

Washington dec^d and John Stitzer and Lucy his wife, and Joseph Brady and Sally his wife, exhibits and arguments of Counsel, and it appearing that the order of publication heretofore made in this cause against the above defendants, has been duly published as the law requires, and they failing to appear and file their answers. Therefore it is considered, ordered & adjudged that one of the Commissioners of this Court, do examine, state and settle, on account current of Benjamin Devanys Administration or Esther Washingtons Estate and report any matter or thing thought pertinent by himself or required to be stated by the parties.

Upon the petition of Thomas Williamson for leave to build a water mill and dam across the three crakes. This day came the said Thomas Williamson and the Sheriff returned an unjust taken pursuant to a writ of ad quod damnum to him issued which sheweth in these words to wit "Inquisition taken and held at the place mentioned in the writ of ad quod damnum (the same being hereby annexed), We the subscribers being first duly sworn have proceeded agreeable to the several requisitions therein contained and after attaining Thomas Williamson the petitioner the privilege of building six feet of ponded water from the bottom of the upper straits agreeably to the customary plan of erecting mills in general and agreeable to order in which we are governed - And we the Jury are also of opinion that the health of the neighbours will not be annoyed by the stagnation of the waters so ponded and that the mansion house, garden, orchard &c. will not be injured - neither will the passage of fish or navigation be obstructed by the erection of the Mill aforesaid. We have also proceeded to lay off locate and circumscribe by certain miles and bounds one acre of land for the use of the mill aforesaid lying on the North side of the three crakes, belonging to the heirs of Zebulon Lewis dec^d. Beginning at a post standing in the corn field a new corner made by the Jury aforesaid together with the assistance of the County Surveyor - being a corner of the one acre attached to the mill seat and also a corner of the heirs of Zebulon Lewis dec^d. Thence S. 24. E. 13 poles to a persimmon tree a new cor. made in the mill acre near the main run of the three crakes - thence up the said creek S. 87 N. 13 poles to another persimmon tree a new cor. made in the said acre attached to the mill aforesaid thence N. 24. W. 13 poles to a red haw tree a new cor. made in the land of the heirs of Zebulon Lewis dec^d. and in the one acre of land aforesaid thence N. 37. E. 13 poles to the first station containing one acre Which will more fully appear by having reference to the plat annexed to this report - which we have valued at seven dollars and 25 cents &c. M. Thomas Williamson pays the same to Zebulon Lewis's heirs - And we the Jury also make the following valuations of the damages the several proprietors of the lands contiguous which will probably be overflowed in erecting the said Mill and holding the six feet water as aforesaid and that Thomas Williamson pay to Lewis Fort \$6.58 per acre which is 54 acres and to Zebulon Lewis's orphans \$6.66 per acre which is 11 1/2 acres amounting to \$429.79. and in case the said Thomas Williamson erects the said Mill shall pay unto the s^r Lewis Fort the sum of \$355.32 and to Zebulon Lewis's heirs the sum of \$74.42 and the other property Arthur Williamson Kinchen Williams & Nathan Every have transferred their interest in said lands by their written certificate which is hereto annexed. In Witness whereof we the Jury together with Lewis Co. Sheriffs hereto annexed. In Testimony whereof we the Jury together with Lewis Co. Sheriffs Deputy of George Davis Shff of the County of Smith as before have hereunto set our hands and seals this 30.th day of July 1821, Lewis Co. Sheriffs Dwyer Shff Decd. William Lundy Decd James Wright Decd Benjamin Turner Decd Saml. Rogers Decd Jarrell Turner Decd Selbyrick Decd Joseph Harris Decd Hardy Harris Decd David Meadbrook Decd Nathan Jones Decd Joel Whitbrook Decd John Bonham Decd." Whereupon it is ordered that Robert Rockelle Guardian to the orphans of Zebulon Lewis dec^d (if within the Commonwealth of Virginia, if not show his legal agent if any he hath) proprietor of the land located by the Jury and Lewis Fort and the said Robert Rockelle as