

OE.OB-27/00

VIRGINIA COUNTY COURT RECORDS

ORANGE COUNTY, VIRGINIA

ORDERS

1759 - 1762

This book contains Orange County Orders taken from Orange County Order Book No. 6, 1754-1763 pp. 486--618, for Courts held 23 August 1759 through 25 March 1762.

FAMILY HISTORY LIBRARY
35 NORTH WEST TEMPLE
SALT LAKE CITY, UTAH 84150

Edited & Published by Ruth & Sam Sparacio
THE ANTIEN PRESS
1320 Mayflower Drive, McLean, Virginia 22101-3402
Copyright 2000
e-mail addresses: ssantient@aol.com
Website <http://www.antientpress.com>

US/CAN
975.5372
F25P
1759

30

grace of God of Great Britain France and Ireland, King, Defender of the faith & Anno Dom: 1763 before his Majesty's Justices for the said County, to wit

JAMES MADISON JAMES WALKER
ROWLAND THOMAS ZACHARIAH BURNLEY Gent.
RICHARD BARBOUR

p. Orange County Court 27th day of January 1763

690 - Indentures of Lease and Release between REUBEN ROACH and EASTER his Wife of the one part and JAMES MADISON of the other part being acknowledged by the said REUBEN last October Court the said EASTER now acknowledges the same, she being first privately examined as the Law directs which is ordered to be certified

- An Indenture of Bargain and Sale between JOHN KING of the one part and ZACHARY BURNLEY of the other part was further proved by the Oath of ROBERT DEARING, another witness thereto, and ordered to be recorded

- Ordered that GEORGE TAYLOR apply to the Court of SPOTSYLVANIA for persons to be appointed to meet some of the Justices of this County in order to repair or let out the rebuilding the Bridge over the WILDERNESS RUN between the two Counties

- The Inventory and Appraisalment of the Estate of CHARLES HANSFORD, deceased returned into Court and ordered to be recorded

- On the Petition of MUNGO ROY for leave to turn the Road that goes through his Plantation, to turn out of the said Road above the said Plantation and go upon the line between him and Mr. PETTY and fall into the Road again below his Plantation, it is ordered that ALEXANDER WAUGH, Gent., JOSHUA HUDSON, NICHOLAS PORTER and BENJAMIN PORTER or any three of them being first sworn as the Law directs do view the way the said Road is intended to be turned and make report to the Court of the conveniences and inconveniences attending the same

- On the Petition of BENJAMIN PORTER for a Road to be cleared from the GLEABE PLANTATION to his Mill the most convenientest way for Carts to go to the said Mill, it is ordered that RICHARD THOMAS, Gent., EDWARD TINSLEY, GEORGE SMITH and JOHN GRIGSBY or any three of them being first sworn as the Law directs do view the most convenientest way for the said Road and make report of the conveniences and inconveiences attending the same

- Ordered that the Court be adjourned till the fourth Thursday in next month

- The Minutes of these proceedings were signed

JAMES MADISON

p. - At a Court held for Orange County on Thursday the 24th day of February

691 in the third year of the Reign of Our Sovereign Lord George the Third by the grace of God of Great Britain France and Ireland, King, Defender of the faith &c., Anno Domini 1763 before his Majesty's Justices of the said County to wit

JAMES MADISON RICHARD THOMAS\
WILLIAM BELL REUBEN DANIEL Gent.
RICHARD THOMAS ZACHARIAH BURNLEY

- An Indenture of Feofment between ANGUS VAWTER of the one part and

3b

conveniences attending the same

- Ordered that the male labouring Tithables at ROBINSON's Quarter. JOHN RAINS, ISAAC SERTAIN, JAMES ROACH and MUNGO PRICE be added to the gang that THOMAS THORPE is Overseer of in clearing the Road from the WILDERNESS to GERMANA

- Ordered that the Sheriff summon twenty four of the most capable Freeholders of this County not being Ordinary Keepers, Constables, Surveyors of Highways, Owners or Occupiers of Mills to appear at November Court next as a Grand Jury of Inquest for the body of this County

- Ordered that the Court be adjourned til the fourth Thursday in next month
- The Minutes of these proceedings were signed

BENJAMIN CAVE

p. - At a Court held for Orange County on Thursday the twenty fifth day of
503 October in the thirty third year of the Reign of Our Sovereign Lord George the Second by the grace of God of Great Britain France and Ireland, King, Defender of the faith &c. Anno Dom: MDCCLIX before his Majesty's Justices of the said County, to wit

BENJAMIN CAVE

FRANCIS MOORE

RICHARD THOMAS

WILLIAM BELL

REUBEN DANIEL

Gent.

ROWLAND THOMAS

and

ELIJAH MORTON

- On the Petition of JOHN CONNER, Overseer of Miss MARY WILLIS, that the way used to roll tobacco from the said WILLIS's Plantation on the MINE RUN into the Road to FREDERICKSBURGH is stopped and that he has no way open to roll or cart, therefore it is ordered that GEORGE BLEDSOE, JOHN BLEDSOE, JOHN WRIGHT and PHILIP SINGLETON or any three of the, being first sworn as the Law directs, view the best and most convenient way for a Road to be cleared from the said Plantation for rolling and that they make report to the Court of the conveniences and inconveniences attending the same

- The Settlement of the Estate of WILLIAM POLLARD, deceased, returned into Court and ordered to be recorded

- The Division of the Land of PETER MOUNTAGUE, deceased, returned into Court and ordered to be recorded

- An Indenture of Feofment between WILLIAM STROTHER and SARAH his Wife of the one part and WILLIAM PANNEL and DAVID PANNEL of the other part was proved by the Oaths of SARAH MORTON, URIEL MALLORY and EDWARD SPENCER, witnesses thereto and the said SARAH being first privately examined as the Law directs acknowledged the same which is ordered to be recorded

- The Last Will and Testament of WILLIAM EMBREY, deceased, was presented into Court by MARGARET EMBREY and JAMES ROBINSON, two of the Executors therein named and proved by the Oaths of PHILIP CASHIN and WILLIAM COURSEY JUNR., two of the witnesses thereto, and ordered to be recorded, and on the motion of the said MARGARET and JAMES who made Oath according to Law, Certificate is granted them for obtaining Letters of Probate thereof in due form giving security on which they with PHILIP EASTIN and VIVION

30

- At a Court for Proof of Public Claims &c., and for receiving and certifying Propositions and Grievances for Orange County the 28th day of February 1760 before his Majesty's Justices of the Peace for the said County, to wit

| | | |
|----------------|----------------|-------|
| BENJAMIN CAVE | ROWLAND THOMAS | |
| THOMAS JAMESON | RICHARD THOMAS | Gent. |
| WILLIAM BELL | ELIJAH MORTON | |

- TIMOTHY BURGESS presented into Court a Certificate for taking up a run away Negro man named Dick belonging to the Estate of LAWRENCE BATTAILE and made Oath thereto as the Law requires which is ordered to be certified

- JOHN BRAMHAM presented in Court a Certificate for taking up a run away Negro woman named Tabba belonging to JOHN ROANE and making Oath as the Law requires which is ordered to be certified

- The Minutes of these proceedings were signed
BENJAMIN CAVE

- At a Court held for Orange County on Thursday the twenty eighth day of February in the xxxiii year of the Reign of Our Sovereign Lord George the Second by the grace of God of Great Britain France and Ireland, King, Defender of the faith &c., Anno Dom: MDCCLX before his Majesty's Justices of the said County to wit.

| | |
|----------------------|----------------|
| BENJAMIN CAVE | ROWLAND THOMAS |
| THOMAS JAMESON | RICHARD THOMAS |
| WILLIAM BELL | REUBEN DANIEL |
| ELIJAH MORTON, Gent. | |

* - On the Petition of JAMES ROACH for leave to build a Water Mill over the MINE RUN near opposite to his House and it appearing to the Court that the said ROACH is owner of the land on both sides the said Run from below where the said Mill is intended to be built to above where the Dam will flow and that no other person's land will be overflowed or affected thereby; therefore leave is granted him for building the same

p. Orange County Court 28th of February 1760

509 - On the Petition of JAMES STEP for leave to build a Water Mill over the MINE RUN near his own house and that he is Proprietor of the land on both sides the said Run from where the said Mill is to be built to some distance above; therefore it is ordered that the Sheriff summon a Jury of twelve Freeholders of the Vicinage to meet upon the Land that may be affected or laid under water by building such Mill who being met and duly sworn before a Magistrate or the Sheriff shall diligently view and examine the adjacent lands on both sides of the said Run which may be affected or laid under water by building such Mill together with the Timber and other conveniences thereon and make report thereof under their hands and seals to the Court

- On the Petition of JULIUS CRISTY that he is desirous of leave to build a Mill over the RAPPADAN RIVER about a quarter or half mile below HEAD's FORD and that he is owner of the land on the North side the said River in CULPEPER County

(3d)

thereto as also a Memorandum of Livery of Seisen endorsed thereon by the same witnesses and ordered to be recorded

- It appearing to the Court that JAMES HUNTER, Gent., a witness in the suit between JOHN SIMPSON, Plt. and ARJALON PRICE, Deft. cant give his attendance at this Court, therefore on the motion of the said PRICE he is allowed a Commission to take his Deposition giving the adverse party legal notice of the time and place

- On the Petition of BEVERLEY STANARD that the Road from headforemost up over the BLUE RIDGE is very prejudicial to his Plantation and not so convenient for the Public as where the same was formerly marked and he desires that the same may be turned that way, Ordered that WILLIAM RIDDLE, HEZEKIAH RHODES, MICHAEL PEARSON, JOHN BLAKEY and HONORIAS POWELL or any three of them being first sworn before some Justice as the Law directs do view the way the said Road is intended to be turned and make report to the Court of the conveniences and inconveniences attending the same

- MARY the Wife of WILLIAM JACKSON, came into Court and being privately examined as the Law directs acknowledged her Right of Dower to the Land conveyed last February Court by the said WILLIAM to ROBERT ROWBUCK which is ordered to be certified

- ROGER BELL, JOHN STEVENS and WILLIAM COOK that viewed the way petitioned for the Road to be turned by THOMAS BURRUS having made their Report that the new way is about a hundred yards further and near as good as the old way, therefore ordered the said BURRUS have leave to turn the Road as marked he putting the same in good repair and then the old Road to be discontinued

- The persons appointed to view the Road petitioned for by JOSHUA HUDSON having reported the new way to be convenient, ordered that the said HUDSON have leave to clear the same as marked by the Viewers and when it is well cleared to be established the Road and the other way to be discontinued

p. Orange County Court 28th of February 1760

511 - GEORGE HEAD is appointed Overseer of the Road from above the THREE SPRINGS up by Mr. HASKEW's to the Ridge of the BEAVERDAM and that he with the gang that was under the said HASKEW when he was Overseer of the said Road clear and keep the same in repair

- Ordered that the following persons, vizt, all the male labouring Tithables of

- | | | |
|---------------------------------------|-----------------|---------------|
| * JAMES ROACH | * JOHN ROACH | MUNGO PRICE |
| JOHN NICHOLS | JAMES STEP | THOMAS LARNEY |
| JOHN DENNIS | THOMAS CHAMBERS | SOLOMON RYAN |
| LOTT UNDERWOOD & THOMAS THORPE, JUNR. | | |

work on the Riad from the WILDERNESS BRIDGE to GERMANNA FORD and that the said THORPE be Overseer of the same and with the said gang cler and keep the same in repair

- On the motion of THOMAS RUCKER, who made Oath according to Law, Certificate is granted him for obtaining Letters of Administration of the Estate of WILLIAM PEARCE, deceased, giving security, whereupon he with WILLIAM JACKSON and GEORGE ANDERSON, his Securities, entered into and acknowledged their Bond for the same

- On the motion of RICHARD THOMAS, Gent., who made Oath according to

30

ROGER and ordered to be recorded

- An Indenture of Feofment between THOMAS GRAVES and ISBELL his Wife of the one part and VIVION DANIEL of the other part with a Receipt and Memorandum of Livery of Seisen thereon endorsed was acknowledged by the said THOMAS and ordered to be recorded

- An Indenture of Feofment between VIVION DANIEL and ELIZABETH his Wife of the one part and THOMAS GRAVES of the other part was acknowledged by the said VIVION and ELIZABETH she being first privately examined as the Law directs and also a Receipt and Memorandum of Livery of Seisen thereon endorsed was acknowledged by the said VIVION and ordered to be recorded

- Present RICHARD THOMAS, Gent.
- Present ELIJAH MORTON, Gent.
- Present REUBEN DANIEL, Gent.

- An Indenture of Settlement between FRANCES BEALE of the one part and JAMES MADISON and RICHARD BEALE of the other part with a Receipt thereon endorsed was further proved by the Oath of THOMAS CHEW, one of the witnesses thereto and ordered to be recorded

- An Indenture of Relinquishment of Dower between FRANCES BEALE of the one part and CHARLES BEALE of the other part with Receipt thereon endorsed was further proved by the Oath of THOMAS CHEW, one of the witnesses thereto, and ordered to be recorded

p. Orange County Court 25th of June 1761

579 - Sam, a Negro boy belonging to JOHN BLAKEY, is adjudged to be thirteen years of age

- On the motion of MAY BURTON, he is allowed to keep ORDINARY at his House in this County for one year from this time he giving security, whereupon he with THOMAS RUCKER and BENJAMIN HEAD, his Securities, acknowledged their Bond for the same

- Ordered that GEORGE TAYLOR pay THOMAS BURGESS thirteen shillings and nine pence out of the money belonging to this County in his hands for repairs that the said BURGESS made to the Prison Doors &c.

- JAMES ROACH is appointed Overseer of the Road from GERMANNA FORD to the WILDERNESS RUN BRIDGE in the room of THOMAS THORPE, JUNR., and that he with the gang that was under the said THORPE keep the said Road in repair

- The Settlement of the administration of the Estate of TIMOTHY CROSTHWAIT deceased returned into Court and ordered to be recorded

- JOHN LEWIS, Gent. moved that the dispute concerning the Verbal Gift of a Negro made by EDWARD SPENCER, deceased, to his Daughter, WINIFRED, be reinstated on the Docket setting forth that the same had been continued for two material Depositions and the Plt. being absent last Court and the said LEWIS unacquainted that the said Depositions were wanted the Court takes time till the next Court to consider of the said motion

- On the motion of JAMES MADISON, Get. that JAMES TAYLOR, Sadler, is guilty of misbehaviour in his presence and sands out in contempt of all authority, it is therefore ordered that the Sheriff take the said TAYLOR in custody till he gives

- ROBERT PRITT, Plt. agt JOHN GOODALL, Deft. In Detinue
This day came the parties by their Attornies and the Deft. prays and has leave to imparle here till the next Court and then to plead

- JAMES ROACH, Plt. agt JAMES STEPP, Deft. In Case
Dismissed

- The Petition of WILLIAM COCKS against DARBY HANEY is continued
- The Petition of WILLIAM THOMAS against ALEXANDER WAUGH, JUNR
is continued

- The Petition of JOHN CHANDLER against PHILIP HOGAN JUNR. not
being executed, on the motion of the Plt. by his Attorney an alias summons is
awarded him against the said Deft. returnable to the next Court

p. Orange County Court 24th of July 1761

593 - JOHN FAULKES, Plt. agt HARMON HUST, Deft. In Det

This day came the Plt. by his Attorney and the Deft. acknowledges the Plt.'s
action, therefore it is considered by the Court that the Plt. recover against the Deft.
forty one pounds, six shillings current money, the Debt in the Declaration mentioned,
and his costs by him about his suit in this behalf expended and the Deft. in mercy &c.

- JOHN HARDWICK, Plt. agt JOSEPH HOLLADAY, Deft. On Petition
This day came the Plt. and the Deft. failing to appear it is considered by the Court
that the Plt. recover against the Deft. three pounds, fiveteen shillings current money,
the Debt in the Petition mentioned, and his costs by him about his suit in this behalf
expended, and the Deft. in mercy, &c.

- KELLEY JENNINGS, Plt. agt WILLIAM COOK, Deft. On Petition
This day came the Plt. and the Deft. failing to appear the Plt. made Oath to his
Account for two pounds, sixteen shillings and four pence current money, therefore it is
considered by the Court that the Plt. recover against the Deft. the sum aforesaid and
his costs by him about his suit in this behalf expended and the Defendant in mercy &c

- The Petition of SAMUEL DANIEL against JOHN DELANY is continued
- The Petition of SAMUEL DANIEL against JOHN BELL is continued
- JAMES COLEMAN, JUNR Plt. agt EDWARD SPENCER, Deft. On Petition
This day came the parties in proper person and the Deft. acknowledges the Plt.'s
Petition; therefore it is considered by the Court that the Plt. recover against the Deft.
two pounds, seven shillings and two pence current money, the Debt in the Petition
mentioned, and his costs by him about his suit in this behalf expended and the said
Defendant in mercy, &c.

- The Attachment of JOHN ALFRED HEAD against WILLIAM HUST is
dismist

p. Orange County Court 24th of July 1761

594 - The Cause called yesterday between ZACHARY BURNLEY, Plt. and
JAMES ISBELL, Deft. is by the consent of the parties referred to JOSEPH
JONES, JOHN LEWIS and GEORGE TAYLOR, Gent., or any two of them and their
award to be the Judgment of the Court

- On the motion of ROBERT JOHNSON, he is allowed to keep ORDINARY at
his house in this County for one year from this time giving security, on which he with
ZACHARY BURNLEY, his Security, entered into & acknowledged Bond for the same