

At a Court held and summoned in and for the County of Southampton on the 28th day of August 1878 for the examination of Nathaniel Fells
Deputy of Norrington Ellis on the 19th of the present month (August),
Present Jeremiah Cobb, Benjamin Griffin, James D. Madenbury } Justices
Benjamin Cobb and Thomas Halloway }
The Court being thus constituted, the prisoner was set to the bar by the
Deputy of this County into whose custody he was heretofore committed, charged
with the murder of one and thereupon divers witnesses appeared and
gave evidence on behalf of the Commonwealth. To wit, Howell Scarborough,
Norrington Ellis, Rees Fells and Thomas Fells, who were examined on behalf
of the Commonwealth touching the case, and the prisoner being fully heard
therein. The Court after hearing the testimony and all the circumstances
of the case, and after due consideration thereof are of opinion, that the
prisoner is guilty of the murder whereof he stands charged, and that he ought
to be tried for the said offence at the next Superior Court of Southampton
to be holden for the said County on the 7th day of September next and
upon the prisoner is remanded to jail —

Thomas Fells, Rees Fells and Norrington Ellis and Howell Scarborough
came here into Court and acknowledged themselves to owe
to the said Nathaniel Fells his Executors, James P. Preston Esq. Governor and
Magistrate of this Commonwealth each in the sum of one hundred
dollars Current money, to be paid of their respective lands and tenements, goods
and chattels, to the said Governor and his successors in office rendered for the use of
the Commonwealth. Yet upon this Condition that if the said witnesses shall personally
appear before the Judge of our Superior Court on the first day
of the next Superior Court by Mr. O. G. G. of that day to give testimony in behalf
of the Commonwealth agt. Nathaniel Fells, who is charged with murder, and
depart thence without the leave of the Court, then this recognizance
shall be void or else to remain in full force and virtue
Signed Jeremiah Cobb
Attest Aubin Middleton D.C.

At a Court of quarter session held for the County of Southampton
on the 1st day of September 1878
Present Levi Bowers, Benjamin W. Johnston & Justices
Benjamin Griffin and Clements Rochelle &
Clement Rochelle one of the Executors named in the last will and testament
of Nathaniel Fells deceased here in Court refuses to take upon himself the
execution thereof and well as to do or perform any trust
which may be reposed in him by virtue of the said will which is ordered
of record —