

PATRICK COUNTY, VA - COURT - Order Book "4" (Selected Entries, 1836-1838)  
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1836

MARCH COURT  
(18 March 1836)

A list of Sales of the Estate of Isham East decd. was returned to Court examined and ordered to be recorded.

Fitzgerald et al vs. Shelton heirs et al. In Chy. This day this cause came on to be heard upon the Bill and exhibits filed, and it appearing to the satisfaction of the Court that the order of publication made in this cause against the absent defendants has been duly posted and published, and that the decree Nisi against the home defendants has been duly executed, and none of the defendants having appeared and filed their answers, The Bill of the Complainant is taken for confessed as to all the Defendants; And it is adjudged ordered and decreed that Matthew Sandifur who is hereby appointed a Commissioner for this purpose do proceed to sell the land in the Bill mentioned to the highest bidder at such time and place as he may appoint on a Credit of twelve months taken from the ...? bond with approved security, having previously advertised the time and place of sale at least one month at the Courthouse door of Patrick County And it is further ordered that said Commissioner make report to this Court how he has executed this decree.

1837

FEBRUARY COURT  
(16 February 1837)

The Commissioners appointed at December Court 1836 to view a way for a road from the road near Spencer Nowlins through Francis Nowlins Plantation so as to intersect the road near Elijah Wimbishes having made their report favorable thereto, It is ordered that M. Sandifur, F. Nowlin, A. Staples, Wm. Thompson & E. Wimbish the proprietors through whose lands the proposed road will pass be summoned to the next Court to show cause if any they can why the said road should not be opened.

Berryman Glassgow, Wm. Martin & Edmund Fulcher & Paul C. Ingram or any three of them are appointed Commissioners being first sworn to view a way for a road from Paul C. Ingrams into the road near M. Sandifurs Plantation the most practicable route and make report thereof to Court.

On the motion of George C. Dodson It is ordered that Gabriel Critz, Augustine Jones and George C. Dodson be appointed Commissioners being first sworn to view a way for turning the road that leads by Colo. A. Staples Quarters so as to avoid a large Hill in his lane & make report thereof to Court.

Tyler vs. Sharp. Contd.

MARCH COURT  
(16 March 1837)

...a Trust deed from Daniel Booth & Susanna his wife to Thomas Dehart & Jefferson Taylor Trustee was acknowledged by Taylor & Dehart and proved by 2

witnesses as to Booth & wife and ordered to be certified.

Charles Foster esq. produced in Court a Commission from the Governor under the seal of this Commonwealth appointing him Sheriff of this County till the first quarterly Term in the year 1838. And thereupon he entered into the several bonds in the penalty of Twenty thousand dollars each With John Tatum, Greensville Penn, Joseph Kennerly, Clark Penn and Peter P. Penn his securities which were severally acknowledged in open Court and ordered to be recorded and certified to the Auditor of Public Accounts, and then he took the several oaths prescribed by law.

On the motion of Majr. William Carter It is ordered that two negroe slaves named Bob and Jane the property of said Carter be exempted from the payment of County levies in future.

On the motion of James Penn It is ordered that his negroe woman Slave Hannah be exempted in future from paying County levies.

David B. Hatcher, Wm. A. Sandifur, Wm. Roberson and Alexander Clark are by consent of Charles Foster esq. Sheriff of this County admitted to act as his Deputies, And thereupon they took the several oaths prescribed by law, it appearing to the satisfaction of the Court that they are men of honesty probity and good demeanor.

APRIL COURT  
(13 April 1837)

It is ordered that it be certified to the war department of the United States that Farthing Hix who was a pensioner of the U. States under the act of Congress passed June 7th 1832, as it appears by a Certificate given at the war office on the 21st day of Feb. 1833, departed this life in the County of Patrick state of Va. on the 6th day of January in the year 1837 & that Margaret Hix late his wife now his widow survives him, and was at the time of the death of her said husband resident with him in the County & state aforesaid.

Ordered that the Commissioners appointed last year for superintending the elections be & they are hereby reappointed for the present year with the exception of the Commissioners at Turners & it is ordered that Wm. D. Young, John P. Carter, James Via, Lewis Pedito & B. Carter be and they are appointed Commissioners for the said Turner on the election thereat.

Ordered that the Overseers of the Poor bind out according to law Fleming Kelly alias Foley to Wm. D. Young & that the said Indenture be so worded as to require the said Young to learn the said Kelly the Coopers trade.

Ordered that the Overseers of the Poor bind out according to law John Preston, son of Fanny Vaughan according to law.

William A. Sandifur is appointed Constable in place of G. P. Sandifur resigned & thereupon after taking the several oaths prescribed by law he entered into & acknowledged a bond with Isaac Adams & A Staples his securities conditioned according to law.

1838

NOVEMBER COURT

(17 November 1838)

William A. Sandifur Constable this day produced in Court his Claim against the Commonwealth amounting to \$1.89, which was examined by the Court allowed & ordered to be certified to the Auditor of Public Accounts.

Harbour admr Pet. against Charles Wilson Deft.

This day came the Plffs by their Attorneys, and the Defendant being solemnly called came not, and therefore came a Jury to wit John Cruise, John McAlexander, Herbert Shelton, Jeremiah W. Taylor, Jefferson R. Hughes, James Taylor, Richard Ballinger, Robert Boaz(?), Paul C. Ingram, William Clifton, Anderson Allen & Vincent Parsons were sworn a Jury to inquire of the Damages who upon their Oaths returned a Verdict in their words, Viz., We the Jury Assess the Plaintiff Damages to \$28.71 with interest thereon from the first day of May 1837 and judgment by the Court accordingly.

David A. Taylor for et al v Farriss Deft. In Asst.

On motion it is Ordered that the Death of the Pet. Taylor be entered of record.

Herbert Shelton against A. B. Clark admr. of Wm. Clark decd.

John Cruise against William A. Sandifur Deft.

This Cause is Continued

A Report of a settlement of the account of Gabriel Hanby Executor of Jonathan Hanby decd. with his Testates by the commissioners appointed to make the same was presented in Court & admitted to record.

A Report of commissioners appointed at the last Term to lay off & allot to Sarah Hall widow of Th. R. Hall decd. her Dower in his lands was presented in Court & admitted to record.

#### DECEMBER COURT

(13 December 1838)

Josiah Shelton, John Cassell & John Clark Jr. or any two of them on the motion of William A. Sandifur are appointed Commissioners being first sworn according to law to View away for Turning the road from the foot of the Hill on the West side of Patsey Fulcher by A Staples New mill & into the Court House road near the Court House and report to court their action thereupon.

On the motion of John H. Hix executor of Farthing Hix decd. William Ayres, Jefferson Taylor, John Tuggle esq. & Henry Tuggle or any three of them are appointed Commissioners to settle with the said Hix his account with his Testators estate & make report to court their action thereupon.

A Deed of trust from John H. Scruggs to Harrison C. France trustee for the benefit of P. P. Penn administrator of Gabriel Penn decd. was proved in part by the oaths of Clark Penn and Greenville Penn two of the Witnesses thereto subscribed and Certified for further proof.

On the motion of Aaron Dehart one of the securities of Tamar McAlexander executrix of Wm. McAlexander, ordered that the said Tamar be summoned to appear here at the next court And show cause if any she can why she should not give counter security as executrix as aforesaid.

(Transcribed by Mary C. Smith from Patrick Co., Va., Order Book 4,  
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