

the defendants have had legal notice of this motion they were solemnly called but came not. Therefore it is considered by the Court that the plaintiff may have execution against the said defendants for one hundred and eighteen dollars and sixty four cents the penalty of the said bond and his costs by him about his motion in this behalf expended And the said Dfs in mercy &c. But this execution may be discharged by the payment of fifty nine dollars and thirty two cents with legal interest thereon from the 10th day of May 1821 till paid and the costs.

The last Will and Testament of Jordan Barnett dec^d. was proved by the oath of Ready Johnson & Elizabeth Warren two of the witnesses thereto and ordered to be recorded.

Upon the petition of Thomas Williamson setting forth that he is the owner of the land on one side of the three crakes in this County, and that the lands on the opposite side of the shore are owned by Benjamin Lewis infant devisee of Jobson Lewis dec^d and that he is desirous of erecting a water mill on his side of the said stream, and building a dam across the said stream for working the said mill, and praying that one acre of land of the said Benjamin Lewis heirs may be laid off or set off to said infant, who is as and is out of the State of Virginia hath had legal notice of this application, and he being solemnly called and not appearing. It is therefore ordered that a writ of ad quod damnum be issued, directed to the Sheriff of this County, commanding him to summon and impanel twelve fit persons to meet upon the lands so proposed for the abutment, on the 30th of this present month who shall be charged by the said Sheriff impartially, and to the best of their skill and judgment to view the said lands so proposed for the abutment, and to locate and circumscribe by certain miles and corners one acre thereof having due regard therein to the interest of both parties and to appraise the same according to its true value: to examine the lands above and below, of the property of others which may probably be overflowed, and say to what damage it will be of to the several proprietors: and whether the mansion house of any such proprietor, or the offices, cartilage or garden therunto immediately belonging, or orchards will be overflowed to enquire whether and in what degree fish of passage and ordinary navigation will be obstructed, whether by any and by what means such obstructions may be prevented and whether in their opinion the health of the neighbours will be annoyed by the stagnation of the waters, and that the inquest so to be made and sealed by the said Sheriff, together with the said writ, be returned by the said Sheriff to the next Court.

Abner William & Daughtry & Benjamin Cobb } Court
President James D. Mapenbury & Alexander Dick

Robt a negro man slave the property of Mary Krichlow of this County was this day set to the bar by the Sheriff of this County into whose custody he was heretofore committed and charged with feloniously & burglariously breaking open and entering the store house of David Wallace Merchant in the Town of Jerusalem (a part of which was occupied as a dwelling house, on the 23rd day of April last past and then and there did feloniously and burglariously steal take & carry away, Broad cloths, Cambricks, Checks, Linties, black silk handkerchiefs & two trunks containing a large amount in bank notes, two bags containing silver money & two half eagles and sundry bonds notes and accounts, two guns & one trunk containing sundry wearing apparel all of which amounts to about six thousand dollars in value, and being thereof arraigned and upon his arraignment pleaded not guilty and for his trial put himself upon God and this Court (the Court of Oyer and Terminer summoned for his trial not having met) and thereupon divers witnesses were sworn & examined on behalf of the Commonwealth touching the premises to wit David Wallace and saw a negro man slave the property of Robert Hicks of this County, the Court after hearing the testimony and all the circumstances of the case, and the prisoner being fully heard by counsel