Sci Fac —

forfeiture set aside on pay. of Costs —

Monday June 8th 1807

The Territory vs John Burnett Secy. for L. Strickland } Sci Fac. forfeiture set aside on payment of Costs —

The Territory vs David Ferguson Security for J. Strickland } On Sci Fac. forfeiture set aside on payment of Costs —

The Territory vs A. & J. Hunter } Rule Discharged, and Rule to show cause why the Judgment should not be arrested awarded —

Benjamin Morgan vs George Selser & Isaac Selser } On a forthcoming Bond —

Execution awarded for $661. 64 with int. and Costs

The Territory vs J. Strickland } Judgmt. arrested and Dfts. Disch. —

Peter Walker Esquire having produced a Licence & taken the oaths required by law was thereupon admitted to practice as an Attorney & Counsellor at Law in this Court —

William Smith (B.P.) } Continued
vs
Gavaghty & O'Reily

The Tartary } Ins. for Trespass assault &
vs } Battery —
Lo Steckland

Judgment arrested and defendant discharged —

Ordered that Court adjourn until to morrow morning 10 O'Clock —

Tuesday June 9th 1807

The Court met according to adjournment

Present The Hon'ble
Peter B. Bruin &
Waller Leake

James Griffing } Agreed by the parties by their Attorneys
vs } that the motion for the new trial
Trimble & Hyland

in this cause be argued at the next term of the Circuit Court of Clarkson County and in case the rule be discharged Judgment shall be entered as of this Term, and if the new trial be granted the parties to go to trial at the said Term of s^d Circuit Court

David Ogden } Continued —
vs
James Quinn

Tuesday June 9th 1807—

John Grantt
vs
Benjamin Spitzer } Writ of Error

The same
vs
John Garrett } Writ of Error

Continued

Ordered that Court adjourn until tomorrow morning 10. O'clock—

Wednesday June 10th 1807—

The Court met according to adjournment

Present
The Hon'ble
Peter B. Bruin
Waller Leake

Ordered that Court ~~met according~~ adjourn until to morrow morning 10. O'clock—

Thursday June 11th 1807—

The Court met according to adjournment

Present The Hon'ble
Peter B. Bruin
Waller Leake

Ro

Thursday June 11th 1807 —

In the case of a Habeas Corpus to bring up the body of Abraham Mourning confined in the Gaol of Adams County — — — } Prisoner Discharged

The United States vs Edward Turner Esq } Rule Discharged

Ordered that Court adjourn until to morrow morning 10 O'Clock —

Friday June 12th 1807 —

The Court met according to adjournment

Present The Hon'ble Peter B. Breckenridge & Walker Lake

The United States vs Floyd Ratstow } An an Indt preferred in the Circuit Court of Walker Brought up by Certiorari Dem'r to Indt and pr. Felo by Consent

The United States vs Lyman Harding Secy for A Burr } An Sci Facias three months given to plead on the Rules —

The same vs Benajah Osmun Secy for same

Ordered that Court adjourn till to morrow morning 10 O'Clock

Saturday June 13th 1807 —

The Court met according to adjournment

Present The Hon'ble Peter B. Breese &
Thomas Rodney
Walter Leake

James Bennette
vs
Job Roberts
} Rule Discharged & Judgment
on Verdict and Costs —

The United States
vs
Comfort Tyler
} On a Commitment

The Defendant being brought into Court, and upon the Depositions being read touching the grounds of his Commitment, the Court Order that he be discharged —

Order is that the Court adjourn until ~~tom~~ Monday morning 10 O'Clock —

Monday June 15th 1807 —

The Court met according to adjournment

Present
The Hon'ble
Peter B Breese &
Walter Leake

The United States
vs
Floyd Ralston
} On Dem^r to Indictment

Dem^r Justained

John B. Thiry
vs
Vandan & McCabe } Death of Defendant McCabe suggested
The plaintiff by attorney moved the
Court for a hearing upon the rule alledging that the said
defendant died after the first day of this Term, which
motion was overruled — and Sci fac. to revive an award

Anacletto & Indagenia
vs
John Ellett — } Motion to stay proceedings on
Judgment and Execn — overruled

Abraham Horton, James Horton, Bennett Truly & Nathan
Horton came into Court and acknowledged themselves to be
generally indebted to the Governor of the M.T. for the time being and
his successors in office the said Abraham Horton in the
sum of two thousand dollars and the said James Horton
in the like sum of two thousand dollars, & the said
Bennett Truly and Nathan ~~Kimpan~~ Horton each in the sum of
two thousand dollars to be levied of them and each of them
respective goods and chattels lands and tenements to be void
however on the said Abraham Horton and James Horton
making their personal appearance from day to day at
the next Term of this Court and not depart the same
without leave thereof —

Ordered that the rules appointed for pleading be in the Circuit Courts for the Counties of Wilkinson, Claiborne and Jefferson shall be considered as the rules of the Circuit Court of Adams —

Ordered by the Court that in order for obtaining the Testimony of absent witnesses in any cause where the defendant resides out of the Territory the party may upon affidavit of his belief of the materiality of the witness obtain a Dedimus to take such Testimony his giving such notice in the public prints of this Territory as the Judge granting such dedimus may direct of the time and place of taking such Testimony

Ordered that David Gore be allowed the sum of $19 for Nineteen days attendance as Constable at this Term —

Ordered that Elias Talbot Sheriff of Adams County be allowed the sum of fifty dollars for his Exofficio Services in this Court up to this Term —

Ordered that Beverly Robinson Clerk of this Court be allow. $50 for his Exofficio Services up to this Term —

Ordered that Court adjourn until Court in course

Be it remembered that on Monday the twenty third day of November in the year of our Lord one thousand Eight hundred and four the Supreme Court of the Mississippi Territory was opened by proclamation of the Sheriff of Adams County

Present The Honorable

Thomas Rodney

Walter Leake

Ordered that the Court adjourn until Tomorrow morning 10 O'clock

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Tuesday Novem.r 24th 1807

The Court met according to adjournment.

Present The Honorable

Thomas Rodney

Walter Leake

Ordered that the Court adjourn untie Tomorrow 10 O'clock

Wednesday November 25th 1807

The Court met according to adjournment

Present The Honorable
Thomas Rodney &
Walter Leake

Ordered that the Court adjourn until Tomorrow morning 10 o'clock

Thursday Novemr. 26 1807

The Court met according to adjournment

Present The Honorable
Thomas Rodney &
Walter Leake

Ordered that the Court adjourn until Tomorrow Morning 10 o'clock

Friday Novemr. 27th 1807

The Court met according to adjournment

Present The Honorable
Thomas Rodney &
Walter Leake

Ordered that the Court adjourn until Tomorrow Morning 10 o'clock

Saturday Novemr. 28. 1807

The Court met according to adjournment

Present The Honorable Thomas Rodney &
Walter Leake

Ordered that the Court adjourn until Monday Morning 10 o'clock

Monday November the 30th 1807

The Court met according to adjournment

Present The Honorable

Thomas Rodney &

Matter Leake

Hart & Smith } ~~Pltff appointed guardian~~
vs } ~~William Maraphais~~ } ~~of the Infant Pltff~~

William Scott } Mo. on forthcoming bond & exon. quashed
vs } for insufficiency appearing in the face
Patrick Foley } of the bond

William Smith } Continued
vs
Garaghty & Reilly

Joseph Hunter } Rule discharged at Dfts Cost
vs
Miller Fulton & ux

Territory } Judgmt for amt forfeiture &c
vs
Ann Martin

Same } Judgmt for forfeiture &c
vs
Same Martin

Ordered that the Court Adjourn until Tomorrow morning 10 o'clock

The court met according to adjournment

Present The Honorable
Thomas Rodney &
Walter Lake

Lewis Clarke admor' } Rule discharged & judgmt for verdt &c
v
William Lindsay

John B Thiry } Plffs death suggd in atte
v
Vandorn & McKate

The United States } Judgmt set aside & fi fac dismissed
v by consent — & agreed that one fi fac
Lyman Harding may be filed to which the deft by their
Same atty Lyman Harding agrees to appear
v & plead on or before the third rule
Benajah Osmun day and that the issue be made up
at the rules

Ordered that the Court adjourn until Tomorrow Morning
10 o'clock —

Wednesday Decemr 2 — 1807

The court met according to adjournment

Present The Honorable
Thomas Rodney &
Walter Lake

The Territory
vs
A of Horton } Judgmt arrested

Ordered that the Court adjourn until Tomorrow Morning 10 O'clock

Thursday Decemr 3 - 1807 -

The Court met according to adjournment

Present The Honorable Thomas Rodney &
Walter Leake

Ordered that the Court adjourn until tomorrow Morning 10 O'clock —

Friday Decemr 4th 1807 —

The Court met according to adjournment

Present The Honorable Thomas Rodney &
Walter Leake

Ordered that the Court adjourn until tomorrow Morning 10 O'clock

Saturday Decr 5 - 1807

The Court met according to adjournment

Present The Honorable Thomas Rodney &
Walter Leake

Saturday December 5 - 1807 -

Territory — } Recognizance discharged
vs
Abraham Horton &
James Horton

Mon. Jonathan Thompson Esquire admitted to practice as Counsellor and attorney at law in this Court. -

Ogdon } Motion for new Trial Rule discharge - Judgment
vs
Quinn

~~Joseph Montgomery~~ } ~~Injunction dissolved & Bill cont.~~
~~vs Brooke & Tracy~~

Ordered ~~that the~~ Court adjourn until Monday Morning 10 o'clock

Monday Decem. 7 - 1807 -

The Court met according to adjournement

Present The Honorable
Thomas Rodney &
Walter Leake

Ordered that the Court adjourn until tomorrow morning 10 o'clock

Tuesday December 8th - 1807 -

The Court met according to adjournement

Present The Honorable Thomas Rodney &
Walter Leake

Wednesday December 9th 1807

The Court met according to adjournment

Present The Honorable
Thomas Rodney
Walter Leake

R Kemper — } A new trial granted on payment of costs
vs } & cause remanded to Wilkinson circuit
A. J. Horton

Jo. Ferguson } Cont.
vs
Jeremiah Jones

Smith's Excors } Cont.
vs
Shilling —

Territory } cont. —
vs
Thos. Starke

Anthony Calvit } Rule for new trial discharged
vs } Judgmt. for amount of Verdict.
John Spires —

John Reagh } Rule discharg. & Judgmt. —
vs
Saml. Young

John Hinson — } appear all mtd. gratis errors
vs } to be assigned by the second rule day
Will. Collins atty in fact &c

Wednesday December 9 – 1807 –

Territory — } Cont.
vs
John (an Indian)

Ordered that the Court Adjourn until tomorrow Morning 10 o'clock —

Thursday Decemr. 10 – 1807

The Court met according to adjournment

Present The Honorable

Thomas Rodney &
Walter Leake

Israel Leonard — } general issue withdrawn by consent
vs } Rule disch.d & Judgment. —
Wm. Nichols late Shff

Ordered that the Court adjourn until tomorrow Morning 10 o'clock

Friday Decemr. 11 – 1807 —

The Court met according to adjournment

Present, The Honorable

Thomas Rodney &
Walter Leake

Ordered that the Court adjourn until tomorrow Morning 10 o'clock —

Saturday December 12 - 1807 -

The Court met according to adjournment

Present The Honorable

Thomas Rodney &

Walter Leake

Lucy Wadow
vs
A Marschalk } Judgmt for Pltff according to agt

Stephen Minor adm
vs
Philip Engle } rule dischd & judt on Verdt

Pery
vs
Detroit Sue } Judgt for amot of Judgt $53-45 & co

Austin H. Hubbard
vs
James Foster } Cont

Jonas Griffing
vs
Trumbull & Hyland } Agreed by the parties that the motion for New trial be argued in the next Claiborne Circuit Court and then decision thereon to be the judgt of this Term

Ruled and ordered by the Court that on every Sci facias returned Sari fci - to any Circuit Court or to the Supreme Court the defendant or defendants shall plead thereto before the expiration of the third day

day of the Term to which such Scire facias is returned otherwise judgment may be entered by default, and the adverse party shall have two days after said third day to reply and the defendant two days thereafter to rejoin if rejoinder be necessary and so on till issue of fact be joined, & either party shall be at liberty to have and demand a trial of such issue & judgment thereon at the Term of the Circuit Court to which such Scire facias is returned. —

2nd That Rule days for filing declarations and making up all pleadings shall be held in the office of the Clerk of Adams Circuit on the first Monday in every month, on which days rules to declare, plead, reply and all other necessary office rules may be given, which said Rules shall expire on the succeeding rule day — & in default of declaring or pleading judgment of non pros. or default may be entered as the case may require. —

Ordered that Court adjourn until Court in Course

Monday May 23rd 1808.

Be it remembered that on Monday the twenty third day of May in the year one thousand eight hundred and eight — The Supreme Court of the Mississippi Territory was opened by proclamation of the Sheriff of Adams County at the Town of Washington.

Present only the Hon'ble
Thomas Rodney

Ordered that Court adjourn until tomorrow morning 10 O'clock —

Tuesday May 24th 1808 —

The Court met according to adjournment

Present The Hon'ble
Peter B. Bruin &
Thomas Rodney

William Thompson Esquire having produced his Licence and taking the Oaths required by law was thereupon admitted to practice as an Attorney & Counsel at law in this Court —

Ordered that Court adjourn until tomorrow morning 10 O'clock

The Court met according to adjournment

Present The Honble
Peter B. Breckinridge
Thomas Rodney

On motion of Beverly R Grayson Auditor of Public accounts notice thereof having been acknowledged, Ordered that Mordecai Cathcart Sheriff of Adams County show cause at the next Term of this Court why judgment should not be given against him for four hundred and eighty three dollars being for certain fines collected by him as Sheriff as aforesaid —

On motion of Beverly R Grayson Auditor of Public accounts Notice thereof having been ack^d. Ordered that Mordecai Cathcart Sheriff of Adams County show cause at the next Term of this Court why judgment should not be given against him for the sum of eighty seven dollars being the balance of the fine of Christian Harman collected by him as Sheriff as aforesaid —

On motion of Beverly R Grayson Auditor of Public accounts, Notice thereof having been ack^d. Ordered that Theodore Stark Clerk of the Circuit Court of Adams County show cause at the next Term of this Court, why judgment should not be given against him for the sum of one hundred and two dollars Fifty Cents being for taxes on law process per his return dated May 1st 1808

Wednesday May 25th 1808 –

An Motion of Beverly R Grayson Auditor of Public Accounts Notice thereof having been ~~proved~~ proved

Ordered that William Nicholls late Sheriff of Adams County show cause at the next Term of this Court why judgment should not be given against him for the sum of five hundred and forty two dollars being an account of fines collected by him as Sheriff of Sd. County —

Montfort Cavitt for the use of Jno. F Marriott
vs
Robert Moore & al

The Same
vs
The Same

Dismd withdrawn by Consent and Deft to plead speedily at the Circuit Court Rules and Causes Remanded —

Ordered that Court adjourn until tomorrow morning 10. O Clock —

Thursday May 26th 1808 –

The Court met according to adjournment

Present The Hble
Peter B. Bruin
Thomas Rodney

Ordered that Montfort Cavitt Sheriff of Adams County be allowed the sum of fifty dollars for Exoffecio Services in this Court —

Cert

Ordered that Beverly R Grayson Clerk of this Court be allowed the sum of fifty dollars for Exoffecio Services in this Court

Cert

May 26th 1808

Ordered That Davis Gore be allowed the sum of five dollars for five days attendance as Constable on this Court —

Ordered that Court adjourn till To-morrow morning 10 O'clock —

Friday May 27th 1808

The Court met according to adjournment

Present The Honble
Peter B. Bruin
Thos Rodney —

Hannah Lewis's admr } brought up on
William Vansdel's Exors } Demurrer —

Ordered that the Demurrer to the replication of 5th plea be ruled sufficient and that the replication insufficient for the Plffs to have or maintain their action and that defendants go thereof without day —

Abner Mardis and Davis Gore comes into Court and acknowledged themselves to be indebted to the Governor of this Territory in the full sum of four hundred dollars lawful money to be the said Abner Mardis in the sum of two hundred dollars and he the said Davis Gore in the sum of two hundred dollars of like lawful money to be levied of their and each of their goods and chattels lands and Tenements for the use of the s^d Territory To be void however on the s^d Abner Mardis

Mardis making his personal appearance at the next Term of this Court to be held at the Town of Washington on the 4th Monday in November next and not depart the said Court without thereof and further to do and receive what shall then and there be considered of in that behalf —

The Territory vs Abner Mardis
The Same vs The Same

It is agreed by the Attorney General on the part of the Territory and by the defendants Attorney that in Case the defendants in these causes does not appear at the next Term the argument is to progress, and in case the judgment is sustained the defendant and Security is to be exonerated on complying with the judgment of Court — and if the judgment be arrested the defendant and Security to be discharged

Joseph B. Wilkinson Esquire having produced his Licence and taking the Oaths required by law was thereupon admitted to practice as an Attorney & Counsel at law in this Court —

Ordered that Court adjourn Until ~~to~~ Court in Course —

Monday November 28th 1808

Be it remembered that on Monday the twenty eighth day of November in the year of our Lord One thousand eight hundred and eight the Supreme Court of the Mississippi Territory was opened by proclamation of the Sheriff of Adams County — Present

The Honble
Thos. Rodney &
Waller Leake

Ordered that Court adjourn until to morrow morning 10. O'clock —

Tuesday November 29th 1808 —

The Court met according to adjournment

Present The Honble
Thos. Rodney &
Waller Leake

Benjamin Stokes vs Winthrop Sargeant } Demr sustained & judgment for Defendant

Territory & Jefferson County
Luke vs Collins — — } Continued

John B. Thiry vs Vandorn & McCabe } Seth Lewis comes into Court as Exor of Pltff and enters himself a party — Sci fac against Joseph Calvert admor of Dpt McCabe decd —

Ordered that Court adjourn until tomorrow morning 10 O'clock —

Wednesday November 30th 1808

Present only the Hon'ble
Waller Leake

Ordered that Court adjourn until tomorrow
10 O'clock —

Thursday December 1st 1808

Present only the Hon'ble
Waller Leake

Ordered that Court adjourn until tomorrow
10 O'clock —

Friday December 2nd 1808

Present only the Hon'ble
Waller Leake

Ordered that Court adjourn until tomorrow
10 O'Clock —

Saturday December 3rd 1808.

Present only the Hon'ble
Waller Leake

Ordered that Court adjourn until ~~tomorrow~~ Monday next
10 O'clock —

Monday December 5th 1808

The Court met according to adjournment

Present the Hon'ble
Tho. Rodney &
Waller Leake

Lewis Winston Esquire having produced his
Licence

Monday December 5th 1808 —

License and taken the oaths required by law was thereupon admitted to practice as an Attorney & Counsel at law in this Court —

Jno. Smith's Exor } Cause removed
Palser vs Shelling } in the name of Jno Stark & Co.
Devon Exors of Dfs by consent —

Joseph Strickland }
vs }
The City of Natchez }

The Same }
vs } Defendants death
The Same } suggested —

The Same }
vs }
The Same }

Peter A Vandorn Esquire having produced his License and taken the oaths required by law was thereupon admitted to practice as an attorney & Counsel at law in this Court —

The Territory } Motion to quash Indictment
vs } overruled & cause remanded
John Shaw }

Ordered that Court adjourn until tomorrow 10 Oclock —

Tuesday December 6th 1808

The Court met according to adjournment

Present The Honble
Tho Rodney &
Waller Leake

Saml Montgomery } Cont^d
vs }
Edmonson }

Ordered that Court adjourn until tomorrow 10 Oclock —

Wednesday December 7th 1808 —

The Court met according to adjournment

Present The Hon.ble
Tho. Rodney &
Waller Leake

Ordered by the Court that the time for taking Votes in Circuit Court of Adams County shall be from eight O'Clock in the morning to 5 O'Clock in the evening —

The Territory
vs
Theodore Stark } The Motion in this case not being sustained is overruled —

Ordered that Court adjourn until tomorrow morning 10. O'Clock —

Thursday Decr 8th 1808 —

The Court met according to adjournment

Present The Hon.ble Tho. Rodney &
Waller Leake

Charles Percys Rep.s
vs
Robert Semple — } Ordered by consent of the parties by their Attorneys

that the Order of the Circuit Court of Wilkinson County for a trial of a case agreed in this Cause be rescinded and that the same be remanded

The Territory
vs
Abner Martin } Judgment arrested & defd discharged —

Thursday Decr 8th 1808 –

The Territory vs Abner Mardis } Judgment arrested & defendant discharged –

Charles B. Green Esquire produced in Court a paper under the hand of Robert Williams as Governor of this Territory and seal of the same affixed appointing Park Walton Clerk of this Court, and moved the Court that said Walton might be admitted accordingly – which is objected to by Benjy Grayson the person now in the exercise of said office – upon which the Court took time to advise of & concerning the premises –

Ordered that Court adjourn until tomorrow morning 10 O'clock –

Friday December 9th 1808 –

The Court met according to adjournment

Present The Hon'ble Thos. Rodney & Waller Leake

Ordered that Court adjourn until tomorrow morning 10 O'clock

Saturday Decr 10th 1808

The Court met according to adjournment

Present The Hon'ble Thos. Rodney & Waller Leake

Ordered that Court adjourn until Monday next 10 O'clock –

Monday December 12th 1808

The Court met according to adjournment

Present The Hon'ble Thomas Rodney &
Waller Leake —

Ordered that Court adjourn until tomorrow morning 10 o'clock —

Tuesday December 13th 1808 —

The Court met according to adjournment

Present The Hon'ble Thomas Rodney &
Waller Leake

Ordered that Court adjourn until tomorrow ten o'clock —

Wednesday December 14th 1808

The Court met according to adjournment

Present The Hon'ble Thos. Rodney &
Waller Leake

Ordered that Court adjourn until tomorrow 10 o'clock —

Thursday Decr. 15th 1808 —

The Court met according to adjournment

Present The Hon'ble Thos. Rodney &
Waller Leake

Ordered that Court adjourn until tomorrow morning 10 o'clock

Friday December 16th 1808

The Court met according to adjournment

Present The Hon.ble
Tho. Rodney &
Waller Leake

The Governor for the use of Blake & Childress vs William Brasher — } Attachment quashed & Cause remanded —

Nathan Kimper vs A. & S. Horton } Rule discharged & Judgment for Verdict and Costs —

The Territory vs John Murray } Rule Discharged & Judgment of the Circuit Court affirmed with Costs

Peter Johnston's Exor vs Thomas Green's Exor } Plea sustained & judm.t for Defend.t and Costs

Park Walton vs Beverly Robinson } An attachment to admit the Pltff as Clerk of this Court —

Ordered by the Court that the s.d plaintiff take nothing by his attachment —

Ordered that Davis Gore be appointed Crier of this Court, whose duty it shall be to keep the Courthouse Clean and take care of the Same and keep good fires therein & candle light during the Sitting of the Court —

Ordered that Montfort Cabell Sheriff of Adams County be allowed the sum of fifty dollars for Exoffice Services in this Court —

Ordered that Beverly Rgrayson be allowed the sum of fifty dollars for Exoffice Services as Clerk of this Court —

Ordered that Davis Gore be allowed the sum of Seventeen dollars for attending this Court 17 days as Constable —

Lee & others — vs Attester & Coleman } By consent of the parties by their attorneys, It is Ordered that Lepe Carter and Thomas Fitzpatrick be released from their recognizance given in the Court below, in this cause, upon their depositing giving other and sufficient Security in the same sum with the same Conditions in which the said Securities are bound, before one of the Judges at their Chambers, and on giving three days notice to the plaintiffs Counsel of the time of giving such Security —

Ordered that Court adjourn until Court in Course —

Monday May 22nd 1809

At a Supreme Court held for the Mississippi Territory at the Town of Washington on Monday the 22nd day of May in the year of our Lord One thousand eight hundred & nine

Present the Honble

Thomas Rodney

Ordered that Court adjourn until tomorrow morning 10. O'clock —

Tuesday May 23rd

The Court met according to adjournment

Present The Honble

Thomas Rodney &
Waller Leake

On Motion of Isham Talbot by his attorney ordered that a writ of Habeas Corpus issue directed to the Keeper of the Jail of Claiborne County to bring up the body of said Talbot confined in said Jail together with the cause of his caption & detention —

James Williams admr &c vs William Conner ads — Joshua Draughan & al vs Robert Moore ads — } a Motion to quash two executions issued for Costs — ordered to be heard on Saturday next —

Joseph Strickland vs The City of Natchez } Certiorari abated by the death of the plaintiff

Tuesday May 23rd 1809 –

Joseph Strickland vs The City of Natchez
The Same vs The Same
} Certiorari's abated by the death of the plaintiff

John Smiths Exors vs Palser Shilling's Exors
} Rule discharged & Judgment for amount of Verdict & Costs –

Ordered that Court adjourn until tomorrow morning 10 O'clock –

Wednesday May 24th –

The Court met according to adjournment

Present The Hon'ble
Thomas Rodney &
Walter Leake –

Joseph Ferguson Jr. vs Jeremiah Jones –
} Remanded to the Circuit Court of Claiborne County for argument of the motion for a New trial –

Jacob Null — — vs Josiah alias Isaiah Packard
} Rule discharged and Judgment for Ver.d & Costs

Francis Nailor vs James Davenport
} Rule discharged & Judgment for Verdict & Costs –

Ordered that Court adjourn until tomorrow morning 10 O'clock –

Thursday May 25th 1809

The Court met according to adjournment

Present The Honble
Thomas Rodney
& Walter Leake

Ordered That Court adjourn until tomorrow morning 10. O'Clock –

Friday May 26th 1809

The Court met according to adjournment

Present The Honble
Thomas Rodney &
Walter Leake

Ordered that Court adjourn until tomorrow morning 10. O'Clock –

Saturday May 27th 1809 –

The Court met according to adjournment

Present The Honble
Thomas Rodney
& Walter Leake

Ordered that Court adjourn until ~~tomorrow~~ Monday morning 10 O'Clock

Monday May 29th 1809 –

The Court met according to adjournment

Present The Honble
Thomas Rodney
& Walter Leake

John Allen
vs
Z. Manguin } Rule discharged &
Judgment for Defd & Costs

Moday May 29th 1809

Benjamin Selmon vs William Smith } Rule discharged & Judgment & Judgment for Verdict & Costs against principal & Security in the appeal bond —

Edward Pate vs Robert Trimble Ca } Rule discharged & Judgment for amount of Verdict & Costs

Edmond Johnston vs John M. Alston } Pleas overruled Demurrer sustained & Judgment final according to Scire facias —

Ordered that Court adjourn until tomorrow Morning 10. O'Clock

Tuesday May 30th 1809

The Court met according to adjournment & Present The Hon'ble Thomas Rodney & Waller Leake

Francis Naylor vs James Dunnport } Rule Discharged at plaintiffs Costs and Judgment for Verdict & Costs in Court below against Defendant —

Samuel Montgomery vs William Edmonson } Rule Discharged & Judgment for Verdict & Costs —

Tuesday May 30th 1809

Joseph Sollibellas by de Texada his next fr. vs James Cole & Jr Taylor } Judgment confessed for the Sum of One hundred and twenty eight dollars & twenty four Cents & Costs execution stayed till the 1st of October next —

James Calter vs Robert Moore & James Moore } Judgment confessed for four hundred & ninety four dollars Seventy five & a half Cents & Costs execution stayed till 1st Oct. next

Thomas Lewis vs Isham Talbot } The defendant being brought up by Habeas Corpus — On Motion Ordered that he be discharged on filing Common bail —

Hezekiah I Balch vs Joseph Pipes — } Judgment for plaintiff for $60. & Costs of Suit

Ordered That Court adjourn until to-morrow morning 10. O'Clock —

Wednesday May 31st 1809 —

The Court met according to adjournment

Present The Hauble

Thomas Rodney

& Walter Leake

Ordered That Court adjourn until to-morrow morning 10. O'Clock —

Thursday June 1st 1809 —

The Court met according to adjournment

Present The Hon'ble

Thomas Rodney &

Walter Leake

Ordered that Court adjourn until tomorrow morning 9. O'clock —

Friday June 2nd 1809 —

The Court met according to adjournment

Present The Hon'ble

Thomas Rodney &

Walter Leake

Ordered that Court adjourn until tomorrow morning 10. O'clock —

Saturday June 3rd 1809 —

The Court met according to adjournment

Present The Hon'ble

Thomas Rodney &

Walter Leake —

On motion

Ordered that a writ of Habeas Corpus issue directed to the Sheriff of Adams County to bring up the body of G. H. Ross to gether with the day & cause of his caption and detention

James Coles' Lessee
vs
Peter Anthony } New trial granted & cause remanded —

Saturday June 3rd 1809 —

William McIntosh vs William Bruin — New trial granted and Cause remanded —

Richard Haughter vs E. King — Ordered by the Court that a trial de novo cannot be had in this cause as a matter of course —

John Hall vs Thomas M. Green — Rule Discharged & Judgment for Verdict & Costs —

William Smith vs F. L. Claiborne — Judgment Nisi on Sci. fac. Judgment Nisi set aside & plea payment — Ordered to the Circuit Court for trial —

Auditor of Public Acts vs Theodore Starke — Dismissed —

The Territory vs Gabriel H. Reps — The prisoner being up on a writ of Habeas Corpus — Ordered that he be remanded for further examination —

On Motion of the Common Council of the City of Natchez by their Attorney It is Ordered that James Andrews show cause to this Court on Thursday next why a mandamus should not issue Commanding him to deliver over all & singular the books papers & property in his possession that appertain to the Treasury of said City to James Berry —

Saturday June 3rd 1809

On motion of the Common Council of the City of Natchez by their attorney — It is Ordered that Andrew Marschalk shew cause to this Court on thursday next why a Mandamus should not issue Commanding him to deliver over all and singular the books papers property in his possession to appertain to the Common Council of said City to William H. Beaumont

Ordered that Court adjourn until ~~tomorrow~~ monday morning 10. O'Clock —

Monday June 5th 1809 —

The Court met according to adjournment

Present The Honble
Thomas Rodney
Walter Leake

The Territory vs Gabriel Rose } Brought out by Habeas Corpus
Ordered that he be remanded for the Court to advise what bail shall be taken in the premises —

Ordered that Court adjourn until tomorrow morning 10 O'Clock —

Tuesday June 6th 1809

The Court met according to adjournment

Present The Honble
Thomas Rodney
Waller Leake

Ordered that Court adjourn until tomorrow morning 10. O'Clock

Wednesday June 7th 1809

The Court met according to adjournment
Present The Honble
Thomas Rodney
& Walter Leake

Charles Hill vs Christopher Miller } Dem^r to Replication overruled & Judgment & Judgment for plaintiff & Costs —

Joshua Baker vs John T Carmichael } Motion to change the Venue overruled & cause remanded —

The United States vs Edward Turner } Cont^d Curia adv. vult

Lee & others — vs Wm Allister & Coleman } Ordered by the Court that the Securities in this Cause be discharged and that the plaintiffs be delivered into the possession of the defend^ts upon their giving sufficient Security as the law in that case directs before either of the Judges at their chambers

Ordered that Court adjourn until to-morrow morning 10 O Clock

Thursday June 8th 1809

The Court met according to adjournment
Present The Honble
Thomas Rodney
& Walter Leake

Auditor of Public Acc^ts vs Montfort Cotrit & ffs } Judgment for eighty seven dollars for the balance of Christian Harman's fine

Thursday June 8th 1809

The Territory vs Jno. Tally Jr.
Same vs Stephen Stephenson

Executions returned to the Circuit Court of Adams County Ordered by the County on motion of William Nicholls late Shff of sd County that he be permitted to amend his returns thereon

Auditor of Public Accts vs William Nicholls late Shff

Referred to the Clerk of this Court who is directed to examine the Vouchers & report the same to this Court

The Same vs Montfort Cotrit Shff

Judgment awarded by the Court for four hundred and fifty eight dollars, liable however to a deduction of one hundred & five dollars on its being shown by affidavit to one of the Judges at their chambers within 3 months that Gabl Turner broke goal

Common Council of the City of Natchez vs James Andrews

On motion ordered that a writ of Mandamus issue directing the defendant to make a Settlement of his accounts as late City Treasurer with the plaintiffs or their Committee and deliver the books &c appertaining to said Office within three months to the said plaintiffs or their Committee appointed for that purpose —

Ordered That Montfort Cotrit Shriff of Adams County be allowed the sum of fifty dollars for public Services in this Court

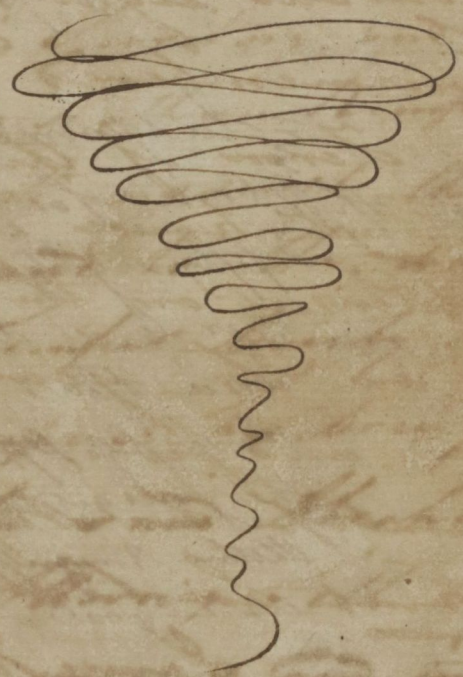
Crt

Thursday June 8th 1809

Certified — Ordered That Beverly R. Grayson Clerk of this Court be allowed the sum of fifty dolls. for his public services in this Court

Certify'd — Ordered That Davis Gore Crier of this Court be allowed the sum of fifty dollars for public services —

Ordered That Court adjourn until the 4th monday in November next —



Memorandum —

For the Papers in the following Suit "Nathan Kemper vs Abram & James Morton" look in a Bundle of papers under the bottom of the large Prop in the first division, marked "Judgments on reserved cases Nov. Term 1808." —

H. K. Mosby

Mississippi Territory } Plea before the
Adams County — } Honourable Thomas Rodney &
and Walter Leake Esqrs Judges
in and ~~over~~ the Mississippi Ter-
ritory at a Supreme Court held
at the Town of Washington, in
and for the Territory aforesaid,
on the fourth Monday in
November in the year one
thousand eight hundred & eight

Be it Remembered that heretofore
to wit, at a Term of the Circuit Court
held at the Court-house in and for the
County of Wilkinson on the first Monday
in November in the year one thousand
eight hundred and five, Nathan Kemper
by James Dunlop his Atty, brought in
to the said Court his Bill against A-
braham Horton and James Horton, of a plea
of Trespass, which said Bill follows in
these words, to wit,

Mississippi Territory } Circuit Court
Wilkinson County } November Term 1805.

Nathan Kemper complains of Abram
Horton and James Horton of said County
in Custody &c of a plea of Trespass &c of
Assault, Battery and imprisonment; and
for that the said Abram Horton and
James Horton on the fourth day of
September in the year of our Lord

one thousand eight hundred and five at Pinckneyville, to wit, in the County afs: with force and Arms, made an assault upon the said Nathan Kemper and him then and there ~~did~~ beat, bruised, wounded & imprisoned; and then & there detained in Prison and Confinement for the space of Twelve hours, to wit, from the hour of one in the Morning to one in the Evening of the same day against the Will of the said Nathan Kemper, and against the Laws of the said Territory, and other Enormities to the said Nathan Kemper then and there did against against the Peace of said Territory and to the damage of said Nathan Kemper twenty thousand dollars and thereupon he brings Suit &c

And the said Abraham and Lamy by their Attorney Seth Lewis come and defend the wrong and injury &c and say that they are not guilty in manner and form as the said Nathan above in his Declaration hath alleged against them, and of this they put themselves upon the Country — And the Pltff doth the like.

Afterwards, to wit, at a Circuit Court held at the Court-House in & for the County of Wilkinson on the first Monday in November in the year one thousand eight hundred and five this Cause was legally continued.

Afterwards, to wit, at a Supreme Court held at the Town of Washington in and for the Mississippi Territory on the fourth Monday in November in the year one thousand eight hundred & five and thereupon on motion of Abram Horton and James Horton by their Attorney it was ordered by the said Court that a trial by Bar be had in this Cause.

Afterwards, to wit, at a Supreme Court held at the Town of Washington in and for the Mississippi Territory on the fourth Monday in May in the year one thousand eight hundred and six, this Cause was legally continued.

Afterwards, to wit, at a Supreme Court held at the Town of Washington in and for the Mississippi Territory on the fourth Monday in November in the year one thousand eight hundred and six, this Cause was legally continued.

Afterwards, by virtue of the Statute of the General Assembly of the Territory aforesaid, in such case made & provided this Cause was transferred into the Circuit Court of Williamson County on the first Monday in May in the year one thousand eight hundred & seven, which said Cause was legally continued.

Afterwards, to wit, at a Circuit Court held at the Court-house

~~to~~ in and for the County of ~~Wilkinson~~ Wilkinson on the first Monday of November in the year one thousand eight hundred and seven this cause was legally continued

Afterwards it is commanded that the Sheriff of Wilkinson County in the Territory aforesaid do summon ~~thirty~~ Jonwood and Lanpel men of his County according to the direction of the act of the General Assembly of the Territory aforesaid in such case made and provided to be and appear before the Judges of the Territory aforesaid at a Circuit Court to be holden at the Court House in and for the County of Wilkinson on the first monday in May in the year One thousand Eight hundred and Eight by whom and wherefore and who neither &c forth to recognise &c forth because as well and wherefore the same day is given to the parties aforesaid there &c forth At which day before the Judges of the Territory aforesaid at the Circuit Court there & there held came as well the said Nathan Kemper as the said Abraham Horton & James Horton by their respective Attornies aforesaid and the Jurors of the Jury of which mention is above made being called certain of them came & wit Isaac Chambers, Micajah Drague, Samuel Lacy Henry ~~Blaine~~ John Montgomery, Thomas Linton, Joseph Hugua John Trimble Peter Ratcliff George Davis William Harvey and William B Richard who being impannelled tried and sworn to speak the truth concerning the matter within contained say upon their oath that the said Abraham Horton & James Horton on the day and year in the Declaration specified of their own wrong did make an assault and the said Nathan Kemper did beat abuse take imprison

and in prison then did detain ~~and keep~~ in manner and form as the said Nathan Kemper above against them hath complained and they assess the damage of the said Nathan Kemper by reason thereof, besides his costs and charges by him about his suit in that behalf expended to Eight thousand five hundred Dollars and thereupon on motion of the said Abraham Horton and James Horton by their attorney it was ordered that the said Nathan Kempler shew cause at the next Supreme Court why a new trial should not be granted which said cause was transferred into the Supreme Court of the Territory aforesaid, on the fourth monday in May in the year One thous= =and Eight hundred & Eight this cause was legally continued, and now at this day to wit at a Supreme Court held at the town of Washington in and for the Mississippi Territory on the fourth monday in November in the year One thousand Eight hundred & Eight came again the parties aforesaid by their Attorney aforesaid - Whereupon all and singular the premises being seen and by the Court now here fully understood and matur= deliberation being thereupon had therefore it is con= =sidered by the Court that the said Abraham Horton and James Horton take nothing by their said motion but that the said Nathan Kemper do recover against the said Abraham Horton & James Horton his damages aforesaid by the Jurors aforesaid in form aforesaid assessed and also one hundred & thirty seven Dollars and nine= =ty five cents for his costs and charges by the Court now here adjudged to the said Nathan Kemper with his assent - which said damages costs and charges amount in the whole to Eight thousand six hundred & thirty seven Dollars and

ninety five cents - and the said Abraham Horton & James Horton in mercy &c

Afterwards to wit on the twenty ninth day of March in the year of Our Lord One thousand Eight hundred & nine the said Nathan Kemper sued out and obtained from the Court aforesaid the following writ of Fieri Facias against the goods and Chattels Lands Tenements of the said Abraham Horton & James Horton, to wit -

"The Mississippi Territory of the United States To the Sheriff of Wilkinson County - Greeting We command you that of the goods and Chattels Lands and Tenements of Abraham Horton & James Horton nonresident of this Territory you cause to be made the sum of Eight thousand six hundred & thirty six Dollars and ninety five cents which to Nathan Kemper lately in our Supreme Court were adjudged for his damages as well by reason of a certain trespass assault and battery by the said Abraham & James to the said Nathan lately offered as for his Costs by him about his suit in this behalf expended - Whereof the said Abraham & James are convicted as appears to us of Record and that you have the said sum of $8636.95 before the Judges of our said Court at the Town of Washington on the 4th monday in May next to render to the said Nathan Kemper for his damages aforesaid and have then there this Writ - Witness Beverly R Grayson Clerk of our said Court the twenty ninth day of March 1809 and of American Independence the 33d -

Beverly R. Grayson

Upon which said Writ of Fieri Facias the Sheriff of Wilkinson County to whom the same

was directed made his return in manner
following to wit:- "For want of goods and
chattels found in my County I have levied on
five hundred acres of land with the tenements
thereon bounded on the East by the town of Bank-
-ersville on the West by the lands of Joseph Hunter
and by lands of Gerard Brandau on the north.-
-remains unsold for want of time.-

M. Cornell. S.M.C.

Whereupon the following Writ of Venditioni Exponas
issued from the Clerks Office of the Court aforesaid
on the thirty first day of May 1819 to wit-
"The Mississippi Territory of the United States
To the Sheriff of Wilkinson County Greeting: We
command you that you expose to sale the goods
and chattels lands & tenements of Abraham
Norton & James Norton non residents of this Territory
to the value of Eight thousand six hundred and
thirty seven Dollars and ninety five cents, which
according to our Command you have taken &
which remains in your Hands unsold as you
have certified to our Judges of our Supreme Court
to satisfy Nathan Kemper the sum of $8637.95 cts
whereof in our said Court he hath recovered
execution against the said Abraham Naughton
& James Norton by virtue of a Judgment in
our said Court: and that you have the said
sum of $8637.95 before the Judges of our said
Court on the fourth monday in December next
to render to the said Nathan Kemper for his damages
and costs aforesaid and have then there this Writ
- Witness Beverly R Grayson Clerk of our said
Court the thirty first day of May 1819 and of
American Independence the 38-

B. R. Grayson, Clk.

Upon which said Writ of Venditioni Exponas the Sheriff of Wilkinson County to whom the same was directed made his return in manner following to wit - "Sold to Reuben Kemper on the 15th day of July 500 acres of land taken by virtue of a former Execution as the property of Abraham & James Horton for three thousand Fifty Dollars and have taken the attached order directed or addressed to me by Nathan Kemper as payment of said sum (except the Costs which are to be deducted - W. Connell, S.W.C."

"Attacapas May 16th 1819. Williams Connell Esqr. Dr Sir, I request you will pay to my brother Reuben Kemper any money which may have been collected by the Hortons for me and any arrangements Reuben Kemper may make with you will be good against me, as I hereby authorize him to act for me - Sam, Dr Sir your Obdt Servt

N. Kemper"

Afterwards to wit on the ~~twenty second~~ day of July in the year of the Lord One thousand Eight hundred & nine the said Nathan Kemper sued out of the Clerks Office of the Court aforesaid the following Writ of Fieri Facias, to wit -

"The Mississippi Territory of the United States to the Sheriff of Wilkinson County Greeting - We command you that of the goods & Chattels of Abraham Horton & James Horton late of your County you cause to be made the sum of Eight thousand six hundred & thirty Eight Dollars & ninety five cents which Nathan Kemper lately in our supreme Court hath recovered against him for his damages which he hath sustained as well by occasion of a certain trespass by the said Abram and James Horton to the said Nathan lately offered as for his costs by him about his suit in

that behalf expended - whereof the said Abram and James are convicted as appears to us of Record and that you have the said $8638.95 Cts before the Judges of our said Court at the Town of Washington on the fourth Monday in November next to render to the said Nathan Kemper for his damages aforesaid and have then there this Writ Witness Beverly R Grayson Clerk of our said Court at the town of Washington aforesaid the twenty second day of July Eighteen hundred & three & of American Independence the 33d

B. R. Grayson

upon which said Writ of Fieri Facias the Sheriff of Wilkinson County to whom the same was directed made his return in manner following to wit

"The within named Abraham & James Horton have no goods & chattels in my County whereof I can make the within mentioned sum

W. Connell S.W.C."