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2-5-1744

Superior Court Minutes, 1699–1750, Superior Court Docket Box 1, Folder 1744–45, New Hampshire State Archives (Entry no. 24 for Feb. 5, 1744) - Appeals Entry

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Province of New Hampshire } At his Majesty's Superior Court of
Judicature held at Portsmouth within
and for his Majesty's Province of New Hampshire
on ~~the~~ first Tuesday in February
being the fifth day of said Month in the
Eighteenth year of Majesty's Reign, and in
the year of our Lord Christ 1744—

Present
The Hon^{ble} George Jaffrey Esq^r Chief Justice
The Hon^{ble} { Jotham Odiorne } Esq^r Justices
 { Ellis Hushe }
Sheriff Clerk & Cryer

Ordered that the Court be Adjourned to Tuesday
the Nineteenth day of March Next— Accordingly
the Court was Adjourned to ^{Tuesday} the Nineteenth day
of March next to this place at ten of the Clock be-
fore Noon—

Province of New Hampshire } Portsmouth Tuesday March the nineteenth day
The Court meet according to Adjournment
The Court being Opened was by order further Adjourned
to Wednesday 20th day of next day to ten o'clock before
noon—

Province of New Hampshire } Portm^o Wednesday March 20th The Court
mett according to Adjournment Ordered the Court be adjourn-
ed to 3 o'clock P M— adjourned accordingly—

P M. Court met according to Adjournment
Present The Hon^{ble} Jotham Odiorne Esq^r Ellis Hushe Esq^r William Gilman Esq^r

Grand Jury Thomas Clark Foreman Reuben Maw
Joseph Knowles + Abrah^m Smith
Thos^s Henning Jon^a Blunt
And^r French Eph^a Davis
Gideon Colcord Wm Wentworth
Nabers Eaton Noah Barker Talis-
Abel Ward
+ Jon^a Fierren
Jm^o Sam
James marden

23 William Vaughan Exec^t Appt^d vs W^m Bennett & Wife Appellees
 G. J. F. O.
 E. H. J. G.
 Jurors
 Tobias Langdon foreman
 Mich. Jarely
 Joseph Mead
 Enoch Clarke
 Thos Wiggins
 Philip Sawle
 Morris Hobbs
 John Brown
 Will. Jones Jr
 Jas. Picheering
 Thos Lyford
 Matthew Nelson
 The Parties appearing the Case being fully heard by
 their Council learned in Law was committed to a Jury
 whom according to Law to try & Issue who make
 Return of their Verdict therein upon Oath that is
 to say the Jury find for & Appellees three hundred
 & twenty five pounds lawfull money Damage & Costs
 & two pounds six Shillings like money
 Judgm^t
 Execution Issued
 April 15. 1745

24 Dudley Leavit Appt^d vs John Simlar & others Appellees
 G. J. F. O.
 E. H. J. G.
 The parties appearing & Case being fully heard by
 the Court whether the Appellant was guilty of the
 matter alleged information or not guilty, the Court being divided in
 their opinions the Court was adjourned to Monday 9 o'clock A.M.
 Adjourned to & the Court may next a M. for Mr Liversmore & Mr Parker
 to state & Case, for advise ment & of neighbouring Lawyers on
 the Case

25 Ezek^l. Gibman Plat^d vs Thos Lyford Defend^t
 The Case is Continued for that the Plaintiff is gone upon
 & Expedition against Louisburgh

26 Proprietors of Exsom Dts vs Joseph Lock Defend^t
 G. J. F. O.
 E. H. J. G.
 The parties appearing & Case being fully heard was Com-
 mitted to a Jury sworn according to Law to try & Issue who
 make Return of their Verdict therein upon Oath
 that is to say the Jury find for the Plaintiff Court of Courts
 Judgm^t
 Jurors
 Tobias Langdon foreman
 Mich. Jarely
 Joseph Mead
 Thos Wiggins
 Philip Sawle
 Morris Hobbs
 John Brown
 Will. Jones Jr
 Thos Lyford
 Matthew Nelson
 Thos Cotton
 Sam Lane
 Moses Dorn
 Joseph Thomas

15 Geo: Craddock vs Geo: Knox affirmation for
the sum of thirty four pounds six shillings & two pence
lawfull money Dam^a & three pounds fourteen shillings &
nine pence like money Corts
Execution Issued April 10th 1745

16 John M^r Fisher vs Reuben Chisly Jim^o Hanson Administ^r affirmation
for four pounds fourteen shillings three pence lawfull money
Dam^a & three pounds fourteen shillings & three pence Corts taxed
Execution Issued April 22nd 1745

17 Samlrd and Will: Ayres vs James Campbell I affirmation
thirteen ^{pounds} shillings lawfull Money Dam^a for Principal
Interest & Intercouring Damage & Corts Taxed three pounds eleven
shillings and nine pence like money
Execution Issued April 22nd 1745

It is Entered a Rule of Court that a Venire facias Issue to
the Sheriff to impannell & return thirty six lawfull men for Jurors
for the future or till further orders

Court is adjourned to y^e 9th of May The Court being met
according to Adjournment on Thursday y^e 9th of May Present
GJ: JO: & H: Sg: — Sheriff Clerk & Cryer
Complaint entered —

16 Joseph Dow vs Ephraim Collins — affirmation for y^e
sum of fifty seven shillings and five pence lawfull money
Damages & Corts Taxed three pounds twelve shillings &
three pence lawfull money — Execution Issued May y^e 9th
1745

M^r Livermore appearing says that m^r Parker of Attorny
for y^e Appellant has neglected to conform to y^e motion he
made at y^e last session to State y^e Case for Advise ment of y^e neigh:
bouring Lawyers upon y^e State of y^e Case between y^e said Leavit y^e
Appellant and ~~Sam~~ Sinclair y^e Appellee That ~~at a meeting~~ that m^r
Parker aforesaid very lately propos^d to m^r Livermore that he ~~should~~ ^{he declined}
that the Court should be farther Continued till after y^e ^{next} ~~superior~~ ^{superior} Court
Court of York which would be about y^e latter end of June next where
the principal Neighbouring Lawyers would be there and they mig^t
have y^e opportunity of ~~meeting~~ ^{present} y^e State of y^e Case to them and

have there opinion thereon — ^{upon which} the Question being put whether
if Court shall adjourn further till the said Attorney's have if the
opportunity aforesaid to have if Opinion ^{neighbouring} if Lawyers expect
at York in June next, upon if State of Case as before mentioned
The Hon^{ble} George Jaffrey Esq^r Chief Justice if if ~~can~~ be
made and if expect the Adjourn till if first of July
The Hon^{ble} Sotham Osborne Esq^r ~~is in if Negative~~
The Hon^{ble} Ellis Hashe Esq^r if it be continued & adjourned of about
The Hon^{ble} Sam^l Gilman Esq^r if in if Negative — ~~rather did if~~
~~any further adjournment but having without any~~
~~the Court adjourned till the first of July~~
~~the Court continues in if adjourned till the first of July~~
~~or adjourned to further time~~
The Court rise without determining
or adjourning to further time

Geo: Jaffrey Esq^r Cler: