Property of right shall be determined
in the following manner
Says the Executive of this Country over the ag
the Years shall immediately or as soon as may
proceed to elect and choose twelve Conscientious and
Persons from each of the different Stations, that is
Say, from Nashborough three from Gaspar two
Mansker two, Asbers one, Cumberland
and one, Bottons two, Fort Jefferson one
Which said persons or a majority of them, after being sw
by the solemnity of an Oath to do equal and impartial
Justice between all contending parties, according to t
best their skill and Judgment, having due
to the Regulations of the Law
shall be competent Judg
hearing the Allegations
Proofs as to the facts
as to the truth of the ca
decide the controversies, an
entitled to an interest for such
said determination or decision
and conclusive against the diffe
parties, against whom such Judg
the Entry Taker shall make
his Book accordingly and the Entry
Taker so act

never can made, and the Land in dis-

to the person in whose favour such Judgment

in case of the death removal or absence of any of the

ges so to be chosen, or their refusing to act, the State to

which such person or persons belong or was chosen from shall

proceed to Elect another or others in his or their stead, which

person or persons so chosen after being sworn as aforesaid to

do equal and impartial Justice, shall have full Power

and authority to proceed to business and act in all respects

respecting the premises as if they had been originally

at the first Election —

That the entry Book shall be kept fair and shall be

ed by the said Richard Henderson

ry for Land numbered and dated

ving any blank leaves or spaces

s of the said twelve Judges

Seing —

y persons have come to this Country

Husbandry, and from other causes

eturn without making a Crop,

ll or early next Spring, and

le such should have the

of such places as they may have

the purpose of residence, thereon

be taken for all such, for as

2

as they are entitled to, from their Headrights, which said
Lands shall be reserved for the particular person in whose
in whose name they shall be entered, or their Heirs, Provided
such persons shall remove to this Country and take possession
of the respective place or piece of Land so chosen or entered, or shall send
a Labourer or Labourers and a white person on his or Her behalf
to perform the same on or before the first Day of May in
the Year one thousand seven hundred and eighty one # and also
provided such Land so chosen and entered for, is not entered and
claimed by some person who is an Inhabitant and shall raise
a Crop of Corn the present Year at some Station or place conven-
-ient to the General settlement in this Country, But it is fully
to be understood, that those who are actually at this Time Inha-
bitants of this Country shall not be debard of their choice or
claim on account of the right of any such absent or returning
person or persons — It is further proposed and agreed, that no
claim or title to any Lands whatsoever shall be set up by any
Person in consequence of any Mark or former improvement,
unless the same be entered with the Entry Taker within Twenty
Days from the Date of this association and agreement; and
that when any person hereafter shall mark or improve
Land or Lands for himself such mark or improvement shall not
avail him, or be deemed an evidence of prior right unless the same
be entered with the Entry Taker in thirty days
from the time of such mark or improvement, but no other person
shall be entitled to such Land so as aforesaid to be reserved in
consequence of any Purchase, Gift or otherwise

H. J

That if the Entry Taker to be appointed shall neglect or refuse to perform his Duty, or be found by the said Judges or a majority of them to have acted fraudulently to the prejudice of any person whatsoever, such Entry Taker shall be immediately removed from his Office, and the Book taken out of his possession by the said Judges, untill another shall be appointed to act in his room

That as often as the People in General are dissatisfied with the Doings of the Judges or Triers, so to be chosen, they may Call a new election at any of the said Stations and Elect others to act in their Stead, having due respect to the number now agreed to be elected at each Station, which Persons so to be chosen shall have the same Power with those in whose room or place they are or may be chosen to act

That as no consideration money for the Lands on Cumberland River within the claim of the said Richard Henderson and Company and which is the subject of this application, is demanded or expected by the said Company untill a satisfactory and indisputable Title can be made, so we think it reasonable and just that the twenty six pounds thirteen shillings and four pence current Money per hundred Acres, the price proposed by the said Richard Henderson shall be paid according to the value of money on the first Day of June last, being the time when the price was made Public, & settlement encouraged thereon by said Henderson, and

the

the said Richard Henderson on his part doth hereby ag

that in case of the rise or appreciation of money from tha

an abatement shall be made in the sum according to th

raised or appreciated value

That when any Person shall remove to this Country with a intent

to become an Inhabitant and depart this life, either by violence

or ~~natural death~~ in the natural way before he shall have

performed the requisites necessary to obtain Lands, the Child

or Children of such deceased person shall be entitled in his

or her room to such quantity of Land as such person would

have been entitled to in case he or she had have lived to

obtain a grant in their own name And if such death

be occasioned by the Indians the said Henderson doth Promise and agree

that the Child or Children shall have as much as amounts to the usual

rights gratis Surveyors and other incidental Fees excepted

* And whereas from our remote situation and want of proper

Officers for the administration of Justice no regular proceed

at Law can be had for the punishment of Offences and attain

ment of right, It is therefore agreed that untill we ca

be relieved by Government from the many Evils and

inconveniencies arising therefrom, the Judges or Triers to be

appointed as before directed when qualified shall be and are

hereby declared a Superior Court or Jurisdiction, for the recov

of any debt or damages or where the cause of action or compla

has arisen or hereafter shall commence, for any thing done

or to be done among ourselves within this our settlement on

Cumberland aforesaid or in our passage hither, where the L

of our Country could not be injured or damages ma

any other way, That is to say, in all cases where the de

Damages or demand does or shall not exceed one hundred Dollars, any three of the said Judges or Triers shall be competent to make a Court and finally decide the matter in controversie, but if for a larger sum and either partie shall be dissatisfied with the Judgment or decision of such Court they may have an appeal to the whole twelve Judges or triers in which case nine members shall be deemed a full Court, whose decision if soever agreein one opinion upon the matter in dispute shall be final and their Judgment carried into execution in such manner and by such person or persons as they may appoint, and the said Courts respectively shall have full power to Tax such Costs as they may think Just and reasonable to be levied & collected with the debt or damages so to be awarded

And it is further agreed that a majority of the said Judges, Triers or Genral arbitrators shal have power to punish in their discretion, having respect to the Laws of our Country, all Offences against the peace misdemeanours and those Criminal of a Capital nature, Provided such Court does not proceed with execution so far as to effect life or Member; and in case any should be brought before them, whose crime is or shall be dangerous to the State or for which the benefit of Clergy is taken away by Law and sufficient evidence or proof of the fact or facts can probably be made such Court or a majority of the Members shall and may Order and direct

him

him her or them to be safely bound and sent under a strong guard to the place where the offence was or shall be committed or where Legal trial of such offence can be had which shall accordingly be done, and the reasonable expence attending the discharge of this duty ascertained by the Court and paid by the Inhabitants in such proportion as shall be hereafter agreed on for that purpose—

* That as this settlement is in its infancy unknown to Government and not included within any County in North Carolina the State to which it belongs so as to derive the advantages of those wholesome and salutary Laws for the protection and benefit of its Citizens, we find ourselves constrained from necessity to adopt this tumporary method of restraining the licentious and supplying by unanimous consent the Blessings flowing from a Just and equitable Government declaring and promising that no action or Complaint shall be hereafter instituted or lodged in any Court of Record within this State or elsewhere for any thing done, or to be done in consequence of the proceedings of the said Judges or general Arbitrators so to be chosen and established by this our Association—

That as the well being of this Country intirely depends under Divine Providence on unanimity of sentiment and concurrence in measures, and as clashing and various Interests passions, and opinions without being under some restraint will

most

most certainly produce confusion, discord and allmost certain ruin, so we think it our duty to associate and hereby form ourselves into one society for the benefit of present and future settlers, and until the full and proper exercise of the Laws of our Country can be in use and the Powers of Government vested among us, We do most solemnly and sacredly declare and promise each other that we will faithfully and punctually adhere to, and perform, and abide by this our association at all times if need be, compel by our united force a due obedience to these our Rules and Regulations, In Testimony whereof we have hereunto subscribed our names in token of our entire approbation of the measures adopted

The following or additional resolutions and further association was also entered into at Nashborough this thirteenth Day of May 1780 Towit

That all Young Men over the age of sixteen Years and able to perform Militia duty shall be considered as having a full right to enter for and claim Land in their own Name as if they were of full age, and in that case not be reckoned in the Family of his Father Mother or Master so as to avail them of any Land on their account.

That when any person shall mark or improve Land or Lands with intent to set up a claim thereto, such person shall write or mark in Legible Characters the Initial Letters of his name at least, together with the Day of the Month and

C.C. 545-455.3

and Year on which he mark'd or improved the same at the most Spring or notorious part of the Land or some convenient Tree, or other durable substance, in order to notifie his intentions to all such as may enquire or examine, and in case of dispute with respect to priority of right, proof of such transaction shall be made by the oath of some indifferent Witness or no advantage or benefit shall be derived from such mark or improvement, and in all cases where priority of mark or occupancy cannot be ascertained according to the regulations and prescriptions herein proposed and agreed to, the dost or first Entry in the Office to be opened in consequence of this association shall have the preference and the Lands granted accordingly

It is further proposed and agreed that the Entry Office shall be opened at Nashborough on Friday the 19th of May (instant) and kept from thenceforward at the same place unless otherwise directed by any future Convention of the People in general or their representatives.

That the Entry Taker shall and may demand and receive twelve Dollars for each entry to be made in his Book in manner before directed, and shall give a certificate thereof if required, and also may take the same Fees for every caveat or counter claim to ~~be~~ any Lands before entered, and in all cases where a caveat is to be tried in manner before directed, the Entry Book shall be laid before the

the said Committee of Judges, Triers or General arbitra-
tors for their inspection and information, and their
Judgment upon the matter in dispute fairly entered as
before directed, which said Court or Committee is also to
keep a fair and distinct Journal or minutes of all
their proceedings as well as with respect to Lands as other
matters which may come before them in consequence
of these our resolutions -

It is also firmly agreed and resolved that no Person shall
be admitted to make an Entry for any Land with the said
Entry Taker or permitted to hold the same unless such Person
shall subscribe his name and conform to this our
Association, confederacy and general agreement unless
it be for persons who have returned home and are per-
mitted to have Lands reserved for their use until the
first Day of May next, in which case entries may be
made for such absent Persons according to the True
meaning of this writing without their personal
presence, but shall become utterly void, if the
particular person or persons for whom such entry shall
be made should refuse or neglect to perform the same
as soon as conveniently may be after their return, and
before the said first Day of May in the Year 1781

Whereas the frequent and dangerous incursions of the Indians
and almost Daily massacre of some of our Inhabitants
renders it absolutely necessary for our safety and defence
that due obedience be paid to our respective Officers
elected -

elected and to be elected at the several Stations or Settle
to take command of the Men or Militia at such Fort or Stat
It is further agreed and resolved that when it shall be
adjudged necessary and expedient by such Commander
Officer, to draw out the Militia of any Fort or Station
to pursue or repulse the Enemy
the said Officer shall have Power to call out such and so
many of his Men as he may Judge necessary, and ev
case of disobeying may inflict such fine as he in his
discretion shall think Just and reasonable, and also
may impress the Horse or Horses of any person or persons
whomsoever, which if lost or damaged in such service
shall be paid for by the Inhabitants of such Fort or
Station in such manner and such proportion as the Comma
for the time being appointed or a majority of them shall direct
and order; but if any Person shall be ~~aggrieved~~ or aggrieved
or think himself unjustly used and injured by the fine
or fines so imposed by his Officer or Officers such Person
may appeal to the said Judges or Committee of General
Inhabitants who, or a majority of them shall have Powe
to examine the matter fully and make such order there
as they may think Just and reasonable, which decision
shall be conclusive on the Partie complaining as well
as the Officer or Officers inflicting such fine, and the Mone
arising from such fines shall be carefully applyed
for the benefit of such Fort or Station in such manner as the
said

said Arbitrators shall hereafter direct. —

It is lastly agreed and firmly resolved, that a dutiful and humble address or Petition be presented by some Person or Persons to be chosen by the Inhabitants to the General Assembly, giveing the fullest assurance of the fidelity and attachment to the Interest of our Country and obedience to the Laws and constitution thereof; setting forth that we are independent of any Nation or Tribe of Indians, as some of us have and do believe that they have fairly sold and received satisfaction for the lands or Territories wherein we reside and that we hope we may not be considered as acting against the Laws of our Country or the mandates of Government. That we do desire to be exempt from the ratable share of the Public expence of the present year or other contingent expences of Government. That we are from our remote situation utterly destitute of the benefit of the Laws of our Country, and exposed to the depredations of the Indians without any justifiable or effectual means of embodeying our Militia or defending ourselves against the hostile attempts of our enemy. Praying and entreating the immediate aid and Protection of Government by erecting a County to include our settlements, appointing proper Officers for the discharge of Public duty, &c.

Leave

14

Taking into consideration our distressed situation with respect to the Indians, and granting such relief and assistance as in wisdom, Justice and humanity may be thought reasonable

Command ya may &c

Nashborough 13th May 1780

Richd Henderson
Nath[l] Hart
Wm Moore
Wm Donelson. C.
Gasp. Mansker
John Caffery
Jno Blakemore Senr
John Blakemore Junr
James Shaw
Samuel Dyson
James Marten
James Buchanan
Solomon Turpin
Isaac Renfroe

Robert Cartwright
Hugh Rogan
Joseph Morton
William Woods
David Mitchell
David Shelton
Spill Coleman
Sam[l] M[c]Murray
Henderson

Edward Bradley
Edw[d] Bradley Junr
Jas Bradley
Richard Skaggs
Joseph Chasely
Henry Guthrie
Francis Armstrong
Robert Lucas
Jn° Robertson
George Freeland
James Freelan
John Tucker
Peter Catron
Philip Eaton
Francis Eatron
John Dunham
Isaac Johnson
Adon Keler
Thos Burges
Wm Burges
William Green
Moses. Webb
et Uselom Thomson
John mc Gray
James Thomson
Charles Thomson
Roberts Thomson
Martain Hardin
Rich Thomson
Andrew Thomson

Wm Eaton
Edward Thomelin
Isaac Drake
Jonathan Jennings
Zachariah Green
Andrew Lucas
James Patrick
Richd Gregg
I An D Drake
Daniel Kennedy
No 60

Timothy Terel
Isaac Sefever
Thomas Meeks
Saml Barton
James Ray
Thomas Denton
Thomas Hendricks
John Holladay
Wm Phipps
William Hood
John Boyd
Jacob Marrup
Henry Hardin
Richard Stanton
Simpson Sawyers
John Holson
Ralph Wilson
James Givens
Robert Givens
Jas Hood
James Buchanan
William Leech
Sam. Shelton
John Gibson
Robert Espey
George Espey
William Gowen
John Neilson

James Espey
Michael Limbaugh
John Cowan
Thomas Hodge
William Flenery
James Lesper
George Lesper
Daniel Mungle
Patrick McCutchan
Sam. McCutchan
Wm Price
Henry Herbey
Joseph Jackson
Daniel Ragsdil
Michael Shaver
Samuel Wilson
John Iler
Joseph Daugherty
George Daugherty
Chas Cameron
Russell Sinr
Hugh Simpson
Samuel Moore
Joseph Denton
Arthur McAdo
James McAdo
Nath Henderson
John Evans
Wm Barkley Smith

Peter Luney
Jno Luney
James Cain
David Stanton
Dan'l Laird
Jesse Mary
Noah Hamilton
Charles Sperry
John Anderson
Matthew Anderson
Wm McWhorter
Daniel Haney
Henry Dougherty
Zach White
William Hays
James Ray
William Ray
Thos Grimes
Samuel White
Daniel Hogan

No 89

10

Wm Haines
Robert Goodloe
Thos Wheeler
Wm Barrel
Hans Shannon
James Moore
Edward Moore
Richd Moore
Jno. Moore
Elijah Moore
John Moore
Dempsey Moore
Andrew Irwin
Ebenezer Titus
Mark Peterson
John Montgomery
Charles Campbell
William Overall
John Turner
Nathaniel Overall
Jonathan Quigley
Josias Gamble
Saml Newell
[illegible]
David Maxwell
Thos Jeffries
Joseph Bannagin
John Chelton
Andrew Buttons
Daniel Haygodell
Jno M. Wyatt

D. Williams
John Madeus
Samson Williams
Thomas Thompson
Martin King
Wm Legate
John Elsted
Nicholas Conrod
Levin Levins
Jonathan Levins
Thomas
Joshua Thomas
David Rounsaval
Isaac Rounsaval
James Crockett
Ebenezer Crockett
Russell Gower
John Shannon
David Shannon
Jonathan Drake
Benjamin Drake
John Drake
[illegible]
Richd Dodd
James Cook
James Cooke
Daniel Johnston
[illegible]
Geo. Nines
George Green
[illegible]
Jacob Cumberlin
Robert Dorsey

John Crow
William Summers
[illegible]
Amos Madden
Morton Madden
John Durham
Archelaus Hillary
Saml Hayes
Nathl Hayes
Isaac Johnson
Thomas Edmeston
Ezekl Norris
William Purnell
Wm McMurray
John Cowdry
Nicolas Framal
Haydon Wells
Daniel Ratcliff
John Calloway
John Cleak
Willis Dope
Silas Hudson
Hugh Leper
Harmon Conselles
Humphrey Gray
James Foster
Wm Morris
Nathaniel Bra[illegible]

A Paton
William Bowar
Edmund Newton
Jonathan Green
John Phillips
George Flynn
Daniel Jewett
John Owens
James Finland
Thos Molloy

No.	102	102
80		81
60		64
	242	247

Isaac Lindsey
Isaac Bledroe
Jacob Castleman
George Power
James Lynn
Thomas Cowe
Edward Lucas
Philip Alston
James Russell

	9
	256

18

107
81
64
9
255

Clerks Fees

	£	s.	d.
For Entering of Every Appearance & Default		1	0
Every Capias or Leading Process		2	0
Every Recognance		2	00
Entering of Every Recognizance		1	00
Entering of Every Order of Court		1	00
Every Supœna for Witness		1	4
Every Summons for any Garnishee		2	0
For Administering Each Oath		0	4
Entering of Judgmt		1	0
Dismission of Suit by Either Party		1	0
Search of a Record		1	0
Coppy of Ord of Court		1	0
Taking of Every Deposition in Writting		1	0
Every Person Discharged		1	0
Every Scire Facias		2	0
Writing of Every Warrant		2	0
Recording Every Mark & Brand		1	4
Every Attachment		2	0
Every Attachment Bond		2	0
Every Venditioni Exponas		2	0
Every Execution Including all Services Thereon		2	0
Every Scire Facias Against Bail when Necessary Including all the Services Thereon		5	4
Entering the Probate of Will Qualifying Executors Making Certificat Recording, giving Copy &c		7	4
Granting Administration — Taking Bond &c. the Other Services Thereon		7	4
Granting Letters Administratory, or Testamentary		8	8

THS CC NO 155

The Absolute Rights of Individuals are:- Rights of Personal Security — Rights of Personal Liberty. — & the Rights of Personal Property

Specifies an Action of Trespass Vi et armis —

It is a Settled Distinction that Where an Act is done which is an Affect & an Immediate injury to Another's Person or Property — As Threats, Menaces, Assaults, Battery, Wounding, Mayhem &c.

Special Actions of Trespass on the Case —

Injuries Affecting a mans health, as Unwholsome Food, Physick, &c. not committed by Force & Violence —

Culpable Omissions, Damages by Consequence Collateraly

Anything Removed & Pursued to be Returned

North Carolina — Cumberland River — Janry 7th 1788

The Manifold Sufferings & Distresses, that the Settlers here, have from time to time Undergone, Even Almost from our first Settling: With the Desertion of the Greater Number of the first Adventurers, Being so Discouraging to the Remaining Few: That All Administration of Justice Seemd to Cease from Amongst us; Which however Weak, Whether in constitution, Administration, Or Execution; Yet has been Construed in our favour; Against those Whose Malice, or Interest, Would Insinuate the People Ried to A Hiding place from Justice; And the Retreat of them Again Earnestly Recomended: And now having a little Respite granted: And Numbers Returning to us; It Appears highly Necessary: That for the Common Weal of the Whole; The Securing of the Peace; The Performance Of Contract Between Man & Man; Together with the Suppression of Vice: Again to Revive our former Manner of Proceedings Pursuant to the Plan Agreed Upon at our first Settling here: And to Proceed Accordingly, Until such Time as it Shall Please the Legislature to grant us the Salutary Benefit of the Law Duly Administered Amongst by their Authority.

To this End Previous Notice having been given to the Several Stations To Elect Twelve Men of their Several Stations Whom they Thought Most Proper For the Purpose: And being Elected to Meet At Nashborough the 7th Day of Janry 1788 Accordingly there Met at the Same Time & place Before Viz:

Col. Jas. Robertson	Haydon Wells
Capt. Geo. Freeland	Jas. Maddin
Tho. Molloy	Ebenezer Titus
Isaac Linsey	Sam. Barton
David Rounsevall	Andrew Ewin

Constituting themselves into a committee for the Purposes Before Viz: By Voluntarily taking the following Oath Viz

I A. B. Do Solemnly Swear that as a Member of Committee I will do Equal Right & Justice According to the best of My Skill and Judgement in all the Decision of All Cause that Shall be laid before Me Without Fear, Favour, or partiality, ——— So help me God ———

TENNESSEE HISTORICAL SOCIETY

The Committee to Constitute, Proceeded to Elect Andrew Ewing, To be their Clerk — John Montgomery to be Sheriff of the District, And Col. James Robertson to be their Chair-Man.

The Committee then Proceeded to Settle the Fees of the Clerk & Sheriff, to Follows Viz.

To the Clerk

		£	s	d.
	Entering Every Appearance, & Default			8
	Every Capias			8
	Every Recognizance		1	0
For	Entering Every Recognizance			8
	Entering Every Order of Court			8
	For Every Warrant			8
	For Administering Each Oath			4
	Entering of Judgement			8
	Search of a Record			8
	A Copy of an Order of Court			8
	Taking Every Deposition in Writting			8
	Every Person Discharged			8
	Every Scire Facias		1	4
	Writting a Warrant		1	4
	Recording Mark, Mark & Brand		1	4

Sheriff Fees

John Thomas Produced in Committee A Note of hand Against John Sadler for the Payment of two good Cows or Heifers 3 yrs old, on the 1st of Novr. in the Year 1780. Proved his Account, Desired the Committee to Award the Damages Sustained: Obtaining at the Same Time an Attachment Against the Estate of Jno. Sadler, & Entering into Bond in the Sum of One Hundred & Twenty Pounds, Payable to Coll. Jas. Robertson Chairman of Committee, or his Successors Conditioned for the Prosecuting of his Suit to Effect. And if Cast to Pay all Cost & Charges Incident Thereto. Obtaining at the Same Time a Summons for Gasper Manses as Garnishee of Jno. Sadler to Appear at our Next Committee on the 5th day Febry.

Jno. Holler Appeared in Committee & Declared on Oath that Edward & Isaac Thomas Threatned his Taking away of his Life, Thereby he was hindered in the Pursuit of his lawfull Calling ——— On Which a Writ Issued for Apprehending Edd. Thomas, Isaac Linsey, Heydon Wells, & David Saunders All Ordered to Take Recognizance of them for their good Behaviour in the Mean Time And their Appearance at our Next Committee on the 5th of Febry.

Wm. Steward Appeared in Committee, and Proved his Account Against the Estate of James Lumsday Decased, of £2 2 9

Committee Adjourns to the 5th day of Febry Next

North-carolina Cumberland District Sept 16th: 1782

At a Committee Called at ye Desire of ye Inhabitants for the Offering of an Address To ye States Commissioners on behalf of Some Minors, And Heads of Families, Which was Deferred by there Minority & the Others by not Arriving here by the Time Prescribed by ye Act of Assembly for Obtaining of Lands. And that they would Represent there case to the Assembly in hopes of there Indulgence Toward them, And that the Commissioners would in the mean Time, be pleased to Receive there Location for there Improvements. To the Intent that they might be generally known. In hopes that there would not Interfer Therewith. ——— To Which the Commissioners was Pleased to Return an Ans^r. That To ye S^d. They would do Every in their Power for them. But To Receiving of their Locations it did Come not in the Line of there Duty &c^a.

The Members then Present Were Col: Ja^s. Robertson, Capt. Ge^o. Freeland, Thos. Molloy, Isaac Linvey, Heydon Wells, David Bournevall, Ebenezer Situs, Saml. Barton, Likewise Capt. Isaac Wedgo, & Capt. Ind^a Bashamore, Appeared, & Qualified for Members & Committed And After Dispersing of the Above Business the Com^tee On Motion Made by Ja^s. Mc Caine. Proceeded To Take the Deposition of Isaac Neally. Viz^t. That he ye D^r. Isaac Nealy was Witness To a Bill of Sale ye Contents of Which, he Believes was of a Bed Purchased of Saundan Gibson by ye D^r. Mc Cain ——— And further ye Deponent S^d. not ———

The Com^tee Proceeded no further To Business, But Reserved To there former Rejournment & Dismissed ——— ——— ———

North Carolina. Cumberland District. Feb: 4th: 1783

Committee meet According To Adjournment

Members Present Capt. Ge^o. Freeland, Isaac Linvey, Heydon Wells, David Bournevall, Ebenezer Situs, And James Shaw Elected for Nashborough Appeared And Qualified for a Member of Com^tee

The Com^tee then Proceeded & Swore in John Montgomery To be Sheriff of ye District, And Andrew Erwin for Clerk To ye Com^tee

On Motion made ye Com^tee Granted ye Administration of the Estate of John Turner Dec^d. To M^r. John Maxey, D^r. Maxey Entering into Bond. & Heydon Wells & John Dunam, Securities. for the Sum of One Thousand Pounds Proclamation Money, Payable To Col. James Robertson and his Successors &c

&c

Continued

As Chairman of Com^tee or their Assigns And Also Qualified as by Law Requires
And there not being a Majority of Members present, they Proceeded no further but
Adjourned Until the first Tuesday in March 1782

North Carolina Cumberland District March 4th 1782

The Committee meet According to Adjournment,
Members present Col^o James Robertson, George Sacceland, Thomas Malloy
Isaac Linsey, David Bounsevall, Ebenezer Pelue, Samuel Barton & James Shaw,
The Committee then Proceed to take Under Consideration an Address
offered to them ~~to them~~ Relative to the Inhabitants of Cumberland, giving
Assurances of Fidelity to the Government of the State on which they
Proceeded: Which Unanimously was Approved of by Com^tee And Agreed that
It Should be done as soon as Opportunity would Serve

The Committee Proceeded, And on Motion made, Granted the Administration
of the Estate of David Goings Dec^d to William Goings on his Entering
into Bond with James Shaw Security in Penalty of Two Hundred Pounds
Specie Payable to Col^o James Robertson and his Successors as Chairman of
Com^tee or their Assigns; And Likewise took the Oath of an Administrator

Received on Motion made the Com^tee Granted the Administration of the
Estate of James Harrad Dec^d to Daniel Hogan Husband of the Relict
of the Dec^d On his Entering into Bond with Isaac Linsey & Stephen Hays
in Penalty of three Hundred Pounds Specie Payable to Col^o James
Robertson and his Successors as Chairman of Committee or their Assigns
And Likewise took the Oath of an Administrator

The Trial of James Weller Against Joshua & Isaac Thomas for Breach
of the Peace Neither of the Parties Appearing was Continued

John Thomas v Sadler Gasper Mansco Summons as Garnishee
And not Appearing was Continued

Humphrey Hogan v Stephen Hay, Both Appeared and on Motion made by
the Defendant was Continued Insistance

Humphrey Hogan v John Hoover Isaac Mayfield & Wm Wathen, Parties Appear
And on Motion made by the Defendant was Continued Insistance

In a Trial of Andrew Weller v John Dunam for Breach of Contract; the Plaintiff
with Jno Buchanan Being Sworn And Heard; the Com^tee found for the
Defendant

27 27 (27)

On a Trial of Andrew Heller & James Foster for Trespass, In killing of a Steer Claimed as the Property of the Plaintiff Capt. Deccan, Thompkey Hogan, John Castleden & John Tucker the Plaintiff's Witness being Called, Sworn, and Heard, the Comttee found for the Plaintiff (Damages Five Pounds) & his Costs

Daniel Hogan & Wife & James Todd Parties Appeared; And y. Committee Recommending it to them to Try & Adjust matters themselves, or otherways to State their Accounts Properly against Each Other, by the Ensuing Comttee Sine parlance

Jesse Turner & William Seaton for Debt Agreed; And the Defendant to Satisfy the Costs of Suit

Silvia Thorn & Hedrick Stumph for Trespass, the Parties not Appearing Was Continued

David Gibson & John Dunam for Detaining of a Bed without Judgement Obtained for the Same; None Appearing in Behalf of y. Plaintiff It was Continued

Daniel Hogan & Wife & Thanes Armstrong for Debt Indian Corn And the Plaintiff Witness Sworn & Heard, the Comttee found for y. Plaintiff Damages One Pounds Twelve Shillings and his Costs

The Trial of Jewell & Capt. Keelling for Trespass Dismissed at y. Defts Costs

Norman White & John Stein & Mark Noble for Breach of Contract concerning the Delivery of y. Plaintiff a Quantity of Indian Corn; the Plaintiff Witness Sworn & Sam. Adams being Called, Sworn, & Heard, the Comttee found for y. Plaintiff & Mark Noble; Damages Ten Pounds And Costs

March 1st 1768 James Maulding Moved an Account Against Estate of Richard Standon Decd. of £12 Virginia Money Beyond the Mt. Molloy; Obtained Warrt. And Entered in to Bond of Double y. Sum & Gave Sufficient Security

5—4

North Carolina

(28)

Nashbourough Cumberland Precinct March 4th 1782

The following (addressed) Offered to the Committee as Guardians of this Infant Settlement

Gentlemen

Considering that ye Safety & Welfare of this our Country does Under Divine Providence Depend on ye Unanimous & Joint Concurrence of ye Settlers: That our Remote Situation — And the Want of Officers Legally Authorized for ye Administration of Justice Amongst us: Being such y^t no Regular Proceedings at Law can be had to Punish Offenders Against the Same

And Whereas our Present Circumstances seem to Declare it our Wisdom. And Interest to Endeavour the Cultivating of Peace & Friendship wth ye Savages Around us, And y^t ye Interests of such Already in Alliance wth ye States, Whether Indians or Others Remain Sacred & Inviolate

And seeing our Circumstances is such y^t Least any Persons should be Encouraged Thereby, to ye Contrary Practices from a Presumption of Escaping with Impunity. That this Com^tee would Strictly Forbid all & Every Person or Persons here Residing, to Join or Prosecute any Measures or Proceedings, that may in anywise be Prejudicial to ye Lives or Properties of ye Inhabitants Others; for any Practices ye Consequences of which may in anywise be Prejudicial to ye Peace & Welfare of this our Infant Settlement Under Pain of Information and Prosecution hereafter to be had

And Whereas we are frequently Insulted as Unworthy of ye Care or Protection of the State. Being a People Inimical in ye Cause of Liberty. And as such Exposed to a Hideing Place from Justice: And Being Willing as far as in us lies to give all Possible Satisfaction to ye Contrary, By giving such Assurance of our Fidelity to ye Government of the State in Which we live, (And Whose Protection We Humbly Confide & Hope to Enjoy) Thereby ye Cause Thereof Be Removed Acknowledging it our Bounden Duty so to do

And if these Hints meet wth ye Approbation, Let it be then Agreed by this Com^tee that Each Member Thereof, Take ye Oath of Abjuration & Fidelity as by ye Law of this State Prescribed; or give Such an Assurance of having taken it Heretofore: And Have at an Time since, been Friendly to the Interests of the Enemies of ye United States.

And that After the Giving of this Com^tee the Oath Shall be Extended to Every Male Inhabitant Above ye Age of Sixteen Years Residing on ye Waters of Cumberland, Except Such as Shall Give Assurance of having taken it Heretofore; Refuse Speech And that the Sheriff of Said County Shall Constitute a Person an Inhabitant

The Above Agreed to & Approbation of Committee

Jeff^n Andrew Ewin, Chm^n Com^tee

North Carolina — Nashbourough —

A Committee called — March 15th — 1786 —

Members present Col: Ja.s Robertson, Tho.s Molloy, Heydon Wells, Isaac Linsey, David Gourseall, Sam.l Barton, Ebenezer Titus, Capt.t Isaac Bledsoe —

When And on Motion Made the Committee Agree that an Address be sent to the Assembly Acknowleding our greatful sense of there late favour in Granting us Lands. Praying them to grant us y.e Salutary Benefit of Goverment in all its Various Branches, And that a Land Office may be Opened on such a Plan as May Encourage the Settling the Country, that the Protection of it may be Less Burthensome to Goverment

And that Col: James Robertson present the same, Being Elected thereto By the People —

On Motion; Agreed that Six Spies be Kept out to Discover the Motions of the Enemy & take as many as they shall be able to May them, Each to Receive 7 y.e Bushels of Indian Corn p.r Month; the Subscriptions of Nashbourough, Cavelands & Manuces Station Filed w.th y.e Clerk of Com.tee

The Deputation of Thomas Fletcher to y.e Sheriffality of y.e District by John Montgomery Disannuled; And the Committee Elect the s.d Fletcher themselves; who was then Sworn Sheriff of y.e District of Cumberland —

It being thought Necessary for our Better Defence, in these times of Danger that Officers be Chosen in Each Respective Station to Embody the Inhabitants for their greater Safety, Accordingly there was made Choice of at Nashbourough Station William Gourd for Capt.t Sam.l Martin & Jn.o Buchanan 1.st & 2.d Lieutenants to And William Overall Ensign —

At Cavelands Station Joshua Howard, Capt.t James Dallason, Lieut.t — And Jn.o Dunam Ensign —

At Heatonsburg Station Josiah Gamery Capt.t James Walker Lieut.t Joshua Thomas Ensign —

At Manuces Station, Isaac Bledsoe Capt.t Gasper Manuce Lieut.t James Linn Ensign —

At Mashings Station Francis Cairnes Capt.t Ambrose Mashing Lieutenant —

North Carolina, Nashbourough April 1.st 1786 —

Committee meet According to Adjournment

Members present Col: James Robertson Tho.s Molloy, Ge.o Cleveland, Heydon Wells, Isaac Linsey Capt.t Isaac Bledsoe Capt.n Jn.o Blackamore James Mashing Ebenezer Titus Sam.l Barton James Shaw

And proceed to consider of the following Address, Which Unanimously Rec.d their Approbation —

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An Address to Committee Sept. 5th 1783

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Gentlemen

Whereas the Purchasing of Liquors Brought from Foreign Ports, And Sold to the Inhabitants here at Exhibitant Rates; And Carrying away the Money out of the Country Will greatly Tend to the Impoverishing of this Infant Settlement;

For Remedying of which Evils; Let it be Resolved & Agreed on by this Committee That from & After the first day of April

Any Person Bringing Liquors here from Foreign Ports, Shall before they Expose the same or any Part thereof to Sale, Enter into Bond before some Member of Committee With Two Sufficient Securities in the Penal Sum of Two Hundred Pounds Specie Payable to the Chairman of our Committee and his Successors as Such; That they Will not Ask, Take, or Receive directly or indirectly any more than one Silver Dollar & the Value thereof in Exchange for one Quart of good sound Merchantable Liquor And so in Proportion for a greater or Lesser Quantity; And any Member of Committee Before whom such Bond is Given, Shall grant Certificate thereof to the Giver.

And any Person Selling or Exposing to Sale any Liquors Brought from Foreign Ports, Not having Entered into Such Bond as Afores.d the same Shall be Liable to be Seized by Warrant granted by any Member of Committee Which they are hereby Empowered & Required to Issue And so Seized to Secure, & Detain the same; Until they Shall Enter into such Bond as Afores.d or otherwise Oblige themselves to Transport their Liquors again out of this Settlement, Provided Always That if Neither Shall be Done within Twenty days After such Seizure the same Shall be Deemed and Held Forfeited; And Shall be Sold, & the Money Arising thereby Shall be Applied to the Use of the Publick at the Direction of the Committee

And if Any Person Upon giving Bond in Either of the Penalties as Afores.d Shall Afterwards make Default therein And on Information & Prosecution be Convicted thereof by Sufficient Witness before our Committee, their Bond Shall be Deemed & Held Forfeited And Judgment be Awarded Against them Accordingly And on Refusal or Delay to Satisfy such Judgment; the same Shall be Levied on their Goods & Chattels by Distress, And the Money Arising thereby; to be Applied as Afores.d Under Direction of Committee

Provided Always that such Prosecution Shall Commence Within Six Months After Default made

Approved Resolved & Agreed by Committee

Test Andrew Irwin Clk

On Motion Ordered That William Overall Administrator on the Estate of Patrick Lynch Dec.d having Entered into Bond of Fifty Pounds Specie, James Ford & Stephen Gay Jun.r Security to Col.o Robertson Chairman of our Committee and his Successors as Such And Also took the Oath of an Administrator According to Law

On Motion Made Ordered — That a Road be Opened from Nashbourough to Manseds Station, And thence to Mauldings Station, And that Capt. Daniel Williams And John Buchanan Junr. Lay it off from Nashbourough towards Manseds Station Untill they Intersect with the New Trace leading from there this way, And that Capt. Mansee And Noah Maulding lay off the Road Between Mansed and Mauldings Station. — That Rumphrey Hogan & Henry Ramsey Lay off a Road from Heatonsburgh to Manseds Station — And that John Buchanan Senr. be Overseer of the Road for half of the way from this to Manseds And Capt. Barton over the Other End from Manseds this way; That Capt. John Strachamore be Overseer from Manseds towards Mauldings, And Capt. Jas. M'Gaddan from Mauldings this way, That Stephen Hay be Overseer from Heatonsburgh towards Manseds And Josiah Ramsey from Manseds towards Heatonsburgh. And that Each of the Aforesd. Overseers call together as many of the Inhabitants of there Respective Stations as they can, to Assist in Opening of the Aforesd. Roads

The Committee then proceeded to the Causes on the Docket

In a Trial of John Thomas, Plaintiff by Attachment, Against the Estate of John Sadler Absconded; Gasper Mansee (being Summoned as Garnishee) Appeared And Being Sworn, Informed the Committee that he had Decieved Two Mares of the Sd. Sadler to keep on half Stocks, for the Term of Five Years. And the Committee after Deliberating a While thereon, Agree to Postpone there Judgment Untill further Evidence Appear at the Succeeding Committee

The Suit of Rumphrey Hogan, against Stephen Hay Continued on the Defts. Making Oath that Some of his Witnesses Whose Evidence was Material in the Cause were Absent.

In a Trial of Rumphrey Hogan Plaintiff, Against John Pearson Isaac Mayfield And his Mother, for Detaining a Kettle by the Plaintiff Lent to Old Mrs. Mayfield Decd. Which Richard Henderson Left in Custody of the Sd. Plaintiff — The Plaintiff Witness Gasper Mansee, & Phillip Crammell being Called Sworn And Heard, the Committee found for the Plaintiff his Kettle and that John Pearson & his Mother in Law pay the Costs of Suit

In a Trial of Obid Shaw Plaintiff & Frederick Stump Defd. Concerning of Lands Lyed and Cleared at Heatonsburgh by Wm. Penttro And by y.d. Penttro Rented to the Sd. Stump for one Year: And Afterwards According to the Allegations of Plaintiff Conveyed to Him by y.d. Wm. Penttro & Defendant Alledgin that that he had Purchased of the Sd. Penttro, A the Deposition of the Sd. William Penttro And James Penttro Being Read, the Committee Recommended it to the Parties to Settle y.r Dispute themselves Which they Did in Presence of the Committee, And the Defendant Agreed to give the Plaintiff 30 Bushels of Indian Corn to be Delivered at Eatons Station Next Fall as Rent for the Ground the Ensuing Crop, And at the Same time to Quit Any further Claims to y.e Lands now Contended for.

Conditioned that y.e Plaint. Pay Costs of Suit

In a Trial Between George Sclym Plaintiff. And Isaac Harman Defd: Concerning
the Defd: Keeping of a Carriage the property of the Plaintiff:
Daniel Williams Sworn. Sheweth
The Plaintiffs Witness being called Sworn & heard: the Committee found for the
Plaintiff Damages 40/: And his Costs of Suit

The Suit of Wm. Logans Plaintiff And Todd, Harris, And Thos. McFarland Defdts Continues
At the Plea of the Defdts.

In a Trial of William Mitchel Plaintiff and Geo. Manseo Defd: for Breach of Contract in not
Delivering of the Defd Plaint a Heifer Agreeable to Bargain
the Plaintiffs Witness Capt: Amos Heaton. And Likewise the Defdt Michael Shaver And
Jno McFarland being called Sworn And heard the Committee Found for the Plaint
his heifer And the Defd: pay Costs of Suit

In a Trial Between James McCain And William Grahams concerning of a Bed
In the custody of the D. Grahams, And Afterwards by the D. McCain purchased
of Soudan Gibson, for Which he produced a Bill of Sale from D. Gibson: Which was
proven by the Deposition of Isaac Neally thereto Sworn before our Committee
the Committee found for y. Plaint. his Bed and his Paying Costs of Suit

In a Trial of Saml Martin Plaint. And Saml Walker Defd: for debt. the Parties Agreeing
to the terms of there Contract Refer to the Committee for Judgment Which found for
Plaint. his Debt of 5 Dollars And Costs of Suit.

The Suit of Saml Martin Plaint And Capt. Jno Blackamore Defd: Dismissed by y. Plaint.

In the Trial of James Maulding Brought by an Attachment Against the Estate of Jno
Richard Stanton the Committee Award for the Plaintiff

The Committee Adjourns to the 5th Tuesday of May

Test Andrew Irwin Clk

(33)

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North Carolina, Cumberland district. May 6th 1782

Committee met According To Adjournment

Members Present Col. James Robertson, Thomas Molloy, Gen. Sneed, Capt. Barton

Daniel Gonoway, Isaac Lewey, Ebenezer Peters, James Sharp, & Capt. Isaac Wedow.

When Thomas Molloy Informed the committee, that he had since the last Sitting at y. Request of some of y. Members sent Letters to y. Agent for y. State of Virginia Residing at y. Illenois And Likewise to y. Spanish Governor Informing them that some of our People had gone down y. River this Spring Upon Pretence of Trading with y. Chickasaw Indians, But by the Report of some Lately come from y. Illenois who met with y. in there way here: We are Afraid That there design was to Assist in Plundering of some of the Trading Boats And that if any such thing should be Committed or Effected by or with y. Assistance of any belonging to us. that it was Contrary to y. Principles And Intentions of y. Generality of People here, to use Detest and Abhor such Practices, And that we would Endeavour for y. future to Prevent any such Proceedings: Which Information and Conduct of Mr. Molloy was Unanimously Approved of and Acceded to by y. Committee

On Motion Made, Resolved and Agreed by this committee that from and After this Sixth day of May 1782 No Person or Inhabitant of this Settlement Shall Trade Traffick or Barter with any Indians nor Goods unto them on y. Other side of y. Ohio or y. dividing Ridge Between Tenasee and Cumberland Waters nor go down Those Western Waters Upon Pretence of Trading to y. Illenois or Elsewhere Without Permission first had and Obtained of the committee, And Likewise give Bond with Approved Security, in any Sum at y. Discretion of the committee Payable to y. Chairman there of and his Successors as such, Conditioning that there Conduct Shall not Directly nor Indirectly in any wise Prejudice the Interests of this our Settlement

On Motion made, Such of the Members of Committee as had not heretofore Taken y. Oath of Abjuration & Fidelity in this State Proceeded to take it. Which was first Administered to there Clerk by Col James Robertson: And Afterwards by Clerk in committee to the Members as Assoc'd. And the Rest of the Members Made Oath of having taken it heretofore in this State: And had at no time Since been Engaged in y. Interests of Enemies of y. United States.

Committee then Proceeded to hear y. Cause on y. Docket

When In a Trial Between Humphrey Hogan and Stephen Hay in a Plea of Slander Brought by D. Hogan in behalf of his Wife against D. Hay. In which the Defd. put in Plea of Retainment that y. Plaint. had not taken the Oath of Fidelity to States, When y. contrary Appearing, to the Committee the Plea was Overruled And the Plaintiff Awarded his Cost to the time of Overuling the Plea: After which Rebecca Montgomery and Cherjah Jones y. Plaint. Witness being Called, Sworn, and heard, the Committee Found for the Defd.

In a Trial Between Can.d Hogan and Obidiah Jerrell in a Plea of Debt Brought by Hogan & Jerrell. Barnet Harrod Witness for y.e Plan.ts Being called, Sworn, and heard, The Committee found for y.e Plaintiff W.m and his Costs.

In a Trial Between Thomas Spencer and James Todd in a Plea of Debt Brought by D.r Spencer against D.r Todd, the Witn.ss for y.e Plaintiff Col.o James Robertson and Sam.l Barton, And for y.e Defd.t Isaac Johnson. When the Committee found for y.e Plan.t a Specifick performance of an Award formerly given by Col.o James Robertson and Sam.l Barton: And that he pay y.e Costs of y.e Suit having had a Lawful Tender made by him of y.e Aforesaid Award. by Defendant heretofore

In a Trial Between Andrew Heller and Sam.l Martin, for Default made By D.r Martin in a certain Contract by him made w.th D.r Heller in Consideration for y.e Rent of y.e D.r Hellers house in Hunting: When y.e Witn.ss for y.e Plan.t John White And for y.e Defd.t Thomas Fletcher Being called, Sworn and heard, The Committee found for y.e Defd.t his Costs

In a Trial Between Julius Sanders and James Thomson in a Plea of Damages Brought by D.r Sanders & D.r Thomson for Default made, in a certain Contract by him made w.th y.e D.r Sanders concerning of a Piece of Cleared Grounds. When Robert Thomson and Russell Gowen Witnesses for y.e Plaintiff Being Called Sworn and heard, the Committee found for y.e Defd.t his Costs

In a Trial Between Isaac Armstrong and Sam.l Martin in a Plea of Damage Brought by D.r Armstrong & D.r Martin concerning of a Hog Sold by y.e D.r Armstrong, by y.e D.r Martin: the Property of which Belonged to James Robertson and by him taken from D.r Armstrong. When the Defd.t confessing the Cause of Action, The Committee found for y.e Plaintiff Damages 2.s 4.d And Costs of Suit

In a Trial Between Julius Sanders and John M.c Adams concerning a Quantity of Indian Corn Alledged, by D.r Sanders to be due to him from D.r M.c Adams. James Franklin the Witness Exhibit y.e Parties, Being called Sworn and, heard, the Committee found for y.e Plaint.t One Bushel and a half of Indian Corn And Costs of Suit

A Suit Brought by Julius Sanders Against John Gibson In a Plea of &c.a Debt or Damages in Lieu of Cattle Won by D.r Sanders from D.r Gibson in Gaming at Cards; The Committee Judging the Debt Illegal Dismissed The Suit

In a Suit Between Catharine Lefever and Robert Lefey and Wife in a Plea of Damages, Brought by y.e D.r Lefever & the D.rs Lefey & Wife; When y.e Defd.ts not Appearing Judgm.t was given & them by Default

In a Trial Between James Thomson and Tho.s Fletcher in a Plea of Damages Brought by Complaint of James Thomson against D.r Fletcher Concerning of Cleared Land by y.e D.r Fletcher which he delayed to Return to y.e Defd.t Confessing y.e Cause of Action y.e Committee finds for y.e Plaintiff Damages

In a Tryal Between John Hamilton and Sam.l Martin in a Plea
of Damages Brought by p.l Hamilton p.d Martin for Breach of Contract
Concerning of an Improvement of Lands by p.d Martin Sold to p.l Hamilton
The Priority of Which Improvement p.d Martin did not Maintain to p.l
p.l Hamilton — Witness for p.l Plan.l Dan.l Dunam, Isaac Johnson and
Israel Parman Being called Sworn and heard. The Committee Found for
The Plantiff Damages £ — And Costs of Suit —

In a Tryal Between Sam.l Mason and William Leaton, Brought
By Attachment p.l Estate of p.d Leaton by p.d Mason. The Plan.l
Having Proved his Debt, And none Appearing to Object to p.l Contrary
The Committee Found for p.l Plan.l his Debt of £ S.l C.l —

In a Tryal Brought by John Thomas by an Attachment p the Estate
of John Sadler, Gasper Mansco Being Summoned as Garnishee to p.d
Sadler Having Appeared at a Preceeding Committee And Being Sworn
Informed the Committee that he had Rec.d of p.l p.d Sadler Two Mares
to keep on half Stocke for p.l Term of Three Years. The Committee
Then after Deliberating Thereon, Agreed to Postpone Until further
Evidence might Appear at the Succeeding Committee, as p.l Garnishee
then Alledged that p.l Evidence of Benjamin Hirlingdall, would
Corroborate p.l that he had then Deposed. On Which p.l p.d Hirlingdall
being Summoned Appeared, And being Sworn Informed p.l Committee
that Sometime before he Left p.l Settlement, p.l p.d Sadler had Offered
To Sell him Two Mares Which he p.d he had Left w.th Gasper Mansco,
On half Stocke. But did not Remember that p.d Sadler told
him how Long p.l Term of Time was; On Which the Majority of p.l
Committee was of p.l Opinion that p.l Property of the p.d Mares was
Vested in p.d Mansco by p.d Sadler until p.l Expiration of p.l Three p.d
Term; and so gave Judgement In behalf of p.l Deft.s —

The Suits of William Logan p.l Plantiff p James Todd, Jn.o Harris
And Thomas Mc Farland Defts. Concerning p.l selling of a Mare p.l Property
Of p.d Logans, by Selling a Deed. Likewise of Frederick Stump p Jn.o Harris
Stump p James Todd, Stump p James Mathewin, And Stump Again
Thomas Mc Farland; for Selling of a Mare the Property of p.d Stump
By Selling of a Deed. Was Agreed by p.l Parties themselves in
Committee. The Plantiffs Having To have p.l Prehines Appraised
By three Judicious men at p.l Nomination of p.l Committee,
And to take half p.l Appraisment, Which p.l Defts Agreed to Pay
And the Clerk & Sheriff give up their Fees —

After Which the Committee Adjourned to p.l 2.d Tuesday in

Andrew Irvin Clk

State of N. Carolina Cumberland District June 8th 1788

Committee Meet According to Bjournment

Members Present Col. James Robertson Genl. Sneeland Thos. Molloy Ebenezer Titus
Sam.l Barton James Shaw Isaac Wood David Gourneall Heydon Wells

When On Motion Made by Major John Reed Relative to Assembling of the Southern Tribes of Indians at the French Lick on cumberland River for Holding a Treaty With the Commissioners Appointed by the State of Virginia; When the Committee considering how Difficult it will be for a handfull of People Reduced to Poverty and Distress by a Continued Scene of Indian Barbarity, to furnish any Large Body of Indians With Provisions, And how Prejudiciall it may be to our Infant Settlement, Should they Not be Furnished w.th Provisions, Or otherwise Dissatisfied w.th the Terms of the Treaty

On Which Considerations the Committee Resolve it to Unanimous Suffrages of y.e People of this Settlement Whether the Treaty shall be held here with there Consent Or no; And that the Suffrages of y.e Several Stations be Delivered to y.e Clerk of Committee by Thursday Evening y.e 12th Inst. At Which Time the Suffrages of Sneelands Station, Heatonsburgh and Nashbourough Were given in, And are as Follows

Sneelands Station No Treaty here Votes 62 Heatonsburg Treaty here Votes 44 No Treaty 5
Nashbourough No Treaty here Votes 26 Ford Treaty here Votes 80
The Other Stations of Gasper Mansco, And Mauldings, Waiting to Return there Votes,

Committee Then Proceeded to the Causes on the Docket

When In a Trial Between David Gwin & John Dunam Baough by D.r Gwin v.s D.r Dunam for Detaining and not Extending to Sale Obed, According to Bargain Alledged by D.r Gwin v.s D.r Dunam the D.r Suit having from time to time Been Continued And the Defendant not Appearing Judgment was given Against him by by Default

A Suit Brought by Michael Shaver Against Sam.l Deccan for Breach of Contract On Motion of y.e Committee: Was Rejected by y.e Parties themselves And the Defd.t Paid the Costs of Suit

Committee Then Rejourn to the 9th of y.e Inst.t At Which time they Met, Present Col James Robertson Tho.s Molloy Gen.l Sneeland Heydon Wells, David Gourneall Isaac Linsey James Shaw Ebenezer Titus & Sam.l Barton Esq.rs

When In a Trial Between Ethrine Lefever And Robert Espey and Wife Brought by D.r Lefever v.s D.r Espey and Wife for Breach of Contract, Judgment having been given at a Preceeding Committee Against y.e Defts by Default, And the Plaintiff with the Court Be called Soon and heard, The Committee Found for y.e Plaintiff Damages 5.s and Cost of Suit

A Trial Between Sam.l Martin and James Espey in Plea of Debt Brought by D.r Martin v.s Espey the Said Appearing Conditionary, the Committee Postpone there Judgement Until y.e Succeeding Committee,

The Committee Resolves as Follows, that if Any Person shall bring Spirituous Liquors here And Expose the Same to Sale to Any Person During the Ensuing Treaty w.th y.e Indians or after there Continuing here y.e Same shall be Forfeited to all Intents And the money Arising by the Sale of Such Liquors be Applied to y.e Use of Publick Under Direction of Committee Rejourn to the 5.th Tuesday of July

Andrew Ewin Clk

North Carolina; Cumberland County July Ye 8th 1788

Committee Met According to Adjournment

Members Present Coll. James Robertson, Gd. Sneed, Thos. Molloy, Haydon Wells, Isaac Linsey, David Gourneall, Isaac Wedgwood Ebenezer Sthue and Jam.s Barton

When the Trial of David Gwin Plan.t Against John Gunam Defd.t Was Called & Continued, Judgment having been given at y.e Preceding Committee, y.e Defd.t by Default.

The Trial of William Gowens & John Gibson in a Plea of Detinue, Brought By Pl.t Gowen & Def.t Gibson Concerning of Cattle y.e Estate of David Gowen Dec.d Continued a Second time May.e Instance of y.e Defd.t

The Trials of John Hamilton Plan.t in behalf of his Daughter Honor Hamilton in a Plea of Slander & Defamation, Brought by Pl.t Hamilton & Isaac Wedgwood & Wife, James McCain and Wife, and James Lynn & Wife; Dismissed by y.e Plaintiff &

In a Trial Between Gd. Sneed and Sam.l Devon, In a Plea of Trespass on.e Case Brought by Pl.t Sneed & Def.t Devon, The Wittn.s for y.e Plaintiff Isaac Wedgwood & Nancy Joiner being called & Sworn. Isaac Wedgwood Deposed that he saw y.e Defd.t Ship a Negro Man In y.e Possession of y.e Plan.t the y.e Nancy Joiner Acceeded to y.e Affirmed on Oath

The Wittn.s for y.e Defd.t James Harris, Sarah Lucas & Jenny Tucker, being called & Sworn The Sd. Harris Deposed that he saw the Affirmed Negro, Thomas Clod at a Child of y.e Sd. Devons, Sarah Lucas Deposed that she saw y.e Mark of a Stroke on a Little Girl of Sd. Devons Which y.e Sd. Negro had given her; & that the Sd. Negro had Insulted herself and Very Abusive Language, Likewise Jeny Tucker Depose That the Sd. Negro had Treated her with very Abusive Language on Which The Committee found for y.e Plan.t Damages &c. and Costs of Suit

The Suit of John Montgomery & John Rice in a Plea of Slander Brought By Pl.t Montgomery y.e Def.t Rice, Dismissed by y.e Plaintiff

Resolved by Committee that Two men be Sent to y.e Assembly with Letters to y.e Agent for y.e State of Virginia, And by him to be Transmitted to y.e Spanish Governor, In Order to Vindicate ourselves of Any Suspicion they may Entertain of our Countenancing or Assisting of a Certain James Colbert on y.e Mississippi in his Piratical Proceedings, And that y.e sum of 20.£ be given y.e Men for their Services

Resolved that from and After this Present Committee No Person Who Not Subscribed Our Association, Shall be Intitled to Any Benefit of Commencing or Prosecuting of Any Suit or y.e Recovery of Any Debt in this Settlement

Committee Adjourned to y.e 1st Tuesday of August

N. Carolina Cumberland District August 5th 1783

Committee meett According to Adjournment

Members present Col. James Robertson, Sam. Barton, Haydon Wells, David Gournewall, Isaac Linsey, Ebenezer Sitter, James Manning, James Shaw, Thomas Molloy, Ge. Graeland Esq.

The Trial of David Gowin & Jno. Dunam ——— Continued

In a Trial of Frederick Stumpf & Isaac Hentspo. Brought by Attachment Against y. Estate of D. Hentspo ——— James Holler Witness for y. Plaintiff being called Sworn & heard Said Likewise the Deposition of Isaac Mayfield by Which it Appeared to the Committee that y. D. Isaac Hentspo did hide in a certain Place at Rockfish River Ob Station, a Quantity of Iron as his Property Which he afterwards disposed of to y. Assd. Stumpf ——— And Likewise that James Hentspo did afterwards fetch away a Quantity of such like Iron from y. Identicall Place y. D. Isaac had hid that Iron Which he D. away his Property ——— And David Gournewall Summoned as Garnishee (the Assd. Iron being Lodged in his Custody by James Hentspo) Declined making Defence in Which the Committee Considered that y. Plaintiff of y. Iron Lodged by James Hentspo in Custody of the Assd. Gournewall shall have Sufficient to Satisfy his Debt of 81 — 12 — And Costs of Suit

In a Trial of William Gowens & John Gibson in a Plea of Detinue Brought by D. Gowens as Admr. of the Estate of David Gowens Decd. D. Gibson Concerning certain Cattle and Other Articles Property of the D. Decd. When y. Defd. Confessing Cause of Action the Committee Considered that y. Plaintiff shall have all y. Property of y. Decd. now in y. Defds. hands, and pay y. Plaint. for Whatever he Disposed of And pay Costs of Suit

In a Trial of Samuel Martin & James Espey in a Plea of Debt Brought by D. Martin & D. Espey, the Committee found for the Plaintiff his Debt of 3 — Due by Note. with Costs of Suit

39 39

In a Tryal of Phenix Cox & Stephen Ray for Breach of Contract — John Culberson Witness for ye Plan^t being Called Sworn and heard — The Committee found for ye Plaintiff Three Yards of Linnen or 24^s and Costs of Suit

In a Tryal of Ruben Mespeches & John Harris Junr in a Plea of Debt brought by R. Mespeches & D. Harris — Thomas Fletcher Witness for ye Plan^t and Julius Sanders for ye Defd^t being Called Sworn and heard. the Committee found for ye Defendant.

In a Tryal of Daniel Curnam & Samuel Martin in a Plea of Debt brought by D. Curnam & S. Martin — John Culberson Witness for ye Plaint^t being Called Sworn Sworn and heard. — The Committee found for ye Plaint^t his Debt of 3 Dollars and Costs of Suit

Resolved on by this Grand Committee that from and After the Ensuing Year no Foreigner Bringing any Liquors from Foreign Parts shall After Sale or Receive for ye same, Directly or Indirectly any more than one Silver Dollar p^r Gallon or ye Value thereof in Produce. Giving Bond and Security, or be Liable to ye Forfeiture as by the Resolves of the 1st of Novr 1768

Test Andrew Dixon Clk

Conclusion Of the Committee