CLARK COUNTY, ARKANSAS
CIRCUIT COURT BOOKS

BOOKS A-D
1819 - 1838

VOLUME II
(BOOKS C3, C4, C5, D)

TRANSCRIBED

BY

MEEKS ETCHIESON

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P. O. Box 516
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Transcript of the Circuit Court Ledger (Books A through D), Clark County, Arkansas: June, 1819-1838

Transcribed by
Meeks Etchieson

The following has been transcribed from photocopies of this ledger. Every effort has been made to accurately copy the spelling, grammar and punctuation (or lack thereof) and the narrative style. This ledger in actuality consists of several small, thin ledgers that have been bound together. In this transcript, a slash (/) is inserted at the end of each line of the original. This indicates, in some cases, where words are broken from the end of one line to be beginning of the next. Each entry or paragraph is so indicated by a space separation and the insertion of a squiggly line (i.e., ~~~~~~), and page numbers are inserted in this text to match that of the original document. Book, page and entry numbers are also inserted at the end of each entry as follows: [A005.3] indicating that this is the third entry on page 5 of book A. If words or names are not decipherable from the original handwritten text, then a blank line (ie., _____) will be inserted. Corrections in the original are sometimes present where the "error" is marked through with diagonal or horizontal lines. For this transcript, these "errors" are shown as "~~January~~." For those entries which extend from the bottom of one page to the top of the next, three dots (...) follow the last word that was at the bottom of the page and precede the first word at the top of the next. These dots signify simply that the entry continues from one page to the next. Occasionally words or phrases will be inserted into the entry with the use of a ^; in the transcript, these insertions are identified with the use of brackets (i.e. {added}).

Footnotes are added to provide explanations or definitions of some of the legal terms; to provide locational information regarding places mentioned in the text; and, to provide a discussion of some of the individuals mentioned throughout the documents.

Page 001, Book C3

Territory of Arkansas
County of Clark

At a Clark County Court began and/ held at the Court house in the Town of Greenville/ in the County aforesaid on the 13th day of January/ A.D. 1834 it being the second Monday in Said/ month Present the Honorable A H Rutherford/ Judge of the County Court aforesaid [C3/001.1]

~~~~~~

Ordered that the Sheriff proclaim that the county/ Court has met ~~persuant~~ according to law and/ is ready to procede with the business thereof [C3/001.2]

~~~~~~

Asa Thompson)
vs.) Motion for an
Harriet Fish administratrix of the) allowance
estate of David Fish deceased)

And now at this day came the plaintiff by/ his attorney and the defendant came not but/ made default Whereupon the plaintiff having/ filed and exhibited as evidence of his Claim a/ Certain Cotton receipt for four thousand and/ forty eight pounds seed Cotton, It is therefore con/sidered by the Court and on motion of the plaintiff/ it is ordered that the sum of eighty two dollars and/ Sixteen and one half Cents be allowed on Said/ Cotton receipt now here filed [C3/001.3]

~~~~~~

Peter T. Hickman)
vs.) motion for an
Harriet Fish administratrix of) allowance
the estate of David Fish deceased)

And now at this day came the plaintiff/ by his attorney and the defendant came not but/ made default whereupon the plaintiff... [C3/001.4]

~~~~~~

Page 002, Book C3

...having filed and exhibited a writing obligatory/ made and executed by David Fish wherein {he} ackn/owled himself to be indebted to the plaintiff in/ the sum of six dollars and fifty Cents, and the/ Court Considering the premises and being

suf/ficiently advised of and concerning the same/ doth Consider that the plaintiff demand of/ six dollars and fifty Cents be allowed to be/ Paid out of the estate of the said David/ Fish deceased [C3/002.1]

~~~~~~

James Magness)
vs.) motion for
Harriet Fish administratrix of) an allowance
the estate of David Fish deceased)

And now at this day Came the plaintiff by/ his attorney and the defendant came not but/ made default herein and the plaintiff having/ filed and exhibited a writing obligatory made/ and executed by David Fish wherein he promised/ and obliged himself to pay to James Magness/ or order on or before the nineteenth day of/ May 1832 the sum of one hundred dollars, and/ also an account for ten dollars for traveling/ to Clark County after money, and the Court/ Considering the premises and being now sufficen/tly advised of and Concerning the same doth/ Consider that the plaintiff recover the sum/ one hundred dollars debt the amount of the/ writing obligatory with interest thereon from/ nineteenth day of May 1832 until pay by the/ defendant [C3/002.2]

~~~~~~

Page 003, Book C3 January Term 1834

William Gentry)
vs.) motion for an
Harriet Fish administratrix of) allowance of
David Fish deceased) $17.25

And now at this day the plaintiff Caused to/ be filed in this Court an account against the defen/dant which had been proved according to law/ before A. E. Thompson one of the Justices of the peace/ in and for said County on the first day of January/ 1834. and the Court being sufficiently advised of and/ Concerning the same doth Consider and order that/ the plaintiff have and recover of the defendant/ the sum of seventeen dollars and twenty five cents/ the amount of said account, and also his Costs in/ this Court, and {also} in the Justice Court [C3/003.1]

~~~~~~

John Prewit)
vs.) motion for an
Harriet B. Fish administratrix) allowance for
of the estate of David Fish deceased) $5.00
~~~~~~

And now at this day the plaintiff having caused/ to be filed in this Court a transcript of an account/ proved against the defendant as administratrix/ of the estate of the said David Fish deceased accord/ing to law before A. E. Thornton a Justice of the/ peace in and for the said County on the Twenty/ Sixth day of December 1833, and the Court being/ advised of and concerning the {same} doth Consider that/ the plaintiff have and recover of the defendant/ the sum of five dollars the amount of said/ account, and also his Costs in this behalf/ expended [C3/003.2]

~~~~~~

Page 004, Book C3 January Term 1834

William F. McLaughlin	)	
vs.	)	motion for
Harriet Fish adm[rx] of David	)	an allowance
Fish deceased	)	for $10.00

And now at this day the plaintiff having/ Caused to be filed in this Court a transcript/ of an account proved against the defendant/ ~~against the defendant~~ according to law before/ A. E. Thornton a Justice of the peace in and for/ Said County on the 1st day of January 1834./ and the Court being now sufficiently advised/ of and Concerning said motion doth order/ that the plaintiff have and recover of the/ defendant the sum of ten dollars the amount/ of said account and his Costs in this behalf/ expended [C3/004.1]

~~~~~~

Robert S. Tate	)	
vs.		)
Harriet Fish adm[rx] of the	)	
estate of Daivd Fish deceased)		

And now at this day the plaintiff having/ Caused to be filed in this Court a Transcript of/ an account proved against the defendant according/ to law before A. E. Thornton a Justice of the Peace/ in and for said County on the 1st day of Januay/ 1834 and the Court being sufficiently advised of/ and Concerning said motion doth order that the/ Plaintiff have and recover of the defendant/ the sum of twelve Dollars the amount of said/ account and his Costs in this behalf expended [C3/004.2]

~~~~~~

Page 005, Book C3 January Term 1834
~~~~~~

Joshua Fuqua)
vs.) motion for
Harriet Fish administratrix) an allowance
of the estate of David Fish deceased) for $30.00

And now at this day the plaintiff having/ Caused to be filed in this Court a transcript of/ an account proved against the defendant according/ to Law before A. E. Thornton a Justice of the peace/ in and for said County on the 26th day of Decem/ber 1833 and the Court being now sufficiently/ advised of and Concerning said motion doth/ order that the plaintiff have and recover of the/ defendant the sum of thirty dollars the amount/ of said account and his Costs in this behalf/ expended [C3/005.1]

~~~~~~

William Bennet)
vs.) motion for
Harriet Fish admrx of the estate) an allowance
of David Fish deceased) for

And now at this day the plaintiff having/ Caused to be filed in this Court a transcript of an/ account proved against the defendant according to/ law before A. E. Thornton a Justice of the peace in/ and for said County on the 1st day of January/ 1834, and the Court being now sufficiently/ advised of an Concerning said motion doth order/ that the plaintiff have and recover of the defend/ant the sum of two dollars and fifty cents the/ amount of said account and his Costs in this/ behalf expended [C3/005.2]

~~~~~~

Page 006, Book C3 January Term 1834

David C. Edmiston)
vs.) motion for
Harriet Fish administratrix of) an allowance
David Fish deceased) for $9.93

Now at this day the plaintiff having caused/ to be filed in this Court a transcript of an acco/unt proved against the defendant according to/ law before A. E. Thornton a Justice of the peace/ in and for the County aforesaid on the 1st/ day of January 1834, And the Court being now/ Sufficiently advised of and Concerning said/ motion doth order that the plaintiff have/ and recover of the defendant the sum of/ nine dollars and ninety three Cents the amount/ of said account and his Costs in this behalf/ expended [C3/006.1]

~~~~~~

William Prewit)
vs.) motion for
Harriet Fish administratrix) an allowance
of David Fish deceased) for $5.00

And now at this day the plaintiff Caused/ to be filed in this Court a transcript of an/ account proved according to law against the/ defendant before A. E. Thornton a Justice of the/ Peace in and for said County on the 26th/ of December 1833, And the Court being suffi/ciently advised of and Concerning said motion/ doth order that the plaintiff have and recover/ of the defendant the sum of five dollars the/ amount of said account and his costs in/ this behalf expended [C3/006.2]

~~~~~~

Page 007, Book C1 January Term 1834

John Crow)
vs.) motion for an
Harriet Fish adminsitratrix) allowance for
of David Fish Deceased) $3.50

And now at this day the plaintiff caused/ to be filed in this Court a transcript of an ac/count proved according to law against the defe/ndant before A. E. Thornton a Justice of the peace/ in and for said County on the 26th December 1833/ And the Court being sufficiently advised of and/ Concerning said motion doth Consider that the/ plaintiff have and recover of the defendant/ the sum of three dollars and fifty Cents the/ amount of said account and also his Costs/ in this behalf expended [C3/007.1]

~~~~~~

Joshua Fuqua)
vs.) motion for
Harriet B Fish admrx of the) an allowance
estate of David Fish deceased) $8.50

And now at this day the plaintiff caused/ to be filed in this Court a transcript of an/ account proved according to law against the defen/dant before A. E. Thornton a Justice of the peace/ in and for the County aforesaid {on the} 26th day of/ December 1833, And the Court being sufficient/ly advised of and Concerning said motion/ doth order that the plaintiff have and/ recover of the defendant the sum of eight/ dollars & fifty Cents the amount of said/ account, and also his Costs in this Case expend/ed [C3/007.2]
~~~~~~

~~~~~~

Page 008, Book C3 January Term 1834

Joshua Elkins	)	
vs.	)	motion
Harriet B. Fish adminstratrix	) for an	
of the estate of David Fish deceased	)	allowance
	)	$26.75

And now at this day the plaintiff having caused/ to be filed in this Court a transcript of/ of an account which had been proved according/ to law against the defendant before A. E. Thornton/ a Justice of the peace in and for the County afore/said on the 26th day of December 1833, And/ the Court being sufficiently advised of and/ Concerning said motion doth Consider that/ the plaintiff have and recover of the defendant/ the sum of twenty six Dollars and seventy five/ Cents the amount of said account and his/ Costs in this behalf expend/ed [C3/008.1]

~~~~~~

Alexander Coruthers	)	
vs.	)	motion for
Harriet B. Fish administratrix	) an allowance	
of David Fish deceased	)	for $4.50

And now at this day the plaintiff having caused/ to be filed in this Court a transcript of an acco/unt which had been proved according to law -/ against the defendant before A. E. Thornton a/ Justice of the peace in and for said County/ on the 1st day of January 1834, and the/ Court being sufficiently advised of and concer/ning said motion doth order that the plaintiff/ have and recover of the defendant the sum of/ four Dollars and fifty Cents the amount of/ said account and his costs in this behalf expe/nded [C3/008.2]

~~~~~~

Page 009, Book C3 January Term 1834

Walter C. McLaughlin	)	
vs.	)	motion for an allow
Harriet Fish adminx	)	ance for $8.00
of David Fish deceased	)	
~~~~~~

And now at this day the plaintiff having/ Caused to be filed in this court a transcript/ of an account which had been proved accor/ding to law against the defendant before A. E./ Thornton a Justice of the peace in and for said/ County on the 1st day of January 1834, and/ the Court being sufficiently advised of and/ Concerning said motion doth Order that the/ Plaintiff have and recover of the defendant/ the sum of eight dollars the amount of said/ account and his Costs in this behalf expended [C3/009.1]

~~~~~~

Thomas McNeely	)	
vs.	)	motion for an
Harriet B. Fish adminx	)	allowance $22.75
of David Fish deceased	)	

And now at this day the plaintiff having/ Caused to be filed in this Court a transcript/ of an account which had been proved according/ to law against the defendant before A. E. Thornton/ a Justice of the peace in and for said County/ on the 26th day of December 1833, and the/ Court being sufficiently advised of and con/cerning Said motion doth order that the/ plaintiff ahve and recover of the defendant/ the sum of twenty two dollars and seventy five/ Cents the amount of said account and his/ Costs in this behalf expended [C3/009.2]

~~~~~~

Page 010, Book C3 January Term 1834

On motion it is ordered that the road lead/ing from Greenville to Abner Hignights in/ Caddo Township heretofore viewed and/ marked out by commissioners heretofore/ appointed to view and mark out the most/ eligible way for said road, is hereby establis/hed and shall be opened sixteen feet/ wide and on motion it is Ordered that/ Abner Hignight is hereby appointed Over/seer of said road to open and Keep the/ same in good repair[1] [C3/010.1]

~~~~~~

Isham L. Stroud this day produced a/ deputation from John Forbey Constable of/ Caddo Township bearing date the 13th day of/ January 1834 whereupon the said Isham L./ Stroud had taken the Oath presented by law/ as deputy Constable aforesaid before A. H./ Rutherford a Justice of the Peace, and was/ approved of by the Court as such deputy [C3/010.2]

~~~~~~

[1] Marginal Note - "Copied"

Ordered that Court adjourn until/ 9 Oclock tomorrow morning
A. H. Rutherford [C3/010.3]

~~~~~~

Tuesday morning January 14th 1834 Court/ met pursuant to adjournment present the/ Honorable A. H. Rutherford Judge [C3/010.4]

~~~~~~

Page 011, Book C3 January Term 1834

Thomas M^{c}Laughlin this day produced an acco/unt against the County for two day servises/ as County Commissioner in locating the seat/ of Justice for said County amounting to two/ Dollars which was examined by the Court/ and approved and ordered to be paid [C3/011.1]

~~~~~~

On motion it is Ordered that Charles/ Golliher be appointed Overseer of that part/ of the public road leading from Abner Hignights/ to Washington in Hempstead County Commencing/ at the Creek near the dwelling house of A./ Hignight and Continuing to the Antoine/ Bridge in the place of Mastin Latham[2] [C3/011.2]

~~~~~~

On motion of William Gentry it is/ ordered that he be discharged as overseer of/ that part of the public road leading from/ Greenville to Washington Commencing at/ the Antoine and ending where the same inter/Sects the Military road near the residence/ of Jacob Brinley and that David C Edmis/ton be appointed in his stead[3] [C3/011.3]

~~~~~~

James Ward this day produced an account agai/nst the County amounting to nine dollar &/ seventy five Cents for returning the Poll/ Book of an election held in Missouri Town/ship on the 5th day of August 1833 which/ was examined by the Court and ordered to/ paid [C3/011.4]

~~~~~~

Page 012, Book C3

---

[2] Marginal Note - "Copyed"
[3] Marginal Note - "Copied"

William Gentry and James Sloan the securities/ of Harriet Fish administratrix of the estate/ of David Fish deceased Came into open/ Court and filed their affidavid segesting/ a mismanagement of the estate by the said/ administratrix and therefore prayed that/ she be ruled to give other good and suffi/cient security Whereupon It is Ordered/ by the Court that she enter into bond/ with two or more securities to be approved/ of by the Court in session or Clerk in/ Vacation in the penal sum of six thousand/ dollars conditioned as the law directs [C3/012.1]

~~~~~~

On motion it is Ordered that A. H. Rutherford/ and Isaac Ward acting Justices of the peace/ in Caddo Township in said County be appo/inted to lay off and divide the several public/ roads in said Township into Convienient/ divisions and to apportion the hands to work/ on said roads according to law [C3/012.2]

~~~~~~

On motion it is Ordered that James Ward/ an acting Justice of the peace in antoine/ Township in said County be appointed/ to apportion the hands to work on the public/ roads in said Township or in the fraction/ at part of said Township [C3/012.3]

~~~~~~

Page 013, Book C3 January Term 1834

It is ordered by the Court that all and sing/ular the remaining part of Missouri Township/ in Clark County shall be known and called/ by the name of Antoine Township and all the/ Justices of the peace that were Commissioned/ by the Governor of the Territory shall use the/ name of Antoine Township in stead of/ Missouri Township, and all process issued/ {directed} to the Constable of Antoine Township by/ the Justices aforesaid in that part of Missouri/ Township so attached to antoine Township/ shall be Vo___ as though they had of/ been in the Township which they originated [C3/013.1]

~~~~~~

Ambrose Freer {deputy sheriff of A. E. Thornton late sheriff} this day produced an account/ against the County of Clark, amounting to/ three dollars and ninty three Cents for _____/ing three several road orders on overseer of/ public roads in said {county} which was examined/ approved of by the Court and ordered to be/ paid[4] [C3/013.2]

~~~~~~

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[4] Marginal Note - 'issued"
~~~~~~

On motion of Thomas J. McLaughlin it is/ ordered that he be discharged as overseer of that/ part of the public road leading from Gree/nville to where the same intersects the mil/itary road near the residence of Jacob Brinley/ Commencing at the Cross Roads between/ Samuel Roses old farm and Charles Prewits/ and Continuing thence to the antoine and/ that Joshua Elkins be and he is hereby ap/pointed in stead and it it further ordered... [C3/013.3]

~~~~~~

Page 014, Book C3

...that the said Thomas M^{c}Laughlin hand/ over his apportionment of hands to/ the present Overseer Joshua Elkins [C3/014.1]

~~~~~~

James Williams this day Produced an acco/unt against the County amounting to the/ sum of twenty four Dollars and 31 Cents/ for sundry servises rendered by him as/ sheriff which was examined by the Court/ found Correct and ordered to be paid/ to the said James Williams [C3/014.2]

~~~~~~

A. E. Thornton this day produced an account/ for Guard {against the County} Hire in the Case of the United/ States vs Charles Cocke amounting to/ Six Dollars which was examined by the Court/ found correct and ordered to be paid/ and that the Clerk issue Certificates for the/ same[5] [C3/014.3]

~~~~~~

Ordered that Court adjourn until Court/ in Course

A. H. Rutherford [C3/014.4]

~~~~~~

Page 015, Book C3

Territory of Arkansas) Clark County
County of Clark) Court in Vacation
) March 12th 1834 [C3/015.1]

~~~~~~

[5] Marginal Note - "Issued July 16th/ 1834 $3.00"

This day personally appeared {before} me Isaac/ Ward Clerk of said Court W^m^ Janes and/ on his motion it is ordered that he have/ leave to keep a ferry across the Little/ Missouri river near his dwelling house/ in said County for the Term of twelve/ months from this date by his producing/ the Sheriff receipt for three dollars a tax/ imposed on said ferry and executing/ Bond to James Williams Sheriff of said/ County in the penal sum of Five hundred/ Dollars with good and sufficient security/ Conditioned as the law directs. And that/ the following rates of ferriage be allowed/ at said ferry to wit for each four/ wheeled waggon or carriage and team/ of four horses $1.50 for each two wheeled/ Cart or carriage $1.00 for each man and/ horse 25 Cents for each head of neat/ horse or Cattle 12 1/2 Cents

Isaac Ward Clk
of Clark County
Court [C3/015.1]

~~~~~~

Page 016, Book C3

Territory of Arkansas) Clerks office of the
County of Clark) Clark County Court
) in Vacation this 3rd day
) of May A.D. 1834 [C3/016.1]

~~~~~~

William Gentry &)
James Sloan)
vs.) motion
Harriet Fish admin)
istratrix of the estate of)
David Fish deceased)

This day came the said/ William Gentry and James Sloan/ ~~securer for the~~ securities for the said/ Harriet in her administration of the estate of the said/ David Fish and all the costs of this/ motion having been fully proved, It/ is therefore ordered by me Isaac Ward/ Clerk of said Court that the said/ motion of the said plaintiff to _____/ the said Harriet Fish administratrix/ of the estate of the said David Fish/ the _____ _____ certify as admin/istratrix _____ _____ be and the same/ is hereby discharged

Given under my hand
this day and year aforesaid
Isaac Ward
Clerk [C3/016.2]

~~~~~~
~~~~~~

Page 017, Book C3

Blank

~~~~~~

Page 018, Book C3

Territory of Arkansas
County

~~~~~~

Page 019, Book C3

Blank

~~~~~~

Page 020, Book C3

..._____ and say at the end of it thus-/ on which declaration the following writ was endorsed/ viz - (here copy this writ (there say-) On said delcaration/ and wirt are the following endorsements and sheriffs return/ endorsed viz. (here copy Clerks endorsement of file & sheriffs/ return & the bail bond)/ then copy the defts demurer to the _____ & the endorsement of/ filing on it - then say "And afterwards to wit at a/ Circuit Court Continued and held {in and for said County of Clark} at the Court House in/ the Town of Greenville, on Wednesday the (blank) day of/ March A.D. 1831 before the Houn (blank) Judge/ the following proceedings were had and entered/ on the record of said Court in said cause viz/ Then Copy the entry of record verbatim from beginning/ to end - and at each term observe the same citation/ When more than one order is made at one term after/ Copying the first- as a caption before each succeeding/ order at the same term say- And afterwards to wit/ before the same Court Continued and held as aforesaid/ before the same judge on this (blank) day of (blank)/ A.D. (blank) the following prodeedings were had in said court/ and entered on the record of said Court viz[6] [C3/020.1]

~~~~~~

---

[6] This page actually has no formal number. It appears that the Clerk had written out a series of steps that would be followed as data were entered into the Court ledgers.

Book C4- Circuit Court - Clark County, Arkansas
March 1830 – June 1833

Page 0a1, Book C4

_____ the _____/ That is the proper/ That is the proper made (to say) to _____/ the Witnesses as they cannot swear who/ the aggressor was - in order to make/ the matter final[1] [C4/0a1.1]

~~~~~~

Page 001, Book C4

At
Territory of Arkansas
County of Clark
At a Circuit Court began and held at the/ house of Adam Stroud on the South east/ quarter of Section twenty eight in township/ Seven South in Range twenty one west/ in the County aforesaid on the twenty Ninth day of March 1830[2] being the/ last Monday of said month/ present the Hon[r] William Trimble one of the Judges of the superior Court/ of Said Territory and assigned to hold/ the Court in and for the first Judicial/ circuit in Said Territory [C4/001.1]

~~~~~~

Ordered that the Sheriff proclaim that the Circu/it Court of the County aforesaid has met according/ to Law and is ready to procede with the busine/ss thereof [C4/001.2]

~~~~~~

the Sheriff of the County of Clark afore/Said this day returned into Court the following/ panel of a Grand Jury to Serve for the present/ term to wit Lee Pettitt who was appointed/ foreman Eli J. White James Bradley William/ Stroope Junior John C Burk George Stroope/ John Denton Jacob Stroope Jr David Mobley/ John Forbes Uriah Pruit George Gordon/ William Stroope Senr Charles Golliher George/ Overbaugh Drewry Hasley John Wingfield/ ~~and~~ William Mcdoneld and William Pettijohn/ twenty two good and Lawful men of the County/ aforesaid all of whom were duly Elected/ empannelled Sworn and charged to/ enquire for the body of the County... [C4/001.3]

~~~~~~

Book C4, Page 002

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[1] This page, again, has no formal number, but appears to immediately precede page 001 in book C4. This may represent no more than mere doodling.

[2] Page 001 in Book C4 appears to back up to an earlier court term in the year 1830. Previous ledger entries for the year 1830 do not contain court dates in March. These pages may represent dates that were ommitted from the earlier entries or may represent additional documents recorded in a separate court ledger.

...aforesaid and returned to consult/ of their duties &c [C4/002.1]

~~~~~~

United States)
vs.) Indictment for
John Pruett) larceny

This {day} Came the prosecuting attorney/ and Says he is unwilling further/ to prosecute this Indictment/ it is therefore considered by the/ court that this case be Dismissed [C4/002.2]

~~~~~~

United States)
vs.) Indictment
Clemant D. Chandler) Assault &
) Battery

this day came the prosecuting/ Attorney and Says he is unwilling/ further to prosecute this case/ it is therefore considered by the/ Court that this case be Dismissed [C4/002.3]

~~~~~~

United States)
vs.) Indictment
Clemant D. Chandler) Assault
) & battery

And now at this day comes the/ prosecuting Attorney and says/ he is unwilling further to prose/cute this Indictment it is/ therefore considered by the Court/ that this case be Dismissed [C4/002.4]

~~~~~~

Page 003, Book C4

United States)
vs.) Indictment for
Benjamin Hardin) assault and
) battery

this day came the prosecuting attorney/ and He Said Benjamin Hardin/ being Solemnly called came/ not but made Default therefore/ it is considered by the court that/ the Recognizance entered into/ by the Said

Benjamin Hardin/ and Robert Gibbins and Charles/ Prewit his Securities be forfeited/ and that a Scirefacias Issue/ upon the same returnable to/ the next term of this court [C4/003.1]

~~~~~~

Page 004, Book C4

United States)
vs.) Indictment for
John Coruthers) an assault &
) battery

this day comes the prosecuting/ Attorney and the Said John/ Coruthers being Solemnly called/ came not but made Default/ therefore it is considered by the/ Court that the Recognizance/ entered into by the Said John/ Coruthers with Charles Prewitt/ and Benjamin F. Crow in/ this case be forfeited and there/ a Scirefacias Issue upon the/ Same returnable to the next term/ of this court &c [C4/004.1]

~~~~~~

United States)
vs.) Indictment
Cumberland Polk) for an assault
) and battery

On motion of the prosecuting/ Attorney it is ordered that an/ alias capias Issue Directed to/ the Sheriff of Hot Spring/ County [C4/004.2]

~~~~~~

Ordered that Court adjourn untill 9/ oclock tomorow morning
William Trimble [C4/004.3]

~~~~~~

Page 005, Book C4

Tuesday morning March the 3rd/ 1830 Court met pursuant to adjourn/ment present the Hon^{r} William/ Trimble Judge &^{c} [C4/005.1]

~~~~~~

The United States)
vs.) Indictment for an
Benjamin Hardin) assault and battery
~~~~~~

this day appeared the Said Benja/ Hardin and Surrendered himself/ in Discharge of his Recognizance/ Whereupon he is committed to the/ custody of the Sheriff and on his/ motion it is ordered by the court/ that the forfeiture entered/ against him and his securities/ be Set aside And the Said Benjamin/ Hardin being arraigned upon the/ Indictment moved the Court to/ quash the Said Indictment against/ him in this case Whereupon/ after hearing the arguments of/ Counsel as well on the part of/ the Said Defendant as on the/ part of the Prosecution it is/ Considered and ordered by the/ Court that the Said Indictment/ be quashed and that the said/ Defendant be Dismissed and/ go hence without day [C4/005.2]

~~~~~~

Page 006, Book C4

United States)
vs.) Indictment for
John Corethers) Assault and battery

this day appeared the Said John/ Corethers in proper person and/ Surrendered hmself in Discharge/ of his Recognizance and on his/ motion it is ordered that the/ forfeiture entered against him/ and his Securities be set aside/ whereupon on motion of the/ Said John Corethers by Hall his/ Attorney it is ordered that the/ Indictment in this case be quashed/ and that the Said Defendant be/ Discharged and go hence without/ day &^{c} [C4/006.1]

~~~~~~

The United States)
vs.) Indictment for
Cumberland Polk) an assault and
) battery

This day appeared the prosecuting/ Attorney and says he is unwilling/ further to prosecute this Indictment/ therefore it is considered by the/ court that this case be Dismissed [C4/006.2]

~~~~~~

Page 007, Book C4

Jacob Barkman)
vs.)
Daniel Ringo)
~~~~~~

This {day} appeared the parties aforesaid/ and by consent of both parties/ it is ordered that this case be/ Dismissed [C4/007.1]

~~~~~~

Peter Holladay)
vs.) action on the
Ambrose H Sevier) case

This day came the parties aforesaid/ by their Attornies and on motion/ it is ordered that a Jury come to/ try the Issue Joined and a Jury/ being Summoned and called/ came towit William Thornton/ Archebald Huddleston James Little/ John J. Langly A E Thornton/ Henry Asherbranner Augustus B/ McDonald Joseph B Riley Benjamin/ Hardin Samuel Lewis Micajah/ McDonald & Morely Guise twelve/ good and Lawful men of said/ County who being empannelled/ and Sworn well and truly to/ try the Issue Joined between/ Said parties and a true verdict/ to render according to evidence/ and having heard the evidence/ and arguments of counsel/ retired from the bar to consult/ of their verdict and returned/ into court the following/ verdict towit we the Jury... [C4/007.2]

~~~~~~

Page 008, Book C4

...do find for the plaintiff one/ hundred and Sixty eight Dollars/ and four and one half cents in/ Damages A E Thornton foreman therefore on motion it is considered/ by the Court that the Said Peter/ Hollada have and recover of the/ said Ambrose H. Sevier the said/ Sum of one hundred and sixty/ eight Dollars and four and one/ half cents So by the Jury aforesaid/ in _____ aforesaid assessed together/ with his costs by him about his/ Suit in this behalf expended &/ that he have execution for the/ Same &c [C4/008.1]

~~~~~~

The Grand Jury empannelled Sworn and Charged/ at the {present} term of this Court Came into Court/ and returned the following indictments to wit/ an Indictment against Zebulon Edmiston for/ an assault and Battery a true Bill, An indict/ment against Aurther Davis for an assault and/ battery a true Bill, an Indictment against/ Jesse Holly for an assault a true Bill {and requested court to amend all matters of _____ in said bill} and not/ Knowing of any further Business they are dischar/ged [C4/008.2]

~~~~~~

Peter Hollida)
vs.)

Ambrose H Sevier)

Be it Remembered that upon the trial of this/ Case the plaintiff Offered in Evidence a receipt/ the Signature to which was proved to be in the/ hand writing of A. H. Sevier in the words and figures/ following to wit Received of Peter Holladay one/ note of one hundred and thirty three Dollars... [C4/008.3]

~~~~~~

Page 009, Book C4

...against Joshua J. Henrix drawn in favour of/ W^{m} English this 14th November 1825

A H Sevier

to which Evidence the defendant objected and the/ Court Overruled the said objection and admited/ Said Receipt to be given in Evidence to the Jury/ to which opinion of the Court the defendant/ Excepts and prays that this his bill of Execption/ may be Signed Sealed and ~~Executed~~ envoled

William Trimble JL [C4/009.1]

~~~~~~

Jacob Lindley who Sues for the use and benefit of John Clark	)	Plff	
vs.	)		Attachment in an action of Debt
John H Mosely and James Miles & Joseph/ Butler Garnishees in Said/ Cause	)	Deft	

This day came the/ and {plaintiff appeared by his attorney} his motion leave is given the Coroner to amend/ his return on the attachment issued in tis Cause/ which was accordingly annexed/ ~~James Miles and Joseph Butler Garnishees in Said Suit~~/ ~~This day Came the plaintiff aforesaid by is attorney~~/ and thereupon the Said plaintiff filed his declarat/ion in this Suit and also filed allegations and/ interogatories to be answered by the Said James/ Miles and Joseph Butler garnisheed in this Suit [C4/009.2]

~~~~~~

~~Ordered that Court adjourn untill tomorrow~~/ ~~morning nine Oclock~~ [C4/009.3]

~~~~~~

Peter Holiday)

vs.) in the Circuit of the County of
A H. Sevier) Clark

Be it remembered that in the trial/ of the above Suit the Counesel for the parties/ in this Suit having differed in there ~~aforesaid~~/ Statements of the opinion given by the Court... [C4/009.4]

~~~~~~

Page 010, Book C4

...in this Case as to the Receipt Executed by the/ defendant the Court Said that the Receipt was/ Evidence conducing to prove a privity of Contract/ between the Plfft and defendant to which/ opinion of the Court the defendant by his/ Counsel excepts and prays that this his bill of/ Exception may be Signed Sealed and made a/ part of the Record

William Trimble SEAL

[C4/010.1]

~~~~~~

Ordered that Court adjourn until tomorrow morning nine/ Oclock
William Trimble [C4/010.2]

~~~~~~

Wednesday morning March 31 1830/ Court meet pursuant to adjournment/ Present the Hon [bl] William Trimble [C4/010.3]

~~~~~~

Joseph Hardin) Complainant
vs.) In Chancery on application {for} divorce
Mary Hardin alias)
Mary Simpson) defendant

This day Came the Complainant aforesaid by/ his Solicitor and on his motion this Cause came/ on for hearing and was Submited to the Court/ on the petition filed and the defendant having/ failed to appear and file her plea answer/ or demurrer to the Complainant Petition and/ it appearing to the Satisfaction of the Court/ that the publication has been made against the/ Said defendant for Six weeks Successively/ according to Law and it further appearing/ from the Evidence of George Janes and Joseph/ Hardin lawful witnesses called on behalf of the/ Said Complainant that the Said Mary Hardin/ alias Mary Simpson the defendant has willingly/ and without any Reasonable Cause deserted and/ absented herself from the bed and board of the/ Said Complainant Joseph Hardin

for more/ than two years before the filing of the petition/ in this Cause and that She Still absents her... [C4/010.4]

~~~~~~

Page 011, Book C4

...Self from the bed and board of the Said Complain/ant and has ever Remained absent therefrom Since/ the year of our Lord Eighteen hundred and twenty/three untill the present time and that the/ Said Joseph Hardin has resided in the County of/ Clark & territory of Arkansas for one year before/ the filing of his Said Petition Whereupon on Con/Sideration of the premises it is ordered adjudged/ and decreed that the bonds of matrimony here/ tofore Solomnized between the Said Joseph/ Hardin the Complainant and the said Mary Hardin/ alias Mary Simpson the defendant be dissolved/ and that the marriage Contract entered into by/ and between them be annulled and vacated/ and that the Said Joseph Hardin be and he is/ hereby divorced not only from bed and board/ but also from the bonds of matrimony heretofore/ Entered into and Solomnized between the Said/ Joseph Hardin and Mary Hardin alias Mary/ Simpson and that the Said Complainant Joseph/ Hardin do pay the Costs in and about this/ Cause Expended [C4/011.1]

~~~~~~

Page 12, Book C4

David Roberts Administrator of/ George G. Hays Deceased who sues for/ the use and benefit of James Byrnside

)
vs.) motion for an allowance
)

David Fish & Andrew Hemphill/ Administrators of William Hemphill/ Deceased

And now at this day appeared/ the parties aforesaid by their/ Attornies[3] ~~well~~ neither party requiring/ a Jury this cause was Submitted to/ the court whereupon after hearing/ the allegations and proof of the parties/ it is considered by the/ court that the said plaintiff/ Administrator as aforesaid have/ and recover of Said Defendant/ or administrators as aforesaid/ the Sum of fifteen Dollars/ Debt and five Dollars and/ Seventy cents in Damages/ for the Dele__tion of Said Debt/ together with his cost by him about his {motion} ~~Debt~~ in this behalf/ expended to be levied of the/ Goods and Chattels or any assets/ of the Said William Hemphill Decd/ remaining in the hands of/ his Said Administrators/ unadministered [C4/012.1]

~~~~~~

[3] Marginal Note - line omitted from text: "and by Consent of parties this Suit is carried in the name of David Roberts/ administrator of the Estate of George G. Hays deceased and thereupon"
~~~~~~

Bartley Harrington) case
vs.) In assumsit
Adam Stroud)

And now at this day appeared/ the parties aforesaid by their/ Attornies and on the affidavit/ of the Defendant it is ordered... [C4/012.2]

~~~~~~

Page 13, Book C4

...that the case be continued and it/ is also considered by the court that/ the Said plaintiff have and recover/ of Said Defendant the costs of the/ continuance [C4/013.1]

~~~~~~

Charles S. Cocke)
vs.) certiorari
James Little)

And now at this day appeared/ the parties aforesaid by their Attorney/ and the Said plaintiff by his Attorney/ moved the court to Set aside the/ Judgment of the Justice in this certiora/ri mentioned whereupon after hearing/ the argument of counsel and/ mature Deliberation thereon it is/ considered by the Court that the/ Said motion be overruled and/ that the Said Judgment of said/ Justice be afirmed therefore it/ is considered by the Court that/ Said Defendant James Little/ have and recover of the Said/ Charles S. Cocke {and Charles Cocke stands _____} the Sum of twelve/ Dollars eleven and one half cents/ the amount of Said Judgment/ in Said certiorair mentioned/ togeth with the costs of Said/ certiorari in this Court expended [C4/013.2]

~~~~~~

Page 14, Book C4

Ball)
vs.) replevin
Dean & Sa___y)

It appearing to the satisfaction/ of the court that the Defendant/ resided in Hot Spring County at/ the time Said county was estab/lished therefore on motion of/ the plaintiff it is ordered that/ the Same be Stricken from the/ Docket of this County without/ prejudice to the parties and there the/ plaintiff have leave to transmit/ _____ the Same to the Docket in/ Hot Spring county &c [C4/014.1]
~~~~~~

~~~~~~

Ball)
vs.)
Dean & Williams)

Same order as above [C4/014.2]

~~~~~~

Johnathan Bittock)
vs.) Audita Querrella
Andrew Hemphill &)
David Fish administrators)
of W^{m} Hemphill Deceased)

This day the parties/ appeared by their Attorneys and on motion of/ the defendants by their attorney it is ordered/ that a writ of Certiorari isue from this Court/ to Moses Moore a Justice of the peace in the/ plaintiffs bill of Complaint named Comman/ding the Said justice to certify to this Court/ at the {next} term of this Court a true Copy of/ his record and all procedings and all... [C4/014.3]

Page 15, Book C4

...original papers or filed in his office in this Suit/ and it is agreed by the Attorneys of both parties/ that this appearance on the part of the defend/ands be taken for all necessary answer at this/ term of this court [C4/015.1]

~~~~~~

Henry Ruyl)
vs.) an attachment
Thomas S. Drew)

The plffts appeared and/ on motion this Case is dismissed [C4/015.2]

~~~~~~

Jacob Lindley who Sues for the use and benefit of John Clark Plff)
vs.) Attachment
John H Mosely defendant) on action of
and) debt
James Mills and Joseph Butler Garnesheees)

in Said/ Suit)

This day Came the plaintiff aforesaid by his/ attorney and the Said defendant John H Mosely in/ his own proper person and on motion of the Said/ defendant by his attorney leave is given him to/ file and Enter Special bail to the aforesaid action/ Whereupon the Said John H Mosely together with/ James Miles and Alvey R Johnson {as his Surities} who in their/ own proper persons Came into Court and/ acknowledged themselves to ow and be indebted/ to the Said Jacob Lindley the plaintiff (for the/ use and benefit of John Clark) in the sum/ of four hundred dollars of Lawful monty of/ the united States of America to be Levied of/ their respective goods and Chattles lands and/ tenements On Condition that if Judgement/ Shall be given against him the Said John H/ Mosely in the above action at this term or at... [C4/015.3]

~~~~~~

Page 16, Book C4

...any Subsequent term of this Court that he/ the Said John H Mosely will pay the debt/ damages and Costs {Which may or shall be} adjudged against him in Said/ Suit, and Surrender himself in execution therefor/ or that the Said James Miles and Alvey R Johnson his/ Security will do the Same for him then this Recog/nizance to be void Otherwise to be and remain/ in full force and virtue in Law; [C4/016.1]

~~~~~~

Ordered that Court adjourn until tomorrow/ morning nine Oclock
William Trimble
[C4/016.2]

~~~~~~

T{h}ursday morning {aprile 1st 1830} Court met persuant to adjournment/ Present the Hon[bl] William Trimble [C4/016.3]

~~~~~~

~~Micajah M[e]donald~~)
~~vs.~~) ~~Replevin~~
~~Joseph B. Riley~~)

~~on motion of demurrer and/ the motion being overruled by the Court/ therefore it is ordere that this Suit be continued/ untill the next term of this Court~~ [C4/016.4]

~~~~~~
~~~~~~

United States)
vs.) on Inditement for
Stephen Kellogg) murder

This day Came Thomas Hubbard/ who prosecutes for the United State and on his/ motion all reconizances against the witnesses be/ discharged and Capias issue to the Sheriff/ of hot Spring County [C4/016.5]

~~~~~~

Samuel Collins)
vs.) Certiorari
Micajah M^{c}doneld)

This day Came the parties/ aforesaid by their attornies and the... [C4/016.6]

~~~~~~

Page 17, Book C4

...defendant in Certiorari moved the Court to quash/ and Set aside the Certiorari Bond taken & filed in/ this Cause & filed his reasons therefor in writing and/ the parties being heard on Said motion and the/ Court being now Sufficiently advised of and Con/cerning Said motion doth order that the Said motion/ be Sustained therefore it is Considered by the/ Court that this Cause be dismissed and that/ the defendant in Certiorari recover of the/ Plaintiff in Certiorari the Coust thereof in/ this {Court} expended [C4/017.1]

~~~~~~

Peter Colman)
vs.) Certiorari
Micajah Mcdaniel)

This day Came the parties afore/Said by their attorneys and the defendant in/ Certiorari moved the Court to quash and/ Set aside the Certiorari Bond taken & filed/ in this Cause ~~& filed his reasons therefor in/~~ ~~writing~~ and the parties being heard on Said motion/ and the Court being now Sufficiently advised/ of and Concerning Said motion doth order/ that the Said motion be Sustained therefore/ it is ~~therefore~~ Considered by the Court that/ this Cause be dismissed and that the defendant/ in Certiorari recover of the plaintiff in/ Certiorari the Costs thereof in this Court/ Expended [C4/017.2]

~~~~~~

~~Wyatt A. Gordon~~)

~~vs.~~) ~~Certiorari~~
~~Micajah M^e^doneld~~)

~~Same order as above~~ [C4/017.3]

~~~~~~

Page 18, Book C4

~~William Gordon~~)
~~vs.~~) ~~Certiorari~~
~~Micajah M^e^doneld~~)

~~Same order as above~~ [C4/018.1]

~~~~~~

~~Jacob Stroope~~)
~~vs.~~) ~~Certiorari~~
~~Micajah Mcdoneld~~)

The Same ~~order as above~~ [C4/018.2]

~~~~~~

Jacob Lindley who Sues for the use and benefit of John Clark Plff)
vs.) In debt
John H Moseley Deft)

This day Came the parties aforesaid/ by their attorneys and and the plaintiff gave/ oyer of the transcript of the record in the/ plaintiffs declaration mentioned whereupon/ the Said defendant filed his plea of nultue/ record to which the plaintiff filed his replication/ and therefore the defendant filed his joinder to said replication [C4/018.3]

~~~~~~

Jacob Barkman Plff)
vs.) Case
Green B Hughes Deft)

This day Came/ the parties aforesaid by their attorneys and/ the defendant filed his plea in this Cause to/ which the plaintiff filed his Joinder and/ there upon by Consent this Cause is Continued/ until the next term of this Court [C4/018.4]

~~~~~~
~~~~~~

Page 19, Book C4

W^{m} Blakely	Plff	)	
vs.		)	assumsit
Archabald Huddleston	Deft	)	

This day the parties appeared/ by their attorneys and the defendant filed his/ plea the plaintiff Joined issue therefore by/ Consent this Cause is Continued until the next/ term of this Court [C4/019.1]

~~~~~~

Adam Stroud	Complainant	)	
vs.		)	in chancery
Seth Fisher & H C Bartlett	Defts	)	

This day cam the Complainant afore Said/ by his Solicitor and this Cause came on for hearing/ upon the Complainants bill and the exhibits there/ in refered to and prayed to be taken and considered/ as part there of and it appearing to the Satisfaction/ of the Court that the alish Subpeena in chancery/ which issued in this Cause against the Said defendants/ directed to the Sheriff of the County of Clark has/ been duly returned by the Sheriff of Said County that/ the Said defendants are not inhabitants of the county/ of Clark aforesaid and they they Could not be found/ therein and that a duly certified copy of the order/ of publication made by this Court at the august/ term thereof in the year of our Lord Eighteen/ hundred and twenty nine agains the Said/ defendants requiring them to Enter their appeara/nce in this Suit on or before the first day of the/ term of this court then next Succeeding and notifying/ them that in default thereof the Complainants Said/ bill would be taken as confession and the matters thereof/ decreed against them accordingly has been duly published/ in the Arkansas Gazett a News paper published in/ the Territory of Arkansas for Six weeks in Succession/ before the commencement of this Court according... [C4/019.2]

~~~~~~

Page 20, Book C4

...to Law And the Said defendants having failed to/ ~~appear~~ enter therin appearance in this Suit according/ to Law and the rules of this Court and answer plead/ or demur to the Complainants Said bill whereupon/ the premises being heard and Considered it is adjudged/ ordered and decreed that the matters and things/ Stated and set froth in the complainants bill/ be taken and Considered as confessed by the Said defend/ants and thereupon it is adjudged ordered and decreed/ that the Said defendants and Each of them and/ every other person or persons whatsoever be perpetually/ enjoined and restrained from any and all further or/ other procedings upon the Judgement at Law rendered/ by the Clark Circuit court at the March term of/ Said court in the year of our Lord 1825 in favour/ of the Said defendant Seth Fisher against the Said/ Adam Stroud the complainant for the sum

of/ Sixty six dollars and Eighty five cents and the costs/ in and about Said Suit at law Expended unless/ the Said defendants Shall appear within five years/ from this day and bring their bill or bills of/ Review praying to have this decree reviewed and file/ an answer to the complainants Original Bill in/ this Cause this decree Shall from and after the/ Examination of five years from and after the day/ of the {rendition} ~~rendering~~ thereof become absolute and if/ the Said defendants or either of them Shall at any/ time within the Said five years Enter his or their/ appearance in this Suit and file his or their bill/ of review as aforesaid and his or their answer/ to the Complainants Original bill as aforesaid, this/ decree Shall be opened without prejudice to either/ of the parties and the case Shall in that event/ proceed as in ordinary cases in chancery and it is/ further adjudged ordered and decreed that the/ Said defendants do pay the costs in and about/ this Suit Expended [C4/020.1]

~~~~~~

Page 21, Book C4

Nicholas Trammel Complainant)
vs.) In Chancery
Andrew Hemphill & defendants)
Jacob Stroope Sen[r])

This day came the complainant/ and the defendant Andrew Hemphill by their/ Solicitors and the parties in open Court agree/ to dismiss this Suit and that the Same Shall be dismissed at the Costs of the Said defendant Andrew/ Hemphill and the complainant here in open Court/ released all Claime or Claimes which he has or my/ have against the Said defendant Andrew/ Hemphill under or by virtue of a Certain mor/tgage deed Stated and Set forth in the Complain/ants bill filed in this Suit and the Said defendant/ Hemphill acknowledges that he has {received} ~~recovered~~ full/ Satisfaction of a Judgement at Law in his favour/ rendered by the Said Jacob Stroope S[en] also a defendant/ in this Suit against the Said Complainant which/ Judgement at Law was obtained in a suit at Law/ founded on the mortgage deed aforesaid Whereupon/ it is adjudged ordered and decreed tha the Com/plainants Said bill be dismissed and that the/ Said defendant Andrew Hemphill do pay all/ the costs in and about this Suit Expended [C4/021.1]

~~~~~~

Martha Stroope alias Complainant)
Martha Coker/ by Thomas Hubbard)
her ne{x}t friend) on petition
vs.) for divorce
George Stroope Deft)

This day Came the Complainant/ aforesaid by her attorney and the defendant in/ his proper person appeared and waives his/ right to notice in

this Suit and thereupon/ witnesses being Called and Examined on the... [C4/021.2]

~~~~~~

Page 22, Book C4

...part of the Said Complainant touching the/ matters charged in the Complainants Said petition/ and thereupon this Cause was Submitted to the Court/ and the Court not being now Sufficiently advised of and/ Concerning the Same took time to Consider thereof [C4/022.1]

~~~~~~

Micajah McDonald Plaintiff)
vs.) Replevin
Joseph B. Raleigh Defendant)

This day Came the parties aforesaid by their attornies/ and the defendant filed a demurrer to the declaration/ in this Cause to which the plaintiff filed a joinder and the/ Matters in Law arising upon said demurrer being argued/ and the Court being now Sufficiently advised of and/ Concerning the same, doth Order that the said demurrer be/ Overruled, therefore On motion It is Considered by the Court/ that the Plaintiff recover of the said defendant the Costs/ in and about this said demurrer Expended, and/ thereupon the defendant filed his first and second pleas in/ this Suit, and it is ordered that this Cause be Continued until/ the next term of this Court [C4/022.2]

~~~~~~

Peter Holaday Plaintiff)
vs.) In Case
Ambrose H. Sevier Deft)

This day Came the parties aforesaid by their attornies/ and the defendant moved the Court to arrest the Judgment/ in this Suit and filed his reasons therefor in writing/ which motion was overruled by the Court [C4/022.3]

~~~~~~

United States Plff)
vs.) Indictment for murder
Allen Caruthers Deft)

On motion it is ordered that a plurus Capias issue in this/ prosecution directed to the sheriff of Clark County, and the/ this Prosecution be continued until the next term of this/ Court [C4/022.4]

~~~~~~

Page 23, Book C4

Ordered that Court adjourn until tomorrow morning nine/ Oclock
William Trimble [C4/023.1]

~~~~~~

Friday Morning April 2nd 1830/ Court met pursuant to adjournment/ Present the Honourable William Trimble [C4/023.2]

~~~~~~

Wyatt A. Gordon	Plft	)	
vs.		)	Certiorari
Micajah M^{c}donald	Deft	)	

This day the parties came Said {appeared} by/ their attorney and the defendant in certiorari/ moved the Court to quash and set aside the/ Certiorari Bond taken and filed in this Cause/ and the parties being heard on said motion and/ the court being now Sufficiently advised of and/ Concerning Said motion doth order that the/ Said motion be sustained therefore it is considered/ by the Court that this cause be dismissed and/ that the defendant in Certiorari recover of the/ plaintiff in Certiorari the Costs thereof in this/ Court Expended [C4/023.3]

~~~~~~

W^{m} Gordon	Plff	)	
vs.		)	Certiorari
Micajah Mcdonald	Deft	)	

This day the parties by their attorney/ appeared and the defendant in Certiorari moved/ the Court to quash and set aside the Certiorari/ Bond taken and filed in this cause and the/ parties being heard on Said motion and the Court/ being now Sufficiently advised of and concerning/ Said motion doth order that the Said motion/ be Sustained therefore it is considered by the/ Court that this cause be dismissed and that... [C4/023.4]

~~~~~~

Page 024, Book C4
~~~~~~

...the defendant in Certiorari recover of the/ plaintiff in Certiorari the cost thereof in this/ Court Expended [C4/024.1]

~~~~~~

Jacob Stroope Junr Plff)
vs.) Certiorari
Micajah Mcdonald Deft)

This day the parties aforesaid by/ their attorneys and the defendant in/ Certiorari moved the Court to quash and/ Set aside the Certiorari Bond taken and filed/ in this Cause and the parties being heard on/ Said motion and the Court being now Sufficiently/ advised of and Concerning Said motion doth order/ that the ~~Said~~ {Same motion} be Sustained whereupon it is con/sidered by this court that this cause be dismissed/ and that the defendant in certiorari recover of the/ Plaintiff in certiorari the costs thereof in this/ court Expended [C4/024.2]

~~~~~~

Martha Stroope alias/)
Martha Coker by Thomas Complainant)
Hubbard her next friend) Libele for a divorce
vs.)
George Stroope Defendant)

This day came the parties aforesaid the/ complainant by Thomas Hubbard her/ next friend and the defendant in person/ and the Court being now sufficiently advised/ of and concerning the complainants bill/ and the matters and thing therein conta/ined and the testimony given to suport the/ same do order adjudge and decree that/ the Complainants Libele be dismissed/ without prejudice to any suit for/ a divorce that she may hereafter/ bring, and that the defendant/ recover his costs herein [C4/024.3]

~~~~~~

Page 025, Book C4

Evan Jackson Plaintiff)
vs.) _____
William Tweedle Defendant)

This day Came the plaintiff aforesaid by his attorney and/ On his motion It is ordered that a _____ issue in/ this Cause against Mary Tweedle administratrix of the/ Estate of the said William Tweedle deceased requiring/ her to appear at the next term of this Court and Shew/ Cause whe this suit shall not be revived against her/ as administratrix as aforesaid [C4/025.1]
~~~~~~

~~~~~~

Ordered that Court adjourn until Court/ in Course

William Trimble [C4/025.2]

~~~~~~

Clark Circuit Court in Vacation June 26th/ 1830 [C4/025.3]

~~~~~~

John Fenter plff)
vs.) Certiorari
John Payton dft)

This day came the parties _____ by their/ attorney and the defendant acknowledge to be/ fully Satisfied and the plaintiff in certiorari/ agreeing to pay all Costs that have acrued in this/ Suit Therefore with the assent of Said plaintiff/ and defendant this suit is dismissed from the/ docket

Isaac Ward Clerk of
the Clark Circuit Court [C4/025.4]

~~~~~~

Clark Circuit in vacation Sept the 1st 1830 [C4/025.5]

~~~~~~

Stephen Lunsford Plff)
vs.) Certiorari
William Clover Deft)

And now at this day came the Parties aforesaid/ in their proper persons and the defendant acknowledge/ to be fully Satisfied and the plaintiff in Certiorari agreeing/ to pay all costs that have acrued on this Suit therefore/ with the assent of Said plaintiff and defendant this/ Suit is dismissed from the Docket

Isaac Ward Clerk of the
Clark Circuit Court [C4/025.6]

~~~~~~

Page 26, Book C4 September Term 1830

Territory of Arkansas

At a Circuit Court Commenced and held at the/ house of Adam Stroud in the County of Clark/ and Territory aforesaid on Monday the 27th day/ of September in the year of our Lord one thousand/ Eight hundred and thirty it being the last mon/day in Said month Present the Honorable Thomas/ P. Eskridge one of the Judges of the Superior Court/ of Said Territory assigned by Law to hold Circuit/ Court on and for the Territory and Circuit aforesaid [C4/026.1]

~~~~~~

Ordered that the Sheriff proclaim that the/ Circuit Court of the County of Clark aforesaid/ has met according to law and is Ready to/ proceede with the business thereof [C4/026.2]

~~~~~~

The Sheriff of the county of Clark aforesaid this/ day returned into Court the following panal of/ Grand Jurors to wit James Sloane William/ Gentry George Janes Washington Sorrels Pete/ Coleman Archabald Huddleston Jospeh Griffen/ John J Langley JohnWood Abraham Newton/ David Burns Noah Reader Andrew Cowen/ James G Melson Samuel Rose John Gentry/ John Gllihar Joseph Delany David Fish &/ Joshua Elkins who being Sworn and Charged according to Law retired from the bar to/ Consult of their duties [C4/026.3]

~~~~~~

United States)
vs.) indictment for murder
Alen Coruthers)

On motion it is ordered that/ an alias Capias issue ~~in this case directed to~~/ the Sheriff of Clark County and that this... [C4/026.4]

~~~~~~

Page 027, Book C4 September Term 1830

...Case be Continued until the next term of/ this Court [C4/027.1]

~~~~~~

United States Plff)
vs.) indictment for
~~Allen Coruthers~~ {Stephen Kellogg} Deft) murder
~~~~~~

On motion of the Prosecuting attorney it/ is ordered that an alias Capias issue dire/cted to the Sheriff of Clark County and/ that the case be Continued until the next/ term of this Court [C4/027.2]

~~~~~~

D. T. Witter Sheriff of the County of Hemste/ad County this day brought into Court the/ Bodys of John Simpson and William Bartlett/ in obedience to the Command of a writ of/ Habeas Corpus issued by the Honorable Edward/ Cross Judge of this Court bearing date on the Blank space day of September A.D. 1830 directed to the/ Said Sheriff which writ was also Returned by/ Said Sheriff and is duly filed Whereupon on _____/ on of Thomas Hubbard who Prosecutes for the/ United States in this Court It is ordered by/ the Court that the Said John Simpson and/ William Bartlett be and ~~remain~~ they are hereby/ Commited to the Custody of the Sheriff of the/ County of Clark there to remain and be by/ him Safely Keept until the further order of/ this Court [C4/027.3]

~~~~~~

United States plff)
vs.) Indictment for an Assault & Battery
John Holley deft)

On motion of the Prosecuting Attorney, it is/ ordered that an alias Capias issue in this Case ~~directed~~/ ~~to the sheriff of Clark County,~~ and that this Case be continued/ till the next term of this Court [C4/027.4]

~~~~~~

Page 028, Book C4 # September Term 1830

United States plff)
vs.) Assault & Battery
Arthur Eades deft)

On motion of Thomas Hubbard/ Prosecuting Attorney it is ordered that an alias Capias/ issue in this Case ~~directed to the Sheriff of the County~~/ ~~of Clark~~, and that this Case be continued until/ the next term of this Court [C4/028.1]

~~~~~~

Jacob Barkman plff)
vs.) Action on the Case
Green B. Hughes deft)

And now at this day Came the/ ~~parties aforesaid~~ {defendant} and the plaintiff {not appearing} ~~by Thomas Hubbard/ his attorney, says that he will not prosecute this/ Suit any further therefore~~ on motion it is ordered/ that this suit be dismissed, and it is further ordered/ that the defendant have and recover of the plaintiff/ his Costs by him in and about this suit expended [C4/028.2]

~~~~~~

United States plff)
vs.) Citation
William Blakley deft)

On motion it is ordered that/ this suit be dismissed and it is further ordered that/ the plaintiff have and recover of the defendant the/ Costs in and about this Citation expended [C4/028.3]

~~~~~~

United States plff)
vs.) Indictment for assault & battery
Zebulon Edminson deft)

And now at this day Came the parties/ aforesaid the United States by Thomas Hubbard Pros/ecuting Attorney, and the defendant on his own proper/ person and the defendant being demanded, to/ plead to this Suit, says that he is gilty, and Submits/ his Cause to the Court, and the Court having the evidence/ and being now sufficiently advised, doth consider/ that the defendant pay one dollar the fine ad... [C4/028.4]

~~~~~~

Page 29, Book C4 September Term 1830

...udged against him Therefore it is considered by the/ Court that the United States have and recover of the/ defendant the sum of one dollar so assessed as/ aforesaid together with the Costs _____ expended/ and Stand Commited until fine and costs be paid [C4/029.1]

~~~~~~

Bartlet Harrington plff)
vs.) assumpsit
Adam Stroud deft)

And now at this day Came the/ parties aforesaid, by their attorneys, and the Case/ being submitted, and the parties heard and the Court/ not now Sufficiently advised takes time to consider [C4/029.2]

~~~~~~

Andrew Hemphill	plff	)		
vs.		)	)	Notice for Allowance
Mary Welsh admr^{x}	deft	)		
of the estate of Robert Welsh dec^{d}		)		

And now at this day Came the/ plaintiff by Thomas Hubbard, his attorney, and says/ that he will not prosecute this Suit any farther/ Therefore on motion it is ordered that this Suit be/ dismissed, and that the defendant have and/ recover of the plaintiff her costs by her in and/ about this motion expended [C4/029.3]

~~~~~~

Evan Jackson	plff	)		
vs.			)	Sci fac
Mary Tweedle admr^{x}	deft	)		
of the estate of William Tweedle dec^{d}		)		

And now at this day Came/ the parties aforesaid by their attorneys, and on motion... [C4/029.4]

~~~~~~

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...It is ordered that this Case be Certified to the/ County of Hot Spring according to the Law in such/ Cases made and provided [C4/030.1]

~~~~~~

Joseph B. Riley & al	Complt	)		
vs.			)	Bill for Injuction
William Arnett assignee of		)		
William Mattingly who was/		)		
assignee of Benjamin Braver	Deft	)		

And now at this day Came/ the Complainant by O. V. Howell his Solicitor,/ and ____ed and filed in open Court, his Bill/ of Complaint in this Cause, and thereupon moved/ the Court for an injunction agreebly to the prayer of/ his Said Bill, Whereupon the matters and Brief, Stated/ in Said Bill, and

the arguments of Consel being/ heard and fully considered it is ordered by the/ Court, that an injunction be granted agreebly/ to the prayer in Said Bill upon the Complainant/ entering into bond with James ____is and/ John S T Callaway as his securites in the/ penal sum of sixty Dollars conditioned/ according to Law [C4/030.2]

~~~~~~

Ordered that Court adjourn until to/ morrow morning 9 oclock
Tho. P. Eskridge [C4/030.3]

~~~~~~

Tuesday morning September 28th 1830/ Court met Persuant to adjournment/ Present the Honorable Thomas P Eskridge [C4/030.4]

~~~~~~

Jonathan Bittick	)	
vs.	)	audita Qurella
David Fish and Andrew)		
Hemphill admrs of the Estate)		
of William Hemphill)		
deceased	)	

This day the parties... [C4/030.5]

~~~~~~

Page 031, Book C4 # September term 1830

...appeared by their attorney and ~~on motion of~~ {the plaintiff}/ ~~and on motion of the defendant~~ {discontinued all further prosecution of} this Suit ~~is~~/ ~~dismissed and~~ that the defendants Recover of/ the plaintiff their Costs in this suit Expended [C4/031.1]

~~~~~~

It appearing to the Satisfaction of the Court that/ George Janes one of the grand Jury is unable/ from illness to attend it is ordered that he/ be discharged [C4/031.2]

~~~~~~

The grand Jury empanelld Sworn and charged/ at the Present term of this Court came into/ Court and returned into Court an Indictment/ against William Bartlett

Laborer and John/ Simpson labourer of the County of Clark/ for Horse Stealing a true Bill and again/ retired to Consult further of their duties [C4/031.3]

~~~~~~

United States)
vs.)
William Bartlett &)
John Simpson)

on motion of the Prosecuting/ attorney it is ordered that a ven facias be issued/ by the Clerk of this Court directed to the Sheriff/ of Clark County Commanding him to Sum/mon twelve good and Lawful men of his/ Bailiwick to be and appear fourthwith ~~before~~/ and also that the Clerk of this Court make out/ a duly Certified Copy of this Indictment Returned/ and filed in this Case and deliver the same/ to the Sheriff of the County of Clark and/ it is ordered that Said Sheriff forthwith/ deliver Said Copy to the defendants [C4/031.4]

~~~~~~

Page 32, Book C4 # September Term 1830

John William & al Appellant)
vs.) appeal
Elijah A Moore Appelle)

This day came the parties aforesaid by their/ attornies and by their mutual consent it is/ ordered that this Case be dismissed at the/ appelants Cost Therefore it is considered by the Court that the/ appellee recover of the said appellants the Costs in and about this Case expended [C4/032.1]

~~~~~~

Daniel Robinson)
vs.) Case
James Miles)

This day came the parties aforesaid/ by their attornies and by their mutual/ Consent it is ordered that this case be Contin/ued until the next term of this Court [C4/032.2]

~~~~~~

Drew Hasley Appellant)
vs.) appeal
Joseph Hardin Appelle)

And now at this day Came/ the parties aforesaid by their attorney, and the Cause/ they Submitted and the parties fully heard and the/ Court not {being} sufficiently advised take time/ to consider therof [C4/032.3]

~~~~~~

Calvin Merry plff)
vs.) Trespass on the Case
Eli J White deft)

And now at this day Came the deft/ herin and filed his plea to the plaintiffs declaration/ Whereupon the plaintiff filed and joined _____ _____ [C4/032.4]

~~~~~~

Grand Jury returned into Court, and the foreman/ therof declared, that there was no other or further business/ before them, and the Prosecuting Attorney having no further/ business to bring before them, Therefor on Motion it... [C4/032.5

~~~~~~

Page 033, Book C4 # September Term 1830

...is ordered that they be discharged from the further/ duties of their office and that they go hence/ without day [C4/033.1]

~~~~~~

Batty Harington assingee plff)
vs.) Assumpsit
Adam Stroud deft)

And now at this day Came the parties/ Aforesaid by their attorney and {neither party requiring a Jury) the Case {was} ~~being~~ sub/mitted to the Court and the parties being fully heard &/ the Court now sufficinetly advised of and concerning/ the premises doth consider that the plaintiff have and/ recover of the defendant the sum of two hundred/ and twenty five dollars fifty seven Cents in damages/ together with his Costs in and about this suit ex/pended [C4/033.2]

~~~~~~

Wiliam Blakely plff)
vs.) Assumpsit
Archabald Huddleston deft)
~~~~~~

This day Came the parties aforesaid by their/ attorneys and filed herin a plea replication and/ joinder in the aforesaid Cause [C4/033.3]

~~~~~~

~~Ordered that Court adjourn till to morrow/ morning 9 oclock AM~~ [C4/033.4]

~~~~~~

Joseph Lindley who sues for the use and benefit of John Clark plff)
vs.)
John H Moseley deft)

This day Came the parties aforesaid by their attornies and this/ Cause Came on for hearing and was submitted to the Court, and/ the arguments of Counsel being heard and it appearing to the satisfaction/ of the Court here that there is such a record {and Judgment} as that stated in the/ declaration filed in this suit Therefore on Motion of the plaintiff by... [C4/033.4]

~~~~~~

Page 034, Book C4 September Term AD 1830

...his attorney It is Considered by the Court that the said plaintiff/ for the use and benefit of John Clark have and recover of the/ Said defendant John H Moseley the Sum of One Hundred and/ Eighty six dollars and forty five Cents the debt in the declaration/ Mentioned and also five dollars and thirty Cents his damages/ Sustained by reason of the detention of Said {debt} together with the/ Costs by him about his suit in this behalf expended [C4/034.1]

~~~~~~

Ordered that Court adjourn until tomorrow morning/ nine Oclock
Tho P Eskridge [C4/034.1]

~~~~~~

Wednesday Morning September 29th A.D. 1830/ Court met pursuant to adjournment/ Present the Honourable Thomas P. Eskridge [C4/034.3]

~~~~~~

Micajah M^{c}Donald Plaintiff)
vs.) In Replevin

Joseph B. Raleigh Defendant)

This day Came the defendant aforesaid by/ his attorney and suggested to the Court the death of the Said/ plaintiff, which not being denied, On Motion of the defendant and/ with the assent of ~~Micajah~~ {Zachariah} M^{c}Donald administrator of the/ estate of the said Micajah M^{c}Donald deceased, it is ordered/ by the Court that the Said that this Suit be and stand revived in the name/ of the said Zachariah M^{c}Donald administrator of the Estate/ of the said Micajah M^{c}Donald, and it is ordered that/ this Cause be continued until the next Term of this Court [C4/034.4]

~~~~~~

Drewry Hasley appelant)
vs.) appeal
Joseph Hardin appelee)

And now at this day the parties appeared/ by their attornies and Submited the Cause... [C4/034.5]

~~~~~~

Page 035, Book C4 September Term 1830

...to the Court and the parties being fully/ heard and the Court not being now Sufficien/tly advised thereof doth Order that this/ Cause be Continued until the next term of/ this Court [C4/035.1]

~~~~~~

Calvin Merry Plff)
vs.) Case in trovier
Eli J. White Deft)

And now at this day appeared the parties/ aforesaid by their Attornies and on the affida/vit of the defendant herein filed it is therefore/ Ordered that this Case be Continued until/ the next term of this Court and it is also/ Considered by this Court that the Said/ plaintiff have and Recover of Said defendant {the costs}/ of this Continuance [C4/035.2]

~~~~~~

United States Plff)
vs.) Indictment on
William Bartlett &) a charge of horse
John Simpson Defts) Stealing

On motion it is Ordered that a venire/ facial be issued by the Clerk of this Court/ directed to the Sheriff of Clark County/ Commanding him to Summons thirty Six/ Good and Lawful men of his baliwick/ to be and appear fourthwith before the Judge/ of our Clark Circuit Court then and there/ to Serve as a venire in the Case of the United/ States against John Simpson and William/ Bartlett Charged by an indictment for horse/ Stealing as Returned by the grand Jury at/ the present term of this Court [C4/035.3]

~~~~~~

Page 036, Book C4 # September Term 1830

William Blakeley	Plff	)	
vs.		)	Assumsit
Archabald Huddleston	Deft	)	

And now at this day Came the parties afore/ Said by their Attornies and the Court being/ now Sufficiently advised overruled the plaintiff/ motion to Strike out the notice of Set off any/ plea of payment whereupon the defendant/ made and filed his affidavit and thereupon/ moved the Court for a continuance of this/ Case therefore it is ordered by the Court/ that this Cause be continued until the next/ terme of this Court it is also ordered by the/ Court that the Said Plaintiff have and recover/ of the Said defendant the Costs by Reason of/ this Continuance [C4/036.1]

~~~~~~

John Pope governor _____	Plff	)	
the use of Thomas Read		)	
vs.		)	In Debt
Mastin Latham, Robert Frier		)	
and M^{c}Daniel	defts	)	

This day Came the parties aforesaid by/ their Attornies and argued the Law/ arising upon the Demurrer filed to/ the plaintiffs Declaration in this/ case and the court not being now/ Sufficiently advised thereof took time/ to advise thereof [C4/036.2]

~~~~~~

Moses Collins)		
vs.	)	Asumsit
Alvey R Johnson	)	
~~~~~~

This day came the plaintiff by his/ Attorney and filed his Declaration/ in this Case [C4/036.3]

~~~~~~

Page 037, Book C4 September Term 1830

William Denton)
vs.) Debt
Alvey R Johnson)

And now at this day Came the said plaintiff/ by his Attorney and filed his Declaration/ in this Suit [C4/037.1]

~~~~~~

Ordered that Court adjournn until nine/ oclock to morrow morning
Tho. P. Eskridge [C4/037.2]

~~~~~~

Thursday Morning September the 30th 1830/ Court Met pursuant to Adjournment/ present the Honourable Thomas P. Eskridge [C4/037.3]

~~~~~~

Calvin Merry)
vs.) Trover
Eli J White)

This day appeared the Defendant Eli/ J. White by his Attorney and on his/ motion it is ordered that the Clerk/ of this court Issue an Attachment/ Directed to the Sheriff of Hempstead/ County commanding him to Attach/ Asa Lawrence So that he have his/ body before the Judge of the circuit/ court for the County of clark on the/ Last monday of April next at the/ court house in Clark county then/ and there to Answer for a contempt/ by him committed in failing to/ appear here on this day as a witness/ on the part of said Eli J. White/ on the above case and that the sheriff in executing said writ be/ directed to take bail of the Said Lawrence in the sum of One Hundred dollars [C4/037.4]

~~~~~~

John Pope governor of Arkansas)
for the use of Thomas Reed)
vs.)
Mastin Latham, Robert Fryer &)... [C4/037.5]
~~~~~~

~~~~~~

Page 038, Book C4 September Term 1830

...Silas Mcdaniel impleaded with)
Joseph Butler)

And now at this day came the parties/ aforesaid by their Attornie And all and/ Singular the Law raising where/ the Demurrer filed in this case being/ _____ and by the Court here fully/ understood, It is considered by/ the Court that Said plaintiffs/ Declaration in this casebe overruled/ and that Said Demurrer be sustained/ And that Said Defendants have and recover of Said Thomas/ Reed the Costs by them in Defence/ of this Demurrer expended/ Whereupon on motion of the said/ plaintiff it is ordered that he have/ leave to amend his Declaration/ and on motion of Said plaintiff/ it is further ordered ~~that~~ that said/ Defendant be ruled to perfect the/ Bail ~~Bond~~ in this case on or before/ the fifth day of this June [C4/038.1]

~~~~~~

United States Plff)
vs.)
John Simpson &)
William Bartlett Defts)

This day Came Thomas Hubbard/ prosecuting Attorney and the Said/ John Simpson and William/ Bartlett were brought in to court/ in custody of the Sheriff of/ Clark County-- And the Said/ John Simpson and Said/ William Bartl were recognized... [C4/038.2]

~~~~~~

Page 039, Book C4 September Term 1830

...upon the Indictment filed against/ them in this court for horse stealing/ and being arraigned Say that/ they are not Guilty in manner/ and form as charged in Said/ Indictment and for their _____/ put themselves upon the country/ and on motion of the prosecuting/ Attorney it is ordered that Said/ William Bartlett bew remanded/ to the custody of the Sheriff/ And the Said John Simpson in his/ proper person agreed to Despence/ with the Service of a copy of said/ Indictment and Service for two _____/ slays as authorized by Law and requested/ a speedy trial And therefore/ came a Jury towit Samuel Lewis/ Abraham Bolt Charles Gollihar/ John B Anderson Enoch Frier/ John Wingfield Mastin Latham/ Drewry Hasley Eli J. White/ William Bennett Levi Huddleston/ and Hendrick White twelve/
~~~~~~

Good and Lawful men of the/ county aforesaid who were duly Elected tried and sworn will/ and truly to try and true/ Deliverance make between/ the United States and the Said/ John Simpson the prisoner/ at the bar and a true verdict/ to render according to the/ Evidence and after hearing the/ evidence and Arguments of counsel/ retired to consider of their verdict [C4/039.1]

~~~~~~

Page 40, Book C4 # September Term 1830

Bartley Harrington assee	Plff	)		
vs.			)	assumsit
Adam Stroud	Deft	)		

And now at this day Came the defendant/ by his attorney and moved the Court for/ a new trial for Reasons in writing filed/ also to quash the Judgment in this Suit rendered _____ his reasons in/ writing filed [C4/040.1]

~~~~~~

William Fenton	Plff	)	
vs.		)	attachment
Alvey R Johnson	Deft	)	

This day came the ~~parties~~ {plaintiff} aforesaid by his attor/ as well as the Garnishees George Overbaugh and Thomas McLaughlin by their att/ ~~their attorney and~~ {the said Garnishees} ~~the defendant~~ moved the/ Court to dismiss the attachment and/ Court being now Sufficiently advised of and/ Concerning Said motion doth order that/ Said motion be Overruled [C4/040.2]

~~~~~~

Calvin Merry	Plff	)	
vs.		)	In Trover
Eli J. White	Deft	)	

On Motion of the said plaintiff/ by his attorney it is ruled that the said Defendant perfect his/ bail in this Cause On Or before the fifth day of the present term/ of this Court [C4/040.3]

~~~~~~

~~Ordered that Court adjourn until tomorrow morning/~~ ~~Nine Oclock~~
~~Tho. P. Eskridge~~ [C4/040.4]

~~~~~~
~~~~~~

United States)
vs.) Indt for horse stealing
Wm Bartlett)

On Motion of Thomas Hubbard, Esq[r]/ prosecuting attorney it is ordered that a venire facias/ be issued directed to the Sheriff of Clark County/ commanding him to summon Thirty six good/ & lawful men to appear forthwith [C4/040.5]

~~~~~~

Page 41, Book C4

Ordered that Court adjourn till tomorrow/ Morning nine Oclock
Tho P Eskridge [C4/041.1]

~~~~~~

Friday morning October 1st 1830 Court met/ Persuant to adjournment present the/ Honorable Thomas P. Eskridge [C4/041.2]

~~~~~~

United States)
vs.) indicted with William
John Simpson) Bartlett for horse Stealing

And now at this day Came Thomas Hubbard/ Prosecuting Attorney And the Sheriff of/ Clark County came also into/ Court and reported to the Court/ here {that} the avove named John/ Simpson on the night of the/ 30th of September Last against the/ will of said Sheriff Eluded the/ Vigilince of said Sheriff and/ felloneously escaped from his/ Custody and that he is therefore/ not here now to be brought to the/ bar Whereupon the Jury empanelled/ in this case returned into Court/ and on motion of Thomas Hubbard/ prosecuting attorney it is ordered/ by the Court that the Jury afore/Said be Discharged and go/ hence without day &c and it is/ ordered that a capias issue agst said John Simpson [C4/041.3]

~~~~~~

United States)
vs.) Indicted with John Simpson for
William Bartlett) Horse Stealing

And now at this day Came Thomas/ Hubbard prosecuting Attorney/ And the Said William/ Bartlett in proper person ~~also~~... [C4/041.4]

~~~~~~

Page 42, Book C4 # September Term 1830

...was brought to the bar in custo/dy of the Sheriff and the said/ William Bartlett agreed to dispense/ with the service of a copy of the/ Indictment and the veniu for two/ entire days as required by Law/ and requested a trial in_____/ and thereupon came a Jury towit/ Augustus B. McDonald Benjamin/ _____ George Gordon, Alexander/ McTigret Jester Cocke John Rose/ Benjamin Bolt Aaron Bolt/ Jonas Piles John McClendon/ Samuel Gentry and James/ Lisenby twelve good and/ lawful men of the county afore/said who being Elected empan/nelled & Sworn well and truly/ to try and true Deliverance make/ between the United States and the/ Said William Bartlett the prisoner/ at the bar and a true verdict to/ render according to the evidence/ after hearing the evidence and/ arguments of counsel retired/ to consult of their verdict and/ returned into Court the following/ towit We the Jury find the/ prisoner not Guilty in manner/ and form as he Stands Charged/ in Said Indictment therefore/ it is considered by the Court/ that the Said William Bartlett/ be Discharged and go hence/ without day [C4/42.1]

~~~~~~

Page 43, Book C4 # September Term 1830

Moses Collins)
vs.)
Alvey R Johnson)

This day appeared Moses Collins and George/ Overbaugh & Thomas McLaughlin/ Garnishees Summoned in this case ~~appeared~~/ and moved the Court to Dismiss said/ Attachment for want of a Sufficient/ affadavit and for a want of a Legal/ execution thereof Whereupon all and/ Singular the Law arising on Said/ motion being Seen and by the Court/ here understood it is considered by the/ Court that Said motion be overruled [C4/043.1]

~~~~~~

John Pope Governor of Arkansas)
for the use of Thomas Reed)
vs.)
Martin Latham Robert Frier and)
Silas McDaniel _____ with)
Joseph Butler)
~~~~~~

This day came the parties aforesaid/ by their Attornies and the said/ plaintiff by his Attorney says that/ he is unwilling further to prosecute/ this Suit therefore it is considered/ by the court that the Said Defendants/ have and recover of the Said/ Thomas Reed the costs of this Suit/ and that Said Defendants Go/ hence without day &c [C4/043.2]

~~~~~~

Ordered that Court adjourn till tomor/row Morning eight Oclock
Tho. P. Eskridge [C4/043.3]

~~~~~~

Page 044, Book C4 September Term 1830

United States)
vs.)
Samuel Simpson)

On motion of Thomas Hubbard/ Prosecuting attorney it is ordered that a fine/ of twenty dollars be imposed on Samuel/ Simpson for a Contempt of this Court in/ a{i}ding John Simpson a prisoner Charged with/ horse Stealing to make his escape and that he/ Stand Commited till the fine & Cost are paid [C4/044.1]

~~~~~~

Bartley Harrington) issue &c
agst) assumsit
Adam Stroud)

The Court being now Sufficien/tly of and concerning the motions made on/ yesterday for a new trial and in arrest of/ Judgment doth overrule the Same, whereupon/ the Deft by his counsel filed his bill of exceptions/ which is ordered to be made a part of the/ record, which is done accordingly [C4/044.2]

~~~~~~

Clark County)
vs.) Appeal
Thomas Holman)

On motion of Samuel S. Hall/ Defendants atty, it is ordered that this/ case be dismissed [C4/044.3]

~~~~~~

William Denton	Plaintiff	)	
vs.		)	Attachment &
Alvey R. Johnson	Defendant	)	Debt

This day came the ~~parties~~ {Plaintiff}/ aforesaid by His attornies and the Garnishee Allen H Johnson/ by his attorney moved the Court to dismiss the attachment in this/ Cause and discharge the Garnishees in this Cause which not/ being heard was overruled by the Court whereupon the plaintiff/ filed allegations and interrogatories to be answered by the/ Garnishees in this Cause according to the statute in such cases/ made and provided [C4/044.4]

~~~~~~

Page 045, Book C4 # September Term A.D. 1830

Moses Collins Plff	)		
vs.		)	Attachment & assumpsit
Alvey R. Johnson	Deft	)	

This day came the plaintiff by/ his attorney as well as the Garnishees George Overbaugh and/ Thomas M^{c}Laughlin by their attorney and the said Garnishees/ moved the Court to dismiss the attachment herein, on the grounds/ that the debt Claimed by {on demand} by the plaintiff was not due at the time/ of suing out this attachment which motion bring heard was/ overruled by the Court and therefore the plaintiff filed in/ writing allegations and interrogatories to be answered by the/ garnishees in this Cause [C4/045.1]

~~~~~~

Bartley Harrington assignee of		)		
Benjamin Clark		Plff	)	
vs.			)	Assumsit
Adam Stroud	Deft	)		

This day Came the parties aforesaid by their attornies and the/ defendant prayed an appeal to the Superior Court, which is granted/ to him upon his entering into a recognizance in the sum of Three/ Hundred Dollars with William Bennet and Abner E. Thornton/ as his securities Whereupon the said Adam Stroud, together/ with William Bennet and Abner E Thornton as his securities/ Came into Open Court and acknowledged themselves to be/ held and firmly bound unto the said Bartley Harrington/ in the Sum of Three Hundred Dollars of lawful money of/ the United States of America to be levied of their respective/ goods and Chattles lands and tenements on Condition that/ if the
~~~~~~

Judgment of the Clark Circuit Court be affirmed by/ the said Superior Court and if the said Adam Stroud shall/ well and truly pay the damages, and costs, that have accrued/ or may accrue, by reason of such appeal then this recogni/zance to be void otherwise to remain in full force and/ virtue in Law [C4/045.2]

~~~~~~

Ordered that Court adjourn until Court in Course

Tho. P. Eskridge [C4/045.3]

~~~~~~

Page 046, Book C4

Clark Circuit Court in Vacation Dec/ the 13th 1830 [C4/046.1]

~~~~~~

Moses Collins Plff)
vs.) attachment
Alvey R Johnson Deft)

The parties aforesaid this day/ appeared and the plaintiff acknowledges the debt/ in his attachment in this Suit {mentioned} to be fully paid &/ Satisfied and on his motion the Garnishees in the/ Case is discharged and the plaintiff also agree/ing to pay all legal Costs of this Suit therefore/ with the assent of the Said plaintiff and defen/ant this Suit is dismissed from the Docket

Isaac Ward Clerk

the Circuit Court of CC

[C4/046.2]

~~~~~~

Clark Circuit Court in Vacation December the/ 13th 1830 [C4/046.3]

~~~~~~

Allen H. Johnson Plaintiff)
vs.) Trespass on the Case
William Denton, John Denton,) in Trover
Isaac Ward, Silas/ McDaniel Moses)
Collins, Abraham Wells, John S__/)
Samuel Rose, Wm Stroope, Jr,)
Ephriam Stroope/ William)
Stroope, Sr, and A Huddleston)
~~~~~~

This day came the parties aforesaid and the/ plaintiff acknowledge the debt in his Declara/tion in this Suit to be fully paid and Satisfied/ and the Said plaintiff in this Case agreeeing to/ pay all the legal Costs that have acrued in this/ Case therefore with the assent of the plaintiff/ and defendants this Suit is dismissed attest Isaac Ward Clerk of the Clark Circuit Court [C4/046.4]

~~~~~~

Page 047, Book C4

Clark Circuit Court in Vacation december/ 15th 1830 [C4/047.1]

~~~~~~

William Denton Plff)
vs.) attachment
Alvey R. Johnson Deft)

The parties aforesaid this day appeared/ in their proper persons and the plaintiff agreeing/ to pay all the Costs that had acrued in this Case/ therefore with the assent of the plaintiff and/ defendant this Suit is dismissed from the docket attest Isaac Ward Clerk of the Clark Circuit Court [C4/047.2]

~~~~~~

Clark Circuit Court in vacation March 25th 1831 [C4/047.3]

~~~~~~

Moses Moore Plff)
vs.) Certiorari
Andrew Hemphill Deft)

The plaintiff aforesaid this day appeared/ in his proper person and the Said plaintiff/ agreeing to pay all the Costs that had acrued in this/ Case therefore with the assent of the plaintiff and/ defendant this Suit is dismissed from the docket/ and it is Considered that the defendant recover/ his Cost of the said plaintiff in this Case Expen/ded attest Isaac Ward Clerk of the Clark Circuit Court [C4/047.4]

~~~~~~

Page 048, Book C4 March Term 1831
~~~~~~

Arkansas Territory
At a circuit Court Commenced and/ held in and for the County Clark at the/ Court House thereof at the town of Greenville/ in Said County on the last Monday of March/ 1831 it being the 28th day of Said month/ Present the Honorable Benjamin Johnson one of/ the Judges of the Superior Court of Said/ Territory assigned by Law to hold Circuit Court/ in and the The Territory and circuit aforesaid [C4/048.1]

~~~~~~

Ordered that the Sheriff proclaim that the/ Circuit Court of the County of Clark afore/Said has met according to Law and is ready to/ procede with the business thereof [C4/048.2]

~~~~~~

The Sheriff of the County of Clark aforesaid/ this day returned into {Court} the following panel of/ Grand Juror to wit John Wilson William/ Thornton Samuel Parker Mastin Latham/ Nicholas Keath James Galbath Archabald/ Huddleston Jacob Hoover Jesse Cates Benjamin/ Hardin Joshua D Stuart Walter Crow Joseph/ Hardin Jr Henry G McLaughlin James Henthorn/ Isaac White Gabriel Brown Rice Stringer/ and Elijah Kelly {good and lawful men of sd} who being empannelled Sworn/ and Charged according to Law retired from the/ bar of this Court to Consult of their/ duties &c [C4/048.3]

~~~~~~

~~United States~~ ~~Plff~~)
~~vs.~~) ~~attachment~~
~~Asa Lawrence~~ ~~Deft~~) [C4/048.4]

~~~~~~

Page 049, Book C4 March Term 1831

Asa Lawrence who was recognized to appear here/ on this day to answer the United States appeared/ in open Court and having rendered Satisfactory/ Excuse to the Court for his non attendance it is/ ordered that he be discharged [C4/049.1]

~~~~~~

Thomas Wright who was Recognized to appear/ here on this day to answer the United States to an/ indictment to be perfured against him for/ Larceny appeared in discharge of his recognizance/ and on his motion it is ordered {that said
~~~~~~

recognizance} ~~that he be~~/ {be _____ and that he be} discharged and go hence without day [C4/049.2]

~~~~~~

This day Samuel S Hall appeared in/ open Court and produced a Deputation/ from the Clerk of this Court appointing/ him a Deputy of said clerk whereupon/ it is ordered that the same be approved/ And the said Deputy in open Court/ took the oath of office as prescribed/ by Law [C4/049.3]

~~~~~~

Ordered that court adjourn until/ tomorrow morning 10 oclock
B. Johnson [C4/049.4]

~~~~~~

Page 050, Book C4 # March Term 1831

Tuesday morning March the 29th 1831/ Court met pursuant to adjournment/ present the Honourable Ben Johnson/ Judge [C4/050.1]

~~~~~~

Joseph B. Raleigh)
vs.) Bill in Chancery
William Arnett &)
Alvey R Johnson)

On motion of the said complainants/ it is ordered that he have leave to/ amend his bill by writing a _____/ that the said Arnott and Johnson/ be made Defendants which is done/ accordingly [C4/050.2]

~~~~~~

John L. Hemphill)
vs.)
Mary Dickson)

On motion of the said Defendant by/ her Attorney it is ordered that the/ Said plaintiff file a bond with/ security conditioned for the payment/ of the cost of this suit at Least thirty/ days previous to the next term of this/ court in Default of which his Suit/ Shall be Dismissed [C4/050.3]

~~~~~~

United States)
vs.) Indictment for an
Jessee Holly) assault & Battery

on motion of Abraham Wells/ Sheriff of Clark County it is ordered/ that he have leave to amend his/ Return on the Capias in this Case [C4/050.4]

~~~~~~

on motion of Thomas Hubbard/ prosecuting Attorney it is ordered/ that Abraham Wells Sheriff of Clark/ County appear at the next Term/ of this Court and Shew cause/ why an attachment Should not... [C4/050.5]

~~~~~~

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...Issue against him for a contempt/ in failing to execute the Capias/ in the case of the United States vs./ Jessee Holly [C4/051.1]

~~~~~~

United States)
vs.) Indictment for an
Arthur Davis) Assault and battery

On motion of Abraham Wells Sheriff/ of Clark County it is ordered that he/ have leave to amend his return/ on the Capias in this Case [C4/051.2]

~~~~~~

on motion of Thomas Hubbard/ prosecuting Attorney it is ordered/ that Abraham Wells Sheriff of/ Clark County appear on the first/ day of our next Term of this/ Court and Shew Cause why an/ attachment Should not Issue/ against him for a contempt in/ failing to execute thecapias/ in the case of the United States/ vs Arthur Davis [C4/051.3]

~~~~~~

United States)
vs.)
John Ca___)
~~~~~~

on motion of the prosecuting attorney/ it is ordered that an attachment/ Issue against the said John/ Ca___ and that he be held to bail/ in the sum of fifty Dollars/ conditioned for his appearance/ at the next term of this Court to/ Answer for a contempt in/ neglecting to appear at this/ Term to testify in behalf of/ Calvin Mary vs Eli J White [C4/051.4]

~~~~~~

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This day the Sheriff produced in/ Court ~~his account~~ his account for/ the sum of twenty & $^{11/100}$ Dollars for/ the Keeping property taken on/ execution in the case of Jacob/ Lindley for the use of John Clark/ against John H. Mosely which/ is approved and allowed [C4/052.1]

~~~~~~

Zachariah McDaniel[4] Administrator)
of Micajah McDaniel)
vs.) Replevin
Joseph B. Raleigh)

this day came the parties aforesaid/ by their Attornies and also came/ a Jury to wit Jester Cocke, William/ Galbreath Benjamin Bolt Joseph/ Hardin William Gentry Moses/ Collins David C. Edmiston Sam[1]/ Hasley Richard McCallister Silas/ McDaniel William Bennett &/ Robert Frier twelve Good/ and Lawful men of said/ county of Clark who were duly/ elected tried and Sworn well/ and truly to try the Issue/ Joined between the parties/ aforesaid and after hearing the/ evidence the said plaintiff/ by Thomas Hubbard his Attorney/ Says he is unwilling further/ to prosecute this suit whereupon/ the said Jury Retired to Consider/ of the Damages Sustained by/ the said Defendant for the/ _____tion of the property in/ the Declaration mentioned/ and returned into Court the... [C4/052.2]

~~~~~~

Page 053, Book C4 Clark Circuit Court March Term 1831

...following verdict towit/ We of the Jury find for the/ Defendant Joseph B Raleigh/ Thirty Dollars for the _____/ of the said property in the said Declaration mentioned/ therefore it is considered by the court/ that the said Defendant Joseph B Raleigh/ have ~~and recover of~~ from the Said Zachariah/ McDaniel Administrator of the said/ Micajah McDaniel Deceased the/ said _____ buy _____ in the Declaration/ mentioned and also {that he have and recover} the said sum/ of thirty

---

4 Name should probably be "McDonald"
~~~~~~

Dollars So by the Jury/ aforesaid in force aforesaid assessed/ together with the costs of this suit to be/ ;evied of the goods and chattles of said deceased/ in his hands unadministered [C4/053.1]

~~~~~~

Drewry Hasley)
vs.)
Joseph Hardin)

this day appeared the parties aforesaid by/ their Attorneis and on motion of/ appellee [blank space] it is ordered that this case be continued until next Term [C4/053.2]

~~~~~~

Daniel Robinson)
vs.)
James Miles)

on motion the plaintiff by his Attorney/ it is ordered that this case be continued/ until next Term [C4/053.3]

~~~~~~

Andrew Cowen)
vs.) certiorari
Edmund Johnson)

And now at this day came the said/ Andrew Cowen by his Attorney and/ on his motion it is ordered by the/ Court that proceedings had before/ the Justice of the peace in this case/ be Set aside for ____utarity/ appearing on the face of the same... [C4/053.4]

~~~~~~

Page 054, Book C4 March Term 1831

....therefore it is considered by the court that/ the Said Andrew Cowen have and/ recover of the said Edmund Johnson/ the costs by him about this Suit and/ sts in the Justices court expended/ and it is further ordered that this/ case be set for trial &c now [C4/054.1]

~~~~~~

Edmund Johnson)
~~~~~~

vs.) _____ _____ on
Andrew Cowen) a Justices Judgement

this day came the said Andrew/ Cowen by his Attorney and the said/ Edmund Johnson being Solemnly/ called came not by made Default/ therefore it is considered by the Court/ that the Said Andrew Cowen/ have and recover of said Edmund/ Johnson the cost of this Suit [C4/054.2]

~~~~~~

William Blakely)
vs.) certiorari
Archabald Huddleston)

And now at this day came the parties/ aforesaid by their Attornies and also/ came a Jury towit Jester Cocke/ William Galbreath Benjamin Bolt/ Joseph Hardin William Gentry/ Moses Collins David C. Edmiston/ Samuel Hasley Richard McCallister/ Silas McDaniel William Bennett/ and Robert Frier twelve Good and/ Lawful men of the county of Clark/ who were duly elected empannelled/ Sworn well and truly to try these/ Issues Joined between the parties/ aforesaid and after hearing the evidence/ the Said plaintiff Says he will not/ further prosecute this Suit/ therefore it is considered by the... [C4/054.3]

~~~~~~

Page 055, Book C4

...court that the Jury aforesaid be/ Discharged and that the said/ Archabald Huddleston have and/ recover of the said William/ Blakely the Costs of this Suit [C4/055.1]

~~~~~~

The Grand Jury empannelled and Sworn at the present/ Term of this Court this day returned into Court an Indict/ment agains Thomas Wright for a Tresspass a true, Bill, Whereupon there being no Other or further business before the/ Said Grand Jury It is Ordered that they be discharged [C4/055.2]

~~~~~~

Myers F. Jones appellant)
vs.) Appeal
John Bolt appellee)

This day Came the/ parties aforesaid by their Attornies and On motion of the/ appellee and {upon} his verbal affidavit made by Consent of the/ parties, It is ordered that this Cause be Continued until the/ next term of this

Court Therefore On motion it is Considered/ by the Court that the appellant recover of the appellee the/ Costs Occasioned by reason of said Continuance [C4/055.3]

~~~~~~

Samuel H. Taylor and Mary Taylor his wife late Mary Tweedle	Plff	)		
vs.			)	Debt
John Callaway	Deft	)		

This day Came/ the parties aforesaid by their attornies, and the plaintiff/ having filed an Amendment to his declaration in this Cause/ Therefore On motion it is Ordered that this Cause be Continued/ until the next Term of this Court [C4/055.4]

~~~~~~

Thomas Reed	Complainant	)		
vs.			)	Chancery
Jonathan Callaway	Defendant	)		

This day Came the defend/ant aforesaid into Open Court and Swore to & filed his answer/ in this Cause to the Complainant's said Bill, and also a demurrer/ to said Bill [C4/055.5]

~~~~~~

Page 056, Book C4 # March Term 1831

Ordered that court adjourn until/ tomorrow morning at 10 oclock
B. Johnson [C4/056.1]

~~~~~~

Wednesday morning March the 30th 1831/ Court met Pursuant to adjournment/ Present the Honorable Benjamin Johnson [C4/056.2]

~~~~~~

Joseph B Riley	Complainant	)		
vs.			)	injunction
William Arnett &			)	
Alvey R Johnson	Defendant		)	
~~~~~~

William Arnett appeared by Hubbard his/ Attorney and moved the Court to Disolve the/ the Injunction in this Case for want of Equity/ on the face of the bill which motion was over/Ruled whereupon the Said defendant filed his/ Demurrer to the Said Comp{l}ainants bill and/ this Case is Continued until the next Term of/ this Court [C4/056.3]

~~~~~~

John L Hemphill)
vs.) Deture
Mary Dickson)

On motion of the/ Defendant it is ordered that the Bail bond/ in this case be can~~stall~~{celled} ~~for~~ and the Ground/ of the affidavid being defective {&} in suficient/ and there ~~open~~ upon the plaintiff being/ ~~Somely~~ {Solemnly} Called Came not There fore it is considered/ that {the} plaintiff being non suited and that the/ Defendant have and recover against the/ Plaintiff his Costs herein Expended and/ Go~~ev~~ hence with out day &c [C4/056.4]

~~~~~~

James H. Stevenson)
vs.) Certiorari
Jacob Stroop)

This day came the... [C4/056.5]

~~~~~~

Page 057, Book C4 March Term 1831

...parties by their attornies {&} on motion of the plaintiff/ {____on} this was filed in writing {and} _____ the parties being/ fully heard on said motion {&} The court being fully/ advised Consurning the same doth Consider that/ the Jaudgment of the Justice of the peace herein be/ reversed and set aside for irregularity and infor/mately apearing on the face thereof and it is also/ considered by the Court that ~~defendant John~~ the said/ James H. Stevenson have and recover of the said/ Jacob Stroope his {costs} by him about his suit in/ this court Expended, and his costs in the Justice/ Court expended and it is further ordered that Each/ party pay their own witnesses summoned/ and in attendance on the Court and this cause is/ set for trial de novo on the merits and continued [C4/057.1]

~~~~~~

U. States)
vs.) Indictment for Tresspass

Thomas Wright)

This day came the U. States by/ Hubbard Prosecuting attorney and the Deft moved/ the court to quash the Indictment which motion/ was sustained It is therefore considered that the/ Deft be discharged and go hence without day [C4/057.2]

~~~~~~

Polly stanly & Moses Moore)
Exors of the last will of) Administration
Stephen Stanley deceased) Case

On the motion of Polly Stanly, it is/ ordered that she be allowed the sum of/ one hundred and five dollars for the/ Boarding & clothing of the Infant heirs of/ said Stephen Stanly deceased, and it appear/ing to the satisfaction of the court that the executors/ have fully administered the said estate it is... [C4/057.3]

~~~~~~

Page 058, Book C4

...ordered that they be discharged therefrom [C4/058.1]

~~~~~~

Joseph B. Riley)
vs.) Certiorari
John J. Rondle)

This day came the parties/ by their attornies and on argument of this cause/ it is considered by the court that the Judgment/ of the Justice be affirmed, and that the said/ defendant have and recover against the/ said Joseph B. Riley and Archabald ~~W~~ Huddles/ton and Levi Huddleston Securities in the certiorari/ bond of the said Joseph B. Raliegh[5] the ~~sum of one dollar/~~ ~~and forty one cents the amount of~~ amount of the/ Judgment of the Justice made on this suit and/ also his {Costs} in an justice court and on this suit/ Expended and it is further ordered that Each/ party pay the Costs {of} his own witnesses sum/moned and in attendance in this court/ at this term [C4/058.2]

~~~~~~

John Pope Governor of the Territory of Arkansas Plff)
for the use of Thomas Reed) Debt

---

[5] Name here should probably be Joseph B. "Riley" rather than Raliegh.

vs.)
Mastin Latham, Robert Frier & Silas McDaniel Deft)
impleaded with Jospeh Butler)

This day Came the parties aforesaid by their attornies and argued/ the matters in Law arising upon the defendants demurrer filed to/ the plaintiffs declaration, and the same being heard and fully/ Considered by the Court and it being the Opinion of the Court that/ the Said declaration & the matters therein Contianed are not sufficient/ in law for the said plaintiff to have and maintain his aforesaid/ action thereof against the said defendants Therefore It is considered/ by the Court that the said demurrer be sustained and that the/ defendants recover of said Thomas Reed for whose use this suit is/ brought the Costs about said demurrer expended, Whereupon on... [C4/058.3]

~~~~~~

Page 059, Book C4

...motion It is ordered that the plaintiff have leave to demand his/ said declaration and thereupon said plaintiff filed an amended/ declaration in this Cause and it is ordered that this Cause be Continued [C4/059.1]

~~~~~~

Zechariah M^{c}Donald Plaintiff)
Administrator of the Estate)
of Micajah Deceased)
vs.) Replevin
Joseph B. Riley Defendant)

This day came the defendant in/ open court and acknowledged the receipt of/ the horse in the declaration Sepcified _____/ in the Judgment in this case rendered in/ favor of the said Joseph B Raleigh ordered/ to be returned to the said defendant [C4/059.2]

~~~~~~

James H Deninson)
vs.) Certiorari
Jacob Stroope Jr.)

on motion of Defendant/ the plaintiff _____ _____ _____ _____ Security for/ Costs and a bond was accordingly given and/ approved by the Court [C4/059.3]

~~~~~~

William Denton Plff)
vs.) attachment
Alvey R. Johnson Deft)

On Motion of the plaintiff by his/ attorney it is Ordered that the Clerk of this Court do tax the/ Costs accrued in this Casue, and have the same subject to the/ inspection of this Court at the next term thereof [C4/059.4]

~~~~~~

Ordered that all Suits and motion & prosecutions not/ disposed of be Continued until the next term of this Court [C4/059.5]

~~~~~~

Ordered that Court adjourn until Court in Course

B. Johnson [C4/059.6]

~~~~~~

Page 060, Book C4

Territory of Arkansas) In the Circuit Court of said County
County of Clark) In Vacation August 8th 1831 [C4/060.1]

~~~~~~

Myers F Jones Appellant)
vs.) Appeal from the
John Bolt appellee) Judgment of a Justice of the
) Peace

This day Came the appellant by his attorney and on/ his motion It is ruled that he have leave to take/ depositions _____ _____ issu generally within the Territory/ aforesaid to be read as evidence on his behalf on/ the Trial of this Cause, Witness my hand of the/ Clerk's office aforesaid the day and year above/ Written Isaac Ward Clerk
of Clark Circuit Court [C4/060.2]

~~~~~~

Territory of Arkansas) In the Circuit Court
County of Clark) of Said County In Vacation
) September 6th 1831 [C4/060.3]

~~~~~~

John Bolt Plff)
vs.) Certiorari
Benjamin Bolt Deft)

And now at this day the parties/ apeared and the plaintiff acknowledge the/ debt in this behalf fully Satisfied and he the plaintiff agreeing to pay all the Costs that have/ acrued therefore I with the assent of the Defend/ant and plaintiff this Suit is dismissed/ from the Docket

Isaac Ward Clerk
of the Circuit Court [C4/060.4]

~~~~~~

Page 061, Book C4 September Term 1831

Territory of Arkansas)
County of Clark) Sct

At a Circuit Court began and held in and/ for the County aforesaid in the town of Greenville/ on the 26th day of September 1831 it being the Last/ Monday of Said month present the Honorable/ Benjamin Johnson one of the Judges of the Supe/rior Court of Said Territory assigned by law/ to hold Circuit Court in and for the Territory/ aforesaid [C4/061.1]

~~~~~~

Ordered that the Sheriff proclaim that the/ Circuit Court of the County of Clark aforesaid/ has met according to Law and is ready to procede/ with the business thereof [C4/061.2]

~~~~~~

The Sheriff of Clark County this day returned into/ Court the following pannel of Grand Jurors to wit/ John J Langley John Hughes Mathew Gollihar John/ Rose Henry Cornelius Albert Edmiston James Ward/ David C Edmiston James Lisenby Jacob Stroope Sr/ James R Crow Jacob Wingfield Adam Stroud Charles/ Gollihar Robert Frier Drewry Hasley David Mobley/ Hugh Lewis Samuel Parker Jonathan O Callaway/ and William Denton twenty one good and Lawful/ men of the County of Clark all of whom were/ elected tried and Sworn and having received their/ Charge retiered from the bar to Consult of their/ Duties [C4/061.3]

~~~~~~

United States)
vs.) Indictment for assault and
Arthur Davis) Battery

And now at this day appeared the Said/ Arthur Davis and Surrendered Himself in discharge/ of his Reconizance Where upon he is Commited to/ the Custody of the Sheriff and the prosecuting/ Attorney Says he is unwilling further to prosecute... [C4/061.4]

~~~~~~

Page 062, Book C4 September Term 1831

...this Indictment it is therefore Considered by the/ Court that this Case be dismissed and the the defendant/ go hence without day [C4/062.1]

~~~~~~

United States)
vs.) Inditment for Murder
Stephen Kellogg)

And now at this day Came the prosecuting/ attorney and Says he is unwilling further to prosecute/ this Case it is therefore Considered by the Court that/ this Case be Dismissed [C4/062.2]

~~~~~~

United States Plff)
vs.) Indictment for
Allen Coruthers Deft) murder

And now at this day Came the prosecuting/ attorney and says he is unwilling further to prosecute/ this Case it is therefore Considered by the Court that/ this Case be dismissed [C4/062.3]

~~~~~~

United States Plff)
vs.) Indictment for
John Simpson Deft) Horse Stealing

On motion of the prosecuting attorney it is ordered/ that a pluruis Capias issue in this Case and that/ this Case be Continued until the next term/ of this Court [C4/062.4]

~~~~~~

United States Plff)
vs.) Indictment for an
~~~~~~

Jesse Holly Deft) assault and Battery

On motion of the prosecuting attorney it/ is Ordered that aplurius Capias issue in/ this Case and that this Case be Continued/ until the next term of this Court [C4/062.5]

~~~~~~

Page 063, Book C4 # September Term 1831

Calvin Merry Plff)
vs.) Case in
Eli J. White Deft) Trover

And now at this day Came the parties/ aforesaid by their attornies and on motion _____ {of the deft}/ ~~Consent~~ {who produced the written order of the plaintiff} it is ordered that this Suit be dismissed/ and it is further ordered that the defendant/ have and recover of the plaintiff his Cost by him/ in and about this Suit Expended [C4/063.1]

~~~~~~

John Cocke who stood bound by a recognizance to/ appear at this Court as a Witness for the plaintiff/ in the Case of Calvin Merry against Eli J. White/ this day appeared in Court in discharge of this Said/ recognizance and his further attendance not being/ required in Said Case therefore on his motion it/ is ordered that he go hence discharged from Said/ recognizance without day [C4/063.2]

~~~~~~

Ordered that Court adjourn until ten Oclock/ to morrow morning
B. Johnson [C4/063.3]

~~~~~~

Tuesday morning September 27th 1831 Court/ met persuant to adjournment present the/ Honoralble Benjamin Johnson Judge [C4/063.4]

~~~~~~

William Denton)
vs.) attachment
Alvey R Johnson)

This day came to plaintiff afore/Said by his attorney and the Clerk having taxed the/ Costs in this case under a rule for that purpose
~~~~~~

entered/ the last term of this Court, the plaintiff moved/ to Correct the Said taxation of Costs for Striking/ from the Said taxation the item of one dollar taxed to the Clerk as atax on the original writ issued... [C4/063.5]

~~~~~~

Page 064, Book C4 September Term 1831

...which is ordered to be Stricken out, accordingly The/ plaintiff also moved the Court to Correct the taxation/ of Costs made in favour of Silas M^{c}Daniel the Constable/ who Served the Said attachment by Reducing the amount/ taxed for Serving Said attachment from one dollar/ to fifty Cents which is ordered accordingly and also to/ reduce the Sum allowed Said Constable for keeping one/ yoke of oxen Seven days for which five dollars is/ allowed to Said Constable and having hear Said Cons/table upon his own oath and and also having heard/ evidence {touching the said costs taxed in favor of said Constable} it is Ordered that Said sum of Five dollars charged/ by him as aforesaid be reduced to the sum of two dollars & fifty Cents/ and it is further ordered that said Constable pay the Costs of said rule &/ this order [C4/064.1]

~~~~~~

John L Hemphill Plff)
vs.) Detinue
Mary Dickson Deft)

On motion of the plaintiff by his attorney/ it is ruled that the Said defendant perfect her/ bail Bond in this Cause on or before the third/ of this term of the Court [C4/064.2]

~~~~~~

Drewry Hasley appelant)
vs.) appeal
Joseph Hardin appelee)

And now at this day the parties aforesaid/ by their attorney appeared and on motion of the/ appelee it is ordered that this case be continued/ until the next term of this Court {at the Costs of said appellee} and by/ Consent and on motion it is ruled that said/ parties have leave to take depositions generally/ and by Consent it is agreed that the appelant/ Hasley Shall take and have read upon the trial/ of thie Cause the deposition of Josiah Smally and/ it is also agreed that the appelee Shall take and/ read on the trial of the above Cause the depositions... [C4/064.3]

~~~~~~

Page 065, Book C4 # September Term 1831

...of William P. Hickman and Peter T. Hickman [C4/065.1]

~~~~~~

Daniel Robinson Plff)
vs.) Case
James Miles Deft)

On motion of the/ plaintiff by his attorney it is ordered that this Case/ be Continued until the next term of this Court [C4/065.2]

~~~~~~

Myers F Jones appelant)
vs.) appeal
John Bolt appelee)

And now at this day Came the parties aforesaid/ by their attornies and on motion and by Consent/ it is Ordered that this Case be Continued until/ the next term of this Court and that the appelee/ Recover his Cost of the Said appelant of this Continuance [C4/065.3]

~~~~~~

James H. Stevenson)
vs.) Certiorari
Jacob Stroope)

And now at this day came the/ parties aforesaid by their attorneys and the Cause/ being Submited tot he Court and the parties/ fully heard and the Court not being Sufficient/ly advised takes time to Consider thereof [C4/065.4]

~~~~~~

Samuel H Taylor Plff)
and wife)
vs.) debt
John CallawayDeft)

And now at this day Came the parties/ aforesaid by their attorneys and on motion it/ is ordered that a Jury Come to try the issue joined/ and a Jury being summoned and Called came/ to wit William Gentry John Denton

Enoch/ Frier James A. Baily John J. Hondle Overton/ Piles William Logan Abraham Newton... [C4/065.5]

~~~~~~

Page 066, Book C4 September Term 1831

...William Stroope Hamblin Freeman Jesse W./ Tobert and Jeremiah Latham twelve good and/ lawful men of the County of Clark who being/ empannelled and Sworn well and truly to try the/ issue Joined between Said parties and a true/ verdict to render according to Evidence and having/ heard the Evidence and arguments of Council/ retired from the bar to Consult of their verdict/ and returned into Court the following verdict/ to wit we the Jury find for the plaintiffs the/ debt in the declaration mentioned and fourteen/ dollars and fourteen Cents in damages Jesse W. Tolbert foreman therefore on motion it is/ Considered by the Court that the plaintiffs/ have and recover of the Said defendant the/ Said Sum of two Hundred and two dollars debt/ and fourteen dollars and fourteen Cents in/ damages so by the Jury aforesaid in form/ aforesaid assessed together with their Costs by them/ about their Suit in this behalf Expended [C4/066.1]

~~~~~~

John Pope Governor of the Territory)
of Arkansas for the use of Thomas Reed)
vs.) debt
Mastin Latham Robert Frier Silas McDaniel)
impleaded with Joseph Butler)

now at this day the parties appeared by/ their attornies and the defendant filed a demurer/ to which the plaintiff {filed} a joinder and all and/ Singular the Law being argued and the {Court} being/ fuly Satisfied it is Ordered that Said demurer/ be over ruled and that the plaintiff have and/ Recover of the defendants the Costs in and about/ Said demdurer and on motion of the defenant/ it is ordered that they have leave to file/ ~~answer~~ pleas to Said action [C4/066.2]

~~~~~~

Page 067, Book C4 September Term 1831

John Callaway appelant)
vs.) appeal
Andrew Hemphill and David Fish)
administrators of William Hemphill appelees)
Deceased)
~~~~~~

And now at this the parties appea/red by their attornies and on the affidavit of the/ appelant herein filed it is therefore ordered that/ this Case be Continued until the next term/ of this Court and it is also Considered by this/ Court that the said appelees have and recover of/ of the Said appelant the Cost of this Continuance [C4/067.1]

~~~~~~

On motion of the Prosecuting attorney it is ordered/ at Samuel Parker one of the grand Jurors be dis/charged from further Service on Said grand/ Jury at the present term of this Court [C4/067.2]

~~~~~~

Ordered that Court adjourn until tomorrow/ Morning ten Oclock
B. Johnson [C4/067.3]

~~~~~~

Wednesday morning September the 28th 1831 Court/ met persuant to adjournment present the honoralbe/ Benjamin Johnson Judge [C4/067.4]

~~~~~~

John H. Mosley Plff)
vs.) Certiorari
Ambros Frier Deft)

this day came the parties aforesaid/ by their attornies and on motion of the plaintiff/ and the parties being ~~heard~~ fully heard on Said motion/ and the Court being fully advised Concerning the Same/ doth Consider that the Judgment of the Justice of the Peace herein be reversed and set aside for irregul/arity and informality appearing on the face of... [C4/067.5]

~~~~~~

Page 068, Book C4 September Term 1831

...of the same and it is also Considered by the Court/ that the Said John H. Mosley have and recover of the/ Said Ambrose Frier his Costs by him in this Court/ Expended in thisShit and his Cost in the Justice/ Court Expended and this Cause is set for trial/ de no vo on the merits and Continued until the/ next term of this Court [C4/068.1]

~~~~~~

James H Stevenson Plff)
vs.) Certiorari
Jacob Stroope Deft)

And now at this day Came the/ parties aforesaid by their attornies neither/ party requiring a Jury but Submited the case/ to the Court Whereupon after hearing the allega/tions and proofs of the parties it is Considered by/ the Court that the defendant as aforesaid have/ and recover of the plaintiff aforesaid his Costs/ by him in his suit in this Court expended and/ go hence without day [C4/068.2]

~~~~~~

David Fish Plff)
vs.) Trover
Elam S. Blair Deft)

on motion of the attorney/ for the plaintiff it is ordered that this Cause/ be continued until the next term of this Court/ and on his further motion it is ordered that/ an alias Capias be issued on Said declaration against/ the defendant directed to the Sheriff of Washing/ton County returnable to the next term of/ this Court [C4/068.3]

~~~~~~

The grand Jury empannelled Sworn and Charged/ at the present term of this Court came into court/ and returned the following Indictments to wit/ An Indictment agains Isaac Cover for Larceny/ a true Bill An Indictment agains James A.... [C4/068.4]

~~~~~~

Book C4, Page 069 September Term 1831

...Baily for an assault and Battery a true bill, An/ Indictment {against} William Janes a true Bill, Whereupon/ the Court asked the foreman of the grand Jury if/ Said Jury had any further or other business {before} them/ and the foreman of Said Grand Jury Stated that they/ had no further or other business before them therefore/ it is ordered that they be discharged, and on motion/ of the prosecuting attorney it is ordered that process/ issue on the ~~the~~ Several indictments aforesaid return/able before the present term of this Court [C4/069.1]

~~~~~~

Ordered that Court adjourn until ten oclock/ tomorrow morning
B. Johnson [C4/069.2]

~~~~~~

Thursday morning September the 29th 1831/ Court met pursuant to adjournment/ present the Honourable Benjamin/ Johnson Judge [C4/069.3]

~~~~~~

Richard C Poston)
vs.) trespass on the case
John Callaway)

This day came the parties aforesaid/ by their Attornies And the said/ Defendant by Hall his Attorney/ moved the court to abate the/ writ original, Issued and/ returned in this case and to/ allow him his costs of this Suit/ and four Dollars to be paid/ by said plaintiff for wrongfully/ Suing out Said writ and/ after hearing the arguments of/ council as well on the part of/ Said plaintiff as of said Defe... [C4/069.4]

~~~~~~

Book C4, Page 070

...ndant it is ordered and considered/ by the court that the Said writ/ original be abated and it is/ also considered by the court that/ the Said Defendant John Calla/way, have and recover of and/ from the Said plaintiff Richard/ C Poston the cost of this Suit/ expended and also the Sum/ of four Dollars for wrongfully/ Suing out said writ [C4/070.1]

~~~~~~

John L Hemphill)
vs.) Detinue
Mary Dickson)

And now at this day came the/ parties aforesaid and on motion/ of the Said Defendant and on/ her affidavit it is ordered/ that this case be continued/ until next Term of this Court/ at the costs of the Said Defenda/nt it is therefore considered by/ the court that the said plaintiff/ have and recover of Said/ Defendant the costs of this/ continuance [C4/070.2]

~~~~~~

John Pope Governor &c)
vs.) debt
Mastin Latham Robert Frier)
and Silas McDaniel)
~~~~~~

impleaded with Joseph Butler)

And now at this day came the/ the Said plaintiff by his Attor/ney and filed a Demurrer to... [C4/070.3]

~~~~~~

Book C4, Page 071

...the said Defendants first plea/ and also filed a replication/ to the second plea of said/ Defendants to which replica/tion the Said Defendants filed/ there rejoinder and the plain/tiff Joined Issue to the same [C4/071.1]

~~~~~~

Andrew Lawson Hemphill by his Guardian and next friend George Dooley
vs.
Andrew Hemphill and David Fish administrators of the Estate of William Hemphill Deceased
) appeal

And now/ at this day Came the parties afforesaid by their/ attornies and this Case being Submited to the/ Court and the Court not now being Sufficiently/ there of dothe take time to Considere thereof [C4/071.2]

~~~~~~

Charlotte Hemphill by her Guardian and next friend James L Conway
vs.
Andrew Hemphill and David Fish administrators of the Estate of William Hemphill Deceased
) appeal

And now at/ this day Came the parties aforesaid by their attornies/ and this Case being Submitted to the Court/ and the Court not now being Sufficiently/ advised thereof doth take time to Consider [C4/071.3]

~~~~~~

Thomas Reed Compalinant
vs.
Jonathan O Callaway Defendant
) Bill in Chancery

And now at this day Came the parties/ aforesaid by their Solicitors and all and... [C4/071.4]

~~~~~~

Book C4, Page 072

...Singular the Law arising on the demurer filed/ in this Case being argued and by the Court/ here now fully understood it is Considered/ that the Said demurrer be over ruled {and it is further ordered & decreed that the defendant do pay to the Complt the Csts about said dmu^{r} expended} and/ by Consent of parties the Said defendant is/ allowed until the Second day of the next {term} of/ this Court to file his answer to Said bill [C4/072.1]

~~~~~~

John L. Hemphill)
vs.) detinue
Mary Dickson)

on motion of the Said Defendant/ by her Attorney it is ordered/ that {each of said parties} have Leave to take/ Depositions generally to be Read/ in evidence on the trial of/ the above Cause [C4/072.2]

~~~~~~

Joseph B Riley)
vs.) Bill in
William Arnett) chancery
and Alvey R Johnson)

This day appeared the Said/ William Arnett by his Solicitor/ and withdrew the Demurrer/ filed in this case and filed/ the Several Answer of the/ Said William Arnett to the/ Said complaintants said Bill [C4/072.3]

~~~~~~

Overton Piles)
vs.) Petition for
Lauretta Piles) Divorce

Anow at this day the complainant came by/ his solicitor and the defendant being summoned and failing/ to answer herein it is therefore ordered that this case be contin/ued until the next Term of this court [C4/072.4]

~~~~~~
~~~~~~

Page 073, Book C4

David Fish plaintiff)
vs.) Trover
Elam S Blair Deft)

on motion of said plaintiff by/ his Attorney it is ordered by the/ court that the order for the/ continuance and alias in/ this case be Rescinded and/ Set aside and on motion of the/ Said plaintiff it is ordered that/ he have Leave to Suffer a non/ Suit it is therefore considered/ by the Court that the said Defendant/ have and recover of the said/ plaintiff his costs by him/ about this suit expended &c [C4/073.1]

~~~~~~

Myers F Jones appelant)
vs.) appeal
John Bolt appelee)

on motion of the said appelant {by his attorney} it is ordered/ that he have leave to take depositions generally/ to be read in evidence on the trial of the above/ Case [C4/073.2]

~~~~~~

Ordered that Court adjourn until tomorrow/ morning ten Oclock
B. Johnson [C4/073.3]

~~~~~~

Friday Morning September 30th 1831/ Court Met pursuant to adjournment/ Present the Honbe Benj. Johnson Judge [C4/073.4]

~~~~~~

Richard C. Poston plff)
vs.) Assumpsit
John Callaway Deft)

This day Came the parties/ aforesaid by their attornies, and the attorney for said defendant/ Moved the Court to tax the Costs in this Case, and to tax in favor/ of the attorney of said defendant a fee of six Dollars in addition... [C4/073.5]

~~~~~~
~~~~~~

Page 074, Book C4

....to the penalty of four dollars, allowed by law to the defendant/ in such Case, and the Court not being sufficiently advised of/ & Concerning said motion doth Continue said motion until the/ next term of this Court under advisement [C4/074.1]

~~~~~~

Andrew Hemphill and	)	
David Fish administrators of	)	upon an
the Estate of William Hemphill	)	appeal from
Deceased appelants	)	the Judgment
against	)	and decree of
Charlotte Hemphill {one} of the	)	the County Court
heirs of William Hemphill deceased	)	of Clark County
by James L. Conway her guardian	)	Court
and next friend appelee	)	

This day Came the parties by their attornies/ and this cause coming on to be heard and ~~hearing~~/ having been argued by Council and the Court being/ and now fully advised delivered the following opinion/ and decree to wit-- It appears from the Settlement/ made with the Circuit Court of Clark that the/ appelants Hemphill and Fish in May 1827 Stands/ Charged to the estate of William Hemphill decd in/ the Sum of fourteen hundred and Eighty two/ dollars and Seventy four Cents exclusive of the/ Widows dower, the debts owing by Said estate all/ the expences of the administration It further appears/ that at the January term of this County Court/ of Clark in the year 1831 the appelants ware/ ordered to pay to the mother of the appellee three/ hundred dollars for the maintainance of the/ appellee and her infant brother And also made/ further allowagces amounting to Sixty five against/ Said Estate and it further appears that the Said/ County Court have Charged the appellants with/ one hundred dollars for the hire of a negro/ Woman From these facts which are apparant... [C4/074.1]

~~~~~~

Page 075, Book C4

...from the records of the Said County Court of Clark/ it is the opinion of this Court that the appellants/ ought to be charged with interest on the Said Sum/ of fourteen Hundred and Eighty two dollars Seventy/ four Cents from the 17th day of May 1827 until/ the 12th day of January 1831 When they ware order/ed to pay over three hundred dollars to the mother/ of the appllee and Sixty five dollars allowed to/ other Creditors and also with interest on the remain/ing Sum of Eleven hudred and twenty one dollars/ fifty Eight Cents from the Said 12th day of January/ 1831 until the present time, And their being only/ two heirs of the Said

William Hemphill deced/ the present appellee is entitled to one half of the/ aforesaid Sum of Money

It is therefore adjudged, ordered, and decreed/ that the appelants do pay to the Appellee the/ Sum of Seven hundred and ninty Seven dollars/ & fifty two Cents, it being the amount of the dis/tributive Share of the Said Appellee of the estate/ of the Said William Hemphill with legal intrest/ as aforesaid in the hands of the Said appelants/ administrators of Said estate And it is further/ ordered that the decree of the Said County Court/ of Clark County be and the Same is hereby/ revesed, and ~~overruled~~ {annulled} and it is futher ordered and/ decreed, that the Appelants do pay to the appellee/ her Costs in this Court and, in the Court below/ Expended, and that the appellee have her election/ to inforce tis decree by attachment or by Execution [C4/075.1]

~~~~~~

Page 076, Book C4

Andrew Hemphill and	)	
David Fish administrators of	)	upon an
William Hemphill deceased appellants	)	appeal from
against	)	the Judgment
Andrew Lawson Hemphill one	)	and decree of
of the heirs of said Wiliam	)	the Clark
Hemphill deceased by George	)	County Court
Dooley his Guardian and next friend	)	
Appellee		)

This day came the parties by their attonies/ and this Cause coming on to be heard and having/ been argued by Council and the Court being now/ fully advised delivered the following opinion and decree/ to wit It appears from the Settlements made with the/ Circuit Court of Clark that the appellants Hemphill/ and Fish in May 1827 Stands Charged to the Estate of/ William Hemphill deceased in the Sum of fo{u}rteen Hun/dred and Eighty two dollars and Seventy four Cents/ exclusive of the Widows dowery the debts owing by/ Said estate, and all the expenses of the adminis/tration. It further appears that at the January Term/ of the County court of Clark in the year 1831 the/ appellants ware ordered to pay to the mothe of the/ appellee three hundred dollars for the maintainance/ of the appellee, and his infant Sister, and also made/ further allowances amounting to Sixty five dollars/ against Said Estate, and it futher appears that/ the Said County Court have Charged the appellant/ with one hundred dollars for the hire of a negro/ Woman; From these facts which are apparent/ from the records of the Said County Court it is/ the opinion of this Court that the Said appellant/ ought to be Charged with interest on the Said/ Sum of $1488.58 Cents from the 17th day of May/ 1827 until the 12th day of January 1831 when/ they ware ordered to pay over three hundred/ dollars to the mother of the appellee... [C4/076.1]
~~~~~~

~~~~~~

Page 077, Book C4

...and Sixty five dollars allowed to the Creditors; and/ also interest on the remaining sum of $1121.58/ from the Said 12th day January 1831 until the present/ time; and there being only two heirs of the Said/ William Hemphill Decd the present appelee is/ entitled to one half of the aforesaid Sum of money

It is therefore adjudged ordered and decreed that/ that apellants do pay to the Appellee the Sum/ of seven hundred and ninety Seven dollars and fifty/ two Cents; ot being the amount of the distributive/ Share of the Said Appellee of the Estate of the Said/ William Hemphill deceased, with legal intrest as/ aforesaid, in the hands of the Said appelants ad/ministrators of Said Estate, And it is further/ ordered that the decree of the Said County Court of/ Clark County be and the Same is hereby reversed/ and annulled, and it is further ordered and/ decreed that the appelants do pay to the appellee/ his Costs in this Court and in the Court below/ expended and that the appellee have his/ election to in force this decree by attachment/ or by Execution from this Court [C4/077.1]

~~~~~~

~~Andrew Hemphill and David Fish~~)
~~administrators of the estate of William Hemphill decd~~) [C4/077.2]

~~~~~~

John Pope Governor of the Territory of Arkansas Plff)
for the use of Thomas Reed)
vs.) Debt
Mastin Latham, Robert Frier and Silas McDamiel Deft)
impleaded with Jospeh Butler)

This day Came the parties aforesaid by their attornies and the/ defendants filed a joinder to the plaintiffs demurrer to their first/ plea and thereupon the matter in law arising upon said demurrer/ to said plea being argued and by the court now here fully under/stood, It is Considered by the Court that the said plea and the...

~~~~~~

Page 078, Book C4

...matters and things therein Continued in manner and/ form as the same are therein Stated and set forth are not/ Sufficient in law to bar or preclude the plaintiff from/ having and maintaining his aforesaid action thereof against/ the said defendants, and that the said demurrer to said p____/ be sustained and that the plaintiff recxover of said defendant/ the Costs of said demurrer in this behalf

expended, and/ On motion of the said defendants, leave is granted there to/ replead to said declaration On or before the first day of the/ next term of tis Court, and it is ordered that this Cause be/ Continued until the next term of this Court [C4/078.1]

~~~~~~

Bartley Harrington Plff)
vs.) Assumpsit
Adam Stroud Deft)

This day Came the defendant by/ his attorney and by Consent of the plaintiff leave is given to/ said defendant to withdraw the Original note upon which/ this suit was founded [C4/078.2]

~~~~~~

Samuel H. Taylor and Mary Taylor his wife Plff)
vs.) Debt
John Callaway Deft)

This day Came the parties aforesaid by their attornies and/ the defendant moved the Court for a new trial upon reason/ in writing filed and the parties being heard on said motion/ and the Court being Sufficiently advised of and concerning/ the Same doth order that a new trial be granted upon the/ defendant Callaway paying the Costs occasioned by reason of/ the granting of said new trial-- Whereupon on motion leave/ is granted to amend this declaration, which was answered/ accordingly and the amended declaration filed, and it is/ thereupon ordered that this Cause be continued until the next/ term of this Court [C4/078.3]

~~~~~~

Page 079, Book C4

The United States)
against) Indictment for an
James A. Bailey) Assault and Battery

This day came the parties/ and the defendant being arrained says that he is/ guilty in manner and form as charged in the/ indictment; and it appearing to the Satisfaction of/ the Court that thedeft has heretofore paid a/ fine for the same offence, It is considered by the/ Court that that the defendant pay the costs of/ the prosecution and go hence without day &c [C4/079.1]

~~~~~~

The United States)
against) Indictment for
William Janes, Jr.) Assault & Battery

This day came the prosecuting Attorney/ and says he is unwilling further to prosecute/ therefore it is considered that this prosecution/ be dismissed [C4/079.2]

~~~~~~

Ordered that court adjourn till court in/ course

B Johnson [C4/079.3]

~~~~~~

Page 080, Book C4

Territory of Arkansas) In the Circuit Court of said
County of Clark) County In vacation March 2nd
1832 [C4/080.1]

~~~~~~

John Callaway Apelant)
vs.) appeal from the Judgment
Andrew Hemphill &) of a Justice of the peace
David Fish adminis appellee)
trators of William)
Hemphill deceased)

This day {Came} the appelant and on his Motion It is/ ruled that he have leave to take depositions de bone/ esse of Aaron Bolt of Pulaski County Arkansas/ Territory to be read as evidence on the trial of the/ aforesaid Cause upon his giving the Said appellees/ legal notice of the time and place of taking the Same

Isaac Ward Clk,
of the Clark Circuit Court

[C4/080.2]

~~~~~~

Arkansas Territory
Clark County
At a Clark County Circuit Court began and/ Held in and for the County aforesaid in the/ Town of Greenville on the 26th day of March/ A.D. 1832 it being the Last Monday of Said month/ present the Honorable Edward Cross one of the Judges/

of the Superior Court of Said Territory assigned/ by law to hold Circuit Courts in Said Territory [C4/080.3]

~~~~~~

Ordered that the Sheriff proclaim that the/ Circuit Court of the County of Clark aforesaid/ has met according to Law and is ready to procede/ With the business thereof [C4/080.4]

~~~~~~

The Sheriff of Clark County this day returned/ the following pannel of Grand Jurors towit/ Lee Pettit Henry G. McLauglin Jester Cocke Abraham/ Hardin Elijah Kelley Charles Gollihar Thomas Melson/ Abner Hignight Nicholas Keath George Overbaugh/ Abraham Newton Rice Stringer James Galbreth... [C4/080.5]

~~~~~~

Page 081, Book C4 March Term 1832

...Hugh Lewis Samuel Lewis and Jospeh Gibbons/ Seventeen good and Lawful men of the County of/ Clark all of whom ware Selected tried and/ Sworn and having received their Charge retired from/ the bar to Consult of their duties [C4/081.1]

~~~~~~

United States Plff)
vs) Indictment for an assault
Jesse Holly Deft) & battery

And now at this day Came the prose/cuting and says that hes unwilling to further/ this Case it is therefore Considered by the/ Court that this Case be dismissed [C4/081.2]

~~~~~~

United States Plff)
vs.) Indictment for horse
John Simpson Deft) Stealing

On motion of the prosecuting Attorney it is ordered/ that an allias {plurus} Capias issue in this Case and/ that this Case be Continued until the next term/ of this Court [C4/081.3]

~~~~~~

Myers F. Jones) appellant
vs.)
John Bolt) appellee

and now at this day came the/ parties aforesaid and the Judge/ of this court having been/ Concerned as counsel for/ the plaintiff in this cause/ previous to his appointment/ to said office It is therefore/ ordered by the court that this/ case be certified to the superior/ court for the Territory of Arkan/sas for trial [C4/081.4]

~~~~~~

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Samuel H. Taylor &)
Mary his wife)
vs.) Debt
John Calaway)

And now at this came the/ parties aforesaid by their Attornies/ and the Said plaintiffs by Tho^{s}/ Hubbard their Attorney moved/ the court {for leave to enter} ~~xxxx xxxxxx xxxxxx~~/ Judgment against the Said/ Defendant and the court not/ being Sufficiently advised of/ the Law arising on said/ motion took time to advise/ thereof until tomorrow morning [C4/082.1]

~~~~~~

Drewry Hasley appelant)
vs.) appeal
Joseph Hardin appellee)

And now at this day Came the parties/ appeared and on motion and verbal affidavit/ of the appelant it is ordered that this case/ be continued until the next term of this Court/ and it is further Ordered that the appelee/ recover of the said appelant the Cost of/ this Continuance [C4/082.2]

~~~~~~

John Pope Governor of the)
Territory of Arkansas for)
the use of Thomas Reed)
vs.) debt
Mastin Latham Robert Frier)
and Silas M^{c}Daniel impleaded)
with Joseph Butler)
~~~~~~

And now at this day came the said/ Defendants and filed their plea... [C4/082.3]

~~~~~~

Page 083, Book C4 March Term 1832

...to the plaintiffs action [C4/083.1]

~~~~~~

Daniel Robinson Plff)
vs.) debt
James Miles Deft)

and now at this {day} came the plaintiff by/ his attorney and on his motion it is ordered that/ this Case be dismissed from the docket and/ that the said defendant recover of the said/ plaintiff his Costs in this Suit Expended [C4/083.2]

~~~~~~

This day Thomas Hubbard Esquire produced in Open Court a/ Commission from the Governor of this Territory bearing date on/ 30th of January 1832 as Prosecuting attorney for this first/ Judicial Circuit in and for the Territoryof Arkansas and/ is addressed in due form ~~the~~ {his} oath of Office, and thereupon/ entered upon the discharge of the duties of said Office [C4/083.3]

~~~~~~

Ordered that Court adjourn until tomorrow/ morning ten Oclock
Edw. Cross [C4/083.4]

~~~~~~

Tuesday morning March the 27th 1832 Court met/ peruant to adjournment Present the Honorable/ Edward Cross Judge [C4/083.5]

~~~~~~

Mastin Latham & John Freeman who Stood bound/ by a reconizance to appear at this Court to give/ evidence in behalf of the United States against/ Charles S. Cocke this day appeared in Court in/ discharge of there Said reconizance and their further/ attendance not beng required in Said Case therefore/ on motion they are hence discharged from Said/ reconizance [C4/083.6]

~~~~~~

Page 084, Book C4 March Term 1832

~~Samuel H. Taylor~~ ~~Plff~~)[6]
~~vs.~~) ~~debt~~
~~John Callaway~~~~Deft~~) ~~Motion for leave to enter~~
) ~~Judgment~~

~~And now at this day Came the parties aforesaid/ and the Court being now Sufficiently {advised} of and Concerning/ the premises {and it appearing to the satisfaction of the Court that the Costs upon the payment of which a new trial was/ granted in this Cause at the last term of this Court, have not been paid} doth Consider, that the plaintiffs have/ and recover of the defendant the Sum of two hundred/ and two dollars the amount Set forth in the/ plaintiffs declaration and twenty dollars and Six/ Cents in damages together with their Costs by them/ about their Suit in this behalf expended~~ [C4/084.1]

~~~~~~

United States Plff)
vs.) Indictment for Larceny
Isaac Clover Deft)

And now at this day came Thomas Hubbard prosecuting/ attorney and the Said Isaac Clover in his proper/ person {and pleads not Guilty to the Indictment} and Confessed themselves ready for trial/ and thereupon a Jury Came to wit John Green/ Balda C Johnson Thomas J McLaughlin Wililam/ Gentry Jacob Barkman Zachariah Davis John Forbes/ James McLaughlin Moses Moore Joseph Galbreth/ Elias T. Allen and William Logan twelve good and/ lawful men of the County aforesaid who being/ elected empannelled and sworn well and/ truly to try and true deliverance make/ between the United States and the Said/ Isaac Clover the prisoner at the bar and a true/ verdict to render according to evidnece, and after/ hearing the evidence and arguments of Council/ returned to Consult of their verdict and returned/ into Court the following verdict the Jury find/ the defendant not gilty as Charged in the/ Indictment J. Barkman therefore it is Consider/ed that the Said Isaac Clover be discharged and... [C4/084.2]

~~~~~~

Page 085, Book C4 March ~~September~~ Term 1832

---

[6] In in original ledger, the word "Error" is written vertically across the entry in five places.
~~~~~~

...go hence without day [C4/085.1]

~~~~~~

The Grand Jury empannelled sworn and Charged/ at the present term of this Court Came into Court/ and returned an Indictment agains Charles S. Cocke/ for murder a true bill whereupon the Court asked the/ foreman of Said Jury if they had any further or other/ business before them and the foreman of said Grand/ Jury Stated that hey had no futher or other business/ before them; and the court asked the prosecuting attorney/ if he knew of any further or other business for Said/ Jury. Stated that he knew of no other business/ therefore it is Ordered {that} they be discharged [C4/085.2]

~~~~~~

Now at this day Mastin Latham and John Freeman/ Came into open Court and each of them in his proper/ person acknowledged themselves indebted to the United/ States of America in the Sum of One hundred dollars/ lawful money of the United States to be levied sever/ally of each of their goods and Chattles land and/ tenements upon Condition that if each of them do/ personally appear at the Circuit Court on the first/ day of the next term thereof to be holden for the Said/ County at the Court House in the town of Greenville/ on the last Monday of September next then and/ there to give evidence in behalf of the United/ States against Charles S. Cocke and Shall not depart/ Said Court without leave thereof then this recognizan/ce to be void otherwise to be and remain in full force/ and virtue in law [C4/085.3]

~~~~~~

John Pope Governor for)
the Use of Thomas Reed)
vs.) debt
Mastin Latham Robert)
Frier and Silas M^{c}Daniel)
Impleaded with Joseph Butler)

And now at this day came the parties aforesaid...
[C4/085.4]

~~~~~~

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...And the Said plaintiff by his Attorney/ moved the court to set aside the plea filed/ by Said Defendant on the first day of this/ Term and the Court not being

Sufficiently/ advised took time to consider thereof until/ tomorrow morning [C4/086.1]

~~~~~~

Richard C. Poston)
vs.)
John Calaway)

And now at this day came the parties/ aforesaid by their Attornies and the Said/ Defendant by Hall his Attorney/ moved the court to Dismiss this suit/ for Want of Security for cost and/ it appearing to the Satisfaction of/ the court that Said plaintiff is non/ resident of this Territory and he having/ failed to file a bond with Security/ for the costs of this Suit it is therefore/ ordered by the court that this suit/ be Dismissed and that Said/ Defendant go hence without day/ and it is also considered by the/ court that the Said Defendant/ do have and Recover of said/ plaintiff the costs of this Suit [C4/086.2]

~~~~~~

Ordered that Court adjourn until ten Oclock/ tomorrow morning
Edw. Cross [C4/086.3]

~~~~~~

Wednesday morning March the 28th 1832/ Court met pursuant to adjournment present/ the Honorable Edw. Cross [C4/086.4]

~~~~~~

Page 087, Book C4 March ~~September~~ Term 1832

Andrew Lawson Hemphill by his Guardian)
& next friend George Dooley) on Petiton & decree
vs.) for distribution of the
David Fish & Andrew Hemphill admrs) estate of Said
of the Estate of Wm Hemphill deceased) intestate

And now at this day Comes the petitioner by his Solicitor/ and move the Court to revise and correct the taxation/ of Cost in this Case made by the Clerk of this Court [C4/087.1]

~~~~~~

John Callaway)
vs.) Appeal from Justice of the
David Fish & Andrew) peace
~~~~~~

Hemphill administrator)
of William Hemphill Decd)

And now at this day Came the parties aforesaid/ by their attorneys and on motion and Verbal affidavit/ of the appleant it is ordered that this Case be con/tinued until the next term of this Court and that/ the appelees recover of the said appelant the cost of/ this Continuance and it is further ordered that each/ of said parties have leave to take depositions generally/ to be read in evidence on the trial of the above/ Cause [C4/087.2]

~~~~~~

John H. Mosley)
vs.) Certiorari
Ambrose Frier)

And now at this day Came the parties/ aforesaid by their attornies and the defendant Mosley/ moved, the Court to dismiss this Case for want/ of a sufficient original Summons/ which motion was overruled and/ thereupon the Said plaintiff/ by his Attorney apeared and/ on his motion it is ordered/ that he have Leave to amend... [C4/087.3]

~~~~~~

Page 088, Book C4 March ~~September~~ Term 1832

...his Said Summons {and Statement filed with the Justice of {peace}} and the/ Same was answered accordingly/ and it is further ordered that said/ plaintiff pay the costs of said/ amendment and on motion/ of Said Defendant {Mosley} it is further/ ordered that this case be contin/ued until next Term [C4/088.1]

~~~~~~

John L. Hemphill Plff)
vs.) detinue
Mary Dickson Deft)

And now at this day came the parties aforesaid/ by their attornies On motion of the defendant it is/ Ordered that this case be Continued until the/ next term of this Court at said defendants Cost/ it is therefore Considered by the Court the plaintiff/ have and recover of the Said defendant the Cost/ of this Continuance [C4/088.2]

~~~~~~

Overton Piles Complainant)

vs.) Petition for divorce
Lauretta Piles Deft)

And now at this day came the Compalin/ant by his Solicitor and on his motion it is/ ordered that this Cause be continued until/ the next term of this Court, and on motion/ of Said Complainant {by his Solicitor} it is ordered that a writ/ of attachment issue against Isaac Salliers and/ William Cornelius who have been regularly supoenaed/ in this Case and failed to attend and that they be/ held to bail in the Sum of fifty dollars each/ Conditioned for their appearance at the next/ term of this Court to answer a contempt in/ neglecting to appear at this term to testify... [C4/088.3]

~~~~~~

Page 089, Book C4 March ~~September~~ Term 1832

...in behalf of Overton Piles against Lauretta Piles/ formerly Lauretta Elkins [C4/089.1]

~~~~~~

Joseph B. Riley)
vs.) Bill of injunction
William Arnett and)
Alvey R. Johnson)

And now at this day Came the parties/ by their Solicitor and the defendant {Arnett} move the court/ to dismiss the injunction and the Court not now/ being Sufficiently advised of and Concerning Said/ motion takes time to Consider there of until/ tomorrow morning [C4/089.2]

~~~~~~

Jeremiah Pate administrator of the)
Estate of John Johnson deceased)
vs.)
John Wilson and John Speer)

This day came the plaintiff aforesaid by his attorney/ as well as the defendants in their proper persons/ and the defendants admits due Service of the/ declaration and writ issued in this Case and thereupon/ Say that they paid the debt in the declaration {mentioned} on/ the day when the Same become due, to which plea the/ plaintiff replies that the defendants did not pay/ said debt as alledged in said plea to which/ the defendants Join issue to the Country all which/ is done by Consent of the parties and this Cause/ is thereupon Continued until the next term of this Court [C4/089.3]
~~~~~~

~~~~~~

Thomas Reed Complainant)
vs.) Bill in chancery
Jonathan O Callaway defent)

This day came the parties aforesaid/ by their Solicitor and on motion/ of said Defendant it is ordered that... [C4/089.4]

Page 090, Book C4 March Term 1832

...The answer of Said Defendant filed/ among the papers of this cause on the/ twenty seventh day of March/ Instant be filed nune pro Time [C4/090.1]

~~~~~~

John Pope Governor for)
the use of Thomas Reed)
vs.) motion to reject
Mastin Latham Robert Frier) defendants Plea
and Silas M^{c}Daniel)
impleaded with Jospeh Butler)

And now at this day came the parties/ aforesaid by their attornies and the/ Said plaintiff by his attorney moved/ the court to Set aside the Plea filed/ by Said Defendant which/ motion was overruled by the/ court to which opinion of the/ court the said plaintiff/ excepts [C4/090.2]

~~~~~~

Mathew Gray)
vs.) Attachment
Swanson Yarborough)

And now at this day came the plaintiff/ by His attorney and filed in ~~the~~ court/ his interrogatores upon which he/ Desires to co____ Absalum Maddeuy/ John Green & Joseph Galbreath to/ answer unto [C4/090.3]

~~~~~~

Adam Stroud)
vs.) Petition in
Jonathan O. Calaway) Chancery
and Omeley his wife)
Administratrix of the estate)

of Thomas Fish Deceased)... [C4/090.4]

~~~~~~

Page 091, Book C4 March Term 1832

...And now at this day came the parties/ aforesaid by their Solicitors and the said/ Petitioner filed his petition and the/ Said Defendants with the assent of said/ Petitioner waived the necessity of a/ subpoena and acknowledge here in/ court the Service of this petition and/ this case is continued until next/ term [C4/091.1]

~~~~~~

Samuel H Taylor	Plffs	)	
Mary his wife		)	Motion for leave
vs.	) debt	)	to Enter
John Callaway	Defndt)		Judgment

And now at this day came the parties/ by their attornies and the Court being/ sufficiently advised of and Concerning/ the {motion} made in this cause on the first day/ of the present term of this court, for leave/ to Enter Judgment upon the verdict/ of the Jury rendered at the last term/ of this court and being satisfied on the hearing of/ said motion that the costs, upon the payment of which/ a new trial in as granted in this Cause at the/ last term of this Court have not been paid/ doth consider that the said plaintiffs have leave/ to enter Judgment herein against the said defen/dant, It is there fore Considered by the court/ that the plaintiffs have and recover of/ the said defendant the sum of two hundred/ and two dollars the debt in the declaration/ mentioned and the Sum of fourteen doll/ars and fourteen cents in damages for the/ detention of said debt in form afores/aid assessed by the Jury together with/ interest thereon at the rate of six/ per centum per annum from the... [C4/091.2]

~~~~~~

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...twenty seventh day of September in the/ year one thousand eight hundred/ and thirty one until {paid} and also their/ costs by them about their suit in this/ behalf Expended and the defend/ant in mercy &c [C4/092.1]

~~~~~~

Ordered that Court adjourn until tomorrow/ moring nine Oclock
Edw. Cross [C4/092.2]

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Thursday morning March 29 1832/ Court met pursuant to adjournment/ Present Hon Edward Cross [C4/092.3]

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Joseph B Riley &	plff	)	
Archibald Hudleston		)	
vs.		)	Bill of Injunction
William Arnett &		)	
Alvey R Johnson	Defts	)	

And now at this day the Court/ being Sufficiently advised of & Concerning of/ the motion made herein at a former day of/ ~~their~~ Term of this Court by the defendant/ William Arnett by his Solicitor ~~do order/ that the Said Injunction be dissolved~~/ to dissolve the Injunction {herein} the Court being/ Sufficiently advised ~~the~~ order that the/ same be dissolved and dothe also order and decree/ that the said defendant William Arnett have and recover of/ the said comlainants ~~for~~ {the} damages amd costs of said injunction [C4/092.4]

~~~~~~

John L. Hemphill	plff	)	
vs.		)	detinue
Mary Dickson deft		)	

This day came {the} parties/ aforesaid by their attorneys & {on} motion/ each party have leave to take {depositions} generally... [C4/092.5]

~~~~~~

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...to be read in the above entitled cause/ _____ _____ in the _____ _____
And this ~~In~~ cause is Continued until/ the next Term of this Court [C4/093.1]

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Andrew Lawson Hemphill Plff		)	
by his Guardian & first friend		)	
George Dooley		)	
vs.		)	on Petition & decree for distrib
David Fish & Andrew Hemphill		)	tion of the estate of said intestate
administrators of the estate of		)	
~~~~~~

W^m Hemphill deceased)

And now at this day the/ Court being Sufficiently advised of & Con/cerning the motion made herein on a former/ day of a Term of this Court by the Petition/er by {his} Solicitor to revise & Correct the Taxa/tion of Costs in this case made by the Clerk of/ this Court doth now order that the Sum/ of five dollars be taxed by the Clerk/ of this Court in his Taxation of Costs {for each decree} in this/ case ~~of five dollars~~/ ~~Solicitor's fees~~ [C4/093.2]

~~~~~~

Richard C Poston Plff)
vs.) Motion
John Callaway deft)

And now at this/ day the Court being Sufficiently advised/ of & Concerning a motion made herein/ by the ~~plaintiffs~~ {defts} attorney at the Sept/ember Term of this Court in the year/ 1831 to tax in the Taxation of costs in this/ case in his favor the Sum of Six dollars/ in addition to the penalty of four dollars... [C4/093.3]

~~~~~~

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...allowed by law to the defendant in such/ case & do now order that the Clerk/ of this Court Tax in this Taxation of Costs/ in this case and attorneys fee of three/ dollars on behalf of the Said defendants/ attorney [C4/094.1]

~~~~~~

John Pope Governor of the)
Territory of Arkansas for the) Plff
use of Thomas Reed)
vs.)
Martin Latham, Robert)
Frier & Silas M^cDonald im/) defts
pleaded with Joseph Butler)

This day came the parties/ aforesaid by their attornies and the/ plaintiff filed their demurrer to the defts/ writ amended pleas & the matters of law/ arising upon said demurrer to Said plea/ being argued & the Court being Suffi/ciently advised of and & Concerning {the} Same/ de___ that the Said demurrer be/ overruled & the said plaintiffs pay the costs/ expended in & about this demurrer expended/ to which said first amended plea the plain/tiffs joined
~~~~~~

issue thereupon the following/ Jury of Twelve good & lawful men came/ towit John C Logan, James Mc_____/ Lee Pettit Hendrick White Benjamin/ Bolt Abraham Bolt, John Forbes/ Drewry Hasley Ephraim Stroope, Joseph/ Galbreath Walter Crow & Jeremiah Green/ who being elected tried & Sworn well and truly/ to try the issues joined & true verdict render/ according to Evidence & after having hearing/ the {& evidence &} Arguments of Counsel ~~rendered~~ returned... [C4/094.2]

~~~~~~

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...from the bar to consult of their verdits/ and returned the following verdict to the Court/ We the Jury find for the defendants John C Logan/ forman, it is therefore Considered by the Court that the Said/ defendants have and recover of the said Thomas/ Reed the Costs of this suit and that the Said/ defendants to hence without day [C4/095.1]

~~~~~~

Mathew Gray)
vs.) Attachment
Swanson Yarboroug)

And this day appeared John Green/ and Joseph Galbreath two of the/ Garnishees to this Attachment and/ moves the court to Dismiss this/ attachment for want of a bond/ as prescribed by law and the Court/ not being Sufficiently advised/ thereof took time to consider this reqs/ until tomorrow morning [C4/095.2]

~~~~~~

Joseph B Riley &)
Archa Huddleston)
vs.)
William Arnett &)
Alvey R Johnson)

And now at this day Came the parties/ aforesaid and on motion of the Complainants/ it is ordered that an alias Subpoena issue in this/ Case returnable to the next term of this/ Court to which timne this Case is Continued [C4/095.3]

~~~~~~

Thomas Reed Complainant)

vs.) Bill in Chancery
Jonathan O. Callaway deft)

And now at this day came the parties/ aforesaid by their Solicitors and on motion/ of the Complainant by his Solicitor it... [C4/095.4]

~~~~~~

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...is {~~therefore~~} ordered that this Case be Continued until/ the next term of this Court [C4/096.1]

~~~~~~

Mathew Gray)
vs.) attachment
John Green and)
Joseph Galbreth)
Garnishees to the attachment)
against Swanson Yarborough)

And now at this day/ Came the said John Green and Joseph Galbreth/ and filed their several answers to the inter/rogatories exhibited against them in this case [C4/096.2]

~~~~~~

John Wilson Petioner)
vs.) Petition for
Jonathan Callaway administrator in right of his wife) a Specific
Emily Callaway and the said Emily Callaway late) Execution
Emily Fish administratrix of the estate of Thomas Fish dec^{d}) Continuance

This day Came the Petitioner by Ringo & Conway his Solicitors/ as well as the said defendants in their proper persons, and the/ defendants admit the truth of all and singular the several/ statements allegations and charges set forth and Contained in the/ Said Petition, and by Consent of the parties this Cause was sub/mitted to the Court, Whereupon, On Consideration of the premises/ It appearing to the satisfaction of the Court, that the said/ defendants intestate, Thomas Fish, now deceased, did in his/ lifetime enter into a Contract in writing for the Conveyance/ of the land specified in said petition, as is stated set forth/ and Charged therein, and that said Contract was not performed/ in the lifetime of said Fish, and that said Fish died/ intestate as stated in said petition, not having given power/ by Will to Carry said Contract into execution, and that a/ patent for said land in the name of said Fish, has been/ obtained by said
~~~~~~

defendants, Whereupon this Court doth/ adjudge Order and decree that the said defendants do... [C4/096.3]

~~~~~~

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...execute the said Contract of their said intestate, specifically/ and Convey the said land in said petition mentioned to wit/ the equal and undivided half or moiety of the West half of/ the south East quarter of Section twenty eight in Township/ seven South in Range twenty one west Containing Forty/ acres, situated lying and being in the County of Clark and/ Territory of Arkansas, to the said Petitioner and his heirs/ in fee simple, by a good and sufficient deed of Convey/ance with a general Warranty deed that said defend/ants do make acknowledge and deliver to said Petitioner/ such deed of Conveyance as aforesaid in due form of/ Law, at the next Term of this Court, on or before the third/ day thereof, saving to infants, married women persons of/ unsound mind, and persons absent from the United States/ the term of five years after their respective disabilities/ are removed to appear and file their petitions to set aside/ this decree for fraud Collusion or Other Cause - and it/ is ordered that this Cause be continued until the next/ term of this Court [C4/097.1]

~~~~~~

Abraham Wells, Late) Motion
Sheriff of Clark County exparte)

It appearing to the satisfaction of the Court, that/ the said Abraham Wells was Sherriff of the County of Clark for/ the year 1830 and then was listed on the Tax list delivered to him/ of said County for siad year one hundred and ninety acres of/ land in the name of Stephen McDonald and it appearing also/ that the said Abraham Wells was shff of said County for/ the year 1831 and that {the said one hundred &} ninety acres of land was listed on the/ tax list of said county for the said year of 1831 in the/ name of Augustus B. M^{c}Donald and that the Tax/ on said land for said years now remain due and/ unpaid. It is there fore considered by the Court/ that the sheriff of said County for the time _____ proceed/ to collect the aforesaid tax due for said years according/ to law, for the use of the said Wells - [C4/097.2]

~~~~~~

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Ordered that Court adjourn until to morrow/ morning eight o'clock
Edw. Cross [C4/098.1]
~~~~~~

~~~~~~

Friday Morning March 30th A.D. 1832/ Court Met pursuan to adjournment/ Present the Honorable, Edward Cross Judge [C4/098.2]

~~~~~~

Andrew Lawson Hemphill by George Dooley his guardian and next friend	Petitioner)	)	
vs.		)	Petition
David Fish and Andrew Hemphill adminis trators of the Estate of William Hemphill deceased	Defts	) for dis) tribution)	of Estate

Now at this day Comes the petitioner by Ringo & Conway/ his Solicitors, as well as the said defendant David Fish in his/ proper person, and the said Petitioner by his said Solicitor ack/nowledges that he has received of the said David Fish one of/ said defendants the Sum of Eight Hundred and twenty One/ Dollars and Forty two and one half cents in full satisfaction/ of the ~~Judgment on al~~ principal debt and interest due/ upon a Decree of this Court rendered in this Cause in favor/ of said petitioner against said defendants at the last term thereof - [C4/098.3]

~~~~~~

Mathew Gray	Plff	)	
vs.		)	Attachment
Swanson Yarborough	Deft	)	

This day Came the Plaintiff by his/ attorney, and filed his declaration in this Cause, and on motion/ of the plaintiff, it appearing to the Satisfaction of the Court/ that the said defendant Swanson Yarborough has failed to appear/ by himself Or attorney On or before that third day of the present/ term of this Court it being the term to which said writ of/ attachment is returnable, and that the plaintiffs demand Claim/ in this suit is for the sum of One Hundred and seventy two/ dollars, due upon judgments recovered by said plaintiff against/ said defendant, before James W. Judkins a justice of the peace... [C4/098.4]

~~~~~~

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...in and for Ozan Township in the County of Hempstead and Territory/ aforesaid and than an attachment has been issued against the/ estate of said defendant and that unless he shall appear by him/self or attorney and file special bail to the aforesaid action/ On or before the third day of the next term of this Court a/

judgment will be entered against him and his estate sold/ to satisfy the same, whereupon it is ordered that a copy of/ this Order be published in some newspaper printed within/ Territory by inserting the same therein four weeks successively/ previous to the next term of this court [C4/099.1]

~~~~~~

Matthew Gray Plff)
vs.) Attachment
Swanson Yarborough Deft)

This day Came the/ plaintiff by his attorney as well as John Green and Joseph/ Galbreath Garnishees in this cause by their attorney and/ the Court being now sufficiently advised of and concerning/ the motion made by said garnishees to quash and dismiss/ this suit doth order that said motion be overruled/ whereupon, the said Garnishee John Green moved the/ Court to be allowed to interplead and prove his right to/ the property levied on said attachment, which motion the/ Court sustained, And by {agreement and} Consent of ~~parties~~ the said plaintiff/ and the said John Green, Absalom Mading in whose pos/session the said property is levied on said attachment, who/ is also {a} garnishee in this Cause, is to take the Cotton {levied thereon} to/ New Orleans of he shall think fit and proper to do so, and to/ hold the proceeds of the sales of said Cotton, subject to/ the further order of this Court to be made upon the/ premises, And it is ordered that this Cause be continued/ until the next term of this Court and the plaintiff filed/ his replication to the answers of the said John Green & Joseph/ Galbreath denying the truth of said answers [C4/099.2]

~~~~~~

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Samuel H. Taylor & wife plff)
vs.) Debt
John Calaway Deft)

And now at this day the court being sufficiently {advised} of/ and Concerning the motion made on the fourth day of/ the present term by a written agreement filed in this Cause/ to review the opinion delivered in said Case doth consider/ that the said opinion be recovered and that the judgm/ent rendered in said cause on the fourth day of the/ present term be set aside Whereupon the defendant/ by his attorney moved the court to make the rule/ granting a new trial at a former term of this/ court upon the payment of the costs of the/ former trial, absolute and ~~it appearing to~~/ there upon paid the costs in court of the former/ trial ~~upon~~ which said motion last mentioned/ was sustained by the court and the rule for a/ new trial made absolute, to which opinion/ of the court ~~making thexxx~~ in setting aside/ the judgment of yesterday in this Cause and/ making the rule for a

new trial absolute/ the plaintiffs by their attorney excepted and/ filed their bill of exceptions which was signed sealed/ {with the court} ~~and ordered to be filed~~ - The defendant then/ filed his plea of ayer and the plaintiffs attorney/ refered him to ayer heretofore granted in this/ Cause, Plaintiffs {attorney} then moved the Court to tax/ the defendants with the costs of the present/ term and the Court being satisfied that the ~~plaintiff~~/ defendant was ready to proceed to trial in said/ Cause refused ~~to be~~ said motion- Whereupon/ the plaintiffs attorney asked a continuance/ of the Cause until the next term of this Court/ ~~with to and plead~~ which was granted and the/ Cause continued without costs until the/ next term of this court with the rights of/ both parties reserved - the defendant filed the plea... [C4/100.1]

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...of said debt to which the plaintiffs _____/ generally whereupon the defendants filed/ their joinder- [C4/101.1]

~~~~~~

John Pope Governor of the Territory of Arkansas	Plff	)	
for the use of Thomas Reed		)	
vs.		)	Debt
Mastin Latham, Robert Frier, and Silas McDaniel	Defts	)	
impleaded with Joseph Butler		)	

This day Came the parties aforesaid by their attornies and/ the plaintiff filed his motion in arrest of Judgment, and also/ his motion for a new trial in this Cause, whereupon it is/ Ordered that this Cause be Continued until the next term of this/ Court [C4/101.2]

~~~~~~

Ordered that Court adjourn until Court/ in Course

Edw. Cross [C4/101.3]

~~~~~~

Arkansas Territory
Clark County
At a Clark County {Circuit} Court began and held in and/ for the County aforesaid in the Town of Greenville on the/ 24th day of September A.D. 1832 it being the last mon/day of said month. Present the Honorable Thomas P./ Eskridge one of the Judges of the Superior Court of/ said Territory assigned by Law to hold Circuit Court/ in and for Said Territory [C4/101.4]

~~~~~~

Ordered that the Sheriff Proclaim that the Circuit/ Court of the County of Clark aforesaid has met/ according to Law and it ready to proceed with the/ business thereof [C4/101.5]

~~~~~~

The Sheriff of the County of Clark aforesaid/ this day returned the following Pannel of Grand/ Jury to wit John Wilson who was sworn as foreman... [C4/101.6]

~~~~~~

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...Archablad Hudleston Levi Hudleston Winthrop Colbath/ Martin Burk Abraham Newton James R. Crow John/ Speer David C. Edmiston John Gentry Russle Estus/ John Hughes James Ward David Fish Enoch Frier/ Abraham Wells Henry Cornelius James W. Crow/ Abraham Bolt Jesse W. Talbott and Eli J. White/ twenty one good and lawful men of the County of/ Clark aforesaid all of whom ware Selected tried and/ Sworn and having received their Charge retired from/ the bar to Consult of their duties [C4/102.1]

~~~~~~

John L. Hemphill Plff)
vs.) detinue
Mary Dickson Deft)

And now at this day the/ parties appeared {by their attornies} and on motion of the defendant/ it is ordered She have leave to open her deposition/ taken in this Case which was done & filed accordingly [C4/102.2]

~~~~~~

Drewry Hasley appelant)
vs.) appeal from
Joseph Hardin appellee) Justice court

Now at this day the parties aforesaid/ appeared by their attornies and on motion of the/ appelant {by his attorney} leave is granted his to open his deposition/ taken in this Case which was done [C4/102.3]

~~~~~~

United States)
vs.) Indictment for horse Stealing
John Simpson)

On motion of the Prosecuting attorney/ it is Ordered that an alias Plureus Capias issue/ in this Case returnable to the next term of/ this Court to which time this Case is Contin/ued [C4/102.4]

~~~~~~

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United States Plff)
vs.) Indictment for
Charles S. Cocke Deft) murder

On motion of the Prosecuting/ Attorney it is Ordered that an alisa Capias issue/ this Case and that this Case be Continued until/ the next term of this Court [C4/103.1]

~~~~~~

Samuel H. Taylor & wife Plff)
vs.) debt
John Callaway Deft)

And now at this day/ the parties appeared by their attornies and on motion/ it is Ordered that this Case be Continued until to/ morrow morning [C4/103.2]

~~~~~~

Mathew Gray Plff)
vs.) attachment
Swanson Yarborough Deft)

This day Absolom Madding by Thomas/ Hubbard his attorney filed his answer to the interrog/tories in said Case and also his interpleading/ bill [C4/103.3]

~~~~~~

Bartley Harrington)
vs.)
Adam Stroud)

This day came the defendant by/ Hubbard & Ringo his Attornies and filed the/ opinion of the Superior Court Certified to this/ Court which is ordered to be spread on the/ record of this Court which is as follows to wit/

United States of America	)	Sct.	Superior Court
Territory of Arkansas	)		January Term 1831
Adam Stroud appelant	)		
vs.	)		Appeal from Clark
Bartley Harring appelee	)		Circuit Court

This day the parties... [C4/103.4]

~~~~~~

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...appeared by their attornies and the Court being/ sufficiently advised delivered the following opinion/ by Judge Johnson in this Case (to wit) This is an/ action of assumpsit brought by Harrington assignee/ of Benj Clarke against Stroud in the Clark/ Circuit Court The declaration is founded upon/ a promisary note executed by Stroud to a Certain/ Benj Clark with his name endorsed thereon by/ a blank endorsement Stroud Plead the general/ issue of non assumpsit and neither Party requiring/ a Jury the Cause was by Consent Submitted to the/ Court- No evidence was adduced on the trial/ to prove the endorsement of the note by B. Clark/ the payee thereof and on that ground the defen/dant moved the Court to enter a non suit/ against the Plaintiff which motion was overruled

The defendant then offered to introduce evi/dence to impeach the assignment or endorsement/ of said Note which motion was also Overruled/ a Judgment was thereupon rendered for the plain/tiff in the Court below for the amount specified/ in the note The defendant moved the Court for/ a new trial which motion was Overruled from/ this Judgment Stroud has appealed to this Court/ the only Point we deem material to decide is/ whether the Court below erred in rendering a/ Judgment without requiring proff of the endorse/ment of the note declared on and in rejecting/ evidence to impeach the assignment by the rules/ of pleading at common law it is admited that/ the plea of non assumpsit denies all the mate/rials averments in the declaration and puts the/ Plaintiff to the proof of them and that without/ Proof of the endorsement no recovery Could be had/ But it is Contended that by Our statute the Com/mon law in this respect is Changed and that... [C4/104.1]

~~~~~~

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...an endorsement of a note can only be denied by/ a plea verified by the Oath of the Party putting in/ the plea Our Statute is in the following words/ Whenever any suit shall be Commenced in any/ Court in this Territory founded on any writing/ whether the Same is depending Shall recive such/ writing in evidence of the debt or duty for which/ it was given and it Sahall not be lawful for/ the defendant in any Such Suit to deny the/ execution of such writing unless it be by Plea/ supported by the affidavit of the party putting/ in such Plea which affidavit shall accompany/ the plea and be filed therewith at the site ~~such~~/ Such Plea is filed Digest (250)

It is manifest that the endorsement of a note/ unless the action is founded upon the endorsement/ against the endorser, is not embraced by the letters/ of the above recited Statute- It require that a plea/ denying the execution of the Writing upon which/ the Suit is founded shall be accompanyed by the Oath/ of the Party putting in such Plea What is meant/ by the execution of the execution Unquestionably the/ making Signing and delivery of the note or bond/ The endorsement of the note Constitutes no part/ of the execution of the note- Its only opination is to/ transfer it from one person to another after it has/ been duly executed We are equally Clear in the opinion/ that the endorsement of a not is not embraced by/ the Spirit and intention of Our Statute unless/ the action is founded on the endorsement against/ the endorser, The endorsers may be and frequently are/ are Strangers to the makers of the note who cannot/ be persumed to know their hand writing suspeciary/ Circumstances may exist in relation to the assign/ment and yet the maker ignorant of the/ endorsers hand writing and Cannot safely deny... [C4/105.1]

~~~~~~

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...it under Oath- He is compelled to admit it or/ Sware to that of which he is ignorant A doctrine/ from which such Conveyances result cannot be/ admited to be Correct- The Case of Mills vs The/ Bank of the United States (11 Wheaton R.431) does not apply to the Case before the Court

Mills was sued as an endorser by the Bank and/ render a rule of Court in Substance analogous to/ Our he was not permitted to deny his assignment/ unless he done under oath and We should not/ hesitate to apply the Same rule under Our Statute/ It was then erroneous we think to render Judgment/ for the Plaintiff in the Court below without prop__/ of the endorsement of the note by Clark and on/ that ground the Judgment must be reversed- It is/ therefore Considered that the Judgment of the Clark/ Circuit Court be reversed and annulled and that a/ new trial may be had between the parties not/ inconsistint with this opinion; and the Said Court/ is hereby directed to permit the plaintiff in that/ Court to fill up the blank endorsement to him/ self if he Shall apply for that purpose- And/ it is futher Ordered and adjudged that the/ appellant have and recover of the Said appellee/ his Costs in this Court expended and that he/ have execution therefor
~~~~~~

United States of America)
Territory of Arkansas) Sct.

I William Field Clerk for the Superior/ Court in and for the Territory of Arkansas and/ Keeper of the seal thereof do Certify that the/ three foregoing Pages Containes a full and Complete/ Copy of the opinion and Judgment of the Superior/ Court of said Territory in the law of Adam/ Stroud Appellant against Bartley Harrington/ appellee on an appeal from a Judgement of... [C4/106.1]

~~~~~~

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...the Clark Circuit Court
In Testimony Whereof I have hereunto Set my hand as Clerk of said Court and affixed the Seal of Said office this 28th day of February 1831 and the year of the American Independence the 55th W Field Clk [C4/107.1]

~~~~~~

David Fish &)
Andrew Hemphill)
vs.)
John Calaway)

This day appeared the the parties afore/ Said by their Attornies and thereupon/ came a Jury to wit John Bolt Jacob/ Huffman Heut Edmiston Calvin/ Lunsford Hamblin Freeman/ Samuel Hasley Ephraim Stroope/ John C. Logan Jeremiah Green/ Belda C. Johnson Drewry Hasley/ & Samuel Parker twelve good/ and lawful men of the county/ of Clark aforesaid who being duly/ Sworn well and trusly to try the/ Issue Joined between the parties/ aforesaid, on motion of the parties/ it is ordered that this case be contin/ued until tomorrow morning [C4/107.2]

~~~~~~

This day appeared in open court/ Jacob Stroope and produced a/ Deputation from the Sheriff/ of Clark County which was/ approved by the court and there/ upon the Said Jacob Stroope/ took the oath to Support the/ constitution of the united States... [C4/107.3]

~~~~~~

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...and the oath of office according/ to Law [C4/108.1]

~~~~~~

John Freeman a witness recognized/ to appear at this term to testify/ in behalf of the united States vs/ Charles Cock this day appered in Discharge/ of his Said recognizance and on/ his motion it is ordered that he/ be Discharged and go hence without/ day [C4/108.2]

~~~~~~

Drewry Hasley)
vs.)
Joseph Hardin)

This day appeared the parties afore/said and on motion of the/ Said Defendant with the assent of/ the said plaintiff it is ordered/ that this case be continued until/ the next term of this court __/ upon affidavit of Said Defen/dant {Hasley} and at his cost it is/ therefore considered by the court/ that the Said plaintiff {Hardin} have/ and recover of Said Defendant/ Hasley his cost of this continuance [C4/108.3]

~~~~~~

Robert Crittenden)
vs.)
Mary Bartlett &)
George Stroope)

This day appeared the parties aforesaid/ by their attornies and the Said/ Defendants say nothing in/ barr or preclusion of the plaintiff/ Said action whereby the Said... [C4/108.4]

~~~~~~

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...Defendants remain therein wholly/ undefended against the said plaintiff/ wherefore the said plaintiff ought/ to recover of and from the said/ Defendants the Sum of one hundred/ and five Dollars and fifty cents for/ the breach of the covenant in the/ plaintiffs Declaration mentioned/ It therefore considered by the Court that the Said plai/ntiff have and recover jof the Said defendants the Sum/ of

one hundred and five dollars & fiftey Cents together/ with his Costs in this Suit expended [C4/109.1]

~~~~~~

Ordered that Court adjourn until nine Oclock/ tomorrow morning
Thos P. Eskridge [C4/109.2]

~~~~~~

Tuesday morning September the 25th Court/ met Pursuant to adjournment Present the/ Honorable Thos. P. Eskridge Judge [C4/109.3]

~~~~~~

Matthew Gray Plff)
vs.) attachment
Swanson Yarborough Deft)

And now at this day came the plaintiff/ aforesaid by His attornie and the Said plaintiff/ filed his amended declaration [C4/109.4]

~~~~~~

Andrew Hemphill & appellees)
David Fish admr &c)
vs.) appeal
John Callaway appellant)

And now at this day Came a Jury to wit... [C4/109.5]

~~~~~~

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...John Bolt Jacob Hoofman Albert Edmiston/ Calvin Lunsford Hamblin Freeman Samuel/ Hasley Ephriam M. Stroope John C. Logan Jeremiah/ Green Balda C. Johnson Drewry Hasley and Samuel/ Parker - twelve good and Lawful men of the County/ of Clark was empanneled and sworn to well/ and truly to try the issue Joined between the/ parties aforesaid and after hearing the evidence/ adduce by the parties and arguments of Council/ retired to Consult of their verdict and returned/ the following verdict to the Court to wit We the/ Jurors find in favour of the defendant Drewry/ Hasley foreman It is therefore Considered by/ the Court that the said defendant have and/ recover of the Said Andrew Hemphill and David/ Fish administrators of the estate of William Hemp/hill deceased as
~~~~~~

aforesaid the Cost of this suit/ expended and that the defendant go hence with/out day [C4/110.1]

~~~~~~

Ephriam M. Stroope appelee)
vs.) appeal
Asa Thompson appelant)

And now at this day came the parties/ aforesaid by their attornies and on/ motion of the said Ephriam M/ Stroope by his attorney it is ordered/ that this appeal be Dismissed and/ it is also considered by the court that/ the said Ephriam M Stroope have/ and recover of the Said Asa Thompson/ the costs of this Suit in this Court/ expended &^{c} [C4/110.2]

~~~~~~

Myres F. Jones)
vs.)
John Bolt)

This day appeared the/ parties aforesaid and on motion it... [C4/110.3]

~~~~~~

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...and with the assent of the parties it/ is ordered that this case be continued until/ next term of this court [C4/111.1]

~~~~~~

Jeremiah Pate)
vs.) Debt
John G. Nelson &)
John Speer)

And now at this day/ appeared the parties aforesaid and this/ Cause was Submitted to the Court neither party requiring a jury- Whereupon the/ Said Defendant saying _____ in _____/ or preclusion of the said plaintiffs/ actions {further than as aforesaid and not producing any evidence of payment whatever} where by the Said Defendant/ _____ _____ _____ _____ against/ the detinue aforesaid wheforefore the said/ plaintiff ought to recover of and/ from the Said Defendants the sum/ of one hundred and ninety one/ Dollars the Debt in said

plaintiffs/ Declaration mentioned, and also the/ sum of F_____[7] Dollars and Nineteen/ cents for his Damages for the Declaration/ of Said Debt together with the costs by/ in And about this suit expended and/ the said Defendant in mercy &c [C4/111.2]

James Mosley)
vs.) debt
John H. Mosley)

and now at this day the plaintiff/ appeared {by his attorney} and on his motion it is ordered that/ this Case Stand Continued until tomorrow morning [C4/111.3]

Theit grand jury Impanneled at this Term of the/ Court returned into Court the following bills of/ Indictments to wit an Indictment agains James/ Dennis for an Assault & Battery a true bill &/ also an Indictment against John H. Mosley for an/ assault and Battery atrue Bill [C4/111.4]

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United States Plaintiff)
vs.) Indictment for an
James Dennis Defendant) assault & Battery

And now at this day Came the parties afore/ Said the United States by Thomas Hubbard Prosecuting/ attorney and the defendant in his proper person/ and the defendant being demanded to pleade to/ his suit says that he is guilty and Submits his/ Cause to the Court and the Court being sufficiently/ advised doth order that the defendant pay five/ dollars the fine adjudged against {him} Therefore it is Con/Sidered by the Court that the United States have/ and recover of the defendant the Sum of five dollars/ so assessed as aforesaid together with the Costs herein/ expended and Stand Commited until the fine and/ Cost be paid [C4/112.1]

United States Plff)
vs.) Indictment
John H. Mosley Deft)

This day Came as well the plaintiff by their/ attorney as the said defendant in his proper person/ and on motion it is Ordered that this Prosecution/ be Continued {to} the next term of this Court- Whereupon/ on motion and by special permission of the Court/ for this purpose first had and obtained the/ Said John H. Mosley and Drewry Hasley acknow/ledged themselves to owe to and be indebted to the/ United States of America that is to Say the said/ John H. Mosley in the Sum of fifty dollars and/ the said Drewry Hasley fifty dollars to be levied/ of their respective goods and Chattels lands and/ tenements

[7] Ink smudge obliterates this word

On Condition that if the Said John/ H. Mosley Shall well and truly appear before/ the Judge of our Circuit Court at the Court/ house in the Town of Greenville on the first... [C4/112.2]

Page 113, Book C4 **September Term 1832**

...day of Our next March term thereof and shall/ not depart the same without the leave of Said {Court} then/ this recognizance to be voide Otherwise to remain in full/ force and Virtue in Law [C4/113.1]

John Wilson	)	Petitioner
vs.		)
Jonathan Callaway administrator/	)	Petition for a
in right of his wife Emily/	)	specific execution
Callaway and the said Emily/)	of a contract	
Callaway late Emily Fish/	)	
administratrix of the Estate of)		
Thomas Fish deceased	)	Defendant

This day Came the petitioner by Ringo & Conway his solicitor as well as/ the said defendants in their own proper persons, and the said defendants/ here in Open Court executed a Deed of Conveyance as administrator and/ administratrix of the estate of Thomas Fish deceased to said Petitioner/ for the Land in said Petition mentioned to wit the equal and undivided/ half or moiety of the West half of the South east quarter of Section/ twenty eight in township Seven South in Range twenty one West/ lying in the County of Clark in the Territory of Arkansas Containing/ forty acres, in accordance with and in pursuance of the dcree of this/ Court for that purpose made and entered in this Cause at the last/ Term of this Court which said deed of Conveyance was thereupon in/ Open Court Acknowledged by the said defendants respectively to be/ their act and Deed handsand Seals and that they severally executed/ and delivered the same for the uses and purposes therein mentioned/ Whereupon this Court doth adjudge order and decree that the said/ Conveyance be and the same is hereby Confirmed and that the estate/ mentioned to wit the equal and undivided half or moiety of the west/ half of the south east quarter of section twenty eight in township/ Seven South in Range twenty one west, do absolutely pass from/ the said defendants and their said intestate the said Thomas Fish/ and all and every person Claiming the same by through or under him/ or them or either or them to the said Petitioner, and his heirs and/ assigns forever, And this Court doth further adjudged Order and/ decree that the said petioner and the said defendants do pay each pa___/ the One equal half of the Costs in this behalf expended and/ that the parties go hence without day [C4/113.2]

Page 114, Book C4 **September Term 1832**

Ordered that Court adjourn until 9 Oclock/ to morrow morning

Thos. P. Eskridge [C4/114.1]

Wednesday morning {September 26th 1832} Court met pursuant to/ adjournment Present the Honorable Thos. P. Eskridge/ Judge [C4/114.2]

Matthew Gray)
vs.) attachment
Swanson Yarborough)

And now at this day the parties appeared by/ their attornies and on motion and by Consent/ this Case is Continued until the next term of/ this Court [C4/114.3]

Balda C Johnson Plff)
vs.) trespass
William Denton Silas)
M^cDaniel & Edward Davis Deft)

And now at this {day} Came the parties aforesaid/ by their attornies and the defendants {Denton & McDaniel} filed their/ Exparte Pleas with the parties Consent that said defend__/ is still on trial be permitted to give in evidence/ under the general issue any Special matters which/ they might by Law be permitted to give in evidence/ under Special Pleas of Justification seperately filed/ by said defendants Denton and McDaniel under/ and by virtue of a Judgement received by said Denton/ against Allen H. Johnson before Isaac Ward a Justice/ of the peace and the process of execution thereon/ issued [C4/114.4]

Jacob Barkman Plff)
vs.) trespass
Samuel Parker Deft)

And now at this... [C4/114.5]

Page 115, Book C4 **September Term 1832**

...day came the parties aforesaid by their attornies/ and the defendant filed his firest and second pleas/ to the first of which the Plaintiff filed his Joinder/ to the second, his demurer which was by Consent/ taken in short on the record to which the defendant/ filed his joinder and on argument it is ordered that/ the demurer be Overruled, and thereupon the plaintiff/ filed his replication to the defendants second plea by leave/ of the Court, to which replication the defendant/ filed his demurer to which the plaintiff Joined issue/ which demurer and Joinder ware by Consent taken/ in short on the record *and the law ___ing on said demurer being argued &/ mature deliberation thereupon had, it is considered by the Court that said demurer be Overruled/ and that the plaintiff recover of the defendant the costs about said demurer expended and/ by leave of the court the defendant thereupon filed his rejoinder to said replication*[1] [C4/115.1]

~~James Mosley Plff~~)
~~vs.~~) ~~debt~~
~~John H. Mosley~~ ~~Deft~~)

~~And now at this day came the plaintiff/ by his attorney and the defendant not appearing/ although Solemnly Called Therefore on motion it is/ Considered by the Court that the plaintiff recover of/ the defendant the Sum of one hundred and thirty/ dollars for his debt it the said Plaintiff declaration/ mentioned and also the sum of nine dollars and/ ten cents for his damages for the dentention of Said/ debt together with his Cost in and about this suit/ expended, And it is ordered that this Judgment/ Stand open until tomorrow morning~~[2] [C4/115.2]

John H. Mosley)
vs.) Certiorari
Ambrose Frier)

This day came the parties aforesaid in their/ proper persons and by Consent agreed to dismiss/ this suit {*and that Judgment shall be entered for the defendant against the plaintiff in certiorari for four dollars 25 cents*} and that the defendant in Certiorari/ pay the thereof Therefore on motion it is/ Considered by the Court {*that said defendant recover of said plaintiff in certiorari four dollars & twenty five cents as above ____*}[3] that the plaintiff in Certiorari... [C4/115.3]

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[1] That portion of the text in smaller script and italics is written in very small script in the original ledger suggesting that it may have been inserted following the transcript of later entries on the same page.
[2] The word "Error" is written acorss the original text in four places.
[3] Those two sentences in smaller, italic script are inserts into the entry and are written in much smaller script.

Page 116, Book C4 **September Term 1832**

...Recover of the defendant {~~in~~} His Cost in and about/ this Suit expended [C4/116.1]

John H. Mosley appellee)
vs.) appeal
Ambrose Frier appellant)

This day Came the parties aforesaid in their/ proper persons and by Consent agreed to dismiss this/ Suit by the appelee paying the appellant ~~xxxxx~~/ ~~of four dollars and~~ the Costs in this Case expended/ Therefore on motion it is Considered by the Court/ that the appellant recover of the appelee ~~the~~/ ~~sum of four dollars and~~ the Costs ~~xxxxx~~ {in and} about/ this Suit expended [C4/116.2]

Stephen Lunsford)
vs.) appeal
James Dennis)

And now at this Came the parties aforesaid/ and thereupon a Jury came to wit John Freeman/ Peter Bare Drewry Hasley William Bennett Philip W/ Smith John R. Richards Balda C Johnson Ephriam/ M. Stroope Joseph Galbreth Albert Edmiston Nicholas/ Keath and Lee Pettit twelve good and lawful men/ of the County of Clark aforesaid who being duly/ Sworn to well and truly to try the issue Joined/ between the parties aforesaid, and after hearing/ the evidence and arguments of Council returned/ from the bar to Consult of their verdict and returned/ into Court that they Could not agree upon a verdict/ and motion it is ordered {that} a Juror be with drawn/ and by Consent this Cause is Continued until the/ next term of this Court [C4/116.3]

Page 117, Book C4 **September Term 1832**

Jospeh Delaney)
vs.) appeal
James Miles)

on motion of the Plaintiff by his attorney/ it is Ordered he have leave to withdraw the note {on} which/ Said Suit is founded from the files of this Court by/ leaving a Certified Copy thereof [C4/117.1]

The grand Jury empannelled Sworn and Charged at/ the present term of this Court Came into Court and/ returned the following indictment to wit- An Indict/ment

against Fines E. Freeman for purjury a true bill/ & an Indictment against Joseph Mosley for betting at foro/ and an Indictment against John D. Mosley & Herrin for/ Keeping foro Bank a true Bill and an Indictment against/ John H. Mosley for Permitting a gaming to be Kept and~~is~~/ exhibited in his Certain Out house a true Bill and an/ Indictment against Tho^{s} Edom for Betting &c a true bill/ and also an Indictment against Joseph Delaney for betting/ at foro &c a true bill, Whereupon the Court asked the/ foreman of said Jury if they had further or other business/ before them and the foreman of Said Grand Jury Stated/ that they had no further of other business befor them/ And the Court asked the prosecuting Attorney if he/ knew of any further or other business for said Jury/ Stated that he know of no other business/ Therefore it is Ordered that they be discharged [C4/117.2]

Ambrose Frier this day Produced a deputation from Abner/ E. Thornton Sheriff of the County of Clark bearing date/ the 26th day of September A.D. 1832 Whereupon the said/ Ambrose Frier took the {oath} Prescribed by law as deputy/ Sheriff aforesaid and was approved of by the Court/ as such [C4/117.3]

Book C4, Page 118 **September Term 1832**

Washington Sorrels)
vs.)
Robert C. Dunn)

On motion of the plaintiff by/ {Thomas Hubbard} and it appearing to the Satisfaction of the Court that/ the defendant has no Property in the County of/ Clark and said defendant resides in the County/ of Lafayette and being Seggested to the Court that/ Said defendant has Property in the County of/ Lafayette it is ordered that execution issue to the/ County of Lafayette [C4/118.1]

United States Plff)
vs.) Indictment for gaming
John H. Mosley Deft)

This day came as the Plaintiff by their attor/ ney as the Said defendant in his Proper person and/ on motion it is ordered that the Prosecution be Contin/ued until the next term of this Court Whereupon/ and by permission of the Court for this purpose/ first had and obtained the Said John H Mosley/ and David Fish {each} acknowledged themselves to owe/ and be indebted to the United States of America/ that is to say the said John H Mosley in the Sum of/ one hundred dollars and the Said David Fish in the/ Sum of One hundred dollars to be levied of their/ respective goods and Chattles Lands and tenements/ On

Condition that if the Said John H Mosley/ Shall well and truly appear before the Judge of/ Our Circuit Court at the Court house in the/ Town of Greenville on the first day of Our next/ march Term thereof and Shall not depart the/ Same without the Leave of Said Court then this/ recognizance to be void Otherwise to be and remain/ in full force and virtue in Law [C4/118.2]

Page 119, Book C4

September Term 1832

Adam Stroud	Petitioner	)	
vs.		)	Petition
Jonathan O Callaway administrator/	)	for a	
in right of his wife/ Emily Callaway/	)	Specific	
& the said Emily Callaway late/		)	execution
Emily Fish/ administratrix of the /		)	of Contract
estate of Thomas Fish deceased	Defendant	)	

This day came the Petitioner by Hubbard his Solicitor as well/ as the Said defendants in their Proper Persons and the defend/ants admit the truth of all and singular the several/ statements allegations and Charges Set fourth and Contained/ in the said petition and by Consent of parties this Cause was/ Submitted to the Court Whereupon on Consideration of/ the Premises It appearing to the Satisfaction of the Court/ that the Said defendants intestate Thomas Fish now deceased/ did in his life time enter into a Contract in writing/ for the Conveyance of the Land specified in said petition/ as is stated set fourth and Charged therein and that Said/ Contract was not performed in the life time of Said Fish/ and that Said Fish died intestate as Stated in Said petition/ not having given Power by will to Carry Said Contract/ into execution and that a Pattent for said land in the/ name of {said} Fish has been Obtained by Said defendants/ Whereupon this Court doth adjudge order and decree/ that the said defendants do execute the Said Contract/ of their said intestate Specifically andConvey theSaid land/ in said petition mentioned to wit The equal and undivi/ded {fourth ~~xxxxx~~[4]} ~~west~~ or ~~xxxxx~~[5] of the east half of the south east/ quarter of section twentyeight ~~west~~ in Township seven/ South in range twenty one west Containing {twenty} ~~forty~~ acres/ Situated and lying and being in the County of Clark &/ Territory of Arkansas to the Said petitioner and his heirs/ in fee simple by a good and sufficient deed of Conve/yance with a general warranty, and that said defend/ants do make and acknowledge and deliver to the/ Said Petitioner such deed of Conveyance as aforesaid/ in dure form of Law ~~at~~ {on or before} the next term of this/ Court ~~on or before the third day thereof~~ saving... [C4/119.1]

[4] Word is marked through and is not readable.
[5] Word is marked through and is not readable.

Page 120, Book C4 **September Term 1832**

...to infants married woman persons of unsound mind/ and persons absent from the United States the Term of five years after {their} respective disabilities are Removed to/ appear and file their petitions to set aside this decree for fraud Collusion or other Causes, ~~and it is Ordered~~/ ~~this Cause be Continued until the next term of this~~ Court [C4/120.1]

Joseph B. Kelly)
vs.) Bill of injunction
William Arnett &)
Alvey R. Johnson)

Now at this day came the partis/ aforesaid by their Solicitors and on motion and by/ Consent this Cause is Continued until the next/ term of this Court [C4/120.2]

Ephriam M. Stroope appellee)
vs.)
Asa Thompson appellant)

And now at this day came the Said/ Thompson by his attorney and moves the Court/ here to Correct the entry made in this Case at/ the present Term of this Court by striking out/ the Judgment for the Case ~~Case~~ of this Suit/ in this Court which is rendered against/ the Said Thompson which motion was overruled/ by the Court [C4/120.3]

John L Hemphill)
vs.) detinue
Mary Dickson)

And now at this day Came the parties/ aforesaid by their attornies and on motion/ of the defendant and by Consent It {is} Ordered/ that this Cause be Continued until the next/ term of this Court [C4/120.4]

Page 121, Book C4 **September Term 1832**

Samuel H. Taylor in right)
of his wife)
vs.) debt
John Callaway)

And now at this day {Came} the parties afore/Said by their attornies and there upon Came a Jury/ to wit {Calvin Lunsford} Eli J. White William Denton Greenbury Davis/ Zachariah Davis Adam Stroud Samuel Lewis Jacob/ Stroope Senr Charles Gollihar Tuns___ Banks Augustus B./ M^{c}Donald and John Crow twelve good & lawful men/ of the County of Clark aforesaid was empanneled and/ sworn to well and truly try the issue Joined between/ the parties aforesaid, and on motion of the parties it is ordered/ that the Cause be Continued until nine Oclock tomorrow/ morning [C4/121.1]

Ordered that Court adjourn until 9 Oclock tomo/rrow morning

Tho. P. Eskridge [C4/121.2]

Thursday morning, September 27th 1832/ Court met pursuant to adjournment/ Present the Honorable Thomas P. Eskridge Judge [C4/121.3]

Balda C. Johnson appellant)
vs.) Appeal from a justice of the Peace
Moses Collins appellee)

This day Came the parties aforesaid/ by their attornies, and on the motion and verbal affidavit or oath/ of the Said Johnson in open Court made, it is ordered that this/ Cause be Continued until the next term of this Court, at the Costs of/ Said Johnson. Therefore On motion it is Considered by the Court that/ the appellee Collins recover of the appellant Johnson the Costs in/ this Case accrued at the present term of this Court and Occassioned by/ reason of this Continuance [C4/121.4]

Asa Thompson appellant)
vs.) appeal
Ephriam M. Stroope appellee)

This day came the parties aforesaid by their attornies and the appe/llant made an appeal to the Superior {Court} which {is} granted by his entering/ into a recognizance in the Sum of one hundred dollars [C4/121.5]

Page 122, Book C4 ***September Term A.D. 1832***

Balda C. Johnson Plff)
vs.) Trespass
William Denton, Silas M^{c}Daniel Deft)
and Edward Davis)

This day Came the plaintiff by his attorney as well as the/ Said defendants William Denton and Silas M^{c}Daniel, by Ringo & Conway/ their attornies and On Motion founded on the Oath of Balda C. John/son the plaintiff made in open Court, it is ordered that the Cause be/ Continued until the next term of this Court at his Costs. Therefore on/ Motion it is Considered by the Court that the said defendants recover of/ the plaintiff the Costs in this Cause at the present term of this Court/ expended by reason of this Continuance [C4/122.1]

Richard C. Poston)
vs.) debt
John Callaway)

And now at this day came the/ parties aforesaid by their attornies and by Consent/ the defendant pleads payment in Short on the/ record, at the day and the plaintiff/ _____ the said plea by replication in/ Short and aforesaid {___ as Joined thereof} and this case is contin/ued until next Term of this Court [C4/122.2]

James Mosley Plff)
vs.)
John H. Moslee Deft)

And now at this day came the plain/tiff by his attorney and the defendant in his proper/ person and by Consent agreed to dismiss this Suit/ & that each of the parties Shall pay one half/ of the Costs thereof therefore on motion it is/ Considered by the Court that the plaintiff recover of/ Said defendant one half of the Costs herein about/ this Suit expended and that the defendant recover/ of the Said plaintiff the one half of the Cost in/ and about this suit expended [C4/122.3]

Page 123, Book C4

John Pope governor)
vs.)
James Miles)
Adam Stroud)

William Blakely)
Samuel Parker &)
Charles Goleher)

And now at this day/ comes the Said Adam Stroud Willi/am Blakely, Samuel Park and/ Charles Golliher by their attorney/ and Demurs generally by consent/ in Short on the record and the/ Said plaintiff joins in Said Demurrer/ to the said Plaintiffs Declaration/ and this case is continued until/ tomorrow morning [C4/123.1]

Samuel H Taylor &)
wife)
vs.) debt
John Callaway)

And now at this day Came the parties aforesaid/ by their attornies and a Jury Came to wit Calvin/ Lunsford Eli J. White William Denton Greenberry Davis/ Zachariah Davis Adam Stroud Samuel Lewis Jacob/ Stroope Senr Charles Golliher Tuns___ Banks Augustus/ B. M^{c}Donald and John Crow twelve good and lawful/ men of the County of Clark aforesaid was empannelled/ tried and sworn to well and truly to try the issue/ Joined between the parties aforesaid and after hearing/ the evidence adduced by the parties and arguments of/ Council retired from the bar to Consult of their verdict/ and returned the following verdict to the Court we the/ Jury find in favour of the defendant Eli J White/ fore man it is therefore Considered by the Court/ that the {said} defendant have and recover of the said/ plaintiff the Costs of this Suit expended and that the/ Said defendant go hence without day [C4/123.2]

Page 124, Book C4 **September Term 1832**

Adam Stroud Petitioner)
vs.) petition for
Jonathan O Callaway administrator/) Secific
in right of his/ wife Emily Callaway and) execution of
the Said Emily Callaway/ late Emily) a Contract
Fish administratrix of the estate of)
Thomas Fish deceased Defendant)

And now at this came the petitioner by Hubbard his/ Solicitor as well as the Said defendants in their proper persons/ and the said defendants herein open Court executed a/ deed of Conveyance as administrator and administratrix/ of the estate of Thomas Fish deceased to said petitioner for the/ Land in said petition mentioned to wit the equal and un/divided one fourth part of the east half of ~~of~~ the/ South east quarter of section twenty eight in Township/ seven South in range twenty one west Containing/ twenty acres lying and being in the County of Clark/ and Territory of Arkansas in accordance with and/ in pursuance with a decree of this Court made/ for

that purpose made and entered in this Cause/ at the present Term of this Court which deed of/ conveyance was thereupon acknowledged in open Court/ by the Said defendants respectively to be their act and/ deed hand and seal seal that they severally executed and/ delivered the Same for the purposes there in mentioned/ Whereupon this Court doth order and adjudge order/ and decree that the Said Conveyance be and the Same/ is hereby Confirmed and that the estate and title in/ and to Said lands in said petition and Conveyance/ mentioned to wit the equal and undivided one fourth/ part of the half of the south east quarter of section/ twenty eight in Township seven south in range/ twenty one west de absolutely pass from the Said/ defendants and their intestate the Said Thomas Fish/ and all and every person Claiming the same by/ through or under him or there or either of them/ to the Said petitioner and his heirs and assigns... [C4/124.1]

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...forever and this Court doth further adjudge order and/ decree that the Said petitioner and said defendants each/ {party} pay {his own} ~~the same equal half of the~~ Cost in this behalf expended/ and that the Said parties go hence without day [C4/125.1]

Jacob Barkman Plff)
vs.) trespass
Samuel Parker Deft)

And now at this day Came the parties aforesaid/ by their attornies and the plaintiff filed his demiletor/ to the defendants Rejoinder ~~and~~ {to} the plaintiffs repl/ication to the defendants second plea. [C4/125.2]

Samuel H. Taylor)
and wife)
vs.) debt
John Callaway)

And now at this day Came the/ plaintiff by his attorney and filed his motion for/ a new trial in this Cause [C4/125.3]

Jacob Barkman Plff)
vs.) trespass
Samuel Parker Deft)

And now at this day Came the parties aforesaid/ by their attornies and a Jury Came to wit John/ Denton John R. Richards Peter Bare James

A Baley/ Mastin Latham Ephriam M. Stroope Balda C. Johnson/ Moses Collins Thomas J. M^{c}Laughlin Winthrop Colbath/ James R Crow and Stephen Lunsford twelve good/ and Lawful men of the County of Clark aforesaid/ empannelled tried and sworn to well and truly to try/ the issue Joined between the parties aforesaid and after/ hearing the evidence and arguments of Council returned/ from the Bar to Consult of their verdict and returned... [C4/125.4]

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...to the Court that they Could not agree too a verdict/ therefore on motion it is Ordered by the Court that/ the Jury be discharged until nine oclock tomorrow/ morning [C4/126.1]

Asa Thompson appellant)
vs.) appeal
Ephriam M. Stroope appellee)

This day came the Said Asa Thompson together with/ Mastin Latham as his Security who then and there ack/nowledged themselves to owe and be indebted to the/ Said Ephriam {M} Stroope in the Sum of one hundred/ dollars lawful money of the United States, to be levied/ of their respective goods and Chattles lands and/ tenements On Condition that if the Said Asa/ Thompson shall well and truly prosecute his appeal/ in this Case according to Law and if Judgment/ of this Court rendered against him in this Suit/ shall be affirmed by the Superior Court aforesaid/ shall well and truly pay all such debts damages/ and Costs as may be adjudged against him in this/ Case then this Recognizance to be void otherwise/ to remain and be in full force and virtue in/ Law [C4/126.2]

Thomas Reed Complainant)
vs.) Bill in chancery
Jonathan O Callaway Deft)

And now at this day Came the parties aforesaid/ by Solicitors and on motion and by Consent of the/ parties by their Solicitors it is Ordered that this/ Cause be Continued until the next term of this Court [C4/126.3]

United States Plff)
vs.) Indictment
John D Mosley Deft)

This day came the plaintiff by their attor/ney as well the said defendant in his proper person... [C4/126.4]

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...and on motion it is Ordered that this prosecution/ be Continued until tomorow morning whereupon/ and by permission of the Court the Said John D Mosley/ and Mastin Latham each acknowledged themselves to/ owe and be indebted to the United States of America/ that is to say the Said John D. Mosley in the Sum of/ fifty dollars and the Said Mastin Latham in the/ sum of fifty dollars to be levied of their respective/ good and Chattles Lands and tenements on Condition/ that if the Said John D Mosley shall well and appear before/ the Judge of our Circuit Court now in Session on tom/orrow morning and shall not depart the same with/ out the Leave of said Court then this recognizance to be/ voide Otherwise to be and remain in full force and/ virtue in Law [C4/127.1]

Ordered that Court adjourn until 9 oclock tomor/row morning

Tho P. Eskridge [C4/127.2]

Friday morning September the 28th 1832/ Court met pursuant to adjournment/ Present the Thomas P. Eskridge Judge [C4/127.3]

United States Plff)
vs.) Indictment for Perjury
Fines E. Freeman Deft)

This day comes the plaintiffs by their attorney/ as well the defendant in his proper person and on/ motion it is ordered that this prosecution is continued un/til the next Term of this Court; and thereupon the/ Said Fines E Freeman as principal and Eli J. White/ William Clover and Hamblin Freeman as his... [C4/127.4]

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...security acknowledge themselves to and be indebted to the/ United States of America that is to say the said Fines/ E. Freeman in the sum of two hundred and fifty dollars/ and the said Eli J. White William Clover & Hamblin/ Freeman in one hundred and fifty dollars each Jointly/ and seperately {to be levied on their goods & Chattles Lands & tenements respectively} on Condition that if the Said Fines/ E. Freeman Shall well and truly appear before the Judge/ of Our Circuit Court at the

Court house In the Town of/ Greenville on the first day of Our next march Term/ thereof and shall nbot depart the Same without the/ leave of said Circuit Court then this recognizance/ to be void Other wise to remain in full force &/ virtue in Law [C4/128.1]

Overton Pliles petitioner)
vs.) Petition for Divorce
Laurretta Pliles Defendant)

And now at this day came the petitioner/ by his Solicitor and on his motion it is ordered/ that this Cause be Continued {to} the next term of/ this Court [C4/128.2]

John Pope Governor &c)
vs.) motion for a new trial
Mastin Latham Silas McDaniel) & in arrest of Judgment
Robert Frier impleaded with)
Joseph Butler)

Now at this day Came the parties aforesaid/ by their attornies and the Court not being suffic/iently advised of and Concerning Said motion doth/ order that said motion be Continued under advis/ement until the next term of this Court [C4/128.3]

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Samuel H. Taylor & wife)
vs.) motion for new trial
John Callaway)

This day came the parties aforesaid by/ their attornies, and argued and Submitted the plaintiffs motion in this/ Case made for a new trial on the reasons filed and the court being/ now sufficiently advised Concerning said motion, It is Ordered by the/ Court that the plaintiffs said motion be sustained and that a new/ trial of this Cause be granted upon the said plaintiffs paying the/ Costs which have accrued in this Cause, since the granting of the new/ trial herein before granted in favor of and on motion of the defendant/ and it is Ordered that this Cause be Continued until the next term/ of this Court, and it appearing to the Satisfaction of this Court that the plaintiffs/ have paid the Costs in this Cause legally taxable upon or under the rule for a/ new trial in this Cause Whereupon it is ordered that the rule for a new trial in this case/ granted be and the same hereby is made absolute [C4/129.1]

Jacob Barkman Plff)
vs.) Trespass
Samuel Parker Deft)

This day Came the parties/ aforesaid by their attornies, and the Jury empannelled and sworn/ in this Cause Came into Court, and represented to the court that/ they Could not agree upon any verdict in this Cause, Whereupon/ by Consent of parties John Denton One of the jurors of said jury was/ withdrawn therefrom and the residue of said Jury discharged, and it is ordered that this Cause be Continued until the next term of/ this Court [C4/129.2]

John Pope Governor of the Territory of Arkansas Plff)
who sues for the use of Clark County)
vs.) Debt
James Miles, Adam Stroud, William Blakeley Deft)
Samuel Parker and Charles Golliher)

This day Came the plaintiff by Thomas Hubbard prosecuting/ Attorney- as well as the said defendants Adam Stroud, William Blakeley/ Samuel Parker and Charles goliher, and argued the law arising upon/ the demurrer filed in this Cause, and the same being submitted to/ the Court, and the Court not being sufficiently advised what judg/ment to give upon the demurrer in this Cause, takes time until the next term of this Court to Consider thereof, and it is/ Ordered that this Cause be Continued until the next term of/ this Court [C4/129.3]

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United States Plff)
vs.) Indictment for Gaming
John D. Mosley Deft)

This day Came the plaintiff by their attorney as well as the/ said defendant in his proper person, and the defendant surrendered/ himself in discharge of his recognizance given and entered into ____/ this Case on yesterday, and Thereupon by leave of the Court for the/ purposes first had and obtained the said John D Mosley and John/ H. Mosley acknowledged themselves to owe and be indebted to the/ United States in the sum of One Hundred dollars each, to be/ levied of their respective goods and Chattles lands and tenements/ On this express Condition that if the said John D. Mosley shall/ well and truly be and appear before the Judge of our Clark/ Circuit Court at the Court house in the Town of Greenville On/ the first day of our next March term of said Court to answer to/ An Indictment returned into our said Court against him for betting on/ an Unlawful game, and Shall not depart from Said Court/ Without the leave thereof then this recognizance to be void/ Otherwise to remain in full force and virtue in Law [C4/130.1]

John L. Hemphill Plaintiff)
vs.) Detinue
Mary Dickson Defendant)

This day Came the parties aforesaid by their attornies and by/ Consent it is ruled that the parties aforesaid respectively have/ leave to take the depositions of Witnesses generally to be read/ as evidence on this trial of this Cause [C4/130.2]

Charlotte Hemphill by James S. Conway her Guardian and next friend[6]) Petitioner
vs.) Petition for/
Andrew Hemphill and David Fish administrators of the estate of W^m^ Hemphill decd) Defendant) Distribution

Daniel Ringo one of the Solicitors for the Complainant here in open/ Court acknowledged the receipt of One Hundred Dollars on the/ Decree or directal order of this Court, the same being received by him of the/ said defendant David Fish [C4/130.3]

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Ordered that Court adjourn until Court in Course

Tho^s^ P Eskridge [C4/131.1]

Territory of Arkansas) In the Circuit Court of
County of Clark) said County {in vacation} February 16th
) 1833 [C4/131.2]

Balda C. Johnson appellant)
vs.) appeal from Judgme
Moses Collins appellee) nt of a Justice of the
) peace

[6] A "next friend" is one who acts for the benefit of an infant or person who is unable to look after themselves. A "next friend is not a party to the action but is an officer of the court (Black, Henry Campbell, 1991, Black's Law Dictionary, Abridged Sixth Edition, page 724, West Publishing Co., St. Paul, Minn.).

And now at this day Came the appellant/ and on his motion It is ruled that he have leave/ to take depositions de beneesse of Asa Thompson of/ the County of Clark aforesaid to be read as evidence/ on the trial of the above _____ Cause upon his/ givin the said appellee legal notice of the time/ and place of taking the same

Isaac Ward Clerk

of the Clark Circuit Court [C4/131.3]

Clark Circuit Court in Vacation/ February 16th 1833 [C4/131.4]

Robert Crittenden)
vs.)
Mary Bartlett &)
George Stroope)

This day Came the parties aforesaid/ in their proper {persons} and the plaintiff acknowled/ges the debt in his declaration in this suit to be/ fully paid and satisfied; and it appearing/ to my satisfaction that all the Legal cost of this/ suit have been paid. Therefore, with the assent of/ the said plaintiff and defendants the Judgment/ entered in this Case is now fully satisfied

Isaac Ward Clk of the
Circuit Court of Clark County [C4/131.5]

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Territory of Arkansas)
County of Clark)

At a Clark County Circuit Court began/ and held in and for the County aforesaid/ at the Court House in Town of Greenville/ on the 25th day of March A.D. 1833 it being/ the Last monday of said month Present the/ Honorable Edward Cross one of the Judges of the/ Superior Court of the Territory aforesaid assigned/ by Law to hold Circuit Court in the Territory/ aforesaid [C4/132.1]

Ordered that the Sheriff Proclaim that/ the Circuit Court of the County of Clark/ has met according to Law and is ready to/ proceed with the Business thereof [C4/132.2]

The Sheriff of the County aforesaid this/ day returned into Court the following pannel/ of Grand Jurors to wit Joshua Fuqua who was/ Sworn as foreman Lee Pettit Albert Edmiston/ John Wingfield David Mobley William Logan/ John Wood Thomas

Melson Rice Stringer Jester/ Cocke Senr James H. Crow William Janes Joseph/ Hoffman Robert Frier David Bradshaw Bryan/ Logan Peter Stroud Jacob Hoffman John Denton/ John Bolt and Joshua D. Stewart twenty one good/ and Lawful men of the County of Clark/ aforesaid all of whom were Elected tried and/ Sworn and having received their Charge retired/ from the Bar to Consult of their duties [C4/132.3]

John H. Mosley who was recognized to appear here/ on this day to answer the United States to an/ Indictment ~~to be performed~~ against him for/ an assault an Battery appeared in discharge of/ his said Recognizance and on motion and by Consent/ of the Prosecuting attorney his said Recognizance... [C4/132.4]

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...is Respited until tomorrow morning [C4/133.1]

John D. Mosley who was Recognized to appear hear/ on this day to {answer} the United States to an Indictment/ ~~to be performed~~ against {him} for ____ling a Foro/ Bank appeared in discharge of his said recognizance/ & on motion of the Said John D. Mosley and by/ Consent of the prosecuting attorney his said recogni/zance is Respited until tomorrow morning [C4/133.2]

Fines E. Freeman who was Recognized to appear/ hear on this day to answer the United States to an/ Indictment ~~to be performed~~ against him for perjury/ appeared in discharge of his said Recognizance and/ on motion of the said Fines E. Freeman and by cons/ent of the prosecuting attorney his said recognizance/ is respited until tomorrow morning [C4/133.3]

Josiah Mosley who was recognized to appear here on/ this day to answer the United States to an Indict/ment ~~to be performed~~ against him for gaming/ appears in discharge of his said Recognizance and/ on motion of the said Josiah Mosley and by consent/ of the Prosecuting {attorney} his said recognizance is respited/ until tomorrow morning [C4/133.4]

Joseph Delaney who was Recognized to appear here on/ this day to answer the United States to an Indictment/ ~~to be performed~~ against him for gaiming appeared/ in discharge of his said recognizance and on motion/ of the said Joseph Delaney and by

Consent of the/ Prosecuting attorney his said recognizance is/ Respited until tomorrow morning [C4/133.5]

John H. Mosley who was Recognized to appear here on/ this day to answer the United States to an Indictment... [C4/133.6]

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...~~to be performed~~ against him for unlawfully/ permiting a Certain gaming table Commonly/ Called a foro table to be exhibited in his Certain/ out house appeared in discharge of his said/ recognizance and on motion of the said John H./ Mosley and by Consent of the Prosecuting Attorney/ his said Recognizance is Respited until tomorrow/ morning [C4/134.1]

Greenberry Davis)
Ads)
The United States)

And now at this day appeared the/ Said Davis by Hall his attorney and moved the/ Court to quash the execution in this case Issued/ against him for Reasons in writing filed/ and after arguments of Council as well for the/ Said Defendant as for the United States It/ is therefore {Considered} by the Court that the execution/ aforesaid be quashed and that the said defendant/ have restit{u}tion of his property Levied upon/ by virtue of said execution [C4/134.2]

Greenberry Davis)
ads)
The United States)

And now at this day appeared the said/ Davis by Hall his attorney and moved the Court/ to quash the execution in this Case issued against/ him for reasons in writing filed and after arg/uments of Council as well for the said defendants/ as for the United States, It is Therefore Considered/ by the Court that the exectution aforesaid be/ quashed and that the said defendant have/ restitution of his property Levied upon by/ virtue of said execution [C4/134.3]

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United States)
vs.) Rule

Isaac White)

And now at this day appeared Thomas/ Hubbard prosecuting attorney and on his motion/ It is ordered that the said Isaac White who was/ summoned and returned by the Sheriff on the/ pannel to serve as a Grand Juror of this Court/ at the present term of this Court be ~~fined~~ {and appear}/ {at the next term of this court on the first day thereof to show Cause why he}/ {shall not be fined} ~~in the sum of ten dollars~~ for failing to attend/ as such grand Juror and that {a copy of this rule} ~~surefacias issue~~/ against said defendant {as e___d upon} him ~~together~~ {thirty}/ days ~~and at~~ {before} the next term of this court ~~to show~~/ ~~Cause why the said fine shall not be made~~/ ~~absolute~~ by the Sheriff of this County [C4/135.1]

United States)
vs.) Indictment for horse stealing
John Simpson)

And now at this day came the Prosecuting/ attorney and on his motion it is ordered that/ an alias Plurus Capias issue to the County of/ Hot Spring in this Case returnable to the/ next term of this Court to which time this/ Case is ~~returnable~~ Continued [C4/135.2]

Ordered that Court adjourn until ten/ Oclock tomorrow morning

Edw Cross [C4/135.3]

Tuesday morning March 26th 1833 Court met/ pursuent to adjournment Present the honorable/ Edward Cross Judge [C4/135.4]

United States)
vs.) Indictment for an assault
John H. Mosley) Battery

And now at this day came the/ Parties... [C4/135.5]

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...by their attornies and the Defendant by Hall his/ attorney moved the Court to quash and set aside {~~and hearing the arguments of Counsel the suit aforesaid ___ United States ___~~}/ the Indictment in this Case and {after hearing the arguments of Council as well as the part of the United States as said defendant} the Court not being/

Sufficiently ~~of~~ advised of and Concerning said/ motion, doth takes time to Consider thereof until/ tomorrow morning [C4/136.1]

James Gibson Sheriff of Hempstead County this day/ brought into Court the Body of Charles S. Cocke in obedience to the Commands of a writ of habias corpus issued/ by ~~the~~ Edward Cross Judge of this Court bearing/ date the tenth day of March 1833 directed to the/ Sheriff which writ was also returned by Said/ Sheriff and duly filed whereupon on motion/ of Thomas Hubbard Prosecuting attorney {it is ordered that} the said/ Charles S. Cocke be and he is hereby commited/ to the custody of the sheriff of Clark County there/ to remain and be by him safely Kept until/ the further {order} of this Court [C4/136.2]

United States Plff)
vs.) Indicted with William
John Simpson Deft) Bartlett for horse stealing

This day came Thomas Hubbard/ Prosecuting attorney in this Court and moved the/ Court here for leave file an Indictment in/ this Cause nune protune the original indi/ctment on file in this Cause having been/ mututated and a part thereof abducted [C4/136.3]

United States Plff)
vs.) Indictment for gaming
John D. Mosley Deft)

And now at this day comes/ the Prosecuting attorney and the defendant moved/ the court to quash the indictment in this case/ And after hearing the arguments of Council... [C4/136.4]

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...as well on the part of the United States as/ of said defendant and the Court not being Suf/ficiently advised thereof took time to Consider/ thereof until tomorrow morning [C4/137.1]

United States Plff)
vs.) Indictment for gaming
Josiah Mosley Deft)

And now at this day came the/ Prosecuting attorney and the said defendant/ moved the Court to quash the indictment in this Case. And after hearing the arguments of Councel/ as well on the part of the United States as of said/ defendant and the Court not being sufficient/ advised of and Concerning said motion takes/ time to Consider thereof until tomorrow/ morning [C4/137.2]

United States Plff)
vs.) Indictment for
John H. Mosley Deft) gambling

And now at this day Comes the Prosecuting/ attorney and the said defendant moved the court/ to quash the indictment in this Case, And/ after hearing the arguments of Council as/ ~~the~~ well on the part of the United States as of/ said defendant and the Court not being/ sufficiently advised of and Concerning said/ motion took time to Consider thereof until/ tomorrow morning [C4/137.3]

John C. Logan appeared in open Court and Produ/ced a deputation from A. E. Thornton Sheriff of Clark/ County appointing him his deputy in his said office/ of sheriff. was sworn according to Law and appr/oved of by the Court as such deputy sheriff [C4/137.4]

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United States Plffs)
vs.) Indictment for
Fines E Freeman Deft) Perjury

This day came the plaintiffs by Thomas Hubbard/ The Prosecuting attorney in this behalf and the/ defendant being brought ~~into~~ to the bar pleads/ not guilty to which the United States joins issue/ and thereupon Came a jury Viz John Freeman/ Josiah Mosley Phillip W. Smith Joseph Delany/ Thomas Wood Jeremiah Latham Moses Moore/ Benjamin Lewis Charles Golliher Josiah Smally/ John B. Anderson and Mastin Latham twelve good/ and Lawful men of the County of Clark who/ being Chosen and sworn according to Law and/ having heard the evidence, and arguments of/ Council, retired from the bar to Consult of their/ verdict, and returned the following verdict ~~to~~/ to the Court towit we the Jurors find the defendant/ as Charged in the Indictment not Guilty Moses/ Moses. Therefore It is Considered by the Court that the/ said defendant go hence discharged therefrom/ without day [C4/138.1]

George Stroope Complainant)
vs.) Petition for a
Martha Stroope alias Martha) divorce
Coker Deft)

This day Came the Complainant by his/ solicitor and filed his petition in this Case and/ on ~~his~~ motion ~~it is ordered that a writ~~ of the/ Complainant by his solicitor it is ordered that a/ summons be issued in this Case returnable to the/ next term of this Court, And it is ordered that/ this Cause be Continued until said term [C4/138.2]

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~~United States Plff~~)
~~vs.~~) ~~Indictment for~~[7]
~~Charles S. Cocke Deft~~) ~~murder~~

~~On motion of Thomas Hubbard Prosecuting attor/ney it is Ordered that a venire facias be issued/ by the Clerk of this Court directed to the Sheriff of/ Clark County Commanding him to summons twelve/ good and lawful men of his bailiwick to be and/ appear fourthwith before the Judge of our Clark/ Circuit Court then and there to serve as a vinire/ in the Case of the United States against Charles/ S. Cocke Charged by an Indictment for the murder/ of Zebulon Edmiston as returned by the grand Jury/ at the March Term {1832} thereof of this Court~~ [C4/139.1]

The Grand Jury empanneled sworn and Charged/ at the present term of this Court returned into/ Court the following bill of indictments to wit an/ Indictment against William Cornelius for an assault/ a true Bill and also an Indictment against Frederick/ Sallins for an assault a true bill Whereupon the Court/ asked the foreman of Said Grand Jury if they had/ any further or other business before them and/ the forman of said Grand Jury Stated that they/ had no further or Other business before them/ And the Court asked the Prosecuting attorney if he/ knew of any further business for said Jury/ Stated that he knew of no other or further busi/ness. Therefore it is Ordered that said Jury be dischar/ged [C4/139.2]

United States)
vs.) Indictment for gaming
Thomas Edom)

[7] This entry has the word "Erroneous" written vertically across it two times.

On motion of the prosecuting attorney/ it is Ordered that an alias Capias issue in this/ Case and it is ordered this Case be continued until/ the next term of this court [C4/139.3]

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United States)
vs.) Indictment for murder
Charles S. Cocke)

This day the said Charles S. Cocke was brought into/ the court in custody of the Sheriff of Clark and on/ motion of Thomas Hubbard Prosecuting attorney in this Court/ the said Charles S. Cock was duly arraigned on said indictment/ for murder and the said indictment herein _____ _____ __ the/ said Charles S. Cock in the _____ language and _____/ {~~xxxxxxxxxxx~~}[8] venire facias was _____ & of a Jury and Robert Critten/den counsel for said Charles S. Cocke acknowledged/ the receipt of a copy of said indictment and a list of Jurors/ returned on the veniue facias aforesaid [C4/140.1]

Ordered that court adjourn until tomorrow morning 10 oclock

Edw. Cross [C4/140.2]

Wednesday morning March 27th 1833 Court met/ Pursuant to adjournment Present the honorable/ Edward Cross Judge [C4/140.3]

United States Plff)
vs.) Indictment for
John H. Mosley and Deft) gaming
Herrin)

And now at this day appeared the ~~said John~~/ ~~H. Mosley And Hexxxx at~~ this day Came the Pros/ecuting attorney And the Said defendant {Mosley} also/ appeared and the Court being sufficiently ad/vised of and Concerning the defendants motion/ to quash the Indictment against him in this/ Case doth Order that said Indictment be/ Quashed and that the Said Defendant be dis/missed and go hence without day [C4/140.4]

United States Plff)

[8] A line was inserted into the text and then marked through. It is now unreadable.

vs.) Indictment for
Joseph Delaney Deft)

And now at this day came the/ Prosecuting attorney, And the defendant also appeared, and the Court being sufficiently ad/vised of and Concerning the defendants motion/ to quash the Indictment against him in this/ Case doth Order that the first count of said/ Indictment be quased and that said defendants... [C4/140.5]

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...motion as to the residue of said Indictment be/ Overruled [C4/141.1]

United States Plff)
vs.) Indictment for gaming
Josiah Mosley Deft)

And now at this day appeared/ the prosecuting Attorney and the said defendant/ also, And the Court being sufficiently advised of/ and Concerning the defendants motion to quash/ the Indictment against him in this Case doth order/ that said motion be sustained as to the first second/ and Last counts. And that the said defendants motion/ as to the other Counts of said Indictment be Overruled [C4/141.2]

United States Plff)
vs.) Indictment for
John H. Moseley Deft) assault & Battery

And now at this day came the parties aforesaid/ the United States by Thomas Hubbard Prosecuting attorney/ and the defendant in his own proper person/ and the defendant being demanded to plead to/ his suit says that he is guilty and submits his/ Case to the Court and the Court being sufficiently/ advised thereof doth order that the defendant/ pay five dollars the fine adjudged against him/ Thereupon it is Considered by the Court that the/ United States have and recover of the said defendant/ the sum of five dollars so assessed as aforesaid toge/ther with the Cost herein expended and that the/ Said defendant stand commited until fine and Cost/ be paid [C4/141.3]

United States Plff)
vs.) Indictment for gambling
John H. Mosley Deft)

And now at this came the parties aforesaid/ the United States by Thomas Hubbard Prosecuting/ attorney and the defendant by his attorney... [C4/141.4]

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...and said defendant moved the Court to quash/ ~~in this Case~~ the Indictment in this Case and the Court/ not being sufficiently advised of and Concerning/ said motion takes time to Consider thereof/ until to morrow morning [C4/142.1]

United States Plff)
vs.) Indictment for gaming
Joseph Delaney Deft)

And now at this day Came the Prosecuting/ Attorney and the said defendant also appeared and/ the said defendant being arraigned upon the/ Indictment Says that he was not guilty of the/ Premises charged against him on the said/ fifteenth day of September in the year 1832/ in manner and form as he Stands charged in/ Said indictment and of this he puts himself/ upon the Country to which plea the prosecuting/ attorney filed a demurer and said defendant/ Joined in said Demurer and after arguments/ of Council it was considered by the Court that/ the said plea be Overruled [C4/142.2]

Drewry Hasley appellant)
vs.) Appeal
Joseph Hardin appellee)

And now at this day came the parties/ aforesaid by their attorneys and a Jury came/ to wit Matthias Brinley William Denton James H/ Crow John Denton Allen B. Lackland Rice/ Stringer Reuben Cook Hamblin Freeman/ Calvin Lunsford Arthur Davis David C./ Edmiston and Jacob Stroope twelve good and/ Lawful men of the County of Clark aforesaid/ was empannelled tried and Sworn to well and/ truly try the issue Joined between the parties... [C4/142.3]

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...aforesaid and after hearing the evidence and/ arguments of Council retired from the bar to consult/ of their verdict and returned the following verdict/ to the Court we the Jury find for the defend/ant Allen B. Lackland It is Therefore Considered/ by the Court that the defendant have and recove/ of the said Plaintiff the Cost about his suit/ in this behalf expended and that the said/ defendant go hence without day [C4/143.1]

John L. Hemphill Plff)
vs.) detinue
Mary Dickson Deft)

And now at this day Came the parties/ aforesaid by their attornies and on motion of the/ Said Plaintiff and by Consent of said parties/ It is Ordered that this Cause be continued until/ the next term of this Court. And it is further/ Ordered by the Court that the defendant have/ and recover of the {said} plaintiff the Costs occasioned/ by reason of this Continuance [C4/143.2]

Matthew Gray)
vs.) attachment
Swanson Yarborough)

And now at this day Came the parties/ aforesaid by their attornies and on motion and/ affadavit of the Plaintiff it is Ordered that/ this Cause be continued until the next term/ of this Court at the Cost of the said Plaintiff/ it is there fore on motion Considered by the court/ that said defendants recover of the plaintiff the/ Costs in this Cause at the Present Term of this court/ expended by reason of this Continuance [C4/143.3]

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United States)
vs.) Indictment
Charles S. Cocke)

And now at this day came Robert/ Crittenden Esqr and gave the Court here to understand/ and be informed that the said Charles S. Cocke the/ Said defendant is so unwell that an imprisonment/ in the Common Jail of the County of Clark would/ greatly endanger his Life it was therefore ordered/ by the Court that Drs Cocke & M^{c}Donald be ___/ led to inspect and examine the said prisioners health/ instan___ and thereupon the said Drs Cocke and/ M^{c}Donald having inspected and examined the said/ prisioner {and first being duly sworn stated} ~~forfeited~~ that the said prisioner was so/ unwell that an imprisionment in the common/ Jail of Said County would greatly endanger his Life/ it was therefore Ordered by the Court that the Sheriff/ of Clark County to whose Custody the Said prisioner/ has heretofore been Committed take said prisioner/ under Safe and Secure Conducted of a guard of not/ exceeding six men to {the most} ~~xxxx~~ Convenient {and secure} Room in or/ about the Town of Greenville to be by him Procured and/ that he the said Sheriff Detain said prisioner under/ the Safe and Secure conduct as aforesaid until the/ further Order of this Court and it is further/

Ordered that the wife of the prisoner and a/ servant named {Aaron} be permitted to attend on the/ prisoner when necessary they should do so and that/ the said Guards as soon well and truly to discharge their duty as said guards [C4/144.1]

John L. Hemphill Plff)
vs.) detinue
Mary Dickson Deft)

And now at this day Came the parties afores/aid by their Attornies and on motion of the plaintiff/ It is Ordered he have leave to open his depositions/ taken in Cause which was opened and filed accordingly [C4/144.2]

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Ordered that Court adjourn until ten Oclock/ tomorrow morning

Edw. Cross [C4/145.1]

Thursday morning March 28th 1833 Court met/ Pursuant to adjournment Present the Honorable/ Edw. Cross [C4/145.2]

Jesse W Talbott appeared in open Court and/ produced a deputation from A. E. Thornton Sheriff/ of Clark County appointing him his deputy in/ his Said office of Sheriff was sworn according to/ Law and approved of by the Court as such deputation [C4/145.3]

United States Plff)
vs.)
John H. Mosely Deft)

And now at this day appeared the Prosecuting/ attorney and the Said defendant also. And the/ Court have now being sufficiently advised of and/ Concerning the defendants Said motion to/ quash the Indictment in this Case doth order/ that Said motion be Overruled [C4/145.4]

George Gordon Plff)
vs.) Trespass on the Case
John Lewis Deft)

And now at this day Came to plaintiff/ aforesaid by his attorney, and the defendant Came/ not. Therefore on motion it is Ordered that an alias/ Capias be issued in this Case Directed to the Sheriff/ of Clark County returnable to the next term of/ this Court to which time this Case is continued [C4/145.5]

Myers F. Jones)
vs.) appeal
John Bolt)

And now at this day Came the... [C4/145.6]

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...parties aforesaid and the Judge of this Court/ having been {Con___d as} Council in this Case before his/ appointment to Said Office. Therefore on motion/ of the said appellant It is ordered that this/ Cause be Continued until the next term of this Court [C4/146.1]

United States Plff)
vs.) Indictment for murder
Charles S. Cocke Deft)

And now at this day Came Thomas/ Hubbard Prosecuting Attorney and the Said/ defendant Charles S. Cocke was brough into Court/ in the Custody of A. E. Thornton Sheriff of Said/ County of Clark and to whoes Custody he is here/ now also Commited and the Said defendant/ was arraigned upon the Indictment against/ him for the murder of Zebulon Edmiston/ and being so arraigned the said defendant/ Charles S. Cocke for Plea says that he is not/ guilty of the Premises in the Said Indictment/ Charged upon him in manner and form/ as he Stands Charged in said indictment and/ of this he puts himself upon the Country/ and the said Thomas Hubbard Prosecuting/ attorney who prosecutes for the United States/ in this behalf doth the like, And the said/ defendants there filed his affidavit and there upon moved the Court to appoint an Elison/ to execute the Process during the Course of the/ trial of the issue aforesaid and thereupon/ it is Ordered and Considered by the Court/ here that Reuben Cook be and he is hereby/ appointed an Elisor of this Court during the/ process jof the trial of the Issue aforesaid/ and the said Reuben Cook then appeared and/ took the oath to support the Constitution... [C4/146.2]

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...of the United States and the Oath of office/ according to Law. And on motion of Thomas/ Hubbard Prosecuting Attorney it is Ordered by/ the Court that a {veniue} ~~scira~~ facias Issue directed to/ the said Reuben Cook Cmmanding him to/ Summon twelve good and Lawful men of the/ County aforesaid to serve as a Jury in the/ trial of the Issue aforesaid [C4/147.1]

Thomas Reed Complainant)
vs.) Bill in Chancery
Jonathan O. Callaway Defendant)

And now at this day Came the parties aforesaid/ by their Solicitors and on motion and by Consent/ of the parties it is Ordered that this Cause be/ Considered until the next Term of this Court [C4/147.2]

Balda C. Johnson Plff)
vs.) Trespass
Silas McDaniel impleaded)
with William Denton and)
Edward Davis Deft)

And now at this day Came the parties afores/aid by their attornies. And a Jury Came to wit/ Calvin Lunsford, Archablad Huddleston, Drewry/ Hasley, William Lewis, Philip W. Smith, Moses Guice/ John B. Anderson Thomas I. M^{c}Laughlin Mastin/ Latham John Forbes William Janes and John Bolt/ twelve good and lawful men to the County of/ clark aforesaid weare tried empannelled and/ sworn to well and truly to try the issue/ Joined between the parties aforesaid and after/ hearing the evidence and arguments of Council/ retired from the bar to Consult of their/ verdict and returned to the Court that {they} Could/ not agree on a verdit {____ any short space of ____}. Therefore it is ordered... [C4/147.3]

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...by the Court {with the assent of the parties in this suit} that Said Jury be {requested to disperse until} ~~Discharged until~~/ ten oclock tomorrow morning being first duly Charged/ by the Court [C4/148.1]

It is Ordered by the Court that Alexander/ M^{c}Tigret be fined the sum of five dollars for/ {his Contempt in} ~~improprity~~ hollowing aloud near {& in the hearing of} the Court/ Therefore it is Considered that the United States/ recover of said Alexander

M^{c}Tigret the fine afore/said and also the Costs in this Case expended/ and that he Stand Commited until said fine/ and Costs be paid [C4/148.2]

It is Ordered by the Court that Hendrick/ White be fined the sum of one dollar for his/ {contempt in} ~~improperly~~ Laughing aloud in the Presence/ and hearing of the Court, Therefore it is Considered that the/ United States recover of said Hendrick White/ the fine aforesaid and also the Costs in this/ Case expended and that he Stand Commited/ until Said fine and Cost be paid [C4/148.3]

United States Plff)
vs.) Indictment
Joseph Delaney Deft)

And now at this day came the parties/ aforesaid the United States by Thomas Hubbard/ Prosecuting attorney and the said the defend/and filed his ~~reasons~~ written arguments/ to reconsider the opinion of the {Court} heretofore/ Delivered for the motion to quash this indict/ment in this Cause [C4/148.4]

United States Plff)
vs.) Indictment
Josiah Mosley Deft)

And now at this day came/ the parties aforesaid The United States by Tho^{s}... [C4/148.5]

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...Hubbard Prosecuting attorney and the defendant/ filed is written arguments to reconsider the/ opinion of the Court heretofore delivered on motion/ to quash the indictment in this Case [C4/149.1]

United States Plff)
vs.) Indictment
John H. Mosley Deft)

And now at this day came the parties afore/said the United States by Thomas Hubbard/ Prosecuting attorney and the defendant filed his/ writen argument to reconsider the opinion of/ the Court heretofore delivered on the motion to/ quash the Indictment in this Case [C4/149.2]

~~Edw. Cross~~ [C4/149.3]

Friday morning March 29th 1833 Court met/ Pursuant to adjournment Present the Honor/able Edward Cross Judge [C4/149.4]

On motion of Robert Crittenden it is/ Ordered by the Court that three dollars part/ of the fine adjudged against Alexander M^{c}Tigret/ at the Present term of this Court be remited [C4/149.5]

It is Ordered by the Court that fifty Cents/ part of the fine adjudged against Hendrick/ White at the Present term of this Court be remited [C4/149.6]

United States Plff)
vs.) Indictment
John D. Mosley Deft)

And now at this day came the parties afore/ Said by their attorneys the United States by... [C4/149.7]

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...Thomas Hubbard Prosecuting attorney as well/ the said defendant and the said Plaintiffs filed/ their written argument to reconsider the opinion/ of the Court heretofore delivered on the defend/ant said motion to quash the Indictment/ in this Case [C4/150.1]

Balda C. Johnson Plff)
vs.) Trespass
Silas McDaniel)
impleaded with William)
Denton & Edward Davis Deft)

And now at this day Came the/ parties aforesaid by their attornies and ~~also~~/ the Jury empannelled in this Cause in this Cause on yesterday also Came to wit Calvin/ Lunsford Archabald Hudleston Drewry/ Hasley William Lewis Philip W. Smith

Moses/ Guice John B. Anderson Thomas J. M^{c}Laughlin/ Mastin Latham John Forbes William Janes/ and John Bolt _and brought into Court/ the following verdict towit We the Jury find/ the defendant Silas M^{c}Daniel gulity in manner/ and form as stated in the written declaration and/ assess the damages of the plaintiff Balda C. Johnson/ by reason thereof in the sum of thirty dollars/ W^{m} Janes foreman And thereupon it is considered/ by the Court that the said plaintiff ought to recover/ of and from the Said Silas M^{c}Daniel the said sum/ of thirty Dollars so by the Jury aforesaid in form/ aforesaid assessed together with with his Cost in/ this Suit expended [C4/150.2]

Page 151, Book C4

On motion it is Ordered that John Denton be and/ he is hereby appointed Elisor of the Court during the/ Process of the trial of the Cause now pending before the/ Court {when in the united is plaintiffs and Charles S. Cocke is defendant} and there upon the Said John Denton appeared/ and took the Oath to support the Constitution of/ the United States and the oath of office according/ to Law [C4/151.1]

United States)
vs.) Indictment for murder
Charles S. Cocke)

This day came the said United/ States by Thomas Hubbard {Prosecuting attorney} and the said/ Charles S. Cock was brought to the bar of the/ Court in the Custody of the Sheriff of Clark/ County and the {said} ~~Defendant~~ Charles S. Cock in/ open court would his modize of having/ a list of the Jurors returned on the Veniue/ facias issued in this cause to Reuben Cook/ an Elizor appointed by the Court in this/ Cause two ____ days previous to his trial/ and thereupon the said Charles S Cocke was/ remainded to the Custody of the Sheriff of/ Clark County aforesaid [C4/151.2]

John L Hemphill Plff)
vs.) detinue
Mary Dickson Deft)

And now at this day came the parties/ aforesaid and motion it is ordered that the Said/ Plaintiff have leave to withdraw from the files/ of this Court the original Bill of sale on which/ this Suit is founded by leaving a Certified... [C4/151.3]

Page 152, Book C4 **March Term 1833**

...Copy thereof [C4/152.1]

Silas McDaniel impleaded)
with with William Denton)
and Edward Davis)
vs.) Trespass
Balda C. Johnson)

And now at this day came/ the parties aforesaid by their attornies and the said/ Silas McDaniel by his attorneis filed his motion for/ a new trial and also his motion in arrest of/ Judgment in this Case entered [C4/152.2]

John L. Hemphill Plff)
vs.) detinue
Mary Dickson Deft)

Now at this day came the parties aforesaid/ by their attornies and on motion and by Consent/ of the parties it is ruled that each of said/ parties have leave to take depositions generally/ to be read as evidence on the trial of the/ above entitled Cause [C4/152.3]

Page 153, Book C4

Ordered that Court adjourn until tomorrow/ morning nine Oclock

Edw. Cross [C4/153.1]

Saturday morning {March 30th 1833} Court met pursuant to/ adjournment Present the honorable Edward/ Cross Judge [C4/153.2]

United States)
vs.) Indictment for murder
Charles S. Cock)

This day came the United States by/ Thomas Hubbard Prosecuting Attorney and the/ said Charles S. Cocke was brought to the bar of/ the Court in the Custody of the Sheriff of Clark/ County and thereupon came a Jury to wit/ John R. Richards, H Luntsford Hendrick/ White, John Calaway, Drewry Hasley, Calvin/ Luntsford, Silas McDaniel, Peter L. Calaway/ Enman Luntsford, Barrack Luntsford/ John Lasimore and John Forbes twelve/ good and lawful men of the County of Clark/ who been duly Elected tried and sworn/ well

and truly to try and true deliverence/ make between the United States and the/ Said Charles S. Cock and a true verdict to/ render according to law and Evidence/ and after hearing the Evidence adduced in/ this cause as well on the part of the United/ States as {of} the said Charles S. Cock retired from the bar to consult of their verdict/ and after mature deliberation thereof/ returned to the Court the following/ verdict to wit We the Jury find the/ said Charles S. Cocke guilty in manner/ and form as charged in the Indictment... [C4/153.3]

Page 154, Book C4

...John R. Richards foreman It is therefore con/sidered by theCourt here that the said Charles S. Cock/ be taken from the public Jail of the Said County of/ Clark by the Sheriff of Clark County on the twenty ninth/ day of April next between the hours of twelve of the/ Clock at noon and three of the Clock in the afternoon/ of that day and then and {there} be hung by the neck by/ gallows, untill the said Charles S. Cocke shall/ be dead {dead, dead} and that the United States have and/ recover of the said Charles S. Cocke the Costs/ of this prosecution and it is further ordered/ by the court that the said Charles S. Cocke be/ new remanded to the Custody of the Sheriff of/ Clark County aforesaid [C4/154.1]

United States)
vs.) Indictment for murder
Charles S. Cocke)

~~The post~~ The defendant being in court in custody/ of the sheriff moved the court for a new trial upon affidavits filed/ which being argued was overruled by the Court [C4/154.2]

United States)
vs.) Indictment for murder
Charles S. Cocke)

The deft being in Court in Custody of the sheriff moved/ the Court to arrest the judgment in this cause upon reasons filed. Which was/ overruled by the court [C4/154.3]

Ordered that all suits orders ~~and~~ Prosecutions/ {& motions} not disposed of be Continued until the next/ term of this Court [C4/154.4]

Ordered that Court adjourn until Court in/ Course

Edw. Cross [C4/154.5]

Page 155, Book C4 **Clark Circuit Court In Vacation**
May 30th 1833 [C4/155.1]

Richard C. Poston Plaintiff)
vs.) Debt
John CallawayDefendant)

This day came the parties aforesaid by their/ attornies and the plaintiff acknowledges the debt in/ this declaration in this Suit to be fully paid and/ Satisfied, and it appearing to my satisfaction that/ all the Legal Costs of this Suit have been paid;/ Therefore with the assent of Said plaintiff and/ Defendant this suit is dismissed

Isaac Ward Clerk of
the Circuit Court of Clark County

[C4/155.2]

Territory of Arkansas) In the Circuit Court
County of Clark) of said County In
) vacation 7th June 1833 [C4/155.3]

Stephen Lunsford appellant)
vs.) appeal from the
James Dennis appellee) Judgment of a
) Justice of the Peace

This day came the appellee by his attorney/ and on {his} motion It is ruled that he have leave/ to take {the} depositions {of Witnesses} generally within the Territory/ aforesaid to be read as evidence on his behalf / on the trial of this Cause, Witness my hand/ of the Clerk's office aforesaid the day and year/ above written

Isaac Ward Clerk

of Clark Circuit Court [C4/155.4]

Page 156, Book C4
CAN NOT READ PARAGRAPH [C4/156.1]

Order that the Sheriff proclaim that the Circuit/ Court of the County of Clark aforesaid has met accor/ding to Law and is ready to procede withe the business/ thereof [C4/156.2]

The Sheriff of the County of Clark aforesaid this day/ returned in to Court the following panel of grand/ Jurors to wit Lee Pettit who was sworn as foreman/ of said Grand Jury Eli J. White James Bradley Hiram/ Stroope Senr John C. Burk George Stroope John Denton/ Jacob Stroope Junr David Mobley John Lewis Mastin/ Latham Wm Petijohn Martin Burk John Forbes/ Uriah Pruit George Gordon Wm Stroope Sinur/ Charles Gollihar George Overbaugh Drewry Hasley/ John Wingfield & William Mcdonald who being Sworn/ Charge according to retiered from the bar of this Court/ to Consult of their duties [C4/156.3]

Page 001, Book C5

Territory of Arkansas)
County of Clark)

At a Clark County Circuit Court/ Began and held at the court house in the/ Town of Greenville in said County on the/ 30th day of March A.D. 1835 it being the last/ Monday in said month present the honorable/ Present Edw Cross one of the Judges of the sup/erior Court of said Territory assigned by law/ to hold Circuit Courts [C5/001.1]

Ordered that the Sheriff Proclaim that the/ Court has met according to Law and ready to/ procede with the Business thereof [C5/001.2]

The Sheriff this day returned the following/ Pannel of Grand Jury to wit J. O. Callaway/ who was sworn as foreman of said Grand/ Jury. David C Edmiston David Bradshaw John/ Crow R. S. Tate James Lysenby, Benjamin/ Lewis Charles Prewit Elijah Franklen Jacob/ Wingfield Jacob Stroope Sr Barnabas S. Smith/ Abner Hignight Abraham Newton Winthrop/ Colbath John B. Anderson, Archi Hudleston/ Sandford Babbit and Nathaniel Britton nine/teen good & lawful men of the County of Clark/ who were empanneled sworn & charged retired/ from the bar to Consult of their duties [C5/001.3]

Wm Janes	)	Bankston
vs.	)	attachment
John L Eades	)	Bankston
LL LL	)	Bankston

parties appeared & by consent this case/ is dismissed at the cost of Janes _____ _____/ L dismissed at the cost of Janes _____ _____/ dismissed at the cost of Janes _____/ _____ _____ _____ [C5/001.4]

Page 002, Book C5 March Term 1835

Wm Janes	)	
vs.	)	debt
Mathia Eades	)	

parties appeared & by consent this/ case is dismissed at the cost of Janes [C5/002.1]

United States)
vs.) Indictment
John Simpson)

nol prop [C5/002.2]

United States)
vs.)
A. R. Watson)

Rule to shew Cause/ why he should not be/ fined for a contempt offered the ct for failing/ to attend as a Juror when returned on the pan/nel of Jury between the United States & J/ Feeman [C5/002.3]

United States)
vs.) Indict for permiting
John Freeman) gaming in his house

parties appr^{d} by attornies and a Jury/ came to wit wm Gentry A Stroud Hentry/ Stroope Charles Golliher Wm Clover John R./ Richards wyatte A. Gordan James H. Crow/ Hugh Floid Jesse W. Talbott Samel Hemphill/ & Lyman Rounds twelve good & lawful men/ of the County of Clark who were tried empan/neled sworn and charged to well and truly try/ the issue Joined retired from the bar to consult/ of their verdict and returned the following/ verdict to the Court, we the Jury find the/ defendant not Guilty Wm Gentry forem/an [C5/002.4]

Page 003, Book C5 March Term 1835

United States)
vs.) Indict for gaming
W^{m} Barkman)

parties appr^{d} and the deft/ pleads not Guilty, and a Jury came to wit/ John H Mosley Marvit H. Mosely Aex M^{c}Clung/ wm Griffith Wm Grissom John Wilson/ James Ward Asa Dun John S. T. Callaway/ Sandford Winthrop Colbath & John J. Han/dle twelve good & Lawful of the cty of Clark/ who came were tried Sworn to well and truly/ to try the issue Joined and a true verdict return/ according to law & evidence & hearing the evidence/ & arguments of council returned to consult of their/ verdict & returned the following verdict to

the/ Court, We the Jurors find the defendant not guilty/ as he stands charged in the within indictment/ John Wilson foreman [C5/003.1]

Elijah Kelley this day produced a deputation/ from A. E. Thornton {Sheriff} aptg him deputy Sheriff/ was approved of and sworn according to/ law [C5/003.2]

United States)
vs.) Indictment for gaming
Nathaniel Brittan)

Parties appr the deft Pleads not guilty/ and Jury came to wit James H. Crow James Burk/ Nathan Davis W^{m} Janes G. B. Davis Samuel/ Hemphill Zach. Davis Drew Hasley John/ R Richards A. Stroud Lyman Rounds &/ John Crow twelve good & lawful men of the cty/ of Clark who came were elected tried & sworn... [C5/003.3]

Page 004, Book C5 March Term 1835

...to well & truly to try the issue Joined and/ hearing the evidence & arguments of Council/ retired from the bar to consult of their verdict/ and returned the following verdict to the/ Court, we of the Jury find for the defendant/ not guilty as charged in the indictment/ W^{m} Janes foreman [C5/004.1]

Ordered that Court adjourn until/ ten O clock tomorrow morning [C5/004.2]

Tuesday morning March 31st 1835/ Court met pursuant to adjournment/ Present the honorable Edw. Cross Judge [C5/004.3]

United States)
vs.)
John J. Handle)

Rule to shew cause/ why he should no be fined/ & copy served on deft [C5/004.4]

United States)
vs.) Indictment for unlawful
P. S. Callaway) gaming

Parties appard by attornies the deft/ plead not guilty & Jury came to wit/ Lyman Rounds James H. Crow W^{m} Clover/ John Wilson W^{m} Janes James Ward Morten/ Burk John C Logan James Burk Drew Hasley/ Peter Bare A. B. M^{c}Donald 12 good & Lawful/ of the county of Clark aforesaid were elected/ tired & sworn to well & truly to try the issue/ Joined & hearing proofs and arguments of/ counsel retired to consult of their verdict & thereupon/ returned the following verdict to the court, we the Jurors/ find the defendant not guilty in the manner that he/ Stands charged in the Indictment John Wilson foreman [C5/004.5]

Page 005, Book C5 March Term 1835

H. B. Fish)
vs.)
John H. Mosley)
& others at all)

parties appeared by attornies and/ & deft filed ayer [C5/005.1]

R. C. Byrd)
vs.) debt
A. G. Johnston at all)

Partis aperd and the deft cr__d ayer/ of the sad writing obligatory [C5/005.2]

United States)
vs.) Indct for un lawful
I. L. Stroud) gaming

nol pros[1] [C5/005.3]

United States)
vs.) Indictment for A.B.[2]
Jonathan West)

---

[1] Nolle prosequi – a formal entry on the record by the prosecuting attorney in a criminal action in which he declares that he will no further prosecute the case (Black, Henry Campbell, 1991, Black's Law Dictionary, Abridged Sixth Edition, page 726, West Publishing Co., St. Paul, Minn.).

[2] A.B. – Assault and Battery

nol prosque [C5/005.4]

United States)
vs.) Indict
Lewis Latham)

Nol pros [C5/005.5]

United Stats)
vs.) Indictment
John B. Robinson)

Alias & continued [C5/005.6]

United Stats)
vs.) Indict
Wm Moore)

Continued & allias [C5/005.7]

Page 005a, Book C5 March Term 1835

United States)
vs.) Indict.
James Clover)

Continued & alias to Union Cty [C5/005a.1]

United States)
vs.) Presentment[3] for
James Clover) vagrancy [C5/005a.2]

Myers F. Janes)
vs.)
John Bolt)

[3] "The written notice taken by a grand jury of any offense, from their own knowledge or observation, without any bill of indictment laid before them…" (Black, Henry Campbell, 1991, Black's Law Dictionary, Abridged Sixth Edition, page 821, West Publishing Co., St. Paul, Minn.).

Continued & reclets/ take depositions Generally
[C5/005a.3]

John L Hemphill)
vs.) Detinue
Mary Dickson)

Parties appearing to the sais/faction of the court that the plaintiff/ is decead this suit abated [C5/005a.4]

Moses Byrd Plff)
vs.) Tresspass
Adam Stroud Deft)

Continued at plffs Costs upon/ affidavit of plff agent & attorney [C5/005a.5]

Chester ashley)
vs.) debt
John Callaway)

Death of Deft segested revised/ against admrx & continued
[C5/005a.6]

United States)
vs.)
Jonathan West)

Samuel Warner as/ A Witness sworn claimed 1/ day & 60 miles travel [C5/005a.7]

Page 005b, Book C5 March Term 1835

Aaron N. Sabin admr)
Of Estate of L. Balding decd)
vs.)
James Williams)

Deu__ to defts plea argued/ & sustained & mo. of deft to answer over & motion for/ plaintiff for Judgment for want of a plea filed in/ writing a leave to file plea of the neungeus adm^{r} granted & plaintiffs mo./ overruled and plea ni ungues adm^{r} filed & repl th___ by plff & Jr./ by deft all in short on the record by Consent and case submitted to the Court/ by Consent & heard [C5/005b.1]

~~~~~~

~~Ordered that John S. T. Callaway be fined/ two Dollars for {a contempt in} keeping his hat on in the/ Court house while the Court was in session~~[4] [C5/005b.2]

~~~~~~

Mosley by)
Jno H. Mosley his next friend)
vs.)
~~Levin Latham~~)
Frier Enoch)

dis^{d} at Plffs costs [C5/005b.3]

~~~~~~

H. B. Fish)
vs.)
John H. Mosley)
& others)

parties appr^{d} by attornies/ and the defendant filed his past demur/ in short on the record & continued [C5/005b.4]

~~~~~~

Asa Thompson)
vs.) debt
John H. Mosley)

Continued & alias awarded [C5/005b.5]

~~~~~~

Jacob Barkman)

---

[4] Error, entire paragraph is marked through in the original ledger.
~~~~~~

vs.) debt
A. G. Johnston)

partes aprd and agreed to/ dismissed suit at dift costs
[C5/005b.6]

~~~~~~

Page 006, Book C5

Byrd vs Callaway & others
nol debit payment _____/ _____ part _____ ____ _____
by/ ~~_____ _____ & ____ debit/ _____ & payment ____~~ Court/ and set off
Demurrer to wit debit/ Joinder to payment and _____/ past de____ [C5/006.1]

~~~~~~

Chester Ashley)
vs.) debt
Charles Cocke)

Judgment by nil dicit[5] [C5/006.2]

~~~~~~

John H. Mosley appellant)
vs.) appeal
David Bradshaw appellee)

The parties appeared by attornies/ and a Jury came to wit John R Richard/ James Burk Charles Gordon Adam Stroud/ Martin Burk W^m^ Clover Charles Gal/liher Shepherd Colbath W^m^ Janes/ John Crissas JohnWilliams John/ Wingfield 12 good & lawful men of/ the county of Clark who came were elected/ tried and sworn to well and truly to try/ the issued Joined between the parties/ & a true verdict render according to/ evidence, and after hearing the alle/gations & proofs of the parties retired/ from the bar to consult of their verdict/ Whereupon returned the following verdict/ to the Court, to wit We the Jurors find for/ the defendant two dollars and fifty cents/ John Wilson foreman. It is therefore/ considered by the court that the deft recover $2.50 &/ costs of _____ in this court & the court below [C5/006.3]

~~~~~~

[5] "Nil dicit judgment" – judgment entered against defendant, in proceeding in which he is in court but has not filed an answer. (Black, Henry Campbell, 1991, Black's Law Dictionary, Abridged Sixth Edition, page 725, West Publishing Co., St. Paul, Minn.).

Page 007, Book C5 # March Term 1835

Asa Thompson)
vs.) appeal
John H. Mosley)

parties appeared by attorneis and on/ motion by consent this case is continued until/ the next Term and that a notice be served ten/ days before the next Term of this court on appe/lle [C5/007.1]

~~~~~~

United States)
vs.) Rule
James H. Crow)

deft dischd on payment of/ costs [C5/007.2]

~~~~~~

United States)
vs.) Rule
Katherine Clover)

deft dischd on payment of/ costs [C5/007.3]

~~~~~~

United States)
vs.) Rule &^{c}
Jeremiah Latham)

Nol prosequi [C5/007.4]

~~~~~~

Janes)
vs.) appeal
Bolt)

Rule to take depositions [C5/007.5]

~~~~~~

Ordered that court adjourn until 9/ oclock tomorrow morning [C5/007.6]
~~~~~~

~~~~~~

Page 008, Book C5 # March Term 1835

Wednesday Morning October 1st 1835/ Court met pursuant adjournment/ present the Hon Edw Cross Judge [C5/008.1]

~~~~~~

Andrew Hemphill Complainant)
vs.) Bill in
Harriet Fish admrx of the estate) chay
of David Fish deceased defendant)

This day came the parties aforesaid the/ Compt by his solicitor and the defendant by/ her atty and on motion agreed to[6] [C5/008.2]

~~~~~~

United States)
vs.) Indict for altering brands
John H. Mosley) of neat cattle

Indictment quashed [C5/008.3]

~~~~~~

Asa Thompson appellant)
vs.) appeal
Jonathan West appellee)

parties aprd by attornies and thereupon/ a Jury came to wit John H Mosley Wm Clover/ Richard Brittan A. B. McDonald Charles Gordon/ Edw Davis John R Richards Moses Moore James/ H. Crow Arthur Davis John Freeman & Charles/ Golliher twelve good & lawful men of the County/ of Clark aforesaid who came were elected tried & Sworn/ to well & truly to try the issue Joined between the/ parties aforesaid and after hearing the evidence/ _____ by the parties & arguments of council retired from/ the bar to consult of their verdict & returned to/ the court that they could not agree, on motion… [C5/008.4]

~~~~~~

Page 009, Book C5

---

[6] Ledger contains a large blank space as if something were to be added later – but was never added.
~~~~~~

...& by consent John H Mosley a Juror is with/drawn [C5/009.1]

~~~~~~

The Grand Jury sworn and charged at the pres/ent Term of this court this day returned into court/ an indictment against Hardin for an assault/ & Battery a true Bill and an indictment ags^{t}/ John Sorrels for an assault and Battery a true/ bill and having no other Business before them/ they are dischd [C5/009.2]

~~~~~~

United States)
vs.) Indictment
Lewis Latham)

Jacob Stroope a witness/ affirmed Claimed 2 days & 14 miles/ travel [C5/009.3]

~~~~~~

Asa Thompson)
vs.) appeal
Jonathan West)

Polly Lyenby a witness in the above/ case sworn claimed 2 days attendance and/ 24 miles travel,
Phebe Pearce a witness in the above case/ sworn claimed 2 days & 52 miles travel/ Mathis Eads claimed 3 days & 24 miles [C5/009.4]

~~~~~~

R. C. Byrd)
vs.)
Johnston & others)

parties appeared {dem^{r} to plea nil debit overruled, & dem^{r} to/ plea sit off sustained & leave to am^{d} plea & alle^{d}/ & repl non assumpsit & jr. all in short on/ the record by consent} ~~and the Council/ amts filed their plea of Payment to which/ the plff demurs~~ [C5/009.5]

~~~~~~

Page 010, Book C5 March Term 1835

Jacob Barkman)
~~~~~~

vs.) appeal
James Pettit)

dismissed at the Costs of/ the said James Pettit [C5/010.1]

~~~~~~

R. C. Byrd Plff)
vs.)
A. G. Johnston Callaway)
H Scarborough)

parties apprd by attornies/ and on motion of the defendant Callaway/ and ___t_ affit filed this cause is continued/ until the next Term of this court, at the cost/ of the defendants [C5/010.2]

~~~~~~

Asa Thompson)
vs.)
Banks & Thornton)

Leave to amend by consent payt post & ad__/ rpe^{n} & issue am^{d} [C5/010.3]

~~~~~~

Asa Thompson)
vs.)
Banks & Thornton)

Elijah Kelley/ a witness sworn claimed 3 days/ & 32 miles travel [C5/010.4]

~~~~~~

Abner Hignight a grand Juror/ Claimed 3 days 4 miles travel [C5/010.5]

~~~~~~

_____ [C5/010.6]

~~~~~~

Territory of Arkansas
County of Clark
At a Circuit Court bangan and held at the/ Court House in the Town of Greenville in/ said County on the 28th day of September AD/ 1835 it being the fourth and last Monday in/ said month, Present the Honorable Cross/ one of the Judges of the superior Court of/ said Territory assigned by law to hold Court [C5/011.1]

~~~~~~

ordered that the sheriff proclaim that/ Court is open and ready to proceed to the/ business thereof [C5/011.2]

~~~~~~

The sheriff this day returned the following/ panel of grand Jurors to wit William Gentry/ who was sworn as foreman of said grand/ Jury Jester Cocke senr W. M. Wingfield/ Jonathan O. Callaway Jno Blackely Thomas/ McLaughlin David Bradshaw Henry T./ Lightfoot Joshua Elkins Jacob Stroope Jr./ __ Wm McNeely James H. Crow James/ S. Bonner Lee Pettit Benjamin Lewis Benj/amin Logan Walter Crow John _ork James/ L. McLaughlin Jacob Hoofman Joseph/ Hoffman Joseph Delaney J. D. Stewart/ twenty three good and lawful men who/ were severally sworn charged and xxxxxx/ retired to consult of their duties [C5/011.3]

~~~~~~

United States)
vs.) Nolle proseque
William Moore) [C5/011.4]

~~~~~~

United States)
vs.)
John B. Robinson)

alias and continued [C5/011.5]

~~~~~~

Page012, Book C5

United States)
vs.) ~~alias and~~
James Clover) Indict for Larceny
~~~~~~

alias capias and continued until the next/ Term of this Court [C5/012.1]

~~~~~~

United States)
vs.) Present for vagrancy
James Clover)

ordered that former order be reviewed [C5/012.2]

~~~~~~

United States)
vs.) A.B.
John Sorrels)

ordered that this case be continued until/ the next Term of this Court and that an/ alias Capias issue directed to the sheriff of/ Hot Spring County [C5/012.3]

~~~~~~

United States)
vs.) Rule to show cause &c
A. R. Watson)

ordered that he be fined one {cent} together with/ the costs of this prosecution [C5/012.4]

~~~~~~

Asa Thompson) confesed judgement
vs.) for 529 dollars
Richard L. Banks &) 64 cents the
Abner E. Thornton) residue of the
) debt in the
) declaration
) mentioned ~~N~~
) no execution to
) sheu untill 10th
) Feby 1836 [C5/012.5]

~~~~~~

United States)
~~~~~~

vs.) Rule to shew cause
John J. Hondal) why he should not be
) fined

ordered that the defendant be discharged… [C5/012.6]

~~~~~~

Page 013, Book C5 Septr Term 1835

…by his paying the costs of this rule [C5/013.1]

~~~~~~

Tuesday morning September 29th 1835

Court met Pursuant to adjournment/ present the Honorable Edward Cross [C5/013.2]

~~~~~~

United States)
vs.) Indictment on
Benjamin Hardin) assault

And now at this day the the United States/ by Grandison D. Royston, prosecuting/ attorney and the defendant in his own proper/ person and the prosecuting moves to this cause/ continued which ~~is duly~~ motion is overruled [C5/013.3]

~~~~~~

Myers F. Jones)
vs.) appeal
John Bolt)

ordered that this cause be continued [C5/013.4]

~~~~~~

Ben Desha & A. Fowler)
Admr^{s} of R Crittenden Deceased) debt

on motion of Ringo, it is ordered by the/ Court that the defendant perfect his/ bail bond and that he have leave until/ tomorrow evening to perfect his bail bond [C5/013.5]
~~~~~~

~~~~~~

Moses Byrd)
vs.) trespass on the case
Adam Stroud)

This day Came the plaintiff by his agent/ and says that he is unwilling further… [C5/013.6]

~~~~~~

Page 014, Book C5 Clark Circuit Court Septr term 1835

…to prosecute this suit It is therefore/ ordered that the defendant have and/ recover of the plaintiff his costs in this/ case expended [C5/014.1]

~~~~~~

Harriet Fish)
vs.) appeal
Jacob Hoover)

It is and appearing that the appeal/ was prayed and obtained at a time/ subsequent to the day of trial without/ giving the defendant legal notice of the/ same it is therefore ordered that the clerk/ of this Court issue his motion to be served/ on the defendant at least ten days before/ the next Term of this Court [C5/014.2]

~~~~~~

~~ordered that the Grand be discharged~~/ This day the grand Jury returned/ the following bills towit one against/ James McKinney for an assault and/ battery two against Albert G. John/ston for an assaults and battery/ and being asked by the Court if they/ have an further business before them/ they replied in the negative and the/ prosecuting attorney says he Knows of/ any further business for them it is/ ordered that they be discharged [C5/014.3]

~~~~~~

Page 015, Book C5

Thornton &)
__ury Cox) Debt
) Residue of debt 114.97
) Damages 5.17
~~~~~~

This day Came the parties aforesaid by their/ attornies and the Court being now sufficiently/ advised of and concerning the same doth/ consider that the plaintiff have and recover of/ and from the defendants one hundred and fourteen/ dollars and 97 Cents the residue of the debt in/ the plaintiffs said declaration also the sum/ of five dollars and seventeen cents damages/ by reason of the detention of said debt [C5/015.1]

~~~~~~

Charles Baird)
vs.) Debt
Henry Cox)

This day came the plaintiff by his attor/ney and the defendant in his own proper/ and upon the verbal affidavit of the defend/ant ~~of~~ it is ordered by the Court that this/ cause be continued at the cost of the defend/ant [C5/015.2]

~~~~~~

Chester Ashley)
vs.) Deft
Callaways admrx)

This day came the defendant and ack/nowledged themselves Justly indebted to/ the plaintiff in the sum on one hund/red and thirty one dollars and sixty six/ Cents together with interest at the rate of/ ten per cent interest, It is therefore considered/ by this Court that the plaintiff have and/ recover of and from the sum one hundred/ and thirty one dollars and 66 Cents [C5/015.3]

~~~~~~

Page 016, Book C5

Asa Thompson)
vs.) appl
John M. Mosley)

And now at this day came the plaintiff/ by his attorney and the defendant in his/ own proper person, and on his motion/ and verbal affidavit it is ordered by the/ Court it is ordered by the Court that this/ Cause be Continued until the next/ Term of this Court at the Costs of the/ defant [C5/016.1]

~~~~~~

Asa Thompson)
vs.) Debt
John & Walter Crow)

upon the motion and verbal affid/avit of Walter Crow one of the defend/ants this cause is continued until the/ next Term of this Court at the costs/ of the defendants [C5/016.2]

~~~~~~

Green B. Davis appellant)
vs.) appl
Drewry Hasley appelle)

This day came the appellant in/ his own proper person and the/ appelle by his attorney, and upon the/ motion and verbal affidavit of the/ appellant this cause is continued/ until the next Term of this Court at the/ Costs of the said appellant [C5/016.3]

~~~~~~

Page 017, Book C5 Clark Circuit Court Septr Term 1835

Benjamin Desha &)
Absolum Fowler admrs)
of Robert Crittenden)
vs.) Debt[7]
Charles Cocke)

This day came the parties aforesaid by/ their attornies and the defendant filed his/ plea of payment to which the plaintiff/ Joined ~~issue in short~~ post diam[8] in short/ and upon the motion and verbal/ affidavit of the defendant – is ordered/ that this cause be continued until the/ next Term of this court at the costs of/ the defendant [C5/017.1]

~~~~~~

Asa Thompson appellant)
vs.) appeal[9]

---

[7] The work "Debt" is written in the original ledger 9+ times; It appears as if the clerk was doodling as he completed the ledger entries.

[8] "Post diem" is defined as "after the day" (Black, Henry Campbell, 1991, Black's Law Dictionary, Abridged Sixth Edition, page 808, West Publishing Co., St. Paul, Minn.).

[9] Word "appeal" is written twice in the ledge.
~~~~~~

John H. Mosley appellee)

And now at this day came the parties aforesaid/ by their attornies, and after hearing the/ evidence on the part of the appellant as/ well as on the part of the appelle it appears/ to the satisfaction of the Court that the/ appellant is Justly indebted to the appelle/ in the sum of five dollars and twenty five/ Cents It is therefore considered by the court that/ that the appellee have and recover of and from/ the appellee together with the costs ~~of~~ in this/ case expended [C5/017.2]

~~~~~~

Richard C. Byrd Plff)
vs.)
A G Johnston Jno S. T.)
Callaway and Wm Scarbo)
rough Defts)... [C5/017.3]

~~~~~~

Page 018, Book C5

~~~~~~

Page 018, Book C5

...This day came the parties aforesaid the plaintiff[10]/ This day came the parties aforesaid[11] ~~by the~~/ the plaintiff by his attorney and the Jno. S. T./ Callaway one of the defendants in his own/ proper person and upon his motion ~~it is~~/ ~~ordered~~ and written affidavit filed it is/ ordered that this case be continued until the/ next Term of this[12] [C5/018.1]

~~~~~~

Present ____[13] [C5/018.2]

~~~~~~

Jas L. M^cLaughlin a witness in the case of/ Jno Wilson vs Samuel Hemphill claimed/ 3 days & 16 miles travel [C5/018.3]

---

[10] This first line in the ledge appears to have been entered later.
[11] The name John Pruit plus one indistinguishable word is entered above the written text at this point. It is not know to what this refers.
[12] Marginal notes – "this the/ second/ day of my/ _____" Several more lines occur but are not readable. This partially appears to be doodling.
[13] Unknown purpose of this wording...
~~~~~~

~~~~~~

Jonathan O. Callaway in the case claimed/ 3 days and six circular miles travel [C5/018.4]

~~~~~~

Thos H. Proctor)
vs.) ~~tr~~
Tho Phileman Waters) debt

Continued upon the motion and affi/davit of the defts atty at the cost of the/ deft, and the defendant furnish the/ plaintiff with please &c and that the/ defendant have leave to take depositions/ generally [C5/018.5]

~~~~~~

Jacob Stroope a witness in the case of/ T H Proctor vs P. Waters claimed and/ 12 miles travel [C5/018.6]

~~~~~~

John Davis claimed three days & 24 miles/ travel. Peter Bare claimed 3 days 24/ miles travel A Davis claimed three days/ 24 miles travel David Hudleston claimed/ 3 days and 12 miles travel [C5/018.7]

~~~~~~

Page 019, Book C5

John Wilson
John Wilson admr of)
John L. Hemphill)
vs.) Trover Proceed[14]
John S. T. Callaway)

on motion of the plaintiff it is ordered/ that the parties have leave to take depositions/ generally and that this case be continued/ until the next Term of this Court [C5/019.1]

~~~~~~

Territory of Arkansas
County of Clark

[14] The words "trover" and "proceed" are written four and three times respectively, apparently doodling.

at a {circuit} court began and held at/ the court House in the Town of Green/ville in the said county on the 23^{d} day of Nov/ 1836 A.D. it being the fourth Monday in said/ month- Present the Honorable Edward Cross/ one of the Judges of the Superior court of/ said Territory assigned to hold courts [C5/019.2]

~~~~~~

Ordered that the sheriff proclaim that/ court ~~has met~~ {is} open and ready to proceed/ with the business thereof [C5/019.3]

~~~~~~

The sheriff this day returned the following/ panel of a Grand Jurors to wit- A. E. Thornton/ who was sworn as foreman of the {said} Grand Jury/ Joshua D. Stuart, Peter Beare, James R. Crow/ B. T. Smith, Ansel R. Watson, David Bradshaw/ James Lisenby Elias Hooffman John Hooffman/ Lee Pettit, Joseph Hardin, Robert Freer/ William Stroope Sen Nathaniel Britton/ Benjamin Lewis, William Logan John Crow, [C5/019.4]

~~~~~~

Territory of Arkansas) The Certificate & Second of
County of Clark) John Joseph Cl___ presented
) to p____ as an all_____
) at L___ in the County of Clark [C5/019.5]

~~~~~~

Page 020, Book C5

United States)
vs.) {alias}
John B. Robinson) pr___ awarded [C5/020.1]

~~~~~~

United States)
vs.) continued and
James Clover) alias awarded [C5/020.2]

~~~~~~

United States)
vs.) continued and
James Clover) alias awarded [C5/020.3]

~~~~~~

United States)
vs.) continued and
John Sorrels) alias awarded [C5/020.4]

~~~~~~

United States)
vs.) appeared and reviewed
James M^{c}Kinna) his said recognizance
) & giving John S. T. Callaway
) as his security &c [C5/020.5]

~~~~~~

United States)
vs.) Two cases
A. G. Johnston)

appeared in discharge/ of his recognizance and reviewed his/ recognizance with John S. Callaway [C5/020.6]

~~~~~~

United States)
vs.)
John P. waters)

appeared in discharge of/ his recognizance and discharged upon his/ paying the costs of suit [C5/020.7]

~~~~~~

R. C. Byrd)
vs.) dismissed at
Jno. S. T. Callaway) the defendant's
) costs [C5/020.8]

~~~~~~

Page 021, Book C5

M. S_____)
vs.)
John S. T. Callaway) [C5/021.1]

~~~~~~

Mirick & Moss)
vs.) Judgment for debt
John Freeman) and costs of suit [C5/021.2]

~~~~~~

Thomas H. Proctor)
vs.) Witness claimed
Phileman Waters) allowance and

David Huddleston claimed/ one day and 25 miles- Edward/ Davis Davis claimed one day and/ 12 miles- Nathaniel Davis claimed/ one day & 14 miles- John Free/man claimed one day and 6 miles/ Green {B.} Davis claimed one day and 11/ miles- John Davis claimed one day/ and 12 miles- Arthur Davis claimed/ one day and 12 miles [C5/021.3]

~~~~~~

William McNeely &)
Joseph Warner)
vs.) witness attendance
Samuel Hemphill)

Elias T. Allen claimed one day and/ 17 miles [C5/021.4]

~~~~~~

Andrew Hemphill)
vs.) Witness claims
H. B. Fish admtx)

Robert Welsh claimed one day/ and 10 miles [C5/021.5]

~~~~~~

Page 022, Book C5

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Page 023, Book C5 Clark Circuit Court September Term

Asa Thompson)
vs.) appeal
~~~~~~

Jonathan West)

this day came the parties aforesaid by their/ attornies and it appearing to the satisfaction/ of the court that there is a material witness/ out of the way and upon the verbal affidavit/ of the defendant is ordered that this cause of/ be continued until the next term of this court/ at the cost of the defendant [C5/023.1]

~~~~~~

Harriet Fish adminix of)
David Fish Deceased)
vs.) Debt
John H. Mosley & others)

ordered that this case be continued until/ tomorrow morning under advisement [C5/023.2]

~~~~~~

Ben Desha & A. Fowler)
administrators of R. Crittenden Decd)
vs.) debt
Charles Cocke)

This day came the ~~parties aforesaid by~~ the/ Said Charles Cocke and ~~B~~ Elijah Franklin/ and acknowledged themselves to be Justly/ indebted to the said administrators in/ the penal sum of three hundred dollars/ to be levied of their respective goods and/ Chattles upon the condition that the said/ Charles Cocke shall appear at the pres/ent Term [C5/023.3]

~~~~~~

Page 024, Book C5 Clark Circuit Court Septr Term 1835

United States)
vs.) assault and
Benjamin Hardin) Battery

This day came the prosecuting attorney/ and says he is unwilling to prosecute/ this suit further ~~and~~ it is therefore/ ordered that this cause be dismissed [C5/024.1]

~~~~~~

Balda C. Johnston)
vs.) Debt
Moses Collins)

This day come the defendant by his/ agent and paid to Jas S Ward clerk of/ this Court fifty eight dollars the amount/ of the debt and damages ~~Dollars~~ [C5/024.2]

~~~~~~

Ordered that Court adjourn until/ ~~Certain~~ tomorrow morning ten O/clock [C5/024.3]

~~~~~~

Charles Cocke)
ats) Debt
Benjamin Desha &)
Abbsolum Fowler)
administrators of)
Robert Crittenden)
deceased)

This day Came the/ defendant by his/ attorney and filed his prayer a_/_yer _____ [C5/024.4]

~~~~~~

Wednesday morning Court met/ purusant to adjournment present/ the Honorable Edward Cross Judge [C5/024.5]

~~~~~~

Harriet Fish)
vs.)
John H. Mosley)
Marvil H Mosley) [C5/024.6]

~~~~~~

Page 025, Book C5

Blank page [C5/025.1]

~~~~~~

Page 026, Book C5

Blank page [C5/026.1]

~~~~~~~

Page 027, Book C5

Blank page [C5/027.1]

~~~~~~~

Page 028, Book C5

The State of Arkansas	)	
County of Clark	)	Action of A_____ for
TownShip of Greenville	)	for $110 with a credit of
	)	13 – 10 cts
Asa Thompson	)	
vs.	)	_____ summons issued
Drewry Hasley	)	~~on this cause~~ [C5/028.1]

~~~~~~~

Page 029, Book C5

Blank page [C5/029.1]
~~~~~~~

~~~~~~

Page 001, Book D

Territory of Arkansas)
County of Clark)

At a Circuit Court for the County aforesaid ---/ holden at the Court house in the Town of Greenville/ on the Last Monday of September in the year ---/ Lord one Thousand eight hundred and thirty three ---/ same being 30th day of said month Whereupon ---/ Judge appearing to hold said Court Theref---/ adjourn and held open the said Court until tomorrow

Issac Ward Clerk of
the Clark Circuit Court [D.001.1]

~~~~~~

Tuesday morning October 1st 1833 Court met pursu/ent to adjournment Present the honorable Edw Cross/ Judge [D001.2]

~~~~~~

The Sheriff this day Returned the following panell of/ Grand Jury to wit Elijah Kelley who was Sworn as/ foreman Enoch Frier, David C. Edmiston, David Brad/Shaw, Jester Cocke, Rise Stringer, James W. Crow, Samuel/ Hasley, John Golliher, Jeremiah Latham James Ward Thomas/ M^{c}Laughlin John Gentry, Charles Prewit Elijah H./ Lightfoot Walter J. M^{c}Laughlin and Matthew Golliher/ Seventeen good and lawful men of ~~of~~ the County/ aforesaid all of whom were Selected tried and Sworn/ and having Received their Charge retired from the/ bar to Consult of their duties [D001.3]

~~~~~~

United States)
vs.) Rule
John Speer)

And now at this day came Thomas Hubbard/ prosecuting attorney and on his motion It is Ordered/ that the said John Speer who was Summoned and/ returned by the Sheriff on the pannel to Serve as/ a Grand Juror of this Court at the Present Term/ of this Court be and appear at the next Term of... [D001.4]

~~~~~~

Page 002, Book D Sept Term 1833
~~~~~~

…____ the first day thereof to shew/ Cause why he Shall not be fined for failing/ to attend as such Grand Juror and that a copy/ of the Rule against said defendant be ____/ upon him thirty days before the next Term of/ this Court by the Sheriff of this County [D002.1]

~~~~~~

United States Plff)
vs.) Rule
Samuel J. Sorrels Deft)

And now at this day Came Thomas Hubbard/ Prosecuting attorney and on his motion it is rul/ed that the Said Samuel J. Sorrels who was Summ/oned and Returned by theSheriff on the pannel/ to serve as a grand Juror of this Court at/ the Present Term thereof, be and appear at the/ next Term of this Court on the first day thereof/ to Show Cause why he shall not be fined for/ failing to attend as such grand Juror and that/ a Copy of this Rule against said defendant be/ Served upon him thirty days before the next/ Term of this Court by the Sheriff of this County [D002.2]

~~~~~~

Abraham Wells this day personally appeared in/ open Court and produced a Power of attorney/ from him to David Golliher and acknowledged/ that he Signed Sealed and delivered the said power/ of Attorney or instrument of writing for the/ Uses and purposes therein mentioned and expressed [D002.3]

~~~~~~

Ambrose Frier appeared in Open Court/ and produced a deputation from James William/ Sheriff of Clark County appointing him deputy/ in his Said office of Sheriff was Sworn accord/ to law and approved of by the Court as such/ deputy Sheriff [D002.4]

~~~~~~

Page 003, Book D September Term 1833

Frederick Sallins who was Recognized to appear/ on this day to answer the United States to an Indictment/ against him for an assault and Battery appeared/ in discharge of his Said Recognizance and on motion/ ~~and by Consent of the Prosecuting~~ attorney he ~~said~~/ was ordered into the custody of the Sheriff/ ~~recognizance is_____ until tomorrow morning~~ [D003.1]

~~~~~~
~~~~~~

United States Plff)
vs.) Indictment for horse
John Simpson Deft) Stealing

And now at this day Came the Prosecuting/ attorney and on his motion it is Ordered that an/ alias plinnus Capias issue to the Count of Hot/ Spring in this Case returnable to the next Term/ of this Court to which time this Case is Continued [D003.2]

~~~~~~

John L. Hemphill Plff)
vs.) detinue
Mary Dickson Deft)

And now at this day Came the parties aforesaid/ by their attornies and on motion of the plaintiff/ by his attorney it is Ordered that he have leave to/ issue his depositions taken in this Cause which {is} open/ed and filed accordingly [D003.3]

~~~~~~

William Cornelius who was recognized to appear/ here on this day to answer the United States to an/ Indictment against him for an assault and batte/ry appeared in discharge of his said recognizance and/ on motion and by Consent of the Prosecuting attorney/ his said Recognizance is respited until tomorrow/ morning [D003.4]

~~~~~~

Ordered that Court adjourn until ten Oclock/ tomorrow morning
Edw Cross [D003.5]

~~~~~~

Page 004, Book D September Term 1833

Wednesday morning October the Second 1833/ Court met pursuant to adjournment present/ the Honorable Edw Cross Judge [D004.1]

~~~~~~

Thomas Hubbard)
vs.)
Allen H. Johnson)
~~~~~~

This day Came the said plaintiff by/ G. D. Royston his attorney and it appearing to the/ satisfaction of theCourt that the said Allen H. Johnson/ has no estate personal or real in the County of/ Clark and it being Suggested that the said defend/ant has estate in the County of Union Therefore/ on motion of the Said plaintiff it is ordered/ that a fieri facias[1] execution issue to the County/ of Union aforesaid [D004.2]

~~~~~~

Charlotte Hemphill by her)
Guardian and next friend)
James S. Conway)
vs.)
Andrew Hemphill and David)
Fish administrators of the estate of)
William Hemphill Deceased)

This day Came the plaintiff aforesaid by/ her attorney and Suggested to the court the death/ of David Fish one of the defendants which not/ being denied and it appearing to the satisfaction/ of the Court that the said Andrew Hemphill/ the surviving defendant has no personal or real estate/ in the County of Clark and it being suggested/ that the said defendant Andrew Hemphill has/ estate in the County of Lafayette Therefore on moti/on of thesaid plaintiff it is ordered that execu/tion issue to the County of Lafayette against/ said Andrew Hemphill [D004.3]

~~~~~~

Page 005, Book D September Term 1833

United States)
vs.) Rule to Show Cause why he
Edward Davis) Should not be fined

It is Ordered that the said Edward Davis/ who was Summoned and Returned on the pannel/ of the Jury by the Sheriff at the present Term of/ this Court to Serve as a Juror in the Case of John L./ Hemphill against Mary Dickson, be and appear at/ the next Term of this Court on the first day thereof/ to Show Cause why he Shall not be fined for failing/ to attend as Such Juror a the hour to which the court/ was adjourned and that a Copy of this rule against/ Said defendant be served upon him thirty days/ before the next Term of this Court by the Sheriff of/ this County [D005.1]

---

[1] Phrase apparently means "that you cause to be made" (Black, Henry Campbell, 1991, Black's Law Dictionary, Abridged Sixth Edition, page 409, West Publishing Co., St. Paul, Minn.).

~~~~~~

John L. Hemphill Plff)
vs.) detinue
Mary Dickson Deft)

And now at this day Came the parties aforesaid/ by their attornies and a Jury Came to wit Moses Moore/ Hiram Moore, John Wingfield, William Denton, Silas/ M^{c}Daniel, Asa Thompson, Reuben Cornelius, David/ Mobley Joseph Delaney Nathaniel Davis John/ Hughes and Charles Golliher twelve good and/ lawful men of the County of Clark aforesaid/ who was empannelled tried and Sworn to well and/ and a true verdict render according to evidence,/ and after hearing the evidence adduced by the/ parties and arguments of Council delivered the/ following verdict to the Court we the Jury find/ in favour of the defendant John Hughes foreman/ It is Therefore Considered by the Court that the said/ defendant have and recover of the said plaintiff/ the Cost of this Suit Expended and go hence without/ day and the plaintiff filed his bill of exception herein [D005.2]

~~~~~~

Page 006, Book D September Term 1833

United States Plff)
vs.) Indictment
John D. Mosley Deft)

And now at this day Came the parties/ aforesaid by their attornies and the Court being/ Sufficient advised of and Concerning the Plaintiff/ motion to reconsider the Opinion of the Court/ heretofore delivered on the defendants motion to/ quash the Indictment in this Case, It is Considered/ and Ordered by the Court that said motion be/ Overruled and that the Said Indictment be quashed/ and that the Said defendant Mosley be dismissed/ and go hence without day [D006.1]

~~~~~~

Isham P. Stroud this day appeared in Open/ Court and Produced a deputation from James/ William Sheriff of Clark County appointing/ him deputy in his Said office of Sheriff was sworn/ according to Law and approved of by the Court/ as Such deputy Sheriff [D006.2]

~~~~~~

United States Plaintiff)
vs.) Indictment for an assault

Frederick Salyers Deft) & Battery

And now at this day Came the parties afore/Said the United States by Thomas Hubbard Prosecu/ting attorney and the defendant in his own proper/ person and the defendant being demanded to plead/ to his Suit Says that he is guilty and Submits his/ Cause to theCourt and the Court hearing the evidence/ and being now Sufficienly advised doth Consider/ that the defendant pay Two dollars and fifty Cents/ the fine adjudged against him Therefore it is Considered/ by this Court that the United States have and rec___/ of the defendant the sum of Two dollars and fifty/ Cents so assessed as aforesaid together with the… [D006.3]

~~~~~~

Page 007, Book D September Term 1833

…Costs herein expended and Stand Committed until/ the fine and Cost be fully paid [D007.1]

~~~~~~

United States Plff)
vs.) Indictment for an assault
William Cornelius Deft) & Battery

And now at this day Came the parties/ aforesaid the United States by Thomas Hubbard/ Prosecuting attorney and the defendant by his attorney/ and theCause being Submitted to the Court and the/ Court hearing the evidence and being sufficiently/ advised doth Consider that the defendant pay one/ dollar the fine adjudged against him Therefore it/ is, Considered by this Court that the United States/ have and recover of the defendant the Sum of One/ dollar so assessed as aforesaid together with the/ Costs herein expended and Stand Commited until/ the fine and Costs fully Paid [D007.2]

~~~~~~

Jacob Barkman Plff)
vs.) Trespass
Samuel Parker Deft)

And now at this day Came the parties/ aforesaid by their attornies and on motion and by/ Consent it is Ordered that this Suit be dismissed/ and it is further Ordered that the defendant/ have and Recover of the plaintiff his Costs/ by him in and about this Suit expended [D007.3]

~~~~~~

Myers F. Jones)
vs.) appeal
John Bolt)

This day appeared the parties aforesaid/ and on motion it and with assent of the parties/ it is Ordered that this Cause be Continued until/ the next Term of this Court [D007.4]

~~~~~~

Page 008, Book D September Term 1833

John L. Hemphill Plff)
vs.) detinue
Mary Dickson Deft)

This day came the parties aforesaid by their/ attornies and the plaintiff prayed an appeal to the/ Superior {Court} which is granted to him upon his entering into/ recognizance in the sum of three hundred dollars with/ Moses Guice and Asa Thompson as his Securities Whereupon/ the said John L. Hemphill together with Moses Guice and/ Asa Thompson as his securities Came into open Court and/ acknowledged themselves to be held and firmly bound/ unto the said Mary Dickson in the Sum of three hundr/ed Dollars of lawful money of the United States of/ America to be levied of their respective goods and/ Chattles lands and tenements on Condition that if the/ Judgment of the Clark Circuit Court be affirmed by/ the Superior Court and if the said John L. Hemphill/ Shall well and truly pay the damages and Costs that/ have accrued or may accrue by reason of such appeal/ then this recognizance to be void Otherwise to remain/ in full force and virtue in Law [D008.1]

~~~~~~

Balda C Johnson appellant)
vs.) appeal
Moses Collins appellee)

And now at this day Came the parties aforesaid/ by their attornies and on motion it is ordered that/ a Jury Come to try the issue Joined and a Jury/ being Summoned and Called Came to wit James Pettit/ Levi Huddleston, John R. Richards, William Clover,/ Nathaniel Britton, Wyatte A. Gordon, Lewis Latham,/ Elisha A. Stroud, Samuel Babbit Edward Stewart/ Gifford Lisenby and James H. Crow, twelve good/ and lawful men of the County of Clark who being/ empannelled and Sworn well and truly to try the/ issue Joined between said Parties and a true… [D008.2]

~~~~~~

Page 009, Book D Sept Term 1833

...verdict to render according to evidence and/ heard the Evidence and arguments of Council ----[2]/ from the bar to Consult of the verdict and ----/ to the Court the following verdict to wit, ----/ Jury find in favour of the plaintiff and/ the defendant is indebted to him for four ----/ and seven pounds of seed Cotton of the va---/ one dollar thirty one and one fourth Cents/ dead weight amounting to fifty two dollars and/ fifty nine Cents N. Britton foreman It is therefore/ Considered by the Court that the appellant have/ and recover of the said appellee the said sum of/ fifty Two dollars and fifty nine Cents so by the/ Jury assessed in form aforesaid together with his/ Costs by him about this suit in this behalf/ expended [D009.1]

~~~~~~

Moses Collins)
ads.) appeal
Balda C Johnson)

This day came the parties aforesaid by their/ attornies and the appellee filed his motion for/ a new trial in this Cause [D009.2]

~~~~~~

Ordered that Court adjourn until 9 Oclock tom/orrow morning
Edw Cross [D009.3]

~~~~~~

Thursday morning October 3rd 1833 Court met/ Pursuant to adjournment Present the Honorable/ Edward Cross Judge [D009.4]

~~~~~~

United States)
vs.) Indictment
John H. Mosley)

This day came the United States by Hubbard prosecuting/ Attorney and the said John Mosley in his own proper person... [D009.5]

---

[2] Many of the upper outside corners of this volume have been repaired with scotch tape. This take is dark and brittle, making the page edges mostly unreadable. The "----" signifies that a portion of the text at the beginning or ending of the line has been obscured by this prior repair job.
~~~~~~

~~~~~~

Page 010, Book D

...---- being sufficiently advised of and concen/ ---- motion made at the last Term of this Court to recover/ ---- motion made to quash the Indictment in this/ ---- -th sustain the same and now ____ Consider motion/ ---- said motion to quash being ~~now~~ had it is ordered/ ---- Court that said Indictment be quashed and that/ defendant go hence discharged without day [D010.1]

~~~~~~

United States)
vs.) Indictment for gaming
Josiah Mosley)

This day came the United States by Hubbard prose/cuting attorney, and the said Josiah Mosely and the Court now/ being sufficiently advised of and concerning the motion made/ at the last Term of this Court to reconsider the motion to quash/ the Indictment in this case and now due consideration _____/ said motion to quash being had, it is ordered by the Court/ that said Indictment be quashed and that said denfendant/ be discharged and go hence without day [D010.2]

~~~~~~

United States)
vs.) Indictment for gaming
Joseph Delany)

And now at this day came the United States/ by Hubbard prosecuting attorney and the said Delaney in/ his own proper person And the Court being now sufficiently/ advised of and concerning the motion made at the last Term/ of this Court to reconsider the motion to quash the Indi/ctment in this Case and now due Consideration upon/ said motion to quash being had, It is ordered by the/ Court that said Indictment be quashed and that said/ defendant be discharged and go hence without day [D010.3]

~~~~~~

Page 011, Book D

Charles Baird plff)
vs.) Debt
Henry Cox Deft)

And now at this day came the parties ----/ by their attornies and the said defendant filed his ----/ to quash the bail bond herein which motion being ----/ and submitted it is ordered by the Court that Said ----/ be sustained, Whereupon the plaintiff being ____----/ called came not it is therefore considered by the Court ----/ Said plaintiff be non suited[3] and that said defendant have/ and recover of and from the plaintiff his costs by him/ about his defence in this behalf expended [D011.1]

~~~~~~

Hardman Cocke Appellant)
vs.) appeal
William Denton Appellee)

And now at this day the parties appeared in/ their own proper person and it is agreed by and between/ the parties that this suit be dismissed and that each party/ pay one half the cost in this accrued it is therefore con/sidered by the Court that this case be dismissed and that/ the Appellant have and recover of and from the Appellee/ one half the costs in this suit ~~expended~~ {accrued} And that the/ Appellee have and recover of and from {said Appellant} the other half of/ the costs herein accrued [D011.2]

~~~~~~

United States)
vs.) Indictment
Thomas Edom)

This day the United States appeared by Hubbard/ prosecuting attorney who says that he is unwilling further/ to prosecute this suit whereupon it is ordered that said/ defendant go hence discharged without day [D011.3]

~~~~~~

Page 012, Book D

---- Lunsfort Appᵗ)
vs.) Appeal
---- Dennis Applᵉᵉ)

---

[3] Nonsuit – defined as a "term broadly applied to a variety of terminations of an action which do not adjudicate issues on the merits…" " Action in form of a judgment taken against a plaintiff who has failed to appear to prosecute his action…" (Black, Henry Campbell, 1991, Black's Law Dictionary, Abridged Sixth Edition, page 731, West Publishing Co., St. Paul, Minn.).
~~~~~~

This day came the parties by their attornies and/ ---- appellant and by consent of the Appellee without/ ----dvit in writing upon his oath in open Court/ ---- the Court to continue this cause and thereupon it is/ ---- that this case be continued until the next Term/ ---- Court and that said Appellee have and recover/ of and from the said Appellant the costs in this case occa/sioned by this continuance [D012.1]

~~~~~~

Charles Gordon Plff)
vs.) Slander
John Lewis Deft)

This day came the plaintiff by his attornie/ and on his motion it is ordered that an Alias Pluris/ Capias be issued on this case directed to the Sheriff of Clark/ County [D012.2]

~~~~~~

Bartley Harrington Plff)
vs.) Assumpsit
Adam Stroud Deft)

And now at this day came the defendant/ by his attorney and the said plaintiff being solemnly/ called came not and on motion it is thereupon considered/ by the Court that said ~~defendant~~ {plaintiff be non suited and take nothing by his said word & that the deft go hence {without day}} and have and recover of/ and from said plaintiff the costs ~~by him~~ {in and} about this ~~def~~ / {suit} in this behalf expended [D012.3]

~~~~~~

Stephen Lunsford appellant)
vs.) Appeal
James Dennis appellee)

And now at this day the Appellee appeared by/ his attorney and on his motion it is ordered that said/ Appellee have leave to take the depositions of witnesses/ generally to be read on _____ {on the trial of} ~~of~~ the above entitled case [D012.4]

~~~~~~

Page 013, Book D

Balda C. Johnson Plff)

vs.) ----
William Denton Silas M^{c}Daniel)
& Edward Davis Deft)

This day the ~~parties appeared~~ {plaintiff appeared by his attorney as well as the defts Denton ----} by their att----/ and on motion and by consent of the parties ----/ case is ordered to be dismissed and that said plain----/ have and recover of and from said defendants t----/ by him about this suit in this behalf expended [D013.1]

~~~~~~

George Stroope Compt)
vs.) Petition for Divorce
Martha Stroope alias)
Martha Coker Deft)

This day came the complainant by his attorney/ and on his motion this case is continued until the next/ Term of this court [D013.2]

~~~~~~

This day the Grand Jury returned into Court the/ following Indictments to wit an Indictment against/ Albert G. Johnson for an assault and Battery a true Bill/ an Indictment against John H Mosley and Moses Mitch/ell ~~a true Bill~~ for an affray a true Bill an Indictment/ against Jonathan West for an assault and Battery/ a true Bill and having no further or other business/ before their Body and the prosecuting attorney having/ none is is thereupon ordered by this court that they be/ discharged from futher duty at this Term [D013.3]

~~~~~~

Overton Piles Complainant)
vs.) Petition for a
Lauretta Piles alias Lauretta Elkins/ Defendant) Divorce

This day came the Complainant by his solicitor and the/ said defendant having been {personally and} duly summoned to appear/ and answer the Petition of the Complainant as appears by/ the Sheriffs return upon the Subpoena issued in this/ Cause, and she having failed to appear and answer said… [D013.4]

~~~~~~

...---- Cause Came on to be heard, and it/ ---- proven by the evidence or Witnesses {and other evidence} adduced to the Court/ ---- the said defendant hath abandoned the bed and board/ ---- the said Complainant and hath since her abandonment of/ ---- Complainant married to one John Laramore and hath/ ---- guilty of adultry. Wherefore This Court doth adjudge/ Order and decree: that the bonds of matrimony between the/ the said Complainant and defendant be and the same are/ hereby dissolved, and that the said Complainant be it here from/ forever released and discharged. and that said Complainant/ pay the Costs in this suit expended [D014.1]

~~~~~~

Moses Mitchell	appellee	)	
vs.		)	Appeal
Asa Thompson	Appᵗ	)	

The day the parties appeared by their/ attorneys and the case was by consent submitted to the/ Court whereupon after hearing the Evidence and arguments/ of council and the Court being sufficiently advised what/ Judgment to give in the premises ~~it is considered by the~~/ ~~Court~~ and it also appearing to the Court that Drewry/ Hasley was the security of the said Appellant in/ his appeal Taken in this case it is therefore considered ordered/ and adjudged by the Court that said Appellee have and/ recover of and from the said Appellant and Drewry/ Hasley his security aforesaid the sum of sixty dollars/ and twenty five cents together with the costs expended before/ the Justice of the Peace and it appearing that said Appellee/ did recover less in this Court than he did before the said Justice/ it is therefore ordered and adjudged that said Appellant/ have and recover of and from said Appellee the costs/ by him about this suit in this Court expended [D014.2]

~~~~~~

Page 015, Book D

United States	)		
vs.		)	Rule ----
Thomas McLaughlin	)		

On Motion is ordered that Thomas Mc----/ be and appear before the judge of our Court on ----/ day of the next Term of this Court to shew Cause ----/ he shall not be fined for a contempt of this co----/ absenting himself from Court he being one of the ----/ the present grand jury and it also ordered that the Clerk/ _____ and certify this Rule and hand same to the Sheriff/ at least thirty days before the next Term and that that/ the Sheriff of this County serve the same on said defendant/ at least thirty days, before the next Term of this Court/ by delivering a copy thereof to said Mᶜ Laughlin [D015.1]

~~~~~~

Matthew Gray)
vs.) Attachment
Swanson Yarborough)

And now at this day came the said plaintiff by/ his attorney and the said defendant not/ appearing and it appearing to the satisfaction/ of the Court that publication herein has been/ made according to law and it appearing/ to the satisfaction of the court that the plaintiffs/ said action is for a liquidated demand/ founded on {_____} judgments against denfend/ant in favour of said Plaintiff and that/ there is due to said plaintiff on said Judge/ment the Sum of one hundred and seventy/ two dollars _____ of the debt in the plaintiffs/ declarations mentioned and that said/ plaintiff hath sustained damage by/ reason of the Mention thereof to sum/ thirty eight dollars and seventy cents and/ that the residue of the said debt in the/ plaintiffs declaration specified hath/ been satisfied said Plaintiff. Therefore… [D015.2]

~~~~~~

Page 016, Book D

…----tion of the said Plaintiff. It is ___/ ---- rd by the court that the said plaintiff/ ---- and recover of the said defendant/ ---- said sum of one hundred and _____/ ---- nty two dollars the debt aforesaid and/ ---- the sum of thirty eight dollars and/ ---- ty cents ~~aforesaid~~ damages aforesaid/ and also his costs by him about his suit/ in this behalf expended &c [D016.1]

~~~~~~

George Stroope) Complt
vs.) Petition for devorce
Martha Stroope alias)
Martha Coker) Defnedt

This day came the said Com/plainant and on his motion the order of/ continuance entered on yesterday was/ this day set aside and that the same stand/ for trial at the present of this court [D016.2]

~~~~~~

United States)
vs.) Rule to shew cause
Thomas M^{c}Laughlin)

This day came the said/ Thomas M^{c}Laughlin in his own proper person/ and being heard on his oath in his defence/ and the court being sufficiently advised/ thereof It is ordered that the said Thomas/ M^{c}Laughlin be discharged from said/ rule and go hence discharged therefrom/ without day [D016.3]

~~~~~~

John Pope Governor &c) Plff
vs.) Debt
James Miles _____) Deft
Golliher &c)

This day came the parties/ aforesaid by their attorney and the Court/ not being sufficiently advised of said… [D016.4]

~~~~~~

Page 017, Book D

…concerning the _____ take ----/ thereof until the next term of this Co----/ and the said Plaintiff by the prosecuting ----/ attorney of _____ _____ _____ the _____ ----/ of the said defendant William ----/try [D017.1]

~~~~~~

George Aldrich Appellee)
vs.) Appeal
John H. Peake Appellee)

This day the Appellant appears by his attorney/ and the Appellee being solemnly called came not but maing/ default herein and the Appellants demand being {a founded} on/ a promissory note from said Appellee to said Appellant/ for the sum of forty two dollars and twenty five cents/ and it appearing that the appellant has sustained/ damages by Reason of the detention of said debt/ in the sum of fourteen dollars fifty seven Cents/ it is therefore considered ordered and adjudged that said/ appellant have and recover of and from the said Ap/pellant the said sum of forty two {dollars} and twenty five cents/ the debt aforesaid and also the said sum of fourteen dollars/ and fifty seven cents damages occasioned by the detention/ of said debt and also the costs in this Court and in/ the Justices Court expended [D017.2]

~~~~~~

George Stroope Compt)
vs.) petition for Divorce

Martha Stroope alias)
Martha Coke Dendt)

And now came the said Comp/lainant by Hubbard his solicitor and the/ defend{ant} having been duly served with/ process herein and not appearing on mo/tion of the said Complainant this suit/ was submitted to the Court and the/ testimony on the part of the Complainant… [D017.3]

~~~~~~

Page D018, Book D

…---- Court and the same being/ fully considered. The Court doth find that/ the Said Martha Stroope alias Martha Coker/ absented herself from the bed and board/ of the said George Stroope without any Just/ cause or provication for the term of two/ years before the filing of the Petition herein/ It is therefore [4] ordered adjud/ged and moved by the Court that the/ Said George Stroope be divorced from the/ said Martha Stroope alias Martha Coker/ and that the bonds of matrimony e[illegible]tween the said George Stroope and Martha/ Stroope alias Martha Coker in manner/ aforesaid in Complainants said/ petition be specified be forever disolved/ and the said George Stroope and the said/ Martha Stroope alias Marth Coker be for/ever discharged therefrom and that the/ said Complainant pay the costs of this case/ Cause [D018.1]

~~~~~~

Thomas Reed Complainant)
vs.) Chancery
Jonathan O Callaway Defendant)

This day came the parties aforesaid by/ their Solicitors and the exception of the said/ defendants answer being argued and the/ Court being sufficiently advised of and/ concerning the same. It is ordered that that/ the exception of said complainant/ be overruled and that the defendant have/ and recover his costs about his defence/ to said Exceptions expended [D018.2]

~~~~~~

Page 019, Book D

Robert Klady a) Co----
minor under the age)
of twenty on years by)
Jesse Pearce his next friend)

[4] Ink smudges; various small smudges occur across this page. Few of the words in the text are actually broken apart by the smudges.
~~~~~~

vs.) Chancery
Jonathan West) Defndt

This day came the Parties afo----/ by their solicitors and the said Defend-----/ filed his motion in writing to dismiss this/ Suit because the said Jesse Pearce had not/ appeared in oppen court on acknowledged/ this Suit and because the said Robert Klady/ did not appear in oppen Court with assent to/ the same and the parties _____ _____/ and the Court being sufficiently advised/ of and concerning the same. It considered/ by the Court that said defendants motion/ be sustain and the said Complainants/ said Suit be dismissed and that the/ said defendant have and recover {of the said Jesse Pearce} his/ costs about his defence in this suit/ Expended &c [D019.1]

~~~~~~

Jonathan West) Complt
vs.)
Robert Klady Jesse)
Pearce and others) Defned

This day came the said Complainant/ by Ringo & Hubbard his solicitors and the/ said Jesse Pearce having filed the two sever/al notes specified in Complainants said/ bill of Complaint with the Clerk of this/ Court and the same being now on file in/ that suit Th__ on motion of said Com/plainant it is ordered by the Court that/ this suit be continued untile the next term/ of this Court [D019.2]

~~~~~~

Page 020, Book D ---- Term 1833

----nor of the Territory Plff)
---- the use of Thomas Reed)
vs.) Debt
----tin Latham et als Defts)

--is day the parties appeared and the Court being/ sufficiently advised of the plaintiffs motion in/ ---- of Judgment heretofore filed in this Cause/ Overrules Said motion in arrest [D020.1]

~~~~~~

Balda C. Johnson Appellant)
vs.) Appeal from the
Moses Collins Appellee) Decision of a
) Justice of the peace
~~~~~~

This day the parties appeared by their attornies and/ the appellee withdrew his motion for a new trial of/ this Court by him previously filed and thereupon/ produced his bill of exceptions to the several/ Opinions of the Court given On the trial of this Cause/ which was Signed and Sealed by the Court and/ Ordered to be made a part of the record/ of this/ Suit and which was filed accordingly Whereupon/ the appellee by his attorney filed his mortion in arrest/ of Judgment in this Cause which motion was/ Submitted to the Court and Overruled [D020.2]

~~~~~~

Michael F. Taylor Appellant)
vs.) Appeal
Jams Sloane & William Janes admrs of) from County
the estate of Joseph Janes Appellee) Court

This day the appellees appeared/ by their attorney and the appellant Taylor was Solem/nly Called but Came not. Therefore On Motion of said/ appellees it is Ordered that said appeal be dismissed/ and that the appellees recover of the appellant the/ Costs in and about this suit expended in this/ Court and in the County Court [D020.3]

~~~~~~

Page 021, Book D

John Green) Garnishee & Claimant of the pro----
vs.)
Matthew Gray) Plaintiff in attachment against Swanso----
) Defendant & said John Green et als ----

This day Came the said Green by his a----/ as well as the said matthey Gray by his attorney----/ by Consent of said Green and Gray neither of them ----/ a Jury in this Cause, this Cause was Submitted to ----/ to try the matters in Controversy between the s----/ and Gray upon the pleadings of the Said Green and/ Gray as ____bited and filed in this Cause and the Court/ having heard the evidence adduced by the parties the/ Court doth find that the said John Gree had established/ his right of property in and to eight hundred and twenty/ four pounds of the Cotton levied by the plaintiffs attachment/ in the hands of Absalum Mading a Garnishee in this Cause/ and doth further find that the said John Green hath/ wholly failed to establish in himself any right of property/ in and to Five thousand pounds of seed Cotton the/ residue of the said Sum of Five thousand eight hun/dred and twenty pounds of seed Cotton levied on the said/ attachment; It is therefore Considered by the Court that the said/ ~~Matthew Gray~~ {John Green} recover of the said ~~John Green~~ {Matthew Gray} the costs in/ this {case} expended by reason of the Claim to Said property attached/ interposed by Said John Green-

And it appearing to the Court here/ that the Sum of Ninety One Dollars and ninety eight cents of the/ proceeds of the Sales of Said Five thousand eight hundred and/ twenty four pounds of Cotton levied on said attachment, sold/ by Absalom Mading by Consent of the {said} parties Gray and Green/ the same being the nett Amount of said sales after defraying/ all the expences attending the sale thereof as stated in the answer/ of Said Mading[5] who is a garnishee in this Cause which hath/ not been Controverted or denied by any party to this Cause, and/ it appearing also that said sum of ninety one dollars and/ ninety eight Cents is not in the hands of said Mading and/ that he offers to pay the same according to the order of this… [D021.1]

~~~~~~

Page 022, Book D Sept Term 1833

…---- appearing to the Court that the said/ ----hew Gray plaintiff hath recovered against said/ ----dant Swanson Yarbrough in this Cause the Said/ ---- hundred and seventy two dollars of his debt in this/ ----ration mentioned and thirty eight Dollars and Seventy/ ---- damages for the detention of said debt, together/ ---- the Costs in that behalf expended and it also/ ----ing to the Court that the proportion of said fund in/ the hands of said Absalum Mading which the said John/ Green is entitled to recover and receive for his Said eight/ hundred and twenty four pounds of Cotton to which he/ established his right as aforesaid amounts to the Sum/ of Thirteen Dollars, Therefore it is Considered by the Court/ that the said Absalom Mading do pay to the said John/ Green the said Sum of Thirteen Dollars, and it appear/ing to the Court that the proportion of the said fund in/ the hands of said Mading which the said Matthew Gray/ is entitled to recover and have for the five thousand pounds/ of Cotton to which said John Green failed to establish/ any right amounts to the Sum of Seventy eight Dollars/ and ninety eight Cents, Therefore it is Considered by the/ Court that the said Matthew Gray recover and have of/ said Mading the Said Sum of Seventy eight dollars and/ ninety eight Cents- And on motion it is Considered by the/ Court that the said Mading recover of said Gray the Costs in/ this Case expended by him in exhibiting and filing his Joinder/ and Bill of interpleader-, and on motion of the plaintiff {Gray} and/ by Consent of the Said Green, leave is given said Gray to file an/ Argument in writing for the reconsideration of the Judgement for/ Costs in this Case given in favor of said Green against/ said Gray On or before the first day of the next term of this/ Court to have the same effect as if it was now filed [D022.1]

~~~~~~

Ordered that Court adjourn until Court in/ Course

Edw. Cross [D022.2]

---

[5] Phase "Bill of interpleader" inserted between the lines of text at this place.

~~~~~~

Page 023, Book D

Territory of Arkansas)
County of Clark)

Stephen Lunsford appellant) 1st of 1833
vs.)
James Dennis appellee)

And now at this day came the appellee by his attorney/ and on his motion It is Ruled that he have leave to/ take depositions _____ _____ of Hugh Lewis and John Lewis/ of the County of {Crawford} ~~Washington~~ Arkansas as to {be} read as/ evidence on the trial of the above entitled Causeupon/ his giving the said appellant Legal notice of the time/ and place of taking the same

Isaac Ward Clerk
of Clark Circuit Court [D023.1]

~~~~~~

Territory of Arkansas)
County of Clark)

At a Circuit Court began and held/ at the Court house in theTown of Greenville/ in said County on the Last Monday of March/ in the year of Our Lord one thousand {eight Hundred} and/ thirty four it being the ~~last Monday~~ {31st day} of said/ present the Honorable Edward Cross one of the/ Judges of the Superior Court of said Territory/ assigned by law to hold Circuit Courts in [D023.2]

~~~~~~

Ordered that the Sheriff proclaim the cir/cuit Court of the County of Clark has met/ according to Law and is ready to proceed with/ the business thereof [D023.3]

~~~~~~

The Sheriff of the County aforesaid this day/ Returned {the following pannel} of Grand Jurors to wit Jonathan O./ Callaway who was sworn as foreman William/ Stroope David Mobley John M. Blakeley Archiba/ld Hudleston Jacob Stroope Jnr Lee Pettit Eli J/ White Joseph Delaney John Wood Alexander/ Corruthers James McLaughlin James R Crow… [D023.4]

~~~~~~

Page 024, Book D ---- 1834
~~~~~~

...---- William Logan Joshua/ Fuqua George Overbaugh William Pettijohn/ Jacob Wingfield Abraham Bolt and John/ B. Anderson twenty one good and Lawful/ men of the County of Clark aforesaid were/ elected empanneled Sworn and charged/ to inquire for the body of this County of Clark/ aforesaid retired to consult of their duties [D024.1] one name obscured by the taped page edge

~~~~~~

[[[Page 024 Cont'd]]]

United States)
vs.) Rule
William Galbreth)

And now at this day appeared G. D./ Royston prosecuting attorney and on his motion/ It is Ordered that the said William Galbreth/ who was Summoned and returned by the Sheriff/ on the pannel to serve as a Grand Juror of/ this Court at the present term be and app/ear at the next term thereof on the first day/ thereof to Shew Cause why he Shall not be/ fined for failing to attend as such grand/ Juror and that a Copy of this Rule against/ said defendant be served upon him thirty/ days before the next term of this Court by/ the Sheriff of this County [D024.2]

~~~~~~

United States)
vs.) Indictment for horse Stealing
John Simpson)

And now at this day came the prosecuting/ attorney and on his motion it is Ordered that/ a third alias plunis Capias issue to the County/ of Hot Spring in this Case returnable to the/ next Term of this Court to which time/ Case is Continued [D024.3]

~~~~~~

Page 025, Book D March Term 1834

United States)
vs.) Rule to shew cause
Issac White)

On motion of the prosecuting attorn----/ ordered that an attachment issue again----/ Isaac White and that he be held to bail ----/ Sum of fifty dollars Conditioned for ----/ earance at the next term of this Court ----/er for a contempt in failing to appear at this/ term {of this court} to Shew Cause why he
~~~~~~

should not be fined/ for failing to attend the March Term of this/ Court 1833 as a Grand Juror [D025.1]

~~~~~~

United States)
vs.) Rule to show Cause &c
John Speer)

And now at this day came the prosecuting/ attorney and on {his} motion it is Ordered that an/ attachement issue against the said John Speer and/ that he be held to bail in the sum of fifty/ dollars Conditioned according according to Law/ for his appearance at the next Term of this Court/ to answer for a Contempt in failing to appe/ar at this Term of this Court, to shew cause why/ he should not be fined for failing to attend/ at the September Term of this Court 1833/ as a Grand Juror [D025.2]

~~~~~~

United States)
vs.)
Samuel J. Sorrels)

On motion of the prosecuting attorney it is/ Ordered that an attachment issue against/ the said Samuel J. Sorrels and that he be held/ to bail in the sum of fifty dollars Condition/ed for his appearance of the next Term of… [D025.3]

~~~~~~

Page 026, Book D March Term 1834

…Court to Answer for a Contempt offered said/ ---- in neglecting to appear at this Term to/ ----ew Cause why he should not be fined for/ failing to attend as a grand Juror at September/ ---- thereof A.D. 1833 [D026.1]

~~~~~~

Stephen Lunsford appellant)
vs.) appeal
James Dennis appellee)

And now at this day came the parties afore/Said by their attornies and on motion of the/ defendant It is Ordered that he have leave to open/ his depositions taken in this Cause which was/ opened and filed accordingly [D026.2]

~~~~~~

Nathaniel Britton this day produced a deputation/ from James Williams {Sheriff} of the County of Clark/ bearing date the 29th day of March AD 1834/ whereupon the said Nathaniel Britton took/ the Oath prescribed by law as deputy Sheriff/ aforesaid and was approved of by the Court [D026.3]

~~~~~~

United States)
vs.) Rule to shew Cause &c
Edward Davis)

This day the defendant appeared/ and being heard on said rule on his Oath/ and the Court being of the opinion the he has/ shewn sufficient Cause for his failure to/ appear at the September 1833 as a Juror in the/ Case of John L. Hemphill against Mary Dickson/ wherefor that purpose was duly summoned/ Therefore it is Considered by the Court that he/ be discharged, and that the United States/ recover their Costs in this Cause expended [D026.4]

~~~~~~

Page 027, Book D March Term 1834

United States)
vs.) Indictm----
Jhon H. Mosley)

And now at this day came the parties/ aforesaid by their attorneys and a Jury came to wit/ James Pettit, Benjamin C. Logan Drewry Hasley/ Mastin Latham John L Hemphill James Galbreth/ John Handle Moses Moore, Peter S. Callaway Samuel/ Hemphill Isaac Large and Green berry Davis/ twelve good and Lawful men of the County/ of Clark aforesaid who whas empannelled tried/ and sworn to well and truly to try the issues/ Joined between the parties aforesaid and after/ hearing the evidence adduced by the parties/ Retired from the bar to consult of their verdict/ and returned the following verdict to the court/ we the Jury find the defendant not Guilty/ as Charged in the Indictment S. Hemphill/ forman It is therefore Considered by the/ Court that the defendant go hence discharged/ without day [D027.1]

~~~~~~

United States)
vs.) Indictment for A.B.
Albert G. Johnston)

And now at this day Came {the United States by G. D. Royston Prosecuting Attorney} ~~the parties~~ by/ ~~their attornies the United States by G. D. Royston/ prosecuting attorney as well the defendant/ by his attorney~~ and a Jury came to wit – William/ Gentry John Wilson William Janes John R./ Richards Arthur Davis William Denton John/ H. Peak Zachariah Davis Adam Stroud Silas/ McDaniel John L. Hemphill and Benjamin/ C. Logan twelve good and Lawful men of/ the County of Clark aforesaid who was/ empannelled tried and sworn to well… [D027.2]

~~~~~~

Page 028, Book D ---- Term 1834

…---- the issue Joined between/ the parties aforesaid and aftering the evidence/ adduced by the parties Retired from the bar/ to Consult of their verdict and returned/ the following verdict to the Court to wit/ we the Jurors find the defendant A. G. Johnston/ not Guilty of the Charge for which he Stands/ indicted John Wilson foreman. It is/ therefore Considered by the Court that the/ defendant Johnston go hence discharged with/ out day ~~and that he recover~~ of and ~~from/ the United States his Costs in this Cause/ expended~~ [D028.1]

~~~~~~

Asa Thompson	Plff	)	
vs.		)	debt
John H. Mosley	Deft	)	

And now at this came the plaintiff by/ his attorney and filed his motion in/ writing to rule the said defendant to/ perfect his bail Bond in this Cause [D028.2]

~~~~~~

Myers T. Jones	appellant	)	
vs.		)	appeal
John Bolt	appellee	)	

And now at this day came the parties/ aforesaid and on motion and by consent/ it is ordered that this Cause be continued until/ the next term of this Court [D028.3]

~~~~~~

United States	)	
vs.	)	Indictment for assault &

Jonathan West) Battery

This came the prosecuting attorney and/ the said Jonathan West being solemnly called/ Came not but made default. Therefore it is… [D028.4]

~~~~~~

Page 029, Book D March Term 1834

…Considered by the Court that the recognizance/ entered into by the said Jonathan West _____ _____/ Eades his security be forfeited and that a scira fa/cias issue upon the same returnable to the/ next Term of this Court [D029.1]

~~~~~~

Stephen Lunsford appellant)
vs.) appeal
James Dennis appellee)

And now at this day came the parties afore/ Said by their attornies and a Jury came to wit/ Isaac Large Mastin Latham & Graham Large/ James Pettit, William Thornton, William Denton/ Peter S. Callaway John H. Peak Samuel Hemp/hill James Galbreth John L. Hemphill and/ John Wilson twelve good and lawfum men of/ the County of Clakr aforesaid who was/ empannelled tried and Sworn to well to/ try the issue Joined between the parties and/ a true verdict to render according to evide/nce and after hearing the evidence adduced/ by the parties retired from the bar to consu/lt of their and returned the following ver/dict to the Court, we the Jurors find for the/ plaintiff one dollar and eighty cents John/ Wilson F.M. It is therefore Considered by the/ Court that the plaintiff have and recover/ of the defendant one dollar and eighty Cents/ so by the Jury assessed in form aforesaid togeth/er with his Costs by him about his Suit/ in this behalf expended [D029.2]

~~~~~~

John L. Hemphill Plaintiff)
vs.) Detinue
Mary Dickson Defendant)

This day the plaintiff appeared by Samuel S. Hall/ his attorney and produced here a transcript of the… [D029.3]

~~~~~~

Page 030, Book D March Term 1834

...superior and mandate of the Superior Court given in/ the Cause, which on motion is ordered to be recorded and/ in the words and figures following to wit:

The United States of America Territory of Arkansas) Superior Court January Term 1834

John L. Hemphill appellee) on appeal from
vs.) Circuit Court
Mary Dickson appellant)

This day the parties appeared by their attornies/ and upon assignment of Errors and Joinder the/ Cause was agreed by consent and submitted to/ the Court. Whereupon the Court delivered the/ following oppinion to wit:

This is a Writ of Error to the Clark Circuit/ Court to reverse a Judgment of said Court in/ an action of detinue wherein John L. Hemp/hill was plaintiff & Mary Dickson was defend/ant. The record presents to the Consideration of/ this Court but a Single question which appears/ from the Bill of exceptions to the oppinions of/ the Circuit Court rejecting a Bill of sale offered/ in evidence by the Plaintiff on the ground/ that its execution was not Sufficiently proved/ Morgan Cryer & James Cummins was sub/scribing Witnesses to the Bill of Sale offered/ as eividence- Morgan Cryer being examin/ed as a Witness in the Circuit Court Stated/ that his name as subscribed as a Witness to the/ Bill of Sale was his hand writing and that/ the name of {James Cummings the other subscribing witness was} the hand Writing of Said Cummings/ that the said James Cummings was in Texas a/bout a month ago having removed there sever/al years agos that the said affiant had no recol/lection of a bill of Sale except the identity of/ his hand Writing Whereas the Circuit Court/ on motion of the defendant decided that the... [D030.1]

~~~~~~

Page 031, Book D March Term 1834

...execution in the Bill of Sale had not been/ Substantially proved and refused to Permit/ the Same to be read to the Jury- We think the/ opinion of the Circuit Court on the question/ presented was erroneous the Superior Court/ of the United States in the Case of the Tessa/ Clarke at al vs Courtney at al reported/ in 2 _____ page 319- In the Ordinary/ Course of legal prosecutions instrumental/ under Seal purporting to be executed in/ the presence of Witnesses must be proved/ by the testimony of the subscribing Witness/ or his absence Sufficiently accounted for/ when he is dead or can not be found as is/ without the Jurisdiction of the Court or other/ wise incapable of being produced the next/ secondary evidence is the proof of his hand/ writing and then when proved affords/ prima facia evidence of a due execution/ of the instrument- In the Case before/ the Court there were two subscribing witnesses/ to the Bill of Sale affixed in evidence one of/ whom Morgan Cryer stated upon his examin/ation in the Circuit Court that his name/ as subscribed as a witness who in his hand/ writing that the name of the other subscrib/ing witness James Cummins was the hand/ writing of said Cummins and that the said/ Cummins was in texas beyond the Juris/diction of the Court was satisfaction a rly/ _____ for proof of his hand writing was/ therefore properly received and such proof/ taken in Connection with the testimony of/ Morgan Cryer the other subscribing witness... [D031.1]

~~~~~~

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...to the instrument offered in our opinion/ prima facia evidence of the execution of the/ Bill of Sale offered in evidence and the Same/ ought we think to have been read to the/ Jury Morgan Cryer esqr the subscribing witness/ examined in the Court below stating that/ he had no recollection of the Bill of sale/ except the identity of his hand writing pres/ents It is true some difficulty but still/ he thinks there was prima facia evidence/ of the due execution of the Bill of sale so/ far at least as to authorize it to be given/ in evidence to the Jury. It is therefore/ Considered that the Judgment be reversed/ and the same is hereby reversed annulled/ and set aside and it is futher order/ed and adjudged by the Court that the/ said appellant have and recover of/ the appellee all the Costs about this/ appeal expended and that he have execution/ therefore

I William Field Clerk of the Supe/rior Court in and for the Territory/ of Arkansas do hereby certify that the/ above opinion and Judgment is ture/ is a true Copy from the record in/ this Case- In testimony whereof/ I have hereunto Set my hand as/ Clerk of said Court and affixed/ the seal of office this 29th day of/ March A.D. 1834 and of American/ Independence the 58th

Wm Field Clk
By Jno. P. Field
Deputy Clk... [D032.1]

~~~~~~

Page 033, Book D March Term 1834

...Whereupon it is ordered that this Cause stand for trial at the next/ term of this Court until where it is continued... [D033.1]

~~~~~~

Ordered that Court adjourn until 9 oclock/ tomorrow morning
Edw Cross [D033.2]

~~~~~~

Tuesday morning April the 1st 1834 Court/ met pursuant to adjournment present the/ Honorable Edw Cross Judge [D033.3]

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Charles Gordon	Plaintiff	)	
vs.		)	slander
John Lewis	Deft	)	

This day came the plaintiff by his attorney/ and on his motion it is ordered that a alias/ plurias Capias issue in this case directed/ to the Sheriff of Clark County [D033.4]

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~~James Pettit~~ ~~appellant~~)
~~vs.~~) ~~appeal~~[6]
~~Jacob Barkman~~ ~~appelle~~)

~~And now at this day came the parties/ aforesaid by their attornies and on motion/ and by Consent it is ordered that this/ Case be dismissed and it is further ordered/ that the appellant Pettit have and/ recover of and from the appellee Jacob/ Barkman his Costs by his about this case/ expended~~ [D033.5]

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The grand empannelled sworn and/ Charged at the present Term of this Court/ came into Court and returned an Indictment/ against Peter S. Callaway for keeping/ a faro Bank a true bill an indictment… [D033.6]

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Page 034, Book D March Term 1834

…against John Freeman for ~~keeping~~/ a faro Bank {to exhibited (?) in his Certain where was {_____ _____} _____ting} a true bill an Indictment/ against Nathaniel Brittan for betting on/ Faro {bank} a true bill an Indictment against/ Isham L. Stroud for betting at Faro {bank} a/ true bill and an Indictment against/ William Barkman for betting at/ Faro a true bill {and also a Indictment against Hesikiah Lisenby for vagrancy} and it being no further/ or other business before them, It is therefore/ ordered that said Jury be discharged from/ any further duty at the present term [D034.1]

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John L. Hemphill Plff)
vs.) detinue
Mary Dickson Deft)

And now at this day Came the parties/ aforesaid by their attornies and on motion/ of the defendant it is ruled She have/ leave to take depositions Generally to be/ read as evidence in the above entitled cause/ between the said parties [D034.2]

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[6] The word "Erroneous" is written across this entry twice in the original text.
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Charles Beard Plff)
vs.) debt
Henry Case Deft)

And now at this day came the/ parties aforesaid by their attornies and/ on the affidavit of the defendant herein/ filed, it is therefore Ordered this cause be/ continued until the next term of this Cou/rt at his Costs. Therefore on motion it is/ Considered by the Court that said plaintiff/ recover of and from the defendant the Costs/ in this cause at the present term of this/ court expended by reason of this continuance [D034.3]

~~~~~~

Page 035, Book D March Term 1834

Asa Thompson Plff)
vs.) debt
John H. Mosley Deft)

This day came the parties aforesaid in their/ proper persons and by consent agreed to dismiss/ this suit and that the plaintiff shall pay the/ Costs. Therefore on motion it is considered by the/ Court that the defendant recover of the said/ plaintiff his Costs in this Case expended [D035.1]

~~~~~~

United States)
vs.) rule to show cause &c
William Galbreth)

This day the defendant appeared/ and being heard on said rule upon his oath/ and the court being of the opinion that he has shown/ sufficient cause for his failure to attend at the/ present term of this court as a grand juror there/fore it is considered by the court that the said/ defendant be discharged from said rule and that/ the United States have and recover of the/ said defendant their costs in and about this/ Suit expended [D035.2]

~~~~~~

United States)
vs.) Indictment for Knowingly
John Freeman) permiting gaming in his
) house

This day the United States appeared/ by their attorney and the defendant in his own/ proper person and on motion it is ordered that/ this
~~~~~~

prosecution be continued until the next term/ of this court and therefore the said John Freeman/ as principal and Adam Stroud and Drury Hasley/ as his securities and acknowledged themselves to/ owe and be indebted to the United States of/ America the sum of their hundred dollars… [D035.3]

~~~~~~

Page 036, Book D

…that is to say the said John Freeman in the Sum/ of one hundred dollars and the said Adam/ Stroud and Drewry Hasley one hundred dollars/ each to be levied on their respective goods and/ Chattles lands and tenements on condition that/ the said John Freeman shall well and truly/ be and appear before the judge of our circuit/ court at the court house in the town of Greenville/ on the first day of our next September term/ thereof and shall not depart the same without/ the leave of said circuit court then this/ recognizance to be void in law. otherwise to/ remain in full force and virtue in law [D036.1]

~~~~~~

United States)
vs.) Indictment for ~~Keeping~~
Peter S. Callaway) exhibiting a gaming
) bank

This day the United States/ appeared by Royston their attorney and the/ defendant in his own proper person/ and on motion it is ordered that this prosecution/ be continued until the next term of this court/ and therefore the said Peter S. Callaway as principal/ and John L. Hemphill and John B. Anderson as his/ securities and acknowledged themselves to owe/ and be indebted to the United States of America/ that is to say the said Peter S. Callaway in the/ Sum of one hundred dollars and the said/ John L. Hemphill and John B. Anderson one/ hundred dollars each to be levied on their/ respective goods and chattles lands and tene/ments on condition that the said Peter S./ Callaway shall well and truly be and appear/ before the judge of our circuit court at the court/ house in the town Greenville on the first day of our/ next September term thereof and shall not depart/ the same without the leave of said Circuit Court… [D036.2]

~~~~~~

Page 037, Book D

…then this recognizance to be void in law otherwise/ to remain in full force and virtue in law [D037.1]

~~~~~~

United States)
vs.) Indictment for gaming
Isham L. Stroud)

This day appeared the United/ States by their attorney and the defendant in/ his own proper person and on motion it is ordered/ that this prosecution be continued until the/ next term of this court, thereupon the said/ Isham L. Stroud as principal and Samuel/ Hemphill and John C. Logan as his securities/ and acknowledged themselves to owe and be indebted/ to the United States of America that is to say/ the said Isham L. Stroud in the sum of one/ hundred dollars, and the said Samuel Hemphill/ and John C. Logan in the sum of one hundred/ dollars each, to be levied on their respective goods/ and Chattles lands and tenements on Condition/ that the said Isham L. Stroud shall well and truly/ be and appear before the judge {of} our circuit Court/ at the Court house in the town of Greenville on the/ first day of our next September term thereof and/ shall not depart the same without the leave of/ said Circuit Court, then this recognizance to be/ void in law, otherwise to remain in full force/ and virtue [D037.2]

~~~~~~

United States)
vs.) Indictment for gaming
Nathaniel Britton)

This day appeared the United/ States by their attorney and the defendant/ in his own proper person and on motion/ it is ordered that this prosecution be con/tinued until the next term of this Court/ thereupon the said Nathaniel Britton… [D037.3]

~~~~~~

Page 038, Book D

…as principal and Peter S. Callaway and/ Jonathan O. Callaway as his securities ackn/owledged themselves to owe and be indebted/ to the United States of America that is/ to say the said Nathaniel Britton in the/ sum of one hundred dollars and the said/ Peter S. Callaway and Jonathan O. Callaway/ each Jointly and separatly bound in the/ sum of two hundred dollars to be levied/ of ~~on~~ their goods & Chattles lands and tenem/ments respectively on Conditioned that if/ the said Nathaniel Britton shall well/ well and truly appear before the Judge/ of our Clark Circuit Court at the court/ house in the Town of Greenville on the/ first day of our next September Term/ thereof and shall not depart the same/ without the leave of said Court then this/ recognizance to be void otherwise to rem/ain in full force and virtue in Law [D038.1]

~~~~~~

United States)
vs.) Indictment for gaming
Peter S. Callaway)

This day James Williams appeared in/ open Court {and acknowledged himself} to owe to and be indebted to/ the United States of America in the sum/ of fifty dollars to be levied ~~on his~~ of his/ respective goods & chattles land and tenem/ents respectively on Conditioned that if/ said James Williams shall well and truly/ appear before the Judge of our Clark/ Circuit Court at the Court house in the/ Town of Greenville on the first day of/ our next September term thereof to test/ify and the truth to speak in behalf of/ the United States in a certain matter…

~~~~~~

Page 039, Book D

…now pending in said Court wherein the/ United States is plaintiff and Peter S./ Callaway is defendant and Shall not/ depart said Court without the leave there/of then this recognizance to be void otherwise/ to remain if full force and virtue in law [D039.1]

~~~~~~

Thomas Reed Complt)
vs.) Chancery
Jonathan O. Callaway & others Deft)

This day the Complainant appeared by his Solicitor as well/ as the said Defendant Callaway by his Solicitor, and by/ Consent the Complainant replies generally denying the allegations/ in the Defendants answer in Short on the record, and/ On Motion of said Defendant Callaway it is Ordered that/ this Cause be set Down for final hearing as to said/ Callaway On Bill, Answer, exhibits and depositions to be/ taken at the next term of this Court. And on motion/ leave is given the parties to take depositions to be read/ as evidence On the trial of this Cause, and it is/ Ordered that this Cause be Continued [D039.2]

~~~~~~

Joseph B. Raleigh & Archibald Huddleston Complainant)
vs.) Chancery
William Arnett & Alvey R. Johnson Defendants)

This day Came as well the Complainant by his Solicitor/ as the Said defendant Arnett by his Solicitor, and on motion of/ Said Complainants,

It appearing to the Satisfaction of the Court/ here that the said defendant Alvey R. Johnson is not an/ inhabitant of this Territory and he having failed to enter his/ appearance in this Casue and file his plea, answer, or Demurrer/ to the Complainants Said Bill of complaint, Therefore on motion/ It is Ordered that unless the said defendant Alvey R. Johnson/ Shall enter his appearance in this cause and file his plea/ answer, or demurrer to the said Bill of Complaint On or/ before the {first day of the} next Term of this Court, the ~~matter thereof~~ {same} will/ be taken for Confessed against him and the matters there… [D039.3]

~~~~~~

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…decreed accordingly, and it is futher Ordered that a Copy of/ this Order be published in Some news paper printed in this/ Territory by four weekly insertions previous to the next term/ of this Court – And on motion of the defendant Arnett/ it is Ordered that this Cause be set down for final/ hearing at the next term of this Court as to him said defen/dant William Arnett, On the Bill , answer and exhibits/ and that this Cause be continued until the next term/ of this Court [D040.1]

~~~~~~

Moses Byrd Plaintiff)
vs.) Assumpsit
Adam Stroud Defendant)

This day Comes the parties aforesaid by their attornies/ and by Consent the defendant pleads the General issue non/ Assumpsit to the Several Counts in the plantiffs Declaration/ in short on the record to which the plaintiff joins issue/ also in Short on the record by Consent, And on motion of the/ defendant And On hearing his verbal statements on oath for that/ purpose, which are heard and received by Consent in the place of/ a written affidavit it is ordered that this Cause be Continued/ Until the next term of this Court at the defendants/ costs, therefore it is Considered that the plaintiff recover of/ the defendant the Costs in this case expended by reason of/ this Continuance—and on motion of plantiffs leave as given him to/ amend his declaration in this Cause and by consent leave as given him/ until the first day of August next to file his same amended decla/ration [D040.2]

~~~~~~

Jonathan West Complt)
vs.) Chancery
Jesse Pierce & Robert Klady Defendant)
~~~~~~

This day Comes the Complainant by his solicitor, and it appearing/ to the Court here {by the return of the Sheriff made on the original summons issued in this case} that the said Jesse Pierce has been duly and personally/ served with the original process in this Cause issued on the fourth day/ of June 1833 and he having failed to enter his appearance in this/ cause, and file his plea, answer, or Demurrer to the complainants/ said bill of Complaint at the last September Term of this Court/ he was bound by law to have done and said defendant Pierce/ having as yet appeared or in any wise answered the same… [D040.3]

~~~~~~

Page 041, Book D March Term 1834

…And it appearing to the court here by the allegations in this/ said Bill of Complaint that said Complainant on or about the/ 21st day of February 1832 became indebted to one Hannah Klady/ then of the Parish of Ouachitta in the state of Louisiana in the/ sum of Two Thousand Dolars, for and on account of certain/ negroes purchased by said Complainant of said Hannah. Two Hundred and fifty Dollars of which he then paid to said Hannah/ in Cash and other Two Hundred and fifty Dollars of which he/ a____ed to pay for and on account of said Hannah to one Joseph/ Friend, and for the residue of said sum of $2000, that is to/ say Fifteen hundred Dollars he said complainant executed and/ delivered to said Hannah two notes in writing (But whether/ sealed or unsealed he cannot say) bearing date on or about/ the day last aforesaid, one for five hundred Dollars payable/ to said Hannah on or before the first day of April/ 1833. That said Hannah was at the time of making said writings {a free} sole and unmarried and legally competent to make incur/ and receive obligations. That an agreement to marry was/ duly made and entered into by and between said Complain/ant and said Hannah there being no legal incapacity on/ the part of either the said Hannah or said West to make/ and Consummate such agreement and that said Contract/ was afterward to writ on the 1st day of April 1832 in/ the County of Union and Territory of Arkansas duly and/ legally performed by the open and public celebration of the/ marriage of said Hannah and said West to and with each/ other, That at the time of said marriage said writings were/ in the posession or subject to the control of said Hannah and/ never had been by her sold assigned transferred or endorsed to any/ person Whatsoever, That after the Celebration of said mar/riage Said writings were by the said Hannah given up/ and delivered over into the posession of said complainant to/ be by him cancelled or destroyed without any endorsement/ assignment or transfer thereof having been made by the said/ Hannah and that the same as remained in the posession… [D041.1]

~~~~~~

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…of said Complainant until the month of June 1832 or/ thereabouts when the same were without the knowledge/ or Consent of the Complainant taken from his posession/ by by whom is to him unknown, That his obligation to pay/ said writings upon his intermarriage with said Hannah/ became and was wholly extinguished and satisfied and that he/ thereby acceded to and acquired all the rights and interests of/ the said Hannah in and to said writings as she held/ them at the time of said marriage and that no subsequent/ endorsement assignment or transfer of the same by said/ Hannah Could impose on Complainant any obligation to/ to pay the same in the hands or posession of any/ person whatever. That the same was taken from his/ Posession as aforesaid fraudulently and as he believes/ feloniously. That he gave public notice of the loss thereof/ {by publication made} in the Arkansas Gazette and requested that the same/ might be returned and delivered up to him, That upon diligent/ inquiry for said writings he could never learn where they were/ or who had them in posession until three or four days before/ the exhibiting his said bill, When he was informed by said/ Pierce that he Pierce had said writings that he had received/ them of his Codefendant Robert Klady for collection, that said/ writings were endorsed assigned and transferred by said Hannah/ to said Robert Klady by an assignment purporting to have/ been made in March 1832, and before the marriage aforesaid &/ that said Pierce was about to remove himself to Spain and/ had little or no estate, That said writings were then in the/ posession of said Pierce or subject to his control, that said/ writings were not endorsed or asigned by said Hannah to any/ person whatever whilst she remained sole and unmarried/ and that if they have been subsequently endorsed by her/ such endorsement and assignment is void and does not/ transfer any interest or estate whatever in said writings,/ that said defendants Pierce & Klady were well informed/ all the facts and Circumstances aforesaid and well knew/ that said writings were satisfied and extinguished as aforesaid/ and that he had lost the posession thereof as aforesaid… [D042.1]

~~~~~~

Page 043, Book D March Term 1834

…that said Pierce threatens to co___ payment thereof from/ the Complainant and refuses to surrender and give up said/ writings although requested so to do, and although he/ admits that he had the same in his posession and/ said complainant in his said Bill prays an Injunction and/ that said writings may be brought into this court by said/ Pierce & cancelled, and by a Decree thereof be directed to remain/ in this Court or be given up to said complainant to be/ Cancelled, and the said Pierce having on the 4th day of/ October 1833 filed said writings in this Cause in this Court/ where they still remain now on file- Whereupon this cause/ Coming on to be heard as to said defendant Pierce and argument/ of Counsel being heard, and the whole premises by the Court/ now here being seen and Considered, this Court doth there/upon adjudged, order and decree, that the said Bill of said/
~~~~~~

Complainant be taken for Confessed as to said Pierce and that/ said defendant Pierce be and he is hereby Perpetually and forever/ enjoined and restrained from proceeding to coerce the payment of/ said writings from the Complainant, and that he be {forever} enjoined and/ restrained from taking or receiving said writings for collections as/ aforesaid, and ~~it is~~ doth further adjudge order and Decree that the/ said writings remaim on file in this Cause in this Court/ until the further order or decree of this Court be made/ upon the premises and that they be safely kept and retained/ by the Clerk of this Court and that the said defendant Pierce/ do pay to said Complainant the Costs in and about this suit in/ this behalf expended, to be taxed and that execution therefor be/ issued as at Common Law [D043.1]

~~~~~~

Jonathan West Complainant)
vs.) Chancery
Robert Klady &c Defendants)

This day Come the Complainant by his solicitor, and on his motion/ it appearing to the satisfaction of the Court here that the said/ defendant Robert Klady is not an inhabitant of this Territory/ and he having failed to enter his appearance in this Cause and/ file his plea answer, or demurrer, to the Complainants said Bill... [D043.2]

~~~~~~

Page 044, Book D March Term 1834

...Complaint, Therefore it is Ordered that unless the said defendant/ Robert Klady shall enter is appearance in this Cause on or/ before the first day of the next term of this Court and files/ his plea answer or demurrer to said Bill the same will be/ taken for Confessed against him and the matters thereof/ decreed accordingly, and that a copy of this Order be/ published in the Arkansas Gazette a newspaper published/ in this territory for four weeks previous to the next term/ of this Court by four weekly insertions – and that this cause/ be Continued as to said Klady until the next term of this Court [D044.1]

~~~~~~

Jacob Barkman appellee)
vs.) appeal
James Pettit appellant)

This day came the parties/ aforesaid by their attornies and thereupon/ came a Jury to wit Benjamin Lewis John C./ Logan Jesse W. Talbott John L. Hemphill Samuel/ Hemphill James H. Crow Charles Golleher/ Peter S.
~~~~~~

Callaway William Thornton A. E./ Thornton Elisha A. Stroud and William/ Janes twelve {good and lawful men} of the County of Clark who/ being duly elected tried and sworn/ well and truly to try the issue joined/ between the parties, whereupon the plaintiff/ offered an order in writing _____ by the/ said Defendant ~~evidence~~ in favour of the/ said Plaintiff, to which the defendant/ objected which objection was Sustained/ by the Court and thereupon the said/ Plaintiff suffered a non suit herein/ It is therefore Considered by the Court that the/ appellant have and recover of appellee his costs in this Case expended [D044.2]

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Page 045, Book D

United States)
vs.) Presentment for Vagrancy
Hesikiah Lisenby)

And now at this day Came the ~~prosecutting att~~ United/ States by G. D. Royston prosecuting attorney and exhibited two present/ment of the grand Jury in this case, whereupon it is ordered and/ directed that Abner E Thornton an acting Justice of the peace/ in this county issue his warrant and Cause the said Hesikiah/ Lisenby ~~before him there~~ to be brought before him there to/ be dealt with according to law, and it is further ordered/ that the clerk make our an attested copy of this order and/ place the same in the hands of the Sheriff of Clark County/ within ten days from the adjournment of this present/ {Term} of this court, who is hereby directed to ~~deliver~~ serve the/ same upon the said justice forthwith-- [D045.1]

~~~~~~

John Pope Governor &c[7])
vs.) Motion for a
Mastin Latham &c) new trial

This day Came the parties aforesaid by/ their attorneys and the court being now suggi/cienly advised of and concerning the plantiff/ motion herein for a new trial doth over/ rule the same. ~~It is therefore considered by/ the court that the said defendants have and/ recover of the said Thomas Reed the costs/ about the motion expended~~ [D045.2]

~~~~~~

United States)

[7] A second line is present below "John Pope Governor &c", but the ink is smeared making the line unreadable. It is not clear whether this is merely smeared ink or an attempt to erase the entry line. The name "Reed" is readable at the end of this line.
~~~~~~

vs.) Indictment for an affray
Moses Mitchell)

And now at this day Came the/ United States by G D Royston prosecuting Attorney/ and says that they are unwilling further to prosecute/ this {said} defendant upon said indictment it is therefore/ considered by the Court that this prosecution be dismissed [D045.3]

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Page 046, Book D March Term 1834

Ordered that Court adjourn untill to-morrow/ morning at 8 oclock
Edw Cross [D046.1]

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~~Tuesday morning~~
Wednesday morning October 2nd 1834 Court/ met pursuent adjournment Present the Honor/able Edward Cross Judge [D046.2]

~~~~~~

John Pope Governor of the Territory of Arkansas Plff)
who sues for the use of Clark County)
vs.) Debt
Adam Stroud, Samuel Parker and Deft)
Charles Golliher)

This day Came the parties aforesaid by their attornies and/ the Court ~~now~~ being now sufficiently advised/ Concerning the {defendants demurrer to plaintiffs declaration filed in this cause} ~~matters and things heretofore/ argued and submited doth consider that the/ doth consider that the same be sustained~~ and it appearing to/ the satisfaction of the Court that the plaintiffs said declaration/ and the matters and things therein Contained in manner and/ form as the same are therein stated and set forth are/ not sufficient in law for the plaintiffs to have and maintain/ his aforesaid action thereof against the said defendants/ Therefore it is Considered by the Court that thesaid demurrer/ be sustained, and that the said plaintiff take nothing by his/ said writ, and that the said defendants go hence discharged/ without day therefrom-- [D046.3]

~~~~~~

Matthew Gray Plaintiff)
vs.) Attachment
Swanson Yarbrough, Deft)
John Green & Joseph Galbreath Garnishees)

This day the plaintiff appeared by his attorney as well as the/ Garnishee John Green by his attorney and the plaintiff having/ filed his written argument for a reconsideration of the Judgment/ costs in this case given in favor of said Green against said… [D046.4]

~~~~~~

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…Plaintiff and the Court having read and Considered said arguments/ in writing filed as aforesaid doth Order that said Judgment for Costs/ be reconsidered and upon reconsideration wherefor it appearing to/ the satisfaction of the Court here that said Judgment for costs in/ this case given in favor of said John Green against said plaintiff/ is erroneously so given and entered and the same is therefore rescinded/ and set aside, whereupon on motion it is considered by the Court/ that the said Matthew Gray have and recover of and from/ said John Green the Costs in this case expended upon the trial/ thereof had between said Matthew Gray and John Green, and/ that he have execution thereof from the court, and said Green/ in mercy &c [D047.1]

~~~~~~

Zachariah McDonald	Plaintiff	)		
vs.			)	Certiorari
Richard C Byrd assignee of L Belding	Deft	)		

This day Comes the parties aforesaid by their attornies and/ the defendant filed his motion to dismiss this cause, and for a/ procedendo[8], both in writing, and the plaintiff filed his motion in/ writing to rule the clerk to show cause why he did not issue the/ writ of Certiorari as directed in this case anf for leave to/ file the petition and Judges Order in this Cause none pro/ ture, and argument of Counsel being heard on said motion/ this Cause was submitted to the Court, on said motions, And/ the thereupon the parties having examined the record of/ said plaintiffs administration of the estate of Micajah/ M^{c}Donald Deceased as represented and shown on the record/ of the County Court of said County of Clark, {and it appearing therefrom} that the/ said defendant on his allowances {mentioned} in the petition in this case/ filed ~~mentioned~~ is entitled to recover and receive from said/ plaintiff M^{c}Donald, a prorata Dividend amounting to the/ sum of Sixty ~~four~~ {One} Dollars and ~~Thirty two~~ {ten} cents, Therefore on/ motion and with the assent of said parties it is considered/ by this Court that the defendant recover of the said plaintiff/ the said dividend of Sixty ~~four~~ {one}

[8] "Action wherein court of superior jurisdiction orders court of inferior jurisdiction to proceed to judgement, but has no bearing on nature of judgment to be entered." (Black, Henry Campbell, 1991, Black's Law Dictionary, Abridged Sixth Edition, page 836, West Publishing Co., St. Paul, Minn.).

Dollars and ~~thirty two~~ {ten} cents on/ his allowances aforesaid in the proceedings in this cause/ mentioned together with the Costs in and about this ca__… [D047.2]

~~~~~~

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…in this behalf expended and that he have leave execution/ thereof from this Court to any County in this Territory [D048.1]

~~~~~~

John Pope Governor of the Territory of)
Arkansas for the use of Thomas Reed Plff)
vs.) Debt
Mastin Latham, Robert Frier and)
Silas M^{c}Daniel Defendants)

This day came the ~~parties~~ {plaintiff} aforesaid by His attorney and/ the plaintiff presented his bill of exceptions to the opinion/ and decisions of the Court given in this cause, which was/ signed and sealed by the Court and filed and ordered to be made a/ part of the record of this Cause, Whereupon the said/ plaintiff prayed an appeal from the Judgment and/ decision of the Court given in this Cause {to the Superior Court of the Territory of Arkansas} which is/ granted upon Security being given according to law in the/ sum of Two Hundred Dollars, and Thereupon Daniel Ringo/ and Thomas Hubbard personally appeared here in open Court/ and by leave of the Court here for that purpose first had and/ obtained acknowledged themselves to owe and be indebted to/ the said defendants Mastin Latham, Robert Frier and/ Silas M^{c}Daniel in the sum of Two Hundred Dollars of/ lawful money of the United States of America {to be levied of their respective goods and chattles lands and tenements} on this/ Condition that if the said ~~plaintiff~~ Thomas Reed for whose/ use and benefit this suit is prosecuted Shall well and truly/ pay the Costs in this Case, if the Judgment of the Clark/ Circuit Court in this Cause given shall be confirmed by/ the Superior Court of the Territory of Arkansas aforesaid/ then this obligation shall be void Otherwise shall remain/ in full force and virtue in law [D048.2]

~~~~~~

Bartley Herrington assignee of)
Benjamin Clark)
vs.)
Adam Stroud)
~~~~~~

On motion of the deft by his attorney and/ ~~being~~ {having been} certified by this Court that the said Bartley Herrington… [D048.3]

~~~~~~

Page 049, Book D

…has no estate in this County ~~of Clark~~ and it being suggested/ that the said Herrington resides in the county of Arkansas/ in this Territory and hath property in said county. It is therefore/ ordered that execution issue to said county of Arkansas [D049.1]

~~~~~~

Stephen Lunsford	appellant	)		
vs.			)	appeal
James Dennis	appellee	)		

on motion of the appellant {by his} attorney and it having/ been Certified to this Court that the said James Dennis/ has no estate in this county and it being suggested/ that the said James Dennis resides in the County of/ Crawford in this Territory and hath property in/ said County. It is therefore ordered that execution/ issue to said County of Crawford [D049.2]

~~~~~~

Ordered that Court adjourn until Court/ in Course

Edw Cross [D049.3]

~~~~~~

Clerks office of the Circuit Court of Clark/ County In Vacation August the 22nd day AD 1834 [D049.4]

~~~~~~

Richard C. Byrd	Plaintiff	)		
vs.			)	debt
Albert G. Johnston	Defendant	)		

And now at this day came the Plaintiff by/ _____ & Ringo his attornies & on their motion it is/ Ordered that a didemus Poleslatem issue to any Judge/ or Justice of the peace in & for the Territory of Ark/ansas *(blank space)* take the depositions of Witnesses De Bonne/Ess to be read in evidence on the part of the plain/tiff on the trial of the above entitled cause on giving/ the said defendant Albert G. Johnston due notice… [D049.5]
~~~~~~

~~~~~~

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...of the time and place of taking the same
In witness whereof I isaac Ward Clerk/ of said Circuit Court have hereinto set/ my hand as Clerk this 22nd day of August/ A.D. 1834
Isaac Ward Clk [D050.1]

~~~~~~

Clerks office of the Circuit Court of Clark/ County In vacation September 1st AD 1834 [D050.2]

~~~~~~

Charles Baird Plaintiff)
vs.)
Henry Cox Defendant)

And now at this day came Henry Cox defendant/ by Hubbard his attorney and {on} his motion it is/ ordered that a dedumus issue toany Judge or/ Justice of the Peace in and for the Territory of/ Arkansas to take depositions of Witnesses De bene esse/ to be read in evidence on the part of the defendant/ on the trial of the above entitled Cause on giving/ the said plaintiff Charles Baird Due notice of/ the time and place of taking the same
In Witness Whereof I Jas L Ward/ deputy Clerk of said Circuit Court have hereunto set my hand as Deputy Clerk/ This 1st day of September AD 1834
J.L.Ward dep Clk [D050.3]

~~~~~~

Territory of Arkansas)
County of Clark)
At a Clark County Circuit Court began and/ held at Town of Greenville in said County/ on the 29th day of September A.D. 1834 at the last/ Monday of sid month, Present the Honorable/ Edward Cross one of the Judge of the superi/or Court of said Territory assigned by Law/ to hold Circuit Court in the first Judicial/ Circuit in said Territory [D051.1]

~~~~~~
~~~~~~

Ordered that the sheriff Proclaim that ~~court~~/ the Circuit Court of the County of Clark has/ met according to Law and is ready to procede/ with the business thereof [D051.2]

~~~~~~

The Sheriff of the County of Clark returned/ the following Pannel of Grand Juror to wit/ John Wilson who was Sworn as foreman, Abraham/ Newton, Archabald Hudleston, Ambrose Frier/ Benjamin C. Logan Benjamin Lewis John C. Logan/ James S. Banner, James Ward James Pettit Levi/ Hudleston Hamblin Freeman Mastin Latham/ Robert Frier William Gentry Walter Crow/ John Wingfield Eli J. White James I. Bailey and/ Abraham Wells twenty good and Lawful men of/ County of Clark aforesaid all of whom were/ selected tried and Sworn, having Received their/ Charge retired from the bar to Consult of/ their duties [D051.3]

~~~~~~

United States)
vs.) attachment for contempt[9]
Isaac White)

And now at this came the parties afore/said the United States by G. D. Royston pros/ecuting attorney and the defendant ~~by~~ {in} his… [D051.4]

~~~~~~

Page 052, Book D September Term 1834

…{proper person} ~~attorney~~ and the Cause being Submitted to/ the Court {as well as the rule to show cause for failing to attend as a grand juror} and the Court not being Sufficiently/ {advised} of and Concerning the same take time to con/Sider thereof until tomorrow morning [D052.1]

~~~~~~

It is Ordered by the Court that Alexander D./ Stroope be fine One Dollar for a contempt/ in talking aloud in the presence and hear/ing of the Court Therefore it is Considered/ that the United States recover of said Alexan/der D. Stroope the fine aforesaid and also/ the Costs in this case expended, and that/ he Stand Commited until said fine and/ Cost be paid [D052.2]

~~~~~~

[9] Additional line is marked out and can not be read.
~~~~~~

United States)
vs.) Rule & attachment
John Speer)

And now at this day came the parties/ aforesaid the United States by G. D. Royston/ prosecuting attorney, and the defendant by his/ attorney and the Cause being submited to the/ Court and the Court not being sufficiently/ advised of and Concerning the same takes/ time to Consider thereof until tomorrow/ morning [D052.3]

~~~~~~

United States)
vs.) Citation
Samuel J. Sorrels)

And now at this came the parties afore/said the United States by G. D. Royston pros/ecuting attorney and the defendant by his/ attorney and the cause being submitted to the/ Court and the Court not being now suffi/ciently advised of and Concerning the… [D052.4]

~~~~~~

Page 053, Book D Sept Term 1834

…same take time to Consider thereof until/ tomorrow morning [D053.1]

~~~~~~

United States)
vs.) Indictment for horse stealing
John Simpson)

And now at this day came the/ prosecuting attorney and on his motion it is/ Ordered that an alias plurias Capias issue/ to the County of Hot Spring in this case/ Returnable to the next term of this Court/ to which time this case is Continued [D053.2]

~~~~~~

Ordered that Court adjourn until nine/ Oclock tomorrow morning
Edw Cross [D053.3]

~~~~~~
~~~~~~

Tuesday morning September 30th 1834 Court/ met pursuant to adjournment present/ the Honorable Edward Cross Judge [D053.4]

~~~~~~

United States)
vs.) attachment & Contempt
Isaac White)

And now at this day came the parties/ aforesaid the United States by G. D. Royston/ prosecuting attorney and the defendant in own/ proper person and the Cause being submited/ to the Court and the Court being now sufficien/tly advised doth Consider that the defendant pay/ One dollar the fine adjudged against him. It is/ therefore Considered by this Court that the United/ States have and recover of the defendant the sum/ of One Dollar so assessed as aforesaid together/ with the Costs herein expended about the rule/ entered in this case and stand Commited… [D053.5]

~~~~~~

Page 054, Book D September Term 1834

…until said fine and Costs be fully paid [D054.1]

~~~~~~

United States)
vs.) Rule and attachment
John Speer)

And now at this day came the defendant/ in his own proper person and the Court/ being of opinion that he has shown sufficient/ Cause for his failure to appear at the September/ Term of this Court 1833 as a grand Juror when/ summon and returned by the Sheriff of the/ County at that Term of said Court, Therefore/ it is Considered by the Court that he be disch/arged and go hence without day [D054.2]

~~~~~~

United States)
vs.) Rule to shew cause why
Samuel J. Sorrels) he should not be fined

And now at this day came the/ defendant in his own proper person and the/ court being of Opinion that he has Shown/ sufficient Cause for his failure to appear at/ the September Term of this Court 1833 as a/ grand Juror

when Summoned and returned/ by the {Sheriff of the} County at that Term of said Court/ Therefore it is considered by the Court that he/ be discharged. And that the United States recover/ of the defendant their Costs in this Case expended [D054.3]

~~~~~~

John L. Hemphill)
vs.) detinue
Mary Dickson)

And now at this day came the parties/ aforesaid by their attornies and on motion/ and by Consent of said parties it is Ordered/ that this Cause be Continued until the/ next term of this Court at the cost of said defendant [D054.4]

~~~~~~

Page 055, Book D September Term 1834

United States)
vs.) Indictment for knowingly
John Freeman) permitting gaming in his house

This day the United States appeared by their/ attornies and the defendant in his own proper person/ and on motion it is ordered that this pros/ecution be Continued until the next term/ of this Court, whereupon motion and by p___/ition of the Court for this purpose had and Obtai/ined the said John Freeman and Samuel Hem/phill and Drewry Hasley acknowledged themselves/ to owe to and be indebted to the United States/ in the sum of one hundred dollars each to be/ levied of their Respective goods and Chattels lands/ and tenements on Condition that if the said John/ Freeman shall well and truly appear before/ the Judge of Our Clark Circuit Court at the/ Court house in the Town of Greenville on the/ first day of our next March Term thereof {and answer said indictment} and/ shall not depart the same without leave of said/ Court then this Recognizance to be void, Otherwise/ to remain in full force and virtue in Law [D055.1]

~~~~~~

United States)
vs.) scirifacias
Jonathan West)

And now at this came the United/ States by G. D. Royston prosecuting attorney and/ the defendant by his attorney Thomas Hubba/rd and the defendant filed his General/ demurrer to void plaintiffs said scirifacias/ herein to
~~~~~~

which the plaintiff Joined in/ short on the Record by Consent and the/ parties aforesaid being {heard} by their Council/ and the Court not being sufficiently/ advised take time to consult thereo [D055.2]

~~~~~~

Page 056, Book D September Term 1834

Chester Ashley	Plaintiff	)	
vs.		)	debt
John Callaway defendt)			

This day came the Plaintiff by James/ S Hall his attorney and the defendant in his own/ proper person and the said defendant filed his/ first plea of payment ad dum and his second/ plea of payment post dum to which the plaintiff/ replied in short and the defendant Joined from/ {all} in short by consent upon the record and that cause/ is continued until the next term of this Court/ by Consent [D056.1]

~~~~~~

Harriet Fish adm^{x}	)		
of the Estate of David Fish	)	Plaintiff	
deceased	)		
vs.	)		Debt
John H. Mosely Henry Cox	)		
A. E. Thornton and	)	Defendts	
Marvil Mosely	)		

this day the said Plaintiff by/ G. D. Royston his attorney and says he is un/willing further to prosecute this suit. It is therefore/ considered by the Court, that the said Defendants/ have and recover of the said Plaintiff the/ costs about this suit expended [D056.2]

~~~~~~

Charles Gordon by		)		
George Gordon his	Plaintiff	)		
next friend			)	
vs.			)	Trespass on
John Lewis	Defendant		)	the case
~~~~~~

This day the said Plaintiff being Sole/mly called came not and he having failed/ to prosecute his suit xxxxx[10] according to _____… [D056.3]

~~~~~~

Page 056[11], Book D September Term A.D. 1834

…_____ and __octi_ of this Court. It is therefore/ considered by the Court that this suit be/ dismissed and that the said plaintiff pay/ the Costs hereof [D056..1]

~~~~~~

United States)
vs.) Indictment ~~for gaming~~ gaming
William Barkman) ~~for Beting on a faro Bank~~

This day Came the United States/ by Grandison D. Royston prosecuting attorney and/ the said William Barkman being solemnly Called/ Came not It is therefore Considered on motion/ of the prosecuting attorney by the Court that the/ recognizance taken and certified herein be/ forfeited and that a scire facias issue thereon--/ returnable to the next term of this Court against/ the said William Barkman, {and} Peter S Callaway/ and Drewry Hasley his securities therein [D056..2]

~~~~~~

United States)
vs.) Indictment for gaming
Nathaniel Britton)

This day Came the United States/ by Grandison D. Royston prosecuting attorney and/ the defendant in his own proper person and --/ surrendered himself in discharge of his recognizance/ herein and on motion of the prosecuting attorney/ this prosecution is continued untill the next term/ of this Court whereupon by motion and by permis/sion of the Court for this purpose had and obtained/ the said Nathaniel Britton and Adam Stroud/ acknowldeged themselves to owe and be indebted/ to the United States in the sum of three hundred-/ dollars to be levied of their respective goods and/ Chattles lands and tenements to be void upon/ Condition that the said Nathaniel Britton shall/ well

---

[10] Ink smudge prevents this word from being readable.

[11] The page numbers located in the outside upper corners of the ledger pages have been smudged and unreadable. At this point, they begin to be readable and page 56 has been entered a second time. This is signified in the index by two dots separating the page number from the entry numbers for this single, second page 056.
~~~~~~

and truly appear before the judge of this Court/ at the Court house in the Town of Greenville on/ first day of the next term thereof {to answer the indictment herein} and shall/ not depart the same without {the} leave thereof [D056..3]

~~~~~~

Page 057, Book D September Term A.D. 1834

United States)
vs.) Indictment for gaming
Peter S. Callaway)

This day came the United States by G. D./ Royston prosecuting attorney and the defend/ant in his own proper person and surre/ndered himself in discharge of his recognizance/ herein and on motion of the prosecuting/ attorney this prosecution is Continued until/ the next Term of this Court whereupon on/ motion and by permission of the Court/ for that purpose had and obtained the/ said Peter S. Callaway and Jonathan O./ Callaway acknowledged themselves to owe/ and be indebted to the United States in/ the sum of three hundred dollars to be levied/ of their Respective good and Chattles lands/ and tenements to be void upon Condition/ that if the said Peter S. Callaway Shall well/ and truly appear before the Judge of this/ Court at the Court house in the Town of Greenville on the first day of the next term/ thereof to answer the Indictment herein, and/ Shall not depart the Same without the leave/ thereof [D057.1]

~~~~~~

United States)
vs.) Indictment for gaming
Isham L. Stroud)

This day came the United States by G. D. Royston/ prosecuting attorney and the defendant in person/ and surrendered himself in discharge of his/ Recognizance herein and on motion of the pro/secuting attorney this prosecution is Continued/ until the next Term of this Court Whereupon/ on motion and by permission of the Court/ that purpose had and obtained the said… [D057.2]

~~~~~~

Page 058, Book D September Term A.D. 1834

…Isham L. Stroud and Nathaniel Britton/ acknowledged themselves to owe to and be/ indebted to the United States in the sum of/ three hundred dollars to be levied of their/ Respective goods and Chattels lands and/ tenements to be void
~~~~~~

upon Condition that if/ the said Isham L. Stroud shall well and truly/ appear before of this Court at the Court house/ in the Town of Greenville on the first day/ of the next Term thereof to answer the Indict/ment herein and Shall not depart the same/ without the leave thereof [D058.1]

~~~~~~

Myers F. Jones)
vs.) appeal
John Bolt)

And now at this day came/ the parties aforesaid by their attorneys and/ on motion and by Consent It is Ordered that/ this Cause be Continued until the next term/ of this Court [D058.2]

~~~~~~

Moses Byrd)
vs.) trespass on the case
Adam Stroud)

And now at this day came the parties/ aforesaid ond on motion of the plaintiff &/ and verbal affidavit it is Ordered that this/ cause be continued until the next Term of/ this Court at the Costs of the said plaintiff/ It is therefore Considered by the Court that/ the said defendant have and recover of said/ plaintiff the Costs occasioned by reason of/ this Continuance [D058.3]

~~~~~~

Page 059, Book D September Term A.D. 1834

Charles Baird)
vs.) Debt
Henry Cox)

And now at this day/ Came the parties aforesaid by their attor/nies and on motion and by Consent of said parties It is Ordered that this/ cause be Continued until the next term/ of this Court [D059.1]

~~~~~~

Asa Thompson Plaintiff)
vs.) Debt
Richard T. Banks)
and Abner G. Thornton Defendants)

This day Came the plaintiff/ by G. D. Royston his attorney and the defendants in/ their own proper persons and the defendants craved/ oyer of the sute in writing in the declaration mentioned/ which was granted by filing the same and/ thereupon the defendants filed their plea of nil/ detect in short to which the plaintiffs Joined _____/ in short by consent upon the record and this/ Cause is continued untill the next term of this/ Court [D059.2]

~~~~~~

Aaron Niles Sabin admr Plaintiff)
of the estate of L. Belding decd)
vs.) Debt
James Williams Defendant)

This day Came the parties aforesaid by their/ attorneys and the defendant Craved oyer of the/ writing obligatory in the declaration mentioned/ which was ~~filed by~~ granted by filing a true/ copy thereof and thereupon the defendant plead/ nul tiel record of the grant of _____ of admin____/ in manner and form as the plaintiff in his/ said declaration has alledged to which the plaintiff/ demurs in short at which the defendant joined/ xxxxx in xxxxx[12] short by consent upon the _____/ and this Cause is continued until the next term of this/ Court [D059.3]

~~~~~~

Page 060, Book D September Term A. D. 1834

~~William Gentry~~ ~~Plaintiff~~)[13]
~~vs.~~) ~~Debt~~
~~Harriet Fish admx~~ ~~Defendant~~)
~~of the estate of David Fish~~)
~~deceased~~)

~~This day Came the/ parties aforesaid by their attorneys and the defendant/ Craved oyer of the _____ notes in writing in the/ declaration mentioned which was granted by/ filing the same and defendant saying nothing/ further in bar or preclusion of the plantiffs action/ and neither party requiring a jury this Cause/ was submited to the Court and it appearing/ to the satisfaction of the court that the said/ plaintiff has been paid the sum of two hundred/ dollars an the note in writing in the first Count/ in the declaration mentioned and the there/ remains due and unpaid on said note the/ balance of ninety two dollars and ten cents/ It is therefore Considered by the Court that the/ said Plaintiff have and recover of the said/ defendant the aforesaid sum of ninety two/ dollars and ten~~

[12] These two words are obscured by ink smudges.
[13] This entire entry is marked through with diagonal lines and the work "error."

~~cents the residue of the debt/ debt in the first Count in the declaration mentioned/ to be levied of the estate of the said David Fish deceased/ in the hands of the said HaRRiet Fish unadministered/ It further appearing to the satisfaction of the Court/ that the note in writing in the second Count {in the said declaration mentioned} is for/ the sum of one hundred and fifty two/ dollars and seventy five Cents to bear interest/ at the rate of ten per cent per annum from/ the twenty fifth day of March one thousand/ eight hundred and thirty three untill paid/ It is therefore Considered by the Court that the said/ plaintiff have and recover of the said defendant/ the aforesaid sum of one hundred and fifty two/ dollars and seventy five Cents with interest/ thereon at the rate of ten per cent per an____~~... [D060.1]

~~~~~~

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...~~from the said twenty fifth day of March/ one thousand eight hundred and thirty three/ until paid to be levied of the estate of the/ said David Fish deceased in the hands of/ the said Harriet Fish unadministered/ and also the Costs about this suit in this/ behalf expended~~ [D061.1]

~~~~~~

Richard C. Byrd Plaintiff)
vs.) Debt
Albert G. Johnston Defendant)

This day Came the parties aforesaid by their attorneys/ and the defendant Craved oyer of the promissory/ note in the first Count and other writing obligatory/ in the second Count in the declaration mentioned/ which was granted by filing a ture copy of each/ and thereupon the defendant filed his plea of/ non est factum to the writing obglitory in the/ Second Count in the declaration mentioned/ Whereupon the plaintiff says he is unwilling/ further to prosecute his action aforesaid as/ to the second Count in the said/ declaration and the said defendant saying/ nothing further in bar or preclusion of the/ plaintiffs action as to the first Count in the/ declaration mentioned and the plaintiff/ remaining wholly un____ded therein/ and neither party requiring a jury this Cause/ was submited to the Court and it appearing to/ the Court that there isdue to the plaintiff on the/ note in the first count in the declaration mentioned/ the sum of one hundred and thirteen dollars and/ thirty three cents the debt in the first count in the/ declaration mentioned and the plaintiff hath/ sustained damage I the sum of three/ dollars and fifty cents for the dentention of the... [D061.2]

~~~~~~

Page 062, Book D September A. D. 1834
~~~~~~

...debt. It is therefore considered by the court that/ the plaintiff have and recover from the said/ defendant the aforesaid sum of one hundred/ and thirteen dollars and thirty three cents/ the debt in the first Count in the declaration/ mentioned and also the sum of three dollars/ fifty Cents damages for the detention of said/ debt in form aforesaid assisted and also/ the Costs about this suit in this behalf expended [D062.1]

~~~~~~

Asa Thompson appellant)
vs.) appeal
Jonathan West appellee)

And now at this day came the parties afore/said by their attornies and a Jury came to/ wit David C. Edmiston William Tweedle Abra/ham Large Samuel Hemphill Peter S. Cal/laway Drewry Hasley Abraham K. Hardin/ Abraham Bolt William H. Stroope John/ Bolt John L. Hemphill and Corneilus/ Smith twelve good and lawful men of/ the County of Clark aforesaid who were/ empannelled sworn to well and truly to/ try the issue between the parties aforesaid/ and after hearing the evidence and arg/uments of Council retired from the bar/ to Consult of their verdict and returned/ the the Court that they could not agree/ on a verdict in this case Whereupon by/ Consent of parties Samuel Hemphill/ one of the jurors of said Jury was withdra/wn therefrom and the residue of said Jury/ discharged and it is ordered this cause be/ Continued until the next term of this Court [D062.2]

~~~~~~

Page 063, Book D September Term A.D. 1834

United States)
vs.) Rule to shew cause why
James H. Crow) he should not be fined

It is ordered that the said James H Crow/ who was summoned and returned on the/ pannel of the Jury by the sheriff at the/ present Term of this Court to serve as a Juror/ in the case of Asa Thompson aganst Jonathan/ West be and appear at the next Term of this/ Court on the first day thereof to shew cause/ why he should not be fined for failing/ to attend as such Juror, and it is ordered/ that a Copy of this rule against said def/andant be served upon him thirty days/ before the next term of this Court by the/ sheriff of this County [D063.1]

~~~~~~
~~~~~~

United States)
vs.) Rule to shew cause why
Jeremiah Latham) he should not be fined

It is ordered that the said Jeremiah Latham/ who was summoned and returned on the ~~Jury~~/ panel of the Jury by the sheriff at the present/ Term of this Court to serve as a Juror in the cause/ of Asa Thompson against Jonathan West be/ and appear at the next Term of this Court on/ the first day thereof to shew Cause why he should/ not be fined for failing to attend as such/ Juror. And it is ordered that a copy of this ~~order~~/ rule against said defendant be served upon him/ thirty days before the {next} term of this Court by the {sheriff} of this County [D063.2]

~~~~~~

Ordered that Court adjourn until 10/ Oclock tomorrow morning
Edw. Cross [D063.3]

~~~~~~

Page 064, Book D September Term A. D. 1834

Wednesday morning October 1st 1834/ Court met pursuant to adjournment pres/ent the Honorable Edw Cross Judge [D064.1]

~~~~~~

United States)
vs.) Scire facias
Jonathan West)

And now at this Came the parties/ {appeared} the said the United States by Grandison D. Royston/ Prosecuting Attorney and the defendant in his own/ proper person and the Court being now sufficiently/ advised of and concerning the demurer filed in/ this Cause doth consider that the same be sustained/ and that the defendant go hence without day [D064.2]

~~~~~~

Thomas Reed Complainant)
vs.) Chancery
Jonathan {O} Callaway Defendant)

This day came the parties by their/ solicitors and this Cause having been set for final/ hearing at the present term of this court ~~the~~/ ~~same was submited to the Court for hearing~~/ upon the bill answer and exhibits filed/ herein

Whereupon this cause coming/ on to be heard and the same being/ submitted to the Court and the whole/ premises being seen and considered by/ the Court. this Court doth order adjudge/ and decree that the complantants bill/ hath been dismissed and that the said/ complainant pay to the said Defendant/ his Costs herein to be taxed and that/ he have Execution therefor as at Com/mon law [D064.3]

~~~~~~

Page 065, Book D September Term A.D. 1834

Jacob Barkman appellee)
vs.) Appeal
James Pettit appellant)

This day came the parties aforesaid/ by their attorneys and thereupon came a/ Jury to wit David Mobley, Jonathan O. Call/away Jermiah Latham, Jesse W. Tabott/ James Lisenby, Peter S. Callaway, A. B M^{c}Do/nald, John L. Hemphill, Samuel Hemphill/ Abraham Large, James Smith and/ Drewry Hasley twelve good and lawful/ men of the County of Clark {to whom all objections by the parties been _____} who being duly/ sworn well and truly to try the issue/ joined between the parties aforesaid and/ after hearing the evidence of the parties/ the arguments of counsel and the instruc/tions of the Court retired from the bar/ to consult of their verdict, and afterward/ returned the following verdict to the Court/ to wit "We the Jury find in favour of the/ plaintiff twenty five dollars and fifty/ cents S. Hemphill foreman" It is therefore/ considered by the Court that the said/ Jacob Barkman have and recover/ of the said James Pettit ~~the said sum~~/ ~~of twenty five dollars and fifty cents in /~~ form ~~aforesaid assessed and also the/ costs about this suit Expended in this~~/ and John Wilson his security in his/ recognizance in his appeal in this cause/ the said sum of twenty five dollars and/ fifty cents in form aforesaid assessed/ and also the Costs about this suit ~~Expended~~/ in this Court and the Justices court expended [D065.1]

~~~~~~

Page 066, Book D September Term A. D. 1834

William Gentry Plaintiff)
vs.) Debt
Harriet Fish administratrix Defendant)
of the Estate of David Fish decea)

This day came the parties aforesaid/ by their attornies and the defendant craved oyer/ of the second notes in writing in the declaration/ mentioned and the defendant saying nothing/ further in bar preclusion of the

plaintiff/ aforesaid action, and the said plaintiff remaining/ wholly undefended against the said defend/ant and neither party requiring a Jury, this cause/ was submitted to the Court and it appearing to/ the Court here that the said Harriet Fish on/ _____ as aforesaid _____ doth _____ from/ the said Plaintiff the sum of two hundred/ ~~and forty four~~ {~~thirty four~~} ~~dollars and Eighty five~~ {~~four~~} ~~cents and~~/ ~~that the said plaintiff has sustained a dama/ge~~ and thirty seven dollars and four/ cents the residue of the debt in the declar/ation mentioned and that the said plaintiff/ has sustained damage by reason of the/ retention of said debt in the sum of thirty/ dollars and seventy five cents. Therefore on/ motion it is considered by the court that/ the said plaintiff have and recover of/ the said Defendant Harriet Fish the ~~sum~~/ of said sum of two hundred and thirty/ seven dollars and four cents together with the/ said sum of thirty dollars and seventy five/ cents damages for the ____ion of said debt/ to be levied of the estate of the said David/ Fish in the Hands of the said Harriet Fish unadm/inistered and also his costs about this suit/ Expended [D066.1]

~~~~~~

Page 067, Book D # September Term A.D. 1834

United States)
vs.) Indictment for gaming
William Barkman)

This day came the United States by/ Grandison D. Royston prosecuting attorney/ and on his motion the forfeiture of reco/gnizance taken in this case is set aside and/ thereupon Came Jacob Barkman and/ acknowledged himself to Owe to and be/ indebted to the United States in the sum/ of three hundred dollars to be levied of/ his respective goods and chattels lands &/ tenements to be void upon Condition that/ the said William Barkman a minor under/ the age of twenty one years Shall be and/ appear before this Court on the first day/ of the next Term thereof to answer to ~~and~~[14]/ an Indictment pending in this Court for/ gaming and Shall not depart the same/ without leave [D067.1]

~~~~~~

United States)
vs.) Indictment for an assault
Jonathan West) & Battery

This day came the United States/ by Grandison D. Royston and the defend/and in his proper person and Surrendered/ himself in discharge of his Recognizance/ and on motion and the Representation/ of said prosecuting attorney this Cause is/ continued until the next Term of this Court/ Whereupon

[14] Ink smeared stain.

came the said Jonathan West/ and Thomas Hubbard and by leave of/ the Court first had and obtained ack/nowledged themselves to owe to and be inde/bted to the United States the sum of three… [D067.2]

~~~~~~

Page 068, Book D September Term A.D. 1834

…hundred dollars to be levied of there resp/ective goods and chattels lands and tenem/ments but to be void on condition that/ the said Jonathan West shall be and appe/ar before the Judge of this Court on the first/ day of the next Term thereof to answer the/ United States to an Indictment for an assa/ult and Bettery and shall not depart the/ same without leave [D068.1]

~~~~~~

Joseph B Riley & Archabald Hudleston Complainant)
vs)
William Arnette & Alvey R Johnson Defendants) Chancery

This day came the parties aforesaid by their/ solicitor ~~and~~ {and the Court _____ the opinion that this Court has no Chancery jurisdiction where the amount in/ controversy is not _____ dollars or upwards} the said Complainants say/ that they are unwilling ~~to~~ further to prosecute/ this suit it is therefore ordered adjudged and/ decreed by the Court there that this cause be/ dismissed and the the said defendant/ William Arnette have and recover of the said/ Complainants Joseph B Riley and Archabald/ Hudleston his Costs and charges by him/ about his defence in this suit expended/ to be taxed and that he have execution/ therefor as at Common Law [D068.2]

~~~~~~

United States)
vs.) rule for contempt
Katharine Clover)

On motion of the prosecuting attorney/ it is Ordered that an attachment issue/ against the said Katharine Clover {her contempt in refusing to attend at the present term of this court as a witness in discharge to/ a _____ subpeona duly served} and/ that She be held to bail in the sum of fif/ty Dollars conditioned for her appeara/nce at the the next Term of this Court to/ answer for a contempt in neglecting to… [D068.3]

~~~~~~

Page 068b[15], Book D September Term A.D. 1834

...appear at this Term of this Court to give/ evidence to the grand Jury [D068b.1]

~~~~~~

The grand Jury empannelled sworn and/ charged at the present Term of this Court came/ into Court and Returned the following/ indictments to wit an Indictment against/ John H Mosley for altering a brand of neat/ Cattle a true bill an indictment against/ Lewis Latham for an assault & Battery a/ true Bill, an indictment against John/ B. Robinson for Bigamy a true bill, an indi/ctment against William Moore for an assau/lt & Battery a true Bill, an indictment/ against James Clover for Larceny a true/ bill, and a presentment against James/ Clover for vagrancy a true Bill, whereupon/ the Court asked the foreman of said Jury/ if they had any other business before them/ and the foreman of said Grand Jury Stated/ that they had no other business before them/ and the Court asked the prosecuting attorney/ if he knew of any further business for said/ {grand jury & he} Stated that he knew of no other business/ Therefore it is Ordered that they be discharged [D068b.2]

~~~~~~

Ordered that Court adjourn until eight/ Oclock tomorrow morning
Edw. Cross [D068b.3]

~~~~~~

Thursday morning October 2nd 1834 Court/ met pursuant to adjournment present the/ Honorable Edward Cross Judge [D068b.4]

~~~~~~

Page 069, Book D September Term A.D. 1834

Jonathan West Complainant)
vs.) Chancery
Robert Klardy Defendant)

This day came the complainant/ by Hubbard his Solicitor and it appearing to/ the satisfaction of the court that the said defend/ant has failed to enter his pearance herein/ and to demur plead or ~~answer~~ {answer} to complain/ant bill and that a copy of an order of this/ Court made at the last term

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[15] Two adjacent pages in the original ledger D are numbered "68." For the purposes of this transcript the and index, the second page is shown as page "068b."

of this court in/ this cause has been published in the Arkansas/ Gazette a newspaper published in this Territory/ for four weeks previous to the first day of the/ present term of this Court by four weekly/ insertions. Whereupon this cause was sub/mitted to the Court upon the motion of/ said Complainant to take his said {Bill} as/ confessed as the the said Defendant Robert/ Klardy and that the prayer of his said/ bill be decreed accordingly and the Court/ not being sufficiently advised takes time/ to consult thereof [D069.1]

~~~~~~

Jacob Barkman)
vs.) appeal
James Pettit)

And now at this day came the parties/ aforesaid by their attornies and the defend/and filed his motion for a new trial of/ this Cause, and the Court not being/ sufficienly advised thereof takes time cons/ider thereof [D069.2]

~~~~~~

Ordered that Court adjourn untill court/ in Course

Edw. Cross [D069.3]

~~~~~~

Page 070, Book D

Territory of Arkansas) Clark Circuit
County of Clark) Court in Vacation
October 8th 1834 [D070.1]

~~~~~~

Richard C Byrd assignee of L. Belding Plff)
vs.) debt
Zachariah M^c^Donald adm^r^ of Micajah deft)
M^c^Donald deceased)

And now at this day the plaintiff by his/ attorney G. D. Royston acknowledged the receipt of/ sixty one Dollars and ten cents the amount of the/ _____ order of this Court at the March Term/ 1834. The same being received by him of the said defen/dant Zachariah M^c^Donald

Isaac Ward Clerk
of Clark Circuit Court [D070.2]

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~~~~~~

Territory of Arkansas) Clark Circuit Court in
County of Clark) Vacation January 15th 1835 [D070.3]

~~~~~~

Asa Thompson appellant)
vs.) appeal
Jonathan West appellee)

This day came the appellant by his attorney, and/ on his motion It is ruled that he have leave to/ take the depositions of Witnesses de benniesse/ to be read as evidence on his behalf on the trial/ of the above Entitled cause – Witness my/ hand {as clerk} at the Clerks office aforesaid the year/ above written Isaac Ward Clerk
of Clark Circuit Court [D070.4]

~~~~~~

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The United States of America
Territory of Arkansas) Clerks office of the Clark
County of Clark) Circuit Court in Vacation
) this 23rd day of January A.D. 1835 [D071.1]

~~~~~~

Henry Cox Deft)
vs.) Debt
Charles Baird Pltff)

This day came the said/ Henry Cox by Hubbard his attorney and/ on his motion It is ordered that he have leave/ to take the depositions of Witnesses generally/ before any Judge of Justice of the Peace in/ the Territory of Arkansas. Witness my/ hand as Clerk of said circuit court the/ day and year above written
Isaac Ward Clerk [D071.2]

~~~~~~

The United States of America
Territory of Arkansas) Clerk's office of the Clark
County of Clark) circuit court in Vacation
) This 23rd day of March A.D. 1835 [D071.3]

~~~~~~

James Pettit appellant)
vs.) appeal
Jacob Barkman appellee)

And now at this day came the parties afores/aid and the plaintiff and appellee {acknowledged} the debt/ in this case to be fully paid and Satisfied and/ the said defendant and appellant agreeing/ to pay all the Costs that have accrued in this/ Suit. Therefore with the assent of each of said/ parties this Suit is dismissed from the Docket/ And it is Considered tha the appellee have and/ recover from the appellant his Costs in this/ behalf expended

attest Isaac Ward Clerk of
the Clark Circuit Court

[D071.4]

~~~~~~

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Territory of Arkansas)
County of Clark)
At a Clark County Circuit Court began/ and held in and for the County of Clark/ aforesaid in the Town of Greenville on the 30th day of March A.D. 1835 it being the Last mon/day of said month Present the Honorable/ Edward Cross one of the Judges of the Super/ior Court of said Territory assigned by law/ to hold Circuit Courts in and for said/ Territory [D071b.1]

~~~~~~

Ordered that the Sheriff Proclaim that the/ Circuit Court of the County of Clark has met/ according to Law and is ready to procede with/ the business thereof [D071b.2]

~~~~~~

The Sheriff of the County of Clark aforesaid/ this day returned the following pannel of/ Grand Jurors to wit Jonathan O. Callaway/ who was sworn as foreman David C. Edmis/ton, David Bradshaw, John Crow, Robert S. Tait/ James Lysenby Benjamin Lewis Charles Prew/it Elijah Franklin Jacob Wingfield Jacob/ Stroope S[r] Barnabas L. Smith Abner Hign/ight Abraham Newton Winthrop Colbath/ John B. Anderson Archibald Hudleston/ Sandford Babbit and Nathaniel Britton/

[16] Two adjacent pages in the original ledger D are numbered "71." For the purposes of this transcript the and index, the second page is shown as page "071b."

nineteen good and Lawful men of the/ County of Clark aforesaid all of whom were/ Selected tried and sworn and having received/ their charge retiered from the bar to consult/ of their duties [D071b.3]

~~~~~~

William Janes Plaintiff)
vs.) attachment
John L. Eads Deft)

And now at this day came the parties… [D071b.4]

~~~~~~

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…aforesaid and by Consent agreed to dismiss this/ suit, and that the plaintiff Shall pay the costs/ thereof. Therefore It is Considered by the Court/ that the defendant recove of the plaintiff his/ Costs in this Cause expended [D072.1]

~~~~~~

William Janes Plff)
vs.) Debt
Mathias Eads Deft)

And now at this day {came} the parties afore/said in their proper persons and by consent/ of said parties agreed to dismiss this suit and/ that the plaintiff Shall pay all the costs/ thereof Therefore on motion It is Considered/ by the Court that the said defendant have &/ recover of the said plaintiff his Costs in this/ Suit expended [D072.2]

~~~~~~

United States)
vs.)
John Simpson)

This day came the prosecuting attorney/ and says he is unwilling to prosecute this indi/ctment farther It is therefore Considered by/ the Court that this case be Dismissed [D072.3]

~~~~~~

United States)
vs.) Rule to Shew cause why
~~~~~~

Anselor R. Watson) he Shall not be fined

It is ordered that the said Anselor R./ Watson who was summoned on the pannel/ of the Jury by the Sheriff at the present/ term of this court to serve as a Juror/ in the case of the United States against John/ Freeman be and appear at the next Term/ of this Court on the first day of the Term… [D072.4]

~~~~~~

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…to Shew cause why he should not {be} fined for/ failing to attend as such Juror, and it is/ Ordered that a copy of this rule against said/ defendant be served on him by the Sheriff/ of Clark County thirty days before the/ next Term of this Court [D073.1]

~~~~~~

United States Plff)
vs.) Indictment for unlaw/
William Barkman Defnd) ful gaming

This day came the United States by/ Grandison D Royston prosecuting attorney,/ and the defendant in his own proper person/ and surrendered himself in discharge/ of his recognizance herein and the said/ Indictment being read to the said defendant/ he says that he is not guilty in manner and/ form as charged in the indictment to which/ the United States by the said attorney {Joined issue}/ and thereupon came a Jury to wit John/ H. Mosely Marvil H. Mosely Alexander M^{c}/Clung William Griffeth William Greesan/ John Wilson, James Ward, Asa Dean/ John S. T. Callaway, Sanford Babbit Winthrop/ Colbath and John J. Hanndle twelve/ good and lawful men of the County of/ Clark who being duly Elected tried/ and sworn well and truly to try the issue/ Joined between the parties aforesaid and/ a true verdict to render according to law/ and Evidence who after hearing the alleg/ations and proofs of the parties and the/ arguments of counsel retired from the/ bar to consult of their verdict and thereupon/ returned to the court the following… [D073.2]

~~~~~~

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…verdit to wit. We of the Jurors find the Def/endant not guilty as he stands Charged/ in the _____ Indictment. It is therefore/ considered that the said Defendant/ be discharged therefrom and go hence/ without day [D074.1]
~~~~~~

~~~~~~

United States Plff)
vs.) Indictment for permi/
John Freeman Deft) ting gaming in his
) house

This day came the United States by G. D./ Royston prosecuting attorney and the defendant/ in his own proper person and surrendered/ himself in discharge of his recognizance herein/ and the said Indictment being read to the said/ defendant he says he is not guilty in manner/ and form as charged in the indictment to/ which the United States by their said attorney/ Joined issued and thereupon came a Jury to wit/ William Gentry Adam Stroud, Henry Stroope/ Charles Golliher William Clover John R. Richar/ds Wyatte A Gordan James H. Crow Hugh/ Floyd Jesse W. Talbott, Samuel Hemphill &/ Lyman Rounds twelve good and Lawful men/ of the County of Clark who being duly/ Elected tried and sworn well and truly/ to try the issue Joined between the parties/ aforesaid and a true verdict render according/ to Law and evidence who after hearing the/ allegations and proofs of the parties and the/ arguments of Councel retired from the bar to/ Consult of their verdict and thereupon retu/rned to the Court the following verdict to wit/ we the Jury find the defendant not Guilty/ William Gentry foreman It is therefore Consid/ered that the said defendant be discharged… [D074.2]

~~~~~~

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…therefrom and go hence without day [D075.1]

~~~~~~

Elijah Kelley this day produced a deputa/tion from A. E. Thornton Sheriff of the county/ of Clark bearing date the 30th day of march/ 1835. Whereupon the Said Elijah Kelley took/ the Oath prescribed by law as deputy sheriff/ aforesaid and was approved of by the Court/ as such deputy Sheriff [D075.2]

~~~~~~

United States Plff)
vs.) Indictment for
Nathaniel Britton Deft) unlawful gaming

This day came the United States by Grandison/ D. Royston prosecuting attorney and the defend/ant in his own proper person and surrend/ered himself in discharge of is recognizance/ herein and the indictment being read to/

the said defendant says he is not Guilty/ in manner and form as charged in the/ indictment to which the United States by/ their attorney Joined issue and thereupon/ came a Jury to wit: James H. Crow James/ Burk Nathan Davis Williams Janes Green/berry Davis Samuel Hemphill Zachariah/ Davis Drewry Hasley, John R. Richards/ Adam Stroud Lyman Rounds and John/ Crow twelve good and Lawful men of the/ County of Clark who being duly elected/ tried and sworn well and truly to try the/ issue Joined between the parties aforesaid/ and a true verdict render according to law/ and evidence who after hearing the allegati/ons and proofs of the parties and the arg/uments of Counsel retired from the bar/ to consult of their verdict and thereupon… [D075.3]

~~~~~~

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…returned to the Court the following verdict to wit/ we of the Jury find for the defendant not guilty/ as charged in the indictment W^{m} Janes foreman/ It is Therefore Considered by the Court that the said/ defendant be discharged therefrom and go hence without/ day [D076.1]

~~~~~~

Ordered that Court adjourn until/ ten Oclock tomorrow morning
Edw Cross [D076.2]

~~~~~~

Tuesday morning March 31st 1835 Court met/ pursuant to adjournment present the/ Honorable Edward Cross Judge [D076.3]

~~~~~~

United States)
vs.) Rule to Shew cause why he
John J. Handle) Should not be fined

It is ordered that the said John J. Handle/ who was Summoned and returned on the pan/nel of the Jury by the Sheriff at the present/ Term of this Court to serve as a Juror in the/ case of the United States against Peter S. Call/away be and appear at the next Term of/ this Court on the first day of the Term there/of to Shew Cause why he Should not be fined/ for failing to attend as such Juror and it/ is Ordered that a copy of this rule be served/ on the defendant by the Sheriff of the Cou/nty of Clark thirty days before the first/ day of the next Term of this Court [D076.4]

~~~~~~
~~~~~~

United States vs)
vs.) Indictment for exhib/
Peter S. Callaway) iting a farrow Bank

This day came the United States by G. D.... [D076.5]

~~~~~~

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...Royston prosecuting attorney and the defend/and in his proper person and surrendered/ himself in discharge of his recognizance here/in and the indictment being {read} to the said/ defendant says he is not guilty as charged/ in the indictment to which the United States/ by their attorney Joined issue and thereup/on came a Jury to wit Lyman Rounds James/ H. Crow, William Clover, John Wilson William/ Janes James Ward Martin Burk John C./ Logan James Burk Drewry Hasley Peter/ Bare & Augustus B M^{c}Donald twelve good and/ Lawful men of the County of Clark aforesaid/ who came and were duly elected tried and/ Sworn to well and truly to try the issue/ Joined {between the parties} and a true verdict to render accor/ding to law and evidence and after hearing/ the allegations and proofs of the parties/ and arguments of Counsel Retiered from/ the bar to consult of their verdict and there/upon returned the following verdict to the/ Court to wit we the Jurors find the defend/ant not guilty in the manner that he Stands/ Charged in the indictment John Wilson/ foreman It is Therefore Considered by the/ Court that the said defendant be discharged/ therefrom and go hence without day [D077.1]

~~~~~~

Harriet B. Fish administratrix Plff)
of the estate of David Fish deceased)
vs.) debt
John H. Mosley)
Marvil H. Mosley)
A. E. Thornton &)
Henry Cox Defts)

And now at this day came the... [D077.2]

~~~~~~

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~~~~~~

...parties aforesaid by their attornies and the defen/dants filed his prayer of oyer herein which/ was granted by filing the original note in/ the declaration mentioned and which was exce/peted by the defendants and thereupon the/ defendant pleads in short by consent on/ the Record payment addium and post/ diem to which the plaintiff replied/ in short by Consent and to which the/ plaintiff Joined issue in short and/ thereupon the defendant John H. Mosley/ filed his affidavit in writing and moved/ the Court for a continuance of this cause and on consideration thereof It is ordered/ by the Court that this cause be continued/ until the next Term of this Court at the cost/ of the defendant therefore it is Considered by the Court that the/ plaintiff have & recover of the defendants the costs occasioned by reason/ of this continuance [D078.1]

~~~~~~

Richard C. Byrd	Plff	)	
vs.		)	debt
Albert G. Johnston	)		
John S. T. Callaway &		)	
William Scarborough	Defts	)	

And now at this day came the parties afo/resaid by their attornies and the defendants/ filed their prayer of oyer herein which oyer/ was granted by the plaintiff and thereupon/ the defendants plead nil debit paym/ent ad dieum post deun in Short by/ Consent and filed his plea of set off/ herein and the plaintiff demurs in/ short to the defendants plea of nil debit/ to which the defendants Joined in short/ by Consent and the plaintiff replies/ in short to the defendants pleas of {payment} ad/-dium post-dium to which the defend/ants Join issue in short, and the pl... [D078.2]

~~~~~~

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...aintiff demurs in short to the defend/ants plea of set off which the defendant/ Join in short [D079.1]

~~~~~~

United States	Plff	)	
vs.		)	Indictment for
Isham L. Stroud	Deft	)	unlawful
		)	gaming

This day Came the United Stats by/ Grandison D. Royston prosecuting attorney/ and says he is unwilling to prosecute/ this Suit farther It is
~~~~~~

therefore Consid/ered by the Court that this case be dism/issed and the defendant go hence without/ day [D079.2]

~~~~~~

United States Plff)
vs.) Indictment for
Lewis Latham Deft) assault & Battery

This day Came the United States by/ Grandison D. Royston prosecuting attorney/ and says that he is unwilling to prosecute/ any farther {this suit} It is Therefore Considered/ by the Court that this case be dismissed [D079.3]

~~~~~~

United States)
vs.) Indictment for
John B. Robinson) Bigamy

And now at this day came the pros/ecuting attorney and on his motion It is/ Ordered that an alias Capias issue in/ this Case returnable to the next Term/ of this Court to which time this case is/ Continued [D079.4]

~~~~~~

Aaron Niles Sabin administrator Plff)
of the Estate of Ludovicus Belding deceased)
vs.) Debt
James Williams Deft)

This day Came the plaintiff by Ashly & Ringo his/ attorney as well as the defendant by {Hubbard} his attorney ~~and~~... [D079.5]

~~~~~~

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...and the demurrer to the defendants plea being argued and/ the Court being now sufficiently advised what Judgment to give/ thereupon and it appearing to the Court here that said plea is/ insufficient in law to bar the said action against the said/ defendant, Therefore it is Considered that said demurrer be sus/tained, and On Motion of the defendant leave is granted him/ to Amend his pleadings filed in tis Cause and the plaintiff/ filed is motion in writing for judgment for want of a plea/ in this Case, and the defendant offered the plea of ne ungues/ administrator which was objected to by the plaintiff and on/ and on hearing the plaintiffs motion

for judgment, and the defendants/ motion to file said plea, together it is ordered by the Court/ that the plaintiffs said motion be overruled, and that/ the defendant have leave to file his said plea, Whereupon/ the defendant filed his said plea of ne ungues administrator/ to which the plaintiff filed his replication and the defen/dant joined issue, all in Short on the record by Consent,/ and thereupon by Consent of the parties this Cause was/ submitted to the Court {Whereupon the plaintiff offered in evidence a copy of the letters of administration to the introduction of which/ the defendant by his attorney objected} ~~and after hearing the evidence/~~ ~~adduced upon~~ the issue joined as aforesaid {the Court} took ~~this~~/ ~~Cause under advisement~~ time to Consider, thereof, [D080.1]

~~~~~~

United States)
vs.) Indictment for assault &
William Moore) Battery

And now at this day came the prose/cuting attorney and on his motion It is ord/ered by the Court that an alias Capias issue/ in this Case returnable to the next Term of/ this Court, to which time this case is con/tinued [D080.2]

~~~~~~

United States)
vs.) Indictment for Larceny
James Clover)

And now at this day came the prose/cuting attorney and on his motion It is… [D080.3]

~~~~~~

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…ordered that an alias Capias issue in/ this Case returnable to the next Term/ of this Court to which time this case is Continued [D081.1]

~~~~~~

United States)
vs.) Presentment for
James Clover) vagrancy

And now at this day came/ the United States by Grandison D. Royston/ prosecuting attorney and exhibited the pres/entment of the grand Jury

in this case/ Whereupon it is Ordered and directed that Isaac/ Ward an acting Justice of the peace of this coun/ty issue his warrant and cause the said James/ Clover to be brought before him there to be/ dealt with according to Law and it is further/ Ordered that the clerk of this Court make out/ an attested Copy of this order and place the/ Same in the hands of the Sheriff of this County/ within ten days from the adjournment of/ this Court at the present Term thereof who/ is directed to serve the Same on the said/ Justice fourth with [D081.2]

~~~~~~

Myers F. Jones appellant)
vs.) appeal
John Bolt appellee)

And now at this day came the parties/ aforesaid by their attornies and on motion/ and by Consent It is ordered that this/ Cause be Continued until the next Term/ of this Court [D081.3]

~~~~~~

John L. Hemphill plff)
vs.) detinue
Mary Dickson Deft)

This day came... [D081.4]

~~~~~~

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...the defendant aforesaid by her attorney and sug/gested the death of the said plaintiff and it appear/ing to the Satisfaction of the Court that the Said/ plaintiff is dead Therefore it is ordered that this/ suit abate by reason of the death of said plain/tiff [D082.1]

~~~~~~

Moses Byrd Plff)
vs.) Trespass on the case
Adam Stroud Deft)

And now at this day/ Came the parties aforesaid by their attornies/ and on motion of the plaintiff and verbal/ affidavit of John Wilson plaintiffs agent/ and Thomas Hubbard his attorney it is/ Ordered that this Cause be continued until/ the next Term of this Court at the Costs of the/ said plaintiff It

is therefore Considered/ by the Court that the Said defendant have/ and recover of the said plaintiff the costs/ occasioned by reason of this Continuance [D082.2]

~~~~~~

Chester Ashley Plff)
vs.) debt
John CallawayDeft)

This day came the plaintiff aforesaid/ by his attorney and suggested to the Court/ the death of the Said defendant which not/ being denied. On motion of the plaintiff/ and with the assent of Amy Callaway &/ John S. T. Callaway administratrix and/ administrator of the estate of the Said John/ Callaway deceased it is Ordered by the court/ that this Suit be and Stand revived against/ the said Amy Callaway & John S. T. Callaw/ay administratrix and administrator/ of the estate of the Said John Callaway {deceased} and… [D082.3]

~~~~~~

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…it is Ordered that this cause be continued/ until the next Term of this Court [D083.1]

~~~~~~

Fielding G. Mosley by Plff)
John H. Mosley his next Friend)
vs.) trespass
Enoch Frier deft)

And now at this day came the plaintiff/ in his proper person and agreed to dis/miss this Suit at his Costs. Therefore on/ motion it is Considered by the Court here/ that the said defendant recover ~~his costs~~/ of and from the Said Plaintiff his Costs/ in this Suit expended and that he have/ execution therefor [D083.2]

~~~~~~

Asa Thompson Plff)
vs.) debt
John H. Mosley Deft)

This day came the plaintiff by his attor/ney and on his motion It is ordered that/ an alias Capias issue in this {case} directed to/ the

Sheriff of Clark County returnable/ to the next term of this Court to which/ time this cause is Continued [D083.3]

~~~~~~

Jacob Barkman Plff)
vs.) debt
Albert G. Johnston deft)

And now at this day came the par/ties aforesaid in their proper persons and/ by consent of the Said parties moved to/ dismiss this Suit and that the defendant/ pays the Costs thereof Therefore on motion/ it is Considered by the Court that the/ Said plaintiff have and recover of the Said… [D083.4]

~~~~~~

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…defendant his Costs in this Suit expended [D084.1]

~~~~~~

Chester Ashley Plff)
vs.) debt
Charles Cocke Deft)

This day came the parties aforesaid/ the plaintiff by his attorney and the defe/ndant in his proper person, and the Said/ defendant Says~~ng~~ {that he cannot say} any thing in bar or/ proclusion of the plaintiffs said action/ Whereby the Said defendant remains there/in wholly undefended against the Said pl/antiff Wherefore the Said plaintiff ought/ to recover of and from the Said defendant/ the Sum of one hundred and fifty dollars/ debt {in the declaration mentioned} and nine Dollars and seven Cents for/ {damages by said plaintiff sustained by reason of the detention of said debt}/ the ~~A_____ of the C_____t~~ in the Plain/tiffs declaration mentioned It is therefore/ Considered by the Court that the Said plain/tiff have and recover of the Said defendant/ the sum of one hundred and fifty ~~nine~~/ dollars {the debt in the declaration above mentioned and nine Dollars} and seven Cents ~~together with his~~/ {for his damages sustained by reason of the detention of said debt together with all of the}/ Costs in this Suit expended [D084.2]

~~~~~~

John H. Mosley appellant)
vs.) appeal
David Bradshaw appellee)

And now at this day came the parties/ aforesaid by their attornies and thereupon/ came a Jury to wit John R. Richards James/ Burk, Charles Gordon, Adam Stroud Martin/ Burk, William Clover Charles Galliher She/pherd Colbath William Jones John Cri____/ John Wilson and John Wingfield twelve/ good and Lawful me of the County of/ Clark aforesaid who being duly sworn and… [D084.3]

~~~~~~

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…and truly to try the issue Joined between/ the parties aforesaid and after hearing the/ evidence adduced by the Parties retired/ from the bar to Consult of their verdict/ and thereupon returned to the Court the/ following verdict to wit we the Jurors/ find for the defendant two Dollars and/ fifty Cents John Wilson foreman It is/ Therefore Considered by the Court that the/ defendant and appellee have and recover/ of the plaintiff and appellant the Sum/ to two dollars and fifty Cents {so} by the/ Jury ~~so~~ assessed in form aforesaid, and/ also his Costs in and about this case in the/ Justice Court and {also} in this court expended [D085.1]

~~~~~~

United States)
vs.) Rule to shew cause &
James H. Crow)

this day the defendant/ apeared and being heard on said rule/ upon his oath and the Court being of/ opinion that he has Shewn sufficent/ Cause for his failing to attend as a Juror/ at the September Term of this Court 1834/ therefore It is Considered by the court that/ the Said defendant be discharged from/ said rule and that the United States have/ and recover of the Said defendant their/ Costs {herein} ~~in this Suit~~ expended [D085.2]

~~~~~~

United States)
vs.) Rule to shew cause
Katharine Clover)

This day the defendant appeared &/ being heard on Said rule on her Oath and/ the Court being of opinion that She had… [D085.3]

~~~~~~

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...Shewn sufficient cause for failing to attend/ as a witness at the September Term of this/ Court 1834 to give evidence to the grand/ Jury. Therefore It is Considered by the Court/ that the said defendant be discharged/ from said Rule and that the United/ States have and recover of the Said defendant/ their Costs {herein} ~~in this Suit~~ expended [D086.1]

~~~~~~

United States)
vs.) Rule to Shew cause &c
Jeremiah Latham)

This day came the pro/secuting attorney and says he is unwilling/ to prosecute this {Rule} ~~Suit~~ farther Therefore it/ is Considered by the Court that this case/ be dismissed [D086.2]

~~~~~~

Asa Thompson appellant)
vs.) appeal
John H. Mosley appellee)

This day came the appellant by his attorney and it/ appearing to the Court that the appeal herein was/ preyed by the said appellant on a day subsquent/ to the rendition of Judgment by the Justice herein/ and that notice had not been given by the said/ appellant to the said appellee Therefore on motion of/ the said appellant it is ordered by the Court that the/ Clerk of this Court issue a notice on this cause dir/ected to the said appellee returnable to the next/ term of this Court until which time this cause/ is continued [D086.3]

~~~~~~

Myers F. Jones appellant)
vs.) appeal
John Bolt appellee)

And now at this day came the parties... [D086.4]

~~~~~~

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...aforesaid by their attornies and on motion/ of the appellant it is Ruled that he have/ leave to take the depositions of Witnesses to/ Generally to be read as evidence on the trial/ of the above entitled Cause [D087.1]

~~~~~~

Ordered that Court adjourn until nine/ Oclock tomorrow morning
Edw. Cross [D087.2]

~~~~~~

Wednesday morning October 1st 1835/ Court met pursuant to adjournment present/ the Honorable Edward Cross Judge [D087.3]

~~~~~~

United States)
vs.) Indictment for altering
John H. Mosley) marks of neat Cattle

This day came the United/ States by Grandison D. Royston prosecuting/ attorney and the Said John H. Mosley And the/ Court now being Sufficiently advised of the/ motion made on yesterday to quash the/ indictment in this Case and now due con/sideration thereof being had doth order that/ Said Indictment be quashed and that the/ said defendant be discharged and go hence/ without day [D087.4]

~~~~~~

Andrew Hemphill Complainant)
vs.) Original bill
Harriet Fish administratrix of the) in Chancery
estate of David Fish deceased\ )
Defendant)

And now at this day Came as well the complainant by his/ solicitors as the Defendant hy hers and by consent of the parties through/ their Solicitors aforesaid the Defendant is allowed until the first day/ of august next to file her answer to Complainants Bill upon/ furnishing the Solicitors of said complt on or before said day, with... [D087.5]

~~~~~~
~~~~~~

...a copy of said answer and allowing them to take any exception/ or advantage to said answer {at the next term} that might or could have been done/ at the present term of this Court. Whereupon it is ordered with the consent/ of the parties that this Cause be continued until the next term of this/ court [D088.1]

~~~~~~

Jonathan West Complt)
vs.) Bill in Chancery
Robert Klady Defendant)

And now at this day comes the Said com/plainant by Ashley & Ringo and Hubbard his/ Solicitors and this Cause having been submitted/ to the Court at the Last September Term thereof/ and held by the Court under advisement until/ this day, and it appearing {to} the Satisfaction of/ the Court here by the confession of the defendant/ Robert Klady in failing to appear here and file/ his plea answer or demurrer to the complain/ants said Bill of Complaint that on or about/ the twenty first day of February A.D. 1832 he/ said Complainant became indebted to a certa/in Hannah Klady then of the parish of Ouac/hitta in the State of Louisiana in the Sum of/ Two thousand Dollars for and on account of/ certain negro Slaves purchased by said comp/lainant of the said Hannah Two hundred and/ fifty dollars of which he thin paid the Said/ Hannah in cash and other two hundred and/ fifty dollars of which he assumed to pay for/ and on account of said Hannah to a certain/ Joseph Friend and for the residue of which Said/ sum of Two ~~hundred~~ Thousand Dolars that/ is to Say the Sum of Fifteen hundred Dollars/ he Executed and delivered to the Said Hannah/ two notes in writing (whether sealed or unseal/ed he cannot say) bearing date on or about... [D088.2]

~~~~~~

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...the day last above Stated one for Five hun/dred Dollars payable to said Hannah on or/ before the first day of April next after/ the date thereof and the Other for one thou/sand dollars payable to the Said Hannah/ on or before the first day of April A.D. 1833/ That the Said Hannah at the time he became/ So indebted to her as aforesaid was he is inf/ormed and believes a free Sole unmarried/ and legally Compilent to contract make in/cur and receive obligations and that an a/greement to marry was duly made and enter/ed into by and between him and the Said/ Hannah there being no legal incapasity either/ on his part or on the part of Said Hannah/ to make and consumate Such agreement or/ Contract and that Said agreement or Contract/ was afterwards to wit on the first day of April/ A.D. 1832 in the County of Union and Territory/ of Arkansas aforesaid duly and legally per/formed by the open and public Celebration/ of the marriage of Complainant and the/ Said Hannah to and with each Other by their/ mutual consent there freely

and voluntarily/ given having been duly and legally married/ by a Certain Green B. Hughes then an acting/ Justice of the peace in and for the Said County/ of Union to wit on the Said first day of April/ A.D. 1832 or thereabouts That at the time of the/ marriage aforesaid of said Complainant ~~and~~/ and the said Hannah the said Two notes in/ writing or writings obligatory were in the pos/session or subject to the contract at the Said/ Hannah and never had been by her sold/ transferred assigned or endorsed to any person/ Whatsoever and that after the celebration… [D089.1]

~~~~~~

Page 090, Book D

…of said marriage as aforesaid between him and/ said Hannah the said two notes or writing/ obligatory were by the said Hannah given/ up and delivered over into the possession/ of the Complainant to be him him cancelled/ or destroyed without any endorsement assi/gnment or transfer thereof having been/ made by her the said Hannah and that the/ same so remained in the Complainants pos/session until the month of June in the year/ A.D. 1832, or thereabouts when the Same were/ without the Knowledge or consent of the/ complainant taken from his possession/ but by whom is to him unknown that his/ obligation to pay said notes or writings ob/ligatory upon his intermarriage with the/ said Hannah as aforesaid became and/ was wholly extinguished and satisfied and / that he there by acceded to and acquired all/ the rights and intrest of the said Hannah in/ and to said notes or writings obligatory as she/ held the same at the time of said marriage/ and that no subsequent endorsement ass/ignment or transfer of the same by said/ Hannah could impose upon him any obli/gation to pay the same in the hands or pos/session of any person whatsoever that the/ same were taken as aforesaid from his pos/session as aforesaid he gave public notice/ thereof by an advertisment published in a/ public news paper printed weekly in/ the Territory of arkansas that he could/ not learn where they were until a short/ time before the exhibiting his said bill of… [D090.1]

~~~~~~

Page 091, Book D

…Complaint when he was informed by/ Jesse Pierce that he Pierce had them in his/ possession and that he had received the same/ of a certain Robert Klady for Collection and that/ said writings were endorsed assigned and/ transferred by said Hannah to said/ Robert Klady by an assignment thereof/ purporting to have been made in March AD/ 1832 and before the marriage aforesaid between/ the Complainant and said Hannah and that/ said writings were then in the possession or/ Control of said Jesse Pierce, and that said/ writings were not assigned endorsed, and trans/fered by said Hannah to any person whatever/ while she was sole and unmarried and that/ her subsequent assignment endorsement/ and transfer thereof is void in law, that/ Said Robert Klady and Jesse Pierce were/ well

informed of all the Circumstances and/ facts in relation to said writings herein before/ stated and refuse to ~~render~~ surrender and/ give up said writings and thereafter to Coerce/ payment thereof from said Complainant/ and Complainant in his said bill prays an/ injunction to Enjoin and restrain the said Robert/ Klady and Jesse Pierce and all other persons/ from proceeding in any suit or suits at law/ upon said notes or either of them against compl/ainant and to restrain said Klady from endorsing/ or assigning said writings and requiring said/ Pierce to bring said writings into this Court/ and that said writings may on a final hearing/ be given up to said Complainant to be cancelled/ and for a perpetual injunction against said/ Klady and all others restraining them from/ proceeding at law on said writings or the… [D091.1]

~~~~~~

Page 092, Book D

…Consideration for which they were given and/ for proof & general relief- Whereupon on/ Consideration of the premises this Court doth/ adjudge order and decree that the complainants said/ bill and the matters therein stated {be} ~~by~~ taken as/ Confessed that the said injunction in this case/ granted be and the same is hereby made perpetual/ and that the {said} Robert Klady be forever enjoined/ and restrained from proceeding as Law {upon the} aforesaid/ writings and from assigning endorsing or transfering/ said writings in any {manner} whatsoever and said writings/ have been brought into this Court by said/ Jesse Pierce and filed in this suit and this/ Court doth further order and dcree that the said/ writings in said Bill mentioned and filed in/ this Cause be now here in Open Court Cancelled/ and remain here in this Court on file in this/ Cause And that if the said Robert Klady shall/ not appear within five years after the entry/ of this Decree and bring his bill of review/ praying to have this decree reviewed and file/ an answer to the Original Bill this Decree shall/ from the end of the said five years Stand/ absolute and doth further order and decree that/ the said Robert Klady do pay to the said/ complainant the Costs in this Case expended/ to be taxed [D092.1]

~~~~~~

The Grand Jury returned into Court an Indictment against Benjamin/ hardin for an assault and Battery a true Bill and an Indictment against/ John Sorrels for an assault and Battery a true Bill, and having no further/ business before them were discharged by the Court [D092.2]

~~~~~~

Jacob Barkman plff)
vs.) appeal from Justice of the peace
James Pettit deft)
~~~~~~

This day came the parties aforesaid/ by their attornies and by consent this cause is dismissed/ at the Cost of the said James Pettit. It is therefor considered/ by the court that thesaid Jacob Barkman recover of the/ said James Pettit the costs about this suit Expended [D092.3]

~~~~~~

Page 093, Book D

Asa Thompson	Plff	)	
vs.		)	debt
Richard T Burk &		)	
Abner E Thornton	Defnd	)	

This day came the parties afores/aid by their attornies and the defendants/ Plead payment ad diem and post diem in/ in short and the defendants enjoined in/ short by consent and this cause is continued/ by consent until the next term of this/ Court [D093.1]

~~~~~~

Richard C. Byrd	Plff	)	
vs.		)	Debt
Albert G. Johnston, John S. T. Callaway		)	
and William Scarborough	Defts	)	

The day the parties appeared the plaintiff by Ashley &/ Ringo his attorney, and the defendant by Hubbard his attorney/ and the Demurrers to the pleas of Nil Debet[17] and Set off[18]/ being argued and by the Court now here understood and it/ appearing to the Court that said plea of Nil Debit is sufficient/ in Law to bar the plaintiffs said action, and that the/ said plea of Set off is not sufficient in Law to bar the/ said action against said defendants, Therefore it is Con/Sidered by the Court here that said Demurrer to the said/ plea of nil Debit be Overruled, and that the said demurrer/ to said plea of Set off be sustained, and on motion leave/ is granted the defendants to amend their said plea of set/ off which was amended accordingly and filed, and the/ said plaintiff filed his {replication} ~~plea~~ of non assumpsit to said plea/ of set off to which the defendants filed their joinder and on/ motion leave is granted the plaintiff to join issue to said/ plea of nil debit, and the plaintiff filed his joinder to/ said plea of nil debit, and thereupon the defendants/ presented the affidavit of said defendant Callaway which/ was sworn to in Open Court and thereupon moved… [D093.2]

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[17] Defined as "He owes nothing." (Black, Henry Campbell, 1991, Black's Law Dictionary, Abridged Sixth Edition, page 725, West Publishing Co., St. Paul, Minn.).

[18] Defined as "A counter-claim demand for which defendant holds against plaintiff, arising out of a transaction entrinsic of plaintiff's cause of action." (Black, Henry Campbell, 1991, Black's Law Dictionary, Abridged Sixth Edition, page 955, West Publishing Co., St. Paul, Minn.).

~~~~~~

Page 094, Book D

...the Court for a Continuance of this Cause and on/ Consideration thereof, It is ordered that this Cause be con/tinued until the next term of this Court at the Costs/ of the defendants, therefore it is Considered that the/ plaintiff recover of the defendants the Costs in this/ Case expended by reason of this continuance [D094.1]

~~~~~~

Asa Thompson appellant)
vs.) appeal
Jonathan West appellee)

This day the parties aforesaid appeared by their/ attornies, and a jury being required, the following jurors/ being Summoned and Called Came to wit, John H. Mosley/ William Clover, Richard Brittan, Augustus B. M^{c}Donald/ Charles Gordon, Edward Davis, John R. Richards, Moses/ Moore, James H. Crow, Arthur Davis John Freeman/ and Charles Golliher, twelve good and lawful men of/ the County of Clark aforesaid who were empannelled and/ sworn well and truly to try the Case here in Controversy/ and a true verdict to render according to evidence/ and having heard the evidence adduced and arguments/ of Counsel, retired to Consult of their verdict, and after/ some time being unable to agree upon a verdict the/ Jury aforesaid Came into court and John H. Mosely/ one of the jurors of said Jury was by Consent of the/ parties aforesaid withdrawn from said jury and there/upon it is ordered that the residue of said jury be discharged/ and that this Cause be Continued until the next term of/ this Court [D094.2]

~~~~~~

Asa Thompson appellant)
vs.) appeal
Jonathan West appellee)

This day the parties/ aforesaid appeared by their attornies and on motion leave/ is given the parties to take the depositions of witnesses/ generally to be read as evidence on the trial of this Cause [D094.3]

~~~~~~

Page 095, Book D

Charles Baird Pltff)

vs.) Debt
Henry Cox Deft)

A this day came the parties aforesaid/ by the attornies and the Defendantant/ asked leave to open depositions taken and/ filed in this cause and the Defendant filed/ his affidavit and thereupon moved the court/ for a continuance of this cause and on/ Consideration thereof it was ordered by the/ Court that {this} cause be continued untile the/ next term of this court and that the plaintiff/ recover of the defendant the costs about/ this continuance Expended [D095.1]

~~~~~~

Charles Baird Pltff)
vs.) Debt
Henry Cox Defndt)

This day came the parties/ aforesaid by their attorneys and on motion/ it is ordered that leave be granted to the said/ {parties to} take deposition generally to be read in/ Evidence on the trial of this cause [D095.2]

~~~~~~

Matthew Gray Plff)
vs.) attachment
Joseph Galbreath Garnishee &c Deft)

This day the plaintiff appeared by his attorney and/ On his motion Ordered that this Case be Continued until the next/ Term of this Court [D095.3]

~~~~~~

Aaron Niles Sabin administrator of Plaintiff)
the Estate of Ludovicus Belding dec^{d})
vs.) Debt
James Williams Defendant)

This day Came the parties aforesaid by their attornies/ and the Court here, being now sufficiently advised what/ Judgment to give upon the premises, overruled the defendant… [D095.4]

~~~~~~

...objection to the introduction of the letters of administration/ offered in evidence by the plaintiff on the issue joined between/ the parties and presented the same to be read in evidence and/ no other evidence being offered by either party, upon Consideration/ of the premises this Court doth find that the said plaintiff is/ the administrator of the Estate of Ludovicus Belding deceased/ in manner and form as the said plaintiff by the pleadings in/ this Cause hath alleged and thereupon the defendant moved the/ Court for leave to withdraw his said plea of ne ungues administra/tor which was objected to by the plaintiff and said motion overruled/ by the Court, Whereupon On motion of the plaintiff it appearing to/ the satisfaction of the said Court here, that the plaintiffs/ said action is founded on a writing obligatory for a liquidated/ sum of money and that there is due thereon from the said/ defemdant to the said plaintiff the sum of Three Hundred/ and Sixty Dollars the debt in the plaintiffs declaration/ above mentioned and that the plaintiff hath Sustained/ damages by reason of the detention thereof to the sum of/ Fifty Seven Dollars. Therefore it is Considered by the/ Court here that the said plaintiff recover of the said defed/dant the Said Sum of Three Hundred and Sixty Dollars/ the debt in the declaration above mentioned and also the/ said Sum of Fifty Seven dollars for his damages Sustained/ by reason of the detention of said debt together with the/ Costs in and about this suit in this behalf expended/ and that he have execution thereof [D096.1]

~~~~~~

Ordered that Court adjourn until Court in/ Course

Edw. Cross [D096.2]

~~~~~~

Page 097, Book D

United States of America)
Territory of Arkansas)
County of Clark)

Clerks office
of Clark Circuit
Court in Vacation
July 4th 1835 [D097.1]

~~~~~~

Moses Byrd plaintiff)
vs.)
Adam Stroud Defendant)

Trespass on the case

This day came the said Moses/ Byrd by Hubbard & Stephenson his attorney/ and on his motion it is ordered that he have/ leave to take depositions {generally} before any Judge or/ Justice of the peace in the Territory
~~~~~~

of Arkansas/ to be read in Evidence on the trial of the above/ entilled Cause on the part of the said plaintiff

Jas S. Ward Clk
C.C.C. [D097.2]

~~~~~~

The United States of America) In the
Territory of Arkansas)
County of Clark)

Clark Circuit
Court in Va
cation on the
chancery side
thereof this 24th
day of July 1835 [D097.3]

~~~~~~

This day Came Harriet Fish administra/trix of all and singular the estate of David/ Fish deceased and filed her answer in/ chancery to the bill of complaint exhibited/ against her by Andrew Hemphill in this/ Court

Jas. S. Ward Clerk
of Clark Circuit Court [D097.4]

~~~~~~

Territory of Arkansas)
County of Clark)
At a Clark County Circuit Court began/ and held in and for the County of Clark/ aforesaid in the Town of Greenville on the 28th/ day of September A.D. 1835 it being the fourth/ and last Monday of said month Present the/ Honorable Edward Cross one of the/ Judges of the superior Court of Said… [D097.5]

~~~~~~

Page 098, Book D Clark Circuit Court September Term 1835

…Territory assigned by law to hold Circuit/ Courts in said Territory [D098.1]

~~~~~~

Ordered that the sheriff Proclaim the/ Court has met according law and ready to/ proceed to the business thereof [D098.2]

~~~~~~

The sheriff of the County of Clark afore/said returned the following panel of/ grand Jurors to wit. William Gentry who/ was sworn as foreman Jester Cocke senr/ W. M. Wingfield, Jonathan O. Callaway John/ Blakeley Thomas M^{c}Laughlin David/ Bradshaw Henry T. Lightfoot Joshua Elkins/ Jacob Stroope Jr William M^{c}Neeley James/ H. Crow James L. Bonner Lee Pettit Benjam/in Lewis Benjamin Logan Walter Crow John/ York James L. M^{c}Laughlin Jacob Hoffman/ Joseph Hoffman Joseph Delaney and Joshua/ D. Stewart, twenty three good and lawful/ men of the County of Clark aforesaid all/ of whom were selected tried and sworn and/ having received their charge retired from the/ bar to consult of their respective duties [D098.3]

~~~~~~

United States)
vs.) Indictment for assault
William Moore) and Battery

This day Came the prosecuting attorney/ and says he is unwilling to prosecute this/ indictment further; it is therefore ordered/ by the Court this Indictment be dismissed [D098.4]

~~~~~~

United States)
vs.) Indictment for
John B. Robinson) Bigamy

This day the United States by G. D. Royston/ prosecuting attorney and on his motion… [D098.5]

~~~~~~

Page 099, Book D Clark Circuit Court Septr Term {1835}

…It is ordered by the Court that ~~an~~ {plurius} ~~alias~~ Capias/ issue to the sheriff of the County of Clark/ returnable to the next Term of this Court at/ which time this Cause is Continued [D099.1]

~~~~~~

United States)
vs.) Indictment for Larceny
James Clover)

This day Came the United States by G. D./ Royston prosecuting attorney and on his motion/ it ordered that an alias Capias issue to

the/ Sheriff of the County of Clark, returnable/ to the next Term of this Court, at which time/ this Cause is Continued [D099.2]

~~~~~~

United States)
vs.) Presentment for vagranc
James Clover) cy

And now at this day {Came} the United States/ by Grandison D. Royston prosecuting/ attorney and on his motion, it is ordered that/ the order made {in this case} at the last Term of this court/ be and the same is hereby revived [D099.3]

~~~~~~

United States)
vs.) Indictment for an
John Sorrels) assault

And now at this day Came as well the/ United States by Grandison D. Royston/ {prosecuting attorney} and on his motion it is ordered that an/ alias Capias issue in this Case to the Sheriff/ of Hot Spring County returnable to the/ next Term of this Court, at which time this/ Case is Continued [D099.4]

~~~~~~

Page 100, Book D Clark Circuit Court Septr Term 1835

United States)
vs.) Rule to shew cause why
A. R. Watson) he should not be fined

And now at this day Came the defendant/ and being heard upon his oath, and the Court/ being of the opinion that he has shown in/ sufficient cause for failing to attend as a/ Juror at the March Term of this Court 1835/ It is therefore ordered by the Court that the/ defendant be fined in the sum of one/ Cent, and that the United States have and/ recover of said defendant their Costs here/in Expended [D100.1]

~~~~~~

United States)
vs.) Rule to shew cause
John J. Handal) why he should not be
) fined

And now at this day came the defendant/ and he being heard ~~on~~ upon his oath, and/ it appearing to the satisfaction of the Court/ that the defendant in this Case has shown/ suficient cause for failing to attend as/ a Juror at the march Term of this Court/ 1835, It is therefore ordered by the Court/ that said defendant be discharged from/ said rule {upon the payment of the costs} and that the United States/ have and recover their Costs herein/ expended [D100.2]

~~~~~~

~~Asa Thompson~~)
~~vs.~~) ~~Debt~~[19]
~~Richard L. Banks &~~)
~~Abner E. Thornton~~)

~~And now at this day Came the parties/ aforesaid the plaintiff by his attorney and/ the defendant Abner E. Thornton in his~~... [D100.3]

~~~~~~

Page 101, Book D Clark Circuit Court Septr Term 1835

...~~own proper person, and the said defendant/ says that he cannot say any thing in bar/ or preclusion of the residue~~ {~~of~~} ~~the plaintiffs/ demand in the declaration mentioned whereby/ the said defendant remains wholy undefended/ against the said plaintiffs said action~~-/ ~~Wherefore the plaintiff ought to have and recov/er of and from the defendants the sum of/ Five hundred and twenty nine dollars and/ sixty four cents the residue the plaintiffs said/ demand in the declaration mentioned, and/ it is ordered by this Court that this Judgment/ be stayed until the tenth day of February/ in the year AD eighteen hundred and thirty/six~~ [D101.1]

~~~~~~

Asa Thompson)
vs.) Debt
Richard L. Banks &) $327.74 cents
Abner E. Thornton)

This day Came the said ~~defen~~plaintiff/ by his attorney and the said Abner E./ Thornton one of said defendants in his/ own proper person and confessed that/ he the said Abner E. Thornton and the/ said Richard L. Banks were justly indebted/ to the said Asa Thompson in/ the sum of ~~five~~ {Three} hundred and twenty seven/ dollars and ~~said~~{xty} four cents. It being/ ~~including~~ the {residue of the} debt and damages in/ the plaintiffs declaration herein

[19] Error – the entire entry is marked through seven times with the word "Error."
~~~~~~

mentioned/ It is therefore considered by the court/ that the said defendants the said sum of/ ~~five~~ {Three} hundred and Twenty ~~xxxxx~~ {seven} Dollars/ and ~~seventy four~~ {twenty four} cents and the Costs in/ and about this suit in this behalf... [D101.2]

~~~~~~

Page 102, Book D

...expended and it is agreed by the parties/ aforesaid that execution shall be stayed/ in this Case until the tenth day of/ February next [D102.1]

~~~~~~

Ordered that Court adjourn until/ tomorrow morning 10 Oclock
Edw. Cross [D102.2]

~~~~~~

Tuesday Morning September 29th/ 1835 present the Honorable Edward/ Cross Judge [D102.3]

~~~~~~

United States	)	
vs.	)	Indictment
Benjamin Hardin	)	for an assault
	)	and battery

And now at this day came the United/ States by grandison D. Royston Prosecuting/ attorney and the defendant {appeared} ~~moved~~ in his/ own proper person in discharge of his recog/nizance, and the prosecuting attorney moved/ that this cause be continued until the next term/ of this Court, which motion is overruled [D102.4]

~~~~~~

Myers F. Jones	)	
vs.	)	appeal
John Bolt	)	

It is ordered by this Court this Cause be/ Continued until the next Term of this/ Court [D102.5]

~~~~~~

~~Benjamin Desha &~~)
~~Absolum Fowler admini~~) ~~Debt~~[20]
~~strators of Robert Crittenden Decd~~)

~~And now at this day came the parties afore/said by their attornies~~ [D102.6]

~~~~~~

Page 103, Book D Clark Circuit Court September Term {1835}

Benjamin Desha &)
Absolum Fowler administrators)
of Robert Crittenden Deceased)
vs.) Debt
Charles Cocke)

And now at this day came the plaintiffs by/ their attorney and the defendant in his own/ proper person, and it appearing to the satis/faction of the Court that the bail bond taken/ in this Case is insufficinent, it is therefore ordered, by the Court that the said defendant ~~his~~ perfect/ his said bail bond ~~in this case~~ and that he {have} until/ tomorrow to perfect the same [D103.1]

~~~~~~

Moses Byrd)
vs.) Trespass on the casee
Adam Stroud)

And now at this day Came the plaintiff/ by his agent, and the defendant by his attorney/ and the plaintiff by his agent says he is/ unwilling to prosecute this suit further/ It is therefore considered by this Court that/ the said plaintiff be non suited and that/ the defendant have and recover of and from/ the said plaintiff his Costs in this behalf/ expended [D103.2]

~~~~~~

Harriet B. Fish admninis)
tratrix of David Fish deceased appellant)
vs.) appeal
Jacob Hoover appellee)

This day came the appellant by her attorney/ and it appearing to the Court that the ap/peal herein was prayed at a day subsequent/ to

[20] Error – the entry is marked through with the word "Error."
~~~~~~

the rendition of said Judgment by said/ Justice and that notice had not been given/ to said appellee- Therefore on motion of… [D103.3]

~~~~~~

Page 104, Book D Clark Circuit Court Septr Term 1835

…the said appellant, it is ordered that the Clerk/ of this Court issue his notice ~~to~~ directed to/ said appelle returnable to next Term of this/ court, at which time this Cause is continued [D104.1]

~~~~~~

The grand Jury returned into Court an/ Indictment agains James M^{c}Kinney for/ an assault and battery a true bill, two indict/ments against Albert G. Johnston for assault/ and Battery true bills, and having no further/ business business before them were discharged/ by the Court {It is therefore considered by the Court that the said _____} [D104.2]

~~~~~~

&C Asa Thompson	applellant	)		
vs.			)	appeal
Jonathan West	appellee	)		

This day Came the parties aforesaid by/ their attorneys, and upon the verbal affid/avit of the appelle in this Case, it is ordered/ by the Court that this Cause be Continued/ until the next Term of this Court for want/ of a material evidence on the part of/ the said appellee {it is therefore considered by the Court that the said appellant have and/ recover of the said appelle/ the Cost in and about this Continuance in this behalf/ expended} [D104.3]

~~~~~~

Harriet Fish administratrix	)		
of David Fish Deceased		)	
vs.		)	Debt
John H. Mosley Marvil H.	)		
Mosley A. E. Thornton & Henry	)		
Cox	Defts	)	

And now at this day came the parties afore/said and after hearing the the evidence/ adduced on the part of the {plaintiff as well as the said} defendant ~~this~~/ ~~Court Continued~~ {~~not being~~} ~~under advisment until/ tomorrow morning~~ the Court not being/ sufficiently advised what judgment to render/ herein takes time to Consider thereof [D104.4]

~~~~~~

Page 105, Book D # Clark Circuit Court September Term {1835}

United States)
vs.) Indictment for
Benjamin Hardin) an assault and
) Battery

This day Came the prosecuting attorney/ and says that he is unwilling to prosecute this/ Indictment further It is therefore ordered/ that this cause be dismissed [D105.1]

~~~~~~

~~Balda C. Johnson~~)
~~vs.~~) ~~appeal~~[21]
~~Moses Collins~~)

~~This day came the defendant by his/ agent and discharged the debt and inter/est amounting to fifty eight dollars &/ sixty four cents the amount of Judgment~~ [D105.2]

~~~~~~

Charles Cocke)
avs.) Debt
Benjamin Desha &)
Absolum Fowler administrators)
of Robert Crittenden Deceased)

This day Came the defendant by his attor/ney and filed his prayer of oyer herein [D105.3]

~~~~~~

Balda C. Johnson)
vs.) Debt
Moses Collins)

This day Came the defendant by his/ Agent and on his motion it is ordered that/ he pay to the Clerk of this Court the amount/ of a Judgment obtained at the september/ Term of this Court 1833 in favor of the said/

---

[21] Error – the entry is marked through three times with the word "Error."

Balda C. Johnson against the said Moses/ Collins together with the interest accrued/ on said debt from the rendition of said/ Judgment to the present Term of this Court… [D105.4]

~~~~~~

Page 106, Book D # Clark Circuit Court September Term 1835

…which the debt ~~and~~ including the interest amo/unts to the sum of fifty eight dollars and eighty/ three cents which amount was accordingly/ paid to the Clerk of this Court [D106.1]

~~~~~~

~~Benjamin Desha &~~)
~~Absolum Fowler administrators~~)
~~of Robert Crittenden Deceased~~ ~~Plff~~)
~~vs.~~) ~~Debt~~[22]
~~Charles Cocke~~ ~~Deft~~)

~~And now at this day came the aforesaid/ Charles Cocke and Elijah Franklin and/ perfected by their bail bond taken in this/ Case by the sheriff of the County of Clark/ by acknowledging themselves to be justly/ to owe and be Justly indebted to the Plaintiffs/ administrators as aforesaid upon the con/dition that the said Charles Cocke shall be/ and appear at the present Term of this/ Court to answer the said plaintiffs to the/ above entitled cause~~ [D106.2]

~~~~~~

Ordered that Court adjourn until/ tomorrow morning ten O clock [D106.3]

~~~~~~

Page 107. Book D

Benjamin Desha &)
Absolum Fowler administrators)
of Robert Crittenden deceased Plaintiff)
vs.) Debt
Charles Cocke Defendant)

This day came the said Charles Cocke as principal/ and Elijah Franklin as his security and/ acknowledged themselves to be held and S____/ bound unto Benjamin Desha and Absolum Fowler/ administrators of the

[22] Error – the entry is marked through with the word "Error."

estate of Robert Crittenden deceased/ in the just and penal sum of three hundred dollars/ for the payment of which well and truly to be/ made they would themselves their heirs -/ executors and administrators upon this/ Condition that if the said Charles Cocke/ shall well and truly {be &} appear before the judge of the Clark/ Circuit {court} at the present term thereof at the Court house/ in the Town of Greenville in said County {on Wednesday the third day thereof} and answer/ unto the said Benjamin Desha and Absolum Fowler/ administrators of the estate of Robert Crittenden deceased/ in an action of debt and that if judgment be given/ against him at this or any subsequent term of this/ said Circuit Court that he will well and truly abide the/ judgment of said Court & pay the _____ damages and costs/ that shall be ajudged against him or surrender/ himself in execution or that his suretys will/ ~~and~~ {pay} the same for him then this recognizance to/ be void otherwise to remain in full force and/ virtue [D107.1]

~~~~~~

Ordered that Court adjourn until/ tomorrow morning 10 Oclock
Edw. Cross [D107.2]

~~~~~~

Wednesday morning September the/ 30th 1835 Court met Pursuant to adj/ournment Present the Honorable Edward/ Cross Judge [D107.3]

~~~~~~

Page 108, Book D September Term A.D. 1835

Harriet Fish	Plaintiff	)	
vs.		)	Debt
John H. Mosley		)	
Henry Cox		)	
Marvil H. Mosley		)	
Abner E. Thornton	Defendants	)	

And now this Cause the/ parties aforesaid by their attornies and the/ Court being sufficiently advised what judgment/ to Render herein doth find that the said/ Defendants are indebted to the said plaintiff/ in the sum of One hundred and eight/ dollars and twenty five cents the residue/ of the debt in the said plaintiffs declaration/ mentioned and that she has sustained/ damages by reason of the detention of said debt/ in the sum of Ten dollars and ninety four cents/ It is therefore Considered by the Court that the/ said ~~defend~~ plaintiff have and recover of/ the said defendants the ~~aforesaid~~ said sum/ of one hundred and eight dollars and twenty/ five cents the residue of the debt in the said/ declaration mentioned in form aforesaid/ Assessed and also the {said} sum of Ten dollars/
~~~~~~

and ninety four Cents for the dentention of/ said debt together with the costs in and/ about this suit in this behalf expended [D108.1]

~~~~~~

Asa Thompson Plaintiff)
vs.) Debt
John H. Mosley defendant)

And now on this/ day came the said plaintiff by his attorney/ and the said defendant in his own proper/ person and on his motion and verbal affidavit/ It is ordered by the Court that this Cause/ be continued until the next term of this/ Court at his Costs It is thereupon Considered by/ the Court that the said plaintiff recover/ the said defendant the Costs in and about/ this continuance in this behalf expended [D108.2]

~~~~~~

Page 109, Book D

Asa Thompson Plaintiff)
vs.) Debt
John Crow &)
Walter Crow Defendants)

And now on this day came the said plaintiff/ by his attorney ~~well~~ {as well as} the said defendants and/ on their motion and verbal affidavit {of the said Walter Crow} it is/ ordered by the Court that this Cause be continued/ until the next term of this Court at their costs/ It is therefore considered by the Court that the/ said plaintiff have and recover of the said/ defendants the costs in and about this Continuance/ expended [D109.1]

~~~~~~

Charles Baird Plff)
vs.) Debt
Henry Cox Deft)

And now at this day came the plaintiff by/ his attorney and the defendant in his own/ proper person, and on his motion and verbal/ affidavit, it is ordered that this Cause be contin/ued until the next Term of this Court at this/ Cost It is therefore ~~ordered~~ Considered by the/ Court that the plaintiff have and recover of/ and from the defendant his costs in and/ about this Continuance expended [D109.2]

~~~~~~

Green B Davis Appellant)
vs.) Appeal
Drewry Hasley Appellee)

This day Came the said/ appellant in his own person and the said appellee by/ his attorney And on the motion and verbal/ affidavit of the said Appellant it is ordered/ that this Cause be Continued until the next/ term of this Court. It is therefore Considered/ by the Court that the said Appellee have and/ recover of the said Appellant the Costs in/ and about this Con tinuance expended [D109.3]

~~~~~~

Page 110, Book D September Term 1835

Benjamin Desha and Plaintiff)
Absolum Fowler administrators)
of Robert Crittenden deceased)
vs.) Debt
Charles Cocke Defendant)

This day Came the parties aforesaid by their attornies/ and the said defendant filed his pleas of/ payment ad and post anim in short upon/ the second to which the {plaintiff replied generally and the} said defendant joined issue/ all in short upon the record by Consent and on/ motion and verbal affidavit of the said defendant/ this Cause is Continued until the next term/ of this Court at his Costs It is therefore Considered/ by the Court that the said plaintiffs recover of the/ said defendants the Costs in and about this/ Continuance expended [D110.1]

~~~~~~

Richard C Byrd Plaintiff)
vs.) Debt
Albert G Johnston)
John S T Callaway &)
William Scarborough Defendants)

This day Came the said plaintiff/ by his attorney and the said defendants in their own/ proper person and on motion and written/ affadavit of the said John S T Callaway one of/ said defendants, It is ordered by the Court/ that this Cause be Continued until the next/ term of this Court at the Cost of the said/ defendants It is therefore Considered by the/ Court that the said plaintiff recover of the/ said defendants the Costs in and about this/ Continuance in this behalf expended [D110.2]

Chester Ashley	Plaintiff	)	
vs.		)	Debt
John S. T. Callaway adms	)		
& Amy Callaway Admx. of	)		
John Callway deceased	Defendant	)...	[D110.3]

Page 111, Book D September Term A. D. 1835

...This day Came the said plaintiff by his/ Attorney and the said defendants in/ their own proper persons and the said/ defendants saying nothing in bar or preclusion/ of the plaintiffs aforesaid action and/ neither party requiring a jury this Cause/ was submited to the court and it appearing/ to the satisfaction of the Court here that the/ said administrator and administratrix/ do detain from the said plaintiff the/ sum of one hundred and thirty one dollars/ and sixty six cents and that the said plaintiff/ hath sustained damages by reson of the/ detention of said debt in the sum of sixty/ six dollars Therefore on motion it is/ Considered by the Court that the said/ plaintiff have and recover of the said defendants/ the said sum of one hundred and/ thirty one dollars and sixty six Cents the debt/ on the declaration mentioned together with/ the said sum of sixty dollars {damages} for the detention/ of said debt to be levied of the estate of/ the said administrator and administratrix/ unadministered and the Costs in and about/ this suit expended [D111.1]

Asa Thompson	Appellant	)	
vs.		)	Appeal
John H. Mosley	Appellee	)	

And now at this day came the parties afores/aid by their attornies and after hearing the/ Evidence on the part of the defendant as/ well as on the part of the plaintiff it appearing/ to the satisfaction of the Court that the/ appellants {demand in the proceedings in this Cause filed by set off and barred and that the appellee} ~~it~~ ought to have and recover of/ and from the ~~appellee~~ {appellant} the sum of five... [D111.2]

Page 112, Book D

...dollars and twenty five Cents, It is therefore/ Considered by the Court that the {appellants said damages be barred and that the} appellee/ have and recover of

and from the appellant/ the aforesaid sum of five dollars and twenty/ five Cents, also his Costs in and about this/ suit in this ~~behalf expended~~ {Court and the Justices Court expended} [D112.1]

~~~~~~

John Wilson Plaintiff)
vs.) Trespass on the case
Samuel Hemphill Defendant) upon promises

This day Came the parties aforesaid by their/ attorneys and on motion and affadavit/ of the said defendant this Cause is Continued/ until the next term of this Court at the Costs/ of said defendant. It is therefore Considered/ by the Court that that the said plaintiff recover/ of the said defendant the Costs in and about/ this Continuance expended [D0112.2]

~~~~~~

Thomas Proctor Plaintiff)
vs.) Assumpsit
Philemon Walters defendant)

This day Came the parties aforesaid by their attornies/ and by Consent leave is given to the said defendant/ to file his pleas in this Case on or before the fifteenth/ day of November next and serving the said/ plaintiffs Attorney with a copy of said pleas/ on or before said time and this Cause is/ Continued {~~on motion and~~ on the verbal affidavit of T. Hubbard Esq Atty for deft} at the Cost of the said defendant/ untill the next term of this Court and leave/ is given to the said parties to take the depositions/ of witnesses generally to be read in evidence/ on the trial of said Cause. It is therefore/ Considered by the Court that the said plaintiff/ recover of the said defendant the Costs in/ and about this Continuance expended [D112.3]

~~~~~~

Page 113, Book D September Term A. D. 1835

John Wilson administrator of the Plff)
Estate of John L. Hemphill deceased)
vs.) Trover
John S. T. Callaway Deft)

This day the parties aforesaid appeared by their attornies/ and the defendant filed his demurer to the first Count of/ said declaration to which the plaintiff joined issue also/ the defendant filed his plea of not guilty to the second/ Count of said declaration to which the plaintiff joined issue/ all in short on the record by Consent, and thereupon the/ said plaintiff {_____ &} filed his affidavit and moved the Court for/ a rule on said defendant to produce certain
~~~~~~

papers in/ said affidavit mentioned whereupon it is ordered by the Court/ that the said defendant produce here in this Court on/ the first day of the next Term thereof two promissory/ notes or writings obligatory made on said defendant/ payable to said John L. Hemphill deceased which are/ or have been in the possession of subject to the Control of/ said defendant since the death of said Hemphill one/ for the sum of Four Hundred and fifty Dollars the other for/ the Sum of One Hundred and fifty Dollars mentioned in/ said affadavit and upon the verbal oath of said/ defendant which was received by consent in place of a/ written affadavit {made before the filing of the plaintiffs affadavit aforesaid} being heard by the Court, on motion/ by said defendant it is ordered that this Cause be/ Continued until the next Term of this Court Therefore/ it is Considered by the Court that the plaintiff recover/ of the defendant the Costs of this Continuance [D113.1]

~~~~~~

John Wilson administrator of the Plff)
Estate of John L. Hemphill deceased)
vs.) Trover
John S. T. Callaway Deft)

This day the parties appeared by their attornies and/ on motion it is Ordered that said parties respectively have/ leave to take the depositions of witnesses generally to/ be read as evidence on the trial of this Cause [D113.2]

~~~~~~

Page 114, Book D September Term A.D. 1835

John Wilson Plff)
vs.) Assumpsit
Samuel Hemphill Deft)

This day the parties aforesaid appeared by their attornies and/ On motion of the plaintiff leave is given him to take the/ depositions of Witnesses generally to be read as evidence on/ the trial of this Cause [D114.1]

~~~~~~

Moses Collins Plff)
vs.) Motion
Alvey R Johnson Deft)

This day the plaintiff/ appeared by his attorney and filed his motion in writing/ and the evidence adduced on said motion being heard/ and the
~~~~~~

Court not being sufficiently advised what/ order to make thereupon takes time to Consider thereof [D114.2]

~~~~~~

Asa Thompson appellant)
vs.) appeal from the
Mathew West appellee) decision of a Justice of
) the Peace

The day the appellee appeared by his attorney and on/ his motion leave is granted the parties to take depositions/ generally to be read as evidence on the trial of this Cause [D114.3]

~~~~~~

Andrew Hemphill Complainant)
vs.) Chancery
Harriet B. Fish admrx of the)
Estate of David Fish deceased Defendant)

This day the parties aforesaid appeared by their Solicitors/ and the Complainant filed his general replication to the answer of/ the defendant denying the truth of the facts stated in said answer/ and On motion this Cause is set down for final trial at the/ next Term of this Court and that this Cause be Continued/ until the next Term of this Court [D114.4]

~~~~~~

Andrew Hemphill Complainant)
vs.) Chancery
Harriet B. Fish admrtx of the Estate)
of David Fish deceased Defendant)

This day the parties aforesaid appeared by their attornies and... [D114.5]

Page 115, Book D

...On motion leave is given the parties aforesaid to take the/ depositions of Witnesses generally to be read as evidence on/ the trial of this Cause [D115.1]

~~~~~~

John Wilson administrator of the Estate)
of John L. Hemphill deceased Plff)
vs.) Trover

John S. T. Callaway Deft)

The day the parties appeared by their attornies and on/ motion of the plaintiff leave is given him to amend his said/ declaration by Consent of parties by inter_____ and erasing the/ same ~~and entering therein~~ {which said amendment consists in the insertion of} five hundred & fifty Dollars in/ the place of five hundred Dollars and four hundred and fifty/ Dollars in the place of four hundred Dollars whereever the/ said Sums had occurred in said declaration, which said/ amendment was made accordingly [D115.2]

~~~~~~

Thomas H. Proctor Plff)
vs.) Assumpsit
Philemon Waters Deft)

This day the plaintiff/ appeared by his attorney and on his motion it appearing/ to the satisfaction of the Court that John Waters a Witness/ on the part of the plaintiff has been duly Summoned and/ failed to appear altho Solemnly called on the calling of this/ cause it is therefore ordered that an attachment issue/ against saif John Waters for his Contempt in failing/ to attend this Court in obedience to the summons afore/said and that the same be directed to the Sheriff of/ Clark County and made returnable to this court on/ the first day of the next Term thereof and that said/ John Waters {be permitted to} give back for his appearance to answer said/ contempt as aforesaid in the sum of Fifty Dollars [D115.3]

~~~~~~

Ordered that Court adjourn Unitl Court in Course

Edw. Cross [D115.4]

~~~~~~

Page 116, Book D

United States of America)
Territory of Arkansas)
County of Clark) Clerks office of the
Clark Circuit Court In Vacation ~~October~~ November 6th 1835 [D116.1]

~~~~~~

John Wilson)
vs.) Assumpsit
Samuel Hemphill)

This day came the defendant by his attorney/ and on his motion it is ordered that he have leave/ to take the depositions of Witnesses generally before/ any Judge or Justice of the peace in the Territory of/ Arkansas to be read as evidence on the part of the/ defendant at the trial of the above entitled cause

Jas S Ward Clerk [D116.2]

~~~~~~

United States of America)
Territory of Arkansas)
) Clerks Office of the
Clark Circuit Court in
) Vacation Feby 18th 1836 [D116.3]

~~~~~~

James Herndon who sues for the use)
and benefit of Andrew _____ Plff)
vs.) Attachment
John L. Eads Defendant)

And now at this day came plaintiff by his attorney and/ argued to dismiss this suit, and that the plaintiff pay the/ costs thereof- Thereupon on motion {it appearing that the costs herein/ is fully paid} it is considered by the Court that the said defendant have and recover of the pl/aintiff his costs in this suit expended

A. H. Rutherford Clerk [D116.4]

~~~~~~

United States of America) Clerk's Office of the Clark Circuit
Territory of Arkansas) Court in Vacation 29th April __ 1836
County of Clark) [D116.5]

~~~~~~

Andrew Hemphill Plff)
vs.) Debt) In Chancery
Harriet B. Fish administratrix)
of the estate of David Fish Decd Deft)

This day came the Said Andrew Hemphill by Hubbard his/ attorney and on his motion, It is ordered that he have leave... [D116.6]

~~~~~~
~~~~~~

...take the depositions of Witnesses generally before any Judge or Justice/ of the peace in the Territory of Arkansas. Witness my hand as Clerk/ of ~~the~~ said Circuit Court the day and year above written

A. H. Rutherford Clerk [D117.1]

~~~~~~

United States of America)
Territory of Arkansas)
County of Clark)

Clerks office of the Clark
Circuit Court in vacation 12th
April A.D. 1836 [D117.2]

~~~~~~

Green B. Davis Appellant)
vs.)
Drewry Hasley Appellee)

Appeal from Justi
ch of the peace

And now at this day came the said appellant and/ appellee in their own proper persons and agreed to dismiss this/ Suit, it appearing to the satisfaction of this Court, that the/ appellant has receive fully paid the said appellee.. Therefore/ On motion ~~of~~ it is considered by this court, that the appellee/ have and recover of the appellant the costs in this court and/ the Justices court expended

A. H. Rutherford Clerk [D117.3]

~~~~~~

The United States of America)
Territory of Arkansas)
County of Clark)

Sct

At a circuit Court/ began and held in and for the County/ of Clark in the Territory of Arkansas/ at the Court house in the Town of Greenville/ in said County on the fourth Monday of May/ in the year of Christ eighteen hundred and/ thirty six it being the twenty third day of/ said month and the day fixed by law for/ holding said Circuit Court present the Honora/ble Edward Cross one of the judges of the/ Superior Court of said Territory and/ assigned by law to hold the Circuit... [D117.4]

~~~~~~

Page 118, Book D

...Courts for the first judicial Circuit of said Territory/ of which the said County of Clark is in [D118.1]

~~~~~~

Ordered that the Sheriff proclaim that Court/ has meet according to law and ready to/ procede to the business thereof [D118.2]

~~~~~~

The Sheriff of the County of Clark returned with/ the following pannel of grand Jurors to wit/ Abner E. Thornton who was sworn as foreman/ Joshua D. Stewart Peter Bear James R Crow/ ~~B~~ I Smith Ansel R. Watson David Bradshaw/ James Lisenby Elias Hoofman John Hoofman/ Lee Petit Joseph Hardin Robert Frier/ William Stroope Senr Nathaniel Britton/ Benjamin Lewis William Logan and/ John Crow eighteen good and lawful/ men of the County of Clark aforesaid/ who being duly empannelled sworn/ and Charged retired from the bar/ to Consult of their duties [D118.3]

~~~~~~

John Joseph Cl___in exhibited this/ day a license as an attorney at Law/ and is admited to practice as an/ attorney of this Court [D118.4]

~~~~~~

United States)
vs.) Indictment for Bigamy
John B Robinson)

This day Came the United/ States by their attorney and on his/ motion it is ordered that an alias/ pleurius issue in this case and that/ this prosecution be continued [D118.5]

~~~~~~

United States)
vs.) Larceny
James Clover)

This day Came the United/ States by their attorney and on his/ motion it is ordered that a plurius/ Capias be issued herein and that this prosecution/ be continued [D118.6]

~~~~~~

Page 119, Book D Clark Circuit Court May Term 1836

United States)

vs.) Vagrancy
James Clover)

This day Came the United States/ by their attorney and on his motion it/ is ordered that the order made in this/ Court at the March term thereof A.D. 1835/ be and the Same is hereby Continued/ in force and revived [D119.1]

~~~~~~

United States)
vs.) Indictment for an
John Sorrels) Assault & Battery

This day Came the/ United States by their attorney and/ on his motion it is ordered that on/ Alias Capias issue in this Case/ and that this prosecution be/ Continued [D119.2]

~~~~~~

United States)
vs.) Indictment for an assault & battery
James M^{c}Kinney)

This day came the United/ States by their attorney and the defendant/ in his own proper person {in discharge of his recognizance} and this/ prosecution is continued until the/ next term of this court and thereupon/ Came the said James M^{c}Kinney and/ John S T Callaway as his security and/ acknowledged themselves to owe and/ be indebted to the United States in/ sum of fifty dollars each to be levied/ of their respective goods and chattles/ lands and tenements But to be void/ upon condition that the said James/ McKinney be and appear before the/ judge of this Court on the first day/ of the next term thereof then and/ there to answer the United States/ to said indictment and that he/ shall not depart from said Court without/ the leave thereof [D119.3]

~~~~~~

Page 120, Book D

United States)
vs.) Indictment for assault and Battery
A. G. Johnston)

This day came the United States by their/ attorney and the defendant in his own/ proper person in discharge of his recognizance and this/ prosecution is continued until the next term of this court/ and therefore came the
~~~~~~

said ~~James McKinn~~ Albert/ G. Johnston and John S. T. Callaway as his security and/ acknowledged themselves to owe and be indebted to the/ United States in the sum of fifty dollars each to be levied/ of their respective goods and chattles Lands and tenements/ But to be void upon condition that the said Albert/ G. Johnston be and appear before the judge of this court/ on the first day of the next term thereof then and there/ to answer the United States to said Indictment and/ that he shall not depart from said court with/ the leave thereof [D120.1]

~~~~~~

United States)
vs.) Indictment for an assault and Battery
A. G. Johnston)

This day came the United States by their/ attorney and the defendant in his own proper person/ in discharge of his recognizance and this prosecution/ is continued until the next term of this court and therefore/ came the said Albert G. Johnston and John S. T. Callaway/ as his security and acknowledged themselves to owe and be/ indebted to the United States in the sum of fifty Dollars/ each to be levied of their respective goods and chattles/ lands and tenements But to be void upon condition/ that the said Albert G. Johnston be and appear/ before the judge of this court {on the first day} of the next term/ thereof- Then and there to answer the United States/ to said indictment and that he shall not/ depart from said court without leave thereof [D120.2]

~~~~~~

Richard C Byrd)
vs.) Debt
John S. T. Callaway)

The day the said defendant filed/ the plaintiffs receipt in this case for the payment/ of the debt and damages in this case. and/ ordering this case to be dismissed at the defendants/ Costs. It is therefore considered by the Court that/ this case be dismissed and that the plaintiff have/ and recover of the defendant all costs in this/ Suit expended [D120.3]

~~~~~~

Page 121, Book D Clark Circuit Court May Term 1836

Epharim Mirick and)
William Moss merchants)
trading under the firm and)
Style Mirick and Moss Plaintiffs)
vs.) Debt
~~~~~~

John Freeman Defendant)

This day came the said plaintiffs by Royston/ their attorney and the said defendant/ in his own proper person and Confessed/ here in open Court the said plaintiffs action/ herein against him and acknowledged/ himself to owe to the said plaintiffs the/ sum of Two Hundred and Seven dollars and/ thirty three Cents the debt in the declaration/ in this Case mentioned and also the/ Sum of eight dollars and twenty nine Cents/ damages for the detention of said debt/ It is therefore considered by the Court now/ here that the said plaintiffs have and recover/ of the said defendant the said sum of/ Two Hundred and Seven dollars {and thirty three Cents} the debt/ in form aforesaid Confessed and also/ the said sum of eight dollars and Twenty/ nine cents the damages for the detention of/ of said debt in form aforesaid Confessed/ together with all Costs in and about this/ Suit expended [D121.1]

~~~~~~

United States)
vs.) Attachment
John P. Waters)

This day came the United States/ by their attorney and the said defendant in/ his own proper person and this Case is/ ordered to be dismissed at the Costs of/ the said defendant. It is therefore Considered by/ the Court that the United States have and/ recover of the said defendant the Costs/ in and about this Cause expended [D121.2]

~~~~~~

Page 122, Book D Clark Circuit Court May Term 1836

It is ordered by the Court on motion and by consent th__/ each and every cause suit motion plea and rule not/ particularly mentioned & continued, pending in this Court/ be and the same is hereby continued until the next term/ of this Court without predjudice to the parties [D122.1]

~~~~~~

The Grand Jury returned into Court and having no further/ business before them were on motion discharged [D122.2]

~~~~~~

Ordered that Court adjourn until court in course

Edw^{d} Cross [D122.3]

~~~~~~

United States of America) In Clerks office of the Clark
State of Arkansas) Circuit Court in Vacation 4th
County of Clark) November 1836 [D122.4]

~~~~~~

And now at this day Came the said defendant/ Philmon Waters in his proper person, and produced the/ the Receipt of Thomas H. Proctor plaintiff. Therefore/ in appering to the satisfaction of this Court, that the/ defendant has made full payment to the plaintiff/ on motion therefore the said suit is dismissed
A. H. Rutherford Clerk [D122.5]

~~~~~~

State of Arkansas) Clerks office of the Clark Circuit Court
County of Clark) in vacation March 1st 1837 [D122.6]

~~~~~~

Moses Collins Plf)
vs.) Action of _____ Debt
Jacob Stroope Deft)

And now at this day Came the said Plaintiff Moses/ Collins and the said Jacob Stroope Defendant in their/ proper persons and the said plaintiff Moses Collins/ acknowled the receipt of sixty nine dollars and thirteen/ Cents in full Consideration of two Certain Notes of hand/ of the before mentioned warrant -- which notes the said/ plaintiff Collins held against a certain James Pettit/ which notes had come to the possession of the said defendant, by _____, and are still/ detained and kept from the said plaintiff... [D122.7]

~~~~~~

Page 123, Book D

...therefore it appearing to the satisfaction of this/ Court that the said defendant Jacob Stroope/ has made full payment of the said debt/ damages and costs— Therefore this Suit/ is dismissed and the defendant discharged therefrom
.A. H. Rutherford Clerk [D123.1]

~~~~~~

State of Arkansas) Clark Circuit
County of Clark) Court In Vacation

) March 24th 1837 [D123.2]

~~~~~~

And now on this day Came the parties/ aforesaid. On their motion it is ordered that/ this suit ~~be dismissed~~ [D123.3]

~~~~~~

State of Arkansas)
County of Clark)
Clark Circuit Court
In Vacation
March 24th 1837 [D123.4]

~~~~~~

Moses Collins Appellant)
vs.) Appeal
Eli J. White Appellee)

And now on this day to wit the 24th day/ of March A. D. 1837 Came the parties aforesaid/ and {on} this motion it is ordered that the/ above entitled cause be dismissed, and/ that the said appellee pay the Costs in/ this and the Justices Court expended

Jas. S. Ward Dep Clk [D123.5]

~~~~~~

State of Arkansas)
County of Clark)
Clark Circuit
Court In Vacation
March 24th 1837 [D123.6]

~~~~~~

Finas E. Freeman Appellant)
vs.) Appeal
James Burk Appellee)

And now at this day Court the 24th day/ of March A.D. 1837 Came the aforesaid/ Appellant by his agent and on motion… [D123.7]

~~~~~~

Page 124, Book D

…it is ordered that this suit be dismissed/ and that the said appellant pay the pr_____/ debt, together with the costs in this and the/ Justices Court expended

Jas. S. Ward Dep Clk
of the Clark Circuit Court [D124.1]

~~~~~~

State of Arkansas)
County of Clark)

Clark Circuit Court
In Vacation March
25th 1837 [D124.2]

~~~~~~

Asa Thompson Appellant)
vs.)
Jonathan West Appellee)

And now on this day Court the 25th day/ of March A.D. 1837 came the parties aforesaid/ by their written order {and} on their motion it/ is ordered that this case be dismissed and/ that the appellant pay the costs of the witness/ suppoenaed in his behalf and the cost/ subpoening the aforesaid witnesses and/ that the appellee pay the remainder of the/ Costs, therefore this suit is dismissed

Jas. S. Ward Dep Clerk
of the Clark Circuit Court [D124.3]

~~~~~~

Page 125, Book D

State of Arkansas)
County of Clark)

At a Circuit Court began and held/ at the Court House in the Town of/ Greenville on Monday the 27th day/ of March in the year of our Lord one/ thousand eight hundred and thirty/ Seven it being the fourth & last Monday/ in said month Present the Honor/able L. J. Handy Judge of said Court [D125.1]

~~~~~~

Ordered that ~~Court~~ the sheriff proclaim/ that Court has met in pursuance of Law/ and is ready to proceed with the business/ thereof [D125.2]

~~~~~~

The sheriff of the County of Clark this/ day returned the following panel of/ Grand Jurros to wit William James who/ was sworn as foreman, Abraham Bolt/ Cornelius Smith James L. McLaughlin/ John Bolt, Joseph Hoffman Jester/ Cocke Senr James Smith John Blakley/ John Crow Walter ~~Crow~~ McLaughlin/ James H.
~~~~~~

Crow Walter Crow Joshua/ Elkins Joseph Delany Thos H. Proctor/ Lyman F. Rounds John Wingfield/ Henry L. Lightfoot John S. T. Callaway/ Benjamin Lewis Moses Moore and/ Benjamin Richardson twenty three/ good and lawful men all whom were/ selected tried and sworn and retired/ from the bar to Consult of their duties [D125.3]

~~~~~~

The State)
vs.) Indictment for
John B. Robinson) Bigamy

... [D125.4]

~~~~~~

Page 126, Book D

...This day Came the prosecuting attorney and/ says that he is unwilling to prosecute this/ indictment further. It is therefore ordered/ by the Court that this prosecution be dismissed [D126.1]

~~~~~~

The State)
vs.) Indictment for Larceny
James Clover)

This day Came the prosecuting/ attorney and says that he is unwilling to/ prosecute this Indictment further. It/ therefore ordered by the Court that the/ prosecution be dismissed [D126.2]

~~~~~~

The State)
vs.) Presentment for Vagrancy
James Clover)

This day Came the prosecuting/ attorney and says that he is unwilling to prosecute/ this prosecution any farther. Therefore on/ motion of the said prosecuting {attorney} this cause/ is dismissed [D126.3]

~~~~~~

The State)
vs.) Indictment for assault
~~~~~~

John Sorrels) and battery

This day Came the prosecuting attorney/ and says that he is unwilling to prosecute/ this Indictment any further Therefore/ on motion of said prosecuting {attorney} it is ordered/ that this prosecution be dismissed [D126.4]

~~~~~~

The State)
vs.) Indictment for an
James McKinney) Assault & Battery

this day Came the prosecuting attorney/ and the the Defendant in his proper person… [D126.5]

~~~~~~

Page 127, Book D Clark Circuit Court March Term {1837}

…in discharge of his recognizance and after/ hearing the evidence adduced on the part of/ the State as well as that of the Defendant/ it is Considered by the Court that the said/ James McKinney be ——— fined in the sum/ of ___teen dollars and that the said/ James McKinney pay the costs of this/ prosecution [D127.1]

~~~~~~

The State)
vs.) Indictment for an
A. G. Johnston) Assault & Battery

This day Came the ~~part~~ State by/ Stephenson its Attorney and the Defend/ant ~~by~~ in his proper person in discharge/ of his recognizance and {on} motion of the/ Said Defendants attorney Its quashed the/ indictment in this case it is ordered that/ said Indictment be quashed and that/ the Defendant be discharged from the same [D127.2]

~~~~~~

The State)
vs.) Indictment for an
A. G. Johnston) Assault & Battery

This day Came the ~~Defendant prose~~/ State by Stephenson the prosecuting/ attorney and the Defendant in his proper person/ in discharge of his recognizance, and/ after hearing the evidence adduced on/ the part {of the} State as well as that of the/ Defendant it is Considered by the Court/ that said

Defendant be fined in the/ Sum of Fifteen dollars, and that said/ Defendant pay the Costs of this prosecution [D127.3]

~~~~~~

Page 128, Book D Clark Circuit Court _____ _____ {1837}

Sandford R. Babbit Appellant)
vs.) Appeal
James Williams Appellee)

This day, came the parties aforesaid, and/ by mutual Consent of the parties this cause/ is dismissed at the costs of the Appellant [D128.1]

~~~~~~

Finas E. Freeman Appellant)
vs.) Appeal
James Pettit Appellee)

This day Came the appellee by his/ agent, and on his motion this cause is/ dismissed at the cost of the said appellee [D128.2]

~~~~~~

Harriet Fish Appellant)
vs.) Appeal
Jacob Hoover Appellee)

This day came the parties aforesaid by their attorneys/ On motion and by consent this cause/ is Continued until the next Term of/ this Court [D128.3]

~~~~~~

Charles Baird plaintiff)
vs.) Debt
Henry Cox Defendant)

This day came the plaintiff by/ Jno W. Cocke one of the attorneys of this/ Court and the Defendant by Thos Hubbard/ his attorney and the said Jno W. Cocke/ admits of the {death of} the said Charles Baird as/ alledged in said Defendants plea. It is/ therefore Considered by the Court that this/ suit abate [D128.4]

~~~~~~

Asa Thompson Plaintiff)
vs.) Debt
John H. Mosley Defendant)

... [D128.5]

~~~~~~

Page 129, Book D Clark Circuit Court March Term 1837

...This day Came the parties aforesaid by/ their attorneys and the Defendant filed his/ prayer of Oyer herein Which was granted/ by exhibiting the note in the Declaration/ Specified and filing a copy thereof [D129.1]

~~~~~~

Asa Thompson Plaintiff)
vs.) Debt
John Crow &)
Walter Crow Defendants)

This day Came the parties aforesaid/ by their attorneys and the plaintiff/ granted oyer by filing the note in the/ Declaration Specified. Whereupon the/ Defendant plead payment in short by/ Consent upon the record which the ~~Defendant~~ {plaintiff}/ replied and the Defendant took issue all/ in short by consent upon the record and/ neither party requiring a Jury this Cause/ was submitted to the court and it appear/ing to the satisfaction of this Court that/ said Defendants is indebted to said plaintiff/ in the sum of ninety ~~six~~ eight dollars ~~and xxxxx~~/ and ~~sixty~~ {fifty three} Cents debt and ~~twenty one~~ {Fourteen} dollars/ {and Fourty Cents} damages for the dentention of said debt/ It is therefore Considered by the Court/ that said plaintiff have and recover/ of and from said Defendants the afore/ said sum of ninety ~~six~~ {eight} dollars and/ ~~Six~~ {fifty three} Cents debt, and ~~twenty One~~ {fourteen} dollars/ {and eighty three cents} damages sustained by reason of the/ detention of said debt—also his costs in/ and about this suit expended [D129.2]

~~~~~~

Page 130, Book D Clark Circuit Court _____ _____ {1837}

Ordered that William _____ to be fined/ in the sum of One dollar for a contempt/ offered this Court by laughing aloud in/ the presence and hearing thereof [D130.1]

~~~~~~

Ordered that Court adjourn until tomorrow/ morning 9 Oclock
L. J. Handy [D130.2]

~~~~~~

Tuesday Morning March 28th 1837/ Court met pursuant to adjournment. Present as on/ yesterday [D130.3]

~~~~~~

Absolum Fowler and Ben Desha administrators of Robert Crittenden dec'd	plaintiffs	)	
vs.		)	Debt
Charles Cocke	Defendant	)	

And now at this day/ comes the s[d] Absolum Fowler/ & attorney and the death of the s[d] Ben Desha, one of the/ administrators aforesaid being suggested, it is ordered that this/ cause is continued in the name of the s[d] absolum Fowler/ surviving administrator of s[d] Crittenden [D130.4]

~~~~~~

Absolum Fowler surviving administrator of Robert Crittenden deceased	Plaintiff	)	
vs.		)	Debt
Charles Cocke	Defendant	)	

This day came/ the s[d] parties by their attorneys, and this cause _____/ _____ for hearing, the s[d] defendant by attorney withdrew his/ s[d] plea of payment, whereby the s[d] plaintiff remains against/ the s[d] defendant undefended, and the s[d] defendant saying nothing/ further in bar or preclusion on the plaintiff's s[d] demand/ the Court here is of opinion that the s[d] defendant is indebted/ to the s[d] plaintiff {administrator as aforesaid} in the s[d] sum of one hundred and fifty dollars… [D130.5]

~~~~~~
~~~~~~

...the debt in the Declaration mentioned/ and also in the further sum of twenty seven/ dollars his damages by him sustained by/ reason of the detention of the said debt/ It is therefore considered by the Court/ here that the said plaintiff Admin/istrator as aforesaid have and recover of/ and from the said defendant the said/ sum of one hundred and fifty dollars/ debt and twenty seven dollars damages/ as also all of his costs by him in this/ suit in this behalf Expended & C [D131.1]

~~~~~~

John Wilson plaintiff)
vs.) Assumpsit
Samuel Hemphill Deft)

This day Came the parties aforesaid/ by their attorneys and the defendant filed/ his plea of non assumpsit to which the/ plaintiff Joined issue and thereupon on/ motion of the plaintiff and his verbal/ statement on oath this cause is Contin/ued until the next Term/ of this Court at/ the Costs of the said plaintiff It is/ therefore considered by this Court that/ said Defendant have and recover of/ and from the said plaintiff the costs/ about this continuance Expended [D131.2]

~~~~~~

John Wilson Administrator)
of the estate of Jno L Hemphill pltff)
Deceased)
vs.) Trover
John S. T. Callaway Dft)

This day Came the parties aforesaid/ by their attorneys and the Defendant... [D131.3]

~~~~~~

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...filed his plea of not guilty to the plaintiffs/ amended Declaration to which the plaintiff/ Joined issue and on motion and verbal/ statement of the plaintiff on Oath this cause/ is Continued until the next Term of this/ Court It is therefore Considered by the/ Court that said Defendant recover of/ the said plaintiff the costs about this/ Continuance Expended [D132.1]

~~~~~~

Marvil H. Mosley Appellant)

vs.) Appeal
Mary Ann Cochran Appellee) I.P.

The parties in this cause being called/ Came not. It is therefore Considered by the/ Court that this case be dismissed. It is/ therefore considered by the court that/ the said Appellee have and recover of/ the said Appellant the costs in and about/ this suit Expended [D132.2]

~~~~~~

James Herndon who sues for)
the use of Andrew M. Forbes Plft)
vs.) Trespass
John L. Eades Deft) on the case

This day came the parties aforesaid by their/ attorneys and the Defendant filed his motion/ in writing herein and thereupon moved the Court/ to quash and set aside the Original writ issued/ in this cause, and the parties being heard on said/ motion, and the Court being sufficiently advised/ of and concerning the same it is ordered that the/ said original writ issued in this cause be quashed/ and set a side. It is therefore considered by the/ Court that the Defendant John L. Eades have and/ recover of the said James Herndon the costs about/ this suit Expended. And thereupon the... [D132.3]

~~~~~~

Page 133, Book D

...Defendant by his attorney presented his bill/ of Exceptions herein which was signed and/ sealed by the Court and ordered to be made/ a part of the record hereof [D133.1]

~~~~~~

Samuel Hemphill Plff)
vs.) Trover
John Wilson Deft)

The day Came the parties/ aforesaid by their attorneys and the Defend/ant filed his plea of not guilty herein to which/ the plaintiff Joined issue, and on motion/ and verbal statement on Oath of the said/ plaintiff this cause is Continued until the/ next Term of this Court. It is therefore Con/sidered by the Court that the said John/ Wilson have and recover of the said Samuel/ Hemphill the costs about this continuance/ Expended [D133.2]

~~~~~~

William McNeely & Samuel Warner admrs of the estate of Samuel Parker Deceased	Plffs	)	
vs.		)	Trover
Samuel Hemphill	Deft	)	

This day came the parties aforesaid/ by their attorneys, and the Defendant filed his/ plea of not guilty to which the plaintiffs/ Joined issue and thereupon this cause is/ continued until the next Term of this Court/ by Consent of Parties [D133.3]

~~~~~~

Page 134, Book D

William M^{c}Neely & Samuel Warner admrs of the estate of Samuel Parker Deceased	Plffs	)	
vs.		)	Trover
Green B. Davis	Dft	)	

This day came the parties aforesaid by/ their attorneys and the Defendant filed is plea/ of not guilty herein to which the plaintiffs Joined/ issue and by consent of the _____ this cause is/ Continued until the next Term of this Court [D134.1]

~~~~~~

Asa Thompson	Plff	)	
vs.		)	Debt
John H. Mosley	Deft	)	

This day Came the parties aforesaid by their/ attorneys and the defendant pleads payment/ ad diem and Post diem and set off to/ which the plaintiff replies and the defendant/ Joined issue all in short by consent upon the/ record, and on the motion and verbal state/ment of the defendant on Oath this Cause/ is continued until the next Term of this/ Court. It is therefore considered by the court/ that the said plaintiff have and recover/ of the defendant the costs about this contin/uance Expended [D134.2]

~~~~~~

Samuel Hemphill	Appellant	)	
vs.		)	Appeal from
Moses Guice	Appellee	)	Jp
~~~~~~

This day {came} the parties aforesaid by their/ attorneys, and on the motion and verbal/ statement of the appellant on oath this cause/ is continued until the next Term of this Court/ It is therefore considered by the court that the/ said appellee have and recover of the said… [D134.3]

~~~~~~

Page 135, Book D

…Appellant the costs about this Continuance/ expended [D135.1]

~~~~~~

Andrew Hemphill Plff)
vs.) Debt
John Wilson Deft)

This day came the parties aforesaid/ by their attorneys and the defendant filed/ ~~his plea herein requiring the execution of the/~~ _____ ~~in the declaration mentioned~~ his prayer/ of oyer herein which was granted by ~~filing/~~ ~~the original~~ Exhibiting the original/ note in the declaration mentioned and/ filing a copy thereof, and thereupon the/ defendant filed his peals the first denying/ the execution of the note exhibited/ on oyer and also his plea of nil debit/ to which said pleas the said plaintiff/ demured separately to which the defendant/ Joind in short by consent upon {the} record/ and the matters of Law arising upon said/ demurers being argued by counsel and/ the Court {not} being sufficiently advised of/ and concerning the same takes time to/ consider thereof [D135.2]

~~~~~~

~~Jacob Barkman~~)
~~vs.~~) ~~Attachment~~[1]
~~Edward Jno Busvine~~)

~~And now at this day came the plaintiff/ by his attorney and it appearing to the/ Satisfaction of the sheriff return in this/ case that the said defendant Edward Jno/ Busvine is not an inhabitant of this county~~ [D135.3]

~~~~~~

Page 136, Book D Clark Circuit Court March Term 1837

~~Jacob Barkman~~ ~~Plff~~)

[1] Entry is written through with the word "Error."

~~vs.~~) ~~Attachment~~ [2]
~~Edward Jno Busvine Deft~~)

~~And now at this day came the said/ plaintiff by Hubbard his attorney and on/ his motion and it appearing to the Satisfaction/ of the court from the return of the sheriff of/ the County of Clark that the said defendant is/ a non resident of this County. Therefore it is/ ordered that until the Defendant appears by/ himself or attorney plead answer or demur/s the said plaintiffs action on or before the/ first day of the next Term of this Court to/ be holden on the last Monday of September/ next otherwise the said plaintiffs bill/ of complaint will be taken as confessed/ Judgment entered against him and his Estate/ sold to satisfy the same. And it is further/ ordered by the Court that this Order be/ published for _____ [3] weeks in the ____/ _____ [4] a newspaper printed in this state/ and that this cause be continued~~ [D136.1]

~~~~~~

Ordered by the court that Green B. Davis/ be fined the sum of One dollar for talking/ alound in the presence of the Court [D136.2]

~~~~~~

Jacob Barkman)
vs.) Attachment
Edward Jno Busvine)

This day came the plaintiff by Hubbard/ his attorney, and it appearing to the Court/ here that the plaintiff has sued out his/ attachment returnable to this court and that/ the same has {been} levied on sundry property of/ the Defendant, and that the said Defendant… [D136.3]

~~~~~~

Page 137, Book D

…has failed to enter his appearance herein/ according to the rules and practice of this/ Court and the plaintiffs demand being/ founded on a note for the payment of/ One Hundred dollars and _____ _____/ for the sum of one hundred and {twenty} three dollars/ and seventy five cents It is therefore ruled/ by the Court that unless the said Defendant/ shall appear by himself or attorney _____/ file appeal bail to the plaintiffs action/ on or before the third day of the next Term/ of this Court _____ Judgment will be entered/ against him and his estate sold to satisfy/ the same and on motion of the plaintiff/ it is further ordered that a copy of this/ order

---

[2] The entire entry is marked through with the words "Error."
[3] Blank space left in entry.
[4] Blank space left in entry.
~~~~~~

be published in The Arkansas State/ Gazette by four succesive weekly insertions/ at least four weeks before the first day of/ the next Term of this Court and that/ this Cause be continued until the next/ Term of this Court & c [D137.1]

~~~~~~

William Irons Plff)
vs.) Debt
John S. T. Callaway Deft)

This day came the parties aforesaid by/ their attorneys, and the defendant filed/ his prayer of oyer herein which was granted/ by exhibiting the original note and filing/ a copy thereof and thereupon the defendant/ demured in short to which the plaintiff/ Joined issue all in short by Consent upon/ the record and the matters in law arising/ being argued by counsel and the court/ being sufficiently advised of and concern/ing the same doth find that the plaintiffs… [D137.2]

~~~~~~

Page 138, Book D

…Declaration and the matter therein contained/ in manner and form as the same thereof/ stated is sufficient in law for the said/ plaintiff to have and maintain his aforesaid/ action thereof—It is therefore considered by/ the court that the plaintiff recover of the/ Defendant the costs about this demurer/ expended and thereupon the defendant asked/ leave to withdraw his demurer, which was/ granted by the Court and thereupon pleaded/ nil debit in short to which the plaintiff/ demured and the plaintiff Joined in short/ by Consent upon the record and the matter/ arising thereon being argued by Counsel/ and the Court being sufficiently advised of/ and concerning the same doth find that the/ said Defendants plea is not sufficient in/ law to bar and preclude the plaintiff/ from having and maintaining his aforesaid/ action It is therefore considered by the/ Court that the plaintiff recover of the defend/ant the costs about this demurer expended/ and thereupon the defendant by law of/ the Court pleaded payment to which the/ plaintiff replied and the defendant Joined/ issue in short {by} Consent upon the record/ and on motion this Cause is Continued until/ the next Term of this Court [D138.1]

~~~~~~

Richard Roe ex dem)
David Tramel)
vs.) E___tment
John Doe)
~~~~~~

This day Comes the said Richard Roe by/ attorney and it is ordered by Consent of/ Cummins & Pike attorneys for the plaintiff... [D138.2]

~~~~~~

Page 139, Book D Clark Circuit Court March Term 1837

...and Hubbard attorney for Samuel Hemphill/ claims title to the land &c in question than/ the said Samuel Hemphill shall be admitted/ defendant and that the said Samuel Hemp/hill shall immediately appear by his said/ attorney who shall receive a Declaration/ and plead thereto the general issue at this/ Term and that at the tiral to be had/ thereon the said Samuel Hemphill shall/ appear in his proper person or by his attor/ney and confess lease entry and _____/ and insist upon title only for so much of/ the land specified in the plaintiffs declaration/ as is in the possession of the said defendant/ or his _____ or any person claiming by or/ under his title, or that in default thereof/ Judgment & shall be thereupon entered/ against the Defendant John Doe the/ casual efector but proceedings shall/ be staid against him until default shall/ be made in any of the premises, and by the/ like cousent it is further ordered that if/ by reason of any such default the plaintiff/ shall happen to be non suited upon the/ trial the said Samuel Hemphill shall/ thake no advantage thereof by Shall/ thereupon pay to the plaintiff his costs/ And it is further ordered that the Oyer/ of the plaintiff shall be liable to the pay/ment of costs if any to the said Samuel/ Hemphill by the Court here be in any/ manner allowed or adjudged, and there/ upon Came the said Samuel Hemphill by/ leave of the court here first had and filed his/ plea of not guilty herein to which the plain/tiff Joined issue and this cause to continued/ until the next Term of this Court [D139.1]

~~~~~~

Page 140, Book D

Asa Thompson Appellant)
vs.) Appeal from
Jonathan West Appellee) J.P.

This day Came the parties aforesaid by/ their attorneys and this suit is dismissed by/ consent upon the following Term to wit/ That the Appellant shall pay the costs of this/ Court and the Justices Court and his Own/ Witnesses and that the said Appellee shall/ pay the witnesses by him summoned It is/ therefore considered by the Court that the said/ Asa Thompson have and recover of the said/ Jonathan West the costs of all Witnesses summ/oned by the said Jonathan West, and that the/ said Jonathan West have and recover of/ the said Asa Thompson the costs ___able to/ the Justice of the peace and the _____ of this/ cause and all witnesses summoned on the/ part of the said Asa Thompson [D140.1]

~~~~~~

Exparte William M. Wingfield this day/ produced and filed in court his account/ against the County of Union for the sum of/ Fifteen dollars & twenty Cents for services/ rendered, as Deputy Jailor fo the County of Clark/ and it appearing to the Court there that the said/ William M. Wingfield, was Deputy Jailor as in/ the account specified, and that the same is/ therein specified have been duly rendered/ and that the charges therefor made and the/ Appropriate legal charges for the services afore/said, It is therefore ordered that the County of/ Union pay the same, and that a copy of the/ order together with the account and certificate/ of Abner E. Thornton late sheriff of the County/ of Clark {filed herein} be certified under the seal of this/ court to the county court of Union County [D140.2]

~~~~~~

Page 141, Book D

The Grand Jury returned into Court the follow/ing Indictments to wit. An Indictment against/ John H. Mosley A True Bill, An Indictment/ against Richard Brittan, A True Bill, An/ Indictment against Joseph James, A True/ Bill, An Indictment agains Henry Peb/worth {A True Bill} An Indictment against Alexander/ Carutheres, A True Bill, And _____ _____/ by the Court that Capias issue thereon return/able to the next Term of this Court, And the/ grand Jury having no further business before/ them were discharged [D141.1]

~~~~~~

John M^{c}Lain Plff)
vs.) Debt
John S. T. Callaway Deft)

This day came the parties aforesaid by their/ attorneys and on motion and by mutual/ Consent of the parteis this cause is dismissed/ at the costs of the said Defendant, It is/ Therefore considered by the Court tha the/ said Plaintiff John M^{c}Lain have and/ recover of the said Defendant Jno S. T. Callaway/ the costs about this suit expended [D141.2]

~~~~~~

~~On motion of G. D. Royston it is ordered by the/ Court that a rule be issued against Jonathan/ O Callaway to returnable to the next Term of/ this Court to show cause why he should not/ be fined for failing to attend as a witness in/ the case of John Wilson agains Samuel/ Hemphill and that a copy of this order be/~~

~~issued on the said Jonathan O. Callaway by/ the sheriff of this County at least thirty days/ before the next Term of this Court~~ [5] [D141.3]

~~~~~~

Page 142, Book D

Ordered that Court adjourn until nine Oclock/ tomorrow morning
S. J. Handy [D142.1]

~~~~~~

Wednesday morning/ March 29th 1837/ Present as yesterday [D142.2]

~~~~~~

Andrew Hemphill	Plaintiff	)	
vs.		)	Debt
John Wilson	Defendant	)	

And now on this day/ Came the parties aforesaid by their attorneys and/ the Court now being sufficiently advised of and/ concerning the plaintiffs demurrer to the defendants/ pleas in this cause and it appearing to the Court here that/ the said plea of nil debit of the said defendant and/ the matters and things therein Stated in manner and/ form as the same are therein Stated and set forth/ are not sufficient in law to bar or preclude the/ said plaintiff from having and maintaining his/ aforesaid action thereof against the said defendant/ Therefore it is Considered by this Court that the said/ demurrer to the said plea of non est factum be overruled/ and thereupon the said plaintiff joined issue tot he said/ plea of not est factum in short upon the record/ by Consent, And thereupon the plaintiff being ruled to/ proceed with the Cause said he would suffer a non Suit… [D142.3]

~~~~~~

Page 143, Book D

…according to the form of the Statute in such case/ made and provided, Therefore on motion it is/ Considered by the Court that the plaintiff be non/ suited, and take nothing by his suit and that the/ said defendant be discharged therefrom and go hence/ without day and recover of the said plaintiff/ all of the Costs in and about this suit expended [D143.1]

~~~~~~

[5] The entire entry is marked through with lines and the word "Error."
~~~~~~

Charles Baird Plaintiff)
vs.) Debt
Henry Cox Defendant)

This day the parties aforesaid appeared/ by their attorneys, and on motion of the plaintiff/ it appearing to the satisfaction of this Court/ that judgment abating this suit for the supposed/ death of the plaintiff was give and entered at a/ previous day of the present term, by Mistake/ therefore it is ordered by the Court that the said/ order and Judgment of the Court given in this/ case at a previous day of the present term of/ this Court be and the same is hereby rescinded/ and set aside and altogether held for nought/ and this cause is reinstated on the docket of/ this Court as the same stood previous to the/ entering of such order and judgment, and it is/ further Ordered that this Cause be Continued/ until the next term of this Court; at the Costs/ of the plaintiff [D143.2]

~~~~~~

Moses Collins)
vs.) Motion
Allen H. Johnson)

This day came the said Moses Collins/ by Hubbard his attorney and filed trans/Cripts of two several recoveries had by the/ said Moses Collins against the said Allen H.... [D143.3]

~~~~~~

Page 144, Book D

...Johnson before Isaac Ward late a Justice of the peace/ _____ _____ _____ and County of Clark and/ it appearing to the satisfaction of the Court here/ that the said Allen H. Johnson is indebted to the/ said Moses Collins in the sum of thirty three/ dollars and ninety {one} Cents the residue of the debts/ in the recoveryes specified and that the said/ Moses Collins is indebted to the said Allen H./ Johnson in the sum of twenty three dollars/ and fifty six cents due to the said Johnson/ as a witness before this Court in a certain suit/ heretofore pending before this Court wherein/ Balda C. Johnson was plaintiff and the said/ Moses Collins was defendant and in which/ said action the said Balda C. Johnson/ recovered against the said Moses Collins/ as appears to us of record in this Court/ On motion of the said Moses Collins it is/ ordered by the court here, that the aforesaid/ sum of twenty three dollars and fifty six/ Cents due to the said Allen H Johnson as/ aforesaid be defaulted and set off against/ so much of the {said} sum of {thirty} three dollars and ninety/ one cents due and owing from the said/ Allen H Johnson to the said Moses Collins/ aforesaid, and that execution of the said/ recovery had in this Court by the said/ Balda C. Johnson against the said Moses/ Collins be staid as to the said Allen H. Johnson [D144.1]

~~~~~~

The State	Plff	)	
vs.		)	Indictment for an
James M^{c}Kinney	Deft	)	assault & Battery

This day came the Defendant in his proper/ person, and moves the Cuort here to set a side the/ Verdict rendered against him upon the… [D144.2]

~~~~~~

Page 145, Book D

…trial of the above indictment and to grant/ him a new trial because he has since the trial/ as certained that hc can prove ~~other~~ facts/ lending to his Justiffication of which he was not/ cognizant at the time of or before the trial/ which said motion being heard and due/ consideration therein had the court/ Considers that the said defendant James/ M^{c}Kinney shall have a new trial granted/ him, and that the costs of this prosecution/ await the event thereof, and that this suit/ be continued until the next Term of this/ Court and the said Defendant James/ M^{c}Kinney and A. H. Rutherford acknowledge/ themselves in open Court Jointly to owe to/ the State of Arkansas the sum of one hun/dred dollars conditioned that the said/ James McKinney be and appear at the/ aforesaid indictment against him the/ said James McKinney, and shall not depart/ therefrom {until the same be} duly disproved of [D145.1]

~~~~~~

Exparte William Janes and James Sloan/ Administrators ~~of the estate of~~ {~~Joseph~~} with the will annexed/ and Guardians of the minor Children of and/ heirs at Law of Joseph Janes Deceased

Petition for the sale of Slaves

This day the Petitioners appeared by their attorney/ and presented their petition which was read and/ filed whereupon on consideration of the premises/ It appearing to the Court here that the said/ Petitioner Williams Janes is Judge of the Court/ Court of the County of Clark and that it is for/ the interest of the Estate and is the advantage/ of the minor heirs of said Joseph Janes Deceased… [D145.2]

~~~~~~

Page 146, Book D

...viz David Janes Sarah Janes Morgan M Janes/ James Janes and Amy Ann Janes to sell the/ negro slaves of said estate mentioned in said/ Petition viz pat and Lathy his wife the former/ about Forty five years of age and the latter/ about Forty years of age Therefore this Court/ doth adjudge order and decree that the said/ Petitioners proceed to sell the said negro slaves/ Pat and Lathy at private sale if they should/ believe that said slaves can be sold at private/ sale for as much as they would sell for at public/ auction at such time and upon such Terms as/ they may Consider the most advantageous to/ sell said slaves at public auction for the best/ price for which they can be sold giving at/ least twenty days previous public notice of the/ Same and most advantageous in said/ sale and take of the purchaser or purchasers/ bond with approved security for the payment/ of the purchase money and shall report to this/ Court their proceedings under and by virtue/ of this order and this case is Continued until/ the coming in of such report [D146.1]

~~~~~~

Willis S Smith sheriff of Clark County this/ day produced a Deed executed by him as said/ sheriff to Ephriam Merick and William Moss/ conveying to them all the right title claim interest/ and Demand of John Freeman had in and to/ the lands and tenements therein mentioned and/ described and acknowledged the same to be his/ act and Deed hand and seal for the uses and/ purposes therein mentioned [D146.2]

~~~~~~

Page 147, Book D

On motion it is ordered by the Court that the Clerk/ of this Court issue an attachment against/ Richard Brittan and John Forbes Returnable/ to the next term of this Court to Show Cause/ Why they shall not be fined for a Contempt/ offered this Court in failing to attend at the/ present term of this Court and give testmony/ in the Case of John Wilson administrator/ of the estate of John L. Hemphill deceased/ against John S T Callaway in a cause/ now pending in this Court between said/ parties and it is further ordered by/ the Court that they be _____ upon/ giving bond in the sum of one hundred/ dollars each for their appearance/ on the first day of the next term/ of this Court [D147.1]

~~~~~~

Ordered that Court adjourn untill/ Court in Course

L. J. Handy [D147.2]

~~~~~~

State of Arkansas)
County of Clark)

Clerk's office of the
Clark Circuit Court

) In Vacation July 28th
) 1837 [D147.3]

~~~~~~

Henry Cox Deft)
vs.) Debt
Charles Baird Plff)

This day came the said Henry Cox, and on his motion It is ordered that/ he have leave to take Depositions of witnesses/ Generally before any Judge or Justice of/ the peace in the State of Arkansas/ Witness my hand as Clerk of said/ Circuit Court the day and year above/ written

Jas L. Ward Clk [D147.4]

~~~~~~

Page 148, Book D

State of Arkansas) Clerk's office of the
County of Clark) Clark Circuit Court
) In Vacation Septr 5th 1837 [D148.1]

~~~~~~

Andrew Hemphill)
vs.) Bill in
Harriet Fish Administratrix of) Chancery
the estate of David Fish Deceased)

This day Came the said Andrew Hemphill/ and on his motion it is ordered that he have/ leave to take Depositions of witnesses Generally/ before any Judge or Justice of the peace in/ the State of Arkansas, Witness my hand as/ Clerk of said Circuit Court the day and/ year above written

Jas. S. Ward Clerk [D148.1]

~~~~~~

Page 149, Book D

State of Arkansas)
County of Clark)

At a circuit Court began and/ held at the Court House in the Town of/ Greenville in Said County On Monday the/ 23th day of September it being the fourth/ Monday in said month in the year of/ our Lord One thousand Eight hundred/ and thirty Seven Present the Honorable/ Levin J. Handy Judge of said Court [D149.1]

~~~~~~

Ordered that the sheriff Proclaim that/ Court has met in pursuance of Law and is/ ready to proceed with the business thereof [D149.2]

~~~~~~

~~The Sheriff of the County of Clark this/ day returned the following panel of Grand/ Jurors to wit William Gentry who was sworn/ as foreman Thomas J. M^e^Laughlin Walter C./ M^e^Laughlin, Abraham Newton Abraham Wells/ William Stroope Jacob Hoffman William/ Gordon Jester Cocke Senr John York George/ Overbaugh Drewry Hasley Henry L. Lightfoot/ S. R. Babbit William H. Stroope John/ York George Overbaugh Henry L. Lightfoot/ Joseph Delany Benjamin Lewis Thomas/ McNeely John Gentry Sanford R. Babbit/ Jonathan O Callaway Robert Frier~~ [6] [D149.3]

~~~~~~

The Sheriff of the County of Clark this day/ returned the following pannel of Grand/ Jurors to wit: William Gentry who was/ sworn as foreman Jonathan O. Callaway/ Thomas J. M^c^Laughlin Walter C. M^c^Laugh/lin Abraham Newton Abraham Wells/ William H. Stroope Jacob Hoffman… [D149.4]

~~~~~~

Page 150, Book D

…Robert Frier William Gordon Jester Cocke/ Senr John York George Overbaugh Drewry/ Hasley Henry L. Lightfoot William Stroope/ Joseph Delany Joseph Hofman Benjamin/ Lewis Elias Hoffman Thomas M^c^Neely/ John Gentry Sandford R. Babbit Twenty three/ good and lawful men all of whom were severaly/ selected tried, and sworn and retired from/ the bar to Consult of their duties [D150.1]

~~~~~~

Ordered by the Court that John Field be/ appointed Prosecuting attorney/ Protem where upon the said John Field/ appeared in open Court and took an Oath/ to support the Constitution of the United/ States and that of the State of Arkansas and/ faithfully and dutifully to discharge the duties/ of Prosecuting attorney protem during the/ absence of the ~~absence of the~~ prosecuting attorney [D150.2]

~~~~~~

---

[6] The entry is marked through with a large "X". The name "S. R. Babbit" is also marked through with a line.

State of Arkansas)
vs.) Indictment for an
James M^{c}Kinney) Assault & Battery

This day Came the state by John Field/ prosecuting attorney protem and the defendant/ in his own proper person and surrendered himself/ in discharge of his recognizance herein and the/ Indictment being read to the said Defendant to which/ he plead not Guilty in manner and form as/ Charged in the Indictment to {which} the state by its attorney/ Joined issue And thereupon Came a Jury towit/ Robert S Taite Thomas B. Malone A B Caruthers/ James Williams Nathaniel Britton Zachariah/ Davis Edward Davis Martin Burk G M Maddox/ John Bolt James Beggs Isaac Large Twelve/ good lawful men of the County of Clark who being… [D150.3]

~~~~~~

Page 151, Book D Clark Circuit Court September Term {1837}

…Selected tried and sworn well and truly to try/ the issue Joined between the parties aforesaid/ and a true verdcit render according to Law/ and evidence who after hearing the evidence/ of the parties aforesaid, retired from the/ bar to Consult of their verdict and thereupon/ returned to the Court the following verdict/ towit – We the Jury find the defendant not/ guilty – Thos B. Malone foreman- It is therefore/ Considered by the Court that the defendant/ be discharged therefrom and go hence without/ day [D151.1]

~~~~~~

State of Arkansas)
vs.) Indictment for
Alexander B. Caruthers) Assault &
) Battery

This day the parties aforesaid by their/ attornies, and the Indictment being read/ to the Defendant to which he replied not gulity/ and to which the plaintiff Joined issue, And, there/upon Came a Jury towit- G. M. Maddox/ John D. Taylor Charles Gollihar Samuel/ Hemphill John R. Richards A. E. Thornton/ James Williams George Long George Stroope/ Jacob Stroope Zachariah Davis and/ James Hemphill Twelve good and lawful/ men of the County of Clark who being Elected/ tried and sworn well and truly to try the/ issue Joined between the parties and a/ true verdict render According to law and/ Evidence who after hearing the allegations/ and Proofs of the parties retired from the/ bar to Consult of their verdict {and thereupon returned the following verdict} towit: We the/ Jury find the defendant guilty as charged in/ the Indictment, and impose a field of Twelve… [D151.2]

~~~~~~

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...and a half cents James Williams foreman/ It is therefore Considered by the Court that the/ plaintiff have and recover of the Defendant the/ aforesaid sum of Twelve and a half cents together/ with the Cost in and about this suit Expended [D152.1]

~~~~~~

State of Arkansas)
vs.) Indictment for
Henry Pebworth) assault & Battery

This day Came the parties aforesaid by/ their attornies, and on motion and verbal/ affidavit of the Defendant it is ordered that/ this Cause be Continued until the next Term/ of this Court. And it is further ordered that the/ plaintiff have and recover of the Defendant the/ Cost in and about this Continuance Expended [D152.2]

~~~~~~

State of Arkansas)
vs.) Indictment for
Richard Britton) Assault & Battery

And now at this day Came the prosecuting/ attorney, and on his motion it is ordered that/ an alias Capias issue to the sheriff of the/ County of Clark returnable to the next Term of/ this Court to which time this Cause is Continued [D152.3]

~~~~~~

State of Arkansas)
vs.) Indictment for an
Joseph Farris) assault & Battery

And now at this day Came the prosecuting/ attorney and on his motion it is ordered that/ an alias Capias issue to the sheriff of the County/ of Clark returnable to the next Term of... [D152.4]

~~~~~~

Page 153, Book D Clark Circuit Court September Term {1837}
~~~~~~

...this Court to which time this cause is/ Continued [D153.1]

~~~~~~

Ordered that Court adjourn until/ Ten Oclock tomorrow morning
L. J. Handy [D153.2]

~~~~~~

Tuesday morning September 26th/ 1837 Present the Honorable L. J. Handy/ Judge thereof [D153.3]

~~~~~~

State of Arkansas	)	
vs.	)	Indictment
John H. Mosley	)	for assault &
	)	Battery

This day came the plaintiff by Stephenson/ its attorney, and the Defendant not/ appearing therefore on motion and by/ Consent this {cause} is Continued until the/ next Term of this Court [D153.4]

~~~~~~

State of Arkansas	)	
vs.	)	Attachment
John Forbes &	)	
Richard Britton	)	

This day Came the State by Stephenson/ its attorney, and the said John Forbes in his/ proper person in discharge of his recognizance/ and the said defendant being heard on oath/ it is Considered by the Court that said/ Defendant has shown insufficient cause for/ failing to attend as witness at the March Term/ of this Court {1837} It is therefore ordered by the Court/ that said John Forbes be fined in the sum/ of Two Dollars, and pay the cost of this Rule... [D153.5]

~~~~~~

Page 154, Book D

...And it is further ordered that an alias Capias/ issue in this case against the said Richard/ Britton [D154.1]
~~~~~~

~~~~~~

~~William Irons~~)
Charles Baird)
vs.) Debt
Henry Cox)

This day Came the parties aforesaid and/ on motion and by consent of Parties this Cause is/ Continued until the next Term of this Court/ and it is further ordered and adjudged that/ plaintiff have and recover of the Defendant/ the Cost in and about this Continuance/ Expended [D154.2]

~~~~~~

Samuel Hemphill Appellant)
vs.) Appeal
Moses Guice Appellee)

This day Came the parties aforesaid and/ on motion and by Consent and by Consent of/ Parties this cause is Continued until the next/ Term of this Court ~~And it further ordered by/~~ ~~the Court~~ [D154.3]

~~~~~~

Samuel Hemphill Plff)
vs.) Trespass on the
John Wilson Deft) case in trover

This day Came the parties aforesaid/ and on motion and by Consent of parties/ this Cause is Continued until the next Term/ of this Court at the Cost of the Defendant [D154.4]

~~~~~~

Page 155, Book D

Asa Thompson Plff)
vs.) Debt
John H. Mosley Deft)

This day Came the parties aforesaid/ and on motion and by Consent of parties/ this cause is Continued until the next Term/ of this Court at the Cost of the defendant [D155.1]

~~~~~~
~~~~~~

John Wilson Plff)
vs.) Trespass
Samuel Hemphill Deft) on the case

And now at this day Came the/ parties aforesaid, and on motion and by/ Consent of parties this Cause is Continued/ until the next Term of this Court at the cost of/ the Defendant [D155.2]

~~~~~~

John Wilson administrator of the estate Plff)
of John L. Hemphill Deceased)
vs.) Trespass on
John S. T. Callaway Deft) the case

This day came the parties aforesaid and/ on motion and by consent of Parties this/ cause is Continued until the next Term of/ this Court And it is further ordered and/ adjudged by Court that the plaintiff/ have and recover of the defendant the cost/ in and about this Continuance [D155.3]

~~~~~~

William McNeely & Samuel)
Warner Plffs)
vs.) Trespass
Samuel Hemphill Deft) on the
) Case

This day Came the parties aforesaid/ and on motion and by Consent of parties/ this Cause is Continued until the next/ Term of this Court [D155.4]

~~~~~~

Page 156, Book D

Robert H. Conway assignee of)
Ezekiel George Plff)
vs.) Debt
John S. T. Callaway Deft)

This day Came the plaintiff by his/ attorney as well as the said Defendant in his/ own proper person, and craves oyer of the/ Said supposed writing obligatory in the/ plaintiffs Declaration mentioned which/ is granted by the plaintiffs filing the original/ writing obligatory which accepted as oyer/ and the said defendant saying nothing/ other or further in bar or preclusion of the/
~~~~~~

Plaintiffs said demand, and the said/ plaintiffs demand being founded on a writing/ obligatory payable to the said Ezekiel George/ and by the said Ezekiel George assigned/ made over and endorsed to the said Robt/ H. Conway the plaintiff herein due and/ payable on the 31st day of March Eighteen/ hundred and thrity seven for the sum of/ one hundred and seventy dollars.

It is therefore Considered by the Court/ that the said plaintiff have and recover/ of and from the said defendant the/ aforesaid sum of One hundred and seventy/ Dollars {the} Debt {in} the plaintiffs declaration/ mentioned together with the further sum/ of five Dollars and eight Cents the damages/ by him sustained by reason of the detention/ thereof And also the Costs in this behalf/ by him Expended [D156.1]

~~~~~~

Page 157, Book D

William McNeely & Samuel Warner)			
Administrators of the Este of Samuel)			
Parker Deceased	Plff	)	
vs.		)	Trespass
Green B. Davis	Deft	)	on the case

This day Came the parties aforesaid ~~b~~/ and on motion and by Consent of parties/ this Cause is Continued until the next Term/ of this [D157.1]

~~~~~~

William Irons	Plff	)	
vs.		)	Debt
John S. T. Callaway	Deft	)	

And on this day Came the said plaintiff/ by his attorney and the said defendant/ in his own proper person and the said defend/and saying nothing {farther} in bar or preclusion of/ the said plaintiffs aforesaid action, It is/ therefore Considered by the Court here that the/ said William Irons have and recover of the/ said John S. T. Callaway the sum on one/ hundred ~~dollars~~ Sixteen Dollars the Debt/ in his said Declaration mentioned and/ also the futher sum of thirty five Dollars/ and twenty six cents the damages by him/ sustained by reason of the detention thereof/ and also his costs in and about this suit/ Expended and that he have Execution/ therefor [D157.2]

~~~~~~

David Tramel Plff)
~~~~~~

vs.) ejectment[7]
Samuel Hemphill Deft)

This day Came the parties aforesaid… [D157.3]

~~~~~~

Page 158, Book D

…and on motion and by Consent of parties/ this cause is continued until the next Term/ of this Court at the Costs of the Defendant [D158.1]

~~~~~~

William Clark Plff)
vs.) Trespass on
Daniel E. Williams Deft) the case

This day Came the parties aforesaid/ and on motion and by consent of parties/ this cause is Continued until the next Term/ of this court, and it is further ordered and/ adjudged by the Court that plaintiff have/ and recover of the defendant the costs in and/ this Continuance Expended [D158.2]

~~~~~~

J & J W Mason Plffs)
vs.) Debt
John S. T. Callaway Deft)

This day Came the parties aforesaid/ {and on motion} and by Consent of the parties this Cause is/ Continued until the next Term of this Court [D158.3]

~~~~~~

Andrew Hemphill Complainant)
vs.) Bill in
Hariet Fish Administratrix) Chan
of the Estate of David Fish Deceased Deft) Cery

On motion and by Consent this cause/ is Continued until the next Term/ of this Court [D158.4]

---

[7] "Ejectment is an action to restore possession of property to the person entitled to it." (Black, Henry Campbell, 1991, Black's Law Dictionary, Abridged Sixth Edition, West Publishing Company. St. Paul, Minnesota, p. 357)

~~~~~~

A. Fowler Suvr^{g} Adm^{tr} of Robert Crittenden)
vs.)
Charles Cocke Deft)

This day came/ the s^{d} plaintiff by/ attorney, and on his motion it is ordered that the execution/ issued in this case be quashed and set aside at plt costs [D158.5]

~~~~~~

Page 159, Book D Clark Circuit Court Septr Term {1837}

A. E. Thornton Complainant)
vs.) Bill in
Nancy Jacobs and others) Chancery

This day came the parties aforesaid/ and on motion and by Consent of parties/ this cause is Continued until the next/ Term of this Court [D159.1]

~~~~~~

Whereas the indisposition of the Court and of sever/al members of the bar renders it impossible to continue/ in session longer at the present time, therefore on motion/ of Jno W Cocke it is ordered by the Court (it first/ being ascertained that the members, desires adjo/urnment for the Cause aforesaid) that the Civil and/ Criminal business now remaining on the docket {undisposed of}/ be adjourned ____ until the Fifth Monday/ of October next, at which time the parties to all/ the business which would have been acted upon/ at this term, but such action is defered, will be/ in attendance for such Cases as may be/ in a Situation for trial will be disposed/ of at the ensuing special term to be holden/ on the Fifth Monday of October, as aforesaid [D159.2]

~~~~~~

The Grand Jury for the County of Clark/ returned into Court the following bills of/ Indictment –and having no further business were/ discharged [D159.3]

~~~~~~

The State of Arkansas)
vs.) Indictment as _____
John H. Mosley) before the fact of
) Horse Stealing [D159.4]
~~~~~~

~~~~~~

Same)
vs.) Indictment for an
James W. Crow) assault & Battery
) a True Bill [D159.5]

~~~~~~

Page 160, Book D

Same)
vs.) Indictment for an assault
Michael Bozeman) and Battery A True Bill [D160.1]

~~~~~~

State of Arkansas)
vs.) Larceny
Miles Green Bolt)

It appearing to the satisfaction/ of the Court that the grand Jury having found/ no bill of Indictment in this case, and the said/ Miles Green Bolt having surrendered himself/ in discharge of his recognizance It is therefore/ Considered by the Court that the said Miles/ Green Bolt be discharged of said recognizance/ and go hence without day [D160.2]

~~~~~~

Ordered that Court adjourn until the/ fifth Monday in October next
L. J. Handy [D160.3]

~~~~~~

State of Arkansas)
County of Clark)

At a special {adjourned} Term of the Clark/ Circuit Court began and held at the Court House/ in the Town of Greenville on Monday the 30th day/ of October in the year of our Lord one thousand/ Eight Hundred and thirty Seven Present the/ Honorable Levin J. Handy Judge of said/ Court [D160.4]

~~~~~~

Ordered that the sheriff proclaim that Court/ has met pursuant to adjournment and is ready/ to proceed with the business thereof [D160.5]

~~~~~~

Page 161, Book D Clark Circuit Court October Special {Term 1837}

This day came John Payton and on his/ motion he was qualified as an attorney/ and Counsellor of law in this Court [D161.1]

~~~~~~

On motion of the prosecuting attorney a special/ Grand Jury is ordered and it _____ [D161.2]

~~~~~~

The sheriff of the County of Clark ~~this day~~/ returned into Court the following pannel/ of Grand Jurors to wit Jonathan O. Callaway/ who was sworn as foreman John Bolt Benjamin/ Lewis Walter G. M^{c}Laughlin Abraham Bolt/ Isham L. Stroud Adam Stroud Abner/ Hignight Abraham Wells Thomas McNeely/ Henry L. Lightfoot William Stroope Jester/ Cocke Thomas M^{c}Laughlin Joseph Hoffman/ Robert Frier Jackson Gentry William/ Gentry Elias Hoffman John York George/ Overbaugh Twenty one good and lawful/ men of the County of Clark who being elected/ tried and sworn retired to Consult of their duties [D161.3]

~~~~~~

William McNeely & Samuel Warner)
Administrators of the Estate of Samuel Parker)
Deceased Plffs)
vs.)
Samuel Hemphill Defendant)

This day Came the parties aforesaid by/ their attorneys and on motion and by Consent/ it is ordered by the Court that this suit abate/ and that the same {be} ~~very~~ revived in the name/ of John W. Williams the present administra/tor of the Estate of the said Samuel Parker Deceased [D161.4]

~~~~~~

William McNeely & Samuel Warner)
Administrators of the Estate of Samuel Parker)
Deceased Plffs)
vs.)
Green B. Davis Deft)... [D161.5]
~~~~~~

~~~~~~

Page 162, Book D

…This day Came the Parties aforesaid by their attorneys/ and on motion and by Consent it is ordered that this/ suit abate and it is further ordered by the Court/ that this suit be revived in the name of John W./ Williams the present administrator of the Estate of/ the said Samuel Parker Deceased [D162.1]

~~~~~~

Ordered that _____ Dorris be fined in the sum/ one Dollar for Contempt offered this Court by talking/ aloud in the hearing of the Court [D162.2]

~~~~~~

Myers F. Jones	Appellant	)	
vs.		)	Appeal[8]
John Bolt	Appellee	)	

This day Came the Parties aforesaid by/ their attorneys and it appearing to the satisfaction/ of the Court that the appellant in this Case has/ failed to _____ his demand against the/ said appellee It is therefore ordered that this/ Cause be dismissed and that the said appellee/ have and recover of the said appellant {all the} Costs/ in and about this suit Expended [D162.3]

~~~~~~

The State of Arkansas Plff		)	
vs.		)	Indictment as
John H. Mosley	Deft	)	accessary to Horse
		)	Stealing[9]

This day Came the Prosecuting attorney and/ on his motion it is ordered by the Court that/ the Indictment in this Case be quashed/ and set aside [D162.4]

~~~~~~

The State of Arkansas)		
vs.	)	Indictment as
John H. Mosley	)	an accessary to

[8] The word "Error" is written across this entry one time.
[9] The word "Error" is written across this entry four times.
~~~~~~

) Horse Stealing

And now on this day Comes the prosecuting/ attorney and moves the Court to quash the… [D162.5]

~~~~~~

Page 163, Book D

…and set aside the Indictment in this Case/ and the allegations of the parties being heard/ and Considered by the Court It is therefore/ Considered by the Court that said Indictment/ be quashed and set aside and that the/ Defendant have and recover of the plaintiff/ the Costs in and about this motion Expended [D163.1]

~~~~~~

The Grand Jurors returned into Court/ An Indictment against John H. Mosley/ as an accesary to Horse Stealing/ A True Bill [D163.2]

~~~~~~

Myers F. Jones	Appelle	)
vs.		)
John Bolt	Appellant	)

This day/ Came the parties by their attorneys not readable [D163.3]

~~~~~~

Ordered that Court adjourn until tomorrow/ morning Ten Oclock
L. J. Handy [D163.4]

~~~~~~

Tuesday Morning October 31st Present/ as on yesterday [D163.5]

~~~~~~

Page 164, Book D Clark Circuit Court October Special Term 1837

Jacob Barkman	Plff	)	
vs.		)	Attachment
Edward Jno Busvine	Deft	)	

And now on this day Came the plaintiff by/ his attorney and filed his declaration in this/ Case logs herewith the note and account in said/ declaration mentioned and moves the Court for/ a Continuance of this Cause until the next/ Term of this Court, It is therefore ordered by/ the Court that this Cause be Continued until the/ next Term of this Court [D164.1]

~~~~~~

Matthew Gray	Appellant	)	
vs.		)	appeal
John M^{c}Laughlin	Appellee	)	

This day Came the parties aforesaid by/ their attornies at which time the appellee/ by his attorney filed his motion in writing to/ dismiss and set a side the proceeding in/ this Cause, and said motion being heard, and/ the Court being fully advised of and Concerning/ Said motion doth Consider that said motion/ ought to be sustained. It is therefore Considered/ by the Court that this {the proceedings in} Cause be dismissed, and that/ the appellee have and recover of said appellant/ his Costs and about this suit in this behalf/ Expended [D164.2]

~~~~~~

Absalom Turner for the use of William Triplett	Plff	)	
vs.		)	Debt
John S. T. Callaway & William Scarborough	Defts	)	

This day the parties appeared by their/ attornies and on motion and by Consent of parties/ this cause is continued until the next Term of/ this Court [D164.3]

~~~~~~

Page 165, Book D Clark Circuit Court October (Special) Term {1837}

State of Arkansas	Plaintiff	)	
vs.		)	Indictment for accessory
John H. Mosley	Defendant	)	to Horse Stealing[10]

And now on this day came the State of Arkansas/ by John Fields prosecuting attorney protem and the said defendant John H./ Mosley was brought into Court here in custody of Willis S. Smith/ sheriff of the said County

[10] This entry is squeezed into a very small space at the top of the page and apparently was inserted after the following entry was made. The print is small and difficult to read.
~~~~~~

of Clark And to whose custody he is _____ _____/ also _____ and the said defendant being arraigned upon the/ indictment herein against him and the same being _____/ read to him, And _____ after being so arraigned and _____ the said/ indictment read to him the said defendant John H. Mosley _____ plea/ says that he is not guilty _____ _____ premises in the said indictment _____/ upon _____ _____ _____ _____ _____ as charged he stands charged in said indictment/ _____ _____ _____ _____ _____ _____ the county and the said State of Arkansas/ _____ _____ said attorney [rest of statement unreadable in photocopy] [D165.1]

~~~~~~

Richard C. Byrd Plff)
vs.) Debt
Thomas B. Malone Deft)

This day Came the parties by their attorneys/ and on motion of the plaintiff leave is given/ him to amend the original summons in this/ Case which amendments as accordingly made/ and this Cause is Continued until the next/ Term of this Court [D165.2]

~~~~~~

The Grand Jurors returned into an/ Indictment against John H. Mosley for/ Horse Stealing A True Bill an Indict/ment against William Grisham for Horse/ Stealing a True Bill [D165.3]

~~~~~~

Ordered that Court adjourn until/ 9 Oclock tomorrow morning
L. J. Handy [D165.4]

~~~~~~

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~~~~~~

Page 165[11], Book D Clark Circuit Court October special Term {1837}

Richard C. Byrd Plff)

[11] This is a second page in Book D numbered as 165; in the index page numbers will be shown as "D165b.x"
~~~~~~

vs.) Debt[12]
Thomas B. Malone Deft)

This day Came the parties by their attorneys/ and on motion of the plaintiff leave is given/ him to amend the original Summons in this/ Case which amendment was accordingly/ made, and this cause is Continued until the/ next Term of this Court [D165b.1]

~~~~~~

The Grand Jurors returned into Court/ an Indictment against John H. Mosley/ for Horse Stealing A True Bill an/ Indictment against William Grisham/ for Horse Stealing A True Bill[13] [D165b.2]

~~~~~~

The State of Arkansas Plaintiff)
vs.)
John H. Mosley Defendant) Indictment for
) Accessory to Horse
) Stealing[14]

And now on this day Came/ the State of Arkansas by John Field prosecuting/ attorney Pro Tem and the said defendant John/ H. Mosley was brought to the bar of this Court in/ the Custody of Willis S. Smith sheriff of the said/ County of Clark and to whose Custody he is now here/ also commited and the said defendant John H./ Mosley here in open Court received his priviledge of being/ Served with a copy of the indictment herein against him/ and {a} list of the jurors two in the days previous to his/ trial and the said defendant John H. Mosley now being/ arraigned upon the indictment {herein} against him and/ the indictment herein against him being sustinctly/ read to and heard by the said defendant John H./ Mosley {and} being so arraigned and hearing the said/ indictment read as aforesaid the said defendant/ John H. Mosley for plea says that he is not… [D165b.3]

~~~~~~

Page 166, Book D Clark Circuit Court October Term 1837

…guilty of the premises in the said indictment charged/ upon him in manner and form as he stands/ charged in said indictment and of this he puts/ himself upon the County and the said state of/ Arkansas by her said attorney in this behalf/ doth the like and on motion of the said/ John Field prosecuting attorney pro tem it is

---

[12] Duplicate entry to one on page D165.
[13] Duplicate entry to one on page D165.
[14] Similar, but more complete, entry to one on page D165.
~~~~~~

ordered/ by the Court that a venire facias issue directed/ to the sheriff of Clark County Commanding/ him to summon twelve good and lawful men/ of the County of Clark aforesaid to serve as/ as jury in the trial of the issue aforesaid/

And thereupon Came a jury to wit Charles/ Prewit John Prewit Bar___ Snellgrove James/ K. Rogers William Janes Sr. James Lisenby James/ Baggs Francis J. Browning Joshua Elkins Allen/ B. Lackland Yerby C. Lisenby and Thomas B./ Malone twelve good and lawful men to the said/ County of Clark who being elected tried and/ sworn well and truly to try and a true/ deliverance make between the state of Arkansas/ and the said defendant John H. Mosley the/ prisioner at the bar and a true verdict render/ according to law and evidence and by Consent/ the said defendant John H. Mosley – as well as -/ the said prosecuting attorney protem this prosecution/ is respited over until tomorrow morning and/ thereupon the said defendant John H. Mosley was/ _____ to the Common Jail of Clark County/ from whence he came [D166.1]

~~~~~~

Ordered that court adjourn until to/morrow morning nine Oclock
L. J. Handy [D166.2]

~~~~~~

Page 167, Book D # Clark Circuit Court October Term 1837

Wednesday morning Nov 1st 1837/ Present the Honorable Levin J. Hardy Judge [D167.1]

~~~~~~

The State of Arkansas Plff	)		
vs.		)	Indictment
John H. Mosley	Deft	)	as accessory
		)	to Horse Stealing

This day came the parties aforesaid/ by their attornies and thereupon on Motion/ of the Prosecuting attorney the defendant John H./ Mosley was again brought to the bar of the Court/ by the sheriff of the County of Clark into whose/ custody he had been ordered by the Court/ and the examination of witnesses as well/ for the defendant as for the state being/ completed; but there not being time for/ the argument of the Counsel concerned/ herein - it is ordered, on motion and Consent/ of parties that this Cause be postponed/ till tomorrow morning and the prisioner/ was thereupon remanded to jail [D167.2]

~~~~~~

Ordered that Court adjourn/ until tomorrow morning at 9 of the Clock
L. J. Handy [D167.3]

~~~~~~

Thursday Morning November 2nd 1837/ Present the Honorable Levin/ J. Handy Judge of said Court [D167.4]

~~~~~~

This {came} day the Prosecuting attorney Protem/ and on his motion to Excuse Isham/ L. Stroud from further services as a… [D167.5]

~~~~~~

Page 168, Book D Clark Circuit Court October Term 1837

…Grand Juror at the present Term of this/ Court It is ordered that said Isham L. Stroud/ be discharged from further services as a Grand/ Juror at the present Term of this Court [D168.1]

~~~~~~

~~Samuel Hemphill Plff~~)[15]
~~vs.~~)
~~John Wilson Deft~~)

~~This day Came the Plaintiff by Hubbard/ his attorney and filed his {Petition and} affidavit stating/ that the Defendant John Wilson has an un/due influence over the minds of the inhabitants/ of the County of Clark, and praying a char~~ [D168.2]

~~~~~~

Samuel Hemphill Plff)
vs.) Trespass on
John Wilson Deft) the Case

This day came the plaintiff by Thos/ Hubbard his attorney and filed his Petition/ and affidavit Stating that John Wilson the/ Defendant in this Case has an undue influence/ over the minds of the inhabitants of the County/ of Clark, and praying a change of Venue in/ this Cause, Whereupon a change of Venue/ is hereby awarded from the Circuit Court of the/ County of Clark to the County of Hempstead, and/ {it is hereby ordered that} the Clerk of the Circuit Court of the County of Clark/ ~~is hereby~~ forward the papers in this Cause/ in

[15] Entry is written over three times with the word "Error."
~~~~~~

accordance with the {form of the} statute in such Cases/ made and provided [D168.3]

~~~~~~

John Wilson Plff)
vs.) Trespass on
Samuel Hemphill Deft) the Case… [D168.4]

~~~~~~

Page 169, Book D Clark Circuit Court October Term 1837

…This day Came said Samuel Hemphill the/ Defendant by Thomas Hubbard his attorney/ and filed his Petition and affidavit stating/ that John Wilson the Plaintiff in this Cause has/ an undue influence over the minds of the inhabitants/ of the County of Clark, and praying a change of/ Venue in this cause. Whereupon a Change of/ Venue is hereby awarded from the Circuit Court/ of the County of Clark to the County of Hempstead/ and it is hereby ordered that the Clerk of this Court/ forward all the papers relative to this Cause/ in accordance with the form of the Statute in such/ Cases made and provided [D169.1]

~~~~~~

David Trammel Plff)
vs.) ejectment
Samuel Hemphill Deft)

This day came the Defendant by Thomas/ Hubbard {his attorney} and filed his Petition and affidavit/ stating that David Trammel the Plaintiff/ in this Cause has an undue influence over/ the minds of the inhabitants of the County of/ Clark and praying a change of Venue in/ this Cause, Whereupon a change of Venue/ is hereby awarded from the circuit Court of/ the County of Clark to the County of Hempstead/ and it is hereby ordered that the Clerk of this/ Court forward all the Papers relative to this/ Cause in accordance with the form of the statute/ in such cases made and provided [D169.2]

~~~~~~

Samuel Hemphill Appellant)
vs.) Appeal
Moses Guice Appellee)

This day Came the appellant by Thomas… [D169.3]

~~~~~~
~~~~~~

Page 170, Book D # Clark Circuit Court October Term 1837

...Hubbard his attorney and filed his/ Petition and affidavit stating that Moses/ Guice the Defendant and appellee has an/ undue influence over the minds of the inhabitants/ of the County of Clark and praying a Change/ of Venue in this Cause. Whereupon a Change/ of Venue is hereby awarded from the Circuit/ Court of the County of Clark to the County of/ Hempstead, and it is hereby ordered that the/ Clerk of this Court forward all the papers/ relative to this cause in accordance with/ the form of the statute in such Cases made and/ provided [D170.1]

~~~~~~

The State of Arkansas	Plaintiff	)	
vs.		)	Indictm
John H. Mosley	Defendant	)	ent as
		)	accessory
		)	for Horse
		)	Stealing

This day Came the Parties aforesaid/ by their attorneys and thereupon on motion of/ the Prosecuting attorney the Defendant John H./ Mosley was again brought to the bar of this/ Court by the sheriff of the County of Clark into/ whose Custody he had been ordered by the Court,/ and the argument of Counsel as well for the/ defendant as for the state being heard, but there/ not being {sufficient} time to complete the argument of/ Counsel Concerned herein, it is ordered on/ motion and by assent of parties that this/ Cause be post poned till tomorrow morning,/ and the prisioner was thereupon remanded/ to jail [D170.2]

~~~~~~

The Grand Jury returned into Court/ the following Indictments to wit An Indictment/ against Jacob Wingfield for assault and Battery/ a True Bill an Indictment against Lyman... [D170.3]

~~~~~~

Page 171, Book D

...F. Rounds for assault and Battery A True Bill/ and Indictment against Walter C. McLaughlin/ a True Bill and an Indictment against/ James Preston A True Bill [D171.1]

~~~~~~

Ordered that Court adjourn until/ Eight O'Clock tomorrow morning
L.J.Handy [D171.2]

~~~~~~

Friday morning November 3rd 1837/ Present as on yesterday [D171.3]

~~~~~~

Ordered that the Sheriff of the County of/ Clark be fined in the sum of five/ Dollars for his non attendance on this Court/ in due time this morning [D171.4]

~~~~~~

On motion of the Prosecuting {attorney} to excuse/ Abraham Bolt and John Bolt from further/ Services as Grand Jurors it is ordered that/ the said Abraham Bolt and John Bolt be/ excused from further Services as Grand Jurors/ at the present Term of this Court [D171.5]

~~~~~~

Ordered that Samuel S. Hall be fined in/ the sum of One Dollar for Contempt of Court/ by talking alowed in the hearing of this/ Court [D171.6]

~~~~~~

~~Ordered that John Field be fined in the/ sum of Ten Dollars for using improper/ Language xxxxx xxxxx xxxxx this/ Court xxxxx xxxxx on the argument of/ the {case of} state against John H. Mosley~~[16] [D171.7]

~~~~~~

Page 172, Book D # Clark Circuit Court October Term 1837

The State of Arkansas Plff		)	
vs.		)	Indictment
John H. Mosley	Deft	)	as accessory for
		)	Horse Stealing

This day Came the Parties aforesaid/ by their attorneys and thereupon on motion/ of the Prosecuting attorney the Defendant John/ H. Mosley was again brought to the bar of this/ Court by the sheriff of the County of Clark into/ whose custody he had been ordered by the Court/ and the argument of

[16] Entry is marked out and overwritten with the word "Error." The "xxxxx" indicates that the entry is marked out and smeared to the point that it can not be read.

Counsel as well for the/ defendant as for the state, being Completed, ~~but/ there not being sufficient time for the jury/ to render their verdict, it is ordered that this,/ on motion and by consent of Parties.~~ There/ upon the jury retired from the bar to consult/ of their verdict, but there not being sufficient/ time for the Jury to render their Verdict, it is/ ordered that further proceedings in this Cause/ be postponed till tomorrow morning and/ thereupon the prisoner was again reman/ded to Jail [D172.1]

~~~~~~

Ordered that Samuel S. Hall be fined in/ the sum of five Dollars for Contempt offered/ this court by talking aloud _____/ _____ [D172.2]

~~~~~~

Samuel Hemphill Complainant)
vs.) Bill in
David Trammel Defendant) Chancery

The Complainant Samuel Hemphill/ Comes into Court and moves for an injunction/ against said defendant upon the Bill in/ Chancery filed in this cause persuant to the/ prayer of the Bill [D172.3]

~~~~~~

Page 173, Book D Clark Circuit Court Term Sept Term

Ordered that John Field be fined in the/ sum of Ten Dollars for ~~using impro~~ stating/ improper facts before the jury contrary to the/ instructions of the Court whilst he was engaged/ in the argument of the case of the state of/ Arkansas against John H. Mosley [D173.1]

~~~~~~

Whereupon it is ordered that court/ adjourn until tomorrow morning 9 Oclock
L. J. Handy [D173.2]

~~~~~~

Saturday Morning November 4th 1837/ Present the Honorable Levin J. Handy/ Judge [D173.3]

~~~~~~

The State of Arkansas)
vs.) Indictment

John H. Mosley) as accessory for
) Horse Stealing

This day Came the Parties aforesaid by/ their attorneys, and on motion of the prosecuting/ attorney the Defendant John H. Mosley was again brought/ to the bar of this bar of this Court in the custody/ of the sheriff of the County of Clark into whose/ Custody he had been ordered by the Court/ Whereupon the Jury returned into Court the/ following Verdict towit; We the Jury find/ the defendant John H. Mosley guilty in/ manner and form as Charged in the within/ Bill of Indictment. Thos B. Malone foreman/ of the Jury. And thereupon the Defendant by/ his attorneys field ~~this~~ {his} motion for a new trial/ and arrest of Judgment, and on motion and/ assent of Parties further proceedings in this… [D173.4]

~~~~~~

Page 174, Book D Clark Circuit Court October Term 1837

…Cause is postponed until Wednesday the 8th inst/ ant, and thereupon the prisoner was remanded to jail [D174.1]

~~~~~~

The State of Arkansas)
vs.) Indictment for Horse
William Grisham) Stealing

This day Came the Prosecuting/ attorney and says that he is unwilling further to/ prosecute this Indictment, and thereupon {on} motion/ of the prosecuting it is ordered that this Cause be/ dismissed, and that the Defendant go hence/ without day [D174.2]

~~~~~~

Ordered the fine assessed on the sheriff of/ the County of Clark {on the} ~~be remitted~~ fifth day of the/ Present Term of this Court be remitted [D174.3]

~~~~~~

The State of Arkansas)
vs.) Indictment for
Walter C. M^{c}Laughlin) assault & Battery

This day Came the State of/ Arkansas by John Field her attorney and the/ said Walter C. M^{c}Laughlin in his own proper/ person Whereupon the said Defendant/ Walter C. M^{c}Laughlin Confessed guilty – in/

manner and form as Charged in the Indictm/ent herein It is therefore ordered by the Court/ that the said Walter C. M^{c}Laughlin be fined in/ the sum of Five Dollars, and that the said/ plaintiff have and recover of said defendant/ the Costs in and about this suit in this behalf/ Expended [D174.4]

~~~~~~

Ordered that Court adjourn until Monday/ Morning 9 Oclock
L. J. Handy [D174.5]

~~~~~~

Page 175, Book D Clark Circuit Court October Term 1837

Monday Morning Nov 6 1837/ Court Met Pursuant to adjournment/ Present Hon Levin J. Handy [D175.1]

~~~~~~

Ordered that Court adjourn until/ tomorrow Morning 9 Oclock
L. J. Handy [D175.2]

~~~~~~

Tuesday Morning Nov 7 1837/ Court Met &^{c}/ Present Hon Levin J. Handy [D175.3]

~~~~~~

Ordered that court adjourn until/ tomorrow Morning 9 oclock
L. J. Handy [D175.4]

~~~~~~

Wednesday Morning Novr 8th 1837/ Present the Honorable Levin J. Handy/ Judge of said Court [D175.5]

~~~~~~

The State of Arkansas Plff	)		
vs.		)	Indict
John H. Mosley	Deft	)	ment as
		)	accessory for
		)	Horse Stealing
~~~~~~

This day Came the Parties/ aforesaid by their attorneys, and on motion the/ Defendant John H Mosley was again brought/ to the bar of this Court in the custody of the sheriff/ of the County of Clark into whose custody he/ had been ordered by the Court Whereupon the/ ~~motion for a new trial in _____ Defendant/ by his attorneys moves the Court for a non~~/ aforesaid parties by their attorneys took up the motion for a new… [D175.6]

~~~~~~

Page 176, Book D Clark Circuit Court October Term 1837

…trial {petition filed} in this Cause and the argument of Counsel/ as well for the Defendant as for the State being full/ heard by the Court on said motion and the Court/ not being fuly advised of and concerning said/ motion doth take ~~take~~ time to Consider the same/ and thereupon the prisoner was again remanded/ to jail [D176.1]

~~~~~~

Ordered that Court adjourn until/ 9 O'clock tomorrow morning
L. J. Handy [D176.2]

~~~~~~

Thursday Morning November/ 9th 1837/ Present the Honorable/ Levin J. Handy Judge [D176.3]

~~~~~~

The State of Arkansas	Plff	)	
vs.		)	Motion for new
John H. Mosley	Deft	)	trial

This day Came the parties/ aforesaid by their attorneys, Whereupon the/ Court being fully advised of and Concerning/ said motion, and being of opinion that the/ grounds alledged by said Defendant for a new/ trial, are insufficient {in law} to warrant a new trial/ ~~Whereupon said motion is overruled~~ doth/ overrule said motion [D176.4]

~~~~~~

State of Arkansas	Plff	)	
vs.		)	Motion in arrest of
John H. Mosley	Deft	)	Judgment
~~~~~~

This day Came the Parties aforesaid/ by their attorneys and took up the motion in… [D176.5]

~~~~~~

Page 177, Book D

…arrest of Judgment heretofore filed in this/ Cause and the argument of Counsel as well/ for the defendant as for the state being fully/ heard by the Court on said motion, and the Court/ not being fully advised of and Concerning ~~took~~/ said motion takes time to Consider the/ Same [D177.1]

~~~~~~

Ordered that Court adjourn until/ 9 O'clock tomorrow morning
L. J. Handy [D177.2]

~~~~~~

Friday Morning November/ 10th 1837 – Present the Hon/ L. J. Handy Judge [D177.3]

~~~~~~

State of Arkansas	Plff	)	
vs.		)	{Indictment for {being}
John H. Mosley	Deft	)	accessory/ before the fact to
		)	horse stealing} Motion for
		)	new trial
		)	and arrest of
		)	Judgment

~~This day Came~~ Be it/ remembered that on Saturday the fourth day/ of November of the present Term of this Court/ and before the motions for a new trial and in/ arrest of Judgment were argued and determined/ the following {reasons for a} new trial and in arrest of Judgm/ were filed towit State of Arkansas Clarke/ County – The State Vs. John H. Mosley/ Indictment for {being accessory to} Horse Stealing xxxxxx[17]/ ~~Court~~ before the fact In the Circuit Court Clarke/ County at a Term of the Circuit Court begun/ and held on the fifth Monday of October 1837/ In this Case the Defendant {moves} for a new trial upon… [D177.4]

~~~~~~

[17] The "xxxxx" indicates that the entry is marked out and smeared to the point that it can not be read.
~~~~~~

Page 178, Book D

...the ground 1st That the Verdict is contrary/ to ~~evidence~~ {Law} 2nd That the Verdict is Contrary to/ Evidence 3rd That new Evidence have since the/ trial been discovered not known to the Defendant/ at the time of the trial, 4th on the Ground of/ Illegal Testimony being acted upon by the Jury/ 5th That the Defendant has discovered since the/ trial of said Cause several witnesses by/ whom he can prove that the Testimony given/ in this Cause by the two principle witnesses on/ the part of the State McLaughlin and Rogers/ was wholly false, and that the discovery of the/ evidence of these witnesses have been ~~since~~/ altogether since said trial 6 That the conviction/ was obtained by the wilful falshood and Perjury/ of the two main witnesses on the part of the state/ which defendant has since the trial discovered/ he is able to prove

and the Defendant above named in the event/ of the failure of the above motion for a new trial/ then moves in arrest of Judgment upon the/ grounds following 1st Because the Indictment/ does not show upon its face that it was ever/ found by any Grand Jury in the Circuit Court in/ the County of Clark; Nor does it otherwise/ appear of Record that this Defendant has ever/ been Indicted upon this Bill in this Court/ 2nd The Indictment does not Charge the/ Stealing of any Horses as it ought to have/ done in the Terms of the statute; Nor are any/ Horses named or described in the Bill of/ Indictment 3rd That the Indictment Charges/ no offence Indictable by the Laws of the State/ of Arkansas; 4th The Indictment is not in/ Conformity with the statute creating defining/ and punishing the offence alledged... [D178.1]

~~~~~~

Page 179, Book D

...5th The Bill has never been legally or proper/erly found in this Court by the Grand Jury 6th/ That no Terms of the Court is shown in the Bill at/ which it was found; 7th The Bill does not aver/ the Commission of the offence by the principle in/ the alledged fellony in the manner in which it/ ought; 8th The Indictment does not alledge that/ the principle was Committed in pursuance of its/ alledged advise or Counsel of the defendant 9th The Indictment does not aver the guilt of/ the Defendant of the alledged offence 10th That/ the Indictment is too uncertain in not showing/ to which of the fellonies mentioned in the Indictm/ent the defendant was accessory; and also in/ not sufficiently describing the property alledged/ to have been stolen 11th The Indictment does ____/ aver that the principle Tyre Oneal had ever/ Committed the crime of Horse Stealing in the/ County of Pike in which His Conviction was _____/ or else where 12th The Indictment charges the/ defendant in a single County both as principle/ and accessory before the fact and is therefore bad/ for _____; 13th That no property is described in/ the Indictment as the subject of the following or/ not at least in the Terms of the statute as required/ by law; 14th and the Indictment is otherwise/ informal and insufficient

John Taylor
Defts atty [D179.1]
~~~~~~

~~~~~~

Samuel Hemphill)
vs.) Bill in Chancery
David Trammell)

And not at this day Came the Complainant/ in the aforesaid Bill by his attorney and on/ his motion this Cause is Continued till the/ next Term of this Court [D179.2]

~~~~~~

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The State of Arkansas)
vs.) Indicted as
John H. Mosley) acessory After the fact
) of Horse Stealing

And now at this day came the/ State by her attorney John Field as well as the/ Counsel on the part of the defendant John/ H. Mosley- and the Court being now sufficiently/ advised of and Concerning the Motion heretofore/ filed and on yesterday argued for an arrest of Jud/gment doth order and Consider that the/ said Motion be overruled – and there/upon on Motion of the Prosecuting Attorney/ the defendant John H. Mosley was brought/ to the bar of this Court in the Custody of/ the sheriff of the County of Clark and/ thereupon on the further motion of the attorney/ for the state the Court proceeded to/ pronounce the sentence of the law upon/ the said defendant John H. Mosley and/ the said John H. Mosley being asked if he/ had any thing to say why the sentence of/ the law should be be pronounced upon/ him replied that he had nothing further/ to say – Whereupon, It is Considered by the Court here that the said John H. Mosley/ be remanded to the Common jail of this/ County and there to remain until the/ ninth day of December next on which day/ it is further ordered and Considered that the/ said John H. Mosley be taken by the Sheriff/ of the County of Clark aforesaid to the place of execution and then between the hours of/ twelve and three oclock of that day be/ hung by the neck until he is dead [D180.1]

~~~~~~

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Ordered that the fine assessed on John/ Field at the present Term of thisCourt be/ and the same is remitted [D181.1]

~~~~~~

Ordered that the fines assessed on Samuel/ S. Hall {at the present term of this court} be and the same are remitted [D181.2]

~~~~~~

Ordered that Court adjourn until/ Court in Course
L. J. Handy [D181.3]

~~~~~~

The State of Arkansas
County of Clark
At a circuit Court began and/ held at the Court House in the Town of/ Greenville on Monday the sixteenth day of/ April AD 1838 it being the third Monday/ in said month Present the Honorable/ William Conway B. Judge of said court [D181.4]

~~~~~~

Ordered that the sheriff proclaim that/ Court has met in pursuance of Law, and/ is ready to proceed with the business thereof [D181.5]

~~~~~~

The sheriff of the County of Clark this/ day returned into Court the following panal/ of Grand Jurors towit Ambrose Frier who/ was sworn as foreman Henry T. Lightfoot/ John Blakely David Bradshaw James/ Smith Abraham Bolt James Galbreath/ {John Crow} A. L. Weir William H. Stroope Moses/ M. Moore Martin Burk J. W. Davis/ Benjamin Lewis ~~Isaac Logan~~ Walter C.... [D181.6]

~~~~~~

Page 182, Book D Clark Circuit Court April Term 1838

...McLaughlin Sandford R. Babbit _____/ Freeman William Janes Abner Hignight Ephriam/ Standley Thomas Wingfield Twenty one good/ and lawful men of the County of Clark who being/ Elected tried and sworn retired to Consult of/ their duties [D182.1]

~~~~~~

Ordered by the Court that Levin J. Handy be and/ he is hereby appointed prosecuting attorney/ protem for and during the present Term of this/ Court [D182.2]

~~~~~~
~~~~~~

State of Arkansas Plff)
vs.) Indictment for
John H. Mosley Deft) Horse Stealing

This day Came the Prosecuting/ attorney protem and says that he is unwilling/ to prosecute this Indictment further. It is/ therefore ordered by this Court that this Cause be/ dismissed and that the Denfendant have and/ recover of the plaintiff the Costs in and about/ this Cause Expended [D182.3]

~~~~~~

State of Arkansas)
vs.) Indictment for an
Richard Britton) Assault & Battery

This day Came the prosecu/ting attorney protem and says that he is/ unwilling to prosecute this Indictment this/ further. It is therefore ordered that this Cause/ be dismissed and that the ~~plaintiff~~ {Defendant} have and/ recover of the plaintiff the Costs in and/ about this suit Expended [D182.4]

~~~~~~

Page 183, Book D Clark Circuit Court April Term 1838

State of Arkansas)
vs.) attachment
Richard Britton)

This day Came the prose/Cuting attorney protem and says that he is/ unwilling to prosecute this attachment further/ It is therefore ordered that this Cause be dismissed [D183.1]

~~~~~~

State of Arkansas)
vs.) Indictment for
Joseph Farris) Assault & Battery

This day Came the prosecuting/ attorney and says that he is unwilling to/ prosecute this Indictment further- It is/ therefore ordered that be dismissed [D183.2]

~~~~~~

State of Arkansas)

vs.) Indictment for
John H. Mosley) Assault & Battery

This day Came the prosecuting/ attorney and says that he is unwilling to/ prosecute this Indictment further It is/ therefore ordered that this Cause be dismissed/ and that the Recognizance taken in this case/ be and the same is hereby discharged [D183.3]

~~~~~~

State of Arkansas)
vs.) Indictment for
Henry Pebworth) Assault & Battery

This day Came the State by/ Handy prosecuting attorney {protem} and the Defendant/ in ~~by~~ his {own proper person in discharge of his recognizance} ~~attorney~~ Whereupon the Defendant/ pleads not guilty to which the plaintiff/ Joined issue and after hearing the Evidence/ on the part of the defendant as well as that/ of the plaintiff- It is _____ _____ that the said… [D183.4]

~~~~~~

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…defendant be fined in the sum of one dollar/
It is therefore Considered by the Court that/ the State of Arkansas have and recover of the said/ Defendant the aforesaid sum of one dollar together/ with the Costs in and about this suit in this/ behalf Expended [D184.1]

~~~~~~

State of Arkansas)
vs.) Indictment for
Michael Bozeman) assault & Battery

This day Came the State by/ Handy prosecuting attorney protem and the/ said defendant in discharge of his recognizance/ and the Indictment being read to said Defned/andt pleads not guilty to which the plaintiff/ Joined issue, and neither party requiring a Jury/ this Cause was submitted to the Court and after/ hearing the Evidence on the part of the defendant/ as well as that the state it is ordered that the/ said defendant be fined in the sum of Ten dollars/ It is therefore ordered {that} the plaintiff have and/ recover of the said defendant the aforesaid sum/ Tem dollars together with the Costs in this behalf/ Expended [D184.2]

~~~~~~

William H. Preston	Complt	)		
vs.			)	Petition for title
Thomas M. R. Bankhead	Deft	)		
admr of theEstate of Lewis		)		
Randolph decd			)	

And now at this day came/ the Complainant by his solicitor as well as the/ Said defendant in his own proper person thereu/pon on motion and by Consent of parties this Cause/ was Submitted to the Court for a decree on the bill/ answer and Exhibits filed in said Cause and/ it appearing that the said defendant by/ his writing on the back of said bill acknowledged… [D184.3]

~~~~~~

Page 185, Book D

…_____ and legal Service of said Bill and/ _____ and this Cause being set for final/ hearing and the Court after inspection of/ the bill Exhibits and answer finds this substa/nce thereof to be that Lewis Randolph on/ the 15th day of July A D 1837 Exceuted his bond/ to James Lyons, John Heth and John S. Nich/olas for a title to certain land therein named/ by which said bond the said Randolph bound/ himself among other things in the penal sum/ of Five thousand dollars to make a good and/ Sufficient deed of Conveyance to the said James/ Lyon John Heth and John S. Nicholas for the land specific___ names in said Complainants/ bill or some other tract of parcel of equal quantity/ and value – It also appears that John S./ Nicholas one of the obliges named in the bond/ for himslef and (by Express authority) for the said/ James Lyons and John Heth assigned all/ his right title interest and estate both legal/ and equitable which they had in and to said/ bond to the said Thomas M. R. Bankhead/ by whom the said bond was assigned/ and transferred to the said Complainant/ by his Certain Writing thereon dated on/ the first day of September Eighteen hundred/ and thirty seven-- It also appearing that/ sometime in the month of September/ aforesaid and subsequent to the assignments/ aforesaid the said Lewis Randolph died/ intestate after which administration of/ all and Singular the goods and Chattles/ rights and credits was in and _____ of law/ granted to the said Thomas M. R. Bankhead/ by said Complainant in his said bill/ both alledged—And it further appears/ to this Court that said Randolph died… [D185.1]

~~~~~~

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…without having executed to the said James/ Lyons John Heth and John S. Nicholas/ the deed as conditioned for and specified in/ said Bond—When by an action or petition/ has been instituted for a specific performance/ of said Contract – therefore on motion of/ the said Complainant It is ordered adjudged/ and

decreed by the Court here that the/ said Thomas M. R. Bankhead adminis/trator of the Extate of said Lewis/ Randolph dec^{d} convey to the said William/ H Preston by a good and sufficient deed of/ Warranty under and in virtue of this decree/ all the rights title interest and Extate which/ the said Lewis Randolph had in and to the/ following tracts of parcels of land to wit/ the South half of Section twenty Seven, the North/ East quarter of Section twenty seven and the/ South East quarter of Section twenty two in/ township Seventeen South of Range twenty/ four West, and that the said Thomas/ M. R. Bankhead administrator acknowledge/ said deed in open Court [D186.1]

~~~~~~

The State)
vs.) Indictment for an assault & Battery
James W. Crow)

This day Came the state by Handy prosecuting/ attorney protem and on his motion it is considered that/ an alias Capias issue in this Cause Returnable to the/ next term of this Court until which time this/ prosecution is continued [D186.2]

~~~~~~

The State)
vs.) Indictment for an assault & Battery
Layman F. Rounds)

This day Came the state by her attorney/ and says that he is unwilling further to prosecute/ the said defendant on said indictment [D186.3]

~~~~~~

Thomas Hubbard an attorney of this Court this/ day withdrew his name ~~from~~ as Counsel for/ John H. Mosley {in a cause} wherein Asa Thompson {is plaintiff} and the/ said John H. Mosley is defendant [D187.1]

~~~~~~

Asa Thompson Plaintiff)
vs.) Debt
John H. Mosley Defendant)

This day Came the said Plaintiff/ by his attorney and the defendants attorney having/ withdrew his name from this Cause this/ Cause was submited to the Court and the/ Court doth find upon the issues in this/ Cause after hearing the evidence adduced/ that the said defendant is indebted to the/ said

plaintiff in the sum of one Hundred/ and forty four dollars and seventeen and one/ half cents the debt in the declaration in this/ Cause mentioned with interest thereon at the/ rate of six per cent per annum from the first/ day of January eighteen Hundred and thirty/ five paid It is therefore considered by the/ Court that the plaintiff have and Recover/ of and from the said defendant the aforesaid/ sum of one hundred and forty four dollars/ and nineteen and one half cents the debt/ in form aforesaid found and also the said/ together with interest therein at the rate of six/ per cent per annum from the said first/ day of January eighteen hundred and/ thirty five in form aforesaid and also/ the Costs in and about this suit/ expended [D187.2]

~~~~~~

Page 188, Book D # Clark Circuit Court April Term A.D. 1838

William Fellows and Plaintiff)
Cornelius Fellows assignees)
of Benjamin S. Duncan &c)
vs.) Debt
James Galbreath Defendant)

And now on this day Came/ the parties aforesaid by their attorney filed his/ prayer of oyer herein which was granted by/ filing the original writing obligatory in the/ plaintiffs declaration mentioned and thereupon/ & {the said defendant} filed his plea of {payment} ad diem and post diem to/ which the plaintiff by his attorney Ex____ and/ the Defendant joined issue all in short upon/ the record by Consent and the process in this/ Cause not having been executed thirty days/ previous to the present term of this Court this Cause is therefore Continued until the next/ term of this Court [D188.1]

~~~~~~

William Fellows and Plaintiff)
Cornelius Follows assingees of)
Benjamin S. Duncan & Co)
vs.) Debt
Charles Gordon Defendant)

This day Came the parties aforesaid/ by their attorneys and the defendant by his attorney/ filed his prayer of oyer herein which was granted by/ filing the original writing obligatory in the Said/ plaintiffs declaraction mentioned and the defendant/ by his attorney & _____ to said declaration in which/ the said plaintiff joined all in short upon the record/ by Consent and the court having heard the argument/ of Counsel and being now sufficiently advised of/ and Concerning the law arising upon said answer/ is of opinion that the ____ters _____ things as stated and/ set forth in the said plaintiffs declaration in

answer/ and form as the _____ and ther___ in stated and/ set forth and sufficient in law for the said plaintiff/ to have and maintain _____ _____ said action/ against the said defendant and thereupon the/ said defendant withdrew his said answer and/ pleads payment ad diem and post diem to which/ the plaintiff replied and the defendant joined issue/ all in short upon the record by consent and this/ Cause is Continued untill the next term of this Court [D188.2]

~~~~~~

Page 189, Book D # Clark Circuit Court April Term 1838

William Fellows and	Plaintiff)		
Cornelius Fellows assingees of	)		
Robert H. Conway	)		
vs.		)	Debt
Alexander B. Caruthers	Defendant)		

This day Came the parties/ aforesaid by their attorneys and {on} motion of the said/ plaintiffs by their attorney leave to granted {them} to amend/ the original writ {that issued} in this Cause and also the/ declaration in this Cause filed which was done/ in open Court by {_____ and} rules _____ and this Cause/ is continued until the next term of this Court [D189.1]

~~~~~~

Josiah Mason and James W. Mason	Plaintiff)		
Partners trading under the name and	)		
firm of J. & J. W. Mason	)		
vs.		)	Debt
John S. T. Callaway	Defendant)		

This day Came the parties aforesaid/ by their attorneys and the defendant filed his prayer/ of oyer herein which was granted and the defendant/ demured in which the defendant joined all in/ short upon the record by Consent and the/ Court having heard the argument of Counsel/ doth sustain said demurer and thereupon/ the plaintiffs asked and obtained leave of the/ Court here to amend the original writ/ and declaration in this Cause which/ was done by {_____ and} _____ ____tion in open Court/ and thereupon the said defendant plead/ payment ad diem and post diem to which/ the plaintiffs replied and the defendant/ joined issue all in short upon the record by Consent/ and this Cause is Continued until/ the next term of this Court at the Costs of the/ plaintiffs… [D189.2]

~~~~~~
~~~~~~

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...It is therefore considered by the Court that the said/ defendant recover of the plaintiffs the costs in and/ about said _____ expended all also the/ costs about this Continuance expended [D190.1]

~~~~~~

Harriet Fish Appellant)
vs.) Appeal from a
Jacob Hoover Appellee) Justice of the Peace

And now on this day Came/ the said appellant by her attorney and the/ said appellee being solemly called came/ not. It is therefore Considered by the Court/ that the judgment of the Justice of the peace/ in this Case be and the same is here by/ reversed and that the ~~defendant~~ appellee/ take nothing by his suit against said appellant/ and that the said appellant have and Recover/ of and from the said appellee all the Costs/ about this suit in this Court and in the justices/ court expended [D190.2]

~~~~~~

William Clark Plaintiff)
vs.) Trespass on
Daniel E. Williams Defendant) the case

This day Came the parties aforesaid/ by their attorneys and on motion and verbal/ statement of Thomas Hubbard attorney for the/ said plaintiff this Cause is Continued until/ the next term of this Court. It is therefore/ Considered by the Court that defendant/ have and recover of the said plaintiff the/ Costs in and about this {Continuance} ~~Suit~~ expended [D190.3]

~~~~~~

John W. Williams admr)
of Samuel Parker decd)
vs.) Trespass on the
Samuel Hemphill) Case

This day Came parties aforesaid and by Consent/ this Cause is Continued until the next term of this/ Court [D190.4]

~~~~~~

Page 191, Book D Clark Circuit Court April Term 1838

John W. Williams admr)
of the estate of Samuel Parker deceased)
vs.) Trespass on
Green B. Davis) the Case

This day Came the parties/ aforesaid by their attorneys and by Consent/ this Cause is Continued until the next term/ of this Court [D191.1]

~~~~~~

Charles Baird Plaintiff)
vs.) Debt
Henry Cox Defendant)

This day Came the parties aforesaid/ by their attorneys and the defendant by his/ attorney filed his first plea herein numc pro tunc[18]/ (it appearing to the Court that the Same had been/ marked filed by the clerk at a former term/ of this Court) and leave is granted to the said/ plaintiff to Reply to said plea at the/ next term of this Court until when this/ Cause is continued [D191.2]

~~~~~~

Charles Wingfield Plaintiff)
vs.) Attachment
Daniel C. Lynch Defendant)

This day Came the said plaintiff/ by Grandison D. Royston his attorney and it appearing/ to the satisfaction of the court that the said defendant/ has filed to enter his appearance in this Cause/ and file special bail to the plaintiffs action/ according to law and it also appearing to/ satisfaction of the court {that} this action is founded/ on a writing for the sum of three Hundred/ dollars- and that the said plaintiff _____/_____ out his writ of attachment… [D191.3]

~~~~~~

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…from this Court against the lands and tenements/ goods Chattles monies Credits and effects of the said/ defendant which now has been duly served and/ executed by the sheriff according to law as by/ his return thereon will more fully appear/

---

[18] "nunc pro tunc" is a "phrase applied to acts allowed to be done after the time when they should be done, with a retroactive effect…" (Black, Henry Campbell, 1991, Black's Law Dictionary, Abridged Sixth Edition, West Publishing Company. St. Paul, Minnesota, p. 737)
~~~~~~

Wherefor on motion of the said plaintiff it/ is ordered by the Court that unless the said/ defendant be and appear by himself or attorney/ ~~on~~ in this Court on or before the third day/ of the next term thereof to be holden on the/ third Monday of October next {and} then and/ there ~~to answer~~ file special bail to the plaintiffs/ action herein against him that judgement/ will be entered against him and his estate sold/ to satisfy the same And it is further ordered/ that a copy of this order be published in the/ Arkansas Times and Advocate a news paper/ printed in this State ~~for four weeks succissevily~~/ by at least four succesive weekly insertions/ four weeks previous to the next term of this Court/ until which time this Cause is Continued [D192.1]

~~~~~~

John Wilson admr of Jno L. Hemphill	Plaintiff	)	
vs.		)	Trespass on the case
John S. T. Callaway	Defendant	)	

This day Came the parties aforesaid/ by their attorneys and by Consent this Cause is/ Continued until the next term of this Court [D192.2]

~~~~~~

Jacob Barkman	Plaintiff	)	
vs.		)	attachment
Edward J. Busvine	Defendant	)	

This day Came the plaintiff/ by his attorney and on his motion it is ordered/ that this Cause be Continued until the/ next term of this Court [D192.3]

~~~~~~

Page 193, Book D

~~Richard C. Byrd~~	~~Plaintiff~~	)	
~~vs.~~		)	~~Debt~~[19]
~~Thomas B. Malone~~	~~Defendant~~	)	

~~This day Came the plaintiff/ by his attorney and the defendant in his own/ proper person and the said defendant saying/ in bar pre_____ of the plaintiffs aforesaid action/ whereupon the said plaintiff produced two~~ [D193.1]

[19] Entry is partially marked out, and is overwritten with the word "Error."
~~~~~~

~~~~~~

Lucy R. Gray administratrix &)
Samuel Gray Administrator of)
the Estate of Matthew Gray Deceased)
vs.) Debt
Peter Leatherman)

This day Came the parties aforesaid/ by their attorneys and on Motion this Cause/ is dismissed by mutual agreement of/ parties ~~on the costs of the said plaintiffs/ It is therefore _____ ordered by the Court that the/ defendant recover of the plaintiff the Cost in and/ about this suit expended~~ [D193.2]

~~~~~~

Absalom Turner for the use of)
William Triplett)
vs.) ass ▪ mpsit
John S. T. Callaway &)
William Scarborough)

This day Came the parties aforesaid/ by their attorneys, and on motion and by Consent/ of parties this Cause is Continued until the next/ Term of this Court [D193.3]

~~~~~~

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Richard C. Byrd Plff)
vs.) Debt
Thomas B. Malone Deft)

This day Came the plaintiff by his/ attorney and the Defendant in his own proper/ person whereupon the Defendant acknowledged/ himslef Justly indebted to the said plaintiff in/ the sum of One Hundred and fifty seven dollars/ and thirty eight cents it being the residue of/ the debt owe on two writings obligatory executed/ by him to the said plaintiff with interest thereon/ at the rate of eight per centum per annum from/ the twenty third day of January eighteen hundred/ and thirty two until paid. It is therefore considered/ by the court that the said plaintiff have and/ recover of and from the said defendant the/ aforesaid sum on one hundred and fifty seven/ dollars and twenty eight cents the residue of the/ debt aforesaid in form aforesaid compiled/ with interest thereon at the rate of eight per centum/ per annum from the said twenty third day/ of January eighteen hundred and thirty two/ until paid in form aforesaid and also the/ Costs about this suit expended ~~and the defendant/ thereupon paid the plaintiffs attorney~~
~~~~~~

~~one hundred~~/ ~~dollars for which on ____ft was given on the~~/ ~~foregoing judgement~~ [D194.1]

~~~~~~

Samuel Hemphill	)	)	Complainant
vs.	)	Chancery)	
David Trammell	)	)	Defendant

This day Came the/ defendant and filed his answer to/ the original bill of the complanant/ which was sworn and subscribed to by him/ in open Court [D194.2]

~~~~~~

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On motion it is ordered by the Court that/ the Clerk of this Court issue an attachment directed/ to the Sheriff of Union returnable to the next/ Term of this Court against William L. Bradley/ to show Cause why he shall not be fined for a con/tempt of this Court in failing to attend the present/ Term thereof to give testimony in the case of J &/ J. Willason against John S. T. Callaway now/ pending in this Court, and it is further ordered/ that he be enlarged upon give bond in the sum/ of Two Hundred dollars for his appearance/ at the next Term of this Court [D195.1]

~~~~~~

On motion of Thos Hubbard Esqr one of the/ attorneys of this Court it is ordered that the/ Clerk of this Court issue an attachment/ directed to the sheriff Hempstead County/ returnable to the next Term of this Court/ against Henry Cheatham William Moss/ ~~Augustus Black~~ & Ephriam Mirick to/ show cause why they shall not be fined for/ a contempt of this court in failing to attend/ the present Term thereof to five Testimony/ in the Case of William Clark against Daniel/ E. Williams now pending in this Court, and/ it is further ordered that they give bond in the/ sum of Two Hundred dollars each for/ their appearance at the next Term of this Court [D195.2]

~~~~~~

John M^{c}Lain &	plaintiff	)	
Noah H. Badgett		)	
vs.		)	Debt
James ___sis &	Defendant	)	
Absalum Turner		)	

This day came the parties by their/ attorneys and the defendant craved oyer of the writing/ obligatory which was granted by filing the original writing/ obligatory mentioned in the declaration and the said/ defendants thereupon filed their pleas to payment ad diem/ and post diem to which the plaintiffs {_____ _____ _____ _____ _____) joined issue all in short/ by Consent upon the record, and thereupon by by Consent it is/ ordered that this Cause be Continued until the next/ term of this Court [D195.3]

~~~~~~

Page 196, Book D Clark Circuit Court April Term

Richard C Byrd	plaintiff	)	
vs.		)	Debt
John S. T. Callaway	Defendant	)	

This day Came the plaintiff by/ his attorney and the defendant in his own proper/ person whereupon the said defendant acknowle/dges hinself Justly indebted to the said plaintiff/ in the sum of Two Hundred and fifty five dollars/ and sixty Cents Including prancipal and/ interest of the writing obligatory in said plaintiffs/ declaration mentioned Executed by him the said/ defendant with interest thereon at the rate of eight/ per cent per annum from the 29th day of March/ Eighteen Hundred and thirty seven until paid/ It is therefore Considered by the Court that the/ Plaintiff have and recover of said Defendant/ the said sum of Two Hundred and fifty five/ dollars and sixty-Cents Confessed as aforesaid/ and also that said plaintiff have and/ recover of said defendant his Costs in this/ suit Expended [D196.1]

~~~~~~

State	)	
vs.	)	Indictment for an
Jacob Wingfield	)	assault & Battery

This day Came the parties/ aforesaid by their attorneys and the Defendant/ pleads not guilty in manner and form as/ Charged in the Indictment, whereupon this/ Cause was submitted to the Court and after/ hearing the evidence on the part of the defendant/ as well as that on the part of the plaintiff/ It is Considered by the Court that said defendant/ {is not guilty in manner & form as charged in said indictment & that he}/ be discharged and that have and recover of/ the plaintiff the Costs in this behalf Expended [D196.2]

~~~~~~

Page 197, Book D Clark Circuit Court April Term 1838
~~~~~~

State of Arkansas)
vs.) Indictment for an
James Preston) assault & Battery

This day Came the prose/cuting attorney protem and it appearing/ to the Court that the process on this Case has/ not been served, It is ordered that an alias/ Capias issue in this Case to the Sheriff of the/ County of Clark returnable to the next Term/ of this Court to which time this Cause is Continued [D197.1]

~~~~~~

Benjamin S. Duncan Marcus)
Huling & William H. Preston)
merchants &c)
vs.) Debt
John S. T. Callaway Deft)

This day Came the said/ plaintiffs by attorney, and the said defendant/ in his own proper person, whereupon the said/ defendant acknowledged himself Justly/ {indebted} to the said plaintiff in the sum of Two/ Hundred and sixty seven dollars and sixty/ Cents specified in said plaintiffs declara/tion Mentioned, with interest thereon/ at the rate of ten per cent per annum from/ the twenty ninth day of April Eighteen/ Hundred and thirty seven until paid/ And thereupon it is Considered by the/ Court that said plaintiff have and/ recover of said defendant the said sum/ of Two Hundred and sixty seven dollars/ and sixty Cents Confessed as aforesaid/ ~~and also the further sum of Twenty six/ dollars and seventy five Cents damages/ by him sustained by reason of the/ detention of said debt and also his Cost~~... [D197.2]

~~~~~~

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...~~in this behalf Expended~~ [D198.1]

~~~~~~

...~~McClain & Badgett~~
...with[20] interest thereon at the rate of ten per cent per/ annum from the twenty ninth day of April/ eighteen Hundred and thirty seven until paid/ And also the Costs about this suit expended [D198.2]

[20] Continuation of Entry D197.2
~~~~~~

~~~~~~

Wm Clark vs. Danl E Williams
On motion of Thomas Hubbard {attorney for plaintiff} it is ordered that an/ attachement issue in the Cause wherein William Clark/ is plaintiff and Daniel E. Williams is defendant/ against James Gibson to the Corner[21] of Hempstead/ County and also against Bendict C. Peter and/ John Pike to the Sheriff of Sevier County and/ also against Asa Thompson to the Sheriff of/ Pike County returnable to the next term/ of this Court and that they be enlarged upon/ them entering into bond fro the appearance at/ the next term of this Court in the penal sum of/ Two Hundred dollars each [D198.3]

~~~~~~

Andrew Hemphill Complainant)
vs.)
Harriet Fish admrx of the Estate of)
David Fish Deceased)

This day came the parties/ aforesaid by their attorneys, and on Motion of the/ Complainant leave is granted him to amend his/ bill in this Cause, which was accordingly done by/ entertereing the name Andrew L in the place of/ William one of the heirs of William Hemphill/ deceased in the complainants bill mentioned [D198.4]

~~~~~~

Page 199, Book D Clark Circuit Court April Term 1838

On motion it is ordered by the Court that/ Thomas Hubbard Samuel Moore William/ L. Cook Levin J. Handy John Field John/ W. Cocke George Conway and Grandison/ D. Royston be and they are hereby admited/ to practice as attorneys and counsellors at/ law and solicitors in Chancery in this/ Court [D199.1]

~~~~~~

Ordered that Court adjourn untill/ tomorrow morning nine oclock
W^{m} Conway [D199.2]

~~~~~~

[21] Probably should be "Coroner."
~~~~~~

Tuesday morning nine oclock 17th April A.D./ 1838 Court met pursuant to adjournment/ Present the Honorable William Conway B-/ Judge [D199.3]

~~~~~~

William Fellows and Cornelius Fellows assingees of Benjamin S. Duncan &co	Plaintiffs	)	
vs.		)	Debt
Shepherd Colbath	Defendant	)	

This day Came/ the plaintiffs by their attorney and the said/ defendant in his own proper person here in/ open Court and admits the said plaintiffs/ action herein against him and admits/ and Confesses himself indebted to the said plaintiffs/ in the sum of five Hundred and fifteen dollars/ and seventy nine cents the debt in the declaration/ in this Cause mentioned with interest thereon at/ the rate of ten per centum per annum/ on three Hundred and eighty seven dollars and Seventy/ four Cents from the {18th day of March ~~1837~~} eighteen Hundred and/ thirty seven until paid and interest/ on the residue of said five Hundred dollars… [D199.4]

~~~~~~

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…to _____, {one} hundred and twenty eight dollars and fifty cents/ at the rate of ten per cent per annum from the first/ day of July – eighteen Hundred and thirty seven until/ paid It is therefore Considered by the Court that/ the said plaintiffs have and recover of and from/ the said defendant the aforesaid sum of five/ Hundred and fifteen dolalrs and seventy four/ Cents the debt in the declaration mentioned/ in form aforesaid Confessed- with interest/ thereon at the rate of ten per centum per annum/ from the time aforesaid until paid and also/ all the costs in and about this suit expended and/ _____ execution is stayed in this/ Cause until the first day of September/ _____ [D200.1]

~~~~~~

Samuel Hemphill	plaintiff	)	
vs.		)	Replevin
Jonathan O. Callaway	Defendant	)	

This day Came the parties/ aforesaid by their attorneys and the said/ defendant by his attorney filed his general/ demurer to the plaintiffs declaration in which/ the plaintiff joined in short upon the record/ by Consent and the Court having heard/ the argument of Councel and being now/ sufficiently advised of and Concerning the/ law arising upon said demurer doth consider/ the same and thereupon the said defendant asked/ and obtained leave ~~with~~ to
~~~~~~

withdraw his said/ demurer and thereupon filed his first ~~and~~/ second {and third} pleas here in ~~and which the plaintiff joined~~/ ~~issue in short upon the record by xxxxxx~~ [D200.2]

~~~~~~

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Andrew Hemphill	Complainant)		
vs.		)	Chancery
Harriet B. Fish	)		
admrx David Fish decd	Defendant	)	

This day Came the parties aforesaid/ by their solicitors and by Consent this Cause is/ Continued until the next term of this Court and/ leave is granted to parties aforesaid to take the/ depositions of witnesses generally before any Judge or/ Justice of the peace in the State of Arkansas to be/ read on the final hearing of this Cause [D201.1]

~~~~~~

William Fellows and	Plaintiffs	)	
Cornelius Fellows assignees of		)	
Preston Huling & co		)	
vs.		)	Debt
Samuel Sproul	Defendant	)	

This day Came the plaintiffs by/ their attorney and the defendant being solemnly/ called came not but makes default and the/ plaintiffs demand being for a liquedated sum/ this Cause was submited to the Court and/ the Court doth find that an action forwarded on/ a _____ for the sum of two Hundred and/ twenty eight dollars and ten cents the debt in/ the declaration mentioned with interest thereon/ at the rate of ten per cent per annum from/ the fifth day of January eighteen Hundred and/ thirty eight until paid It is therefore considered/ by the court that the plaintiffs have and recover of/ and from the said defendant the aforesaid sum of/ two Hundred and twenty eight dollars and ten cents/ the debt aforesaid in form aforesaid found/ with interest thereon at the rate of ten per cent/ per annum from the said fifth day of/ January eighteen Hundred and thirty… [D201.2]

~~~~~~

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…eight until paid and also the costs about this suit/ expended [D202.1]

~~~~~~

Samuel Hemphill Complainant)
vs.) Chancery
David Trammell Defendant)

This day Came the parties/ aforesaid by their solicitors and the said defendant/ by his solicitor filed his motion in writing/ to disolve the injunction in this Cause/ and the Court having heard the argument of Counsel of/ and concerning said motio and being now sufficiently/ advised of and concerning the same doth sustain the/ same it is therefore considered by the Court, here and the/ Injunction in this Cause be and the same is hereby/ disolved [D202.2]

~~~~~~

Abner E Thornton Complainant)
vs.) Chancery
Nancy Jacobs & others Defendants)

This day Came the said complain/ant by his solicitor and on his motion this Cause/ is continued until the next term of this court [D202.3]

~~~~~~

Robert Mitchell Complainant)
vs.) Chancery
John H. Mosely and)
James Miles Defendants)

It is ordered by the Court/ that this Cause be continued until the next/ term of this Court (the papers in this cause having been/ misslaid) [D202.4]

~~~~~~

Samuel Gray administrator Plaintiff)
and Lucy R Gray administratrix)
of the Estate of W. Gray decd)
vs.) Debt
Elijah Franklin Defendant)

This day came the said... [D202.5]

~~~~~~

...plaintiffs by their attorney and the said defendant/ being solemnly called came not but makes default/ and the plaintiffs demand being for a liquidated/ sum and founded on a writing for the sum/ of one hundred and thirty four dollars and four cents/ and that the same has a credit ____sed thereon/ for the sum of forty dollars. It is therefore _____ered/ by this court that the plaintiff recover of and from/ the said defendant the sum of ninety six/ dollars and twenty nine cents the residue of the/ debt in the declaration mentioned with interest/ thereon at the rate of ten per centum per/ annum from the fourth day of June/ eighteen Hundred and thirty six until paid/ and Also the costs about this suit expended [D203.1]

~~~~~~

The State of Arkansas
To all to whom these presents shall Come/ Greeting. Know ye that whereas that the/ General Assembly of the State of Arkansas by/ a Joint Vote of both houses thereof, did on the/ Twenty fourth day of February in the year A.D./ One thousand Eight Hundred and thirty eight/ Elect William Conway B. the Judge of the sixth Judicial Circuit of said State; Now/ therefore I James S. Conway Governor of the/ State of Arkansas, by virtue of the authority/ Vested in me do hereby Commission him the said/ William Conway B. Judge of the said sixth/ Judicial Circuit for and during the term prescri/bed by the Constitution of this state and empower/ him to Execute and perform all and singular/ the duties encumbent upon him as such Judge/ according to law, and to have and to hold/ the said office with all and singular the... [D203.2]

~~~~~~

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...the powers privileges and E_____ments to the same/ of right appertaining unto him the said William/ Conway B. for and during the Term prescribed by/ the Constitution of the state of Arkansas
In Testimony whereof I hereunto subscribe/ my name and Cause the seal of the State of/ Arkansas to be affixed at Little Rock this 27th/ dya of February in the year of D one thousand/ Eight Hundred and thirty eight and of the/ Independence of the United States of America/ the sixty second J. S. Conway
By the Governor
R. A. Watkins Secretary of State [D204.1]

~~~~~~

I William Comway B. within named/ do solemnly swear that I will support the Constitu/tion of the United States, and also the Constitution/ of the State of Arkansas and that I will faith/full demain myself in office as Judge of the/ sixth Judicial Circuit in the State of Arkansas/ during my continuance in said office; So help me/ God
Sworn to bofore me and subscribed/ in my presence by William Conway B./ within named at the City of Little Rock/ in said state this 27th day of February/ AD 1838
~~~~~~

Daniel Ringo Chief Justice
of the Supreme Court State of
Arkansas [D204.2]

~~~~~~

Samuel Hemphill Compalinant)
vs.) Bill in
David Trammel Deft.) Chancery

The said defendant having filed/ his answer to the said bill of Complaint, and/ Complainant having filed his general replication… [D204.3]

~~~~~~

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…thereto- upon motion of said Complainant it is/ ordered that this Cause be set down for final/ hearing at the next Term of this Court and that/ the said Complainant have leave to take Depositions/ Generally therein upon Commission before any/ Judge of Justice of the peace in any of the/ United States or Territories thereof upon giving/ reasonable notice to the opposite Party or/ his attorney of Record at the time and place of/ takeing the same to be read inb evidence upon/ the final hearing of said Cause [D205.1]

~~~~~~

Samuel Hemphill Complainant)
vs.) In Chancery
David Trammel Deft)

This day Comes the said denfend/ant by his solicitor, and on his Motion leave is/ given him to take the depositions of witnesses/ generally before any Judge Justice of the peace of/ any of the United States or of this state to be read/ in Evidence in support of his answer on the/ final hearing of this Cause [D205.2]

~~~~~~

William Clark Deft)
vs.) Trover
Daniel E. Williams Deft)

This day Came Ephriam Minick/ and acknowledged himself to owe and be/ indebted to the State of Arkansas in the sum/ of Five Hundred dollars to be void on/ Condition that he be and appear at the next/ Term of this Court and give evidence in this/ Cause, and shall not depart the Court without/ leave thereof [D205.3]

~~~~~~

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~~~~~~

William Clark Plff)
vs.) Trover
Daniel E. Williams Deft)

This day Came Abraham/ Block and acknowledged himself to owe/ and be indebted to the State of Arkansas in the/ sum of five Hundred dollars to be void on/ Condition that Augustus Block be and appear/ before this Court at the next Term thereof on the/ first day thereof and give evidence in this Cause/ and shall not depart the Court without leave/ thereof [D206.1]

~~~~~~

Samuel Hemphill Plff)
vs.) Replevin
Jonathan O. Callaway Deft)

This day Came the parties aforesaid/ by their attorneys and the plaintiff by his attorney/ moved the Court to quash the Sheriffs return in/ this Cause, and the Court having Considered the/ same it is ordered that the said return be/ quashed. And on the further motion of the/ plaintiff it is ordered that an alias {_____ of _____ _____} ~~Capias~~/ issue in this Case returnable to the next Term/ of this Court until which time this Cause is/ Continued [D206.2]

~~~~~~

Ordered that Court adjourn until ~~tomorrow/~~ ~~morning nine oclock~~ Court in Course
W^m^ Conway B. [D206.3]

~~~~~~

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State of Arkansas)
County of Clark)
) Clark Circuit Court
) In vacation July 17th
) 1838 [D207.1]

~~~~~~

William Clark Plff)
vs.) Trover
Daniel E. Williams Deft)

This day Came the said/ William Clark by his attorney and on his/ Motion leave is granted him to take the/ depositions of witnesses generally before any/ Judge or Justice of the Peace in the State/ of Arkansas. In Testimony whereof I/ have hereunto set my hand as clerk of said/ Circuit Court the day and year above written
Jas S. Ward Clerk
Clark Circuit Court [D207.2]

~~~~~~
~~~~~~

The State of Arkansas)
County of Clark)

Clerks office of
the Clark Circuit
) Court In vacation
) August 4th AD 1838 [D207.3]

~~~~~~

William Fellows and Cornelius Fellows Plff)
assignees of Robert H. Conway)
vs.) Debt
Alexander B. Caruthers Deft)

This day Came the said Plaintiff/ by Royston their attorney and on his motion/ it is ordered that this suit be dismissed/ It is therefore ordered and Considered/ by me that this Cause be and the same/ is hereby dismissed

Jas S. Ward Clerk
of Clark Circuit Court [D207.4]

~~~~~~

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State of Arkansas)
County of Clark)

Clerks office of the Clark
Circuit Court In vacation
) August 6th 1838 [D208.1]

~~~~~~

Andrew Hemphill Complainant)
vs.) Bill in
Harriet Fish Administratrix of the) Chancery
Estate of David Fish Deceased Deft)

This day Came the said Harriet Fish/ by her attorney and on his motion leave is granted/ her to take the depositions of witnesses generally/ before any Judge or Justice of the peace in the/ State of Arkansas

In Testimony whereof I have hereunto/ set my hand as Clerk of said Court the day/ and year above written

Jas S. Ward Clerk
Clark Circuit Court [D208.2]

~~~~~~

The State of Arkansas)
County of Clark)

Clerks Office of
the Clark Circuit
) Court In vacation
) 11th August AD 1838 [D208.3]

~~~~~~
~~~~~~

William Clark)
vs.) Trover
Daniel E. Williams)

This day Came the defendant/ by his attorney and on his motion it is ordered/ that he have leave to take the depositions of/ Witnesses de benesesse[22]: before any Judge/ or Justice of the peace in the State of Tenn/essee to be read as evidence on the trial/ of the above Cause

Jas S. Ward Clerk

~~~~~~

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State of Arkansas)
County of Clark)
) Clerks office of the Clark
Circuit Court In vacation
) Sept 10th 1838 [D209.1]

~~~~~~

William Clark Plff)
vs.) Trover
Daniel E. Williams Deft)

This day Came the defendant/ by his attorney and on his motion it is ordered/ that he have leave to take the depositions of/ Witnesses de bene esse before any Judge or/ Justice of the peace in the State of Arkansas/ to be read as evidence on the trial of the above cause

Jas S. Ward Clerk [D209.2]

~~~~~~

State of Arkansas)
County of Clark)
) Clerks office of the Clark
Circuit Court In vacation
) September 20th 1838 [D209.3]

~~~~~~

James W. Finley & Allen M Oakley)
Surviving Partners of the late firm of)
Finley Coleman & Co Plffs)
vs.) Debt
Jonathan W. Davis Deft)

---

[22] "De bene esse" is defined as "Conditionally, provisionally, in anticipation of future need" (Black, Henry Campbell, 1991, Black's Law Dictionary, Abridged Sixth Edition, West Publishing Company. St. Paul, Minnesota, p. 278).

This day Came the said plaintiff/ on on his motion it is ordered that this Cause/ be dismissed. It is therefore ordered that this/ Cause be and the same is hereby dismissed

Jas S. Ward Clerk
Clark Circuit Court [D209.4]

~~~~~~

State of Arkansas)
County of Clark)
Clerks office of the Clark
Circuit Court In Vacation
October 13th 1838 [D209.5]

~~~~~~

Ambrose Frier Plff)
vs.)
David Bradshaw & Rebecca Bradshaw) case for
Trespass on
Slander

This day Came the said plaintiff... [D209.6]

~~~~~~

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...and on his Motion it is ordered that this Cause be/ dismissed. It is therefore ordered that this cause/ and the same is hereby dismissed at the Costs of/ the said plaintiff

Jas S. Ward Clerk
Clark Circuit Court [D210.1]

~~~~~~