

Maurice A. Deane School of Law at Hofstra University

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6-12-1786

Judgments and Levies of the Strafford County Court of Common Pleas 1785 to 1790, at 112-15, Strafford County Courthouse, Dover, New Hampshire - Appeal - Tasker v. Sinkler

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84 Richard Snicker Junr of Bain-

that in the County of Stafford Gentlman, doth certify
that I have of late, for that whereon on the twentieth
of December 1785 at Birmingham, before one
Jacob (Daunt) of said Birmingham Gentlman, who
bided a complaint in writing to the said John
Snicker the Defendant, in and to the Justice of
the Peace for said County of Stafford against the
said Richard Snicker (among other things
setting forth that the said Richard at Birmingham
appeared on the sixth day of the same October 1785
with force & arms & without any just occasion
did make a violent assault on the said Daunt &
contrary to the Peace & good order of said State &
and that thereunto would well intract the said
Daunt & did offer violence to the great damage
of the said Daunt & Terror of the People of said
State against the Peace & dignity thereof upon
the said Snicker there appeared on the same twentieth
day of October 1785 his Warrant under his hand
& seal against the said Snicker & there appeared
on the tenth day of the same October by virtue
of the same Warrant the said Snicker was apprehended
and brought before the said Justice for trial & the
trial put off to the twentieth day of the same
October at which time the said Snicker appeared
& pleaded not guilty but the said Justice refused
to bring him upon trial & adjourned his Court to
the twentieth day of October 1785 & adjourned the said
Snicker to appear at Birmingham in said County
to answer to the complaint against before him &
John Snicker the third day: who the said Justice
agreed should set in judgment with him at Birmingham

with him at Durham) aforesaid on the Complaint
aforesaid on the same Twenty first day of October 1785
But the said Tusher in no wise regarding the duties
the duties of his said Office as Justice of the Peace but
maliciously contriving & fraudulently intending to
injure the Plaintiff & to commit him to prison without
any cause colour reasonable pretence or legal reason
therefor did not attend at said Durham on the same
Twenty first day of October to try the said Sinkler on the
Complaint aforesaid but there afterword on the second
day of November last under colour of Law & without
any just grounds did make out a mittimus directed to
one Benjamin Nutter Constable of Barnstead & to the
keeper of the Goal in Dover in said County therein
among thing falsely maliciously & without any just
grounds or reasonable colour setting forth that the said
Richard was brought before him the said Tusher on the
same seventeenth day of October 1785 & requested to find
sureties for his appearance to the then next Court of Quarter
sessions of the peace to be holden at Dover aforesaid on the
third Tuesday November then next to answer to such
things as should then & there be objected against him
by one Jacob Daniels of Barnstead in said County &
in the mean time to keep the Peace towards all the
Subjects of said State & especially towards the said
Jacob Daniels & that the said Richard had refused
& still did refuse to find such sureties & therefore did
in the name of the State command the said Constable
forthwith to convey him the said Richard to the Goal
in Dover aforesaid & to deliver him to the keeper thereof
& also commanded the keeper thereof to receive him
the said Sinkler the Plaintiff into Custody in said Goal
until he should find such sureties as aforesaid or be other
wise liberated according to Law by virtue of which
same

mittimus falsely & without colour issued by
the said Tasker the said Vutter took apprehended
imprisoned the said Sinkler & him for a long time
viz. for the space of five Days imprisoned detained
until he was compelled to expend large sums of
money to procure his enlargement from the arrest
& imprisonment aforesaid all of which is To the
Damage of the ~~Damage~~ of said Sinkler as he
says the sum of two hundred pounds. The
parties appear & the said Tasker by Sherburne
his attorney reserving liberty to waive this & give any
other plea at the Court above for plea says he thinks
it would be greatly for the peace of Barnstead if said
Sinkler was always confined & thereof put himself
on the Country. And the ²Plat. by Jonathan
Rawson his attorney agreeing as above says the Def.^t
plea is no legal answer to his Declaration & thereof
prays Judgment for Damages & Costs. And the
Def.^t by his aforesaid attorney says his plea is a legal
answer to the within Declaration & thereof prays
Judgment for his Cost. Which ²pleas being heard
& understood by the Court. It appears to the Court that
that the Def.^t plea aforesaid is no legal answer to
the ²Plat.^s Declaration. Therefore it is considered by
the Court that the ²Plat. recover against the Def.^t
the sum of Two hundred pounds Damage & Cost
taxed at six pounds two shillings & eight pence —
From which Judgment the Def.^t prayed an appeal
to the next Superior Court of Judicature to be
held in said County which was granted he recog-
nizing according to Law accordingly the said John
Tasker as Principal in the sum of five pounds
& John Griffin & William Watson as sureties in the
sum of fifty shillings each recognize severally unto
the

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the Pl^t that the Def^t shall prosecute his said request
before the Justices of the Superior Court of Judicature to be
holden at Dover within & for the County of Strafford
on the second Tuesday of September next with effect to
pay all Intervening Costs & Damages.

Ebenezer Foster Pl^t vs Samuel Jones Def^t Contin^d.

Exhib^d 1st
July 31st
1786—

John Gordon of New Durham in the
County of Strafford Yeoman Pl^t ad^{vs} Thomas
Wages of said New Durham Gentleman Def^t In an
action of ejectment wherein he demands against the
Def^t the Possession of sundry tracts of Land with their
appurtenances situate in New Durham aforesaid
viz^t the one half of that right Number fifty, excepting
seven acres of that half in the first Division, & fifteen
acres of that half of the second Division lot, also number
twenty nine in said New Durham first Division except
Eighty seven acres also lot Number fifty two in said
New Durham first Division except fifty acres - con-
taining about one hundred & sixty acres - which premises
with the appurtenances the Pl^t claims as his right &
inheritance in fee whereupon the Pl^t says that the said
Thomas the Def^t at Dover aforesaid on the eighth Day
of June 1784 being seized in fee of said premises by his
Deed poll of that date duly executed recorded & ready in
Court to be produced by the name of Thomas Wages of
New Durham in the County of Strafford & State of New
Hampshire Gentleman / for the consideration therein
mentioned conveyed the said premises to the Pl^t by
the name of John Gordon of Little Falls in the County
of York & State of Massachusetts Bay Yeoman in fee in
mortgage by force whereof the Pl^t became seized of the said
premises in fee & in mortgage & ought now to have the possession
thereof - yet the Def^t hath since illegally entered
into

Judgments
+

Series

1775 to 1789

1785 to 1790

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Strafford Co
Superior Courthouse

Vendor